Minutes of the meeting of the TOCI Planning Board on January 16, 2014 at 7:15 at the Hall

Present: Sam Birkett, Chip Corson, Beth Howe and Charles Hall
Absent: Louise Doughty, Mabel Doughty, Jane Frizzell. Also Ron Tozier CEO

Beth said she thought there might be a meeting on the Hope Island roads next week.

1. Minutes
   Charles said he thought that the minutes misstated the issue about the setbacks of non-conforming buildings. The issue is that no added construction should increase the non-conformity. It is not that a grandfathered building is not required to have any setbacks. Beth said she would talk to Ron when he got back about what issue he was raising in relation to the Inn.

   Ron had also suggested that we consider having a maximum for the amount of a lot that can be covered by buildings, roads, parking lots and other unvegetated surfaces. The shoreland zone already has a limit of 20 percent of the lot that is in the shoreland zone. Chip said it would be difficult to apply something like this to lots of very different sizes. Beth said the limits we have now are two: the setbacks and the State requirement that a lot be at least 20,000 square feet if it is served by a septic system. These mean that some really small lots are already made unbuildable. A percentage limit would adjust the building envelope to the different sizes of lots.

   Sam said there is interest in discouraging very large buildings. A maximum lot coverage restriction would help with this. Beth said we can consider this as we move on in the zoning revision.

   Sam moved, seconded by Charles to accept the minutes contingent on a change in the wording about setbacks on grandfathered lots. Passed unanimously.

2. Planning Budget for 2014-15
   Beth said that for the last few years the only expenses for Planning have been expenses for postage and advertising hearings in the Forecaster. But in working on the issue of excavation and extraction, as well as on the site planning approval criteria, we have run up against the issue of whether it would make sense to define aquifer recharge areas on the island and develop guidelines for reviewing development proposed in them. Some kinds of development that would have a negative impact on the groundwater might also be prohibited in them. She had been thinking that it might be a good idea to ask for money in the coming year’s budget to hire Carol White to do an aquifer recharge map and make recommendations about what standards should be set for development in these areas.

   Chip said we already have an aquifer map and that at least some areas in aquifer recharge areas is designated in the comprehensive plan for development. Beth said that having development restrictions in these areas had been briefly considered by the comp plan committee, but it had never been carried through. The
comprehensive plan can be changed. Having Carol develop the map and recommendations would help give them legitimacy.

The members present agreed to the idea of asking for money for this project.

3. Review of proposed changes to the Zoning Ordinance, sections 206 and 412. Initially Beth handed out a corrected page for the site planning 206.4 Classification of projects. The dividing line between major and minor site plans should be 5,000 square feet of building footprint, not 3,000. We voted to set it at 5,000 at the March 26, 2013 meeting.

The group then reviewed the proposed changes to section 412 related to extraction and excavation of earth materials, going over changes that had been accepted and those that were still uncertain.

II.2. Construction exempted. Beth said that the wording of section II.6 is really just a footnote. In II.2 Chip suggested adding “with an” in front of “already approved by a building permit.”

III.F. Accessory uses. Beth said we had left aside the issue of whether we should allow some, all or no processing of earth materials. Some processing, like screening topsoil may be pretty quiet and not cause a problem. Wayne does it now. But breaking up rocks into gravel is very noisy. Chip said that the distinction is not so easily made. Rocks come out of topsoil, so that the screening process is not necessarily so quiet. The present gravel pit does not have residences close by. Beth said she thought this was an issue Ron should weigh in on.

III. G. 1.a. No more than two permits for the same parcel of land. Sam asked what the logic of this was. Beth said that it would make it difficult to develop a large project incrementally. The developer could do a project in stages, but s/he would have to explain the whole project at the beginning.

III.G. 1.b. Classification of projects: Chip said that requiring all projects moving more than 100 cubic yards of material be reviewed was impractical. The foundation of even a very small house would be more than 100 cubic yards and, often the foundation, septic system and road would be more than 300 cubic yards. Beth said these size standards had been set with the exemption of house construction in II.2. But she thought it would be useful to consider again the proposal that Ron had put forth not to exempt house construction but to the set volume standards to apply to all kinds of development. Ron had originally suggested no regulation for excavation of less than 1,000 cubic yards. Chip said he thought this would be a good idea.

Table 412.1 Additional information to be provided about excavation and extraction projects: Chip said he thought that there was not enough difference between the medium and large categories to make it worth including. Beth agreed. Maybe there should be projects moving less than about 1,000 cubic yards and those moving more
than that. The first might be minor site plans or approval by the CEO, while the second would be treated like major site plans. Beth said she would draft this version of this section and bring it to the next meeting.

III.G.2.b. inspection by CEO. Need to ask Ron.

III.G.c. Groundwater impacts: Beth said we will be working on the issue of aquifer recharge areas. In any case, the requirements for determining the seasonal high water table and monitoring it are made more specific. This was agreed to.

III.G.2.d. Buffers: Beth said she cannot visualize how large 200, 100 or 50 feet is. Chip said that half an acre square would be about 200 feet on a side. Beth said that, then 200 feet might be too much, and 50 feet might be too little. Charles questioned how this world work for different sizes of lots. What are our existing setbacks? Beth read out that for 1.5 acre lots they are 55’ in front, 30’ on each side and 65 in back. Setbacks for lots created before 1975 are smaller. This difference would make it more difficult simply to say that the setbacks should be left as buffer.

III.G.2.e-i: Beth said that she realized from the buffer discussion that she had made the same error as Cumberland in designing standards that only apply to gravel pits and not to smaller, other kinds of excavations. This requires rethinking of this whole section. She will bring a revised version to the next meeting.

That marked the end of the proposed changes to Section 412. So the meeting adjourned.

Respectfully submitted,

Beth Howe