

**TO:** Yvette Meunier, Jason Lorrain, Jay Hodde

**FROM:** Leah B. Rachin

**DATE:** February 18, 2026

**RE:** Proposed Land Use Ordinance Amendments

Further to our various email, telephone, and Zoom communications over the past week, I have been asked to review the many proposed changes to the Town's Land Use Ordinance (the "LUO"). Specifically, I've been asked to review the two separate proposed ordinances to address the requirements of LD 427 and LD 1829, as well as the suggested revisions to each of Articles 1 through 12 of the LUO.

With respect to the proposed amendments to address LDs 427 and 1829, I forwarded my suggested redlined pdfs under separate cover yesterday.

Regarding the proposed changes to Articles 1 through 12 of the LUO, I reviewed the proposed revisions provided to me in redline format on February 17, 2026 by Jay Hodde. Based on my conversations with you yesterday and a follow up call with Jay last evening, I have reviewed and commented on all of the proposed redlined changes to Articles 1 through 12 except for Articles 9 and 10. Given the substantial proposed revisions and reformatting to Articles 9 and 10, Jay will be providing clean versions of those articles, which incorporate his proposed changes without redlines. (The redlined versions ended up causing confusion because the edits were so extensive). In the interest of efficiency and clarity, instead of providing a redlined version, Jay will provide an overview summary of the changes proposed to Articles 9 and 10 along with clean copies of those articles.

To assist the Planning Board in its review of the proposed amendments to Articles 1 through 8, 11, and 12 of the LUO, I provide the following summary of said amendments, which appear in redline the attached documents:

- **Article 1** – I have no suggested edits. The proposed changes can be summarized as follows:
  - Non-substantive formatting changes (i.e, to Section C ("Purposes") and Section K (Annual Administrative Review of Ordinance))
- **Article 2** – I offered a few comments/suggestions in the margins. The proposed changes can be summarized as follows:
  - Non-substantive formatting changes
  - Deletion of various definitions that are not referenced anywhere else in the LUO (Note: I base this on Jay Hodde's research, which I've not independently verified.)

- **Article 3** – The versions Jay provided on 2/17 and 2/12 did not include any redlines. Is the intention that no amendments are being proposed to Article 3?
- **Article 4** – I offered a few comments/suggestions in the margins. The few proposed changes to Article 4 can be summarized as follows:
  - Adds “General” to the “Performance Standards” title. **Note**, I do not recommend this revision be included for the reasons stated in the margin comments.
  - Deletes “Farm Stand” standards
  - Non-substantive grammatical/formatting changes to section regarding “Lighting”
  - Non-substantive formatting change to section regarding Signs
  - Deletes “Solar Energy Systems” standards
- **Article 5** – I have no suggested edits. The proposed changes can be summarized as follows:
  - Non-substantive formatting changes to Land Use Table 5.1
  - Clarifies that the land uses outlined in Table 5.1 are also subject to use-specific standards in Article 10 (and adds a column to the Table to reflect this)
  - Adds a number of uses to Table 5.1 that are addressed in Article 10 but that are not currently enumerated in Table 5.1 (i.e., Asphalt/Concrete Plant/Fabrication, Daycare, Home, and Food Processing Facility)

**NOTE: BECAUSE THE PROPOSED EDITS TO ARTICLES 6 AND 7 IMPACT SHORELAND ZONING, DEP WILL NEED TO REVIEW AND APPROVE THEM PRIOR BEFORE THEY CAN BECOMING EFFECTIVE. WHILE TECHNICALLY, THE REVISIONS DO NOT NEED TO BE SUBMITTED TO DEP UNTIL AFTER TOWN MEETING APPROVES THEM (AND WILL AUTOMATICALLY GO INTO EFFECT 45 DAYS AFTER BEING PRESENTED FOR REVIEW), BEST PRACTICE IS TO VET THEM WITH DEP PRIOR TO PUTTING THEM TO A TOWN MEETING VOTE. HERE, I DON'T ANTICIPATE MUCH, IF ANY, OBJECTION FROM DEP GIVEN THAT MOST OF THE PROPOSED CHANGES ARE NON-SUBSTANTIVE. SIMILARLY, CHANGES TO FLOODPLAIN MANAGEMENT ORDINANCES NEED TO BE REVIEWED AND APPROVED BY MAINE'S FLOODPLAIN MANAGEMENT PROGRAM. THEREFORE, IF YOU HAVEN'T ALREADY, YOU SHOULD CONTACT SUE BAKER AND CONSULT WITH HER REGARDING PROPOSED CHANGES TO CHAPTER 8.**

- **Article 6** – I offered a few comments/suggestions in the margins. The proposed changes can be summarized as follows:
  - Non-substantive formatting changes to Purpose section
  - Consolidates and reformats existing sections C-G
  - Reformats the Table of Uses and adds new “reviewing authority” designations to Table 6.1

- Recommends that the prohibition on similar appeals within one year be reformatted and placed into the section regarding reconsiderations. I recommend that this change not be made for the reasons stated in the marginal comments.

I hope the foregoing has been helpful. I would be happy to answer any questions you or members of the Planning Board may have in connection with the proposed revisions.

- **Article 7** – I offered a few comments/suggestions in the margins. The proposed changes can be summarized as follows:
  - Reformats the Planning Board Review Procedure and adds additional details and requirements regarding said procedure
  - Reformats Minimum Lot Standards (no substantive changes)
  - Reformats section regarding stairways and similar structures (no substantive changes)
  - Reformats section regarding ditch relief culverts, drainage dips, and associated water turnouts (no substantive changes)
  - Updates statutory citations
  - Reformats slope table (no substantive changes)
  - Reformats tree diameter/points chart (no substantive changes)
  
- **Article 8** – I have no suggested edits or comments. The proposed changes can be summarized as follows:
  - Adds “definitions” to the first section and references FEMA’s definitions of Zone A and the AE Zone
  - Changes references to the “municipality” to the “Town”
  - Minor grammatical and punctuation changes (non-substantive changes)
  - Reformats requirements for new construction/substantial improvements (non-substantive changes)
  - Reformats requirements for manufactured homes (non-substantive changes)
  
- **Article 9** – Jay Hodde will address separately
  
- **Article 10** – Jay Hodde will address separately
  
- **Article 11** – I have no suggested edits. The proposed changes can be summarized as follows:
  - Minor grammatical and punctuation changes (non-substantive)
  - Changes various references from “Town Planner” to “Town Planning Department Staff)
  - Reformats the Planning Board application process and adds additional details and requirements regarding said procedure
  - Reformats provisions relating to consent agreements (non-substantive changes)
  
- **Article 12** – I offered a few comments/suggestions in the margins. The proposed changes can be summarized as follows:
  - Updates statutory citations
  - Minor grammatical and punctuation changes (non-substantive)
  - Changes number of required copies of application materials from 8 to 9 copies