



## TOWN OF READFIELD

8 OLD KENTS HILL RD. • READFIELD, MAINE 04355  
TEL. (207) 685-4939 • FAX (207) 685-3420

### READFIELD PLANNING BOARD AGENDA

Wednesday, December 9, 2015

6:30 PM

#### **Application:**

1. Catherine Bruce is applying for a change of use at 1149 Main Street. The Café would be converted to a three bedroom apartment upstairs and a three bedroom apartment downstairs which is located in the Village District. The parcel (aka Map 120 / Lot 39) is non-conforming due to the setback from Main Street by only 16 feet (25ft.required). The property receives its water from Readfield Water District and sewage flows to a shared septic system behind and on the Town Fire Station property. A review by the State Fire Marshall was not forth coming, but the Readfield Fire Chief, Town Health Officer and CEO inspected the property on December 1, 2015 (see attached Violation Notice).

#### **New Applications:**

2. Nancy Holland of Mt Vernon and Ed Dodge the owner is applying for a change of use at 1138 Main Street. Marie's Bakery would be converted to an Art Studio which is located in the Village District. The parcel (aka Map 120 / Lot 97&98) is non-conforming due to side and front setbacks and the non-conforming lot size (.37 acres or 16,117 sq. ft.). The property receives its water from Readfield Water District and sewage flows to a 1996 septic system behind the building.

## **Administrative items:**

- Review of Minutes of 11-18-15

*Comments from the public are encouraged and welcomed. They will be received at the time and in the order during the meeting as deemed appropriate by the Chair. Written comments from the public will be accepted at the Town Office at any time; however, they must be submitted by the Wednesday prior to the next scheduled meeting in order for them to be considered at that meeting.*

*If you have any questions regarding this agenda or would like to be placed on a future agenda, please call the Code Enforcement Office at 685-3290.*

**Next scheduled meeting: ? Wednesday December 23, 2015 ?**



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# OCCUPANCY VIOLATION NOTICE

Catherine Bruce - Owner  
1149 Main St.  
Readfield, ME 04355

December 1, 2015

### Occupancy Issues:

- Readfield Code Enforcement Officer (CEO) **has not issued** an Occupancy permit for a dwelling or rental units at 1149 Main Street (map120/ lot 39),
- Readfield Planning Board (RPB) review of Bruce's application to convert the Café' to (2) three bedroom apartments scheduled for the December 9, 2015 meeting **could be** tabled and/or the RPB **could take no action** until the units meet Life / Safety standards,
- An inspection on December 1, 2015 by the Readfield Fire Chief, CEO and Health Officer found the following issues:
  - 1) 1st floor;
    - a. Bedroom windows of all bedrooms did not meet egress standards,
    - b. No smoke detector in master bedroom,
    - c. Egress doors and escape routes to be free and without obstruction to outside,
  - 2) 2nd floor;
    - d. Bedroom windows of all bedrooms did not meet egress standards,
    - e. Exit door without a landing needs to be removed or restrict opening to be fall safe,
    - f. Egress doors and escape routes to be free and without obstruction to outside,
    - g. Electrical outlets to be covered properly to prevent shock,
  - 3) Basement;
    - h. Sump pump discharge to be contained on property to remove safety hazard on sidewalk or get approval from DOT and/or Town of Readfield to hook discharge to storm drain,
    - i. Dehumidifier shall not use an extension cord for power supply,
    - j. Electrical lines to be secured by electrician.

**Town of Readfield Select Board will be given this NOTICE**

The Town of Readfield Code Office has made this ORDER/ NOTICE to the Readfield Select Board that the dwelling / rental units do not meet life safety codes and other safety hazards as provide in the above list. The units should not be occupied due to the above deficiencies and occupancy shall not be allowed. The owner, Catherine Bruce, was given a verbal "NOTICE OF VIOLATION on 11/5/2015, a written notice on November 24, 2015 and this violation notice dated December 1, 2015. Catherine Bruce **SHALL be the responsible party for any Liability** and SHALL obtain the required change of use permit from RPB and an occupancy permit from the Town of Readfield before allowing any individual to occupy these rental units at 1149 Main Street (aka Map 120 / Lot 39).

ALL PERSONS ACTING CONTRARY TO THIS ORDER ARE ON NOTICE THAT SAID OCCUPANCY IS A VIOLATION OF THE READFIELD LAND USE ORDINANCE. THE PENDING REVIEW BY THE PLANNING BOARD IS SCHEDULED & THE SELECT BOARD MAY TAKE LEGAL ACTION FOR ANY AND ALL VIOLATIONS. THE REMOVAL OF THIS NOTICE AND/OR THE NONCOMPLIANCE WITH THIS ORDER ARE LIABLE UNDER MAINE REVISED STATUTES - TITLE 30-A ENFORCEMENT, SECTION 4452 and the LUO ARTICLE 2, SECTION 2,B, 3 action required from Board of Selectpersons (see attached).

Gary Quintal  
Code Enforcement Officer

**DRAFT**

# READFIELD PLANNING BOARD

Minutes of Wednesday, November 18, 2015

**Planning Board Members:** Jack Comart, Vice Chair; William Buck; Jay Hyland; James Schmidt; Andrews Tolman; Don Witherill; Paula Clark, Chair (absent); Henry Clauson (absent), Bruce Hunter (absent)

**Others Present:** Gary Quintal (CEO/LPI), Kristin Parks (Board Secretary), Eric Dyer (Town Manager), Brady Palmer, Tom Baker, Kate Baker, Victoria Townley, Andrew Pratt

Meeting began at 6:30 pm

## Application:

1. Tom & Katie Baker, Seasonal Conversion at 110 Nobis Point Road (Map 140 / Lot 26)
  - Tom & Kate Baker are applying for a minor modification of the NOD date 9/23/15 to include a Seasonal Conversion Permit at 110 Nobis Point Road. Discussion if considered a minor modification or condition of expansion of use. A replacement/new design has been prepared by Kenneth Stratton dated 11/2/15 for their septic system which complies with Maine State Subsurface Wastewater Rules. The new design is actually setting septic system farther back away from the water. Not asking for a variance on the new one like they had on the old one.
  - **Motion** made by James Schmidt to accept the application for a seasonal conversion at 110 Nobis Point Road as a minor modification. **Second** by Dom Witherill. **Vote** 6-0 in favor.

## New Application:

1. Catherine Bruce, Change of Use at 1149 Main Street (Map 120 / Lot 39)
  - Catherine Bruce is applying for a change of use at 1149 Main Street. The Café would be converted into a three bedroom apartment upstairs and a three bedroom apartment downstairs. Discussion if application is complete and ready to set up a public hearing and go ahead with the process. Review of construction permit #18287 for café states under comments that second floor is "no living space." Fire Marshal doesn't have to inspect due to only two living units but there should be an inspection done to ensure safe living quarters. Has adequate water and sewer as septic is community owned type and water is from the water district. No further development can be done to this property. Adequate parking is available out behind the building. Residents voiced their concerns of the amount of people and items on the property along with a lot of activity. Possibly having a condition of no outside structures of any form. There was also a concern of management of the building as owner is living in another state. At this time doesn't have a occupancy permit to have people living there. Concerns to look into plumbing and road drainage on front of building onto sidewalk. Owner needs to add a showers, fire detectors and change of windows. Recommendations made to Mr. Palmer and will pass along to Catherine Bruce. Next steps are to

schedule public hearing, notify abutters and complete a site visit with Fire Marshall/Readfield Fire Department and CEO.

- **Motion** made by Andrews Tolman to go forward with the application. **Second** by Jay Hyland. **Vote** 5-1; James Schmidt opposed.

**Administrative Items:**

**1. Review of Minutes for October 14, 2015 & October 28, 2015 meetings**

- **Motion** made by Don Witherill to accept the approved minutes of the October 14, 2015 meeting as presented, **Second** by James Schmidt. **Vote** 6-0 in favor.
- **Motion** made by Andrews Tolman to accept the approved minutes of the October 28, 2015 meeting as presented, **Second** by William Buck. **Vote** 3-3, Jack Comart, Don Witherill and James Schmidt abstaining due to being absent at meeting.

Meeting adjourned at 7:58 pm

Next Planning Board Meeting is Wednesday, December 9, 2015

*Minutes recorded by Kristin Parks, Board Secretary*