

**TOWN OF WELD
Planning Board
May 11, 2022**

- Call Meeting to Order: Chairperson Naomi Doughty called the meeting to order. Also present were Ernestine Hutchinson, Tom Wheeler, Nancy Stowell and CEO Mike Stephenson
- Conflict of Interest: Nancy will recuse herself when the permit application for Heidi Stowell Nichols comes up for discussion and a vote.
- Approval of Minutes: Ernestine made a motion to accept the April minutes as presented. Tom seconded. All present voted in the affirmative.

Old Business:

Heidi Stowell Nichols

Map 34 Lot 11

Revisit LUP application dated March 9, 2022, for building new stairs and deck at 58/ 60 Lady Slipper Lane.

At the last meeting, Naomi made a motion to deny the application because of a lifetime expansion of 30% made in July 1993. Ernestine seconded and all were in favor. The 30% expansion approved on July 13, 1993, was noted at that time as a "Once in a lifetime 30% expansion on the three buildings." Heidi said that the expansion proposed by her mother for the garage/barn was never constructed. She was inquiring if the square footage of that un-used 30% be transferred elsewhere. Mike will meet with Heidi at the site and compare the square footage of the original structures with the current ones to determine if all of the 30% expansion allowed in 1993 was indeed used. He will report his findings at the next PB meeting. In the SLZO Section C, Non-conforming structures C-2,1 on page 4, the wording for expansions within 100' from the water are for 30% or 1,000 sq.ft., whichever is greater. Meanwhile, Heidi will redesign the changes she would like to make for the old set of steps. Ernestine made a motion to table the application until the next meeting when the CEO will present his findings on the most recent expansion of the three buildings on M 34 L11. The applicant will be allowed to submit another plan at that time if feasible. Naomi seconded. Naomi, Tom and Ernestine approved the motion. Nancy recused herself.

Tyler Jamison

Map 23 Lot 17

Revisit tabled application for his tiny home project at 72 School St.

To summarize from the April meeting: M23 L17 has adequate road frontage which meets the requirements in our ordinances. The lot size of .44 acres is well below the required minimum of 50,000 sq. ft. In the past, there was a trailer on the lot although this does not exist on the site any longer. The question was would this mean it was a grandfathered non-conforming lot. None of the town ordinances mention any regulations for tiny homes which are a relatively new phenomenon in the state.

At this meeting, Nancy supplied some information about tiny homes from state statutes.

- The passage of LD 1981 on March 18, 2020 'An Act Regarding the Regulation of Tiny Homes' came about because the Secretary of State's Office thought the

current statute should be updated to include the regulation of Tiny Homes (this page is referring to tiny homes on wheels only). The Jamison tiny home will not be on wheels according to his plans.

- Sec. 1. 29-A MRSA §101, sub-§80-C is enacted to read:

80-C. Tiny home. "Tiny home" means a living space permanently constructed on a frame or chassis and designed for use as permanent living quarters that:

A. Complies with American National Standards Institute (ANSI) standard A119.5 on plumbing, propane, fire and life safety and construction or National Fire Protection Association (NFPA) standard 1192 on plumbing, propane and fire and life safety for recreational vehicles;

B. Does not exceed 400 square feet in size;

C. Does not exceed any dimension allowed for operation on a public way under this Title; and

D. Is a vehicle without motive power.

- If the tiny home is built on site or does not have a title issued by the Secretary of State it would fall under typical building code jurisdiction.

- Sec. 1. 30-A MRSA §4301, sub-§14-D Passed On April 19 2021

This bill establishes standards for municipalities to follow regarding tiny homes, which are structures no larger than 400 square feet constructed on a frame or chassis and designed for use as permanent living quarters. The bill allows municipalities to set rules for tiny homes that are less restrictive than state law, allows tiny homes on undeveloped and developed housing lots, allows municipal inspection of certain features of tiny homes and provides for tiny homes to be assessed for property tax purposes after 180 days in certain circumstances.

Because the Town of Weld has no ordinance regarding tiny homes, the PB took language from the Building and SLZ Ordinances. Building Ordinance -

ARTICLE 13. Non-Conforming Uses (Grandfather Clause)

13.1 - Any lawful use of building, structures, premises, land or parts thereof existing at the effective date of this ordinance or amendments thereto and not in conformance with the provisions of this ordinance shall be considered to be a non-conforming use.

13.2 - Any non-conforming use may continue and may be maintained, repaired and improved. No such non-conforming use may be expanded, changed to another non-conforming use, replaced, or renewed after it has been discontinued for a period of 12 calendar months or more, without a permit from the Planning Board.

Shoreland Zoning Ordinance

E. Non-Conforming Lots

1. Non-conforming lots: A non-conforming lot of record as of the effective date of this Ordinance,

Naomi made a motion to approve the Jamison application for a tiny home, citing Article 13.1 in the Building Ordinance and Non-Conforming Lots E-1 in the SLZ Ordinance. Nancy seconded. All were in favor.

Michele & Bill Jeffrey

Map 3 Lot 28

Revisit application for addition and two car garage at 88 School St., Weld.

The topographic sketch prepared by the surveyors was very small when reduced and scanned for the permit application. The PB had questions about the septic system being sufficient to accommodate the new construction. The surveyors did not include the septic on the site plan because it did not infringe on the proposed additions. the proposed new structures will all be built on a slab. Michele Jeffrey rightly complained that she submitted all the information required for the permit application. Several years ago, the PB tried to simplify the permit for applicants. It became obvious with the Jeffrey application that we needed to require more details. The CEO worked on a new draft of the permit application which will be used as soon as possible for all land use permits going forward.

Ernestine made a motion to approve the Jeffrey application. Tom seconded. All were in favor.

New Business:

Julie Dickson

Map 18 Lot 1

New post and beam shelter, 27 Williams Lane.

the total lot area is 12 acres. A camper and shed are the only things on the lot now. There is a 105' setback from the lake. There is a holding tank for the septic.

Citing Pg. 17 in the SLZ Ordinance, Sect. 15 B1-2, Ernestine made a motion to approve the application. Naomi seconded. All in favor.

Victoria & Susie Dickson

Map 3 Lot 1

2 lakeside cabins (a main house and guest house) with a total of 5 bedrooms, a well and septic designed to be shared by both buildings. Mark Sengelmann, architect, was present to explain the project and answer any questions. There is no issue with lot coverage. There is an existing road leading to these new, seasonal dwellings. Nancy made a motion to approve the Dickson application as presented. Ernestine seconded. All in favor of the motion.

Franz Luce

Map 31 Lot 22

10 X 16 Shed @ 127 Sweet Brook (within the 100' shoreland)

Mr. Luce's original plan was to have a 10x16' Hill View Mini Shed delivered to the site and positioned 50' back from the lake. His current application for new construction of a bunkhouse is not allowed under the SLZO.

Please refer to the following:

Section 15, B. Principal and Accessory Structures 1. All new principal and accessory structures shall be set back at least one hundred (100) feet, horizontal distance, from the normal high-water line of a water body, streams and upland edge of wetlands, and fifteen (15) feet, horizontal distance, from side and rear lot lines except as provided below. In the Resource Protection District the setback requirement shall be 250 feet, horizontal distance, except for structures, roads, parking spaces or other regulated objects specifically allowed in that district in which case the setback requirements specified above shall apply.

Also refer to Sect. 12, C,c on page 4 in SLZO about structures within 75' of the lake. It would be possible to add on a bunkhouse onto an existing shed, but Mr. Luce would have to measure and come forward with a new plan at the next meeting.

Ernestine made a motion to table the Luce application to allow Mr. Luce to come back to the board with another plan. There would be no additional fee. Naomi seconded. All in favor.

McCoy & Sharon Whitfield
New 20 x 12' garage

Map 7 Lot 8

M7 L8 is a 40- acre parcel of land. Ernestine made a motion to approve the Whitfield application. Tom seconded. All were in favor of the motion.

Naomi made a motion to adjourn. Ernestine seconded. All approved.

Respectfully submitted,

Nancy Stowell, Secretary

A handwritten signature in cursive script that reads "Nancy Stowell". The signature is written in dark ink and is positioned to the right of the typed name "Nancy Stowell, Secretary".