

**NEWRY PLANNING BOARD**  
**MINUTES OF BOARD MEETING**  
**Wednesday, September 6, 2023**  
**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), Ted Baker (Secretary)

**Staff Present:** Joelle Corey (Code Enforcement Officer)

**Members & Staff Absent:** Bruce Pierce (Board Vice Chair)

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**Call to Order:** Chairman John Gauthier called the meeting to order at 6:02 PM.

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

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

**Previous Meeting's Minutes:** The Board reviewed the previous meeting's minutes. **Ted moved to accept the August 2<sup>nd</sup> minutes as amended for the correct spelling of spigot. Gootsch seconded. With no discussion; the motion passed with all voting in favor.**

**Business**

- a) **Findings of Fact - Sunday River Skiway Corp's Site Plan for Golf Cart Storage Building at 18 Championship Drive, Map R17 Lot 2A-1:** The Board proceeded to review the Findings of Fact. It was noted that the Findings of Fact for this application will need the word "spicket" changed to its correct spelling, "**spigot**".

**Ted moved that the Findings of Fact and Conclusions of Law for Application#23-277 with the applicant being Sunday River Skiway Corporation and the project being Golf Cart Storage Building with the amendment to page 4, substituting the correct spelling for spigot, be approved. Gootsch seconded, and the motion passed unanimously.**

The corrected Findings of Fact will be signed at the Board's next meeting.

- b) **Findings of Fact - Sunday River Skiway Corp's Site Plan for 3 Valve Houses – one each at Aurora, Oz and South Ridge, Map R12 Lot 26-1:** The Board proceeded to review the Findings of Fact. **Ted moved that the Findings of Fact and Conclusions of Law for Application 23-278, which is a site plan application submitted by Sunday River Skiway Corporation, and the project name is Snowmaking Valve Houses, be approved as drafted. Gootsch seconded, and the motion passed unanimously.**

The Chair proceeded to sign the two printouts of the Findings of Fact for Application 23-278, and Ted witnessed his signature on the two documents. One will be placed in the Town's files, and the second will be sent to the applicant for their records.

- c) **Working Session for UDRO Updates:** Ted explained that the handouts he prepared is for proposed additions to the UDRO, written in the form of motions, and include a new performance standard to be added to Section 13 in the UDRO (Section AF) titled Wireless Telecommunication Facilities, several new definitions to be added to Section 24, and lastly, an amendment to Section 10, Application Procedure and Submission Requirements. Ted explained that this additional information required from the applicant when they prepare their application – it would not be part of the standard application unless the applicant is specifically applying for a site plan review of a wireless telecommunication facility. Ted noted that there is a similar section already in the UDRO for wind towers.

During discussion, it was suggested that the Board ask AVCOG to review the proposal. The group discussed colocation. It was also suggested that:

- under AF.4.c, Approval Authority, that the word “approve” be added to read, “... and shall **approve**, approve with conditions, or deny...”.
- under AF.6.c.iii, a “T” be added to read, “The applicant...”
- under AF.6.e, “collocation” be changed to “**colocation**”.
- and Ted noted that he will add page numbers to the documents.

Discussion ensued about requiring towers to blend in with the area, such as the towers made to look like pine trees (and whether the faux trees blend in or not), or if muted colors are more effective.

Joelle asked that language be added regarding free space for colocation of municipal, county, and state use for emergency antenna and repeater. Joelle will do some research on the proper language.

The group discussed broadcast towers/services for television or commercial radio. Ted will look into the proper term/language.

This proposal will be reviewed again at the Board’s next meeting and will then be sent off to AVCOG for review.

### **CEO Reports**

- a) Joelle reported that Merrill Hill 2 lift is going well; logging has been decent considering the amount of rain we’ve received.
- b) Merrill Hill homes are being built fast and plentifully. Lots are still being listed on Realtor.com and still selling.
- c) Joelle has met with a property owner on lower Merrill Hill and intends to allow mother nature to fill in the area that should not have been cleared.
- d) One property owner on top of Merrill Hill asked for a waiver regarding the clearing limit and was told that a waiver will not be granted. Discussion ensued. It was noted that the building footprint is supposed to be permanently marked per the DEP permit. The group discussed whether the DEP permit/restrictions are passed along to the new lot owner when a lot in a subdivision is sold, and for future subdivisions, what the Planning Board can do to add some enforcement teeth and help ensure the new owners are aware of the various restrictions and requirements.

### **Open Discussion**

- a) For the next meeting, Ted will revise the proposed UDRO additions for Wireless Telecommunication Facilities per the discussions above. He also hopes to have proposed draft language ready for solar farm/solar energy system UDRO amendment.
- b) Joelle will research how much fill can be brought into a site before a DEP permit is required; she’ll also research the Gilead pine tree tower, the fire repeater, and teeth in the UDRO.
- c) Discussion ensued regarding construction at the West Paris Rusty Lantern and the Rusty Lantern in Bethel.
- d) The group discussed the newly revised Unified Development Review Application that Ted created. Joelle noted that both Maine-Land Development and Sunday River gave this new digital application positive reviews. It was suggested that in the last bullet of the Notice to Applicant and Instructions, include the submission deadline 10 days in advance).

Ted pointed out information that was added to this new revision – information that is required per the UDRO but was not included on the previous version of the application.

The group discussed the Unified Development Review Application Pre-Application Conference document that Ted also created. Ted will check why the font is changed in the Applicant section where portions of the words Telephone and E-mail are hiding under the fillable space.

- e) Becky distributed the newly revised Application Review Tracking sheet. Additional edits requested include:
- making a space for the Application # near the top of the page;
  - add a section for Type of Review (site plan, subdivision, etc.);
  - adding a space to note the date of the letter of authorization when such a letter is required;
  - add a box for Review Performance Standards that apply to the application
- f) Joelle distributed the tracking sheet that she created to help her track the information that she receives in her office. The group discussed that tracking sheet.

**Next Scheduled Meeting** – Wednesday, Sept 20, 2023 – 6pm

**Adjournment** Ted moved to adjourn this meeting of the Newry Planning Board and reconvene on the 20<sup>th</sup> of September at 1800 hours; Gootsch seconded. Motion passed with all voting in favor. The meeting adjourned at 7:43 PM.

APPROVED