



Town of Bowdoinham

13 School St • Bowdoinham, ME 04008

Phone 666-5531 • Fax 666-5532

www.bowdoinham.com

PLANNING BOARD APPLICATION

Type of Application: Shoreland Zoning Site Plan Review - Tier II Tier II
 Land Use Subdivision - Minor Major

Applicant Information:

Name: DAVID BERRY
Mailing Address: 21 DINSMORE CROSS ROAD
Telephone: 807-757-2809
Right, Title, Interest in Property: Owner Other _____

(appropriate documentation must be provided)

Owner Information: Same as Above

Name: _____
Mailing Address: _____
Telephone: _____

Agent Information:

Name: _____
Mailing Address: _____
Telephone: _____
 Surveyor Engineer Other: _____

Property Information:

Map/Lot Number: RO6-017
Property Address: 21 DINSMORE CROSS ROAD
Lot Size: 40 ACRES Lot Frontage: 1200
Existing Lot Coverage: _____ Proposed Lot Coverage: _____
Water Service: Public Private Road Ownership: State Town Private
Floodplain: No Yes Shoreland Zoning: No Yes: _____
Tax Program: No Agriculture Open Space Tree Growth

*CONSERVATION EASEMENT
WITH MAINE FARMLAND TRUST*

Project Description:

Applicant proposes to grow recreational marijuana
in a 72'x30' high tunnel.

Attachments (the following items are required):

- Site Plan
- Photographs of Site
- Application Fee
- Supporting Documents as required per Land Use Ordinance**

By signing this application, as the foresaid applicant:

- I certify that I have read and completely understand the application;
- I certify that the information contained in this application and it's attachments are true and correct;
- I understand that all information provided on this form and all other documents submitted as part of my proposal is a matter of public record;
- I understand that copies of this information may be supplied upon request to an interested party;
- I understand that additional funds may be required through the course of review for special studies, legal review costs, and/or engineering review;
- I understand that it is my responsibility to know and pay for any tax penalty that may result from said project;
- I understand that the information contained in this application is background information and some applications may require additional tests, maps, documentation or submissions as required by the Planning Board.

David L. Berry 2/3/21
Applicant Signature Date

DAVID L. BERRY
Print Name

FOR OFFICE USE ONLY

Received On: _____ Fee Paid: _____

Signed Date

Names and addresses of all property owners within 200' of all property boundaries

All lots are in map R-06:

- lot 15A - Andrew Guesette, 208 White Rd
 ↓ 16 - Alan J. Ballard Living, 218 White Rd.
 16A - Tracy Alicia Coffin, 210 White Rd
 16B - Katherine Vaillancourt, 216 White Rd
 23 - Tessa Baupple, White Rd.
 24 - Jeffrey Fisker, 289 White Rd.
 24A - Ricky LeLiberte, 257 White Rd
 " B - Patricia Smith, 25 Dinsmore Crossroad
 C - Juanita Lopez, 15 " "
 D - William Stoebe, 19 " "
 E - Lance Blodgett, 251 White Rd.
 26-001 - White Family Revocable, White Rd.
 39-001 - Steven Rollins, 256 Carding Machine Rd
 002 - John A. White, 35 G.B. Tome Way
 40 - Larry Lindvall, 205 Carding Machine Rd.
 40A - Cynthia Lamoreau, 193 Carding Machine Rd.
 BF - Brian Petrie, 231 Carding Machine Rd.
 G - James D. Valley, " " "
 41A - Virginia Hyde, 212 Carding Machine Rd
 41B - Donald Lamoreau, 244 " " "
 C - Robert Gray, Dinsmore Crossroad
 D - Steven Lamoreau, 242 Carding Machine Rd
 42 - Robert Young - 182 " " "
 42A - Joseph Murray, 209 White Rd.
 B - Darren Woodbrey, 195 White Rd.
 43 - Mark Donovan, 183 Carding Machine Rd.

Merrymeeting Farm

Bowdoinham, Sagadahoc County, MAINE.

Appendix 1-A Property Location Map



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, ©OpenStreetMap contributors, and the GIS User Community

- Protected Property (~40 Acres)
- Farmstead Area (~6 Acres)
- MFT Buy-Protect-Sell Easement
- MFT Buy-Protect-Sell
- Other Conserved Lands

Note: Information on this map is provided for purposes of discussion and visualization only; mapped boundaries and acreages are approximate.



Created by Caitlin Hopkins, MFT, 05/25/2017
Boundary based on Tax Map and GPS Points.

Merrymeeting Farm

Bowdoinham, Sagadahoc County, MAINE.

R06-017

APPENDIX 1-D Aerial Photo Map



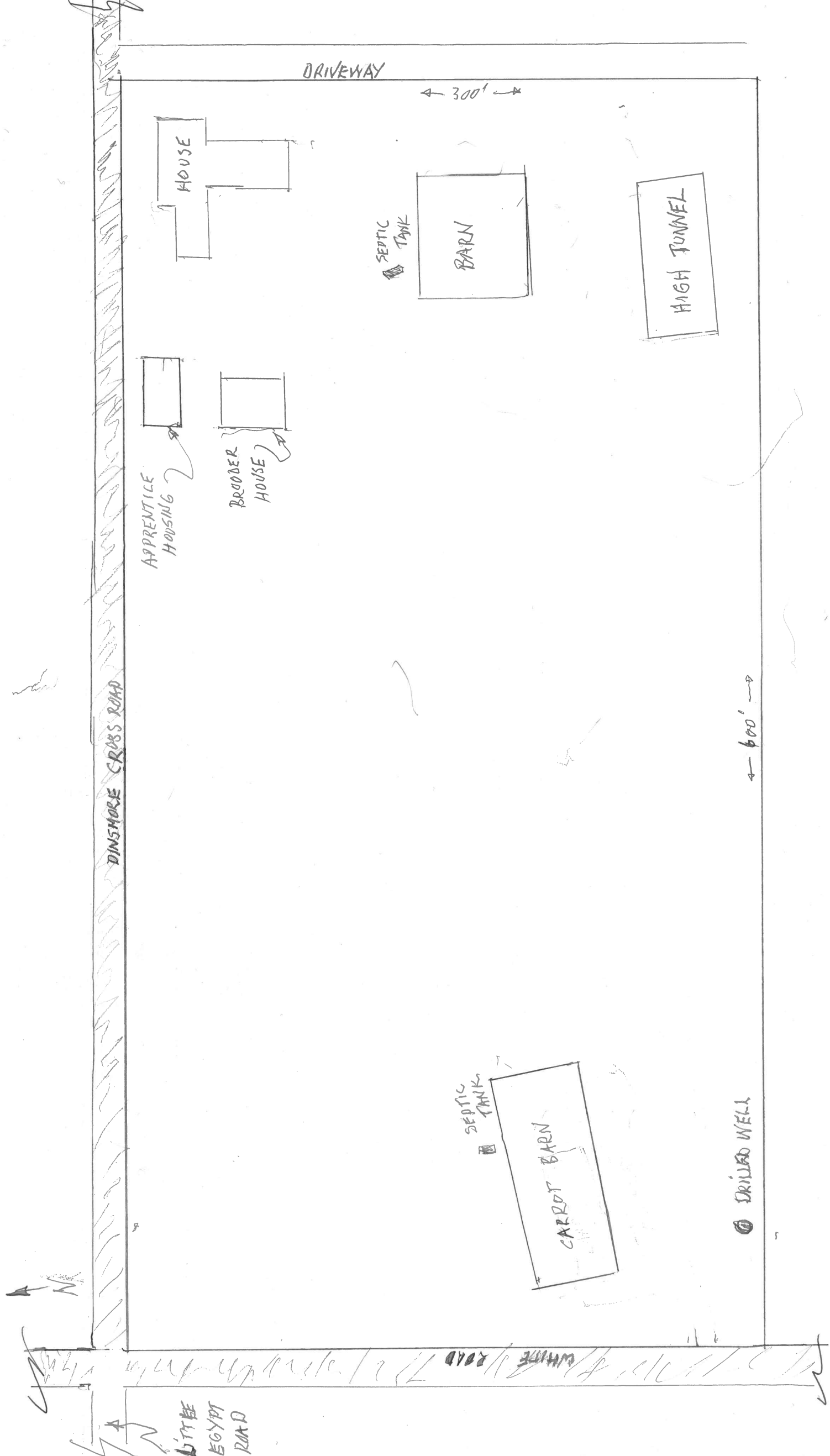
 Protected Property (~40 Acres)  Farmstead Area (~6 Acres)



Note: Information on this map is provided for purposes of discussion and visualization only; mapped boundaries and acreages are approximate.



Created by Caitlin Hopkins, M.F.T., 05/25/2017
Base Data Source: Maine Office of GIS, NAIP/2013.
Boundary based on Tax Map and GPS Points.



SCALE: 1" = 50'

If at any time after the date of this Easement there occurs a release in, on, or about the Property of any substance now or hereafter defined, listed, or otherwise classified pursuant to any federal, state, or local law, regulation, or requirement as hazardous, toxic, polluting, or otherwise contaminating to the air, water, or soil, or in any way harmful or threatening to human health or the environment, Landowner agrees to take all steps that may be required under federal, state, or local law necessary to assure its containment and remediation, including any cleanup.


11.14 Liability and Indemnification. Landowner acknowledges that Holder has no possessory rights in the Property, nor any responsibility or right to control, maintain, or keep up the Property. Landowner is responsible for all costs and responsibility of ownership, control, operation, maintenance, and upkeep of the Property. If the Holder is ever required by a court to pay damages resulting from personal injury or property damage that occurs on the Property, the Landowner shall indemnify and reimburse the Holder for these payments, as well as for reasonable attorneys' fees and other expenses of defending itself, unless Holder or any of its agents have committed a deliberate act that is determined by a court to be the cause of the injury or damage.

12 HABENDUM AND SIGNATURES.

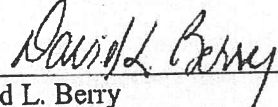
TO HAVE AND TO HOLD the said Conservation Easement unto the said Holder and its successors and assigns forever.

IN WITNESS WHEREOF, David L. Berry, Landowner, and Alison B. Berry, his spouse, joining in this deed and relinquishing all rights herein by descent or otherwise, have hereunto set their hands and seals, this 9th day of June, 2017.


Signed, sealed and delivered
in the presence of:



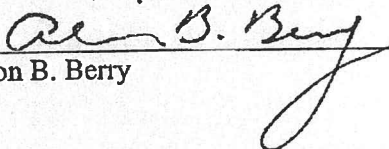
Witness



David L. Berry



Witness



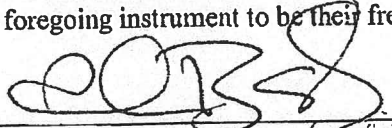
Alison B. Berry

13 ACKNOWLEDGMENT.

STATE OF MAINE
COUNTY OF _____

Dated: June 9th, 2017

Thence personally appeared before me the above-named Landowner, David L. Berry, and his wife, Alison B. Berry, and acknowledged the foregoing instrument to be their free act and deed.



Notary Public/Maine Attorney

Printed Name: _____

My Commission expires: _____

ADAM BISHOP
NOTARY PUBLIC
STATE OF MAINE

MY COMM. EXP. SEPTEMBER 1, 2022

Description of proposed use

The applicant, David Berry, proposes to lease a 30' x 72' high tunnel to a tenant who intends to use it to cultivate marijuana. The high tunnel has been used for tomato production during the past 5 years. This will not be an intensive growing program with heat and lights, etc., but a more natural one, with the high tunnel helping to smooth out changes in the weather, and provide for an earlier crop.

There will be no requirements for changes regarding the high tunnel. Plants will be watered using drip irrigation and with 100 gpm minute flow from the drilled well, there is ample water available.

Know all Men by these Presents

03924

That LLOYD R. SKELTON and J. LOUISA SKELTON, a/k/a JANE G. SKELTON, both of Bowdoinham, County of Sagadahoc and State of Maine,

in consideration of One dollar and other valuable considerations,

paid by DAVID L. BERRY and SHARON E. BERRY, both of Bowdoinham, County of Sagadahoc and State of Maine,

the receipt whereof we do hereby acknowledge, do hereby give, grant,

bargain, sell and convey unto the said DAVID L. BERRY and SHARON E. BERRY,

as joint tenants and not as tenants in common, and their heirs and assigns, and the survivor of them,

and the heirs and assigns of the survivor of them, forever, a certain lot or parcel of land with the buildings thereon, situated in Bowdoinham, County of Sagadahoc and State of Maine, bounded and described as follows, to wit:

BEGINNING at an iron stake set in the Southerly sideline of the Dinsmore Cross Road at the Northwest corner of land now or formerly of Virginia Lammers, which said land is the same conveyed by W. L. Dinsmore to the Hall Brothers by deed dated November 21, 1911 and recorded in Book 123, Page 192 of the Sagadahoc County Registry of Deeds; thence continuing in a general Southerly direction along ~~ax wire fence~~ and said land conveyed to the Hall Brothers a distance of 400 feet, more or less, to a stone wall and the Southwest corner of said land formerly of the Hall Brothers; thence continuing in a general Westerly direction along said stone wall to an iron stake and the Easterly sideline of the White Road; thence continuing in a general Northerly direction along the Easterly sideline a distance of 400 feet, more or less, to an iron stake and the Southerly sideline of said Dinsmore Cross Road; thence continuing in a general Easterly direction along the Southerly sideline of said Dinsmore Cross Road to the point of beginning, containing seventeen acres, more or less.

Also another certain lot or parcel of land situated in said Bowdoinham, bounded and described as follows, to wit:

BEGINNING at an iron stake set in the ground on the Northerly side of the Dinsmore Cross Road, so called, at the Southwest corner of land now or formerly of one Lamoreau; thence in a general Northerly direction along a wire fence a distance of 800 feet, more or less, to a stone wall; thence in a general Westerly direction along said stone wall a distance of 670 feet, more or less, to land now or formerly of one Ervin Thurlow and another stone wall; thence in a general Southerly direction along said stone wall, said land of Ervin Thurlow and land now or formerly of James Smith to an iron stake and the Northerly sideline of said Dinsmore Cross Road; thence in a general Easterly direction along the Northerly sideline of said Dinsmore Cross Road a distance of 627 feet, more or less, to the point of beginning, containing twelve (12) acres, more or less.

For source of title, reference may be had to deed of Martha Alice Given to the Grantors herein dated September 26, 1950 and recorded in Book 262, Page 538 of the Sagadahoc County Registry of Deeds.

The Grantors herein reserve the right to use both of the above described parcels of land for agricultural purposes until December 31, 1976.

To Have and to Hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said DAVID L. BERRY and SHARON E. BERRY

as joint tenants and not as tenants in common, and their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivor of them, to them and their use and behoof forever.

And we do COVENANT with the said Grantees, as aforesaid, that we are lawfully seized in fee of the premises, that they are free of all incumbrances,

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid, and that we and our heirs shall and will Warrant and Defend the same to the said Grantees, their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivor of them, forever, against the lawful claims and demands of all persons.

In Witness Whereof, we the said LLOYD R. SKELTON and J. LOUISA SKELTON, husband and wife, each

joining in this deed as Grantors, and relinquishing and conveying all right by descent and all other rights in the above described premises, have hereunto set our hands and seals this First day of October in the year of our Lord one thousand nine hundred and seventy-six.

Signed, Sealed and Delivered in presence of

Arvid W. Galle Jr
to Beth

Lloyd R. Skelton
J. Louisa Skelton

State of Maine, Cumberland

October 1, 1976.

Personally appeared the above named

LLOYD R. SKELTON & J. LOUISA SKELTON

and acknowledged the foregoing instrument to be their free act and deed.

SAGADAHOC, SS Registry of Deeds
RECEIVED OCT 7 1976 9 H. 40 M. A. M
AND RECORDED FROM THE ORIGINAL REGISTER
Jane W. Stinson

Before me, Arvid W. Galle Jr Justice of the Peace Notary Public