

Town of Whitefield, Maine  
Planning Board  
Minutes of Work Sessions, Feb. 1 and Feb. 8, 2023

**Present:** Kristin Mason, chair; Glenn Angell, Dan Burns, Jennifer Grady

**Absent:** Kathy Dauphin

6pm – session opened at Central Fire Station, 24 Townhouse Road

Minutes recorded by Lucy L. Martin, recording secretary

**Meeting with Select Board Jan. 31:** Angell reported at the Feb. 1 work session a positive response to his announcement that the Planning Board was postponing Subdivision Ordinance changes, previously intended for the March 18 Town Meeting warrant. Board members felt a thorough review of the document is necessary.

**Building and Development Ordinance proposals:** Seeking consistency in the document, the board consented to change a square footage discrepancy between **Articles 4** (Exemptions) and **Article 7** (Minimal Impact Development, Minor Development) from 300 ft. to 320 ft., on agreement that the lower number was a typographical error.

**Article 4**, further amended, would exempt from Ordinance requirements the following: all non-structural uses of land for agriculture and/or growing and harvesting trees, as well as development in which the structural footprint is less than 320 sq. ft. of total floor space and the associated disturbed area is less than 22,000 sq. ft. of land area. A Notice to Build has to be filed, however, and the minimum lot size and setback requirements of the Ordinance must be met.

Incorporated into **Article 7:** Classification of Projects, an amendment to the Minimal Impact Development classification, to include no more than two Accessory Dwelling Units on lots already developed with a single-family dwelling (per State law Ch. 672, based on LD 2003, which passed in 2022 and takes effect July 1, 2023).

For greater coherence, the narrative form of the Minimal Impact Development description was changed to a bullet format.

Proposed addition to Section 2.d Minor Development projects: allow conversion of an existing residential structure from single-family use to use as a short-term rental unit.

Added to **Article 8:Sect. 1:** “The Select Board shall set fees for a Notice to Build.”

Pending a more thorough review and revision of the Ordinance to achieve consistency, members decided to defer seeking a Building Permit rather than a Notice to Build.

**Article 11:** Transferability of Permit, which presently applies to mineral extraction and requires proof of financial capacity as well as change in title if a sale occurs, would be expanded to include solar energy and medical marijuana cultivation facilities. The section references **Article 9: Standards, sections 4 and 5**, which would require submissions of updated documents, such as operating plan changes if ownership changes; and in the case of medical marijuana cultivation facilities, proof of the new owner’s State of Maine conditional license.

**Article 16: Enforcement:** To address frequent failures to file a Notice to Build (NTB), or filing after construction has started, an addition proposes the following: If the activity is undertaken beforehand, and a Notice is required to be filed and approved before work can begin, a penalty fee would be imposed. Also proposed: “The Select Board shall set this penalty fee along with application fees.”

**Article 17:** Definitions would include the following: Accessory Dwelling Unit, Disturbed Area, Non-Residential Floor Area, Outbuilding, Primary Dwelling Unit, and Short-Term Rental.

Angell will seek feedback from the Select Board at its Feb. 14<sup>th</sup> meeting concerning fees as proposed in the revised Ordinance sections. He will meet with Administrative Assistant Yolanda Violette about writing the warrant article as simply as possible and making available to Town Meeting voters supplemental descriptions of the Ordinance changes.

8:05pm – VOTED (4-0) to adjourn 