

NEWRY PLANNING BOARD
MINUTES OF BOARD MEETING
Wednesday, October 20, 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), Bruce Pierce (Board Vice Chair), Ted Baker (Secretary)
Randy Akers (Alternate),

Members Late:

Members Absent:

Staff Present: Joelle Corey (Code Enforcement Officer); Shelley Norton of AVCOG via Zoom

Call to Order: Chairman John Gauthier called the meeting to order at 7:01 PM.

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

Prior Attendance/Voting Eligibility: Randy, Planning Board Alternate, confirmed that he has listened to the recording of the Oct 6th meeting, and is, therefore, eligible to vote if needed. All other members were present at the last meeting.

Previous Meeting's Minutes: The Board reviewed the minutes of the Oct 6th Public Hearing. **Ted moved to accept the minutes of the Public Hearing as written, and Bruce seconded. There was no discussion. The motion passed with all voting in favor.**

The Board reviewed the minutes of the Oct 6th Planning Board meeting. **Bruce moved to accept the minutes of the meeting as written. Ted seconded, and with no discussion, the motion passed with all voting in favor.**

Business

a) **Chase Hill Subdivision Amendment Application #21-269;** Chase Hill and Kelliher Roads, Map R-5 Lots 23-14 & 23-15; Keith Durgin, owner; authorized agent, Gary Inman: Gary Inman explained that the two lots which the applicant is proposing to divide are the last two lots that Keith Durgin has in the original subdivision. Keith is proposing to divide each of the two lots (Lots 14 & 15) once to create a total of 4 lots (Lots 14A, 14B, 15A, and 15B).

The Chair confirmed with the applicant that the test pits noted on the proposed plan are all new test pits.

The group discussed whether this proposed subdivision amendment would need to meet the UDRO's requirement for fire protection, sufficient water, etc. It was noted that the structures up there are camps with hand-carried water. There is currently no electricity serving these lots other than individual solar power or generators. Shelley suggested that the Board may want to add a condition of approval, so buyers are aware of the water situation.

Shelley noted the possible issues that she noticed during her review of the application:

- Normally the Board would need to know if there are any streams, wetlands, or floodplains on the site,
- If there are sand and gravel aquifers,
- The applicant would need to meet all the residential life safety and fire protection requirements,
- The Board would need to see the slope of the land on the plan,
- The well locations for sufficient water,
- And would need proof that abutter notices were sent.

Gary stated that abutter notices have not been sent.

Gary said that the original approval, dated Dec 1975, stated that each lot could be divided into two as long as each resulting lot was over 5 acres. The CEO found, and distributed to the Board for their review, copies of the original deed covenants that includes a paragraph about the lot division statement Gary described in the previous sentence. Gary also gave a history of the subdivision's various approvals and added that the original approval included a Declaration of Covenants that was recorded at the Oxford County Registry of Deeds.

The applicant was asked to answer the following questions on the application:

- 40 (method of solid waste disposal),
- 42 (subject to federal or state review),
- 44 (copies of letters to fire chief, road commissioner, and sheriff's department),
- 49 (tax liens)

The group discussed if all 4 of the lots in question would need to meet the standards of the current UDRO. Shelley added that there may be some items that aren't applicable to this application and that the Board may be able to waive some of the requirements.

Regarding the map, the applicant was asked to show the 250' setback for Chase Hill Brook and note that this is in the town's Resource Protection zone.

The group discussed whether a topo map would be required. Shelley suggested that the Board could add a condition of approval requiring an erosion control plan be submitted when a Building Permit Application is submitted to the Town.

For the record – the \$300 application fee was paid 10/20/2021 with Keith Durgin's check # 8449. The Chair confirmed that the Board has jurisdiction to review this application under the UDRO because it is an existing subdivision. Mr. Durgin provided a letter authorizing Gary Inman to act as his agent.

The Board discussed and decided that the applicant should complete all applicable questions for minor subdivision on the application and list any waivers being requested in question 83 of the application and include the reason for the request.

The Board decided to treat this review as a pre-application conference. This application was assigned # 21-269

Findings of Fact - none

Open Discussion

- a) **Discussion about starting the meeting at 6pm:** The Board discussed starting the meeting at 6pm instead of 7pm. The Board reviewed the Bylaws and found no issues with this proposed change. Joelle will confirm with Amy Bernard that there are no issues with this change. **Bruce moved that the Planning Board start its meetings at 6pm moving forward. Ted seconded. With 3 votes in favor, the motion passed unanimously.**
- b) **Remote Meeting Policy discussion and vote:** The Chair explained that it was discovered that the Board did not have the corrected version in front of them at the last meeting following the Public Hearing and therefore, the Board did not vote on this item. It was clarified that both versions were posted for the public to review at the Public Hearing and that no public attended the Public Hearing to express concern.

Ted moved that the Board adopt the Remote Participation Policy for the Town of Newry Planning Board as presented. The Chair noted that is in accordance with M.R.S. 403B; document #P1926360.1. Bruce seconded, and with 3 votes in favor, the motion passed unanimously.

Next Meeting – Wednesday, November 3, 2021, at **6pm**

Adjournment **Bruce moved to adjourn; Ted seconded. With 3 votes in favor, the motion passed unanimously.** The meeting adjourned at 8:29 PM.