

**TOWN OF BOWDOINHAM
PLANNING BOARD MEETING MINUTES
Town Office – Kendall Rm
September 30, 2021 – 7:00 P.M. (continuation of September 23, 2021 meeting)**

APPROVED -October 28, 2021

MEMBERS PRESENT: Justin Schlawin
Reeve Wood
Richard Joyce
Tracy Krueger (Vice Chair)
Allen Acker

MEMBERS ABSENT: Nate Drummond (Chair)
William Shippen

STAFF PRESENT: Jennifer Curtis, Town Planner and Economic Development
Coordinator

1. REGULAR MEETING CALL TO ORDER

Vice Chair Tracy Krueger called the meeting to order at 7:00 p.m.

2. DETERMINE QUORUM AND VOTING MEMBERS

It was determined that a quorum was present. Mr. Joyce, the Planning Board alternate member will be a voting member for any project other than the Gallant Project.

Site Plan Review – Tier 2 Application Amendment

Applicant - Five Buds Farm, LLC

Property – 112 Pond Rd, Bowdoinham, ME 04008

Project – Medical marijuana indoor cultivation facility within the Libby Business Park

Ms. Krueger stated that her brother-in-law has a business in the Libby Business Park, but that she does not feel like she will have an issue remaining impartial. Mr. Wood asked if she had any financial interest in their business, and she replied “no”. The other board members indicated they had no concerns about her ability to review the application impartially.

The Board discussed performance standards. Mostly, there were no changes from the prior approval. The Board discussed standards that may be impacted.

The applicant is planning to add an additional dumpster, adjacent to the existing dumpsters and no visual impacts are anticipated by the Planning Board.

The proposed lights will be located at the entrance and exit of the unit, and will be motion activated. The applicant agreed to make sure the lights are shielded or hooded.

TOWN OF BOWDOINHAM
PLANNING BOARD MEETING MINUTES
Town Office – Kendall Rm
September 30, 2021 – 7:00 P.M. (continuation of September 23, 2021 meeting)

A sign will be located on the door to the building and text only and will keep the total dimensions under 15’.

There was a discussion about the screening and buffering of the dumpster. The Board felt like it did not require additional screening or buffering.

There was a discussion of the growing system’s proposed water use. The water will be filtered and re-used, and there is no anticipated wastewater.

The cost to install public sewer was noted (by reference to study of cost to install public water at the nearby public works facility).

The Board noted they would discuss air quality under the use-specific standards, which are more restrictive.

Board member Acker said that he felt what was being proposed for odor mitigation seemed more than adequate. The applicant acknowledged that the filters need to be changed out on regular intervals.

Ms. Krueger acknowledged that the abutters expressed concerns about odors. The applicants agree to maintain the odor mitigation system and change the filters as needed. The Board thought that this made a good standard statement to request applicants agree to, or to make as a condition of approval, as needed,

The Board discussed the security plan submission process. The applicant agreed that they will have a plan, and it will be submitted to the Code Enforcement Officer as a condition of approval but will remain confidential.

The applicant noted that two heat pumps were added to the exterior. The Board had no concerns about that or any other performance standards.

Ms. Krueger made a motion to approve the findings of the performance standards as discussed. Mr. Schlawin 2nd the motion and all voted in favor.

Chairperson Krueger said that the application met all performance standards and at this time the Approval Criteria would be addressed. She read each of the criteria. Mr. Wood made all motions (in bold print) and Mr. Schlawin seconded each one. Vote was called and the Board unanimously voted in favor of every motion, as follows:

**TOWN OF BOWDOINHAM
PLANNING BOARD MEETING MINUTES
Town Office – Kendall Rm**

September 30, 2021 – 7:00 P.M. (continuation of September 23, 2021 meeting)

- 1) Vehicular Access – The proposed site layout will provide for safe access to and egress from public and private roads.

Finding: he applicant is proposing to utilize an existing driveway that is located at 112 Pond Road. There will be nominal traffic generation, as the applicant is proposing to have an average of 2 employee on-site during normal business hours. The driveway is not located within 150ft of a unsignalized or signalized intersection. There have been no concerns from the Road Commissioner or Public Works Department related to this project.

Conclusion: This standard has been adequately met.

- 2) Internal Vehicular Circulation – The proposed site layout will provide for the safe movement of passenger, service, and emergency vehicles through the site.

Finding: No changes are proposed to the previously approved plan.

Conclusion: This standard has been adequately met.

- 3) Pedestrian Circulation – The proposed site layout will provide for safe pedestrian circulation both on-site and off-site.

Finding: No changes are proposed to the previously approved plan.

Conclusion: This standard has been adequately met.

- 4) Municipal Services – The development will not have an unreasonable adverse impact on municipal services, including municipal road systems, fire department, solid waste program, schools, open spaces, recreational programs and facilities, and other municipal services and facilities.

Finding: No concerns have been expressed by municipal officials.

Conclusion: This standard has been adequately met.

- 5) Visual Impact – The proposed development will not have an adverse effect on the scenic or natural beauty of the area, including water views and scenic views.

Finding: The project is not located with a designated scenic view or water view.

Conclusion: This standard has been adequately met.

- 6) Lighting – All exterior lighting will be designed to avoid undue glare, adverse impact on neighboring properties and rights-of-ways, and the unnecessary lighting of the night sky.

Finding: The proposed lighting is for security purposes and will be motion activated and shield to prevent impact on neighboring properties and the night sky.

Conclusion: This standard has been adequately met.

- 7) Signage – The proposed signage will not detract from the design of the proposed development and the surrounding properties and will not constitute hazards to vehicles and pedestrians.

Finding: Proposed signage will be located on the door and will be text only.

Conclusion: This standard has been adequately met.

**TOWN OF BOWDOINHAM
PLANNING BOARD MEETING MINUTES
Town Office – Kendall Rm**

September 30, 2021 – 7:00 P.M. (continuation of September 23, 2021 meeting)

- 8) Buildings – The proposed structures will relate harmoniously to the terrain and to existing buildings in the vicinity, so as to have a minimally adverse effect on the environmental and aesthetic qualities of the neighboring areas.
Finding: No changes are proposed to the previously approved plan for the Libby Business Park. pre
Conclusion: This standard has been adequately met.
- 9) Landscaping – The proposed development will provide adequate landscaping in order to define, soften, and/or screen the appearance of parking and developed areas as well as to enhance the physical design of the buildings and the overall development.
Finding: No changes are proposed to the previously approved plan for the Libby Business Park.
Conclusion: This standard has been adequately met.
- 10) Buffering – The proposed development will provide for the buffering of adjacent uses where there is a transition from one type of use to another use and for the screening of mechanical equipment and service and storage areas.
Finding: The existing buffer is adequate and the dumpsters at the proposed location have already been in use as part of the originally approved use.
Conclusion: This standard has been adequately met.
- 11) Utilities – The proposed development will not impose an unreasonable burden on existing utilities.
Finding: No changes are proposed to the previously approved plan for the Libby Business Park.
Conclusion: This standard has been adequately met.
- 12) Water Supply – The proposed development will be provided with an adequate supply of water.
Finding: The applicant estimates a daily demand of 10g, and plans to use the existing well water hookup.
Conclusion: This standard has been adequately met.
- 13) Sewage Disposal – The proposed development will be provided with adequate sewage waste disposal.
Finding: No changes are proposed to the previously approved plan for the Libby Business Park.
Conclusion: This standard has been adequately met.
- 14) Fire Protection – The proposed development will have adequate fire protection.
Finding: There were no concerns expressed from the Bowdoinham Fire Chief and no changes are proposed to the approved plan for the Libby Business Park.
Conclusion: This standard has been adequately met.
- 15) Capacity of Applicant – The applicant meets the following criteria:
- a) Right, Title and Interest in Property – The applicant has the right, title and interest in the property.

**TOWN OF BOWDOINHAM
PLANNING BOARD MEETING MINUTES
Town Office – Kendall Rm**

September 30, 2021 – 7:00 P.M. (continuation of September 23, 2021 meeting)

Finding: The applicant provided a signed current lease for the property.

Conclusion: This standard has been adequately met.

- b) Financial Capacity – The applicant has the financial capacity to complete the proposed development.

Finding: The applicant submitted an itemized cost estimate and proof of financial capacity letter from KeyBank.

Conclusion: This standard has been adequately met.

- c) Technical Ability – The applicant has the technical ability to carry out the proposed development.

Finding: The applicant has previous horticultural experience, and no history of unfinished projects or violations

Conclusion: This standard has been adequately met.

16) Special Resources –

- a) Shoreland – The proposed development will be in compliance with the Town’s Shoreland Zoning Ordinance.

Finding: The development is located outside of the Shoreland Zone.

Conclusion: This standard has been adequately met.

- b) Floodplain – The proposed development will be in compliance with the Town’s Floodplain Management Ordinance.

Finding: The development is located outside of the floodplain.

Conclusion: This standard has been adequately met.

- c) Wetlands & Waterbodies – The proposed development will not have an adverse impact on wetlands and/or waterbodies, to the extent that is practicable.

Finding: No changes are proposed to the approved plan for the Libby Business Park.

Conclusion: This standard has been adequately met.

- d) Historic & Archaeological – The proposed development will not have an adverse effect on historic and/or archaeological sites.

Finding: The project does not intersect with any historic and archaeological sites.

Conclusion: This standard has been adequately met.

- e) Groundwater – The proposed development will not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water supply systems.

Finding: There is no process wastewater discharge proposed.

Conclusion: This standard has been adequately met.

**TOWN OF BOWDOINHAM
PLANNING BOARD MEETING MINUTES
Town Office – Kendall Rm**

September 30, 2021 – 7:00 P.M. (continuation of September 23, 2021 meeting)

- f) Wildlife Habitat – The proposed development will not have an undue adverse effect on wildlife habitat.

Finding: The proposed development does not interfere with significant habitats mapped by the Maine Department of Fisheries and Wildlife or have an adverse effect on wildlife or habitat.

Conclusion: This standard has been adequately met.

- g) Natural Areas – The proposed development will not have an undue adverse effect on rare and irreplaceable natural areas.

Finding: The project will not have an undue adverse effect on rare and irreplaceable natural areas.

Conclusion: This standard has been adequately met.

- 17) Environmental Impact – The landscape will be preserved in its natural state to the extent that is practical by minimizing tree removal, disturbance of soil and retaining existing vegetation.

Finding: No changes are proposed to the previously approved plan for the Libby Business Park.

Conclusion: This standard has been adequately met.

- a) Solid Waste Management – The proposed development will provide for adequate disposal of solid wastes.

Finding: The applicant is proposing to use a dumpster on site.

Conclusion: This standard has been adequately met.

- b) Hazardous, Special & Radioactive Materials – The proposed development will handle, store, and use all materials identified as hazardous, special or radioactive in accordance with the standards of Federal and State agencies.

Finding: The applicant is not proposing to handle, store, or use materials identified as hazardous by state or federal agencies.

Conclusion: This standard shall be adequately met with adherence to the Conditions of Approval.

- c) Air Quality – The proposed development will not result in undue air pollution or odors.

Finding: The applicant is proposing to use an interior scrubbing system consisting of 2 Can-Filter 600 cfm filters with Can-Fan 10” fans to mitigate odors and are proposing to maintain system and replace filters as necessary.

Conclusion: This standard has been adequately met.

- d) Water Quality – The proposed development will not result in water pollution.

Finding: No wastewater discharge is proposed.

Conclusion: This standard has been adequately met.

**TOWN OF BOWDOINHAM
PLANNING BOARD MEETING MINUTES
Town Office – Kendall Rm**

September 30, 2021 – 7:00 P.M. (continuation of September 23, 2021 meeting)

- e) Stormwater – The proposed development will provide for the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other impervious surfaces, which must not have an adverse impact on abutting or downstream properties.

Finding: No changes are proposed to the approved plan for the Libby Business Park.

Conclusion: This standard has been adequately met.

- f) Sedimentation & Erosion Control – The proposed development will take adequate measures to prevent soil erosion and the sedimentation of watercourses and waterbodies.

Finding: No changes are proposed to the previously approved plan for the Libby Business Park.

Conclusion: This standard shall be adequately met with adherence to the Conditions of Approval.

- 18) Noise – The proposed development will control noise levels so that it will not create a nuisance for neighboring properties.

Finding: The primary hours of operation of the proposed development will be between 7:00 a.m. and 6:00 p.m.

Conclusion: This standard has been adequately met.

- 19) Compliance with Ordinances – The proposed development conforms with the provisions of this Land Use Ordinance and other ordinances and regulations of the Town of Bowdoinham.

Finding: The proposed development is in compliance with the Land Use Ordinance and other ordinances and regulations of the Town of Bowdoinham.

Conclusion: This standard has been adequately met.

- 20) Town Plans & Vision Statements – The proposed development is consistent with the intent of the Town's Plans, including but not limited to the Comprehensive Plan, Waterfront Plan, and Transportation Vision Statement.

Finding: The proposed project is in compliance with the Town's Plans and Vision Statements.

Conclusion: This standard has been adequately met.

Ms. Krueger made a motion to approve the application based on the above findings and conclusions; We the Planning Board vote to approve your Site Plan Review application with following Conditions of Approval:

1. The applicant shall reimburse the Town for all noticing fees.
2. That a confidential security plan be filed with the Town Code Enforcement Officer.

**TOWN OF BOWDOINHAM
PLANNING BOARD MEETING MINUTES
Town Office – Kendall Rm**

September 30, 2021 – 7:00 P.M. (continuation of September 23, 2021 meeting)

Mr. Schlawin seconded
All voted in favor.

Site Plan and Shoreland Zoning Review – Tier 2 Application

Applicant – Hatch Point Enterprises, LLC

Property – Map R12 Lot 015

Project – Develop a wedding and event venue, including a barn and dock

Mr. Carey presented as an applicant. He stated that the existing camp will be removed, and a new structure will be placed outside the shoreland zone. The application includes the wedding venue, an accessory structure, access road, parking lot, and dock.

There was a discussion of the plan to replace the camp. Ms. Krueger asked about what will be at the site of the existing camp. The applicant states everything would be razed and replaced with vegetation, likely blueberries.

Mr. Carey stated in the past there had been a timber harvest issue with the property, but it has significantly grown-in at this point, and there wouldn't be anything [of the venue] visible from the road.

He further stated they are proposing a driveway further north for DOT's approval.

Ms. Krueger asked if the property was all downhill from the road. Mr. Carey stated that the water ran towards the river and ravine.

The Board ran through the application checklist.

The applicant discussed the waiver request of the financial capacity submission. He stated that he planned to submit the financial capacity evidence for findings on the performance standards.

Ms. Krueger made a motion to waive the financial capacity submission requirement.

Mr. Acker seconded

All voted in favor.

The applicant explained the waiver request for the ground floor elevation of the existing building as it is proposed to be razed.

Ms. Krueger made a motion to waive the submission requirement for ground floor elevation of existing buildings

Mr. Wood seconded

All in favor.

The board discussed what was submitted for the wastewater disposal, and felt it met the bar for adequacy for submission checklist.

The applicant explained that the system is being designed to handle the large sudden influx, and that for the performance standard review the septic permit would be included.

**TOWN OF BOWDOINHAM
PLANNING BOARD MEETING MINUTES
Town Office – Kendall Rm
September 30, 2021 – 7:00 P.M. (continuation of September 23, 2021 meeting)**

The Board requested that the applicant place the location of the well on the plan.

Mr. Schlawin made a motion to waive the submission requirement for provision and dimensions of water supply and sewage disposal, and request the provision for wastewater disposal prior to scheduling public hearing.

Mr. Acker seconded

All in favor.

The applicant shall provide the needed information in time to meet the notification requirements for a public hearing in order to have the public hearing scheduled.

The applicant stated that they are not planning to remove vegetation as much as possible and leave things as natural as they can.

Mr. Wood made a motion to find the submission requirements for Hatch Point LLC application complete subject to the waivers approved.

Mr. Schlawin seconded

All in favor

The Board reviewed the Shoreland Zoning application requirements.

Ms. Krueger made a motion that the Board waive the requirement for a valid plumbing permit or completed application for a plumbing permit including a site evaluation

Mr. Acker seconded

All in favor

Ms. Krueger made a motion to waive the submission requirement for photographs of the site understanding that there will be a site walk

Mr. Schlawin seconded

All in favor.

Ms, Krueger made a motion that they approve the Shoreland Zoning application checklist with waivers.

Mr. Wood seconded

All in favor.

Contingent on the applicant meeting the timeline, the Board scheduled a public hearing

Morning of the 26th 8:30AM for site walk – tentative on information on location of the septic.

7:15PM on the 28th for public hearing – tentative on information on location of the septic.

ADJOURN MEETING

Motion was made, seconded, and it was unanimously

VOTED

**TOWN OF BOWDOINHAM
PLANNING BOARD MEETING MINUTES
Town Office – Kendall Rm
September 30, 2021 – 7:00 P.M. (continuation of September 23, 2021 meeting)**

To adjourn the meeting at 9:09 p.m.