

January 15, 2021

**VIA Email Only**

Mr. William A. Thompson  
Berry, Huff, McDonald, Milligan, Inc.  
28 State Street  
Gorham, Maine 04038

Dear Mr. Thompson:

I am writing on behalf of the Planning Board for the Town of Baldwin, Maine.

At the meeting of the Baldwin Planning Board in December, your client requested a letter from the Planning Board regarding the Board's position on the two Major Subdivision Applications that you have submitted.

The purposes of the Baldwin Subdivision Ordinance include: (1) "to assure that a minimal level of services and facilities are available to the residents of new subdivisions and that lots in subdivisions are capable of supporting the proposed uses and structures" and (2) "to minimize the potential impacts from new subdivisions on neighboring properties and on the municipality."

During the Board's consideration of your Major Subdivision Applications, the Board expressed concern that the projects do not have electrical service to the lots and your proposals do not describe where electrical service would be located or who would install the service. During the site walk, we noticed that the lots do not have residential poles or service lines corresponding to the lots. We repeatedly informed you that we needed the applicant to consult with Central Maine Power to establish a plan for providing electrical service to each lot, which would include pole placement and working out the easement issues with CMP. The plans for the subdivisions and deeds to the lots would need to reflect the CMP easement. At the time of the December meeting, no electrical service plan had been provided.

Although we did not have a plan for the electrical service to fully consider the matter, the Board further informed you that we expected the electrical service to be part of the constructions items completed by the applicant before the sale of lots, as referenced in Article 8.2(R). The location of the electrical service (which would be denoted by the plan developed with CMP) may also inform the Board's consideration of Article 11.7(A), Preservation of Natural Beauty and Aesthetics and Article 12.3(A), Preservation of Natural Beauty and Aesthetics. Furthermore, the electrical service plan may also inform the Board consideration under Article 12.8, Utilities:

Utilities serving subdivisions in areas designated by the comprehensive plan as growth areas shall be installed underground. Utilities serving lots with a street frontage of 125 feet or less shall be installed underground. The Board may approve overhead utilities when the applicant proposes reserved affordable housing and provides evidence that the increased costs of underground utilities

will raise the costs of the housing beyond the targets for affordable housing in the comprehensive plan.

Finally, the electrical service plan may inform the Board consideration of Article 13.1, which provides that the Board can consider a performance guarantee “to cover the total construction costs of all required improvements. . . .”

During the December Board meeting, your client informed the Board that he would not consider installing electrical service to the subdivision and asked that this letter be provided to you so your lawyer could assess your options. Your client insisted that electrical service should be the individual responsibility of the people who purchase lots from you.

Please let the Board know if you need additional information regarding this matter.

A handwritten signature in blue ink, appearing to read "David Strock". The signature is fluid and cursive, with a large initial "D" and "S".

David Strock  
Chair, Baldwin Planning Board