



December 6, 2019
19447

David Strock, Chairman
Town of Baldwin Planning Board
534 Pequawket Trail
West Baldwin, ME 04091

Conditional Use & Site Plan Application- Commercial Solar Array Development
1093 Pequawket Trail, Tax Map 12, Lot 7, SunRaise Investments, LLC

Dear Chairman Strock and Members of the Planning Board:

On behalf of SunRaise Investments, LLC, we are pleased to submit this letter, the enclosed application form, plans and supporting information for a Conditional Use and Site Plan Application for their proposed commercial solar array at 1093 Pequawket Trail. As you will recall, we met with the Planning Board at their meeting on November 14, 2019 to present a concept of the proposal at which time the Board determined that the project would constitute a conditional use as an Essential Service within the Rural Zone.

As the Planning Board will recall, the applicant proposes to develop a commercial scale solar electric photovoltaic and battery storage generating system within the first phase gravel extraction operation previously approved for Maietta Enterprises, Inc. As depicted on the enclosed Preliminary Layout Plan, the access road to the remaining phases of the excavation operation would be relocated along the periphery of the solar array to allow the property owner access to the property westerly of the railroad tracks, but outside of the facility. The existing access driveway from Pequawket Trail is shown to remain in its current location. The solar array would encumber approximately 20 acres of the property and would be completely fenced in with 6-foot chain link fence and three strands of barbed wire along the top.

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The project site consists of a previously excavated gravel pit. As such, the grading required for the proposed solar array should be relatively minor and mainly consist of creating flatter areas in areas of existing slopes. As the applicant stated at the initial presentation to the Planning Board, disturbed areas outside of the required maintenance access drives are planted with low-lying, natural vegetation that is mowed no more than twice a year and typically includes plants requiring pollination to assist in the retention of bees. The previously excavated area is graded to drain internally such that no stormwater runoff exits the site and the proposed redevelopment will maintain the same drainage patterns. As the only stormwater outfall consists of percolation through the soil within the site, no impact from the project will occur relative to stormwater management.

Once the site work is complete and the array is functional, minimal maintenance is required. The applicant anticipates that a maintenance worker in a pick-up truck will visit the site approximately once a month such that traffic impacts associated with the project are negligible. No outside lighting is necessary as any work required during non-daylight hours can utilize the headlights of the vehicle and personal illumination. The noise from the operation of the array is minimal as well and would consist of a humming sound approximately along the lines of a residential air conditioner that should not be

audible off site. The only utility service required for the operation is a connection to the existing electrical grid. No domestic water or sanitary sewer service is required for the operation.

The applicant views this proposal as a win-win as the solar array will reclaim a previously excavated area, while generating taxes for the municipality with no need for Town services. The impact of the development on the Town and abutting property owners will be minimal as the proposal creates minimal traffic and noise with no light or runoff from the site.

We are hopeful that this letter and the enclosed information provides the Planning Board with the required information such that a review of the application may proceed. Upon your review of the submission, however, please let us know of any questions or comments and we will address them as soon as possible.

Thank you for your consideration.

Sincerely,

SEBAGO TECHNICS, INC.



Shawn M. Frank, P.E.
Senior Vice President, Commercial Development

SMF:llg
Enc.

cc: SunRaise Investments, LLC.

For Town Use Only

Date Application Received _____

Received By: _____

Fee Paid: \$ _____

Town of Baldwin, Maine.**Application for Conditional Use Permit**

The Land Use Ordinance of the Town of Baldwin allows the Planning Board to grant a Conditional Use Permit for those uses listed specifically as Conditional Uses in Article 6, District Regulations of the code. Before granting a permit, the Board must find that the standards contained in Article 8, Conditional Uses have been met. It is your obligation to submit the necessary materials to allow the Planning Board to determine if those standards have been met. Three copies of the complete application and supporting materials and the applicable fee shall be submitted to the Code Enforcement Officer.

Section A: Basic Information (to be completed by all applicants)

1. Applicant's Legal Name SunRaise Development, LLC Attn: Patrick Jackson
2. Applicant's Mailing Address PO Box 1340
Portsmouth, NH 03802
3. Phone number where applicant can be reached during business hours (603) 969-8492
4. Are you the owner of record of the property for which the Conditional Use Permit sought?
☐ yes (provide copy of title and go to Question 8)
☒ no (answer Questions 5, 6, and 7)
5. To apply for a conditional Use Permit, you must have legal right, title, or interest in the property. Please indicate your interest in the property and attach written evidence of this interest.
Purchase & Sale Agreement

6. Property Owner's Name Baldwin Pit, LLC Attn: Vincent Maietta
7. Property Owner's Address 199 Elderberry Drive
South Portland, ME 04106
8. Location of property for which the permit is sought 1093 Pequawket Trail
Baldwin, ME 04085
9. Indicate the Map and Lot number for the property from the Town's assessment records
Map # 11 Lot # 75
10. Indicate Zoning District in which the property is located (check as many as apply)
☐ Natural Resource Protection ☐ Highlands
☐ Village Commercial ☒ Rural
11. List the use for which a Conditional Use Permit is being sought. Please refer to Article 6, District Regulations. The proposed use must be specifically listed as conditional use in the district in which it is located.
Essential Services

Town of Baldwin, Maine
Application for Conditional Use Permit
(continued – page #2)

12. Attach the following information to this application as outlined in Article 8 Conditional Uses. For each item, please indicate by checking that item that it has been included with your application.

- ☒ a. A location map showing the location of the property with respect to roadways and major natural features. This map should allow the Board to locate the parcel in the field and on the Town's zoning and tax maps.
- ☒ b. A written description of the proposed use of the property. This statement shall describe the exact nature of the proposed use.
- ☒ c. An accurate, scale drawing of the lot showing the location of any existing or proposed buildings, structures, and natural features, Driveways and parking areas.

Section B: Standards for a conditional Use Permit (the full text appears in Article 8.3)

1. The Planning Board shall consider impact:

- ☐ a. The size of the proposed use compared with surrounding uses.
- ☐ b. The intensity of the proposed use, including amount and type of traffic to be generated, hours of operation, expanse of pavement, and similar measures of intensity of use, compared with surrounding uses.
- ☐ c. The potential generation of noise, dust, odor, vibration, glare, smoke, litter and other nuisances.
- ☐ d. Unusual physical characteristics of the site, including size of the lot, shape of the lot, topography, and soils, which may tend to aggravate adverse impacts upon surrounding properties.
- ☐ e. The degree to which landscaping, fencing, and other design elements have been incorporated to mitigate adverse impacts on surrounding properties.

2. The Planning Board shall consider facilities:

- ☐ a. The ability of traffic to safely move into and out of the site at the proposed location.
- ☐ b. The presence of facilities to assure the safety of pedestrians passing by or through the site.
- ☐ c. The capacity of the street network to accommodate the proposed use.
- ☐ d. The capacity of the storm drainage system to accommodate the proposed use.
- ☐ e. the ability of the Town to provide necessary fire protection services to the site and development.

3. The Planning Board shall consider natural characteristics:

- ☐ a. The natural characteristics of the site, including topography, drainage, and relationship to ground and surface waters and flood plains, shall not be such that the proposed use when placed on the site will cause undue harm to the environment or to neighboring properties.

Section C: Shoreland Standards

Section to be completed only if any portion of the property is located within 250 feet of the normal high water mark of Ingalls Pond, Sand Pond, Southeast Pond, Adams Pond, or the Saco River or within 75 feet of any stream. For each standard, attach a written statement demonstrating how the proposed use complies with that standard. For each item, please indicate by checking that item that it has been included with your application. Each standard must be addressed in your submission.

- ☐ a. Will not result in unreasonable damage to spawning grounds, fish, aquatic life, birds and other wildlife habitat.
- ☐ b. Will reasonably conserve shoreland vegetation.
- ☐ c. Will reasonably conserve visual points of access to waters as viewed from public facilities.
- ☐ d. Will conserve actual points of public access to waters.
- ☐ e. Will reasonably conserve natural beauty.
- ☐ f. Will reasonably avoid problems associated with floodplain development or use.

Section D: (to be completed by applicant)

I/We SunRaise Development, LLC, certify that I/We are the legal applicants for the conditional use permit by this application, that I/We are the owners of the property covered by this application **or have the property owner's consent** to the filing of this application and **have legal interest** in the property and that the information contained in this application and supporting materials is accurate and true.

I/We further certify that I/We have the standards for granting of Conditional Use Permits contained in Land Use Ordinance.

Paul Smith
Signature of Applicant

11/21/2019
Date

Signature of Applicant

Date _____

Permit Fee: \$ 150.

Signature of CEO

Date Received _____

Official Use: Planning Board.

Date Received by Planning Board: _____

Received By: _____

Date of Public Hearing: _____

Conditional Use Permit about: _____

PERMIT DENIED Date: _____ Explanation: _____

PERMIT APPROVED Date: _____ Conditions of Permit (if any) _____

Planning Board Signatures:

1. _____

2. _____ 3. _____

4. _____ 5. _____

Section D: (to be completed by applicant)

I/We _____, certify that I/We are the legal applicants for the conditional use permit by this application, that I/We are the owners of the property covered by this application **or** have the **property owner's consent** to the filing of this application and **have legal interest** in the property and that the information contained in this application and supporting materials is accurate and true.

I/We further certify that I/We have the standards for granting of Conditional Use Permits contained in Land Use Ordinance.

Signature of Applicant

Date

Vincent A. Mautta

11-20-19

Signature of Applicant *OWNER*

Date

Permit Fee: \$ ☒

[Signature]

Signature of CEO

Date Received

Official Use: Planning Board.

Date Received by Planning Board: _____

Received By: _____

Date of Public Hearing: _____

Conditional Use Permit about: _____

PERMIT DENIED Date: _____ Explanation: _____

PERMIT APPROVED Date: _____ Conditions of Permit (if any) _____


Planning Board Signatures:

1. _____

2. _____ 3. _____

4. _____ 5. _____



 <p> WWW.SEBAGOTECHNICS.COM 15 Oak Hill Rd., Suite 10 South Portland, ME 04106 Tel: 207-266-2100 </p>	SITE LOCATION MAP FOR: SUNRAISE INVESTMENTS		SCALE: 1:24,000
	LOCATION: ROUTE 113 BALDWIN, ME	INFORMATION: USGS Quadrangle: Cornish	DATE: 11/26/2019

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **MAIETTA ENTERPRISES, INC.**, a Maine corporation with a mailing address of 154 Pleasant Hill Road, Scarborough, Maine 04074, for in consideration of one dollar (\$1.00) and other valuable consideration paid in consideration of one dollar (\$1.00) and other valuable consideration paid by **BALDWIN PIT, LLC**, whose mailing address is 199 Elderberry Street, South Portland, Maine 04106 ("Grantee") the receipt whereof is hereby acknowledged, does hereby grant unto the said Grantee, its successors and assigns forever, with **WARRANTY COVENANTS**, a certain parcel of land located in Baldwin, Maine more particularly described as follows:

Parcel One:

A certain lot or parcel of land situated in the Town of Baldwin, being the first parcel described in deed of Albert B. Locke to himself and Lilla R. Locke by deed dated September 1967, recorded in Cumberland County Registry of Deeds in Book 3013, Page 481, and therein described as follows: Easterly by the Pequawket Trail and land of heirs of Fred W. Stokes; Northerly by lands of Wilson M. Bliss and heirs of Charles C. Rounds; Southerly by lands of Chester F. Burnell, Frank A. Hodgdon and Homer Stevens; and Westerly by Saco River and land of Cumberland County Power and Light Company.

Being the same premises conveyed by deed of Henry A. Miles dated July 29, 1925 recorded in the Cumberland County Registry of Deeds, Book 1210, Page 3.

Saving, excepting and reserving, however, from the above described parcel the following parcels which have been conveyed thereout, to wit:

1. Deed to Janet and Philip Rankin dated October 11, 1950 recorded in said Registry in Book 2020, Page 385.
2. Deed to John O. Sanborn, 3rd et ux, containing .62 acres, dated July 15, 1969 recorded at Book 3094, Page 767.
3. Deed to Marvin A. Reinhard dated September 24, 1969 recorded in Book 3103, Page 889.
4. Deed to Joe A. Rankin, et ux, dated April 30, 1979, recorded in Book 4435, Page 229.

Reference is made to the above deeds and the deeds therein referred to for further description of the parcels hereby excepted and reserved.

Also excepting and reserving the right of way of Maine Central Railroad which crosses said parcel.

Parcel Two:

A certain lot or parcel of land situated in the Town of Baldwin, County of Cumberland and State of Maine located on the Westerly side of Route 113 (also known as the Pequawket Trail), more particularly bounded and described as follows:

Commencing at a point on the Westerly sideline of Route 113 at the Southerly corner of land now or formerly of Luydas Normantas:

Thence running South 6 degrees 55' East along the Westerly sideline of said Route 113 a distance of two hundred fifteen (215) feet to a point in land now or formerly of Joe A. and Rita Rankin (see Cumberland County Registry of Deeds Book 2020, Page 385);

Thence running South 83 degrees 8' West by said Rankin land a distance of thirty (30) feet to a point;

Thence running Southwesterly by said Rankin land a distance of eighty-nine (89) feet to a point;

Thence running South 66 degrees 09' West by said Rankin land a distance of one hundred twenty-three (123) feet to a point;

Thence running South 44 degrees 47' West by said Rankin land a distance of three hundred twenty-nine (329) feet to a point;

Thence running South 27 degrees 12' West by said Rankin land a distance of sixty-nine (69) feet to a point;

Thence running South 59 degrees 36' East by said Rankin land a distance of sixty-one (61) feet to a point;

Thence running South 59 degrees 39' East by said Rankin land a distance of four hundred twenty (420) feet to a point in land now or formerly of John O. and Linda Sanborn (see Cumberland County Registry of Deeds Book 3094, Page 767);

Thence running South 28 degrees 13' West by said Sanborn land a distance of one hundred fifty-four (154) feet to a point;

Thence running South 79 degrees 54' East by said Sanborn land a distance of one hundred eighty-seven (187) feet to the Westerly sideline of said Route 113;

Thence running in a Southerly direction on a curve to the right with a radius of five thousand six hundred eighty (5,680) feet a distance of seven hundred fifty (750) feet, more or less to a point;

Thence running South 3 degrees 27' West along said sideline of Route 113 a distance of two hundred thirty-two (232) feet to a point in land now or formerly of Marvin A. and Dawn Reinihard (see Cumberland County Registry of Deeds Book 3003, Page 339 and Book 4435, Page 220);

Thence running North 87 degrees 3' West by said Reinihard land a distance of two hundred (200) feet to a point;

Thence running South 2 degrees 57' West by said Reinihard land a distance of five hundred twenty-two (522) feet to a point in land now or formerly of Thomas and Carol L. Anderson;

Thence running South 87 degrees 4' West by said Anderson land a distance of one hundred seventy-six (176) feet to a point;

Thence running South 82 degrees 20' West by said Anderson land a distance of four hundred sixty-five (465) feet to a point in the Maine Central Railroad right-of-way;

Thence running in a Southerly direction by the Easterly sideline of said Maine Central Railroad right-of-way a distance of seven hundred ten (710) feet to a point;

Thence running South 59 degrees 40' West across said Maine Central Railroad right-of-way to a point and continuing on in the same direction a distance of six hundred thirty-seven (637) feet to a point on land now or formerly of John A. and Maude E. Page;

Thence running North 87 degrees 21' West by said Page land a distance of one hundred fifty-four (154) feet to a point;

Thence running North 68 degrees 15' West by said Page land a distance of two hundred seventy-four (274) feet to a point;

Thence running North 75 degrees 37' West by said page land a distance of two hundred fifty-three (253) feet to a point;

Thence running South 85 degrees 26' West by said Page land to the Saco River;

Thence running in a general Northwesterly direction by the Saco River a distance of two hundred sixteen (216) feet to a point in land now or formerly of Central Maine Power Company;

Thence running North 34 degrees 47' East by said Central Maine Power Company land a distance of one thousand three hundred thirty-three (1,333) feet to a point;

Thence running North 8 degrees 03' West by said Central Maine Power Company land a distance of four hundred twenty-one (421) feet to a point;

Thence running North 9 degrees 35' East by said Central Maine Power Company land a distance of four hundred sixty-five (465) feet to a point;

Thence running North 29 degrees 17' East by said Central Maine Power Company land a distance of four hundred three (403) feet to a point;

Thence running North 18 degrees 16' East by said Central Maine Power Company land a distance of two hundred forty-one (241) feet to a point;

Thence running North 38 degrees 17' East by said Central Maine Power Company land a distance of three hundred thirty-seven (337) feet to a point;

Thence running North 48 degrees 55' East by said Central Maine Power Company land a distance of two hundred seventy-six (276) feet to a point;

Thence running South 73 degrees 55' East by said Central Maine Power Company land a distance of four hundred ninety (490) feet to a point;

Thence running South 76 degrees 18' East by said Central Maine Power Company land a distance of four hundred thirty-four (434) feet to a point in said Central Maine Railroad Company right-of-way and continuing on in the same direction across said right-of-way;

Thence running South 76 degrees 55' East along said Normantas land to a point;

Thence running South 79 degrees 04' East along said Normantas land a distance of three hundred forty (340) feet to a point;

Thence running South 74 degrees 43' East along said Normantas land a distance of two hundred forty-nine (249) feet to a point;

Thence running South 76 degrees 47' East along said Normantas land a distance of four hundred fifty-two (452) feet to a point in the Westerly sideline of Route 113, being the point of beginning.

Together with all right, title and interest of the Grantor in and to Route 113 and in and to the shore and bottom of the Saco River.

Subject to the rights and title of Maine Central Railroad but together with all licenses and rights to cross said Maine Central Railroad right-of-way.

This conveyance is subject to a certain Mortgage given by Grantor to Bernstein Shur Sawyer & Nelson and Spinglass Management Group, LLC dated July 10, 2013, recorded in

the Cumberland County Registry of Deeds in Book 30828, Page 17 (the "Mortgage") which Mortgage was assigned to CAM Investment Company, LLC by Assignment dated November 16, 2016 recorded in the Cumberland County Registry of Deeds in Book 33623, Page 181. By acceptance of this Deed, Grantee assumes and agrees to pay the said Mortgage and the debt thereby secured.

This conveyance is subject to and with the benefit of a certain Consent Decree dated November 13, 2017 recorded in the Cumberland County Registry of Deeds in Book 34606, Page 303.

IN WITNESS WHEREOF, Maietta Enterprises, Inc. has caused this instrument to be signed and sealed this 11th day of March, 2019.

MAIETTA ENTERPRISES, INC.

By: Vincent A. Maietta
Vincent Maietta
Its President

[Signature]
Witness

State of Maine
Cumberland, ss.

March 11, 2019

Personally appeared the above-named Vincent Maietta, President of Maietta Enterprises, Inc. and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation. Before me,

Timothy H. Norton
Notary Public/Attorney-at-Law Bar # 3895
Timothy H. Norton
Printed Name

Received
Recorded Register of Deeds
Mar 14, 2019 03:44:28P
Cumberland County
Nancy A. Lane