

For Town Use Only

Date Application Received _____

Received By: _____

Fee Paid: \$ _____

Town of Baldwin, Maine.**Application for Conditional Use Permit**

The Land Use Ordinance of the Town of Baldwin allows the Planning Board to grant a Conditional Use Permit 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

JAMES MACDONALD

2. Applicant's Mailing Address

9 BAYWOODS DR.
SCARBOROUGH, ME!
04074

3. Phone number where applicant can be reached during business hours

207-303-8600

4. Are you the owner of record of the property for which the Conditional Use Permit sought?

☒ yes (provide copy of title and go to Question 8)
☐ no (answer Questions 5, 6, and 7)

5. To apply for a conditional 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.

6. Property Owner's Name

7. Property Owner's Address

8. Location of property for which the permit is sought

ST. RT. 113 - PEQUAWICKET TIRAN

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

Map # 5 Lot # 14

10. Indicate Zoning District in which the property is located (check as many as apply)

☐ Natural Resource Protection
☐ Village Commercial☒ Highlands
☒ Rural

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.

MINOR SUB-DIVISION, 3 LOTS.

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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 a 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:

- ☐ a. 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, birds 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: (to be completed by applicant)

I/We JAMES MACDONALD, certify that I/We are the legal applicants for the conditional use permit 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 materials is accurate and true.

I/We further certify that I/We have the standards for granting of Conditional Use Permits contained in Land Use Ordinance.

[Signature]
Signature of Applicant

05/29/2020
Date

[Signature]
Signature of Applicant

5-29-20
Date

Permit Fee: \$

150⁰⁰

[Signature]
Signature of CEO

5-29-20
Date Received

Official Use: Planning Board.

Date Received by Planning Board: _____

Received By: _____

Date of Public Hearing: _____

Conditional Use Permit about: _____

PERMIT DENIED Date: _____ **Explanation:** _____

PERMIT APPROVED Date: _____ **Conditions of Permit (if any)** _____

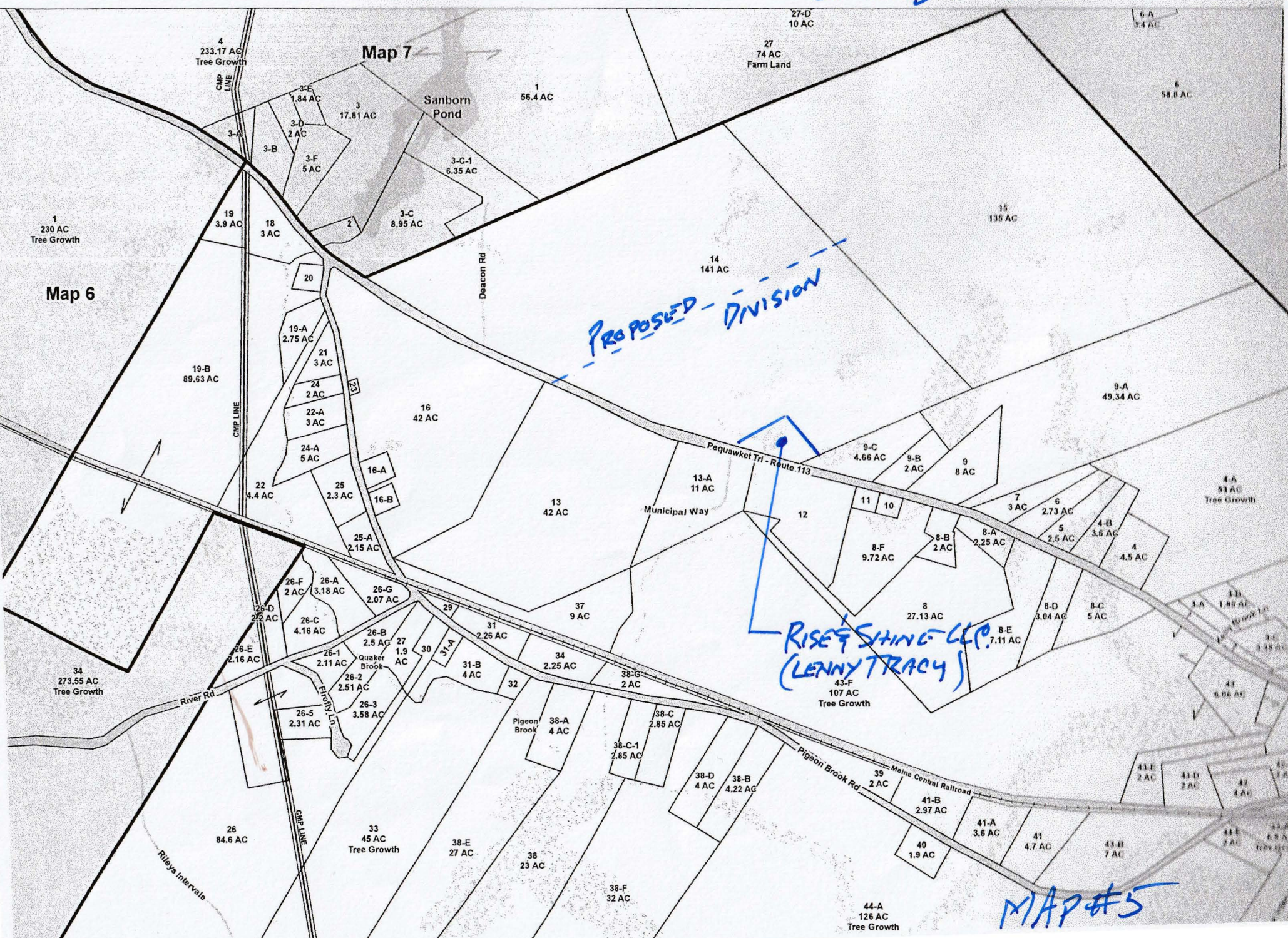
Planning Board Signatures:

1. _____

2. _____ 3. _____

4. _____ 5. _____

EXHIBIT 12-A 312-C



MAP #5

May 28, 2020

Mr. David Strock, Chairman

Town of Baldwin, ME Planning Board

Mr. Struck,

The purpose of this letter is to inform you of a minor subdivision proposal. I will work through CEO Wes Sunderland to get the matter on the board's agenda as soon as possible. This is meant simply to get the matter on your radar and familiarize you with the plan. Please feel free to distribute this as you deem appropriate.

My name is James MacDonald; I own a 141 acre parcel across from town hall (Tax Map/Lot 005-014). Last month I was notified by a developer, Lenny Tracy, that he had inadvertently built a single family residence on my parcel. Since then, we've been attempting to resolve the matter. The matter is complicated in that I currently have the entire 141 acres under a lease agreement to a solar company. The solar company is in the early stages of what I can only imagine is a long process of bringing such a project to fruition. While the lease agreement specifically prohibits me from doing any divisions of the parcel, the solar company understands the uniqueness of the situation and has been very cooperative in helping resolve it. They are amenable to this minor subdivision approach.

I've attached a quick sketch of the divisions I'm proposing and what the approximate acreage of each parcel would be following the subdivision. I look forward to working with the board going forward. Please feel free to contact me at this email address or by phone at (207) 303-8600.

Sincerely,

James MacDonald

