

TOWN OF BOWDOINHAM
PLANNING BOARD MINUTES
VIRTUAL MEETING VIA ZOOM MEDIA
May 8, 2020 – 7:00 P.M.

APPROVED 5/28/20

MEMBERS PRESENT: Nate Drummond
Mark Favreau
Tracy Krueger
Justin Schlawin
Reeve Wood

MEMBERS ABSENT: Alyson Dame, William Shippen

STAFF PRESENT: Nicole Briand, Director of Planning and Development

On Friday, May 8, 2020, a special meeting of the Bowdoinham, Maine Planning Board was held via Zoom media with everyone participating from their residences due to the Covid-19 pandemic.

1. **CALL TO ORDER**

Chairman Drummond called the meeting to order at 7:00 p.m.

2. **DETERMINE QUORUM AND VOTING MEMBERS**

It was determined that a quorum was present.

3. **SITE PLAN REVIEW – TIER 2 APPLICATION – APPLICANT, WILL ZELL, D/B/A SOULHAVEN, LLC, IS PROPOSING TO CREATE A WEDDING AND EVENT VENUE AT 22 BATCHELDER ROAD, MAP R05, LOT 043**

The Board acknowledged receipt of an updated plan addressing what had been requested of the applicant at a prior meeting.

The General Performance Standards for the Tier 2 application was reviewed in an open discussion. Under Adequacy of Road System letter from Bill Post was noted asking that no parking be allowed in the right of way or on Batchelder Road near the narrow bridge. Lot B was discussed. Applicant, Will Zell, said Lot B would only be used for personal parking and never for the wedding venue. Suggestion was made to label the lot as “Staff Only Parking” on the plan. Then, after further discussion, it was agreed that Lot B should be taken off the plan all together as it would only be used by the Zells. Mr. Zell said he could locate the dumpster there. The Board requested that the location of the dumpster be shown on the plan and also the enclosure around the dumpster needs to be shown.

There were no concerns with Access into the Site. The only thing mentioned was DEP’s request to keep 75 feet away from the stream.

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No concerns were expressed on Accessway Location or Spacing, or Internal Vehicular Circulation. (The parking area was expanded as requested by the Board at a previous meeting.) Pedestrian Circulation (Handicapped location is shown in Lot C) Municipal Services was been satisfied. Visual Impact and Lighting had been met. There was a discussion regarding Signage. The applicant was not sure if he was going to erect a sign. He said he would like to put up a granite pole with engraving but not at this time. The Board asked where he would put up a sign, which would have to meet ordinance specifications. Applicant said he would place a sign next to the driveway by the telephone pole in front of a Cedar tree. The Board asked that the location of the future sign be placed on the site plan. Applicant asked if the ordinance had any requirements for placing day of the event paper flags with names of people getting married or the like. The Board told him he could hang such signs for the event and then take them down when the celebration was over.

All requirements for Buildings had been met, as had Landscaping, Buffering and Utilities. When discussing Sewage Disposal, the applicant said a new system will be placed where the failing one is located and it will be in compliance with the State Plumbing Code and the Subsurface Wastewater Disposal rules. The septic system will be for private use at the residence only and not associated with the business.

During review, it was agreed that Fire Protection, Capacity of Applicant, Special Resources, Historic and Archaeological, Wildlife Habitat, Natural Areas, Environmental Impact, Solid Waste Management, Hazardous, Special and Radioactive Materials, Air Quality, Water Quality, Stormwater, Sedimentation and Erosion Control had all been met as shown at prior meetings. There was a discussion of Noise. The applicant was not sure what decibels were allowed. It was noted there is a neighbor (or neighbors) who have horses near by and had requested at the public hearing that fireworks not be allowed. a), under Noise, reads: “Noise levels on a site abutting any residential use shall be kept to a minimum between the hours of 9:00 p.m. and 6:00 a.m.. Following discussion, the Board agreed that a condition of approval would be to end the loud music by 9:00 p.m. and only play acoustic music from 9:00 p.m. to midnight.

Motion was made by Mr. Schlawin, seconded by Mr. Favreau, to approve the General Performance Standards for the general review of the Soul Haven project with the following modifications to the plan:

- Remove Parking Lot B from the plan,
- Enlarge the area of the playing field parking from to 60-feet by 120-feet,
- Indicate the location of the sign adjacent to the west side of the power pole,
- Indicate on the plan where the buffer is located around the dumpster,
- indicate that amplified music will not be happening after 9:00 p.m.,
- Fireworks will not be permitted as part of the use of the business,
- Toilets will be brought in; and
- Catering to be brought in as part of the business.

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Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

The Board then reviewed the Approval Criteria. Wording at the beginning of the Approval Criteria states *“The following criteria shall be used in reviewing applications for site plan review and shall serve as minimum requirements for approval of the application. The application shall be approved unless it is determined that the applicant has failed to meet one or more of these standards. In all instances, the burden of proof shall be on the applicant to produce evidence sufficient to warrant a finding that all applicable criteria have been met.”*

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

Finding: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that the proposed vehicular access for the proposed site will provide for safe access to and egress from public and private roads.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Planning Board finds in favor of Vehicular Access.

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

Finding: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that with the change of overflow parking and the removal of parking lot B, the site will provide for the safe movement of passenger, service and emergency vehicles through the site.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board finds that the Standard has been adequately met with the condition of approval.

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

Finding: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that the proposed site layout will provide for safe pedestrian circulation both on-site and off-site.

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Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Planning Board found that this criteria was 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: Motion was made by Mr. Wood, seconded by Mr. Favreau, that the development will not have an unreasonable impact on municipal services, including municipal road system, fire department, solid waste program, open spaces, recreational programs and other municipal services and facilities because municipal concerns were addressed.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board found that this criteria was 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: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that we find there is minimal new development with this site and the new areas will have adequate buffering.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board finds this criteria 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: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that all lighting is existing on the house and therefore is not adding adverse impact on neighboring properties and rights-of-ways.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

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Conclusion: The Board finds that this approval criteria 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: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that we find no sign has been proposed as of yet, and as a condition of approval, the sign must meet the performance standards for signs in the Land Use Ordinance.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board concluded that this approval criteria has been met.

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: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that no new structures are proposed for the use.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: Because no new structures are proposed, this approval criteria does not apply.

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: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that areas of new development are going to be buffered by a fence or landscaping to soften the appearance.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board finds that this approval criteria has been met.

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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: Motion was made by Mr. Wood, seconded by Mr. Favreau, that the proposed development includes a fence for the proposed dumpster and the maintenance of the 75-foot buffer between the development and the stream.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board finds that the Buffering Approval Criteria has been met.

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

Finding: Motion was made by Mr. Wood, seconded by Mr. Favreau, that the Board finds there are no additional utilities proposed.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board finds that the Utilities Approval Criteria has been met.

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

Finding: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that the Board finds the existing well is adequate for the continued use of the residence and therefore the Water Supply Standard has been met.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board finds the Water Supply Approval Criteria has been met.

13. **Sewage Disposal** - The proposed development will be provided with adequate sewage waste disposal.

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Finding: Motion was made by Mr. Wood, seconded by Mr. Favreau, that the wastewater system is adequate for the residence but pursuant to George Pattern’s January 8, 2020 letter, it is to be used for the private residence only.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board finds that the Sewage Disposal Approval Criteria has been met conditioned on all business use being serviced by porta potties or similar facilities, that do not put sewage into the existing or future wastewater treatment system.

14. **Fire Protection** - The proposed development will have adequate fire protection.

Finding: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that this approval standard has been met as there were no concerns from the fire chief.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board concluded this Approval Criteria has been met.

15. **Capacity of Applicant** – The applicant meets the following criteria:

- a) **Right, Title and Interest in the Property** - The applicant has the right, title and interest in the property.

Finding: Motion was made by Mr. Wood, seconded by Mr. Favreau, that a member of the LLC is the owner of the property under consideration, therefore we find that the right, title and interest component has been met.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board was in agreement that this approval standard has been met.

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

Finding: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that evidence has been provided to show (Letter from the Atlantic Federal Credit Union dated

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November 20, 2019) that the applicant has the financial capacity to complete the proposed project.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board finds that this Approval Criteria has been met.

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

Finding: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that this Performance Standard has been met as the applicant has demonstrated technical ability to complete the proposed development.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board finds that this Approval Criteria has been adequately met.

16. Special Resources

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

Finding: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that this performance standard has been met as there is a new development all outside of the Shoreland Zone.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board finds this approval criteria has been met as the project is outside of the shoreland zone.

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

Finding: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that it is concluded that this approval criteria will be met with the condition that if there are any

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potential impacts in the flood plain that the Flood Plain Standards will be met and the appropriate permits will be applied for.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board concluded that this approval criteria has been 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: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that this performance standards is met as there are no impacts to wetlands and that, with the removal of Lot B, everything is outside of the 75 foot setback.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board concluded that the Wetlands and Waterbodies approval criteria is met.

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

Finding: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that we concluded this performance standard is met because the site is being developed so as to not disturb any historic and archeological sites.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board finds this approval criteria to be 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: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that we conclude this standard has been met as there is no new development that would change the quality of groundwater available to abutting properties or to public water supply systems.

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Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board concluded that the Groundwater approval criteria has been met.

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

Finding: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that the Board concludes this performance has been met as this proposed project will not have an undue adverse effect on wildlife habitat.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board concluded that this approval criteria has been met.

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

Finding: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that the Board finds the proposed development will not have an undue adverse effect on rare and irreplaceable natural areas.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board finds that the Natural Areas Approval Criteria has been 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: Motion was made by Mr. Wood, seconded by Mr. Favreau, that the environmental impact approved criteria has been met as there will be minimal disturbance of soil and tree removal as depicted on the plan.

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Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board concluded that the Environmental Impact has been met.

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

Finding: Motion was made by Mr. Wood, seconded by Mr. Favreau, that the plan includes provision for the use of a dumpster and adequate disposal of solid wastes.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board was in agreement that the Solid Waste Management approval criteria was is met.

- b. Hazardous, Special and 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: Motion was made by Mr. Wood, seconded by Mr. Favreau, that the proposed project will not use or store any hazardous, special or radioactive materials on site.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board concluded that the approval criteria is met.

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

Finding: Motion was made by Mr. Wood, seconded by Mr. Favreau, that the proposed development will not result in any change to air quality.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board was in agreement that the Air Quality approval criteria has been met.

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

Finding: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that all repairs and development are outside of appropriate stream setback areas and most of the surfaces are remaining permeable.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board found that this approval criteria has been met.

- 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: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that the proposed use is not likely to increase the stormwater runoff.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board was in agreement with this approval criteria.

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

Finding: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that this approval criteria has been met with the condition that proper measures will be taken to prevent soil erosion and sedimentation of stormwater and waterbodies.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board was in agreement that this approval criteria has been met.

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

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Finding: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that the approval criteria has been met with the condition that amplified music will not be played after 9:00 p.m. and fireworks will not be permitted as part of the business.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board agreed that, with the condition, the Noise approval criteria is 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: Motion was made by Mr. Wood, seconded by Mr. Favreau, that the compliance with ordinances approval criteria is met because the proposed project does not violate the Land Use Ordinance and other ordinances and regulations of the Town of Bowdoinham.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board finds the project to be in compliance with ordinances.

20. **Town Plans and 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: Motion was made by Mr. Schlawin, seconded by Mr. Favreau, that this approval criteria has been met as the proposed development is outside of the purview of the Waterfront Plan and is consistent with the Comprehensive Plan and Transportation Vision Statement of the Town.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Conclusion: The Board finds this approval criteria to be met.

Motion was made by Mr. Schlawin, seconded by Mr. Favreau, to approve the Tier 2 Application to create a wedding and event venue at 22 Batchelder Road, with the following changes to the plan:

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- Lot B to be removed from the plan,
- The Playing Field parking to be changed from 50x120 feet to 60x120 feet,
- That the location of the sign will be placed next to the telephone pole,
- The buffer to the dumpster to be shown on the plan,
- That amplified music will be restricted to before 9:00 p.m.
- No fireworks are to be used as part of the business use.

In addition to the above, the following Conditions of Approval are to be met:

- Noise after 9:00 p.m. is limited and does not include amplified music or fireworks.
- The septic system is appropriate for residential use but that it is not appropriate for business use and therefore toilets must be brought in and waste materials carried off site.
- Floodplain Performance Standards must be met if development is proposed within the flood plain and that appropriate permits are applied for use of the floodplain zone.
- Condition of approval that sedimentation and erosion control measures shall be taken if activities are likely to increase the sediment load .
- The Town will be reimbursed for noticing costs of what we are hearing.

Chairman Drummond called for an “Aye Vote” from those in favor of the motion, or a “Nay Vote” from those opposed. 100% of those voting voted “Aye” and there were no “Nay” votes, **so the motion passed unanimously.**

Planner Briand asked the applicant to submit a revised plan to include the items discussed at the meeting. She said she will put together a letter for the applicant’s signature at the next meeting of the Board.

5. **OTHER BUSINESS** – None noted.

6. **ADJOURNMENT** – The meeting was adjourned at 9:10 p.m.

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