

Approved

**Town of Pownal
Planning Board Minutes**

**Wednesday, January 19, 2022
6:00 PM – Mallett Hall**

Members Present: Matt Altieri, Jesse Peters, Secretary Christine Watson, Todd Mellin, Brian Stornelli, Alternates: Orion Breen, Marcia Bowen, Recording Secretary: Alison Purinton

Guests: Selectboard Members – Andy O’Brien, Heidi Curry, Alan Hill, CEO, Marie Wendt, Becky Taylor-Chase, Town Administrator.

Call to Order at: 6:00 pm by Matt Altieri

Secretary’s Report:

Regular Meeting minutes of December 15, 2021 on a motion by Jesse Peters to accept minutes as amended and corrected, seconded by Christine Watson. Discussion: None, Vote: Yes (5) No-0 Approved with word change from industrious to predeceous on page 5.

Old Business:

None

New Business:

None

Discussion:

Article 4 Site Plan Review Ordinance Section E #11-2 update. Christine Watson did find a draft noise ordinance. I am trying to locate the town warrant which I need to go back to the minutes.

Matt- Can you describe the process?

Christine- I have a binder that goes back to where each year was summarized. I went thru the binder looking for certain dates in the minutes. I went into the vault and found a box of old land uses from 1993 and previous years before. The noise ordinance was in 1993. I am trying to narrow down dates and then find the warrant that they town approved. It is a lot of work and due to my availability and town hours proves to be challenging.

Matt- We have been asked whether we would like to adopt a Remote Access Policy and what form should we adopt for a policy. Heidi Curry Selectboard member was asked to speak. Heidi gave a brief overview of when we left emergency last year 2021, the remote option went away. Becky has drafted a policy. The goal is to have the same policy which does allow in some circumstances for members of the board and committees to use a remote option.

Matt - Is this a sample remote participation policy of MMA (Maine Municipal Association)

Becky- Yes, I just inserted the committee.

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Matt- Is the requirement of public hearing not with respect to the Planning Board but to the Select Board adoption of the policy.

Becky-Yes.

Matt- Has everyone had a chance to review the policy that was sent. I take this is two parts clarification about what the MMA policy is and secondly if we want to adopt or not?

Jesse- Has any other committee has changed or tweaked it?

Heidi- Would like to continue to meet in person as more gets accomplished that way. I see this as a safeguard. It is not my intention to fall back into that routine.

Matt- Do you believe other boards will fall into the way of remote meeting?

Heidi - I do not get that feeling. You can't just say you are going to start meeting remotely. There are some guidelines around that.

Christine - I prefer to meet in person as it is easier when reviewing plans. I also see that if someone is ill, recovering from surgery and wants to participate this is a way to accomplish that.

Matt - I also prefer meeting in person. I don't see any reason not to have the policy as it increases flexibility.

Marcia- Is the town investigating on viewing meetings remotely, as some individuals are house bound from a public standpoint?

Becky- A grant has been filed as the meeting room would need to be set up with the necessary audio and IT equipment. This new equipment would also help with public service announcements. If awarded the grant it will be a huge upgrade for us to offer remote access and other services.

Marcia- In the future can all meetings be viewed this way? Would this be accomplished by that?

Becky- It would not be live stream so the technology would allow us to record the meeting(s) and then watch later and fast forward to watch.

Jesse- If we adopt this policy, will we need to provide a link to the public from this point forward to watch but not necessarily respond even thou the room is not equipped at this time?

Becky- We were hoping to push through the grant and retro fit the room first. However, with the ever-changing environment we needed to look at this policy sooner.

Marcia- It is my understanding that it would not be for every meeting, and only if the chair decided.

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Matt- The public will be provided a meaningful opportunity to attend via remote methods when any member or body participates remotely. If any board member chooses to participate remotely than the public also has the right to participate remotely. I would seek input from everyone, as I would not want to make that decision. Attending is different that participation. If we have the ability to do so we should however we don't have that at this time.

Marcia- So do we have to have every meeting via zoom.if we are meeting in person?

Jesse- If we meet in public, do we also have a remote zoom meeting?

Becky- That's a good clarification question.

Jesse- So if no members are signing in remotely then we don't have to provide a link?

Matt- If we have the ability to provide remote access we should do so as a matter of best practice.

Becky- The current set up with the microphone was hard to hear. To hear Matt read that out loud tells me that if someone is remote then you have to allow access. That is not what I was reading previous. You would need to determine at least 7- 10 days before the meeting happens whether it would be remote or not. I understand that accidents happen, and it is not a hardship. The more prepared we are the better.

Matt-Going back to zoom meetings were difficult. There are hearing difficulties, interruptions between board and the public. Which I understand is part of the zoom platform. I was looking at what some of the other towns do and found that other towns are providing a script that is read in the beginning. Whether we adopt a script to be read, I will try to be stricter for procedures in zoom meeting if we go back to them.

Public Comment from Marie Wendt states that zoom has changed a lot too and maybe there is something less accessible to the audience, limiting their ability to interrupt.

Matt-Perhaps muting until after individuals have spoken. Are there any other thoughts before someone make a motion?

Public Comment from Marie Wendt- Asked if the policy is basically for the members of board to decide whether a zoom link will be made available to the public? Looking forward If a public participant can't make the meeting in person there will not be an option to attend via zoom?

Heidi- Correct for board members.

Matt- That is a great question. Thinking ahead of time should we have a new variant, and we need to meet remotely I would like to draft an email to the board for their responses. This would have nothing to do with the meeting itself or what is to be represented as there are strict guidelines around that.

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Jesse- Paraphrasing an emailed question for a yes or no response would be best. The person responding would not be wrong.

Matt- A yes or no answer is a clear example of open meeting laws. Entertain a motion to adopt the remote participation policy.

Jesse- I move that we adopt the remote participation policy for the planning board, seconded by Christine Watson. All in favor Vote Yes (5) No 0. Motion approved

Other Business:

Matt- I want to keep everyone apprised that the applicant for the Napoli subdivision has requested that we clarify the procedures and votes that were taken that caused the ordinance on the website different than the ordinance that was adopted at town meeting concerning the 75 feet vs 75 percent. In the cluster subdivision statute. We will not talk about the substance of the application however I want to give Christine the option to respond.

Heidi- Whom sent the letter?

Christine-Jim Fisher. This information has been sent to him before. They're saying the legal powers indicate that any application submitted prior to the ordinance change falls under the provisions of the previous ordinance. It was corrected at town level in 2008 and was not updated from there.

Heidi- Is Jim Fisher is one of the engineers?

Christine- Yes; He is the president of Northeast Civil Engineers.

Heid - What project is this?

Matt - The cluster subdivision ordinance.

Christine - We can provide them with a cover page of the town warrant and provide them with the article warrant number of where it indicted where it was done. The town minutes would indicate when it was passed.

Matt - I think having the warrant and the town minutes both to provide to the applicant would be the best way to proceed.

Christine -It was never updated

Matt - They are trying to get an explanation for the oversight and never updated on the website.

Christine- That is not them submitting an application. I don't know what the legal ramifications are.

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Matt- We can't get into that tonight. I want to provide them with what they are asking for. Are there any items flagged for next month agenda?

Christine- I have other items to discuss and asked Alan Hill CEO if the Meadowbrook subdivision all set. I noticed they have started to build a home on Merrill Road.

Alan- Everything is all set. I don't see any problems.

Jesse- When do they need to put in the road and cistern?

Alan- I have not asked that question. I can call Michelle to ask. That area is currently covered in snow and full of ice.

Jessie- When in the process will they need to put in the cistern? When they put in all 6 homes?

Alan- In order to obtain a CO the cistern will need to be put in place, as they will require fire protection.

Heidi- Was there anything in the notes as to the timing of the cistern?

Jesse- There is nothing that I see as far as timing goes.

Heidi- That is part of the infrastructure that needs to be completed. So, we have monies in escrow. We want to make sure that it is in place before returning any monies. Have we set a timeline for that infrastructure?

Christine- We will have to look at the notes.

Alan- You can't loom and seed in the middle of winter. The bank won't give you a closing until you have a Certificate of Occupancy. That is how I was approaching it.

Matt- I don't think it is appropriate for us to give that much guidance about these things.

Heidi-For future reference you may need to be more specific on your timelines/ requirements.

Alan- The other property on Merrill Road was vacant for a long time as she had no gas meter. She would not get an occupancy permit until everything was complete. As far as I am concerned it is not complete.

Christine- Asks Alan Hill if we are all set with the Chipman apartment building being capped?

Alan- Yes, I signed off on that.

Christine – Asks Becky as to what the planning board budget has spent so far? Will you please forward that information to Matt. When do you need our final budget?

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Becky- Within the next few weeks. I will be sending an email to all the boards asking for that information. I only know of one budget item so far which is NorthStar. I will forward that information.

Brian- Are we over for this year all ready?

Christine- The budget period runs from July thru July. Our budget for 2022-2023 back into them by April at the latest.

Becky- Agrees with Christine, we need to have that info to put into the Annual report. We have not blown thru that amount; however, it is mostly NorthStar contracted services. Their invoices will lighten up some because a lot of that work was the remodification in June and Town meeting next month. The last couple of months were hefty but that is why.

Christine- I will need to talk with Ben about this to review. The state is about to issue the flood plan. We will need to adopt the old one with the new one. Matt asked if we did this last year, no it was the shoreline zoning last year. The flood plain is something different. I don't know when the timing is of that project.

A few items potentially coming are Mrs. Hilton for her subdivision and maybe two or three lots. Time will tell.

Another property that intersects Hallowell Road and the village zone. He is thinking of dividing into two lots.

Lastly the Chipman application was waiting for me. Which is why I inquired if Alan was done.

Todd- Can you give me a little us a little background on the Chipman project.

Matt- They came before the board at least once. Beyond that fact we should not be talking about as a practice. It sounds like we have a new application and an application that has been considered before next month. I would like to follow our by-laws in keeping and have only those two items the first one for new business and the 2nd items for old business.

Orion-If Napoli submitted something we would hear by next meeting potentially?

Matt- I think the way we should treat it as we separate our new an old business. The existing application and new application the first person to submit a new application within the deadline is the first person on the docket. The first person to submit something with and old application is the one to get on the docket.

Christine- This is a brand-new application

Jesse- So this is amended subdivision as they already have one on the books?

Matt- We have to treat it like a new application, I think it is new business. It has to go thru the same ordinance.

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Heidi- If a new application meets the deadline that you have set for a subdivision. You are only going to hear one. What are you going to do with your backlog?

Matt- We have a limited capacity as a volunteer board. If there is a backlog which is common than there is a backlog. That has been in our bylaws since I have been on the board.

Heidi- That could be a sticky widget at some point.

Christine - We are a volunteer board, we want to give each applicant the thoroughness and time they deserve.

Matt- We have had two incidents where there was a significant oversight as a result of all the business before us. Lack of clarity of the ordinances, and inconsistent provisions that screwed over applicants. I don't want that to continue. We owe it to the applicants.

Heidi- I look at several things with our town government with where our needs are future discussion surrounding volunteer boards. It is a long term strategic plan that needs to be addressed.

Orion- General practice is to look at one new application and one old application. Hilton and Chipman are classified as new business?

Matt- New business is any new application. The Napoli subdivision is old business as it is an existing subdivision.

Orion- So we may have an application for Hilton, that will be counted as new. They had one approved about 6 months ago. If Napoli came in they would come in as old business and either Hilton or Chipman would not be looked at as they are two new business. They would also have to go thru NorthStar review. If we don't have any old business, would we look at two new ones?

Matt- We will plan that on a case by case basis.

Adjourn: Christine Watson motioned to adjourn Jesse to second. All in favor. Meeting adjourned at 6:53PM

Respectively submitted,

Alison Purinton
Planning Board Recording Secretary