

Town of Arrowsic
Minutes of Select Board Site Walk
Map5/Lot 3
July 1, 2022 at ~ 4 PM
As approved July 12.2022

Location: Property of Jennifer and Brian Elwell (formerly of Dick Elwell) at the intersection of Route 127 / Arrowsic Road and Whitmore's Landing Rd. Arrowsic, Maine (Arrowsic Tax Map/Lot Number 5/3) (the "Property").

Attending: Walter Briggs, 1st Select Person; DeeDee Jorgensen(SB); Will Neilson (SB); Chris Wilcoxson, CEO; Brian Elwell; Jennifer Elwell; Joe Bonnett; Denise Bonnett; Matt Bachman; Dena Bachman; Atty Jenny Burch, attorney for the Elwells.

Walter called the meeting to order at 4:07 PM, at the area north and just behind the salt and sand shed. He pointed out that the purpose of a site walk was to gather facts, not to argue a point of view nor to take decisions.

Code Enforcement Officer Chris Wilcoxson began by noting that the site was the location of a non-conforming business operated by Dick Elwell and continued by his grandson, Brian Elwell, and the purpose of the site walk was to help assess whether the non-conforming use had been expanded to the point of non-compliance, subsequent to a complaint by abutters Joe and Denise Bonnett about increased noise and activity on the lot.

Reference was made to a letter dated June 20, 2022 from the Bonnetts to the Select Board and the CEO detailing their concerns, and to a Select Board Memorandum dated Nov. 9, 2018 by Bill Savedoff (the "2018 Memo"). A copy of a survey of the lot done by Island Surveys dated March 2018 for Brian Elwell (the "survey") and appended to the 2018 Memo was used to orient interested attendees.

Joe Bonnett asked if anyone besides himself and Brian had attended the May 12, 2018 site walk that preceded the May 14, 2018 Select Board meeting on the subject. No-one else in attendance had.

The lot is bisected by Whitmore's Landing Road. The northern portion abuts the Bonnett property, has the sand/salt shed and several shipping containers, while the southern part has Dick Elwell's former residence and several barns and sheds. To the west it is bordered by a man-made pond and abuts the Bonnett property, while to the east it is bounded by Arrowsic Road.

The northern portion is used for stockpiling materials used in the business. Brian and Jennifer Elwell became the owners of the lot approximately one week before the site walk, though Brian has been using the lot in conjunction with his grandfather for a number of years.

During the visit, attendees observed a number of piles of dirt that appeared to be recently placed there with little or no vegetation on them, several junked vehicles, various shipping containers

and miscellaneous metal scrap, much of which was more or less overgrown, especially with Japanese knotweed. All of this appeared to be approximately in the area delineated on the survey as “travelled way” on the survey. At the end of that area, behind (to the north of) the piles of dirt, there ended was a drop off of several feet where what appeared to be fill ceased and a wooded area began. There was orange tape some distance northeast of this indicating the approximate location of the property line, as stated by Joe. Household trash and bricks were observed in the edge of the fill, with some loose trash in the woods to the north of it.

The man-made pond bordering the northern portion to the west was barely visible, if at all, from most parts of the northern portion of the lot, due especially to the overgrown vegetation.

From the woods at the northern end of the “travelled way,” the walk returned to the southern portion of the lot via the west side of the sand/salt shed, where the loading dock for the sand/salt was noted. It was also noted that the shed had been registered with the state, and Brian indicated that he believed it is still registered. It was mentioned that at some point there had been a sign of some sort from the state on the shed, though there was not one there at the time of the site walk. In response to a question from Joe, Brian indicated he thought that the capacity of the shed was greater than 100,000 cubic yards.

The southern, residential, portion of the lot appeared to be used more for parking equipment than for stockpiling material or junk, though there was a large “burn pile.” The barn was observed to have construction equipment parked in it, and Brian stated that he continued actively using the barn and the surrounding area for parking and maintenance.

Joe noted again that he had stated at the 2018 site walk he was not going to do anything about his concerns about the property while Dick was alive, but now that Dick had died, he was bringing them to the town for consideration.

Walter adjourned the site walk at 4:45 PM.

Respectfully submitted,

Will Neilson