

NEWRY PLANNING BOARD
MINUTES OF BOARD MEETING
Wednesday, February 17, 2021
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 7:08 PM.

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

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

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

Business

- a) **Project # 21-263; SUBDIVISION AMENDMENT; The Preserve at Puzzle Mountain Subdivision;** Puzzle Mountain, Map R5 Lot 23A-3; Gary Inman, agent: Gary distributed the revised site plan showing the required road frontage for Lot 4 and noted that he re-added the road frontage that was shown on the original plan.

Gary paid the application fee of \$200 with check # 6004.

With the application fee now paid, and the revised map showing the required road frontage, Becky moved to find Amendment Application # 21-263 complete. Kenny seconded, and the motion passed unanimously.

The Board proceeded to review the Criteria for Approval.

CRITERIA FOR APPROVAL FOR THE UNIFIED DEVELOPMENT REVIEW ORDINANCE

- A. **Pollution** – see motion below
- B. **Erosion** – see motion below
- C. **Traffic** – see motion below
- D. **Sewage Disposal** – see motion below
- E. **Municipal Solid Waste Disposal** – see motion below
- F. **Aesthetic, Cultural and Natural Values** – see motion below
- G. **Financial and Technical Capacity** – see motion below
- H. **Sufficient Water** – see motion below
- I. **Public Water Supply** – see motion below
- J. **Surface Waters** – see motion below
- K. **Ground Water** – see motion below
- L. **Flood Areas** – see motion below
- M. **Freshwater Wetlands** – see motion below
- N. **River, Stream or Brook** – see motion below
- O. **Storm Water** – see motion below
- P. **Spaghetti-Lots Prohibited** – see motion below

- Q. **Municipal Services** – see motion below
- R. **Lake Phosphorus Concentration** – see motion below
- S. **Impact on Adjoining Municipality** – see motion below
- T. **Land Subject to Liquidation Harvesting** – see motion below

Becky moved that Criteria for Approval items A through T are not applicable to this Amendment Application #21-263 since the amendment does not change any of these criteria from the originally approved application; this new application only proposes to move the lot line between Lots 3 and 4 from one location to another and does not increase the number of lots in this subdivision. Gootsch seconded. The motion passed unanimously.

- U. **Conformity with Local Ordinances and Plans** – Gootsch moved this application is in conformance with local ordinance and plans; Kenny seconded. The motion passed unanimously.

Kenny moved that Application #21-263, Puzzle Mtn Preserve Amendment, be approved. Gootsch seconded; the motion passed unanimously.

The Board proceeded to sign the final plan.

Before leaving, Gary stated that he plans to come before the Board in the future regarding two-unit condominium project. Following discussion, it was determined per the UDRO that with just two dwelling units, this project does not fall under Planning Board review. This project would require a Building Permit from the CEO.

b) Ordinance Workshop

- Continued review of UDRO proposed revisions: The Board reviewed the two diagrams that Shelley and Dave created for Exhibits B-1 and B-2. These were the final proposed revisions for this ordinance and the Board unanimously approved the diagrams as presented.
- Review of Shoreland Zoning Map: Prior to tonight's meeting, Shelley provided the Board with a copy of the 2009 Shoreland Zoning Map which shows streams that are perennial only (at that time), as well as a 2019 map showing perennial streams with solid lines and intermittent streams with dashed lines. Following discussion, it was decided that Shelley would update the 2009 Shoreland Zoning Map to reflect floodplain information as updated by FEMA as well as any changes in the national inventory of wetlands. She will also work with Dave to correct any streams that are mislabeled as intermittent or perennial if needed.
- Building Permit Ordinance discussion: Dave noted that the current Building Code Ordinance conflicts with MUBEC and needs to be revised. Both Dave and Shelley have sent emails to the contact at the State's level to get their guidance, but no response has been received. Dave believes that any standards included in MUBEC will need to be removed from the Town's ordinance. The group discussed the possibility of incorporating the relevant standards for single-family homes and duplexes into the UDRO. However, since the Planning Board upholds the UDRO, but does not review standards for single-family homes and duplexes building sites, the two documents would be kept separate.

The group discussed what the renovation's dollar amount should be that triggers the requirement for a permit. The amount is currently set at \$25k, but the Town has talked about reducing it to \$1,000. Following discussion, the Board suggested between \$5k and \$10k. Shelley suggested reaching out to the Selectmen.

Dave will make some edits and distribute his revisions to the Board. He will use the Track Changes function in the Word document.

This topic will be added to the next agenda.

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. Emails pertaining to a particular application have been printed for the file.)

- Email received 2/11/2021 from Shelley Norton RE: problem with flowline dataset
- Email received 2/12/2021 from Gary Inman RE: Robert Stewart Project
- Email received 2/12/2021 from Christa Watson RE: Government’s short-term rental questions answered!
- Email received 2/16/2021 from Dave Bonney RE: problem with flowline dataset
- Email received 2/16/2021 from John Gauthier RE: problem with flowline dataset
- Email received 2/17/2021 from Shelley Norton RE: problem with flowline dataset
- Email received 2/17/2021 from Shelley Norton RE: Planning Board Quorum
- Emails received from MMA
 - Zooming to Facilitate Effective Zoom Meetings-Live Zoom Webinar-Feb 11th, 9-noon

Open Discussion

- a) Kenny announced that he has sold his house and will be leaving the area on April 20th. He will be here for 3 more Planning Board meetings. Kenny expressed his appreciation for how far the Board has come, and thanked Dave and Shelley for all their help and guidance. The Board congratulated Kenny, and expressed their appreciation for his service on the Board.

Next Meeting – Wednesday, March 3, 2021

Adjournment **Becky moved to adjourn; Kenny seconded. Motion passed with all voting in favor.** The meeting adjourned at 8:31 PM.