

Union Planning Board Minutes
Thursday, August 13, 2020, 6:30 p.m.
William L. Pullen Municipal Building Meeting Room

Present: Gerald S. Brooks, Jr. (“Jerry,” Chair), John Mountainland, Dale Flint, Michael Johnson

Others present: Grant Watmough (CEO), Helen Zahn, Sam Cohen, Josh White, Bill Lombardi, Nathan V. Pease (“Vick”), Elizabeth Dickerson

1. **Meeting called to order:** 6:30 p.m. by Jerry Brooks.

2. **Helen Zahn – Minor Subdivision – Map 8 Lot 14 (15), Cole Road & Clarry Hill Road:**

Jerry established no conflict or bias on the board; we have a quorum of four; Planning Board has jurisdiction via Land Use Ordinance; and the applicant has standing as she is the property owner.

Jerry reviewed the three-step process: 1) sketch plan, inspection; 2) plan review with formal subdivision and board reviews; and 3) the board reviews the final plot plan. The board then votes and comes up with findings of fact and conclusions of law. He noted the board has the option of completing all three steps in one meeting, which would not only streamline the process but also reduce potential COVID-19 exposure from a health and safety point of view.

He asked to hear from board members. It was agreed that the application is very complete.

Attorney Cohen said they had hired Surveyor Aaron Holmes, who had walked them through the Planning Board procedure including minor subdivision lot size requirements. He added that in brief he thinks they met all the standards in our application and code enforcement requirements.

CEO Grant pointed out the drawings posted at the back and before the board. He sent letters to abutters. He received one letter from abutter Dan Day in support of the subdivision. He received one inquiry from a lady who used to live in Helen’s house; she was curious, not opposed.

Planning Board Minutes – August 13, 2020

Grant mentioned that Town Manager Jay Feyler who is also the Road Commissioner expressed concerns about Lot C, which abuts both Cole and Clarry Hill Roads. Jay said Clarry Hill Road would not be a safe access in and out for Lot C. He insisted Lot C be limited to access only via Cole Road.

Jerry led a review of 13 requirements under Section 1 of the Subdivision Ordinance. These included passing soils tests, sufficient water supply, erosion, sewage and waste disposal, and conformance with Union's Comprehensive Plan. With the exception of number 5, unsafe road conditions regarding Lot C, the project was deemed to have met these requirements.

Jerry next led a review of General Standards (Major and Minor) under Section 10 of the Subdivision Ordinance.

Two conditions were decided upon: that a separate well be installed on Helen's own property, and that Lot C utilize Cole Road only for vehicular access.

Motion by: John Mountainland to approve with the above conditions.

2nd by: Dale Flint

4-0

It was noted that Section 6 of the Subdivision Ordinance, Minor Subdivisions, had been mostly covered but perhaps jumped over. The requirements of Section 6 were reviewed in the context of this project and found to have been met.

Jerry voiced the board consensus to waive a public hearing and onsite inspection and asked if anything further. Grant added that he thinks the applicant did her homework and everything was covered quite thoroughly.

Motion by: John Mountainland to approve the conditions of a separate well for residential use by Helen, and vehicular access for Lot C by Cole Road only.

Second by: Dale Flint

4-0

Jerry added they would get to findings of fact and conclusions of law.

Sherry Abaldo (Planning Board Secretary) wrote on the plan and later all four copies, "Lot C vehicular access by Cole Road only." The plan submitted was then signed by all four Planning Board members present.

Planning Board Minutes – August 13, 2020

3. Nathan V. Pease – Site Plan review, Application for Self-storage units (Blue & Gold Storage”) – Map 26 Lot 11 (part):

Vick paid the fee.

Jerry determined no conflict or bias on the board; the board has jurisdiction under the Land Use Ordinance; and the applicant has standing.

It was determined that the application was complete.

A condition of approval would be single story.

John asked if the property would only be accessed from one side. Vick said yes, only from one side of the quarry. Grant said there was a required 100’ setback from the river.

The board decided to vote on the completed application with conditions of approval, then on September 10 have a public hearing and final approval on the same night. Grant confirmed that he would mail out a notice of public hearing to all abutters.

Motion by: John Mountainland to approve with conditions (single story).

2nd by: Dale Flint

4-0

4. Discuss Local Food and Community Self-governance Ordinance:

Elizabeth Dickerson introduced the concept of a local food ordinance and spoke from her experience as a small-scale dairy farmer here in Union with two goats.

She said such an ordinance would give the town jurisdiction to set up its own rules for people who bake, have dairies or vegetables. As is, sometimes rules meant for large corporations are applied to small operations. She noted that especially with the pandemic everyone is gardening like crazy, cheesemaking, beekeeping, and so forth. She noted 75 towns have local food ordinances in place.

As an example, she said that currently to be licensed to sell her products she would need to be licensed, have a kitchen separate from her home, self-closing doors, impervious surfaces and the same things a large dairy would have to do.

Planning Board Minutes – August 13, 2020

Concerns such as TB testing and raw milk risk were raised. She said towns can stipulate that a small producer would need to test. She also noted you can sell raw milk; the town can have the producer say not pasteurized or not herd tested.

She added that Hope, Appleton, other towns, and the State Legislature started talking about this around 2012. She would love to work with the Board of Selectmen, get on a public hearing, talk about it to the people in town. She was not sure why she was sent to the Planning Board because it is clearly not site plan review.

Jerry said a local food ordinance would be applicable to the Comprehensive Plan. He acknowledged two Board of Selectmen members present, Josh White and Bill Lombardi.

Josh said they were wondering if there were an ordinance that would need to be made or changed to have whatever she wants done.

Bill said the Board of Selectmen is looking for more inclusion and voices in decision making, to get more of the community involved and hear what people have to say. The Town Manager suggested Planning Board as a first step – to see what the board thinks.

Jerry noted this is a great method of starting.

Discussion followed including processed vs. unprocessed rules; why no one seems to pay attention to eggs being sold in coolers; the history of this country and Union in particular. Sherry raised the question of liability issues for the town if a local food ordinance is adopted and a consumer gets for example salmonella.

Bill clarified that, at present, Elizabeth can't sell her products at the Farmers Market. If a local food ordinance is enacted, then she can.

Josh said he has talked to a number of people – who work with sheep, vegetables, CBD, an orchard – and there is a great deal of interest. He thinks large dairy farmers still might not appreciate that they have to pay to do what they do whereas someone else won't.

He also noted that Union has always been agricultural town. Agriculture is back now in different ways – hops, hemp, grapes, marijuana, sheep.

Jerry agreed there is a trend away from big.

Bill asked, if the Planning Board said something to the Board of Selectmen, what would it be?

Planning Board Minutes – August 13, 2020

The consensus was resounding approval. A local food ordinance does fit Union's Comprehensive Plan. It should be run by the town attorney.

5. Accept minutes of July 23, 2020:

Motion by: Michael Johnson

2nd by: Dale Flint

4-0

6. Any other business by the board:

Grant last mtg – approved just sign for registry of deeds/ Mr. Leuhman

7. Adjourn: 7:28 p.m.

Motion by: Dale Flint

2nd by: Michael Johnson

4-0

Respectfully submitted,

Sherry Abaldo
Secretary