

St. George Planning Board
Public Hearing on Land Use Ordinance Amendments
6:00PM at Town Office and via Zoom
March 21, 2024
Minutes

The Public Hearing meeting was called to order at 6:00 pm. Planning Board Members present were Chair Anne Cox, Richard Moskowitz, Michael B. Jordan, Jane Brown, Alison Briggs and Elaine Taylor. Also present in person were CEO Terry Brackett, Jane Conrad and Wendy Carr.

Present via Zoom were Rick Erb, Judy Smith and Susan Most.

Chair Cox

We have opened this public hearing. Judy, do you have any questions?

Judy Smith

No.

Chair Cox

Do you want us to go through explaining all of this?

Judy Smith

No, I've read through it, and I think I understand.

Chair Cox

I have some new information for people. I received an email from Greg Soutiea, who couldn't be here because of a prior commitment, and he raises some questions. I said I would read it and then we could possibly discuss it.

“1. In my opinion, this is a missed opportunity to address short term rentals as a whole, thereafter STR, on the peninsula. This is something that has the opportunity, if done right, to directly impact the number of year-round residents that peninsula has as well as work with local renters. I think you all understand where my thoughts are on short term rentals as it relates to general workforce housing in the area (even

though less short-term rental would indirectly benefit the Craginair, I hope you understand that is not where I'm coming from here). As we know from the State of Maine Housing Production Studies Needs of October 2023, not 100% of homes in the area that are being used for short term rentals would be used for long term and or workforce type housing. The study identified 57% of short-term rentals in the state that would be directly relevant to the supply of year-round homes. From there the study goes deeper and identifies that only 33% of the state short term rental stock is reasonably comparable to naturally occurring affordable housing on the market based on size and quality.

A. Has the town ever solicited data from Airbnb or Granicus for detailed information on the quantity and frequency of short-term rentals in the town.

i. If so, can you share the data with me?

ii. If not, can that be done soon? In an effort to better understand the opportunity to use the data before the May ballot question. It would certainly also be very beneficial to the comprehensive planning process to have that information.

B. Ultimately, I can't (Inaudible) too much here on how we could take this opportunity to specifically address short term rentals in the town without knowing more information and having specific data to the town. As we see more towns in the area (Rockland recently imposed a cap of 45 compared to about 4400 dwelling units and Camden is proposing a cap of 150 in relation to their about 2300 dwelling units) imposing restrictions and caps on short term rentals. This is our time to act. I'm sure you've all heard local resident concerns about short term rentals. Obviously, we have to find a line between our tourism economy and local population. This seems like the best time to make that decision and move forward. 2. My second concern is about density requirements and the density bonus for affordable housing. I think we should reconsider what is defined as affordable rents and increase that to 100% of the AMI, because that would still be below the current market in the area. Currently even Habitat for Humanity are looking at incomes between 80% and 110% of AMI depending on the county for qualification for their application process. Perhaps there could be a tiered density bonus for different AMI percentage.

B. I also think that we should consider removing the density bonus as it applies to only growth areas. Obviously, this is something that Comprehensive Planning Committee is discussing as well, adding in a small amount of MFUs or multifamily units on the peninsula would be one of the most efficient ways to add workforce housing to help restaurants, hospitality or working waterfront construction and more in a time when workforce is desperately needed.

3. Finally, as I mentioned in the Select Board meeting a couple of weeks ago, I think we should reduce the 12-month requirement for ADU rentals, I would suggest a six-month rental as this still allows seasonal rentals for seasonal transient workforce, while not qualifying a short-term rental. Having the ability to build their own ADUs which can supplement their own household incomes will give homeowners a better ability to support their own rising cost of living, especially in coastal areas. I appreciate all the work you're all doing toward this goal. But I'm hoping you'll consider some of these recommendations, respectively, Greg.”

And then he also sent another email a few days later.

“One thought that I had with relation to the one-year minimum lease term would be if you could add in a provision to allow an exemption process for someone to apply to the Planning Board, or whoever will be overseeing the enforcement of this, for a shorter term lease, i.e. someone working here for six months on a lobster boat or three months on a J-1 Visa. Is that something you would consider? Thank you, Greg.”

Chair Cox

He has clearly got some concerns and it is good that he is on the Comprehensive Planning Committee. My response is that there are some good things here but what we came up with this was to say that we cannot address all the complexity of needs with this. We have pretty much just taken the language of the state law, and Michael did wizardry to fit it into our ordinance, but it is pretty much just straight from that. When we said to limit it to at least a one-year rental, it was because it seemed like the law is trying to address regular worker or community member housing issues. The other thing that has occurred to me around this whole issue is this is only addressing how these ADUs would be used. There is nothing that would restrict the people who are already renting buildings for seasonal rentals. The trade off for greater density that you get by building an ADU is that it needs to be for somebody who is living here year-round. That is the trade off, but it does not limit everything that is already going on out there. That was my thought, in response to that.

Conrad

Greg raised this at the Comprehensive Plan Committee because he had been unaware that you were working on this issue. My response on behalf of myself, just one Select Board Member was that ideally, yes, we would have had time to do all of this at once, but we are required to be complying with LD 2003. And so that was your focus. In the Comprehensive Plan Survey that we did, there was a big concern in the community about the number of homes that are now rented out and dark in the winter, and all those things. I do think that our community wants us to consider what are the options for regulating that? And yes, it would have been nice if we could have done that before this, but it is not necessarily linked, maybe yes, maybe no.

Chair Cox

It is dealing with housing issues, but I think it is a separate issue. The studies that he mentioned would be great and there is nothing to prevent another ordinance coming and a community wide discussion.

Moskowitz

This is not a one and done.

Chair Cox

This is something we just had to do.

Conrad

The only thing that I did think was worth discussing tonight was his third point about the time, reducing it from a year. The reason that I'm thinking about that is Midcoast Council of Governments (MCOG) held a workshop of all kinds of municipal folks in December, and one of the discussions was about housing. One of the people who came was the president of Penn Bay, and she said they have a lot of itinerant nurses and doctors, and the usual stretch for them is three to four months. After Greg raised this, I thought maybe it is worth at least thinking through the pros and cons of changing the year. I totally understood when you came to the Select Board, why you chose the year?

Chair Cox

I think if this is something that Penn Bay is dealing with, there would be nothing in this that would say they could not rent a place for a year and then have their people cycle through. There is nothing that says that. That kind of defeats the purpose of what we intended with this.

Conrad

If the purpose is to support people who want to live and work here, and they are coming to work here for less than a year...

Jordan

We thought about that and discussed it when we approved the proposed ordinance in its present form because other people suggested this also, but ultimately, the feeling of the board was that we should reserve the ADUs for year-round residents. You can go either way on that. I understood the arguments. One logistical issue is I do not think we can change that now without putting the town vote off.

Conrad

That was something I told Greg, given when things have to be printed so absentee ballots are ready. Even if these were totally brilliant ideas and we were all persuaded today, we are so far ahead in the process.

Chair Cox

Something I am learning is that it is not one and done. Ordinances are continuing to evolve.

Jordan

The Comprehensive Planning Committee should think about this later.

Conrad

There is no doubt that the community has raised this as a significant concern. In the coming year, there will be a public hearing. There will be questions, and we will try and figure out what people want to do. But it is one of those things that a lot of people feel the "horse is out of the barn". We have so many seasonal rentals already. Even if we started requiring people to register with the town where they are

renting. Rockland and Camden are talking about it. We are probably over some of those. Linda Bean alone has around forty. I don't know what it is exactly.

Chair Cox

It is a fact of life here. They support our local businesses. It is a hard one. Richard was very good at saying that we cannot fix everything. What can we address; what's the one thing we can address with this? Part of it was limiting it to 1500 square feet, so that you cannot go and plop something giant down. 1500 square feet is larger than my house. It is okay. People can live in it. My problem going forward is looking at where the growth areas are. I think that is part of the conversation.

Jordan

Just so everybody understands, the density bonus applies only in an area that has been designated in the Comprehensive Plan as a growth area. And so, we have two of those right now, the boundaries of which I am not fully sure I quite understand the details of why. After you turn off onto Main Street onto Port Clyde Road to the left. There is a little bit of growth area down there. Maybe there should be other places that should be designated but that is what the Comprehensive Plan has to do.

Conrad

It may be that the Comprehensive Plan Committee will ask this board to weigh in on what the appropriate boundaries are for the next plan. What do you all think, as well as the CEO and people with more knowledge about that. Somebody did say at the Select Board, that we would not need to include the Kinney Woods Rd. as a growth area for that subdivision. That is not a concern, right?

Chair Cox

What they presented in their preliminary plan was clearly that they could make that work with enough space.

Jordan

If you really want to make for growth areas, the places to do it is not in the town centers. It is off where there is nothing.

Conrad

Where there is space.

Jordan

Places like the Kinney Woods Rd. property but there are plenty of other empty places in town.

Chair Cox

Another thing that occurs to me, and I have not done the research on it, is what is the designated growth area? We know what it is related to the housing issue but what are the other things that maybe the state definition of what would happen in that? Are there other ramifications if something is designated as a growth area? It is worth finding out.

Conrad

Rick, do you know? I know that having growth the Growth Management Act is where having a Comprehensive Plan is required. That is kind of what triggers the whole conversation. Do you know what ramifications there are?

Erb

I have never heard any ramifications other than housing density; I could probably look it up and others could also.

Chair Cox

It occurred to me there may be something else, commercial or other things that are worth looking into.

Conrad

I do think that in the coming year, if we stay on track with our plan to have a new Comprehensive Plan be reviewed by the voters next May, these are issues which we will be considering during that time and you all will have important input in that, I think.

Chair Cox

Does anyone have any questions or comments?

Conrad

I'm eager for the Town website to include information, explanatory one or two paragraphs reasons for the proposed ordinances, that is on the ballot in May. Did you plan to have something that can be posted?

Chair Cox

Basically, you can probably take the memo that went to the Select Board.

Conrad

Rick, when are the absentee ballots available to be picked up? Is it early April?

Erb

I think it is April 12th.

Conrad

Okay. If we have things on the website right when people could pick up ballots and start voting, that is ideally the timeline. I will get something to Tara by the first weekend.

Erb

That would be good.

At 6:20pm Chair Cox closed the public hearing.

Respectfully submitted,

Tammy Taylor

Recording Secretary

Town of St. George, Maine