

# ***Baldwin Planning Board***

## ***Meeting Minutes***

August 24, 2017

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

Norm Blake called to order the regular meeting of the Baldwin Planning Board at 7:00 PM on August 24, 2017 at the Town Hall.

### **II. Roll call**

Matt Fricker conducted a roll call. The following persons were present: Planning Board members Norm Blake, Jo Pierce, Fred Miner, Glen Reynolds, and Matt Fricker. Also present were CEO Wes Sunderland, Selectman Dwight Warren.

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

Matt Fricker read the minutes from the 8.10.17 meeting. The minutes were approved as read.

### **IV. Open issues**

- a) Dunning Minor Subdivision – Aaron Dunning and Justin Gibbons from Hilltop Builders appeared before the PB to discuss a minor subdivision on Senator Black Rd. (draft application attached). A draft agreement (attached, An Agreement between the Baldwin Planning Board and Aaron Dunning and Builder) prepared by Norm Blake was reviewed. Dunning/Gibbons are to revise and re-format the Minor Subdivision Application, and re-format the draft agreement in preparation for the Public Hearing and Planning Board meeting on 9.14.17 (notice attached).
- b) FEMA/Flood Plain Mapping – It was noted that the new FEMA flood plain mapping elevations are extremely accurate. It is expected the new flood plain plan will be presented at the 2019 Town Meeting.
- c) Flint Apartment Update – The following communication was received by the Planning Board:

**From:** Bob Flint <[rflint57@gmail.com](mailto:rflint57@gmail.com)>

**To:** Norman Blake <[wa1ivb@att.net](mailto:wa1ivb@att.net)>

**Sent:** Sunday, August 20, 2017 10:07 AM

**Subject:** Bob Flint, 56 Chase Road, Mother-in-Law Exemption Annual Notification

Norm

This is to let the planning board know that we are still using the Little Stone House as a mother-in-law apartment.

Bob

## **V. New business**

- a) Roadside Cookout at Sand Pond – Jessica Roakes and Jesse Knights appeared before the Planning Board to discuss running a mobile food vendor operation at Sand Pond. Discussion included Land Use Ordinance, ARTICLE 2. Definitions, “*EATING AND DRINKING PLACE: A business establishment the principal business of which is the preparation of food or beverages for consumption on the premises and which provides seating for its customers.*” It was noted that a CUP requires ownership of property so the mobile food vendor operation at Sand Pond would need to be set forth as a CUP by the Selectmen, thus Roakes/Knight should talk with the Selectmen.

## **VI. Adjournment**

Norm Blake adjourned the meeting sometime after 8:45 PM.

Minutes submitted by: Matt Fricker

*submitted to P.B. 8-24-17*

An Agreement between the Baldwin Planning Board and Aaron Dunning and (builder)

The purpose of this agreement is to facilitate a fast-tracked subdivision to allow Mr Dunning to transfer his property on Senator Black Road to (builder) for the purpose of obtaining a construction loan to build the property. At the end of the construction period, (builder) agrees to transfer the land, with a new home, back to Dunning.

As a guarantee, (builder) will deposit \$10,000 with the Town of Baldwin immediately at the granting of a Subdivision permit. Builder will have 5 days to present a Notarized copy of this Agreement to the Town of Baldwin. Within 5 days of the real estate transfer from Dunning to (builder), Builder will provide a registered copy of the Deed to the Town of Baldwin. Within 5 days of the granting of a Subdivision, Builder will register it with the Cumberland County Registry and provide a registered copy of that with the Town of Baldwin.

Builder will have 180 days to complete construction of the Dunning house. Upon completion of the Dunning house, Builder will transfer the property back to Dunning and provide a copy of the registered Deed to the Town of Baldwin.

Within 30 days of satisfaction of all the above requirements, the Town of Baldwin will return the \$10,000 deposit. The Town of Baldwin will pay NO interest on the funds held. In the event that Builder fails to comply with any of the deadlines listed above, or to complete the project and return the property to Dunning, Builder agrees that the Town of Baldwin shall take \$100 per calendar day for every day late. In the event that Builder or Dunning is late beyond the capacity of the \$10,000 deposit, a penalty of \$100 per calendar day will accrue against the property and will be subject to a lien enforced by the Town of Baldwin.

It is understood that this is a special consideration, made publicly by the Planning Board, that it sets no precedents although it may be considered for future inclusion in our Subdivision Ordinance if it proves useful and wise. In case of any disagreements, all parties agree that decisions of the Baldwin Planning Board shall be final.

Sign by Dunning, Builder, at least three Baldwin Planning Board members.

Builder to get it to a Notary (ie our town Clerk) and return original copy to Town of Baldwin.

**Aaron Dunning  
Map 7 Lot 20E  
Senator Black Road, West Baldwin**

**A. Application for Minor Subdivision 6.3**

**B. Location Map. See Attachment**

**C. Final Plan. See attachment**

**D. Application Requirements:**

1. Dunning Way: TBD ? Map 7 lot 20E
2. Copy of the deed- (attached)
3. A standard boundary survey of the parcel- (attached)
4. A copy of the deed- (attached)
5. Deed restrictions- Waive
6. Sewage disposal- Private
  - a. When applicable (waive) } *Dunning*
7. Water supply
  - a. Will meet state guidelines when testing is available
8. Mylar and attached survey
9. Aaron Dunning- info attached- See attached surveyor stamp on plan
10. n/a
11. Number of Acres: See Mylar- 7+/- acres
12. n/a
13. Waive
14. Residential *Rural*
15. n/a- Town can size culvert for road side entrance *Brown will advise*
16. n/a
- ✓ 17. n/a *Senator Black Rd - 20' ±*
- ✓ 18. n/a
- ✓ 19. n/a
- ✓ 20. n/a
- ✓ 21. Waive
  - a. n/a
  - b. n/a
- ✓ 22. 2 Vehicles, twice a day- private lot subdivision
- ✓ 23. n/a
- ✓ 24. Waive
- ✓ 25. Waive
- ✓ 26. n/a
- ✓ 27. n/a
- ✓ 28. Open field area. .No trees to be removed

*where it will be*

*Brown will advise*

*Senator Black Rd - 20' ±*

*take waste  
mud/s off  
side*

**Report Notes**

1.) PURPOSE: The purpose of this survey is to create a new parcel of land, being labeled as the proposed "Mobile Home Parcel" for Dianne B. Dunning and Conrad W. Dunning, being a portion of their property as described in the deed of Diane B. Dunning to Diane B. Dunning and Conrad W. Dunning, dated June 8, 2015 and recorded in the Cumberland County Registry of Deeds in Book 32347, Page 291. The minimum lot requirements for the Rural Zone in Baldwin is 2 acres(+), 200 feet of road frontage, a front setback of 75 feet from the centerline of road, 10 foot side setbacks and 25 foot rear setbacks. The parcel created as a result of this survey is 2.0363 acres.±

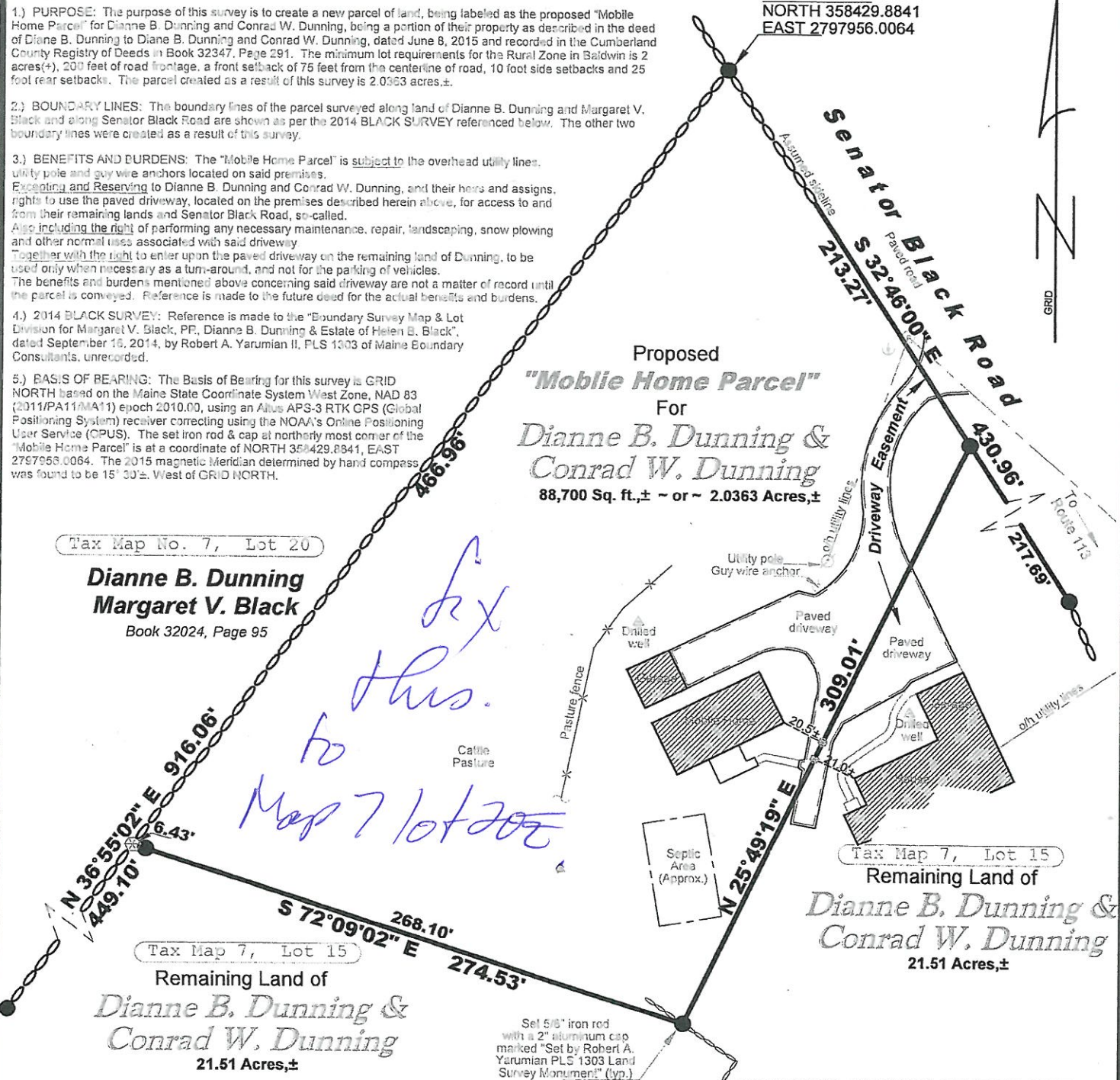
2.) BOUNDARY LINES: The boundary lines of the parcel surveyed along land of Dianne B. Dunning and Margaret V. Black and along Senator Black Road are shown as per the 2014 BLACK SURVEY referenced below. The other two boundary lines were created as a result of this survey.

3.) BENEFITS AND BURDENS: The "Mobile Home Parcel" is subject to the overhead utility lines, utility pole and guy wire anchors located on said premises. Excepting and Reserving to Dianne B. Dunning and Conrad W. Dunning, and their heirs and assigns, rights to use the paved driveway, located on the premises described herein above, for access to and from their remaining lands and Senator Black Road, so-called. Also including the right of performing any necessary maintenance, repair, landscaping, snow plowing and other normal uses associated with said driveway Together with the right to enter upon the paved driveway on the remaining land of Dunning, to be used only when necessary as a turn-around, and not for the parking of vehicles. The benefits and burdens mentioned above concerning said driveway are not a matter of record until the parcel is conveyed. Reference is made to the future deed for the actual benefits and burdens.

4.) 2014 BLACK SURVEY: Reference is made to the "Boundary Survey Map & Lot Division for Margaret V. Black, PP, Dianne B. Dunning & Estate of Helen B. Black", dated September 16, 2014, by Robert A. Yarumian II, PLS 1303 of Maine Boundary Consultants, unrecorded.

5.) BASIS OF BEARING: The Basis of Bearing for this survey is GRID NORTH based on the Maine State Coordinate System West Zone, NAD 83 (2011/PA11/MA11) epoch 2010.00, using an Allux APS-3 RTK GPS (Global Positioning System) receiver correcting using the NOAA's Online Positioning User Service (CPUS). The set iron rod & cap at northerly most corner of the "Mobile Home Parcel" is at a coordinate of NORTH 358429.8841, EAST 2797956.0064. The 2015 magnetic Meridian determined by hand compass was found to be 15° 30'± West of GRID NORTH.

STATE PLANE  
COORDINATE:  
NORTH 358429.8841  
EAST 2797956.0064



Tax Map No. 7, Lot 20

**Dianne B. Dunning  
Margaret V. Black**  
Book 32024, Page 95

*by this to Map 7 lot 20*

Tax Map 7, Lot 15

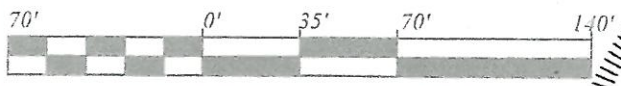
Remaining Land of  
**Dianne B. Dunning &  
Conrad W. Dunning**  
21.51 Acres,±

Tax Map 7, Lot 15

Remaining Land of  
**Dianne B. Dunning &  
Conrad W. Dunning**  
21.51 Acres,±

Set 5/8" iron rod with a 2" aluminum cap marked "Set by Robert A. Yarumian PLS 1303 Land Survey Monument" (typ.)

Graphic Scale



**SCALE: 1" = 70'**



**BOUNDARY SURVEY SKETCH MAP FOR**

**Dianne B. Dunning & Conrad W. Dunning**

(MAILING ADDRESS: 415 Long Plains Road, Buxton, ME 04093)

**"Mobile Home Parcel"**

LOCATED ALONG  
**Senator Black Road**  
IN THE  
TOWN OF BALDWIN, COUNTY OF CUMBERLAND,  
STATE OF MAINE

BY  
**MAINE BOUNDARY CONSULTANTS**

Professional Land Surveyor  
**ROBERT A. YARUMIAN II, PLS**  
MODERATION CENTER, 8 RIVER ROAD, ROUTE 112, P.O. BOX 67,  
BUXTON, MAINE 04093-0067

Scale 1" = 70'      207-727-5359      **October 28, 2014**

THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, RULES, OF APRIL 2001, CHAPTER 90, "STANDARDS OF PRACTICE,"  
*Robert A. Yarumian II*  
ROBERT A. YARUMIAN II, PLS 1303      DATE

## **BALDWIN RESIDENTS**

The Planning Board will conduct a Public Hearing on September 14 2017 at the Town Office to hear comments on the application of Aaron Dunning for a Minor Subdivision at his property on Map 7, Lot 20E, on Senator Black Road, just uphill from Henry's uppermost barn. The Planning Board has already scheduled a meeting with a Shorelands consultant for 7 PM, so we anticipate that the Hearing will commence before 8 PM. The Planning Board anticipates returning to a regular work session if sufficient time remains after the Hearing.

***Norman B. Blake***

CHAIRMAN, BALDWIN PLANNING BOARD