

PROSPECT PLANNING BOARD
PROSPECT COMMUNITY CENTER

THURSDAY, MARCH 13, 2025

4:15 PM

PRESENT: HENRI GIGNOUX, LAURIE JONES, ARLINE LAMARCHE, ALFRED REYNOLDS, BECKY AMES, KATHLEEN JENKINS

BY PHONE: LOIS GIANNI

GUESTS: RICHARD DYER, MARY DYER, SHAWN HAMILTON, TOM FOWLER, HARLAND GAMBLE, SCOTT REDMOND (CEO)

Jenkins called the meeting to order at 4:15 pm.

**READING AND APPROVAL OF MINUTES OF REGULAR MEETING FOR
FEBRUARY 27, 2025:**

Minutes from the meeting were sent to all members. Gignoux made a motion to accept the minutes as read. Jones seconded the motion. All others approved.

1. COMMUNICATION:

- Salmon went through an attorney vs. the town office to get the town tax report. The Accountant provided the information. Jenkins contacted the DEP to see if there was any recent contact from Salmon and they said they had not heard anything in (5) years.
- Jenkins provided the town Attorney with the information from the outcome of the Special Town meeting. The Attorney suggested we hold a workshop for the Building Ordinance.
- Jenkins said she thought it was time to work on Planning Board goals for the next six months.
- Municipal Officer Bridges said she would like to get community members involved in the Land Use process.
- The Town Clerk needs assistance with Starlink set up. CEO Scott Redmond might be able to assist her...need cell phone and QR code.

2. OLD BUSINESS:

**a. Prospect Shores Project Shoreland Zoning & Subdivision Ordinance Review
& any Density Issues:**

The review started with the Subdivision Ordinance with Purposes page #1. Municipal services are not being utilized.

If someone wants to fish, there is no change from current practice and they can use the actual road in front of the cemetery (Public road area). The owners do want to discourage using the turnaround & parking area for the actual tenants.

#13 Hydro Geologic Assessment – the owners need a waiver, but they say they got a waiver, the issue is B. & C. This is a density issue, there is less than 2 ½ acres per dwelling and this requires a waiver. The Planning Board needs to discuss if they will grant the waiver.

7.2 Public Use – submissions need discussion Fowler mentioned that no parcels are proposed for Public Use and no land is being offered to the Municipality

This is considered a major Subdivision, more than 4 lots or dwelling units, especially if it has a kitchen

The Planning Board can approve with conditions but not in lieu of permits. No ground work can be started without permits.

What changes for the Developer? It causes them more time and money. They should have put in the paperwork for the permits earlier and not have waited just in case something came up with the project. There was a question....do you need permits for a Preliminary plan?

The developers gave the Board a presentation on information they received by well drillers. If they encounter an issue, they may need a waiver.

The State does not want gated communities. Open space may be needed, but they already have access to the cemetery and fishing area. This could also include the waterfront with conditions.

It will be 4' x 3' and 2' off the ground and have a solar light on it. This information completes what was missing from the first review of the checklist so the Planning Board will accept the Prospect Shores Project application as complete. Jenkins presented Shawn with a signed copy of the completed checklist. He will get a copy to the Dyers and she will get a copy to the Town office.

Gignoux had a question on a deed concerning access for one of the landowners. That was addressed on page 235, paragraph 3.

There is still the issue of a variance in the Shoreland Zone area due to the road going into the property.

7.2 #N – The Developer shall provide an estimate of net increases in taxable assessed valuation at completion of construction of the Subdivision. (Question?) !!!

Fowler said they reviewed the Town Attorney's letter from January and it stated that the project being multi-family exempted it from being considered a Subdivision. Subdivisions do not provide for multi-family. He said we should be reviewing the Site Plan Review and Shoreland Zoning and not the Subdivision Ordinance.

Fowler said everything we have been discussing is irrelevant because according to the Attorney we should be using the Site Plan Review Ordinance and not the Subdivision Ordinance. He said MMA Attorney and the Town Attorney says the Developer is exempt from the Subdivision Ordinance. He said the Attorney said "You are exempt just cover the gaps".

Gignoux said the State changed the laws in 2017 and multi-family has to go through Subdivision.

They said 3 or more dwelling units are exempt from Subdivision.

Skipped to #10 – open space (Fowler said covered by cemetery), they have a landscape plan, there are no historical sites and will not shut off access to water from the public

10.3 – Fowler said not applicable due to MLS, Gignoux stated only allow 2 dwellings on 2 acres and need 10 acres of developable land and the project has 11.4 acres including the cemetery– need to review this – Fowler stated they are not creating a lot, taking land as is, providing one principle building that has 10 dwelling units – the CEO said he agrees with this

We need the Attorney to clarify language. Principal definition is simple & basic. Density – 5 dwellings & 5 accessories – might be able to approve this. Dyer said as long as water and sewage is met, intent is there.

Fowler said they will check to see if you take easements out will they still have 11 acres.

Big question on “building” interpretation.

Jenkins will send the questions to the Town Attorney and MMA. She will also check to see if the Attorney can attend the next meeting.

Fowler was adamant that the development is covered strictly by the Site Plan Review Ordinance and his only question is if they need a Hydro Geologic person. Fowler said the Site Plan Review states we can request a Hydro Geologic person but the Developer is asking the Planning Board not to. He said he can put the request in writing.

The Planning Board continued reviewing Standards:

Article 11 D the Road Commissioner needs approval in writing, Harland Gamble stated that his son has everything ready that is needed.

Performance Guarantees already in Site Plan Review – already asked for a waiver – what are we bound by? Standards about that particular section or Standards overall in Subdivision that might be in addition to the Site Plan Review.

Fowler said he needs a clean copy of the Subdivision Ordinance.

The Planning Board still needs to review the Shoreland Zoning Ordinance for the proposed development.

3. NEW BUSINESS:

a. Other Questions :

Question in Shoreland Zone that needs to be discussed, the road, there are two other options than a waver which would be an easement on Bowden Point Road which is not a good option or a 25 foot buffer by the cemetery so that there is no infringement in the Shoreland Zone. We should run this by the Attorney.

4. OTHER BUSINESS:

There needs to be more preparation for Public Hearings and Special Town Meetings.

5. MOTION TO ADJOURN MEETING:

Jenkins made a motion for adjournment. All approved. The meeting was adjourned at 6:35 pm.

Next regular meeting of the Planning Board will be held on Thursday, March 27, 2025 at 4:15 pm at the Prospect Community Center.