

TOWN OF BROWNFIELD



Selectmen's Meeting June 2, 2020

Attendees: Brian Fortier, Dickie Perreault, Lenny Jean, Deb Merrill, Matt Coen, Dick Norcross, Kathy Fraise

5:30pm the meeting was called to order by Chair, William Flynn.

Minutes of May 19th were approved by Erik; seconded by Bill. Vote 2-0-0.

Gravel pit – Matt Coen asked to speak with the Board regarding the commercial gravel pit he is operating on Portland Lane without Town or DEP permitting that CEO, Mike, gave him a stop work order on, on May 19th. He stated that he thought that the way the stop work order was handled was incorrect. Matt and Mike had a discussion on May 19th where Mike told Matt he could continue to operate until Mike was able to speak with the Board about how to proceed. Mike went to the Board meeting on May 19th to discuss; it was decided to let Matt continue to operate for 90 days as long as he was making forward progress with getting the required permits per the Town of Brownfield's Mineral Extraction Ordinance enacted in 2005. Matt also mentioned that there is a covenants on the land located in Pine Ridge Acres Subdivision that he admittedly did not look into before purchasing the land (8/17), and reports that Baldwin (previous owner) only disclosed no mobile homes were allowed on the property. Matt is also claiming that the pit was grandfathered because it has been in operation for approximately 100 years so no permitting from the Town or DEP was required. Dick Norcross also stated that he has been hauling from his pit yearly with no Town permits, also located in Pine Ridge Acres Subdivision, because it is grandfathered and all of the previous owners had done the same. Matt presented an undated letter from Shawn Baldwin stating the "pits were all in constant use prior to the sale, as well as after the sale in 2004. From 2005 until Matthew Cohen purchased lot 6 in 2017, he was extracting sand from the sand pit which is now located in lot 6. During that time, we had an agreement with him to do so." Preceding this meeting, Mike and Megan called Mike Clark from Maine Department of Environmental Protection who informed them that any excavation under 5 acres (not total acreage of the lot) falls under municipal ordinance, therefore grandfathering does not apply; DEP involvement/permitting and grandfathering only pertains to mineral extraction of over 5 acres. The Board stated that all other businesses in Town have to go through the proper channels/planning board; Matt asked what would happen if he did not comply. It was then suggested that Matt propose an addition to the current ordinance to allow for grandfathering, which would then need to go to the Town for a vote. The Board requested that Matt continue to work on permitting with the Planning Board and check in with the Board of Selectmen at least two times in the next 90 days.

Swimming Lessons – Kathy Fraise said that she is still willing to put on swimming lessons, with some modifications. She will come up with a few scenarios of how they could operate and meet back with the Board to make a decision. She suggested only allowing residents this year. She also stated that she would like the docks moved back to the old location, as it was difficult to perform the swim lessons at the boat launch side. Public Works will move the runway dock back to the old location, and leave a raft dock at each.

Public Works – Brian reports that the bridge abutments are in place and the bridge will be delivered June 18th.

Fire Department – Dickie reports that the sign for Harmon Notch Road/Peary Mountain Road has been moved again, after Public Works placed it back to where it should be which is a concern for first responders not being able to locate correct addresses. He also reports that having the hiking trail head blocked off is causing people to park along both sides of Route 160, interfering with traffic. He asked if the Town would be liable if there was an accident due to people parking on the roadside; Megan will contact the attorney to ask. Maine DOT said they would be placing the no parking signs this month.

6:36pm Bill motioned to go into executive session pursuant to 1 M.R.S.A. 405(6)(A) Personnel Matters. Out of executive session at 6:58pm.

6:58pm Bill motioned to adjourn the meeting and go into workshop mode; seconded by Erik. Vote 3-0-0.

Respectfully submitted,
Megan Witt