

NEWRY PLANNING BOARD
MINUTES OF BOARD MEETING
Wednesday, December 16, 2020
Raymond C. Foster Municipal Building

Full discussion on topics below is available on audio recording at the Newry Town Office.

Members Present: John (aka Gootsch) Gauthier (Board Chair), Kenny Young (Board Vice Chair),
Becky Bean (Board Secretary & Recording Secretary)

Members Late:

Members Absent:

Staff Present: Dave Bonney (Code Enforcement Officer); Shelley Norton of AVCOG via Zoom

Call to Order: Chairman John Gauthier called the meeting to order at 7:04 PM.

Current Attendance/Quorum: The Chair took attendance and confirmed the presence of a quorum.

Prior Attendance/Voting Eligibility: With no recent absences, all member are eligible to vote.

Previous Meeting's Minutes: The Board reviewed the previous meeting's minutes. **Kenny moved to accept the minutes as drafted. Becky seconded. There was no discussion. The motion passed with all voting in favor.**

Business

- a) **Merrill Hill Subdivision letter from CEO** – The CEO explained that the letter was written to correct the total amount to be released from the performance guarantee for this subdivision. **Becky moved that the Board accept the letter from Dave Bonney, Code Enforcement Officer, regarding the report of the inspecting official for Merrill Hill Subdivision in regards to releasing the performance guarantee in the amount of \$48,698. Kenny seconded. With no discussion, the motion pass unanimously.**
- b) **Sweetwater Village Subdivision—APPLICATION WITHDRAWAL** - For the record, it was reported that the applicant for the Sweetwater Village proposed subdivision has withdrawn their application. The email from the applicant informing the Board of their withdrawal was printed and will be included in the file for this application.

It was noted during discussion that when future applicants withdraw an application, it will be noted on the agenda for the next meeting so that the public may be aware of the withdrawal.

c) **Ordinance Workshop:**

- **Planning Board Ordinance** – The Board reviewed and discussed the proposed changes on the draft document provided by Shelley Norton. **Becky moved that the Board accept the proposed revisions to the Planning Board Ordinance with the one correction in item 3.F., changing the written number from “three” to “two” to match the numerical number to read “...a quorum consisting of (two) 2 members...”, for review by the Selectmen. Kenny seconded. The motion passed unanimously.** Shelley will make the one change and then send the document to Amy for review by the Selectmen at their next meeting; Shelley will copy the Planning Board members on that email.
- **UDRO** – In addition to the changes shown in the draft document provided by Shelley, the following changes were discussed:
 - In the Table of Contents, Section XIII, the “s.” will be capitalized and a period will be added after “AC.”
 - Capitalization throughout the TOC was discussed; it was decided to keep it as is.
 - It was decided that the **Roman numerals** throughout with document will be **replaced with numbers.**
 - On page 8 in the second paragraph of section G (Public Hearings), changes will be made to include language that states that the **applicant shall notify**, by mail, all property owners within one thousand feet

(1,000') of the **project site, and that the applicant shall provide to the Board certified mail receipts to show proof of the mailing.** In discussion, it was clarified that the applicant is required to provide the abutter's list; the Town can provide the applicant with the names and address of those abutters.

- Page 10, item E (Municipal Solid Waste Disposal), the initials "C&D" will be spelled out as "**construction and demolition**".
- Page 20 Section VIII. B (Agenda), it was decided to **delete item #2**, eliminating walk-in applicants. Applicants would now be required to be on the agenda. Also, Shelley will draft language to be added to item #1 of that section that talks about **if the Board has a full agenda**, an applicant would be moved to the next meeting's agenda even if they request to be added by the required 2-week timeframe.
- Page 22, B.2. – The phrase "All documents submitted to the Planning Board shall include a title denoting the date submitted." will be changed to "...shall include **the date of submission.**" Also – Shelley will check with the attorney to see if an email reply to an applicant when an application is submitted is sufficient to meet the requirement that "a dated receipt shall be provided to the applicant."
- Page 22 item B.8 (Abutter notification), will be rewritten to match the earlier language regarding abutter notifications on page 8.
- Page 23, C.I.A.1, Ten (10) copies will be changed to **Eight (8)** copies.
- Page 24, C.II.A, Ten (10) copies will be changed to **Eight (8)** copies.
- Page 24, C.II.B, Pluralization will be set off in parentheses: "Proposed name(s) of road(s) within the project..."
- Page 56 item 9, The word "three" will be changed to "more" to read "An evergreen buffer requires two (2) or **more** rows of staggered plantings"
- Page 58 AC.1.b.and c.: Both sections will be changed to read: "Install **or provide proof of deeded access to a...**" where it talks about a 40,000 gallon cistern and about a fire pond.
- Page 71 in the Road Materials table: the footnotes will be changed to **1**.
- Page 78 item C.2. & page 79 item C.4. – Shelley is still working on getting the proper wording regarding culverts for these 2 sections.
- Page 82 item 2 (Density Bonus) – the Board decided to eliminate this section.
- Page 83 section 4.b., a space will be entered between the 2nd and 3rd paragraphs of that section.
- In the section for Cluster Development and Planned Unit Development, Shelley will create language to add a requirement of 20' between abutters.
- Page 116 in the definition for Neighborhood Road, the word "individual" will be removed from "No more than 65 lots and/or ~~individual~~ dwelling units..."
- Page 117, Sewered and/or non-sewered needs a definition. Dave Bonney will email a definition to Shelley.
- Page 119, the definition for Vigor will be changed to be a definition for Vigorous.
- Page 119, the spelling of Visible will be corrected.
- Discussion ensued regarding pages 121, 122 & 123, Exhibits A, B-1 and B-2: Becky and Kenny felt that ranges should be added to clarify that measurements can be "between XX and XX" or "no more than XX" or "no less than XX". It was decided that the Fire Chief should provide written comment on these measurements. Shelley will talk to the Town Office in regards to mailing the Fire Chief a copy of what we're discussing.
- The Board will review the Shoreland Zoning Ordinance at its next meeting.

Findings of Fact - none

Correspondence/Mail:

(NOTE – All emails listed below (received before the 72-hour deadline for tonight's meeting) were forwarded to the Board for review; the emails were not read aloud at the meeting.)

- Email received Dec 2 from Shelley Norton RE: Amended Planning Board by-laws
- Email received Dec 2 from Shelley Norton RE: Changes to board submittal dates
- Email received Dec 3 from Amy Bernard RE: Newry Planning Board

- Email received Dec 3 from Brooks Morton RE: Newry Planning Board
- Email received Dec 3 from Shelley Norton RE: Newry Planning Board
- Email received Dec 7 from Rick Eng RE: Sweetwater Village Application
- Email received Dec 8 from Megan at Hughes Net RE: Following Up
- Email received Dec 8 from Shelley Norton RE: reply to Sweetwater Village Application email
- Email received Dec 9 from Dave Bonney RE: Questions regarding possible division of Lot 3 of The Preserve at Puzzle Mountain
- Email received Dec 10 from Bob Stewart RE: Questions regarding possible division of Lot 3 of The Preserve at Puzzle Mountain
- Email received Dec 11 from Shelley Norton RE: ordinance updates

Open Discussion - none

Next Meeting – Wednesday, January 6, 20201

Adjournment **Kenny moved to adjourn; Becky seconded. Motion passed with all voting in favor.** The meeting adjourned at 9:40 PM.

APPROVED