



Town of Hermon

Public Safety Meeting Room

May 13, 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** 4/29/2021 Minutes
 - WARRANTS. –SIGN** 5/14/2021 Warrant
 - RESOLVES. –SIGN**
- V. NEWS, PRESENTATIONS AND RECOGNITIONS:**
- VI. PUBLIC ITEMS OR COMMENTS: (*Items Not Already on Agenda*)**



VII. PUBLIC HEARINGS:

- **Hold** Public Hearing -- Special Amusement Permit for Morgan Hill Event Center
- **Hold** Public Hearing – Conley Events LLC –(DBA Morgan Hill Event Center) Liquor License Renewal
- **Hold** Public Hearing -- XL Golf (DBA The Sports Arena) Liquor License Renewal
- **Hold** Public Hearing – Clark Road Properties LLC, M/L 042-066, M/L 049-006 and M/L 041-051 zone change from residential B and Agricultural Forestry to Residential A

VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

- R20-21-40** Consider approving **Morgan Hill Event Center** Special Amusement Permit on June 25th & 26th 2021 for a performance by David Allen Coe from 6:30 pm to 10pm
- R20-21-41** Consider approving **Conley Events LLC** liquor license renewal
- R20-21-42** Consider approving **XL Golf** liquor license renewal
- R20-21-43** Consider approving **Clark Road Properties LLC** M/L 042-066, M/L 049-006 and M/L 041-051 zone change from residential B and Agricultural Forestry to Residential A
- O20-21-19** Consider holding a public hearing on May 27, 2021 for **Penobscot Snowmobile Club** for Concourse Gathering Application for Truck and Tractor Pulls on July 17, 2021
- O20-21-20** Consider holding a public hearing on May 27, 2021 for **Morgan Hill Event Center** for a Special Amusement Permit. The main performer will be Colt Ford & Band from 6:00 pm to 10:00 pm.



R20-21-44 Consider to authorize the Town Manager, Howard Kroll to sign the letter of Financial Commitment and any applicable investment documents with Northern Borders Regional Commission for a State Economic & Infrastructure Development Program.

C. WORKSHOPS:

School Budget Presentation

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:

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 29, 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:** None
- Others Present:** Town Manager Howard Kroll, Town Clerk Kristen Cushman, Town Attorney Ed Bearor, Scott Perkins, David Ramsay, Scott Pelletier, Shelly Lizotte, Engineer for Scott Pelletier and 6 residents.

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**

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 -- 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.

Three written testimonies from residents were handed out to the Council to read.

David Ramsay: In 2016 Phase III was approved. All requirements were met at that time regarding storm water and DEP. Once a year liquified manure is spread in the field to be tilled into the ground for corn to be planted. All the property around the field is Residential B.

Steve Thomas: What are you looking to put in currently?

David Ramsay: Nothing, I was looking to put elderly housing.

Steve Thomas: What is the maximum number of homes/elderly housing you could have in this development?

David Ramsay: Per the previous plan, there would be 10 more units on a private way.

Steve Thomas: Some concern the residents who are downhill will cause that piece of land, it's at a high point in that neighborhood. Concern is that with without a proper drainage this will be causing a water issue.

David Ramsay: There is a stone wall that is twenty feet wide and almost ten feet deep with stone as a buffer. Everything downhill from my property except for the four hundred feet which it goes in now behind whatever Pelletier put in there is wet land. Some of the lots have been clear cut to the line on the corners and this is not keeping the 20' buffer of trees per the plan. I have retained a 2 acre parcel in Clear View Estates, in case there was a water issue. I am still able to mow this 2 acres and it's the lowest lot. We have good drainage and mowable ditches. The Town said I can put six units per buildable acre. I have 15 acres and put 15 houses.

Patrick McCue 27 Nye Lane: Spreading manure alone is enough to impact every single resident. My wife, Britney and I have a three year old and a three day old son. We can not bring our son outside because of the stench of the field. The trucks are in



and out for multiple weeks and having a negative impact on my family. Concerning the rock wall is a few piles of old stones that were part of a farm field.

Steve Thomas: Wouldn't it be beneficial for this to turn into Residential B from AF?

Patrick McCue: Not to offend anyone, but let's leave low income to other towns. Hermon is a working town. All the problems that come along with low income. We want a nice neighborhood and spend the extra money. Raise my taxes before you put low income housing in. Every single home opposes the cornfield.

David Ramsay: Add to his comments.... I did not say low income housing. I said housing for elderly people. Question: Would you like it to be a cornfield for the next 15 years or Residential B and put something there?

Tony Reynolds: Is there a chance to make it Residential A and put houses vs. apartments?

David Ramsay: I asked for Residential B because everything around is Residential B.

Mike Hashey 17 Nye Lane: Tanker truck came in multiple times spreading liquid manure over a three week period. At the end of three weeks it was harrowed and seeded.

Andrea Garland 532 Wing Road: My husband and I have been life long residents of Hermon except when we went away for college. My property is downhill from the cornfield. I will admit I was against Nye Lane when it was being developed. We have since made great friendships and neighbors with residents on Nye Lane. My concern is we are directly downhill from Nye Lane/cornfield. There is rock wall and row of trees we planted when we moved in. Manure spreading does happen over multiple days and we do close- up all windows during this time. I would like to see a plan before a zone change.

Patrick McCue: Is the Town of Hermon giving Mr. Ramsay a blank slate to do A, B, C or D with this property? Shouldn't we know before what Mr. Ramsay is going to do with this property?

Steve Thomas: Whatever he decides to do, he will need to go through the Planning Board.

Howard Kroll: Once the zone change is granted for any property it is an opportunity for any developer to do what is eligible under that zone.



David Ramsay: Step 1: Go in front of the Planning Board – approve or disprove. If approved move to Step 2: Go in front of the Town Council who reviews the plan and considers the zone change.

Lauren Martin 71 Nye Lane: Last home on the right by the turnaround. The pile of rocks is not 20'. Looking to pave the driveway and unable at this time due to the amount of water in the yard.

Chair Thomas opened the public hearing at 7:02PM. Public comments were given. The hearing closed at 7:43PM

- **Hold a Public Hearing -- W. L. Properties (Scott Pelletier) is requesting a zone change from Agricultural Forestry to Residential A, Map 011 Lot 052 (Newburgh Road) for future Residential A Subdivision.**

One written testimony from a resident was handed out to the Council to read.

Shelly Lizotte, Civil Engineer working for Scott Pelletier: (Jason Pelletier is no relation to Scott Pelletier). Mr. Jason Pelletier did express concern because there were a lot of other agricultural properties surrounding it. Scott Pelletier would be developing subdivision lots similar to what is on Pendleton Drive. There would not be multi family development on that property and be compatible with Pendleton Drive.

Steve Thomas: This piece of land is surrounded by Agricultural Forestry zone and looking to have a zone change to Residential A.

Shelly Lizotte: Regardless if it is zoned Agricultural Forestry or Residential A homes can be built. The main difference is the shorter amount of frontage in Residential A. The reason for asking for Residential A is a large portion of the land has wetlands. Either way Scott Pelletier is looking to do a subdivision and will depend on the zoning on how many lots will fit. As Mr. Ramsay stated, any development goes in front of the Planning Board. As an engineer our job is to comply with all the requirement of the Town, State of Maine which includes storm water and DEP regulations. They are strict on what can be done.

Tony Reynolds: The State has told us on the last problem we had, the storm water run off has buffers, vegetation and trees that are considered in the project. The landowner who has the property goes out and cuts the trees down moves the buffers and changes everything. State does not have laws to say you can't do this.



Shelly Lizotte: There are restrictive covenants placed on subdivisions that go in the deed to prevent this from happening.

Chair Thomas opened the public hearing at 7:45PM. Public comments were given. The hearing closed at 7:55PM

Two written testimonies from residents were handed out to the Council to read.

- **Hold** a Public Hearing -- W. L. Properties (Scott Pelletier) is requesting a zone change from Agricultural Forestry to Residential B, Map 006 Lot 005 (Bog Road) for future Residential B. Subdivision single family homes or multi-family units

Two written testimonies from residents were handed out to the Council to read.

Chair Thomas opened the public hearing at 7:56PM. No public comments. The hearing closed at 7:57PM

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.

Steve Thomas: Is there an obligation of the Town to move ahead based on the application submitted into similar use property?

Ed Bearor, Town Attorney: I will speak on all zone changes at the same time. Reminder of what the Zoning Ordinance says:

§ 154.006 AMENDMENTS.

(A) Initiation of amendments. An amendment of this chapter may be initiated by a written petition as detailed in § 10.01 of the Charter, or by recommendation of the Planning Board, or by a recommendation of the Town Council. The Town Council may approve such proposed amendments by a majority vote.



B) Zoning amendments.

(1) The Town Council shall refer proposed amendments to the Planning Board at least thirty days before the legislative meeting at which said amendment is to be considered. The Planning Board shall make investigation of the proposed amendment, including whether the requested amendment is compatible with the purposes and provisions of this chapter and the current comprehensive plan, and present a written report to the Council.

I haven't heard much in the way of process having been followed here tonight. The closest we have come is recognizing if called upon to consider, making this zone change that doesn't give approval to any project that might go forward as a result of his zone change.

Mr. Ramsay has prior approval to develop the corn fields from a couple of years ago (2016 or 2017) and it's zoned agriculture, so that he can do whatever is consistent with the agricultural designation on that property. If he wants to do something different, he will need to go back to the planning board to get approval. You can have single-family homes in the agricultural Zone. He has approval for one concept but if he doesn't have approval for some of the described he would need to go back to the Planning Board for approval.

This is the way you typically entertain requests for amendments to the zoning map. Okay? But I don't think the process was adhered to. I asked Kristen to send a copy of what the Planning Board had done. I got a copy of the minutes which don't reflect whether they made a recommendation positive approval. My assumption is they did or you would have been told. That's important because to make positive recommendation requires a majority vote or a negative recommendations requires 2/3 vote. The record is lacking here.

I am also going to suggest, probably most of the time the zone change request upgrade. Agriculture to Residential B or Residential A

Doug Sinclair: Should we go forward with the Zone change or should we go back to the Planning Board and let them straighten it out?

Ed Bearor: I can say on paper, does not suggest the process was followed. It is within your right to send it back to the Planning Board and say the Town Attorney said it was not done right. Or you can act on the proposals tonight and if either of the applicants feel they have been wronged they can apply again.

Steve Thomas: Sounds like you are saying we might want to table the items and make sure we follow the correct process?



Ed Bearor: I don't want to be the one to make that decision. You all need to come to a decision. If I was sitting there, this would be my decision.

Howard Kroll: Ed would you clarify what the Planning Boards role or expectation would be to deliver to the Town Council.

Ed Bearor: They should present a written report to the Council. I think their minutes need to be beefed up to include whether the requested amendment is compatible with the purposes and provisions of this chapter and the current comprehensive plan and make their recommendation to the Town Council.

Shelly Lizotte: Thank you Mr. Bearor, your explanation was helpful. It was my understanding regarding Mr. Scott Pelletier the guidelines was followed. There was a public hearing I attended where residents spoke and discussion among Planning Board members. We were able to explain in more detail to the Board, then they took a vote and it was recorded. Respectfully this puts Mr. Scott Pelletier in a hard position to go back to the Planning Board and cost him a few months for something we have already done.

Ed Bearor: The burden of proof lies with the applicant. The Planning Board needs to send a written report to the Town Council. If we are going to adopt an ordinance we need to follow the ordinance.

Patrick McCue: If the Town Attorney questions the process of the Planning Board is it public record to go back to Mr. Ramsay's 2017 initial request of the corn field? Is that public record?

Howard Kroll: Yes

Patrick McCue: Even though it was done in 2017 can it be reviewed by the Town Attorney if a citizen has questions about the process?

Ed Bearor: If it was 2017 then certainly but typically it is vested 30 days if an appeal has not been filled.

I am being critical of the Planning Board. The process needs a little more attention to detail. If there was a challenge to the written record, it is my thought they could have a probable case because of the inconsistency with the ordinance.

David Ramsay: If a Councilor lives on Nye Lane does he have to abstain?

Ed Bearor: He does not have to abstain because this is a legislative body. A Planning Board member would.



Howard Kroll: Could the Councilor also speak on this item?

Ed Bearor: It would be best if a Councilor living on Nye Lane acknowledge he lived on the road before the discussion started. But the disclosure is the important thing. The Councilor does not need to reclude themselves because they are acting in a legislative body.

Charles Lever: It's me.

Ed Bearor: May I make a suggestion to remand it back to the Planning Board.

Howard Kroll: Ed, would you define remanding so we are all on the same page.

Ed Bearor: Remand is the higher body returns to the lower body to do it again. Planning Board can decide to reopen or rely on the record it created and prepare the report.

Howard Kroll: Would this require another public hearing?

Ed Bearor: That would be up to the Planning Board. The Planning Board can say we had a public hearing and we do not need another one or they can say they wish to hold another public hearing but they don't have to. They can coincide with themselves. The importance to their decision needs to be clear with direction.

Councilor Sinclair moved to remand to the Planning Board R20-21-37 to be clearer in their directions and minutes. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 6-1.

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.

Councilor Sinclair moved to remand to the Planning Board R20-21-38 to be clearer in their directions and minutes. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 6-1.

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.

Councilor Sinclair moved to remand to the Planning Board R20-21-39 to be clearer in their directions and minutes. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 6-1.



O20-21-15 Consider approving and holding a public hearing on May 27, 2021 for Municipal Budget

Councilor Reynolds moved to approve O20-21-15. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 7-0.

O19-20-16 Consider approving and holding a public hearing on May 27, 2021 for School Budget

Councilor Reynolds moved to approve O20-21-16. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 7-0.

FR20-21-23 Consider awarding construction and paving bid

Councilor Snyder moved to approve FR20-21-23 for B & B Paving to be awarded the paving of roads. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 7-0.

Councilor Reynolds moved to approve FR20-21-23 for Gardner Construction to be awarded the additional projects of: Blackstream Rd, Billings Cross Culvert, Hillman Drainage and Bog Rd Guard Rail in the amount of \$ 99,450.00. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 7-0.

Councilor Snyder moved to approve FR20-21-23 for Hopkins Paving to be awarded the additional project of: Shoulder work at \$300.00 per hour. Councilor Reynolds seconded the motion. The motion was accepted. Motion passes 7-0.

Councilor Lever moved to approve FR20-21-23 for Gardner Construction to be awarded the additional projects of: EOP Material at \$180.00 per hour and 2" minus gravel at \$20.00 per yard. Councilor Reynolds seconded the motion. The motion was accepted. Motion passes 7-0.

C. WORKSHOPS:

D. OTHER ITEMS: (from Table Package)

X. APPOINTMENTS:



XI. MANAGER STATUS REPORT:

Manager Kroll thanked everyone for attending the Public Hearings and who sent in emails on the zone change requests.

Manager Kroll went on to thank the Boy Scouts for the Earth Day community clean-up on 4/24/2021. The Girl Scouts volunteered their time to help with this clean up. As they were cleaning they came across mounds of used needles in the ditches in multiple places. Please be aware of your surroundings. This is insulting to expose volunteers to this risk.

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

XIII. COUNCIL ITEMS:

Tony Reynolds: Bog Road shoulders are breaking down and will need to be fixed this year and Newburgh Road is 3 ½ feet narrower by Donnie Pelletier's home.

XIV. EXECUTIVE SESSION:

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

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

XV. ADJOURNMENT:

Councilor Sinclair moved to adjourn the meeting at 9:45PM. Councilor Snyder gave seconded. With no objection the meeting was adjourned at 9:45PM.

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.



R20-21-40

Be it resolved by the Hermon Town Council in Town Council assembled to approve Morgan Hill Event Center Special Amusement Permit for a performance by David Allen Coe from 6:30pm to 10pm in June 25th & 26th 2021.

SIGNED this May 13, 2021 by the Hermon Town Council:

G. Stephen Watson

Charles Lever IV

John Snyder III

Anthony Reynolds

Douglas Sinclair, Sr.

Steven Thomas

Ronald Murphy

COPY

Attest Original: _____

Motion _____

Yeas _____

Second _____

Nays _____

Date _____



Town of Hermon Application for Special Amusement Permit

Permit Fee
\$175

Special Amusement Permits are valid only for the license year of the applicant's existing liquor license.

Date: June 25-26, 2021 Application Type: New Renewal Permit Number: _____
(assigned by Town)

Applicant Name: Ryan Conley Business Name: Morgan Hill Event Center

Business Address: 82 Morgan Hill Lane Mailing Address: _____
Physical Address in Hermon if different

Type of Business: Restaurant/Event Center Location to be used: See Attached sheet
Restaurant, Bar, Nightclub, etc. Where on the premises will the amusement take place?
Use back of page if necessary

Phone: 207-848-7100

Has a liquor license or special amusement permit for this business ever been denied or revoked? Yes No
If yes, describe the circumstances in the space below.

Has the applicant, any partners or corporate officers of the business ever been convicted of a felony? Yes No
If yes, describe the circumstances in the space below.

The Town Council requests all applicants or their representatives attend the public hearing to answer any questions. Please be advised that the absence of your representative may delay the Council's decision.

Application is hereby made for a Special Amusement Permit for one of the following:

Without Mechanical Amplification

- Class 1 – Single musician
- Class 2 – Two musicians
- Class 3 – Three or more musicians

With Mechanical Amplification

- Class 1a – Single musician
- Class 2a – Two musicians
- Class 3a – Three or more musicians**

With Mechanical Amplification and Dancing*

- Class 1ad – Single musician
- Class 2ad – Two musicians
- Class 3ad – Three or more musicians

Other Entertainment or Amusement

Class 4 – any other type of entertainment,
as provided by 28A MRS 1054.1.C

*Dancing also requires a state permit & Fire Marshall inspection

I certify that this application is true and correct, that I have received a copy of the Special Amusement Ordinance and that I will read said ordinance prior to offering any special amusement.

Applicant's Signature

The Municipal Officers of Hermon hereby approve deny this application on _____

Date



R20-21-41

Be it resolved by the Hermon Town Council in Town Council assembled to approve Conley Events LLC (DBA) Morgan Hill Event Center liquor license on Thursday, May 13, 2021.

SIGNED this May 13, 2021 by the Hermon Town Council:

G. Stephen Watson

Charles Lever IV

John Snyder III

Anthony Reynolds

Douglas Sinclair, Sr.

Steven Thomas

Ronald Murphy

 **COPY**

Attest Original: _____

Motion _____	Yeas _____	
Second _____	Nays _____	Date _____



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

**Section I: Licensee/Applicant(s) Information;
Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): <i>Conley Events LLC</i>	Business Name (D/B/A): <i>Morgan Hill Event Center</i>
Individual or Sole Proprietor Applicant Name(s): <i>Ryan Conley</i>	Physical Location: <i>01101</i> <i>82 Morgan Hill Lane Hermon, ME</i>
Individual or Sole Proprietor Applicant Name(s): <i>Jill Conley</i>	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address: <i>ryan@morganhilleventcenter.com</i>
Telephone # Fax #: <i>207 848-7100 207 848-7172</i>	Business Telephone # Fax #: <i>207 848-7100 207 -848-7172</i>
Federal Tax Identification Number: <i>84-1862790</i>	Maine Seller Certificate # or Sales Tax #: <i>1200301</i>
Retail Beverage Alcohol Dealers Permit: <i>QCS-2019-12067</i>	Website address: <i>morganhilleventcenter</i>

1. New license or renewal of existing license? New Expected Start date: _____
 Renewal Expiration Date: *8/13/21*



R20-21-42

Be it resolved by the Hermon Town Council in Town Council assembled to approve XL Golf (DBA) The Sports Arena liquor license on Thursday, May 13, 2021.

SIGNED this May 13, 2021 by the Hermon Town Council:

G. Stephen Watson

Charles Lever IV

John Snyder III

Anthony Reynolds

Douglas Sinclair, Sr.

Steven Thomas

Ronald Murphy

CC COPY

Attest Original: _____

Motion _____

Yeas _____

Second _____

Nays _____

Date _____



STATE OF MAINE
 DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
 BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
 DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

**Section I: Licensee/Applicant(s) Information;
 Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): <p style="text-align: center; font-size: 1.2em;">XL Golf</p>	Business Name (D/B/A): <p style="text-align: center; font-size: 1.2em;">The Sports Arena</p>
Individual or Sole Proprietor Applicant Name(s):	Physical Location: <p style="text-align: center; font-size: 1.2em;">1640 Hammond St.</p>
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: <p style="text-align: center; font-size: 1.2em;">Herman, ME 04401</p>
Mailing address, if different from DBA address:	Email Address: <p style="text-align: center; font-size: 1.2em;">lcole1@midmaine.com</p>
Telephone # Fax #:	Business Telephone # Fax #: <p style="text-align: center; font-size: 1.2em;">(207) 852-4420</p>
Federal Tax Identification Number: <p style="text-align: center; font-size: 1.2em;">01-0487427</p>	Maine Seller Certificate # or Sales Tax #: <p style="text-align: center; font-size: 1.2em;">1009470</p>
Retail Beverage Alcohol Dealers Permit:	Website address: <p style="text-align: center; font-size: 1.2em;">www.the-sportsarena.biz</p>

1. New license or renewal of existing license? New Expected Start date: _____
- Renewal Expiration Date: 6/25/21



R20-21-43

Be it resolved by the Hermon Town Council in Town Council assembled for a Zone Change request to /L 042-066, M/L 049-006, and M/L 041-051 (Clark Road) for a residential subdivision. The proposed zone change will be from Residential B and Agricultural Forestry to Residential A

SIGNED this May 13, 2021 by the Hermon Town Council:

Ronald Murphy

Charles Lever IV

John Snyder III

Anthony Reynolds

Douglas Sinclair, Sr.

Steven Thomas

G. Stephen Watson

CC COPY

Attest Original: _____

Hermon Planning Board

Zone Change Request - Investigation and Finding
Submitted by: Edward Marsh, Chairman

Applicant: Alan Dorr, Jr. - Clark Road Properties, LLC
Representative: Isaac Raymond (letter on file)
Address: 398 Clark Road- Hermon, Maine

Official Record:

Fee Paid: \$300.00 plus mailing cost 03/01/2021
Public Hearing notification: BDN- 03/02/2021
Notice of hearing sent to abutters: 03/02/2021
Packets to Planning Board: 03/08/2012
Planning Board Public Hearing date: 03/16/2021

Area to be rezoned- Map 41, Lot 51- Map 42, Lot 66- Map 49, Lots 1 & 6 (NOTE: all contiguous even though shown on different tax maps)

Per the Hermon Code of Ordinances Chapter 154 Land Use Ordinance - §154-006 Amendments the following is a statement regarding the Planning Board review signed by Planning Board Chairman Edward Marsh.

NOTE: Chapter 154- 006 Amendments- B - Zoning Amendments do not require the applicant to provide a reason for the zone change request, however, Clark Road Properties, LLC has provided to the Board that the intended use of the property is for a residential subdivision which could happen in AF without a zone change. Uses in AF are much less restrictive and the applicant(s) wishes to have the development fall within the restrictions of Residential A under the Land Use Code.

On March 16, 2021 the Hermon Planning Board reviewed a Zone Change application from Clark Road Properties, LLC – Isaac Raymond represented the applicant.

There were no abutters or members of the public in attendance- CEO Merrithew stated that she had received two calls from abutters and once they understood that this particular zone change request was intended for a residential subdivision they had no other concerns. CEO also stated that she informed those abutters that they would received a public hearing notice once the process started for subdivision plan review by the PB.

Isaac Raymond explained to the Board the intent for a zone change request to Residential A was so that the lots would be only for single family use. Agricultural Forestry allows some uses not desired by the applicant and the desire was to have a nice looking residential subdivision.

Review by the Board:

- Applicant was complete so a review of the applicable section of the Land Use Code and Comprehensive plan took place. Those findings are out lined below.
- Minimum lot size in AF and RA are both 1 acre
- Minimum road frontage in AF is 200' and RA it is 150'
- Residential A is more restrictive in uses than AF
- The Board felt that the zone change request to RA was more in line with the existing subdivisions within Hermon

Note: Currently there are only 3 residential subdivisions that are not zoned RA.

Comprehensive Plan review:

- Land Use Districts outlines these to district as–
- Agricultural / Forest (AF) – Rural “This district is established for areas currently farmed or managed for forest products. New dwellings are allowed, the predominant character of these areas is rural”
- Residential A (RA)- “This district is established to protect the essential characteristics of a residential area of mostly single –family dwellings, or areas where such development is desired. Agricultural uses such as live-stock shall not be allowed. It is the intent of this district to promote and encourage a suitable environment for family life, by preventing incompatible uses and structures.”

It was the consensus of the Board that the change of zoning to Residential A as is follows

- 1) That the area being requested for the zone change was not currently being farmed and was not set aside for forest management.
- 2) The request maintained the rural essence of the area while still keeping Hermon’s rural character. Acre single family lots versus multi-family development
- 3) Would not impact any critical resources according to the Land Use Map- however, plan review (3 reviews- sketch, preliminary and final)during the subdivision approval will allow the PB to make sure adequate mapping and State permitting is done.
- 4) There is no indication at this time that this zone change request will burden any services provided by the Town of Hermon
- 5) Traffic safety will be looked at during subdivision review
- 6) This request is not detrimental to the health and safety of the residents of Hermon

Respectfully submitted,



Edward Marsh, Chairman
Hermon Planning Board



**TO: Howard Kroll, Town Manager
Hermon Town Council**

Cc/ K. Cushman, Town Clerk

FROM: Annette Merrithew, CEO *Amr*
DATE: 03/23/2021

RE: Zone Change request

The Planning Board voted unanimously on the proposed zone change and has asked that I forward the attached zone change request to the Town Council for Public Hearing.

Clark Road Properties, LLC (Alan Dorr, Jr) is requesting a zone change from Residential B and Agricultural Forestry to Residential A for a residential subdivision request includes Map 42,-Lot 66 Map 49- Lot 1, Map 49- Lot 6 and Map 41, Lot 51.

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:

LEGEND

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

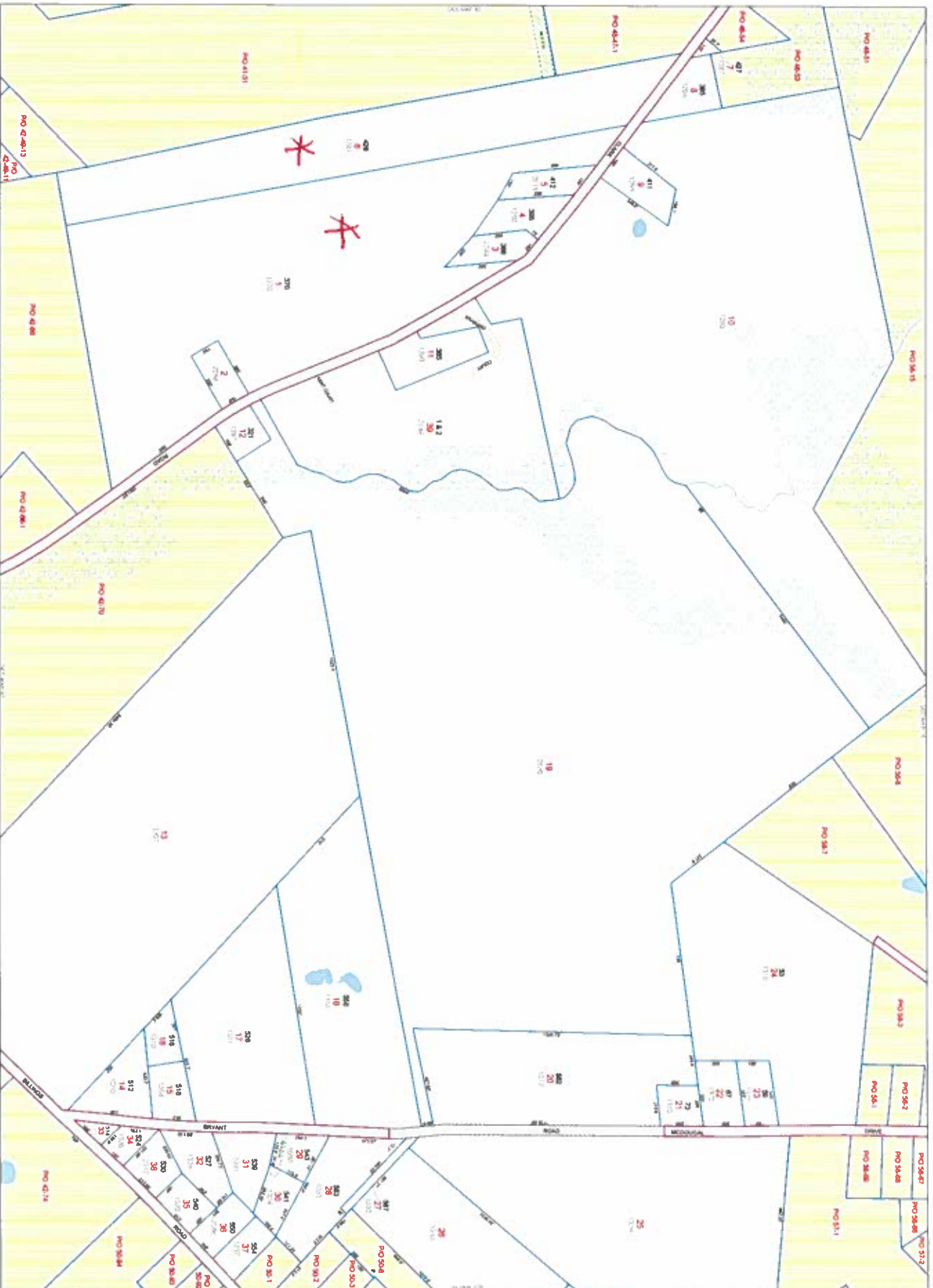
This Tax Map is based on the Hermon GIS Database. The GIS Database is a digital representation of the Hermon GIS Database. The GIS Database is a digital representation of the Hermon GIS Database. The GIS Database is a digital representation of the Hermon GIS Database.

SCALE: 1 in = 200 ft
0 200 400



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Map updated by Hermon, Maine
Print Date: 3/15/2021

Hermon Assessor's Office
333 Ballou Road
Hermon, ME 04401
(207) 848-1049



Tax Map
49
HERMON
MAINE



LEGEND

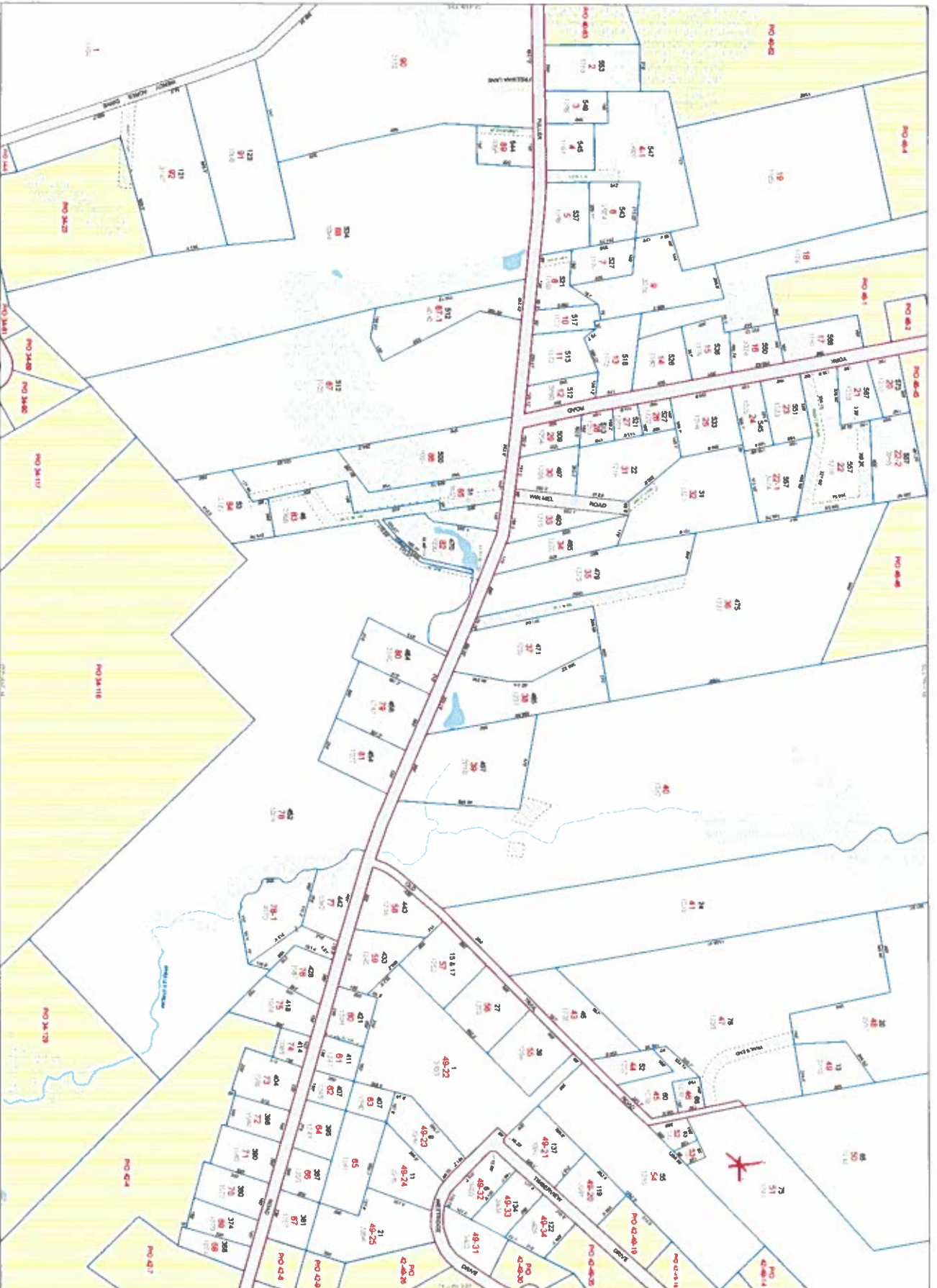
- PROPERTY LINE
- EASEMENT
- PUBLIC RIGHT-OF-WAY
- PRIVATE RIGHT-OF-WAY
- RAILROAD RIGHT-OF-WAY
- PARCEL HOOK
- STREET NUMBER
- ACCOUNT NUMBER
- SURVEY DIMENSION (FT)
- WETLAND
- HYDROLOGY

This map is intended to be used as a guide only. It is not intended to be used as a legal document. The information on this map is derived from the best available information and is subject to change without notice. The user of this map should consult the appropriate authorities for the most current information.

SCALE: 1 in = 200 ft
 0 200 400



Original map created by P.L. & S. Survey Company
 Map updated by the Town of Hermon
 Print Date: 3/15/2021
 Hermon Assessment Office
 333 Main Street
 Hermon, ME 04401
 (207) 848-1049



Tax Map
41

HERMON
MAINE



LEGEND

- PROPERTY LINE
- EASEMENT
- PUBLIC RIGHT-OF-WAY
- PRIVATE RIGHT-OF-WAY
- RAILROAD RIGHT-OF-WAY
- PARCEL HOOK
- 24' STREET NUMBER
- 125' PARCEL NUMBER
- ACCIDENT NUMBER (FM)
- STREET DIMENSION (FT)
- WATERWAY
- HYDROLOGY

This map is intended for informational purposes only. It is not a legal document. The information on this map is derived from the most current data available to the town of Hermon, Maine. The town of Hermon is not responsible for any errors or omissions on this map. The information on this map is not to be used for any purpose other than that for which it was intended.

SCALE: 1 in = 200 ft
0 200 400



Original map created by: G. David Company
Map updated by: The Town of Hermon
Print Date: 3/16/2021
Hermon Assessor's Office
333 Old Mill Road
Hermon, ME 04401
(207) 848-1049



O20-21-19

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 a Concourse Gathering Application for Penobscot Snowmobile Club on July 17, 2021 for truck and tractor pulls.

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

SIGNED this May 13, 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 _____	



O20-21-20

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 a Special Amusement Permit for Morgan Hill Event Center on June 17, 2021. The main performer will be Colt Ford & band from 6:30 PM to 10PM each night.

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

SIGNED this May 13, 2021 by the Hermon Town Council:

Ronald Murphy

Charles Lever IV

John Snyder III

Anthony Reynolds

Douglas Sinclair, Sr.

Steven Thomas

G. Stephen Watson

 **COPY**

Attest Original: _____

Motion _____	Yeas _____	Date _____
Second _____	Nays _____	



R19-20-44

Be it resolved that the Hermon Town Council authorize the Town Manager, Howard Kroll to sign the letter of Financial Commitment and any applicable investment documents with Northern Borders Regional Commission for a State Economic & Infrastructure Development Program.

SIGNED this May 13, 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 _____

Second _____

Nays _____

Date _____



May 13, 2021

Town of Hermon
333 Billings Road
Hermon, Maine 04401

Re: Letter of Financial Commitment- Northern Borders Regional Commission Grant Application

The Town Council in Hermon has authorized the Town Manager, DECD Director and supporting staff to apply for grants related to sewer lift station replacement and upgrades including new main line installation with waste water structures at Logistics Lane for the purposes of supporting and increasing industrial and commercial lot inventory.

These upgrades and new infrastructure activities will increase business growth opportunities in Hermon and ultimately support new job creation and job retention by providing increased capacity for future growth by existing businesses. The project will also provide increased protection of the impaired *Shaw Brook Stream* area and surrounding wetlands from accidental discharges.

To those ends, Hermon will provide \$400,000 as matching funds from sewer reserves and related accounts to be used as a match for the projects outlined in the NBRC 2021 SEID grant application totaling \$1,200,000.

Hermon commits these funds for the purposes of seeking the NBRC grant should the town be fortunate enough to receive a grant award.

Best regards,

Howard Kroll
Town Manager

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333 Billings Road
Hermon, ME 04401

Physical Address:
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Hermon, ME 04401

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