

Palmyra Planning Board Meeting Minutes

Date: 3/26/2024

5:30 p.m. – Planning Board members met at 92 White’s Pond Road to inspect Dean Neal’s site (application for demolition of a dilapidated camp and construction of a new camp)

I. Call to order and flag salute

The regular meeting was called to order by the Chair at 6:10 p.m.

II. Roll call

*Planning Board Members present: Chair David Leavitt, Vice Chair Corey Dow, Katie Burrill
Travis Gould, Code Enforcement Officer (CEO)
Joel Greenwood of Kennebec Valley Council of Governments
Diane White, Secretary
Others Present: Dean Neal, Gail Jones, Pat White, Hattie and Charlie Spaulding*

III. Correspondence – None

IV. Process Land Use Permit Applications

*a) Shoreland Zoning Application for Dean and Lisa Neal – To replace a camp on White’s Pond
(Limited residential)*

Site visit completed

Last meeting – found the application complete

Compliance review (led by the Chair):

- The lot is 100’ deep, camp is 16’ deep. Front of the structure is 50’ from the water; back is 34’ from the road. Any movement of the building would make it still noncompliant.*
- Mr. Neal’s proposal is to build the new camp in the same location and to move the area of a 48 sf outhouse to the back of the new camp.*
- Corey and Mike agree that putting the building in the same location makes more sense. No advantage to move it back.*
- Joel said that for noncompliance, distance to the water takes precedence.*
- Travis’s opinion is to move the building back 5-10 feet.*
- Joel said that our Shoreland Zoning Ordinance is still applicable, but can be superseded by the state’s ordinance if it is stricter, since the stricter ordinance must be adhered to.*
- Joel said that it is a Planning Board decision. In theory, it can be moved, but is it practical? Cost to the applicant can be considered.*
- Mr. Neal explained that he did get a permit from the town to install a septic and driveway and was told by the CEO that he shouldn’t tear the building down yet and; if he puts in the driveway and septic, he will be less likely required to move the building.*
- Discussion about what would have to be done to move the building 5 feet back. Would Mr. Neal have to submit a new plan? Joel said it would show the Board’s willingness to go by the ordinance. Katie, Corey, and Mike do not think that moving it will make a difference. Katie said that moving it will create other problems. Her opinion is to keep it where it is. Mike said that “greatest practical extent” takes into consideration the cost to the applicant.*
- Dave said that adding 48 sf to the back of the building (and removing a 48 sf outhouse) is better than an outhouse. Planning Board members and Joel agree.*
- Dave would like to add a condition: all state permits must be obtained prior to demolition, tree cutting, and construction. Motion made and second to add this condition. Passed 2-1 (Corey and Dave in favor).*

- *Motion made by Corey to accept as complete and compliant with the condition as stated above. Second by Katie. Passed 3-0.*
- *Permit signed.*
- *Finding of Facts is needed to complete. Planning Board Chair can sign outside a meeting. Reasons for leaving the camp where it is:*
 - *if moved, setback to the road will be more nonconforming*
 - *un-vegetative ground would be uncovered on the water side*
 - *forest canopy would be opened more*
 - *it would interfere with the driveway*
 - *possibility of exposing roots of additional trees (if more excavation is needed)*
 - *there could be cost issues for the applicant if he is required to move the camp*

Reasons to move the outhouse to the back of the new camp:

- *Benefit because it is a designed septic system instead of a pit toilet*

Height of the camp:

- *New camp will be 20' or less, which is consistence with state requirement*

Discussion with Hattie Spaulding – She would like to close in her porch and has been in touch with Jessica at DEP. Two ordinances to consider—the Town Ordinance and the State’s Shoreland Zoning Ordinance. The town ordinance needs to be updated. Dave told her to submit an application, and then the Board will review her application.

Discussion about the need of a State Permit by Rule. Travis said that it is a state permit and is required in every town, but there is nothing that says the town has to confirm that this is done. Joel said that according to DEP’s National Wetland Protection Act, a Permit by Rule is required for construction on ponds over 10 acres.

V. Announcements - None

VI. Reports

- a) *Secretary’s Report (3/12/2024) - Motion made by Corey to accept the minutes as written—second by Katie. Approved 3-0.*
- b) *CEO Report – No report*

VII. Old Business

- a) *Revisions to the Planning Board Ordinance – Copies with suggested revisions distributed. To be discussed at the next meeting.*
- b) *KVCOG suggested revisions - Zoning Ordinances – no discussion*
- c) *Need for high voltage power line ordinance – remove from the agenda. This will be discussed if needed.*

VIII. New Business - none

IX. Adjournment – 7:15 p.m. - Motion made by Corey to adjourn. Passed 3-0.

*Respectfully Submitted
Diane White*

NEXT MEETING
4/9/2024