



**Town of Wilton  
Planning Board Agenda  
4.22.26**

**04.22.26 6:00 PM Meeting.**

1. Pledge of Allegiance.
2. Adopt the Agenda.
3. Review Planning Board minutes from 3.19.26
4. **Public to speak on non-agenda items.**
5. **Old Business**  
Review wording for warrant article changes to the 2023 Town of Wilton Zoning Ordinance and the 2010 Town of Wilton Street Ordinance.
6. **New Business**
7. **Future Business**
8. **Other Business**
9. **Adjourn**

## **ARTICLE 1 – GENERAL**

- 1.3 A – Remove sentence “but the materials used in the project cost less than \$2,000.  
Add after maintenance, “and does not expand the ~~volume~~ footprint of the structure.
- 1.3 B A building permit is required if the project is not normal maintenance, ~~as defined and~~ the project either: 1) Enlarges the footprint of the existing building; or, 2) ~~enlarges the existing volume. and the materials used in the project cost \$2,000 or more.~~
- 1.3 D Remove the word “to” in the last sentence.
- 1.3 F Period after CEO in the first sentence.  
Add: “Some permits may require approval” after CEO.  
Strike the word “or”  
Delete: “for any use or change of use”  
Add: the word “as”  
Strike “from the CEO or from the PB” in the second sentence.
- 1.3 H Strike: “Selectmen with Planning Board input”  
Insert “Board of Selectpersons”
- 1.6 C Delete sentence entirely. Rewrite as follows: An amendment to this Ordinance may be adopted by a majority vote of Town Meeting.
- 1.6 D Strike “within fourteen (14) days of approval by the votes at Town Meeting” replace with “after approval by Town Meeting”

## **ARTICLE 2 – NONCONFORMANCE**

- 2.3.C.1 a. Add in shoreland zoning in first sentence.  
Strike “or volume”.  
Strike “or volume” from the last sentence.
- 2.3.C. 1 b Second sentence strike “In addition.”  
(1) Add the word “if” to the beginning of the sentence.  
Change the word “does not” to “shall” following the word “foundation”.  
Strike the word “it” before the word “shall.”  
(3) Strike the word “if” at the beginning.
- 2.3.C 3 Reconstruction or Replacement  
Strike the words “floor area and volume” from the third and fourth sentence.  
Add the word “footprint”  
Add a comma between “structure” and “vegetation” in the last sentence.
- Third Paragraph  
Add “unless in shoreland zone where Planning Board’s review and approval is required” at the end of the sentence.
- 2.3.C 4 Change of Use of a Nonconforming Structure  
Add a comma after “Board” and after “application” in the first sentence.
- 2.3.D  
1. Add a comma after “Board” and after “application” in the first line.  
Correct reference at end of sentence to read 2.3.C.1.a  
3. Change reference at end of sentence to read 2.3.(C)(4)
- 2.3.E  
3. Division of Single Lots Containing More Than One Principal Structure  
Remove the “s” on the word “Code.”

## **NO CHANGES TO ARTICLE 3**

## **ARTICLE 4 ZONING DISTRICT REQUIREMENTS**

- 4.1.A Should read as follows:

Table A sets forth those uses which are permitted, with a permit from the Code Enforcement Officer, with a permit from the local plumbing inspector, along with a review from the Planning Board, or prohibited in each zoning district.  
Delete the last sentence in its entirety.

## **4.2 RESOURCE PROTECTION ZONE**

4.2.A.1.e Use the term “Department of Environmental Protection (DEP)

4.2.C Special Permit for Single Family Residence

Add a comma after the word “requirements” in the first sentence.

4.8.B.4 remove the word “affixed not” and change to “shall not be expanded.”

4.9 Watershed Overlay District

Rephrase the last sentence to read as follows:

...residents of Wilton and North Jay and as back up water supply for Farmington.

4.10 Downtown/Village Zone

Change the word “Town” to “Wilton.”

## **ARTICLE 5 PERFORMANCE STANDARDS**

5.2.D with formatting changes.

5.2.F(3) change the word “permit” to “approval”.

5.2.G(2)(b) add “Great Pond (GPA)”.

5.2.I add “to be followed in all zones” at the end

5.2.J add “to be followed in all zones” at the end

Add line item #3 to say, “No camping on Town property without prior approval from the Town Manager.”

5.2.K(3) change “grant a permit” to “approve”.

5.2.Q change the word “permit” to “approval” and delete “or the planning board”.

5.3 Conversion of Dwellings

A. Change the word “permit” to “approve” in the second sentence.

Add at end: “Notwithstanding the foregoing, the conversion of a dwelling to a three unit and up multi-family dwelling remains subject to subdivision review under the Town of Wilton subdivision Ordinance, if the applicant proposes to create three or more new dwelling units within a five-year period.

5.5 A 1: Add “exclusive of accessory dwelling units. Within affordable housing development, only 2 off-street spaces are required for every 3 dwelling units.”

5.8 Change the word “permitted” to “approved” in the second sentence.

5.10 B – Change wording from “whole Town of Wilton” to “Town meeting” striking “as a body politic”

Add the following:

5.13. Construction Standards

### **C. State of Maine Requirements**

The Bureau of Building Codes and Standards was created in 2010 under Title 25 §2372 to provide administrative and technical support to the Technical Building Codes and Standards Board. The BBCS also provides non-binding technical interpretation of the codes for professionals and the public. The state maintains a list of individuals that have met the qualifications of the third-party building inspector program who may be contracted to provide inspection services.

### **Maine Uniform Building and Energy Code**

Maine Uniform Building and Energy Code (MUBEC) applies to all towns within the State of Maine. Enforcement of MUBEC is based on population or local action for communities over 4,000 residents as outlined in Chapter 1 (see below "MUBEC Rules and Laws.")

**MUBEC is made up of the following codes and standards:**

- 2015 International Residential Code (IRC)
- 2015 International Building Code (IBC)
- 2015 International Existing Building Code (IEBC)
- 2015 International Energy Conservation Code (IECC)
- 2015 International Mechanical Code (IMC)

The following standards are also adopted as part of the MUBEC, and are mandatory.

**The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standards:**

- 62.1 - 2016 (Ventilation for Acceptable Indoor Air Quality)
- 62.2 - 2016 (Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings)
- 90.1 - 2016 (Energy Standard for Buildings except Low-Rise Residential Buildings) editions without addenda.
- E-1465-2008, Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings.

**Maine has adopted the national model codes and standards with amendments. The amendments are listed in Rule Chapters 1-7. Chapters can be found under [MUBEC Rules and Laws](#).**

**D. Fuel Gas Detectors**

The information below summarizes the general requirements currently in law for the installation, of fuel gas detectors in Maine. For more information, you can view the fuel gas detector law online at: Title 25, §2469: (<https://legislature.maine.gov/legis/statutes/25/title25sec2469.html>).

If you need specific information, please call the State Fire Marshal at (207) 626-3870.

Fuel gas detectors ARE NOT the same as a carbon monoxide detector and will not replace the need for those within buildings in Maine. Fuel gas detectors may be powered by any of the following methods, battery, plugged into an electrical outlet or hard wired. Regardless of the power source, the units must be maintained and installed per the manufacturer's instructions. Fuel gas detectors will only be required to be placed within the room where a propane, natural gas or liquified petroleum gas fueled appliance is located.

This law becomes effective January 1, 2022.

Business occupancy, mercantile occupancy, and assembly occupancy have until 1/1/2026 to comply Fuel gas detector required.

The building owner shall install, or cause to be installed, in accordance with the manufacturer's requirements at least one approved fuel gas detector in every room containing an appliance fueled by propane, natural gas or any liquified petroleum gas in:

- A. Each unit in any building of multifamily occupancy- Effective date 1/1/2022
- B. A fraternity house, sorority house or dormitory that is affiliated with an educational facility- Effective date 1/1/2022
- C. A children's home, emergency children's shelter, children's residential care facility, shelter for homeless children or specialized children's home- Effective date 1/1/2022
- D. A hotel, motel, or inn- Effective date 1/1/2022
- E. A mixed use occupancy that contains a dwelling unit- Effective date 1/1/2022
- F. A business occupancy- Effective date 1/1/2026
- G. A mercantile occupancy- Effective date 1/1/2026
- H. An assembly occupancy- Effective date 1/1/2026

### Residential rental units

In a unit listed above, under the terms of a rental agreement or under a month-to-month tenancy, at the time of each occupancy the landlord shall provide fuel gas detectors if they aren't already present, and they must be in working condition. After notification of deficiencies, in writing, by the tenant, the landlord shall repair or replace the fuel gas detector.

Tenants shall keep the fuel gas detectors in working condition, test them periodically to make sure they work, and refrain from disabling them.

### Transfer (sale or exchange)

A person who, after January 1, 2022, acquires by sale or exchange a building listed above shall install fuel gas detectors within 30 days of acquisition or occupancy of the building, whichever is later, if fuel gas detectors are not already present, and shall certify at the closing of the transaction that fuel gas detectors will be installed. This certification must be signed and dated by the person acquiring the building. A fuel gas detector must be installed in accordance with the manufacturer's requirements at the time of installation in each area containing an appliance fueled by propane, natural gas or liquified petroleum gas. A person may not have a claim for relief against a property owner, a property purchaser, an authorized agent of a property owner or purchaser, a person in possession of real property, a closing agent or a lender for any damages resulting from the operation, maintenance or effectiveness of a fuel gas detector.

Violation of this subsection does not create a defect in title.

#### 5.16. Animal Raising

Roosters not allowed in RI and RII and adding that tables A4 under Animal Raising.

#### 5.17 Recreational Vehicles, Campers/Camper Trailers

Add a note stating that town Owned property will need approval by the Town Manager.

#### 5.18 Elder Cottage Housing Opportunity (ECHO) Units

Reduce tiny home size from 750sq ft to 400sq ft

#### 5.19 Small Enterprises, Home Occupations and In-home Offices

5.19 B – Change the word “permit” to “approval”

#### Add 5.29 Residential Density

Remove date of July 1, 2024 and replace with “as of the effective date of this section and thereafter”.

5.28 E – add “or the Town of Wilton’s Subdivision Ordinance”

5.28 F – Remove date of July 1, 2024 and replace with “the effective date of this section,”

#### Add 5.30 Accessory Dwelling Units

5.0 B – strike “greater”, add “larger than 65% of the floor area” strike “square feet or \_\_\_% of the and “their” before principal structure. Strike whichever is greater at the end of the sentence.

#### Add 5.31 Affordable Housing Developments

5.31 A1 Remove the reference date of July 1, 2024 and replace with “approved after the effective date of this section, as set forth herein”.

5.31 A 3 (a) Add in the second sentence after covenant add “must be reviewed and approved as to form and substance by the Town Attorney”.

## **ARTICLE 6 – SITE PLAN REVIEW**

### 6.2 Applicability

A. add structures, detached single or two-family dwelling. Place a coma after structures. Add unless noted in table A1 where it may not apply at the end of the paragraph.

### 6.3 Administration

A1. Remove the word “his” before “agent” and replace with “authorized agent.”

Second paragraph – change the word “reviewed” to “granted”. Delete “Planning Board” add CEO

with consultation from the Planning Board if needed.

4. Delete the word “his” before authorized.

B. Keep as is.

C. Remove the word “his” before authorized agent in the first and last sentence.

6.4 – Submission Requirements

A. Remove the word “his” before authorized in the first sentence.

6.5 – Criteria and Standards

Keep as is.

6.6 Conditions of Approval.

Keep as is

## **ARTICLE 7 – ADMINISTRATION ENFORCEMENT**

7.1 Code Enforcement Officer

C. add a comma after “Board of Appeals”. Change the word “Municipal Officers” to “Board of Selectpersons”

7.2 – Building Permit

B. add a comma after “until” in the first line. Add a comma after “plans” in the second line. Add i.e. Septic System Designs, DEP Permits, shoreland zoning requirements, et. al. after the comma.

C. Change the word “conspicuously” to “clearly”. Add “or available upon request from the CEO.”

7.3 – Fee for Permits

A. Change the word “Selectmen” to Board of Selectpersons” on the second and third line.

7.4 – Plot Plan

Leave as is.

7.5 – Expiration of Permits

Leave as is.

7.6 – Appeal

Revisited the revision changes to item 7.6.

Add “Should the CEO deny a permit; it will be referred to the Planning Board for review prior to going to the Appeals Board” This will be the first sentence followed by All aggrieved....

After “Board of Appeals” delete “upon payment” and add “upon denial by the Planning Board constitutes”....

7.7 – Administrative and Variance Appeals to the Board of Appeals

A. Change “Board of Selectmen” to “Board of Selectpersons” on line three and on line one in item 3.

B. Change the word “Chairman” to Chair

F. Correct the reference on the first line from “7.8.D.1-7” to 7.7.D.1-4

G. Item 3, change the word “Chairman” to Chair.

Item 6, add “e-mailed,” before “mailed”.

H. Item 1, change the word “or” to “and”.

Item 2, change the word “or” to “and”. Change the word “his” to “their”.

Item 2 second paragraph last sentence, add a comma after Officer; place a comma after Board; change the word “chairman” to “chair”.

I. Change the word “chairman” to “chair”; change the word “he” to “their” and drop the “s” on believes.

7.8 – Violations

Change the word “Selectmen” to “Board of Selectpersons”.

## Changes to the Tables

Table A1 – Added Accessory Dwelling Units Category

Table A1 – Two-Family Dwellings and Multi-Family Dwellings change from CEO to PB in the Commercial Zone and Industrial Zone

Table A2 – Added footnote #9 “CEO approval for in-home cultivation for zones Farm & Forst, Commercial and Industrial. Added footnote to Cannabis Indoor & Outdoor in FF/C/I.

Table A2 – Add footnote #10 to read, “Living quarters will be prohibited on the streetside of Downtown Village whether owned or rented.”

Table A2 – Change Residential Rental Units from CEO to PB in the Downtown Village  
Add Footnote 10 to read, “living quarters will be prohibited on the streetside of downtown village whether owned or rented. (One unit located at the end of the Hardware Building will be grandfathered.)

Table -4 Added “No Roosters in RI or RII

## Article 8 Definitions

Add Accessory Dwelling Unit

Add “Affordable Housing Development

Add “Residential Rental Units”

Add “Living Quarters”

Change “Commercial Firewood Processing” to “Firewood Processing

Add definition of DBH (Diameter at Breast Height)

Add Vernal Pool definition