

Appeals Board Meeting
November 19, 2020

In attendance: Board Members - Lowell Freiman, Norman Casas, Bob deGroff, Cathy Blake, Jim Kearney via ZOOM, Not in attendance: Traci Hoffman; Bob Temple, CEO, Berkley Linscott, Wesley Daniel, Jennifer Welzel, Eric Welzel

Lowell Freiman called the meeting to order at 7:17pm with roll call. The minutes from the last meeting were tabled until the board could review them.

Lowell Freiman stated that the first order of business will be to elect the officers. **Norman Casas moved to elect the same slate of officers as currently constituted: Lowell Freiman, Chairman, Jim Kearney, Vice Chairman/Secretary. Cathy Blake seconded, all in favor.** Lowell stated he is willing to do it but wanted everyone to understand that he may not always be available.

Old Business: None

Lowell Freiman closed the regular meeting and moved on to the pre-hearing conference for the Administrative Appeal by Eric and Jennifer Welzel. Lowell started by asking the preliminary questions to move forward with this appeal. Lowell asked if anyone, on the board, feels that there is any bias which would prevent them from participating in this hearing. All board members will participate. Lowell determined there is a quorum for this meeting. Lowell asked the board to determine if we have the authority over the matter in front of us. Discussion ensued and it was determined the board does have the authority (section 4.1 specifies that the board has authority to review an administrative appeal of a stop work order). **Norman Casas moved that the board has the authority to go forward to hear this administrative appeal, Bob deGroff seconded, all in favor.** Lowell asked if the appellant has standing to bring this matter to the Appeals Board. **Norman Casas moved that the appellant has standing, Bob deGroff seconded, all in favor.** Lowell asked if the appeal was filed in the proper time frame. **Norman Casas moved that the appeal was filed in the proper time frame, Cathy Blake seconded, all in favor.**

Lowell Freiman asked the appellant to state the issues of the appeal which will become the confines of what will be addressed moving forward. The appellants are appealing the Stop Work Order and Notice of Violation issued on 8/26/2020. **Cathy Blake moved that the Stop Work Order and Notice of Violation will be the confines of what will be addressed, Bob deGroff seconded, all in favor.**

Bob Temple will make a list of the abutters and send it to Mary to mail the public hearing notice.

The record was numbered: #1 – Stop Work Order and Notice of Violation; #2 – Appeals Board Application; #3 – letter to Appeals Board from Eric & Jennifer Welzel; #4 – forwarded email from Stan Millay; #5 – Land Use Permit; #6 - email to Mary Anderson from Eric & Jennifer Welzel, dated 11/5/2020; #7 - email to Mary Anderson from Eric & Jennifer Welzel, dated 11/6/2020; #8 – email from Peter Drum, dated 11/9/2020; #9 - Forestry Permit # 522808; #10 – Inspection Report from ME-DEP; #11 – pictures of the property from Bob Temple, CEO.

Lowell Freiman explained that if there are additional items for the record the Board needs to have copies at least 15 days before the public hearing. Jennifer Welzel stated they have pictures of before the trees were cut. She will send them to Mary Anderson who will then distribute to the Board. Norman Casas asked that the pictures be dated.

After discussion the site visit, 247 Prescott Road, will be held on December 3rd at 12:00noon and the Public Hearing will be held on December 10th at 7pm. **Bob deGroff moved to hold the site visit on December 3rd and public hearing on December 10th, Cathy Blake seconded, all in favor.**

Lowell Freiman asked the appellants if they'd like more clarification about what the next step will look like and plan on. Eric Welzel asked what the hearing is. Essentially the appellant will have an opportunity to present your reasons for wanting the Stop Work Order to be discontinued and/or modified. You'll have uninterrupted time for the presentation. If the Board has questions, they will ask. If there are abutters or participants from the public that have questions they will go through the Board. Bob Temple will present the reasons behind the Stop Work Order. The appellant will have an opportunity to ask questions as well. Those present have an opportunity to rebut the information that has been presented. Lowell explained the appellant may have legal representation, experts, etc. The Board will make time for all of those people to present a case. Jennifer Welzel asked what information they need to share with someone else on the lake about what they are doing with their own property. Lowell explained that it is a public hearing and the information needed to be shared would be related to the Stop Work Order. The authority to make a decision related to what happens with the Stop Work Order rests with the Appeals Board.

Norman Casas moved to adjourn the meeting at 8:05pm until the site visit on December 3rd, 2020.

Respectfully submitted,

Mary Anderson