

Town of Buxton
Planning Board Minutes
January 8, 2024

Minutes prepared by Patti McKenna

Vice -Chairman Chris Baldinelli called the meeting to order at 7 pm noting attendance of:

Members present: Chris Baldinelli, Roger Tracey and Jere Ross. Keith Emery and Craig Lefebvre were absent. Also attending on behalf of the town: Patti McKenna, Code Enforcement. Others in attendance: Cliff Thomas, Henry W. Huntley, Paul Levesque and Scott Warchol

Appointments:

Paul Levesque with an animal husbandry application for 292 Dunnell Road on map 7 lot 59-1-1. Paul L. explained that he is applying to have 20 birds at his property for eggs. More specifically: 8 ducks, 3 geese, and 9 chickens. They currently have birds at this property and were informed that this required a conditional use permit. He is here to correct that. The Board reviewed the application. They asked the applicant to provide a sketch plan to show who the abutting property owners are. They can get a copy of the tax map from the code office. The Board would also like to see the distances shown in feet from the coup area to dwellings on abutting lots and wells on abutting lots.

Jere Ross made the motion to do a site walk to view the property on Sunday, January 14 at 1 p.m. Roger Tracey seconded. The motion passed with a vote of 3-0.

Approval of Minutes: the Board discussed that there are only two board members present to vote on the December 11, 2023 minutes. This will be on the agenda to approve at the next meeting.

Approval of Bills: There were no bills.

CEO Report: CEO McKenna did not provide a report.

Communications:

1. The Maine City and Towns were shared for anyone who wanted.
2. Email from MMA dated January 4, 2024 regarding the applicability of section 9.6 buildable area requirement applying to cluster subdivisions. The email confirms that section 11.6.A.1 Cluster Development standards states, the purpose of the cluster development provisions is to allow for development and design variations, "provided that the net residential density shall be no greater than is permitted in the district in which the development is proposed. In the

definitions of the ordinance, net residential density (the number of dwelling units per net residential acre) is determined by dividing the net residential acreage by the minimum buildable area required in the zoning district in which the project is located. This is in reference to the cluster subdivision application off Old Standish Road.

3. The budget request from (SMPDC)Southern Maine Planning and Development Commission was sent to the Board. They are requesting dues next year of \$3,510. The Board discussed that because SMPDC is used by other departments of the town this falls under the Board of Selectmen's budget.

Other Business:

The Board discussed zoning changes to be in compliance with LD 2003 that town attorney Dixon prepared for the Board of Selectmen. The Board briefly reviewed the proposed changes.

The Board discussed other proposed zoning changes. Ms. McKenna reported that we still have not heard back from the town attorney on our proposed changes. The Board asked when we sent those to the attorney. We sent them in October. Jere Ross asked why did LD 2003 come before the Planning Board's request as he was under the impression this request came recently from the Board of Selectmen. The Board asked Patti to send the attorney a request to please work on the zoning amendments and to express their frustration that the Selectmen request took precedence over theirs.

Jere Ross asked if an ADU is allowed on a non-conforming lot or in a non-conforming structure. CEO McKenna stated that our current ordinance allows an ADU on a non-conforming lot, but they still have to meet setback requirements of the zone. The ordinance states that an ADU must meet the following standards; one of them being the lot must be a legally conforming or grandfathered lot.

Attendees may address the board: Scott Warchol asked to speak. He stated that perhaps it is time for the Planning Board to get its own attorney because of multiple conflicts with other Boards.

Scott had comments regarding the proposed changes to LD 2003 as follows:

TOWN OF BUXTON
PROPOSED ZONING ORDINANCE AMENDMENTS
TO COMPLY WITH NEW STATE HOUSING LAW

Commented [AD1]: Note: To make these amendments effective July 1, 2024, the warrant article should so specify.

For example: Notwithstanding 1 M.R.S.A. § 302, the date of applicability of amendments to this Ordinance proposed by this Article and adopted and effective by vote of the Town meeting on June **, 2024, shall be July 1, 2024.

I. The Zoning Ordinance of the Town of Buxton, Maine is proposed to be amended by adding the words shown in underline and removing the words shown in strikethrough, as follows:

ARTICLE 1 - PREAMBLE

1.3. Purpose.

The purpose of this ordinance is to promote the health, safety and general welfare of the residents of the Town; to encourage the most appropriate use of land throughout the Town; to promote traffic safety; to provide safety from fire and the elements; to prevent overcrowding of real estate; to prevent housing development in inappropriate areas; to conserve natural resources; to provide for adequate public services; to prevent water pollution; to protect fish spawning grounds, aquatic life, bird and other wildlife habitat; to protect buildings and lands from flooding and accelerated erosion; to protect archaeological and historic resources; to protect freshwater wetlands; to control building sites, placement of structures and land uses; to conserve shore cover and visual as well as actual points of access to waters; to conserve natural beauty and open space; to affirmatively further the purposes of the Federal Fair Housing Act, 42 U.S.C. ch. 45, as amended, and the Maine Human Rights Act to achieve the applicable statewide or regional housing production goal established by the Maine Department of Economic and Community Development; and to anticipate and respond to the impacts of development in shoreland areas, as an integral part of a comprehensive plan for municipal development.

ARTICLE 2 - DEFINITIONS

Accessory Dwelling Unit (ADU): ~~An additional living area independent of a primary dwelling that may have been added to, created within, or detached from a primary one unit dwelling. A self-contained dwelling unit located within, attached to or detached from a single family dwelling located on the same lot. The ADU must provide for living, sleeping, cooking, and bathroom facilities and be on the same parcel as the primary one unit dwelling. ADU shall be at least 190 square feet and no more than 500 square feet of living space.~~

Affordable Housing Development: (1) For rental housing, a development in which a household whose income does not exceed 80% of the area median income can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs; and (2) for owned housing, a development in which a household whose income does not exceed 120% of the area median income can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs. For purposes of this definition, "housing costs" means: (a) for a rental unit, the cost of rent and any utilities (electric, heat, water, sewer, and/or trash) that the household pays separately from the rent; and (b) for an ownership unit, the cost of mortgage principal and interest, real estate taxes (including assessments), private mortgage insurance, homeowner's insurance, condominium fees, and homeowners' association fees.

Area Median Income: The midpoint of a region's income distribution calculated on an annual basis by the U.S. Department of Housing and Urban Development ("HUD"). For purposes of this definition, "region" is the HUD-designated metropolitan area that includes the Town of Buxton.

Commented [SW2]: Documents should have page numbers.

Commented [AD3]: This purpose statement parrots the statutory requirement in 30-A M.R.S.A. § 4364-C (municipal role in statewide housing production goals). I've explained to Patti what the Town should do to ensure compliance with this new statutory requirement.

Commented [AD4]: This is the new state law / rule definition for ADUs. Standards for ADUs including minimum and maximum living space, are housed in new Section 11.23.

Commented [AD5]: This and the subsequent definitions derive from the new state law/rule definitions.

Base Density: The maximum number of dwelling units allowed on a lot not used for affordable housing development based on the applicable minimum lot size and buildable area in the zoning district where the lot is located.

Centrally Managed Water System: A water system that provides water for human consumption through pipes or other constructed conveyances to at least 15 service connections or serves an average of at least 25 people for at least 60 days a year as regulated by 10-144 C.M.R. Ch. 231, *Rules Relating to Drinking Water*. This water system may be privately owned.

Certificate of Occupancy: The municipal approval for occupancy granted pursuant to 25 M.R.S.A. § 2357-A or the Maine Uniform Building and Energy Code adopted pursuant to Title 10, chapter 1103.

Comparable Sewer System: Any subsurface wastewater disposal system that discharges over 2,000 gallons of wastewater per day as regulated by 10-144 C.M.R. Ch. 241, *Subsurface Wastewater Disposal Rules*.

Designated Growth Area: Any area within the Village District or Business & Commercial District.

Dwelling Unit: A room or suite of rooms used by a family as a habitation which is separate from other such rooms or suites of rooms and which contains independent living, cooking, sleeping, bathing and sanitary facilities. Except for an accessory dwelling unit, no dwelling unit shall contain less than 480 square feet of floor living space. For Subdivision purposes a "Dwelling Unit" means any part of a structure, which, through sale or lease, is intended for human habitation other than accessory dwelling units, including single-family and multifamily housing, condominiums, apartments and time-share units.

Low Income Housing: A housing project that is subsidized by a Federal or State Funding program.

... **Principal Structure:** |

Potable: Safe for drinking as defined by the U.S. Environmental Protection Agency's (EPA) *Drinking Water Standards and Health Advisories Table* and Maine's interim drinking water standards for six different perfluoroalkyl and polyfluoroalkyl substances (PFAS), *Resolve 2021 Chapter 82, Resolve, To Protect Consumers of Public Drinking Water by Establishing Maximum Contaminant Level for Certain Substances and Contaminants*.

ARTICLE 4 - CONFORMANCE WITH REGULATIONS

4.2.C.4 Non-Conformance. Notwithstanding the other provisions of Section 4.2.C, the construction of an accessory dwelling unit in accordance with Section 11.23 does not constitute an extension, reconstruction, enlargement, structural alteration, or expansion of use, or unlawful continuance of a non-conforming use or structure.

ARTICLE 5 - ADMINISTRATION

5.6 Application for Building Permit.

Commented [AD6]: I based this definition on the map in the Buxton Comprehensive Plan. Please advise if any other portions of the Town are designated as growth areas in the Comprehensive Plan; if so, this definition may need to be adjusted.

Commented [SW7]: The SF is less than the max for ADU, I don't think the SF should overlap, it is a conflicting requirement. Either reduce ADU max or increase minimum DU sf.

Commented [SW8]: Should have a better definition of Principal Structure.

Commented [AD9]: Although the statute/rule on ADUs is not entirely clear, DECD guidance provides that ADUs are allowed on nonconforming lots and in nonconforming structures.

Commented [SW10]: Should we include set backs and any other requirement shall be met.. I think so, makes it more clear.

5.6.B. The approval of all building permit applications shall be subject to evidence of compliance with the State Subsurface Wastewater Disposal Rules and Title 30-A, M.R.S.A., Section 4211. In addition, the approval of all building permit applications for one or more dwelling units, including accessory dwelling units and units within an affordable housing development, shall be subject to evidence of compliance with Section 10.18. The Code Enforcement Officer may condition approval of a building permit on such evidence of compliance.

Commented [AD11]: Note that a strict reading of LD 2003 requires that only ADUs, AHDs, and second/third/fourth, etc. dwelling units on a lot must comply with the verification requirements in Section 10.18, thus exempting the first single-family dwelling from these requirements. For administrative ease, I have made these requirements apply to all dwelling units, including the first SFDU. This means that, going forward, new residential construction will need to meet the (stringent) water potability standards imposed by DECD.

5.7 Certificate of Occupancy.

5.7.A. No new building or addition shall be occupied after its construction, alteration or relocation, nor shall a new use be established in an existing building until a Certificate of Occupancy has been issued by the Code Enforcement Officer. Upon notification by the owner or his agent, the Code Enforcement Officer shall, within 72 hours, make proper examination to verify that the work or new use is in compliance with this Ordinance and the Buxton Building Code, including but not limited to the written verification of the requirements set forth in Section 10.18. If all work is found to be in compliance, the Code Enforcement Officer shall issue a Certificate of Occupancy.

ARTICLE 9 - DISTRICT REGULATIONS

9.6 Lot and Yard Requirements.

In each district, the division of land and placement of structures shall conform to the following table:

TABLE A. Dimensional Requirements⁽¹⁾

	Village	Res	Rural	BC	LC
Lot Size (sq. ft.)					
Residential					
Single Family	80,000 ⁽²⁾	120,000 ⁽²⁾	200,000 ⁽²⁾	80,000 ⁽²⁾ n/a	80,000 ⁽²⁾
Elderly & Low Income Housing					
for first Dwelling Unit	80,000	120,000	200,000	n/a	n/a
for each additional Dwelling Unit	20,000	20,000	20,000	n/a	n/a

Commented [AD12]: This is not related to LD 2003, but it appears to be a typo since the BC district prohibits residential dwellings. Please confirm.

Commented [SW13]: The 80,000 sf should be deleted from BC.

(2) Per dwelling unit, Minimum lot size and buildable area does not apply to an accessory dwelling unit constructed in compliance with Section 11.23.

9.8 Land Use Regulations.

TABLE B - LAND USE⁹

LAND USE	Ord. Ref	V ⁶	Res	Rur	S	RP	BC ⁶	LC ⁶
Accessory Dwelling Unit*	11.23	P	P	P	NP	N	N	NP
Affordable Housing Development*	11.22	E	E	N	N	N	N	N
Elderly & Low Income Housing *	11.22	E	E	E	N	N	N	N

ARTICLE 10 - PERFORMANCE STANDARDS -- GENERAL REQUIREMENTS

10.7 Off-Street Parking and Loading.

10.7.D. Parking spaces shall be provided to conform with the number required in the following schedule:

<u>Activity</u>	<u>Minimum Required Parking</u>
Residential & Elderly	2 spaces per dwelling unit with 2 or
<u>Housing, other than Affordable Housing Development</u>	more bedrooms. 1 ½ spaces per dwelling unit with 1 bedroom. <u>No additional spaces for ADUs.</u>
<u>Affordable Housing Development</u>	<u>2 spaces per 3 dwelling units</u>

1. Except for affordable housing developments, the above are minimum standards and additional parking spaces shall be required if these prove to be inadequate.

10.18. Sanitation and Potable Water Standards.

The standards in this Section 10.18 apply to all dwelling units, including units within an affordable housing development and accessory dwelling units. Prior to the issuance of a certificate of occupancy, the permit holder must provide written verification to the Code Enforcement Officer that the unit is connected to adequate water and wastewater services, as follows:

10.18.A. If a unit is connected to a public, special district, or other comparable sewer system, proof of adequate service to support any additional flow created by the unit and proof of payment for the connection to the sewer system.

10.18.B. If a unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing

Commented [AD14]: ADUs must be allowed where residential uses are permitted, including as a conditional use. Because the LC zone allows single family dwellings as conditional uses, ADUs must be allowed here. I suggest you allow them with a building permit, rather than through the conditional use process (since, presumably, the single-family dwelling would be allowed first as a conditional use).

Commented [SW15]: Keep conditional use even for ADU's.

Commented [AD16]: AHDs must be allowed where multi-family dwellings are allowed. You may also allow AHDs in other zones. For example, since the Town currently allows elderly & low income housing in the Rural zone as a conditional use, you might consider allowing AHDs there. If so, please change the N to an E in this line.

Commented [SW17]: I did not see where the goal of the comp plan was to allow growth in the rural areas.

Commented [SW18]: According to the LD2003 AHD density requirements on page 2 of the law, AHD must be in a designated Growth Area, currently our rural and residential areas are not designated for Groth Areas. While we may allow additional buildings that does not mean these are Growth Areas. Yes Density Requirements say AHD is allowed where multi-family units are allowed but it also says where MF units are allowed to be 2.5 times density and must be in a designated growth area. I am not opposed to other areas but we should be consistent on how we apply the statute.

Commented [AD19]: These changes are based on LD 2003 statutory requirements.

Commented [SW20]: Potable – should be consistent or is there another reason to use “adequate”?

Commented [SW21]: Is there a State requirement to have a minimum water flow rate per dwelling unit? Just because the water is potable and if the flow rate was 2 gallons a minute that most likely would not be adequate.

inspector pursuant to 30-A M.R.S.A. § 4221. Plans for a subsurface wastewater disposal system must be prepared by a licensed site evaluator in accordance with 22 M.R.S.A. § 42.

10.18.C. If a unit is connected to a public, special district, or other centrally managed water system, proof of adequate service to support any additional flow created by the unit and proof of payment for the connection and the volume and supply of water required for the unit.

10.18.D. If a unit is connected to a private well, proof of access to potable water, including the following standards:

10.18.D.1. The well must be sited and constructed to prevent infiltration of surface water and contamination from subsurface wastewater disposal systems and other known sources of potential contamination.

10.18.D.2. Site design must allow for placement of wells, subsurface wastewater disposal areas, and reserve sites for subsurface wastewater disposal in compliance with 10-144 C.M.R. Ch. 241, the Maine Subsurface Waste Water Disposal Rules.

10.18.D.3. Proposed activities involving sources of potential contamination, including junkyards, automobile graveyards, gas stations, and bulk storage of petroleum products, must be located at least 300 feet from existing private and public water supplies.

10.18.D.4. For subdivisions and commercial, industrial, and other non-residential development, the applicant must demonstrate that there is sufficient healthful water supply to serve the needs of the project.

Commented [SW22]: Potable, why use healthful, not consistent.

10.18.D.5. When a project is to be served by a public water system, the location and protection of the source, the design, construction, and operation of the system must conform to the standards of 10-144 C.M.R. Ch. 231, Rules Relating to Drinking Water.

10.18.E. Any tests of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

ARTICLE 11 - PERFORMANCE STANDARDS, SPECIFIC ACTIVITIES AND LAND USES

11.22 Elderly ~~and Low Income~~ Housing and Affordable Housing Development.

Elderly and ~~Low Income~~ affordable housing development projects shall meet all of the following standards as well as the general performance standards of Article 10:

11.22.A. All parking areas, driveways and other areas subject to vehicular traffic shall be paved with bituminous asphalt, concrete or an equivalent surfacing over a gravel sub-base at least 6" in thickness and shall have appropriate bumper or wheel guards where needed.

11.22.B. Only developments having a total site plan for structures will be considered. Each building shall be an element of an overall plan for site development. The developer shall illustrate the placement of the buildings and the treatment of spaces, paths, roads, service and parking and in so doing shall take into consideration all requirements of this section and of other relevant sections of this Ordinance.

11.22.C. The Planning Board may require the construction of storage ponds and dry hydrants for fire protection purposes, and may require fencing.

11.22.D. Utilities shall be installed underground wherever possible. Transformer boxes, pumping stations and meters shall be located so as not to be unsightly or hazardous to the public.

11.22.E. For Elderly Housing, each dwelling unit shall have not more than two (2) bedrooms.

11.22.F. An affordable housing development that complies with the requirements of this Section 11.22.F is eligible for a dwelling unit density bonus of 2 ½ times the base density that is otherwise allowed on the lot proposed for affordable housing development. If fractional results occur when calculating the density bonus, the maximum number of allowed units shall be rounded down to the nearest whole number.

11.22.F.1. Location. The affordable housing development must be either (1) located in a designated growth area or (2) served by a public, special district, or other centrally managed water system and a public, special district, or other comparable sewer system.

11.22.F.2. Long-term affordability.

11.22.F.2.1. More than half of the total dwelling units in the affordable housing development must be designated as affordable rental units or affordable homeownership units.

11.22.F.2.2. Prior to the issuance of a certificate of occupancy for a structure to be used for an affordable housing development, the owner of the affordable housing development must execute a restrictive covenant recorded in the York County Registry of Deeds and enforceable by a third party acceptable to the Planning Board, to ensure that for at least thirty (30) years after completion of construction occupancy of all units designated affordable in the development will remain limited to households at or below 80% (for rental housing) or 120% (for owned housing) of the local area median income at the time of initial occupancy. The restrictive covenant must run with the land and encumber the affordable housing development, be binding upon the developer (for rental housing) or the unit owners (for owned housing) and their successors and assigns, and inure to the benefit of and be enforceable by the Town of Buxton and a third party acceptable to the Planning Board.

11.22.F.3. Water and wastewater.

Commented [SW23]: Should sprinkler systems be mentioned, could one argue that this requirement only required dry pond or storage pond?

Commented [PM24R23]: Section 10.17 requires sprinklers for any 3 or more residential unit structure.

Commented [SW25]: Who is responsible to ensure units meet requirements?

11.22.F.3.1. The sanitation and potable water standards in Section 10.18 shall apply to each unit within the affordable housing development.

11.22.F.3.2. The developer of the affordable housing development must make adequate provision for the long-term maintenance, repair, and improvement of any (i) individual private septic system, (ii) comparable sewer systems, (iii) individual private wells, and (iv) public water systems proposed to serve the units within the affordable housing development, including a process of collection and enforcement to obtain capital improvement funds from the developer (for rental housing) or the unit owners (for owned housing).

11.22.F.4. Parking. Notwithstanding any provision of this zoning ordinance to the contrary, no more than two (2) off-street parking motor vehicle spaces shall be required for every three (3) units within the affordable housing development. If fractional results occur, the number of motor vehicle parking spaces shall be rounded down to the nearest whole number.

11.22.F.5. For Low Income Housing, There shall be a 2 story limit on height, and 4 units per building, a limit of 5 buildings per affordable housing development.

11.22.F.6. Nothing in this Section 11.22.F. exempts an affordable housing development from any other requirements of this zoning ordinance, including without limitation, any subdivision or shoreland zoning requirements.

11.23 Accessory Dwelling Units.

When permitted, an Accessory Dwelling Unit (ADU) must that meets the following standards is not considered a dwelling unit for purposes of (i) applying the minimum lot size and buildable area requirements contained in Table A, Section 9.6; (ii) counting the number of dwelling units when applying the access to lots standards in Section 10.1; (iii) counting the number of dwelling units when applying the subdivision definition in Article 2; or (iv) calculating the maximum net residential density allowable in cluster developments pursuant to Section 11.6. An ADU that does not meet the following standards is considered a dwelling unit and must meet all applicable standards for a single family dwelling.

11.23.A. The lot must be a legally conforming or grandfathered lot. The ADU must be located in a zoning district where residential uses are permitted. No more than one ADU shall be permitted on a lot containing one or more single family dwelling units.

11.23.B. The ADU may be constructed within or attached to a single family dwelling or accessory structure, or as a new structure on the lot for the primary purpose of creating an ADU. If the ADU is within or attached to a single family dwelling, the construction must be in compliance with all street frontage, shore frontage, lot width, and yard dimensions setback requirements contained in Table A, Section 9.6 of the Buxton Zoning Ordinance applicable to single family dwellings. If the ADU is a separate structure or attached to an accessory structure, the ADU must comply with all street frontage, shore frontage, lot width, and yard setback requirements contained in Table A, Section 9.6 applicable to accessory structures.

Commented [SW26]: Town has no ordinance for winter snow storm on street parking, should we?

Commented [AA(D27): State law requires AHDs must be allowed to have a dwelling unit density of at least 2.5 times the base density that is otherwise allowed in the zoning district. Limiting height, units per building, and buildings per development could restrict this density bonus allowance. The Town does have authority to regulate height and number of buildings, but probably not the number of units per building if the other two factors are regulated.

Alternatively, the Town could strike this provision altogether, or adopt this provision instead:

"There shall be a 2 story limit on height, a limit of 4 units per building, and a limit of 5 buildings per affordable housing development, except that any one or more of these height, unit, and building restrictions may be exceeded to the extent necessary to accommodate the dwelling unit density bonus provided in Section 11.22.F, above."

Commented [SW28]: LD2003 does not mention accessory structures.

11.23.C. ~~The use will not essentially alter the character or appearance of the property.~~
The ADU must have at least 190 square feet and not more than 500 square feet of living space.

11.23.D. ~~The use is confined to expanding or altering existing residential dwellings or garages.~~

11.23.E. ~~The floor area of the alteration or expansion shall not exceed 500 square feet.~~

11.23.FD. The lot on which the ADU is proposed must comply with the parking space requirements of Section 10.7.D. for residential housing. Additional parking and turnaround space must be provided if needed. On street parking will not be permitted. Driveways serving the ADU that are longer than 200 feet from the street must provide an adequate emergency vehicle turnaround.

11.23.GE. ~~The use must provide for its wastewater disposal and be in accordance with the Maine Disposal Rules.~~ The ADU must comply with the sanitation and potable water standards in Section 10.18.

11.23.HE. ~~The alteration or expansion ADU must be in compliance~~ comply with all state and local fire code safety standards.

11.23.IG. No open or enclosed outside stairways shall be permitted above the first story.

11.23.H. Except as expressly provided herein, nothing in this Section 11.23 exempts an ADU from any other requirements of this ordinance, including without limitation any shoreland zoning requirements.

Commented [SW29]: I think enclosed (weather tight) stairway should be allowed as long as it meets code. If it is weather tight same as if on the interior.

Scott Warchol's comments are shown in the left comment boxes, discussion around those comments are as follows:

The definition of a dwelling seems confusing. A dwelling can be no less than 480 square feet, but an ADU can be 500 square feet.

There was a discussion about whether the designated growth area in the comprehensive plan has been adopted as the designated growth area. Scott points out that the zoning laws have to be consistent with the comprehensive plan. When Southern Maine Regional did the workshop on LD 2003 they stated Buxton's growth area was in the triangle of Main Street and 4A because it is the urban compact area. CEO McKenna suggested that if we propose all of the Village zones to be the growth area, and the town votes to adopt that, it would become the growth area, and then be consistent with the comprehensive plan.

Scott points out that the comp plan proposes more village zone to be extended which never got adopted. The comp plan growth area is not consistent with the zoning map. The comp plan suggested that the village zone be extended at the intersection of Rt 112 and 22 and proceed southeast along 22 for a distance of one mile and a depth of 1,000 feet and if you go to the map it doesn't show that as a designated growth area.

The comprehensive plan suggests to keep the rural zone rural. Our ordinance allows elderly and low income housing in the rural zones now. The suggested proposal removes the ability to have elderly and low income housing.

Scott asked why we ask for 6" of pavement for parking area in the affordable or elderly housing? Shouldn't that be 3"?

Where LD 2003 states affordable and elderly housing must be in a designated growth area. That our ordinance allows them in the Residential, Village and Rural zone, does that mean we should restrict them?

Scott Warchol added that we should have a short term rental ordinance, with these ADU's and Extra Dwelling Units will be rentals, I'm not sure how this Law will really help the housing crisis since the cost of building is so high then for a home owner to rent out unit, the ROI will be a long time plus they will become landlords.

Adjournment: Jere Ross mad the motion to adjourn the meeting at 8:09 p.m. Roger Tracey seconded. The motion passed with a vote of 3-0 in favor.

Date Approved: _____

Signed: _____
Keith Emery, Chairman