

NEWRY PLANNING BOARD
MINUTES OF BOARD MEETING
Wednesday, January 21, 2026
Raymond C. Foster Municipal Building

Full discussion on the topics below is available on audio recording at the Newry Town Office.

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

Members Late:

Staff Present: Becky Bean, Recording Secretary

Members & Staff Absent: Heidi Marotta, Board Vice Chair; Joelle Corey, Code Enforcement Officer

Public Attendees: Peter Roberts

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

Current Attendance/Quorum: The Chair took attendance, and elevated Meredith as a voting member in Heidi's absence. The presence of a quorum was confirmed.

Voting Eligibility: With no recent absences, all Board members in attendance are eligible to vote.

Minutes of Prior Meetings: The Board reviewed the minutes of the January 7th Public Hearing. **Cindi moved to accept the minutes as drafted for the Public Hearing held January 7th, 2026. Meredith seconded. With no discussion, the motion passed with all voting in favor.**

The Board reviewed the meeting minutes of the regular Planning Board meeting of January 7th. **Cindi moved to accept the minutes of the regular meeting of January 7th, 2026, as written, and Meredith seconded. With no discussion, the motion passed with all voting in favor.**

Correspondence Received:

- a) Letter received from Peter Roberts, P.E. and Engineer for Sunday River Ski Resort, to Joelle Corey, Newry CEO, RE: UDRO 2026 Proposed Updates; dated 1/21/2026

Business

A. Applications: - none

B. Other:

- a) Unfinished – A proposal to adopt Rules of Procedure: This topic was tabled.
- b) Unfinished – Proposed changes to the UDRO – UDRO 2026 review and preparation: Ted spoke of his document showing what has changed from revision 5 to revision 6. He also noted the letter received from Peter Roberts. The Board proceeded to review the letter from Peter as well as the Revision 6 document from Ted. The Chair asked Peter to talk about the comments in his letter and asked Peter to address future memos/letters to the Planning Board instead of the CEO.

Peter stated that Ted's revision memo that was distributed following the Public Hearing was consistent with the notes he had taken at that Hearing. Peter added that there were 2 items not addressed in that memo; both were items for which Peter was asked to provide suggested language: General Requirements, Section 19.A.2., and Fire Apparatus Access Road Specifications, Section 21. C. Peter submitted that suggested language in his January 21st letter.

While discussing Peter's letter, Cindi asked about the term "unreasonable congestion" and who determines what is considered "unreasonable congestion". The Board discussed that term as well as the language stating, "The Planning Board may request the Applicant to provide a traffic analysis demonstrating adequate capacity of existing roads...". The Chair noted that this latter verbiage is bothersome in that it negates the applicant's responsibility of burden of proof. Discussion ensued.

During discussion, the Chair clarified for the record that there are currently no applications before the Board for review; therefore, any conversation taking place, which the Board is willing to engage in, is just a general conversation that does not bind either Peter or the Board in future application reviews.

Peter spoke of some private roads where the horizontal curves and some of the vertical profile grades would be difficult to change. He stated that as traffic is added to them, the intent would be to make improvements to make the roads safe, but there may be some situations where it would not be feasible to bump the road up to a higher classification. Therefore, it is Peter's hope that there could be a way for the Board and the applicant to come to some mutually agreed upon improvements that would satisfy the traffic analysis to ensure that there would be no congestion or safety issues resulting, but the road would not need to meet the standards of the higher classification.

The Board discussed the word "shall" that currently written several times in this section.

During discussion, Peter suggested using only the first sentence in this section: Existing and proposed roads and intersections that can be expected to carry traffic generated by a subdivision shall have the capacity to accommodate that traffic and avoid unreasonable congestion. Discussion continued.

Ted spoke of both Skiway Road and Monkey Brook Road, which came before the Planning Board and were approved, but neither of these roads meet the standards for Primary Road. Therefore, these roads are existing, non-compliant roads. In Section 23 of the UDRO, it states that an existing non-conforming item cannot be made worse.

Ted reiterated the idea of burden of proof and meeting the Criteria for Approval, in this case, Traffic and Compliance with Local Ordinances.

Ted said that he will bring this section and Peter's concerns to counsel for their review as well as whether this is considered a submission requirement, which could be waived, or a performance standard, which may not be waived.

Peter talked about his proposed change to Section 19.A.3., adding the word "primary", to read: "...utilized as primary, secondary, or neighborhood roads in a proposed subdivision...". Ted asked if 3 rods would be the minimum for a workable right-of-way. Discussion ensued regarding road widths, ditches, easements for utilities, and the possibility of negating the performance standard for stormwater. Ted will investigate the possibility of re-inserting the word "primary" in this section.

Peter reviewed his suggested language for Section 21.C.3. where it talks about fire access roads. Peter spoke of his concern that if the fire department purchases larger equipment, would this standard need to be revisited. Therefore, Peter suggested that at a minimum, a fire access road would be required to meet the standards of a neighborhood road. Discussion ensued. Ted noted that in Section 21.A.2... "...whichever is stricter shall apply.", and Ted noted that the Ordinance requires that the Fire Chief reply to the letter that the applicant sends to the Fire Chief. Discussion ensued regarding the reference to AASHTO HS-20 load rating mentioned in Peter's letter. Following discussion, it was decided that Peter's suggested language of "Utility structures, culverts, bridges, and any other structure utilized for access must at a minimum meet AASHTO HS-20 load rating" for this paragraph would be included in the proposed UDRO revision.

Peter and the Board discussed the length of a fire department access road and the proposed details of a Vehicular Entrance. Ted explained that the fire access road was not intended to match the standards for Vehicular Entrance. Ted noted that Peter brought up some good points and said he will have a discussion with the Assistant Fire Chief regarding this topic.

The group reviewed and discussed the "UDRO Revision 6 - What has changed from Rev.5" document that Ted prepared for tonight's meeting. Peter noted that in 6.3 Rev. 6 on page 6 of m8, the references to Maine DOT Standard Specification 201-1 (A, B & C), may be referenced in error. Section 201 is in regard to clearings and rights of way. The section on culverts is expected to be 701. Ted will discuss it with Joelle.

Peter thanked the Board for including him in this process.

Ted noted that the timeline is on Feb 3rd, for the Select Board to approve expending the funds to send the proposed revisions to Town Council for review. The last opportunity to look at tonight's edits would be at the Planning Board's Feb 4 meeting. No new revisions will be made after that night. Ted will look into a substitute for the term "shall". Ted said he plans to include a cover letter for the Town Council asking in addition to an overall review, he will note some specific questions for the attorney to specifically address.

Ted noted that his long-term goal is to get applications to provide sufficient evidence to satisfy or address each of the Criteria of Approval. He commented on the length of the submission requirements and noted that the submission requirements should assist an applicant in collecting the evidence needed to support the Criteria for Approval.

The Chair stated that he will work on the comments that Peter made at tonight's meeting and prepare a Rev. 6A document.

He will also write a memorandum to the Select Board asking for authorization to send the proposed UDRO changes to Town Council for review.

Reports

- a) Comprehensive Plan Review Committee: No updates since the next meeting is next month
- b) CEO: The CEO is not in attendance tonight; however, Ted noted that the CEO has reported in the past about a violation at a subdivision that was recently approved. That has not yet been resolved, and the Select Board has given the CEO authorization to go to Town Council to proceed with the next step on enforcement on this issue.

Ted noted that there was recently a sale of land on the Bear River side of Town that was a split, which was legal. However, a new owner of one of the split parcels turned around and split their parcel without Planning Board approval. When a parcel is split 3 or more ways within a 5-year period, State Law considers that a subdivision. Ted noted that the land is also in Timber Growth tax status.

Ted noted that we also expect to hear from Locke Summit Subdivision regarding a one-year extension. Their 10-year window expires in April 2026.

Open Discussion

- a) Cindi noted that she will be away for the April 15th meeting. Ted noted that he will be traveling for 12 days the end of March, but he will not miss a meeting.
- b) Cindi reported that she has completed her FOAA training online.

- c) Meredith asked about the next meeting and confirmed that the Board will be reviewing the final edits prior to sending the proposed document to counsel for review and comment.
- d) Ted noted that both Sunday River and Main-Land were invited to the work session Public Hearing for the UDRO revisions and invited to participate the process.

Next Scheduled Meeting – Wednesday, February 4, 2026

Adjournment Cindi moved to adjourn; Meredith seconded. Motion passed with all voting in favor. The meeting adjourned at 7:29 PM.

APPROVED