



TOWN OF DAYTON, MAINE PLANNING BOARD

APPROVED

Meeting Minutes
Tuesday, July 11, 2023, 6:30 P.M.
Dayton Town Hall
33 Clarks Mills Road

CALL TO ORDER & DETERMINATION OF QUORUM

Members Present: Shannon Belanger (Chair), Nick Donilon, John Boissonnault, Darren Adams, and Justin Lord.

Town Employees Present: Jim Roberts, CEO

Meeting was called to order by Chair Shannon Belanger at 6:30 PM.

The Board is still in need for the Planning Board secretary position to be filled.

MINUTES

May 23, 2023

MOTION

Motion by Darren, seconded by John to approve the 5-23-23 meeting minutes. All in favor.
PASSED.

June 27, 2023

MOTION

Motion by Darren, seconded by John to approve the 6-27-23 meeting minutes. All in favor.
PASSED.

PUBLIC HEARINGS

- I. **EGGS PLUS FARM FARMERS MARKET** – Samantha Gaboury, applicant. Patricia and Barton Soule, owners. Seeking approval to operate a Farmers Market for 8 vendors and 1 food truck. The property is located within the Mixed Use District. 24 Jessica May Road. Tax Map 2, Lot 12-D-6.

Samantha Gaboury was present.

Shannon Belanger opened the public hearing. She asked all speakers limit their comments to 3 minutes as many people are in attendance and the Board wants to be respectful of everyone's time and desire to speak. Shannon asked for Samantha to give a brief description of what they are proposing at 24 Jessica May Road.

1 Samantha gave a brief presentation describing the proposed Farmers Market use for up to 8
2 vendors and a food truck. She is passionate about bringing affordable, local and accessible food
3 and products to the Dayton community.

4
5 Tammi Warren had concerns about trash disposal, hours of operation, traffic impact to the
6 Jessica May and Route 5 intersection and what role the State has in reviewing this operation.

7
8 Doug Soule spoke in support of the Farmers Market and plans to help maintain the property.

9
10 Laurie Knight spoke in support of the Farmers Market.

11
12 Nancy Payer spoke in support of the Farmers Market.

13
14 Laure Lavoie spoke in support of the Farmers Market.

15
16 Judy Weaver had concerns about cars using Jessica May Road.

17
18 Shannon asked if anyone else wished to speak. No others spoke.

19
20 Shannon said the Board received two emails with comments. She read Patricia Soule's email
21 dated 7/10/23 into the record. Patricia Soule is the owner of the property and has given
22 permission to her granddaughter Samantha to pursue the Farmers Market on the property. The
23 email offered support of the Farmers Market and rejected concerns of an abutter about gasoline
24 and oil leaking into the field.

25
26 Shannon summarized Kathy Traynor's 4 page email received 7-6-2023. Concerns about the
27 following were noted: information filled out on the application form; pictures of the road
28 conditions were provided, concerns about erosion and damage were noted, traffic causing
29 damage to Jessica May Road; concerns about an aquifer running across the subdivision; oil and
30 fuels from the trucks and vehicles seeping into wells were raised; Vendor Ordinance sections
31 were cited; the status of vendor licenses was questioned; items to be sold at the Farmers
32 market were questioned; concerns about servicing the portable toilet were raised; concerns
33 about subdivision regulations restricting commercial use were raised; hand washing concerns
34 were raised; concerns about parking on Jessica May were noted; homemade no parking and
35 business signs were a concern; the seasons of the Farmers Market were a concern; questions
36 on if the application is already approved were asked; concerns about the project layout
37 changing after the site walk were raised; statements about bullying were made; statements
38 questioning some Planning Board members being unbiased were raised; and the question
39 about removing unbiased members from the Board was questioned.

40
41 Shannon asked Kathy Traynor if she wished to speak. She said no. Shannon offered responses
42 and answers to items raised in the email. Conditional use permit applications and plans can
43 and will change during the review process with the Planning Board. Applicants will make
44 changes to address ordinance requirements. This application has not been approved; it is still
45 being reviewed for compliance with the Town Ordinances.

46
47 Jessica May Road is a public street. The Road Commissioner was contacted by the Planning
48 Board about the condition of Jessica May Road. He recommended a 6" to 8" culvert for the
49 Farmers Market entrance off Jessica May Road. Crushed stone cover to secure the culvert in
50 place is also recommended. The apron only needs to be about 6 feet off the paved edge of
51 Jessica May Road. The road will need to be swept if any mud or dirt gets tracked onto the town
52 road. Samantha has agreed to these entrance improvements.

1 No parking signs are to be installed along Jessica May Road and Route 5.

2
3 No entrances or parking on Route 5 is proposed or allowed. No traffic movement permit with
4 MDOT is triggered. Peak hour trips are not anticipated to exceed 100 trips per hour.

5
6 The Vendor Ordinance sections cited do not apply to this property. They are applicable to street
7 vendors and no street vending is proposed.

8
9 No stream or brook has been identified to run across the property.

10
11 The portable toilet when in use shall be serviced weekly.

12
13 The state regulates how food is to be stored and handled as well as sanitary requirements to be
14 followed.

15
16 The Jessica May Subdivision has no deed restrictions or HOA documents recorded at the
17 Registry of Deeds that restrict business use.

18
19 The Planning Board members are appointed by the Board of Selectmen. The chairman would
20 have to raise concerns to the Select Board if membership was in question.

21
22 Shannon asked if other Board members or anyone from the public wished to say anything
23 further.

24
25 **MOTION**

26 Motion by John, seconded by Darren to close the public hearing. All in favor. PASSED.

27
28 **DEVELOPMENT REVIEW & WORKSHOPS**

- 29
30 I. **EGGS PLUS FARM FARMERS MARKET** – Samantha Gaboury, applicant. Patricia
31 and Barton Soule. Seeking approval to operate a Farmers Market. The property is
32 located within the Mixed Use District. 24 Jessica May Road. Tax Map 2, Lot 12-D-6.
33 **Workshop public hearing comments, review draft Conditional Use Permit**
34 **Findings of Fact & Decisions and plan for possible approval**
35

36 Samantha Gaboury was present.

37
38 The Planning Board reviewed the revised site plan. The buffers depicted on the plan were
39 reviewed. Buffers to consist of existing vegetation.

40
41 **MOTION**

42 Motion by John, seconded by Nick to approve the buffer based on existing vegetation to remain
43 and the distance the parking and vendors will be from lot lines. All in favor. PASSED.

44
45 The property is relatively flat. No grade changes are proposed. The only site improvements
46 proposed are for the entrance and culvert replacement.

47
48 **MOTION**

49 Motion by Darren, seconded by Nick to waive the depiction of existing and proposed property
50 contours on the plan. All in favor. PASSED.

51
52 The draft Conditional Use Permit Findings of Fact & Decisions were reviewed. Article 6.1
53 General, 6.2 Access to Lots, 6.3 Air Emissions, 6.4 Buffer Areas, 6.5 Explosive Materials, 6.6

1 Glare, 6.7 Landscaping, 6.8 Noise, 6.9 Off-street parking, 6.10 Refuse, 6.11 Road Construction,
2 6.12 Sanitary Provisions, 6.13 Signs, 6.14 Stormwater Run-off, 6.15 Erosion and Sedimentation
3 Control, 6-16 Setbacks and screening, 6.17 Water Quality, 6.18 Traffic, 6.19 Flood Protection,
4 6.20 Soil Suitability for construction, 6.21 Subsurface Sewage Disposal, 6.22 other on-site
5 sewage disposal systems. All items are either found to be met or not applicable as described in
6 the draft Findings of Fact & Decisions document.

7
8 **MOTION**

9 Motion by John, seconded by Darren to approve the Conditional use Permit and sign the site
10 plan and Findings of Fact & Decisions. All in favor. PASSED.

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12
13 **OTHER BUSINESS**

14
15 The next meeting will be held on August 8, 2023.

16
17
18 **ADJOURN**

19
20 **MOTION**

21 Motion by John, seconded by Darren to adjourn at 7:13 PM. All in favor. PASSED.

22
23  Date: 10/10/2023

24 Shannon Belanger, Chairman

25
26 Copies to: Jim Roberts, Code Enforcement Officer; Selectmen; and Tax Assessor

27 THESE MINUTES MAY NOT BE TRANSCRIBED VERBATIM. SECTIONS MAY BE
28 PARAPHRASED FOR CLARITY.