

**Planning Board
Town of Baldwin**

March 24, 2016

At 7:00 p.m., Chairman Norm Blake called the meeting to order.

Attendance: Fred Miner, David Strock, Nichol Ernst, and Josiah Pierce

CEO Wes Sunderland and Selectman Jeff Sanborn were also in attendance.

Minutes of the March 10, 2016 Planning Board Meeting were waived. David stated that literally nothing happened at the meeting.

Items #1: Camp Twain

Several individuals were present to discuss the potential plans with the Camp Twain property, including Bill Corrigan and Danny Reali from Reali Realty (with Mary Waye, the seller of the parcel) and Kamal Perkins-Bridge of Lakes Region Properties, with her clients Ron Cheatwood, Robert Shearin, Esq., and Scott Efron. The purchasing group used the name Nature's Wilderness. Mr. Shearin stated that he was not appearing as a lawyer, but merely as the representative of his longtime colleague, Scott Efron.

Mr. Shearin explained that the group was interested in building a "Class A" RV resort on the property commonly referred to as Camp Twain (a map is attached). They envision utilizing the two bodies of water on the property and having upwards of 20 log cabins on the upper part of the property. They are coming before the Planning Board to discuss signage and to get an idea of what they can do with the property.

Mr. Shearin asked if the Board thought the group could erect a gate on Marston Pond Road to restrict the amount of traffic that used the road. The Board generally responded that the road was a public road and could not be gated, absent the approval of the town. Norm asked Joe if he knew what type of road it was. Joe answered that he believed it was a 3-rod road.

Mr. Shearin asked the Board if they had any problems with the idea of an RV park. Norm indicated that it appeared it would be a permissible conditional use of the property. The Board and the group from Nature's Wilderness generally discuss the group's concept of an RV park on the parcel. Norm described the type of town governance used in Baldwin, and emphasized the need to seek the permission to restrict access to the road through the town meeting process.


Mr. Shearin returned to the issues with Marston Pond Road and the manner by which it split the Camp Twain property in half. He stated that one of the issues with a "Class A" RV park was the ability of the operator to provide a secure camping area. Mr. Shearin informally polled the Board about their thoughts on whether the Town of Baldwin would agree to forgo its interest in the road. Several members of the Board and Mr. Sanborn were skeptical that the Town would

agree. David indicated that it would be a question of what the Town perceived it would gain by releasing its interest in the road.

Jo asked for more information about the proposed cabins. The group from Nature's Wilderness explained that the cabins would be built near the upper lake. Jo questioned whether each cabin would be a house or a dwelling under Baldwin's Land Use Ordinance and whether separate 2 acre lots and frontage would be required. The Board generally discussed the issue, but did not reach a consensus on the issue. Mr. Efron indicated that he was an experienced developer, with well over a thousand units built in his career, and he had a place in Standish where he lived part of the time.

Norm discussed the general process if the Nature's Wilderness wanted to ask the Town to discontinue the road. First, the group needed to submit a detailed request to the selectmen. Second, a public notice would be sent out to all adjacent landowners, and in the local paper. Third, a public hearing would be held. And, finally, a Special Town Meeting would be held to vote on the request. Mr. Shearin asked about the general timing of these steps and Norm said that it would take approximately two months to complete.

The Nature's Wilderness group discussed their concept, including a potential dog park, children's play area, a main lodge, upwards of 20 cabins, and a restaurant, in which they expected to have reduced cost spaghetti dinners. They discuss the RV sites as being on cement pads with septic systems (probably 1 system for 12 units).

<p>Norm asked if the group had heard of the Small Whorled Pogonia (pictured to the right), which is a threatened species that may live in the area. Norm said he looked for it awhile back on the bottom portion of the property and did not find any, but they may want to check to see if the State of Maine has identified the property as having the plant.</p>	
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The Nature's Wilderness group indicated that they envisioned a place like Acres of Wildlife in Steep Falls, but a little more upscale. Norm indicated that they may want to think about using local services and individuals to be employed. The group asked about whether they could put a guard gate off the road, to watch traffic. Norman indicated that they could not impeded traffic on the road. Mr. Shearin stated that they would never prohibit anyone from coming into the property; they just wanted to provide a level of security to the guests.

Jo mentioned that Senator Black Road could be difficult to pass in the winter. The group indicated that they thought the RV business would be seasonal and winter use may be limited to snowmobilers. Jo also mentioned that there were places on the property that some in Baldwin considered to be historic, such as the three level barn foundation and the underground tunnels. Jeff Sanborn stated that his father (or grandfather) was born in that barn. The Nature's Wilderness group expressed an interest in maintaining those places on the property.

Lastly, Norm reminded the group that they may have issues with shoreline zoning and that they should consult those rules before they got too far along. Norm indicated that the ordinance was available on the website. The Nature's Wilderness group thanked the Board for its time and indicated that they would follow up with the Town Selectmen on the next steps regarding the Marston Pond Road.

Item #2: Dodge Oil CUP Application

Jay Banks from Dodge Oil was present.

Norm asked Mr. Banks the status of the burn off kit that was referenced in the original CUP. Mr. Banks stated that he had been in contact with Jason (the Fire Chief) and it was all set. Mr. Banks also stated that he had been in contact with a trainer, who will be providing training to the Baldwin Fire Department.

Norm told Mr. Banks that he spoke with Bruce Crawford from the Baldwin Fire Department and Mr. Crawford stated that he wanted to make sure that Dodge Oil got the vegetation away from the facility. Also, there was the issue of fencing. David indicated that he really wanted to see a plan to fence the critical areas of the facility. Norm asked about the monitor lizard. Mr. Banks stated that they do not have one right now, but they are looking into it.

Norm stated that it made sense for Mr. Banks to have his representatives to the meeting. Mr. Banks stated that he planned on getting Peter Holmes and Judy Amaden (phonetic) to come to the public hearing. Norm stated that we may need to hire (at the applicant's expense) an official smart person to assist us in the assessment of the CUP applications.

Jo indicated that he would want to see the insurance coverage that Dodge Oil had regarding the property. Norm indicated that we needed copies of the deeds that had the book and page of where it was filed. Accordingly, we needed the filed book and page copy of the deed and the insurance forms to have a complete application. Mr. Banks provided two CUP applications (attached) for the project. Norm indicated that they would be complete when Mr. Banks submitted the two other documents. Mr. Banks stated that he would submit them on or before the next meeting on April 14th.

Items #3: CW Harmon Location

Norm heard that CW Harmon was no longer doing business on the Route 113 location. He heard that a company involved in drilling wells was taking over the facility. He asked the CEO to contact them and ask the new company to stop one of our next meetings so we could talk to them.

At 9:17 p.m., a Motion to Adjourn as unanimously approved.

Camp Twain & Way Baldwin ME



1 inch = 900 feet



Produced 12/23/2013 By
Brian Reader, ME LPF #3538
Wadsworth Woodlands Inc.
35 Rock Crop Way
Hiram, ME 04041
207-629-2468

NOTE THIS MAP IS NOT A LEGAL SURVEY



Town of Baldwin

534 Pequawket Trail
West Baldwin, Maine 04091
Phone: (207) 625-3581
Fax: (207) 625-7780

Date Application Received: _____
Received by: _____
Fee Paid: _____

APPLICATION FOR CONDITIONAL USE PERMIT (CUP)

The Land Use Ordinance of the Town of Baldwin allows the Planning Board to grant a Conditional Use Permit (CUP) 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: Dodge Oil Co. Inc
2. Applicant's Mailing Address: 79 New Portland Rd
Gorham ME 04038
3. Phone number where applicant can be reached during business hours. 207-839-5536 207-838-2098
4. Are you the owner of record of the property for which the Conditional Use Permit is sought? _____ yes (provide copy of Title and go to question 8)
X no (answer question 5, 6, and 7)
5. To apply for a Cond. 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. Dodge Oil Co leases the property from JKBanks Corp. Dodge Oil owns the fuel storage and propane facility on the property

6. Property Owner's Name JKBanks Corp.

7. Property Owner's Address 79 New Portland Rd
Gorham ME 04038

8. Location of property for
Which the permit is sought? Route 113 - 251 Pequawket Trail Baldwin ME

9. Indicate the Map and Lot number for the
Property from the Town's assessment records Map 1 Lot 71B

10. Indicate Zoning District in which the
Property is located (check as many as apply)

- Natural Resource Protection
- Highlands
- Rural
- Village Commercial

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.

WAREHOUSING, STORAGE and DISTRIBUTION of Petroleum (fuel oil, kerosene, diesel fuel and warehousing storage and distribution of propane. Dodge Oil Co is seeking to approve the addition of a second 30,000 gallon propane storage tank

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 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:
 - 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, bird 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. Certification (to be completed by all applicants)

I/we Jay K. Banks, Dodge Oil Co. Inc., certify that I/we are the legal applicants for the Conditional Use Permit requested 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 material is accurate and true.

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

Jay K. Banks 3/23/2010
Signature of Applicant Date

Signature of Applicant Date

For Planning Board Use Only

Date Received by Baldwin Planning Board:

Received by:

Public Hearing Date:

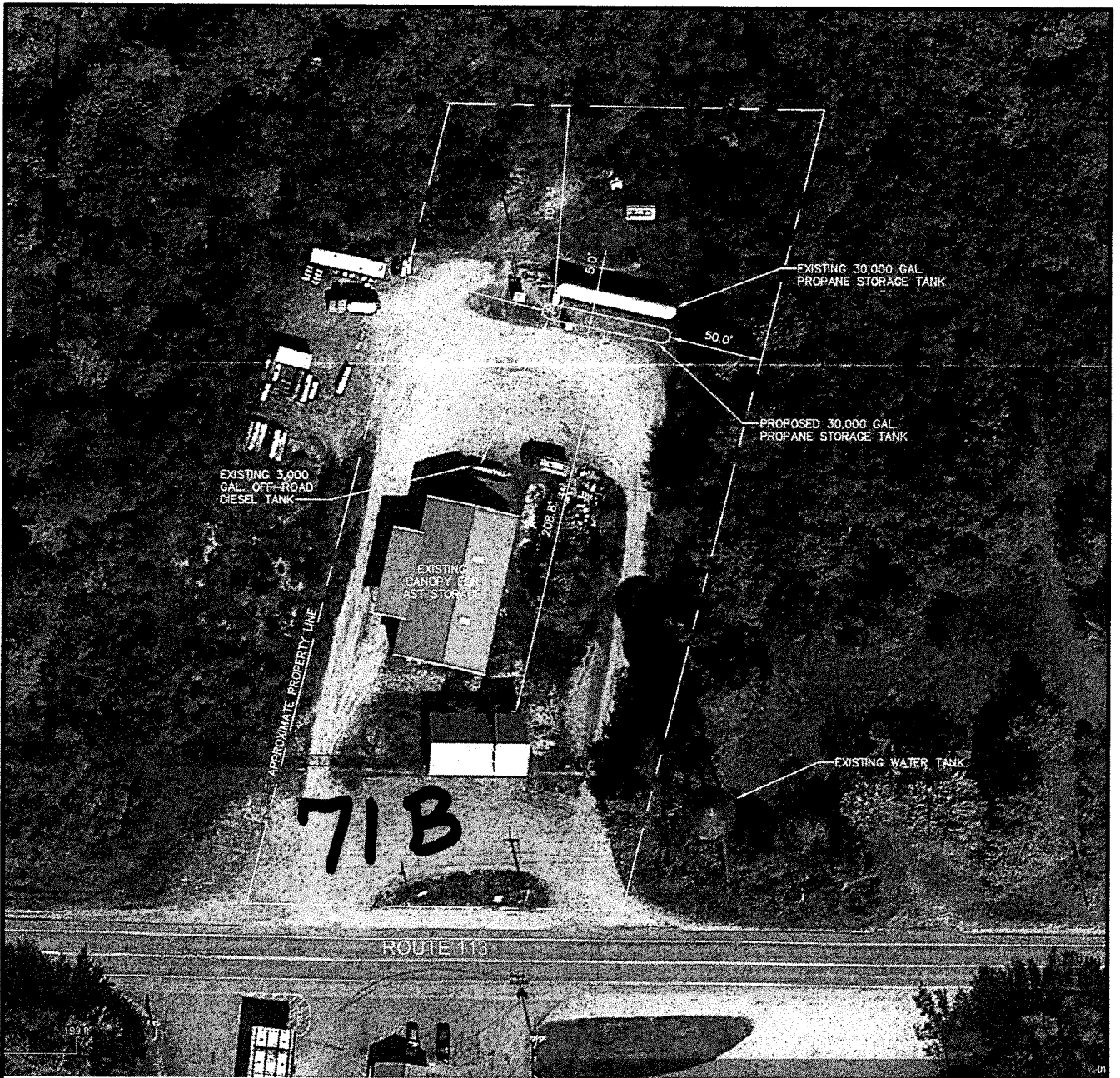
Conditional Use Permit Application of:

Permit Denied (date):

Explanation of Denial:

Permit Approved (date):

Conditions to Permit if any,

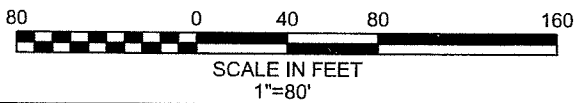


REFERENCE:
 AERIAL PHOTO OBTAINED FROM GOOGLE EARTH, DATED 9/27/2014.
 PROPERTY LINE FROM ST. GERMAIN-COLLINS FIGURE 2 TITLED
 "FACILITY LAYOUT, BALDWIN BULK OIL STORAGE FACILITY", DATED:
 04/29/02.

PROPOSED PROPANE TANK LAYOUT

BALDWIN BULK OIL STORAGE FACILITY
 ROUTE 113
 BALDWIN, MAINE

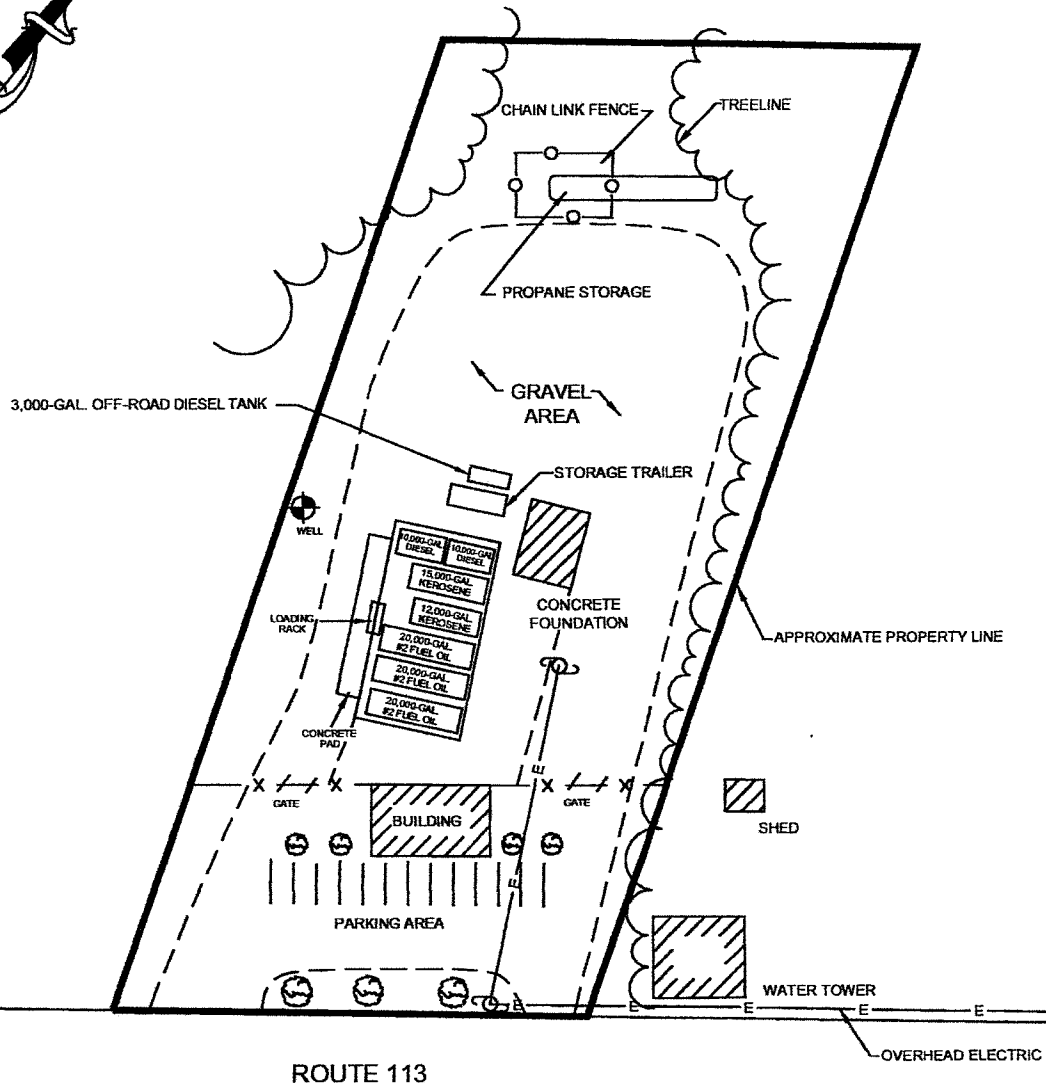
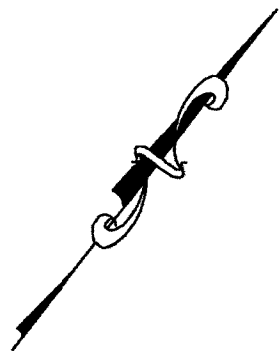
DODGE OIL COMPANY, INC.
 79 NEW PORTLAND ROAD
 GORHAM, MAINE 04038



St. Germain • Collins

FIGURE 1

M:\Dwgs\0000 ARCHIVE\2361.1 Dodge Oil\UPDATED 2010-NEW TB\dwgs\2361.1 Fig 2 Site Facility SPCC.dwg 10/22/2015 12:40:22 PM



PLAN REFERENCE:
SITE OBSERVATIONS BY ST.GERMAIN COLLINS PERSONNEL ON
06/16/2010.

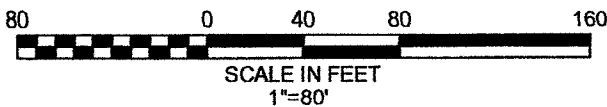
FACILITY LAYOUT

BALDWIN BULK OIL STORAGE FACILITY
ROUTE 113
BALDWIN, MAINE

DODGE OIL COMPANY, INC.
79 NEW PORTLAND ROAD
GORHAM, MAINE 04038

ENVIRONMENTAL CONSULTING GROUP
St. Germain - Collins

FIGURE 2



Bill of Materials

Tag	Description	Manufacturer	Number
1	30,000 gallon tank	Trinity	
2	Liquid level float gauge	MEC	ME940-130
3	combination valve w/ 300 psi	Rego	J415-1
4	thermometer	Rego	J700
5	1 1/2" globe valve	Rego	A75098P
6	2" globe valve	Rego	J7513AP
7	2" union end ball valve	Apollo	73-408-01
8	3" ball valve	Jonar	500-310
9	2" backcheck valve	Rego	G102
10	2" internal valve	Fisher	C477-18-15
11	2" internal valve	Fisher	C477-18-25
12	3" internal valve	Fisher	C477-24-37
13	3" strainer	Fisher	N250-24
14	3" pump	Corken	Z3500
15	2" bypass	Blackmer	BV2
16	10 HP motor	US Motors	
17	Pipe-away and Rain cap		
18	2" sight flow	Rego	A7796
19	1 1/2" emergency shut off valve	Rego	6010
20	1 1/2" excess flow valve	Rego	A3282C
21	3/4" male ACME x 2" male pipe	Rego	5769H
22	1 1/2" x 2" LPG hose	Dayco	
23	1 1/2" x 1 1/2" LPG hose	Dayco	
24	3/4" female ACME x 2" male pipe	Rego	3195
25	1 1/2" female ACME x 1" male pipe	Rego	3175A
26	Relief valve	Rego	7334G
27	250 Gallon ASME tank		
28	1/2" x 48" pigtail	Rego	912PS48
29	First stage regulator	Rego	LVA403TR4
30	3/4" Globe Valve	Rego	A7708P
31	3/4" Backcheck	Rego	A3146
32	3/4" Excess flow valve	Rego	A3272G
33	3/4" Flex connector	Rego	FLX3/4x12
34	2" globe valve	Rego	A7513AP
35	1 1/2" union end ball valve		
36	1 1/2" male ACME x 1 1/2" male pipe		

Dodge Oil

Propane Storage Facility

Baldwin, ME

Piping Schematic

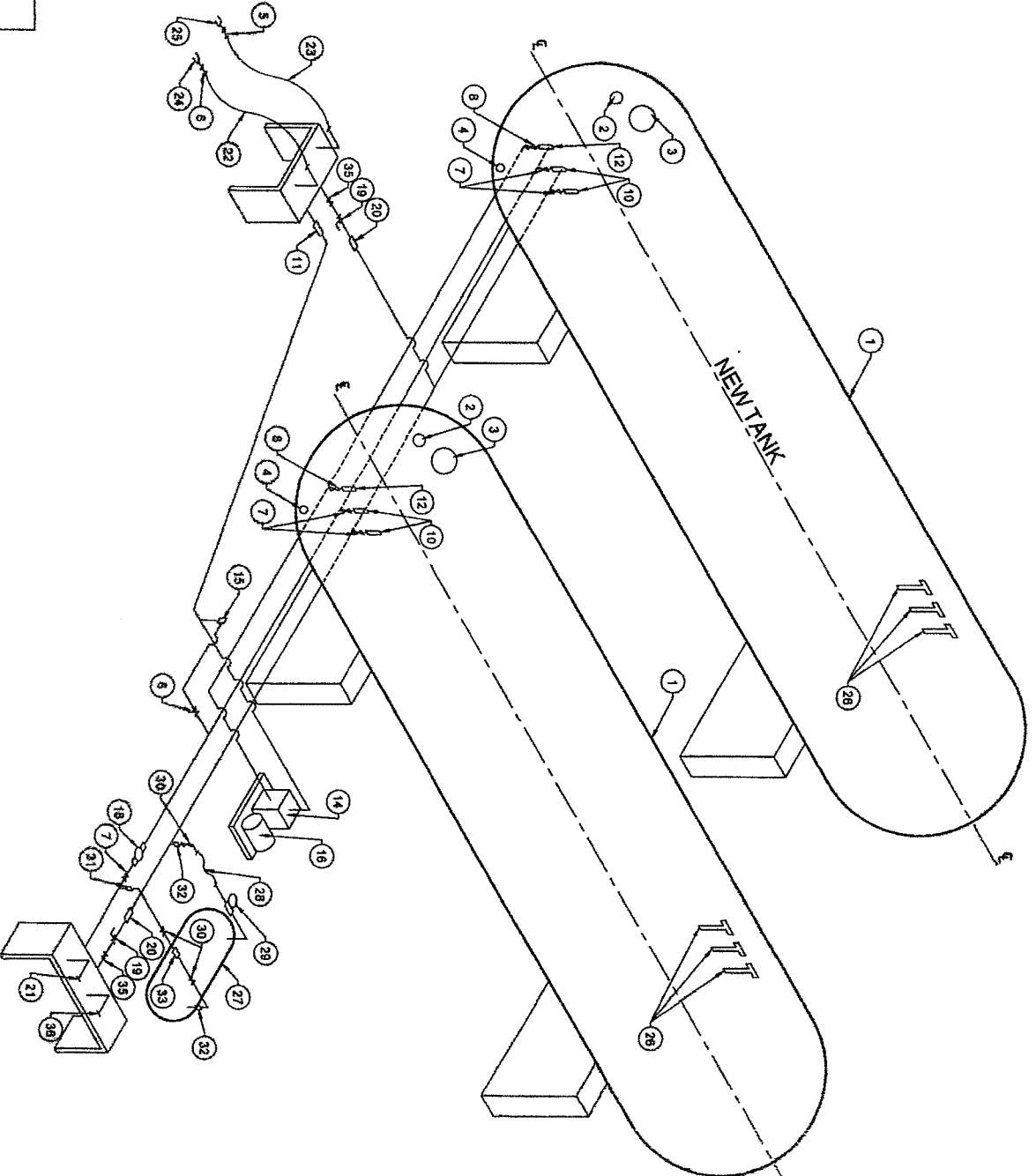
Date 10/27/15

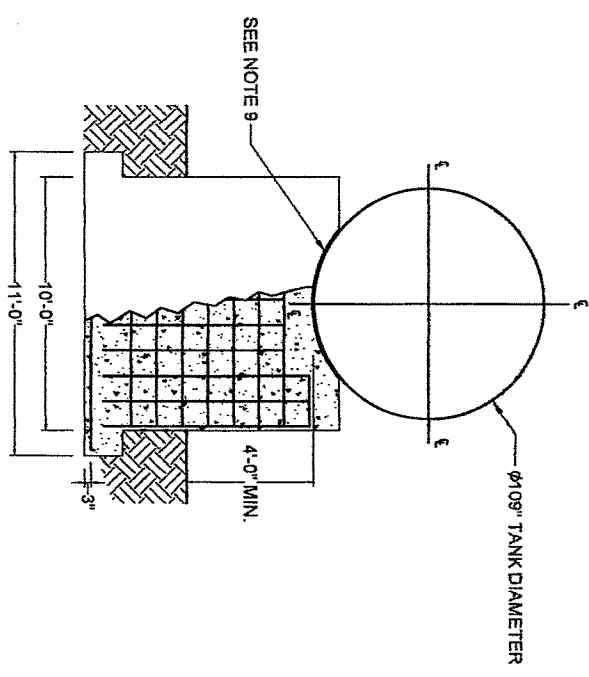
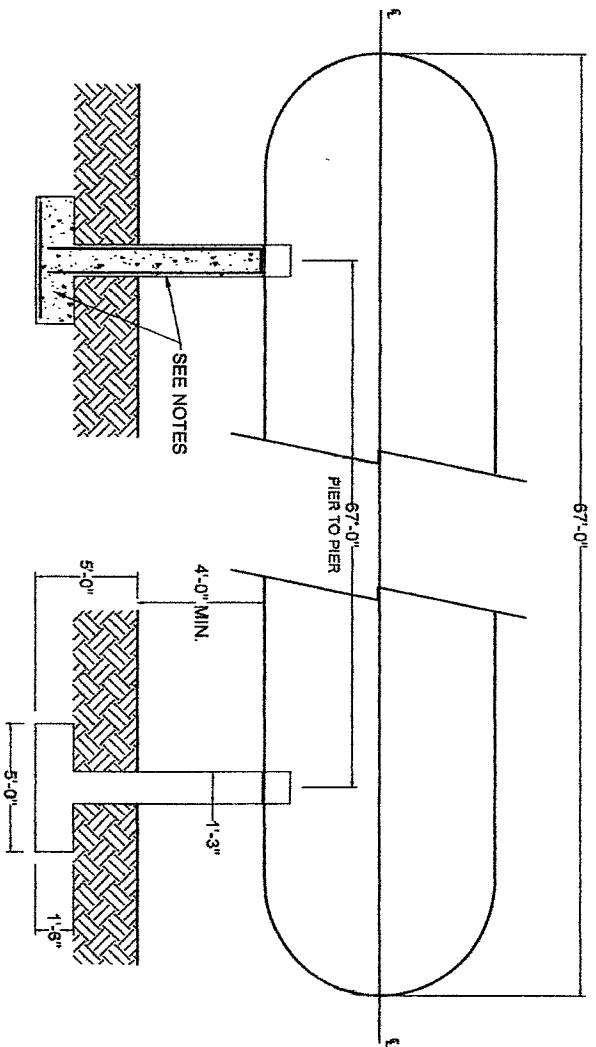
Scale: No Scale

Drawing 1 of 2

Drawn by:
FSM Drawings LLC
Manchester, NH 03103

Prepared by:
CROWN ENERGY SOLUTIONS
10 Rocky Ridge Rd, Wickham, NH 03097





GENERAL NOTES

1. Foundation Designs bases on the soil bearing of 2000 lbs/sq. ft.
2. Minimum footing depth to be governed by local codes.
3. 5/8" O steel reinforced bars, hi-bond or equal, wire at each intersection. Set bar for pier at: vertical - 12" o.c., horizontal - 12" o.c., set bar for footing at: 12" o.c. both ways.
4. Forms shall conform to shape, lines and dimensions shown and shall be sufficiently tight and substantial to prevent leakage of concrete.
5. Reinforced poured concrete shall comply with most recent A.S.T.M specs.
6. Mixing water to be free and clean, no acids, alkalis, oil or organic matter.
7. Mix - 1 : 1 1/2 : 3 compressive strength 3,000 PSI in 28 days.
8. Contractor to verify all dimensions in field.
9. All pier elevations to match.

Dodge Oil

Propane Storage Facility

Baldwin, ME

Piping Schematic

Date 10/27/15

Scale: No Scale

Drawing 2 of 2

Drawn by: FSM Drawings LLC
Manchester, NH 03103

Prepared by: CROWN ENERGY SOLUTIONS
10 Rocky Ridge Rd., Wakefield, NH 03087

FOR TOWN USE
 DATE APPLICATION RECEIVED: 10/23/91
 RECEIVED BY: C. J. Adams
 FEE PAID: \$15.00
 NAME: Dodge O.I.

TOWN OF BALDWIN, MAINE
 APPLICATION FOR CONDITIONAL USE
 PERMIT

TO: Applicants for a 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 the District Regulations (Article VII) of the code. Before granting a permit, the Board must find that the standards contained in Article IX, Section 3 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 completed 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: Dodge Oil Co., Inc.
2. Applicant's Mailing Address: 79 New Portland Road
Gorham, Maine 04038
3. Phone number where applicant can be reached during business hours: (207) 839-5536
4. Are you the owner of record of the property for which the Conditional use Permit is sought? yes (go to question 8)
XX 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.
Dodge Oil Co., Inc. leases the property from DANJA Corp.
Dodge Oil owns fuel (petroleum) storage facility on the property.

6. Property Owner's Name:

DANJA Corp.

7. Property Owner's Address:

22 Hillview Road
Gorham, Maine 04038

8. Location of the property for which the permit is sought.

Route 113
Baldwin, Maine

9. Indicate the correct Map and Lot number for the property from the Town's assessment records.

Map 1 Lot 71B

10. Zoning District in which the property is located: (check as many as apply)

Natural Resource Protection
 Highlands
 Rural
 Village Commercial

11. List the use for which a Conditional Use Permit is being sought. Please refer to the District Standards of Article VI. The proposed use must be specifically listed as a Conditional Use in the District in which it is located.

Bulk Propane Storage Facility
(Petroleum Fuel)

12. Attach the following information to this application:

- XX a. A written description of the proposed use of the property. This statement shall describe the exact nature of the proposed use.
- XX b. 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.
- XX c. An accurate, scaled drawing of the lot showing the location of any existing or proposed buildings, structures, natural features, driveways and parking areas.

For each item, please indicate by checking that item that it has been included with your application.

- XX c. the capacity of the street network to accommodate the proposed use;
- XX d. the capacity of the storm drainage system to accommodate the proposed use.
- XX e. the ability of the town to provide necessary fire protection services to the site and development.
- XX 13. 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.

For each item, please indicate by checking that item that it has been addressed by your submission.

SECTION C. Compliance With Shoreland Standards (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.)

You are responsible for providing the Board with sufficient information to allow it to determine that the Standards of Article IX, Section 4 are met. For each standard, you should attach a written statement demonstrating how the proposed use complies with that standard. Each standard must be addressed in your submission. The standards are:

- N/A 1. will not result in unreasonable damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;
- N/A 2. will reasonably conserve shoreland vegetation;
- N/A 3. will reasonably conserve visual points of access to waters as viewed from public facilities;
- N/A 4. will conserve actual points of public access to waters;
- N/A 5. will reasonably conserve natural beauty;
- N/A 6. will reasonably avoid problems associated with flood plain development or use.

For each standard, please indicate by checking that item that it has been addressed by your submission.

SECTION D. Certification (to be completed by all applicants)

I/we DODGE OIL COMPANY INC, certify that we are the legal applicants for the conditional use permit requested by this application, that 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 read the standards for granting of Conditional Use Permits contained in the Land Use Ordinance.

Jay K Bank
Signature of Applicant
Date: 10-7-94

Baldwin Planning Board Use

Date Received by BPB: 13 October 94
Received by: Rudolf Weger

Public Hearing Date: 27 October 94

Conditional Use Permit Application of: Dodge Oil Company Inc.

Permit Denied (date): _____ Explanation _____

Permit Approved (date): 27 Oct 94 Conditions to permit if any 1. Town review of annual maintenance records
2. Conduct annual fire dept training a response
3. Annual review of emergency response manual
4. 4" fire hose & dry hydrants to be worked out between town & Dodge Oil
5. Burn off Tree a fittings available at fire barn built by Dodge Oil

Jay K Bank
Signature of Applicant

Planning Board Signatures (three signatures needed)

1. Rudolf Weger
2. Karl Ransy
3. Robert W. Jewett

4. Gordon M. Melliken
5. U. S. III

LEASE AGREEMENT

THIS LEASE made this 1st day of January, 2015 by and between JKBanks Corporation, ("Landlord") and Dodge Oil Company Inc., ("Tenant"). JKBanks Corp. is a Maine S-corporation with a principal place of business in E. Baldwin, ME, and Dodge Oil Company maintains a principal place of business in Gorham, Maine.

WITNESSETH:

Section 1. PREMISES: In consideration of the rent and covenants herein reserved and contained on the part of the parties to be paid, performed and observed, Landlord does hereby lease, demise and let unto Tenant, and Tenant does hereby take and hire from Landlord, upon and subject to the terms and provisions of this Lease, certain property located at Route 113, E. Baldwin, ME, improved with building, road and fuel storage facility containing approximately one thousand (1,000) square feet of floor space (the "Demised Premises").

Section 2. TERM, RENEWAL TERM:

(a) The term of this Lease shall be for a period of four (4) years commencing January 1, 2015 and ending on December 31, 2019.

(b) Provided that Tenant is not in default at the expiration of the initial term hereof, Tenant shall be entitled to one (1) renewal term of six (6) months, upon all the terms and conditions as set forth herein, except the rental. Tenant may exercise this option by written notice to landlord no later than six (6) months prior to the expiration of the term hereof.

(c) In the event that Tenant shall continue in occupancy of the Demised Premises after the expiration of the term, such occupancy shall not be deemed to extend or renew the terms of this Lease, but such occupancy shall, at the option of the Landlord, continue as a tenancy at will from month to month upon the same terms and conditions herein contained, including the same rental, prorated and payable for the period of such occupancy.

Section 3. RENT: Tenant shall pay to Landlord during the term of this Lease, at the address of the Landlord set forth herein below or at such other place as Landlord may by notice in advance, without offset of demand, rent at the rate of One Thousand Dollars (\$2000.00) per month and totaling Forty-Eight Thousand Dollars (\$96,000.00) for forty-eight (48) months.

Section 4. USE OF PREMISES:

(a) The Demised Premises shall be used primarily as a fuel storage and distribution facility. The Tenant will also have access to and use of the property in front of the chain link fence area. The property must at all times be maintained in a clean and presentable condition.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed as of the day and year first above mentioned.

WITNESS:

Debbie Ellis

Debbie Ellis

Jay K. Banks

Jay K. Banks, President
Dodge Oil Company Inc.

Jay K. Banks

Jay K. Banks
JKBanks Corp.



Town of Baldwin

534 Pequawket Trail
West Baldwin, Maine 04091
Phone: (207) 625-3581
Fax: (207) 625-7780

Date Application Received: _____
Received by: _____
Fee Paid: _____

APPLICATION FOR CONDITIONAL USE PERMIT (CUP)

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 no (answer question 5, 6, and 7)
5. To apply for a Cond. 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. Dodge Oil leases the property
from Jay Banks to store
business operations related
equipment

6. Property Owner's Name Jay K. Banks

7. Property Owner's Address 38 Hillview Rd
Gorham ME 04038

8. Location of property for
Which the permit is sought? Route 113 Pegawskut Trail Baldwin

9. Indicate the Map and Lot number for the
Property from the Town's assessment records Map 1 Lot 71A

10. Indicate Zoning District in which the
Property is located (check as many as apply)

- Natural Resource Protection
- Highlands
- Rural
- Village Commercial

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.

Storage of parts and equipment related to the business operations of Dodge Oil + Propane

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 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:

- 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, bird 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. Certification (to be completed by all applicants)

I/we Jay Banks / Dodge Oil Co. Inc, certify that I/we are the legal applicants for the Conditional Use Permit requested 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 material is accurate and true.

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

Jay K. Banks 3/23/2016
Signature of Applicant Date

Signature of Applicant Date

For Planning Board Use Only

Date Received by Baldwin Planning Board:

Received by:

Public Hearing Date:

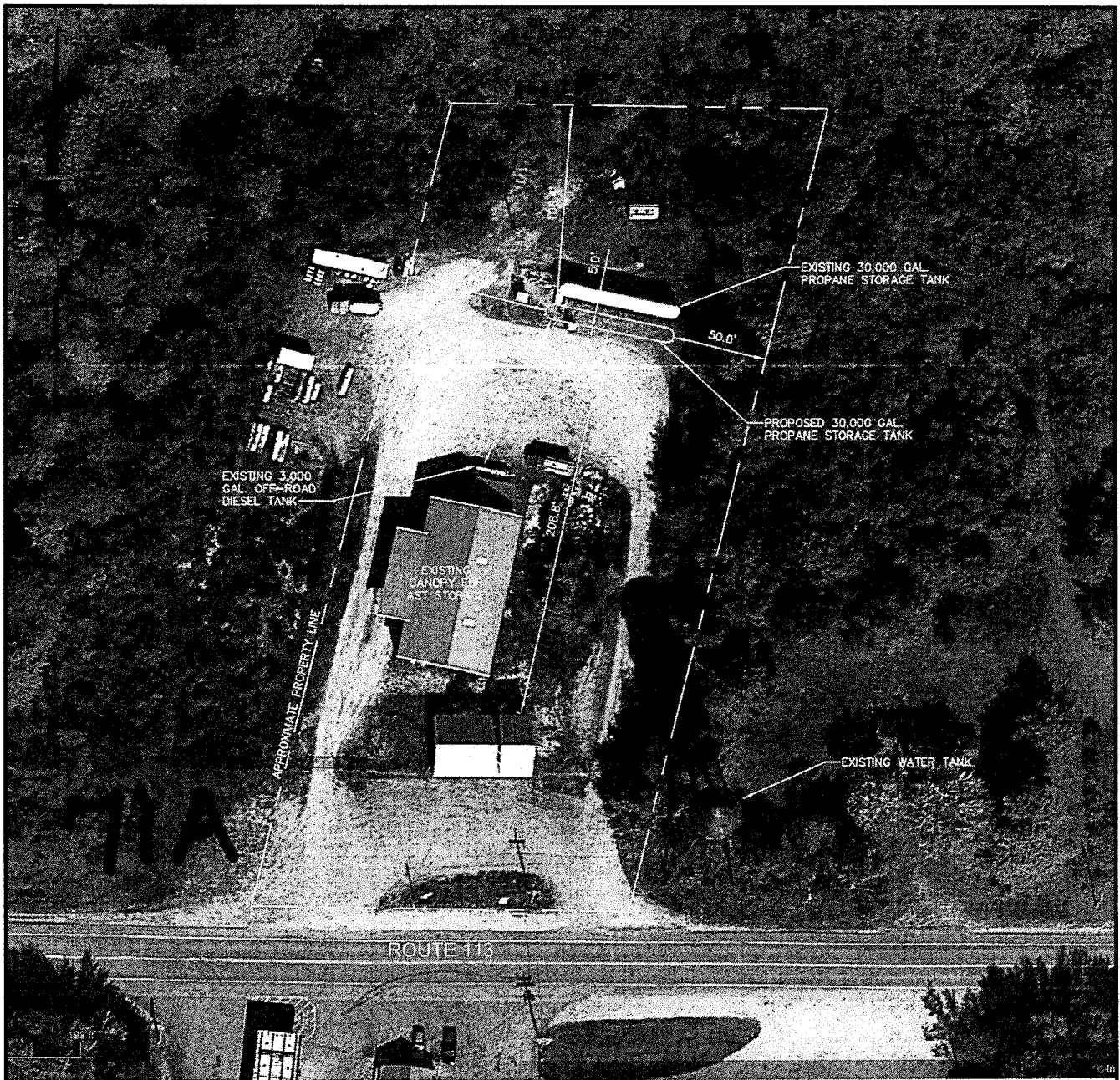
Conditional Use Permit Application of:

Permit Denied (date):

Explanation of Denial:

Permit Approved (date):

Conditions to Permit if any,



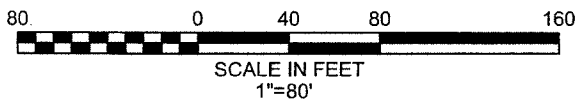
C:\Users\CADD\Dropbox\Projects\St. Germain\2361_Dodge Oil\dwg\2361_SITEPLAN.dwg 12/7/2015 9:03:11 AM

REFERENCE:
 AERIAL PHOTO OBTAINED FROM GOOGLE EARTH, DATED 9/27/2014.
 PROPERTY LINE FROM ST. GERMAIN-COLLINS FIGURE 2 TITLED
 "FACILITY LAYOUT, BALDWIN BULK OIL STORAGE FACILITY", DATED:
 04/29/02.

PROPOSED PROPANE TANK LAYOUT

BALDWIN BULK OIL STORAGE FACILITY
 ROUTE 113
 BALDWIN, MAINE

DODGE OIL COMPANY, INC.
 79 NEW PORTLAND ROAD
 GORHAM, MAINE 04038



St. Germain • Collins

FIGURE 1

DATE: 11/19/2015

SCALE: 1"=80'

PROJECT NO.: 2361

FILE: 2361_SITEPLAN

846 MAIN ST., WESTBROOK, ME 04092 TEL: 207-591-7000 WWW.STGERMAINCOLLINS.COM

LEASE AGREEMENT

THIS LEASE made this 1st day of January, 2015 by and between Jay K Banks, ("Landlord") and Dodge Oil Company Inc., ("Tenant"). Jay K Banks is a resident of Gorham, ME, and Dodge Oil Company maintains a principal place of business in Gorham, Maine.

WITNESSETH:

Section 1. PREMISES: In consideration of the rent and covenants herein reserved and contained on the part of the parties to be paid, performed and observed, Landlord does hereby lease, demise and let unto Tenant, and Tenant does hereby take and hire from Landlord, upon and subject to the terms and provisions of this Lease, certain property located at Route 113, E. Baldwin, ME, currently with no improvements (the "Demised Premises").

Section 2. TERM, RENEWAL TERM:

(a) The term of this Lease shall be for a period of four (4) years commencing January 1, 2015 and ending on December 31, 2019.

(b) Provided that Tenant is not in default at the expiration of the initial term hereof, Tenant shall be entitled to one (1) renewal term of six (6) months, upon all the terms and conditions as set forth herein, except the rental. Tenant may exercise this option by written notice to landlord no later than six (6) months prior to the expiration of the term hereof.

(c) In the event that Tenant shall continue in occupancy of the Demised Premises after the expiration of the term, such occupancy shall not be deemed to extend or renew the terms of this Lease, but such occupancy shall, at the option of the Landlord, continue as a tenancy at will from month to month upon the same terms and conditions herein contained, including the same rental, prorated and payable for the period of such occupancy.

Section 3. RENT: Tenant shall pay to Landlord during the term of this Lease, at the address of the Landlord set forth herein below or at such other place as Landlord may by notice in advance, without offset of demand, rent at the rate of One Thousand Dollars (\$1000.00) per month and totaling Forty-Eight Thousand Dollars (\$48,000.00) for forty-eight (48) months.

Section 4. USE OF PREMISES:

(a) The Demised Premises shall be used primarily for storing propane tanks and related parts and equipment. The Tenant will also have access to and use of the property in front of the chain link fence area. The property must at all times be maintained in a clean and presentable condition.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed as of the day and year first above mentioned.

WITNESS:

Debbie Ellis

Debbie Ellis

Jay K. Banks

Jay K. Banks, President
Dodge Oil Company Inc.

Jay K. Banks
Jay K. Banks

Dodge Oil & Propane - Oil / Propane Technician Roster

Al Butterfield	318-6240
Russ Cole	331-7716
Matt Fecteau	671-4026
Jim McLaughlin	671-3950
Chris O'Donnell	210-7571
Ron Powell	625-7690
Bryan Walker	939-9165

Dodge Oil Company, Inc.
Baldwin, Maine
Facility Inspection Checklist
(to be completed monthly)

Inspector Jay

Date March 3 2016

	Tanks ¹	Piping & Valves & Loading Arms ²	Pumps ³	Secondary Containment ⁴	Comments/ Proposed Corrective Action
1. 20,000-Gallon No 2 Fuel Oil	Good	OK	OK	✓	
2. 20,000-Gallon No. 2 Fuel Oil	Good			✓	
3. 20,000-Gallon No. 2 Fuel Oil	Good			✓	
4. 12,000-Gallon Kerosene	Good			✓	
5. 15,000-Gallon Kerosene	✓			✓	
6. 10,000-Gallon Diesel	✓			✓	
10,000-Gallon Diesel	✓			✓	
8. 330-Gallon Diesel	OK			✓	
9. 330-Gallon Diesel					
10. 275-Gallon Slop					
11. 185-Gallon No. 2 Fuel Oil Additive	OK				
12. 3,000-Gallon Diesel	OK			✓	
Spill Equipment	Is sufficient equipment available?			Yes	
	No				
Other	Barry/Jewett to deliver bundles of Pads @ loading area by 3/4				

- LEGEND**
1. TANKS: CHECK FOR EVIDENCE OF LEAKS, CORROSION, PITTING, BULGING, PEELING, CRACKING, ETC.
 2. PIPES/VALVES/LOADING ARMS: CHECK FOR EVIDENCE OF LEAKS, CORROSION, PITTING, ETC.
 3. PUMP(S): CHECK FOR EVIDENCE OF LEAKS, WORN HOSES, ETC.
 4. SECONDARY CONTAINMENT: CHECK INTEGRITY OF CONTAINMENT AREA, SHEEN ON STANDING WATER INSIDE BASIN AND ENSURE DRAINS FROM LOADING RACK INTO CONTAINMENT BASIN ARE FREE OF DEBRIS.

Dodge Oil Company, Inc.
Baldwin, Maine
Facility Inspection Checklist
(to be completed monthly)

Inspector JKB

Date 1/5/2016

	Tanks ¹	Piping & Valves & Loading Arms ²	Pumps ³	Secondary Containment ⁴	Comments/ Proposed Corrective Action
1. 20,000-Gallon No 2 Fuel Oil	OK			✓	
2. 20,000-Gallon No. 2 Fuel Oil	OK		✓	✓	
3. 20,000-Gallon No. 2 Fuel Oil	OK		✓	✓	
4. 12,000-Gallon Kerosene	OK		✓	✓	
5. 15,000-Gallon Kerosene	OK		✓	✓	
6. 10,000-Gallon Diesel	OK		✓	✓	
10,000-Gallon Diesel	OK		✓	✓	
8. 330-Gallon Diesel	✓			✓	
9. 330-Gallon Diesel					
10. 275-Gallon Slop	✓			✓	
11. 185-Gallon No. 2 Fuel Oil Additive	✓				
12. 3,000-Gallon Diesel	✓			double checked ✓	
Spill Equipment	Is sufficient equipment available?				Yes
	No				
Other					

LEGEND

1. TANKS: CHECK FOR EVIDENCE OF LEAKS, CORROSION, PITTING, BULGING, PEELING, CRACKING, ETC.

2. PIPES/VALVES/LOADING ARMS: CHECK FOR EVIDENCE OF LEAKS, CORROSION, PITTING, ETC.

3. PUMP(S): CHECK FOR EVIDENCE OF LEAKS, WORN HOSES, ETC.

4. SECONDARY CONTAINMENT: CHECK INTEGRITY OF CONTAINMENT AREA, SHEEN ON STANDING WATER INSIDE BASIN AND ENSURE DRAINS FROM LOADING RACK INTO CONTAINMENT BASIN ARE FREE OF DEBRIS.

**Dodge Oil Company, Inc.
Baldwin, Maine
Facility Inspection Checklist
(to be completed monthly)**

Inspector SauBonds

Date 2/3/2016

	Tanks ¹	Piping & Valves & Loading Arms ²	Pumps ³	Secondary Containment ⁴	Comments/ Proposed Corrective Action
1. 20,000-Gallon No 2 Fuel Oil	A	✓	✓	✓	
2. 20,000-Gallon No. 2 Fuel Oil	L	✓	✓	✓	
3. 20,000-Gallon No. 2 Fuel Oil	L	✓	✓	✓	
4. 12,000-Gallon Kerosene	G	✓	✓	✓	
5. 15,000-Gallon Kerosene	O	✓	✓	✓	
6. 10,000-Gallon Diesel	O	✓	✓	✓	
10,000-Gallon Diesel	D	✓	✓	✓	
8. 330-Gallon Diesel	✓			✓	
9. 330-Gallon Diesel					
10. 275-Gallon Slop	✓				
11. 185-Gallon No. 2 Fuel Oil Additive	✓				
12. 3,000-Gallon Diesel	✓			✓	
Spill Equipment	Is sufficient equipment available?			Yes	
	No				
Other					

LEGEND

1. TANKS: CHECK FOR EVIDENCE OF LEAKS, CORROSION, PITTING, BULGING, PEELING, CRACKING, ETC.

2. PIPES/VALVES/LOADING ARMS: CHECK FOR EVIDENCE OF LEAKS, CORROSION, PITTING, ETC.

3. PUMP(S): CHECK FOR EVIDENCE OF LEAKS, WORN HOSES, ETC.

4. SECONDARY CONTAINMENT: CHECK INTEGRITY OF CONTAINMENT AREA, SHEEN ON STANDING WATER INSIDE BASIN AND ENSURE DRAINS FROM LOADING RACK INTO CONTAINMENT BASIN ARE FREE OF DEBRIS.