



TOWN OF DAYTON, MAINE PLANNING BOARD

Meeting Minutes
Tuesday, July 7, 2020
Dayton Town Hall
33 Clarks Mills Road, Dayton, ME

CALL TO ORDER & DETERMINATION OF QUORUM

PLANNING BOARD MEMBERS PRESENT: Shannon Belanger (Chair), John Boissonnault, Bruce Reynolds, Darren Adams, Justin Lord

TOWN EMPLOYEES PRESENT: Jim Roberts, CEO

VISITORS PRESENT: Nicholas Donilon, Keith and Angela Harris, Bill Thompson from BH2M

APPOINTMENTS

The Planning Board Secretary position has been filled by Valerie Cole. The meeting will be recorded for her to transcribe the meeting minutes.

MINUTES

May 19, 2020

MOTION

Minutes of May 19, 2020 approved as written. Motion Darren Adams and seconded Bruce Reynolds. All in favor. **PASSED.**

June 9, 2020

MOTION

Minutes of June 9, 2020 approved as written. Motion Darren Adams and seconded Bruce Reynolds. All in favor. **PASSED.**

June 23, 2020

MOTION

Minutes of June 23, 2020 approved as written. Motion Darren Adams and seconded Bruce Reynolds. All in favor. **PASSED.**
No public hearings.

DEVELOPMENT REVIEW & WORKSHOPS

- I. **DONILON AUTO REPAIR** – Nicholas and Tracy Donilon, owners/applicants. Conditional Use Permit Application seeking approval to operate an Auto Repair Garage. Property is located off of 26 Rumery Road and is within the Mixed Use District. Tax Map 2, Lot 12-D-2. **Receive Conditional Use Permit Application and review draft plan for completeness. Determine if a Public Hearing is necessary**

1
2 Mr. Donilon presented plans showing an existing house, driveway, abutters, and current garage bay
3 with a proposed addition for commercial use. The garage met the approved subdivision setbacks
4 when originally built. At that time accessory buildings behind the house could be located up to 10 feet
5 from the lot line. Now zoning states “not less than one-half of that required for side or rear lot lines”
6 (Section 5.4.2) Existing garage is grandfathered; the addition would meet the 25-foot setback
7 requirement. Due to its location, a surveyor will have to confirm the setback. For two bays, 10 parking
8 spaces would be required. The gravel and pavement area will accommodate seven spaces and there
9 is additional room for three more spaces. Because parking would extend along a lot line, more
10 screening is required along abutters’ property line. The current fence could be extended, or
11 evergreens could be planted.

12
13 Mr. Donilon has discussed having cars for sale, so it is necessary to come up with a note to address
14 that. He does not anticipate selling more than one a month, maybe two. He would not be putting cars
15 for sale on the side of the road.

16
17 Letters received from abutters indicate that they understand the proposal and have no concerns. The
18 applicant has talked with all abutters and all signed their approval except for one who printed her
19 name and phone number but did not sign: she seemed unconcerned.

20
21 Board members felt that a public hearing would not be needed as the abutters had signed off. John
22 Boissonnault motioned that the Board waive the public hearing as abutters seem to be in favor. Bruce
23 Reynolds seconded; all voted in favor. The Chair will prepare the findings for the use permit, add a
24 note about the number of car sales per month, and have the finished plan prepared for members to
25 sign at the next meeting in two weeks.

26
27 Mr. Donilon asked if he could start submitting paperwork to the state to obtain his sticker license, as
28 he knows it will take time for the state to act. He is unsure if he needs to provide any approval
29 paperwork from the town as the application is online. Board members and CEO Jim Roberts
30 explained that the Board expects to grant approval at the next meeting, but he runs the risk of the
31 state calling the town before the approval is finalized if he submits early.

32
33 **MOTION**

34 Bruce Reynolds motioned to continue this at the July 21st meeting. John Boissonnault seconded, and
35 all voted in favor. **PASSED.**

36
37 **II. PUMPKIN VALLEY FARM – Request to relocate Pumpkin Valley Farm Corn Maze to a new**
38 **location off of Route 35 within a Mixed Use Zone. Review the Request and provide**
39 **recommendations**

40
41 Keith and Angela Harris have owned and operated a corn maze/PYO pumpkin farm on Union Falls
42 Road for the past 18 years. They are outgrowing this 14-acre space and propose to move to a
43 wooded lot in the Mixed-Use zone between Mullett Lane and the Fish and Game Club (Map 3 Lot 39-
44 1, owned by Bill Harris and Lot 5, owned by Bill and Dixie Harris.) They would break off a 20-25 acre
45 parcel from the two lots to re-create their current business. This would give them better visibility,
46 access to electricity, and would be easier for customers to find. Keith Harris presented a sketch and
47 explained that the parcel would be fenced along the road, would provide a four-acre parking lot which
48 exceeds their current size, and would have a barn/ticket/equipment structure with a picnic area and
49 farmyard playground behind it. The rest of the parcel would feature the corn maze, PYO pumpkins,

1 and a sunflower festival. They hold a catering license and have a wood-fired brick pizza oven and a
2 beer and wine trailer.

3
4 The new site is wooded and needs to be cleared and the soil needs to be improved to grow crops.
5 They estimate the timeframe to be three years, mostly because of having to amend the soil. The
6 project may be rolled out in stages, such as growing corn first and bringing in pumpkins from the
7 other location. Currently there are tote roads and ski trails on the property, two of which come out on
8 Rt 35. They plan to be less than 1000 feet back from road, which respects mixed-use zoning. They
9 would not clear to the property line. The area from the ski trail access road to the property is about
10 600 feet: they plan to use 500 feet. The entrance requires a DOT permit and a DEP permit is required
11 to clear a lot that size. Currently they are not working with a consultant: the Chair recommended that
12 they work with one regarding the parking lot, drainage, applications, etc.

13
14 The proposed plan is allowed under Mixed-Use zoning as Commercial Recreation. Next steps are to
15 determine the location of the entrance and buildings in a more formal plan and to hold a site walk.
16 Currently there are no plans to conduct any Harris Farm skiing activities within the proposed building.
17 Ski trails may go through the property though. The Board asked about the pizza oven: it is for use
18 only during the open season at this time, but the applicants would not rule out the possibility of doing
19 something in a different season in the future. The current corn maze location at Union Falls will still be
20 used to grow crops.

21
22 Board members agreed that this proposal sounds like a viable plan.

23
24 **III. LINWOOD ACRES SUBDIVISION AMENDMENT – William Thompson of BH2M, agent; 535**
25 **Goodwin Mills Road, LLC, Owner. Subdivision Amendment Application seeking approval to**
26 **plan notes regarding construction impacts and utility connections for lots 8 and 9, and create**
27 **utility easement for lot 8 and 9 from Route 35. The subdivision consists of 9 lots/dwelling units**
28 **with Open Space. The subdivision is located within the Village District and is located off of**
29 **Route 35. A portion of Lot 1-8 is located within the Town of Lyman. Tax Map 7, Lots 1-1, 1-2,**
30 **1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9 and 1-10. Receive Subdivision Amendment Application,**
31 **determine if a site walk is necessary, workshop completeness, determine if a public**
32 **hearing is necessary, workshop compliance/ Findings for possible approval**

33
34 Bill Thompson from BH2M submitted an amendment and new plan for the Goodwins Acres
35 subdivision to address changes in the utility connections on Apple Blossom Lane. It is not possible to
36 place the underground utilities along the shared driveway between Lots 8 and 9 so utilities are
37 connected to poles on Rt 35, which is outside the building envelope. The new plan shows the
38 connection across Lot 8 instead of along the shared driveway.

39
40 Descriptions of the right-of-way easements are included in each proposed deed. Copies, fee, and
41 application were submitted at the meeting. The new plan includes Note 19, which is the easement for
42 utilities across Lot 8 instead of along Lot 8 and 9's shared driveway; Note 14, with section L which
43 includes the last approval; and Note 17 which was added in a previous approval. Several revisions
44 were noted in Shannon Belanger's findings.

45 46 **MOTION**

47 John Boissonnault motioned to receive the subdivision amendment. Darren Adams seconded, and all
48 voted in favor. **PASSED.**

1 The Board felt there was no need for site walk, as the amendments and changes are in the notes and
2 utilities. Abutters were notified by certified mail but there were no questions or comments.
3
4

5 **MOTION**

6 John Boissonnault motioned to waive the public hearing. Darren Adams seconded, all voted in favor.
7 **PASSED.**
8

9 Shannon Belanger added that she had recently reviewed, updated, and reformatted findings due to
10 changes in the subdivision code and sent them to Board members.
11

12 It was suggested that a one-page checklist could be created to indicate that all criteria have been
13 met.
14

15 **MOTION**

16 John Boissonnault motioned to approve subdivision amendments. Darren Adams seconded, and all
17 voted in favor. **PASSED.**
18
19

20 **OTHER BUSINESS**

21
22 **DAYTON TRAILER SALES:** The use permit has been signed and sent for the closing, and site plan
23 is available tonight for everyone to sign. No timeline for opening has been communicated to the
24 Board or to Jim Roberts.
25

26 **LETTER TO SELECTMEN:** After the June 23rd meeting, a draft letter addressed to the Selectmen
27 was sent to Board members to review. It is about subdivision concerns and the possibility of having a
28 legal opinion in case of issues. CEO Jim Roberts has not seen any further action regarding what the
29 Selectmen may need to do and feels the letter should be presented to the selectmen so they have
30 time to think about what they may choose to do.
31

32 **ADJOURN**

33
34 **MOTION**

35 Motion by Darren Adams, seconded by John Boissonnault, all in favor. **PASSED.**
36

37 **MEETING ADJOURNED AT 7:15 PM**

38
39 **NEXT MEETING WILL BE** July 21st at 6:30 PM at Dayton Town Hall.
40
41

42 _____
43 Shannon Belanger, Chair

_____ Date

44
45 _____
46 Transcribed by Valerie J Cole, Secretary

_____ Date

47
48 COPIES TO: Jim Roberts, Code Enforcement Officer; Selectmen; Tax Assessor
49 THESE MINUTES MAY NOT BE TRANSCRIBED VERBATIM. SECTIONS MAY BE PARAPHRASED
50 FOR CLARITY.