

**NEWRY PLANNING BOARD**  
**MINUTES OF BOARD MEETING**  
**Wednesday, January 5, 2022**  
**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 6 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. **Bruce moved to accept the minutes of the November 17, 2021, meeting as written. Ted seconded. There was no discussion. The motion passed with all voting in favor.**

**Business** – none

**Findings of Fact** –

a) **Findings of Fact for Sunny Hill Subdivision- Amendment Application # 21-265:** Joelle noted that the rolled plan for this Amendment has been received and is ready for the Planning Board to sign for the Registry of Deeds; the plan initially submitted to the Planning Board was folded and creased, and therefore, would not have been accepted by the Registry.

The Board proceeded to review the Findings of Fact for this Amendment Application. **Ted moved that the Board approve the Findings of Fact for the Sunny Hill Subdivision Amendment Application # 21-265; Bruce seconded. The motion passed unanimously.**

b) **Findings of Fact for Chase Hill Subdivision- Amendment Application # 21-269:** The Board proceeded to review the Findings of Fact this this Amendment Application. **Bruce moved that the Board accept the Findings of Fact and Conclusions of Law for Application # 21-269, Site Plan Amendment for Keith Durgin, Chase Hill Subdivision Amendment. Gootsch seconded. The motion passed unanimously.**

**Open Discussion**

a) Metal Mining discussion and possible UDRO changes: Prior to tonight's meeting, Shelley Norton of AVCOG distributed a memo to the Board regarding "Discussion for mining ordinance language", which included ideas for various elements that could be included in a mining provision. It was noted that the Town could be more restrictive than the State, but not less restrictive. Discussion ensued regarding local gravel pits and others around the State of Maine. It was noted that the gravel pit at Newry Corner, which has been there since 1959, is considered "legal/non-conforming".

Gootsch reported that he looked at the State's law, which concerns primarily metal ores that are bound with sulfur, which when exposed to air, release sulfur and becomes sulfuric acid; he added that lithium is not bound in sulfur. Gootsch went on to talk about the pits at Plumbago.

Shelley noted that there hasn't been a lot of demand in Maine for metal mining, and therefore, it's not something with which Maine has a lot of experience. She added that there are some sample regulations that she can share with the Board. She also offered to reach out to the State's geologist's office or DEP if the Board has questions that they'd like answered.

Gootsch noted that these four mines have been excavated for over 120 years for tourmaline. The group went on to discuss various mineral mining stories they either have historic knowledge of or came across during their research.

The Board then discussed possible triggers that would bring an application back to the Board for approval, such as change of ownership. Joelle offered to do some research as to the State's oversight and how often pit operations are reviewed. Joelle asked the Board if they would like her to move forward with inquiring about a moratorium on mineral extraction (not mining). The Board asked Shelley to work on some language that would require the landowner to come before the Town before mining, and perhaps include a requirement of an annual report. Shelley asked if the area where this activity may take place should be restricted – viewsheds? residential development? distances from property lines or from streams, etc.?

- b) The Board then proceeded to sign the re-printed rolled (uncreased) plans for Sunny Hill Subdivision Amendment application # 21-265 to be submitted to the Registry of Deeds.

**Next Scheduled Meeting** – Wednesday, January 19, 2022

**Adjournment** Bruce moved to adjourn; Ted seconded. Motion passed with all voting in favor. The meeting adjourned at 7:05 PM.

APPROVED