

Newfield Planning Board  
Meeting Minutes of March 2, 2022

Chair, Gloria D called the meeting to order at 7:01 PM with a quorum in attendance as follows: Gloria D, Anthony G, Ben B (Alternate), Dan P, and Skip T. Emily F is excused this evening and allows Ben B to be a voting member at this meeting. Also in attendance were Chase and Jason Harris, CEO, Norman Hutchins, Butch Sanborn, Linda Corbin and Administrative Assistant, Maria Marchant.

The Pledge of Allegiance was recited by all in attendance.

Gloria D noted that The Newfield Planning Board attended a site-walk at Map 35, Lot 12 - Harris Turkey Farm located at 267 Bridge Street, West Newfield, ME at 6:00 PM. The site-walk was held to review their application for a CUP Amendment regarding Harris Turkey Farm wishing to add a permanent food truck, alcohol service window and to review the proposed seating and parking areas, including the overflow parking on the side, on site. The Board and CEO were shown all of the aforementioned proposals. Attendance at the site-walk was as follows: Newfield Planning Board members Gloria D, Anthony G, Dan P, CEO Norman H, Chase and Jason Harris. This site-walk was advertised in the newspaper on two (2) separate occasions, on the Town of Newfield website and posted at five (5) locations within the Town. There were no public participants in attendance.

At this time the NPB Meeting Minutes of February 2, 2022 were reviewed. Dan P motioned and a second was given by Gloria D to accept these minutes. Discussion followed and Dan P requested that an addition be made at the end of his statement to Chase and Jason Harris as follows: "This is a public health issue." The amended paragraph now reads: Dan addressed Jason and Chase and said that due to the lack of a toilet and hand washing station at their location that he would not be a patron. He wished them good luck with their business, but he does not feel comfortable dining and having a drink and then using a port-a-potty and not be able to wash his hands and then return to the table. This is a public health issue. Gloria D called for acceptance of the amended minutes and the members had a unanimous vote of acceptance of the February 2, 2022 Planning Board Meeting Minutes as amended of 5-0-0.

**PUBLIC COMMENT:** At this time Butch Sanborn and Linda Corbin addressed the Board. CEO, Norman H stated they should be on this Agenda. Chair, Gloria D stated that the Board, at this time, has not received any information regarding their permit; only that it was coming. Linda C stated that they turned in their paperwork two weeks ago. Gloria D explained that the applications are received by the CEO and once complete they come to the Planning Board. Butch S and Linda C stated that they are the new owners of the "Moulton Lumber" property with a Used Car Sales Business. They were told they were on the agenda this evening. The couple were adamant, stating that "CEO Norman Hutchins told us we were on the agenda and that all was good to go. We gave everything at the Selectmen's Office. The Fire Chief stated he didn't need to inspect and there is no marshland on the property." Gloria D, stated that until the completed documentation is forwarded to the Planning Board there is nothing that can be done this evening. Gloria D instructed them to contact Secretary to the Selectmen, Nichole H and inquire if there is something missing in the application or an issue with the required documentation from the State, Fire Chief, etc. Linda C.

stated that she feels the only thing missing would be consultation with Natural Resources Council and that no one ever returns her call and that no one ever answers the phone so she spoke CEO Norman H about it and he said to let it go for now. Gloria D said, "I feel your pain, but we didn't get the message to put you on the Agenda so contact Nichole H because she is the one to give us the information." Linda C further stated that there were only two things missing and that Norm H saw the fire chief and the fire chief said that he has nothing to do with it; that's between Norm H and the Planning Board. The only other thing missing is no call backs from Natural Resources Council. She feels this file was complete two weeks ago and doesn't understand why the Planning Board wasn't notified. Gloria D will contact the fire chief. Linda stated that they are under a deadline with Waterboro. Gloria D explained the process for Conditional Use Permits and recommended looking over the Ordinance which shows the entire process as well. She mentioned that after review, a site walk may be needed, and that two to three months is the usual time frame unless there is a problem. Linda C was informed that once the paperwork is ready for the agenda Nichole H from the Selectmen's Office will inform the Administrative Assistant. The planning board email of [newfieldpb@gmail.com](mailto:newfieldpb@gmail.com) was recited to the proposed applicants and they were instructed to contact the Administrative Assistant with any questions. A consensus was made to have Butch Sanborn and Linda Corbin "Used Car Sales" as an agenda item at the April 6, 2022 Planning Board Meeting and they were invited to attend. Butch S and Linda C left the meeting room and CEO, Norman H followed and they had a discussion privately.

#### HARRIS TURKEY FARM, MAP 35 LOT 12 RURAL ZONE – 267 BRIDGE ST.

At this time, attention was brought to the CUP Amendment for Harris Turkey Farm for the existing permit for a Retail Farm Store. At the last Board meeting of February 2, 2022, the application was reviewed and a site walk was scheduled for March 2, 2022. The Harris's forwarded their requested details to their map, D.O.T. results regarding the driveway and traffic were complete and Fire & Rescue had already submitted a letter with their prior permit. The Harris's stated that D.O.T. is forwarding their permit and that the driveway requirement of 305' of driveway was met as they have 308'. A copy of this permit is pending and required by the Board upon receipt by Harris Turkey Farm. The question of a Health Issue regarding handwashing station and toilet requirements were discussed. There are two separate licenses required by the State; Liquor License and the Health Inspection for the Food Truck. The regulations for the liquor license in Title 22, Section 16 86A, states that any eating establishment which has consumption of alcoholic beverages, regardless of how many seats on premise, and seats under 40 must have at least one toilet facility on premise. Marlene Richards of Bureau of Alcohol Beverages (BABLO) stated that there is a suitable toilet on the premises if they choose to use it. The State of Maine Food Code definition requires a toilet facility even if using the term "catering"; however, the State Statute licensed by DHHS Chapter 562 which prepares food for consumption does not include catering establishments. Due to this discrepancy this topic is pending written clarification from both state agencies. It was decided that the Port-A-Potty will be placed at the parking overflow location on site away from food and seating areas. The Newfield Land Use Book Article XII was reviewed at this time for further definition. The application states an amendment to an existing permit to include alcohol service and food truck. The definition of "food trailer" in the of Newfield Land Use book on page 55 would fall under the definition of eating and drinking places in the rural zone. The term "eating establishment" is not specifically mentioned in this book. Article X, Section 16 is defined as restaurants and this application would not fall in this category.

Parking was discussed. D.O.T. approved the driveway entrance. Norm H was asked which area is the overflow parking area and Norm H replied, "The South side would be the overflow parking area is 150' long and 50' and the material which will be parked upon is fine as it exists." The main parking must allow 10' per vehicle and the cars will be parked facing the hillside along the 150' in length portion of the driveway, per Jason and Chase Harris. The area is 50' wide which allows ample room for backing and turning around. 30 Parking spots with two rows of 15 vehicles is allotted and the overflow graveled parking area may not be needed. Gloria informed the applicants that they can confer with Norm H for final approval after looking over 9.3 and 9.4 of the Ordinance. As long as these guidelines are met these parking areas are accepted.

The hours of operation at this site will be Friday and Saturday from 4:00 PM thru 8:00 PM from July through September. There will be three employees not to include Jason H and Chase H on site during operation hours. Gloria D asked the applicants if they would like to add any extra hours of operation or include another day of operation such as Sunday. She explained this would be the time to do it as in the future if they wished to change or add either of these, another application process would ensue. The Chases' replied, "No, we do not." The expected amount of traffic is 25 – 30 cars per evening and deliveries are to be made during off business hours and have been consistent on a Tuesday. There will be 10 chairs on the back patio, 10 chairs within the rock garden, 8 chairs from the stonewall to the pavement. There will be some picnic tables on the lawn. A maximum of 30 people seated is expected. The State guidelines will be followed regarding the maximum number of patrons at one time on site at this site.

Seating and Hand Washing stations were mentioned. Chase H and Jasons H stated that once the final definition is received by the State Offices, they will abide by their decision but they currently have no plan of adding a toilet or handwashing station. Gloria D noted that since the addition of alcohol services and outdoor seating people may linger longer and require the need of a toilet and/or washing of hands and it is a public health issue. Hand sanitizer, if provided in the port-a-potty, is only a temporary solution until actual handwashing is able to be done. She further stated that the Board could go along with the State decision or add a potable handwashing station in the conditions. Once the State Offices (BABLO and DHHS) have submitted their definitions and requirements, the Board, if accepts the terms, will follow the State requirement. CEO, Norman H stated that the sidelines are met for the proposed seating and parking. He said that handwipes could be made available and that port-a-potty's often have sanitizer in them. He also suggested that gray water, if used, could be a holding tank which could then be dumped in the leach field. CEO, Norman H suggested that the Port-A-Potty be located at the main parking area, away from food and drink services.

The Finding of Facts were reviewed and the following notations were made:

D.O.T. approved the traffic pattern and driveway.

Hours of operation are 4pm – 8pm on Friday and Saturday.

The driveway is paved and has negative traffic hazards.

There is an existing and previous daycare business next door.

The site-walk was held at 6 pm on 3/2/2022 without attendance from the public.

There have been negative complaints about the business forwarded to the CEO.

Parking signs and speed limit signs will be posted on location.

Trash will be emptied each night.

Some conditions referenced by the Board:

There is to be no on street parking.

Deliveries are to only be made during off business hours.

A form of a handwashing station to be provided.

D.O.T. permit.

All State required licenses must remain current and up-to-date.

The proposed use is eating and drinking.

This is a current retail farm store.

The Board will issue a permit pending agreement with the State Agencies.

Gloria D reviewed some goals that the Board may address soon:

Site Plan Review Ordinance

Comprehensive Plan Update

Public Access to Meetings

Public Hearing Comments regarding Shoreland Ordinance

Ben B motioned and Skip T made a second to allow a Permit to Harris Turkey Farm. Norm H made it clear that all license copies and home owner and liability insurances must be forwarded to his office. Chase and Jason Harris agreed to these terms. The vote of 4-1-0 was had. Dan P "Opposed". This CUP Amendment Permit was approved and issued at 8:30 PM. Chase and Jason Harris left this meeting at this time.

Gloria D offered, with the approval of the Planning Board members, that she will assist the Administrative Assistant with typing up the Finding of Facts.

CEO, Norm H was asked by Ben B the status of the Langone Property. CEO, Norm H responded, "All done. Do any of you go to the Selectmen Meetings? I know Gloria does. I give all of my reports to the Selectmen. If you want to know what's going on then go to the Selectmen Meetings." It was mentioned that the Selectmen Meeting Minutes have not been posted since August of 2021. Administrative Assistant, Maria M asked for clarification of what "all done" meant. CEO Norman H said, "The septic tank has been removed." It was asked if they will be coming back for a subdivision in the future and Norm H replied, "No. They are going to be individual lots."

Discussion regarding Marijuana Ordinances was had. This topic will be revisited.

Gloria D mentioned to Norman H that the Board had received 2 e-mails. One regarding Joanne's Hill and the other regarding the Balch Lake Marina Boat Yard.

CEO, Norman H informed the Board that a complaint was made regarding the possible digging of ledge when in fact they were making the driveway. He stated that there will be one shared driveway between two (2) lots/homes and Gloria D asked for notification from CEO, Norman H when this is resolved. Regarding the Balch Lake Marina Boat Yard, he mentioned that

conversation with them which included a violation notice as they have boats on the property during off season according to their conditional use. He informed them to complete an application of conditional use with Nichole H at the Selectmen's Office and she would forward it to him and then to the Planning Board. He stated that they should have been here this evening and is wondering if they did not submit their paperwork on time.

Gloria D mentioned to CEO, Norman H that it is helpful for him to attend our meetings when a Conditional Use Permit is on our Agenda and informed him that the Planning Board must also be informed when conditions are met in order for files to be closed, CUP's reviewed, etc. She further stated that the Administrative Assistant is also a contact person.

At this time, CEO Norman H left this meeting.

Gloria D mentioned to the Board that she had email notification regarding the definition of "Razor Wire" and that a vote to approve it to be a Town vote or not would be needed. This will be reviewed at a future Board Meeting.

The Board discussed the possibility of a workshop in the near future to review specific ordinances needing attention.

Motion to adjourn was made by Ben B and seconded by Skip T with a unanimous vote of 5-0-0. This meeting adjourned at 9:03 pm.

Respectfully submitted,

Maria Marchant  
Administrative Assistant

THESE MINUTES ARE NOT VERBATIM