

# Palmyra Planning Board Meeting Minutes

Date: 03/23/2021

I. **Call to order** – Chair Gary Beem called the meeting to order at 6:00 pm—flag salute.

II. **Roll call**

*Planning Board members present: Gary Beem, Dave Leavitt, Maurice Temple, Corey Dow, and Billy Boulrier*

*Travis Gould (Code Enforcement Officer)*

*Selectmen Present: Herbert Bates, Vondell Dunphy*

*Diane White (Planning Board Secretary)*

*Others present: Irene Searight, John Temple, Mary Ellen Fletcher, Ken Fletcher, Chris Cookson, two unknown*

III. **Announcements** - none

IV. **Correspondence**

- *Billy Boulrier reported on correspondence as it relates to Hometown Healthcare. He explained that all correspondence between him and the contact for Harriman is copied to the Town Office, Planning Board Members, CEO, and the Selectmen. He went through current correspondence (March 9 – 22) with the architect.*

*March 9 – The architect had questions about application submittal; Billy responded to on the 10<sup>th</sup>*

*March 12 – The architect confirmed that six copies of DEP permit are to be submitted. Responded that electronic copies will suffice*

*March 15 – Billy sent an email to the architect with further comments on the email of the 9<sup>th</sup>. The architect responded that they are looking for the lot owner's association agreement.*

*March 22 – the architect sent an email asking how we would like the plans submitted. Response: stapled bound sets. He also asked for clarification of what information is to be submitted with application. Response: Address each item of the review criteria.*

V. **Reports**

- *Secretary's Report (03/09/2021) – Motion made by Gary to accept as written—seconded by Dave. All in favor.*

VI. **Old Business**

- *Chris Cookson – Revision to subdivision map (Oxbow Road) – Chris presented six copies of the subdivision plan for the Board to sign (including one to keep on file in the office). He explained that the plan is "100 % as built". Billy asked if the changes to the original plan were annotated on the revised plan. Changes were not annotated. The Board agreed that the changes will be written on the plans that Chris presented. Revisions:*

*1. No community center*

*2. No generator*

*3. 11 units – not 12*

*Motion made by Billy to sign with the three changes—seconded by Dave. All in favor. The plans were signed.*

- Marijuana Establishments – *Dave suggested that a couple of Planning Board members attend the Select Board meeting tomorrow to discuss a path forward to a moratorium (Dave and Billy will attend). This would give them time to get some questions answered and to check with other towns. Dave has a list of questions that were asked at the 2/23/2021 Planning Board meeting and he had added a couple more. Discussion on whether to get the questions answered as soon as possible or to wait until the moratorium is in place. Billy would like to get the moratorium in place first—then sit down, as a board to discuss the questions. He said most can be answered by statute. Dave said that he has reviewed the legal handouts and answered about half of the questions.*
- Identify a path forward and timetable to resolve nonconformities associated with the Friendly Acres Subdivision – *Travis updated: He had reached out to Mr. Fletcher, Bruce Matheson (State of Maine), AutoZone and Dollar Tree about lights (overhead illumination of the entrance), lines, and a road association (as required as part of permitting processing). Mr. Fletcher said that there should be an easement in the files that talks about maintenance. He said that AutoZone and Dollar Tree are responsible for compliance. He will mail a copy to Diane. Members of the Planning Board had questions about if the easement is enough. Mr. Fletcher explained that the document was legally prepared, signed by all parties, and recorded as part of the deed. He said it meets the standards of a road association. Maurice suggested that Mr. Fletcher’s lawyer send something that states that the easement meets the criteria of a road association. Mr. Fletcher said he will be able to get a document from his lawyer within two weeks. Dave would like the town lawyers’ opinion.*

*Mr. Fletcher said that he didn’t hear about this until Travis called him. He would like to be contacted if there is a question about this subdivision so that he can have a chance to address the questions.*

*There was some confusion at the DOT scoping meeting about the requirement for a traffic light. Mr. Fletcher said that that is wrong—the requirement is for an overhead light by the entrance. Tractor Supply has one, but AutoZone does not.*

*Dave asked about an entrance for agricultural. Mr. Fletcher – there will not be a third entrance—only two permitted entries*

*Travis is reaching out to somebody higher up at Dollar Tree and AutoZone to remedy the situations (with nonconformities). Mr. Fletcher said that they are required by their easement agreement, to do so.*

## **VII. New Business - none**

## **VIII. Process Land Use Permit Applications**

- Irene Searight – Shed – Map 15 Lot 48 – *Motion made by Maurice to accept the application as complete—seconded by Dave. Gary, Dave, Corey, and Billy in favor. Motion made by Dave to approve the application—seconded by Maurice. All in favor.*
- John Temple – Home and Garage – Map 1 Lot 44-1 – *Billy asked about a 30-foot wide easement on the property. Mr. Temple explained that he is 400 - 500 feet away from that. Travis said that he had reviewed and found no issues (including with the stream). Billy had questions about distances, which Mr. Temple explained. The well was not included on the drawing. Travis said that has no standing since the well driller will know that is has to be 100*

*feet away from the septic (unless a variance is approved) and the town does not permit them. Motion made by Dave to accept the application as complete—Maurice seconded. All in favor. Motion made by Dave to approve the application—seconded by Corey. All in favor.*

*Continued discussion on Friendly Acres subdivision nonconformities:*

*Dave said that it is the applicant's responsibility to fulfill the lot owner's organization requirement. There will come a time when there is an application and he would like to see it tidied up before they approve (or consider) the application.*

*Travis said that Mr. Fletcher, AutoZone, and Dollar Tree know (about the nonconformity) and we should let them fix them.*

*Billy said it is the responsibility of Mr. Fletcher and he doesn't think Travis should be involved other than notifying the subdivision owner of the nonconformity.*

*Travis said that the board could stipulate that nonconformities need to be corrected before acceptance of any more applications.*

*Dave said that our ordinance states that Discussion about inspection by the Code Enforcement Officer—he can appoint someone to inspect at the applicant's expense. Dave suggested an independent party. The ordinance is clear about having an inspection done of gravel/fill/construction requirements of the subdivision road. Also calls for an inspection by code enforcement and a provision to appoint another entity to do the inspection (engineering company). Travis agrees. This will help with maintenance of the road.*

**IX. Adjournment** - Motion made to adjourn made by Dave—seconded by Maurice. All in favor.  
7:36 pm meeting adjourned.

*Respectfully Submitted  
Diane White*

NEXT MEETING  
04/13/2021