

EX

Maine Municipal Assoc Municipal Officers Manual

Conflict of Interest

In order to monitor their own behavior as well as the behavior of all the other officials in the municipality, the municipal officers should be aware of the provisions of law governing "conflict of interest."

All municipal officials have been sworn into public office to serve the interests of the public as a whole and in the municipal official there is vested a public trust. A betrayal of that trust occurs when any official acts in his or her own interest rather than in the public interest while performing his or her job.

Maine law encompasses four "conflict of interest" situations that can occur in municipal government

- financial conflict of interest
- incompatibility of office,
- prohibited appointments or employment, and
- bias.

Some of these legal standards, such as the incompatibility of office or quasi-judicial bias provisions, are designed primarily to ensure fairness in government and a healthy system of checks and balances within the governmental structure. The legal provisions governing conflict of interest or prohibited appointments or employment, on the other hand, are designed to prevent a municipal official from advancing his or her own self-interest at the expense of the broader public interest. (See MMA's "Ethics and Conflicts of Interest" Information Packet, "Ethics for Elected Officials," "Legal Notes," *Maine Townsman*, May 2007 and "Code of Ethics," "Legal Notes," *Maine Townsman*, August/September 2005), for additional information on this topic.

CONFLICT OF INTEREST: STATE AND CASE LAW

In a sense, all issues regarding governmental ethics boil down to the situation of the municipal official being motivated by conflicting or competing interests. The legal concept

or rules of procedure which spell out a process for dealing with conflicts of interest, the board member should follow those rules. If there are no such rules, the member should make full disclosure for the record of his or her financial interest in the matter which might prevent him or her from being impartial in the matter before the board, and the other board members should vote on whether the member must abstain from acting on the matter. If the member must abstain under § 2605 or under board bylaws, or if the board otherwise votes that the board member must abstain from any further discussion and voting as a board member on that matter, this abstention and reason must be permanently recorded with the town or city clerk. After making these disclosures, the board member should leave his or her place at the decision-making table and take a seat in the audience if the board member wishes to participate as a member of the public.

FAILURE TO ABSTAIN

If a board member who has a legal conflict of interest fails to abstain from the discussion and from the vote and fails to note the nature of his or her interest in the record of the meeting, a court could declare the vote void if someone challenged it.

DEFINED BY ORDINANCE OR CHARTER. AUTHORITY OF BOARD TO DETERMINE

A municipality may define what constitutes a conflict of interest by including such a provision in a local ordinance or charter. Even without such a local provision, the courts have recognized that a board has general authority to determine whether one of its members has a legal conflict. Such a decision can be made either at the request of the affected board member or on the initiative of the rest of the board.

Incompatibility of Office

One person may simultaneously hold more than one position of office in municipal government. There are certain positions in municipal government, however, which are incompatible with other positions, and cannot therefore be held simultaneously by the same person.

Although the concept of "incompatible offices" often is described as a "conflict of interest," these are not the same. As has been discussed, a statutory conflict of interest concerns a municipal official's divided loyalty between his or her financial self-interest and the public interest.

The common law doctrine of incompatibility of office also is intended to assure uncompromising loyalty, but this time the tension exists between the legitimate duties of two separate offices which no single individual no matter how capable or well-intentioned—can perform with undivided loyalty. It is the nature of the offices themselves,

The Town proposes a June 8 vote to approve a new town law that declares Mill Stream Road no longer a legal place for our Community Center. We hope to speak with members of the Planning Board concerning the SSMH application as soon as possible.

Thank you,

Alex Twarog
SSMH President

Ex 1

----- Forwarded message -----

From: Peter Bickerman <pbickerman@gmail.com>

Date: Monday, November 2, 2020

Subject: Application of Safe Space Meeting House

To: Travis Gould <ceo@readfieldmaine.org>, wilynails@gmail.com

Cc: Holly Rahmlow <holly@tc2.net>, Fran Zambella <frananz@aol.com>, Clif Buuck <clif_buuck@yahoo.com>, Henry Whitemore <henry.whitemore@gmail.com>, Will Gagne Holmes <willbgh@gmail.com>, John Blouin <JohnBlouinReaktor@gmail.com>, Eric Dyer <manager@readfieldmaine.org>

Dear CEO Hanson and Ms. Twarog,

I am sending this email to you in my capacity as Chair of the Town of Readfield Board of Appeals. Recently the Board of Appeals received copies of correspondence from the Town's CEO to Ms. Twarog dated September 24, 2020 and October 22, 2020, concerning the application of an organization called Safe Space Meeting House (hereinafter SSMH) seeking to operate a social club or community center at 26 Mill Stream Road.

Please be advised that, notwithstanding the final paragraph of CEO Hanson's letter of September 24, the Board of Appeals lacks jurisdiction to consider an appeal from a preliminary determination by the CEO that the pending application is incomplete.

Article 6, Section 3 of the Land Use Ordinance of the Town of Readfield (hereinafter LUO) governs proposed activities that require site review by the Town's Planning Board. An application to operate a social club or a community center in the Rural Residential Zone requires site review and approval. See the Table of Uses in Article 7 of the LUO. Article 6, Section 3(B)(2) of the LUO states that the CEO shall make a preliminary determination of whether or not an application for site review is complete, but the Planning Board has the authority to make the final decision concerning completeness.

Accordingly, if the CEO and SSMH cannot reach an accord regarding the completeness of the application, SSMH could ask the Planning Board to decide whether or not the application is complete. In the event that the Planning Board were to decide that the SSMH application is incomplete, or if the Planning Board were to consider the application on its merits and reject it, then SSMH could appeal that determination to the Board of Appeals.

Please understand that, aside from clarifying the issue of jurisdiction, the Board of Appeals is not expressing an opinion regarding any of the statements contained in the SSMH application or the CEO's letters.

Sincerely,

Peter Bickerman
Chair, Board of Appeals

September 28, 2020

Mr. Jaime Hanson
Code Enforcement Officer
Readfield, Maine

Mr. Jaime Hanson,

I received a letter in response to our application regarding the Safe Space Meeting House. We were disappointed to find that the planning board is unwilling to review this with us. All questions in Article 6, Section 3.C on the application were answered. We would be happy to answer any further questions about our vision before being dismissed. The submission fee deserves this at minimum.

Attached is the application for Corporate Charter mailed on August 21, 2020. We were approved as a corporation by the state department on September 24, 2020. A copy of that approval is also attached. We sent in our land use application on August 25, 2020.

Our landlord is not relevant to our vision and application. We are asking for a reconsideration and a chance to stand in front of the planning board.

Thank you,

Alex Twarog

ENI

Violations of Maine law,

Dyer has continues to raise false alarms. Creates alarm and threat of a Civic Civic or Convention Center to create alarm and fear among the population and the Town administration. The purpose is to induce fear that a crime has or will be committed by an outlaw landowner and LGBTQ non-profit group. The false information that allies their criminality is placed on the primary town website and agency site. TM Dyer knowingly gives this information knowing that it will likely be communicated to a member of the law or fire fighting agency. He knowingly communicates this information concerning fire or emergency services and town fire services involving danger to life with the intent of inducing such service to respond. 2021 The local Fire Chief based upon TM Dyer's information and request acted to prevent loss of life resulting in arbitrary rulings by the local administration against SSMH.

Dyer and Nazar created a conspiracy to violate this same law in 2018. They requested State Officers raid 26 MSR to prevent death of town citizens. During their communication with the State Fire Marshal and State Officers and Investigators made similar claims about the threats of fire by Bittar at the same property 26MSR. The FM Office conducted an investigation. They discovered that Dyer and Nazar had given false nformation. Officers said: "We have "Conflicting Information". It is not a commercial building! When Dyer was asked directly by State Officers: "IS THIS A COMMERCIAL BUILDING?" Dyer lied and answered: It is commercial.

Dyer's reports danger to the volunteer fire department with full knowledge there was no danger. Withholds information which would have reduced that danger.

2018 Dyer/Nasar conspire with false reports to the State Fire Marshal requesting emergency raid against a neighbor. This pattern continues.

Title 17-A: MAINE CRIMINAL CODE
Part 2: SUBSTANTIVE OFFENSES
Chapter 21: OFFENSES AGAINST PUBLIC ORDER
§510§509. **False public alarm or report**

1. A person is guilty of false public alarm or report if:
 - A. He **knowingly gives or causes to be given false information to any law enforcement officer** with the intent of inducing such officer to believe that a crime has been committed or that another has committed a crime, knowing the information to be false; or [1975, c. 499, §1 (NEW).]
 - B. He knowingly gives or causes to be given false information to **any law enforcement officer, member of a fire fighting agency, including a volunteer fire department**, or any other person knowing that such other is likely to communicate the information to a law enforcement officer or member of a fire fighting agency, concerning a fire, explosive or other similar substance which is capable of endangering the safety of persons, knowing that such information is false, or knowing that he has no information relating to the fire, explosive or other similar substance. [1975, c. 740, §68 (AMD).]
 - C. He knowingly gives or causes to be given false information concerning an emergency to any ambulance service, or to any government agency or public utility that deals with emergencies involving danger to life or property, with the intent of inducing such service, agency or utility to respond to the reported emergency, knowing such information to be false. [1977, c. 510, §56 (NEW).]
[1977, c. 510, §56 (AMD) .]
2. **False public alarm is a Class D crime.**
[1975, c. 499, §1 (NEW) .]

Dyer's provides false statements to the State Fire Marshal, Officers and Investigators. This is perjury to evict his neighbor in 2018. His act is supported by the Select Board.

A: MAINE CRIMINAL CODE
Part 2: SUBSTANTIVE OFFENSES
Chapter 19: FALSIFICATION IN OFFICIAL MATTERS
§452 §451. Perjury

- 1. A person is guilty of perjury if he makes:
 - A. In any official proceeding, a false material statement under oath or affirmation, or swears or affirms the truth of a material statement previously made, and he does not believe the statement to be true; or [1975, c. 740, §61 (AMD).]
 - B. Inconsistent material statements, in the same official proceeding, under oath or affirmation, both within the period of limitations, one of which statements is false and not believed by him to be true. [1975, c. 499, §1 (NEW).]

Perjury is a Class C crime.

During the passed year TM Dyer denied to deny the right to receive a permit and occupy property to SSMH. SSMH is a legal non-profit corporation organized to provide a meeting place for LGBTQ and diverse community minority groups.

Title 5: ADMINISTRATIVE PROCEDURES AND SERVICES
Part 12: HUMAN RIGHTS
Chapter 337-B: CIVIL RIGHTS ACT
§4683 §4682. Violations of constitutional rights; civil actions by aggrieved persons 1. Remedy.

- [1991, c. 821, §2 (RP) .]
- 1. (REALLOCATED TO T. 5, §4682, sub-§1-A) Interference with rights; private actions. [RR 2001, c. 1, §11 (RAL); 2001, c. 50, §2 (RPR) .]
- 1-A. (REALLOCATED FROM T. 5, §4682, sub-§1) Interference with rights; private actions. Whenever any person, whether or not acting under color of law, intentionally interferes or attempts to intentionally interfere by physical force or violence against a person, damage or destruction of property or trespass on property or by the threat of physical force or violence against a person, damage or destruction of property or trespass on property with the exercise or enjoyment by any other person of rights secured by the United States Constitution or the laws of the United States or of rights secured by the Constitution of Maine or laws of the State or violates section 4684-B, the person whose exercise or enjoyment of these rights has been interfered with, or attempted to be interfered with, may institute and prosecute in that person's own name and on that person's own behalf a civil action for legal or equitable relief. [RR 2001, c. 1, §11 (RAL) .]

The town administration created a website. It attempted to damage the reputation of SSMH and its minority and LGBTQ members with the suggestion of their criminality.

Title 5: ADMINISTRATIVE PROCEDURES AND SERVICES

Part 12: HUMAN RIGHTS

Chapter 337-B: CIVIL RIGHTS ACT §4684-B §4684-A. Civil rights

For purposes of this chapter and Title 17, section 2931, a person has the right to engage in lawful activities without being subject to physical force or violence, damage or destruction of property, trespass on property or the threat of physical force or violence, damage or destruction of property or trespass on property motivated by reason of race, color, religion, sex, ancestry, national origin, physical or mental disability or sexual orientation. [1993, c. 379, §1 (NEW).]

Applicability of the Continuing Violations Doctrine

The Plaintiff asserts that the Defendant within the organization violated Federal and State laws established to protect citizens from abuse. The Defendants who perpetuated actions against the Plaintiff knew each other. Some of those Defendant have served in their respective offices 15 or 20 years. Defendant were aware of the impact of their individual actions against the Plaintiff. All of Defendant acts received scrutiny in town discussions. Readfield is a small town of 2,562 (2017). Helen and Robert, Plaintiffs, sought to begin a non-profit club whose mission was build a music and art community in Readfield. In spite of its substantial distance from neighborhood homes, the fear of an arts club grew after April 2018.

Defendant advertised the underlying theme to neighboring discontent. An arts LGBTQ center at 26 MSR would devalue Defendant homes. Fear of loss in real estate valuation of Kents Hill Road homes resulted in increased anger and discrimination.

The 14th amendment has made it possible to review a series of activities occurring within a focused period of time to determine if they are linked. If the Defendant organization members engage in a series of actions which have a single purpose, Defendant may be linked. It may be determined that the Defendant organization itself may share in the responsibility for actions of the Defendant individuals as well as the Defendant group. In that case, the otherwise single Defendant events may be combined into one. Do the Defendant events at 26 Mill Stream Road, Readfield demonstrate a continuous process of Defendant harassment with a single goal?

This principle has clearly applied to sexual harassment and civil crimes. It is for this reason that federal courts as well as Maine law has permitted harassment cases to have a wide angle lens. The violations for which the town of Readfield Defendant is accused only become apparent over a period of time in which the intent, connectivity and methods are connected and clear.

It is to redress the continuous series of harassment activities that Plaintiff seek remedy. Plaintiff will illustrate that Defendant activities are connected, with common support, intent, and increase in disregard of the boundaries of law as the months and years progressed. The "Continuous Treatment Doctrine" lens is broad enough to embrace the scope of the people and their actions.

Consequently, Plaintiff seek remedy from continued Town Manager Dyer and the Readfield administration in their violation of law. The Town Defendant has violated the 1st, 4th, 5th, and 14th Amendments to The U. S. Constitution. Defendant Boards and Defendant representatives violated many State Laws. The town Defendant has taken Plaintiff property without due process. Defendant continue to require arbitrary standards

for its return. Plaintiff seek a restoration of Plaintiff personal rights and equal use of property.

e. In violation of the 4th Amendment, The Defendant Town Manager provides false information to the Fire Marshal. Under "Cloak of Law" the Defendants Town Manager and his associate Mr. Nazar ask FM to perform an illegal raid on Plaintiff residence.

- **Did the Readfield Town agencies and staff decisions, regulation and action fail even the most generous standard of Relational-Based Scrutiny which regulates restriction of private conduct?** - Nebbia v. New York (1934) the courts decided that the government has the right to create general restrictions on private conduct for the purpose of regulating the economy, so long as the government action is not "arbitrary, discriminatory, or demonstrably irrelevant" to the action regulated)

a. Town administration subjected Plaintiff to inconsistent and vaguely defined restrictions, libelous statements, declarations of illegality and suggestions of criminal behavior. They with malice aforethought violated 1st Amendment Right of Free Speech, Rights of Assembly and in a Consent Agreement required that No letter, critical of town administration, may be written - or a fine may be imposed.

In spite of its declared Legality in the town Land Use Ordinance, Town Manager public statements and town website declared the illegality of a Community Center and the criminal intent of the person who would create one. Town Mgr wrote a law which was defeated in election. The TM/Planning Board maintained a website designed to create a belief that the SSMH and Plaintiff's years of a community center construction were illegal and unlawful.

b. Select Board Official Misconduct

Local officials violated Plaintiff First, Third, Fifth, and Fourteenth Amendment freedoms as well as state and local laws.

They have violated their oath of office

- These Select Board officials with administrative and executive responsibilities are not entitled to qualified immunity since their conduct clearly violates Plaintiff established legal rights. *Anderson v. Creighton*, 483 U.S. 635 (1987). Select Board members publicly endorsed TM Dyer's actions. Unlawfulness of their actions was apparent as a reasonable person would understand it. A municipal official is not entitled to immunity in their individual capacity when their actions constitute a deliberate indifference, a substantial departure from professional judgment and a violation of rights. *Id.* At 640.. The Select Board met in executive session to discuss the Town Manager's actions concerning 26MSR

and reported complete support for all of Mr. Dyer's actions.

Both their deliberate indifference, flawed professional actions, improper judgment standards and prejudicial behavior prevented proper supervision. Their behavior encouraged the more extreme actions which followed. A determination that Town Officers have violated the public trust is justified on the face of their irresponsible professional actions and judgments. Knowledge of the specific harm which their subordinates may commit is not required in order to determine the personal liability of a manager when they fail to act as a responsible manager of their agents. *Anderson v. Creighton*, 483 U.S. 635 (1987).

The Select Board acted with professional disregard for injuries to Plaintiffs. The Select Board joined with Defendant Mr. Dyer to pursue the most aggressive actions against Plaintiffs. It was clear that the extreme duress that they mounted through their attack against the SSMH LGBTQ group and Plaintiff Bittar's advanced age would diminish the ability to receive a permit at Mill Stream Road.

Doe v. N.Y. City Dept of Soc. Serv., 649 F.2d 134, 145 (2d Cir. 1981). Illegal activities that later occurred were foreseeable.

EXHIBIT Readfield Select Board Recorded Session Sept 10:
<https://www.readfieldmaine.org/select-board/agenda/2018-09-10-select-board-meeting>
Select Board Chair met in executive session to review charges against Mr. Dyer. The Select Board Chair gives a televised public statement supporting the Town manager's actions without reservation

Were these Defendant town activities intended designed to:

A.) threaten Plaintiff's safety by creating public identification of criminality

B) legitimize as an institutional uniform practice of discrimination, arbitrary regulation among town officials

These actions were prejudicial and designed to create public alarm and support a regime of illegal and discriminatory action and regulation.

Defendants violated Maine law with malice and aforethought.

Title 5: ADMINISTRATIVE PROCEDURES AND SERVICES

Part 12: HUMAN RIGHTS

Chapter 337-A: PROTECTION FROM HARASSMENT

§4652 §4651. Definitions 2. Harassment. "

Harassment" means: A. Three or more acts of intimidation, confrontation, physical force or the threat of physical force directed against any person, family or business that are made with the intention of causing fear, intimidation or damage to personal property and that do in fact cause fear, intimidation or damage to personal property; or [2011, c. 559, Pt. C, §1 (AMD).]

B. [2011, c. 559, Pt. C, §2 (RP).]

C. (TEXT EFFECTIVE 12/13/18) A single act or course of conduct constituting a violation of section 4681; Title 17, section 2931; or Title 17-A, section 201, 202, 203, 204, 207, 208, 209, 210, 210-A, 211,

253, 254, 255-A, 256, 258, 259-A, 259-B, 260, 261, 282, 283, 301, 302, 303, 506, 506-A, 511, 511-A, 556, 802, 805, 806, 852 or 853. [2017, c. 455, §1 (AMD)]

3. Criminal actions by the Town Manager and neighbor violate Plaintiff freedom and to evict Plaintiff from 26MSR:

a. Dyer and Nazar conspire to request an arbitrary actions against SSMH which will prevent their permit for 26 MSR occupancy .

DYER AND NAZAR ARE BOTH HIGHLY PLACED OFFICIALS IN MUNICIPAL GOVERNMENT. THEY KNOW THE LAW. IN 2018 AND IN 2021, did Dyer and Nazar commit perjury as defined by Criminal Code “Falsification in official Matters”(An official provides false material statements under oath or affirmation, or swears or affirms the truth of a material statement previously made, and he does not believe the statement to be true)?

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B. He knowingly gives or causes to be given false information to any law enforcement officer, member of a fire fighting agency, including a volunteer fire department, or any other person knowing that such other is likely to communicate the information to a law enforcement officer or member of a fire fighting agency, concerning a fire, explosive or other similar substance which is capable of endangering the safety of persons, knowing that such information is false, or knowing that he has no information relating to the fire, explosive or other similar substance. [1975, c. 740, §68 (AMD).]

C. He knowingly gives or causes to be given false information concerning an emergency to any ambulance service, or to any government agency or public utility that deals with emergencies involving danger to life or property, with the intent of inducing such service, agency or utility to respond to the reported emergency, knowing such information to be false. [1977, c. 510, §56 (NEW).]

[1977, c. 510, §56 (AMD) .]

2. False public alarm is a Class D crime.

[1975, c. 499, §1 (NEW) .]

Violated Me. Rev. Stat. Tt 17A 603, 608

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B. Inconsistent material statements, in the same official proceeding, under oath or affirmation, both within the period of limitations, one of which statements is false and not believed by him to be true. [1975, c. 499, §1 (NEW).]

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Perjury is a Class C crime.

Title 5: ADMINISTRATIVE PROCEDURES AND SERVICES

Part 12: HUMAN RIGHTS

Chapter 337-B: CIVIL RIGHTS ACT

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[RR 2001, c. 1, §11 (RAL) .]

Title 5: ADMINISTRATIVE PROCEDURES AND SERVICES

Part 12: HUMAN RIGHTS

Chapter 337-B: CIVIL RIGHTS ACT ~~§4684-B~~ §4684-A. Civil rights

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4. In 2018 and again in 2021, Readfield Defendant town manager, Boards and CEO delivered varying, vague standards to enforce restrictions on the use of Plaintiff property. These town orders were contradictory.

All standards applied to 26MSR are vague, arbitrary or never codified. In a casual review of administrative approval for a similar club, the Union Meeting House, the contrast of official treatment is

painfully discriminatory. The town CEO and Town Manager provided no restrictions, no review, no oversight. Events, Concerts were permitted which violated the town law for 15 years. The vague descriptions used to define illegal residential activities are designed to establish a rationale for Union Meeting house established a standard for discrimination and arbitrary administration of law and decisions determining criminality.

Ex 1



TOWN OF READFIELD

8 OLD KENTS HILL RD. • READFIELD, MAINE 04355
TEL. (207) 685-4939 • FAX (207) 685-3420

Thursday, September 24, 2020

To: Ms. Alexandra Twarog
From: Jaime Hanson
Code Enforcement Officer
Town Of Readfield
Subject: Planning Board Application is Not Complete

Ms. Twarog,

I received an application from you on August 25, 2020 for the Readfield Planning Board to consider the property at 26 Mill Stream Road for the Land Use: "Community Center. Club". I am writing to inform you that your application has been found by me to be incomplete. There are several answers to the questions listed in the Town of Readfield *Land Use Ordinance, Article 6, Section 3.C Review Criteria* that would require additional information to be considered.

Additionally, the condition of 26 Mill Stream Road and the Land Use proposed there in your application is the same as on a previous application at that property that was reviewed by the Planning Board. That application was denied on 06/27/2018. I understand that the denial was based primarily on the activities proposed not meeting the definition of "community center. club". The Board concluded that the activities proposed in the application are, in fact, "customarily carried on by a business or for pecuniary gain". This application is for the same zoning district, address and Owner, identified as Landlord Robert Bittar, and use. You included a copy of the "Safe Space Meeting House Bylaws" but the Safe Space Meeting House organization has not been formed, and the application does not adequately describe the use to be reviewed or allowed by the Planning Board.

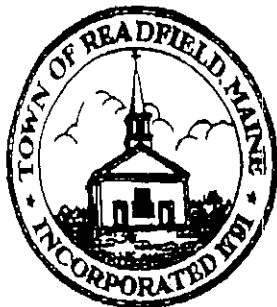
Pursuant to Section 10 of the Board of Appeals Ordinance of the Town of Readfield (enacted June 13, 2017), you may appeal this decision to the Board of Appeals no later than October 26, 2020.

Sincerely,

Jaime Victoria Hanson
Jaime V. Hanson, Code Enforcement Officer
Town of Readfield

9/24/2020
Date:

Ex 1



TOWN OF READFIELD

8 OLD KENTS HILL RD. • READFIELD, MAINE 04355
TEL. (207) 685-4939 • FAX (207) 685-3420

Code Enforcement Officer letter
after inspection at 26 Mill Stream Road

For Mr. Robert Bittar:

I conducted an inspection with you on 6-26-2020 of the property and structure at 26 Mill Stream Road. The property is in the Rural Residential (RR) land use district, where commercial and institutional uses are not allowed. The most recent use of the property was determined to be inconsistent with the permitted Single-Family Dwelling use. The following list of my observations notes noncompliance with either the 2019 NFPA 101 Life Safety Code or 2015 International Residential Code. More discussion is required to permit compliant corrections of the violations as there may be numerous solutions. Occupancy of any areas will require passing an occupancy inspection by me, including a final plumbing inspection.

In the dwelling area that has the mezzanine/loft, bathrooms, kitchen and performance stage:

1. Smoke alarms are required in every habitable space, being all rooms except kitchens and bathrooms, and within fifteen (15) feet outside of sleeping rooms.
2. Smoke alarms in rooms with sloped ceilings must be installed per NFPA 72 Figure A.29.8.3.1 near peak of roof, in the area less than thirty-six (36) inches horizontally from peak and four (4) inches vertically below apex. Smoke detector may be either hardwired with battery backup or sealed lithium battery ten year models.
3. One carbon monoxide (CO) alarm must be installed in a central location within fifteen (15) feet outside each sleeping area and on every level of the home. Combination smoke/CO alarms are approved.
4. The stairwell to the mezzanine/loft area requires handrails on both sides and guards with less than 4 inch spacing.
5. The mezzanine railing appears mostly compliant except for top and bottom spaces in the guards that exceed four inches.
6. The bathtub installation is incomplete. It requires a faucet, wall sheathing at the base and sides and the bathtub mounting flanges are not secured to wall framing. Refer to manufacturer's installation instructions.
7. Knee walls surrounding the bathtub do not have interior sheathing. Preferably, the bathtub would be removed from this area and the knee walls removed. The bathtub could be installed in one of the other bathrooms.
8. The bathroom vent does not terminate at least 6 inches above the roof.

- 9. The commercial kitchen is not suitable or safe for residential use or the presence of children.
- 10. Operation of fire suppression system must be determined and inspection and maintenance agreement(s) must be verified

In the living area that has the bar room:

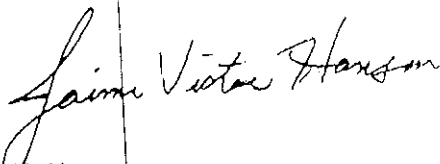
- 1. The deck/platform at south exit door requires compliant railings at minimum thirty-six (36) inch height and guards with less than four (4) inch spacing on both sides of the steps including.
- 2. Smoke and CO alarms must be located as noted previously.

Any occupancy of the structure will require an executed Consent Agreement, and I believe that the removal of the following conditions typical to commercial use, assembly use and/or 2015 International Building Code ("the commercial code") would be preferable to discourage excessive assembly.

- 1. Commercial kitchen stove
- 2. Exit signage
- 3. Large open areas could be decreased by adding interior walls to create privacy for bedrooms.

The property and structure is not permitted for a commercial or assembly use in the local zoning district and you as the owner will be responsible for the actions of the occupants. The open design and size of the barn and living area easily lend themselves to nonresidential uses. You must ensure that these features are not taken advantage of for noncompliant uses.

Sincerely,



Jaime W. Hanson
Town of Readfield
Code Enforcement Officer
Local Plumbing Inspector

7/14/2020

Ex 1

CONSENT AGREEMENT

By and between
Robert Bittar
And
The Town of Readfield

WHEREAS Robert Bittar ("Owner") is the current owner of record of certain real estate located at 26 Mill Stream Road in the Town of Readfield, Kennebec County, State of Maine, and identified as Map 120, Lot 13 on the Town's tax maps current as of the date of this Agreement ("the Property");

WHEREAS in November of 2014, the Town of Readfield Planning Board approved Owner's application for remodeling and expansion of a non-conforming single-family residence on the Property with the express condition that no other use to be made of the Property;

WHEREAS on July 18, 2017, Owner signed a consent agreement with the Town of Readfield Code Enforcement Officer ("CEO") stating that the Property would only be used as a single-family dwelling;

WHEREAS, the Town of Readfield CEO granted Owner a Certificate of Occupancy for single-family residential use of the Property on July 19, 2018;

WHEREAS, in the summer of 2018, Owner advertised and held several music events at the Property, which resulted in the Town issuing a Notice of Violation on August 16, 2018, and a notice of revocation of the Certificate of Occupancy on September 20, 2018;

WHEREAS, Owner requested to the Planning Board and by way of a citizens' petition to the Board of Selectmen that the Property be rezoned to accommodate his desired use of the Property as a concert venue, but the Town did not move those requests forward due to nonconformance of the request with the Comprehensive Plan;

WHEREAS, Owner filed an appeal of the Town's decision not to place the zoning change to vote and such appeal remains pending in the Maine Supreme Judicial Court under Docket No. KEN-20-108;

WHEREAS, Owner wishes to receive a new Certificate of Occupancy to allow the Property to be rented as a single-family residence; and

WHEREAS, the parties wish to set forth the terms and conditions upon which Owner may be issued a certificate of occupancy and allowed to make residential use of the Property for himself or his tenants;

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties hereby agree as follows:

1. Within fourteen (14) days of execution of this Consent Agreement, Owner shall cause the appeal pending in the Maine Supreme Judicial Court to be dismissed by mutual consent of the parties.
2. Upon execution of this Consent Agreement, Owner shall pay the Town of Readfield \$5,000 toward its legal expenses related to this matter.
3. In order to obtain a Certificate of Occupancy for single-family residential use of the Property, Owner shall complete the below work to ensure that the premises are safely habitable pursuant to relevant codes and to remove all indicia of or capability of noncommercial use of the Property:
 - A. Smoke alarms shall be installed in every habitable space, being all rooms except kitchens and bathrooms, and within fifteen (15) feet outside of sleeping rooms
 - B. Smoke alarms shall be installed in rooms with sloped ceilings per NFPA 72 Figure A.29.8.3.1 near peak of roof, in the area less than thirty-six (36) inches horizontally from peak and four (4) inches vertically below apex. Smoke detector may be either hardwired with battery backup or sealed lithium battery ten-year models.
 - C. One carbon monoxide (CO) alarm shall be installed within in a central location within fifteen (15) feet outside each sleeping area and on every level of the home. Combination smoke/CO alarms are approved.
 - D. Handrails shall be installed on the stairwell to the mezzanine/loft area, guards with less than 4 inch spacing.
 - E. Top and bottom spaces on the mezzanine railing must be reduced to four inches.
 - F. Bathtub installation shall be completed with a faucet, wall sheathing at the base and sides, and bathtub mounting flanges secured to the wall framing. Refer to manufacturer's installation instructions
 - G. Interior sheathing shall be installed on the knee walls surrounding the bathtub
 - H. Operability of the fire suppression system must be determined and inspection and maintenance agreement(s) must be verified.
 - I. Compliant railings shall be installed on the deck/platform at the south exit door with compliant railings at minimum thirty-six (36) inch height and guards with less than four (4) inch spacing on both sides of the steps
 - J. The commercial kitchen is not suitable or safe for residential use and the presence of children. The commercial kitchen stove and dishwasher shall be removed and replaced with residential grade models
 - K. Exit signage shall be removed.

The above work shall be confirmed and approved by the Town of Readfield Code Enforcement Officer upon personal inspection of the Property.
4. Owner agrees that the Property shall not be used for any other purpose except the normal living activities of a single housekeeping unit, including eating, sleeping and other typical

residential uses. There shall be no gatherings of over 20 people at the Property without prior written approval by the Board of Selectmen, which shall ensure that the gathering is not a commercial or assembly use. Parking for those attending any gathering at the Property shall be made within the parking lot on the Property, on street or off-site parking shall not be used.

5. If Owner or his tenant(s)/invitee(s) are found to be advertising, attempting to make or making any non-residential use of the Property, the Town of Readfield Code Enforcement Officer shall have the authority to immediately revoke the Certificate of Occupancy with no advance notice and no hearing, and in such case all use of the Property, including any residential use, shall be immediately ceased.
6. Owner shall be required to attach this Consent Agreement to any lease of the Property and shall expressly require any tenants of the Property to comply with all terms set forth herein.
7. Owner shall not in any advertisement for lease or sale of the Property describe the Property as suitable for any other use except single-family residential use, and shall provide a copy of this Consent Agreement to any prospective tenant or purchaser.
8. Should Owner or his tenants wish to make any nonresidential use of the Property that is permitted in the zone by the then-current Land Use Ordinance, such use may be allowed so long as Owner complies with all applicable permitting and use standards in place at the time. Owner shall give the Board of Selectmen two weeks' written notice before making any application for a nonresidential use of the Property.
9. Any violation of this Consent Agreement, and any related violation of Town of Readfield ordinances, may be prosecuted by the Town in accordance with 30-A M.R.S. Section 4452 and shall be subject to the per-day penalties, legal fees and costs as set forth therein.

SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS

In consideration of the foregoing Consent Agreement, which is intended to resolve any disputes Owner has with the Town of Readfield, Owner further agrees to the following:

10. Owner hereby releases any and all claims, at law or in equity, against the Town of Readfield and its officers and employees arising from the Town's actions related to the Property, including but not limited to inspections, enforcement actions, issuance of notices of violation, revocation of the Certificate of Occupancy and refusal of Owner's requests to rezone or allow performances and events at the Property.
11. Immediately upon execution of this Agreement, Owner shall cease publication or circulation of any disparaging statements regarding the Town or its employees and officials related to the matters set forth in Section 10. Violation of this provision shall not be deemed a violation of the foregoing Consent Agreement but shall be enforceable by the Town or any affected Town official or employee through injunctive action, with Owner to pay all related attorney fees and court costs.

TOWN OF READFIELD

BY: _____
Eric Dyer, its Town Manager
Duly authorized by vote of the Town of
Readfield Board of Selectmen

OWNER

BY _____
Robert Bittar

Ex 1

April 25, 2021

Mr. Clifford Buuck, CEO
Town Office Readfield

Dear Mr. Buuck,

I no longer have a copy the SSMH application submitted to the Readfield Planning Board August 25, 2020. The town has the original. Please send a copy of the original application to our legal representative Mr. Jed Davis at Mitchell and Davis in Augusta.

Since I no longer have a copy of the original SSMH application, the Mitchell and Davis law office prepared an application which was intended as my legal notification to your office to begin the Planning Board review of the original August 25 2020 SSMH application. That **March notice from my attorney** did not replace the original August 25, 2020 application. It was intended to begin the process of the SSMH application from the Town Office to the Planning Board for their review.

In October 2020, SSMH appealed to the Readfield Board of Appeals concerning the claim of discrimination against SSMH and its LGBTQ mission. The town CEO rejected the SSMH application to the Planning Board. He requested no information and claimed it was "incomplete" and denied it as invalid.

The SSMH appeal was reviewed by Chair of the Readfield Board of Appeals, Mr. Bickerman, his decision is attached.

"The **CEO shall make a preliminary determination** of whether or not an application for **site review is complete, but the Planning Board has the authority to make the final decision concerning completeness.**" Mr. Bickerman advised the town office to submit our application to the Planning Board to resolve outstanding issues.

After 8 months, the Town of Readfield has not followed legal directives of Mr. Bickerman, Appeals Board Chairman. The town delayed to submit the SSMH application permit to the Planning Board while at the same time, a new town ordinance was written to declare the SSMH use of the Mill Stream Road property as illegal.

Documents you requested were submitted to other CEOs, approved and filed in the town office. Duplicates are attached. All questions you ask were answered and are attached to this mailing.

The SSMH Application is dated August 25, 2020 - 8 months ago. Please deliver the SSMH application to the Planning Board for consideration at their next meeting.

EN1

Application for Administrative Appeal
to the Board of Appeals

1. Name of Appellant - Safe Space Meeting House

Maine Corporation Charter # 20210133ND

2. Mailing Address

Safe Space Meeting House
c/o Alexandra Twarog
1925 Main Street
Fayette Maine 04349

3. Telephone: 207-320-0015 Email: wilynails@gmail.com

4. Location : Name of owner of the property which is subject to appeal: Robert Bittar

5. Location of Property: 26 Mill Stream Road, Readfield

Map# 120 Lot#13

6. The undersigned requests that the Board of Appeals consider an appeal for relief from the decision of the Code Enforcement Officer in regard to an application for a permit to occupy 26 Mill Stream Road. The undersigned applicant believes there was an error of law, error of process and misinterpretation of our Land Use application

On August 25, the Safe Space Meeting House (SSMH) submitted an application and paid the \$50 Fee to the Town of Readfield. We anticipated a hearing as is customary by the Town Planning Board concerning the proposed rental of the property at 26 Mill Stream Road. The property is intended to be used as a meeting house by SSMH for LGBTQ+ and other members of the Readfield community. There was no hearing. There were no questions asked of our officers. The CEO did not to submit the SSMH application to the Readfield Planning Board. On September 24 the Town CEO denied our application. There was an error of law, process and misinterpretation of the Land

Use application. We ask that our application be returned to the Readfield Planning Board for review.

7. Specific section of the ordinance which applies to the relief:

We ask the Board of Appeals to reverse CEO decision as an error of law, error of process and misinterpretation of our Land Use application .

SSMH contracted a rental agreement for use of 26 Mill Stream Road. The SSMH mission is stated in its bylaws. SSMH is organized to provide a meeting house for Lesbian, Gay, Bisexual, Transgender, Queer and "Other disenfranchised people their friends and supporters in the Readfield community". It is a community organization. The CEO denied the legitimacy of our organization, our equal rights and access to due process for the legal use of the contracted property. The CEO declared our application incomplete without hearing or request for information. The CEO delivered a summary dismissal of our application and we feel that the denial is arbitrary and prejudicial. We ask that this action be reversed. SSMH seeks access to a government process equal to other Readfield community centers and meeting house organizations.

Rebuttal of CEO Statements

a. The Readfield CEO states that the SSMH "organization has not been formed". On August 21 SSMH submitted its application for corporate non-profit certification to the Maine Department of Corporations. That application to the Maine Department of Corporations was under review and granted on September 24. According to state law, we have formed a legal organization.

b. Our organization is formed and continues to seek affiliation with other Maine LGBTQ organizations. In early September we began discussions with LGBTQ+ groups to mentor our organizational development. Among these groups:

Outright-Lewiston-Auburn ME 04240

OUT Maine Rockland, ME 04841

OutInMaine Bangor, ME 04402

DownEast Pride Alliance Portland, ME

Equality Maine Portland, ME 04101

Maine Transgender Network, Inc, Portland, ME 04101

c. Membership – We have a membership in the Readfield community. Our current membership is 45. Most members live in Readfield, some during the summer, some in the surrounding community.

d. According to the Maine Department of Corporations, **SSMH is a Legal Entity – It is an independent non-profit organization.** We have no director other than those listed. We seek advice from friends and welcome others willing to provide assistance.

The Town Manager and CEO rejection of our application to the Planning Board is clearly designed to deny due process and equal rights to members of the LGBTQ+ community. It is a notice that uses pretexts to deny due process. It is an attempt to suggest that our directors would violate the law and our non-profit status with criminal intent to embezzle or use funds through activities which have personal commercial gain. The town manager and CEO deny the significance of our non-profit motivation and activities.

Mr. Bittar

SSMH and its directors have no legal, contractual, corporate, or familial relationship with the building owner, Mr. Bittar. Mr. Bittar is the landlord. Any prior activities of Mr. Dyer, the Select Board or The Planning Board and the building owner, Mr. Bittar, are irrelevant to the SSMH application. It is disingenuous to suggest motivations to our organization other than those stated in our mission.

e. SSMH and Readfield Union Meeting House are both non-profit meeting houses. CEO Hanson used prejudicial and peremptory language to disparage the SSMH stated proposed "land Use". He suggests that the SSMH proposed use of the property is the same as an application denied by the Planning Board in 2018. Mr. Hanson states that the application was denied on 6/27/18 because the activities would be similar to those "carried on by a business or for pecuniary gain". This statement is false.

There are no activities which could be characterized as for personal pecuniary gain in SSMH By Laws or in the SSMH application to the Planning Board. SSMH clearly says that its activities would follow those of the Readfield Union Meeting House. Its present and past activities will guide us. The

Readfield Union Meeting House is a 501c3 federally designated Non Profit organization. Its activities are approved by the Planning Board, Select Board and other Readfield governmental agencies and their representatives. Readfield Union Meeting House is a non-profit community center. The town of Readfield contributes annual tax dollars to this "non-profit" organization. The Readfield Union Meeting House activities are voted on and endorsed by the town council as legitimate activities of a non-profit organization.

Readfield Union Meeting house 5 year plan
<https://unionmeetinghouse.org/5-year-plan/> page 1

"Together, a restored and upgraded Meeting House and Vestry will provide an historic venue for cultural and entertainment events, including music, food, dances, talks, weddings, memorials, meetings, etc."

Pg. 4 RUMH anticipates future annual income of \$100,000 of which \$25,000 from concerts and "events".

<https://unionmeetinghouse.org/events/> AND <https://unionmeetinghouse.org/calendar/>

2018-2019 Events with Concert Performers:

Evelyn Dearborn, Owen Kennedy, Christopher Lansley, Julie Davenport, Tom Giordano, Stan Davis, Christina Misner and Roslea Kimbal, Rick Ray and Bill Stone, Brian Kavanah and Scottie De Raps

2019 - 2020 Concert Performances - Ticket Sales for Concerts, wine, beer, food

"Pat Colwell and the Soul Sensations bring down the house with a powerful mix of Motown/Memphis Soul Music that's guaranteed to get the party started! This is a 100% Old School R&B Revue complete with fabulous female singers, a full horn section, and a show that will knock your socks off! The band covers Soul Classics from the Supremes, Wilson Pickett, Marvin Gaye, the Temptations, Aretha Franklin, and Huey Lewis and the News. Pat Colwell and the Soul Sensations hit the stage, it's an instant Soul Train dance party

The Blenders three singers, songwriters and instrumentalists that joined together just over two years ago to pay tribute to the greatest vocal harmony groups in modern history. In their first Readfield Union Meeting House appearance, the Blenders will take you on a trip through the songs of the Eagles, the Beatles, Crosby Stills Nash & Young, America, the Beach Boys, and many more. Also, they will debut new Blenders originals written by each of these talented songwriters.

Ed Desjardins and Katie Daggett combine finely crafted original songs with interpretations of favorite covers they have made their own. The duo formed in 2004 and their easy presence and sublime vocal chemistry never fails to connect

Singer Songwriter Kevin Libby has been performing in and around central Maine for most of his forty plus years of making music. Following the CD release concert at the Waterville Opera House of his self produced Free Man Yet CD Kevin has found a favorite venue for his country flavored performance in the smaller coffee house and small concert settings our beloved State of Maine has to offer.

High Spirits Get ready for an exciting performance at the Readfield Union Meeting House on Tuesday, August 24th at 7pm. The dynamic duo, David and Anna Patterson of The High Spirits are going to be filling the meeting house with their musical style consisting of "a bit pop, a bit folk, a bit Motown and a bit alternative country." Make sure to bring your toe tapping shoes along with you and friends "

The CEO rejected the SSMH application. It is a rejection of its clearly identified membership and not activities they may pursue. Our membership demographic differs. Union MH and SSMH both serve the Readfield community. While our activities may be similar, our membership population is drawn from a different pool. In order to deny our application, the CEO and town manager state that SSMH activities of Lesbian, Gay, Bisexual, Transgender, Queer members are commercial. There is nothing in the SSMH application, non-profit corporate entity, and mission statement of activities that would lead to this conclusion. The rejection of the SSMH application is a clear message to

Lesbians, Gays, Bisexuals, Transgenders, Queers and "Other" ethnic minorities or religiously disenfranchised people who enter this town and seek community ... "You are not welcome in Readfield". That bold message was delivered September 24 by the Readfield CEO and his supervisor, Town Manager Dyer.

SSMH Proposed Activities:

CEO Hanson states that the SSMH "application does not adequately describe the use to be reviewed or allowed by the Planning Board. Our use is clear. This is a non-profit meeting house for the LGBTQ+ community. Future activities will be defined by an Activity Committee. The committee will actively work with members to develop activities which are based upon shared interests which will be explored in meetings, discussions and cultural events. All activities will follow the guidance as stated in its mission By Laws.

SSMH ByLaws: **Mission Statement Guidance**

1. "We support inclusivity, equality, community and the fundamental rights of all human beings. Readfield's Safe Space - Meeting House [SSMH] will provide a space for LGBTQ+ community to build professional and social connections in the community. Our effort intends to establish a 'meet-up Space'. It will be a "Safe" setting in which to share cultural interests, resources, and opportunities with people who share similar interests and concerns. SSMH will model its community activity on civic outreach activities used by The Readfield Union Meeting House. The SSMH 'meeting house' outreach will be dedicated to the arts as a primary link for community communication."

SSMH will provide the community with a **contemporary meeting house**. This Meeting House will reflect the entire demography of Readfield. In Readfield history, the Grange, provided an informal place for the rural community to meet for discussions and social activities. The social meetings helped to create a place for discussions which led to the support of vital rural political and economic movements. SSMH will help identify Rural issues vital to sustaining and improving the rural life.

g. 26 Mill Stream Road is a historic property. The town requested and maintains an easement for public use of this property. Funding is required to maintain this property due the invitation of public. SSMH will support the maintenance facilities required. A revenue stream is needed by almost every non-profit group including clubs, meeting house groups the historical center and community centers

in Readfield. This needed support is implicit in the organization survival.

SSMH is a community center but the CEO states that it is not. He gives no reasons why he has come to this conclusion. He gives no example of an SSMH commercial activity to support this claim. The SSMH Bylaws, mission statement and Planning Board Application do not speak of an activity that is not common to a public benefit organization. The denial is arbitrary and based on a plan to deny equal access to the use of the property as is exercised by other meeting houses in this town. We feel that the CEO denial is based solely on the identity of SSMH participants and members. It is a statement intended to be understood as a message to all Lesbian, Gay, Bisexual, Transgender, Queer and other minorities - "You are not welcome in Readfield by its CEO or his supervisor Town Manager Eric Dyer."

On September 27, SSMH mailed a certified letter and hand delivered a copy to the CEO. We asked for reconsideration of the decision and a chance to stand before the Planning Board to answer any questions they may have regarding our application. We felt that there may have been an error and looked forward to be given an opportunity to clarify any issues concerning our activities, legitimacy and legal status. There was no response.

8. Reason why use of 26 Mill Stream Road is of great importance to SSMH and its mission.

- Most important is the financial advantage of 26 Mill Stream Road. The rent is remarkably low. A low rent provides a basis for our LGBTQ group to maintain occupancy during the initial stage of growth. The financial advantage is essential to ensure the survival of our effort and a continued organization outreach. The lease for one year contains an option to renew. An LGBTQ donor has pledged a sum to help subsidize the initial activities of our young organization at Mill Stream Road for this year. We are hopeful that these donated funds will continue into the future after we obtain our 501c3 status. Without the pledged funds, and low rental rate, SSMH will not be able to function. There is no comparable facility available for SSMH in Kennebec county.
- There are, of course, basic practical advantages for the use of this building complex. It's

facilities are modern, new, designed with an unusual emphasis on fire safety. ADA compliant facilities guarantees safe access to all members. The flexibility and size of the complex will accommodate access of a full membership with minimal impact on the town and community.

- The building resonates with the creative vision of the SSMH board members. It will help to build cultural LGBTQ creative culture. This facility is welcoming.
- This large building provides "a freedom of space". It provides space to grow creatively and to grow our vision.
- The facility is located in the center of town. 26 Mill Stream Road is easily accessible to all people of Readfield. The 35 car parking lot provides a convenient location for member parking.
- This facility guarantees a promise of a "safe space" to our members. Meetings may be held in privacy without sharing the space with other businesses or organizations.

I certify that the information contained in this application is true to the best of my knowledge and belief.

Applicant

Date

Ex 1

Dear Mr. Jed Davis,

This note is in reference to Mr. Buuck's letter April 23, 2021 to your office. I've answered the questions submitted by Mr. Buuck. I've also attached documents which were requested. Please send my note along with my responses to his information directly to Mr. CEO Buuck on Monday morning April 26, 2021.

Thank you

Alex Twarog

Addendum

1. Contact Information –

Mr. Jed Davis Esq., of Mitchell and Davis, represents SSMH.

SSMH and Alec Twarog may be contacted through the Mitchell and Davis office. The town has their contact information

2. Proposing to do: We intend to create a contemporary meeting house. Its activities will celebrate all members of the Readfield community. We will create a space for LGBTQ+ others to build professional and social connections in the community. In order to do this we will create a membership that will build according to evolution of the organization and expression of member interests.

SSMH HAS NO ACTIVITIES COMMITTEE-

An activities committee, when formed, will consider member interests and the applicability, feasibility, financial ability to support and staff those activities. No activities have yet been approved. A list of activities will be developed after we have access to appropriate facilities. The pattern of development of activities will follow those of other approved Readfield Meeting Houses and non-profit organization in Readfield. March 24, 2021 after 15 years, the Union Meeting house announced that a list of proposed activities that would be extensive and double in number. SSMH will develop activities that are organic to its members and community. Like Union Meeting House, SSMH activities will follow the law.

26 Mill Stream Road sits at the end of a dead end. We do not anticipate any impact on town services from member activities.

Interest of current members and directors are reflected in the statement below. While these are expressions of interest, they do not reflect concrete plans. They are not approved nor operational. Cultural events as well as self help and self improvement are common to community centers. Many activities are common to both SSMH and the Union Meeting House. Nevertheless their delivery and interpretation will differ. SSMH activities will look toward the community, its varied national heritage and nationality and gender, religious, cultural diversity.

SUGGESTED CURRENT INTERESTS AMONG MEMBERS and Directors

Fine Arts Cultural Activities - to unite members and the community
Art - (Baroque, Renaissance, Contemporary etc.; member gallery art shows etc)
Crafts - Member Fashion, Gold and Silversmith contemporary design of Jewelry with international designers
support of/by noted
Music programs of (Country and Western American rural tradition and experience. classical, opera, jazz.

The music of different nationality shows of Chinese, Somali/Traqi/Arabic , Jewish, Jamaican, African etc.
and contemporary music including music of the Black American Music - Hip Hop etc.)

Literature - publication of member writings, discussions and explorations of member works in social media

Dance - Contradance - the most popular Maine rural country dance tradition, Swing formal ballet etc.
Dance, Salsa, Modern, abstract,
The involvement of members from local Dance Companies to participate with experimental dance companies outside Readfield.

Financial Planning, Business and Self help:

financial discussions -
How to set up a diversified portfolio management, Set up a stock market investment club
Aid and a mentor ship program with business people in the Readfield area about the way in which to setting up a business in Readfield

Consultant - Technical Guru Jobs -
Creative technical Jobs where people can work from their Maine home and are employed in another part of the country. These jobs pay 60,000 to 100,000/yr. These jobs will require some training but it is possible to complete that training online in 6 months to a year.

Historic Cultural Activities

Committee work with the Readfield Planning Board to Designate 26 Mill Stream Road a National Historic Site

It is estimated that 26 Mill Stream Road was built on or about 1770. It is the only designated colonial building in Readfield. The planning Board and other town officials have assisted the Union Meeting House. Union Meeting House has been granted an opportunity to create a limited revenue stream to support its activities. SSMH functions are similar. The Readfield Comprehensive Plan suggests that SSMH work with the Readfield Planning Board and other administrators. They will be requested to facilitate placing 26 Mill Stream Road on the National Registry of Historic sites. Safe Space Meeting House will follow the example the Union Meeting House. The town easements have created a PUBLIC Town Park on Bittar land. Our revenue stream will be required to support the open public use of SSMH land and facilities.

5. General Public Access to a Community Center Activities

Safe Space Meeting House Voluntarily Restricts Activities to Members and

their Guests

SSMH, like the Union MH, is a community center. SSMH has no club house. Most Community Centers require a membership for participation in activities.

The SSMH Restricted Admission Objective

Safe Space Meeting House supports **Readfield's diverse population** including its **LGBTQ** community. For this reason, it ensures a "safe space" for activities **removed from social prejudice and discrimination**. **SSMH has voluntarily restricted** its activities to members and guests. The SSMH restricted activity admission policy will be monitored through **member lists which will be reviewed at the door prior to admission**.

The Vestry and Colonial Mill Stream House

Like the Union Meeting House "Vestry", the SSMH colonial building is not a "Club House". **A club house has independent access by members for private use. The Colonial Building will not permit private independent member access to this building. It functions as a a community gathering place for community events and activities.**

We anticipate the need for revenue from activities to support the public use of this property and the SSMH mission.

The Town of Readfield requested and received easements for public use of 26 Mill Stream Road. The Town of Readfield integrated these lands into the new Town Mill Stream Park and outdoor miles of trails. The town **CREATED A PUBLIC** Town Park on easement land. Newspapers recorded the event. Tour buses arrived. The town installed table and benches as well as bridges to attract visitors to places on the stream. This Town Park is a recreational facility used by many Readfield people. That use will grow. As tenants, SSMH is required to maintain the property. Trail use is constant and unmonitored. All public parks require maintenance. The public recreational use of the of this property requires lighting along the path for safety during evening trail use, regular removal of trash, cutting of grass, maintenance of shrubbery, removal of dead trees and dangerous tree limbs. (26 Mill Stream Road has already experienced extensive theft, debris, and vandalism. In the past months a 4 x 8 aluminum trailer was taken from the property.)

March 24, 2021 Planning Board Approved Public Access to Community Center Activities

March 24 Union MH states that it is permitted to invite the "general public" to its events because it is a community center and not a club. It has no "clubhouse". The detached "vestry" building is a place where food is prepared and served to the general public who attend events and concerts. The "vestry" is not a clubhouse. The Planning Board approved the Union MH definition of a Community Center and its rationale for general public admission policy. The Union MH intends to serve 60 meals each night at its "Vestry" but not as a "full service restaurant". They expect to double these activities this year. Future plans are ambitious in size and number.

Submittals

1. Abutters

lot 014 Town of Readfield
lot 009 Mr. Wilson 37 Old Kent's Hill Road
lot 111 Ms. Ashy 10 Giles Road

4: 35 Car **Parking lot** - Use and access approved by new owner. Lease **attached**.

8 **Site Plan – Attached**

26 Mill Stream Rd., **Property Deed Attached**

11. **Hours of Operation -**

No SSMH activities are approved. There is no staff/committee to open to maintain facilities at this time for any activity.

Activities are neither approved nor operational. General community activities are similar to many community centers. Cultural events as well as self help and self improvement are common to community centers. While SSMH activities are common to the Union Meeting House they reflect a broader interest in the exploration and celebration of the varied national heritage and nationality and gender, religious, cultural diversity within Readfield.

Future member activities may be held weekly and expected to end by approximately **9:30 pm** on weekends. This appears to be in keeping with other community center expectations (recent March 24 2021 Union Meeting House hours are similar and were approved by the Planning Board.)

In future years, occasional weekday activities may **occasionally** be scheduled for mornings or afternoons through 9:30 pm

4. **Septic System Design:** Design and specifications **Attached**

9. **Other Permits:**

The Fire Marshal's permit

Permit approved for installation of a Fire Safety Sprinkler System has been received. A copy is in the town office.

No activities are defined for SSMH at this time. Additional permits are not needed.

Cooking and Public Meals and other activities were announced at The Union Meeting House in March 24 2021. The announcement projected future activities to include public meals, club meetings, family functions, indoor markets, weddings, memorial services, lectures, workshops, music combined with food etc. Because of Union MH activities resemble restaurant use, UMH uses the National Restaurant Association tables guidelines to estimate the impact on waste and possibly other town resources.

March 24 2021 the Union Meeting House provided a list of possible activities. There was no suggestion of any time line for permit applications for those activities. Without the actual plans,

facilities and finances available, permits are premature. The Union MH March 24 application implicitly states that they will apply for permits as they are needed. The Planning Board made no requirement for permits until they are required for future activities.

16. DRINKING WATER attached

This issue was addressed and resolved in 2017 with CEO Gary Quintal. In 2017 the Planning Board requested a Stop Work Order because they received a notification concerning a public water supply at 26 Mill Stream Rd. The 26 Mill Stream Rd water supply was inspected in 2016 by the Division of Environmental and Community Health Department, Drinking Water Inspector. The Inspector indicated that rural community centers may be exempt from public water supply requirements. The Maine Drinking Water Program provides a "Bottled Water PWS Exemption" for facilities not connected to a public/town water supply. The waiver is permitted for facilities where drinking water is not served from an on-site source of water. LA waiver was received for Drinking Water at 26 Mill Stream Road. SSMH must conform with PWS requirements and provide members with bottled water. No ice will be used which is made from the on-site water supply. The DPW waiver was received 11/17/17. A copy was submitted to CEO Quintal. He confirmed the waiver with the DPWS. Quintal and filed the waiver. The Planning Board was notified of the waiver. The Stop Work Order rescinded.

22. Enforceable land use violations:

There are no land use violations.

Past occupancy issues are not relevant to the SSMH application.

Mr. Bittar is the owner of 26 Mill Stream Road property and not an SSMH member. The SSMH application and lease do not provide occupancy or usage by anyone other than SSMH members and staff.

8. SITE PLAN Attached

- a. NA
- b. NA
- c. existing buildings
none proposed
- d. Mill Stream Road
- e. Mill Stream
- f. Town Easement
- g. water supply and waste water system
- h. NA
- l exterior lighting – building wall lights ; ground spot lights lighting the buildings
- j landscaping Plants fence
- k NA
- l deed restrictions NA

Ex 2

December 23 2020

Town Manager Eric Dyer's

**List of Suggested Acceptable
Activities for the
Safe Space Meeting House
Community Center**

at 26 Mill Stream Road
in the
Rural Residential District

permit for the building if it is installed and does not further the legally obtainable purposes of the SSMH. As I've said before, if you continue to pursue the Mill Stream property as the home for the SSMH I want to help you find a legal use. I want to ensure you understand that the system as designed is likely unnecessary for the types of uses that may legally be made of the property, and are not undertaking this expense with any expectation that assembly uses are permitted.

Following up on the things that are problematic at the Mill Stream Property I want and much prefer to talk about some of the things that appear to be possible there. This is my honest attempt to say what I think is reasonable and not intended to be seen as the only way forward or a pre-determination of what other municipal officials of the Planning Board may find acceptable. This is just my best guess and hope:

- Creating a place in Readfield that improves and strengthens our community, and is an asset and resource for the community.
- Creating a safe space for members of the LGBTQ+ community and their allies to meet and support each other. This could be facilitated by providing closed door meetings and private offices. The buildings at Mill Stream currently have no individual rooms and are essentially a completely open floorplan. With that being said the physical building is only part of creating a safe, caring, and supportive environment. We are surrounded by wonderful people and so if that's where we start I believe a safe space can be created almost anywhere in Readfield.
- Offering support to children, families, and individuals broadly, but particularly those in the LGBTQ+ community and their allies. Many of the ideas and potential activities you've identified meet this end, which is fantastic. We can do this!
- Hosting or providing small art groups and classes. Hosting or providing small music, theatre, readings, and other performance groups or classes to members and their guests, at no cost.
- Hosting or providing small group meetings and support sessions. This could also include training and education for volunteers to lead these groups.
- Hosting or providing small wellness classes and services like yoga (at no cost to the public or your members).
- Offering a place where small groups of people can just hang out and talk, or hold more organized discussions provided they don't get into the realm of a lecture or similar large group setting.
- Offering a place for quiet enjoyment, inside or out!
- Fundraising support activities, like planning for fundraising efforts, printing materials, limited phone banking, and volunteer training.
- Maintaining administrative offices and a "headquarters" for SSMH events and activities, some of which (like concerts or other large events) could be held elsewhere in Readfield.
- Providing a place for members of the LGBTQ+ community and their allies to stay on a limited basis if they are in crisis or have been displaced. We discussed this a little during our meeting. It might make the Planning Board approval for the project more complicated but I believe it could be a critical service for our community, and I am glad to help with navigating the additional land use requirements of residential and non-profit use of the buildings.

I hope you see that there is a lot that you can likely do, and as with the list of things that I don't think are likely to work at the Mill Stream property it should not be considered a complete list. There is a lot that I'd like to assist you with including vetting other ideas.

Sheet1

SSMH DAY TO DAY Calendar-

Acceptable Activities in Rural Residential Zone.

December 23 2020, Eric Dyer Town Mgr delivered SSMH a list of acceptable activities

SSMH Calendar created from Eric Dyer's list of acceptable Comm. Ctr SSMH activities

Please read Eric Dyer's Dec. 23 letter to SSMH page 5 – the entire page devoted to SSMH acceptable community center member activities
The Day to Day Calendar below is derived directly from the Town Manager Dyer's Dec. 23 statement of acceptable activities.

ABBREVIATIONS USED TO DESCRIBE ERIC DYER'S SUGGESTED ACTIVITY GROUPS

JHOT = "MEMBERS Just hang out and talk"

OD = "Organized Casual Discussion" – for Members only

Member private celebrations – Member reservations may alter the Day to Day Calendar

Members may request use of the community center for personal family days. The following are an example of acceptable member requests.
Memorials for the departed, religious celebrations, events and holidays (Ramadan), birthdays, graduations, barmitsfa, p

SSMH Suggested DAY TO DAY calendar- (May be altered by the members)

January		THURSDAY	FRIDAY	SATURDAY
Week 1		JHO/T Members sing Karaoke	JHO/T Members sing Karaoke	JHO/T Members only- barn dance
Week 2		JHO/T members only dance	JHO/T members only dance	JHO/T Members only play music for other members
Week 3	OD – sculpture class	JHO/T Members yoga	JHO/T Members sing Karaoke	JHO/T Members only dance
Week 4		JHO/T Members sing Karaoke		JHO/T Members only music for other members
FEBRUARY		THURSDAY	FRIDAY	SATURDAY
Week 1		JHO/T Members sing Karaoke	JHO/T Members sing Karaoke	JHO/T Members only- barn contra dance
Week 2		JHO/T members Western dance	JHO/T members Western dance	JHO/T Members play music by members hang out
Week 3	OD – Art class	JHO/T members yoga	JHO/T members sing Karaoke	JHO/T Members only dance
Week 4		JHO/T members sing Karaoke		JHO/T Members only music for other members
March		THURSDAY	FRIDAY	SATURDAY
Week 1	OD – Art class	JHO/T members sing Karaoke	JHO/T members sing Karaoke	JHO/T members only- barn contra dance
Week 2		JHO/T members dance	JHO/T members dance	JHO/T members play FIDDLE music
Week 3	OD – sculpture class	JHO/T members yoga	JHO/T members sing Karaoke	JHO/T members only dance
Week 4		JHO/T members sing Karaoke		JHO/T members only music for other members
APRIL		THURSDAY	FRIDAY	SATURDAY
Week 1		JHO/T members sing Karaoke	JHO/T members sing Karaoke	JHO/T members only- barn dance
Week 2		JHO/T members "small theater"s	JHO/T members "small theater"s	JHO/T members play FIDDLE music
Week 3	OD – sculpture class	JHO/T members yoga	JHO/T members "Readings"	JHO/T members only dance
Week 4		JHO/T members "Readings"		JHO/T members only music for other members
MAY		THURSDAY	FRIDAY	SATURDAY
Week 1		JHO/T members sing Karaoke	JHO/T members sing Karaoke	JHO/T members only- barn dance
Week 2		JHO/T members "small theater"s	JHO/T members Games "Quiet Enjoyment"	JHO/T members play FIDDLE music
Week 3	OD – sculpture class	JHO/T members sing Karaoke	JHO/T members sing "Readings"	JHO/T members only dance
Week 4		JHO/T members sing Karaoke		JHO/T Members only music for other members
JUNE		THURSDAY	FRIDAY	SATURDAY
Week 1		JHO/T members sing Karaoke	JHO/T members sing Karaoke	JHO/T members only- barn dance

Sheet1

Week 2		JHO/T members "small theater"s	JHO/T members play FIDDLE music
Week 3	OD - sculpture class	JHO/T members yoga	JHO/T members only " Performance Group"
Week 4		JHO/T members "performance grou	JHO/T Members only music for other members
July			
Week 1	THURSDAY	FRIDAY	SATURDAY
Week 2		JHO/T Members sing Karaoke	JHO/T Members only- barn contra dance
Week 3	OD - Art sculpture class	JHO/T members Western dance	JHO/T Members play music by members hang out
Week 4		JHO/T members yoga	JHO/T Members only dance
		JHO/T members sing Karaoke	JHO/T Members only music for other members
August			
Week 1	THURSDAY	FRIDAY	SATURDAY
Week 2		JHO/T members sing Karaoke	JHO/T members only- barn contra dance
Week 3	OD - pottery, sculpture class	JHO/T members dance	JHO/T members play FIDDLE music
Week 4		JHO/T members yoga	JHO/T members only dance
		JHO/T members sing Karaoke	JHO/T members only musicfor JHO/T members
September			
Week 1	THURSDAY	FRIDAY	SATURDAY
Week 2		JHO/T members sing Karaoke	JHO/T members only- barn dance
Week 3	OD - pottery sculpture class	JHO/T members "small theater"s	JHO/T members play FIDDLE music
Week 4		JHO/T members yoga	JHO/T members only dance
		JHO/T members "Readings"	JHO/T Members only music for other members
October			
Week 1	THURSDAY	FRIDAY	SATURDAY
Week 2		JHO/T members sing Karaoke	JHO/T members only- barn dance
Week 3	OD - Art sculpture class	JHO/T members "small theater"s	JHO/T members play FIDDLE music
Week 4		members Games "Quiet Enjoyment"	JHO/T members only dance
		JHO/T members sing "Readings"	JHO/T Members only music for other members
November			
Week 1	THURSDAY	FRIDAY	SATURDAY
Week 2		JHO/T members sing Karaoke	JHO/T members only- barn dance
Week 3	OD - sculpture class	JHO/T members "small theater"s	JHO/T members play FIDDLE music
Week 4		JHO/T members yoga	JHO/T members only " Performance Group"
		JHO/T members "performance grou	JHO/T Members only music for other members

	THURSDAY	FRIDAY	SATURDAY
December			
Week 1		JHO/T members sing Karaoke	JHO/T members only- barn dance
Week 2		JHO/T members "small theater"s	JHO/T members play FIDDLE music
Week 3		members Games "Quiet Enjoyment"	JHO/T members only dance
Week 4		JHO/T members sing "Readings"	JHO/T Members only music for other members

Requires funding for heat. Without Funding...we must CLOSE NOVEMBER – APRIL .

December	CLOSED	no heat	
January	CLOSED	no heat	
FEBRUARY	CLOSED	no heat	
March	CLOSED	no heat	
April	CLOSED	no heat	

Requires funding for heat. Without Funding Member winter Holiday night cancelled

A Description of activities

OD = Member Organized Discussions with each other

how to make a million dollars in the stock market

how to live on \$7 / DAY

best place in the world to live on \$12/day room and board

change your job to 100K a year no education

dental care for the price of an international vacation

cooking for a healthy life

become a great cook or good cook – skills secrets - lebanese, thai, italian, spanish/tex-mexican, french, arabic others

Lose 30 pounds in 4 months on a good delicious cheap vegetarian diet

Plumbing – secret of a modern plumber – NO SKILL NEEDED – Fix any pipe fast

construction problems – EASY ways to build anything you need

Electricity in your home - ADD AN OUTLET IN MINUTES LEGALLY AND SAFELY

How to solve any outdoor construction or agricultural issue – From Bugs to Trees

How to use any tool...Pick One and Lets use it

Members read selections from plays to each other

- drama
- musical
- comedy
- shakespeare
- classics

X-rated SEXY DIALOG FROM classics

MEMBERS DANCE WITH EACH OTHER

- salsa
- swing
- Contra
- Western
- line
- turkish
- twist
- armenian
- greek
- arabic regular
- arabic exotic
- modern
- R&B

2
EX2**MAINE**
 Department of the Secretary of State
 Bureau of Corporations, Elections and Commissions

Corporate Name Search

Information SummarySubscriber activity report

This record contains information from the CEC database and is accurate as of: Mon Sep 28 2020 19:50:09. Please print or save for your records.

Legal Name	Charter Number	Filing Type	Status
SAFE SPACE MEETING HOUSE	20210133ND	NONPROFIT CORPORATION (T13-B)	GOOD STANDING

Filing Date	Expiration Date	Jurisdiction
09/24/2020	N/A	MAINE

Other Names (A=Assumed ; F=Former)

NONE

Clerk/Registered Agent
 ALEXANDRA TWAROG
 1925 MAIN STREET
 FAYETTE, ME 04349
[Back to previous screen](#)[New Search](#)

Click on a link to obtain additional information.

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

ng Fee \$40.00

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$3.55
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

0355
02

Postmark
Here

Postage \$0.55
 Total Postage and Fees \$4.10

08/21/2020

Deputy Secretary of State

A True Copy When Attested By Signature

Deputy Secretary of State

Sent To State
 Street and Apt. No., or PO Box No. _____
 City, State, ZIP+4® _____
 PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Pursuant to 13-B MRSA §403, the undersigned incorporator(s) execute(s) and deliver(s) the following Articles of Incorporation:

FIRST: The name of the corporation is Safe Space Meeting House

SECOND: ("X" one box only. Attach additional page(s) if necessary.)

- The corporation is organized as a public benefit corporation for the following purpose or purposes:
 A space for LGBTQ+ and the community to build professional and social connections. Members and guests share cultural interests, resources and opportunities. A contemporary meeting house serving as a link for community integration and communication. Non voting Membership - Application open to the Public. Membership Committee approval
- The corporation is organized as a mutual benefit corporation for all purposes permitted under Title 13-B or, if not for all such purposes, then for the following purpose or purposes:

THIRD: The Registered Agent is a: (select either a Commercial or Noncommercial Registered Agent)

Commercial Registered Agent CRA Public Number: _____

 (name of commercial registered agent)

Noncommercial Registered Agent
Alexandra Twarog

 (name of noncommercial registered agent)

1925 Main Street

 (physical location, not P.O. Box - street, city, state and zip code)

Fayette Maine, 04349

 (mailing address if different from above)

FOURTH: Pursuant to 5 MRSA §108.3, the new commercial registered agent as listed above has consented to serve as the registered agent for this nonprofit corporation.

**TABLE 1 /
TABLE OF USES**

	LAND USE DISTRICTS									Overlay District
	V	VR	AD ^o	R	RR	SR	RP	SP	CID	MH
Waste Handling Facility	N	N	N	N	N	N	N	N	P	N
INSTITUTIONAL										
Accessory Structure	C	C	C	C	C	N	N	N	N	U
Church/Synagogue/Parish House	P	P	P	P	P	N	N	N	N	U
Civic/Convention Center	P	N	P	P	N	N	N	N	N	U
Community Centers/ Clubs	P	N	P	P	P	N	N	N	N	U
Community Living Arrangement • up to 8 persons • more than 8 persons	C P	C P	C P	C P	C P	C P	P ^{5, 11} N	C ⁶ N	N N	C U
Day Care Facilities • 3 to 12 • 13 +	P N	P N	C P	C P	C P	C P	N N	N N	P P	U U
Nursing Home	P	N	N	P	N	N	N	N	P	N
Hospital/Medical Care	P	N	P	P	N	N	N	N	N	U
Government Uses	P	P	P	P	P	N	N	N	N	P
Museum/Library	P	N	P	P	N	N	N	N	N	U
Public/Private School	P	P	P	P	P	P	N	N	N	U

Legend

Land Use Districts	R = Rural District	SP = Stream Protection	Overlay District
V = Village District	RR = Rural Residential	RP = Resource Protection	MH = Mobile Home
VR = Village Residential	SR = Shoreland Residential	CID = Commercial Industrial	
AD = Academic District			

Key to Table of Uses

Y =	Allowed Use (no permit required, but the use must comply with all applicable federal, state and local standards and regulations, including but not limited to this Ordinance).
C =	Use requires review and permit from Code Enforcement Officer (CEO) and/or Local Plumbing Inspector (LPI).
P =	Use requires site review from Planning Board, and requires a permit from the CEO and LPI upon Planning Board approval.
N =	Prohibited Use
U =	Use shall comply with underlying District requirements.
N/A =	Not applicable to the district.

EX2

TOWN PROPERTY

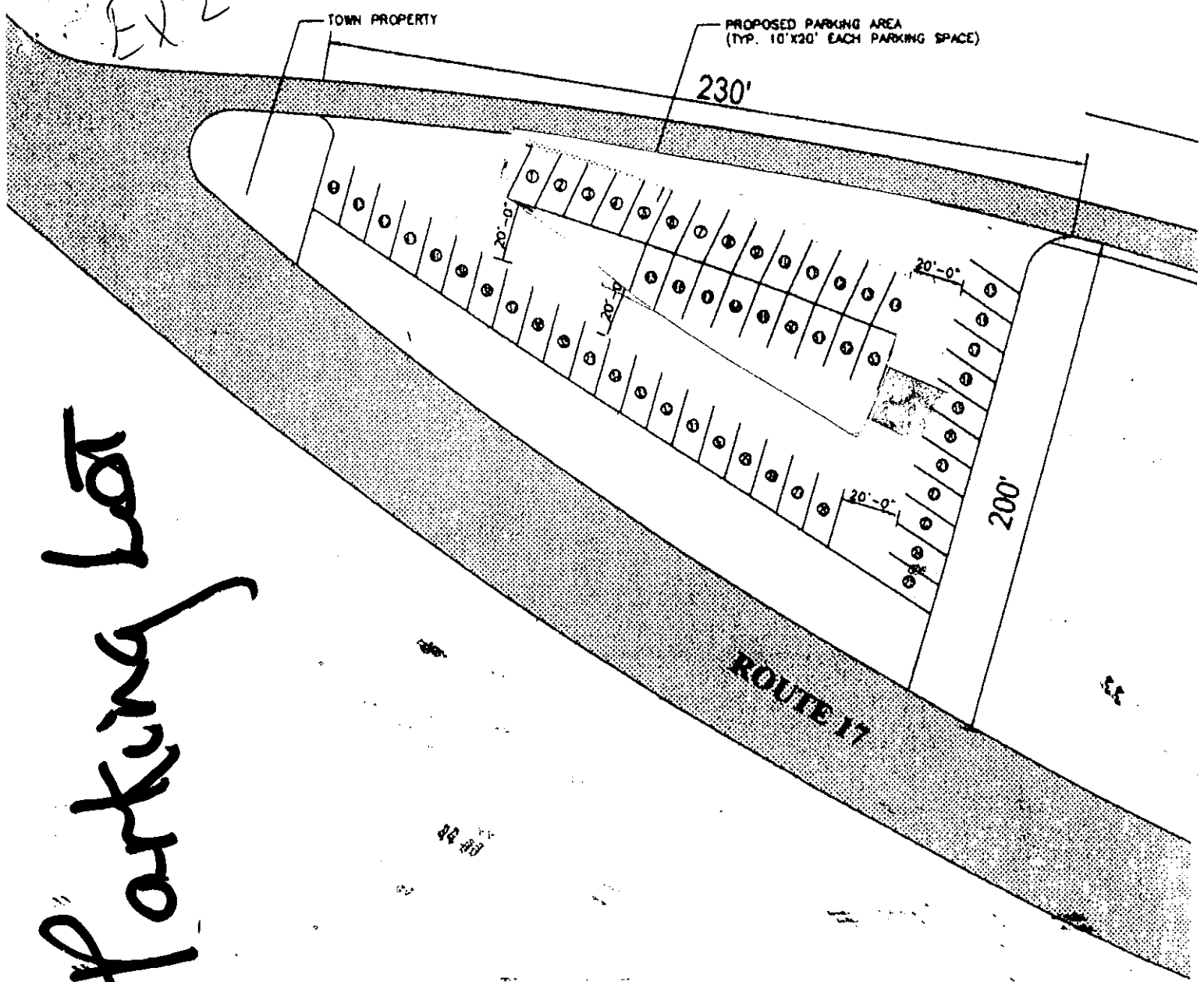
PROPOSED PARKING AREA
(TYP. 10' X 20' EACH PARKING SPACE)

230'

200'

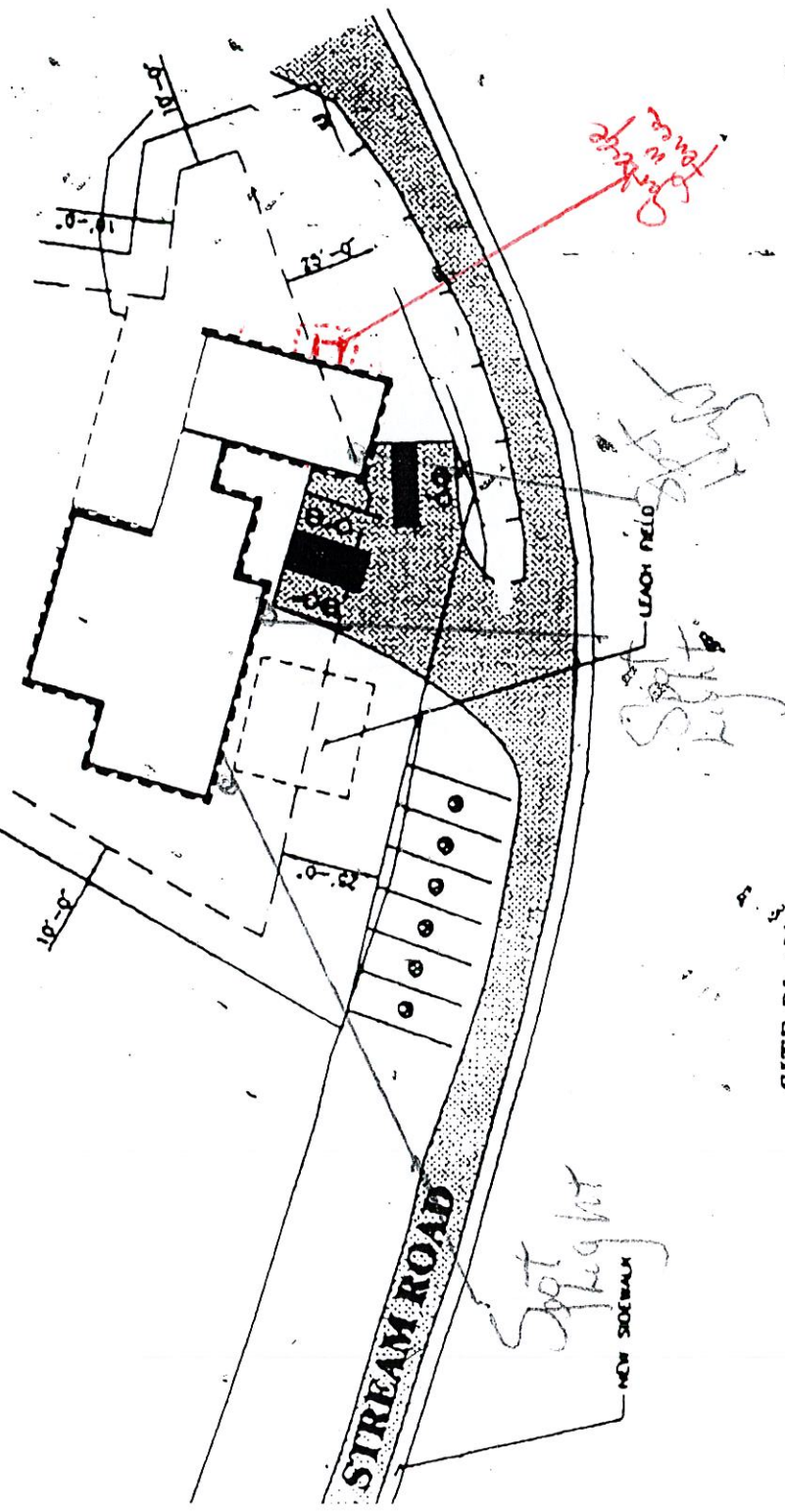
ROUTE 17

parking lot

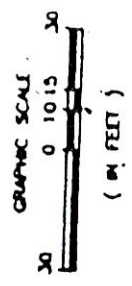


Parking lot
Lighting at 26MSR

SAFESPACE MEETING HOUSE
READFIELD, ME.



SITE PLAN



SITE MAP

Sound level on Old Kent's Hill Rd
with or without music

80 dBA
1050 FT

278 GILES RD
10 FT

Giles Rd
23 GILES
1050 FT

62 dBA
964 FT

ON Kent's Hill Rd

50-57 dB

FIELDS

FIELDS

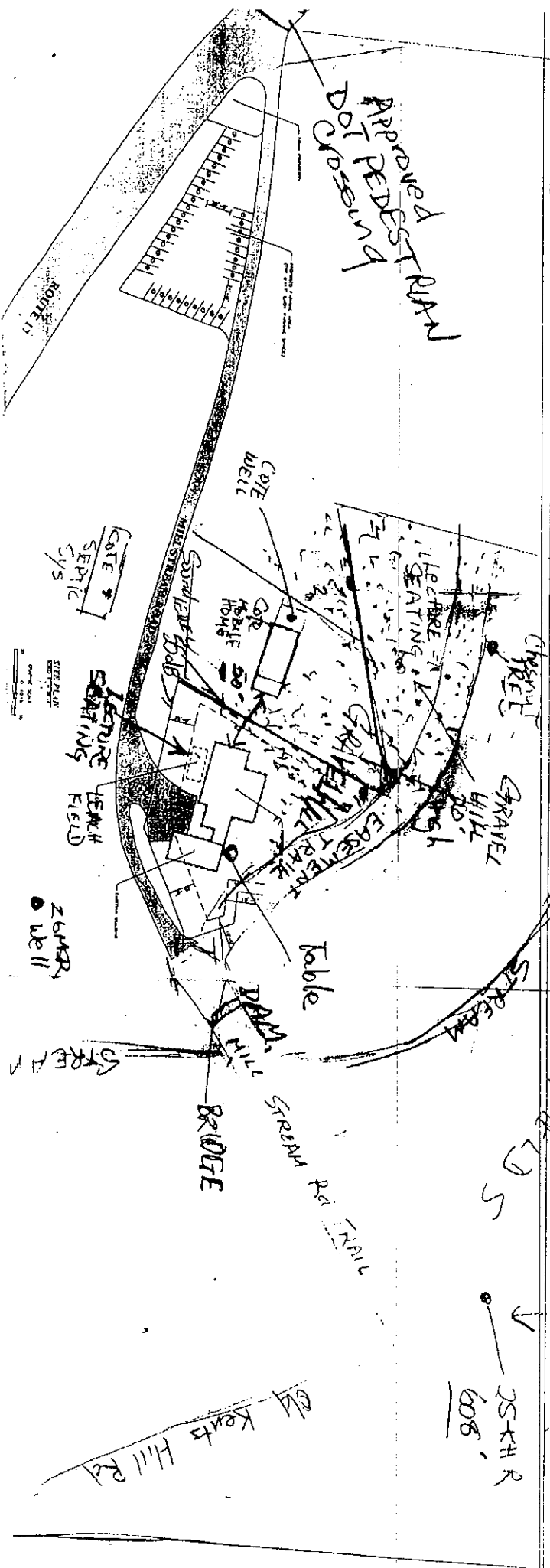
52 dBA
711 FT

35 dBA
606 FT

APPROVED
DOT PAVED
DOWNSIDE

MEADOW

STREAM
MEADOW
FIELDS



Ex 2

----- Original Message -----

Subject: talk with Clif today

From: "Stefan Pakulski" <readfield.tmgr@roadrunner.com>

Date: Thu, December 05, 2013 1:51 pm

To: <rbittar@igacc.com>

Bob,

I met with Clif to go over your concerns. He's going through them and will respond to each specifically. We talked about the rights of any property owner to repair and secure property, and the regulations the community has voted to put in place and enforce legally – but not arbitrarily or punitively. Everyone deserves equal treatment and protection here under Town regulations and ordinances. You deserve and shall receive nothing but courteous, professional service from all Town employees as long as I work here, and hopefully ever after too.

There might have been some confusion about what is possible to do on your property without a permit. The work seems to be above the \$2000 value threshold that requires the permitting process for any project (repairs or new construction). But Clif says you should be able to repair your roof now, and I think you could talk with him about that (although the stop work order did say to stop all work). The steps you listed below to secure the building now sound appropriate to me, but I encourage you to talk more with Clif about the roof if it's not complete yet.

We acknowledged, as Paula Clark has too, that you could ask the Board of Appeals to consider rescinding the stop work order.

I know you don't think you're anywhere close to applying for a permit because you don't know yet what the details would be. Clif would be happy to work with you on developing an application, and helping to determine what would be possible and what would take a possible waiver of certain requirements or even a zoning change – and how to accomplish that. Our purpose here isn't to stand in the way of any projects, but to help applicants find ways to make their proposals work within the Town's framework, and hopefully to help applicants become better informed about the possibilities

Wayne Pickett

864 North Road
Mount Vernon, ME 04352
(207) 293-4628



Carpenter - Builder

PROPOSAL

To: Bob Bihor
Mill St. Building

JOB NAME/NO.
LOCATION
PHONE

We hereby submit specifications and estimates for:

This building was repaired with new fully cottons to support existing roof. Repaired existing rock wall with poured cement. Poured cement to stabilize base rocks of foundation. Replaced rotted sections of sill. Stripped 5 layers of roofing replaced with rolled boards and rafters. This is not new construction on old building.

Wayne Pickett

 Signature

WE PROPOSE hereby to furnish material and labor — complete in accordance with these specifications, for the sum of: _____ dollars (\$ _____).

Payable as follows:

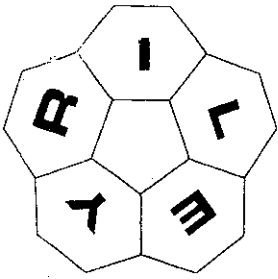
All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature _____

NOTE: This proposal may be withdrawn by us if not accepted within _____ days

ACCEPTANCE OF PROPOSAL — The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____ Date _____ Signature _____ Date _____



RILEY ENGINEERING
P.O. BOX 220, READFIELD, MAINE 04355

45-4333

April 14, 2014

Mr. Robert Bitar
309 Waugan Road
North Monmouth, Maine 04265

Re: Project Stop Work Order

Dear Mr. Bitar:

On April 11, 2014 we met on your property located at #26 Mill Stream Road, Readfield to discuss the "Stop Work" order you received from Town CEO Cliff Buuck. This lot contains a very old single family dwelling that has been vacant for a number of years. During that time, it has fallen into significant disrepair. Last fall you undertook to clean the property, secure and stabilize the structure. You loaded three large dumpsters with trash, abandoned appliances, miscellaneous debris, and rotted construction material that had been removed so you could render the roof weather tight and provide reasonable support to the first floor.

Specific repairs completed last fall include:

- replacement of rotted roof framing and installation of a new metal roof for the main building,
- partial repair of the stone foundation,
- replacement of some rotted joists on both the first and second floors,
- installation of a concrete slab in the cellar with a dozen steel lally column to support the first floor.

To secure the structure from entry by unauthorized individuals, you installed sheets of plywood across former door and window openings and you posted "No Trespassing" signs.

It is my professional opinion that all of the work you have performed to date qualifies as maintenance and was required simply to protect your property from further weather related deterioration.

Additionally, securing the structure against unauthorized entry is your legal obligation to remediate its "attractive nuisance" status and protect the public.

sent: 11 May 2014 6:55 PM

To: rbittar@iqacc.com <rbittar@iqacc.com>

Subject: Fw: BittarBoardofAppeals.050914.docx

FYI

----- Original Message -----

From: Tom Dunham

To: Eugene Murray ; Lisa Hewitt ; Mary Denison ; Peter Bickerman

Cc: Collection Clerk

Sent: Sunday, May 11, 2014 3:48 PM

Subject: Re: BittarBoardofAppeals.050914.docx

Peter,

Thanks for taking the time to write the decision. My only comment is in reference to part 5 in the Findings and Conclusions where the word erection is used implying put up a roof where nothing existed beforehand. I would suggest the words repair or reconstruct would be a more accurate description of the work that was done.

For the record, I would also like to clarify my dissenting vote on the motion to deny the appeal.

1) I agree with my fellow Board members that the building at issue is a "non-conforming structure due to the setback requirements in the LUO.

2) I also agree that the work involved is considered as "reconstruction" as defined in the LUO.

3) These 2 above facts leads to Article 3 Section 4.C in the Ordinance dealing with the reconstruction of a non conforming structure. In my view, Mr. Buuck's arguments, as well as the site visit, failed to show that the structure has been removed or damaged or destroyed by more than 50% of the market value of the structure before such damage. Other than the lack of normal maintenance and repair, a cause of the damage has not been identified. In fact, the structure is and has always been 100% still standing.

My opinion would be that Mr. Bittar has the stronger argument here as the value of the structure is and has always been in the shell of the building and this value has been maintained. It is my view as that much less than 50% of the building has been damaged from the neglect.

It is therefore my opinion that Article 3 Section 4.C(2.) should apply here. This states " 2. Any non-conforming structure which is damaged or destroyed by 50% or less of the market value of the structure, excluding normal maintenance and repair, may be reconstructed in place with a permit from the Code Enforcement Officer."

1 of 2

Having stated the above, I would have supported a motion to direct the CEO to issue a permit to Mr. Bittar for the work he is requesting in order to secure the building.

I also want to say that I have enjoyed working with my fellow Appeals Board members on this matter. I have learned a lot from all of you.

Respectfully Submitted,

Tom A. Dunham

sent: 11 May 2014 6:55 PM

To: rbittar@iqacc.com <rbittar@iqacc.com>

Subject: Fw: BittarBoardofAppeals.050914.docx

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Respectfully Submitted,

Tom A. Dunham

E x 2

Fw: [FWD: zoning change example]

rbittar iqacc.com <rbittar@iqacc.com>

Wed 29/12/2021 8:47 AM

To: rbittar iqacc.com <rbittar@iqacc.com>

From: rbittar@iqacc.com <rbittar@iqacc.com>**Sent:** 03 July 2017 2:36 PM**To:** Eric Dyer <readfield.tmgr@roadrunner.com>**Subject:** RE: [FWD: zoning change example]

Eric,

Thank you for looking through the email.

Stefan and you indicate that my request must be presented to the Select Board. Toward this goal you suggest that I may need a "completed petition". I am unfamiliar with the town petition format etc. Is there a petition that I may use as a point of reference? It seems to me necessary to begin the Planning Board application with the information that would be included in a petition. In that way there would be continuity with the information and format of any request to the select board.

Therefore, following your suggestion, I thought it may be wise to prepare a project application for the Planning Board in the near future.

Do you have a copy of a successfully completed petition?

Thanks again

bob

----- Original Message -----

Subject: RE: [FWD: zoning change example]**From:** "Eric Dyer" <readfield.tmgr@roadrunner.com>**Date:** Mon, July 03, 2017 11:43 am**To:** <rbittar@iqacc.com>

Hi Bob,

Stefan laid out a good roadmap based on past precedent. By following this route you will be better situated to participate in any future regular or special town meetings, if necessary. In order to be placed on a town meeting warrant you will need either a completed petition or the affirmative vote of the majority of the Select Board. The Select Board and public seem to respond best to a linear process where due diligence has been performed at each step along the way. I suggest as Stefan did that you begin the process by submitting a complete project application to the Planning Board.

Be well,

Eric

From: rbittar@iqacc.com [mailto:rbittar@iqacc.com]

Sent: Thursday, June 29, 2017 8:49 PM

To: Town Manager

Subject: [FWD: zoning change example]

Hi Eric,

Below is a copy of the helpful guidance Stefan provided to me. As we discussed in the months following this note, I indicated that I would be following his suggestion. With this information, we are hoping that we may again begin the work required to add my venture-town resource to the efforts this coming summer.

Hopefully very soon we will be able to have a presentable site for town people to visit.

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thanks for speaking with me.

robert

-----_Original_Message_-----

Subject: zoning_change_example

From: "Stefan Pakulski" <readfield.tmgr@roadrunner.com>

Date: Thu, October 31, 2013 10:32 am

To: <rbittar@iqacc.com>

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Good luck!

Stefan Pakulski, Town Manager
Town of Readfield
8 Old Kents Hill Road
Readfield, ME 04355
ph: 207-685-4939
fax: 207-685-3420
cell: 207-242-5437
email: readfield.tmgr@roadrunner.com

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Fw: [FWD: zoning change example]

rbittar iqacc.com <rbittar@iqacc.com>

Wed 29/12/2021 8:42 AM

To: rbittar iqacc.com <rbittar@iqacc.com>

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Sent: 03 July 2017 11:43 AM

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and constraints before making important investment decisions.

It sounds like a good step to look at the residential home option on the property, but I still would recommend reviewing the ideas you've had for much more there with Clif to see what's possible and what could be done to address any constraints. I would be happy to help with this if you would like. You've talked with me about an exciting concept that could be a real asset to the community. I think that deserves a good review and testing in relation to the site conditions and land use ordinance – so that it could be much clearer what the Town might consider doing to help bring the concept to life. The application would only be open to the public after you submit it to the Planning Board. I believe anything up to that point would still be confidential and exploratory.

Please let me know if there's anything more you would like me to do about this.

Stefan Pakulski, Town Manager
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Ex 2

*This example business plan is provided by the Small Business Administration.
Get help starting and running your small business at SBA.gov.*

Safe Space Meeting House

BUSINESS PLAN

**Maine Non-Profit Corporation
Created on August 2020**

Executive Summary

Product MISSION

Product

What we do.\

We support inclusivity, equality, community and the fundamental rights of all human beings. Readfield's **Safe Space – Meeting House [SSMH]** will provide a space for LGBTQ+ other allies to build professional and social connections in the community. Our effort intends to establish a “meet-up Space”. It will be a “Safe” setting in which to share cultural interests, resources, and opportunities with people who share similar interests and concerns.

The target audience

The target audience for is the Readfield community with interests in equality participation of facilities to promote the equality of peoples. That equality extends to the LGBTQ+ community whose members will share a need for a safe space as well as religious, national and cultural minorities their relatives, friends and supporters. We also welcome adults, specifically parents and grandparents who wish to give their children or grandchildren the opportunity to meet in a safe community that is aesthetically pleasing, but also fosters creativity.

Future of the Company

Community centers are not competitive. We believe that there is a place for high-quality, attractive, and affordable places for the people of readfield to meet. Our goal is to build and provide a center that will entertain the Readfield LGBTQ and broader community which will support Readfield Rural, Residential and family interests and stand the test of time.

Many development project remain.

Environmental projects at the stream and the dam to ensure the protection of the natural resources and wetlands

Assist Conservation Committees and Trails committees as they continue to improve the area and community. Work with these groups in the constant process of obtaining funding.

Business Preparation for Membership

There are always the mundane matters of insurance, liability, maintenance of Helen's flower garden, propane supplies, Sprinkler System maintenance etc.

This past year alone, expenses for legal fees, sound proofing, installation of a state Fire Marshal approved sprinkler system cost in excess of \$100,000. We understand the actual SSMH opening process will require a significant additional investment in capital.

There are those who question the financial resolve to support this project for the Readfield community. We are fortunate. We have a dedicated supportive membership eager to provide funding needed for the support of our mission, its facility and our community.

Company Description

Mission Statement

In addition: This meeting house will support

- local rural history at the Mill Stream historic area
- Safe Space Meeting House revenue stream, contributions and income will be used for, but not limited to,
- explore opportunities and activities that engage LGBTQ+ allies. Among them, folk art, crafts, music, local history, cooking, as well as singularly rural skill building building, hunting, fishing,
 - provide items and services needed to maintain the historic property. The town requested and maintains an easement on the property. The easement opens this property for public use. Funding is required to maintain this property due the invitation of public.

2. Parks and Recreation – The Town of Readfield requested and Helen and Robert Bittar granted an easement to a large portion of their land at 26 Mill Stream Road to the town of Readfield. The Town of Readfield integrated SSMH /Bittar lands into the new Town Mill Stream Park and outdoor miles of trails. SSMH must maintain the property at SSMH to accommodate the public use of our property as a part of the Readfield Trail System. Trail use is constant and unmonitored. Consequently the easement property which the Town of Readfield integrated into its town park requires constant care. This Town Park is recreational facility used by many Readfield people. As with all public parks it requires maintenance. Broken bottles and other debris are found there and require regular maintenance.

The town has created a park, and integrated Bittar property within its park. The public is invited to use this land at 26 Mill Stream Road for unscheduled outdoor recreational activity. This park which is open to the general public, includes green strips, open space, seating/picnic grounds, and wildlife and nature preserves. There is no barrier or fence which separates the Town park and trail from the land and property owned by the Bittars. For this reason, it is necessary to create a safe and sanitary adjacent space for children and others who are drawn to the SSMH/ Bittar property. Support of these Readfield Town Park facilities include necessary auxiliary facilities (rest rooms as well as other health, rest and sanitary facilities for women and children). Activities will be used to subsidize the purchase of items needed for the maintenance of land and facilities required by the public use trail/path easement. The close proximity of the meeting house buildings and

its facilities within the unmonitored town activities on our land requires support. The police have suggested installation of online 24 hour communications cameras and security equipment for maintenance and protection. (The buildings have already experienced extensive theft, debris, and vandalism at 26 Mill Stream Road.) Public recreational use of the Readfield Town Trail will require lighting along the path for safety during evening trail use, regular removal of trash, cutting of grass, maintenance of shrubbery, removal of dead trees and dangerous tree limbs.

It is estimated that 26 Mill Stream Road was built on or about 1770. It is the only designated colonial building in Readfield. The planning Board and other town officials have assisted the Union Meeting House. Union Meeting House has been granted an opportunity to create a limited revenue stream to support its activities. SSMH functions are similar. **The Readfield Comprehensive Plan suggests that SSMH work with the Readfield Planning Board and other administrators. They will be requested to facilitate in placing 26 Mill Stream Road on the National Registry of Historic sites. Safe Space Meeting House will follow the example the Union Meeting House.** Our revenue stream will be required to support the open public use of SSMH land and facilities. **The town has created a Town Park on Bittar land.** The Readfield public is invited. They sit on benches, picnic tables. Look at the surrounding beauty. Walk on SSMH land and use its facilities. **It is one of the few destination places on the Readfield Town Trail System.** It is a place where the SSMH Resources are available for water, use and maintenance of toilets, health and sanitary services related to the public town use of our land. Activities will be required to defray the expenses required to maintain the safe and sanitary public use of the town easement.

Board Members

Leah Hayes — President
Dawn Vogel — Vice President business manager
Judy McAlwee — Secretary
John Vogel — web master

Legal Structure

Safe Space Meeting House is a Maine non-profit corporation

Market Research

Industry

Safe Space Meeting House will be a part of the Readfield community social fabric. Currently, there is no community organization dedicated to the needs of Readfield minorities. Community interests of minorities are have no focus in the social fabric of the town. Community centers, while open in their interests and welcoming to all have not understood and have not focused on the minority segment of the population. Their interests and activities are designed to appeal to a traditional craft fairs, events, and other traditional functions.

Covid has introduced an additional gap in the ability to support the Readfield minority community. The town is currently suffering from the economic recession as the community remains isolated. There is a great need to fill the gap for our extended community.

Company Advantages

SSMH has the following advantages compared to competitors:

- Youthful targeted, basic, practical activities designed to appeal to a contemporary diverse audience.
- Safe, non-toxic setting, designed to invite a remote disconnected members and their supporters
- A facility that requires little improvement and designed to open immediately with few requirements for its continued operation.
- All components of this community center facility are constructed with the craftsmanship and safety of all members including disabled. All facilities are ADA compliant and designed to invite all members and children. It is the only community center which is Fire Safe.
- It is a historic landmark and will act to invite the entire community to join in this mission.
- A facility that will be able to support an annual center for activity even into the winter months.
- High-quality, contemporary facility

Regulations

SSMH meets all federal and state regulations codes regulating Construction, ADA compliance and and Fire safety for kitchen use if required. The State permitted and inspected Fire Sprinkler System is designed and installed by a state approved licensed corporation

Services / Activities

Product/Service

- local rural history at the Mill Stream historic area

Safe Space Meeting House revenue stream, contributions and income will be used for, but not limited to,

- explore opportunities and activities that engage LGBTQ+ allies. Among them, folk art, crafts, music, local history, cooking, as well as singularly rural skill building building, hunting, fishing,

Income Structure

SSMH is a non-profit corporation. SSMH will model its revenue structure much like the Union Meeting House. The Union Meeting House has been successful raising funds for its historic renovation. SSMH will continue this same approach. 26 MSR is the oldest building in Readfield and in the surrounding towns. We feel that it would provide a center for those interested in historic restorations. Its income will be derived from donations / contributions of members who attend activities.

Services Appeal Lifecycle

Activities and services will be designed to appeal to members. The ability to effectively serve the community will be the foundation of its ability to receive financial support. Activities may be designed for the community but they will reflect the current and changing needs of the Readfield Rural Residential , minority and LGBTQ+ community.

Research and Development

The company is planning to conduct the following research and development:

- Include a feedback mechanism on the website for ideas, suggestions, and improvements
- Provide comment cards for distribution at all events and fairs
- Review available market research to identify top activities for members of the target community.

Marketing

Rural Residential Appeal

To expand our interest and support within the Rural Residential community, SSMH will do the following:

- Provide historic and holiday celebrations that celebrate this community.
- outreach in local papers announcing activities of importance to the Readfield community target markets, especially in advance of the holidays and other times of importance to the community .

Communicate with the Community

SSMH will communicate with its customers by:

- Providing an email newsletter with company news, activity information, and activity schedule.
- Using targeted Google and Facebook notices of community events.
- Utilizing social media such as Twitter, YouTube, Facebook, LinkedIn, Pinterest and Tumblr.
- Providing contact information on the company website.

Employees and outreach to our target demographic

Like most Readfield non-profits, volunteers will staff and support us during our initial stage of growth. As donations increase, SSMH will look to add an employee to assist with business management, activity monitoring, social media and online outreach. The target demographic for the company will be our minority community, the parents and grandparents of children. The company will increase awareness to our targeted customers through online outreach.

SSMH has actively sought the support and affiliation of other groups who are interested in efforts to support and promote the interests of minority groups in Maine

The Readfield Comprehensive Plan

The Board repudiated its responsibilities defined on page 6 of the Readfield Comprehensive Plan. "Establish a process for municipal officers to learn about preservation of historic and archaeological resources." And on Page 20 "Other Revisions to Land Use Ordinance"

- "1. include sensitive archaeological areas identified by the Maine Historic Preservation Commission in Rural Resource or Resource Protection zones (policy 1.5)*
- 2. require consideration of significant historic and archaeological resources in the review of new developments.*
- 3. In situations, where historic or archaeological resources may be impacted require that the MHPC and Readfield Historical Society be given an opportunity to review and comment on the development early in the permitting process.*
- 4. Consider the development of historic preservation standards to protect the integrity of historic properties."*

And in Comprehensive Plan "Goals and Policies" page 30 – 31 **RCP states that the town "establish a mechanism whereby municipal officials (eg. Code Enforcement Officer, Planning Board, Zoning Board of Appeals) receive training on preservation of historic and archaeological resources."** RCP advises that the town "consider the development of Historic Preservation Ordinance or land use standard to protect historically significant properties. "...It advises that Readfield review (Portland

Landmarks for model language that may be modified to fit Readfield)."

The Planning Board violated the Comp Plan suggestion to protect historical sites through rezoning. Mill Stream Road is the only Readfield area consisting of colonial sites which remain unprotected. Rezoning is necessary in order to establish a designated status for this isolated historic area. RCP suggests that the Planning Board assist in the process identify and list historic properties. 26 Mill Stream is a historic site. As such it may be listed in the **National Register of Historical Places. NRHP listing requires that "the building must be income producing, depreciable and a "certified" historic structure". RCP page 30.** An income producing property was clearly identified as a potential requirement to support a historic structure. The Planning Board rejected its responsibility defined by the RCP. It denied protection to a primary historic Readfield site. In doing so, the Planning Board continued a process of arbitrary decisions concerning the Plaintiff's Property

Basic Goal of the Comprehensive Plan argues against this.

- Mill Stream Road is located in the center of town. It is clearly visible from the primary town road.
- **Mill Stream Road is an isolated dead-end gravel road approximately 1000 feet in length. It is physically separated from the Readfield residential area.** It sits between state road Route 17, a major commercial vehicular artery, and approximately a ¼ mile vacant wetland, stream and woodland. It is **unconnected** to Old Kents Hill Road

and the neighboring residential area. It is not as Defendant states "adjacent to" residential properties.

- The Village zone is adjacent to the residential area and Mill Stream Road. Rural designation rezoning would create no further impact than neighbors residential proximity to the existing Village Zone.
- Defendant repeats the Planning Board assertion Rural rezoning would permit a "wide range of" "non-residential uses). Nevertheless, no lot on Mill Stream Road would be eligible for these uses. Mill Stream Road contains undersized lots. Their stream frontage and/or primarily wetlands make them absolutely unusable for almost any purpose. The exception is one lot which may be qualify for a residential permit. **Any argument citing broad variety of invasive uses is fictional.**
- The Town Comprehensive Plan was declarative. It supports changes in the LUO zoning protect historic sites. It directed town administration and departments to direct and implement a land use change to identify and historic sites when required. Zoning considerations were not violated. Courts have declared that even spot zoning may be permitted by a town if it is appropriate within the context of the community requirements. And, this was not spot zoning.

Fw: [FWD: zoning change example]

rbittar iqacc.com <rbittar@iqacc.com>

Wed 29/12/2021 8:47 AM

To: rbittar iqacc.com <rbittar@iqacc.com>

From: rbittar@iqacc.com <rbittar@iqacc.com>

Sent: 03 July 2017 2:36 PM

To: Eric Dyer <readfield.tmgr@roadrunner.com>

Subject: RE: [FWD: zoning change example]

Eric,

Thank you for looking through the email.

Stefan and you indicate that my request must be presented to the Select Board. Toward this goal you suggest that I may need a 'completed petition'. I am unfamiliar with the town petition format etc. Is there a petition that I may use as a point of reference? It seems to me necessary to begin the Planning Board application with the information that would be included in a petition. In that way there would be continuity with the information and format of any request to the select board.

Therefore, following your suggestion, I thought it may be wise to prepare a project application for the Planning Board in the near future.

Do you have a copy of a successfully completed petition?

Thanks again

bob

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Date: Mon, July 03, 2017 11:43 am

To: <rbittar@iqacc.com>

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Sent: Thursday, June 29, 2017 8:49 PM

To: Town Manager

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Ex 5

Exhibits 17. Police Report

Incident Report

00197
 Page: 1
 10/10/2018

Incident #: 18KSO-321-OF
 Call #: 18-7977

Date/Time Reported: 04/17/2018 1337
 Report Date/Time: 04/18/2018 0837
 Status: Incident Investigation Suspended
 Reason Suspended: No more leads

Reporting Officer: Deputy William Kulakowski
 Approving Officer: Sergeant Galen Estes

Signature:

Signature:

LOCATION TYPE: RESIDENCE/HOME/APT./CONDO Zone: READFIELD
 26 MILL STREAM P. READFIELD ME 04355
 26 MILL STREAM P. READFIELD ME 04355

ATTEMPTED	TYPE	CLASS
N	D	Misdemeanor D
1	CRIMINAL MISCHIEF 495F	17-A 806.1.A OCCURRED: 04/17/2018 1337

PERSON TYPE: VICTIM

SEX	RACE	AGE	SSN	PHONE
M	W	77	NOT AVAIL	
1	BINGER, ROBERT L			
	307 WINGAN RD			
	ME 04355			
	DOB: 06/17/1941			
	ETHNICITY: Not of Hispanic Origin			
	RESIDENCE STATUS: Non Resident			
	VICTIM CONNECTED TO OFFENSE NUMBER(S): 1			

PERSON TYPE: WITNESS

SEX	RACE	AGE	SSN	PHONE
F	W	66	*****	
1	HARRIS, BONNIE C			
	25 WENTWORTH RD			
	READFIELD ME 04355			
	DOB: 04/19/1952			

Ex 6

April 25, 2021

Mr. Clifford Buuck, CEO
Town Office Readfield

Dear Mr. Buuck,

I no longer have a copy the SSMH application submitted to the Readfield Planning Board August 25, 2020. The town has the original. Please send a copy of the original application to our legal representative Mr. Jed Davis at Mitchell and Davis in Augusta.

Since I no longer have a copy of the original SSMH application, the Mitchell and Davis law office prepared an application which was intended as my legal notification to your office to begin the Planning Board review of the original August 25 2020 SSMH application. That **March notice from my attorney** did not replace the original August 25, 2020 application. It was intended to begin the process of the SSMH application from the Town Office to the Planning Board for their review.

In October 2020, SSMH appealed to the Readfield Board of Appeals concerning the claim of discrimination against SSMH and its LGBTQ mission. The town CEO rejected the SSMH application to the Planning Board. He requested no information and claimed it was "incomplete" and denied it as invalid.

The SSMH appeal was reviewed by Chair of the Readfield Board of Appeals, Mr. Bickerman, his decision is attached.

"The CEO shall make a **preliminary determination** of whether or not an application for **site review is complete, but the Planning Board has the authority to make the final decision concerning completeness.**" Mr. Bickerman advised the town office to submit our application to the Planning Board to resolve outstanding issues.

After 8 months, the Town of Readfield has not followed legal directives of Mr. Bickerman, Appeals Board Chairman. The town delayed to submit the SSMH application permit to the Planning Board while at the same time, a new town ordinance was written to declare the SSMH use of the Mill Stream Road property as illegal.

Documents you requested were submitted to other CEOs, approved and filed in the town office. Duplicates are attached. All questions you ask were answered and are attached to this mailing.

The SSMH Application is dated August 25, 2020 - 8 months ago. Please deliver the SSMH application to the Planning Board for consideration at their next meeting.

The Town proposes a June 8 vote to approve a new town law that declares Mill Stream Road no longer a legal place for our Community Center. We hope to speak with members of the Planning Board concerning the SSMH application as soon as possible.

Thank you,

Alex Twarog
SSMH President

x6

Ex 6

----- Original Message -----

Subject: talk with Clif today

From: "Stefan Pakulski" <readfield.tmgr@roadrunner.com>

Date: Thu, December 05, 2013 1:51 pm

To: <rbittar@igacc.com>

Bob,

I met with Clif to go over your concerns. He's going through them and will respond to each specifically. We talked about the rights of any property owner to repair and secure property, and the regulations the community has voted to put in place and enforce legally – but not arbitrarily or punitively. Everyone deserves equal treatment and protection here under Town regulations and ordinances. You deserve and shall receive nothing but courteous, professional service from all Town employees as long as I work here, and hopefully ever after too.

There might have been some confusion about what is possible to do on your property without a permit. The work seems to be above the \$2000 value threshold that requires the permitting process for any project (repairs or new construction). But Clif says you should be able to repair your roof now, and I think you could talk with him about that (although the stop work order did say to stop all work). The steps you listed below to secure the building now sound appropriate to me, but I encourage you to talk more with Clif about the roof if it's not complete yet.

We acknowledged, as Paula Clark has too, that you could ask the Board of Appeals to consider rescinding the stop work order.

I know you don't think you're anywhere close to applying for a permit because you don't know yet what the details would be. Clif would be happy to work with you on developing an application, and helping to determine what would be possible and what would take a possible waiver of certain requirements or even a zoning change – and how to accomplish that. Our purpose here isn't to stand in the way of any projects, but to help applicants find ways to make their proposals work within the Town's framework, and hopefully to help applicants become better informed about the possibilities

and constraints before making important investment decisions.

It sounds like a good step to look at the residential home option on the property, but I still would recommend reviewing the ideas you've had for much more there with Clif to see what's possible and what could be done to address any constraints. I would be happy to help with this if you would like. You've talked with me about an exciting concept that could be a real asset to the community. I think that deserves a good review and testing in relation to the site conditions and land use ordinance – so that it could be much clearer what the Town might consider doing to help bring the concept to life. The application would only be open to the public after you submit it to the Planning Board. I believe anything up to that point would still be confidential and exploratory.

Please let me know if there's anything more you would like me to do about this.

Stefan Pakulski, Town Manager
Town of Readfield
8 Old Kents Hill Road
Readfield, ME 04355
ph: 207-685-4939
fax: 207-685-3420
cell: 207-242-5437
email: readfield.tmgr@roadrunner.com

This electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it, may be considered public records, and may therefore be subject to public record requests for review and copying under Maine's Right to Know Law (Title 1, §401-§521 of the Maine Revised Statutes).

Wayne Pickett



Carpenter - Builder

864 North Road
Mount Vernon, ME 04352
(207) 293-4628

PROPOSAL

To: Bob Bickor
Mill St. Building

JOB NAME NO _____

LOCATION _____

PHONE _____

We hereby submit specifications and estimates for:

This building was repaired properly. Replaced new lally columns to support existing floor joists. Repaired existing rock wall with poured cement. Poured concrete to stabilize base rocks of foundation. Replaced rotted sections of sill plates. Stripped 5 bays of roofing, replaced with rolled boards and rafters. This is not new construction on old building.

Wayne Pickett

WE PROPOSE hereby to furnish material and labor — complete in accordance with these specifications, for the sum of _____ dollars (\$_____).

Payable as follows:

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature _____

NOTE: This proposal may be withdrawn by us if not accepted within _____ days.

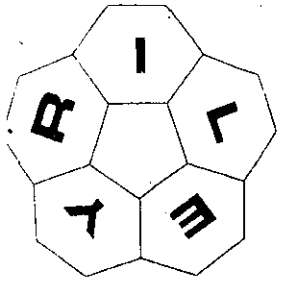
ACCEPTANCE OF PROPOSAL — The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Date _____

Signature _____

Date _____



RILEY ENGINEERING
P.O. BOX 220, READFIELD, MAINE 04355

035-4333

April 14, 2014

Mr. Robert Bitar
309 Waugan Road
North Monmouth, Maine 04265

Re: Project Stop Work Order

Dear Mr. Bitar:

On April 11, 2014 we met on your property located at #26 Mill Stream Road, Readfield to discuss the "Stop Work" order you received from Town CEO Cliff Buuck. This lot contains a very old single family dwelling that has been vacant for a number of years. During that time, it has fallen into significant disrepair. Last fall you undertook to clean the property, secure and stabilize the structure. You loaded three large dumpsters with trash, abandoned appliances, miscellaneous debris, and rotted construction material that had been removed so you could render the roof weather tight and provide reasonable support to the first floor.

Specific repairs completed last fall include:

- replacement of rotted roof framing and installation of a new metal roof on the main building,
- partial repair of the stone foundation,
- replacement of some rotted joists on both the first and second floors,
- installation of a concrete slab in the cellar with a dozen steel lally columns to support the first floor.

To secure the structure from entry by unauthorized individuals, you installed sheets of plywood across former door and window openings and you posted "No Trespassing" signs.

It is my professional opinion that all of the work you have performed to date qualifies as maintenance and was required simply to protect your property from further weather related deterioration.

Additionally, securing the structure against unauthorized entry is your legal obligation to remediate its "attractive nuisance" status and protect the public.

To: rbittar@iqacc.com <rbittar@iqacc.com>

Subject: Fw: BittarBoardofAppeals.050914.docx

FYI

----- Original Message -----

From: Tom Dunham

To: Eugene Murray ; Lisa Hewitt ; Mary Denison ; Peter Bickerman

Cc: Collection Clerk

Sent: Sunday, May 11, 2014 3:48 PM

Subject: Re: BittarBoardofAppeals.050914.docx

Peter,

Thanks for taking the time to write the decision. My only comment is in reference to part 5 in the Findings and Conclusions where the word erection is used implying put up a roof where nothing existed beforehand. I would suggest the words repair or reconstruct would be a more accurate description of the work that was done.

For the record, I would also like to clarify my dissenting vote on the motion to deny the appeal.

1) I agree with my fellow Board members that the building at issue is a "non-conforming structure due to the setback requirements in the LUO.

2) I also agree that the work involved is considered as "reconstruction" as defined in the LUO.

3) These 2 above facts leads to Article 3 Section 4.C in the Ordinance dealing with the reconstruction of a non conforming structure. In my view, Mr. Buuck's arguments, as well as the site visit, failed to show that the structure has been removed or damaged or destroyed by more than 50% of the market value of the structure before such damage. Other than the lack of normal maintenance and repair, a cause of the damage has not been identified. In fact, the structure is and has always been 100% still standing.

My opinion would be that Mr. Bittar has the stronger argument here as the value of the structure is and has always been in the shell of the building and this value has been maintained. It is my view as that much less than 50% of the building has been damaged from the neglect.

It is therefore my opinion that Article 3 Section 4.C(2.) should apply here. This states " 2. Any non-conforming structure which is damaged or destroyed by 50% or less of the market value of the structure, excluding normal maintenance and repair, may be reconstructed in place with a permit from the Code Enforcement Officer."

1 of 2

Having stated the above, I would have supported a motion to direct the CEO to issue a permit to Mr. Bittar for the work he is requesting in order to secure the building.

I also want to say that I have enjoyed working with my fellow Appeals Board members on this matter. I have learned a lot from all of you.

Respectfully Submitted,

Tom A. Dunham

To: rbittar@iqacc.com <rbittar@iqacc.com>

Subject: Fw: BittarBoardofAppeals.050914.docx

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Respectfully Submitted,

Tom A. Dunham

Ex 7

CONSTITUTION OF THE STATE OF MAINE

Article I.

Declaration of Rights.

Section 4. Freedom of speech and publication; libel; truth given in evidence; jury determines law and fact.

Every citizen may freely speak, write and publish sentiments on any subject, being responsible for the abuse of this liberty; no laws shall be passed regulating or restraining the freedom of the press; and in prosecutions for any publication.

Violation - The Defendant used fiction and rumor as substitute for substantial evidence of alleged crimes or criminality by SSMH-LGBTQ members. Defendant provides no verifiable substantial evidence to support his claims. TM Dyer/Select Board Consent Order states that any letter written by Bittar critical of town government or its administrators will be subject to fines.

Section 6-A. Discrimination against persons prohibited.

No person shall be denied the equal protection of the laws, nor be denied the enjoyment of that person's civil rights or be discriminated against in the exercise thereof.

Violation - - Defendant Boards discriminated against the Plaintiff by denying equal rights according to the LUO law which is enjoyed by all residents.

Section 21. Private property, when to be taken.

Violation - Private property shall not be taken for public uses without just compensation; nor unless the public exigencies require it. The Town Easements constitute an illegal taking of the Plaintiff's property. The property was given to the town in good faith under the belief that the Property would be granted a permit as a community center. Town Manager Eric Dyer was engaged in the planning for the Property development as part of the Village District. The Village District was a decision of TM Dyer and his CEO Quintal. The town requested a large easement for almost all the walkable land which led along a scenic trail to a highland Plateau which was historic and exceptionally beautiful. The easement gave almost all land available for family use for public walking trail for the town. The easement was extensive and removed any opportunity for development of the property as a Single Family Home.

Section 9. punishments .

Violation - all penalties and punishments shall be proportioned to the offense; The Defendant issued a Order to Vacate and a Consent Order which were excessive intended to deny all occupancy of his property for the past four years.

ECO



STATE OF MAINE DEPARTMENT OF PUBLIC SAFETY
OFFICE OF STATE FIRE MARSHAL
45 COMMERCE DR, STE 1
AUGUSTA, ME 04333-0001

Construction Permit

No. 27319

In accordance with the provisions of M.R.S.A. Title 25, Chapter 317, Sec.317 and Title 5, Section 4594-F, permission is hereby granted to construct or alter the following referenced building according to the plans hitherto filed with the Commissioner and now approved. No departure from application form/plans shall be made without prior approval in writing. Nothing herein shall excuse the holder of this permit for failure to comply with local ordinances, zoning laws, or other pertinent legal restrictions.

Each permit issued shall be displayed at the site of construction.

Building: 26 MILL STREAM ROAD
Location: 26 MILL STREAM RD, READFIELD, ME 04355-4154
Owner: ROBERT BITTAR
Owner Address: ROBERT BITTAR
309 WAUGAN RD
NORTH MONMOUTH, ME 04265-6304

Occupancy Type: Assembly Class <300
Secondary Use:
Use Layout: Single Use
Sprinkler System
No Fire Alarm System
Barrier Free
Construction Mode: New Building
Unprotected Wood Frame: Type V (000)
Final Number of Stories: 1

Permit Date: 10/15/2020 **Expiration Date:** 04/14/2021

Notes and additional requirements:
The issuance of this permit does not constitute agreement on the type of sprinkler system to be installed. That shall be determined by the sprinkler division upon submittal of the design and design criteria as required for sprinkler permitting by the contractor and sprinkler RMS. As indicated within the statement of deficiencies, the request for a Maine Life Safety System is not granted with this permit. A performance based design shall be submitted at the time of permitting for the required sprinkler system with the sprinkler division.

COMMISSIONER OF PUBLIC SAFETY

Copy 1 - Owner



State of Maine
Department of Public Safety



Fire Sprinkler System Permit

FSP15729

26 MILL STREAM

Located at: 26 MILL STREAM RD
In the Town of: READFIELD
Occupancy/Use: Assembly Class <300
Type of System: Maine Life Safety
Add'l Requirements: All control valves and waterflow devices to be supervised

Permission is hereby given to:

FREEDOM FIRE PROTECTION, INC.

Contractor License # FSC295

to begin installation according to plans submittal approved by the Office of State Fire Marshal. No departure from the application submittal shall be made without prior approval in writing. This permit is issued under the provisions of Title 32, Chapter 20, Section 1337. Nothing herein shall excuse the holder of this permit from failure to comply with local ordinances, zoning laws, or other pertinent legal restrictions. This permit shall be displayed at the construction site or be made readily available.

Permit issued 11/23/2020

Permit expires at midnight on 05/22/2021

The expiration date applies only if the installation has not begun by that date and no permission has been granted to extend the date. Once installation begins, then the permit is valid as long as work is continuous.

Michael Sauschuck
Commissioner Of Public Safety

The type of Fire Department Connection and its location is to be according to the Local Fire Department.

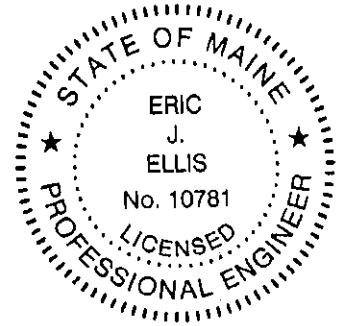
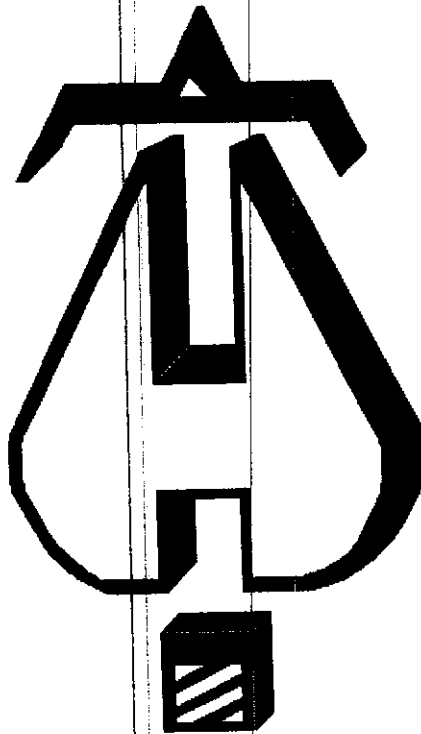
Within 30 days of the completion of a new fire sprinkler system or an addition to an existing fire sprinkler system, a sprinkler system contractor shall provide to the commissioner a copy of the permit signed by the certified responsible managing supervisor representing that the fire sprinkler system has been installed according to specifications of the approved plan.

Inspection Dates: _____

Job completed, tested and verified by date of _____

RMS for this job: Vess Timothy L.

RMS Signature _____



11-10-20

Eric J. Ellis

Hydraulic calculations using HydraCALC

FREEDOM FIRE PROTECTION, INC.
77 BROWN ROAD
POLAND, MAINE 04274
207.998.9474

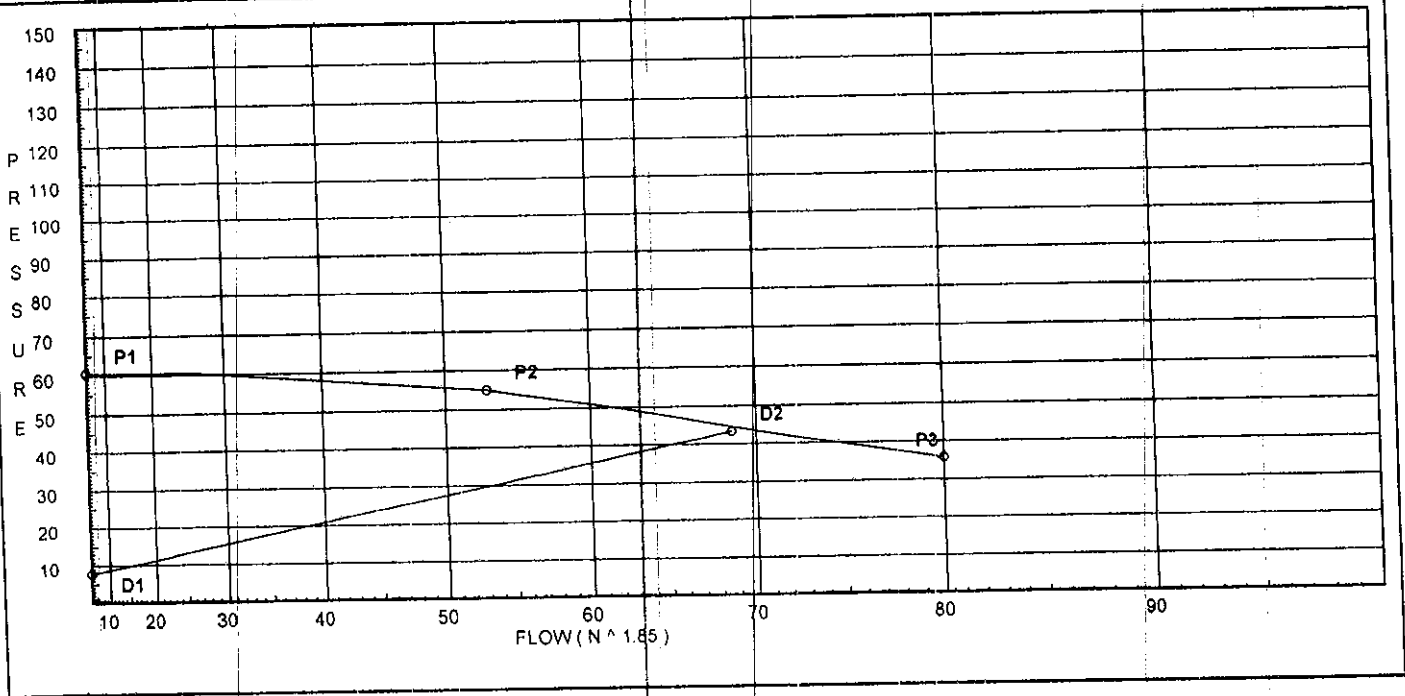
Job Name : 26 MILL STREAM ROAD
Drawing : FP 2
Location : 26 MILL STREAM ROAD - READFIELD, ME 04355
Remote Area : 2
Contract :
Data File : 26 Mill Stream OH.WXF

Water Supply Curve C

FREEDOM FIRE PROTECTION, INC.
26 MILL STREAM ROAD

Pump Data:	
P1 - Pump Churn Pressure	: 60.5
P2 - Pump Rated Pressure	: 55
P2 - Pump Rated Flow	: 53
P3 - Pump Pressure @ Max Flow	: 35.75
P3 - Pump Max Flow	: 80

Demand:	
D1 - Elevation	: 7.796
D2 - System Flow	: 68.626
D2 - System Pressure	: 43.358
Hose (Demand)	
D3 - System Demand	: 68.626
Safety Margin	: 1.284





STATE OF MAINE - DEPARTMENT OF PUBLIC SAFETY
 OFFICE OF STATE FIRE MARSHAL
 45 COMMERCE DR STE 1
 AUGUSTA, ME 04333-0001

Construction Permit

No. 27319

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Location: 26 MILL STREAM RD, READFIELD, ME 04355-4154
Owner: ROBERT BITTAR
Owner Address: ROBERT BITTAR
 309 WAUGAN RD
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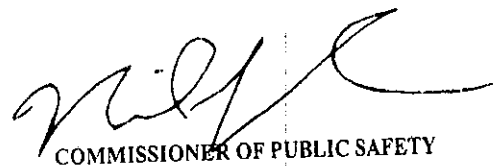
Occupancy Type: Assembly Class <300
 Secondary Use:
 Use Layout: Single Use
 Sprinkler System
 No Fire Alarm System
 Barrier Free
 Construction Mode: New Building
 Unprotected Wood Frame: Type V (000)
 Final Number of Stories: 1

Permit Date: 10/15/2020

Expiration Date: 04/14/2021

Notes and additional requirements:

The issuance of this permit does not constitute agreement on the type of sprinkler system to be installed. That shall be determined by the sprinkler division upon submittal of the design and design criteria as required for sprinkler permitting by the contractor and sprinkler RMS. As indicated within the statement of deficiencies, the request for a Maine Life Safety System is not granted with this permit. A performance based design shall be submitted at the time of permitting for the required sprinkler system with the sprinkler division.


 COMMISSIONER OF PUBLIC SAFETY

J/M SUPERIOR SERVICES, INC.

P.O. Box 144 • 2214A US Route 1 • ME 04364
Tel: (207) 395-5650 Email: sales@jmsuperiorservices.com

FIRE SYSTEM INSPECTION REPORT

Customer 26 Mill Stream Road
Site Address 26 Mill Stream Road Readfield ME
Mailing Address _____
Contact _____ Phone 501-397-4335

INSPECTION:

Appliance Line-Up L to R 1st Floor x 2 burner Range

System installed as per mfg UL listing: Yes No

System type & cylinder sizes Propane 1 300

Manufacture or hydrotest date 2019 expired through 2026 until Hydrotest needed

Is system connected to building fire alarm: Yes No

Cylinder Locations Under Hood Control Location Tank Mounted

Cylinder Condition: Good Dirty Rusty Proper Pressure: Yes No

Cylinder securely mounted: Yes No

Actuation cartridges weighed or replaced: Yes No

Gas valve shut off type: Mechanical Electric

Remote pull station: Yes No If yes, excess cable length 6"

Corner pulleys & dust covers in place on all control lines: Yes No

EMT conduit clear & free of grease build-up: Yes No Cleaned Replaced

Piping & nozzles clear and operational with proper caps/seals: Yes No

Piping properly bracketed & secure/tight: Yes No

Nozzles proper type and correctly aimed: Yes No

Number of nozzles: Appliances 4 Duct 1 Plenum 1

Total number of links: Size 360 2 450 2 500 1 Detectors 4 Other _____

Exhaust fan working: Yes No If no, cause _____

FINAL CHECK:

System reset operational with safety lockout removed: Yes No

Properly tagged: Cylinder _____ Remote pull

K-Extinguisher present for each hood: Yes No

FAILED system Red-Tagged / Out of compliance _____

Comments Manufactured Hood

Technician Paul Anthony P. Smith Date 9/1/2020

Service Reviewed By 2020 Date 9/1/2020



TOWN OF READFIELD - Town Manager

8 OLD KENTS HILL ROAD, READFIELD, MAINE 04355
Office (207) 685-4939 • Cell (207) 242-5437
Email: manager@readfieldmaine.org

December 23, 2020

Alex Twarog
1925 Main St.
Fayette, ME 04349

Dear Alex,

Thank you for meeting with me to discuss the Safe Space Meeting House on November 17th. I apologize that it has taken so long for me to get back to you with this letter. During our meeting you shared some of your ideas and vision for the SSMH and asked that I clarify some of the process and information requests from the Town of Readfield. I will do my best and will say again as I did in our meeting that my involvement is as a facilitator and that my perspectives and opinions do not represent those of the Select Board, Planning Board, Code Enforcement Officer, or other town boards or officials. I have a good understanding of the process and want to assist you in developing a workable solution following your initial Planning Board application, and the subsequent finding of incompleteness and request to the Board of Appeals. You asked that I be honest and transparent and so I will again commit to that recognizing that some of my opinions and ideas may not always be what you want to hear. I will also say again that I appreciate and support the idea of a safe space in Readfield and want to help you find a way to realize your vision, not just legally or in the context of codes and zoning, but in a way that is sustainable and likely to find lasting success in the town.

Here are some of the things I heard from you at our meeting:

- You want to create a place in Readfield that improves and strengthens our community, and is an asset and resource for the community.
- You want to offer a safe space for members of the LGBTQ+ community and their allies to meet and support each other.
- You want to offer support to children, families, and individuals broadly, but particularly those in the LGBTQ+ community and their allies.
- You would like to host/provide art groups and classes.
- You would like to host/provide music, theatre, readings, and other performances.
- You would like to host/provide group meetings and support sessions.
- You would like to host/provide wellness classes and services like yoga.
- You would like to host/provide fundraisers (which may include some of the above activities) to support the organization and its mission, and to maintain the buildings and property at Mill Stream.
- You want to better understand the planning process and the requests and requirements presented by the Town.

In our meeting I identified two separate but related concerns regarding the building you are currently leasing and the mission and vision of the SSMH as a non-profit entity. Your bylaws, initial Planning Board application, and request to the Board of Appeals appear to fuse the two and tie them very closely together. This linkage makes the situation a bit more challenging, but still approachable. If the SSMH is tied to the Mill Stream property we will need to spend a lot of time developing a proposal that fits with the zoning, addresses your goals, and is likely to find success with the Planning Board. Mr. Bittar, or you as the tenant, will also need to make a substantial effort to address these concerns in order to occupy the property.

I feel the best approach is to look at the SSMH and Mill Stream property independently because the idea of a safe space for the LGBTQ+ community in Readfield seems bigger than a single point on the map, particularly one with a long history of code violations and litigation with the Town of Readfield. I know from speaking with you that is not your intent but it holds true for the property you are now leasing and its current owner. Time and again Mr. Bittar has misled the Planning Board, Code Enforcement Officer, and the public while manipulating the planning process and legal system in a protracted attempt to develop the property into a concert venue, entertainment center, or cultural center. This has proven legally problematic for Mr. Bittar as these uses are not permitted in the zone, but also calls into question the viability of the SSMH at the Mill Stream property given the similarity of a number of the proposed activities to those promoted by Mr. Bittar. I believe you will likely have a better chance of realizing the many commendable goals and ideas you outlined to me during our discussion by housing your organization in a building or property that is less fraught and properly zoned for your intended use, more suitable in its construction and better able to meet your needs, more oriented toward bringing the community together than dividing it. The Mill Stream property is the most divisive in Readfield and has been for several years.

You may also wish to amend your bylaws to less closely link your mission and the property at Mill Stream because it puts your organizational objectives in a fairly small box. Alternatively you could amend your bylaws to be less explicit in promoting activities that conflict with allowable land uses at the Mill Street property. These are my honest opinions and first recommendations given the current situation. I hope they are viewed as recommendations intended to support the creation of a safe space for the LGBTQ+ community and their allies in Readfield. That said, I will go through some of the things that have been done, likely can't be done, and likely can be done at the Mill Stream property as it does appear this is the intended home for the SSMH.

The property at Mill Stream is quite tangled up, both functionally and legally. It lacks an Occupancy Permit which was revoked due to misrepresentation and illegal use of the property by Mr. Bittar. This matter went before the Readfield Board of Appeals and then the Maine Superior Court for our district. The revocation was upheld by both entities and was not appealed to the Maine Supreme Court and therefore remains in effect. An Occupancy Permit is required for any use of the building and regaining one will require a consent agreement to ensure the physical structure and its intended uses remain in compliance with the Land Use Ordinance. This was expressed in multiple letters to Mr. Bittar which I have attached for your reference and perspective. The Town has an obligation to prevent illegal uses in the future given past violations. This is why changes are required to the building and why careful scrutiny needs to be given to any proposed use of the property.

The buildings at Mill Stream are designed and constructed partially to residential building code and partially to commercial code. This means they are not particularly well suited to either use. This is supported by a recent Tax Abatement request made by Mr. Bittar in which he stated that the construction of the building is sub-standard. The buildings are also not designed or able to support year-round use without costly renovations of exorbitant heating costs. This is also noted by Mr.

Bittar in his abatement request, which I have attached for reference. Mr. Bittar renovated the Mill Stream buildings for large assembly, entertainment, and bar or restaurant purposes, but these uses are not permitted in the Rural Residential zone. Zoning is simply the collection of uses and activities that are either allowed or not allowed on a particular piece of land. In areas where a certain use is not specifically called out or identified then the Code Enforcement Officer or Planning Board make their best reasonable interpretation based on the purpose of the zone and the uses and activities that are specifically called out. The Rural Residential zone that covers Mill Stream and most adjacent properties has a list of these uses. You will want to carefully review this list along with the definition of each zone and its intended purpose as detailed in the Land Use Ordinance. I am happy to do this with you in completing your Planning Board application, if you would find that helpful. I hope this is one of our first next-steps.

I noted earlier that the buildings and property at Mill Stream were recently proposed by Mr. Bittar as the site of a variety of incompatible activities in the zone. He submitted an application for a "Community Center / Club" with many of the same functional characteristics as you've identified with the SSMH. This use was rejected by the Planning Board for a number of reasons and I would expect the same result if similar uses and characteristics are suggested for the SSMH. It would be good for you to review the Planning Board's decision (attached) in order to avoid the same issues. If your application proposes similar uses to those involved in the previously denied permit, the Planning Board is likely to apply additional scrutiny. This is one reason why more, and more detailed, explanations of how you intend to use the property were requested from the Code Enforcement Officer. It's important for you to demonstrate that this isn't just a different riff on the same project, particularly given your personal and professional relationship with Mr. Bittar and his active involvement with the SSMH to date.

I want to point out that it is not the person or entity occupying the property that makes the difference here; it's the use of the property relative to the zone in which it exists. For example, being a non-profit does not supersede the prohibition on indoor theater activities in the Rural Residential zone. The use is not allowed regardless of whether it is for non-profit fundraising purposes or for a business purpose. One of the underlying provisions of the Rural Residential Zone is that commercial activities be "severely limited." This could include fundraising activities because it is not important who is conducting the revenue generating activity, or why, but rather is the nature of the activity and its impacts on the neighborhood and public infrastructure. My understanding is that indoor theatre and other revenue generating activities were intentionally excluded from the Rural Residential zone because of traffic, noise, and other concerns that might interfere with the quiet enjoyment of these areas. My intent here is to give an example of how zoning works, and perhaps why it exists, to help you understand the process better. With these points I've touched on a few things that would be challenging for the SSMH to pursue at the Mill Stream property on anything but a small scale, so I'll continue and discuss a few more and try to be as specific as possible, as you've requested.

Below is a list of activities and uses that I believe are not likely to be realized at the Mill Stream Property or would cause additional scrutiny in your application to the Planning Board and possibly a rejection of your proposal. I'll try to continue adding more background and explanation as I go

- Advertising, promoting, or hosting any large gatherings or events, particularly if they are advertised and open to any member of the public, and/or if attendees pay to attend. Such gatherings are not compatible with the rural residential purpose of the zone, in keeping with the limited nature of allowable uses.
- Advertising, promoting, or hosting indoor theatre events like concerts, performances, recitals, readings, etc, particularly if they are advertised and open to any member of the

public, and/or if attendees pay to attend. Indoor these activities are not allowed in the Rural Residential zone.

- Advertising, promoting, or hosting commercial or business-like activities such as fee-based classes, catered events, and so on
- Advertising, promoting, or hosting "BYOB" events, "House Concerts, or "House Parties" which contributed to the Occupancy Permit revocation for the property and not compatible with the rural residential purpose of the zone.
- Any selling of food or beverages (restaurants and bars are prohibited in this zone).

The above list is not, and should not be considered to be exhaustive. The best way to work through this is to compare the activities and uses you want with the activities and uses that are allowed or not allowed in the zone or are similar to those uses. Again, there are many things that are not specifically called out. If you want to propose an activity that may fall within this list but that you feel will be so limited in nature that it should not create concern, you may certainly describe that in your application and the Planning Board may be willing to approve the application with conditions to ensure that the use stays limited as described.

You have mentioned the similarities between the Union Meeting House and the SSMH in your SSMH documents and in our discussion. While there are many similarities, more perhaps than you may be aware, the fundamental differences are that the UMH is in a different zone with different allowable uses and has existed as a meeting house for well over a century. Both of these points are important. If the UMH were to significantly change or expand what they do with their property they would need to answer questions about their building capacity, safety, parking, neighborhood impacts, and so on. Again, with any proposed uses or impacts being compared to the zone they are in. That being said I don't believe the UMH should be seen as a competitor or "favored" organization. They are just located in a better spot for their property uses than the proposed location for the SSMH. I believe they could be a partner and supporter of the SSMH vision if given the opportunity. As I understand it the UMH was formed as an inter-faith institution to provide a meeting place in Readfield when the individual congregations could not afford their own buildings. I believe they are now non-denominational. While I know they do offer a membership option, I am not aware of any limits to membership other than the fee. A good contact for the organization is Jim Tukey - jimtukey@gmail.com. Please let me know if you'd like me to offer an introduction or arrange a meeting. In full disclosure I volunteered to help the UMH rebuild their website a few years ago.

Continuing on with the zoning discussion, an attempt was recently made by Mr. Bittar to reclassify the zoning of the Mill Stream property and a few adjacent parcels to one that would allow concerts, entertainment, bars and restaurants, cultural centers, commercial activity, and the like. Without getting into the details of the process, this attempt was found to be illegal by the Readfield Select Board and the Maine Superior Court for our district. The case was lost by Mr. Bittar and not appealed to the Maine Supreme Court. I've attached the court decision for reference, which also addresses Mr. Bittar's occupancy revocation and claims of harassment. The zoning of the property is a settled matter in my view and so any plans will have to be in alignment with the Rural Residential zone limitations as noted earlier.

Another issue that should be considered is the sprinkler system for which a permit was recently requested by Mr. Bittar. It is designed for an assembly size of nearly 200 occupants that far exceeds what would likely be deemed reasonable for the zone. The permit that was issued specifically mentioned the incompatibility of the system design with local land use. A copy of this permit is attached. While I cannot dictate what is done with the property, my advice is that you and/or Mr. Bittar not install the sprinkler system as it only adds to the difficulty in granting an occupancy

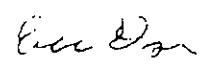
what some elements of the process could be. As I said before, I'm willing to help work through this with you.

One of the best ways to reduce the length and complexity of this process is to have Mr. Bitar secure a consent agreement for the property before the SSMH proposal gets to the Planning Board. Given his cooperation this could be done while the full scope of the SSMH proposal and Planning Board application are being developed. If this doesn't happen then you run the risk of having an approved use but no ability to make it happen because issues with the property have not been addressed.

I'll conclude by saying that I look forward to working with you on this, if you would like that to continue. I am excited about the vision and mission of the SSMH as it relates to the Readfield community and the LGBTQ+ community and their allies. I appreciate the community members who helped to get our discussion started and seek a better path than the ones taken in the past. I want to help you find a legal use of the property at Mill Stream if you're not able to find a better location.

Please do reach out with any questions or to get started in earnest.

Sincerely,



Eric Dyer
Readfield Town Manager

EX 11

PB Website - Time line of Errors, False Headlines, Incomplete Info

SSMH Time line

Illustrates the lies and manipulation with incomplete information that says just enough to suggest a crime.

This is what you have in an Elementary School when bullies lie about a small piece of information to destroy a girls' character and reputation.

When you enter the PB Website, you are linked to the SSMH Time line with incomplete or untrue statements. These must be reviewed during the Trial of Facts: But for the present let us just look at the August 25 PB SSMH Application

=====

9/24 Rejected. CEO statement that the application is rejected by the CEO because it is "similar to a previously rejected PB application". The "similar" "rejected" application was submitted in 2018 by Bittar. The PB notes taken during the meeting state that it was rejected because PB Members did not believe that Bittar would operate the corporation legally as a non-profit but would create a business.

9/28 SSMH responds to the rejected application with the submission of additional requested information,. TM Dyer says "not all that was requested". AND SSMH WAITED AND WAITED FOR A REPLY. The CEO did not reply to the additional SSMH information document stating its non- profit corporate status.

10/21 SSMH Appeal based on Discrimination.

And the PB Website states that on 10/22 CEO clarifies his request for information. But SSMH did not receive a request for information.

11/2 Board of Appeals Chair reminds TM and CEO the Official Scope of their duties concerning a PB application – CHECK for application completeness. Then send it to the PB. BUT TM Dyer's interpretation of Bickerman's instructions "SSMH must work with the CEO". "the PB is only the "final review body". He promoted himself to Planning Board Gatekeeper. TM Dyer fires the CEO then assumes his position to "suggest work with SSMH". TM Dyer hires CEO Buuck to return as CEO and "work with SSMH". It is not a surprise that Mr. Buuck returned to devote himself to the SSMH application. His historic opposition is well documented by Stefan Pakulski in 2013 during his Stop Work Order which threatened the survival of Readfield's only Colonial building. But it continued into 2021. His letters to the Planning Board document his opposition. TM Dyer needed a CEO he could trust in this effort to deny a permit to SSMH. Mr. Buuck had 20 years CEO experience.

11/17 TM Dyer goes outside the law and "meets in person with SSMH to discuss "clarification and options". But we quickly see that his options include creating a new law that will make a community center illegal.

12/3 Cliff Buuck issues a permit for Installation of the State Fire Marshal's approved State of the Art Sprinkler System. BUT "Interim CEO" Buuck adds his own legal

interpretation of the ("LUO") and rules : While the Fire Sprinkler System is OK he states that "ASSEMBLY USE IS INCONSISTENT WITH ZONING". Mr. Buuck uses his legal expertise to redefine the LUO. It is obvious that Buuck has extended his jurisdiction and knowledge beyond the capacity permitted by law. This legal interpretation of the ("LUO") is inappropriate but is used by the TM to further invalidate the SSMH application. Buuck and Dyer create a team to frustrate, delay and confuse the application process.

But it is not until 12/23 that TM Dyer states his true role in the Readfield PB application process. Dyer is in control. He determines what is accepted, how and when it will occur. TM Dyer is the Planning Board. His spoken words and claims miraculously appear in PB texts and hearings. They form the substance of the PB Findings of Fact. 12/23 This letter by the Town Manager goes far substantiate his rule to create an Abuse of Process.

March Letter from Dyer to SSMH: a new law will make CC s illegal.

March SSMH hires attorney who requests application be resubmitted. Town Manager Delays until June.

Town PB Website

Robert Bittar and Helen Bittar Construction

A return to the 2013 facts and an investigation that followed the Board of Appeals Hearing.

In 12/3/13 Cliff Buuck issued a "Stop Work Order" "for making structural alterations to the guiding which exceeded normal repair and maintenance" **THE TRUTH:** Readfield had two CEOs. Bittars received the construction from the CEO whom they did not know. Winter approached. it was clear that the building was about to fall. Rotten Wooden Basement posts which held up the building were tilted and in mud. It was necessary to put in steel Posts and a concrete floor to support the posts. CEO Buuck arrived at the building and ordered Bittar to stop pouring the concrete. Bittars did not. The following spring an internal administrative hearing was held by Town Manager Stefan Pakulski. The other town CEO confirmed that the concrete posts and cement were required or the building would have collapsed. Structural engineers and construction staff concurred. The Board of Appeals members were lawyers with the exception of one person. That person wrote and submitted a dissenting statement and vote. After the investigation, TM Pakulski offered to request the Board of Appeals Hearing be reversed. Helen and Robert Bittar felt justified that the building was saved and realized that they had begun a large project and a PB permit was needed to complete it.

7/13 Stop Work order An error based on misinformation from the State DHHS who processed an application that had been withdrawn the year earlier. **A DHHS certificate confirmed the withdrawal and the unnecessary approval of that body. CEO Quintal was advised of the mistakenly issued order. Bittar was grateful to CEO Quintal because while master electrical/plumbing reviews are NOT required**

for a single family home, IT WAS IMPORTANT TO HAVE ANOTHER SET OF EYES to review all the technical work before it was covered up. Everything was reviewed and the Master tradesmen found two very small mistakes. They were corrected and the corrections approved.

7/7 PB application for a CHANGE OF ZONE TO VILLAGE DISTRICT. This district change had a history from TM Pakulski. He wrote a statement that guided the process in 2013. He felt that it was necessary to provide some income so that the project would be viable. Eric Dyer knew about Stefan's plan from the time he arrived. In 2017, work had progressed that year to justify a change of use. CEO Quintal was the primary planning engineer to research the requirements and options. His decision was to extend the Village District to Mill Stream Rd. As he explained it none of the properties posed any real danger or opportunity to alter the character of Kent's Hill Rd.

7/18 Consent Agreement - Bittars agreed with Gary to begin preparation of Change of Use and Change of Zone based on the Stefan Pakulski model. This is misrepresented in the time line. It was not a change of permit designation. The permit was never withdrawn. It was never relinquished or revoked.

The application to "Change the use " of a property does not nullify the existing use. It remains. It was understood that "change of use" application must be submitted AND APPROVED prior to any change from Single Family designation and use. This was always understood. A Change of Use was not anticipated until it was possible to demonstrate that a change would be viable. Therefore, the change of use application was submitted when 26 Mill Stream Road was able to demonstrate its legal ability to support that change. Bittars followed the law.

The change of zone application was heard in February 2018. Included in the change was the Town Office and One house changed. Neighbors protested to the change of zone which affected these two properties. They were uncomfortable with a change of zone and its implication for the future of the area. **And that same night the application was Withdrawn by Helen Bittar and Robert Bittar.** We indicated we would request a change of use to a permitted activity within the zone - Community Center.

The Big Readfield Lie - ERROR OF FACT ; ERROR OF DISCRETION -

Dyer removed the record of his 2016-2017 work with CEO Quintal -(The PB Website Time line)-

Together they designed and approved the zone change for Bittar's 2017 PB application to change Mill Stream Road from Rural Residential to the VILLAGE Zone. Dyer removes this important historical event from website time line.

This was always a Town Manager CEO inspiration, design and plan. Helen and Bittar were victims of their planning and then to their change instant change to fear, isolation and hate and discrimination.

TM Dyer removal of his administration leadership in this 2017 PB application, creates the lie of SSMH/Bittar illegality and hides his pivotal role to invite LGBTQ and other minorities into Readfield's future.

Consequently, TM Dyer's PB website "history" implies a secret renegade Helen and Robert Bittar plot to build an illegal commercial Village zone at Mill Stream Rd. The Application to change Mill Stream Road to the VILLAGE Zone was based on discussions, direction and designs of Eric Dyer and Gary Quintal. CEO Quintal was definitively influential in this. He suggested and led Bittars to apply for a change to the aggressive Village zoning. Quintal's purpose was Logic. He felt that a direct and honest extension of the town use of this historic commercial center of town was to restore it to its Village roots. Quintal felt that this decision followed the true understanding of the Comprehensive Plan and the underlying Readfield History. And as he looked at the map it made sense to include the Town Office in that Village Zone. It restored it to the center of town. Logic, History, Truth motivated the Quintal/Dyer application design for Mill Stream Road.

TM Dyer /CEO Quintal were most influential in suggesting a change which linked Mill Stream into a VILLAGE Zone. But the town website now illustrates application this as the criminal intent of Helen Bittar and Robert Bittar. The Planning Board website suggests this was a secret criminal operation unknown and unsupported by Town Managers and CEOs and in violation of town law. THIS IS FALSE. Both Town Managers Stefan Pakulski and Eric Dyer knew every detail of construction plans goals from the very start. CEOs Knew! 26 Mill Stream Road was to be a CC. They were partners and participated at every juncture. They were aware that the Bittar's plans to apply for a legitimate Change of Use application when the single family house structure changed sufficiently to justify such a change of use. THE TOWN MANAGER AND CEO SUPPORT AND ASSISTANCE FOLLOWED THEIR DUTY TO WORK TOWARD THIS END. SEE" COMPREHENSIVE PLAN pg 31-32.

Signed Documents for a Single Family House are absolutely honest. At that time there is only one use possible for that building - A single Family House. Every document sent by the Planning Board required my signature for construction of a single Family house. That is what it was. AND the document says UNLESS THERE IS A CHANGE OF USE. When the building became viable for another use, an application was filed. That was legal. It was in keeping with the law and practice in the entire United States. The Use was one that was legitimate and had been so for a hundred years. It wasn't intended to alter the community but to enhance it.

Signatures which state conformity with the law are not illegal. They are legal. We made

no secret of the intentions. They were legal. THE REASON? The financial requirements to build would only permit a single family to community center. Building a community center from scratch was cost prohibitive. It would have be 3 or 4 times the cost. Bittar's chose a legal path. Bittar's were public about it. Town Managers and CEOs were knowledgeable and helpful. They understood. A few neighbors did not.

6/27/18

The PB denies a permit for Bittar's non-profit community center. Their reasons were arbitrary and punitive.

7/19/18 CEO Quintal was bothered by the PB decision. He offered a solution. Bittar wanted to play music with friends. The buildings have all the elements of a modern single family home (a kitchen, bathroom, space for a bathtub, and bedroom). He said add a bathtub, and bedroom and the building will qualify as a home. Bittar would be able to play music with friends. Two warnings -- no gatherings greater than 500 ("a mass audience" CEO gave me the town documents controlling assembly) and NO MONEY. Bittar said this was simple. Bittar's were happy.

These are the important changes. There is one more concerning the petition but BITTARS feel that ALL COLLATERAL INFORMATION HAS BEEN PLACED TO DAMAGE THE REPUTATION OF SSMH AND BITTARS. IT SHOULD BE REMOVED .

Ex 11

Ex 12

From: Readfield CEO <readfield.ceo@roadrunner.com>
Sent: 11 June 2018 4:09 PM
To: rbittar@iqacc.com <rbittar@iqacc.com>
Cc: 'Paula M' <Paula.M.Clark@maine.gov>; jcomart@mejp.org <jcomart@mejp.org>;
hyland4505@roadrunner.com <hyland4505@roadrunner.com>; 'Jay' <Jay.Hyland@maine.gov>;
billbarbbuck@yahoo.com <billbarbbuck@yahoo.com>; Donald Witherill <dwith11@gmail.com>; 'Donald T'
<Donald.T.Witherill@maine.gov>; a183north@twc.com <a183north@twc.com>; "James Schmidt"
<thumper5@aol.com>; 'Cc: Eric Dyer' <readfield.tmgr@roadrunner.com>
Subject: RE: Readfield Fire Chief Lee Open House

Bob, Thank you for the information about emergency access for Mill Stream Road. I also called Lee Mank, Town Fire Chief, about access and he was not concerned about width of the travelled way or the condition of the Town Road, because a plow vehicle turns around at the end of the road in the winter as well as during spring thaw. He does agree that parking should be only on one side of the road.

Respectfully,
Gary Quintal, Readfield CEO

From: rbittar@iqacc.com [mailto:rbittar@iqacc.com]
Sent: Friday, June 8, 2018 9:57 PM
To: Readfield CEO
Subject: Readfield Fire Chief Lee

I spoke with lee this afternoon.

He said:

His trucks will be able to travel through any road as long as they have a 10 foot clearance.

He felt that passage through the Mill stream road will most likely provide little problem. 4

I indicated that there was a concern that fire trucks would not be able to get to the Cote house at 28 Mill Stream road if care blocked the road to the house. I suggested that no parking signs could be placed on one side of the street leading up to the cote property. He felt that was a good idea.

The Bittar frontage at 26 Mill Stream Road has been cleared to the property line which provides approximately a 40 foot passage to the stream.

The Cote and Raima frontage on Mill stream Road has not been cleared. consequently the road frontage is forested. It be an advantage if the property at the beginning of Mill Stream Road up to the Cote property were posted with a no parking sign.

He said that he will make a site visit and would be reporting on the condition before wednesday.

He found little concern for this issue.

sOffice of State Fire Marshal45 Commerce Drive

Augusta, Maine 04333-0165

Office # 207-626-3880

Direct ext. # 207-626-3991

Cell # 207-592-0757

Fax #207 287-6251

Marc.Veilleux@maine.gov

<https://www.maine.gov/dps/fmo/home>

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From: rbittar iqacc.com <rbittar@iqacc.com>
Sent: Monday, November 15, 2021 10:19 AM
To: Veilleux, Marc <Marc.Veilleux@maine.gov>
Cc: Mank125@aol.com
Subject: 26 Mill Stream Road

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

rbittar iqacc.com

Mon 15/11/2021 10:18 AM

Like

Construction Permit 27319 No.

26 MILL STREAM ROADBuilding:26 MILL STREAM RD, READFIELD, ME 04355-4154Location:

ROBERT BITTAROwner:ROBERT BITTAR309 WAUGAN RDNORTH MONMOUTH, ME 04265-6304 Owner

Permit Date:10/15/20 04/14/2021Expiration Date:

Public Safety Inspector III, NFPA and ICC CFI-II, CFPE

sOffice of State Fire Marshal45 Commerce Drive

Augusta, Maine 04333-0165

Office # 207-626-3880

Direct ext. # 207-626-3991

Cell # 207-592-0757

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Marc.Veilleux@maine.gov

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From: rbittar iqacc.com <rbittar@iqacc.com>
Sent: Monday, November 15, 2021 10:19 AM
To: Veilleux, Marc <Marc.Veilleux@maine.gov>
Cc: Mank125@aol.com
Subject: 26 Mill Stream Road

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Permit Date:10/15/20 04/14/2021Expiration Date:

Public Safety Inspector III, NFPA and ICC CFI-II, CFPE

Ex 12

Mon 15/11/2021 9:53 PM

atar.igacc.com

Mon 15/11/2021 12:58 PM

Veilleux, Thank you for your in depth and succinct guidance concerning the concerning egress. It forms a practical basis on which to evaluate our next steps. Robert

You forwarded this message on Mon 15/11/2021 9:53 PM

forwarded this message on Mon 15/11/2021 9:53 PM

Veilleux, Marc <marc.veilleux@maine.gov>

Mon 15/11/2021 11:34 AM

Robert and Chief Mank,

The site plan and interior building was evaluated for ADA and Life Safety and approved as such based on the submitted drawings. Egress from the building was determined to be appropriate and safe based on the Life Safety Requirements. Additionally, the components of the means of egress from the building to the public way access is inline with the intent of NFPA 1 and 101 as well as ADA in that the occupants must safely evacuate the building to a public way. The terminology of a public way includes a driveway or a walking path. The possibility of apparatus arriving on the scene and approaching the structure while the building is occupied is certainly an inherent danger however it is the responsibility of the arriving apparatus operators to ensure their safety and without incident avoiding occupants who have safely egressed the building. NFPA addresses occupant safety and their safe egress from the building. Once they are out, our mission has been completed. Safety first, and property protection comes second.

While NFPA 1 addresses Fire Department access, it does not address separate walking paths or sidewalks to get occupants clear of incoming or outgoing traffic to a parking lot located 130 feet away from the building. Based on the site map provided during permitting, there is at least 3 parking spaces available at the building for fire purposes as well as a path extending beyond the main entrance which would allow occupants to safely egress and get away from the building.

Based on the information submitted at time of permitting, I see no safety issues that would be concerning. If any construction has occurred that reflects the submitted drawings.

Regarding the parking, roadways, or walking paths. Our mission goal is to provide a safe building and egress occupants to the exterior. Anything beyond getting occupants clear and away from the building would be a zoning, land use, and local ordinance issue that would have to be taken up as a civil matter. If there are life safety issues within the building or egress access to the public way (or in this case the maintained parking area at the main entrance of the building), then our office would assist the municipality with an inspection if required and requested in writing by the municipality.

Ex 12.

From: Readfield CEO <readfield.ceo@roadrunner.com>
Sent: 11 June 2018 4:09 PM
To: rbittar@iqacc.com <rbittar@iqacc.com>
Cc: 'Paula M' <Paula.M.Clark@maine.gov>; jcomart@mejp.org <jcomart@mejp.org>;
hyland4505@roadrunner.com <hyland4505@roadrunner.com>; 'Jay' <Jay.Hyland@maine.gov>;
billbarbbuck@yahoo.com <billbarbbuck@yahoo.com>; Donald Witherill <dwith11@gmail.com>; 'Donald T'
<Donald.T.Witherill@maine.gov>; a183north@twc.com <a183north@twc.com>; "James Schmidt"
<thumper5@aol.com>; 'Cc: Eric Dyer' <readfield.tmgr@roadrunner.com>
Subject: RE: Readfield Fire Chief Lee Open House

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Gary Quintal, Readfield CEO

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Sent: Friday, June 8, 2018 9:57 PM
To: Readfield CEO
Subject: Readfield Fire Chief Lee

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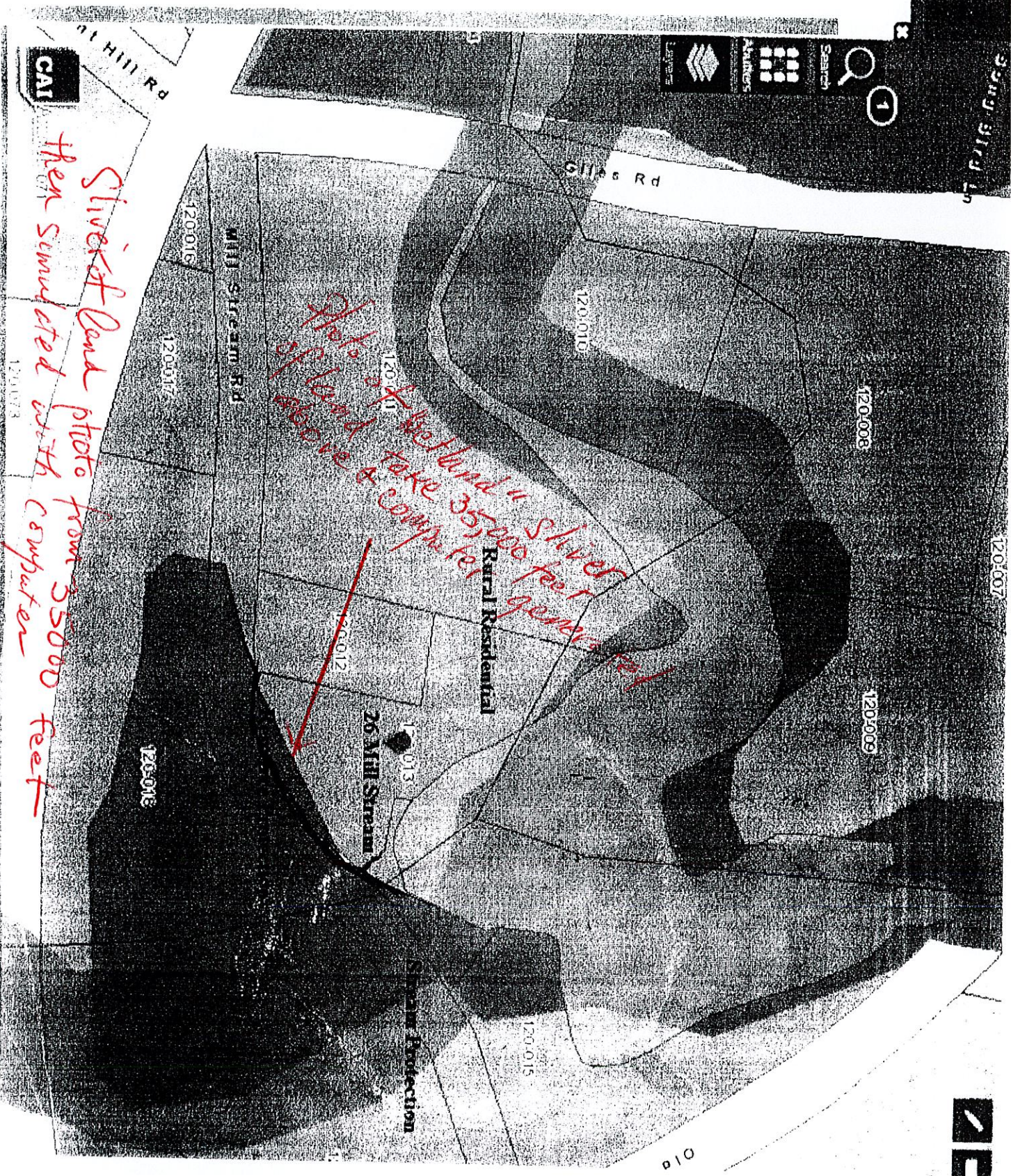
SEARCH

1

ADDITIONS

LAYERS

lap
stem



*Sliver of land photo from 35000 feet
then simulated with computer*

*Photo of wetland in sliver
of land take 35,000 feet
view & computer generated*

Rural Residential

26 Mill Stream

Stream Protection

CAI



Bob Copy

Ex 14

TRAIL EASEMENT DEED

ROBERT W. BITTAR AND HELEN M. BITTAR, IN THEIR CAPACITY AS TRUSTEES OF THE ROBERT BITTAR AND HELEN BITTAR REVOCABLE LIVING TRUST, with a mailing address of 309 Waugan Road, North Monmouth, ME 04265 ("Grantor"), owner of certain real property located on Mill Stream Road in Readfield, Maine, more particularly described in a deed dated May 18, 2015, and recorded in the Kennebec County Registry of Deeds in Book 12018, Page 291 (the "Property") for consideration paid, hereby grant to **THE INHABITANTS OF THE TOWN OF READFIELD**, a body corporate and politic, located in Kennebec County, Maine, with a mailing address of 8 Old Kents Hill Road, Readfield, ME 04355 ("Grantee"), an easement on the terms and conditions set forth below (the "Easement") for pedestrian recreational use over a strip of land ten feet (10') in width from the wall of the Mill Stream Dam along the south east boundary of Grantor's property to provide foot access from the Mill Stream Road to the Mill Stream Dam located on Grantee's adjacent property (the "Easement Area") being over and upon a portion of the Property in the location and configuration identified on Exhibit A.

PURPOSE

It is the purpose of this Easement to provide significant public benefit by providing for perpetual non-motorized public recreational use of a trail located within the Easement Area.

GRANT OF PUBLIC ACCESS

Grantor covenants and agrees on behalf of itself, its successors and assigns, and for the benefit of Grantee to take no action to prohibit or discourage quiet daytime non-motorized and non-destructive public use of the trail within the Easement Area, nor to charge or impose any fee or condition upon recreational activities. Grantor has the right to make reasonable rules and regulations (which are otherwise consistent with the terms and conditions hereof) for safe public use of the Easement Area and to control, limit or prohibit, by postings or other means, any of the following uses: camping, loud activities, open fires, hunting, and trapping.

GRANTEE'S RIGHTS AND OBLIGATIONS

Grantor further grants to Grantee, its successors and assigns, the right, but not the obligation, to construct and maintain a trail with a maximum width of six feet (6') within the Easement Area. Grantee may assign such responsibility to a qualified organization upon notice to Grantor. Grantee shall have the right to prevent and rectify any inappropriate or excessive use of the easement trail.

Within the Easement Area, the Grantee shall have the right to conduct trail construction and maintenance activities in an environmentally-sound manner consistent with Best Management Practices, including clearing of trees and other vegetation, placement of fill, construction of water bars, stone steps, bog bridges, erosion control measures, and railings. In the area identified on Exhibit B, the trail shall be constructed as close to the wall of the Mill Stream Dam as possible (vegetation to be removed to make this possible).

OTHER TERMS AND CONDITIONS

Grantor and Grantee claim all of the rights and immunities against liability for injury to the public to the fullest extent of the law under Title 14 M.R.S.A. §159-A, as amended, and under any other applicable provisions of law and equity.

The foregoing shall be real covenants binding upon Grantor and Grantee, their successors and assigns, and shall run with and burden the Property and shall be for the benefit of the Town.

The foregoing is considered a Trail Easement within the scope of 33 M.R.S.A. § 1581 et seq.

The Town joins in this document for the purpose of accepting the rights and duties contained herein, pursuant to 33 M.R.S.A. § 1582(2).

WITNESS our hands and seals this 2nd day of Nov, 2016.

WITNESS:

[Signature]

[Signature]

GRANTOR

[Signature]

By: Robert W. Bittar, Trustee
Robert Bittar and Helen Bittar
Revocable Living Trust

[Signature]

By: Helen M. Bittar, Trustee
Robert Bittar and Helen Bittar
Revocable Living Trust

POA

STATE OF MAINE
COUNTY OF KENNEBEC, SS.

Nov 2, 2016

Personally appeared the above-named **ROBERT W. BITTAR AND HELEN M. BITTAR, IN THEIR CAPACITY AS TRUSTEES OF THE ROBERT BITTAR AND HELEN BITTAR REVOCABLE LIVING TRUST**, who acknowledged the foregoing instrument to be their free act and deed.

Before me,

[Signature]

Notary Public/Attorney-at-Law
Print Name: Robin L. Lint
My Commission Expires: 5-22-2017

TOWN OF READFIELD

Jessica A Shaw
Witness

[Signature]
By: *Eric Dyer*
Its: *Town Manager*
7/7/2017
Date

TOWN OF READFIELD ACKNOWLEDGEMENT

STATE OF MAINE
COUNTY OF KENNEBEC, ss.

Personally appeared the above-named *Eric Dyer* of the Town of Readfield, Maine and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of the TOWN OF READFIELD this *7* day of *July* 2017.

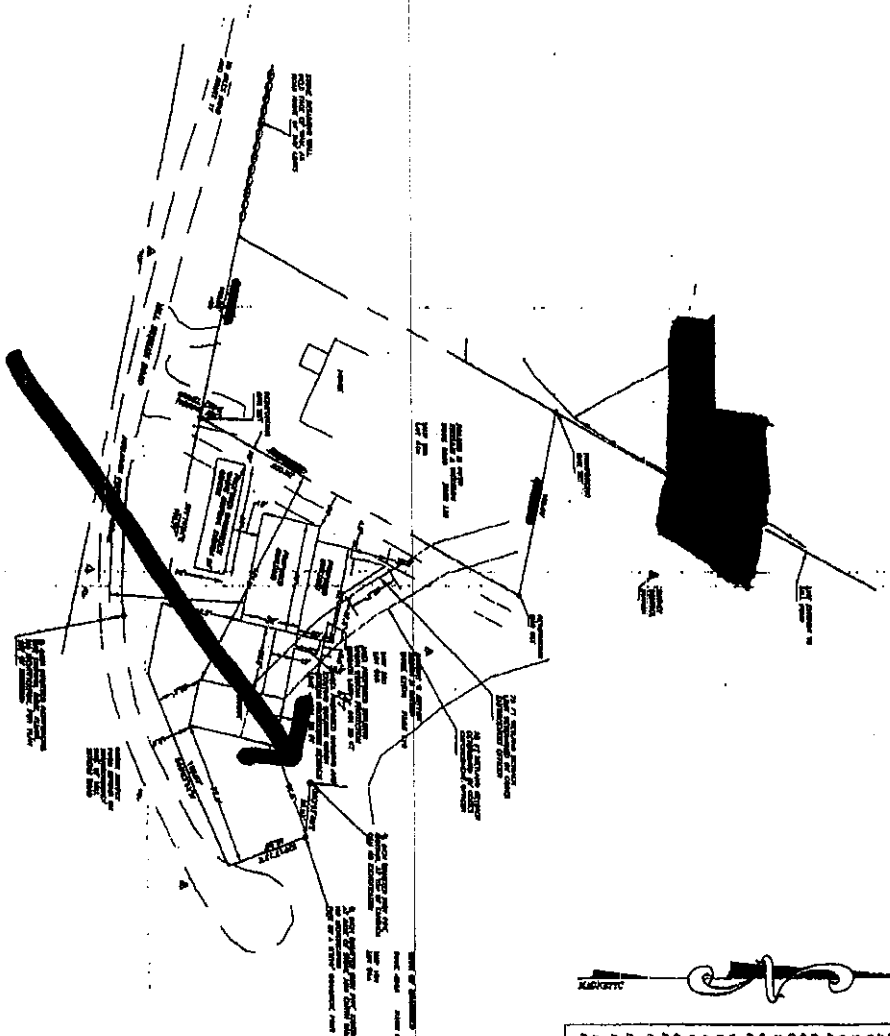
Before me,

[Signature]
Notary Public

Kristin Parke
Notary Public, Maine
PO Box 335, Readfield, ME 04365
Expires: _____

Please type or print name of notary
My commission expires:

LOCATION OF TRAIL EASEMENT



LEGEND

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NOTES

1. THE PROPERTY SHOWN ON THIS PLAN IS SHOWN AS SHOWN TO LAMARCO NORTH, LAMARCO, TEXAS, 75061.
2. THE PROPERTY IS SHOWN AS SHOWN TO LAMARCO NORTH, LAMARCO, TEXAS, 75061.
3. THE PROPERTY IS SHOWN AS SHOWN TO LAMARCO NORTH, LAMARCO, TEXAS, 75061.
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10. THE PROPERTY IS SHOWN AS SHOWN TO LAMARCO NORTH, LAMARCO, TEXAS, 75061.

1. THESE NOTES ARE TO BE READ IN CONNECTION WITH THE SURVEY MAP ATTACHED HERETO AND THE INSTRUMENTS OF TITLE TO THE PROPERTY SHOWN THEREON.

2. THE PROPERTY IS SHOWN AS SHOWN TO LAMARCO NORTH, LAMARCO, TEXAS, 75061.

3. THE PROPERTY IS SHOWN AS SHOWN TO LAMARCO NORTH, LAMARCO, TEXAS, 75061.

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10. THE PROPERTY IS SHOWN AS SHOWN TO LAMARCO NORTH, LAMARCO, TEXAS, 75061.

PLAN OF SUBDIVISION

PAUL H. RUDOPF, JR., PLS.

LAND SURVEYING & MAPPING

11111

DATE OF SURVEY 7/30/14

EXHIBIT A

BOLAND M COVE
 PHYLIS A THURLOW
 BOOK 8909 PAGE 122
 MAP 190
 LOT 012

SCENIC
 OVERLOOK
 AREA

TRAIL
 LOCATION
 (APPROX)

STEEP
 BANK

MILL STREAM

3/4 INCH DIAMETER IRON PIPE
 EXISTING AT TOP OF EARTHEN
 DAM NO IDENTIFICATION

3/4 INCH DIAMETER
 AT BASE OF STONE
 NO IDENTIFICATION
 PIPE BY A 8'X10'

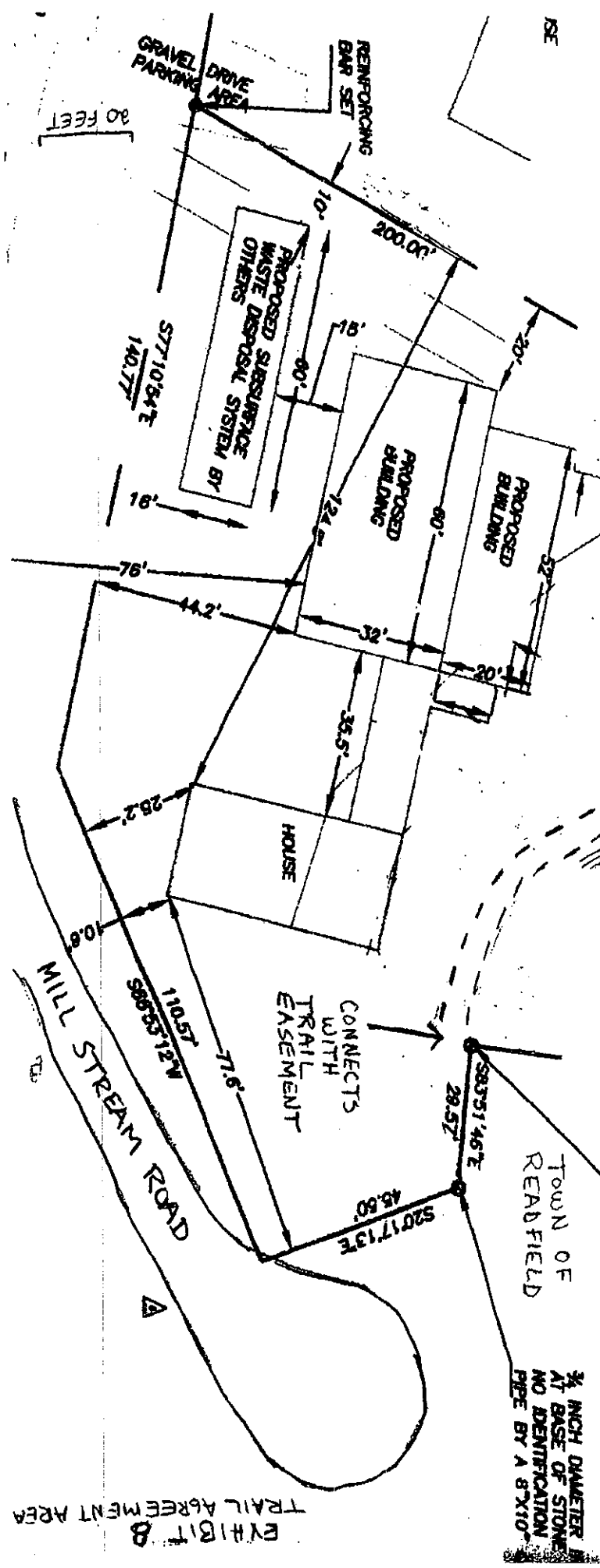
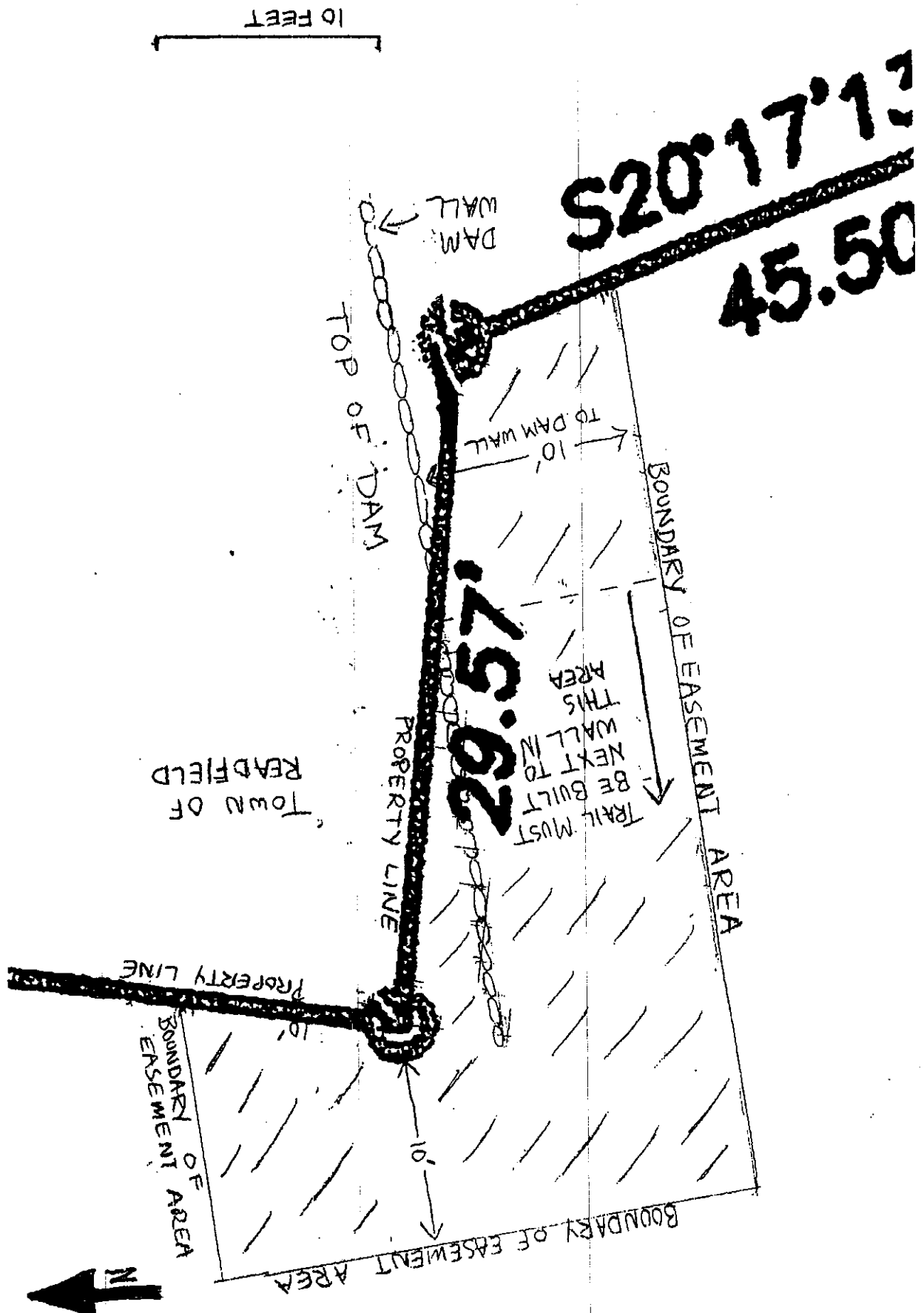


EXHIBIT B
 TRAIL AGREEMENT AREA

EXHIBIT B
TRAIL EASEMENT AREA



Bob Copy

**TRAIL AGREEMENT
FOR
MILL STREAM TRAIL
BETWEEN ROBERT W. BITTAR AND HELEN M. BITTAR
AND
THE TOWN OF READFIELD, MAINE**

Robert W. Bittar and Helen M. Bittar, in their capacity as Trustees of the Robert Bittar and Helen Bittar Revocable Living Trust, with a mailing address of 309 Waugan Road, North Monmouth, ME 04265, owner of property located at 26 Mill Stream Road (Readfield Tax Map 120, Lot 13) in Readfield, Maine (hereinafter referred to as the "Landowners" which word is intended to include their heirs, successors, and assigns):

Grant permission to the **TOWN OF READFIELD**, a body corporate and politic, located at Kennebec County, Maine with a mailing address of 8 Old Kents Hill Road, Readfield, Maine 04355 (hereinafter referred to as the "Town") to locate, construct and maintain the Mill Stream Trail across a historic pathway crossing the Landowners' property as shown on the attached map and to allow for public pedestrian recreational use of the trail as well as a scenic overlook area.. The Landowners grant permission for walking use of the trail by the public and use of the scenic overlook area. No other uses of the trail, including motorized vehicles and horses, are permitted under this Agreement. In addition, through the mutual agreement of Landowners and Town, the Town may construct and maintain a connecting trail for public pedestrian use to be located between the aforementioned Mill Stream Trail and Mill Stream.

This permission is granted for a period of five years, and for successive five year periods, which shall commence automatically upon the expiration of the previous term. The Agreement shall renew on such date unless revoked in writing by a notice from the Landowners or Town at least ninety days prior to the expiration of any then current term.

The trail shall be constructed and maintained in an environmentally-sound manner. Construction and maintenance activities may include: placement of fill; clearing of trees and other vegetation; construction of water bars, stone steps, bog bridges, and erosion control measures; and painting marks on trees to identify the location of the trail. In addition, informational signs may be erected and benches may be constructed along the trail and within the scenic overlook area with approval of Landowners.

The Town of Readfield, acting through its Trails Committee and other committees and departments, agrees to:

- maintain the trail on an annual basis or as needed to ensure that it is safe and suitable for public use and does not pose a threat to the environment; and
- oversee use of the trail and cooperate with the landowners to prevent and rectify any inappropriate use; and
- be responsible for placement of informational sign on adjacent Town Property to inform the public of rules related to the proper use of the trail.

The Landowners may make reasonable rules and regulations for safe public use of the trail and to control, limit or prohibit, by postings or other means, any of the following uses: night use, camping, loud activities, motorized use, open fires, hunting, and trapping.

The Landowners and the Town claim all of the rights and immunities against liability for injury to the public to the fullest extent of the law under Title 14 M.R.S.A. Section 159-A, et seq. as amended and successor provision thereof (The Maine Recreational Use Statute), Title 14 M.R.S.A. Section 8101 et seq. as amended and successor provision thereof (The Maine Tort Claims Act) and under any other applicable provision of law and equity.

In witness hereof, the parties hereto have executed this Agreement as of the last date written below.

LANDOWNERS

[Signature]
Witness

[Signature]
By: Robert W. Bittar, Trustee
Robert Bittar and Helen Bittar
Revocable Living Trust

11/2/16
Date
[Signature]
By: Helen M. Bittar, Trustee
Robert Bittar and Helen Bittar
Revocable Living Trust

[Signature] (POA only)
Witness

11/2/16
Date

LANDOWNERS ACKNOWLEDGEMENTS

STATE OF MAINE
COUNTY OF KENNEBEC, ss.

Personally appeared Robert W. Bittar and Helen M. Bittar, in their capacity as Trustees for the Robert Bittar and Hellen Bittar Revocable Living Trust and acknowledged the foregoing instrument to be their free act and deed this 2nd day of Nov, 2016.

Before me, [Signature]
Notary Public

Robin L. Lint

Please type or print name of notary
My commission expires: 5-22-2017

TOWN OF READFIELD

Jessica A Shaw
Witness

Eric Dyer
By: Eric Dyer
Its: Town Manager

7/7/2017
Date

TOWN OF READFIELD ACKNOWLEDGEMENT

STATE OF MAINE
COUNTY OF KENNEBEC, ss.

Personally appeared the above-named Eric Dyer of the Town of Readfield, Maine and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of the TOWN OF READFIELD this 7 day of JULY, 2017.

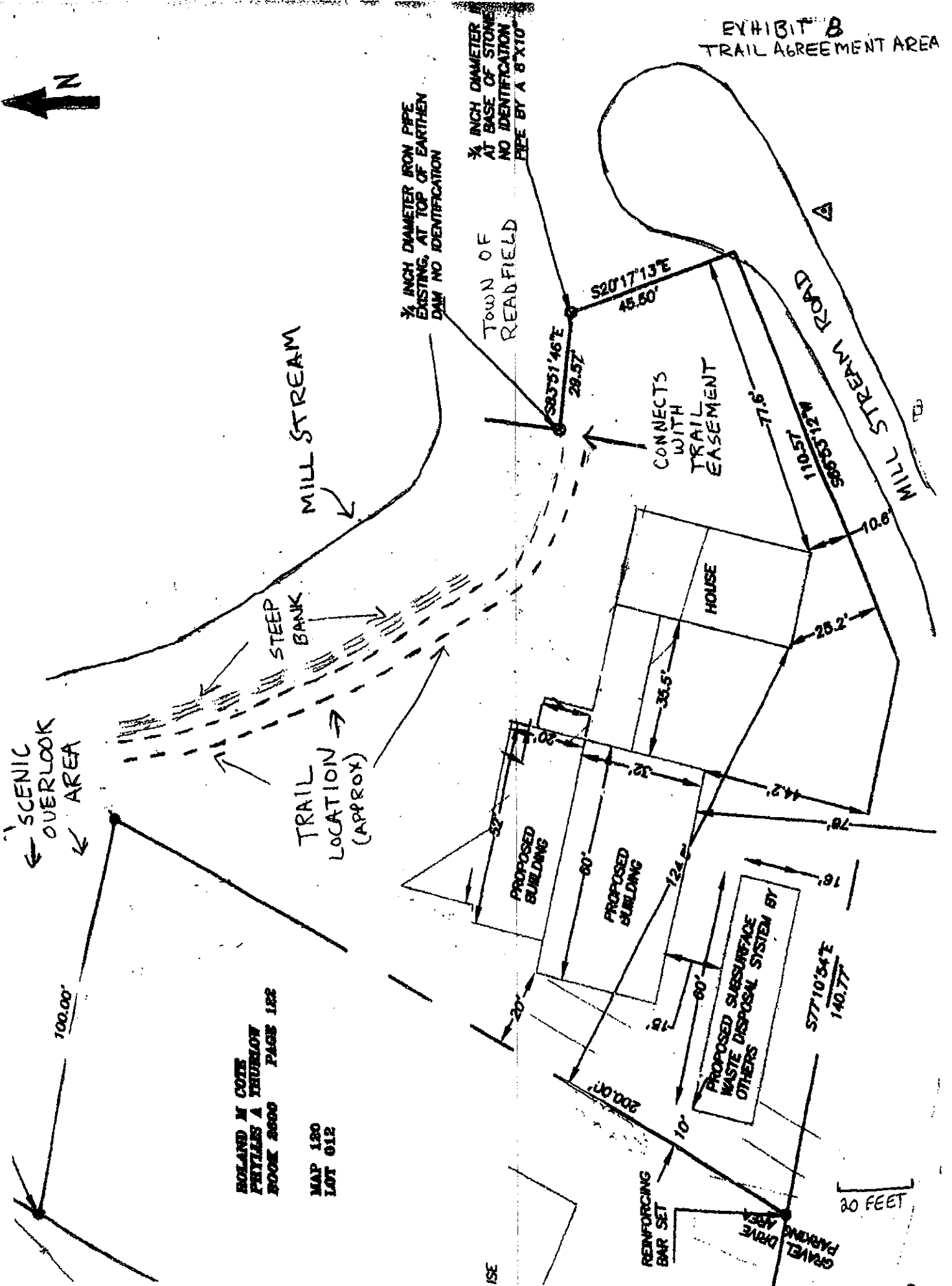
Before me, Kristin Parks
Notary Public

Kristin Parks
Notary Public, Maine
PO Box 336, Readfield, ME 04355

Expires: 10/28/2022

Please type or print name of notary
My commission expires:

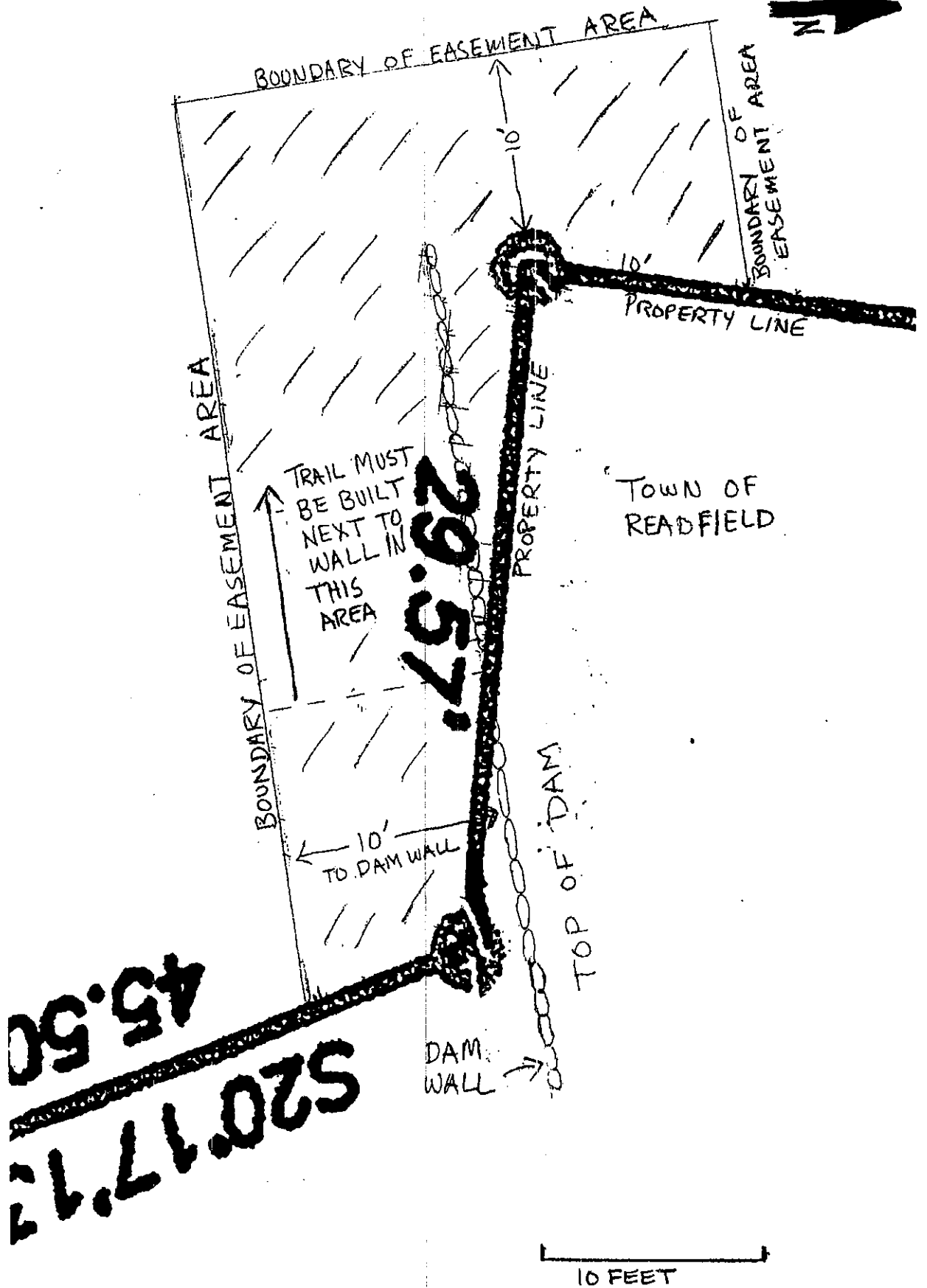
EXHIBIT B
TRAIL AGREEMENT AREA



ROLAND M COTE
FRYLES & THURLOW
BOOK 2600 PAGE 182

MAP 180
LOT 012

EXHIBIT B
TRAIL EASEMENT AREA



Ex 15

August 2, 2021

Members of the Planning Board

We have anticipated an attendance of 30-50 people at any one event. This is a number that we felt was reasonable during the beginning stages of SSMH. A year later we have received a lot of interest in membership. There is no way to know how large our membership will grow. We can say with certainty that when need be we can cap the amount of people that can attend an event.

We have used the experience of the Readfield Meeting House as a guideline. A well respected Meeting House with a seating capacity of 300 with an approximate attendance of 50 or so people per event.

We currently have an architect redrawing the area of land where the parking lot is located. This drawing will reflect the accurate number of parking spaces available per LUO (10x20).

SSMH ByLaws permit relatives and friends to accompany members. It is difficult to forecast the number of people who will attend any function, We anticipate that some members may bring a friend or relative. We hope that the Readfield community may be interested in joining our center. We hope to inspire an organic growth.

SSMH is limited by the Fire Marshal's designated building capacity of 183. SSMH will not exceed that number.

Thank you,

Alex Twarog



Ex 16

Readfield CEO

From: Eric Dyer <readfield.tmgr@roadrunner.com>
Sent: Tuesday, September 18, 2018 8:29 AM
To: 'Matthew Nazar'; 'Gary Quintal'
Subject: RE: 26 Mill Stream Road

Thank you Matt.

Eric:

From: Matthew Nazar [mailto:matt.a.nazar@gmail.com]
Sent: Tuesday, September 18, 2018 7:00 AM
To: Eric Dyer; Gary Quintal
Subject: 26 Mill Stream Road

Good morning Eric,

As the Town investigates it's next steps with the Town attorney, here are a few thoughts that Steve should consider:

1. I walk the OKHR, Mill Stream, Giles Rd loop daily, often more than once a day to walk my dog. Many neighbors do. I've been walking the loop with family for the full 18 years I've lived here. Based on my observations, Mr. Bittar started sleeping at the Mill Stream property on September 6, the same day he told KJ reporter Betty Adams that he sleeps there every night. Prior to that, he was sleeping and living at the Monmouth home that he and his wife Helen lived at for about 40 summers. He kept one of his cars at the Mill Stream property, but since the 6th, both of his cars are there during my morning walks, although he wasn't there this morning so perhaps he's giving up on sleeping there because it's far less comfortable than his Monmouth home.
2. Readfield's LUO definition of a dwelling unit appears to require full separate living quarters to constitute a dwelling. Typically that means cooking facilities, a bathroom, and sleeping accommodations in the structure. I assume all of these features were fully functional before a single family occupancy permit was issued.
3. There is a tremendous amount of evidence that this property was never intended as a residence - FMO applications, Maine Drinking Water division applications, Planning Board applications, zoning petitions, the construction of a septic system for a 7 bedroom residence for a building that could never hold seven bedrooms, newspaper articles, and volumes of internet postings by Mr. Bittar and others. But he has a single family occupancy permit, has the right to live there, and has the right to do anything that any other resident could. That includes being inconsiderate of his neighbors and blasting his music in their direction during the day. Being a bad neighbor is not illegal, within limits. It's not the type of neighbor we've had in decades in this neighborhood, but any neighborhood can have a bad neighbor move in.
4. The FMO is in a difficult situation because there's a single family residence occupancy issued to the property and the FMO isn't in the business of making land use determinations regarding the nature of a use on the site. If the town says it's a single family house per the occupancy permit, they have no jurisdiction.
5. "House concerts" - generally small, intimate, private concerts in people's living rooms - could be considered an accessory use to a residence. If you google "house concert", you'll find examples of them in a variety of places and legal advice on holding one. In general, people who host them host no more

then a couple a month at the very most. They are invitation-only affairs, all acoustic with no amplification at all, including for the singer (no microphones). They are completely done by 10pm. If they are held at a home, the property is clearly a home first and a concert venue second. They are held in living rooms, kitchens, or sometimes a barn attached to the home. But the primary function of the property is as a home. These places weren't built as concert halls that the owner moved a corner to in order to call it his home. They don't have satellite parking lots sized to hold upwards of 100 cars. It's wise to be prepared for this argument. Mr. Bittar has essentially built his entire case on the idea that this is his home and he's just holding house concerts (while at the same time seeking a zoning ordinance change to have a full fledged event venue, pub, restaurant, children's theater, Town Common, etc.)

6. Mr. Bittar's concerts don't appear to fit into the commonly accepted boundaries of a "home concert". He posts on Facebook about people being at his concerts who he does not know and has never met. He posts about showing up at his barn after the concert starts and enjoying musicians who he hasn't scheduled showing up to "jam" with the other musicians. And he is holding 2-3 concerts per week, not 2-3 per month. His concerts include amplification. And he has specifically turned up the volume on his classical music, which may or may not be part of the concerts, to push the sound into the neighborhood. I sat in my back yard this last Friday night to enjoy the stars from 8:30-9:30pm and had to listen to a mix of classical and live music. I'm not sure what was going on, but he had an advertised concert for that time. I understand Mr. Bittar believes that having me hear his music and the activity generated by his concerts is his gift to me, but it's not a gift I want. I was happily enjoying my property without his gift.

Just a few thoughts for you to consider.

Matt

Readfield CEO

From: Matt Nezer <matt.a.nazar@gmail.com>
Sent: Saturday, May 12, 2018 10:39 PM
To: therosa173@gmail.com Paula Madore; jcomart@mejp.org; hyland4505@roadrunner.com; thumper5@apl.com; a183north@twc.com; Donald Witherill; billbarbuck@yahoo.com
Cc: bonnieharris51@gmail.com; readfield.ceo@roadrunner.com; Eric Dyer
Subject: Bittar Application

Hello Planning Board,

I have a few comments and questions about the application for Mr. Bittar. I'll start once again by saying I appreciate Mr. Bittar's contributions to the civic culture of the town. His business has brought life to the downtown and is a wholly appropriate use in the downtown. I wish him all the success possible in that operation and any other commercial operation in a commercial zone that he undertakes.

But I have concerns about this application in this location. First, the application is for a Community Center, Club, defined as:

Community Center, Club: A building that houses any voluntary association of persons organized for social, religious, benevolent, literary, scientific, or political purposes; whose facilities, especially a clubhouse, are open to members and guests only, and not the general public; and are not engaged in activities customarily carried on by a business or for pecuniary gain.

First, I read and write land use ordinances every day as my day job. The structure of that definition is very specific and is meant to be read a specific way. It's not "Community Center and Club". It is "Community Center, Club". In other words, it's a specific type of Community Center - a Club, with a reference to a clubhouse, membership, closed to the general public, and not engaged in normal business activities. The Masons, the Grange, and other similar uses are what this definition is talking about. Mr. Bittar's use doesn't sound like this.

In reading through the application and reviewing the drawings, I find no information about membership requirements for this club or how it qualifies as an organization open "to members and guests only, and not the general public". Additionally, the application talks about selling products and food as well as renting the facility for events. There's an associated, but distant, 35 space parking lot that with only a slight change in layout could hold probably another 15 vehicles. I'd request that the Board get a lot more detail from Mr. Bittar about the nature of this private, members only, club. The description of the activities lead me to the conclusion that this is actually something far more intrusive than the defined use would indicate. Frankly, based on the earlier attempt to rezone for a clearly commercial use that sounded an awful lot like what is described in the application, and based on the failure of Mr. Bittar to be forthcoming in earlier interactions with the Planning Board regarding this site, I believe the Board has a responsibility to be extremely demanding in their exploration of what this use actually is.

If the Board is satisfied that this is what it claims to be, a "Community Center, Club", then the details of the application are important to scrutinize. This is a very slim application that does not appear to have been designed by a professional engineer for a significant new development in a rural residential part of town. The site plan review standards require a far more professional and complete application for a use of this magnitude. I don't think I need to list the application requirements one by one and point out how this

application fails to address them, but I think it is the Board's responsibility to go over each and every requirement and make a clear finding on how this application does or does not meet the standard. This is essentially a major new development with water supply, septic concerns, parking, lighting, landscaping, stormwater, traffic impacts, etc, that you are being asked to approve with nothing more than an incomplete hand-drawn sketch

This is an unpaved, unlit public road. A remote parking lot several hundred feet away from the clubhouse on this road presents a liability for the town during the spring and winter months. It will be a short time before the town is requested and required by political pressure from club members to rebuild, pave, and light the Mill Stream Road. In order to ensure the impact on this road from this use is paid for by this use prior to opening, I recommend that the Planning Board require that this road be inspected by an engineer and the necessary upgrades to fully pave it and add CMP lighting be a condition of approval, along with the recommended construction. My guess is this that this will be a full-depth reconstruction and paving. That financial burden should not be paid by Readfield taxpayers, who will be responsible to maintain it after reconstruction. I would absolutely require a performance guarantee for the cost of the road reconstruction, the parking lot construction and storm water management.

How will stormwater be detained and treated for the proposed commercial parking lot? Is a DFP Chapter 500 permit for stormwater required? Is the lot going to be lit and paved?

I have not been inside the existing facility, but watched it's construction and can see the size of it from the road. I'm estimating that it will have the capacity as a place of assembly to hold 100 or more people. The claim of 15 people needs to be fully explored. This site has a commercial kitchen vent and is quite large for 15 people. I'll admit I'm having a hard time believing the claim. At a minimum, the Board should know how many occupants the space is rated to hold per the Fire Marshal's codes so there's a clear understanding of the real potential impact of the use on the adjacent neighborhood.

What type of septic system was installed? If this is a residential sized system, it is not designed to handle the proposed use. Failure of the septic system will cause untreated septic effluent to flow directly into Mill Stream and Maranacook Lake. If it is a commercial system, we have an honesty problem with this application, as the applicant previously went before the Planning Board and made statements that this site was being reconstructed as a single family residence. That further should alert the Planning Board to carefully scrutinize every detail of the application and heavily condition any approval in an attempt to keep the applicant from simply ignoring the Board and doing whatever he intends.

Will the well for this use be classified by the state as a public water supply because of the number of users it will serve? That requires regular testing and stricter regulations on adjacent uses. Has the applicant provided any information about this?

There is a claim of landscaping that will happen around the property. I do not see a landscaping plan or any indication of what this landscaping will be. Is it an unmanaged wildflower field, lawn, bushes and shrubs?

Unfortunately, going through each issue in detail would require more time than I have, so I chose the issues above because I believe they are the biggest concerns. I have not mentioned the noise and disruption this club that will host events, sell goods and sounds like it will attract a far larger crowd than claimed, will have on the neighborhood.

I hope the Planning Board takes all the time necessary to carefully and thoughtfully look at this application and ensure it does not have an adverse impact on the neighborhood or the taxpayers. I don't believe the applicant has provided you with enough information to make that decision at this time, and even if he does, I'm skeptical he can meet the standards of the ordinance.

Readfield CEO

From: Matt Nazar <matt.a.nazar@gmail.com>
Sent: Sunday, May 13, 2018 7:28 AM
To: therosa173@gmail.com Paula Medore; jcomari@mej.org; hyland4505@roadrunner.com; thumper5@aol.com; a183north@twc.com; Donald Witherill; billbarbbuck@yahoo.com
Cc: bonnieharris51@gmail.com; readfield.ceo@roadrunner.com; Eric Dyer
Subject: Re: Bitter Application

My apologies, Board members. Because I won't be there, I keep thinking of things I'd to make sure I'd say.

Mr. Bitter has stated that he operates on a teacher's pension. He has also stated publicly that he loses money each year at The Emporium. While his goals are commendable, and his civic interests are laudable, businesses that don't make money operated by people who don't have deep pockets tend to become problems in communities. The financial ability to construct, operate, and maintain should be at least reasonably expected before the project is approved. To that end, I recommend that the Board request some financial details about the cost of the project to build and evidence that he has the financial ability to do it. Loan documents, financial guarantees, something that provides an assurance that he has the finances to build, operate, and maintain the facility. What's his business plan?

Thank you again.

Matt

Sent from my iPad

On May 13, 2018, at 6:30 AM, Matt Nazar <matt.a.nazar@gmail.com> wrote:

Hello again Board Members,

I will be unable to attend the upcoming meeting on this application as I'll be out of state, but I wanted to add one last comment. This really is a major new development for a Readfield and the first I can think of since the bank was constructed in the downtown. I recommend the Board move slowly and deliberately to ensure all issues are addressed. There's no hurry here. Given the size of the building and the parking lot being proposed, this is not the small use the applicant describes.

As to the application materials, I suggest that this project is complex enough that the Board needs plans drawn by a professional engineer on a plan created by a surveyor showing the legal boundaries of the properties in question. Wetlands should be delineated on the plans by a certified professional. Shoreland zoning boundaries should be placed on the plans by the surveyor. This is not a project that should be approved with hand drawn sketches done by the applicant, who to the best of my knowledge does not have the credentials to certify any of the data you need.

By way of example, this link to a project reviewed and approved by the Augusta Planning Board is roughly what this application should look like and the information it should contain.

Readfield CEO

From: Matt Nazar <matl.a.nazar@gmail.com>
Sent: Wednesday, September 5, 2018 8:56 AM
To: readfield.ceo@roadrunner.com; Eric Dyer
Subject: Hearing tonight

Hi All,

Based on the aerial tax maps and the zoning map being overlaid, about half of the original house at 26 Mill Stream Road appears to be in the Resource Protection shoreland zoning district (the half where the bar is located). Tonight's proposal does not appear to request changing the boundary of the Resource Protection shoreland district. The list of land uses allowed in the Resource Protection shoreland zoning district is very restrictive and does not allow any commercial uses.

The email I forwarded yesterday indicating the the Emporium wants to move into the former house part of the property for at least this winter does not match the existing or the proposed zoning changes, as nearly as I can tell. So even if this proposal is adopted by Town Meeting, Mr. Bittar will not be legally able to use the former house for a commercial purpose, unless I'm missing something in the ordinances. I expect that will be a point of significant disappointment for Mr. Bittar.

Matt=

Ex 16

8/1/21

R. Bittar

1146 Main Street

Readfield Maine

Re: Community Center facility 26 Mill Stream Road, Readfield

Re: Test Results at Re: the

On August 1, 2021 I tested the sound pressure levels at 26 Mill Stream Road, with rock music played at normal concert level of 90dB while measurements were taken. All windows and doors were open including the central barn door.

Here are my findings:

	Average SPL in dB with Barn Music Windows open	Average SPL in dB without Barn Music
80 Old Kent's Hill Rd	43	41
62 Old Kents' Hill Road	43	42
52 Kents' Hill Road	43	41
25 Old Kents' Hill Road	46	41
27 Giles Rd	46	41
23 Giles Rd	46	44
Over the Bridge	53	53
dam parking lot	51	51
20 MSR Cote	60	50
26 MSR Property line (at end of driveway	66	55

The average SPL of all of my readings (with and without music) combined was 46dB.

The level of natural ambience was measured before and after my testing. This was to confirm that the lower readings during this test were accurate in comparison to previous readings. It's important to note the variance in natural ambience changes each day, each hour, and even each moment. Consequently the level of natural ambience in my previous test was higher.

The information gathered indicates that there is little or no difference in dB when tested with or without Barn music on Giles and Old Kent's Hill Roads. It will be helpful in reducing noise bleed if Barn doors and windows adjacent 20 MSR property are closed while music is in progress. The addition of soundproofing to the northern wall would also help to reduce noise levels outside of the building.

Norman Marston

Sound Engineer

Print | Close Window

Subject: RE: Music and Art Collation of Maine - 26 Mill Stream Readfield
 From: "Eric Dyer" <readfield.tmgr@roadrunner.com>
 Date: Fri, Sep 14, 2018 9:06 am
 To: "Bartlett, Jennifer L" <Jennifer.L.Bartlett@maine.gov>
 Cc: "McCarthy, Richard" <Richard.McCarthy@maine.gov>, "Peaslee, Ronald J" <ronald.j.peaslee@maine.gov>, "CEO and LPI" <readfield.ceo@roadrunner.com>

Good morning Jenn,

Thank you for your response.

With my call this morning I had offered the assistance of my CEO in any inspection that may be performed, either during the day or during an event. I am not sure how you typically approach these situations, but I believe an inspection is appropriate in the very near future. As noted in my call, I have been made aware that at least one exit door is nailed shut from the outside in addition to my other concerns and the violations your office has cited. With a large event scheduled for this evening I feel some urgency in addressing the situation.

Please do let me know if your schedule or protocol permits an inspection today. We will provide staff and other support as necessary. Please feel free to coordinate directly with my CEO, Gary Quinal. His personal cell # is 687-1519. He will be documenting the event tonight even if an inspection doesn't occur, as we will be pursuing legal action for the separate land use violations next week.

Thank you again,

Eric

Eric Dyer: Town Manager
 Town of Readfield, ME
 Office - 207-685-4939
 Direct Line - 207-685-1818
 Cell - 207-232-5437
 Website - www.readfieldmaine.org

The barn has 10 TEN outswinging new doors. We have had constant robberies especially when we are away. t one time the rear side doors were nailed with small nails discourage thieves. The building has 10 doors and 14 windows. One door out of the 10 doors was forgotten. It had a small board and a couple of nails. Union Meeting House has ONE DOOR! But the danger of one door for 50 - 100+ people is unimportant. My neighbors have one goal - Close 26 Mill Stream Rd/

Nazar warned Dyer about this terrible condition. Dyer said that people will die and asked state officers for an emergency raid day or night for his 76 year old neighbor. Dyer told officersthat there was to be a "large event". (In reality musicians and audience totaled, 3 young men, their wives two children and parents.) So much for crime. The true criminals were the men who impose arbitrary laws and fraudulent raids.

EX10

Cohen v. Bowdoin 288 A.2d 106 (1972)

Herman COHEN v. Warren E. BOWDOIN et al.

Supreme Judicial Court of Maine. Decided that collaboration between the Town Manager and the Select Board existed. Their activities of those defendants were denied immunity from libel and conspiracy. Plaintiff feels that the Cohen/Bowdoin case reflects a similar basis in law as the activities of Readfield Town Manager and Select Board currently under consideration.

2. A violation of state law may also violate a Federal constitutional right. In this case §1983 provides a cause of action. See Lovell, 90 F.3d at 370; Draper v. Coombs, 792 F.2d 915, 921 (9th Cir. 1987); Town Mgr and Nazar violated my civil rights by requesting a Fire Marshal raid upon property which I occupied as a residence. This was a knowingly unlawful violation of State law. It was an attempted violation of my Federal Constitutional rights:

- a. my right to protect myself against an unlawful seizure personal property
- b. Unlawful search without a warrant.
- c. an unwarranted threat to my welfare and safety.

At the time of the defendant's alleged misconduct, the constitutional rights at issue were clearly established such that a reasonable person would have known of it. Municipal employees who knowingly violate the law do not possess municipal immunity.

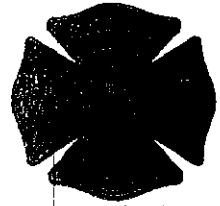
3. Violation of the right of Petition -

Readfield Attorneys, Planning Board and Town Manager conspired to deprive plaintiff of the right of Petition - a constitutional right "within the meaning of §1983. That action which was the "causation of



READFIELD FIRE DEPARTMENT
8 OLD KENTS HILL ROAD
READFIELD, MAINE 04355

Tel: (207) 685-4401



Proudly Serving
Since 1899
Lee Mank
Chief

RM
M
December 4, 2021

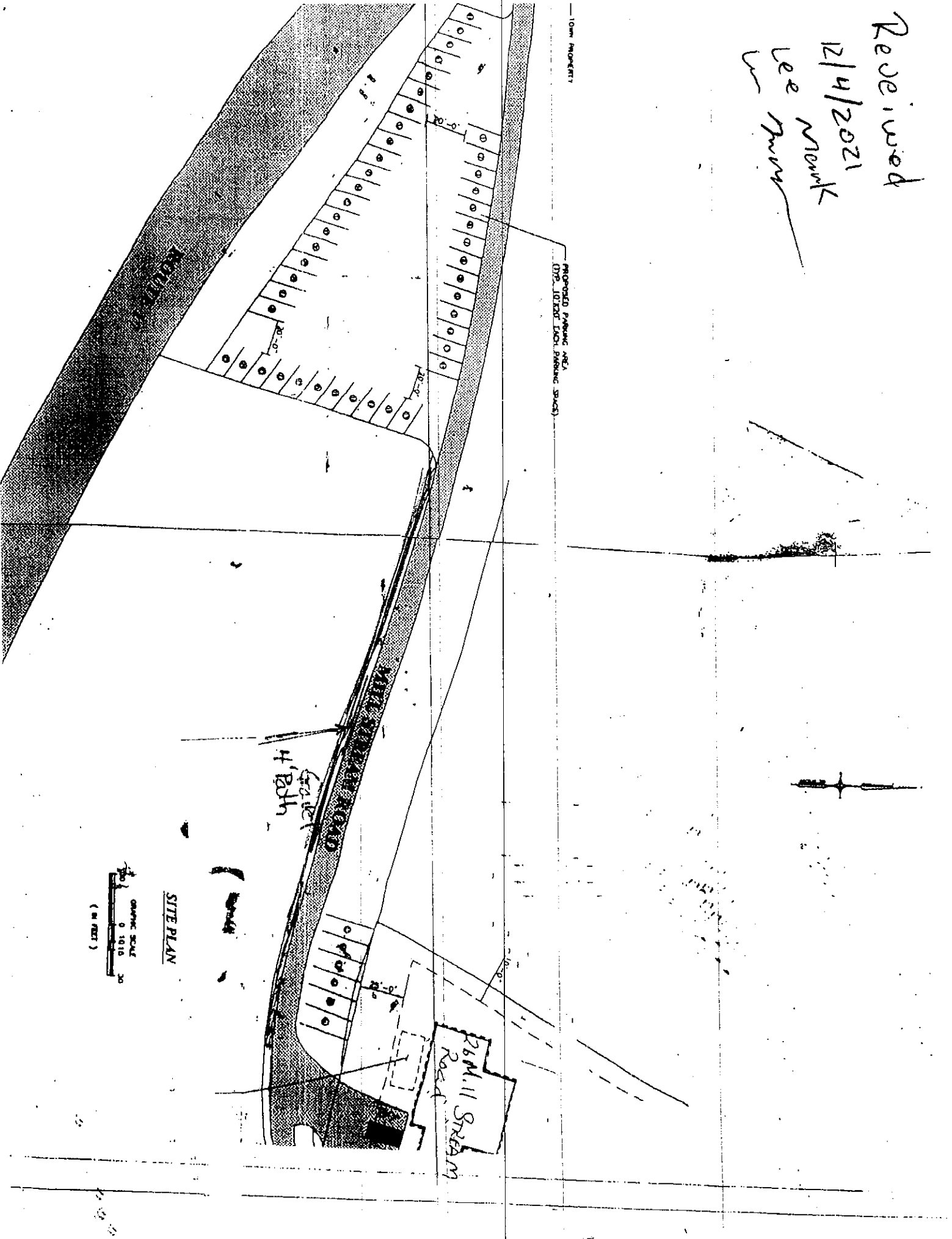
RE: 26 Mill Steam Rd

To whom it may concern,

Regarding the latest site plan provided by Mr. Bittar for an egress path from the structure. The Readfield Fire Department is satisfied with the egress plan as presented, it will keep foot traffic off Mill Stream Road in the event if fire apparatus need to gain access to the structure.

Lee Mank.
Chief Readfield Fire Department

Received
12/4/2021
Lee Newark
Lee Newark



GRAPHIC SCALE
0 10 20
(IN FEET)

SITE PLAN

26 MILL STREAM
ROAD

4' Path
Gravel

PROPOSED PARKING AREA
(175, 10' X 20' LOTS, PARKING SPACES)

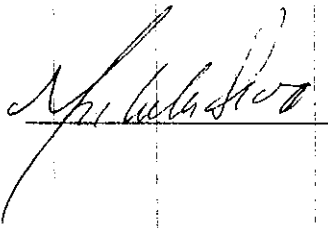
1000 PROPERTIES

Easement Path

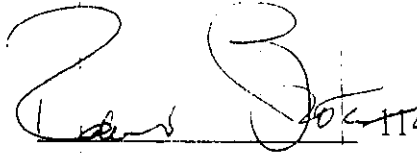
Mr. Peter Fiori and Mrs. Michelle Fiori heirs and assigns, the landowners of Readfield land lot 120-018, grant permission to 26 Mill Stream Road visitors to walk on a 4' wide gravel path "to allow for the safe passage of emergency vehicles". Robert Bittar heirs and assigns agree to end Mill Stream Road activity at 10PM and limit sound to no greater than 57 DB (level of normal conversation).

Mr. and Mrs Fiori agree that a 4' Gravel Path will be created by Mr. Bittar and available for use by 26 Mill Stream Road visitors to access their vehicles at the 120-017 parking lot . The path will begin at the southern edge of lot 120-017 adjacent the Fiori lot 120-018. The path will continue along the Mill Stream Road traveled way where it borders 120-018. The path will terminate at a place where pedestrians may access 26 Mill Stream Road.

The agreement shall remain in effect unless revoked in writing by a Landowner because of inappropriate use.

Michelle Fiori  20 Mill Stream Road, Readfield Maine 04355

Peter Fiori  20 Mill Stream Road, Readfield Maine 04355

Robert Bittar  1146 Main Street, Readfield Maine 04355

12-6-21, ^{Signed,} Tammy Beland

