

Town of Newry Selectmen Meeting Minutes
April 23, 2019 5pm Newry Town Office

Selectmen Present: Gary Wight, James Largess, Tink Conkright

Others present: Amy Bernard, Dave Bonney, Alision Aloisio, Ryan and Erika (of JAR)

Signing of Warrants: all signed

Approval of meeting minutes: Error on minutes from 3/26/2019/Sign next meeting

Adjustments to Agenda: None

Announcements: None

Public Comment: None

New Business:

~**Consider and Discuss adult use marijuana, what are the next steps and timeline:** Discussion with Board and local medicinal shop owners. New proposed State rules were just released on 4/23/2019. Will revisit as rulemaking progresses

~**Consider and what to do with the "Noise Ordinance":** How do we address and enforce? Contact Oxford County to request Sherriff Wainwright at next meeting to discuss their procedures with complaints.

~**Discuss and consider authorizing Fire Department to purchase AFLAC through the Town:** O.k. to offer if they want to purchase. Amy will ask for an agreement from another town that offers to their FD

~**Discuss and consider Forestry grant for the Fire Department:** Selectman Largess made motion to authorize the purchase of the needed items to receive the grant match. Selectman Wight 2nd and voted all-in-favor.

Unfinished Business:

Executive Session MRSA Title 1 13 ss405(6) (A) Discuss complaint with fire fighter:

Selectman Wight made motion to enter into Executive Session, Selectman Largess 2nd and voted all-in-favor. Entered in at 6:33pm Exited Session at 6:45pm

Tabled Items: None

REPORTS:

Town Administrator: see attached

CEO: see attached

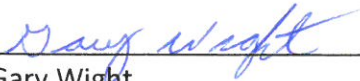
Selectman: none

Committees: none


Next Meeting: 5/07/2019 5pm

Adjourn: 7:15pm

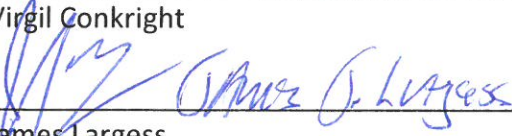
Minutes Approve By:


Gary Wight

Date: 5-7-19


Virgil Conkright

Date: 5/7/19


James Largess

Date: 5/7/19

Town Administrator's Reports: 4.23.19

- Community Concepts have sent the Town a letter advertising its new program to council at risk property owners of ways to avoid foreclosure on taxes.
- Town of Denmark sent the town a letter informing the residents of a new group; SUPPORT FOR OXFORD COUNTY ELDER ABUSE TASK FORCE. They are looking for representatives from each town to the Task Force.
- The Fire department is requesting approval for the Maine Fire Fighter Association membership (\$135). I have processed the check and holding it until the board approves it.
- I have a Legislative Policy Committee meeting on April 25, 2019; some of the bills we reviewed of interest to the town raise the Floor bill was neither for nor Against by LPC, Local Sale Tax Option LPC voted in favor; taxing ground water extraction LPV voted in favor. Next meeting is April 25, 2019.
- There is a Tri-Town Meeting tomorrow at 9am in Bethel.
- There is a Mountain Explorer had a great season. The Explorer will have new buses for next season
- Central Maine Power has indicated that we are on a list for switch over to LED lights... when the time for switching gets closer the town will be required to sign a contract, there is a LONG waiting list. I have scheduled a reminder to check back in 3 months.

February 12, 2019

Board of Selectmen
Town of Newry
422 Bear River Road
Newry, ME 04261

Re: Noise Ordinances

Dear Board Members:

I have been asked to help the Town of Newry improve its ability to regulate unreasonable levels of noise produced by uses and activities in town. Apparently, things are getting loud in Newry.

Many municipalities address noise issues by regulating noise simultaneously in two ways: (1) through land use/zoning ordinances, as new or expanded uses and buildings are approved; and (2) through a general police power ordinance that applies to everyone Townwide. Each is discussed below.

(1) Land Use/Zoning. The idea is to control sound generated by noise-generating new and expanded uses and activities through land use approvals. Newry's Unified Development Review Ordinance (UDRO) does address noise for new or expanded uses or development. However, the noise performance standards in Section XIII Z is eight pages of detailed provisions taken largely from the Maine Department of Environmental Protection's Site Location of Development Act Chapter 375 regulations. The measurements and analysis of ambient sound levels pre- and post-development, and of sound from routine operation are more complex and technical than are required by most of the development in Newry, since much is residential development that is likely to generate little noise.

By contrast, Bethel's Site Plan ordinance takes a more measured approach, which is to apply the DEP Rules only when the Planning Board reasonably believes that the project's characteristics and location will make noise a concern. Skowhegan's Site Plan ordinance limits Planning Board discretion by setting out a simplified sound testing and regulation method that applies to all development. Gardiner does the same, but exempts out normal construction noise; residential housing; required safety, warning and emergency sounds; and other common sense categories of sound. Copies of the Bethel, Skowhegan, Gardiner, Greenwood and Woodstock site plan noise provisions are enclosed.

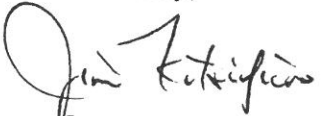
Newry Board of Selectmen
February 12, 2019
Page 2

I suggest the Gardiner, Greenwood and Woodstock provisions (enclosed) would be appropriate replacements for the eight-page UDRO Standard, and used these to prepare the enclosed draft UDRO amendment. If a project is of a size and scale that require DEP review, it will receive the more elaborate review under the Chapter 375 standards. As a UDRO amendment, this will require a Board of Selectmen public hearing prior to town meeting consideration – I recommend that you conduct that public hearing (and any UDRO amendment public hearing) jointly with the Planning Board.

(2) Police Power Ordinance. The idea for this, which the Town also would adopt, is to regulate unreasonable noise created by anyone in Town – a loud party or chainsaw or construction activity at midnight next to a residence, for example. Bangor and Brunswick have “Disorderly” or “Disruptive” Property ordinances that target repeat offenders; York has a detailed noise ordinance that establishes sound pressure limits in each zoning district depending upon the time of day; Gardiner addresses noise through a “Disorderly Conduct” ordinance; Oakland, Saco and South Portland prohibit loud, “excessive unnecessary or unreasonable sounds”; Bangor regulates sound from radios, cars, and bars; and Biddeford has a more thorough noise level standard that is like a land use regulation and would require a calibrated sound pressure level meter and a trained operator to measure. I suggest using the Saco provision (copy enclosed) as a basis, and I used it to prepare the enclosed draft Noise Ordinance.

I hope these drafts prove helpful; please let me know if you would like any changes made to them or have any questions or comments regarding the matter.

Sincerely,


James N. Katsiaticas

JNK/ems
Enclosures

cc: Amy Bernard, Town Administrator

Warrant Article

Shall an ordinance entitled "Noise Ordinance" be enacted to read:

Noise Ordinance

Section 1. Purpose.

The purpose of this Noise Ordinance ("Ordinance") is to ensure that citizens are not disturbed by loud or annoying noises that prevent the peaceful enjoyment of routine and normal activities.

Section 2. Unreasonable loud, unnecessary or unusual noises.

No person shall, in any area which includes residential land uses (including hotels and motels), make, continue or cause to be made or continued any unreasonable loud, unnecessary, or unusual noises which shall interfere with normal activities or annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others. Unreasonable loud, unnecessary, or unusual noises shall include but not be limited to:

- A. The sounding of any horn or signaling device, except as a danger warning.
- B. The playing of any machine or device for the production or reproduction of sound in such a manner as to disturb the peace, quiet and comfort of neighboring inhabitants and passersby.
- C. The use of any loudspeaker or amplifier for the purpose of commercial advertising or attraction of the public to a specific building or for the purpose of communication within a business building.
- D. Yelling, shouting, brawling or disorderly conduct.

Section 3. Construction and maintenance activities.

- A. Construction and maintenance activities within 500 feet of any building used for residential, hospital or nursing home purposes shall be restricted to the hours of 7:00 a.m. and 10:00 p.m. ("normal work hours" as used in this Ordinance) except as provided in Section 5.
- B. Construction activities shall include but not be limited to the following:
 1. The use or operation of power or heavy equipment in connection with road, street or bridge construction, reconstruction or repair.

2. The use or operation of power or heavy equipment in connection with the installation or repair of utility lines, pipes, wires or cables.
3. The use or operation of power or heavy equipment in connection with the construction of buildings, including, specifically, excavations for foundations or landscaping work of any kind.
4. The renovation, repair, remodeling or demolition of any existing building or structure.

Section 4. Waste collection.

- A. Commercial waste collection shall be restricted to the hours between 6:00 a.m. and 5:00 p.m.
- B. Residential waste collection shall be restricted to the hours between 6:00 a.m. and 8:00 p.m.

Section 5. Exemptions.

Exemptions are as follows:

- A. Church bells and tower clock bells.
- B. Noise created by Town vehicles or their agents engaged in municipal operations, including but not limited to plowing, snow removal, street cleaning, and paving activities.
- C. Noise generated by private snow plowing and removal equipment.
- D. Noise from domestic power equipment, such as but not limited to power saws, sanders, grinders, lawn and garden tools, or similar devices operated during normal work hours.
- E. The noises of safety signals, sirens, warning devices, emergency pressure relief valves, and any other emergency activity.
- F. Emergency construction or repair work by federal, state county or Town entities or by public utilities.
- G. Timber harvesting (felling trees and removing logs from the woods) during normal work hours.
- H. Farm equipment or farming activities during normal work hours.
- I. Noise generated by any construction or demolition equipment which is operated during normal work hours.

- J. Noise created by any recreational activities which are permitted by law and for which a license or permit has been granted by the Town, including, but not limited to, parades, sporting events, concerts, and fireworks displays.

Section 6. Recreational vehicles.

Use of recreational vehicles, which shall include but not be limited to all-terrain vehicles, snowmobiles and dirt bikes, in areas which include residential uses shall be restricted to the hours of 7:00 a.m. to 10:00 p.m.

Section 7. Enforcement; violations and penalties.

- A. This Ordinance shall be enforced by the Code Enforcement Officer and/or the Oxford County Sheriff's Office.
- B. Violation of this Ordinance is a civil violation. Persons violating this Ordinance shall be subject to a fine not to exceed \$100 per occurrence. Each day that a violation continues shall be considered a separate occurrence.

Warrant Article

Shall an ordinance entitled "Amendment to Unified Development Review Ordinance" be enacted?

Amendment to Unified Development Review Ordinance

The Unified Development Review Ordinance is amended by the repeal of Section XIII. Z., Noise, and its replacement by the following:

Z. Noise.

The proposed development shall not raise noise levels to the extent that abutting or nearby residents are unreasonably adversely affected.

1. The maximum permissible sound pressure level of any continuous, regular, frequent or intermittent source of sound produced by a use or activity shall be limited according to the time of day and the land use which it abuts as listed in the following table:

Abutting Use	Sound Level Limits (dBA)	
	7:00 a.m. – 10:00 p.m.	10:00 p.m. – 7:00 a.m.
Residential	55	45
Commercial	65	55
Rural	60	50
Industrial	55	45

2. Where the abutting property is undeveloped, the sound pressure level shall be equal to or less than the sound pressure level of the most restrictive abutting use allowed by this Ordinance.
3. Sound pressure levels shall be measured at least 4 feet above the ground at the property line of the proposed development. Sound pressure levels shall be measured by a meter set on the A-weighted response scale, fast response. The meter shall meet the latest version of the American National Standards Institute (ANSI S1.4) *American Standard Specification for General Purpose Sound Level Meters* and shall have been calibrated at a recognized laboratory within the past calendar year.
4. The applicant for a permit shall design the development as necessary to ensure that the noise emanating from the property conforms to the noise limits set forth in this subsection. Upon request from the Code Enforcement Officer or the Planning Board, the applicant shall provide a written certification from a professional engineer that the sound pressure levels measurements are accurate and the noise from the completed development will conform to this subsection.

5. **GENERAL PERFORMANCE STANDARDS** The applicant for a permit is responsible for measuring sound pressure levels and providing all necessary information to show that the proposed development will conform to this Subsection.
6. Exemptions. The following uses and activities shall be exempt from the requirements of this subsection Z:
 - a. Noises created by construction and temporary maintenance activities between 7:00 a.m. and 10:00 p.m.
 - b. Single-family, two-family and multi-family housing.
 - c. The noise from safety signals, sirens, warning devices, and emergency pressure relief valves and other emergency activities.
 - d. Traffic noise on roads.
 - e. Resource use in rural areas.
 - f. Agricultural and forestry activities.

City of Saco, ME
Monday, February 11, 2019

Chapter 149. Noise

[HISTORY: Adopted by the City Council of the City of Saco 5-1-1995 as Ch. III, Sec. 3-3, of the 1994 Code. Amendments noted where applicable.]

GENERAL REFERENCES

- Alarm systems — See Ch. 57.
- Animals — See Ch. 64.
- Building construction — See Ch. 73.
- Peddling and soliciting — See Ch. 156.
- Recreational vehicles — See Ch. 169.
- Solid waste collection — See Ch. 181, Art. I.
- Street excavations — See Ch. 186, Art. I.
- Vehicles and traffic — See Ch. 211.

§ 149-1. Purpose.

The purpose of this chapter is to ensure that citizens are not disturbed by loud or annoying noises that prevent the peaceful enjoyment of routine and normal activities.

§ 149-2. Loud or unusual noises.

No person shall, in any area which includes residential land uses (including hotels and motels), make, continue or cause to be made or continued any loud or unusual noises which shall interfere with normal activities or annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others. Loud or unusual noises shall include but not be limited to:

- A. The sounding of any horn or signaling device, except as a danger warning.
- B. The playing of any machine or device for the production or reproduction of sound in such a manner as to disturb the peace, quiet and comfort of neighboring inhabitants and passersby.
- C. The use of any loudspeaker or amplifier for the purpose of commercial advertising or attraction of the public to a specific building or for the purpose of communication within a business building.
- D. Yelling, shouting, hooting, whistling or singing.

§ 149-3. Construction and maintenance activities.

[Amended 12-1-2008]

- A. Construction and maintenance activities shall be restricted to the hours of 7:00 a.m. and

10:00 p.m. within 500 feet of any building used for residential, hospital or nursing home purposes except as provided in § 149-5.

- B. Construction activities shall include but not be limited to the following:
 - (1) The use or operation of power or heavy equipment in connection with road, street or bridge construction, reconstruction or repair.
 - (2) The use or operation of power or heavy equipment in connection with the installation or repair of utility lines, pipes, wires or cables.
 - (3) The use or operation of power or heavy equipment in connection with the construction of buildings, including, specifically, excavations for foundations or landscaping work of any kind.
 - (4) The renovation, repair, remodeling or demolition of any existing building or structure.

§ 149-4. Waste collection.

[Amended 8-22-2005; 12-1-2008]

- A. Commercial waste collection shall be restricted to the hours between 6:00 a.m. and 5:00 p.m.
- B. Residential waste collection shall be restricted to the hours between 6:00 a.m. and 8:00 p.m.

§ 149-5. Exemptions.

[Added 12-1-2008⁽¹⁾]

Exemptions are as follows:

- A. Situations where the Public Works Department determines that the construction activity is of a unique character which cannot reasonably be completed or performed during the permitted hours and which is not of a recurring nature, provided that prior to engaging in such activity the contractor or his representative gives notice to the Director of Public Works of the time and scope of such proposed activity.
- B. Noise generated by private snow plowing and removal equipment.
- C. Noise from domestic power equipment, such as but not limited to power saws, sanders, grinder, lawn and garden tools or similar devices operated during normal work hours.
- D. The noises of safety signals, warning devices, emergency pressure relief valves, and any other emergency activity.
- E. Timber harvesting (felling trees and removing logs from the woods) during normal work hours.
- F. Noise generated by any construction or demolition equipment which is operated during normal work hours.
- G. Emergency construction or repair work by the federal and state entities or public utilities

is exempted.

- H. Noise created by municipal vehicles or their agents engaged in municipal operations, including but not limited to plowing, the removal of snow, street cleaning, and painting activities.
- I. Noise generated by the curbside collection of municipal waste and recycling may be extended beyond 8:00 p.m. with approval of the Director of Public Works or his or her designee with just cause. Additionally, the Director of Public Works may allow the start of collection earlier than 6:00 a.m., during periods of extraordinary accumulation of curbside waste and recycling material, including, but not limited to, holiday overflow allowances.
- J. Noise created by any recreational activities which are permitted by law and for which a license or permit has been granted by the City, including, but not limited to, parades, sporting events, concerts, and fireworks displays.

[1] *Editor's Note: This ordinance also renumbered former §§ 149-5 and 149-6 as §§ 149-6 and 149-7, respectively.*

§ 149-6. Recreational vehicles.

[Amended 12-1-2008]

Use of recreational vehicles, which shall include but not be limited to all-terrain vehicles, snowmobiles and dirt bikes, in areas which include residential uses shall be restricted to the hours of 7:00 a.m. to 10:00 p.m.

§ 149-7. Enforcement; violations and penalties.

- A. This chapter shall be enforced by the Code Enforcement Officer and/or the Police Department.
- B. Violators of this chapter shall be subject to a fine not to exceed \$100 per occurrence. Each day that a violation continues shall be considered a separate occurrence.

8.7.2 Exterior Lighting Requirements

8.7.2.1 All exterior luminaries shall be shielded or hooded to avoid glare, adverse impact on neighboring properties and rights-of-way. No exterior lighting shall produce a strong dazzling light or reflection of that light beyond its lot lines onto neighboring properties. The light level at lot lines shall not exceed 0.5 foot-candles measured at ground level.

8.7.2.2 All commercial, institutional and other similar activities shall provide adequate exterior lighting for occupants, customers and employees.

8.7.2.3 The maximum height of all free-standing exterior lighting fixtures shall be 32 feet as measured from ground level.

8.7.2.4 All exterior lighting except security lights shall turn off between 11 p.m. and 6 a.m. unless the activity is open for business.

8.8 Noise

8.8.1 All development activities shall comply with the following requirements so as not to create noise to the extent that abutting properties are adversely affected:

8.8.1.1 The maximum permissible sound level of any continuous, regular, frequent or intermittent source of sound produced by an activity shall be limited according to the time of day and the land use which abuts it as listed in the following table:

Abutting Use	Sound Level Limits (dBA)	
	7:00 a.m. – 7:00 p.m.	7:00 p.m. – 7:00 a.m.
Residential	55	45
Commercial	65	55
Industrial	70	60
Institutional	55	45

8.8.1.2 Where the abutting property is undeveloped, the sound level shall be equal to or less than the most restrictive abutting use allowed by this Ordinance.

8.8.2 Sound levels shall be measured at least 4 feet above the ground at the property line of the development. Sound levels shall be measured by a meter set on the A-weighted response scale, fast response. The meter shall meet the latest version of the American National Standards Institute (ANSI S1.4.) "American Standard Specification for General Purpose Sound Level Meters" and shall have been calibrated at a recognized laboratory within the past calendar year.

8.8.3 The applicant for a permit shall design the development as necessary to ensure that the noise emanating from the property conforms to the noise limits set forth in this subsection. Upon request from the Code Enforcement Officer or the Planning Board, the applicant shall provide a written certification from a professional engineer that the noise measurements are accurate and the noise from the completed development will conform to this subsection.

8.8.4 The applicant for a permit is responsible for measuring sound levels and providing all necessary information to show that the proposal will conform to this Subsection.

8.8.5 The following uses and activities shall be exempt from the requirements of this Subsection:

8.8.5.1 Noises created by construction and temporary maintenance activities between 7:00 a.m. and 7:00 p.m.

8.8.5.2 Single-family, two-family and multi-family housing.

8.8.5.3 The noise from safety signals, warning devices, and emergency pressure relief valves and other emergency activities.

8.8.5.4 Traffic noise on roads.

8.8.5.5 Resource use in rural areas.

8.8.5.6 Agricultural and forestry activities.

8.9 Exterior Material Storage

8.9.1 All dumpsters and similar large collection containers shall be completely screened from the view of all property lines.

8.9.2 All outdoor storage areas, including areas used for the storage or collection of solid waste, junk automobiles or parts, building materials, machinery or other such items, shall be screened from view according to the screening requirements contained in this Ordinance.

8.9.3 Where a potential safety hazard to children is identified by the Code Enforcement Officer, a physical barrier sufficient to deter children from entering the area shall be provided and maintained in good condition.

8.9.4 All above-ground and below-ground tanks containing fuel, explosive liquids or solids, gases or chemicals shall be constructed and located according to applicable state and federal regulations.

8.10. Performance Guarantee

8.10.1 These standards for a performance guarantee shall be followed whenever required by this Ordinance. When required, the applicant shall submit the appropriate performance guarantee to the Code Enforcement Officer or the Planning Board as applicable. A permit application review shall not be conducted until the performance guarantee is submitted and conforms to these requirements.

Town of Greenwood Site Plan Ord

4. Disturbed soils shall be stabilized as quickly as practical. Temporary mulch will be placed on all disturbed areas where seeding or other construction or stabilization activities will not take place for over 14 consecutive days.
 5. Temporary vegetation or mulching shall be used to protect exposed critical areas during development.
 6. The permanent (final) vegetation and structural erosion control measures shall be installed in the time periods contained in the erosion and sediment control plan.
 7. Until the disturbed area is stabilized, sediment in the runoff water shall be trapped by the use of debris basins, sediment basins, silt traps or other acceptable methods.
 8. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the developer causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his or her expense.
 9. Maintenance of drainage facilities or watercourses originating and completely on private property is the responsibility of the owner to the point of open discharge at the property line.
 10. The standards set forth in the Maine Erosion and Sediment Control Handbook for Construction, Best Management Practices (March 1991 and as amended) shall be employed.
- Q. Exterior Lighting: All exterior lighting shall be designed to minimize adverse impact on neighboring properties and to insure the safe flow of pedestrian or vehicular traffic.
- R. Noise: The proposed project shall not raise noise levels to the extent that abutting and/or nearby residents are adversely affected. See section 1-701.3. L for Commercial Wind Energy Facility noise standards.
1. The maximum permissible sound pressure level of any continuous, regular or frequent or an intermittent source of sound produced by any activity shall be limited by the time period and land use which it abuts listed below. Sound levels shall be measured at least 4 feet above the ground at the property boundary of the source.

Sound Pressure Level Limits Using the Sound Equivalent Level of One Hour (leq 60)
(measured in dB(a) scale)

	7a.m. - 10.p.m.	10p.m. - 7a.m.
Residential	55	45
Commercial	65	55
Industrial	70	70

Note: Residential, commercial and industrial above refers to the predominate nature of land use in the vicinity of the proposed project.

2. Noise shall be measured by a meter set on the A-weighted response scale, fast response. The meter shall meet the American National Standards Institutes (ANSA SI 4-1961) "American Standard Specification for General Purpose Sound Meters."
3. The following uses and activities shall be exempt from the sound pressure level regulations.
 - a. Noise created by construction and temporary maintenance activities between 7:00 a.m. and 7:00 p.m.
 - b. The noise of safety signals, warning devices and emergency pressure relief valves and other emergency activity.
- S. Air Pollution: The project will not result in undue air pollution. Should an Air Emission License be required from the Maine Department of Environmental Protection a copy of the approved license will be submitted.
- T. Odors: The proposed project will not produce offensive or harmful odors perceptible beyond the lot lines, either at ground level or habitable elevation.
- U. Archaeological Resources: Any proposed development activity involving structural development or soil disturbance on or adjacent to sites listed on, or eligible to be listed on the National Register of Historic Places, shall be submitted by the applicant to the Maine Historic Preservation Commission for review and comment, at least 20 days prior to action being taken by the Board. The Board shall consider comments and recommendations to minimize impacts on such archaeological resources received from the Commission prior to rendering a decision on the application.
- V. Historic Locations: The Board shall consider the proposed project's impacts on historic buildings and sites as identified in the Greenwood Comprehensive Plan. When a proposed project will include a historic building or site the applicant will design the project to minimize the impacts on the historic building or site.
- W. Endangered or Threatened Species: The Board shall consider the existence of endangered or threatened species as may be identified by the Maine Natural Areas Program. As a condition of approval the Board may require the applicant to undertake protective measures as recommended by the Maine Natural Areas Program.
- X. Financial and Technical Capacity: The applicant has adequate financial and technical capacity to meet the above standards.
- Y. Conformance with the Comprehensive Plan: The proposed project is in conformance with the Comprehensive Plan and other applicable ordinances.

Thurstonville Site Plan Ord.

supply, if one is to be utilized.

14. Sewage Disposal: The development shall provide for adequate sewage disposal. Where a septic system is to be used, it shall be built in accordance with the Maine Subsurface Wastewater Disposal Rules.

15. Stormwater Drainage: Adequate provision shall be made for surface drainage so that removal of surface waters will not adversely affect neighboring properties, downstream water quality, soil erosion, or the public storm drainage system. Whenever possible, on-site absorption of run off waters shall be utilized to minimize discharges from the site.

16. Soil Erosion and Sediment: Soil erosion and sedimentation of water courses and water bodies shall be minimized. The Planning Board shall find that the standards set forth in the Maine Erosion and Control Handbook for Construction, Best Management Practices (March 1991 and as amended) will be used.

17. Exterior Lighting: All exterior lighting shall be designed to minimize adverse impact on neighboring properties and to insure the safe flow of pedestrian or vehicular traffic.

18. Noise: The proposed development shall not raise noise levels to the extent that abutting and/or nearby residents are adversely affected.

a. The maximum permissible sound pressure level of any continuous, regular or frequent or an intermittent source of sound produced by any activity shall be limited by the time period and land use which it abuts listed below. Sound levels shall be measured at least 4 feet above the ground at the property boundary of the source.

Sound Pressure Level Limits Using the Sound Equivalent Level of One Hour (leq 60) (measured in dB(a) scale)

	7a.m. - 10.p.m.	10p.m. - 7a.m.
Residential	55	45
Commercial	65	55
Industrial	70	70

b. Noise shall be measured by a meter set on the A-weighted response scale, fast response. The meter shall meet the American National Standards Institutes (ANSA SI 4-1961) "American Standard Specification for General Purpose Sound Meters."

c. The following uses and activities shall be exempt from the sound pressure level regulations.

1. Noise created by construction and temporary maintenance activities between 6:30a.m. and 8:00 p.m.

2. The noise of safety signals, warning devices and emergency pressure relief valves and other emergency activity.

19. Air Pollution: The development will not result in undue air pollution. In making this determination, the Planning Board shall consult federal and state authorities to determine applicable air quality laws and regulations.

20. Odors: The proposed development will not produce offensive or harmful odors perceptible beyond the lot lines, either at ground level or habitable elevation.

21. Financial and Technical Capacity: The applicant has adequate financial and technical capacity to meet the above standards.

Code Officer Report Select Board Meeting April 23, 2019

Building Permits Issued

No Building Permits have been issued since the last meeting.

Plumbing Permits Issued

No Plumbing Permits have been issued since the last meeting.

Road Items

Branch Road bids are due May 7, being the first Selectmen's Meeting in May.

The pavement cuts made last summer by Sunday River for their water pipeline project are in need of pothole repair at both the Skiway Road and Sunday River Road sites, and an overlay should be applied on both sites when appropriate.

Cross Exc. will begin road sign repair as thawing conditions allow.

Building Maintenance Items

Tony Andrews has created as is drawings of the Town Office, Tony would like to meet sometime to decide on the proposed changes.

Other Items

Mike Morse has left DEP after 20 + years and is now offering consulting services to municipalities and the public.