

TOWN OF BOWDOINHAM  
PLANNING BOARD MINUTES  
JOHN C. COOMBS MUNICIPAL BUILDING  
February 27, 2020 – 6:30 P.M.

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MEMBERS PRESENT:     Nate Drumond  
                              Alyson Dame  
                              Mark Favreau  
                              Tracy Krueger  
                              Justin Schlawin (Joined the meeting in progress)  
                              William Shippen  
                              Reeve Wood

MEMBERS ABSENT:     All present

STAFF PRESENT:        Nicole Briand, Director of Planning and Development

A regular meeting of the Bowdoinham, Maine Planning Board was held at the John C. Coombs Municipal Building, 13 School Street, Bowdoinham, Maine in the Kendall Room on Thursday, February 27 2020.

**1.     CALL TO ORDER**

Chairman Drummond called the meeting to order at 6:35 p.m.

**2.     DETERMINE QUORUM AND VOTING MEMBERS**

It was determined that a quorum was present.

**3.     CONSIDERATION OF MEETING MINUTES OF JANUARY 23, 2020**

Motion was made by Mr. Wood, seconded by Mr. Favreau, and it was unanimously

**VOTED**

To Approve the minutes of the January 23, 2020 meeting as written.

**Site Walk Discussion**

A site walk to the Soulhaven property was originally scheduled to happen at 7:00 a.m. this date (2/27/20) but was cancelled due to inclement weather. The Board unanimously agreed to schedule another site walk for Soulhaven for 7:00 a.m. on Wednesday, March 25, 2020.

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4. **SITE PLAN REVIEW – PUBLIC HEARING 6:45 P.M.**

**TIER 2 APPLICATION – APPLICANT, SOULHAVEN, LLC IS PROPOSING TO CREATE A WEDDING AND EVENT VENUE AT 22 BATCHELDER ROAD, MAP R05, LOT 043**

Chairman Drummond closed the regular meeting and opened the Public Hearing.

He asked if anyone wished to comment on the Tier 2 Application for Soulhaven, LLC proposing to create a wedding and event venue at 22 Batchelder Road.

Comment was heard from **Joan Walker**. Mrs. Walker said she lives next door to the proposed project and said she did not want the applicant to be allowed to do any fireworks during wedding celebrations. She said the Zells requested her step grandchildren not ride their 4-wheelers on their property. She is concerned about parking and does not want the right of way to her hay fields blocked at any time as that is the only road they can get to their fields to cut and gather hay.

Chairman Drummond said the Board would not limit Mrs. Walker’s family to ride their 4-wheelers.

Applicant Will Zells responded that there would not be any fireworks used at the venue.

There being no one else wishing to speak, the Public Hearing was declared closed and the regular Planning Board meeting was called back to order.

5. **SITE PLAN REVIEW – TIER 2 APPLICATION**

**APPLICANT, ROBERT AND KATE GAUDETTE, 50 BIRCHWOOD LANE, TAX MAP 502, LOT 052 ARE PROPOSING TO OPERATE A FARM STORE THAT WOULD INCLUDE MEDICAL MARIJUANA, HEMP AND HERBAL APOTHECARY PRODUCTS**

Applicant Robert Gaudette told the Board he has been cultivating cannabis for the past 4 years and would like to open a store to members of the public. He said his farm is a certified organic farm.

Mr. Gaudette plans to erect a timber frame farm stand at an already existing building. He plans to widen the road and create a parking lot. He said his project will enhance the natural landscape. Birchwood Lane is a private road, 24’ wide and tapers to 18’. The

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Gaudette's own approximately 39 acres. Mr. Gaudette said he owns the deed to the private roads.

The Board reviewed the Site Plan Review application Checklist – Tier II. It was noted there will be no water of any kind in the structure. The building currently has electricity connection. The Department of Transportation has checked the road and expressed no concerns. The Board asked Mr. Gaudette for a letter from the State stating so. A waiver will be requested for the shoulders along the road.

Following discussion, motion was made by Mr. Schlawin, seconded by Mr. Favreau, and it was unanimously

**VOTED**

To approve a waiver for a grading plan for the shoulders of the road.

Motion was made by Ms. Krueger, seconded by Mr. Favreau, and it was unanimously

**VOTED**

That the Board finds the application to be complete.

Earlier in the meeting a site walk was scheduled for 7:00 a.m. for the Soulhaven application on March 25. **Following discussion, it was agreed to also do a site walk for 50 Birchwood Lane. The Birchwood site walk will be advertised for 7:00 a.m. and the Soulhaven site walk was changed to 8:00 a.m. on the 25<sup>th</sup> of March.**

**6. TIER II APPLICATION**

**ATDT, LLC (Doug Tourtelotte) IS PROPOSING TO CREATE A GENERAL STORE ON THE RIVER ROAD, MAP U03, LOT 026**

This application was reviewed at the February Planning Board meeting. Following discussion at that meeting the applicant has provided the following items for the Board's review:

- A cost breakdown of the project
- Deed to the property
- Required LLC documents
- Letter from the Water District
- Narrative for the Shoreland Zone

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Adjustment to the sidewalk has been added. The applicant said he has not yet decided on the signage but it will be in accordance with the ordinance requirements. DOT Entrance Permit application has been submitted to DOT but has not come back to the applicant at this time. It was agreed that a site walk would not be necessary for this project.

A Public Hearing will be scheduled for the March 26, 2020 Board meeting.

The Board looked at Standards and discussed:

**Shoreland**

- It is a Non-conforming Lot of Record – Page 118 Property is in the General Development
- Total height of building will be below 35'
- Applicant will provide a drawing of what the building will look like for consideration at the March meeting
- Building plans will also be reviewed at the March meeting
- Permit for building within 75' of stream
- Appropriate Natural Resources Permit

**Site Plan**

- Crosswalk needs to have a landing on each end
- Need receipt of DEP approval
- Need to add landscaping between buffer and the road
- Show where sign(s) will be located and if they will be lit
- Include Landscaping Plan

Motion was made by Mr. Wood, seconded by Mr. Favreau, and it was unanimously

**VOTED**

That the Board finds the ATDT, LLC application to create a general store on the River Road to be complete.

Motion was made by Mr. Schlawin, seconded by Mr. Favreau, and it was unanimously

**VOTED**

That the Board finds the ATDT, LLC Shoreland application to create a general store on the River Road to be complete.

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7. **OTHER BUSINESS – ANNUAL REVIEW OF LANDUSE ORDINANCE**

The Board did an annual review of the Landuse Ordinance. Planner Briand distributed copies of the State definitions for adult use of marijuana. Definitions were reviewed as several changes have been received from the State and these were noted. The Planner will make necessary changes to be in accordance with those received from the State.

It was noted that the ordinance does not talk about licensing and all marijuana operations will need to be licensed. Effort will be made to keep the definitions as simple as possible. Any marijuana use will be a Tier II. The licensing applications will go before the Board of Selectmen and once issued will be renewable on an annual basis. Fees are being considered at \$500 for a Tier 2 and \$1000 for a Tier 3.

Distance from schools will be changed to 500 feet.

8. **ADJOURNMENT** – The meeting was adjourned at 9:30 p.m.

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