

NEWRY PLANNING BOARD
MINUTES OF BOARD MEETING
Wednesday, October 4, 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)

Call to Order: Chairman John Gauthier called the meeting to order at 6:01 PM.

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

Prior Attendance/Voting Eligibility: Both Ted and Gootsch were present at the last meeting, and therefore, are eligible to vote at tonight's meeting.

Ted moved to change the agenda and move item 4a to the first item on the agenda and everything else down one notch. Gootsch seconded, and the motion was carried unanimously.

Business

- a) **Julie Stevens subdivision amendment of R13/25B (Lot 3 of the Bakers Acres III Application 06-124):** Attorney Paul Driscoll, representing Julie Stevens, explained Julie's desire to amend the subdivision that was approved by the Planning Board in 2006. He directed the Board to the left page of Exhibit B which shows the Barker's Acres III subdivision as approved in 2006. (NOTE: CEO, Joelle Corey pulled from the Town's files the final plan of Bakers Acres Application 06-124 for the Board to reference during this review process).

Paul spoke of parcel 3 on the Baker's Acres III plan, which consisted of 4.5 acres and spoke of the applicant's desire to divide that lot into two parcels – one of which, Lot 3-B, would be 1.3 acres, and the second, Lot 3-A, would be 3.15 acres. Paul noted that original conveyance of Lot 3 from Ski View LLC, of which Julie Stevens is a sole member, has resulted in a division of the parcel without formal approval. The parcel was conveyed to Mr. Barnett, and then the Town's CEO brought it to the attorney's attention that the parcel is part of an approved subdivision and must come before the Board. Paul noted that an application has now been submitted to the Board for the formal process of review and approval. Paul noted that Julie is the sole owner of Ski View LLC and the sole owner of Maine Mountain Weddings LLC, which abuts the parcel. Paul stated that a letter from Julie authorizing him to represent her in this capacity is included in the application packet. Once the application is approved, Julie and her attorney will take steps to convey the 1.3-acre parcel to Mr. Barnett.

It was noted that with this amendment, the affected lots will need to meet the requirements of performance standards of the current ordinance.

The Board proceeded to review the application and supporting materials.

The application, which is an application for Subdivision Amendment, was assigned number 23-279.

Ted moved that the proposed application is to subdivide a previously approved lot in the Baker Acre III Subdivision, approved application # 06-124, and by the Unified Development Review Ordinance, Section 1.C.1, the planning has jurisdiction. Gootsch seconded, and the motion passed unanimously.

Ted moved that as per a quit claim deed filed with the Oxford County Registry of Deeds in Book # 5776, Page 833, the applicant, Julie Stevens, has standing. Gootsch seconded, and the motion passed unanimously.

The Board confirmed that the applicant provided a letter of authorization authorizing Paul Driscoll to represent her in this matter.

No bias or conflict of interest by any Board member was noted.

In consideration that the application is an amendment to an already approved subdivision comprising of a lot subdivision, Ted moved that no escrow fee needs to be collected. Gootsch seconded, and the motion passed unanimously.

The application fee of \$200 has not yet been paid as of this October 4, 2023, meeting.

The Board reviewed Form 10.1, (Applicant, Owner, Agent Information) of the application. It was noted that in the section regarding applicant's interest in abutting properties, that 2 lots were missing from the list (R-13-026-C, and R-14-02-1). **Ted moved that Form 10.1, with the exception noted that the additional parcels need to be listed as property that has interest of the applicant that meets the definition of abutter, is complete. Gootsch seconded. The motion passed unanimously.**

The Board reviewed Form 10.2, which deals with information about the parcel of land. It was noted that item 20 for fire suppression needs to be amended. **Ted moved the Board table approval of Form 10.2 pending resolution on item # 20. Gootsch seconded, and the motion passed unanimously.**

It was noted that Forms 10.3 & 10.4 were not submitted by the applicant.

Ted moved that at this time Application 23-279 is incomplete. Gootsch seconded, and the motion passed unanimously.

Ted noted that assuming the fire suppression is correct on the revised application, then the approval would be conditional, and the Condition of Approval would need to be noted on the final plan stating that dwellings in Lot 3 and Lot 3-A will abide by the Performance Standard # A.C in Section 13 of the UDRO.

The applicant was also told that abutter notifications need to be mailed via certified mail and the certified mail receipts must be submitted to the Town.

Previous Meeting's Minutes: The Board reviewed the previous meeting's minutes. Ted moved to accept the minutes to the September 20, 2023, Planning Board meeting as written. Gootsch seconded. There was no discussion. The motion passed with all voting in favor.

CEO Reports

- a) Joelle distributed to the Board a Gorrill Palmer Field Observation Report for their review. Jolle noted that nothing caught her attention when she read the report, and she noted that they will be going back for another site visit at a later date. When asked if the escrow is in good standing, Joelle noted that she has not seen a bill from GP lately, but that it was in good standing.

Open Discussion

- a) **New Application Form** – The group discussed the new application. It was noted that the applicant should sign each section as that section is voted as being complete; not just type their name and date. The cover sheet of the Application has been revised with a section for the Board to write in the application #, the applicant's name, the short title, and the date. The Application Review Tracking Sheet will be updated to reflect the approval of the 5 Forms of the Application.

- b) **Possible UDRO Edits** – Ted distributed a model ordinance for Personal Wireless Services Facilities from Kennebec Valley Council of Governments dated July 2009 for the Board to review. This will be discussed at the next meeting.

It was noted earlier in the meeting that any reference to Density Credits should be removed from the UDRO when the Board does its next round of revisions. The option for Density Credits was removed from the UDRO during an earlier revision; however, there is still mention of it in the Submission Requirement section.

- c) **Discussion ensued regarding accessory dwelling units** – Joelle stated that she is working on having the Town in compliance and has built some language into the Building Code Ordinance. She stated that she would work with the Town’s attorney to get language in the UDRO.
- d) **AVCOG’s Annual Planning Day** and General Assembly Meeting is Nov 8 in Auburn. Planning Board members should contact Retta if they would like to attend.

Next Scheduled Meeting – Wednesday, October 18, 2023

Adjournment Ted moved to adjourn the October 4th meeting of the Planning Board, and reconvene at 6 o’clock Wednesday, October 18th. Gootsch seconded. Motion passed with all voting in favor. The meeting adjourned at 7:12 PM.

APPROVED