

**Planning Board Meeting  
February 14, 2023 – 7:00 PM  
Town Office Conference Room**



**Meeting Materials**

**Planning Board  
Tuesday, February 14, 2023  
7:00 PM – Town Office Conference Room**

**CALL TO ORDER**

**MINUTES**

January 24, 2023

**COMMUNICATIONS**

**OLD BUSINESS**

CEDC to discuss Downtown Design Standards

Proposed CLUC Changes

**NEW BUSINESS**

Formal Site Plan – Timothy and Amanda McAlister – Off Kinney Woods Lane  
– Map 10 Lot 82 Sublot 5E

Gravel Pit 5 Year Renewal (Formal Site Plan) – Timothy and Nicole Cote - - Off Whalesback Drive  
– Map 10 Lot 49

Findings of Fact and Conclusions of Law for:

Formal Shoreland Zoning Application – Christopher Gousse – 39 Black Duck Lane  
– Map 36 Lot 9

Preliminary Major Subdivision Amendment – Brian Corey – 8 Tamerack Way  
– Map 13 Lot 16 Sublot 3 and Map 13 Lot 16

**ANY OTHER BUSINESS**

**ADJOURNMENT**

**POLAND PLANNING BOARD**  
**MINUTES OF MEETING**  
**January 24, 2023**  
**Approved on \_\_\_\_\_, 2023**

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

**MINUTES** – December 13, 2022 – Member Porter moved to approve the minutes. Member Walker seconded the motion. Discussion: None    Vote: 3-yes 0-no 1-abstained (Member Skilling abstained from voting as she was not present at the 12.13.22 meeting).

**COMMUNICATIONS** – None

**OLD BUSINESS** – None

**NEW BUSINESS** – Preliminary Major Subdivision Amendment – Brian Corey  
– 8 Tamerack Way – Map 13 Lot 16 Sublot 3 and Map 13 Lot 16

Stuart Davis presented the project to the Board. Mr. Corey started building his garage and it is too close to the property line. Mr. Corey is seeking an amendment of his lot, Lot #3, and the common area/detention pond area by exchanging 1,150 sq. ft. of land to fix the side setbacks to accommodate the garage on Lot #3 that was sited incorrectly.

The subdivision HOA members voted to approve the land exchange.

Member Porter moved to approve the checklist as complete. Member Skilling seconded the motion. Discussion: None    Vote: 4-yes 0-no

Member Porter moved to approve the Preliminary Major Subdivision Amendment with the following conditions: no public hearing and no site walk. Member Skilling seconded the motion. Discussion: None    Vote: 4- yes 0-no

**Proposed CLUC Changes**

The Board discussed the proposed changes to the CLUC and went over the timeline for the public hearing. The public hearing will be held on February 28<sup>th</sup>.

**Road Name Application – Tom and Corie Learned – Maine Street (Rt.26)**  
**– Map 10 Lot 55**

Member Porter moved to approve the Applicant's first choice of The Learned Way as the road name. Member Skilling seconded the motion.

Discussion: None    Vote: 4- yes 0-no

**POLAND PLANNING BOARD**  
**MINUTES OF MEETING**  
**January 24, 2023**  
**Approved on \_\_\_\_\_, 2023**

Findings of Fact and Conclusions of Law for:

Formal Shoreland Zoning Application – Christopher Gousse – 39 Black Duck Lane – Map 36 Lot 9

Member Porter moved to table the Finding of Fact. Member Walker seconded the motion. Discussion: None    Vote: 3-yes 0-no 1-abstained (Member Skilling abstained from voting as she was not present at the 12.13.22 meeting).

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

Member Porter moved to approve the Finding of Fact. Member Walker seconded the motion. Discussion: None    Vote: 3-yes 0-no 1-abstained (Member Skilling abstained from voting as she was not present at the 12.13.22 meeting).

**ANY OTHER BUSINESS** – None

**ADJOURN** – Member Porter moved to adjourn the meeting at 7:40 p.m. Member Skilling seconded the motion. Discussion: None    Vote: 4-yes 0-no

Recorded by: Sarah Merrill

Planning Board

\_\_\_\_\_  
George Greenwood, Chairperson

\_\_\_\_\_  
James Porter, Vice Chairperson

\_\_\_\_\_  
Cheryl Skilling, Secretary

\_\_\_\_\_  
James Walker, Member

\_\_\_\_\_  
Absent with Notice  
Jonathan Gilson, Member



## To be added in performance Standards

- 1. 508.30 Downtown District Design Standards** - In addition to all other applicable provisions of this ordinance, the following design standards shall apply in the Downtown District and in the Village 4 District to the construction of new non-residential structures, the expansion of existing non-residential structures and the conversion of residential structures to non-residential use.

**A. Application Review** The following design standards are applicable to all new and expanded non-residential structures and residential structures that are converted to non-residential use. The applicant shall submit a site plan that demonstrates to the satisfaction of the applicable Planning Authority of either the Planning Board or the Planning Staff (Code Enforcement Officer and Planner) that the project will comply with this standard. Such plans shall be completed by the applicant, or qualified designer, or design professional, with architecture or site/building/ landscape design expertise. The Planning Authority shall review the Downtown design Standards narrative and Plans and approve based on the following points system method. If the Planning Authority determines, because of particular circumstances of the property, that a third party review of the Downtown Design Standards would help achieve the purposes of this ordinance, the reviewing authority may require review and endorsement of such plans by the a third party qualified in architecture, site planning or landscape architecture design, or a State of Maine Professional Engineer or Architect to conduct such review, the cost of which shall be borne by the Applicant.

### a. Point System

The **Planning Authority, (Planning Staff or Planning Board)** shall approve the portion of a site Plan application where the Downtown Design Standards are required. **For all new site plan applications where a new primary structure is proposed requiring Planning board review, or where at least 50% of re-development activity on a project site by measurement of ground footprint, or 50% of appraised value of building renovation costs is anticipated, the applicant shall meet or exceeds forty (40) points based on the following point schedule.** The applicant will need to meet a minimal of six (6) points from each or the five categories that apply in the Downtown Design criteria, which are 1.) Building Architecture Design, 2.) Landscaping, 3. Parking Provisions, 4. Pedestrian Accessibility, and 5 Utilitarian Areas.

**In cases where the applicant proposes only partial redevelopment, or building renovation, essentially which falls under the 50% threshold for either ground footprint improvements or cost of building renovations as compared to existing evaluation, the Planning Authority, shall require the applicant to apply only from the category involved. The applicant shall acquire a minimum of 6pts from the selected category(s) that apply. The Planning Authority shall have the final determination of which categories shall be applied to the project, when under partial Downtown District Design standards review.**

The applicant shall submit a written narrative, building plans (profile views), and site plan of the proposed lot and use showing how each of the following point credits, or deductions apply to the proposed development.

The Narrative shall provide detail discussion of how the requested requirement comply with Section 508.30, and give approximate description, locations and dimensions of each measure

and how it meets the applicable score or 1, 2, or 3 points per item or if the design cannot meet certain criteria and loses points where such a penalty is indicated within the scoring criteria. Additionally, the applicant will need provide the final point tally breakdown on the final site plan approved by the Planning Authority.

Points will be determined by the Scoring criteria listed below:

## **b. Point Scoring Criteria**

### **Building Architecture Design**

- 1. Roof Pitch requirement (based on % of roof area meeting the requirement (choose one that applies))**
  - +1 pt. for 50-74% of total roof area meeting pitch recommendations,
  - +2pts 75-95%, of total roof area meeting pitch recommendations,
  - +3pts, >95% of total roof area meeting pitch recommendations,
  - 2 pt. for less than 50% of roof area meeting pitch requirements
- 2. Overall Color =Facade Meeting the requirement (choose one that applies)**
  - + 1 pt. for 50-74% of total facade meeting color recommendations,
  - + 2pt for 75-100% of total facade meeting color recommendations,
  - 3 pts for use of reflective or obtrusively bright colors for more than 10% of façade
- 3. Materials requirement based on % of facade area meeting the requirement (choose one that applies)**
  - + 1 pt for 50-74% of total facade meeting material recommendations,
  - + 2pt for 75-100% of total facade meeting material recommendations
- 4. Architecture (based on % of structure façade meeting the requirement) (choose one that applies)**
  - 1 pts 0-24%,
  - 0 pts- 25-49%,
  - 1pt 50-74%,
  - 2pts 75-95%,
  - 3pts, >95%
- 5. Public Street View (based on portion of front façade that incorporates an architectural feature across the horizontal length. (choose one that applies))**
  - +2 pts for multiple dormers, awnings, or architectural projections that break up front street facing façade
  - +2 pts for meeting minimum recommendation of architectural feature across a horizontal street front facing length of structure
  - +1 pt. for meeting minimum recommendation of architectural feature across a horizontal length of structure not facing the front but visible from public street view

## Landscaping Design

- 1. Tree Plantings in Front Yard spaced across road frontage.  
(choose one that applies)**
  - +2pts based on street trees planted/retained on count of 1per every 50 ft of street front on property
  - +1 pt. based on street trees planted/retained on count of 1per every 100 ft of street front on property
  - +3pts based on street trees planted/retained on count of in excess of 1 per every 50 ft of street front on property
  - 2 pts for no planting/retainage of street trees
- 2. Foundation Plantings: based on % of foundations horizontal distance – entrance openings meeting the requirement)  
(choose one that applies)**
  - 1 pts 0-24%,
  - 0 pts- 25-49%,
  - 1pt 50-74%,
  - 2pts 75-95%,
  - 3pts, >95%
- 3. Seasonal planters (based on portion of building façade horizontal distance facing public street or parking lot meeting the same requirement)  
(choose one that applies)**
  - +2 pt. for (1planter per 50 ft of front facing facade)
  - +1 pt. for (1planter per 100 ft of front facing facade)
  - (Bonus)** +1 pt. for (1 planter per 100 ft of parking lot facing façade, in in public view.
- 4. Side Rear Buffering based on % of required structural setback used for buffer  
(choose one that applies)**
  - +3pts if all side-yard setback is retained in landscape/natural buffer,
  - +2pts if 50-75% side-yard setback is retained in landscape/natural buffer
  - +1 pt., if 25-49 % side-yard setback is retained in landscape/natural buffer.
  - 2 pts if no buffer at all is retained alongside line.
  - +1 pt. Stockade screening fence along entire side to screen from neighbor's view at ground level
- 5. Screening Outdoor Storage (pts based on materials used)  
(choose one that applies)**
  - +3 pts if areas are completely screened using Landscape buffer and traditional fencing from public view
  - +2 pts if areas are completely screened using Landscape only or traditional fence material only from public view

+1 pt. if Chain-link black vinyl fence is used to screen/secure storage areas from public view

**(Bonus)** +1 pt. if entire perimeter of stored area is enclosed

### **Parking Provisions:**

**1. Minimization of parking areas (pts based on parking required per town Ordinance vs parking designed per demand.**

**(choose one that applies)**

+2 pts for onsite parking spaces provided, meeting minimal ordinance requirements but not exceeding the requirement, unless providing parking spaces available for shared parking with abutting or close proximity properties.

+1 Pt for parking for onsite parking spaces provided, meeting minimal requirements but no more than 20% increase above based on approved parking demand.

**2. Shared Parking Arrangement (choose those that apply)**

+ 1pt for every 10 spaces shared with another abutting property parking lot, (max of 3pts allowed)

**3. Designed with Internal Islands (choose those that apply)**

+ 1pt for every 200 SF of area in green/landscaped island (1 parking space equivalent)-3 points max)

**4. Limiting front yard parking**

**(choose one that applies)**

+2pts when no more than 50 % of onsite parking is located behind structure **front facade**,

+3 pts when all parking is totally behind the structure **front facade**

**5. Stormwater BMP's designs**

**(choose one that applies)**

+ 1 pt. if treatment measure is used to collect sediment/forebay

+1 pt. if 50 % Of paved areas is treated with DEP approved BMP (vegetative buffer/ infiltration/ pond)

+2 pts if 80% of paved areas are treated with an approved BMP, or site has acquired a Maine DEP Stormwater Management Permit meeting Chapter 500 standards (Phosphorus or TSS)

### **Pedestrian Access:**

**1. Entrances (Choose if applies)**

+1pt for direct access / walking route from parking lot to access door with pavement. concrete or brick or hard surface equivalent.

**2. Interconnectivity (Choose those that apply)**

+ 2 pt. for interconnectivity of pedestrian paths, walks, trails to adjoining property or other public access.

+1 pt. for direct access to public sidewalk or street for pedestrian use

**3. Sidewalks and Walkways: (Choose those that apply)**

+ 1 pt. for use of private sidewalk or walkways along min. portion of side and or front of structure (overall access length must be equal to ½ building front façade length.

+2 pts for use of private sidewalk or walkways along min. portion of side and or front of structure (overall access length must be equal to building front façade length.

+2 pts for construction of public sidewalk or walk for public use along ½ street front.

+ 3 pts for construction of public sidewalk or walk for public use along entire length of street frontage

**4. Safety and Security (Choose those that apply)**

+1 pt. for use of security measure installed for a public accessed or entrance area

+ 1 pt. for security measure installed to cover parking lot

**5. Bicycle Access (choose if it applies)**

+2 pt. for installation of onsite bicycle rack, or location to secure patron bicycles

**Utilitarian Areas**

**1. Utility Installation Minimization**

**(choose 1 that applies)**

+2pt for installing below ground utilities to serve primary structure

+ 1pt for minimizing overhead utilities (rear of building connection, reduce lengths of overhead wires)

**2. Solar or Alternative Energy Provisions (Choose those that apply)**

**(choose those that that applies)**

+1pt for using solar device to provide power for onsite operations

+ 2 pt. for installation of solar panels on roof top conforming to Building Architecture pitch

+1 for installation of Solar panels on property, such it is located behind the structure or in rear yard

+1 for other alternative energy provisions which are screened at ground level from public view (geothermal, heat pumps, wind)

**3. Loading Docks –**

**(choose one that applies)**

+2 pt. for locating loading dock to the rear facing wall of the structure or that it is behind sidewall of structure

+1 pt. for loading dock to be located at the rear side of structure/ or projects out from building side.

**4. Street lights**

**(choose those that that applies)**

- + 1 pt. for use of full cutoff with LED or equivalent light fixture
- + 2 pt. for use if avg light poles heights are less than 16 ft in height AGL
- +1 pt. for use if avg light poles heights are less than 25ft height AGL
- + 1pt for utilization of timers/dimmers to reduce light levels or turn ff after hours of operation.
- ( Max of 3pts allowed)

**5. Dumpsters/Compactors/Generators**

**(choose those that that applies)**

- + 2 pts to locate trash removal facilities to rear of property and fully screen with both allowed fencing materials and landscaping from public and neighbor view
- + 1 pt. to locate trash removal facilities to rear of property and fully screen with allowed fencing materials from public and neighbor view
- +1 for fully enclosed backup generator sources that meet provide noise reduction measures or meets noise standards

**c. Alternate Means of Calculation:**

In those cases where the Planning Authority determines that use of the points system is inadequate to evaluate a specific feature or item for the purposes of meeting the intent of the Downtown Design Standards, or otherwise determines that because of particular circumstances of the property other provisions can be offered, the Planning Authority may assess conformance with a specific standard and assign a separate point value not to exceed 2pts based on compatibility in the Downtown Districts.

Wetland: A freshwater wetland area identified on the basis of soils, vegetation and other criteria as wetlands, including but not limited to swamps, marshes and bogs. See other wetland terms such as Forested Wetlands, Freshwater Wetlands, Upland Edge of Wetland, Wetland Associated with Great Ponds and Rivers, and of Special Significance for specific definitions and criteria.

Add this term:

Wetlands of Special Significance- A freshwater area identified on the basis of soils, vegetation and other criteria as of special significance wetlands and as having one or more of the following characteristics described below:

- (1) Critically imperiled or imperiled community. The freshwater wetland contains a natural community that is critically imperiled (S1) or imperiled (S2) as defined by the Natural Areas Program.
- (2) Significant wildlife habitat. The wetland area contains significant wildlife habitat as defined by 38 M.R.S.A. § 480-(B-10). This shall include significant vernal pools as defined by the Maine Department of Environmental Protection.
- (3) Location near GPA great pond. The f wetland area is located within 250 feet of the normal highwater line, and within the same watershed, of any lake or pond classified as GPA under 38 M.R.S.A. § 465-A.
- (4) Aquatic vegetation, emergent marsh vegetation or open water. The wetland area contains under normal circumstances at least 20,000 square feet of aquatic vegetation, emergent marsh vegetation or open water, unless the 20,000 or more square foot area is the result of an artificial ponds or impoundment.
- (5) Wetlands subject to flooding. The wetland area is inundated with floodwater during a 100-year flood event based on flood insurance maps produced by the Federal Emergency Management Agency (FEMA) or other site-specific information.

(6) Peat lands. The wetland area is or contains peat lands, except that the Town may determine that a previously mined peat land, or portion thereof, and is not a wetland of special significance.

(7) River, stream or brook. The wetland area is located within 25 feet of a river, stream or brook.

**2023**  
**Town of Poland Planning Board**  
**Schedule and Deadlines**  
*Meetings are held at 7:00pm, Poland, ME 04071*

<b>Submission Deadline (New Applications)<sup>1</sup></b>	<b>Submission Deadline (Returning Applications &amp; Pre-App/Sketch plans)<sup>2,3</sup></b>	<b>Planning Board Meeting Date</b>
By 1:00pm, on Due Date	By 1:00pm, on Due Date	2 <sup>nd</sup> and 4 <sup>th</sup> Tuesday of the month
December 13, 2022	December 29, 2022	January 10, 2023
December 27, 2022	January 12, 2023	January 24, 2023
January 17, 2023	February 02, 2023	February 14, 2023
January 31, 2023	February 16, 2023	February 28, 2023
February 14, 2023	March 02, 2023	March 14, 2023
February 28, 2023	March 16, 2023	March 28, 2023
March 14, 2023	March 30, 2023	April 11, 2023
March 28, 2023	April 13, 2023	April 25, 2023
April 11, 2023	April 27, 2023	May 9, 2023
April 25, 2023	May 11, 2023	May 23, 2023
May 16, 2023	June 1, 2023	June 13, 2023
May 30, 2023	June 15, 2023	June 27, 2023
June 13, 2023	June 29, 2023	July 11, 2023
June 27, 2023	July 13, 2023	July 25, 2023
July 11, 2023	July 27, 2023	August 08, 2023
July 25, 2023	August 10, 2023	August 22, 2023
August 08, 2023	August 31, 2023	September 12, 2023
August 29, 2023	September 14, 2023	September 26, 2023
September 12, 2023	September 28, 2023	October 10, 2023
September 26, 2023	October 12, 2023	October 24, 2023
October 17, 2023	November 2, 2023	November 14, 2023
October 31, 2023	November 16, 2023	November 28, 2023
November 14, 2023	November 30, 2023	December 12, 2023
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December 12, 2023	December 28, 2023	January 9, 2024

The Planning Board has the discretion to alter agendas and schedule of meetings based on application volume or content.

1. New application materials for Planning Board review shall be submitted 28 days prior to the Planning Board Meeting date.
2. Returning Applications that have received substantial Planning Board review may resubmit within 12 days of the Planning Board meeting date.
3. Backlot Driveway and Shoreland Zoning Applications shall be submitted 12 days prior to the Planning Board Meeting date.

## 509 SITE PLAN REVIEW

### 509.1 Purposes - The purposes of this Section are:

- A. To provide Municipal Review of projects that potentially could affect the environment and community;
- B. To promote and protect the health, welfare and safety of the residents of the Town of Poland; Comprehensive Land Use Code - Poland, Maine 2022
- C. To provide local protection from those particular nuisances which are not governed by State law or regulation;
- D. To balance the rights of landowners to use their land with the corresponding right of abutting and neighboring landowners to live without undue disturbance from noise, smoke, fumes, dust, odor, glare, traffic, storm water runoff, or the pollution of ground or surface waters;
- E. To reduce the off-site external problems created by developments thereby decreasing the cost of maintaining or improving Municipal services;
- F. To conserve the Town's natural beauty and visual character by ensuring that structures, signs and other improvements and uses of land are sited and developed with due regard to the aesthetic qualities of the natural terrain and that proper attention is given to exterior appearances of structures, signs, other improvements and uses of land; and
- G. To implement the policies of the Town of Poland Comprehensive Plan

### 509.2 Applicability

A. Site Plan Review by the Planning Board in conformity with the criteria and standards of this Section shall be required for the following:

1. Uses in each district which require Site Plan Review as identified in Section 506.1
2. A change in use when the new use is subject to Site Plan Review.
3. New uses of existing structures or land or existing uses that require Site Plan Review as defined in Section 506.1 when such uses would alter normal traffic patterns, or which would employ new materials and/or processes.
4. Existing uses that require Site Plan Review as defined in Section 506.1 which seek to expand by either one thousand (1,000) sq. ft. or twenty-five percent (25%) in area (whichever is lesser provided such expansion involves at least five hundred (500) sq. ft.) within any five (5) year period, with regard to floor space, seating capacity or outdoor storage area.
5. Resumption of conforming uses which have been abandoned for at least two (2) years which would require Site Plan Review if being newly established.
6. Creation of any back lot and back lot driveway under the provisions of Section 509.10 B. Site Plan Review approval is not required for the following:
  1. The normal and customary practices and structures associated with agriculture and forestry. Other Sections of this Code may require permits or specify standards for agricultural and forestry activities.

2. Any residential construction project that is located in the Limited Residential or Stream Protection 1 and 2 Zoning Districts that involves an expansion of an existing residential structure of less than 1,000 sq. ft. and as long as the expansion is not located within one hundred (100') of the Normal High Water Line setback from a great Pond or 75' from the upland edge of a wetland or stream.

#### 509.3 Administration

A. In order to establish an orderly, equitable and expeditious procedure for reviewing Site Plan Reviews and to avoid unnecessary delays in processing applications for Site Plan Reviews, the Board shall prepare a written agenda for each regularly scheduled meeting.

B. The agenda shall be prepared no less than one week in advance of the meeting, distributed to the Board members and any applicants appearing on the agenda, and posted at the Municipal Office.

C. Applicants shall request to be placed on the Board's agenda for the initial site plan application no less than 28 days prior to the meeting. Previously tabled, or returning or amended Site Plans and application materials shall be submitted no less than 12 days at least ten (10) days in advance of a regularly scheduled meeting by contacting Poland's Code Enforcement Officer.

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D. Applicants who attend a meeting but who are not on the Board's agenda may be heard only after all agenda items have been completed, and then only if a majority of the Board so votes.

E. The Board shall take no action on any application not appearing on the Board's written agenda.

#### 509.4 Pre-application Meeting, Sketch Plan and Site Inspection

A. Purpose - The purposes of the Pre-application Meeting and on-site Inspection is for the applicant to present general information regarding the proposed Site Plan Review to the Board and receive the Board's comments prior to the expenditure of substantial sums of money on surveying, soils identification, and engineering by the applicant. B. Procedure

1. The applicant shall present the Pre-application Sketch Plan and make a verbal presentation regarding the site and the proposed development.

2. Following the applicant's presentation, the Board may ask questions and make suggestions to be incorporated by the applicant into the application.

3. Exemption: The pre-application process may be skipped if there is no change of use and the estimated fair market value of construction, expansion, or renovation is less than \$10,000. The applicant may go directly to the Site Review in Section 509.7. An on-site inspection may still be required by the Planning Board.

C. On-site Inspection - The date of the on-site Inspection is selected by the Planning Board.

D. Submissions

1. The Pre-application Sketch Plan shall show, in simple sketch form, the proposed development area, and other features in relation to existing conditions. The Sketch Plan, which may be a free-hand penciled sketch, should be supplemented with general information to describe or outline the existing conditions of the site and the proposed development. It is recommended that the Sketch Plan be superimposed on or accompanied by a copy of the Assessor's Map(s) on which the land is located. All Pre-Application plans and or materials to be reviewed by the Planning Board shall be submitted no less than 12 days prior to the meeting

2. The Code Enforcement Officer or Designee shall send notification to all property owners within five hundred (500) feet of the edge of the applicant's property lines of the submission of the Sketch Plan. This notice shall indicate the time, date and place of the Planning Board's first consideration of the Sketch Plan. The notifications shall be mailed at least seven days prior to the scheduled meeting date

#### 509.5 Requirements for On-site Inspection –

Within thirty (30) days of the Pre-application Meeting, the Board may hold an on-site Inspection of the property.

A. The Board shall not conduct on-site Inspections when there is six (6) inches or more of snow.

B. The applicant shall place "flagging" at the location of structures and parking areas and lot corners, prior to the on-site Inspection.

C. Notice of such on-site Inspection shall be posted in the Municipal Office as required by Title 1, M.R.S.A. Section 406.

D. The public is allowed to accompany the reviewing authority on such on-site Inspections as per Title 1, M.R.S.A. Section 401-410.

E. At its next regular meeting following on-site Inspection, the Planning Board shall discuss the inspection and note various features and conditions found.

F. The Planning Board shall notify the applicant in writing of its findings from the inspection and inform the applicant of the contour intervals to be required for a formal application. 509.6 Rights Not Vested - The Pre-application Meeting, the submittal or review of the Sketch Plan or the onsite Inspection shall not be considered the initiation of the review process for the purposes of bringing the Plan under the protection of Title 1, M.R.S.A. Section 302.

#### 509.7 Application Procedure

A. Applications in Writing - All applications for Site Plan Review shall be submitted to the Planning Board within six (6) months of the date of the first Planning Board meeting to discuss the Sketch Plan. If such application is not made within this time period, the application shall be deemed withdrawn. Applications for Site Plan approval shall be made in writing on forms provided for this purpose. Applications shall be received by the Planning Board in order filed and when the Board agenda permits. All applications shall be made by the owner of the property or his agent, as designated in writing or person which shows evidence of right, title or interest.

B. Development Plan - A Site Plan meeting the standards of this Section shall be submitted to and reviewed by the Planning Board and shall be approved by the Planning Board before any Building Permit may be issued. In the case of proposed resumption of uses which have been abandoned for at least two (2) years, Planning Board approval shall be required before such uses may be resumed if such a use requires Site Plan Review if being newly established.

C. Dated Letter - The applicant, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the Site Plan. The Planning Board shall provide the applicant a dated letter of a Site Plan Review Application after the Planning Board meeting where the application is first presented.

D. Application Completeness - Within thirty (30) days of receipt of a Site Plan Review application form and fee, the Planning Board shall notify the applicant in writing whether or not the application is complete, and what, if any, additional submissions are required for a complete application. The Planning Board may request the applicant to provide additional information necessary for the Planning Board review after a determination that a complete application has been received. The Planning Board shall determine whether to hold a Public Hearing.

E. Public Hearing - If the Planning Board decides to hold a Public Hearing, it shall hold the hearing within thirty (30) days after finding it has received a complete application and shall publish notice of the date, time and place of the hearing in a newspaper of general circulation in the Municipality at least two (2) times, the date of the first publication to be at least seven (7) days prior to the hearing. Notice of the Public Hearing shall be mailed to all abutters within five hundred (500) feet of the applicant's property lines at least seven (7) days prior to the hearing by the Town of Poland. Within thirty (30) days after the record is closed of a Public Hearing, or within sixty (60) days of receipt of a complete application, if no hearing is held, or within another time limit as may be otherwise mutually agreed to by the Planning Board and the applicant, the Planning Board shall issue an order and approve, approve with conditions, or deny the Site Plan. The Planning Board shall specify, in writing, its findings of facts and reasons for any conditions or denial.

F. Additional Studies - The Planning Board may require the applicant to under-take any study which it deems reasonable and necessary to demonstrate that the requirements of this Code are met. The costs of all such studies shall be borne by the applicant.

G. Notice to Abutters - Upon filing an application, the Code Enforcement Officer or designee shall notify the property owners within five hundred (500) feet of the edge of the applicant's property lines of a pending application for Site Plan Review. This notice shall indicate the time, date and place of the Planning Board's first consideration of the application. The notifications shall be mailed at least seven (7) days prior to the scheduled meeting date.

H. Financial Guarantee - Prior to Final Approval of any Site Plan Review application, the Planning Board may require the applicant to provide a performance guarantee in accordance with Chapter 614. The amount of the Performance Guarantee shall be in an amount adequate to cover the total construction costs of all required improvements, taking into account the time-span of the Construction Schedule and the inflation rate for construction cost. The Town shall have access to the site at all times to review the progress of the work.

I. Conditions - The Planning Board may attach reasonable conditions to the Site Plan Review approvals to ensure conformity with the standards and criteria of this Code.

J. Minor Changes to Approved Plans - Minor changes in approved Plans necessary to address field conditions or structure orientation may be authorized by the Code Enforcement Officer provided that any such change does not affect the standards of this Code or alter the intent of the approval. A request for a minor change to an approved Plan shall be in writing to the Code Enforcement Officer. In making the determination to approve a minor change to an approved Plan the Code Enforcement Officer shall consult with the Planning Board Chairperson or the Chairperson's designee. All approvals for minor changes to approved Plans shall be in writing by the Code Enforcement Officer. A copy of the written approval and revised Site Plan shall be filed with the Planning Board within thirty (30) days from the date of the written approval.

K. Limitations of Approvals - Approvals of Site Plans are dependent upon and limited to the proposals and Plans contained in the application and supporting documents submitted and affirmed by the applicant. Any variations from the Plans, proposals and supporting documents, except minor changes as permitted in Subsection J. above, are subject to review and approval by the Planning Board.

#### 509.8 Formal Site Plan Review Application Requirements –

Within six (6) months after the on-site inspection or the Sketch Plan if it was deemed by the Board to not need an onsite inspection, the applicant shall submit a Formal Site Plan Review Application. Failure to submit the application within six (6) months shall require resubmission of the Sketch Plan to the Board.

A. Submission Requirements - The submission shall contain at least the following exhibits and information:

1. Site Plan shall consist of one or more reproducible, stable base transparent original, to be filed at the Municipal Office, drawn at a scale of not smaller than one (1) inch equals fifty (50) feet or other scale as determined by the Planning Board. In addition, ten (10) copies and one (1) pdf copy of the Formal Site Plan Review Application and all accompanying information shall be delivered to the Code Enforcement Office ~~no less than ten (10) days prior to the meeting. The initial site plan application shall be submitted no less than 28 days prior to the meeting. Previously tabled, or returning or amended Site Plans and application materials shall be submitted no less than 12 days to the meeting.~~
2. A fully executed and signed copy of the application for Site Plan Review.
3. General information:
  - a. Name and address of owner(s) of record and applicant's name and address, if different;
  - b. The name of the proposed development;
  - c. Names and addresses of all property owners within five hundred (500) feet of the edge of the property line;

- d. Sketch Map showing general location of the site within the Town;
- e. Boundaries of all contiguous property under the control of the owner or applicant regardless of whether all or part is being developed at this time;
- f. The tax map and lot number of the parcel or parcels;
- g. A copy of the deed to the property, option to purchase the property or other documentation to demonstrate right, title or interest in the property on the part of the applicant;
- h. The name, State of Maine registration number and seal of the Site Evaluator, Land Surveyor, Architect, Professional Engineer, Geologist and/or person who prepared the Plan;
- i. Written response or email from the Road Commissioner, Police Department, Fire Chief, Rescue Chief, and School Superintendent; and
- j. If applicable, list all permits, or approvals required from state or federal government for this project.

Land Use Revisions related to Deer Wintering Areas and required setbacks as recommended by the State Wildlife Biologist rather than using excessive setbacks from historical mapped deer wintering yard.

**612.8 Impact on Natural Beauty, Aesthetics, Historic Sites, Wildlife Habitat, Rare Natural Areas or Public Access to the Shoreline**

**A. Preservation of Natural Beauty and Aesthetics.**

1. The Plan shall, by conditions of approval on the Final Plan and deed restrictions, limit the clearing of trees to those areas designated on the Plan.
2. In the Rural Residential and Farm and Forest Districts as defined in Chapter 5, Land Zoning Standards, the Subdivision shall be designed to minimize the visibility of buildings from existing public roads.
3. The Board may require the application to include a Landscape Plan that will show the preservation of any existing trees larger than twenty-four (24) inches diameter breast height, the replacement of trees and vegetation, and graded contours.
4. When a proposed Subdivision Street traverses open fields, the Plans shall include the planting of street trees. Such plantings shall not restrict visibility at street intersections.

**B. Retention of Open Spaces and Natural or Historic Features.**

1. If any portion of the Subdivision is located within an area designated by the Town of Poland Comprehensive Plan as open space or greenbelt, that portion shall be reserved for open space preservation.
2. If any portion of the Subdivision is located within an area designated as a unique natural area by the Town of Poland Comprehensive Plan or the Maine Natural Areas Program the Plan shall indicate appropriate measures for the preservation of the values which qualify the site for such designation.
3. If any portion of the Subdivision is designated a site of historic or prehistoric importance by the Town of Poland Comprehensive Plan or the Maine Historic Preservation Commission, appropriate measures for the protection of the historic or prehistoric resources shall be included in the Plan.
4. The Subdivision shall reserve sufficient undeveloped land to provide for the recreation needs of the occupants. The percentage of open space to be reserved shall depend on the identified needs for outdoor recreation in the portion of the Municipality in which the Subdivision is located according to the Town of Poland Comprehensive Plan, the proposed lot sizes within the Subdivision, the expected demographic makeup of the occupants of the Subdivision, and the site characteristics.

5. Land reserved for open space purposes shall be of a character, configuration and location suitable for the particular use intended.

6. Reserved open space land may be owned and maintained by the Subdivision occupants or other party approved by the Planning Board.

#### C. Protection of Significant Wildlife Habitat –

If any portion of a proposed Subdivision lies within:

1. Two hundred-fifty (250) feet of the following areas identified and mapped by the Department of Inland Fisheries and Wildlife or the Town of Poland Comprehensive Plan as:

a. Habitat for species appearing on the official Federal or State lists of endangered or threatened species;

b. High and moderate value waterfowl and wading bird habitats, including nesting and feeding areas; or

2. ~~One thousand three hundred twenty (1,320) feet of an~~ Within area identified and mapped by the Department of Inland Fisheries and Wildlife as a high or moderate value deer wintering area or travel corridor;

3. Or other important habitat areas identified in the Town of Poland Comprehensive Plan,

the applicant shall demonstrate that there shall be no adverse impacts on the habitat and species it supports. A report prepared by a Wildlife Biologist certified by the Wildlife Society with demonstrated experience with the wildlife resource being impacted shall be submitted. This report shall assess the potential impact of the Subdivision on the significant habitat and adjacent areas that are important to the maintenance of the affected species and shall describe appropriate mitigation measures to ensure that the Subdivision will have no adverse impacts on the habitat and the species it supports.

D. Access to Shoreline - Any existing public rights of access to the shoreline of a water body shall be maintained by means of easements or rights of way or should be included in the open space with provisions made for continued public access.

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### 613.3 Wildlife Habitat, Rare Natural Areas or Public Access to the Shoreline

#### A. Preservation of Natural Beauty and Aesthetics

1. Unless located in the Village District as defined in Chapter 5, Land Zoning Standards, a Subdivision in which the land cover type is forested shall maintain a wooded buffer strip no less than fifty (50) feet in width along all existing public roads. The buffer may be broken only for driveways and streets. If the forested buffer was cut within two (2) years of application, the buffer shall be replanted to native species.

2. When located in Farm and Forest as defined in Chapter 5, Land Zoning Standards, building locations shall be restricted from open fields, and shall be located within forested portions of

the Subdivision. When the Subdivision contains no forest or insufficient forested portions to include all buildings, the subdivision shall be designed to minimize the appearance of building when viewed from existing public streets.

3. When a proposed Subdivision Street traverses open fields, the Plan shall include the planting of street trees. Street trees shall include a mix of tall shade trees and medium height flowering species. Trees shall be planted no more than fifty (50) feet apart and where they will not interfere with power lines.

B. Retention of Historic Features - Proposed Subdivisions which include or are adjacent to buildings or sites on the National Register of Historic Places or which the Town of Poland Comprehensive Plan has identified as of historical significance shall be designed in such a manner as to minimize the impacts on the historic features. When the historic features to be protected include buildings, the placement and the architectural design of new structures in the Subdivision shall be similar to the historic structures. The Board shall seek the advice of the Maine Historic Preservation Commission in reviewing such Plans.

C. Protection of Significant Wildlife Habitat and Important Habitat Areas - The following guidelines are designed to protect the significant wildlife resources identified in the Municipality. The Board recognizes that wildlife management must take into account many site specific variables. Applicants proposing to subdivide land within identified wildlife resources must consult with the Maine Department of Inland Fisheries and Wildlife or a qualified Wildlife Biologist and provide their written comments to the Board. The guidelines of this Section shall apply to only those Subdivisions which include significant wildlife habitat or resources identified in Section 612.8.C. Use of Cluster Development Techniques can allow a property to develop a similar number of Subdivision lots even though habitats place limits on development activities.

1. Protection of Habitat of Endangered or Threatened Species.

a. Habitat or species appearing on the Official State or Federal lists of Endangered or Threatened Species shall be placed in open space.

b. Deed restrictions and notes on the Plan shall reflect standards from the Department of Inland Fisheries and Wildlife for removal of vegetation within two hundred fifty (250) feet of the habitat for species appearing on the list of Endangered or Threatened Species unless the Department of Inland Fisheries and Wildlife has approved cutting of vegetation in writing.

2. Protection of Waterfowl and Wading Bird Habitat.

a. There shall be no cutting of vegetation within the strip of land extending seventy-five (75) feet inland from the normal high-water mark of the following habitat areas:

1. High and moderate value waterfowl and wading bird habitats, including nesting and feeding areas;

2. Other important habitat areas identified in the Town of Poland Comprehensive Plan. b. This restriction shall appear as a condition of approval on the Plan and as a deed restriction to the affected lots.

3. Protection of Deer Wintering Areas - A report prepared by a Wildlife Biologist, selected or approved by the Board, shall include a Management Plan for deer wintering areas. In Subdivisions which include areas designated as Deer Wintering Areas Cluster Subdivisions will be required with the Deer Wintering area included in the open space portion of the Subdivision, or with appropriate buffering restrictions as recommended by the Wildlife Biologist.

4. Other Important Wildlife Areas - If the proposed Subdivision includes other important wildlife habitat as identified by the Department of Inland Fisheries and Wildlife or the Town of Poland Comprehensive Plan, the restrictions on activities in and around these areas shall be reviewed by the Department or a qualified Wildlife Biologist and their comments presented in writing to the Board

## Changes to the Non Residential Accessory Structure requirements -Clarify & simplify language.

### 508.23 Non-Residential Accessory Structures –

The Code Enforcement Officer may approve accessory structures to commercial, manufacturing and industrial structures and uses of less than one thousand (1,000) sq. ft. in total floor area after review and approval for compatibility. Before making a determination of compatibility the Code Enforcement Officer shall make a positive written finding that the proposed accessory structure meets the following criteria. The addition of one thousand (1,000) sq. ft. or more of accessory structure(s) for the lifetime of the use shall require Site Plan Review approval in accordance with Section 509.

- A. The ~~proposed structure shall be related harmoniously to the terrain, to existing buildings in the vicinity that have a visual relationship to the proposed~~ accessory structure ~~and to~~shall have minimal adverse effect on the environment, aesthetic qualities of the developed and neighboring areas and comply with the applicable standards contained in Section 509.9.
- B. Materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings.
- C. Colors shall be harmonious with the principal structure and shall use compatible accents; and
- D. Proposed exterior lighting shall be part of the architectural concept.

## 508.11 Home Occupations

- A. Home occupations and home-based occupations are permitted in any single- or two-family structure or any structure that is accessory to a single- or two-family structure.
  - 1. Notwithstanding any provision of this chapter to the contrary, the Code Enforcement Officer will approve and issue a change of use permit for home occupation and home-based occupation applications that meet the criteria listed below:
    - a. The occupation is owned or operated by a member of the family residing within the dwelling unit.
    - b. In the case of a home occupation, no more than two employees who are not members of the family are employed in the occupation.
    - c. In the case of the home-based occupation, no more than two employees who are not members of the family are present at the dwelling at any one time.
    - d. It does not generate any nuisance, waste discharge, offensive noise, vibration, smoke, dust, odors, heat, glare, radiation, fumes detectable to the normal senses, or electrical interference which interferes with normal radio or television reception, or causes other nuisances which extend beyond the limits of the subject property. All waste material from the home occupation or home-based occupation shall be removed promptly from the premises according to State laws, this Code, local ordinances, and regulations.
    - e. There is no objectionable increase in traffic over that which is normal for the neighborhood.
    - f. If the home occupation or home-based occupation attracts any regular customer or client traffic, there shall be at least two (2) but not more than three (3) off-street parking spaces specifically designated for use by the employee and any customers of the home occupation or home-based occupation.
    - g. There shall be no public display of goods, or wares, or machinery used in the home occupation or home-based occupation visible from any public or private way or adjacent properties.
    - h. There should be no display of any exterior exhibits, exterior storage of materials or any other exterior indications of the home occupation or home-based occupation or variation from the residential character of the principal dwelling or accessory building.

- i. The existence of the home occupation or home-based occupation does not pose any potential threat to public health, safety, or welfare,
  - j. It does not adversely affect any natural resource or environmentally sensitive area including, but not limited to, a wetland, aquifer, watercourse or water body. The home occupation or home-based occupation shall not use chemicals in quantities not commonly found in a residence.
  - k. Exterior signage shall comply with Section 508.18 of this Code.
  - l. No more than a total of three (3) vehicles and equipment trailers used in the home occupation or home-based occupation may be parked in the yard. Sufficient off street parking must be available for the vehicles and trailers. Materials stored on the vehicles or trailers must be enclosed inside the vehicle or covered over on the trailer.
  - m. When located in the Shoreland Area, business activities shall be wholly located within the residence.
- B. A home occupation or home-based occupation shall apply to the Applicant only while the Applicant resides at the property.
- C. Applications for home occupations and home-based occupations under Subsection A shall be approved in writing by the Code Enforcement Officer. The Code Enforcement Officer or Designee shall send notification to all property owners within five hundred (500) feet of the edge of the applicant's property lines of the decision.
- D. Yard Sales, Garage Sales .... (This is currently C. and will now be D.)





# 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](http://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: McAlister Lake

Date of Planning Board Review:        /        /        Application #       

### LOT INFORMATION:

Tax Assessor's Map # 10 Lot # 82 82 Sub lot # 5 E

Watershed: Tripp Lake

Property's Road Location: Off Estes Way to Kinney Woods Ln.

Lot Size: 34.7 Acres or Sq. Ft. Road Frontage: 60 Ft. Row

Year lot created: 2010 (If unknown, give best estimate with "est." after date)

Zoning District(s): Farm and Forest Flood Zone: N/A X Aquifer Overlay: N/A

Current use of lot: Residential

### LAND OWNER(s):

Name(s) Timothy and Amanda McAlister

Company       

Mail Address: 26 Trout Run Main Phone 207-333-8108

Town/State/Zip New Gloucester, ME 04260 Alternate Phone: 207-577-9323

**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): Same

Company \_\_\_\_\_

Mail Address: \_\_\_\_\_ Main Phone: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Town/State/Zip \_\_\_\_\_ Alternate Phone: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

**THIS APPLICATION IS FOR:**

(Check all that apply)

- |  |   |
|--|---|
| <input type="checkbox"/> Commercial    | <input checked="" type="checkbox"/> New Development |
| <input type="checkbox"/> Industrial    | <input type="checkbox"/> Change In Use              |
| <input type="checkbox"/> Institutional | <input type="checkbox"/> Expansion of Use           |
| <input type="checkbox"/> Governmental  | <input type="checkbox"/> Expansion of Structure(s)  |
| <input type="checkbox"/> Open Space    | <input type="checkbox"/> Resumption of Use          |

**EXISTING LOT CONDITIONS:**

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

**1. General**

Does this lot have any development? (If No, go to "Proposed Development") \_\_\_\_\_ Yes

\_\_\_\_\_ No

a. Is there an existing Well \_\_\_\_\_ Yes

\_\_\_\_\_ No

b. Is there an existing Septic System \_\_\_\_\_ Yes

\_\_\_\_\_ No

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

c. Is there an existing Road Entry \_\_\_\_\_ Yes

\_\_\_\_\_ No

i) 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 \_\_\_\_\_ N/A Sq. Ft.  
or Acresb. Size of fields \_\_\_\_\_ N/A Sq. Ft.  
or Acresc. Size of driveways/roads \_\_\_\_\_ 3,600 Sq. Ft.d. Size of other non-vegetated areas \_\_\_\_\_ N/A Sq. Ft.e. Wetlands already filled \_\_\_\_\_ N/A Sq. Ft.**3. Existing Main Structure**a. Ground Footprint \_\_\_\_\_ N/A Sq. Ft.b. Total Gross Floor Space (exterior dimensions of all floors) \_\_\_\_\_ N/A Sq. Ft.c. Road Frontage Setback \_\_\_\_\_ N/A Ft.

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

#### **PROPOSED DEVELOPMENT:**

1. Wetlands to be impacted N/A Sq. Ft.
2. New footprint(s) and developed area(s):
- a. Changes in building footprint(s) N/A Sq. Ft.
- b. Changes in driveway/roadway 8,000 Sq. Ft. Row
- c. Changes in patios, walkways, etc. N/A Sq. Ft.
- d. TOTAL ( $2a + 2b + 2c$ ) 8,000 Sq. Ft.
3. Percentage of lot covered by impervious surfaces:
- a. ( $\text{Equals [areas on line 6 page 2 + line 2d above]} / [\text{Total lot area measured in sq. ft.}] * 100\%$ ) N/A %

#### **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 ½ 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.

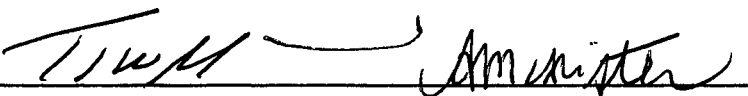
2. **List all state and federal approvals, permits, and licenses required, if any, for the project:**

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.

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				
		N/A	Engineer/ designer of plans				
✓			<b>Existing Conditions (Site Plan)</b>				
✓			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				
		N/A	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				
✓			<b>Proposed Development (Site Plan)</b>				
✓			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				
			<b>TRAFFIC DATA</b>				

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				
			<b>STORMWATER &amp; EROSION</b>				
✓			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:

Type of fee	Fee	Units or Comments
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: FEB / 14 / 2023 Meetings are normally conducted from 7:00 to 10:00 PM in the Municipal Conference Room at the Town Office  
Map 10 Lot 82 Sub-lot 5B

Applicant's Name: Timothy and Amanda McAlister  
Mailing Address: 26 Trevel Rm  
Town, State, Zip: New Gloucester ME 04260  
Home Phone: 207-333-8108 Hours: Any Time  
Work Phone: \_\_\_\_\_ Hours: \_\_\_\_\_

Type of application: Sketch Plan ☒ Site Review ☐ Shoreland ☐ Subdivision ☐ Informational

Road location for project: \_\_\_\_\_

Zoning: Farm and Forest Lake Watershed: Tripp Lake Nature of

business to be discussed (Brief description): Build in 300ft Row to

Create buildable lot for single family home

**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: Tim McAlister Date: Jan 120 / 2023

**OFFICE USE ONLY:**

Request Taken By: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Time: \_\_\_\_:\_\_\_\_ a.m. p.m.

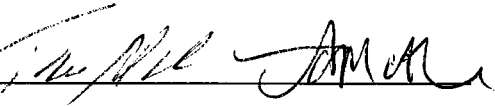
List of Abutters:

- Lot# 82-4002  
Desjardins, Raymond R.  
56 Estes Way
- Lot 82-5001  
Michael R. & Jessica L. Rousseau  
6 Kinney Woods Ln
- Lot# 82-5002  
T&T Investors  
144 Russel St. Lewiston ME 04240  
In Reference to 28 Kinney Woods Ln.

Waiver Consideration (Engineered Analysis of Storm Water)

Asking to consider granting waiver for Engineered Analysis of Storm Water as the property is a large lot of which storm water drains onto itself (as seen in the plans) not effecting the abutting lots.

Applicant's Signature



Date

Jan 20, 2013

# National Flood Hazard Layer FIRMette



70°24'41"W 44°2'22"N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AD, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainag areas of less than one square mile Zone 1
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone 1
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance
		17.5 Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
OTHER FEATURES		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

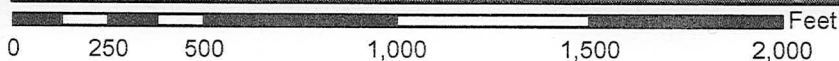


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/19/2023 at 2:08 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



1:6,000

70°24'41"W 44°1'56"N

**PROPOSED DESCRIPTION FOR A 60-FOOT RIGHT OF WAY TO BE NAMED  
McALISTER LANE LOCATED NORTHWESTERLY OF ESTES WAY  
IN THE TOWN OF POLAND, STATE OF MAINE**

Exhibit A

**BEGINNING** at a point on the northwesterly sideline of land now or formerly of T & T Investors, LLC as described in a deed dated August 24, 2016 and recorded in the Androscoggin County Registry of Deeds in Book 9438, Page 35 and also being the northwesterly terminus of Estes Way. Said point also being S 63° 56' 09" W a distance of one hundred three and 80/100 feet (103.80') from a capped 5/8" rebar inscribed PLS#2395;

- 1) Thence, S 63° 56' 09" W along the terminus of the Estes Way and the said T & T Investors, LLC a distance of sixty-three and 30/100 feet (63.30') to a point. Said point also being N 63° 56' 09" E a distance of fifty and 61/100 feet (50.61') from a capped 5/8" rebar inscribed PLS # 1057;
- 2) Thence, on a curve to the left having a radius of four hundred twenty and 00/100 feet (420.00') and an arc length of sixteen and 64/100 feet (16.64') to a point of tangency, said point being a chord bearing of N 47° 06' 26" W a distance of sixteen and 64/100 feet (16.64') from the point described in course 1 above;
- 3) Thence, N 48° 14' 32" W a distance of one hundred three and 95/100 feet (103.95') to a point;
- 4) Thence, S 41° 45' 28" W a distance of fifty and 00/100 feet (50.00') to a point
- 5) Thence, N 48° 14' 32" W a distance of fifty and 00/100 feet (50.00') to a point;
- 6) Thence, N 41° 45' 28" E a distance of fifty and 00/100 feet (50.00') to a point;
- 7) Thence, N 48° 14' 32" W a distance of sixty and 00/100 feet (60.00') to a point of curvature;
- 8) Thence, on a curve to the left having a radius of two hundred twenty and 00/100 feet (220.00') and an arc length of sixty-nine and 42/100 feet (69.42') to a point;
- 9) Thence, N 23° 40' 44" E a distance of sixty and 00/100 feet (60.00') to a point;
- 10) Thence, on a curve to the right having a radius of two hundred eighty and 00/100 feet (280.00') and an arc length of eighty-eight and 35/100 feet (88.35') to a point of tangency, said point being a chord bearing of S 57° 16' 54" E a distance of eighty-seven and 98/100 feet (87.98') from the point described in course 9 above;

- 11) Thence, S  $48^{\circ}14'32''$  E a distance of one hundred ninety-seven  $31/100$  feet (197.31') to a point of curvature;
- 12) Thence, on a curve to the right having a radius of four hundred eighty and  $00/100$  feet (480.00') and an arc length of forty and  $58/100$  feet (40.58') to the **POINT OF BEGINNING**.

Being a portion of land as described in a deed from Johnny H. Castonguay to Timothy P. McAlister and Amanda J. McAlister as described in a deed dated January 11, 2022 and recorded in the Androscoggin County Registry of Deeds in Book 11004, Page 35.







# 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](http://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:** Timothy & Nicole Cote

Date of Planning Board Review:        /        /        Application #       

### LOT INFORMATION:

Tax Assessor's Map # 10

49 49 B  
Lot # 48-6C E F G

Sub lot #       

Watershed: Deed Pond

Property's Road Location: Whale Back Drive and Rt 26 800.00 ON WHALE BACK DRIVE

Lot Size: 25.5 Acres or Sq. Ft.

Road Frontage: 804.75 Ft. ON ROUTE 26

Year lot created: 1999 2002 (If unknown, give best estimate with "est." after date)

Zoning District(s): R-2

Flood Zone: N/A

Aquifer Overlay: AP-1

Current use of lot: Existing gravel pit

### LAND OWNER(s):

Name(s) Timothy & Nicole Cote

Company       

Mail Address: 184 Goodwin Road

Main Phone 576-5351 Tim  
440-0147 Nicole

Town/State/Zip MINOT, MAINE 04258 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): Same as Above

Company \_\_\_\_\_

Mail Address: \_\_\_\_\_ Main Phone: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Town/State/Zip \_\_\_\_\_ 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)

**1. General**

Does this lot have any development? (If No, go to "Proposed Development") \_\_\_\_\_ Yes

☒ No

a. Is there an existing Well \_\_\_\_\_ Yes

☒ No

b. Is there an existing Septic System \_\_\_\_\_ Yes

☒ No

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

c. Is there an existing Road Entry \_\_\_\_\_ Yes

☐ No

i) 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 \_\_\_\_\_ N/A Sq. Ft.

or Acres

b. Size of fields \_\_\_\_\_ N/A Sq. Ft.

or Acres

c. Size of driveways/roads \_\_\_\_\_ 19,000 Sq. Ft.

d. Size of other non-vegetated areas \_\_\_\_\_ N/A Sq. Ft.

e. Wetlands already filled \_\_\_\_\_ N/A Sq. Ft.

**3. Existing Main Structure**

a. Ground Footprint \_\_\_\_\_ N/A Sq. Ft.

b. Total Gross Floor Space (exterior dimensions of all floors) \_\_\_\_\_ N/A Sq. Ft.

c. Road Frontage Setback \_\_\_\_\_ N/A Ft.

- d. Side Setback N/A Ft.
- e. Rear Setback N/A Ft.
- f. Distance to Great Pond Not applicable (over 250') N/A Ft.
- g. Distance to Stream Not applicable (over 250') N/A Ft.
- h. Distance to Wetlands Not applicable (over 250') N/A Ft.
4. **Foundation Type** Full Basement Frost Walls Slab Piers
5. **Existing Accessory Structure(s)**
- a. Total Number of Structures NONE
- b. Total Ground Footprint N/A Sq. Ft.
- c. Total Floor Space N/A Sq. Ft.
- d. Closest Road Setback N/A Ft.
- e. Closest Side Setback N/A Ft.
- f. Closest Rear Setback N/A Ft.
- g. Distance to Great Pond Not applicable (over 250') N/A Ft.
- h. Distance to Streams Not applicable (over 250') N/A Ft.
- i. Distance to Wetlands Not applicable (over 250') N/A Ft.
6. **Total Existing Impervious Surfaces** 19,000 Sq. Ft.
- a.  $Add\ 2c + 2d + 3a + 5b$

#### **PROPOSED DEVELOPMENT:**

1. Wetlands to be impacted N/A Sq. Ft.
2. New footprint(s) and developed area(s):
- a. Changes in building footprint(s) N/A Sq. Ft.
- b. Changes in driveway/roadway N/A Sq. Ft.
- c. Changes in patios, walkways, etc. N/A Sq. Ft.
- d. TOTAL ( $2a+2b+2c$ ) N/A Sq. Ft.
3. Percentage of lot covered by impervious surfaces: N/A %
- 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 ½ 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)

01/26/2023

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.

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

For Applicant Use			Section 509.8.A Submission requirements	For Planning Board Use			
Provided	Waiver Request	Not Applicable		Received	On File	Waived	Not Applicable
		X	Peak hour traffic				
		X	Traffic counts				
		X	Traffic accident data				
		X	Road capacities				
		X	Traffic signs, signals				
		X	<b>STORMWATER &amp; EROSION</b>				
		X	Method for handling stormwater shown				
		X	Flow direction				
		X	Catch basins, dry wells, ditches, etc.				
		X	Engineering Analysis of stormwater				
		X	Erosion control measures				
		X	Hydrologist groundwater impact				
		X	Utility plans for all utilities				
		X	Cross-section profile of roads, walks				
		X	Construction drawings of roads, utilities				
		X	Cost analysis of project and financial capability demonstrated				
		X	Phosphorus control plan if in watershed of a great pond				
		X	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:**

Type of fee	Fee	Units or Comments
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 10 Lot 49 49B 48-6C Sub-lot \_\_\_\_\_  
FFB

Applicant's Name: Timothy & Nicole Cote  
Mailing Address: 184 Goodwin Road  
Town, State, Zip: Minot, MAINE 04258  
Home Phone: Tim 576-5351 Hours: 8:00 AM 5 PM  
Work Phone: Nicole 440-0147 Hours: 8:00 AM 5 PM

Type of application: Sketch Plan ☒ Site Review ☐ Shoreland ☐ Subdivision ☐ Informational ☐

Road location for project: Whales Back and Route 26

Zoning: R-2 Lake Watershed: Dead Pond Nature of business to be discussed (Brief description): \_\_\_\_\_

**IMPORTANT - READ CAREFULLY:**

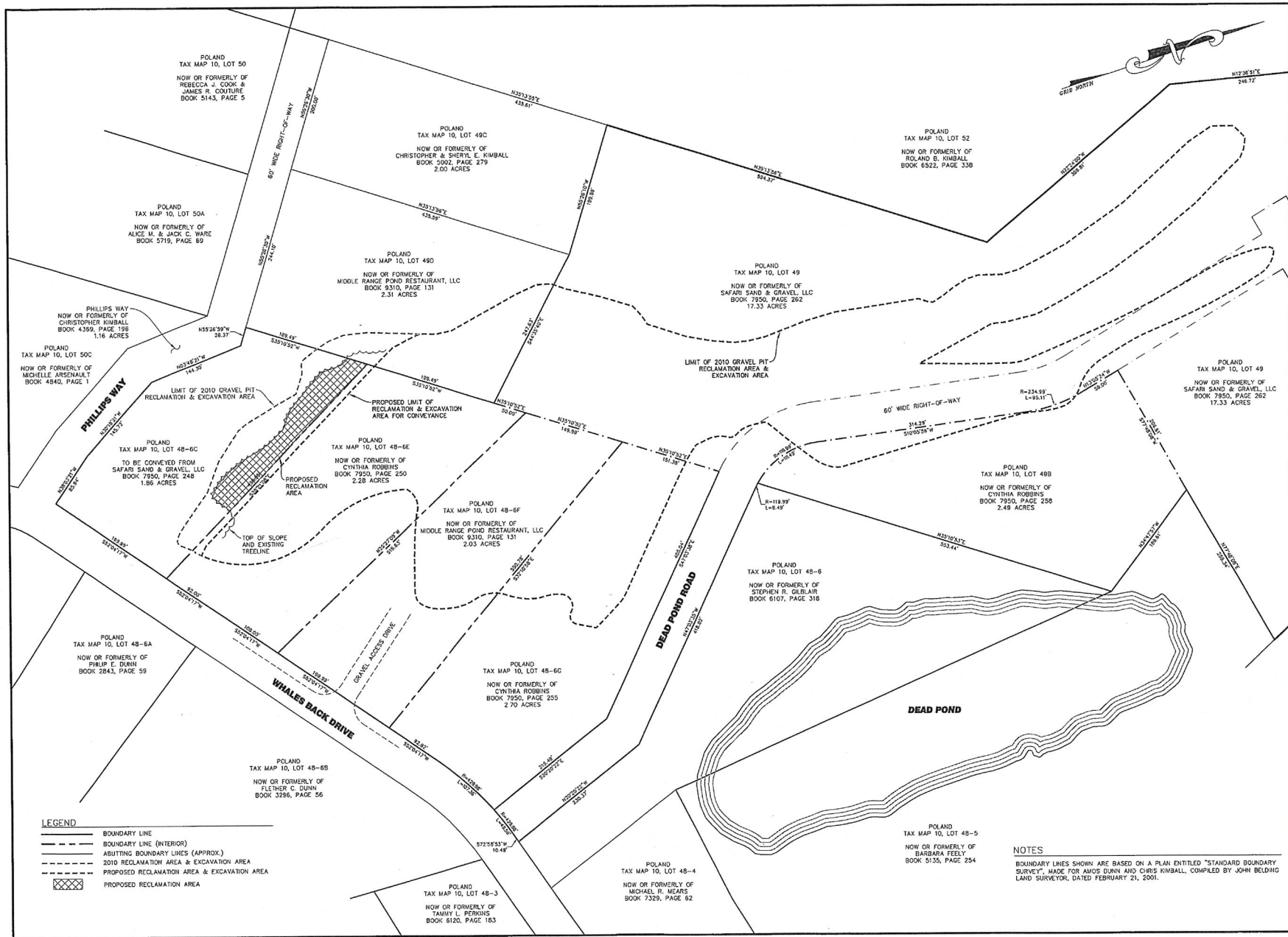
This Office must receive the original application, plus nine (9) copies, a digital PDF copy (on either cd or usb), and appropriate fees by Friday at 1:00 p.m., eleven (11) days before the stated meeting to be put on the upcoming agenda.

- 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: \_\_\_\_\_ Date: 01 / 26 / 2023

**OFFICE USE ONLY:**

Request Taken By: \_\_\_\_\_ Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Time: \_\_\_\_\_: \_\_\_\_\_ a.m. p.m.



**MAIN-LAND**  
DEVELOPMENT  
CONSULTANTS, INC.

42 CHURCH ST., LEWISTON, MAINE 04240  
TEL: (207) 897-4323 FAX: (207) 897-5404  
WWW.MAIN-LAND-DC.COM

**SITE PLAN SHOWING**  
**LAND OF SAFARI SAND & GRAVEL**

WHALES BACK DRIVE, TOWN OF  
POLAND, COUNTY OF ANDROSCOGGIN  
STATE OF MAINE

**OWNER OF RECORD**  
**SAFARI SAND & GRAVEL**  
C/O CYN ROBBINS  
640 MAIN STREET,  
POLAND SPRING, MAINE 04274

**MADE FOR**  
**SAFARI SAND & GRAVEL**  
C/O CYN ROBBINS  
640 MAIN STREET,  
POLAND SPRING, MAINE 04274

**DRAWING SCALE:**  
1" = 60' FT

**REVISION NOTES:**  
REVISION 1: 2015-02-23 CLB  
UPDATE LOT OWNERS

**PROJ. MGR:** TMO  
**DRAWN BY:** CLB  
**CHECKED BY:** REL  
**REVISION NO.:** 1  
**ISSUE DATE:** 2015-02-17  
**ISSUED FOR:** REVIEW

**NOT FOR CONSTRUCTION**

**SITE PLAN**

**SEAL:**

**THOMAS R. DUBOIS ME PE #7273**  
**DRAWING NO. C2.1**  
**ALDC NO. 15-142 1 OF 1**





## Planning Board Office

1231 Maine Street,  
Poland, Maine 04274-7328

### **Findings of Fact & Conclusion of Law**

**Date:** December 13, 2022

**Application Type:** Formal Shoreland Zoning Application

**Owners Name:** Christopher Gousse (20 Old Bloody Hill Rd. Lewiston, Maine 04240)

**Located at:** 39 Black Duck Lane

**Parcel ID:** 0036-0009

**Zoning Districts:** Rural Residential 2 and Limited Residential

#### **Project Description:**

On December 13, 2022, Mr. Gousse submitted a Formal Shoreland Zoning Application to remove and replace the existing home. The application was originally tabled at the November 9, 2022, Planning Board (Board) meeting. The proposed new construction will reduce the existing impervious surfaces from 23.5% to 17.2%.

#### **303.2.G. In addition to the standards contained elsewhere in Comprehensive Land Use Code (CLUC), the Planning Board shall consider the following in the Shoreland Area as defined:**

**1. Will maintain safe and healthful conditions.**

The proposed building will not interfere with the general health or safety of any neighbors. Based on this information the Board finds that this criterion will be met.

**2. Will not result in water pollution, erosion, or sedimentation to surface waters.**

Based on the plan submitted the Board finds that the issues of water pollution, erosion, or sedimentation to surface waters have been properly addressed. Based on this information the Board finds that this criterion will be met.

**3. Will adequately provide for disposal of all wastewater.**

No changes in the current subsurface waste have been proposed; therefore, the Board finds that this section is not applicable.

**4. Will not have an adverse impact on spawning grounds, fish, aquatic life, birds, or other wildlife habitat.**

The structure is located completely on land and will not have an impact on the spawning grounds, fish, aquatic life, birds, or other wildlife habitat. Based on this information the Board finds this criterion will be met.

**5. Will conserve shore cover and visual, as well as actual, points of access to inland waters.**

The Applicant is proposing to revegetate all disturbed areas. Based on this information above and in the record the Board finds that this criterion will be met.

**6. Will protect archaeological and historic resources as designated in the Town of Poland Comprehensive Plan**

The parcel and abutting parcels do not appear to be associated with any archaeological or historic resources as designated in the Comprehensive Plan. Therefore, the Board finds that this section is not applicable.

**7. Will avoid problems associated with floodplain development and use.**

The structure associated with this application has a finished floor level that is one foot above base flood elevation. Based on this information above and in the record the Board finds that this criterion will be met.

**504.3 Non-Conforming Structures**

**504.3. A. Expansions of Non-Conforming Structures**

The Applicant is not proposing an expansion of the existing structure inside the 100' setback; therefore, the Board finds that this section is not applicable.

**504.3. B. Relocation of Non-Conforming Structures**

The Applicant has proposed to remove the existing home and build on the existing foundation located there from a prior Board approval dated August 26, 2010; therefore, the Board finds that this section is not applicable.

**507.3.C. Reconstruction or Replacement of Non-Conforming Structures**

The Board must determine if the proposed structure meets the setbacks to the greatest practical extent. The Board considered the size of the lot, the slope of the land, the potential for soil erosion, the location of other similar structures on the adjacent property, the location of the existing rain gardens and underdrainage, the location of the existing septic system, and the type and amount of vegetation that may need to be removed if the structure would be relocated. The Applicant has proposed to remove the existing home and build a new home on the existing foundation located there from a prior Board approval dated August 26, 2010. The proposed new construction will reduce the existing impervious surfaces from 23.5% to 17.2%. Based on this information above and in the record the Board finds that this criterion will be met.

**504.3. D. Change of Use of a Nonconforming Structure**

This application is not for a change of use of the existing non-conforming structure; therefore, the Board finds that this section is not applicable.

**504.3. E. Planning Board Special Review for a Legal Non-Conforming Single-Family Dwelling Located in a Shoreland Zoning District**

Setback reductions were not applied for, and the new structure will be no closer to the resource than the existing structure was permitted to be. Based on this information the Board finds that this criterion will be met.

### **508.27 Shoreland Zoning Standards**

#### **508.27.B. Principal and Accessory Structures**

Chapter 5 §504.3 provides the performance standards for relocation and/or reconstruction of non-conforming structures. The Applicant has not proposed any new accessory structures; therefore, the Board finds that this section is not applicable.

#### **508.27.C. Multiple Principal Structures**

This application does not include multiple principal structures; therefore, the Board finds that this section is not applicable.

#### **508.27.D. Piers, Docks, Wharves, Bridges, and Other Structures and Uses**

This application does not include any piers, docks, wharves, bridges, or similar structures; therefore, the Board finds that this section is not applicable.

#### **508.27.E. Individual Private Campsites**

This application does not include any individual private campsites; therefore, the Board finds that this section is not applicable.

#### **508.27.F. Parking Areas**

There are no proposed parking areas with this application nor is the parcel located in the Resource Protection Shoreland Zoning District; therefore, the Board finds that this section is not applicable.

#### **508.27.G. Roads and Driveways**

There are no proposed driveway changes with this application nor is the parcel located in the Resource Protection Shoreland Zoning District; therefore, the Board finds that this section is not applicable.

#### **508.27.H. Storm Water Runoff**

The phosphorus calculation form submitted with the application shows the required 30 points. Based on this information and in the record the Board finds that this criterion will be met.

#### **508.27.I. Essential Services**

The Applicant is not proposing to install any new electrical poles, transmission lines, satellite dishes, generators, hydrants etc.; therefore, the Board finds that this section is not applicable.

#### **508.27.J. Mineral Exploration and Excavation Permits**

The application is not for mineral exploration or any other mining or gravel pit operations; therefore, the Board finds that this section is not applicable.

#### **508.27.K. Agriculture**

The Applicant is not proposing any livestock grazing areas, manure stockpiles, or any agriculture activities within the parcel; therefore, the Board finds that this section is not applicable.

#### **508.27.M. Clearing or Removal of Vegetation for Development Other Than Timber Harvesting or Individual Private Campsites**

Any proposed removal of vegetation will be permitted through the Code Enforcement Office and a replanting plan will be needed. Based on this information the Board finds that this criterion will be met.

### **Conclusion**

- The application checklist was approved as complete on December 13, 2022, at which time the Board voted to waive the requirement for a site walk and public hearing.
- The Applicant has provided the Board with a Deed (Book 9759, Page 321) showing reasonable right, title, or interest in the property.
- The Board has concluded that they have the jurisdiction to review the application under Chapter 5 §504.3 (Non-Conforming Structures).

Therefore, the Town of Poland Planning Board hereby approves (3-0) with the following conditions, the application for Christopher Gousse to remove and replace the existing home as described in the application dated November 22, 2022, the building plans revised November 15, 2022, the site plan dated October 7, 2022, and the above findings of facts.

### **Conditions of Approval**

- Soil Erosion Control and Stormwater Management Measures shall be in place prior to construction. The Code Enforcement Officer may require additional measures be taken.
- Soil disturbance during the period March 1st to May 1st is prohibited.
- Any disturbed soils shall be revegetated immediately upon completion of construction and any disturbed soils within 100-ft. of the high-water mark shall be revegetated per the approved plan.
- This approval will expire twelve (12) months from the date of 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.
- A certified person in erosion control practices by the Maine Department of Environmental Protection must be present at the site each day earthmoving activity occurs for a duration that is sufficient to ensure that proper erosion and sedimentation control practices are followed. This is required until erosion and sedimentation control measures have been installed, which will either stay in place permanently or stay in place until the area is sufficiently covered with vegetation necessary to prevent soil erosion.
- The Applicant has agreed to follow the recommendations by Androscoggin County Soil and Water Conservation District regarding pre and post storm water, erosion, and phosphorus issues within the parcel.
- Plan approval is also conditioned upon compliance by the Applicant with the Plans and specifications which have been received by the 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.
- 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.
- The new site plan must be recorded with the Androscoggin County Registry of Deeds within 90 days of approval.
- The setback and the height of the second floor deck must be verified in writing by a professional surveyor prior to framing the second floor.

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 13, 2022**  
**Poland Planning Board**

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George Greenwood, Chairperson

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James Porter, Vice -Chairperson

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Absent with Notice  
Cheryl Skilling, Secretary

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James Walker, Member

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Absent with Notice  
Jonathan Gilson, Member





## Planning Board Office

1231 Maine Street,  
Poland, Maine 04274-7328

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### **Findings of Fact & Conclusion of Law**

**Application Type:** Major Subdivision Amendment

**Owners Name:** Brian Corey Located at: 8 Tamerack Way

**Parcel ID:** 0013-0016-0003

**Zoning District:** Village-3 (V-3)

#### **MAJOR SUBDIVISION**

#### **608.1 PROCEDURE**

- A. **Submittal of Application** – The original subdivision plan (the plan) was approved and recorded in the Androscoggin County Registry of Deeds (ACRD) on February 17, 2012. Pursuant to Chapter 6 § 610.1.B of the Comprehensive Land Use Code (CLUC), minor modifications to approved subdivision plans only require final plan approval and given that this application is for a minor amendment to the boundary line of lot #3 and the detention pond exchanging 1,150 square feet the Planning Board (Board) finds that this section is not applicable.
- B. **Applicant Attendance for Presentation of Final Plan** – Stuart Davis of Davis Land Surveying LLC, (Agent for Owner) presented the Board with the proposed plan amendment. The amended plan was prepared by Stuart Davis a Professional Licensed Maine Surveyor license number (2208) from Davis Land Surveying LLC. Based on this information and in the record the Board finds that this criterion will be met.
- C. **Planning Board Responsibilities Upon Presentation of Final Plan** - The Board's Recording Secretary, Sarah Merrill, issued the Applicant a dated receipt when the Applicant paid for the application. Based on this information and in the record the Board finds that this criterion will be met.
- D. **Determination of Completeness of Final Plans** - The Board held a meeting on January 24, 2023, at which time the Board voted that the application was complete. Based on this information and in the record the Board finds that this criterion will be met.
- E. **Notification of Applicant** – On January 24, 2012, the Board voted that the application was complete and voted to not hold a public hearing. Based on this information and in the record the Board finds that this criterion will be met.
- F. **Public Hearing Requirements** - On January 24, 2023, the Board voted to not hold a public hearing. Based on this information and in the record the Board finds that this section is not applicable.

- G. **Required Approvals Prior to Submission of Final Plan Application** -The plan was previously approved and recorded in 2012, the plan was approved contingent on the Maine Department of Environmental Protection (MDEP) stormwater permit number (L-25514-NJ-A-N). By simply amending the boundary line of lot #3 and the detention pond, exchanging 1,150 square feet, this amendment should not affect the MDEP approval given. Based on this information and in the record the Board finds that this criterion will be met.
- H. **Requirements for Possible Historic Designations** - The plan was approved by the Board and recorded in February of 2012 at which time the Board found that there were no identified historic sites or unusual natural areas within the subdivision. Based on this information and in the record the Board finds that this criterion will be met.
- I. **Performance Guarantee Requirements** - The plan was approved and recorded in 2012, at which time the Board of Selectmen approved a conditional agreement with the Applicant pursuant to Chapter 6 §614.1.D. & 614.6. Subsequently, Patrick Clark from Stantec (Town's Third Party Engineer) in a letter dated February 5, 2016, has approved and confirmed that the infrastructure within the subdivision was constructed per the approved plan. Therefore, given that there is no additional infrastructure required with this application, the Board finds that the requirement for a performance guarantee is not applicable.
- J. **Finding of Facts and Conclusions** – The Board has made its written findings within 60 days of receiving the complete application. Based on this information and in the record the Board finds that this criterion will be met.

## **608.2 SUBMISSIONS**

The Board voted on January 24, 2023, that the application included all the mandatory submissions requirements for the amendment, and that all other mandatory submission requirements of section 608.2 of the Comprehensive Land Use Code are on file from the original approved subdivision at the Town Office. Based on this information and in the record the Board finds that this criterion will be met.

## **609 FINAL APPROVAL AND FILING**

- A. The Applicant is not in violation of the provisions of a previously approved Plan within the Municipality. Based on this information and in the record the Board finds that this criterion will be met.
- B. The Board has made its written findings within 60 days of receiving the complete application, and the Board Signed four (4) copies including one mylar of the amended plan on February 14, 2023. The Applicant has stated that he will record the amendment within ninety (90) days of the date upon which the amendment was approved and signed by the Board. Based on this information and in the record the Planning Board finds that this criterion will be met.
- C. The subdivision was approved by the Board in 2012 at which time a phasing of the subdivision was not required, therefore the Board finds that phasing is not applicable.

- D. The Board has made written findings that the revised Plan meets the criteria of Title 30-A, M.R.S.A. Section 4404, and the standards of the CLUC. Based on this information and in the record the Planning Board finds that this criterion will be met.
- E. There are no streets, easements, parks, playgrounds, or other recreation areas/open spaces shown on the amended plan to be dedicated to the Municipality additionally even though the plan depicts Jessica Way as a proposed Public way, Jessica Way cannot be accepted nor maintained by the Town given that it was not constructed in accordance with Chapter 8 of the CLUC "Street Construction standards" for a Minor or Collector Public way; therefore the Board finds that this section is not applicable.
- F. Patrick Clark's letter dated February 5, 2016, affirms that the subdivision has been constructed in accordance with the plan. Based on this information and in the record the Planning Board finds that this criterion will be met.

## **CONCLUSION**

- The Applicant has provided the Board with a Deed (Book 9155, Page 77), therefore the Applicant has shown reasonable right, title, or interest in the property for a minor amendment to the boundary line of lot #3 and the detention pond exchanging 1,150 square feet.
- The Board has concluded that they have the jurisdiction to review the application pursuant to Ch. 6 §603.A of the CLUC.
- MDEP stormwater permit number (L-25514-NJ-A-N) approved by MDEP on January 10, 2012.
- The original Wildwood subdivision approved by the Town on February 14, 2012; the plan was recorded in the ACRD on February 17, 2012, as Plan Book 49, Page 67-68.
- This application is for a minor amendment to the boundary line of lot #3 and the detention pond exchanging 1,150 square feet. Based on this information and in the record the Planning Board finds that the criteria of these sections will be met.
- On January 24, 2023, the agent for the owner Stuart Davis presented the Board with letters of approval from more than seventy five percent of the Wildwood Homeowners Association and a copy of the association bylaws dated July 18, 2012

On January 24, 2023, the Board determined that the application was complete, and the Board decided to not hold a public hearing or site walk. Therefore, the Board hereby approves the minor amendment to the boundary line of lot #3 and the detention pond exchanging 1,150 square feet, with the following conditions and as described in the application dated January 12, 2023, and the above findings of facts.

## **CONDITIONS OF APPROVAL**

- All conditions of approval from the original subdivision approval are relevant and shall remain.
- 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.
- The subdivision amendment shall be recorded at the Androscoggin County Registry of Deeds within ninety (90) days of the date upon which the amendment was approved and signed by the Board. If the Applicant fails to record the plan within ninety (90) days, it shall be considered null and void.

- Any further dividing or subdividing of the lots or property currently owned by the Applicant shown on this subdivision plan, will require a future amendment to this recorded plan, and will require Board approval.
- Pursuant to Ch. 6 § 610 and Note eleven (11) on sheet one (1) of the plan (Book 49, Page 67) any revision to the plan including future development will require Board approval.

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:** February 14, 2023

**Poland Planning Board**

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George Greenwood, Chairman

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James Porter, Vice Chair

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Cheryl Skilling, Secretary

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James Walker, Member

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Absent with Notice  
Jonathan Gilson