



Meeting Minutes
Brownfield Planning Board
82 Main Street
Brownfield, Maine

Date: September 5, 2023

Time: 7:00 P.M.

Meeting Location: Town Office Conference Room

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: Dick Perreault (Fire Chief), Mike Willard, Kelly Willard, Kayla Willard, Bill Reilly, Dana Forcier, Carrie Garland, Brett Ladd, Diane Meikle, Whit Lucy, Linda Pestilli, Dominic McAuliffe, Robert Parker and Pam Thomas (Secretary).

A quorum was determined and the meeting was called to order at 7:05.

Agenda items:

- A. A motion was made by Kurt and seconded by Joe to approve the minutes of August 1. The vote was called and carried 5-0-0.
- B. A motion was made by Kurt and seconded by Joe to approve the workshop notes of July 25. The vote was called and carried 5-0-0.
- C. A motion was made by Kurt and seconded by Joe to approve the workshop notes of August 29. The vote was called and carried 5-0-0.
- D. Judi will replace Sonia Frye who is an abutter to the property listed on the application.

E. Brownfield Community Development Project (BCDP) - Tax Map Tax U9 Lot 19

Dana Forcier, the applicant for BCDP was present. The Board placed the applicant and Jordan Pike of HEB, who was representing Dana on this project on the agenda. Their application remains incomplete and the 60 days allowance to complete the application expires today. The Board is required to cancel the application because it is incomplete or consider an extension if the applicant requests one. The list of requirements not met can be found in the file for BCDP.

In an email dated August 24th, Jordan Pike sent a message to the Planning Board stating that he was no longer representing Dana's subdivision application. Jordan had been invited to the meeting to give an update on the application.

Dana's Uncle, Wayne Garland, on behalf of Dana Forcier requested an extension on this application in an email dated August 30th because of a pending real estate transfer on the property.

Members asked the applicant (Dana Forcier) if he was still the applicant for this application to which he replied that he is.

Dana then requested a six month extension. Joe made a motion to grant the six month extension provided that the applicant, Dana Forcier remains the same applicant for this application. Doug seconded the motion. The vote was called and carried 5-0-0. The applicant's application (Dana Forcier) will be extended to March 5, 2024. The requested extension date from Wayne Garland is February 29th, 2024.

Sonia will replace Judi for the remainder of the meeting.

F.7:15 Public Hearing for Dippity Dog Grooming + Daycare/Boarding
Tax Map R6-Lot17

The application was read to all present. An abutter to the property, Brett Ladd asked the applicant if they were going to use the same driveway. Mike replied that they were going to use the same driveway.

Joe asked the applicant how many parking spaces they plan on having for the proposed business to which the applicants replied six (6).

Kelly, the applicant's daughter stated that there will be clients arriving/ departing at the business approximately every half hour and there will be no people or dogs at the location after six at night. (6 p.m.)

Members discussed having a site visit to the property after the applicants purchase the property and after the business has been completed. The applicants do not own the property and have requested that the Board grant a business permit before they buy the property from Dick Norcross.

Brett Ladd asked if dogs will be on the property 24 hours a day to which the applicants replied "No".

Brett asked if there will be kennels outside, Kelly replied, "Yes, for daycare only".

When asked about barking dogs, Kelly explained that she talked with the Animal Control Officer, Cindy Eaton and was told that the dogs cannot bark for more than twenty (20) minutes, (at a time throughout the day).

Brett Ladd has concerns over the runoff into their yard because it has occurred in the past.

Mike stated that there will be a new septic and a new leach field. The applicants have submitted an Erosion Control Plan and a Site Plan that shows the location of the proposed leach field. Both were designed by John Wiesemann, Site Evaluator. The Site Plan is dated 6/28/23 and the Erosion Control Plan is dated 6/29/23.

Brett voiced his concerns of dogs getting loose. Mike stated that they will be pouring concrete into the ground that dogs cannot dig under.

The Chair, Sonia Frye reiterated to Mike that there will be no boarding allowed after 6 and boarding during the day will be for the day care only as noted on this application. This permit will be granted as a conditional use business permit.

Kelly stated that the dogs will be brought home to her house at night and her house is not located on the proposed property for Dippity Dog (Grooming) + Daycare/ Boarding.

Brett Ladd still voiced many concerns with the drainage of water unto his property stating that they keep the drainage pipe on their side of the road and that they can take care of their own water and not have it drain unto Brett's property. (Speaking of current property owners across the street).

Members discussed conducting the Site Walk this year, before the building begins, stating that the CEO, Mike Vane is the enforcement officer who will inspect the property.

Kurt asked if the pins had been set on the property for the location of the building. Kurt does have a concern that the applicants do not own the property and have requested that the applicant(s) receive and submit a notarized letter of permission to conduct a Site Walk from the property's current owner, Richard (Dick) Norcross.

Sonia stated that if the applicants follow everything that they have said that they are going to do, there should be no problem.

Mike stated that they have had a ground soils test done.

Sonia requested that the applicant(s) place stakes at the property showing the location of the proposed business activities.

Eric stated that once the applicants are the registered property owners, they would need to submit a statement to the Board that they will not deviate from the plan(s) submitted.

The applicants will need to submit a letter of permission from the property owner that all abutters have been notified. Planning Board members and any public interested in attending the Site Walk will be allowed to walk on his property for the purpose of conducting the Site Walk.

Kurt made a motion that was seconded by Joe to schedule a Site Walk on Tuesday, October 10th at 11 a.m. The vote was called and carried 5-0-0.

The Public Hearing ended at 8:10.

G. Realtor Bill Reilly-Tax Map R2—Lot 85 Saco River Shores Subdivision

Bill Reilly is representing Heidi and Christopher Waddell, the current owners of the lot.

The Declaration of Restrictions Affecting Property of Patten Corporation of Maine Saco River Shores Subdivision in the Town of Brownfield County of Oxford and State of Maine gives permission within requirement # 11 to allow lot # 85 to be further subdivided only once upon written approval from the Planning Board.

Submitted with the proposed subdivision plan at the meeting on August 1 were the following documents:

A copy of the warranty Deed dated 12/31/2020.

A Tax Map showing the location of the lot and the surrounding lots within the subdivision.

A letter dated July 27th, 2023 sent to John Watson and Kathy Boyette-Watson from Bliss and Associates was submitted stating that a preliminary site evaluation of the property was conducted on July 26th, 2023.

The final subdivision plan dated 2023, July 27th for Project No. 23-063, and drawn up by Jon Bliss, Land Surveyor of Lovell, Maine was submitted, approved, signed by members, dated and stamped with the Planning Board seal.

Bill will register the Plan with the Register of Deeds and provide a receipt to the Board from the Registry.

H. Brownfield Bridge Auto Sales-Tax Map R3-Lot 29a.

Dominic McAuliffe is the applicant's authorized agent for property that is owned by Robert Parker. Both were present at the meeting.

Sonia questioned why the application has been submitted as an LLC stating that a LLC is something different.

Dominic stated that he needs to have paperwork signed from the Planning Board for the state.

Dominic stated that the house on the property and the attached garage comprise 3.75 acres of land that is divided off from the property of the River Run Canoe business.

Judi asked if the entrance to the proposed business is the same one that is being used by the River Run business. The applicant replied that they will be using the same entrance and that there will be no extra traffic generated with this business. Dominic stated that the camp entrance to River Run is closed now. (For the season).

When asked about the car lot they are proposing, the applicant stated that the location of the car lot will need to be added to the plan but everything else is there. (On the Plan).

When asked by Kurt how many cars they plan to sell a year, the applicant replied twelve (12) cars or a few more stating that this is a side business for them.

Joe stated that a few more cars leaves it open to interpretation. If you are going to have up to twenty cars (20), that needs to be clarified in the reply.

Dominic stated that his license with the State is limited to twenty (20) cars or less, any more would violate his license.

The applicants were instructed to rewrite the replies to a. through j. of the Land Use Ordinance Good Neighbor Standards on a separate piece of paper and submit it to the Board.

The application was read to all present.

L.U.O. requirements 4.9 a.-j.

a. Access to the site from existing and proposed roads is safe and adequate. The proposed use will not cause or aggravate undue traffic congestion. Off street parking and loading facilities will accommodate anticipated business at all times.

Original reply: There's an existing business that doesn't affect traffic now. A few more cars won't cause an issue.

The applicant revised his reply. Kurt made a motion that was seconded by Doug to accept the reply as answered completely.

Revised reply: Yes.

Vote: 5-0-0.

The Board requested that the applicant submit a copy of their LLC.

Discussion: The applicant stated that their state license is limited to twenty (20) cars or less.

Eric stated that he may only sell 20 cars a year but he can repair 1000.

Joe asked the applicant if he had any idea of how much traffic is generated now. The applicants stated that on a Friday, maybe 300 cars and they have room for 1000 cars.

b. The site is in conformance with all flood hazard protection regulations.

Original reply: The site isn't in the flood plain.

See attachment 2.

Revised reply: Yes, The site isn't in the flood plain. See attachment 2.

Kurt made a motion that was seconded by Joe that the reply has been answered correctly.

The vote was called and carried 5-0-0.

A motion was made to request that the applicant revise all requirements and include a yes or no reply to each. The vote was called and carried 5-0-0.

c. Adequate provision for the transportation, storage, and disposal of any solid waste and hazardous matter has been made.

Original reply: Using a place called "Clean Harbors" local branch is Murphies 1-800-522-4645. See attachment 1.

Doug asked the applicants if they take care of oil to which the applicants stated that they do.

Revised reply: Yes, using a place called "Clean Harbors" local branch is Murphies 1-800-522-4645. See attachment 1.

Vote: Kurt made a motion that was seconded by Joe to accept the revised reply as answered completely. The vote was called and carried 5-0-0.

d. A storm water drainage system capable of handling a 25-year storm without adverse impact on adjacent properties has been designed. If not available contact CEO for possible waiver.

Original reply: Yes, perimeter drains are installed with a 200 gallon basin. See attachment 3.

Vote: Doug made a motion that was seconded by Kurt to accept the reply as answered completely. The vote was called and carried 5-0-0.

Applicants stated that there are airport drains on every door.

e. An erosion and sedimentation control plan has been formulated. If not available contact CEO for possible waiver.

Original reply: That does not apply.

Revised reply: no, land is flat.

Vote: Doug made a motion that was seconded by Kurt to accept the revised reply as answered completely.

f. There is adequate water supply to meet the demands of the proposed use, and for fire protection purposes. Written approval from Fire Chief designating source required.

Original reply: No reply written on application.

Revised reply: Yes.

A letter from the Fire Chief, Richard Perreault will need to be submitted for this requirement.

g. No water pollution will be caused.

Original reply: Water is tested on site 4 times per year No water pollution. Clean up for spills plan.

Vote: Kurt made a motion that was seconded by Joe to accept the reply as answered correctly. The vote was called and carried 5-0-0.

h. Where a potential safety hazard to children would be likely to arise, physical screening sufficient to deter children from entering the premises shall be provided and maintained.

Original reply: Children not allowed unsupervised and locked when not in use.

Revised reply: Children not allowed unsupervised and garage is locked when not in use.

Vote: Kurt made a motion that was seconded by Joe to accept the revised reply as answered correctly. The vote was called and carried 5-0-0.

i. Strong light or reflection of that light will not travel to residential properties or onto any public way so as to impair the vision of any motor vehicle driver.

Original reply: Security lights all around building none face the road or neighbors.

Revised reply: Yes, security lights all around building none face the road or neighbors.

Vote: Kurt made a motion that was seconded by Joe to accept the revised reply as answered correctly. The vote was called and carried 5-0-0.

j. The commercial/industrial activity will take place at least 100 feet from the nearest dwelling.

Original reply: No, garage is attached to dwelling all safety precautions taking place. Extinguishers, fire proofed drywall.

Revised reply: No, garage is attached to dwelling all safety precautions taking place. Extinguishers Owner's fire proofed drywall.

Yes, we are more than 100 feet from our nearest abutter.

Answers will be submitted on a separate piece of paper and submitted to the Board.

Sonia made a motion that was seconded by Joe to schedule a site walk on Friday, October 13th at 5 p.m. The vote was called and carried 5-0-0. A meeting to discuss the site walk will follow. Joe asked the Board to give him permission to speak to the Selectmen about LD 2003. Sonia made a motion that was seconded by Kurt to give Joe permission to talk to the Selectmen. The vote was called and carried 5-0-0.

I. Kurt made a motion that was seconded by Joe to hire Greg Braun as the Planning Boards attorney. The vote was called and carried 5-0-0. The secretary will contact Greg to confirm.

J. Sonia made a motion that was seconded by Kurt to hold a workshop on September 19th. The vote was called and carried 5-0-0.

K. Sonia made a motion that was seconded by Kurt to schedule the regularly monthly meeting on October 10th at 7 p.m. The vote was called and carried 5-0-0.

Sonia made a motion that was seconded by Kurt to adjourn the meeting. The vote was called and carried 5-0-0.

The meeting adjourned at 9:39.

Submitted by,


Pam Thomas

Chair,

Sonia Frye
