

Town of Hermon

Public Safety Meeting Room

October 14, 2021

Town Council Meeting

7:00 PM

AGENDA

To watch Council Meetings go to hermonmaine.gov click Council click Town Council Meetings click Zoom

Council Meetings will be archived online after the meeting has taken place.

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

9/16/2021

WARRANTS. -SIGN

10/1/2021 & 10/15/2021

- RESOLVES. -SIGN
- V. NEWS, PRESENTATIONS AND RECOGNITIONS:
- VI. PUBLIC ITEMS OR COMMENTS: (Items Not Already on Agenda)
- VII. PUBLIC HEARINGS:
 - Hold Public Hearing -- Paul Glockner and Gina Bennett, M/L 025-038-000
 (part of lot 38) zone change from Residential B to Residential A
 - Hold Public Hearing T & M Contractors, M/L 036-017-000 (part of lot 17) zone change from Agricultural Forestry to Residential B
 - Hold Public Hearing GA Ordinance Appendices A H for FY 2021-2022

Hermon Town Council Agenda FY 2021-2022 October 14, 2021 Page 1 of 2



- IX. SCHEDULED AGENDA ITEMS:
 - A. OLD BUSINESS:
 - **B. NEW BUSINESS:**
 - R21-22-03 Consider approving Paul Glockner and Gina Bennett, Map 025 part of Lot 038-000 zone change from Residential B to Residential A - Blackstream Rd
 - R21-22-04 Consider approving T & M Contractors, Map 036 part of Lot 017-000 zone change from Agricultural Forestry & Residential B to all Residential B Fuller Road
 - O21-22-04 Consider approving the amended Ordinance for the yearly General Assistance Ordinance Appendices A-H for FY2021-2022
 - **R21-22-05** Approve the mill rate, due date and interest rate for 2020 taxes
 - 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:
- 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

September 16 2021

Town Council Meeting

7:00 PM

MINUTES

To watch Council Meetings go to hermonmaine.gov click Council click Town Council Meetings click Zoom

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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 Snyer III, Phillip "Phil" Richardson, Ronald "Ron" Murphy, Charles Lever IV,

Steven "Steve" Thomas, G. Stephen "Steve" Watson and Anthony "Tony" Reynolds

Members Absent:

Others Present:

Town Manager Howard Kroll, Town Clerk Kristen Cushman and 2 residents

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

SIGNATURES. -APPROVE

MINUTES. -APPROVE

9/2/2021 Special Town Meeting Minutes, 9/2/2021 Minutes

WARRANTS. -SIGN

RESOLVES. -SIGN

9/16/2021

<u>Councilor Snyer moved to approve the Consent Calendar as presented.</u> Councilor Murphy seconded the motion. Motion passes 7-0.



- V. NEWS, PRESENTATIONS AND RECOGNITIONS:
- VI. PUBLIC ITEMS OR COMMENTS: (Items Not Already on Agenda)

Scott Jellison, Swan Road: Mr. Jellison is a 25 year plus resident of Hermon and recently the Chair of the Hermon Republicans. He wanted to be clear and on the record after hearing rumors the Republicans are after Mr. Chasse and Mr. Wheeler, we are not. The Hermon Republicans are to further the cause and put people in office. Due to a phone call Mr. Jellison received this week has sparked him to put his thoughts together and give clarification.

Mr. Jellison's notes: "After going to the School Committee meeting last night, it makes me realize how over whelming the task of keeping the school functioning is. Being a government run school it become much more complicated each year. Add the Covid fiasco on top of the normal day to day operations.

The total school budget is \$15,744,065.00 which is three times the town budget. Of this the town contributes \$5,494,238.00 or approximately 35% which is 43% of my tax dollar. The school budget is 100% tax payor funded.

The town has approximately 6,400 residences of which there are approx. 5,100 registered voters.

One of the big points being made is the thousands of dollars being saved by the IT departments arrangement with Netscape. The town just voted on June 8th to spend \$2.4 million dollars for an outdoor track. All it took was 349 votes.

On the School Committee agenda Monday was "Providing Leadership to Enhance the Aspirations of our Children"

One thing that I always tried to get thru to my kids was that "the end does not justify the means".

To be honest I am totally out of water when it comes to determining if everything is OK with the IT Department, all I can go on is hearsay. Hearsay is what makes a business or kills a business, we call it advertising. We depend on trust and truth to make a determination. Having a threat in our first conversation does nothing for trust. What do you have to hide comes to mind?

The reality is the IT department is a very small part of the school budget, about ½ million. So, for it to be getting so much attention is not good for the town or school. This is not an evil empire or people thing.

The second trigger for me was May 13 council meeting where Tony stated that the school saved thousands by being able to purchase Chine's product. A country that believes in genocide and slave labor.

What is bad about all of this is it is a distractor from all the hard-working people in the school system. I commend the people that try under unbelievable hard conditions to do their jobs and those that volunteer their time to the children of the community."



Mr. Jellison would like to have someone present to him the answers that he can trust for the IT department. The phone call received Monday, I don't trust lawyers, and it will need to be someone in the industry to come up with the answers to the questions presented

Mr. Jellison commended everybody who volunteer their time to service this town. The staffs at the Town Office along with Mr. Walsh and Mr. Grant are great people. Mr. Walsh and Mr. Grant are great people.

Greg Newell, Stage Road: Mr. Newell has been attending School Board meetings and learning about the High School busting at the seams. Mr. Newell asked for clarification on who would work on this before we outgrow the school.

Chair Thomas: This would start with the school administration presenting a need. We actually went through this process with the expansion of the elementary school.

A study was done then a consultant was hired to help with key variables.

- VII. PUBLIC HEARINGS:
- **VIII. COMMITTEE REPORTS:**
- IX. SCHEDULED AGENDA ITEMS:
 - A. OLD BUSINESS:
 - **B. NEW BUSINESS:**

R21-22-02 Consider approving the abatement of 2019 property taxes for account #1528, Map 035-033-000T for \$835.70 principal.

Councilor Reynolds moved to approve R21-22-02. Councilor Snyer 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:

Thank the Fire Department for a 911 ceremony. Chairman Thomas and Kristen Cushman, Town Clerk and members of her family attended the event at the fire station. I want to personally thank them for keeping that event alive. And to me personally, that's my generations Pearl Harbor. It's something that changed my life as well as millions of Americans. I want thank that fire department for recognizing and never forgetting that our country was attacked on our soil. I know it's near and dear to their hearts and EMT's and public safety brothers and sisters were across the world.

<u>Update that the Veterans Memorial Park. Currently, Murphy's Lawncare from Orono has been working on putting new bricks in place. Should be completed in the next few weeks and is coming together.</u>

I want to thank Scott Perkins for coordinating with B & B Paving and Plymouth Engineering for a number of municipal roads and streets that have been paved. And I know it's an ongoing, never ending process. But I think we're seeing some marked improvements.

We were able to hire a new Deputy Town Clerk Amanda Pelkey from Hermon. She will start on Tuesday. Currently, she works for the City of Bangor in their Treasury Department. She has a lot of great skills. She's recently married. And I think she's going to be a great addition to our office staff. So I wanted to welcome her to town.

And last but not least, I want to remind you that our next council meeting is going to be on October 14. So you got a little bit of time in between tonight in that meeting, but I wish you all a safe and happy fall. And I look forward to getting onto the other side of COVID with each of you and all of our families.

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

XIII. COUNCIL ITEMS:

Ronald Murphy: Speed limit was changed at the Middle School to 15 MPH during the hours of 7am to 8 am and 1:42 pm to 2:42 pm. We have heard from parents "Why can't this be done at the Elementary?" Mr. Murphy and Scott Perkins met and made a call to DOT. DOT does not feel this area warranted a school zone signs because the school set far back from the road, no sidewalks and children crossing the road. DOT stated if the town really wants the signs they will put them up. The cost would be approximately \$30,000 to have two blinking electrical signs at the Town's cost.



XIV. EXECUTIVE SESSION:

XV. ADJOURNMENT:

Councilor Murphy made a motion to adjourn the council meeting at 7:29 pm. Councilor Snyer seconded. With no objection the council meeting was adjourned at 7:29 pm.

Respectfully Submitted,

Kristen Cushman, Town Clerk

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TO: Kristen Cushman, Town Clerk

FROM: Annette M. Merrithew, Code Enforcement Officer

DATE: August 24, 2021

RE: Council - request for Public Hearings

Attached you will find 2 packets which require public hearings and Council consideration.

Glockner- Zone change request- Blackstream Road T & M Contractors- Zone change request - Fuller Road

I would like to request that these 2 items be scheduled for review and consideration at the Oct. 14, 2021 Council meeting if at all possible.

Thanks- Annette

Hermon Planning Board

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

Applicant:

Paul Glockner & Gina Bennett

Representative:

Jim Kiser, Engineering and Development Consulting

Address:

616 Blackstream Road- Hermon, Maine

Official Record:

Fee Paid: \$300.00 plus mailing cost 07/26/2021

Public Hearing notification:

BDN- 08/06/2021

Notice of hearing sent to abutters:

08/06/2021

Packets to Planning Board:

08/10/2012

Planning Board Public Hearing date: 08/17/2021

Area to be rezoned- Map 25, PO of Lot 38- from Residential B to Residential A

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, the applicants have provided to the Board that the intended use of the property is for a residential subdivision which could happen in RB without a zone change. Uses in RB are less restrictive and the applicant(s) wishes to have the development fall within the restrictions of Residential A under the Land Use Code.

On August 17, 2021 the Hermon Planning Board reviewed a Zone Change application from Paul Glockner & Gina Bennett.

There were no abutters in attendance that spoke on the request- 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.

Representative Jim Kiser 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. Residential B 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 RB and RA are both 1 acre
- Minimum road frontage in RB is 200' and RA it is 150'
- Residential A is more restrictive in uses that RB
- 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-
- Residential B- "This district is established to encourage and protect medium and residential development with single family, two and multi-family dwellings, and certain other facilities residential in character or serving the neighborhood. Also, this district is intended to provide area for public and semi-public uses compatible with and necessary to residential development. At the same time, this district is intended to protect the rural uses in character of the land and agricultural uses. The intent of this district is to harmonize agricultural and residential uses".
- 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) The request maintained the rural essence of the area while still keeping Hermon's rural character. Acre single family lots versus multi-family development
- 2) 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.
- 3) There is no indication at this time that this zone change request will burden any services provided by the Town of Hermon
- 4) Traffic safety will be looked at during subdivision review
- 5) This request is not detrimental to the health and safety of the residents of Hermon

Respectfully submitted,

Edward Marsh, Chairman Hermon Planning Board

Minutes HERMON PLANNING BOARD August 17, 2021



- CALL TO ORDER BY CHAIRPERSON- Chairman E. Marsh called the meeting to order at 6:30pm
- 2. ROLL CALL-
 - 2.a Appoint Alternate Member(s) if necessary-
- **4. CONSENT AGENDA-** Approve minutes of the July 13, 2021 meeting- Motion was made by B. Danforth, 2nd by M. White to approve the minutes of the July 13, 2021 meeting as written- 5-0
- 5. PUBLIC ITEMS OR COMMENTS (Items Not Already on Agenda)
- 6. Public Hearings
 - 1. PB 21-010- Zone Change Request Paul Glockner & Gina Bennett are requesting a zone change for Map 25, Lot 38 from Residential B to Residential A for the purpose of developing a subdivision for single family homes.

Chairman Marsh opened the Public Hearing at 6:35pm

Jim Kiser will be representing the applicants- Mr. Kiser stated that this request for a zone change from Agricultural Forestry to Residential A was to provide for a Residential A subdivision and provide more economically viable housing with a development plan of less infrastructure cost per house lot thus controlling overall home cost and culturing a safe neighborhood. The property will be developed through subdivision into residential lots for single family housing. The RA designation will allow for more structured allowed uses versus Residential B. Abutting parcels are all single family use or vacant parcels.

Close Public Hearing at 6:36- no comments

la -Act on New Business PB2021-010

Chairman Marsh opened the agenda item to PB member for consideration – see attached record for investigation and findings.

- J. Pelletier / 2nd by B. Danforth to forward the zone change request on to the Hermon Town Council for consideration 5-0
 - 2. **PB21-011-** T & M Contractors are seeking a zone change request for Map 36, PO Lot 17 from Agricultural Forestry to Residential B for the purpose of multi- family residential.

Chairman Marsh opened the public hearing at 6:50pm

Mr. Kiser stated he was the representative for the applicant during this zone change request. The request is for a portion of Lot 17 (back acreage) to be rezoned to Residential B to match the front portion of the lot. The plan is for the property to be developed through subdivision/ site planning into attached single family rental housing. Multi-family is currently an allowed use in the RB portion of the lot and this change would allow for the remaining land to be use in the same fashion as what is allowed on the front portion.

As an abutter John Nickerson asked how many unit were intended and had septic and wetlands been considered. Mr. Kiser stated that preliminary soils and wetlands had been done but more would need to be done if approval for the zone change was granted.

Close Public Hearing at 6:55pm

2a -Act on New Business PB2021-011

Chairman Marsh opened the agenda item to PB member for consideration – see attached record for investigation and findings.

B. Danforth/ 2nd by M. White to forward the zone change request on to the Hermon Town Council for consideration – 2-3 (Marsh, Pelletier, White)

3. **PB 21-012-** Ball Development is seeking preliminary review of a proposed multi-family Planned Unit Development for Map 50, Lot 63 at the corner of Billings and Union Streets.

Chairman Marsh opened the public hearing at 7:10pm

Scott Braley of Plymouth Engineering explains to the Board that Ball Dev. Group is seeking a preliminary plan review of their proposed project to be located on Union Street. Currently one building has been permitted per the Hermon Land Use Ordinance, this preliminary plan tonight shows the next 3 buildings which will be title Phase 1 on the plan and also the conceptual plan of the entire plan build out for a Multi-family Planned Unit Development (PUD). Mr. Braley states that the blasting has been done for the site, wetlands have been done for soils, entrance permit is in place from the DOT and a permit by rule for the Chapter 500 DEP storm water rules is in place for this initial phase. Depending on market, depending upon the future and how things go, there may be additional buildings in the future. This project, as it's laid out now, is under an acre of impervious area, including the road and we're not disturbing any wetlands, however, as each phase is build out that will change and the appropriate permitting will be applied for. Mr. Braley states that this project falls under the rules of a public drinking water supply, so the state will be regulating the drinking water supply.

Mr. Braley also discusses the recent concerns received from the residents of Skyway Valley on the addition traffic flow / safety this development will create and would like to touch on. The current proposal of 4 buildings will not meet the requirements of a traffic study per DOT – ITE manual, however, the full build out approved under the MDOT entrance permit of 64 units may.

Mark Grant from Glenwood Ave. stated that he had concerns of this size of a project being permitted and that it was extreme. He also has concerns about the traffic conjection already on Billing and Union and feels this is an added burden to that area.

Vicki Grant asked if all units would be rentals and Mr. Braley explained that under a multi family PUD they are required to be permitted as rentals.

Chairman Marsh closed the public hearing at 7:30pm

Chairman Marsh opened the agenda item to Board comments and concerns- The general consensus of the Board was that the applicant had meet the requirements of preliminary review and traffic was also a concern and hope that the applicant would look a creative ways to landscape and keep the visual distance clear from all directions.

3a. Act on New Business PB2021-012

Motion was made by B. Danforth, 2nd by J. Pelletier to approve the preliminary plan as submitted- Vote- 5-0

7. New Business

1. WL Properties is seeking sketch plan review of Bog Road Map 6, Lot 5
Shelly Lizotte, from Artifex Architect & Engineers states the she is the representative for the applicant during this review. Ms. Lizotte explains that the AF zone allows Planned Unit Development with the requirements that the lot contains a minimum of 10 acres and include dedicated open space area of at least 30%. This PUD is proposed to include single family dwellings. The plan attached to the application identifies the area to be the PUD (approx. 20 Acres). There is an open space proposed of approximately 6 aces, with a retained portion of the land to be around 16 acres. A proposed private road is shown with two

turn a rounds and potential building areas. A more in depth design will be presented during the preliminary and final hearings with the board.

Consensus of the Board was to approve the sketch plan of the proposed project.

2. WL Properties is seeking sketch plan review of Newburgh Road Map 11, Lot 52 Shelly Lizotte, representative for the applicant. She states that the applicant is proposing a 19 lot single family subdivision with the proposed road coming off Pendleton Drive and 1 single lot to be located on the Newburgh Road section of the parcel. The project will require a stormwater permit from DEP. The total subdivision area will be 28.7 acres.

Consensus of the Board was to approve the sketch plan of the proposed project.

- 8. Old Business- none
- 9. WORKSHOPS- Solar Ordinance review moved to October 5th, with a regular meeting to be held on October 19th
- 11. CEO Items- CEO Merrithew informed the Board that see will be out of the office from August 24th Oct. 4th Josh Berry and Rylee Cushman will handle the Code office during that time.
- 10. PLANNING BOARD ITEMS -
- 11. FINAL PUBLIC ITEMS OR COMMENTS (Items Not Already on Agenda)
- 12. ADJOURN

If you require any assistance to fully participate in this meeting, please notify us at 848-1042 or write to the Town of Hermon, 333 Billings Rd, Hermon, ME 04402.

Monday, August 09, 2021 7:30:48 AM Page 1 of 1

Printed by: Annette Merrithew
Title: Bennett.jpeg: Hermon School System

Legal Notices

PUBLIC HEARING

BY ORDER of the Hermon Planning Board, a Public Hearing has been scheduled for Tuesday, August 17, 2021 at 6:30pm, in the Public Safety Meeting Room for the purpose of a Zone Change Request - Paul Glockner & Gina Bennett are requesting a zone change to Map 25, Lot 38 from Residential B to Residential A.

Aug. 10, 2021



PB 21-010

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.

Paul Glockner & Gina Bennett

Fee: \$300.00 plus mailing costs

	Parkara Parkar		
2.	Owner's address: 616 Black Stream Road	Phone:	848-8226
3.	Street address of property: 616 Black Stream Road	40	
4.	Applicant's name: Paul Glockner & Gina Bennett		
5.	Applicant's address: Same		
6.	Applicant's phone #; _Same		
7.	Present Zoning classification: Res B		
8.	Requested zoning classification: Res A		
9.	Attach legal description of property to be rezoned.		
	answer the following questions in detail. This information of complies with the criteria for a zone change. (See attached)		ed to evaluate whether y
1.	Is the current zoning of this property a mistake		

Application fee:

Current property owner:

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

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?
- 4. Will the change affect the current use of other land in the vicinity?
- 5. Why is it appropriate at this time to permit the specific type of zone change?
- 6. What are the current uses on the abutting parcel(s)?
- 7. Explain how the surrounding property within 200° of the perimeter of your property is zoned.
- 8. Have any changes taken place which would make the zone change appropriate now rather than at an earlier date?

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?

ADDTITIONAL 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 (agent) Date



Paul Glockner & Gina Bennett Zone Change Application Tax Map 25, Portion of Lot 38

Applicant's Questionnaire

- 1. The current zoning is not a mistake based on the features of the property.
- 2. This proposal for a zone change is consistent with the Comprehensive Plan under Section 3; Housing by providing support for residential growth by providing a safe neighborhood and affordable housing. The zone change will provide more economically viable housing with a development plan of less infrastructure cost per house lot thus controlling overall home costs and culturing a safe neighborhood. By containing infrastructure costs this also helps to promote workforce housing to support the regions continued economic development.
 - Section 12 of the plan "Future Land Use Plan". The Plan seeks to encourage development in growth areas and this site provides for development of a growth area (RB); however, with RA zoning the change helps the town by promoting the intensity of development along roadway infrastructure without overburdening the town with excessive roadways to maintain. This site is directly across Black Stream Road from other RA zoning.
- 3. The property will be developed though subdivision into residential lots for single family housing. The residential development is consistent with uses in the area which are predominantly single family residential. The change will not alter the allowed density of the area and will align with neighboring development which is RA zoned.
- 4. This requested zone change will not affect the current land uses in the area.
- 5. This change is appropriate, at this time, as the surrounding area is all single family residential use and the RA zone keeps a stricter conformance to only single family, where RB allows other uses that may be less desirable in a neighborhood setting. Single family use in this area is far more compatible with the surrounding area and the zone change will allow an efficient use of infrastructure for housing density and neighborhood environment.
- 6. The abutting parcels are all residential housing or vacant undeveloped land.
- 7. This area adjacent to the parcel is zone RB where the property easterly and across Black Stream Road is zoned RA.

- 8. The zone change is appropriate now as the property owners are interested in subdivision development of single family lots and RA zoning will restrict other potential use without the need to create questionable covenants.
- 9. We are not aware of any previous zone change requests for this parcel.

WARRANTY DEED

Paul A.Glockner of Hermon, Penobscot County, Maine, for consideration paid, grants to Paul A. Glockner and Gina Kim Bennett of Hermon, Penobscot County, Maine (whose mailing address is 616 Black Stream Road, Hermon, ME 04401) with Warranty Covenants, as joint tenants, the following described real estate:

A certain lot or parcel of land with the buildings thereon, located in said Hermon, Penobscot County, Maine, more particularly described as follows:

Beginning at a concrete monument located in the southwesterly side line of Black Stream Road, so-called, this monument indicating the intersection of the said side line of the said road with the southeasterly side line of a certain parcel of land conveyed to Shephard M. Luce by Oliver Luce by his deed dated May 13, 1876, and recorded in Volume Four Hundred Sixty-Nine (469), Page One Hundred Eleven (111), in the Penobscot County Registry of Deeds; thence by and along the southeasterly boundary of the said parcel South Seventy-Four Degrees Twenty-Seven Minutes Twenty-Seven Seconds West (\$ 74° 27' 27" W) Two Thousand Four Hundred Sixty-Two and Sixty-One Hundredths (2462.61) feet to an iron rod on top of the bank of the Black Stream, so-called, and further extending the same bearing, being South Seventy-Four Degrees Twenty-Seven Minutes Twenty-Seven Seconds West (S 74° 27' 27" W) to the high water of the said stream; thence by and along the said stream, as the bank runs, generally northwesterly to a point which bears South Seventy-Seven Degrees Two Minutes Forty-One Seconds West (S 77° 02' 41" W) from another iron pin on top of the bank of the said stream; thence North Seventy-Seven Degrees Two Minutes Forty-One Seconds East (N 77° 02' 41" E) to the said iron rod and further extending the same bearing, for a distance of Two Thousand One Hundred Fourteen and Sixty-Three Hundredths (2114.63) feet to a concrete monument in the westerly side line of the above described Black Stream Road; thence by and along the southwesterly side line of the said Road to the point of beginning. The first described concrete monument bears South Thirty Degrees Twenty-Two Minutes Three Seconds East (S 30° 22' 03" E) and is Nine Hundred Thirty-Nine and Eighty-Seven Hundredths (939.87) feet distant from the last described concrete monument. The lot hereby described contains Fifty and Sixty-Five Hundredths (50.65) acres by measure. The above description of the premises is based on a survey made by Kolman Timberland Consultants, Inc. on September 9, 1972.

EXCEPTING AND RESERVING the premises described in the following deeds: William A. Lindsay and Barbara M. Lindsay to George E. Cyr and Helena M. Cyr, dated June 6, 1975, and recorded in said Registry in Volume 2554, Page 282, and William A. Lindsay and Barbara M. Lindsay to Richard D. Guthrie and Nancy B. Guthrie, dated January 27, 1978 and recorded in said Registry in Volume 2831, Page 13.

FURTHER EXCEPTING AND RESERVING the easement granted by William A. Lindsay and Barbara M. Lindsay to the Municipality of Hermon, dated July 19, 1988 and recorded in said Registry of Deeds in Volume 4297, Page 176.

For grantor's source of title, reference may be had to a deed from Everett G. Murphy to Paul A. Glockner and Pamela C. Glockner, dated August 19, 2002, recorded in Penobscot Registry of Deeds, Book 8323, Page 97. Pamela C. Glockner died leaving Paul A. Glockner as sole surviving joint tenant.

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 36 M.R.S.A., sec. 558.

Witness my hand and seal this 31h	day of May	, 2021.
WITNESS: Julian DeBeck	Faul A. Glockner	
STATE OF MAINE Perobscot., ss	May 5	, 2021
Then personally appeared the above name	ed Paul A. Glockner and acknowled	lged the

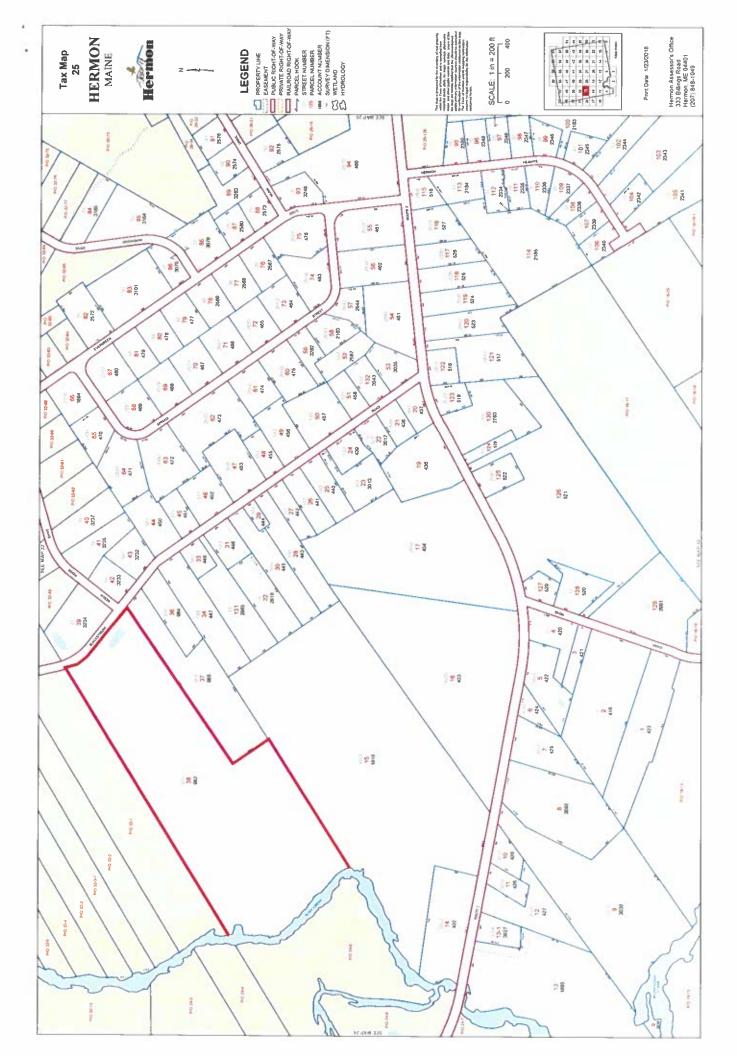
foregoing instrument to be his free act and deed.

Before me,

Notary Public/Justice of the Peace

Commission Expiration:

File No.: 2021-3211





Abutters List

616 Black Stream Road Hermon, Maine

Мар	Lot	Owner
25	15	Dale & Sally Porter
		2486 Route 2
		Hermon, ME 04401
25	37	Richard & Nancy Guthrie
		604 Black Stream Road
		Hermon, ME 04401
25	39	Eric & Lauren Cormier
	1	61 Beech Ridge Drive
		Hermon, ME 04401
25	42	Samuel Gray III & Bonnie Gray
		60 Beech Ridge Drive
		Hermon, ME 04401
24	4	Robina Hartt
		38 Munson Way
		Carmel, ME 04419
24	5	Elizabeth L Smyth Family Trust
		PO Box 2776
		Cheyenne, WY 82003-2776
32	1	Thomas Property Management LLC
		585 Black Stream Road
		Hermon, ME 04401

Hermon Planning Board

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

Applicant:

T & M Contractors

Representative:

Jim Kiser, Engineering and Development Consulting

Address:

Fuller Road- Hermon, Maine

Official Record:

Fee Paid:

\$300.00 plus mailing cost

Public Hearing notification:

BDN- 08/06/2021

Notice of hearing sent to abutters:

08/06/2021

Packets to Planning Board:

08/10/2012

Planning Board Public Hearing date: 08/17/2021

Area to be rezoned- Map 36, PO of Lot 17- from Agricultural Forestry and Residential B to all Residential B

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

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

On August 17, 2021 the Hermon Planning Board reviewed a Zone Change application from T & M Contractors- representated by Jim Kiser, Engineering & Development Consulting. Concerns from John Nickerson and abutter in attendance were how many units, soils and wetland consideration. Mr. Nickerson did not

Representative Jim Kiser explained to the Board the intent for a zone change request to Residential B was so the entire lot could be used for multi-family development. Residential B allows for multi-family development which Agricultural Forestry does not.

Review by the Board:

- Application 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 RB and RF are both 1 acre- (RB multi-family development can be developed as a Multi-family Planned Unit Development using a 10 acre minimum (build out of a maximum units depends on the condition of the soils)
- Minimum road frontage in RB is 200' and AF it is 200'
- The Agricultural Forestry is geared for faming and Residential B is geared towards single family and
- The vote by Board showed that the zone change request for the parcel to be rezoned as all Residential B meets the intent of Comprehensive Plan because of its existing rural character. Board vote was 3-2 (Marsh, Pelletier - opposed). This property is within the designated growth area within

Comprehensive Plan review:

- Land Use Districts outlines these to district as-
- Residential B (Growth Area)- "This district is established to encourage and protect medium and residential development with single family, two and multi-family dwellings, and certain other facilities residential in character or serving the neighborhood. Also, this district is intended to provide area for public and semi-public uses compatible with and necessary to residential development. At the same time, this district is intended to protect the rural uses in character of the land and agricultural uses. The intent of this district is to harmonize agricultural and residential uses".
- Agricultural / Forest (AF) (Rural Area) "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"

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

- 1) It was the consensus of the Board that the request may not maintain the rural essence of the area while still keeping Hermon's rural character.
- 2) Would not impact any critical resources according to the Land Use Map-however, plan review (3 reviews- sketch, preliminary and final)during the Multi-family Planned Unit Development approval will allow the PB to make sure adequate mapping and State permitting is done.
- 3) There is no indication at this time that this zone change request will burden any services provided by the Town of Hermon
- 4) Traffic safety will be looked at during site plan review
- 5) This request is not detrimental to the health and safety of the residents of Hermon

Respectfully submitted,

Edward Marsh, Chairman Hermon Planning Board

Minutes HERMON PLANNING BOARD

August 17, 2021

- CALL TO ORDER BY CHAIRPERSON- Chairman E. Marsh called the meeting to order at 6:30pm
- 2. ROLL CALL-
 - 2.a Appoint Alternate Member(s) if necessary-
- 4. CONSENT AGENDA- Approve minutes of the July 13, 2021 meeting- Motion was made by B. Danforth, 2nd by M. White to approve the minutes of the July 13, 2021 meeting as written- 5-0
- 5. PUBLIC ITEMS OR COMMENTS (Items Not Already on Agenda)
- 6. Public Hearings
 - PB 21-010- Zone Change Request Paul Glockner & Gina Bennett are requesting a zone change for Map 25, Lot 38 from Residential B to Residential A for the purpose of developing a subdivision for single family homes.

Chairman Marsh opened the Public Hearing at 6:35pm

Jim Kiser will be representing the applicants- Mr. Kiser stated that this request for a zone change from Agricultural Forestry to Residential A was to provide for a Residential A subdivision and provide more economically viable housing with a development plan of less infrastructure cost per house lot thus controlling overall home cost and culturing a safe neighborhood. The property will be developed through subdivision into residential lots for single family housing. The RA designation will allow for more structured allowed uses versus Residential B. Abutting parcels are all single family use or vacant parcels.

Close Public Hearing at 6:36- no comments

1a -Act on New Business PB2021-010

Chairman Marsh opened the agenda item to PB member for consideration – see attached record for investigation and findings.

- J. Pelletier / 2nd by B. Danforth to forward the zone change request on to the Hermon Town Council for consideration 5-0
 - 2. **PB21-011-** T & M Contractors are seeking a zone change request for Map 36, PO Lot 17 from Agricultural Forestry to Residential B for the purpose of multi- family residential.

Chairman Marsh opened the public hearing at 6:50pm

Mr. Kiser stated he was the representative for the applicant during this zone change request. The request is for a portion of Lot 17 (back acreage) to be rezoned to Residential B to match the front portion of the lot. The plan is for the property to be developed through subdivision/ site planning into attached single family rental housing. Multi-family is currently an allowed use in the RB portion of the lot and this change would allow for the remaining land to be use in the same fashion as what is allowed on the front portion.

As an abutter John Nickerson asked how many unit were intended and had septic and wetlands been considered. Mr. Kiser stated that preliminary soils and wetlands had been done but more would need to be done if approval for the zone change was granted.

Close Public Hearing at 6:55pm

2a -Act on New Business PB2021-011

Chairman Marsh opened the agenda item to PB member for consideration – see attached record for investigation and findings.

B. Danforth/ 2nd by M. White to forward the zone change request on to the Hermon Town Council for consideration – 3-2 (Marsh, Pelletier)

3. **PB 21-012-** Ball Development is seeking preliminary review of a proposed multi-family Planned Unit Development for Map 50, Lot 63 at the corner of Billings and Union Streets. –

Chairman Marsh opened the public hearing at 7:10pm

Scott Braley of Plymouth Engineering explains to the Board that Ball Dev. Group is seeking a preliminary plan review of their proposed project to be located on Union Street. Currently one building has been permitted per the Hermon Land Use Ordinance, this preliminary plan tonight shows the next 3 buildings which will be title Phase 1 on the plan and also the conceptual plan of the entire plan build out for a Multi-family Planned Unit Development (PUD). Mr. Braley states that the blasting has been done for the site, wetlands have been done for soils, entrance permit is in place from the DOT and a permit by rule for the Chapter 500 DEP storm water rules is in place for this initial phase. Depending on market, depending upon the future and how things go, there may be additional buildings in the future. This project, as it's laid out now, is under an acre of impervious area, including the road and we're not disturbing any wetlands, however, as each phase is build out that will change and the appropriate permitting will be applied for. Mr. Braley states that this project falls under the rules of a public drinking water supply, so the state will be regulating the drinking water supply.

Mr. Braley also discusses the recent concerns received from the residents of Skyway Valley on the addition traffic flow / safety this development will create and would like to touch on. The current proposal of 4 buildings will not meet the requirements of a traffic study per DOT – ITE manual, however, the full build out approved under the MDOT entrance permit of 64 units may.

Mark Grant from Glenwood Ave. stated that he had concerns of this size of a project being permitted and that it was extreme. He also has concerns about the traffic congestion already on Billing and Union and feels this is an added burden to that area.

Vicki Grant asked if all units would be rentals and Mr. Braley explained that under a multi family PUD they are required to be permitted as rentals.

Chairman Marsh closed the public hearing at 7:30pm

Chairman Marsh opened the agenda item to Board comments and concerns- The general consensus of the Board was that the applicant had meet the requirements of preliminary review and traffic was also a concern and hope that the applicant would look a creative ways to landscape and keep the visual distance clear from all directions.

3a. Act on New Business PB2021-012

Motion was made by B. Danforth, 2nd by J. Pelletier to approve the preliminary plan as submitted- Vote- 5-0

7. New Business

1. WL Properties is seeking sketch plan review of Bog Road Map 6, Lot 5
Shelly Lizotte, from Artifex Architect & Engineers states the she is the representative for the applicant during this review. Ms. Lizotte explains that the AF zone allows Planned Unit Development with the requirements that the lot contains a minimum of 10 acres and include dedicated open space area of at least 30%. This PUD is proposed to include single family dwellings. The plan attached to the application identifies the area to be the PUD (approx. 20 Acres). There is an open space proposed of approximately 6 aces, with a retained portion of the land to be around 16 acres. A proposed private road is shown with two

turn a rounds and potential building areas. A more in depth design will be presented during the preliminary and final hearings with the board.

Consensus of the Board was to approve the sketch plan of the proposed project.

2. WL Properties is seeking sketch plan review of Newburgh Road Map 11, Lot 52 Shelly Lizotte, representative for the applicant. She states that the applicant is proposing a 19 lot single family subdivision with the proposed road coming off Pendleton Drive and 1 single lot to be located on the Newburgh Road section of the parcel. The project will require a stormwater permit from DEP. The total subdivision area will be 28.7 acres.

Consensus of the Board was to approve the sketch plan of the proposed project.

- 8. Old Business- none
- 9. WORKSHOPS- Solar Ordinance review moved to October 5th, with a regular meeting to be held on October 19th
- 11. CEO Items- CEO Merrithew informed the Board that see will be out of the office from August 24th Oct. 4th Josh Berry and Rylee Cushman will handle the Code office during that time.
- 10. PLANNING BOARD ITEMS -
- 11. FINAL PUBLIC ITEMS OR COMMENTS (Items Not Already on Agenda)
- 12. ADJOURN

If you require any assistance to fully participate in this meeting, please notify us at 848-1042 or write to the Town of Hermon, 333 Billings Rd, Hermon, ME 04402.



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.

Applic	ation fee: Fee: \$300.00 plus mailing costs
1.	Current property owner: T&M Contractors, Inc.
2.	Owner's address: 51 Mountain Road, Dixmont, ME 04932 Phone: 299-7441
3.	Street address of property: _Fuller Road
4.	Applicant's name: T&M Contractors, Inc.
5.	Applicant's address:Same
6.	Applicant's phone #; Same
7.	Present Zoning classification:Res B and Agricultural-Forestry (split parcel)
8.	Requested zoning classification: Res B (entire parcel)
9.	Intended use for parcel(s) if rezoned: Multi-family attached residential
10.	Attach legal description of property to be rezoned. (see attached deed)

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. (see attached sheet)

1. Is the current zoning of this property a mistake

- 2. Will the change in zoning conform with the policies and objectives of the Comprehensive Plan?
- 3. Will the overall change in the zoning district result in development which is compatible to the surrounding districts?
- 4. Will the change affect the current use of other land in the vicinity?
- 5. Why is it appropriate at this time to permit the specific type of zone change?
- 6. What are the current uses on the abutting parcel(s)?
- 7. Explain how the surrounding property within 200' of the perimeter of your property is zoned.
- 8. Have any changes taken place which would make the zone change appropriate now rather than at an earlier date?

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?

ADDTITIONAL REQUIREMENTS:

A. Attach a copy of the most current tax map / lot of the property to be rezoned

(Agent)

- 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 (BDN Legal Notice and mailing cost 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

3 Aug 21

Date

Telephone: 207 848-1010

FAX: 207 848-3316

2 August 2021

T&M Contractors, Inc.
Zone Change Application
Tax Map 36, Portion of Lot 17

Applicant's Questionnaire

- 1. The current zoning does not appear to be a mistake based on roadside zoning shown on the zoning map.
- 2. This proposal for a zone change is consistent with the Comprehensive Plan under Section 3; Housing by providing support for residential growth by providing a safe neighborhood and affordable rental housing. The zone change will provide more economically viable housing based on a multi-family development plan of less infrastructure and more open space on a per unit basis thus controlling overall costs and culturing a safe neighborhood. By containing infrastructure costs this also helps to promote workforce housing to support the regions continued economic development.

Section 12 of the plan "Future Land Use Plan". The Plan seeks to encourage development in growth areas of the town. This site provides a development growth area (RB) along the front of the property; however, this property is split by a zone boundary and is not suited for multiple styles of development afforded by the different zones. The RB zone will promote multi-family housing along existing infrastructure without creating additional roadways for the town to maintain. AF zoning would require inefficient use of the land and significantly more infrastructure.

- 3. The property will be developed though subdivision/site planning into attached single family rental housing. The residential development is an allowed use in the area and is not a change the zoning/use but is an expansion of the area of zoning and use. The change will not alter the allowed density of the area and will provide common zoning for the entire property.
- 4. This requested zone change will not affect the current land uses in the area.
- 5. This change is appropriate, at this time, as the property has been purchased for development and a common scheme of development will benefit the utilization of the property as a neighborhood and provide needed residential stock for the town.
- 6. The abutting parcels are all residential housing or vacant undeveloped back land of larger parcels. Land to the east is part of a significant wetland that encroaches on the easterly side of the property.

- 7. This area adjacent to the property and along Fuller Road is zoned RB. Land that are part of larger parcels and disconnected with Fuller Road are A-F zoned.
- 8. The zone change is appropriate now as the property owners are interested in development of multi-family housing which they have done on an adjacent parcel previously. The zone will allow a greater utilization of the property and provide rental housing which is in higher demand. They typically rent to older adults which now prefer to rent and not have the added responsibility of home ownership and maintenance activities. The market has seen an increase of people that want to stay in their hometowns but prefer to have a smaller place to live with more time to enjoy life.
- 9. We are not aware of any previous zone change requests for this parcel.

WARRANTY DEED

DLN:	

STEVEN A. TREADWELL, of Orrington, Penobscot County, State of Maine, for consideration paid, grant to T&M CONTRACTORS, INC., a Maine corporation with offices in Levant, Penobscot County, State of Maine, with WARRANTY COVENANTS, a certain lot or parcel of land situated in Hermon, Penobscot County, Maine, more particularly described as follows:

All of that portion of the following described premises located on the NORTHERLY sideline of the Fuller Road in the Town of Hermon, County of Penobscot, State of Maine, and being lot numbered Nine on William Boynton plan of the Bog Tract in the east division of said Hermon, containing forty acres, more or less. Also one other parcel of land situate in said Hermon, containing ten and one-half acres, being the front part of the Alva Osgood lot. The above described premises being the former homestead of Jacob A. Snow on the Fuller Road west of the bog and the same conveyed to Charles E. Smith by Madison M. Grant by deed dated April 5, 1888 and recorded in Penobscot County Registry of Deeds in Volume 581, Page 243.

EXCEPTING from the above described premises, however, a strip of land ten (10) rods and ten (10) feet in width along the westerly boundary of said premises, said reserved strip being bounded on the south by the Fuller Road, on the west by land of one Brown, on the north by land of said Ralph E. and Guy V. Smith, and on the east by the premises herein conveyed.

EXCEPTING from the above-described premises that portion thereof conveyed by James P. Treadwell and Doris S. Treadwell to James M. Day, et al., dated December 31, 1975 and recorded in Penobscot County Registry of Deeds in Volume 2614, Page 52.

EXCEPTING from the above-described premises all that portion of the premises located on the SOUTHERLY sideline of the Fuller Road in the Town of Hermon, County of Penobscot and State of Maine.

This conveyance is SUBJECT TO the following restrictions:

- 1) No mobile homes are allowed on the premises.
- 2) The property is limited to residential housing (multi-family housing is permitted).

All of the above being a portion of the premises described in the Warranty Deed from Doris S. Treadwell to Doris S. Treadwell and Steven A. Treadwell, as joint tenants, dated May 13, 1996 and recorded in the Penobscot County Registry of Deeds in Volume 6118, Page 82. The said Doris S. Treadwell died on April 8, 2011, leaving Steven A. Treadwell as the surviving joint tenant.

Grantee's address: 141 Overlock Road, Levant, ME 04456.

WITNESS our hands and seals this 2 91 day of 500, 2020

Witness:

STATE OF MAINE PENOBSCOT, ss.

Date: 7/2//2020

Personally appeared the above-named Steven A. Treadwell and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Name:

MICHARLH. GRIFFIN

Notary Public

MAINE ATTORNEY AT LAW

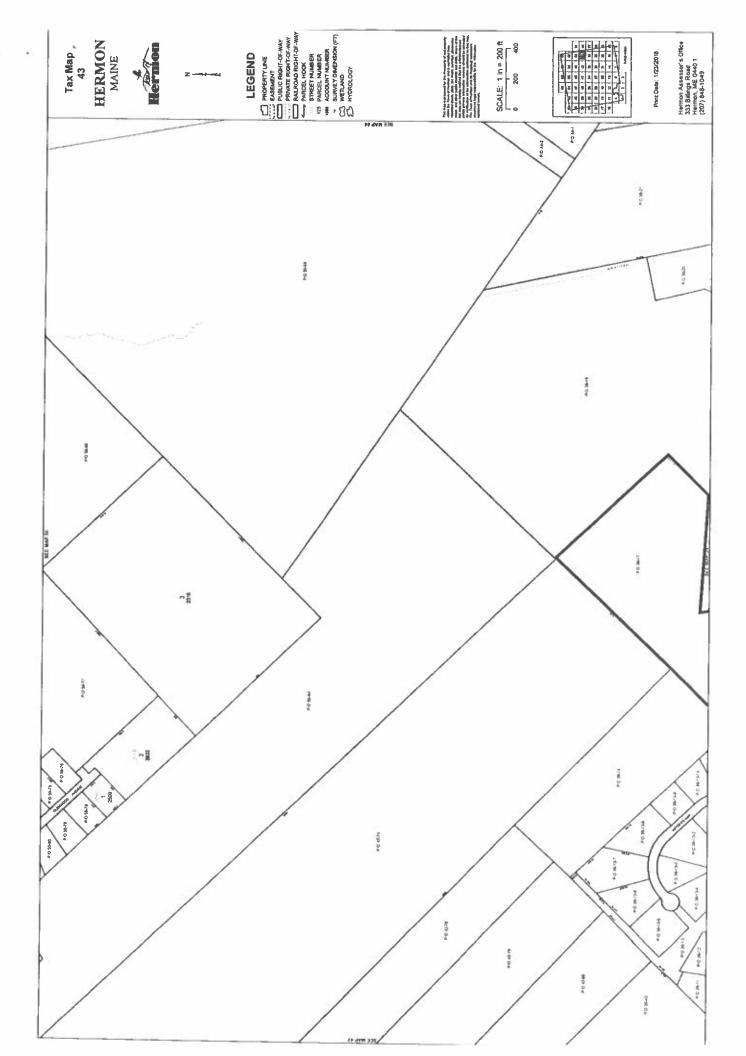
Maine Attorney-at-Law

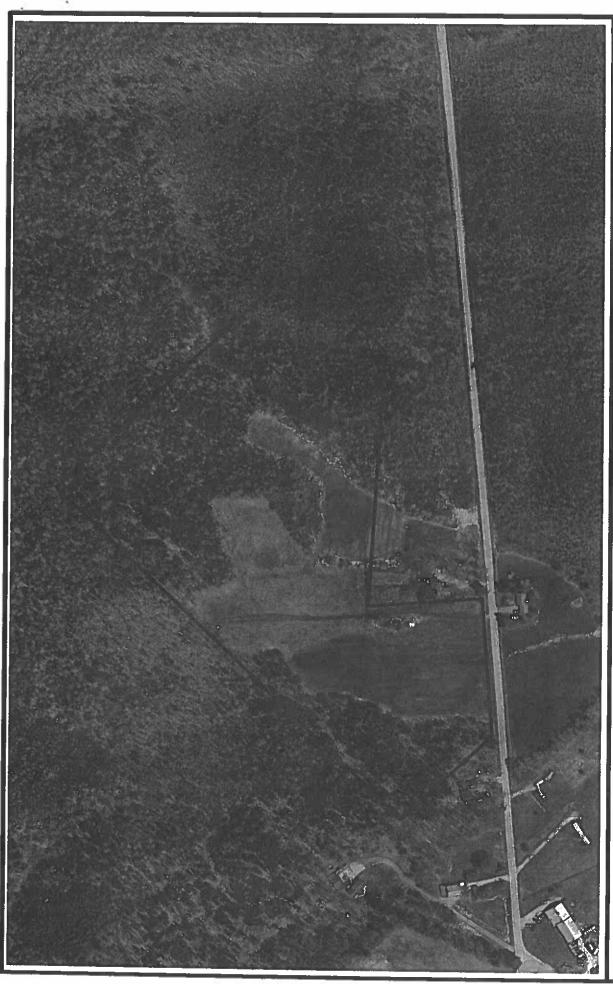
Tax Map 36, Lot 17 – Land on Fuller Road, Hermon DEMMONS A-15187-H WD (aes/md/deeds) in

BANGOR













AERIAL PHOTO: GOOGLE FULLER ROAD HERMON, MANE

T+M CONTRACTORS. INC. DIXMONT. ME 04932



Abutters List

Fuller Road (TM 36, Lot 17) Hermon, Maine

Мар	Lot	Owner
36	14	Marty Kelly
		111 Fuller Road
		Hermon, ME 04401
36	15	Craig Oliver
	25	108 Fuller Road
		Hermon, ME 04401
36	16	Thomas Russell
	-	89 Fuller Road
		Hermon, ME 04401
36	18	Devon Curtis
		81 Fuller Road
		Hermon, ME 04401
36	19	John & Sharon Nickerson
		8 Nickerson Drive
		Hermon, ME 04401
36	24	T&M Contractors, Inc.
42	74	Carol Solomon
		519 Billings Road
		Hermon, ME 04401
50	94	Richard Cyr
		537 Billings Road
		Hermon, ME 04401

Janet T. Mills Governor

Jeanne M. Lambrew, Ph.D. Commissioner



Maine Department of Health and Human Services
Office for Family Independence
109 Capitol St.
11 State House Station
Augusta, Maine 04333-0011

Tel.: (207) 624-4168; Toll-Free: (800) 442-6003 TTY: Dial 711 (Maine Relay); Fax: (207) 287-3455

To: Welfare Officials and Contracted Agents

From: Sara Denson, Program Manager, General Assistance

Date: September 3, 2021

Subject: Revision to Updated GA Ordinance and Maximums

Enclosed please find the following items:

- MMA's updated (September 2021) "General Assistance Ordinance"
- MMA's new (October 1, 2021-September 30, 2022) "General Assistance Ordinance Appendices" (A = H).
- "GA Ordinance Adoption Form" which was developed so that municipalities may easily send DHHS proof of the adoption of any updated or changed GA Ordinance. Once the selectpersons or council adopts the new ordinance, the enclosed form should be signed and submitted to DHHS. (see "Filing of GA Ordinance and/or Appendices" below for further information).
- "GA Maximums Adoption Form" which was developed so that municipalities may easily send DHHS proof of GA maximums adoption. Once the selectpersons or council adopts the new maximums, the enclosed form should be signed and submitted to DHHS. (see "Filing of GA Ordinance and/or Appendices" below for further information).
- "GA Reference Guide" which is intended to be a quick reference sheet for use by Administrators when determining eligibility.

Updates

Please note that updates have been made to the General Assistance Ordinance, Appendix A and Appendix C. A discrepancy was discovered in the calculation of certain maximums and MMA has corrected and updated those appendices. Please use the corrected and attached documents for determination of General Assistance eligibility.

Filing of GA Ordinance and/or Appendices

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted, should that ordinance differ from the MMA Model. Any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS will accept the enclosed "adoption sheet" as proof that your Municipal Officers have adopted the current GA maximums and/or ordinance.

2021-2022 GA Overall Maximums – Revised (9/2/21)

Metropolitan Areas

	Per	sons in Ho	usenoid		
COUNTY	1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	783	909	1,163	1,447	1,979
Cumberland County HMFA: Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	963	1,023	1,331	1,773	1,904
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	754	811	1,042	1,335	1,652
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	748	750	992	1,243	1,357
Portland HMFA: Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	1,197	1,352	1,751	2,267	2,770
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	828	981	1,195	1,575	1,777

COUNTY	1	2	3	4	5*
York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	1,016	1,030	1,293	1,615	1,896
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	1,173	1,230	1,620	2,096	2,805

^{*}Note: Add \$75 for each additional person.

Non-Metropolitan Areas

Persons in Household

COUNTY	100	2	3	4	5*
Aroostook County	655	717	840	1,132	1,254
Franklin County	690	737	846	1,119	1,497
Hancock County	844	880	1,058	1,334	1,462
Kennebec County	776	794	990	1,299	1,387
Knox County	800	807	990	1,316	1,406
Lincoln County	877	895	1,123	1,397	1,806
Oxford County	771	775	947	1,337	1,555
Piscataquis County	665	715	883	1,172	1,412
Somerset County	716	751	969	1,263	1,354
Waldo County	920	925	1,101	1,376	1,883
Washington County	717	721	937	1,173	1,268

^{*} Please Note: Add \$75 for each additional person.

Appendix B Effective: 10/01/21 to 09/30/22

2021-2022 Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2021, those amounts are:

Number in Household	Week	dy Maximum	Month	ly Maximum
1	\$	58.14	\$	250.00
2		106.74		459.00
3		153.02		658.00
4		194.19		835.00
5		230.70		992.00
6		276.74		1,190.00
7		306.05		1,316.00
8		349.77		1,504.00

Note: For each additional person add \$188 per month.

2021-2022 GA Housing Maximums – Revised (9/2/21) (Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! Municipalities should ONLY consider adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. Or, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (See Instruction Memo for further guidance.)

Non-Metropolitan FMR Areas

Aroostook County	Unhe	ated	He	ated
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	119	510	142	612
	125	536	156	670
2	141	608	183	785
3	198	853	249	1,070
4	212	913	274	1,180
Franklin County	Unhe	ated	He	ated
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	127	545	150	647
1	129	556	160	690
2	143	614	184	791
3	195	840	246	1,057
4	269	1,156	331	1,423
Hancock County	Unhe	ated	He	ated
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	161	691	184	791
	161	691	190	818
2	189	812	229	986
3	241	1,037	291	1,250
4	255	1,095	316	1,359
Kennebec County	Unhe	ated	He	<u>l</u> ated
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	145	623	168	723
1	145	623	170	732
2	173	744	213	918
3	233	1,002	283	1,215
4	237	1,020	299	1,284

Appendix C Effective: 10/01/21-09/30/22

Non-Metropolitan FMR Areas

Knox County	Unhe	ated	He	ated		
Bedrooms	Weekly	Monthly	Weekly	Monthly		
0	150	647	174	747		
	150	647	174	747		
2	173	744	213	918		
3 7 7 6 1	237	1,019	287	1,232		
4	242	1,039	303	1,303		
Lincoln County	Unhe	ated	Heated			
Bedrooms	Weekly	Monthly	Weekly	Monthly		
0	168	724	192	824		
	168	724	194	833		
2	204	877	244	1,051		
3	256	1,100	305	1,313		
4	335	1,439	396	1,703		
Oxford County	<u>Unheated</u>		rd County Unhapted		He	ated
Bedrooms	Weekly	Monthly	Weekly	Monthly		
0	144	618	167	718		
	144	618	167	718		
2	163	701	203	875		
3	242	1,040	291	1,253		
4 4	276	1,188	338	1,452		
Piscataquis County	Unheated		Heated			
Bedrooms	Weekly	Monthly	Weekly	Monthly		
0	117	501	165	609		
	119	512	165	652		
2	146	627	201	811		
3	200	862	288	1,086		
4	241	1,037	333	1,312		
Somerset County	Unhe	ated	He	ated_		
Bedrooms	Weekly	Monthly	Weekly	Monthly		
0	131	563	154	663		
1	131	563	160	689		
2	168	723	209	897		
3	225	966	274	1,179		
4	230	987	291	1,179		

Appendix C Effective: 10/01/21-09/30/22

Non-Metropolitan FMR Areas

Waldo County	Unhe	ated	Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	178	767	202	867
1	178	767	202	867
2	199	855	239	1,029
3	251	1,079	300	1,292
4	353	1,516	414	1,780

Washington County	Unhe	ated	<u>Heated</u>		
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	131	564	154	664	
1	131	564	154	664	
2	161	691	201	865	
3	204	876	253	1,089	
4	210	901	271	1,165	

Metropolitan FMR Areas

Bangor HMFA	Unhe	ated	Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	147	630	170	730
	166	714	197	847
2	213	917	254	1,091
3	267	1,150	317	1,363
4	375	1,612	436	1,876

<u>Cumberland Cty.</u> <u>HMFA</u>	<u>Unhe</u>	ated	<u>Heated</u>		
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	188	810	212	910	
	193	828	223	961	
2	252	1,085	293	1,259	
3	343	1,476	393	1,689	
4	357	1,537	419	1,801	

Lewiston/Auburn MSA	<u>Unheated</u>		Hea	ted
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	140	601	163	701
	143	616	174	749
2	185	796	226	970
3	241	1,038	291	1,251
4	299	1,285	360	1,549

Appendix C Effective: 10/01/21-09/30/22

Metropolitan FMR Areas

Penobscot Cty. HMFA	Unh	eated	He	ated
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	138	595	162	695
1 2 1	138	595	162	695
2	173	746	214	920
3	220	946	270	1,159
4	230	990	292	1,254
Portland HMFA	Unh	eated	Герпина III Не	ated
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	243	1,044	266	1,144
1	269	1,157	300	1,290
2	350	1,505	390	1,679
3	458	1,970	508	2,183
4	559	2,403	620	2,667
Sagadahoc Cty. HMFA	Unh	eated	He	ated
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	157	675	180	775
1	183	786	214	919
2	221	949	261	1,123
3	297	1,278	347	1,491
4	328	1,410	389	1,674
York Cty. HMFA	Unh	eated	He	ated
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	201	863	224	963
1 EV = 15 W = WS	201	863	225	968
2	243	1,047	284	1,221
3	307	1,318	356	1,531
4	356	1,529	417	1,793
York/Kittery/S. Berwick HMFA	Unh	eated	He	ated
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	237	1,020	260	1,120
	237	1,020	272	1,168
2	320	1,374	360	1,548
3	418	1,799	468	2,012
4	567	2,438	628	2,702

2021-2022 GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in Appendices A, B, C, D, E, and F are effective from October 1, 2021 to September 30, 2022.

APPENDIX A - OVERALL MAXIMUMS

<u>County</u>			Persons in	Household		_
	1	2	3	4	5	6
NOTE: For each ad	ditional person	add \$75 per	month.			
(The applicab	le figures fron	Appendix	A. once adoi	<i>pted</i> . should	be inserted	here.)

APPENDIX B - FOOD MAXIMUMS

Number in Household	Weekly Maximum	Monthly Maximum
1	\$ 58.14	\$ 250.00
2	106.74	459.00
3	153.02	658.00
4	194.19	835.00
5	230.70	992.00
6	276.74	1,190.00
7	306.05	1,316.00
8	349.77	1,504.00
NOTE: For each additional person	on add \$188 per month.	

APPENDIX C - HOUSING MAXIMUMS

	<u>Unh</u>	eated	<u>Hea</u>	<u>ited</u>
Number of Bedrooms	Weekly	Monthly	Weekly	Monthly
0				
1				
2				
3				
4				
(The applicab	ole figures from App	oendix C, once adopt	<i>ted</i> , should be insert	ed here.)

APPENDIX D - UTILITIES

ELECTRIC

NOTE: For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is *not automatically* entitled to the "maximums" established—applicants must demonstrate need.

1) Electricity Maximums for Households <u>Without</u> Electric Hot Water: The maximum amounts allowed for utilities, for lights, cooking and other electric uses excluding electric hot water and heat:

Number in Household	Weekly	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.90	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00
NOTE: For each additional person	add \$7.50 per month.	

2) Electricity Maximums for Households <u>With</u> Electrically Heated Hot Water: The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses excluding heat:

Number in Household	Weekly	<u>Monthly</u>
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00
NOTE: For each additional person	add \$10.00 per month.	

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

APPENDIX E - HEATING FUEL

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	Gallons
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES

Number in Household	Weekly Amount	Monthly Amount
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00
NOTE: For each additional person	on add \$1.25 per week or \$5.00	per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

Number of Children	Weekly Amount	Monthly Amount
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

Effective: 10/01/21-9/30/22

Burial Maximums

The maximum amount of general assistance granted for the purpose of burial is <u>\$1,475</u>. The municipality's obligation to provide funds for burial purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable burial expenses are limited to:

- removal of the body from a local residence or institution
- a secured death certificate or obituary
- embalming

Funeral Maximums

- a minimum casket
- a reasonable cost for necessary transportation
- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator.

Additional costs may be allowed by the GA administrator, where there is an actual cost, for:

- the wholesale cost of a cement liner if the cemetery by-laws require one;
- the opening and closing of the grave site; and
- a lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

Cremation Maximums

The maximum amount of assistance granted for a cremation shall be \$1,025.

The municipality's obligation to provide funds for cremation purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable cremation expenses are limited to:

- removal and transportation of the body from a local residence or institution
- professional fees
- crematorium fees
- a secured death certificate or obituary

Appendix H

Effective: 10/01/21-9/30/22

• other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator.

Additional costs may be allowed by the GA administrator where there is an actual cost, for:

- a cremation lot in the least expensive section of the cemetery
- a reasonable cost for a burial urn not to exceed \$55
- transportation costs borne by the funeral director at a reasonable rate per mile for transporting the remains to and from the cremation facility.



O21-22-04

GENERAL ASSISTANCE ORDINANCE APPENDICES A-H 2021-2022

BY ORDER of the Hermon Town Council, Pursuant to 22 M.R.S. § 4305(1), the municipal officers of the Municipality of Hermon, after notice and hearing, hereby amend the municipal General Assistance Ordinance by repealing and replacing appendices A through H of the existing ordinance with the attached appendices A through H, which shall be in effect from October 1, 2021 through September 30, 2022. This amendment will be filed with the Maine Department of Health & Human Services (DHHS) pursuant to 22 M.R.S. § 4305(4), and a copy of the ordinance and amended appendices shall be available for public inspection at the municipal office along with a copy of the 22 M.R.S. chapter 1161.

d the 14th of October 2021 by the i	mamerpar officers.
Anthony Reynolds	Steven Thomas
Charles Lever IV	Phillip Richardson
John Snyer, III	Ronald Murphy
G. Stephen Watson	October 1



R21-22-03

Be it resolved by the Hermon Town Council in Town Council assembled for a Zone Change request to part of Map 025 Lot 038-000 (Blackstream Rd). The proposed zone change will be from Residential B to Residential A.

SIGNED this October 14,	2021 by the Hen	mon Town Council:	
Ronald Murphy	The second	Charles Lever IV	
John Snyer III		Anthony Reynolds	_
Phillip Richardson		Steven Thomas	_
		G. Stephen Watson	_
t Original:	22.0		-
tion	Yeas	Date	
cond	Nays		



R21-22-04

Be it resolved by the Hermon Town Council in Town Council assembled for a Zone Change request to part of Map 036 Lot 017-000 (Fuller Rd). The proposed zone change will be from Agricultural Forestry and Residential B to all Residential B.

SIGNED this October 14,	2021 by the Hern	mon Town Council:	
Ronald Murphy		Charles Lever IV	
John Snyer III		Anthony Reynolds	
Phillip Richardson		Steven Thomas	
		G. Stephen Watson	
st Original:			
otion	Yeas	Date	



O21-22-04

GENERAL ASSISTANCE ORDINANCE APPENDICES A-H 2021-2022

BY ORDER of the Hermon Town Council, Pursuant to 22 M.R.S. § 4305(1), the municipal officers of the Municipality of Hermon, after notice and hearing, hereby amend the municipal General Assistance Ordinance by repealing and replacing appendices A through H of the existing ordinance with the attached appendices A through H, which shall be in effect from October 1, 2021 through September 30, 2022. This amendment will be filed with the Maine Department of Health & Human Services (DHHS) pursuant to 22 M.R.S. § 4305(4), and a copy of the ordinance and amended appendices shall be available for public inspection at the municipal office along with a copy of the 22 M.R.S. chapter 1161.

d the 14th of October 2021 by the	municipal officers:
Anthony Reynolds	Steven Thomas
Charles Lever IV	Phillip Richardson
John Snyer, III	Ronald Murphy
G. Stephen Watson	October 14



R21-22-05

Be it resolved by the Hermon Town Council in town council assembled, the mill rate for Fiscal Year 2021-2022 is set at 11.99 mills with a commitment date of 09-30-2021, a due date of 04-01-2022, interest to start on 04-02-2022 at the annual interest rate of 6% on the unpaid balance.

SIGNED this October 14, 2	021 by the Herr	non Town Council:
Charles Lever IV		Anthony Reynolds
John Snyer III		G. Stephen Watson
Phillip Richardson	Steven Thomas	
		Ronald Murphy
est Original:		
lotion	Yeas	Date
econd	Nays	