

Agenda
HERMON PLANNING BOARD
Public Safety Building
May 21, 2024 – 6:30PM

1. CALL TO ORDER BY CHAIRPERSON

Chair Ed Marsh called the meeting to order at 6:30 PM.

2. PLEDGE OF ALLEGIANCE

Chair Ed Marsh led the audience in the Pledge of Allegiance.

3. ROLL CALL- Appoint Alternate Member(s) if necessary.

Members Present: Ed Marsh, Joshua Pelletier, Deborah Whitman, Kyle Sullivan, Curtis Bartram, Greg Newell

Members Absent: Jeremy Snow - Excused

Others Present: Code Officer Jessefa Murphy, Deputy Clerk Keely Gonyea, and 11 guests

4. CONSENT AGENDA-

- A.** Consent May 21, 2024, Agenda
- B.** Approve minutes of the April 16, 2024 meeting

Joshua Pelletier made a motion to accept the agenda and add item E PB 24-006 - Clark Road Properties, LLC is seeking subdivision amendment approval for the Richard Hudson Bog Rd Subdivision (Connors Avenue) formerly Tax Map/Lot 013-110-000 to New Business in the agenda. Kyle Sullivan seconded the motion. The motion passes accepted unless doubted.

Kyle Sullivan made a motion to approve the minutes of the April 16, 2024 meeting. Deborah Whitman seconded the motion. The motion passes accepted unless doubted.

Deborah Whitman made a motion to appoint Curtis Bartram as a voting member of the Planning Board for the May 21, 2024 meeting. Kyle Sullivan seconded the motion. The motion passes accepted unless doubted.

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

No public comments.

6. PUBLIC HEARINGS

- A. **PB 24-002** – Richard Bartlett is seeking Site Plan Amendment approval from previously approved rear lot development located at 2338 Union Street Tax Map/Lot 050-034-000 & 050-035-001

Ed Marsh opened the public hearing at 6:34 PM. Public comments were given. The public hearing was closed at 6:35 PM.

- B. **PB 24-003** – Mark Boucher is seeking Subdivision Amendment approval, located at 2032 & 2033 Hemlock Drive, Tax Map/Lot 040-013-059 & 040-013-058

Ed Marsh opened the public hearing at 6:36 PM. Public comments were given. The public hearing was closed at 6:40 PM.

- C. **PB 24-004** – Whitetail Properties, LLC is seeking Subdivision Amendment Approval for a previously approved for a 6-unit apartment located at 599 Pine Tree Road, Tax Map/Lot046-001-001

Ed Marsh opened the public hearing at 6:40 PM. Public comments were given. The public hearing was closed at 6:42 PM.

- D. **PB 24-005** – Gerald Applebee is seeking Site Plan Approval for a Home Occupation 3 located on Union Street, Tax Map/Lot 060-011-000

Ed Marsh opened the public hearing at 6:42 PM. No public comments were given. The public hearing was closed at 6:44 PM.

Ed Marsh: We've not had this for awhile where somebody hasn't shown up and I'm not comfortable even discussing this without hearing from the applicant. We will have to make a motion to table this. I apologize for those who have come to discuss it but until we hear from the owner it's difficult for us to look at that.

Kyle Sullivan made a motion to table PB 24-005 – Gerald Applebee is seeking Site Plan Approval for a Home Occupation 3 located on Union Street, Tax Map/Lot 060-011-000 to a future date to be determined. Joshua Pelletier seconded the motion. The motion passes 5-0.

Belinda Porter, Union Street: Excuse me, so we're here to talk about that. What happens? I don't understand this. They didn't show up so now I can't say anything about this?

Ed Marsh: At the end of the meeting there's another public comment section. I apologize. We expected to have a discussion during the time, as we have for each one of these. Typically, if we do not have an applicant to try and explain what's going on it's not really prudent to continue the discussion. But we would hear from you as an abutter.

Belinda Porter: Okay, thank you.

- E. **PB 24-006 - Clark Road Properties, LLC is seeking subdivision amendment approval for the Richard Hudson Bog Rd Subdivision (Connors Avenue) formerly Tax Map/Lot 013-110-000**

Ed Marsh opened the public hearing at 6:46 PM. Public comments were given. The public hearing was closed at 6:49 PM.

Please see the complete video at [Planning Board | Hermon \(hermonmaine.gov\)](https://www.hermonmaine.gov) for all public hearing comments.

Close Public Hearing

7. SCHEDULED AGENDA ITEMS

New Business

- A. **PB 24-002 – Richard Bartlett is seeking Site Plan Amendment approval from previously approved rear lot development located at 2338 Union Street Tax Map/Lot 050-034-000 & 050-035-001**

Joshua Pelletier made a motion to approve PB 24-002 – Richard Bartlett is seeking Site Plan Amendment approval from previously approved rear lot development located at

2338 Union Street Tax Map/Lot 050-034-000 & 050-035-001. Deborah Whitman seconded the motion. The motion passes 5-0.

- B. **PB 24-003** – Mark Boucher is seeking Subdivision Amendment approval, located at 2032 & 2033 Hemlock Drive, Tax Map/Lot 040-013-059 & 040-013-058

Kyle Sullivan made a motion to approve PB24-003 – Mark Boucher is seeking Subdivision Amendment approval, located at 2032 & 2033 Hemlock Drive, Tax Map/Lot 040-013-059 & 040-013-058. Deborah Whitman seconded the motion. The motion passes 5-0.

- C. **PB 24-004** – Whitetail Properties, LLC is seeking Subdivision Amendment Approval for a previously approved for a 6-unit apartment located at 599 Pine Tree Road, Tax Map/Lot 046-001-001

Deborah Whitman made a motion to approve PB 24-004 – Whitetail Properties, LLC is seeking Subdivision Amendment Approval for a previously approved 6-unit apartment located at 599 Pine Tree Road, Tax Map/Lot 046-001-001. Joshua Pelletier seconded the motion. The motion passes 4-0. Kyle Sullivan abstained from voting due to his employment with Haley Ward.

- D. **PB 24-005** – Gerald Applebee is seeking Site Plan Approval for a Home Occupation 3 located on Union Street, Tax Map/Lot 060-011-000

Tabled to future Planning Board meeting. Date to be determined.

- E. **PB 24-006** - Clark Road Properties, LLC is seeking subdivision amendment approval for the Richard Hudson Bog Rd Subdivision (Connors Avenue) formerly Tax Map/Lot 013-110-000

Deborah Whitman made a motion to approve PB 24-006 – Clark Road Properties, LLC is seeking subdivision amendment approval for the Richard Hudson Bog Rd Subdivision (Connors Avenue) formerly Tax Map/Lot 013-110-000. Joshua Pelletier seconded the motion. The motion passes 5-0.

Please see the complete video at [Planning Board | Hermon \(hermonmaine.gov\)](http://Planning Board | Hermon (hermonmaine.gov)) for all new business comments.

Old Business

Ed Marsh: If the board is okay, I would like to move Item 10 Final Public Items or Comments up just so that we can have individuals who wanted to talk about Item D speak instead of going through the rest of the meeting.

10. FINAL PUBLIC ITEMS OR COMMENTS (Items Not Already on Agenda)

Belinda Porter: My name is Belinda Porter. My husband Allen and I live across the street from item D. We'd like to share our concerns regarding item D on the agenda Mr. Applebee is seeking site plan approval for a home occupation 3, residence based service business on Union Street. This area is directly across the street from our home. And looking at the map, it is 100 feet from our front door to the office trailer. I want to give you some background on this. Our concern started last summer when the area was cleared, and gravel was brought in to fill in the boggy area. We started calling the Code Enforcement Officer, Mr. Murphy, to inquire what was going on across the street... on May 7, Mr. Applebee completed an application for a permit. I understand that the property on Union Street is the same parcel of land that he resides at. But his residence is at 95 Kelley Rd where the home occupation 3 permit should be requested and where he previously stored his equipment. There is no residence on Union St, nor is it zoned residential. I understand why Mr. Applebee did not want this unsightly view on his front lawn at his home where he lives. Because now even though it's not on our property, it might as well be on our front lawn. Under home occupation 3, there is a screening ordinance in which his vehicles are required not to be visible from view. In addition, an outside storage ordinance which states storage is not permitted where it would be visible to abutting homes or traveled roads. Both have not been in compliance, with total disregard for zoning and permitting up to this point there is no evidence that Mr. Applebee will comply going forward... Thank you for your time and listening.

Ed Marsh: I thank you for that and we understand your concerns. Thank you for adding the pictures, that's very helpful. We all had our own questions on this one and we will look forward to notifying you when this happens again.

Please see the complete video at [Planning Board | Hermon \(hermonmaine.gov\)](http://Planning Board | Hermon (hermonmaine.gov)) for all new final public comments.

8. WORKSHOPS

9. CEO Items

- A. Code Report – April
 - For April we issued a total of 19 building permits, which equates 4 Residential Homes (3 single family and 1 manufactured home) and 15 accessory permits (1

Accessory, 3 garages, and 6 solar units [1 pre-approved commercial solar field and 5 personal use]) for a total of \$2,000,000 in new construction. We issued 14 plumbing permits made up of 9 internal and 5 subsurface wastewater.

- We finalized inspections on 3 new homes for the month of April. We have 151 total open building permits which equates to 76 Accessory, 52 New Home Construction (Single Family, Manufactured, and 2-3 units), and 23 commercial permits (includes multi-family 4+ units) that will most likely be completed within the next 2 to 18 months.
- The 7 years average for new single-family homes built in Hermon 35.0 per year. One new subdivision was submitted to the planning board and was approved with conditions.

10. FINAL PUBLIC ITEMS OR COMMENTS (Items Not Already on Agenda)

Moved up in the agenda.

11. PLANNING BOARD ITEMS

Ed Marsh: Before we talk schedule, I have three items. My favorite one, of course, is C&K Variety application. I have not seen any movement whatsoever. The store is not finished. There's no siding on the back. The grading hasn't been touched. Doesn't look to me like the ponds have been touched. No landscaping. Nothing as was stated on the plan.

Jessefa Murphy: I spoke with the design engineer two weeks ago. He's working with the applicant on the ponds. He has concerns about the ponds. I spoke with Scott Perkins this morning in regards to the entrance. That grant has been submitted to DOT. We're just waiting for approval on the grant...

Ed Marsh: I understand that but he still has his obligations per the planning board application that he has to comply with. And there's been absolutely zero movement from last year. I'm just not very pleased with that whatsoever. And I don't know what recourse we have but I'm very frustrated that it looks like that.

Jessefa Murphy: I've reached out to DEP several times and I still haven't heard anything back from them.

Ed Marsh: Has the applicant provided any timelines on when this is going to be corrected?

Jessefa Murphy: No.

Ed Marsh: I believe that, I feel like we should be reaching out to legal, our legal team and reaching out to theirs to find out what's going on. Because I don't have a good feeling... Number two is the house on Route 2 that's been used for fire training.

Jessefa Murphy: Yes. We made Mr. Ellis aware, or Hermon LLC aware. I haven't seen anything come in so I'll follow up with him.

Ed Marsh: Please do. Then of course, we also have the Village Kitchen that needs to finish their building as well.

Greg Newell: Solar ordinance, do we know where we're at on that one?

Jessefa Murphy: I'm hoping to have the ordinance committee finalized for the June meeting. And then have them tackle that. So, there will be another solar moratorium going out. And then, I don't want to say start from scratch, but, getting some ideas and some more folks involved with that.

Deb Whitman: I will say, I noticed a couple of houses on Billings Rd that have been nicely fixed up. Very nice.

A. 2024-2025 Planning Board Schedule

Kyle Sullivan made a motion to approve the 2024-2025 Planning Board Schedule. Deborah Whitman seconded the motion. The motion passes accepted unless doubted.

Please see the complete video at [Planning Board | Hermon \(hermonmaine.gov\)](https://www.hermonmaine.gov) for all planning board items.

12. ADJOURN

Deborah Whitman made a motion to adjourn the meeting at 7:10 PM. Kyle Sullivan seconded the motion. The motion passes accepted unless doubted and the meeting was adjourned at 7:10 PM.

Respectfully Submitted,
Keely Gonyea, Deputy Clerk

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.