Town of Buxton
Planning Board Minutes
October 13, 2026

Minutes by: Roxanne Gardner

Members present: Craig Lefebvre, Jere Ross, Scott Warchol, and Roger Tracy. Travis Letellier was absent. Also attending on behalf of the town: Patti McKenna, Code Enforcement Officer. Other attendees: Henry Huntley, Cliff Thomas, Mitchell Weeman, Glen Vallencourt, Peter Brown, and Alan Simon.

Absent from meeting: Travis Letellier

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

Appointments:

CEO Report: None currently.

Minutes:

Jere Ross made a motion to approve the minutes for September 14, and September 28, 2026, as written. Roger Tracy seconded the motion. The motion passed with a vote of 4 in favor and 1 absent.

Bills: None currently.

Communications:

- **Notice of Violation issued by DEP for property at Bucks Estates subdivision.** Craig Lefebvre stated that there is a copy in the Code Office if anyone would like to look at it.

- **Notice of Special Town Meetings**

On **October 21st, 2026 at 7:00PM** we will hold a Special Town Meeting to vote on the following: Moratoriums, Ordinances, and various Zoning.
On **November 3rd, 2026 at 6:00AM** we will hold a Special Town Meeting to vote on the following: Article 1. To choose a moderator to preside over said meeting. Article 2. To choose six (6) Charter Commission Members.

Other Business:

- Discuss Zoning Changes.

The following is the list of changes suggested by the town attorney to comply with new legislation. The Board reviewed up to Article 4 of the proposed changes and agreed to the following proposed amendments.
Subdivision: A "subdivision," as that term is defined in 30-A M.R.S.A. § 4401(4). ~~A subdivision is the division of a tract or parcel of land into three (3) or more lots within any five (5) year period, which period begins after September 22, 1971, whether accomplished by sale, lease, development, buildings or otherwise provided that a division accomplished by devise, condemnation, order of court,~~

~~gift to a person related to the donor as long as the donor has held the property for a continuous period of 5 years prior to the division, or a gift to a municipality or by the transfer of any interest in land to the owner of land abutting that land does not create a lot or lots for the purposes of this definition, unless the intent of the transferor in any transfer or gift is to avoid the objectives of subdivision review. The term "subdivision" also includes the division of a new structure or structures on a tract or parcel of land into three (3) or more dwelling units, the construction or placement of 3 or more dwelling units on a single tract or parcel of land and the division of an existing structure or structures previously used for commercial or industrial use into three (3) or more dwelling units within a five (5) year period. "New structure or structures" includes any structure for which construction begins on or after September 23, 1988. The area included in the expansion of an existing structure is deemed to be a new structure for the purpose of this definition. In determining whether a tract or parcel of land is divided into three (3) or more lots, the first dividing of such tract or parcel, unless otherwise exempted herein, shall be considered to create the first two lots and the next dividing of either of said first two lots, by whomever accomplished, unless otherwise exempted herein, shall be considered to create a third lot, unless both such dividings are accomplished by a subdivider who has retained one of the lots for the subdivider's own use as a single family residence that has been the subdivider's principal residence for a period of at least five (5) years immediately preceding the second division. A lot of forty (40) or more acres shall not be counted as a lot except when the lot or parcel from which it was divided is located entirely or partially within any shoreland zone. For the purpose of this definition, a tract or parcel of land is defined as all contiguous land in the same ownership provided that lands located on the opposite side of a public or private road shall be considered each a separate tract or parcel of land unless such road was established by the owner of land on both sides thereof. If the real estate exempt under this definition by a gift to a person related to the donor is transferred within five years to another person not related to the donor of the exempt real estate then the previously exempt division creates a lot or lots for the purposes of this definition. Notwithstanding the provisions of this definition, leased dwelling units are not subject to subdivision review if the municipal review is at least as stringent as that required under this subchapter. The grant of a bona fide security interest in an entire lot that has been exempted from the definition of subdivision as a gift to a relative or subsequent transfer of that entire lot by the original holder of the security interest or that person's successor in interest does not create a lot for the purpose of this definition unless the intent of the transferor is to avoid the objectives of this subchapter.~~

3.3. Flood Maps.

The areas of special flood hazard Zones A and A1-30, are identified by the Federal Emergency Management Agency in a report entitled "Flood Insurance Study ~~- Town of Buxton, Maine,~~ York County, Maine" dated July 17, 2024, ~~January 5, 1982~~ with accompanying "Flood Insurance Rate Map" dated July 17, 2024 ~~January 5, 1982 and "Flood Boundary and Floodway Map" dated July 5, 1982~~, which are hereby adopted by reference and declared to be a part of this Ordinance.

4.2.C.3.a. Ssuch non-conforming structure shall not be enlarged except in conformity with this Ordinance and the Maine State ~~Plumbing~~ Subsurface Wastewater Rules and does not exceed the degree of non-conformity existing prior to the damage or destruction; and

4.2.E. Non-Conforming Structures.

4.2.E.1. Enlargements Controlled: A non-conforming structure shall not be added to or enlarged except as provided in Section 4.2.C.1. unless the addition complies with the regulations of the Zone in which it is located or a Variance is obtained. In addition, state laws must be adhered to. Except within the Shoreland Zone~~, the addition of an open patio with no structures elevated above ground level or the addition of steps shall not constitute the expansion of a non-conforming structure,~~. B~~but the addition of a deck or the enclosure of an existing porch does constitute the expansion of a non-conforming structure and therefore the deck or enclosure shall meet all the dimensional requirements of this Ordinance. The placing~~ placement of a foundation below a lawfully existing non-conforming structure shall not constitute the expansion of the structure so long as additional bedrooms are not located in the basement; the structure and new foundation are placed such that the setback requirement is met to the greatest practical extent as determined by the Board of Appeals basing its decision on the criteria specified in paragraph Section 4.2.3.4 below; the completed foundation does not extend beyond the exterior dimensions of the structure; the foundation does not cause the structure to be elevated by more than three (3) additional feet; and the first floor space of the structure is not increased. Construction or expansion of a foundation under an existing dwelling which expands habitable space shall be considered an expansion and shall be subject to the State pPlumbing Lawsregulations, (Title 30-A M.R.S.A. § 4211, Maine Revised Statues Annotated, Section 4211)requiring new soils documentation.~~

4.2.F.4. Contiguous Lots—Vacant or Partially Built: Subject to applicable state and local requirements, if two or more contiguous lots or parcels are in single or joint ownership of record and were, as of March 8, 1986 and continuously since, in the same ownership and if any of those lots do not individually meet the lot size, street frontage and lot width requirements of this Ordinance, as it may from time to time be amended, such lot or lots if vacant or containing only an accessory structure may be built upon notwithstanding the failure to meet those requirements provided that each buildable lot shall have a lot size of at least 20,000 sq. ft. The applicant for a building permit on such a lot shall have the burden of proving to the Code Enforcement Officer that the requirements of this section have been met.

- Discuss Planning Board Meeting on December 14,2026 being held in the small conference room due to the Buxton Toy Box having the big room from Thursday December 10,2026 till Friday December 18,2026.

Attendees may address the Board:

Glen Vallencourt gave the Planning Board pictures of what is happening on Warren Road and stated that Risbara is proposing to put a road in across from his home and is concerned.

Patti Mckenna stated that Risbara had applied for a building permit for a single-family house and a driveway entrance which they received permits for both. However, they have changed from their application with Saco River Corridor, they have relocated the driveway and made it into a road. They have also moved the house location. Patti stated that she contacted the applicant after the last Saco River Corridor Commission meeting to say any changes they make to the permits that they received from the Town, that they would need to reapply with the Town.

and the permit would need to be reapproved. Patti stated that the applicant seemed to understand it and the applicant stated that they would go through Saco River Corridor first and then come back to the Town.

Peter Brown abuts the property in question and stated that initially at the initial Corridor of Commissions that he had attended the application was for a single-family home with incidental excavation. Peter stated that he had asked them after the meeting what their plan was for excavation. The Corridor of Commission defines incidental as 100 cubic yards, which is a foundation, and they stated about 10,000 yards. Peter stated that the applicant changed the Corridor of Commissions application from a driveway to a single-family home to a road that accesses outside of the Corrido of Commissions Jurisdiction that has a driveway off it to the proposed home. It is obvious that the intent is to build a subdivision. Peter asked what is allowable in the Rural area for a subdivision.

Patti McKenna stated that in the Rural Zone the minimum lot size is 200,000 square feet which we subtract wetlands, roadways, slopes, and there may be other things we subtract before they can start their 200,000 square feet per house. Then they would need to come to the Planning Board to be approved.

Adjourn:

Craig Lefebvre made a motion to adjourn at 8:03pm. Scott Warchol seconded the motion. The motion passed with a vote of 4 in favor- 1 absent.

Date Approved: 10-26-26

Signed: _____
Craig Lefebvre, Chairman

Next meeting – October 26,2026