

Palmyra Planning Board Meeting Minutes

Date: 3/28/2023

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, Gary Beem, Corey Dow, Douglas Frati, and alternate Katie Burrill

Select Board Members: Herbert Bates

Diane White, Secretary

Travis Gould, Code Enforcement Officer (CEO)

Others present: Andre Poulin (applicant) and Corrine Knapp, Soil Consultant

III. Correspondence - none

IV. Process Land Use Permit Application

a) Dennis Dow – storage building (Map 5, Lot 30-3) – *Two copies of the Findings of Fact and permit signed by the Board.*

b) Poulin Palmyra Development Subdivision (Map 5, Lot 26)

Ten open issues to be discussed: Dave reviewed:

25) *Copies of required state permits (Permit by Rule and Driveway Entrance Permit). Andre stated that the applications have been submitted to the state. Pending. Open.*

38) *Subsurface Wastewater System – Mr. Poulin was told by the Board (at the last meeting) that he would need six separate systems (one for each duplex). Corrine Knapp questioned the interpretation of the ordinance regarding the requirement for subdivisions to have separate systems for each building. There is not separation of property, so is this a subdivision? She also explained that Mr. Poulin is responsible for the maintenance of the septic system and it would be complicated to do each one separately. They would have to be 190' long instead of 96'. Dave explained that they are using the subdivision ordinance and the CEO said they should use this ordinance. Billy read (from the Subdivision Ordinance) the definition of a subdivision as defined by Title 30-A, MRSA Section 4401. Billy then read (from Section 4401) the definition of a subdivision and confirmed that the property is correctly defined as a subdivision. Corrine Knapp questioned why Chris Cookson's subdivision did not require separate systems. Dave told her that the Board made a mistake with this and the Frost subdivision, which was pointed out by Bill MacLaren at a meeting. Dave and Billy support following the ordinance. Herbert Bates stated that the ordinance is there for a reason; if they don't support it, change it. Travis said they are not deviating; the ordinance needs to be clarified and he agrees that they should be allowed to use the shared system that requires less area. Corey agrees with Travis. Billy said that, for the Findings of Fact, a reason for the decision would be needed and how to mitigate it. Motion made to approve one shared septic system for this subdivision, since there is one lot with six duplexes, and the Planning Board will recommend revision of Art. 7, Section 6 (for the same reason). Second. Passed 5-0.*

Dave suggested they ask KVCOG assist with the ordinances.

- 41) Wells – Applicant submitted a revised plan. He stated that two (or three) wells may be needed; the well driller will decide. Billy said the site plan should include another proposed location for a well. C-1 to be revised to include another well. Open.
- 44) Public Drinking Water Permit. This will be a condition of the permit.
- 47) Permit by Rule. Needs to be submitted. Open.
- 49) Mr. Poulin submitted a certificate for the earthmoving contractor (Newhouse). Billy said that if the work is not completed by 12/23/2023 this will have to be updated. Closed.
- 53) Add two 3' shoulders on the drawing. Billy stated that C3 needs to be revised—currently shows a ditch on both sides. Dave stated that our ordinance (Road Standards for Subdivisions) says that this is needed. Open.
- 73) Pending two permits—Permit by Rule and Public Drinking Water Permit. Permit by rules needs to be in hand; Public Drinking Water Permit will be a condition. Open.
- 74) MDOT Permit. Pending. Needs to be in hand. Open.
- 76) Information on the investor. Letter sent via email confirming who the investor is. Closed.
- c) Douglas Frati – Home Occupation Permit Application (Map 1, Lot 10-1) – Douglas abstained from the vote. Katie voted on this a.
Led by Billy
- Permit fee paid
 - Hours approximately 8-4
 - Artist – makes and sells his art
 - He will not have a store
- Motion made by Dave that the application is accepted as complete. Second by Corey. 5-0.
Motion to approve. Passed 5-0.
Findings of Fact and permit signed by the Board.

V. Announcements

Dave did not get a response from the state hydrologist regarding the Poulin Subdivision application.

VI. Reports

- a) Secretary's Report (3/14/2023) - Motion by Dave to accept amended. Passed 5-0.
- b) CEO Report – He has many call coming in. Application received for a building to cover a pool; plumbing inspection done for a new home.

VII. Old Business

- a) Planning Board Ordinance Review - Dave made a suggestion to have KVCOG assist with some of the revisions to the ordinances. Dave would like to review with the Select Board when the Planning Board agrees with the revisions.
Billy reviewed the suggested ordinances to be revised
- Zoning Ordinance – Article IX (Amendments) – wording was approved and submitted.
 - Zoning Ordinance – Article X (Non-Conformance) – revisions approved.
 - Road Standards for Subdivisions (to correct errors)
 - Nonresidential Land Use Ordinance – Article VIII – delete the requirement to have screening in front, since it is a safety issue. Dave suggested that this be kept in the ordinance and looked at on a case by case basis. CEO suggested that this be kept in the ordinance. Billy will revise.
 - Floodplain Management revisions approved.
 - Travis suggested we limit the number of revisions for the Select Board to review. Billy stated that he believed the Select Board was capable of reviewing what revisions the Planning Board submitted. A discussion ensued where Billy stated that according to the language of the ordinances approved by the citizens, the Select Board does not have authority to

disapprove a suggested revision made by the Planning Board. Dave stated opposition to that position.

- b) BD Solar – action items update
 - *Executed Pledge and Disbursement document received and distributed to members.*
 - *Brian Barrows (Select Board Chair) has not followed up with Dave’s questions about increasing the annual amount (for inflation) in this document.*
 - *Dave said that he cannot tell if the chemicals in the panels are being looked for in the water tests results. This is a Select Board issue.*
 - *Can the results of the water tests be communicated to the abutters?*
 - *There are dead trees on the property.*
 - *Screening needs repair/replace.*
 - *The fence may need repair.*
- c) Hometown Health Center - action items update
 - *Letter of Credit needs to be updated.*
 - *Test reports for work on the road was not received*
- d) *Change part of the ordinance regarding screening along the road – Discussed earlier*
- e) *Billy asked for Travis’s (CEO) suggestions regarding the proposed Residential Land Use Permit. Travis stated that he would like to continue to use the form he has. Billy stated that the State mandates a decision document and the current form does not provide that information. Travis stated the form he uses is similar to all other towns he works form. Billy recommended that the Select Board review the form. Dave does not want to push Travis to use this form. Majority of the Board (Dave, Corey, and Douglas) do not support using the proposed form. If Billy makes this suggestion to the Select Board, it should be as a resident.*

VIII. New Business

- a) *Home Occupation Permit Application - proposed revisions - Form revised by Billy. Douglas suggested that the square footage of the dwelling be added. Diane will revise the form.*
- b) *Dave questioned the need for the CEO approval if conditions are placed on a nonresidential permit. Billy stated that there needs to be a procedure to insure that an applicant has completed a required condition if it must be completed prior to starting construction. Dave said that this may have been necessary in the past, but Travis is now attending meetings and this may not be necessary now. It was agreed by the majority of the Board to take this language out—permits will be signed by the Planning Board.*
- c) *Telecommunications Tower Application and permit – new forms for review*
Dave has been contacted by someone who is interested in constructing a telecommunication tower. Billy created a form for Telecommunication Towers. He said that the applicant will still have to fill out the Nonresidential Land Use Permit (and the new application). Diane will send both forms to the applicant.
- d) *Billy stated that FOAA training must be completed by new members within 120 days and the Town Office would provide information on how to access the training.*

IX. Adjournment

8:30p.m. - Motion made by to adjourn—seconded. Passed 5-0.

Respectfully Submitted
Diane White, Secretary

NEXT MEETING
4/11/2023