

TOWN OF MOUNT VERNON ORDINANCE REVIEW COMMITTEE

MINUTES 12 06 2023 MEETING

Meeting called to order by Chair Roberts at 6:50:pm at the Library. Quorum present: Fred Webber, Ron LaRue, Nona Boyink, Heather Roberts, Quimby Robinson, Michele Pino, and Susan Herman.

Minutes of November 1, 2023 .were summarized by Michele Pino. Motion made by to approve the minutes, with the day of the week corrected, by Sue Herman, seconded by Heather Roberts. Minutes approved. 5-0. (Fred did not vote).

1. **ORC Annual Report** (draft circulated by Sue prior to meeting). Motion to approve made by Heather, seconded by Sue. Approved 5-0 (Fred did not vote).
2. **Review updates in regard to request of removing R90L51 from Resource Protection.** Heather reported that Aerial Survey did not have any records. Colin Clark from ME DEP, Shoreland Zoning, provided historical maps which showed that the lot has been in resource protection since at least 1991 and this designation has not changed. Based upon our review, we believe that the area was correctly designated as resource protection. The lot falls within an area that the town had the authority to designate as resource protection and the comprehensive plan (both the current plan and the 1991 plan) support the designation. It was also noted that the landowner acquired the lot many years after the resource protection designation, and not all of the lot in question is within resource protection. The landowner has the option of pursuing a petition to put the question of removing the lot from the Resource Protection designation before the town meeting. A motion was made by Nona and seconded by Sue to report to the SB that our review indicates that the lot was correctly designated as resource protection per the town's authority under Shoreland Zoning laws, Mount Vernon's LUO and Mount Vernon's Comprehensive Plan. Approved. 5-0.
3. **Colin Clark Comments on LUO.** Heather reported that she had contacted Colin Clark seeking clarification regarding his comments relating to holding tanks. Heather has not heard back from Mr. Clark. Further consideration on this issue will be deferred pending a response. Regarding the Resource Protection definition, we had removed paragraph b) in the Reformatted version of the LUO adopted in June 2023, so that comment has already been addressed. The comment related to paragraph a) updates the reference to the IF & W maps and there was agreement that the language suggested by Mr. Clark was appropriate.
4. **Town Attorney concerns regarding LUO.** Heather reported that shortly after the last meeting, Select Board Chair Bob Grenier asked her to join Bob in a meeting with the town attorney which was conducted by zoom. Heather reported that during the meeting that the town attorney stated that she had serious concerns about the Land Use Ordinance, specifically referring to Site Plan Review and and that the attorney stated that the LUO

had conflicting provisions and was inconsistent. Reference was also made to the individual private campsites. Some of the concerns related to the Travis Mills development proposal which is currently pending before the planning board. Heather reported that the attorney did not offer specifics regarding the concerns. After discussion, Chair Roberts requested that ORC members review the current Site Plan Review Section of the LUO and the definition of individual private campsites before our next meeting. The consensus was that the ORC will request that the Select Board meet with the ORC to discuss 1) whether the ORC has a role in considering issues that are currently pending before the planning board; and 2) the comments and concerns of the town attorney. Chair Roberts will be in touch with the Select Board about the ORC request.

5. **KVCOG Review of L.D. 2003 draft proposals.** KVCOG has timely provided feedback regarding our L.D. 2003 draft proposals. Chair Roberts will provide KVCOG with the feedback the ORC received from the State DECD regarding whether an owner-occupied requirement for either an ADU or the primary dwelling unit, the possibility of requiring an affordable housing covenant in the deed (which would run in perpetuity) and will follow up on specific language suggestion in the ADU section as mentioned in one of the KVCOG comments. We also discussed asking Fayette to share information it has compiled regarding how other towns have approached the regulation of short-term rentals.
6. **Other:** Chair Roberts reported that we had made significant progress on our action items.

Motion to adjourn made by Heather, seconded by Nona at 8:00 pm. Approved. 6-0

NEXT MEETING 1/3/2024 at 6:45 p.m.

Respectfully submitted,

Susan Herman, Co-Secretary