

**Town of Gouldsboro**  
**June 4, 2024**  
**Minutes of the Planning Board Meeting**  
**Gouldsboro Town Office**

**Board Members present:**

Ray Jones, Chairman  
Jeff Grant, Vice-Chairman  
Deirdre McArdle, Secretary  
Shepsi Eaton  
Deb Bisson, Alternate, seated  
Jed West, Alternate

**Board Members absent:**

AJ Higgins

**CEO:**

Mike Conners was present

**Guests**

Annie Sokoloski, Jerry Kron, Josh McIntyre, Town Manager, Greg Piduch, from Hancock County Planning Commission (HCPC) and Ben Averill from the State of Maine Department of Economic and Community Development

**ZOOM Guests:**

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**1. Approval of Minutes:**

A motion to approve the minutes of the March 19, 2024, meeting was made by Deb Bisson and seconded by A.J. Higgins. It was approved unanimously.

Approved as written YES [ ]  
[ X ] Approved as amended:

**2. Approval of Bills:**

There are no bills currently.

### **3. CEO Report**

CEO Mike Connors gave an update on his activities since the last Planning Board meeting. He spoke with Cindy Beske who stated that she and Herbert Rice will have a survey done on June 11<sup>th</sup>. A question arose as to whether the CEO had any further conversation with them about giving parts of their property to family members and its effect on subdivision. The CEO said that he would follow up with them regarding this. He has not heard anything about the boundary ine issue on Paul Bunyan Road, or about the potential glamp ground discussed at the last meeting. He will contact the property owner, Melissa Rogers.

Mike Connors issued the following building permit:

Permit #	Date	Name	Location	shore land	Type
24-32	6/3/2024	Thomasina Watson	202 Chicken Mill Pond Rd	N	Garage/Screened Porch

### **Old Business:**

#### **a.) HCPC re LD 2003**

Ben Averill introduced himself and said that he was attending to provide assistance with LD 2003 compliance. He told the Planning Board that the deadline for ordinances including statute requirements is imminent, July 1<sup>st</sup>. Greg Piduch from HCPC said that he will focus on amending the Shoreland Zoning, Site Plan and the Land Use Ordinance to bring them into compliance.

Ben Averill said that after reviewing Gouldsboro's ordinances, he recommended focusing on the Shoreland Zoning Ordinance. He said that he the Department of Economic and Community Development was working with the town of Arrowsic in the Midcoast area that has similar situation whereby the Shoreland Zoning Ordinance controls more than their Land Use Ordinance.

Ben Averill gave a top line condensed version of the packet he brought and reviewed material on pages 4 and 5. He stated that every municipality must review what they have on the books to be sure it is in compliance. He explained that Gouldsboro has a hybrid Shoreland Zoning Ordinance. As the town doesn't have a zoning code it needs to be verified.

With LD2003, any lot across the state can now put an accessory dwelling unit attached or in a separate structure. Single family zoning is eliminated; 2 houses on a lot. He said Gouldsboro will have to designate a growth area in the Comprehensive Plan. He was asked if the town was allowed to have designated growth areas where there is already population, and the response was affirmative. Ben Averill stated that there is a statutory requirement for completion of the ordinances by July 1, 2024. When asked if there was a penalty for noncompliance he said there was not, at this time. In addition, as the deadline for these changes has not passed, Shoreland Zoning still applies. As of now Gouldsboro does not need to include affordable housing density. He stated that any lot that allows residential uses can allow another house. This is up to 2 units and up to 4 if in a designated growth area. 20k sq feet per dwelling is required. Any existing home can build an accessory structure, but it may not be able to be legally separated. Town

requirements may be more permissive but not more restrictive. The Town cannot require additional parking. There is a 190 sq feet minimum under State code and no state maximum either so the Planning Board can set a maximum. He stressed that as per Pg 16 the implementation date is JULY 1<sup>st</sup>

Ben Averill stated that State statutes supersede municipal ordinances. When questioned about municipal Home Rule, his response was inconclusive. He went on to say that after July 1, 2024, the Town could be sued if not compliant with State statutes. He said that he had no enforcement ability but that the State of Maine Department of Economic and Community Development had available funding of 5-10k, noted on pg. 18, for legal fees, etc. He said to send a request. Gouldsboro Town Manager, Josh McIntyre, stated that he had already done so.

A conversation followed regarding affordable dwelling units. Ben Averill said that they had to meet HUD requirements for income of 80% or less of the median for the area. He suggested that self-contained units must have permanency and proper septic.

On another related matter CEO Mike Connors stated that the DEP had reviewed and accepted changes to the Shoreland Zoning Ordinance but requested a pause for the Town to address formatting issues in the document.

### **New Business:**

#### **a.) Lobster Trap (Annie Sokoloski)**

Annie Sokoloski clarified that she was present at the Planning Board meeting as a representative of Hal Harland, owner of Aquashell, USA, not of The Lobster Trap. She said that JBR has held a lease at 63 Shore Road which has now expired. She explained that Hal Harland wanted to allow the fishermen currently using his wharf to continue while upgrading the buildings and that she, as his representative, wanted to get the Planning Board's permission. Annie Sokoloski said she would submit a site plan application on the companies' behalf if necessary. The consensus was that as nothing would be changed in the way the property and buildings were being used that a demo and building permit would be all that was required. She said that Kevin Barbee will submit this application. Annie Sokoloski stated that there would no processing taking place but only buying as before. The fishermen will be starting soon so a motion was made by Deirdre McArdle to keep business going as usual and it was seconded by A.J. Higgins. The motion passed unanimously.

The next Planning Board Meeting will be on Tuesday, June 18

A motion to adjourn was made by Shepsi Eaton and seconded by Jeff Grant.

Meeting Adjourned: 7:28 p.m.

*Deirdre McArdle*

Respectfully submitted: Deirdre McArdle, Secretary

Chairman, Ray Jones

*Ray Jones*

Vice chairman, Jeff Grant

*Jeff Grant*

A.J. Higgins

*A.J. Higgins*

Steven Shepsi Eaton

*Steven Shepsi Eaton*

Alternate, Deb Bisson

Alternate, Jed West