

**LAND USE REVIEW COMMITTEE MINUTES**  
**TOWN OF UNITY**  
**WEDNESDAY, MARCH 6, 2013**  
**LOCATION: UNITY MASONIC LODGE, UNITY, MAINE**

**MEMBERS PRESENT:** Randy Reynolds, Jim Kenney, Jo Kenney, John McIntire, Don Newell, Emily Newell, Barry McCormick

**OBSERVERS:** Jean Bourg, John Piotti

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

18:24:53 Jim Kenney: At the previous meeting we had to table not acting on the Minutes of the previous meeting of the 27th. I did send them out. I trust you had opportunity to review them. How say you about them?

18:33:41 Jean Bourg: I did not see them. The one before last week.

18:33:54 John McIntire: Previous was the 27th. Last week was the 27th.

18:34:03 Jim Kenney: I have the 27th here, no, it was the 20th.

18:34:10 John McIntire: It was the 20th we didn't have.

18:34:16 Barry McCormick: I make the motion we accept the 20th.

18:34:26 Jim Kenney: So the Minutes of the 20th were approved. I was on the week prior so we're okay.

18:34:47 Jim Kenney: We had the meeting last week for which Sherry has put together 17 pages. John has edited that, you saw his edits. I have reviewed his recommendations and I find they do not change the subject of the Minutes, they just correct some grammar and spelling, and I would propose to entertain a motion, if there are any other comments, that we vote to move those Minutes and accept them, and the edits would be adopted.

18:35:18 Barry McCormick: So moved.

18:35:22 Don Newell: I second.

18:35:28 Jim Kenney: Any other discussion:

18:35:28 John McIntire: I would only add one thing, I can't open files out of the new Microsoft even though it's not used anymore, the docx files.

18:36:00 Emily Newell: I will get to it, but not usually until Monday because they come that Friday and I can't convert it until I get back.

18:36:09 Jim Kenney: Having disposed of the Minutes, does anyone want to bring anything to the table before we get onto the next?

18:36:19 Emily Newell: Yes, just so you know, I went through the Minutes and pulled out all of the sidebars, it's only five pages. If anybody wanted to know what it was, and they wanted to go back through, I do have it.

18:36:28 Jim Kenney: Jo and I had a conversation with Randy and I following and that is with John's commenting last week, frequently of the Comprehensive Plan, Jo has a proposal to make for our consideration.

18:37:02 Jo Kenney: My thinking was that based on the discussion and presentation last week, I was thinking that we should consider reviewing the Comprehensive Plan, either starting today or the 20th, next week we have our plans, and look at that as a team to determine any inputs and impacts from that historical plan, and what we're thinking we might want to do. We can either go through it and just come to understand how far out of date it is and whether any one of us would be impacted or how this would impact the scope of our work. What I got out of last week is if we don't really understand the Comprehensive Plan, we don't really understand what our limitations are, so, for example, at least I understood John to suggest that we shouldn't make substantive changes, we should be more focused on format and reorganizing and cleaning up, since we have this outdated plan. Also, from Joel Greenwood's comments as well and my review of the statutes, I just think we need to get a baseline of where we are because, certainly, the statutes don't prohibit us from making substantive changes but what would the point be of it? I think that is what we need to look at and see where we are, see what we can do really. That is just my thought.

18:38:49 Don Newell: I would wholeheartedly, at least when we talked about as members, that is, in fact, the foundation for what we did in this Ordinance. The Ordinance grew out of the Comprehensive Plan. I inadvertently opened a file that had this much material that came from our work on the Comprehensive Plan. It had reports on the aquifer, on the Unity Utilities District, and on planning in general where we had experts come in and sit with us and gave us really good detail. Most of that isn't out of date, that's the (inaudible) material that a lot of the members here haven't seen. It is the foundation from which this was founded and if we don't know it, we're not going to be good planners. Lastly, we heard about how broadly we should be thinking if we're going to change the direction of our town, we need to hear all the voices of the town, and the Comprehensive Plan did that. Now, that part is out of date, but we could at least hear the voices as we review that Plan but, for many reasons, I think that is a really good thing to do.

18:40:09 Jim Kenney: John, your thoughts?

18:40:14 John McIntire: I think that makes a lot of sense. I like to put things in logical order, and I like to understand the background of how things work before I start tinkering too far.

18:40:25 Barry McCormick: I said on the meeting last week too, I heard all of the comments on the Comprehensive Plan and how important it was, and how that is the foundation and everything of what we're trying to do now, and maybe we would be better off to wait to get the Comprehensive Plan done. I heard all of that and I thought about it all week. I question whether we hadn't out to look at trying to do the Comprehensive Plan. We've been charged with looking at the Land Use Ordinance but, in reality, if we change some things in this Land Use Ordinance that we feel the Town wants and we move forward in this direction, and then all of a sudden we come up with a new Comprehensive Plan and with some of the stuff we have done it is void already. I don't know if it is something we ought to talk about maybe going back to the Selectmen and telling them the position we're in and possibly trying to getting the approval for the Comprehensive Plan and get it done and then it will be over.

18:41:36 Randy Reynolds: I don't think we're going to get much funding. I think we need to think about the Comprehensive Plan but I would like to do something before we start on it.

18:41:53 Jo Kenney: I also think that those comments are important comments, Barry. I think that if we just took the time to look at the Comprehensive Plan, like you suggest, at least we'd be able to understand what is out of date. The surveys we would have to redo, that's old data. You can't conclude based on old data. You just can't so that is

something that would have to happen. Part of me is thinking, why can't we just update this Comprehensive Plan ourselves instead of farming it out to KVCOG, well maybe we could, but we would still have to have those surveys done, we would still have to have professionals to do some pieces of it.

18:42:46 Barry McCormick: I just question, the questions that we have on the Comprehensive Plan would be the same questions that we would have on this because they all tie together. If we have a Comprehensive Plan that is recognized by the State, we've got something that is valuable or whatever you want to call it. It is a good base to start from.

18:43:14 Emily Newell: I would make a complete shift into working on the Comprehensive Plan. I personally would have no problem with doing that but, if we can't do it yet, there are some things that we could do to the Ordinance. I hear that the Comprehensive Plan is all about grand scale planning, there are some things in the Ordinance that may be adjusted that won't necessarily go that far but I think there are probably things we could do I would support a total shift.

18:43:51 Barry McCormick: I was just thinking that the Town has to be involved in some of these decisions and, as a business person, I've got my own views, I know what I've been through when I tried to grow my business, and we'd have to hear what the public wants to say about these things. We can't come in here and slash a few things because we believe it will, we will have to have public hearings, but I think it would be nice to get more input.

18:44:15 Randy Reynolds: I think we can do both things at once. What I would want to do is go back on the Land Use Ordinance like Emily put forth last week, setting up committees to do some of this paperwork, and we could be working on the Comprehensive Plan at the same time.

18:44:39 Jim Kenney: My sense is that we need to get into that and understand it better as a team here, similar to what you just described, before we start delving in deep into the Ordinance. I would like to get more of a foundation, and, Barry, I sense that if we as a team came to know how, what's there, and how it interrelates and how we want to do things, if we see a need to go back to the Selectmen to get chartered, we're not yet chartered to do that. But I'm not ready to ask them because I don't know what we need to do. So, is it the sense that we set the Land Use aside for a meeting or two and get the sense of the Comprehensive Plan?

18:45:46 Don Newell: I'm listening to Randy and he said we could have a possible group of 2 or 3 working on that piece that he and Barry are interested to see if we can make it more readable or user friendly in its present state. That could be done concurrently with our work so I don't want to lose that thought. Otherwise, I totally agree with you.

18:46:17 Jean Bourg: Is it about the cost of doing the Comprehensive Plan? Is there a way, there is a lot of material there, to estimate, like the geological study doesn't change. What does not change, what is still useful, and to estimate a cost to do it...looking at all the part of it. Can we get kind of an estimate?

18:46:49 Don Newell: Several of the comments here is that knowing and understanding all of the Comprehensive Plan, that puts us in a position to answer that question. We would then have a better sense of what it is in the first place, and what we can use out of it and what needs a redo.

18:47:08 Jean Bourg: So as you go through the Plan you could have KVCOG...

18:47:12 Don Newell: With some help, there are people around, you can always go to KVCOG...

18:47:18 Barry McCormick: Why can't we just take the time to read it through like we've been doing?

18:47:28 Jim Kenney: That's possible but there is something here...we can do that. We cannot lose the emphasis of doing some of the work on the Ordinance.

18:47:50 Emily Newell: I think maybe we should write a letter together to the Selectmen to ask them to consider having a new Comp Plan created.

18:48:05 Randy Reynolds: We have already been talking about it. They would welcome a letter. This is not the only thing they have planned for us, they have some other stuff when the time is right.

18:48:23 Don Newell: I would think that would be premature. I want to know what this Plan is, I want all of us to kind of get together on that before we come up, because then we have the ammunition...then we've got a reason to go and do it now. It's a very expensive proposition...to say we want a whole new plan.

18:48:46 Emily Newell: It would be expensive not to have a new one if it qualifies us for matching grants. That alone is a strong reason to get started and part of the process when you start to make a new one, I would think it would be obvious that one part of that is to read the Comp Plan and then have a committee that works on that in the future.

18:49:11 John Piotti: A couple of things. First, as it relates to price, I always question when consultants give you a price, and KVCOG has been throwing around \$20,000. I think Jean's point that it might a different figure, like there are things you can do cheaper, is a valid one but the only people who can probably answer that is your committee after having become better educated, and then sit down and talk to KVCOG. If you sit down and talk to KVCOG now, they are going to tell you \$20,000. If you become better educated of what needs to be in a comp plan, and then you sit down and you say, "Well, why does this part cost so much, and why does that part cost so much?" Then you have some strength when you negotiate and you might be able to get a lower price so, that was one comment. The second comment is I think the idea of you reading the current Comprehensive Plan makes a lot of sense. But I want to stress I'm not sure how powerful that will be because it is terribly out of date, it's 20 years old, and then as I told you last week, a lot of the stuff in it was actually stolen from the Plan that the Town did in 1989. So you will learn something from reading it, and it is good to read it, but I'm not sure of exactly how helpful it will be. My suggestion is in addition to reading the Comp Plan, you read the State of Maine's manual on what should be in comp plans, because that will, part of what you are trying to do is figure out what should be in the Comp Plan, and I suggest you look at both documents. I could forward you a copy of that as that's available on line.

18:51:06 Jo Kenney: To those points, there is also a checklist, as near as I can tell, and that would be a good way to look at the Comprehensive Plan with that checklist in hand. It's a lot easier than trying to go through a statute or a handbook or anything else. Then, at least, what you end up with, following the checklist it says, as we're reading along, this is something that needs to be updated, this is going to cost us whatever, and then we'll have a better...with this being this outdated.

18:51:49 Emily Newell: So we should read the checklist, then the manual, and then our current Comp Plan?

18:51:57 Jo Kenney: Not all at once. I would have the checklist....in other words, it may be a little too soon tonight to start on the Plan other than kind of reading it and familiarizing ourselves with it. Then have that checklist in front of us, at least glance through those rules and maybe start this on the 20th. Next week is that meeting. That way we will have a good basis.

18:52:23 Don Newell: Are we still going to meet next week?

18:52:29 Jim Kenney: Jo and I are not going to be here. She has to fly out, and we'll not be here.

18:52:35 Barry McCormick: We can get the information gathered together and take the time to read through it, and we can be prepared for the 20th. We can actually look at it and try to make sense out of it and move forward with that part. Just give us plenty of time to look at it.

18:52:56 Jim Kenney: Do you still have the checklist?

18:53:01 Jo Kenney: It is actually online.

18:53:03 Jim Kenney: Okay, we'll retrieve that. John, if you would send over what you have because that will help us. Susan is still trying to get the little binder that Charlie lays his head down at night on.

18:53:16 Emily Newell: What is the little binder?

18:53:16 Jim Kenney: I'm saying it wrong, that little booklet he has, it is 3 x 7. Of course, we have the stuff that Joel gave us on his first visit with us. So I think we're all in agreement. We're going to go forward with both and be ready on the 20th. Do you want to do any work in looking at the Comprehensive Plan tonight or shall we -- what would you guys like to do?

18:53:56 John McIntire: I don't see any need to rush into dealing with the Comp Plan, I mean we're not going to get, it needs to be approved by the Selectmen, we need to get some money sooner or later from the Town and that's not likely to happen any time in the next 6 months, if the next year. We should be ready to know roughly how much to ask for, and I don't think things are going to change that fast. I willing to take some time, I haven't even looked at the Comp Plan.

18:54:40 Jim Kenney: You all have it right? This is part of the bundle that was put it together.

18:54:48 Don Newell: I have two questions, it may be a question and a thought. I think my question will land with John and maybe with Joel. We've got a checklist and we have a manual. Is the checklist a summary of the manual? Should we read the manual before we...

18:55:10 John Piotti: I can't answer. I suspect the checklist, I haven't looked at the manual in ages. I think the checklist is a part of the manual, I think it's an appendix in the manual. It might be available elsewhere also, but I think it is incorporated into the manual but I might be wrong.

18:55:29 Jo Kenney: Well, it says here that the detailed checklist makes it a little to easier to follow so I won't know until I look at this whether they've updated it, whether it is any good or not. I'm just saying we need the best possible resource.

18:55:41 Jim Kenney: I think it would be good to have it in hand and we can decide what to do with it once we know what it is.

18:55:52 Don Newell: It would not be efficient with the Comp Plan if we read it aloud as we have. In my recollection, it's a pretty easy read. I think we should have a good hard look at each section of it but I think we should encumber the members to read it and then come together with any thoughts or questions they have per section. We can sit down as a group and we say, okay, part one, does anyone have notes that they want to talk about, and we talk about it. Reading

all of it is time consuming and I don't think all that valuable, at least with that Plan. I think we can read it, come in with our notes and then go after it, and we'll move through that much quicker that way and I think it will be more efficient.

18:56:50 Jo Kenney: And I think it is important to stress that we have to look at it in the context of these new rulings that came after this plan, and the checklist, if the checklist is helpful.

18:57:01 Don Newell: Yes, maybe we review that manual first, and the checklist, and then the Comp Plan, and we can see...

18:57:09 Emily Newell: I feel pretty strongly about that. I think we need to know what is expected in the Comp Plan, and then read what we have

18:57:15 Jim Kenney: John, do you have that accessible, like if you were at your house?

18:57:24 John Piotti: Yes, I'm pretty sure it is online. I haven't looked for it in many...but I'm pretty sure, you're talking about the manual, it used to be on the State Planning Office's website, but there is no State Planning Office anymore. I suspect it still resides on some government website so I'll do some research tonight.

18:57:51 Jim Kenney: Thank you. If you could bounce it on over, I could get it out.

18:57:55 Emily Newell: What is this called?

18:57:57 John Piotti: I think it is called Comprehensive Plan Manual or something to that effect.

18:58:01 Barry McCormick: I was thinking, if we have between now and the 20th, by the time we gather all of the information and then we really had time to read the manual and get a handle on that, when we come back on the 20th, we would be more prepared and it would actually make sense of what we're doing.

18:58:21 Randy Reynolds: We're not meeting next Wednesday?

18:58:27 Jim Kenney: Go to the Planning Board public hearing. I'm getting a look.

18:58:30 Emily Newell: There is no service in here, not even cell.

18:58:33 Jean Bourg: There is a Comprehensive Plan Committee. What happens to them?

18:59:10 Jim Kenney: Nothing.

18:59:14 Jean Bourg: Are you going to replace them and just have one committee, The Comprehensive Plan Committee?

18:59:16 Jim Kenney: I don't believe that is being suggested here at all. I think what we're trying to find out is how does that guide us, and we haven't yet sought any guidance from the Board of Selectmen.

18:59:25 Jean Bourg: So that if you decide that your mission would be to do the Comprehensive Plan first...

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18:59:32 Jim Kenney: Emily has suggested, and others have bought into a letter at an appropriate time making recommendations to the Board of Selectmen.

18:59:52 Jo Kenney: I just want to speak to Emily's point that we can still dust and clean, so I don't want us to forget about the dusting and cleaning. At least we can do that as well.

19:00:12 Jim Kenney: There are five pages of notes she has captured on what we had sidebars on. But, to your point, Jean, we're not suggesting at this time in this discussion we replace anything. We are not empowered to do that. Our charter says Land Use Ordinance.

19:00:28 Barry McCormick: It think it would be very important to make sure that the members who aren't here to talk to them specifically and tell them what we're doing, to take the time to read all of this stuff.

19:00:37 Jim Kenney: Two things, is it agreed not to meet at 6:00 next Wednesday or do you still want to meet at 6:00 because I heard that suggested to go to the Planning Board. And if it decided not to meet, we will make an attempt to get the absent partners advised. How say you?

19:01:02 Don Newell: I don't need to meet.

19:01:06 Barry McCormick: I make a motion that we gather the information that we need to talk about, and make sure it is in everybody's hand, make sure that it is imperative that they all the take time to read it and be prepared on the 20th to look at it and discuss it and get some direction.

19:01:25 Jim Kenney: That is one point. The point that I still have is there a motion that the meeting not be opened 6:00 next week?

19:01:34 Don Newell: I make the motion.

19:01:42 Randy Reynolds: I second it.

19:01:43 Jim Kenney: Now, getting more specific, and is that agreed to? Okay. I will get a message out to the absent members, or I'll get a message out to the Land Use Ordinance Committee that the meeting will not take place and recommend members available to go to the Planning Board meeting. I'll try to describe in that the action that you've just described.

19:02:06 Don Newell: I want to speak to that, of what Barry said because I would want to be very specific that we would like to have each member read the manual, review the checklist, and then read the Comprehensive Plan making notes on any questions or issues that arise as they compare to that checklist.

19:02:30 Jim Kenney: Do you have access to e-mail, you can write that. Did you just agree to do that?

19:02:40 Don Newell: So we're all on the same page.

Jim Kenney: Did you just agree to do that?

19:02:44 Don Newell: Yes. We need to have everybody on the same page if we're really going to go at this and be efficient. I will, I'll write that and get it out.

19:03:05 Emily Newell: I think we should reconsider Jean's question. I would have answered it a little differently.

19:03:11 Jim Kenney: And your answer would've been?

19:03:16 Emily Newell: I'm not completely sure but it seems like we're starting to look at the Comprehensive Plan, like we're wanting to read it to get more educated on, so that we can sit down the KVCOG and figure out the price, and we need to involve the Selectmen. I think that we should talk to them about what we're doing, see if they want to redirect us, rename us. We should consider that. I don't know what the answer is.

19:03:48 Jim Kenney: I do and I think that is what that letter you have suggested, at an appropriate time.

19:03:59 Emily Newell: Okay, when do you think an appropriate time is?

19:03:59 Jim Kenney: After we get by the 20th. I'm looking to you for what your thoughts are because you're the one that says 'appropriate time.'

19:04:06 Don Newell: To put it in place and in response to your question, Emily, the Board has chartered us to look at the Ordinance. We have done that. We've gotten informed, and we've decided that to go in and make substantive changes to that Ordinance, it would be inappropriate without having a hard look at the manual, the checklist, and the Comprehensive Plan. In other words, it is not quite that simple. We're going to come back to the Selectmen eventually. We've heard it, we've studied that, and we've talked as a group and just going in and changing that Ordinance isn't really the right thing to do in our venue, and we really need to do our homework. We think, maybe, that some form of a new Comprehensive plan is extremely important for us to do high-quality work for our town. It's in there somewhere.

19:05:14 Emily Newell: Should I start drafting that into a letter? Send out a draft maybe?

19:05:21 Barry McCormick: I think we still have to wait until after the 20th, until we've had all that time to read it. We may not even want to go there. We may say, look, that's above us, we think about it a little more...so, let's wait until after the 20th.

19:05:36 John McIntire: And just stick to as you say dusting and tidying.

19:05:40 Barry McCormick: This has just doubled our work if we chose to get involved in that but I think we need to know what we're getting into first.

19:05:49 Jim Kenney: It's always good to have a strawman. Do you feel an overwhelming urge to draft up the letter? We're all on the same page. We're just trying to get through the process.

19:06:30 Don Newell: Thank you, Jo, for kicking off all of this discussion because we have unified as a group on this topic better than anything so far. Things are starting to take some direction here. We're going to be a powerful little group.

19:06:48 Jim Kenney: Having concluded that discussion, therefore, what actions do we want to tackle tonight. Emily, you wanted to bring to the table your five pages of sidebars and notes?



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19:07:05 Emily Newell: No, just if we're going to move forward with the Land Use Ordinance, this is a good guide to help us.

19:07:11 Jim Kenney: There is nothing wrong to end a meeting if there is no work to be done.

19:07:16 Randy Reynolds: We can go into the Land Use Ordinance and give homework assignments.

19:07:24 Jim Kenney: How are your thoughts on that?

19:07:29 Don Newell: The assignment would be to a reorganization kind of thing?

19:07:36 Emily Newell: If I'm going to read the Comp Plan, and to really digest that, I can't spend time on the Land Use Ordinance.

19:07:57 Jim Kenney: I've laid the hint on the table. Who's going to make a motion?

19:08:02 Barry McCormick: I make a motion to adjourn.

19:08:06 Don Newell: I second.

19:08:08 Any other discussion? Thank you folks. Drive safely.

**Respectfully submitted,**  
**Sherry E. Powell-Wilson, Notary Public**  
**Accepted: 03/20/2013**