

## **Special Planning Board Meeting Minutes of 07-06-21**

**Board Members Present:** Greg Cauldwell (Chair), Chad Dwelley, Fred Webber, Garrett Murch, Ron LaRue and Andre Dube.

**Support Staff & Guests Present:** Alice Counts (Administrative Assistant), and Fred Webber.

**Call to Order.** The meeting was called to order by PB Chairman Cauldwell at 7:00 pm.

### **Applications**

- None.

### **Review/Approve Minutes of June 29, 2021 Meeting.**

- Motion by PB Murch to approve meeting minutes of 06-29-21, 2nd by PB Cauldwell.

### **Review/Discuss/Approve Planning Board Bylaws**

- Motion by PB Murch to Discuss Bylaws, 2nd by PB Dwelley at 7:18PM
- PB Webber voiced his opinion that bylaws should not require PB members to attend all public hearings.
- Public hearings can be continued if more information is required from the applicant.
- Discussion on poor attendance.
- Discussion on filling vacancy on the Planning Board. Alice agreed to send out email to the community asking for anyone interested in becoming a member of the Planning Board.
- PB Cauldwell stated that anyone missing 3 consecutive meetings without prior excuse would be dropped from the Planning Board.
- Motion by PB Murch to Amend Bylaws to add "public" before "hearing". 2nd by PB Dwelley. Motion carried; Vote was 5-0. **PASS**
- Motion by PB Murch to Adopt the bylaws, 2nd by Dwelley. Motion carried; Vote was 5-0. **PASS**

### **Election**

- Motion by PB Webber to Nominate PB Cauldwell as Chairman. 2nd by PB Dwelley. Motion carried; Vote was 5-0. **PASS**
- Need to determine who the alternate is?

### **Public Hearings**

- The following items 2 and 3 were revisited for verification of compliance. In approving subdivisions within the Town of Mt. Vernon, the Planning Board shall consider the following criteria and, before granting approval, shall make findings of fact that the provisions of this section have been met and that the proposed subdivision will meet the guidelines of Title 30-A MRSA, section 4551, Subsection 3.

The subdivision:

- Will not result in undue water or air pollution. In making this determination, the Board shall at least consider the elevation of the land and its relation to flood hazard areas; the nature of soils and subsoils and their ability to adequately support waste disposal; the slope of the land and its effect on effluents; the applicability of federal, state and local health and land use regulations; **PASS**
- Has sufficient water available for the reasonably foreseeable needs of the subdivision; Pending more information. **PASS**
- Will not cause an unreasonable burden on any existing water supply which is to be utilized; Pending more information. **PASS**
- Will not cause an unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result; **PASS**
- Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of highways or public roads existing or proposed; **PASS**
- Will provide for adequate solid and sewage waste disposal; will not cause an unreasonable burden on the ability of the municipality to dispose of solid waste and sewage; **PASS**
- Will not cause undue adverse impacts on other municipal services and infrastructure; **PASS**
- Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetic, historic sites or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline; **PASS**
- Will be in conformance with the Comprehensive Plan of the Town of Mt. Vernon. In making this determination, the Planning Board is authorized to interpret the Comprehensive Plan. **PASS**
- Whenever situated in whole or in part within 250 feet of any pond, lake or river, will not adversely affect the quality of the body of water or unreasonably affect the shoreline of that body of water; **PASS**
- Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water; **PASS**
- Shall be constructed in conformance with Section 8 "Foodplain Mgt."; specifically, for all principal structures within the subdivision the lowest floor, including the basement, shall be at least one foot above the 100-year flood elevation; **PASS**
- Will not unreasonably interfere with access to direct sunlight for solar energy systems; and Applicant has adequate financial and technical capacity to meet the above stated standards. **PASS**
- Motion by PB LaRue to find Items 2 and 3 positively affirmed. 2<sup>nd</sup> by PB Dube. Motion was carried. Vote was 5-0. **PASS**. Applicant Fred Webber to meet with Alice tomorrow morning to show where on the map his properties lie in relation to the two "next door neighbors" adjoining properties he used as verification for these 2 items. Both drills were done in 2019.
- Further research shows the following:
  - 169 North Taylor Road Map R05 Lot 045, Property Owner: Raymond Carrier, Well depth is 180 ft, yield is 25 gallons per min (gpm), Drill Date: 09-12-2018
  - 135 North Taylor Road is actually listed as Taylor Road with no address on file, Map R05 Lot 043 Property Owner: Pollister, Well depth is 320 ft, yield is 8 gpm. Drill date: 06-26-2019
  - Map R05 Lot 046 is the property brought before the board for the above subdivision. Lot 046A has been sold.

- Alice Counts received \$50 from applicant Fred Webber for his application fee. Fred Webber to see Town Deputy Clerk for his receipt.

### **Other Business**

- Reminder: On Site meeting scheduled for Alan Caron, 11 Knotty Pine Drive, on 07-11-21 at 10:00. Application was made to hold Public Hearing to extend existing dock past 30 feet to a depth of 6 ft into Torsey Lake. PB Cauldwell, PB Murch, PB Webber and PB LaRue will attend this on-site meeting. PB Webber stated his opinion that this should have been CEO Butler's decision to make and that the Planning Board should not have been involved.
- PB Dwelley would like to know if it is allowed for an applicant to go to the Board of Appeals prior to their application being denied. It was stated that the process requires the applicant to go through the Planning Board prior to the Board of Appeals.

### **Future Schedule**

- Next Meeting scheduled for 07-27-21 at 7:00 PM

### **Motion to Adjourn.**

- Motion by PB Webber to adjourn at 7:47. 2<sup>nd</sup> by PB LaRue. Motion carried. Vote was 5-0. **PASS**