

Town of Newry Selectmen Meeting Minutes
December 20, 2016 7:30am @ Newry Town Office

Selectmen Present: Gary Wight, James Largess, Wendy Hanscom

Others present: Alision Aloisio, Brooks Morton, Liz Marquis, Amy Bernard, Dave Bonney, Kelly Scott

Signing of Warrants: None

Approval of meeting minutes: approved 11/22 to 12/6

Adjustments to Agenda: Move reports before executive session

Announcements: Office will be closed on 12/26

Public Comment: Brooks Morton on behalf of Planning Board would like to add a trails section to UDRO. They believe adding more language will help avoid issues like the Step Falls issue this summer. They feel the current UDRO does not specifically address recreational trails. Selectman Largess would like look into this further as a Board. Administrator Bernard would like to have attorney review and Planning Board was going to formulate a question to attorney regarding the language of UDRO a few months ago when Step Falls issue happened, which has not been presented yet. Board agreed.

New Business:

~**Discuss and consider January 2, 2017 office hours:** Asked board to consider being closed on Monday January 2nd as the State is taking it as a holiday. Board approved.

~**Discuss and consider setting date for March Town Meeting:** It was decided the 2-day town meeting will begin on Monday March 6th for secret ballot elections and Tuesday March 7th for Open Town Meeting. The May Town meeting is scheduled for 5/8 and 5/9.

~**Discuss and consider time for next meeting:** We have heard one complaint from a resident regarding the morning Selectboard meeting time. It was decided to go back to 5pm meeting time, especially during budget season for more transparency.

~**Discuss and consider direct deposit for employees:** Administrator Bernard would like to require all paid employees to have direct deposit. Assistant Clerk Laura Lowell addressed letter to Board asking to be excluded from requirement. Board voted all in favor to require mandatory direct deposit.

Unfinished business:

~**Discuss and consider Trio Quote for assessing package:** Cost for package was \$4750.00 and training \$1,200. Annual maintenance after will be \$1400.00. Administrator Bernard will contact TRIO to see how long start-up will be as we will need it going by April 1st or April 30th at latest.

~**Discuss and consider legal opinion of the Mountain House issue:** We received a letter from Attorney with their opinion on the UDRO as written as pertaining to a home occupation. (see attached) Attorney concurs that the Mountain House does not fall under a home occupation. Administrator Bernard advised that the attorney should issue the notice of violation letter to owner. Selectman Largess asked if we could send one more letter from Town asking that the

owner appear before planning board as the attorney has advised that they are in violation, before having attorney send the violation. Board agreed to have CEO Bonney draft letter and let attorney review. If no response from owner at that point, then have the attorney send violation notice.

~**Executive Session: Administrator review process:** Tabled until next meeting 1/3/2017.

Town Administrator: *Received letter from OCRR regarding a 6 month budget and funded by monies already on hand, no appropriation from towns. There will be no transportation provided by OCRR after 6/30/2017.

*See attachment #1

CEO: See attachment #2


Selectman:

Committees: (Aging Friendly communities) Committee will start wellness checks in January and the committee is seeking a local source of drivers for transportation.

Next Meeting: Tuesday, January 3rd 5:00pm at Town office.

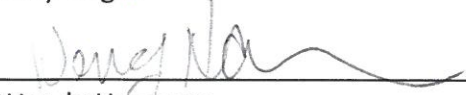
Adjourn: 8:46am

Minutes Approved By:



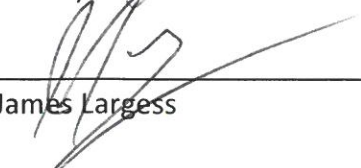
Gary Wight

Date: 1-17-17



Wendy Hanscom

Date: 1/17/17



James Largess

Date: 1/17/17

Attachment
#2

Selectboard Meeting December 20, 2016

Code Officer Report

No Permits issued since the December 6th Selectboard Meeting

Other Items:

While on vacation a citizen called to let us know that Cross was plowing Powder Ridge Road before plowing entire Sunday River Road. I interpret nothing within the current contract (expires 5-31-18) with Cross that does not allow that. The contract states in part commence treatment at ½ inch accumulation or when ice has created an unsafe condition and continue as to limit accumulations to not over an inch and minimize bonding of snow and ice to road surfaces.

Road Committee: The committee met Nov. 22 and Dec 6, 2016 discussing the 2017 road projects and the use of hot mix asphalt for resurfacing the Monkey Brook Rd. and Valley View Dr. and the use of chip seal for resurfacing of Timberline Drive, Greenbriar Drive and Mill Hill Rd. The committee felt these resurfacing materials are appropriate. The next meeting is scheduled for Jan 10, 2017. Peter Kenny declined being on the Road Committee.

I would like to attend a free Septic and Plumbing Training seminar in Gray Jan. 17.

Attachment
1

Town Administrator's Reports: 12.20.16

- Scott Cole and Fran Head was invited to the January 3, 2017 Select Board Meeting to discuss the potential block of the withdrawal effort by the Town.
- The Rail Committee is advocating for a rail bond and further funding to get passenger rail to Auburn.
- AVCOG executive committee met and discussed many of the yearly required actions need by the federal government. AVCOG may need to have a meeting in January to discuss health insurance changes for their employees.
- The nomination papers for Select Board, and School Board members they are due back by January 23th.
- The AARP group have finalized their by-law and I have signed off on them.

December 8, 2016

Amy Bernard, Town Manager
Town of Newry
422 Bear River Road
Newry, ME 04261

David G. Bonney, Code Enforcement Officer
Town of Newry
422 Bear River Road
Newry, ME 04261

Re: Noise Complaint, Mountain House at Sunday River, Town of Newry
Tax Map R13, Lot 26C

Dear Amy and David:

I am writing in response to your request for legal advice as to how the Town should proceed in the matter of a noise complaint brought against the Mountain House at Sunday River.

I understand the following to be the history of this matter. In mid-June 2013, Julie Stevens, co-owner with Jo Baker of the Romeo Baker Farm located on Sunday River Road at Tax Map R13, Lot 26C, informed Planning Board Chair Patrick Roma that she had begun using the farmhouse and barn/carriage house for small events, such as weddings, gatherings, and reunions for up to 20 people, and asked whether Town review was needed to use the field across the road for five to ten larger events each year for 50 – 100 people, using tents and caterers, but no permanent structures, and with off-road parking. Chair Roma responded that under his interpretation of the Town's Unified Development Review Ordinance (UDRO), holding a gathering of up to 20 people "is a typical use of a residence," and so is an exempt home occupation that does not require Planning Board review. However, he stated that as to the larger events for 50 to 100 people, "I do not believe this use meets the spirit of the Home Occupation category and is more like the 'Service Business' or 'Commercial Recreation' category and, as shown on the Land Use Table of the UDRO, Planning Board review is required." He noted that this was his interpretation and opinion and recommended that Ms. Stevens request a pre-application conference with the Planning Board for "a more formal review." At the same time, Ms. Stevens applied to CEO Bonney for a sign permit.

December 7, 2016

Page 2

The Planning Board conducted a pre-application conference on June 19, 2013 for the “Baker property change of use.” (I don’t think a change of use is what they sought – just a review of the possible home occupation.) Ms. Stevens explained that she and her mother had begun a new business -- Maine Mountain Weddings -- and presented a proposal to rent her property and the field across the street for special events and explained that for special events, catering, tents and portable toilets would be provided by licensed outside vendors, off-road parking would be provided, and guests could rent the farmhouse and/or the carriage house, which would provide accommodations for up to 20 people, but that no buildings would be built. A site visit was scheduled and Ms. Stevens was instructed to file a UDRO application and to be prepared to discuss noise, parking, safe distance and proximity to water. The Planning Board held a site visit on July 3, 2013 and afterward reminded Ms. Stevens to complete an application. Ms. Stevens asked for postponement at the July 17, 2013 Planning Board meeting, but has not submitted an application for the Mountain House use, other than for a sign permit (which was issued, but the sign apparently reads “Mountain House at Sunday River” rather than “Maine Mountain Weddings” as on the approved sign permit application).

At its October 18, 2016 meeting, the Board of Selectmen received a complaint from the owner of an adjacent lot that the Mountain House at Sunday River/Maine Mountain Weddings (“Mountain House”) was generating excessive noise. CEO Bonney has sent a November 1, 2016 letter to Ms. Stevens reminding her of the UDRO home occupation standards that prohibit the generation of noise detectable to the homes extending beyond the limits of the property, and warning her that if such noise levels continue, the use will no longer be considered a home occupation and will have to obtain Planning Board approval as a commercial use.

From the above, it appears that no Town official has provided complete written guidance on what uses Ms. Stevens and Ms. Baker may make of this property. Section I D.5. of the UDRO exempts specific less intensive home occupations from UDRO regulation. These must meet five standards or else must obtain more rigorous home occupation approval from the Planning Board under Section XIII A.C. (Please note this reference is wrong – the home occupation standards actually are at Section XIII A.B., not A.C.) Reasonable people might disagree whether holding paid events at a house is “clearly incidental and compatible with the residential use of the property and surrounding residential uses,” which is the UDRO definition of a “home occupation,” but the Town appears to have taken the position that events of up to 20 people are similar to family gatherings and so are clearly incidental and compatible with residential uses. To be exempt from Planning Board review, the home occupation also cannot “employ any persons who do not make the residence their permanent home,” and cannot generate any nuisance, . . . , noise . . . detectable to the normal senses . . . or cause other nuisances which extend beyond the limits of the subject property.” Section I D.5.b and d. It is not clear whether the Mountain House employs persons other than residents, and a noise complaint has been made, so that it may not be in compliance with Section I D.5. However, if that is the case, the Section I D.5.e. directive that the use obtain Planning Board approval as a home occupation may not be the appropriate remedy, since the Town does not seem to consider larger events of more than 20 people to be a “home occupation.”

Moreover, the Section I D.5 and Section XIII A.B. noise standard of “noise detectable to the normal senses” may be unconstitutionally vague and unenforceable. It lacks objective standards to determine what is “noise” and when noise is actionable (*see Town of Baldwin v. Carter*, 2002 ME 52, 794 A.2d 62 (Me. 2002), upholding municipal ordinance prohibiting a person keeping a dog in within the town limits from allowing “such dog to unnecessarily annoy or disturb any person by continued or repeated barking, howling, or other loud or unusual noises anytime day or night” where reasonable person standard is implied and ordinance defined what is forbidden). That a sound is detectable does not mean that it is objectionable. Even the noise standard in Section XIII 7 of UDRO is difficult to enforce, since it borrows from the State Site Location of Development Act and related DEP rules to measure sound levels at “Protected Locations” instead of at the more easily understood property line and by measuring hourly and short duration repetitive sounds. Does the Town have the calibrated sound pressure level meters required under this Section? The Town should rethink and amend the noise provisions of UDRO before it attempts to enforce them.

Getting back the Mountain House, perhaps the first step is for the Town to reexamine the Mountain House use and what regulation it requires under UDRO.

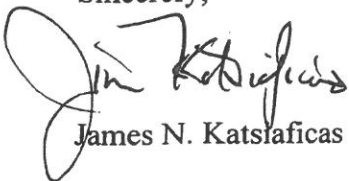
If this current Mountain House use is for 20 or fewer paying guests and no persons other than persons who makes the property their permanent home are employed by the business, then the CEO can state in writing the Town’s position that this use, when conducted within the parameters of Section I D.5, is an exempt home occupation.

However, 1) if the Mountain House fails to meet Sections D.5 a through e, it must obtain a Planning Board permit under Section XIII A.B. (if for instance it employs up to two outside persons), or 2) if larger events of 20 or more persons are to be held, it must obtain Planning Board approval for the Restaurant, Service Business, Commercial Recreation, or Resort-Based Use (or similar use) that it is under the Land Use Table.

Perhaps if the Town better defines by letter or approvals what the Mountain House owners are permitted to do under UDRO (and if the Planning Board conducts review if the business is to be greater than that permitted by the UDRO small home occupation exemption), these Town actions will help control noise and other aspects of the business neighbors might find objectionable.

I hope this review and advice prove helpful. Please call or email with any questions, comments and concerns regarding this matter.

Sincerely,



James N. Katsiaticas

JNK:pal

Town of Newry Selectmen Meeting Minutes
December 6, 2016 7:30am @ Newry Town Office

Selectmen Present: Gary Wight, James Largess, Wendy Hanscom

Others present: Alision Aloisio, Brooks Morton, Amy Bernard, Dave Bonney, Kelly Scott

Signing of Warrants: None

Approval of meeting minutes: None

Adjustments to Agenda: Liquor License renewal for Frank's Ristorante. (signed and approved) Brooks Morton asked if Committee report could be moved before Unfinished Business, approved. All other items were moved before unfinished business as well.

Announcements: none

Public Comment: none

New Business:

~Discuss and consider naming a Deputy Road Commissioner: Administrator Bernard recommended that the Board appoint a deputy Road Commissioner. With the Sunday River road project, it was not clear as to who contractors needed to report issues to and naming a Deputy that is in the office would be beneficial. She recommended Dave Bonney. Selectman Largess made motion to appoint Dave Bonney, Selectman Wight second. All approved.

~Discuss and consider options of the Town regarding marijuana: Question 1 is still being recounted, but looking ahead what are town options right now? If question 1 stands, the law will still need to be finalized through State and the town can see what that looks like to move forward. But, right now it would be good to have the planning board look at zoning and land use definitions and see where marijuana might fall.

Unfinished business:

~Executive Session: Administrator review process: Board moved into executive session.

Town Administrator: *See attachment #1

CEO: See attachment #2

Selectman: Selectmen Largess wanted to make public that he would be having lunch with Jim Sysko, Chair of NWC and made it clear that he was meeting with him as a Newry resident.

Committees: Brooks Morton reported on WHAT TV. Lots of community events being filmed. Station is on internet and able to stream programming.


-Age friendly committee has the transportation piece up and running. Oxford County Community services is helping with driver training. They are working on creating a directory for drivers and a group that does daily check-ins for the elderly.

-Heart and Soul group is looking for a videographer to record events and meetings. Amy asked if Brooks might be able to attend a meeting. He said he would.

Next Meeting: Tuesday, December 20th, 2016 7:30am at Town office.

Adjourn: 8:39am

Minutes Approved By:



Gary Wight

Date: 12-20-16

Wendy Hanscom

Date: _____



James Largess

Date: 12/20/16

Attachment #1

Town Administrator's Reports: 12.6.16

- The Broadband Initiative Committee met last week, and are planning on having another community informational meeting in January to gather the necessary info to apply for a connect ME grant. This grant will pay for a plan to expand broadband access to the county as a whole.
 - The Broad Band Initiative Committee would like to have a formal representative from the Town to the Committee.
 - AVCOG executive committee meets December 14, 2016 in Auburn
 - The Railroad Committee meets on December 8th to discuss the upcoming legislative docket on rail.
 - The Fire Department annual Holiday Party is on December 12th at 5pm at the Grange.
- ↳ doing a payroll next week for Fire department + Selectmen + School board

Attachment # 2

Selectboard Meeting

December 6, 2016

Code Officer Report

Building Permits Issued: One in Viking Village for roof and insulation repairs with a value over \$25,000.

Plumbing Permits Issued: None

Sign Permits Issued: One to Barking Dawg Market and Café for a sign face change.

Other Items:

MDOT Bridge Engineer Doug Coombs visited the Sunday River Bridge since last Selectboard meeting and reported the pavement transition is a little high on the north bound lane at the north end of the bridge. Mr. Coombs did not think MDOT has an issue regarding this pavement transition and subsequent impacts to their bridge as the pavement transition is within MDOT tolerances. Mr. Coombs hopes to include cleaning the expansion joint in next year's MDOT budget. Mr. Coombs did say MDOT has issues with the metal guard rail ends abutting the concrete bridge rails. The metal guardrails are currently a fixed deadly object hazard as the metal guardrail end is free standing and not attached to the concrete bridge rail. The metal guardrail will need to be attached by a "Michigan Shoe" to the concrete bridge rails. The guardrail posts may need to be moved to improve the guardrail alignment to the concrete bridge rails. Mr. Coombs will discuss this issue and who will pay the cost to accomplish this task with his supervisor and get back to me.

On Nov. 23 and again on Dec. 1, I sent to the Town's attorney materials and a question asking clarification on how the UDRO comes into play and the best way to proceed concerning the noise complaint generated by the Mountain House.

Road Committee: Will be meeting Dec 6, 2016 at 5 pm. to discuss 2017 road projects. The committee also met Nov. 22, 2016 to discuss 2017 projects. The Road Committee is lacking one member and seeking replacement.

I hope to take vacation time Dec. 12, 13, 14, 15, 21, 22. Jeff Warden is available to act as the alternate CEO on those dates.

Chip Seal vs. Seal Hot Seal

Bruce Pierce off - reach out to Peter Kennel

XXXXXXXXXX

TOWN OF NEWRY SELECTMEN'S AGENDA
Tuesday December 6, 2016
7:30 AM

Call to Order

Selectmen Present:

Others Present:

Pledge of Allegiance

Sign Warrants – All of the Selectmen signed

Approval of Meeting Minutes

Adjustments to the Agenda:

Announcements:

Public Comment:

New Business:

Discuss and consider naming a deputy Road Commissioner

Discuss and consider options of the Town regarding marijuana

Unfinished Business:

Executive Session: Administrator review process

Reports:

Administrator Report

CEO Report

Committees Report

Other Business:

Next Meeting December 20, 2016 7:30 am

Adjournment:

Town of Newry Selectmen Meeting Minutes
November 22, 2016 7:30am @ Newry Town Office

Selectmen Present: Gary Wight, James Largess, Wendy Hanscom

Others present: Dean Weeks, Amy Bernard, Dave Bonney

Signing of Warrants: None

Approval of meeting minutes: Signed and approved minutes from 10/18 and 11/01.

Adjustments to Agenda: Audit pre-work was completed by email to Vernice. MVR completed and signed, MVR was completed past deadline, but State was ok & no penalty. Administrator Bernard recommends purchasing the Assessing package through Trio to help expedite the assessing work done in house. Board agreed to have her look into it.

Announcements: none

Public Comment: none

New Business:

Chairman Wight opened Public Hearing at 7:33am.

~**Public Hearing for new liquor license for The Mountain Phoenix:** Petitioner for license notified of name change of LLC. License will be under BAC LLC, "Trails End". This change does not affect Public Hearing notification. Location was disclosed correctly. There was no written or verbal public comment. License was signed and approved.

Closed Public hearing at 7:44.

~**Discuss and consider Liquor License renewal for Jordan, Summit and South Ridge Base Lodge:** Selectman Largess recused himself as Selectman and presented renewals on behalf of Sunday River. South Ridge renewal also included an extension of premise. Selectmen signed and approved.

~**Discuss January thru June Budget expectations:** See attachment #1

~**Discuss and consider signing bank reconciliations for August, September and October:**
Signed and approved.

Unfinished business:

~**Discuss and consider results of the OCRR election question:** Selectmen Largess attended OCRR meeting day after election. It did not pass. The consensus among towns, was voters did not know what they were voting for. They recommend presenting this vote again at a Town Meeting election so it can be explained. Would need to be by secret ballot. Town could walk away from OCRR. Another meeting planned in January.

Town Administrator: See attachment #2

CEO: See attachment #3

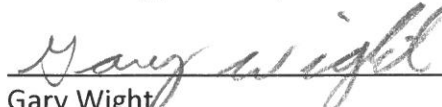
Selectman: Selectman Wight will be attending the 12/6 NWC meeting.

Committees: none

Next Meeting: Tuesday, December 6, 2016 7:30am at Town office.

Adjourn: 9:06am

Minutes Approved By:



Gary Wight

Date: 12-20-16

Wendy Hanscom

Date: _____



James Largess

Date: 12/20/16

Attachment # 1

Six month budget expectations:

Website redesign: estimates costs are roughly \$2,500-3,500

The benefit to this is that we can own the site & do all the changes and updates

GIS upgrade: we are working on the costs of this project

Sherrin Small quoted \$1000 a year to upgrade maps

Third Party Requests: Are we entertaining these?

For the 6 month budget? A few got paid out prior ~~to~~ to July
Fireworks and ~~the~~ Navy Seminars. 3rd party will wait until Fiscal

Recreation subsidies: We discussed this briefly over the summer, but to incorporate it in the budget is ideal. Town of Bethel dropped the surcharge for non-bethel residents, but are requesting funds from the Town to subsidize the cost of the children using their programs. Do we want to budget for this?

Cost based on sport & per child. Bethel Rec program will send an invoice
yet budget for it.

Printer MVR's: New printer needed to do the new forms for Motor vehicle, estimated cost 750-1000.

Budget for that

Trio assessing package: Estimated costs around \$2000. I will send trio an email to check into a hard number. ✓

Attachment # 2

Town Administrator's Reports: 11.21.2016

- LPC Committee meets and discussed the possible tax implications of Q2 & Q1, which resulted in proposing taxing entertainment...
- AVCOG meets December 14, 2016 in Auburn, Planning day went very well, and we got a lot of information on regulating marijuana caregivers.
- Health Insurance premiums are increasing by 11.25% starting January 1, 2017
- The Planning Board has no question for the Lawyer to date...
- Heart and Soule Group have a coordinator her name is Catherine Ingraham, she starts full time in January
- Hunting and Fishing licenses are available for 2017 stating December 1, 2016.
- Broadband Committee facilitated by Community Concepts meet on 11.23.16 from 8 am - 10am at The Gem.
- Town office closes at noon on November 23, 2016, Happy Thanksgiving!
- Bond draw down \$203,110 on total for road, still have some legal fees for easements.

try increasing tax on ski tickets to offset the implications of Q2.
(entertainment)

Attachment #3

Selectboard Meeting

November 22, 2016

Code Officer Report

Building Permits Issued: Two Building Permits; both for single family dwellings one at the Peaks having 5 bedrooms and 4.5 baths and one at the Village off the Green having 4 bedrooms and 4 baths, the first building permit issued for this subdivision.

Plumbing Permits Issued: Two Internal Plumbing Permits issued and two Subsurface Wastewater Disposal System (SWDS) Permits issued for the above mentioned two single family dwellings. One SWDS permit for a disposal field replacement at Powder Ridge Subdivision.

Other Items:

The Sunday River Road construction phase has been completed by Swasey Exc. Engineer will be completing and submitting As-Built plans in the spring. One outstanding item is at the old Black Bear Inn, being to raise the elevation of the brick walkway up to match the elevation of the driveway.

Bruce Pierce has question if the pavement is proper abutting Sunday River Artist Bridge, I've contacted Norm Haggan at the MDOT Dixfield office is sending their bridge man Doug Coombs out in the near future to inspect the pavement abutting their bridge.

The Sunday River Road gravel section has been graded and rolled by Cross Exc. Cross Exc. is preparing a cost estimate to apply 3" of surface gravel to this 2800 foot section of road.

Valley View Drive gravel shoulders have been partially graded by Cross Exc. Cross Exc. is preparing a cost estimate to preform shoulder maintenance on selected portions of town road with a rubber tired excavator.

Mountain House, Julie Stevens telephoned Nov.15 saying she had received the Notice of Violation sent concerning noise. I would suggest consulting Town Attorney for an opinion on noise complaint and how the UDRO fits concerning this site use and complaint

Road Committee: Meeting Nov. 22 at 5 pm Newry Town Office to discuss 2017 road projects

→ Selectmen agreed that we need to contact attorney.

TOWN OF NEWRY SELECTMEN'S AGENDA

Tuesday November 22, 2016

7:30 AM

Public Hearing for Liquor License for "The Mountain Phoenix"

Call to Order

Selectmen Present:

Others Present:

Pledge of Allegiance

Sign Warrants – All of the Selectmen signed

Approval of Meeting Minutes

Adjustments to the Agenda:

Announcements:

Public Comment:

New Business:

Discuss and consider liquor license for Sunday River Hotels (Jordan & Summit) and South Ridge Base Lodge

Discuss January – June budget expectations:

Discuss and consider signing bank reconciliations for August, September, and October!

Unfinished Business:

Discuss and consider results of the OCRR election question

Reports:

Administrator Report

CEO Report

Committees Report

Other Business:

Next Meeting December 6, 2016 TTBD

Adjournment:

Town of Newry Selectmen Meeting Minutes
November 1, 2016 7:30am @ Newry Town Office

Selectmen Present: Gary Wight, James Largess, Wendy Hanscom

Others present: Liz Meisner, Amy Bernard, Dave Bonney, Kelly Scott

Signing of Warrants: None

Approval of meeting minutes: None

Adjustments to Agenda: none

Announcements: none

Public Comment: none

New Business:

~**Discuss and consider abatement application for J-1-221D:** Assessor Gingras reviewed request and denied abatement (applicant cited sales prices vs. valuation) Quartershares were reduced by 25% in 2015. He spoke with applicant. Selectmen approved the denial.

~**Discuss and consider amount to draw-down on Sunday River Road Bond:** The town has paid $\frac{3}{4}$ of contract price to Swasey Excavation. Work still needed is guard rail/shoulder work/signs and driveway fixing. We raised \$464,000 and secured \$960,000.00 from Bond. It was decided to take \$364,000 from the Undesignated fund balance and keep \$100,000 in Capital Reserve and draw \$603110.00 from Bond to pay remaining balance to Swasey and \$20,000.00 to Engineer.

Unfinished business: NONE

Town Administrator:

See attached

-No questions from Board-

CEO:

-Issued the after-fact permit for shed

-Issued building permit and plumbing permit for $\frac{1}{2}$ bath at Northpeak

-Issued Building permit for shed at Matterhorn

-Attended plumbing seminar which was well attended and they advised anyone with drought/dry well issues to call 211 for help.

-Follow-up on noise complaint by Randall Baker about the Mountain House.

It was determined that the Mountain House fell under the "Home Occupation" and didn't require site plan valuation at the time. But, ordinance under Home Occupation states that

noise from business can't exceed their boundaries. He will send letter to owner addressing this. He will follow-up if he hears from owner.

-Sunday River road issues fielded: Utility pole near Purdie residence has been resolved. Mailboxes need to be raised due to road being raised. Resident questioned how high the boxes need to be. That height is set by postmaster.

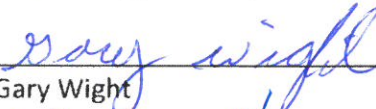
Selectman: Selectmen Largess mentioned he will be attending the OCRR meeting on 11/10/16.

Committees:

Next Meeting: Tuesday, November 22, 2016 7:30am at Town office

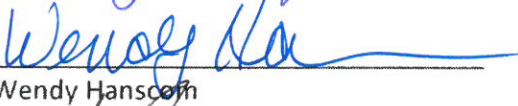
Adjourn: 8:11am

Minutes Approved By:




Gary Wight

Date: 11-22-16



Wendy Hanscom

Date: _____



James Largess

Date: 11/22/16

Town Administrator's Reports: 11.1.2016

- LPC Committee Meeting is November 17th
- AVCOG Planning Day is November 3, 2016 in Auburn. Dave and I will be attending.
- Absentee Balloting end for on November 3, 2016, unless a voter has a special circumstance.
- The Planning Board has discussed the questions they want to ask the town attorney, they have not decided as of date.
- Heart and Soule Group meets November 7th to review the finalists for the coordinator position.
- Dog licensing has begun for 2017; the deadline for licenses is December 31, 2016!
- The New Powers Cemetery granite fence posts have been installed.

Town of Newry Selectmen Meeting Minutes
October 18, 2016 7:30am @ Newry Town Office

Selectmen Present: Gary Wight, James Largess, Wendy Hanscom

Others present: Randy Baker, Liz Meisner, Amy Bernard, Dave Bonney, Kelly Scott

Signing of Warrants: None

Approval of meeting minutes: None

Adjustments to Agenda: Public Hearing for OCRR ballot question. No written or verbal public comment.

Announcements: Bank Reconciliation for June & July 2016 (Not August, as agenda indicated).

Public Comment:

New Business:

~**Discuss and consider signing the November 8th Town meeting warrant:** Town Meeting warrant for OCRR referendum question. All signed.

~**Discuss and consider concerns of noise with resident Randall Baker:**

Mr. Baker who lives on the Sunday River road voiced his concern of the noise level coming from neighbor, The Mountain House, who runs a wedding business. Loud music and party-goer commotion that goes well into the night.

Mr. Baker questioned the town noise ordinance and what the process of planning board approval.

It was explained that the Mountain House fell under a home occupation and did not submit an application to the planning board.

CEO will look into noise ordinances, contact property owner and Mr. Baker with his findings.

~**Discuss and consider change order for the Sunday River road to extend the deadline by 2 weeks:**

Contract for road deadline was 10/15, contractor asked to extend deadline 2 weeks (10/29/16). Additionally, Administrator Bernard spoke to Engineer and he requested an additional change due to the cost of additional driveway repair and parking lot at Sunday River cemetery is above and beyond what was listed in the contract, but we saved money on culverts that weren't installed. So the cost is a wash.

Selectman Largess made motion to create a change order with no exchange of cash, just exchange of services for the driveway repair/cemetery parking lot due to the reduction of culverts that were originally in the contract. Motion also included authorization for Administrator Bernard to sign change. He also added to the motion that we accept change order to extend deadline 2 weeks and authorize Administrator Bernard to sign. Selectman Hanscom seconded the motion. All in favor.

~**Bank reconciliation:** Board signed and approved June and July Bank reconciliation.

Unfinished business: NONE

Town Administrator:

See attached

-No questions from Board-

CEO:

See attached

-Board questioned the after-the-fact permit for a pole barn and that they had discussed in a prior meeting to look at fee schedule for setting a penalty fee for not obtaining a permit prior to building. They still wish to look at those fees, but agreed to just charge the regular building permit fee.

Selectman:

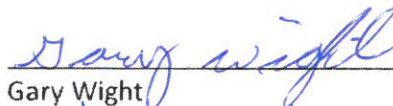
Committees: (Robert Lowell reporting) New Powers cemetery front lots have been discovered to be in the road right-of-way. There is no one buried in the front lots, but one lot was purchased. It was decided to just move the purchased lot back one and discontinue the front lots as useable.

The Board questioned the large utility poles proposed by Mobilite. The company is feeling out ordinances of town and attending planning board. CEO has researched this type of pole installation to have his facts for planning board and/or ready if Mobilite decides to move forward.

Next Meeting: Tuesday, November 1, 2016 7:30am at Town office

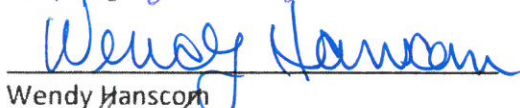
Adjourn: 8:37am

Minutes Approved By:



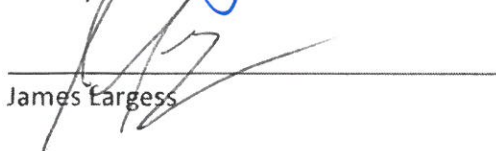
Gary Wight

Date: 11-22-16



Wendy Hanscom

Date: _____



James Fargess

Date: 11/22/16

Town Administrator's Reports: 10.18.2016

- LPC Committee Meeting met during the MMA Conference; we discussed the impending election and how this will affect the communities, the next meeting is November 17th
- AVCOG Planning Day is November 3, 2016 in Auburn. Dave and I will be attending.
- MMA Convention was very good this year. The workshops covered tax liens, dangerous buildings law, and Marijuana regulations should question 1 passes.
- The parking signs have up near Step Falls.
- The Planning Board has discussed the questions they want to ask the town attorney, they have not decided as of date.
- Heart and Soule Group is in the process of hiring a coordinator. This process should be complete by the first week of November.
- Dog licensing has begun for 2017, the deadline for licenses is December 31, 2016!
- Absentee Ballots are now available and will be until November 3rd.
- The Head of The Tide deeds have been registered with the Registry of Deeds.

Building Permits Issued:

Three issued. One on Branch Road to renovate the 2nd floor of a garage into an apartment. One on Riverwood Drive to add on a sunroom to a dwelling. One on Blizzard Drive to construct a 4 bed, 3 bath single family dwelling (Septic Permit Pending)

Plumbing Permits Issued:

Three issued. One for a Subsurface Wastewater Disposal Permit for a replacement field and miscellaneous components at Slopeside Rentals on Skiway Rd. One Plumbing Permit for garage apartment on Branch Road. One Plumbing Permit for single family dwelling off Blizzard Drive.

Other Items:

- Mobilite agent Jenille Smith inquired about installing utility pole(s) within the Towns road right of ways. Pole size could be 120 tall with 4 foot diameter base. No purposed pole locations at this time. Poles are for wireless communications. A pre app conference is scheduled Oct. 19, 2017 with Planning Board. Per MRSA Title 35A Chapter 25, Regulation of Facilities in Public Way, the municipal officers are the licensing authority for facilities in public way which may include an application, public notice, objection by abutter hearing if any objection, also Newry to use MDOT standards for underground location standards as Newry has no adopted underground location standards for utility facilities.
- Allen Fleet has placed misc. road signs on Sunday River Road
- MDOT placed speed limit signs on Lone Pine Road haven't seem confirmation letter
- EMA meeting @ 5pm Oct 20 in S. Paris
- Free Plumbing Seminar @ 4pm Oct 25 covering adoption of 2015 Uniform Plumbing Code and amendments
- After the Fact Permit Fee: 28x24 Pole Barn 927 Bear River Road

Road Committee:

- Hope to schedule meeting for November