

# **Palmyra Planning Board Public Hearing Minutes**

Date: 8/9/2022

## **6:00 Public Hearings**

*Planning Board Members present: Chair Dave Leavitt, Vice-Chair Billy Boulier, Gary Beem, Corey Dow Diane White, Secretary*

*Selectmen: Herbert Bates, Vondell Dunphy*

*Others present: Michael LePage, Aimee Young (Plymouth Engineering for Brent Frost), Brent Frost, Ami and Joshua Johnson, Jeff Carmichael*

*Dave (Chair) explained that there will be two public hearings.*

## **Joshua and Ami Johnson – Bottle Redemption Center (9 Gee Road)**

- *Corey to chair the public hearing for the Johnsons.*
- *Corey called the meeting to order and it was determined that there is a quorum.*
- *He explained that the purpose of the public hearing is to review the nonresidential land use permit application submitted by Joshua and Ami Johnson to renovate an existing structure located at 9 Gee Road into a bottle redemption center.*
- *Corey motioned that the Planning Board has jurisdiction to hold the public hearing—second made by Dave. No discussion. Motion passed 4-0.*
- *Corey motioned that the applicants have the right to appear here since their application was approved as complete for the purpose of holding a public hearing at a meeting held on July 26<sup>th</sup>—second made by Dave. No discussion. Motion passed 4-0.*
- *No statement was made by the applicant and there were no questions from the Planning Board members or the public.*
- *The public hearing was closed at 6:02 p.m.*

## **Joel Hostetler – Country Store (868 Main Street)**

- *Dave will chair the meeting for the Hostetler's.*
- *Dave called the meeting to order and it was determined that there is a quorum.*
- *Dave explained that the purpose of the meeting is to review the nonresidential land use permit application submitted by Joel and Rhoda Hostetler to renovate an existing structure located at 868 Main Street into a country market.*
- *Dave motioned that the Planning Board has jurisdiction to hold this public hearing based on the Town of Palmyra Ordinance—second made by Corey. No discussion. Motion passed 4-0.*
- *Corey motioned that the Hostetler's have the right to appear because their application was approved as complete for the purpose of holding a public hearing at the meeting of July 26<sup>th</sup>—second made by Corey.*
  - *Discussion: Billy said that there were provisions that the applicant is to provide a site plan. A site plan was included; there is no sign on the site plan.**Motion passed 4-0.*
- *The applicants were not present. No further comments from the Planning Board or the public.*
- *The public hearing was closed at 6:05 p.m.*

# Palmyra Planning Board Meeting Minutes

Date: 8/9/2022

**I. Call to order and flag salute** – *The meeting was called to order at 6:06 p.m. – flag salute.*

**II. Roll call**

*Planning Board Members present: Chair Dave Leavitt, Vice-Chair Billy Boulier, Gary Beem, Corey Dow*

*Diane White, Secretary*

*Selectmen: Herbert Bates, Vondell Dunphy*

*Others present: Michael LePage, Aimee Young (Plymouth Engineering for Frost), Brent Frost, Ami and Joshua Johnson, Jeff Carmichael, Rhoda and Joel Hostetler*

**III. Correspondence** – *none*

**IV. Process Land Use Permit Applications**

a) Joshua and Ami Johnson (Map 12, Lot 1-1) Bottle Redemption Center

*Corey explained that a sketch of the parking lot, sign location, and size and the location of the light were submitted.*

*Billy suggested that the Board go through the open items.*

*#6 - List of abutters – provided*

*#15 – Parking spaces – on the plan*

*#18 – State Permit – Joshua told the Board that a state inspection is tentative for Friday.*

*#35 – Light - provided*

*#36 – parking – shown on the plan*

*#41 – Sign – shown on the plan*

*Billy noted that the applicant provided the information required per the ordinance.*

*Corey stated that the only item outstanding is the state permit.*

*There was a question about the fee that was charged. Billy said that fees should be discussed—renovations fee is more than a new building. After discussion, it was determined that the fee charged (\$204.50) was appropriate.*

*Motion made by Corey that the review criteria has met the requirement of the ordinance, article 5. Seconded by Dave. No further discussion. Passed 4-0.*

*Billy made a motion – The application is approved with the condition that they will not open the redemption center until the Town Office receives a copy of the State Redemption Center License. Dave seconded the motion. No discussion. Passed 4-0.*

*Findings of Fact will be amended and signed at the next meeting.*

b) Joel Hostetler (Map 14, Lot 14-1) Country Store

*Dave stated that there are three open items:*

*#15 – Sketch showing the parking lot included. They have complied.*

*#36 – Off street parking. Billy stated that separate enter and exit is not necessary nor a good idea (as per sketch). Motion made by Billy to amend the site plan of the applicant to eliminate the separate entrance and exit—seconded by Dave. The Hostetler's agree. No further discussion. Passed 4-0.*

*#41 – Sign – The sign on the building will be 3 x 5. Dave asked the Hostetler's if the Board could amend the site plan to include the sign on the building. The Hostetler's said that they would like a sign closer to the road. Billy explained the requirements for a sign on site—cannot exceed 100 sf and must be 10 feet away from property lines. The Planning Board will amend the application (with the Hostetler's approval) to include a sign that will be located 10 feet from the edge of the*

pavement (and meet other requirements) and a sign on the building. Seconded by Corey. Passed 4-0.

Fee charged (\$305.90) was determined by the Planning Board to be correct.

Findings of Fact to be revised and signed at the next meeting.

Dave explained the process to the Hostetler's and told them that they have the "green light" to move forward.

Motion made by Billy that application has met the review criteria of article 5 of the ordinance. Seconded by Dave. Passed 4-0.

c) Brent Frost – Subdivision (Pre-Application Procedure)

Billy reviewed:

- Site plan, assessors map, topo map, and county soil survey is included with submission
- Note: applicant is not subdividing the property. According to Title 30-A, Section 4401 Definitions a subdivision is also defined to include placement of 3 or more dwelling units on a single parcel of land.
- Project meets the requirements of a subdivision because there is a placement of 3 or more units.
- Warrantee Deed dated June 16.

Aimee Young of Plymouth Engineering presented:

- Location of project: 1.7 acre parcel on Route 100 (Oxbow Road)
- The proposal is to construct three two-unit buildings with garages
- Proposed septic and well included on site plan
- Electric will be underground
- 80% of land is in wetland so they are submitting an application to DEP
- There is an entrance permit

Billy said that there are two decisions to be made:

1. Will they require an onsite inspection? Motion made by Dave to forego the inspection (as a Board) but allow member(s) to inspect. Seconded by Billy. Passed 4-0.
2. Escrow Fees – Dave said that this is not needed at this point. All other members agree. Billy said this does not have to be done at this point. If it is decided that more information is needed, they can ask for escrow fees at that time.

Billy noted that the applications were not submitted in three-ring binders with numbered pages (as required by the ordinance). To be resubmitted in 3-ring binders with page numbers.

Dave stated that he is interested in making sure the roads in the subdivision are constructed in accordance with the ordinance (Road Standards for Subdivisions). He also had concerns about the entrance and there is a section of the ordinance that states requirements. He asked that they look at that part of the ordinance.

Billy said that the DEP permits for building in wetlands will be a big deal and there could be conditions. He suggested using Geotextile for the roads.

Billy told Mr. Frost that the application will be reviewed at the next meeting, and then a public hearing will be scheduled if the application is complete.

**V. Announcements – none**

**VI. Reports**

- a) Secretary's Report 7/26/2022 – Motion made by Dave to accept as amended—seconded by Corey. No discussion. Passed 4-0.
- b) CEO Report – no discussion

## **VII. Old Business**

- a) Shoreland Zoning Ordinance – CEO Analysis – *Dave stated that at the previous meeting Travis said that he is going to work on electronic and paper copies of the Shoreland Zoning Ordinance with his proposed changes. To be discussed at a later meeting(s).*
- b) Progress update: finding additional Planning Board members - *Pending*

## **VIII. New Business**

- a) Ordinance language discussion

*Dave reviewed results of the meeting with the lawyer on August 2<sup>nd</sup>. Dave and Billy attended to represent the Planning Board. Select Board members present were: Vondell Dunphy and Brian Barrows. Travis Gould (CEO) and Priscilla Jones (Administrative Assistant) also attended.*

*Issues discussed:*

*Subdivision Ordinance: Farmland shall be preserved: Dave said that he thought that fields and pastures (used for agriculture) would be held to that, but points were brought up by Billy and Travis:*

- a. *What is the right of the town to say you have to continue to use your land as farmland and to be unable to subdivide?*
- b. *Landowners would be prohibited from selling land for a subdivision.*

*The lawyer said that he does not believe this would be enforceable. He will fight it if that is what the town wants to do.*

*Billy stated that the definition in our ordinance says that farmland must be used for production of agricultural products. If a landowner is not haying (example) he is no longer using his land for agricultural products and the land is not legally farmland.*

*Dave said that a moratorium could be placed on farmland development. This would have to go before the Select Board for approval or, if enough residents agree to a moratorium, the Select Board would be compelled to put in on the warrant.*

*Another suggestion from the lawyer: put on a “cooling off period”. This could stop development for several years.*

*Gary said that something should be done to preserve the farmland, and a “cooling off” period would be a good thing.*

*Dave said that when the application for development (next to White’s on Main Street) comes in, it will not be rejected because of the statement “farmland will be preserved” (in the subdivision ordinance).*

*Other subjects discussed with the lawyer:*

*Tires - Lawyer feels that Travis is doing all that he can.*

*Solar Farm – According to assessors Solar Farm will be taxed at the same rate as everyone for 2022, but taxes for the panels may be paid under the state program “BETE”.*

*Dave suggested that, when they do make recommendation for ordinance changes, the “PILOT (payment in lieu of taxes)” program should be investigated.*

## **IX. Adjournment**

*7:20 p.m. - Motion made by Corey to adjourn—seconded by Billy. Passed 4-0.*

*Respectfully Submitted*

*Diane White*

NEXT MEETING  
8/23/2022