

Town of Pownal
Planning Board Minutes
Wednesday, December 16,2020
6:00 PM

Members Present: Matt St Cyr, John Bowdren, Gabe DiGristina, Jesse Peters, Secretary: Christine Watson, Alternates: Marika Clark and Matt Altieri, Town Planner: Tony Dater,

Guests: Select Board member Heidi Curry, Code Enforcement Officer Alan Hill, Doug Stewart, Steve Lizotte, Kat

1. Call to Order at 6:02 pm

Matt St Cyr made a motion to have Matt A and Marika serve as voting members of the planning board to approve the October minutes. Gabe DiGristina seconded. No discussion, Vote: yes–5 no – 0

2. Secretary’s Report:

- a. Meeting minutes of October 20, 2020 – Hilton subdivision- A motion by John Bowdren to accept minutes as presented, seconded by Gabe DiGristina. Discussion: none, Vote: Yes – 4/No – 0. Approved
- b. Public Hearing - Harrisons major subdivision October 21, 2020 – on a motion by John Bowdren to accept the minutes as written, seconded by Gabe DiGristina, Discussion: none Vote: Yes – 4/No – 0 Approved
- c. Meeting minutes of October 21, 2020 – Discussion: John Bowdren requested typographical corrections to be made under old business page 1 4th paragraph “Gave” to “Gabe” and last page last paragraph “Jon” to “John”. On a motion by John Bowdren to accept minutes as amended, seconded by Gabe DiGristina. Discussion: none, Vote: Yes – 4/No – 0 Approved
- d. Meeting minutes of November 18, 2020 – Discussion: John Bowdren stated second page 1st paragraph – word “whelm”. Change “whelm” to “authority”. On a motion by Matt St Cyr to accept minutes as revised, seconded by John Bowdren. Discussion: none, Vote: Yes – 7/No – 0 Approved

3. Old Business

John Mann, Lois Sanders Subdivision – Libby Road – Condolences to the Lois Sanders Family. John Mann was authorized by Dale Sanders, power of attorney (POA) for Lois, to represent Lois Sanders on the proposed subdivision. Planning Board had a complete application for this subdivision and a Site Walk was scheduled for 12/9/20. Lois Sanders passed away on 11/22/2020. Upon learning of Lois’s death, the site walk was cancelled and the project has been put on hold/tabled until the planning board receives new paperwork stating the new authorized person (court appointment) as the POA terminated when Lois passed away.

4. New Business

- By-laws approval – Discussion: John B commented on section 5 #3 “secretary shall be a full member of the board”. John stated that we have gone outside the board for a secretary and if we should re-word to accommodate hiring a secretary. General opinion was to keep the wording as is and if needed in the future, the board will amend the bylaws. John B. made a motion to accept the Planning Board By Laws and Rules of Conduct as written, Jesse 2nd – Tony stated that the board is adopting the bylaws. John B. amended the motion to adopt the Town of Planning Board By Laws and Rules of Conduct as written. seconded by Jesse, Discussion – none, Voting Yes – 7/ No -0 Adopted.

- Hotel/Motel definition replacing with Inn and Bed & Breakfast - Matt St Cyr gave a quick overview of the revisions, additions to the Pownal Land Use Ordinance definitions the board has completed over the past six months. John B. led a discussion on the Allen Farm project and what would this be classified as “an inn or bed & breakfast”. Based on the definitions of each, the project would not fall under either definition. Short term rentals were discussed. Jesse made a motion to remove hotel/motel definition and replace with Inn and Bed & Breakfast. Matt A. added “to remove any other motel/hotel references throughout our ordinances”. Gabe 2nd. Discussion: Tony expressed caution: existing motel definition allows cabins/quarters and separate cabins so by removing the definition from motel you’re removing that kind of accessory dwelling. Matt A. remarked that we leave open the room for folks to have something that fits within a definition of the air bnb. Marika, Jesse, Gabe agreed. Vote: Yes -7/No -0 – Approved. Christine will prepare and send definitions to Natalie for remarks/approval.
- Submission Deadlines and Meeting Dates approval – Discussion Matt A. asked about the next available. Do we have a limit on number applications we will consider on a given meeting? Bylaws states 1 application and 1 preliminary per meeting. Matt St Cyr made a motion to accept the 2021 Planning Board Submission Deadlines & Meeting Dates document as presented. Matt A. 2nd the motion – Discussion: none – Vote Yes -7/No-0. Approved.
- Solar Ordinance – NBD Solar Maine, LLC Solar Site plan application and site plan. All members of the planning board will make themselves very familiar with both as this will be the topic for the 1/12/21 workshop. Matt received an e-mail from Dillon at DEP informing the planning board that DEP has accepted NBD Solar Maine, LLC Solar’s application for review a/o 12/15/20. NBD Solar Maine, LLC submitted a site plan review application and a Board of Appeals application waiver for the land use codes. Application is not complete and fee has not been paid. Waiver is for the overall site plan to be shown at a scale different then what the current minimum scale requirement is. Tony remarked that the applicant may be confusing zoning appeal with a waiver that the planning board has authority over. Doug Stewart stated he commented to DEP that the basic town zoning ordinances were not followed in the DEP application, specifically property setbacks. Questions were raised regarding the visual buffer and stormwater run-off as there will be a substantial clear cutting for this project. Site plan submitted to the planning board on 11/6/20 has been revised as of 12/16. Matt St Cyr to contact engineers and consultants to inquire if they are able to be on retainer, availability and also have any conflict of interest for this project. Matt asked Doug from a professional standpoint, as winter sets in, does it change the effectiveness of being able to map out the wet areas. Doug responded location of wetlands is more difficult and challenging when the ground is frozen and snow covered.

Abutter Steve Lizotte stated we covered concerns regarding regulations, ordinances and variances and ensure the project is moving forward legally, but is that all we are concerned about? Matt St Cyr replied it is not and explained the primary function of the planning board is to ensure the Pownal Land Use Ordinances are followed and reviewing this project under the of the site plan review. One of the site plan review purpose is to promote and protect the health, safety and the welfare of the town. Tony also stated the site plan purpose is also to conserve the town’s natural beauty and visual character. Matt A. added the site plan review ordinance has content about the effective residential area around which the construction is built and it helps to hear from folks like him that are most immediately affective by the project.

5. Other Business

Application cover sheet and Intro -

Application Introduction: Reviewed, discussed and edited the documentation that planning board may ask for. Jesse moved to accept as presented. Matt St Cyr 2nd the motion.

Discussion: none Vote: yes=7/no=0 Approved

- Updating the checklists and application with new language for Soil Erosion:

Application: Matt St Cyr made a motion to adopt the Town of Pownal Maine Subdivision

Application form as amended 12-16-20. Marika 2nd. Discussion – None – Vote: yes-7/no-0

Checklist – reviewed by all - Matt A. moved to accept the public minor and major subdivision checklist as amended by Christine. Jesse 2nd the motion – Discussion – none vote: Yes-7/no=0 Adopted.

6. Next Month Agenda: Ordinance Review Committee, Chipman's subdivision, Solar Ordinance, Meeting Minutes

7. Meeting Adjourned at: 8:32 pm

Respectively submitted,

Christine Watson

**Christine Watson, Secretary
1-20-21**