

EDGECOMB PLANNING BOARD
AGENDA, MARCH 21, 2024
6:30 P.M.

PUBLIC HEARING

(See attachment for additions and deletions to the ordinances to comply with the state-mandated changes relative to additional dwelling units (ADU) and state-mandated changes to the Shoreland Ordinance.

REGULAR MEETING

1. Call to Order
2. Roll Call
3. Approval of Minutes of March, 2024
4. Roger Barry, Site Plan Review application for carport, 581 Cross Point Road, Map U-11, Lot 7.2
5. Other Business
6. Adjournment

NOTICE OF PUBLIC HEARING

The Edgecomb Planning Board will hold a public hearing at 6:30 p.m. on March 21, 2024, at the Town Office on the following changes to Article VI and Article X of the Land Use Ordinance:

Article VI – Overlay and Supplementary Ordinances

1.13 Land Use Standards

All land use activities within the shoreland zone shall conform to the following provisions, if applicable.

1.13.1 Minimum Land Use Standards

~~1.13.1.5 No more than one principal structure for commercial use or one principal structure for residential use shall be constructed per two acres. A principal structure for commercial use constructed on two acres shall not contain any dwelling units. A principal structure for residential use constructed on two acres shall not contain more than one dwelling unit. All additional dwelling units, including accessory dwelling units, require an additional two (2) acres of lot area and 200 feet of shore frontage, and one accessory apartment. All dimensional requirements shall be met.~~

5. Accessory Dwelling Units

5.1 Accessory dwelling units (ADU”) are permitted on any lot where a single-family dwelling is the principal structure, subject to the standards set forth in this section:

5.1.1 An ADU may be located within an existing principal dwelling unit on the lot, attached to or sharing a wall with an existing dwelling unit, or may be located in a new structure on the same lot.

5.1.2 An ADU must have no more than two bedrooms.

5.1.3 An ADU’s area must not be larger than 90% of the area of the principal dwelling unit; an ADU must not exceed 35 feet in height; an ADU must not be less than 190 square feet in area.

5.1.4 An ADU may not be leased as rental property for less than 90 days; and an ADU must be under the same ownership as the principal dwelling unit. These restrictions must be contained in a written covenant, in a form acceptable to the Town Attorney, which shall be recorded by the owner in the Lincoln County Registry of Deeds.

5.1.5 Up to two accessory dwelling units shall be permitted per parcel, subject to subdivision review if required.

5.1.6 The ADU(s) must meet all setback requirements applicable to the principal structures already located on the lot.

5.1.7 An ADU shall meet all applicable building, fire and life safety codes.

5.1.8 An ADU must be connected to adequate water and wastewater facilities. In the event that the ADU is not connected to public sewer, it must comply with all applicable provisions of the State of Maine Subsurface Wastewater Disposal Rules. Written verification of such compliance must be received by the Code Enforcement Officer prior to the issuance of a building permit.

5.1.9 Notwithstanding anything in this section to the contrary, an ADU must comply with all applicable shoreland zoning requirements set forth in Article VI, Section 1 of this Ordinance, as amended.

Article VI, Section 1

1.10.1 Nonconforming Structures

Notwithstanding the limitations on height imposed under Section 1.10.1.1(a), (b), and (c) of this Article, as the same may be amended from time to time, the height of a structure that is a legally existing nonconforming principal or accessory structure may be raised to, but not above the minimum elevation necessary to be consistent with the local floodplain management elevation requirements or to 3 feet above base flood elevation, whichever is greater, as long as the structure is relocated, reconstructed, replaced or elevated within the boundaries of the parcel so that the water body or wetland setback requirement is met to the greatest practical extent. This paragraph applies to structures that:

- (1) Have been or are proposed to be relocated, reconstructed, replaced or elevated to be consistent with the local floodplain management elevation requirement; and
- (2) Are located in an area of special flood hazard, as defined in Section 2.13 of this Article, as amended.

Article X – Definitions

Section 2 – Definitions

Accessory Apartment: ~~A residential unit created in an existing one-family dwelling without changing the footprint of the building.~~

Accessory Dwelling Unit: A dwelling unit that is incidental and subordinate to the principal dwelling unit located on the same property and that is either located within the detached principal single-family dwelling unit, or within a separate, detached structure on the same parcel as the principal single-family dwelling unit.

Height of a structure: ~~The vertical distance between the mean original (prior to construction) grade at the downhill side of the structure and the highest point of the structure, excluding chimneys, steeples, antennas and similar appurtenances that have no floor area.~~

Height of a structure: (A) With respect to existing principal or accessory structures, including legally existing nonconforming structures located with an area of special flood hazard that have been or are proposed to be relocated, reconstructed, replaced or elevated to be consistent with the minimum elevation required by a local floodplain management ordinance, the vertical distance between the bottom of the sill of the structure to the highest point of the structure excluding chimneys, steeples, antennas and similar appurtenances that have no floor area; and

(B) With respect to new principal or accessory structures and to existing principal or accessory structures other than those described in paragraph A, including legally existing

nonconforming structures, the vertical distance between the mean original grade at the downhill side of the structure, prior to construction and the highest point of the structure excluding chimneys, steeples, antennas and similar appurtenances that have no floor area.