

Baldwin Planning Board

Meeting Minutes

May 11, 2017

I. Public Hearing – Devin and Ryan Mills Daycare Center CUP

A public hearing was held at 7:00 PM, 5/11/2017 regarding the CUP for an in-home daycare center to be operated by Devin and Ryan Mills at 12 Marston Pond Road. There were no comments or questions by the public.

II. Call to order

Jo Pierce called to order the regular meeting of the Baldwin Planning Board at 7:04 PM on May 11, 2017 at The Baldwin Town Hall.

Matt Fricker conducted a roll call. The following persons were present: Planning Board Members- Jo Pierce, Nichol Ernst, Matt Fricker; Selectmen- Jeff Sanborn, Dwight Warren; CEO- Wes Sunderland. Baldwin residents- Jim Dolloff, Devin & Ryan Mills. Cindy and Rodney Sargent.

III. Approval of minutes from last meeting

Matt Fricker read the minutes from the meetings of 1/12/2017 and 4/27/2017. The minutes were unanimously approved as read.

IV. Open issues

- a) Devin & Ryan Mills Daycare Center CUP – Conditions for CUP were reviewed. CUP unanimously approved and signed (attached).
- b) D & D Oil – No representatives of D&D Oil were present. No revised CUP was received, as requested at prior meeting. Wes has a copy of the curb cut permit (Maine DOT Driveway/Entrance Permit – approved 5/3/16)
- c) Nature's Wilderness – No representatives of nature's Wilderness were present.
 - Baldwin residents Cindy and Rodney Sargent stated that they have seen construction-related activity at Nature's Wilderness (2 excavators, 10 culverts, truckloads of lumber, cement trucks going in and out, etc.)
 - Wes Sunderland indicated that Scott Efron mentioned doing work to improve Marston Rd, but he had not talked to Brian Anderson, Road

Commissioner, about it. Wes spoke with Brian and told the Planning Board that Brian said having Nature's Wilderness work on Marston Road was fine with him and that it would save the town money. Wes indicated he would draft up a statement/letter of agreement to describe what work would be done and arrange to have Brian observe and approve the work. The Planning Board noted that the Town is responsible for doing work on Town roads, and that there is still a "stop work order" active against Nature's Wilderness. Jo Pierce noted that there may be liability issues for the Town with such an arrangement and that the Town should have legal counsel review the situation.

V. New business – No new business.

VI. Adjournment

Jo Pierce adjourned the meeting at 7:35 PM.

Minutes submitted by: Matt Fricker



Town of Baldwin

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

Date Application Received: 13 April 2017
Received by: N. BLAKE
Fee Paid: \$150.00

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: Devin Mills
RYAN MILLS
2. Applicant's Mailing Address: 12 Marston Rd
West Baldwin, Maine 04091
3. Phone number where applicant can be reached during business hours. 207-838-3175
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 your interest in the property and attach written evidence of this interest.
Spouse of owner of
property.

6. Property Owner's Name

Ryan Mills

7. Property Owner's Address

12 Marston Rd

W. Baldwin, ME 04091

8. Location of property for
Which the permit is sought?

12 Marston Rd, W. Baldwin, ME

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

Map 007 Lot 021-A

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.

6.3 DAYCARE CENTER OR NURSERY SCHOOL

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.

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.

5:30 AM - 7 PM NEW

12 CHILDREN

Description/Purpose:

To operate an in-home daycare at 12 Marston Road. Hours of operation will be Monday thru Friday from 5:30am - 7:00pm. A maximum of 12 children will be in the home at one time. The ages of the children will range from 8 weeks to 12 years old. Applicant will provide children with each meal they are present for (breakfast, lunch, and snack). Applicant will provide constant supervision to children during hours of operation. Children will participate in play time outside in applicant's yard when weather permits, and activities that promote learning and/or stimulation. Children will be dropped off and picked up by parents or authorized parties. **MAXIMUM ONE EMPLOYEE**

EXCEPT FOR THE OWNER.

No sign over 20sq ft.

Applicant must obey all state, federal + local laws

Any outdoor lighting shall be focused in towards
the property & downwards

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 _____, 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.

<u>Ryan Mills</u>	4/7/17 ^{DM}
Signature of Applicant	Date
<u>Ryan Mills</u>	4-7-17 ^{RM}
Signature of Applicant	Date

2 PD Fee \$150 [Signature]

For Planning Board Use Only

Date Received by Baldwin Planning Board:

13 APRIL 2017

Received by:

N. BLAKE

Public Hearing Date:

11 MAY 2017

~~27 APRIL 2017~~

Conditional Use Permit Application of:

Permit Denied (date):

Explanation of Denial:

Permit Approved (date):

5/11/17

Conditions to Permit if any,

No sign over 20 sq. ft.

Applicant must obey all state, federal & local laws.

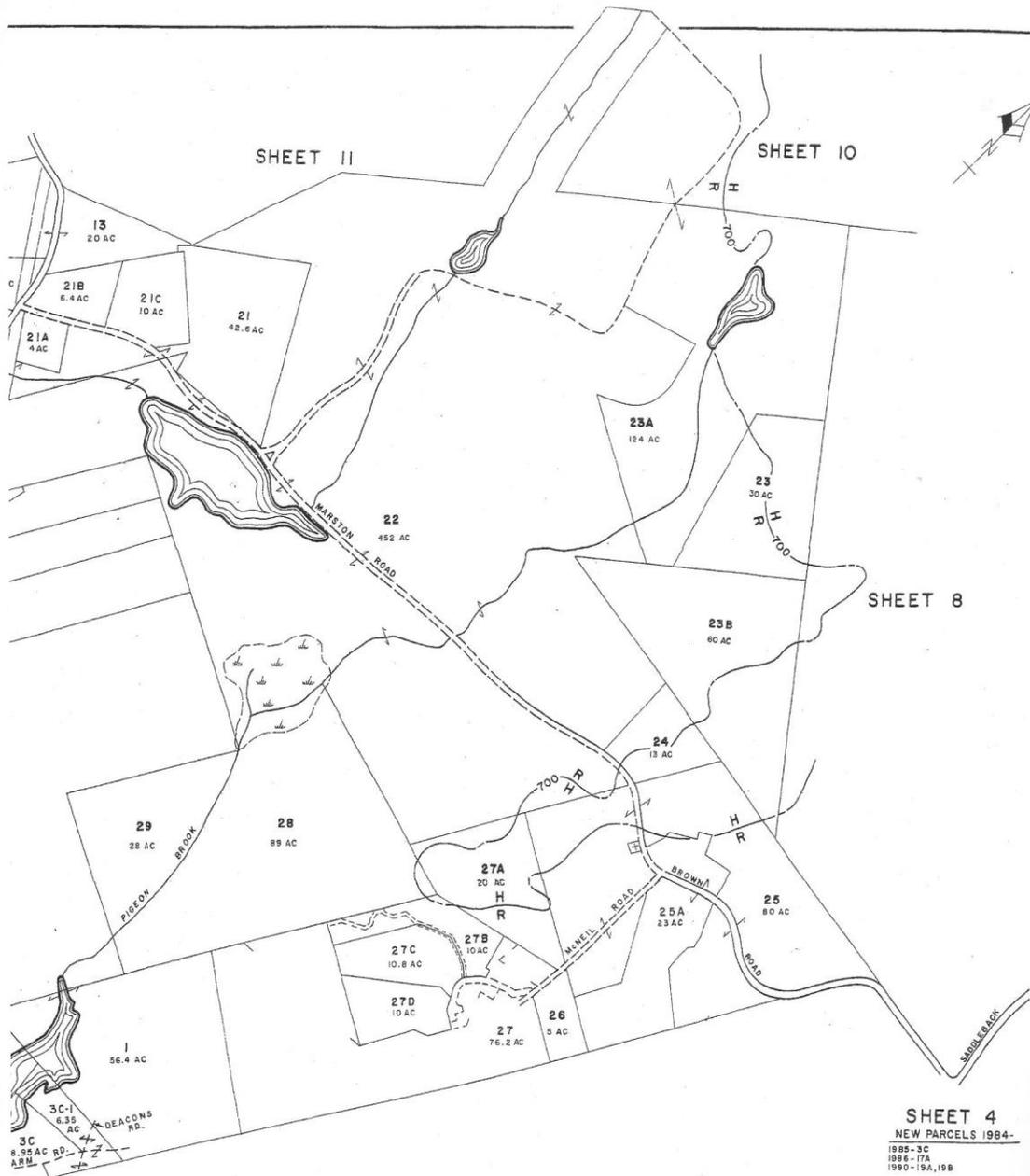
On floor lighting shall be focused inward toward the property + downward

boards permit



Markus Lind

PLANNING AND DESIGN SERVICES, INC. 10000 W. 10TH AVENUE, SUITE 100, DENVER, CO 80202
TEL: 303-751-1000 FAX: 303-751-1001
WWW.PDS-CO.COM
THIS PLAN IS THE PROPERTY OF PLANNING AND DESIGN SERVICES, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF PLANNING AND DESIGN SERVICES, INC.
DATE: 10/15/98
DRAWN BY: J. H. HARRIS
CHECKED BY: J. H. HARRIS
SCALE: AS SHOWN
SHEET NO. 4 OF 4



SHEET 4
NEW PARCELS 1984-
1985-3C
1986-17A
1980-19A,19B

SHEET 5

WARRANTY DEED
Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS, That

Douglas Flint and Dawn Flint

of 12 Marston Road, West Baldwin, ME 04091

for consideration paid, grant to **Ryan M. Mills**

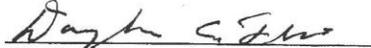
of 226 Chase Road, Parsonsfield, ME 04047

with **warranty covenants**, the land in Baldwin, County of Cumberland, and State of Maine, described on the attached **EXHIBIT A**.

WITNESS our/my hand(s) and seal(s) this 25th day of February, 2010.

*Signed, Sealed and Delivered in
presence of:*


_____ *to both* _____


_____ Douglas Flint


_____ Dawn Flint

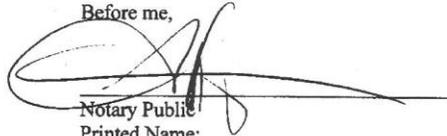
STATE OF MAINE

February 25, 2010

COUNTY OF Cumberland

Then personally appeared the above named Douglas Flint and Dawn Flint and acknowledged the foregoing instrument to be his/her/their free act and deed.

Before me,



Notary Public

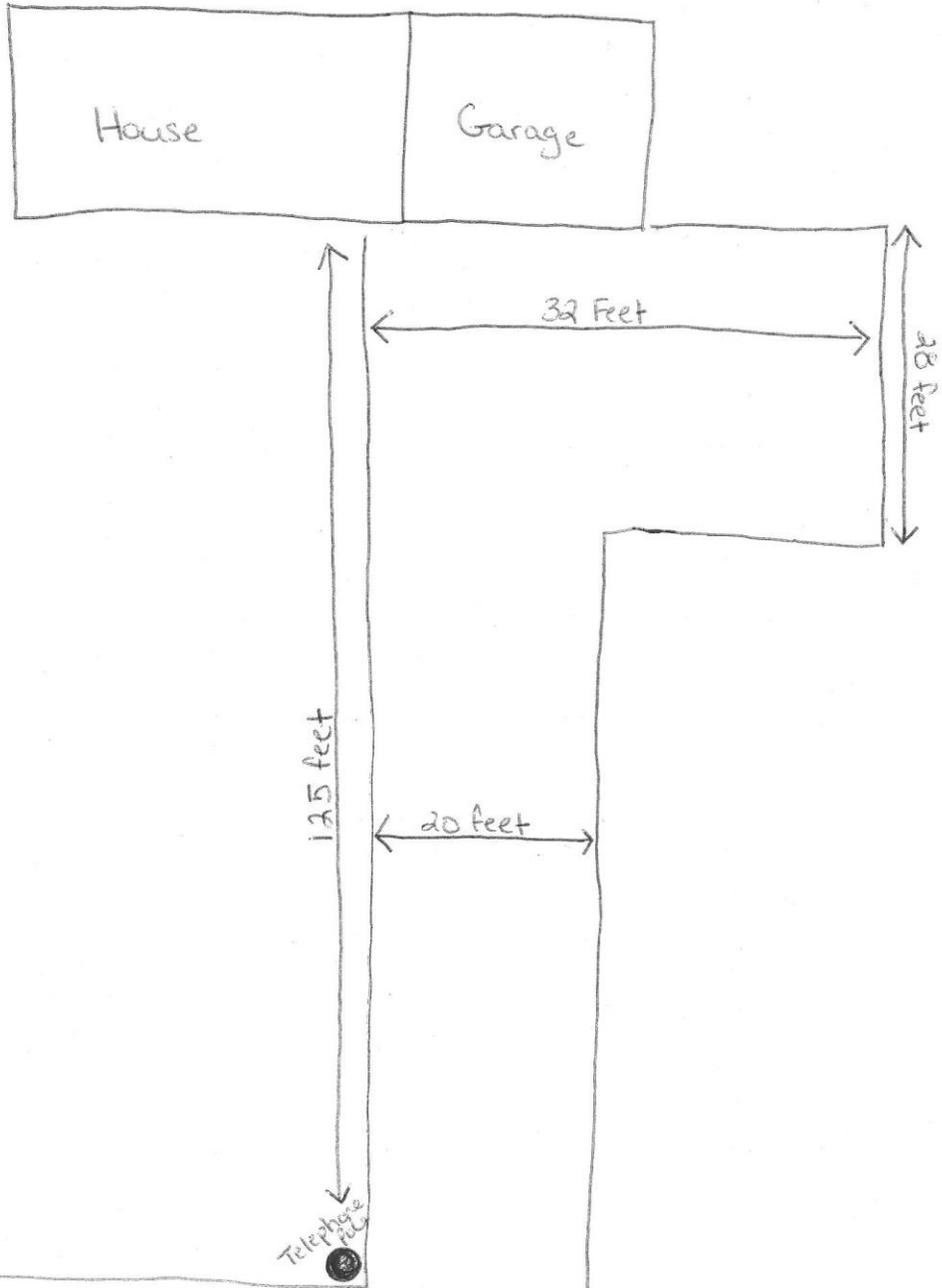
Printed Name: _____

My Commission Expires: _____

Theresa L. Pinkham
Notary Public, Maine
My Commission Expires October 5, 2010

MAINE REAL ESTATE TAX PAID

12 Marston Road



Marston Rd

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