

Palmyra Planning Board Meeting Minutes

Date: 04/13/2021

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 Boulier

Selectmen Present: Herbert Bates

Diane White (Planning Board Secretary), Priscilla Jones (Administrative Assistant)

Others present: Jack Iby, Cindi and David Neverland, Robert Chadbourne, Jon and Jennifer Hanson, Jason Mullis, Dana Hartford, Mary Ellen and Ken Fletcher

Hometown Healthcare representatives (Harriman): Tom Emery, Judy Johnson, Josh Snowman

III. **Announcements** - none

IV. **Correspondence**

- Billy – Hometown Healthcare correspondence – *see attached report (Billy Boulier)*
- BD Site Cond Permit (DEP) – *copy of the permit for BD Solar distributed to the Board*

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**

- Marijuana Moratorium – *Gary said that Priscilla Jones (Administrative Assistant) had asked the town attorney if it is necessary to place a moratorium on marijuana establishments—he said it is not (see attached email). The Planning Board members agree. Billy said that if an application comes before them, the escrow account could be used for legal advice.*

VII. **New Business**

- Diane White (secretary) suggested changes to the agenda: *Process Land Use Permit Applications would follow Announcements. Planning Board members agree.*

VIII. **Process Land Use Permit Applications**

- Jason Mullis – garage – Map 8 Lot 23 – *Questions about site plan and setbacks answered by Jason. The garage will be one story. Motion made by Dave to accept as complete—seconded. All in favor. Motion made by Maurice to grant the permit—seconded by Corey. All in favor.*
- Cindy and David Neverland – garage – Map 3 Lot 27 - *Dave had questions about whether the garage was enclosed or a carport. The Neverlands explained that part will be enclosed and part will be an open carport. Motion made by Billy to accept as complete—seconded by Dave. All in favor. Motion made by Billy to grant the permit—seconded by Corey. All in favor.*
Gary asked how many times the lot had been divided. Dave and Diane will research (subdivision status). Maurice said that would apply only if the lots were divided within five years.
 - John Merry – addition – Map 2 Lot 1 – *Maurice explained that John is applying to revise an application submitted last year (to make an addition larger). Motion made by Dave to accept as complete—seconded by Maurice. All in favor. Motion made by Maurice to grant the permit—seconded by Corey. All in favor.*
 - Jack Iby – addition – Map 8 Lot 41-15 - *Motion made by Maurice to accept as complete—seconded by Dave. All in favor. Motion made by Maurice to grant the permit—seconded by Dave. All in favor.*
 - Priscilla Jones – garage – Map 5 Lot 37 – *The garage will be one story. Motion made by Maurice to accept as complete—seconded by Dave. All in favor. Motion made by Maurice to grant the permit—seconded by Dave. All in favor.*
 - John Hanson – garage – Map 4 Lot 8-3 – *One story garage. Motion made by Dave to accept as complete—seconded by Corey. All in favor. Motion made by Dave to grant the permit—seconded by Corey. All in favor.*

- Robert Chadbourne – addition to garage – Map 8, Lot 10-1 *Motion made by Gary to accept as complete—seconded by Dave. All in favor. Motion made by Corey to grant the permit—seconded by Dave. All in favor.*
- Hometown Healthcare – amended subdivision
*Billy Boulter reviewed the application and explained the process and timeline:
 The purpose of the meeting is to determine completeness of the application for Hometown
 Clarification of the timelines as follows (per the ordinance):
 If complete—notify the applicant within 30 days of receiving the application (March 29).
 If incomplete the Board will provide a listing of missing items within 30 days (after receipt of the application).
 If there are incomplete items after tonight’s meeting, Billy will provide a written list to Tom Emery no later than Friday.
 Provide revised or missing information seven days prior to the April 27th meeting (next meeting).
 Within 20 days after the Planning Board determines that the application is complete, a public hearing will be held.
 Within 30 days after the hearing, and such time limit as mutually agreed to, the Planning Board will approve or deny the application.*

Clarify applicants standing – the purchase and sale agreement in binder. Property description included (exhibit A). The agreement references exhibit D (on first page of the purchase & sales agreement), which is not enclosed. Billy asked that they provide.

Page 4 of the purchase & sales agreement authorizes the buyer to seek all approvals and permits.

There are 3 items of noncompliance to be discussed:

1. *Overhead illumination for Fletcher Drive does not exist*
2. *Striping and pavement markings for both entrances has not been done
 These were part of requirement for prior permits issued that have not been done. Email from MDOT on January 22nd clarified the pavement markings.*
3. *Lot owner’s organization – not established. Item will be addressed under #24.*

Dave asked if we got a check for \$200 for the application fee. Diane said that a check was received.

Billy reviewed the Subdivision Ordinance Application Checklist:

Purchase and sale agreement to provide exhibit D

6. *Dave said that per the ordinance, buildings should be shown. After a discussion it was agreed that showing the closest edge of the buildings is sufficient.*
8. *Lot line for addition of Lot 74 to be added to plat*
20. *L40-1 to be included (landscaping plan)*
22. *Soils map - clarify where it is or provide it*
24. *Discussion on the road to be built. Dave asked why it cannot be built at the onset. Applicant to provide a breakdown of costs. Costs include overhead illumination at entrance to Fletcher Drive and required striping.*
25. *Two permits still outstanding: Traffic Movement Permit and DEP Site Location Permit.*
27. *Performance guarantee – Discussion on financial security. Dave is proposing a certified check. Alternatives include: Performance Bond, Additional Agreement, and Irrevocable letter of credit. Gary Billy, Corey and Maurice will entertain one of the three alternatives. Dave said he is against Additional Agreement because it does not cover the situation. He will support one of the others pending legal language that both can agree on. Applicant was asked to work on A.2 (Performance Bond) and A.4 (Irrevocable Letter of Credit) with their proposed wording.*
32. *Lot owners agreement – they are working on wording and meeting the requirement of the ordinance. Mr. Fletcher said that it is taking longer than anticipated for the lawyer’s opinion of the easements for Tractor Supply, AutoZone, and Dollar Tree. He has taken action regarding striping and illumination (Dollar Tree and AutoZone). He wrote letters and followed up with a phone call. He asked them to coordinate that work with Travis Gould (CEO).
 Tractor supply easement – verify the information for dimensions since they do not seem too close*
33. *Escrow fee- requesting \$2500*
40. *Adding a hydrant*
51. *Signed statement from engineer and eliminating “and existing” needed. Dave had concerns about the requirements of the ordinance (to include “existing”). Gary, Corey, Maurice, and Billy agree that the engineer should not be responsible to certify an existing road.*
52. *MDOT Traffic Movement Permit is in progress*
53. *Request to compare their design with the road ordinance for subdivision design – why is theirs better*

Requirement from MDOT to contact them for approval of design of the drainage system improvements to the entrance of Tractor Supply

65. Confirm that a pump station is not required

93. Provide an answer to who is responsible for maintaining the structures through the projected life

99. Need fire chiefs letter with added wording that is required in #100

Discussion on the schedule and submission of the commercial application.

They plan to submit with the revision on April 27th. A public hearing will be scheduled after the application is deemed complete.

IX. Adjournment - *Motion made to adjourn made by Dave—seconded by Maurice. All in favor.
8:20 pm meeting adjourned.*

*Respectfully Submitted
Diane White*

NEXT MEETING
04/27/2021