

# ***Baldwin Planning Board***

## ***Meeting Minutes***

March 8, 2018

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

Norm Blake called to order the regular meeting of the Baldwin Planning Board at 7:00 PM on March 8, 2018 at the Baldwin Town Hall.

### **II. Roll call**

Norm Blake conducted a roll call. The following persons were present: Planning Board members Norm Blake, Jo Pierce, David Strock, Matt Fricker; Selectmen Dwight Warren; CEO Wes Sunderland.

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

Matt Fricker read the minutes from the meeting on 22FEB18. The minutes were unanimously approved as read.

### **IV. Open issues**

- a) Historical Society - CUP application for the Historical Society's use of Chadborne House will be presented by Kurt Olafson at meeting on 22MAR18.
- b) Nature's Wilderness - Gerry Brown and Jeff Amos seem to have more documents ready, such as erosion control, camp roads and traffic, maybe SSWD. They will present updates at meeting on 22MAR18

### **V. New business**

- a) Frank Peavey Auto Repair Garage CUP – Frank Peavey presented a draft CUP for an auto repair business at 519 Pequawket Trail.
  - 2 bays – 32x48 work space – can fit 4 vehicles
  - No employees
  - Limit to number of cars stored outside ~8 behind stockade fence
  - Conditions from Mercer and Reynolds CUPs provided as examples
  - Public Hearing to be held on 12 April 2018
    - Do YWSG ad and abutters letters.

- It was recommended that Frank check easement restrictions for residential vs. business use.
- Cost out fence – ensure feasibility
- Any signs – 20 sq.feet

## **VI. Adjournment**

Norm Blake adjourned the meeting at 8:30 PM.

Minutes submitted by: Matt Fricker

WLS 625-1000

Received by Planning Board  
& MAR 18

**For Town Use Only**

Date Application Received 3-2-18  
Received By: Wes S. CEO  
Fee Paid: \$ 150.00

**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 Frank M. Peaney
2. Applicant's Mailing Address 519 Popponoket Trail  
W. Baldwin, ME 04091
3. Phone number where applicant can be reached during business hours 207-671-9903
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.  
Owner - copy of tax bill attached
6. Property Owner's Name Frank M. Peaney
7. Property Owner's Address 519 Popponoket Trail  
W. Baldwin
8. Location of property for which the permit is sought 519 Popponoket Trail  
W. Baldwin
9. Indicate the Map and Lot number for the property from the Town's assessment records  
Map # 5 Lot # 9B
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.  
6.3C Automobile Repair Garage

**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.

- Map 5  
Lot 9B*
- 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 Frank M. Peavey, 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.

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

Town of Baldwin

Receipt

Frank M. Peavey  
Applicant

3/2/18  
Date

03/02/18 11:40 AM ID: #37092-1  
TYPE-----CUP REF--- AMOUNT  
~~PERMIT DENIED~~ 005-009B  
AMOUNT 150.00

Applicant

Date

Lesly Sundelund  
CEO

MARCH 2<sup>ND</sup>, 2018  
Date Received

Total: 150.00\*

Paid By: Frank Peavey; Planning Board

Remaining Balance: 0.00

Check : 150.00

1126 - 150.00

Received By:

**Date of Public Hearing:** \_\_\_\_\_

**Conditional Use Permit of:** \_\_\_\_\_

**PERMIT DENIED Date:** \_\_\_\_\_ **Explanation:** \_\_\_\_\_

**PERMIT APPROVED Date:** \_\_\_\_\_ **Conditions to Permit (if any)** \_\_\_\_\_

**Planning Board Signatures (three signatures) 1.** \_\_\_\_\_

**2.** \_\_\_\_\_ **3.** \_\_\_\_\_

ITEM 4

**WARRANTY DEED**  
Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS

THAT, WE, **JED T. ROLLINS**, and **CARLA J. ROLLINS**, for consideration paid, grant to **FRANK M. PEAVEY, JR.**, of Westbrook, County of Cumberland, State of Maine, and whose mailing address is:P.O. Box 743, Westbrook, Maine 04098

with warranty covenants, certain real estate situated in the Town of Baldwin, County of Cumberland, State of Maine, described as follows:

REFERENCE TO EXHIBIT A ATTACHED HERETO.

IN WITNESS WHEREOF, WE, **JED T. ROLLINS** and **CARLA J. ROLLINS**, hereby set our hands and seals this 10<sup>th</sup> day of April, 2006.

WITNESS:

\_\_\_\_\_

Jed T Rollins  
**JED T. ROLLINS**

\_\_\_\_\_

Carla J. Rollins  
**CARLA J. ROLLINS**

State of Maine  
County of Cumberland, ss.

Personally appeared the above-named **JED T. ROLLINS** and **CARLA J. ROLLINS**, and acknowledged the foregoing instrument to be their free act and deed.

Date: April 10, 2006

Before me,

Andrew L. B. Gaddler  
Notary Public

Attorney at Law

Andrew L. B. Gaddler  
Printed Name

MAINE REAL ESTATE TAX PAID

ITEM #3

2016 Real Estate Tax Bill

R974  
PEAVEY, FRANK & RANDI  
519 PEQUAWKET TRAIL  
WEST BALDWIN ME 04091

| Current Billing Information |                 |
|-----------------------------|-----------------|
| Land                        | 48,500          |
| Building                    | 125,519         |
| Assessment                  | 174,019         |
| Exemption                   | 15,750          |
| Taxable                     | 158,269         |
| Rate Per \$1000             | 13.100          |
| <b>Total Due</b>            | <b>2,073.32</b> |

Acres: 0.00  
 Map/Lot 005-009-B Book/Page B23846P118 Payment Due 11/30/2016 2,073.32  
 Location 519 PEQUAWKET TRAIL

**Information**

INTEREST AT 7.00% PER ANNUM CHARGED AFTER 11/30/2016  
 As per state law, the ownership and valuation of all real and personal property subject to taxation shall be fixed as of April 1st. For this tax bill, that date is April 1, 2016. If you have sold your real estate since April 1, 2016, it is your obligation to forward this bill to the current property owner. FAILURE TO FORWARD THIS BILL MAY RESULT IN A LIEN BEING PLACED AGAINST YOUR NAME. If you have an escrow account, please forward a copy to your mortgage holder prior to the due date.  
 WITHOUT STATE AID FOR EDUCATION AND STATE REVENUE SHARING, YOUR TAX BILL WOULD HAVE BEEN 35% HIGHER.  
 As of July 29, 2016 the Town of Baldwin has no bonded indebtedness

| Current Billing Distribution |        |          |
|------------------------------|--------|----------|
| COUNTY                       | 5.00%  | 103.67   |
| TOWN                         | 23.00% | 476.86   |
| SCHOOL                       | 72.00% | 1,492.79 |

**Remittance Instructions**

Please make checks or money orders payable to  
 Town of Baldwin and mail to:

Town of Baldwin  
 534 Pequawket Trail  
 West Baldwin, ME. 04091

N/A

Ckt# 1109

| Due Date | Amount Due | Amount Paid |
|----------|------------|-------------|
|----------|------------|-------------|

2016 Real Estate Tax Bill  
 Account: R974  
 Name: PEAVEY, FRANK & RANDI  
 Map/Lot: 005-009-B  
 Location: 519 PEQUAWKET TRAIL

| Due Date   | Amount Due | Amount Paid |
|------------|------------|-------------|
| 11/30/2016 | 2,073.32   |             |

2112.02

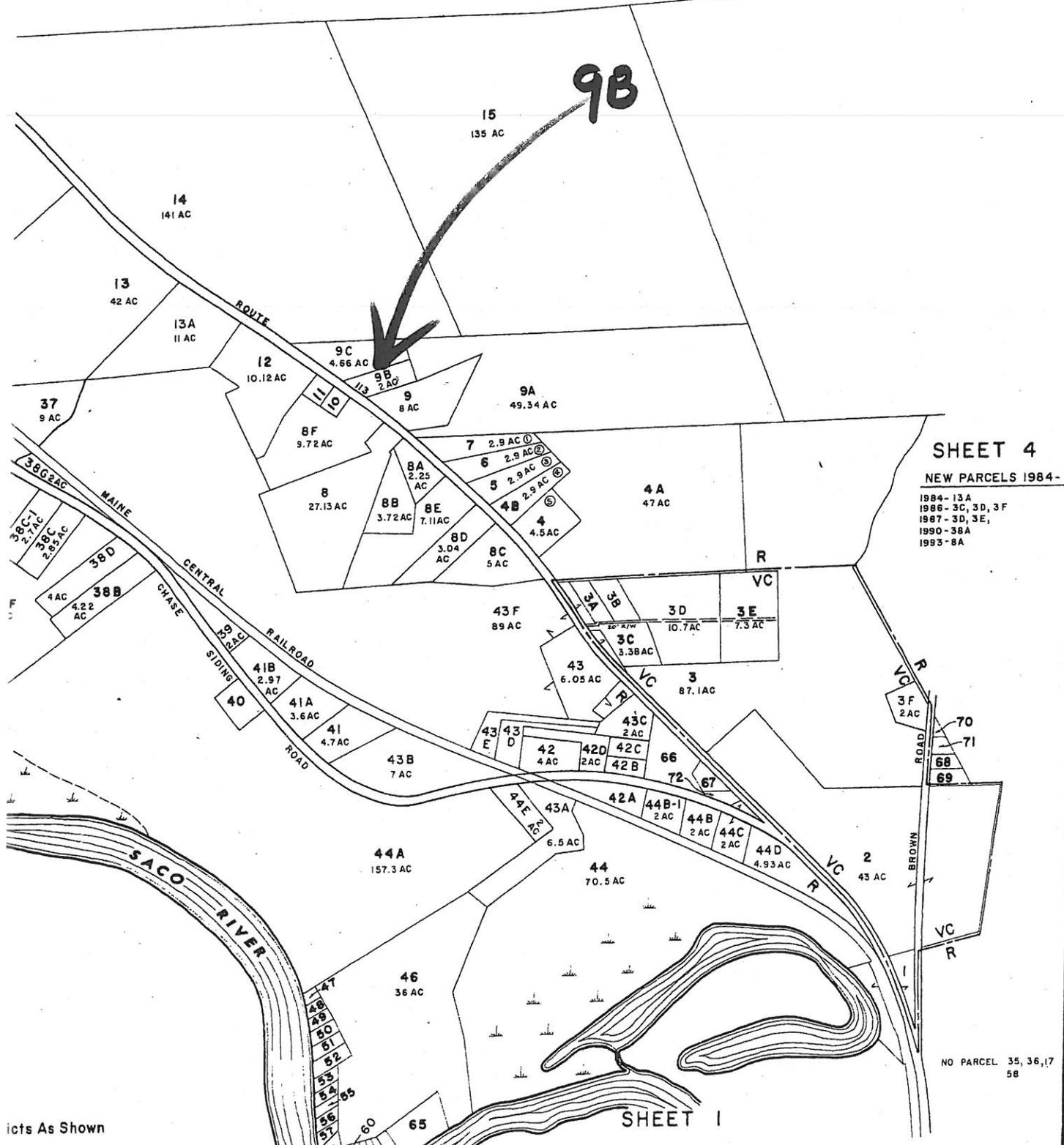
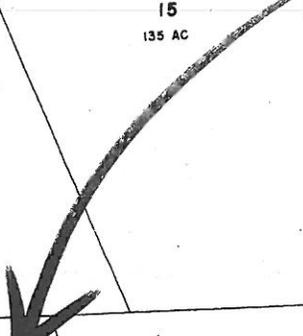
**First Payment**

#12-A.



SHEET 7

9B



SHEET 4

NEW PARCELS 1984-

- 1984- 13A
- 1986- 3C, 3D, 3F
- 1987- 3D, 3E,
- 1990- 38A
- 1993- 8A

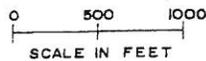
NO PARCEL 35, 36, 17, 58

SHEET 1

As Shown

PROPERTY MAP

BALDWIN, MAINE



5

TO WHOM IT MAY CONCERN

My name is Frank Peavey, I live at 519 Pequawket trail Map 5 lot 9b. I am applying for a conditional use permit to do automotive repairs.

My intention is to do light mechanical repairs as well as some auto body repairs such as rust repairs. Replacing, repairing rocker panels so vehicles can pass state inspection.

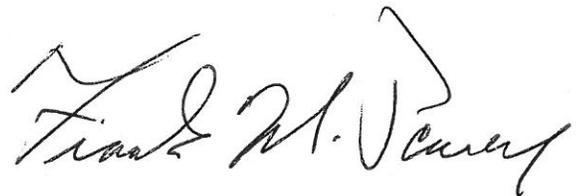
I am retired and only want to supplement my income and generate some extra money to allow me to restore my collector vehicles. This is intended to be on a small scale with no impact to the environment or my neighbors.

I intend to install a stockade fence to block view of any vehicles that I have waiting repairs or restoration.

I have adequate equipment and space to perform repairs as I have outlined.

As I have demonstrated in the 12 years that my wife and I have been here I keep a very neat and groomed property and will continue to do so in this new venture.

Thank you for your consideration on this. I look forward to working with the town and answering any questions or concerns that you have.



671-9903

#12-C

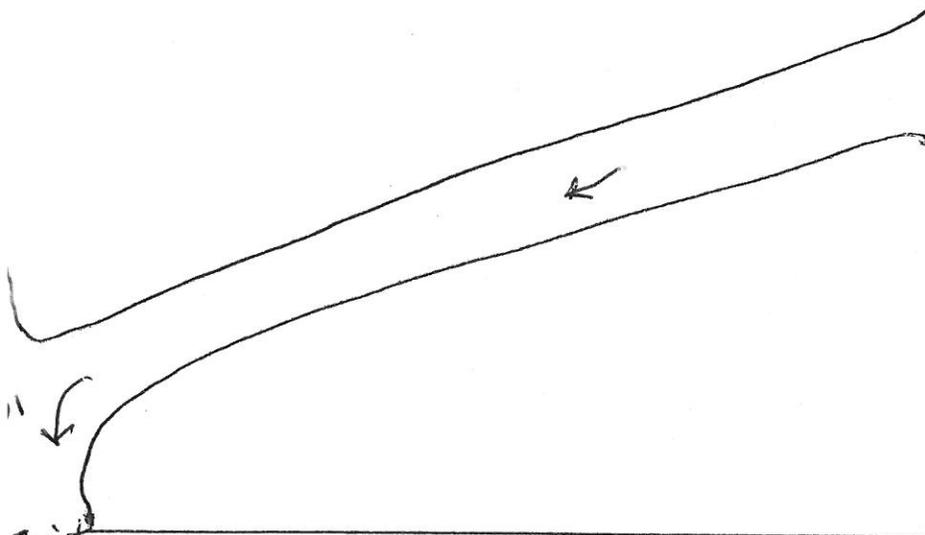
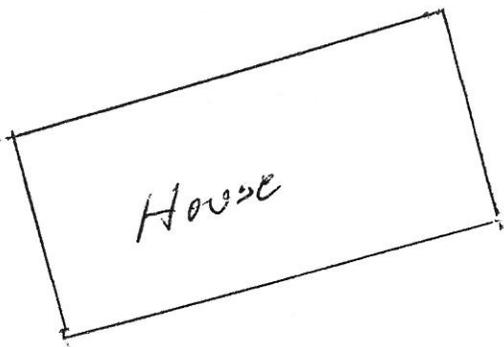
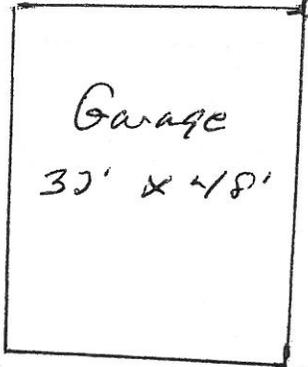
Frank Peavey  
Map 5 Lot 9B



Pit Road

492'

Proposed fence



Exit

entrance

10  
517

Rte 113  
200'



## STANDARD CONDITIONS FOR CONDITIONAL USE

**To the Applicant:** These Standard Conditions will apply to your conditional use approval. To the extent applicable, these conditions are *additional* to and supplement any specific provisions which the Planning Board may have imposed upon your approval.

1. The Applicant shall carry on the permitted activity in accordance with the description thereof in the application, and in accordance with the documentary and/or testimonial representations presented by the Applicant in connection with the proceeding. Substantial compliance with the description of the activity and representations is a condition of Approval. Any undisclosed and unapproved use of the premises (even if otherwise accessory to the approved use), or any substantial deviation from the activity or representations described in connection with this Approval shall be deemed a violation of the Land Use Ordinance, and may result in revocation of the Approval.
2. By acceptance of this Conditional Use Approval, the Applicant consents to the inspection by the Code Enforcement Officer of all non-residential areas of the premises at reasonable times (with or without prior notice) for the purpose of determining compliance with the conditions of the Approval or any provision of local, state, or federal law. This consent shall not be withdrawn unless the Applicant abandons the approved use, and notifies the Town in writing delivered to the CEO that the activity will not be resumed without a further approval by the Planning Board. Failure to allow any such inspection by the CEO may result in revocation of the Approval.
3. If the Approval is specifically conditioned upon physical improvement of the premises, obtaining of insurance, or other requirement, the activity authorized hereunder shall not be commenced until the Applicant demonstrates compliance with each of the conditions to the CEO, and receives a certificate of occupancy from the CEO evidencing that all conditions have been met. Commencement of the approved activity prior to obtaining such certification may result in revocation of the Approval. Failure to utilize or maintain such physical improvement, insurance, or other requirement thereafter may result in revocation of the Approval.
4. The Approval shall lapse and become null and void if the use authorized by the Approval is not commenced within one (1) year of the date of approval, or if the use is abandoned for a period of one (1) year thereafter. Where there is good cause for the delay, or the discontinuance, and there is no evidence of intent to abandon the use, these requirements may be extended for additional periods not to exceed one (1) year.
5. The Planning Board may schedule a hearing (upon reasonable notice to the Applicant and the public) to determine whether there is a violation of the Approval or any the condition thereof (including those contained herein); or any other violation of any provision of local, state, or federal law. If the Board determines that a violation has occurred and is either continuing or is likely to recur, the Board may rescind this approval or take such other action to amend or modify the Approval as the Board deems appropriate to protect the public health, safety, or welfare.