



Brownfield Planning Board
82 Main Street
Brownfield, Maine 04010
207-935-2007 ext. 201

Minutes of August 4, 2020

Members present: Sonia Frye (Chairperson), Kurt Wood (Vice-Chairman), Judi Tordo (alternate), Deb Merrill, Doug Heroux and Joe Egan.

Members absent: Mitch Dondero (alternate)

Others present: Pam Thomas (Secretary), Maria Manning and Whit Lucy.

With Six members present, a quorum did exist and business could be conducted.

The meeting was called to order at 7:00.

The first order of business was to elect officers.
All members participated in the voting process.

Motion To: Nominate Sonia Frye as Chairperson.

Made by: Deb

Seconded by: Joe

Vote: 5-0-1

Sonia abstained from the vote.

Motion To: Nominate Kurt Wood as Vice-Chairperson.

Made by: Deb

Seconded by: Judi

Vote: 5-0-1

Kurt abstained from the vote.

The minutes of July 7th were reviewed by members.

Motion To: Accept the minutes of July 7th as written.

Made by: Sonia

Seconded by: Deb

Vote: 4-0-1

Joe Egan abstained from the vote. Joe was not present for the meeting on July 7, he is a new member.

Motion To: Schedule workshops on August 11, 18 and 25 to review the draft copy of the Short Term Rental Ordinance.

Made by: Kurt

Seconded by: Deb

Vote: 5-0-0

(The vote was amended later in the meeting to schedule a meeting on August 18th.)

Maria Manning was present to submit an application for Mountain Treehouse Kombucha, LLC.

The following requirements of the Brownfield Land Use Ordinance 4.9 a through j. were reviewed as follows:

Requirement a.

- 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.

Reply: Yes. Our business requires minimal deliveries and will not lead to traffic congestion. Kombucha and other food related deliveries will almost exclusively be made on a small scale basis and conducted by the owner in a personal vehicle. There is therefore no reason for extensive truck traffic on our road, no anticipated parking or traffic congestion. The sketch below details the location of our business relative to Sam Brown Hill Rd. (roughly 1300 feet away) in addition to our small loading door and adjacent driveway.

Sonia made a motion that was seconded by Deb that requirement a. has been met.

Requirement b.

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

Reply: Yes. The site is not in a flood plain and includes a well thought out and pre-approved septic design that allows for adequate drainage.

Deb made a motion that was seconded by Sonia that requirement b. has been met.

Vote. 5-0-0

Requirement c.

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

Yes. The septic design is appropriate for the intended use which does not produce hazardous materials or any significant organic or inorganic waste.

Sonia made a motion that was seconded by Deb that requirement c. has been met.

Vote: 5-0-0.

Requirement d.

- d. A storm water drainage system capable of handling a 25-year storm without adverse impact on adjacent properties has been designed.

Yes. The plan includes swails, perimeter drains, and culverts.

Deb made a motion that was seconded by Joe that requirement d. has been met.

Vote: 5-0-0

Requirement e.

- e. An erosion and sedimentation control plan has been formulated.

Yes, excavation work includes the planting of grass with appropriately sloped surfaces as to avoid erosion and runoff.

Deb made a motion that was seconded by Joe that requirement e. has been met.

Vote: 5-0-0

Requirement f.

- f. There is adequate water supply to meet the demands of the proposed use, and for fire protection purposes.

Yes, water lines have been run from a drilled well on site. The closest water supplies for fire protection purposes, as identified by the Brownfield Fire Department are located on Old County Road and include two 10,000 gallon tanks in addition to Shepard's River.

Deb made a motion that was seconded by Joe that requirement f. has been met.

Vote: 5-0-0

Requirement g.

- g. No water pollution will be caused.

Yes. The production of both Kombucha and other foods in the commercial kitchen will not cause water pollution. The process of producing Kombucha involves the fermenting of green and black tea, subsequent bottling and carbonation. Since the tea is self-carbonating, no carbon dioxide tanks are necessary at this time. (i.e. there is no threat of excessive carbonation leading to acidification of waste water.) The production of local foods for sale such as hummus, pesto, and sauces also do not pose a threat to water quality.

Deb made a motion that was seconded by Joe that requirement g. has been met.

Vote: 5-0-0

Requirement h.

- 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.

Yes, the proposed business is in its own building complete with locked doors and windows.

Deb made a motion that was seconded by Joe that requirement h. has been met.

Vote: 5-0-0

Requirement i.

- 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.

Yes. The proposed business is not visible from the road and includes no plans for excessive lighting.

Deb made a motion that was seconded by Joe that requirement i. has been met.

Vote: 5-0-0

Requirement j.

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

Yes. The closest building to the proposed business (our own home) is more than 100 feet away.

Deb made a motion that was seconded by Joe that requirement i. has been met.

Vote: 5-0-0

The chair stated that the requirements of a. through j. have been met.

The applicant submitted a check for the advertising and abutter notifications.

Motion To: Schedule a Public Hearing on September 1st at 7:15.

Made by: Sonia

Seconded by: Deb

Vote: 5-0-0.

Mail:

Matthew Bickford sent emails asking the board about the status of his application for Greener Evolutions LLC stating that he now has a well in and it will be hooked up soon.

The secretary replied to him that the last meeting that he attended was on February 6, 2018. The board at that time requested that he submit a full purchase and sales agreement and a copy of the septic design.

In the time since his last meeting with the board, municipalities must vote to opt in to operation of registered caregiver's retail stores, registered dispensaries, testing facilities, and manufacturing facilities. This email was sent out on July 16th, 2020 with no reply from Matthew.

The secretary also requested Matthew to reach out and let the board know what his intention is going forward with his business.

Mr. Eric G. Braciska and Mrs. Andrea M. Braciska.

A notice of violation and order to correct was sent to Mr. Eric Braciska and Mrs. Andrea Braciska regarding property they own at 285 Spring Street (Tax Map U6- Lot 50) and 176 Merrill Corner Road (Tax Map R10- Lot 22).

In the notice it states that the properties are being rented out and that this is a direct violation under Governor Mills Executive Orders during a Covid -19 Pandemic. The letter was sent by the Code Enforcement Officer Michael Vane.

FOAA

At the Selectmen's meeting on August 6th, Eric nominated Megan Witt as the Freedom of Access Officer for the Town of Brownfield.

A Freedom of Access Act Fee and Request Policy was submitted to the Planning Board from the Selectmen's office for their files.

Bruce Collins

At the Selectmen's meeting on June 30th, the Selectmen voted to expunge the current bill for Bruce Collins 8/ 2019 FOAA request with

the stipulation that all future requests are to be made in writing to the Freedom of Access Officer and must be paid in advance of receiving the documents if a charge is to be incurred.

Finding of Facts for Sugar Shack Cafe

The findings were read to all present.

Motion To: To accept the findings as submitted.

Made by: Deb

Seconded by: Kurt

Vote: 4-0-1.

Joe Egan was not present for these meetings and abstained from the vote.

Town of Brownfield Marijuana Establishments Licensing Ordinance

Motion To: Accept the final draft copy of the Ordinance as presented.

Made by: Deb

Seconded by: Kurt

Vote: 4-0-1

Joe Egan abstained.

The final draft copy with proposed changes was sent to the Town Clerk, Michelle Day and the Selectmen's assistant Megan Witt on August 4th, a final draft copy will be submitted tomorrow. (August 5th).

Motion To: Schedule a meeting on August 18 at 7 p.m.

Made by: Kurt

Seconded by: Deb

Vote: 5-0-0

Motion To: Adjourn the meeting.

Made by: Kurt

Seconded by: Deb

Vote: 5-0-0.

The meeting adjourned at 8:45.

Submitted by,

Pam Thomas

Chairperson,

Sonia Frye