



Town of Hermon

Public Safety Meeting Room

March 16, 2017

Town Council Meeting

7:00 PM

AGENDA

*** Televised live on Cable Channel 121.111 ***

Council Meetings may be viewed live online and are archived after the meeting
has taken place – check hermon.net for link.

ALL ITEMS ARE SUBJECT TO APPROPRIATE COUNCIL ACTION

- I. CALL TO ORDER BY CHAIRPERSON
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. REVIEW CONSENT CALENDAR: REGULAR BUSINESS, APPOINTMENTS, SIGNATURES,
And APPROVAL OF MINUTES:

MINUTES. -APPROVE February 17, 2017

WARRANTS. –SIGN

QUITCLAIMS.-SIGN M/L 045-023-000 Account #2216 - Bogan
- V. NEWS, PRESENTATIONS AND RECOGNITIONS
 - Recognition of Live-In Firefighter Jordanna Sprague.
- VI. PUBLIC ITEMS OR COMMENTS *(Items Not Already on Agenda)*
- VII. PUBLIC HEARINGS



VIII. COMMITTEE REPORTS

IX. SCHEDULED AGENDA ITEMS

A. OLD BUSINESS

- #1. **Accept** 2017-2018 Capital Improvement Plan (CIP)
- #2. **Approve** scheduled purchase of SCBA Bottles. (*Article # 7 of ATM – 06/14/2016*)
- #3. **Approve** 2017 CIP Radio Purchase
- #4. **Consider** approving expenditure for Economic & Development (Marketing & Advertising)

B. NEW BUSINESS

- #5. **Consider** approving abatement for M/L 042-049-036(11) Account #3861 – Thayer
- #6. **Consider** approving a proposed street name- “Cole Circle”
- #7. **Consider** authorizing application for Harbor Management and Access Grant.

C. WORKSHOPS

D. OTHER ITEMS (from Table Package)

X. APPOINTMENTS

XI. MANAGER STATUS REPORT:

- **Marijuana Legalization Act**

XII. FINAL PUBLIC ITEMS OR COMMENT (*Items Not Already on Agenda*)

XIII. COUNCIL ITEMS:

XIV. EXECUTIVE SESSION:

XV. ADJOURNMENT:

Explanatory note #1: All items in the CONSENT CALENDAR are considered routine and are proposed for adoption by the Town Council with one motion without DISCUSSION or deliberation. If DISCUSSION on any item is desired, any member of the Council or public may request the removal of an item for it to be placed in the regular agenda prior to the motion to approve the Consent Agenda.

Explanatory Note #2: In the interest of effect decision-making: At 10:00 p.m., the Chairman shall poll the Council and Town Manager to identify remaining items which shall be carried forward to the next Regular Meeting.

Explanatory Note #3: A Councilor who feels the need for the Council excusing his/her absence will make the request to the Town Manager or the Town Clerk prior to the meeting.



Town of Hermon

Public Safety Meeting Room

February 9, 2017

February 16, 2017

Town Council Meeting

7:00 PM

MINUTES

The Council Meeting scheduled for February 9 was rescheduled due to a blizzard. The meeting was held the following Thursday, February 16, 2017.

*** Televised live on Cable Channel 121.111 ***

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ALL ITEMS ARE SUBJECT TO APPROPRIATE COUNCIL ACTION

I. CALL TO ORDER BY CHAIRPERSON

Councilor Thomas called the meeting to order at 7:00pm.

II. PLEDGE OF ALLEGIANCE

Councilor Thomas led those in attendance in the Pledge of Allegiance.

III. ROLL CALL

Members Present: Anne Freeman, Steve Thomas, Jeanne Jacques, John Snyder and Steve Watson

Members Absent: **

Others Present: Town Manager Howard Kroll, Town Clerk Ruth A. Nickerson, Sgt. Pelletier, Jim Keiser, Scott Perkins, Randy Gardner, Byron Ogden and Andy Witham

IV. REVIEW CONSENT CALENDAR: REGULAR BUSINESS, APPOINTMENTS, SIGNATURES, And APPROVAL OF MINUTES:



MINUTES. -APPROVE November 17, 2016, January 12, 2017 and January 26, 2017

WARRANTS. -SIGN February 10, 2017

Councilor Freeman moved to approve the Consent Calendar as presented. Councilor Snyder seconded the motion. A Roll Call vote resulted in 5 Yeas. Councilors Sinclair and Ellis absent. The motion carries.

** Councilor Ellis arrived to the Council Meeting at 7:02pm.

** Councilor Sinclair arrived to the Council Meeting at 7:04pm.

V. NEWS, PRESENTATIONS AND RECOGNITIONS

None

VI. PUBLIC ITEMS OR COMMENTS (*Items Not Already on Agenda*)

None

VII. PUBLIC HEARINGS

#1. Hear and Consider Public Comment regarding proposed zone change for Annis Road, Map 33 Lot 6.

Chair Thomas opened the public hearing at 7:03pm. He requested comments from those in attendance for or against the proposed zone change. Jim Keiser who represents Gary Pomeroy Logging informed the Council and those in attendance that the surrounding acreage is all Residential A & B. This request is being made because there are plans for a future subdivision on this land and it makes sense to convert the land to Residential A. The public hearing closed at 7:05pm.

VIII. COMMITTEE REPORTS

None

IX. SCHEDULED AGENDA ITEMS

A. OLD BUSINESS

#2. Consider approving Zone Change for Map 33 Lot 6 – Annis Road.

The Town Manager explained that Gary Pomeroy Logging, Inc. is seeking a Contract Zone to change the zoning of their property known as Map 33 Lot 6 on the Annis Road from Agricultural to Residential A for the entire 95 acres. He told how there is a 60 foot right of way off the Annis Road. If approved the property would be subdivided into lots. How many lots are unknown at this time.

Councilor Jacques moved to approve R16-17-57. Councilor Snyder seconded the motion. The motion was accepted without doubt.

The motion carries.

*(R16-17-57 is attached for review.)



#3. Consider approving 3 road names for proposed subdivision on Annis Road.

Manager Kroll informed the Council that if the subdivision is approved it will have three streets. Stone Farm Drive starts at the Annis Road intersection, Orchard Drive will be a left turn off Stone Farm Drive and Harvest Lane will be a right turn off Stone Farm Drive. These roads names have been approved by the USPS.

Councilor Freeman moved to approve R16-17-58. Councilor Snyder seconded the motion. The motion was accepted without doubt.

The motion carries.

**(R16-17-58 is attached for review.)*

B. NEW BUSINESS

#4. Consider approving Police Department equipment purchase.

Sgt. Pelletier requested authorization from the Council for the purchase of three Stalker Dual Radars. The radars will be paid for from the Police Equipment Reserve as previously approved and appropriated at the 2016 Annual Town Meeting.

Councilor Jacques moved to approve FR16-17-51. Councilor Snyder seconded the motion. A Roll Call vote was unanimous in favor of the motion.

The motion carries.

**(FR16-17-51 is attached for review.)*

C. WORKSHOPS

#5. Review of 2017-2018 Capital Improvement Plan

Manager Kroll reviewed the Capital Improvement Plan for 2017-2018 with the Council. Three increases that were discussed include Police Equipment, Fire Equipment and Jackson Beach.

The Police Equipment Reserve will be reimbursed for the totaled cruiser.

The Fire Equipment Reserve increase will allow for a more appropriate level of funding with regard to the life span of our equipment and future demands; including a new Cascade System.

The Jackson Beach Reserve increase will cover the costs of the two projects planned for this summer. Those projects include vegetation control and the installation of a guardrail.

Discussion took place regard the funding and use of various accounts, including: Sewer Maintenance Reserve, Snows Corner Reserve and the Fire Department Equipment Reserve. The discussion included a significant amount of conversation regarding the purchase of a new cruiser and the Fire Department's need for a more suitable Chief car.

#6. Discuss Business Loan Subsidy Program

Scott Perkins told how a lot of work has gone in to the Economic Development Plan. Part of that plan includes the opportunity to help our businesses be as independent as possible. He explained



the Business Loan Subsidy Program will pay part of the interest on development loans for participating businesses in Hermon. Mr. Perkins has worked this plan out with Camden Nation Bank who is also a Hermon business. He told how we would be the first community to offer such a program. One annual payment to the bank from our TIF account will pay for the subsidies. Councilor Thomas assisted in explaining the details of how this program could work.

D. OTHER ITEMS (from Table Package)

None

X. APPOINTMENTS

None

XI. MANAGER STATUS REPORT:

MONDAY was the worst storm we have seen in a while. Thank you to the Public Works Department, the Fire Department and Gardner Construction for your service on Monday.

XII. FINAL PUBLIC ITEMS OR COMMENT (*Items Not Already on Agenda*)

None

XIII. COUNCIL ITEMS:

Councilor Snyder asked about the high banks in the island at the intersection of Route #2 and Billings Road. Manager Kroll stated that Randy Gardner plans to move the snow on Saturday morning at 5am.

XIV. EXECUTIVE SESSION:

None

XV. ADJOURNMENT:

Councilor Snyder moved to adjourn the meeting at 8:37pm. **Councilor Sinclair** seconded the motion. With no objection the meeting was adjourned.

Respectfully Submitted,

Ruth A. Nickerson, CCM
Town Clerk




R16-17-57

Be it resolved by the Hermon Town Council in Town Council assembled to approve
an ordinance amendment titled
"Amendment to Chapter 154 Zone change to
Tax Map 33 Lot 6 § 154-006 (b) of the Hermon Town Code".

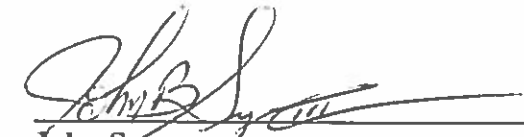
SIGNED this February 16, 2017 by the Hermon Town Council:



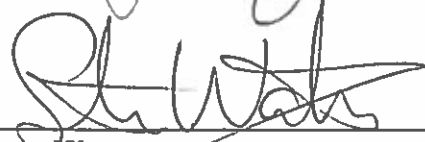
Donna Ellis



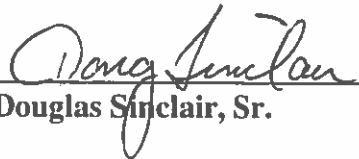
Jeanne Jacques



John Snyder




Steve Watson




Douglas Sinclair, Sr.



Steven Thomas



Anne Freeman

Attest Original:  _____

Motion <u>Jacques</u>	Yeas <u>Accepted</u>	Date <u>2-17-17</u>
Second <u>Snyder</u>	Nays <u>w/ doubt</u>	



R16-17-58

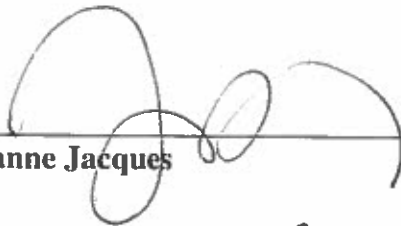
Be it resolved by the Hermon Town Council in town council assembled to approve the names of 3 road names for a proposed subdivision on the Annis Road.

- Stone Farm Drive – starts at the Annis Road intersection
- Orchard Drive – Left turn off of the Stone Farm Drive
- Harvest Lane – Right turn off of the Stone Farm Drive

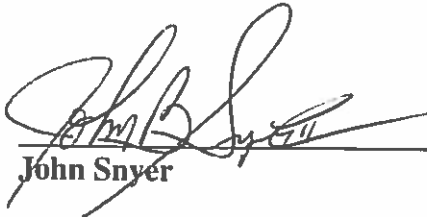
SIGNED this February 16, 2017 by the Hermon Town Council:




Donna Ellis



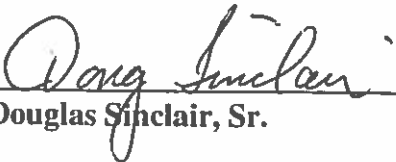
Jeanne Jacques



John Snyder



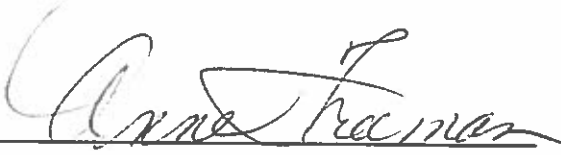
Steve Watson



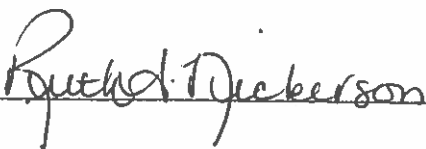
Douglas Sinclair, Sr.



Steven Thomas



Anne Freeman

Attest Original: 

Motion <u>Freeman</u>	Yeas <u>accepted</u>	Date <u>2-17-17</u>
Second <u>Snyder</u>	Nays <u>w/o doubt</u>	



FR16-17-51

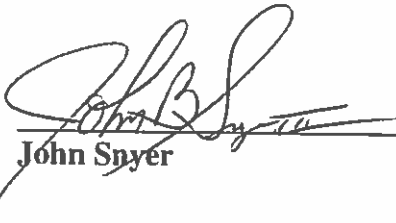
Be it resolved by the Hermon Town Council in town council assembled the Town Manager or his Designee be authorized to expend an amount not to exceed \$6,500 for purchasing and installing three (3) Stalker Dual Radars.

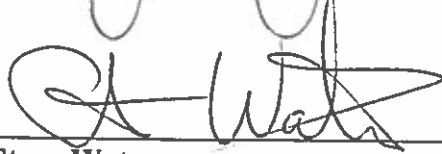
Be it further resolved the cost of the services is to be paid for from the Police Equipment Reserve Account (HERM01).

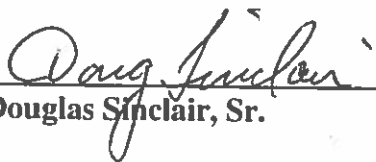
SIGNED this February 16, 2017 by the Hermon Town Council:


Donna Ellis


Jeanne Jacques

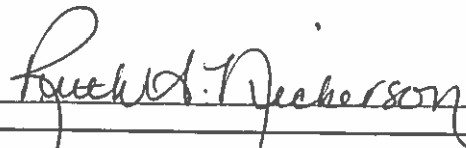

John Snyder


Steve Watson


Douglas Sinclair, Sr.


Steven Thomas


Anne Freeman

Attest Original: 

Motion	<u>Jacques</u>	Yeas	<u>7</u>	Date	<u>2-17-17</u>
Second	<u>Snyder</u>	Nays	<u>0</u>		

MUNICIPAL QUITCLAIM DEED WITHOUT COVENANTS

The **TOWN OF HERMON**, a Municipal corporation located in Penobscot County, Maine, in consideration of taxes and costs due, releases to **Michael & Corinne Bogan of Hermon**, Penobscot County, Maine, Penobscot County, State of Maine, Described as follows:

Designated as **Map/Lot 045-023-000 Account 2216** on the Tax Maps of the Town of Hermon prepared by James W. Sewall dated January 2012 on file at the Town of Hermon municipal office.

The purpose of this Deed is to release any interest the Grantor may have by virtue of undischarged tax liens filed in the name of to **Michael & Corinne Bogan, Account 2216** at the Penobscot Registry as:

	Year	Book	Page
Lien:	2009	12221	68
	2010	12567	154
	2011	12911	45

EXCEPTING AND RESERVING all interests of the Municipality of Hermon in and to the above-described premises arising by virtue of undischarged tax liens for tax years subsequent to Tax Year **2011**.

The said Inhabitants of the Municipality of Hermon have caused this instrument to be signed in its corporate name by Chair Steven Thomas, Vice-Chair Douglas Sinclair, Sr., Anne Freeman, Donna Ellis, Jeanne Jacques, G. Steve Watson, John Snyder III its Municipal Officers duly authorized, this **16th day of March 2017**.

Steven Thomas, Chair

Anne Freeman

Douglas Sinclair, Sr., Vice-Chair

Donna Ellis

Jeanne Jacques

G. Steve Watson

John Snyder III

ACKNOWLEDGMENT

State of Maine
Penobscot County, ss.

Then personally appeared before me the above named in their capacity as Chair Steven Thomas, Vice-Chair Douglas Sinclair, Sr., Anne Freeman, Donna Ellis, G Steve Watson, Jeanne Jacques, John Snyder III, it's Municipal Officers for the Town of Hermon, Maine and acknowledged the foregoing to be his free act and deed in their said capacity and the free act and deed of the Town of Hermon.

Dated: March 16 2017 Before me, _____
Notary Public

1
3-16-17

Acct #	Reserve Account	2016	2017	\$ Change	Explanation
HERM01	Police Equipment Reserve	20500	48500	0	<i>\$28000 unrestricted fund balance request</i>
HERM02	Unemployment Reserve	5000	5000	0	
HERM03	Legal Reserve	0	0	0	
HERM04	Cemetery Reserve	8500	8500	0	
HERM05	Fire Equipment Reserve	53000	53000	0	
HERM06	Highway Improvement Res.	250000	250000	0	
HERM08	PW Equip/blg. Reserve	77000	177000	0	<i>\$100000 unrestricted fund balance request</i>
HERM09	Recreation Facility Reserve	22500	22500	0	
HERM11	Municipal Office Reserve	8000	8000	0	
HERM12	Sewer Maintenance Reserve	28500	28500	0	
HERM13	Public Land Acquisition Res.	2500	2500	0	
HERM14	Planning & Ordinance Res.	3000	3000	0	
HERM16	Economic Development Res.	139000	100000	0	<i>\$100000 TIF Funds request</i>
HERM17	Public Safety Building Res.	10000	10000	0	
HERM19	Town Office Equip &Tech. Res.	10000	10000	0	
HERM24	Tax Stabilization Reserve	25000	25000	0	
HERM28	Jackson Beach Reserve	2500	10000	7500	
HERM27	Transfer Station Site Reserve	12000	5000	-7000	
HERM26	Bicentennial Reserve	0	0	0	
HERM29	Rural Fire Protection Reserve	1800	1500	-300	
HERM31	Snow's Corner Cemetery		0		
HERM32	Veterans Mem.Park Reserve	3000	3000	0	
HERM34	Sick Leave Reserve	6000	6000	0	
	Total	687800	777000	200	
	CIP 2017 to 2021 Comparisons				
Account #	Reserve Account	2016	2017		
	Local Appropriation	548800	549000	200	<i>\$200 increase FY16 to FY17</i>
	TIF Funds	139000	100000		<i>\$39000 decrease FY16 to FY17</i>
	Unrestricted Fund Balance		128000		<i>\$128000 increase FY16 to FY17 proceeds will help purchase new cruiser and PW truck</i>
	Grants	0	0		
	Other (Enterprise)	0	0		
	Total	687800	777000	0%	

Be it further resolved that the amounts listed above will include, at a future date, the Hermon School Department Reserve Accounts and projects proposed to be funded in FY17-18 and ultimately be voted on by the Town of Hermon Voters on Tuesday, June 14, 2017.



#2.
3-16-17

Fire Department

Mailing address:
PO Box 6300 Hermon ME 04402-6300

Telephone: 207 848-5986
FAX: 207 848-1990

Physical address:
327 Billings Road Hermon ME 04401

To: Town Manager Howard Kroll

March 07, 2017

From: Captain Chandler Corriveau

CC: Chief Frank Roma
Hermon Town Council

Subject: SCBA Bottle Purchase from CIP

Howard,

Over the past several years the Fire Department has worked very hard to improve our self contained breathing apparatus (SCBA). Through the budget process, capital improvement plan and grant funding we have been able to perform upgrades to our breathing apparatus by purchasing 20 new SCBAs and two new RIT packs that meet the newest NFPA standard.

We would like to continue to upgrade our SCBA's by purchasing 30 Scott 4.5 bottles through the 16-17 CIP. These new bottles will hold 30 minutes of air and will allow the department to replace 38 of our current SCBA bottles that have reached their service life of 15 years.

If approved we would purchase 30 Scott SCBA Bottles at \$800.00 per bottle for a total of price of \$24,000.00.

It would be my recommendation that the council approve this purchase with funds coming from the Fire Department Capital Reserve Account, HERM05.

Please let me know if you have any questions.

Submitted,

Captain Chandler Corriveau

From:  Howard Kroll
Chandler Corriveau

Subject: Fwd: Portable Radio Purchase

To:  Ruth Nickerson

Thursday, March 02, 2017 2:09:05 PM 

Attachments:  2017 CIP Radio Purchase Memo.docx / Microsoft Office Word Document (206K)

for the 16ht meeting----resolve/memo on the way by tomorrow
----- Original Message -----

Howard,

Please see the attached memo for purchase of three new portable radios. This would be part of the 16-17 Fire Department CIP. If we could get this on the council agenda for approval so we can move forward with the purchase I would appreciate it.

Please let me know if you have any questions.

Thanks,

Chandler Corriveau
Captain Hermon Fire Department
327 Billings Road
Hermon, Maine 04401
207-551-4804 (Cell)

Please be advised that email communications sent to or received from Town employees are subject to the Freedom of Information Act and may become part of public record or shared with the media.



#4.
3-16-17

March 3, 2017

Howard Kroll
Town Manager

Howard,

An agenda item at the next Council meeting is needed in order to approve an expenditure from the Economic Development budget for marketing and advertising.

In order to begin marketing the Town of Hermon before the start of next years budget, we can utilize the mileage line item (11-01-02-04) and the miscellaneous item in 11-01-04-08. \$1,500 from each for a total of \$3,000 will allow us to begin the marketing campaign using this year's budget as a start so we can pay the balance after the July 1st budget is approved at annual Town meeting.

Also, I will be asking for relief from the purchase policy requirement of a formal bid process because the WABI opportunity is the product most advantageous to the Town.

Under Section 6. Competitive Bids:

3. Formal bidding procedures shall be followed when the purchase is over \$7,500 unless otherwise exempted by a majority vote of the Town Council.

See the enclosed document highlighting the "Buy Maine First" Sponsorship which WABI has customized to meet Hermon's unique marketing plans and efforts.

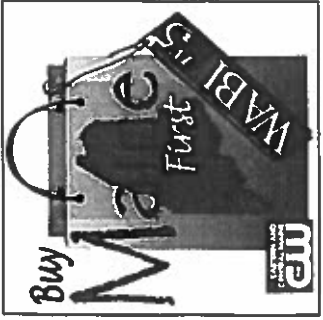
Thanks,

Scott Perkins
Interim DECD Director

Mailing address
PO Box 6300
Hermon, ME 04402-6300

Physical Address:
333 Billings Rd
Hermon, ME 04401

Telephone: 207 848-1010
FAX: 207 848-3316
Website: www.Hermon.Net



Buy Maine First: Sponsor

- :30 TV schedule on WABI for your business (16x per month = 192x per year)*
- :30 TV schedule on The CW for your business (32x per month = 384x per year)*
- 728 x 90 "leaderboard" ad for your business on WABI.tv*
- :15 video pre-roll ad for your business on WABI.tv (edited from :30)*
- Logo and link on Buy Maine First directory page on WABI.tv*
- Rotation of :13 testimonials in both Advocacy and "10% Shift" TV promos*
- Buy Maine First vinyl window sticker and logo license*
- Production of two :13 testimonial videos*
- Production of :30 ad for TV and edited :15 version for online*
- Inclusion in BDN FSI (minimum of 1/4 page advertorial content)*
- Registration box monthly shopping spree drawing*
- Purchase by WABI of approximately \$200 in gift certificates for shopping spree prizes*

\$950 per month for 12 months (\$11,400)

Enter Here To Win!

A \$500 LOCAL Shopping Spree!



Official Rules

WABI TV5's "Buy Maine First Shopping Spree" contest is open to all Maine residents, 18 years of age or older, except for full or part time employees of Diversified Communications and its affiliates, subsidiaries, participating advertisers, prize providers, their agencies, and the immediate family members of all of these parties (spouses, parents, children, relatives residing with such parties). No purchase necessary. A viewer may enter at any participating business. A viewer may enter multiple times.

WABI TV5 reserves the right to disqualify any participant who does not comply with the rules and mechanics stated herein.

Contest Mechanics

Enter to win at any participating location by filling out an entry blank and placing it in the entry box provided.

A representative of WABI TV5 will collect all entries from all participating businesses at the end of EACH calendar month. On the 5th of each month (or the day following if the 5th does not fall on a business day) WABI will select, at random and notify ONE winner to receive (5) \$100 gift cards to local business within WABI's coverage area. Winners must pick up the gift cards at WABI TV5, 35 Hildreth Street, Bangor, Maine within 30 days of being notified.

BEFORE accepting the prize, the contest winner must present positive legal identification. The prize will be forfeited if the winner is unable to accept the prize for any reason. If prize is forfeited, if possible, another entry will be drawn from remaining entries.

All entrants acknowledge that WABI TV5 has the right to show and announce their names on the air or online and acknowledge that WABI TV5 shall have the right to publicize and broadcast their names, likeness, and voices to promote their participating.

COUNCIL TO ABATE

#5.
3-16-17

February 22, 2017

Real Estate Property: Account #3861 Map 042-049-036 (11)

Property Physical Location: (Vacant Land) – Identified as 10 Rockwood Drive situated on Northridge Drive next to 13 Northridge Drive

Mailing Address: **Maury L & Mary E Thayer
23 Timberview Drive
Hermon, ME 04401**

4/1/2013 Assessment date - Assessed value amount \$18,700
Tax Rate \$11.91 = \$ (222.72 abate)

4/1/2014 Assessment date - Assessed value amount \$18,734
Tax Rate \$12.00 = \$ (224.81 abate)

4/1/2015 Assessment date - Assessed value amount 18,700
Tax Rate \$12.00 = \$ (224.40 abate)

TOTAL AMOUNT TO ABATE \$ 671.93

The vacant land on Northridge Drive identified on Town Map 042 Lot 049-036 (11) account 3861 given a street address of 10 Rockwood Drive was assessed in error to Maury & Mary Thayer from FY 2013 through FY 2016. This lot is a duplicate assessment of account #1990 on map 042-049-011. The lot is subdivision lot 11 on Thayer s/d Phase 2.

Maine Tax Law gives the Assessor 1 year from date of commitment to issue abatement for an illegal assessment. The Assessor has corrected the 4/1/2016 assessment with issuing abatement.

Maine Tax Law allows the Town Council up to 3 years to issues an abatement to correct and illegal assessment.

6.
3-16-17



TO: Howard Kroll, Town Manager
FROM: Annette M. Merrithew, CEO / Addressing Officer
DATE: February 23, 2017

RE: Requested new proposed street name

As, Hermon's Addressing Officer I would like to request the Council approve a new street name- I have spoken with Penny Palmer at the Postal Service and reviewed the active list of names and the proposed name is acceptable.

The proposed name is COLE CIRCLE

The proposed subdivision will be located off the Bog Road and will consist of 6 lots and approximately 800' of roadway.

Mailing address
PO Box 6300
Hermon, ME 04402-6300

Physical Address:
333 Billings Rd
Hermon, ME 04401

Telephone: 207 848-1010
FAX: 207 848-3316
email:

DANIEL AND SARA FEENEY
BOOK 12250, PAGE 323
MAP 13, LOT #120

DANIEL FEENEY
12304, PAGE 33
P 13, LOT #121

LOT #5
1.08 ACRES ±

LOT #6
1.07 ACRES ±

LOT #4
1.06 ACRES ±

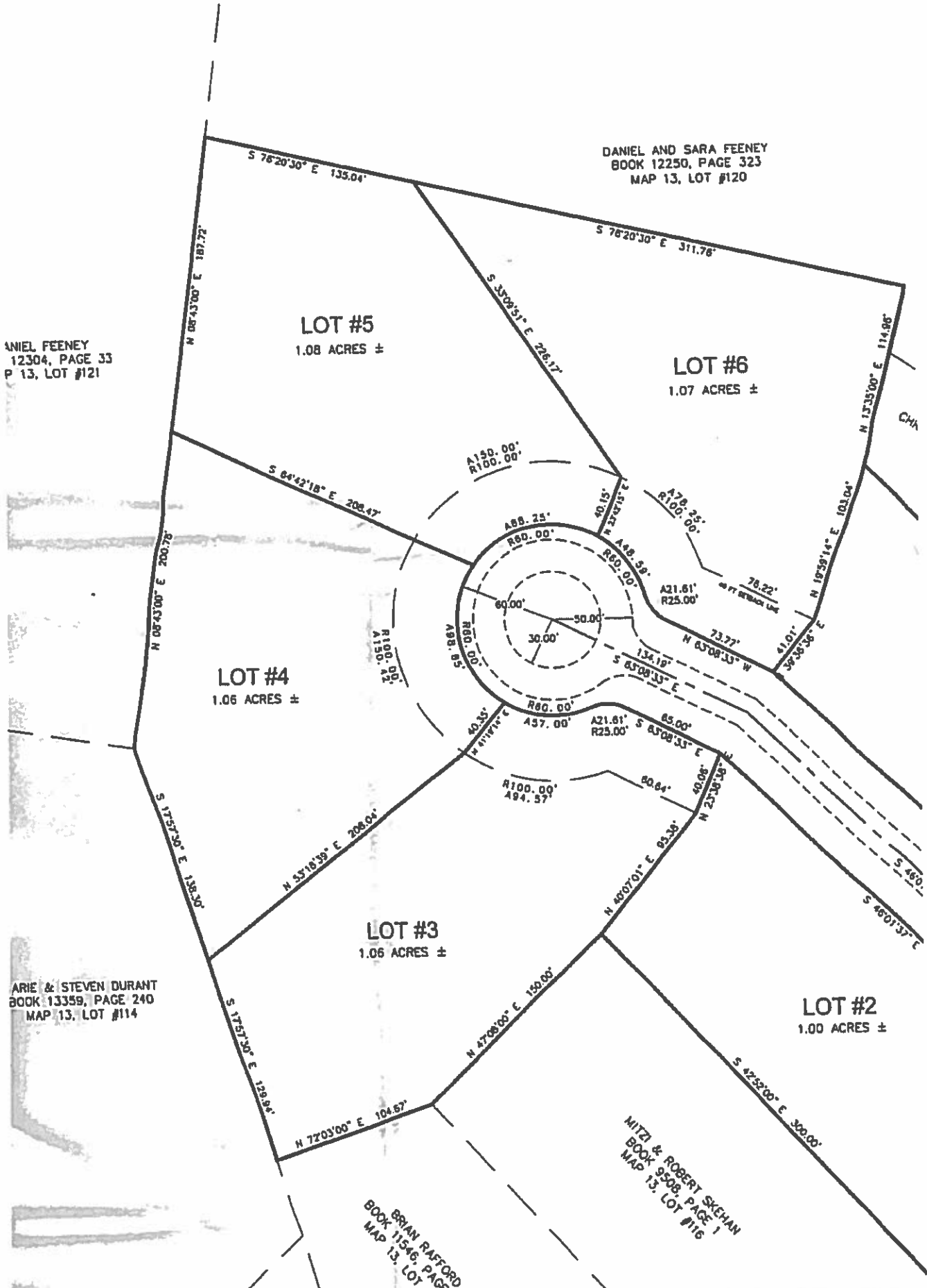
LOT #3
1.06 ACRES ±

LOT #2
1.00 ACRES ±

MARIE & STEVEN DURANT
BOOK 13359, PAGE 240
MAP 13, LOT #114

BRIAN RAFFORD
BOOK 11546, PAGE
MAP 13, LOT

MITZI & ROBERT SKEHAN
BOOK 9508, PAGE 1
MAP 13, LOT #16





PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
BUREAU OF PARKS & LANDS
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333

#7.
3-16-17

WALTER E. WHITCOMB
COMMISSIONER

February 8, 2017

Dear Municipal Official,

The Submerged Lands Program is pleased to announce a new grant opportunity named the Harbor Management and Access (HMA) Grant. This is the first of what we hope will be many years for this grant program which is aimed at helping Maine's municipalities, Unorganized Territories and counties improve public access opportunities to our coastal waters and Great Ponds. The HMA is different from the other grant programs (Quick Reference Guide to Grant Programs, enclosed) in that we intend to fund smaller public water access infrastructure needs using a more concise application process.

HMA application materials consist of an Overview Statement, a Quick Reference Guide to determine the most appropriate grant program for your proposed project, and the application forms. Please note that due to funding constraints, we expect this to be a very competitive grant process. The deadline for submission of your application is April 14, 2017 and, depending on the level of interest and number of applications received, we anticipate announcing the awards in mid-May, 2017.

If, after reviewing the enclosed application materials you still have questions, please contact me at john.noll@maine.gov or 287-4919.

Thank you,

John E. Noll, Director

Submerged Lands Program

THOMAS A. DESJARDIN, DIRECTOR
BUREAU OF PARKS & LANDS
18 ELKINS LANE, HARLOW BUILDING



PHONE: (207) 287-3821
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WWW.MAINE.GOV/DACF/

Overview Statement

Harbor Management and Access Grant

NOTICE:

Applications for FY2018 are due at the Bureau of Parks and Lands or postdated by April 14, 2017.

Overview

The Submerged Lands Harbor Management and Access Grant Program (HMA) is administered by the Submerged Lands Program (SLP), a program of the Bureau of Parks and Lands (BPL) within the Maine Department of Agriculture, Conservation and Forestry (DACF). The SLP works to balance the public's right to access state waters with demand for private and commercial use of those waters. The SLP administers the Submerged Lands Leasing Program which provides limited leases and easements that allow piers and other structures to be built on and over state-owned, public submerged lands. Lease and easement revenue are used to support municipal harbor planning and public access improvements through grants to municipalities and state agencies. Maine's submerged lands include:

Coastal waters: All land from the mean low-water mark out to the three mile territorial limit (including islands).

Tidal Rivers: All land below the mean low-water mark of tidal rivers upstream to the farthest natural reaches of the tides.

Great Ponds: All land below the natural low-water mark of ponds that are 10 or more acres in size in their natural state.

Boundary Rivers: Land lying between the banks of rivers that form Maine's border with Canada.

What projects are eligible?

Coastal waters: Marine infrastructure needs that support public water access facilities including but not limited to, float¹ and gangway replacement, new piles or dolphins, boat ramp improvements, pier maintenance and repairs and hand carry boat access improvements. HMA will not pay for planning or engineering in coastal waters; coastal towns should continue to apply to the Maine Coastal Program at DACF for planning, feasibility studies and engineering.

Great Ponds: Public water access infrastructure needs such as float¹ and concrete ramp replacement¹, facility maintenance and repair. Other projects eligible on Great Ponds includes engineering, design, harbor management ordinances and planning for management and improvements to public water access facilities.

Please see the attached Quick Reference Guide to determine which state-administered grant program would best suit your community's project.

¹ Please check with the Bureau of Parks and Lands Boating Facilities Program to see if your municipality is eligible for free or low cost replacement of boarding floats and concrete boat ramps.

MSR



March 3, 2017

Howard Kroll
Town Manager

Howard,

Several Councilors and staff attended the Maine Municipal Workshop entitled "*Lifting the Haze: Marijuana & Legal Considerations*" on February 28, 2017 presented by Drummond Woodsum law firm.

Currently Hermon has provisions for medical marijuana cultivating and processing facilities in its land use ordinance, but with the passage of the *Marijuana Legalization Act MRSA c.417* we needed to become informed about the potential impacts of retail stores, social clubs and other recreational use issues that the new law provides for in order to craft appropriate land use regulations that need to be added to our current schedule of uses.

Our group learned that there are three distinct choices:

1. Allow State licensing regulations to be created and conform to those standards alone when processing applicants and add the use to our schedule of ordinances;
2. Craft our own local licensing process with additional regulations that work in concert with the State of Maine and add the use to our schedule of ordinances, or;
3. Prohibit the sale of recreational marijuana and associated social club opportunities entirely as provided in the law *MRSA c. 417 section 2447-item 4. Limitation on number of retail marijuana stores* and add the prohibited use to our code of ordinances using a land use amendment process.

The attachments describe our current fee schedule and land use approval process for medical marijuana facilities.

Please put this on the Council agenda so I can update them on our work to date. I will include a packet that is described above

Thanks,

Scott Perkins

Mailing address
PO Box 6300
Hermon, ME 04402-6300

Physical Address:
333 Billings Rd
Hermon, ME 04401

Telephone: 207 848-1010
FAX: 207 848-3316
Website: www.Hermon.Net



Hermon
Fee Schedule

ORDINANCES	
Addressing Ordinance	\$2.50
Animal Control Ordinance	\$2.50
Building Code Ordinance	Not available
Cable TV Ordinance	\$0.50
Cemetery Ordinance	\$2.50
Charter	No Charge
Constable Deputy Ordinance	\$1.00
Concourse Gathering Ordinance	\$4.00
Directional Sign Ordinance	\$4.00
Fire Department Ordinance	\$1.50
General Assistance	\$15.00
Holding Tank Ordinance	\$4.00
Lane Use Ordinance	\$10.00
Mobile Home Park Ordinance	\$7.00
Motorized Vehicle Ordinance	\$0.50
No Parking Ordinance	\$1.00
Property Maintenance Ordinance	\$1.25
Public Sewage Disposal and Use Ordinance	\$6.00
Recreation Ordinance	\$1.00
Use of Public Sewers and Drains Ordinance	\$15.25
Solid Waste/Recycling Ordinance	\$5.00
Special Amusement Ordinance	\$4.00
Speed Limit Ordinance	\$2.00
Tent and Recreational Vehicle Parks Ordinance	\$5.00
Total Ordinance Packet=	\$95.50

CODE/LAND USE/ZONING FEES	
Subdivisions	
Subdivision Fee	\$250.00 + \$100.00/lot
Amend Plan	\$250.00
Amend Final Plan	\$150.00
Site Plan Review (PUD)	\$250.00
Site Plan Review	\$10,000
Marijuana Cultivation Facility	
Marijuana Cultivation Facility Annual Renewal (Code Enforcement Review)	\$5,000
Campgrounds	Subdivision
Mobile Home Parks	Subdivision
Excavation – Earth Moving Permit	\$25.00
Rear Lot	\$50.00
Sewer Fees	
Assessment per linear foot	\$6.00

§ 154.083 MEDICAL MARIJUANA CULTIVATION AND PROCESSING FACILITY

- (A) All medical marijuana cultivation and/or processing must be conducted in a non-transparent secured building.
- (B) The security measures to be employed at the premises shall include, but are not limited to: lighting; alarms; camera; armed security personnel on premises 24 hours a day, seven days a week; and automatic law enforcement notification.
- (C) Security surveillance shall, at a minimum, include security surveillance cameras installed and operated 24 hours seven days a week to monitor all entrances, along with interior and exterior of the premises to discourage and facilitate the reporting of criminal acts and nuisance activities occurring at the premises. All security recordings shall be preserved for at least one week by the management of the facility.
- (D) Applicants shall describe how the cultivated and /or processed medical marijuana will be safely and securely transported to the distribution facility and or qualified patients.
- (E) On-site display or sale of paraphernalia employed in the consumption of medical marijunan shall not be allowed at the cultivation and/or processing facility.
- (F)-All medical marijuana cultivation and/or processing facility shall maintain a setback of 150' from the side and rear property lines of the industrial district where they are permitted.
- (G) All signage and advertising for a medical marijuana cultivation and/or processing facility shall comply with §§ 154.225 through 1554.231, signage;
- (H) A medical marijuana cultivation and/or processing facility must be served by municipal water and sewer and facility shall not rely on non-municipal water supply or wasterwater;
- (I) Planning Board may place restrictions on outside storage of material and equipment.

(Ord passed...)
3/21/19

COMMERCIAL USES	AF	RA	RB	RC	C	VC	I
Auction Barn	P	N	N	N	S	S	S
Automobile Body Shop	N	N	N	N	S ⁹	S ⁹	P
Automobile Service Station	N	N	N	N	P	S	P
Aviation Field	S	N	N	N	N	N	S
Bakery	N	N	N	N	P	P	P
Barber Shop, Beauty Shop	N	N	N	N	P	P	P
Bed and Breakfast	P	N	P	N	N	P	N
Building Supply/Lumber Yard	N	N	N	N	P	N	P
Business and Professional Office, Class 1 ⁷	N	N	N	N	P	P	P
Business and Professional Office, Class 2	N	N	N	N	S	S	S
Business Park	N	N	N	N	S	S	S
Campground	S	N	N	N	N	N	S
Commercial Art Studio	P	N	N	N	P	P	P
Commercial Greenhouse	S	N	N	N	S	S	S
Commercial Complex (Shopping Center)	N	N	N	N	S	S	N
Communication Facility	S	N	N	N	S	N	S
Contract Postal Unit	N	N	N	N	P	P	P
Home Day Care	P	P	P	P	N	P	N
Adult Day Care	S	N	S	S	N	S	N
Child/Adult Day Care Center	N	N	N	N	S	S	S
Funeral Home	N	N	N	N	S	S	S
Golf, Ski, Other Recreation Facility	S	N	S	N	S	S	S
Gymnasium, Fitness Center	N	N	N	N	P	S	P
Hotel/Motel/Overnight Cabin	N	N	N	N	P	N	P
Kennel, Breeding ¹⁰	S ¹⁰	N	S ¹⁰	N	S ¹⁰	S ¹⁰	S ¹⁰
Kennel, Commercial ¹¹	S ¹¹	N	N	N	S ¹¹	S ¹¹	S ¹¹
Kennel, Non - Commercial ¹⁰	P ¹⁰	N	P ¹⁰	N	P ¹⁰	P ¹⁰	P ¹⁰
Laundromat/Dry Cleaner	N	N	N	N	P	P	P
Medical Marijuana Cultivation and/or Processing Facility ¹⁴	N	N	N	N	N	N	S ⁴
Medical Marijuana Cultivation - Private Caregivers ¹⁵	Y ¹⁵	Y ¹⁵	Y ¹⁵	Y ¹⁵	Y ¹⁵	Y ¹⁵	Y ¹⁵
Medical, Dental Clinic	N	N	N	N	S	S	S
Substance Abuse Clinic ¹²	N	N	N	N	S	S	S ¹²
Medical Labs	N	N	N	N	S	S	S
Motor Vehicle Sales and Rentals	N	N	N	N	P	S	P
Neighborhood Grocery Store	N	N	S	S	S	S	S
Newspaper/Printing Facility	N	N	N	N	P	N	P

COMMERCIAL USES (continued)	AF	RA	RB	RC	C	VC	I
Place of Public Amusement	N	N	N	N	N	N	N
Place of Public Assembly or Culture	N	N	N	N	P	S	P
Place of Public Entertainment	N	N	N	N	P	N	P
Recreational Vehicle Sales and Rental	N	N	N	N	P	S	P
Redemption Center ¹³	N	N	N	N	S ¹³	S ¹³	P ¹³
Restaurant	N	N	N	N	S	S	S
Retail Store Class 1 ⁸	N	N	N	N	P	P	P
Retail Store Class 2	N	N	N	N	S	S	S
Service Establishments Class 1 ⁸	N	N	N	N	P	P	P
Service Establishments Class 2	N	N	N	N	S	S	S
Storage-Self Facility							
1-10 Units	P	N	N	N	P	N	P
11 and up	S	N	N	N	S	N	S
Veterinary Clinic	S	N	N	N	P	S	P
Accessory Structure or Use	P	N	P	P	P	P	P

Notes to Table of Commercial Uses:

⁸ Class 1 Uses require Site Plan Review Approval by the Code Enforcement Officer.

⁹ Automotive Body Shop - Vehicles awaiting bodywork shall be in a screened in area as approved by the Planning Board.

¹⁰ Breeding kennels and noncommercial kennels shall have a minimum lot size of 5 acres. Setbacks for structures shall be the same as for the underlying zone. Setbacks for outdoor runs shall be 200 feet to nearest residence or 50 feet to nearest residential side line, whichever is greatest. In no case shall outside runs for kennels be within the minimum setback for the zone.

¹¹ Commercial kennels shall have a minimum lot size of 5 acres. Setbacks for structures shall be the same as for the underlying zone. Setbacks for outdoor runs shall be 300 feet to nearest residence or 100 feet to nearest residential side line, whichever is greatest. In no case shall outside runs for kennels be within the minimum setback for the zone.

¹² Substance Abuse Clinic

a) All substance abuse clinics shall have a minimum of 5 acres.

b) All substance abuse clinics shall be situated on land owned by the care provider.

c) All buildings associated with the clinic must be located at least 100 feet from all property lines which abut the VC, C and I Districts and at least 500 feet from the AF, RA, RB and RC Districts.

d) No clinic shall be operated within a half mile radius of any school or daycare facilities operating at the time of the application for a Substance Abuse Clinic.

¹³ Redemption Center - Beverage containers shall not be stored on site for more than thirty (30) days.

→ ¹⁴ Medical Marijuana Cultivation and/or Processing Facility standards see §154.083

Definition for Medical Marijuana Cultivation and/or Processing Facilities see §§ 154.008

¹⁵ Medical Marijuana Cultivation – Private Caregivers

Per Rules Governing the Maine Medical Use of Marijuana Program 10- 144 CMR, Chapter 122, Section 2, §2.7.1.1.1- An enclosed outdoor area must have a privacy fence at least 6 feet high that obscures the view of the marijuana to discourage theft and unauthorized intrusion. Additionally all fencing associated with an outdoor growing area must be located a minimum of 55' from all property lines and 1000' from any school property line.

manufacturing; chemical manufacturing; textile mills; steel fabrication; manufactured housing manufacturing; roof truss manufacturing; sawmills, turneries and fuel wood production; dairies; grain mills; seafood products production; and beverage manufacturing.

MANUFACTURING, LIGHT. Light manufacturing shall include industrial uses in which manufacturing processes are wholly contained within a building and which exhibit no external evidence of a manufacturing process such as but not limited to noise, odor, vibration, dust, smoke, cinders, or fumes.

MARIJUANA-

- a. **Medical Marijuana Cultivation and Processing Facility** - A facility owned or operated by a Registered Dispensary used for the cultivation or growing of medical marijuana.
- | b. **Registered Dispensary or Dispensary** - A not for profit entity registered under 22 M.R.S.A. Section 2428 that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and educational material to registered patients who have designated the dispensary to cultivate marijuana for their medical use and the registered primary caregivers of those patients.

MARINA. A business establishment having frontage on navigable water and, as its principal use, providing for hire offshore moorings or docking facilities for boats, and which may also provide accessory services such as boat and related sales, boat repair and construction, indoor and outdoor storage of boats and marine equipment, boat and tackle shops and marine fuel service facilities.

MARKET VALUE. The estimated price a property will bring in the open market and under prevailing market conditions in a sale between a willing seller and a willing buyer, both conversant with the property and with prevailing general price levels.

MEAN SEA LEVEL. For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate map are referenced.

MINIMUM LOT WIDTH. The closest distance between the side lot lines of a lot.

MINERAL EXPLORATION. Hand sampling, test boring, or other methods of determining the nature or extent of mineral resources which create minimal disturbance to the land and which include reasonable measures to restore the land to its original condition.

MINERAL EXTRACTION. Any operation within any 12-month period which removes more than 1,000 cubic yards of soil, topsoil, loam, sand, gravel, clay, rock, peat, or other like material from its natural location and to transport the product removed, away from the extraction site.

MINOR DEVELOPMENT. All development that is not new construction or a substantial improvement, such as repairs, maintenance, or renovations, whose value is less than 50% of the market value of the structure. It includes, but is not limited to, mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, deposition