Minutes
Planning Board Public Hearing and Meeting
Thursday, May 28, 2020; Start Time: 6:30 pm
Place: Zoom Meeting ID: 810 3736 2735 Password: 684182
https://us02web.zoom.us/j/81037362735?pwd=RDZiM3VCNE1rdmQ5aWhBK05GajZTZz09
Dial by your location: 1 646 558 8656 US (New York) This is not a toll-free number

I. Roll Call and Attendance

- Planning Board: _x_Chris Maas, _x_Louise Ringle, _x_Barry Hutchins, _x_Herbert Aumann, _x_Denise Jackson, _x_Pete Robinson, _x_Lisa Laser
- Other Ordinance Committee Members: _x_Paul Matulis, _x_Steve Grammont, _x_George McKay, _x_Ryan Edgerly
- Staff: _x_Brian Gaudet; Consultant: _x_Gwen Hilton; Zoom moderator: _x_Dave Johnson
- Guests: Patrick Myers, Stuart Hedstrom

II. Minutes – Planning Board
_x_Chris Maas, _x_Louise Ringle, _x_Barry Hutchins, _x_Herbert Aumann, _x_Denise Jackson, _ob_Pete Robinson, _x_Lisa Laser – minutes adopted with correction to show vote on Roxanne Perkins garage as, 0 to 6 opposed.

III. Minutes – Ordinance Committee
_x_Chris Maas, _x_Louise Ringle, _x_Barry Hutchins, _ob_Ryan Edgerly, _x_Herbert Aumann, _ob_Denise Jackson, _ob_Pete Robinson, _x_Paul Matulis, _x_Steve Grammont, _x_George McKay – minutes accepted as written

PUBLIC HEARING

I. Chris convened the public hearing.

II. Gwen presented summaries of each of the following proposed ordinances:

1. Shall an ordinance entitled “Amendments to the Town of Dover-Foxcroft Land Use Ordinance” be enacted?

2. Shall an ordinance entitled “Amendments to the Town of Dover-Foxcroft Land Use Ordinance pertaining to the regulation of Solar Energy Systems” be enacted?

3. Shall an ordinance entitled “Town of Dover-Foxcroft Vacant and Abandoned Building Ordinance” be enacted?

4. Shall an ordinance entitled “Amendments to the Town of Dover-Foxcroft Land Use Ordinance pertaining to the regulation of Mega Land Uses” be enacted?
Summary: Proposed Amendments to the Town of Dover-Foxcroft Land Use Ordinance

**What is the purpose of the amendments?**

- The Dover-Foxcroft Land Use Ordinance was adopted on June 11th, 2019.
- The Ordinance is designed to streamline approval for smaller projects through Code Enforcement Officer permitting and require Planning Board review for larger projects.
- Recent experience has indicated the need to make it easier and faster for some small projects, while still providing adequate review where warranted.
- The proposed amendments will make it easier and faster to get approval for these small projects with approval from the Code Enforcement Officer.
- The amendments also will provide more flexibility for the Code Enforcement Officer and Planning Board to work together to adjust the permitting process to address the size and potential impacts of projects, with protections for neighbors and neighborhoods built into the process.
- Performance standards were added to address motor vehicle service and repair businesses.
- Other minor corrections were made to the text of the Ordinance.

Summary: Proposed Amendments to the Town Of Dover-Foxcroft Land Use Ordinance Pertaining to the Regulation Of Solar Energy Systems

**What is the purpose of the amendments?**

- The proposed amendments will allow and regulate solar energy systems in Dover-Foxcroft.
- The demand for solar energy is increasing rapidly in Maine and beyond.
- People want solar energy systems for their homes and businesses.
- Developers are looking for places to build solar energy systems so they can sell power to utility companies serving the electrical grid.

**What are the proposed amendments?**

- Small-scale solar energy systems (less than 1,700 sq. ft.) and roof top/building-integrated systems (any size) would require a building permit from the Code Enforcement Officer.
- Medium-scale (1,700 sq. ft. to 3 acres) and large-scale systems (3 acres to 40 acres) would have to meet specific standards and would only be allowed in certain land use districts.
- Solar energy systems larger than 40 acres would not be allowed in Dover-Foxcroft.

Summary: Proposed Town of Dover-Foxcroft Vacant and Abandoned Buildings Ordinance

**What is the problem?** Vacant and abandoned buildings can threaten public health, safety, and welfare, because:

- The building is unsafe due to extremely poor conditions – collapse, faulty wiring, fire hazard, poor sanitation, uninhabitable.
- The building is a threat to neighbors: health issues (rats, vermin, trash), safety issues (unauthorized access, accessible to children, criminal activity, fire hazard).
- The building is unsafe for fire, police, and code officials, particularly during emergencies.
- Neighborhood property values are diminished.
- It can be difficult to identify who is responsible for the building.

**What does the Ordinance require?**

- A Registration Permit: The owner of a building that has been vacant (unoccupied for 60 days or more) and that is unsafe (might collapse, fire hazard, not fit for occupancy, etc.) must get a permit that is applicable for as long as the building remains vacant and unsafe.
- Once the health and safety issues have been addressed, and it is evident that they will not be an ongoing problem, a permit may no longer be required.

**How does the Ordinance help the Town address these issues?**

- The Registration Permit allows the Town to identify the responsible party.
• The Code Enforcement Officer has the authority to determine when a building is vacant, abandoned, and unsafe.
• The Ordinance has Vacant Building Maintenance Standards.

**Summary: Amendments to the Town of Dover-Foxcroft Land Use Ordinance pertaining to the regulation of Mega Land Uses**

**What is the Purpose of the Proposed Amendments?**
- To give the Town greater authority over Mega Land Uses
- To establish clear guidelines and standards for Mega Land Uses so the Town can protect the public health, safety, and welfare
- To prevent or minimize any potential adverse effects on the Town
- To support the Vision, Goals and Policies of the Comprehensive Plan

**What is a Mega Land Use?** A large-scale project or development that can have very substantial impacts on the community. (Examples: large-scale - water extraction, highway/utility corridor, wind and solar energy, mining, resort, etc.) These specific uses will need to be defined in future amendments to the Land Use Ordinance.

**Phase I Amendments: What does this mean?** These “Phase I” amendments establish basic standards for any Mega Land Use that will allow the town to be better prepared if a Mega Land Use is proposed. These amendments do not define or include standards for any specific type of Mega Land Use (corridor, wind, etc.), nor do they allow any type of Mega Land Use. These specific uses will need to be defined in future amendments to the Land Use Ordinance. “Phase II” amendments will need to be adopted by the Town in the future to address specific types of Mega Land Uses, but the Town will have Phase I provisions in place to be better prepared.

**What do these amendments include?**

➢ **A More Thorough Review Process with Extensive Public Input**
  - An applicant must hold an initial public meeting to present a project and get public feedback
  - Three stage review process, Planning Board Meetings, Public Meetings and Hearings
  - Planning Board can hire its own experts to assist in its review (paid for by the applicant)

➢ **Requirements to Address:**
  - Environmental Protection (air & water quality, stormwater, wildlife habitat, scenic character, etc.)
  - Noise, setbacks, buffers, blasting, nuisances
  - Public services and facilities, emergency services, public roads, traffic, solid waste
  - Impact and alternatives analysis, mitigation (economic, land values, natural resource, etc.)
  - Significant tangible benefits to the town (economic, capital improvements, etc.)
  - Technical and financial capacity to construct and operate the project
  - Performance guarantees to ensure project meets regulatory standards
  - Decommissioning and site restoration, in case project is shut down permanently
  - Ongoing licensing requirements
  - Complaint protocol to address public concerns as they arise
  - Liability insurance

There was no public input on the proposed ordinances.
I. Chris reconvened the Planning Board Meeting to consider public input and make decisions as to recommending to the Select Board that the following ordinances be advanced for a town vote.

1. **Shall an ordinance entitled “Amendments to the Town of Dover-Foxcroft Land Use Ordinance” be enacted?**
   
   Motion by Lisa; seconded by Barry to recommend to the Select Board that the proposed ordinance be placed on the town meeting ballot.
   
   Vote: _x_ Chris Maas, _x_ Louise Ringle, _x_ Barry Hutchins, _x_ Lisa Laser, _x_ Herbert Aumann, _x_ Denise Jackson, _x_ Pete Robinson

2. **Shall an ordinance entitled “Amendments to the Town of Dover-Foxcroft Land Use Ordinance pertaining to the regulation of Solar Energy Systems” be enacted?**
   
   Motion by Denice; seconded by Louise to recommend to the Select Board that the proposed ordinance be placed on the town meeting ballot.
   
   Vote: _x_ Chris Maas, _x_ Louise Ringle, _x_ Barry Hutchins, _x_ Lisa Laser, _x_ Herbert Aumann, _x_ Denise Jackson, _x_ Pete Robinson

3. **Shall an ordinance entitled “Town of Dover-Foxcroft Vacant and Abandoned Building Ordinance” be enacted?**
   
   Motion by Louise; seconded by Lisa to recommend to the Select Board that the proposed ordinance be placed on the town meeting ballot.
   
   Vote: _x_ Chris Maas, _x_ Louise Ringle, _x_ Barry Hutchins, _x_ Lisa Laser, _x_ Herbert Aumann, _x_ Denise Jackson, _x_ Pete Robinson

4. **Shall an ordinance entitled “Amendments to the Town of Dover-Foxcroft Land Use Ordinance pertaining to the regulation of Mega Land Uses” be enacted?**
   
   Motion by Denise; seconded by Louise to recommend to the Select Board that the proposed ordinance be placed on the town meeting ballot.
   
   Vote: _x_ Chris Maas, _x_ Louise Ringle, _x_ Barry Hutchins, _x_ Lisa Laser, _x_ Herbert Aumann, _x_ Denise Jackson, _x_ Pete Robinson

II. The Town plans to vote on these ordinances on a July 14th ballot

III. **Other business:** Patrick Myers representing Center Theater requested permission to show drive movies on a temporary basis using a 20’ x 30’ tarp at the Ice Arena. The Board agreed unanimously that this would be acceptable.

IV. Adjourned at 7:02 pm

Recorder: Gwen Hilton