

**Planning Board Meeting
November 28, 2023 – 7:00 PM
Town Office Conference Room**



Meeting Materials

**Planning Board
Tuesday, November 28, 2023
7:00 PM – Town Office Conference Room**

CALL TO ORDER

MINUTES

October 10, 2023

COMMUNICATIONS

OLD BUSINESS

NEW BUSINESS

CLUC Change – Timothy Cook – 211 Poland Corner Road – Map 11 Lot 9

Informational – Sheila Foley – 1220 Maine Street – Map 40 Lot 15

Potential CLUC Changes for 2024

Findings of Fact and Conclusions of Law for:

Formal Site Plan – Lawrence Roakes – Off Knoll Road – Map 13 Lot 36

ANY OTHER BUSINESS

ADJOURNMENT

POLAND PLANNING BOARD
MINUTES OF MEETING
October 10, 2023
Approved on _____, 2023

CALL TO ORDER – Chairperson James Porter called the meeting to order at 7:00pm with Members Cheryl Skilling, Jon Gilson, George Greenwood, James Walker, and CEO Scott Neal present. Alternate Member Heather Ryan is absent with notice.

MINUTES – September 26, 2023 – Member Greenwood moved to approve the minutes. Member Walker seconded the motion. Discussion: None Vote: 5-yes 0-no

COMMUNICATIONS – None

OLD BUSINESS – Formal Site Plan – Poland Animal Hospital (VetCor of Poland) – 1195 and 1197 Maine Street – Map 39 Lots 29 and 30
The Applicant asked to be moved to the October 24, 2023, meeting.

NEW BUSINESS – Formal Site Plan – Lawrence Roakes – Off Knoll Road – Map 13 Lot 36

Stuart Davis of Davis Land Surveying, Craig Sweet of Terradyn, and Larry Roakes presented the project to the Board. Mr. Roakes would like to create a backlot driveway off Knoll Road and two lots (# 9 and # 10) off the backlot driveway.

The backlot driveway will be called Lynn's Way. Lynn's Way will be 12' wide with 2' shoulders. Ownership of Lynn's Way will go to either lot # 9 or lot # 10 with the other lot having a right of way over Lynn's Way. Both lots will have a maintenance agreement to maintain Lynn's Way and they will both also have to be part of the Knoll Road Association. There will be a stop sign at the end of Lynn's Way. The Applicant is requesting a waiver from the requirement that a backlot driveway originate from a paved road.

The site plan will be updated to show the setbacks more clearly. The site plan will also have the following notes: power to lots # 9 and # 10 will be overhead, a note will be added to show the maximum impervious surface amount allowed on lots # 9 and # 10, and the notes and waivers from the original plan will be added to this site plan.

Member Greenwood moved to approve the checklist as complete. Member Gilson seconded the motion. Discussion: None Vote: 5-yes 0-no

Member Greenwood moved to approve the Formal Site Plan with the following conditions: no public hearing, no site walk, the waiver from the requirement that a backlot driveway originate from a paved road is approved, the site plan will also have the following notes: the power to lots # 9 and # 10 will be overhead, a note will be added to show the maximum impervious surface amount allowed on lots # 9 and # 10, and the

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notes and waivers from the original plan will be added to this site plan. Member Skilling seconded the motion. Discussion: None Vote: 5-yes 0-no

Formal Site Plan – Jonathan MacLean, JEM Property Management, LLC – 1505 Maine Street – Map 15 Lot 7

Stuart Davis of Davis Land Surveying and Craig Sweet of Terradyn presented the project to the Board. Jon MacLean would like to have a dock manufacturing and sales business on the property. The Applicant would like to start by building a storage/manufacturing building with a 10' x 10' office in it, a manufacturing building, and in the spring site work on the property along with the water and sewer. The sewer will be tied into Mechanic Falls sewer system. The sales building would be built at some point in the future.

The driveway on Route 26 will be moving down towards the end of the property away from Five Corners. Truck and delivery traffic will be off Route 11, and the Applicant will be getting MEDot approvals.

The Applicant will need to submit a description of how the storage buildings meet the downtown design standards. Any loading docks as well as the dumpster and its enclosure will need to be shown on the site plan. The Applicant will need to get a DEP permit. Since the driveway entrance is moving down on Route 26 there is a question about who will be fixing the sidewalk – the Applicant or MEDot. If the Applicant is fixing the sidewalk, then he will need to submit a sidewalk construction detail.

Member Greenwood moved to table the Formal Site Plan pending further information from the Applicant. Member Gilson seconded the motion.
Discussion: None Vote: 5-yes 0-no

ANY OTHER BUSINESS – None

ADJOURN – Member Greenwood moved to adjourn the meeting at 8:16 p.m. Member Gilson seconded the motion. Discussion: None Vote: 5-yes 0-no

Recorded by: Sarah Merrill

POLAND PLANNING BOARD
MINUTES OF MEETING
October 10, 2023
Approved on _____, 2023

Planning Board

James Porter, Chairperson

George Greenwood, Vice Chairperson

Jonahan Gilson, Secretary

Cheryl Skilling, Member

James Wlaker, Jr., Member

Absent with Notice
Heather Ryan, Alternate Member



Town of Poland
PLANNING BOARD AGENDA REQUEST

Date of meeting you are requesting to be scheduled for: 11 / 28 / 2023

Meetings are normally conducted in the Municipal Conference Room at the Town Office from 7:00 to 9:00 pm.

Applicant Information

Applicant's Name: <u>TIMOTHY COOK</u>	Email: <u>17TCOOK17@gmail.com</u>
Mailing Address: <u>211 POLAND CORNER ROAD</u>	Map: <u>11</u> Lot: <u>9</u> Sub-lot: _____
Home Phone: _____	Work Phone: _____ Cell Phone: <u>207-229-5903</u>

Project Information

Type of Application: _____ Informational _____ Sketch Plan <u>X</u> Site Review _____ Shoreland _____ Subdivision _____
Property Address/ Road Location for project: <u>211 POLAND CORNER ROAD</u>
Map: <u>11</u> Lot: <u>9</u> Sub-lot: _____ Zoning: <u>FARM/FOREST</u> Lake Watershed: _____
Description of Project/ Business to be discussed: <u>CHANGE ZONING OF THIS LOT FROM FARM/FOREST TO RURAL RESIDENTIAL</u>

IMPORTANT – READ CAREFULLY

The Code Office **must** receive the original application, plus nine (9) copies, a digital PDF copy on either a cd or USB drive, and appropriate fees by **Thursday at 1:00 pm**, twelve (12) days before the stated meeting to be put on the meeting agenda.

- New business is scheduled on the agenda in the order this office receives completed applications.
- If you want your application reviewed for contents prior to the meeting, it must be in the Code office fourteen (14) days before the meeting.
- Should the Planning Board choose to adjourn before all business is addressed, all remaining business will be tabled until the next available meeting.
- Unfinished business is conducted before new business is addressed.

Applicant's Signature: [Signature] Date: 10/13/23

OFFICE USE ONLY

Date: _____ Time: _____ Received By: _____



Town of Poland PLANNING BOARD AGENDA REQUEST

Date of meeting you are requesting to be scheduled for: 11 / 28 / 2023

Meetings are normally conducted in the Municipal Conference Room at the Town Office from 7:00 to 9:00 pm.

Applicant Information

Applicant's Name: Sheila Foley Email: info@polandprovisions.com
Mailing Address: 277 Poland Corner Rd Poland, ME 04274 Map: Lot: Sub-lot:
Home Phone: 218-343-1442 Work Phone: Cell Phone:

Project Information

Type of Application: ☒ **Informational** ☐ **Sketch Plan** ☐ **Site Review** ☐ **Shoreland** ☐ **Subdivision**
Property Address/ Road Location for project: 1220 Maine St
Map: Lot: Sub-lot: Zoning: Lake Watershed:
Description of Project/ Business to be discussed: Poland Provisions

IMPORTANT – READ CAREFULLY

The Code Office **must** receive the original application, plus nine (9) copies, a digital PDF copy on either a cd or USB drive, and appropriate fees by **Thursday at 1:00 pm**, twelve (12) days before the stated meeting to be put on the meeting agenda.

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- Unfinished business is conducted before new business is addressed.

Applicant's Signature: *Sheila Foley* Date: 11/16/23

OFFICE USE ONLY

Date: Time: Received By:



Planning Board Office

1231 Maine Street,
Poland, Maine 04274-7328

Findings of Fact & Conclusion of Law

Application Type: Site Plan Review for Lawrence Roakes – Back Lots & Backlot Driveway

Date of Application Materials Submitted: September 12, 2023

Owners Name: Lawrence Roakes

Located at: off Knoll Road

Parcel ID: 0013-0036

Zoning Districts: Village 3

PROJECT DESCRIPTION & BACKGROUND

The applicant proposes to divide Tax Map 13 Lot 36 to create two lots and construct Lynn's Way for frontage and access. Lynn's Way is a proposed 16' wide private gravel backlot driveway within a 60' Right-of-Way (ROW) accessed off Knoll Road. The parcels will be serviced by private individual wells and sanitary systems, and overhead electric extended along Lynn's Way.

The application was submitted for review on September 12, 2023, by Davis Land Surveying, LLC. No public hearing or site walk was held. The Town did not receive written or verbal opposition to the project. A written waiver request from the Comprehensive Land Use Code (CLUC) Section 509.11(D) "*a back lot driveway shall originate from a paved street constructed in accordance with the Town's Street Construction Standards...*" was included with the application materials.

At the October 10, 2023 meeting, the Planning Board discussed the project with the applicant, Davis Land Surveying, LLC, and Terradyn Consultants, LLC. The Board voted 5-0 to approve the waiver request and Site Plan Application with conditions.

SITE PLAN REVIEW STANDARDS

A. Preservation of Landscape:

The application promotes the preservation of natural tree buffers on both proposed lots for the purposes of stormwater buffers. A note will be added to the plan listing a 12% maximum impervious lot coverage restriction. There are no scenic vistas defined in the Comprehensive Plan associated with this property. Based on this information and in the record the Board finds that the standards of this section will be met.

B. Relation of Proposed Buildings to Environment:

There are no new buildings proposed with the application; therefore, the Board finds that this section is not applicable.

C. Compatibility with Residential Areas:

The project proposes two lots for single-family detached dwelling use within the Village 3 District. Based on this information and in the record the Board finds that the standards of this section will be met.

D. Vehicular Access:

Access to the site will be from Knoll Road, a 16' wide private gravel road within a 60' ROW maintained by the Knoll Road Association. Owners of the newly created parcels will be members of the road association. The fee ownership of Lynn's Way ROW will be conveyed to the first owner of the newly created parcels. An easement will be granted to the owner of the second parcel. The ownership and maintenance responsibilities of Lynn's Way will be detailed in recorded deeds.

A written waiver request from the CLUC Section 509.11(D) was included with the application materials to allow the proposed backlot driveway, Lynn's Way, to originate from a gravel street. Based on this information and in the record the Board finds that the standards of this section will be met.

E. Access to Route 26 and Route 11:

The site will not have access from Routes 11, 26, 121, and 122; therefore, this section does not apply.

F. Surface Water:

The overall drainage patterns on the site will remain the same in pre- and post-development conditions. Forested buffers will prevent erosion and will provide for some treatment of stormwater runoff. A Stormwater Management Law permit application is currently being reviewed by the Maine Department of Environmental Protection (DEP) for the project. A copy of this permit must be provided to the town when issued. Wetlands were delineated in accordance with the 1987 Corps of Engineers Wetlands Delineation Manual. Based on this information and in the record, the Board finds that the standards of this section will be met.

G. Conservation, Erosion, and Sediment Control:

A Site Layout Plan, Grading and Utility Plan, Roadway Profile, and Erosion and Sediment Control Plan for Lynn's Way prepared by Terradyn Consultants, LLC has been submitted for this project under a separate cover. The plans appear to minimize cut fill operations to the extent necessary to construct the backlot driveway and maintain the existing hydrology. The project avoids impacts to adjacent wetlands and the stormwater management design incorporates forested buffers and a level spreader.

Means and methods to control erosion and sedimentation during and after construction are detailed in the erosion control plan narrative and details. Construction period housekeeping requirements are also included in the erosion control narrative. Based on this information and in the record the Board finds that the standards of this section will be met.

H. Phosphorus Export:

The project site is located within a watershed most at risk from new development. A stormwater management plan has been submitted for this project under a separate cover. The plan provides ditch turnouts with level lip spreaders and buffer strips to treat stormwater runoff. Stormwater Best Management Practices (BMPs) have been designed in accordance with the DEP's Stormwater BMPs Manual. The project is currently being reviewed by the DEP for a Stormwater Management Law permit. A copy of this

permit must be provided to the town when issued. Based on this information and in the record, the Board finds that the standards of this section will be met.

I. Site Conditions:

The Site Layout Plan submitted under a separate cover includes construction period housekeeping notes and construction notes that describe the contractor's responsibility to maintain acceptable site conditions. Based on this information and in the record, the Board finds that the standards of this section will be met.

J. Signs:

No signs are proposed with this project; therefore, the Board finds that this section is not applicable.

K. Special Features:

No special features are proposed with this project; therefore, the Board finds that this section is not applicable.

L. Exterior Lighting:

The application does not include any new exterior lighting; therefore, the Board finds that this section is not applicable.

M. Emergency Vehicle Access:

The application materials state a letter was submitted under a separate cover for Phase 1 from the Fire Chief of Poland commenting "The temporary turn-around on Lynn's Way is acceptable for emergency access." The Town's Fire Department and Public Works comments were not received in time for review at the October 10, 2023 meeting. Based on this information and in the record the Board finds that the standards of this section will be met.

N. Municipal Services:

The proposed private road will be maintained by the owners of the proposed lots. No new public infrastructure is being built. The development should have minimal impact on municipal services due to its size. Based on this information and in the record the Board finds that the standards of this criteria will be met.

O. Water Supply:

Private wells are proposed for the development. A letter from Affordable Well Drilling, Inc was submitted under a separate cover stating "Based on our record of wells in this area, it appears that drilling a well in this area should adequately supply the property or properties." Based on this information and in the record the Board finds that the standards of this section will be met.

P. Ground Water:

One test pit per lot was analyzed by Basswood Environmental indicating the property contains suitable soils for subsurface wastewater disposal systems. The project is not located within the extents of a mapped aquifer. Based on this information and in the record the Board finds that the standards of this section will be met.

Q. Air Emissions:

The project is not anticipated to have a point or non-point source of air pollution. Housekeeping notes included under a separate cover describe fugitive sediment and dust emission control requirements. Based on this information and in the record the Board finds that the standards of this section will be met.

R. Odor Control:

The project does not generate any odors; therefore, the standards of this section are met.

S. Noise

The proposed project may have some construction equipment-related noise and the Town shall verify that it does not exceed Town's sound limits or efforts made to mitigate noise are completed. Based on this information and in the record the Board finds that the standards of this section will be met.

T. Sewage Disposal

The project proposes private sanitary systems to serve the two parcels. Suitable soils have been confirmed by a Licensed Site Evaluator. HHE-200 forms must be submitted to the Code Enforcement Officer for review prior to construction. Based on this information and in the record the Board finds that the standards of this section will be met.

U. Waste Disposal

Construction period waste will be the contractor's responsibility to manage at a licensed disposal facility. After construction, solid waste will be the individual homeowner's responsibility to manage. Hazardous waste is not anticipated to be generated from the project. Based on this information and in the record the Board finds that the standards of this section will be met.

V. Buffer Areas

The project does not propose industrial or commercial uses. Forested buffers are proposed along external lot lines. Based on this information and in the record the Board finds that the standards of this section are met.

W. Adequate Financial and Technical Capacity

The Board discussed financial capacity with the applicant and found the project to be relatively low cost and it reasonable to expect the applicant to fund the development. The applicant has contracted professional services with Davis Land Surveying, LLC, Terradyn Consultants, LLC, and Basswood Environmental, LLC. Based on this information and in the record the Board finds that the standards of this section are met.

X. Conformance with the Comprehensive Plan

The proposed project is in conformance with the Comprehensive Plan and is a permitted use within the Village 3 District. Based on this information and in the record the Board finds that the standards of this section will be met.

WAIVERS

Pursuant to the CLUC Section 509.10, the following standards were waived in order for the project to be approved.

1. Waiver from CLUC Section 612.8.C.2 for 1,320 foot setback from deer wintering area. Waiver approved and granted on May 24, 2022 Planning Board meeting minutes and Findings of Facts and Conclusion of Law signed and approved September 13, 2022.
2. Waiver from CLUC Section 808.3.E for pavement of gravel road due to undue economic hardship. Waiver approved and granted on July 11, 2023 per Planning Board meeting minutes.
3. Waiver from 509.11(D) to allow a backlot driveway to originate from a non-paved street.

CONCLUSION

THEREFORE, the Town of Poland Planning Board hereby approves by a 5-0 vote held on October 10, 2023, with the granted waivers and following conditions, for the Site Plan application for Lawrence Roakes, and the Back Lots & Backlot Driveway project consisting of the division of Tax Map 13 Lot 36 to create two residential lots and the construction of a backlot driveway. The proposed Site Plan is as described in the application approved and in this Findings of Fact.

CONDITIONS OF APPROVAL

1. The Backlot Driveway plan shall revise Note #14 to allow overhead utilities; add Note #15 describing the maintenance agreement and ownership of Lynn's Way; and add Note #16 regarding the 12% maximum impervious lot coverage restriction.
2. All requirements and conditions as required by the issued Maine Department of Environmental Protection Stormwater Management Law permit for the parcels and entire private road, shall apply to the project road construction, drainage improvements, and maintenance of the stormwater treatment measures, once completed.
3. The applicant must record the approved plan in the Androscoggin Registry of Deeds within thirty days of approval.

Date of Site Plan Approval: October 10, 2023

Poland Planning Board

James Porter, Chairperson

Cheryl Skilling

George Greenwood, Vice Chairperson

James Walker

Jon Gilson

Absent with Notice
Heather Ryan

2024 CLUC Amendments Ideas

- Change Section 1103 etc. re: UPC, NFPA, IRC et. al. to say current code not a year.
- Wedding events/facilities – allowed where? Rules on this?
- Board recommendation – Clean up road standards – when roads served by 8 or more dwelling units have to be paved page 283 - § 808.3.E.
- Map and Lot on drawings/plans
- Board recommendation – Require applicants who need to record plans at registry of deeds to show proof they've done so and a time frame for doing so.
- Camper Ordinance
- Gas Stations over an aquifer – potentially coming before the Board by a resident.

2024
Town of Poland Planning Board
Schedule and Deadlines
Meetings are held at 7:00pm, Poland, ME 04071

Submission Deadline (New Applications) 1, 4	Submission Deadline (Returning Applications & Pre-App/Sketch plans) 2, 3, 4	Planning Board Meeting Date
By 1:00pm, on Due Date	By 1:00pm, on Due Date	2 nd and 4 th Tuesday of the month
December 12, 2023	December 28, 2023	January 9, 2024
December 27, 2023	January 11, 2024	January 23, 2024
January 16, 2024	February 1, 2024	February 13, 2024
January 30, 2024	February 15, 2024	February 27, 2024
February 13, 2024	February 29, 2024	March 12, 2024
February 27, 2024	March 14, 2024	March 26, 2024
March 12, 2024	March 28, 2024	April 9, 2024
March 26, 2024	April 11, 2024	April 23, 2024
April 16, 2024	May 2, 2024	May 14, 2024
April 30, 2024	May 16, 2024	May 28, 2024
May 14, 2024	May 30, 2024	June 11, 2024
May 28, 2024	June 13, 2024	June 25, 2024
June 11, 2024	June 27, 2024	July 9, 2024
June 25, 2024	July 11, 2024	July 23, 2024
July 16, 2024	August 1, 2024	August 13, 2024
July 30, 2024	August 15, 2024	August 27, 2024
August 13, 2024	August 29, 2024	September 10, 2024
August 27, 2024	September 12, 2024	September 24, 2024
September 10, 2024	September 26, 2024	October 8, 2024
September 24, 2024	October 10, 2024	October 22, 2024
October 15, 2024	October 31, 2024	November 12, 2024
October 29, 2024	November 14, 2024	November 26, 2024
November 12, 2024	November 27, 2024	December 10, 2024
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December 17, 2024	January 2, 2025	January 14, 2025