



Town of Hermon

Public Safety Meeting Room

April 29, 2021

Town Council Meeting

7:00 PM

AGENDA

Council Meetings may be viewed live online and are archived after the meeting
has taken place – check hermon.net Town Council for a Zoom 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:**

SIGNATURES. –APPROVE

MINUTES. -APPROVE 4/15/2021 Minutes

WARRANTS. –SIGN 4/30/2021 Warrant

RESOLVES. -SIGN

V. NEWS, PRESENTATIONS AND RECOGNITIONS:

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



VII. PUBLIC HEARINGS:

- **Hold** a Public Hearing -- RPM Group (David Ramsay) is requesting a zone change from Agricultural Forestry to Residential B, Map 040 Lot 50-1 off Lily Lane for future development.
- **Hold** a Public Hearing -- W. L. Properties (Scott Pelletier) is requesting a zone change form Agricultural Forestry to Residential A, Map 011 Lot 052 (Newburgh Road) for future Residential A Subdivision.
- **Hold** a Public Hearing -- W. L. Properties (Scott Pelletier) is requesting a zone change form Agricultural Forestry to Residential B, Map 006 Lot 005 (Bog Road) for future Residential B. Subdivision single family homes or muti-family units

VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

- R20-21-37** **Approve** a Zone Change request to Map 040 Lot 50-1 off Lily Lane for future development. The proposed zone change will be from Agricultural Forestry to Residential B.
- R20-21-38** **Approve** a Zone Change request to Map 011 Lot 052 (Newburgh Road) for future Residential A Subdivision. The proposed zone change will be from Agricultural Forestry to Residential A.
- R20-21-39** **Approve** a Zone Change request to Map 006 Lot 005 (Bog Road) for future subdivision single family homes or muti-family units. The proposed zone change will be from Agricultural Forestry to Residential B.
- O20-21-15** **Consider** approving and holding a public hearing on May 27, 2021 for Municipal Budget
- O19-20-16** **Consider** approving and holding a public hearing on May 27, 2021 for School Budget
- FR20-21-23** **Consider** awarding construction and paving bid



C. WORKSHOPS:

D. OTHER ITEMS: (from Table Package)

X. APPOINTMENTS:

XI. MANAGER STATUS REPORT:

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

XIII. COUNCIL ITEMS:

XIV. EXECUTIVE SESSION:

Consider enter into Executive Session to discuss economic development matter(s) per 1 M.S.R.A. § 405(6)(C)

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

April 15, 2021

Town Council Meeting

7:00 PM

MINUTES

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

*****ALL ITEMS ARE SUBJECT TO APPROPRIATE COUNCIL ACTION*****

I. CALL TO ORDER BY CHAIRPERSON

II. PLEDGE OF ALLEGIANCE

Chair Thomas led those in attendance in the Pledge of Allegiance

III. ROLL CALL

Members Present: John Snyder III, Douglas “Doug” Sinclair Sr., Ronald “Ron” Murphy, Charles Lever IV, Steven “Steve” Thomas, Anthony “Tony” Reynolds and G. Stephen “Steve” Watson

Members Absent:

Others Present: Town Manager Howard Kroll, Town Clerk Kristen Cushman, and Scott Perkins

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

SIGNATURES. –APPROVE

MINUTES. –APPROVE 4/1/2021 Minutes

WARRANTS. –SIGN 4/16/2021 Warrant

RESOLVES. –SIGN

Councilor Snyder moved to approve the Consent Calendar as presented. Councilor Murphy seconded the motion. Motion passes 7-0.

V. NEWS, PRESENTATIONS AND RECOGNITIONS:



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

VII. PUBLIC HEARINGS:

- **Hold a Public Hearing -- Special Projects CV-19 CDBG Grant.** The purpose of the grant is to provide gap financing job retention and/or job growth assistance for NTENSION.

Chair Thomas opened the public hearing at 7:01PM. The hearing closed at 7:20PM.

Scott Perkins gave an over view of the proposed CV-19 CDBG Grant.

Manager Kroll gave an overview of the Grant as follows:

The Town of Hermon has applied for CDBG funds on behalf of NTENSION. CDBG funds are federal proceeds that have precise requirements. Requirements such as:

- ✓ **forming an advisory committee (requirement for each grant program),**
- ✓ **creating/adopting a complaint policy (allows recipients to voice their concerns/complaints to a body- typical for a housing/infrastructure grant- NOT this type of program),**
- ✓ **developing program guidelines including standards of conduct (requirement for each grant program),**
- ✓ **fair housing resolution adoption (requirement for each grant program),**
- ✓ **signing a 504 certification (requirement for each grant program), and**
- ✓ **adopting an anti-displacement assistance plan and stating that the Town of Hermon is an equal opportunity employer (requirement for each grant program)**

These are standard requirements for all CDBG programs regardless if there is a housing program included in a municipality's grant program.

This grant we are proposing to accept is unique. COVID-19 funds have been made available to prospective businesses that have or will create a line of services or goods used to combat the COVID-19 pandemic. Only



those businesses are eligible for these funds. **NTENSION of Hermon happens to be one of those few Maine companies.** The municipality is the fiscal agent who accepts the grant and ensures guidelines are met. Once that is complete the grant is closed out and audited for compliance. This grant was applied for by NTENSION and they are required to meet all of the conditions set forth in the agreement. The Town is not responsible for NTENSION and their ability to meet the requirements.

I strongly support NTENSION in their quest for these grant funds to subsidize their commitment to combat COVID-19.

Questions were asked regarding if NTENSION would receive the grant before the requirements were implemented or after. Scott stated it would be after the requirements were met.

VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

R20-21-28 Consider forming a Community Development Advisory Committee to over see the CDBG Grant for NTENSION.

Councilor Snyder moved to approve R20-21-28. Councilor Murphy seconded the motion. The motion was accepted unless doubted. Motion passes.

R20-21-29 Consider adopting CDGB Program Complaint Policy (2020 Special Projects CV-19 Grant program)

Councilor Reynolds moved to approve R20-21-29. Councilor Snyder seconded the motion. The motion was accepted unless doubted. Motion passes.

FR20-21-22 Consider accepting CDGB funds (2020 Special Projects CV-19 Grant program) in the amount of \$250,000

Councilor Snyder moved to approve FR20-21-22. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 7-0.



R20-21-30 Consider adopting CDGB (2020 Special Projects CV-19 Grant program) Standards of Conduct

Councilor Snyder moved to approve R20-21-30. Councilor Reynolds seconded the motion. The motion was accepted unless doubted. Motion passes.

R20-21-31 Consider adopting CDGB (2020 Special Projects CV-19 Grant program) Fair Housing Resolution

Councilor Snyder moved to approve R20-21-31. Councilor Murphy seconded the motion. The motion was accepted unless doubted. Motion passes.

R20-21-32 Consider authorizing the Town Manager or his designee to complete and sign the Fair Housing Self Assessment for CDGB Grant (2020 Special Projects CV-19 Grant program).

Councilor Murphy moved to approve R20-21-32. Councilor Snyder seconded the motion. The motion was accepted unless doubted. Motion passes.

R20-21-33 Consider authorizing the Town Manager or his designee to sign the 504 Certification for the CDGB Grant (2020 Special Projects CV-19 Grant program).

Councilor Murphy moved to approve R20-21-33. Councilor Snyder seconded the motion. The motion was accepted unless doubted. Motion passes.

R20-21-34 Consider adopting the Residential Antidisplacement & Relocation Assistance Plan for the CDGB Grant (2020 Special Projects CV-19 Grant program)

Councilor Snyder moved to approve R20-21-34. Councilor Murphy seconded the motion. The motion was accepted unless doubted. Motion passes.

R20-21-35 Consider adopting the Equal Employment Opportunity Policy Statement for the CDGB Grant (2020 Special Projects CV-19 Grant program)

Councilor Snyder moved to approve R20-21-35. Councilor Murphy seconded the motion. The motion was accepted unless doubted. Motion passes.



O20-21-13 Consider scheduling a Public Hearing for a zone change request on 5/13/2021. Clark Road Properties, LLC (Alan Dorr, Jr.) is requesting a zone change from Residential B and Agricultural Forestry to Residential A for Map 042 Lot066, Map 049 Lot 006 and Map 041 Lot 051 for a residential subdivision.

Councilor Sinclair moved to approve O20-21-13. Councilor Murphy seconded the motion. The motion was accepted unless doubted. Motion passes.

O20-21-14 Consider scheduling a Public Hearing for a Special Amusement Permit for Morgan Hill Event Center on May 13, 2021

Councilor Reynolds moved to approve O20-21-14. Councilor Snyder seconded the motion. The motion was accepted unless doubted. Motion passes.

O20-21-17 Consider scheduling a Public Hearing for Conley Events LLC DBA Morgan Hill Event Center Liquor License Renewal Application on May 13, 2021

Councilor Snyder moved to approve O20-21-17. Councilor Lever seconded the motion. The motion was accepted unless doubted. Motion passes.

O20-21-18 Consider scheduling a Public Hearing for XL Golf (DBA The Sports Arena Liquor License Renewal Application May 13, 2021

Councilor Lever moved to approve O20-21-18. Councilor Snyder seconded the motion. The motion was accepted unless doubted. Motion passes.

R20-21-36 Consider appointing Chief Frank Roma to be an “authorized person” for a grant application with the Penobscot Emergency Management Office for the Homeland Security Grant.

Councilor Reynolds moved to approve R20-21-28. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 7-0.

C. WORKSHOPS:

FY22 Municipal Budget Presentation

Manager Kroll gave an overview of the budget:

I am providing for your review the proposed FY22 municipal budget.

Overall revenues for FY 2022 will realize an increase of an estimated \$477,710 while expenses are increased by \$477,710 resulting in a net increase of \$0.



Various drivers for the increase in expenses:

- ✓ County Tax increased by \$83,000
- ✓ Snow Plow Contract increased by \$ 122,723 due to additional 14 miles added back to contract and annual adjustment of the per mile charge from \$6,200 to \$6,500.
- ✓ Economic Development projects increased by \$129,394 due to agreements with Mathews Brothers and paving one of the industrial parks.
- ✓ County Law Enforcement agreement increased by \$14,165, year 2 of 5 year contract.
- ✓ Additional paving of town owned roads increased by \$33,156.
- ✓ Sewer pump station maintenance increased by \$5,500 due to tech demands.

Increased revenues to offset the additional expenses recommended as follows:

- ✓ TIF Revenues- \$6,570 increase
- ✓ Vehicle Excise Tax-\$150,000 increase
- ✓ Undesignated Fund Balance- \$100,000 increase
- ✓ Agent Fees-\$7,000 increase
- ✓ State Revenue Sharing- \$50,000 increase

I anticipate no increase in property taxes for the municipal portion of the budget. As you review the information, should you have any questions, please feel free to contact me.

Councilor Thomas a few general questions.

- **Q: Hermon Connection has an increase. A: Last FY Connection was decreased by two issues and next FY we have added the two issues back in plus additional cost to producing the Connection.**
- **Q: Cemetery stone repair. A: Repair to stones are done each year. Working on the worst ones first.**
- **Q: Could the Town have a hazardous waste removal day A: This will be looked into and the cost.**



D. OTHER ITEMS: (from Table Package)

Councilor Reynolds moved to waive council rules and accept the table packet. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 7-0.

XIV. EXECUTIVE SESSION:

Consider enter into Executive Session to discuss personnel matter(s) per 1 M.S.R.A. § 405(6)(A)

X. APPOINTMENTS:

XI. MANAGER STATUS REPORT:

April 19, 2021 is Patriots Day and the Town Office will be closed.

Route 2/Annis Road project will be starting on April 24th – delays anticipated.

On April 29, 2021 Public Hearings will be held during the next Council meeting. Please remember to social distance and wear a mask.

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

XIII. COUNCIL ITEMS: None

XIV. EXECUTIVE SESSION:

Councilor Snyder moved to enter Executive Session to discuss personnel matter(s) per 1 M.S.R.A. § 405(6)(A). Councilor Reynolds seconded the motion. The motion was accepted. Motion passes 7-0.

XV. ADJOURNMENT:

Councilor Snyder moved to adjourn the meeting at 8:45PM. Councilor Sinclair seconded the motion. With no objection the meeting was adjourned at 8:45 PM.

Respectfully Submitted,

Kristen Cushman, Town Clerk

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.



R20-21-37

Be it resolved by the Hermon Town Council in Town Council assembled for a Zone Change request to Map 040 Lot 50-1 off Lily Lane for future development. The proposed zone change will be from Agricultural Forestry to Residential B.

SIGNED this April 29, 2021 by the Hermon Town Council:

Ronald Murphy

Charles Lever IV

John Snyder III

Anthony Reynolds

Douglas Sinclair, Sr.

Steven Thomas

G. Stephen Watson

Attest Original: _____

Motion _____	Yeas _____	Date _____
Second _____	Nays _____	



Hermon
MEMORANDUM

TO: Howard Kroll, Town Manager
Hermon Town Council
Cc/ K. Cushman, Town Clerk

FROM : Annette M. Merrithew, CEO *amm*

DATE: March 15, 2017

SUBJECT: Zone change request

The Planning Board has asked that I forward the attached zone change requests to the Town Council for Public Hearing.

- A) RPM Group (David Ramsay) is requesting a zone change from Agricultural Forestry to Residential B, Map 40, Lot 50-1 off Lily Lane for future development. The Planning Board held their Public Hearing on March 2, 2021 and voted unanimously to forward the request onto the Town Council for Public Hearing and vote.

Map 40 Lot 50-1

1

Hermon

ZONE CHANGE APPLICATION

The Hermon Planning Board will hold a Public Hearing on the following request for a zone change and forward their findings on to the Hermon Town Council for an additional Public Hearing and shall vote to approve or deny the request.

Application fee: pd 2/18/21 Fee: \$300.00 plus mailing costs

1. Current property owner: David Ramsay Dda - RPM Group LLC.

2. Owner's address: 23 Lily Lane Hermon Phone: 745 8632

3. Street address of property: _____

4. Applicant's name: David Ramsay / RPM Group LLC

5. Applicant's address: same as above

6. Applicant's phone #: " " "

7. Present Zoning classification: Ag/Forestry

8. Requested zoning classification: RB

9. Attach legal description of property to be rezoned.

Please answer the following questions in detail. This information will be used to evaluate whether your request complies with the criteria for a zone change.

1. Is the current zoning of this property a mistake
NO

2. Will the change in zoning conform with the policies and objectives of the Comprehensive Plan? YES

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

3. Will the overall change in the zoning district result in development which is compatible to the surrounding districts? **Yes**
4. Will the change affect the current use of other land in the vicinity? **NO**
5. Why is it appropriate at this time to permit the specific type of zone change?
Development approved 2016 -
6. What are the current uses on the abutting parcel(s)?
RB
7. Explain how the surrounding property within 200' of the perimeter of your property is zoned.
RB
8. Have any changes taken place which would make the zone change appropriate now rather than at an earlier date? **No**

You may consider such things as development of surrounding property, new streets, sewer or water lines and housing trends

9. Has a zone change ever been attempted before on this property by you or anyone else ?
NO

ADDITIONAL REQUIREMENTS:

- A. Attach a copy of the most current tax map / lot of the property to be rezoned
- B. Provide a list of the names and addresses of all property owners within 100' of the exterior boundaries of the subject property
- C. Provide evidence you are the owner or purchaser of the property or have written consent from the property owner to make application for a zone change
- D. Enclose the application fee of \$300.00 (Mailing cost for public hearing will be charged to the applicant)

The above and attached statements are true to the best of my belief and knowledge. I understand this application must be completed and accurate before a hearing can be scheduled and that only those items specifically mentioned in the application can be considered and acted upon at the Planning Board level and at the Town Council level.


Applicant's signature

8 Feb 2021
Date

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



7.33 acres

map lot
110-50A1

Bk 10400 Pg 302 #13028
04-25-2006 @ 10:59a

WARRANTY DEED

ROBERT R. TAMBLING and ANNIE H. TAMBLING, husband and wife, of Hermon, Penobscot County, State of Maine, for consideration paid, grant to RPM GROUP, LLC, of Hermon, Penobscot County, State of Maine, with Warranty Covenants, the land together with any buildings or improvements thereon in Hermon, Penobscot County, State of Maine, described as follows:

A certain lot or parcel of land situated easterly of Wing Road, Town of Hermon, Penobscot County, Maine and being bounded and described as follows:

Commencing at a #6 rebar capped LS 1058 set in the easterly line of said Wing Road at the southwesterly corner of land described in deed of Anton W. Anzelc and Susan H. Anzelc to Robert R. Tambling and Annie H. Tambling dated December 14, 1970, recorded in Penobscot Registry of Deeds Volume 2202, Page 269;

Thence by and along the southerly line of said Tambling's lot, as indicated by a stonewall, South 79° 37' 14" East 436.48 feet to a #6 rebar capped LS 1058 and the TRUE POINT OF BEGINNING;

Thence North 07° 41' 10" East 700.94 feet to a #6 rebar capped LS 1058 set in the line of a stonewall in the northerly line of said Tambling lot;

Thence South 79° 04' 52" East, by and along the northerly line of said Tambling lot, as indicated by said stonewall, 527.53 feet to the northeasterly corner of said Tambling lot;

Thence along an existing stonewall depicting the easterly line of said Tambling lot, South 22° 29' 12" West 159.13 feet;

Thence continuing along said stonewall, South 17° 34' 29" West 169.96 feet to an existing #6 rebar capped LS 1058;

Thence continuing along said stonewall the following:

South 18° 29' 06" West 67.35 feet;

South 14° 50' 14" West 235.80 feet;

South 10° 41' 11" West 69.23 feet to a found #6 rebar capped LS 1058 set at the southeasterly corner of said Tambling lot;

Thence by and along a stonewall depicting the southerly line of said Tambling lot, North 79° 37' 14" West 411.71 feet to the rebar at the TRUE POINT OF BEGINNING.

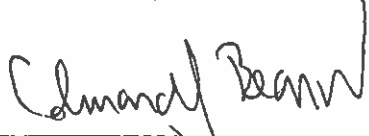
Containing 7.33 acres.

Being the same premises as described in a mortgage from Robert and Annie Tambling to Bangor Savings Bank dated December 10, 1970 and recorded in the Penobscot County Registry of Deeds in Book 2202, Page 272.

Any and all other rights, easements, privileges and appurtenances belonging to the granted estate are hereby conveyed.

The Grantees' mailing address is 295 Smith Road, Hermon, Maine, 04401.

WITNESS my hand and seal this 24th day of April, 2006.


Edmond J. Beador, Witness
to both


Robert R. Tambling


Annie H. Tambling

STATE OF MAINE
PENOBSCOT, ss.

April 24, 2006

Then personally appeared the above-named Robert R. Tambling, and acknowledged the foregoing instrument to be his free act and deed.

Before me,


~~Notary Public~~ Attorney-at-Law

47730/51358/56337.rle

Maine Real Estate
Transfer Tax Paid

PENOBSCOT COUNTY, MAINE

Register of Deeds



Dear Landowner,

As the last listed landowner, under the Hermon Tax Assessing records, I am providing the following notice for your information. If you have any questions please give me a call at 848-1042.

Thank you,

Annette

Annette M. Merrithew
Code Enforcement Officer
Town of Hermon

Legal Notices

#1 PUBLIC HEARING- Ramsay

BY ORDER of the Hermon Planning Board, a Public Hearing has been scheduled for Tuesday, March 2, 2021 at 6:30pm, in the Public Safety Meeting Room, for the purpose of reviewing a zone change request for Map 40 Lot 50-1 from Agricultural Forestry to Residential B.

NOTE: Due to Cov'd 19 restrictions the meeting room has limited capacity therefore this meeting has been broken down into 3 meetings with the Ramsay Zone Change Request #1 starting at 6:30. Anyone wishing to review the propose change and not attend the meeting may do so Monday, March 1 or Tuesday March 2 from 8-4 at the Code Enforcement Office. If any abutter would like to make written comments, please send them to the CEO and they will be read and become part of the minutes of the meeting. Once the Planning Board has reviewed the proposed changes either approving or denying them the Hermon Town Council will have a 2nd Public Hearing in April in which all abutters will be notified again. Minutes will be sent to all abutters receiving this notice.

Legal Notices

PUBLIC HEARING

BY ORDER of the Hermon Planning Board, a Public Hearing has been scheduled for **Tuesday, March 2, 2021, at 6:30pm**, in the Public Safety Meeting Room, for the purpose of approving/reviewing a Zone Change request from RPM Group for Map 40- Lot 50-1 located off Lily Lane.

Feb. 20, 2021



R20-21-38

Be it resolved by the Hermon Town Council in Town Council assembled for a Zone Change request to Map 011 Lot 052 (Newburgh Road) for future Residential A Subdivision. The proposed zone change will be from Agricultural Forestry to Residential A.

SIGNED this April 29, 2021 by the Hermon Town Council:

Ronald Murphy

Charles Lever IV

John Snyder III

Anthony Reynolds

Douglas Sinclair, Sr.

Steven Thomas

G. Stephen Watson

Attest Original: _____

Motion _____	Yeas _____	Date _____
Second _____	Nays _____	



TO: Howard Kroll, Town Manager
Hermon Town Council
Cc/ K. Cushman, Town Clerk

FROM : Annette M. Merrithew, CEO^{MMU}
DATE: March 15, 2017
SUBJECT: Zone change request

The Planning Board has asked that I forward the attached zone change requests to the Town Council for Public Hearing.

- A) W. L. Properties (Scott Pelletier) is requesting a zone change from Agricultural Forestry to Residential A – Map 11, Lot 52 (Newburgh Road) for a future Residential A Subdivision
The Planning Board held their Public Hearing on March 2, 2021 and voted 3- 2 -1 (J. Pelletier abstained) to forward the request onto the Town Council for Public Hearing and vote.

3



map # 3

ZONE CHANGE APPLICATION

The Hermon Planning Board will hold a Public Hearing on the following request for a zone change and forward their findings on to the Hermon Town Council for an additional Public Hearing and shall vote to approve or deny the request.

Application fee: _____ Fee: \$300.00 plus mailing costs

- 1. Current property owner: W.L. Properties LLC
- 2. Owner's address: 205 Bemis Rd. Phone: _____
Carmel, ME
- 3. Street address of property: Newburgh Road
- 4. Applicant's name: W.L. Properties LLC
- 5. Applicant's address: 205 Bemis Road Carmel
- 6. Applicant's phone #: _____
- 7. Present Zoning classification: A + F
- 8. Requested zoning classification: ~~Residential B~~, Residential A
Split
- 9. Attach legal description of property to be rezoned. See attached.

Please answer the following questions in detail. This information will be used to evaluate whether your request complies with the criteria for a zone change.

- 1. Is the current zoning of this property a mistake nd
- 2. Will the change in zoning conform with the policies and objectives of the Comprehensive Plan ?

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

3. Will the overall change in the zoning district result in development which is compatible to the surrounding districts? *yes*

4. Will the change affect the current use of other land in the vicinity?

no

5. Why is it appropriate at this time to permit the specific type of zone change?

to allow for more residential housing available

6. What are the current uses on the abutting parcel(s)?

Residential

7. Explain how the surrounding property within 200' of the perimeter of your property is zoned.

Residential / A + F

8. Have any changes taken place which would make the zone change appropriate now rather than at an earlier date?

no

You may consider such things as development of surrounding property, new streets, sewer or water lines and housing trends

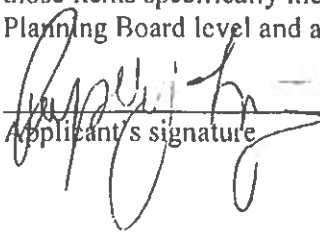
9. Has a zone change ever been attempted before on this property by you or anyone else ?

no

ADDITIONAL REQUIREMENTS:

- A. Attach a copy of the most current tax map / lot of the property to be rezoned
- B. Provide a list of the names and addresses of all property owners within 100' of the exterior boundaries of the subject property
- C. Provide evidence you are the owner or purchaser of the property or have written consent from the property owner to make application for a zone change
- D. Enclose the application fee of \$300.00 (Mailing cost for public hearing will be charged to the applicant)

The above and attached statements are true to the best of my belief and knowledge. I understand this application must be completed and accurate before a hearing can be scheduled and that only those items specifically mentioned in the application can be considered and acted upon at the Planning Board level and at the Town Council level.


Applicant's signature

2-16-21
Date

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

WARRANTY DEED

^{N O T} Kevin W. Weatherbee and ^{N O T} Barbara J. Weatherbee, both of Hermon, Penobscot County, Maine, for consideration paid, grant to WE Properties, LLC, a Maine limited liability company with a place of business in Carmel, Penobscot County, Maine (and a mailing address of 209 Bemis Road, Carmel, Maine 04119-3029) with Warranty Covenants, the following described real estate: ^{C O P Y}

Certain lots or parcels of land, together with any improvements located thereon, situated in Hermon, Penobscot County, Maine, more particularly described as follows: ^{O T}

^{A N} Parcel One: (known as the Abner Crocker farm) Bounded on the east by land formerly owned by Benjamin Klobat; on the west by land now or formerly owned by Elmer Howe, Robert Swan and The Verrill Estate; on the north by land now or formerly owned by the Verrill Estate; on the south by Hermon Pond. Excepting that portion of the above described premises conveyed by Charles S. McDonald and Dorothy S. McDonald to Lloyd Goodspeed and Louise G. Goodspeed by deed dated July 1, 1961 and recorded in Penobscot Registry of Deeds in Book 1793, Page 150. Also excepting that parcel of land conveyed to Frances R. Hunter by Clifford A. Hunter and Frances R. Hunter by deed dated May 18, 1990 and recorded in said registry in Book 4647, Page 176. Further excepting from the above described premises a parcel of land which was conveyed by Charles S. McDonald to Lloyd Goodspeed and Louise G. Goodspeed, husband and wife, by deed dated September 10, 1965 and recorded in Penobscot Registry of Deeds in Book 1526, Page 262.

For grantors' source of title, reference may be had to a deed from Clifford A. Hunter and Frances R. Hunter to the grantors herein, dated May 16, 2007, recorded in Penobscot Registry of Deeds, Volume 10987, Page 104.

^{A N} Parcel Two: A certain lot or parcel of land with any improvements located thereon situated on the northerly side of the Newburgh Road, so called, in Hermon, Penobscot County, Maine, more particularly described as follows:

Commencing at a #6 rebar found in the northerly line of said road, said rebar defining the southeast corner of said Weatherbee land, said rebar also defines the southwest corner of land formerly of Ruth Pendleton as described in Penobscot Registry of Deeds Volume 970, Page 39; thence westerly by and along the northerly line of said road 275 feet to the point of beginning; thence northerly at right angles to said road 300 feet; thence westerly at right angles 200 feet; thence southerly at right angles 300 feet to the northerly line of said road; thence easterly by and along the northerly line of said road 200 feet to the point of beginning.

For grantors' source of title, reference may be had to a deed from Clifford A. Hunter and Frances R. Hunter to the grantors herein, dated May 16, 2007, recorded in Penobscot Registry of Deeds, Volume 10987, Page 106.

Excepting from the above parcel(s) the following described real estate and improvements: Beginning at a rebar found at the intersection of the northerly sideline of the Newburgh Road and the westerly sideline of Pendleton Drive; thence South 88 degrees 6 minutes 35 seconds West but always by and along the northerly sideline of the Newburgh Road a distance of 400 feet to a point on the northerly sideline of the Newburgh Road; thence North 11 degrees 56 minutes 34 seconds West a distance of 228 feet to a grade stake found; thence North 25 degrees 14 minutes 34 seconds East 185 feet to a point; thence South 71 degrees 40 minutes 08 seconds East a distance of 406 feet to a point on the westerly sideline of Pendleton Drive; thence South 03 degrees 58 minutes 31 seconds West but always by and along the westerly sideline of Pendleton Drive a distance of 260 feet to the point of beginning.

Any and all other rights, easements, privileges and appurtenance belonging to the granted estate are hereby conveyed.

This conveyance is made subject to the property taxes assessed against the premises which said taxes are to be prorated between the parties hereto as of the date of delivery of this deed in accordance with 38 M.R.S.A., sec. 558.

NOT AN ORIGINAL COPY NOT AN ORIGINAL COPY

Witness on hands and seals this 30th day of October, 2020

WITNESS: Robert L. Baul Kevin W. Weatherbee

Robert L. Baul Barbara J. Weatherbee

NOT AN ORIGINAL COPY NOT AN ORIGINAL COPY

STATE OF MAINE
Penobscot, ss

October 30, 2020

Then personally appeared before me the above-named Kevin W. Weatherbee and Barbara J. Weatherbee, each individually acknowledging the foregoing instrument to be their free act and deed,

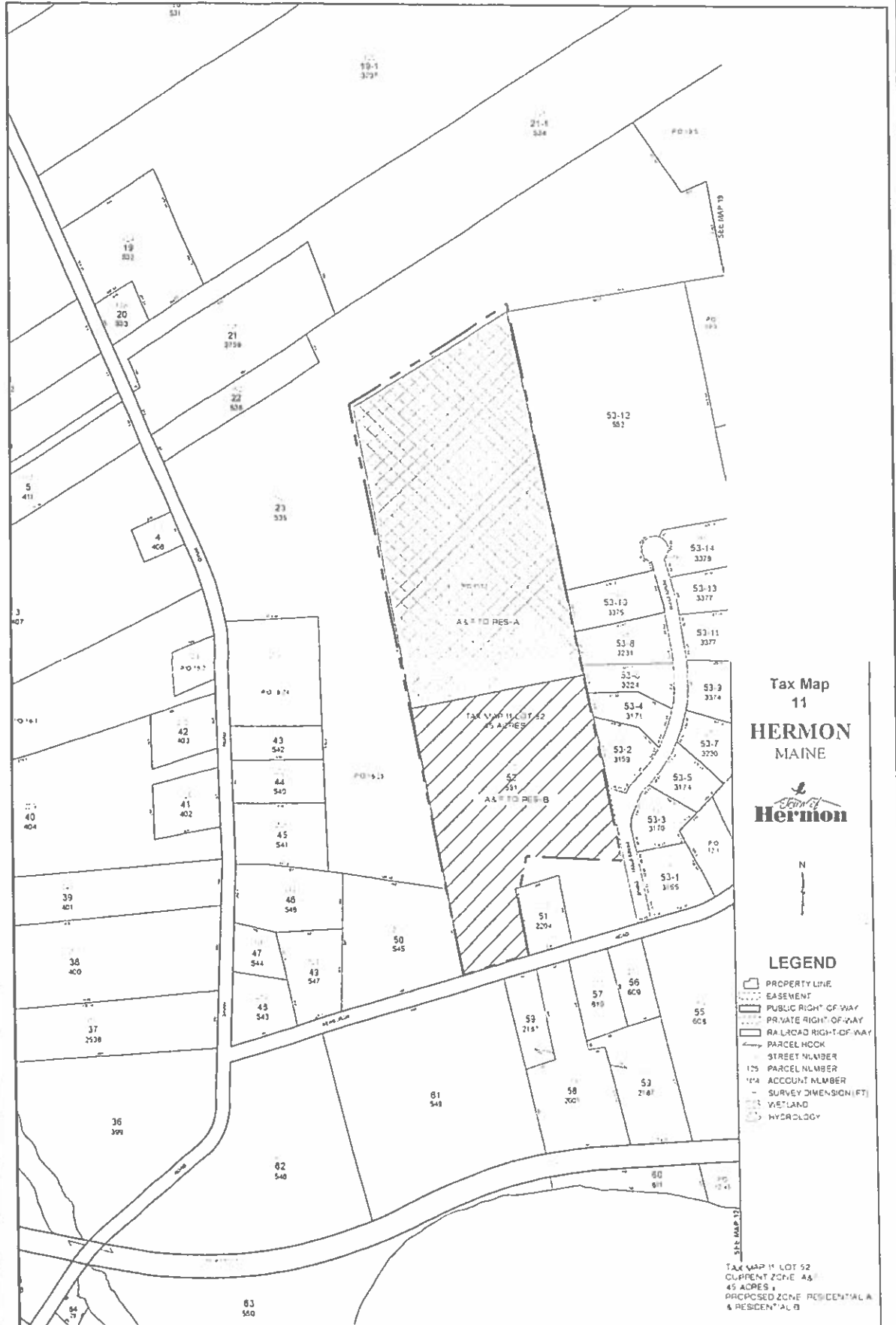
Before me,

Justus Kylee Doyon
 Notary Public, Justice of the Peace
 Commission Expiration:

AA1402-16/NF

Justus Kylee Doyon
 Notary Public, State of Maine
 My Commission Expires September 10, 2021

9
Newburgh



Tax Map
11
HERMON
MAINE
City of
Hermon



- LEGEND**
- PROPERTY LINE
 - - - EASEMENT
 - ▬ PUBLIC RIGHT OF WAY
 - ▬ PRIVATE RIGHT OF WAY
 - ▬ RA ROAD RIGHT-OF-WAY
 - ⊥ PARCEL HOOK
 - STREET NUMBER
 - 125 PARCEL NUMBER
 - 124 ACCOUNT NUMBER
 - SURVEY DIMENSION (FT)
 - WETLAND
 - HYDROLOGY

TAX MAP 11 LOT 52
CURRENT ZONE AS
45 ACRES
PROPOSED ZONE RESIDENTIAL A
& RESIDENTIAL B



Dear Landowner,

As the last listed landowner, under the Hermon Tax Assessing records, I am providing the following notice for your information. If you have any questions please give me a call at 848-1042.

Thank you,

Annette
Annette M. Merrithew
Code Enforcement Officer
Town of Hermon

Legal Notice

PUBLIC HEARING # 3 - 7:45pm

#2 - BY ORDER of the Hermon Planning Board, a Public Hearing has been scheduled for **Tuesday, March 2, 2021 at 7:45 pm**, in the Public Safety Meeting Room, for the purpose of reviewing a zone change request for Map 11, Lot 52 Newburgh Road. Front portion from Agricultural Forestry to Residential B, back portion from AF to RA (see attached Map)

NOTE: Due to Cov'd 19 restrictions the meeting room has limited capacity therefore this meeting has been broken down into 3 segments with the W.L. Properties Zone Change Request PB 21-003 starting at 7:45. Anyone wishing to review the propose change and not attend the meeting may do so Monday, March 1 or Tuesday March 2 from 8-4 at the Code Enforcement Office. If any abutter would like to make written comments, please send them to the CEO and they will be read and become part of the minutes of the meeting. Once the Planning Board has reviewed the proposed changes either approving or denying them the Hermon Town Council will have a 2nd Public Hearing in April in which all abutters will be notified again. – Minutes of the meeting will be sent to all abutters receiving this notice.

Legal Notices

PUBLIC HEARING

BY ORDER of the Hermon Planning Board, a Public Hearing has been scheduled for **Tuesday, March 2, 2021, at 7:15pm**, in the Public Safety Meeting Room, for the purpose of reviewing a Zone Change request for Map 11, Lot 52 and Map 6, Lot 5 from W. L. Properties.

Feb. 20, 2021



R20-21-39

Be it resolved by the Hermon Town Council in Town Council assembled for a Zone Change request to Map 006 Lot 005 (Bog Road) for future subdivision single family homes or muti-family units. The proposed zone change will be from Agricultural Forestry to Residential B.

SIGNED this April 29, 2021 by the Hermon Town Council:

Ronald Murphy

Charles Lever IV

John Snyder III

Anthony Reynolds

Douglas Sinclair, Sr.

Steven Thomas

G. Stephen Watson

Attest Original: _____

Motion _____	Yeas _____	Date _____
Second _____	Nays _____	



TO: Howard Kroll, Town Manager
Hermon Town Council
Cc/ K. Cushman, Town Clerk

FROM : Annette M. Merrithew, CEO (AMM)
DATE: March 15, 2017
SUBJECT: Zone change request

The Planning Board has asked that I forward the attached zone change requests to the Town Council for Public Hearing.

- A) W. L. Properties (Scott Pelletier) is requesting a zone change from Agricultural Forestry to Residential B – Map 006, Lot 005 (Bog Road) for a future Residential B single family homes or multi- families units
The Planning Board held their Public Hearing on March 2, 2021 and voted 6-0 to forward the request onto the Town Council for Public Hearing and vote.

2

map 6
A &



ZONE CHANGE APPLICATION

The Hermon Planning Board will hold a Public Hearing on the following request for a zone change and forward their findings on to the Hermon Town Council for an additional Public Hearing and shall vote to approve or deny the request.

Application fee: _____ Fee: \$300.00 plus mailing costs

1. Current property owner: W.L Properties LLC

2. Owner's address: 205 Bemis Rd, Carmel Phone: _____

3. Street address of property: Bog Road

4. Applicant's name: W.L. Properties LLC

5. Applicant's address: 205 Bemis Rd, Carmel

6. Applicant's phone #: _____

7. Present Zoning classification: A+F

8. Requested zoning classification: Residential B

9. Attach legal description of property to be rezoned.

Please answer the following questions in detail. This information will be used to evaluate whether your request complies with the criteria for a zone change.

1. Is the current zoning of this property a mistake
NO

2. Will the change in zoning conform with the policies and objectives of the Comprehensive Plan ?

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

yes

3. Will the overall change in the zoning district result in development which is compatible to the surrounding districts? *yes*

4. Will the change affect the current use of other land in the vicinity? *NO*

5. Why is it appropriate at this time to permit the specific type of zone change?
Need for additional Residential housing in the area

6. What are the current uses on the abutting parcel(s)?
residential

7. Explain how the surrounding property within 200' of the perimeter of your property is zoned.
residential / A + F

8. Have any changes taken place which would make the zone change appropriate now rather than at an earlier date?
no

You may consider such things as development of surrounding property, new streets, sewer or water lines and housing trends

9. Has a zone change ever been attempted before on this property by you or anyone else?
Not Aware of any previous attempts

ADDITIONAL REQUIREMENTS:

- A. Attach a copy of the most current tax map / lot of the property to be rezoned
- B. Provide a list of the names and addresses of all property owners within 100' of the exterior boundaries of the subject property
- C. Provide evidence you are the owner or purchaser of the property or have written consent from the property owner to make application for a zone change
- D. Enclose the application fee of \$300.00 (Mailing cost for public hearing will be charged to the applicant)

The above and attached statements are true to the best of my belief and knowledge. I understand this application must be completed and accurate before a hearing can be scheduled and that only those items specifically mentioned in the application can be considered and acted upon at the Planning Board level, and at the Town Council level.

[Handwritten Signature]

Applicant's signature

2-16-21

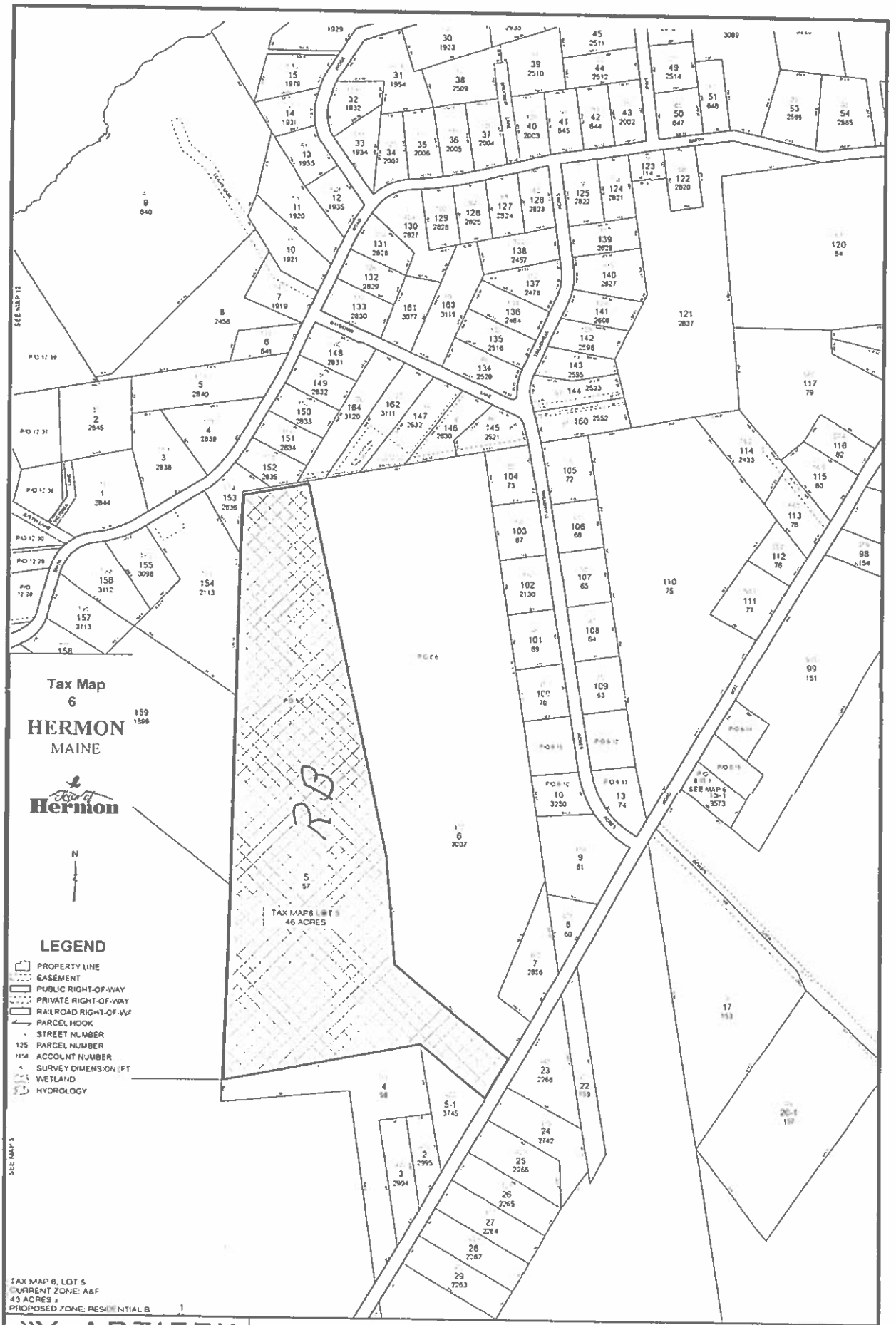
Date

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

209



Tax Map
6
HERMON
MAINE



LEGEND

- PROPERTY LINE
- EASEMENT
- PUBLIC RIGHT-OF-WAY
- PRIVATE RIGHT-OF-WAY
- RAILROAD RIGHT-OF-WAY
- PARCEL HOOK
- STREET NUMBER
- PARCEL NUMBER
- ACCOLNT NUMBER
- SURVEY DIMENSION (FT)
- WETLAND
- HYDROLOGY

TAX MAP 6, LOT 5
CURRENT ZONE: A6F
43 ACRES
PROPOSED ZONE: RESIDENTIAL B

ARTIFEX
architects & engineers
Phone: 207-974-3029 Fax: 207-974-1921
128 Birchway Bangor, Me 04401 www.artifex.com

BOG ROAD PROPERTY, PROPOSED ZONE CHANGE
SCOTT PELLETIER

Project No.	2020203
Date	2-12-2021
Scale	1"=400'



Dear Landowner,

As the last listed landowner, under the Hermon Tax Assessing records, I am providing the following notice for your information. If you have any questions please give me a call at 848-1042.

Thank you,

Annette
Annette M. Merrithew
Code Enforcement Officer
Town of Hermon

Legal Notices

PUBLIC HEARING # 2 - 7:15pm

#2 - BY ORDER of the Hermon Planning Board, a Public Hearing has been scheduled for **Tuesday, March 2, 2021 at 7:15 pm**, in the Public Safety Meeting Room, for the purpose of reviewing a zone change request for Map 6, Lot 5 Bog Road from Agricultural Forestry to Residential B.

NOTE: Due to Cov'd 19 restrictions the meeting room has limited capacity therefore this meeting has been broken down into 3 segments with the W.L. Properties Zone Change Request PB 21-002 starting at 7:15. Anyone wishing to review the propose change and not attend the meeting may do so Monday, March 1 or Tuesday March 2 from 8-4 at the Code Enforcement Office. If any abutter would like to make written comments, please send them to the CEO and they will be read and become part of the minutes of the meeting. Once the Planning Board has reviewed the proposed changes either approving or denying them the Hermon Town Council will have a 2nd Public Hearing in April in which all abutters will be notified again. – Minutes of the meeting will be sent to all abutters receiving this notice.

Legal Notices

PUBLIC HEARING

BY ORDER of the Hermon Planning Board, a Public Hearing has been scheduled for **Tuesday, March 2, 2021, at 7:15pm**, in the Public Safety Meeting Room, for the purpose of reviewing a Zone Change request for Map 11, Lot 52 and Map 6, Lot 5 from W. L. Properties.

Feb. 20, 2021



O20-21-15

BY ORDER of the Hermon Town Council, the following Public Hearing has been scheduled for Thursday May 27, 2021 at 7:00PM at the Public Safety Meeting Room.

TO CONSIDER comment regarding the proposed 2021-2022 Municipal Budget.

The Public shall be given the right to comment before the Council takes action.

Charles Lever IV

Steven Thomas

G. Stephen Watson

Douglas Sinclair, Sr.

John Snyer III

Ronald Murphy

Anthony Reynolds

April 29, 2021

Attest Original: _____

Motion _____

Yeas _____



O20-21-16

BY ORDER of the Hermon Town Council, the following Public Hearing has been scheduled for Thursday May 27, 2021 at 7:00PM at the Public Safety Meeting Room.

TO CONSIDER comment regarding the proposed 2021-2022 School Budget.

The Public shall be given the right to comment before the Council takes action.

Charles Lever IV

Steven Thomas

G. Stephen Watson

Douglas Sinclair, Sr.

John Snyder III

Ronald Murphy

Anthony Reynolds

April 29, 2021

Attest Original: _____

Motion _____

Yeas _____



FR20-21-23

Be it resolved by the Hermon Town Council in town council assembled the Town Manager or his Designee be authorized to award the bid for the Local Roadways FY22 paving projects to _____ for an amount not to exceed \$ _____ for purchasing services for the completion of the Local Roadways FY22 paving projects.

Be it further resolved the cost of the services is to be paid for from the Public Works Road Construction Account (13-02-12-10) and Highway Reserve Account (HERM06).

SIGNED this April 29, 2021 by the Hermon Town Council:

Ronald Murphy

Charles Lever IV

John Snyder III

Anthony Reynolds

Douglas Sinclair, Sr.

Steven Thomas

G. Stephen Watson

Attest Original: _____

Motion _____	Yeas _____	Date _____
Second _____	Nays _____	