

# **Palmyra Planning Board Meeting Minutes**

Date: 11/09/2021

**I. Call to order and flag salute** - Chairman Gary Beem called the meeting to order at 6 p.m. – flag salute.

**II. Roll call**

*Planning Board Members present: Gary Beem, David Leavitt, Corey Dow, Billy Boulier  
Diane White, Secretary  
Selectmen present: Herbert Bates  
Others present: Michael LePage*

**III. Correspondence**

- a) Billy – Hometown Healthcare correspondence - Billy reviewed correspondence with Hometown Health Center (attachment 1).  
*Add to the report: November 9<sup>th</sup> received documents for the Commercial Development Application.*
- b) Letter from DOT – Route 2 Project (attachment 2) – project will go from the Pooler Road in Pittsfield to Newport. Billy asked for clarification of the statement “no permit to open this segment of highway will be granted”. Corey said that he thinks this is referring to excavation in the street (gas, water services). Billy said that this could impact Hometown Health Center. Dave suggested that Hometown Health Center get a copy of this letter so they can get the work done (crossing for utilities and entrance) before the paving begins. Diane will send a copy to Hometown Health Center. Billy suggested that per the last paragraph, a response be sent to Randall Barrows to let him know of the Hometown Health Center project.

**IV. Process Land Use Permit Applications**

- a) Deanne Cray – Map 7, Lot 19 – new residential structure – incomplete at last meeting:
  - 1. Subsurface Wastewater Disposal System submitted (dated November 1).
  - 2. Dean Cray’s name has been added.

*Other issues:*

  - 1. Deed references several parcels—question about which parcel the house will be on.
  - 2. Zoning district added to the application (agricultural/residential).
  - 3. Subsurface Wastewater System approval date added (November 1.)
  - 4. What part of this land is farmland? Diane said that the location of the proposed home is in farmland and Dean plans to take part out of farmland.

*Defects (per Dave):*

  - 1. Clear up which parcel in lot 19 they intend to build on.
  - 2. More definition (in the application) - Changes made by the Planning Board: It is in farmland; zoning is agricultural/residential; add the date for the subsurface wastewater approval date of November 1<sup>st</sup>. Applicant needs to add the driveway, septic and well to the drawing.

*Billy suggested that the applicant write a letter stating that it is his intent to removed part of the property from farmland and state that this will be done before work is started. This will be a condition to approving the permit.*



*Action items:*

*Clarify the right, title or interest and submit a letter to the town stating his intention to remove some of the land from farmland. Billy said it would be helpful if he added the driveway. Another concern per Dave: Placement of the well and septic relative to the structure. The Ordinance states that the Planning Board or Code Enforcement Officer shall require that the applicant submit formal plans before any action is taken by the Planning Board. He said formal plans should include the cross section (building height), floor plan and position of the well and septic relative to the house. These things should be asked for every time. The meaning of “formal plans” should be spelled out when revising the ordinance.*

*Motion made by Billy to deny the application for Dean and Deanne Cray for the following reasons:*

- 1. Applicant to clarify deeds.*
- 2. Applicant to provide letter stating that he will remove from farmland the area intended for residential construction prior to construction being started.*
- 3. Applicant to provide formal plans which will consist of a floor plan, elevation. Site plan to include the location of the well, septic, and the driveway along with all setbacks.*

*Dave suggests that in that letter he defines an area that includes the amount of land to take out of farmland (to include the driveway, septic, well, and house).*

*Billy amended his motion to include as stated above by Dave.*

*No further discussion. Motion seconded by Dave. All in favor—passed.*

**b) Hometown Health Center**

*Billy asked if we have received the application and escrow fees – Diane will check, but does not think it has been received. Billy had determined that the application fee should be \$4,465.10 (based on the square footage per the application). Dave came up with an amount that was close to this. The escrow amount will be \$60,000. Bill will send this information to the applicant. Dave said that this should have come in with the application but must be in before the next meeting.*

*Corey said that the applicant had a different figure for the application (\$3,293.60). He said that the response to #4 of the Commercial Development Application states that an escrow account has been established for the subdivision submittal.*

*Billy will send an email to the applicant with the above information.*

*Latest submittal:*

*Dave suggested that the Board check the documents submitted against the checklist that is included.*

- V. Announcements** – *Per Dave: Ivan Bates said that he no longer has time to serve as an alternate member of the Planning Board and he would like to request that the Select Board remove him as an alternate. Herb will mention this at the Select Board meeting. Per protocol, the alternate joins the board when needed and Dave wants to clarify that Ivan is no longer an alternate.*

**VI. Reports**

- a) Secretary’s Report (10/26/2021) – Per Billy:*

*First page for Entertainment License – The Board did make a motion to approve.*

*Last page: correct typo.*



*Motion made by Dave to approve with the two changes. Seconded by Corey. All in favor.*

## **VII. Old Business**

### **a) Solar Farm Deliverables Matrix**

*Billy said that the panels are up. He asked if the wells had been tested. Dave said that there is a conditions list update so it is clear that the Code Enforcement Officer has been working on the conditions. We don't know if the surrounding wells had been tested. Dave said that the wells belonging to the Burrill's, Ready's and optometrist are downhill even if the buildings are uphill. These are the landowners who had concerns.*

*Dave said that he had assumed that the fence screening that parallels Route 2 would go in the same location as the trees, including a section that would block off the optometrist office and go down to the woods, then down the Smith Road (all the way to the power line). He also noted that the trees have not yet been put in.*

*There are a lot of conditions on the spreadsheet created by Billy and it is unknown where they are at with them. Herb said he will try to get an answer tomorrow night.*

- b) List of businesses in town – status of Community Cellular, Miranda Doherty, and Trundy –**  
*Corey said that there is nothing new—he has not heard from the businesses.*
- c) Follow up - Conditions List –**  
*Dave noted that there is an effort underway by the CEO. He is interested in where the CEO is on the other issues in the matrix created by Billy (especially the ones involving the Solar Farm). The matrix is attached (attachment 3).*
- d) Land Use Application**
  - 1) Special Amusement (Entertainment) Revision –**  
*Draft distributed to the Board. Changes to be made: at the bottom put a question in the ordinance – “Has the applicant had a state liquor license revoked” and, if yes, explain; at the top add permit fee and date; on the bottom (after four lines about Planning Board certifying), add “with the following conditions”.*
  - 2) Commercial Development Application Revision -**  
*Draft distributed to the Board. Change per Dave: change three boxes – change “over 5,000” to “over 2,500 square feet”. Billy will send other revisions.*
- e) Ordinance Revisions –**  
*per Dave – there are two types of revisions: 1) administrative/spelling errors. He volunteered to do these and sent an email to Diane. The second type is substantive ones which the lawyer said that the town would have to vote on to approve. At the Select Board meeting on October 13th the Select Board said that January 26<sup>th</sup> is the deadline for the Planning Board to submit a list of suggested substantial changes. In February they can have a public hearing to explain changes to the citizens and then put suggested changes on the warrant. Billy is working on a list. Dave would like to discuss this list in a December or January meeting.*

**VIII. New Business** – *Billy had received notification of a webinar in December. He asked if the Town pays for this. Diane believes the town does pay for this, but she will check. This is a MMA workshop for Planning Board and Board of Appeals rules and procedures. Dave asked how many will attend. Billy is the only member to attend.*

**IX. Adjournment** – *7:05 - Motion made by Dave to adjourn—seconded by Corey. All in favor.*

*Respectfully Submitted  
Diane White*

**NEXT MEETING - 11/23/2021**