

**LAND USE REVIEW COMMITTEE MINUTES  
TOWN OF UNITY  
WEDNESDAY, FEBRUARY 27, 2013  
LOCATION: UNITY MASONIC LODGE, UNITY, MAINE**

**MEMBERS PRESENT:** Randy Reynolds, Jim Kenney, Jo Kenney, Don Newell, Barry McCormick, Tony Avilla, Mark Nickerson, Emily Newell, Nancy Zane

**OBSERVERS:** Chris Rossignol, Jean Bourg, John Piotti, Joel Greenwood (KVCOG)

**RECORDER:** Sherry E. Powell-Wilson

18:30:00 John Piotti: There will be a public hearing at the firehouse at 7:30, and I did it at that time, because the only day we could find that worked was a Wednesday, and many people here would probably want to go there.

18:33:09 Jim Kenney: ....and that's what we're discussing right now. I had the impression that it was earlier. It's 7:30, there is going to be a public hearing at 7:30 on Wednesday, 03/13/13. It is suggested....I hear Don saying come here early, do our meeting, and go there or just go there first?

18:33:54 Don Newell: Either one is fine.

18:33:58 Jim Kenney: Either one is fine. We can do some work. So, shall we plan to start here at 6:00? Is that okay, Tony, you can drift in when....you have a business to run. John? Six o'clock here on the 13<sup>th</sup>, then we can, those of us who can go down to the public hearing. So, that will be our plan. Minutes were out and did you get the chance to look at them folks? They came out on Monday. Came to the land use distribution...one came out, I saw it.

18:34:45 John McIntire: I did not see them.

18:34:49 Emily Newell: I sent out the revised list.

18:34:55 Randy Reynolds: We did not get it.

18:35:00 Jim Kenney: On our computer was the one dated 02/20 so, shall we table review and approval of the 20<sup>th</sup> until we can have them in hand? Take a look, folks, or I will just grab the copies on my machine and send them out. I will do that.

18:35:26 Barry McCormick: Yes, do that.

18:35:31 Jim Kenney: Is there any other business to conduct?

18:35:36 Jo Kenney: I have a comment, I started looking at the statutes and there was a question regarding nuisance and what the definition of a nuisance was when we were going through everything, and what it is under the statutes is any property in use or existing in violation of permissible land use ordinance or regulation is a nuisance, so we all know now what a nuisance is. We were buzzing about that.

18:36:05 Jim Kenney: Are we ready for John? John is there something that you can turn over that we can capture?

18:36:49 John Piotti: That is what the handouts are for, and I have my own notes and I can turn more notes into something more. You can do what you want but if I were you I wouldn't take down every word.

18:36:59 Sherry Powell-Wilson: I'm going to try!

18:37:08 John Piotti: Anyway, I appreciate the opportunity to speak to the group. I designed a - 'presentation' is a strong word, I really didn't have visuals, I could have done a PowerPoint but I thought this was probably better just to walk through some items. That is really what you suggested, Jim. I will be talking in several categories. I will be talking a little bit about the legal background. I am glad Joel is here because he might reinforce some of that or add to it. I want to talk a little bit about Unity's history and growth management. I want to talk a little bit about some of the specifics of the Ordinance recognizing, as we said at the last meeting, I think John was the one who raised that, that this is really, in my mind, sort of a beginning. It would not make sense for me to give you all of the details, every planning concept that is in every part of the Ordinance because a) it would take too long, and b) it would not mean anything until you had that piece in front of you, so this is meant more as an overview and then my hope is that when you are dealing with a particular part of the Ordinance and wish to dive in deeper that you will ask me to talk about that.

18:38:29 Jim Kenney: For the mechanics of your discussion today, do you want questions held until you are done?

18:38:33 John Piotti: I think that would make sense unless they are questions of clarification. So, legal background and something in particular Jo was interested in, the growth management law basically outlines what needs to occur in a comprehensive plan, and how that leads to the implementation of the plan, which is done a number of ways but one way is (inaudible). The towns are no longer required to develop a comprehensive plan, but if they don't, they are in a tough position because a whole bunch of State funds, everything from grant funds to even priority for some DOT projects and things like that – all relate back to whether or not you have an approved comprehensive plan. It is no longer required but there are a lot of very powerful incentives to do so. Some people use the term 'comp plan' and ordinance sort of interchangeably. They are obviously two very distinct documents but they are interconnected, and the usual process is a town adopts a comprehensive plan, and we will talk a little bit more about what those usually entail and then, from that, the town develops an ordinance that is consistent with it. Comp plans generally involve four components, not generally, this is what the Statute says and I would like to hand these around and I think I only have 10 of them so I may not have enough, but they involve an inventory and analysis piece, they involve a piece that talks about the policies in the town, which the town wishes to implement. They outline implementation strategies, and it is in the implementation strategies section that these terms come up about a growth district and a rural district and then, finally, they talk about regional coordination, and it gives some sense of how towns might deal with a shared resource. Unity Pond would be a great example here.

18:40:53 (John Piotti) The major implementation strategy is your land use ordinance. That is not your only implementation strategy. There are other ordinances in town, which are ways to implement some of the things that are in your comp plan, and there are things that are unrelated to ordinances, nonregulatory approaches that you can use to satisfy some of what you wish as a vision in the comp plan. But I would say that the major one is your land use ordinance and the State reviews and approves comp plans and then reviews land use ordinances to see if they are consistent with that comp plan.

18:41:37 (John Piotti) If you look at what I just passed out, there is a lot here, probably more than you wanted but I know, Jo, you would be interested in it. But I passed it out to sort of give you a sense of some things. If you look at the inventory and analysis section, you can see that there is a heck of a lot here, a lot of things that have to be done, and that is one of the reasons why comp plans – communities don't do every other year, because they are hard to do. They take a lot of work and they take money, because a lot of this stuff volunteers could not easily do. If you need to do a natural resource inventory, you may have to hire a professional to do something like that. Some of these other pieces might require hiring someone to work on it and KVCOG is available to provide services in that regard, as well as there are a number of private consultants. That is one thing I just wanted to point out – all of the stuff that needs to happen as part of the inventory and analysis. The second thing I wanted to highlight, because it came up in the last meeting, second page, under 3K it talks about guidelines for policy development and implementation strategies, here is where it just specifically gets talking about growth areas and rural areas. I made the comment at last week's meeting that you folks can choose any way you want to organize the Ordinance, and you were talking at that time about three different districts, rural, growth, and the village district. I had said you can organize it any way you want but you should be aware that growth district and rural district are something specific that is noted in the Growth Management Act and the Town is divided into those two things. You are either in the Growth District or you are in the Rural District, and that comes directly from State law. That

does not mean you cannot have overlay districts, which we do, as most towns do, but they are a little different in that these have direct linkages back to the enabling statute and different things were supposed to happen in those areas with State laws saying in the Growth District that is where you usually encourage most growth to go, and in the Rural District, you should have policies and procedures and requirements in place that minimize and are a disincentive for growth in that area. So there are those districts and a bunch of other districts and we'll talk about that a little bit later but they are districts that are a little different because they have specific legislative intent behind them. Does that make sense? I wanted to call that out because this talks a little about what your growth and rural districts are and says within the growth areas, each municipality shall establish development standards, establish a permitting procedure to make sure the needed public services are available, and prevent inappropriate development in natural habited areas including flood plains and areas of high erosion. It is basically saying we have to develop these things for that area. Within the rural area, you will adopt land use policies and ordinances to discourage incompatible development and then it goes on to talk about that. I just wanted to flag that for you, and the rest of the stuff you can read over on your own. My message in all of this is comp plans are rather complicated and expensive in part because of this level of analysis and inventory. Ideally, I don't know what KVCOG suggests now but it used to be every 10 years or so ideally to do a new plan. Unity's plan is obviously very out of date. Talking about the history of Unity, it was done in 1993 so it is now 20 years old. It is very out of date and, more importantly, I guess you would say the data in it is very old. A lot of that data was actually pulled from a pre-existing plan that I think was developed from 1989, so it is really, really out of date, and I will return to that later.

18:46:05 (John Piotti) The key points on this that I want to make is that there is much to do when you are doing a comp plan, there is much to do under the inventory and analysis section. The policy section that is noted in there, it does not spell it out there in statute but if you look at any of the manuals for policies section, they will stress the need to have a very broad participatory public process. Not just open meetings but interviews with key members of the community, surveys, visioning sessions and the like. The whole idea is to actively engage the public in the development of the comp plan so policies are oriented in that way. The third point I want to make is the central organizing principle for implementation is to separate the town into the growth area and the rural area. There is a lot of other stuff too but that is the central organizing principle, you are going to try to encourage growth in one place, and discourage growth in another place. I will talk in a moment about the history of Unity's involvement with growth management but since Joel is here I want to give him a chance to rebut or add, you're an expert, to anything that I said.

18:47:34 Joel Greenwood: Sounds accurate to me so far. The interesting thing is to me, in trying update the ordinance is when you haven't got a comp plan behind that. I'm not saying you shouldn't do it but it seems easier when you've got the information and the direction to go on from a comp plan, because you have got all the ideas about what is happening in town, how it is growing and how it is changing and because of the public input and policies that are written, you have more of a focus of how you need to write it, so using the comp plan as a focus to focus the writing of the land use ordinance, it is certainly helpful. Like I said, it is not necessarily a problem of writing the land use ordinance on its own separately, but that is something is that might make it easier. So far, what you have said seems perfectly fine.

18:48:42 John Piotti: I'm going to stress that same point later when I talk about the Ordinance, and will get to it when I get to it.

18:48:49 Jo Kenney: So, we do have, in fact, though it is outdated, a comprehensive plan? It is 20 years old but we do have it to use it and consider it, right, when you are rewriting any ordinance, I mean it is still...

18:49:05 John Piotti: Statute is actually, I think, specific about that, it says until you adopt a new one, that is your plan even though it is not current, as of December 31<sup>st</sup>, it is no longer recognized by the State of Maine as a viable tool.

18:49:37 Barry McCormick: Can the Town adopt that Plan right now and say that's what we'll use?

18:49:50 John Piotti: I don't think so, I don't think it would pass review by the State.

18:49:42 Joel Greenwood: While the Town can adopt it, the State probably would not accept it but the Town can adopt it. The two are completely separate.

Land Use Review Committee Meeting Minutes  
02/27/2013

18:49:52 Don Newell: What is the cost?

18:49:57 John Piotti: If KVCOG did it, it would be about \$20,000. Is that right?

18:50:04 Joel Greenwood: Yeah, \$20,000 depending on the situation. We've been known to do it for a bit less and there have been times we've gone over budget.

18:50:11 John Piotti: I'll get into this a little later.

18:50:16 Joel Greenwood: On a time scale, it usually takes I would say 18 months would be...

18:50:21 John Piotti: Chris told me you guys could do it in a year. NOTE: Chris Huck is the Planning Director at KVCOG.

18:50:28 Joel Greenwood: We probably, yeah, I was thinking, for example, we just did Pittsfield and we did that in under 12 months.

18:50:36 Jim Kenney: Let me clarify in my own mind here... a document exists and to update it, it takes a year and a half? I could understand a year and a half if you started with a clear piece of paper and was starting from the beginning, but it would take a year and a half?

18:50:53 John Piotti: Well, Joel said a year.

18:50:57 Joel Greenwood: Specifically, one this old as well, it is 20 years old so essentially you would have to pretty much rewrite it from....

18:51:05 John Piotti: And the reason is two-fold. The level of detail that is needed for all the analysis pieces and the kind of public participatory process you really need to develop the policies.

18:51:16 Joel Greenwood: Yeah, absolutely a lot of work goes into organizing public communications, trying to get people to represent them and record the information, and translate that into policy is probably the hardest part.

18:51:34 John Piotti: Before I talk about Unity's history, I mentioned the Land Use Ordinance and I said a lot of people confused the Comp Plan with the Ordinance and they are distinct things. I think we also have to remember that we have many different ordinances in town, not just the Land Use Ordinance. One of the others is the Shoreland Zoning Ordinance, and as the Planning Board looks at a building permit application or anything else, we really use both ordinances hand in hand. We distinguish them because one way...they both were adopted by the Town but the Shoreland Zoning Ordinance basically includes states language that we, for all intensive purposes, are forced to adopt. There are tweaks here and there but they both have the same kind of power and control over building permit applications. Something in the Shoreland Zone has to follow everything that is in the Shoreland Zoning Ordinance and everything in the Land Use Ordinance so there are really two principle documents that guide what the Planning Board does. In addition, we have a Flood Plain Ordinance in town which affects some things, we have a Road Ordinance in town, as of two years ago, we have Wind Turbine Ordinance in town, and then the Appeals Board has its own ordinance. So the Land Use Ordinance in some ways is a part of what the Town has adopted to implement the Comp Plan, and there are a whole bunch of other pieces.

18:53:11 Joel Greenwood: What usually can happen as well is you can have several set of ordinances which could potentially sit within a land use ordinance. I know a lot of towns will have a long list of ordinances but really you could combine them into sections within the land use ordinance. That is just to demonstrate logistical content. The content is the same, it is just where they sit ...and the interesting point about that is say you put all together in one document, one Comprehensive Land Use Ordinance, which has all of the different parts, separate ordinances which you have pulled

together and put all under one. Essentially, the problem is when that comes to a town vote you vote that as a whole....as opposed to giving different parts of it, so that a compromise is just a thing....

18:54:19 John Piotti: The other issue is the thickness of it.

18:54:23 Joel Greenwood: Yes, that is a huge document and looks unwieldy and intimidating to everyone, to me included.

18:54:32 John Piotti: Two examples in the past show how we have dealt with that situation. Back in 1995, when we adopted the Ordinance on KVCOG's suggestion, not Joel's, but on KVCOG's suggestion, we incorporated subdivision review into our Land Use Ordinance, and some towns have a separate subdivision ordinance. You don't have to do it that way. This is what was recommended to us so we did it that way. For Unity, that is included in our Land Use Ordinance and for some communities it is not. Two years ago, when we were talking about the Wind Turbine Ordinance, we had this discussion at one of the Comp Plan committee meetings saying should it be combined or should it be separate, and the feeling was this is so specific that we should keep it separate for the reasons that if we didn't keep it separate we're going to have an extra 50 pages of technical detail in our Land Use Ordinance and every time someone wants to get a copy of the Ordinance to see whether they need a permit for an addition to their cabin...that seems silly. So, at different times we have gone in different directions. There is no hard and fast rule on how to do it. The Town can make a judgment in situations what makes more sense.

So a little history about Unity's involvement in growth management.

18:55:59 Mark Nickerson: Can I ask a question? You mentioned the Comprehensive Plan in what Town was not a requirement by the State....

18:56:12 John Piotti: You are no longer required, Joel, correct me if I'm wrong, you are no longer required to do a Comp Plan, is that correct?

18:56:18 Joel Greenwood: It is encouraged and there are many benefits to it but you do not have to have it. You are allowed to have one that the Town adopted but with the State would be inconsistent. You still are allowed to have your own Comp Plan but we do not encourage it.

18:56:34 Don Newell: And what that means is that the incentives that John talked about would not be available to the Town because they had not been approved?

18:56:37: Joel Greenwood: That's right.

18:56:41 John Piotti: So the history is our Comp Plan, as I mentioned before, it was approved by a Town meeting in 1993, and we had an earlier one which was approved in 1989, just about the same time the Growth Management Act was enacted. I think it was enacted in '88 or '89. We had been working on the Plan, I say 'we' but I wasn't part of the Committee at that time but the community had been working on a plan, approved it, but it didn't follow any of what the State law required so there was a new committee created in probably '89 or '90 that worked on creating a Comp Plan in the form the Growth Management law required. The next step after developing that was to implement it and, as I mentioned before, one of the principal local implementation strategies is the Land Use Ordinance. Before that, Unity did not have what you would call a Land Use Ordinance like that. We called it a Building Permit Application Ordinance or something like that. It fell short and wasn't particularly comprehensive, a lot of things that were addressed in the Comp Plan were not there at all. We didn't really have an ordinance to build from, it was pretty much a situation of starting from square one.

In that process, Dick Perkins and I were appointed co-chairs of that committee. Don served on that committee as well and a number of other people. Maryann Hayes, who many of you know, she at that time had Joel's job at KVCOG, she was our person and because she lived in Thorndike and was committed to the area I think we got a lot of work out of her – not

that we won't out of you Joel but I mean, she really put her heart into this because it was in some ways her community as well. We had a large committee. Initially, in that first year after the comprehensive plan was voted out, say probably 20 or 25 people. It functioned well. We recognized that we didn't know a lot about planning and we spent a considerable amount of time up front just learning about a whole range of concepts that we knew nothing about and we'll talk about some of these later. But when you hear mixed use development with performance standards as an alternative to traditional zoning and a whole bunch of things, they are just going to sound like terms to you. But it sounded like terms to me 20 years ago as well, but we spent a lot of time learning about that stuff.

Now, mistakenly, many people think that I wrote the Ordinance, and some people give me credit for that and some people blame me for that. But it was a true group effort and, in fact, my characterization of it, I am curious what Don's view is, is that I actually played a smaller role in the development of the ideas than many of the other committee members. I can think of Andy Reed, Arlene Schaefer, Don, Jonesy, and a whole bunch of other people who worked on it and often were formulators of the ideas and my job was basically to do research on some of the ideas that were presented and then to bring that together in some articulation of language. Relatively few ideas came from me and the organization in all of the sort of model language came directly from KVCOG. Any comments on that process?

19:00:27 Don Newell: That is true. I mean, the whole process was to try to find some consensus as we went along...and your hands were quite full as ours were as well.

19:00:38 John Piotti: The group worked hard for a year and then returned to town meeting and, at that time, we recruited even more committee members so it was even a larger group after 1994. I am going by memory but I would say that over the course of the two years that we worked on that, at one point in time, there were probably 40-50 people who were involved in the process in some way. It was fairly significantly. During the year between 1994 and 1995, town meeting in 1995 the Ordinance was approved we had 26 public meetings. We brought the proposed Ordinance to the town meeting in 1995 and it was overwhelmingly approved, I don't know if it was unanimous or not but it was close. Since then, the Ordinance has been changed multiple times and the changes have come in two types. One is relatively small changes that were needed to deal with say unintended consequences. You can't develop anything like this and anticipate everything that is going to happen so we hear after the fact, you know, this did this, was it meant to? No, that wasn't the intent. So there were relatively small things that we came back to, I think, maybe four times over the last 15 years we came back to the Town meeting and made tweaks. So, there were relatively small things, that was one set of changes, and then the second set of changes were in 2003. We made some pretty dramatic changes but they were the result of changes we made to the Comprehensive Plan. We modified the policy section of the Comprehensive Plan in 2001 and that directed the Comp Plan Committee to work on revisions in the Ordinance in a couple of areas, which I will talk about in a moment.

19:02:44 (John Piotti) I think it is important to talk about these changes and how they occurred for two reasons. The first point I want to make is that the Comp Plan Committee has never felt it was appropriate to make any major changes to Ordinance unless it was the result of an amended or new Comp Plan. We just didn't view that as our role. We always acted very conservatively and only made small and necessary changes and/or those specifically directed by town meeting. I mention this in part because I think it is important to understand that land use ordinances generally come into being by flowing from a comp plan, exactly what Joel was saying earlier in the meeting. There is a value in this. It is also that the Ordinance needs to be based on real hard data and ideally current data. The Comp Plan allows the Ordinance to be based on recent and significant public participation, the sort I talked about before, bringing in surveys and that sort of thing. The second reason I want to mention is I feel it is appropriate to point out that we did not need to make major changes to the Ordinance because we felt that was not our role. Now I'm a big boy, I have been a little troubled, as you all know, by the fact that I'm not on this Committee and there are some other things. That is water under the bridge, it doesn't really matter, but I think it is important that people sort of understand the role the Comprehensive Plan Committee played and what it didn't do. We really took seriously that we were not there to rewrite the Ordinance, we were there to fix problems or to do the work that the Town Meeting directed us to. Some of the recent complaints that have been leveled against the Comp Plan Committee and me have been that the Ordinance is disorganized and a mess and whatever...and we just feel we never had that right. And we actually, I actually as Chair of the Committee, on many occasions, asked the selectmen for that opportunity. I asked if we could revise the Comp Plan and the answer was always the same, no, too expensive,

can't do it. The only opportunity we were ever given was back 10-12 years ago, whenever it was, the selectmen at the time allowed us to add some revisions to the policy section, which is what we did during that period of time.

19:05:49 (John Piotti) The second point I want to make is I want to specifically talk about the changes to the Ordinance that were made in 2003 because they were substantive changes and I want you to understand what they were and why they were made. Two things. That is where the retail growth district came from, which I know is something many of you have questions and some of you have serious concerns about. That is when the retail growth district was created, and that is also when a number of additional performance standards were added. I know some of you are critical of some of those things, and some of you don't like those sections of the Ordinance and that is something that you will work on over the next year. A point that I want to make is that you understand where they came from. These were not things that were "willy nilly" that the Comp Plan Committee came up with. These are items that went to Town Meeting not once but twice and we updated the policies and some of the possible approaches to implement the revised policies would be a, b, and c and we received feedback and then we worked on the details of those things and those details were brought back to Town Meeting and Town Meeting approved them. Now, we have all been part of town meetings and we know where at Town Meeting things that don't get discussed and there are things at Town Meeting that might be discussed vigorously and there is a lot of contentiousness about it, very different views. This was neither of those. This was something that was discussed vigorously and near the end it was unanimous or close to unanimous. So, that does not mean it is not right for change, I just want to make it clear that these things were not pulled out of the air, they came through a public process.

19:07:52 (John Piotti) I want to turn now and talk just a little bit about the Ordinance, just some overview stuff. You guys have been reading it, you have a much better understanding than you did before. I just want to make some general observations and if they all repeat for you, great, that means that the last few weeks were really productive for you. As I mentioned at the outset, the Town is basically divided into two districts. You've got the Growth District and the Rural District, and the Ordinance does this because that is what State law says, and then there are procedures to encourage growth in the Growth District, and discourage growth in the Rural District. The Growth District is essentially the downtown area. It was designed around our sewer system. The best way to think about it is the area served by the sewer plus a little. Because the idea was you wanted to have some room for growth beyond that. There also several overlay districts, as you mentioned. There is the Village District, which is a subset of Downtown. There is the Retail Growth District, which is a subset of Downtown,. There is the Aquifer Protection District, which has portions of Downtown and the Rural District in it, and there is the Shoreland District, which has portions of Downtown and Rural. I know that when you hear all of this it sounds confusing but there is a reason for all of it. Let's take the Aquifer Protection District, that is in the Downtown and Rural area, you would not want to have the standards applied to the Aquifer Protection District applied to the entire town because you would, well, you would never have a gas station. You would be forcing a higher level of standards of performance than makes sense for other portions of land. So that is an example where having this apply only in a certain area really makes sense because you don't not want to apply it and threaten our aquifer, but if you applied it universally, you would be preventing businesses that you would probably want to have in town from being somewhere in town. So, this is just one of those examples where you look at this kind of stuff if you don't know it is in there, and you go, "Why are all these different districts?" Well, there is a reason. Having a district in an Ordinance that is a little bit more complicated but having multiple districts actually is more freeing for the community because if you didn't do it that way, you would either be jeopardizing the water, the aquifer, or you would be applying onerous responsibilities on businesses outside of where it could do harm. The Village District is another good example of that. The town thought differently about the traditional already developed part of downtown, basically Main Street including the bridge from the railroad and set a small section of Depot Street, which extends basically to the Community Center on School Street. This was already an area that was already developed that people felt strongly they would like that character and they wanted to take special steps to do that, but they didn't want to necessarily apply those standards for the Village District to the whole Rural District, to the whole downtown. Again, it is complicated but ideally it is complicated for a good reason. Retail Growth, you could say the same thing and we will talk about this a little bit later today, but when you know more about the planning concepts that were the foundation for the Retail Growth District, it is actually designed to be good for business, which we'll talk about. The Shoreland Zoning is for, better or worse, we don't really have a choice, it is State law. My point on all of this is that Unity's Ordinance has many components that at first glance you might go, "Where in

the world did this come from, that doesn't make any sense." But, if you understand it better maybe in some instance you will think it makes perfect sense.

I have another handout. This is not a complete list. This is just a list of some things that are in the Ordinance and I wanted to hint at the planning concept that was in our minds when the Comprehensive Plan Committee put this as a proposal before the Town. Just so you know, these things were not 'willy nilly,' and this gives you an idea of when you return to these items as you are doing your work as a committee, ideally I would like the opportunity to dive into more detail on some of these things. For instance, we have requirements in town about the size of lots and we do it very differently than other towns, which makes it more confusing and more complicated, but I would like to think it is also 'better'. We were following a different planning concept that what is normally done and, just to give you an example, I won't go through all of these items like this but I will use this one, the first one, as an example. Most towns what would traditionally have been done they just set a minimum lot size, maybe it is houses in the rural area cannot be smaller than on three acres or something like that. We did not do that in Unity. We instead used a density approach, which are used in other things but, at this time in 1995, were used very rarely for lots, and the concept was the following. If you have, let's say, rather than three acres for a house, let's say you have nine acres. We're applying a density of no more than one house for every three acres so, with nine acres you could have three houses, the same as if you needed three acres for a house lot but we're not requiring that you have three acres for a house lot. An individual house can be as small as a little less as a half-acre, 20,000 feet, which is the minimum allowed by State law for septic, if the land is suitable for septic. Why did we do that? We did that so someone who wants to sell off a piece of land does not necessarily have to sell off three acres. We did it so a farmer could potentially sell off several lots without having to sell off nearly so much land. I think almost everyone who understands this gives the landowner options and it may be in the better interest of the community, and you explain this to people and they go, wow, that's wonderful but it takes a half page in the Ordinance to explain this, whereas if you instead said 'all lots need to be a minimum of three acres, it would take a short sentence. There is stuff in the Ordinance like that and you may like them or you may not like them, but they are based on something, they were not done 'willy nilly.'" This is just an example of some of the things that we learned through that many years, two years of developing the Ordinance but we had a Comp Plan process before that where we also learned an awful lot, so it was really a solid, I would say, Don, correct me if you think differently, I would say there were four or five years of real community learning that really went into the development.

19:16:17 Don Newell: Actually, that is my business, real estate. I would encourage you that as we get into this, to drive around communities and look at how they have developed in the last 20 years, and you will see that there are managed differences in how communities have developed in 10 years, and it is because of the first two items, lot size and the road frontage. We don't require this in the Ordinance. A lot of towns I have worked it, it is 200 feet or three acres so you drive down the road and that is what you got, right down the road, house...house...house. Our Ordinance allows a person to get off the road, 50 feet of frontage to get a driveway in, set the house back off the road. I know from a marketing point of view if I have a house on the road, and I have a house off the road and they are otherwise equal, the value of the house off the road is significantly more and so the bottom line for me is property in Unity is significantly more valuable on average than the properties in other towns, and that is all based on planning. This stuff really works.

19:17:35 Barry McCormick: How many houses have been built in town in the last 10 years?

19:17:46 Don Newell: A lot more than you think.

19:17:48 John Piotti: That's why we need a new Comp Plan, to answer that....

19:17:51 Barry McCormick: I mean only on the main drag.

19:17:55 John Piotti: On the main drag? Just on my road there have been about ....

19:18:00 Don Newell: No, we haven't had any lots available.

19:18:02 Barry McCormick: What you are talking about is in the Downtown District?



19:18:05 John Piotti: No he is talking just rural community.

19:18:12 Don Newell: Anyway, we will get into this as we go but as you are driving around, if you try to watch and you will see that it makes a difference.

19:18:20 John Piotti: And it is not just an issue with setbacks, it is also that issue if you want to take 1,000 feet of linear road frontage and break it out 200 feet, driveway, 200 feet, driveway.. You really don't if you can get away with it and our Ordinance, again, gives flexibility, it allows shared used driveways and it does not say there has to be 200 feet separating every driveway, which a lot of communities have. It says if you have 1,000 feet, you can't have more than five driveways, so, again, it is comparable to the density requirement, but gives more flexibility, isn't any more onerous, allows people to do some things that often are smarter and provide more value to the property but from the Ordinance perspective, again, that one takes a full page to explain rather than a sentence.

19:19:08 John McIntire: So, that would encourage cluster kind of developments?

19:19:18 John Piotti: It would allow those but it doesn't require, but it does allow them. Both of those things taken together allow clustering that would not otherwise. It does not require anything, but allows it if somebody wants to do it, allows a large property owner to sell a parcel without giving up so much of their land, and allows placement of lots in perhaps places that make more sense and are of more value to the property owner.

19:19:51 Don Newell: One of the things that you said to me -- has this restricted or retarded subdivisions and the answer is yes, and I don't quite get that but I'm personally glad that is the case because in the subdivision days when people from away were buying large chunks of land and dividing them right up, boom, boom, boom, right, up and there were a lot of these two acres, five, five, five, five, however deep it was, and it stated the 1/5 ratio, and Unity did not get involved in much of that and it was due to the complexity in the Ordinance and those developers said, "Nah, I'm not dealing with that," and they stayed away from us a little bit. I know that happened, like you said earlier, restricted development in that respect we have. Had this not been there, they would seen that they could've actually been more creative and it could've been opened and actually, in more hindsight, because they've could've moved around and ... when you do everything in rectangular systems.

19:21:03 Barry McCormick: That is similar to what you did on yours, right?

19:21:08 Don Newell: Exactly, we tucked them in.

19:21:11 John Piotti: Again, none of those things are required, they are just allowed. You could do it, you could do three-acre house lots, 200 feet frontage if you wanted to. This just prevents...provides an option to do it differently.

19:21:26 (John Piotti) So, this was meant to just give you an idea and as you get into each of those areas, and I guess where you want me, I will gladly come in and talk about the planning concept that was behind this and you can dig in more and follow some other track or whatever but maybe it is the engineer in me but I always like to think that good decisions are made when you have more information. So, if you want information from me in any of those planning concepts as you get into those subjects, I'm here for you.

19:21:57 Don Newell: I want to interrupt...A lot of people were checking off, as we read through the Ordinance areas, things that we want to come back to, and there were, I suggest gravel pits and there were three or four other fairly small items that seemed to stand out with respect, they seemed like special rules for instance, and I know from being part of that, to get that we had to get approved so there was a little bit of negotiating in order to get the votes. We had 40 to 50 people involved and the people in the community and special interest groups we tried to work with them. So, as you read these and you see some of those special things, that is what was going on and we were trying to accommodate everybody in the community. Do you remember that involvement?

19:22:57 John Piotti: Yeah, you mention gravel pits and I can't remember...

19:22:59 Don Newell: There was noise and they were kind of excluded from some of the rules as I recall, and that explains why gravel pits get a free ride there.

19:23:14 John Piotti: I don't particularly remember that. I remember a lot of conversations about junkyards over the years.

19:23:21 Jim Kenney: We're getting into chat. We've gone into a conversational thing and I just looked at my phone to see the time. There is going to be a time...we need you to wrap up and we need to open up the floor for those who have been patiently waiting.

19:23:37 John Piotti: I wanted to end by just making some overall comments that I believe need to be discussed. I think we should be grownup about this. We know there have been criticisms about the Ordinance so I want to just address some of those directly. One of the criticisms I have heard is that the current Ordinance is disorganized and hard to read, and my response to that is anything you can do to improve it, great, go for it. It never happened, and I really just feel the need to stress this, it never happened because the Comprehensive Plan Committee really was never given that opportunity until it was beyond our purview, after the first development of the Ordinance 15 years ago. I also want to stress I think it might be a little harder than you think. Some of these...what might make sense as far as organization to you may not work to the next guy down the road. All of this stuff is a compromise and is organized. So I applaud you for it, I say go for it, but it could very well be that it is harder than you think.

19:24:52 Jim Kenney: And that is okay, that is okay for it to be hard.

19:24:58 John Piotti: Another thing that I hear is that the Ordinance is too open to interpretation and my response to that you can remove some of the necessity of things being open to interpretation and, again, if you can do that, great, I applaud that, but there are a lot of things, and the best structured Ordinance are going to need to be open to interpretation. I know when you say this in the public and they say 'why can't you just be specific about it, well, I will give you an example. Let's take a performance standard that needs to be applied based on circumstances, and there are many. For instance, if there is a standard that noise from a new development can't adversely affect an abutting property use. That standard is going to be applied differently if the new activity abuts, if it is in the middle of an area of quiet residential development, than if it borders a State highway it is surrounded on three sides by undevelopable wet land. So the standard might be that you can't have an adverse impact on the abutter, but how you apply that standard is going to be crucial. So, again, I agree to accept you have more specificity, great, but there is absolutely no way you can remove all opportunities for interpretation and I guess...Joel works with planning boards and comp plan committees, I would be curious, would you agree with what I said or...

19:26:46 Joel Greenwood: There are some things that are fairly ...that you say, most of them depend on the specifics of the application and the location which the application is attempting to occur within. That is why you have a planning board to make those determinations, because if it was as simple as checking off the boxes it could be an easy clerical manner but these things...

19:27:15 John Piotti: The other criticism that I have heard repeatedly is that the current Ordinance is not business friendly and I think this is being offered in three ways. I am hearing that some procedures, perhaps, aren't business friendly, I'm hearing that some of the requirements and standards aren't business friendly, and recently I've been hearing that this idea of limiting retail to a zone potentially isn't business friendly. My response to each of those, first on the procedures I think the current procedures are fairly straightforward. I do not think they are particularly onerous. By procedures, I'm talking about submittal requirements, meetings, the number of meetings that we need, different processes to go through and the like. You may have a different opinion and that's fine but I'm convinced that things probably can be approved. I did want to stress that the Planning Board does bend over backwards to make things as easy as possible. We offer to provide direct assistance to help, if they don't understand part of the Ordinance we help explain how to meet that standard. We almost all of the time have special meetings to accommodate other peoples' schedules, and we

probably have the lowest application fees of any town in Maine or we're damn close to it. So, on procedures, if they can be improved, great, go for it. But my own opinion is that they are not that bad.

Regarding the different requirements and standards, no one likes to be told what to do but certain standards are there that you might, on first flush, say, well that can't be good for business. If you probe a little deeper, you might learn that some of those things might actually be good for business. One example is that standards are necessary for this idea of mixed used to work and we haven't talked about mixed usage. We can talk about it some other day but it is generally the concept that you have residential and commercial in the same areas and you can't have mixed use work without standards because somebody doesn't want to have their house next to a commercial activity that is not going to be a nice neighbor. So, if you want mixed use, you have to have certain performance standards. The alternative is traditional zoning where you separate everything and study after study has shown that having mixed use and have people living near business activity improves those businesses. The second point, those standards, if they well applied and they have to be well thought out standards and they have to be well applied but, if that is done they improve the overall community in ways that help businesses. An example is that if you have an attractive, pedestrian-oriented village center, it might only stay that way with performance standards. But the result of having those standards with the businesses that are there, are that they are the ones that do better because people want to be there. The final point that I will make on this is that good standards help existing businesses by making sure that a new business that might move in isn't an inappropriate neighbor. So, if you have built, for instance, a wonderful business that is very attractive and nice and works well in the community, and there are no performance standards, a person who might come in next to you, could take a lot of your hard work and energy and success and basically throw it out the door. Yes, it is important to strike a right balance in these kinds of standards and not overdo them, but standards that are structured well and applied well can actually be very supportive to business.

19:30:37 (John Piotti) The final point that I want to make has to do with the Retail Zone. The amount of retail in the community has to do with the amount of market demand for that retail activity. Having more land available for retail does not create new opportunities for retail as long as you had enough land available for retail. This has been shown in a number of studies and we can talk about the Retail Growth District, whenever you guys do that, we can talk about this in more detail. The point is, as long as the district is big enough, and our existing district may not be big enough. I'm not saying it is or it isn't, but as long as the district is big enough, expanding it will not increase business opportunities, but it does have a chance to hurt the existing businesses, to increase traffic and to diminish community character and, also, to spread out infrastructure, which can have a cost on the municipality. We don't need to go into any of those issues now unless you want to in the question section, that was basically my point. There are concerns about whether the Ordinance is business friendly and I think anything we can do in this town, I mean, I've worked hard in this town, my career as a volunteer with the Unity Barn Raisers and elsewhere has been to try to promote business in this town. I care about businesses in this town. But don't think that just because there is a requirement on the Ordinance that business has to do something, that means the Ordinance is not business-friendly.

19:33:21 (John Piotti) The final comment that I want to make, and then I'll be quiet, is that the Ordinance could certainly benefit from some reorganization, and again, I encourage you to do that. It could benefit from streamlining some of the processes, and I encourage you to do that. It could certainly benefit from some updating. There is information within sections in the Ordinance that are totally out of date. For instance, the sign section doesn't reflect the kind of signs that are being used in Maine today, so it is just terribly out of date and, in my mind, those are all things which are appropriate for this committee, which has been given the charge, which is more than any comprehensive plan committee in the past has ever been given. Beyond those kinds of changes, I think that other changes to the Ordinance need to be the result of a new Comp Plan process and wait for that, because otherwise you are not basing your decisions on data and analysis and you're not engaging the public in a full kind of participatory process that is necessary. Having said that, Joel basically took the words from my mouth a half hour ago. You're not required to do that, the community can adopt basically any ordinance it wants, and you can do that and I doubt if we're going to get a full-blown Comp Plan process in the near future. I am glad Chris is here, maybe it will be something that the Selectmen will reflect on. I urge caution in changes to the Ordinance beyond the kind of changes I talked about.

19:35:23 Jim Kenney: Thank you. I open the floor to table questions and Emily is anxious to start.

19:35:34 Emily Newell: With the Comp Plan that we have now, are we eligible for some grant funding opportunities or have those expired?

19:35:44 John Piotti: The entire Comp Plan became out of date by December of last year, which is a result of a recent change in State law, and I actually didn't even know about that until I called Chris at KVCOG the first week of December. I am told the Town Office was informed of that but the info wasn't passed on.

19:36:09 Barry McCormick: What makes this not acceptable by the State? .

19:36:16 John Piotti: Its age. The date.

19:36:18 Emily Newell: There is no date in it.

19:36:22 John Piotti: When I say 'the date,' it is because it is so out of date. Like Joel said, you could bring that up to town meeting and town meeting could approve that again, but the State would never accept it because of the content.

19:36:32 Jim Kenney: If you want to ask a question, raise your hand so we can get it to the table.

19:36:42 Mark Nickerson: Who drew the lines around the Village District, specifically, what was the plan and why those particular lines?

19:37:03 John Piotti: The lines and, in fact, Randy could speak to this as well as I, the Comp Plan Committee, well, different zones were done in different ways but, in most cases, people thought about what is along the road and then had the district be the lots that bordered that road. So the reason the lines are often like this is because we didn't want to have somebody's parcel be in two districts. With say, the Village District, it will include all the lots of record at the time the Ordinance was put into creation that bordered Main Street between the bridge and the railroad tracks. So it was done by lot and that is why they often look funny. We didn't want to put a line through the middle of somebody's property.

19:38:51 Barry McCormick: I keep hearing you say don't make changes to what we have...but at this point, basically, this is the plan we have to work with and we're looking at that and we've been tasked to make changes that we feel the community needs to the Land Use Ordinance, not to the Comp Plan, so if we're going through and we see changes that we feel as a group, and the community feels, needs to be changed, where is the harm in it?

19:39:41 John Piotti: I didn't say don't make changes. I would love to be on this committee because I have been saving up 15 years' worth of changes that I would love to see in this Ordinance. What I have been saying is I think that I would be very hesitant, without a Comp Plan guiding me, to make major changes in district boundaries, such as doubling the size of the growth area. You would be doing that without any data. If you read through the Growth Management Act or look at the growth management manuals, these are not things that are done just "willy nilly;" these are things that are supposed to be based on analysis of where your town is now, how your town might grow, how much land you are going to need to accommodate that growth, and all of that kind of analysis was done 20 years ago. I think shy of doing that kind of analysis, you have to be hesitant about those kinds of major changes in things like district boundaries, major changes in performance standards without a major public participation process. That doesn't mean you can't .... there are a lot of changes you can make in the Ordinance to improve it that don't go that far.

19:41:11 Barry McCormick: I don't think we're going to get to the point where we're changing boundaries and all of that....at least I don't feel that is our job, but I do feel there are some changes to the standards and requirements that this committee can change but it won't be affected by anybody but the committee and the town people.

19:41:29 Jim Kenney: I agree. I see my lovely wife trying to raise her hand.

Land Use Review Committee Meeting Minutes  
02/27/2013

19:41:33 Jo Kenney: I have a question. Is the Land Use Ordinance, and I address this to our two guests, is the Land Use Ordinance the same thing as the zoning laws?

19:41:50 Joel Greenwood: The Land Use Ordinance goes over and beyond a zoning ordinance. A zoning ordinance is found within the land use ordinance, which is a description of the zones, and the land use ordinance would include all kinds of additional other such things as performance standards and information as well as that.

19:42:42 John Piotti: In a classic sense, we do not have a zoning ordinance. This does not mean we don't have districts but classic zoning is something that has certain uses allowed. We have districts that might have different performance standards allowed, with an aquifer protection you have to have certain things...but classic zoning is residential, commercial, industrial, and the community did not go that route.

19:42:45 Jo Kenney: That brings me to really then the Land Use Ordinance incorporates those zoning ordinances and those zoning ordinances would really implement the districts and the way it would impact on these various districts in play now.

19:43:09 John Piotti: I'll offer my opinion and I am very interested in hearing Joel's view. I think you have to be careful using the word 'zoning' because it is a very charged word that means something different. Our districts are zones. Sure, you can think of it as a zone, you can think of it as a district...but there are certain zones, certain areas that is different from classically what is meant as zoning and classically what zoning is is a separation of functions. There are only certain functions allowed in certain places. In Unity, with some exceptions, certain kinds of retail growth can only go in one part of town. Other kinds of retail growth can go anywhere. Everything else is allowed anywhere in town as long as you meet certain performance measures. That is not what a zoning ordinance normally is. We have districts but there are reasons why there is a growth management law that doesn't talk about the growth zone and the rural zone because the word zone in planners' minds and in peoples' minds is traditionally meant something very different.

19:44:27 Jo Kenney: I'm asking all of this because the land use laws seem to indicate that the zoning ordinances have to relate to the Comprehensive Plan, which we don't have really now, it is outdated, so that impacts then, it seems to me what we're trying to do and when we look at how the change...that's kind of where I'm going and I'm struggling trying to understand what that means...the difference between the zoning ordinance and the districts.

19:45:08 Joel Greenwood. Yes, in terms of the definition for that sense, I would say that the term zone is a bit kind of old and I would say you say this is this, and that is that and those are completely separate. For this sentence, I would suggest that they could almost use the phrases interchangeably. Saying the land use ordinance would incorporate zoning so you are talking about changing the land use ordinance, you incorporate changes that the zoning...I think certainly within the last five years that I have been working, I have not worked on any zoning ordinances, I worked on land use ordinances.

19:46:06 John McIntire: I'm going to guess that if it had said anything about zoning, it never would have passed town meeting...it would have gone right out the door.

19:46:28 John Piotti: You might be right.

19:46:31 Tony Avilla: So this is going to cost the Town \$20,000...

19:46:35 Jim Kenney: Not what we're doing today. If we were to embark upon the Comprehensive Plan...

19:46:38 John Piotti: Because it is outdated.

19:46:40 Tony Avilla: And I hear that we get money back from the government, from the State...

Land Use Review Committee Meeting Minutes  
02/27/2013

19:46:53 John Piotti: What you get, if you have an approved plan, you have a much greater chance of getting grant funds for different things, you score higher for DOT projects, things of that nature but the State is not going to give you the \$20,000 back.

19:47:14 Tony Avilla: Okay, I understand that but what is the percentage, what are we looking at that we're going to get back from the State?

19:47:19 Barry McCormick: If it is possible to get the \$20,000 in grants back....

19:47:21 John Piotti: There is no State money for that.

19:47:24 Barry McCormick: I know but like the firehouse, there was grant money when we were looking at the firehouse for some reason that played into it, I remember, so if that was done, funds could be brought back to town to cover that...if there was a need for it, for the roads and what...but it is coming up with the \$20,000.

19:47:53 Jim Kenney: To answer relatively what you have asked, the Selectmen that were involved in getting some road repair grants to the tune of roughly \$175,000, Ward Hill and got some grants to go up Quaker Hill.

19:48:16 Don Newell: I thought it was one person who did it. I thought it was Jim Kenney who did that.

19:48:35 Jim Kenney: That was because we had to make a statement that the Plan existed. We also had to have a current Emergency Preparedness Plan in Belfast. That actually took longer because it was out of date and we have to go back and get it....we had to get special dispensation but a bridge, things like that. Is that your question?

19:49:00 Tony Avilla: So, basically, if we don't have this Plan, we're not entitled to any funding that would happen?

19:49:09 Jim Kenney: We might not be considered fully. If there is another town that has more credentials in that regard.

19:49:16 Joel Greenwood: I would like to speak to that quick. You're not ineligible for certain things per se but a lot of these grant applications, what they do is they will score them, you get so many points for this and having a consistent comprehensive plan usually gets you say 10-15 points right off the bat, and the applications with the highest scores are the ones that are awarded the money.

19:49:44 Tony Avilla: I was just trying to figure if it was worthwhile.

19:49:46 John Piotti: You want to get a general sense between road work...I mean, some of these probably might be projects that you don't care about, but between the road work that the town has done, some money that we got for the firehouse, the money we got for the Community Center, the bridge and the trail to the college...in the last 15 years, I would say we're probably talking about \$2,000,000 in grant funds. But, would we have gotten some of those if we didn't have a Comp Plan? Possibly...we don't really know.

19:50:11 Jim Kenney: It is just scoring...Jo was mentioning.

19:50:18 Don Newell: Tony, you prompted...yes, we got a lot of money but I think that going through that process of developing that Comprehensive Plan it had a great impact on educating all of us as well as our community. We stopped and talked to anyone that would and we learned a lot of who we were as a community. To me, that was the biggest value. There were some surprises in the process. We brought in professionals that informed us about the aquifer, about the sewer system and how that is going to perform over time and what the downside risks are and the costs of deal with those...traffic and what the impacts are of having business out in the country. We had the farmers in. I thought that I understood farmers but I didn't until we got the farmers in talking about moving along the roads and restrictions on that

Land Use Review Committee Meeting Minutes  
02/27/2013

and spreading manure...that sort of thing. It is a very rewarding and informing process to do that comprehensive plan. The \$20,000 is a terrific real investment on that basis alone.

19:52:00 Barry McCormick: I just think we need, at the next meeting, to kick around what we have heard, think about what direction we're going, whether we'll have a plan and are still moving forward in some direction.

19:52:26 Mark Nickerson: I have one quick question. Without that Comprehensive Plan, and another town had that, those eligible grants...

19:52:48 John Piotti: Yes, you really don't know the answer because of what Joel is saying, you don't know how you scored against somebody else and you don't know if that helped or how much that helped, and maybe you would've won without it. It is really hard to know for sure. I would say though, the last grant that Unity got, which we might use for the grammar school if all of that comes together, that was probably less related to the Comp Plan because what they really wanted was the Downtown Plan which, fortunately Unity had also. But, if you look at some other things, the firehouse money we got, I remember specifically that they asked about the Comp Plan, and the DOT funds that we got for the bridge and trail for the college they specifically asked about that. So I think different funding sources have it or they may not have it. Some have it as more points than others. You don't 100% know but as somebody who writes a lot of grants, I want to go in with as strong a case as possible.

19:54:10 Joel Greenwood: This is a real world example...the town manager in Pittsfield is known to be grant crazy, she applies for so many different things, she just finished that comprehensive plan, theirs was from 1997 so they just recently updated it and she was obviously interested in doing that with so many grant applications.

19:54:46 Jean Bourg: John, as someone who writes a lot of grants, are there any grant sources that would help us fund or match funds on the money it takes to do a comprehensive plan?

19:55:01 John Piotti: Joel would know better than I. The State does not have any money for that purpose anymore. I don't think there are really any good sources. Not anymore, there used to be grants to help towns with any kind of planning effort.

19:55:23 Joel Greenwood: Back in the day, the State used to give grants out but not anymore....any kind of planning funding has just been eliminated.

19:55:29 John Piotti: It is really hard to get foundation sources to give money for what they really think should be municipal responsibilities.

19:55:38 Chris Rossignol: I'm going over all of this in my mind. My mind kind of works in reverse engineering, like I like to take things apart, fix them, and put them back together. Is there a downside or is there an upside to the people of Unity if we go about this process this way to fix, organized, update the Land Use Ordinance to the point where the townspeople are happy with it and then bring the Comp Plan to that standard? The standard of the Land Use Ordinance is based on what the townspeople are interested in, not so much the statistics that support it.

19:56:42 Joel Greenwood: That would be very difficult. It is not impossible. If you decided to do the Land Use Ordinance and then afterwards do the Comprehensive Plan, regardless, you still have to go through the same process planning where you would have to have all of the public meetings anyway.

19:57:04 Chris Rossignol: Right, but there is nothing that says that you can't go that route? It is unfeasible to plan to do this now, we don't have the money to do this.

19:57:19 Joel Greenwood: There is no reason why you shouldn't. I would recommend doing a comprehensive plan first, that's the recommendation, and the Town can do what it wants and then the town can write any kind of planning ordinance, any kind of ordinance it wants.

Land Use Review Committee Meeting Minutes  
02/27/2013

19:57:34 John Piotti: My take on this and, first off, like Joel said, first off, I think I may have given some people the impression – I was not suggesting that this Ordinance Committee not go forward and make changes to the Ordinance. I'm just saying, there is a whole bunch of stuff that can keep you busy for a year but to hold off potentially on some of the things that really need good data and information, or a more public process, in order for you to get it right.. I think you can do a little triage and figure out what is best in what camp, and what is in another camp. I mean, there is no reason why you can't make changes to the Ordinance. There are things I would love to see because, I would love to see two tracks. I would love to see this Committee move on this and the Selectmen move on the Comp Plan Committee to do some of the preliminary work for something like that with the hope maybe a year from now maybe we can get some funds and then we can move on a faster track and then we ultimately have a Comp Plan. We could eventually have this Committee or the Comp Plan Committee look at broader changes so I see it potentially as two tracks. It is not one or the other....

19:58:57 Joel Greenwood: I think that would work perfectly well and I think what you really want to do is you want to incur a bit of a format to make it a bit easier to understand, perhaps come up with some sort of sheet that just gives you the process and then we'll take the Ordinance, just thinking about doing something they have step 1, step 2, step 3, and they can just follow it through and then you can put the Ordinance in order to follow that and tinkering with and adjusting it that way but substantial changes about larger districts and issues might be simply be further down the line. That would be a suggestion.

19:59:37 Jim Kenney: To set the scene, I'm going to interject, several members have voiced it more than once after we first met with you that the work of this team is just not going to be format, it's going to be flush also. Barry, you were raising your hand.

19:59:59 Barry McCormick: Talking about moving forward and getting grants sounds all great and fancy but most of that, I the Town is going to have to spend some money and that is where the rubber meets the road. Townspeople would have to vote on that and there are a lot of people set in their ways and even though we get \$20,000, you have to spend \$10,000 – someone will say, well, I don't want to spend the \$10,000 so that is going to be a problem. Grants aren't always 100%.

20:00:36 John Piotti: Almost all grants require a match, but with the exception of the firehouse, every grant that I have ever written for Unity has not involved a single dollar of town funds – I obtained a match from another source. .

20:00:54 Jim Kenney: Wherein the road grants were, in fact, 25/75.

20:01:04 Joel Greenwood: I will be very quick, I just brought a few things with me (passed out and explained handouts).

20:03:33 Jim Kenney: Nancy, before you arrived we had some discussion that on the 13<sup>th</sup> we meet starting at 6:00 and then following the meeting will try to get down to the firehouse for the public hearing about the retail growth district so that is the planning for the 13<sup>th</sup>.

20:04:51 Chris Rossignol: The selectmen, during our last budget session, set aside some additional funds to the Comprehensive Plan, it wasn't a lot but we set \$500.00 aside to the existing fund in hopes that over the upcoming years we can continue to add to that and hopefully get the funds.

20:05:16 Jim Kenney: That has been a growing fund over the years.

20:05:20 John Piotti: Usually that has been \$300-\$500 every year and we never touch it.

20:05:27 Jim Kenney: It is in an account.



Land Use Review Committee Meeting Minutes  
02/27/2013

20:05:29 Jo Kenney: I still have one question and that is I asked about the zoning ordinance, but is there a State statute that has anything to do with these land use ordinances?

20:05:48 John Piotti: No.

20:05:50 Jim Kenney: What work do we want to do next week?

20:06:00 Emily Newell: I have some comments, I think some of the restructuring and reorganizing can be done in smaller groups, a few people can start to section off and summarize but as a group we should consider the flush of changes.

20:16:18 Jim Kenney: That is how the Constitution of the United States as well as the Declaration of Independence was drawn up. How well do they work?

20:06:44 Emily Newell: I propose next week we all bring a couple of ideas that we want to flush out. All bring stuff that we want to discuss.

20:06:33 Randy Reynolds: Permits signs, lighting, anything like that.

20:07:01 Joel Greenwood: Would you like me to attend on the 13<sup>th</sup>?

20:07:48 Jim Kenney: You are invited to attend. It is going to be a public hearing wherein the Planning Board is going to be sent to the citizens. The proposed modifications – I'm making this up as I go, to be brought to town meeting to vote but, this is where we meet. John has agreed to be available for when we need him. It will be awhile before...

20:08:17 Jim Kenney: Motion to adjourn.

20:08:19 All in favor.

**Respectfully submitted,**  
**Sherry E. Powell-Wilson, Notary Public**  
**Accepted: As Amended 03/06/13**