Town of Hartford

Selectmen’s Meeting

Approved Minutes

May 5, 2022

7PM@ Hartford Town Hall & via Zoom

Present in person: Selectmen Lee Holman, Cathy Lowe, Lori Swan, and Town Clerk Lianne Bedard.

I Lee called the meeting to order at 7:01pm

II Lee motioned to approve the minutes of the April 7, 2022 Board meeting. Cathy second. All in favor=3.

III Lee motioned to approve Warrant 26 and Payroll Warrants of April 27, 2022 & May 4, 2022. Lori second. All in favor=3.

IV Reports

1. RSU 10 Report: none.

2. Road Report: The Board reviewed the report submitted by the Road Commissioner. It was reported that many signs are missing again. Lianne will contact the State of Maine to see if they have any sign purchasing programs. The Town purchased several signs last year but they seem to disappear.

3. CEO Report: The Board reviewed the report submitted by the Code Enforcement Officer.

4. ACO Report: None.

5. Planning Board Report: The Board reviewed the approved minutes of the April 4, 2022 meeting.

6. Ordinance Committee: None.

7. Fire Warden Report:  None.

8. Treasurer Report: It was reported that 45 day tax foreclosure notices will be mailed mid-May. The Board received an updated expense report.

a. ARPA annual report: The annual report has been submitted by the deadline of April 30, 2022.

V Calendar Reminders

1. Canton Selectmen’s meeting/CEO sharing 5/12/2022 6pm

2. Absentee ballots available 5/14/2022

VI Unfinished Business

1. Town Report cover/dedication: Cathy motioned to use the photo of the full group of Food Bank volunteers as the town report cover. Lee second. All in favor=3. The dedication is not ready at this time.

2. Town Report/Selectmen annual report: Tabled.

3. Warrant for Town Meeting: Lee motioned to approve the town meeting warrant as written with the exception of changing the date of July on page one to June. Cathy second. All in favor=3.

4. Road Standards Ordinance certification: Tabled.

5. Administrative Ordinance chapter II certification: Tabled.

6. Beach Ordinance certification: Tabled.

7. MMA Workers Compensation Tier 1 compliance: Tabled until after town meeting.

8. Water test results: The water at the town hall passed all recent tests.

VII Open Session:

1. Scott Cole has agreed to serve as Moderator at the Annual Town Meeting on June 18, 2022 9am.

2. Lee motioned to approve a BYOB permit application from Caitlyn Henderson to hold a class reunion at the Hartford ballfield on June 25, 2022 with the requirement of a certificate of insurance. Cathy second. All in favor=3. It was suggested that the close neighbors be notified of the event by mail.

3. Lee motioned to approve a supplement tax warrant for Map R03 Lot 5 in the amount of $1,403.98 due to an assessing error. Cathy second. All in favor=3.

VIII New Business:

1. Public Hearing notice and return American Rescue Plan articles: The board signed the notice for the public hearing scheduled for June 2, 2022 6pm..

2. Oxford County Budget Warrant: Lee motioned to accept the warrant for county taxes in the amount of $129,219.00. Cathy second. All in favor=3.

3. Town Hall use/Join Solar informational meeting open to the public: The Board agreed that a fee would be required in order to use the hall and according to Town policy, the hall is only available to rent by residents of Hartford.

4. Town Hall use/celebration of life 5/21/22: Lee motioned to offer the town hall for a celebration of life on May 21, 2022 and to waive the fee and insurance requirement. Cathy second. All in favor=3.

IX Appointments/Resignation: None.

X Training: None.

XI Review Correspondence: The Board reviewed all correspondence.

XII Lee motioned to adjourn at 8:40pm. Lori second. All in favor=3.

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Lee Holman Date

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Cathy Lowe Date

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Lori Swan Date

Town of Hartford

Road Commissioner Report

May 5, 2022

Grading has been completed on Tucker Road, Darrington Road, Goding Road and Green Acres Road.

We are in the process of placing overlay on Cary Hill Road and Old Route 140.

Tomorrow or Monday overlay will be placed on Sam Annis Road and Howard Road.

We will have to change a culvert on Camp Road that was missed last summer and overlay will be placed on the road Tuesday of next week.

I have been working with Jeff Sterns on the Darrington Road, Goding Road, and Pratt Hill Road culverts.

Once paving has been complete the grading will continue.

In a week or so Perry Road ledge will be blasted on the southern end.

Several road signs have been stolen, once again, and have to be replaced.

Submitted by,

Bim McNeil

Road Commissioner

Report from the Code Enforcement Officer

Date: April 30th, 2022

Year to Date Report:

Year to Date Building Permits Issued: 7 - last yr. 14

Year to Date Plumbing Permits Issued: 7 - last yr. 12

Open Complaints:

1) 258 Main St; Permitted construction in SLZ allegedly exceeded the constraints of the PB permit. The items not contained in the SLZ permit are; an enclosure over an existing deck. Mr. Chamberlain also added additional decking increasing the original footprint.

Town of Hartford SLZ Ordinance, in line with State rules, restrict any expansion of a non-conforming building in a SLZ to 30% of its original size. Pre 2012 State rules in accordance to Chapter 1000 consider cubic feet as well as square feet in calculating expansions. In 2015 Maine adopted amendments to Chapter 1000 and changed to using only square feet to calculate the 30% expansion. Maine mandated, in 2015, all municipalities adopt the 2015 amendments within their SLZ Ordinance. Hartford has yet to adopt these amendments.

Calculating the expansion on Mr. Chamberlain’s property at 258 Main St, Hartford, based on the existing ordinance with pre 2015 amendments, would result in a non-conforming structure. Based on the post 2015 amendments it would be a conforming structure.

In the fall of 2021, the planning board decided that in light of the Town of Hartford not meeting the mandate, it would apply the new rule amendments in cases where it would be more beneficial to the property owner.

The office of Code Enforcement is issuing Mr. Chamberlain a written warning for construction within a SLZ without first obtaining a permit. Mr. Chamberlain will not be issued a citation for establishing a non-conforming structure as it would not be a winnable court case should the property owner appeal to the courts.

Citing; Town of Hartford v. Bryant, 645 A.2d 18 (Me. 1994). ...the court will pick the interpretation more favorable to the property owner against whom the Town is seeking to impose penalties.

2) 101 Beach Way, the Planning Board alleged construction in a SLZ without a valid PB SLZ Permit.

Mr. White submitted a SLZ application 10/19/2020 with an $80 application fee. 20 days later, on 11/9/2020 Mr. White submitted a building permit application for construction of a new home with the appropriate fee. On 12/23/2020 the then Code Enforcement Officer issued Mr. White a building permit for a new home and garage.

The Town is unable to locate either application, nor any written evidence that Mr. White was denied a SLZ permit. In fact, this sequence of events would indicate the Code Enforcement Officer issued a lawful building permit with all underlying provisions having been met. No evidence exists to the contrary.

There will be no further action by the office of Code Enforcement.

Closed Complaints:

Michael Hyland alleged possible code violations at Camp Wekeela. Investigaton revealed no violations.

Full report attached.

Other:

None

Respectfully Submitted

G. Scott Mills

CEO/LPI Hartford, Me