

**TOWN OF WATERBORO**  
***PLANNING BOARD***  
***MEETING MINUTES***  
***November 1, 2017***  
**6:30 p.m.**

**REGULAR MEETING**

**I. ROLL CALL**

Present: Dwayne Prescott   Lee Nelson   Judy Wirth   Judi Carll   David Christensen  
Ryan Vanasse

Absent:

Others: Ted Doyle   Robert Leeman   Gary Lamb   Lee Jay Feldman   Glenn Charette  
David Lowe   Tammy Bellman

Dwayne Prescott called the Planning Board meeting to order at 6:30pm on November 1, 2017.

Dwayne stated a quorum has been met with the members present.

**II. COMMUNICATION**

- **Tim Neill – Discussion concerning email communications between meetings –** Gary Lamb requested to read a letter from Tim Neill. Tim was not available due to a family emergency out of state. Gary read Selectman Neill's letter: To the Planning Board Members, Planning Staff, and the public,

Waterboro has spent thousands of taxpayer dollars for legal review, formatting and editing to develop the draft of a Revised Zoning Ordinance (RZO). The Planning Board, Planning staff, and Town employees have devoted hundreds of hours to that draft.

While the RZO entered the final phase before publication the Planning Board Chair began to develop his own version independently. In a series of emails, the Chair directed the Board members to review these changes. None of the information has been discussed in public meetings, on the record. This process has taken place without public knowledge.

The Chairman had not sought out support from the Board to write a competing ordinance. The Board has not voted to grant him that authority.

I request that Chairman Prescott explain his actions.

Thank you,

Tim Neill, Selectmen's Liaison to the Planning Board

➤ Judy Wirth made the motion to suspend the rules of order. Judi Carll seconded. Discussion: This moves the authority to Lee Nelson, Vice-Chair to preside over this portion of the meeting. Judi – no discussion on this portion of the motion being made. Lee – would like to know the reasoning behind the motion. Judy – excessive use of emails behind closed doors; not publicly; includes select few; censure status. Suspend the rules of order have been seconded. Vote 4 -1 (Prescott) – 1 (Nelson). Robert’s Rules of Order suspended. David Christensen – I don’t understand what it means to suspend the rules of order. Lee Jay Feldman – You need to suspend the rules and put Lee Nelson in charge temporarily – regarding the concerns. Lee Nelson – ok to Dwayne? Ryan Vanasse – Lost here with what is going on. Dwayne Prescott sent out emails – per David – I only requested a cleaned up copy, which was decided at the last meeting that the Town employees would be overseeing this and reporting back within a month. – Dwayne – the action is against me for sending out emails between meetings. David - I was only looking for a document that flowed from start to finish. No request for substantive changes; needed to see what had not changed. Judi – I think the way you look at it is not the way we all look at it – we don’t think alike – your version, (Dwayne), is offensive to me – you were at most of the meetings – the rest think it was put to bed and now! Dwayne – my intention was to give the Planning Board more information – never my version to put it forward – only to look at between meetings. Gary – willing only to suspend the rules? Ryan – Dwayne still has a say. Judy Wirth made the motion to censure the Chair for not abiding by the Freedom of Access Act. Judi Carll seconded the motion. Discussion – Dwayne – emails are public. Judy – not getting all of the emails. Gary – spoke to Natalie Burns – they are substantive emails – Gary read the Freedom of Access Act – substantive can change time or location. Going forward have to go to the Town Planner then to Tammy to be included in the Planning Board packets. Dwayne – I did not catch the part about it being substantive. Lee Jay – as staff, would hope you would come to me as Town Planner – this is the location to have the discussion. Timetable has been met from when the Town employees proofed and streamlined it to you receiving it back all cleaned up. Gary – Natalie Burns was surprised and disappointed in the Chair of the Planning Board making insulting emails to the Town Planner, Board of Selectmen and Town staff. Dwayne – why elected official being brought into it? – fired off additional loud comments. Lee – interjected – bring the conversation back to the task at hand. Ryan – gave his understanding of the process thus far. David – when I asked for a cleaned up version, town staff would take care of and not editorializ anything going beyond what Lee Jay provided. Dwayne – the bottom line is that I broke the rule. Basically, I broke the rules – substantive subject matter. David – need to realize that 1. What happened in the emails is substantive subject and 2. Be really clear how, what, and tone of communication for the Planning Board. Positive, respectful, order right public, substantive subject at meetings. Judy – when came on board – was told that can’t discuss anything that will be coming before the Planning Board. Three or more Board members constitute a meeting – don’t have to be discussing a topic from or for a meeting but there are three or more talking – it is a meeting. David – emails are a meeting! Dwayne – reply both ways for a conversation. Lee – we are going to censure at this meeting. Lee called a vote: 6 – 0 the Chair has been censured. Lee Nelson made the motion to re-instate Robert’s Rules of Order. David Christensen seconded the motion. No further discussion. Vote 6 – 0. Robert’s Rules of Order re-instated.

**III. MINUTES OF PREVIOUS MEETINGS**

- **Minutes of October 18, 2017** –Judy Wirth made the motion to accept the minutes of October 18, 2017 as written. David Christensen seconded the motion. No discussion. Vote 5 – 0 – 1 (AB-Vanasse); approved.

**IV. NEW BUSINESS AND PUBLIC HEARINGS**

**V. OLD BUSINESS**

- **Review of the Revised Zoning Ordinance** – Lee Jay provided an overview of what version the Planning Board was reviewing. Dwayne requested that each Planning Board member go through their individual review of the ordinance. Both Gary Lamb and Lee Jay Feldman made the requested changes in their copy of the Revised Zoning Ordinance. This version will then be cleaned-up and a final review will be done at the November 15, 2017 Planning Board meeting. Tammy will prep for the Public Hearing to be held on December 6, 2017 at 6:30pm.

**VI. MISCELLANEOUS**

**VII. MISCELLANEOUS**

**VIII. ADJOURNMENT**

- Judi Carll made the motion to adjourn at 8:27 pm. Lee Nelson seconded the motion. No discussion. Vote 6 - 0 in favor. Meeting Adjourned.

**IX. Items needing signature**

- Minutes of <sup>November 1,</sup> ~~October 18,~~ 2017

Approved Date: November 15, 2017

<u>Ryan Vanasse</u>	_____
<u>Chayne Prescott</u>	_____
<u>Dwayne</u>	_____
<u>Judi Carll</u>	_____