

**Town of Buxton
Planning Board Minutes
March 23,2026**

Minutes by: Roxanne Gardner

Members present: Craig Lefebvre, Jere Ross, Roger Tracy. Also attending on behalf of the town: Patti McKenna, Code Enforcement Officer, Roxanne Gardner, Code Enforcement Secretary. Other attendees: Henry W. Huntley, Cliff Thomas, J.P. Connolly – DM Roma, Michael Olanovich.

Absent from meeting: Scott Warchol and Travis Letellier.

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

Appointments:

J.P Connolly PE, OBO - GOM Properties LLC –Revised Application for Conditional Use Submittal – Construct a building addition, adding 2,940sf of total roof area which includes a 30’x17’ cover trailer storage area, and a 35’x84’ proposed garage with two overhead doors – 1126 Long Plains Rd – Map 6 Lot 11-1.

J.P Connolly OBO GOM Properties LLC. J.P Connolly stated that he had revised the site plan and application narrative based on comments from the Planning Board at the November 24,2025 meeting. J.P Connolly stated that based on the discussion from November 24th meeting, the Planning Board members wanted the project application to include discussion of the project’s underlying zoning district (namely the Rural District) included in the narrative discussion and the dimensional requirements added to the site plan. In addition, the Planning Board asked that a proposed dumpster location be shown on the plan, and parking table be added to the site plan demonstrating compliance zoning ordinance requirements.

J.P Connolly stated that the Planning Board was also concerned with whether or not the property would also be considered to be within the shoreland zone due to proximity/adjacency to a large wetland complex. DM Roma contracted Mainly Soils, LLC to provide a wetland determination of the site. Mainly Soils performed a wetland evaluation and concluded that the onsite wetland is considered a “Forested wetland” and it was their opinion that wetlands onsite do not fall within the Shoreland zone or Resource Protection Districts as defined by the Town of Buxton. J.P Connolly stated that a letter dated January 20,2026 from Mainly Soils, LLC as well as a photo log had been submitted to the Planning Board.

J.P Connolly stated that the building addition would match the existing building. Lighting would be dark-sky complaint wall packs mounted on the building.

Jere asked the applicant if he had received a review from the Fire Chief. J.P Connolly stated that he had not received anything from the Fire Chief. Jere stated that the applicant should reach out to the Fire Chief for any recommendations.

Travis was absent from the meeting but sent an email to the board with his questions and comments.

Travis' email stated that:

Wetlands,

I understand the argument presented regarding the wetland area located west of Dunnell Road. It is important to acknowledge that when the site was originally clearcut wetlands were not regulated to the extent they are today, and such activities were likely permitted with relatively limited standards or disturbance restrictions.

That said, in its current condition, the area west of Dunnell Road does meet the definition of a wetland as outlined in the Buxton Zoning Ordinance. I do not believe it is appropriate for the Board to rely on past site conditions or speculate on future vegetative growth when determining the current classification of this area. In my experience wetland areas do change and evolve over time and typically development sites will need a new evaluation every 5-10 years to ensure a current evaluation is accurate.

Based on its present characteristics, supported by National Wetlands Inventory mapping and Mainly Soils description of "scrub-shrub dominated habitat," it is my opinion that this area should be considered a wetland. Additionally, it may take several decades before the area achieves the level of forest cover (i.e., 75% coverage with trees of 20 feet or greater) necessary to support a "forested wetland" classification.

While I agree that the wetlands located on the subject property are forested and therefore not subject to Shoreland Zone setbacks, I am not convinced that we can reasonably conclude that the wetland across Dunnell Road is not a wetland when, by current definition and condition, it clearly functions as one.

If the projects goes into further review beyond the wetland discussion:

Stormwater

With respect to the proposed development, I have concerns regarding the increase in impervious area. Based on my review of the original approval, the proposal represents a substantial increase—approximately 72% from roughly 9,000 square feet in the original design to approximately 15,500 square feet in the current proposal. While the applicant characterizes this as a "minor" increase, I do not consider an additional 6,500 square feet of impervious surface to be minor for a site of this size, especially in relation to nearby forested wetlands and flood plain.

It may be that the increase appears smaller when compared to existing site conditions, which have evolved over time. However, I believe the appropriate basis for comparison should be the originally approved development and any subsequent permitted modifications, rather than the current, potentially nonconforming, conditions.

I do agree that incorporating stormwater treatment for the roof runoff is an improvement over existing condition. However, I would like to see stormwater impacts evaluated relative to the originally permitted development, rather than solely against existing site conditions.

Additionally, although the forested wetland on-site is not regulated by the Town, it remains an environmentally sensitive resource. Expansion in and around such areas should be carefully considered. While wetland fill may not have been regulated at the time of the original development, current standards reflect a greater understanding of environmental impacts, and I believe that should inform our review.

I also have some technical questions and concerns regarding the site design:

- The roof dripline filter is not clearly shown on the plans. I have a good idea of where it's planned but should be shown/called out on the plan. Where does the underdrain discharge?
- The proposed dripline filter appears to treat only approximately 1,225 square feet of the additional impervious area, which raises questions about the adequacy of stormwater treatment for the increase in impervious area on site of roughly 6,500 sf.
- At the very least the dripline filter should detain the first inch of rainfall in the crushed stone detention area. My calculation shows it has the volume to detain 0.68" of rainfall from half of the roof area. I would like to see a calculation sheet for the filter.

Regarding parking and circulation:

- The parking layout along Long Plains Road does not follow a conventional aisle and parking configuration. The original permitted design included parking on only one side of the drive aisle.
- The three "existing" spaces shown on the west side of the driveway appear to function more as a maneuvering area for vehicles exiting the site, rather than as formal parking spaces. When looking at street view photos of the site, parked vehicles are backed up into the lawn area in order to provide maneuvering space for the other vehicles on site. I don't think that area was intended for parking originally and doesn't meet normal parking layout standards. If these spaces are to be counted as parking, the pavement width should be expanded to provide a standard 24-foot drive aisle.
- The parking arrangement at the rear of the site is also unconventional. If all spaces are occupied as shown, it is unclear whether vehicles will be able to adequately access the garage doors and safely maneuver within the site.

I didn't see elevations of the building in the packet; I remember some kind of garage door access in the back.

More broadly, I want to note that I am not opposed to business expansion in appropriate areas of town. However, this site appears to represent a location of development that would likely not be permitted under current state and local environmental rules. As such, I believe any proposed expansion should be evaluated in the context of today's regulations and expectations, rather than being justified primarily by past conditions.

Overall, I believe the application raises several concerns related to wetland classification, stormwater management, and site layout that should be addressed prior to approval considerations.

Michael Olanovich, owner of GOM Properties LLC, stated that the addition to the existing build was for more storage and would allow him to remove the storage trailers for the property. Michael stated that his main goal was to make the property look better. Michael stated that he is not looking to expand his business or change the hours. Michael stated that he would like the Planning Board to do a site walk before deciding on doing a peer review.

The planning Board discussed having a peer review done of the property. Patti stated that she would reach out and get some pricing for the review.

Jere stated that they could look at the wetlands during the site walk.

Jere made a motion to do a site walk for J.P Connolly PE, OBO - GOM Properties LLC – Revised Application for Conditional Use Submittal – Construct a building addition, adding 2,940sf of total roof area which includes a 30’x17’ cover trailer storage area, and a 35’x84’ proposed garage with two overhead doors – 1126 Long Plains Rd – Map 6 Lot 11-1 – on April 13,2026 at 6:00pm. Craig seconded the motion. The motion passed 3-0 in favor.

CEO Report:

Patti stated that in response to Board member Roger Tracy’s comments at the last meeting, I feel it necessary to defend my position and actions as code enforcement officer. Because the comments and misinformation were presented at a planning board meeting, I feel it’s appropriate for me to respond at a planning board meeting.

It is never my intention to bully people. This job requires some seriousness at times. However, I always start my interactions with people giving them the benefit of the doubt. The more I have to reach out about the same violations, the more serious my communications become. The letter that Mr. Tracy feels made him furious and felt bullying was the result of many ignored communications and attempts to get the applicant to understand that permits have to be acquired before starting the business. It is as simple as that. Better a strongly worded letter than a patron getting hurt or worse.

When a person enters a business or rents a space or attends an event and pays a fee to do so, they have a reasonable expectation of being safe while at this business or event. They would assume that these spaces for rent have been inspected and approved for use. It is my job to make sure the ordinance is followed and that people are safe. Planning board members have the same duty.

As far as there being no difference between an Air BnB and renting a yurt campsite, I disagree. The yurt was advertised for rent under a camping website. A campground is defined in our ordinance as: Any premises established for overnight use for the purpose of temporary camping for which a fee is charged.

The property in question is in the Rural zone. In the Rural zone a campground is a conditional use which requires planning board approval. No such approval has been applied for given. An application to place a yurt for personal use was granted.

Our ordinance does not regulate Air BnB's. An Air BnB would typically be renting a house, which the person renting would assume the house has been built to code, inspected and received an occupancy permit.

There are several safety concerns with the yurt. Some being life safety concerns, and violations, and some being environmental concerns and violations.

As far as the sauna is concerned. The definition of personal service business is: A retail business which provides services but not goods, such as hairdressers, shoe repair, etc. In the Rural zone, personal service business is not a permitted use. There are safety concerns with the sauna as well, which are documented. This information was relayed multiple times prior to the so-called bullying letter. This was also advertised as a space that could be rented. A paying customer has reasonable expectations of safety when renting a space or service.

This particular property is the reason why I suggested agrotourism to be added to our ordinance for review last year. Because using a sauna at that time would only fit personal service business. To help them and this Board to have a process to review this. Instead of just saying no. I am accused of not being helpful, when I spent a good amount of time, helping to draft this ordinance change and advocate for its approval at town meeting, for this properties benefit.

I will end this with: A board member must be impartial, and follow the ordinance, when reviewing an application. In my opinion Roger's statements demonstrate he is biased and cannot be impartial in reviewing this application.

Roger stated that he wanted to thank Patti for saying that and he agrees with what Patti said about not being impartial because he has suffered in terms of trying to provide for himself and his needs because of the nature of running a restaurant business.

Roger stated that he drives by 14 Old Orchard Rd every day and feels pain when he sees only ten or eleven cars in the parking lot around breakfast time and wonders if they can afford to pay their bills.

Roger stated that he had talked to the applicant and stated that Patti has the most difficult job in this town and his intentions were to the applicant was create your restrictions with the Town, operate within them, and the Town can't say anything to stop the applicant from running their business.

Roger stated that he wants to see the business do well just the same as I want to see the business here tonight do well. Patti stated, "so do I."

Roger stated that he thinks it was the questions coming from the board and he was seeing the applicants' reactions.

Roger stated that being in business is not easy and it is exhausting. Roger stated that he overstepped in terms of what he had said to the applicant on March 9,2026.

Roger stated that he does take it personally because he is in the same industry and he sees the applicants struggling. Roger stated that it was like seeing himself and responding accordingly.

Patti stated that we can all do that in the course of our duties, but we still must look at the black and white part of it. Patti stated that keeping in mind people must be safe.

Roger stated that he explained that in his business he has entertainment events and that is part of his business design. Through Rogers' business design he has fire protection and the fire Marshall comes to his business once a year for his annual inspection to make sure the customers are safe.

Roger stated that he had tried to relay that to the applicant. Roger stated that with the sauna his point to the applicant was if the Fire Chief says the sauna is safe then the sauna is safe and the applicant needs to operate within their restrictions and then the applicant won't feel like they can't do anything.

Roger stated that it was him presuming the applicants' feelings and he most certainly displayed a biased opinion and he apologized to Patti.

Minutes: Jere made a motion to approve the March 9,2026 meeting minutes as written with one correction. Roger seconded the motion. The motion passed with a vote of 3-0 in favor.

Bills: None currently.

Communications: None currently.

Other Business:

Discuss shoreland zoning map:

Patti stated that when we amended our official 1997 zoning map, which did include shoreland zone. We amended the zoning map without adding the shoreland zone to our official zoning map. Patti stated that we have adopted a new zoning map that doesn't include shoreland zone. Patti stated that she has received mixed messages on shoreland zoning from DEP and the Towns attorney. Patti stated that she has been using the shoreland zoning map that we've had, and she has been using it as it is in shoreland zone, or it isn't in shoreland zone. Patti stated that Travis brought up the property on Dunnell Rd. has wetlands around it from the USGS wetland survey our attorney says because our ordinance wording has that if it conflicts with our map, we should use that USGS wetland survey. DEP says we use that map and only that map because that is what the applicants have to go by and if we use anything else we can be sued.

Craig asked Patti if she had talked with the attorney about what DEP had stated. Patti stated that she had just recently sent it to the attorney. Patti stated that she feels like DEP outweighs what our attorney's opinion is on wetlands, but she is going to find out because it is really conflicting, it confuses her and it confuses the applicants.

Craig stated that it seems to me that if we are using one map and the applicant is using the same map we shouldn't pull something out of the corner and say by the way we use this map also. Patti stated that in the last four years she has used the official 1997 zoning map, which included the shoreland zone, she has looked at the online wetlands to make sure she isn't setting someone up for DEP coming along and saying their map doesn't have it, but you need something from us. Patti stated that she will always say to the applicant that they might want to check with DEP for any permits.

Patti stated that it is still unclear with the maps, but she is trying to get to the bottom of it.

Jere asked at the next meeting if the Planning Board could get copies of the emails from DEP and the attorney. Patti stated that she would email the correspondence to the board.

Discuss proposed zoning changes:

The Planning Board went over the proposed zoning changes.

The Zoning Ordinance of the Town of Buxton, Maine is proposed to be amended by adding the following underlined words:

Section 5.4.2 – Issuance prohibited when an unresolved land use violation exists.

No building permit shall be issued to an applicant if there are any unresolved land use or zoning violations relating to the property for which the permit is being sought; provided, however, that this shall not prevent the issuance of permits necessary to resolve the underlying zoning or land use violation.

The Zoning Ordinance of the Town of Buxton, Maine is proposed to be amended by adding the following underlined words:

Section 5.4.3 – Issuance prohibited when a property has a matured tax lien.

No building permit shall be issued to an application if the property has a foreclosed tax lien.

The Zoning Ordinance of the Town of Buxton, Maine is proposed to be amended by deleting the following strikethrough words, adding the following underlined words:

Section 9.7 Height Restrictions.

The maximum building height permitted shall be ~~two stories or thirty-five~~ feet. However, this height requirements shall not apply to farm buildings, flagpoles, chimneys, ventilators, domes, water

towers, church steeples, tanks, windmill towers or other structures or building accessory features usually erected at a height greater than the main roofs of buildings provided that such structures or accessory features are not for human habitation or occupancy and further provided that any structure or accessory features higher than thirty-five feet is set back from all property lines a distance at least equal to its height.

Craig made a motion to hold a public hearing for the proposed zoning changes on April 13, 2026 at 7:00pm. Jere seconded the motion. The motion passed 3-0 in favor.

Attendees may address the Board: Cliff Thomas stated that a committee was put together to look at the Comprehensive plan and the committee should have their first meeting in four to six weeks if anyone has any comments or information, they could drop them off at the Town Hall.

Jere asked Cliff who was on the Comprehensive Committee. Cliff stated that on the committee there are Henry Huntley, Heath Knight, Mark Blair, Luke Plummer, and himself.


Jere asked Cliff if there was any public input or was there anyone else that wanted to be on the committee. Cliff stated that he did not know and that would be a question for the Selectmen.

Henry Huntley stated that the comprehensive Committee meeting would be open to the public once they start having them. Jere stated that once Cliff or Henry knew the dates and times of the meetings to let Roxanne know and she would add it to the agenda for the Board to read off during a Planning Board meeting.

Craig stated that he believed the Selectmen also appointed a Charter Commission. Henry stated that it was his understanding the Charter Commission needed to be elected and the Selectmen were going to try to do it in November.

Adjourn:

Craig made a motion to adjourn at 8:06pm. Roger seconded the motion. The motion passed 3-0 in favor of.

Date Approved: 4-27-26
Signed: 
Craig Lefebvre, Chairman

Next meeting – April 13, 2026