

Baldwin Planning Board

Meeting Minutes 2/28/2019

I. Call to Order

Pierce called the meeting to order at 7pm as chairman Strock was tardy

II. Roll Call

Jo Pierce, Nichol Ernst, David Strock (arrived late) Selectmen Dwight Warren and Jeff Sanborn, Jim Doloff. CEO West Sunderland

III. Reading of the Minutes From Last Meeting

Minutes read by Ernst from 2/14 meeting. Sanborn made a motion to approve as read, Pierce seconded. Voted unanimously.

IV. Open Business

1. Bond received for Wayne Fuller gravel pit CUP from Sunderland. Planning board discussed what to do with bond. Agreed to give back to Sunderland to give to Town Clerk.
2. Confirmation of Board members' thorough review of FAQs regarding Maine's FOAA (provided in prior 2/7/19 email); Pierce stated that he has thoroughly read the FOAA FAQ's.
3. Discussion of Board's role/activities at Town Meeting. Talk about a board member speaking at the Town meeting. Pierce volunteered. Discussed thanking Miner and Blake for their time and service.
4. Nature's Wilderness (Gerry Brown and Jon Witten present) - discussion with Lee Jay Feldman and Applicant's Representatives. Reviewed questions/comments from Lee Feldman and Southern Maine Planning and Development Commission (SMPDC). Feldman discussed some of his concerns (see attached documents as Feldman's concerns are outlined with responses from Witten and Brown in a separate document). Strock asked about designating a section of a lot for this project and did applicant need to designate the entire lot versus a section of the lot. Feldman stated that he considered the application for the entire lot. Feldman recommended that a normal type of condition is for an owner to come back for approval for any expansion. Pierce raised question of things being done at the site prior to town approval and some issues of mistrust exist. Pierce brought up a foundation that was poured. Brown stated that the foundation was removed. Pierce brought up a snowmobile race that was described as a "gathering" and needing to include in this discussion addressing "gatherings". Pierce also brought up complaints from neighbors to this regard. Feldman stated that if an individual does not follow a condition, or does something outside of what is written in the

application it becomes an enforcement issue. Pierce asked for advisement on how to enforce from a legal perspective. Feldman stated that the planning board can condition the applicant. It is up to the CEO to inform the applicant to stop non-permitted activity and then the CEO can call the sheriff and the sheriff can shut down an activity.

Additional discussion re: parking per site and concerns as it related to a traffic study as well as emergency access.

Additional discussion regarding trash and wildlife. Discussion of dust and mud on Marston's road. Brown stated that they have a written agreement with the landowners on the road. Pierce asked for a copy. Brown stated he would supply it. Pierce asked about the agreement between Nature's Wilderness and the town in regards to the road. Selectmen stated that there is not a bond in place as the applicant has not yet provided it. Strock stated that an agreement with the town regarding the road will likely need to be in place in order to approve the permit. Brown stated the fire chief not yet reviewing the site is on his end, not a result of the fire chief not following through.

Feldman discussed that the DOT will have a "scoping meeting" at some point to discuss impact on 113. Feldman stated that this meeting would be public and would likely occur at the DOT Scarborough office. Strock requested that the board be informed when this meeting is going to take place. Discussion ensued regarding RV's and campers trying to leave in case of fire. Brown and the fire chief will discuss and develop an emergency plan. Discussion regarding grading and that the applicant needs to meet Article 11 Section 11.1.B, the applicant has already graded more than 2 acres within a five-year period and more grading will be required to complete the project. Discussion regarding what will be required to have a complete application. Discussed revisions being made to the plan and sharing with Feldman. Discussed the challenge of a site walk and snow on the ground.

Matt Sanborn asked about hours allowed for visitors and asked that it be made clear in the application. Pierce brought up the suggestion that we consider procedural conditions for any addition gatherings or activities that are not expressly in the permit. Feldman stated that he would draft a recommended condition. Discussion regarding whether the application is one lot, or contiguous lots owned by the same owner. Strock brought up David Laurie's recommendation that the board consider this project as one lot regardless of ownership of contiguous lots. Discussed having revised permit for the March 28th meeting. Strock requested that the applicant be ready to address the top 20 changes to the application at the 3/28 meeting.

V. Adjournment

Strock motion to adjourn, Sanborn seconded. Meeting adjourned at 8:09pm.

Submitted by: Nichol Ernst