



Public Hearing Meeting Minutes  
 Brownfield Planning Board  
 82 Main Street  
 Brownfield, Maine

Date: February 6, 2024

Time: 7:00 P.M.

Meeting Location: Brownfield Community Center

Attendees:

Sonia Frye-Chair	X	Joe Egan	X
Kurt Wood Vice Chair	X	Judi Tordo*	X
Doug Heroux	X	Eric Walker *	X
Kristin Tremblay	X		

\*Alternates

Others present: Attorney Ben McCall, CEO Mike Vane, Fire Chief Richard Perreault, Chad Pine, Cindy Walker, Brian Merrill, Kathy Heroux, Vinny Lanovara, Jamie Riel, Caren Hutchinson, Chris Rudio, Whit Lucy, Linda Pestilli, Terry Lockhead, Kathy Hatch, Rebecca Fuller, Bruce Collins, Barbara Moulton, and Benjamin Avrill. (Please see the attached list of those attending that signed in for accuracy, one written name could not be deciphered.)

A quorum was determined, and the meeting was called to order at 7:00.

Agenda items:

- A. A motion was made by Kurt and seconded by Erik to approve the minutes of January 2. The vote was called and carried 4-0-0. Sonia was not present at the meeting and abstained from the vote.
- B. The attorney for the Planning Board, Ben McCall, was introduced.
- C. The proposed changes to the Land Use Ordinance to be compliant with LD 2003 now (PL 2021) by July 1, 2024, were read to all present.

## Warrant Article XXX

Article XX. Shall an ordinance entitled "2024 Amendments to the Brownfield Land Use Ordinance Regarding Dimensional Requirements" be enacted?

2024 AMENDMENTS TO THE BROWNFIELD LAND USE ORDINANCE  
REGARDING DIMENSIONAL REQUIREMENTS

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The Land Use Ordinance of the Town of Brownfield shall be amended as follows (additions are underlined and deletions are ~~struck out~~):

1. Amend Article III, Dimensional Standard, as set forth below:

3.1 The minimum lot size shall be two acres. Minimum lot frontage shall be 150 feet, with an additional 50 feet of frontage required for any additional dwelling unit or use proposed.

The minimum setback from the centerline of any public or private road shall be 55 feet except for four-rod roads, for which the setback shall be 75 feet ~~shall have a 75-foot setback from the center of the road.~~ Property rear and sideline minimum setbacks shall be 25 feet. ~~Lots with duplexes or multi-family structures on them shall have an additional 50 feet of road frontage for each dwelling unit over one. Lots with two or more dwelling/units shall comply with current building and or building codes.~~ Set back requirements pertain to all structures, both principal and accessory; however structures already in place by June 4, 1988 may be added to only if dimensional standards are not further violated.

For non-conforming lots of record small than two acres, the minimum setbacks from rear and side property lines shall be 25 feet or 10% of the lot width, whichever is less.

3.3 All single dwelling units shall be located on a minimum of two acres with at least one acre required for a second any additional dwelling unit. ~~Three or more dwelling units on a single tract or parcel, which are defined as a subdivision under M.R.S.A. Title 30-A, Subsection 4401, shall be located on a minimum of two acres per dwelling unit and must comply with the Brownfield Subdivision Regulations.~~

1. Amend Article VII, Definitions, as set forth below:

Accessory Dwelling Unit: A dwelling unit that is incidental and subordinate to the principal dwelling unit located on the same property and that is either located within the detached principal single-family dwelling unit or within a separate, detached structure on the same parcel as the principal single-family dwelling unit.

2. Amend Article III, Dimensional Standard, as set forth below:

3.5 Off street parking shall be provided for all dwelling units at a rate of one and one half spaces per dwelling unit; provided, however, that no additional off street parking need be provided for any accessory dwelling unit permitted under this Ordinance.

3.10 Accessory Dwelling Units are permitted on any lot where a single-family dwelling is the principal structure, subject to the following standards:

- a. Accessory Dwelling Units may be located within an existing dwelling unit on the lot, attached to or sharing a wall with such an existing dwelling unit, or may be located in a new structure on the same lot.
- b. Accessory Dwelling Units must be at least 190 square feet in total area and may not exceed: (i) 1,500 square feet in total area, or (ii) 40% of the area of the existing primary dwelling unit, whichever is less.
- c. Accessory dwelling units are subject to the same setback requirements as the principal structure.
- d. An accessory dwelling unit must comply with all shoreland zoning requirements imposed by the Town of Brownfield and by the Maine Department of Environmental Protection.
- e. Prior to issuance of a building permit, the property owner must submit written verification that the Accessory Dwelling Unit is connected to adequate water and wastewater facilities. Proof of adequacy must be consistent with the requirements of 30-A M.R.S. § 4364-B (7), as may be amended.

f. An Accessory Dwelling Unit may not be leased or rented to a tenant for periods of less than sixty (60) days.

g. This section may not be construed to interfere with, abrogate, or annul the validity or enforceability of any valid or enforceable easement, covenant, deed restriction, or other agreement or instrument between private parties that imposes greater restrictions on Accessory Dwelling Units than those provided in this section, as long as the agreement does not abrogate rights under the United States Constitution or the Constitution of Maine.

#### D. Public Comment

Bruce Collins asked to speak and stated that 3.1 is in direct conflict with the Land Use Ordinance.

3.1 reads in this document as follows:

The minimum lot size shall be two acres. Minimum lot frontage shall be 150 feet, with an additional 50 feet of frontage required for any additional dwelling unit or use proposed.

The Land Use Ordinance wording is as follows:

The minimum lot size shall be two acres. Minimum lot road frontage shall be 150 feet, with an additional 50 feet of frontage required for any additional dwelling unit or use proposed.

Attorney McCall stated that this was an unintentional omission by mistake, road will be put back in.

Jamie Riel has concerns with 3.10 f. again that reads: An Accessory Dwelling Unit may not be leased or rented to a tenant for periods of less than sixty (60)days.

The purpose of LD 2203 was to allow more housing across the state.

Air B & B business owners have concerns with this proposed requirement. Mike Vane stated that a lot of investors came into town, and some have sat on their investment, this does not help the housing project. Ben McCall stated that f. is a choice was inserted by conversations with the Planning Board about this requirement and does not need to be included in the proposed changes.

Chad Pine had questions about ADUs and asked if he would

have to put in water and sewage. Ben McCall stated that if a portable ADU was staying on the property, it would need to be hooked up properly. Vinnie Lanovera would like to have more information placed in the paper.

Sonia made a motion that was seconded by Kurt to schedule a second Public Hearing on April 3 at 7 p.m. at the Brownfield Community Center. The vote was called and carried 5-0-0.

Kurt made a motion that was seconded by Erik to adjourn the meeting, the meeting adjourned at 8:04 p.m. The vote was called and carried 5-0-0.

Submitted by,

  
Pam Thomas

Chairperson,

  
Sonia Frye