

Town of Patten
P.O. Box 260, Patten, Maine
Planning Board Minutes
June 16, 2022
Patten Lumbermen's Museum

1. Meeting called to order, shortly after 4 pm.

In Attendance: Joel Fitzpatrick, Janice Dancer, Ron Blum, MaryAlice Mowry, Dennis Brackett, Scott Webb.
Absent: Susan Adams.

Guests: Members of the Select Board - Rae Bates, Greg Smallwood, and Becky Phillips (via zoom - there was difficulty in the connection with Becky Phillips, who could hear the proceedings, however we could not hear her) She did arrive in person near the close of the meeting.

Other Guests: Kent Smallwood, Barbara Webb, and Chris Beyer. Code Enforcement Officer (CEO).

2. Introduction of new members: Scott Webb and Dennis Brackett have been appointed by the Select Board as Associate Members of the Planning Board.
3. Review of Agenda: Agenda was amended to add Communication between Select Board and Planning Board
4. Approval of minutes: The April 6th and May 10th meeting minutes were approved; Janice Dancer moved for approval, MaryAlice Mowry 2nd. Motion passed.
5. Communications with Board of Selectmen:

Ron Blum opened the discussion by sharing the Planning Board Ordinance and Mission and noting the desire to have a discussion clarifying responsibilities and identification of priorities, and improving communication.

MaryAlice Mowry shared information about the Planning Board's review of the Comprehensive Plan. She acknowledged ambiguities regarding the responsibility of the Planning Board relative to the priorities of the Comprehensive Plan.

Dennis Brackett stated his belief that the Select Board sets priorities and he understands that the following ordinances have been identified by the select board: mining, marijuana, solar, mobile home/trailers.

Rae Bates wants to understand the Planning Board structure and rules to identify best how we go forward. She wonders if the Planning Board Ordinance need be revised? Rae did acknowledge that there is an Ordinance book in the Town Office and that there needs to be a thorough review of current ordinances. We all should understand what ordinances we have right now. Also understand what is necessary in developing ordinances, the steps, structure, and format required to meet our needs and legal authority.

Ron noted that at this time we are reacting to issues that are brought to the Select Board and are not clear about how these fit with our Comprehensive Plan, nor what is prioritized within that plan. He is concerned about the lack of communication between the Select Board and Planning Board and would like more clarity.

Dennis Brackett opined that the Ordinances are the rules, there is an ordinance book, and he has reviewed the building policy in the past.

MaryAlice offered that there is a lack priority setting. Typically there is a brief discussion at a Select Board meeting and there is no town staff or town manager input into how to move forward on an issue, or how current needs might fit with other priorities or reflect past actions. This makes it difficult to act effectively.

Greg Smallwood offered the example that he didn't know about the solar panel array or remember any discussion about a solar panel array.

Rae suggested we need to develop and follow protocols and better understand how to do the work that needs to be done. Her inquiries have failed to identify a Town Charter. Patten was formed under State statute as a Town Manager and Select Board form of municipal government. She has been in communication with the

Maine Municipal Association (MMA) while the Select Board seeks to hire a Town Manager, and has acquired a list of questions that the Select Board needs to answer as they go forward with the hiring process.

Scott Webb sees the Comprehensive Plan as a first step that leads to developing a Land Use Ordinance. In his experience a Land Use Ordinance, is drafted and modified by a specially designated committee. The Planning Board's role is usually to hear disputes and hold hearings. A Land Use Ordinance typically takes around 18 months to create. Each committee member can be assigned individual sections to draft and once the Committee is in agreement, move towards Town approval. In the interim, the Select Board is looking for leadership from the Planning Board in the development of individual ordinances.

Chris Beyer explained that he has worked with ordinance development in other communities. In Maine ordinance development is supported by MMA. Representatives from town government can work directly with MMA, usually someone from the Select Board. Typically, the Planning Board is responsible for developing ordinances.

Greg asked if there is a lawyer to help with ordinance development?

Rae replied that the MMA will give advice, Eaton Peabody (lawyer for the Town) will review specific town ordinances and then assign them to a specialist in their office.

Scott reported that online resources specifically for the State of Maine are available as well. This is where he found state trailer specifications.

Dennis suggested we need to review and update our ordinances.

Rae offered that Title 30-A Section 3001 ME, Chapter 14 Revised Statute is the Statute that lays out policy regulation for ordinances in Maine.

Scott felt we should be guided by our Comprehensive Plan, a Land Use Development Plan, and State statutes.

Greg reported he knows someone that wants to be on the Planning Board, was concerned that there is a member of the Planning Board who has not been in attendance.

Ron clarified the number of absences before a member could be removed from the Planning Board and stated that no one has missed that disqualifying number of meetings in the past year.

Barbara Webb offered that people on the Planning Board need to be able to make this commitment

Greg asked if an ordinance can be drafted in a week, then it could be reviewed by the Town attorneys and be voted upon by the Select Board.

Rae suggested we must develop ordinances and get input the "right" way, to meet the highest standard, not just push through.

MaryAlice added that we want to get public input and engagement and need public meetings and to communicate adequately about those public meetings.

Joel Fitzpatrick supports the value of public meetings, suggesting there is nothing that beats a meeting where you have both sides talking,

Barbara asked if Select Board meetings are recorded like in other towns?

Scott: To increase information, he will volunteer to do a brief article in both the Katahdin Times and Houlton Times newspapers.

A general discussion on ways to increase coordination and communication between the Select and Planning Boards continued.

Ron posed the question, Where do we go from here? How do we prioritize? How should we proceed?

Dennis liked the idea that Rae raised that the Planning Board meet with the Select Board either one-half hour before or after the Select Board meetings.

Ron noted that would avoid scheduling yet another meeting.

Scott suggested we should include an update report from the Planning Board as a part of the Select Board agenda, just like there are reports from other Town staff.

Ron noted we all agreed that we want more discussion together.

Rae suggested we may need to have a period of time that the Select Board meets weekly to work our way through the backlog of necessary work on their plate.

Scott agrees that there will need to be more Planning Board meetings.

Joel likes the idea of a joint meeting a half hour before the Select Board meeting.

Greg asked why we had Selectmen versus a Town Council.

Rae explained that it is the form of town government that was originally established.

6. Ordinances, and particularly Solar Farms.

Rae has done a first draft of a moratorium on solar panel arrays and distributed copies. She has modeled the draft moratorium from other municipalities but each town is different and there are questions about what needs to be in place for Patten. She suggests we must look at the distinctions of our "town center" as well as all of Patten.

Scott advised a Temporary Moratorium could be short.

Rae noted has received many complaints about the solar farm as well as "zoning issues," including trailer homes, solar array, junk piles, abandoned houses. These are all components of what could be covered in a Land Use Regulation. We need to address what we have previously thought of as zoning issues.

Followed a brief discussion on what ordinances have been passed, who knows and enforces the ordinances. Concerns about the lack of any ordinance regarding solar panels.

Janice Dancer noted that we do have a 2018 Building Ordinance that should be looked at regarding the installation of the solar panels. Which led to brief discussion of what might be included in an ordinance regulating solar panels.

Scott advised we ask the solar developers about their plan in case of fire. What about spec sheets? These questions can be asked in the approval process. Town should explore the applicant permit application process.

Joel asked if it too late to ask these questions of the current solar panel developer?

Scott suggested it was.

Greg asked if we could we use the Marijuana Moratorium that the town approved earlier as a model for the solar panel moratorium? Could we also do a trailer moratorium?

Followed a discussion of current regulation regarding trailers and need to move quickly on solar panel array moratorium.

Scott offered that State statute will not allow a moratorium on trailers, there are state standards and regulations that have been adopted. We could determine if trailers in town are following those guidelines.

Rae suggested we need to be clear what we want to restrict and why we would move forward with restricting trailer parks.

Ron moved that discussion close and asked for recap and to move forward with the rest of the agenda.

Next Steps:

- **Planning Board members will meet one-half hour before the Select Board meetings, dates will be determined by Select Board.**
- We will set priorities, clarify roles, review regulations, and ensure coordination and communication continues.
- Chris as our Code Enforcement Officer is involved in the Ordinance drafting process as well as monitoring compliance to approved ordinances.
- Becky wanted to make sure that we understood that **Planning Boards are regulated by State Statute 30-A, Section 4952 and that both Select and Planning Board members should review and discuss this as we move forward.**

7. Other Old Business:

- Update on Patten Area Outdoors: Lumberman's Museum unanimously approved support for development of non-motorized trails. In June professional Trail Design people will be marking out the first trail.
- Election results – Subdivision Ordinance Revision was passed by the town and is now in effect.
- Marijuana Ordinance: failed to pass, and we will not be moving forward with the development of an ordinance, as the town voters have elected to not have a medical marijuana dispensary in Patten.
- Solar Farm Ordinance: Rae Bates is leading the development of moratorium and we will coordinate next steps for the development of an ordinance regulating solar panel arrays.
- Update on Library: Taking first steps to apply for Brownfield funds to assist in any necessary clean-up of the site. Senator Collins has put into her earmark request funding for the building and construction of the library; it has passed the first step.

8. Election of Planning Board Officers:

By acclamation, re-elected Ron Blum, Chair; and MaryAlice Mowry, Secretary and Vice-Chair.

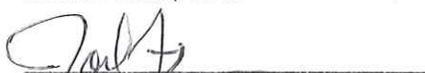
9. Next meeting will be July 21st at 4 pm at the Lumberman's Museum. Meetings will be held on the third Thursday of the month at 4 pm. Until further notice.

10. Meeting Adjourned at 6 PM.

Respectfully submitted,



Ronald Blum, chair



Joel Fitzpatrick



Janice Dancer



MaryAlice Mowry, vice-chair/secretary

Town of Patten

Minutes of Planning Board

July 21, 2022

1. Meeting called to Order by Chair at 4:06 p.m. at the Lumbermen's Museum.
Attendance: Ron Blum, Janice Dancer, Joel Fitzpatrick, MaryAlice Mowry, Scott Webb.
2. Review of Agenda: Added "Update on Subdivision Ordinance" to Old Business.
3. Approval of minutes of June 16, 2022. Moved by Janice Dancer and Seconded by Joel Fitzpatrick, motion approved.
4. Communications with Board of Selectmen

A joint meeting with the Board of Selectmen was held at the onset of their July 19 meeting. It was agreed that we would meet monthly at the first Selectmen's meeting of each month at 6 PM, the next being August 2.

A draft Solar Farm Moratorium Ordinance has been submitted to the town attorneys (Eaton Peabody) for review and comment.

Eaton Peabody is also reviewing a draft ordinance regarding Mobile Homes drafted by Scott Webb at the request of Gregg Smallwood.

One of our tasks is to draft protocols for the drafting, review and public comment process as new ordinances are being developed or existing ordinances are revised.

Select board discussed the existing injunction for the property on Highway Rte. 11 that has been collecting junk. The town will move forward with clearing the property as awarded in the court order.

Abandoned Buildings is another area where an ordinance is necessary, as this is an increasing problem in our town.

Selectboard clarified their desire for the Planning Board to move forward with reviewing and identifying priority needs within the Comprehensive Plan and to vet all Ordinances to align with the Comprehensive Plan.

Discussion of Ordinances that are being or should be considered included Solar Farms, Mining, Abandoned Buildings, Mobile Homes, Wind Farms, Noise, and a comprehensive Land Use Ordinance, which could encompass several of the others noted..

We should access ME Municipal Assoc. for guidance and resources as we move forward in drafting ordinances and in understanding the public review process which is optimal for successful ordinances and approval.

We are going to review the draft work that has been done on a Solar Farm ordinance, and review similar ordinances from other municipalities including Island Falls at our August meeting.

5. Old Business:

- Revised Subdivision Ordinance:

Ordinance was approved at the June election. MaryAlice will work with Laura White, Deputy Clerk, to ensure that the new ordinance is put on the website as well as making new packets for Subdivision applications. All documents are now electronic and will be made into PDF's and saved in the Town Office. All documents have dates of revisions for future reference and documentation.

- Update on Patten Area Outdoors:

The group will be meeting over the next two weeks to discuss trail head design before the regular monthly meeting, August 3. The IMBA Trail designer has been out several times to walk the proposed paths and has offered ideas that will be shared at the next meeting. Ron participated in a online presentation about how trails benefit communities, very useful and relevant to our own work.

- Update on Library/Rec Center:

Town is getting appraisals on both buildings and will decide after receiving the appraisals how they might move forward regarding the buildings.

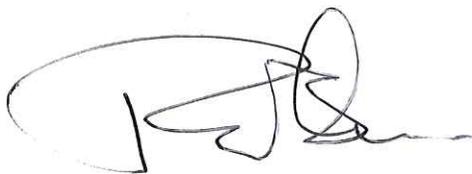
The Friends of the Library continues to move forward with fundraising and getting funding to test the soil on the potential library site.

- Scott Webb pointed out that the Solar Panel Array permit is incomplete. The total cost of project was not submitted and this will be necessary for taxation purposes. Ron Blum will communicate with our Code Enforcement Officer, Chris Beyer to make sure that they complete the application.
- Discussed meeting schedule. The Planning Board will meet in August at our regularly scheduled time, 4 pm on the 3rd Thursday of the month. In September we may increase our meeting frequency to accommodate the work that needs to be accomplished. Anticipate a “workshop” meeting regarding a Solar Farm Ordinance.”

6. Schedule next meeting for August 18th at 4 pm at the Lumbermen’s Museum.

7. Adjourned Unanimously.

Respectfully submitted,



Ronald Blum, Chair



MaryAlice Mowry, Vice Chair, Secretary



Joel Fitzpatrick



Janice Dancer

TOWN of PATTEN

Planning Board

August 18, 2002

4:00 P.M. at the Lumbermen's Museum

Minutes

1. **Call to Order, Roll Call:** Chair, Ron Blum called meeting to order at 4:04 PM. In attendance: Susan Adams, Ron Blum, Janice Dancer, Joel Fitzpatrick, MaryAlice Mowry; associates Dennis Brackett, Scott Webb. Guest: Laura White, deputy clerk.

2. **Review of Agenda:** No changes to the agenda.

3. **Approval of minutes of July 21, 2022 meeting:** Motion by Janice, seconded by Joel.

4. **August 2 meeting with Board of Selectmen:** Discussed the ordinances that the Select Board had prepared and submitted for attorney review, i.e. ordinances for a Moratorium on Solar farms, and to regulate mobile homes. Discussed the value of an overall Land Use Ordinance. There is agreement that we will use a standardized format for ordinances as we move forward.

The Planning Board was charged to begin to prepare an ordinance to regulate solar farms.

We will continue to meet with the Board of Selectmen at their first meeting of each month just before their regular meeting.

5. New Business

- **Ordinance protocol :** A subcommittee was formed to propose a standard format for ordinances. Points that were discussed was not only readability but also a format that would be conducive for computer searches, Scott Webb has some experience with this. We also discussed need for consistent footers and headers and page format. Ron Blum, Joel Fitzpatrick and Scott Webb volunteered for subcommittee and will report back at the next meeting.
- **Individual folders** for each member of the Planning Board are now available at the Town Office. Members are advised to check the contents periodically.

6. **Old Business:**

- **Solar Farm Ordinance:** Ron Blum distributed a draft of a solar farm ordinance for us to review and edit, developed from other existing ordinances. We worked our way through a number of sections, making changes and raising questions, and will continue to review the remaining sections at our next meeting in September. Ron will contact the Code Enforcement Officer for assistance in understanding some of the regulations referenced and his general review.
- **Update on Patten Area Outdoors:** Trail planning continues and a funding opportunity has been identified for Phase 1 trail work. If successful, completion scheduled for next year.
- **Update on Library/Rec Center:** Select Board is trying to decide how to proceed with the buildings and will seek public comment.

7. **Next meeting:** September 15, 2022 **4:30pm** Lumberman's Museum (Note time change)

8. **Adjourned:** 6:02 p.m.

Respectfully Submitted,



Ron Blum, chair

MaryAlice Mowry, vice chair and Sec.



Janice Dancer

Susan Adams

Joel Fitzpatrick

TOWN of PATTEN
PO Box 260
Patten, Maine 04765
Minutes, PLANNING BOARD, September 15, 2022

1. Call to Order, 4:40 PM, at Patten Lumbermen's Museum
Attendance: Ron Blum, Dennis Brackett, Janice Dancer, Scott Webb
Guest: Laura White
2. Minutes of August 18, 2022, approved as written, motion by Janice, second by Scott.
3. Report of Sept. 13 meeting with Selectmen. As all present were in attendance, only discussion centered on changes in insurance coverage that may affect trail use.
4. New Business
 - a. Susan Adams has resigned from the Board and Scott Webb was selected by the Selectmen to replace her. He will complete her term which runs to 2025.
 - b. Format for correlating Ordinances with Comprehensive Plan – tabled
5. Old Business
 - a. Ordinance format, subcommittee report – They met and decided on a numerical/digital format which would be searchable electronically. To be utilized on all new or revised ordinances.
 - b. Janice introduced the following language, which was included in the Subdivision Ordinance recently passed, and moved that it be added to all ordinances. Approved after discussion:

“This Ordinance shall not in any way affect compliance with any other
Town of Patten ordinances.”
 - c. Patten Area Outdoors – grant application for construction funds being prepared. Ron has supplied Letter of Support from the Planning Board. Question of whether grant is paid up front or after expenditure to be determined.
 - d. Library and Rec. Center Update – public meeting rescheduled to Sept. 27.
 - e. Solar Farm Ordinance – We completed review and suggested revisions of the draft document, after hearty discussion. Will coordinate with Code Enforcement Officer and then prepare draft to present to Board of Selectmen.

6. Next meeting, October 20, 2022, at 4:30 PM

7. Adjourned 6:27 PM

Respectfully submitted,



Ron Blum, Chair



Janice Dancer



Scott Webb

TOWN of PATTEN
PO Box 260
Patten, Maine 04765

PLANNING BOARD

Minutes, October 20, 2022

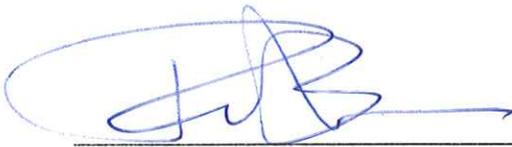
1. Call to Order, 4:29 PM, at Patten Lumbermen's Museum
Attendance: Ron Blum, Dennis Brackett, Janice Dancer, Joel Fitzpatrick, Scott Webb
Guest: Laura White
2. Minutes of September 15, 2022, approved as written, motion by Janice, second by Scott.
3. October meeting with Selectmen was delayed, anticipated tomorrow.
4. New Business
 - Protocol for handling ordinances – planned for November meeting.
 - Format for correlating Ordinances with Comprehensive Plan – not addressed
 - Suggested we update Noise Ordinances
5. Old Business
 - a. Patten Area Outdoors – trail construction grant application has been submitted. Workday scheduled to clear debris from museum property
 - b. Library and Rec. Center Update – Selectmen voted to demolish both buildings, but will need a vote by the town.
 - e. Solar Farm Ordinance – Further discussion introduces a few additional changes to draft 2.0
 - 1.) Require waiver for limits of Town fire protection
 - 2.) Require 25' gravel surface 10' from security fence (fire safety and allow for public travel
 - 3.) Provide for possibility of variance in setbacks for Residential/Business installations
 - 4.) Add ordinance conflict statement, as adopted at last meeting: "This Ordinance shall not in any way affect compliance with any other Town of Patten ordinances."

Unanimous vote to present Draft 3.0 to Board of Selectmen.

6. Next meeting, November 17, 2022, at 4:30 PM

7. Adjourned 5:25 PM

Respectfully submitted,



Ron Blum, Chair



Janice Dancer



Scott Webb



Joel Fitzpatrick

TOWN of PATTEN
P.O. Box 260
Patten, Maine 04765

Planning Board Minutes
November 17, 2022

1. Call to Order by R. Blum, chair - Members present: Ron Blum, Mary Alice Mowry, Dennis Brackett, Joel Fitzpatrick, Scott Webb, and Kristen Whittine.
2. Board Membership – Scott Webb has replaced Susan Adams as a regular member of the Planning Board to complete her term. The Planning Board recommended Kristen to replace Janice Dancer as a regular member, as Dennis was not interested in the position. That will create an Associate vacancy. Ron Blum will send a communication to the select board regarding these recommendations.
3. Review of Agenda
4. Approval of minutes of October 20, 2022 meeting - Approved unanimously.
5. Communications with Board of Selectmen -

Planning board members attended the 11/15 Board of Selectmen meeting to provide updates and discussion. There were two issues raised. There was discussion regarding a new state regulation that addresses financial commitments by existing solar array owners. It was also requested that new or revised ordinances come to the Board of Selectmen with an executive summary outlining the highlights of the document.

The Select Board requested that the Planning Board address the Mining Ordinance which was drafted by John Pottle and revised for Patten.

The Select Board approved attendance by the Planning Board at the on-line training offered next month by the Maine Municipal Assoc. covering basic functions of Planning and Appeals Boards.

6. New Business –
 - Mining Ordinance: There was a discussion regarding regulatory roles and purpose of the ordinance. It was decided to have a “workshop” devoted to the ordinance on December 8th at 4:30.

- Discussion of proposed Ordinance Procedure: Draft proposal was discussed and it was agreed that the Procedure would be forwarded to the Select Board for consideration at their next meeting.

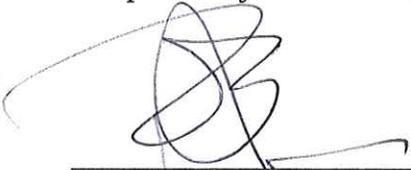
7. Other Old Business:

- Update on Patten Area Outdoors – Ron updated the Board about the upcoming clean up and “burn” date on the grounds of the Lumberman’s Museum.
- Update on Library/Rec Center – Awaiting communication regarding Senator Collin’s submission for earmark funding.
- Consideration of Noise Ordinance review – tabled.
- Format for correlating Ordinances with Comprehensive Plan-tabled.

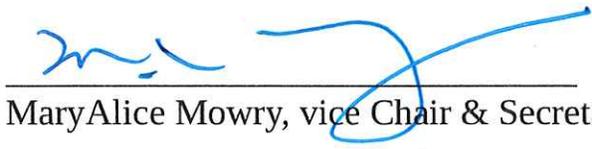
8. Next regular meeting: December 15, 2022, 4:45 PM at the Museum

9. Adjourn

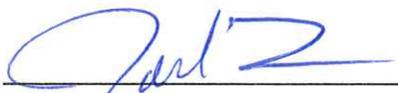
Respectfully submitted,



Ron Blum, Chair



MaryAlice Mowry, vice Chair & Secretary



Joel Fitzpatrick



Scott Webb