

Baldwin Planning Board  
Meeting Minutes  
May 9, 2024

Meeting Called to Order: 7:48pm

(May 9<sup>th</sup> Planning Board Meeting followed two (2) separate public hearings relative to pending Application for Conditional Use Permit (CUP) submitted by Thomas Wight, President of TW Wight Enterprises, Inc. and Application for CUP submitted by Thomas Wight, President of The Flying Squirrel DGC, LLC.)

Board Members Present: Jo Pierce, David Strock, Don Sharp, Tracy Grisez, and Mike Ustin  
(Five (5) members present; Quorum established)

Also Present: Select Board Member, Bob Flint and CEO, Don Kent

**1. Meeting Minutes – April 25, 2024**

Tracy circulated draft minutes of 4/25/24 planning board meeting to entire Planning Board (“PB”) by email on May 5, 2024. Jo called for review and discussion of meeting minutes as circulated. Tracy noted that Don had forwarded a revision of one typographical error, which had since been corrected. With said revision being only correction required, Don made a motion to approve the minutes as so revised. Mike seconded the Motion. The Motion carried with the Board unanimously voting in favor. The revised 4/25/2024 meeting minutes are approved and will be uploaded as final.

**2. Consider Application for CUP; Applicant: Thomas Wight/TW Enterprises, Inc.**

The Board reviewed the Application and documents submitted pursuant thereto and confirmed the Application was complete. Specifically, the Applicant has properly submitted the Application with all sections completed, a copy of the source deed providing proof of title ownership for the subject property, and site map of the proposed design/layout on the property. David noted that the Applicant’s entity, TW Enterprises, Inc., is currently “in good standing” with the Department of the Secretary of State. The Applicant noted that the entity also operates Greater Portland Dumpster Rentals, LLC.

The Board and the Applicant systematically discussed each paragraph/provision of the Application and addressed the Board’s specific questions and concerns in the normal course. Pursuant to the review process, the Board considered the impact of the use and activity as contemplated and determined it necessary to impose several specific limitations or conditions, which will be incorporated into the CUP, along with the PB’s set of standard conditions, which are included in every CUP, as approved. The specific conditions imposed relative to the subject CUP are as follows:

1. The Land Use permitted under the subject CUP shall be a Service Business.
2. Any initial activity undertaken to clean up the site of gravel and rocks shall be completed within one (1) year and shall be limited to only onsite materials.

3. There shall be no more than six (6) sheds and/or six (6) lock boxes permitted on the property at any given time.
4. Any fuel stored onsite must be properly maintained and stored pursuant to a secondary containment system.
5. There shall be no more than ten (10) trucks parked or stored on the property at any given time. All trucks and vehicles stored onsite must be owned by TW Enterprises, Inc. or Greater Portland Dumpster Rentals, LLC.
6. There shall be no more than twenty (20) rolloff storage containers stored on the property at any given time.
7. Storage of customer rolloff containers is prohibited.
8. Onsite rolloff storage containers must be empty.
9. Onsite service and maintenance of vehicles is prohibited.
10. Permanent structures are prohibited, except for one 12 x 24 storage shed.
11. No impermeable surfaces are permitted onsite.
12. Applicant must seek additional Town approvals for water and sewer buildout. Portable units are permissible; however, efforts should be undertaken to ensure that placement of said units is not expected to cause a nuisance to others Town residents.
13. All lighting must be focused inward and down to limit risk of light pollution. Lighting levels should not exceed one-half (½) foot candle as measured at the property line.
14. The Applicant shall work with the Town road commissioner to establish a turn-around sufficient for municipal snowplow and related vehicles.
15. The Applicant must document the condition of all roadways during periods when road restrictions are posted and is responsible for working with the Town of Baldwin to resolve significant deterioration of the road attributable to the subject use, if any.
16. The hours of operation shall be Monday through Saturday, 6:30am-4:30pm.
17. The Applicant shall, at all times, use and maintain the property consistent with the proposed uses as included in the Application materials as submitted.
18. The Applicant shall also adhere to the Planning Board's Standard Conditions, which shall be included and incorporated into the final CUP.

Upon conclusion of the comprehensive review and all related discussion outlined above, Jo asked if the Board was prepared to move forward on the Application. Don requested that Tracy read aloud the specific conditions enumerated above, which she did. Don then made a Motion to approve the Application for a CUP subject to the adherence to the uses and conditions included in the Application materials and the specific and standard conditions as imposed and added thereto by the Planning Board. Mike seconded the Motion. The Motion carried by a unanimous vote in favor of approval. A copy of the CUP as approved, with all corresponding materials, is attached hereto as **Appendix A** and incorporated in its entirety to these Meeting Minutes.

## **2. Consider Application for CUP; Applicant: Thomas Wight/Flying Squirrel DGC, LLC**

David asked if we should table review of CUP until next regular meeting given it was 8:45pm. The Applicant was not pleased by the notion of further delays. The Board asked if the Applicant would allow us to address the next agenda item and then return to this issue to

determine a resolution. The Applicant agreed and stepped out of the meeting while the Planning Board addressed the following item.

When the Board returned to consideration of the CUP, it was determined that there was not sufficient time remaining for the Board to engage in the review process. The Board proposed that we postpone all agenda items currently scheduled for the May 23, 2024 regular business PB meeting and revisit consideration of this CUP after the Public Hearing on the CUP relative to the West Baldwin Antique Mall, which has already been scheduled and noticed. The Applicant ultimately agreed. Thus, the Board will reconvene consideration of this CUP on May 23, 2024 immediately following the Public Hearing for the West Baldwin Antique Mall. All other agenda items for the May 23<sup>rd</sup> meeting will be postponed as necessary.

### **3. CUP Extension Request; Joseph Pereira/Glenvale Solar**

Joseph Pereira, Senior Director for Project Development for Glenvale Solar, appeared before the Planning Board to request an additional one-year extension to Glenvale Solar's CUP. The current extension is scheduled to expire on May 13, 2024. Mr. Pereira outlined the status of the project and the facts and circumstances supporting the request for an additional extension. Mr. Pereira also submitted a written letter addressed to the Planning Board dated May 8, 2024, which includes the same information as presented to the Planning Board, *e.g.*, status of the project, circumstances supporting an additional extension. Said letter of Joseph Pereira is attached hereto as **Appendix B** and incorporated in its entirety to these Meeting Minutes. Based on the update provided and the grounds asserted in support, Tracy made a Motion to extend Glendale Solar's CUP for one (1) additional year, as requested. Mike seconded the Motion. The Motion carried with the Board voting unanimously in favor of same. The additional one (1) year extension as herein approved by the Planning Board will expire on May 8, 2025. (After approving extension of CUP for Glendale Solar, the Board returned to consideration of CUP for Flying Squirrel under Item 2, *above*.)

After close of the discussion/decision to reschedule consideration of the CUP for the Flying Squirrel DGC, LLC to May 23<sup>rd</sup>, Don made a Motion to adjourn the meeting, Mike seconded, and the Motion carried.

MEETING ADJOURNED AT 9:28pm.

**APPENDIX A**

APPLICATION MATERIALS WITH CONDITIONS IMPOSED  
AS APPROVED BY THE PLANNING BOARD ON MAY 9, 2024

RELATIVE TO:

APPLICATION FOR CONDITIONAL USE PERMIT (CUP)  
SUBMITTED BY APPLICANT THOMAS WIGHT, PRESIDENT; TW ENTERPRISES, INC.

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# Town of Baldwin

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

Date Application Received: 2-16-24  
Received by: D Kent  
Fee Paid: \$150.00 pd

## 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: for Thomas Edward Wight - President  
plus Greater Portland Drumps  
Rehals T W Enterprises Inc.

2. Applicant's Mailing Address: PO Box 455  
Westbrook, Me 04098

3. Phone number where applicant can be reached during business hours. 207 671-5870 or 207 856-0046

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)  
 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 you interest in the property and attach written evidence of this interest. N/A

6. Property Owner's Name N/A

7. Property Owner's Address N/A

8. Location of property for Which the permit is sought? 00 Carl Bysnell Rd Baldwin, Me 04024

9. Indicate the Map and Lot number for the Property from the Town's assessment records Map 003 Lot 008

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.

Tree Service & Roll-off Dumpster Companies

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**

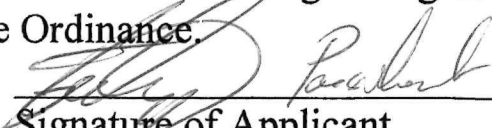
Section to be completed only if any portion of the property is located within 250 feet of the normal high water mark of Ingalls Pond, Sand Pond, Southeast Pond, Adams Pond or the Saco River or within 75 feet of any stream. For each standard, attach a written statement demonstrating how the proposed use 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 Thomas Wight, Resident TW Enterprises, 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.

 2/16/24  
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,

\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MAINE REAL ESTATE TAX-PAID

**WARRANTY DEED**  
Statutory Short Form  
**DLN1002440264090**

KNOW ALL BY THESE PRESENTS That We, Peter R. Pulsifer and Rebecca L. Pulsifer of Steep Falls, County of Cumberland, and State of Maine for consideration paid, grant to T.W. Enterprises, Inc. a Maine Limited Liability Company, of Westbrook, County of Cumberland, and State of Maine, whose mailing address is 700 Stroudwater Street, P.O. Box 455, Westbrook, ME 04098, with Warranty Covenants, the real property in the Town of Baldwin, County of Cumberland, and State of Maine, more particularly described as follows:


A certain lot or parcel of land, with any buildings or improvements thereon, situated in the Town of Baldwin, County of Cumberland, and State of Maine, and being so much of the Westerly half of lot of land numbered twenty-one (21) in the fourth range East in said Baldwin as lies Northerly of the Town road leading through said Westerly half lot; the same being a part of the land conveyed to Lemeuel McCarrison by Joshua Swett by deed of May 4, 1835 and being so much thereof as lies Northerly of the road aforesaid.

Also conveyed is another parcel of land shown as Tax Map 3, Lot 5A referred to in ancient deeds as the "James Cook Lot" as conveyed by the Town of Baldwin dated October 29, 1999, recorded in the Cumberland County Registry of Deeds at Book 15185, Page 121.

Reference is hereby made to a deed recorded in the Cumberland County Registry of Deeds at Book 39904, Page 241.

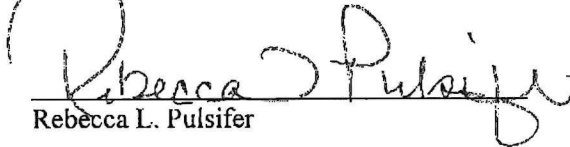
WITNESS our hands and seals this February 9, 2024.

\_\_\_\_\_  
Witness

  
\_\_\_\_\_

Peter R. Pulsifer

\_\_\_\_\_  
Witness

  
\_\_\_\_\_

Rebecca L. Pulsifer

STATE OF MAINE  
COUNTY OF CUMBERLAND, ss.

February 9, 2024

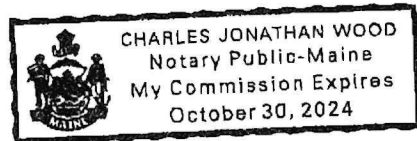
Then personally appeared the above-named Peter R. Pulsifer and Rebecca L. Pulsifer and  
acknowledged the foregoing to be their free act and deed.

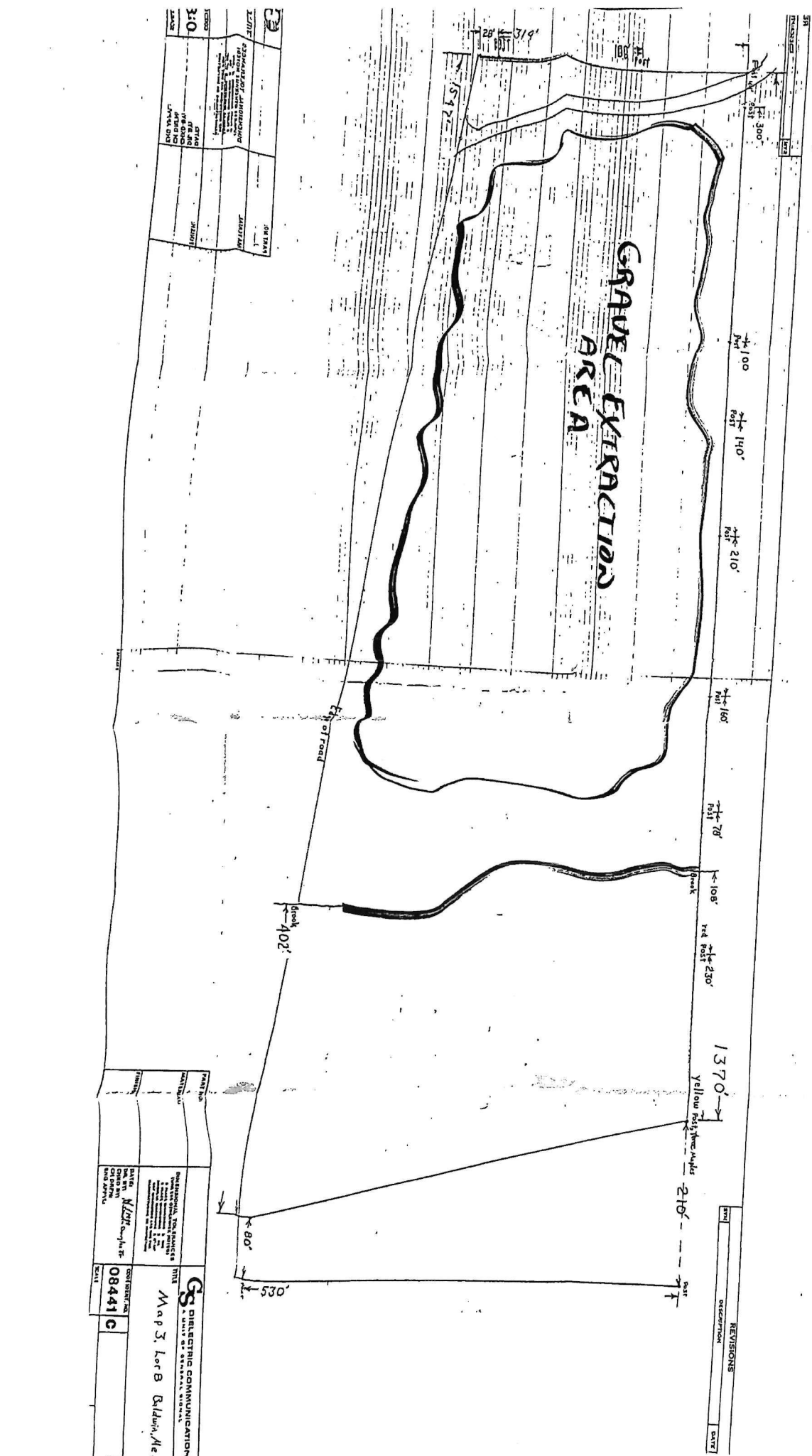
Before me,

  
\_\_\_\_\_

Notary Public

Print:





|             |     |
|-------------|-----|
| DATE        | 3-0 |
| BY          | ... |
| DESCRIPTION | ... |

| NO. | REVISIONS | DATE |
|-----|-----------|------|
|     |           |      |

|             |         |
|-------------|---------|
| PROJECT NO. | 08441 C |
| DATE        |         |
| DESIGNED BY |         |
| CHECKED BY  |         |
| APPROVED BY |         |
| DATE        |         |

INTERNATIONAL TELECOMMUNICATIONS  
 MAP 3, LOT B, BALDWIN, ME.





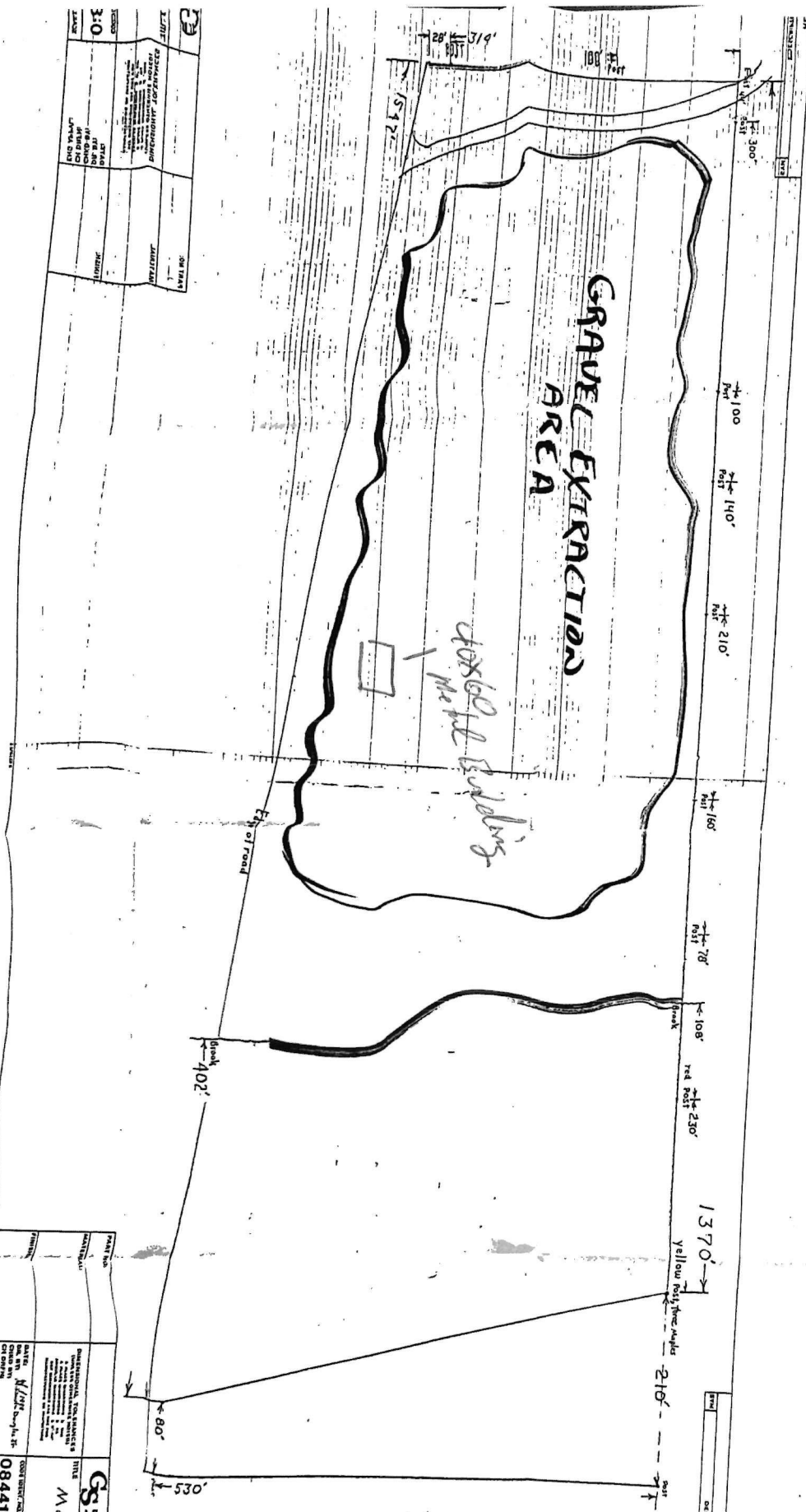
1. CLEAN UP THE GRAVEL PIT SITE BY CRUSHING ROCK AND SCREENING MATERIALS ON A SHORT TERM BASIS. THIS EXISTING EXCAVATED MATERIAL WILL BE USED ON OUR OWN PROJECTS. *This will be completed within one year*
2. MOVE AN EXISTING 12' X 24' BUILDING FROM OUR WESTBROOK LOCATION TO THE GRAVEL PIT SITE FOR A TEMPORARY OFFICE.
3. WE WILL ALSO MOVE OUR LOCK BOXES, SHEDS, SMALL FUEL TANKS AND TEMPORARY ROOF SYSTEMS THAT WE USE FOR STORAGE AND SHELTERING EQUIPMENT FROM THE ELEMENTS. *No more than 6 sheds No more than 6 lock boxes secondary containers for fuel*
4. OPERATE TW ENTERPRISES INC, TREE & LANDSCAPE COMPANY OUT OF THE GRAVEL PIT PORTION OF THE LOT. THIS WILL INCLUDE PARKING OUR TREE REMOVAL VEHICLES AND EQUIPMENT. *No more than 10 Trucks*
5. STORAGE OF WOOD CHIPS, LOGS AND BRUSH WHICH WILL BE REMOVED PERIODICALLY FOR BIOMASS.
6. OPERATE GREATER PORTLAND DUMPSTER RENTALS, LLC OUT OF THE GRAVEL PIT PORTION OF THE LOT. THIS WILL INCLUDE PARKING OUR HOOKLIFT ROLL OFF TRUCK AND EMPTY ROLLOFF CONSTRUCTION CONTAINERS. *No more 20 containers at one t.*
7. ~~BUILD A 40' X 60' METAL BUILDING AND INSTALL A WELL, SEPTIC SYSTEM AND POWER FOR A PERMANENT OFFICE & GARAGE.~~
8. WE WILL USE THE SPUR ROAD ENTRANCE OFF BRIDGTON ROAD TO COME AND GO FROM THE SITE TO MINIMIZE OUR VEHICLE MOVEMENT THROUGH THE CARL BURNELL ENTRANCE.
9. SPLIT OFF AND SELL 1 HOUSE LOT FROM THE PORTION OF THE PROPERTY WITH THE DRIVEWAY THAT HAS ALREADY BEEN PERMITTED AND INSTALLED.
10. INSTALL POWER POLES DOWN CARL BURNELL ROAD TO THE HOUSE LOT.
11. ADDITIONAL PARKING IN GRAVEL PIT AREA FOR DISC GOLF TOURNAMENTS AND EVENTS.



*No servicing of vehicles  
no storage of vehicles not owned by TW Ent*

*No impermeable surfaces*

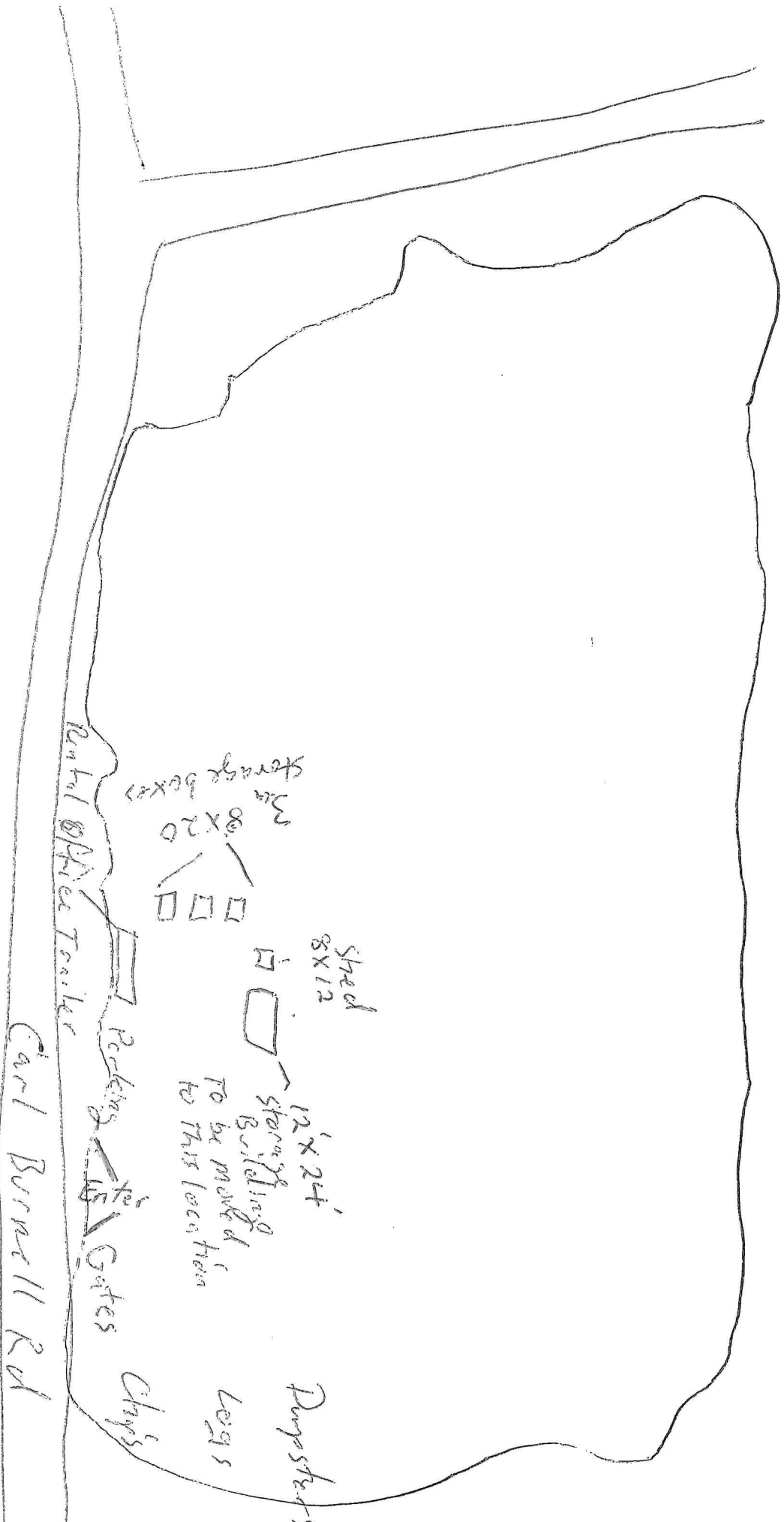
*No water or sewer  
All lighting will be focused inward and down*



|    |             |           |    |    |
|----|-------------|-----------|----|----|
| 30 | DATE        | 3/10/20   | BY | JM |
| 30 | DESCRIPTION | REVISIONS |    |    |
| 30 | DATE        | 3/10/20   | BY | JM |
| 30 | DESCRIPTION | REVISIONS |    |    |

|             |                              |
|-------------|------------------------------|
| PROJECT NO. | 08441C                       |
| DATE        | 3/10/20                      |
| BY          | JM                           |
| SCALE       | AS SHOWN                     |
| TITLE       | Map 3, Lot B Gildwin, Me.    |
| COMPANY     | GE DIELECTRIC COMMUNICATIONS |

| REV | DESCRIPTION | DATE |
|-----|-------------|------|
|     |             |      |



Gravel Pit

Carl Burnett Rd Baldwin

Town of Baldwin Planning Board

**STANDARD CONDITIONS**

for Conditional Use Permit

- 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 extended 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.

**APPENDIX B**

CORRESPONDENCE OF GLENDALE SOLAR DATED MAY 8, 2024  
SUBMITTED TO THE PLANNING BOARD ON MAY 9, 2024  
BY JOSPEPH PEREIRA, SENIOR DIRECTOR FOR PROJECT DEVELOPMENT  
RELATIVE TO:  
ADDITIONAL ONE (1) YEAR EXTENSION TO GLENDALE SOLAR'S CUP

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Planning Board  
Town of Baldwin, Maine  
534 Pequawket Trail  
West Baldwin, ME 04091

May 8, 2024

Re: West Baldwin Solar Station, CUP Extension Request

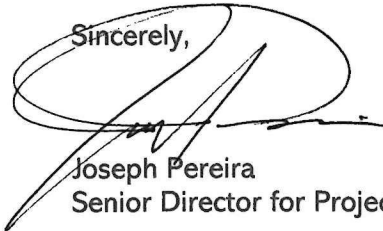
Dear Members of the Planning Board,

On February 23, 2023 your Board voted to allow a one-year extension of our Conditional Use Permit for the West Baldwin Solar Station. That same evening the Board voted to modify Condition 4 of the CUP to allow multiple additional one-year extensions if the Board finds reason for such an extension. That extension will expire on May 13, 2024. We are respectfully requesting an additional one-year extension to our CUP.

When we approached the Board in 2023 for an extension, we were waiting for our System Impact Study (SIS) from ISO New England That study has been run a total of three times in the last year, with the final version being presented to us in January of this year. Multiple versions of the SIS were necessitated to review various connection and routing alternatives to provide a point of interconnection that will allow the site to be brought online as designed. With an acceptable SIS in hand, we have been able to start negotiating the details of our Interconnection Agreement (IA) with CMP. The most recent negotiation call took place on May 8, 2024, with a follow up call scheduled for May 22. This timeline will allow us to sign our IA in July of this year.

The SIS did confirm that, for us to bring our project online, CMP needs to make substantial line improvements between substations in Bridgton and Lovell. We are working closely with their engineering group to define the schedule for this work. With a view of when the IA will be executed and a clear understanding of the CMP upgrade work, our firm intention is to start our construction early in 2025. We respectfully request a one-year CUP extension to May 13, 2025.

Sincerely,



Joseph Pereira  
Senior Director for Project Development

63 Federal Street  
Portland, ME 04101

3190 Washington Street  
Boston, MA 02130

[www.glenvale.solar](http://www.glenvale.solar)