

Planning Board Minutes  
Wednesday, 21, November 2012  
Mallett Hall  
7:00 PM

Members present: Ron Hodsdon, Liza Nichols, John Bowdren, alternate Matt Chipman, planner Tony Dater

Members absent: Joan Mueller, Matt St. Cyr, alternate Jerry Gould

1. Call to Order: at 7:03 by the Chair

Hutch made a motion that Matt be made a full voting member for the evening; John seconded. So moved and accepted.

2. Secretary's Report: meeting minutes of Oct. 17 – on a motion by Hutch, seconded by John the minutes were so moved and accepted as presented.

Oct. 23, workshop minutes – on a motion by Hutch, seconded by John, the minutes were so moved and accepted.

Tony had a comment on the proposed changes to Net Residential in the workshop minutes, specifically #3 Land in a right-of-way or easement – does the Board want to state that all right-of-ways and easements are removed from the net buildable area? There are many kinds of easements, some perhaps should not be removed. Hutch asked if Net Residential only refers to a subdivision or does it apply to a single lot? Tony said there could be some language that says land in a right-of-way for vehicles or easements for utilities would not be removed from meeting the 90,000 sq.' rule. What is meant by easement; what does it include? Hutch pointed out that the Board has the authority to modify if necessary. It was felt better to leave the Net Residential section as written.

Nov. 13, workshop minutes – Liza read them aloud as some present did not have copies with them. On a motion by Hutch, seconded by John, the minutes were so moved and accepted. Liza will make the necessary changes to the Zoning Draft and make new copies of the draft for the members. She also needs to make sure she has the latest Land Use Tables that Tony sent the Board, dated Oct.26.

3. Old Business: None

4. New Business: None

5. Discussion: Tony's report – he gave us copies of Title 30-A §4401 4.C. (see attached) which says that a lot 40 acres or more must be counted as a subdivision lot. It would appear that Bill Ginn and Jeremy Sahlman's contention at the Oct. 17 meeting that 40 or more acres does not constitute a subdivision was based on a LURC regulation and not Subdivision regulation. Tony suggested that the Board send Minot Road Partners a letter citing our findings and request they come back to the Board for

review and approval process. Liza made a motion that the Board had concluded that Title 30-A §4401 4.C. clearly states that a lot 40 or more acres is counted as a Subdivision Lot and that the Board will send a letter to Minot Road Partners c/o Bill Ginn requesting they return to the Planning Board for Subdivision Review. Hutch seconded. John recused himself from voting because of his business relationship with one of the partners. We worked on the wording of the letter that Hutch will send.

letter never sent LN 12/12

Matt asked if Bill had ever sent the Board a written request for Subdivision application? No; his requested an audience with the PB to see if he needed to come before it for Subdivision review. Matt then asked if the CEO had yet approved the project as a Single Lot? Hutch will call the CEO to find out and if it has been approved; if so the Board will drop its request for Subdivision review.

Liza then amended her motion that the Board had concluded that Title 30-A §4401 4.C. clearly states that a lot 40 or more acres is counted as a Subdivision Lot *and that the Board will send a letter to Minot road Partners c/o Bill Ginn requesting they return to the Planning Board for Subdivision Review if the CEO has not already approved a Single Lot.* So moved and accepted as amended.

Hutch said he felt that even if the CEO had already approved the Single Lot a letter should be sent to Bill outlining our findings.

6. Other: It was noted that former Board member Luther Snow had passed away this past Saturday, the 17<sup>th</sup>. Luther's knowledge of the Pownal landscape and history had been a valuable asset to the Board along with his stories and digressions.

On unanimous motion, seconding and approval we adjourned for the Thanksgiving Holiday at 8:35 PM.

Respectively submitted,



Liza Nichols, Secretary