

# December 10, 2013 Planning Board Minutes

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North Yarmouth Planning Board

Tuesday, December 10, 2013

## Meeting Minutes

7:00 PM @ Downstairs Meeting Room, Municipal Building

Gary DiLisio (Alternate), Paul Turina, Peter Lindsay (Chairman), Steve Morrison, Tom Hinman (Alternate)

Absent: John Carpenter, Ande Smith

1. Minutes of November 12, 2013

Peter Lindsay moved and Steve Morrison seconded to approve the minutes as presented.

The vote was 5 Yes.

1. Review land use ordinance definitions and sections for potential amendment at the next town meeting.

Barbara Skelton stated that this is a draft document for their review and that this would be part of the enforcement section (Article 3).

There was a discussion on the proposed draft wording in particular related to permit enforcement and approvals. Steve Morrison asked about the process of enforcement of violations. Barbara Skelton stated that this proposal allows more options for enforcement. Gary asked if fines can be imposed. Barbara stated that she doesn't have the authority to do so but can make recommendations to the Board of Selectmen to do so if appropriate. Paul Turina stated that reporting issues to the Registry of Deeds is a good idea to have outstanding issues on record.

Barbara and Peter stated that the Planning Board would have a public hearing regarding this and

then following, would be presented to the Board of Selectmen for recommendation at the next town meeting.

Gary asked if some type of wording for notification be included and/or clarified. There was some discussion surrounding the options and issue, as well as, the pros and cons of unresolved enforcement for future owners.

There was a discussion on the wording currently used in the town's ordinance and whether or not the wording should indicate "will be " or "may be" recorded with the Registry of Deeds. Paul Turina and other members of the Board support a number of options for the Code Enforcement Officer to be certain that enforcement can be done. Barbara stated that these proposed additional options would allow better enforcement and minimize fees/costs to the town. Gary supports this, as it is better than imposing fees.

### 3. Review preliminary flood insurance study report and rate maps

Barbara gave an overview of the proposed changes by FEMA for Cumberland County. There are some preliminary meetings with FEMA in December and January. She indicated that there are some changes being proposed but doesn't appear to impact existing buildings. She outlined the map changes with the Board. There are some changes on the Royal River and Pratt's Brook. Barbara stated that she is recommending that these proposed maps be available for viewing online. There was a discussion on field verifications of the elevations of the terrain, as well as, the proposed timeline including any appeal processes and adoption.

The current ordinance does not allow the issuance of a building permit in a flood zone. There was a discussion on property that may be partially in the flood zone. Peter asked about set-backs in relation to the proposed changes. Barbara stated that these are 2 separate items. The set-back is a set-back to a water area and this change supersedes this. Gary asked if this proposal changes the allowable size of lots. Barbara reminded that minimum size lots are not impacted in Resource Protection areas and gave some examples. This is in the preliminary stages with the state and FEMA. Residents with questions can discuss them with the Code Enforcement Officer. Tom asked about the percentage of flood plain land in the town. Peter stated that it's likely the Royal River and some tributaries. The flood maps outline flood elevation. There was a discussion of the proposal dam removal in Yarmouth and the potential lowering of the water as a result as well as the potential eco-system changes.

### 4. Any other items as the Chair may deem appropriate

There was brief discussion on Planning Board training sessions available.

Paul Turina moved and Gary DiLisio seconded to adjourn the meeting.

The vote was 5 Yes.

The meeting ended at 7:54pm.

The Planning Board will not take up agenda items after 10:30 PM and will conclude the meeting by 11:00 PM.