

Millinocket Planning Board
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Minutes of Meeting
March 9, 2021

The meeting convened at 6:30 P.M. In attendance were: Michelle Anderson, Albert Berube, Charlie Cirame, Jon Crawford, Avern Danforth, Anthony Filauro, Tom Malcolm and alternate, Heidi Wheaton. Also attending: Rick Angotti, CEO and members of the public.

New Business: The board continued with discussing guidelines to regulate Air BnB and B&B businesses operating in Millinocket..

Minutes of the meeting held February 2, 2021 were reviewed and approved, following a motion by Tom Malcolm and seconded by Michelle Anderson.

Criteria needed to operate a bed and breakfast was reviewed to indicate the amount of municipal oversight as outlined in Section 125-46 of Millinocket's zoning ordinance:

Bed and breakfast accommodations shall be permitted in the private, year-round residence of the host family who lives on the premises, provided that:

- A. The maximum number of guests at any time is six (6) persons, not including children under the age of twelve (12).
- B. The maximum number of guest rooms is three (3).
- C. Breakfast is the only meal provided by the host family.
- D. One (1) sign, not to exceed four (4) square feet, is permitted on the premises.
- E. The bed and breakfast operation shall not have any adverse effect upon the neighbors.

The above criteria are limited in scope but have served the community well for many years. B&B's are similar to Air BnB's except the owner must reside on the premises of the former business and breakfast is not served to guests who stay at the latter business. It was noted the two types of businesses serve different clientele who seek different accommodations because of cost and needs of the guests; these businesses should be considered separately. It was also noted that Air BnB's should be referenced as Short Term Rentals (STR's) since different businesses oversee STR's other than Air BnB and the Air BnB organization includes businesses such as Comfort Inn. Noise (snow sleds?) was mentioned as an issue concerning a specific rental property in Millinocket; however the complainant and the location was not made known.

It was mentioned that the state has regulations concerning bed & breakfast businesses and boarding houses (four rooms or more) but STR's are not regulated by the state. The issue of Home Rule might be a factor concerning the state not regulating STR's; however state regulation (Life Safety Code?) is being discussed, per the fire chief. The town's concern, as expressed by the CEO, is the location of STR's and the number of such businesses operating in the community.

Another issue mentioned concerns STR's owned and operated by Millinocket residents vs. out-of-town owners. The question is, will properties be taxed differently based on ownership and how will issues/problems be

addressed by remote owners? It was noted that out-of-town owners do not qualify for the Maine Homestead Exemption that's available to town residents and remote STR owners don't impact the local school system. Another question focused on bed & breakfast businesses being prohibited in the R2 zone. This prohibition originated from deed restrictions on properties located in the New Development. To avoid problems at the time the ordinance was drafted, the Planning board recommended that commercial uses be prohibited in the R2 zone.

Comments were received from the public and board members pertaining to advance notification about this meeting (3/9/21) and that a Zoom link was not posted on the town's website and possibly the Facebook page. The CEO indicated that a Zoom link was publicized in advance of tonight's meeting. Further investigation of this matter is needed. Informing the town's radio station about P.B. meetings was recommended.

The board reviewed subjects that were not addressed at the meeting held on January 12, 2012. The subjects to be reviewed are:

1. *STR's must comply with safety codes and have smoke and carbon monoxide detectors.* It was advocated that rental properties comply with the National Life Safety Code. Also, all property renovations need to be done under appropriate permits, i.e: electrical, plumbing, etc.
2. *STR's will supply the town and its guests with the name(s) of a contact person available 24/7.* Opinions offered were diverse. A contact person could be either the property owner or a property manager; however a phone number is needed for emergency situations or when immediate contact is required.
3. *STR's will provide for rubbish disposal.* This requirement is not needed but would be addressed if a problem arose with a rental property.
4. *STR's must provide off-street parking for its guests.* STR's, when registered with the town, can be provided with information about off-street parking requirements, etc. This issue needs to be addressed but may not need to be a regulation particular to STR's.
5. *STR's will or will not be licensed annually and will or will not be assessed a fee to cover oversight costs?* Licensing and oversight costs were less of a concern to the board; however registration of rental properties is paramount in order for the town to properly manage this type of business.
6. *STR's will provide a floor plan of the building, the dimensions and intended use of all rooms, points of ingress and egress and all on-site parking locations.* Such a plan is not required of other rental properties. Specifics can be addressed once the state drafts regulations pertinent to STR's.
7. *STR's will carry appropriate liability and property insurance.* The board did not support this requirement.
8. *STR's will comply with occupancy limits of the rented building, based upon all guests of "X" age and older. Any gathering that exceeds rental occupancy is prohibited.* The board believed that evaluations by STR organizations and the evaluation of guests by STR owners will be sufficient to address this concern, without requiring a specific regulation.

The Planning Board's next meeting will be on Tuesday, March 23 or 30. The specific date will be decided at a later time. The board approved to adjourn the meeting at 8:35 P.M. following a motion by Albert Berube and seconded by Avern Danforth.

Respectfully submitted,

Anthony Filauro