

**Planning Board Meeting
December 22, 2020 – 7:00 PM
Town Hall**



Meeting Materials

**Planning Board
Tuesday, December 22, 2020
7:00 PM – Town Hall**

CALL TO ORDER

MINUTES

December 8, 2020

COMMUNICATIONS

OLD BUSINESS

Findings of Fact and Conclusion of Law: Formal Site Plan Review – Affordable Homes, Inc – Poland Corner Road – Map 11 Lot 5

NEW BUSINESS

Formal Site Plan Review – Evolve Nutrition – 1484 Maine Street – Map 15 Lot 18B

Findings of Fact and Conclusions of Law for:

Formal Site Plan Review – NextGrid – Lewiston Junction Road – Map 3 Lot 9A

Proposed CLUC Amendments

ANY OTHER BUSINESS

ADJOURNMENT

POLAND PLANNING BOARD
MINUTES OF MEETING
December 8, 2020
Approved on _____, 2020

CALL TO ORDER – Chairperson James Porter called the meeting to order at 7:00pm with Members Cheryl Skilling, Stephanie Floyd, George Greenwood, James Walker, CEO Scott Neal, and Sarah Merrill present.

MINUTES – October 27, 2020 – Member Floyd moved to approve the minutes. Member Walker seconded the motion. Discussion: None Vote: 4-yes 0-no 1-abstained (Member Greenwood abstained as he was not present at that meeting.)

November 10, 2020 – Member Greenwood moved to approve the minutes. Member Walker seconded the motion. Discussion: None Vote: 3-yes 0-no 2-abstained (Members Skilling and Floyd abstained as they were not present at that meeting.)

COMMUNICATIONS – None

OLD BUSINESS – Formal Site Plan Review – NextGrid – Lewiston Junction Road – Map 3 Lot 9A

On June 9, 2020 NextGrid was given conditional approval for their solar project. For full approval, the Applicant would need to come back to the Board with a full survey, full stormwater plan, a road name application, and the road will be twenty feet wide (20') as per CLUC requirements. Gil Paquette of VHB presented the requested information to the Board.

Member Greenwood moved to approve the road name application. Member Walker seconded the motion. Discussion: None Vote: 5-yes 0-no

Member Greenwood moved to approve the Formal Site Plan Review. Member Floyd seconded the motion. Discussion: None Vote: 5-yes 0-no

NEW BUSINESS – Shoreland Zoning Application – Gerald and Margaret Dugal – 49 Mountain View Drive – Map 49 Lot 31

No one was at the meeting to present the project to the Board. The Board went on to the next application and waited until the end of the meeting to see if anyone would show.

Member Greenwood moved to table the application. Member Floyd seconded the motion. Discussion: None Vote: 5-yes 0-no

POLAND PLANNING BOARD
MINUTES OF MEETING
December 8, 2020
Approved on _____, 2020

Shoreland Zoning Application – Peter and Jane Savas – 219 Black Island Road
– Map 25 Lot 27

Rick Jones of Jones Associates and Kevin Browne of Kevin Browne Architecture presented the project to the Board. The Applicant would like to tear down the existing house and build a new house further from the resource. Mainly the Applicant would like to know if what they want to do is on the right track or if the Board would like them to make major changes. A neighbor asked several questions regarding the project. The Board thinks the Applicant is on the right track.

Member Greenwood moved to table the application. Member Walker seconded the motion. Discussion: None Vote: 5-yes 0--no

Findings of Fact and Conclusions of Law for:

Formal Shoreland Zoning Application – Range Pond State Park, State of Maine,
Dept. of Agriculture, Conservation and Forestry, Bureau of Parks and
Lands – 26 State Park Road – Map 6 Lot 40A

Member Greenwood moved to approve the Findings of Fact. Member Walker seconded the motion. Discussion: None Vote: 5-yes 0-no

Formal Site Plan Review – Affordable Homes, Inc – Poland Corner Road
– Map 11 Lot 5

The Board realized that the approval that was given for residents of both Northern Springs and Maplewood to be allowed to rent the storage units isn't allowed under the CLUC. Only the residents of Northern Springs and the Owner may rent/use the storage units. The Board would like a cover letter stating this included with the Findings of Fact sent to the Owner.

Member Greenwood moved to approve with Findings of Fact with a cover letter. Member Floyd seconded the motion. Discussion: None Vote: 5-yes 0-no

ANY OTHER BUSINESS – Ms. Merrill went over the schedule for CLUC Amendments in January 2021 and that the Board may have to go to Zoom meetings if COVID-19 continues to increase and in person meetings can't happen.

ADJOURN – Member Floyd moved to adjourn the meeting @ 8:30pm. Member Greenwood seconded the motion. Discussion: None Vote: 5-yes 0-no

Recorded by: Sarah Merrill

**POLAND PLANNING BOARD
MINUTES OF MEETING
December 8, 2020
Approved on _____, 2020**

Planning Board

James Porter, Chairperson

George Greenwood, Member

Stephane Floyd, Vice Chairperson

Cheryl Skilling, Member

James Walker, Member

To whom it may concern:

I would like to explain the purposed business Evolve Nutrition at 1484 Main Street. I am currently owner of multiple locations and have been working in this business for over 5 years. Essentially the business is a "sober bar". We offer protein shakes, and healthy energy drinks as well as advanced hydration for kids. We have caffeine and non-caffeinated options! Our goal is to create a healthy fun atmosphere for family! A place for adults, students, friends and family to come where they are offered free wifi and a safe place to hang or a quick and clean grab and go service.

We will use a 3-bay sink and an ice machine. We do not serve fruit or food so there is very minimal waste. We tend to have 1-2 people working at a time. We will remove the trash personally and bring it home. This should cause very minimal by-products.

Please let me know if you have any questions or concerns. Looking forward to bringing an amazing and positive business into Poland!

Thanks for your time,

Sarah Boilard

12/9/2020

Town of Poland

Planning Board

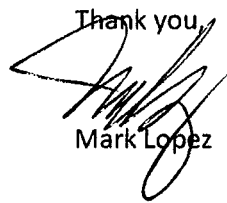
Attn.: James Porter, Chairman

Re: Unit 4/1484 Maine St.

Dear Mr. Porter,

Please be advised that Sarah Boilard has entered into a lease for the above referenced space and has permission to seek approval from the Board for her intended use. Please let me know if you need any additional information from me. Thank you to the Board for their consideration.

Thank you,

A handwritten signature in black ink, appearing to read 'Mark Lopez', is written over the printed name.

Mark Lopez



Town of Poland, Maine Planning Board

Formal Site Plan Review

Instructions:

1. **Read every part of this document. Failure to follow requirements can and will delay the Planning Board's decisions.**
2. Fill out the forms on pages 1 through 6. Obtain or get copies of information as required by the application on these pages.
3. Use the "Submission Checklist" on pages 5 and 6 to make sure submission requirements are met.
 - a. The checklist is a summary of the standard requirements in Section 509.8 of the Comprehensive Land Use Code.
 - i. The actual Code wording may be found on-line at www.polandtownoffice.org. Go to the "Code Enforcement" page, select "Comprehensive Land Use Code" at that bottom of the page. Hardcopies are available for purchase at the town office.
 - b. Make sure all waiver requests have a written statement for each request. Check with the Code Enforcement Office to make sure items stated as "On File" are indeed in the town office.
 - c. Some requirements may need only a one paragraph or one sentence statement. Make sure all requests are answered.
4. **NUMBER OF COPIES OF THE APPLICATION AND DUE DATE**
 - a. A total of at least ten (10) copies of the plans and one PDF copy (on either cd or usb) are needed. Be sure to make a copy for yourself.
 - b. The Code Enforcement Office must receive the original application, an additional 9 copies, and a digital PDF copy (either cd or usb) with appropriate fees by 1:00 p.m. eleven (11) days before the stated meeting to be put on the upcoming agenda.
 - c. If review for missing information by the Code Enforcement Officer is desired, a copy must be submitted to the CEO at least 14 days prior to the meeting.
 - d. The application must be on file for public review for at least 10 days prior to the meeting. Applications received after the Agenda is posted may not be reviewed by the Board for your scheduled meeting date.
5. **Check with this office to make sure that all departments have responded to your application prior to the meeting.**

PROJECT NAME: Evolve Nutrition LLC

Date of Planning Board Review: / / Application #

LOT INFORMATION:

Tax Assessor's Map # 15 Lot # 18 B Sub lot #

Watershed: Little Androscoggin River

Property's Road Location: 1484 Main St

Lot Size: 9.7 (Acres) or Sq. Ft. Road Frontage: Ft.

Year lot created: pre-2000 (If unknown, give best estimate with "est." after date)

Zoning District(s): Downtown Village Flood Zone: NA Aquifer Overlay: N/H

Current use of lot: Poland Self Storage + Office

LAND OWNER(s):

Name(s) Mark Lopez

Company Poland Self Storage, LLC

Mail Address: 48 Commons DR

Main Phone 603-479-9095

Bridgton ME 04009

Town/State/Zip

Alternate Phone:

APPLICANT or CONTACT PERSON:Applicant is: _____ Landowner _____ Contractor ☒ Renter _____ Buyer

If landowner, write "Same" below and continue to next block below. If not the landowner, submit a letter of permission to construct on or use the land, or copy of a contract to buy from the landowner, along with the following information:

Name(s): Sarah BoilardCompany Evolve Nutrition, LLCMail Address: 24 Rolling Knoll DR Main Phone: 207-212-1734Town/State/Zip Leeds ME 04203 Alternate Phone: _____**THIS APPLICATION IS FOR:**

(Check all that apply)

☒ Commercial☐ Industrial☐ Institutional☐ Governmental☐ Open Space☐ New Development☐ Change In Use☐ Expansion of Use☐ Expansion of Structure(s)☐ Resumption of Use**EXISTING LOT CONDITIONS:**

(This page is to describe what is on your lot currently)

See Mark Lopez Formal Site plan Review.1. **General**Does this lot have any development? (If No, go to "Proposed Development") _____ Yes
_____ Noa. Is there an existing Well _____ Yes
_____ Nob. Is there an existing Septic System _____ Yes
_____ No

i) If yes, submit a copy of a septic permit, or drawing(s) showing size & location.

c. Is there an existing Road Entry _____ Yes
_____ Noi) If yes, will there be any changes/modifications? _____ Yes
_____ No

ii) (If no, submit copy of appropriate road entry application if entrance is onto a state or town road.)

d. Any structures to be removed _____ Yes
_____ No

i) If yes, submit information about the structure to be removed and how any debris will be disposed of.

2. **Existing Land Development & Improvements NOT Including Buildings**a. Size of lawns _____ Sq. Ft.
or Acresb. Size of fields _____ Sq. Ft.
or Acres

c. Size of driveways/roads _____ Sq. Ft.

d. Size of other non-vegetated areas _____ Sq. Ft.

e. Wetlands already filled _____ Sq. Ft.

3. **Existing Main Structure**

a. Ground Footprint _____ Sq. Ft.

b. Total Gross Floor Space (exterior dimensions of all floors) _____ Sq. Ft.

c. Road Frontage Setback _____ Ft.

- d. Side Setback _____ Ft.
 e. Rear Setback _____ Ft.
 f. Distance to Great Pond _____ Not applicable (over 250') _____ Ft.
 g. Distance to Stream _____ Not applicable (over 250') _____ Ft.
 h. Distance to Wetlands _____ Not applicable (over 250') _____ Ft.
4. **Foundation Type** _____ Full Basement _____ Frost Walls _____ Slab _____ Piers
5. **Existing Accessory Structure(s)**
- a. Total Number of Structures _____
 b. Total Ground Footprint _____ Sq. Ft.
 c. Total Floor Space _____ Sq. Ft.
 d. Closest Road Setback _____ Ft.
 e. Closest Side Setback _____ Ft.
 f. Closest Rear Setback _____ Ft.
 g. Distance to Great Pond _____ Not applicable (over 250') _____ Ft.
 h. Distance to Streams _____ Not applicable (over 250') _____ Ft.
 i. Distance to Wetlands _____ Not applicable (over 250') _____ Ft.
6. **Total Existing Impervious Surfaces** _____ Sq. Ft.
 a. $Add\ 2c + 2d + 3a + 5b$

PROPOSED DEVELOPMENT:

1. Wetlands to be impacted *N/A For this Application* _____ Sq. Ft.
See Mark Lopez formal Review Plan
2. New footprint(s) and developed area(s):
 a. Changes in building footprint(s) _____ Sq. Ft.
 b. Changes in driveway/roadway _____ Sq. Ft.
 c. Changes in patios, walkways, etc. _____ Sq. Ft.
 d. TOTAL ($2a+2b+2c$) _____ Sq. Ft.
3. Percentage of lot covered by impervious surfaces: _____ %
 a. $(Equals\ [areas\ on\ line\ 6\ page\ 2 + line\ 2d\ above] / [Total\ lot\ area\ measured\ in\ sq.\ ft.] * 100\%)$

SUBMISSIONS:

1. **Attach drawings and/or statements describing the following items, if applicable:**
- a. Provide a copy of deed and Tax Assessor's information card.
 b. Provide a map of the general area showing land features within at least 1/2 mile of this lot.
 c. Provide site plan(s) of your lot with existing development and its dimensions shown.
 d. Provide site plan(s) of your lot with proposed development and its dimensions shown.
 i. *(May be combined on existing development drawing.)*
 e. Provide detailed plans of proposed structural development and changes.
 f. Provide statements or drawings of methods of infrastructure:
 i. Water supply
 ii. Sewage disposal
 iii. Fire protection
 iv. Electricity
 v. Solid waste disposal
- g. • Type, size, and location of signs.
 h. Number of parking spaces.
 i. Provide phosphorus loading calculation if in a great pond watershed area.
 j. Anticipated date for start of construction.
 k. Anticipated date for completion of construction.
 l. Standard submissions requirements shall follow Section 509.8 of the Comprehensive Land Use Code. Copies of the Code are available for viewing at the Town Office and Library. Copies are available for purchase (\$25.00) in the Code Enforcement Office.
 i. *(Use checklist starting on page 6 for summary of usual requirements.)*
 m. Other requirements unique to your project added by the Planning Board.

2. **List all state and federal approvals, permits, and licenses required, if any, for the project:**

This includes but is not limited to the following:

1. State highway entrance permit.
2. Soil disturbances involving more than one acre.
3. Impact on more than 4,300 square feet of any type wetland.
4. Soil disturbances within 100 feet of lakes, rivers or streams.
5. Activity within 75 feet, over the water, or in the water of lakes, rivers, or streams.
6. Timber harvesting.
7. Flood zones.
8. Discharges and emissions

DISCLOSURE: (READ BEFORE SIGNING)

1. 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 agree to comply with all the Town of Poland's ordinances and the State of Maine's statutes regulating the activities sought in this application as well as any permit(s) approved for this application.
2. I understand that all construction of structures shall conform to or exceed the minimum requirements of the Maine Uniform Building and Energy Code, and the NFPA-101 Life Safety Code, 2009
3. I understand that any approval is valid for only the use(s) as specified in this application. The permitting authority must approve any change(s) made to the use(s) sought in the application. Any approval issued for this application is approved on the basis of truthful information provided by the applicant(s), and as allowed by the ordinances of the town.
4. I understand that it is my responsibility to assure that the lot description herein accurately describes its ownership, its boundary lines, and the setback measurements from the legal boundary lines.
5. I understand that I have the burden of proof as to the legal right to use the property, and that approval of this application in no way relieves me of this burden. Any approval issued does not constitute a resolution in favor of me or the landowner in any matters regarding the property boundaries, ownership, or similar titles.
6. I understand that all necessary **Building and Use Permits** shall be secured from the Code Enforcement Office after the Planning Board grants approval of this application.
7. I understand that a **Certificate of Occupancy or Compliance** shall be required prior to the start of any use or occupancy associated with this application unless a signed written waiver is issued with the permit. Fines and penalties may be issued if use or occupancy is started prior to the issuance of the certificate.
8. I understand that the **approval becomes invalid** if construction or use has not commenced within twelve (12) months of the Planning Board's approval date, construction is suspended for more than six (6) months and no notice for just cause is submitted prior to the end of the six (6) months, or it is found that false statements have been furnished in this application.
9. I understand that if I fail to comply with the aforementioned statements, a "STOP WORK" order may be issued for which I will immediately halt any construction and/or use(s) that are approved for this application. This failure may also require that I return the property to its natural state or as closely thereto before the use(s) was/were approved.
10. I understand that failure to follow these requirements will lead to Violation Notices and Citations that have fines and penalties. This in turn can lead to civil proceedings in District and/or Superior Court.
11. I understand that **all state and federal permits** are my responsibility as the applicant and/or owner and will secure the same prior to the start of the project.



Applicant's Signature(s)



Date

Submission CHECKLIST

The following list is a short summary of the information required in Chapter 509.8 of the Comprehensive Land Use Code for the Town of Poland, Maine. Please checkmark or place an "X" in the left-hand columns if the information has been provided, if you request a waiver from submitting the information, or you believe the information is not applicable to your application. If a waiver(s) is requested, or the information is not applicable, a written explanation is required. Columns on the right are for the Planning Board's use. *All Below on file See Mark Lopez Site plans*

For Applicant Use			Section 509.8.A Submission requirements	For Planning Board Use			
Provided	Waiver Request	Not Applicable		Received	On File	Waived	Not Applicable
			1. Site Plan Drawings				
			2. Signed copy of application				
			3.a. Name & address of owner				
			Name of development				
			Name & address of abutters within 500' of lot for development				
			Map of general location				
			Show all contiguous properties				
			Names, Map, & lot #'s on drawings				
			Copy of deeds, agreements				
			Engineer/ designer of plans				
			Existing Conditions (Site Plan)				
			Zoning Districts on and/or abutting project's lot shown				
			Bearings & Distances shown on drawings				
			Location of utilities, culverts, drains				
			Location, name of existing r/w				
			Location, dimensions of existing structures				
			Location, dimensions of existing roads, walks, parking, loading, etc.				
			Location of intersection within 200'				
			Location of open drains, wetlands, wildlife areas, historic sites, etc.				
			Direction of surface drainage				
			100-yr. Floodplain				
			Signs				
			Easement, covenants, restrictions				
			Proposed Development (Site Plan)				
			Location & dimensions of all new structures. New development delineated from existing development				
			Setback dimensions shown & met				
			Exterior lighting (Will meet full cutoff requirements)				
			Incineration devices				
			Noise of machinery and operations				
			Type of odors generated				
			Septic system and other soils reports				
			Water supply				
			Raw & finished materials stored outside				
			Contours shown at PB specified intervals				
			Curbs, sidewalks, drives, fences, retaining walls, parking, etc.				
			Landscaping plan				
			Easements, r/w, legal restrictions				
			Abutters' property lines, names				
			TRAFFIC DATA				

ON File → See Mark Lopez

For Applicant Use			Section 509.8.A Submission requirements	For Planning Board Use			
Provided	Waiver Request	Not Applicable		Received	On File	Waived	Not Applicable
			Peak hour traffic				
			Traffic counts				
			Traffic accident data				
			Road capacities				
			Traffic signs, signals				
			STORMWATER & EROSION				
			Method for handling stormwater shown				
			Flow direction				
			Catch basins, dry wells, ditches, etc.				
			Engineering Analysis of stormwater				
			Erosion control measures				
			Hydrologist groundwater impact				
			Utility plans for all utilities				
			Cross-section profile of roads, walks				
			Construction drawings of roads, utilities				
			Cost analysis of project and financial capability demonstrated				
			Phosphorus control plan if in watershed of a great pond				
			Submission of waiver requests				
			Copies of state, federal applications, permits, &/or licenses required for this project.				
			Condition A.				
			Condition B.				
			Condition C.				
			Condition D.				
			Condition E.				

This application was first looked at by the Planning Board on ____ / ____ / ____ but does not create vested rights in the initiation of the review process.

By vote of the Board this application requires an on-site inspection: _____ Yes _____ No
 If yes, an onsite inspection is scheduled for ____ / ____ / ____ at ____ : ____ ____ AM ____ PM

By vote of the Board this application requires a public hearing: _____ Yes _____ No
 If yes, public hearing is scheduled for ____ / ____ / ____ at ____ : ____ ____ AM ____ PM

Conditions of Approval for Formal Site Review: _____

Planning Board Chair _____
Date

Site Review and Shoreland Zoning Review Fees:

<u>Type of fee</u>	<u>Fee</u>	<u>Units or Comments</u>
Application – sketch plans, Rough design	\$75.00	Each application (no other fees)
Application – formal	\$150.00	Each application + fees below
Notification of Abutters	\$0.75 per	All abutters within 500 ft. of the property must be notified.
Approval extension, Planning Board Approval only	\$50.00	One extension only (no other fees)
Escrow, minimum amount	\$700.00	When required by Planning Board
Extension of approval	\$100.00	Before approval expires
Auto graveyards, recycle business	\$5.00	Per vehicle storage slot (parking space)
Junkyard, Storage Lots	\$1.50	Per ft of outside storage
Residential Towers	\$20.00 + \$5.00 per \$1,000.00	Based on Cost of Work
Commercial Towers	\$20.00 + \$10.00 per \$1,000.00	Based on Cost of Work
Notifications	\$.75	Each Notification, First Class Mail sent by Town

1. Building and Structures may include up to five times the footprint area of the building for grounds improvements, exclusive of the building footprint, as part of the building review fee.

2. Building and Grounds Improvement Fees. The sum of these two fees may be limited to \$2,500.00 per application at the discretion of the Planning Board. (Junkyards, auto graveyards, recycling business, and towers excluded.

3. Reduced Fees: The Planning Board may, upon application therefore, allow a reduced total site review fees to \$50.00 in any case which it determines that the work for which the permit is sought will be performed within the Shoreland Zone. The project shall be intended solely for the purpose of protecting a Great Pond, Stream, River, or other Natural Resources through the implementation of Conservation, Best Management Practices, or other environmental safeguards. Also, the project shall not result in the enlargement of any building or structure or an intensification of the existing use of the property.

4. Review Escrow Funds may be used by the Town to pay for professional reviews an advice requested by the Planning Board or Code Enforcement Officer related to the applicant's proposed development. Review escrow funds deposited by the applicant not spent during the course of the Town's review shall be returned to the developer within sixty days after the Planning Board's decision on the application is final. If Professional review and advice fees exceed the amount deposited, the developer shall pay the amount outstanding before final approval or any permit is granted.

Town of Poland, Maine
PLANNING BOARD AGENDA REQUEST

Date of meeting you are requesting to be scheduled for: ____/____/____ Meetings are normally conducted from 7:00 to 10:00 PM in the Municipal Conference Room at the Town Office
Map 15 Lot 18 B Sub-lot _____

Applicant's Name: Sarah Balard
Mailing Address: 24 Bolling Hill Dr
Town, State, Zip: Leeds ME 04263
Home Phone: 207-212-1734 Hours: Any
Work Phone: _____ Hours: _____

Type of application: _____ Sketch Plan ☒ Site Review _____ Shoreland _____ Subdivision _____ Informational
Road location for project: 1484 Main St unit D
Zoning: Downtown Village Lake Watershed: N/A Nature of business to be discussed (Brief description): Smoothie + Energy drink Bar! Healthy option for people on the go. Offer weight loss + great nutrition in a sober bar atmosphere

IMPORTANT - READ CAREFULLY:

This Office must receive the original application, plus nine (9) copies, a digital PDF copy (on either cd or usb), and appropriate fees by Friday at 1:00 p.m., eleven (11) days before the stated meeting to be put on the upcoming agenda.

- New business is scheduled on the agenda in the order this office receives this form.
- If you want your application reviewed for contents prior to the meeting, it must be in this office 14 days before the meeting.
- Should the 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: Sarah Balard Date: 12 16 2020

OFFICE USE ONLY:

Request Taken By: _____ Date: ____/____/____ Time: ____:____ a.m. p.m.

Bathroom

Ice

Sink

Low Storage



Planning Board Office

1231 Maine Street,
Poland, Maine 04274-7328

Findings of Fact & Conclusion of Law

Application Type: Site Plan

Owners Name: NextGrid Renewable Energy (c/o Gil Paquette, VHB, 500 Scarborough Drive, Suite 105B, South Portland, ME 04106-6928)

Located at: Lewiston Junction Road

Parcel ID: 0003-0009A

Zoning Districts: General Purpose-32 (G-3)

SITE PLAN REVIEW STANDARDS

A. Preservation of Landscape:

This application is to convert 17+/- acres of mostly agricultural land to a 5.243MW solar array. The total parcel size is eighty-five (85) acres. The natural contours of the land will be mostly preserved. A wooded buffer remains around the perimeter of the site. There are no scenic vistas defined in the Comprehensive Plan associated with this property and the proposed area is not located on slopes exceeding twenty (20%) percent with this application. Based on the information above and in the record the Planning Board (Board) finds that standards of this section will be met.

B. Relation of Proposed Buildings to Environment:

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

C. Compatibility with Residential Areas:

Once construction is completed, traffic to the site will be limited to maintenance. The system can be monitored remotely. The solar arrays will be visually buffered by surrounding woodland. The panels are designed to absorb, not reflect light. Based on the information above and in the record the Board finds that the standards of this section will be met.

D. Vehicular Access:

The site plan submitted on December 8, 2020, shows the access road will be a minimum of twenty (20') feet wide including a travel lane and shoulders throughout the property, and a road name has been submitted to the Board and the Board of Selectpersons. Based on the information above and in the record the Board finds that the standards of this section will be met.

E. Access to Routes 11, 26, 121 and 122:

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

F. Surface Water:

The site is in the Sabbathday Pond-Upper Royal River watershed. Meadow buffers will prevent erosion and will provide some treatment of stormwater. A Stormwater Permit-by-Rule must be issued by the Maine Department of Environmental Protection. A full stormwater plan has been submitted. In November 2019 wetlands were delineated. The project will impact 6,365 square feet of freshwater wetlands, a Tier 1 permit from the Maine Department of Environmental Protection has been submitted. Based on this information and in the record, the Board finds that the standards of this section have been met.

G. Conservation, Erosion and Sediment Control:

The solar array area will be seeded to become a meadow when construction is completed. An Erosion and Sedimentation Plan was submitted to protect the land from eroding and sedimentation build-up. A Stormwater Permit-by-Rule from the Maine Department of Environmental Protection will be required. Based on this information and in the record the Board finds that the standards of this section will be met.

H. Phosphorus Export:

The parcel is located in the Sabbathday Pond-Upper Royal River watershed; therefore, the Board finds that this section is not applicable.

I. Site Conditions:

The standards described in the §509.9.1 General Review Standards will be followed. Based on this information and in the record the Board finds that the standards of this section will be met.

J. Signs:

Required safety and warning signs are all that will be used for 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:

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

M. Emergency Vehicle Access:

A Knox Box will be installed at the gate for emergency personnel to get access to the site. The applicant will coordinate accessibility to the site with local emergency personnel. A sixteen (16') foot buffer will be maintained between the arrays and the perimeter fence to accommodate maintenance and emergency vehicles. Based on this information and in the record the Board finds that the standards of this section will be met.

N. Municipal Services:

The internal road will be maintained by the applicant. No new public infrastructure is being built. Based on this information and in the record the Board finds that the standards of this criteria will be met.

O. Water Supply:

No water service is required for this use; therefore, this standard is not applicable.

P. Ground Water:

No evidence of fuels, chemicals, flammable or hazardous materials being used or stored on the site was submitted; therefore, this standard is not applicable.

Q. Air Emissions:

The solar arrays will have no point or non-point source air pollution; therefore, the standards of this section are not applicable.

R. Odor Control:

The solar arrays do not generate any odors; therefore, the standards of this section are not applicable.

S. Noise

Noise will be produced by the inverters and converters necessary for a solar array. Noise is only created when solar power is being generated; therefore, there is no noise at night. Daytime noise is a small hum. If any blasting is required during construction, it will be done in accordance with the blasting plan. Based on this information, the standards of this section have been met.

T. Sewage Disposal

No subsurface wastewater disposal system will be installed on the site; therefore, the Board finds that this section is not applicable.

U. Waste Disposal

After construction, no waste will be generated at this site. Construction waste (wood pallets, cardboard boxes) will be disposed of at a licensed disposal facility. Based on the information above and in the record the Board finds that the standards of this criteria will be met.

V. Buffer Areas

The plan includes maintaining mature vegetation along the road to buffer the visual impact of the solar arrays. Based on this information and in the record the Board finds that the standards of this section will be met.

W. Adequate Financial and Technical Capacity

Project construction is estimated at \$5,520,000. Madison Energy Investments, LLC and NextGrid Inc. have a long-term agreement to purchase the power. Madison Energy Investments, LLC backed by Stonepeak Infrastructure Partners operate a \$250M to construct and own solar energy and storage projects in the US. Gil Paquette, Director, Energy/Environmental Services, of VHB, Inc. is experienced in solar site design. The applicant has demonstrated that they have highly experienced staff working on this project and that the assembled team has the financial and technical capacity to complete the project. Based on this information and in the record the Board finds that the standards of this section will be met.

X. Conformance with the Comprehensive Plan

The solar array is in conformance with the Comprehensive Plan and is a permitted use within the G-3 Zoning district. Based on this information and in the record the Board finds that the standards of this section will be met.

Conclusion

- The application was heard and conditionally approved on June 9, 2020. The applicant submitted the following additional material at the December 8, 2020, Planning Board meeting: a full survey, a stormwater plan, a road name application, and a plan showing the road is 20' wide per the conditions of the June 9, 2020, conditional approval.

Therefore, the Town of Poland Planning Board hereby by a vote of 5-0 approves the Formal Site Plan for NextGrid, Inc. for the installation of a solar farm as described in the application dated March 13, 2020, the additional materials submitted on December 8, 2020, and the above findings of facts.

Conditions of Approval:

- Plan approval is also conditioned upon compliance by the Applicant with the Plans and specifications which have been received by the Planning Board in connection with the development proposal as well as with any oral or written commitments regarding the project which were specifically made by the Applicant to the Board in the course of its deliberations
- This approval will expire twelve (12) months from the date of Planning Board approval if the project or the use has not been started within this allotted time
- Building/use permits shall be obtained prior to the start of construction/use
- The Applicant must apply for and obtain all applicable permits for the proposed development under the Natural Resources Protection Act, Title 38 M.R.S.A. section 480-C, the Site Location of Development Act, the Erosion and Sedimentation Control law, Title 38 M.R.S.A. section 420-C, the Stormwater Management Law, the Federal Clean Waters Act as delegated to the State of Maine, and all other applicable state and federal laws regulating the use or development of land.

Pursuant to Section 304.5.B of the CLUC anyone aggrieved of this decision may file a written appeal within Thirty (30) Days of date of this decision in accordance with Rule 80-B of the Maine Rules of Civil Procedure.

Date Approved: December 8, 2020
Poland Planning Board

James Porter, Chairperson

Stephanie Floyd, Vice Chairperson

George Greenwood, Secretary

Cheryl Skilling

James Walker

Suggested CLUC Amendments for 2021

- Regulate campers in non-shoreland areas so that people aren't living in them permanently without septic, utilities, or meeting safety codes.
- Change parts of Chapter 15 that say you "must follow the requirements of a home occupation ..." to requiring a home occupation permit.
- Poland Residents request to add pet care facilities into Rural Residential 2. See following page.



November 23, 2020

Proposal to Change Small Business ruling for Rural Residential II to include Pet Care Facilities

To: Poland Planning Board

Dear Planning Board members,

Recently, I discovered the current ruling for residents who live in Rural Residential II zoning in Poland does not allow for Pet Care Facilities.

Based on the Zoning District Map, my husband and I live in this zone. We currently have 35+ acres of wooded land on Webster's Way, off the Bailey Hill Road.

I am reaching out to you to propose a change to the ordinance to allow for Pet Care Facilities *if you reside in Rural Residential II and have 10 or more acres of land*. This would allow more than enough acreage to construct a building, roughly the size of a garage, install fencing for a running and play area, and space for short-term parking to allow for drop-off and pick-up, that would still be conspicuous enough to neighbors and the rest of the community.

The definition of Rural, based on the Merriam Webster Dictionary is: "relating to the *country, country people or life, or agriculture*". Other definitions include, "relating to, or characteristic of the *countryside rather than the town*". In general, a rural area or countryside is a geographic area that is located outside towns & cities." What better place to create an environment for those in our families who deserve an opportunity, in a country setting, to play and socialize with other dogs while their "humans" are working or travelling?

Why Pet Care Facilities?

According to Dog Day Care Industry Statistics and Trends (Brandon Gaille), "About 50% of the households in the United States currently own at least one pet. The dog day care industry falls into the general category of pet care services and generate combined annual revenues of approximately \$4.5 billion each year." Not only is this a growing industry, that has been deemed "almost recession proof", according to Pet Care Industry Statistics, but the need is growing as well, and our town is no exception.

Currently, Poland residents seeking this service need to look outside of our town, travelling to surrounding facilities in Gray, Auburn, Mechanic Falls & Minot, which means they are bringing their business outside the community.

I do understand my personal story is likely not pertinent to this decision. However, my passion for our town, like many others, is one of importance. I have been a long-standing member of the Poland community for over 50 years, as my parents were, and I have watched the town grow progressively. I would have never imagined our small-town would be home to a Hannaford, Dunkin Donuts & McDonald's. A growing commercial area, great for larger businesses, but not an area conducive to our four-legged pets. There is, however, lots of beautiful, *rural* areas in Poland that would be perfect.

Thank you very much for your consideration. I look forward to hearing from you.

Shelly Webster
18 Webster's Way
Poland, ME
C – 207-689-4514