

**Town of Baldwin, Maine
Planning Board
Meeting Minutes from June 12, 2025**

Board Members Present

Jo Pierce, Don Sharp, Merhiella Crawford, Mike Ustin, Matthew Fricker, David Strock (quorum established)

Also Present

Select Board members Bob Flint and Jim Dolloff. Members of the community.

Jo Pierce called the meeting to order at 7pm.

1. MEETING MINUTES

Minutes from the May22nd meeting were reviewed.

VOTE: Mike Ustin moved to accept the minute as written. Merhiella Crawford seconded. There was no discussion, and the motion passed unanimously.

2. HOUSEKEEPING

Jo Pierce announced his resignation as Chair of the Planning Board, effective immediately. He will continue to serve as a non-officer member of the board. Vice Chair David Strock will assume the role of Acting Chair until the board nominates and elects a new Chair. Mr. Strock stated that he does not wish to serve as Chair on a permanent basis and intends to remain as Vice Chair.

3. ROCCO LEO PETITION TO REZONE PROPERTY AT 271 BRIDGTON ROAD

Rocco Leo appeared before the board to request the removal of a portion of his 17-acre property at 271 Bridgton Road from the Resource Protection District. He explained that the current zoning restrictions limit the use of his land, contrary to his original intentions when purchasing the property.

Mr. Leo submitted a report from certified soil scientist Mark Hampton (attached), who concluded that the land in question is a forested wetland, not a wetland that meets the criteria for Resource Protection. The report further stated that the area lies outside the 250-foot buffer zone of any protected resource.

The board discussed the presence of a stream on the property and reviewed a map overlay (also attached) prepared by Don Sharp, which depicts the extent of the land currently zoned as Resource Protection. Mr. Sharp expressed disagreement with the soil scientist's findings, contending that the land *does* have wetlands and that the stream flows year-round.

Mr. Leo stated he is willing to maintain the Resource Protection designation along the stream area, including a 75-foot buffer on both sides, which would not interfere with his intended land use.

Board members David Strock and Matthew Fricker emphasized the need to respect the findings of a certified soil scientist. They noted that the board has not previously contested such expert reports and that maintaining consistency is important. Since Mr. Leo has complied with all requirements under the ordinance, they asserted that the board should accept the findings.

Findings of Fact (Presented by Acting Chair David Strock):

- Rocco Leo petitioned the Planning Board regarding the zoning of a 17-acre parcel at 271 Bridgton Road in East Baldwin, asserting that part of the land is incorrectly classified under the Resource Protection District.
- Mr. Leo submitted a wetland and stream delineation report from certified wetland and soil scientist Mark Hampton, as required by the Shoreland Zoning Ordinance.
- The report concluded that the area in question does not meet the definition of a wetland under the Maine Mandatory Shoreland Zoning Act or Section 10 of Baldwin's Shoreland Zoning Ordinance.
- Based on these findings, the area does not qualify for Resource Protection and should be rezoned accordingly.

VOTE: David Strock moved to accept the findings of fact. Jo Pierce seconded. The board briefly discussed Don Sharp's mapping capabilities and their usefulness for future district map updates. The vote passed 4-1. (Don Sharpe opposed.)

VOTE: Matthew Fricker moved to approve Mr. Leo's request to remove the identified portion of the property from Resource Protection, based on the findings of the certified soil scientist. Jo Pierce seconded. The vote passed 4-1. (Don Sharp opposed.)

4. PIGEON BROOK ROAD SUBDIVISION

Jo Pierce presented an email from property owner Andrew Porter (attached), along with a copy of a \$3,775 application fee check (also attached). Mr. Porter is proposing a subdivision on a 175-acre parcel on Pigeon Brook Road (Map 5, Lot 44A).

Jamie Garland of Maine-Land Consultants, representing Mr. Porter, provided an overview of the project's progress to date. He requested that the board waive the \$15,000 escrow requirement typically used to cover the cost of any consultants the board may need to hire.

The board agreed to postpone a decision on the escrow waiver and any related matters until after the scheduled site walk.

Site Walk Details:

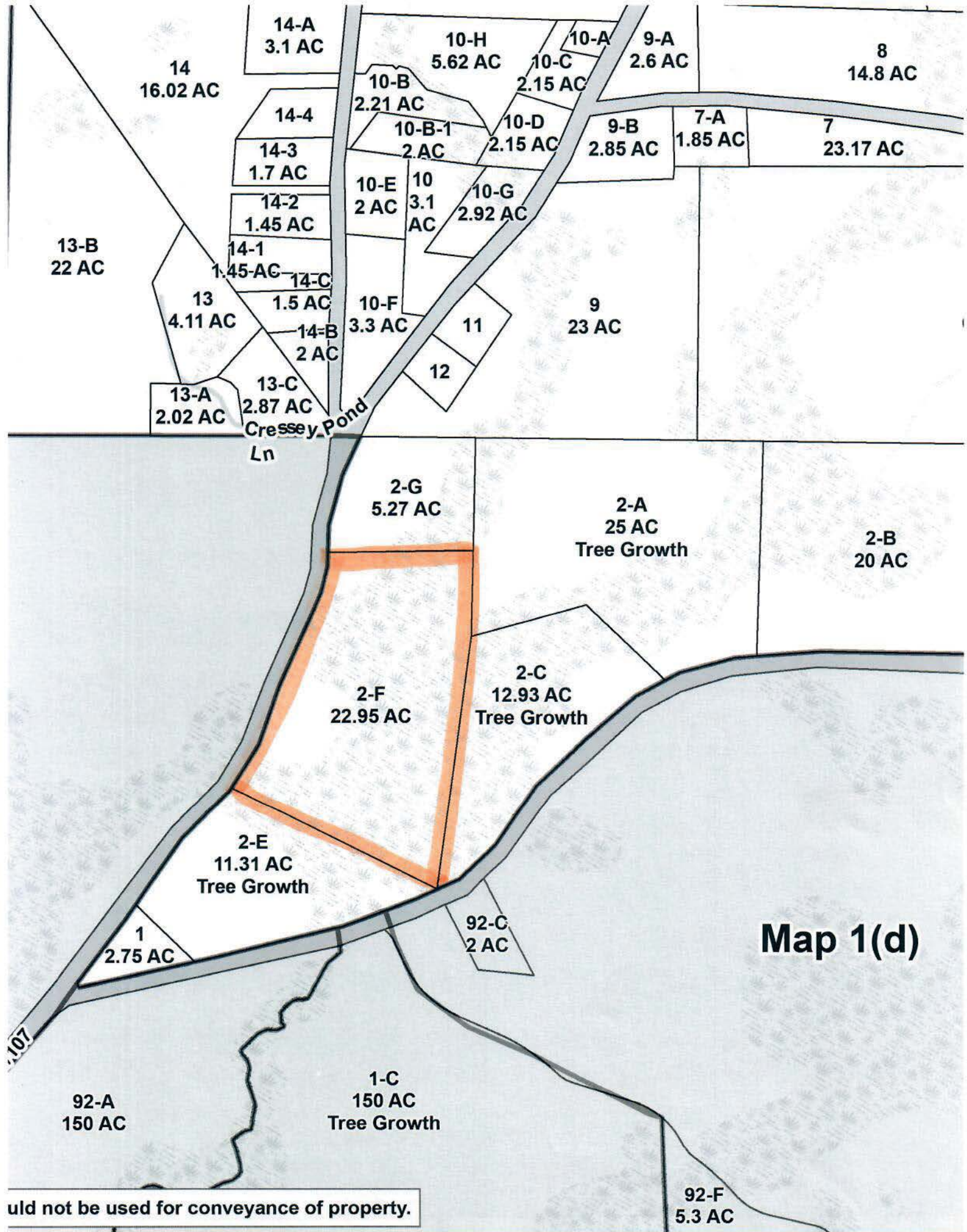
Date & Time: Saturday, June 28 at 9:00 a.m.

Public Notice: To be posted in the Shoppers Guide at least 10 days in advance, on the Town of Baldwin website, and in letters mailed to abutters. Additionally, Mr. Porter's preliminary application will be posted on the Baldwin website.

VOTE: At 8:05, Mike Ustin moved to adjourn. Merhiella Crawford seconded. There was no discussion, and the motion passed unanimously.

Attachment A

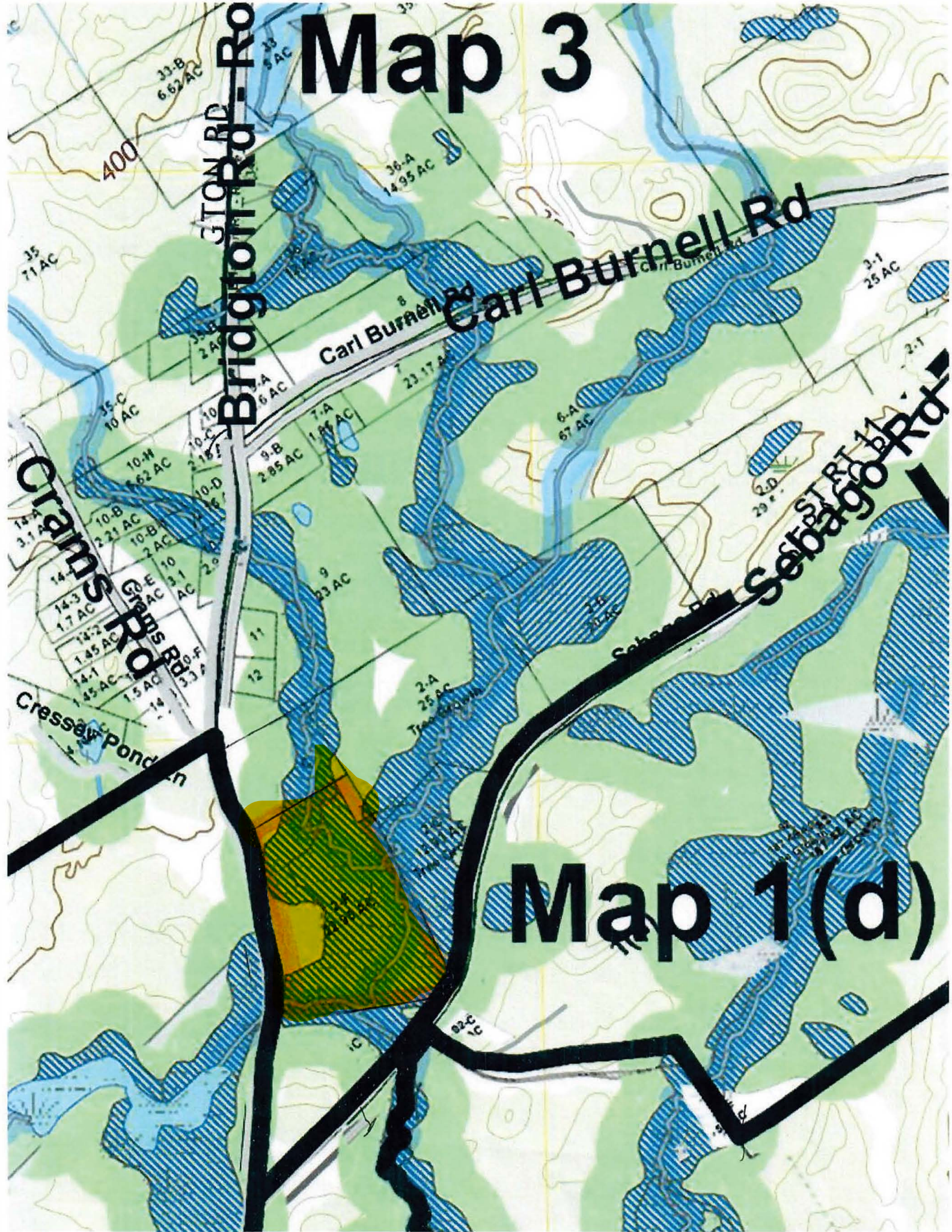
Site map defining Rocco Leo's property at 271 Bridgton Road



Attachment B

***Map created by Don Sharp to overlay the current
Baldwin Resource Protection areas onto Mr. Leo's property***

Map 3



Map 1(d)

Attachment C

*Letter from certified soil scientist Mark Hampton
delineating forested wetlands on Rocco Leo's property*



MARK HAMPTON ASSOCIATES, INC.

SOIL EVALUATION • WETLAND DELINEATIONS • SOIL SURVEYS • WETLAND PERMITTING

8315

June 3, 2025

Mr. Rocco Leo
271 Bridgton Road
East Baldwin, ME 04024

Re: Wetland delineation, 17-acre parcel 271 Bridgton Road East Baldwin, ME

Dear Rocco,

I have completed a field evaluation of a delineation of wetlands previously completed on your approximately 17-acre portion of a parcel located at 271 Bridgton Road East Baldwin, Maine. The wetland delineation was completed in accordance with the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual for the Northcentral and Northeast Regions dated January 2012. These manuals require the presence of three parameters for a wetland to be present, wetland hydrology, hydrophytic vegetation, and hydric soils. The wetland I found on the parcel matches the wetlands shown on the attached plan

The wetlands delineated on the parcel are forested wetlands. There is a stream on the parcel. The wetlands located within 25 feet of the stream meet the definition of wetlands of special significance as defined by the Maine Department of Environmental Protection.

Pertaining specifically to the Town of Baldwin Shoreland Zoning Ordinance, the wetlands delineated on and adjacent to this parcel are forested wetlands. The wetlands on the parcel do not meet the definition of freshwater wetlands, coastal wetlands or wetlands as defined in the shoreland zoning ordinance. As such, these wetlands do not meet the requirements of the resource protection of the shoreland zoning ordinance. The wetlands are not within a 250 feet buffer from any natural resource which meets the definition of the resource protection district. The stream located on the parcel will have a 75 feet horizontal distance, stream overlay district from the normal high-water mark of the stream in each direction. In almost all cases, on this property, the forested wetlands located adjacent to the stream extend greater than 75 feet from the stream. So, almost all upland areas on the 17-acre parcel will be suitable for development allowed under the Town of Baldwin Zoning Ordinance. This

property should not be in the Resource Protection District as outline by the Town of Baldwin Shoreland Zoning Ordinance.

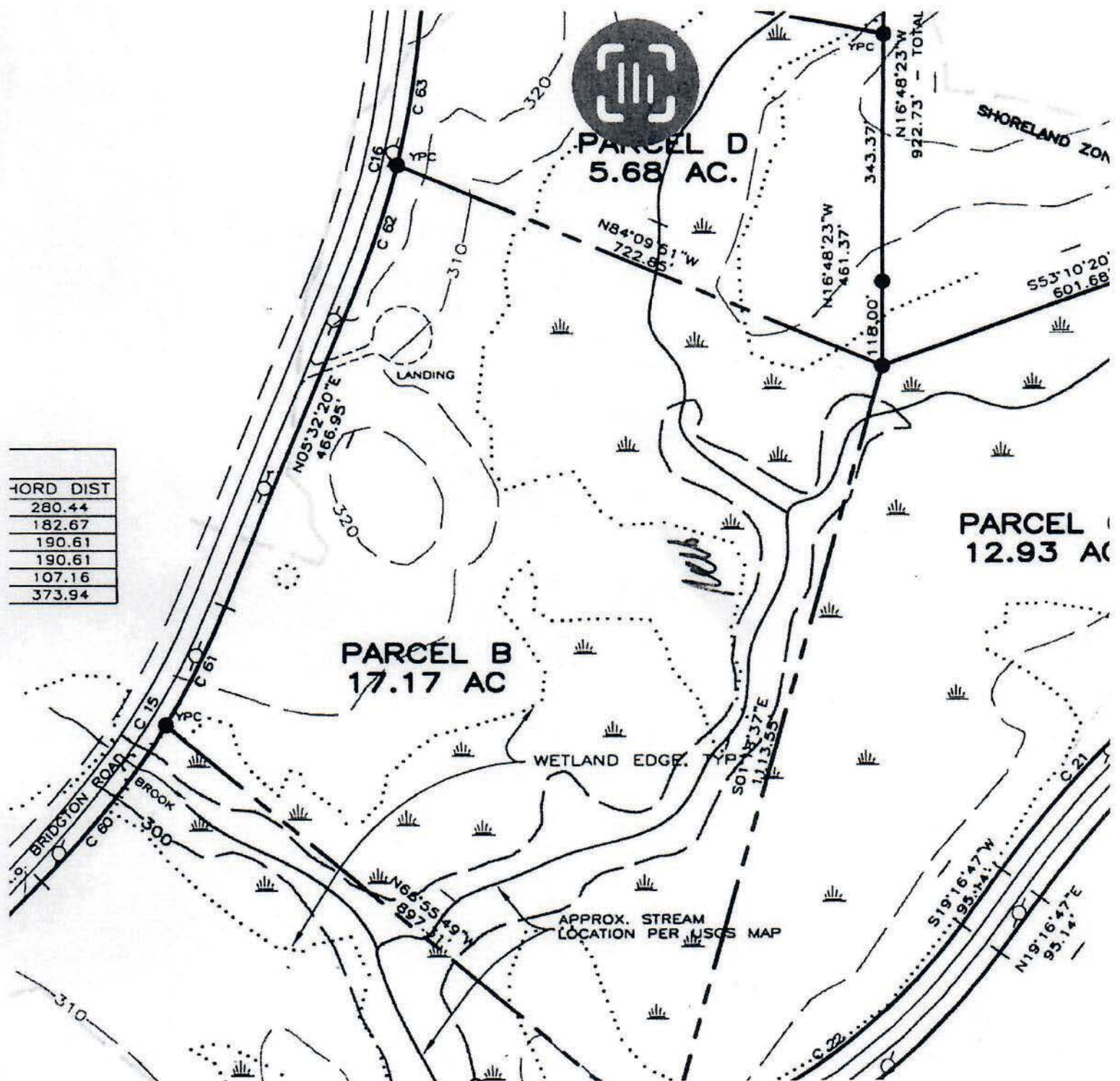
Sincerely,

A handwritten signature in black ink, appearing to read 'Mark J. Hampton', with a long horizontal flourish extending to the right.

Mark J. Hampton L.S.E., C.S.S.
Licensed Site Evaluator #263
Certified Soil Scientist #216

Enc.

CORD DIST
280.44
182.67
190.61
190.61
107.16
373.94



Attachment D

***Email from Andrew Porter to the Planning Board
regarding his proposed 7-lot subdivision on Pigeon Brook Road***

[REDACTED]

From: Josiah Pierce <unclejo@cpierce.com>
Sent: Wednesday, June 11, 2025 3:30 PM
To: C Markovich; Merhiella Crawford; Don Sharp; Matthew Fricker; guieddo sarduchi; David Strock
Subject: Fwd: Pigeon Brook Subdivision

Follow Up Flag: Follow up
Flag Status: Flagged

----- Forwarded message -----

From: Andrew Porter [REDACTED]
Date: Mon, Jun 9, 2025 at 12:14 PM
Subject: Pigeon Brook Subdivision
To: [REDACTED] <BaldwinmainePBchair@gmail.com>

Good Afternoon Jo and Planning Committee Members,

I hope you're doing well. My name is Andy Porter—we spoke on the phone a few months ago when I was under contract for the 152-acre property on Pigeon Brook Road in Baldwin. I appreciated your time and insight during that initial conversation; you were very helpful in answering my early questions about the subdivision process.

Following that discussion, I engaged Maine-Land Development Consultants to help guide the project, knowing their strong reputation in the state for subdivision planning. You had mentioned that this would be one of the first Major subdivision applications in town and that the process might be a learning opportunity for all involved. With that in mind, I wanted to ensure we were well-prepared and submitted complete professional documentation to make the review process as smooth, clear and transparent as possible.

From my conversations with Jamie, it sounds like we've provided all the required application materials up to this point. I recently watched the recording of the May 22nd Planning Board meeting and wanted to reach out directly ahead of the June 12th meeting to share a few key points and requests.

We've designed the subdivision plan to align with all of the town's requirements and while technically a "major subdivision" due to the number of tracts, it's a simple and straightforward proposal:

- No new roads are being proposed as part of the project.
- Each lot has over 200 feet of road frontage and access to electric at the street.
- All tracts are 3 acres or larger and have successful soil test completed for subsurface wastewater disposal systems, with clear building envelopes identified.
- The project does not require any Maine Department of Environmental Protection stormwater or Natural Resources permitting.
- Maine-Lands in-house geologist has provided a comprehensive study on wells in the surrounding area to illustrate more than adequate groundwater for seven residential properties.

We've invested over \$50,000 with Maine-Land Consultants, in addition to the \$3,000+ application fee, to ensure that all of the information required by the Town has been submitted in a format that will allow the planning board to make a determination based on the current subdivision ordinance. Given this, I respectfully request that any additional fees for third-party consultants be waived, as our submission already includes detailed, engineer-stamped plans and data.

I'm also hoping we can move forward efficiently. We'd greatly appreciate scheduling a site visit as soon as possible following the June 12th meeting, and, assuming everything is in order, getting on the agenda for final approval at the following Planning Board meeting.

As I shared with you previously, our intention is to convey these tracts to close family members (my parents, brother, in-laws, and cousin) to create a family camp or compound—a long-term, multigenerational place for us all to enjoy the beauty of rural Maine. We're excited to get started and would love to shift our focus from the application process to enjoying the land this Summer when we move back to Portland.

Thanks again for your partnership and support throughout this process. I'm looking forward to connecting in person soon. In the meantime, don't hesitate to reach out with any questions or if you need anything further from our team.

Sincerely,

Andy Porter

Attachment D

***A copy of Mr. Porter's check payable to the town as an application fee
to accompany his submission of a preliminary subdivision application***

PORTER LANE PROPERTIES LLC

1128

35-2/1130 TX
17818

5/13/05

Date

Pay To The
Order Of

Town of Baldwin

\$ 3,775.00

Thirty Seven Hundred Seventy Five + 00/100 Dollars

BANK OF AMERICA



For

Pigeon Brook Rd Subdivision

Andy Porter

Harland Clarke