

# ***Baldwin Planning Board***

## ***Meeting Minutes***

June 14, 2018

### **I. Call to order**

Norm Blake called to order the regular meeting of the Baldwin Planning Board at 7:00 PM on June 14, 2018 at the Baldwin Town Hall.

### **II. Roll call**

Norm Blake conducted a roll call. The following persons were present: PB members Norm Blake, Jo Pierce, Matt Fricker and Nichol Ernst; Selectmen Jeff Sanborn and Dwight Warren; CEO Wes Sunderland.

### **III. Approval of minutes from last meeting**

Matt Fricker reviewed minutes from meetings on 4/12 & 26 and 5/10 & 24. The minutes were approved as summarized.

### **IV. Open issues**

#### a) Wayne Fuller Gravel and Cattle –

- Site walk was held 6/9 at 8:00. No members of the public showed up.
- A Public Hearing is tentatively scheduled for July 12 and a Public Notice advertised and Abutter Letters sent out pending achievement of key issue noted below.
- Van Hertel owns the land and needs to submit a signed CUP even though Wayne Fuller leases the land from him and has been working on the draft CUP. The Public Hearing, Public Notice and Abutter Letters depends on receiving notice by 6/22 that a CUP with Van Hertel's signature will be submitted by 6/28/18.
- Sub-surface water survey could be waived due to nature of topography.
- CUP needs to note contour lines for identifying ground level to ensure that excavation does not go below ground level (contour lines identified as 316-314).
- Still need insurance certificate and information on valuation for bond.

b) SLZO

- The DEP completed its review of the Town's recently adopted shoreland zoning ordinance and map. Due to a number of deficiencies the Department intends to conditionally approve the ordinance. This means that the conditions in the Department Order will address the deficiencies, but must also be administered and enforced by the Town as though it has been adopted by the Town. The Town can further amend its ordinance at the next Town Meeting to eliminate the deficiencies and then the Department can fully approve the Ordinance.
  - Letter and order from DEP attached.
- Get Lee Feldman/SMP&DC to re-engage and help. Be ready for Town Meeting in 2019. Funds expended appear to be \$1,152 vs. \$2,000 special budget. Motion made, unanimously approved.

**V. New business**

- a) Noise Complaint – End of Douglas Hill Rd.
- b) Noise from shooting rifles and automatic weapons. It was noted that the Town does not have a “Noise Ordinance”, although we do have an ordinance that addresses shooting ranges. A discussion ensued regarding coverage by the ordinance for a commercial shooting range vs. the need for a new ordinance covering noise.

**VI. Adjournment**

Norm Blake adjourned the meeting at 8:00 PM.

Minutes submitted by: Matt Fricker



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE  
GOVERNOR

PAUL MERCER  
COMMISSIONER

June 5, 2018

Mathew Fricker  
Secretary, Planning Board  
Town of Baldwin  
534 Pequawket Trail  
West Baldwin, Maine 04091

Subject: DRAFT CONDITIONAL APPROVAL #17-2018,  
Shoreland Zoning Ordinance Amendments

Dear Mr. Fricker,

We have reviewed the amended Town of Baldwin Shoreland Zoning Ordinance, including the Map, which was adopted on March 10, 2018, and was received by the Department on May 1, 2018. Generally, the amendments are consistent with the *State of Maine Guidelines for Municipal Shoreland Zoning Ordinances* (Guidelines). However, our review has revealed several deficiencies in the amendments that warrant conditional approval from the Department. The remaining amendments to the Ordinance are consistent with the Guidelines and are proposed to be approved.

The Town may correct the deficiencies via future amendment, in which case the Department could repeal the conditional approval order and fully approve the Ordinance.

Conditional approval notwithstanding, during its review the Department noted that the Ordinance text and the Map are considerably inconsistent. The Map is more restrictive than required under State minimum standards so we are fully approving the Map in the attached Order. Section 13 of the Ordinance establishes the criteria for regulating shoreland areas with the specific shoreland zoning districts.

While the Ordinance clearly describes the areas that should be subject to Resource Protection District zoning, aside from streams, the Map appears to regulate all shoreland zoned areas with a (most restrictive) Resource Protection District even when areas do not meet the criteria described in the Ordinance for such zoning. Further, the Map also appears to regulate certain areas in a manner similar to a freshwater wetland, yet that do not meet the definition of a freshwater wetland in Section 17 of the Ordinance. Generally, these areas appear to be far less than 10 acres in area and are not required to be regulated by the Ordinance or State minimum standards.

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17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-7688 FAX: (207) 287-7826  
RAY BLDG., HOSPITAL ST.

BANGOR  
106 HOGAN ROAD, SUITE 6  
BANGOR, MAINE 04401  
(207) 941-4570 FAX: (207) 941-4584

PORTLAND  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 822-6300 FAX: (207) 822-6303

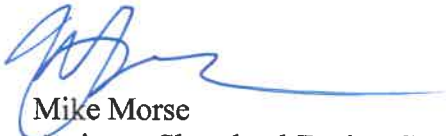
PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04679-2094  
(207) 764-0477 FAX: (207) 760-3143

Additionally, the Map regulates numerous intermittent streams and certain perennial streams with a Stream Protection District and this too is inconsistent with the Ordinance (see "stream" definition). This is more restrictive than State minimum standards and the Ordinance.

These Ordinance/Map inconsistencies can generate confusion and controversy for the Town in its administration and enforcement of the Ordinance. To correct the matter the Town has several options. One option would be to amend the Ordinance at a future Town Meeting so that the Ordinance becomes consistent with and supports the current Map. Another option would be to amend the Map so that it becomes consistent with the Ordinance. The latter would require additional amendments to the Ordinance as well, namely to establish a new Limited Residential District for the areas required to be shoreland zone regulated, but that do not meet the Resource Protection District criteria.

I have enclosed a **draft** copy of the proposed Department Order for your review. If you or any other Town official have questions or concerns, feel free to contact me at 822-6328 (email-[michael.j.morse@maine.gov](mailto:michael.j.morse@maine.gov)). If you have any comments for the draft Order, please respond in writing by no later than 5 p.m., **June 11, 2018**.

Sincerely

A handwritten signature in blue ink, appearing to read 'Mike Morse', with a long horizontal flourish extending to the right.

Mike Morse  
Assistant Shoreland Zoning Coordinator  
Bureau of Land Regulation

enclosed: Draft Department Order #17-2018

cc: file



DEPARTMENT ORDER

IN THE MATTER OF

TOWN OF BALDWIN ) MANDATORY SHORELAND ZONING ACT  
CUMBERLAND COUNTY )  
SHORELAND ZONING ORDINANCE )  
ORDER #17-2018 ) APPROVAL WITH CONDITIONS

Pursuant to the provisions of 38 M.R.S. §§ 435-448, the *Mandatory Shoreland Zoning Act* (“Act”), and the Maine Department of Environmental Protection’s *Guidelines for Municipal Shoreland Zoning Ordinances*, 06-096 C.M.R. Chapter 1000 (amended January 26, 2015) (“Guidelines”), the Department of Environmental Protection has considered the request for approval of the Town of Baldwin Shoreland Zoning Ordinance (Ordinance), as amended on March 10, 2018, and FINDS THE FOLLOWING FACTS:

1. The Act requires municipalities to establish zoning controls in areas within 250 feet of the normal high-water line of great ponds and rivers; within 250 feet of the upland edge of freshwater and coastal wetlands; and within 75 feet of the normal high-water line of streams. Such zoning standards must be consistent with or no less restrictive than those in the Guidelines. 38 M.R.S. §§ 435 & 438-A.
2. The Act specifies that before a locally adopted shoreland zoning ordinance, or amendment to that ordinance, is effective, it must be approved by the Commissioner of the Department of Environmental Protection (“Commissioner”). The Commissioner may approve, approve with conditions, or deny the ordinance or amendment. If denied, or approved with conditions, such action must be preceded by notice to the municipality. If the Commissioner fails to act within 45 days of receipt of the ordinance or amendment, then the ordinance or amendment is automatically approved. 38 M.R.S. § 438-A.
3. On May 1, 2018, the Town of Baldwin submitted a newly adopted Ordinance, including a shoreland zoning map, adopted on March 10, 2018. The amendments make extensive revisions throughout the Ordinance, including minor corrections and clarifications, as well as substantive changes in standards including, but not limited to: expansion of nonconforming structures, shoreline stabilization projects, hazard and storm damaged tree removal, and revegetation requirements. The submitted amendments purport to update the Ordinance to bring it into compliance with the Guidelines as amended on January 26, 2015.
4. The Department’s review of the recent amendments determined that the Ordinance is inconsistent with the Act and the Guidelines.
5. The Department's review of the Ordinance has revealed the following significant deficiencies:

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- A. Section 4 establishes the effective date of the Ordinance, the date the Ordinance was adopted at Town Meeting. The latest Town Meeting was on March 10, 2018, and must be specified in Section 4.
  - B. The Ordinance contains numerous incorrect internal reference citations that adversely affect the administration of the Ordinance.
  - C. Section 12(E)(3) contains an exclusion from the requirement that certain lots be combined if adjoining nonconforming lots come under the same ownership. That exclusion however must be dependent on ownership at the date that the Town of Baldwin enacted lot size requirements greater than 100 feet of shore frontage and 20,000 square feet of lot area, not the effective date of a later ordinance or amendment. That date is August 18, 1992, and cannot be the date of a later amendment.
  - D. Section 13(B) contains an error in describing the width of the Stream Protection District. Specifically, the Ordinance states that the district includes all land areas within “seventy-five (100) feet” of the normal high-water line of a stream. Section 3 of the Ordinance establishes that the width is one hundred feet.
  - E. Section 15(B)(3) is deficient of language necessary to establish that the limitation on lot coverage is 20% of the portion of the lot located within the shoreland zone.
  - F. Section 15(N), Timber Harvesting, is deficient of the date when the Town repealed regulation of timber harvesting within the shoreland zone. That date is the date of the Town Meeting, March 10, 2018.
  - G. Section 16(C) is deficient of a requirement of the Act that excavation contractors disturbing soil in the shoreland zone must be certified by the Department in erosion & sedimentation control best management practices.
  - H. Section 17, Definitions, is deficient of several terms and several other terms are defined inconsistently with the requirements.
6. In a letter dated June 5, 2018, the Town of Baldwin was notified by the Department of the above deficiencies and the proposed conditional approval of the Ordinance.

BASED on the above Findings of Fact, the Commissioner makes the following CONCLUSION:

- 1. The deficiencies noted in paragraph 5, above, can be addressed by the Department approving the Ordinance with conditions. This will result in the Ordinance being consistent with the standards in the Act and Guidelines.

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THEREFORE, the Department CONDITIONALLY APPROVES the Ordinance, as amended on March 10, 2018, subject to the following CONDITIONS, and recognizes the Ordinance as of March 10, 2018.

1. Section 4 of the Ordinance shall be amended in part to include the date of Town Meeting, March 10, 2018, as follows:

**“Effective date of Ordinance and Ordinance Amendments.** This Ordinance, which was adopted at Town Meeting on March 10, 2018, shall not be effective unless approved...”

2. The following Ordinance internal references shall be amended as follows:

- a) **Section 12(C)(3), paragraph 3:** “Section 15(S)” shall become “Section 15(R)”
- b) **Section 15(O)(1):** “section Q” shall become “section P”
- c) **Section 15(O)(2):** “Section P(1)” shall become “Section O(1)”
- d) **Section 15(O)(2)(b), multiple paragraphs:** “Section 15(P)(2)(b)” shall become “Section 15(O)(2)(b)”
- e) **Section 15(O)(2)(c):** “Section 15(P)” shall become “Section 15(O)”
- f) **Section 15(O)(2)(e):** “Section Q” shall become “Section 15(P)”
- g) **Section 15(O)(2)(f):** “Section 15.P(2)” shall become “Section 15(O)(2)”
- h) **Section 15(O)(5):** “Section 15(P)” shall become “Section 15(O)”
- i) **Section 15(Q) and 15(Q)(1):** “Section 15(P)” shall become “Section 15(O)”
- j) **Section 15(Q)(4):** “Section 15(N)” shall become “Section 15(M)”
- k) **Section 15(R):** “Section 15(P)” shall become “Section 15(O)”

3. Section 12(E)(3), 2<sup>nd</sup> paragraph, shall be amended to delete the words “the effective date of this ordinance” and replace them with “August 18, 1992”.

4. Section 13(B) shall be amended in part as follows:

**“B. Stream Protection District.** The Stream Protection District includes all land areas within ~~seventy-five~~ one hundred (100) feet, horizontal distance, of...”

5. Section 15(B)(3) shall be amended to add the following language at the beginning of the second paragraph:

“Non-vegetated surfaces shall not exceed a total of twenty (20) percent of the portion of the lot located within the shoreland zone. This limitation does not apply to public boat launching facilities regardless of the district in which the facility is located.”

6. Section 15(N) shall be amended to specify that March 10, 2018, the date of the Town Meeting, is the date when the Town repealed regulation of timber harvesting in the shoreland zone.

7. Section 17, Definitions, shall be amended to incorporate the following terms:

**Excavation contractor-** an individual or firm engaged in a business that causes the disturbance of soil, including grading, filling and removal, or in a business in which the disturbance of soil results from an activity that the individual or firm is retained to perform.

**Timber harvesting-** the cutting and removal of timber for the primary purpose of selling or processing forest products. “Timber harvesting” does not include the cutting or removal of vegetation within the shoreland zone when associated with any other land use activities. The cutting or removal of trees in the shoreland zone on a lot that has less than two (2) acres within the shoreland zone shall not be considered timber harvesting. Such cutting and removal of trees shall be regulated pursuant to Section 15(O), *Clearing or Removal of Vegetation for Activities Other than Timber Harvesting*.

8. Section 17, Definitions, the definition for “Expansion of a structure” shall be amended to read in its entirety, as follows:

**Expansion of a structure-** an increase in the footprint or height of a structure, including all extensions such as, but no limited to: attached decks, garages, porches, and greenhouses.

9. Section 17, Definitions, the definition for “Shoreland zone” shall be amended to regulate streams with a shoreland zone that is one hundred (100) feet in width.

10. Section 16(C), shall be amended to include the following provision:

“(5) When an excavation contractor will perform an activity that requires or results in more than one (1) cubic yard of soil disturbance, the person responsible for management of erosion and sedimentation control practices at the site must be certified in erosion control practices by the Maine Department of Environmental Protection. This person must be present at the site each day earthmoving activity occurs for a duration that is sufficient to ensure that proper erosion and sedimentation control practices are followed. This is required until erosion control measures have been installed, which will either stay in place permanently or stay in place until the area is sufficiently covered with vegetation necessary to prevent soil erosion. The name and certification number of the person who will oversee the activity causing or resulting in soil disturbance shall be included on the permit application. This requirement does not apply to a person or firm



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engaged in agriculture or timber harvesting if best management practices for erosion and sedimentation control are used; and municipal, state and federal employees engaged in projects associated with that employment.

DONE AND DATED AT AUGUSTA, MAINE, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_

For: Paul Mercer, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

**From:** Morse, Michael J  
**To:** [Norman Blake](#); [Stickmanfrick](#)  
**Cc:** [Deborah Wakefield](#); [Danielle Taylor](#); [Lee Jay Feldman](#); [Josiah Pierce](#); [David Strock](#); [Jeff Sanborn](#); [Dwight Warren](#); [Jim Dolloff](#)  
**Subject:** RE: Town of Baldwin Shoreland Zoning Ordinance for Maine DEP Review  
**Date:** Tuesday, June 12, 2018 10:31:18 AM

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Hello Norman,

Thank you for getting back to me. The Department will move forward with issuing the conditional order, namely because our review/signature deadline is Friday at close of business. The comment deadline yesterday was simply that, a comment period in case the Town felt that there was an error in the draft Department order. Issuance of the Order does not in any way preclude the Town from making amendments at a future town meeting to correct the ordinance. In fact, the Department highly encourages and strongly recommends that the Town do so. Once those corrections are adopted then the Department could repeal the conditional order and the ordinance would be fully approved. That is a separate process though from the one we are in right now with the Friday signature deadline.

Also, once corrections are drafted in advance of a future town meeting, please feel free to send the draft to me to review well before going to vote at town meeting. That would allow us to review the document to see if it would fully meet the requirements so that once adopted the ordinance could be fully approved (which helps the Town). This is not required, but it is a service we provide to municipalities.

Hopefully this helps to clarify the matter, but please don't hesitate to contact me with any questions.

Thanks,  
Mike

*Mike Morse  
Assistant Shoreland Zoning Coordinator  
Maine Department of Environmental Protection  
312 Canco Road  
Portland, Maine 04103  
207-822-6328  
[www.maine.gov/dep](http://www.maine.gov/dep)*

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**From:** Norman Blake [mailto:[wa1ivb@att.net](mailto:wa1ivb@att.net)]  
**Sent:** Monday, June 11, 2018 9:04 AM  
**To:** Morse, Michael J <[Michael.J.Morse@maine.gov](mailto:Michael.J.Morse@maine.gov)>; Stickmanfrick <[stickmanfrick@ptd.net](mailto:stickmanfrick@ptd.net)>  
**Cc:** Deborah Wakefield <[dwakefieldbaldwin@yahoo.com](mailto:dwakefieldbaldwin@yahoo.com)>; Danielle Taylor <[dtaylorbaldwin@gmail.com](mailto:dtaylorbaldwin@gmail.com)>; Lee Jay Feldman <[ljfeldman@smpdc.org](mailto:ljfeldman@smpdc.org)>; Josiah Pierce <[unclejo@cpierce.com](mailto:unclejo@cpierce.com)>; David Strock <[dastrock@gmail.com](mailto:dastrock@gmail.com)>; Jeff Sanborn <[jsanborn326@yahoo.com](mailto:jsanborn326@yahoo.com)>; Dwight Warren <[dwrightwarren4@gmail.com](mailto:dwrightwarren4@gmail.com)>; Jim Dolloff

<jdolloffbaldwin@yahoo.com>

**Subject:** Re: Town of Baldwin Shoreland Zoning Ordinance for Maine DEP Review

Mike....

The Baldwin Planning Board would like to request an extension of the appeal date from today to July 13 2018. Your email came a bit out of sequence for our Planning Board meeting schedule. Additionally, we will probably want to be contracting with Lee Feldman again to assist us. Our next Planning Board meeting is this Thursday and we will bring the matter up to the full board then. I had briefly talked with member Josiah Pierce at a site walk last week, but to have brought in additional board members to the conversation might have violated Maine's open meeting laws, since Shoreland matters weren't on the agenda for the other site walk. The 13 July date will give us two meetings to deal with this, and possibly get us tucked into Lee Feldman's schedule. His assistance has been valuable for Baldwin and we'd like to continue with that.

Please let us know if this works for you. I'd like to get this Shoreland stuff finally put to bed, and with the approval of the Townspeople before I get much older.

Regards,  
Norman B. Blake  
Chairman, Baldwin Planning Board

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**From:** "Morse, Michael J" <[Michael.J.Morse@maine.gov](mailto:Michael.J.Morse@maine.gov)>  
**To:** Stickmanfrick <[stickmanfrick@ptd.net](mailto:stickmanfrick@ptd.net)>  
**Cc:** Deborah Wakefield <[dwakefieldbaldwin@yahoo.com](mailto:dwakefieldbaldwin@yahoo.com)>; Danielle Taylor <[dtaylorbaldwin@gmail.com](mailto:dtaylorbaldwin@gmail.com)>; Lee Jay Feldman <[ljfeldman@smpdc.org](mailto:ljfeldman@smpdc.org)>; Josiah Pierce <[unclejo@cpierce.com](mailto:unclejo@cpierce.com)>; Norman Blake <[wa1ivb@att.net](mailto:wa1ivb@att.net)>  
**Sent:** Tuesday, June 5, 2018 12:04 PM  
**Subject:** RE: Town of Baldwin Shoreland Zoning Ordinance for Maine DEP Review

Hello Matt,

The Department has completed its review of the Town's recently adopted shoreland zoning ordinance and map. Due to a number of deficiencies the Department intends to conditionally approve the ordinance. This means that the conditions in our Department Order will address the deficiencies, but must also be administered and enforced by the Town as though it has been adopted by the Town. The Town can further amend its ordinance at the next Town Meeting to eliminate the deficiencies and then the Department can fully approve the Ordinance.

I've attached the draft conditional approval order for your review. If you have any questions/comments, please let me know.

Thank you for your assistance with all of this!

Thanks,  
Mike

Mike Morse  
Assistant Shoreland Zoning Coordinator  
Maine Department of Environmental Protection  
312 Canco Road  
Portland, Maine 04103  
207-822-6328  
[www.maine.gov/dep](http://www.maine.gov/dep)

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**From:** Stickmanfrick [<mailto:stickmanfrick@ptd.net>]  
**Sent:** Wednesday, April 18, 2018 10:08 AM  
**To:** Norman Blake <[wa1ivb@att.net](mailto:wa1ivb@att.net)>  
**Cc:** Morse, Michael J <[Michael.J.Morse@maine.gov](mailto:Michael.J.Morse@maine.gov)>; Deborah Wakefield <[dwakefieldbaldwin@yahoo.com](mailto:dwakefieldbaldwin@yahoo.com)>; Danielle Taylor <[dtaylorbaldwin@gmail.com](mailto:dtaylorbaldwin@gmail.com)>; Lee Jay Feldman <[ljfeldman@smpdc.org](mailto:ljfeldman@smpdc.org)>; Josiah Pierce <[unclejo@cpierce.com](mailto:unclejo@cpierce.com)>  
**Subject:** Re: Town of Baldwin Shoreland Zoning Ordinance for Maine DEP Review

Hi Folks, I'm on the road right now, but will take care of this when I get back next week. Thanks! Matt

Matthew Fricker  
(215) 527-2822  
Sent from my iPhone

On Apr 18, 2018, at 9:40 AM, Norman Blake <[wa1ivb@att.net](mailto:wa1ivb@att.net)> wrote:

Good Morning Mike...

We are in the process of getting another copy printed out without the "draft" stamp on it, and then get it to Debbie, our town clerk, to be attested and forwarded to you. But we haven't forgotten you!

Regards,  
Norm

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**From:** "Morse, Michael J" <[Michael.J.Morse@maine.gov](mailto:Michael.J.Morse@maine.gov)>  
**To:** Norman Blake <[wa1ivb@att.net](mailto:wa1ivb@att.net)>; Deborah Wakefield <[dwakefieldbaldwin@yahoo.com](mailto:dwakefieldbaldwin@yahoo.com)>  
**Cc:** 'Danielle Taylor' <[dtaylorbaldwin@gmail.com](mailto:dtaylorbaldwin@gmail.com)>; 'Lee Jay Feldman' <[ljfeldman@smpdc.org](mailto:ljfeldman@smpdc.org)>; Josiah Pierce <[unclejo@cpierce.com](mailto:unclejo@cpierce.com)>; Matthew D Fricker <[stickmanfrick@ptd.net](mailto:stickmanfrick@ptd.net)>  
**Sent:** Wednesday, April 18, 2018 9:35 AM  
**Subject:** RE: Town of Baldwin Shoreland Zoning Ordinance for Maine DEP Review

Hello Debbie and Norm,

I'm just checking in to see if you've had an opportunity yet to locate the final adopted version of the map, and if so, if you would be able to forward me an attested copy of the map. There's no huge rush for me, but we will not be able to begin our 45-day review period until we've received the document. This might be important to folks in town looking to begin projects affected by the new regulations and map.

Thanks,  
Mike

*Mike Morse*  
*Assistant Shoreland Zoning Coordinator*  
*Maine Department of Environmental Protection*  
*312 Canco Road*  
*Portland, Maine 04103*  
*207-822-6328*  
[www.maine.gov/dep](http://www.maine.gov/dep)

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**From:** Norman Blake [<mailto:walivb@att.net>]  
**Sent:** Wednesday, April 11, 2018 10:58 AM  
**To:** Matthew D Fricker <[stickmanfrick@ptd.net](mailto:stickmanfrick@ptd.net)>; Morse, Michael J <[Michael.J.Morse@maine.gov](mailto:Michael.J.Morse@maine.gov)>  
**Cc:** 'Danielle Taylor' <[dtaylorbaldwin@gmail.com](mailto:dtaylorbaldwin@gmail.com)>; 'Lee Jay Feldman' <[ljfeldman@smpdc.org](mailto:ljfeldman@smpdc.org)>; Josiah Pierce <[unclejo@cpierce.com](mailto:unclejo@cpierce.com)>; Deborah Wakefield <[dwakefieldbaldwin@yahoo.com](mailto:dwakefieldbaldwin@yahoo.com)>  
**Subject:** Re: Town of Baldwin Shoreland Zoning Ordinance for Maine DEP Review

All..

I am including our Town Clerk of 25 years, Debbie, in this as she tends to know about this sort of thing... Right Deb?

Norm

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**From:** Matthew D Fricker <[stickmanfrick@ptd.net](mailto:stickmanfrick@ptd.net)>  
**To:** "'Morse, Michael J'" <[Michael.J.Morse@maine.gov](mailto:Michael.J.Morse@maine.gov)>  
**Cc:** 'Danielle Taylor' <[dtaylorbaldwin@gmail.com](mailto:dtaylorbaldwin@gmail.com)>; 'Lee Jay Feldman' <[ljfeldman@smpdc.org](mailto:ljfeldman@smpdc.org)>; Norman Blake <[walivb@att.net](mailto:walivb@att.net)>; Josiah Pierce <[unclejo@cpierce.com](mailto:unclejo@cpierce.com)>  
**Sent:** Wednesday, April 11, 2018 10:53 AM  
**Subject:** RE: Town of Baldwin Shoreland Zoning Ordinance for Maine DEP Review

Hi Mike,

Here is the.pdf of the SLZ map. It is noted as coming from SMPDC and marked "draft". I'm still "learning the ropes" as Planning Board Secretary, so am looking into what we need to do to make it an "attested" copy.

Thanks again,

Matt

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**From:** Morse, Michael J [<mailto:Michael.J.Morse@maine.gov>]  
**Sent:** Wednesday, April 11, 2018 10:25 AM  
**To:** Stickmanfrick <[stickmanfrick@ptd.net](mailto:stickmanfrick@ptd.net)>  
**Cc:** Danielle Taylor ([dtaylorbaldwin@gmail.com](mailto:dtaylorbaldwin@gmail.com)) <[dtaylorbaldwin@gmail.com](mailto:dtaylorbaldwin@gmail.com)>; Lee Jay Feldman ([ljfeldman@smpdc.org](mailto:ljfeldman@smpdc.org)) <[ljfeldman@smpdc.org](mailto:ljfeldman@smpdc.org)>  
**Subject:** RE: Town of Baldwin Shoreland Zoning Ordinance for Maine DEP Review

That's very good, Matt. I'm very pleased to hear that the Town will have both a new ordinance and map. That should make things much better for town officials and the regulated community. Please be sure the map is an attested copy, so if that means that it's a paper copy mailed to me then that is fine.

Thanks,  
Mike

*Mike Morse*  
*Assistant Shoreland Zoning Coordinator*  
*Maine Department of Environmental Protection*  
*312 Canco Road*  
*Portland, Maine 04103*  
*207-822-6328*  
[www.maine.gov/dep](http://www.maine.gov/dep)

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**From:** Stickmanfrick [<mailto:stickmanfrick@ptd.net>]  
**Sent:** Wednesday, April 11, 2018 10:07 AM  
**To:** Morse, Michael J <[Michael.J.Morse@maine.gov](mailto:Michael.J.Morse@maine.gov)>  
**Cc:** Danielle Taylor ([dtaylorbaldwin@gmail.com](mailto:dtaylorbaldwin@gmail.com))  
<[dtaylorbaldwin@gmail.com](mailto:dtaylorbaldwin@gmail.com)>; Lee Jay Feldman ([ljfeldman@smpdc.org](mailto:ljfeldman@smpdc.org))  
<[ljfeldman@smpdc.org](mailto:ljfeldman@smpdc.org)>  
**Subject:** Re: Town of Baldwin Shoreland Zoning Ordinance for Maine DEP Review

Mike,

It was a complete new ordinance and it has a new map with it as well.

I'm sending this from my iPhone but will forward a .pdf file of the map later this morning from my laptop.

Please let us know if you need any more information.

Am copying Norm Blake and Jo Pierce in case they have anything to add.

Thanks a lot,

Matt

Matthew Fricker  
(215) 527-2822  
Sent from my iPhone

On Apr 11, 2018, at 9:29 AM, Morse, Michael J <[Michael.J.Morse@maine.gov](mailto:Michael.J.Morse@maine.gov)> wrote:

Hello Mr. Fricker,

Thank you for forwarding the recently adopted ordinance. Was this a fully new ordinance adopted by the Town and the former ordinance repealed (100% replacement)? Or, was the former ordinance amended? If the latter then please forward an attested copy of the ordinance that depicts exactly what changed in the amendments (e.g. strike-through/underlined, or track change formatting) so that we can identify and review the specific changes to the ordinance.

Also, I'm aware that the Town's shoreland zoning map has been rather lacking in terms of quality, detail, etc. Did the Town adopt a new map as well?

Thank you,  
Mike

*Mike Morse*  
*Assistant Shoreland Zoning Coordinator*  
*Maine Department of Environmental Protection*  
*312 Canco Road*  
*Portland, Maine 04103*  
*207-822-6328*  
[www.maine.gov/dep](http://www.maine.gov/dep)

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**From:** Matthew D Fricker [<mailto:stickmanfrick@ptd.net>]  
**Sent:** Thursday, March 29, 2018 10:27 AM  
**To:** Morse, Michael J <[Michael.J.Morse@maine.gov](mailto:Michael.J.Morse@maine.gov)>  
**Cc:** Norman Blake <[walivb@att.net](mailto:walivb@att.net)>; Josiah Pierce <[unclejo@cpierce.com](mailto:unclejo@cpierce.com)>; [ljfeldman@smpdc.org](mailto:ljfeldman@smpdc.org); Dwight Warren <[dwrightwarren4@gmail.com](mailto:dwrightwarren4@gmail.com)>; Jeff Sanborn <[jsanborn326@yahoo.com](mailto:jsanborn326@yahoo.com)>; [jdolloffbaldwin@yahoo.com](mailto:jdolloffbaldwin@yahoo.com); Danielle Taylor <[dtaylorbaldwin@gmail.com](mailto:dtaylorbaldwin@gmail.com)>  
**Subject:** Town of Baldwin Shoreland Zoning Ordinance for Maine DEP Review

Dear Mr. Morse,

During 2017 and early 2018 the Baldwin Planning Board worked with Lee Jay Feldman and the Southern Maine Planning & Development Commission to revise the Town's Shoreland Zoning Ordinance, striving to align it with the State model.

At the Baldwin Town Meeting on March 10, 2018 the following Article was moved as read, seconded and accepted:

- Article 71: SHORELAND ORDINANCE To see if the Town will vote to adopt the new Baldwin Shoreland Zoning Ordinance as recommended by the Planning Board.

We are now submitting the updated Shoreland Zoning Ordinance (attached) to you for review. We look forward to receiving a new ME DEP Order (Shoreland Zoning) that will hopefully approve the

Shoreland Zoning Ordinance for the Town of BALDWIN, as adopted on March 10, 2018, and advise the Town if it is subject to any conditions.

Please let us know if you have any questions or need any additional information at this time.

Thanks and kind regards,

Matt Fricker  
Secretary, Baldwin Planning Board