



Brownfield Planning Board

Revised Minutes of April 2, 2019

Members present: Nubi Duncan (Chair), Sonia Frye (Vice Chair), Mitch Dondero and Kurt Wood.

Members absent: Lenny Jean

Others present: Cindy Willets, Lisa Thompson, Shawn Geyer, Deb Merrill, Bruce Collins, Bill Flynn (Selectman), Richard Perreault (Fire Chief), Brian Fortier and Pam Thomas, (Secretary).

A quorum was present and business could be conducted.

The meeting started late due to a prior meeting in the meeting room.

The minutes of January 8th were reviewed by members.

Motion To: Accept the minutes as revised.

Made by: Mitch

Seconded by: Kurt

Vote: 4-0-0

The minutes were revised on page 3 as follows: Blue Point Tilapia Farm was discussed. ~~The board questioned if there may be two deeds to the property.~~

The minutes of March 5 were reviewed by members.

Motion To: Accept the minutes as presented.

Made by: Sonia

Seconded by: Kurt

Vote: 4-0-0

Motion To: Accept the minutes of March 13 as presented.

Made by: Sonia

Seconded by: Kurt

Vote: 4-0-0

7:40 Pubic Hearing for Shawn Geyer of Geyer Construction
Requesting permission to rebuild in Shoreland Zoning –Tax Map U1 Lot 3
Property located at 20 Rennie Lane

The Public Hearing was delayed due to a prior meeting.

At the meeting on March 5 Shawn submitted a set of plans for the rebuild of a home at 20 Rennie Lane. At that meeting the applicant was asked to revise the plans by moving one (1) or two (2) feet back from the original house plans to the greatest extent possible. (The plan was revised to show that the change from 60 feet to 61 feet.)The corrections were made to the plans changing the plan from 36 feet to 35 feet length to meet the volume standard.

Shawn presented his revised plan for a house rebuild, the house was destroyed by fire on May 30, 2018. The board has requested that Shawn have plans that do not make the building less nonconforming. The foundation size has been reduced to 35 length from 36 length, the applicant initialed the changes on the plans. The setback from the water was changed from 60 feet from the normal high water line to 61 feet from the normal high water line. The Permit by Rule application sent to the DEP will need to be revised to reflect the changes. The current applications description shows that the building will be in the same spot and will be the same size.

There were no public statements at the hearing.

Motion To: Approve the building permit with conditions set forward and as follows:

1. No building will be permitted until approved by the CEO.
2. Resubmit the Permit By Rule
3. The board needs to know exactly where the high water pin will be placed and how far back from the high water. (House will be set back at 61 feet from the pond.)Original plan was 60 feet.

Made by: Kurt

Seconded by: Mitch

Vote: 4-0-0

Bill Reilly was not present at this meeting but supplied two Mylar's and maps to be signed by the board. Bill represents Dennis and Vicki Marchant who own property in the Saco River Shores Subdivision. (Tax Map R2-Lot 19) The Marchants will be subdividing lot 19 into two lots. 19 and 19A. Previously submitted documents are as follows:

1. Copy of subdivision (soils tests will be on final copy)
2. Deed
3. Covenants allowing subdivision of lot which were part of final approval by the Brownfield Planning Board 1987
4. Copy of current lot from approved subdivision plan 1987
5. Copy of last plan approval for lot 28
6. Letter from CEO stating he found no issues with the division dated January 28, 2019

All maps and Mylar's were signed by members and stamped.

Members requested the secretary to send a letter to the town's attorney, Leah Rachin and ask her to consider the following documents when reviewing the final proposed version of the Town of Brownfield Maine Water Extraction Ordinance.

1. Comprehensive Plan
2. Final proposed version of the Town of Brownfield Maine Water Extraction Ordinance dated 3/28/19
3. 2004 Water Extraction Ordinance
4. Large scale water Extraction that was approved October 15, 2018 (Approval Date was October 23, 2018) and
5. Small scale redline that was sent back in February.

Request that Leah consider this a final working document and to make sure that it will be legally defensible.

Motion To: Send the final working Water Extraction Ordinance to Leah with all attachments.

Made by: Kurt
Seconded by: Mitch
Vote: 4-0-0

Dick Perreault submitted the hydrant agreement for Saco River Shores. The responsibility of the hydrants (maintenance and operation) is with the Patten Corporation and its successors to the Patten Corporation of Maine: The Saco River Shores Land Owners Association. (See attached dated December 21, 1987.) At last month's meeting (March 5) the fire chief asked the board how he could proceed with Saco River Shores and its lack of fire protection. One hydrant had been broken for two years and has not been fixed and the other one was just fixed last year. The fire chief had been to the road commissioner of the subdivision. Bruce suggested that Dick go to the original documents which Dick did. The document was located in the file.

The Town Report was reviewed by members. Mitch requested the board to remove the last paragraph that is thanking Cynthia for her dedicated service to the Planning Board .Mitch stated that members are a bunch of hypocrites.

Motion To: Approve the town report with changes made
Made by: Kurt
Seconded by: Sonia
Vote: 3-0-1 Mitch abstained.

The web site was discussed. Bill Flynn told the board that the Selectmen are in contact with someone to update the website and they are waiting for a proposal from her. The selectmen will give a copy of the proposal to board members when received.

Bruce Collins presented documents to the board to review. (Packet attached.)
Bill Flynn left at 8:11.

1. Moratorium

2. Bruce stated that there are five (5) different places where there should have been a public hearing to extend the moratoriums.

Bruce mentioned that they want the 33% that is critical to them.

Bruce also stated that MMA (Maine Municipal Association) says this is an ordinance and Leah (Town Attorney) says that it isn't and Ordinance. (Referencing November 14, 2017).

Motion To: Talk with the Selectmen about the Large Scale Water

Made by: Kurt

Seconded by: Sonia

Vote: 4-0-0

Bruce stated that the comprehensive plan committees were set up to go around the Planning Board and the Planning board will be assuming their work.

Bruce also expressed concerns with the Brownfield Planning board by-laws.

Bruce asked if the Selectmen appointed a member to the board for vacancies.

Bruce stated that a letter was sent a month ago.

Nubi told Bruce that at this point, (close to the town voting date), the board would let this one go.

Workshop dates and subjects were decided.

April 9 No workshop

April 16 by- laws

April 23 Air B&B and marijuana

April 30 Shoreland Zoning

The next Planning Board meeting will take place on the regularly scheduled first Tuesday of the month, May7th.

Kurt supplied members with the Disorderly Building document to review.

Motion To: Adjourn

Made by: Mitch

Seconded by: Sonia

Vote: 4-0-0

Submitted by,

Pam Thomas

Vice-Chairperson,

Sonia Frye