

**Town of Buxton
Planning Board Minutes
September 28,2026**

Minutes by: Patti McKenna

Members present: Craig Lefebvre, Scott Warchol, Jere Ross, and Roger Tracy. Travis Letellier was absent. Also attending on behalf of the town: Patti McKenna, Code Enforcement Officer. Other attendees: Gale Bertrand, Mithcell Weeman, Jeffrey & Nancy Rouselle, Donna McCormick, Thomas McCormick, Wayne Denoe, Kevin Young, Beverly Young, Ellen Decotis, Julie Gamilson, Meagan Diconzo, Heath Knight, Jason Ruginski, Paul Berry, Michael Robinson, Cliff Thomas, and Henry W Huntley.

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

Jere Ross made a motion to open the Public Hearing for proposed Zoning amendments at 7 pm. Scott Warchol seconded. The motion passed with a vote of 4 in favor- 1 absent.

Craig Lefebvre stated that the Selectmen have decided to put these proposed amendments on the warrant for special town meeting in October. He added that there will be no vote from the public tonight, but these will be voted on at the special town meeting. He asked the audience if they would object to dispensing with the reading of the amendments and have them explained by Code Enforcement Officer, Patti. No one objected. Patti explained the following proposed ordinance amendments:

Food Sovereignty Ordinance proposed by the Board of Selectmen upon request of several residents. This ordinance was drafted using a model ordinance from Maine Municipal Association. It exempts people from having to get a state license through DHHS to use their kitchen to prepare food and sell directly to a consumer.

Moratorium on Data Centers Ordinance. This ordinance was drafted by the Town's attorney. The purpose of the ordinance is to not allow applications for a data center of 2,500 square feet or larger for 180 days. Giving the Planning Board time to draft ordinance regulations for data centers to properly regulate and protect the town.

The following zoning amendments were reviewed: Strike through language is proposed to be deleted. Underlined language is proposed to be added.

Article 2: Definitions:

Animal Husbandry: Raising, breeding or keeping of more than ten fowl or any number of other animals except customary household pets. ~~for a person's own consumption and the incidental sale of such products.~~

It was explained that a couple of years ago, the town added this proposed deleted wording to help people, but what it did was make it so farms were not allowed. Removing this wording fixes that unintentional error.

Elderly Housing: A building or buildings containing dwelling units constructed or reconstructed specifically for occupancy by persons families in which at least one member is of 55 years of age or older or 62 years of age or older.

It was explained that our ordinance currently only allows elderly housing for persons 62 years or older. The State of Maine allows elderly housing for two types of housing. This adds the 55 years or older.

Section 10.1.A. No building permit shall be issued to erect any structure on a lot without frontage on a public or private way and such lot is not part of a subdivision as defined in Article 2 of this Ordinance unless an access road meeting the following criteria has been constructed within a deeded right-of-way that is fifty (50) feet in width. ~~Any access road serving more than one unit shall have a road maintenance agreement in place prior to the issuance of a permit for a second dwelling. This agreement shall specify the rights and responsibilities of each lot owner with respect to the maintenance, repair and plowing of the access road.~~ The finished surface of the access road shall be constructed to a minimum width of twelve (12) feet for the entire length of the road including its most distant terminus if serving one dwelling unit and fifteen (15) feet for the entire length of the road including its most distant terminus if serving two dwelling units. The access road shall contain a minimum depth of fifteen (15) inches of bank-run gravel and have drainage ditches and culverts at all appropriate points. Such an access road shall serve no more than two dwelling units. Any road access serving three or more dwelling units shall meet the road acceptance regulation of this Ordinance for the entire length of the road including its most distant terminus: (amended June 15, 2002, amended June 14, 2003, Amended June 14, 2008)

10.1.B.2. The plan must contain the following notation: "The access road shown on this plan is not dedicated to the Town of Buxton. The responsibility for maintenance and plowing the access road is that of the owners of the lots served by the access road. If the access road is ever proposed for acceptance as a town road or public easement, the owners of the lots served by the access road must construct the road to the then current road construction and/or acceptance standards of Article 12. Planning Board approval of an amendment to this plan must also be obtained prior to dedication of the access road."

~~10.1.B.3. An access road maintenance agreement must be approved by the Planning Board. This agreement shall specify the rights and responsibilities of each lot owner with respect to the maintenance, repair and plowing of the access road.~~

10.1.B.4. No access to any lot is permitted by way of the ends of the hammerhead. (amended 6/12/04, amended 6/14/08) There shall be no parking of boats, trailers, storage or any other vehicles within the hammerhead.

10.1.B.5. The plan with the above notation and maintenance agreement must be recorded at the York County Registry of Deeds and shall be referenced in the Deed of each lot.

~~10.1.B.6. No access to any lot is permitted by way of the ends of the hammerhead. (amended 6/12/04, amended 6/14/08)~~

For section 10.1 It was explained that since Maine has a law that requires people on a private road to contribute to the maintenance of their road; that the town can delete the language which requires a road maintenance agreement to get a building permit on a private road to not be in the middle of civil matters.

For Section 10.1.B.3 is proposed to be removed because it is repetitive.

Section 5.5

No permit shall be required for the construction, alteration, relocation or replacement of any building or part thereof, so long as it conforms with the provisions of the Building Code of the Town of Buxton and this Ordinance to the extent of \$2,500 or less in total estimated project value. The burden of proof in regard to this value rests with the property owner.

A building permit shall not be required for fences or the replacement of roofing, siding, windows and interior flooring if no structural changes to the building are required as part of such work. A building permit shall not be required for structures not intended for human habitation, of 200 square feet or less. The Code Enforcement Officer shall be consulted before starting the work.

Craig Lefevbre asked if anyone from the public wished to speak. Hearing no request to speak, Jere Ross made a motion to close the Public Hearing at 7:07 pm. Roger Tracy seconded. The motion passed with a vote of 4 in favor- 1 absent.

Jere Ross stated that he feels that each of the zoning amendments should be voted on separately. The Board agreed.

CEO Report: Patti stated that the Selectmen have not set the date for the special town meeting yet. She believes they will be setting the date at their meeting on Wednesday. The dates she has heard they are considering are October 7 and October 14. She advised people to watch postings after Wednesday.

Patti stated that she has received an application from Rooted Heart to add the use of their sauna to their agrotourism conditional use permit. She explained that within the last year the Board had a public hearing that included the sauna. At the public hearing, the Board asked the applicant to remove the sauna because there was no confirmation that the sauna met state or local fire department requirements. Instead of tabling the whole application to wait for that, the applicant and Board agreed to remove that portion. The applicant asked Patti for direction on what the process would be to add the sauna now. Specifically, if another public hearing would be required. The Board agreed that because the sauna was part of the public hearing process, they felt it was reasonable not to require another public hearing. Patti explained that since that time, it has been confirmed that the State Fire Marshal has informed the town, they do not have jurisdiction over the sauna due to the size of the building. The authority having jurisdiction is the local Fire Chief. Once the applicant has received what is required from the Buxton Fire Chief, they can provide that to the Planning Board. The applicant is aiming for the October 13 meeting.

Patti also reminded the Board that the next meeting is on Tuesday October 13 because Monday, the 12th is a Holiday.

Approval of Minutes:

Scott Warchol asked that the September 14, 2026 meeting minutes include a statement that when discussing the moratorium for data centers there were comments about regulating power usage as well as size of data center. The approval of these minutes will be postponed until the next meeting.

Approval of Bills: Portland Press Herald invoice for public hearing legal ad \$51.86. Jere Ross made a motion to pay the invoice for Portland Press Herald in the amount of \$51.86. Scott Warchol seconded. The motion passed with a vote of 4 in favor- 1 absent.

Communications:

- **Saco River Commission recently received applications from the following for development within the corridor.**
- Risbara Bros. Construction Co., Inc, Application #16-110—Seeking Warren Road (Map 1, Lot 194-1).
- Steven Atripaldi, permit #16-105—Seeking a time extension for a permit 11 River Road (Map 16, Lot 23).

Maine Town & City magazine for August/September.

Craig stated that there is a copy of all of the above in the Code Office.

Other Business: Scott Warchol asked Heath Knight, Comprehensive plan committee member, to report on the next Comp plan meeting. Heath reported that there is a public meeting open for public comment on Monday, October 5 at 6 p.m.

Attendees may address the Board on the evenings business: Keith Gorham stated that tonight the Board wanted to make sure power usage for data centers was included, but it is his understanding that it is water usage that is the biggest concern from what he has read. The Board agreed and understood that also.

Mitchell Weeman asked if there would be opportunity to speak on these zoning amendments at the special town meeting. The answer was yes; people can speak at special town meeting.

Adjourn:

Craig Lefebvre made a motion to adjourn at 7:22 pm. Roger Tracy seconded. The motion passed with a vote of 4 in favor- 1 absent.

Date Approved: 10-13-26

Signed: Craig Lefebvre
Craig Lefebvre, Chairman

Next meeting – Tuesday, October 13, 2026