



Town of Turner, Maine

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Board of Selectmen Special Meeting Monday, March 28, 2016 Minutes

1. **Call to order.** Chairman Kurt Youland called the meeting to order at 6:00 p.m. Present were Mr. Youland, Mr. Ralph Caldwell, Mr. Kevin Nichols, Mr. Dennis Richardson and Mr. Kurt Schaub. Also present were Mr. Thomas Perkins (Planning Board Chairman) and Mr. John Maloney (Planner). Mrs. Betsy Bullard (Chair, MSAD 52 Board of Directors) and Dr. Henry Aliberti (MSAD 52 Superintendent) joined the meeting at 6:10 p.m.
2. **Ordinance Amendments.** Mr. Youland said the purpose of the meeting was to review the ordinance amendments proposed by the Planning Board for Town Meeting consideration. The discussion was as follows:
 - **Amend Section 1.H.4 of Zoning Ordinance (Town Meeting Warrant Article 45)** – Mr. Maloney explained that this amendment changes the notification method to be used for property being considered for placement in a Resource Protection District from Certified Mail to First Class Mail.
 - **Amend Section 1.J of Zoning Ordinance (Town Meeting Warrant Article 46)** – Mr. Maloney explained that this removes a portion of language from the ordinance that is no longer needed as timber harvesting in the Resource Protection District is now overseen by the Maine Forest Service, and not the town.
 - **Amend Section 3.B.10.b of Zoning Ordinance (Town Meeting Article 47)** – Mr. Maloney explained that this amendment aligns the town's Resource Protection Districts with FEMA Flood Insurance maps. Mr. Caldwell indicated that certain districts were enlarged and is concerned about property values in those areas. Mr. Nichols observed his own home is now considered to be in a floodplain, though he is not required to have flood insurance. Mr. Youland said it's all about elevation and that the maps don't provide absolute precision, due to scale. Mr. Schaub said a more precise view of the new floodplain maps is available electronically through FEMA's website.
 - **Amend Section 4.T of Zoning Ordinance (Town Meeting Article 48)** – Mr. Maloney said this amendment concerns non-required (Maine DEP) rules for matters such as dead trees, vegetation and docks.
 - **Amend Section 5.d.6.a of Zoning Ordinance (Town Meeting Article 49)** – Mr. Maloney said this would require that the exterior elevations (drawings) of proposed commercial structures be prepared by an architect or professional engineer. He said this will be of great assistance to the Planning Board.
 - **Amend Section 5.E.2 of Zoning Ordinance – (Proposed New Town Meeting Article 54)** – Mr. Maloney said this article was inadvertently left off the list of Town Meeting articles provided to Mr. Schaub for preparation of the Warrant. This article provides exterior design guidance for new commercial structures. Mr. Youland said he and other Selectmen had asked for this amendment to relieve applicants from having to guess what design standard the Planning Board might be looking for.

- **Amendment 1 to Zoning Map (Town Meeting Article 50)** – Mr. Maloney said this article would designate a single specific parcel of land as Agricultural/Industrial, currently Rural I.
- **Amendment 2 to Zoning Map (Town Meeting Article 51)** – Mr. Maloney said this article would designate 14 specific lots as General Residential I, currently General Residential II.
- **Amendments to Sections IV and VIII of Street Construction Ordinance (Town Meeting Article 52)** – Mr. Maloney said these amendments would allow the Planning Board to consider applicant technical and financial capacity and abutter impact of proposed road construction projects.
- **Amendments to Sections VI and XVII of Street Construction Ordinance (Town Meeting Article 53)** – This is the Selectmen-initiated article that would increase the number of permissible dwelling units on a dead-end road.

Following discussion, the following motions were offered:

- a. Motion by Mr. Richardson, seconded by Mr. Nichols, unanimously approved, to withdraw Article 48 from Town Meeting Warrant (not a required amendment);
 - b. Motion by Mr. Richardson, seconded by Mr. Nichols, unanimously approved, to change Article 49 to read “5.D.6.a” as the final “a” was missing; and
 - c. Motion by Mr. Richardson, seconded by Mr. Nichols, unanimously approved, to add new Article 54 to Town Meeting Warrant.
- 3.** The Selectmen welcomed Mrs. Betsy Bullard and Dr. Henry Aliberti. Mrs. Bullard said they came to the meeting to learn more about the town’s concerns with MSAD 52’s vote to sell its land in Greene to the Town of Greene. Mr. Caldwell said he felt that, if the district was interested in parting with surplus real estate, he would like to hear about what it might take for it to sell the green in front of the Leavitt Institute to the Town of Turner, as it is an important feature of Turner Center. Mr. Youland said he was more interested in how the district arrived at the sale price for the property. Mr. Schaub said that the Selectmen were aware for some time of Greene’s interest in acquiring the district’s property but, until recently, did not know much about it. He said the board’s interest was heightened when it learned the sale price for the 73 acre parcel was set at \$40,000, yet its acquisition price in the early 1990s was in the neighborhood of \$80,000, and it is valued by Greene’s assessors at \$73,500. Turner’s Selectmen have no quarrel with the Town of Greene over the acquisition, he said, but are concerned that the interests of Turner’s taxpayers were reasonably considered when the sale price was established. He said the court action was filed on March 25 to preserve the town’s rights as the deadline to take action is 30 days following the February 25 vote of the school directors. He said he had been asked to obtain the relevant information about the sale, and filed a Freedom of Access request for it. He added that the Selectmen have stressed that they would like nothing more than to sit down with the school directors to learn more about the sale details, without the necessity of lawyers, and that the court action can always be withdrawn. Dr. Aliberti said he would have the requested materials to Mr. Schaub later in the week. Mrs. Bullard said the school board is meeting on Thursday, March 31, and has included this subject on their agenda. Selectmen agreed to attend the meeting if they felt it would be helpful, after reviewing the information from Dr. Aliberti.
- 4. Adjourn.** Motion and second, unanimous vote, to adjourn the meeting at 7:30 p.m.

Respectfully submitted,

Kurt E. Schaub