

**Carrabassett Valley Selectmen's Meeting
4:30 p.m. Monday January 27, 2020 at the Town Office**

Agenda:

Review and sign 2020 Payroll Warrants:

Review and sign 2020 Town Expenditure Warrants:

1. **MINUTES** from previous meeting (January 15th, 2020) are attached.
2. **MEETING WITH WOLFE TONE EXECUTIVE DIRECTOR OF MAINE HUTS AND TRAILS (MH&T) TO DISCUSS A POSSIBLE TOWN FINANCAL CONTRIBUTION TOWARDS THEIR TRAIL MAINTENANCE COSTS:** As most folks know, MH&T has had to downsize services and staff and are involved in a new direction to attempt to keep MH&T operational. With the Town's annual Town meeting coming soon Wolfe would like to update the Board on MH&T progress and to determine if the Selectmen would favor asking the Town for a contribution toward their trail maintenance. MH&T does not charge for trail use and many people use their trails.

The first draft of the Town budget has been sent to the Budget Committee and it does not contain an appropriation request for MH&T trail maintenance. However, if the Selectmen wish they can make a recommendation to the Budget Committee which is meeting at 5:30 p.m.

BUDGET COMMITTEE MEETING AT 5:30 P.M.

TOWN OF CARRABASSETT VALLEY
MINUTES OF SELECTMEN'S MEETING
January 15, 2020

Board Members Present: **John Beaupre**
 Karen Campbell **Jay Reynolds**

Others Present: **Dave Cota** **Patrick Willihan**
 Chris Parks **Tim Flight**
 Annie Twitchell **Brian Demshar**
 Deirdre Frey **Stan Tingley**
 Mark Schwarz **Amanda Meader**

John Beaupre opened the meeting at 4:40 p.m. and welcomed those in attendance.

Expense warrants #57 & #2 in the amounts of \$14,522.34 and \$204,548.42, respectively, were reviewed and signed by Selectmen.

Payroll warrants #55, 56 and #1 in the amounts of \$-12,692.78, 15,278.31 and \$5,645.29, respectively, were reviewed and signed by Selectmen.

The minutes from the December 23, 2019 meeting were reviewed. Jay Reynolds made a motion to approve the minutes as written. Karen Campbell seconded the motion. Motion approved.

Dave Cota updated the Selectmen on the status of the Fire Department Vehicle Replacement Schedule and Reserve and provided written materials for reference. As the budget process is about to get underway, Dave wanted to provide this information, which outlines the replacement plan for three of the four major pieces of fire equipment owned by the Town. There continues to be a need to put funds into this reserve annually. The plan indicates an annual 5% increase to the contribution, with earnings estimated to be at 2%. This information will be presented to the Budget Committee at their upcoming meeting.

Dave Cota reported that the purchase of the Ted Jones Lot has been discussed at a public hearing and at a town meeting (twice). The purchase was completed today. Dave reviewed the closing statement on the purchase. Jay Reynolds clarified that this purchase did not include the house, but is a 240+/- acre parcel behind the house. A conservation easement is going to be given in perpetuity to the Longfellow Mountains Heritage Trails. The land will be used for non-motorized recreation (except e-bikes) and for forestry purposes. The Board of Selectmen need to approve the final document. Once this easement is conveyed, the Town will receive a \$30,000 grant from the Maine Community Foundation. Over time, the Town will get its investment back through forestry revenues. Dave said he has reviewed this information with both Bob Luce and Lloyd Cuttler. John Beaupre added that a side-benefit is the potential to open a corridor to Kingfield. Deirdre Frey asked if there has been any progress with obtaining an easement from the Penobscot Indian Nation (PIN); Dave Cota said that has not happened yet, but he is hopeful this will happen eventually and that he is hopeful that, temporarily, this will be an extension of the annual land use permits the Town receives annually from PIN. Stan Tingley expressed concern that snowmobile access on the west side of Route 27 is curtailed, and asked if there was a restriction on this new Town-owned parcel. Dave Cota said that there will be a restriction on this land limiting use to non-motorized and electric bike only. Dave explained

that Ted Jones has, with only a few exceptions, never allowed snowmobiles on the land, and he wanted the conservation easement on the land as part of the conveyance. Jay Reynolds made a motion to approve the Conservation Easement and authorize Bob Luce to sign it. Karen Campbell seconded the motion. Motion approved.

Dave Cota discussed a recommendation from the Planning Board to proceed with asking the town's voters to approve a zoning change for Sugarloaf Village 1 from Planned Unit Development to Residential Two (R-2). There are other areas that may be looked at in the future for re-zoning, but that would likely happen when the Comprehensive Plan is updated. Chris Parks was in attendance and updated the Selectmen on the process to date. Peggy Willihan had discussed a citizen's petition, but it was discussed to look at it in terms of a zoning change. After several Planning Board meetings, the Sugarloaf Village 1 Association demonstrated that they've considered the matter and collectively give their support for a zone change. The important thing to Chris is that the Planned Development (PD) District has mixed use for residential and commercial. Because a property is in the PD District, it does not mean that commercial activity can be undertaken. Deirdre Frey said 24 of 25 owners at Sugarloaf Village 1 wanted to re-zone to R-2. From here, the Selectmen would hold a public hearing and then bring it to the Town for vote, if they agree to undertake it now. The earliest would be February 5th for a public hearing, due to the requirements for notice. Bob Luce said that he dislikes going against the recommendation of another town board, but at the same time, the Selectmen had discussed it at their prior meeting and agreed it should be looked at with the update of the Comprehensive Plan, since there are likely other areas that may need to be re-zoned. He does not wish to undermine the Planning Board, but unless there's a specific reason that it needs to be changed now, he does not feel it should be done now. Pat Willihan said that the demographics of the Valley and the Mountain have changed dramatically since the last update of the Comprehensive Plan. He said that the Bigelow Corporation was created by some of the earlier founders, and they wrote charters for the developments they created. In the charters, Sugarloaf Village 1 was a residential area, going back to 1962. There are 94 owners in that association and 78 buildings. There are three remaining lots that may be for sale, but the nature of the development is residential. 49 owners attended their recent meeting; 22 voted in favor of the zoning change. There was a question from the owner of the Lumberjack, who owns a lot on Fir, and he is obligated to pay his fees to the road association. Pat does not feel that there's a need for a delay in the change, though he agrees that several other areas should be reviewed in the next update of the Comprehensive Plan. He asked that the Selectmen grant their request and move this forward. Deirdre Frey added that the Comprehensive Plan will likely take a couple of years, and because there are items to be voted at the March town meeting that these owners are concerned may impact their neighborhood, the Sugarloaf Village 1 owners feel it is more urgent. Pat added that Twinbrook, for example, is protected by the General Declaration, which would prevent certain activities in Twinbrook. Sugarloaf Village 1 is not subject to the General Declaration. Bob Luce asked if there was a vote of the association; Pat said that all in attendance at their meeting voted in favor except for one. John Beaupre asked how to address the fact that there are commercial properties within Sugarloaf Village 1. Chris Parks said that the line can be drawn along the back of those lots. Similarly, there's the Valley Center district with residential behind it further away from Route 27. John Beaupre felt that it clouds the decision to exempt the properties that border on Route 27. Brian Demshar said that he wonders if there should be something more formal, for fear that another association draws a map. He feels it's better to take it slow and look at every detail. He said there were numerous maps that were drafted at the various meetings. He said that he does not feel that the marijuana concern would be a concern in this particular development. Bob Luce said he agrees that there's a process that needs to take place, and this zone change would make for more restrictive regulations on the lots, which is a

take-away for the owners, which some could feel devalues the property. Bob asked what the vote was. Pat said it was 22 out of 94 owners that voted in favor of the zone change. He said there was better turnout than ever at their meeting this year, however. Pat said that in 1962 the land was developed somewhat like the wild west, and then the remaining land went to Peter Webber, which subsequently went to Sugarloaf Mountain Corporation. He said that Sugarloaf Village II does not have by-laws and is not organized, but they may request a zone change at a future time. Bob Luce said that there were decisions made in 2006, with the last update of the Comprehensive Plan, as to what the Town should look like, and it was a community-involved process. Pat asked if there was a vote of 94 out of 94, would there be any difference. He said the same issues will be on the table later that they would like to have self-determination. He sees the need for a Comprehensive Plan, but he does not see that it should alter Sugarloaf Village I's self-determination, unless there's something else going on. Tim Flight said that, if this does go through, there are some owners whose property could go from a conforming status to a non-conforming status, and he's not comfortable with that. Dave Cota said the Selectmen should decide whether or not to proceed and call a public hearing, which the nearest time would be February 5th. All the owners and abutters will need to be notified and provided a map. Whatever is presented at the public hearing would need to be validated and then could go to a warrant for the town meeting. The timing is very tight in terms of allowing a vote at the March 11th Town meeting but it could be done. Jay Reynolds said that, while he understands where Pat and the owners are coming from, he does not see the urgency. He said the marijuana businesses, if approved, are only going to happen in the Valley Center and Light Commercial districts. He suggested looking at the Comprehensive Plan and maybe have another town meeting, perhaps a special town meeting, and address this particular matter. Karen Campbell said that she believes other things will be found, and she'd like to spend the time make it look the way the town wants it to look. Brian Demshar said he is concerned about having an unintended negative affect on someone. Bob Luce said that, in his recollection, zone changes have typically made zones less restrictive rather than more restrictive. Chris Parks read through the restrictions that run with the R-2 district. Pat Willihan asked what spot zoning is. Bob Luce said it's creating zoning for a particular purpose. Amanda Meader said that there's illegal spot zoning and permissible spot zoning. At times, a use makes sense, such as a contract zone, which is used at times by big cities, where the city gets something in return. Bob Luce said he would like to see the Comprehensive Plan moved forward in a more expedited manner, since trying to push this matter in 13 days is too much. Members of the Planning Board who were in attendance were in favor of this measure, as was Chris Parks. Pat Willihan said he agrees with this measure, given the fact that the Planning Board has voted favorably for this change. Bob Luce said that the last update was to update the document that was done in 1986, and there hasn't been as significant of a transition since 2006. He sees it more as a briefer update, so doesn't see that it should take as long. The Committee has yet to be formed, as the Selectmen planned to discuss it soon, with the funding being split over two years, but now it may all be pulled forward, pending town approval. The Selectmen will solicit for interested volunteers for that Committee. Deirdre Frey asked if this should have come to the Selectmen first, rather than the extended amount of time that the Planning Board has spent on this matter. Typically, zoning recommendation have come from the Planning Board to the Selectmen, but they've been historically made an area less restrictive, according to Bob Luce. Bob Luce explained that any proposed zoning change will be made by the Comprehensive Plan Committee and then the town voters.

Dave Cota said that he has requested interested members for the Budget Committee. Audrey Parks expressed interest. John Beaupre made a motion to add Audrey to the Committee. Karen Campbell seconded the motion. Motion approved.

The Board of Selectmen conducted a public hearing on the two proposed Marijuana Business Ordinances. Based on the comments received at the public hearing, the Board met briefly and asked attorney Amanda Meader to determine if a vote can be taken on the proposed marijuana ordinances that would allow separate votes for: 1) allowing retail medical and adult marijuana stores and 2) the other three businesses (cultivation, manufacturing and testing). Amanda indicated she would work on this and get back to the Selectmen.

At this brief reconvening of the Selectmen, the Board voted to appoint Janet Peruffo on the Budget Committee.

Meeting adjourned.

Respectfully submitted,
Lynn Schnorr