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Town of Castine

## PUBLIC HEARING MINUTES

DATE: Monday, March 25, 2024

TIME: 5:30 p.m.

PLACE: Emerson Hall

PRESENT: Gordon MacArthur, Chair, Roberta Boczkiewicz, Selectboard member; Shawn Blodgett, Town Manager; Susan Macomber, Town Clerk.

PUBLIC: Estimated 25 members of the public; ZOOM = 17.

Gordon MacArthur called the meeting to order at 5:30 p.m.

Gordon introduced discussions regarding Zoning & Subdivision Ordinances changes.

### Zoning:

- Changes as mandated by State Law LD2003 (P.L. 2021 Ch. 672)
- Changes to Article 5 §5.4 (Land Use Table) Item #50 to allow Mobile Vending Units (MVU, i.e., Food Trucks) in Castine

### Subdivision:

- Changes as mandated by State Law LD2003 (P.L. 2021 Ch. 672)

### Discussions:

- Joe Slocum confirmed that LD2003 changes are making this in compliance with State mandates. The answer was yes.
- Bob Friedlander asked if local law supersedes State law which is what he understood it to be and mentioned at a recent Planning Board Mtg. Shawn reviewed and the Town Attorney confirmed. All municipalities must be in compliance with this State law, no exceptions. LD2003 does not change existing subdivisions, new subdivision applications will have to comply.
- David Avery asked what sections of the Zoning Ordinance these amendments would apply to. Shawn reviewed. He pointed out that this law will also affect our Source Water & Sewer Ordinances. The Town will have to get an opinion from Olver Associates, Water/Sewer Dept Consultants on a case-by-case basis of whether our systems will be able to handle a proposed accessory dwelling on a property. Each time someone wants to build an accessory dwelling and in what section of Town it will have to be reviewed.
- Marc Pelletier asked how this would affect off-street parking. Shawn said this law does not restrict off-street parking and nothing says the Selectboard must amend the Traffic Ordinance. LD2003 strips a municipality of the authority to require off-street parking for a new development but does not require

municipalities to change Traffic Ordinances. Tickets for Traffic Ordinance violations will be issued accordingly.

These amendments to our Zoning & Subdivision Ordinances must be in compliance by 7/1/2024. Discussion.

There is also the consideration of the Town passing a Rental Ordinance which would regulate short-term rentals.

- Brooke Tenney asked about Food Trucks on private property. Shawn said, if passed, Food Trucks would be allowed on private property for up to 4 days for events, weddings, gatherings, etc.
- Tom Comiciotto asked if 4 days means 4 consecutive days. Shawn answered yes.
- David Avery asked how big the Food Trucks would be allowed to be? Gordon MacArthur said up to 35'. The first draft was up to 20'. Shawn said the average length for a Food Truck is 17' – 26'.
- Matt Powell said many are preparing for the upcoming season. Castine Merchant's Association (CMA) has already had three (3) vendors move on. Matt asked if there was any way to enact to allow Food Trucks prior to the 5/11/24 Town Mtg vote. We need something in place now for the 2024 season. Scheduling a Special Town Mtg could be an option. 2-wks makes a difference for attracting vendors. Discussion.
- Tom Comiciotto asked if a Food Truck was considered for the spot/area where Safe Harbor building is? Gordon MacArthur said although the building sustained damage from the January storms it was not significant enough to demolish or abandon the building. The damage was mostly electrical. Gordon said it could be a possibility for the future. The building was a gift to the Town, therefore, the Selectboard should honor that gift.
- David Avery asked if there are trash requirements. Shawn answered yes.
- Joe Slocum said he is against Food Trucks at the Backshore Beach. He is very concerned about this possibility. Joe said the Food Trucks should stay downtown in the Commercial District. Johanna Barrett said she agrees 100% with Joe Slocum.
- Dan Leader explained that the thought is try this concept for one-year. The Ordinance covers both private and public.
- Julie Bohan asked if this Ordinance was drafted from any other Town's Ordinances and if so, how successful are they? Eastport is one Town where some items were incorporated into our proposed Ordinance. Gordon said Eastport's Ordinance seems to be working. Roberta Boczkiewicz added the same applies to Blue Hill Ordinance; used some items from their Ordinance into our proposed one and it seems to be working for Blue Hill.

Gordon MacArthur closed the Public Hearing at 6:25PM.  
Minutes by Susan Macomber, Castine Town Clerk.