

**Town of Buxton
Planning Board Minutes
January 12, 2026**

Minutes by: Patti McKenna

Members present: Craig Lefebvre, Jere Ross, Scott Warchol, Roger Tracy, Travis Letellier. Also attending on behalf of the town: Patti McKenna, Code Enforcement Officer. Other attendees: Henry Huntley, Cliff Thomas, Tom Peters, Francis E Pulsoni, David Field, Mark Blier, Madison Diggs, Tom Miragliuolo (Maine Office of Community Affairs).

Chairman Craig Lefebvre called the meeting to order at 7 pm.

Appointments:

- **Vote on Finding/Decision - Conditional Use Application – Madison Diggs – Furniture & Flower Shop – 172 Hurlin Smith Rd – Map 18 Lot 3-1.**

Madison Diggs was present for the finding and decision on her conditional use application for furniture/flower shop.

Craig made a motion based on the previous discussions we found the applicant to be in compliance with all applicable provisions of Article 8.2.B,10, and 11 if applicable all those in favor. Jere seconded the motion. The motion passed 5-0 in favor.

CONDITIONS:

1. All elements and features of the application and all representations made by the applicant concerning the development and the use of the property which appear in the record of the Planning Board proceedings, are conditions of the approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board.
2. That the applicant be in compliance with all applicable provisions of Article 8.2.B and 10 of the Buxton Zoning ordinances.
3. Applicant maintains the 9 required parking spaces. For the monthly classes the attendance is limited to the available parking spaces.
4. Meet all the requirements of NFPA as requested by Chief Schools as follows:
 - Fire resistant rated floor/ ceiling separation between retail space and living space above.
 - Portable fire extinguishers in the retail space: 10-B rated with a maximum travel distance of 30 feet or: 20-B rated extinguisher with a maximum travel distance of 50 feet.
 - Smoke detectors and carbon monoxide detectors are required.
 - Fire rated doors required at any opening separating apartment from retail space. The door must be fire rated and be self-closing and self-latching.
5. All outstanding bills be paid before the Conditional use permit is issued \$96.65.

6. An occupancy inspection and permit from the code enforcement office are required before opening.
7. A conditional use permit secured under the provisions of Article 8 shall expire if the work or change involved has not commenced within two years of the date on which authorization is given.

Jere made a motion to approve the application with the above listed conditions. Roger seconded the motion. The motion passed with a vote of 5-0 in favor.

- **State Planning Office - Discuss / Q & A Comprehensive Plan.**

Tom Miragliuolo (Maine Office of Community Affairs) presented information about State requirements for Comprehensive Plans and answered questions of the board and Selectmen.

He explained that State law requires towns to have a Comp plan that is found consistent with the Growth Management Act. The State develops rules after the Act is amended. The rules are a more descriptive way to interpret the statute.

Buxton's 2003 Comp plan was reviewed under a different rule than exists today. The new rule is more of a punch list. The State has developed a checklist that they use to review Comp plans for consistency with the Act. They review it for if an item is addressed. Not for quality.

The reason why towns would want to have a Comp plan. The number one reason is because without one, our zoning could be challenged in court.

Scott Warchol asked, isn't the Comp plan purpose to set goals for the future based on visioning by the town's people? Zoning is developed based on the Comp plan? Tom M. answered yes.

The question was asked if there is any funding available from the State to help towns?

Tom M. stated that DOT has some funds available to help towns write the transportation chapter. Regional planning has some funds to assist with mapping. There are tons of consultants that can help. There are towns that do their own plan without hiring consultants. The law requires that the State provides the mapping to the towns.

Scott Warchol stated that the policies and goals are the guidelines of where the town wants to go. He's not sure how many of our current goals have been completed. He feels there is a lot in the existing plan that we want to keep. Everyone talks about keeping the rural character of the town. The town should set goals on how to keep open space.

Tom M. stated that he's sure the town has changed since 2003 and is changing. We would want to write strategies in our plan to protect the rural character. It is a hard thing to define.

Jere Ross asked if he had a list of consultants. Tom M. stated that instead of him listing off some tonight, he suggested that we research on the state website. To look for recent comp plans and look at who worked on them. He advised that if we do reach out to consultants to make sure they've written a Comp Plan for Maine and that it has been deemed consistent by the State. He

also suggested to hold back 10% of the total cost until their plan has been approved by the State, and to get multiple quotes.

Jere Ross stated that the Comp plan has to be approved by the voters and by the State. What happens if the voters vote the plan down? Tom M. stated in his experience, that is rare for it not to pass. That would happen more if the comp plan committee acted in a vacuum without much public participation. It takes 18 months to 2 years to complete the plan. It takes the State approximately 7 months to review it for consistency.

Henry Huntley asked if a Comp Plan is required by the State. Tom M. responded that it was once but it not required now. But to keep mind that the State law says that if a town has place based zoning, it must be consistent with an approved and adopted Comp plan. State findings are only valid for 12 years so an ordinance can't be challenged. Once the town gets a consistency letter from the State plan review, it resets the 12-year clock.

Tom Peters asked if the comp plan was inconsistent with zoning, the town would have to change the zoning ordinance? Yes. Tom P. asked if there is a window of time for towns to amend zoning to be consistent with their Comp plan? That the comp plan drives the zoning, not the other way around. Comp plan follows visioning of the townspeople.

Tom M. states that yes, there is a time frame provided within the law for town's to amend zoning ordinance to be consistent with their plan.

Mark Blier states that townspeople in Gorham didn't want what the Comp plan allowed. We have zoning, we have a comp plan dated 2003. We've reviewed the plan since then and decided that change wasn't needed at that time. He doesn't see the value in spending resources. What is the benefit?

Scott Warchol states that he doesn't think there is anyone here that is looking to change a lot. The purpose is to get a consistent ruling so that our ordinance can't be challenged. Southern Maine Regional Planning gave us a price of \$40,000 last year to help develop our comprehensive plan.

Tom M. stated the town can develop the plan ourselves. We can use the checklist and fill in the blank method. The data and analysis which is required to be updated can be done by someone else.

Cliff Thomas asked if a town can just resubmit an expired plan. Tom M. responded that the rules have changed on what a plan must include since we did our last plan. Cliff asked if we can do away with our plan. Tom M. states that the law says we have to have a comp plan if we have placed based zoning, which Buxton does.

CEO Report:

Patti asked the Board their opinion on an approved conditional use permit for Wyatt Properties having Hillview Mini Barns store sheds on the lot on Narragansett Trail. They inquired if the conditional use permit would allow them to store sheds. There would be no sales at the location. Just storing the sheds between manufacturing location and sales location. Conditional use permit

was granted in 2023 at this property for outside storage business. The Board collectively agreed that storing the sheds would fit within the conditional use permit.

Patti asked the Board about a letter from a site evaluator on behalf of 14 Old Orchard Rd. application for agri-tourism facility application. The applicant has been told that they have to provide a septic design for the additional use. We received a letter from a site evaluator explaining what type of system might work for what she is asking. The Board agreed with Patti that an actual septic design is required designed for the number of people requested to attend events at the property.

Approval of minutes:

Scott made a motion to approve December 22, 2025, minutes as written. Travis seconded the motion. The motion passed 5-0 in favor.

Approval of Bills:

None currently.

Communications:

Maine Town & City December edition.

Craig stated there is a copy Maine Town & City December edition in the Code Office if anyone would like to look at it.

Other Business:

1. Southern Maine Planning & Development Commission membership dues for upcoming fiscal year, payable July 2026. The Board discussed what we use SMPDC for. Do we pay dues every year? Patti stated she would look into that.

2. Discuss budget request for 26/27 fiscal year. Scott Warchol will get with the treasurer about the budget to get it ready. The Selectmen have decided on a 3% wage increase this year.

3. Discuss Planning Board scheduled meetings for fiscal year 2026. The Board agreed to move the May 25 Holiday meeting to Tuesday, May 26 in the small conference room. The Board agreed to hold the Oct. 12 meeting on Tuesday Oct. 13.

Attendees may address the Board on the evening's business:

There was general discussion about developing the comp plan committee, how many people should be on it. It was reported to the Board by Mark Blier that he believes there is still \$5,000 in the comp plan budget that has been rolled over.

Mark Blier asked about the shoreland maps that were developed by a resident a few years ago. Those maps were not approved by the town, yet it seems somehow the state has those maps. He asked what DEP is using for shoreland maps? The new maps that were not adopted by the town? Patti explained that DEP uses State of Maine USGS wetland maps. They do not use town adopted maps. She added that our zoning ordinance also defines wetlands as shown on the USGS maps. No matter what our shoreland map says, if the USGS maps are stricter, that is what our ordinance tells us to go by.

Adjourn:

Craig made a motion to adjourn at 8:23 pm. Scott seconded the motion. The motion passed 5-0 in favor.

Date Approved: 
Signed: 2-9-2026
Craig Lefebvre, Chairman

Next meeting: January 26,2026