

Palmyra Planning Board Meeting Minutes

Date: 5/27/2025

I. Call to order and flag salute - *The meeting was called to order by the Chair at 6:00 p.m.—flag salute*

II. Roll call

*Planning Board Members present: Chair David Leavitt, Vice Chair Corey Dow, Katie Burrill, Gail Jones, Michael LePage (alternate)
Travis Gould, Code Enforcement Officer (CEO)
Diane White, Secretary
Priscilla Jones, Administrative Assistant
Jessica Cobb, KVCOG
Aimee Young (Plymouth Engineering), Andre Poulin
Others present: Vondell Dunphy, Pat White, Lori Merrow, Kirtas Jandreau*

III. Correspondence – *none*

IV. Process Land Use Permit Application

a) *Poulin Subdivision application – ordinance language*

Dave said that he asked Andre to attend this meeting. He explained that he had requested the town lawyer's opinion on some of the language in the town's ordinances. A meeting was held last Wednesday with Dave, Katie, Priscilla Jones, and the attorney, John Hammer. Dave said that the lawyer did not tell them how to vote on applications, but did provide information and gave his interpretation of sections of the ordinances:

1. *Amount of land the town requires per family dwelling* (pg. 16 section 2a in the subdivision ordinance) – *minimum lot size per family dwelling is 1 acre. Pg. 4 section 9 of the subdivision ordinance states that, when evaluating the requirements of the subdivision ordinance with other ordinances, the planning board may interpret these ordinances as required. Pg. 2 section 6 states that the more restrictive shall control. According to the zoning ordinance chart on pg. 5, the minimum lot size for 1 and 2 family use is 1 acre and the minimum land area for 1 and 2 family residential use is 0.5 acres. . Katie stated that per the lawyer , the ordinance can't be interpreted different than how it is written and in his opinion 2 acres per duplex is required.*

Dave said that our subdivision ordinance does not seem to address this type of subdivision—it is for the division of lots. Corey said that the application doesn't fit this type of subdivision. Gail said that she wonders if this application comes under the subdivision ordinance. Andre stated that this is more like a trailer park than a subdivision. He said that it cannot be divided. Dave said that per the lawyer, individual lots could be sold with proper easements, covenants, etc.

Another point (per Dave) - there was grant money for towns to change the ordinance to accommodate more housing. Lawyer suggested making a change the ordinance to address cluster housing.

Jessica said that there is a bill in the legislature proposing changes to the state subdivision ordinance so the town may have to address the ordinance soon.

2. *Shared septic for multi residence* (Pg. 17 section 6a of the subdivision ordinance) – *states that shared septic shall not be allowed. It had been allowed for other similar projects and*

the Code Enforcement Officer agreed with this. Since this situation is new, suggestion made by the town lawyer to change the ordinance to address this. Jessica stated that the situation with Poulin Springs subdivision is more like apartment buildings than a subdivision. In the lawyer's opinion, if the decision to allow shared septic was challenged, it could be overruled and the challenger would likely win. Gail had searched for the wording in the state ordinance that allows shared septic but could not find it.

Priscilla told the board that the septic issue can be addressed at the special town meeting that will be held in July (for another issue). She may be able to add something to address the minimum lot size per dwelling issue also. She stated that having a planning board member advocate for the changes is helpful. Dave said that he prefers to remain neutral; the responsibility of the planning board is to interpret the ordinances.

Aimee (Plymouth Engineering) stated that she will stop work on this until the issues are resolved.

3. Water – Abutter claimed that he had lost water several times last year and when drilling began, his water supply was muddy. Dave cited sections of the ordinances that addressed existing water supplies and effect on quality and quantity of groundwater in the area. The new hydrologist report (for 9 + 6 = 15 total duplexes) has not been submitted. Planning Board can request a subject matter expert at the expense of the applicant. Andre stated that the first report from the hydrologist had errors; the hydrologist thought that the units were 2 bedroom (they are 1 bedroom per unit).

More discussion on the lot size requirement: Corey stated that ½ acre per family dwelling is still more restrictive than the state requirement. Jessica said that this subject is very confusing in our ordinances.

Jessica said that she can help with ordinance language, but her workload is very heavy right now and she lives over an hour away. She can be reached by telephone or email if there are any questions. She was given a copy of the zoning ordinance with Joel's suggested changes. Michael reviewed this with her. He told her that changes need to start with the original ordinance. Joel had made changes to an ordinance that had already been revised. Jessica stated that this type of assistance may require a contract and an additional fee. The housing opportunity program may subsidize half of the cost

Application fee for Poulin Springs phase 2 has not been paid.

Close the discussion on Poulin Subdivision and the ordinances at 7:10 pm.

Kirtas Jandreau – used car business

Kirtas explained that he would like to sell used vehicles at 1178 Main Street and to use part of an existing building as an office. He lives on the Madawaska Road and will be working on the cars there.

Application fee of \$62 has been paid. Fee based on office space of 10 x 12 section of an existing building. Members accepted the amount paid.

Dave reviewed the application: This is a conversion of an existing building and establishment of a nonresidential use.

1. A copy of the agreement was not provided. Kirtas and Pat White (landlord) are both present. Pat wrote an agreement (attached). Complete.

2. Complete
3. Complete
4. N/A
5. Not complete - need to include both locations (Main St and Madawaska Rd)
6. Not complete - abutters for both locations needed.
7. Complete - Cost estimate is \$1,000 for gravel (paid by landlord)
8. Complete - Schedule – waiting for state approval. About 1 month to start and finish fall 2025
9. Complete - project description
10. Motor oil to be stored at his home until taken to Ricks Auto. Answer changed to yes.

Travis asked if he should complete another application since some of the business (repairs and maintenance) will be done at his home on the Madawaska Road. After discussion it was decided that one application can cover both locations. Add Madawaska location to #5.

11. Complete – on file
12. Not complete - confirm that neither property is in a shoreland zoning district.
13. Complete
14. Complete – on file
15. Not complete - Error on the plan. Correction to be made. Dave asked that he show the silt fence to be installed for the gravel work. Also show the fence that will be between the parking lot and tank. Add something about the bathroom (will one be available and where?). Add fence, silt fence, bathroom. Need plans for both locations with setbacks, current dimension of lots, signage.
16. Not complete – add underlayment
17. Not complete – will a restroom be available?
18. Not complete – state and federal permits – Kirtas explained that the state told him to meet with the planning board before applying for state permits. Jessica suggested issuing the permit conditionally on getting state approval (Maine Used Car Dealership License).
19. Not complete – erosion control
20. N/A
21. N/A
22. N/A
23. Complete
24. Not complete – to be amended to include estimated amount of waste oil stored at the location where the cars will be worked on.
25. Complete
26. Complete
27. Not complete pending plan for Madawaska Road to include number of cars and screening information – Travis said that he may need screening on his property on Madawaska Road.
28. Not complete – add something stating that not more than 16 quarts will be stored.

Dave suggested that Kirtas submit another plan for Madawaska Road.

29. Complete
30. Complete
31. – 34. Not applicable
35. Not complete. Pat has outside lighting on Main Street. Lighting is existing on the Main Street location. Need lighting information on the Madawaska lot.
36. Complete
37. Open – vegetative screening to be addressed on the new plan for Madawaska Road.

- 38. N/A
- 39. Open pending pictures, plans
- 40. Complete
- 41. Open – information on the sign needed.
- 42 & 43 Complete
- 44. Open - change to “yes”. How will hazardous waste be disposed of?
- 45. N/A
- 46. Complete

Michael asked him to update the abutter list for Madawaska Road.
Two site plans needed (Main Street and Madawaska Road).

V. Announcements

- a) Planning Board Secretary (Diane) will not attend the June 10th meeting (RSU Budget Validation vote will be held) – *Corey will take the minutes.*
- b) Planning Board meeting held in room 11 on June 10th

VI. Reports

- a) Secretary’s Report (5/13/2025)–*Motion made by Katie to accept as written and seconded by Gail. Passed 4-0. Dave said that Mr. Poulin is entitled to a copy of the minutes.*
- b) CEO Report
 - *He spoke with someone on the St. Albans Road who may want to open a sawmill. Corey offered to do the review.*
 - *12 plumbing permits issued*
 - *16 building permits issued*
 - *Walmart may be adding a 10,000 square foot addition. Katie agreed to lead the review when this comes in.*
- c) Select Board Meeting Minutes (4/9/2025) - *submitted*

VII. Old Business

- a) Zoning Ordinance revisions review
- b) Cluster Housing – *to be addressed with changes discussed earlier/*
- c) Back lots/Flag lots – road frontage requirement – *according to the ordinance, these are not allowed.*
- d) Sign Findings of Facts for Joshua and Ami Johnson – *signed by the board*

VIII. New Business - none

IX. Adjournment -*Motion to adjourn made 8:39 p.m.*

Respectfully Submitted
Diane White

NEXT MEETING – 6/10/2025