

**TOWN OF BOWDOIN
PLANNING BOARD MINUTES
FEBRUARY 23, 2010**

Record of Minutes and dates Minutes were approved.

12/08/09 Approved 1/12/10
12/22/09 Approved 2/9/10
1/12/10 Approved 2/9/10

1/26/10 Approved 2/9/10

Members: Michaeline Mulvey, Chair M.M. Helen Watts H.W. Doug Rollins _____
Bob Glassbrook B.G. Lauren Leclerc L.L.

Chair, Michaeline Mulvey, called the meeting to order at 7:00 pm. Watts arrived at 7:10 pm. Members of the public attending were John Mann, Atty. John Cunningham, Glenn Flanders, Ramona Stinson, Amanda Stinson, Melanie Page, Cynthia Rancourt, Robert Craig, Debbie McCarthy, and Scott Deschaines. The meeting was audio taped.

Old Business:

Mulvey announced that training has been scheduled for Planning Board Procedures, but most members have previously attended trainings. An all-day training on Parliamentary Procedures is scheduled for March 23. Rollins said he might be interested:

Mulvey presented e-mail from Douglas Title Company asking the Board's permission to consult with the Town's attorney, Curtis Webber, regarding the James Murphy family division of property on Lewis Hill Road. Points brought out during discussion were as follows:

- The town should not pay for any legal fees.
- This is a legal issue rather than a Planning Board issue of Subdivision Ordinances.
- Consultation may be a conflict of interest for Mr. Webber because he is the Town's attorney.

The Board resolved that Mulvey inform Mr. Douglas that [he] may contact Mr. Webber, but the town will not be responsible for fees. She will send a copy to Mr. Webber so he can decide whether this might constitute a conflict of interest for him.

The Board reviewed and amended minutes for February 9th.

Rollins reported on the Selectmen's meetings. Selectmen asked if the West Bowdoin Baptist Church or the Bowdoin Village Subdivision projects are complete and if deposits held in escrow for them have been refunded. Mulvey replied that

it is the responsibility of the project originators to request a refund when the project has been completed.
Rollins received notice of a meeting on Conservation of Natural Resources to take place March 10th from 6:30 – 8:00 pm. Leclerc will plan to attend.

Mulvey and Leclerc will attend the next Selectmen's meetings.

Carol ordered up-to-date Planning & Land Use law books for the Planning Board Feb. 16th. It is okay to have her order pre-printed envelopes for Planning Board mailings.

[The Planning Board began considering the Grover's Mill revision request at 7:30 pm.]

Map 10, Lot 44, Grover's Mill Subdivision, Rising Tide Industries, LLC

Attorney Cunningham outlined the history. The project had received Planning Board approval that two abutters appealed first to the Board of Appeals and subsequently to the Superior Court. The Court found against the appellants except on two variances; it [was] remanded to the Planning Board for further consideration. These were: 1) Allowing the applicant to use rebar rather than granite or concrete monuments, and 2) Allowing a variance for the crown of the road.

Rollins read to the audience the applicant's requested "Modification of Findings of Fact and Approval". This deletes the waivers originally approved and states that, "This approval does not include any waiver from the requirements of the road Design Standard, and any earlier waivers discussed or purported to have been given are without effect."

Rollins made a motion seconded by Watts that the Planning Board accepts the Modification of Findings of Fact and Approval as read to the audience.

Discussion:

Mulvey found that the map shows iron rods rather than concrete monuments. She requested that the proposed modification specify in full the variance wording to be deleted. Atty. Cunningham agreed to quote the entire deleted section and both variances. The motion was withdrawn.

Rollins made a motion seconded by Watts to table Modification of Findings of Fact and Approval until the next meeting on Tuesday, March 9th. The motion passed unanimously.

John Mann requested minutes from the last two meetings. Mulvey asked the Secretary to determine the cost for mailing notices to abutters so that the applicant can reimburse the Town.

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Map 4, Lot 10-0, Raymon W. Small, owner

Ramona and Amanda Stinson asked how they should proceed in order to put a farm stand on the property. The Board reviewed the ordinance to determine whether a site plan would be required. They determined that a farm stand would not require one, but a small take-out restaurant would. The Board went through the site plan requirements with them.

With no further business the meeting was adjourned at 8:53 pm.

Respectfully submitted by,

Marie Murray
Secretary

cc: Selectmen, Code Enforcement Officer, Webmaster, Planning Board Files

