

# Palmyra Planning Board Meeting Minutes

Date: 12/28/2021

**I. Call to order and flag salute** - Chairman Gary Beem called the meeting to order at 6:00 p.m. – flag salute.

**II. Roll call**

*Planning Board Members present: Gary Beem, David Leavitt, Corey Dow, Billy Boulter*

*Diane White, Secretary*

*Selectmen present: Herbert Bates*

**III. Correspondence**

a) Billy – Hometown Health Center correspondence - Billy reviewed correspondence with Hometown Health Center (attachment 1).

**IV. Process Land Use Permit Applications**

- a) Hometown Health Center – Commercial Development Application – Email sent by Tom Emery requesting that this application be tabled (waiting for lawyers to complete documents). Billy suggested that the board discuss the Irrevocable Letter of Credit (ILOC) and the Lot Owners Association (LOA) so that they can come to an agreement and make suggestions to the applicant. He distributed the last version of the ILOC that was approved by the Board and was sent to Tim Pease (attorney for the town) (attachment #2). He explained the proposed revisions.
- Added a completion of the work date. Note the applicant construction schedule has them completing by the end of August so he allowed another month.
  - Added means and method to verify the completion of the work.
  - Last paragraph—put a method together for completion of the ILOC and the means by which they would determine that work had been completed and the ILOC is no longer needed.
  - Deleted the expiration date of the ILOC.

*Dave's comments:*

- Good work by Billy.
- #3 on Billy's version of the ILOC—Dave had written a broader version that includes all public improvements. He referred to the specification document that Tom Emery had provided on September 13<sup>th</sup>—there is more than paving and subbase. The four specifications included: earthmoving, asphalt paving, turfs and grasses, storm drainage. Billy agrees to the changes that Dave has suggested. The specifications document will be added as an attachment. Billy will revise this and send documents to the members and the lawyer.
- Discussion on the LOA. Billy questioned the responsibility of Hometown Health Center. There are no easement rights for the Tractor Supply connector road. He said it is the Planning Board responsibility to ensure the Tractor Supply connector road is maintained by Hometown Health Center (100% responsibility). Dave suggested that copies of the existing easements be included in the LOA and that the revised version be reviewed by the members (no need for the lawyer to review). Other members agree. This can be completed at the January 11<sup>th</sup> meeting if they have executed documents.

*Discussion on the Finding of Facts and Conclusions of Law. Billy has a list of the decisions made by the Planning Board. This is the Findings of Facts and Conclusions of Law. Billy can produce this to fulfill the requirements of the ordinance. Dave does not think that it is necessary for the lawyer to review. Billy will do this and circulate to the other members of the Board. Planning Board Members support this.*

*Dave asked Billy if it is his intent to sign on the 11<sup>th</sup> or 25<sup>th</sup>. If the documents are complete the review will be done at the January 11<sup>th</sup> meeting and final process done on January 25<sup>th</sup>.*

**V. Announcements – none**

**VI. Report**

- a) Secretary's Report (12/14/2021) – Motion made by Dave to approve as written (subject to Billy's revisions)—seconded by Billy. All in favor.

**VII. Old Business**

- a) Solar Farm Deliverables Matrix
- Dave will ask the Select Board to review the missing items. Startup is scheduled for January 29, 2022 (Power Grid) and a stop work order will mean nothing after that. Billy said that the Select Board already has the information to follow up with the Code Enforcement Officer (CEO).
  - Diane had distributed a copy of a document from the registry which may be the covenants. The board will review this to determine if it is the covenants.
- b) Follow up - Conditions List - no discussion
- c) Ordinance Revisions – (summation – attachment #3)
- Ordinances distributed along with the fee schedule with Billy's proposed revisions in red.*

*Dave said that he is concerned about the pace (of revisions to the ordinances). The deadline to meet with the Select Board is January 26<sup>th</sup> and he would like their support. Billy said that the Planning Board does not need approval from the Select Board (per the ordinances). He said that he appreciates that Herb attends the meetings, but the Planning Board members have more knowledge of the ordinances and is better able to help and protect the citizens of the town. Dave told him that the Select Board controls what is on the warrant. Other members of the Planning Board agree to ask for Select Board review and comment. Billy agreed to send a list of the proposed changes to the Select Board. If they have questions, they could ask at the January 12<sup>th</sup> Select Board Meeting. Other Board Members agree. Billy asked about the Planning Board approach if the Select Board disagrees with the changes. Dave suggested that 3 or 4 members attend, and proposed changes be discussed then. Billy is concerned about the time constraint. Dave said that they can have a different meeting (Special Town Meeting) to vote on the ordinances—it does not have to be at the Town Meeting.*

*Dave asked if the public hearing could be held two weeks after the meeting on January 12<sup>th</sup>. Diane said that it could.*

*Dave had asked Travis to attend the meeting tonight to discuss the proposed changes.*

*Dave said that he would like to hear the thoughts of the other Planning Board Members as they go through the ordinances proposed revisions.*

**Planning Board Ordinance**

*Proposed revisions previously agreed upon by the Planning Board Members.*

**Zoning Ordinance**

*Discussion on some of the proposed changes including pg. 3 (wrecking, junk), definitions, elimination of the short form for businesses. Proposed revisions supported by other members of the Board.*

**Commercial Review Ordinance**

*There was a lengthy discussion on this ordinance. Dave said that the newest version was adopted less than a year ago. The Planning Board worked on it for months and engaged KVCOG in the process. Billy said he is proposing major change. The ordinance should have no regard to square footage. He said the board will have some discretion about the applications. The revisions proposed will also clarify the application process and additional studies.*

### Floodplain

Billy said that all permits for floodplain are issued by the CEO and he feels it is appropriate that the Planning Board take on this responsibility. Dave asked if this is different from Shoreland Zoning. Diane will provide a Flood Insurance Rate Map or a copy of the book. The Board is unclear on what this is, and Dave, Corey, and Gary agree that they would like to understand this. Dave suggested that this be considered for the 2023 warrant. Motion made by Dave to table this to gather more information—seconded by Corey. Gary, Dave, and Corey in favor. Billy opposed. Dave said that he will talk to Travis (CEO).

### Road Standards

Planning Board members agree to submit for revisions.

### Shoreland Zoning

Dave said that he had talked to Travis about this. Travis said that he is trained in Shoreland Zoning and there is a new State Shoreland Zoning Ordinance; they should start with that. Any revisions will need state approval. All members agree to put a hold on this ordinance.

### Subdivision Ordinance

Discussion about addition studies. Billy will rewrite part of this.

Dave said that the changes are an improvement. Seven ordinances were discussed. The Board will push forward with five and table two ordinances (Shoreland Zoning and Floodplain). The fee schedule will be given to the Select Board to review.

Billy will work on definitions for next year.

- d) Chris Cookson Subdivision Phase 2 Status – Dave had talked to Travis (CEO). Travis said that permit issues with the road that has been built is between Chris and the State.

## **VIII. New Business**

Discussion on making copies. Administrative Assistant will talk to the Select Board about making copies for the Planning Board on January 12<sup>th</sup> (next Select Board meeting).

Billy had presented an invoice for copies he had made of the ordinances (with proposed revisions). Dave said that he had directed Billy to submit this invoice. Members of the Planning Board signed the invoice. Diane will give this to Priscilla (Administrative Assistant). The charge is .50 per copy (color) with terms of net 10.

- IX. Adjournment** - Motion made by Gary to adjourn—seconded by Dave. All in favor. Meeting adjourned at 8:25.

Respectfully Submitted  
Diane White

NEXT MEETING - 1/11/2022