

**NEWRY PLANNING BOARD**  
**MINUTES OF BOARD MEETING**  
**Wednesday, March 4, 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:** Pat Roma (attended briefly)

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**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, appointed Meredith as a voting member in Heidi's absence, and confirmed the presence of a quorum.

**Voting Eligibility:** Meredith confirmed that she listened to the recording, read the minutes, and reviewed materials from the previous meeting, and she signed an affidavit attesting to such. With that, all Board members in attendance are eligible to vote.

**Minutes of Prior Meetings:** The Board reviewed the Feb 18<sup>th</sup> regular meeting minutes. **Cindi moved to approve the minutes as written. Meredith seconded. With no discussion, the motion passed unanimously.**

The Board reviewed the minutes of the Feb 18<sup>th</sup> Public Hearing for Barker Mountain Subdivision Amendment, Application 26-290. **Cindi moved to approve the minutes as written, and Meredith seconded. With no discussion, the motion passed with all voting in favor.**

**Business**

**A. Applications:**

- a) UNFINISHED - Amendment to Barker Mountain Subdivision; Lot #3 lot split; Patrick & Joyce Roma, applicant; Application # 26-290 – Review and approval of Findings of Fact and Conclusions of Law: Review and approval of the Findings of Facts was tabled until the next meeting so the Findings can be updated to include the final site plan with Conditions of Approval submitted for tonight's meeting.

The Board proceeded with signing the plans, which include the Condition of Approval, submitted tonight. Once signed, one signed plan was given to Pat Roma to be recorded at the Registry of Deeds, and one signed plan was kept for the Town's files.

**Correspondence Received:**

- a) Email from Brandon Mazer of Perkin Thompson to Joelle, Newry CEO, RE: Legal Review of Section 21 and Subsections of Section 20 – Parking and Entrance and Design Standards for the Proposed Amendment to the UDRO; dated 3/3/2026. Ted noted that inconsistencies were found between the UDRO and the Road Entrance Ordinance (REO), and that it is the REO that needs to be revised, not the UDRO.
- b) Memorandum from Ted Baker to the Members of the Planning Board dated 3/4/2026; Subject: UDRO 2026, Summary of Legal Review.

## **Business - continued**

### **B. Other:**

- a) Unfinished - A Proposal to adopt Rules of Procedure: *Tabled since Heidi is still working on a redraft of a section of the Rules of Procedure.*
- b) Unfinished – UDRO 2026 review and preparation: The Board reviewed the memo from Ted regarding the summary of legal review.

Following discussion on the definition of ABUTTERS (item 2 of the summary), it was decided to leave the proposed wording of “Property owner within five hundred (500) feet of the property involved...” as is.

Regarding the new definition for PARKING AREA (item 3 of the summary), it was decided that the proposed wording be revised to say, “Any man-made, stabilized surface – whether impervious (such as asphalt or concrete) or engineered pervious (such as structural gravel or reinforced turf) – intended for the temporary or long-term parking, storage, or standing of two or more motor vehicles. This term includes designated parking spaces, circulation aisles, loading areas, and any required landscaping or drainage within the perimeter of the area used for parking.”

In regards to the question to Brandon regarding Waiver of Performance Standards (item 5 of the summary), he replied that the way it currently reads, it only pertains to the new Section 18, General Performance Standards. Ted clarified that if, for example, an applicant was to request a waiver to a Road Design Standard, which is a separate section in the UDRO, the Board does not have any recourse to waive those standards. The Board may waive Submission Standards, General Performance Standards, and Required Improvements if the applicant can demonstrate that the intent of the UDRO is not undercut by the waiver.

The Board discussed item 6 of the summary regarding Relation of Proposed Buildings to Environment (Section 18.D). Ted noted that the Town’s Comprehensive Plan could be used as a resource.

Discussion ensued regarding Section 19.A.2, Road Design and Construction Standards (item 7 of the summary). It was decided to go back to the originally proposed, full three sentences. The applicant would need to convince the Board that the existing private road as is can handle the anticipated increased traffic and convince the Board that it is a good study. If the applicant is unable to convince the Board of such, then the applicant would need to improve the road to meet the standards.

Discussion ensued regarding Section 19.A.3, under Road Design and Construction Standards (item 8 of the summary). The Board decided that the proposed wording will stay as is.

Ted said in summary, the only changes resulting from the attorney’s review are:

- 1) Parking area will have the new wording noted above;
- 2) The Road Design and Construction Standards in 19.A.2 will go back to its original draft.

Ted will work on the final draft of the proposed UDRO to be submitted to the Select Board for certification for the Repeal and Replace. The Select Board will then place it on the warrant and schedule a Public Hearing for all the ordinances prior to the Town Meeting.

### **Reports**

- a) Comprehensive Plan Review Committee: None
- b) CEO: None

### Open Discussion

- a) Ted asked the Board to turn to Section 3.E on page 14 of the current UDRO, and he spoke about Start and Completion of Construction. Discussion ensued in a generic form, not specific to any application. Ted noted that this section applies to nearly every application in one form or another. When the Board reviews an application, it would behoove the Board to definitively state to the applicant what is expected of them in terms of commencing and completing a project. "Substantially Complete" is 80% on a financial scale complete, which means the applicant must include in their application a well-defined financial schedule of the cost of the project. Ted spoke of Required Improvements including structures and clarified that it would not include private homes in a subdivision; however, if a multi-unit dwelling unit or a commercial building is proposed, then those would be included in Required Improvements along with stormwater drainage, and roads, etc.

Ted also spoke about the timelines for Phased projects and the importance of the applicant having a specific schedule and showing what Required Improvements are included in each phase. Performance Guarantees need to be kept in mind for each phase.

The Board should be defining these Start/Completion dates for each application. It was noted that if a motion is made on these specified dates, then they would be included in the Findings of Fact for the application.

Ted spoke of applicants needing to resubmit an application because the original application has expired as well as application fees. It was noted that the resubmitted application would need to meet the standards of the current Ordinance.

- b) The Board then reviewed page 151 Section 21, Performance Guarantees. Performance Guarantees cannot be waived. The Performance Guarantee is 100% of the estimated cost for the required improvements. The applicant has four options in satisfying the Performance Guarantee: 1) submit money to be deposited in an escrow account; 2) do an irrevocable letter of credit (a legal document that must be recorded at the registry of deeds); 3) do a performance bond; and 4) do a conditional agreement in lieu of a financial performance guarantee where the applicant enters into an agreement with the Town agreeing that they will not convey lots or units until the Town has signed off that the project is substantially complete (this must also be recorded at the registry of deeds). It was noted that the Performance Guarantee must be approved by the Select Board.
- c) Ted distributed to Board Members the Locke Summit Estates Request for Permit Extension for review at the Board's next meeting. The Request was not discussed; however, Ted noted that the pile of papers on top of the filing cabinet is in regards to this project if Board members want to do some research.

**Next Scheduled Meeting** – Wednesday, March 18, 2026

**Adjournment** – Cindi moved to adjourn; Meredith seconded. Motion passed with all voting in favor. The meeting adjourned at 7:23 PM.