

**Town of Greenwood
Planning Board Meeting Minutes
Greenwood Town Office – 5:30pm
April 6, 2026**

Item 1: Call Meeting to Order

Roll Call:

John Kwoka, Chair

Cheri Thurston, Vice Chair

Andrew Baker, Secretary

Sarah Wood

David Newcomb

Anne Kwoka, Code Enforcement Officer

Kim Sparks, Recording Secretary

Absent:

Matt Mitchell, Alternate

Statement from Chair:

Before the meeting, does any Board member have a conflict of interest, personal or financial interest, or a potential bias to anything on tonight's agenda? Such a conflict would prevent them from participating in this matter in an impartial and objective manner.

If so, please disclose it now, recuse yourself from discussions and voting, and step down from the table when we get to that agenda item.

No conflict of interest noted.

Item 2: Consider Minutes of March 2, 2026- The Board reviewed the minutes. Member Wood motioned and Member Baker seconded to approve the minutes as submitted.

Item 3: Old Business

A. Black Ink Realty, LLC, Site Visit and Public Hearing
Rowe Hill Road, Map R13 – Lot 10

Site visit - 9:30am on April 6, 2026

Chair Kwoka started the Site Visit at 9:35am.

Planning Board Members present: John Kwoka, Cheri Thurston, Andrew Baker, Sarah Wood, David Newcomb. Absent: Matt Mitchell

Town Admin – Kim Sparks and Ken Cole

Property Owner/Applicant, Michael Johnson

Surveyor: Paul Ruopp

Abutters and neighbors: 14

The Board walked the property reviewing the 3 proposed new lots.

Chair Kwoka ended the Site Visit at 10:11am.

Public Hearing

1. Chair Opens Public Hearing at 5:40pm.
Chair Kwoka stated that two letters have been submitted for the record. A letter from Harold and Jaime Kotler and a letter from Mr. Schnieder.
2. Chair explains purpose of the hearing.
3. Chair explains procedures of the hearing.
Testimony presented should be related to factual information about the proposed subdivision and related submissions. Please state your name and connection to this proposed subdivision before speaking. Each person will be given 15 minutes. All questions/statements must be directed to the chair.
4. Opening statement and presentation from developer of proposed subdivision.
4 Lot proposed subdivision – 1 existing and 3 proposed new lots
Corner of Rowe Hill Road and Dunham Road
Map R13-Lot 10, 5 acres.
5. Open hearing to comments, statements, information submissions, or questions in favor of the proposed subdivision.

Mark Doherty, Indian Pond - spoke specifically of lot 4, which has a stream running through it. Mr. Doherty asked if this would fall under the 75-foot rule in Shoreland Protection and if so, it seems like it will be an unbuildable lot.

Codes Officer Kwoka stated that our Shoreland Zoning Ordinance does apply to streams and it even applies to streams that don't run continuously. So we have a 75-foot buffer that has to be maintained around streams. She stated that if it is running enough to cut a definitive channel then it is considered a stream. She explained that there would need to be a 75-foot buffer around the stream and any branches off the stream. She stated that if the property is in the watershed of the adjacent ponds, the Subdivision Ordinance clearly states that a phosphorus impact analysis and a control plan have to be done in the care of direct watershed of a great pond, and both Indian Pone and Bryant Pont are great ponds. She stated that a phosphorus control plan has to be put in place for approval for this project. She explained that the plan has to be designed to limit the phosphorus runoff to specified levels of the ordinance.

Brian Dunham stated that he lives north of this property and he has lived here all his life. Mr. Dunham stated that where the farm pond is, is a spring that comes out of the ground. He explained that spring used to be the drinking water for that property. He suggested having

Main-Land come and walk the property, and you will be surprised what they will see. Mr. Dunham stated that he feels with all the water on this lot it should all be unbuildable.

Cheryl Plassman, Carl Plassman, and David Hanson introduced themselves from the Community Lakes Association. Mrs. Plassman stated that they are attending this evening because they are very concerned about the watershed. She explained that the Association monitors all the water quality in the ponds in Greenwood and Woodstock and that Indian Pond has great water quality, with a good history, and they want to keep it that way. She stated that she is really concerned about the damage that a disturbed watershed can cause to a pond, that they have seen it, and don't want to see it happen again.

David Hanson stated that he does the water quality testing on Indian Pond and the water quality is great. He stated his concerns with building out this property will bring issues in water quality in the summer after a rainstorm. He stated he is also concerned about disturbing the soils along Dunham Road will also have an impact.

Chuck Finger stated that he lives on Indian Pond Road and asked if Main-Land consultants were in the room tonight and are they directing this. Kim answered no that Main-Land is not in attendance and does not represent Mr. Johnson. Chair Kwoka stated that he thinks that Main-Land only did the soil sampling. Mr. Finger stated that Dunham Road is not up to Town standards as two cars can't pass each other going in either direction on that road. Mr. Finger stated that the current house is being advertised on Airbnb right now and it will sleep up to 16 people. Mr. Finger stated his concerns with two homes going on the Dunham Road could have 30 cars a day and that Road can't take that much traffic. Mr. Finger asked if Mr. Johnson would be willing to rebuild that section of road to Town standards to handle that amount of traffic.

Bob Oickle, abutter to the property stated he had a question for the Planning Board – Can a subdivision be approved with unbuildable lots. Chair Kwoka asked Mr. Oickle if he meant that the lots were less than the required 40,000 square feet. Mr. Oickle asked if there was something wrong with a lot so you can't build on it. Chair Kwoka stated that he couldn't find anything in our Subdivision Ordinance that says the lot is not buildable. Mr. Oickle stated that at the last Planning Board meeting there were several questions raised by the Planning Board to Mr. Johnson and asked if the Board received any responses to those questions. Mr. Oickle stated that he wondered about a response to two questions: the Planning Board asked in the areas that they wanted to build – what the building envelopes looked like given all the setbacks, the water and all that; and there were several questions about the soil testing and grading. Mr. Oickle stated that he thought those answers were going to be available tonight. Mr. Oickle stated that CMP utility lines run through the property, and he thought there was a setback requirement for that and didn't see that setback noted on any of the plans.

Theresa Doherty asked if she could read out loud the two letters from the Kotlers and the Schneiders. Chair Kwoka answered yes. Mrs. Doherty read the two letters aloud. Copies attached.

Paul Ruopp stated that he was a licensed surveyor and representing BlackInk. Mr. Ruopp stated that he would like to address the concerns about stormwater runoff from this development. He explained that they have included a phosphorus management plan as part of the application. He explained the process to determine the phosphorus impact by using the State of Maine DEP regulations. He explained that Lot 1 predates the Stormwater management practices law – so his calculations have the watershed budget at .034 pounds per acre. He stated that they have to subtract for NWI – National Wetland Inventory – available through IF & W bringing us to a project budget of .0158 pounds.

Mr. Ruopp stated that the Board had several questions at the last meeting. He stated that they wanted to know what AOI meant – is stands for Area of Interest. Mr. Ruopp stated that they are meeting the prosperous export budget for this watershed for the Indian Pond watershed. Mr. Ruopp stated that after today's site visit, they are going to have to reassess and impose a 75' buffer around the stream and its branches. Mr. Ruopp stated that they would have to reassess the area around the pond to make sure the 75' buffer is met. Mark Doherty asked if there is a way that the buffers are going to be inspected to make sure they are working properly.

Member Newcomb asked if they were going to install any rain gardens. Mr. Ruopp stated that they do not have any planned for as of yet. Mr. Finger asked if the septic designs had been completed. Mr. Ruopp answered no, as they are not aware of what size homes will be built on these sites. Mr. Ruopp explained that Mr. Johnson is selling just the lots and is not aware of what future owners will be building. Mr. Finger stated that he was under the understanding that homes would be built on these lots and then listed with Airbnb. Mr. Ruopp stated that Mr. Johnson is simply selling the lots. Chair Kwoka asked Mr. Johnson if it was his intent to make three more lots and then put them on realtor.com. Mr. Ruopp stated that was correct and that there is no intent to develop anything further than that.

Codes Officer Kwoka stated that the Planning Board can either approve or deny the application based on the requirements of what are in the Town's Ordinances. She explained that the subdivision ordinance requires that a phosphorus impact analysis and control plan be done – which the applicant has submitted. She explained that the Planning Board can require buffer strips to protect the water bodies and streams.

Robert Oickle stated that if they put the 75' buffer on either side of the stream they can't build anything on lot 4. Mr. Ruopp stated that

has to be analyzed. Mr. Oickle stated that they can't get 75' on both sides of the stream and still have a buildable lot. Mr. Ruopp stated that they stated previously that they need to reassess.

Chair Kwoka stated that at today's site visit he asked Mr. Ruopp to update his drawing/plans for this project to include the 75' buffers for the streams and the pond. Mr. Ruopp stated that they would update the plans. Chair Kwoka asked if there were any other questions regarding the watershed and the phosphorus quality plan. Mr. Ruopp stated that they have submitted the necessary computations and worksheets to show that this project will meet the standards for the Indian Pond Watershed.

Member Thurston asked if the building envelopes could be put on the plan that way future buyers will know where they can build. Mr. Ruopp stated that they could do that and in doing so, if future buyers wanted to move that building envelope they would have to come to the Planning Board for a subdivision amendment.

Robert Oickle stated that another concern is the status of Dunham Road. Kim stated that Dunham Road is a town road. Mr. Ruopp stated that he researched this and says that Mr. Johnsons property was split off from the main lot in the early 1800's. He stated that he never found any easements for anyone to cross the property using Dunham Road. Mr. Ruopp stated that he agrees Dunham Road is narrow and it is difficult to have two vehicles pass each other.

Chair Kwoka stated that the Board received a letter from Fire Chief Ken Cole requesting 30' wide culverts that would allow for emergency equipment to access the lots if needed. Chief Cole stated that he requires 30' entrances to allow trucks to enter the property. He explained that the ditches were too deep on Dunham Road and he would have to discuss adding riprap and fabric with the Road Commissioner and Board of Selectmen as this would be a budget item. He stated that he needs the 30' entrances to the driveways to have enough room for the emergency equipment to get in and out of the property. Chair Kwoka asked Mr. Ruopp, could also put the driveway entrances on the plan.

Mr. Ruopp stated that they have a lot of work to do on the plans, and he understands that there might be conditions. He stated that the Planning Board has three options: Approve, deny, or approve of conditions.

Mr. Oickle asked if Dunham Road is not a town road, would it just be considered a driveway. Kim stated that it is a Town Road. Mr. Oickle asked if putting in multiple driveways off of a driveway is still in compliance with the Town Ordinances. Chair Kwoka stated that is what the Board needs to decide and would request that the Town research if Dunham Road is a Town Road. Mr. Oickle asked if it is determined that isn't a Town Road would Mr. Johnson have

to take over the maintenance of that road. Mr. Oickle asked if that would be considered a subdivision road. Chair Kwoka answered no. Erin Cooley asked the Planning Board to hire an engineer to review the phosphorus calculations. Chair Kwoka asked if the Planning Board could hire an engineer to complete this review. Kim explained that the applicant would be financially responsible for any outside review. Mr. Johnson stated that he spoke with Kim last summer and Kim told him that Dunham Road was Town Road.

Erin Cooley stated that the Board shouldn't even be considering this application without having that taken care of first. We don't have the infrastructure even for this proposal. So we need to find out who actually owns that land, and if it's on the town and we want to entertain this proposal, you need to get the road up to snuff before considering. She stated that is the Planning Board's obligation.

Chair Kwoka stated that they have never had to deal with who owns a road at the Planning Board level. Ms. Cooley asked if it made sense to table this application until the road issue can be sorted out. Chair Kwoka asked if any of the Board members had questions. Member Baker stated that it was a great turnout here tonight but wished more would attend these meetings not just when it hit home. Member Newcomb stated that his question about who maintains the buffers was already answered by having this information on the final plan. Member Newcomb reminded everyone that all of the Town's ordinances fit in this small book – no one will vote for zoning – so the Planning Board is limited to what is in these ordinances. Member Thurston stated that she likes the idea of the buffer on lot four, she likes the idea of putting the building envelopes on the plan and asked if we could hire a third-party inspector. Member Thurston stated her concerns about Dunham Road and was greatly relieved to hear that it is a Town Road. She asked if we could make a condition of approval that due to the narrowness of Dunham Road could we have a condition of approval to not have either lot go into a short-term rental property. Chair Kwoka stated that the Town doesn't have a definition of short-term rental property. Member Thurston stated that there is a definition in the State of Maine code. Member Wood stated that she is concerned with the underground springs and needs more information before the Board can move forward and asked if DEP could come look at the property. Codes Officer Kwoka stated that they would have to determine what agency from DEP could come look at the property and then see if anyone is available as they are very short handed. Codes Officer Kwoka stated that this project is small and doesn't meet the stormwater management law and there is no infrastructure being developed. She stated that due to the size of the project she thinks they would be reluctant to inspect but we could certainly ask.

Erin Cooley stated that the Board needs to do their due diligence.

Chair Kwoka stated to Mr. Johnson and Mr. Ruopp that the Board needs the following information: Update the drawings to show the additional stream, with all of the 75' buffers, include side setbacks of 10', setbacks from Dunham Road – from the centerline, please indicate location of driveways with 30' entrances, and to include all building envelopes. Chair Kwoka asked Kim to research Dunham Road. Erin Cooley stated that the Town should have the Town Attorney review the road issue.

Loraine Duclos thanked all of the volunteers for the time they put in.

Mr. Ruopp stated that they would need some time to get all of this pulled together. Chair Kwoka stated that their next Meeting is May 4th but could schedule their second meeting for May 11th. The Board agreed everyone could make a May 11th meeting. Mr. Ruopp stated that he could get copies to us electronically and then drop off hard copies before May 11th.

Erin Cooley asked if the Town could attempt to contact the DEP before considering any approval. She stated that it was our due diligence to reach out to them and not take this gentleman's advice for not to. Chair Kwoka asked if the Codes Officer had a DEP contact that she could reach out to. Codes Officer Kwoka stated that she has a contact that she could start with.

Member Newcomb motioned and Member Wood seconded to have BlackInk return with updated plans on May 11th, Town will research Dunham Road, any feedback from DEP, and third-party review of Mr. Ruopp's calculations. Vote: 5-0. All in favor. Motion passes.

6. Chair Closes Public Hearing. – Chair Kwoka closed the public hearing at 6:45pm.

Item 4: New Business

- A. Louis Gregory Bove, Flood Hazard Development Permit
18 Point Lane, Map u05-006

Codes Officer Kwoka stated that Mr. Bove's property is partially in a flood plain and would need to be issued a Flood Hazard Development Permit. She stated that she has confirmed these measurements with the State and is confident that this is accurate. The Board reviewed the paperwork and agreed. Chair Kwoka will initial the application that the Board reviewed the paperwork for Mr. Bove.

- Item 5: Admin Issues – Next meeting, Monday, May 4, 2026, at 5:30pm
Mr. Magner Site Plan Review

Monday, May 18, 2026, at 5:30pm

- Item 6: Adjourn - having no further business, Member Woods motioned and Member Newcomb seconded to adjourn the meeting at 7:05pm. Vote: 5-0. Meeting is adjourned.