

Town of Freedom Planning Board Meeting Minutes
9/24/24
Town Office

Freedom citizens present: Mike Smith, Willa Dibner, Steve Bennett, Tom Clay, Ron Littlefield, Barbara Littlefield, Kyle Price, Ron Price

Freedom Town Officials Present: Laura Greeley (Selectperson), Heather Donahue (Selectperson)

Planning Board present: Clara Alvarez (via zoom), Tyler Hadyniak, Mary Ann Bennett, Brian Murphy, Peter Abello, Prentice Grassi (arrived late), Kevin Malady (arrived late)

1. Gavel into session at 6:00 pm

Tyler gaveled the meeting into session at 6:00 pm.

2. Approve 9/10/24 Minutes

Motion to approve 8/27 minutes as written (Tyler); Mary Ann 2nd. All in favor? Motion passes 5 – 0.

3. Citizen Concerns

Kyle Price:

- Commended the planning board on their work on the solar ordinance.
- Encouraged the board to reinstate waiver language that was removed at the last meeting, to give planning board flexibility for unique situations, e.g. what if neighbor of a proposed SES wouldn't mind if an SES is sited closer than the required setback in the ordinance
- The 1000-foot setback approved by the planning board last meeting restricts property rights
- Asked what the long-range plan of the town is. Are we going to be a town that welcomes well thought out development or are we a town that is going to keep the status quo and close doors to change?
- Debunked concern about pfas in panels, reminding board and those present that its everywhere and the little amount found in solar panels shouldn't restrict its application

Steven Bennett:

- Expressed concern about pfas impacting drinking water and we shouldn't be allowing development that we know will increase potential of pfas leaching into water table.

Willa Dibner:

- Ok with reinstating waiver provisions in ordinance.

Heather Donahue:

- Frustrated, seemingly angry, that none of the changes that were discussed in a meeting in July made it into draft solar ordinance. It turns out that Heather was not looking at most recent working copy of draft ordinance, many of the changes she said were not there, were present in the most recent working draft.

This led to discussion/ideas for improving integrity of working copies of ordinances with no real actionable decision.

Laura Greeley:

- Residents at Monday's Selectboard Meeting asked the selectboard to take ordinance from planning board and finish it. She said that residents present at that meeting requested that several of the planning board members be replaced. Selectboard voted at that meeting to take solar ordinance from the planning board and finish it themselves.
- Asked MMA whether 1000-foot setback is too restrictive and would such a provision open the town to legal action. MMA responded yes, per Laura. Open to and intends to research the possibility banning commercial solar in Freedom due to Maine being a home rule state
- Reminded everyone that there is 6 months left in commercial solar moratorium concerned about getting ordinance done prior to that.

Prentice Grassi:

- Spoke of survey respondents who expressed concern that the ordinance should not be too restrictive of landowner rights. Reminded everyone that in the solar survey there were votes in favor of commercial solar in town.

4. Finish Solar Ordinance

The Selectboard at their 9/23/24 meeting voted unanimously to take the solar ordinance from the planning board. As a result, no further action was taken on this subject.

5. Next Meeting date: October 8, 2024

Next meeting will focus on developing a priority list for the planning board's work going forward. A list was informally discussed:

Trailer Park ordinance

LD 2003

Review old ordinances to see if they need updating
Update Shoreland Zone Ordinance

Motion to adjourn the meeting (Tyler). Mary Ann 2nd. All in favor? Motion passes 7 – 0.
Meeting adjourned at 7:25 pm

Respectfully submitted by Peter Abello

Town of Freedom Planning Board Meeting Minutes

10/8/2024

Town Office

Town Officials Present: Laura Greeley (selectperson), Cindy Abbott (CEO)

Freedom Residents Present: Erin Richardson, Michael Dutton

Planning Board Members Present: Kevin Malady, Clara Alvarez, Mary Ann Bennett, Peter Abello, Tyler Hadyniak, Prentice Grassi, Brian Murphy

Gavel into session at 6 pm

Tyler gaveled meeting into session precisely at 6:00 pm.

Approve minutes from 9/24

Amendment made under *Citizen Concerns* to clarify Prentice's comments. All agreed with change. Change made to live google doc. Motion to approve minutes as amended (Tyler); 2nd (Mary Ann), all in favor? Motion passes 7 – 0.

Lost Kitchen Commercial Development Application

Prior to meeting (9/30/24), Erin Richardson and Michael Dutton of The Lost Kitchen (TLK) had submitted a shoreland zone ordinance application to construct a new shower facility and make improvements to an existing walking bridge over sandy stream on their property (tax lot 11 - need to clarify map and lot number here). In addition, they submitted supporting documentation that the existing septic and leach field is adequate to accept this additional wastewater. Discussion followed whether this proposed development would also fall under the Commercial Development Review Ordinance (CDRO). It was decided due to the nature of the proposed development and it being substantially different that what was approved in their CDRO Application from 2020, that a new CDRO application was needed. TLK wants to start construction as soon as possible. The planning board offered to meet on 10/22 to review their new CDRO. A requirement of a CDRO application is to have a public hearing, so meeting on 10/22 will start with a public hearing and then a review of CDRO application. The shoreland zoning application will be considered concurrently with the CDRO at the 10/22 meeting. Motion to post notice of Planning Board Meeting and public hearing for proposed commercial development for 10/22 6:00pm (Tyler); seconded by Mary Ann. All in favor? Motion passes 7 – 0.

Citizens Concerns

During this time on agenda, Cindy provided an update on her CEO work. She asked planning board if there are any records on a subdivision that was done on Ayer Ridge Road years ago. Planning Board members responded they never approved a subdivision on Ayer Ridge Road at least in their collective memory which goes back 20+ years. Discussed

subdivision ordinance provision that divided lots must have 150 feet of road frontage and whether that applies to a “Lane”.

Brainstorm Priority List

The following list was generated in an open discussion:

- Trailer Park Ordinance – residents on Ayer Ridge Road have requested this
- Update Marijuana Ordinance – there is a possibly a loophole in this ordinance. The selectboard has asked Bill Kelly, Town Attorney to review.
- LD 2003 – law passed by Maine Legislature to remove unnecessary regulatory barriers to housing production. Gives municipalities opportunity to update their ordinances.
- Update Shoreland Zone Ordinance
- Update other ordinances such as the Subdivision Ordinance

Consensus to focus work on housing related ordinances (Trailer Park, LD2003), possibly combine the effort into a new housing ordinance. Actions for Planning Board Members:

- Review Town of Jackson’s land use ordinance and short-term rental ordinance which were developed/updated this past year in response to LD 2003
- Review Montville Trailer Park Ordinance
- Bone-up on LD 2003

No later than 7:30 pm: Move to Go Into Executive Session

a. 1 M.R.S.A 405(6)(A)(1). 3/5 vote needed

Before this meeting, via email, Clara asked if the planning board could go into executive session at this meeting. The statute referenced above has specific guidelines on when a municipal board can go into executive session, Tyler read these guidelines from the statute. Clara was asked why she requested this, her response: “I would like to discuss what we went through as a planning board over the last 6 months”. Discussion ensued whether this reason met the provisions in statute, consensus was no it does not. Clara discussed her concerns about planning board process. She has a desire to improve the process on how we as a board do our work. There was consensus among the planning board members that their work on Commercial Solar Ordinance and how it ended with the Selectboard taking over the ordinance prior to finalizing, was not how the town should be doing business. The board is looking forward to improving the process with our future work.

Next meeting date: November 12, 2024

Next meeting is October 22, 2024, 6:00 pm

Motion to adjourn this meeting (Tyler), 2nd (Kevin). All in favor? Motion passes 7 – 0.

Meeting adjourned at 7:51 pm

Respectfully submitted,

Peter Abello

Town of Freedom Planning Board Meeting Minutes

Public Hearing for TLK

10/22/2024

Town Office

Town Officials Present: Laura Greeley (selectperson), Heather Donahue (selectperson)
Cindy Abbott (CEO)

Freedom Residents Present: Erin Richardson, Michael Dutton; Matt Stauffer; Palmer?

Planning Board Members Present: Kevin Malady (late), Clara Alvarez, Mary Ann Bennett,
Tyler Hadyniak, Brian Murphy

Planning Board Members Not Present: Peter Abello, Prentice Grassi

Gavel into session at 6 pm Public Hearing

The Lost Kitchen – CDRO/Shoreline zoning application.

Michael Dutton and Erin Richardson briefly discussed their project. Continue building amenities to support their overnight guest.

TLK requested waivers – submitted a written request. Discussion with Cindy Abbot about the waivers, Cindy stated that TLK has met their check list requirements.

Public Hearing was closed.

6:10 pm- Planning Board

1. Vote on TLK applications:
 - Shore land zoning permit application
 - Tyler moved to approve the shoreland zoning application dated 10/30/24: seconded by Mary Ann Bennett.
*Vote was 4-0 in favor.
2. Commercial Development Review site plan application
 - Tyler motion to accept the waivers on the application check list as they have met the appropriate criteria. This was seconded by Mary Ann. Vote was 4-0-1.
 - Tyler motion to accept the CDR site plan application; seconded by Kevin. Vote was 5-0.
Tyler will write up summary of our decision.

*Permits are valid for 12 months from the date of Planning Board approval. If the permit

recipient has not made a substantial start to the permitted activity within 12 months from the date of Planning Board approval, the permit shall become null, and void and the applicant shall obtain another permit as required by this Ordinance by submitting another site review application to the Planning Board.

3. Minutes from the last meeting October 8th, 2024

No changes.

- * Tyler send Beth Michaud minutes individually. Beth will post each meeting individually.
- Brian Murphy is still not receiving emails. Tyler will continue to email Brian, as Selectboard Laura Greeley is still working with OIT to find out issue. Tyler motion to accept the minutes; Kevin seconded. Vote 5-0.

4. Citizens' Concerns

CEO Cindy Abbott stated that there may be a potential CDRO application on the horizon. Potential commercial kitchen on Beaver Ridge.

Heather Donahue - discuss the repercussions of LD2003 the lack of nothing having something in place. Would like the planning board should address it soon.

Cindy – Tiny houses fees. She will like the board to investigate that.

Discussion of the growth of the town. About 30 permits have been issued this year, which include: porches, sheds, living units.

Tyler suggested he would collate the permits in their categories.

Tyler would like the planning board to tackle housing ordinances first. Which include the following ordinances: building; short term rental; a mobile home park; during our work on those three we would tackle LD 2003.

Laura Greeley – discuss the short-term rental, she is not sure why we needed the ordinance; the discussion from the PB was that we are forward thinking, and a lack of an ordinance may come to bite us. There have been many concerns in the past years regarding short term rentals from residents. Brainstorming a fee for an application short-term fee. Consensus was to work on a short-term rental ordinance, be brief and not burdensome on the homeowner.

Brian had a question about the building ordinances, do we have to allow mobile home parks. The answer was yes.

Next meeting date: November 12 – we will discussing mobile home park ordinances.

Action item – for Tyler research specific state statute regarding mobile park.

Action item – for Tyler research -specific state statute regarding mobile park.

Homework – gather mobile home park ordinances; come prepared with mobile home ordinances.

Tyler motion to adjourn; seconded by Mary Ann. All in favor.

Meeting adjourned at 7:10 pm

Respectfully submitted,

Clara Alvarez

Town of Freedom Planning Board Meeting Minutes
11/12/24
Town Office

Freedom citizens present: Lincoln Fraser

Freedom Town Officials Present: Laura Greeley (Selectperson)

Planning Board present: Clara Alvarez, Mary Ann Bennett, Peter Abello, Tyler Hadyniak, Prentice Grassi, Kevin Malady (arrived late). Absent: Brian Murphy

1. Gavel into session at 6:00 pm

Tyler gaveled the meeting into session at 6:00 pm.

2. Approve 10/22/24 Minutes

A typo was fixed under Citizen Concerns. Motion to approve 10/22 minutes with noted correction (Tyler); Mary Ann 2nd. All in favor? Motion passes 3 – 0, with Prentice and Peter abstaining as they were not at the 10/22 meeting.

3. Citizen Concerns

Lincoln Fraser stated that he was concerned that short-term rentals would be regulated by the town. This is based on previous planning board meeting discussions where the board discussed in general what their next work will focus on. He feels personally singled out based on the recent discussions and doesn't think short-term rentals are an issue in town.

4. Talk about homework assignments.

a. Discuss mobile home park ordinances.

Planning Board working on a Mobile Home Ordinance is a priority for the Selectboard, per Laura. Discussed other mobile home ordinances in Maine. Discussed M.R.S.A 4358 Regulation of manufactured housing effective date 8/9/2024. The following actions resulted:

- Tyler will contact the Town of Montville Planning Board about their Mobile Home Ordinance and see if they would be willing to present at a future Planning Board Meeting.
- Laura will contact MMA for a packet on Mobile Homes
- Clara will circulate via email, the Town of Hampden Mobile Home Ordinance
- Mary Ann will compare several Mobile Home Ordinances and compile commonalities.

b. Action Item: Pick a “model” mobile home ordinance for our use?

One specific ordinance was not selected though several were discussed as ones that should be reviewed: Montville, Hancock, Hampden.

5. Adjourn no later than 8 pm

Motion to adjourn (Tyler); 2nd – Kevin. All in favor? Motion passes 6-0. Meeting adjourned 7:15pm

6. Next Meeting date: December 10, 2024

Continue work on Mobile Home Ordinance.

Respectfully submitted by Peter Abello