

# APPLETON PLANNING BOARD

Monthly Meeting, September 12, 2022

Members Attending: Ed Carroll, Gregory Dumond, Gary Roberts, David Kelley

Others attending: Peter Conant (CEO), Patty Wotton, Erin Flannigan

Minutes from the July meeting reviewed and accepted.

Peter asks the board "What happens when someone does a subdivision without approval?" He refers to property on the Collinstown Rd where property has been split off and then split off again. Ed suggests that it would come back to the Planning Board for review. There was discussion about a possible retroactive subdivision approval. David suggested that this must happen in other communities and the Board could find out how this is handled in other towns.

Patty Wotton presented further questions regarding trees on her lot in the Shoreland Zone.

-Ed refers to Shoreland Zoning Ordinance for details.

-Patty asked for clarification on whether the concern was about soil erosion or tree canopy?

-Gary wonders about tree selection for replacement? Ed suggests that the ordinance does give guidance on suitable replacements.

-Greg wonders if the Board refused permission to remove a tree and it later falls on a building, would the town be legally responsible?

-Gary suggests the State Arborist would likely come for an assessment without fee.

-Ed suggests that without the determination that the tree is a hazard, the Board would be unable to approve removal.

-Patty asked if she did the math (in accordance with the ordinance) and developed a plan in collaboration with the CEO, would she need to come back to the Planning Board for approval?

Ed suggests she wouldn't.

Peter reports that resident David Flannigan called asking about adding a step or deck to a small house on a nonconforming lot. David's sister, Erin, attended to participate in the discussion.

-The property is on the corner of West Appleton Rd and Appleton Ridge Rd.

-There are currently 3 cement steps that are crumbling

-The owner would like to build a 10 x 16 ft deck to replace the steps.

-After discussion, the Board agreed that we would need a drawing with measurements to show the proposed new deck and evidence that any changes would not make the building more non-conforming.

-The question was raised as to whether the owner could request a variance? That would go to the Appeals Board.

A resident asked questions about neighboring property wondering if parts of a lot are being offered for sale, thereby dividing the lot, would that need to be approved by the Planning Board? There was discussion regarding details of the Subdivision Ordinance and how lots can be divided, over time, without Board approval. She was referred to the ordinance for clarification.

Ed reports of several issues he has heard about from Select Board members and others in the community:

- Some community members are concerned that the Planning Board has too much leeway in interpreting rules.

- A new State law regarding Affordable Housing might require changes to Appleton's Lot Specification, Site Plan Review, and Subdivision ordinances. Ed asks Board members to come back with any research information and/or proposals for revisions to be developed and considered by voters. The law requires municipalities to be ready by July 2023.

Next month's meeting will be bumped to the third Monday, October 17, to avoid the holiday on October 10.