

**Board of Appeals Meeting**  
**June 5, 2017 – 7:00 PM**  
**Town Office Conference Room**



Meeting Materials

**Board of Appeals Meeting  
June 5, 2017 – 7:00 PM  
Town Office Conference Room**

**AGENDA**

**CALL TO ORDER**

**MINUTES**

August 8, 2016

**COMMUNICATIONS**

Copy of Letter to Donald and Sara Carrier

**APPEALS**

William and Michelle Smith; Fairlawn Golf Course; Estate of Francis Bartasuis – Variance Appeal – Map 07 Lot 30A

Elizabeth Carr – Administrative Appeal – Map 5 Lot 16-B1-A

**OTHER BUSINESS**

**ADJOURNMENT**

# MINUTES

## **Poland Zoning Board of Appeals Meeting**

**August 8, 2016 – 7:00 pm**

**Town Office Conference Room**

### **MINUTES**

#### **CALL TO ORDER**

Chairman Mark Hyland calls the meeting to order at 7:00 PM with members Gerard Bowes and Erland Torrey present.

**Public Attendance:** Code Enforcement Officer Nick Adams, Recording Secretary Jessica Leighton, Donald Carrier, daughter Carrier

#### **COMMUNICATIONS**

None

#### **APPEALS**

Donald and Sara Carrier, Variance Appeal – Map 13, Lot 44A

- **Appellant Donald Carrier is present.**
  - Before beginning the public hearing, Donald Carrier comments that he had only recently received notification about the opinion that was provided from the town's attorney. He requests that if the case appears to be heading in a "negative direction" that the appeal be tabled until he can obtain legal representation.
  - Member Erland Torrey stated that he had only received the letter two hours prior to the meeting.
  - Chair Mark Hyland questions the timeframe the Board has to act on an appeal, and whether it's possible to postpone for this reason.
  - Code Enforcement Officer Nick Adams explained that when an appeal comes in, the Board has thirty days to hold a hearing. The Board does have the right to table for good cause. The reason that the opinion from the attorney was received so close to the meeting date was due to the fact that the Board was actually meeting on the earlier side of that thirty day timeline. CEO Adams did clarify that everyone received the opinion at the same time.
  - Chair Mark Hyland said the other option was for the applicant to withdraw their appeal.
  - Donald Carrier stated that he was misinformed, and thought that the decision was based on a majority, and not a minimum of three votes. He feels that the town is responsible for putting him in this position because for many years he thought he had more than ten acres, which would have been easily split in order to sell.
  - CEO Adams suggested that if Mr. Carrier was going to obtain legal representation that the Board agree to meet in 14-20 days.
  - Mr. Carrier claimed he talked to all of his neighbors about this appeal, and that they all support what he would like to do. He has lived on Johnson Hill Rd. for over forty-three years, and wouldn't want to go against his neighbors wishes.
  - Chair Mark Hyland does not want Mr. Carrier to feel pressured, and thinks he should have an attorney in order to feel properly represented. He pointed out that no one on the board gets paid to do this, and asks that Mr. Carrier not take advantage of the Board.
  - Member Erland Torrey said that they hear cases all the time with attorneys present.
  - Donald Carrier clarifies that he is not trying to put on any pressure, he is just asking for an appeal that he feels is fair.

- Member Gerald Bowes acknowledges that many people do bring attorneys with them to their appeals. If the Board spends a significant amount of time deliberating, then it might come right down to a vote. Mr. Bowes feels a decision needs to be made right away about whether the appeal would be tabled or not.
  - Chair Mark Hyland suggests that Mr. Carrier obtain representation, because the Board is sympathetic to his plight, but they need to follow the law. He asks the Board whether they are willing to table the Variance Appeal.
  - Member Erland Torrey makes a motion to table the Variance Appeal for Donald and Sara Carrier until August 22, seconded by Member Gerard Bowes.
    - Discussion: Mr. Carrier asked to look at his calendar before setting a date.
    - CEO Adams asked for the motion to be amended to include that the Board is tabling for good cause in order for the appellant is to obtain legal representation.
    - Mr. Carrier points out that the area his land is on already has non-conforming lots.
    - Chair Mark Hyland stops Mr. Carrier. If he wants the Board to go into the Public Hearing, they will, but if he wants to obtain legal representation, he doesn't want to hear any more.
    - Member Bowes noted that in the opinion from the town's attorney it is stated the burden of proof is on the applicant. He asks Mr. Carrier if he feels he has enough burden of proof to prove his case.
    - Mr. Carrier said he had paid taxes on over ten acres of land for many years, and it was only when he had his land surveyed that he discovered he had less than ten. He never asked for a refund, only to change his taxes from that point forward.
    - Chair Hyland amends the motion made to say that the Board is granting the temporary extension for the public hearing until the appellant can obtain legal counsel. Gerard Bowes seconds the motion.
- Vote:                      YES – 3                      NO - 0

## **MINUTES**

March 28, 2016

- Member Erland Torrey makes a motion to accept the minutes for March 28, 2016 as presented, seconded by Member Gerard Bowes. No discussion.
- Vote:                      YES – 3                      NO – 0

## **OTHER BUSINESS**

Chair Mark Hyland asks about receiving a worksheet from the attorney along with the opinion. It wasn't included in the email. CEO Nick Adams says it should have been in the email, and that he would make sure the Board had it at the end of the meeting.

CEO Nick Adams mentions two ordinances from Casco and Raymond that were provided to the Board. He asked them to take a look and that they could discuss it at the next meeting. He also noted that setbacks have already been reduced for non-conforming lots.

## **BOARD REORGANIZATION**

Member Erland Torrey makes a motion to nominate Mark Hyland as Chairman for the Board of Appeals, seconded by Member Gerard Bowes.

Vote:                      YES – 2 (Torrey, Bowes) NO – 0                      ABSTAIN – 1 (Hyland)

Member Erland Torrey nominates Gerard Bowes as Vice Chairman for the Board of Appeals, seconded by Mark Hyland.

Vote:                      YES – 2 (Torrey, Hyland) NO – 0                      ABSTAIN – 1 (Bowes)

Vice Chair Gerard Bowes makes a motion to nominate Erland Torrey as Secretary for the Board of Appeals, seconded by Mark Hyland.

Vote: YES – 2 (Hyland, Bowes) NO – 0 ABSTAIN – 1 (Torrey)

**ADJOURNMENT**

Member Erland Torrey makes a motion to adjourn at 7:34 PM, seconded by Vice Chairman Gerard Bowes. No discussion.

Vote: YES – 3 NO – 0

Recorded by Jessica Leighton

Approved on August 22, 2016:

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Mark Hyland, Chairman

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Gerard Bowes, Vice Chairman

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Richard Carlson, Member

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Erland Torrey, Member

# **COMMUNICATIONS**



## Board of Appeals

1231 Maine Street,  
Poland, Maine 04274

August 22, 2016

Donald and Sara Carrier  
444 Johnson Hill Rd.  
Poland, ME 04274

Dear Mr. and Mrs. Carrier,

This letter is to inform you that the Appeals Board has formally accepted your withdrawal of the lot size variance appeal submitted on July 21, 2016. Your request for a refund of the application fee will require Board of Selectmen approval, however below is a breakdown of the to date administrative fees:

- \$66.43 has been spent on noticing.
- \$22.61 was spent on placing an ad in the newspaper.
- An opinion letter from the Town's attorney, (We have not received the invoice for this letter yet, if there are any remaining funds after, your request will go to the Board of Selectmen)

Please contact the Planning and Development Office if you have any questions.

Sincerely,

Mark Hyland, Chairman

MH: JEL

CC: Stephen Robinson, Chairman, Board of Selectmen  
James Porter, Chairman, Planning Board  
Nicholas Adams, Code Enforcement Officer

# **APPEALS**

<b>ZONING BOARD OF APPEALS HEARING</b>		
<b>Name:</b> Michelle & William Smith; Fairlawn Golf Course; Estate of Francis Bartasuis		<b>M-L:</b> 0007-0030A
<b>Relevant Ordinance:</b> 5.507; 3.304.2.d.2		
<b>Application Received:</b> 5-10-2017	<b>Hearing Held By (30 days):</b> 06-09-2017	<b>Date:</b> 6-5-17
<b>Notify Planning Board by:</b> 5-26-2017	<b>Notify Appellant &amp; Abutters by:</b> 5-26-2017	<b>Sent:</b> 5-18-17
<b>Publish Public Hearing in Newspaper by:</b> 5-30-2017		<b>Ran:</b> 5-30-2017
<b>Inform Appellant, CEO, Planning Board, and Municipal Officers of decision by:</b> 6-25-2017		

**Notes:**

### **SECTION 304.3**

1. Appeal Application is received and a meeting date is set. (30 DAYS)
2. Notify Code Enforcement Officer and Planning Board. (10 days prior to public hearing)
3. Notify appellant and all abutters within 500 feet of the location in question by certified mail. (10 days prior to public hearing)
4. Publish date, time, and place of public hearing in a newspaper of general circulation. (5 days prior to public hearing)
5. Inform the appellant, Code Enforcement Officer, Planning Board, and Municipal Officers of the decision made and reasoning in writing. (Within 20 days after public hearing)
6. Any reconsideration by a board member can be made within 45 days of the public hearing.
7. Appellant must make any appeal of the board's decision to Superior Court within 45 days of decision date.

LINNELL, CHOATE & WEBBER

JON S. OXMAN  
RICHARD J. O'BRIEN  
JOHN W. CONWAY  
SONIA J. BUCK  
MOLLY WATSON SHUKIE

CURTIS WEBBER  
OF COUNSEL

ATTORNEYS AT LAW  
83 PLEASANT STREET  
P.O. BOX 190  
AUBURN, MAINE 04212 - 0190  
A LIMITED LIABILITY PARTNERSHIP

PHONE 207-784-4563

FAX 207-784-1981

FRANK W. LINNELL  
1908-1977  
DONALD W. WEBBER  
1906-1995  
PAUL A. CHOATE  
1927-2007  
JOHN R. LINNELL  
1938-2010

[jconway@lcwlaw.com](mailto:jconway@lcwlaw.com)

May 10, 2017

Town of Poland  
Board of Appeals  
1231 Maine Street  
Poland, ME 04274

RE: Application for Variance – 434 Empire Road

Dear Board Members:

Enclosed please find an Application for Variance Appeal – Standard Variance along with attachments for the above-referenced parcel. I also enclose this firm's check in the amount of \$150.00.

Thank you for your attention to this. Please contact me if you have any questions.

Sincerely,

LINNELL, CHOATE & WEBBER, LLP

  
John W. Conway, Esq.

JWC/cpm  
Encl.

Date \_\_\_\_\_

David Bartasuis  
Estate of Francis Bartasuis  
by: David Bartasuis, Personal Representative

Attachment to Town of Poland Application for Variance Appeal  
434 Empire Road, Poland, ME

Additional Appellants:

Fairlawn Golf Course  
c/o David Bartasuis  
2 Plains Road  
Poland ME 04274  
(W) 998-4277  
(C) 576-4802

Estate of Francis Bartasuis  
c/o David Bartasuis, Personal Representative  
2 Plains Road  
Poland ME 04274  
(W) 998-4277  
(C) 576-4802

Narrative re David Bartasuis/Fairlawn Golf Course  
and Michelle & William Smith

The applicants, Michelle and William Smith, Fairlawn Golf Course, and the Estate of Francis Bartasuis, join in this application for a variance under the practical difficulty provisions of the Poland Comprehensive Land Use Code. Sec. 304.2.d.2 of the Comprehensive Land Use Code for Town of Poland (CLUC). Applicants believe that the variance is appropriate because the parcel of land in question is unable to meet certain space and bulk requirements due to the unique characteristics of the property.

The parcel of property in question here, which is ID # 007-030A on the Town of Poland tax maps, and which is located at 434 Empire Road in Poland, Maine, is located within the Farm and Forest District. However, this property has been in continuous use as a single family residence, and a separate lot of property functionally speaking, for at least 55 years.

This parcel of property, together with other adjoining land, was purchased from Ray M. and Ethel L. McCleary by deed dated April 24, 1962, and recorded in the Androscoggin County Registry of Deeds in Book 868, Page 413. At the time of the purchase of the property by Francis and Muriel Bartasuis, the current building on the property was already there. It is believed that the house and the lot of land that it sits on were used as a residence for a long period of time prior to the purchase by Francis and Muriel Bartasuis.

During all of their time as the proprietors of Fairlawn Golf Course, Muriel and Francis Bartasuis lived at the property here in question and raised four children there. Beginning in 2010 and culminating in 2012, Francis Bartasuis, following the death of his longtime wife Muriel Bartasuis, wished to simply confirm that the home was separate from the golf course and was his own real property. He therefore had a deed drafted and the house with an 80,000 square foot lot transferred to him directly by the golf course. This lot was not surveyed by a surveyor but was simply an attempt at creating a standard building lot for the property here in question.

Following the death of Francis Bartasuis, the estate, by and through the personal representative David Bartasuis, had no further use for the residence. David therefore placed the property for sale and it was purchased by the applicants Michelle and William Smith.

In order to try to avoid any entanglements between the Smiths and Fairlawn Golf Course, the property boundaries were altered slightly in order to avoid the need for extensive easements as the original property lines were encroaching on facilities that were on the golf course. This was not an issue to Francis Bartasuis at the time as he was not intending to sell the property but became an issue when the property was sold to William and Michelle Smith.

Upon purchasing the property and applying for a permit for a new septic system, William and Michelle Smith were notified that because it was in a Farm and Forest District that the minimum lot size was 5 acres and the frontage was 300 feet. Neither of these dimensions were included within the original deed.

As you can see from the history of this lot, the property was used continuously as a single family home beginning long before any zoning ordinances were in effect in the Town of Poland. It was always understood by Francis and Muriel Bartasuis that this was their home and it was separate from the golf course. The home has not been used in regards to any golf course business and has at all times been occupied, up until the death of Francis Bartasuis, by the Bartasuis family.

However, during the course of the development of the golf course a number of structures, both building structures and landscaping features, have been built on the adjoining property on what has now become Fairlawn Golf Course. We note that Fairlawn Golf Course encompasses total property in excess of 400 acres, that it also has excess land, over and beyond what is used for the golf course, 251± acres. Normally this would be plenty of land to allow for the 5 acre lot which is required in the Farm and Forest District, even though this residential property was located long before the zoning ordinance. However, due to the unique features of this particular property now that the golf course has been constructed, the availability for the residence of 5 acres and 300 feet of frontage is restricted by the structures and features of the golf course itself. As can be seen in the attached description, the maximum road frontage allowable, without interfering with any other setback or other building requirements is 175 feet, and the maximum lot size is about 2.34 acres.

While these are obviously less than required in the current Farm and Forest District, they were more than adequate at the time that the home was built and when there was no zoning ordinance. In fact, the lot size would be more than enough in any district in Poland other than the Farm and Forest District. Additionally, it is important to note that the neighborhood itself is made up of single family homes on less than 5 acre lots. The attached tax map shows that the lots running westerly from the subject premises, as well as across Empire Road from the premises, are all more traditional single family residential lots as opposed to large acreage lots that would be required in the Farm and Forest District. Allowing for this practical difficulty variance would not alter the character of the neighborhood.

As was stated above, the golf course owns an additional 250± acres of undeveloped property. However, it is the unique characteristics of this particular property that limit the availability of acreage and frontage. When this residence was purchased and the golf course was built on the property there were no zoning ordinances which would have restricted this type of development. It is only due to the subsequent adoption of the CLUC that has rendered this property insufficient under Section 507 "Space and Bulk Standards."

This is not a case where any party is trying to avoid the zoning ordinance in order to transfer this property. To the contrary, this property was in place long before the zoning ordinances for the Town of Poland were ever adopted. They were used as they have been used in that prior time throughout the entire ownership by the Bartasuis family. Francis Bartasuis, who was the original purchaser of the property, simply wished to confirm by deed what was already true over the entire course of his ownership of the property, that is, that this was a separate single family residence on its own parcel of property separate and apart from the golf course business. Mr. Bartasuis did this to confirm this for his estate planning purposes and it was not done to avoid the zoning ordinance nor to divide or sell the property.

We believe that the factual pattern supports the application for a practical difficulty variance. That is:

- The need for the variance is due to the unique circumstances of this property and not to the general conditions in the neighborhood;
- The granting of the variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties;
- The practical difficulty is not the result of action taken by the petitioner or a prior owner;
- No other feasible alternative to a variance is available to the petitioner;
- The granting of the variance will not unreasonably adversely affect the natural environment; and
- The structure or land use area for which a variance is sought is not located in whole or in part within the shoreland area and/or 100 year flood plain.

The facts as set out above confirm these points. We believe that the only concern would be with the question of whether or not the practical difficulty was created by the petitioner or prior owner. However, we do not believe that that is true. In this case, the practical difficulty was created when an overlay district was placed on what were already uses in place at the time of the adoption of the CLUC. The petitioners here and/or prior owners simply used the property as it has always been used in the past. They did not change their use in such a way that created the violation of the CLUC, but it was just the CLUC itself which rendered the property in violation.

For the reasons detailed herein, we respectfully request that the Board of Appeals grant a variance for the subject premises under the practical difficulty standard, and that they approve the lot as depicted in the attached description.

**DEED OF SALE**

**DAVID A. BARTASUIS**, of Poland, Androscoggin County, State of Maine, duly appointed **Personal Representative of the Estate of FRANCIS BARTASUIS**, also known as Frank Bartasuis, or Frank Bartasius, deceased testate on May 8, 2015, as shown by the probate records for Androscoggin County, Docket #2015-220,

for consideration paid, grants to

**WILLIAM P. SMITH, JR.** and **MICHELLE G. SMITH**, of Poland, Androscoggin County, State of Maine, as joint tenants, land with the buildings thereon situated 434 Empire Road, Poland, Androscoggin County, State of Maine, bounded and described as follows:

Beginning on the northwest side of Empire Road at the southwest corner of land now or formerly of Willer et al (Book 6681, Page 68);

thence S 50° 30' 15" W along the road 250' to land now or formerly of Fairlawn Golf Club;

thence N 24° 30' 14" W along said land now or formerly of Fairlawn Golf Club to a point S 24° 30' 14" E 25' from the south line of the building as it crosses said northwest line, which building is now or formerly owned by Fairlawn Golf Club and is on this day referred to as the Maintenance Building;

thence N 50° 30' 15" E along land conveyed by the Francis Bartasuis Estate to Fairlawn Golf Club 80' to a point;

thence northwest along said the said land conveyed by the Francis Bartasuis Estate to Fairlawn Golf Club to the northwest corner of said Bartasuis Estate;

thence N 24° 30' 14" W through other land of Fairlawn Golf Club 100' to a point in land now or formerly of the Portland-Rumford Railway, now of said Fairlawn Golf Club;

thence easterly through said railway parcel to the northeast corner of said Bartasuis Estate land;

thence S 24° 30' 14" E along said land now or formerly of Willer et al 320' to the road and the point of beginning.

Containing 1.84 acres, more or less. Being known as the McCleary House and property.

Being a portion of the same premises conveyed by Fairlawn Golf Club to Francis Bartasuis by deed dated October 18, 2012 and recorded in the Androscoggin County Registry of Deeds in Book 8517, Page 118, as well as the premises conveyed by Fairlawn Golf Club to this grantor by deed of near or even date to be recorded.

MS  
pink

David A. Bartasuis, F. Stephen Bartasuis and Fred H. Aberle, Jr. join in this deed to release any interest they may have as devisees under paragraph 4 of the will of said Francis Bartasuis.

DATED this 8<sup>th</sup> day of March, 2017

[Signature]

[Signature]

[Signature]

[Signature]

Estate of Francis Bartasuis

David A. Bartasuis

By: David A. Bartasuis  
Personal Representative

David A. Bartasuis

David A. Bartasuis

F. Steven Bartasuis

F. Steven Bartasuis, by David A. Bartasuis, under power of attorney

[Signature]

Fred H. Aberle, Jr.

STATE OF MAINE  
Androscoggin, ss:

3/8, 2017

David A. Bartasuis personally appeared before me and acknowledged the foregoing instrument to be his free act and deed in his said capacity as Personal Representative.

Before me,

[Signature]

Notary Public/Attorney-at-Law

Amie Nickel  
Attorney at Law

Printed name: \_\_\_\_\_

LCW/JWC/mc/NTS/38588

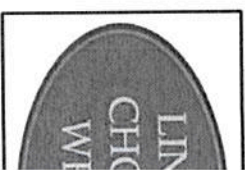
MS [Signature]

Maine Real Estate Transfer Tax Paid  
TINA M. CHOUINARD, REGISTER  
ANDROSCOGGIN COUNTY MAINE E-RECORDED

434 EML  
POLAND,

BEING A PORTION  
TAJ  
LOT 30.4  
(THE FAIRLA

PRO



83 PLEA,  
AUBURN, A

DATE:

SC



A DIVISION OF  
BOUNDARY-SURVEY-S.  
SUBDIVISIONS-CONSTRUCT

**DESCRIPTION OF PROPERTY LOCATED ON THE NORTHWESTERLY SIDE  
OF EMPIRE ROAD IN THE TOWN OF POLAND, STATE OF MAINE**

2.37-acre lot

A certain parcel of land with improvements thereon situated on the northwesterly side of Empire Road in the Town of Poland, County of Androscoggin, State of Maine, and being more particularly described as follows:

**BEGINNING** at a point on the apparent northwesterly sideline of Empire Road and being the southerly corner of land now or formerly R E M S, LLC as described in a deed dated May 22, 2015 and recorded in the Androscoggin County Registry of Deeds Registry in Book, 9143, Page 334;

- 1) Thence, S 50° 30' 15" W along the apparent northwesterly sideline of said Empire Road a distance of one hundred seventy-five and 00/100 feet (175.00') to a point;
- 2) Thence, N 37° 53' 57" W a distance of three hundred nine and 73/100 feet (309.73') to a point;
- 3) Thence N 08° 11' 56" E a distance of four hundred thirty-six and 23/100 feet (436.23') to a point on the southwesterly sideline of land now or formerly of Stephen W. and Claire L. Dick as described in a deed dated January 3, 2013 and recorded in said Registry in Book 8647, Page 209;
- 4) Thence, S 24° 30' 51" E along the southwesterly sideline of said Dick and along the southwesterly sideline of said R E M S, LLC a distance of six hundred thirty and 90/100 feet (630.90') to the **POINT OF BEGINNING**.

The above-described parcel contains 2.37 acres more or less. The bearings above referred to are referenced to magnetic north observed July 2008.

Meaning and intending to describe a portion of land from Frank and Muriel Bartasuis to Fairlawn Golf Club as described in a deed dated March 2, 1964 and recorded in the Androscoggin Registry of Deeds in Book 970, Page 771.



## Code Enforcement Office

1231 Maine Street,  
Poland, Maine 04274

### Notice of Violation

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**Date:** April 25, 2017

**Owner:** William P. & Michelle G. Smith      **Certified Mail:** 9171999991703347455839  
434 Empire Road      **and U.S. Mail**  
Poland, ME 04274

David A. Bartasuis      **Certified Mail:** 9171999991703347455822  
(Personal Representative of Estate of Francis Bartasuis)      **and U.S. Mail**  
P.O. BOX 1285  
Auburn, ME 04210

**Parcel ID:** 0007-0030A

**Located at:** 434 Empire Road

**Zoning District:** Farm and Forest (FF)

Dear Mr. and Mrs. Smith and Mr. Bartasuis,

An evaluation of the above-referenced property shows that the property fails to comply with § 507 (Space and Bulk Standards) of the Comprehensive Land Use Code (CLUC) of the Town of Poland. Below is a list of the violations.

The conveyance of Tax Map 7, Lot 10A from Fairlawn Golf Club to Francis Bartasuis (Book 8517, Page 118) on October 19, 2012 was a straight split from Tax Map 7 Lot 10 and was created without the required a. lot area, which is defined in Section 1402 of the CLUC as "*The total horizontal area within the lot lines;*" b. road frontage, which is defined in Section 1402 of the CLUC as "*The linear distance between the sidelines of a lot measured along the lot line that borders the right-of-way that serves as legal access to the lot;*" and c. does not contain a diameter circle equal to the minimum road frontage within the lots, as required by Section 501.7 of the CLUC.

Lot 10A as created in 2012 appears to have contained approximately one point eight-four (1.84) acres of lot area, two hundred fifty (250) feet of road frontage, and appears to have contained only a two hundred fifty (250) foot diameter circle within the lot lines. Section 507.2.E of the CLUC requires five (5) acres of lot area and three hundred (300') feet of road frontage for lots located

within the Farm and Forest (FF) Zoning District.

**507.2.E Farm and Forest**

1. *The Minimum Lot Area shall be (5) acres*
2. *The minimum Road Frontage shall be (300) feet*

Additionally, § 507.1.(L) of the CLUC requires at least a three hundred (300) foot diameter circle within the lot lines for lots located within the FF Zoning District.

*507.1.L Lot Dimensions - Each lot must be able to completely contain within its boundaries an area as would be defined by a circle with a minimum diameter equal to the required minimum road frontage as required in the District.*

Furthermore, on March 9, 2017, David A. Bartasuis (Personal Representative of Estate of Francis Bartasuis), conveyed a portion of lot 10A to William P & Michelle G. Smith (Book 9559, Page 193). This conveyance appears to contain one point eight-four (1.84) acres of lot area; however, the conveyance appears to have further reduced the road frontage from two hundred-fifty (250) feet to one hundred seventy-five (175) feet, thus also reducing the minimum diameter circle that can be drawn within the lot lines. This lot was created without a boundary survey.

As stated above, § 507.2.E(1)&(2) of the CLUC requires at least five (5) acres and three hundred (300') feet of road frontage, and § 507.1(L) requires a three hundred (300') foot circle within the lot lines.

In addition to these requirements, § 507.1(P) requires that all newly created lots be surveyed and that a copy of the stamped boundary survey be given the Code Enforcement Officer.

*507.1.P. All newly created lots shall be surveyed by a State of Maine Registered Surveyor and all property corners shall be marked with permanent markers, for purpose of this section a permanent marker shall be one of the following: a granite monument; a concrete monument; an iron pin; or a drill hole in ledge. A stamped copy of the official boundary survey shall be given to the Code Enforcement Officer for the records and review.*

Lastly, given that you have not provided the Town with a boundary survey showing the location of the existing principal dwelling on lot 10A and the accessory structure on Lot 10 in relation to the lot lines, it is not clear whether the existing dwelling on lot 10A and existing accessory structure on lot 10 violate the principal and accessory structure setbacks provided in Chapter 5 § 507.2.E(6)&(7) of the CLUC for lots located within the FF Zoning District

**507.2.E Farm and Forest**

6. *The minimum principal structure setbacks shall be as follows:*

*Front 50 feet*

*Rear 40 Feet*

*Side 40 Feet*

7. *The minimum accessory structure setbacks shall be as follows:*

- a. Front 50 feet*
- b. Rear 40 Feet*
- c. Side 20 Feet*

In order to resolve these violations, you must either recombine Lot 10A with Lot 10, or you must reconfigure Lot 10 & 10A so that both lots meet all the space and bulk standards in § 507 of the CLUC. In addition, you must submit to the Code Enforcement Officer a full boundary survey of the newly created lot(s) so that the Town can verify that the lots meet the space and bulk standards and structure setback requirements of the CLUC.

This is a notice of violation pursuant to § 404 of the CLUC of the Town of Poland. All referenced violations shall be corrected within forty-five (45) days of the date of this notice. A follow up inspection of the parcel will occur on June 12, 2017, at which time compliance will be required. Failure to comply may result in this office referring the matter to the Town's attorney for legal action and possible civil penalties, as provided for in § 404 of the CLUC and 30-A M.R.S.A. § 4452. In the event that the Town takes such an action and is successful in proving the violations listed above, the Court may impose a penalty of between \$100 and \$2,500 per violation. The Court may impose a separate penalty for each day that the violation has continued. The Town will ask the Court to order you to cease the violation and to take all actions required to bring the lots into full compliance with the requirements of the CLUC. In addition to these remedies, the State statute requires the Court to order a person who is found in violation to pay the costs of the Town's expenses of bringing the case, including reasonable attorney's fees. Regardless of whether the Town pursues an enforcement action, building permits will not be issued for the divided parcel if it is not brought into compliance.

This notice constitutes an appealable decision pursuant to § 409 of the CLUC. You have the right to appeal this order to the Board of Appeals within forty-five (45) days of the date of this letter. Failure to do so may deprive you of your ability to contest this Notice of Violation in any subsequent proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your responsibility to correct the violations or of your liability for civil penalties. Please feel free to contact me if you wish to discuss the matter or have any questions.

Sincerely,

  
Nicholas L. Adams  
Code Enforcement Officer

Confirmation Services	Package ID: 9171999991703347455839	ERETURNREC
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
	_____	APR 27 2017 12:28P

CC: Board of Selectmen  
Mark Bosse, Acting Town Manager

ENC: Administrative Appeal Application

Town of Poland, Maine  
Board of Appeals  
1231 Maine Street  
Poland, Maine 04274

## Application for Administrative Appeal

Appellant(s): _____		
_____		
Mail Address: _____	Work Phone: _____	
Town/State/Zip: _____	Home Phone: _____	
Road Location: _____		
Map # _____	Lot # _____	Sub-lot # _____

An Administrative Appeal is being sought for the relief from the decision, or lack of a decision, of the Code Enforcement Officer or the Planning Board in regard to an application for a permit or use approval. The undersigned believes that: (check one)

- ☐ An error was made in the denial of a permit or use.
- ☐ The denial was based on a misinterpretation of the ordinance.
- ☐ There has been a failure to approve or deny a permit or use within a reasonable period of time.
- ☐ (Other – please specify) \_\_\_\_\_
- \_\_\_\_\_

1. Attach a copy of any relevant papers (applications, site drawings, decisions, etc.) concerning the decision by the Code Enforcement Officer or Planning Board.
2. Attach copy of deed, sales agreement, or contract that gives you title, right, or interest in this appeal.
3. Indicate what section(s) of the ordinance that you believe is/are relevant to your appeal: \_\_\_\_\_
4. Attach a statement describing the facts concerning your filing an appeal.

I hereby acknowledge that I have read this application and pertinent sections of the ordinances, and state that the information in this document is to the best of my knowledge true and accurate.

		/ /
<i>Appellant's Signature</i>	<i>Co-Appellant's Signature</i>	<i>Date</i>



## Code Enforcement Office

1231 Maine Street,  
Poland, Maine 04274

### Notice of Violation

---

**Date:** April 25, 2017

**Owner:** William P. & Michelle G. Smith      **Certified Mail:** 9171999991703347455839  
434 Empire Road      **and U.S. Mail**  
Poland, ME 04274

David A. Bartasuis      **Certified Mail:** 9171999991703347455822  
(Personal Representative of Estate of Francis Bartasuis)      **and U.S. Mail**  
P.O. BOX 1285  
Auburn, ME 04210

**Parcel ID:** 0007-0030A

**Located at:** 434 Empire Road

**Zoning District:** Farm and Forest (FF)

Dear Mr. and Mrs. Smith and Mr. Bartasuis,

An evaluation of the above-referenced property shows that the property fails to comply with § 507 (Space and Bulk Standards) of the Comprehensive Land Use Code (CLUC) of the Town of Poland. Below is a list of the violations.

The conveyance of Tax Map 7, Lot 10A from Fairlawn Golf Club to Francis Bartasuis (Book 8517, Page 118) on October 19, 2012 was a straight split from Tax Map 7 Lot 10 and was created without the required a. lot area, which is defined in Section 1402 of the CLUC as "*The total horizontal area within the lot lines;*" b. road frontage, which is defined in Section 1402 of the CLUC as "*The linear distance between the sidelines of a lot measured along the lot line that borders the right-of-way that serves as legal access to the lot;*" and c. does not contain a diameter circle equal to the minimum road frontage within the lots, as required by Section 501.7 of the CLUC.

Lot 10A as created in 2012 appears to have contained approximately one point eight-four (1.84) acres of lot area, two hundred fifty (250) feet of road frontage, and appears to have contained only a two hundred fifty (250) foot diameter circle within the lot lines. Section 507.2.E of the CLUC requires five (5) acres of lot area and three hundred (300') feet of road frontage for lots located

within the Farm and Forest (FF) Zoning District.

***507.2.E Farm and Forest***

- 1. The Minimum Lot Area shall be (5) acres*
- 2. The minimum Road Frontage shall be (300) feet*

Additionally, § 507.1(L) of the CLUC requires at least a three hundred (300) foot diameter circle within the lot lines for lots located within the FF Zoning District.

*507.1.L Lot Dimensions - Each lot must be able to completely contain within its boundaries an area as would be defined by a circle with a minimum diameter equal to the required minimum road frontage as required in the District.*

Furthermore, on March 9, 2017, David A. Bartasuis (Personal Representative of Estate of Francis Bartasuis), conveyed a portion of lot 10A to William P & Michelle G. Smith (Book 9559, Page 193). This conveyance appears to contain one point eight-four (1.84) acres of lot area; however, the conveyance appears to have further reduced the road frontage from two hundred-fifty (250) feet to one hundred seventy-five (175) feet, thus also reducing the minimum diameter circle that can be drawn within the lot lines. This lot was created without a boundary survey.

As stated above, § 507.2.E(1)&(2) of the CLUC requires at least five (5) acres and three hundred (300') feet of road frontage, and § 507.1(L) requires a three hundred (300') foot circle within the lot lines.

In addition to these requirements, § 507.1(P) requires that all newly created lots be surveyed and that a copy of the stamped boundary survey be given the Code Enforcement Officer.

*507.1.P. All newly created lots shall be surveyed by a State of Maine Registered Surveyor and all property corners shall be marked with permanent markers, for purpose of this section a permanent marker shall be one of the following: a granite monument; a concrete monument; an iron pin; or a drill hole in ledge. A stamped copy of the official boundary survey shall be given to the Code Enforcement Officer for the records and review.*

Lastly, given that you have not provided the Town with a boundary survey showing the location of the existing principal dwelling on lot 10A and the accessory structure on Lot 10 in relation to the lot lines, it is not clear whether the existing dwelling on lot 10A and existing accessory structure on lot 10 violate the principal and accessory structure setbacks provided in Chapter 5 § 507.2.E(6)&(7) of the CLUC for lots located within the FF Zoning District

***507.2.E Farm and Forest***

- 6. The minimum principal structure setbacks shall be as follows:*
  - Front 50 feet*
  - Rear 40 Feet*
  - Side 40 Feet*

7. *The minimum accessory structure setbacks shall be as follows:*

*a. Front 50 feet*

*b. Rear 40 Feet*

*c. Side 20 Feet*

In order to resolve these violations, you must either recombine Lot 10A with Lot 10, or you must reconfigure Lot 10 & 10A so that both lots meet all the space and bulk standards in § 507 of the CLUC. In addition, you must submit to the Code Enforcement Officer a full boundary survey of the newly created lot(s) so that the Town can verify that the lots meet the space and bulk standards and structure setback requirements of the CLUC.

This is a notice of violation pursuant to § 404 of the CLUC of the Town of Poland. All referenced violations shall be corrected within forty-five (45) days of the date of this notice. A follow up inspection of the parcel will occur on June 12, 2017, at which time compliance will be required. Failure to comply may result in this office referring the matter to the Town's attorney for legal action and possible civil penalties, as provided for in § 404 of the CLUC and 30-A M.R.S.A. § 4452. In the event that the Town takes such an action and is successful in proving the violations listed above, the Court may impose a penalty of between \$100 and \$2,500 per violation. The Court may impose a separate penalty for each day that the violation has continued. The Town will ask the Court to order you to cease the violation and to take all actions required to bring the lots into full compliance with the requirements of the CLUC. In addition to these remedies, the State statute requires the Court to order a person who is found in violation to pay the costs of the Town's expenses of bringing the case, including reasonable attorney's fees. Regardless of whether the Town pursues an enforcement action, building permits will not be issued for the divided parcel if it is not brought into compliance.

This notice constitutes an appealable decision pursuant to § 409 of the CLUC. You have the right to appeal this order to the Board of Appeals within forty-five (45) days of the date of this letter. Failure to do so may deprive you of your ability to contest this Notice of Violation in any subsequent proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your responsibility to correct the violations or of your liability for civil penalties. Please feel free to contact me if you wish to discuss the matter or have any questions.

Sincerely,

Nicholas L. Adams  
Code Enforcement Officer

Confirmation Services	Package ID: 9171999991703347455822	ERETURNREC
	Destination ZIP Code: 04210	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		APR 27 2017 12:28P

CC: Board of Selectmen  
Mark Bosse, Acting Town Manager

ENC: Administrative Appeal Application



## Board of Appeals

1231 Maine Street,  
Poland, Maine 04274

May 18, 2017

William & Michelle Smith  
434 Empire Rd.  
Poland, ME 04274

VIA: Certified USPS Mail and First Class Mail

Certified Receipt No: 9171999991703346958331

91 7199 9991 7033 4695 8331

Dear Mr. and Mrs. Smith,

### Re: Variance Appeal – Map 0007, Lot 30A

This letter is to confirm that on May 11, 2017 the Town of Poland received your request for a Variance Appeal. In accordance with our Comprehensive Land Use Code section 304.3, we are required to hold a Public Hearing within thirty (30) days of receipt of your appeal. Your scheduled hearing date is **Monday, June 5, 2017 at 7:00 PM** in the Town Office Conference Room.

If you have any questions please contact me at 998-4604.

Sincerely,

Jessica Leighton,  
Recording Secretary

Confirmation Services	Package ID: 9171999991703346958331	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 9:41A



## Board of Appeals

1231 Maine Street,  
Poland, Maine 04274

Confirmation Services	Package ID: 9171999991703346958324	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 9:45A

May 18, 2017

Fairlawn Golf Course & Estate of Francis Bartasuis  
c/o David Bartasuis  
2 Plains Rd.  
Poland, ME 04274

VIA: Certified USPS Mail and First Class Mail

Certified Receipt No: 9171999991703346958324

91 7199 9991 7033 4695 8324

CC: John W. Conway, Esq.

CC Certified Receipt No. 9171999991703346958317

91 7199 9991 7033 4695 8317

Dear Mr. Bartasuis,

### Re: Variance Appeal – Map 0007, Lot 30A

This letter is to confirm that on May 11, 2017 the Town of Poland received your request for a Variance Appeal. In accordance with our Comprehensive Land Use Code section 304.3, we are required to hold a Public Hearing within thirty (30) days of receipt of your appeal. Your scheduled hearing date is **Monday, June 5, 2017 at 7:00 PM** in the Town Office Conference Room.

If you have any questions please contact me at 998-4604.

Sincerely,

Jessica Leighton,  
Recording Secretary

Confirmation Services	Package ID: 9171999991703346958317	E-CERTIFIED
	Destination ZIP Code: 04212	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 9:44A



**Board of Appeals**  
1231 Maine Street,  
Poland, Maine 04274

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## BOARD OF APPEALS

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**TO:** APPEALS BOARD MEMBERS, CODE ENFORCEMENT OFFICER, PLANNING BOARD,  
APPLICANT, AND ABUTTERS TO MAP 07, LOT 30A

**FROM:** MARK HYLAND, APPEALS BOARD CHAIRMAN

**RE:** VARIANCE APPEAL – MAP 0007, LOT 30A

**DATE:** MAY 17, 2017

THE APPEALS BOARD WILL HOLD A PUBLIC HEARING FOR:

A VARIANCE APPEAL BY WILLIAM AND MICHELLE SMITH; FAIRLAWN GOLF COURSE; ESTATE OF FRANCIS BARTASUIS, FOR MAP 07, LOT 30A. THE HEARING WILL BE CONDUCTED ON **MONDAY, JUNE 5, 2017 AT 7:00 PM** IN THE POLAND TOWN OFFICE CONFERENCE ROOM. ALL ABUTTERS WHO RECEIVE THIS NOTICE ARE INVITED TO ATTEND.

RESPECTFULLY YOURS,

MARK HYLAND, CHAIRMAN  
POLAND BOARD OF APPEALS

05/17/2017

BEDARD, LYNDA V. BEDARD, LYNDA V.  
(JT)  
441 EMPIRE RD.  
POLAND, ME 04274

91 7199 9991 7033 4695 8508

BENNETT, JEFFREY BENNETT,  
LORRAINE (JT)  
67 RUSSELL AVE.  
AUBURN, ME 04210

91 7199 9991 7033 4695 8492

BERRY, DENNIS A. BERRY, DOROTHY A.  
(JT)  
4 LIBBY HILL ROAD  
GRAY, ME 04039

91 7199 9991 7033 4695 8485

COULOMBE, ANNETTE T.  
312 EMPIRE RD.  
POLAND, ME 04274

91 7199 9991 7033 4695 8218

DAIGLE, CLARENCE J.  
282 EMPIRE RD.  
POLAND, ME 04274

91 7199 9991 7033 4695 8225

DAMIEN, STEVEN J.  
22 PLAINS RD.  
POLAND, ME 04274

91 7199 9991 7033 4695 8232

DAVIS, CRAIG A. DAVIS, LINDA I.  
298 EMPIRE RD.  
POLAND, ME 04274

91 7199 9991 7033 4695 8249

DAVIS, NORMAN E. DAVIS, PAULA (JT)  
30 PLAINS RD.  
POLAND, ME 04274

91 7199 9991 7033 4695 8256

DICK, STEPHEN STEPHEN W. DICK,  
MANAGER  
488 EMPIRE RD.  
POLAND, ME 04274

91 7199 9991 7033 4695 8263

FAIRLAWN GOLF CLUB  
PO BOX 1285  
AUBURN, ME 04210

91 7199 9991 7033 4695 8270

05/26/2017

BEDARD, LYNDA V. BEDARD, LYNDA V.  
(JT)  
441 EMPIRE RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958508	E-CERTIFIED
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	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661 MAY 18 2017 10:02A

BENNETT, JEFFREY BENNETT,  
LORRAINE (JT)  
67 RUSSELL AVE.  
AUBURN, ME 04210

Confirmation Services	Package ID: 9171999991703346958492	E-CERTIFIED
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BERRY, DENNIS A. BERRY, DOROTHY A.  
(JT)  
4 LIBBY HILL ROAD  
GRAY, ME 04039

Confirmation Services	Package ID: 9171999991703346958485	E-CERTIFIED
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	Address: _____	Serial #: 0873661 MAY 18 2017 10:03A

COULOMBE, ANNETTE T.  
312 EMPIRE RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958218	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661 MAY 18 2017 10:03A

DAIGLE, CLARENCE J.  
282 EMPIRE RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958225	E-CERTIFIED
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DAMIEN, STEVEN J.  
22 PLAINS RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958232	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
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DAVIS, CRAIG A. DAVIS, LINDA I.  
298 EMPIRE RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958249	E-CERTIFIED
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DAVIS, NORMAN E. DAVIS, PAULA (JT)  
30 PLAINS RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958256	E-CERTIFIED
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	Customer Reference:	
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DICK, STEPHEN STEPHEN W. DICK,  
MANAGER  
488 EMPIRE RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958263	E-CERTIFIED
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	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661 MAY 18 2017 10:03A

FAIRLAWN GOLF CLUB  
PO BOX 1285  
AUBURN, ME 04210

Confirmation Services	Package ID: 9171999991703346958270	E-CERTIFIED
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	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661 MAY 18 2017 10:03A

05/17/2017

FAIRLAWN GOLF COURSE  
PO BOX 1285  
AUBURN, ME 04210

FERLAND, DENNIS R. FERLAND, CINDY  
F. (JT)

193 HARDSCRABBLE RD. 91 7199 9991 7033 4695 8010  
POLAND, ME 04274

GREEN, JAMES R. GREEN, NANCY M.  
13 DUNN RD.

POLAND, ME 04274 91 7199 9991 7033 4695 8027

GUAY, LIONEL, III

328 OAK HILL RD. 91 7199 9991 7033 4695 8034  
LITCHFIELD, ME 04350

HODGE, ROBERT P. BEEDY, ELLEN S.  
(JT)

9 PLAINS RD. 91 7199 9991 7033 4695 8041  
POLAND, ME 04274

HUNTRESS, FRED A ID

67 STROUT RD. 91 7199 9991 7033 4695 8058  
POLAND, ME 04274

JONES, GEORGE

15 TRUE ST. 91 7199 9991 7033 4695 8065  
MECHANIC FALLS, ME 04256

LEIGHT, ELEONORE I. I FIGHT

ELEONORE I. (JT) 91 7199 9991 7033 4695 8072  
291 EMPIRE RD.  
POLAND, ME 04274

MAINE, STATE OF

%BUREAU OF PUBLIC LANDS 91 7199 9991 7033 4695 8089  
STATE HOUSE STATION #22  
AUGUSTA, ME 04333

MARTIN, PATRICIA V.

P.O. BOX 137 91 7199 9991 7033 4695 8096  
EAST POLAND, ME 04230

05/26/2017

FAIRLAWN GOLF COURSE  
PO BOX 1285  
AUBURN, ME 04210

FERLAND, DENNIS R. FERLAND, CINDY  
F. (JT)  
193 HARDSCRABBLE RD.  
POLAND, ME 04274

GREEN, JAMES R. GREEN, NANCY M.  
13 DUNN RD.  
POLAND, ME 04274

GUAY, LIONEL, III  
328 OAK HILL RD.  
LITCHFIELD, ME 04350

HODGE, ROBERT P. BEEDY, ELLEN S.  
(JT)  
9 PLAINS RD.  
POLAND, ME 04274

HUNTRESS, FRED A., JR.  
67 STROUT RD.  
POLAND, ME 04274

JONES, GEORGE  
15 TRUE ST.  
MECHANIC FALLS, ME 04256

LEIGHT, ELEONORE I. LEIGHT,  
ELEONORE I. (JT)  
291 EMPIRE RD.  
POLAND, ME 04274

MAINE, STATE OF  
%BUREAU OF PUBLIC LANDS  
STATE HOUSE STATION #22  
AUGUSTA, ME 04333

MARTIN, PATRICIA V.  
P.O. BOX 137  
EAST POLAND, ME 04230

Confirmation Services	Package ID: 9171999991703346958010	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
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		MAY 18 2017 10:03A

Confirmation Services	Package ID: 9171999991703346958027	E-CERTIFIED
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	Recipient: _____	PBP Account #: 48550602
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		MAY 18 2017 10:03A

Confirmation Services	Package ID: 9171999991703346958034	E-CERTIFIED
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	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

Confirmation Services	Package ID: 9171999991703346958041	E-CERTIFIED
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	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

Confirmation Services	Package ID: 9171999991703346958058	E-CERTIFIED
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	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
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		MAY 18 2017 10:03A

Confirmation Services	Package ID: 9171999991703346958065	E-CERTIFIED
	Destination ZIP Code: 04256	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

Confirmation Services	Package ID: 9171999991703346958072	E-CERTIFIED
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	Recipient: _____	PBP Account #: 48550602
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		MAY 18 2017 10:03A

Confirmation Services	Package ID: 9171999991703346958089	E-CERTIFIED
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	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

Confirmation Services	Package ID: 9171999991703346958096	E-CERTIFIED
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	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

05/17/2017

MCKAY, JAMES R. WARREN, SALLY A.  
(JT)

829 BALD HILL RD. 91 7199 9991 7033 4695 8102  
NEW GLOUCESTER, ME 04260

MILLS, PAMELA L.

288 EMPIRE RD. 91 7199 9991 7033 4695 8119  
POLAND, ME 04274

MINOTT, CHERYL T. - ESTATE

1439 HALLOWELL RD. 91 7199 9991 7033 4695 8126  
DURHAM, ME 04222

MVG HOLDINGS, LLC

1 LAUREL LANE 91 7199 9991 7033 4695 8133  
OLD FIELD, NY 11733

POLAND SPRING ACADEMY, INC.

P. O. BOX 217  
POLAND, ME 04274 91 7199 9991 7033 4695 8140

REMS, LLC WILLER, JILL A. (JT)

P. O. BOX 34 91 7199 9991 7033 4695 8157  
EAST POLAND, ME 04230

RICE, CARRIE A. RICE, KEVIN

283 EMPIRE RD. 91 7199 9991 7033 4695 8164  
POLAND, ME 04274

RUSSELL, STEPHANIE RUSSELL,

FRANKLIN C. (JT)  
306 EMPIRE RD. 91 7199 9991 7033 4695 8171  
POLAND, ME 04274

SAMSON, IRENE

267 EMPIRE RD. 91 7199 9991 7033 4695 8188  
POLAND, ME 04274

SAMSON, IRENE C.

267 EMPIRE RD.  
POLAND, ME 04274

05/26/2017

MCKAY, JAMES R. WARREN, SALLY A.  
(JT)  
829 BALD HILL RD.  
NEW GLOUCESTER, ME 04260

Confirmation Services	Package ID: 9171999991703346958102	E-CERTIFIED
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	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

MILLS, PAMELA L.  
288 EMPIRE RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958119	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

MINOTT, CHERYL T. - ESTATE  
1439 HALLOWELL RD.  
DURHAM, ME 04222

Confirmation Services	Package ID: 9171999991703346958126	E-CERTIFIED
	Destination ZIP Code: 04222	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

MVG HOLDINGS, LLC  
1 LAUREL LANE  
OLD FIELD, NY 11733

Confirmation Services	Package ID: 9171999991703346958133	E-CERTIFIED
	Destination ZIP Code: 11733	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

POLAND SPRING ACADEMY, INC.  
P. O. BOX 217  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958140	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

REMS, LLC WILLER, JILL A. (JT)  
P. O. BOX 34  
EAST POLAND, ME 04230

Confirmation Services	Package ID: 9171999991703346958157	E-CERTIFIED
	Destination ZIP Code: 04230	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

RICE, CARRIE A. RICE, KEVIN  
283 EMPIRE RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958164	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

RUSSELL, STEPHANIE RUSSELL,  
FRANKLIN C. (JT)  
306 EMPIRE RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958171	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

SAMSON, IRENE  
267 EMPIRE RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958188	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

SAMSON, IRENE C.  
267 EMPIRE RD.  
POLAND, ME 04274

05/17/2017

SMILEY, CARROLL R.

P.O. BOX 52

LISBON, ME 04250

91 7199 9991 7033 4695 8195

STORER, GLENN R. STORER, JANE H.

(JT)

11 HICKORY WAY

POLAND, ME 04274

91 7199 9991 7033 4695 8201

VACCARO, PAUL J.

94 PLAINS RD.

POLAND, ME 04274

91 7199 9991 7033 4695 8287

WEBSTER, JAMES T., JR. WEBSTER,

SHELLY A. (JT)

18 WEBSTER'S WAY

POLAND, ME 04274

91 7199 9991 7033 4695 8294

YOUNG, JOHN W. YOUNG, RHONDA L.

(JT)

78 PLAINS RD.

POLAND, ME 04274

91 7199 9991 7033 4695 8300

05/26/2017

SMILEY, CARROLL R.  
P.O. BOX 52  
LISBON, ME 04250

Confirmation Services	Package ID: 9171999991703346958195	E-CERTIFIED
	Destination ZIP Code: 04250	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

STORER, GLENN R. STORER, JANE H.  
(JT)  
11 HICKORY WAY  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958201	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

VACCARO, PAUL J.  
94 PLAINS RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958287	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

WEBSTER, JAMES T., JR. WEBSTER,  
SHELLY A. (JT)  
18 WEBSTER'S WAY  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958294	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

YOUNG, JOHN W. YOUNG, RHONDA L.  
(JT)  
78 PLAINS RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958300	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 18 2017 10:03A

Notice of Public Hearing  
Poland Zoning Board of Appeals  
Monday June 5, 2017 - 7:00 PM  
Variance Appeal for Map 7 Lot 30A  
Administrative Appeal for Map 5 Lot 16-B1-A



<b>ZONING BOARD OF APPEALS HEARING</b>		
<b>Name:</b> Elizabeth Carr		<b>M-L:</b> 0005-0016-B001
<b>Relevant Ordinance:</b> 5.507.1.P; 5.507.2.D; 1402		
<b>Application Received:</b> 5-19-2017	<b>Hearing Held By (30 days):</b> 06-16-2017	<b>Date:</b> 6-5-17
<b>Notify Planning Board by:</b> 5-26-2017	<b>Notify Appellant &amp; Abutters by:</b> 5-26-2017	<b>Sent:</b> 5-24-17
<b>Publish Public Hearing in Newspaper by:</b> 5-30-2017		<b>Ran:</b> 5-30-2017
<b>Inform Appellant, CEO, Planning Board, and Municipal Officers of decision by:</b> 6-25-2017		

**Notes:**

### **SECTION 304.3**

1. Appeal Application is received and a meeting date is set. (30 DAYS)
2. Notify Code Enforcement Officer and Planning Board. (10 days prior to public hearing)
3. Notify appellant and all abutters within 500 feet of the location in question by certified mail. (10 days prior to public hearing)
4. Publish date, time, and place of public hearing in a newspaper of general circulation. (5 days prior to public hearing)
5. Inform the appellant, Code Enforcement Officer, Planning Board, and Municipal Officers of the decision made and reasoning in writing. (Within 20 days after public hearing)
6. Any reconsideration by a board member can be made within 45 days of the public hearing.
7. Appellant must make any appeal of the board's decision to Superior Court within 45 days of decision date.

Town of Poland, Maine  
Board of Appeals  
1231 Maine Street  
Poland, Maine 04274

## Application for Administrative Appeal

Appellant(s): <u>Elizabeth CARR</u>		
Mail Address: <u>189 Watson Rd</u>	Work Phone: _____	
Town/State/Zip: <u>Poland, Me 04274</u>	Home Phone: <u>207-240-0468</u>	
Road Location: <u>Watson Rd (Near 54/56 Watson)</u>		
Map # <u>5</u>	Lot # <u>16B-1</u>	Sub-lot # _____

An Administrative Appeal is being sought for the relief from the decision, or lack of a decision, of the Code Enforcement Officer or the Planning Board in regard to an application for a permit or use approval. The undersigned believes that: (check one)

- ☒ An error was made in the denial of a permit or use.
- ☒ The denial was based on a misinterpretation of the ordinance.
- ☐ There has been a failure to approve or deny a permit or use within a reasonable period of time.
- ☒ (Other – please specify) See attached

1. Attach a copy of any relevant papers (applications, site drawings, decisions, etc.) concerning the decision by the Code Enforcement Officer or Planning Board.
2. Attach copy of deed, sales agreement, or contract that gives you title, right, or interest in this appeal.
3. Indicate what section(s) of the ordinance that you believe is/are relevant to your appeal: Ch 5 507.1 (P) 507.2 (D) 1402 of the CLUC
4. Attach a statement describing the facts concerning your filing an appeal.

I hereby acknowledge that I have read this application and pertinent sections of the ordinances, and state that the information in this document is to the best of my knowledge true and accurate.

Elizabeth Carr  
Appellant's Signature

\_\_\_\_\_  
Co-Appellant's Signature

5/19/17  
Date

## MEMORANDUM

To: Appeals Board Members

From: Elizabeth Carr

Re: Watson Road Permit Denial (Map5, Lot 16B)

In 1999 my family purchased a home and 8+ acres from Mr. Lloyd Flint. At the time, we hired JKL Survey to divide the 8+ acres into 4 lots of approximate equal square footage.

The CEO of Poland approved this division but informed us that the house was registered at the Registrar of Deeds two minutes prior to the land and therefore we would have to combine one of the lots back to the house for a five year period because of the Homestead Act and then break it off to create a buildable lot after the five years were up. He assured us, at the time, that there would be no problem breaking out the lot as the survey was done and it was just paperwork. We did this in 2015 when I purchased my sister's half of the original house and the two acre lot behind that house.

I feel that this division was completed originally in 1999 and we have followed the instructions given us by the representatives of the Town of Poland to the letter and the Town should now allow us to build, as promised, by your Code Enforcement Officer.

As to the claim in the denial letter that we did not have a survey with pins, we did and it was and is attached to the original permit. This was done at time of purchase and we saw no need to update the survey as nothing has changed and the pins are in place and easily located... Also, as far as not being the required 80,000 square feet, you can see by the survey it does comply which is why we felt there was an error in the denial of permit... Furthermore, we believe that, although the rules changed in 2000, this lot was created in 1999 and should therefore be grandfathered, even though it changed hands in 2015; it was all done within the family.

Please consider approving this appeal so that we may proceed with our building project. Thank you for your consideration of this matter.



## Code Enforcement Office

1231 Maine Street,  
Poland, Maine 04274

**Date:** May 17, 2017

**Owner:** David G. & Elizabeth J. Carr  
189 Watson Road  
Poland, ME 04274

**Parcel ID:** 0005-0016-B1-A

**First Class Mail**

**Located at:** Off Watson Road

**Zoning District:** Rural Residential-2 (R-2)

Dear Mr. and Mrs. Carr,

You applied for a building permit (No. 2017-063) for a "28' x 44' three (3) Bedroom, two (2) Bath Single Family Ranch with a porch on two sides, with a finished one (1) bedroom, one (1) bath basement apartment", accompanied with your application was the following:

- A division of property completed for the Montgomery family trust completed by JKL Land Surveying on August 2, 1999,
- A hand drawn plot plan showing the proposed location and size of the new single dwelling, driveway, leach bed, and an area for a proposed Access Right of Way,
- A deed for the parcel dated May 7, 2015, recorded at the registry of deeds at Book 9132, Page 130 (Parcel),
- A first-floor plan, and
- A subsurface waste water design, which is designed for a three bedroom (3) single-family home with an one (1) bedroom apartment.

The conveyance of Tax Map 5, Lot 16-B1-A from Robert B. Finn and Merelle R. Finn to David G. & Elizabeth J. Carr (Book 9132, Page 130) on May 7, 2015 was a straight split from Tax Map 5 Lot 16-B1 and appears to have been created without the required a. lot area, which is defined in Section 1402 of the CLUC as "*The total horizontal area within the lot lines;*" and further explained in section 507.1.B as "*Land below the normal high-water line of a water body or upland edge of a wetland and land beneath roads, and/or right-of-ways shall not be included toward calculating minimum lot area*" b. road frontage, which is defined in Section 1402 of the CLUC as "*The linear distance between the sidelines of a lot measured along the lot line that borders the right-of-way that serves as legal access to the lot;*" as required by Section 507.2.(D) of the CLUC.

The Parcel as depicted on the plot plan shows a sixty (60') foot by two hundred (200') foot Access Right of Way, the Access Right of Way does not meet the definition of a Right of Way "*All public or private roads and streets, Federal and State highways, private ways*". Therefore, the Access Right of Way shall not be counted as Road Frontage. Additionally, as stated in section 507.1.B of the CLUC, the area below the Access Right of Way cannot be used in calculating the minimum lot area required.

Using the definitions above and per the plot plan submitted, the Parcel as created in 2015 appears to contain approximately seventy-two thousand seven hundred and twenty-one point eighty-nine (72,721.89) square feet of lot area and zero (0) feet of road frontage. Section 507.2.D of the CLUC requires eighty thousand (80,000) square feet of lot area and two hundred (200') feet of road frontage for lots located within the R-2 Zoning District.

***507.2.D Rural Residential -2***

- 1. The Minimum Lot Area shall be eighty thousand (80,000) square feet*
- 2. The minimum Road Frontage shall be two hundred (200) feet*

In addition to those requirements, § 507.1(P) requires that all newly created lots be surveyed and that a copy of the stamped boundary survey be given the Code Enforcement Officer.

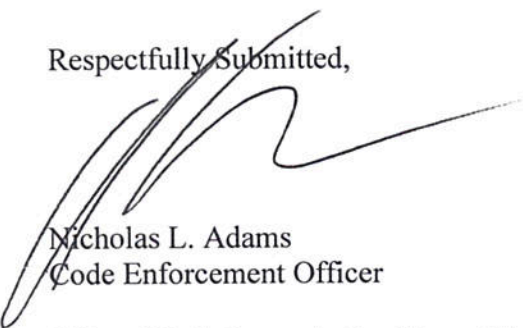
*507.1.P. All newly created lots shall be surveyed by a State of Maine Registered Surveyor and all property corners shall be marked with permanent markers, for purpose of this section a permanent marker shall be one of the following: a granite monument; a concrete monument; an iron pin; or a drill hole in ledge. A stamped copy of the official boundary survey shall be given to the Code Enforcement Officer for the records and review.*

Since you have not provided the Town with a boundary survey it is not clear whether the lot as drawn on the plot plan will meet all the requirements of the CLUC. In addition, I have not reviewed the application for compliance with building codes, subsurface wastewater disposal rules, subdivision regulations, and any other zoning requirement that is regulated and enforced by the Town through the CLUC.

In conclusion and pursuant to Ch. 5, § 507.1, 507.1.(P), 507.2.(D), and 1402 of the CLUC, I regret to inform you that this office has denied your permit application. You have the right to appeal this decision to the Board of Appeals within forty-five (45) days of the date of this letter pursuant to Ch. 3, § 304.2.B.1 of the CLUC. Keep in mind that I could have issued a Notice of Violation for creating a lot in violation of the CLUC, but given that today is my last day with the Town of Poland, I will leave the enforcement issue to be resolved by whoever takes over as the Code Enforcement Officer for the Town. Regardless of whether the Town pursues an enforcement action, building permits will not be issued for the divided parcel if it is not brought into compliance.

Please contact this office for the necessary paperwork that is required to file an appeal and feel free to contact Jess Leighton or Mark Bosse if you wish to discuss the matter or have any questions.

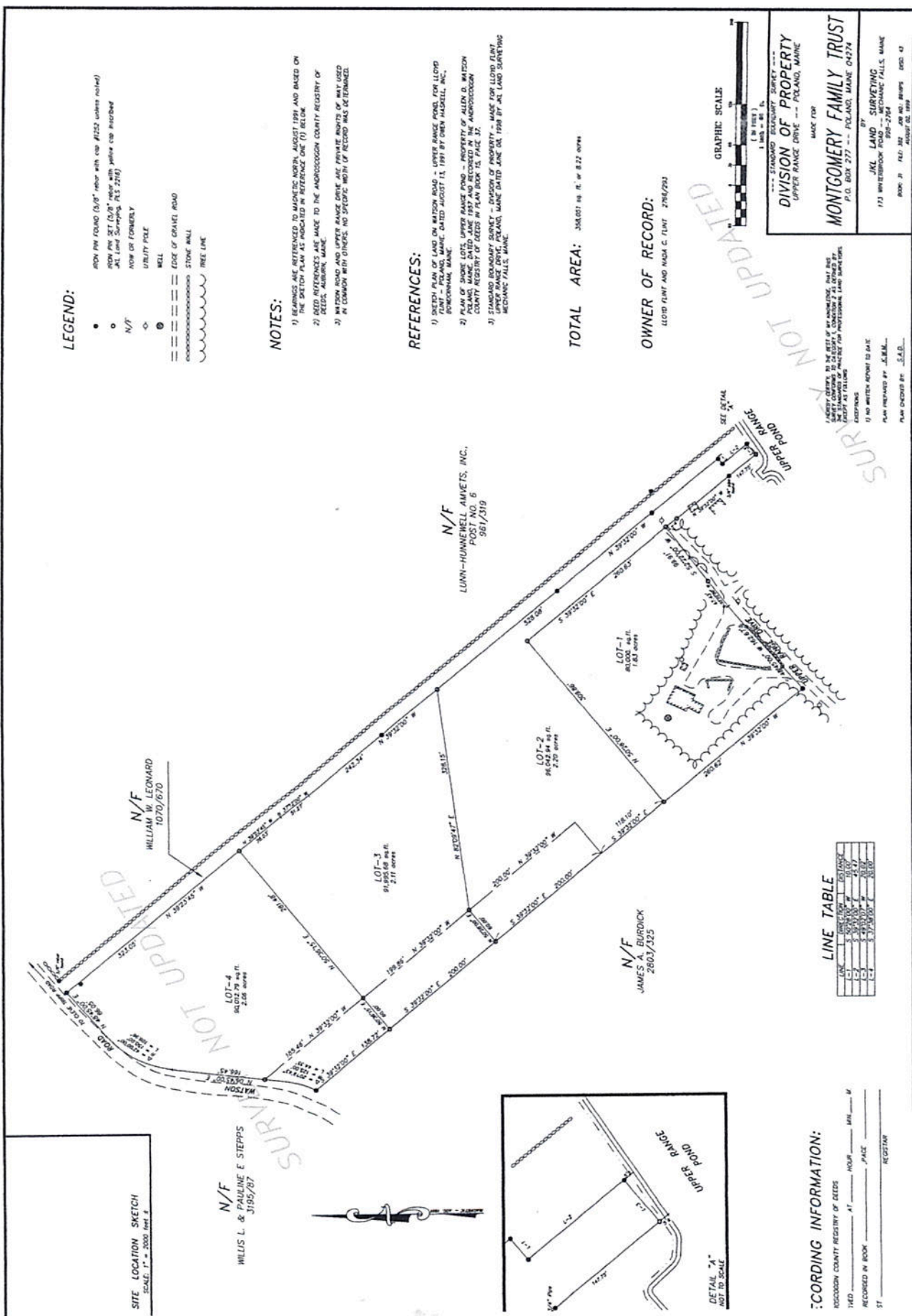
Respectfully Submitted,



Nicholas L. Adams  
Code Enforcement Officer

CC: Mark Bosse. Acting Town Manager

ENC: Administrative Appeal Application



LEGEND:

- IRON PIN FOUND (5/08" hole with cap #1222 unless noted)
- IRON PIN SET (5/08" hole with yellow cap included)
- AT LAND SURVEYING, PLS 2714
- N/F
- WOM OF FORMERLY
- UTILITY POLE
- WELL
- EDGE OF GRAVEL ROAD
- STONE WALL
- TREE LINE

NOTES:

- 1) BEARINGS ARE REFERENCED TO MAGNETIC NORTH, AUGUST 1991 AND BASED ON THE SKETCH PLAN AS INDICATED IN REFERENCE ONE (1) BELOW.
- 2) DEED REFERENCES ARE MADE TO THE ANDROSCOGG COUNTY REGISTRY OF DEEDS, AUBURN, MAINE.
- 3) WATSON ROAD AND UPPER RANGE DRIVE ARE PRIVATE ROADS OF WAY USED IN COMMON WITH OTHERS. NO SPECIFIC WIDTH OF RECORD WAS DETERMINED.

REFERENCES:

- 1) DEED PLAN OF LAND ON WATSON ROAD - UPPER RANGE POND, FOR LOT 101 - POLAND, MAINE, DATED AUGUST 11, 1981 BY OWEN HADSELL, INC., BOWDOINHAM, MAINE.
- 2) PLAN OF SHORE LOTS, UPPER RANGE POND - PROPERTY OF ALLEN D. WATSON - POLAND, MAINE, DATED AUGUST 11, 1981 BY OWEN HADSELL, INC., BOWDOINHAM, MAINE.
- 3) STANDARD BOUNDARY SURVEY - DIVISION OF PROPERTY MADE FOR LOT 101, UPPER RANGE DRIVE, POLAND, MAINE DATED JUNE 04, 1998 BY JAL LAND SURVEYING, MECHANIC FALLS, MAINE.

TOTAL AREA: 358,001 sq. ft. or 8.22 acres

OWNER OF RECORD:

LEO D. TUNNEY AND NODA C. TUNNEY 2786/293

GRAPHIC SCALE



DIVISION OF PROPERTY  
UPPER RANGE DRIVE - POLAND, MAINE

MONTGOMERY FAMILY TRUST

P.O. BOX 277 - POLAND, MAINE 04774

JKL LAND SURVEYING

173 WINTERBROOK ROAD - MECHANIC FALLS, MAINE

BOOK: 31 FILE: 352 JAL NO. 89075 DATED: 02/09

1) NO WRITTEN REPORT TO DATE  
PLAN PREPARED BY: J.A.B.  
PLAN CHECKED BY: J.A.B.

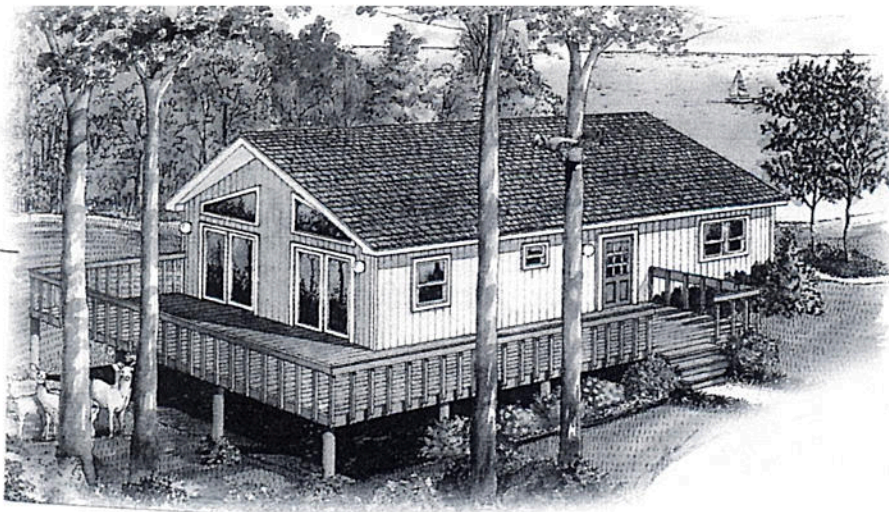
LINE TABLE

LINE	BEARING	DISTANCE	REMARKS
1-2	N 37°22'00" E	100.00'	LOT 1-2
2-3	S 37°22'00" E	100.00'	LOT 2-3
3-4	N 37°22'00" E	100.00'	LOT 3-4
4-5	S 37°22'00" E	100.00'	LOT 4-5

CORDING INFORMATION:

ANDROSCOGG COUNTY REGISTRY OF DEEDS  
FILED \_\_\_\_\_ AT \_\_\_\_\_ HOUR \_\_\_\_\_ DAY \_\_\_\_\_  
RECORDED IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
ST \_\_\_\_\_ REGISTER

*Ranches*



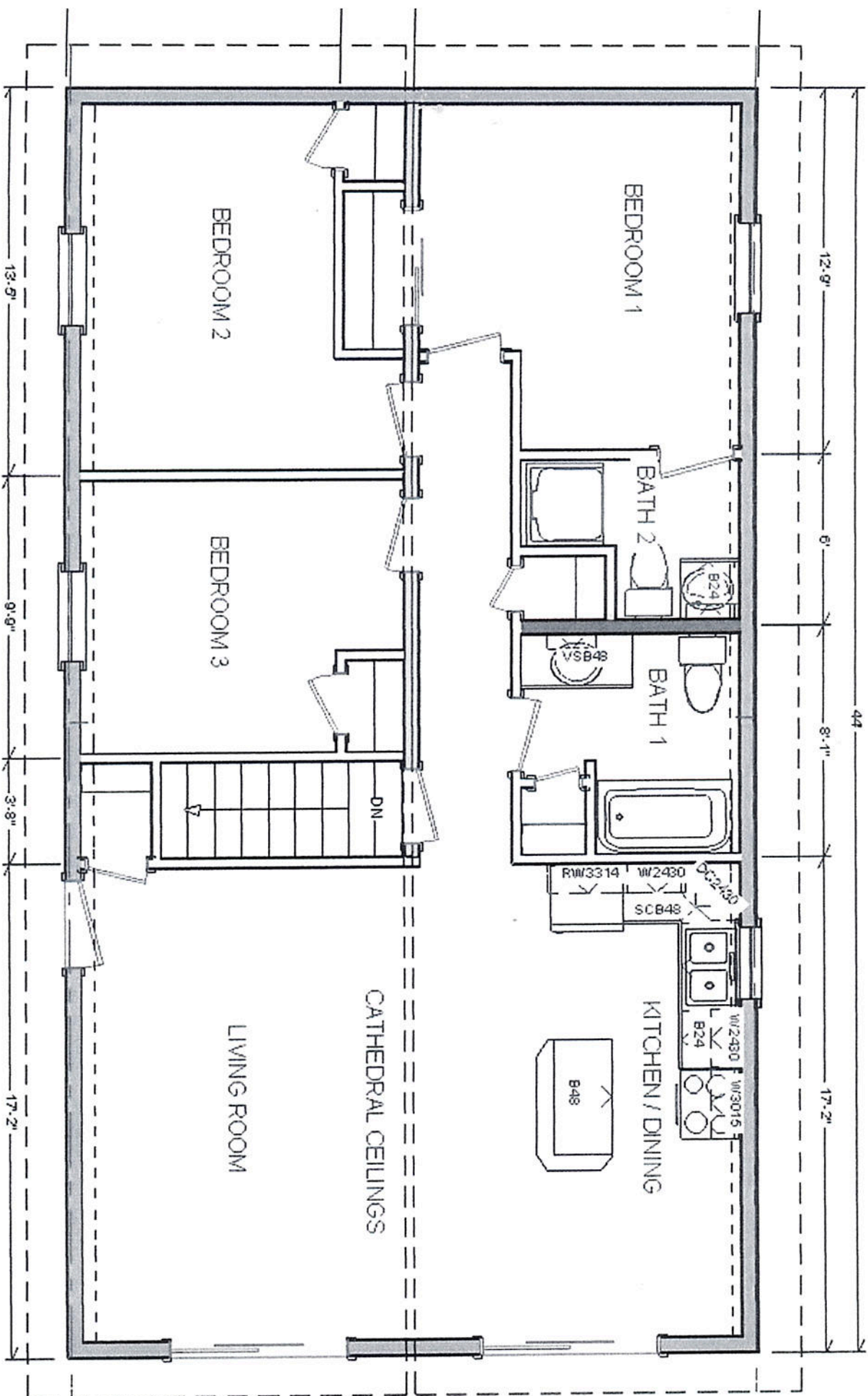
**Plan No. 635**

**1969 SQ. FT.**

Exceptional living in beautifully appointed home with master bedroom suite featuring walk-in closet and luxurious bath, stunning open loft above spacious living room, three additional bedrooms, and one and one half baths.

*Basement Apt. (Phase II)*

# First Floor (Phase I)



BIRCHWOOD

#603

23'8" X 44'

5/16  
ALL DIMENSIONS ARE  
APPROXIMATE  
NOTE: APPLIANCES SHOWN  
ARE NOT INCLUDED UNLESS  
SPECIFIED IN CONTRACT AND  
ON ORDER.

Vacant Lot

Bk 9132 Pg 130 #6904  
05-07-2015 @ 11:15a

## WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS,

That we, Robert B. Finn and Merelie R. Finn of Apopka, Florida grant to David G. Carr and Elizabeth J. Carr of Poland, Maine as Joint Tenants, a certain parcel of land and buildings thereon as described in Exhibit A attached hereto and made a part hereof.

To have and to hold the aforegranted land, with all privileges and appurtenances thereof, to the said David G. Carr and Elizabeth J. Carr, their heirs and assigns for their use and behoof forever.

And we do covenant with the said Grantees, and their heirs and assigns, that we are lawfully seized in fee of the premises, that they are free of all encumbrances that we have good right to sell and convey the same to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

Witness his/her hand and seal this 7<sup>th</sup> day of May, 2015.

Merelie R. Finn  
Merelie R. Finn

Robert B. Finn  
Robert B. Finn

State of Maine

Androscoggin, SS

7 May 2015

Then personally appeared the above named Robert B. Finn and Merelie R. Finn and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Julie M. Bertrand  
Notary Public

JULIE M. BERTRAND  
Notary Public, Maine  
My Commission Expires August 6, 2015

SEAL

MAINE REAL ESTATE  
TRANSFER TAX PAID

## EXHIBIT A

A certain parcel of land with buildings and improvements thereon situated on the northwesterly side of Upper Range Drive in the Town of Poland, County of Androscoggin, State of Maine and being more particularly described as follows:

BEGINNING at a 5/8" capped rebar inscribed PLS 1252 on the assumed northwesterly side line of Upper Range Drive and at the most easterly corner of land now or formerly of James A. Burdick as described in a deed dated February 26, 1992 and recorded in the Androscoggin County Registry of Deeds in Book 2803, Page 325;

thence, N 39° 32' 00" W along said Burdick a distance of two hundred sixty and 62/100 feet (260.62') to a 5/8" capped rebar set inscribed PLS 2216;

thence, N 50° 28' 00" E a distance of three hundred nine and 86/100 feet (309.86') to a 5/8" capped rebar set inscribed PLS 2216;

thence, S 39° 32' 00" E a distance of two hundred sixty and 63/100 feet (260.63') to a 5/8" capped rebar set inscribed PLS 2216 on assumed northwesterly side line of said Upper Range Drive;

thence, S 52° 22' 00" W along the assumed westerly side line of Upper Range Drive a distance of one hundred forty-seven and 34/100 feet (147.34') to a point;

thence, S 48° 45' 00" W along the assumed westerly side line of Upper Range Drive a distance of one hundred sixty-two and 67/100 feet (162.67') to the POINT OF BEGINNING.

The above described parcel of land contains 80,000 square feet. The bearings above referred to are referenced to Magnetic North as observed August 1991.

Meaning and intending to convey only a portion of land as described in a deed to Lloyd and Nada C. Flint from Thomas Edwards and James A. Burdick dated October 1991 and recorded in said Registry in Book 2766 Page 293.

99-1013.EXH

ANDROSCOGGIN COUNTY  
TINA M. CHOUINARD  
REGISTER OF DEEDS

## SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services  
Div of Environmental Health, 11 SHS  
(207) 287-5672 Fax: (207) 287-4172

## PROPERTY LOCATION

City, Town, or Plantation POLAND

Street or Road WATSON ROAD

Subdivision, Lot # \_\_\_\_\_

## &gt;&gt; CAUTION: LPI APPROVAL REQUIRED &lt;&lt;

Town/City \_\_\_\_\_ Permit # \_\_\_\_\_

Date Permit Issued 1/1 Fee: \$ \_\_\_\_\_ Double Fee Charged [ ]

Local Plumbing Inspector Signature \_\_\_\_\_ L.P.I. # \_\_\_\_\_

☐ Owner ☐ Town ☐ State

## OWNER/APPLICANT INFORMATION

Name (last, first, MI) CARR, ELIZABETH ☒ Owner ☐ Applicant

Mailing Address of Owner/Applicant 189 WATSON ROAD  
POLAND, ME 04274

Daytime Tel. # 240-0468

The Subsurface Wastewater Disposal System shall not be installed until a Permit is issued by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.

Municipal Tax Map # \_\_\_\_\_ Lot # \_\_\_\_\_

## OWNER OR APPLICANT STATEMENT

I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a Permit.

Signature of Owner or Applicant \_\_\_\_\_ Date \_\_\_\_\_

## CAUTION: INSPECTION REQUIRED

I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application.

Local Plumbing Inspector Signature \_\_\_\_\_ (1st) date approved \_\_\_\_\_  
\_\_\_\_\_ (2nd) date approved \_\_\_\_\_

## PERMIT INFORMATION

<b>TYPE OF APPLICATION</b> <input checked="" type="checkbox"/> 1. First Time System <input type="checkbox"/> 2. Replacement System Type replaced: _____ Year installed: _____ <input type="checkbox"/> 3. Expanded System <input type="checkbox"/> a. <25% Expansion <input type="checkbox"/> b. >25% Expansion <input type="checkbox"/> 4. Experimental System <input type="checkbox"/> 5. Seasonal Conversion	<b>THIS APPLICATION REQUIRES</b> <input checked="" type="checkbox"/> 1. No Rule Variance <input type="checkbox"/> 2. First Time System Variance <input type="checkbox"/> a. Local Plumbing Inspector Approval <input type="checkbox"/> b. State & Local Plumbing Inspector Approval <input type="checkbox"/> 3. Replacement System Variance <input type="checkbox"/> a. Local Plumbing Inspector Approval <input type="checkbox"/> b. State & Local Plumbing Inspector Approval <input type="checkbox"/> 4. Minimum Lot Size Variance <input type="checkbox"/> 5. Seasonal Conversion Permit	<b>DISPOSAL SYSTEM COMPONENTS</b> <input checked="" type="checkbox"/> 1. Complete Non-engineered System <input type="checkbox"/> 2. Primitive System (graywater & alt. toilet) <input type="checkbox"/> 3. Alternative Toilet, specify: _____ <input type="checkbox"/> 4. Non-engineered Treatment Tank (only) <input type="checkbox"/> 5. Holding Tank, _____ gallons <input type="checkbox"/> 6. Non-engineered Disposal Field (only) <input type="checkbox"/> 7. Separated Laundry System <input type="checkbox"/> 8. Complete Engineered System (2000 gpd or more) <input type="checkbox"/> 9. Engineered Treatment Tank (only) <input type="checkbox"/> 10. Engineered Disposal Field (only) <input type="checkbox"/> 11. Pre-treatment, specify: _____ <input type="checkbox"/> 12. Miscellaneous Components
<b>SIZE OF PROPERTY</b> <u>2.3</u> SQ. FT. ACRES	<b>DISPOSAL SYSTEM TO SERVE</b> <input type="checkbox"/> 1. Single Family Dwelling Unit, No. of Bedrooms: _____ <input checked="" type="checkbox"/> 2. Multiple Family Dwelling, No. of Units: <u>2</u> <input type="checkbox"/> 3. Other: _____ (specify) Current Use <input type="checkbox"/> Seasonal <input type="checkbox"/> Year Round <input checked="" type="checkbox"/> Undeveloped	<b>TYPE OF WATER SUPPLY</b> <input checked="" type="checkbox"/> 1. Drilled Well <input type="checkbox"/> 2. Dug Well <input type="checkbox"/> 3. Private <input type="checkbox"/> 4. Public <input type="checkbox"/> 5. Other

## DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)

<b>TREATMENT TANK</b> <input checked="" type="checkbox"/> 1. Concrete <input checked="" type="checkbox"/> 2. Regular <input type="checkbox"/> a. Low Profile <input type="checkbox"/> 3. Plastic <input type="checkbox"/> 4. Other: _____ CAPACITY: <u>1000</u> GAL.	<b>DISPOSAL FIELD TYPE &amp; SIZE</b> <input checked="" type="checkbox"/> 1. Stone Bed <input type="checkbox"/> 2. Stone Trench <input type="checkbox"/> 3. Proprietary Device <input type="checkbox"/> a. cluster array <input type="checkbox"/> b. Linear <input type="checkbox"/> c. regular load <input type="checkbox"/> d. H-20 load <input type="checkbox"/> 4. Other: _____ SIZE: <u>1322</u> sq. ft. in. ft.	<b>GARBAGE DISPOSAL UNIT</b> <input checked="" type="checkbox"/> 1. No <input type="checkbox"/> 2. Yes <input type="checkbox"/> 3. Maybe If Yes or Maybe, specify one below: <input type="checkbox"/> a. multi-compartment tank <input type="checkbox"/> b. _____ tanks in series <input type="checkbox"/> c. increase in tank capacity <input type="checkbox"/> d. Filter on Tank Outlet	<b>DESIGN FLOW</b> <u>390</u> gallons per day BASED ON: <input checked="" type="checkbox"/> 1. Table 4A (dwelling unit(s)) <input type="checkbox"/> 2. Table 4C (other facilities) SHOW CALCULATIONS for other facilities <u>270 FOR 3 BR WIT</u> <u>120 FOR 1 BR WIT</u> <input type="checkbox"/> 3. Section 4G (meter readings) ATTACH WATER METER DATA
<b>SOIL DATA &amp; DESIGN CLASS</b> PROFILE <u>2</u> CONDITION <u>1 B</u> at Observation Hole # <u>TP1</u> Depth <u>  </u> " of Most Limiting Soil Factor	<b>DISPOSAL FIELD SIZING</b> <input type="checkbox"/> 1. Medium---2.6 sq. ft. / gpd <input checked="" type="checkbox"/> 2. Medium---Large 3.3 sq. ft. / gpd <input type="checkbox"/> 3. Large---4.1 sq. ft. / gpd <input type="checkbox"/> 4. Extra Large---5.0 sq. ft. / gpd	<b>EFFLUENT/EJECTOR PUMP</b> <input checked="" type="checkbox"/> 1. Not Required <input type="checkbox"/> 2. May Be Required <input type="checkbox"/> 3. Required Specify only for engineered systems: DOSE: _____ gallons	<b>LATITUDE AND LONGITUDE</b> at center of disposal area Lat. <u>44</u> d <u>00</u> m <u>28</u> s <u>61</u> Lon. <u>70</u> d <u>24</u> m <u>21</u> s <u>80</u> if g.p.s., state margin of error: _____

## SITE EVALUATOR STATEMENT

I certify that on 5-3-17 (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).

Site Evaluator Signature

SE #

Date

Site Evaluator Name Printed

Telephone Number

E-mail Address

Note : Changes to or deviations from the design should be confirmed with the Site Evaluator.

Page 1 of 3

HWE-200 Rev 08/2011

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services  
Division of Health Engineering, Station 10  
(207) 287-5672 Fax: (207) 287-3185

Town, City, Plantation

POLAND

Street, Road, Subdivision

WATSON ROAD

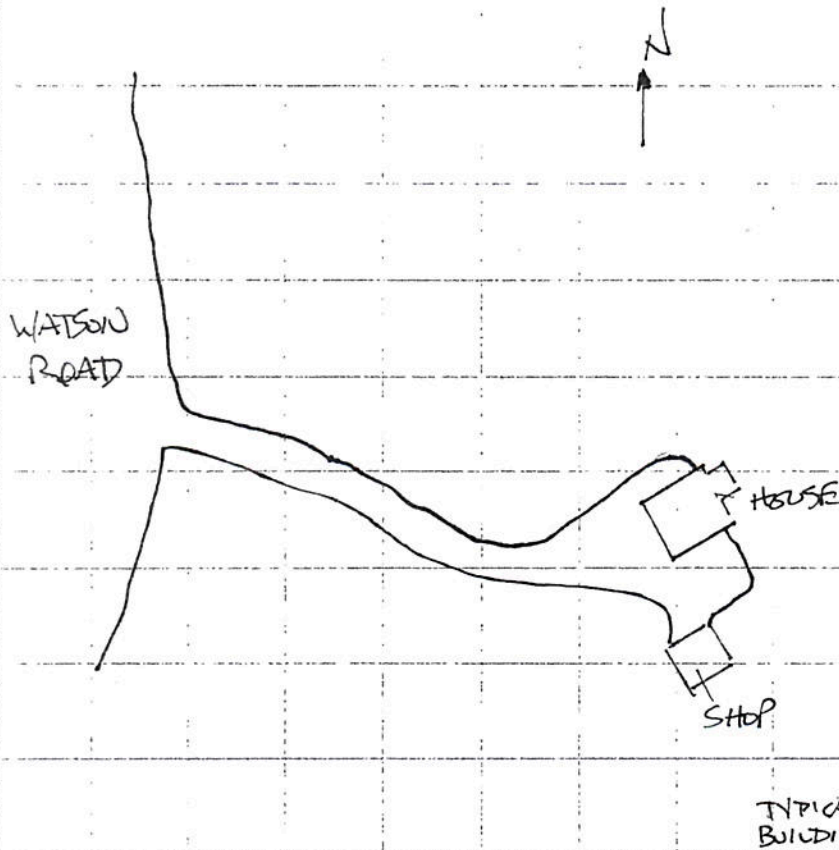
Owner or Applicant Name

ELIZABETH CARR

SITE PLAN Scale 1" = 100 ft.

SITE LOCATION PLAN  
(map from Maine Atlas recommended)

CLEVE TRIPP RD



## SOIL PROFILE DESCRIPTION AND CLASSIFICATION

(Location of Observation Holes Shown Above)

Observation Hole # TP-1 ☐ Test Pit ☒ Boring

" Depth of organic horizon above mineral soil

Observation Hole #          ☐ Test Pit ☐ Boring

" Depth of organic horizon above mineral soil

Texture	Consistency	Color	Mottling
0			
6			
12			
18		RED	
24	FRAGILE	BROWN	
30		YELLOW	
36		BROWN	NONE
42			
48			
Soil <u>2</u> Profile	Classification <u>B</u> Condition	Slope <u>16</u> Percent	Limiting Factor <u>—</u> Depth
<input type="checkbox"/> Groundwater	<input type="checkbox"/> Restrictive Layer	<input type="checkbox"/> Bedrock	<input type="checkbox"/> Pit Depth

Texture	Consistency	Color	Mottling
0			
6			
12			
18			
24			
30			
36			
42			
48			
Soil <u>        </u> Profile	Classification <u>        </u> Condition	Slope <u>        </u> Percent	Limiting Factor <u>        </u> Depth
<input type="checkbox"/> Groundwater	<input type="checkbox"/> Restrictive Layer	<input type="checkbox"/> Bedrock	<input type="checkbox"/> Pit Depth

Site Evaluator Signature

SE #

Date

Page 2 of 3  
HHE-200 Rev. 10/02

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services  
Division of Health Engineering, Station 10  
(207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation  
**POLAND**

Street, Road, Subdivision  
**WATSON**

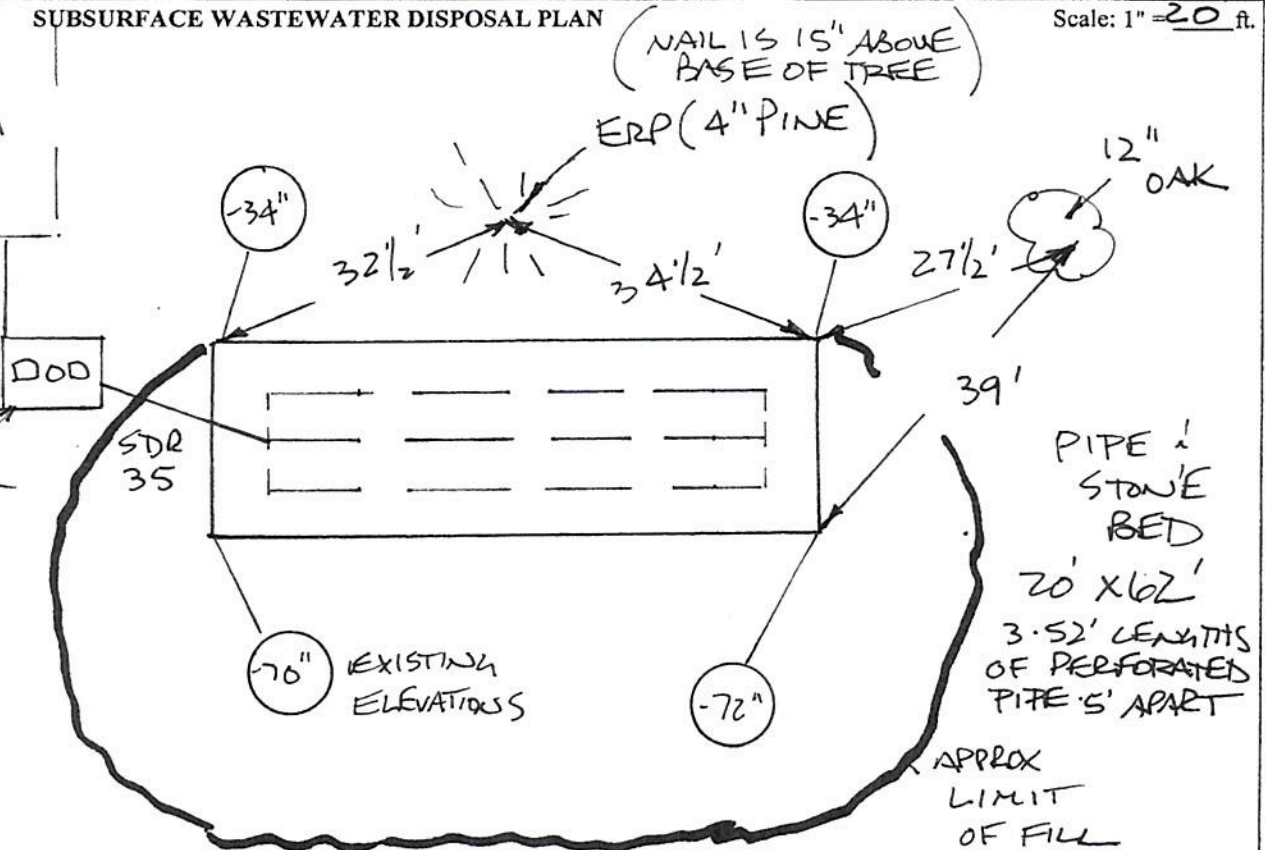
Owner or Applicant Name  
**ELIZABETH CARR**

## SUBSURFACE WASTEWATER DISPOSAL PLAN

Scale: 1" = 20 ft.

TYPICAL  
BUILDING

TYPICAL  
SEWER  
AND TANK



## BACKFILL REQUIREMENTS

## CONSTRUCTION ELEVATIONS

## ELEVATION REFERENCE POINT

Depth of Backfill (upslope) 0"  
Depth of Backfill (downslope) 38"  
DEPTHS AT CROSS-SECTION (shown below)

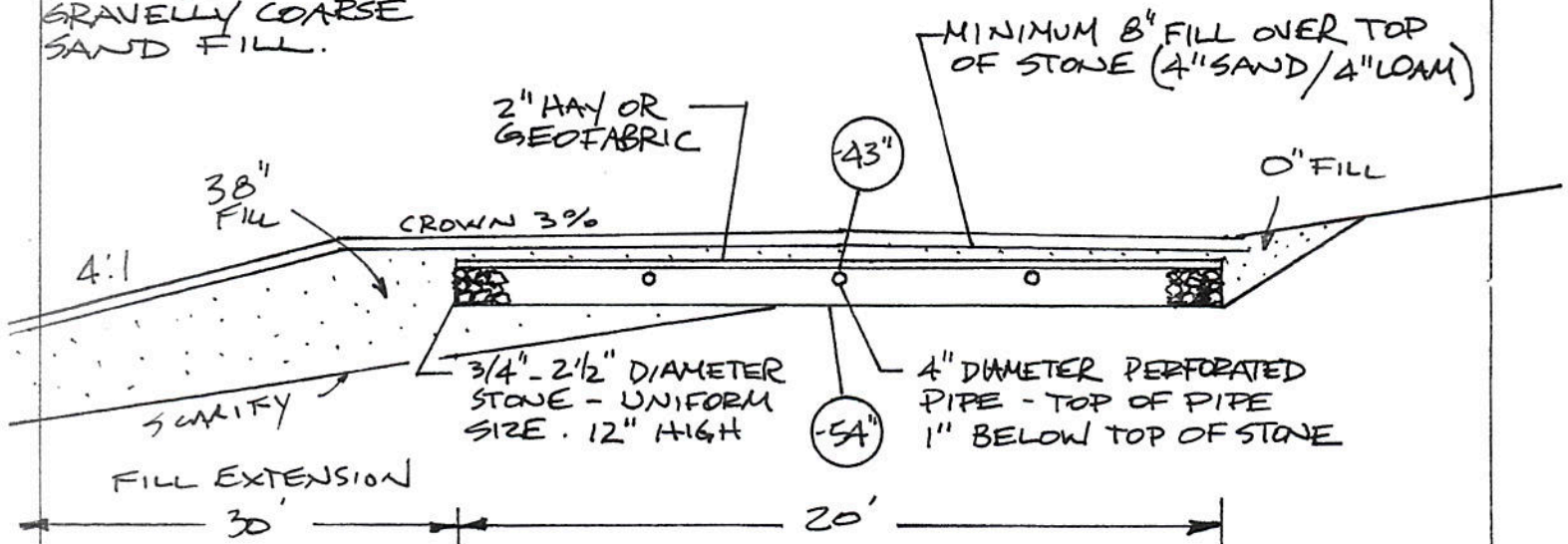
Finished Grade Elevation -34"  
Top of PIPE -43"  
Bottom of Disposal Field -54"

Location & Description: NAIL IN 4"  
DIAMETER PINE TREE  
Reference Elevation is: 0.0" on

SCARIFY ALL  
GROUND TO BE  
FILLED. USE  
GRAVELLY COARSE  
SAND FILL.

## DISPOSAL FIELD CROSS SECTION

Scales:  
Vertical: 1" = 5 ft.  
Horizontal: 1" = 5 ft.



Site Evaluator Signature

SE #

Date

Page 3 of 3  
HHE-200 Rev. 10/02



## Board of Appeals

1231 Maine Street,  
Poland, Maine 04274

May 23, 2017

Elizabeth Carr  
189 Watson Rd.  
Poland, ME 04274

VIA: Certified USPS Mail and First Class Mail  
Certified Receipt No: 9171999991703347446899

Dear Mrs. Carr, 91 7199 9991 7033 4744 6899

### Re: Administrative Appeal – Map 0005, Lot 16-B1-A

This letter is to confirm that on May 19, 2017 the Town of Poland received your request for an Administrative Appeal. In accordance with our Comprehensive Land Use Code section 304.3, we are required to hold a Public Hearing within thirty (30) days of receipt of your appeal. Your scheduled hearing date is **Monday, June 5, 2017 at 7:00 PM** in the Town Office Conference Room.

If you have any questions please contact me at 998-4604.

Sincerely,

Jessica Leighton,  
Recording Secretary

Confirmation Services	Package ID: 9171999991703347446899	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 24 2017 3:43P



**Board of Appeals**  
1231 Maine Street,  
Poland, Maine 04274

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**BOARD OF APPEALS**

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**TO:** APPEALS BOARD MEMBERS, CODE ENFORCEMENT OFFICER, PLANNING BOARD,  
APPLICANT, AND ABUTTERS TO MAP 05, LOT 16-B1-A

**FROM:** MARK HYLAND, APPEALS BOARD CHAIRMAN

**RE:** ADMINISTRATIVE APPEAL – MAP 0005, LOT 0016-B1-A

**DATE:** MAY 23, 2017

THE APPEALS BOARD WILL HOLD A PUBLIC HEARING FOR:

AN ADMINISTRATIVE APPEAL BY ELIZABETH CARR, FOR MAP 05, LOT 16-B1-A. THE HEARING WILL BE CONDUCTED ON **MONDAY, JUNE 5, 2017 AT 7:00 PM** IN THE POLAND TOWN OFFICE CONFERENCE ROOM. ALL ABUTTERS WHO RECEIVE THIS NOTICE ARE INVITED TO ATTEND.

RESPECTFULLY YOURS,

MARK HYLAND, CHAIRMAN  
POLAND BOARD OF APPEALS

05/24/2017

ANDERSON, CLIFFORD J. ANDERSON,  
DOROTHY A. (JT)

102 WATSON RD.  
POLAND, ME 04274

91 7199 9991 7033 4695 8478

ANDERSON, MATTHEW L. & LELEND S.  
III ANDERSON, LELAND S., III

% ROSY GILLESPIE  
30 KATHERYN BLVD.

CASCO, ME 04015

91 7199 9991 7033 4695 8461

BOLDUC, DAVID G. DOUGLAS, TIMOTHY  
W. (JT)

20 CHAMPAGNE LANE  
FREEPORT, ME 04032

91 7199 9991 7033 4695 8454

CARR, DAVID G FINN, MERELIE R. (JT)

189 WASTON ROAD

POLAND, ME 04274

91 7199 9991 7033 4695 8447

CARR, ELIZABETH J. CARR, DAVID G.

189 WATSON RD.

POLAND, ME 04274

CARR, ELIZABETH J. CARR, DAVID G.  
(JT)

189 WATSON RD.

POLAND, ME 04274

CYR, GILBERT G. CYR, CLAUDETTE M.  
(JT)

OLD CARRIAGE ESTATES  
78 OLD CARRIAGE RD.

AUBURN, ME 04210

91 7199 9991 7033 4695 8430

FORD, RONALD G. FORD, DONNA M. (JT)

8 MORNINGSIDE RD.

PLAINSVILLE, MA 02762

91 7199 9991 7033 4695 8423

GAGNE, ANN C.

102 CLEVE TRIPP RD.

POLAND, ME 04274

91 7199 9991 7033 4695 8416

GRAVEL, DAVID J. GRAVEL, SCOTT H.  
(JT)

50 WATSON RD.

POLAND, ME 04274

91 7199 9991 7033 4695 8409

05/26/2017

ANDERSON, CLIFFORD J. ANDERSON,  
DOROTHY A. (JT)  
102 WATSON RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958478	E-CERTIFIED
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	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661 MAY 24 2017 3:43P

ANDERSON, MATTHEW L. & LELEND S.  
III ANDERSON, LELAND S., III  
% ROSY GILLESPIE  
30 KATHERYN BLVD.  
CASCO, ME 04015

Confirmation Services	Package ID: 9171999991703346958461	E-CERTIFIED
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BOLDUC, DAVID G. DOUGLAS, TIMOTHY  
W. (JT)  
20 CHAMPAGNE LANE  
FREEPORT, ME 04032

Confirmation Services	Package ID: 9171999991703346958454	E-CERTIFIED
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	Customer Reference:	
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CARR, DAVID G FINN, MERELIE R. (JT)  
189 WASTON ROAD  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958447	E-CERTIFIED
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	Customer Reference:	
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CARR, ELIZABETH J. CARR, DAVID G.  
189 WATSON RD.  
POLAND, ME 04274

CARR, ELIZABETH J. CARR, DAVID G.  
(JT)  
189 WATSON RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958430	E-CERTIFIED
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CYR, GILBERT G. CYR, CLAUDETTE M.  
(JT)  
OLD CARRIAGE ESTATES  
78 OLD CARRIAGE RD.  
AUBURN, ME 04210

Confirmation Services	Package ID: 9171999991703346958423	E-CERTIFIED
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FORD, RONALD G. FORD, DONNA M. (JT)  
8 MORNINGSIDE RD.  
PLAINSVILLE, MA 02762

Confirmation Services	Package ID: 9171999991703346958416	E-CERTIFIED
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	Address: _____	Serial #: 0873661 MAY 24 2017 3:43P

GAGNE, ANN C.  
102 CLEVE TRIPP RD.  
POLAND, ME 04274

GRAVEL, DAVID J. GRAVEL, SCOTT H.  
(JT)  
50 WATSON RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958409	E-CERTIFIED
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	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
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05/24/2017

HILL, MICHAEL H.  
35 ROUNDABOUT LANE  
PORTLAND, ME 04102

91 7199 9991 7033 4695 8393

LAVALLEE, PAUL R. WHALEY, PETER W.  
ET AL (JT)

1 BALSAM LANE  
FALMOUTH, ME 04105

91 7199 9991 7033 4695 8386

LEONARD, WILLIAM W.  
156 CLEVE TRIPP RD.  
POLAND, ME 04274

91 7199 9991 7033 4695 8379

LOGAN, CHARLES R.  
36 UPPER RANGE DR.  
POLAND, ME 04274

91 7199 9991 7033 4695 8362

LUNN HUNNEWELL AMVETS INC.  
PO BOX 30  
NEW GLOUCESTER, ME 04260

LUNN HUNNEWELL AMVETS POST #6  
PO BOX 30  
NEW GLOUCESTER, ME 04260

91 7199 9991 7033 4695 8355

RANGE POND PROPERTIES, LLC  
3803 BAYSIDE DR.  
BRADENTON, FL 34210

91 7199 9991 7033 4695 8348

SMITH, JAMES R. SMITH, CHALENE M.  
55 THREE RIVERS DR.  
BRIDGEWATER, MA 02324

91 7199 9991 7033 4744 6844

STEPP, PAULINE STEPP, JIM  
% JIM STEPP  
P. O. BOX 118  
SOUTH CASCO, ME 04077

91 7199 9991 7033 4744 6851

TAPLEY, SUSAN RUTH  
90 WATSON RD.  
POLAND, ME 04274

91 7199 9991 7033 4744 6868

05/26/2017

HILL, MICHAEL H.  
35 ROUNABOUT LANE  
PORTLAND, ME 04102

Confirmation Services	Package ID: 9171999991703346958393	E-CERTIFIED
	Destination ZIP Code: 04102	1ST CLASS LETTER
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	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661 MAY 24 2017 3:43P

LAVALLEE, PAUL R. WHALEY, PETER W.  
ET AL (JT)  
1 BALSAM LANE  
FALMOUTH, ME 04105

Confirmation Services	Package ID: 9171999991703346958386	E-CERTIFIED
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LEONARD, WILLIAM W.  
156 CLEVE TRIPP RD.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958379	E-CERTIFIED
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LOGAN, CHARLES R.  
36 UPPER RANGE DR.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703346958362	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
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LUNN HUNNEWELL AMVETS INC.  
PO BOX 30  
NEW GLOUCESTER, ME 04260

Confirmation Services	Package ID: 9171999991703346958355	E-CERTIFIED
	Destination ZIP Code: 04260	1ST CLASS LETTER
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	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661 MAY 24 2017 3:44P

LUNN HUNNEWELL AMVETS POST #6  
PO BOX 30  
NEW GLOUCESTER, ME 04260

Confirmation Services	Package ID: 9171999991703346958348	E-CERTIFIED
	Destination ZIP Code: 34210	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661 MAY 24 2017 3:44P

RANGE POND PROPERTIES, LLC  
3803 BAYSIDE DR.  
BRADENTON, FL 34210

Confirmation Services	Package ID: 9171999991703347446844	E-CERTIFIED
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	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
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SMITH, JAMES R. SMITH, CHALENE M.  
55 THREE RIVERS DR.  
BRIDGEWATER, MA 02324

Confirmation Services	Package ID: 9171999991703347446851	E-CERTIFIED
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	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661 MAY 24 2017 3:44P

STEPP, PAULINE STEPP, JIM  
% JIM STEPP  
P. O. BOX 118  
SOUTH CASCO, ME 04077

Confirmation Services	Package ID: 9171999991703347446868	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661 MAY 24 2017 3:44P

TAPLEY, SUSAN RUTH  
90 WATSON RD.  
POLAND, ME 04274

05/24/2017

TURNER, EDWIN  
38 UPPER RANGE DR.  
POLAND, ME 04274

91 7199 9991 7033 4744 6875

---

ZUKOWSKI, ROBERT  
48 UPPER RANGE DR.  
POLAND, ME 04274

ZUKOWSKI, ROBERT F. ZUKOWSKI,  
MARY ANN (JT)  
48 UPPER RANGE DR.  
POLAND, ME 04274

91 7199 9991 7033 4744 6882

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05/26/2017

TURNER, EDWIN  
38 UPPER RANGE DR.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703347446875	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
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	Address: _____	Serial #: 0873661
		MAY 24 2017 3:44P

ZUKOWSKI, ROBERT  
48 UPPER RANGE DR.  
POLAND, ME 04274

ZUKOWSKI, ROBERT F. ZUKOWSKI,  
MARY ANN (JT)  
48 UPPER RANGE DR.  
POLAND, ME 04274

Confirmation Services	Package ID: 9171999991703347446882	E-CERTIFIED
	Destination ZIP Code: 04274	1ST CLASS LETTER
	Customer Reference:	
	Recipient: _____	PBP Account #: 48550602
	Address: _____	Serial #: 0873661
		MAY 24 2017 3:44P

Notice of Public Hearing  
Poland Zoning Board of Appeals  
Monday June 5, 2017 - 7:00 PM  
Variance Appeal for Map 7 Lot 30A  
Administrative Appeal for Map 5 Lot 16-B1-A