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REVIEW COMMITTEE MINUTES

TOWN OF UNITY

WEDNESDAY, JULY 3, 2013

LOCATION: MASONIC LODGE, UNITY, MAINE

MEMBERS PRESENT: Jim Kenney, Charlie Porter, Tony Avilla, Barry McCormick, Ken Murch, Mike Murch

OBSERVERS: None.

MODERATOR: Jim Kenney

Recorder: Sherry Powell-Wilson

18:39:08 Jim Kenney: Shall we open? We have the Minutes from the previous meeting. You've had an opportunity review them. Are there any comments? Hearing none, may I have a motion.

18:40:54 Mike Murch: I move to accept as read.

18:41:02 Jim Kenney: Hearing none, accept as read.

We're on appeals. We did not come away from that paragraph with closure as I recall. Charlie's recommendation was to read what the State says and then consider what is here.

18:44:37 Mike Murch: Quite honestly, that didn't help me out any.

18:44:45 Jim Kenney: Charlie made a recommendation and it was a good one.

18:45:01 Mike Murch: As you read it, in the first sentence it says may appeal any decision. We was debating on whether it should be any decision or only n based on like the permitting process, to be able to appeal a denial on the permitting process, and one of the things that was mentioned was if somebody was found in violation for not going through the correct permitting, they shouldn't have the ability to appeal the decision.

18:45:35 Charlie Porter: I know if I find a violation in Shoreland zoning, you cannot appeal. It's State law.

18:45:46 Mike Murch: Is there any way to make it so we're in line with that type of thing?

18:45:52 Barry McCormick: I go back to when we left, my comment was about, to me there are two different problems here. One is if somebody goes to get a permit and they deny it before he does anything, he can appeal that permit. The next thing that was thrown in was let's say I've gone ahead and done something. You've found a violation. To me, like you said, that should be stopped immediately because it's a code violation.

And then he can go appeal at that point, is that the way it's set up now? This is appear is for, if I go to get a permit to put a driveway in and you guys say no, you're using sand, it has to be rock. So, if I don't agree with that before I get my permit, I can appeal this decision, or the Planning Board's decision, and try to get it overturned so I can use sand. That's one process. To me, that's an appeal. The other scenario would be I go ahead and get a permit, but it has to be gravel, and I go ahead and put in sand any way, I've got it three-quarters done and Charlie comes over and says you're in violation, stop work. That's a code violation to start with and then, if I want to appeal, it's a whole different process because first of all, I've got to stop work and then go appeal.

18:47:37 Charlie Porter: And I could order you to take the sand out.



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appears or is that the same thing?

18:47:46 Jim Kenney: It ends up at the same place and what the word is saying, may appeal any decision of the following named parties.

18:47:53 Barry McCormick: So they can appeal it before or after.

18:48:00 Jim Kenney: They can appeal when they choose to appear but Charlie just gave them a citation that says you're in violation, stop. Then they have the appeal process, which is pointed out to them.

18:48:16 Mike Murch: They can either say it's okay.

18:48:19 Charlie Porter: The individual cannot appeal the plumbing inspector's decision on anything. That's all controlled by the State.

18:48:36 Mike Murch: That's what I'm saying, you can go before State.

18:48:43 Charlie Porter: This Ordinance says you can but you can't.

18:48:55 Jim Kenney: You're saying we have a paragraph, do we need to put in there that says a plumbing code violation cannot go to the Unity...

18:49:20 Charlie Porter: No, what you ought to do is change this.

18:49:28 Jim Kenney: That is the appeals board. Let us talk about here. You have stated that there are some infractions that cannot be appealed through the Unity Appeals Board. Do we need to state that here in this document, which tells the applicant they can appeal any. I think we need to tell them.

18:50:19 Barry McCormick: I still want to go back. If they have been giving direction, the permit says this, and they are happy with it. We've already told them this is the way we want that road done. So, do it the town said we have to do it. Why after the fact do they get a chance to appeal. I mean, after the town issues a permit, what reason would there be to appeal anything because this is what you have to do. If you don't follow it, it's an infraction. Why would you then be able to appeal it after the fact? Complain before you get the permit.

18:51:21 Jim Kenney: Let's say yes. Now the task is to put what you just said in the principal of words of this paragraph.

18:51:51 Barry McCormick: Okay, something along the line of appeals may be made to these boards with the exception of the plumbing code officer, which is driven by the State, and any infractions other than specified on the permit is a violation that has to corrected at the owner's expense.

18:52:21 Jim Kenney: Has to be corrected period.

18:52:21 Barry McCormick: Wait a minute. The plumbing inspector cannot be appealed. After what I just said you could say, any plumbing appeals have to go before the State.

18:52:51 Charlie Porter: I don't even think we need to put that in there. Plumbing is a whole separate issue.



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e them. The Town doesn't even issue a plumbing permit, the State does.

18:53:08 Jim Kenney: Wait a second. The code for the, plumbing inspector issues...

18:53:19 Barry McCormick: Based on a State regulation.

18:53:23 Jim Kenney: But they are an employee of the Town of Unity.

18:3:23 Charlie Porter: No, they're not.

18:53:30 Ken Murch: In this it says appeal the decision of the road commissioner, code enforcement officer, or Planning Board. It doesn't anything about plumbing. Should there be more categories?

18:53:54 Jim Kenney: I think it's appropriate that we state here what you had raised and you have given us the first sentence of it. I think there's a second part. You also said something about Shoreland zoning.

18:54:21 Charlie Porter: Shoreland zoning is not appealable.

18:54:48 Charlie Porter: They are not going to get a permit if there is a violation. Well, they can appeal my decision that says no you can't build there, below State minimum.

18:55:04 Barry McCormick: That's my point, they can appeal it at that point. If they don't get a permit but go ahead and do it anyway...

18:55:10 Ken Murch: Are there any other things that cannot be appealed? For clarity, for the person who doesn't know anything, maybe we should add a sentence at the bottom stating that shoreline ordinances and plumbing tings cannot be appealed to the town.

18:55:27 Charlie Porter: No, Shoreland zoning should not be there at all. It's a separate ordinance all by itself.

18:55:37 Jim Kenney: Is it not in part what we have here?

18:55:43 Ken Murch: I'm only saying for the sake of the person who doesn't know anything, He reads this and he can say, well, I guess I can't go here because he mine is a shoreline, and mine is a plumbing issue, otherwise they have to go through a learning curve to find out where they fit in the big picture.

18:56:04 Charlie Porter: Well, I hope they have enough sense to ask.

18:56:04 Jim Kenney: Do you have any objection of us saying, I like the idea of saying it up front so the applicant gets a clear message and then we'll then have to figure out how to proceed with that.

18:56:20 Barry McCormick: Any appeals pertaining to Shoreland zoning or plumbing inspection issues have to be directed to the State.

18:56:30 Charlie Porter: No, Shoreland zoning is not directed through the State.



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18:56:39 Charlie Porter: It does go through our appeals board.

18:56:42 Jim Kenney: You've given us two conflicting things.

18:56:46 Charlie Porter: No, we have two separate ordinances. We've got the Shoreland Zoning Ordinance and you got the Land Use Ordinance.

18:56:47 Barry McCormick: Where do they go if they want to appeal it?

18:56:56 Charlie Porter: To our appeals board, to the town. Oh yeah...but a violation is not appealable until it's corrected.

18:57:02 Barry McCormick: That's two different things though, Charlie. The appeals is prior to anybody doing anything. If they do something and they don't have a permit, it's a violation. We're trying to deal with the appeals part of it, and it has to be done before they get the permit. If they come to you and you say, no, you can't put it there because that is right on the shore, you say no. At that point, they can appeal it to the town. If they do that same situation with the plumbing inspector, it goes to the State. Right, there you go. There's the difference. I think we ought to identify especially the plumbing one, they're going to come to the town and the town says I can't do anything for you. They need to know they have to go to the State.

18:57:57 Mike Murch: Especially if they have to wait two to three weeks for the Planning Board.

18:58:06 Ken Murch: If it was my first time to apply for a permit and I didn't understand the system, I asked a lot questions but I didn't ask enough questions, after I got started and found out I was in violation over something that I didn't ask about because I didn't know enough to ask it, these people that do it for a living, they know how to do it.

18:58:59 Tony Avilla: Like Ken was just saying here, about being in violation, let's just say the pole at the barber shop, he couldn't have that pole up. Let's just say he didn't realize because he's hasn't lived here that long, that he decided one weekend to just run a wire and lit that pole up. Charlie comes along and says that's a violation, you can't do that, so know he wouldn't have a chance to appeal it?

18:59:31 Charlie Porter: Oh yes, to cure the violation all he's got to do is turn the switch off.


18:59:37 Tony Avilla: Okay, that is something simple.
Let's say it's not as simple.

19:00:51 Barry McCormick: My interpretation is whatever they're doing has to be stopped until they get the permit.

19:01:02 Charlie Porter: That's after the fact. If that was up to code, in our Ordinance you can apply for an after-the-fact permit.

19:01:20 Jim Kenney: There is a financial impact to that.

19:01:26 Charlie Porter: Oh yeah, instead of \$15 it is \$100.



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going to put something in there relative to the plumbing and you had some good words there.

19:04:04 Charlie Porter: Any appeals of the plumbing inspectors' decisions, have to be directed to the State of Maine.

19:04:38 Jim Kenney: Do you have any questions of Charlie of the homework assignment he gave us. We read it. To me, it gave us no guidance.

19:05:10 Barry McCormick: The only thing that I got out of this was the same thing I got of this, which I think if possible we could put some validity to it. You know, should consist of five to seven members with staggered terms of at least three years and not more than five years.

19:05:26 Jim Kenney: Where are you at? That is already covered.

19:05:31 Barry McCormick: I understand that. I'm just making an observation. How long have some of these people been on the Board?

19:05:43 Jim Kenney: They can be reappointed. Here is the issue in the Town of Unity, in order to get somebody to be willing to serve generally somebody has to die.

19:05:55 Barry McCormick: You mean to tell me that nobody would want to get on the Planning Board?

19:06:02 Mike Murch: Well, the problem is that the people that are already there don't want to get off.

19:06:11 Jim Kenney: Every year, the Board of Selectmen ask people to come forward and be identified if willing to serve on a committee, please come to the town office and leave your name and what committee you would like to serve on. Every year. And that list is empty year after year.

19:06:34 Charlie Porter: The Town of Troy has a problem, they only have two members on the Planning Board. Everyone else has died.

19:06:40 Jim Kenney: Nobody comes forward. You stepped forward. People come forward when they see somebody leave the position.

19:07:12 Barry McCormick: I would just like to see more emphasis put on the Planning Board or whatever committee you're on that if you know your term is coming up, I think there should be a push put on to fill it with somebody else. I love term limits.

19:07:30 Jim Kenney: There are term limits. The Board of Selectmen stagger three-year terms. All committees have staggered three-year terms. Charlie has to be reappointed and reauthorized annually.

19:07:48 Mike Murch: Let me ask you this, Jim. You've been on the board, somebody's term comes up, you have a couple of people, names on the list who are interested in that position. Is it your decision automatically to take one of the new people?

It's just say midterm somebody has left town and no longer eligible, or somebody has died, no longer living, you took a list. The first name there, you ask that person, are you still interested, and if the answer is yes, appointed. If the answer is no, go to the second name listed.

19:08:30 Mike Murch: I'm talking about the person who is already on the board, they're at the last year of their term, their term is going to expire, what do the Selectmen do? Do you they ask that person do you want to continue on, and if they say yes it's a done deal?

19:08:44 Jim Kenney: Yes

19:08:44 Barry McCormick: It's not that simple, I'm sorry. You can't tell me anybody on that Planning Board when their term is up.

19:08:56 Charlie Porter: Yeah, it's in the Town report annually, when their term is up.

19:09:10 Jim Kenney: By name, when their date is up. Sue would give you the answer. She would give you the list of names, and here is their term. People are on the Board year after year because nobody comes forward to volunteer. Look how much money we're paying you guys tonight. In the course of a month, you've given up 10 hours. We're finished with appeals. Section four, definition of districts.

19:14:39 Barry McCormick: Something I would like to bring up, overview of district delineation, is this what the Comp Plan is doing?

19:14:55 Jim Kenney: This is what the Comp Plan had done.

19:15:01 Barry McCormick: But isn't this what they're tasked with right now?

19:51:04 Jim Kenney: Probably part of it.

19:15:03 Charlie Porter: Even so, they're not changing anything.

19:15:12 Mike Murch: Do they want to expand the downtown area or something like that?

19:15:18 Jim Kenney: There are two baseline land use districts in Unity. There is the Downtown District and the Rural District. All land in town is either in one or the other of these two districts. Beyond that, there are three overlay districts within which land may also fall: The Village District, the Aquifer Protection District, and the Shoreland District. All five districts are delineated on the Unity Land Use Map that is incorporated into this Ordinance. That is where the work is going to go on, within that and from that map is where the definition from the bridge to the railroad tracks to the center of... As we look at the intro, I think that doesn't change. B, interpretation of district boundaries, unless specifically stated otherwise in this Ordinance, district boundary lines are property lines and the centerlines of roads. Boundaries based upon natural features shall be established by field measurement. Should there be a conflict between the Land Use Map and wording of this Ordinance, the wording shall prevail. Should it occur that the Planning Board and an applicant cannot agree on the interpretation of a district boundary, the Board of Appeals shall be the final authority as to location.

19:17:28 Charlie Porter: Stays the same.

There's where the second paragraph of 2A is where things are going to be worked out through us working with the Comp Plan, I believe. At this time I would leave it alone.

19:17:58 Barry McCormick: I'll ask the question, if there was a change that needed to be made here, which committee would be more in line to do it?

19:18:13 Charlie Porter: The Comp Plan, at least the last time, did draw the lines for the districts. It has changed once that I know of, and that was with the Back Troy Road, Randy Robert's place. They extended it up there.

19:18:51 Jim Kenney: This is where we're going to have to work in close concert and bring, if we want to recommend a change in here, once we get through here and see what is necessary, we need to go and work in close concert with the Comp Committee such as both committees come out in agreement. If one is in disagreement with the other, neither will be successful at Town Meeting, right, Charlie?

19:19:24 Charlie Porter: [Nodded agreement.]

19:19:24 Jim Kenney: This is a key paragraph. There is nothing that we should be doing at this junction, but we need to be ready to come with recommendations to the Comp Plan Committee.

19:19:42 Barry McCormick: That would be my recommendation, to bring this piece of property right here to the corner, and block this whole corner right off. So what do we do about that?

19:19:57 Jim Kenney: We go to the Comp Plan Committee as a team. We get on their agenda as a team, and we put forth a delineated plan. They're not ready to hear us yet. If they were working tomorrow, it would be barely started.

19:20:26 Mike Murch: Can we highlight that to go back to that?

19:20:26 Jim Kenney: This is going to be a key thing. Are you guys in agreement?

19:20:29 Barry McCormick: We need to kind of kick it around to see if it is something we all agree on first, if you want to present that or some other piece of property.

19:20:38 Jim Kenney: Clearly the fact that it skipped this property was done by a decision that is not clearly understood for the reason other than the people who did things.

19:20:59 Charlie Porter: The biggest reason is it is not on the sewer but it could be connected.

19:21:06 Jim Kenney: Fire house lane didn't exist but it became connected to the sewer and for one year I was responsible for its maintenance and service.

19:21:14 Charlie Porter: We have a pipe right underneath the railroad tracks already.

19:21:23 Jim Kenney: All you have to do is put a pump station on this side and plumb it in.

19:21:28 Barry McCormick: The reason I bring it is up is I'm all for jobs. There is a building right out back here that could hire at least 50 people no problem - if it were zoned right and done right, we could sell it and get something in there that produces jobs.

19:21:41 Charlie Porter: It is zoned right and it's on the sewer system.

19:21:45 Jim Kenney: You would have to make an investment to attach to it.

19:21:54 Barry McCormick: This whole piece here, you're talking a lot of jobs.

19:22:00 Jim Kenney: Has anyone come forward with an interest. Has anyone gone to the Planning Board? The piece that is within the zone, the one you just said 50 spots within the building. You're talking about the corn factory.

19:22:11 Barry McCormick: That was sold, the people backed out for whatever reason.

19:22:27 Jim Kenney: I have a set of maps that Randy handed out, he handed to all of us. The overlay maps which give you good guidance but the confusion comes with these overlays, the Village District, the Aquifer Protection District, and the Shoreland District. They can actually overlap the Downtown and Rural simultaneously.

19:23:44 Barry McCormick: I'm going to be a pain in the butt because I keep bringing this stuff up but I don't want to go through all of this and miss something that we need to address.

19:23:49 Jim Kenney: Does anyone have objection to what Barry has just said? We want to go with the map from Randy which delineates exactly what we're proposing.

19:24:06 Jim Kenney: Very simple, the Rural District comprises all of Unity that is outside of the Downtown District. That is well said isn't it? Village district, we need to change paragraph AA, it's defined as to the old fire station, which is now the food pantry. The Village District comprises the older village center of the Downtown District. It consists of property with frontage on Depot Street to Main Street to the fire station, that becomes the food pantry, and north boundary of Map 11, Lot 16 (the Bagley property), that is now Mitchell isn't it?

19:25:18 Charlie Porter: No, you're on the other side of the road.

19:25:43 Jim Kenney: Main Street from the railroad tracks to Sandy Stream, Murdock Lane, Vickery Lane, Wood Lane, Kanokolus Beach Road, and Milmac Road. Milmac Road took a new name, it became Marina Road. The Aquifer Protection District comprises the area of land overlying the sand and gravel aquifer associated with Sandy Stream, as shown on the Land Use Map. That doesn't change, that's geology. The Shoreland District comprises the area of land identified in the Unity Shoreland Zoning Ordinance and shown on the Land Use Map. That is an entirely separate document, so there are no changes. This is where we're going to come back, Barry. We're going to jump into a whole new section. Take a time check, it's 7:30, let's do it?

19:27:37 Barry McCormick: Tell me again how we're going to deal with this paragraph and this paragraph.

19:27:57 Jim Kenney: We, as a team, have to sit down and draw lines on one of Randy's maps and identify it in the same method as this, and we to get on the agenda at the Comp Committee and start working as an agenda item to work it out such as the two teams come into agreement. Charlie, do you see it any different?

19:28:25 Barry McCormick: I have no problem with that but I think we ought to set aside a night to do just that. Nothing but maps and make sure we all agree.



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[Yes.]

19:28:40 Charlie Porter: In my opinion, the retail growth district should be expanded here to up on the Albion Road and Depot Street.

19:28:49 Jim Kenney: So, you find out when Randy can do it with us. We should draw a line on a map which identifies precisely what we recommend.

19:29:31 Barry McCormick: And maybe we don't change anything.

19:29:35 Jim Kenney: Let's not jump to that conclusion yet. There have been some issues raised on this land here because it's on the other side of the line and an opportunity that could benefit Unity is not available.

19:29:50 Charlie Porter: Let's put it this way, I've had more inquiries on that piece of land than any other piece of land in this town.

19:30:01 Jim Kenney: Because it's visible, it's frontage, and it meets the three codes, location, location, location, and it's sitting there growing cow food.

19:30:13 Mike Murch: Are you thinking about something big like another store?

19:30:20 Jim Kenney: We've had an investor who said that he would build something that would be beneficial to Unity, and he made a list. One of them was a motel. Unity has no motel. We used to have a hotel in this town. That hotel went down in the early sixties. Right now there is no place for the parents of students coming to graduation or orientation.

19:31:00 Charlie Porter: Belfast, Bangor, Waterville.

19:31:02 Jim Kenney: We have an investor who is willing to spend money, oh, what comes from that? A tax base.

19:31:04 Charlie Porter: That's just one.

19:31:24 Jim Kenney: Here's one of the things that came out in conversation. What does retail mean to you?

19:31:31 Mike Murch: Typically anything like department stores for the most part.

19:31:38 Jim Kenney: Okay, it turns out there is a definition and it goes on, a legal definition and it goes on that long. Barry, what does it mean to you?

19:31:46 Barry McCormick: Jobs, taxes, growth.

19:31:46 Jim Kenney: The definition of retail is a simple word in this document. We're going to make a recommendation by definition, what kind of business by list. We have that list. We, as a team, have got to agree what we want to put in this document to take to the citizens.

19:32:24 Barry McCormick: Even though it gets rezoned, there are still only certain things you can do. It's limited but at least it opens it up.

19:32:34 Jim Kenney: Yes, what would you like to have in Unity? We've got to come to an agreement on that and put it on the list such as retail is defined.

19:32:46 Tony Avilla: The building back here, the corn shop, can that be turned into manufacturing?

19:32:53 Charlie Porter: Yes, it has sewer and water and fire protection.

19:36:57 Jim Kenney: We up here to Section five, dimensional requirements. Lot requirements, purpose, This provision is designed to encourage creativity and diversity in development design. In the Downtown District served by public sewer, small lots are allowed. We'll have to fix small lots. In the Rural District, lots may also be made relatively small, as long as they are interspersed with larger lots to meet the requirements for average lot size. There is no specific road frontage requirement, but rather, more flexible requirements concerning lot access and lot shape.

19:37:30 Barry McCormick: That's all over the place.

19:37:34 Jim Kenney: I look at paragraph A, purpose, and I see all kinds of ambiguities in there. How do you read it, Charlie?

19:37:34 Charlie Porter: It's gobbledygook to the average person. I understand what they're saying. This is the only town I have seen, and you could check that, that has an Ordinance that has no road frontage. Most of them are 200 feet. Yet again, this town has near three acres lot size in the rural district, which I think is ridiculous.

19:38:01 Barry McCormick: What about downtown?

19:38:04 Charlie Porter: Downtown, 20,000 or 10,000 depending.

19:38:12 Ken Murch: But this paragraph is talking specifically about lots served by the public sewer? So, lot size is not a real issue there.

19:38:32 Charlie Porter: Well, it is an issue.

19:38:34 Barry McCormick: Where it says smaller lots are allowed, shouldn't there be a square footage?

19:38:40 Charlie Porter: The State law says only if it is served by a sewer system out here, it has to be 20,000 square feet. That's State law. The Town of Unity says no, you're not going to build on a half acre you're going to build on three acres.

19:39:05 Barry McCormick: Why do we even need that paragraph in here?

19:39:09 Jim Kenney: It's a statement of purpose. You have to decide if we need a statement of purpose.

19:39:23 Barry McCormick: You can say small or large or whatever but the requirements are 10,000 square feet minimum. Why does that paragraph have to be in there because it tells you right there your minimum sizes.

in existence that don't meet the requirements that are already in there. You could encourage uses for them, creative uses.

19:40:30 Charlie Porter: Both of them are very specific about new lots.

19:40:51 Tony Avilla: I think the lot sizes in the Rural District, from what I understand was, because of septic and well. Not being right on top of each other.

19:41:09 Charlie Porter: The State says you can do that on a half an acre.

19:41:15 Mike Murch: If the ground will pass.

19:41:21 Jim Kenney: There is no land in Unity that will pass but if you use a designed system...

19:41:27 Charlie Porter: State law says you have to use a designed system.

19:41:41 Charlie Porter: If you read the first paragraph about the Rural District, they like to jam everybody together and have some open space.

19:41:58 Barry McCormick: But it still tells you what it has to be down here.

19:42:06 Charlie Porter: I keep saying, if I was living in Waterville and I wanted to move to the country I wouldn't want to be jammed in three, four or five other houses just so they can have all of this space.

19:42:20 Tony Avilla: I think when you have the bigger lots, you make it harder on small individuals. You're gonna raise up the property tax because the value of the property is going to be worth more, but you're also putting handcuffs on the average Joe.

19:42:51 Jim Kenney: When you tell somebody they have to buy a bigger lot than what is actually necessary.

19:43:03 Charlie Porter: Two acres is plenty.

19:43:03 Jim Kenney: That is a number you just pulled out of the hat, which I accept, but if the State says a half acre...

19:43:12 Charlie Porter: A half acre is too little.
There is no frontage, most towns have frontage.

19:44:52 Jim Kenney: Are we doing anything with paragraph A?

19:44:58 Barry McCormick: I say take it out.

19:45:02 Jim Kenney: Are there any words to make it clearer? Is it proposed to take it out?

19:45:54 Tony Avilla: We've got to leave the road frontage thing there.

19:46:05 Barry McCormick: We need some interpretation, what is a small lot?

19:46:27 Mike Murch: What I would do is leave the very first sentence and then the last sentence.

19:46:58 Jim Kenney: What we're going to do, Sherry, the paragraph is going to read like this. This provision is designed to encourage creativity and diversity in development design. There is no specific road frontage requirement, but rather, more flexible requirements concerning lot access and lot shape. Is that what you intended, Mike? How about if we dropped the words more flexible requirements, but rather flexible requirements concerning lot access and lot shape? What does more mean in that sentence?

19:48:56 Barry McCormick: The thing I see there is you're telling them there is no specific road frontage requirements. That's great. But then, on the other hand we'd rather encourage more encourage more flexible requirements concerning lot size and shape.

19:49:19 Jim Kenney: So you would put a period after there is no road frontage requirement, period. [Yes.]

19:49:19 Barry McCormick: But then in the next breath you're going to tell them, to be more flexible let's do this, this and this.

19:49:48 Ken Murch: By not having road frontage requirement, that sets the shape of the lot. It makes for more flexibility in the shape.

19:50:06 Barry McCormick: If you're telling them why you're doing that, that's great. We're saying no lot requirements because it allows you to be more flexible on lot size. I agree 100 percent with that.

19:50:21 Ken Murch: Well, I just think it's explaining by not being specific on road frontage, it's allowing it to be more flexible and going back up to the beginning, we're encouraging creativity and sometimes when you get handed a lot or a field or something, and there's a funny corner in the end or something, you can break it up into lots and you end up with some funny-shaped lots to get your required square footage. I would like to know what the thinking was of the people who wrote this down.

19:51:50 Jim Kenney: I'm having a thought I would like to share. I'm back to the first sentence, and I would extend the first sentence, this provision is designed to encourage creativity and diversity development design by providing for flexible requirements concerning lot sizes and lot shapes. Then followed by the last sentence there are no specific road frontage requirements. How about if we expand the first sentence by putting in flexible requirements concerning lot access and lot shape? Does that help?

19:52:33 Ken Murch: I don't see anything wrong with it.

19:53:08 Jim Kenney: Again, I say this provision is designed to encourage creativity and diversity in development design by providing flexible requirements concerning lot access and lot shape. There are no specific road frontage requirements.

Meeting adjourned.

Respectfully submitted,

Sherry E. Powell-Wilson, Notary Public



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