

**MINUTES OF SELECTMEN'S MEETING
TUESDAY, OCTOBER 23, 2007
HOPE TOWN OFFICE
6:30 P.M.**

Note: These minutes may not be considered an official public record until such time as they are read and accepted by the Board of Selectmen.

Board Members Present: James Annis, Barbara Bentley, Eric Campbell, Tim Pearse, Ray Sisk

Others Present: Jon Duke, Cynthia Cunningham, Charlie Martz Jr., Leslie Robinson, Bruce Melanson

I. Call the Meeting to Order

James Annis called the meeting to order at 6:30 P.M.

II. Unfinished Business

a. Septic System Variance - Brian Powers

The Board heard from the Town Administrator, speaking of his conversation with Jim Kinneally, and Bruce Melanson regarding the thoughts of each abutter in relation to Mr. Powers' variance application. The Administrator reported that there is a large septic field situated on Mr. Kinneally's property that, through an easement, is used by Mr. Melanson and Ms. Robinson's property. Kinneally and Melanson said they would prefer to see Mr. Powers work with them to use the already constructed bed rather than adding another septic system in an area with a series of failed wells. Melanson also added that he was unwilling to agree to allow a septic system with 70 feet of the dug well on Mr. Powers property that he and Mr. Kinneally have rights to.

Tim Pearse made a motion to not grant a new septic system variance to Brian Powers for the purposes of constructing a new system. Ray Sisk seconded. **Motion passed 5-0.**

III. New Business

a. Barnestown Road Subdivision update - Charlie Martz Jr.

Charlie Martz came to the Board on the advice of his attorney to inform them of the status of his subdivision with the town. Martz noted that it had been over two years since the subdivision was initially approved, and subsequent to that, wetlands were found on the property and the issue moved to DEP for "after the fact" permitting. Individuals who have bought property within the subdivision have complained about water issues which were not addressed by DEP as they are only concerned with stormwater surrounding very large subdivisions or commercial development.

A meeting will be set up in the near future between Martz, the owners of lots in the subdivision, their engineers, and the Code Enforcement Officer to devise a solution to this problem. DEP may need to permit changes to the wetlands already permitted previously. Martz noted that if this process failed he would take the town to court as he feels he should be able to receive a building permit now without additional work.

The Town Administrator/CEO noted that he has worked with Mr. Martz on this issue for months and that the town finds fault with Mr. Martz on two cases. All subdivisions approved in the State of Maine must have all wetlands located within that subdivision delineated on all subdivision maps. Whether he knew at the time of the approval of the subdivision or not, these maps must be updated to reflect the nature of property not only for the sake of those who live there now, but for those who look to purchase property there in the future. Secondly, subdivisions may require a stormwater runoff plan, which was also missing from Mr. Martz initial filing. Had the Planning Board been made aware of the existence of wetlands, it is likely that the Board would have required Mr. Martz to find a solution as to where the excess water created by this development would go. To rectify the situation, Mr. Martz must file an amendment to his subdivision plan with maps delineating all wetlands and create a stormwater drainage plan. Once this has been approved by the Planning Board, Mr. Martz will be granted a building permit for the remaining vacant lot in the subdivision.

b. Taylor Hill Road boundaries - Cynthia Cunningham

Road work was done on Taylor Hill Road to clean out ditches and Ms. Cunningham feels that the John Monroe moved the property line pin between her lot and the road. The Town Administrator spoke with Mrs. Cunningham the day following the work and she said that John Monroe moved the pin, trespassed, and removed fill from her property. Monroe claimed that all he did was clean out brush and trees in the ditch and deepen the ditch it so that water can flow easily as FEMA suggests in its reclamation work following major storms. Ms. Cunningham feels the town should pay the cost of having a surveyor put the pin back in place, but there remains some dispute as to how wide Taylor Hill Road is.

The Town Administrator and Barbara Bentley will work together to determine the width of Taylor Hill Road. The Town Administrator will contact Peter Coughlin at Maine Local Roads for assistance, and contact Ms. Cunningham once that width is determined.

c. Committee Appointments– Ron Wright & Francina Pearse

Barbara Bentley moved to appoint Francina Pearse to the Cemetery Committee and Ron Wright to Board of Appeals for terms ending June 30, 2012. Tim Pearse seconded. **Motion passed 5-0**

d. Warrant Approval

Eric Campbell made a motion to approve Warrants 29, 30, 31, and 32. Tim Pearse seconded. **Motion passed 5-0**

e. Cemetery Lots Sales

Barbara Bentley made a motion to sell a cemetery lot to George Benson. Eric Campbell seconded. **Motion passed 5-0**

Barbara Bentley made a motion to go into Executive Session to discuss a personnel matter. Tim Pearse seconded. **Motion passed 5-0** at 8:37 pm.

IV. Executive Session

a. Personnel Matter

Barbara Bentley made a motion to exit Executive Session and re-enter open session. Ray Sisk seconded. **Motion passed 5-0** at 9:11 pm.

III. New Business con't

f. Mediation Services

Ray Sisk made a motion to contract with Paul Charbonneau for mediation services for approximately 5 hours of work. Eric Campbell seconded. **Motion passed 5-0**

IV. Adjournment

Barbara Bentley made a motion to adjourn at 9:21 pm. Tim Pearse seconded. **Motion passed 5-0**