

Town of North Yarmouth
Planning Board
Meeting Minutes of August 22, 2023
Special Business Meeting
(recording is available via [Town Hall Streams](#))

Call to Order (24:46 – 25:29) Board Chair Paul Whitmarsh called the meeting to order at 6:39pm.

Board Chair Paul Whitmarsh stated that both he and Alternate Board Member Alexander Urquhart would be regular voting members for the meeting.

Board Chair Paul Whitmarsh, Board Member Sanford Peabody, and Alternate Board Member Alexander Urquhart were all in attendance.

Board Secretary Trey Milam and Board Member Jeff Brown were absent from the meeting.

Town Attorney Dan Stockford was at the meeting.

Meeting Minutes (25:29 – 26:04) Board Member Sanford Peabody stated that he was not at the meeting on August 8th and could not vote on the minutes. The vote was suspended until the next Planning Board Meeting due to no quorum.

Old Business (26:05 – 1:24:43) Board Chair Paul Whitmarsh asked for a vote on his recusal regarding the Deacon Hayes remand item.

Alternate Board Member Alexander Urquhart, seconded by Board Member Sanford Peabody, motioned to accept the recusal of Board Chair Paul Whitmarsh from the Deacon Hayes remand item. Vote 2 yes/0 no.

Board Chair Paul Whitmarsh announced that the Deacon Hayes ZBA remand item would be addressed at a later date as there was not a quorum.

Board Chair Paul Whitmarsh read from the emails that provided legal opinion on Boundary Line Solar.

Board Members discussed.

Board Chair Paul Whitmarsh read an email from Board Secretary Trey Milam into the record.

Board Chair Paul Whitmarsh read an email from Board Member Jeff Brown into the record.

Alternate Board Member Alexander Urquhart asked for clarification on what was being asked of the board.

Board Chair Paul Whitmarsh gave clarification.

Board Members discussed.

Board Member Sanford Peabody asked if the project would be considered a subdivision.

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Board Chair Paul Whitmarsh said that the project would not be considered a subdivision and discussed the Planning Board's authority to grant a waiver for a subdivision and a site plan review.

Alternate Board Member Alexander Urquhart said that he would be inclined to interpret the legal advice that the Planning Board would be able to grant the waiver.

Board Chair Paul Whitmarsh said that he disagreed and asked what the intent of section 10.3 E 2 B would be.

Board Members discussed.

Alternate Board Member Alexander Urquhart asked Chris Byers if there were any waivers.

Chris Byers said that there are not any waivers.

Board Chair Paul Whitmarsh said that the previous vote was binding but that the vote could be revisited later.

Chris Byers discussed why he felt that his project should be exempt and asked the board to reconsider their vote.

Board Chair Paul Whitmarsh said that he felt "needed to access" was the key.

Alternate Board Member Alexander Urquhart repeated that he was inclined to follow the legal advice.

Board Members discussed.

Chris Byers noted that the road would be required for access and that it would be the same distance from the wetland as the solar panel in question.

Alternate Board Member Alexander Urquhart, seconded by Board Member Sanford Peabody, motioned to include solar panels as exempted from setback requirements as defined by section 10.3. E 2 B. Vote 2 yes/1 no.

Board Chair Paul Whitmarsh, seconded by Board Member Sanford Peabody, motioned to approve Boundary Line Solar Site Plan. Vote 3 yes/0 no.

Adjournment (1:24:52 – 1:25:00) Alternate Board Member Alexander Urquhart, seconded by Board Member Sanford Peabody, motioned to adjourn the meeting at 7:40pm. Vote 3 yes/0 no.

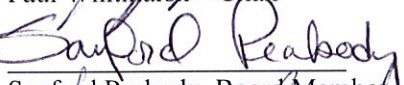
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Recorded by Cassandra Bacon, Administrative Assistant to Code Enforcement Office

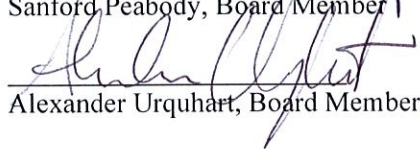
Planning Board Members



Paul Whitmarsh – Chair

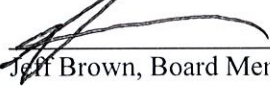


Sanford Peabody, Board Member



Alexander Urquhart, Board Member

Trey Milam – Secretary



Jeff Brown, Board Member

VACANCY

VACANCY