

**MINUTES
PLANNING BOARD MEETING
TOWN OF BOWDOINHAM
13 SCHOOL STREET-KENDALL ROOM
MARCH 27, 2025 – 6:00 P.M.**

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

MEMBERS ABSENT: William Shippen

STAFF PRESENT: Yvette Meunier, Director of Planning and Development
Jason Lorrain, Code Enforcement Officer

1. REGULAR MEETING - CALL TO ORDER AND DETERMINE QUORUM

On Wednesday, March 27, 2024, a meeting of the Bowdoinham Maine Planning Board was held in the Kendall Room at the Town Office. Mr. Drummond called the meeting to order at 6:00 p.m. It was determined that a quorum was present. Those wishing to attend via Zoom, were given passcode: 649558 with a Meeting ID of 812 0965 0859. It was noted that, joining by phone, if a computer was not available, interested parties could call into the public meeting and participate by phone by calling (646) 876-9923 when the meeting begins.

2. CONSIDERATION OF MEETING MINUTES OF FEBRUARY 27, 2025

The Board discussed amendments to the minutes for clarity.

Motion was made, seconded, and it was unanimously

VOTED

To approve the Minutes of February 27, 2025, as amended.

3. PUBLIC HEARING #2 – PROPOSED LAND USE ORDINANCE EDITS:

The Planning Board will discuss:

- a) Proposed amendments to Select Board License Approval Criteria and**
- b) Proposed amendments to Waste & Nuisance Yard Definitions**

Mr. Drummond opened the Public Hearing.

Select Board member Mark Favreau spoke to amendments regarding licensing. He stated that the intention of the Select Board was to simplify the application process, however the public

hearing should remain a requirement for renewals. The Planning Board agreed that this was sensible, and that the language should address renewal applications instead of public hearings.

Robert Curtis introduced himself as an abutter to James Hammond. Mr. Drummond explained that this Public Hearing was specific to ordinance changes and that the project he was referring to would be discussed under agenda item 5.

Seeing no further public comment, Mr. Drummond closed the Public Hearing.

The Board continued to discuss the amendments to licensing and agreed to include language that renewals would not be required to submit a site plan.

Mr. Drummond noted that there was no further public comment on Waste and Nuisance Yard Definitions and confirmed there were no additional comments by the Board.

Mr. Schlawin asked Mr. Drummond if the numbering in the Ordinance would be updated as well, which he confirmed that it would. Ms. Krueger observed that an item may have been deleted in error, which the Board agreed would need to be corrected.

Motion was made, seconded, and it was unanimously

VOTED

to advance changes to the Land Use Ordinance, including amendments made at this meeting, to the Select Board for inclusion on the Town Meeting warrant.

4. **DISCUSSION**

a) Proposed amendment to Article 10. Site Plan Review, Section E – Use-Specific Standards, (5) Automobile Service Station.

CEO Lorrain explained that the current performance standards are fairly limiting and may discourage potential development of service stations in the Town.

Mr. Drummond confirmed with CEO Lorrain that the Board is still within the timeframe to present changes at Town Meeting. The Planning Board agreed that as a standalone article the Town will be able to discuss the change and vote as to whether to accept the amendment. Mr. Drummond expressed concern that the timing does not allow for a more nuanced discussion of the amendment. Discussion followed on the benefits and drawbacks of the amendment. The Board agreed to move forward with the amendment as written.

Robert Curtis noted that at one point Bowdoinham had as many as four service stations, and that farms were known to have pumps as well. He agreed that floodplains would be a challenge for the location of service stations.

The Board agreed to move forward and with a Public Hearing on the amendment as written.

5. COMPLETENESS REVIEW – SHORELAND ZONE APPLICATION

- i) **Tax Map: R10, Lot: 7**
- ii) **Applicant: James Hammond**
- iii) **Representative: Ellie Oberink, Flycatcher LLC**
- iv) **Location: 431 Browns Point Road**
- v) **Zones: Resource Protection District and Zone AE within the Flood Plan Management Area.**
- vi) **Proposal: The applicant is proposing to replace an existing seawall that is in disrepair and would like to replace the existing wall with a new boulder wall along the shoreline.**

Ms. Oberink introduced the project to rebuild an existing seawall. The new wall would be 3' high and 3' wide with a length of approximately 130', with a 20' gap for access and an overall length of 150'. The stones will be planted 6" deep and surround with crushed stone to prevent erosion. The seawall would extend to Mr. Curtis' property line and cease on the western property line.

The board

~~CEO Lorrain~~ asked whether the rebuild was out of necessity or if this was a decision made by the owner. Ms. Oberink stated that the previous wall had washed away due to undersized stones.

Mr. Vonderweidt noted that the plan does not show the location of the existing wall. Ms. Oberink stated that it was difficult to identify the exact location, as portions of the wall no longer exist. The new wall will be positioned above the highest annual tide line.

Mr. Vonderweidt asked how the site would be accessed and if tree removal would be required. Ms. Oberink stated construction access would be to the eastern side of the property towards Mr. Curtis' lot, and that tree clearance would not be necessary.

The applicant secured State permitting prior to engaging with Flycatcher LLC.

The Board expressed concern regarding the project's proximity to wetlands. Mr. Drummond expressed his familiarity with the property and stated he does not believe that there are wetlands within the project area, then asked if there is any existing erosion that requires a seawall. Ms. Oberink confirmed that there has been no change in the topography, rather the applicant is looking to slow the flow of water onto the property during storm surges to prevent erosion to the lawn. Discussion followed as to the alternative of a vegetative buffer. Ms. Oberink stated that the that the applicant is seeking only to replace what was previously existing and that they had not discussed other alternatives.

The Board reviewed submission requirements for application completeness. Discussion followed regarding discrepancies in the length of the seawall and whether an access gap previously existed. The Board agreed that additional information would necessary to properly review the application, as it may in fact be considered a new structure. Concerns were raised as to whether this project qualifies as shoreline stabilization.

Ms. Oberink asked the Board for suggestions on what would be appropriate for a retaining wall. Discussion followed on riprap and whether the current project would qualify as such for qualification as shoreline stabilization. The Board discussed the location of the wall

with regard to the high-water line and agreed that a wall would not qualify as shoreline stabilization under the Ordinance.

Ms. Oberink asked if an engineer would be required to review the project. Mr. Drummond confirmed it is not a requirement of the Ordinance; however, the Board could request an engineer. Ms. Oberink expressed concern that a riprap project may not be approved by the DEP. Discussion followed on the applicant's options and whether the project qualifies as a retaining wall.

Ms. Oberink asked if the Board found the proposed project dimensions to be acceptable. The Board agreed that the wall would need to be similar to that existing 18 months prior. Otherwise, it would need to either meet the criteria of a retaining wall, or the applicant would need to prove a demonstrated need for shoreline stabilization.

Ms. Oberink asked if the applicant would need to submit a new application should they choose to move forward. The Board agreed that a new application would not be necessary, although supporting documents would need to be submitted, including the DEP Permit by Rule.

6. FUTURE MEETING DISCUSSION

None

7. **ADJOURN**

The meeting adjourned by unanimous acclamation at 8:24 pm.
