

Vassalboro Planning Board Minutes

July 12, 2022

Vassalboro Town Office

7:00 P.M.

Board Members Present: Ginny Bracket, Chair, Doug Phillips, Marianne Stevens and Paul Mitnik  
Staff: Ryan Page, CEO, LPI, BI, AO  
Public: Raymond Breton, Dan Bradstreet, Rick Denico and Mary Grow, Town Line Reporter

**1) May 5, 2022 Minutes**

<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Deny	Motion by: D. Phillips	Seconded By: P. Mitnik	<input checked="" type="checkbox"/> Approved; 3-0
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Marianne Stevens abstained from voting; she was not in attendance for the May 5, 2022 Planning Board meeting.

**2) Applicants**

- a) Raymond Breton/Ashely Breau  
Minor site Plan Review  
909 Main St.  
Map 23 Lot 44-1  
Med Spa – New Business

**Completeness**

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**Discussion:** Ms. Bracket confirmed that Mr. Raymond Breton was representing Ms. Ashley Breau. The Board had conversation about the past use of the structure. Ms. Bracket began reviewing the completeness of the Site Review map. She confirmed the size of the property as listed on the map. Ms. Bracket confirmed the parking area. She then proceeded to ask about the location of the current screening. Ms. Bracket confirmed the location of the signage. Mrs. Stevens confirmed with that some kind of agreement was required between Mr Breton and Ms. Breau. Mr. Phillips asked if Mr. Breton would put in writing that he was allowing Ms. Breau to occupy this space. At this time Mr. Breton added in writing to the application that he was renting 909 Main St. to Ashley Breau. Mr. Phillips added he had some concern that he did not see a narrative as to what the business actually was going to be performing. Ms. Bracket then asked Mr. Breton what will Ms. Breau’s scope of business. Mr. Breton replied that she will be performing eye lashes, Botox and permanent tattooed eye makeup. Mr. Breton explained that Ms. Breau may have an additional employee that will be working in this building. Mrs. Stevens asked if she will require licensing from the State of Maine. The Board was not sure the answers. Ms. Bracket asked what the hours of operation are; Mr. Breton replied daytime hours mostly by appointment. Mr. Phillips added the requirements for a narrative are not specific to the operation of the business and also stated that the Board needs to look into amending the ordinance to make that change. Ms. Bracket moved to the performance standards. The Board discussed that the ordinance is driven more toward the environmental suitability of the development. Mr. Mitnik agreed that there is nothing specific in the ordinance. Ms. Bracket moved forward with the performance standards. That this time Mr. Mitnik stated that he feels the package was incomplete because 9 out of 10 standards have been answered with “N/A” (Non Applicable). He added that the Board should not be basing their judgments on what they assume is existing. Mr. Phillips expressed he agrees and that the standards need to be more specific and the precedence need to be changed. Mrs. Stevens added that one word answers may not provide the information needed. She also added that if a decision moves to an appeal or to a courtroom, the Board should be more prepared. Mr. Denico asked if “N/A” is one of the choices that an applicant has on the application. Mrs. Stevens replied that all standards should have an answer. Mr. Mitnik stated that the burden of proof should not be on the Planning Board. Ms. Stevens replied, the Board also has the ability to ask the applicant question. She then asked Mr. Breton if the landscaping was adequate. Mr. Breton replied that if he installed a buffer the kids would lose the ability to play soccer in one of the only remaining fields in the center of Town. Ms. Bracket stated that answers should be provided in

the performance standards. Moving forward the Board agreed that more specific detailed answers will have to be provided in order to approve an application and the Code Enforcement Officer will add the detailed answers to the current application.

**Performance Standards**

Standard 1	<p>The provisions for vehicular loading and unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets and ways will create no hazards to safety.</p> <p><b>Finding: No change to existing parking lot.</b></p>				
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Standard 2	<p>The location or height of proposed structures and the proposed uses thereof will not be detrimental to other public or private development in the neighborhood.</p> <p><b>Finding: No changes to the height of the existing structure.</b></p>				
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Standard 3	<p>The provision for on-site landscaping provides adequate protection to neighboring properties from detrimental features of the development.</p> <p><b>Finding: No changes to on-site landscaping. Adding a buffer strip will reduce the ability to use the field behind the structure. Adding additional buffers or fencing would be damaged by snow plowing.</b></p>				
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Standard 4	<p>The proposed use will not impose undue burdens so as to exceed the capacity of the sewers, sanitary and storm drains, water, solid waste, fire protection, or other public facilities.</p> <p><b>Finding: No changes to structure. Public water and sewage is currently available to the structure. A fire hydrant is approx. 150'. No dumpster, tenants will remove their own solid waste. 4" wet hydrant is installed in swimming hole across the street to add to the fire protection.</b></p>				
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Standard 5	<p>The Site Plan provides sufficient information to show that storm water will be adequately drained from the site with no adverse impact on other property or publicly-owned drainage systems.</p> <p><b>Finding: No changes to grading or to the drainage system.</b></p>				
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Standard 6	<p>Soil erosion and all other adverse impacts on the soil ground water and surface water shall be prevented. Ground water shall not be adversely impacted in quality or quantity.</p> <p><b>Finding: No structure change or disturbance of soil. Property has a dedicated storm drain.</b></p>				
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Standard 7	<p>The provisions for exterior lighting do not create hazards to motorists traveling on adjacent public streets and are adequate for the safety of occupants or users of the site and such provisions will not damage the value and diminish the usability of adjacent properties.</p> <p><b>Finding: No changes to lighting. Existing lighting is lower wattage. Flood lights for the street provide lighting for the property.</b></p>				

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Standard 8	An applicant for Site Plan approval has provided evidence of his financial capability to complete the development as planned. <b>Finding: No change to existing structures. Financial impact will be minimal. Applicant has another business location. There is no development, no proof of financial capability required.</b>			
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Standard 9	The proposed development will not create safety hazards and will provide adequate access for emergency vehicles to the site, and to all buildings on the site. <b>Finding: Access for Fire Department is adequate.</b>			
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Standard 10	The proposed development will not adversely affect the use and enjoyment of abutting property as a result of noise, vibrations, fumes, odor, dust, glare, or other cause. <b>Finding: Business in indoors, no actions will adversely affect the abutting properties.</b>			
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#### Project Approval

<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Deny	Motion by: M. Stevens	Seconded By: D. Phillips	<input checked="" type="checkbox"/> Approved; 4-0
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**Discussion:** At this time, the Board reviewed Rosalind Waldron’s application. Ms. Bracket provide information that will improve here site plan map. The Board provided a list of the improvements to increase the chances of approval. The Board discussed the past use of the property. Next, Mrs. Stevens asked if a business going into the Mill required a permit. CEO Page responded that they would have to meet the Planning Board for approval. Ms. Bracket added that they have tried in the past. Mr. Mitnik added to be cautious of multiple uses in the same building. Mr. Phillips feels that the Mill is used as a “rented space” or per diem type basis. If it goes beyond those parameters than they should need Planning Board approval. Mrs. Stevens stated that if someone is advertising a business should they need approval. Mr. Page added that he would require Planning Board approval in that situation. He also informed the Board that he has had two different situations that did not fit the criteria for meeting the Board.

- 3) **CEO Report** - The introduction of Dan Bradstreet, alternate Planning Board member. Mr. Bradstreet gave a brief background of where he works and why he was there. Mr. Denico, asked the Board what the process is for new member induction. Mr. Phillips added the new members are typically assigned as the alternate so that they have a chance to attend all meetings and training. Ms. Bracket stated, most members have multiple levels of experience. Mr. Denico then asked if the Planning Board members have attended the Maine Municipal Association (MMA) training in the last 5 years. The members have attended, but not recently. Mr. Denico then pointed out that the Planning Board was formed at the March 7, 1957 Town Meeting. Mr. Denico and the Board discussed the Charter and the article that was established when the Board was formed. Mr. Denico also mentioned that the Select Board has had discussion of adopting a Solar Ordinance in Vassalboro. Ms. Bracket explain that authoring an ordinance is creating policy and that would be a Select Board function. Land Use of the ordinance would be a Planning Board function. Mr. Denico stated that there has been some concerns like what does the Town do when they have reached their life expectancy. Mrs. Stevens added the Planning Board requires that the Town is listed on the decommissioning bond. The Planning Board ended the meeting providing friendly advice to Mr. Denico, the newly elected Select Board member.

Meeting adjourn at 8:32 pm

Respectfully submitted,

Ryan Page, CEO, LPI, BI, AO