

Baldwin Planning Board Meeting Minutes 9/26/2019

I. Call to Order

Strock called the meeting to order at 7pm

II. Roll Call

Jo Pierce, Nichol Ernst, Matt Sanborn, David Strock, Glen Reynolds, Selectmen Dwight Warren and Gerry Brown, CEO West Sunderland

III. Reading of the Minutes From Last Meeting

Minutes from last meeting discussed and approved.

IV. Open Business

1. further discussion of non-member secretary (did not get to this issue as proposed on the agenda);
2. possible modifications in Ordinance for mass gatherings (did not get to this issue as proposed on the agenda); and
3. possibility of noise ordinance (did not get to this issue as proposed on the agenda).

V. New Business

1. Discuss and obtain feedback regarding the Town of Baldwin Land Use Ordinance (as advertised in Your Weekly Shopping Guide).

Strock brought up history of discussions related to the planning board and the purpose of this public meeting. Explained how the meeting works, how the agenda is set and where minutes and videos are available.

Strock explained the land use ordinance and how the planning board interprets the land use ordinance, explained the role of the CEO as the enforcement arm of the land use ordinance and issuing of permits. Strock also explained the role of the selectmen in enforcement and supervising the CEO, and/or taking a townsperson to court etc. if a violation existed. Strock also explained the role of the town in creating the ordinance through the annual town meeting. Pierce mentioned that the planning board has never voted down a conditional use permit.

-One member of the public brought up that the town denied the owner of the Dancemore putting a store in their property. It was discussed that no one on the board, the CEO or the selectmen could recollect a discussion related to the Dancemore other than in relation to an apartment.

Question from the public about how often the land use ordinance is revisited. Strock explained the Land Use Ordinance, the subdivision ordinance, shoreland zoning ordinance and the comprehensive plan. Strock discussed some of the changes that have happened. Ernst referenced that the last changes voted on by the town were March, 2018. Discussed Shoreland zoning being redone in totality and voted on by the town in the last year. Went over process of reviewing CUP's and designations of rural districts. Piece discussed standards the board looks at for a CUP in section 8.3 of the land use ordinance.

Townsperson asked what if a property is being used for something that hasn't been sanctioned by the town. Discussed that the planning board cannot accept an application for a CUP if they are currently in violation of the ordinance. Discussed that if there is a violation, should go to Selectmen and CEO.

Member of the public raised the question of how to develop a noise ordinance for the town. Pierce brought up some research regarding a noise ordinance. Discussed that it will be attached to the minutes. Member of public brought up that ordinances are not worth anything if they are not enforced. Selectmen brought up that Sheriff will not enforce ordinances unless the town hires a sheriff. Member of public brought up that as a town we need to be tolerant of others. Member of the public brought up also that landowners have a right to be respected. Was brought up that the town should consider more village commercial district or change to 1 acre zoning. Discussed where current village commercial business districts are located.

Process was discussed about how changes can be made to the land use ordinance. Also discussed process for building on a nonconforming lot and going to the appeals board if the CEO does not support a building permit. Sanborn asked about the status of the campground.

2. Brown mentioned that the road is bonded and ready to go, and Nature's Wilderness would like to be on the agenda for 10/10. Strock brought up that we might need Feldman, the attorney hired by the town and a quorum. Brown stated that he has additional attachments to the existing CUP. Pierce chose voluntarily to recuse himself from the discussion regarding Nature's Wilderness. Strock stated that he emailed Lee Jay Feldman and he is likely not available for the 10th. Poled members and stated that will most likely have a quorum. Discussed that Feldman could watch the video and review materials. Strock stated that he will let Brown know definitively if we will have a quorum and will see if Feldman can attend. Strock stated that additional information has been conveyed to the board in meetings since the last application and that uses have been conveyed in the interim that were never in the original permit. Strock stated that if uses are not in the application than it is possible the board will prohibit those uses on the property. Discussion ensued between Brown and Strock regarding ATV trails and uses. Member of the public stated that it could be a condition that uses cannot be advertised that are not permitted. Brown asked if what is on the website has any bearing on the land use ordinance. Strock stated that it pertains to conditions on the permit if it is believed that the applicant has been untruthful. Pierce rejoined the meeting.

VI. Adjournment

Pierce made a motion to adjourn. Ernst seconded. Unanimous vote. Meeting adjourned at 9pm.

Submitted by: Nichol Ernst

Proposed agenda submitted by David Strock:

On Mon, Sep 23, 2019 at 11:15 AM David Strock <dastrock@gmail.com> wrote:
Agenda for 9/26/19 meeting:

1. Review and approve draft minutes from 9/12/19 meeting.
2. Discuss and obtain feedback regarding the Town of Baldwin Land Use Ordinance (as advertised in Your Weekly Shopping Guide).
3. Other potential items (time permitting): (a) further discussion of non-member secretary; (b) possible modifications in Ordinance for mass gatherings; and (c) possibility of noise ordinance.
4. Entertain motion to adjourn.

David Strock, Chair