

TOWN OF UNITY
LAND USE REVIEW COMMITTEE MEETING MINUTES
MAY 14, 2014
LOCATION: UNITY MASONIC HALL, UNITY, MAINE

MEMBERS IN ATTENDANCE: Mark Nickerson, Jim Kenney, Barry McCormick, Chris Rossignol, Randy Reynolds, Charlie Porter

MODERATOR: Jim Kenney

OBSERVERS: Garrett Morrison

RECORDER: Sherry Powell-Wilson

18:39:15 Jim Kenney: You have the Minutes. Any comments?

18:39:15 Randy Reynolds: I make the motion to accept as read.

18:39:15 Jim Kenney: Approved.

18:39:15 Randy Reynolds: There are some things we want to change. Should we talk about this now? We should put something in the notes to the effect of what we're doing.

18:39:15 Jim Kenney: Let's start on the definitions. Start at the beginning. The document I sent you was red lined.

18:39:38 Randy Reynolds: When we were talking about surveys, we said 2-10, or did we say 1-10?

18:39:38 Jim Kenney: We said 1-5. It was 2-10.

18:39:44 Randy Reynolds: Right, if you go 2-10 you can't use one for contour.

18:39:52 Jim Kenney: You had suggested 1-5. Are you still comfortable with it.

18:39:54 Randy Reynolds: I would almost use 1-10, you got to the USGS and those are 20-foot contours.

19:39:56 Jim Kenney: Okay, we'll make that 1-10, without me flipping back to refer to the Minutes. That's under contours under development review.

18:40:25 Jim Kenney: Are we all tuned into lot area, I'll read. Lot area, the area of land enclosed within the boundary lines of a lot minus land below the normal high water line of a water body or upland edge of a wetland or area beneath roads serving more than two lots. Are there ideas concerning this to make it functional?

18:40:53 Randy Reynolds: To get roads under water or above water, they're not part of the lot. Needs to be revamped totally.

18:41:03 Barry McCormick: This is where we sopped last week.

18:41:07 Garrett Morrison: I think from the, at least from the DEP perspective that the difference between land below the water and land below the normal high water line. That remains to be to be seen.

18:41:31 Randy Reynolds: Do they call it lot area?

18:41:35 Garrett Morrison: No, when you're choosing a lot area, if you don't define normal high water line versus water then there will be an argument later on whether it should be here or it could be there.

18:41:51 Barry McCormick: What I think this means, if I've got a two-acre parcel and there a little bit of a pond within that two-acre parcel, that's not considered lot area?

18:42:12 Randy Reynolds: That's what it says.

18:42:17 Barry McCormick: If I've got four lines, that's my lot, and all of a sudden within that lot that right here has a little pond or whatever, then my lots not two acres, it is 1.8. That makes no sense to me.

18:42:39 Garrett Morrison: This is what it says.

18:42:42 Randy Reynolds: Maybe if we can define it as something different than a lot area.

18:42:45 Mark Nickerson: What's the purpose of taking away all that land anyway?

18:42:51 Garrett Morrison: It's land that you're not entitled to use at your own discretion.

18:43:03 Randy Reynolds: Of course you can. If you have a pond for any farm or anything like that, that doesn't open it up, no matter how big it is, and other than the definition, you own it.

18:43:14 Charlie Porter: You can use it to go fishing...

18:43:22 Randy Reynolds: What kind of demands like Shoreland Zoning or anything like that - that doesn't apply. What else would apply?

18:43:29 Charlie Porter: Nothing, unless it's fed by a stream.

18:43:37 Jim Kenney: I have a piece of land and I live on that land. And my deed reflects the outside dimensions. I have a pond on that and I don't think there's anyone that knows that when you read my deed.

18:44:04 Charlie Porter: I didn't know you had a pond.

18:44:09 Randy Reynolds: What this makes me think of is the federal government, they've got control of everything down to a mud puddle. This is almost like a taking.

18:44:20 Barry McCormick: But I could argue that if I'm selling land, this two-acre piece right here, and a quarter of it has a pond on it, and I'm selling two acres for \$50,000. The buyer could come back and say, well, I'll give you \$30,000 because you don't own two acres, you only own 1-2/3rds.

18:44:40 Randy Reynolds: What would be the definition difference between the lot area and land area?

18:44:48 Charlie Porter: I think this definition is more for Shoreland Zoning than anything.

18:44:52 Jim Kenney: That will become a separate issue because it's going to be in a standalone document.

18:44:58 Randy Reynolds: Did you check that and see if it was used anywhere in the document?

18:45:03 Jim Kenney: I believe I did. I'll go back and check it out.

18:45:12 Garrett Morrison: If you're going to leave it like it is then the water body as defined should be changed to say except wholly contained. Because if you have your own pond in there, it shouldn't change anything.

18:45:41 Jim Kenney: The pond that we have was dug for purposes of draining conflicting slopes and providing us water in case of a fire. Built a diversion ditch and it directed the water to that area. I was 14 running the bulldozer. So, we're going to come back to this.

18:46:09 Barry McCormick: If you don't mind, how are you going to look into it?

18:46:13 Randy Reynolds: To see if it's used anywhere in the document.

18:46:19 Jim Kenney: I can't recall how it was used. I will be more specific.

18:46:26 Jim Kenney: Lot width, the distance between the side boundaries of a lot measured at the front setback line. That's clear is it not?

18:46:42 Garrett Morrison: Only if it's a rectangle.

18:46:47 Randy Reynolds: If it's shore lots, it has to be directly between the points, you do go in around the shoreline to get your 100 feet. It's point to point.

18:46:56 Mark Nickerson: That wouldn't be the front setback line would it, if it was on the water side? Is that the front one?

18:47:03 Randy Reynolds: Yes, especially the front one, that's where you try to get more frontage. Say you have 200 feet on frontage on your land between pins.

18:47:17 Barry McCormick: To me it's confusing. It's from here to here right?

18:48:10 Garrett Morrison: What is the definition for lot width to be used for, to tax you on your road frontage then that's fine, but if you're talking about width of the lot...

18:48:21 Charlie Porter: We don't have road frontage. This is the only town I've seen that doesn't.

18:48:35 Jim Kenney: I'll find it. I will check that.

18:48:37 Randy Reynolds: If it's not used, I don't see any need for it.

18:48:55 Barry McCormick: Throughout the document it specifies how wide your road frontage can be based on driveways and places in there?

18:49:03 Jim Kenney: No, we do not define that. We have no minimum frontage side.

18:49:14 Randy Reynolds: Between roads we do.

18:49:16 Jim Kenney: Between roads we do but lot width as this is defining would apply to a minimum generally would it not? We have no minimum frontage requirement.

18:49:29 Randy Reynolds: There is a document in the Downtown and the Rural, especially the Downtown, you can't have so many driveways within certain distances. So, how you measure it this would pertain.

18:49:44 Barry McCormick: What possible use could we have in knowing the lot width when they come in to apply for a building permit or break a piece of property that would apply as lot width, when they break it out?

18:49:56 Randy Reynolds: If it's surveyed.

18:49:58 Mark Nickerson: But didn't we put in there that there all lots had to be a ratio width to length?

18:50:07 Randy Reynolds: The spaghetti rule, you can't go over five times deeper than wide.

18:50:17 Jim Kenney: I will pull up how it's used.

18:50:24 Jim Kenney: Low impact activity, this is nowhere else in document so strike it. I didn't need to look up manufactured housing or mobile home units, I'm going to read it. A structure transportable in one or two sections, which was constructed in a manufacturing facility and is transported to building site and designed to be used as a dwelling when connected to the required utilities.

18:50:56 Randy Reynolds: One change I would make, transportable in one or more sections instead of saying one or two.

18:51:13 Barry McCormick: Some are three.

18:51:35 Jim Kenney: Mobile home park, a parcel of land under unified ownership approved by the town for the placement of three or more manufactured homes.

18:51:52 Randy Reynolds: That's nowhere near right. Usually they're trailers.

18:52:00 Jim Kenney: Since the price of a trailer got unreasonable, they're calling them mobile homes.

18:52:14 Randy Reynolds: You could take manufactured as being a mobile.

18:52:27 Barry McCormick: A manufactured home, to me, you could put in a subdivision and have manufactured prebuilt homes put in there.

18:52:46 Randy Reynolds: But it's no mobile.

18:52:47 Mark Nickerson: It got there by mobile though.

18:52:54 Barry McCormick: Three or four, it could be a house built off-site. Would it be a mobile home park?

18:53:11 Jim Kenney: That is building on manufactured housing a mobile home unit. That's the next part, then if you have three or more, it's a park.

18:53:22 Randy Reynolds: Maybe we ought to take mobile out. Manufactured home park?

18:53:33 Garrett Morrison: I want to ask question on that. You can buy a manufactured home that arrives in two or more pieces and it's set onto your foundation, which may be a full cellar and bolted down and then finished off. Okay, there's your house. Now, it's not a mobile home, it's not a trailer but it got there by riding on a trailer, but now it is just like a stick-built house.

18:54:08 Jim Kenney: It's attached to and not intended to be moved.

18:54:15 Randy Reynolds: You almost have to back up to the last one we were on, manufactured housing or a mobile home unit.

18:54:24 Garrett Morrison: I think what would be good is to separate the manufactured housing from the mobile home. It makes it look like they're one and the same.

18:54:35 Charlie Porter: Ten or 15 years ago they were pretty much one and the same.

18:54:43 Barry McCormick: What if we took mobile home unit right out of the one prior to this and just said manufactured housing?

18:54:49 Randy Reynolds: And take mobile home out of the last one too. Do we need both?

18:54:53 Barry McCormick: If you took mobile home units out of the top one, manufactured housing and stop right there, and then in the last sentence of the next one, mobile home park, instead of manufactured home put in mobile homes. [All in agreement.]

18:55:20 Jim Kenney: Did you follow Barry everyone? So what Barry has proposed in the one entitled manufactured housing, the phrase 'or mobile home unit' will be struck. Then in the mobile home park, where it says 'three or more manufactured homes,' that would be manufactured would become mobile home.

18:55:54 Garrett Morrison: The only problem with that is we haven't defined a mobile home.

18:56:00 Jim Kenney: We'll have to define mobile home. Are we agreed that we're going to strike mobile home unit from the first part? [Yes] Are we going to agree to change manufactured to mobile home? [Yes] Now we have to define mobile home.

18:56:23 Mark Nickerson: A home that is mobile.

18:56:37 Barry McCormick: Do they have steel frames? Any mobile home has a steel frame that stays on the mobile home, whereas a manufactured home does not have, well....

18:56:52 Charlie Porter: They usually have a width on that.

18:57:04 Randy Reynolds: But they're going up 15 to 16 feet now.

18:57:04 Barry McCormick: But manufactured homes may have a steel girder in them as well.

18:57:20 Mark Nickerson: For it to be mobile, you've got to have axles and wheels.

18:57:23 Randy Reynolds: But a lot of times they take the wheels off.

18:57:26 Mark Nickerson: But not the axles. They leave the axles in and it's very easily converted back to mobile.

18:57:36 Charlie Porter: You're right, it's the wheels and the axles that make it mobile.

18:57:41 Jim Kenney: Okay, I've got a homework assignment. Sherry has captured it.

18:57:41 Jim Kenney: Multifamily dwelling, a building containing three or more units such as buildings being designed exclusively for residential use or occupancy by three or more families living independently of one another with the number of families not exceeding the number of dwelling units.

18:58:30 Randy Reynolds: If you get three or more dwelling units together you've got a subdivision.

18:58:32 Chris Rossignol: Is that why they're allowed three?

18:58:37 Jim Kenney: We had to clear up one the other day when we said under one roof. A building, that's what this is.

18:58:47 Barry McCormick: But let's talk about down to the Pit Stop, that's all one under one roof. If he puts five apartments in there, that would be a subdivision.

18:59:04 Randy Reynolds: No, it's one building.

18:59:08 Charlie Porter: You can take a commercial building and you start putting apartments in, that is a subdivision. Like Ralph's got. You start putting apartments in, it becomes a subdivision.

18:59:30 Randy Reynolds: Did he take out a subdivision?

18:59:34 Charlie Porter: No, because he had already been there. In the bottom floor he's going to put storage.

18:59:50 Randy Reynolds: I had never heard that Charlie, under one roof.

18:59:59 Charlie Porter: You take a commercial building, I think it's right in there under subdivisions, that is the law.

19:00:02 Mark Nickerson: Why are they using three instead of two for a multifamily? I mean, multi is more than one. What's the purpose of using the number three?

19:00:42 Charlie Porter: If you build it for three, I don't think you can call it a subdivision. You can convert to three, but if it's a commercial building it's a subdivision.

19:01:01 Garrett Morrison: And Ralph's in trouble down there if he does that. It says designed exclusively for residential use. He's going to have storage underneath it.

19:01:25 Randy Reynolds: He can't have stores.

19:01:25 Garrett Morrison: I mean stores, but it's not exclusively for residential use.

19:01:37 Jim Kenney: Well, Ralph is not under consideration here because he had that building. George Reid built that long before anyone sat down to do the ordinance. The question would be could it be done again?

19:01:55 Charlie Porter: If you bought that building right now and said I'm going to take all the stores out of there and put them into apartments, that would be considered commercial.

19:02:13 Jim Kenney: But that's going forward. Going forward I have no difficulty but we wouldn't be going backwards.

19:02:24 Charlie Porter: No, but it is in that book someplace and it's under subdivisions.

19:02:27 Mark Nickerson: So what are those units classified as, School Street buildings there, and the next units. Are those multifamily dwellings?

19:02:38 Charlie Porter: They are multifamily apartments, yes. They're not under subdivisions.

19:02:42 Randy Reynolds: What changes it from being a subdivision?

19:02:48 Charlie Porter: It wasn't a warehouse that they converted into apartments. It was brand new units.

19:02:59 Randy Reynolds: Let's talk about the Amish. One person can own a whole bunch of land and you can come in and cut out lots, you can cut out two and then the third one becomes a subdivision. They're not all related.

19:03:30 Jim Kenney: Whatever is happening with the Amish has either been approved by a Planning Board or not presented.

19:03:43 Randy Reynolds: It was presented. I asked the chairman of the Board about this and he says they can do it because it's under one owner. They can do anything they want.

19:03:52 Barry McCormick: That doesn't make any sense.

19:03:58 Jim Kenney: But we're not going to fence with that here. We're going to have a subdivision ordinance developed, and somebody is going to remember Sherry's well-crafted Minutes and that will be a subject of that discussion.

19:04:17 Randy Reynolds: Let's leave this open to interpretation and come back to it.

19:04:20 Jim Kenney: New parking area, any parking area constructed after the effective date of this ordinance or any modification to an existing parking area that will use 500 square feet or more of land that was previously not utilized for either parking or vehicular access.

19:04:44 Randy Reynolds: Anything under 500 square feet is not considered a new parking area, right?

19:04:51 Charlie Porter: Yeah, that's the number.

19:04:52 Randy Reynolds: So you can just go out and build up to a 499 square foot parking area without a permit. Right? I don't have a problem with it.

19:05:07 Jim Kenney: How say you all? [Good]

19:05:11 Jim Kenney: Nonconforming lot, a single lot of record, which at the effective date of adoption or amendment of this ordinance, does not meet the area of frontage or width requirements of the district in which it is located. How say you?

19:05:29 Randy Reynolds: The Land Use Ordinance states that you as long as you don't make it more nonconforming, you can retain the nonconforming lot so this just defines what a nonconforming lot is. I don't see a problem.

19:05:47 Jim Kenney: How say you all? [Agreed.] Nonconforming structure, a structure which does not meet any one or more of the following dimensional requirements: Setback, height, coverage but which is allowed solely because it was in lawful existence at the time of this ordinance or subsequent amendments took effect. How say you? [Agreed.] Nonconforming use, there was 11 matches to that. Use of buildings, structures, premises, land or parts thereof, which is not permitted in the district in which it is situated but which is allowed to remain solely because it was in law existence at the time this ordinance or subsequent amendments took effect. How say you? [Agreed.] Parcel, same as lot.

19:06:51 Randy Reynolds: That refers back to lot width.

19:06:56 Jim Kenney: Which we have to look at.

19:06:59 Garrett Morrison: Is there a reason for using both terms.

19:07:03 Randy Reynolds: You hear it a lot in lot and parcel. I think you'll find that it's referred to quite often. Both of them.

19:07:25 Jim Kenney: Parking area, any off-street area used for the parking of vehicles that is not a driveway. The principal function of a parking area is to park vehicles, whereas the principal function of a driveway is to provide a vehicular access way. Driveways are often used to park vehicles but rarely do they allow several vehicles to arrive and depart freely without the need to move other vehicles. How say you?

19:08:10 Mark Nickerson: We just went over that new parking area, where it is over 500 square feet.

19:08:28 Jim Kenney: Are you proposing that we strike the 'see also definition?'

19:08:41 Barry McCormick: I don't think it helps a bit.

19:08:45 Charlie Porter: Why can't they be combined?

19:08:53 Randy Reynolds: New versus existing.

19:09:14 Barry McCormick: Just leave it alone. Cr: Make simpler put side by side.

19:09:41 Jim Kenney: Agreed to leave it alone. [Agreed.]

Jim Kenney: Person, an individual, corporation, governmental agency, municipality, trust, estate, partnership, association, two or more individuals having a joint or common interest or other legal entity. What is missing there? That's a long sentence. [Consensus is that it is fine.] Principal structure, a building that serves a primary function on a parcel, for example, houses and office buildings are usually principal structures while garages, barns and sheds are accessory structures. [Good.]

19:11:08 Jim Kenney: Principal use, any use which is not incidental or accessory. [Yes.] Private road or roadway, a privately owned road neither open to nor maintained by the town or general public. [Yes.]

19:11:28 Jim Kenney: Productive farmland, I found it nowhere else in the document. [Consensus to delete.]

19:11:39 Jim Kenney: Public road or roadway, any roadway which is owned, leased, or otherwise operated by a governmental body or public entity. [Good.]

19:11:54 Jim Kenney: Right-of-way, all public or private roads and streets, state and federal highways, private ways now called public easements, or public land reservations for the purpose of public access including utility right of ways. [Good.]

19:12:17 Jim Kenney: Road, any public or private way designed for vehicular access other than driveways, shared driveways, farm road, trails, or logging roads. The term road includes the normal meaning conveyed by vehicles including street, avenue, or highway or way. [Sounds good.]

19:12:46 Jim Kenney: Seasonal use, was not found in the document.

19:12:50 Randy Reynolds: I think you'll find that in Shoreland Zoning.

19:12:54 Jim Kenney: When we get to it. Setback, the minimum horizontal distance from the lot boundary to the nearest part of a building including porches, steps and railings.

19:13:09 Randy Reynolds: Usually your setback does including steps and railings.

19:13:14 Jim Kenney: Do you want to change this? Charlie, who was the first violator of the 15-foot setback?

19:13:29 Charlie Porter: I have no idea.

19:13:35 Jim Kenney: I do, it was Dana P. Stevenson, my neighbor. He was 1st Selectmen. He built the barn 10 feet from the line and I said take it down or draw up a document that I can sign. He drew up the document. Let's get it notarized. What are we going to do with this one. Steps and railings stay or go?

19:14:07 Barry McCormick: I would think it would have to be something permanent.

19:14:11 Randy Reynolds: Steps are and they aren't.

19:14:16 Charlie Porter: Refer to Shoreland Zoning, a step, replacement, does not need a permit to build. You're allowed set of stairs and a 3x5 landing to open the door to go in and out.

19:14:38 Barry McCormick: That's not included in the setback?

19:14:43 Charlie Porter: No. Here is it, 100-foot setback. A step in a landing is not included.

19:14:55 Jim Kenney: But we're not doing Shoreland. We're talking about dry land.

19:15:07 Charlie Porter: To the structure.

19:15:08 Jim Kenney: Including steps and railings? [No.] So we're striking steps and railings?

19:15:23 Randy Reynolds: Porches that are hooked to the building, decks, that would be anything principal to the structure is included.

19:15:37 Barry McCormick: The only problem I have with that, now that I think about it, let's say Chris and I live next door to each other, and I've got my house 15 feet from the line but I want to build a 15-foot deck.

19:15:51 Randy Reynolds: You can't build within that 15 feet.

19:16:05 Jim Kenney: I put a period after porches and decks.

19:16:19 Randy Reynolds: Decks can get pretty good sized. This explains what we were talking about bordering on a water body measured in a straight line between the intersection of the lot lines and the high water elevation. Shore frontage.

19:16:51 Jim Kenney: Okay, that's coming out of this document. Share driveway, a vehicular access way serving two or three dwellings.

19:17:07 Randy Reynolds: Two or more.

19:17:09 Jim Kenney: That's what you propose? [Yes.]

19:17:17 Garrett Morrison: Is it unlimited?

19:17:22 Randy Reynolds: Yes, basically.

19:17:25 Charlie Porter: I don't see why not.

19:17:27 Randy Reynolds: You get more than a third lot in there you have to call it a road. Up to three is a driveway, anything above that is a road.

19:17:39 Garrett Morrison: So it shouldn't be two or more?

19:17:45 Charlie Porter: It says three now.

19:17:50 Randy Reynolds: A vehicular access way serving up to three dwelling units.

19:18:02 Mark Nickerson: Mine says two or three dwelling units.

19:18:02 Randy Reynolds: But if you've got two houses, two lots, and you go to a third one you're in a subdivision. What makes it a road, Charlie?

19:18:17 Jim Kenney: No, you can have three separate ones without making it a road, it's a shared driveway.

19:18:23 Randy Reynolds: But it's on the 3rd lot they're talking a subdivision.

19:18:29 Charlie Porter: Only if it's a lot of land, it could be there and you're just connecting it. The way it is now, the third house kicks in from being a driveway to a road.

19:18:48 Jim Kenney: I have three on the driveway, Bob Porter, used to be Marie Alexander.

19:19:11 Randy Reynolds: Why couldn't we fix this so a vehicle access way serving up to three dwelling units, lots or structures. If it's two or three you might just as well say three and get it over with. You may want to look that up and see where it's used in the document.

19:19:49 Jim Kenney: Are we done with shared driveway? [Yes.] Structure, anything built for the support, shelter, enclosure of persons, animals, goods, or property of any kind exclusive of fences.

19:20:18 Randy Reynolds: Leaves open to a lot. Goods and property of all kind.

19:20:25 Barry McCormick: What would not be covered under that? That would be anything you could walk under.

19:20:53 Charlie Porter: Supportive shelter on or in the ground.

19:21:23 Jim Kenney: Anything built on or in the ground for support, shelter, or enclosures of persons, animals, goods or property of any kind exclusive of fences.

19:22:00 Jim Kenney: Subsurface sewerage disposal system, a collection of treatment tanks, disposable areas, holding tanks, ponds, surface brace system or systems, cesspools, well, surface ditches, alternative toilets, or other devices and associated piping designed to function as a unit for the purpose of disposing of waste or wastewater on or beneath the surface of the earth. The term shall not include any wastewater discharge systems licensed under 38 MRSA Section 414, any surface wastewater disposal system on 38, yes yes yes or any public sewer. The term shall not include wastewater disposal system designed to treat wastewater which is whole or part hazardous waste defined under yada yada yada. I wouldn't know how to understand all of this. I wouldn't want to alter this.

19:24:43 Randy Reynolds; I don't think you'd have to. Just check on the MRSA.

19:25:03 Garrett Morrison: There was a definition of substantial start, did you see that?

19:25:10 Jim Kenney: We actually transferred the wording into the sentence it was used in, recall? We actually had that pinned down to a percentage of the estimated cost, and that then went on to say if it had gone beyond a fixed point in time, I think it was a year, the permit had to be applied for again.

19:25:54 Jim Kenney: Variance, a relaxation of the terms of this ordinance where such relaxation will not be contrary to the public interest where owing to the conditions particular to the property and not the result of the actions of the applicants where a liberal enforcement of this ordinance could result in undue hardship.

19:26:27 Charlie Porter: It describes it but by what authority?

19:26:32 Jim Kenney: This I'm quite sure is saying that the applicant can go to the Board of Appeals.

19:26:45 Charlie Porter: Because I don't think the Planning Board can give a variance on anything.

19:26:52 Randy Reynolds: No, they can't. This almost gives them the right though.

19:27:02 Jim Kenney: I'll have to find it.

19:27:09 Garrett Morrison: Should it say a relaxation by the Board of Appeals?

19:27:22 Jim Kenney: So this would read, a relaxation granted by the Board of Appeals?

19:27:35 Garrett Morrison: I think it would be better if by the Board of Appeals was put in after, relaxation of the terms after Ordinance.

19:27:42 Jim Kenney: Where such relaxation yada yada yada. That works well folks? [Yes.] Vegetation, all live trees, shrubs, ground covers and other plants. I have some homework. I'll get it prepared. I'll bounce you out a note during the week.

19:28:35 Mark Nickerson: I want to go back to one term, back on productive farmland, you guys said it's not in the thing. I thought we went over that in great detail.

19:28:47 Jim Kenney: We never ever found it in the document. John was looking for it and I took it under assignment and I couldn't find it also. Couldn't find the phrase productive farmland.

19:29:02 Randy Reynolds: That's because we took out about four big sections.

19:29:11 Barry McCormick: If you look at the old one, it's littered with it.

19:29:20 Jim Kenney: We had started a conversation but we needed you here. Want to discuss we have in our planning as you know a property maintenance ordinance and I brought it to the table and we want to discuss paragraph 5.2, if you'll locate it... entitled miscellaneous nuisance law. Are you watching him, he gets himself bound up.

19:30:26 Barry McCormick: I get bound up once in a while too.

19:30:32 Jim Kenney: Miscellaneous nuisance law, I would propose this goes into the property maintenance document in some or all and we thought you should have a voice on that.

19:30:50 Randy Reynolds: Do you want to leave it in the Land Use Ordinance or take it out completely and it into Property Maintenance.

19:31:08 Charlie Porter: I really don't care.

19:31:10 Jim Kenney: Okay, I'd like to move it. If the citizens approve, we're going to have a Property Maintenance which is going to help us with a lot of issues that you face.

19:31:30 Charlie Porter: In other words, you're going to have a standalone ordinance. Troy has one too, actually all of this is spelled right out.

19:31:44 Randy Reynolds: It's the same thing.

19:31:48 Barry McCormick: The reason I think it ought to be moved is because the Land Use Ordinance, to me, tells you what need to do in something new or changing to something. That is maintenance on what's already here. It probably gives you a little more authority, or the Town more authority.

19:32:09 Randy Reynolds: It's right there in big letters, wind turbines, property maintenance, shoreland zoning, and so on.

19:32:36 Jim Kenney: I think that title page is going to give us a lot of aid. Taking out some of these side issues where somebody can get bound up and putting them into a governing document as a section will give the code enforcement officer the strength and tools he needs. I will get that moved.

19:33:01 Randy Reynolds: When we started out we going to going to try to make one document for each one, we're actually going to have five or six documents before we get done. A lot of standalones.

19:33:10 Barry McCormick: It's less confusing.

19:33:20 Jim Kenney: This is where we all say thank you Garrett. You've brought a lot of good stuff here.

19:33:33 Randy Reynolds: We're going to talk subdivisions, right?

19:33:42 Jim Kenney: I don't know if you had arrived or not but we gave Randy an action item to give us his thoughts on which would be our model to start drawing up subdivision. His recommendation with no objection was Dixmont's.

19:34:14 Randy Reynolds: Liberty has a great ordinance that covered subdivisions and everything else right to a T. It's a model, a good one to follow, but it doesn't give much leeway. If you want some standalone it's really difficult to go in and pull something out. Dixmont has more standalone stuff. We can change some of the wording here and there like two acres lots, but bring it in to what we want. Not too much of a major change to the document itself. I think Dixmont's subdivision would be the one to go to.

19:35:44 Jim Kenney: Do we have the time to dig in any depth?

19:35:51 Randy Reynolds: No, what I want to do, we may be a couple weeks getting this ready, and then it will be shipped out so everybody can make a copy. What time is it?

19:36:26 Jim Kenney: I'll go in and do what we've discussed. We have other actions coming. We have John's homework and my homework from definitions. I will move out of this document nuisance and stick it into the property maintenance.

19:37:10 Charlie Porter: Just to make everybody happy, the State has come out with a new Shoreland Zoning Ordinance. We just adopted one two years ago and now they have tweaked that.

19:37:25 Jim Kenney: Send me a link?

19:37:29 Barry McCormick: What do we have left to do before we can present the copy of just the Land Use Ordinance that we have gone over to the Selectmen and other people?

19:37:48 Randy Reynolds: That's where I was headed. Jim needs to finish up everything that needs to be done in the language. If we go into property management over the next two to three weeks, by then I'll have something ready for the subdivision ordinance, and then you can send it out to everybody.

19:38:20 Jim Kenney: We have to get John's thing in and do a scrub. We've got to get definitions done.

19:38:29 Randy Reynolds: Then it needs to go to Garrett's son before we send it out to anybody.

19:39:20 Jim Kenney: John brought in nuisance stuff and but we didn't agree on using it unless we had specific ways of what it means. His assignment was define what that means.

19:40:03 Randy Reynolds: First of meeting next week we can go over all that stuff so you'll have it to work on the following week.

19:40:15 Mark Nickerson: I'm curious how much more there is left to do for this, how much more time is going to be required.

19:40:21 Randy Reynolds: For the Land Use Ordinance, very little. Then we go into other stuff that we're working on too like property maintenance, subdivision ordinance, other stuff so it's going to be going on for quite a while.

19:40:46 Jim Kenney: Bringing you up to date, Garrett has asked his son to do a review from another set of knowledgeable eyes. Is what the document that we came up with, is it understandable and should it be useable and that was something that bring a fresh outlook on it.

19:41:18 Randy Reynolds: It would be nice to hear that it's good. If not, we'll know where to fix it.

19:41:23 Jim Kenney: We came with the mission to make it useable for the applicant. There is nothing in this document that any of us would hang our heads and say that we're sorry we did it

19:43:56 Randy Reynolds: We're going to have to bring our map up to date.

19:43:56 Jim Kenney: One of the major things and we haven't yet answered it, it's right here, something we have to nail down, what is the Village District.

19:44:02 Barry McCormick: And why we did that, that might come into play.

19:44:25 Randy Reynolds: We'll be spending several meetings on that map.

19:44:32 Jim Kenney: We'll be able to get the text in here once we get that map nailed down.

19:44:37 Meeting closed.

**Respectfully submitted,
Sherry E. Powell-Wilson, Notary Public
Approved:**