

**TOWN OF UNITY
LAND USE REVIEW COMMITTEE MEETING MINUTES
MAY 28, 2014
LOCATION: UNITY MASONIC HALL, UNITY, MAINE**

MEMBERS IN ATTENDANCE: Jim Kenney, Randy Reynolds, Tony Avila, John McIntire, Charlie Porter, John McIntire,

MODERATOR: Jim Kenney

OBSERVERS: Garrett Morrison

RECORDER: Sherry Powell-Wilson

18:31:32 Jim Kenney: It is 6:30. Shall we get under way? You have the Minutes from 2 weeks ago? Are there any comments?

18:31:24 Randy Reynolds: I make the motion to accept as read. [All in favor.]

18:31:28 Jim Kenney: Any further discussion? They are approved. Is there anything else someone would like to jump in before we get into the definitions? We had giving John a task, he wanted to bring something to the table, Section 13, it had no particulars if you will recall. We asked him to bring back some specifics. Shall we jump into the definitions? I took the action to look up some things, impervious surface. Please go to page 2.

18:32:48 Randy Reynolds: You did something right after impervious surface. In red.

18:32:56 Jim Kenney: I lost it when I put it in the document.

18:33:01 Garrett Morrison: Was it industrial use? That's what starts the sentence.

18:34:00 Jim Kenney: Industrial use was not elsewhere in the document, shall we strike it? Hearing no objection. And lot area, I had to find out mobile home parks, lot area, and it appears in section 10 and you see how it appears.

18:35:34 Randy Reynolds: If you'll back up a little ways you'll see where it says lot. It describes what a lot is.

18:35:48 Jim Kenney: You would suggest striking it?

18:35:54 Randy Reynolds: We've got lot. What would be the difference between lot and lot area?

18:35:59 Mark Nickerson: Well, lot area is just describing what is in the lot, what land you can use.

18:36:10 Garrett Morrison: By this definition what it does is gives you the opportunity to subtract from your area land below the normal high water line, and land beneath roads serving more than 2 lots, which for some people might make a difference in the tax that they pay.

18:36:32 Jim Kenney: Which is not the subject of this document.

18:36:37 Garrett Morrison: Right but that's the only reason I can see for this definition being in there.

18:36:43 Jim Kenney: For this purpose, does this have a need in Land Use? Tony, do you see a need for it in the Land Use document, which does not drive taxation? [Consensus is no.]

18:37:09 Randy Reynolds: It describes what a lot is, I think that's what we mainly need for the Land Use Ordinance.

18:37:31 Jim Kenney: We had a discussion on manufactured housing. I went into the web and this is what is shown, modular buildings and modular homes. And it goes on to talk this would be script copy 2. And, so, there is something here that we can craft out if we wish for manufactured housing and mobile home unit.

18:38:19 Randy Reynolds: Is there any place in the Ordinance where it calls for manufactured housing and mobile home unit?

18:38:28 Jim Kenney: Yes, in fact, there is a whole section in there.

18:38:32 Randy Reynolds: So we should have a definition of what it is.

18:38:36 Jim Kenney: So you would have me craft some wording out of this? [Yes.] Would somebody wish to take it on? I can craft it and bring it back to you. We don't need all these words.

18:38:52 Mark Nickerson: If we struck lot area up above it's down below in that definition. Lots within the Shoreland District shall meet the lot area, lot width, setback, and shore frontage requirements.

18:39:11 Jim Kenney: We're going to have our own separate document on shoreland zoning.

18:39:16 Mark Nickerson: So, in other words, what's in red we're taking out?

18:39:22 Jim Kenney: What's in red is we're back to lot area where that shows up, and we're going to strike that whole section.

18:39:31 Garrett Morrison: But it will be in Shoreland Zoning some place? [Yes.]

18:39:38 Jim Kenney: Now we're looking at manufactured housing. Is mobile home park going to be in the document? Subdivision?

18:40:04 Randy Reynolds: That would come under Development Review.

18:40:09 Barry McCormick: I thought the other week that we discussed that trailer parks are a subdivision?

18:40:19 Randy Reynolds: Trailer parks are.

18:40:19 Jim Kenney: Okay, so this comes out because of that?

18:40:22 Randy Reynolds: When you start developing a lot that comes under Land Use Ordinance Development Review. We talked about that a long time ago.

18:40:29 Jim Kenney: What would you propose with the mobile home park within this document.

18:40:39 Randy Reynolds: Don't we already have that in definitions, mobile home parks, in Land Use Ordinance?

18:40:50 Jim Kenney: In the black the Appendix has it, so we have mobile home park defined. Mobile home park, a parcel of land under unified ownership approved by the Town for the placement of three or more manufactured homes.

18:41:26 Randy Reynolds: Under mobile home park, I think if you go back, you'll find a description on what each lot can be. Twenty thousand square feet, minimum lot width, that's all spelled out so I don't think we need it in this one. This is already defined in mobile home parks in the Land Use Ordinance.

18:42:04 Jim Kenney: What you see entitled Section 10 is right from the Land Use document.

18:42:14 Randy Reynolds: You're crossing that out?

18:42:17 Jim Kenney: Out of the definitions, right? [Yes.] I crossed it out because I wanted to show you how it was used, if we take lot area here and cross it out, that automatically takes this out from the definition.

18:42:42 Mark Nickerson: Is mobile home parks a separate thing?

18:42:49 Jim Kenney: No, it's in the Land Use in Section 10. It's well defined there and what I think Randy is saying it's defined in Section 10 so we do not need it in the Appendix of definitions.

18:43:26 Garrett Morrison: Back on the manufactured housing thing, we discussed this two weeks ago but in that first sentence in there, it starts with transportable in one or two, I think we wanted one or more.

18:43:44 Jim Kenney: In modular buildings, it actually describes what they are. I will try to craft wording that will describe that but it's not limited to two sections. Manufactured housing we see here described as six-sided boxes in the fourth line down, six-sided boxes constructed in a remote facility.

18:44:17 Randy Reynolds: I almost think you could leave that whole thing in there.

18:44:22 Jim Kenney: Definitions? Just like that?

19:44:25 Randy Reynolds: I mean, how are we going to be able to redo it and have it as well defined as what this is?

18:44:33 Barry McCormick: It has clarity. I think Garrett has a point that instead of one or two it should be one or more.

18:44:44 Jim Kenney: I will craft it around this. This was inserted here in order to help define this.

18:45:02 Randy Reynolds: Right, where it says right here, manufactured housing, it says one or two sections. We agreed that it should be one or more sections.

18:45:12 Jim Kenney: Yes, I will find something. And mobile home park, are there any questions with that?

18:45:23 Garrett Morrison: In the second paragraph in the red, I think that definition of modular buildings versus mobile homes is worth keeping in there. First time that I've seen that specified as a federal requirement.

18:45:45 Jim Kenney: I'm going to read it again closer but I think you will see 99.999% of what you see here because this is what I've pulled out of, someone with great skill had written it previously. Multifamily dwelling?

18:46:12 Garrett Morrison: The only question that strikes me on that is why specify three instead of two? Is there something about two families?

18:46:27 Randy Reynolds: Yes, it reverts back to subdivision. When you get two houses on one lot, when you cut that out you're making three lots total, if you don't use the whole lot, you cut out another lot and you're creating a subdivision.

18:46:42 Barry McCormick: But is that what that means here? This is just one building. All under one footprint. Not three separate buildings. It says a building containing three or more dwellings. That means that down to your house if you've got that broken up into three separate swellings.

18:47:10 Randy Reynolds: That comes back to condominiums, if you've got three buildings together with the same roof, it creates a subdivision. Say you've got a condominium, you put two buildings in you're fine, you put the third one in you're under a subdivision.

18:47:30 Charlie Porter: That's right. Has anybody got the old addition of this? It's right in there. Page 116.

18:47:46 Randy Reynolds: That's why we talked to the Amish about what they're doing.

18:47:51 Barry McCormick: But they're building separate buildings.

18:47:58 Jim Kenney: But this is one building.

18:48:02 Mark Nickerson: It's like those buildings with apartments in them like down on School Street.

18:48:08 Charlie Porter: You take a commercial building, or are we talking a regular private building?

18:48:41 Jim Kenney: We're going to be working subdivisions as a separate document shortly. We're in the definitions of the Land Use Ordinance. We will be delving into this to a fuller extent when we get to the subdivision document. We haven't got there yet. We just made determination of what would be our base document when we did that two weeks ago as our model, and will see how this compares.

18:49:17 Barry McCormick: This is one house, one building. To me, that multifamily dwelling means this is one building, I've got the McCormicks living here, the Smiths living there, and the Joneses living there. I think that's what that's talking about.

18:49:36 Randy Reynolds: This is just defining what a three-dwelling structure is. It doesn't say it's a subdivision.

18:49:46 Barry McCormick: So going back to Garrett's question, why three and not two?

18:49:54 Randy Reynolds: If it were saying it's a subdivision, it doesn't belong here at all.

18:50:01 Barry McCormick: I don't think it is. I think it's just defining this right here.

18:50:04 Garrett Morrison: It's defining a multifamily dwelling.

18:50:07 Barry McCormick: Is it two, six, three, whatever?

18:50:09 Garrett Morrison: And that's why I was questioning two doesn't qualify but three does, why?

18:50:27 Randy Reynolds: Maybe a little better wording? It really is just defining what a multifamily dwelling is, if you said one or more, it could be 10 but it wouldn't be a subdivision. What are these houses, you see them in sections, each one of those are classified as different....not clusters.

18:51:06 Mark Nickerson: I have a home in Augusta that has two rents, one roof with two families and Augusta considers that as a multifamily home.

18:51:33 John McIntire: Are you talking like a duplex?

18:51:40 Barry McCormick: Duplex, why wouldn't that take care of it?

18:51:47 Garrett Morrison: I think so. Otherwise a two-family dwelling is an orphan without a name here.

18:52:00 Jim Kenney: So two is okay? [Yes.] What I was showing here, where does multifamily dwelling, the red you see on the next page, I was showing where multifamily dwelling shows up in the document. And it's in parking requirements, the only place it shows up. Shall we move on to new parking areas? I saw nothing that would...

18:53:13 Randy Reynolds: We had set it at 500 square feet. Anything under 500 they didn't have to have a permit.

18:53:31 Jim Kenney: Everyone like it the way it is? [Yes.] Nonconforming lot.

18:54:28 Randy Reynolds: Nonconforming lot looks alright. [Agreed.]

18:54:35 Jim Kenney: Anyone have thoughts on nonconforming lot? Shall we move? Nonconforming structure. I need to hear some sound or I'll keep moving. Nonconforming uses appears in 11 sections of this document. It's in use, do we like the words? [Yes.]

18:55:09 Garrett Morrison: Is there any situation would have something that hasn't been in use for some time but we permit it as nonconforming use?

18:55:20 Charlie Porter: As far as structure or the land itself or what?

18:55:26 Garrett Morrison: Well, this says building structures, premises, land or parts thereof.

18:55:33 Jim Kenney: We do have a requirement in the document, and Charlie will help out here, that is a building has been vacant for a period of time, more than a year, it requires an occupancy permit, right? [Yes.] That appears previously in the document. Is that answering your question?

18:55:55 Garrett Morrison: No, I think what I'm thinking is if somebody comes in and says I have this building and whatever he wants it to be permitted for is not something it was used for previously, and they would like to apply it to that use but otherwise it does not conform. Is there a waiver or anything else that can be granted by the town to allow it?

18:56:20 Jim Kenney: A conversion of use or something similar to that.

18:56:26 Randy Reynolds: I think if it's nonconforming and when you go in for a permit you have to bring that up to standards. You can't make something more nonconforming than it originally was. Meaning if you've got an old building you have to bring it up to standards before you can build on.

18:56:41 Barry McCormick: And if it is conforming at this point that you come in and want to do something different with it, that's what we're talking a change of use permit or occupancy permit. So, if it's nonconforming you can't do anything with it until you bring it up to code. Then you still have to apply for the same permits.

18:57:07 Jim Kenney: It is scattered throughout this document.

18:57:14 Randy Reynolds: I think we covered that before you came.

18:57:21 Jim Kenney: Parcel means the same as lot. Any thoughts on parking area? You want me read it? 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 vehicular access way. Driveways are often used to park vehicles but rarely do they allow seven vehicles to arrive and depart freely without the need to move other vehicles.

18:58:06 Barry McCormick: Is off-street parking in there? In the Ordinance it says that you are required to have x amount of parking areas and off-street parking is allowed to be part of that formula.

18:58:32 Randy Reynolds: We have it defined so on the lot you can have parking on the lot, we are not allowing anything for on-street parking, just off-street parking.

18:58:44 Barry McCormick: So say if I need ten parking spots, I can put eight in there but have two on the street?

18:58:50 Randy Reynolds: No, we didn't allow that, we kept it strictly on the lot. Because otherwise you wind up like Carver's office and stuff like that.

18:59:01 Jim Kenney: Garrett Morrison: I was just wondering, in the parking area, if we couldn't reduce the size and complexity...any off-street area used for the parking of vehicles that is not a driveway, and if you want to expand on that then say, a driveway is not a parking area then that would cover everything else in that paragraph.

18:59:33 Charlie Porter: I agree, simplifies.

19:00:01 Jim Kenney: Okay, Sherry, did you capture what he just said so I can read it before I try to write it. [Yes.]

19:00:01 Randy Reynolds: See also definition of new parking area. Just do what Garrett said.

19:00:06 Jim Kenney: And we will make it a simple sentence. 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. That hurts just in the reading but I wouldn't want to change it. Shall we move on?

19:00:38 John McIntire: I don't like it. A person is an individual. You are I are persons. A corporation is not a person.

19:00:53 Charlie Porter: In writing stuff like laws and stuff, they use the word person instead corporations or multitrusts.

19:01:03 Garrett Morrison: Legally a corporation is a person.

19:01:20 Jim Kenney: Moving on, principal structure, a building that serves a primary function on a parcel, e.g., houses and office buildings are usually principal structures, while garages, barns and sheds are accessory structures.

19:01:41 Garrett Morrison: I would leave as it stands.

19:01:44 Jim Kenney: Moving on, principal use, any use which is not incidental or accessory. Private road or roadway, a privately owned road neither open to nor maintained by the town or general public.

19:02:17 Barry McCormick: That's good.

19:02:19 Jim Kenney: Public road or roadway, any roadway which is owned, leased, or otherwise operated by governmental body or public entity. Right of way, all public or private roads or streets, state and federal highways, private ways now called public easements, and public land reservations for the purpose of public access including utility right of ways. Hearing no objections. Road, any public or private way designed for vehicular access other than driveways, shared driveways, farm roads, trails or

logging roads. The term road includes the normal meaning conveyed by synonymous words including street, avenue, highway and way.

19:03:18 Barry McCormick: We have to make sure these are right.

19:03:24 Jim Kenney: You've got the assignment.

19:03:27 Barry McCormick: I'm just saying that this comes up I know a lot for the selectmen on some of the abandoned roads and what it is and what it isn't. I'm just saying we ought to take a second look at that.

19:03:37 Randy Reynolds: We've looked at that in depth. We've spent a lot of money on it.

19:03:44 Jim Kenney: Do you have an example you might share with us?

19:03:47 Barry McCormick: I can't specifically say but over by Dennis Jones I know there's an issue.

19:03:54 Jim Kenney: Dennis Turner and whether or not the overgrown area beside where he kept his mobile home was in fact a road.

19:04:12 Randy Reynolds: Right but that's totally different than this. What this is, it is just describing what a normal road is but when you get into what you're talking about, you're getting into right of ways with abandonment, all kinds of different stuff. Totally different ballgame.

19:04:45 Barry McCormick: [Addressing Sherry] Is there an issue over by your house?

19:04:51 Jim Kenney: Behind Loveland, there is a stretch there that has been abandoned and has not been used for 30 or more years. It hasn't become an issue but we did have an issue when Cross Road, when the Amish was buying land down there, and their records showed that there were no expenditures for four or five decades, and we actually took the steps to declare that stretch abandoned, such the Town did not have to take and do the expenditure to make it open again so the Amish could have access to the lot they were buying down into the woods. Do you recall that? And we came up by doing the right steps.

19:05:22 Randy Reynolds: If they hadn't of abandoned it at the time, over 40 years usually, if it's not abandoned they can go back and the abutters on both sides can say, hey, build me a road, it's a town road and we want it built up to standards.

19:05:33 Jim Kenney: We found with your research and Bob, he could find something in a document written 200 years ago.

19:05:46 Barry McCormick: I guess in having opened my mouth on this, again, we're just defining the word road.

19:06:04 Charlie Porter: Some of these roads are called lanes.

19:06:11 Jim Kenney: Well, the ones going down to the lake. What are you suggesting?

19:06:20 Charlie Porter: Just add lane to it.

19:06:30 Jim Kenney: I like the idea of inserting lane. I'm going to insert it between avenue and highway.

19:06:33 Barry McCormick: I'm just saying, any public or private way designed for vehicular access..

19:06:55 Randy Reynolds: Other than driveways, shared driveways, farm roads, trails...

19:06:57 Mark Nickerson: There's no real need to put any definition for an abandoned road in here correct?

19:07:10 Randy Reynolds: The Planning Board doesn't usually deal with that, it's the Selectmen.

19:07:13 Jim Kenney: Setback, we had altered this at a previous meeting and the red that you see, if you printed it in color, we put a period after and then inserted 'and decks, steps and railings are not part of the setback.'

19:07:45 John McIntire: Wait, how did you change that?

19:07:49 Jim Kenney: Setback now reads, 'the minimal horizontal distance from the lot boundary to the nearest part of a building including porches and decks.' Period. It does not include steps and railings, we struck that phrase.

19:08:07 Mark Nickerson: Do we need to put in there what the setback is?

19:08:11 Jim Kenney: Setback is defined as 15 feet.

19:08:17 Randy Reynolds: Sometimes the setback on the front is different, the setback on the back can be different but it's all defined in the Ordinance.

19:08:29 Jim Kenney: Shore frontage is highlighted red because I went to find words and I believe we're going to be developing a shoreland ordinance.

19:09:00 Randy Reynolds: That's where it belongs but it wouldn't hurt to leave it in here. You got a property line coming to the lake and the lake runs like this, what you have to measure is there to there, lake frontage. Some people try to say well I measure it this way. It has to be a straight line.

19:09:53 Jim Kenney: And the ones who are not certified surveyors will give that argument won't they? I looked up shared driveway to do a search within the document and it's not used elsewhere in the document.

19:10:09 Garrett Morrison: It's used in the definition of road.

19:10:22 Jim Kenney: But it's not used in the body of the document. It is a definition overlapping a definition. We can leave it. Agreed. We had made a modification to structure, anything built on or in the ground for the support, shelter, and enclosure of persons, animals, goods, or property of any kind exclusive of fences. Our alteration was on or in the ground. Any objections?

19:11:10 Randy Reynolds: Sounds fine to me. Did you miss the one just above it?

19:11:18 Jim Kenney: Vehicle access way serving two or three dwellings, lots or structures and the only place it shows up is here in the definition of road.

19:11:35 Randy Reynolds: Leave it right out?

19:11:41 Jim Kenney: You mean strike it? I think it needs to be there. Subsurface sewage disposal system, do I need to read it? [No.] Variance appears in seven places. Variance, a relaxation of the terms of this Ordinance where such relaxation will not be contrary to the public interest where owing to conditions peculiar to the property and not the result of the action of the applicant(s) and where a liberal enforcement of this Ordinance would result in undue hardship. That's the definition, it's hard to read. I think it comes down to it's a legal definition. It appears in paragraph 216, it appears in seven places but I'm highlighted it's right in the Board of Appeals. Vegetation, all live trees, shrubs, ground cover, and other plants.

19:13:28 Barry McCormick: Did you have an issue with that last time, John?

19:13:35 John McIntire: Vegetation came up somewhere but I don't remember.

19:13:41 Mark Nickerson: Wasn't it about the size of the trees?

19:13:46 Jim Kenney: Are we done with definitions? I have one to clean up? I'll send it out so you guys can see it. I will craft into this document what I found online on the manufactured homes.

19:14:01 Mark Nickerson: Was variance staying in as written? [Yes.]

19:14:15 Jim Kenney: We're setting the Appendix aside for now, we're coming back at our next meeting and that is how I crafted that. John, you had proposed an insertion into the Section 13 and we had asked you to help us with some particulars. In the table, Section 13, you had proposed a modification and we challenged you to provide some particulars to go in other than just words. What is noise that can be defined... The suggestion had multiple parts to it.

19:16:05 John McIntire: The one about noise, dust, obnoxious neighbors, whatever. I wasn't able to get into it because I couldn't find it.

19:16:18 Charles Porter: The miscellaneous nuisance law covers most of that.

19:16:33 Barry McCormick: But does it actually tell you? [No.] You may say 10 dB is too loud, I may say 15.

19:16:43 Charlie Porter: It's a judgment call and is subject to all the lawyers in the world. Mr. Nickerson can vouch for that with mufflers.

19:16:59 John McIntire: I need more time.

19:17:06 Jim Kenney: At this moment, we have pretty well beat up on definitions and we'll come back and redefine that one on manufactured homes. I will send that out and we'll try to close that out. John will have his thing ready for us next week. We need to, not necessarily today, we need to go back through the document front to back to see that we've covered the things that need to be covered. I see one thing that I didn't have answer to as I was looking through document and that was demolition permit. It appears in the original Land Use document but there is no definition of what is necessary. It appears in the permits section, the permits you need. In Section 2.

19:18:09 Mark Nickerson: That's something we added in, we didn't have it before.

19:18:13 Jim Kenney: It was there but no words around it.

19:18:18 Randy Reynolds: He's able to give out a demolition permit but it doesn't say what it includes.

19:18:27 Jim Kenney: It is just two words in the list of permits. I can't find it elsewhere in the document.

19:18:36 Tony Avila: Do we charge for that?

19:19:04 Barry McCormick: I have it. It just says demolition permit.

19:19:12 Charlie Porter: That's something we're working on. I'm talking the actual old ordinance.

19:19:20 Jim Kenney: The old Land Use Ordinance is where that appears.

19:19:36 Barry McCormick: I have the old ordinance.

19:19:40 Jim Kenney: Look under paragraph permits required. And we got hanging here demolition permit.

19:19:58 Garrett Morrison: Is it the right to take anything down like a fence post with an axe or a high rise with explosives?

19:20:06 Charlie Porter: In the old ordinance it says nothing.

19:20:15 John McIntire: Number 9 under item types of permits. And item 9 says demolition permit needed. Item 10 says subdivision permit.

19:20:42 Randy Reynolds: We are going to have a subdivision ordinance.

19:20:48 Barry McCormick: I think that demolition permit needs some thought because of what happened in town after the fire.

19:20:58 Jim Kenney: Okay, not a disagreement but does it belong in here or does it go to the property maintenance ordinance?

19:21:09 Randy Reynolds: I would permit ordinance. Something to back that up in the definitions.

19:21:18 Jim Kenney: And how it applies outside. We need something here. It just can't hang there as an empty permit.

19:21:29 John McIntire: Did I need a demolition permit to tear down my woodshed?

19:21:35 Charlie Porter: Yes. It's demolition. What's the date on your ordinance? 2011.

19:22:03 Barry McCormick: My thoughts on a demolition permit are if you don't have a permit with some guidelines, let's say I've got a big house in the middle of town and I want to demolition it. I get a permit and I get it half down and say, blah, that's good enough for now and I just leave it.

19:22:26 Jim Kenney: I'm not debating what you just said but what you just said does not appear in any document that I'm aware of.

19:22:36 Barry McCormick: I'm just telling you why I think we should have something surrounding those words.

19:22:36 Garrett Morrison: If you have a one-dog doghouse and you want to tear it down, would you need a demolition permit?

19:22:47 Jim Kenney: You see where I'm at. It only just lays here.

19:22:55 Charlie Porter: Put a square footage on it, anything over this square footage requires a permit to take it down.

19:23:04 Jim Kenney: Charlie, what constitutes the permit? Do you have to run a specimen test to see the contents of lead, asbestos and etc, and how to handle? I'm not debating here, just laying out what it might need to contain.

19:23:19 Barry McCormick: I had to get a State permit when we tore down the old Lowell house, which was referred to me by our Code Enforcement Officer. The house next to the church. I asked him if we needed a permit and he said you need to contact the state as far as getting a permit from them I had to make out paperwork to get a permit to do it. None of this and none of this had to be checked by that. I still have it.

19:23:53 Charlie Porter: I have the list.

19:23:58 Jim Kenney: Does this become part of property maintenance or does it become part of this document? In property maintenance we address when you have a certain time to clear, the Nason place, it used to be the Jim Kenney place, but right now it just hangs here.

19:24:20 Barry McCormick: I say leave it in there and say see property management, a separate guide and put the teeth to the thing, the wordage goes in that document, but you need to get a permit so it should be in the permit part of this document.

19:24:35 Garrett Morrison: I think it needs to be in both for two different reasons. One is if you have a structure that you're going to demolish, you might want to make sure by filing your permit and

discussing what's going to happen, that it isn't going to fall on the neighbor's house and/or kill the occupants because you didn't tell them. And then once it's down, as we had discussed weeks ago here for other properties, we now have debris on the ground and that's property maintenance and that's got to be cleaned up in a specified timeframe. Definitions to send you to both of those.

19:25:11 Jim Kenney: Everyone comfortable with that? I am.

19:25:17 John McIntire: Does it also get based on where it's located? I'm out in the middle of 60 acres, I'm tearing down a woodshed. Who cares?

19:25:28 Garrett Morrison: I think it should discuss that. I think you're right. There should be some limit.

19:25:35 Jim Kenney: Every farm had a boneyard, that's the technical term of this.

19:26:25 Barry McCormick: What if it was like in the downtown district?

19:26:29 Randy Reynolds: I was thinking along that same line.

19:26:34 Jim Kenney: All the things that Garrett has mentioned we need to have defined. I don't see us coming back a year from now to define what would be in the Rural District. We need to define it now.

19:27:02 Randy Reynolds: Define now but make into two categories.

19:27:15 Jim Kenney: I'm going to ask you if you can get a copy of the form you had to complete. That might guide us.

And I'm going to ask you, you probably have more knowledge than any of us of that, do you?

19:27:36 Garrett Morrison: I don't know. You mean in terms of separating it out? I was thinking that you've got the physical act of tearing down the structure, then you have the followup process of taking care of the debris. They don't necessarily fall under same thing and I think it makes more sense if you're going to bring down a structure here are some guidelines to see that it's done safely and you can manage that as the permit, and then ship the rest of the requirements for that lot to the land use maintenance or property maintenance area. What I would suggest, I'm sure zoning now with the Planning Board is different from what I think but the downtown section and then closer to town but not necessarily close to town and there would be a division between two-acre lots and things that are larger than that. I think that the requirements that you have for demolition would be different for those two as well as the downtown. When you get into 60 acres or a 200-acre farm, generally the requirements when you're going to demolish something are much prone to impact your neighbors.

19:29:11 Jim Kenney: We do agree there is an absence in our document? [Yes.]

19:29:14 Mark Nickerson: A point I'd like to make though is once the permit is done, Charlie, if somebody has a demolition permit, do you inspect it afterwards? Down there where Nason cleaned up, it's still a mess.

19:29:14 Charlie Porter: In my document, I don't have anything like that.

19:29:45 Jim Kenney: You mean the Town Ordinance? [Yes.] I'm going to read something that we found somewhere and we've adopted to the very first page. Upon submitting an application or preapplication permit, a permit or notice of construction, we can change it to other things, to the Town of Unity, applicants/owner accepts that designated Unity town officers and officials have an implicit right to visit property for purposes of validating information provided to and inspecting for compliance for both work and progress as well as completed projects. [Liberty.] This is where I captured it from.

19:30:19 Charlie Porter: It's a little rough but they get the point.

19:30:29 Jim Kenney: Okay, if you think it's rough you have the homework assignment to smooth it out. But that's where I found it, in Liberty, and I think it makes sense that we put it under our document.

19:31:05 Barry McCormick: How much more do we have to do before we roll this out to the Comp Plan, Selectmen and the Planning Board?

19:31:14 Jim Kenney: I'm making a guess, and it's only a guess, we get John's work brought in here, we do a cover-to-cover review to see where we stand and then go forward.

19:31:28 Garrett Morrison: And give it to my son.

19:31:33 Jim Kenney: And before we go to the Selectmen we'll ask the young Morrison to give us his views.

19:31:43 Randy Reynolds: Are we going a full cover-to-cover reading?

19:31:46 Jim Kenney: It can be, but we haven't wrapped it all together have we? Would you guys accept a homework assignment if I send it out to the team. It's not ready for your son yet, to take a look through it and make notations and we'll capture them here.

19:32:14 Randy Reynolds: As soon as we finish up the definitions and tearing down buildings, and John's changes.

19:32:24 Barry McCormick: I know we want to get this as accurate and well-crafted as we can but we could beat this thing to death for another year. We may get some suggestions on tidying it up.

19:32:33 Randy Reynolds: Have you got anything else back in red? I think it would be a lot better with one guy reading this.

19:32:52 Jim Kenney: I'm showing permits required and I think that's hanging in here because of what we just talked to. I'm going to read this. A person must obtain a permit before engaging in any of the following activities: Constructing a new driveway or road, constructing, expanding or paving of certain parking lots located in the Village District, residential paved driveways are exempt, building locating or relocating any structure larger than 100 square feet, expanding any existing structure by more than 100 square feet, exterior renovations to those village properties that must follow design guidelines (see Section 8) for what type of properties are exempt, dividing of land or structures in a way that constitutes a subdivision as defined, engaging in any new high-impact land use activities outlined in this

ordinance, creating a new lot, occupying any of the following; a new structure, a new building addition larger than 100 square feet, a new rental unit created within an existing structure, any structure or rental unit that has been vacant for more than one year, any structure that will be used for commercial activities new to that structure. Everyone likes it? I'll get rid of the red.

19:34:31 Garrett Morrison: Question, that didn't mention demolition permit.

19:34:46 Jim Kenney: It goes on to another, it defines type of permits and right down to the bottom it has demolition permit just hanging there. Every other one has a sentence describing it. We have outstanding what is the village district.

19:35:30 Randy Reynolds: We don't have that defined as far as a map yet.

19:35:35 Garrett Morrison: If we use the village district, I would suggest two-acre lot differentiation and farmland.

19:35:46 Jim Kenney: What we have in the document is village district is 10,000 square feet or more. You can have a lot as small as 10,000 square feet and that is a halving of what was there.

19:35:59 Randy Reynolds: Well, they had three different types.

19:36:01 Jim Kenney: In this document we defined out in the Rural District two acres where it previously said three acres minimum. Am I answering your question?

19:36:23 Garrett Morrison: Yes, but if we go to the Rural District and we take two acres or some number, I would like to differentiate that kind, what I want to say is a house lot, a two-acre lot, from farmland, and they may all be in the Rural District. Do you understand what I mean? If we're talking about having a demolition permit and I think something that occurs on a 100-acre farm is going to be much less of a concern from the part of the town and neighbors than something that occurs on a two-acre lot. I'll take a crack starting out for this discussion, if you'll give me a definition for something over two acres and larger.

19:37:38 Barry McCormick: Are you going to need a demolition permit if it's over two acres in a rural area?

19:37:44 Garrett Morrison: I don't know. That's a question that needs to be answered.

19:38:19 Charlie Porter: Make it a square footage system. In other words, in the Rural District, anything over 500 square feet would need a demolition permit, and anything under could be his wood shed. Why not do it that way?

19:38:39 Garrett Morrison: I was thinking if we need the permit for over two acres or smaller in the Village District, but if you are on a property that is greater than two acres then you need a permit if the structure that you're going to demolish is within 100 feet of a property line and anything that's not you don't need permit. Because that's going to handle most building that would fall down.

19:39:18 Jim Kenney: Speaking for me and only me, that sounds reasonable. I am thumbing through and I tried to highlight some things with the red button. We had agreed previously we're taking the miscellaneous nuisance law out of this document and put in property maintenance.

19:40:11 Barry McCormick: By the end of June.

19:40:4 Randy Reynolds: I would say sooner than that. We could wrap up in a couple weeks.

19:40:42 Jim Kenney: I would thank all of you for the good work that has gone into this.

19:41:02 Barry McCormick: I would like to suggest that when we get ready to hand this out, when we get it back from Garrett's son, and we all kind of say it's ready to go, that we invite the Selectmen first to come to the meeting to talk to them about what we've done, hand it to them and get their take on it, and then either go to the Planning Board or have them come or whatever, and don't just hand it out to them but give them a little background on what we've done and how long we've been at it.

19:41:39 Jim Kenney: Meeting closed.

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