

TOWN OF WARREN

BOARD OF SELECTMEN/ASSESSORS

June 14, 2023

6:15 PM PUBLIC HEARING SPECIAL AMUSEMENT PERMIT

SPEAR SPRING FARM, 1384 ATLANTIC HWY

WARREN WINE SHOP, 142 OYSTER RIVER RD, WARREN

Regular Meeting to directly follow

Selectmen Present: Roger Peabody Vice-Chair, Jan Macdonald, Brent Pratt, and John Crabtree.

Absent: Wayne Luce Chairman

Staff present: Town Manager Sherry Howard, CEO Melody Sainio and Board Secretary Sara K. Davis

Public Hearing Called to order at 6:15p.m.

Spear Spring Farm would like to have a once-a-month dinner event. 32 people are expected to attend each event. Ample parking. No issues with the last event. No abutters.

Warren Wine Shop not in attendance.

Public Hearing Closed 6:20

Call to order at 6:20 p.m. by Vice-Chair Peabody.

Item 1

Moment of Silence/ Pledge of Allegiance

Item 2

Public Participation

Dave Stuart asked for an update on the Mining Committee. Meeting date scheduled for June 21st Mission statement, chair etc. will be determined at meeting.

Item 3

Vote to Approve Selectmen's Meeting minutes May 31, 2023

ACTION:

Motion by Crabtree; second by Macdonald to approve Selectmen's Meeting minutes May 31, 2023

Vote: 4-0

Item 4

Vote to Approve Warrant #25, Warrant- Transfer

ACTION:

Motion by Crabtree; second by Macdonald to Approve Warrant #25, Warrant- Transfer

Vote: 3-0-1 Pratt

Item 5

Vote to Approve Trust Fund Warrant #19

ACTION:

Motion by Pratt; second by Crabtree to Vote to Approve Trust Fund Warrant #19

Vote: 4-0

Item 6

Jamien Reynolds (Spear Spring Farm) to sign BYOB and discuss and /or sign Special Amusement

ACTION:

Motion by Pratt; second by Crabtree to issue special amusement permit to Jamien Reynolds (Spear Spring Farm)

Vote: 4-0

Item 7

Joanna Spinks (Warren Wine Shop) to vote on Special Amusement Permit Application

Not in attendance

ACTION:

Motion by Crabtree; second by Macdonald to table.

Vote: 4-0

Item 8

Joshua Watson with M & K Commercial Driving to address bridge project crossing Camden Rd

To access the underneath of the bridge they either need to shut down one lane of traffic or access from both sides of the river. They already have approval from Resident and are requesting to pass through Payson Park on the left side of the driveway. Any damage to grounds will be fixed. The equipment is not very large and should fit without cutting any trees.

ACTION:

Motion by Crabtree; second by Pratt to allow Joshua Watson with M & K Commercial Driving to use Payson Park to access bridge project crossing Camden Rd

Vote: 4-0

Item 9

Discussion on aroma surrounding the marijuana facility at 825 Atlantic Highway

Cheryl Ryan owns property directly abutting two different marijuana business. There is no issue with 2121 Atlantic Highway. The property at 825 has had an offensive odor since they started the business. They were promised at the Planning board meetings that there would be state of the art filtration systems and there would be no odor, by applicants. Several complaints were made to the CEO from the Ryan's. CEO sent a letter to the Ryan's that she was closing the case.

Cheryl referenced the Comprehensive Plan page 120 Policy #3, Land Use Ordinance Letter F. Odor Control #1, Site Plan Review Ordinance Purpose 1. d. f. -V. A. Dust, fumes, vapors and gases ODOR: General Conditions 3. VIII. Violations, Marijuana Ordinance 4. VI. Revocation.

All of the ordinances cover odor. The property at 825 is in violation of all the Town's Ordinances.

We need to protect land owners' rights and land values. They were promised that they would not be affected.

The Ryan's and abutters respectfully request that the odor be taken care of. If the odor is not taken care of, they request that their yearly renewal for Town permit be denied.

Terry Ryan, abutters were told they would have the best filtration systems available. The smell is constant and, in his home, workshop and trucks. You can smell it driving by with the windows up. He wants the owner to get the odor under control. They were told no smell, downcast lighting, and removal of the signs at the driveway. None have been taken care of. Ryan believes that the owner is using the same license in both locations. There are separate licenses for each property as required by the State.

Daniel Celluci, they spent a large amount of their budget on filtration. Everything through the state is highly regulated and up to code. Maintenance on filtration is done every three months. They don't have the budget to put in more filtration. If someone wanted to give them money for filtration they would accept.

Greg Knight, abutter across the road. The odor coming from the business is all the time. His daughter has friends over and playing outside and that's all they can smell. Can't have his windows open to get some fresh air because of the odor, or enjoy his yard. He owns a business in Rockland and hasn't had one complaint, the filtration systems should have been budgeted at the beginning. He wants owners to fix this. He wrote a letter to the CEO in February that he read regarding the odor that he never received a reply to.

Dan wants to be a good neighbor, it's hard with lack of funds and being sued.

Pratt, both sides have the same goals, should work together for a solution.

Crabtree, asked several times if more filtration systems would solve the problem. Dan, yes. He would need to sit down and figure out what was needed. Greg, that should have been done day one.

CEO, has received a lot of complaints about the odor at the 825 property. Driving by with closed windows, several neighbors have all complained. She visited the property six times, two times she could smell it, four times no smell. She had Michael Field come down from the State but the State has no authority on odor. She has reached out to other towns with no solution to the problem.

Barbara Young, didn't realize where the smell was coming from, she thought there was a skunk problem in the area. Until someone mentioned that they

could smell it driving by all the time. She can't enjoy her outdoor spaces because of the odor.

George Knutson this facilities odor is 10-fold compared to Dan's other property.

Cheryl, wants the problem rectified now, it's violating all Town Ordinances.

Item 10

Present break down of quotes for processing material at Patterson Mill property

ACTION:

Motion by Pratt; second by Macdonald to open discussion

Vote: 4-0

Jason Tuorila is comfortable leaving a slot open for the pit to be on the next Planning Board agenda.

ACTION:

Motion by Crabtree; second by Pratt to go with Boynton in the amount of \$115,000.

Vote: 4-0

Item 11

Vote to accept 2023-2024 salt bid with Knox County

ACTION:

Motion by Macdonald; second by Pratt to go to go with New England Salt in the amount of \$75,050.00

Vote: 4-0

Item 12

Vote to accept quote to replace storage building shingles

ACTION:

Motion by Pratt; second by Crabtree to accept quote to replace storage building shingles in the amount of \$3,200.00

Vote: 4-0

Item 13

Discuss using PB Secretary to help CEO with Planning Board packets and abutters notices

Manager, CEO has a lot on her plate and after speaking with Secretary she is willing to prepare the rest of the Planning Board packets, and abutters notices to help. This will take additional time and should be compensated.

ACTION:

Motion by Pratt; second by Crabtree to pay Secretary stipend amount of \$150. Per Planning Board Meeting.

Vote: 4-0

ACTION:

Motion by Crabtree; second by Pratt to pay Secretary stipend amount of \$150.00 Per Board of Selectman Meeting.

Vote: 4-0

Item 14

Vote to accept/sign abatement: Town of Warren

ACTION:

Motion by Crabtree; second by Pratt to accept/sign abatement: Town of Warren

Vote: 4-0

Item 15

Manager Report

Orrington is working on a quick resolution to the closings of PERC.

MCOG does have insurance.

Office staff are willing to use their personal time to have the third of July off. The fourth falls on a Tuesday and will give them an extended weekend.

There is a leak at the Fire Station that is being addressed.

Warren Recreation little league boys won their championship. Board would like a plaque made for the team.

There are two invoices waiting to be received for Warren Day. These will need to be paid for before the next Selectman's meeting. Will the Board give authorization to pay these, consensus of the Board, yes.

ACTION:

Motion by Crabtree; second by Macdonald to close the Town office on July 3rd 2023

Vote: 4-0

Item 16

Other Business with Leave of the Board

Pratt, impressed with the Warren Day committee page thanking his business for sponsoring the corn hole competition.

Crabtree, asked if there has been any interest in the Comprehensive plan committee. Manager, not yet but they do have a few interested in the TIF committee.

Macdonald, has been asked by residents for the Managers report to come back.

Macdonald, will be missing her first Selectman's meeting.

Peabody, asked if there is an estimate when paving will start. Manager, they have not said yet.

Solar is waiting on CMP transformer. Wilshire will be setting generator soon.

Item 16

Executive Session 1MRSA § 405 (6)(A)

ACTION:

Motion by Crabtree; second by Pratt to go into Executive Session 1MRSA § 405 (6)(A) at 8:19p.m.

Vote: 4-0

Leave Executive Session

No action taken

Item 18

Adjourn

ACTION:

Motion by Crabtree; second by Macdonald to adjourn the meeting at 8:34p.m.

Vote:5-0-0



Roger Peabody, Vice-Chair

Jan Macdonald



John Crabtree




Brent Pratt

Respectfully submitted by Board Secretary: Sara K. Davis

Attest: This is a true copy of the Warren Board of Selectmen's minutes, as certified to me by the municipal officers of the Town of Warren, Maine, and adopted by the Board of Selectmen on the 28th day of June, 2023.

Date: June 29, 2023

Signature: 
Town Clerk