

# **BUXTON PLANNING BOARD AGENDA**

**Buxton Municipal Building  
185 Portland Road, Buxton ME 04093**

**Monday, January 27, 2025 at 7 p.m.**

This meeting will be streamed on the Saco River Community Media at <https://www.src-tv.org/>

-Wyatt properties CUP  
- 207 Landscaping  
- Redcoral LLC  
-MFOO properties  
LLC  
-Christine Paul 17  
Miso way

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## **1. Call to Order**

## **2. Pledge of allegiance**

## **3. Appointments:**

- **Public Hearing - Application for conditional use – Mpila Sansi Arnaldo + Archelon Samba – Group of Intercession International Church- 1301 Long Plains Rd – Map 6 Lot 46.**
- **SMRPDC – presentation**
- **Paul Kimble – request for zoning district line change 14 Old Orchard Rd**
- **Request for zoning amendment regarding medical marijuana Sunday hours.**

## **4. CEO Report:**

## **5. Approval of Minutes:**

Minutes for January 13, 2025

## **6. Approval of Bills:**

Portland Press Herald \$48.15 for legal ad.

## **7. Communications:**

## **8. Other Business:**

**MMA webinar for Freedom of Access Act fee \$40 date of webinar 3/4/2025 4pm to 6:00pm.**

## **9. Attendees may address the Board on the evening's business:**

## **10. Adjourn:**

## **11. Next meeting –February 10, 2025**

**Time permitting: Workshop on proposed zoning changes**

**Town of Buxton  
Planning Board Minutes  
January 27, 2025**

Minutes prepared by Roxanne Gardner

**Members present:** Jere Ross, Heath Knight, Craig Lefebvre, Scott Warchol. Also attending on behalf of the town: Patti McKenna, Code Enforcement officer, Roxanne Gardner, Code Enforcement Secretary. Other attendees: Tonja Lefebvre, Michael Navaro, Mpila Sansi Arnaldo, Archelon Samba, Junior Teca, Judi Kinkela, Kiakelo Christiane, Rachete Olembo, Christiane Nyembo, Henry W. Huntly, Cliff Thomas, Ronald Tardif, Karen Marsh, Nicole Hilgia, Michael Pettis, Danielle Bradbury, Moises Mbalazama, Jamal Torres, Michael Morong, Bob Lowell (American Journal), Chris Baldinelli, Ngeoryi Clara Getrida, Audri Mlabi, Tom Lacasse, Stephanie Carver and a few names whose signature is illegible on the sign in sheet.

**Absent from meeting:** Roger Tracey

**Chairman Jere Ross called the meeting to order at 7 pm**

Scott Warchol Made a motion to open the public hearing for the **Application for conditional use – Mpila Sansi Arnaldo + Archelon Samba – Group of Intercession International Church- 1301 Long Plains Rd – Map 6 Lot 46 at 7:02pm.** Craig seconded the motion. Motion passed with a vote of 4-0 in favor.

Michael Navaro spoke on behalf of the applicants. Michael stated the name of the church is the group of Intercession International Church. Brother Mpila and Archelon are here as well this evening. Mpila is the pastor of this church and currently has 150 members. With a weekly attendance of 125 members. The church group currently leases space in Portland but are excited for the opportunity to purchase the property at 1301 Long Plains rd. and have a home base for their congregation. Michael stated the services are weekly currently held on Saturday afternoons and the space will be used for the congregation to gather for their weekly services. There will be two to three staff members at the property during the week for administrative and preparation for their weekly service.

Jere asked if the board had any questions. Craig stated the sign location was missing from the plans other than that everything looked great. Michael stated the signs will be put in for direction in and out of the property.

Jere asked if any abutters would like to speak.

Abutter Keith Gorham asked how many parking spaces are provided for the church. His concern is people parking on Long Plains Road and blocking driveways. Jere answered part of their conditions of approval was that they had to show fifty-eight total parking spaces on their plan with the assumption that not every single person will be driving a car. The applicant has agreed if they exceed those fifty-eight spaces, they will either provide a shuttle bus or park elsewhere. Jere stated there is no parking along Long Plains Rd or abutting properties.

Michael Navaro stated the number of fifty-eight was the minimum parking spaces but on the parking site plan shows 67 plus three handicap parking spots.

Abutter Dave Marsh 1307 Long Plains Rd stated he has dealt with the bar for twenty-five years. I also helped the bar get their permit to open and I have had nothing but problems with people parking in my driveway. I have had a lot of problems over the twenty-five years and certainly did not receive any help from the town. What guarantee that the members of the church will not park on Long Plains Rd or my driveway. I have been blocked in my yard and sworn at. Jere asked if it happens can they get some enforcement from the town. Patti McKenna Code Officer stated there will be some type of enforcement. If they do not comply with the conditions that we set upon them we can revoke their permit to be there. Patti stated she would ask that the butter would call the code office and report it or call the police department if it is off hours because they will let her know. Patti stated that she did not know if the police department would go over and tell people not to park in the abutters driveway but there would be a record of it. Dave stated, do you think it is that easy to revoke a permit once you have given it to a church because once they become a church, they have different guide lines. Jere stated they are already a church now. Dave stated not in our town. Dave asked if the well was located because he saw in the paperwork it was documented the well was not located. Craig Lefebvre stated that the well is right in the parking lot to the right. Dave stated that another concern is that churches are tax-exempt and what is the town getting out of this. What is the benefit to the Town. Jere stated that he did not have an answer for Dave.

Abutter Karen Marsh asked about snow removal on the right of parking area. If snow is piled there, it blocks her line of vision when leaving her driveway. Michael Navaro stated the applicant will make sure that doesn't happen with the snow because that is not safe. Michael Navaro stated the applicant wants to be a good neighbor and if a direct neighbor or abutter has a problem it just takes a phone call.

Pastor Mpila stated good evening, everyone. Thank you for the opportunity to be part of the Buxton community. First, I want to say a church is not to cause any trouble, a church is to bring peace. We will not be established there to bring issues to the neighbors. We will be there just for prayer. That is why our name starts from the group of intercession international and the church coming next. We are a group of the people who pray to God, for America, for sickness, or any kind of issues. We are not there to cause any type of trouble. For the snow, whatever the restaurant is doing we will follow the same process. If it does not work, we will come together and talk so we can resolve the problem. I will give you my phone number so you can call me if there are any issues.

Jere asked if anyone from the general public had any comments or questions.

Neighbor Ron Tardiff of 1203 Long Plains Rd asks if there is a plan to control traffic coming in and out of the services. Will they have a traffic guide to control traffic? Traffic goes too fast on that stretch. Jere stated that the town doesn't require that from any of the churches in town. Jere stated that by their parking plan they are coming in on the right side of the building and they are

exiting on the left side of the building. Ron stated that he feels they should have someone there to control the flow of traffic to avoid an accident.

Danielle Bradbury stated that there is a document in the application stating they had not located the well. If the septic guy could not find the well, how do we know for sure that is where the well is, and it is not on an abutter's property. Jere stated that he thinks we are talking about semantics here we know where the well is, and we know where the septic is.

Michael Navaro stated that the report was from Advance Leech Fields they were hired during the due diligence period of the real estate transaction so yes, it is their report. It is part of the applicants' package because we provided it to say look the septic system is in good working order clearly it is noted that they could not find the well at that time and if the report needs to be revised by that inspector, I will be happy to do that. We know where the well is located, we say it at the site walk. Jere asked how the board felt about having the report revised. Heath stated that if he wants to add it then add it. Patti stated that the well is shown on the site plan. Jere stated we are all set. Michael Navaro stated thank you for

Tom Lacasse spoke on behalf of concerned residents. He read the definition of church from the town's ordinance, which includes living quarters for clergy. Is the Board going to restrict this from being used as living quarters? Is the church intending to rent the space for wedding receptions and or parties? He feels this would be a separate use by our ordinance and this use should be restricted. Michael Navaro stated thank you for reading the definition of a church to us. To address the living quarter's part that is not the applicant's intention second of all I think just by reading the definition of church I don't know if this board could restrict the use of this church per that definition that was read. So, to say they would conditionally approve this except for this one use of this definition seems to me would be beyond the bonds of this planning board to be able to do for the reason of it is a church and those are the definitions. Michael stated that the applicant has zero intention of using this for a living quarter. Pastor Mpila owns his family home in Westbrook. The purpose of this use is to have a congregational home where they can have their services not depending on the lease of another church or another building allowing them to congregate. As for functions, yes that is a completely different use and that is not what this application is for. The operating hours are Saturdays from 3:00 to 6:30pm. Obviously now, with their own space, there is a wonderful opportunity for other permitted church activities throughout the week.

In response to the concerns raised, Michael Navaro stated that they have no intention of having living quarters at this location. Renting the space for functions is not what the application is for. They intend to have church services from 3-6:30 p.m. on Saturdays and other church permitted activities. The applicant stated that if there are problems with snow or anything else, he will provide his phone number for neighbors to contact him directly to resolve. The well location is depicted on the site plan map provided by the applicant. For traffic control, they are installing signage to direct the flow of traffic one way in and one way out to help with entering and exiting the services. A condition will be placed on the approval for no parking on Long Plains Road.

Hearing no further comments Scott made a motion to close the public hearing at 7:33pm. Craig seconded the motion. Motion passed with a vote of 4-0.



Jere made a motion based on the previous discussions. We found the applicant to be in compliance with all applicable provisions of Article 8.2.B, and 10. Scott seconded the motion. The motion passed with a vote of 4-0 in favor.

1. All elements and features of the application and all representations made by the applicant concerning the development and the use of the property which appear in the record of the Planning Board proceedings, are conditions of the approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board.
2. The applicant be in compliance with all applicable provisions of Article 8.2.B, 10 and 11. 3 of the Buxton Zoning ordinances.
3. All outstanding bills be paid before the Conditional use permit is issued.
4. A conditional use permit secured under the provisions of Article 8 shall expire if the work or change involved has not commenced within two years of the date on which authorization is given.
5. There shall be no parking along Long Plains Road.

Jere made a motion to approve the application for **Mpila Sansi Arnaldo + Archelon Samba – Group of Intercession International Church- 1301 Long Plains Rd – Map 6 Lot 46** with the above-listed conditions. Craig seconded the motion. The motion passed with a vote of 4-0 in favor.

Scott made a motion to approve the findings and decisions for **Mpila Sansi Arnaldo + Archelon Samba – Group of Intercession International Church- 1301 Long Plains Rd – Map 6 Lot 46**. Craig seconded the motion. The motion passed with a vote of 4-0 in favor.

### **SMRPDC – presentation**

Stephanie Carver stated that she is the executive director of Southern Maine Planning and Development Commission, we are going to give a short presentation and explain to you who we are and what we do and how the town is connected to us. We call ourselves short SMPDC we were founded in 1964 and we were actually founded as part of State enabling legislation. There are seven other regional planning board organizations in the state of Maine. We offer programs in land use, smart growth resource management, economic development, sustainability, and transportation planning. We do a lot of program management and technical assistance. We have 39 cities and towns that we work with in York County and in Oxford County. There are four divisions in our organization. We are nonprofit. We manage both State and Federal programs. The four divisions are Land use, Transportation sustainability, resilience, and economic development. Jamal Torres is with me today. He is the division director for the land use division. Tonight, we are going to talk about ways we can help. We offer technical assistance, connections to resources, programs, and new initiatives responsive to our members' needs.

Jamal Torres stated that he was the director of land use/planning. We have a transportation division that provides local traffic data analysis, transportation plans, transit and local trail planning as well as economic development. We provide support to local businesses with business

grants and loans. We have a strong brownfields program which is to clean up contaminated sites for environmental reasons. We are like a pass-through from the federal government with loans and grants for places to clean up their sites so they can utilize them. We also provide Regional Broadband planning for some of our rural districts. We do some climate action planning for communities who are interested. We support and assist with the State of Maine's community resilience partnership. Patti reached out to us a month ago about coming in to talk about some of the land use work that we do in our office. We have a group of professional planners who review development proposals, site plan subdivision, and shoreland zoning. We also provide regulatory assistance in the terms of ordinance language. We help write or update zoning ordinances. We work on comprehensive plans which generally are a ten-year long-range plan for a community. We do some public education to talk about certain types of housing and how they can benefit a community, and general technical assistance. We are here to answer any questions from Code Enforcement or board members.

Jere stated that one of the issues the board has is getting all the different uses that come in to fit into the specific land table is that something you can interpret for us. Jamal answered yes, we can review your ordinance and provide suggestions it would probably be worth having a discussion here at a meeting to talk about where which use should be allowed because obviously some uses can be controversial. We definitely can do a review and provide suggestions.

Stephanie Carver stated that they are not attorneys, they do have a lot of experience working with other municipalities and with the State, so we are familiar with land use laws. We stay up to date on all of them. The process would be before going to the town meeting is to involve a review with your town attorney. We make recommendations based on our experience working with other towns and working with the State on land use laws.

Scott stated that we are currently members, what does that entitle us to at this point? Stephanie stated that we charge an hourly fee, it is a reduced fee for our membership. We can provide you with our pricing based on who is working with you and we usually work with communities to come up with a scope of work prior to starting anything.

Scott asked if they could give a quick outline of what a comp plan review would consist of as far as some of the mythology time frame/approximate cost we have an existing one that was 2003. Jamal stated that it would be hard for us to come up with a specific cost tonight, but we can provide all the services to update it and make it consistent with State law. Scott asked what the general time frame would be. Jamal stated that we could do it in a year, but it usually takes a year and a half to two years if we do the full plan. We would be happy to discuss that if the community and board were interested in updating them.

**Paul Kimble – request for zoning district line change 14 Old Orchard Rd.** Paul was not present to state what his request was for. Patti explained that his property is in the rural zone and he wants to split the café on its own lot from the house and he has 7 acres. The Business Commercial zone is across the street on Route 202. He is just asking for the part of his property along 202 where the café is to be changed to Business Commercial zone. The Board agreed this

would be spot zoning and are not in favor of asking for this zoning amendment. The Board suggested that if this person wants this zoning amendment his option would be to do it by petition.

**Request for zoning amendment regarding medical marijuana Sunday hours.** Eric Haberski submitted the request to change the hours listed in section 11.27 for medical marijuana dispensary to be consistent with other businesses in town and with other dispensaries in bordering towns. He is losing business because of the hours listed in our ordinance. He believes this ordinance provision was most likely written when medical marijuana first became legal. The Board agreed to propose a zoning amendment to change the hours of operation in section 11.27 to 8 am to 9 pm Monday through Sunday.

**CEO Report:**

None currently.

**Minutes**

Craig made a motion to approve the January 13, 2025 meeting minutes as written. Scott seconded the motion. Motion passed with a vote of 4-0 in favor.

**Bills**

Scott made a motion to pay Portland Press Herald \$48.15. Craig seconded the motion. Motion passed with a vote of 4-0 in favor.

**Communications**

None currently.

**Other Business**

None currently.

**Attendees may address the Board**

None requested to speak to the Board.

**Adjourn**

Jere made the motion to adjourn at 8:10 PM to a workshop to talk about draft Ordinance amendments. Craig seconded the motion. The motion passed with a vote of 4-0 in favor.

Date Approved: 2/10/2025  
Signed: [Signature]  
Jere Ross, Chairman

**Next meeting** –Monday, February 10, 2025 at 7p.m.

# PLEASE SIGN IN

DATE: JANUARY 27, 2025

BOARD: PLANNING BOARD

Please **PRINT** your name for the record:

Ronald Tardif  
Bob Lowell, American Journal  
Tonja Lefebvre  
Eric H. Hersh  
Clay Baldy  
Bobby  
DeAnn  
Karen Marsh  
Tami Mora  
Dawn Mendez  
Michael Moring  
MILA SANSU ARNALDO  
JUNIOR TECA  
JUDI KINKELA  
Lobo Maudhara  
Audre Mbaki  
MOISES MBALAZAMA  
ARCHELON SAMBA  
KIAKELO CHRISTIANE  
Nganyi Clara Getrida  
Mathu KZOLASI  
NICOLE HILGIA  
Danielle Bradbury  
RACHETE-OLEMBRO  
CHRISTIANE NYEMBO  
Michael Pettis

Michael Navarro  
Jamel Torres  
Tom Withers  
Glen R. R. R.  
Henry W. Huntley  
CLIFF THOMAS