

Shapleigh Planning Board

Minutes

Tuesday, April 11, 2023

Members in attendance: Roger Allaire (Chairman), Steve Foglio (Vice Chairman), Madge Baker, Maggie Moody, Roland Legere, and Alternate Norman Baker. Code Enforcement Officer Mike Demers was also in attendance. Alternate Ann Harris was unable to attend.

The Planning Board members want to thank Chairman Roger Allaire for over 30 years of volunteering for the Planning Board. Roger’s leadership skills, integrity, and ability to uphold the Town’s ordinances, along with helping the citizens obtain their permit, will always be greatly appreciated. Roger worked with the community well beyond the meeting hours. We wish Roger and his family nothing but the best in all future endeavors. We will miss you Roger!

Minutes are not verbatim unless in quotes “” – If the names of a citizen making a comment was not requested by the Planning Board Chairman, the reference to their name will be known as ‘Citizen’ or ‘Abutter’ depending on who is speaking.

The Planning Board meeting started at 7:00 pm.

The minutes from Tuesday, March 28, 2023 were accepted as written.

Unfinished Business:

Best Practical Location – Replace Existing Structure – Map 34, Lot 25 (14 Cherry Road) – Tyler Matthews, Applicant; Scott Cousens, Property Owner

Mr. Matthews was present for the review of the application.

Provided along with the application, was a copy of part of a survey plan for Lot 25, which depicted the existing house with the hand written notation ‘67’ House’, the deck with the hand written notation ‘64’ deck’, the location of a concrete pad & fire pit, steps going toward the water, shed, gravel, overhangs on both the house and shed, and the hand written notation ‘chamber system’, with a hand written sketch of the chamber system location. Additional survey notes were for the well, shared driveway serving 2 properties, wooden fence, along with several distance locations from the water and side lots lines. These notations were too small to read.

Provided was a second copy of part of a survey plan for Lot 25, which depicted in addition to what was noted above, the location of the ‘Proposed House’, showing it at 67’ from the high water mark, the notation ‘Mulch disturbed areas’, and the notation ‘Stone dripline trench’. The mulch area was indicated with a slanted scribble around the new structure, and the dripline was indicated by a circling scribble on two sides of the new structure.

Provided was a third copy of part of the survey plan for Lot 25, which depicted in addition to what was noted above, the location of 3 trees to be removed during the project.

Provided was a copy of the Subsurface Wastewater Disposal System Application, drafted by John Large, SE#7, dated 5/13/1989, for a 2 bedroom conservative - 750 gallon replacement septic system.

Provided were photographs of the existing structure and surrounding area.

The application detailed description of the project is as follows: *Tear down existing house & build new single family home.*

Board members did a site inspection prior to this evenings meeting.

Roger A. asked Mr. Matthews to let the board know what they wanted to do. Mr. Matthews stated that they want to tear down the existing camp, with the closest point to the water at this time being 64 feet from the high water mark. He stated he wanted to build a new structure 3 feet behind that, at 67 feet. He said there are three trees getting removed on the lakeside of the house.

Roger A. stated that on the application it states the lot is occupied by structures at 15%, so this figure cannot be exceeded. Mr. Matthews stated that he understood.

Roger A. reviewed §105-4.D(5) ‘Nonconforming structures’, ‘Removal, reconstruction or replacement’, along with Section (7) ‘Relocation’, which includes (b)[1] re-establishing trees, woody vegetation and ground cover that is being removed, and (c) noting all plans require confirmation in writing by a licensed surveyor that the placement of the structure is correct per the specifications approved by the Planning Board.

Roger A. stated that while members were on site, Mr. Matthews spoke about having a daylight basement and there was concern by members of the slope of the land on the lake side, so it is likely walls will be needed to help retain the earth and prevent erosion. Mr. Matthews stated that he would like to do that.

Roger A. stated there was no issue with the proposed placement of the structure due to the location of the septic system, the slope of the land, and the shared driveway. Roger stated the new structure will be in a similar footprint to the existing, placing it 67 feet from the high water mark.

Roger A. stated best management practices must be in place during the reconstruction and stabilization of the area. Roger noted that best management practices are erosion control measures to stop erosion from going into the lake.

Roger A. asked when the project would be completed? Mr. Matthews stated the date of completion would be June 1, 2024.

Roger A. stated the plan states that mulch will be used for all disturbed areas.

Madge B. stated that trees are being removed, so the trees will need to be replaced. Mr. Matthews stated, “Yes.”

Roger A. stated that as a reminder, a surveyor needs to place the structure per the approved plan, this is a condition of the permit.

Roger A. stated pictures will need to be provided within 20 days after completion to the board and CEO.

Roger stated the conditions of approval are as follows:

- 1) **Best Management Practices shall be kept in place until the project is completed and the area is stabilized, which includes the use of silt fencing or hay bales. There must be a contractor on site certified by the DEP in erosion control methods to work in the Shoreland District on site any time work is being done.**
- 2) **A licensed surveyor shall confirm in writing to the Code Enforcement Officer that the location of the new structure is 67 feet from the high water mark at its closest point, and that lot coverage does not exceed 15%.**
- 3) **The project shall be completed by June 1, 2024, including complete stabilization of the area, which includes special care of erosion control on the lake side, due to the slope and proposed walk-out basement. *The Planning Board recommends the installation of a retaining wall to be approved by the Code Enforcement Officer.***
- 4) **Photographs were received for preconstruction of the shoreline, vegetation and development site. Post construction photos shall be required within 20 days of completion of the project, to both the Planning Board and Code Enforcement office.**
- 5) **All demolition debris shall be taken out of Shapleigh and disposed of at the proper facility.**

Roger A. asked if there was a motion for approval?

Madge B. moved for approval of the Conditional Use Permit to replace the existing structure, placing it 67 feet from the high-water-line, per the plan provided for Map 34, Lot 25, with the noted conditions. Maggie M. 2nd the motion. All member were in favor. By a vote of 5 – 0, the approval was unanimous.

Nothing more was discussed.

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**The Findings of Facts**

1. The owner(s) of Shapleigh Tax Map 34, Lot 25 (14 Cherry Road) are Scott W. Cousens and Laura A. Cousens, mailing address of P.O. Box 965, Windham NH 03087, per Warranty Deed, recorded at the YCRD BK 16270 PG 451, recorded on 2/28/2012.
2. The property known as Map 34, Lot 25 is located in the Shoreland District and according to the Assessor the property contains .25 acres.
3. The Best Practical Location application was presented to replace the existing structure with a new structure, keeping it 67’ from the high water mark, removing the deck so not to exceed 15% lot coverage.

4. The application detailed description of the project is as follows: *Tear down existing house & build new single family home.*
5. Provided along with the application, was a copy of part of a survey plan for Lot 25, which depicted the existing house with the hand written notation ‘67’ House’, the deck with the hand written notation ‘64’ deck’, the location of a concrete pad & fire pit, steps going toward the water, shed, gravel, overhangs on both the house and shed, and the hand written notation ‘chamber system’, with a hand written sketch of the chamber system location. Additional survey notes were for the well, shared driveway serving 2 properties, wooden fence, along with several distance locations from the water and side lots lines. These notations were too small to read.
6. Provided was a second copy of part of a survey plan for Lot 25, which depicted in addition to what was noted above, the location of the ‘Proposed House’, showing it at 67’ from the high water mark, the notation ‘Mulch disturbed areas’, and the notation ‘Stone dripline trench’. The mulch area was indicated with a slanted scribble around the new structure, and the dripline was indicated by a circling scribble on two sides of the new structure.
7. Provided was a third copy of part of the survey plan for Lot 25, which depicted in addition to what was noted above, the location of 3 trees to be removed during the project.
8. Provided was a copy of the Subsurface Wastewater Disposal System Application, drafted by John Large, SE#7, dated 5/13/1989, for a 2 bedroom conservative - 750 gallon replacement septic system.
9. Provided were preconstruction photographs of the property. *Post construction photographs are required within 20 days of completion of the project per §105-3.E.*
10. The application required Planning Board review as a Best Practical Location under §105-4 ‘Nonconformance’. The Planning Board members agreed the application as presented, will meet all the criteria in the ordinance with conditions, and the proposed location of the new structure, placing the structure 67 feet from the high water mark is the best practical location, due to the location of the septic system, and the shared driveway. Trees removed shall be replaced.
11. Per §105-18, lot coverage in the Shoreland District is a maximum of 10% and the existing structures on the lot are at 15% lot coverage, therefore the replacement structure shall not exceed the current lot coverage of 15%.
12. A notice was mailed to abutters within 500 feet of the property on March 28, 2023. Meetings were held on Tuesday, March 29, 2023 and Tuesday, April 11, 2023. A site inspection was done by members prior to the meeting on April 11th.
13. The Planning Board vote was unanimous, 5-0, to approve the Best Practical Location for the replacement of the existing structure on Map 34, Lot 25 (14 Cherry Road), placing the existing structure 67 feet from the high water mark at it closest point, with five conditions.
14. **The conditions of approval are as follows:**

- 1) **Best Management Practices shall be kept in place until the project is completed and the area is stabilized, which includes the use of silt fencing or hay bales. There must be a contractor on site certified by the DEP in erosion control methods to work in the Shoreland District on site any time work is being done.**
- 2) **A licensed surveyor shall confirm in writing to the Code Enforcement Officer that the location of the new structure is 67 feet from the high water mark at its closest point, and that lot coverage does not exceed 15%.**
- 3) **The project shall be completed by June 1, 2024, including complete stabilization of the area, which includes special care of erosion control on the lake side, due to the slope and proposed walk-out basement. *The Planning Board recommends the installation of a retaining wall to be approved by the Code Enforcement Officer.***
- 4) **Photographs were received for preconstruction of the shoreline, vegetation and development site. Post construction photos shall be required within 20 days of completion of the project, to both the Planning Board and Code Enforcement office.**
- 5) **All demolition debris shall be taken out of Shapleigh and disposed of at the proper facility.**

**Decision:**

**The Best Practical Location application to replace the existing structure on Map 34, Lot 25 (14 Cherry Road), placing the structure 67 feet from the high water mark at its closest point, lot coverage not to exceed 15%, per the plans presented and as discussed, with five conditions, was approved.**

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**Conditional Use Permit – Campground / Rental Cabins & RV’s – Map 1, Lot 41 (368 Simon Ricker Road) – Mark & Linda Lawrence, Applicants & Property Owners**

Mr. Trevor Lawrence (Son) was representing Mark Lawrence at this evening’s review of the application.

Originally provided along with the application was a sketch plan entitled “#368 Simon Ricker Rd. Site #1 of Proposed Campground / Cabin Rentals”. The plan depicted the general location of 4 proposed septic systems and proposed cottages. The plan was an aerial view of the property, where Rte. 109 and the Simon Ricker Road could be seen, along with the following numbers, #322, #344, and #368. Each site appeared to have existing structures on them, but it could not be determined exactly what those structures are. Most of the lot appears to be wooded.

The application detailed description of the project is as follows: *3 Season Rentals. Cabins varying in size between 200 sf & 600 sf w/ a total of 40. Would like to do in phases of 10 – 12 per year. In 1<sup>st</sup> phase would like to build 4 – 6 four season rentals for hunters and snowmobilers. Rentals would be for 3 nights to 2 weeks.*

On November 9, 2022, presented was a sketch plan dated 11/6/2022, drafted by Jeramiah Raitt, PLS #2376 of Little River Land Surveying, Inc., P.O. Box 332, Lisbon Falls, Maine 04252 – 207.841.0056. The sketch depicted abutting property owners as follows: Map 1, Lot 32B – J. Webber; Map 1, Lot 41B – D & C Kelley; Map 1, Lot 42 & 42C – J. Mavrakos; Map 1, Lot 32 – D. Rand; Map 1, Lot 41A – L & M Lawrence (Applicants); and Map 1, Lot 41B – J & K Lawrence (family members). The property housing

the campground, Map 1, Lot 41, is depicted as consisting of 57 acres±. Also on plan are the proposed septic site locations – 5 total; the location of 45 buildings; the proposed private road; existing pond, cemetery, well and barn; existing gravel road; and contour elevations of the property are noted for the area where the proposed structures, septic systems, and existing barn are located.

On November 9, 2022, the Planning Board made the decision to obtain a legal opinion as to whether or not the proposed rental cabins could be reviewed as a campground, or did they fall under subdivision review. This was due to the fact that the cabins were a permanent structure with a kitchen, bathroom, etc. and not on wheels; they were a permanent structure, attached to the ground.

The legal opinion, provided by Benjamin T. McCall from Jensen Baird Attorneys at Law in Portland Maine, concluded that ‘the use of permanent cottages in the Applicants’ current proposal would require subdivision approval from the Planning Board. Alternatively, the use of tiny homes in their place is not permitted by the Code, as tiny homes do not qualify as the type of temporary living quarters allowed within an approved campground’. (The legal opinion in it’s entirety can be reviewed at the Town Hall, during regular office hours.)

On January 10, 2023, the Planning Board voted to table the application for up to 90 days pending further information from the applicant, as he decided to apply for a traditional campground only, without Rental Cabins, after the legal opinion was obtained.

This evening received were the following:

Plan entitled ‘Proposed RV Park Site Overview’ drafted by Jeramiah Raitt, PLS No. 2376 from Little River Land Surveying, Inc., Lisbon Falls, Maine, dated April 11, 2023. Sheet 1 of 3 depicted Map 1, Lot 41, along with several abutting properties, as well as Simon Ricker Road, and State Route 109. On Lot 41 depicted was the proposed layout of the RV Sites; interior road for the campground, along with Existing Gravel Road which enters and exits onto Simon Ricker Road; Proposed Facilities Building & Pool; 5 Proposed Septic Sites; Pond; Cemetery; Proposed Office; Barn and Approximate Subsurface Wastewater Disposal System & Dug Well; and the Soup Shack located on Route 109. One adjoining lot depicts the location of a House; Dug Well; Garage & Approximate Subsurface Wastewater Disposal System. Another adjoining lot depicts a House; Drilled Well; Existing 50’ Wide Easement & Approximate Subsurface Wastewater Disposal System. And part of an adjoining lot depicts a House; Meeting House, and Septic. The sheet notes Municipal Zoning; Campground Area Calculations; General Notes; Plan References and a Legend.

Sheet 2 of 3 of the plan entitled ‘Proposed RV Park Site Overview’ depicts the proposed campground layout, the site elevations for Map 1, Lot 41; the Typical Site Detail of the Parking Spaces for 2 vehicles; the Proposed In Place RV Trailer location; Trash Receptacle; Fire Pit; Picnic Table and Privacy Fencing. Also shown was the Typical Cross-Section of the 18’ road; Grass Lined Ditch & Stone Lined Ditch. Also depicted was a 250 sq. ft. Gravel Pad for Dumpster(s); Proposed Office Building; 25’ x 25’ Facilities Bldg.; Proposed Facilities Bldg. & Pool; Proposed Septic Site; Dug Well and Pond; and Proposed 18’ Wide Road.

Sheet 3 of 3 of the Plan Entitled ‘Proposed RV Park Site Overview’ depicts the Erosion and Sedimentation Control Notes, showing Riprap Inlet Protection; Stone Check Dam; Silt Fence Filter

Barrier; Section Silt Fence; Hay Bale Filter Barrier; and Stabilized Construction Entrance Details, along with detailed notes for each.

Roger A. asked Mr. Lawrence to give the board an update. Mr. Lawrence provided a new set of plans for the campground. He stated that the Fire Chief wanted 12 foot wide roads, so they are going to do 16 foot wide roads (sheet 2 of the plan shows 18'). He said after speaking with the Fire Chief to be sure the fire trucks can get in and out, there will be at least a 50 foot circumference for fire trucks and other vehicles to get through. He said regarding the septic systems, he pointed to the 5 locations on the plan and provided a Subsurface Wastewater Disposal Plan for each, drafted by Kenneth Gardner, SE #73, dated 11/8/2022. The first septic application was for Camping Sites 1 – 9, second for Camping Sites 10 – 18; third for Camping Sites 19 – 27; fourth for Camping Sites 26 – 36 (should be 28 - 36); fifth for Camping Sites 37 – 45. Each location will be a first time system; a complete Non-engineered System with Pre-treatment Singulair 960-1000; Disposal System to Serve Camping Area – 9 Cabins / Seasonal; a Two Compartment 1250 gallon Treatment Tank; Concrete Chamber Disposal Field for 900 gallons per day.

Mr. Lawrence said his Dad mentioned there was a question regarding the pond and if there would be enough water if ever there was a fire. He said they will send all drainage to the man-made pond. He said this past summer there was an exceptional drought, but there was still 2 feet of water. He stated the pond was about 75' x 60' in size, and that 1 cubic of water is 7.48 gallons of water, so if you do the math, they will still have about 25,000 gallons of water and if full there will be over 100,000 gallons. He believed the pond held plenty of water for fire protection. He asked the board if the only thing he had left regarding this was to speak with the Fire Chief about the pond? There was no comment, the board was reviewing the plans.

Mr. Lawrence believed they had everything the board asked for. Roger A. asked if they had applied to the State yet? Mr. Lawrence said he was not aware if his father submitted the application or not. Roger wanted to know if the State asked for additional criteria beyond what the Town asked for. Mr. Lawrence stated it was on the plan, showing both the Town and State requirements. He said the State requires 1000 sf per site, and the sites they are depicting are 5000 sf or greater. He said the lots will be spread apart for privacy, they will be off the field and in the woods. He pointed out the notes on the plan.

Mr. Lawrence described the 3 sets of plans he provided. He said one was the site plan, and one was the site plan with elevation, showing the positive flow for the leach beds and for the pond. He added that one sheet depicts the drainage for the culverts and how the road was going to be constructed. He said erosion control was also noted, and they would be using hay.

Mr. Lawrence said besides the Fire Chief, he was not sure what else the board needed. Roger A. stated they needed where the power was going to be located, the transformer location. Steve F. asked if the power was underground? Mr. Lawrence stated that it was, but he didn't know where the transformer would be, he believed CMP would need to know where they wanted it.

Mr. Lawrence asked if there were any questions?

Steve F. believed this was step one, then the board determines if it is a complete application, and then we need to hold a public hearing. Roger A. agreed.

Roland L. asked if the plan was to go incrementally, he thought that was mentioned at a previous meeting? Mr. Lawrence stated that was the plan. Mr. Lawrence stated that they wanted to start with what they were showing, which would be stage 1. He said with stage 2 they could expand, but they want to start with this number of units. He wasn't sure they would do all 45 sites in the first year, but within the first 2 years they want it all up and running with all the structures they are showing on the plan.

Mr. Lawrence stated that with the State of Maine they are allowed to have up to 500 units, but they do not want anything remotely that large. He said that is with the 1000 sf foot allowance, they are doing the 5000 sf size. He felt people enjoy their privacy. Roger A. stated that if it is going to be done in increments, the board would like to see the total project. Roger said the board would like to see what will be done in phase 2 or phase 3, what is the intent. Mr. Lawrence said he cannot answer for his father. Roger said if they do not do all phases, the board would still like to see the total project for approval. Mr. Lawrence remembered speaking about stages and he thought the board only wanted to see stage 1. Roger said they wanted to see the total project, and then note that it is going to be phased in. Mr. Lawrence stated that what was before the board is the total project they are going to do in the next 2 to 3 years. He added that if they were to consider stage 3, it would be going up the hill and cost several million dollars, they did not have that kind of money. Roger stated that by including that intent or possible intent, it could affect what they are doing today with respect to services. He stated that the pond will then be way too small. He said knowing that, the board would want to know that they could put in something additional to serve more lots. Mr. Lawrence stated that he overheard the discussion with the Fire Chief and they were speaking about the size of the pond, and now they have more information after the survey. He said before knowing that, the Fire Chief spoke about doing some 20,000 tanks buried. He said they can dig and put them in at any time. He believed that could be figured out as they go. He didn't know why they needed that information now. Roger asked about erosion control, how will the new roads be designed, he believed all this would affect the project. He said that is why typically the developer has to show the full project, but is allowed to only do phase 1 for a period of time. Roger added that before the Planning Board approves the project, they will need to know they have a license from the State for a campground.

CEO Demers asked if Mr. Lawrence could move forward as it is today, get approval for it on its own? He said that if he wanted to do phase 2 it would be a new application for what he wants to do in the future. Roger A. said with an amendment, but noted it could affect what he is doing now. CEO Demers agreed, but also pointed out it may not affect it. Mr. Lawrence stated that he felt confident, after speaking with his father, that they want to move forward with phase 1 and that is all. Roger said, ok. Madge B. noted they are taking the chance that they may have future issues. Mr. Lawrence added that they may realize that having a 45 unit campground is all they want. He said he understood they will need to reapply for any future changes.

Roger A. asked about buildings for showers, he didn't see any on the plan. Mr. Lawrence said there is a recreational building, and a building with facilities and washers and dryers. He said all facilities would be in one building and showed it on the plan. He also pointed out the parking for the sites, with an 18 foot wide shared driveway and 30 feet between the sites.

Mr. Lawrence asked if they were to move forward with what they are proposing today, besides applying for a campground license with the State, what else is required? He noted they would be reaching out to the Fire Chief regarding water for fire, because he thought the Fire Chief was happy about the proposed roads. Steve F. asked if the board should run through and do a punch list? Madge B. said one of things



that needs to be addressed is screening from the road. She thought going through the ordinance may help the applicant.

Roger A. read / reviewed §105-37 ‘Campgrounds’ in it’s entirely as follows:

Campgrounds shall conform to the minimum requirements imposed under state licensing procedures and the following:

- A. Recreational vehicle and tenting areas shall contain approved water-carried sewage facilities and shall meet the following criteria:
  - (1) Each recreation vehicle, tent or shelter site shall contain a minimum of 5,000 square feet, not including roads and driveways. **This is on the plan.**
  - (2) A minimum of 200 square feet of off-street parking plus maneuvering space shall be provided for each recreational vehicle, tent or shelter site.
  - (3) Each recreational vehicle, tent or shelter site shall be provided with a picnic table and trash receptacle.
- B. Wilderness recreational areas without water-carried facilities shall contain a minimum of 20,000 square feet, not including roads and driveways, for each recreational vehicle, tent or shelter site. **N/A**
- C. The area intended for placement of the recreational vehicle, tent or shelter and utility and service building shall be set back a minimum of 15 feet from the exterior lot lines of the camping area and 100 feet from the normal high-water line of a great pond (**N/A**) and 75 feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams or the upland edge of a wetland (**N/A**).
- D. No manufactured housing unit shall be allowed to be installed within a campground, except as may be owned and used by the campground operator as his residence or office.
- E. A campground may not be established on less than five acres of land. **This is greater than 5 acres.**
- F. Minimum frontage along the shoreline shall be 100 feet, horizontal distance, for any campsite. **N/A**
- G. Vehicular access shall be provided onto a hard-surfaced road adequate for the volume and type of traffic likely to be generated.
- H. A soil erosion and sedimentation control plan meeting the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be submitted. Unpaved parking areas shall not exceed five-percent grade, in order to avoid undue erosion.
- I. A campground shall provide water and sewerage systems, sanitary stations and convenience facilities in accordance with the regulations of the State Plumbing Code and the State of Maine Department of Human Services. In no case shall less than one toilet, lavatory and shower be provided for each sex for every 10 camping and tent sites. **Mr. Lawrence said it would be in the building.**
- J. Recreational vehicles shall be parked in spaces so that:
  - (1) There shall be a minimum of 25 feet between vehicles.

(2) There shall be a minimum of 45 feet between all recreational vehicles and tents, and all public rights-of-way located inside the boundaries of the trailer park or campground.

(3) No camping unit or structure shall be located less than 200 feet from any residence (except residences belonging to the campground owners).

**K.** No camping unit shall be stored or exhibited for sale for commercial purposes within the park.

**L.** Each campsite shall be provided with an area for refuse storage. Within a maximum of 150 feet from each campsite, there shall be a container capable of storing the amount of refuse that the camping area for which it was designed could generate in one week. The park management shall dispose of refuse from said containers by transporting the refuse in a closed truck or in enclosed containers or bags to an approved disposal area at least once a week.

**M.** Fire extinguishers capable of dealing with both electrical and wood fires shall be kept in all service buildings. A suitable ingress and egress shall be provided so that every campground may be readily serviced in emergency situations. Twenty-four-hour emergency communication service (e.g., telephones) shall be provided.

**N.** The management of campgrounds shall be responsible for operating their premises in accordance with all Town codes and ordinances and all state laws and regulations. The maintenance of all open space areas, roads and utilities in a park shall be the responsibility of park management. In addition to data on soils, slopes and drainage, a vegetation map showing the following items may be required:

(1) The major type of vegetation should be identified and described as to age, height, openness or density and pattern, either natural or reforested.

(2) New planting should be selected to provide screening and shelter, to tolerate existing and proposed site conditions and to blend compatibly with existing natural vegetation.

(3) All vegetative clearing should avoid creating straight-line edges between open land and surviving stands.

(4) Areas of activity and/or traffic should be sited to avoid wildlife areas, such as thickets for birds and small mammals, or deer yards and trails.

**O.** Facilities shall be planned in accordance with the basic principles outlined below and shall be shown on the proposed plan which is submitted for review and approval:

(1) A logical sequence of entry and circulation should be created: entrance, administration and storage, parking, campsites, toilets and laundry and playing fields or shoreline.

(2) Campsites should be clustered in groups according to intensity of use (low density, medium density, etc.) and also related to common support service areas (laundries, play areas, etc.) serving a number of campsite clusters. The purpose is to minimize road length, increase accessibility and preserve open space.

(3) Footpaths and roads should follow "desire lines" of pedestrian and vehicular movements between campsites and all jointly used facilities. Parking areas may be grassed, reinforced with open concrete blocks.

P. Campsites shall be laid out or screened in such a manner that none shall be within view from public roads, existing residences or approved subdivision lots. Any combination of evergreen planting, landscaped earthen berms or solid fencing may be used to achieve this screening standard, when campsites would otherwise be visible from the location described above.

Madge B. said this is why she asked about screening, and thought the board would know more when they went to the site. Madge asked if there were recreation fields? Roger A. did not believe so, he only saw a pool.

Roger A. stated that often campgrounds have toilet facilities for a group of campers instead of just one facility for everyone. Roger said for this number of vehicles, they do not usually have just one location. Steve F. asked the number of sites? The answer was 45. He asked how many toilets were required? Mr. Lawrence stated they needed 1 toilet for every 10 sites. He stated that with campgrounds he had been to, they are usually in Georgia when he is visiting family, they have a building with laundry in the middle and on either side is usually around 6 toilets for men and woman. He said that is what they are going to in the building. He agreed that at some campgrounds there were small buildings in various locations with one toilet and sink. Roger agreed that around here (Maine), there is usually 1 shed with a sink with several toilets for every 10 sites. He said the issue can be people from one side of the campground having to go a distance to reach the bathroom. He noted most people do not use the facility in their trailer. He asked if they wanted the foot traffic? Mr. Lawrence stated that after talking to Mr. Gardner (site evaluator), he believed the location of the bathroom facility was the best location for one of the septic sites. He said that is why they chose this location, due to the positive flow for this septic location. Roger said he wondered, because there are 5 septic locations, why there isn't a shed for each one of the septic locations? Mr. Lawrence thought the same argument could be made as to why don't you just have one building, instead of multiple sheds. Roger said it was so that you prevent foot traffic from having to go all the way across several sites. He said you would be having children going all the way across the camp sites to reach the bathroom. Roger said it was their project, so it was their choice.

Mrs. Lawrence was present and said she could see Roger's point of view, but said when they do the project it would be different from the standard campground. She said they were not interested in tents, but RV's, which have their own bathroom. Roger said typically people do not use their bathrooms in the RV. Mr. Lawrence agreed. Mrs. Lawrence stated that she believed they were going to hook them up to the septic system. Roger said he understood, but noted again, they do not usually use their toilet. Roger stated he had been camping for years, all over, and although he uses his facility, typically most people do not. Mrs. Lawrence said that in the middle of the night she would rather use her own bathroom. Roger said that he did not know why, but people do not like using their toilets.

Steve F. said he noted a few things as they went through. Madge B. thought the board needed to meet again on this project, after they do a site inspection, because they may see more things that should be required, after they have been on site. She said she wanted to see where the pads are going to be, what the use of the land is going to be, and what the screening needs to be. Mr. Lawrence asked what Madge meant by screening? Madge stated that the ordinance requires that the campground be screened from the road. Madge said that she wasn't stating they have not done it, but she needs to go to the site to see what is

there now. Mr. Lawrence asked if she needed pictures. Madge said no, the board does a site inspection, then the list of things still required will be accurate. Mr. Lawrence thought that made sense.

Roland L. asked if the roads on the plan were in place. He didn't mean that they were developed, but is there a trail? Mr. Lawrence said there was, and pointed out on the plan what was existing at this time. He showed where the board could walk now.

Madge B. said if Steve F. had a list he was comfortable with, she was not saying he could not mention it now, she just was saying it may not be a complete list until they go to the site. Steve said he made notes that he did not see on the plan. Steve said if it is in the ordinance it should be on the plan. He asked if picnic tables, trash cans, foot paths, etc. should be on the plan. Madge believed they needed to be. Mr. Lawrence said much of that is on the plan, noting there were picnic tables, the fire pit, where the trash will go. Mr. Lawrence wanted to be sure there was 25 feet between vehicles. The board noted that it was on the plan.

Steve F. asked if there was a soil erosion plan? Mr. Lawrence thought it was on the plan that they are to use a silt fence or hay. He stated that also on the plan was how the road would be done, and what they will do so there will be no dirt put onto the road when they pull out. Mr. Lawrence left the board with 2 sets of plans for them to review.

Madge B. asked what was under the RV's? Mr. Lawrence thought it would be reclaimed asphalt, because it was a seasonal campground, meaning the RV's cannot be lived in more than half of 365 days. He said it would be crushed gravel and then go over that with reclaimed asphalt. CEO Demers believed there was a standard in the ordinance for that. Mr. Lawrence said it was on the third page of the plan as well. He noted they want the area to look as natural as possible.

Mrs. Lawrence asked if there was decking, would it be an issue? Mr. Lawrence said it has to be natural products, and he thought they were going to use a gravel product under the picnic tables and wood chips for the walking paths.

Mr. Lawrence asked if they should apply for the permit from the State if this isn't a go from the Town yet? Roger A. stated that the State approval needs to be held prior to the Town approval. He said he was not sure how long the State takes to produce the permit. Steve F. thought he should look into that process and what their time frame would be.

Mr. Lawrence said he was sure the board would want to see something from the Fire Chief regarding fire protection and the water. Roger A. thought the Fire Chief may want to go on site to see what is there. Steve F. was curious what the State would require for fire protection. Mr. Lawrence thought the Fire Chief may know the answer regarding the State. Roger agreed. Roger added that prior to occupancy for the campground, the Fire Chief wants to run the road with his equipment. Roger said that if it is built per the plan, he did not think there would be an issue.

Mr. Lawrence asked if the board wanted the Fire Chief to come out at the same time to do the site visit? The board members thought it would be a good idea, to get his viewpoint at the time. Mr. Lawrence said he would see if it would work with his schedule.

Roger A. stated the site inspection would be prior to the next meeting on April 25<sup>th</sup>, at 5:00 pm. The applicants emailed Barbara F. after the meeting stating they want the site inspection and next review postponed to Tuesday May 9<sup>th</sup> due to an obligation, therefore the site inspection is reschedule to that date.

Nothing further was discussed.

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**New Business:**

**Conditional Use Permit – Shapleigh Corner Store / Remodel – Map 45, Lot 15 (3 Back Road) – Angela & Donald Allen, Applicants & Property Owners**

Mr. & Mrs. Allen were present for the review of the application.

Provided along with the application, was a sketch plan with notations for the following: House, Parking, Septic (2), Well, Dining / Bar Area, Kitchen, Storage, ‘Old Part’, Doors and Deck. The location of Back Road, Owl’s Nest Road and Pump Box Brook were also on the plan, along with what appears to be 3 picnic tables.

Provided was a document entitled ‘Shapleigh Grille’. The document has the following:

- Update Interior Building
- Add Restroom/Replace
- Replace Windows
- Replace/Repair Deck
- Support As Needed
- Add Heating/Cooling Update
- Kitchen Equipment Will be Vented as per State Requirements

Provided was a copy of the Subsurface Wastewater Disposal System application, drafted by John E. Large, SE #7, dated 8/12/1988, for a ‘Conventional Restaurant’, for 55 Seats plus 6 Workers & Takeout.

Provided was a copy of the Warranty Deed from the previous owner(s), Duane and Bonnie Romano, to Cinnamon Spice, LLC (the applicants), Book 18973, Page 750, dated March 10, 2022.

Provided was a copy of the Town Tax Map 5, depicting Lot 15 and the surrounding properties.

The detailed description of the project is as follows: *Remodel the Shapleigh Corner Store / Restaurant*

Roger A. stated the next item was for Donald and Angela Allen, and he asked them to let the board know what they wanted to do. Mrs. Allen stated that they want to remodel, add bathrooms and get it up to compliance. Mr. Allen stated that it was a complete remodel, interior and out, noting it was going to take them awhile.

Roger A. asked the number of seats in the restaurant? Mr. Allen stated that it would be whatever is in there now, stating that he did not remember. He said they would not be changing the seating pattern, they would just change what exists making it more modern. He said it needed a lot of work. He added that they were running behind because the house that they also purchased needed a lot more work than he thought,

having to strip it down to the studs and redo everything; so they have been trying to complete that, which made them fall behind with the restaurant. He said the house was just about completed except for the siding.

Mr. Allen stated they would be going right through the restaurant, just as they did the home. He said they would open it up and use some of the existing beams, and go from there. Roger A. said the board would need to know the number of seats in order to determine the parking area. He said they (the applicants) would also have to show the parking area location, and the number of parking spaces. Mr. Allen stated it would be just what is there today.

**Roger A. stated there would be a public hearing on April 25<sup>th</sup>, and a notice to abutters.**

Roger A. asked if board members wanted a site inspection? Steve F. asked where the applicants were with the project? Mr. Allen stated that they haven't started it yet, but a lot of the old equipment that was in there is gone.

Madge B. went back to Roger's question, asking if the number of seats would remain the same? Mrs. Allen stated that they would have that information for the next meeting, and agreed with her husband that they did not plan on changing the number of seats. Madge said they needed the information so they could approve the parking.

Steve F. said with respect to an interior plan, table locations, exit locations, exit lighting, does the board need any of that information? Madge did not think the board needed that, that might be for the CEO. CEO Demers asked the applicants if they were familiar with the State of Maine kitchen requirements. Mr. Allen stated that they would have someone come in and design that and put it together the right way.

Roger A. said the only other thing needed is the size of the septic system to know the number of seats it will accommodate. Steve F. stated the board received that information. Mr. Allen agreed. Mr. Allen added that Stoney Road Septic took care of that and said there is no issues with the system, as it has been serviced regularly.

Roger A. asked if they were still going to have the takeout area? Mrs. Allen thought they would have takeout. She said they may actually do takeout first. Madge B. asked if the takeout would be outside? Mrs. Allen stated that it would not. Madge said there would not be a takeout window. Mr. Allen stated they would not be adding anything to the outside.

Roland L. asked if it would just be a restaurant and not a store. Mr. Allen stated, "No store." Mr. Allen said there may be crafts and gifts. Mrs. Allen said there would be coffee and sandwiches to go, but no groceries, no lottery or things like that.

Roger A. stated that back in 1988, John Large stated the septic was designed for 55 seats, 6 workers and a grease trap.

Board members decided not to do a site inspection, as they were aware of the location. Steve F. stated the board would be going through the ordinance and the inside was not as much of a concern. Mr. Allen

showed the board a picture of the interior so they realized what they were dealing with. Steve noted the board would be looking at a parking plan. Madge B. added that they would be asking about lighting, exterior lighting for the parking area or the building. She said they would also ask for hours of operation, and the answer should be the *maximum* amount of hours that they could possibly be open. She noted they could be open fewer hours than they ask for, but not more, so they need to keep that in mind, because they cannot operate when they are not allowed.

Roger A. told the applicants that the board will see them at the public hearing before the next meeting. Mr. Allen asked if they would be notified. Barbara F. stated they would receive the agenda both in the mail and through an email, prior to the next meeting.

Nothing more was discussed.

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**Conditional Use Permit – New Structure in Shoreland District – Map 33, Lot 56 (87 Treasure Island Road) – Conrad & Janet Gagne, Applicants & Property Owners**

Mr. and Mrs. Gagne were present for the review of the application.

Provided along with the application was a ‘Sketch Showing Proposed Buildings for Conrad Gagne, 2397 State Route 109, Acton, ME 04001 of Property Located on Treasure Island, Shapleigh, Maine’, drafted by Joseph Stanley, PLS #2453 of Line Pro Land Surveying, LLC in Springvale, Maine, dated March 27, 2023. The plan depicts the existing lot, the 100 foot setback from the high-water-mark, the proposed 25’ C.U. road/ROW setback, existing steps, the 10’ Accessory Setback, the Proposed Camp location and an 8 x 12’ Shed. In addition, the abutting property owners were noted as follows: Jamie L. & Jason B. Murray, Map 33, Lot 58, Conrad & Janet Gagne, Map 33, Lot 56, and Clive & Jean Hare, Map 33, Lott 55. The Walking Path/Road was also located.

The application detailed description of the project is as follows: *Request to build a 2 story building on Treasure Island on Square Pond with dimensions as described on the building envelope submitted.*

Roger A. stated that next on the agenda is Conrad & Janet Gagne, and he asked Mr. Gagne to let the board know what he wanted to do. Mr. Gagne stated that he and his wife want to build what his wife calls a tiny home on a piece of property they own on Treasure Island. He stated that he sent board members a copy of the building envelope that shows the dimension of the tiny home. He said it will be a 2-story home.

Madge B. asked if it met code? CEO Demers said he was sure they could design something that could meet code in the footprint.

Mrs. Gagne noted that they also want a shed on the other side, as there are two small envelopes on the property for a structure on each side.

Roger A. stated there will be a notice to abutters. He didn’t think the board could do a site inspection on the island. CEO Demers asked Mr. Gagne if he could get members to the island on a boat. He said he could, and he thought the ferry would start to run on the 29<sup>th</sup> on the weekends.

Mrs. Gagne stated that they did have a cottage on the island already, behind this lot. She said this is another piece of property that they bought, with the right-of-way between the properties.

Steve F. asked if the board was looking at this for the 25 foot setback to the right-of-way that was approved at Town Meeting? Mr. Gagne stated that without that, he would not be able to do it.

They are referring to the following:

§ 105-19 Notes to Table on Dimensional Requirements.

Front yards. When a lot fronts on the shore and on a road or right-of-way, both the shoreland setback of 100 feet and the front setback as defined in § 105-18 shall be met, except on nonconforming lots of record, in which case the setback may be no less than 25 feet from the property line or road. This reduction shall require a conditional use permit from the Planning Board. All conditional uses approved relating to setbacks shall require confirmation, in writing, by a licensed surveyor that the placement of the structure is correct and the plan shall be recorded in the York County Registry of Deeds within 90 days of the date of the Planning Board approval. If the plan is not recorded within this time period, the approval of the Planning Board shall be null and void.

Steve F. said it was a walking path on Treasure Island. Mr. Gagne agreed stating that no vehicles are on Treasure Island. Steve said he was ok with skipping the site inspection. The other members agreed.

**A notice to abutters will be mailed.** The next meeting will be held on April 25<sup>th</sup>.

Mrs. Gagne said that they could not do anything before the 25<sup>th</sup>? The board said, no. She stated that there was a tree leaning in the envelope, it was a hazard tree, and they wanted to take it down. Roger A. stated that she can ask CEO Demers about taking the tree down. CEO Demers asked if it was past the 100 feet? Mrs. Gagne stated it was not, Mr. Gagne agreed it was within 100 feet and it was leaning over the adjoining property. Roger A. told them to go to the CEO.

Nothing further was discussed.

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**Conditional Use Permit – Replace Retaining Wall – Map 17, Lot 18 (38 Old Loop Road) – Matt Colton, Applicant; Steven Spinney, Property Owner**

Mr. Colton was present for the review of the application.

Presented along with the application was a letter which stated the following in part: Please accept this letter authorizing Mainely Barge LLC to pull all necessary permits on behalf of Steven O. and Sharon M. Spinney regarding replacing the wall on the lake side of 38 Old Loop, Shapleigh Maine 04076.

Provided was a copy of the Permit by Rule Notification Form, dated 3/23/23. The Brief Project Description is as follows: *Replace existing sea wall with large precast block, same height/length.* In addition, a sketch was attached to the permit, which depicted the wall to be 85’ x 4’, along with 4’ steps to the water. Noted on the sketch was ‘Replanting of veg after walls completed’ with the vegetation location noted along the along the wall in green, also shown was the general location of the house.



Provided were several pictures of the existing conditions.

The application detailed description of the project is as follows: *Replace existing retaining wall in same height and location using precast block.*

Roger A. asked Mr. Colton to let the board know what he wanted to do. Mr. Colton stated they were replacing the existing wall on lower Mousam, same length & height. He said there was also a set of steps. He said it was being done the same as usual. He added that they had their documents in order, they have a call into the surveyor, and they are using the same blocks.

Roger A. asked if they had their DEP Permit by Rule? Mr. Colton stated he sent it in prior to mailing the packets out to board members.

**Roger A. stated a site inspection will be held on April 25<sup>th</sup>, board members agreed on 6:00 pm. A notice to abutters will be mailed.**

Nothing further was discussed.

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**Conditional Use Permit – Replace Retaining Wall – Map 33, Lot 22 (90 Treasure Island Road) – Matt Colton, Applicant; Stephen Indingaro, Property Owner**

Mr. Colton was present for the review of the application.

Provided along with the application was an email from Stephen Indingaro, dated 9/22/2022, which stated in part the following: Please let this email serve as authorization for Mainely Barge LLC to pull permits on my behalf to conduct work on my property at 90 Treasure Island Road in Shapleigh, Maine.

Provided was a copy of the Permit by Rule Notification Form, dated 2/6/23. The Brief Project Description is as follows: *Replace Existing Timber Retaining Wall with Precast Block Wall*

Provided was a sketch plan with what appears to be 2 walls. The first wall has the following measurements: 12’, 15’, 20’, 5’. The second wall has the following measurements: 4’, 15’, 6’, 4’, 4’. The plan also showed 2 trees to be removed and the location of the camp. Noted on the plan was 2’ wall; 5’ wall; Free Standing Steps.

Existing condition pictures were provided of the 2 timber walls.

The application detailed description is as follows: *Replace existing retaining wall in front of camp in same height and location using precast blocks.*

Mr. Colton is doing this project as well, it is located on Treasure Island. He asked members if they were going to do a site inspection? Members agreed to not do the site inspection due to time constraints prior to the meeting, and not all members were available on the weekend.

Steve F. asked Mr. Colton if he was replacing everything in the photo he provided, meaning the wall and stairs? Mr. Colton stated that he was.

Roland L. asked if any trees would be coming down at either site, Old Loop or Treasure Island? Mr. Colton stated that yes, on Square Pond, next to the stairs, trees would be removed. He said on Lower Mousam, there are small bushes out front that will be removed. He said those are all under 2 inches in diameter.

Board members looked at the sketch, and trees were noted.

Madge B. asked what he would do about replacing the trees on Treasure Island? Mr. Colton stated that the trees were against the wall, and he thought they were a hazard, and he had no plans to replant. He said the owner had a lot of trees, so he would rather not replant near the wall, it will push the wall out. He didn't think removing 2 trees would make a difference. Madge asked if he would use mulch for erosion? Mr. Colton stated that he would be. Madge asked if that was on the plan? Mr. Colton stated he did not provide a planting schedule, because he did not think the board required one, where the trees are kind of hazardous. Roger A. said the soil that is disturbed should be revegetated. Mr. Colton said again he would be using erosion control mulch. Madge agreed the area would need erosion control. Steve F. asked if they should be using some nice low bush vegetation? Madge thought it would be good if they did, because there is an area that they can. Roland noted the Juniper ground cover on site, and asked if they could do something similar. Mr. Colton said he was just going to do erosion control mulch or landscaping mulch, the owners then can do whatever they want.

Roland L. asked if the replacement wall would follow a similar line to the existing? Mr. Colton stated that was correct, but they would step it down, with free standing steps up through the landing. He said it is very similar to what is there. Madge B. asked if the upper, low wall, would be put back. Mr. Colton stated that was correct.

Madge B. said again that she would like to see the plan commit to some plantings. She said her concern with erosion control mulch is that has to be maintained or it will not work. Steve F. agreed, noting it turns into dirt. Madge said the board can require that they have to put some vegetation in, such as low bush blueberries or juniper bushes. Mr. Colton said he didn't mind a revegetation schedule, but he had concerns that it was a weekend home, and he wasn't sure it would take being pine needles and shade, and if they don't water it, if it will work. Madge said she didn't know either, but it was worth a try. Steve agreed, they should put in some low bush ground cover, similar to what is on site now.

Nothing else was discussed.

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**Other:**

**Accessory Dwelling Unit Ordinance**

Roger A. said the board can now talk about the ADU Ordinance. Madge B. noted that there is some legislation where they want to push the requirement to have it in place, out two years. Roger said he was aware of the proposed legislation. Barbara F. said she was aware as well, but that it hadn't passed yet. Roger agreed that it has not passed, but there is a bill in place being moved forward.

Madge B. asked if Barbara was asking to schedule a public hearing to talk about an ADU ordinance? Barbara said no, the Town is going to have a Town Meeting style vote in June on other issues, and if the Planning Board has a proposed ordinance ready by the end of April, it can be added to that vote, so we will have something in the ordinance to address this. She said if the board likes the model ordinance, they may want to do that, and she noted the ordinance could be amended next Town Meeting if the board feels it isn't exactly what works for the Town. She said the board is required to hold 2 public hearings prior to the vote in June, and the first should be at the next meeting, then another in May. She said if the board doesn't want to move forward now, then they do not have to hold a public hearing.

Roger A. thought that the Town currently meets LD2003, because on a single family lot, the Town allows a duplex. He felt this was an accessory dwelling unit. Barbara F. agreed, but the ordinance does not include a 'detached' unit. CEO Demers agreed that the Town meets the new legislation but does not go on to speak about attached or detached, and detached is not a duplex. Madge B. agreed.

Roger A. said at the last meeting the board spoke about an ADU, and the size of the ADU. He thought the board could create a size limit, but wondered about limiting the size of a duplex. Madge B. did not think this was possible, the way the ordinance is written. Madge also thought this would allow for a duplex and ADU, so three units. Barbara F. did not believe that was correct, it would allow for 2, a duplex or a detached ADU; it allows for a single family home with an attached unit, a duplex, or a single family home with a detached dwelling unit. Barbara asked CEO Demers if she was correct? He stated she was, one duplex or a single family with a detached dwelling unit.

Madge B. thought they should go ahead and have a public hearing on the possible changes to the ordinance. Barbara F. said they can hold the public hearing, then decide if they want to proceed or make changes to what they have now. Maggie M. pointed out that if the board does not hold the public hearing, or amend the ordinance, and the legislation fails that is trying to move things out, then the Town is stuck with the current legislation as it is written. Barbara agreed, there is no other choice. CEO Demers agreed that if the Town doesn't create an ordinance and someone comes in and wants an ADU per State law, the Town cannot say no, it would be better to define any limitations now. Barbara said again, the board can amend the ordinance at March Town Meeting. Madge added that it can be withdrawn. Barbara said that the only choice is to amend the ordinance in June, or wait for a year to do something. She thought it would be best for the Town to have some control regarding an ADU. She added that the board can make an amendment to what she gave members after the Public Hearing, as there will have to be a second public hearing in May; but after the first Public Hearing, what they decide upon will be what gets voted on.

Steve F. had concerns with restricting the size of the detached structure. Barbara F. stated that CEO Demers had spoken about have the restriction closer to 1000 square feet, which would accommodate a bathroom, kitchen, bedroom and living area. He thought maybe someone will come to a public hearing with other suggestions. Roger A. noted that towns like Wells and Sanford are limiting the size to 700 square feet. CEO Demers said that Acton has 800 square feet. Roger said the intent is this is an ADU. Roger said they can have duplex if they want something larger, which has no limits on size. Only the detached has a size limit.

CEO Demers said another thought was allowing a 700 square foot with CEO approval and a 1200 square foot ADU with Planning Board approval as a Conditional Use. Steve F. agreed this is new territory.

It was noted they cannot be sold separately and it cannot be used for a Bed & Breakfast.

**The board concluded to hold the public hearing on a proposed Accessory Dwelling Unit Ordinance, have further discussion, and decide on the vote in June.**

Proposed Accessory Dwelling Unit Ordinance to be Reviewed

**§ xxx-xx Accessory dwelling units.**

As an accessory use to a single-family dwelling, the creation and renting of a single apartment within the dwelling, attached to the dwelling or freestanding from the main dwelling shall be permitted, provided all of the following conditions are met:

- A. An accessory dwelling unit must meet a minimum size of 190 square feet and shall be no larger than XXX square feet.
- B. The owner of an accessory dwelling unit must provide written verification to the municipality that the accessory dwelling unit is connected to adequate water and wastewater services before the municipality may certify the accessory dwelling unit for occupancy.
- C. An accessory dwelling unit shall not be subject to any additional parking requirements beyond the parking requirements of the single-family dwelling unit on the lot where the accessory dwelling unit is located. An accessory dwelling unit shall be exempt from any density requirements or calculations related to the area in which the accessory dwelling unit is constructed.
- D. The primary dwelling is owner-occupied. The accessory dwelling unit shall be occupied by the lessee for a duration of not less than 12 consecutive months. These units shall not be leased or rented as short-term rentals for any time period of less than a 12 consecutive months.
- E. The building is located on a conforming lot for a single-family dwelling in the district in which it is located.
- F. All required permits are obtained for construction of the accessory dwelling including a design review approval for ADU’s in all zones, and a certificate of occupancy is obtained prior to the accessory dwelling being occupied.
- G. Any accessory dwelling unit located within the same structure as a single-family dwelling unit or attached to or sharing a wall with a single-family dwelling unit, the setback requirements and dimensional requirements must be the same as the setback requirements and dimensional requirements of the single-family dwelling unit, except for an accessory dwelling unit permitted in an existing accessory building or secondary building or garage as of July 1, 2023, in which case the requisite setback requirements for such a structure apply.
- H. Only one accessory dwelling unit shall be permitted per lot.

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Due to Roger Allaire’s resignation as of April 12, 2023, the Election of Officers was held a month early, so a new Chairman will be in place for the next meeting to be held on April 25, 2023. In addition, the next alternate in line, Ann Harris, will become a regular member, after being appointed by the Selectmen.

Election of Officers

Madge B. made the motion that Steve Foglio be Chairman of the Planning Board. Maggie M. 2nd the motion. Steve F. accepted the nomination. By a vote of 4 – 0, the decision was unanimous that Steve Foglio is Chairman.

Madge B. made the motion that Ann Harris be Vice Chairman of the Planning Board. Maggie M. 2nd the motion. Ann Harris stated to Barbara F. that she would accept the nomination. By a vote of 4 – 0, the decision was unanimous that Ann Harris is Vice Chairman.

The board unanimous agreed that Barbara Felong continues as Secretary to the Planning Board.

Roger A. concluded the meeting.

Growth Permits

There are growth permits available.

The Planning Board meeting ended at 9:00 p.m.

The Planning Board now meets the 2nd and 4th Tuesday of each month at 7:00 pm, unless it falls on a holiday or Election Day. Should there be a cancellation due to a storm event, holiday, or Election, the meeting will typically be held the following Wednesday, also at 7:00 p.m. Public hearings are held at 6:30 pm, just prior to the meeting.

Please contact the Land Use Secretary if there is a question in scheduling, 207-636-2839, x4.

Also visit www.Shapleigh.net, there is a calendar of events, and you will find Planning Board information there including schedules, the agenda, and minutes of the meetings.

Respectfully submitted,
Barbara Felong, Land Use Secretary
Town of Shapleigh planningboard@shapleigh.net