

Town of Searsmont  
Draft Planning Board Work Session Notes  
December 19, 2023  
6:30 PM

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6 1. This work session of the Planning Board convened at 6:36 pm. These minutes are a  
7 summary of the Board's discussions. A recording of this meeting is available at the Town  
8 office.  
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10 2. Roll Call - Members Present:

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12 Christian Halsted, Chair  
13 Jon Thurston  
14 Sarah Crosby  
15 Jon Robbins  
16 John Lightner  
17 Evie deFrees, Vice Chair  
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Others:  
Patricia Chapman, Clerk (on Teams)  
Adi Philson, MCOG  
Max Johnstone, MCOG

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21 3. MCOG Work Session:

- 22 a. Section 300 Permits and Procedures – the suggested edits in this section are not  
23 directly related to LD2003 but could be relevant in some situations.  
24 i. This is not a section that has been reviewed or edited since C. Halsted has  
25 been on the board.  
26 ii. Does a change of use need a permit? Yes.  
27 1. Adding an apartment to a residential building is not a change of use.  
28 2. Adding apartments to the old fire station is a change of use – commercial  
29 to residential.  
30 b. The primary goal is to get LD2003 changes done. Other suggested edits can be  
31 flagged for future review.  
32 c. Section 600 General Standards Outside the Shoreland Zone  
33 i. MCOG made all of the LD2003 edits to this section. Some edits need to be  
34 copied to the Shoreland Zone section 800 if the sections are being kept  
35 separate.  
36 ii. Should this be just General Standards that apply to everything and then 800 is  
37 just items specific to Shoreland Zones?  
38 1. The board would prefer to have separate sections for things inside and  
39 outside the Shoreland Zone vs having to look at the general section and  
40 the Shoreland Zone section.  
41 iii. Shoreland Zone rules trump LD2003 except for requirements related to  
42 accessory apartments. Towns must allow accessory dwellings in the Shoreland  
43 Zones and anywhere they allow single family residences. The towns can decide  
44 if they want to include the other LD2003 items (Affordable Housing units,  
45 multiple dwelling units) in the Shoreland Zones.  
46 iv. Accessory apartments and accessory dwelling units mean the same thing in the  
47 state definitions.

- 48 1. It doesn't matter if the accessory unit is attached to the principle building  
49 or not.
- 50 2. Towns can add size limits to differentiate accessory units from principal  
51 dwellings.
- 52 d. 607 Accessory Apartments (Dwelling)
- 53 i. LD2003 requires that accessory apartments be allowed in Shoreland Zones.
- 54 ii. Does the board really want to specify the number of bedrooms and/or people?  
55 There is already a 550 square foot maximum.
- 56 1. Many towns have increased their maximum size to 800 square feet or a  
57 percentage (i.e., 40%) of the square footage of the principal dwelling.
- 58 2. There is no state guidelines for the size.
- 59 3. The board agreed to remove the restrictions on number of bedrooms and  
60 people and increase the maximum size to 800 square feet.
- 61 iii. The Planning Board needs to decide what their goal is and set the guidelines  
62 based on those goals.
- 63 iv. "Accessory Apartments" needs to be changed to "Accessory Dwellings"  
64 everywhere in the LUO to be more accurate based on the state definition.
- 65 1. Accessory Dwelling definition can specify that it may also be referred to  
66 as Accessory Apartments.
- 67 v. Copy section 607 to Shoreland Zone section 800 and edit D and E.
- 68 1. In Shoreland Zone, Accessory Dwellings need to abide by minimum lot  
69 sizes;
- 70 2. Outside Shoreland Zone, Accessory Dwellings are exempt from  
71 minimum lot sizes.
- 72 3. In Shoreland Zone, Accessory Dwellings need to provide at least 1  
73 parking space.
- 74 4. Accessory Dwellings outside the Shoreland Zone are exempt from  
75 parking requirements.
- 76 vi. Wastewater standards – can add a separate section for this that applies to both  
77 in and outside the Shoreland Zone.
- 78 vii. Primary dwelling/structure vs principal dwelling/structure vs existing single-  
79 family dwelling/structure – we should choose one and use it consistently. The  
80 board decided to go with Accessory Dwelling.
- 81 viii. 607 c is an item to have more discussion on in the future as it is not relevant to  
82 LD2003. Do we need to define architectural requirements? Towns are still  
83 allowed to have architectural restrictions.
- 84 ix. Table 703 – Dimensional Requirements – towns are allowed to be less  
85 restrictive for accessory dwellings. The board all agreed to keep these  
86 requirements as they are.
- 87 [Typo in Section 607 references table 603 instead of 703 for Dimensional  
88 Requirements.]
- 89 x. New section 611 Water and Wastewater Standards for Residential Uses
- 90 1. This applies to principal dwellings and accessory apartments both in and  
91 outside the Shoreland Zone.

- 92 2. "Written verification" can be whatever is acceptable to the board as long  
93 as it's in writing. Statement from the LPI or copy of septic plan or  
94 inspection, etc.
- 95 xi. Certificates of Occupancy
- 96 1. Not required based on state guidelines by town size
- 97 2. Section 611: Change wording from "prior to certification for occupancy"  
98 to "prior to occupancy" and remove certificate for occupancy from the  
99 definitions if we are not using them.
- 100 xii. 612 Additional Dwelling Units
- 101 1. Do we need to separate requirements into Developed vs Undeveloped  
102 sites? No, use the same requirements either way and don't use the  
103 developed/undeveloped terms. [remove all references to different  
104 restrictions on the number of dwellings allowed. It will be the same (4)  
105 regardless of existing structures.]
- 106 2. Definition of undeveloped can indicate how long it has been without a  
107 building.
- 108 3. Why would we want to change requirements for developed vs  
109 undeveloped land?
- 110 4. This was included in LD2003 to prevent towns from adjusting the lot size  
111 requirements based on how many units. I.e., one unit requires 1.5 acres  
112 but 2 units require 5 acres instead of 3.
- 113 5. LD2003 only requires that towns allow at least 1 accessory dwelling unit  
114 for each principal dwelling. Towns can allow more.
- 115 6. Clarify if 3<sup>rd</sup> or 4<sup>th</sup> units are planned, they will be subject to a subdivision  
116 review prior to construction.
- 117 7. Definitions can state that it applies as of specific date. [i.e., as of July 1,  
118 2024 when LD2003 takes effect.]
- 119 8. Multiple dwellings maybe in a single structure (i.e., duplex) or multiple  
120 structures. The town can choose to change the lot size requirements  
121 based on whether the multiple units are under one roof. i.e. allow a  
122 duplex on a single 1.5 acre lot vs needing a 3 acre lot for two dwellings.
- 123 xiii. The Village Core is currently the only designated growth area but we need to  
124 use the term designated growth area vs Village Core in case other areas are  
125 designated as growth areas in the future.
- 126 xiv. Need to clarify – multiple dwelling units can be under one roof (i.e., a duplex)
- 127 xv. New Section 613 Affordable Housing – would have similar requirements to  
128 multi-family dwelling/multi-unit residential; need to add Affordable Housing to  
129 Table 700 Land Uses to match the new section added.
- 130 1. The Village Core is the designated growth area for Searsmont.
- 131 2. Affordable Housing can be exempt from Shoreland Zone areas.
- 132 3. This would be enforced by an entity approved by the Planning Board.  
133 Generally, in order for a developer to build affordable housing, HUD or  
134 Maine Housing would generally be involved in financing and designate  
135 an enforcer.
- 136 4. In order to be considered Affordable Housing, the developer needs to file  
137 a covenant with the Registry of Deeds guaranteeing that for the next 30

138 years it will go to renters incomes lower than 80% of the local median  
139 income (Waldo County area); or homeowners under 120% of the local  
140 median income.

- 141 5. Minimum requirement (per LD2003) is to allow it in designated growth  
142 area but Searsmont can be more lenient and allow it in any zone.
- 143 6. Why would the town want to limit the areas?
- 144 7. This section is not really applicable to Searsmont as they are usually  
145 large multi-unit dwellings (i.e., 20 apartments) and we don't have water  
146 and sewer systems to support these dwellings. Developer would have to  
147 create the systems and would not likely be affordable.
- 148 8. Add a new line in Table 700 Land Uses under the Multi-family line for  
149 Affordable Housing. Only allowed in VC and designated growth areas.
- 150 9. The board accepted sections C (density, number of units per lot), D  
151 (Parking, 2 spaces per unit plus a plan for overflow), and E (Services,  
152 comply with water and wastewater standards) under Section 613 without  
153 any changes.

154 xvi. Definitions:

- 155 1. Change to the state version of the Accessory Dwelling definition adding  
156 in town details (i.e., max size).
- 157 2. Must add Affordable Housing definition.
- 158 3. We want address short-term rentals in a future discussion.
- 159 4. A. Philson and M. will confirm whether we need to include the  
160 Conditional Use definition. It is required if the term is used anywhere in  
161 the LUO.
- 162 5. We do need the definition of an existing dwelling unit as that is  
163 referenced in the LUO.
- 164 6. The board accepted the suggested changes to the definitions of a  
165 principle structure and residential use.

166 xvii. Next steps:

- 167 1. A. Philson and M. Johnstone will prepare a 2<sup>nd</sup> draft based on tonight's  
168 discussions and bring to second meeting in January – Wednesday, Jan  
169 17<sup>th</sup> (not our regular night!). They may also bring up some comp plan  
170 items that the Planning Board should discuss.
- 171 2. Plan on a public hearing on Thursday, February 8<sup>th</sup> at 6:30 pm.

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173 Work session concluded at 8:32 pm.

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176 Respectfully submitted,  
177 Patricia Chapman, Planning Board Clerk  
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