**Newry Planning Board Meeting Agenda**

**Wednesday March 1, 2023 -- 6pm**

**Town Office, 422 Bear River Road, Newry, ME**

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1. Attendance and Determination of Quorum (2 members required)
2. Review Voting eligibility:

NOTE: Any members who were absent from a meeting must have listened to the recording of that meeting and reviewed the documentation distributed at that meeting prior to voting on any topics which were discussed during the missed meeting.

1. **Minutes of Prior meeting**: Feb 15, 2023
2. **Business**:
   1. **Chase Hill Subdivision amendment, Bill Fisher applicant, R-5/30**
   2. **Sunday River Skiway Corp, Map R17 lot 1 and R13 lot 13. Construction of new Doppelmayer 3-place lift on Merrill Hill with a one new ski trail and new ski-bridge of Morganite Way**
3. **Reports**:
4. **Open Discussion**:
5. **Schedule next meeting**, March 15, 2023
6. **Adjournment**

**Motion:**

A motion for the Planning Board to amend the Unified Development Review Ordinance (UDRO) by inserting the following definition to Section 24, Definitions:

**Tiny Home:** a living space permanently constructed on a frame or chassis and designed for use as temporary or permanent living quarters that:

A. Complies with American National Standards Institute standard A 119.5 on plumbing, propane, fire and life safety and construction or National Fire Protection Association 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 in the State of Maine; and

D. Is a vehicle without motive power.

*Tiny Home* does not include a trailer, semitrailer, camp trailer, recreational vehicle, motor home or manufactured housing.

**Motion:**

A motion for the Planning Board to amend the Unified Development Review Ordinance (UDRO) by inserting the following definition to Section 24, Definitions:

**Motor Home:** a motor vehicle that:

A.Is originally designed, reconstructed or permanently altered to provide facilities for human habitation; or

B.Has a camper permanently attached to it.

**Motion:**

A motion for the Planning Board to amend the Unified Development Review Ordinance (UDRO) by editing the following definition to Section 24, Definitions:

**Campground**

Delete the current definition which reads as follows:

*Any area or tract of land to accommodate two (2) or more parties in temporary living quarters including, but not limited to, tents, recreational vehicles or other shelters, for which a fee is charged.*

Amend the new definition approved at the February 1, 2023 Planning Board meeting:

*see recreational lodging facility*.

By replacing it with:

*A recreational lodging facility which includes any area or tract of land to accommodate a user’s recreational vehicle, motor home, tent or other form of temporary shelter and for which a fee is charged. The shelter must be provided by the user, arrives with the user at the commencement of their stay and departs with the user at the termination of their stay.*

**Discussion Points:**

•Campground are a subset of Recreational Lodging Facilities (RLFs). They are currently limited to the Rural District (UDRO Section 23.H.). The Select Committee on Campgrounds did not recommend any change to this limitation.

•If the definition for RLFs is adopted then they will have to be added to the Table of District Land Uses, UDRO Section 23.H. I propose allowing RLFs in all districts less the Protection District with the exception of Campgrounds which would remain limited to the Rural District.

•By allowing RLFs in the Resort and General Development Districts the PB will have a tool for reviewing existing facilities such as Outward Bound (located in the General Development District) or a new development (hypothetical) of Tiny Homes for rent in any district.

◦The RLF definition includes outdoor educational facilities such as Outward Bound.

◦A collection of tiny homes for use as rental units is not specifically covered in the UDRO.

**Motion:**

A motion for the Planning Board to amend the Unified Development Review Ordinance (UDRO) by inserting the following definitions to Section 24, Definitions:

**Pit Privy:** An alternative toilet, consisting of a permanent structure placed over an excavation where human waste is deposited.

**Vault Privy:** An alternative toilet that retains human waste in a sealed vault.

**Motion:**

A motion for the Planning Board to amend the Unified Development Review Ordinance (UDRO) by replacing Section 13.Q, Reserved with the following:

**Recreational Lodging Facilities**

1. Applicability

a. Where a recreational lodging facility takes place in shoreland zoning districts, the provisions of the Shoreland Zoning Ordinance apply and the more restrictive of the two shall govern.

b. When a recreational lodging facility is reviewed by the Planning Board Site Plan Review, approval in accordance with this Section is required.

c. All new recreational lodging facilities must be developed in conformance with the standards of this Section. Non-conforming recreational lodging facilities must abide by Section 23 of this Ordinance.

d. If two or more recreational lodging facilities are located on abutting parcels, and are under unified or affiliated ownership or control, they shall be deemed to be one recreational lodging facility for purposes of this Section.

e. Recreational lodging facilities must conform to the minimum requirements imposed under State licensing procedures. The Planning Board’s approval is conditional on the State license approval.

~~f. Recreational lodging facilities must conform to the most recently adopted State of Maine Subsurface Wastewater Disposal Rules (10-144 CMR 241). This includes a pit or vault privy servicing primitive campsites.~~

2. Operating Standards

a. All recreational lodging facilities must be inspected annually by May 1 and if found to be in compliance with all applicable Newry Ordinances, issued a permit by the Code Enforcement Officer.

b. Each recreational lodging facility unit shall be provided with a trash receptacle thirty gallons or larger.

c. Each recreational lodging facility unit and/or any common area equipped with a fire pit shall be equipped with a smokeless fire pit, the construction of which must be approved by the the Code Enforcement Officer

d. A facility manager must be on the premises twenty-four (24) hours a day when the recreational lodging facility is in operation.

e. Quiet hours must be enforced between 10:00 PM. and 7:00 AM.

f. A recreational vehicle or motor home may not be rented, leased or occupied for more than two (2) weeks consecutively from November 1st through ~~May 1st~~ April 30th unless the recreational vehicle or motor home is connected to a permanent sewage, water, electricity and heat that will meet State and local codes. During this period, renewal of any occupancy in the recreational vehicle or motor home may not occur unless there is a least one (1) week of non-occupancy.

g. Recreation vehicles or motor homes at individual recreational lodging facility units shall not have permanent foundations and shall not have the wheels removed.

h. A tent, trailer, camper, recreational vehicle, motor home or similar device used for camping may be stored within a storage area on the premises of the recreational lodging facility provided that the device is not utilized or inhabited while located within the storage area. Recreational lodging units may not be used as a storage facility.

i. Staff housing may not be used as a recreational lodging facility unit. See Section 13.Q.3.c.ii ~~below~~.3. Land Use Standards

a. Minimum Site Size – The minimum site size for a recreational lodging facility shall be ten (10) acres.

b. Density

i. The maximum density for a recreational lodging facility shall be one unit per five thousand (5,000) square feet of suitable land area except for primitive campsites which shall be ten thousand (10,000) square feet.

ii. Land supporting wetland vegetation, ~~and~~ land below the normal high-water line of a water body and land with a sustained slope of fifteen (15) percent or greater shall not be included in calculating land area per site.

c. Maximum Number of Units

i. The maximum number of units used as sleeping accommodations in a recreational lodging facility, excluding staff housing for the facility, shall be fifty (50) units.

ii. The Planning Board may permit reasonably necessary staff housing as an accessory use to a recreational lodging facility. Staff housing must be designated on the Site Plan Application and may not be used as a recreational lodging facility unit.

d. Minimum Setbacks – A unit of a recreational lodging facility shall meet the following setback requirements:

i. At least one hundred (100) feet from the center line of any public street or highway and twenty-five (25) feet from the edge of the right-of-way or a road providing access to the unit.

ii. At least fifty (50) feet from the property line of abutting properties.

iii. At least one hundred (100) feet from the normal high-water mark of a great pond, river, stream, brook or upland edge of a wetland.

iv. The areas intended for placement of utility and service buildings, and accessory uses associated with ~~camping~~ outdoor activities; such as fire pits, clothes lines, and picnic tables shall be set back a minimum of fifty (50) feet from the exterior lot lines, one hundred (100) feet horizontal distance, from the normal high-water line of a great pond, river, tributary streams, or the upland edge of a wetland

e. Any recreational lodging facility unit that consist of temporary or permanent structure such as yurts, cabins, cottages and other types of shelter shall not be placed within a floodplain.

f. ~~Visual Buffers –~~ Recreational lodging facilities shall be screened from all abutting areas according to the performance standards in Section 13.AA.

g. Recreational lodging facilities must conform to the most recently adopted State of Maine Subsurface Wastewater Disposal Rules (10-144 CMR 241). This includes a pit or vault privies servicing primitive campsites.

**Motion:**

A motion for the Planning Board to amend the Unified Development Review Ordinance (UDRO), Section 23.H. Table of District Land Uses as follows: