

NEWRY PLANNING BOARD
MINUTES OF BOARD MEETING
Wednesday, October 7, 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, Chair; Heidi Marotta, Vice Chair/Secretary; Cindi Wight; Brian Moore, 1st Alternate; (vacant), 2nd Alternate

Members Late:

Staff Present: Joelle Jodrey, Code Enforcement Officer; Becky Bean, Recording Secretary

Members & Staff Absent:

Public Attendees: Peter Roberts, Chris Kennison, Jarrod Crockett

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

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

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

Minutes of Prior Meeting(s): The Board reviewed the September 2nd meeting's minutes. **Heidi moved to accept the minutes of the Planning Board meeting Wednesday, September 2nd, 2026, as written, and Cindi seconded. With no discussion, the motion passed with all voting in favor.**

Election of Officers:

- a) Sign Rules of Procedure – approved on Sept 2, 2026: The Board members proceeded to sign the Rules of Procedures document that was approved at the Board's previous meeting.
- b) Nominations/Election of Chair and Vice Chair/Secretary: **Heidi nominated Ted Baker as Chair; Cindi seconded. Ted accepted the nomination, and the vote was unanimously in favor. Cindi nominated Heidi as Vice Chair/Secretary; Ted seconded. Heidi accepted the nomination, and the vote was unanimously in favor.**

Public Comments:

- None

Correspondence Received/Sent:

- a) Email response from Bethel CEO dated Sept 1st, a copy of this email was distributed at the previous meeting; however, it was not verbally mentioned during the review of Correspondence.
- b) Email from Newry CEO to Newry PB Chair; dated 8.25/2026, RE: Cisterns vs Sprinklers at Locke Summit – a copy of this email was distributed at the previous meeting; however, it was not verbally mentioned during the review of Correspondence.
- c) Letter from Newry PB Chair to Peter Roberts of Main-Land Development Consultants dated 9/3/2026 RE Application 26-292 – Locke Summit Estates Subdivision (Amendment) Determination of Incompleteness (2 pages).
- d) Email from Brandon Mazer of Perkins Thompson to Newry Town Administrator; dated Sept 7, 2026; RE: Application 26-292 – Legal Question on Jurisdiction.
- e) Email from Peter Roberts, Main-Land Development Consultants, to Joelle Jodrey, Newry CEO, dated Sept 25, 2026; RE: 24-224 Locke Summit Planning Board Response (with attachments: 2026-09-25 Response.pdf; 2026-09-25 Plans.pdf; 20110207 Locke Declaration.pdf; 20110207 Locke Bylaws.pdf). *(NOTE: 24-224 is a Main-Land Dev. internal tracking #).* This email was a response from the applicant regarding the letter of incompleteness.

- f) Email from Newry CEO to the Newry PB Chair forwarding a multi-party DEP correspondence chain starting Sept 1 and going through Sept 28; RE: Locke Summit Estates-Newry; dealing with Locke Summit Estates 5-year stormwater recertification.
- g) Letter from Peter Roberts to the Newry PB Chair, dated Sept 25, 2026, Subject: Application # 26-292: Locke Summit Estates Subdivision Amendment Re. Fire Protection.
- h) Letter from Newry PB Chair to Peter Roberts of Main-Land Dev. Consultants, dated Oct 7, 2026; RE: Application #26-292: Locke Summit Estates Subdivision Amendment – Fire Protection Acknowledgement of Receipt – Additional Submittal Materials.
- i) Letter from Newry PB Chair to Peter Roberts of Main-Land Dev. Consultants, dated Oct 7, 2026; RE: Application #26-292: Locke Summit Estates Subdivision Amendment – Fire Protection Receipt of Additional Review Fee.

Business

A. Applications:

- a) UNFINISHED – 26-292, Amendment to Locke Summit Estates Subdivision, MalRy, LLC applicant; continue review for determination of completeness: Peter Roberts talked about his letter to the Chair, dated Sept 25, 2026, Subject: Application # 26-292: Locke Summit Estates Subdivision Amendment Re. Fire Protection. This letter includes Peter's responses regarding the application being found incomplete at the previous meeting, and Peter explained his responses noted in the letter.

Chris Kennison verbally gave his attorney, Jarrod Crockett, agency to discuss this application.

Jarrod proceeded to talk about the unique history of this project starting in 2005; the original plan approval in 2008; the amendment brought before the Board in 2014 looking for approval to put cisterns in instead of requiring sprinkler systems. Jarrod stated that in 2012, under the original approval, Locke Mtn Summit LLC, the owners of the Newry portion of the subdivision granted a land-sale installment contract to William Dunton, which Bill signed for Lot 30. Jarrod noted that in 2014 when the application was amended, the owners of the lots in Phase 2 of the Newry portion did not participate in the amendment, but the Planning Board at that time approved the amendment to change to cisterns. In 2016, the developer was required to renew the application, at which time Jarrod said, it appears the Planning Board corrected the mistake – whether intentionally or inadvertently, and he believes that is the controlling document. The approval in 2016 approval was not recorded at the Registry of Deeds. The 2014 Limited Amendment of Conditional of Approval was recorded, and now there is an ambiguity in the record. Jarrod explained that Locke Summit Estates LLC, before selling to MalRy, conveyed a series of lots – in 2019, 2023 & 2024. These lots are all subject to the 2016 approval. Jarrod added that something must be done to remedy this at the Registry – Locke Summit Estates LLC was supposed to do this, but now it is up to MalRy to clean it up. Jarrod asked the Board to add some sort of clarity to disregard the 2014 approval and take the 2016 approval – back to sprinkler systems, which is what is required on the Bethel side of the development.

Lengthy discussion ensued regarding the 2016 approval, which was not recorded, does not seem to have included drawings/plans, and includes conflicts regarding cisterns. Peter agreed that the details on how to resolve this issue need to be figured out mutually. The Chair agreed that there had been missteps by the former CEO, the former Planning Board, and the former applicant regarding this application.

In response to Heidi's question regarding the Detail Sheet for 2.1 missing from the submitted plans, Peter stated it was missing from the 2016 Findings of Fact, so he did not include it here. He added that 2.1 only encompasses lots in the Town of Bethel – all other plans have at least one lot in the Town of Newry.

Ted clarified that in regards to the 2016 approval, the Board only has the Findings of Fact and Conclusions of Law that reflects that the Board reapproved the application. There are no sets of plans; there is no other information other than a set of possible minutes. That brings up the question is: what plans is the Board working off of? Per the response from Main-Land, because of the Finding of Fact made reference to the 2007-dated plan, Main-Land is saying those are the plans that should be used. However, those plans were amended in 2014, and approved by the Board, to change the requirement for sprinklers to install cisterns instead.

Discussion continued. Peter stated that they have a written document on this subject to submit at the Board's next meeting.

Check # 1408 from MalRy LLC for \$10,000 was submitted to cover the required additional fee to aid in the Board's review of this application.

The Chair shared 2 letters which will be email to Peter Roberts tomorrow (Oct 8th): a letter acknowledging receipt of this fee, and a letter acknowledging the material that the applicant submitted for this meeting.

Ted moved that the Board, having completed the administrative review of the applicant's initial submission received Sept 2nd, 2026, and a follow-up submission on October 7th, find Application 26-292 is complete. Cindi seconded. During discussion, it was noted that the Board is expecting more documentation from the applicant. Following discussion, the motion was withdrawn.

This application was tabled until the Board's next meeting.

B. Other:

NEW – Digital Submission Standards for Applications; review & discuss: Ted explained his reasoning for drafting the document stating that the UDRO in Section 10 does not give guidelines on submitting the required digital copies. Following his explanation, the Board and Peter Robert of Main-Land Dev. Consultants proceeded to review the document, and discussion ensued. Ted emphasized that the document is meant as a tool for guidance only; the Board cannot require applicants to follow all the details noted in the document. Peter suggested that the Town present it with the advice that if an applicant wants to get their application through as quickly as possible, please follow these guidelines. The CEO stated that she likes this guidance document, even though she sees some labor there on her part; she agreed that it's time that the application submittal process is brought into the 21st century and documents are saved in a digital format.

Peter noted that the UDRO that is posted on the Town's website is a non-searchable, scanned pdf. Ted noted that issue may have already been corrected; he was able to use the search tool in the document recently. Peter also noted that the Application form on the website is not compatible with Bluebeam, which is the pdf editor that he and most engineers use in their work. He explained the steps that he must take to make the application fillable using the Bluebeam software. Ted spoke about some of the changes he is proposing to make to the Application in the future.

Further discussion on this topic was tabled until the next meeting, Oct 21st.

Reports

- a) Comprehensive Plan Review Committee: Heidi noted that there was another excellent meeting this past Monday. Erika of AVCOG provided the committee with sections on water resources and natural resources. Heidi added that the committee is very happy with the work that AVCOG (& Erika) is doing. The next committee meeting is scheduled for Nov 9th, and the next public session will be scheduled after the whole next section is done, which will probably be in the spring.
- b) Town Administrator; Quarterly Escrow Report: Ted noted that 3 projects are closed out: New River Village, Monkey Brook minor subdivision (Forget), and Merrill Hill.

Barker Mountain is noted as "internal, do not touch", this is for the chairlift. Pines Group has \$8k+, Timberline has \$6.5k, and Locke Summit Estate has \$8.5k for third-party engineering review. Joelle noted that the \$10k received tonight for the Locke Summit Estates application is separate; it's for the application review.

- c) CEO: Joelle is working with some applicants for older applications – giving them the dates on which they will need to come back before the Board for extension if they wish to do so. Joelle is the certified inspector for Forget Development, and they're working on their retention pond and are on track.

Open Discussion

- a) Ted noted that if you go on the Town's website, click on the Newry Planning Board page (not the Online Documents page), and go down to Committees, you'll find a dropdown menu to Planning Board – go there to find the audio recordings of past meetings, as well as approved minutes and agendas can be found. There's a new link there that goes to the Guidance documents. The Rules of Procedures will be added there now that the Board has signed them. The UDRO is found in the "Online Documents" page.
- b) Ted will be attending the October MMA Planning Board Seminar in Augusta at the end of October.
- c) Joelle noted that she will be on vacation the week of Oct 12-16. She also noted that the Town Office will be closed on Monday for the holiday.

Next Scheduled Meeting – Wednesday, October 21, 2026. Ted noted that there will be a new Shoreland Zoning application to review at the next meeting; Joelle distributed that application to the Board at tonight's meeting.

Adjournment Heidi moved to adjourn; Ted seconded. Motion passed with all voting in favor. The meeting adjourned at 7:20 PM.