

Palmyra Planning Board Workshop Meeting Minutes

Date: 12/07/2021

I. Call to order and flag salute - *The meeting was called to order by Vice-Chair, David Leavitt. Flag salute.*

II. Roll call

*Planning Board Members present: Dave Leavitt, Corey Dow, Billy Boulter
Diane White, Secretary*

Town Ordinance Revisions

Billy distributed copies/pages of the following Palmyra ordinances:

- *Planning Board Ordinance*
- *Zoning Ordinance*
- *Amendment to Zoning Ordinance (Annual Business Renewal Permit)*
- *Commercial Development Ordinance*
- *Road Standards for Subdivisions*
- *Subdivision Ordinance*

Also distributed:

- *Table of Contents*
- *Town of Palmyra Fee Schedule*
- *Review of escrow account*
- *Land Use Applications for: Business "Renewal" Permit, Town of Palmyra Land Use Permit, Palmyra Nonresidential Land Use Permit, and Home Occupation Permit*

Billy had marked his proposed changes in red (see attached documents):

Discussion and suggested changes to Billy's revisions:

- *Billy would like definitions on one document. Definitions are now in various ordinances. Dave said he agrees, but said the definitions in the ordinances should remain part of the ordinances.*
- *Rename the Commercial Development Review Ordinance to Nonresidential Land Use Ordinance.*
- *Corey and Dave support the suggested changes in the Planning Board Ordinance.*

Zoning Ordinance

- *Page 1, Section 3-3: Suggestion made by Dave: "District boundaries involving roadways..." add (public and private). Same change to page 4 (D. Front Setback).*
- *Page 3 – Discussion about junkyard screening. Diane said that junkyards are approved annually by the Select Board. Suggested changes to be discussed with The Code Enforcement Officer (CEO) and the Select Board.*
- *Page 3 - Suggested changes to the section numbers—Dave said that this would require pages 11 and 12 to be changed. Billy will check this.*
- *Page 4 – Section 3-6 A.6. – Do not change square footage for sheds/accessory structures. Dave asked if the letter after B) should be changed to numbers. Billy said it would be clearer. Section A. Required Frontage: Billy said that they have not defined roads in the ordinance (make changes as indicated to clarify).*
- *Page 4 – Billy said that it would be clearer to say that the application is to be submitted to the Town Office (not to Code Enforcement Officer). Also take out Code Enforcement Officer in*

the next sentence to state, "The Town Office shall notify the applicant in writing when he/she may present their application before the full Planning Board." Billy asked if this were being done. Diane said that she tells the applicant "in person" when they may do this. Billy will scratch out "in writing".

- Page 4, Section 3-9: Application Procedures for Planning Board Permits: add "per the current fee schedule", in the first sentence.
- Page 4 – Section 3-11: Discretionary items discussion – Dave asked if these items are required. Billy said that applicants could request a waiver if the item(s) is not applicable to their project. The Planning Board has the right to not require discretionary items.
- Other items on page 4 agreed upon by Dave and Corey.
- Page 5 – Added Article IV – HOME OCCUPATION.
- Page 6 – delete 5-3.8
- Other changes on pages 6 and changes on page 7 are administrative only.

Dave asked if formal plans had been addressed on page 5. Billy said that he had addressed this on the application. He proposed that they don't include this as part of the ordinance; put it on the application (what they define for formal plans). Dave said that on page 5 (of the revised ordinance) at the end of 3-9 and start of 3-10, it should be put in. Dave had talked to Travis about this and he did not have any interest in the definition of floor plan and elevation, layout, etc. Billy said he would like to require front elevation of the dwelling unit/accessory structure.

- Page 8 and 9 – changes explained – no discussion
- Page 10 – Billy said he saw no reason to keep the legend in Article XI—suggest it be removed. Dave asked the meaning of the statement in Article XI. This will be left in the ordinance.
- Page 11 – Pole Permits – The Planning Board does not sign these. Diane explained that this is a CMP form and the CEO (and occasionally the office staff) signs these forms. The form is verification that the applicant has gotten a permit from the town and complies with Shoreland Zoning. Scratch out Planning Board and Select Board.

Commercial Development Review Ordinance

Billy proposed a name change for this ordinance: Nonresidential Land Use Ordinance.

- Page 2 – removed "definitions" (Article 10) and put in as a separate page.
- Dave suggested that Billy use another color for "administrative changes".
- Discussion on administrative changes: Billy said that the Planning Board can approve without Select Board consent. Dave said that changing the name of an ordinance may not be "administrative". Billy agreed that the Select Board should weigh in on this. He suggested adding "formally known as the Commercial Development Review Ordinance" on page 4.
- Page 5, Article 3. A: removing references to 2,500 sq. ft. The statement "for a nonresidential use" should not be scratched out.
- Page 5, Article 3, B: Billy asked if there was any situation where they would not require a nonresidential to get a permit to expand (if it is under a certain square footage. Corey said that happened with Levelly because the building was less than 2,500 square feet. The members agree that they should get a permit. "Nonresidential" should not be scratched out.
- Page 6, J (Solar Energy Systems): Leave "Medium or Large" in the document.
- Page 6 - Discussion on Article 4, Section 1. D: Diane told the Board that Travis (CEO) gets a copy of the minutes, which list the permit conditions. Billy said that he should get a copy of the permit with the conditions.
- Page 8 - Section 6 - Appeals: The Planning Board approves all permits---eliminate "Code Enforcement Officer". Eliminate Code Enforcement Officer on B. 1, B.3 and .C.2 (because he is not in on the approval process)

- Page 12 – C.2. – Discussion on determining completeness.
- Page 15, Section 8: Billy explained that there are several places in the ordinance that talks about escrow. Dave asked him when he thinks the Planning Board should ask for an escrow account. He said that they should require it anytime (completeness phase or compliance). Revised to have it open ended and allowing them flexibility
- Discussion on Certificate of Occupancy and Performance Bonds. Dave said that it is not clear to him that the town has a lot of leverage. Billy said that the CEO has authority to put a “stop work order” on a project or to penalize an applicant who does not comply with conditions, but this is not being done. Dave asked if there should be language in the ordinance that asks for a performance bond on conditions. It was decided not to make any change.
- Page 36 – Screening – add “with privacy fabric on any part of the energy system that is exposed to the public” to make it clear.

Fee Schedule

The only fee change is for the Special Amusement Permit. See document for additional proposed changes. This document does not go to the voters, but does go before the Select Board.

Suggested changes: Subdivision fees section changed to “\$100 plus \$100 per lot or dwelling unit”, and FINES/PENALTIES change Zoning/Land Use Violations: take out “However, in a resource protection district the maximum penalty is increased to \$5,000. Dave, Billy, and Corey agree.

Page 2 – Discussion on Billy’s suggested revision: “total **construction** costs”. Dave asked if he is taking out other costs (engineering, architect, etc.). Billy stated “yes”.

See the document for additional suggested changes.

Applications – (see Billy’s revisions) – Diane will make the suggested changes.

Discussion on noise nuisance —Dave will work on this.

Administrative and substantial changes will be differentiated by color.

8:00 p.m. - Motion made by Dave to adjourn and seconded by Corey. All in favor. Meeting adjourned.

Respectfully Submitted
Diane White

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