

**Town of Baldwin, Maine
Planning Board
Meeting Minutes from June 26, 2025**

Board Members Present

Jo Pierce, Don Sharp, David Strock, Merhiella Crawford, Mike Ustin (quorum established)

Also Present

Select Board member Jim Dolloff. Members of the community.

The meeting began just before 7:00 PM with Jo Pierce calling it to order. When Vice Chair David Strock arrived at 7:05 PM, he assumed leadership of the meeting.

The minutes from the June 26th meeting were reviewed.

VOTE: Don Sharp moved to approve the minutes as written. Mike Ustin seconded. There was no discussion, and the motion passed unanimously.

1. PIGEON BROOK ROAD SUBDIVISION PROPOSAL

Vice Chair David Strock introduced Jamie Garland of Main-Land Development, who is representing landowner Andrew Porter in a proposal for a major subdivision off Pigeon Brook Road. Mr. Garland gave a brief overview of Mr. Porter's plans, after which he addressed several questions from members of the community.

One question raised concerned whether the two larger lots in the subdivision could potentially be further divided in the future. The Planning Board clarified that once a parcel is included in a designated subdivision, it cannot be subdivided again without going through the subdivision modification process as defined in the Subdivision Ordinance.

Another concern from the public was about Mr. Porter's stated intention to allow continued public access to the trail system on the property. A resident noted that the proposed road or driveway would be built on the current trail, and the house site is located in the middle of that trail. Given that the land features wetlands on one side of the road and steep banking on the other, they asked where a rerouted trail could go. Mr. Garland acknowledged this was a gray area and said he could not provide a definitive answer at this time.

The Board then discussed whether to waive or suspend the \$15,000 retainer fee currently due from Mr. Porter. This fee would be held in case the town hires an outside consultant to review the development plans.

VOTE: Jo Pierce moved to suspend the \$15,000 retainer fee for now, while reserving the right to require it later if circumstances change. Don Sharp seconded. The board asked Jamie Garland if he felt this was fair, and he agreed. There was no further discussion, and the motion passed unanimously.

The Board also discussed whether to hold one or two public hearings on the proposal. Although the Subdivision Ordinance requires only one, a second hearing is allowed at the Planning Board's discretion. After discussion, the Board agreed that two hearings would give the community the best chance to provide input. The first public hearing will take place on July 31st at the Town Office, during a special Planning Board meeting scheduled to meet ordinance deadlines. Written notice will be provided to abutters, and advertisements will be placed in the Shopper's Guide.

Next, the Board reviewed Mr. Porter's preliminary application for the subdivision.

VOTE: Jo Pierce moved to formally accept the Preliminary Application for a Major Subdivision. He clarified that this acceptance does not imply approval, but is a required step under the Subdivision Ordinance. Don Sharp seconded. There was no discussion, and the motion passed unanimously.

David Strock provided Mr. Garland with a receipt confirming submission of the application.

Finally, David Strock asked whether the town's Code Enforcement Officer (CEO) should be involved in discussions regarding the subdivision. Select Board member Jim Dolloff informed the group that the town currently has no active CEO. The newly hired CEO never reported to work, and the previous CEO, Mike Lee—who had agreed to assist in training—has resigned. In light of this, Mr. Strock asked if the Select Board would be willing to review the application in the absence of a CEO. Jim Dolloff agreed to share the application with the Select Board for their review.

2. STATUS OF THE SHORELAND ZONING MAP UPDATE

David Strock asked Select Board member Jim Dolloff for an update on the Shoreland Zoning and Resource Protection Map revision being led by Archipelago Consulting. Mr. Dolloff replied that the town had not received any recent communication from Archipelago and was therefore unable to provide a progress update. Mr. Strock emphasized that completing the review and update was important and should be prioritized.

3. STATUS OF CONDITIONAL USE PERMIT (CUP) APPLICATION FOR 153 BRIDGTON ROAD

David Strock asked Select Board member Jim Dolloff whether the Planning Board should expect a Conditional Use Permit (CUP) application from Mr. Bennett regarding his operation of a car burnout pit as a business. Mr. Dolloff said he was unsure, especially given that the town currently does not have a Code Enforcement Officer (CEO) to work with the landowner. However, he noted that Mr. Bennett has indicated a willingness to cooperate with the town.

Mr. Strock commented that homeowners living near the property continue to report problems with loud noise and the smell of burning rubber during burnout events. He then inquired about the status of the Mass Gathering Ordinance, which had been written and presented to the Select Board late last year. Mr. Dolloff responded that the Select Board chose not to bring the ordinance to a town vote, citing concerns about the difficulty of enforcement.

A community member asked how the issuance of a CUP could possibly limit the negative impacts—such as noise and smoke—if no ordinance currently restricts them. Mr. Strock explained that while the town does not have a specific ordinance targeting burnout events, the Land Use Ordinance includes criteria for evaluating CUP applications. These criteria require applicants to address various potential impacts of a proposed business, including its effects on adjoining properties, lighting, pavement, hours of operation, noise, dust, vibration, and more. The Planning Board would approve or deny the CUP application based on such factors.

Mr. Strock reminded the community members that the Planning Board is not responsible for enforcement. That responsibility lies with the Code Enforcement Officer and the Select Board. The Planning Board's role is simply to review and vote on applications based on the standards set forth in town ordinances.

Mr. Dolloff added that enforcement requires the issuance of three or more formal violation notices, which must be issued by a CEO. If the landowner remains out of compliance after that process, the town's attorney may become involved. In response to a question from a resident about whether Baldwin could contract with a CEO from another town or the county, Mr. Dolloff said he did not know but noted it was a possibility worth exploring.

Mr. Dolloff urged residents affected by the burnout events to file formal complaints with both the town and local law enforcement. Complaints can be submitted by email or by using the complaint form available on the town's website. He stated that the more documentation the town receives, the stronger the case will be for the attorney to pursue enforcement.

One community member shared an audio recording taken inside her home during a recent burnout event. She explained that the noise was so loud she was unable to carry on a normal conversation with her family while standing in the kitchen. Mr. Dolloff responded that such evidence is extremely helpful and encouraged others to submit similar documentation, including any relevant police reports.

4. PLANNING BOARD ADMINISTRATIVE ASSISTANT

David Strock informed the Board that there have been no applicants for the part-time Administrative Assistant position. The town will continue advertising the vacancy. He noted that Carry Markovich will remain in the role until the second Planning Board meeting in July.

VOTE: At 8:18, Jo Pierce moved to adjourn. Merhiella Crawford seconded. There was no discussion, and the motion passed unanimously.