

**Town of Baldwin, Maine**  
**Planning Board**  
**Meeting Minutes from February 27, 2025**

**Board Members Present**

Jo Pierce, Merhiella Crawford, Mike Ustin, Don Sharp (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 February 13<sup>th</sup> meeting were reviewed and approved.

***VOTE: Mike Ustin moved to accept the minutes without change. Merhiella Crawford seconded. There was no discussion, and the motion passed unanimously.***

**2. DISCUSSION OF NATASHA RUSSELL'S PROPERTY ZONING**

Natasha Russell presented a revised assessment package from the wetland scientist, which is included with these minutes as Attachment A. After reviewing the package and confirming that it addressed the questions the Planning Board raised at the February 13<sup>th</sup> meeting, Mr. Pierce declared that Ms. Russell's property meets the criteria for forested wetlands, which the Planning Board can exclude from the Resource Protection Zone.

***VOTE: Mike Ustin moved for the Planning Board to accept the wetland scientist's assessment of Ms. Russell's property, and to approve Ms. Russell's appeal to rezone her property from the Resource Protection District to the Rural District, thus making her lot eligible for building. Merhiella Crawford seconded. There was no discussion, and the motion passed.***

**3. JAMIE GARLAND, PROJECT MANAGER REPRESENTING MAIN-LAND**

Mr. Pierce introduced Jamie Garland, a project manager from Main-Land Development Consultants, who was representing his client, Andrew Porter. Mr. Garland was present to present Mr. Porter's concept for a housing subdivision project off Pidgeon Brook Road and to gauge the Planning Board's initial reactions to the project.

The concept is in the early stages. Mr. Porter is considering purchasing a 152-acre lot between Pidgeon Brook Road and the Saco River, near Kelly Brook. He intends to subdivide the parcel into seven or eight house lots. Mr. Pierce stated that a project of that size would be considered a Major Subdivision under Baldwin's Subdivision Ordinance, Article 3: Definitions, and, as a result, would be subject to the Major Subdivision requirements outlined in Article 7 of that ordinance. Mr. Garland concurred and then posed several questions:

- ***Would the town consider waiving the 3:1 ratio, which requires 1 foot of road frontage for every 3 feet of property depth?*** Mr. Garland explained that one of the proposed lots is quite deep but does not have the required road frontage. Mr. Pierce responded that if a private road was built leading into the development, the 3:1 ratio would not apply.
- ***Would a driveway be considered a Structure if it were in the Resource Protection Zone?*** Mr. Pierce answered, "No."
- ***Would high-intensity soil testing be required for a lot that is mostly wetlands?*** Don Sharp responded that the Planning Board would need to see the building envelope and soils map before making that decision.
- ***Would a hydrological assessment be required?*** Mr. Pierce stated that he did not believe so, as none of the lots would exceed the triggering requirement of more than one dwelling per 100,000 square feet, as defined by Subdivision Ordinance 7.2.D.23 (page 20, item 23).
- ***Would a wildlife biologist need to review the site?*** Mr. Pierce confirmed that this would be necessary and added that the site would also need to be reviewed by the Baldwin and Maine State Historical Societies.

Don Sharp asked if the Saco River Corridor would pose a challenge for the project, considering the setback requirements and flood zones. Mr. Garland stated that the setback was not expected to be an issue due to the planned placement of the homes. Mr. Sharp suggested that it might be a concern on Lot 7, particularly for septic placement, and asked if it would be possible to obtain the site map with the Shoreland Zoning overlay. Mr. Garland said that, if the project moves forward, a map with the overlay would be provided.

Mr. Pierce noted that a site walk would be required but could not take place until May or June due to weather and soggy footing. Mr. Garland agreed and stated that he would keep the Planning Board updated on the project's progress.

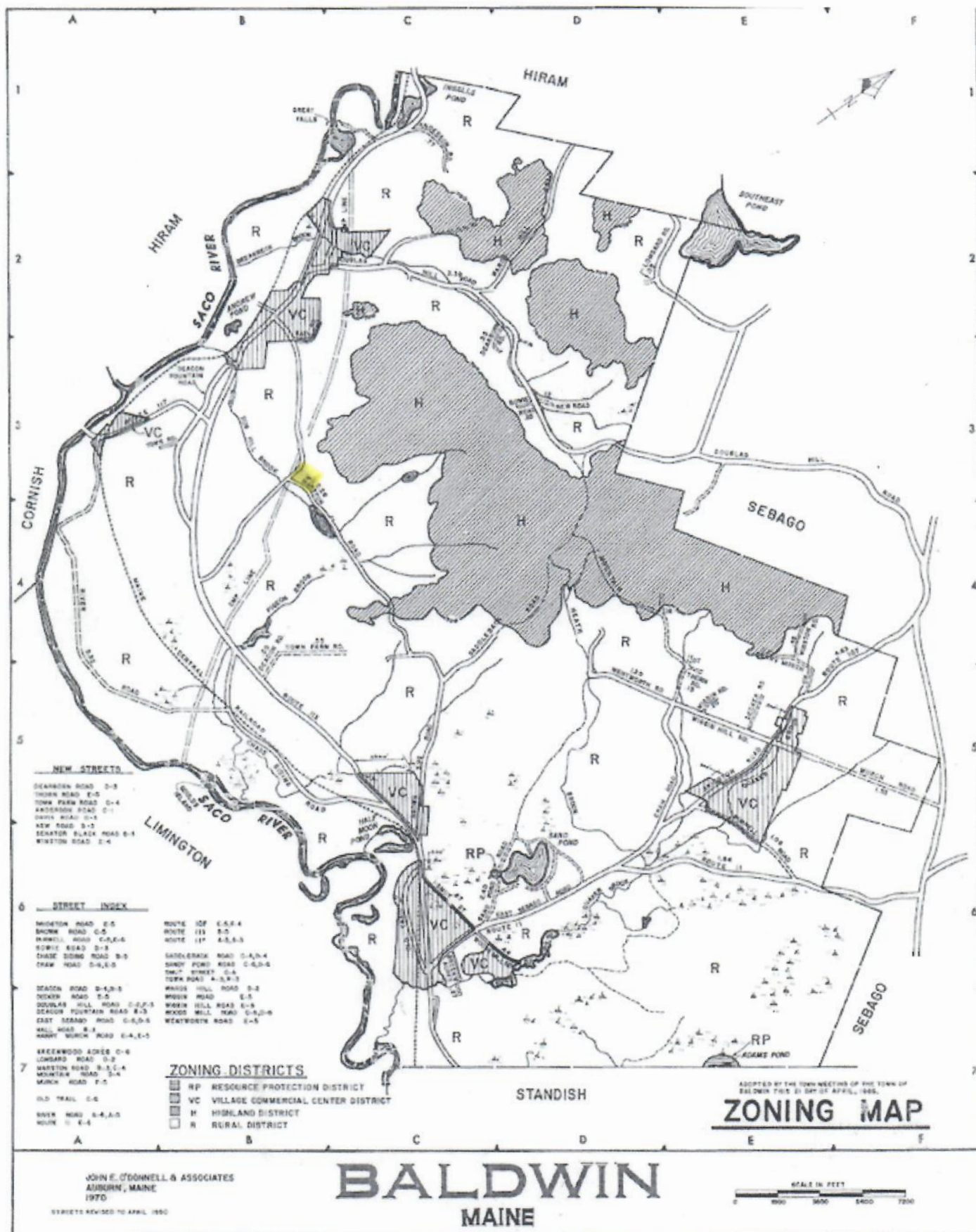
#### **4. CODE ENFORCEMENT PRESENTATION**

Baldwin's Code Enforcement Officers, Mike Lee and Cathy Green, were on the agenda to present plans to address issues with the town's Resource Protection Map. However, they were not in attendance. Select Board member Bob Flint shared that the CEOs were proposing to delineate Resource Protection Zones on the Resource Protection Map. Mr. Pierce expressed concerns about the CEOs working directly with the Select Board rather than through the Planning Board, as required. Select Board member Jim Dolloff supported these concerns.

***VOTE: At 7:25, Mike Ustin moved to adjourn. Merhiella Crawford seconded. There was no discussion, and the motion passed unanimously.***

**ATTACHMENT A**

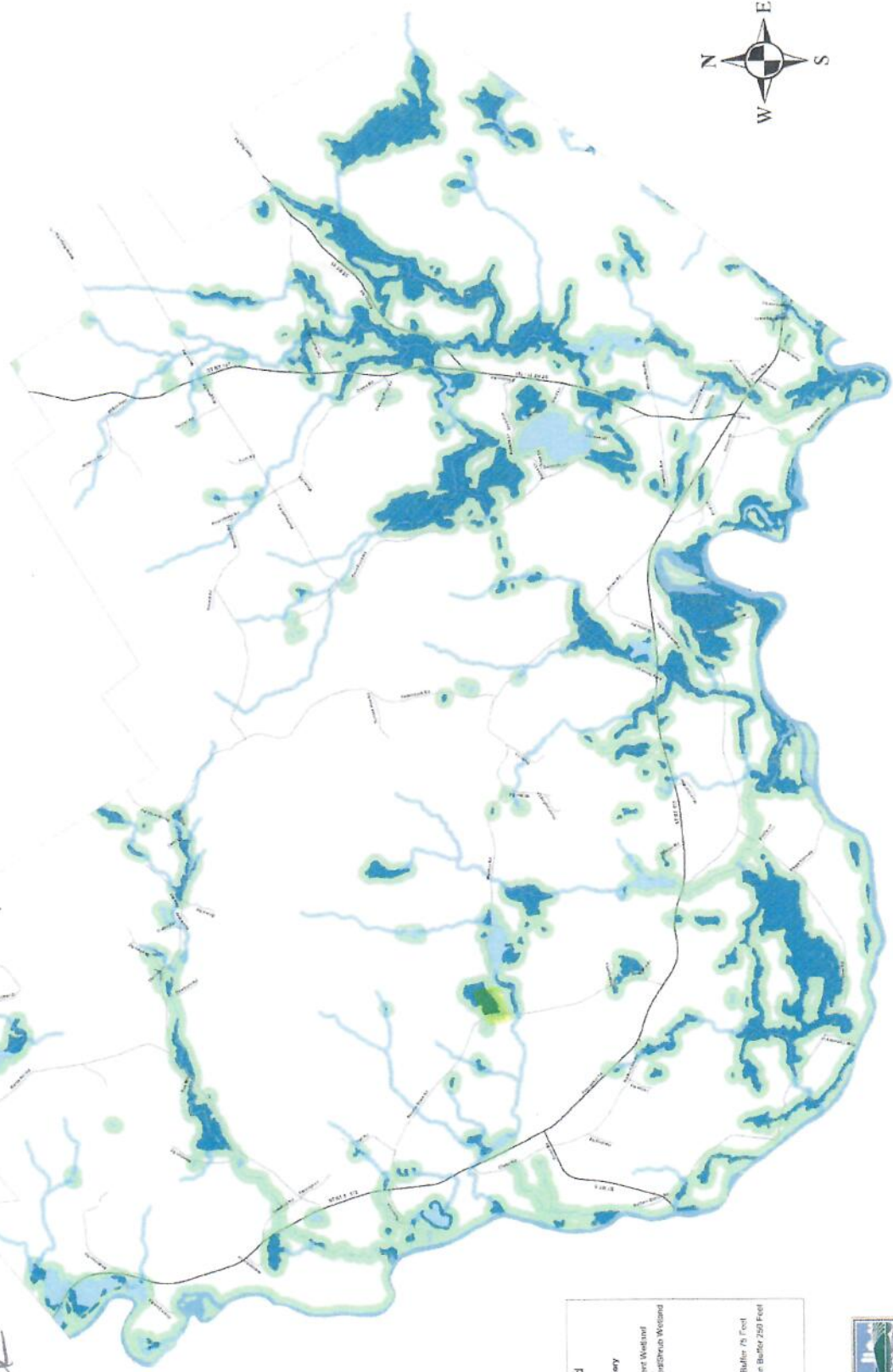
**Documents supporting Natasha Russell's zoning appeal**



Attested Copy from Feb. 8, 2024  
 Alvorah x Wakefield  
 Baldwin Town  
 Clerk

# Town of Baldwin Official Shoreland Zoning Map

This map depicts the current wetland and riparian areas of the Town of Baldwin. It shows all shorelands, details of the shoreline, zoning buffers, and boundaries should not be used to determine whether a property is zoned as shoreline.



**Legend**

- Town Boundary
- National Wetlands Inventory
- Wetland Type
  - Freshwater Emergent Wetland
  - Freshwater Forested/Shrub Wetland
  - Freshwater Pond
  - Lake
  - Other
  - Riverine
  - Stream Protection Buffer 75 Feet
  - Reservoir Protection Buffer 250 Feet
- State Highways
- Roads







MARK HAMPTON ASSOCIATES, INC.

SOIL EVALUATION • WETLAND DELINEATIONS • SOIL SURVEYS • WETLAND PERMITTING

7948

June 11, 2024

Ms. Natasha Russell  
20 Blackberry Lane  
Gorham ME 04038

Re: Preliminary soil evaluation, proposed 2-acre lot on Marston Road in Baldwin, ME

Dear Natasha,

I have completed a preliminary soil evaluation of the proposed 2-acre lot located on the corner of Marston Road and Senator Black Road in Baldwin, Maine. The soil evaluation was conducted in accordance with the Maine Subsurface Wastewater Disposal Rules dated August 2023, as amended. I evaluated two hand-excavated soil test pits on the lot. The soils found on the parcel are glacial till, with a limiting factor from 20 to 24 inches.

I was able to find suitable soil and area for a septic system on the lot. The soils as evaluated meet the minimum requirements of the Maine Wastewater Disposal Rules dated August 2023. A potential septic system for a 3-bedroom home could be a 20-unit Eljen Indrain system, 15' wide by 20' long, or a 20' by 45' stone and pipe bed. A subsurface wastewater disposal design can be prepared at a future date.

If you have any questions or require additional information, please contact me.

Sincerely,

Hope Hampton L.S.E.  
Licensed Site Evaluator #427

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Health & Human Services  
Division of Environmental Health  
(207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation

Street, Road, Subdivision

Owner's Name

Baldwin

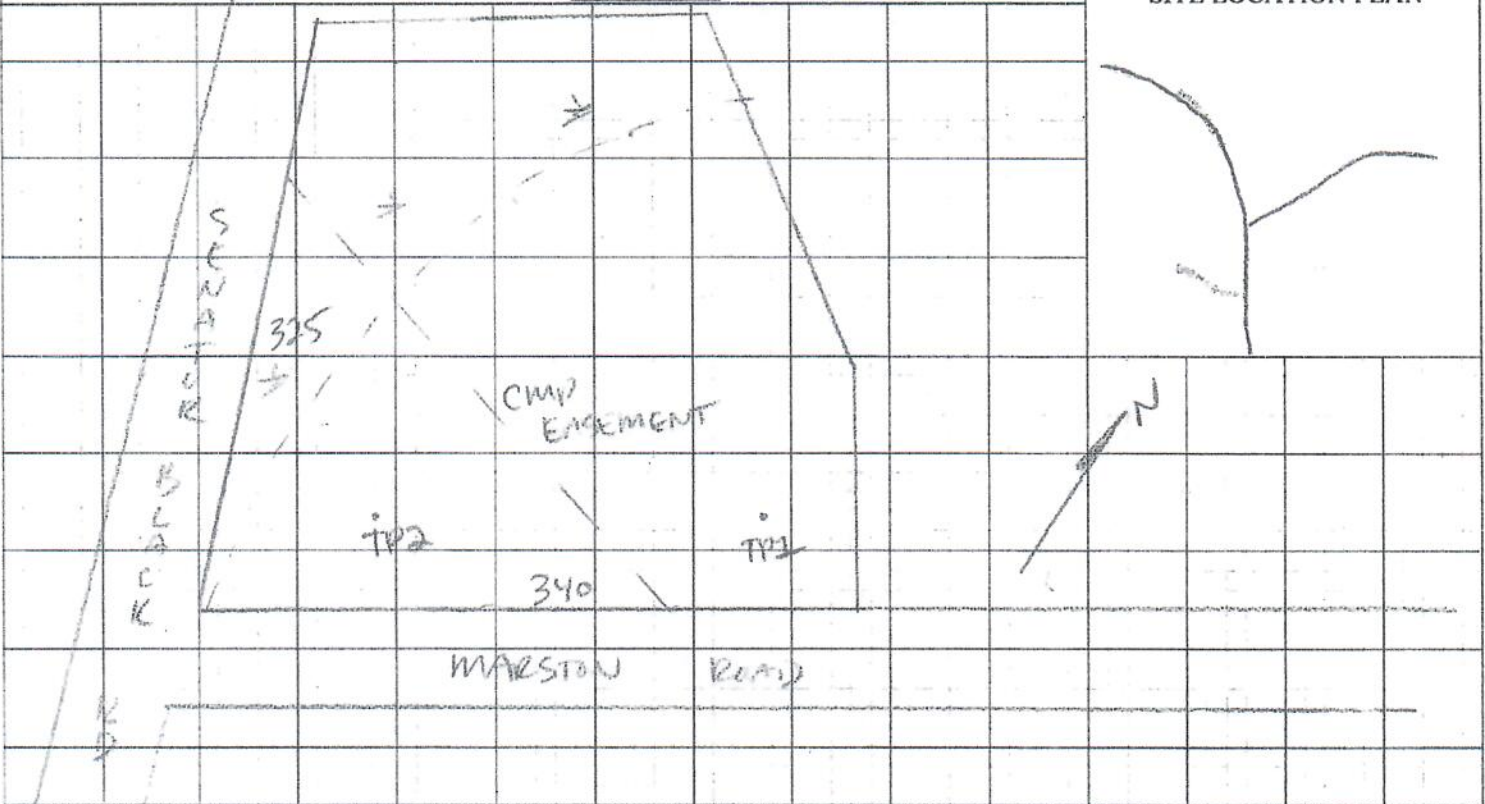
Marston Road

Natasha Russell

## SITE PLAN

Scale 1" = 100 ft. or as shown

## SITE LOCATION PLAN



## SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole TP1 ☒ Test Pit ☐ Boring  
" Depth of Organic Horizon Above Mineral Soil

Observation Hole TP2 ☒ Test Pit ☐ Boring  
" Depth of Organic Horizon Above Mineral Soil

	Texture	Consistency	Color	Mottling
0	Sandy Loam	Friable	Dark Brown	
10	Stony Fine Sandy Loam	Friable	Orange Brown	
20	Stony Fine Sandy Loam	Firm	Olive	Common and Distinct
30				
40				
50				

	Texture	Consistency	Color	Mottling
0	Sandy Loam	Friable	Dark Brown	
10	Stony Fine Sandy Loam	Friable	Orange Brown	
20	Stony Fine Sandy Loam	Firm	Olive	Common and Distinct
30				
40				
50				

Soil Classification	Slope	Limiting Factor	<input checked="" type="checkbox"/> Ground Water
3 C	4 %	24 "	<input checked="" type="checkbox"/> Restrictive Layer
Profile Condition			<input type="checkbox"/> Bedrock
			<input type="checkbox"/> Pit Depth

Soil Classification	Slope	Limiting Factor	<input checked="" type="checkbox"/> Ground Water
3 C	4 %	20 "	<input checked="" type="checkbox"/> Restrictive Layer
Profile Condition			<input type="checkbox"/> Bedrock
			<input type="checkbox"/> Pit Depth

*[Signature]*  
Site Evaluator Signature

427

SE #

6/11/24

Date





MARK HAMPTON ASSOCIATES, INC.

SOIL EVALUATION • WETLAND DELINEATIONS • SOIL SURVEYS • WETLAND PERMITTING

7948

January 20, 2025

Ms. Natasha Russell  
20 Blackberry Lane  
Gorham, ME 04038

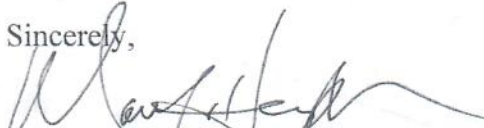
Re: Wetland delineation, 2-acre parcel Marston Road and Senator Black Road Baldwin, ME

Dear Natasha,

I have completed a delineation of wetlands on an approximately 2-acre portion of a parcel located at the corner of Senator Black Road and Marston Road 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.

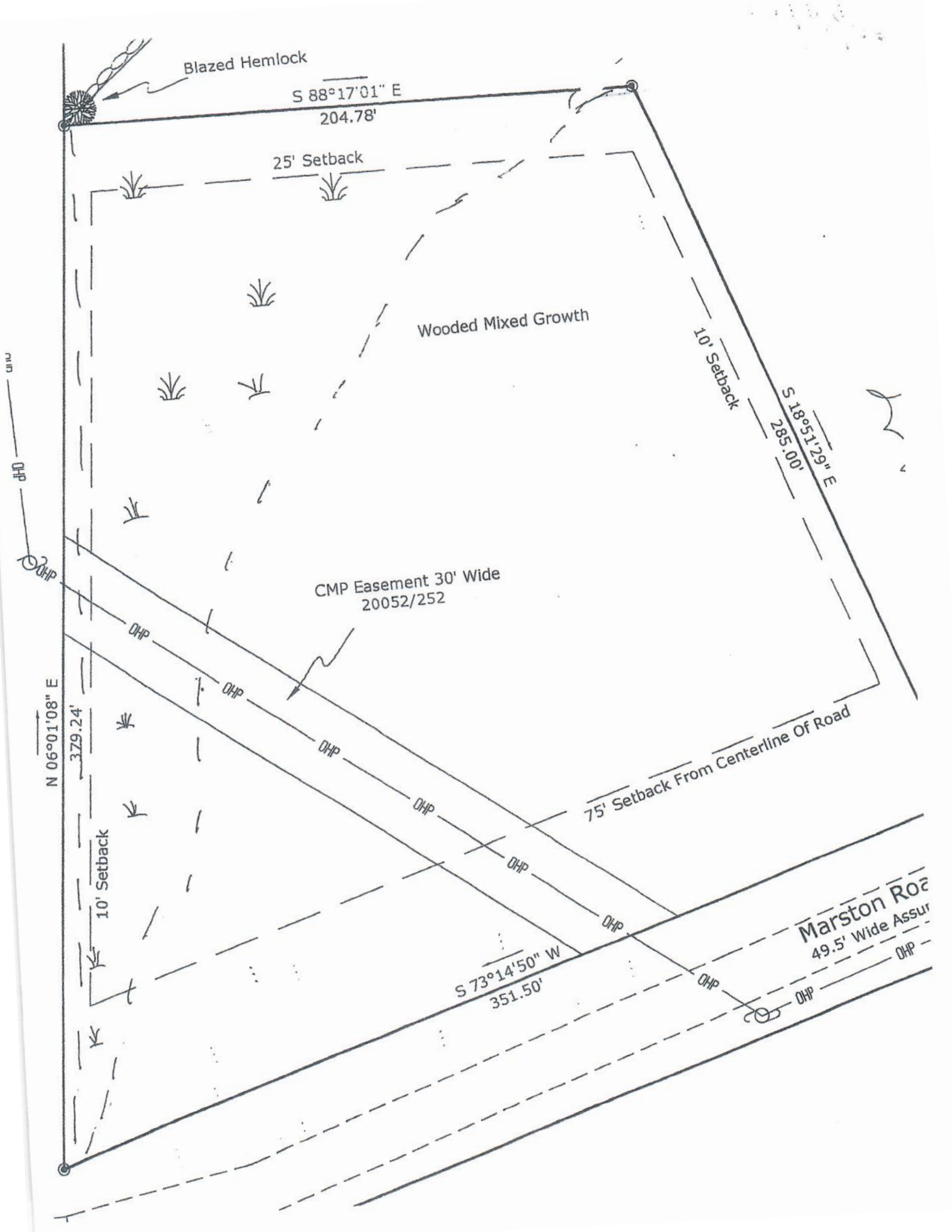
The wetlands I found were flagged with yellow flagging. The flagging was labeled in an alphanumeric sequence. The wetland flags were located with GPS equipment capable of locating a point to less than a meter. The wetland data has been placed on a plan prepared by R. W. Eaton Associates. The wetlands delineated on the parcel are forested wetlands. The wetlands do not meet the definition of wetlands of special significance as defined by Maine Department of Environmental Protection. There is no stream on or adjacent to the parcel.

Sincerely,



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





CERTIFICATION



RICHARD W. EATON P.L.S. # 2075

State of Maine  
Cumberland ss Registry Of Deeds  
Received \_\_\_\_\_ 20\_\_\_\_

At \_\_\_\_\_ H \_\_\_\_\_ M \_\_\_\_\_ A \_\_\_\_\_ And  
Recorded In Book \_\_\_\_\_ Page \_\_\_\_\_

Attest: \_\_\_\_\_  
Register

Baldwin Planning Board

Date \_\_\_\_\_

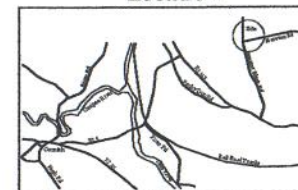
Chair \_\_\_\_\_

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N.F. Kelly & Kathleen Morgan  
29672/228

3' Blazed Hemlock With  
Wire Fence

Location



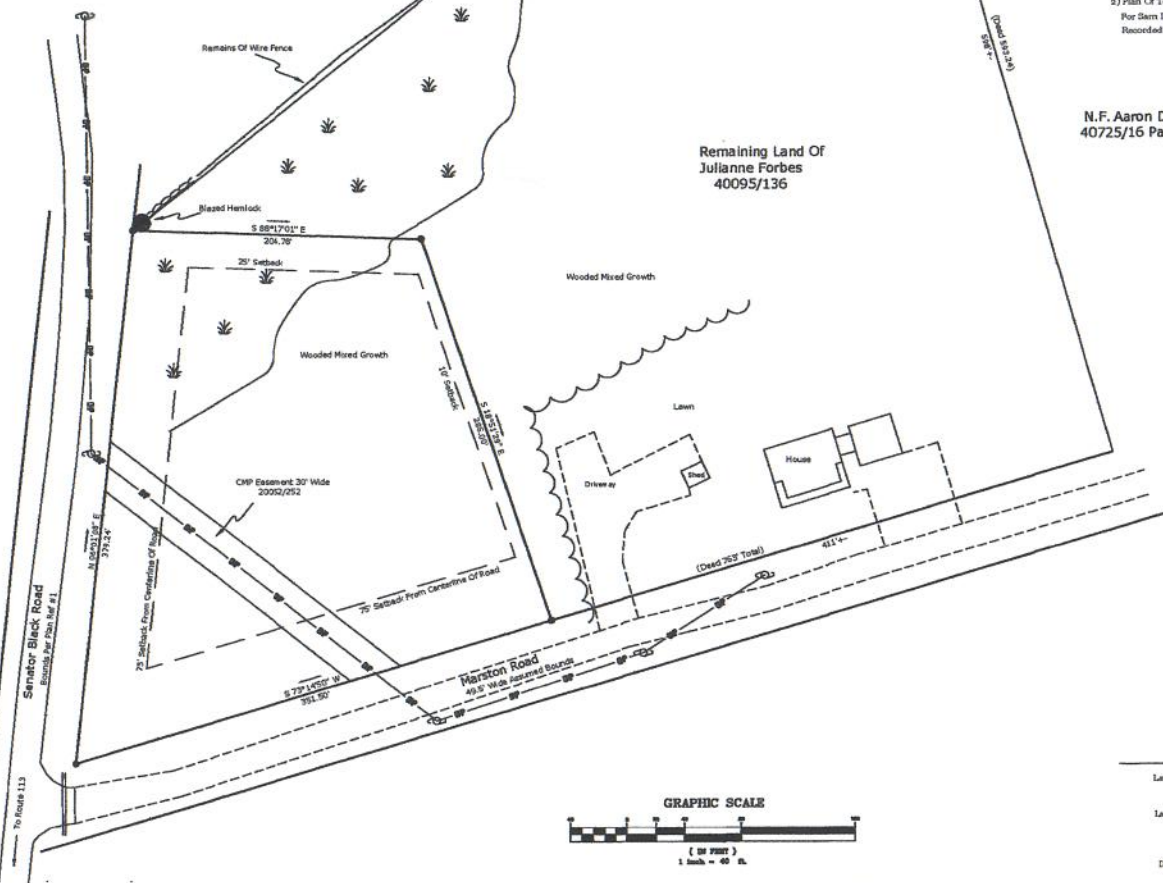
Plan Reference

- 1) Maine State Highway Construction Right Of Way Plan Third Class Highway No. 3  
Baldwin Across Land Of Donald Flint Dated January 1946 SHC Plan No. B-3-4
- 2) Plan Of Town Of Baldwin Copy Of An Old Plan To-L. Pierce By Chase M Freeman  
For Stern Inglele Dated April 1863 Drawn By George Sweeney August 23, 1954  
Recorded In Plan Book 24 Page 1

N.F. Aaron D. Flint  
40725/16 Parcel A

LEGEND

- 5/8" Rubber Set With Cap
- Rubber/Iron Pipe Found
- ⊕ Utility Pole
- N.P. Now or Formerly
- 133-4/98 Book & Page
- Stone Wall
- Wire Fence
- Wetlands



Notes

- 1) Tax Map 7 Lot 5A/B
- 2) Total Area 88,777 Square Feet Or 2.04 Acres
- 3) Zone : Resource Protection District  
District Boundary Lines Maybe Determined By The Planning Board

Boundary Survey & Division

Land Located at: 10 Merston Road  
Baldwin, Maine 04001  
Land Owned By: Nathana Russell  
Address: 20 Blackberry Lane  
Gorham, Maine 04038  
Deed Reference: Book 42616 Page 266

SCALE: 1"=40'
DRAWN BY: R.W.E.
CHECKED BY: R.W.E.
CAD FILE: 1108.000
PROJ #: 1108
ORIG DATE: 08-12-04
1 REV DATE: 08-12-04
2 REV DATE: 08-08-08
3 REV DATE: 08-08-08

R. W. EATON ASSOCIATES  
LAND SURVEYING & REAL ESTATE

99 JULIAMANT STREET, WESTBROOK, MAINE 04090  
PHONE: 207-854-2400 EMAIL: Dick@rweatonsurvey.com

August 13th, 2004



## MARK HAMPTON ASSOCIATES, INC.

SOIL EVALUATION • WETLAND DELINEATIONS • SOIL SURVEYS • WETLAND PERMITTING

7948

January 20, 2025/updated February 26, 2025

Ms. Natasha Russell  
20 Blackberry Lane  
Gorham, ME 04038

Re: Wetland delineation, 2-acre parcel Marston Road and Senator Black Road Baldwin, ME

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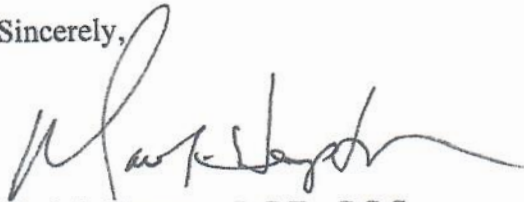
The wetlands I found were flagged with yellow flagging. The flagging was labeled in an alphanumeric sequence. The wetland flags were located with GPS equipment capable of locating a point to less than a meter. The wetland data has been placed on a plan prepared by R. W. Eaton Associates. The wetlands delineated on the parcel are forested wetlands. The wetlands do not meet the definition of wetlands of special significance as defined by the Maine Department of Environmental Protection. There is no stream on or adjacent to the parcel.

Pertaining specifically to the Town of Baldwin Shoreland Zoning Ordinance, the wetlands I delineated on and adjacent to this parcel are forested wetlands. As such, 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 previously stated, there is no stream on or abutting the parcel. As such, these wetlands do not meet the requirements of the resource protection or stream protection districts 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.



So, these wetlands have no required setback under the shoreland zoning ordinance for the Town of Baldwin

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