

NEWRY PLANNING BOARD

PUBLIC HEARING – Proposed UDRO Changes

Wednesday, January 7, 2026
Newry Town Office Meeting Room

Members Present: Edward (Ted) Baker, Board Chair; Heidi Marotta, Board Vice Chair; Cindi Wight, Board Secretary; Meredith Harrop, Alternate; TBD, Alternate

Members Late:

Staff Present: Retta Powers (Town Administrator); Joelle Corey (Code Enforcement Officer); Becky Bean, Recording Secretary

Members & Staff Absent:

Public Attendees: Peter Roberts; Walter Hoffman; David Bartlett

Public Hearing Call to Order: Chairman Ted Baker called the Public Hearing to order at 6:00 PM and proceeded with opening statements.

The CEO confirmed proper posting per State law. Notice of this Public Hearing was posted at the Newry Post Office, the Newry Town Office, on the Town's website and Facebook page, and twice in the Sun Journal.

The Chair introduced the Board and staff to those in attendance, confirmed the presence of a quorum, and spoke of reason for this Public Hearing: to discuss proposed amendments to the UDRO.

He explained the proposed amendments noting recent state laws: LD427, LD997, and LD1829 (which the Chair mistakenly referred to as 1826 at the meeting). Ted spoke about the timeline to have the proposed final draft ready to be submitted to the Select Board and Town's council for review by the beginning of February. During the month of March the Board will work to incorporate suggestions and recommendations from the Town's council as appropriate and submit that final, final draft to the Select Board in April for their certification. At that point, it will be placed on the warrant and a second Public Hearing, which would be hosted by the Select Board, will be scheduled prior to the Town's vote on May 12th.

Ted moved to appoint the Code Enforcement Officer as the moderator at this Public Hearing, and Heidi seconded. The motion passed unanimously.

Joelle reviewed with those in attendance the various sections (1 through 7) of the 6-page document titled "UDRO 2026 Proposed Changes" as well as enclosures 1: Reorder the Sections in the UDRO (3 pages), 2: Correcting Deficiencies Noted in Application Review (1 page), 3: LD 427 (1 page), 4: LD 997 (1 page), 5: LD 1829 (1 page), and 6: Miscellaneous Deletions, Edits, and Additions (3 pages) – all of which were made available to the public at this Public Hearing. The document and the enclosures detail the proposed changes and explain the reasons behind each change.

Joelle explained why the Board is proposing to "repeal and replace" the current UDRO (Section 2.2. Remedy) instead of just proposing an amendment to the current UDRO.

Joelle spoke of the two prepared written statements that were received by the Town from the public:

- Letter from Peter Roberts, P.E. and Engineer with Sunday River Resort, dated 1/6/2026 to Joelle Corey, CEO, RE: UDRO 2026 Proposed Updates, with an 11-page attachment.
- Email from Rick Dunton, P.E. with Main-Land Development Consultants, dated 1/1/2026 to Loretta Powers, Town Administrator, Subject: UDRO Edits. The Chair read this email aloud following the review of Peter's written statements.

The UDRO showing the proposed edits was displayed on the screen in the meeting room.

With Peter in attendance, the group proceeded to discuss his prepared statement of suggested edits which included:

- In the proposed definition for Private Road (Private Way), Peter suggested it be changed from “two or more lots” to “three or more lots”. Discussion ensued and the Chair agreed with Peter’s suggestion.
- On page 36, regarding the new definition for Vehicular Entrance, Peter suggested inserting the word “use” after “commercial” to read “...that connects a commercial use or multi-unit dwelling...”. The Chair agreed.
- Following discussion, it was decided that a reference to the definition for Vehicular Entrance would be added as a 4th subset under Road Classifications (along with Primary Road, Secondary Road, and Neighborhood Road) and the term “Vehicular Entrance” be listed as a stand-alone definition with its details.
- Peter asked for clarification regarding the Inspecting Official (IO) being appointed by the Select Board (Section 6, page 47). Following discussion, it was decided that Ted would change the proposed language to this subsection (6.A.1) to read “approved by the Select Board” and “the Planning Board and/or CEO shall make recommendations to the Select Board”. Ted will add proposed language that states that if an IO is not approved by the Select Board, then the CEO will be the IO by default. He will also add that the latest that an IO can be appointed is the same timeframe as the performance guarantee being provided to the Town. And separately, the Board will add to the Review Tracking Sheet discussion regarding an IO so that the application is aware of the potential financial burden if an IO is appointed. The Board will make a motion on this topic resulting in its inclusion in the application’s Findings of Fact.
- Section 10.C.2.d.vi. on page 65, regarding having to list all encumbrances on the parcel to be developed, Peter noted that Sunday River has some very large parcels and asked if this could be modified to only require encumbrances that affect the project site or perhaps Peter could provide a full list of encumbrances to the Town and then just refer to the pages showing the encumbrances that pertain to the project site at hand. Ted noted that a submission waiver could be requested.
- Also in Section 10.C.2.d.vi. on page 65, Peter asked about the definition of Total Acreage. Discussion ensued regarding the language “land not suitable for building (Section 18.E) needs to be listed and not included in the total”. Peter stated that this seems to be changing the way density is calculated for cluster development and ask for clarification on the intent of this change. The Board reviewed Section 18.E., Performance Standards. Ted noted that the intent is not to include land with 40-degree pitches. Following discussion, Ted stated that he would remove the phrase “land not suitable for building”.
- Peter reviewed 15.b., on page 105, Peter was looking for clarification -- proposed planned unit development reviewed as a major subdivision and as a site plan. Following discussion, it was decided that Ted’s proposed language would remain unchanged.
- Peter asked about Section 18.D. on page 114, Relation of Proposed Buildings to Environment. Ted noted that this whole Section D may be removed in its entirety per Town council.
- Peter asked about Section 19.A.2. on page 135, regarding existing and proposed roads private roads needing to be suitably improved for the proposed development to meet current standards. Following lengthy discussion, Peter offered to draft some proposed wording for the Board to consider.
- Peter asked about Section 19.C.2.f page 141, regarding corrugated metal culverts. Peter will draft some proposed language for the Board and the CEO to consider for this section.
- Section 20.A.7 page 145, regarding required off-street parking for all commercial land uses shall be located on the same lot as principal building of use. Peter spoke of having the ability to put the off-street parking for commercial use and/or for a mixed-use building on an abutting lot would be helpful. For example, the adjacent parking lot for White Cap Lodge is on a different tax map lot than the lodge. The Board noted that if Peter’s request is regarding a residential or mixed-use project, it would conflict with LD 427. Discussion ensued regarding the multiple contiguous/abutting lots owned by the resort. The discussion included various options an applicant could take to be in compliance. Ted will revisit this section to see if any edits could be made once the finalized rule making comes out from the State.

- Peter looked for clarification on Section 20.D.6. (page 146) regarding turn-around areas. He asked if turn-around areas need to meet the cul-de-sac or hammerhead standards in Appendix 1 if the Vehicular Entrance is less than 150' deep or could that requirement be waived as noted within the section for Fire Truck Access. Ted will look into that and discuss it with Joelle.
- Ted noted that the max distance Vehicular Entrance will increase from 200' to 300'.
- In regards to Section 21.A on page 153, Fire Dept Access Road and Fire Lane, Peter asked if the terms "Fire Department Access Road" and "Fire Lane" be defined in Section 3, Definitions.
- In Section 21.C., Peter asked if the load capacity of the fire lane be more clearly defined. Following discussion, it was decided that Peter will draft some proposed language.
- Although not included in his prepared written statement, Peter talked about LD1829 removing the requirement for subdivisions to require individual homes to be sprinklered as opposed to having a fire pond. Discussion ensued, and Ted noted that LD 1829 takes effect in July 2027, and it will have a substantial impact on the Town in terms of density as well as fire suppression.

Peter mentioned to the Board that he was very appreciative of having been given the opportunity to be involved in the process and to discuss the proposed changes in advance of the Town's vote.

In closing, Ted stated that he will take the edits discussed during the review of Peter's letter, incorporate them into the proposed 2026 UDRO, and distribute the revised document prior to the Board's next meeting.

Public Hearing Adjournment The Public Hearing adjourned at 8:00 PM.