

**MINUTES
PLANNING BOARD MEETING
TOWN OF BOWDOINHAM - 13 SCHOOL STREET
IN PERSON IN THE KENDALL MEETING ROOM,
ON-LINE VIA ZOOM, OR BY TELEPHONE
JANUARY 25, 2024 – 6:00 P.M.**

MEMBERS PRESENT: Nate Drummond (Chair)
 Tracy Krueger (Vice Chair)
 Justin Schlawin
 Reeve Wood
 Chris Vonderweidt
 Richard Joyce

STAFF PRESENT: Yvette Meunier, Town Planner
 Matt James, CEO

Item 1: Call to Order and Determine Quorum

On Thursday, January 25, 2024, a meeting of the Bowdoinham, Maine Planning Board was held in the Kendall Room at the Town Office. Chairman Drummond called the meeting to order at 6:30 P.M. It was determined that a quorum was present. Mr. Vonderweidt was designated a voting member. Chair Drummond proposed that meeting minutes will be reviewed the end of the meeting.

Item 2: Subdivision – Minor

Due to the temporary absence of the applicant scheduled for Item 3, Chair Drummond proposed that the Board instead review Item 4, a minor subdivision application.

Dustin Mallar attended the meeting on behalf of the subdivision applicant Sara Reed. He informed the Board that the applicant is proposing a subdivision so that an individual lot may be sold.

Chair Drummond asked if the other parcels located on Cranberry Way were already a subdivision. CEO James informed the Board that the other lots had been divided as gift lots and were not currently part of a subdivision.

The Board questioned which specific lots would be under review, and CEO James stated that Lots R05-050, 050-007, and 050-008 would be considered part of the subdivision. Only lot 050-007 would be under review by the Board. The sale of lots 050-007 and 050-008, before they had been owned for five years, removes their exemption from counting towards a potential subdivision.

Chair Drummond proposed that, due to a lack of submitted materials, a formal review not be conducted at this time. Instead, the Board reviewed which materials may be omitted from the revised application to be submitted by the applicant.

Reeve Wood noted that the recording plan for the subdivision is important, and that the applicant should begin work on it as soon as possible.

The Board reviewed the possibility to waive Site Inventory and Analysis in its entirety, determining that numerous sections of Site Inventory and Analysis should be reviewed.

The Board and CEO James additionally discussed how to review a subdivision wherein the Board does not have authority over two of the three lots. Chair Drummond requested that the Town attorney be contacted to advise on these matters.

Item 3: **Site Plan Review – Tier III and Application**

Mr. Joyce asked the board about Floodplain Zoning, and how the zones are determined. Chair Drummond said that the Town utilizes FEMA flood maps. He would later ask about how the proposed tanks are constructed and secured, noting that the site is prone to flooding. The Board discussed these matters with the applicant and determined that it falls under State jurisdiction to determine. Additionally, Floodplain review will be conducted by the CEO.

Chair Drummond asks Mr. Tourtelotte if any additional materials had been submitted since the Board last reviewed the application. Information regarding State approvals for the driveway entrance, as well as a buffering and landscaping plan were submitted to the CEO.

Mr. Vonderweidt asked Mr. Tourtelotte about what State permits and approvals are needed for automobile service stations. Mr. Tourtelotte said that documentation had been provided by Portland Pump stating that they would be seeking all required permits and approvals, including those from the State Fire Marshall and DEP. Mr. Vonderweidt then asked if large vehicles or trailers would have an easier time accessing this site, compared to the site across the street. Mr. Tourtelotte said that he thought that longer vehicles would have an easier time, but that there likely wouldn't be a large increase in traffic – the existing parking lot is already in use, and DOT did not have any concerns.

Vice Chair Krueger asked if this application has reached the point where the Board will be voting to approve it. Chair Drummond said that it has reached that point, and that the site walk and public hearing had already been conducted.

The Approval Criteria and Performance Standards for Site Plan Review were then reviewed at this point in the meeting and again reviewed as each item was read by Chair Drummond, moved by Mr. Wood and seconded by Mr. Schlawin as follows:

Waivers – Chair Drummond moved two standards be waived by the Board:

Motion was made by Chair Drummond, seconded by Mr. Wood, and it was

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

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.*

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

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.*

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

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.*

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

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.*

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

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.*

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

11) Utilities – *The proposed development will not impose an unreasonable burden on existing utilities.*

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

12) Water Supply – The proposed development will be provided with an adequate supply of water.

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

13) Sewage Disposal – The proposed development will be provided with adequate sewage waste disposal.

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

14) Fire Protection – The proposed development will have adequate fire protection.

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

15) Capacity of Applicant – The applicant has the capacity to carry out the proposed project.

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

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

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

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

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

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

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

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

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

20) 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.

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

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

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

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

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

23) 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.

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

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

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED
That

25) 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.

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED
That

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

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED
That

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

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED
That

28) 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.

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED
That

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

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

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

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

31) 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.

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

32) 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.

Motion was made by Mr. Wood, seconded by Mr. Schlawin, and it was

VOTED

That

The Approval Criteria for Shoreland Zoning was read by Chair Drummond, and then moved by Mr. Wood and seconded by Mr. Schlawin as follows:

- 1) Will maintain safe and healthful conditions.
- 2) Will not result in water pollution.
- 3) Will provide adequate provisions for the collection and disposal of all stormwater that runs

off proposed streets, parking areas, roofs, and other impervious surfaces.

- 4) Will take adequate measures to prevent soil erosion and the sedimentation of watercourses and waterbodies.
- 5) Will take adequate measures to avoid and to minimize having an adverse effect on wetlands and/or waterbodies.
- 6) Will provide for the disposal of all wastewater in accordance with the State of Maine Subsurface Wastewater Disposal Rules.
- 7) Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other riparian wildlife habitat.
- 8) Will conserve natural, native vegetation along the shoreline.
- 9) Will conserve visual corridors.
- 10) Will conserve access to inland and coastal waters.
- 11) Will not have an adverse effect on historic and/or archaeological sites.
- 12) Will not adversely affect existing commercial fishing or maritime activities in a Commercial Fisheries/Maritime Activities district.
- 13) Will be in compliance with the Town's Floodplain Management provisions.
- 14) Will be in conformance with the provisions of Article 7, Section D, Performance Standards

Item 4: **Future Meeting Discussion**

Meeting minutes were not reviewed.

It was confirmed that the December meeting will be as regularly scheduled on the fourth Thursday of December. Agenda items may include a subdivision review, a SPR Amendment for the change in ownership for a marijuana establishment, and suggested ordinance changes discussed at this meeting.

ITEM 6 -ADJOURN

Motion was made, seconded and it was unanimously

VOTED

To adjourn the meeting at 8:44 p.m.
