

May 9, 2019

Board of Appeals  
Town of Lamoine  
Lamoine, ME 04605

Re: Building Permit #18-7  
114 Marlboro Beach Road

VIA EMAIL & CERTIFIED MAIL

To Whom it May Concern:

It is our understanding that an appeal has been filed relative to permit 18-7.

Kathy & I would respectively opine that:

- Mr. Moldawer does not meet the requirements for an aggrieved party; thus he does not have standing until:
  - 1) John & Marion Arnold joined the action on May 6<sup>th</sup>
  - 2) The application form is completed and
  - 3) The application fee is paid.
- A letter or conversation discussing prior decisions does not constitute grounds for appeal.
- The Building and Land Use Ordinance, as amended, does not provide the Appeals Board authority to hear this request.

Section 8 (APPEALS AND VARIANCES), Paragraph B (Administrative Appeals) states in part,

***"The Board of Appeals, upon written application of an aggrieved party within 30 days of a Code Enforcement Officer or Planning Board determination, may hear appeals of such determinations on administrative grounds..."***

(\*\*\* underline added for emphasis \*\*\*)

Pertinent dates:

	<u>Days to May 6</u>
• October 9, 1993 - new septic "approved to cover"	9,340 days
• July 23, 2013 - Lot coverage calculations submitted:	2,114 days
• November 26, 2013- first house permit granted:	1,988 days
• August 24, 2015 - first garage permit granted:	1,352 days
• June 30, 2016 - second permit granted:	1,041 days
• April 4, 2018 - current permit granted:	397 days
• August 21, 2018 - building height calculations submitted:	258 days
• August 24, 2018 - existing structure razed:	255 days *
• February 5, 2019 - foundation poured:	90 days
• March 1, 2019 - house set on the foundation:	67 days
• April 3, 2019 - Letter from CEO	33 days

Should the board decide to hear the appeal, we would welcome the opportunity to address their egregious errors and false accusations point-by-point. We will also be prepared to discuss our vesting rights as well as municipal estoppel.

Thank you for your time & consideration.

Sincerely,



Thomas N. True, \*P.E., \*L.S.

\* professional licensure is state-specific

Cc: Mr. John Holt, Planning Board Chair  
Ms. Rebecca Albright, Code Enforcement Officer

$$\begin{array}{r} 38' 8'' \\ - 31' 2.5'' \\ \hline 7' 5.5'' \end{array}$$

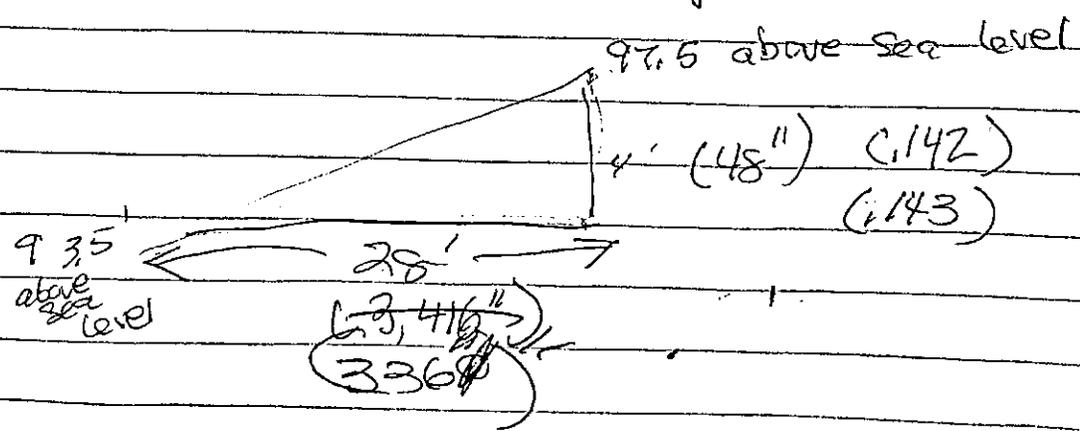
John's calculations  
from lowest grade to  
highest grade  
7' 5 1/2" difference

Actual  
Building Height = 28' 10"

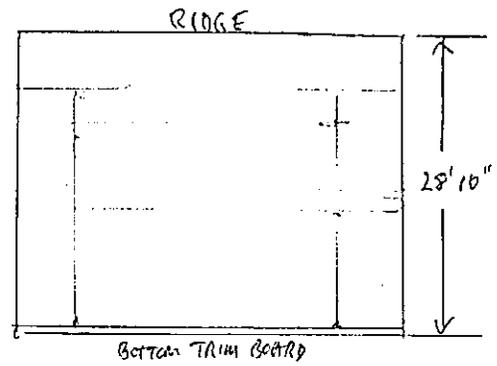
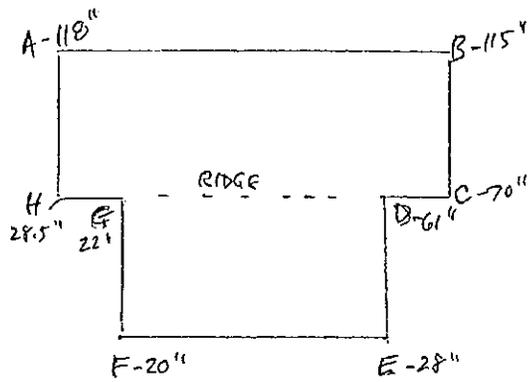
$$\begin{array}{r} 35' \\ - 28' 10'' \\ \hline 6' 2'' \end{array} \rightarrow \text{left over from allowed maximum height}$$

building on slope spans from  
94'  $\rightarrow$  102', and 8 foot differential  
covering a 28' distance  
average a 3.5' elevation change  
per foot.

ave. height of building is 34' 9"



TRUE - 3/27/2019



DISTANCE FROM RIDGE TO  
ROUGH FINAL GABE as of 3/27/2019

- A - 35' 8"
- B - 38' 3"
- C - 34' 8"
- D - 33' 11"
- E - 31' 2"
- F - 30' 10"
- G - 30' 8"
- H - 31' 2 1/2"

A & F avg - 34' 9"

**FURNACE.** A vented heating *appliance* designed or arranged to discharge heated air into a *conditioned space* or through a duct or ducts.

**GLAZING AREA.** The interior surface area of all glazed fenestration, including the area of sash, curbing or other framing elements, that enclose *conditioned space*. Includes the area of glazed fenestration assemblies in walls bounding conditioned basements.

**GRADE.** The finished ground level adjoining the building at all *exterior walls*.

**GRADE FLOOR OPENING.** A window or other opening located such that the sill height of the opening is not more than 44 inches (1118 mm) above or below the finished ground level adjacent to the opening.

**GRADE PIPING.** See "Slope."

**GRADE PLANE.** A reference plane representing the average of the finished ground level adjoining the building at all *exterior walls*. Where the finished ground level slopes away from the *exterior walls*, the reference plane shall be established by the lowest points within the area between the building and the *lot line* or, where the *lot line* is more than 6 ft (1829 mm) from the building between the structure and a point 6 ft (1829 mm) from the building.

**GRIDDED WATER DISTRIBUTION SYSTEM.** A water distribution system where every water distribution pipe is interconnected so as to provide two or more paths to each fixture supply pipe.

**GROSS AREA OF EXTERIOR WALLS.** The normal projection of all *exterior walls*, including the area of all windows and doors installed therein.

**GROUND-SOURCE HEAT PUMP LOOP SYSTEM.** Piping buried in horizontal or vertical excavations or placed in a body of water for the purpose of transporting heat transfer liquid to and from a heat pump. Included in this definition are closed loop systems in which the liquid is recirculated and open loop systems in which the liquid is drawn from a well or other source.

**GUARD.** A building component or a system of building components located near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to the lower level.

**HABITABLE SPACE.** A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered *habitable spaces*.

**HANDRAIL.** A horizontal or sloping rail intended for grasping by the hand for guidance or support.

**HANGERS.** See "Supports."

**HAZARDOUS LOCATION.** Any location considered to be a fire hazard for flammable vapors, dust, combustible fibers or other highly combustible substances.

**HEAT PUMP.** An *appliance* having heating or heating/cooling capability and that uses refrigerants to extract heat from air, liquid or other sources.

**HEATING DEGREE DAYS (HDD).** The sum, on an annual basis, of the difference between 65°F (18°C) and the mean temperature for each day as determined from "NOAA Annual Degree Days to Selected Bases Derived from the 1960-1990 Normals" or other weather data sources acceptable to the code official.

**HEIGHT, BUILDING.** The vertical distance from *grade plane* to the average height of the highest roof surface.

**HEIGHT, STORY.** The vertical distance from top to top of two successive tiers of beams or finished floor surfaces; and, for the topmost *story*, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.

**HIGH-EFFICACY LAMPS.** Compact fluorescent lamps, T-8 or smaller diameter linear fluorescent lamps or lamps with a minimum efficacy of:

1. 60 lumens per watt for lamps over 40 watts.
2. 50 lumens per watt for lamps over 15 watts to 40 watts.
3. 40 lumens per watt for lamps 15 watts or less.

**HIGH-TEMPERATURE (H.T.) CHIMNEY.** A high temperature chimney complying with the requirements of UL 103. A Type H.T. chimney is identifiable by the markings "Type H.T." on each chimney pipe section.

**HILL.** With respect to topographic wind effects, a land surface characterized by strong relief in any horizontal direction.

**HORIZONTAL BRANCH, DRAINAGE.** A drain pipe extending laterally from a soil or waste stack or *building drain*, that receives the discharge from one or more *fixture drains*.

**HORIZONTAL PIPE.** Any pipe or fitting that makes an angle of less than 45 degrees (0.79 rad) with the horizontal.

**HOT WATER.** Water at a temperature greater than or equal to 110°F (43°C).

**HURRICANE-PRONE REGIONS.** Areas vulnerable to hurricanes, defined as the U.S. Atlantic Ocean and Gulf of Mexico coasts where the basic wind speed is greater than 90 miles per hour (40 m/s), and Hawaii, Puerto Rico, Guam, Virgin Islands, and America Samoa.

**HYDROGEN GENERATING APPLIANCE.** A self-contained package or factory-matched packages of integrated systems for generating gaseous hydrogen. Hydrogen generating *appliances* utilize electrolysis, reformation, chemical, or other processes to generate hydrogen.

**IGNITION SOURCE.** A flame, spark or hot surface capable of igniting flammable vapors or fumes. Such sources include *appliance* burners, burner ignitions and electrical switching devices.

**INDIRECT WASTE PIPE.** A waste pipe that discharges into the drainage system through an air gap into a trap, fixture or receptor.

**INDIVIDUAL SEWAGE DISPOSAL SYSTEM.** A system for disposal of sewage by means of a septic tank or mechanical treatment, designed for use apart from a public sewer to serve a single establishment or building.

067-2541

Alan B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605

March 18, 2018

Mr. John Holt, Planning Board Chair  
Ms. Rebecca Albright, Code Enforcement Officer  
Town of Lamoine  
Lamoine, Maine 04605

Re: Building Permit for Lot 48

Dear Mr. Holt and Ms. Albright:

I am writing to complain to the Town over the issuance of a Building Permit for the construction of a new, three story, 2,600 square foot house with planned 400+ square foot garage and 330+ square foot deck on Lot 48 in Tax Map 16 of Lamoine (Marlboro). The house is owned by Mr. and Mrs. True. The Lot is owned by a condominium association in which the Trues are part owners. A Building Permit should not have been issued for the dwelling.

Ostensibly, the house being built was intended to replace a small, 700-900 square foot, one-story seasonal cottage owned by the Trues and known as the "Candy Cottage" which was once located on Lot 48-1 before that lot was combined in 2018 with three others (Lots 48-2, 48-3 and 48-4 owned by Mrs. True's siblings), to form a single lot, Lot 48, under condominium form of ownership. The Candy Cottage, which could have remained under Lamoine Zoning Ordinance, was torn down last year by the owners, Mr. and Mrs. True. Nothing has been rebuilt on that location. - to achieve a building that is completely conforming

Before addressing the likely violations of the Lamoine Zoning Ordinance, the notion of grandfathering should be addressed. Nothing of relevance in the Ordinance speaks to "grandfathering" except as to a "Non-Conforming Structure" (the Candy Cottage), which would have been allowed to remain, and a "Non-Conforming Lot of Record", which had to exist of record prior to 1999, in order to be built upon. Common sense, if not the Ordinance itself, should have dictated that a Building Permit should not have been issued to replace a very small Non-Conforming Structure on a Non-Conforming Lot with a new house, garage and deck more than five (5) times the size of the original structure on a newly-created Non-Conforming Lot 48. Aside from the obvious disregard that the owners have for the character of the neighborhood and sight lines of their neighbors, the new construction makes Lot 48, already greatly exceeding the

it was ALWAYS a single lot

however the Ordinance NOT common sense dictates

→ not in violation  
because grandfather  
non-conforming lot  
of record

minimum lot size required per dwelling unit, significantly more in violation of the 40,000 square foot per dwelling unit standard, as well as the Lot Coverage limits in the Ordinance.<sup>1</sup>

As the Town knows, Lot 48 is a "Non-Conforming Lot" in that there are now, with the new house and structures, four (4) dwellings located on it. Lot 48 contains only 79,200 square feet, enough under the Lot Standards of the Lamoine Zoning Ordinance for just one dwelling. Lot 48 is also Non-Conforming in that it has only 107 feet of frontage on Marlboro Beach Road. The fact that the owners combined their four (4) individual lots into a single lot and converted them into a condominium form of ownership under the Maine Condominium Act did nothing to alter the application of local building and land use ordinances to the underlying real property. In fact, it can be said, the conversion of the ownership of the four (4) separate Non-Conforming Lots (which themselves were not of record before 1976 or 1999) into one newly-created lot means that Lot 48 cannot be considered a "Non-Conforming Lot of Record" and there is nothing in the Ordinance, express or implied, to grant the owner the right to build another dwelling unit on it. Once razed, the right of the Candy Cottage to remain as a Non-Conforming Structure under the Ordinance ceased. Once ceased, there was no right conferred to the Trues to build a new house on Lot 48.

Restated, Lot 48 is not a "Non-Conforming Lot of Record" existing as of either 1976 or 1999 as defined in Section 5.H. of the Ordinance. At the time the Building Permit was issued, Lot 48 already had three (3) dwelling units on it, which exceeded the Lot Standards limitation of one dwelling unit per 40,000 square feet. The Candy Cottage was razed and, therefore, no longer qualified as a Non-Conforming Structure which would have been "*allowed to remain solely* because it was in lawful existence at the time the Ordinance was adopted." (emphasis added). Tearing it down did not "grandfather" to the owners of Lot 48 a right to build a fourth residence where Lot 48 does not have the Minimum Lot Size required—either in terms of square footage or road frontage.

Even if the Town were to disregard the fact that Lot 48 is now a single lot created in 2018 and to consider that the approximate 20,000 square feet that has been "assigned" or "allocated" to Mr. and Mrs. True as a Non-Conforming Lot of Record, a fiction that is not recognized in the Ordinance, a Building Permit should not have allowed the Trues to tear down a small, one-story seasonal cottage of 700-900 square feet and then start new construction of a three-story house almost 5 times the size of the Candy Cottage, that is to say, approximately 4,000 square feet of structure. The "Net Maximum Density" (40,000 sf per dwelling) on Lot 48 was already well-exceeded by the three remaining structures.

<sup>1</sup> The four (4) dwellings may also violate the Maximum Lot Coverage (25%) of Lot 48, including recent additions to one house, the new house, garage, deck and other structures, roadway, driveways and parking areas, but that is to be determined.

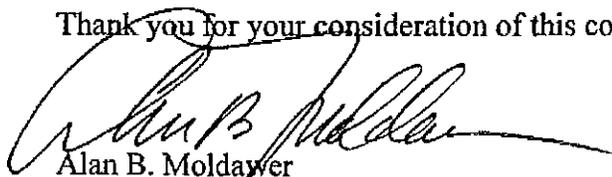
### Height Restriction Is Likely Exceeded

Also, in an apparent effort to be able to see over the Harris' dwelling units located south of the new house, the builder built a very high foundation and artificially raised the grade surrounding the foundation. While it is difficult to know without trespassing upon the property, the Building Height of the house appears to exceed the 35 feet "Building Height" limit as defined in the Ordinance. The "Building Height" is the vertical distance from the highest point of the structure to the average finished grade or to the average original grade around the foundation, whichever is greater. Since the original grade, seen in the attached photos at the level of the private road with telephone poles and the architectural well feature, is well below the new, raised finished grade, the Building Height was required to be measured from the highest point of the house to the average of the original grade, not the finished grade. The Building Height measured from the top of the house to average original grade appears to be well more than 35 feet. It also is another reason not to grant a variance or exception to the owners to extend the proposed deck over the setback lines from their relocated roadway running up against the foundation.

I do not know the True family and hope not to create animosities in the small settlement here known as Marlboro. However, the structure they are building shows little concern for their neighbors or the neighborhood, and the Town, going forward, should examine what it has done in apparent disregard for the letter and spirit of the Lamoine Zoning Ordinance, or, in the alternative, to consider changes to the Ordinance to prevent a repeat of the mistakes made here. I am not alone among those in Marlboro who have expressed concerns about this new construction. Better means of notice to surrounding property owners needs to be given before permits are issued on non-conforming lots or that involve non-conforming structures.

As always, I appreciate the courtesy and time the Code Enforcement Officer took to share with me the Town's permit file for Lot 48 and discuss my concerns.

Thank you for your consideration of this complaint.



Alan B. Moldaver  
15 Brown Lane  
Lamoine, Maine 04605

$$1 \text{ acre} = 43,560 \text{ sq}'$$

$$1.7 \text{ acre} = 74,052 \text{ sq}'$$

$$1.7 \text{ acre} = 74,052 \text{ sq}'$$

$$25\% \text{ of } 74,052 \text{ sq}' = 18,513 \text{ sq}'$$

18,513 sq' TOTAL allowed  
for all house "footprints" and  
driveways/parking lots

$$18,513 \text{ sq}' = \frac{3}{8} \text{ acre}$$

almost  $\frac{1}{2}$  acre

Conclusion - Lot 16 MAP 48  
is not in excess  
of the required  
25% total lot coverage  
allowed

Town of Lamoine Property Tax Records 2017/18

Property Owners	Map & Lot	Frontage	Assessed Value	Building Value	Taxable Value	Personal Property	Total Tax
Mailing Address	Book & Page	Physical Location	Exemptions	Exemptions	Real Estate Tax	Pers Prop Tax	Homestead Ex. Net Tax Due
Arnold, Richard C & Marion O Arnold 15 1/2 Water St Apt 11 Mystic, CT 06355	M 16 L 46 B 2332 P 45	Road 141 Shore 225 102 Marlboro Beach Rd. Raccoon Cove	Acres 3.58 \$377,400	\$392,600	\$770,000	BETE	\$8,239.00
Goodrich, David & Lorna B. Goodrich 155 Congress St Brooklyn, NY 11201	M 16 L 46-1 B 1452 P 303	Road 69 Shore 205 28 Mermont Avenue Raccoon Cove	Acres 3.22 \$361,800	\$93,400	\$455,200	BETE	\$4,870.64
Cardano, John W. 110 Marlboro Beach Rd. Lamoine, ME 04605	M 16 L 47 B 6624 P 240	Road 110 Shore 110 Marlboro Beach Road Rte 204	Acres 0.49 \$101,500	\$113,300	\$214,800	BETE	\$2,298.36
Marlboro Association Trust, Rob't, William, John, Richard & Kathryn 122 Lupine Lane Lamoine, Me 04605	M 16 L 48 B 1484 P 94	Road 115 Shore 107 101 Lupine Lane Raccoon Cove	Acres 1.70 \$423,000	\$375,000	\$798,000	BETE	\$8,538.60
Hamm, Carolyn E. Mary Ellen Kimball 9 Starfish Lane Lamoine, ME 04605	M 16 L 49 B 2918 P 179	Road 190 Shore 210 3 Starfish Lane Starfish Lane	Acres 2.51 \$544,200	\$324,300	\$868,500	BETE	\$9,292.95
Moldawer, Lyle L & Elaine M. Moldawer 2357 NW 14th Place Gainesville, FL 32605	M 16 L 49-1 B 1936 P 261	Road 155 Shore 155 8 Brown Lane Raccoon Cove	Acres 1.80 \$229,500	\$118,900	\$348,400	BETE	\$3,727.88
Moldawer, Alan B & Brenda S. Moldawer 241 May St. Elmhurst, IL 60126	M 16 L 50 B 1936 P 258	Road 154 Shore 155 15 Brown Lane Raccoon Cove	Acres 1.60 \$230,100	\$281,300	\$511,400	BETE	\$5,471.98
Farrar, Ralph B. Jr. Janice P. Farrar 148 Marlboro Beach Rd. Lamoine, ME 04605	M 16 L 51 B 2717 P 167	Road Shore 275 Acres 0.81 Raccoon Cove	\$81,100		\$81,100	BETE	\$867.77
Farrar, Amy-Lynne 148 Marlboro Beach Road	M 16 L 51-1 B 1690 P 412	Road 358 Shore Acres 2.03 148 Marlboro Beach Road	\$181,700	\$284,300	\$466,000	BETE	\$4,986.20

107' x 1  
6 1/2' x 1  
5/16  
one  
CLM/EG

## Selectmen Tweak Permit Fees

(Lamoine) - Depending on what one plans to construct, the fees accompanying the required permitting may be a little less, or it might be more. Selectmen in mid-November approved a new permit fee schedule. If nothing else, the schedule helps to clarify questions that kept popping up at the Code Enforcement Officer level.

The new fees clarify just what is considered a foundation that is subject to a fee. It also defined what an attic is compared to a top floor living area.

The Shoreland Zoning ordinance fees were also greatly clarified for projects that involve Shoreland alteration without building. The fees are \$25/acre for any Shoreland project that does not involve a building.

Perhaps the biggest change comes with the permit fee for gravel permits. The previous fee schedule charged on a 3-tier system depending on the size of the extraction permit area. The new schedule charges \$50 per acre for the proposed permitted area. That fee is expected to generate more revenue for larger gravel pits which require a lot more time from the Code Enforcement Officer to monitor annually.

The new fees went into effect at the end of November.

## Shoreland Cutting Apparently Not in Violation



*One of the lots cleared in the Sunset Bay Subdivision during the summer of 2018*

(Lamoine) - A licensed forester hired by the developers of the Sunset Bay Subdivision off Seal Point Road has concluded that the property owners legally cut vegetation in the Shoreland Zone. A report from Thomas Dodd did recommend replanting lots with trees to replace dead trees and other vegetation removed from lots sometime during the summer of 2018.

Code Enforcement Officer Rebecca Albright issued a notice of violation after receiving a complaint about the cutting in the Shoreland Zone. After receiving the report indicating replanting is in order, Selectmen suggested a consent agreement. Further clarification from the forester indicated there was no ordinance violation. Albright and Dodd plan to meet with Selectmen in January to further clarify.

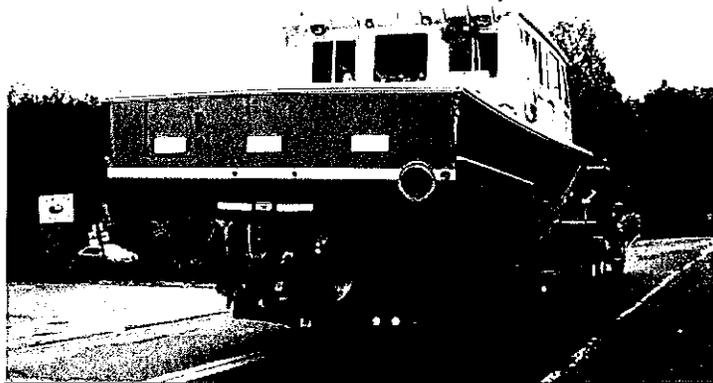
## Cluster Housing Change Ready for March

(Lamoine) - To build affordable, multi-family housing in Lamoine has not only been next to impossible for the past 25-years or so; the local ordinance pretty much forbade it. The current Building and Land Use Ordinance (BLUO) requires any cluster housing to be served by municipal water and sewer systems. There's just one issue—Lamoine has no municipal water and sewer, and likely won't for a long time to come.

The Planning Board has worked to come up with an amendment to the

ordinance that might better encourage such housing development. An amendment to the BLUO will require a minimum of 10-acres for cluster housing development. Such plans will have to be served by common private water and septic systems, and all plans must receive Planning Board Approval. The revision also requires a significant amount of undeveloped common space to be accessible to all residents.

The amendment will be on the open town meeting warrant on March 20.



*Another Lamoine Creation Heads to the Ocean*

*SW Boatworks owner Stewart Workman called the town office a few weeks back to alert the staff that another one of his large Calvin Beal boats was about to head by on its way to the ocean. We got a picture of one of the company's latest creations that will be owned by a Colorado man who summers in Boothbay Harbor.*

## Fall Slows Permit Issuance a Bit

(Lamoine) - After a relatively busy summer construction season, construction permit issuance slowed down for the final quarter of the year. Code Enforcement Officer Rebecca Albright issued a dozen construction permits, 9 internal plumbing permits, and three septic system permits during the quarter.

Nbr	Name	Project
63	Mouland, David	Shed
64	Arbach, Kathryn	Garage
65	Leighton, Peter	Garage
66	Wilder, Michael	Barn Addition
67	Lovett, Laurance	Rip Rap Shoreland Repair
68	Kolkas, Eugenia	Rip Rap Shoreland Repair
69	Cameron Stone & Landscaping	Commercial Building
70	Staples, Felicia	Horse Barn
71	White, Cindy	Deck
72	LaHaye, William	Garage
73	True, Kathryn	Alter Building Size Plan
74	Durrell, Stacey	Residence

## Appeals Board Ordinance Work Ongoing

(Lamoine) - It remains to be seen whether Lamoine voters will have a stand-alone Appeals Board ordinance to decide at the annual town meeting in March. After receiving comments on the latest draft, the Board of Appeals has decided to continue revisions to an ordinance they've been in the process of drafting for several years.

The goal of the ordinance is to come up with a uniform way to treat matters that come before the Appeals

Board. The various town ordinance that contain an appeals process have different wording and processes in which the appeals are handled.

The latest work session raised questions about board member conflicts, what type of hearings the Appeals Board should hold, and how abutters are defined when properties are separated by a stream or a road. The Board plans to submit questions to Maine Municipal Association's legal department.

## Planning Board Grapples With 9 Pit Permits

(Lamoine) - An attorney representing several grave pit owners may have only been half kidding when he referred to the current Lamoine Gravel Ordinance as the "Steve Salsbury Full Employment Act". Salsbury is an Ellsworth surveyor who represents several of the gravel operators in Lamoine before the Planning Board for extraction permits.

Three companies that operate a total of 9-licensed pits all have applications before the Planning Board. As of late September, the Board was awaiting various pieces of information for each application in order to consider the applications complete.

Salsbury has told the Board that the pit owners are not able to drill the required number of monitoring wells prior to the local permit expiration at the end of October. The additional well requirements in the ordinance that passed last March are

one of several issues being discussed by the pit owners and the town. The ordinance requires a monitoring well for each five acres of permitted land. It also requires the permit holder to perform a water quality tests and to show where the groundwater level sits in relation to the gravel pit floor. The pit owners say installation of such wells is extremely expensive. None of the nine pending applications contained the required monitoring well information.

The Planning Board held two meetings in September and planned two meetings in October to process the many applications. It's not clear what might happen if the Board is unable to complete the permitting process because the applicants are unable to drill and test the required monitoring wells before the permits expire.

## Permit Issuance Steady

(Lamoine) - The summer months generally are the busiest for building permit activity. Between July and October, Code Enforcement Officer Michael Jordan issued 15 permits compared to 17 during the same span in 2012.

The following permits were issued:

#	Name	Project
20	McKenney, Jaye	Steps to Shore
21	Ellis, John	Residence
22	True, Kathryn	Residence
23	Booth, Sarah	Deck Roof
24	Parkinson, Bill	Residence
25	Havey, Keith	Deck
26	Trites, Robert	Steps to Shore
27	Gabel-Richards, S	Deck Roof
28	Walker, Mike	Residence
29	Young, Frank	Garage
30	Walls, Michael	Shed
31	Belch, Anthony	Residence
32	Littlejohn, Rob't	Expansion
33	Harmon, Laura	Shed
34	Finch, Deborah	Addition

## Land Use Ordinance Changes Under Draft

(Lamoine) - When voters decided (by one vote) last March that the current Building and Land Use Ordinance should exclude enforcement of the Maine Uniform Building and Energy Code (MUBEC), that set in motion a process to amend the ordinance to reflect that. Code Enforcement Officer Michael Jordan and Administrative Assistant Stu Marckoon have begun the somewhat daunting task of reviewing the present ordinance and removing references to various building standards within that ordinance in order to get it ready to present to a future town

meeting. Among the local requirements are a fire resistant roof and siding. But several paragraphs of the ordinance will also require re-wording in order to comply with the state requirement that town's either comply with the MUBEC standard or choose not to enforce any standard.

The first draft of the proposed ordinance changes went to the Planning Board in September for comment. It's expected several more drafts will go back and forth for consideration before voters decide, possibly at the town meeting in March 2014.

## Conservation Commission has Busy Summer

*By Larry Libby, Chair*

(Lamoine) - Hiking Trails of Lamoine, written by Commission member David Legere, is now available on the LCC section of the Lamoine web site. It shows several trails open and available for use by Lamoine residents and visitors. More trails will be added as they become available. Their beauty and diversity are an important part of the town and we hope you'll use them. We are seeking a State grant to improve the Simon Trail off Partridge Cove Road.

The LCC Archives are now available in the town hall thanks to Anne Stocking, Georgianna Pulver and Catherine deTuede who actually knew how to organize and sift through materials collected over 30 years of projects. Included are maps, DVD's, CD's, reports, photos on topics ranging from shell fish to aquifer protection to open space. These materials are available to be checked out and used by anyone. A summary of the collection is on the town web site.

Is there something about Lamoine's natural features or environment that you'd like to know more about? Is there a speaker or a topic you'd like to suggest for a public meeting? We believe that engaging Lamoine residents on conservation topics is an important part of our mission. Let us hear from you.

## Shoreline Economic Impact Study Underway

(Lamoine) - How does living on the coast affect the economy of Lamoine? That question is currently under study by a team of researchers from the University of Maine's Mitchell Center in cooperation with Lamoine's Conservation Commission.

Economic Researchers Todd Gabe and Caroline Noblet held several meetings this summer with stakeholders in the shore area, including town officials, lobstermen, clam diggers, and others in order to try to determine the true economic impact of being on the shore.

In addition to the lobster and clam industry, there is also a large marine worm digging and mussel industry.

Conservation Commission chair Larry Libby says U-Maine Mitchell Center researchers will use data from Lamoine and several other communities including Sorrento, Hancock, Surry and Blue Hill to provide a comparative report on revenues generated by the marine resources industry. He expects the U-Maine report to be ready prior to the end of 2013.

## New Code Enforcement Officer Named

(Lamoine) - The advertisement for a new code enforcement officer to replace Michael Jordan drew only two applicants. One was the interim CEO, and the Board of Selectmen swiftly hired Millard Billings to the post which also includes the local plumbing inspection duties.

Billings, who lives in Franklin, has been the town's Deputy Code Enforcement Officer for several years, but the town had never needed to call upon his services until this year. He is also the Code Enforcement Officer in several other communities, the tax assessor for Holden, and the Unorganized Territories manager for Hancock County. Billings is a military veteran who retired as the Town Manager of Tremont a few years ago.



Lamoine's New Code Enforcement Officer, Millard Billings

In his first few weeks on the job, Billings says Lamoine is by far the busiest of the towns he serves as code enforcement officer. He is in the office weekly on Monday afternoons between 1PM and 4PM. The town office stays in e-mail contact with him at other times throughout the week for citizen questions.

## Occupied RV Generates Violation Notice

(Lamoine) - Code Enforcement Officer Millard Billings has ordered a Mud Creek Road property owner to either move an occupied recreational vehicle off their property or apply for and obtain the proper building permit for the unit. The Building and Land Use ordinance allows for RV occupation for up to 30-days a year without a permit. The town started receiving inquiries about the occupied unit in July, and Billings determined that it has been occupied in excess of the 30-days annually. The landowner was notified of the violation via certified mail and given 30-days to come into compliance with the ordinance.

The land parcel contains enough road frontage and acreage to accommodate the vehicle. As of the end of September, Billings has not reported any action by the landowner.

## Permit Applications Take Off

(Lamoine) - It was a hectic summer in the Code Enforcement office as CEO Billings processed numerous permits.

Nbr	Name	Project
18	Whitney, Eliz.	Residence
19	Parkinson, Joann	Deck
20	McKeage, Dianna	Steps to Shore
21	Moulton, Paul	Acc. Bldg
22	D. Gott & Sons	Com'l Bldg
23	Kilmer, Joyce	Deck
24	Bryant, Chris	Driveway
25	Farrell, Richard	Driveway
26	Simons, Todd	Residence
27	Racicot, Eliz.	Mobile Home
28	True, Kathryn	Garage
29	Herbert, John	Deck
30	Farrell, Richard	Residence
31	Havey, Melody	Residence
32	Thomas, Brian	Barn
33	Atkins, Alice	Shed
34	Parkinson, Wm.	Shed
35	Catbird LLC	Boat House
36	Broughman Bldrs	Residence
37	Young, Michael	Expansion
38	Mitchell, Carlton	Garage

The permit application fees generated just under \$4,300 in revenue to the Code Enforcement Fund. Additionally, 15 plumbing permits were issued in the quarter, including 7 septic systems and 8 internal plumbing permits. That generated an additional \$1,400 in revenue to the CEO fund.

## Facilities Maintenance Director Named

(Lamoine) - Though town government in Lamoine is fairly small, there are quite a few buildings that need some TLC from time to time. The town hall, salt/sand shed, four buildings at the salt/sand shed, the storage garage, and two town parks have not had any regular maintenance over the years. The town hall staff has relied on contractors to repair those facilities as needed, but no real maintenance plan. Quite frankly, the town was falling behind on making sure the buildings stayed in good shape. Enter Rick Gallegos.

Rick has been in Lamoine for a few years and is a well trained member of the volunteer fire department. He is also a carpenter and a jack of all trades. When he expressed interest in pursuing the Code Enforcement position, the town was in need of a maintenance person to keep the two parks in good shape. Selectmen agreed to hire Gallegos as an assistant Code Enforcement Officer in order to get



him certified at the state level. In addition, they named Rick as the Facilities Maintenance Director. In addition to the parks, he'll perform weekly janitorial chores at the Town Office, and special projects on the many other town facilities. So far Rick has installed a door way at the MSW container building at the transfer station, removal of the dead fire bushes at the town hall, repairs on a light fixture at the town hall, and beginning to organize the storage garage. Welcome Aboard!

## Board Positions Filled, Others Wanting

(Lamoine) - There were plenty of folks who applied for alternate board positions on the Lamoine Planning Board and the Board of Appeals, and the Board of Selectmen chose retired school teacher Steve Gabel-Richards to serve on the Planning Board, and former Code Enforcement Officer Michael Jordan to serve as an Alternate Board of Appeals

member. Cathleen Goebel is the newest member of the Parks Commission. One seat and an alternate position remain unfilled on the Parks Commission, as does an alternate position on the Budget Committee. Selectmen also created a second alternate position on the Comprehensive Planning Committee and will fill that on October 8th.

## Code Enforcement Increases On-Duty Time

(Lamoine) - Code Enforcement Officer Rebecca Albright says she loves working in Lamoine, and has started doing more of it, by necessity. Albright recently left her similar post in Gouldsboro, and became available to put in more time for Lamoine.

The demand on the Code Enforcement Officer and Plumbing Inspector has grown significantly just in the past year. In June alone, Albright issued five permits for new homes. Besides reviewing the submitted paper work for compliance with local and state requirements, the Code Enforcement Officer and Plumbing Inspector must visit the work site and make several inspections during the construction project. After the permits are issued, Albright enters the basic information into the town's computer system, files the paperwork in a binder and a copy in each pertinent folder for the property. The work for a construction permit has become fairly complex over time, and the volume of permits has meant more needed office time.

In addition to the permitting work, Albright has received several alleged violation complaints from other town officials. Those require even more time than the permit applications as each complaint must be investigated, correspondence generated with the alleged violator, and coming up with a solution for the alleged violation to be corrected.

Another time demand on Albright involves Planning and Appeals Board meetings. The Code Enforcement Officer is a vital team player with the Planning Board, offering advice on pending applications, carrying out inspections, especially on gravel pits. When a denied permit is appealed, the CEO must appear before the Board of Appeals to offer insight into the reasons for appeal or request for a variance.

Albright requested permission to utilize more hours. When she was hired, the Selectmen set up a contract to guarantee payment for a minimum of 8-hours a week, with compensation hourly beyond the 8-hour mark.

## Ordinances Amended, More Pending

(Lamoine) - Voters in May approved changes to the Building & Land Use Ordinance (BLUO) and Gravel Ordinance. The BLUO change has to do with road frontage requirements. The amendment will now allow for buildings to be placed 200-feet back from public roads if the road frontage is not 200-feet wide. That potentially opens up a lot more potential residential development in town. The amendment also corrected some minor errors in the land use table.

The Gravel Ordinance change had to do with pit restoration and gives the ability to the Planning Board to deny or revoke a permit if the operator does not conduct restoration activity as outlined in

the Gravel Application.

Meanwhile, the Planning Board has drafted a new Shoreland Zoning Ordinance to conform with state required wording. A draft of that will go to a public hearing on September 17, 2018 for input before a final version is voted upon.

The same process is also planned for the BLUO. The Planning Board has spent hours working on cluster housing ideas, and has drafted language that potentially allow such plans. The current cluster housing language is difficult to comply with, and tends to discourage such development in demand in neighboring municipalities

## Faces Change on Appeals Board

(Lamoine) - Two resignations from the Board of Appeals and a sudden interest in the Board's business have some new faces serving. Long time members Cece Ohmart and Connie Bender both stepped down because work schedules prevented them from attending. Filling the regular slots on

the board are long-time alternate member Michael Jordan and Conservation Commission chair Larissa Thomas. School Committee chair Brett Jones and Glen Mary Road resident Karen Hood were named to serve as alternate members on the Appeals Board.



*Caretakers of the Memorial  
Girl Scouts Lilly Philbrook (left) and Casey Jordan (right) have been very diligent the last few years about keeping the flora at Lamoine Veterans' Memorial in tip top shape. This year they planted a pair of perennials to replace two that did not survive the winter, and also edged, mulched and planted geraniums along the brick walkway.*

## Appeals Board Denies Variance, Another Withdrawn

(Lamoine) - When Partridge Cove Road resident Dana Young applied for a building permit for a garage, his plans placed the structure 21-feet too close to Route 204. The application called for the garage to be adjacent to Young's home, which is the same distance away from the road, had been built long before the road setback requirement was placed into the building and land use ordinance.

Code Enforcement Officer Rebecca Albright denied the permit because of the proposed setback violation, and Young requested a variance from the town's Board of Appeals.

After reviewing the information, the Appeals Board also denied the application. In its draft findings, the board noted that the land parcel contains 20-acres and there was plenty of room for a conforming garage.

The Board of Appeals also received a variance application from a landowner on Eagle Point Road who was apparently trying to sell a small waterfront parcel contingent on being able to obtain a building permit. A proposed cabin did not meet setback requirement on the lot that was created prior to the town's first ordinances.

Landowners in the subdivision questioned the plans presented with the variance request following the initial Board of Appeals meeting on the matter. The matter is currently pending.

## Permits Issued

#	Name	Project
7	True, K.	Residence
8	Merchant, Rob't	Residence
9	Havey, Keith	Expansion
10	Andrews, Holly	Garage
11	Young, Dana	Garage
12	Young, Dana	Porch
13	Workman, Alice	Residence
14	Berger, Alex	Apartment
15	Comolli, Bruce	Shed
16	Warner, Mark	Residence
17	Sanborn, R.	Slab, Barn
18	Nichols, Jenny	Rabbit Hutch
19	Sweeney, M.	Mud Room
20	Onorato, Geo	Expansion
21	Louis, Nancy	Shoreland
22	O'Connor, C.	RV
23	Atkins, Alice	Shed
24	Leavitt, Jas.	Residence
25	Pending	
26	LaBossiere, A.	Garage
27	Richards, John	Residence
28	Warner, Jeffrey	Residence
29	Davis, Allan	Deck, Sunroom
30	Long, Robin	Residence
31	Bouffard, D.	Shed
33	Apel, Raymond	Screen Deck
34	Strauss, Rob't	Residence

## Legal Matters Processing Slowly

(Lamoine) - A lawsuit filed by three gravel pit owners against the town claiming uncompensated taking when a gravel ordinance passed in 2013 remains in the court system. The parties attended one of the fastest mandated mediation sessions on record in early July, with both the town and representatives from Doug Gott & Sons, Harold MacQuinn, Inc. and John W. Goodwin Jr. agreeing with town attorney Daniel Pileggi that no settlement was possible. The session with mediator Ted Pierson took less than five minutes. Just when the case will end up in Superior Court remains unknown.

The case came about when voters approved a revised gravel ordinance that increased the excavation setback from abutting property lines from 50-feet to 100-feet. After several months of meetings and work to revise the ordinance, voters rejected the proposed amendments in November 2015.

Another gravel related suit also remains active, though no recent action has taken place. Harold MacQuinn, Inc. has challenged rejection of a gravel mining expansion of the so-called "Miro Pit". Lamoine's Planning Board turned down the expanded excavation plan many months ago. MacQuinn has challenged the rejection by claiming that a board member at the time was predisposed against gravel mining, and that the chair of the Planning Board should have recused himself from the decision making process because he is an officer of the Cold Spring Water Company which owns an abutting property. No date has been set for either mediation or trial in that matter.

## Planning Board Claims Lot Split Improper, Amends Subdivision

(Lamoine) - The Board of Selectmen and Code Enforcement Officer will discuss how to properly proceed with a complaint from the Planning Board that a lot split in an approved subdivision 5-years ago violated town and state land use laws. The Misty Way II subdivision was originally approved an 11-lot development. One of the lots at the end of the subdivision road was divided in 2011, the Code Enforcement Officer at the time issued the new owner a building permit, and a home was constructed on the new lot. Neither the CEO nor the Board of Assessors questioned the split. The remaining acreage sold to an abutting property owner last Spring.

Planning Board chair John Holt contends that the 2011 split created a 12-lot subdivision which has open space requirements that do not exist for a smaller number of lots. The original subdivision developer no longer owns any of the lots within the subdivision.

The Planning Board approved an amendment to the subdivision during the summer, which combined the existing lot and the remaining lot sold to the abutter, dropping the number of lots back to eleven.



## Planning Board Approves Jordan River Rd. Business Plans

(Lamoine) - A proposed vehicle detailing shop and storage buildings won site plan and commercial building permit approval from Lamoine's Planning Board. Construction has begun on the business complex submitted by Michael and Stephanie Bradford.

No one raised objections during the public hearing on the proposal approved in July. Mr. Bradford currently runs a detailing operation in Ellsworth and will

move that operation to Lamoine once the facility is completed.

To accommodate the new business, the town assigned a street name, approving the Bradford's suggestion of Detail Drive. As of late September, a foundation has been poured for the detailing business, a septic system installed, and site work for the other two buildings was well under way. It's not known when construction will be complete.

## Unfulfilled Agreement to Small Claims Court

(Lamoine) - A consent agreement approved by the Board of Selectmen and a building contractor regarding a road setback violation has yet to be satisfied, and the case will go to small claims court in December. The matter involved a modular home on Douglas Highway. The agreement called for installation of a barrier between the house and road, planting of vegetation, and payment of a fine and attorney fees. Only the payments remain outstanding, and the attorney representing the town indicated that payment would not be forthcoming, even though a signed agreement is in hand. The contractor has since sold the home.

## Assessment Appealed

(Lamoine) - The Hancock County Commissioners will hear an appeal of a denial by the Board of Assessors to abate a portion of the property taxes from a Pheasant Lane property owner. Gregory Rhyne claims that the town has incorrectly valued his waterfront home's land. The case was continued to October 4, 2016.

The Board of Assessors assert that the land in question is valued in the same manner as other properties, and supplied property tax cards to the County Commissioners to back that up. The Board of Assessors has retained attorney Ed Bearor for advice on the case. Though the appeal was filed last May, the town did not receive notice until late summer.

## Planning Board Hears Pit Renewals

(Lamoine) - The 7-member Planning Board has put in some long hours reviewing a 4-inch binder of gravel permit renewal applications submitted by owners of the expiring permits. Two long meetings in September found four of the applications complete. Pits up for public hearing & renewal on October 3 include three owned by Harold MacQuinn, Inc and one operated by RF Jordan.

## Permits Issued

Nbr	Name	Project
33	McKeage, John	Toilet Enclosure
34	LaChance, Bob	Garage
35	Sanborn, Reginald	Residence, Garage
36	True, Kathryn	Residence, Deck
37	Reynolds, Jos.	Shed
38	Lamoine St. Park	Shelter
39	Bradford, Michael	Commercial
40	Wilder, Michael	Garage
41	Raymond, Keith	Residence, Deck
42	Richardson, N.	Garage
43	Kudlich, Paul	Replace Home
44	Wallace, Richard	Shed
45	Eaton, Bruce	Garage
46	Towne, Terry	Shore stabilize
47	Foisy, Frank	Garage
48	Hoogerhyde, K	Garage
49	Crabtree, Steve	Shoreland Timber
50	Khoury, Elie	Garage
51	McKeage, John	Tent Platform
52	Clark, Donald	Garage

## Lamoine Appeal or Variance Application

**For Variance Requests:**

Please describe the nature of the variance you are requesting:

For a variance to be granted, four criteria must be met. Please explain how your situation meets each of the following criteria: (you may attach additional pages)

- The land in question cannot yield a reasonable return unless the variance is granted.

- The need for a variance is due to the unique circumstances of the property and not to the general conditions of the neighborhood.

- The granting of a variance will not alter the essential character of the locality.

- The hardship is not the result of action taken by the appellant or a prior owner.

I certify the information contained in this application and any supplements is true and correct.

Date \_\_\_\_\_ Signature \_\_\_\_\_

(Application Fee is \$50.00, payable to the Town of Lamoine)

For town staff/Appeals Board Use Only – Paid by: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Credit Card			
Dated Rec'd By:		Date Sent to Appeals Board By:	
Initial Hearing Date		Date of abutter notification By:	
Public Hearing Notices mailed by:		Newspaper Ad Date(s) By:	
<input type="checkbox"/> Appeal Approved (Date)		<input type="checkbox"/> Appeal Denied (Date)	



# Lamoine Board of Appeals

606 Douglas Hwy  
 Lamoine, ME 04605  
 (207) - 667-2242  
 town@lamoine-me.gov

## APPEAL or VARIANCE APPLICATION

Applicant's Name: \_\_\_\_\_ Tax Map # \_\_\_\_\_ Lot # \_\_\_\_\_

Property owner's name (if different) \_\_\_\_\_

Mailing Address

Physical Address (if different)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

Telephone (H) \_\_\_\_\_ (C) \_\_\_\_\_ (W) \_\_\_\_\_

Email Address: \_\_\_\_\_

Type of Appeal: (check one)

Applicable Ordinance (check all that apply)

Administrative\*

Building & Land Use

Variance Request

Shoreland Zoning Ordinance

\*If Administrative, what decision making authority is being appealed?

Gravel Ordinance

Site Plan Review Ordinance

Code Enforcement Officer/LPI

Other \_\_\_\_\_

Planning Board

Other

### For Administrative Appeals:

This application is for a decision or lack of decision by the above party because the applicant believes:

<input type="checkbox"/> An error was made in the denial of a permit	<input type="checkbox"/> Denial of a permit was based on a misinterpretation of an ordinance	<input type="checkbox"/> There is a failure to approve or deny a permit within a reasonable period of time
<input type="checkbox"/> Other (please state reason)		

(continued on other side)

## Town of Lamoine

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**From:** Town of Lamoine <town@lamoine-me.gov>  
**Sent:** Friday, May 31, 2019 11:52 AM  
**To:** 'Thomas True'; 'Jon VanAmringe'  
**Cc:** 'Brett Jones'; 'Jay Fowler'; 'Karen Hood'; 'Larissa Thomas'; 'Mike Jordan'; 'Rebecca CEO'; 'Stu Marckoon'; 'alanbmdawer@gmail.com'; 'griff.fenton@yahoo.com'; 'griff44@aol.com'  
**Subject:** RE: Board of Appeals Agenda - June 13, 2019

Dear Mr. True,

The Chair of the Board of Appeals spoke with me regarding your request to reschedule following a telephone conversation with me this morning. He is not able to schedule the meeting for next week due to a variety of issues including town hall availability and Appeals Board member availability. The meeting date will remain on June 13, 2019 as scheduled.

He asked me to relay that you have submitted the paper work that the Board of Appeals needed, and you most certainly can be represented by counsel at the June 13th meeting. Again, this meeting is a continuation of the preliminary determinations that the Board of Appeals needs to make so that it can decide whether it is appropriate to hear this matter. It will NOT be a public hearing on the substance of the appeal. Provided all the TV equipment is working properly, it will air live on both the local government cable channel and the on-line town streaming channel.

As mentioned on the telephone this morning, the Board chair is compiling a time line from all the materials that were presented. He anticipates that will be done early next week.

You inquired on the phone about "packets" being available to pick up. That will require a lot of photocopying, which will be done for the Board of Appeals when the materials are returned. It's also the intent to scan the various submissions and post them on the town's website as soon as we can. It's a rather large task for our office.

Chairman Fenton did ask that you submit a list of dates that you might be available after June 20, 2019 in the event that a hearing is scheduled.

Stu Marckoon, Adm. Asst. to the Selectmen, Lamoine

**From:** Thomas True [mailto:tnt1pe@gmail.com]  
**Sent:** Thursday, May 30, 2019 2:29 PM  
**To:** Jon VanAmringe <vanamringe@aol.com>  
**Cc:** Brett Jones <brett@5foot2.com>; Jay Fowler <jayafowler65@gmail.com>; Karen Hood <Hoodsie63@gmail.com>; Larissa Thomas <lthomasme@gmail.com>; Mike Jordan <mrmike6996@gmail.com>; Rebecca CEO <lamoineceo@gmail.com>; Stu Marckoon <marckoon@roadrunner.com>; Stu Marckoon <town@lamoine-me.gov>; alanbmdawer@gmail.com; griff.fenton@yahoo.com; griff44@aol.com  
**Subject:** Re: Board of Appeals Agenda - June 13, 2019

We really want to attend this important hearing but will be out of town as of June 9th. We would respectfully request that the meeting be rescheduled sometime next week, preferably June 5, 6 or 7.

If there are any additional costs for expedited notice, we would be happy to pay those fees.

Thank you for your consideration.

Tom & Kathy True

On Thu, May 30, 2019 at 12:51 PM Jon VanAmringe <[vanamringe@aol.com](mailto:vanamringe@aol.com)> wrote:  
Thank you Stu. I plan to attend.

jon

On May 30, 2019, at 12:27 PM, Town of Lamoine <[town@lamoine-me.gov](mailto:town@lamoine-me.gov)> wrote:



1. Call To Order
2. Consideration of Minutes – May 20, 2019
3. Appeal: Moldawer vs. Code Enforcement Officer re: decision regarding height of Map 16 Lot 48-1 (T & K True) – (resume from May 20, 2019)
  - a. Timeliness of Receipt of Appeal
  - b. Poll Board for Conflicts of Interest
  - c. Determination of Quorum – makeup of hearing board
  - d. Type of Hearing (de novo or administrative appeal)
  - e. Rules of Procedure
  - f. Time and location of hearing(s)
4. Other matters to come before the Board of Appeals
5. Next Meeting Date(s)
6. Adjourn

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Thomas N. True, P.E., L.S.  
cell: 603-714-5668  
text: [6037145668@vtext.com](mailto:6037145668@vtext.com)

" true \ 'trü \ adj 1: the quality or state of being accurate."

## Town of Lamoine

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**From:** alanbmoldawer@gmail.com  
**Sent:** Friday, May 31, 2019 8:49 AM  
**To:** town@lamoine-me.gov; 'Thomas True'; 'Brett Jones'; 'Griff Fenton (home)'; 'H. Griff Fenton'; 'Jay Fowler'; 'Karen Hood'; 'Larissa Thomas'; 'Michael Jordan'; 'Rebecca CEO'; 'Stu & Bonnie Marckoon'; VanAmringe@aol.com  
**Cc:** 'Laura Lyell'; 'Richard Arnold'; 'Marion Arnold'; 'Jonny Brown'; 'Carol Mason'; mrhconsulting@gmail.com  
**Subject:** RE: Board of Appeals Agenda - June 13, 2019 ADDITIONAL PERMIT FILE ITEMS  
**Attachments:** CEO Memo of April 12--To Whom It May Concern--marked up by unknown.pdf; CEO Memo of April 12--To Whom It May Concern--marked up by CEO.pdf; CEO Letter of April 16 to Coastline Homes.pdf; CEO Letter of April 16 to Selectboard.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To the Chair:

Attached are four (4) items that are part of the True house permit file that were not among the copy set of the permit file provided to me this week in response to a FOAA request. Other persons who reviewed the permit file also have seen them and have copies of them. I wanted to be sure the permit file being reviewed by you and others on the Appeals Board is complete. Because Stu Marckoon was looking for them at my request, I have added him to this email list, and, of course, Mr. and Mrs. True. I would add their counsel, but do not have his email address.

Please note that the second version of April 12 Memo by the CEO has yellow highlight that was not original but was added by me on the only copy I have. The handwritten notes appear to be original. There were two versions of the April 12 Memo in the file. Perhaps Rebecca has the originals and can provide them to you.

Thank you.

Alan

Alan B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605  
301-526-2695

**From:** Town of Lamoine <town@lamoine-me.gov>  
**Sent:** Thursday, May 30, 2019 12:27 PM  
**To:** 'Thomas True' <tnt1pe@gmail.com>; alanbmoldawer@gmail.com; Brett Jones <brett@5foot2.com>; 'Griff Fenton (home)' <griff44@aol.com>; 'H. Griff Fenton' <griff.fenton@yahoo.com>; 'Jay Fowler' <jayafowler65@gmail.com>; Karen Hood <Hoodsie63@gmail.com>; Larissa Thomas <lthomasme@gmail.com>; Michael Jordan <mrmike6996@gmail.com>; Rebecca CEO <lamoineceo@gmail.com>; 'Stu & Bonnie Marckoon' <marckoon@roadrunner.com>; VanAmringe@aol.com  
**Subject:** Board of Appeals Agenda - June 13, 2019

***Town of Lamoine, Maine***



**The Official Website of Lamoine's Town Government**

[Home](#) [Town School](#) [Fire](#) [Boards](#) [Calendars](#) [Newly](#)  
[Hall](#) [Department](#) [Added](#)

**Board of Appeals**

*Agenda - Thursday, June 13, 2019 - 6:30 PM -  
Lamoine Town Hall*

1. Call To Order
2. Consideration of Minutes – May 20, 2019
3. Appeal: Moldawer vs. Code Enforcement Officer re: decision regarding height of Map 16 Lot 48-1 (T & K True) – (resume from May 20, 2019)
  - a. Timeliness of Receipt of Appeal
  - b. Poll Board for Conflicts of Interest
  - c. Determination of Quorum – makeup of hearing board
  - d. Type of Hearing (de novo or administrative appeal)
  - e. Rules of Procedure
  - f. Time and location of hearing(s)
4. Other matters to come before the Board of Appeals
5. Next Meeting Date(s)
6. Adjourn

Town of Lamoine  
606 Douglas Highway  
Lamoine, Maine 04605  
Office of Code Enforcement  
Rebecca Albright, CEO/LPI  
207 667-2242  
4/12/19

To Whom It May Concern:

The problem with the potentially excessive height of the new Tom & Kathryn True residence of Lupine Lane lies ultimately in the interpretation of the key term "Building Height" from the Lamoine Building and Land Use Ordinance. I quote from the Ordinance,

"Building Height: The vertical distance between the highest point of the structure and the average final grade around the foundation, or the average grade of the original ground adjoining the building, whichever is greater."

*the same height calculated*  
Mr. True interpreted "whichever is greater" to refer to/modify the word "elevation", meaning that if, in his situation, the average final grade of his project is a larger number than the number produced by the elevation of the average original grade, the greater number applies.

In his case, the greater number is derived from a measurement of the average final grade and the highpoint of his structure.

Other people have interpreted this definition in a much different way. They believe that the phrase, "whichever is greater" is intended to modify the phrase "vertical distance".

Herein lies the problem. Tom True actually included a highlighted copy of the building definition from the BLUO to justify the building of his house as it sits, with a 9'7" basement and a ~~tremendous~~ amount of fill brought in. *height*

A final note for the record, the height of the "naked" building is 28' 10", and the average *height*  
~~of the filled grade~~ is (slightly) under 34'.

*Above*

Rebecca Albright, CEO

Office of Code Enforcement  
Rebecca Albright, CEO  
606 Douglas Highway  
Lamoine, ME 04605  
(207) 667-2242

April 16, 2019

Dear Selectboard,

Two things. First, I would like to propose that you, the Select Board amend the **Ordinance Fee Schedule**. I have had yet another new building go up in town where the contractor failed to obtain a set-back inspection. This is a critical inspection.

I propose that under the "**ALL ORDINANCE-POLICY**" a line be added at the end stating something like, "In the event that a set-back inspection is not obtained by the property owner or their agent, a fee of \$500 will be assessed to the property owner or the applicable agent."

Secondly, there has been some concern recently about the height of the Kathryn True house located on Lupine Lane (Marlboro). **SEE ENCLOSED LETTER**

After a careful review of the original permitting process and 2 separate recent incidents involving the measurement of said structure I would like to issue a brief statement about the house in question.

The definition of "Building Height" from the Building and Land Use Ordinance is vaguely written. It can be and has been interpreted in two completely different ways. I accepted Tom True's understanding of the "Building Height" definition 18 months ago when he and I first talked about it.

Now, I read and interpret it differently. However, I accepted the way Tom True was looking at the definition 18 months ago and accepted his application based on that.

I will be asking the Planning Board to kindly re-write this critical definition.

Please contact me at any time with concerns, comments and/or questions about anything in this statement.



Rebecca Albright, CEO/LPI

Town of Lamoine  
606 Douglas Highway  
Lamoine, Maine 04605  
Office of Code Enforcement  
Rebecca Albright, CEO/LPI  
207 667-2242  
4/12/19

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Mr. True interpreted "whichever is greater" to refer to/modify the word "elevation", meaning that if, in his situation, the average final grade of his project is a larger number than the number produced by the elevation of the average original grade, the greater number applies.

In his case, the greater number is derived from a measurement of the average final grade and the highpoint of his structure.

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A final note for the record, the height of the "naked" building is 28' 10", and the average of the filled grade is (slightly) under 34'.

Rebecca Albright, CEO

*Handwritten notes:*  
The submitted height calculation calculates the height of the average final grade.  
"whichever is greater" refers to one interpretation.  
The ordinance is silent as to interpretation.  
The elevation of the average final grade is greater than the original grade.  
The vertical distance compared to grades.  
either the original or final grade.  
Another is that it refers to the vertical distance.

Office of Code Enforcement  
Rebecca Albright, CEO  
606 Douglas Highway  
Lamoine, ME 04605  
(207) 667-2242

April 16, 2019

Coastline Homes of Maine  
US Highway #1  
Hancock, ME 04640

To Whom It May Concern:

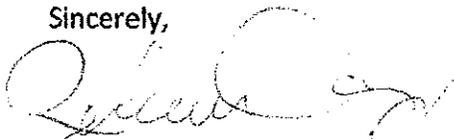
It has come to my attention that your company failed to call myself, the Code Enforcement Officer, for a foundation inspection at Lupine Lane in Lamoine last month. The property owners' names are Kathryn and Tom True.

I am bringing this to the attention of the board of Selectmen with the thought that they may well wish to institute a policy in which fines will be assessed for this procedural violation – a mandatory set-back inspection is **REQUIRED!**

Please call me at the above number with any concerns or questions.

Thank You,

Sincerely,

A handwritten signature in cursive script, appearing to read "Rebecca Albright", written in black ink.

Rebecca Albright, CEO/LPI

## Town of Lamoine

---

**From:** Town of Lamoine <town@lamoine-me.gov>  
**Sent:** Thursday, May 30, 2019 11:14 AM  
**To:** 'Thomas True'  
**Subject:** RE: Complaint Regarding True House  
**Attachments:** MoldawervsCEO050219.pdf

Dear Mr. True,

Attached, please find the appeal that was received from Mr. Moldawer on May 2, 2019 as requested.  
Stu Marckoon

**From:** Thomas True [mailto:tnt1pe@gmail.com]  
**Sent:** Thursday, May 30, 2019 10:37 AM  
**To:** town@lamoine-me.gov  
**Cc:** Carol Mason <cm\_mason@msn.com>; Jonny Brown <jonny@warsev.com>; Laura Lyell <silverbankwhales@gmail.com>; Marion Arnold <marion\_arnold@yahoo.com>; Mark Harris <mrhconsulting@aol.com>; Richard Arnold <ra0094@yahoo.com>; alanbmoldawer@gmail.com; beck albright <lamoineceo@gmail.com>  
**Subject:** Re: Complaint Regarding True House

Stu

We have not received a copy of the appeal application, could you please forward that when you get a chance.

On Thu, May 30, 2019 at 10:32 AM Town of Lamoine <[town@lamoine-me.gov](mailto:town@lamoine-me.gov)> wrote:

To: Alan Moldawer. et. al.

From: Stu Marckoon, Adm. Asst. to the Selectmen

Re: FOAA Request

Date: May 30, 2019

In response to the e-mail received earlier today, I have scanned and attach the following:

A plan filed in the Map 16 Lot 48 property folder labeled 2<sup>nd</sup> floor. I presume this is in regard to one of the permit applications filed by the Trues, but it is not marked or dated. (2ndfloorm16l48)

Building Permit 13-22

Building Permit 15-28

## Town of Lamoine

---

**From:** Town of Lamoine <town@lamoine-me.gov>  
**Sent:** Thursday, May 30, 2019 10:26 AM  
**To:** 'alanbmoldawer@gmail.com'; 'beck albright'  
**Cc:** 'Richard Arnold'; 'Marion Arnold'; 'Laura Lyell'; 'Jonny Brown'; 'Carol Mason'; 'Mark Harris'  
**Subject:** RE: Complaint Regarding True House  
**Attachments:** 2ndfloorm16l48.pdf; bp13-22.pdf; bp15-28.pdf; bp16-36.pdf; bp17-39.pdf; bp18-07.pdf; ceoltr041619.pdf; ceomemo040219.pdf; ceomemo041619.pdf; bp18-73.pdf

To: Alan Moldawer, et. al.  
From: Stu Marckoon, Adm. Asst. to the Selectmen  
Re: FOAA Request  
Date: May 30, 2019

In response to the e-mail received earlier today, I have scanned and attach the following:

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Building Permit 13-22  
Building Permit 15-28  
Building Permit 16-26  
Building Permit 17-26  
Building Permit 18-07  
Building Permit 18-73

A letter from the Code Enforcement Officer dated 4/16/19  
A memorandum from the CEO dated 4/2/19 (I believe this might be the item requested in the 2<sup>nd</sup> bullet – I did not find any memo dated 4/12/19)  
A memorandum from the CEO dated 4/16/19

Stu Marckoon, Adm. Asst. to the Selectmen

**From:** alanbmoldawer@gmail.com [mailto:alanbmoldawer@gmail.com]  
**Sent:** Wednesday, May 29, 2019 4:55 PM  
**To:** town@lamoine-me.gov; 'beck albright' <lamoineceo@gmail.com>  
**Cc:** 'Richard Arnold' <ra0094@yahoo.com>; 'Marion Arnold' <marion\_arnold@yahoo.com>; 'Laura Lyell' <silverbankwhales@gmail.com>; 'Jonny Brown' <jonny@warsev.com>; 'Carol Mason' <cm\_mason@msn.com>; 'Mark Harris' <mrhconsulting@aol.com>; alanbmoldawer@gmail.com  
**Subject:** Complaint Regarding True House

To: Stu Marckoon:

Dear Stu:

## Town of Lamoine

---

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**Sent:** Wednesday, May 29, 2019 4:55 PM  
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**Cc:** 'Richard Arnold'; 'Marion Arnold'; 'Laura Lyell'; 'Jonny Brown'; 'Carol Mason'; 'Mark Harris'; alanbmoldawer@gmail.com  
**Subject:** Complaint Regarding True House

To: Stu Marckoon:

Dear Stu:

Thank you and Jennifer Kovacs for making copies of the Town's building permit file for the True house on Lot 48 in the Marlboro section of Lamoine. I have just picked up my copy set and paid for the copies. However, I do need to note that missing from the copies I was provided were copies of the following:

- The second floor floorplan referenced in the plans submitted by Mr. and Mrs. True and referred to as the "second floor" of the True house. Is this missing from the file? This is important to the question of how many bedrooms the house has and whether the existing septic system, designed for a two-bedroom house, is adequate for the new house or whether it constitutes and expansion of the use.
- Memo written by the CEO, Rebecca Albright, dated April 12, 2019, "to whom it may concern" which was in the permit file, referencing the definition of "building height" put forth by Mr. True.
- Letter from CEO, Rebecca Albright, to the Selectboard, dated April 16, 2019, in which she stated that she now interprets the Ordinance definition of "building height" differently than put forth by Mr. True.

The Memo and Letter are part of the permit file and should have been included in the copies given me. The second floor floorplan should still be in the file as well. My concern is that copies should also have been provided to the Appeals Board as part of the permit file. Please correct the oversight and make sure they are added to what is given the Appeals Board and copies made for me pursuant to the records request I made last week.

Thanks very much.

Alan

Alan B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605  
301-526-2695

Office of Code Enforcement  
Rebecca Albright, CEO  
606 Douglas Highway  
Lamoine, ME 04605  
(207) 667-2242

April 16, 2019

Dear Selectboard,

Two things. First, I would like to propose that you, the Select Board amend the **Ordinance Fee Schedule**. I have had yet another new building go up in town where the contractor failed to obtain a set-back inspection. This is a critical inspection.

I propose that under the "**ALL ORDINANCE-POLICY**" a line be added at the end stating something like, "In the event that a set-back inspection is not obtained by the property owner or their agent, a fee of \$500 will be assessed to the property owner or the applicable agent."

Secondly, there has been some concern recently about the height of the Kathryn True house located on Lupine Lane (Marlboro). **SEE ENCLOSED LETTER**

After a careful review of the original permitting process and 2 separate recent incidents involving the measurement of said structure I would like to issue a brief statement about the house in question.

The definition of "Building Height" from the Building and Land Use Ordinance is vaguely written. It can be and has been interpreted in two completely different ways. I accepted Tom True's understanding of the "Building Height" definition 18 months ago when he and I first talked about it.

Now, I read and interpret it differently. However, I accepted the way Tom True was looking at the definition 18 months ago and accepted his application based on that.

I will be asking the Planning Board to kindly re-write this critical definition.

Please contact me at any time with concerns, comments and/or questions about anything in this statement.



Rebecca Albright, CEO/LPI

Office of Code Enforcement  
Rebecca Albright, CEO  
606 Douglas Highway  
Lamoine, ME 04605  
(207) 667-2242

April 16, 2019

Coastline Homes of Maine  
US Highway #1  
Hancock, ME 04640

To Whom It May Concern:

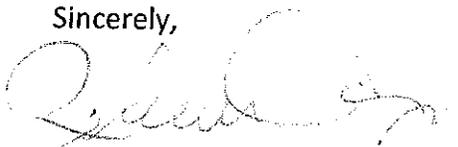
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## Town of Lamoine

---

**From:** Town of Lamoine <town@lamoine-me.gov>  
**Sent:** Thursday, May 30, 2019 9:05 AM  
**To:** Brett Jones (brett@5foot2.com); 'Griff Fenton (home) (griff44@aol.com)'; 'H. Griff Fenton (griff.fenton@yahoo.com)'; 'Jay Fowler (jayafowler65@gmail.com)'; Karen Hood (Hoodsie63@gmail.com); Larissa Thomas; Michael Jordan (mrmike6996@gmail.com); Rebecca CEO; 'Stu & Bonnie Marckoon (marckoon@roadrunner.com)'; 'VanAmringe@aol.com'  
**Cc:** 'Thomas True'  
**Subject:** Next Appeals Board Meeting Date

To: Appeals Board  
Thomas True  
From: Stu Marckoon, Adm. Asst.  
Re: Appeals Board meeting date

The Board of Appeals will convene on Thursday, June 13, 2019 at 6:30 PM to resume the Moldawer vs. CEO matter. An agenda will be developed in the next couple of days.

## Town of Lamoine

---

**From:** alanbmoldawer@gmail.com  
**Sent:** Wednesday, May 29, 2019 4:55 PM  
**To:** town@lamoine-me.gov; 'beck albright'  
**Cc:** 'Richard Arnold'; 'Marion Arnold'; 'Laura Lyell'; 'Jonny Brown'; 'Carol Mason'; 'Mark Harris'; alanbmoldawer@gmail.com  
**Subject:** Complaint Regarding True House

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Alan

Alan B. Moldawer  
15 Brown Lane  
Lamoine, Maine 04605  
301-526-2695

Office of Code Enforcement  
Rebecca Albright, CEO  
606 Douglas Highway  
Lamoine, ME 04605  
(207) 667-2242

March 20, 2019

Kathryn and Tom True  
4604 Windsor Drive  
Flowery Branch, GA 30542

Dear Mr. & Mrs. True,

I just wanted to explain to you that you must file a currently valid 3 bedroom septic system plan with the Hancock County Registry of Deeds attached to the deed of your property in Lamoine.

State law requires that a back-up plan be in place in case the smaller (2 bedroom) system fails. You do NOT have to install the 3 bedroom system.

Also, it is a requirement of our Building and Land Use Ordinance that an inspection take place prior to the pouring of a foundation. This did not take place.

Please contact me about the status of your septic system design.

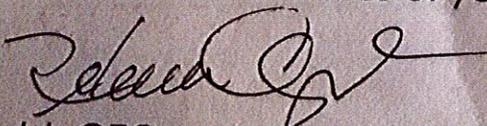
  
Rebecca Albright, CEO

Exhibit A

MEMO FROM CODE ENFORCEMENT

Rebecca Albright, Code Enforcement Officer

March 20, 2019

RE: concerns about Kathryn & Tom True's new construction

Map 16 Lot 48-1

On March 13<sup>th</sup>, 2019, Planning Board Chair Holt and I went to the True construction site and measured the height of the building. (see enclosed memo). The maximum height allowed is 35'. We averaged the total height to be 34.5'.

The 4 siblings who own the 1.8 acre parcel (abovementioned) have classified their lot as a "condominium" in 2017. The property, by deed, did not physically change in any way. The condominium re-classification is essentially an agreement between the siblings with regard to responsibilities.

Therefore, in my opinion, the "grandfathered" status of both the non-conforming property and structure continue to apply.

The True's were able to situate their home in such a way that they were able to build a larger structure. Had they NOT been restricted to a total 30% expansion.

exhibit

#9

ing

The lot in question is just under 2 acres total. The Town's Building and Land Use Ordinance requires that NO lot may be covered by more than 25% (including parking and driveways as well as house "foot print"). 25% of the lot in question is almost 1/2 an acre. I am not concerned that the joint owners of this parcel of land have exceeded that.

I was never called for a foundation inspection for this project. It is much more difficult to assess the original grade after its disturbance. The ordinance defines "Building Height" as "The vertical distance between the highest point of the structure and the average final grade around the foundation, or the average grade of the original ground adjoining the building, whichever is greater."

If there is a concern that the grade changed significantly as to raise the building higher than its original grade I would ask that a surveyor or other such professional be brought in at the owner's expense to verify this ultimately.

Rebecca

Received  
5/24/19

The Appeals Board Site is now organized by case. Clicking on the case name will lead to an index of

Case Name	Determination ~ filing	Date	Issue
[REDACTED]		May 2019	Appeal of finding by
[REDACTED]	8/15/18 ~ 8/15/18	August 2018	Request for road set
[REDACTED]	6/27/18 ~ 6/28/18	July 2018	Request for setback
[REDACTED]	4/18/18 ~ 4/23/18	April 2018	Request for setback
[REDACTED]	11/14/17 ~ 12/13/17	December 2017	Appeal of Denial of C
[REDACTED]	~ 6/12/17	June 2017	Request for minimum
[REDACTED]	~ 4/5/17	June 2017	Request for Road Se
[REDACTED]	11/30/16 ~ 12/29/16	January 2017	Building Permit Deni
[REDACTED]	1/11/16 ~ 1/11/16	January 2016	Administrative Appea
[REDACTED]	~ 10/16/15	October 2015	Appeal of Shoreland
[REDACTED]	11/13/14 ~ 12/12/14	December 2014	Challenge of complai
[REDACTED]	~ 9/8/14	September 2014	Enforcement of Alleg
[REDACTED]	5/13/14 ~ 6/11/14	June 2014	Appeal of Denial of G
[REDACTED]	3/4/14 ~ 3/24/14	April 2014	Appeal of Denial of Si
[REDACTED]	1/5/11 ~ 2/3/11	February 2011	Appeal of denial of Si
[REDACTED]	4/29/10 ~ 5/27/10	June 2010	Appeal of Shoreland z
[REDACTED]	4/13/10 ~ 5/5/10	May 2010	Appeal of denial of Si
Simons Advisory		February, 2009	Potential appeal of St
[REDACTED]		August, 2008	Request of subdivision
Sharkey et al v Board of Selectmen		June, 2008	Appeal of decision by
[REDACTED]		July, 2006	Appeal of Shoreland z
[REDACTED]		April, 2004	Appeal of granting of :
[REDACTED]		September, 2005	Appeal of subdivision
[REDACTED]		November, 2004	Request for variance t
[REDACTED]		April, 2003	Appeal of Shoreland z
[REDACTED]		February, 2000	Appeal of denial of pe



No application was submitted.



Not an appeal, just a discussion with the board relative to clearing



No application shown on-line but referenced in both the minutes & the decision

Green application filed



received  
5/12/15

Pertinent dates:

Days to May 6

- October 9, 1993 ~ new septic "approved to cover" 9,340 days
- July 23, 2013 ~ Lot coverage calculations submitted: 2,114 days

House configuration has changed but the lot was surveyed to be larger than shown on the tax cards. Lot coverage is for the entire 1.81 acres.

- November 26, 2013 ~ first house permit granted #13-22: 1,988 days  
Configuration of this house was different, but it was 34.5' above the sill.

notices:

- 1) online,
- 2) announced publicly at planning board,
- 3) planning board minutes,
- 4) Lamoine Quarterly October 2016 page 2

- August 24, 2015 ~ first garage permit granted: 1,352 days  
notices:
  - 1) online,
  - 2) announced publicly at planning board,
  - 3) planning board minutes,
  - 4) Lamoine Quarterly October 2015 page 2

- June 30, 2016 ~ second permit granted #16-36: 1,041 days  
notices:
  - 1) online,
  - 2) announced publicly at planning board,
  - 3) planning board minutes,
  - 4) Lamoine Quarterly October 2016 page 2

- Condo plan recorded

- June 28, 2017 ~ permit for driveways requested 677 days  
Included razing of the existing cottage & existing contours as surveyed by Herrick & Salsbury.

- August 14, 2017 ~ revised garage permit #17-39 640 days  
notices:
  - 1) online,
  - 2) announced publicly at planning board,
  - 3) planning board minutes,
  - 4) Lamoine Quarterly October 2017 page 3

- August 14, 2017 ~ permits for driveways granted 640 days

- April 4, 2018 ~ current permit granted: 397 days  
notices:
  - 1) online,

- 2) announced publicly at planning board,
- 3) planning board minutes,
- 4) Lamoine Quarterly July 2018 page 2

- April 4, 2018 ~ septic tank permit granted: 397 days
- August 8, 2018 ~ building height calculations to CEO: 271 days  
Email mentions True's concerns about wanting to make absolutely certain the calculations for building height, number of stories, etc. is correct.
- August 19, 2018 ~ True's meet with Rebecca 260 days  
Discuss: fill, definition of stories, building height calculations & wanting to get it right
- August 24, 2018 ~ existing structure razed: 255 days \*  
People watching & talking with Trues:
  - Bill & Joanne Harris – took pictures of the cottage going down. Talked about the grade being raised to the height of the well house cross member so it would be similar to the grading for the house to the east.
  - John (Jack) Harris -- Talked about the grade being raised to the height of the well house cross member so it would be similar to the grading for the house to the east. Jack said that they had been to the town hall and reviewed our information.
  - Bob Harris -- Talked about the driveway (Lupine Lane) and well construction.
  - Laura Lyell – Asked when the cottage was being knocked down.
  - Mr. Arnold – Asked what we were doing & Trues said we were building our retirement home. He said that he visited the candy store when he was younger.
  - Mrs. Moldawer ~ Stop during her walk and asked what we were doing. We told her we were building a colonial style home. She said that Lamoine is lonely in the winter.
  - Mary Ellen Kimball ~ Said that everyone wanted to know what we were doing & didn't know what to tell them. Trues told them that the complete building package was public information and on file at the town hall.
  - Several other people talked with us but we do not know their names.
- August 29, 2018 250 days  
notified Rebecca that building had been razed
- November 6, 2018 ~ plumbing permit 181 days  
(notice online)
- November 20, 2018 ~ house ordered 167 days

- November 21, 2018 ~ Revised permit (#18-73) 166 days  
notices:  
 1) online,  
 2) announced publicly at planning board,  
 3) planning board minutes,  
 4) Lamoine Quarterly January 2019 page 3
  
- February 5, 2019 ~ foundation poured: 90 days  
 Grading in place
  
- March 1, 2019 ~ house set on the foundation: 67 days  
 People that witnessed it go on the foundation:
  - Patrick Harris.
  - Mary Ellen Kimball
  - Tenants at 110 Marlboro Beach Road
  
- March 3, 2019 ~ Acadia View Condo meeting 65 days  
 We discussed construction of: Lupine Lane, underground electric & True's lot.  
 People at the meeting:
  - Bill & Joanne Harris
  - Jack & Sharon Harris
  - Bob & MB Harris
  
- March 20, 2019 ~ compliance letter (3 BR & setback) 47 days
  
- April 3, 2019 ~ Letter from CEO 33 days
  
- April 30, 2019 ~ duplicate plumbing permit issued 6 days  
 (notice online)

Office of Code Enforcement  
Rebecca Albright, CEO  
606 Douglas Highway  
Lamoine, ME 04605  
(207) 667-2242

April 16, 2019

Dear Selectboard,

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After a careful review of the original permitting process and 2 separate recent incidents involving the measurement of said structure I would like to issue a brief statement about the house in question.

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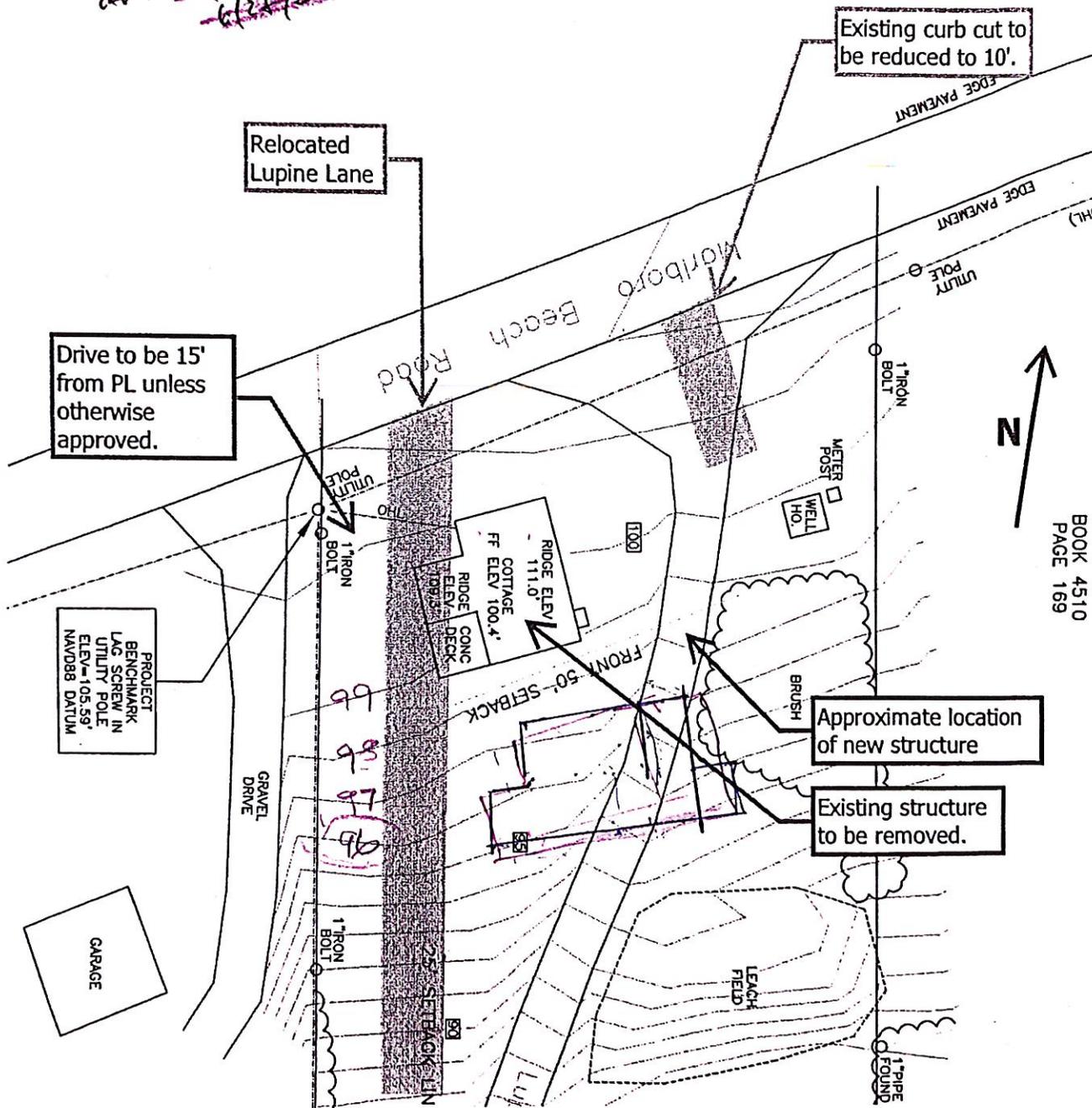
Rebecca Albright, CEO/LPI

ridge elevation  
My 16 L 48 above level  
sea level

~~Foundation wall~~ 9'7" width of footing.

approx. 5' of fill brought in

~~driving~~ ~~autoclear~~ ~~appliance~~  
6/25/2017



BOOK 4510  
PAGE 169

Appeal Application

7 messages

Thomas True <tnt1pe@gmail.com>  
To: Lamoine Town Office <town@lamoine-me.gov>  
Cc: beck albright <lamoineceo@gmail.com>

Mon, May 13, 2019 at 10:18 AM

I have heard that Mr. Moldawer has filed an application in addition to the letter he submitted but I have not seen it; could you please send me a copy of the application?

Thank you for your help

-----  
Thomas (Tom) N. True, P.E., L.S.  
cell: 603-714-5668  
text: 6037145668@vtext.com

" true \trü \ adj 1: the quality or state of being accurate."

Town of Lamoine <town@lamoine-me.gov>  
Reply-To: town@lamoine-me.gov  
To: Thomas True <tnt1pe@gmail.com>  
Cc: Coda Enforcement Officer <ceo@lamoine-me.gov>, Rebecca CEO <lamolneceo@gmail.com>

Mon, May 13, 2019 at 10:35 AM

Good morning Tom,

The attached documents are what has been received from Mr. Moldawer. I believe I've sent them to you previously.

Stu Marckoon, Adm. Asst. to the Selectmen, Lamoine

[Quoted text hidden]

4 attachments

-  Moldaweraddl050919.pdf  
303K
-  MoldawervsCEO050219.pdf  
145K
-  requesttoamend050619.pdf  
394K
-  requesttopostpone050719.pdf  
772K

Thomas True <tnt1pe@gmail.com>  
To: Lamoine Town Office <town@lamoine-me.gov>

Mon, May 13, 2019 at 10:40 AM

Thank you. I did not have the letter with additional people signing on (i.e. -- Maryellen & Carolyn, etc.) & I still do not see an application; has one been submitted?

-----  
Thomas N. True, P.E., L.S.  
cell: 603-714-5668  
text: 6037145668@vtext.com

" true \trü \ adj 1: the quality or state of being accurate."

[Quoted text hidden]

Town of Lamoine <town@lamoine-me.gov>  
Reply-To: town@lamoine-me.gov  
To: Thomas True <tnt1pe@gmail.com>

Mon, May 13, 2019 at 11:09 AM

I guess I'm not sure what you mean by an application. I've sent everything that has been submitted to the town office.

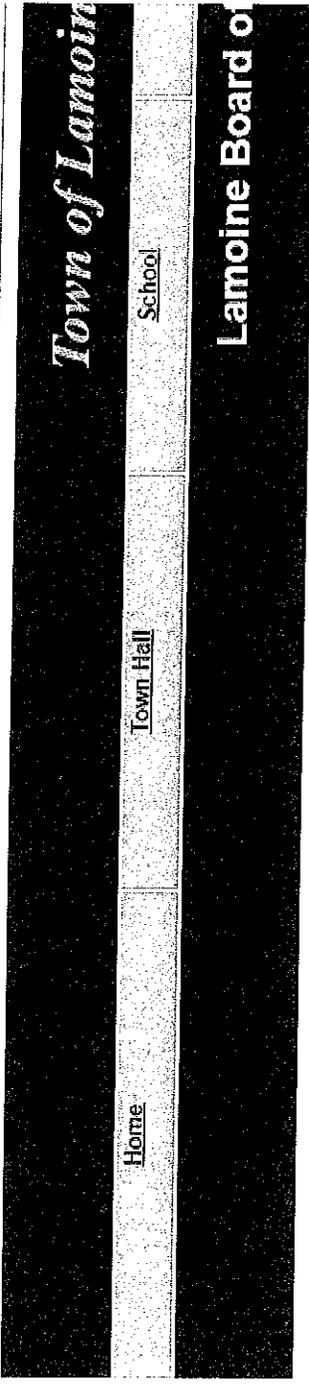
stu

[Quoted text hidden]

Thomas True <tnt1pe@gmail.com>  
To: Lamoine Town Office <town@lamoine-me.gov>

Mon, M

Ok, thanks.



The Lamoine Board of Appeals meets on an as-needed basis to consider decisions of the Code Enforcement Officer and the Planning Board. In general, filing appeals.

Appeals cost \$50 for Building and Land Use decisions. Upon application to the Chairman of the Board of Appeals, made through the town office, a meeting present their evidence, and the board will deliberate and render a decision.

[Index to all posted meeting minutes](#)  
 Next Meeting - May 20, 2019 6:30 PM

When you hit the hyperlink it brings you here <http://www.lamoine-me.gov/Town%20Hall/Ordinances/Application/AppealsApplication%2011-17.pdf>

I have attached this file for your reference.

Thomas N. True, P.E., L.S.  
 cell: 603-714-5668  
 text: 6037145668@vtext.com

" true \tru \ adj 1: the quality or state of being accurate."

[Quoted text hidden]

**Application for local road entrance ~ 101 Lupine Lane**

9 messages

**Thomas True** <tnt1pe@gmail.com>  
To: Lamoine Town Office <town@lamoine-me.gov>

Wed, Jun 28, 2017 at 12:12 PM

Stu --

Please find attached our application for a local road entrance. It is a little complicated so here is the plan:

- \* We will be knocking down the existing structure & moving Lupine Lane west to be parallel with that property line. It is shown with a 15' offset from the property line.
- \* Lupine Lane will service 108, 116 & 122 Lupine Lane but will not service the new structure.
- \* The relocated Lupine Lane will slope away (down) from Marlboro Beach Road at a 2% grade for the first 20' from the edge of pavement.
- \* The drive is at the top of the hill, receiving now water so there we are not proposing a culvert, which is consistent with the adjacent properties.
- \* We are requesting a new curb cut for the new structure but will reduce the opening significantly from the current configuration.

Please call if you have any questions.

Thanks again for all of your help.

Tom

-----  
 Thomas N. True, P.E., L.S.  
 cell: 603-714-5668  
 text: 6037145668@vtext.com

" true \trü \ adj 1: the quality or state of being accurate."

 **Drive Permit 170628.pdf**  
748K

**Town of Lamoine** <town@lamoine-me.gov>  
 Reply-To: town@lamoine-me.gov  
 To: Thomas True <tnt1pe@gmail.com>

Wed, Jun 28, 2017 at 12:57 PM

Hi Tom,

I've received your application and will process it at my earliest availability. It will likely take a few days and I am on vacation next week.

Stu Marckoon

[Quoted text hidden]

To: Lamoine Town Office <town@lamoine-me.gov>

Great, thank you so much!

Enjoy your time off!

[Quoted text hidden]

---

**Thomas True** <tnt1pe@gmail.com>

Wed, Aug 1, 2018 at 12:32 PM

To: Lamoine Town Office <town@lamoine-me.gov>

I hate to bother you but can't seem to put my hands on the driveway permit. Is there any chance you could send it to me?

[Quoted text hidden]

---

**Town of Lamoine** <town@lamoine-me.gov>

Fri, Aug 3, 2018 at 2:28 PM

Reply-To: town@lamoine-me.gov

To: Thomas True <tnt1pe@gmail.com>

Dear Mr. True,

I've been on vacation this week, so I apologize for the delay. Attached, please find the driveway permit file you requested.

Stu Marckoon, Road Commissioner

[Quoted text hidden]

 **Road Opening MBR1702.pdf**  
9K

---

**Thomas True** <tnt1pe@gmail.com>

Fri, Aug 3, 2018 at 5:06 PM

To: Lamoine Town Office <town@lamoine-me.gov>

No worries. Thank you so much.

I hope you got some R&R!

Have a great weekend.

---

Thomas N. True, P.E., L.S.  
cell: 603-714-5668  
text: 6037145668@vtext.com

" true \trü \ adj 1: the quality or state of being accurate."

[Quoted text hidden]

---

**Thomas True** <tnt1pe@gmail.com>

Tue, Aug 14, 2018 at 9:20 PM

To: Lamoine Town Office <town@lamoine-me.gov>

Stu

We will be starting the driveway work next week. Probably on Tuesday or Wednesday.

Thanks

[Quoted text hidden]

**Town of Lamoine** <town@lamoine-me.gov>  
Reply-To: town@lamoine-me.gov  
To: Thomas True <tnt1pe@gmail.com>

Wed, Aug 15, 2018 at 7:53 AM

Thanks for letting us know – please make sure Marlboro Beach Road is not blocked.

stu

[Quoted text hidden]

---

**Thomas True** <tnt1pe@gmail.com>  
To: Lamoine Town Office <town@lamoine-me.gov>

Wed, Aug 15, 2018 at 8:39 AM

There should be no need for that other than temporarily backing in.

[Quoted text hidden]

Application Number \_\_\_\_\_

Town of Lamoine
Application for Local Road Entrance

Return to:
Lamoine Town Hall
606 Douglas Highway
Lamoine, ME 04605

Owner Information
Name: Kathryn R True
Street: 4606 Windsor Drive
Mailing Address: Flowery Branch, GA 30542
603-714-5668 or
Telephone: 603-759-3764

In accordance with the Town of Lamoine Building & Land Use Code, application is hereby made to construct an entrance to my property on the (North)(South)(East)(West) side of Marlboro Beach Road in the Town of Lamoine, County of Hancock, at a point approximately 15 feet (North)(South)(East)(West) from 1" Iron Bolt/Property Line for the following purpose:

see also the attached exhibit

RESIDENTIAL COMMERCIAL DEVELOPMENT OTHER
(If other, please describe: )

The following is information in regard to the location and requested entrance(s):

- 1. Frontage of lot along road 121 feet.
2. Depth of lot 651 feet.
3. Number of Entrances requested 2 total, 1 additional
4. Proposed width of entrances 10 feet.
5. Setback from center of public road: (A) to Buildings 35-40 (B) Other structures N/A
6. The surface of the driveway is proposed to be gravel similar to existing treatment
7. Construction desired to commence on 10/9/17 and completed on 10/22/17 (show dates)
8. Is this entrance part of a project/development requiring a DEP Site Location Permit? YES NO

THE OWNER HEREBY AGREES:

- (1) To provide, erect and maintain all necessary barricades, lights, warning signs and other devices to safeguard traffic properly while work is in progress.
(2) That the highway will at no time be closed to traffic.
(3) Where the drive is located in curb, curb and gutter, and/or sidewalk section, the owner will completely remove the existing curb and gutter and/or sidewalk and replace it with a standard concrete or granite driveway terminal section.
(4) Shall obtain and have delivered to the site any culverts and/or drainage structures which may be necessary for drainage, the size, type and length as called for in the permit. Said culverts and/or other incidentals to be installed by owner, subject to inspection by Code Enforcement Officer or Road Commissioner.
(5) Notify the Lamoine Town Office (667-2242) 24 hours before starting work on driveway entrance.
(6) Will construct and maintain said driveway approach in accordance with MDOT rules & regulations.

FURTHER CONDITIONS OF THE PERMIT

The owner shall well and truly pay all damages, fines, and penalties for which they shall become liable, and shall indemnify and save harmless the Town of Lamoine against all suits, claims, damages, and proceedings of every kinds arising out of the construction and maintenance of said driveway approach, including snow removal. (Signature and sketch required on back of this form)

## SKETCH

(Show description from town line, road intersection or other landmark, including pertinent distances and measurements)

Please see the attached survey plan

To the best of my knowledge, the above application represents a depiction of what the proposed road entrance will look like if completed.

Signature Kathryn R True Date June 28, 2017

This application should be forwarded to the Lamoine Road Commissioner, Lamoine Town Hall, 606 Douglas Highway, Lamoine, ME 04605

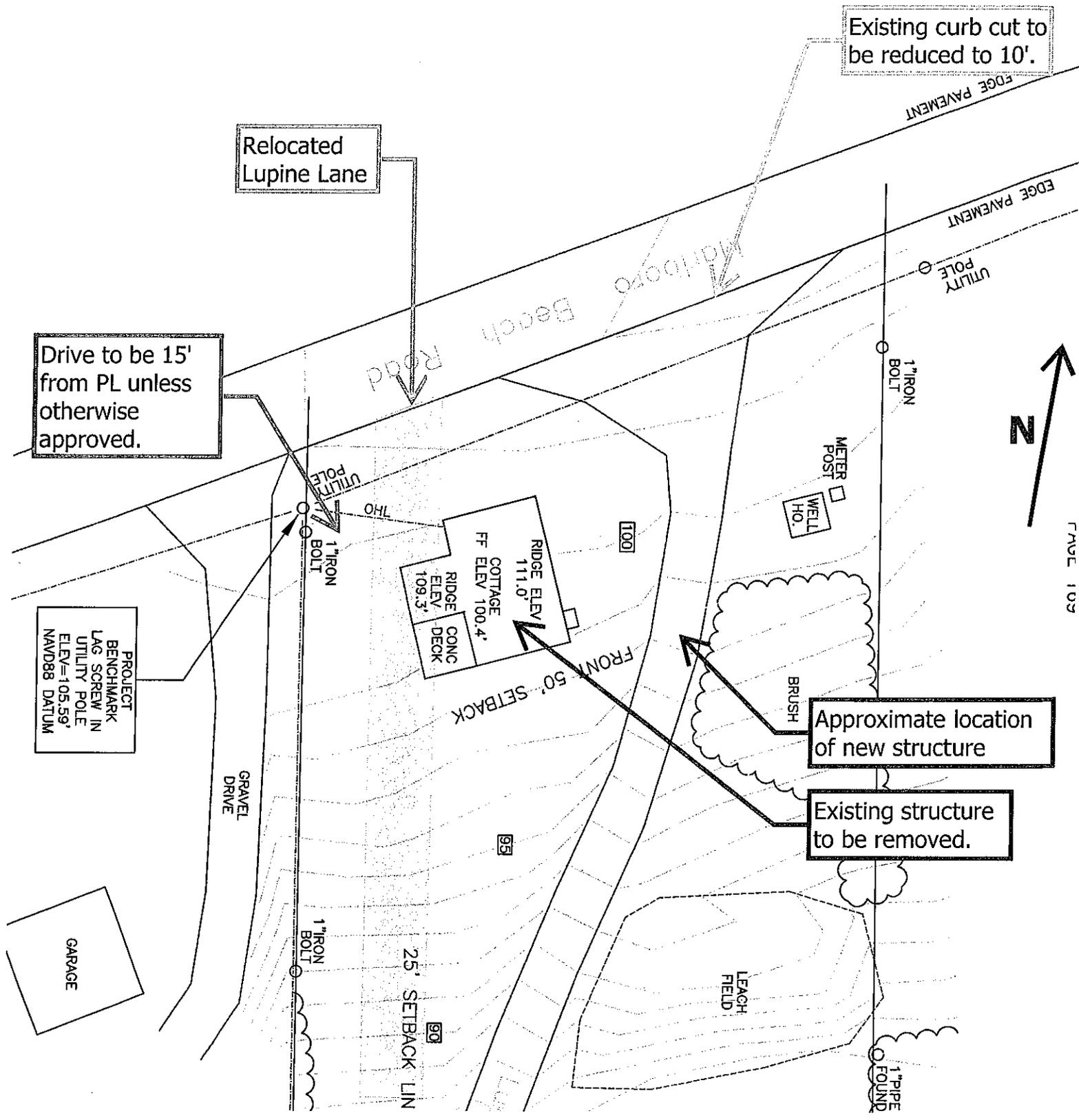
Office Use Only	
Application Received on:	_____
Reviewed by:	_____
Address Assigned	_____
Permit was:	<input type="checkbox"/> issued <input type="checkbox"/> denied

Relocated  
Lupine Lane

Existing curb cut to  
be reduced to 10'.

Drive to be 15'  
from PL unless  
otherwise  
approved.

PROJECT  
BENCHMARK  
LAG SCREW IN  
UTILITY POLE  
ELEV.=105.59'  
NAVD88 DATUM



RAVE 103

Approximate location  
of new structure

Existing structure  
to be removed.

FROM 50' SETBACK

25' SETBACK LIN

GRAVEL DRIVE

1" PIPE FOUND

BRUSH

METER POST  
WELL HO.

UTILITY POLE

1" IRON BOLT

1" IRON BOLT  
UTILITY POLE

OH

Beach Road

EDGE PAVEMENT

EDGE PAVEMENT

MADISON

100

95

90

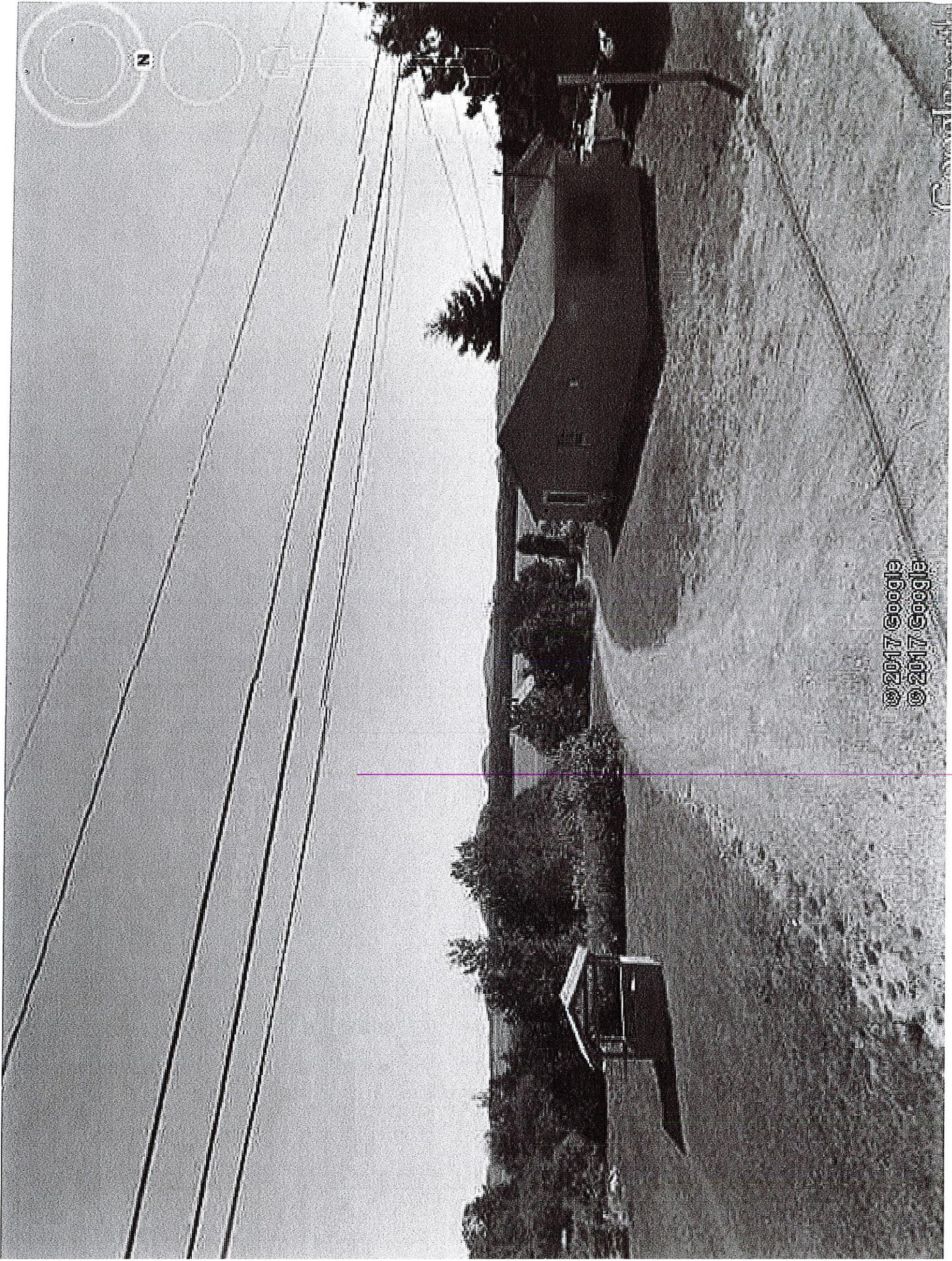
GARAGE

RIDGE COTTAGE  
RIDGE CONC DECK

RIDGE ELEV 111.0'  
FF ELEV 100.4'

RIDGE ELEV 109.3'

LEACH FIELD



© 2017 Google  
© 2017 Google

Copyright © 2017 Google

View from relocated  
Lupine Lane looking east

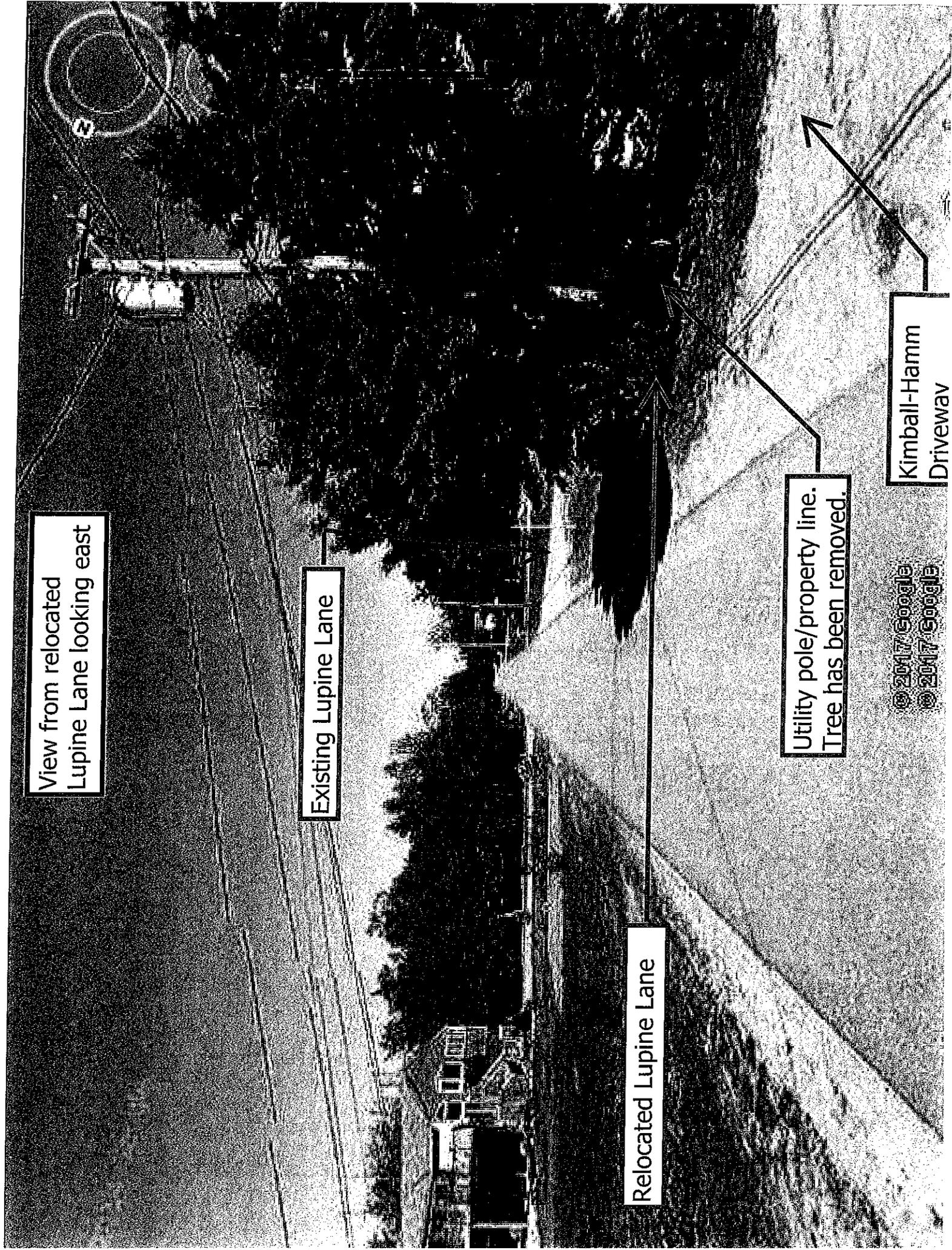
Existing Lupine Lane

Relocated Lupine Lane

Utility pole/property line.  
Tree has been removed.

Kimball-Hamm  
Driveway

© 2017 Google  
© 2017 Google

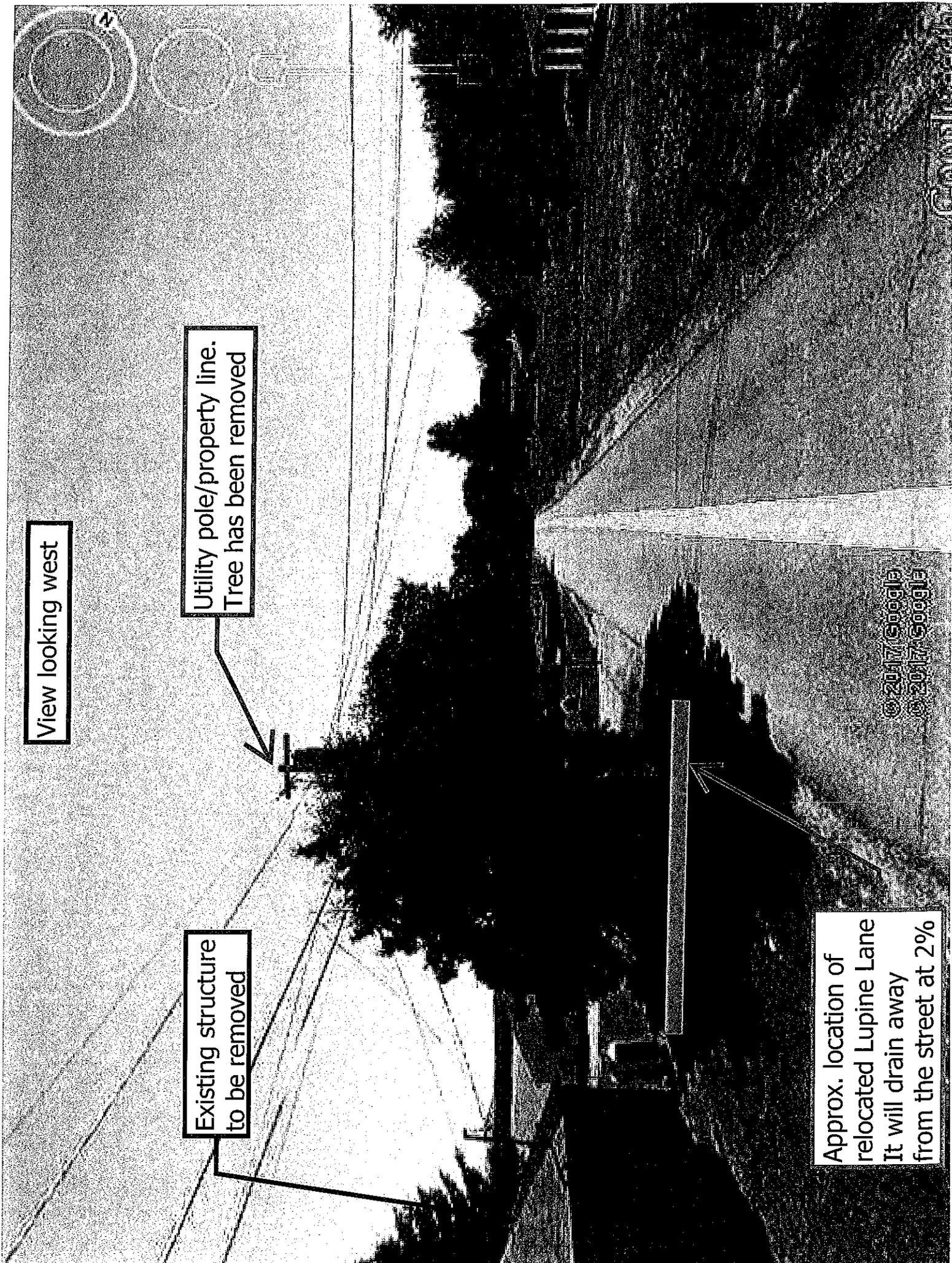


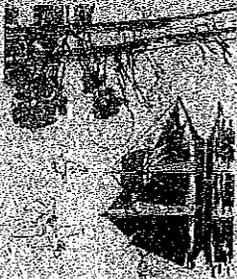
View looking west

Utility pole/property line.  
Tree has been removed

Existing structure  
to be removed

Approx. location of  
relocated Lupine Lane  
It will drain away  
from the street at 2%





Town of Lamoine, Maine  
Building / Land Use Permit

Date of Issue 8-14-17 Map 16

Name KATHAN TROE Lot 48

Permit Number 17-39 Issued by: Rob Stallego

Type of Project 26x26 Garage  
Dependent on getting a road maintenance permit

Foundation Setback Checked

Final Inspection Date

Certificate of Compliance Date

**NO OCCUPANCY WITHOUT PERMIT**

This card must be visible from the lot frontage  
Building Permits expire two years from issuance date

Lamoine Code Enforcement 667-2242

Accepted by \_\_\_\_\_

Town of Lamoine  
**Road Opening Permit**

Permit Number	MBR1702	Application #	MBR1702
Date Issued	Aug 16, 2017	Road Name	Marlboro Beach
Name	True, Kathryn	Map & Lot	M16 L48
Mailing Address	4606 Windsor Dr.	Physical Address	114 Marlboro Beach Rd.
		Culvert Size	n/a
City, State, Zip	Flower Branch GA		30542

You are hereby granted permission to perform the necessary grading and to construct in accordance with the attached plan 1 entrance to a future residence subject to any rules & regulations made by the Town of Lamoine or its Board of Selectmen, subject to the following conditions:

Permit to move entrance of Lupine Lane per permit application once existing building is razed, then convert existing Lupine Lane entrance to driveway entrance to new garage, Address Assigned 114 Marlboro Beach Rd. to converted driveway entrance.

THIS PERMIT IS GRANTED ON CONDITION THAT THE APPLICANT:

1. Shall provide, erect and maintain all necessary barricades, lights, warning signs, and other devices to safeguard traffic properly while the work is in progress.
2. Shall at no time cause the highway to be closed to traffic.
3. Shall, where the driveway is located in a curb, curb & gutter, and/or sidewalk section, completely remove the existing curb, curb and gutter, and/or sidewalk and replace with standard concrete or granite driveway return and replace such curb, curb and gutter, and / or sidewalk as may be required.
4. Shall in all cases notify the Lamoine Town Office at least 24 hours before starting work on the driveway.
5. Shall construct and maintain driveway in accordance with Town of Lamoine rules and regulations and with the attached sketch
6. Shall pay for any culverts and /or other drainage structure which may be necessary for drainage, the size, type and length of culverts and size and type of other incidental structures to be as recommended by the Town of Lamoine.
7. Applicant agrees to pay any and all damages and hold the Town of Lamoine harmless from all suits, claims, damages and proceedings resulting from this permit!

Signed   
 Title Road Commissioner



Thomas True <tnt1pe@gmail.com>

---

## Building Permit 13-22, Map 16, Lot 48 (issued 11/26/13)

8 messages

---

Thomas True <tnt1pe@gmail.com>  
To: Lamoine Town Office <town@lamoine-me.gov>

Tue, Nov 4, 2014 at 1:47 PM

Dear Sirs:

We would respectfully request a 1-year extension to the above referenced building permit. The permit proposes to raze an existing 900 s.f., 1-story structure and replace it with a new 2-story, 1,800 s.f. structure.

Due to circumstances beyond our control, we are unlikely to make significant changes before 11/25/2014. If there is anything else that you need to consider this request, please do not hesitate to contact me.

Thank you for your time and consideration.

Tom

---

Thomas N. True, P.E.  
cell: 603-714-5668  
text: 6037145668@vtext.com

" true \trü \ adj 1: the quality or state of being accurate."

---

Town of Lamoine <town@lamoine-me.gov>  
Reply-To: town@lamoine-me.gov  
To: Thomas True <tnt1pe@gmail.com>

Tue, Nov 4, 2014 at 3:19 PM

To: Planning Board, Code Enforcement Officer  
From: Stu Marckoon  
Re: Request Below  
Date: November 4, 2014

Per the Lamoine Building and Land Use Ordinance, Mr. True is requesting an extension of the building permit referenced. The application date was July, 2013, the permit issuance date was 11/26/13. This request came in via e-mail this (11/4/14) afternoon.

Stu Marckoon, Adm. Asst. to the Selectmen

[Quoted text hidden]

---

Thomas True <tnt1pe@gmail.com>  
To: Lamoine Town Office <town@lamoine-me.gov>

Tue, Nov 4, 2014 at 3:35 PM

Thank you

---

Thomas N. True, P.E.  
cell: 603-714-5668  
text: 6037145668@vtext.com

" true \trü \ adj 1: the quality or state of being accurate."

[Quoted text hidden]

---

**John Holt & Joyce Cornwell** <johnjoyce@midmaine.com>  
To: town@lamoine-me.gov, Thomas True <tnt1pe@gmail.com>  
Cc: Michael Jordan <mrmike6996@gmail.com>

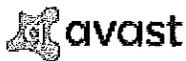
Tue, Nov 4, 2014 at 7:55 PM

CEO Mike Jordan:

As per *BLUO Section 7.B.6. Life of the Permit*, an extension can only be granted by the Planning Board. As CEO, do you see any reason why an extension should not be granted? The PB meets Thursday and can act of this request if you see no problem.

John Holt

[Quoted text hidden]



This email is free from viruses and malware because avast! Antivirus protection is active.

---

**Michael Jordan** <mrmike6996@gmail.com>  
To: John Holt & Joyce Cornwell <johnjoyce@midmaine.com>  
Cc: "<town@lamoine-me.gov>" <town@lamoine-me.gov>, Thomas True <tnt1pe@gmail.com>

Tue, Nov 4, 2014 at 11:48 PM

I do not know of any reason right now not to grant a one year extension for this building permit. I will go over everything Wednesday morning to verify this and if I find something wrong will get back in touch with all parties

Michael Jordan

Sent from my iPhone

[Quoted text hidden]

---

**Thomas True** <tnt1pe@gmail.com>  
To: Michael Jordan <mrmike6996@gmail.com>  
Cc: John Holt & Joyce Cornwell <johnjoyce@midmaine.com>, "<town@lamoine-me.gov>" <town@lamoine-me.gov>

Tue, Nov 11, 2014 at 10:38 AM

Michael --

I just wanted to follow up on the building permit extension to see if any decision had been made.

Thanks for your help.

Tom

---

Thomas N. True, P.E.  
cell: 603-714-5668  
text: 6037145668@vtext.com

" true \'trü \ adj 1: the quality or state of being accurate."

[Quoted text hidden]

---

**John Holt & Joyce Cornwell** <johnjoyce@midmaine.com>  
To: Thomas True <tnt1pe@gmail.com>, Michael Jordan <mrmike6996@gmail.com>  
Cc: town@lamoine-me.gov

Tue, Nov 11, 2014 at 4:46 PM

Thomas True:

The Planning Board did not get your request on the agenda for 11/6. The Board meets next Dec 2. CEO Mike Jordan informs me that he sees no reason not to grant the extension. Thus, unless something unexpected arises in the interim, I anticipate the Planning Board will grant the extension at the 12/2 meeting.

John Holt

Chair, Lamoine Planning Board.

[Quoted text hidden]

This email is free from viruses and malware because avast! Antivirus protection is active.

[Redacted signature]

[Quoted text hidden]

---

**Thomas True** <tnt1pe@gmail.com>  
To: John Holt & Joyce Cornwell <johnjoyce@midmaine.com>

Tue, Nov 11, 2014 at 5:03 PM

Thank you

---

Thomas N. True, P.E.  
cell: 603-714-5668  
text: 6037145668@vtext.com

" true \'trü \ adj 1: the quality or state of being accurate."



Thomas True <tnt1pe@gmail.com>

---

## Building permit

3 messages

---

**Thomas True** <tnt1pe@gmail.com>

Fri, Jan 31, 2014 at 11:16 AM

To: Lamoine Town Office <town@lamoine-me.gov>, "cc: Code Enforcement Officer" <ceo@lamoine-me.gov>, Michael Jordan <mrmike6996@gmail.com>

Happy New Year Mike

I just opened up the 2013 Building Permit file & noticed that we're still listed as "not yet issued".

I know I have the permit in hand but just wanted to double check that everything is all set.

Thanks again for your help

--

Thomas N. True, P.E.

cell: 603-714-5668

text: 6037145668@vtext.com

" true \trü \ adj 1: the quality or state of being accurate."

---

**Lamoine Town Office** <town@lamoine-me.gov>

Fri, Jan 31, 2014 at 11:24 AM

To: Thomas True <tnt1pe@gmail.com>

Cc: Code Enforcement Officer <ceo@lamoine-me.gov>, Michael Jordan <mrmike6996@gmail.com>

Dear Mr. True,

I maintain the website and had not updated the building permit page to reflect the issuance in November. That has been done to reflect the permit issuance date. My apologies for not keeping that up to date.

Stu Marckoon

[Quoted text hidden]

---

**Thomas True** <tnt1pe@gmail.com>

Fri, Jan 31, 2014 at 11:46 AM

To: Lamoine Town Office <town@lamoine-me.gov>

Cc: Code Enforcement Officer <ceo@lamoine-me.gov>, Michael Jordan <mrmike6996@gmail.com>

No problem whatsoever

Thanks so much

Have a great weekend

[Quoted text hidden]

---

**Building Permit for Tax Map 16, Lot 48**

13 messages

---

**Thomas True** <tnt1pe@gmail.com>

Wed, Nov 20, 2013 at 1:27 PM

To: town@lamoine-me.gov

Stu/Mike --

This is my proper email address. If you have any questions, please email them to me.

Thanks again for your help.

--

Thomas N. True, P.E.

cell: 603-714-5668

text: 6037145668@vtext.com

" true \trú \ adj 1: the quality or state of being accurate."

---

**Lamoine Town Office** <town@lamoine-me.gov>

Wed, Nov 20, 2013 at 1:30 PM

To: Thomas True <tnt1pe@gmail.com>

Cc: Code Enforcement Officer <ceo@lamoine-me.gov>, Michael Jordan <mr mike6996@gmail.com>

Thank you Mr. True – I will contact Mike Jordan to have him re-send whatever it was that he sent.

Stu Marckoon

[Quoted text hidden]

---

**Thomas True** <tnt1pe@gmail.com>

Wed, Nov 20, 2013 at 1:50 PM

To: Lamoine Town Office <town@lamoine-me.gov>

Cc: Code Enforcement Officer <ceo@lamoine-me.gov>, Michael Jordan <mr mike6996@gmail.com>

Thanks

[Quoted text hidden]

---

**Thomas True** <tnt1pe@gmail.com>

Thu, Nov 21, 2013 at 10:00 AM

To: Lamoine Town Office <town@lamoine-me.gov>

Will Mike be holding regular office hours next week?

On Wed, Nov 20, 2013 at 1:30 PM, Lamoine Town Office <town@lamoine-me.gov> wrote:

[Quoted text hidden]

[Quoted text hidden]

---

**Lamoine Town Office** <town@lamoine-me.gov>

Thu, Nov 21, 2013 at 10:41 AM

To: Thomas True <tnt1pe@gmail.com>

He will be here Tuesday morning from 9-12.

stu

[Quoted text hidden]

---

**Thomas True** <tnt1pe@gmail.com>  
To: Lamoine Town Office <town@lamoine-me.gov>

Thu, Nov 21, 2013 at 10:44 AM

Thank you. Do I need an appointment or just show up or call when I get a chance?

[Quoted text hidden]

---

**Lamoine Town Office** <town@lamoine-me.gov>  
To: Thomas True <tnt1pe@gmail.com>

Thu, Nov 21, 2013 at 10:47 AM

Show up or call. He's generally not that busy this time of year.

[Quoted text hidden]

---

**Thomas True** <tnt1pe@gmail.com>  
To: Lamoine Town Office <town@lamoine-me.gov>

Thu, Nov 21, 2013 at 11:42 AM

Excellent, thank you.

Do you think he'll have a chance to resend the email before then?

[Quoted text hidden]

[Quoted text hidden]

---

**Lamoine Town Office** <town@lamoine-me.gov>  
To: Thomas True <tnt1pe@gmail.com>

Thu, Nov 21, 2013 at 11:44 AM

I'm not sure what he's doing today and tomorrow. I'll see if I can jump on his computer and find what was sent.

sm

[Quoted text hidden]

---

**Thomas True** <tnt1pe@gmail.com>  
To: Lamoine Town Office <town@lamoine-me.gov>

Thu, Nov 21, 2013 at 11:44 AM

You're the best! ;)

[Quoted text hidden]

---

**Lamoine Town Office** <town@lamoine-me.gov>  
To: Thomas True <tnt1pe@gmail.com>

Thu, Nov 21, 2013 at 1:16 PM

Cc: Code Enforcement Officer <ceo@lamoine-me.gov>, Michael Jordan <mmike6996@gmail.com>

The only thing I found on Mike's computer was correspondence thread with a property co-owner as follows:

Dear Mr. Harris

What you have sent me is just the front page of the building application. On this page, please note that I have assigned it a building permit number and have accepted payment for the building permit but have not approved the building permit. I have not approved this application as of yet because I haven't received the final plans of the house and where it will sit approximately on the property.

To stop the building permit you can appeal it to the appeals board once I have issued the permit or get a court order stating that I am not to issue a permit to Kathryn True.

Michael Jordan  
CEO, Town of Lamoine

-----Original Message-----

From: bobharris53@roadrunner.com [mailto:bobharris53@roadrunner.com]  
Sent: Wednesday, November 06, 2013 5:55 PM  
To: Michael Jordan CEO  
Cc: Dale Worthen  
Subject: Building Permit issued to Kathryn True 7/23/13 #13-22

Dear Mr. Jordan,

This email is being sent to you on behalf of -Robert, William, and John Harris, co-owners of the property with Kathryn True -- Map 16 lot 48. As co-owners We are objecting to the issuance of a Building Permit to Kathryn True as we were never notified by her or the Town of Lamoine . I will stop in to the Town Hall with a copy of this email tomorrow. Thank You Robert E Harris

[Quoted text hidden]

---

**Thomas True** <tnt1pe@gmail.com> Thu, Nov 21, 2013 at 1:28 PM  
To: Lamoine Town Office <town@lamoine-me.gov>  
Cc: Code Enforcement Officer <ceo@lamoine-me.gov>, Michael Jordan <mrmike6996@gmail.com>

Thanks again Stu.

I'm sure there is just a minor misunderstanding & we will work it out with Mike on Tuesday.

As you can now attest firsthand, I am not one to let things "age" in my inbox. ;)

Have a great weekend.

[Quoted text hidden]

---

**Thomas True** <tnt1pe@gmail.com> Tue, Dec 3, 2013 at 11:43 AM  
To: Chris Mulligan <cmulligan@bosendassociates.com>

[Quoted text hidden]

---

**114 Marlboro Beach Road**

1 message

---

**Thomas True** <tnt1pe@gmail.com>

Wed, May 8, 2019 at 3:00 PM

To: beck albright <lamoineceo@gmail.com>

When we spoke earlier today, you mentioned that the chairman of the Planning Board has met you on site several times to inspect and measure the house height and setback to confirm that it was in compliance; is that correct?

I apologize on behalf of our builder for not notifying you for the foundation inspection but as mentioned before and proven by the attached invoice, not only did we have the surveyor stakeout the footings but we also had him stakeout the foundation walls to make absolutely certain there were no issues.

As mentioned, we will have Gott uncover the newly installed septic tank for your inspection.

Please let me know if there is anything else that you need.

---

Thomas N. True, P.E., L.S.  
cell: 603-714-5668  
text: 6037145668@vtext.com

" true \trü \ adj 1: the quality or state of being accurate."

---

 **Herrick & Salsbury Invoice #12728.pdf**  
192K

HERRICK & SALSBURY, INC.  
P.O. BOX 652  
Ellsworth, ME 04605  
(207) 667-7370  
surveyor@herrickandsalsbury.com  
www.herrickandsalsbury.com



# INVOICE

**BILL TO**

Tom True  
P.O. Box 2607  
Gainsville, GA 30503

INVOICE # 12728  
DATE 11/14/2018  
DUE DATE 12/14/2018  
TERMS Net 30

**JOB #05368**

PROFESSIONAL SERVICES RENDERED

Lupine Lane, Lamoine, Maine

Layout of footings -10/16/2018  
Layout of foundation walls - 11/01/2018  
Client Communications  
Mileage

6.0 hours

\$787.50  
\$ 27.20

BALANCE DUE

**\$814.70**

\_\_\_\_ Check Enclosed \_\_\_\_ Please charge my credit card.  
Please make checks payable to Herrick and Salsbury, Inc.

Job #05368

Invoice #12728

Amount Due: \$814.70

Amount Enclosed: \_\_\_\_\_

WE ARE PLEASED TO ACCEPT											
PLEASE CIRCLE ONE AND COMPLETE THE INFORMATION BELOW:											
Credit Card Number: _____											
Expiration Date: ____ / ____ Security Code: _____											
Signature _____											

Thank you for your business and have a nice day!

---

## 114 Marlboro Beach Road

1 message

---

Thomas True <tnt1pe@gmail.com>

Wed, Oct 31, 2018 at 12:39 PM

To: Rebecca Ann Albright <dreaminadrum@gmail.com>

Attached is our completed application form. I included fixtures that will be roughed into the basement for some future use, as well as what will come with the modular.

I think you said the fee was \$10/fixture, or in this case \$180; is that correct?

Thanks again for your help.

---

Thomas N. True, P.E., L.S.  
cell: 603-714-5668  
text: 6037145668@vtext.com

" true \trü \ adj 1: the quality or state of being accurate."



**True Plumbing Permit.pdf**

117K



**114 Marlboro Beach Road**

1 message

Thomas True <tt1pe@gmail.com>  
To: Rebecca Albright <Town@lamaine-me.gov>

Wed, Aug 29, 2018 at 11:32 AM

It's all cleaned up now but this is what it looked like near the end.



PANO\_20180824\_115032.jpg  
1709K

---

**114 Marlboro Beach Road**

5 messages

---

**Thomas True** <tnt1pe@gmail.com>  
To: Rebecca Ann Albright <dreaminadrum@gmail.com>

Wed, Aug 8, 2018 at 10:14 AM

Rebecca --

We understand that you have had a busy summer, we hope that it has also been enjoyable.

We have now finalized our building plans with the exception of a few "finish" decisions so we wanted to forward those to you for your records. The garage will be site built so we do not have a plan for that.

As mentioned, we also wanted to clarify a few things with you. Since the ocean side will be a walkout, the distance from the peak to the final grade will be about 36'. Given the scrutiny that this application has faced, I wanted to make sure that I have interpreted the "building height" regulation correctly. I have attached my understanding and calculations. I also did a little research and found a building height form that had been used elsewhere and attached that in case it is any help.

Thank you for your help.

We will plan to stop by and see you on the 19th in case any issues remain.

---

Thomas N. True, P.E., L.S.  
cell: 603-714-5668  
text: 6037145668@vtext.com

" true \trü \ adj 1: the quality or state of being accurate."

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**4 attachments** **Building Height Calculations 180807.pdf**  
926K **True Site Plan 180808.pdf**  
436K **Setback Clarification.pdf**  
376K **Grade Plane Determination Worksheet ~ City of Milwaukee.pdf**  
43K

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**Rebecca Ann Albright** <dreaminadrum@gmail.com>  
To: Thomas True <tnt1pe@gmail.com>

Wed, Aug 8, 2018 at 10:17 AM

Ho Tom. Got them, printed them...Thanks Rebecca  
[Quoted text hidden]

---

**Thomas True** <tnt1pe@gmail.com>  
To: Rebecca Ann Albright <dreaminadrum@gmail.com>

Wed, Aug 8, 2018 at 10:22 AM

Site plan should be at scale if printed 11 x 17  
[Quoted text hidden]

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**Rebecca Ann Albright** <dreaminadrum@gmail.com>

Wed, Aug 8, 2018 at 11:22 AM

To: Thomas True <tnt1pe@gmail.com>

k

[Quoted text hidden]

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**Thomas True** <tnt1pe@gmail.com>

To: Rebecca Ann Albright <dreaminadrum@gmail.com>

Wed, Aug 8, 2018 at 11:26 AM

Please let me know what you think

[Quoted text hidden]

Average Daily Traffic (ADT): The average number of vehicles per day that enter and exit the premises or travel over a specific section of road.

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year, commonly called the 100-year flood.

Basement: Any area of the building having its floor subgrade (below ground level) on all sides.

Bed and Breakfast: Any dwelling in which transient lodging or boarding and lodging are provided and offered to the public by the owner for compensation for less than 30 days. This dwelling shall also be the full-time, permanent residence of its owner; otherwise, it shall be classified as a hotel/motel. There shall be no provisions for cooking in any individual guest room.

Boarding/Lodging Facility: Any residential structure where lodging and/or meals are provided for compensation for a period of at least one week, and where a family residing in the building acts as proprietor or owner. When the criteria for a family residing in the building cannot be met, the building shall be classified as a hotel/motel. There shall be no provisions for cooking in any individual guest room.

Buffer zone: trees, hedges, fencing, or other vegetative barrier in keeping with the character of the natural surroundings which provides a visual and auditory screen between a structure or lot and another structure, lot, or street.

Building: Any 3 dimensional structure or enclosure by any building materials or any space for any use or occupancy, temporary or permanent, including but not limited to swimming pools, foundations or pilings in the ground and all parts of any kind of structure above ground including decks, railings, dormers, and stairs, and excluding sidewalks, fences, driveways, electrical transmission and distribution lines, and field or garden walls or embankment retaining walls.

Building Height: The vertical distance between the highest point of the structure and the average final grade around the foundation, or the average grade of the original ground adjoining the building, whichever is greater.

Business and Professional Offices: The place of business of doctors, lawyers, accountants, financial advisors, architects, surveyors, real estate and insurance businesses, psychiatrists, counselors, and the like or in which a business conducts its administrative, financial or clerical operations including banks and other financial services, but not retail sales nor activities utilizing trucks on site as part of the business operation.

Campground: Land upon which one or more tents are erected or trailers or other shelter are parked for temporary use for a fee or two or more sites on the same property arranged specifically for that purpose.

Cemetery: Property used for the interring of the dead.

Church, Synagogue and Mosque: A building or structure, or group of buildings or structures, designed, primarily intended and used for the conduct of religious services.

Club: Any voluntary association of persons organized for social, religious, benevolent, literary, scientific, or political purposes; whose facilities, especially a clubhouse, are open to members and guests only and not the general public; and not engaged in activities customarily carried on by a

FF elevation 103.2

<u>Wall Number</u>	<u>Wall Length</u>	Final grades		Average	Weighted Average (Wall Length X Average Final Grade)
		<u>High</u>	<u>Low</u>		
1	6	102	102	102	612
2	14	102	102	102	1,428
3	26	102	102	102	2,652
4	14	102	102	102	1,428
5	6	102	102	102	612
6	14	102	99	100.5	1,407
7	38	94	94	94	3,572
8	16	102	102	102	1,632
9	24	102	102	102	2,448
10	16	102	102	102	1,632
11	10	102	102	102	1,020

Perimeter  $\frac{184}{18,443}$   
(total wall length)

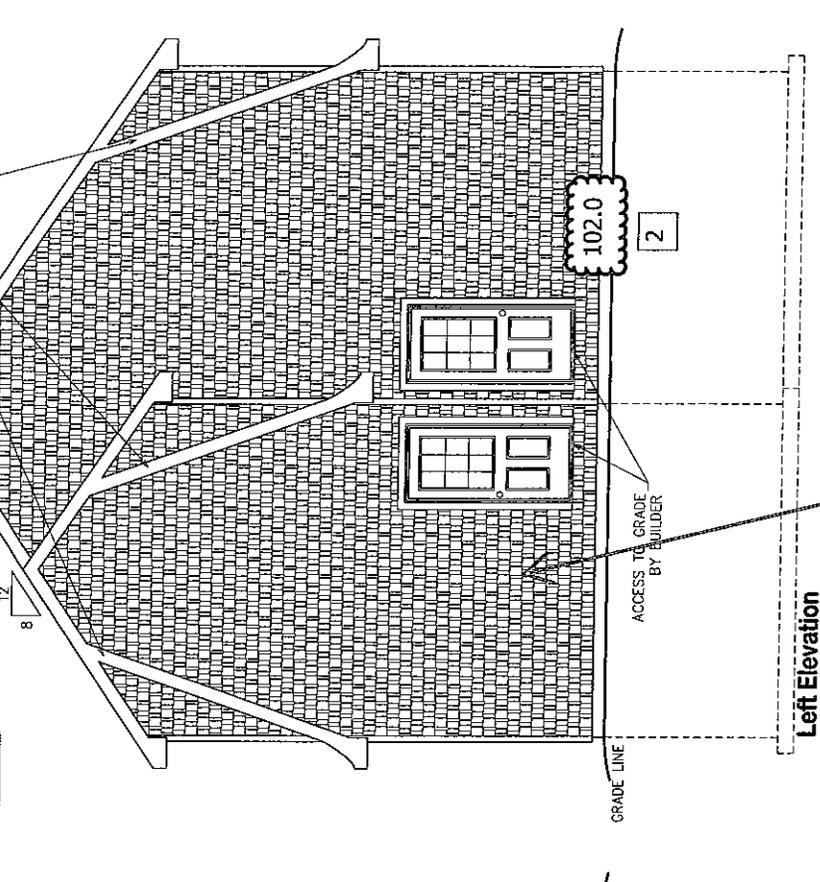
Average final grade at foundation = 100.2

Elevation of peak = 131.2

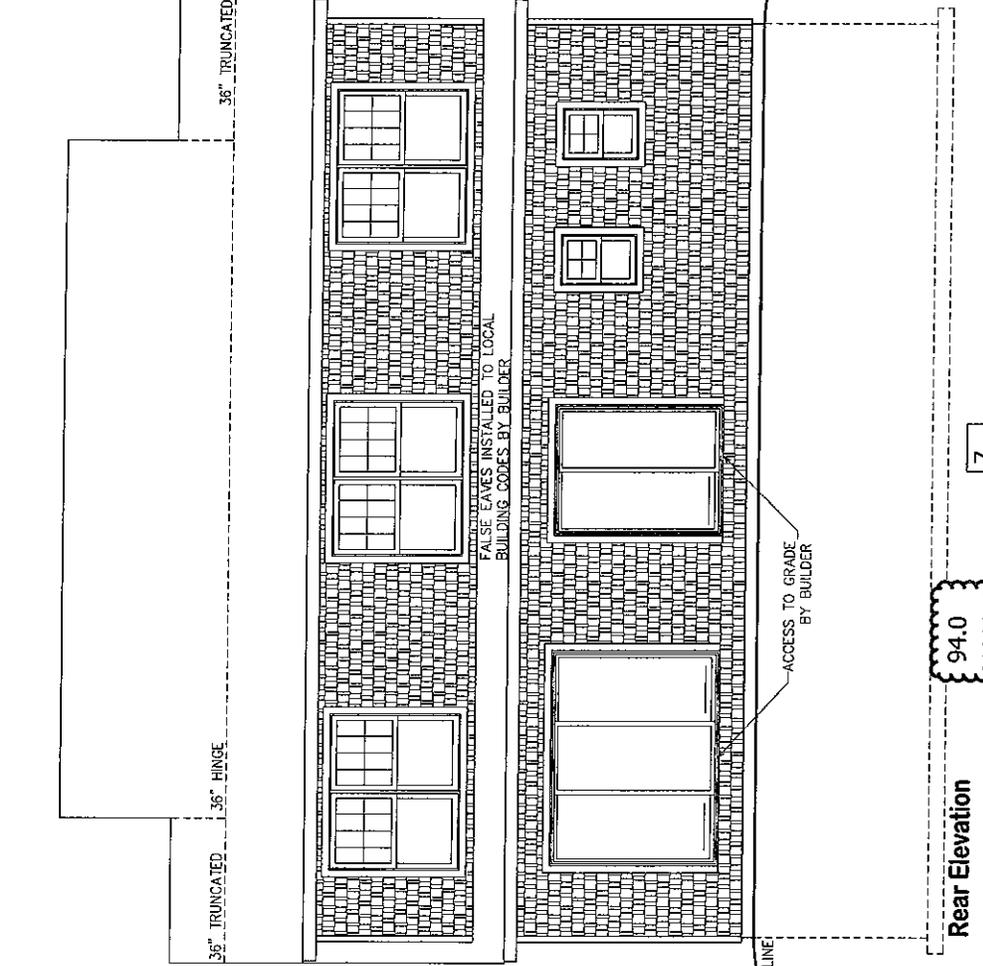
<b>Building Height = 31.0</b>
-------------------------------



**Final grades**  
 Wall Number

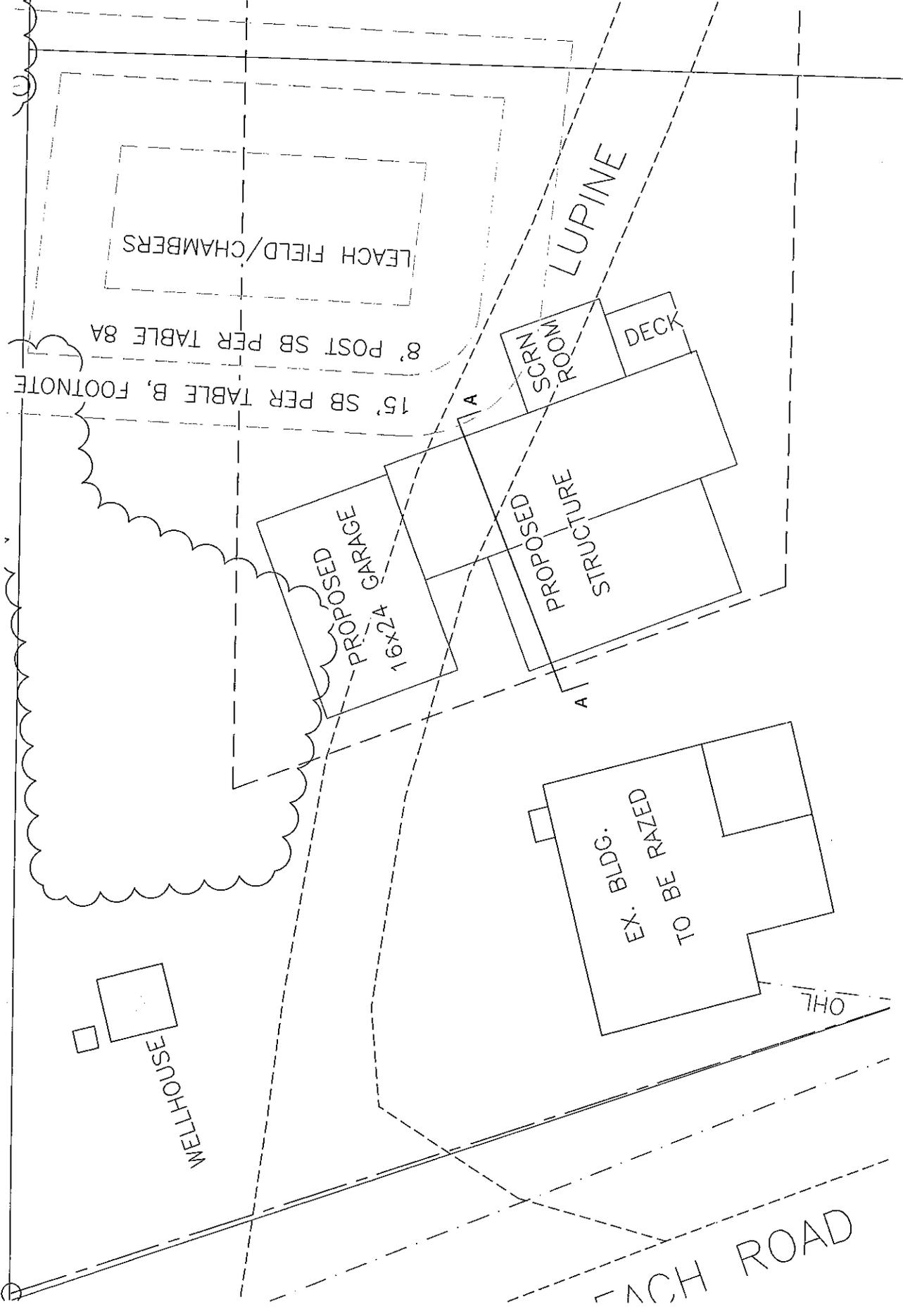


WINDOW GUARDS BY BUILDER ON SITE  
 19 INCHES BETWEEN FINISHED FLOOR & BOTTOM OF GLASS EDGE @ ALL 64" WINDOWS  
 VINYL SHAKE SIDING & CORNER POSTS INSTALLED TO LOCAL BUILDING CODES BY BUILDER  
 Garage would be in front of this space & it is not shown



**True Residence by Coastal Builders**  
 Note: Any drawings, concepts or designs created by Prestige Homes Inc. are the sole property of Prestige Homes Inc. and are subject to copyright protection under the Canadian Intellectual Property Act. Any attempt of utilizing a design, part of a design, or concept without express written permission is strictly prohibited.





LEACH FIELD/CHAMBERS

8' POST SB PER TABLE 8A

15' SB PER TABLE B, FOOTNOTE

PROPOSED GARAGE  
16x24

PROPOSED STRUCTURE

SCRIN ROOM

DECK

EX. BLDG.  
TO BE RAZED

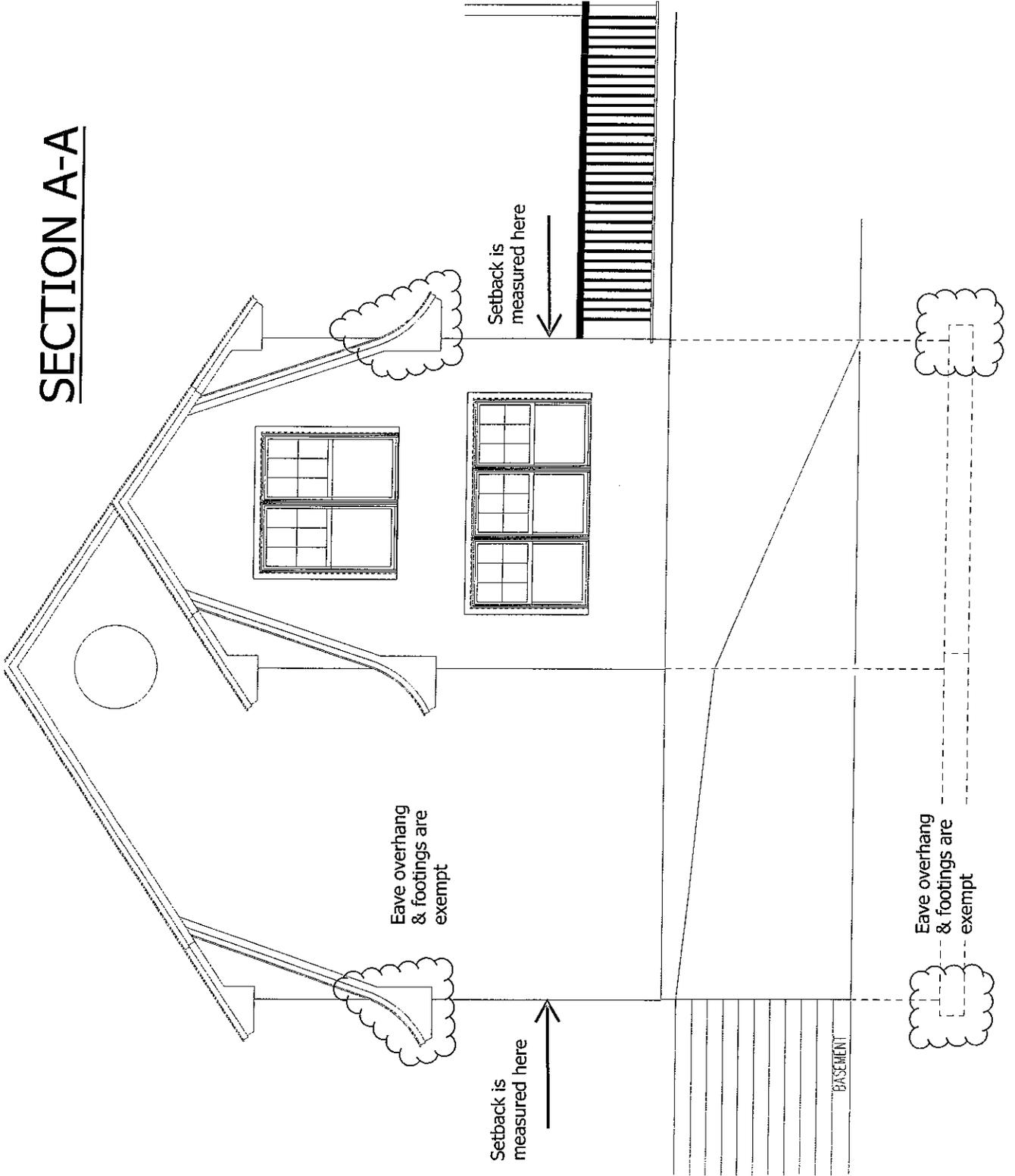
WELLHOUSE

LUPINE

LEACH ROAD

UHL

# SECTION A-A







# Lamoine Board of Appeals

606 Douglas Hwy  
Lamoine, ME 04605  
(207) - 667-2242  
town@lamoine-me.gov

## APPEAL or VARIANCE APPLICATION

Applicant's Name: \_\_\_\_\_ Tax Map # \_\_\_\_\_ Lot # \_\_\_\_\_  
Property owner's name (if different) \_\_\_\_\_

Mailing Address \_\_\_\_\_ Physical Address (if different) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone (H) \_\_\_\_\_ (C) \_\_\_\_\_ (W) \_\_\_\_\_  
Email Address: \_\_\_\_\_

Type of Appeal: (check one)

- Administrative\*
- Variance Request

Applicable Ordinance (check all that apply)

- Building & Land Use
- Shoreland Zoning Ordinance
- Gravel Ordinance
- Site Plan Review Ordinance
- Other \_\_\_\_\_

\*If Administrative, what decision making authority is being appealed?

- Code Enforcement Officer/LPI
- Planning Board
- Other \_\_\_\_\_

### For Administrative Appeals:

This application is for a decision or lack of decision by the above party because the applicant believes:

<input type="checkbox"/> An error was made in the denial of a permit	<input type="checkbox"/> Denial of a permit was based on a misinterpretation of an ordinance	<input type="checkbox"/> There is a failure to approve or deny a permit within a reasonable period of time
<input type="checkbox"/> Other (please state reason)		

(continued on other side)

# Lamoine Appeal or Variance Application

## For Variance Requests:

Please describe the nature of the variance you are requesting:

For a variance to be granted, four criteria must be met. Please explain how your situation meets each of the following criteria: (you may attach additional pages)

- The land in question cannot yield a reasonable return unless the variance is granted.

- The need for a variance is due to the unique circumstances of the property and not to the general conditions of the neighborhood.

- The granting of a variance will not alter the essential character of the locality.

- The hardship is not the result of action taken by the appellant or a prior owner.

I certify the information contained in this application and any supplements is true and correct.

Date \_\_\_\_\_ Signature \_\_\_\_\_

(Application Fee is \$50.00, payable to the Town of Lamoine)

For town staff/Appeals Board Use Only – Paid by: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Credit Card			
Dated Rec'd		Date Sent to Appeals Board By:	
By:		Date of abutter notification	
Initial Hearing Date		By:	
Public Hearing Notices mailed by:		Newspaper Ad Date(s)	
<input type="checkbox"/> Appeal Approved (Date)		By:	
		<input type="checkbox"/> Appeal Denied (Date)	

# The Lamoine Quarterly

Volume 23 Issue 2

Published Quarterly by the Lamoine Town Office

October 2017

## Proposed Gravel Mining Expansion Project Draws Crowd



*The gym at the Lamoine Consolidated School was packed with people waiting to let their opinions be known about a proposed gravel mining expansion by Harold MacQuinn, Inc. (Photo from Lamoine CTV)*

(Lamoine) - A lot of strong opinions about a proposed enlargement of a gravel mining operation will have to wait until November. Nevertheless, dozens of people, most of them Lamoine residents, attended a late September public hearing at the Lamoine Consolidated School gym on the proposal from Harold MacQuinn,

Inc. A large number of people submitted written comments prior to the hearing via e-mail. A vast majority of the e-mailed comments opposed the proposed expansion.

The hearing began with a very lengthy presentation by attorney Ed Bearor and surveyor Steve Salisbury who represent the MacQuinn Corporation, outlining the submission and how the application attempts to comply with both the Site Plan Review and Gravel ordinances. The Planning Board then turned to questions from the public about the proposed expansion. Some of the questioning involved response should a petroleum spill occur in the pit that contaminates the aquifer that runs under the gravel and supplies drinking water to the Cold Spring Water Company.

The hearing was scheduled to run three hours. It will take longer, and a plan to continue the next evening fell through when some Planning Board members were

unavailable the next evening. The Planning Board hearing the application has subsequently continued the hearing until Thursday, November 9, 2017 at 6:30 PM at the school gym.

This is the second time the proposal has come before the Planning Board. In 2012 and 2013 the board followed a similar hearing process and ended up rejecting the proposal. That rejection was challenged by attorneys for MacQuinn. The town and MacQuinn reached an out of court settlement to re-hear the application with different Planning Board members hearing the latest submission. Chairing the panel on the current proposal is Planning Board vice chair Don Bamman. Perry Fowler will chair that November 9th session which will be recorded for the CTV and streaming channels. More written testimony has arrived after the first hearing date.

Once the hearing concludes on November 9th, the Planning Board plans to convene on Tuesday, November 14th to deliberate on the application.

## Town Names Albright New Code Officer

(Lamoine) - The Board of Selectmen has agreed to hire former Code Enforcement Officer Rebecca Albright to the post she held here between 1996 and 2000. Ms. Albright, who lives in Otis, will assume the post of CEO And Local Plumbing Inspector on November 1st. Albright is currently the CEO/LPI for the towns of Gouldsboro, Sullivan, Sorrento, Waltham, Amherst, Aurora and Great Pond. She plans to be in the town office on Wednesday for the entire day.

With the recent influx of Code Enforcement matters ranging from permit applications to complaints to violations, and an extended deadline to become

certified nearly expired, Lamoine Code Enforcement Officer Rick Gallegos has opted to step aside. Gallegos also serves the town as the facilities maintenance director and will continue in that capacity.

A search committee consisting of Selectmen Gary McFarland and Kathleen Rybarz, Planning Board Chair John Holt and Assessor Terry Towne conducted interviews with candidates for the position and unanimously endorsed Albright, and the full Board of Selectmen agreed to appoint her.

Albright is fully certified by the State of Maine and says she's excited to return to Lamoine.

(Lamoine) - The new electronic sign funded by voters at the March 2017 town meeting should materialize shortly after Columbus Day. The Selectmen accepted a bid from NeoKraft, a sign company based in Lewiston. A Saco based business has constructed the electronic portion of the sign. Two other companies submitted proposals which significantly exceeded the budget.

Local electrician Arthur Ashmore has run a power line to the new sign which will be installed next to the current sign, the top part which will be utilized above the electronic sign. The sign is controlled by computer through internet access, and can be changed by authorized users from literally anywhere there is an internet connection.

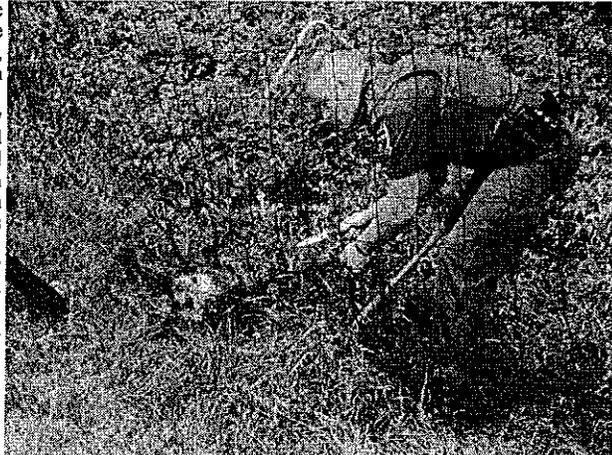
## Game Warden Frees Porcupine Goalie

(Lamoine) - It was a perplexing call from Lamoine Consolidated School's Administrative Assistant Betty Eaton. She reported a porcupine was trapped in the netting of one of the soccer goals in the athletic fields behind the school. The advice from the town office was the typical given in wildlife situations, contact the Maine Warden Service. She did, and Warden Chris Sargent responded very quickly.

Deftly wielding a sharp knife, Sargent carefully went about cutting away the netting strings that had snagged the unwitting goalie. Porcupines are in plentiful supply around town, and while they are not really known for blazing speed (this one would not be confused with Ronaldo or Pele either), it scampered into the woods pretty quickly once Warden Sargent untangled it.

Some school staff and students watched, rather captivated by the prickly, four legged soccer player. It looked a bit forlorn as it was not able to free itself from the netting. To the best of anyone's knowledge, it has not come back for another match on the soccer pitch, but deer are often spotted during quiet times on the ballfields, especially at night. The school thanked Warden Sargent for his quick response and patient skill for freeing up the quilled goalie.

(Photo by Betty Eaton)



## Volunteers Clean Up the Coast

By Larissa Thomas, Conservation  
Cmsn

(Lamoine) - As part of Maine Coastweek, the Lamoine Conservation Commission organized a series of volunteer crews to conduct coastal cleanups around town on September 16 and 23 (see attached photos). Four teams with a total of 21 energetic volunteers scoured about 5 miles of shoreline, filling 25 bags with trash and recyclables. The crews worked at the head of the Skillings River around Kilkenny Cove, on two sections of the Skillings River near Seal Point and Mosely Point, and at the Lamoine State Park. These efforts resulted in approximately 245 pounds of mostly plastic being removed from the marine ecosystem including approximately 130 yards of rope that would present an entanglement hazard for whales, and turtles. Plastics that end up in the oceans fragment into smaller that are ingested by birds, fish, and other creatures. Hats off to the volunteers who helped combat this environmental threat. The Conservation



*A kayak crew retrieved lots of trash at the high tide line*

Commission will organize crews for next year's clean-up, but no need to wait—everyone can pick up trash whenever they find it. The amount of trash and lost fishing gear collected, seemed to represent less volume than what we've seen in the past two years. Those interested in worldwide trends can go to the Ocean Conservancy's website to see the data tabulated on materials collected from Maine and cleanups around the world: <https://oceanconservancy.org/trash-free-seas/international-coastal-cleanup/annual-data-release/>

## Selectmen Agree to Test Swimming Spot Water

(Lamoine) - The water at Blunt's Pond is very clear, and the beach area at Bloomfield Park is pretty popular with residents looking to take a dip on a hot summer day. Carol Korty is one of those who utilizes the shallow, cool water, but questioned the Board of Selectmen whether it was safe to do so, questioning the water quality. The Board agreed to test the water to determine if dangerous bacteria is present, and authorized purchase of a relatively inexpensive water testing kit. Once water is collected, a chemical reaction will determine whether bacteria and E-coli are present in amounts that are considered safe or not. Selectman Bob Christie agreed to collect the water sample.

No reports of health issues have ever emanated from Blunt's Pond, and there has not been any algae bloom on the pond in the past that the town is aware of. It's believed the pond is spring fed, but the source of water has never been confirmed.

Should the water test come back with high bacteria or E-coli, it's not clear what the next appropriate step would be for town officials.

## Consulting Company Surveying Broadband

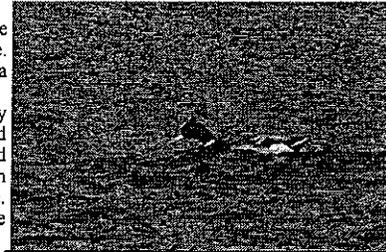
(Lamoine) - An Old Town based engineering firm is in the process of analyzing just where cable TV lines and other broadband services are offered in Lamoine. Selectmen approved a contract with the Joseph Sewall Corporation to map out exactly where high speed internet is offered, and more importantly, where it is not.

Consultant Michael Edgecomb is conducting the survey in early October. After the results are analyzed, the company will help prepare a grant application with the ConnectME agency which offers state assistance with

improving broadband service. Many Maine communities have undertaken similar efforts.

Broadband opportunities are seen as an economic development issue. The lack of broadband service can be a deterrent to housing.

The town's technology committee discussed the proposal and made no recommendation to the Board of Selectmen, as members were split on whether the study would be effective. The study and related activity will be funded from the Cable TV fund.



*A mallard plies the waters of Blunt's Pond. A large variety of wildlife shares the pond with swimmers and non-motorized watercraft.*

## Water Re-Test Comes Back Clean

(Lamoine) - The extremely dry weather is likely behind water testing results that raised a red flag with Lamoine's Planning Board. Annually, licensed gravel pits perform water quality testing to make sure that excavation is not causing a negative impact on ground water. SW Cole conducted water sampling at two pits in East Lamoine, one operated by John W. Goodwin Jr. and the other operated by Doug Gott & Sons, both headquartered in Southwest Harbor. Water samples from a few of the many monitoring wells in the pits showed a detectible level of EPH, a hydro carbon compound associated with fuels such as diesel or grease. The minimum level for detection is 100 ug/L (micrograms per liter), and the drinking water standard is 200 ug/L. The tests on the Gott well showed 136 ug/L which is far below the standard that would make the water dangerous to drink.

SW Cole reported the Goodwin pit results were consider to not be very reliable because of a possible error with the test. The company plans to retest the wells after some significant rain brings water levels up higher.

Planning Board chair John Holt noted the issue at the September Planning Board meeting, saying it appears to be the first sign of something. Just what that

something is has yet to be determined. The report from the engineers who conducted the groundwater study said there was no evidence of any nearby source of petroleum, and no evidence of tampering with the wells or a spill in the pits. The testing company said it could be a one time event, but if there are increasing levels of the compounds found, it could be a source of concern that requires increased monitoring.

The town's gravel ordinance requires the water quality testing, but there are no provisions in the ordinance for action to take should the water quality tests show ground water contamination. The town would likely contact the Department of Environmental Protection should further testing reveal increased levels of chemicals in the tested water.

SW Cole retested the wells in the Gott pit in September and just before publication time, agent Steve Salsbury sent a new report to the town. The latest testing yielded no EPH levels of any sort detected in the new round of well testing. Copies of that report were distributed electronically to the Planning Board and Board of Selectmen in early October. It's not known at press time when the Goodwin pit re-sampling will take place.

## Police Patrol Discussed

(Lamoine) - The Board of Selectmen has sent an inquiry to the Hancock County Sheriff's Department regarding increased police patrol coverage in town. Lamoine does not employ its own police force, instead relying on the Hancock County Sheriff's Department and Maine State Police to respond to emergency calls when needed.

Noting increased signs of drug related activity, especially around Bloomfield and Lamoine Beach Park, Selectmen have inquired about possible patrol options. Chief Deputy Patrick Kane replied back that the Hancock S.O. provides patrol contracts to Tremont, Stonington, Castine, Brooklin and Sorrento. Contracts similar to Tremont and Stonington would cost Lamoine up to \$100-thousand dollars per year.

Selectmen plan to discuss the need and desire for an increased police presence in town, noting that Lamoine's geography creates a pretty good advantage with headquarters for both police agencies one town away.

## Appeals Board Requests Comment on New Ordinance

(Lamoine) - Lamoine has a fair number of ordinances that regulate various activities in town ranging from building, activities in the Shoreland Zone, gravel mining and the like. At last count a couple of dozen ordinances were in effect, and most of them contain an appeal provision for decisions that applicants or alleged violators might not agree with. Each ordinance seems to deal with an appeal process in a different manner, and that presents a challenge to the town's Board of Appeals.

For about 3-years now the Appeals Board has been working on yet another ordinance to have a single set of rules on how to deal with appeals and variance requests, instead of the hodge podge of rules in each of the ordinances. A draft of the new ordinance is about to get reviews from the various town boards for comment before final submission to the Board of Selectmen for possible inclusion on the town meeting warrant in March.

The proposed ordinance outlines how the Appeals Board is appointed, addresses conflicts of interest among board members, what issues may come before the Appeals Board, and how meetings are scheduled and advertised. The ordinance also includes a recent state law change to allow for variances that will assist those who may be disabled.

The ordinance also lays out how to appeal decisions rendered by the Board of Appeals (they could be appealed to Maine Superior Court). It would also supersede the appeals sections of all of the town's current ordinances.

The proposed ordinance also provides for some flexibility for the Board of Appeals as it determines how best to adjudicate an appeal. Some ordinances require a de novo hearing (meaning the Appeals Board starts from the very beginning of the application process), others allow for an administrative hearing (the Appeals Board hears just those areas under contention). The new ordinance allows the Board of Appeals to decide which type of hearing is appropriate.

The draft ordinance will be posted on the town's website for comment through mid-November.

## Planning Board Officers Chosen

(Lamoine) - Lamoine's Planning Board has three selected officers from among the board members; Chair, Vice-Chair, and Secretary. All are key roles, but the secretary's job is very important when it comes to maintaining a written record of what took place at the meetings.

Alternate member Steve Gabel-Richards has agreed to take over the secretary's role for the board. Gabel-Richards is also the newest board member. He's a retired school teacher, and has found video recordings of the meetings helpful when compiling the minutes.

## Planning Board Renews Pit, Approves Road

(Lamoine) - The town's Planning Board has a very good handle on analyzing and processing gravel permit requests. Chair John Holt estimates that he's voted on more than 50-such applications during the two terms he's served on the board, and with only two notable exceptions, they've received approval. And, with an ordinance change that disallows new gravel mines in the Rural and Agricultural Zone, it's likely that all the future permit applications will be renewals of existing permits, though the process remains the same. Holt said the expectations of applicants are well laid out, and most of the applications are complete with the information required to get to a public hearing and vote in relatively short order.

The Planning Board swiftly approved another 3-year permit for RF Jordan on land located between Route 184, Walker Road and Mill Road. Very little public comment came in, and there have been no reported issues at the pit.

The Planning Board also approved a Site Plan Review permit for Doug Gott & Sons which has expanded a logging road off Lamoine Beach Road, slightly northwest of Lamoine State Park. The town office started receiving calls when numerous dump trucks started hauling in material to expand the road. The company submitted the Site Plan Review Application shortly thereafter when the road size was going to require the permit. The company says it plans to cut more lumber on the lot.

## Planning Board Floats Road Front Change

(Lamoine) - For at least the past 25-years, Lamoine's Building and Land Use Ordinance has required 200-feet of road frontage in order to place a building on a lot. That may have taken a lot of large, skinny tracts of land out of the running for housing. At least two property owners recently ran into road blocks because of the road frontage requirement.

That's behind one of the proposed changes to the Building and Land Use Ordinance that the Planning Board has placed before the Board of Selectmen for comment. The new table of land uses includes a change requiring 200-feet of road frontage only if a building is going to be located within 200-feet of the road entrance. Should a proposed structure be located greater than 200-feet from the road entrance, that frontage requirement is waived.

The other major change also has to do with how a building is situated on a lot. The current ordinance requires a setback of 50-feet from the road right of way. The proposed change would require a road setback of 75-feet from the center of the road. Few know where the true edge of the right of way is located, while the center of the road is easily ascertained. Most roads in Lamoine are a 3-rod width (49.5 feet). The change would essentially maintain that 50-right of way setback, but have a defined point from which to measure the setback.

If the Selectmen give the OK to the proposed changes, the Planning Board would conduct a public hearing prior to a final submission to the Selectmen to place the amendment on the town meeting warrant in March.

## Summer Months Busy for Permits

(Lamoine) - There is plenty of building taking place in Lamoine, as Code Enforcement Officer Rick Gallegos issued 28-permits between the first of July and the end of September.

Nbr.	Name	Project
30	Labossiere, A	Deck
31	Wardman, S.	Garage
32	Merrick, P	Car Port
33	Wardman, S.	Garage
34	Engelhard, B.	Shed
35	Lee, D	Mobile Home
36	Upson, L.	Addition
37	Rosa, L.	Roofed Deck
38	Collier, James	Residence
39	True, Kathryn	Garage
40	Richardson, C.	Deck
41	Sperry, J	Deck
42	Olencki, K.	Mobile Home
43	Stoll, Joshup	Residence/Barn
44	Wellman, C.	Addition
45	Sanborn, R.	Shed
46	Mason, C.	Expansion
47	Phelps, C.	Shed
48	Whitener, W.	Shed
49	Broughman Bldrs	Residence

50	Colby, J.	Mobile Home
51	Evans, R.	Shed
52	Frost, T.	Deck
53	Berk, J.	Deck
54	Wood, N.	Shed
55	Staples, F.	Barn
56	Legere, D.	Boat Rack
57	Holt, Charles	Residence

The revenue generated from the building permits was \$2,119 for the quarter.

Plumbing Inspector Michael Jordan issued 23 permits during the quarter, generating \$2,245 in net fees to the town. They included 13 internal plumbing and / or hookup to existing septic system permits, 8 septic systems, and two replacement septic systems.

The number of building permits issued was 11% greater than 2015 through the first three quarters of the year.

The number of plumbing permits for the year is up 34% compared to the first three quarters of 2016 (39 permits compared to 29).

As a reminder, all structures greater than 100-square feet require a building permit, and all structures, regardless of size, if located within 250-feet of the high water mark in the Shoreland Zone must also obtain a permit prior to construction.

## Equipment Failure Knocks Out CTV

(Lamoine) - The video switching device that controls the cable TV channel inside the town hall started showing signs of fatigue during a couple of Board of Selectmen meetings when it shut down without warning. A look at the operating log for the device showed that it overheated, and a cooling fan inside the device was not functioning properly. That was a possible indication that the \$10,000 unit was quite dusty, and indeed, it was. When the dust got blown out of the highly

sophisticated computer, and it was placed back in the equipment rack, it would no longer turn on.

A call to the equipment manufacturer indicated it was likely the power supply inside the unit, and the only way to repair it was to ship it to Michigan. The failure occurred in late September, and the company was indeed able to repair it. The switcher (called a Nexus) was expected to be back in business the week of October 9th.

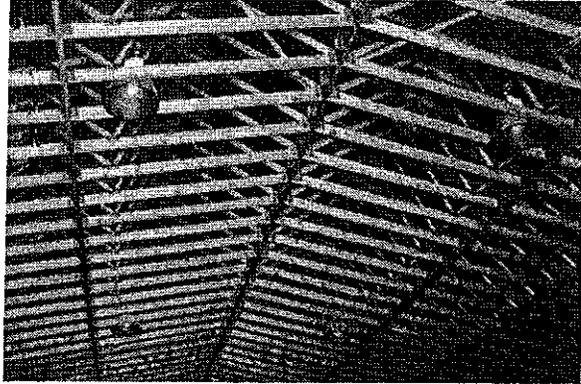
## Familiar Face Fills in at Xfr Station

(Lamoine) - Many thanks to former transfer station manager Bill Fennelly for filling in for a few weeks at the facility in the late summer. Fennelly subbed for Chris Meyer who took a short leave of absence to take care of some health issues. During his tenure, Fennelly gave the facility an excellent cleanup along with making sure things were open on time.

## Broken Trusses Inside Salt Sand Shed to be Repaired

(Lamoine) - An insurance inspection earlier in the year revealed a few of the roof trusses inside the town's salt sand storage shed had cracked and were in need of repairs. The Selectmen agreed to contact the original design engineer, Jim Kiser to come up with a plan to make the repairs. He had to call in a specializing engineering firm and a final design was released in late September.

The repairs will utilize metal braces which should greatly improve the strength on the broken trusses. Plow contractor Richard McMullen should get the repairs done before he has to load up the salt/sand mix into the trucks for the winter. A bow in the rear wall of the garage was also noted, but engineer Kiser recommended no action for now.



## Veterans' Memorial Bench Breaks

(Lamoine) - A nudge with a lawn mower shifted one of the two benches at the Veterans' Memorial at the Lamoine Town Hall just enough that the seat fell down, and it cracked in half. The town's moving contractor has hauled the bench to Weinger Monuments in Cherryfield where a replacement seat will be crafted. The mishap occurred in August. It is hoped that the seat will be back in place in time for Veterans' Day.

## Gravel Pit Restoration Monitored

(Lamoine) - The Planning Board has kept its eyes on three gravel pits to make sure restoration efforts are successfully achieved. The pit owners have cooperated well with replanting efforts, though they didn't succeed at first.

Doug Gott & Sons, Inc. opted to restore the so-called Little B&H Pit off Douglas Highway in North Lamoine. The Gravel Ordinance requires restoration be accomplished within a year of the pit's closure according to plans filed at the last permit. When the pit was inspected for reclamation progress at first, the Code Enforcement Officer observed pressure treated lumber and oriented strand board (OSB) which contain chemicals that could be harmful to water. After orders to remove the materials and plant the graded pit area with growing vegetation, the owners submitted an affidavit saying they'd removed the material prior to final covering. The town will inspect the area in another year to ensure that the vegetation remains alive.

RE Jordan and Sons was supposed to restore part of the former King/Zerrien pit south of the Town Hall on Douglas

Highway. The initial planting did not germinate, thanks in part to the dry spring and an attempt to plant on top of gravel without topsoil. Owner Pat Jordan, when informed of the restoration failure and a stop work order from the Code Enforcement Officer replanted the area to be restored, after putting down a layer of topsoil that was more conducive to growth. An inspection in late summer confirmed growth was taking place.

Harold MacQuinn, Inc. was to have restored a large area of the so-called Asher Pit, near Orchard Lane. Initial planting efforts also failed, and the company opted to use a higher grade of hydro-seeding to accomplish restoration. The town will inspect that area to be restored during the fall to ensure that the vegetation is growing.

In recent years, operators have closed down operations at two other gravel pits in town, which means they will have to be restored by grading the pit walls to a 3:1 slope, and replanting the excavated areas as shown on restoration plans filed when the gravel removal operations were last permitted.

## Rec Soccer Program Signals Growth

(Lamoine) - The first weekend of youth soccer for 2017 got off to a bit of a rocky start, but the town's Recreation Committee is working to make sure it and other programs run more smoothly. Rec Committee chair Greg Stone was out of town for the start of the season and former committee member Elie Khoury stepped down from the committee when his employer moved him to Virginia. The soccer equipment was locked in the town's

Lamoine Beach Road storage garage, and no one was in town that weekend to access the garage.

Soccer coach Nicole Chan did some scrambling and got enough soccer balls together to get through the first week. She, Stone and the Selectmen met the next week to talk about some of the issues facing the program, and the Rec Committee addressed many of those at a meeting the week after. Rec Committee member Jason Trenholm went above and beyond to help take make sure the paperwork was in order and to make sure there was access to the soccer equipment needed. Chan has been appointed to the Rec Committee which is back up to full strength. The committee is always looking for volunteer coaches and support staff.



*Despite a very dry summer, it seemed to be a very bountiful hay crop at the Pinkham fields this year. There was just one mowing, though—usually the fields are mowed a couple times in the summer.*

## Fire Department to Acquire Ladder Truck

(Lamoine) - Fire Chief George "Skip" Smith says the time has come for Lamoine's volunteer firefighters to have a ladder truck at their immediate disposal. The fire department corporation has put a down payment on a 1997 Smeal Quint truck currently owned



Ellsworth firefighter Bobby Dorr inspects the ladder of the Squamish BC truck the Lamoine VFD has agreed to purchase.

by Squamish British Columbia. The town meeting in March 2018 will be asked to fund the remainder of the \$108,700 purchase. This will be the first ever ladder truck for the department.

The "new" truck will be available in about a year, as the BC department will be putting a new, million dollar ladder truck into service about this time next year. It has a 75-foot ladder and a 2,000 gallons per minute pump. The department members started talking about the need for a ladder earlier this year, and Capt. Ed Farnsworth started looking. A broker in Alabama had the truck up for sale for a list price of \$150,000, which the

fire chief negotiated significantly lower. Farnsworth, Assistant Chief Engineer Maury Oliver and Ellsworth Fire Captain Bobby Dorr flew to Vancouver to inspect the truck and reported that it was in excellent condition, has very low mileage, and low hours of use on the pump and ladder.

The department voted to fund the 10% down payment, and Chief Smith met with the Board of Selectmen who authorized the payment and will place the purchase on the town meeting warrant in March. The Chief will meet with the budget committee to determine the best way to fund the purchase.

## Clam Chowder Dinner Postponed

(Lamoine) - One of the great social events of late October is the Fire Department's Clam Chowder Dinner. This year's event has been postponed as chef David Herrick and his wife Julie were not available to do all that they do to make sure the food is all set for the event.

The Fire Department may hold a winter time supper instead, but no firm plans have been made. The dinner has been a big hit with residents, many of whom donate food dishes and ingredients to make the chowder. It has also been a fairly successful fund raiser for the department.

## FD Auction a Huge Success

(Lamoine) - The secret to a successful auction for the Lamoine Volunteer Fire Department just might be rain. The event in mid-August fell on one of the very few rainy nights of the summer, and the Lamoine Consolidated School gym was packed with bidders.

It also helped to have a lot of good donated items on hand to auction off. Among the items were many donated by former School Committee member Anne Gommel who is preparing to relocate.

There was a new auctioneer this year (your Lamoine Quarterly writer town administrator and Deputy Fire Chief, Stu Marckoon), and for three hours the bidding was hot and heavy. When all was totaled up, the department came away with a net profit of about \$11,000, a record for the auction now in its 20th year.

## Deputy Animal Control Officer Appointed

(Lamoine) - The director of the SPCA shelter in Trenton has agreed to back up Lamoine's Animal Control Officer (ACO) Shannon Byers. Selectmen appointed Diana De Los Santos as the Deputy Animal Control Officer while Byers and her husband David attend to a serious health matter he faces in Boston.

Mrs. De Los Santos is the Animal Control Officer in Bar Harbor and also the backup for the Town of Trenton. Animal control complaints should be reported to the Lamoine Town Office during regular business hours. After hours complaints can be reported to the Administrative Assistant's cell phone at 207-266-0353. Town staff will initially try to resolve complaints as soon as possible and notify the Deputy ACO as needed.

It's expected the Byers will be tied up for nearly 2-months as he undergoes treatment in Boston. A Go Fund Me page has been started to assist with living expenses while the couple stays in Boston. Many volunteers have offered to help care for their animals at their Mill Road home.

## Fire Department Historically Busy Quarter

(Lamoine) - The pagers for members of the Lamoine Volunteer Fire Department activated 28 times between July 1 and September 30th, making it one of the busiest three months in the department's history. Through the first three quarters of 2017 the fire department has responded to 66 calls, up 15% from 2016 and 69% from the average of the past 7-years. The department is on pace to eclipse last year's record 73 runs for a year.

The most serious calls were to Ellsworth for assistance with house fires, one on Red Bridge Road and one on the Mariaville Road. Lamoine responded with automatic mutual aid with a tanker truck, a

pumper truck and interior attack crews to assist.

In town, the most serious call resulted in two responses on Mill Road to an unattended woods fire. The initial call on August 4th saw some sort of fire spread to about a half acres of tree covered land. It took about two hours to put that out, but it rekindled a week later after burning underground.

The Department also responded to a chimney fire on Seal Point Road that was quickly controlled, and to six motor vehicle accidents in both Lamoine and Trenton. Several other calls involved assistance to other fire agencies.



Photo Courtesy of Karthy McGlinchey

Third and fourth graders at Lamoine Consolidated School received dictionaries that were donated by the Lamoine-Bayside Grange as part of their annual Dictionary Project. The dictionaries were presented by Grange members Sharon St. Claire and Karthy McGlinchey. This year, the dictionaries were given in memory of longtime Grange Secretary/Treasurer Yvonne Brann. The children learned about the history and mission of the Grange, and had fun finding word definitions in their new resource.

## Selectmen Adopt Tax Payment Policy

(Lamoine) - On two occasions in June, taxpayers who owed multiple years of unpaid property taxes made a payment after receiving a 30-day notice of unpaid taxes for the 2016/17 property tax season. While that saved a significant amount of money on lien fees for that year's taxes, it did not erase tax liens that were filed for the previous tax year.

In August, the Board of Selectmen adopted what's referred to in the tax collection business as a 906 policy. That refers to Title 36, section 906 in state law which directs a community's tax collector to apply payments to the oldest outstanding tax balance.

Taxpayers are still able to designate if they wish to have a payment applied to a particular tax debt if they desire. The policy gives guidance to the tax collector for those payments received without a particular designation.

## Town Meeting 2018 Dates Set

(Lamoine) - The annual town meeting in Lamoine will take place on Tuesday, March 6, 2018 (municipal officer elections) and March 7, 2018 (Open Town Meeting). Selectmen set the date to coincide with the same timeframe as the past several years. Selectmen signed the order setting the annual meeting dates in early September.

The reason for settling on a date so far in advance has to do with a newly revised state law that increases the time frame to make nomination papers available to candidates who desire to be listed on the ballot. Many municipalities utilize the ballot scanning machines to conduct town elections, and the lead time to prepare special ballots that the machines can read made it necessary to push out the nomination process time. Lamoine does not utilize the machine for town elections (at this time), opting instead to hand count municipal ballots. There is a significant cost to having machine ballots generated

and printed, so the town opts to print the ballots in house and have the ballot clerks count them by hand.

To be elected in March are two members of the Board of Selectmen. The seats are currently held by Gary McFarland and Jo Cooper. A member of the Board of Assessors will also be elected, filling a vacancy caused by a resignation earlier this year, and a school committee member will also be elected. That seat is currently filled by Michael Brann.

Nomination papers will become available on November 26, 2017 (the day after Thanksgiving) from the town clerk's office. Candidates who wish to appear on the ballot must collect at least 25 signatures from registered voters and no more than 75 signatures, and return those to the town clerk's office no later than January 5, 2018. Absentee ballots will become available no later than February 4, 2018.

## Comprehensive Planning Draft Goals Open House set for November 18th

The Lamoine Comprehensive Plan Committee (LCPC) will host a Community Open House to present proposed goals for the town over the next 10-20 years.

The LCPC hopes to have a draft of the Vision Statement for the Town, as well as a summary of Goals and Policies in all the topics required by the State to be included in a Comprehensive Plan, available three to four weeks prior to the Community Open House.

The Open House will be at the Lamoine Consolidated School on Saturday

November 18<sup>th</sup> from 10 to 2, with people spending as much or as little time as they want learning about the proposals. Members of the LCPC will be available to discuss the draft conclusions and recommendations and to record reactions and comments.

Refreshments will be available. Anyone who is willing to help with organizing refreshments, please call (667-6564) or e-mail Fred Stocking ([fredstocking@roadrunner.com](mailto:fredstocking@roadrunner.com)).

## Town Audit Expected Soon

(Lamoine) - The auditing crew from James Wadman's office has finished pouring over the town books and is working to finish up with the school department in order to produce the annual audit report. Preliminary closing balances (unaudited) show the town with a very healthy undesignated fund balance (surplus) of more than \$568,000. The long term goal has been to end the year with at least \$300,000 in surplus. That amount will likely change, depending on the closing entries to the school department budget and other internal fund adjustments.

Some of the designated fund balances are also very healthy. The Road Fund ended the fiscal year with roughly \$167,000. The 2017/18 town budget has utilized \$117,000 from that balance to pay for the paving projects for the summer of 2017. The undesignated fund balance utilized \$97,250 for the 2017/18 municipal budget.

Two factors favorably affected the town's fund balances; higher than expected revenue and lower than budget costs. For example, the town budgeted \$300,000 in automobile excise taxes for the 2016/17 year. It brought in more than \$375,000, which closes into the general undesignated fund. The road and paving budgets for roughly \$268,000 actually cost only about \$250,000, with the remainder closing into the road fund.

The fund balances provide a source of revenue to help offset future budgets. The town's budget committee will consider how much existing fund use is appropriate to offset the 2018/19 budget in the coming months.

## Tax Liens Filed In July

(Lamoine) - Town tax collector Jennifer Kovacs signed 68 tax liens in late July which were subsequently filed at the Hancock County Registry of Deeds. The total of the unpaid 2016/17 property taxes was \$65,596, ranging from a low of about \$102 to a high of \$4,816.

By the end of September the unpaid tax amount had dropped to \$49,058, representing collection of \$16,538 in the first quarter of 2017/18.

All those with unpaid taxes received a 30-day notice that a lien would be filed. The liens mature 18-months from the date of filing, meaning the town takes ownership if the liens remain unpaid and property notification is made.

## Retired Flags Collected

(Lamoine) - Lamoine's local girl scout troops have taken on a wide ranging project having to do with proper display of the American flag. Users of the Lamoine Transfer Station will notice a used flag collection box at the facility. A similar box is under construction for the town hall.

Tattered flags may be disposed of at either location and the scouts will collect and properly dispose of them. The town will be going through the flags that are displayed on utility poles through the summer and gathering up those that require disposal. The Board of Selectmen honored the scouts for their efforts at placing flags at Veterans' graves on Memorial Day.

## Marlboro Beach Purchase Effort Continues

(Lamoine) - The Frenchman Bay Conservancy is nearing its goal to raise funds to purchase Marlboro Beach. Executive Director Aaron Dority says they are within \$18,000 of the goal, and through October, any donations will be matched dollar for dollar. Donations can be made on the Frenchman Bay Conservancy website by clicking the "Donate" button and indicating Marlboro Beach.

The annual town meeting in Lamoine authorized the town to use

\$10,000 from the land conservation fund to put with the funds from the Frenchman Bay Conservancy to purchase the remainder of the beach from the heirs of Eleanor Norris. Dority says the plan is to have the Norris family directly deed the land to the town which owns a small piece of the beach already.



## Lamoine Community Arts Fall Production

*By Diane Sanderson*  
 (Lamoine) - Lamoine Community Arts (LCA) has completed further upgrades to the Lamoine-Bayside Grange building. Last year the building's electrical system and lighting were updated with new stage lighting installed in time for last fall's production. This summer the exterior walls and attic were insulated and ventilated! We are now cooler in the summer, will be warmer in the winter and can now be open for year round use.

LCA's fall performance this year is "The Dining Room" by A. R. Gurney. The play is set in the dining room of a well-to-do household and presents interrelated scenes creating a portrait of the vanishing upper middle class WASP society. Numerous vignettes have actors changing roles and personalities as the

various scenes blend together into a theatrical experience that reveals compassion, abundant humanity and humor. We're excited to be welcoming four new performers to the ensemble of 15 actors for this production.

The five scheduled performances will be at the Lamoine-Bayside Grange on Rte 184, Lamoine Corner on Friday and Saturday, Oct. 27 and 28 at 7pm and the following week-end Nov 3 and 4 at 7pm, with a 3pm Sunday matinee on Nov. 5th. Admission is \$10. For reservations and information, call 667-7969.

Lamoine Community Arts is a non-profit organization whose mission is to promote the arts in Lamoine and surrounding towns. We welcome new members and friends.

## Cemeteries Could Use Funding, People

(Lamoine) - Funding maintenance at a privately owned cemetery is a challenge. The plots need to be mowed, old grave stones repaired from time to time, and someone needs to take care of other general upkeep matters. Back in the good old days before interest rates fell sharply, perpetual maintenance funds earned enough to take care of all that. Now, with just a half a percent of interest, the revenue stream is virtually gone.

East Lamoine Cemetery (behind the Lamoine Historical Society building) needs donations to fund removal of a large tree. It's estimated that will cost a few thousand dollars. Donations can be sent to Treasurer Joseph Young Jr.

Forest Hill Cemetery (next to the Lamoine Baptist Church) has a new treasurer. Cindy Sargent of Mariaville has agreed to take over the job from Alice Upton. Ms. Sargent has ties to Lamoine through the McDevitt family.

The town funds care of veteran graves at both cemeteries and at the Marlboro Cemetery. Agreements with East Lamoine and Forest Hill provide for \$30/plot for each veteran buried in those cemeteries. The Marlboro Cemetery Association has yet to re-form after disbanding many years ago. Selectman Gary McFarland offered to head the effort to form a new Marlboro Cemetery Association in the past.



*Congratulations to Olivia Davis, the 2017 Lamoine Community Arts scholarship recipient. She attended the Grand's Summer Intensive where she learned different aspects of theatre, all leading up to a performance of \*Legally Blonde, Jr.\**

## Garden OK'd Behind Fire Station

(Lamoine) - Lamoine's Fire Chief and Board of Selectmen have given a green thumbs up to a plan to establish a school garden behind the Lamoine Fire Station. Teacher Chris James and Conservation Commission member Diane Nicholls came up with the idea of establishing the garden next spring. Students will plant, fertilize and water vegetables once the time is right for planting. The land is overgrown with grass. Underneath the plot is the fire station's septic tank, which should make for some pretty fertile soil. There's no immediate word on what they'll do with the veggies that grow.

## Parks Appointment

(Lamoine) - Bob Ehlers of Partridge Cove Road is the latest appointee who has agreed to serve on the Lamoine Parks Commission. Mr. Ehlers says he's a big fan of Marlboro Beach, visiting almost every day. He fills a void created when Paula Gardner declined to be reappointed to the commission.

## GET WET Seeks Funding

GET WET! (Groundwater Education Through Water Evaluation & Testing) is a hands-on science project involving Lamoine Consolidated School fifth and sixth grade students. It was initiated by the Lamoine Conservation Commission (LCC) in 2005 through the guidance of staff at what was then named the Senator George J. Mitchell Center for Environmental and Water Research at the University of Maine. Students tested their home water samples at school with guidance from the Mitchell Center staff for chloride, nitrates, iron (metals), pH, hardness, and conductivity. Unfortunately, the current Senator George J. Mitchell Center for Sustainability Solutions no longer supports the GET WET! program. LCC remains committed to continuing the project, and for the January, 2017 testing, LCC members worked with students and sent the results to a former Mitchell Center staff member who has launched GET WET! Programs elsewhere in the country; she is assisting with data assembling and analysis. Since the initial testing in 2006, we have 12 years of valuable data about Lamoine's water.

In order to implement GET WET! in the current school year and sustain the project into the future, we will need to purchase meters and other supplies. We are in the process of pursuing grant funding, but need immediate financial support in order to conduct testing in the current school year. We are asking Lamoine citizens for donations so we can continue to involve Lamoine's fifth and sixth grade students in this valuable program for the Town of Lamoine. For the current year, we need \$500, but we hope to obtain grants in the amount of \$1,000 to purchase supplies needed for the coming decade. Many small donations would easily allow us to reach our \$500 goal for the current year. If you are financially able, we would appreciate donations in any amount; checks can be made out to Lamoine Conservation Commission ("GET WET!" in the memo line), or cash donations can be dropped off at Town Hall in envelopes marked "GET WET! Donation." Thank you in advance for helping preserve this important educational and resource stewardship program.

## Conservation Commission Vacancy Filled

(Lamoine) - Two vacancies on Lamoine's Conservation Commission have been filled following the retirements of former chair Larry Libby and former secretary Anne Labossiere.

Kerry Diskin of Mosely Point Lane will fill one of the seats, while alternate member Jeff Cosulich assumes a full membership. Filling the alternate position is Diane Nicholls of Falcon Lane who has been an associate member of the commission for several years. The Board of Selectmen presented Libby & Labossiere certificates for their service.

The Lamoine Quarterly

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## October 2017—Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2—5:30 PM Parks Commission 6:30 PM Planning Board	3-8:30 PM CEO Search Committee	4—8PM Board of Assessors	5—7:00 PM Board of Selectmen	6	7-Town Office open 8am to Noon
8	9-6:45 PM CEO Search Committee Town Office Closed (Holiday)	10—7:00 PM Board of Selectmen	11-7PM Conservation Commission	12-6:30 PM Comprehensive Planning	13-3PM East Lamoine Cemetery Association	14
15	16-Town Office closed @ lunch	17	18-5PM Lamoine 150 7PM Regional Shellfishing	19—7:00 PM Board of Selectmen	20	21
22	23-6:30 PM Budget Committee	24	25	26-6:30 PM Comprehensive Planning	27-Town Office closed at lunch	28-Town Office open 8am to Noon
29	30	31	The Budget Committee will determine its fall/winter schedule at the organizational meeting on October 23rd. Consult the town's website ( <a href="http://www.lamoine-me.gov">www.lamoine-me.gov</a> ) for future meeting times.			

## November 2017—Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1-Board of Assessors, time TBA	2-7PM Board of Selectmen	3	4-Town Office open 8am to Noon
5	6	7-State referendum election 8am-8pm	8—7PM Conservation Commission	9-6:30 PM—MacQuinn Pit hearing @ School 6:30 PM Comprehensive Planning	10	11-Veterans' Day
12	13-7:00 PM Planning Board	14-7:00 PM Planning Board	15-5PM Lamoine 150 7PM Regional Shellfishing	16-7PM Board of Selectmen	17	18—10AM—2PM Comp Planning Public Forum
19	20	21	22	23-Town Office Closed (Thanksgiving)	24-Nomination Papers Available	25-Town Office open 8am to Noon
26	27	28	29	30-7PM Board of Selectmen		

## December 2017—Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2-Town Office open 8am to Noon
3	4—7PM Planning Board	5	6—Board of Assessors Time TBA	7-6:30 PM Comprehensive Planning	8	9
10	11	12	13-7PM Conservation Commission	14-7PM Board of Selectmen	15	16
17	18	19	20-7PM Regional Shellfishing	21	22	23
24	25-Town Office Closed	26	27	28	29	30-Town Office open 8am to Noon
31						

The Lamoine Quarterly  
**October 2017**

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*And Much Much More!*



Town of Lamoine  
 606 Douglas Highway  
 Lamoine, ME 04605

# ◆The Lamoine Quarterly◆

Volume 22 Issue 2

Published Quarterly by the Lamoine Town Office

October 2016

## Trash Disposal Town Meeting—Round 2 *Special Meeting is October 13, 2016—6:30 PM*

(Lamoine) - Voters will decide if the town will continue to send its solid waste to the Penobscot Energy Recovery Company (PERC) incinerator in Orrington after the current contract with PERC expires in March 2018. Time is running out to make a decision on where to send the trash. In May, voters handily rejected a question to stick with fellow Municipal Review Committee (MRC) members and send the waste to an as-yet unbuilt plant in Hampden that would convert the waste into bio-fuel. The PERC incinerator generates electricity by burning trash.

Resident Ken Smith, whose career was spent in the design of trash to energy plants, spent many days studying the proposals from both MRC and PERC and has been advising the Board of Selectmen and voters on the options. At the May town meeting, Mr. Smith expressed great reluctance about the viability of the MRC project that would engage the Fiberright company that will build the bio gas conversion plant. At that meeting, MRC officials acknowledge that they would not be able to meet the goal of 150,000 tons of trash to build the proposed plant. A few

weeks later the MRC/Fiberright proposal said it could operate profitably on significantly less tonnage.

PERC acknowledges that it will see a significant tonnage drop as dozens of towns and cities will ship their trash to the Fiberright plant, but says several large commercial trash companies have pledge to bring trash to the Orrington facility, keeping it viable. The cost per ton is proposed to be higher at PERC than Fiberright because subsidized electricity sales from the PERC plant will end in 2018.

The special town meeting will start at 6:30 PM on Thursday, October 13, 2016 at the Lamoine Consolidated School Gym. All registered voters in town are encouraged to attend the special town meeting. Despite some sentiment to give voters an "either/or" vote, Selectmen opted to present just the PERC option for this meeting, as voters soundly rejected the MRC/Fiberright option in May.

If the PERC question is approved, Selectmen will be authorized to enter into a long term contract with PERC in the coming months.

## Sesquicentennial? We'll Call It LAMOINE 150!

*By Carol Duffy*

In February 2020, Lamoine will turn 150 years old, so it's time to begin to think about a celebration. The recently established Lamoine 150 Committee co-chaired by Jo Cooper and Cynthia Donaldson seeks your ideas and help to plan a year long celebration. At the committee's first meeting, the group brainstormed a lengthy list of ideas of ways to celebrate the positives of Lamoine, hoping to include as many groups as possible. Ideas included a parade, an old-timers baseball game, photographing a day in Lamoine, a model boat building contest, a Lamoine musical, and a Lamoine business day, a fishing derby, and lots more (some more "doable" than others). Gordon Donaldson, Miranda Engstrom & Carol Duffy also serve on the committee. Use your imagination; we'd love to have you a part of the "party". Send ideas to [town@lamoine-me.gov](mailto:town@lamoine-me.gov) and they'll be forwarded to the committee.

## Fire Engine Pump Repaired

(Lamoine) - Fire Chief George "Skip" Smith says with luck, the town will get at least 10-more years of service from Pumper 401, a 1994 International/MetalFab fire truck that for the first 10-years of its life was the newest truck in the LVFD fleet. It has seen a lot of calls and until this summer had performed flawlessly. It's still not clear what caused the pump in the fire engine to suffer catastrophic failure—basically, it burned. The fire department had not budgeted for a complete pump rebuild for this fiscal year. The town's property and casualty insurer, Maine Municipal Association, covered some of the cost, but the roughly \$16,200 bill put the fire department in a tenuous situation make it through until next July on the budget approved at the town meeting in March 2016.

At the special town meeting on October 13, 2016, voters will be asked to appropriate \$6,200 from the undesignated fund balance (surplus) to cover the unanticipated costs to repair the pump. That repair job had Engine 401 spend much of its summer in Island Falls at the repair shop. After it got back to town, the other front-line pumper (Engine 403) made a trip to the same shop (where both trucks were built) for some significant (but less expensive) electrical service work. The rebuilt pump on Engine 401 was pressed into service on the mobile home fire (see right) and performed perfectly. Engine 403 was not back for that fire, but returned to town the day after.

## Fire Swiftly Destroys Mobile Home

(Lamoine) - Residents awoke at about 6AM on September 15th with a start as numerous fire trucks with sirens blaring responded to Lamoine to help put out a burning mobile home. When Assistant Chief Joe Reynolds got on scene within 2-minuts of the call, he reported the structure was full engulfed in flames. The first two fire trucks from Lamoine were on scene minutes later and confirmed the observation.

The automatic mutual aid agreement between Lamoine, Hancock, Trenton and Ellsworth kicked in—all four towns were paged to the scene at the same time. An impressive array of pumpers, tankers and firefighters rushed to the scene. Hancock's fire chief set a pumper truck at the Lamoine Grange Hall hydrant to supply water to the tankers from all four

towns. A team of Lamoine and Trenton firefighters hosed down the building from the outside and had the flames knocked down in about 15-minutes. It took about two more hours for the Lamoine crew to get out all the hidden pockets of fire inside the building.

The trailer belongs to Robert Brown of Waltham Massachusetts. His son said a family member had used the trailer the previous weekend, and may have left the heat up, meaning the furnace was running. A cause, though, could not be determined because of the amount of damage to the mobile home. No one was in the building when the fire broke out.

The Brown family had insurance on the mobile home. No firefighters were injured in the effort.



*Fire quickly engulfed a mobile home on Lamoine Beach Road just before 6AM on September 15th. Firefighters from four communities kept it from spreading to the woods. (Photo by Lamoine VFD Lt. Doug Jones)*



## Planning Board Approves Jordan River Rd. Business Plans

(Lamoine) - A proposed vehicle detailing shop and storage buildings won site plan and commercial building permit approval from Lamoine's Planning Board. Construction has begun on the business complex submitted by Michael and Stephanie Bradford.

No one raised objections during the public hearing on the proposal approved in July. Mr. Bradford currently runs a detailing operation in Ellsworth and will

move that operation to Lamoine once the facility is completed.

To accommodate the new business, the town assigned a street name, approving the Bradford's suggestion of Detail Drive. As of late September, a foundation has been poured for the detailing business, a septic system installed, and site work for the other two buildings was well under way. It's not known when construction will be complete.

## Unfulfilled Agreement to Small Claims Court

(Lamoine) - A consent agreement approved by the Board of Selectmen and a building contractor regarding a road setback violation has yet to be satisfied, and the case will go to small claims court in December. The matter involved a modular home on Douglas Highway. The agreement called for installation of a barrier between the house and road, planting of vegetation, and payment of a fine and attorney fees. Only the payments remain outstanding, and the attorney representing the town indicated that payment would not be forthcoming, even though a signed agreement is in hand. The contractor has since sold the home.

## Assessment Appealed

(Lamoine) - The Hancock County Commissioners will hear an appeal of a denial by the Board of Assessors to abate a portion of the property taxes from a Pheasant Lane property owner. Gregory Rhyme claims that the town has incorrectly valued his waterfront home's land. The case was continued to October 4, 2016.

The Board of Assessors assert that the land in question is valued in the same manner as other properties, and supplied property tax cards to the County Commissioners to back that up. The Board of Assessors has retained attorney Ed Bearor for advice on the case. Though the appeal was filed last May, the town did not receive notice until late summer.

## Planning Board Hears Pit Renewals

(Lamoine) - The 7-member Planning Board has put in some long hours reviewing a 4-inch binder of gravel permit renewal applications submitted by owners of the expiring permits. Two long meetings in September found four of the applications complete. Pits up for public hearing & renewal on October 3 include three owned by Harold MacQuinn, Inc and one operated by RF Jordan.

## Permits Issued

Nbr	Name	Project
33	McKeage, John	Toilet Enclosure
34	LaChance, Bob	Garage
35	Sanborn, Reginald	Residence, Garage
36	True, Kathryn	Residence, Deck
37	Reynolds, Jos.	Shed
38	Lamoine St. Park	Shelter
39	Bradford, Michael	Commercial
40	Wilder, Michael	Garage
41	Raymond, Keith	Residence, Deck
42	Richardson, N.	Garage
43	Kudlich, Paul	Replace Home
44	Wallace, Richard	Shed
45	Eaton, Bruce	Garage
46	Towne, Terry	Shore stabilize
47	Foisy, Frank	Garage
48	Hoogerhyde, K.	Garage
49	Crabtree, Steve	Shoreland Timber
50	Khoury, Elie	Garage
51	McKeage, John	Tent Platform
52	Clark, Donald	Garage

## Legal Matters Processing Slowly

(Lamoine) - A lawsuit filed by three gravel pit owners against the town claiming uncompensated taking when a gravel ordinance passed in 2013 remains in the court system. The parties attended one of the fastest mandated mediation sessions on record in early July, with both the town and representatives from Doug Gott & Sons, Harold MacQuinn, Inc. and John W. Goodwin Jr. agreeing with town attorney Daniel Pileggi that no settlement was possible. The session with mediator Ted Pierson took less than five minutes. Just when the case will end up in Superior Court remains unknown.

The case came about when voters approved a revised gravel ordinance that increased the excavation setback from abutting property lines from 50-feet to 100-feet. After several months of meetings and work to revise the ordinance, voters rejected the proposed amendments in November 2015.

Another gravel related suit also remains active, though no recent action has taken place. Harold MacQuinn, Inc. has challenged rejection of a gravel mining expansion of the so-called "Miro Pit". Lamoine's Planning Board turned down the expanded excavation plan many months ago. MacQuinn has challenged the rejection by claiming that a board member at the time was pre-disposed against gravel mining, and that the chair of the Planning Board should have recused himself from the decision making process because he is an officer of the Cold Spring Water Company which owns an abutting property. No date has been set for either mediation or trial in that matter.

## Planning Board Claims Lot Split Improper, Amends Subdivision

(Lamoine) - The Board of Selectmen and Code Enforcement Officer will discuss how to properly proceed with a complaint from the Planning Board that a lot split in an approved subdivision 5-years ago violated town and state land use laws. The Misty Way II subdivision was originally approved an 11-lot development. One of the lots at the end of the subdivision road was divided in 2011, the Code Enforcement Officer at the time issued the new owner a building permit, and a home was constructed on the new lot. Neither the CEO nor the Board of Assessors questioned the split. The remaining acreage sold to an abutting property owner last Spring.

Planning Board chair John Holt contends that the 2011 split created a 12-lot subdivision which has open space requirements that do not exist for a smaller number of lots. The original subdivision developer no longer owns any of the lots within the subdivision.

The Planning Board approved an amendment to the subdivision during the summer, which combined the existing lot and the remaining lot sold to the abutter, dropping the number of lots back to eleven.

## Presidential Election means a Very Busy Town Office

(Lamoine) - Absentee ballots will become available at the Lamoine Town Office during the first week of October for the November 8, 2016 Presidential Election. For several weeks, though, Town Clerk Jennifer Kovacs has been extremely busy preparing the mounds of paper work required by the Secretary of State's office for the election. Additionally, requests for absentee ballots have been pouring into the office from people who choose not to come to the town hall on Election Day to cast their ballots. The town accepts requests via an Internet link, over the telephone, or in person and will mail ballots once they're available to those who've made proper application.

Once the absentee ballots are in house, voters may cast an absentee ballot in person up until the close of business on November 3, 2016. Voting in that manner requires a lot less paperwork on the part of the town office, as the voting takes place in the presence of the town clerk.

Absentee ballots will be cast through the tabulation machine on Monday, November 7, 2016 in order not to tie up the machine on Election Day. The total absentee votes will be added to the total on Election Night for the town's overall vote totals. The public is welcome to watch the ballot clerks open envelopes and feed ballots into the tabulator on Monday.

One of the big issues for running an election is accommodating a high turnout on Election Day. A few years ago temporary booths were set up on a table, and while construction was a bit flimsy and they fell apart at times, the concept has been carried forward, and new, sturdier table top booths will add three more voting spots.

Besides the Presidential and Congressional election, there are state legislative races, a county commissioner election, several other county offices, and a wide variety of statewide referendum questions that will be decided on November 8th. As you might recall, the town was provided with a tabulation machine a few years ago which will greatly enhance the vote counting process. As an example, when Mainers elected the governor in 2010, nearly a thousand ballots were cast. Lamoine still counted ballots by hand, and numerous races and referenda were on those ballots. The three teams of ballot clerks were in the town hall until well after 4AM counting the ballots by hand. It is anticipated that the turnout for the 2016 election will exceed that number, yet with the machine only one team of ballot clerks will be needed, and the tabulation should be completed no later than 10:00 PM.

## Residents Complain About Speeding

(Lamoine) - Rarely a week goes by that the town office doesn't receive some sort of complaint about driving habits. The number of speeding complaints received during the summer and fall months seemed to be more intense than usual. Among the "problem" roads--Birchlawn Drive, Buttermilk Road, Walker Road and Shore Road.

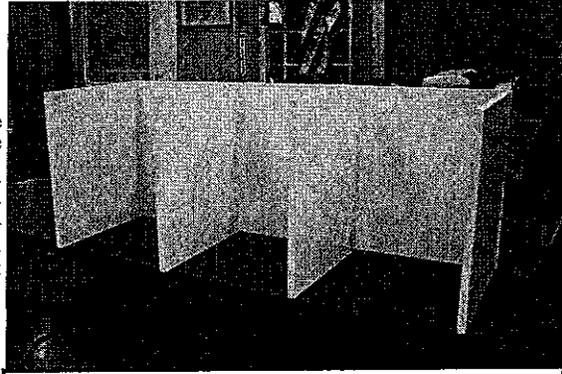
Complainants are advised that the town does not employ a local police force--it relies on the Hancock County Sheriff's Department and the Maine State

Police for traffic law enforcement. The town is responsible for posting speed limit signs, though the limits on each local road are set by the Maine DOT and State Police. The default speed limit on an unposted road is 45 MPH.

Lt. Christopher Thornton of the Hancock County Sheriff's Department says they set up the sign shown below on Birchlawn Drive and later on Buttermilk Road, and neighbors reported traffic seemed to slow down. The town also installed a 25MPH sign on Birchlawn Dr.



*Driving Safely (the rest of the message)  
A speed monitoring sign was placed on Buttermilk Road and Birchlawn Drive by the Hancock County Sheriff's Department during September.*



*Temporary Voting Booths  
In anticipation of an extremely heavy voter turnout for the November 8, 2016 election, facilities maintenance director Rick Gallegos has constructed three additional booths that will sit on a table top. The town can now accommodate 11 voters at a time.*

## Budget Season Starts Soon

(Lamoine) - The town's budget committee will hold its organizational meeting on October 17, 2016 at 6:30 PM. Town officials, in the meantime, will start to craft the 2017/18 spending and revenue plan to operate the municipal (non-school, county) budget in the coming weeks.

It is anticipated that the town ended the fiscal year in June 2016 with a very healthy fund balance (surplus), which may be used to help keep property taxes lower. The biggest influence on the property tax, though, is the school budget, and that's not anticipated until May of 2017.

Selectmen have indicated they want to include money in the budget to build up a fund to re-configure and re-engineer the transfer station, and to install a new electronic sign at the town office.

## Selectmen Appoint Board Members

(Lamoine) - The Board of Selectmen appointed numerous folks who came forward to volunteer to serve on boards and committees during the summer. Named as a full voting member of the Recreation Committee was Patricia Haslam who previously served in an alternate member role. Butch Swanberg will replace Haslam as an alternate member.

The Conservation Commission welcomes Michael Jordan as an alternate member after the Selectmen sought volunteers to replace retiring member Nancy Pochan. Jordan, who is also the town's Plumbing Inspector, one of the elected Assessors, an Appeals Board member and alternate on the Comprehensive Planning Committee was the only one who submitted his name.

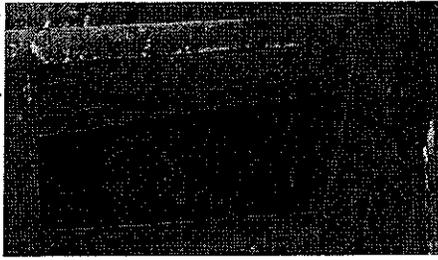
A vacancy for an alternate Parks Commission member was filled by Georgianna Pulver. As noted on page one, the Selectmen also appointed the Lamoine 150th Committee (Jo Cooper, Cynthia Donaldson, Carol Duffy, Gordon Donaldson and Miranda Engstrom. A vacancy still exists for an alternate Budget Committee member, despite several pleas for someone to serve in that capacity. If interested, please contact the town hall to be considered.

## Did You Know—The Town Hall has a Bell

(Lamoine) - A few people knew the old school bell at the Lamoine Town Hall was still up in the cupola area, but it was well hidden from the town hall staff (including your author). Facilities maintenance director Rick Gallegos discovered it in September when he ventured up over the ceiling to explore where a leak was coming from above the ceiling. We were pretty sure the leak was coming the cupola area.

It has been years since anyone has been in the area above the ceiling, and even longer since looking up toward the cupola. Gallegos discovered that a bell still sits in the area, and the potential exists to hook up a rope to ring the bell, just like the days when the building was a school. It's pretty dark in that area—the picture above shows the clapper and part of the inside of the bell, and they look to be in pretty good shape.

The plan for the cupola is to rent a



portable bucket (cherry picker) to allow Gallegos to install water proofing to prevent further leaking. While access is available, Selectboard chair Gary McFarland is re-painting the old Town Hall sign that hung on front of the building for decades, but came down a few years ago as the weather caused paint to peel off. His grandfather painted the original sign (by hand).

As for the bell, there are no plans at this point to move it out of the cupola at this time.

## Glass Dropped from Recycling Mix

(Lamoine) - Confession time. For folks who diligently separated their glass from the regular trash and put it in the recycling container at the transfer station—it ended up being used as landfill. There is no market for glass according to the folks who run Coastal Recycling, and they've stopped accepting glass from Lamoine. There was another factor—contamination. Several transfer station users ended up dumping things other than glass into that section of the collection container. Because the company that would haul away the glass required it to be free of contaminants, the loads were rejected several times. Therefore, until further notice, glass jars and the like will just have to go in with the regular trash. The facility still accepts #2 plastics, newspapers, tin cans, cardboard and office paper for recycling. If you're not sure what can be recycled check with facility manager Chris Meyer.



## Storage Garage Project Finished

(Lamoine) - A town owned storage garage affectionately known as the "Anderson Garage" on Lamoine Beach Road is looking much sharper, and is better protected after new siding was installed over the summer months. The town's insurance carrier had recommended replacing the old particle board siding that has started to deteriorate and had attracted a graffiti vandal (artist?) a few years ago. The town meeting allocated \$3,000.00 for the project, and facilities maintenance director Rick Gallegos managed to get new, T-111 siding all around the facility for just under budget.

The town purchased the garage several years ago when it obtained the property from former Selectman Nathan Anderson due to well contamination from the former landfill. The home that was also located on the property was moved to Buttermilk Road

## CTV Franchise Renewal Under Way

(Lamoine) - The town has agreed to utilize attorney Daniel Pileggi to work toward renewal of a Cable TV Franchise agreement. Lamoine's deal with what is now Spectrum (formerly Adelphia, then Time Warner) expires in 2018. The town has contacted both Trenton and Hancock to see if an economy of savings could be achieved by having the attorney work on franchise agreements for all three communities.

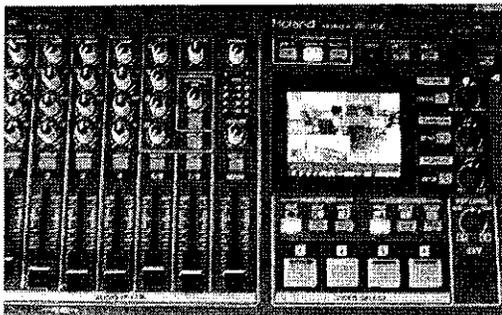
Selectmen agreed to a retainer deal for Pileggi's office to work on the renewal. It is hoped that some of the language in the current agreement regarding housing density and cable wiring can be changed to accommodate more homes to be able to receive CTV and high speed internet services.

## Tax Rate Unchanged

(Lamoine) - Tax payers for the most part did not grumble about their tax bills when they got them in July. The rate for the 2016/17 year remained the same as the previous fiscal year—\$10.10 mills. For those who claim their homestead exemption, the news was even better. The state increased the exemption amount to \$15,000 from \$10,000, reducing bills an additional \$50.50 from the previous year.

The Board of Assessors made the tax commitment in July, bills went out shortly thereafter and receipts started flooding tax collector Jennifer Kovacs' office in August.

The local valuation rose about \$65,000 from the previous year, and the overall amount committed to collect rose less than \$700, allowing the rate to remain unchanged. The state valuation rate, though, is up roughly \$5-million, or 2.17%.



## CTV System Switcher Replaced

(Lamoine) - A strange thing happened one night as folks settled in to watch a Selectmen's meeting on the local cable TV channel. There was sound and picture, but the picture showed empty seats. Turns out there was some sort of failure by the video switcher, and the camera "froze" at one point in time when the chairs were empty. No amount of re-booting would unfreeze the picture. The Technology Committee authorized purchase of a new switcher, which cost about \$2,000. The new unit is a little fancier than the one installed in 2005, and the video output to the CTV Channel and the on-line streaming channel seems to be of better quality.

## Meth Making Remnants Discovered

(Lamoine) - The Maine Drug Enforcement Agency responded to Lamoine during the summer after a hiker discovered some suspicious items along a woods road. It appears someone was trying to manufacture methamphetamine, something that has become all too common around the state. As of late September MDEA has responded to more than 100 meth making operations during 2016, a record number of incidents in Maine. The materials discovered included a 2-liter soft drink

container that had a cloudy residue and empty packages of pseudoephedrine.

Public safety officials advise that if folks run across such items to contact 9-1-1 immediately and to leave it alone. The remnants of a "meth lab" are extremely volatile and can cause explosions or severe burns if handled improperly. The Lamoine Volunteer Fire Department attended a brief course presented by the Fire Marshals' Office on handling meth labs during the summer.

## Fire Department Auction a Success

(Lamoine) - A combination of generous donors and generous bidders spelled success for the annual Lamoine Volunteer Fire Department Auction. Held on August 6th this year, more than 60-folks bid on a wide variety of items and raised more than \$8,600 for the fire department.

Volunteer auctioneer Mike Hodgkins led the bidding. The top selling items included a membership to the

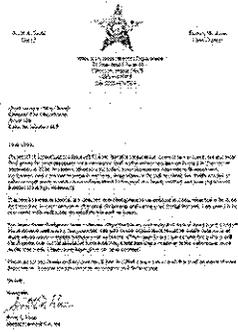
Downeast Family YMCA and 8-hours of tree work from Charles Weber's tree company. Some of the unique items auctioned off included a collection of very old postcards, emergency lighting, and even a mosquito magnet.

Nearly every item sold, and those items that did not were donated to the Lamoine Historical society which held a yard sale later in the month.

## Mutual Aid Response Draw Thanks

(Trenton) - Lamoine's fire department responded to a head on collision on Route 3 in Trenton that left two people dead. The Trenton VFD requested assistance to extricate the victims from their wrecked vehicle. It was a very warm and humid morning, and Hancock County Sheriff Scott Kane sent a very kind thank-you note to the fire departments, acknowledging that the scene was "as horrific as it gets". Sheriff Kane praised the professionalism of both departments, noting that many times the deputies call on the fire department to deal with "non-fire" situations and that "we've never received no for an answer".

Seven firefighters responded from Lamoine to assist the Trenton crew. Trenton Fire Chief Steve Corson arranged for a critical incident debriefing two days later.



## July, August Quiet; September Brings Rash of Fire Department Calls

(Lamoine) - Lamoine's volunteer firefighters only had four calls to deal with during July and August, and two of those were on the same day—the annual auction day. Neither required the department to leave the station, as manpower was requested to stand by while both Bar Harbor and Sullivan attended to building fires. A July 4th call saw members stand by again as the Ellsworth and Trenton Fire Departments responded to a water rescue call in Union River Bay. A motor vehicle accident on Douglas Highway accounted for the other July call.

Then came September. The LVFD responded twice to Pasture Way when a monitored residential fire alarm activated during a construction project. Responders found no fire on either call. A similar situation on Clamshell Alley also resulted in no fire.

The department stood by several times for the Ellsworth fire department as they responded to a building fire in Waltham and a fatal motor vehicle accident on North Street. And two trucks responded to Hancock to set up a water supply during a reported barn fire on the Washington Junction Road. Just as the Lamoine trucks were arriving at the water hole, the Hancock VFD reported that things were under control and no further

response was requested.

The most serious in-town call was the mobile home fire on September 15th (see page 1). The town's automatic mutual with Trenton, Ellsworth and Hancock was utilized as manpower, equipment and water from all three communities was utilized.

LVFD members responded to Capt. John Smith's home when a large poplar tree fell down across Lamoine Beach Road. Smith manned the chainsaw and the firefighters wrapped a winch line from Truck 405 around a large limb to safely pull the tree to the ground where it could be easily cut up.

Late in the month firefighters responded to a Raccoon Cove Road home after a tenant locked herself out of the house, and her toddler age son was on the other side of the locked door, but unable to comprehend how to open it. Capt. Michael Jordan and Lt. Chris Bean were able to use highly sophisticated rescue tools (better known as a stiff credit card) to slip into the door latch and move it just enough to open without damage.

The Lamoine VFD now receives text message in addition to the paged fire calls thanks to technology added by the dispatchers at the Hancock County Regional Communications Center.

## Fire Department Dinner—October 22

(Lamoine) - Lamoine's firefighters will turn into waiters and waitresses for an evening on Saturday, October 22, 2016 from 5:00 PM until 7:00 PM at the Lamoine School Gym as the annual clam chowder dinner is held. Members will sell tickets in advance of the dinner the previous Sunday (the 16th), but tickets will also be available at the town office or at the door the night of the event.

On the menu: Clam Chowder skillfully prepared by David and Julie Herrick, casseroles, baked beans, rolls, desert and beverage. The cost this year is \$8.00 for adults and \$4.00 for children 12 and under.

## CTV Person Needed

(Lamoine) - If you like technology, television gadgets, and community affairs, the town may have just the part time job for you. The Cable TV system has lots of cool equipment for live and taped production, but alas it lacks people to use it. It's a paying job, but pretty part time. Tasks include scheduling the live and playback shows on the local cable channel, as well as the on-demand web portal. It would also include production of local features and on-site recording of special events such as town meetings.

If you are interested, please contact Stu Marckoon at the Lamoine Town Office—(207) 667-2242.

## Town Plugs Away at Road Projects

(Lamoine) - Selectmen set aside thousands of dollars in budgeted road project funds from Fiscal Year 2015/16 in hopes that many of those projects will be completed during the summer, but after the close of the year on June 30th. The two locally based contractors received lists of projects to complete early in the summer and finished a good chunk of them.

The biggest job was on Asa's Lane where shoulders got the proper shape and ditches were reconfigured to promote optimal runoff. A short section of Shore Road received similar treatment, as did Mariboro Beach Road. The Lamoine Beach Road end of Mill Road saw a driveway culvert replaced and the pavement at the intersection is supposed to be filled in when it is appropriate.

Still on the list are improvements to heaved culverts on Seal Point Road, along with repair to a section of pavement that has started to break apart. The Road Commissioner will conduct a survey of the town maintained roads in early October to determine the next round of road repair projects which will include some tree trimming, mostly likely on Buttermilk Road.

And, a bit of reality has hit home about what season follows. The first loads of salt and sand were delivered to the town's salt/sand storage shed. Plowing contractor Richard McMullen started mixing salt and sand in early September. While last winter was fairly mild, McMullen says he wants to be prepared for what's to come.

## Lamoine's Publicly Accessible Trails Mapped Selectmen Discuss Goals



Lamoine Conservation & Parks Commission member Jeff Cosulich works with Maine Trail Finder employee Nicole Grohoski mapping out part of the Coleman Mixed Woods trail off Seal Point Road

(Lamoine) - Some of the nicest walking trails in Hancock County exist in Lamoine—hidden gems some call them. Maine Trail Finders operates a web site that maps out hiking trails where the public is welcome. Nicole Grohoski of the organization accompanied Conservation and Parks Commissioner Jeff Cosulich and Administrative Assistant Stu Marckoon on a tour of three such trails in August.

Grohoski is no stranger to Lamoine. Her mom, Jackie, was the school nurse here for many years. Using a hand held GPS device and a high quality camera, the trio set out on all the trails either mapped on hand drawn papers or just marked with blazes on trees.

The newly mapped trails include the Simon Trail (off Partridge Cove Road), the Coleman Mixed Woods Trail (off Seal Point Road) and the trail around Bloomfield Park. The maps and some pictures from the trails can be viewed at [Maine Trail Finder dot-com](http://MaineTrailFinder.com).

With the exception of a couple of young families swimming at Bloomfield Park, the trio never ran into any others walking the three publicly accessible trails during the mapping process. The town has links to all three trail mapping endeavors on its website in hopes that more people might utilize the outdoor hiking opportunities

(Lamoine) - After dealing with the minutiae of operating a town, the Board of Selectmen set some goals for the next few months. Among them are:

- Finding ways to simplify town processes for citizens and employees.
- Exploration of a Community Center concept.
- Becoming an "Age Friendly" community for both younger and older demographic groups
- Keeping the town a desirable place to live.
- Installing a programmable electronic sign at the Town Hall
- Working with the Planning Board, Appeals Board and Code Enforcement Officer to better define roles and expectations.
- The town's role in addressing substance abuse problems
- The future of recycling and solid waste disposal.
- Meet with department heads and board chairs periodically.
- Developing a plan for municipally owned property around the former landfill.

Some of the goals will be easier than others. For instance, the Selectmen plan to hold a board chair meeting on October 20th to talk about needs the various committees might have, and defining how each fits into the municipal government scheme of things. The final goal was to monitor and report out on the activity around the entire goals list.

## Shore Access Explored

(Lamoine) - Lamoine's Conservation Commission is exploring a proposal from Selectman Kathleen Rybarz to access grant money to potentially purchase shore access. The town has a few public access points at Lamoine Beach, Lamoine State Park and Marlboro Beach. Any new access to the shore could potentially be utilized by commercial marine interests (worm & clam diggers), and recreationally by the general public. No specific proposal has yet come forward.

While many constituencies have backed the concept, others have offered some cautionary advice. One commercial clam digger told the Board of Selectmen that additional access could harm the resource. And the board received a message from a lot owner advising they've cut off access for several reasons.

## Flood Maps Approved

(Lamoine) - The State of Maine has given final approval to Lamoine's Floodplain Ordinance passed in May. New flood maps are now in effect, but you'll likely need internet access to see them. The Federal Emergency Management Agency sent printed maps that took effect in July, but they don't show the flood zones on them. The internet version does. You can access the on-line maps through Lamoine's website.

## Conservation Cmsn. Talks Rocks, Trees

By Larissa Thomas

(Lamoine) - Lamoine Conservation Commission members have been busy this summer. On August 10th we hosted Duane and Ruth Braun, local geologists, for a public talk titled, "The Geologic History of Lamoine and Mt. Desert Island". Around 30 people attended this highly informative talk. They explained concepts to the audience, using an excellent power point presentation, of the geologic history of the area going back to about 500 million years. We learned that the Lamoine bedrock is called Ellsworth Schist and that the most visible geologic changes are those caused by the series of glaciers that passed over us. They showed pictures of some of the results of the glaciers including rock erosion, glacial erratics, moraines and gravel deposits. Looking to the future Duane and Ruth spoke about the rise in sea level and how it could affect Lamoine's coast. This program is available for viewing at the Lamoine website. The Brauns had copies of their newly published book, [Guide to the Geology of Mount Desert Island and Acadia National Park](#), for sale. The book features learning about the local geology while taking self-guided trips to sites on MDI.

On September 12th some LCC members and Iris Simon led Lamoine Consolidated School fifth grade students

on a tree identification hike at the Simon Woods Trail (see below). We have been meeting with Chris James, middle school math and science teacher, since May to plan this outing. Fifth grade science teacher, Tracy Willis, accompanied her students. The students had laminated tree identification sheets including trail photographs of the bark and leaves/needles of 12 trees to identify. These 12 trees were numbered along the 0.91 mile trail. Students were enthusiastic, curious and serious about learning to identify the trees. We are planning on leading other student groups on the Simon Woods Trail in the future. The numbers will remain on the trees throughout October so that anyone using the trail can identify the 12 trees. The tree identification sheets are available on the Lamoine website.



## Host Location Sought for Little Pantry

(Lamoine) - One of Lamoine's residents found a neat idea while surfing on the Internet and has offered (anonymously) to construct a "Little Free Pantry". The idea is to offer a place where folks can drop off non-perishable food and those in need can pick it up. Selectmen discussed possibly locating it at the town hall, but felt the highly public location might discourage use, but agreed to put out a call for a host site.

If you know of a location willing to host the pantry, please contact the Lamoine Town Hall at 667-2242, and we'll let the anonymous carpenter know.



Photo from Little Free Pantry.org



## New Playground Open at School

*By Dawn McPhail, Principal*  
(Lamoine) - The beautiful new playground at LCS is a wonderful example of community spirit and collaboration. The playground improvement project has been ongoing for several years. This past spring the funding was finally attained through private donation, local funding, with the largest portion coming from our PATRONS group.

You might wonder how our PATRONS group came to have these funds. Sadly, in 2005 Lamoine student and resident, Jina Haslam, was tragically killed when she was struck by a car along Route 184. Over the course of the next 5 years, a group of residents worked tirelessly to raise money in an effort to build a new gymnasium. In 2010 our gymnasium was renovated and rededicated as "Jina's Gym" in her memory. The remaining raised funds were distributed for worthy causes including the YMCA, a scholarship fund, and PATRONS.

Our PATRONS group was given the responsibility of using the funds in a way that honored Jina's memory. We are honored and grateful that our playground was chosen as such a worthy cause. Thank you!



## School Enrollment Up to Start Year

*By Dawn McPhail, Principal*  
(Lamoine) - LCS welcomed many new faces to our Lion Pride family this year. In addition to 30 new students we also welcomed 9 new staff members. Jill Kofton joins us as our new Art teacher.

Miranda Engstrom is our new Reading Recovery/Literacy Interventionist/Gifted & Talented Teacher. Carolyn Sproul is the new Guidance Counselor/Social Worker, and Julie Herrick is the new kitchen assistant. We also have five new educational technicians: Amanda Frost, Amanda Tracy, David Rice, Deborah Parker and Laura Bennet. Welcome All!

## Community Arts Plans Fall Performances

*By Diane Sanderson*  
(Lamoine)-This year the fall production of Lamoine Community Arts will feature two plays: *Trevor* written by John Bowen and directed by Carol Korty and assisted by Carol Duffy and *Wanda's Visit* written by Christopher Durang and directed by Wynne Guglielmo and assisted by Anne Stocking.

*Trevor* is an engaging one act comedy, set in the 60's: Jane and Sarah hire an unemployed actor, Trevor, to pose as Jane's fiancé when her homophobic parents come to visit. The ruse soon goes wild when Sarah's equally homophobic parents arrive. Trevor quickly rises to the challenge of alternating between the two fiancés as hilarious turmoil ensues.

*Wanda's Visit* is a comedy about a mild-mannered New England couple who receive a letter from an old flame of the husband asking to come for a visit. Little do they know they are inviting a wildly narcissistic person into their home. The result has a huge impact on their marriage with lots of humor for the audience.

Performances of the plays will be at the Lamoine-Bayside Grange on October 28<sup>th</sup> and 29<sup>th</sup> and the following week-end, November 4<sup>th</sup> and 5<sup>th</sup> at 7pm; and a matinee on Sunday, November 6<sup>th</sup> at 3pm. Tickets are \$10. For information and reservations, please call 667-6564.



## Lamoine's Little Children Group Resumes Meeting

*By Cynthia Donaldson*

(Lamoine) - The Lamoine's Little Children group goal is to act on the town's 2013 town meeting adoption of a resolve to acknowledge the importance of its children's very early years; welcome all young children born or residing in Lamoine and wish for them the blessings of healthy development; a nurturing family and neighborhood; a community that values them; a quality education; and support for them and their families.

In the past two and a half years, with the help of the Lamoine Baptist Church and Special Children's Friends we have initiated a weekly playgroup for little children and their caretakers. With a grant from the Maine Community Foundation and tremendous volunteer support, we have almost completed a library project which helped to repaint and reorganize the Lamoine School Library while creating a warm and welcoming space for little children and their families. Our hope now focuses on community access to that library.

As we reconvene this fall, we look for new ways to support very young children and their families. Your ideas are important. Meetings are generally held the 4<sup>th</sup> Thursday of every month in the Lamoine School library. For more information contact: Cynthia Donaldson (667-2382)

## Arts Group Renovates Grange

(Lamoine) - The initial focus of the Fundraising Committee was to address approaches to quickly raise funds for the ongoing Grange Renovation Project. Three activities were planned and executed to date: a benefit performance by the Lamoine Consolidated School's Drama Club, and Orchestra in May; a Yard Sale in June, and a direct mail campaign to Lamoine property owners residing in Maine also in June. To date, these activities have raised almost \$8000.

King Electric has installed a new service entry panel with additional circuit capability. They have completed all electrical work for theater lights. A work area for control console operator has been constructed in rear of the Hall, and the control console is operational. New lighting and switches have been installed in the bathrooms, hall storage closet, and foyer. The installation of red and white lights for back stage is complete.

Our next phase will install new emergency exit lights, upgrade main room outlets, install 3 exterior outlets, and install new exterior back porch light. We still seek additional funds to continue our renovation projects.

Anyone wishing to contribute to our Grange Renovation Project may send a check to: *Lamoine Community Arts, ATTN Fred Stocking, Treasurer 30 Berry Cove Rd. Lamoine, ME 04605* All contributions are tax deductible. Please indicate Grange Renovation in the memo line.

## October 2016—Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1-Town Office Open 8-12
2	3-7PM Planning Board	4	5	6	7	8
9	10-Columbus Day, Town Office Closed	11-6:30 PM Comprehensive Plan	12-7PM Conservation Cmsn.	13-6:30 Town Meeting, Selectmen meeting follows	14	15
16	17-6:30 PM Budget Committee	18- 6:30 PM Comprehensive Plan	19-7PM Shellfish Conservation	20-7PM Board of Selectmen	21	22-5PM Fire Dept. Supper
23	24	25	26	27	28	29-Town Office Open 8-12
30	31	The Budget Committee will set its schedule at the October 17, 2016 meeting. Please consult the town's website for updated meeting information.				

## November 2016—Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3-7PM Selectmen	4	5-Town Office Open 8am to Noon
6	7-9am Absentee Ballots Processed 7PM Planning Board (check location)	8-Election Day 8am to 8pm 6:30 PM School Committee	9-7PM Conservation Commission	10	11-Town Office Closed (Veterans Day)	12
13	14	15	16-7PM Shellfish Conservation	17-7PM Selectmen	18	19
20	21	22	23	24-Town Office Closed (Thanksgiving)	25	26-Town Office Open 8am to Noon
27	28	29	30			

## December 2016—Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1-7PM Selectmen	2	3-Town Office Open 8am to Noon
4	5-7PM Planning Board	6	7	8	9	10
11	12	13-6:30 PM School Committee	14-7PM Conservation Commission	15-7PM Selectmen	16	17
18	19	20	21-7PM Shellfish Conservation	22	23	24
25	26-Town Office Closed	27	28	29	30	31-Town Office Open 8am to Noon

### The Lamoine Quarterly October 2016

- Inside this issue:
- 1 Special Town Meeting
  - 2 Business Approved
  - 3 Speeding Complaints
  - 3 Absentee Balloting
  - 4 Glass Recycling Ends
  - 4 Bell Found in Cupola
  - 5 Meth Making Found
  - 6 Trails Mapped
  - 6 Selectmen Set Goals
  - 7 Plays Scheduled
  - 7 New Faces at School

*And, much much more!*



Town of Lamoine  
606 Douglas Highway  
Lamoine, ME 04605

# •The Lamoine Quarterly•

Volume 19 Issue 2

Published Quarterly by the Lamoine Town Office

October 2013

## Should We Stay, or Should We Go? *RSU Withdrawal Vote is November 5th*

(Lamoine) - As of late September there are no campaign signs and not a lot of buzz around town about an extremely important vote coming up in November. The town will decide finally whether or not to withdraw from Regional School Unit 24.

During the summer, a five person committee studied the financial impact of withdrawal, and issued its final report to the Selectmen the last full week of September. The 5-page report outlines the methodology used to estimate numerous scenarios, including having the RSU remain intact, withdrawing, and remaining while either Ellsworth or Hancock withdraw.

The financial implication for Lamoine is complex. The report concludes that having the RSU remain intact is the least expensive option for the town, but withdrawal and having the town run its own school department while sharing administrative services with other communities may not necessarily be significantly more expensive. Remaining while either Ellsworth, Hancock or both communities withdraw will add some expense to the school budget. The committee report concludes that the decision is best made not solely based on finances, but on educational philosophy. They urge voters to explore whether educationally it makes more sense to be part of a larger school system, or to become a smaller independent school unit.

A public hearing on the referendum is required by state law. That will be held at the Lamoine Consolidated School on Thursday, October 24, 2013 at 7PM. Copies of the agreement will be available at the town office and at the public hearing and are posted on the town's website.

The school withdrawal process is extremely complex. After receiving a petition, Lamoine Selectmen put the issue

to referendum in June 2012 where it passed by 80-votes out of 366 cast. That passage triggered formation of a withdrawal committee tasked with reaching a formal withdrawal agreement with RSU 24. That agreement received approval from State Education Commissioner Stephen Bowen in June 2013 who set November 5, 2013 as the referendum date.

Under state law, the number of voters required to cast ballots must exceed 50% of those that voted in the past gubernatorial election for the vote to be valid. In Lamoine, 901 votes were cast in 2010 in the Governor's race, meaning a turnout of at least 451 is required for the 2013 vote to count.

Should fewer than the minimum number of voters turn out, the town would be barred from seeking withdrawal for two years if fewer than 60% of those that do turn out vote in favor of the plan. If more than 60% approve of the withdrawal agreement, potentially a new withdrawal effort could start right away.

As alluded to earlier, the City of Ellsworth and Town of Hancock are going through the exact same process as they seek withdrawal from RSU 24. Public hearings in those two communities are planned on October 24, 2013 as well.

Lamoine's RSU withdrawal agreement has a net, up front cost of \$60,930 that must be paid to RSU 24 if voters approve. This represents the town's share of debt for a school construction project the RSU assumed when the RSU was formed. There are contractual obligations to the RSU which will return the town's proportional amount of surplus.

If the vote passes, the town would have to elect a school board which would develop a budget for 2014/15 town meeting approval.

## Gravel Ordinance Lawsuit Prompts Amendment Talks

(Lamoine) - Selectmen and Planning Board members have a better idea about what irks several gravel pit owners about the new ordinance adopted at the March 2013 town meeting. At a special meeting in September, Selectmen listened as the attorney representing four pit owners outlined their concerns with the new rules.

Ed Bearor said the increase to a 100-foot setback and elimination of a potential 10-foot setback put a lot of gravel off limits for extraction, representing a lot of money for the pit owners. They are also concerned about the renewal process which now involves a potentially expensive application, and the requirement for monitoring wells for each 5-acres of permitted extraction area.

The Planning Board, meanwhile, has submitted two proposed amendments to the Selectmen for consideration, one which would allow for a 50-foot setback with abutter agreement and a prior site plan review permit. The other amendment deals with appeals, which was not a concern to pit owners.

Selectmen await further information and will consult with the Planning Board and town attorney Daniel Pileggi before sending any proposal to town meeting.

## Benefit Dinner Planned October 13

(Lamoine) - Thankfully few people have to endure what John and Lynn Karst and their high school junior daughter Alex Fitch are going through as the *Quarterly* goes to press. They lost everything in a house fire September 25th. A benefit spaghetti dinner is planned for Sunday, October 13, 2013 at the Lamoine Consolidated School to help the Karst family get back on their feet while they rebuild. The event will include an auction with donations sought for the auction of useful goods and services.

An account is set up at Bangor Savings Bank for those who might be able to make a cash donation. It is also suggested that gift cards might be dropped off at the Lamoine Town Office to assist with things like groceries and clothing.

It was in March 2011 that Lamoine saw fire destroy another family's home, and they too had school aged children involved. Friends organized a dinner and auction that time too, which raised over \$8,000 to benefit the family. Lynn's cousin Kim Fitch is organizing the event.



Mutual aid firefighters battle the September 25, 2013 blaze at the John & Lynn Karst home at 239 Walker Road. No people were injured, but the Karsts lost all their belongings. (Story on Page 3, photo courtesy of WNSX Radio)

## Planning Board Grapples With 9 Pit Permits

(Lamoine) - An attorney representing several gravel pit owners may have only been half kidding when he referred to the current Lamoine Gravel Ordinance as the "Steve Salsbury Full Employment Act". Salsbury is an Ellsworth surveyor who represents several of the gravel operators in Lamoine before the Planning Board for extraction permits.

Three companies that operate a total of 9-licensed pits all have applications before the Planning Board. As of late September, the Board was awaiting various pieces of information for each application in order to consider the applications complete.

Salsbury has told the Board that the pit owners are not able to drill the required number of monitoring wells prior to the local permit expiration at the end of October. The additional well requirements in the ordinance that passed last March are

one of several issues being discussed by the pit owners and the town. The ordinance requires a monitoring well for each five acres of permitted land. It also requires the permit holder to perform a water quality tests and to show where the groundwater level sits in relation to the gravel pit floor. The pit owners say installation of such wells is extremely expensive. None of the nine pending applications contained the required monitoring well information.

The Planning Board held two meetings in September and planned two meetings in October to process the many applications. It's not clear what might happen if the Board is unable to complete the permitting process because the applicants are unable to drill and test the required monitoring wells before the permits expire.

## Permit Issuance Steady

(Lamoine) - The summer months generally are the busiest for building permit activity. Between July and October, Code Enforcement Officer Michael Jordan issued 15 permits compared to 17 during the same span in 2012.

The following permits were issued:

#	Name	Project
20	McKenney, Jaye	Steps to Shore
21	Ellis, John	Residence
22	True, Kathryn	Residence
23	Booth, Sarah	Deck Roof
24	Parkinson, Bill	Residence
25	Havey, Keith	Deck
26	Trites, Robert	Steps to Shore
27	Gabel-Richards, S	Deck Roof
28	Walker, Mike	Residence
29	Young, Frank	Garage
30	Walls, Michael	Shed
31	Belch, Anthony	Residence
32	Littlejohn, Rob't	Expansion
33	Harmon, Laura	Shed
34	Finch, Deborah	Addition

## Comprehensive Planning Study Nearly Done

(Lamoine) - At the annual town meeting in March, voters approved of forming a committee to study whether Lamoine ought to update its Comprehensive Plan which was last updated in 1996. The Selectmen appointed Fred Stocking, Catherine Gaianguet, Valerie Sprague, Perry Fowler, Joseph Young, Amy Duym and Merle Bragdon to the committee which met several times between August and September.

The highlight of the summer was a meeting with MacGregor Stocco who coordinates Comprehensive Planning for the State of Maine. His office has provided the committee with a mountain of information regarding the planning process.

The Committee has obtained plans from several other communities along with data on how much it cost to put those plans together. The town meeting charged the committee with making a recommendation and budget proposal for the March, 2014 town meeting on whether to push forward with a plan update. The committee hopes to finalize its recommendation at a meeting on October 23rd.

## Land Use Ordinance Changes Under Draft

(Lamoine) - When voters decided (by one vote) last March that the current Building and Land Use Ordinance should exclude enforcement of the Maine Uniform Building and Energy Code (MUBEC), that set in motion a process to amend the ordinance to reflect that. Code Enforcement Officer Michael Jordan and Administrative Assistant Stu Marckoon have begun the somewhat daunting task of reviewing the present ordinance and removing references to various building standards within that ordinance in order to get it ready to present to a future town

meeting. Among the local requirements are a fire resistant roof and siding. But several paragraphs of the ordinance will also require re-wording in order to comply with the state requirement that town's either comply with the MUBEC standard or choose not to enforce any standard.

The first draft of the proposed ordinance changes went to the Planning Board in September for comment. It's expected several more drafts will go back and forth for consideration before voters decide, possibly at the town meeting in March 2014.

## Conservation Commission has Busy Summer

*By Larry Libby, Chair*

(Lamoine) - Hiking Trails of Lamoine, written by Commission member David Legere, is now available on the LCC section of the Lamoine web site. It shows several trails open and available for use by Lamoine residents and visitors. More trails will be added as they become available. Their beauty and diversity are an important part of the town and we hope you'll use them. We are seeking a State grant to improve the Simon Trail off Partridge Cove Road.

The LCC Archives are now available in the town hall thanks to Anne Stocking, Georgianna Pulver and Catherine deTuede who actually knew how to organize and sift through materials collected over 30 years of projects. Included are maps, DVD's, CD's, reports, photos on topics ranging from shell fish to aquifer protection to open space. These materials are available to be checked out and used by anyone. A summary of the collection is on the town web site.

Is there something about Lamoine's natural features or environment that you'd like to know more about? Is there a speaker or a topic you'd like to suggest for a public meeting? We believe that engaging Lamoine residents on conservation topics is an important part of our mission. Let us hear from you.

## Shoreline Economic Impact Study Underway

(Lamoine) - How does living on the coast affect the economy of Lamoine? That question is currently under study by a team of researchers from the University of Maine's Mitchell Center in cooperation with Lamoine's Conservation Commission.

Economic Researchers Todd Gabe and Caroline Noblet held several meetings this summer with stakeholders in the shore area, including town officials, lobstermen, clam diggers, and others in order to try to determine the true economic impact of being on the shore.

In addition to the lobster and clam industry, there is also a large marine worm digging and mussel industry.

Conservation Commission chair Larry Libby says U-Maine Mitchell Center researchers will use data from Lamoine and several other communities including Sorrento, Hancock, Surry and Blue Hill to provide a comparative report on revenues generated by the marine resources industry. He expects the U-Maine report to be ready prior to the end of 2013.

## Mutual Aid, Training & Coincidences Help Extinguish Walker Road Fire

(Lamoine) - A lot of training, preparation, equipment and science go into the ability to extinguish an out of control house fire. It doesn't hurt to be a little lucky at times, either, though the first four items tend to create the last. When the call came in that John & Lynn Karst's house on Walker Road was ablaze September 25th, fire department Lt. Brett Jones was working in his subdivision just a short distance from their home and was on scene in less than a minute. He was able to confirm that no one was inside the burning home when the owner, John Karst came out of the woods where he had been working to clear brush. Mr. Karst is a former member of the Lamoine VFD.

Lt. Jones met the responding pumper truck, pulling off hose and attacking the fire from the outside while interior firefighter Rick Gallegos and Deputy Chief Stu Marckoon put on airpicks and attacked the fire from the inside.



*Flames lick the roof at the Karst home on Walker Road while firefighters pull down ceilings on the 2nd story to get to the fire  
(Photo by Kimberly Grindle)*

Those initial efforts knocked down enough fire to keep things relatively in check until mutual aid departments from Ellsworth, Hancock and Trenton responded with more manpower to make a full interior fire attack.

In rural communities, water supplies are often an issue. Coincidence number two came into play -- the subdivision off Walker Road is one of the newer ones with the required installation of a 10,000 gallon water tank and hydrant. That served as a perfect water source to keep the water flowing to the pumper.

The Karsts insured the house, and coincidence number three is here—their agent is also the fire chief in Hancock who responded to the mutual aid call and he was able to quickly get the ball rolling on the insurance claim.

The state fire marshal's office and the owner's insurance company investigated. According to Mrs. Karst, an electrical problem most likely caused the fire. Mutual aid came from Ellsworth, Hancock and Trenton under the automatic mutual agreement signed several years ago. Coordinating the attack on the burning house was Ellsworth FD Lt. Kevin Bland, who spends most of his spare time on weekends in the winter training firefighters at the Hancock County Fire Academy. Many of those who went into the burning house are his former students.

It took approximately an hour to declare the blaze under control, and another couple of hours to get all the hot spots out. The fire department contacted the American Red Cross to help arrange for shelter that evening for the family. The Karsts will work with their insurance company on a rebuilding plan.

The home was well known in town for its bright red, yellow and pale blue exterior. The efforts by the firefighters kept the flames from spreading into the garage. Though no family members or firefighters were injured, a pet cat perished in the blaze.

was shipped to K&T Equipment in Island Falls for installation of the tank, pump and the rest of the body that will turn it into a fire truck. The total cost for the project is expected to be about \$230,000. The fire department is funding \$25,000 of that cost, plus any overruns caused by change orders.

The new truck will carry 1,800 gallons of water and a high capacity pump which will allow fire attack if necessary. The current tanker is 24 years old.

## Fire Truck Under Construction

(Lamoine) - With luck, the newest addition to the fire truck fleet at the Lamoine Volunteer Fire Department will be in service late this fall. The chassis for the truck arrived at Colwell Diesel in July and

## Fire Dept. Dinner, Auction is October 19th

(Lamoine) - Lamoine's firefighters will serve up the annual clam chowder dinner on Saturday, October 19, 2013 beginning at 5PM at the Lamoine Consolidated School. A new twist this year—there will also be a silent auction, as several items have been donated to the fire department that may be of interest.

The price for the dinner is \$7.00 for adults and \$3.00 for children under 12. Fire department members will sell tickets door to door on Sunday, October 13th, but tickets may also be purchased at the door.

The fire department opted not to have its annual auction in August due to the proximity of the event with the Maine State Federation of Firefighters Convention. The annual dinner is a major fund raising opportunity for the fire department corporation. Proceeds from the summer will help replenish funds used to contribute to the purchase of a new tanker truck expected to be in service in late fall or early winter. The fire department is contributing more than \$25,000 to that project from funds donated by residents and raised at auctions and dinners over the past several years.

## Shooter Sentenced

(Bangor) - A Maine Superior Court judge accepted a plea agreement from Lamoine resident Michael Carter in connection with a fatal shooting incident at his Douglas Highway last year. Carter pled guilty to manslaughter, elevated aggravated assault and possession of a firearm by a felon. He was sentenced to 30-years in the Maine State Prison with all but 16-years suspended. The plea deal avoids a murder trial.

Killed in the incident was 32-year old Lawrence "Randy" Sinclair Jr. of Ellsworth. Two others were wounded in the shooting, as was Carter. The incident took place in the early morning hours of March 11, 2012 when Carter and Sinclair apparently got into a dispute over a truck paint job which escalated into violence.



*The chassis for the new tanker truck is prepared for shipment at the truck dealer*

## Annual Town Meeting Date Set Election is March 11, 2014

(Lamoine) - Are you interested in serving your town as an elected official? If so, you'll want to pick up a nominating petition for next year's annual town meeting which the Selectmen have set for March 11 and 12, 2014. The election day is Tuesday, March 11th. Nominating papers will become available on Monday, December 16, 2013, and signatures of at least 25 registered voters must be turned in no later than noon time on January 25, 2014 to appear on the ballot.

Two town officials will be elected to three year terms next March. The Selectmen's seat is currently held by Cynthia Donaldson who does not plan to seek re-election after serving for three terms. The other seat up for election is a Board of Assessors position, currently held by Terry Towne.

After the municipal election, the open town meeting will be held at the Lamoine School on Wednesday, March 12th beginning at 6PM.

## New Computers Purchased

(Lamoine) - Selectmen authorized the purchase of a new laptop computer for Lamoine's Code Enforcement Officer, replacing a laptop that was purchased in 2005. Last year the Board approved of purchasing a new computer to run the Cable TV operation, and that new desktop device was purchased at the same time as the Code Officer's laptop. Both came from an Ellsworth vendor.

The town computers will shortly upgrade to the latest Microsoft Office version, enjoying a bulk purchase made available through Regional School Unit 24. The town maintains a half dozen computers between the town hall and fire station, and the bulk license purchase arrangement will save several hundred dollars.

## Annual Audit Released, Finances Stable

(Lamoine) - The annual audit for Lamoine was completed in September and showed the town had \$580,516.25 in the bank at the end of the fiscal year on June 30, 2013. The undersigned fund balance, also known as surplus, totaled \$366,970.40. That exceeded the \$300,000 goal set years ago by the Budget Committee and Selectmen, based at that time on the amount of cash needed to fund operations for approximately 2-months.

The audit was once again conducted by James Wadman, CPA based in Ellsworth which has been the town's auditor for several years. The full audit report is posted on the town's website and will be printed in the town report for 2013.

In their communication to the Selectmen, the auditors concluded that the financial information provided by town staff was a fair representation of the fiscal activity of the municipality.

The town ended the fiscal year with \$11,138 more in cash than the previous year, but the undesignated fund balance was \$39,411 less than the previous year, primarily due to repayment of a pair of tree growth penalties under a settlement between the town and the penalized parties.

## Selectmen Meeting Schedule Changes

(Lamoine) - A relatively quiet summer for the Board of Selectmen saw a 6-week gap between meetings from August to September with members stopping by to sign expenditure warrants in between meetings.

The Board also opted to start meeting the 2nd and 4th Thursdays of the month instead of the 1st and 3rd Thursdays. This created an issue in November, though, as the 4th Thursday is Thanksgiving. For the rest of the year, the meeting schedule will be October 10th and 24th, November 7th and 21st, and December 12th. There will be only one meeting in December, as the 4th Thursday would fall during Christmas week. Other meetings may be schedule if needed. Consult the town's website.

## Selectmen Consider Appointment Policy

(Lamoine) - Selectmen are likely to give final approval to a policy which will guide the board in the appointment process. The issue cropped up during the summer when a citizen expressed a desire to serve on the Planning Board, and the current board chair, John Holt, expressed a willingness to be reappointed to the board. Selectmen opted to interview both people and in a split vote reappointed Mr. Holt who continues to serve as chair.

The Board instructed Administrative Assistant Stu Marckoon to draft up a policy to address how folks are appointed to various jobs. He contacted fellow municipal managers in Maine, and found no one really had a policy to offer, so it has taken a while to craft one.

As Selectmen debated the latest draft in late September, there was concern that the board would be obligated to reappoint any appointee who might desire reappointment. The draft for consideration in October will clarify that appointees serve at the pleasure of the Board of Selectmen and that the Selectmen are not obligated to reappoint any volunteer official. Public employment law does limit reasons for non-reappointment of paid officials as there is an expectation of continue employment unless there is just cause for dismissal. Elected officials may only be removed from office by the town meeting by not being re-elected. Lamoine has no recall ordinance.

The proposed policy clarifies the five different classes of appointees—elected, paid/contracted, paid/non-contracted, appointed/unpaid and volunteers who are not appointed by the Selectmen. A copy of the policy in draft form is posted on the town's website and the final approved form will be posted once Selectmen give their blessing.

## Court To Decide Property Value Venue

(Augusta) - A hearing is set for October 9, 2013 in Augusta to determine which panel should decide the property tax abatement request from Old Point, Inc. The State Property Tax Review Board says the matter is a valuation dispute and should be heard by the Hancock County Commissioners. The Commissioners say the State should hear the case because the matter involves property enrolled in the tree growth program.

At issue is a parcel of land owned by the Massachusetts based corporation located on Shore Road and extending to Mt. Desert Narrows. The owners have asked for a sizeable abatement, claiming the shorefront is overvalued and should be assessed at tree growth rates.



*Caught in the Act*  
Susie Hokkanson snapped this picture of a bear raiding a bird feeder on Lydia's Lane. Bear sightings were common this past summer.

## Ordinance Updated

(Selectmen) - No comments to a proposed change in eligibility levels were offered at the annual public hearing prior to amending the town's General Assistance Ordinance. Lamoine follows the model ordinance developed by the Maine Municipal Association which is updated annually by the Board of Selectmen. This year's update was approved on September 26th.

## Phone Company Expands Broadband Lines

(Lamoine) - For years, town officials have listened sympathetically to several folks in town who were unable to obtain high speed, land line based internet service. Those sections of town that are sparsely populated are not wired up to the Cable TV system, and were too far away for the telephone carrier (currently Fairpoint) to offer broadband service.

Rumors ran rampant all summer as residents watched a team of Fairpoint workers installing fancy equipment on Shore Road and Partridge Cove Road. The company finally confirmed on September 18th that it had expanded broadband service to more than 300-homes and businesses in Lamoine. A long list of roads in the news release from Fairpoint's Jeff Nevins included areas in

the Marlboro section of town previously un-served by land lines.

Time Warner Cable had offered to partner with the town to expand its cable lines into a pair of subdivisions, but the town would have to contribute about \$40,000 to the construction costs. The offer came in shortly before Fairpoint announced the service expansion. Selectmen declined to take the offer.

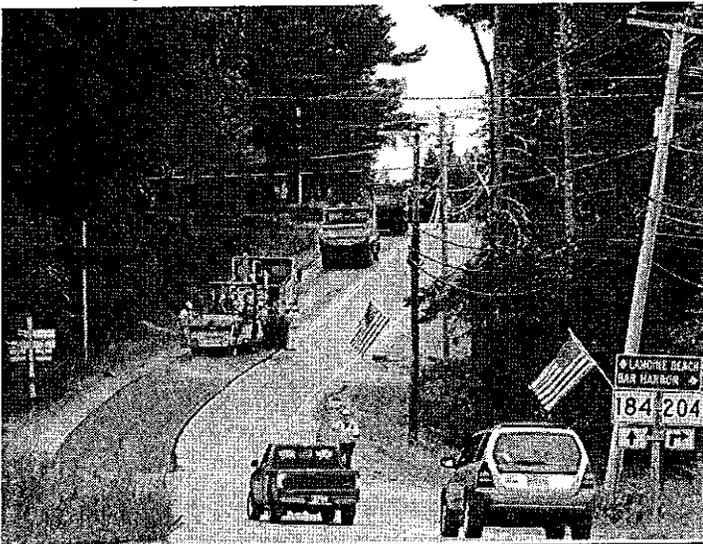
Folks interested in the high speed service are advised to contact the telephone company at 1-866-984-2001 or 1-866-984-3001 for availability and rates. Fairpoint does not offer cable TV programming, so the town's TV channel would not be available through DSL service.

## Paper, Cardboard Separate Containers at Transfer Station

(Lamoine) - Users of the Lamoine Transfer Station may have noticed a new container in which to recycle the office/paperboard mix. Because of a high volume of cardboard this summer, it became necessary to haul the large container weekly, which is pretty expensive. By dedicating that container completely to cardboard, the haul rate is now every two to three weeks, cutting the transportation cost to Coastal Recycling significantly.

Pine Tree Waste has supplied an 8-yard dumpster for the mixed paper product and picks that up every other week. It had cost the town some money to process that material, so that processing cost will now be avoided.

## Finally, A Smoother State Highway Ride



*The paving on Route 184 began at the intersection by the Lamoine Marketplace, and after years of enduring bumps, dips, and holes, the surface became quite pleasant.*

(Lamoine) - Motorists who drove on Route 184 in Lamoine for the past 5-years coped with what may have been the roughest ride in Hancock County. That changed dramatically over a 3-week period this past July as the Maine Department of Transportation and Lane Construction put a new layer of pavement on top of the road.

By no means is the job a permanent fix to the state highway. The MDOT is aware that it is only a temporary patch, but they expect the new surface to last 7-to-8 years. The last time the road was repaved was in 2005. The new surface averaged 5/8", and it did not extend to the road

shoulders. In addition to the entire length of Route 184, the MDOT also put a new surface on the Pinkhams Flats and Partridge Cove Road sections of Route 204, which was in nearly as poor a shape as 184. In all, more than 13-miles of state highway was paved.

Not only has MDOT resurfaced the roads, several areas were properly ditched and trees were trimmed back which will promote much better drainage in the winter, and a better opportunity for the sun to work on the snow and ice surface after storms. The town contracts with Richard McMullen to plow Route 204, and MDOT contracts with him to plow 184.

## Traffic Light Planned at "Cheese House"

(Lamoine) - Maine DOT officials have confirmed that they plan to install a traffic light at the intersection of Routes 204 and 3 in the fall of 2014. The intersection is located in Trenton, and in the heavy summer traffic, it is nearly impossible to turn left onto Route 3 from the Jordan

River Road. The intersection is well known locally as the Cheese House, named for a circular building on the Southeast corner that used to sell cheese. The town has supported an effort to install a signal at the busy intersection for several years as many residents travel to work that way.

## Fall Road Work Planned

(Lamoine) - As winter nears, local contractors will perform some work on Lamoine's local roads. Raccoon Cove Road and part of Seal Point Road will see trees trimmed back significantly. Raccoon Cove in particular is nearly covered by the tree canopy now, and branches have started to interfere with traffic movement.

Deep culverts on Buttermilk Road and Mill Road, with luck, will be less severe as storm drains will lead to cross culverts at the end of the ditches. Those culverts were set fairly deep under each road in order for drains to work.

Several driveway culverts on Birchlawn Drive will be reset, and a pair of cross culverts on Buttermilk Road will also be reset, while a large culvert under Needles Eye Road will need to be replaced. A shoulder on Buttermilk Road needs to be reshaped to promote proper drainage.

## Mailboxes and Snow Plows

(Lamoine) - It's tough to think about, but plowing season is not far away. Every year the plow contractor will whack mailboxes along the town roads—it's not intentional.

The Maine DOT reminds folks that mailboxes are installed entirely at an owner's risk. The policy is that if it's damaged during maintenance operations, the owner is not entitled to replacement or compensation. Lamoine's plow contractor does not intentionally hit mailboxes—it's not good for the plows. Mailbox installation standards are available from the post office. State law forbids mailboxes that are a fixed, dangerous object. If you have questions, call Road Commissioner Stu Marckoon.

## Lamoine To Change House District

(Lamoine) - Lamoine voters won't be able to re-elect their current state representative in 2014. The town is being moved to a new house district under a reapportionment plan approved by the Legislature this summer.

Currently, the town is represented in the State House of Representatives by Republican Rich Malaby of Hancock as part of District 34. Beginning with the 2014 election, the district number will change to 135 and instead of being grouped with Hancock and several other towns to the east, Lamoine, Bar Harbor, and Mt. Desert will become the only towns in the district. Currently, Democrat Brian Hubbell represents Bar Harbor in its house district.

Lawmakers are required to refigure the legislative districts every 10-years following the census, and the districts must be based on population.

The town will remain with the bulk of Hancock County in its Senate District. That district number will change from 28 to 7. The district is currently represented by Republican Brian Langley of Ellsworth.

The changes take effect with the November 2014 general election which will elect a new Legislature and decide who will be governor for the next four years. The town will still have just one precinct (it votes at the town office). It's believed the town will remain with its current county commissioner district.

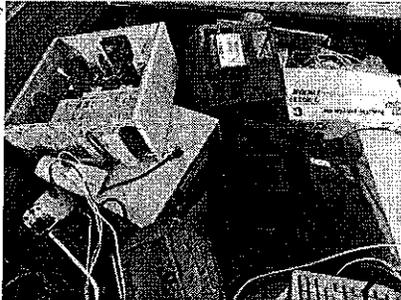
## Sargent Likely To Back Up At Transfer Station

(Lamoine) - Of the few paying municipal jobs in Lamoine, perhaps the least glamorous is the Transfer Station position. It takes the right person to run the facility, and by most accounts, Bill Fennelly does a nice job keeping things running smoothly and the facility looking as good as it can, for a place that collects and ships trash. Every now and again, he needs a weekend off.

Selectmen have not actively advertised for a fill-in for Fennelly. It pays \$12/hour for 9-hours a day (4-hours on Fridays during the winter), so it's not something anyone will get rich on. Adam Sargent has offered to fill in when needed—Selectmen said they wanted to wait for a meeting in case others were interested. Sargent, who lives across the road from the transfer station, is likely to be formally appointed in October. If others are interested in filling in, they should contact the town office.

## Old Gear Recycled at E Waste Event

(Ellsworth) - The back of Administrative Assistant Stu Marckoon's pickup truck was full to overflowing with old computers, broken monitors, keyboard, mice and other old electronic equipment that has accumulated at the town office over the years in mid-July. The Ellsworth Noontime Rotary Club held its annual electronic waste collection day where such items are collected at the Home Depot parking lot and sent for recycling in large tractor-trailer trucks. For years the obsolete equipment had accumulated in the town's storage garage on Lamoine Beach Road. Rules prevent such materials from being collected at the



transfer station. Selectmen approved a small payment to the Rotary Club for safely collecting and recycling the waste.

## Habitat House Dedicated

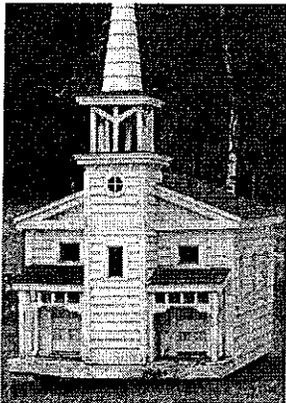
(Lamoine) - Habitat for Humanity has turned over the keys to its latest Hancock County project to the Boccia-Young family as they have moved into the new residence on Misty Way. The home is specially designed to accommodate their special needs daughter Victoria who is wheelchair bound. The family had been living in a 2nd floor apartment on Route 1 in Hancock, and had to carry Victoria down the stairs in order for her to attend school.

Habitat volunteers, led by Lamoine's Code Enforcement Officer Mike Jordan, worked tirelessly on the new house which features an extensive ramp system to accommodate Miss Victoria. Her parents say the new house will give them a great deal of freedom as they will be able to enter the work force thanks to the new home. They moved to Lamoine in September.

## Little Church Home

(Lamoine) - A replica of the East Lamoine Meeting House has returned to Lamoine after sitting for many years outside a motel in Ellsworth. The church was built in the 1940's and sat beside the former Bennett Home (now the Chocolate Chip B&B) on Lamoine Beach Road. Members of the Bennett family were on hand as a large flatbed truck transported it from High Street in Ellsworth back to Lamoine, where it now sits beside the real East Lamoine Meeting House on Douglas Highway.

Lamoine's Historical Society expressed its appreciation to the Katsiaticas family for arranging for the return of the little church. A fund raising effort to fix up some cosmetic blemishes started in the summer.



## Shore, Mill Road Sealed

(Lamoine) - Off and on the town has hired contractors to fill in cracks in the local roads with a rubberized asphalt material to keep water from accumulating in the cracks and making them worse. Usually it is dependent on finding a local contractor to do the work.

In 2013, paving contract Roger Pickard recommended a Bangor area company to do the work. Wilson's Ground Maintenance offered to crack seal the upper portion of Mill Road, and about 2/3rds of Shore Road for just over \$11,000. Selectmen approved of the offer, and used \$5,000 from the previous year road budget combined with about \$7,000 from the current year budget to pay for the work. Within days of the seal job it rained, and the sealant is doing its job, keeping water out of the cracks and preserving road surface.



*Sealing The Deal*  
Workers from Wilson's Ground Maintenance apply rubber seal coating to the crack along a section of Shore Road

## We Like Little Folks—Group Forming

*By Cynthia Donaldson, Selectman*  
At our March town meeting, the town approved a children's resolve which stated:

To see if the town will acknowledge the importance of its children's very early years; welcome all young children born or residing in Lamoine and wish for them the blessings of healthy development; a nurturing family and neighborhood; a community that values them; a quality education; and support for them and their families".

As we begin a new school year and our minds turn to children and ourselves as children long or not so long ago, it's time to think about how we might follow up on

that resolve. The suggestion has been made (and discussed by the selectmen) that we set up an "in town" committee, which would meet to discuss our town as a healthy place for young children to grow and develop. There are no town funds involved with setting up such a group, nor would it have any decision making power.

If you would be interested in joining a group to discuss how Lamoine does and might support its young children and their families, please contact Cynthia Donaldson at 667-2382 or email [cgdonaldson@myfairpoint.net](mailto:cgdonaldson@myfairpoint.net). You will be welcome to join the group at any point, but knowing by October 15 who might be interested would be helpful.

## Community Arts Performances Planned

*By Diane Sanderson and Carol Korty*  
(Lamoine) Lamoine Community Arts is in full swing preparing our 8<sup>th</sup> fall production, *The Constant Wife*, a British comedy of marital manners, written by W. Somerset Maugham in 1926. Kathy McGlinchey and Sharon St.Claire are directing the cast of nine actors – all folks you'll recognize on stage! Performances will be at Lamoine-Bayside Grange, the first 2 Fridays and Saturdays in November at 7 PM, with a Sunday matinee, November 10<sup>th</sup> at 3 PM. Tickets \$10. Call 667-7969 for reservations.

Last May Barbara Bland, Rae Dumont and Dale MaCurdy directed plays for the annual Readers' Theater. In June and July the group helped serve turkey dinners with the Lamoine/Bayside Grange, and we've finished painting the entry steps and ramp into the hall.

Kathie Gaianguet is the new president, elected in August. Annual dues are \$20, and you're welcome to join. Carol Duffy and Bill Reynolds have developed a new website—[www.lamoinearts.org](http://www.lamoinearts.org). We are also have a Facebook page.

## Sadly Missed....

(Lamoine) - According to obituary notices from the local papers, the following folks with Lamoine ties passed away during the last few months:

*Robert Schur*—Age 66 on July 31

*Michael Pierce*—Age 56 on July 15

*Roger Day*—Age 66 in Charlotte NC on August 27

*Rosa West*—Age 91 on July 24

As we were just going to press, we received word that former tax assessor *Joan Strout* had passed away on October 3 at the age of 84.

## Principal Named For Lamoine School

*By Gordon Donaldson*

With the retirement of Ann McCann, the Lamoine Consolidated School welcomed a new principal in August. Dawn McPhail comes to Lamoine from the Ellsworth Elementary-Middle School where she served as assistant principal/athletic director last year. Prior to that, Ms McPhail taught at the Hancock Grammar School from 1993 to 2000 before serving as the After-School Program Coordinator for Union 92 and RSU 24.

Dawn has lived in Hancock since 1993. She and her husband hail from Howland, Maine. She loves to read, cook, and spend time at the lake with her family. She holds a bachelor's degree in elementary education and English from the University of Maine and is currently finishing master's degree work through the University of Phoenix.

Lamoine is McPhail's first principalship and she is very excited to find eager students, hard-working staff, and willing parents to help take our school to new heights. Welcome to Lamoine, Dawn!



Dawn McPhail

## Scholars Exercise Minds & Bodies

(Lamoine) - Lamoine Consolidated School's soccer team is halfway through the season. Our 2013 Lamoine Lions are Ivan Andrews, Christopher Cobb, Kaitlyn Tompkins, Aiden Goller, Nathan Mason, Devon Sinclair, Ella Wallace, Jasper Berzini-McLaughlin, Nicholas Harding and Logan Overlock. Thanks go to Tim Jordan, the team's coach!

The Lions have also fielded a chess team! They've been learning the ins and outs of the classic game every Wednesday

afternoon and soon will be traveling to other schools to compete against other chess enthusiasts!

Lamoine's Robotics team is off and running again this fall. This year, the problem facing school teams is "Nature's Fury"! The Challenge is released in late August and focuses on a different scientific topic or question each year. The Lamoine team must invent a robot to navigate, capture, transport, or deliver objects on a printed mat (the Field). The robot has 2 ½ minutes to complete as many missions as possible. Our team will be competing against teams from other Maine schools and, possibly, move on to competitions beyond the state next spring.



Looking like something from Robert McCloskey's "Make Way for Ducklings", a mama duck and her 6 ducklings march in front of the Town Hall on a family outing, and yes, traffic did have to stop to let them cross the road.

### The Lamoine Quarterly

#### Publisher

The Lamoine Board of Selectmen  
Editor/Writer

Stuart Marckoon, Adm. Asst.

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**Flu Shot Clinic In Works:** Maine Coast Memorial Hospital is working to schedule a flu shot clinic sometime this fall. As of the publishing deadline a date and time had yet to be confirmed. The clinic will likely take place at the town office. Consult the town's website for further information.

## October 2013 Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
The Budget Committee meeting schedule has not yet been set		1-7PM Planning Board	2	3	4	5-Office Open 8-12
6	7	8	9-7PM Conservation Commission	10-7PM Selectmen	11	12
13-5PM Benefit Dinner @ School	14-Town Office Closed (Columbus Day)	15	16-6:30 PM Shellfish Conservation	17-7PM RSU 24 Withdrawal Information Forum	18	19-5PM Fire Dept Supper/Silent Auction
20	21	22	23-4PM Comprehensive Plan	24-6:30 Selectmen 7PM Public Hearing (both at school)	25	26-Office Open 8-12
27	28	29	30	31		

## November 2013 Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
The Assessors Meeting Date will be posted on the town's website when it is set.					1	2-Office Open 8-12
3	4	5-Election Day 8AM to 8PM	6	7-7PM Selectmen	8	9
10	11-Office Closed, Veterans' Day	12-7PM Planning Board	13-8PM School Adv Cmte @ School 7PM Conservation Cmsn.	14	15	16
17	18	19	20	21-7PM Selectmen	22	23
24	25	26	27	28-Office Closed, Thanksgiving	29	30-Office Open 8-12

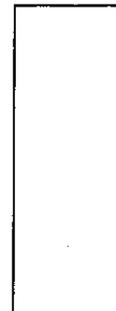
## December 2013 Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3-7PM Planning Board	4	5	6	7-Office Open 8-12
8	9	10	11-7PM Conservation Commission	12-7PM Selectmen	13	14
15	16	17	18	19	20	21
22	23	24-Town Office Closing at Noon	25-Town Office Closed (Christmas)	26	27-Transfer Station open 8am-5pm	28-Office Open 8-12
29	30	31-Town Office Closing at 2PM				

### The Lamoine Quarterly October 2013

- Inside this issue:
- 1 RSU Vote in November
  - 2 9 Gravel Pits Seek Permits
  - 3 Walker Road Home Burns
  - 3 Fire Dept. Dinner 10/19
  - 4 Annual Meeting Date Set
  - 5 Broadband Expansion
  - 5 Light at Cheese House
  - 6 Little Church Back Home
  - 7 New Principal Hired
  - 7 Community Arts News

*And Much, Much More*



Town of Lamoine  
606 Douglas Highway  
Lamoine, ME 04605

# ◆ The Lamoine Quarterly ◆

Volume 21 Issue 2

Published Quarterly by the Lamoine Town Office

October 2015

## New Fire Rescue Boat In Service



Members of the Lamoine Volunteer Fire Department showed off the new rescue boat at an open house in July. Pictured (l-r) Rick Gallegos, Chief Skip Smith, Asst. Chief Joe Reynolds, Lt. Chris Bean, Deputy Chief Stu Marckoon, Capt. Michael Jordan, Capt. Ed Farnsworth, Carleton Brodie, Raymond Apel, Lt. Joe Young, Lt. Brett Jones. (Photo by Patricia Wyshak)

(Lamoine) - The newest piece of rescue equipment for the Lamoine Volunteer Fire Department is ready and waiting for its first call. The new, 21-foot rescue boat arrived in July following a town meeting vote to borrow \$75,000 and accept a donation from the fire department corporation to cover the remainder of the cost. The rigid-hull inflatable boat was

built by Ribcraft of Marblehead Massachusetts.

Fire Department officers Brett Jones, Michael Jordan, Stu Marckoon and FF Matthew Jordan took the boat for its initial shakedown cruise on Green Lake in Ellsworth when the builder drove it up to Maine. Featuring a 150Hp engine, the boat will cruise in excess of

40-miles an hour. The boat is also equipped with radar, depth finder, and GPS charting to show exactly where the craft is located and with the ability to plot a course to where it is needed even when visibility is not optimal.

The new rescue boat replaces a 12-foot rigid hull inflatable craft that the department purchased about 15-years ago and was not big enough or fast enough to be fully effective in the types of search and rescue calls the department has received in the past few years. That boat had a capacity for 3 or 4 people maximum. The new boat has room for at least a dozen passengers and rescue crew members if needed. The electronics package also gives superior capabilities for search and rescue in night and bad weather conditions.

Like the smaller boat, the new boat will be hauled to launch sites by truck 405, the fast attack / brush truck which is equipped with trailer hitch and rear viewing camera. The usual launch location would be at Lamoine State Park (which is undergoing a major ramp upgrade this fall), but it can also launch at established boat ramps in other communities if mutual aid is requested. The boat was used in its first rescue in late September (see page 4).

## Revised Gravel Ordinance Up For Vote

(Lamoine) - After a year and a half gathering facts, listening to opinions, and consulting with various stakeholders, the Board of Selectmen has developed a revised gravel ordinance that will go before voters on November 3, 2015. If passed, the new ordinance would replace the current local regulations that were last revised in the spring of 2014.

### What Changes?

The proposed new ordinance addresses four areas identified by a working group of stakeholders and interested citizens that met following a Building and Land Use Ordinance change in 2014 that prohibits new gravel pits in the Rural and Agricultural Zone. Those areas included setbacks, pit restoration, water quality issues, and the permitting process. It might be easiest to address the changes by the individual category

### Setbacks

In March 2013, the town meeting passed a revised ordinance that increased the required setback from abutting property lines from 50-feet to 100-feet. That immediately resulted in a lawsuit that claimed the town had taken valuable property from several gravel pit operators without compensation. The proposed new ordinance will allow a return to the setback marks of the ordinance previous to 2013, but with some provisions. The operation cannot have loud machinery located within the 100-foot setback; if the setback is reduced to 10-feet, the slope from the 10-

foot setback to the 50-foot setback must be more gradual, and than the agreement from both landowners to the 10-foot setback must be filed with the Hancock County Registry of Deeds.

### Water Quality

Another major objection in the 2013 ordinance revision was over water quality testing. The ordinance required monitoring wells be installed prior to any new permit, with no guarantee that a permit would be granted. The new ordinance would require that a plan be included with the application, but no well installation is required until after the permit is granted, and before pit operations start. One expensive and redundant water testing parameter is removed.

### Restoration

Of concern to many residents is the amount of area that remains as a barren, open landscape, even after the material has been fully removed. A provision in the new ordinance would require restoration of a certain amount of area depending on the size of the pit before the operational area can expand.

### Permitting Process

The proposed new ordinance incorporates Planning Board suggestions that the ordinance apply only to operations that remove more than 1,000 cubic yards of material and that permits be five years in length, instead of the current 3-years. A simpler renewal

process was considered, but difficult to administer because of the many important pieces of data required.

There are other important changes to the ordinance as well. Currently, pit owners are required to send the to 5-cents for each cubic yard of material removed to put into a restoration fund. That has created the potential for an accounting nightmare for the town and won't nearly cover the cost to restore a pit. That option is still available, but the proposed ordinance also allows permit holders to provide other proof that they have the finances to restore a pit when it is required.

The amount of paperwork that comes with a pit application has piled up over the many years of ordinances. The proposed ordinance outlines exactly what the town must keep on file, and for how long. There is currently no guidance on what information to retain.

Another important change is the appeals process. The current ordinance allows only Planning Board decisions to be appealed. The proposed ordinance also lays out a process to appeal decisions by the Code Enforcement Officer.

A public hearing on the proposed new ordinance is planned for Thursday, October 22, 2015 at the Lamoine Consolidated School beginning at 7:00 PM in the gym. The vote will take place in conjunction with the state election on November 3 from 8am to 8pm at the Town Office.

## New Code Enforcement Officer Named

(Lamoine) - The advertisement for a new code enforcement officer to replace Michael Jordan drew only two applicants. One was the interim CEO, and the Board of Selectmen swiftly hired Millard Billings to the post which also includes the local plumbing inspection duties.

Billings, who lives in Franklin, has been the town's Deputy Code Enforcement Officer for several years, but the town had never needed to call upon his services until this year. He is also the Code Enforcement Officer in several other communities, the tax assessor for Holden, and the Unorganized Territories manager for Hancock County. Billings is a military veteran who retired as the Town Manager of Tremont a few years ago.



Lamoine's New Code Enforcement Officer, Millard Billings

In his first few weeks on the job, Billings says Lamoine is by far the busiest of the towns he serves as code enforcement officer. He is in the office weekly on Monday afternoons between 1PM and 4PM. The town office stays in e-mail contact with him at other times throughout the week for citizen questions.

## Occupied RV Generates Violation Notice

(Lamoine) - Code Enforcement Officer Millard Billings has ordered a Mud Creek Road property owner to either move an occupied recreational vehicle off their property or apply for and obtain the proper building permit for the unit. The Building and Land Use ordinance allows for RV occupation for up to 30-days a year without a permit. The town started receiving inquiries about the occupied unit in July, and Billings determined that it has been occupied in excess of the 30-days annually. The landowner was notified of the violation via certified mail and given 30-days to come into compliance with the ordinance.

The land parcel contains enough road frontage and acreage to accommodate the vehicle. As of the end of September, Billings has not reported any action by the landowner.

## Permit Applications Take Off

(Lamoine) - It was a hectic summer in the Code Enforcement office as CEO Billings processed numerous permits.

Nbr	Name	Project
18	Whitney, Eliz.	Residence
19	Parkinson, Joann	Deck
20	McKeage, Dianna	Steps to Shore
21	Moulton, Paul	Acc. Bldg
22	D. Gott & Sons	Com'l Bldg
23	Kilmer, Joyce	Deck
24	Bryant, Chris	Driveway
25	Farrell, Richard	Driveway
26	Simons, Todd	Residence
27	Racicot, Eliz.	Mobile Home
28	True, Kathryn	Garage
29	Herbert, John	Deck
30	Farrell, Richard	Residence
31	Havey, Melody	Residence
32	Thomas, Brian	Barn
33	Atkins, Alice	Shed
34	Parkinson, Wm.	Shed
35	Catbird LLC	Boat House
36	Broughman Bldrs	Residence
37	Young, Michael	Expansion
38	Mitchell, Carlton	Garage

The permit application fees generated just under \$4,300 in revenue to the Code Enforcement Fund. Additionally, 15 plumbing permits were issued in the quarter, including 7 septic systems and 8 internal plumbing permits. That generated an additional \$1,400 in revenue to the CEO fund.

## Facilities Maintenance Director Named

(Lamoine) - Though town government in Lamoine is fairly small, there are quite a few buildings that need some TLC from time to time. The town hall, salt/sand shed, four buildings at the salt/sand shed, the storage garage, and two town parks have not had any regular maintenance over the years. The town hall staff has relied on contractors to repair those facilities as needed, but no real maintenance plan. Quite frankly, the town was falling behind on making sure the buildings stayed in good shape. Enter Rick Gallegos.

Rick has been in Lamoine for a few years and is a well trained member of the volunteer fire department. He is also a carpenter and a jack of all trades. When he expressed interest in pursuing the Code Enforcement position, the town was in need of a maintenance person to keep the two parks in good shape. Selectmen agreed to hire Gallegos as an assistant Code Enforcement Officer in order to get



him certified at the state level. In addition, they named Rick as the Facilities Maintenance Director. In addition to the parks, he'll perform weekly janitorial chores at the Town Office, and special projects on the many other town facilities. So far Rick has installed a door way at the MSW container building at the transfer station, removal of the dead fire bushes at the town hall, repairs on a light fixture at the town hall, and beginning to organize the storage garage. Welcome Aboard!

## Board Positions Filled, Others Wanting

(Lamoine) - There were plenty of folks who applied for alternate board positions on the Lamoine Planning Board and the Board of Appeals, and the Board of Selectmen chose retired school teacher Steve Gabel-Richards to serve on the Planning Board, and former Code Enforcement Officer Michael Jordan to serve as an Alternate Board of Appeals

member. Cathleen Goebel is the newest member of the Parks Commission. One seat and an alternate position remain unfilled on the Parks Commission, as does an alternate position on the Budget Committee. Selectmen also created a second alternate position on the Comprehensive Planning Committee and will fill that on October 8th.

## Electronic Waste Collection HUGE Success

(Lamoine) - Lamoine and a few other surrounding towns have a lot fewer electronic items gathering dust and threatening the environment thanks to a huge collection event hosted in our town. Selectmen opted to invite both Trenton and Hancock to participate in the first electronic waste collection held in town, and a few residents showed up with trucks full of old TV's, microwave ovens, and

Linnea Roy of Electronics end said they were pleasantly surprised by the amount of material generated by a town of Lamoine's size, and praised the public information effort by town staff for letting folks know about the collection.

The collection also gave an opportunity to clean up some improperly disposed of TV's around town. Marckoon picked up two from Mill Road



*These were just some of the items left for Electronics End at the Lamoine E-Waste collection in July. Company officials were very impressed by the amount of goods.*

various other types of E-Waste. Volunteers from the Conservation Commission, including Doug Stewart, Larry Libby and Linda Penkalski joined Administrative Assistant Stu Marckoon on July 11th to help direct traffic and unload the items from their vehicles. The Brewer based company brought down two large trailers to box up the waste, and had to make two trips back to Brewer to get more trailers and boxes.

and one from the former landfill access road.

The final report from Electronics End showed 15,324 pounds of waste was brought in for recycling. Of that, there were 182 CRT's (TVs and computer monitors), 32 batteries, 7 light ballasts with PCBs, and 403 other items they classified as mixed electronics. Roy says they hope to come back to Lamoine next year.

## Planning Board Approves Pit, to Consider Condo, Land Clearing

(Lamoine) - The town's Planning Board granted another 3-year permit to the gravel extraction operation owned by Perry Fowler, located near the Town Hall. Mr. Fowler, who sits on the Planning Board, recused himself from consideration of the application. The pit is now licensed for operation through May, 2018.

The Board has several items to deal with beginning in October. On the slate is a proposal to convert four seasonal cottages under common ownership into separately owned condominiums. A subdivision application was submitted to the Planning Board in August to deal with the ownership change.

During the summer, Code Enforcement Officer Millard Billings received a complaint that a significant amount of ground was being disturbed on Mud Creek Road. Upon investigation, Billings and Assistant CEO Gallegos measured and determined well over 10,000 square yards of earth was disturbed. RF

Jordan has complied with the request to submit a site plan review application to the Planning Board. A neighboring property owned by Lewis Bishop has done some significant clearing as well, and the Planning Board will determine whether the Site Plan Permit is required.



*This pile of topsoil on Mud Creek Road disturbed more than 10,000 square feet of land, and is subject to Site Plan Review*

## Comprehensive Planning Survey Available

*By Fred Stocking*

(Lamoine) - The Lamoine Comprehensive Planning Committee (LCPC) has posted a questionnaire on the Town's website and is asking townspeople to respond. This questionnaire, likely the first of two, is modeled after similar surveys 10 and 20 years ago to give us a snapshot of changing circumstances and views.

The LCPC is also meeting with numerous Town committees and groups active in the Town over the next two months. Notices have gone out to most groups. If your group hasn't yet scheduled a meeting, call Fred Stocking at 667-6564 to set one up. In these meetings we will be looking to hear both the vision and concerns of the various groups and their members individually.

Later this Fall, after review of the questionnaire responses and the input from the group meetings, the LCPC plans to schedule a town-wide meeting to discuss these issues.

The LCPC is tasked with coming up with a comprehensive plan meeting state guidelines which will chart a path for the next 10 to 15 years. The Comprehensive Plan Committee is composed of Fred Stocking (chair), Kathie Gaianguet (Vice-Chair), Bonnie Marckoon (Secretary), Valerie Sprague, Brett Jones, Richard McMullen, Bob Christie, and Andrea Ames (alternate). We meet on the first Thursday of each month at 6:30 at the Town Hall. We hope to complete the project by Town Meeting 2017.

## Town Asks State to Correct Mapping

(Lamoine) - A few people use the State Office of Geographic Information Systems (OGIS) site that overlays the town's tax lots over the town maps. One is Dick Behr of the Department of Environmental Protection, and the map and lot numbers were not matching up. A check by town officials found not only did they not match up, they weren't even close.

A check with OGIS found that the information put into the state site came from the University of Maine at Machias several years ago. The parcel shapes appear to be mostly correct, but the map and lot numbers were not. The 2015 version of the tax maps were sent to UMM for corrected information. A cartographer at the school has supplied that information to the state office, requesting the correction. Folks who need tax map info are advised to use the maps on the town's web site instead.

## FD Boat Crew Saves Berry Cove Kayakers

(Lamoine) - A strong breeze kicked in during the morning of September 28, 2015 just after a couple from Seattle put their kayaks into Berry Cove. The wind and choppy waters swamped Scott Lawrence's craft, and his girlfriend, Christy Carpenter had a cell phone and called 9-1-1 for assistance.

The Hancock County Regional Communications Center dispatched the Lamoine

Volunteer Fire Department which launched the new 21-foot rescue boat on its first official rescue call. It was also the first call for new fire department member Rick Martens who was working from home that morning. He and Deputy Fire Chief Stu Marckoon launched the boat from Lamoine State Park and quickly reached the couple several hundred feet off shore. Mr. Lawrence, whose parents live on Berry Cove, was still in the water and



Scott Lawrence and Christy Carpenter prepare to leave the Lamoine Fire Department rescue boat while LVFD member Rick Martens situates items on the new boat.  
Photo Courtesy of Jackie Weaver, Ellsworth American

getting cold. He was able to get himself into the rescue boat, and Ms. Carpenter followed suit, though she was dry and in her kayak. The boat crew tied both kayaks to the boat and brought everything back to Lamoine State Park. A crew from County Ambulance was waiting on shore and checked out Mr. Lawrence who appears to be OK. The ambulance crew brought the couple back home to get warm. The new boat received high marks from the crew.

## Fire Calls

(Lamoine) - The number of 9-1-1 calls for the Lamoine Fire Department continued to be relatively low during the 3rd quarter of 2015. Of the 11 calls received three were for mutual aid coverage in other communities and four were for alarm activations with no real danger to the homeowners.

The fire department responded to Asa's Lane in July and cut a tree out of the road after it gave way. A two vehicle accident on Douglas Highway in mid-August that blocked the road brought the fire department in to direct traffic and assist County Ambulance crews with an injured person. The department also assisted at a call the initially came in as CPR in progress but turned out to be much less severe in mid-September off Seal Point Road.

As of late September the department had been paged 31 times, compared to 40-calls during the same time period in 2014.

## Election Day

(Lamoine) - Election Day is Tuesday, November 3, 2015. Polls at the town office open at 8PM. There are three state referenda questions, and the local ballot on the Gravel Ordinance to vote on.

## Auction Succeeds, Supper Planned

(Lamoine) - Lamoine's Volunteer Fire Department annual auction was deemed another success as just over \$7,000 came in during the bidding on August 14, 2015. Local businesses and individuals donated numerous goods and services, and more than 70 people turned out to bid on those items. Volunteer auctioneer Mike Hodgkins of Trenton did a good job coordinating the bidding while firefighters keep things moving along bringing items and gift certificates to him. The money raised will help replenish the fire department's accounts which was used this year to help purchase the rescue boat and a second pump for the vehicle extrication cutters.

The LVFD will hold its annual clam chowder dinner on Saturday, October 17, 2015. Food will be served beginning at 5PM. The menu will include clam chowder, beans, rolls, casseroles, beverage and dessert. The cost is \$7.00 for adults and \$3.00 for children. Members of the department will sell tickets door to door on Sunday, October 11 beginning at noon time. Tickets may be purchased at the door or at the town office in advance.

Lt. David Herrick will once again construct the chowder, using the recipe that his father, the late Albert Herrick, made for the fire department dinners for decades. One thing that will be missing, though, will be fire department Captain Jerry Jordan who always sold tickets and greeted folks at the door, as he passed away this summer. (See Page 7)

## Fire Department Holds Open House

(Lamoine) - Lamoine residents (and some from out of town too) got a chance to check out the Lamoine Fire Station as the department held an open house on August 2nd. The firefighters grilled up hot dogs and hamburgers and dozens of people enjoyed lunch and a tour of the equipment and the fire house during the event. The open house coincided with delivery of the new rescue boat.



Lt. Chris Bean (right) shows off the newest truck in the Lamoine VFD fleet to some future members (some are his grandchildren)

## Streaming Shows Popular

(Lamoine) - Since the town's cable TV system started streaming the telecasts on the Internet in June, folks have commented on how useful the service is. Approximately 20-programs are available on demand—you can get to the service via the town's web site ([www.lamoine-me.gov](http://www.lamoine-me.gov)) and access any of the available programs to play at any time.

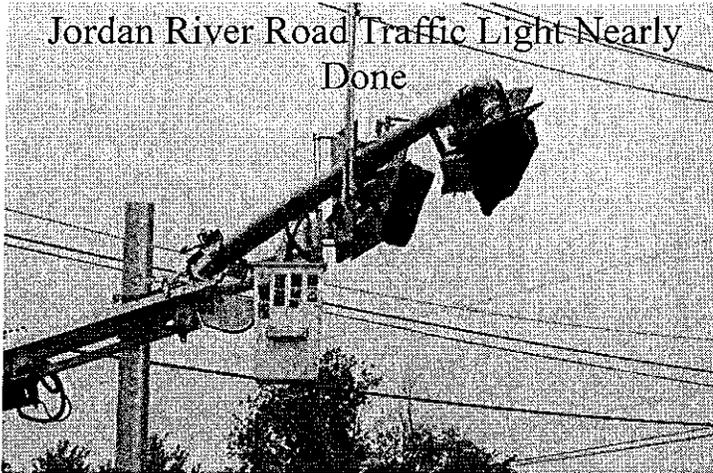
More programs are scheduled as meetings take place. The programs will be available for up to a year after they originally aired. The service is provided by a company called Town Hall Streams.

## Cemetery Contract Signed

(Lamoine) - The Selectmen have finally signed a contract with Forest Hill Cemetery for the care of Veterans' graves. A similar contract with the East Lamoine Cemetery was signed in the previous fiscal year that ended June 30th.

Under state law, the town is responsible for grave maintenance, including mowing and stone repair. The contract utilizes the two major cemetery corporations for that service, since both provide mowing. The contract allows for better budgeting to present to the town for years to come.

## Jordan River Road Traffic Light Nearly Done



(Trenton) - The excitement was building by the end of September that soon folks passing through Lamoine on the way to Mt. Desert Island could safely turn left onto Route 3 at the end of Route 204 (Jordan River Road). Crews started installing traffic lights at the recently rebuilt intersection, the finishing touch on a \$900,000 project.

The intersection rebuild includes two lanes as motorists approach the lights from both sides of Route 3 and from

Jordan River Road. A camera system that will be mounted on top of the light arms will detect oncoming traffic and a computer will activate the lights in an efficient manner.

The Town of Lamoine, which suggested to the Maine Department of Transportation that lights would be a good safety addition, will pay for electricity and insurance of the lights after the first year of operation as the Town of Trenton balked at the cost.

## Minor Road Repairs Made, Planned

(Lamoine) - Several of the local roads in Lamoine have seen improvements during the summer months. Contractors Richard McMullen and Jay Fowler did most of the work. McMullen dug out a new ditch on the hill on the Raccoon Cove Road end of Marlboro Beach Road. He also fixed up a ditch and shoulder on the western end of Buttermilk Road.

Gully Brook Road, a seasonal dirt road that runs between Shore Road and Berry Cove Road got a much needed tree trimming. Berry Cove Gardens, which is based just around the corner from the road, did the cutting, coming in with the low bid.

The paving projects on Buttermilk and Needles Eye Road will be completed in the coming weeks as the Fowler Crew will be scraping the shoulders to bring them even with the new pavement layer. Prior to paving, the crew put in new cross culverts on Needles Eye and Buttermilk Roads.

Coming up this fall, a crew from Wilson's Ground Maintenance will conduct crack sealing on the eastern end of Buttermilk Road, Birchlawn Drive and South Birchlawn Drive. Selectmen had set aside money for the crack sealing project from the FY 2015 budget and combined with FY 2016 budget, this will greatly extend the pavement life on those sections of road.

The other work planned for the fall involves more tree trimming. The Selectmen will solicit estimates from local tree work companies to cut back growth on both Mill Road and Shore Road. That work will likely be done in late October or November, once most of the leaves are off the trees, but before the snow fall starts.

## Paving Projects Completed for Two Fiscal Years

(Lamoine) - The town took full advantage of a steep drop in petroleum prices to pave a lot of roads during the summer of 2015. The budget year that ended on June 30th included funds to re-pave Needles Eye Road. Selectmen encumbered those funds and combined them with the funds approved for the 2015/16 budget designed to re-pave the western end of Buttermilk Road.

Because the price was significantly lower than budgeted, a couple of great things happened. The length of paving on Buttermilk Road extended further east than planned. And, there was still a good deal of funding left over, enough to put a decent coat of new pavement on the Lamoine Consolidated School Parking lot, and the outdoor basketball court. It's believed the last time the school parking lot was repaved was more than 25-years ago and the surface was in very sad shape.

Prior to paving the parking area, Jay and Perry Fowler excavated a catch basin that only served to create a pond in the parking lot. The re-shaping will help water flow off the parking area, eliminating water and ice buildup and extending pavement life. The Fowlers will also shape the road shoulders.



Crews from Wellman Paving based in Winterport apply new pavement to the western end of Needles Eye Road.

## State Park Boat Ramp Project Under Way



Work has begun at Lamoine State Park to greatly enhance the boat launching ramp at the park. The Planning Board granted the Shoreland Zoning and Site Plan Review permits to the State of Maine which worked with local officials to determine the boating needs. When the project is done by the end of the year, an extended ramp will allow for boat launch at low tide. Finger floats will be added adjacent to the launching ramp when the park reopens in the spring of 2016. RJ Jordan is doing the site work.

## Conservation Commission Cleans Up

By Larry Libby

The Conservation Commission was actively involved in the Maine Coastweek annual coastal clean-up during the week of September 19-26. We coordinated with the Green Team from the Bangor Job Corps, a group of more than 30 students coordinated by John Dionne, a frequent camper at Lamoine State Park. The Green Team handled the park and surrounding shoreline, LCC focused on the east side from Seal Point to Marlboro Beach. LCC member Larissa Thomas led a local group from Seal Point south to Rt. 204 and Lamoine Phyllis Mobraaten and several neighbors cleaned the shore from there to Marlboro Beach. This is an important LCC priority and we thank the volunteers who participated.

Speaking of clean-up, Georgia Munsell reports that the Fall roadside clean-up is underway with full participation by volunteers. We thank Georgia for her continuing leadership in this activity.

Larissa Thomas has moved from alternate to regular member filling the vacancy created when David Legere asked not to be reappointed last July. We thank David sincerely for his ideas and energy during his time on the commission. These changes leave open an alternate position. Here's your chance to work with this dynamic, diverse and dedicated group of Lamoiners who care about conservation in the town's future! Apply at the town hall if interested.

Commission members helped conduct the special electronic waste pick-



*Adrift No More*  
Author Steve Callahan was one of the volunteers to help with a shoreline cleanup sponsored by Lamoine's Conservation Commission in September, and holds an old, wooden lobster buoy he found.

up day on July 11. A huge volume of TV's, cell phones, printers, etc. was gathered. Town residents clearly appreciated the opportunity to unload stuff that had collected around the house.

David Sanderson volunteered his time and expertise to guide LCC through a strategic planning exercise in early September. We felt the need to assess our strengths and weaknesses, various external factors affecting future conservation in Lamoine and develop some priorities. A report of that planning effort will be available soon.

## Litter Volunteers Going Strong

(Lamoine) - Volunteer roadside cleanup coordinator Georgia Munsell reports the Adopt A Highway Program continues to have great participation. The following folks are actively picking up litter from the roadsides

Darlene, Elizabeth & Bob Alvarez

Arluss & Ray Becker

Barbara Bland & Don Bamman

Nancy & Harold Boynton

Merle & Joan Bragdon

Cynthia & Gordon Donaldson

Bruce & Amelia Gillett & Kathleen Rybarz

Jackie Haines & Gregg Tehennepe

Nancy & Steve Heitert

Susie & Nils Hokansson

Nicole Holdsworth, Makenzie & Kaitlyn

Cowles, Matthew Mingo

Priscilla McAneny & Bill Reynolds & Trish

Smith & Rylan Brann

Jane & Steve McMullen

Phyllis & Larry Mobraaten

Becky Morrison

Georgia & Mark Munsell

Teresa & Harrison Pinkham

Georgianna & Bob Pulver

Mary Roper

Diane & David Sanderson

Sally & Ken Smith

Doug Stewart

Lynda & Chris Tadema-Wielandt

Herb Watson

Cindy, Erin & Lonnie White

## Budget Committee Starts October 26

(Lamoine) - The town's budget committee will hold its first meeting on Monday, October 26, 2015. Town staff, meanwhile has started work on the 2016/17 budget for

the town meeting in 2016. An alternate budget committee member is still needed. If you are interested in the town's finances, contact the town office.

## Landfill Water Tests to Change, Slightly

(Lamoine) - Maine's Department of Environmental Protection has approved of slight changes to the town's water testing program around the former landfill area. Since capping the landfill in 1994, the town has sampled residential wells annually for signs of contamination. A few of the closest wells have shown elevated levels of iron and manganese. The DEP installed its own wells adjacent to the capped landfill and the town is required to hire a contractor to test those every two years.

The new protocols will still require annual testing at five homes, but for fewer minerals in some of the wells that have not turned up any sign of influence from the landfill. There should be a slight cost savings in the water testing. The DEP will also look at the continued results in a couple more years, and may be able to allow more scaled back testing. Between the residential and landfill wells, water testing cost a little over \$4,800 in FY 2015.

## Town Meeting 2016 Dates Set

(Lamoine) - Mark your calendars now for the 2016 annual town meeting dates. The Board of Selectmen have set Tuesday, March 8, 2016 as municipal election day. Polls will open at 8am and close at 8pm. The annual open town meeting will be held the next day (Wednesday, March 9, 2016) beginning at 6PM at the Lamoine Consolidated School Gym.

With the election date set, nomination papers will become available on Monday, December 14, 2015 and must be returned with at least 25-signatures of registered Lamoine voters no later than January 23, 2016.

There will be two Selectmen seats elected in March, currently held by Bernie Johnson and Nathan Mason. The Assessors seat held by Jane Fowler will also be elected in March, along with the school committee seats currently held by Brett Jones and Robert Pulver.

Absentee ballots will become available on Friday, February 5, 2016.

## School Exploring Lot Purchase

(Lamoine) - Lamoine's School Committee has asked the Board of Selectmen to begin the process of offering to purchase a lot adjacent to the school property. Long occupied by the Clark family, the current owner has indicated a willingness to sell, if the price is reasonable.

School Board chair Brett Jones said the school could use the lot for additional parking and a garage to eliminate several small sheds on the current school lot. Stay tuned.

## New Faces, New School Year at Lamoine Consolidated School



Jerry Maranville – Bus Driver    Kelly Allen – Special Education    Tiara Woods – Math    Scott Mootrey – Food Service    Robin Veysey – Librarian

By Dawn McPhail, Principal (Lamoine) - A great big "Thank You" goes out to everyone who thanked a Lamoine Consolidated School teacher during last spring's "Thanks a Billion" campaign sponsored by the Target Corporation. Thanks to your help and the generosity of Target our school was presented with a check for \$2200. Thanks, thanks, thanks!

New to Lamoine Consolidated School this fall is the Drama Club. Mrs. Duffy is taking her group to the stage to learn the ins and outs of drama production this fall. In January the real work begins on a production scheduled for spring.

Grace Garrison and Olivia Fowler thought that our school should have a school newspaper. When they approached Mrs. McPhail with the idea, she agreed wholeheartedly. The 5<sup>th</sup> - 8<sup>th</sup> grade newspaper staff has begun to plan, gather, and write for the first newspaper printing that will take place in early December. The Lamoine Consolidated School newspaper will produce three newspapers throughout the school year.

Cross Country is Back! The running bug has hit the school and 15 4<sup>th</sup> - 8<sup>th</sup> graders have joined our new cross-country team. For the past several years Lamoine has not had a team due to a lack of interest and participation from students.



The school sign also got a facelift thanks to the volunteer efforts of Val Peacock, Gordon Donaldson, and Bob Pulver. The sign was painted, re-lettered and moved to a more visible location.

## Facility Upgrades at the School

(Lamoine) - We are very excited about recent and upcoming facility improvements at the school. The newly paved driveway is simply fabulous, as is the outside basketball court. Thanks to a generous financial donation from PATRONS and the volunteer efforts of the Perry and Jan Fowler, Nate Mason, and Brett Jones we now have brand new adjustable basketball hoops for our town to enjoy and a safer playground. The old backstop, cracked benches and the broken slide were all disassembled and removed, and the wood chips were redistributed.

The playground and fields look great.

If you haven't seen the newly renovated library, you are missing out. It looks terrific. The most amazing group of volunteers led by Cynthia Donaldson first packed up all of the books...an exhausting and time consuming job. The book cases were all repainted and some were disassembled and rebuilt to better suit the layout of the room and to make room for a new preschool section. Walls were painted and new artwork displayed. Finally, the hard work of putting the books back on the shelves begun.

## Slow Ride Sunday Gaining Speed

(Lamoine) - The Recreation Committee has put on what they're calling "Slow Ride Sunday". It's a biking event that has no cost, no racing, and is just a chance to bike around the roads of Lamoine for fun. The first try came July 19th, another ran August 30th.

Below, Rec Committee members (l-r) Greg Stone, Elie Khoury, and Jason Trenholm stand with the signs generously sponsored by area businesses that are posted around town on those days designated for the rides. Reaction thus far is positive.

## Community Arts Fall Performance

Lamoine Community Arts is preparing a full length play for its fall production this year. Morning's at Seven, by Paul Osborn, portrays a delightful, sweetly dysfunctional, but loving family.

Their intertwined lives take surprising turns, as they all try to figure out "what it's all about", and who has a place where.

The set is taking shape at the Lamoine/Bayside Grange, and rehearsals have begun.

Five performances are scheduled: October 30 & 31 at 7pm, November 6 & 7, at 7pm, and a matinee on Sunday, November 8th, at 3pm. Mark your calendars now! To reserve tickets or for more information, please call 667-7969.



## RIP Firefighters...

(Lamoine) - The Lamoine Fire Department lost two long time members this summer. Harry Hamor, an original founder of the fire department died July 20, at the age of 91. And Jerry Jordan, who also drove the school bus for years, died on August 21 at the age of 79. Their presence is greatly missed around the town and fire house.



## October 2015 Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
The Budget Committee schedule has not yet been set. Generally, the committee meets in November and December on Monday Evenings at 6:30.				1—6:30 Comp Plan	2	3-9am Rec Cmte Office Open 8-12
4	5-7PM Planning Board Absentee Ballots Available	6	7-Assessors, time TBA	8—7PM Selectmen	9	10
11	12	13-6:30 PM School Committee	14-7PM Conservation Cmsn.	15	16	17-5PM Fire Dept. Dinner
18	19	20	21	22-6:30pm Selectmen @ School	23	24
25	26-6:30 PM Budget Cmte.	27	28	29-Absentee Ballot deadline	30	31-Town Office Open 8-12

## November 2015 Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2-7PM Planning Board	3-Election Day 8am-8pm	4-Board of Assessors, Time TBA	5-6:30 PM Comp Planning	6	7-Town Office Open 8-12
8	9	10-6:30 PM School Cmte	11-Veterans' Day, Office Closed 7PM Conservation Cmsn	12-7PM Selectmen	13	14
15	16	17	18	19	20	21
22	23	24	25	26-Thanksgiving, Office Closed	27-Town Office open 8-4	28-Town Office Open 8-12
29	30					

## December 2015 Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2-Assessors, Time TBA	3-7PM Selectmen	4	5-Town Office Open 8-12
6	7-7PM Planning Board	8-6:30 PM School Committee	9-7PM Conservation Cmsn	10	11	12
13	14	15	16	17-7PM Selectmen	18	19
20	21	22	23	24-Town Office closes at Noon	25-Town Office, Transfer Station Closed	26-Town Office open 8-12, Transfer Stn Open 8-5
27	28	29	30	31-Town Office closes at 2PM	1-Town Office & Transfer Stn Closed	2-Town Office Open 8--12, Transfer Stn Open 8-5

*Please consult the town's website for Christmas and New Year Schedules for the Transfer Station, as the schedule has not yet been set as of publication.*

The Lamoine Quarterly  
**October 2015**

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And Much, Much More



Town of Lamoine  
 606 Douglas Highway  
 Lamoine, ME 04605

# ◆The Lamoine Quarterly◆

Volume 24 Issue 1

Published Quarterly by the Lamoine Town Office

July 2018



*Marlboro Beach neighbor Jim Norris addresses the crowd that came to celebrate the purchase from his family in late June.*

## Marlboro Beach Purchase Celebrated

(Lamoine) - For six months now, the Town of Lamoine has owned all of Marlboro Beach. Thanks to efforts of many, including the Frenchman Bay Conservancy, the Norris Family, and resident (and tax assessor) Terry Towne, the town closed on the deal in December 2017. Being a relatively bleak time of year, certainly not suitable for an outdoor celebration of the purchase, organizers opted to hold out for a day that would more likely bring good weather.

Iris Simon organized the day on June 23rd. Simon is with the Frenchman Bay Conservancy which did much of the leg work getting chairs, small tents, and the right organizations to the beach for the celebration.

Towne addressed the crowd, estimated at about 150-people about the geology of the beach, created tens of thousands of years ago when glaciers melted into what became Frenchman Bay. The Conservancy, which raised about \$35,000 to combine with \$10,000 from the Town of Lamoine to fund the purchase reflected on the importance a publicly

owned land with shorefront access.

Jim Norris, who, along with his brothers, sold the property to the town, also told the attendees about how important it was to his family to keep the beach open to the public for both commercial fishing and recreational use. He said he hopes to see the town, over time, make some improvements to the area to accommodate users. Mr. Norris then gave a quick demonstration of clam digging to interested onlookers.

A lot of town volunteers assisted with the event. The Conservation Commission, Parks Commission, and even the Board of Selectmen were among the attendees. Fire Department members also helped with set up and parking control.

Local businesses donated ice cream and root beer and volunteers made up root beer floats. The Recreation Committee offered games. The Fletcher's Landing Philharmonic Orchestra entertained the gathering with a variety of Dixieland numbers. Most importantly, heavy rains held off until after the event was over. Those in attendance said it was great fun.

## Assessors Set Property Tax Rate At 11.2

(Lamoine) - Lamoine's property owners will see their bills rise 4.67% when they receive them in mid-July. The town's Board of Assessors set the mill rate at \$11.20. That's up from \$10.70 from the 2017 rate. On a typical home assessed at \$200,000, the tax increase would be \$100.00. That's sure a lot of numbers for one paragraph.

The reasons behind the tax increase are pretty simple—increased property tax requirements from all three components of the budget; the municipality (up \$32,200), the school department (up \$151,100) and county (up \$5,300) - all figures are rounded. While the tax need was up, the

amount expended by the components was not up all that much. Revenues used to offset property taxes were not utilized to the extent that they were in the 2017/18 fiscal year. Most notably, the town used \$117,000 less from the road fund to offset paving costs for the 18/19 fiscal year. The school department also utilized less fund balance to offset some of the budget increased.

The expenditure budget total is actually down by \$70,000, but the non-property tax revenue offset was down by \$260,000.

Tax bills should be mailed out the week of July 16th.

## Appeals Board Overturns Gravel Pit Expansion Denial

(Lamoine) - Harold MacQuinn, Inc. now has town permission to expand an existing gravel mining operation from roughly 33 acres to approximately 110-acres, pending any further appeals following action by the town's Board of Appeals. The Appeals Board found in favor of MacQuinn, contrary to a denial of both Site Plan Review and Gravel Permit applications from the town's Planning Board.

The appeals process started in February and covered more than a half dozen meetings, ending in June. The Planning Board had turned down both permits based on what they determined was an adverse impact on ground water underneath the huge gravel deposit, and adverse impacts on properties near the proposed pit area.

The Town ended up employing two attorneys during the appeals process. Dan Pileggi represented the Planning Board during the Appeal, presenting the materials that came before the Planning Board during its decision making process. Diane O'Connell represented the Board of Appeals, guiding that board through the complex decision making process.

The Appeals Board recognized three parties of interest; the citizens' group Friends of Lamoine, which was also represented by an attorney; landowner the Tweedie Trust, and the Cold Spring Water Company, which abuts the area in question and represented by treasurer John Holt, who serves as Planning Board Chairman. In this matter, Holt recused himself from the Planning Board's decision making process. A fourth attorney, Ed Bearor, represented the MacQuinn corporation.

Testimony from a hydro-geologist showed that the excavation area would not diminish the groundwater area that supplies the Cold Spring Water Company which serves several dozen homes, the Lamoine Consolidated School and the fire station in the center of town. That finding was corroborated by an independent geologist approved by all parties and the Planning Board. The Friends of Lamoine countered with testimony from University of Maine Professor Emeritus Dr. Harold Borns.

The Appeals Board findings concluded that the proposed expansion would not increase the amount of excavation and truck activity that currently exists. MacQuinn has agreed to keep operations set back 100-feet from property lines.

In the end, the Board of Appeals ruled that all the criteria for approving a gravel permit had been met during the "de novo" hearing, and that several provisions of the Site Plan Review ordinance should not have been applied by the Planning Board. The Planning Board, on July 9, 2018 issued the written findings approving both permits.

## Code Enforcement Increases On-Duty Time

(Lamoine) - Code Enforcement Officer Rebecca Albright says she loves working in Lamoine, and has started doing more of it, by necessity. Albright recently left her similar post in Gouldsboro, and became available to put in more time for Lamoine.

The demand on the Code Enforcement Officer and Plumbing Inspector has grown significantly just in the past year. In June alone, Albright issued five permits for new homes. Besides reviewing the submitted paper work for compliance with local and state requirements, the Code Enforcement Officer and Plumbing Inspector must visit the work site and make several inspections during the construction project. After the permits are issued, Albright enters the basic information into the town's computer system, files the paperwork in a binder and a copy in each pertinent folder for the property. The work for a construction permit has become fairly complex over time, and the volume of permits has meant more needed office time.

In addition to the permitting work, Albright has received several alleged violation complaints from other town officials. Those require even more time than the permit applications as each complaint must be investigated, correspondence generated with the alleged violator, and coming up with a solution for the alleged violation to be corrected.

Another time demand on Albright involves Planning and Appeals Board meetings. The Code Enforcement Officer is a vital team player with the Planning Board, offering advice on pending applications, carrying out inspections, especially on gravel pits. When a denied permit is appealed, the CEO must appear before the Board of Appeals to offer insight into the reasons for appeal or request for a variance.

Albright requested permission to utilize more hours. When she was hired, the Selectmen set up a contract to guarantee payment for a minimum of 8-hours a week, with compensation hourly beyond the 8-hour mark.

## Ordinances Amended, More Pending

(Lamoine) - Voters in May approved changes to the Building & Land Use Ordinance (BLUO) and Gravel Ordinance. The BLUO change has to do with road frontage requirements. The amendment will now allow for buildings to be placed 200-feet back from public roads if the road frontage is not 200-feet wide. That potentially opens up a lot more potential residential development in town. The amendment also corrected some minor errors in the land use table.

The Gravel Ordinance change had to do with pit restoration and gives the ability to the Planning Board to deny or revoke a permit if the operator does not conduct restoration activity as outlined in

the Gravel Application.

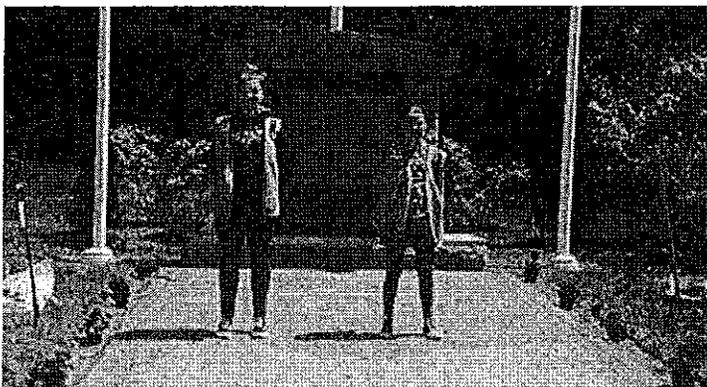
Meanwhile, the Planning Board has drafted a new Shoreland Zoning Ordinance to conform with state required wording. A draft of that will go to a public hearing on September 17, 2018 for input before a final version is voted upon.

The same process is also planned for the BLUO. The Planning Board has spent hours working on cluster housing ideas, and has drafted language that potentially allow such plans. The current cluster housing language is difficult to comply with, and tends to discourage such development in demand in neighboring municipalities

## Faces Change on Appeals Board

(Lamoine) - Two resignations from the Board of Appeals and a sudden interest in the Board's business have some new faces serving. Long time members Cece Ohmart and Connie Bender both stepped down because work schedules prevented them from attending. Filling the regular slots on

the board are long-time alternate member Michael Jordan and Conservation Commission chair Larissa Thomas. School Committee chair Brett Jones and Glen Mary Road resident Karen Hood were named to serve as alternate members on the Appeals Board.



**Caretakers of the Memorial**  
 Girl Scouts Lilly Philbrook (left) and Casey Jordan (right) have been very diligent the last few years about keeping the flora at Lamoine Veterans' Memorial in tip top shape. This year they planted a pair of perennials to replace two that did not survive the winter, and also edged, mulched and planted geraniums along the brick walkway.

## Appeals Board Denies Variance, Another Withdrawn

(Lamoine) - When Partridge Cove Road resident Dana Young applied for a building permit for a garage, his plans placed the structure 21-feet too close to Route 204. The application called for the garage to be adjacent to Young's home, which is the same distance away from the road, had been built long before the road setback requirement was placed into the building and land use ordinance.

Code Enforcement Officer Rebecca Albright denied the permit because of the proposed setback violation, and Young requested a variance from the town's Board of Appeals.

After reviewing the information, the Appeals Board also denied the application. In its draft findings, the board noted that the land parcel contains 20-acres and there was plenty of room for a conforming garage.

The Board of Appeals also received a variance application from a landowner on Eagle Point Road who was apparently trying to sell a small waterfront parcel contingent on being able to obtain a building permit. A proposed cabin did not meet setback requirement on the lot that was created prior to the town's first ordinances.

Landowners in the subdivision questioned the plans presented with the variance request following the initial Board of Appeals meeting on the matter. The matter is currently pending.

## Permits Issued

#	Name	Project
7	True, K.	Residence
8	Merchant, Rob't	Residence
9	Havey, Keith	Expansion
10	Andrews, Holly	Garage
11	Young, Dana	Garage
12	Young, Dana	Porch
13	Workman, Alice	Residence
14	Berger, Alex	Apartment
15	Comolli, Bruce	Shed
16	Warner, Mark	Residence
17	Sanborn, R.	Slab, Barn
18	Nichols, Jenny	Rabbit Hutch
19	Sweeney, M.	Mud Room
20	Onorato, Geo	Expansion
21	Louis, Nancy	Shoreland
22	O'Connor, C.	RV
23	Atkins, Alice	Shed
24	Leavitt, Jas.	Residence
25	Pending	
26	LaBossiere, A.	Garage
27	Richards, John	Residence
28	Warner, Jeffrey	Residence
29	Davis, Allan	Deck, Sunroom
30	Long, Robin	Residence
31	Bouffard, D.	Shed
33	Apel, Raymond	Screen Deck
34	Strauss, Rob't	Residence

## Electronic Waste Collection

(Lamoine) - For a third time in 4-years, Lamoine sponsored an electronic waste collection. Electronics End of Brewer set up collection trailers next to the transfer station. The company reports it picked up more than 5-tons of Televisions, batteries, computers and monitors and various other gadgets that people brought for proper disposal.

*Electronics Recycling Day, sponsored by the Lamoine Conservation Commission, was a big success. Electronics End of Brewer spent Saturday morning at our transfer station and drove away at noon with a full trailer and half a box truck full of...well, you name it. Thanks to all the generous donors whose contributions will help support our future activities. And thanks to the members of the Conservation Commission who helped accept and load the donated items—especially Mike Jordan who stayed all morning long and lifted all the heaviest TVs! (Larissa Thomas Photo)*



## Recycling Popularity Creates Challenges

(Lamoine) - Since instituting single sort recycling in April, Lamoine's unincinerated tonnage has dramatically increased. That has created a lot of challenges for the transfer station operation, and the town's budget.

The program started out with a 30-yard dumpster weekly, and with the increased in the types of materials being recycled, the dumpster filled up quickly. Transfer station manager Chris Meyer had to close the roll-off container early each weekend when it got full, and the recyclable material had to go in the regular trash.

Meanwhile, the bottom fell out of the recycling market when China stopped buying recycled material from the United States. Eco-Maine had to find other buyers, and prices for recycling fell to near nothing, and in some cases, the company

has to pay to get rid of materials such as mixed paper.

The town obtained another recycling roll-off in late June, and now both containers seem to be filling nearly full each week and has to be hauled to Winterport for emptying. That increases transportation costs significantly, and it's likely that recycling costs will exceed the amount budgeted for 2018/19.

Meyer asks that people use one of the large containers for cardboard, and the other for the rest of the materials to try to maximize the container efficiency.

One option could be compaction. Resident Ken Smith, who helped guide the town through its disposal options, has started exploring the options for a compactor to maximum container space use and hopefully drop transportation charges.

## Solar Energy Under Exploration

(Lamoine) - Selectmen have started looking at options for solar energy production at town buildings. A representative from Re-Vision Energy of Waldo County gave a presentation in late June to the Board of Selectmen for what's called a power purchase agreement.

Under that plan, a solar array would be constructed on town property, possibly the salt sand shed or at the former landfill. The array would produce enough energy to power the town buildings, and instead of buying electricity from the utility company, the electric bill would be generated by an investor who pays for the solar array installation. The investor would get tax credits for the solar energy while getting a guaranteed payment from the municipality.

Typical plans would offer the purchase of the solar array back to the town after 5-years, and the town would sell the power equal to the amount it uses back into the electric grid.

The Selectmen have referred the potential project to the Conservation Commission, which will also explore a solar array at the elementary school.

Several Maine communities have taken advantage of the tax incentives for private investors for such power purchase agreements.

## Transfer Station Safety, Signage Under Study

(Lamoine) - Transfer Station Manager Chris Meyer has posted two stop signs by his office and the swap shop to try to get traffic to slow down after a number of pedestrian near misses by speeding vehicles. So far, no one has been injured this year while attempting to place or retrieve items from the swap shop.

Meyer devised a parking and signage plan for the Board of Selectmen to try to maximize safety. One of the big problems seems to be that pedestrians are parking on the right hand side of the road across from the swap shop and cross the access road to reach their destination while transfer station users are coming into the facility. Parking on that side of the facility will be prohibited in the near future to try to make it safer. Traffic cones and signage will be placed around that area as well as the pad where the recycling containers are located to keep vehicles and pedestrians separated.

## Heating Fuel Bid Awarded

(Lamoine) - More towns participated in the annual bid program for heating fuel this year. Lamoine joined Hancock, Sullivan, and now Gouldsboro along with the Hancock and Lamoine School Departments to look for the most favorable price for heating fuel.

Once again, Acadia Fuel came in with the low bid for both #2 oil and propane. The towns and school department will pay \$2.43/gallon for oil and \$ 1.35/gallon for propane. Four companies submitted bids, and the Southwest Harbor based company was 1-cent lower for oil and 7-cents a gallon lower for propane.

## Water Tests Show Normal Results

(Lamoine) - A lot of water testing has taken place in Lamoine in the past quarter. The town conducted its annual residential well testing around the former landfill which closed in 1994. Five homes are tested, and the results this year were consistent with past years.

Additionally, the town had several wells drilled adjacent to the landfill tested this year by an engineering firm. The results came back normal, with only a trace amount of the chemical tannin showing up at levels well below the unsafe level.

Finally, Conservation Commission member Kerry Diskin conducted a water test for E-coli at Blunt's Pond around the end of June, and the tests show no presence of the organism, despite heavy pond use during that time of year.



*Adopt-A-Highway  
Walker Road resident Joan Bragdon took a picture of her cleanup results along her stretch of road. Mrs. Bragdon reports the amount of trash showing up on the road does not seem to be diminishing, despite the constant cleanup.*

## Fire Department Auction Set for August 10

(Lamoine) - The upcoming Lamoine VFD fire department auction could be one of the biggest ever in terms of items offered for sale. The fire department has received so many significant donations that it has rented two storage lockers in town.

The estate of former Ambassador Chester Norris sold earlier this year and his wife, Ulla, donated much of the high quality furniture and décor to the fire department. A Buttermilk Road resident who also plans to move has also given many high quality tools to the auction.

The annual auction will be held on Friday evening, August 10th at the Lamoine Consolidated School. The preview starts at 5PM, and the bidding will begin promptly at 6PM. Bidders are

encouraged to bring trucks and trailers, as many of the furniture items are large. Firefighters will help successful bidders load them onto vehicles.

Lt. Joe Young is in charge of setting up the auction, and volunteer firefighters have hit the road to ask local businesses if they wish to help. For a second year, Deputy Fire Chief & Administrative Assistant to the Board of Selectmen Stu Marckoon will lead the bidding.

Last year's auction raised a record amount for the fire department, exceeding \$10,000 for the first time. There is no admission fee to pick up a bidding card. It's expected the local girl scout troop will be selling snacks at the event. Cash and checks are accepted, but not credit cards.

## Ambulance Contract Now Month to Month

(Lamoine) - For nearly 40 years the Town of Lamoine has contracted with County Ambulance to provide emergency ambulance service for its citizens. The town paid \$9.00 per capita a year, a relatively small charge compared to purchasing an ambulance and staffing the service. The contract with County expired on June 30th.

Owner John Partridge is proposing that instead of paying for the service in advance that his company will bill the company monthly. Selectmen have tentatively agreed to take him up on the offer.

County Ambulance is suffering from a significant revenue loss. It's competitor, Capital Ambulance, has taken over transport between Maine Coast Memorial Hospital and Eastern Maine

Medical Center. Both hospitals are owned by the same organization, which also owns Capital. Routine transports are a good source of revenue for ambulance services, and Partridge says County is feeling the pinch. He said he's not offering a long term contract, because he's not sure if he'll be able to honor it, depending on the finances.

Maine EMS which oversees what ambulances serve which communities told the town that it's confident that if County should not be able to continue, there will still be ambulance coverage for Lamoine. Partridge echoed that belief, saying it's likely to be Capital Ambulance. He also said that emergency service to Lamoine will still likely result in a bill to the town, noting that County's rate is among the lowest in Maine.

brought down a live power line beside the road. That was quickly extinguished by firefighters using hand tools (and keeping away from the live wire).

Department members responded at least a half dozen times to assist County Ambulance with lifting patients and one possible CPR call. Several alarm activations drew a response, but there was no fire to extinguish.

## Another Busy Quarter for Fire Department

(Lamoine) - Lamoine's firefighters had their pagers activated 28-times between April 1 and June 30 this year. That put the department at a pace for another record number of calls for the year, and some of the calls, mostly those out of town, were extremely serious.

The most serious call came in Bar Harbor where a Russell Farm Road home caught fire nearly immediately after a power outage was restored. Lamoine sent two tanker trucks to the scene to shuttle water. Two people perished in the blaze. Ellsworth fire called upon Lamoine's services fairly frequently, with firefighters providing station coverage for the city and surrounding towns during fires at the Otis General Store as well as several other blazes. The Lamoine VFD also responded with two tankers, a pumper, and the brush truck to a wild fire in a gravel pit in North Ellsworth.

In town, grass fires were the most serious threats to property. A man from out of state kindled a trash fire outside his Lamoine Beach Road home in the dry spring, and the wind quickly carried it out of control. Firefighters had it contained fairly quickly, and the Maine Forest Service issued a ticket for burning without a permit. Another wildfire scorched brush alongside Buttermilk Road when a tree

## Ladder Truck Delivery Date Nears

(Lamoine) - Firefighters have been keeping an eye on the construction of a brand new ladder truck for a fire department in British Columbia, because when that is complete, the town will receive that department's retired ladder truck. It's expected the new truck should arrive in either September or October, depending on the time it takes to drive it across country.

Town meeting approved \$98,000 and change to purchase the truck, combining that with a 10-percent payment from the Lamoine Volunteer Fire Department's privately raised funds.

Money from an annual solicitation letter, the upcoming auction, and items ordered as part of the 2017/18 town budget will fund the equipment that will be placed into service when the new truck arrives. Fire department members will receive extensive training on the new truck.

## Winter Harbor to Purchase Tanker 404

(Lamoine) - The Winter Harbor Fire Department has agreed to purchase a 1989 International Tanker truck that Lamoine purchased brand new in 1990. The truck will be delivered to the Hancock County Department in early August, just in time for the community's annual lobster festival. It will make it's Winter Harbor debut in the parade.

The tanker has a lot of history with the department, especially on mutual aid calls. It's most recent significant run came during a fatal fire on the Russell Farm Road in Bar Harbor on April 22nd where it was part of a water shuttle, providing part of an estimated 100,000 gallons of water to the remote scene.

The tanker was the first brand new tanker in the fleet, constructed by Canada based MetalFab, and brokered through K&T Equipment in Island Falls, Maine. That firm has since built two pumpers, another tanker, and the brush truck. It's a standard transmission vehicle, the next to last standard in the fleet. The new ladder truck will take its place in the LVFD fleet.

## Drug Bust Brings Animal Control Response

(Lamoine) - A drug bust in late April saw four people arrested and charged with drug trafficking on Francis Drive in Lamoine. The Maine Drug Enforcement Agency charged property owners Michael and Alicia Kane, a man from Connecticut and a woman from Holden with distributing heroin. They seized 51-grams of the drug from the Kane's home.

The MDEA also contacted Animal Control Officer Shannon Byers after the bust to arrange for care for several animals at the Kane's property. Byers sought other arrangements for the chickens and cats at the property while making sure they were fed, watered and properly sheltered.

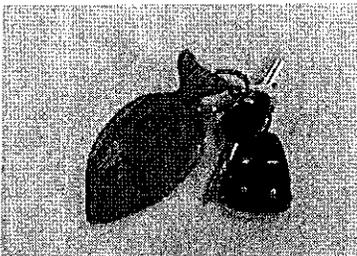
A judge set bail for the Kanes at \$5,000 each. Maine DEA said they had investigated the young couple for about a month.

## Fire Insurance Rating Remains at "6/10"

(Lamoine) - The town's fire rating for insurance premiums is still pretty good for a rural department without a full time force and no pressurized fire hydrants. Insurance Services Organization (ISO) informed the town that its fire insurance rating will be a "6" for all areas within 5-miles of the fire station, but for those beyond the 5-mile limit, the rating jumps to a 10. The "10" rating is typical of most rural fire departments.

Initially, ISO had proposed a 9-rating, a significant downgrade from the 6. When town officials pointed out that the fire department years ago had successfully demonstrated that it could flow 250-gallons of water per minute for a sustained amount of time, the rating changed back to the 6/10 designation. Homeowners should check with their insurance carrier to make sure the proper rate is applied to premiums.

## Beach Park Generates Treasure, Complaints



*Someone with a GM Vehicle is missing a pretty cool key ring, and their vehicle key and job, left behind at Lamoine Beach*

(Lamoine) - Facilities maintenance director Rick Gallegos reports that the town's three parks, Marlboro Beach, Bloomfield Park at Blunt's Pond, and Lamoine Beach have mushroomed in popularity this summer. That means he's clearing out the trash cans far more often this year. And, the lost and found table at the town office has grown with items that people seem to forget they've left behind at the parks. The Independence Day

holiday brought a lot of usage—and complaints from neighboring property owners, asking that people respect the private property areas. As you face the ocean at the end of State Route 184, the area to the left is the public park for approximately 1,000 feet. To the right, the beach is private property. At least one neighbor has reported people coming onto their lawn and sitting in their beach chairs. They have erected private property signs.

Then there are fireworks. They are not legal within the confines of Lamoine Beach at any time of the year. State law requires written permission for people to use fireworks on property that is not their own. Neither the Town of Lamoine which operates the park, nor the State of Maine which owns the land, issues such permission. July 4th saw several people using fireworks at Lamoine Beach, which is a popular gathering spot for those who try to see the light show in Bar Harbor without braving the heavy traffic. Neighbors tolerated that evening, but complained that fireworks continued in the days following the 4th.

## Biking Courtesy Urged (It's the Law)

(Lamoine) - A recent e-mail received by the town office expressed dismay at an increasing amount of near misses along the public roads between motorized vehicles and bicycle riders.

State law requires cars to pass bicycles giving them at least 3-feet of separation. Lamoine's roads, especially the state highways, are pretty narrow with crumbling shoulders, making it tough for bicycles to ride at the extreme right hand edge. If a vehicle is approaching from the other direction, motorists must slow and wait to pass a bicycle until the oncoming motorist passes, making it safe to cross the center line to give the required 3-feet of clearance.

## Technology Committee Size Increases, Franchise Agreement Signed

(Lamoine) - The Town of Lamoine's Technology Committee will increase to a 5-member panel following a request from the committee to increase membership by two members. Michael Risoldi of Quail Lane has agreed to serve on the committee. At least one more member is needed to fill out the committee roster.

Meanwhile, the Board of Selectmen has approved, by a 3-to-2 vote a renewal of the Cable TV Franchise Agreement with Charter Communications (operating as Spectrum). The new agreement eliminates the satellite factor when determining the density requirement for the Cable TV to run cable lines into a neighborhood, but it does increase the number of homes per mile from 15 to 20.

The Tech Committee had lengthy discussions about the franchise fee that Charter/Spectrum pays to the town for permission to run the cable lines in the community. The agreement continues the 3-percent charge to local cable TV bills paid to the local community. That payment has resulted in about \$11,000/year which is dedicated to operating the now two cable TV channels serving the town hall and school.

Speaking of the school, the channel is now up and operating on digital channel 5. The school's 8th grade promotion ceremony aired live and is playing back on the channel through the summer months. School Committee meetings are also able to air live and be played back.

## Honor Graduates Recognized

(Lamoine) - A small senior class from Lamoine this year graduated from area high schools. The Board of Selectmen recognized a half dozen students who graduated with honors.

From Ellsworth High School, **Brittney Andrews** received the honors cord. MDI High School's honor graduates from Lamoine included **Casey Willard, Jacqueline Goebel, Makenzie Cowles, Elizabeth Dalton and Mackenzie Hanna.**

All the honor grads received certificates of commendation signed by the Board of Selectmen, the Town Clerk and the Administrative Assistant who delivered the documents.

## Town Cell Phones Upgraded

(Lamoine) - Five years doesn't sound all that old, but apparently in the world of cellular phone service, it's nearly ancient. The town has obtained new phones for a fire truck, the transfer station operator, animal control officer and Administrative Assistant/Local Emergency Management director. The latter two positions carry vastly improved smart phones with unlimited data plans. The fire truck and transfer station phones remain as "flip phones" capable of voice and text, charged by the call. Emergency calls and text messages only are the protocol for those phones.

## Sunscreen Offer Rejected

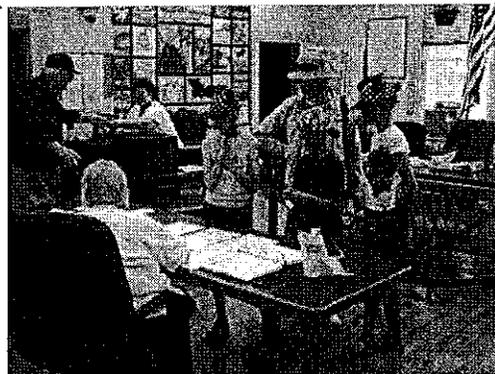
(Lamoine) - An organization that endeavors to prevent skin cancer offered to provide a sun screen dispenser for the town's beaches. The Selectmen referred the offer to the Parks Commission for study, questioning what kind of maintenance would be required for such a kiosk.

In July, the Parks Commission discussed and then declined to the offer from Impact Melanoma as most beach users provide their own sunscreen.

## Connect ME Grant Denied

(Augusta) - The Woodcock Lane section of Lamoine will not see cable TV lines run anytime soon as the State of Maine's ConnectME program denied the town's grant application to extend service to the outer reaches of town. The nearly \$100,000 grant request that would benefit about 20-homes lost out to a few applications that saw more homes benefit from the grant for a lower price elsewhere in the state.

While there are no immediate plans to submit another grant proposal to the program, the town's technology committee has recommended that the Selectmen ask consultant Michael Edgecomb for other potential ideas to wire the "last mile" of town that doesn't have cable. One of those neighborhoods includes Heather Lane in Hancock, which also includes the Eagle Point subdivision in Lamoine. Both towns have discussed pursuing a joint venture on ideas for extending cable or other high speed Internet service to that area off Mud Creek Road. More talks are expected soon.



*International Election Observers Anastasiya Moisseyva, Dmitriy Moisseyv and Yuliya Moisseyeva study the way voting is conducted in Lamoine. They were in town for the primary election day as guests of Carol Korty on June 12, 2018.*

## What Are Those Numbers on the Roads?

(Lamoine) - The headline was a most oft asked question at the town hall during late June when circles with numbers on them started appearing on roads in town. Specifically, state highways-- Routes 184 and 204. We're pretty sure we've got an answer after speaking to a state highway crew that was working in town after the numbers started appearing.

The Maine Department of Transportation will be doing some extensive drainage work on both state highways, and the numbers designate areas that need some significant attention. The work planning division of MDOT will lay out what drainage work needs to be done. The picture to the left is from Partridge Cove Road where a culvert is apparently in a state of partial collapse. The arrows came from a "private source".

According to the crew, the actual work plan will be carried out in the summer of 2019, with repaving of both roads to be done in 2020. This summer, Mud Creek Road will get a new coat of pavement.



## Traffic Light Creates Challenges

(Lamoine) - The wind generated at the intersection of Routes 3 and 204 in Trenton are fairly significant and have taken a toll on the signs that hang on the same pole arms as the traffic signals. Under an agreement with the Maine Department of Transportation, the Town of Lamoine maintains not only the lights, but also the signs. The wind load blew one set of signs 90-degrees, damaging one of the lights, and more importantly pointing the signs in the wrong direction.

The crew from King Electric in Trenton was able to temporarily get the signs back in the right configuration but the town will have to find a longer term solution to properly anchor the signs to the pole arms.



The crew from Vaughn Thibodeau II put down new layers of pavement on Seal Point Road in mid-June. The same company will be paving Mud Creek Road for the State of Maine during the summer of 2018.

## Blunt's Pond Field Day Planned September 8th

By Larissa Thomas, Conservation Commission Chair

(Lamoine) - Everyone is invited to a celebration of Blunts Pond on Saturday, September 8 from 10am-2pm. The Blunts Pond Field Day will include fun and informative activities for the whole family. There will be a guided trail walk, a display on the history of ice harvesting at the pond, a presentation on invasive species, water testing, a scavenger hunt for the kids, refreshments, and more. The event is sponsored by the Lamoine Conservation Commission and the Lamoine Parks Commission.

## Punching Your Ticket to High School

By Gary McFarland & Gordon Donaldson - Lamoine 150!



A Maine State Police color guard unit presented the US and Maine State Flags during Lamoine's Memorial Day Ceremony. Local radio station owner Natalie Knox served as the guest speaker as organizer Gary McFarland was suffering from laryngitis. Veteran Tom Brennan placed a wreath made by Hubene Brodie on the Vets' Memorial

(Lamoine)-We take it for granted today that our town will pay to bus our children to school. But this wasn't always so! Right after World War II, Lamoine high schoolers had to buy tickets to ride the bus into Ellsworth High School - 30 cents for a round trip or \$1.50 per week!

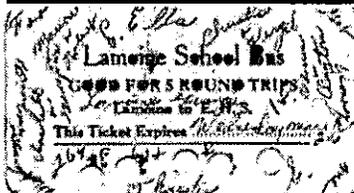
Marion McFarland was one of those high schoolers. She's saved one of her bus tickets from 1946 (see picture). She recalls that "about 60 kids" from Lamoine rode the bus to E.H.S. most days. Aubrey Davis punched the tickets (one hole for each day); his pay was a free ride to high school and back.

This practice only lasted a year, as it cost families roughly \$60.00 per year for one student (and no "family plans" were available for multiple students!). Lamoine had been providing bus service for grades K-9 since 1937, according to Marion. That was the year Lamoine began sending sub-primary through grade 3 to the North Lamoine schoolhouse (the present Town Hall), grades 4-5 to the Partridge Cove schoolhouse, and grades 6-9 to the East Lamoine schoolhouse. They traveled in what was fondly called "The Big Green Bus" and in a converted Cushman's Bread truck with benches in it driven by Effie Googins.

Families wanted increasingly to send their kids on to high school. But getting there wasn't easy. During the war

when gas was scarce and required "ration stamps", Marion reports, "you had to know someone with a car, if you wanted to get to the high school" because the town would not fund a bus! Marion recalls hearing from her father about heated arguments at Town Meeting about the issue. Several Special Town meetings were called in 1944 on the subject as a result of citizen petitions. At the August, 1944, Special Town Meeting, the town voted to fund a new school bus, larger than the "old thirty-eight passenger bus" (The Big Green Bus) and costing more than the \$2,400 already appropriated.

The "ticket plan" may have been dreamed up to sway votes in favor of buying the bigger bus and sending it to E.H.S. in 1945-46. It took only one year of the plan (and a little help from the State of Maine) to convince Lamoine citizens to fully fund a high school bus run. The Maine Legislature passed a law for the State to pick up half the cost of new buses. Back then, fewer than 40% of Mainers completed high school. Thanks to the town's and the State's support, busing to high school helped to raise the high school graduation rate to over 60% by the early 1960s. But that support didn't come without some long debates over kitchen tables and at Town Meetings in Lamoine!



## GET WET Gets Grant Funding

Beginning in 2006, the Lamoine Conservation Commission (LCC) has carried out the GET WET! (Groundwater Education Through Water Evaluation & Testing) program in the Lamoine Consolidated School in partnership with the University of Maine's Mitchell Center for Environmental and Water Research. Under the program, fifth and sixth grade students have tested home water samples, learning practical science skills and collecting valuable data on the town's water quality. In 2016, the Mitchell Center ended support of the program. The LCC has continued the program independently, supported in part by a generous private donation for necessary equipment. The LCC plans to not only continue the GET WET! program, but to expand it to include on-site testing of water at Blunts Pond. To support the program expansion, the LCC applied for a grant from the Hancock County Fund of the Maine Community Foundation (MCF). The LCC is proud to announce that the MCF recently awarded the full \$1,700 requested for the program. Linda Penkalski, who leads the GET WET! effort for the LCC, would like to thank the MCF for their support. She is already making arrangements for the Blunts Pond testing that will take place early in the next school year. The LCC has recently posted GET WET! data obtained to date on the town's website, and will update it with new results in the future: <http://www.lamoine-me.gov/Town%20Hall/Boards/Conservation%20Commission/2018/GETWET2018.pdf>

## Upcoming Community Arts Events

*all of which are free -- although donations are always appreciated.*

- Saturday, July 21, 7:00 PM a repeat performance of *A Bench in the Sun* by Ron Clark, performed by LCA folk with set and costumes.
- Saturday, July 28, 7:00 PM a performance of new dance works by two artists from New York, Elizabeth Keen and Meghan Fredericks, originally of Lamoine!
- Tuesday, Aug. 14, 6:30 PM LCA Annual meeting to which everyone's invited. Come hear about plans for the year and opportunities for you to be involved. LCA would love to have new members -- all ages, including retirees. Want to try acting, directing, prompting, publicity, sets, costumes? You name it! All talents, interests and participation are cheerfully welcomed by Lamoine Community Arts.
- Saturdays, Aug 18 & 25, 9-11 AM and Sundays, Aug. 19 & 26, 4-6 PM, Auditions for the fall production with its performances in late Oct and early Nov. Details announced at the Annual Meeting and LCA web site.

## Samantha Smith Challenge

By Betta Cahn & Violet Davis

(Lamoine) Fifth and sixth graders from Lamoine School took part of a program called the Samantha Smith Challenge. In this challenge, students look at issues in their community and create a project to encourage residents in their town to help prevent this issue. Lamoine chose environmental and global issues. Since our town just got a new single sort recycling at our transfer station, the Lamoine students encourage more people to take advantage of this and recycle as much as they can so the environment doesn't suffer from our careless litter and trash from huge landfills. The students had Larissa Thomas from the Lamoine Conservation Committee, Stu Marckoon, and ecoMaine as their stakeholders to collect information for their projects. The students presented these projects at Thomas College on June 4, 2018.

Lamoine students made a Public Service Announcement to be shown on the local television channel and a tri-fold about what, how, and most importantly, why, we should recycle. After creating their projects, they traveled to Thomas College in Waterville, Maine to show people their project and view others. The students even got to hear a speech by Kelsey Juliana, a 22 year old American activist who is currently suing the American government for letting the climate change and not doing anything about it.

After that, the students discussed their topic with other kids from different schools, and came up with a challenge for students everywhere: buy food and other products that aren't wrapped in unnecessary plastics. "Everyday items are always wrapped in way more plastic than needed," the students said, "so we're refusing to buy it."

Samantha Smith who was a girl from Manchester, Maine who sent a letter to the Soviet Union in the 1980s asking if they really wanted war. They responded by saying how they did not want war, they wanted peace. So, this girl took note of this and went to the Soviet Union to teach people of all ages how to have peace and how to take care of issues in their communities.

## Grange/Theater Getting New Siding

Lamoine Community Arts wishes to publically thank EBS for their generous donation of vinyl siding for Lamoine-Bayside Grange. As many Lamoiners now realize, this 100 year old building now functions as home to both the Grange and Lamoine Community Arts. LCA has assumed responsibility for upgrading the facility as a year round venue for arts activities in our community. We're grateful that EBS has recognized the value of our endeavors. Replacing those old wooden clapboards with new insulation and siding will occur this summer. When you drive by Lamoine Comer, check on the progress being made by LCA volunteers. The building will be in full new attire this coming fall.

## Grange Still Serves



(Lamoine) - After a blood drive in early July, our Grange is in the process of planning more events to serve this community. We'd love to have an influx of new (or re-joining) members. This branch started in 1887 and was once the largest in Maine with over 200 members!

The focus in the early years was on farming and establishing a political voice in the country as industry was developing and gaining a hold. The Grange movement was responsible for instituting rural delivery of mail, electrification, and improving rural schools. Its basic premises were -- and continue to be -- husbandry of the earth, humane treatment of domesticated animals, and equal status for men and women. The organization also served as a social gathering place.

As other institutions and organizations took over these original functions, many Granges across the country have closed. Ellsworth's Bayside Grange closed and joined Lamoine a few years ago. We're now strengthened by our relationship with Lamoine Community Arts but are resolved to initiate and expand activities of our own. Please consider joining us. Questions? You might contact Master, Tom St. Claire, at 667-8411 or find him on the lift replacing those old clapboards.



(left to right): Ray Stephens of Ellsworth EBS (and Lamoine); Tom St. Claire, Grange Master; Kathy McGlinchey, President of LCA; and Carol Korty, Artistic Director of LCA.  
Photo by: Georgianna Pulver

## July 2018 Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4—Closed, Independence Day	5	6	7—Town Office Open 8-12
8	9—7PM Planning Board	10—6:30 PM Appeals Board	11-7PM Conservation Commission	12—7PM Board of Selectmen	13	14
15	16-6:30 PM Parks Commission	17	18-3:30 PM Lamoine 150	19—6:30 PM Comprehensive Planning	20	21
22	23	24	25	26—6:30 PM Comprehensive Planning	27	28-Town Office Open 8-12
29	30	31	The Administrative Assistant will be on vacation from July 30 to August 4. The town office will be closed at lunch time.			

## August 2018 Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4—Town Office Open 8-12
5	6—7PM Planning Board	7	8-7PM Conservation Commission	9—7PM Board of Selectmen	10-5PM Fire Department Auction	11
12	13	14	15—8:00 AM Board of Assessors, 3:30—Lamoine 150	16	17	18
19	20	21	22	23	24	25—Town Office Open 8-12
26	27	28	29	30	31-First Half Property taxes due	

## September 2018 Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1-Town Office Open 8-12
2	3-Town Office closed—Labor Day	4	5	6-6:30 PM Recreation Cmte.	7	8—Blunt's Pond Field Day 10am-2pm
9	10-7PM Planning Board	11	12-7PM Conservation Commission	13-7PM Board of Selectmen	14	15
16	17-Zoning Ordinance Hearings	18	19	20	21	22
23	24	25	26	27-7PM Board of Selectmen	28	29-Town Office Open 8-12
30	September is by Selectman Proclamation "Team Hailey Hugs" Month to promote childhood cancer awareness					

The Lamoine Quarterly  
July 2018

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- 1 Beach Celebrated
  - 1 MacQuinn Decided
  - 2 More CEO hours
  - 3 Recycling Issues
  - 3 Water Tests back
  - 4 Ambulance Contract
  - 4 LVFD Auction Date
  - 5 Cable Grant Rejected
  - 6 Seal Point Road Paved
  - 7 Grange Siding

And Much, Much More



Town of Lamoine  
606 Douglas Highway  
Lamoine, ME 04605

# ◆ The Lamoine Quarterly ◆

Volume 24 Issue 3

Published Quarterly by the Lamoine Town Office

January 2019

## Ladder Truck Delivered to Lamoine

Lamoine's "New" Ladder 404 on Christmas Day 2018



(Lamoine) - A dozen or so members of Lamoine's Volunteer Fire Department waited patiently in the cold dark night on October 28th and finally, the now Ladder 404 arrived on the back of a flat bed truck, all the way from British Columbia. It had been a long wait for the truck, more than a year since the fire department and the town committed to adding it to the fleet.

The picture above was taken on Christmas Day. Since its arrival, the fire department has re-lettered the truck, utilizing the services of Ellsworth's Deputy Fire Chief Gary Saunders and his wife Karen who manufactured and applied decals (see picture on page 5).

Following the arrival and switching

parking places in the fire station to accommodate the new truck, members have been extremely busy training on how to deploy the stabilizers (the jack-like devices behind each tire), and raising and lowering the ladder safely. Interior firefighters have practiced climbing the ladder safely (not as easy as it sounds), and driving the big truck on Lamoine's relatively narrow roads. A crew deployed the pump and shot water out of the top of the ladder down at the transfer station in late November. Other crews led by Chief Engineer Chris Bean mounted tools, airpack holders, hose and other needed pieces of equipment onto the truck. The new truck's first official duty—hanging

the Christmas wreath at the fire station. The ladder truck will be very handy on chimney and structural fires, and potentially during storms.

Capt. Ed Farnsworth has been instrumental in the training and drove the truck in the Ellsworth Christmas Parade and as part of the escort for Wreaths Across America, both in December.

Voters approved \$98,100 for the new truck, opting not to borrow any money for the apparatus. The fire department has invested nearly \$20,000 toward the purchase, delivery, and equipment for the new truck, thanks to successful fund raising efforts.

## Town Election Papers Available

(Lamoine) - If you've ever thought about running for elected office in the town government, January is the month to act. Nomination petitions are available at the town office to collect names to be placed on the ballot for the annual election on March 19th.

There are two positions up for election for the Board of Selectmen. The seats are currently held by Kathleen Rybarz and Robert Christie, both of whom were first elected in 2016. The school committee will also have two seats to fill, currently held by Brett Jones and Robert Pulver. One position for the Board of Assessors is up for election. That is currently held by Jane Fowler.

To appear on the ballot, candidates must obtain at least 25 signatures from registered Lamoine voters and turn them in to the Lamoine Town Clerk's office no later than noon time on Saturday, February 2, 2019. It is recommended that candidates gather a few extra signatures just in case an unregistered voter signs or there are other issues identified. The election takes place on Tuesday, March 19, 2019 at the Town Hall.

## Community Center Discussion to Begin

(Lamoine) - When the town's Comprehensive Planning Committee was gathering information and opinions about Lamoine, one of the common themes from residents was that the town needs a community center. In fact, that was the most common theme the committee seemed to hear, and it's widely mentioned in the draft plan that will likely go to voters in the not too distant future. The Board of Selectmen has been hearing the same thing off and on for years, and the issue is coming off the back burner for 2019.

Just what the town means by a community center, though, is an elusive idea. During a board chair/department head meeting in November, the Selectmen broached the subject, and the issue dominated the meeting. The Selectmen asked for volunteers to serve, and eventually concluded that the initial gathering should consist of the board chairs and department heads. They've been invited along with some others identified as possibly interested to the first community center planning meeting on Monday, January 21, 2019 at 7PM at the Lamoine Consolidated School gymnasium. The meeting is open to the public, and

anyone who might be interested in participating is most welcome to attend. The meeting night is Martin Luther King Jr. Day.

There is a certain irony that the only municipally operated facility large enough to accommodate that large a group had very limited availability because it is booked by other events (mainly sports practices and contests).

The proposed agenda for the meeting will have each attendee give their vision of what is meant by a community center. During the November meeting, there was a lot of sentiment about including school students in the population served by a community center, and the Selectmen anticipate the school committee and staff playing a key discussion role.

At the meeting, the Selectmen may decide on how large a committee should move the concept forward, what sub committees might be needed to assist with planning, and how to inventory what the town has for public owned assets and what options might be available if more space is needed. It is anticipated the planning process will take several years to complete.

## Municipal Budget Recommendation Lowers Property Tax Requirement

(Lamoine) - It will cost taxpayers a little less to run the municipal government in Lamoine in the 2019/20 fiscal year if voters follow the recommendation from the Budget Committee. The committee wrapped up its work in mid-December, and recommended overall spending for the non-school and non-county portion of the budget of \$884,900. That's an 11.03% (\$109,700) reduction in spending from the current fiscal year. Two major factors went into the reduction; less road paving and no fire truck purchase to pay for. The town will pave the western end of Buttermilk Road next spring, a shorter section of road than was paved in the past few years.

Regular operating budgets, though, showed increases. The largest proposed increase is for Code Enforcement following a doubling of hours the Code Enforcement Officer is working thanks to increased building projects and enforcement activity.

Revenue uses to offset property taxes also decreased by about 6.22%, or \$41,300. The largest proposed revenue drops were surplus use (down \$70,000) and road fund use (\$20,000 less). The overall tax impact is a reduction of roughly \$68,400, or roughly one quarter of a mill. The overall property tax proposed for the municipal budget is \$262,350-a little less than one mill on the current tax rate.

## State Valuation Increases

(Lamoine) - The State of Maine says Lamoine's value grew nicely in the past two years. Figures released by Maine Revenue Services pegs the town's overall value at \$279,250,000. That's up from \$272,400,000 in 2018, or a 2.5% increase in the total town value.

It's not the highest value ever in town, but it's getting close. Prior to the housing bust, the record valuation for Lamoine was \$283,750,000 in 2010. State valuation figures lag about 2-years behind, as they are based on actual sales.

The local valuation for Lamoine in 2018 was \$263,604,600. It remains to be seen what the local value will be on April 1, 2019.

## Board Chairs, Dept. Heads Meet

(Lamoine) - It's not often that Board of Selectmen meetings last longer than two hours, or that a lot of people attend when little of controversy is on the agenda. Periodically, the board likes to sit down with the various committee chairs and town staff to hear what's going on, and what they ought to focus on for the near future. The meeting in mid-November afforded an opportunity for those present to give an update from their board's or department's perspective.

Ten departments and committees were represented. Much of the discussion, as noted on page 1, focused around a possible community center and space needs. Much of what was discussed is contained in this edition of *The Lamoine Quarterly*. In regard to the community center concept, the town hall parking lot was not big enough to accommodate vehicles from all the meeting attendees, forcing some to park beside the road and brave walking in the dark to the town hall entrance. Selectmen called the meeting productive and educational.

## Comprehensive Plan in Final Stretch

(Lamoine) - Five years have passed since the town began work to update its Comprehensive Plan. It is nearly ready to go before voters for approval.

The Comp Planning Committee heard lots of positive comment during the initial public hearing on November 12th at the Lamoine Consolidated School Gymnasium. This in attendance had done their homework, reading through the initial draft of the plan that committee members have worked hard on for the past half decade or so. While no one spoke in passionate opposition to the plan, some offered comments on various sections

Comp Plan Committee Secretary

Andrea Ames recorded the suggestions and the committee returned to work in the following weeks to propose some revisions to the first draft. A two page outline of those changes is proposed at the town office, and posted on the town's website.

The Committee planned a follow up public hearing regarding the proposed changes to the draft for January 2, 2019 at the town hall. Once that hearing is completed, the Comp Plan committee will likely draw up the final version of the plan to submit to voters for approval at the annual Town Meeting scheduled for March 20, 2019 at the school

## Shoreland Ordinance a Moving Target

(Lamoine) - A hearing in September drew only two attendees to a Planning Board meeting to talk about proposed changes to the Shoreland Zoning ordinance. The Board has been working on a draft to present to the town meeting in March 2019, and the ordinance is nearing the final stages for development.

Resident and Tax Assessor Terry

Towne has questioned whether proper notification procedure was followed, and whether a proposed map is adequate for the potential upcoming vote. Planning Board Chair John Holt is working with the College of the Atlantic on the draft map in an effort to show in greater detail which lots are in which zone. The map is an integral part of the plan, and Towne cites state law that requires an individual notice when zoning changes the allowed uses for a Shoreland lot.

## Marlboro Beach Rd. House Demolished



Before & After—the former James & Eleanor Norris home at 169 Marlboro Beach Road was razed in November 2018

(Lamoine) - The date of construction on the property card for the house at 169 Marlboro Beach Road just reads 1800s. Recent years have not been kind to the home that had belonged to James and Eleanor Norris had been empty for many years after her death in September of 2008. Mr. and Mrs. Norris had purchased the home in 1956 from the late Percy Bragdon, and at the time it was one of the

more stately homes in the Marlboro Section of Lamoine. Mrs. Norris was a long time school teacher, and they raised five sons in the house. Three surviving sons still own property in the same neighborhood.

In March of 2017 her heirs sold the property to Bruce Yagur of Pennsylvania who determined the house was too far deteriorated to be able to restore. Mr.

Yagur attempted to donate the house for burn training to the Hancock County Firefighters Academy, but complications prevented that from taking place. Mr. Yagur arranged to have the old house demolished this past fall and was kind enough to provide pictures of the house as it stood before construction crews tore it down, and a photo of some of the remains before final cleanup.

## Selectmen Tweak Permit Fees

(Lamoine) - Depending on what one plans to construct, the fees accompanying the required permitting may be a little less, or it might be more. Selectmen in mid-November approved a new permit fee schedule. If nothing else, the schedule helps to clarify questions that kept popping up at the Code Enforcement Officer level.

The new fees clarify just what is considered a foundation that is subject to a fee. It also defined what an attic is compared to a top floor living area.

The Shoreland Zoning ordinance fees were also greatly clarified for projects that involve Shoreland alteration without building. The fees are \$25/acre for any Shoreland project that does not involve a building.

Perhaps the biggest change comes with the permit fee for gravel permits. The previous fee schedule charged on a 3-tier system depending on the size of the extraction permit area. The new schedule charges \$50 per acre for the proposed permitted area. That fee is expected to generate more revenue for larger gravel pits which require a lot more time from the Code Enforcement Officer to monitor annually.

The new fees went into effect at the end of November.

## Shoreland Cutting Apparently Not in Violation



One of the lots cleared in the Sunset Bay Subdivision during the summer of 2018

(Lamoine) - A licensed forester hired by the developers of the Sunset Bay Subdivision off Seal Point Road has concluded that the property owners legally cut vegetation in the Shoreland Zone. A report from Thomas Dodd did recommend replanting lots with trees to replace dead trees and other vegetation removed from lots sometime during the summer of 2018.

Code Enforcement Officer Rebecca Albright issued a notice of violation after receiving a complaint about the cutting in the Shoreland Zone. After receiving the report indicating replanting is in order, Selectmen suggested a consent agreement. Further clarification from the forester indicated there was no ordinance violation. Albright and Dodd plan to meet with Selectmen in January to further clarify.

## Cluster Housing Change Ready for March

(Lamoine) - To build affordable, multi-family housing in Lamoine has not only been next to impossible for the past 25-years or so; the local ordinance pretty much forbade it. The current Building and Land Use Ordinance (BLUO) requires any cluster housing to be served by municipal water and sewer systems. There's just one issue—Lamoine has no municipal water and sewer, and likely won't for a long time to come.

The Planning Board has worked to come up with an amendment to the

ordinance that might better encourage such housing development. An amendment to the BLUO will require a minimum of 10-acres for cluster housing development. Such plans will have to be served by common private water and septic systems, and all plans must receive Planning Board Approval. The revision also requires a significant amount of undeveloped common space to be accessible to all residents.

The amendment will be on the open town meeting warrant on March 20.



Another Lamoine Creation Heads to the Ocean

SW Boatworks owner Stewart Workman called the town office a few weeks back to alert the staff that another one of his large Calvin Beal boats was about to head by on its way to the ocean. We got a picture of one of the company's latest creations that will be owned by a Colorado man who summers in Boothbay Harbor.

## Fall Slows Permit Issuance a Bit

(Lamoine) - After a relatively busy summer construction season, construction permit issuance slowed down for the final quarter of the year. Code Enforcement Officer Rebecca Albright issued a dozen construction permits, 9 internal plumbing permits, and three septic system permits during the quarter.

Nbr	Name	Project
63	Moulard, David	Shed
64	Arbach, Kathryn	Garage
65	Leighton, Peter	Garage
66	Wilder, Michael	Barn Addition
67	Lovett, Laurance	Rip Rap Shoreland Repair
68	Kolkas, Eugenia	Rip Rap Shoreland Repair
69	Cameron Stone & Landscaping	Commercial Building
70	Staples, Felicia	Horse Barn
71	White, Cindy	Deck
72	LaHaye, William	Garage
73	True, Kathryn	Alter Building Size Plan
74	Durrell, Stacey	Residence

## Appeals Board Ordinance Work Ongoing

(Lamoine) - It remains to be seen whether Lamoine voters will have a stand-alone Appeals Board ordinance to decide at the annual town meeting in March. After receiving comments on the latest draft, the Board of Appeals has decided to continue revisions to an ordinance they've been in the process of drafting for several years.

The goal of the ordinance is to come up with a uniform way to treat matters that come before the Appeals

Board. The various town ordinance that contain an appeals process have different wording and processes in which the appeals are handled.

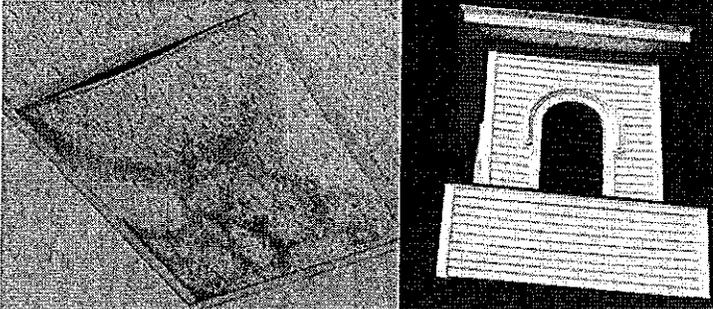
The latest work session raised questions about board member conflicts, what type of hearings the Appeals Board should hold, and how abutters are defined when properties are separated by a stream or a road. The Board plans to submit questions to Maine Municipal Association's legal department.

## Town Hall Roof Springs a Leak

(Lamoine) - Town facilities maintenance director Rick Gallegos is working on trying to get the proper repair to keep water from sometimes streaming out of the ceiling by the front entrance to the building. He's placed buckets in the overhead area below the cupola on top of the town hall, and that seems to be catching the water for now, but it's not a permanent solution.

When the rain blows in hard from

the south, the roof has tended to leak, and it has gotten worse in recent years. Gallegos is not sure if it's a seal on the cupola or the louvered windows in the structure on top of the town hall that is causing the problem. He hopes to bring in a roofing specialist to look over the situation and get an estimate to make the appropriate repairs. It is hoped that the repairs will be relatively inexpensive and addressed in the current year's budget.



**The Result & The (likely) Cause**  
*It's believed the cupola on the Lamoine Town Hall is letting the water in when storms blow in from the Southwest. The leak has stained ceiling tiles in entrance area.*

## Recreation Committee Feeling Stressed

(Lamoine) - Members of Lamoine's Recreation Committee say they could use some more volunteer help when it comes to running programs. The committee formed several years ago with the goal of setting up recreational opportunities that were not available through existing operations either in Lamoine or in neighboring communities.

This fiscal year the Lamoine Rec Committee has offered fall youth soccer and youth basketball and cheering during the winter. Participation has been very strong, but some committee members have stepped down due to a lack of time. Chair Amanda Frost resigned her position in November.

Secretary Nikki Chan met with the Board of Selectmen and suggested more committee members. The Selectmen have appointed Heather Alley and Allison Howanec as alternate members to the Recreation Committee and elevated Andrea Smith from an alternate to a regular voting member.

The committee willingly accepts help from parents whose children are involved in programs, whether through helping to coach teams, set up the school gym, coordinate communications among participants, or any of a myriad of tasks. Those interested in lending a hand can ask any committee member about how they can help.

## Returnable Containers Benefit Local Groups

(Lamoine) - The program established to collect returnable bottles and cans at the Lamoine Transfer Station continues to have strong support. Each month, Lamoine Redemption picks up the returnables left at the bottle building. They mail a check to the town for that month's collections, and the money is turned over to a local organization that makes application.

The following organizations have benefitted in 2018:

January	Lamoine School Drama Club	\$203.15
February	Lamoine Conservation Commission	\$206.55
March	Lamoine School Robotics Program	\$268.20
April	Girl Scout Troop 796	\$177.30
May	Lamoine School Sports Programming	\$230.55
June	Lamoine School 8th Grade Class	\$426.60
July	Lamoine School Special Projects	\$425.25
August	Lamoine School Music Program	\$428.30
September	East Lamoine Cemetery Association	\$287.20
October	Lamoine Historical Society	\$398.25
November	Frenchman Bay Riders Snowmobile Club	*
December	Lamoine/Bayside Grange	*

\*Amount pending check receipt



*The cleanup crew adopted a lot of litter from the Mud Creek/Eagle Point Road this fall. Gordon and Cynthia Donaldson are joined by Adopt-A-Highway chair Georgia Munsell for their semi-annual litter pickup along the busy road.*

## Town, School Cable Channels Change

(Lamoine) - Now that cable TV carrier Spectrum (Charter) has upgraded to all high definition channels locally, they have moved the local program origination channels from both the town hall and the Lamoine Consolidated School.

The town hall channel can be seen on digital channel 1303. The school channel is 1302. All Spectrum subscribers have had to convert to a digital receiver which will receive those channels (previously 5 & 7).

The town's technology committee will inquire about upgrading at least the town hall channel to high definition cameras and recording equipment to improve the picture quality. The system installed at the town hall is now more than 14-years old, having been installed in September 2004. The technology world has changed significantly since then, with pretty much everything converted to high def. The franchise fee that cable subscribers pay each month is returned to the town by Spectrum and is used to purchase CTV equipment.

The upside of the channel change is that the town hall now has a digital receiver, and can simulcast the school channel on the town hall channel, which was done several times in the past quarter. That also allows school programming to be recorded and placed onto the town's web streaming service.

## Cable Line Expansion Awaited

(Lamoine) - Lamoine's Technology Committee and a committee from Hancock in the Eagle Point area discussed trying to convince cable TV carrier Spectrum that enough homes exist between the two communities to expand service to that subdivision. The newly approved franchise agreements require 20-homes per mile for the company to wire up a neighborhood. The Hancock Group is trying to arrange a local meeting with Spectrum officials to review the numbers. So far, no meeting has been scheduled.

Lamoine also showed the Wolf Subdivision off Shore Road had enough homes, but still awaits the cable to be strung in that neighborhood.

## Fire Department to Acquire "New" Air Packs

(Lamoine) In fire lingo, they're Self Contained Breathing Apparatus, or "SCBAs". They consist of a tank of compressed breathing air, a mask and a regulator and alarm that firefighters wear to breath in unsafe environments, and the new versions are incredibly expensive, about \$7,500 each or more.

The Ellsworth Fire Department will upgrade their SCBAs in the next few months, and the "old" units are far newer than most of the Lamoine air packs currently in service. Fire Chief George "Skip" Smith has negotiated a purchase price for the barely used Ellsworth SCBAs of \$3,000 apiece, less than half the cost of a new unit. The department will purchase 10 of the SCBAs, retiring 10 of the older units on board the trucks. Fund raising will allow the department to purchase all, and the town has budgeted \$8,000 in the current fiscal year for airpack replacement and the Budget Committee has recommended \$7,000 for the FY 19/20 budget to reimburse the fire department corporation for half of the cost, pending town meeting approval.

The SCBAs won't go into service until Ellsworth obtains their new equipment, expected sometime in the spring of 2019. The soon to be retired air packs also were obtained many years ago from the Ellsworth Fire Department.

## Contracts Renewed

(Lamoine) - The Board of Selectmen renewed two contracts during the past quarter. The Small Animal Clinic remains under contract to receive and board stray dogs and cats. The town also has an agreement with the SPCA for housing animals on a limited basis.

The Selectmen also renewed a 3-year contract with auditor James Wadman, CPA. The company has conducted Lamoine's audit for many years, and the contract price of \$4,556.50 for the next fiscal year is less than a \$100 increase from the current contract.

## Speed Sign on its Way

(Lamoine) - An electronic speed monitoring sign should arrive in Lamoine during January 2019, but might not be deployed until the weather warms up. The Road Commissioner will attend a class on January 10th on how to install, operate and obtain speed data from the sign. The town will supply a laptop computer (it has one on hand) to operate the sign.

The Maine Department of Transportation is providing the sign. The town is obligated to supply speed data to law enforcement agencies as appropriate to assist with any traffic monitoring that might be appropriate. The sign operates on solar power above 32-degrees.



*Karen Saunders of Finish Line Graffiti puts the finishing touch on letters for the cab of Lamoine Ladder Truck 404*

## Smoking Policy Updated

(Lamoine) - The Board of Selectmen has approved a new smoking policy which prohibits tobacco and other substance smoking at all town facilities, including parks. Assisted by Healthy Acadia, the policy addresses marijuana and other substances. People visiting parks may smoke inside their vehicles only and not dispose of any smoking materials in the parks.

## Dog Registration Late Fees Start in February

(Lamoine) - State law requires that all dog owners must register their canines with the town clerk's office annually. Registrations expire annually at the end of December, but there is a grace period in January in which to re-register dogs without a late fee. The \$25 penalty is imposed by state law beginning on February 1st.

Rarely does a month go by that the town office or Animal Control Officer Shannon Byers receives a report of a lost or found dog. With a town registration tag, the owner can be easily located. Without a tag, the dog is generally sent to the Small Animal Clinic or Hancock County SPCA. The owner is charged a boarding fee and will be required to license the dog if it is not.



*Lamoine's Board of Selectmen had hoped to see the new ladder truck up close when they met in late October. A delivery delay, kept the truck in Canada a week later than expected, but the Selectmen met at the fire station despite its absence.*



*Another Storm Casualty  
A wind storm in early November brought down several trees and limbs. This tree on Cos Cob Avenue took down a long section of power line, which Emera Maine repaired*

## Fire Department Call Volume Down

(Lamoine) - After a record setting year in 2017, the call volume for 2018 fell by about 11 percent in Lamoine. The nature of the in-town calls was also fairly low key for the final quarter of the year.

The department responded to several calls during a pair of wind and heavy rain storms in mid-October and early November. Those resulted in four calls for trees or wires down. Assistance to Northern Light Transport proved to be the most challenging calls. In mid-October, department members responded to the shore of Falcon Lane to assist paramedics with carrying a man who injured his leg after a bad fall on the shore line. On New Year's Eve, the fire department assisted the ambulance crew with an unresponsive patient who was revived and taken to the hospital.

Out of town calls were numerous. Ellsworth requested assistance with a house fire on Christian Ridge Road on November 13th. The department also responded with either station stand-by in Lamoine or Ellsworth for fire calls in Mariaville, Steuben, Southwest Harbor and Hancock.

The department ended the year with 82 calls for assistance, compared to the record 92 in 2017. While the number was down a bit, it's still the second busiest year in the history of the department.

## Grange Now a Year Round Building

By Sharon St. Clair

(Lamoine) - Here we are, at the beginning of another cold winter, and we at the Lamoine Bayside Grange are happily looking forward to our monthly meetings in the warm Grange Hall. Thanks to all the work LCA has done, our building is able to be used year-round!

In December the Grange was proud to host another Red Cross Blood Drive. We want to extend our thanks to all the many donors who came out to make this drive a phenomenal success. It far exceeded the expectations of all involved! If you missed this drive, you'll have another chance to give blood in the spring when we do it all again!

Our Grange meets every month on the first Wednesday at 7:00. We are always welcoming new members. Come join us!

## Community Arts Scholarships

By Anne Labossiere

(Lamoine) - The Lamoine Community Arts Scholarship Committee is pleased to announce that partial scholarships to programs in the arts will now be available to students in grades K-12 on a year round basis. To be eligible for one of these partial scholarships, a K-12 student must live in Lamoine or attend the Lamoine Consolidated School or have a parent who works in Lamoine or is a member of Lamoine Community Arts.

In an effort to generate a greater interest in these scholarships, we will consider programs or lessons related to all arts including music, art, dance, theater, visual arts, fiber arts, robotics, culinary art, wood working, spinning, boat building, photography, basket making. If the "art" of interest is not listed, please contact the chair of the committee, Anne LaBossiere. At 667-6765 or [alabossier@aol.com](mailto:alabossier@aol.com).

To obtain an application, pick one up from Betty Eaton at the Lamoine Consolidated School or contact Anne LaBossiere. Applications must be received at least two weeks prior to the starting date.

## Foreclosure Notices Sent

(Lamoine) - Owners of two dozen properties with tax liens filed in July of 2017 have been sent notification that if the taxes for the 2016/17 tax year are not paid, the town will automatically receive ownership of their property. Of the properties involved, 9 parcels are occupied homes.

The automatic foreclosure date is January 27, 2019. If the taxes remain unpaid, the town offers the parcel first to the previous owner or occupant for all back taxes, fees and interest. If the previous owner declines, the property may be put out for public bid.

Last year the town foreclosed on one occupied property. The occupant is currently working on a payment plan to repurchase their home, and get it back on the tax rolls.

## Community Arts News

By Diane Sanderson

(Lamoine) - LCA had a very successful fall production this year, involving 17 actors, 3 musicians and numerous support staff. The performance, called "Spoon River", directed by Carol Korty, consisted of 63 monologues which she selected and arranged from Edgar Lee Masters' classic SPOON RIVER ANTHOLOGY. After many years of incredibly dedicated service, Carol will now retire as Artistic Director of LCA, though she will continue to be a member of LCA in an advisory capacity. We will all miss her expertise and dedication to our local theater.

We are continuing to upgrade the Grange building and this winter installed a propane stove in the basement to keep the actors warm. The outdoor siding is

about half finished with completion planned for the spring.

Upcoming events include MLK Day Sing-a-long on January 21, from 2-4 PM, and an interpretive Reading of Walt Whitman's LEAVES OF GRASS tentatively scheduled for March 16th and 17th. Audition dates for that will be early February. Additionally, plans are underway for LCA's participation in the Lamoine 150th celebration.

We look forward to an active winter and spring. Join us to read aloud a play for the fun of it on the last Saturday evenings of Jan, Feb, and March. Check out details and keep up to date by visiting our web site and our Facebook page. We welcome your involvement in our local community theater.

## Solar Panels, Compactor Recommended

(Lamoine) - The town's exploration of a solar energy project to generate enough electricity to meet the electric bills for municipal buildings continues, with a recommendation from the Conservation Commission. And that will kind of go hand in hand with a plan by the Selectmen and Budget Committee to look at a major re-design of the Transfer Station.

The Conservation Commission is recommending that panels be installed at the Transfer Station, and that a request for proposals be developed to do so. In the meantime, the Selectmen want to explore the possibility of installing a compactor at the facility, which will likely involve a significant re-design. The Budget Committee has recommended a \$15,000 appropriation in the 2019/20 budget for engineering. Funding will come from the money returned to the town when it withdrew from membership of the Municipal Review Committee, opting to keep sending municipal solid waste to the PERC incinerator in Orrington.

## Lamoine 150! Logo Design Wanted

(Lamoine) - The committee planning Lamoine's big 150th Birthday celebration is looking for a logo to mark the occasion. A design contest will begin shortly—the committee's January 17th meeting will come up with the details with entries due at the end of May, 2019.

The first event of the 150th celebration is this coming September with a road race which is being organized.

The logo will have to be submitted in computer format (.jpg or .png), and the winner will be chosen in June. Artists of all ages are encouraged to enter, and the logo will be used on all the materials for the celebration including posters, flyers, flags and anything else that can be printed or posted on the Internet. Look for details to come out during the latter part of January.

## Big Election Turnout in November

(Lamoine) - More than 65% of Lamoine's voters cast ballots in the general election November 6, 2018. The turnout was 984 voters for the election of a new Governor, US Senator, Legislature and some county offices. At times, the lines were out the door and parking was tricky. When the votes were tallied, Lamoine's outcome pretty much mirrored the state as a whole.



(Lamoine) - Perry Fowler operates the excavator on Maxwell Avenue as a deep, rotted culvert is replaced during the fall. The culvert had collapsed and water was unable to drain under the road, backing up on adjacent property. The project was part of the 2018/19 road maintenance schedule, that also saw major ditching accomplished on Mill Road and Walker Road. Part of the funding for the road work was encumbered from the 2017/18 budget to ensure adequate funding.

The Lamoine Quarterly

**Publisher**

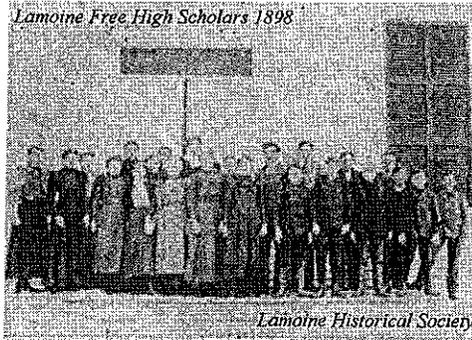
*The Lamoine Board of Selectmen*  
**Editor/Writer**

*Stuart Marckoon, Adm. Asst.*

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## Yes, Lamoine Once Had a High School

(By Gordon Donaldson & Gary McFarland)  
 (Lamoine) - Yes, neighbors, Lamoine once boasted our own high school! Between 1873 and 1910, the Lamoine Free High School offered an education to graduates of our four one-room "district schools". It began with seven students and reached a peak of 49 in 1894. LFHS operated only for the "winter term" of 11 or 12 weeks each year.



You may wonder where our high school stood. We never had a high school building! The school operated in several places including the Town Hall – if the town meeting voted to rent it. That meant that some years (such as 1897) if the Town Meeting didn't vote for a high school budget (\$125 or so) AND vote to "let" the Town Hall for the high school, there was no high school! Town funding for a high school education was hotly debated, it seems!

The Lamoine Historical Society has editions of *The Lamoine Free High School Times* from the turn of the 20<sup>th</sup> century. Students studied literature, math, history (ancient and American), science, and handwriting. Musical, "oratory", and theatrical performance were expected (including memorization!). Some students who lived at a distance (Marlboro, for example) "boarded over" for the week with families living closer to the school.

Articles for *The Times* were written by the "scholars" and often included tongue-in-cheek "news" and advertisements. For example:

The following has been recommended for 'la grippe': Swear awfully, put your feet in hot water and take quinine pills until your head buzzes. Perhaps the hot water and quinine would do without the swearing. (1890)

Mr. Clarence Des Isle of Lamoine Beach, who attended High School for several weeks this winter, is now at work for one of the ice companies that is getting out a large amount of ice from Blunt's Pond. (1890)

The Lamoine High School had a straw ride the evening of Jan. 16, to Ellsworth. The party consisted of twenty-three of the scholars and the teacher, Mr. Jordan. Mr. Kief furnished the team and drove. Arriving at Ellsworth, the whole party visited Cunningham's candy store and after a tour of the principal streets of the city on the electric, returned home about midnight. (1903)

Teacher: What happens when a man's temperature goes down as far as it can go?

Scholar: He has cold feet. (1903)

The girls are very scarce in this town. Some of our young men are looking toward West Hancock [meaning Marlboro]. (1907)

The Lamoine Free High School enrolled fewer and fewer students in the early 1900s as the population declined. After 1909, when average attendance was only 15 students, the town ceased to fund its own high school. From that year through the 1920s, the major options for Lamoine teens were Ellsworth High School or boarding schools such as Higgins Classical Institute in Charleston, Coburn Classical, and Oak Grove Academy in the Waterville area.

## Lamoine Tops in Hancock County Testing Results

By Dawn McPhail, Principal  
 (Lamoine) - Testing results from last spring's MEA testing has been made available to schools, and the results are fantastic for LCS. 77% of our students are meeting or exceeding the standards in ELA, compared to the state average of 49%. 59% of our students are meeting or exceeding the standards in math, compared to the state average of 37%. The chart below shows the % of students meeting or exceeding grade level standards in both ELA & Math over the past three years, demonstrating steady gains each year. The second chart shows that LCS is the top scoring school in Hancock County in both ELA and

## School Names Students of the Month

By Dawn McPhail, Principal

(Lamoine) - In October LCS kicked off a new program called "Student of the Month". While we will continue with Lion Pride which celebrates every student, "Student of the Month" honors our exceptional middle school students. The selection for student of the month is based on a student's commitment to academics, their exemplary character, their behavior, and their involvement in community service and extracurricular activities. The selections were honored at an assembly with their parents secretly hiding to present the award. Students of the month for October were 8th grader Lucas Heard and 7th grader Aiden Young.

November students of the month were 8th grader Alida Hodgkins & 7th grader Paige Johnson. Because of space constraints, we will publish a student profile as an "extra" in the electronic version of *The Lamoine Quarterly*, but not in the print edition.

## Robotics Team Shines

By Dawn McPhail, Principal

(Lamoine) - On Saturday, November 10, our LCS Robotics Teams competed at the district-level Qualifying Tournament in Searsport. Both teams demonstrated courage, kindness, friendship and perseverance as they participated in four separate competitions. The competitions included a team-building challenge, a research-project presentation, a robot design competition, and a robot game. Throughout the course of the day, both of the teams were faced with some difficult and unexpected challenges. They not only rose to the occasion, but came together as one to creatively solve the problems at hand. In the end, our two teams walked away with a combined 5 trophies

and both teams qualified for the State Championship and advanced to Augusta on December 8th.

At the State Championship both teams performed well, but did not place in any of the competitions.

School	2016-2017 English Language	2017-2018 English Language Arts/Literacy	2018-2019 Science	2017-2018 Math	2018-2019 Math	
Adams School	69	68	*	*	40	53
Artis Community School	*	64	*	*	31	36
Beech Hill School	42	37	*	58	28	25
Blue Hill Consolidated School	52	61	78	87	40	39
Blue Hill Valley School	*	*	*	*	*	*
Brooklin School	68	53	*	55	42	38
Brookville Elementary School	54	56	*	*	40	36
Buckport High School	32	48	28	35	18	28
Buckport Middle School	44	46	64	62	39	28
Cash Hill School	37	40	43	71	39	37
Cranberry Isles School	*	*	*	*	*	*
Deer Isle School	65	64	76	76	48	47
Deer Isle Stratton Elementary School	25	29	62	53	17	17
Deer Isle Stratton High School	46	31	44	*	41	31
Ellis Lewis School	59	59	76	*	38	28
Ellsworth Elementary Middle School	55	53	72	71	48	44
Ellsworth High School	54	49	45	43	30	32
Frenchboro Elementary School	*	*	*	*	*	*
George Stevens Academy	76	74	50	55	40	47
Hancock Grammar School	48	44	61	50	39	31
Kuch-Peters Graham Lake School	*	*	*	*	*	*
Lamoine Consolidated School	59	77	73	*	49	59
Miles Lane School	44	32	*	*	36	18
Mountain View School	39	29	38	52	18	20
Mt. Desert Elementary School	70	63	89	78	63	50
Mt. Desert High School	77	72	61	51	45	48
Perseus Elementary School	73	63	62	68	37	34
Perseus School	58	58	*	69	43	43
Perseus Elementary School	63	68	*	*	70	59
Swickard Elementary School	43	34	58	65	31	23
Sumner Memorial High School	54	49	53	55	29	25
Surry Elementary School	57	56	78	59	36	30
Swain's Island Elementary School	37	52	45	*	26	45
Tremont Consolidated School	62	53	*	55	51	47
Trenton Elementary School	65	59	73	*	47	43
Hancock County Average	55	52	63	60	39	37
Statewide Average	53	50	61	50	39	37

Data provided by the Maine Department of Education  
 \*Data withheld by the state to protect student privacy

## January Returnable Benefit Little Kids

(Lamoine) - Proceeds from the returnable containers left for donation at the transfer station in January will benefit the Lamoine Little Childrens' group which is raising money for a play structure at Lamoine Beach. You can contact members of the group with questions, including Cynthia Donaldson, Amy Duym, Anne Labossiere, Lois Libby or Robin Veysey

# January 2019-Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2-8AM Assessors 6:30 PM Comp Plan Public Hrg.	3--6:30 PM Recreation Committee	4	5-Town Office Open 8-12 10AM Blunt's Pond Skate prep
6	7-7PM --Planning Board	8	9-7PM Conservation Cmsn.	10-7PM Board of Selectmen	11	12
13	14	15-6:30 PM School Committee	16	17-6PM Lamoine 150!	18	19
20	21-7PM Cmty Center Cmte @ School Town Office Closed	22	23	24-7PM Board of Selectmen	25	26-Town Office Open 8-12
27	28	29	30	31		

# February 2019-Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2-Town Office Open 8-12 Nomination Papers Due
3	4-7PM Planning Board	5	6-8:30 AM Board of Assessors	7-7PM Board of Selectmen	8	9
10	11	12--6:30 PM School Committee	13-7PM Conservation Cmsn.	14--6PM Lamoine 150!	15--Absentee Ballots Available	16
17	18-Town Office Closed (Holiday)	19	20	21-7PM Board of Selectmen	22	23-Town Office Open 8-12
24	25	26	27	28		

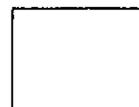
# March 2019-Lamoine Schedule

Sun	Mon	Tue	Wed	Thu	Fri	Sat
The Town Office will be closed at lunch from March 8 through March 14 due to vacation.					1	2-Town Office Open 8-12
3	4-7PM Planning Board	5	6-8:30 AM Assessors	7	8	9
10	11	12-6:30 PM School Committee	13-7PM Conservation Cmsn.	14-Absentee Ballot Deadline	15	16
17	18	19-Municipal Election 8am-8pm	20-Town Meeting 6PM @ School	21-7PM Board of Selectmen	22	23
24	25	26	27	28	29	30-Town Office Open 8-12
31						

The Lamoine Quarterly  
**January 2019**

- Inside this issue:
- 1 Ladder Truck Arrives
  - 2 Budget Recommended
  - 3 Ordinances Readied
  - 4 Town Hall Roof Leak
  - 5 Dog Licenses Due
  - 5 Fire Calls Decrease
  - 6 Lawsuit Update
  - 7 Students of the Month
  - 7 Lamoine High

*And Much, Much More!*

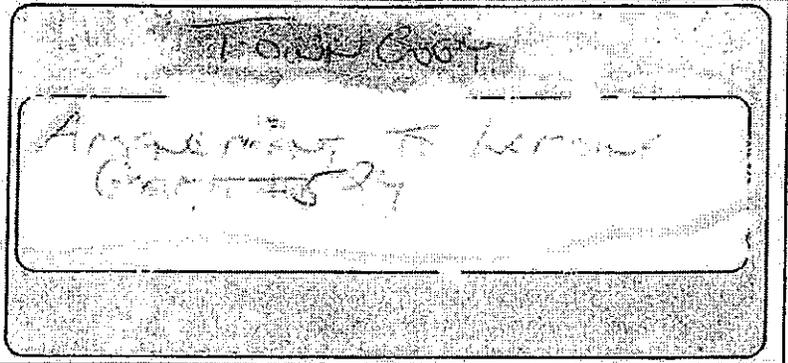


Town of Lamoine  
606 Douglas Highway  
Lamoine, ME 04605

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services  
Division of Health Engineering  
(207)289-3826

PROPERTY ADDRESS	
Town Or Plantation	LAMONE
Street Subdivision Lot #	MARLBORO RD.
PROPERTY OWNERS NAME	
MARLBORO ASSOCIATION TRUST	
Last:	First: (TOM TRUE)
Applicant Name:	RICHARD KING
Mailing Address of Owner/Applicant (If Different)	36 HAYNES AVE. DEERFIELD, NH 03037



**Owner/Applicant Statement**  
I certify that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Local Plumbing Inspector to deny a Permit.

*Richard J. King*      10/6/93  
Signature of Owner/Applicant      Date

**Caution: Inspection Required**

*I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules.*

\_\_\_\_\_  
Local Plumbing Inspector Signature      Date Approved

## PERMIT INFORMATION

**THIS APPLICATION IS FOR:**

- NEW SYSTEM
- REPLACEMENT SYSTEM
- EXPANDED SYSTEM
- EXPERIMENTAL SYSTEM

**SEASONAL CONVERSION**  
to be completed by the LPI

- SYSTEM COMPLIES WITH RULES
- CONNECTED TO SANITARY SEWER
- SYSTEM INSTALLED - P# \_\_\_\_\_
- SYSTEM DESIGN RECORDED AND ATTACHED

**IF REPLACEMENT SYSTEM:**  
YEAR FAILING SYSTEM INSTALLED UNKNOWN

THE FAILING SYSTEM IS:

- BED
- CHAMBER
- TRENCH
- OTHER: UNKNOWN

SIZE OF PROPERTY  
.40 ACRES

ZONING  
\_\_\_\_\_

**THIS APPLICATION REQUIRES:**

- NO RULE VARIANCE
- NEW SYSTEM VARIANCE  
Attach New System Variance Form
- REPLACEMENT SYSTEM VARIANCE  
Attach Replacement System Variance Form
  - Requiring Local Plumbing Inspector Approval
  - Requires State and Local Plumbing Inspector Approval
- MINIMUM LOT SIZE VARIANCE

**DISPOSAL SYSTEM TO SERVE:**

- SINGLE FAMILY DWELLING
- MODULAR OR MOBILE HOME
- MULTIPLE FAMILY DWELLING
- OTHER \_\_\_\_\_

SPECIFY

**INSTALLATION IS:**

COMPLETE SYSTEM

- NON-ENGINEERED SYSTEM
- PRIMITIVE SYSTEM  
(Includes Alternative Toilet)
- ENGINEERED (+2000 gpd)

INDIVIDUALLY INSTALLED COMPONENTS:

- TREATMENT TANK (ONLY)
- HOLDING TANK \_\_\_\_\_ GAL
- ALTERNATIVE TOILET (ONLY)
- NON-ENGINEERED DISPOSAL AREA (ONLY)
- ENGINEERED DISPOSAL AREA (ONLY)
- SEPARATED LAUNDRY SYSTEM

**TYPE OF WATER SUPPLY**  
DRILLED WELL

## DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)

**TREATMENT TANK**

- SEPTIC:  Regular H-20  
 Low Profile
- AEROBIC

SIZE: 1000 GALS.

**WATER CONSERVATION**

- NONE
- LOW VOLUME TOILET
- SEPARATED LAUNDRY SYSTEM
- ALTERNATIVE TOILET

SPECIFY: \_\_\_\_\_

**PUMPING**

- NOT REQUIRED
- MAY BE REQUIRED  
(DEPENDS ON TREATMENT TANK LOCATION AND ELEVATION)
- REQUIRED

DOSE: \_\_\_\_\_ GALS.

CRITERIA USED FOR DESIGN FLOW (BEDROOMS, SEATING, EMPLOYEES, WATER RECORDS, ETC.)

2 BEDROOM SINGLE FAMILY DWELLING

MINIMUM

DESIGN FLOW: 180 GPD  
(GALLONS/DAY)

**SOIL CONDITIONS USED FOR DESIGN PURPOSES**

PROFILE	CONDITION
<u>3</u>	<u>C</u>

DEPTH TO LIMITING FACTOR: 17

**SIZE RATINGS USED FOR DESIGN PURPOSES**

- SMALL
- MEDIUM
- MEDIUM-LARGE
- LARGE
- EXTRA LARGE

**DISPOSAL AREA TYPE/SIZE**

- BED \_\_\_\_\_ Sq. Ft.
- CHAMBER 300 Sq. Ft.  
 REGULAR  H-20
- TRENCH \_\_\_\_\_ Linear Ft.
- OTHER: \_\_\_\_\_

### SITE EVALUATOR STATEMENT

On SEPT. 30, 1993 (date) I conducted a site evaluation for this project and certify that the data reported is accurate. The system I propose is in accordance with the Subsurface Wastewater Disposal Rules.

*Jan M. M...*  
Site Evaluator Signature

108  
SE#

10/1/93  
Date

(Local Plumbing Inspector's Signature if permit is for Seasonal Conversion)

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services  
Division of Health Engineering

Town, City, Plantation: **LAMOINE**  
 Street, Road, Subdivision: **MARLBORO R.O.**  
 Owners Name: **MARLBORO ASSOCIATION TRUST**

**SITE PLAN**  
 Scale 1" = \_\_\_\_\_ Ft.  
 SEE ATTACHED SITE PLAN

**SITE LOCATION PLAN (Attach Map from Maine Atlas for New System Variance)**  
 MARLBORO R.O. 1/2 MI. SEAL PT. R.O.  
 LOT

**NOTE:**  
 TPI 1 - 3% SOIL 15" TO MOTTLING 17" TO RESTRICTIVE  
 TPI 3 - 3% SOIL 16" TO MOTTLING 24" TO RESTRICTIVE

## SOIL DESCRIPTION AND CLASSIFICATION

(Location of Observation Holes Shown Above)

Observation Hole TPI 1  Test Pit  Boring

0 " Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Mottling
FINE SANDY LOAM	ERIALBLE	DARK BROWN	
		YELLOWISH BROWN	
		LIGHT OLIVE BROWN	COMMON MEDIUM DRAB, GRAY
MIXED SILT LOAM	FIRM	OLIVE	
FINE SAND			

Soil Profile <u>3</u>	Classification <u>C</u>	Slope <u>14%</u>	Limiting Factor <u>20</u>	<input checked="" type="checkbox"/> Ground Water
	Condition			<input type="checkbox"/> Restrictive Layer
				<input type="checkbox"/> Bedrock

Observation Hole TPI 4  Test Pit  Boring

0 " Depth of Organic Horizon Above Mineral Soil

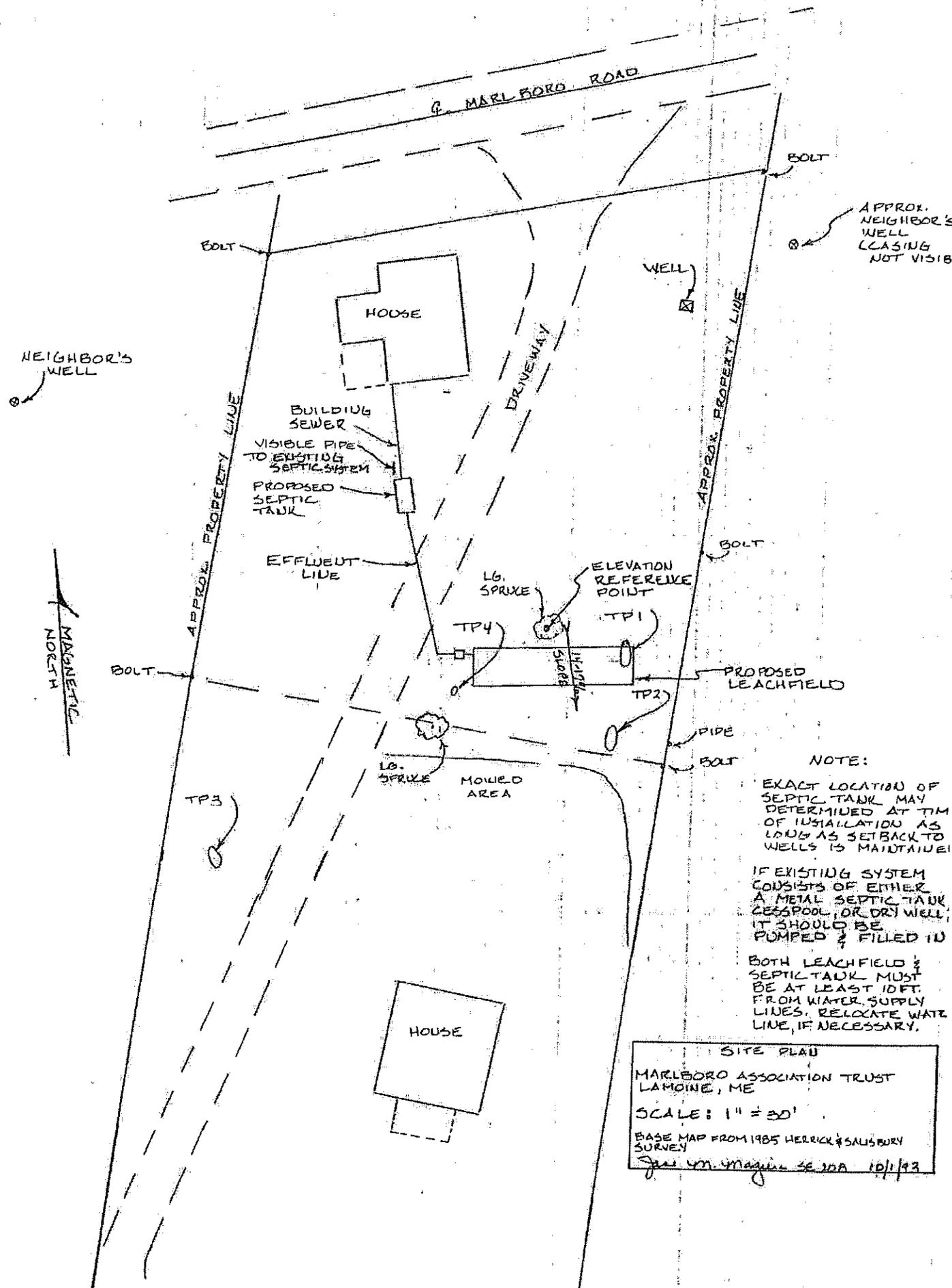
Texture	Consistency	Color	Mottling
FINE SANDY LOAM	ERIALBLE	DARK BROWN	
		YELLOWISH BROWN	
SANDY LOAM	FIRM	OLIVE	COMMON MEDIUM DRAB, GRAY
HAND-DUG			

Soil Profile <u>3</u>	Classification <u>C</u>	Slope <u>20%</u>	Limiting Factor <u>17</u>	<input checked="" type="checkbox"/> Ground Water
	Condition			<input type="checkbox"/> Restrictive Layer
				<input type="checkbox"/> Bedrock

*John M. ...*  
Site Evaluator Signature

228  
SE#

10/1/93  
Date



APPROX. NEIGHBOR'S WELL CASING NOT VISIBLE

NEIGHBOR'S WELL

MAGNETIC NORTH

**NOTE:**

EXACT LOCATION OF SEPTIC TANK MAY BE DETERMINED AT TIME OF INSTALLATION AS LONG AS SETBACK TO WELLS IS MAINTAINED

IF EXISTING SYSTEM CONSISTS OF EITHER A METAL SEPTIC TANK, CESSPOOL, OR DRY WELL, IT SHOULD BE PUMPED & FILLED IN

BOTH LEACHFIELD & SEPTIC TANK MUST BE AT LEAST 10 FT. FROM WATER SUPPLY LINES. RELOCATE WATER LINE, IF NECESSARY.

**SITE PLAN**  
 MARLBORO ASSOCIATION TRUST  
 LAMOINE, ME  
 SCALE: 1" = 30'  
 BASE MAP FROM 1985 HERRICK & SALISBURY SURVEY  
 JAN 4th 1993

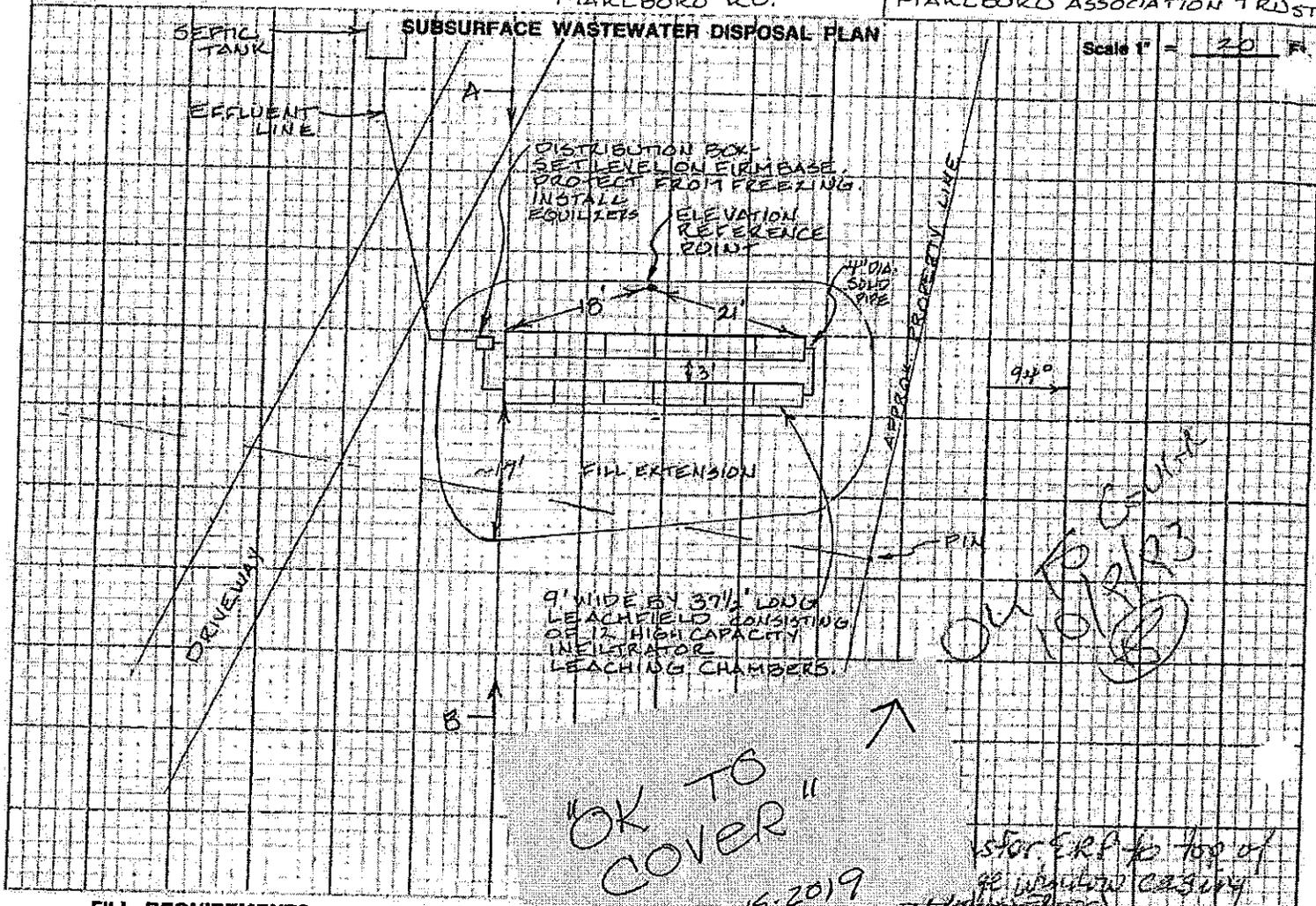
# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services  
Division of Health Engineering

Town, City, Plantation  
**LAMOINE**

Street, Road, Subdivision  
**MARLBORO RD.**

Owners Name  
**MARLBORO ASSOCIATION TRUST**



**FILL REQUIREMENTS**

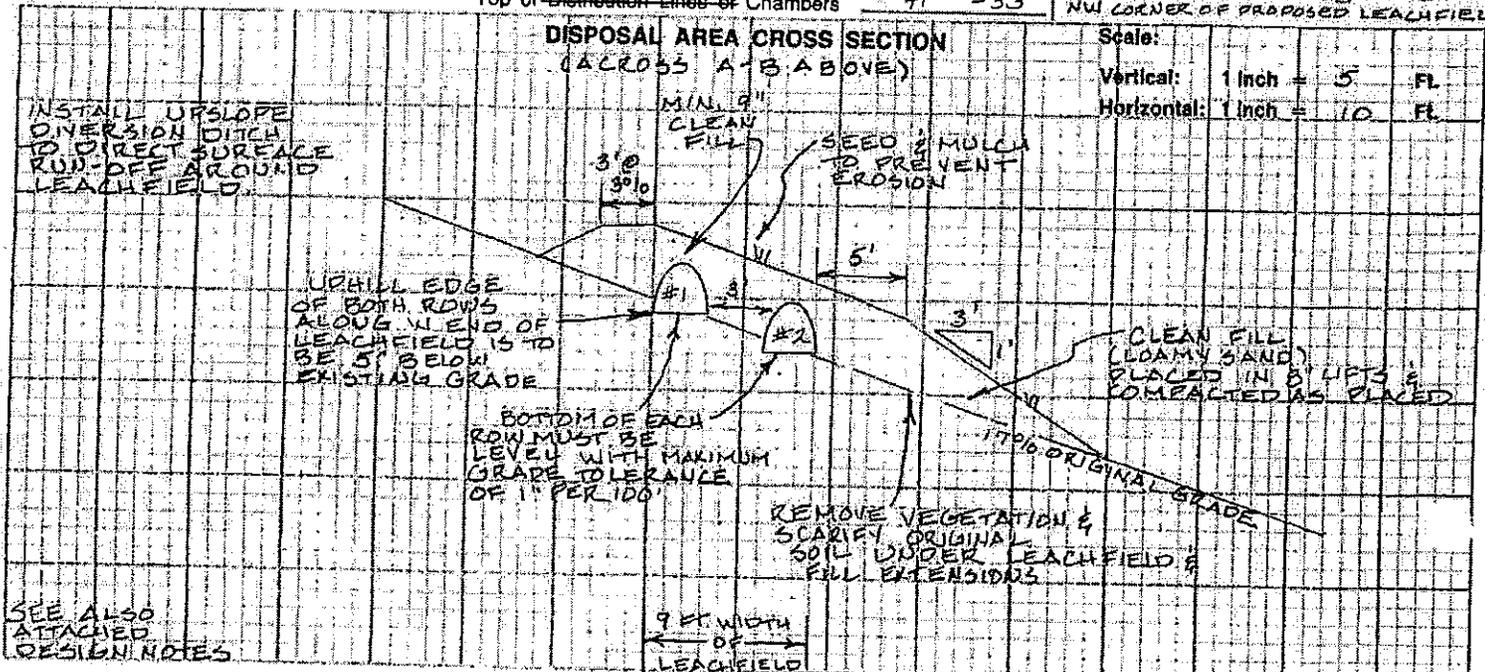
Depth of Fill (Upslope)	20-23"
Depth of Fill (Downslope)	24 26"

**CON**

Reference Elev	#1	#2
Bottom of Disp. area	-57"	-69"
Top of Distribution Lines or Chambers	-41"	-53"

**ELEVATION REFERENCE POINT LOCATION & DESCRIPTION**

E.R.P. IS A NAIL 49 1/2" UP ON AN 8" OLD SPRUCE LOCATED 18" AT 78° FROM NW CORNER OF PROPOSED LEACHFIELD.



*Jan M. Maguire*  
Site Evaluator Signature

208  
RF#

10/1/93

# REPLACEMENT SYSTEM VARIANCE REQUEST

## THE LIMITATIONS OF THE REPLACEMENT SYSTEM VARIANCE REQUEST

This form shall be attached to an application for the proposed replacement system, which does not comply with the Rules. The LPI shall review the Replacement System Variance Request and Application and may approve the Request if all of the following requirements can be met, and the variance(s) requested fall within the limits of LPI's authority.

1. The proposed design meets the definition of a Replacement System from the rules.
2. A system cannot be designed and installed in total compliance with the Rules.
3. The design flow is less than 500 GPD.
4. There will be no change in use of the structure.
5. The replacement system is determined by the Site Evaluator and LPI to be the most practical method to treat and dispose of the wastewater.

### GENERAL INFORMATION

Permit No. _____ E	Date Permit Issued _____ MONTH/DAY/YEAR
Property Owner's Name: <u>MARLBORO ASSOCIATION TRUST (LPI &amp; TRUE APPLICANT)</u>	Tel. No. _____
System's Location: <u>MARLBORO RD.</u>	STREET
<u>LAMOND</u>	TOWN
<u>Maine</u>	STATE
Property Owner's Address: <u>36 HAYNES AVE.</u>	STREET
(If different from above)	
<u>DEERFIELD, NH</u>	TOWN
<u>03037</u>	ZIP
	STATE

### SPECIFIC INSTRUCTIONS TO THE:

#### LPI:

If any of the variances exceed your approval authority and/or do not meet all of the requirements listed under the Limitations Section above, then you are to send this Replacement System Variance Request, along with the Application, to the Department for review and approval consideration before issuing a Permit. (See reverse side for Comments Section and your signature.)

#### SITE EVALUATOR:

If after completing the Application, you find that a variance for the proposed replacement system is needed, then complete the Replacement Variance Request with your signature on reverse side of form.

#### PROPERTY OWNER:

It has been determined by the Site Evaluator that a variance to the Rules is required for the proposed replacement system. This variance request is due to physical limitations of the site and/or soil conditions. Both the Site Evaluator and the LPI have considered the site/soil restrictions and have concluded that a replacement system in total compliance with the Rules is not possible.

The OWNER shall sign this statement. Therefore, having read both this Replacement Variance Request and the attached Application, I understand that the proposed system is not in total compliance with the Rules and hereby release all those concerned with this Variance, provided they have performed their duties in a reasonable and proper manner.

Thomas N True

PROPERTY OWNER'S SIGNATURE

10/6/93

DATE

VARIANCE CATEGORY	VARIANCE REQUESTED	LIMIT OF LPI'S APPROVAL AUTHORITY		VARIANCE REQUESTED TO:	
<b>SOILS</b>					
Soil Profile	Ground Water Table	to 8"		Inches	
Soil Condition	Restrictive Layer	to 6"		Inches	
from HHE-200	Bedrock	to 10"		Inches	
<b>SETBACK DISTANCES (IN FEET)</b>	<b>FROM:</b>	<b>TREATMENT TANK</b>	<b>DISPOSAL AREA</b>	<b>TREATMENT TANK</b>	<b>DISPOSAL AREA</b>
Potable Water Supplies	1. Well: > 2000 gal/day	100 <sup>a</sup>	300 <sup>a</sup>		
	2. Well: < 2000 gal/day				
	a. Neighbor's	50 <sup>b</sup>	60 <sup>b</sup>	90 <sup>*c</sup>	
	b. Property Owner's	25'	50'	60'	80'
	3. Water Supply Line	See note 'a'			
Waterbodies	1. Perennial	50'	60'		
	2. Intermittent	15'	20'		
	3. Manmade drainage ditch	10'	15'		
Downhill Slope	Greater than 3:1 (33%)	5 <sup>c</sup>	10 <sup>c</sup>		
Buildings	1. With Basement	5'	10'		
	2. Without Basement	5'	10'		
Property Line		4'	5'		

**OTHER**

1. Fill extension Grade—to 3:1 — AS NECESSARY TO CONTAIN FILL

2.

3.

Footnotes: \* PIPE GOING INTO THE GROUND TO EXISTING SYSTEM IS 90' FROM NEIGHBOR'S WELL.

- a. This setback distance cannot be reduced by variance. See Table 6-2.
- b. Written Permission from the owner of a well is required when a replacement system will be located less than 100 feet but closer to that well than the system it is replacing.
- c. Sufficient distance shall be maintained to assure that the toe of the fill does not extend to the 3:1 slope.

*Joe M. Maguire*  
SITE EVALUATOR'S SIGNATURE

10/1/93  
DATE

**LPI STATEMENT**

I, Tommy, LPI for the Town of Leicester, have conducted an on-site inspection for the proposed replacement system and have determined to the best of my knowledge, that it cannot be installed in total compliance with the Rules, applicable Municipal Wastewater Disposal Ordinances, or the Local Shoreland Zoning Ordinance. As a result of my review of the Replacement System Variance Request, the Application, and my on-site investigation, I (check and complete either a or b):

a. ( approve,  disapprove) the variance request based on my authority to grant this variance. Note: If the LPI does not give his approval, he shall list his reasons for denial in Comments Section below and return to the applicant.

—OR—

b. find that one or more of the requested Variances exceeds my approval authority as LPI. I ( recommend  do not recommend) the Department's approval of the variances. Note: If the LPI does not recommend the Department's approval, he shall state his reasons in Comments Section below as to why the proposed replacement system is not being recommended.

Comments:

*[Signature]*  
LPI'S SIGNATURE

10/1/93  
DATE

**FOR USE BY THE DEPARTMENT ONLY**

The Department has reviewed the variance(s) and ( does  does not) give its approval. Any additional requirements, recommendations, or reasons for the Variance denial, are given in the attached letter.

SIGNATURE OF THE DEPARTMENT

DATE

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services  
Division of Health Engineering  
(207)289-3826

PROPERTY ADDRESS	
Town Or Plantation	LAMOINE
Street Subdivision Lot #	MARLBORO RD.
PROPERTY OWNERS NAME	
MARLBORO ASSOCIATION TRUST	
Last:	First:
Applicant Name:	TOM TRUE
Mailing Address of Owner/Applicant (If Different)	36 HAYNES AVE. DEERFIELD, NH 03037

*See Attachment Attached*

LAMOINE	594	TOWN COPY	<input type="checkbox"/> Double Fee Charged
Date Permit Issued: <u>12/8/92</u>	\$ <u>160</u>	FEE	
<i>[Signature]</i>		L.P.I. # <u>52</u>	
<i>[Signature]</i>			

**Owner/Applicant Statement**  
I certify that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Local Plumbing Inspector to deny a Permit.

*Thomas A. True*      12/8/92  
Signature of Owner/Applicant      Date

**Caution: Inspection Required**  
I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules.

*[Signature]*      \_\_\_\_\_  
Local Plumbing Inspector Signature      Date Approved

PERMIT INFORMATION		
<p><b>THIS APPLICATION IS FOR:</b></p> <ol style="list-style-type: none"> <li><input type="checkbox"/> NEW SYSTEM</li> <li><input checked="" type="checkbox"/> <u>REPLACEMENT SYSTEM</u></li> <li><input type="checkbox"/> EXPANDED SYSTEM</li> <li><input type="checkbox"/> EXPERIMENTAL SYSTEM</li> </ol> <p><b>SEASONAL CONVERSION</b> to be completed by the LPI</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> SYSTEM COMPLIES WITH RULES</li> <li><input type="checkbox"/> CONNECTED TO SANITARY SEWER</li> <li><input type="checkbox"/> SYSTEM INSTALLED - P#</li> <li><input type="checkbox"/> SYSTEM DESIGN RECORDED AND ATTACHED</li> </ol> <p><b>IF REPLACEMENT SYSTEM:</b> YEAR FAILING SYSTEM INSTALLED <u>UNKNOWN</u> THE FAILING SYSTEM IS:  <ol style="list-style-type: none"> <li><input type="checkbox"/> BED</li> <li><input type="checkbox"/> CHAMBER</li> <li><input type="checkbox"/> TRENCH</li> <li><input checked="" type="checkbox"/> OTHER: <u>UNKNOWN</u></li> </ol> </p> <p>SIZE OF PROPERTY <u>.40 ACRES</u>      ZONING _____</p>	<p><b>THIS APPLICATION REQUIRES:</b></p> <ol style="list-style-type: none"> <li><input type="checkbox"/> NO RULE VARIANCE</li> <li><input type="checkbox"/> NEW SYSTEM VARIANCE Attach New System Variance Form</li> <li><input checked="" type="checkbox"/> <u>REPLACEMENT SYSTEM VARIANCE</u> Attach Replacement System Variance Form             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> Requiring Local Plumbing Inspector Approval</li> <li><input type="checkbox"/> Requires State and Local Plumbing Inspector Approval</li> </ol> </li> <li><input type="checkbox"/> MINIMUM LOT SIZE VARIANCE</li> </ol> <p><b>DISPOSAL SYSTEM TO SERVE:</b></p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> <u>SINGLE FAMILY DWELLING</u></li> <li><input type="checkbox"/> MODULAR OR MOBILE HOME</li> <li><input type="checkbox"/> MULTIPLE FAMILY DWELLING</li> <li><input type="checkbox"/> OTHER _____</li> </ol> <p style="text-align: center;">SPECIFY _____</p>	<p><b>INSTALLATION IS:</b></p> <p>COMPLETE SYSTEM</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> <u>NON-ENGINEERED SYSTEM</u></li> <li><input type="checkbox"/> PRIMITIVE SYSTEM (Includes Alternative Toilet)</li> <li><input type="checkbox"/> ENGINEERED (+ 2000 gpd)</li> </ol> <p>INDIVIDUALLY INSTALLED COMPONENTS:</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> TREATMENT TANK (ONLY)</li> <li><input type="checkbox"/> HOLDING TANK _____ GAL</li> <li><input type="checkbox"/> ALTERNATIVE TOILET (ONLY)</li> <li><input type="checkbox"/> NON-ENGINEERED DISPOSAL AREA (ONLY)</li> <li><input type="checkbox"/> ENGINEERED DISPOSAL AREA (ONLY)</li> <li><input type="checkbox"/> SEPARATED LAUNDRY SYSTEM</li> </ol> <p><b>TYPE OF WATER SUPPLY</b> <u>DRILLED WELL</u></p>

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)						
<p><b>TREATMENT TANK</b></p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> SEPTIC: <input checked="" type="checkbox"/> Regular <u>H-20</u> <input type="checkbox"/> Low Profile</li> <li><input type="checkbox"/> AEROBIC</li> </ol> <p>SIZE: <u>1000</u> GALS.</p>	<p><b>WATER CONSERVATION</b></p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> NONE</li> <li><input type="checkbox"/> LOW VOLUME TOILET</li> <li><input type="checkbox"/> SEPARATED LAUNDRY SYSTEM</li> <li><input type="checkbox"/> ALTERNATIVE TOILET</li> </ol> <p>SPECIFY: _____</p>	<p><b>PUMPING</b></p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> <u>NOT REQUIRED</u></li> <li><input type="checkbox"/> MAY BE REQUIRED (DEPENDING ON TREATMENT TANK LOCATION AND ELEVATION)</li> <li><input type="checkbox"/> REQUIRED</li> </ol> <p>DOSE: _____ GALS.</p>	<p style="text-align: center;">CRITERIA USED FOR DESIGN FLOW (BEDROOMS, SEATING, EMPLOYEES, WATER RECORDS, ETC.)</p> <p style="text-align: center;"><u>3 BED ROOM</u> <u>SINGLE FAMILY DWELLING</u></p> <p style="text-align: center;">MINIMUM</p> <p>DESIGN FLOW: <u>270 GPD</u> (GALLONS/DAY)</p>			
<p><b>SOIL CONDITIONS USED FOR DESIGN PURPOSES</b></p> <table style="width: 100%;"> <tr> <td style="width: 50%;">PROFILE</td> <td style="width: 50%;">CONDITION</td> </tr> <tr> <td style="text-align: center;"><u>3</u></td> <td style="text-align: center;"><u>C</u></td> </tr> </table> <p>DEPTH TO LIMITING FACTOR: <u>15</u></p>	PROFILE	CONDITION		<u>3</u>	<u>C</u>	<p><b>SIZE RATINGS USED FOR DESIGN PURPOSES</b></p> <ol style="list-style-type: none"> <li><input type="checkbox"/> SMALL</li> <li><input type="checkbox"/> MEDIUM</li> <li><input checked="" type="checkbox"/> <u>MEDIUM-LARGE</u></li> <li><input type="checkbox"/> LARGE</li> <li><input type="checkbox"/> EXTRA LARGE</li> </ol>
PROFILE	CONDITION					
<u>3</u>	<u>C</u>					

**SITE EVALUATOR STATEMENT**

On MAY 26, 1992 (date) I conducted a site evaluation for this project and certify that the data reported is accurate. The system I propose is in accordance with the Subsurface Wastewater Disposal Rules.

*Jan M. [Signature]*      108      7/14/92  
Site Evaluator Signature      SE#      Date

(Local Plumbing Inspector's Signature if permit is for Seasonal Conversion.)

Page 1 of 3  
HHE-200 Rev. 11/86

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services  
Division of Health Engineering

Town, City, Plantation: **LAMOINE**  
 Street, Road, Subdivision: **MARLBORO R.O.**  
 Owners Name: **MARLBORO ASSOCIATION TRUST**

**SITE PLAN**  
 Scale 1" = \_\_\_\_\_ Ft.  
 SEE ATTACHED SITE PLAN

**SITE LOCATION PLAN** (Attach Map from Maine Atlas for New System Variance)  
 MARLBORO R.O. 1/2 MI.  
 SEAL PT. R.D.  
 LOT

**NOTE:**  
 0-18" SOIL  
 18" TO 24" MOTTLING  
 24" TO RESTRICTIVE  
 0-18" SOIL  
 18" TO 24" MOTTLING  
 24" TO RESTRICTIVE

SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)				
Observation Hole <u>TP2</u> <input checked="" type="checkbox"/> Test Pit <input type="checkbox"/> Boring		Observation Hole <u>TP4</u> <input checked="" type="checkbox"/> Test Pit <input type="checkbox"/> Boring		
0" Depth of Organic Horizon Above Mineral Soil		0" Depth of Organic Horizon Above Mineral Soil		
Texture	Consistency	Color	Mottling	
0	FINE SANDY LOAM	FRIABLE	DARK BROWN	
6			BROWN	
10			LIGHT OLIVE BROWN	
15				
20	MILDLY FINE SAND & SILT	FIRM	OLIVE	COMMON MED. DISTINCT GRAY
30				MAJLY COARSE PROMINENT GRAY & BROWN
40				
50				
Soil Profile	Classification Condition	Slope	Limiting Factor	<input type="checkbox"/> Ground Water <input type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock
3	C	15%	15	

Texture	Consistency	Color	Mottling	
0	FINE SANDY LOAM	FRIABLE	DARK BROWN	
6				
10			YELLOWISH BROWN	
15				
20	SANDY LOAM	FIRM	OLIVE	COMMON MEDIUM DISTINCT GRAY
30				HAUD-DUG
40				
50				
Soil Profile	Classification Condition	Slope	Limiting Factor	<input type="checkbox"/> Ground Water <input type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock
3	C	10%	17	

*James M. ...*  
Site Evaluator Signature

200  
SE#

7/1/92  
Date

Town, City, Plantation  
LA MOIUE

Street, Road, Subdivision  
MARLBORO R.O.

Department of Human Services  
Division of Health Engineering

Owners Name  
MARLBORO ASSOCIATION TRUST

**SUBSURFACE WASTEWATER DISPOSAL PLAN**

Scale 1" = 20' F.



**FILL REQUIREMENTS**

Depth of Fill (Upslope) **18-26"**  
Depth of Fill (Downslope) **11-24"**

**CONSTRUCTION ELEVATIONS**

Reference Elevation is <b>0"</b>	ROW #	1	2	3	4
Bottom of Disposal Area		-59"	-71"	-83"	-95"
Top of Distribution Lines or Chambers		-47"	-59"	-71"	-83"

**ELEVATION REFERENCE POINT LOCATION & DESCRIPTION**

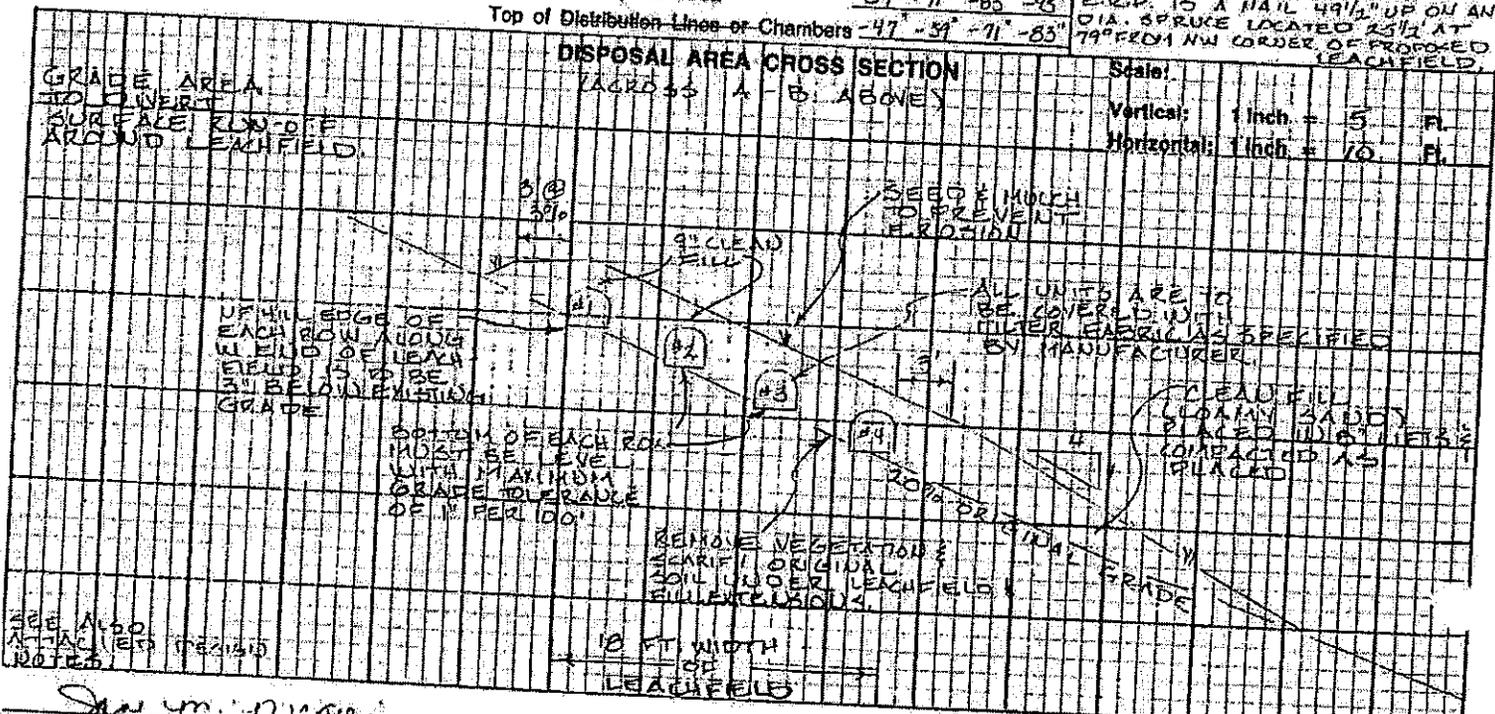
E.R.P. IS A NAIL 49 1/2" UP ON AN 8" DIA. SPRUCE LOCATED 25 1/2' AT 79° FROM NW CORNER OF PROPOSED LEACHFIELD.

**GRADE AREA TO LINE WITH SURFACE ROW OFF AROUND LEACHFIELD.**

**DISPOSAL AREA CROSS SECTION**

**CROSS A - B ABOVE**

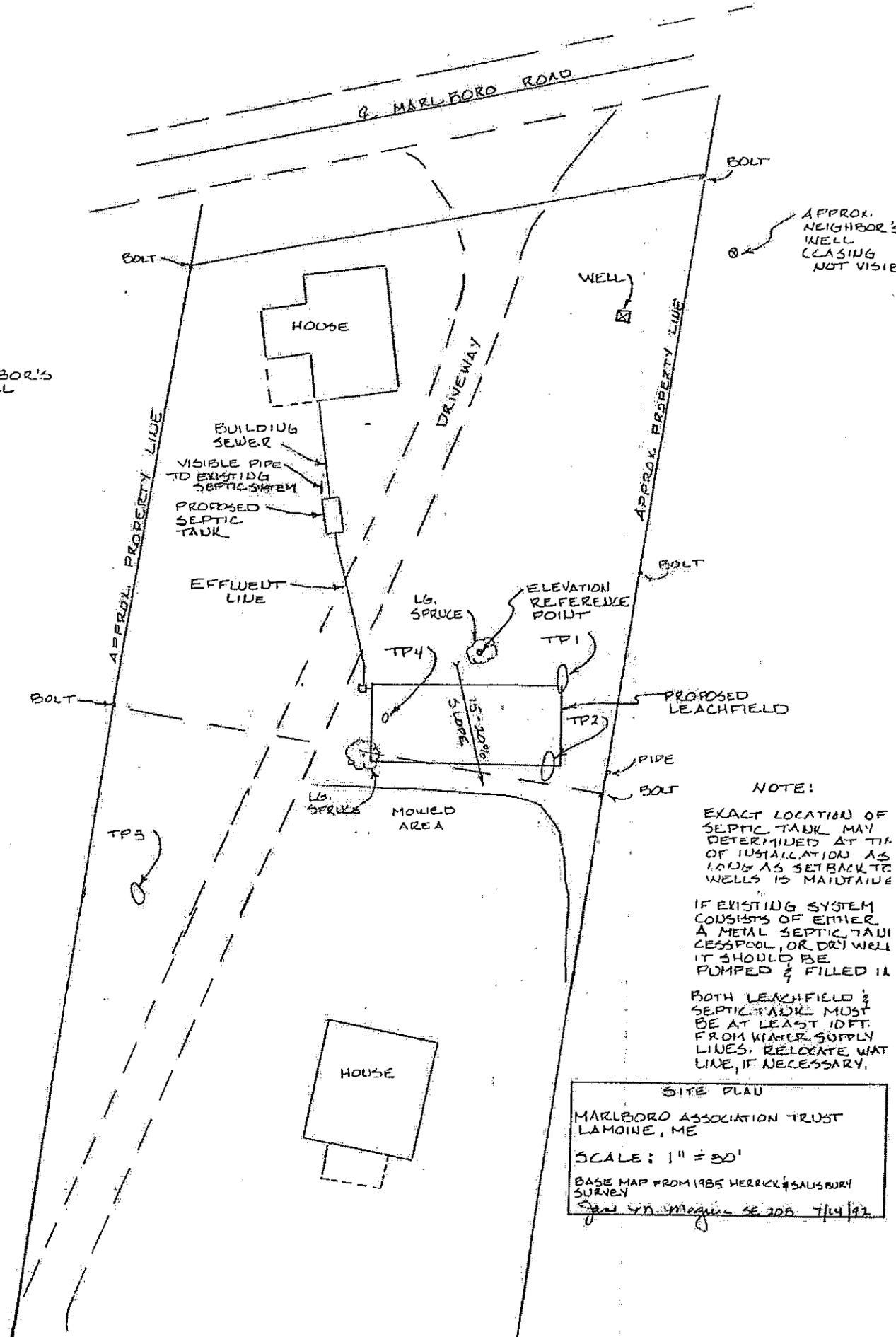
Scale:  
Vertical: 1 inch = 5' F.  
Horizontal: 1 inch = 10' F.



*John M. ...*  
Site Evaluator Signature

208  
SE#

7/14/92  
Date



**NOTE:**  
 EXACT LOCATION OF SEPTIC TANK MAY DETERMINED AT TIME OF INSTALLATION AS LONG AS SETBACK TO WELLS IS MAINTAINED  
 IF EXISTING SYSTEM CONSISTS OF EITHER A METAL SEPTIC TANK, CESSPOOL, OR DRY WELL IT SHOULD BE PUMPED & FILLED IN  
 BOTH LEACHFIELD & SEPTIC TANK MUST BE AT LEAST 10 FT. FROM WATER SUPPLY LINES. RELOCATE WATER LINE, IF NECESSARY.

**SITE PLAN**  
 MARLBORO ASSOCIATION TRUST  
 LAMOINE, ME  
 SCALE: 1" = 30'  
 BASE MAP FROM 1985 HERICK & SALISBURY SURVEY  
 JOHN W. MOQUIN SE 305 7/14/92

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services  
Division of Health Engineering

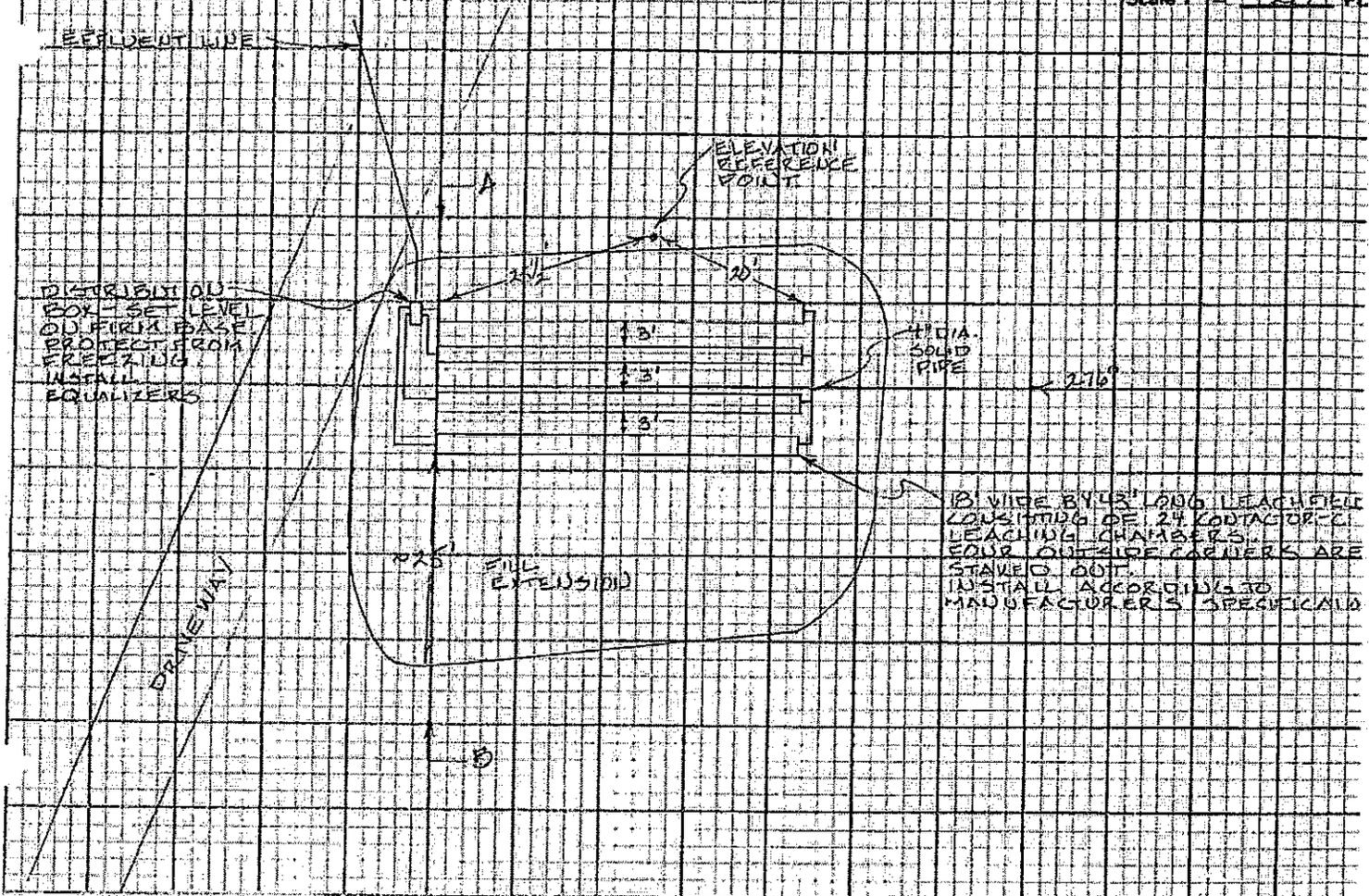
Town, City, Plantation  
LAMOINE

Street, Road, Subdivision  
MARLBORO RD.

Owners Name  
MARLBORO ASSOCIATION TRUST

## SUBSURFACE WASTEWATER DISPOSAL PLAN

Scale 1" = 20' Ft.



### FILL REQUIREMENTS

Depth of Fill (Upslope) 18"-26"  
Depth of Fill (Downslope) 22"-24"

### CONSTRUCTION ELEVATIONS ROW #

Reference Elevation is	1	2	3	4
Bottom of Disposal Area	-59"	-71"	-83"	-95"
Top of Distribution Lines or Chambers	-47"	-59"	-71"	-83"

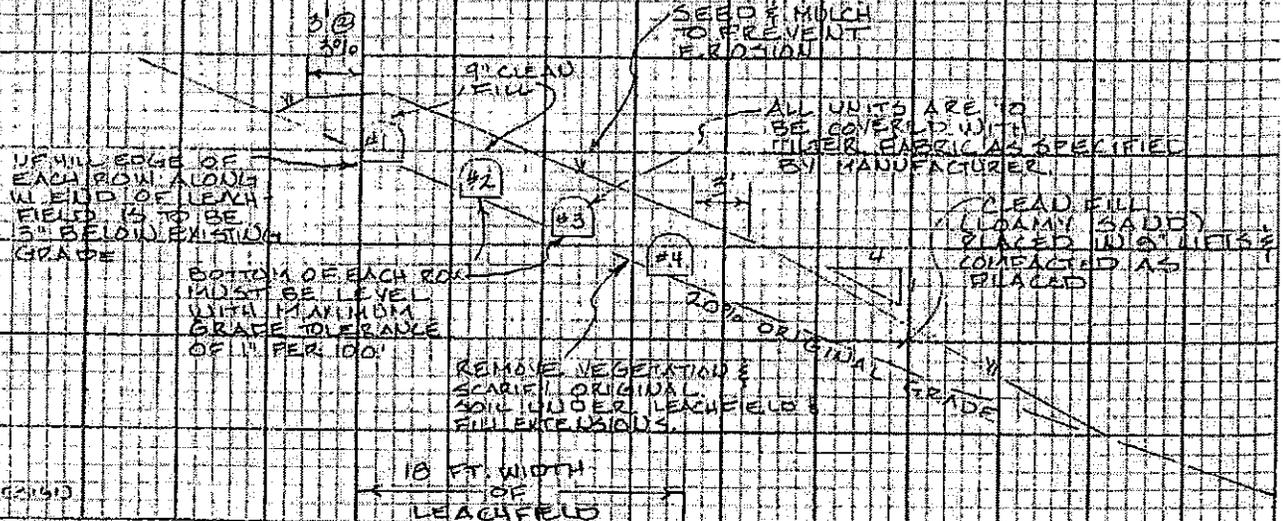
### ELEVATION REFERENCE POINT LOCATION & DESCRIPTION

E.R.P. IS A NAIL 4 1/2" UP ON AN DIA. SPRUCE LOCATED 25 1/2' AT 79' FROM NW CORNER OF PROPOSED LEACHFIELD.

### DISPOSAL AREA CROSS SECTION (ACROSS A-B ABOVE)

Scale:  
Vertical: 1 inch = 5 Ft.  
Horizontal: 1 inch = 10 Ft.

GRADE AREA TO DRAIN SURFACE RUN-OFF AROUND LEACHFIELD.



SEE ALSO ATTACHED NOTES

*Site Evaluator Signature*  
Site Evaluator Signature

208  
SE#

11/30/92  
Date

# REPLACEMENT SYSTEM VARIANCE REQUEST

## THE LIMITATIONS OF THE REPLACEMENT SYSTEM VARIANCE REQUEST

This form shall be attached to an application for the proposed replacement system which does not comply with the Rules. The LPI shall review the Replacement System Variance Request and Application and may approve the Request if all of the following requirements can be met, and the variance(s) requested fall within the limits of LPI's authority.

1. The proposed design meets the definition of a Replacement System from the rules.
2. A system cannot be designed and installed in total compliance with the Rules.
3. The design flow is less than 500 GPD.
4. There will be no change in use of the structure.
5. The replacement system is determined by the Site Evaluator and LPI to be the most practical method to treat and dispose of the wastewater.

## GENERAL INFORMATION

Town of LAMDIDE

Permit No. \_\_\_\_\_ E Date Permit Issued \_\_\_\_\_  
MONTH/DAY/YEAR

Property Owner's Name: MARLBORO ASSOCIATION TRUST (TOM TRUE, APPLICANT) Tel. No. \_\_\_\_\_

System's Location: MARLBORO RD. STREET

LAMDIDE TOWN Maine ZIP

Property Owner's Address: 36 HAYNES AVE. STREET  
(if different from above)

DEERFIELD, NH 03037 TOWN STATE ZIP

## SPECIFIC INSTRUCTIONS TO THE:

### LPI:

If any of the variances exceed your approval authority and/or do not meet all of the requirements listed under the Limitations Section above, they you are to send this Replacement System Variance Request, along with the Application, to the Department for review and approval consideration before issuing a Permit. (See reverse side for Comments Section and your signature.)

### SITE EVALUATOR:

If after completing the Application, you find that a variance for the proposed replacement system is needed, then complete the Replacement Variance Request with your signature on reverse side of form.

### PROPERTY OWNER:

It has been determined by the Site Evaluator that a variance to the Rules is required for the proposed replacement system. This variance request is due to physical limitations of the site and/or soil conditions. Both the Site Evaluator and the LPI have considered the site/soil restrictions and have concluded that a replacement system in total compliance with the Rules is not possible.

The OWNER shall sign this statement. Therefore, having read both this Replacement Variance Request and the attached Application, I understand that the proposed system is not in total compliance with the Rules and hereby release all those concerned with this Variance, provided they have performed their duties in a reasonable and proper manner.

Thomas True  
PROPERTY OWNER'S SIGNATURE

12/8/92  
DATE

VARIANCE CATEGORY	VARIANCE REQUESTED	LIMIT OF LPI'S APPROVAL AUTHORITY		VARIANCE REQUESTED TO:	
SOILS	Soil Profile	Ground Water Table		to 6" Inches	
	Soil Condition	Restrictive Layer		to 6" Inches	
	from HHE-200	Bedrock		to 10" Inches	
SETBACK DISTANCES (IN FEET)	FROM:	TREATMENT TANK	DISPOSAL AREA	TREATMENT TANK	DISPOSAL AREA
Potable Water Supplies	1. Well: > 2000 gal/day	100'	300'		
	2. Well: < 2000 gal/day				
	a. Neighbor's	50' <sup>b</sup>	60' <sup>b</sup>	90' <sup>*</sup>	
	b. Property Owner's	25'	50'	60'	85'
	3. Water Supply Line	See note 'a'			
Waterbodies	1. Perennial	50'	60'		
	2. Intermittent	15'	20'		
	3. Manmade drainage ditch	10'	15'		
Downhill Slope	Greater than 3:1 (33%)	5' <sup>c</sup>	10' <sup>c</sup>		
Buildings	1. With Basement	5'	10'		
	2. Without Basement	5'	10'		
Property Line		4'	5'		

**OTHER**

1. Fill extension Grade—to 3:1

2.

3.

Footnotes: \* PIPE GOING INTO THE GROUND TO EXISTING SYSTEM IS 90' FROM NEIGHBOR'S WELL.

- a. This setback distance cannot be reduced by variance. See Table 6-2.
- b. Written Permission from the owner of a well is required when a replacement system will be located less than 100 feet but closer to that well than the system it is replacing.
- c. Sufficient distance shall be maintained to assure that the toe of the fill does not extend to the 3:1 slope.

*Gene M. Medina*  
SITE EVALUATOR'S SIGNATURE

7/14/92  
DATE

**LPI STATEMENT**

I, Joselyn Smith, LPI for the Town of Warrington, have conducted an on-site inspection for the proposed replacement system and have determined to the best of my knowledge, that it cannot be installed in total compliance with the Rules, applicable Municipal Wastewater Disposal Ordinances, or the Local Shoreland Zoning Ordinance. As a result of my review of the Replacement System Variance Request, the Application, and my on-site investigation, I (check and complete either a or b):

a. ( approve,  disapprove) the variance request based on my authority to grant this variance. Note: If the LPI does not give his approval, he shall list his reasons for denial in Comments Section below and return to the applicant.

—OR—

b. find that one or more of the requested Variances exceeds my approval authority as LPI. I ( recommend  do not recommend) the Department's approval of the variances. Note: If the LPI does not recommend the Department's approval, he shall state his reasons in Comments Section below as to why the proposed replacement system is not being recommended.

Comments:

*[Signature]*  
LPI'S SIGNATURE

7/14/92  
DATE

**FOR USE BY THE DEPARTMENT ONLY**

The Department has reviewed the variance(s) and ( does  does not) give its approval. Any additional requirements, recommendations, or reasons for the Variance denial, are given in the attached letter.

SIGNATURE OF THE DEPARTMENT

DATE

VARIANCE CATEGORY	VARIANCE REQUESTED	LIMIT OF LPI'S APPROVAL AUTHORITY		VARIANCE REQUESTED TO:	
SOILS	Soil Profile	Ground Water Table	to 6"		Inches
	Soil Condition	Restrictive Layer	to 6"		Inches
	from HHE-200	Bedrock	to 10"		Inches
SETBACK DISTANCES (IN FEET)	FROM:	TREATMENT TANK	DISPOSAL AREA	TREATMENT TANK	DISPOSAL AREA
Potable Water Supplies	1. Well: > 2000 gal/day	100*	300*		
	2. Well: < 2000 gal/day				
	a. Neighbor's	50 <sup>cb</sup>	60 <sup>cb</sup>	90 <sup>1*</sup>	
	b. Property Owner's	25'	50'	60'	85'
	3. Water Supply Line	See note 'a'			
Waterbodies	1. Perennial	50'	60'		
	2. Intermittent	15'	20'		
	3. Manmade drainage ditch	10'	15'		
Downhill Slope	Greater than 3:1 (33%)	5 <sup>cc</sup>	10 <sup>cc</sup>		
Buildings	1. With Basement	5'	10'		
	2. Without Basement	5'	10'		
Property Line		4'	5'		

**OTHER**

1. Fill extension Grade—to 3:1

2.

3.

Footnotes: \* PIPE GOING INTO THE GROUND TO EXISTING SYSTEM IS 90' FROM NEIGHBOR'S WELL.

- a. This setback distance cannot be reduced by variance. See Table 6-2.
- b. Written Permission from the owner of a well is required when a replacement system will be located less than 100 feet but closer to that well than the system it is replacing.
- c. Sufficient distance shall be maintained to assure that the toe of the fill does not extend to the 3:1 slope.

Gene M. Maguire  
SITE EVALUATOR'S SIGNATURE

7/14/92  
DATE

**LPI STATEMENT**

I, JOHN F. ..., LPI for the Town of ... have conducted an on-site inspection for the proposed replacement system and have determined to the best of my knowledge, that it cannot be installed in total compliance with the Rules, applicable Municipal Wastewater Disposal Ordinances, or the Local Shoreland Zoning Ordinance. As a result of my review of the Replacement System Variance Request, the Application, and my on-site investigation, I (check and complete either a or b):

a. (  approve,  disapprove ) the variance request based on my authority to grant this variance. Note: If the LPI does not give his approval, he shall list his reasons for denial in Comments Section below and return to the applicant.

—OR—

b. find that one or more of the requested Variances exceeds my approval authority as LPI. I (  recommend  do not recommend ) the Department's approval of the variances. Note: If the LPI does not recommend the Department's approval, he shall state his reasons in Comments Section below as to why the proposed replacement system is not being recommended.

Comments: \_\_\_\_\_

[Signature]  
LPI'S SIGNATURE

12/14/92  
DATE

**FOR USE BY THE DEPARTMENT ONLY**

The Department has reviewed the variance(s) and (  does  does not ) give its approval. Any additional requirements, recommendations, or reasons for the Variance denial, are given in the attached letter.

SIGNATURE OF THE DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

Office of Code Enforcement  
Rebecca Albright, CEO  
606 Douglas Highway  
Lamoine, ME 04605  
(207) 667-2242  
April 2, 2019

RE: Kathryn True/Building Height

Lot 16 Lot 48-1

To whom it may concern:

I have inspected and measured the recent (abovementioned) construction on Lupine Lane, Marlboro twice recently.

The construction is a two story modular that has a walk-out basement. This project is on a slope and has involved bringing in a great deal of fill. It appears quite tall and imposing. I had to make sure that this structure did NOT violate the Town's 35' height requirement.

The actual height of the new building is 28' 10" from the bottom of the first floor trim board to the top most point of the roof ridge. In other words, if the building was sitting on flat ground (w/o basement), it would be 28' 10" high.

35 feet - 28' 10" leaves 6' 2" of height which remains to be utilized in the project.

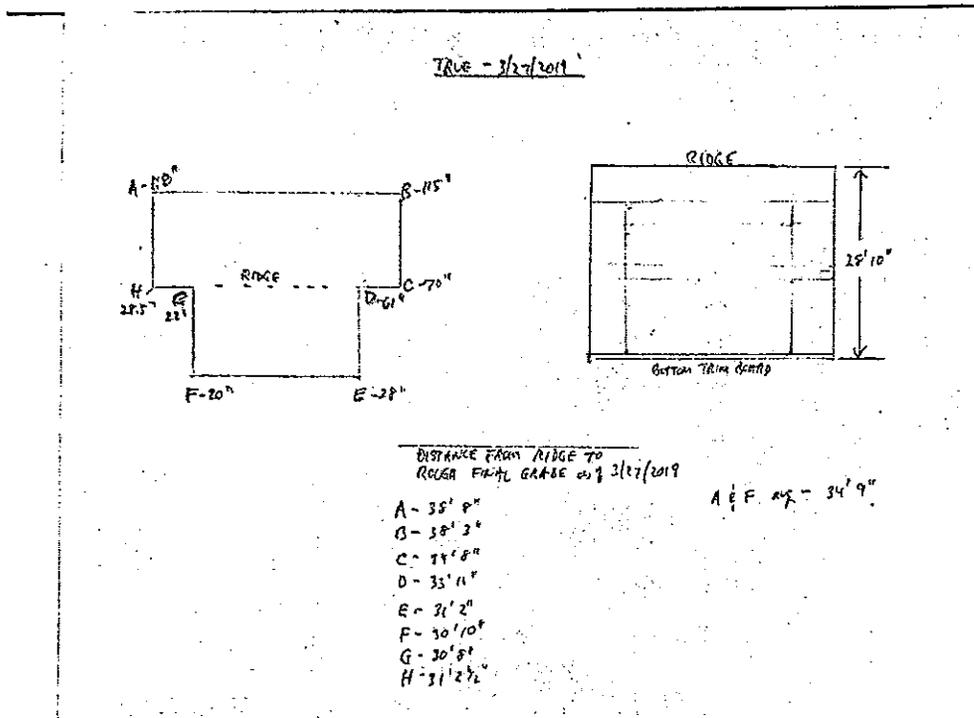
The grade of the project varies from 97.5' above sea level to 93.5' above sea level. The grade is on a southern slope, sloping down toward Frenchman's bay. This is a 4 foot differential which spans the width of the house (which is 28'). I have divided the 28 feet of house width in to the 4 foot grade differential and find that (28 divided by 4=7) On average, for every seven feet of vertical distance there is a one foot horizontal grade drop.

The tallest distance from the grade to the roof peak is in the front (south side). This measurement is 38' 8" from ground to the peak of the new house.

Exhibit  
# 13

The shortest distance from grade to the roof peak is in the back or north side of the building. This is a 30' 9" distance.

The average final grade from back to front of the building is 34' 9"



It is therefore my opinion that the True house is not in violation of the Lamoine Building and Land Use ordinance

Respectfully Submitted,

Rebecca Albright, CEO

Tom & Kathy True  
4606 Windsor Drive  
Flowery Branch, GA 30542  
603-714-5668  
[Tnt1pe@gmail.com](mailto:Tnt1pe@gmail.com) or [kathryntrue@gmail.com](mailto:kathryntrue@gmail.com)

Tuesday, March 26, 2019

Rebecca Albright, CEO  
**Town of Lamoine**  
606 Douglas Highway  
Lamoine, ME 04605

Re: 114 Marlboro Beach Road

Dear Rebecca:

Thank you for your time this morning to discuss the items mentioned in your letter of March 20, 2019. Prior to my call, we did not realize that you also had questions about the building height. We have summarized our understanding of each item below.

#### Building Height

Although this has been discussed numerous times in the past, today is the first time it has been mentioned as a potential issue. Fortunately, since our call we have revisited the plans & determined that our building height is compliant regardless how Article III, page 56 is interpreted.

#### Septic system

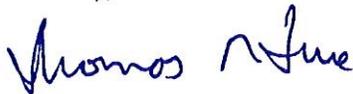
We are awaiting your response relative to the recording requirements. It is our understanding that you have asked us to record a septic system design that shows at least 3 bedrooms but it would not need to be constructed unless and until the current system failed.

#### Foundation inspection

Based on several conversations with you, it was our understanding that no inspections were needed until plumbing. However despite the additional time and expense, we hired Herrick & Salsbury to stakeout: 1) The hole for excavation, 2) the footings & then 3) the actual footings to make sure that everything was in compliance with the setbacks.

Please contact us if you have additional questions.

Sincerely,



## MEMO FROM CODE ENFORCEMENT

Rebecca Albright, Code Enforcement Officer

March 20, 2019

RE: concerns about Kathryn & Tom True's new construction

Map 16 Lot 48-1

On March 13<sup>th</sup>, 2019, Planning Board Chair Holt and I went to the True construction site and measured the height of the building. (see enclosed memo). The maximum height allowed is 35'. We averaged the total height to be 34.5'.

The 4 siblings who own the 1.8 acre parcel (abovementioned) have classified their lot as a "condominium" in 2017. The property, by deed, did not physically change in any way. The condominium re-classification is essentially an agreement between the siblings with regard to responsibilities.

Therefore, in my opinion, the "grandfathered" status both the non-conforming property and structure continue to apply.

The True's were able to situate their home in such a way that ALL set-backs have been met, rendering them able to build a larger structure. Had they NOT re-situated their house, they would have been restricted to a total 30% expansion.

The lot in question is just under 2 acres total. The Town's Building and Land Use Ordinance requires that NO lot may be covered by more than 25% (including parking and driveways as well as house "foot print"). 25% of the lot in question is almost 1/2 an acre. I am not concerned that the joint owners of this parcel of land have exceeded that.

I was never called for a foundation inspection for this project. It is much more difficult to assess the original grade after its disturbance. The ordinance defines "Building Height" as "The vertical distance between the highest point of the structure and the average final grade around the foundation, or the average grade of the original ground adjoining the building, whichever is greater."

If there is a concern that the grade changed significantly as to raise the building higher than its original grade I would ask that a surveyor or other such professional be brought in at the owner's expense to verify this ultimately.





# Town of Lamoine, Maine Building/Land Use Permit

Date of Issue 4/4/18 Map 16  
Name Kathryn True Lot 48

Permit Number 18-7 Issued By Rebecca Albright  
Type of Project: tear down house, build 2875' house/garage  
3360' deck

Foundation Setback Checked	Final Inspection Date	Certificate of Occupancy Date

**NO OCCUPANCY WITHOUT PERMIT**

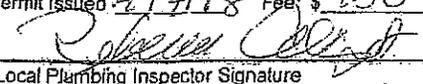
This card must be visible from the lot frontage  
Building permits expire in two years

Lamoine CEO 667-2242

Exhibit #1

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. of Health & Human Services  
Div. Environmental Health, 11 SHS  
(207) 287-2070 Fax: (207) 287-4172

<b>PROPERTY LOCATION</b>		<b>&gt;&gt; CAUTION: LPI APPROVAL REQUIRED &lt;&lt;</b>	
City, Town, or Plantation	Lamoine, ME	Town/City	Lamoine Permit # 1855
Street or Road	114 Marlboro Beach Rd	Date Permit Issued	4/4/18 Fee: \$ 150 Double Fee Charged <input type="checkbox"/>
Subdivision, Lot #	N/A	 Local Plumbing Inspector Signature L.P.I. # 394	
<b>OWNER/APPLICANT INFORMATION</b>		Fee: \$ 250 state min fee \$ 15 Locally adopted fee	
Name (last, first, MI)	True, Kathryn R <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Applicant	Copy: <input type="checkbox"/> Owner <input type="checkbox"/> Town <input type="checkbox"/> State	
Mailing Address of Owner/Applicant	4606 Windsor Dr Flowery Branch, GA 30542	The Subsurface Wastewater Disposal System shall not be installed until a Permit is issued by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.	
Daytime Tel. #	603-714-5668	Municipal Tax Map # 16 Lot # 48	
<b>OWNER OR APPLICANT STATEMENT</b>		<b>CAUTION: INSPECTION REQUIRED</b>	
I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a Permit.		I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application.	
 Signature of Owner or Applicant Date 4/4/18		(1st) date approved Local Plumbing Inspector Signature (2nd) date approved	

## PERMIT INFORMATION

<b>TYPE OF APPLICATION</b>	<b>THIS APPLICATION REQUIRES</b>	<b>DISPOSAL SYSTEM COMPONENTS</b>
1. First Time System <input checked="" type="checkbox"/> 2. Replacement System Type replaced: Year installed: 1992 3. Expanded System a. 25% Expansion b. 25% Expansion 4. Experimental System 5. Seasonal Conversion	1. No Rule Variance 2. First Time System Variance a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval 3. Replacement System Variance a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval 4. Minimum Lot Size Variance 5. Seasonal Conversion Permit	1. Complete Non-engineered System 2. Primitive System (graywater & alt. toilet) 3. Alternative Toilet, specify: 4. Non-engineered Treatment Tank (only) 5. Holding Tank, _____ gallons 6. Non-engineered Disposal Field (only) 7. Separated Laundry System 8. Complete Engineered System (2000 gpd or more) 9. Engineered Treatment Tank (only) 10. Engineered Disposal Field (only) 11. Pre-treatment, specify: 12. Miscellaneous Components
<b>SIZE OF PROPERTY</b>	<b>DISPOSAL SYSTEM TO SERVE</b>	<b>TYPE OF WATER SUPPLY</b>
1.81 +/- SQ. FT. ACRES	1. Single Family Dwelling Unit, No. of Bedrooms: 3 2. Multiple Family Dwelling, No. of Units: 3. Other: (specify) Current Use Seasonal Year Round Undeveloped	<input checked="" type="checkbox"/> 1. Drilled Well <input type="checkbox"/> 2. Dug Well <input type="checkbox"/> 3. Private <input type="checkbox"/> 4. Public <input type="checkbox"/> 5. Other
<b>SHORELAND ZONING</b>	<b>* RESET TANK ONLY * DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)</b>	
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

<b>TREATMENT TANK</b>	<b>DISPOSAL FIELD TYPE &amp; SIZE</b>	<b>GARBAGE DISPOSAL UNIT</b>	<b>DESIGN FLOW</b>
<input checked="" type="checkbox"/> 1. Concrete <input checked="" type="checkbox"/> 2. Regular <input type="checkbox"/> 3. Low Profile <input type="checkbox"/> 2. Plastic <input type="checkbox"/> 3. Other: CAPACITY: 1,000 GAL.	1. Stone Bed 2. Stone Trench 3. Proprietary Device a. cluster array c. Linear b. regular load d. H-20 load 4. Other: SIZE: _____ sq. ft. lln. ft.	1. No 2. Yes 3. Maybe If Yes or Maybe, specify one below: a. multi-compartment tank b. _____ tanks in series c. increase in tank capacity d. Filter on Tank Outlet	_____ gallons per day BASED ON: 1. Table 4A (dwelling unit(s)) 2. Table 4C (other facilities) SHOW CALCULATIONS for other facilities
<b>SOIL DATA &amp; DESIGN CLASS PROFILE CONDITION</b>	<b>DISPOSAL FIELD SIZING</b>	<b>EFFLUENT/EJECTOR PUMP</b>	<b>3. Section 4G (meter readings) ATTACH WATER METER DATA</b>
at Observation Hole # _____ Depth _____" of Most Limiting Soil Factor	1. Medium--2.6 sq. ft. / gpd 2. Medium--Large 3.3 sq. ft. / gpd 3. Large--4.1 sq. ft. / gpd 4. Extra Large--5.0 sq. ft. / gpd	1. Not Required 2. May Be Required 3. Required Specify only for engineered systems: DOSE: _____ gallons	LATITUDE AND LONGITUDE at center of disposal area Lat. _____ d _____ m _____ s Lon. _____ d _____ m _____ s if g.p.s, state margin of error:

## SITE EVALUATOR STATEMENT

I certify that on \_\_\_\_\_ (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).

Site Evaluator Signature	SE #	Date
Site Evaluator Name Printed	Telephone Number	E-mail Address

May 9, 2019

Board of Appeals  
Town of Lamoine  
Lamoine, ME 04605

Re: Building Permit #18-7  
114 Marlboro Beach Road

VIA EMAIL & CERTIFIED MAIL

To Whom it May Concern:

It is our understanding that an appeal has been filed relative to permit 18-7.

Kathy & I would respectively opine that:

- Mr. Moldawer does not meet the requirements for an aggrieved party; thus he does not have standing until:
  - 1) John & Marion Arnold joined the action on May 6<sup>th</sup>
  - 2) The application form is completed and
  - 3) The application fee is paid.
- A letter or conversation discussing prior decisions does not constitute grounds for appeal.
- The Building and Land Use Ordinance, as amended, does not provide the Appeals Board authority to hear this request.

Section 8 (APPEALS AND VARIANCES), Paragraph B (Administrative Appeals) states in part,

*"The Board of Appeals, upon written application of an aggrieved party within 30 days of a Code Enforcement Officer or Planning Board determination, may hear appeals of such determinations on administrative grounds..."*

(\*\* underline added for emphasis \*\*)

Exhibit 19

<u>Pertinent dates:</u>	<u>Days to May 6</u>
• October 9, 1993 - new septic "approved to cover"	9,340 days
• July 23, 2013 - Lot coverage calculations submitted:	2,114 days
• November 26, 2013- first house permit granted:	1,988 days
• August 24, 2015 - first garage permit granted:	1,352 days
• June 30, 2016 - second permit granted:	1,041 days
• April 4, 2018 - current permit granted:	397 days
• August 21, 2018 - building height calculations submitted:	258 days
• August 24, 2018 - existing structure razed:	255 days *
• February 5, 2019 - foundation poured:	90 days
• March 1, 2019 - house set on the foundation:	67 days
• April 3, 2019 - Letter from CEO	33 days

Should the board decide to hear the appeal, we would welcome the opportunity to address their egregious errors and false accusations point-by-point. We will also be prepared to discuss our vesting rights as well as municipal estoppel.

Thank you for your time & consideration.

Sincerely,



Thomas N. True, \*P.E., \*L.S.

\* professional licensure is state-specific

Cc: Mr. John Holt, Planning Board Chair  
Ms. Rebecca Albright, Code Enforcement Officer

Memo from Code Office

March 13, 2019

Rebecca Albright, CEO

Today, with the help of John Holt, I measured the height of the True property (Map 16 Lot 48-1). At its tallest point it stand about 34.5 feet tall.

A handwritten signature in black ink, appearing to read "Rebecca Albright". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Rebecca Albright, CEO

Exhibit #.6