



**TOWN OF NOBLEBORO – PLANNING BOARD  
WORK SESSION FOR MARCH  
Wednesday, March 8, 2023 5:00 PM Nobleboro  
Town Office  
Community Meeting Room**

**Public Zoom Link:**

**<https://us02web.zoom.us/j/84300651582?pwd=c2RNdUc5TTFtMzYxT3kxVTJGeGtlUT09>**

**Work Session Preparation – Please Read and Review:**

- 📖 Nobleboro Land Use Ordinances
- 📖 LD 2003 Guidance Document: [DECD\\_LD\\_2003\\_StateInterimGuidance.pdf \(smpdc.org\)](#)
- 📖 LD 2003 Final Legislative Document: [LD 2003, HP 1489, Text and Status, 130th Legislature, Second Regular Session \(maine.gov\)](#)
- 📖 LD 2003 DECD Proposed Rules: [19-100 \(smpdc.org\)](#)
- 📖 LCRPC LD2003 Updates and Links: [Housing Legislation - LD2003 | Lincoln County Regional Planning Commission \(lcrpc.org\)](#)
- 📖 LCRPC Affordable Housing Requirements Chart: [Microsoft Word - LD2003\\_QuickCharts\\_02032023 \(lcrpc.org\)](#)
- 📖 Southern Maine Planning and Development Commission LD 2003 Overviews and Documents: [Housing Legislation LD 2003 - Southern Maine Planning and Development Commission \(smpdc.org\)](#)
- 📖 LCRPC and MCOG LD2003 Presentation: <https://www.lcrpc.org/stories/housing-legislation-ld2003>
- 📖 SMPDC Annual Meeting LD2003 Presentation PowerPoint: [https://smpdc.org/vertical/Sites/%7B14E8B741-214C-42E2-BE74-5AA9EE0A3EFD%7D/uploads/LD\\_2003\\_PowerPoint.pdf](https://smpdc.org/vertical/Sites/%7B14E8B741-214C-42E2-BE74-5AA9EE0A3EFD%7D/uploads/LD_2003_PowerPoint.pdf)
- 📖 [Watch the Full Meeting Recording](#) beginning at 19.30 minutes into the program.
- 📖 Cape Elizabeth LD2003 Zoning Ordinance Amendments: [xLD 2003 Ord Amdts 1-30-2023 \(capeelizabeth.com\)](#)
- 📖 AUD Reform Webinar: [9019.pdf \(evocloud-prod3-public.s3.us-east-2.amazonaws.com\)](#)

**Agenda–LD 2003 Work Session with the Nobleboro Planning Board:**

1. Call to Order – Chair Matt Lewis
  - 📌 All comments addressed to the Planning Board shall be made through the Chair
  - 📌 Appointment of a scribe
2. Welcome and Introductions:
3. Roll Call and Determination of a Quorum :
4. Acceptance of the NPB Work Session agenda:
5. Correspondence:
6. Announcements:
7. Old Business:

- 📄 Nobleboro Land Use Ordinances: Legislative Updates – Refer to COE Stanley Waltz’s recommendations at the end of this agenda.
  - 📄 LD 2003 impact on and required updates to Nobleboro’s Land Use Ordinances – see attached guidelines. (<https://www.maine.gov/decd/housing-legislation>)
  - 📄 Shore Land Zone Before and After Digital Images
    - 📄 Sec. 4. 38 MRSA §439-A, sub-§10 is enacted to read: 5 10. Photographic record required. A municipal ordinance adopted pursuant to this article must require an applicant for a permit for development within the shoreland zone to provide to the municipal permitting authority preconstruction photographs and, no later than 20 days after completion of the development, postconstruction photographs of the shoreline vegetation and development site.

8. New Business:

- 📄 Nobleboro Planning Board LD2003 Work Session
- 📄 \_\_\_\_\_

9. Other;



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10. Public Comment – Time Permitting:

11. The next Regular Meeting of the Nobleboro Planning Board will take place on, **Thursday, March 16, 2023 at 5:30 PM** in the Nobleboro Town Office community meeting room.

Zoom option for the public;

<https://us02web.zoom.us/j/86401220769?pwd=dVg4VHBFdXNPeG84TUhvdUhTaHMvQT09>

**12. Adjournment at:**

**For Non-Planning Board Member Meeting Attendees.**

Maine CDC guidelines in place at the time of each Planning Board meeting will be followed.

Members of the public are welcome to attend the regular and working meetings of the Nobleboro Planning Board as observers. Regular and working meetings are not public hearings and as such, a public comment period is not included on the agenda. The general public shall be barred from addressing the Planning Board unless a majority of the Board permits the public to speak. Comments from the public are welcome and can be submitted to the Town Office for subsequent distribution to Committee members.

**[LD 2003 Guidance Document Announced](#)**

The Department of Economic and Community Development released the guidance document for local authorities on LD 2003 in September. This fall, the rulemaking process will be initiated for key provisions of LD 2003. July 1, 2023 is the deadline by which certain provisions of LD 2003 must be enforced. For consistency and to avoid confusion, municipalities should consider updating their local ordinances, as needed, prior to this date.

You can view the guidance document [here](#).

## **Nobleboro Code Enforcement Officer Stanly Waltz – Ordinance Revisions for LD 2003 and Other Considerations.**

### **LD-2003**

#### **ADU-ACCESSORY DWELLING UNIT**

1. CHANGE LOT SIZE, NOT IN SHORELAND ZONE
2. NOT ALLOW ADU'S ON LOTS LESS THAN 30,000 SQ. FT.
3. LOWER ROAD FRONTAGE FOR NEW LOTS
4. LIMIT THE NUMBER OF ADU'S ON ANY GIVEN LOT
5. DO NOT ALLOW ANY ADU'S WITHIN 150 FEET OF ANY LAKE OR POND
6. MANDATORY SEPTIC INSPECTION TO ACCOMADATE ANY ADU'S
7. LIMIT THE SQUARE FOTAGE OF ALL ADU'S
8. ADU / ATTACHED OR DETACHED

#### **Other considerations for the Land Use Ordinance**

- a. Steeper fines for violations in the Shoreland Zone
- b. Regulate Short term rentals, short term=rented less than 364 days a year
- c. Before and after pictures of any change or work performed in the Shoreland Zone

#### **DEFINE:**

- 1) Short Term Rental
- 2) A septic inspection, to include a report by a site evaluator or licensed inspector

## **Housing Legislation LD 2003**

**LD 2003 was passed by the State Legislature and signed by the Governor in April 2022. The law went into effect July 27, 2022, however, the bill's requirements do not take effect until July 1, 2023.**

**The goal of the new law is to alleviate the housing affordability issues in Maine by increase housing opportunities.**

It requires towns and cities to increase housing density allowed in their zoning ordinances in several different ways.

1. It requires municipalities to allow additional units on lots zoned for single-family homes.
2. It requires municipalities allow at least one accessory dwelling unit on lots with existing single-family homes.
3. In some areas, (see below) it requires municipalities to allow 2 1/2 times the currently allowed housing units, for developments where most of the units meet standard affordability definitions.

**The extent of the law's requirements are determined by "growth areas". The law defines a growth area as:**

- Locally designated growth areas identified in a comprehensive plan which meets consistency guidelines of the Growth Management Program or (in the absence of a consistent comprehensive plan)
- an area served by a public sewer system with capacity for a growth-related project,
- an area identified in the most recent Decennial Census as a census-designated place, or
- a compact area of an urban compact municipality

**An understanding of where these areas exist in your community will help determine to what extent your municipality will be impacted by the legislation.**

- [Click here to see SMPDC's online map](#) where you can see if you have a census-designated place or compact area in your municipality.

The Maine Department of Community and Economic Development (DECD) has provided an [Interim Guidance Document](#) to clarify the different aspects of the law.

### **Rule-making**

The Department of Community & Economic Development (DECD), and the Department of Agriculture, Conservation and Forestry (DACF) are in the process of drafting Rules.

### **What Municipalities can do:**

**In the interim, there are some actions your municipality may consider to manage these requirements in a way that best suits your community. These include:**

- Enacting lot size per unit requirements, as long as the required area for subsequent units is not larger than the first
- Defining maximum number of allowed accessory dwelling units per lot and maximum size requirements
- Regulating short term rentals
- Be aware of applicability in your municipalities (i.e. where is your “growth area”?)

For further assistance please contact SMPDC, (207) 571-7065.