

GREENWOOD SELECTMEN'S MEETING MINUTES

July 11, 2023

5:00pm

Item 1: Call Meeting to Order - Manager Sparks called the meeting to order at 5:00 pm. Everyone welcomed our new Selectman Bob Oickle.

Roll Call: Selectman Amy Chapman, Selectman Norman A. Milliard, Selectman Bob Oickle, Town Manager Kim Sparks, and Codes Enforcement Officer Joelle Corey.

Item 2: Pledge of Allegiance

Item 3: Elect Chair

Selectman Milliard motioned and Selectman Oickle seconded to nominate Amy Chapman for a one year term as Chair of the Selectboard.

No other nominations were made.

Manager Sparks called for a vote. Vote: 2-0 with Selectman Chapman abstaining.

Selectman Chapman has been elected Chair of the Board.

Item 4: Review and approve:

Expenditure Warrant # 52 FY 2022/2023 - \$ 15,718.32. Covering period June 20, - June 26, 2023

Expenditure Warrant # 1 - \$ 37,814.46 Covering period June 27, – July 5, 2023

Expenditure Warrant # 2 - \$ 129,162.54. Covering period July 6, – July 11, 2023
Includes voucher # 53 payable to MSAD 44 in the amount of \$ 104,968.00

The Board reviewed Warrant # 52, Warrant # 1, and Warrant # 2.

Selectman Milliard motioned and Selectman Oickle seconded to approve Warrant # 52, Warrant # 1, and Warrant # 2. Vote: 3-0. Warrants are approved.

Item 5: Review and approve minutes of June 20, 2023

The Board reviewed the minutes of June 20, 2023.

Selectman Milliard motioned and Selectman Oickle seconded to approve the minutes as read.

Vote: 3-0. Minutes are approved.

Item 6: Comments from the Public - no comments

A. Selectmen contacted outside of meeting - no contact made

Item 7: Introduce Jeff Noblin, new President of Steven's Memorial Hospital

Chair Chapman introduced Jeff Noblin. Mr. Noblin stated that he had been on the job for 2.5 months now and was truly enjoying it. He stated that he wants to get out and introduce himself in the Community. Mr. Noblin gave us his contact information in the event that we needed his assistance as he was happy to be of service and help us. The Board thanked Mr. Noblin for attending our meeting.

Item 8: Discussion with Codes Enforcement Officer, Joelle Corey

Several neighbors attended the meeting:

Anne Litchfield, 92 Sheepskin Bog Road
David Gaudreau, 132 Sheepskin Bog Road
Jane McCartney, 3 Shepherd's Lane
Ambrose Brooks, 56 Sheepskin Bog Road
Henry Brooks, 48 Sheepskin Bog Road
Tom and Cathy Heffernan, 172 Sheepskin Bog Road
Brian Letourneau, 530 Old County Road, (Relative leases from Henry Brooks)
Paula Lamb, Rowe Hill Road (land)
Carolyn Hardy, 406 Rowe Hill Road

A. Sheepskin Bog Road/Rowe Hill Road concerns

Codes Officer Joelle Corey stated that she had sent letters to Henry Brooks and Ambrose Brooks. (Copy attached)

Joelle stated that she had an unexpected, informal meeting with the neighbors at David Gaudreau's. She explained that she went to Gaudreau's on business and found several neighbors there asking questions about the Brook's properties. Joelle stated that she heard some concerns that she has heard before but this is the first time that she has seen campers on the property except for those across from the old Brooks Farm. Joelle stated that from the road she is unable to tell if these campers are inhabited or not. Joelle stated that she contacted Henry Brooks and has had a few conversations with him. Joelle stated that they need to schedule a time to do a walk thru of the property. Joelle stated that they need to take a look at all of the property to see how many campers there are and that Henry has agreed to do that. Chair Chapman stated that they probably won't have answers until Joelle walks the property. Henry Brooks stated that Joelle is welcome to look at any campers. Henry Brooks stated that the motor home that he rented out down the road is supposed to be out of there by the end of the month. Henry stated that everything else is his or his son Carl and it is all being used for storage. Joelle stated that they will take a look at that, and if they are not registered with the State, there is the Maine Junkyard Law, so we will have to get them working towards registering them.

Joelle explained that Ambrose Brook's property is considered personal property and she needs to take a look at his place for safety reasons under her role as the Town's Local Health Officer. Joelle asked Ambrose if he would be open to that. Ambrose Brooks answered yes, that he has Monday and Tuesday's off. Joelle stated that the neighbors are here tonight and she would like to keep this neighborly. Joelle stated that she wants to work with them within the Town Ordinances and the State of Maine laws.

Selectman Milliard stated that we have heard from some of the neighbors previously. Selectman Milliard stated that based upon what we are hearing from Joelle and the property owners, could we hear some more from the neighbors about whether or not they feel comfortable where this process is going, or are there additional concerns that they may want to express.

Abutter to both Henry and Ambrose Brooks, Ann Litchfield stated that she has a copy of the Town of Greenwood, Land Use Ordinance, adopted at the Annual Town Meeting on May 2022. Ms. Litchfield asked if we were familiar with that. Kim answered yes. Ms. Litchfield explained that she read thru the ordinance and might need some help to interpret the ordinance. Ms. Litchfield read aloud the preface from the Land Use Ordinance:

Preface: As of December 1, 2010, the State of Maine mandated all towns over a population of 4,000 or more that had previously adopted any building code on or before August 1, 2008, adopt and enforce the new Maine Uniform Building and Energy Codes. Towns under a population of 4,000 either had to adopt the Building and Energy Codes or just the Building Code. Greenwood citizens, at a public hearing prior to the Town Meeting held on May 19, 2012 chose not to have a building code as a warrant article question. The Town currently does not enforce any Building Codes. The MUBEC Building Codes became applicable throughout the State on September 19, 2019.

Ms. Litchfield questioned if the State supersede this (Land Use Ordinance). Joelle explained that when she gets building applications in it does require building plans to be included but she is not going out to inspect as it has not been voted by the Town for her to handle any of that. Joelle stated that Greenwood has a Land Use Ordinance that allows for her to go out and measure for setbacks, measures where the septic can go, but she can't go on a construction site and say where an LDL is going to carry a ridge beam. Joelle stated that the codes are applicable statewide, she doesn't have any authority in Greenwood to enforce them.

Ms. Litchfield asked if Joelle had any authority. Joelle stated that she has no authority to walk into a building that is being constructed and tell someone they have to use a 2 x 6 instead of a 2 x 4. Ms. Litchfield asked what about campers. Joelle stated that she doesn't inspect the inside of campers either. Joelle stated that using Ambrose Brooks as an example, she is going to look at his woodstove as that is an NFPA Standard - National Fire Life and Safety Standards which the Town did adopt, and that it is dictated under those standards that woodstoves are not allowed in campers.

Ms. Litchfield read aloud Section 1 of the Greenwood Land Use Ordinance:

***Sec. 1 Scope.** An ordinance to provide for the health, safety, and public welfare through regulation of new construction, alteration, and replacement of buildings by specifying standards for sanitation, for prevention of destruction by fire or collapse, and for satisfying the aesthetic taste. It also provides for the issuing of permits, provides for penalties and prescribes a method of appeal.*

Ms. Litchfield asked if Joelle could explain that section. Joelle stated that an applicant will submit a building permit application along with a subsurface waste water application for a septic system and/or a privy. Joelle explained that outhouses are allowed but need to be soil tested and permitted. Joelle explained that they would also have to have an internal plumbing permit. Joelle explained that she would be reviewing three applications – 1. Building permit application, 2. Subsurface waste water application, and 3. Internal plumbing application. She explained that she

reviews the site plan that is part of the building application that all set-backs are met, that the septic system is designed to the standards set by the State of Maine, and she will inspect the septic system and internal plumbing. Ms. Litchfield asked if Joelle had done that with these folks here. Joelle answered no. Ms. Litchfield asked when will that happen. Joelle answered when they file a building permit application. Ms. Litchfield stated that a septic plan was filed with the Town and Joelle sent her a copy two years ago. Joelle answered that Henry took out two subsurface waste water permits but he never had the systems installed. Ms. Litchfield asked what happens to that now. Joelle answered that they were never installed, she was never contacted for an inspection, so those applications are now void, and he has to start over again.

Ms. Litchfield then reads aloud definitions in the Land Use Ordinance:

***C.Recreational Vehicle.** Tow behind camper, fifth-wheels, slide-in pick-up campers and class A, B, or C motor coaches. Shall mean a recreational and/or travel trailer not designed for permanent human occupancy. To be considered a Recreational Vehicle and not a structure, the tires must remain on the ground attached to the vehicle and must be registered with the State of Maine Motor Vehicles.*

Ms. Litchfield asked if we can consider recreational vehicles permanent structures. Joelle answered no and asked that she look further on in the ordinance to:

*Section 7. **G. Minimum Floor Area.** There is no minimum square footage requirements.*

Joelle read aloud:

i. Recreational vehicles are not allowed for year round occupancy. These vehicles may be used as a camp for occasional use. A provision, such as outhouse, grey water system or pumping of a holding tank for subsurface waste water must be filed with the Town.

Ms. Litchfield asked how is this happening in the Town of Greenwood all over the place. Joelle explained that she has received complaints and she thought they were all owned by Henry and had no idea about Ambrose. Ms. Litchfield asked why it has taken 2 years for the Town to do anything. Joelle explained that this is the first time that Henry has contacted her wanting to work with the Town. Ms. Litchfield asked why Joelle hadn't contacted her. Joelle stated that Ms. Litchfield could have contacted her – that she doesn't have to contact Ms. Litchfield.

Ms. Litchfield stated that she had questions in regards to the Shoreland Zoning Ordinance dated 2009. Joelle stated that the current Shoreland Ordinance was adopted in 2022. Ms. Litchfield stated that it seems that Henry is renting places and if that would be considered a camp ground or camp sites. Joelle stated that Henry's property is not in the Shoreland Zone so that Ordinance doesn't apply. Joelle explained that if they find that Henry does have a campground it would fall under our Site Plan Review Ordinance as it is for commercial type uses. Joelle stated that if we discover that is what is going on at Henry's he will have to come before the

Planning Board for a Site Plan Review. Joelle stated if people are renting/leasing parts of his land from Henry that is a business transaction between two people. Joelle stated if there are 15 campers that are paying rent that is a business.

Abutter, David Gaudreau stated that he has someone setting up a homestead across the road from his place and he has heard that Henry is leasing it to them for a year. Joelle stated that she hasn't issued that permit until she talks with Henry and that she did go over that in the letter. David explained that they have geese, chickens, and a dog that barks all day long. Joelle asked if anyone is living there. David stated that he doesn't think so they just have animals there and they will come spend some time there on occasion. Mr. Gaudreau asked if they could set up homesteading with no permit. Joelle stated that the shed isn't permitted until she talks with Henry about the wastewater clause that was in the lease. Joelle stated that no one can live there without a subsurface wastewater permit. Joelle explained that the ones leasing the property can hang out there for a couple of hours.

Ms. Litchfield stated that she isn't sure she understands as we already have people living in campers without a wastewater permit. Joelle stated that is why she needs to get on the property to look at these items as she is not allowed to trespass.

Ms. Litchfield stated that when she came here a month ago, she was curious as to what the Town actually has to prevent this. She stated that she didn't find any ordinances or looked in the wrong place in terms of how far does this go. She stated that she is concerned about her property, that she has been paying taxes for years along with everyone else on our road. She asked the Board if this was the place to bring this any further. Joelle stated that she explained how the notices work when she met with the neighbors in David's garage. Joelle stated that she has written the first two letters and if Henry decides he is not going to work with the Town to resolve these issues, she then has to petition the Selectmen for funding to cover legal fees. Joelle stated that she hopes that Henry will work with the Town and schedule a site walk with her. Joelle explained that Ambrose is a separate case and is between Ambrose and the Town. Joelle stated that their goal is to get permits for what is needed, a subsurface wastewater permit or privy permit, and to solve the issue with the woodstove in the camper. Chair Chapman stated that the Board isn't the enforcement body but Joelle is the code enforcement body. Chair Chapman stated that if you have concerns you should definitely bring them to the Selectmen so we can contact Joelle and get her to a meeting. Ms. Litchfield asked about ordinances. Chair Chapman explained that are written, reviewed, or amended by the Ordinance Review Committee, then brought to the Selectmen to be put on a warrant for a public vote at a Special Town Meeting or the Annual Town Meeting. Ms. Litchfield asked if this was the chain of command – to start at the Selectmen's Meeting. Chair Chapman answered yes and if she wanted to petition for a change to an ordinance, she would submit her request to the Board of Selectmen who would ask for a review by the Ordinance Review Committee and then Town Attorney. Chair Chapman stated it would then come back to the Selectmen for their review and to schedule a

Town Meeting vote. Kim stated that not all proposed ordinances are passed by the voters. Joelle stated that it took the Town 6 years to pass the amended Shoreland Zoning Ordinance. Selectman Milliard stated that the Wind issue wasn't an easy process and took us two years. Chair Chapman stated that there was a citizen request for a noise ordinance and that didn't pass. Cathy Heffernan asked what the noise ordinance was for. Chair Chapman stated that was for excessive noise. Joelle explained that Greenwood doesn't have a police department so it is really had to enforce those type of ordinances. Chair Chapman stated to regulate fire works and nuisances are really hard because we don't have a police force and things that apply to the code, we have Joelle. Ms. Heffernan asked if there was anything illegal about having a generator running 24/7. Chair Chapman stated no. Joelle stated that it goes along with someone who has 30 geese next door.

Selectman Oickle stated that one of the issues that came up last time was the sheer volume of campers that are on the property. Selectman Oickle asked where does that fall. Joelle stated that they are going to look at these under the State junkyard law. Joelle stated that Maine doesn't allow more than 2 unregistered vehicles. Joelle explained that boats do not apply but recreational vehicles, depending on what type they are may fall under that law. Chair Chapman stated that the campers will have to be registered and excise tax paid to avoid being in violation of the junk yard law. Joelle answered yes. Joelle stated that if she finds that they are being used as a shed – then let's make them look like a shed and remove the wheels, get them permitted and then he will be taxed on them. Ms. Litchfield thanked everyone for the answers. Chair Chapman asked if anyone else had any questions. Joelle stated that she will work with getting a time scheduled for a site walk with Henry and a visit to Ambrose's home. Joelle stated that she would let Kim know of their progress.

Selectman Milliard stated that he thought it would be appropriate to give Mr. Noblin the opportunity to leave the meeting as he is a very busy man. Mr. Noblin stated that this has been a very exciting meeting and he wanted to stay.

B. Update on 5 Snowmaking Pond Road

Joelle stated that she has sent two letters to the Henley/Merrill requesting a site visit of their property to see how many unregistered vehicles are on their property. Joelle stated that they had a date scheduled but Michelle Henley had to cancel as she was ill. Joelle stated that she has attempted several times to contact the Henley/Merrill's but no return calls so she feels that we will most likely turn this over to our Attorney. Joelle stated that she would keep Kim updated.

Item 9: Discussion with Marie Bartlett regarding commercial trucks using the Gore Road

Marie Bartlett was not in attendance. Kim stated that Marie did plan on attending.

Selectman Oickle motioned and Selectman Milliard seconded to move Item 9 to the end of the agenda. Vote: 3-0.

Item 10: Request for a donation to Andy Valley Cal Ripken Baseball All-Star team to represent the State of Maine in the New England Regional Championship All Star game. There are two ball players from this area on the team.

The Board reviewed the letter submitted by Walt Inman requesting a donation.

Selectman Milliard asked if we have ever donated before. Kim stated that a few years ago we donated \$ 100.00 to this group but we didn't last year when they asked. Selectman Oickle asked if this would come out of the recreation account. Kim stated that it would. Selectman Oickle stated that having worked with the Recreation Department, he understands all of the work and effort it takes to pull this all together.

Selectman Milliard motioned and Selectman Oickle seconded to give a \$ 100.00 donation to the Andy Valley Cal Ripken Baseball All Star team. Vote: 3-0. Motion approved. Kim will get Mr. Inman a check.

Item 11: Discuss complaint filed from resident, Chris O'Brien at Town Office and Mahoosuc Kids Association for excessive use at the Town Beach.

Kim explained that resident Chris O'Brien came to the Town Office very upset that the Town beach was full on kids and cars with out of state license plates. Kim stated that reached out to Mahoosuc kids to find out how many were from their group at the beach that day – 31 children, 7 counselors, and 4 lifeguards. Chair Chapman stated that was a good ratio of adults to students. Selectman Millard stated that we have had these complaints in the past. Selectman Oickle stated that he swims at the beach frequently and has been there when the Mahoosuc kids are there. Selectman Oickle recommended that we restrict them to the morning as that is when the beach isn't as busy. Chair Chapman asked if it should be 10 am to 1pm. Selectman Oickle suggested that it only be until noon. Selectman Oickle stated that once noontime hits on a good day the place is packed. Selectman Milliard asked if we had ever set any parameters for them. Kim stated that they haven't set any rules. Joelle suggested that if we set some parameters that we give them a few weeks to prepare. Selectman Milliard stated that the Board wants to those kids to have those instructions but the Board is willing to restrict or reduce the latitude that they can just come whenever they want. Chair Chapman asked if they are having instructions when they are there. Selectman Oickle stated that they break the kids up into groups and when they are there, they do fill the beach.

Selectman Oickle motioned and Selectman Milliard seconded to allow Mahoosuc Kids can continue to use the Town Beach but have to leave by Noon effective immediately. Vote: 3-0. Motion passes. Kim stated that she would contact Mahoosuc Kids to let them know.

Item 12: Discuss Rules for Free Store at Transfer Station

The Board reviewed the rules for the Free Store. Kim stated that the Town of Woodstock approved of the rules and thought it was a good place to start. Resident, Tom Wentworth asked when the Free Store would be opening. Kim explained that they need to have some lights installed in the trailer along with a good cleaning. Selectman Milliard asked how many do we have willing to volunteer. Kim stated that she has six volunteers willing to work for 1-2 hours a month. Selectman Milliard stated that was good and that he didn't expect a volunteer to work all day like Dale would like. Chair Chapman agreed that we don't need volunteers to work all day every day that it be open and if it becomes a problem, we will revisit it. Selectman Oickle asked how much involvement will the attendants have. Chair Chapman explained that they don't want the attendants to have any involvement. Selectman Oickle asked who would be responsible for the enforcement of the rules. Kim stated that there would be no one there to enforce and we are just hoping that folks will follow the rules. The Board agreed to the rules submitted. Kim stated that she would keep them updated on their progress and was in hopes to have the Free Store open by August 1st.

Item 13: Review and sign Annual Appointments

The Board reviewed and signed the Annual Appointments.

Kimberly Sparks: Town Manager, Tax Collector, Town Clerk, Treasurer, Road Commissioner, General Assistance Administrator, and Registrar of Voters – 1 year term

Angela Lovejoy: Deputy Tax Collector, Deputy Town Clerk, Deputy Treasurer and Deputy General Assistance Administrator – 1 year term

Joelle Corey: Codes Enforcement Officer, Licensed Plumbing Inspector, and Local Health Officer - 1 year term

Kenneth Cole: Fire Chief, 3 year term

Item 9: Discussion with Marie Bartlett regarding commercial trucks using the Gore Road

Marie Bartlett attended the meeting asking the Board to close the Gore Road in Greenwood to thru trucks. Chair Chapman stated that a large commercial truck pulled down several wires and poles last week. Ms. Bartlett stated that it has become very dangerous with commercial thru trucks using the Gore Road more frequently. Marie stated that the truck last week took down 4 poles, 3 transformers, and they were without electricity all day. Marie stated that these commercial trucks like Walmart don't need to be using this residential road. Chair Chapman stated that when we discussed this before the Town of Woodstock wasn't interested in posting their section of the Gore Road. Selectman Milliard stated that was correct. Ms. Bartlett stated that the Sheriff told us we would need to post a sign at the intersection of the Gore Road and Rt. 232 in

Woodstock to warn truck drivers not to head down the Gore Road. Kim asked if the Board would also consider closing Johnnie's Bridge Road to thru trucks as it connects to our section of the Gore Road. Kim explained that the Woodstock and Greenwood Town line is very close to the Johnnies Bridge Road and she is concerned that the drivers will try to use Johnnies Bridge Road when coming off of the Woodstock section of the Gore Road. Selectman Oickle asked what was the issue with Woodstock. Ms. Bartlett stated that Vern told her that his Board thought it was anti-business to post the road. Selectman Milliard stated that their justification was that they thought they would be looked at as unfriendly to business. Selectman Oickle stated that it would be nice if all of the Towns agreed to post it. Selectman Milliard agreed but said it isn't just Woodstock, it is also the Town of Bethel.

Chair Chapman motioned and seconded by Selectman Milliard that we post the Gore Road and Johnnies Bridge Road to no thru trucks. Vote: 3-0. Motion passes.

Kim stated that she would order the signs, get them installed, and get the word out.

Item 14: Meetings and Events

July 24th – Planning Board Meeting, 5:30 pm GTO

July 25th – Selectmen's Meeting, 5:00 pm GTO

July 31st – Area Selectmen's Meeting, 5:00 pm Woodstock Town Office

Aug. 7th – Planning Board Meeting, 5:30 pm GTO

Aug. 8th – Selectmen's Meeting, 5:00 pm GTO

Aug. 21st – Planning Board Meeting, 5:30 pm GTO

Aug. 22nd – Selectmen's Meeting, 5:00 pm

Aug. 26th – Hazardous Waste Collection Day, 9:00 am, Bethel Transfer Station

Item 15: Adjourn - Having no further business, Selectman Milliard motioned and Selectman Oickle seconded to adjourn the meeting at 6:08 pm. Vote: 3-0. Meeting is adjourned.