

# Palmyra Planning Board Meeting Minutes

Date: 2/7/2023

## **I. Call to order and flag salute**

*The meeting was called to order by the Chair at 6:00 p.m. – flag salute*

## **II. Roll call**

*Planning Board Members present: Chair Dave Leavitt, Vice-Chair Billy Boulier, Corey Dow, Douglas Frati, Katie Burrill (alternate)*

*Diane White, Secretary*

*Travis Gould, Code Enforcement Officer (CEO)*

*Selectman: Vondell Dunphy*

*Others residents present: Ernest and Virginia Turner, Jackie and William MacLaren, Alan Hanscomb, Michael Cray*

*Nonresidents: Bob Brown, Travis Kitchin*

*Two new members of the Planning Board (Douglas Frati and alternate Kathryn Burrill) were welcomed by the Chair.*

*Dave explained that the discussion tonight will be on changes to two ordinances; Shoreland Zoning (which hasn't been revised since 2012, but the state did revised theirs in 2015); and the Zoning Ordinance.*

## **III. Old Business**

### **a) Shoreland Zoning Ordinance Proposed Revisions**

*Document for review was prepared by Billy (attachment 1). He explained that the he had compared the 2015 State Ordinance to the Palmyra Ordinance (adopted 3/10/2012).*

*Items in blue are in the current State Ordinance, but not in the Palmyra Ordinance—items in red are in the Palmyra Ordinance, but not in the State Ordinance.*

*Some of the proposed changes include:*

- *Districts – General Development District is not on the map (it is in the town's ordinance). Travis said that the districts on the map should be reflected in the town's ordinance. General Development District to be eliminated from the town ordinance, since is not applicable to the town. Travis explained that changes to the map would be voted on at Town Meeting.*
- *Timber Harvesting – pg. 36 – 38 is what is currently in our ordinance. DEP has sent the town suggested changes (attachment 2).*
- *No cutting of vegetation in Resource Protection – add “except to remove safety hazards”*
- *Three items added by the State (hazard tree removal, exemption to clearing vegetation, and revegetation requirements).*
- *Travis recommends that the state enforce laws regarding commercial timber harvesting. If there is an issue, the state will take the commercial company to court for a violation—if we are enforce this, the state would step aside and the town would have to take legal action. It was agreed to leave this to the state. Billy explained that the recommendation is that everything in our ordinance for timber harvesting standards within shoreland zoning for Palmyra will be removed and the town will adopt the state standards for implementation.*
- *Remove references to tidal waters, coastal, and general development districts—these are not applicable to Palmyra.*

*Travis noted that the Nokomis Pond Protection Zone (NPPZ) is not on the map, it is currently limited residential. Changes will be made to the Shoreland Zoning Map—this will have to be adopted at Town Meeting.*

*Other changes discussed. Billy will revise the document to reflect what the proposed ordinance will contain, and provide a separate summation of the changes. Travis said that DEP will want to review this before it is voted on. This will not be on the March Town Meeting Warrant.*

*Dave would like to notify those present when this will be discussed again.*

b) **Other Ordinances / Proposed Revisions**

*Bill explained that the Planning Board is considering two revisions to a portion of the Zoning Ordinance. The first one references how amendments are made to the Zoning Ordinance. They are trying to make everything the same in the ordinances. Currently states:  
Upon a recommendation of the Planning Board received in writing by the Selectmen and/or upon receipt of a petition by the Selectmen (said petition signed by 10% of the legal voters of the town who voted in the last gubernatorial election), the Selectmen shall call a special town meeting within 50 days to consider proposed amendment to this ordinance. An amendment to this ordinance may be enacted only with majority vote at a regular or special town meeting. No amendment to the map shall become effective until any required change on the official map has been made and attested to by the Town Clerk.*

*He explained that the procedure for making amendments in the Zoning Ordinance is different from the Subdivision Ordinance and the Nonresidential Ordinance and it should be the same procedure for all ordinances.*

*Billy's proposed Zoning Ordinance amendment is attached (attachment 3). The wording makes it universal to all other ordinances.*

*Discussion about who can initiate changes in the ordinances. Billy stated that the Select Board does not override the Planning Board (per the current ordinance). Travis disagrees. Dave does believe that the Select Board has the final say on what goes in the warrant, unless a citizen petition is submitted with the required signatures.*

*Priscilla had told Dave that the Select Board is willing to put two ordinance revisions on the warrant: Shoreland Zoning and Zoning Ordinance.*

*The change in the language in the Zoning Ordinance proposed by Billy and agreed upon by David is to cover all ordinances (for amendment procedures). Travis recommends asking the town lawyer if a statement in one ordinance can be inclusive in other ordinances.*

*Dave said that there is a lot of ambiguity in the ordinances and the Planning Board is trying to correct this and comply with state law.*

*Dave put before the Planning Board to not provide any decision on the amendments. It was the decision of all members other than Billy to not perform any action on the amendments for this meeting.*

**IV. Adjournment**

*8:25 pm – motion made by Dave at adjourn—seconded by Billy. Approved 4-0.*

Respectfully Submitted  
Diane White

NEXT REGULAR MEETING  
2/14/2023