

**Fryeburg Planning Board Meeting Minutes  
May 9, 2023  
David and Doris Hastings Community Center**

**Present:** Patrick Emery Edy Kizaki Stephen Chase Tom Rebmann Eli Goodwin

Emery called the meeting to order and declared a quorum.

**Review and Approval of April 25th Meeting Minutes:**

Chase made a motion to approve the meeting minutes. Seconded by Goodwin. All in favor.

**Public Hearing on the Oxford Group LLC Application for Land Use Authorization:**

Goodwin gave a brief timeline of application and appeal for Oxford Group, LLC. Chase reviewed information on water usage and feels the cafe will be over usage at new location at 300 gallons a day. Rebmann asked if Chase disputes the engineers report stating their septic system is adequate. Goodwin stated they hired engineers to go over the water. Chase disputes the report. Rebmann is relying on the engineer's report.

Goodwin made a motion for Chase to recuse himself as he feels there is a conflict of interest. Chase stated there is no conflict of interest. There was discussion on this motion. Motion made by Goodwin failed, lacking a second of the motion.

Emery opened the floor to public comment.

Tyrrell explained the appeal was due to timing issues with receipt of the application. The Planning board is supposed to have 14 days to look at application and that time frame was not followed.

Ryan Mahan, co-owner of a building up the street, feels the septic is not an issue since there is an engineer involved. He spoke about parking briefly and noted a lack of parking for everyone.

Judy Redding asked that people speak up because she can not hear it on the tv at home.

Chris Gordon, owner of the building and licensed engineer in Maine spoke about the septic system. An engineer has studies and approved it. He explained a few specifics related to the design that was previous brought up by Chase.

Kimberly Clarke spoke about the conflict of interest for Chase.

Sandra Iacozili from 302 Restaurant spoke. She spoke about their septic issues at 302 and noted that her business contributes to parking issues. She more than happy to share her parking lot and her bathrooms.

Judy Redding is thrilled about the coffee shop. She was concerned about the Septic as well. She wants to make sure the Planning Board sticks to the rules in the ordinances.

Cindy Lawrence- Wants Chase to justify his position and wants a recusal. Chase is asking if there is enough room to increase the leach field if needed. He just wants to make sure there is room or a back up plan. Cindy Lawrence stated she wants a reason why he would not recuse himself. Chase does not see it as a conflict of interest.

Rebmann stated we have an engineering report and the septic is not an issue to anyone but Chase. Gordon read pieces of report and reiterated his stance that there are no issues with the septic. Chris Gordon

wanted to make sure that it was known that the timing issues leading to an appeal was not their fault; their application was submitted in time. The application did not get delivered on time to the planning board.

Barbara Spofford thanked the board for the work they do and that that it seems that Oxford Group, LLC has followed all processes, and does not feel the burden should fall on them.

Norman Scott Ferguson, neighbor to 302 Restaurant and lives across the street, stated that his main concern is looking ahead about parking issues. He asked about getting better signage for parking? Iacozili agrees.

Tyrrell asked if they added in the outside seating to the septic plan. After discussion it was noted that if they count outside seating as the number for septic plan, then yes they will take out that amount of seats. There was debate about whether outdoor seating counts towards the septic sizing limitations. Chris Gordon stated either way they will meet the requirements for outside seating.

Kimberly Clarke stated the coffee shop is a great addition to the town and explained many people walk there, bike there, FA kids etc. This has cost the coffee shop thousand of dollars.

Mike Harper, small business owner, noted that it makes him nervous hearing all of this. He questioned whether we want business to grow or stop them from growing and why there are concerns about the septic system when an engineer has said it's good. He asked the board to please do the right thing and allow businesses to grow.

Emery closed the public hearing.

**Review and Approve application submitted by Oxford Group LLC to establish a café at 627 Main St.:**

Chris Gordon spoke on the parking waiver request, noting that there was no off-street parking, nor has there ever been. Emery went over the planning board application section by section explain what has been met and conditions listed.

Rebmann made a motion to approve a waiver on parking for this project, seconded by Kizaki. 4-0-1.  
Chase abstained

Emery made a motion to approve the project with condition of that a Knox Box be installed.  
Goodwin amended the motion to include condition that copies of licenses be submitted to the town upon receipt and additional vendors and uses be permitted in accordance with the land use ordinance.  
Seconded by Rebmann. There was discussion about trash cans and fencing. The motion passed 4-0-1  
Chase abstained.

**Short Term Rental Regulations Discussion:**

Emery presented a survey to put at elections to get feedback from residents on having an ordinance. The Board supported the idea of a survey and various revisions to the draft survey were discussed. Clarke gave an overview of the situation in Conway with STRs/

Emery made a motion to adjourn, seconded by Chase. All in favor 5-0.