

LIMERICK PLANNING BOARD – Approved 6/17/15

Minutes April 15, 2015

Andrew Ivey, Wendy Farrand, Dottie Richard and Aaron Carroll were present, Howard Burnham was absent.

Andy opened the meeting at 7:00 PM.

CORRESPONDANCE:

- Mike Welsh email concerning background checks and public officials.

MINUTES:

Aaron motioned and Wendy seconded the motion to accept the minutes of March 25, 2015 as printed.

Vote 4-0 In Favor

Aaron motioned and Wendy seconded the motion to accept the minutes of February 18, 2015 there was a motion made at the March meeting but it was never formally voted.

Vote 3-0 In Favor
Dottie Richard
abstained

Andy stated that at the workshop there was discussion to set aside 5-minutes to review the criteria for a major subdivision. Since Mr. Nevers postponed their subdivision until next month then Aaron stated that we should take up this at our next workshop in May. Andy asked if anyone had come up with any questions concerning major subdivisions and Wendy stated that she had written one down but to wait until the next workshop.

Andy stated that Marsha Michler has also postponed until the May meeting.

Michael Moulton addressed the Board and has concerns about the Board changing the Back Lot Ordinance since the public forum. Mike said that the ordinance placed on the ballot in November was premature and people did not have enough time to ask questions. Mike asked what the Board was trying to accomplish.

Andy stated that the purpose is to make it easier for an owner to do something with the back portion of their property; Andy asked Norm to state his intention for requesting this change.

Norm had a lengthy responds but that could not be heard as he did not go to the podium.

The Board then discussed Marsha Michler and the fact that her attorney stated that everything she has done was alright.

Norm apparently did not agree with this statement and stated that she needs to do a subdivision revision as she has previously been told she needs to do to rectify the violation.

Aaron stated that the reason behind the revision is because of the road going through her property to the back lot and the fact that she has two lots should not be a problem.

Norm stated that this is the problem because her deed description combines the two lots and there is language concerning the road through her front lot.

Aaron stated that this would require a deed with a separate description for the front lot and a description for the back parcel.

There was discussion concerning her receiving two tax bills and the secretary stated that this is why she wants to combine the two into one to eliminate one of the tax bills.

Norm stated that she can't do that unless she does a subdivision revision.

There continued to be discussion concerning the background information from Norm updating Wendy to how this had been created and with several more minutes of back and forth discussion between Board members and Norm.

Andy asked Norm about the status of the Arthur and Adele Carroll violation.

Norm stated that the violation occurred when the application for Farm and Open Space read "pasture land".

Aaron asked Norm if he had read the application and where in that application did it ask for any information about zoning, nowhere does it say anything about the zoning of the property, and it's a State program and has nothing to do with town zoning.

Andy stated that he feels that since the Town ordinance is more stringent than the State then the Town's ordinance prevails in my personal opinion.

Aaron stated that this law was passed to enable a farmer to keep the land in farming and receive lower taxes.

A lengthy discussion resumed involving both Board members and Norm.

Aaron stated that the Town ordinance states that there is no farming in the Business Zone; if it isn't acceptable it needs to be changed even though everyone says they don't mind if the hay is cut on the property the ordinance states no farming.

Tony Carroll addressed the Board about the situation and the fact that their farm operates under the Nutrient Management Plan and they farm using the best management practices and if farming is not allowed in this area then it needs to be changed. I also want to have farming allowed in the Residential Zone because years ago the Town put part of my farm in the Residential Zone and this isn't right, my farm has been operated as a farm since the 1850's. There aren't many farms left, I'm one of only a few that have cattle, if people want to have farms then they need to change what's allowed in these zones. Andy stated that some folks have asked if opening this up to agronomy would mean that people could raise medical marijuana.

Tony stated that with the money that is made in raising medical marijuana it wouldn't make a difference they would do it anyways.

Tony stated that he is not just asking for allowing farming in the Business Zone I want to see it allowed in the Residential Zone as well because in the 1960's the Town put half of his farm in the Residential Zone and if he has a building loss over a certain amount he could not rebuild; he stated that he wants to know where the line is for the Residential Zone on his property apparently no one knows where it is.

There was discussion between the Board members as how to handle the possible changes in the different zones.

The Board set the date of May 6th for the next workshop and to include a public forum to discuss wording for the ordinance changes for a public hearing to be scheduled later after people have input.

WALK-INS:

Stephen McLean addressed the Board with a brief description of his pending application for a cell tower on his land on Map 17 Lot 12D; he has a copy of the Findings of Facts for the last cell tower approved for a conditional use.

NEW BUSINESS:

The Board received his application and the required deposit has been paid so they set the following dates:

May 20, 2015 at 6:30 for the site walk for McLean and May 20, 2015 at 7:00 PM for the public hearing.

OLD BUSINESS:

Ron Nevers called and has postponed the preliminary plan for their subdivision until the May 20th meeting.

ITEMS PENDING:

1. Rte. 5 Changes to zone – need description of lots affected.
2. Changes to Land Use Chart and definitions
3. Review and make changes to 16- Conditions
4. Private Driveways
5. Roads and Road Frontage
6. Back Lot Ordinance
7. Addressing Ordinance
8. Changes to Business and Residential allowing farming

REMINDERS:

Workshop May 6, 2015 at 7 pm also Public Input for Farming Question

Site walk for S. McLean at 6:30 May 20th

May meeting May 20, 2015 at 7 pm. - Including Public Hearing for McLean

ADJOURNMENT:

Wendy motioned and Dottie seconded the motion to adjourn the meeting.

Vote 4-0 In Favor

Respectfully Submitted,

Joanne L. Andrews, Secretary