

SABATTUS PLANNING BOARD MEETING MINUTES

February 27th, 2024 SABATTUS TOWN HALL-7pm

Call to order- Time: 7pm

I. Pledge of Allegiance

Public Attendance- Malina Dumas, James Shedd, Jon Mennealy, Rebecca Shedd, Cory Golob.

II. Roll Call:

<input checked="" type="checkbox"/> Raymond Doyon, Chair	<input type="checkbox"/> Angie Mitchell	<input checked="" type="checkbox"/> Wayne Heyward, Alt 1
<input checked="" type="checkbox"/> James Lowell, Vice Chair	<input checked="" type="checkbox"/> Bruce Lovett	<input type="checkbox"/> VACANT Alt 2
<input checked="" type="checkbox"/> Gary Ham		<input checked="" type="checkbox"/> Bill Martin, CEO

III. Approve Minutes from January 23rd, 2024

Motion to approve minutes as written by Bruce Lovett 2nd Wayne Heyward Vote 5-0

IV. Public Hearing- None

V. Unfinished Business-

Ray Doyon began discussion about ordinances in need of update/creation by pointing out the need to review the Nuisance Animal Ordinance and a Trash Ordinance that was adopted many years ago and is apparently still in the books. Jon Mennealy asked if the \$25 Occupancy Permit fee for Renters is still in effect, and if not, stated that the ordinance should be updated accordingly. The Board mentioned the need to update the Town's Fee Schedule and make sure there are no fees mentioned in ordinances but rather statements to refer to the Fee Schedule.

CEO Bill Martin brought up his intention to update the Building Codes to the 2021 Version of the MUBEC rather than the 2023 updated version because he feels the changes between what the Town has been using and the 2023 MUBEC codes are too great for the Town to absorb all at once. Bruce Lovette questioned the legality of adopting a state code that is not up to date. After some discussion it was decided to bring the question to MMA Legal before making the decision. Jon Mennealy asked of the implications for homeowner insurance if the Town does not require the most up to date building codes. CEO Bill Martin mentioned that many old homes can still get homeowners coverage despite being built during times with less stringent codes.

Ordinances in need of update for vote at Town Meeting

- Subdivision Ordinance The Secretary, Emily Snape, submitted to the Board a copy of the Subdivision Ordinance with recommendations for changes to ensure the ordinance is congruent with current procedural practices within the office.
- Site Plan Review The Secretary, Emily Snape, submitted to the Board a copy of the Site Plan Review Ordinance with recommendations for changes to ensure the ordinance is congruent with current procedural practices within the office.
- Aquifer/Wellhead Protection CEO Bill Martin mentioned the need to update the minimum lot size requirements to ensure they are congruent with the Land Use Lot Size minimums as it was found they do not currently match.
- Land use Lot Size Minimums

Ordinances to be created for vote at Town Meeting

- Solar Ordinance The Board agreed that it will be important to focus on battery storage when writing this ordinance.
- Accessory Dwelling Ordinance The Board briefly discussed how to go about writing this ordinance. CEO Bill Martin gave them another town's ordinance for reference and directed them to the state law.
- Marijuana Ordinance Ray Doyon explained that the Select Board reviewed the proposed new Marijuana Ordinance and requested that the Planning Board also write an ordinance which bans marijuana businesses altogether so that the Town can vote for their choice at the town meeting.

The Board utilized other towns' Marijuana ordinances to create one for Sabattus. This ordinance will be presented to the Selectmen before the end of March.

Comprehensive Plan Update

Discussion: Jon Mennealy asked if there was any progress made on the comprehensive plan and voiced concern over the fact that it is only supposed to be good for 10 years. Secretary, Emily Snape shared that a representative of AVCOG stated there is a 2 year leeway to complete the plan.

VI. New Business- None

VII. Code Enforcement Business- None

VIII. Planning Assoc. Business- None

IX. Other Business/House Keeping Reminders/comments from the floor:

James and Rebecca Shed voiced concerns over groundwork and tree work that has been occurring near their home on No Name Pond Rd. They stated that it's been causing some flooding of their property and wanted to know if the Planning Board had approved any plans for that area. The CEO Bill Martin explained that nothing has been officially submitted to the Board and that the property owner does have the required state permits to complete the ground and tree work. Ray Doyon explained the process for Site Plan Review and reassured the Shedd's that they would receive notice of the Public Hearings and Site Visits to voice their concerns when the time comes.

Malina Dumas introduced herself and asked if she would be able to review the proposed marijuana ordinances. She was told by the Board that once the Select Board approves the ordinances to go on the warrant for town meeting, they would be made available for the public to review.

Jon Mennealy asked if a meeting is cancelled and someone had a topic placed on the agenda would they automatically be carried over to the next scheduled meeting, or would they have to resubmit their request to be on the next agenda. Ray Doyon stated that their agenda slot would be automatically carried over to the next meeting.

*All new Applications need to be brought to the Planning Board before the 15th of each month for timely processing.

Next Meeting would be March 26th, 2024.

X. Motion to adjourn meeting &/or Move to Ordinance Review Workshop if needed.

Motion to adjourn by Bruce Lovett 2nd Wayne Heyward Time: 8:38pm

Public Participation at Board Meetings / Rules of Public Participation

-All comments to the Board and from the Board shall be made through the Chair. The Chair is responsible for moderating the Board's discussion, and discussion and comments from the public or applicants, to allow for appropriate exchange of information in a manner that complies with the Rules of Decorum stated in these bylaws.

-Public participation during regular meetings is allowed only after the introduction of an agenda item and appropriate motions and time for explanation and Board member questions. (See also Public Hearings, below.) The public may be allowed to comment on that agenda item at the discretion of the Chair. During that period, the public may address the agenda item only and each participant shall be limited to two minutes. Each participant may address the Board only one time unless requested by the Chair to comment further, and the Chair may limit time for comments to no more than ten minutes in total on an agenda item. A member of the public who wishes to comment on an item not on the agenda may be allowed to speak during the "Other Business" portion of the agenda.

-The meeting rules for Board meetings shall be printed on the back of each meeting agenda.

-Any member of the Board, the public, or an applicant who cannot comply with the ruling of the Chair or the Rules of Decorum in these bylaws during a Board meeting waives their right to participate in that meeting and shall be asked to leave the meeting.

Rules of Decorum for Public Meetings

-All Board meetings shall be conducted in such a manner as to be completed within two and one-half (2.5) hours of commencement. The board, by unanimous consent, decides to extend the meeting but only at the point where the meeting can be concluded within another hour. Any action after that point requires a tabling or postponing order. During Workshops — the attending public may not participate unless the Chair allows or requests such comment.

-During Hearings: the attending public may speak only in accordance with the specific rules set up for hearings.

-During Site Visits: This is a special meeting in all respects except that the public is not allowed to participate. Although the public is allowed to be present, comments and explanations will only be accepted by Board members and an applicant or agents representing an applicant. Only participant comments may be considered in any notes taken for minutes of such meeting.

Executive Sessions

-Executive sessions shall only be held within the bounds of the stipulations required by the Maine Right to Know Act. These shall be announced, moved, seconded, and voted for by a majority of members as per the stipulating statute hearings.

Public Hearings

-The Board shall hold a public hearing whenever it is deemed necessary or as required by MSRA REVISED STATUTES or Municipal Charter.

-Public hearings shall be advertised once in newspapers of general local circulation, the notice published at least seven days prior to and not more than fourteen days prior to the date of said hearing and/or onsite review. The cost of advertising for public hearings shall be paid by the applicant involved with such hearing. Abutters will be notified of public hearings and on sites.

-The advertisement for the hearing shall state the general nature and location of the question involved.

-Any person may appear in person or by agent at the hearing.

-Although not a legal requirement, it is strongly recommended that the applicant involved with the hearing appear in person or by agent at the hearing.

-Orderly procedure shall be maintained. The Board Chair shall preside, and all persons shall abide by the orders of the Chair.

Procedure for a Planning Board Public Hearing

-Hearings shall begin with an explanation by the Chair of the process about to begin by summarizing the items listed herein including that all matters are conducted through the Chair, and that the public must comment only when specifically allowed. The chair must emphasize that no decisions are made during the hearing and the process may not conclude during the current meeting. Finally, the Chair will state that order must be maintained and is required of all participants.

- The hearing will be declared open, stating the specific case number and time the hearing was opened. The Chair will call for a Presentation by the applicant or representative or attorney and witnesses without interruption.
- Clarifying questions will be allowed through the Chair to the applicant by Board members and people who will be directly affected by the project (e.g., abutters) and requests for more detailed information on the evidence presented by the applicant.
- The Chair will call for presentations by abutters or others, their attorneys, and witnesses, who will be directly affected by the project.
- Clarifying questions will be allowed through the Chair, by the applicant and Board members to the people directly affected and the witnesses who made presentations.
- Rebuttal statements may be presented by any of the people who testified previously.
- Comments or questions by other interested people in the audience will be allowed, with questions from the applicant or Board and rebuttal as appropriate.
- The Chair will declare the hearing closed, stating the time of close.