## Planning Board Meeting March 26, 2024 – 7:00 PM Town Office Conference Room



**Meeting Materials** 

#### Planning Board Tuesday, March 26, 2024 7:00 PM – Town Office Conference Room

#### CALL TO ORDER

#### **MINUTES**

March 12, 2024

#### **COMMUNICATIONS**

OLD BUSINESS Formal Site Plan Application – Matt New – Maine Street – Map 15 Lot 5C

#### **NEW BUSINESS**

Findings of Fact and Conclusions of Law for:

Formal Shoreland Zoning application – Pamela Booth – 26 Cliff Lane – Map: 20 Lot: 20

#### **ANY OTHER BUSINESS**

#### **ADJOURNMENT**

#### POLAND PLANNING BOARD MINUTES OF MEETING March 12, 2024

#### Approved on \_\_\_\_\_, 2024

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

**<u>MINUTES</u>** – <u>February 27, 2024</u> – Member Gilson moved to approve the minutes. Member Skilling seconded the motion. Discussion: None Vote: 4-yes 0-no

#### **COMMUNICATIONS** – None

#### <u>OLD BUSINESS</u> – Formal Site Plan – Jonathan MacLean, JEM Property Management, LLC – 1505 Maine Street – Map 15 Lot 7

Stuart Davis of Davis Land Surveying and Jon MacLean presented the project to the Board. This application came before the Board on October 10, 2023, was tabled, and has come back tonight with the requested additional information.

Mr. MacLean would like to open a dock manufacturing and sales business. There will be three buildings – the first to be built is the fabrication/manufacturing/storage building, second is a garage, and third the retail sales building. Until the sales building is built there will be a small office area in the first building. Mr. MacLean stated that he will be using new aluminum to make the docks which won't require the use of chemicals in the fabrication/manufacturing process.

The MEDOT has given a permit to move the driveway on Route26/ Maine Street down 75'. This entrance will only be for customers and the entrance on Route11/Bakerstown Road will only be for deliveries. Signage will be placed at both entrances stating customer or delivery entrance. The MEDOT has approved widening the driveway on Route 11/Bakerstown Road.

The dumpster pad and snow storage are shown on the plan. Also, the handicapped area will be paved, and the rest of the driveway will be gravel. The Board is not requiring that the handicapped parking area be paved, but with Mr. MacLean doing this. There will be curb stops at all parking spaces.

The lot has been cleared and there are minimal trees left on the site. Mr. Davis went over the landscape plan which will be shown on the plan. There will be a tree and some shrubs

#### POLAND PLANNING BOARD MINUTES OF MEETING March 12, 2024 Approved on \_\_\_\_\_, 2024

on the parking island/peninsula. Also, note 10 has been added to the plan as per the third party reviewer's suggestion.

The consensus of the Board is that the sitework must be done first so if the other buildings don't happen then the sitework is done.

Mr. MacLean is proposing that the buildings be black and gray or beige and green. He is still working with Morton buildings on this. The Board would like to see canopies over the main door and those visible towards the street. If there is a lag time of 6 months or more after the second building is built, then Mr. MacLean will have to come back to the planning board for a review of the third building.

Mr. MacLean will need to work with the Code Office on the amount of escrow required.

Site work is planned for spring/summer and then the fabrication/manufacturing/storage building (first building). Then the second building in fall/winter or early in 2025.

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

Member Gilson moved to approve the Formal Site Plan Application with the following conditions: no public hearing, no site walk, if there is a lag time of 6 months or more after the second building is built then Mr. MacLean will have to come back to the planning board for a review of the third building, and escrow must be replenished.

## **NEW BUSINESS** – Formal Site Plan Review – Town of Poland – 1211 Maine Street – Map: 40 Lots: 2 and 3

Bill Peterlein of Summit Geoengineering Services, Matt Garside, Town Manager of Poland, and Scott Segal, Poland Recreation Director, presented the project to the Board. This is for the expansion of the A.B. Ricker Memorial Library, the addition of a Municipal Park, and the stormwater and parking for both projects because of their location to each other. Mr. Peterlein focused on the engineering of the project.

There will be 53 parking spaces, which is significantly more than the 22 spaces currently available. There will be two way traffic. The Board had concerns about the entrance/exit near the Androscoggin Sheriff's Office/Poland Recreation Department building and the consensus of the Board is that this should be made an exit only driveway. The Town Officials agreed and signage will be placed once the sitework is done.

#### POLAND PLANNING BOARD MINUTES OF MEETING March 12, 2024 pproved on 2024

### Approved on \_\_\_\_\_, 2024

There is also potential for the curbing at the library entrance to be rounded for an easier entrance and for the pavement area to be widened. The Board agreed these would be good changes to make.

There were questions about lighting in the parking area. Mr. Segal had a lighting specialist design a plan and handed it out at the meeting. Around the parking lot there will be boulders on the park side and bump stops on the library side.

There were questions regarding the need for a dumpster and how large events will be handled. As of now there is no need for a dumpster, but if that changes then the topic will be revisited. If any large events are planned, then outreach with the neighbors will be done to allay any concerns and to make sure they are aware of the event.

Mr. Peterlein went over the process where water will drain to the dry pond/detention basin and slowly be released into the sewer line in Route 26/ Maine Street.

The required permits have been submitted to MEDOT. Also, a draft agreement will be drawn up, signed by the Town Officials, and sent to MEDOT for final approval.

The Municipal Park will come before the planning board under a separate application.

The current plan is for sitework for the stormwater and parking to be done by Public Works this summer with a goal of having the entire project done by 2026.

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

Member Gilson moved to approve the Formal Site Plan Application with the following conditions: no site walk, no public hearing, make the middle driveway an exit only with appropriate signage, and it is conditioned upon final MEDOT approval. Member Skilling seconded the motion. Discussion: None Vote: 5-yes 0-no

<u>Formal Shoreland Zoning application – Pamela Booth – 26 Cliff Lane – Map: 20 Lot: 20</u> Stuart Davis of Davis Land Surveying presented the project to the Board. This is the third time the Applicant has come before the Board, and she would now like to put a full foundation under the camp. The house will be outside the 100' mark. The house will be 10' higher than it currently is with the new foundation but will remain under the maximum height requirement.

#### POLAND PLANNING BOARD MINUTES OF MEETING March 12, 2024

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In the proposed plan the new stairs from the deck are closer to the resource than they can be. These will need to be moved off to the side or changed in some way so as to stay behind the 85' 7" mark.

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

Member Gilson moved to approve the Formal Shoreland Zoning Application with the following conditions: no public hearing, no site walk, and the stairs need to be moved behind the 85' 7" mark. Member Walker seconded the motion. Discussion: None Vote: 5-yes 0-no.

<u>Road Name Application – Timothy and Amanda McAlister – Off Kinney Woods Lane</u> – <u>Map: 10 Lot: 82 Sublot: 5E</u>

Member Gilson moved to approve the Applicant's first choice of McAlister Lane as the road name. Member Skilling seconded the motion. Discussion: None Vote: 5-yes 0-no

#### ANY OTHER BUSINESS - None

<u>ADJOURN</u> – Member Gilson moved to adjourn the meeting at 8:58 p.m. Alternate Member Ryan seconded the motion. Discussion: None Vote: 5-yes 0-no

Recorded by: Sarah Merrill

Planning Board

James Porter, Chairperson

Absent with Notice George Greenwood, Vice Chairperson

Jonahan Gilson, Secretary

James Wlaker, Jr., Member

Cheryl Skilling, Member

Heather Ryan, Alternate Member

## MAIN-LAND



Development Consultants, Inc. ENGINEERS, SURVEYORS, SCIENTISTS

P.O. BOX Q LIVERMORE FALLS, ME 04254 Tel: (207) 897-6752/FAX: (207) 897-5404 WWW.MAIN-LANDDCI.COM

March 14, 2024

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

Subject: Application For Site Plan Review Poland Auto Spa

Members Of The Board,

Main-Land Development Consultants, Inc is representing Matt New (Applicant) in his Application for Formal Site Plan Review in the Town of Poland.

This project wet before the Planning Board on the January 9<sup>th</sup>, 2024 meeting. During that meeting, the board recommended changes to the design and requested additional information. The comments included,

- Adjust the site layout to encourage one-way vehicle circulation
- Provide a sketch which shows the turning path of emergency vehicles
- Provide architectural plans
- Provide at least one parking space on site for maintenance personnel and a note stating the availability of additional employee parking on the abutting lot

The plan set has been adjusted to reflect those items. The revised civil plan set, and architectural plans are included as part of this submittal.

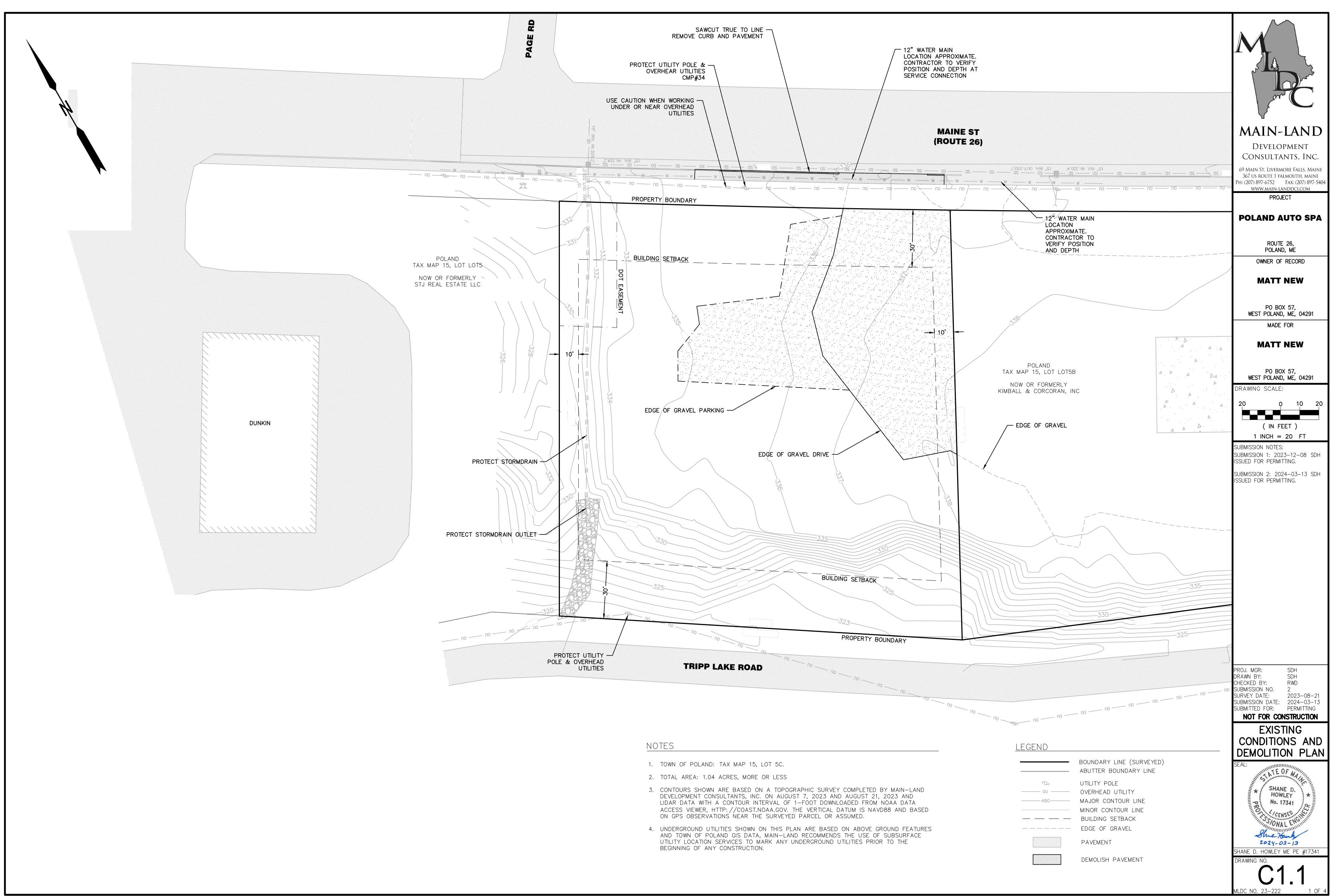
Main-Land looks forward to presenting these changes to the Planning Board during the March 26<sup>th</sup> meeting, or the next available.

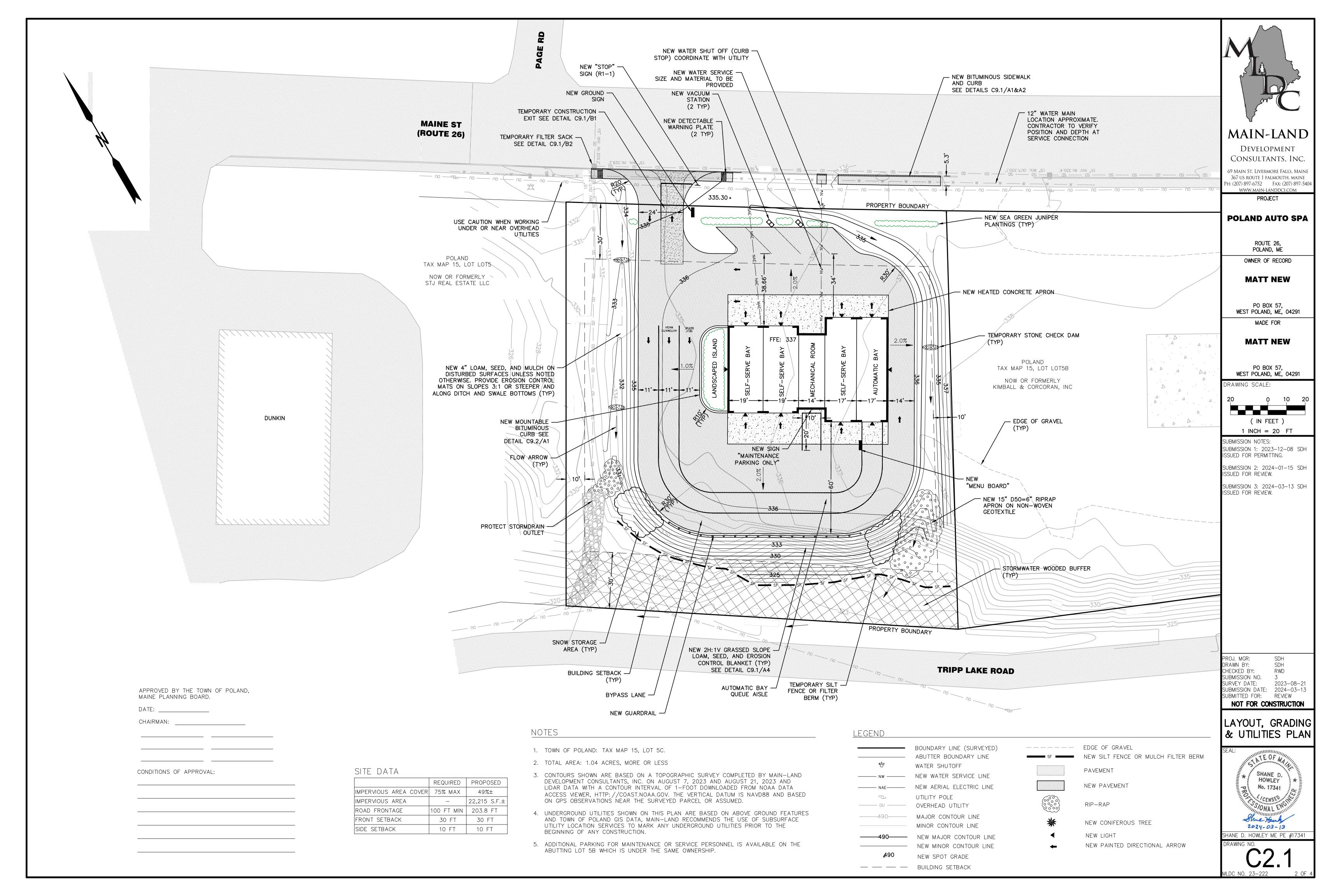
Please contact Main-Land if you have any questions or requests for further information.

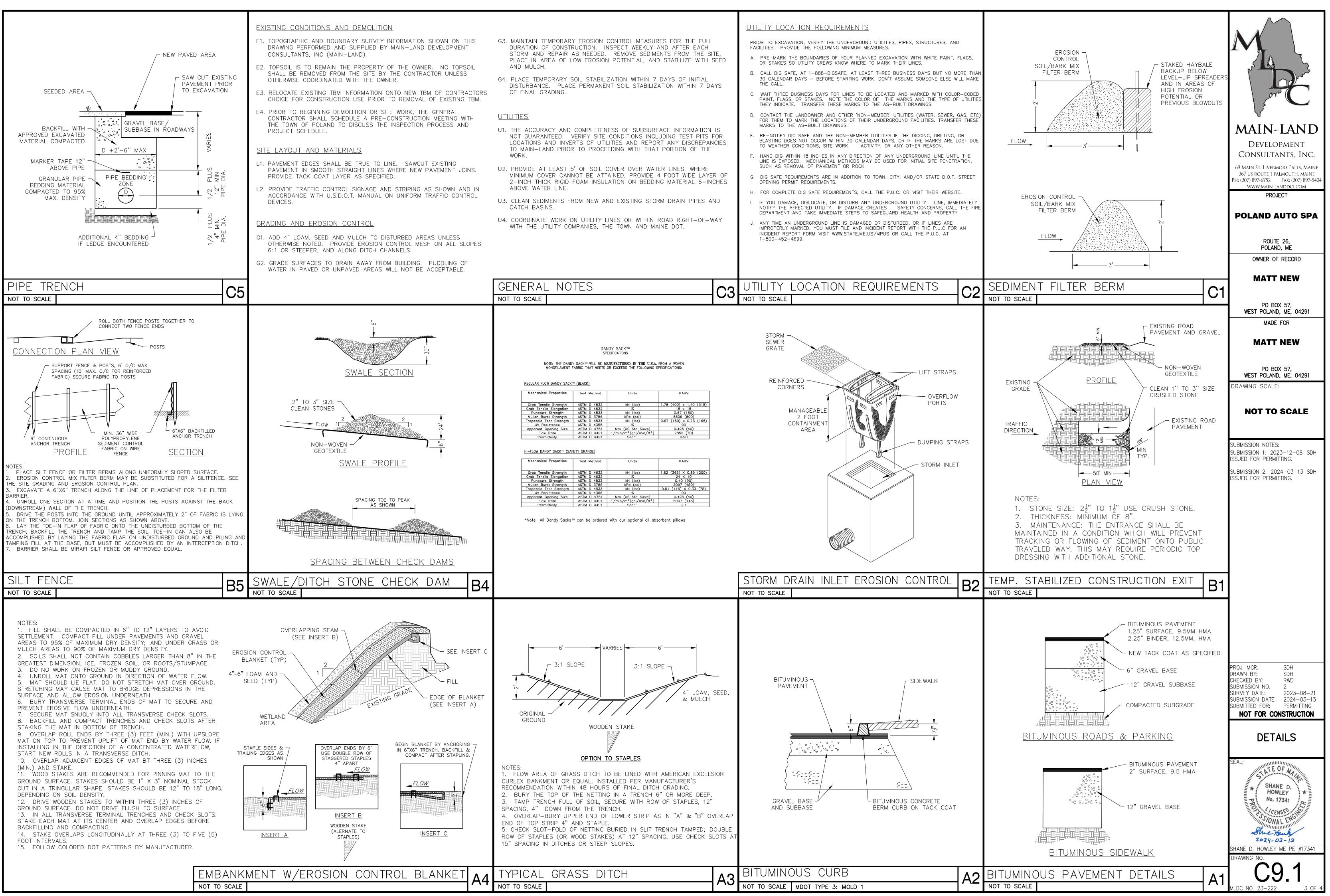
Sincerely, Main-Land Development Consultants, Inc.

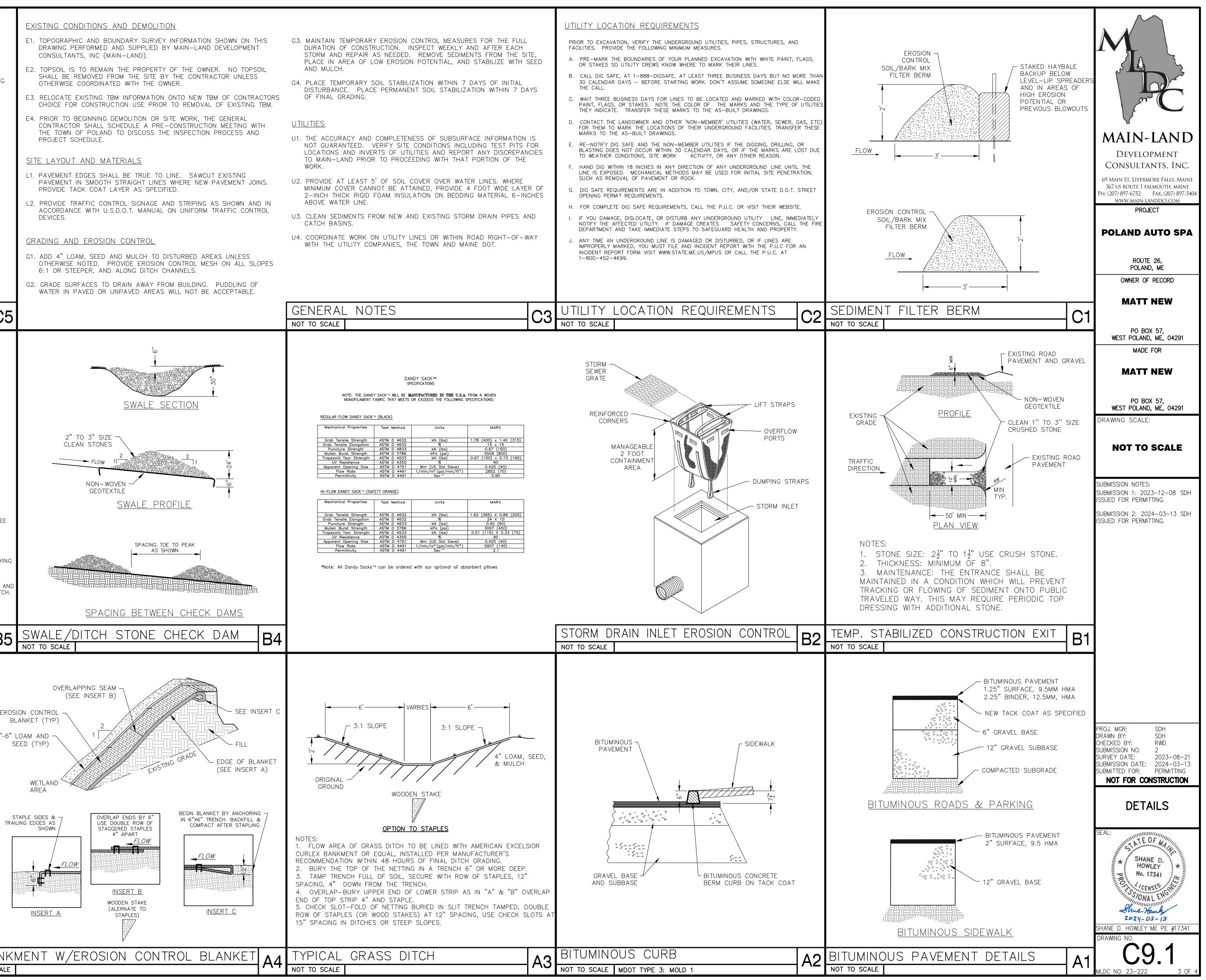
Share D. Howley

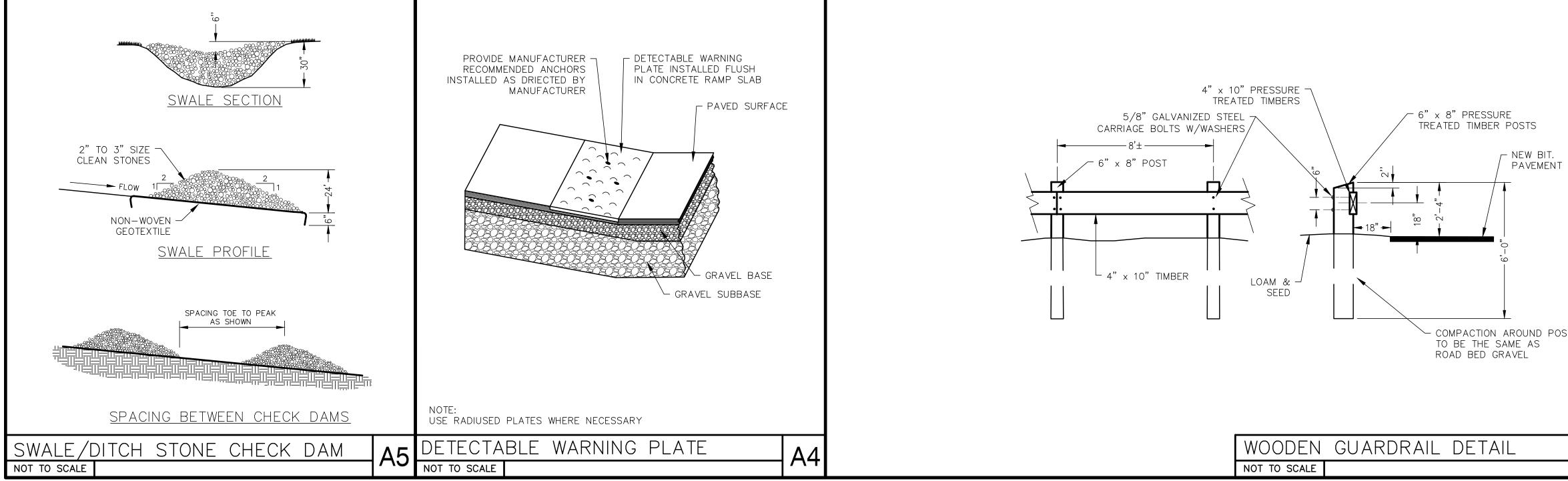
Shane D. Howley, P.E. Project Engineer, 207-500-8144



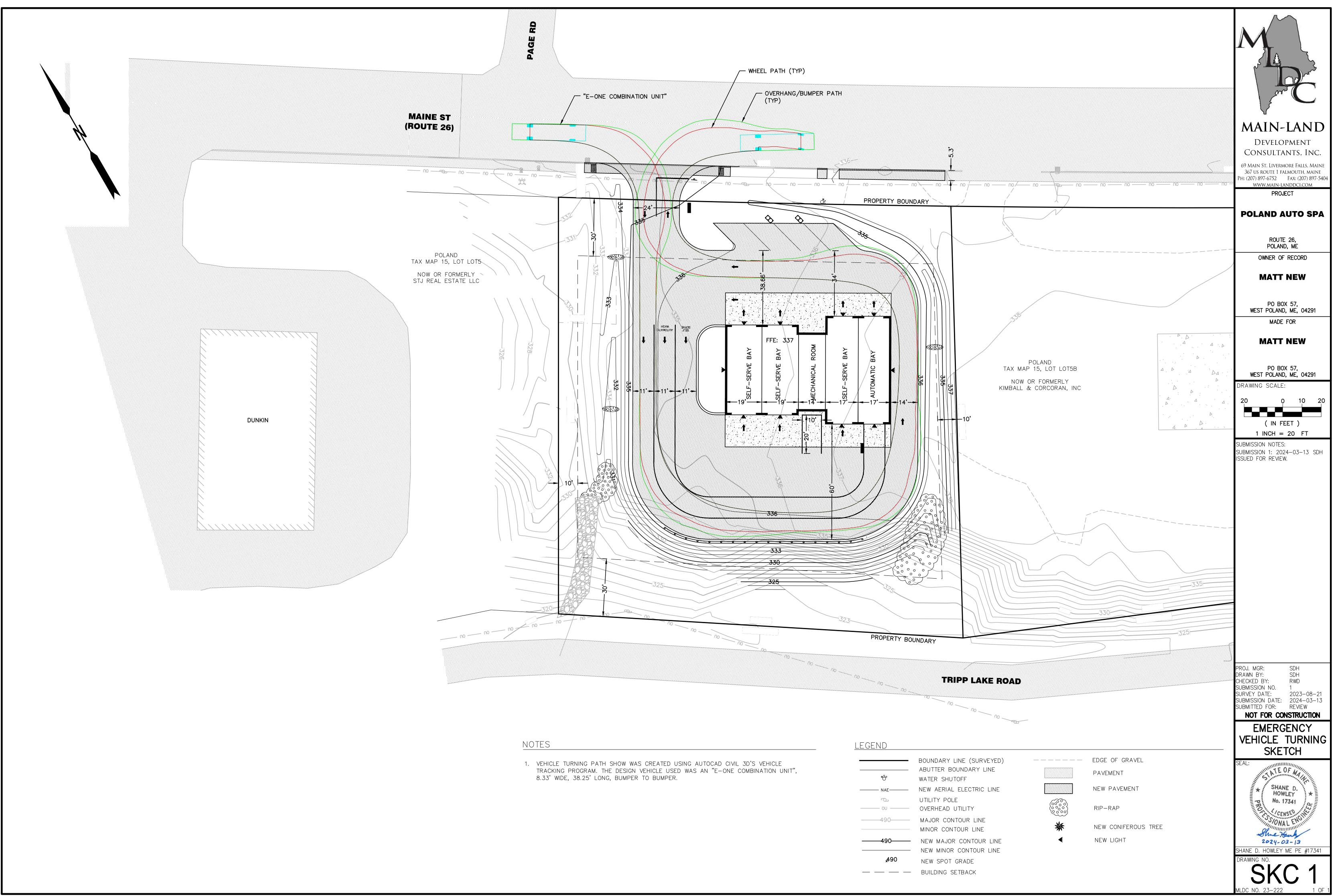






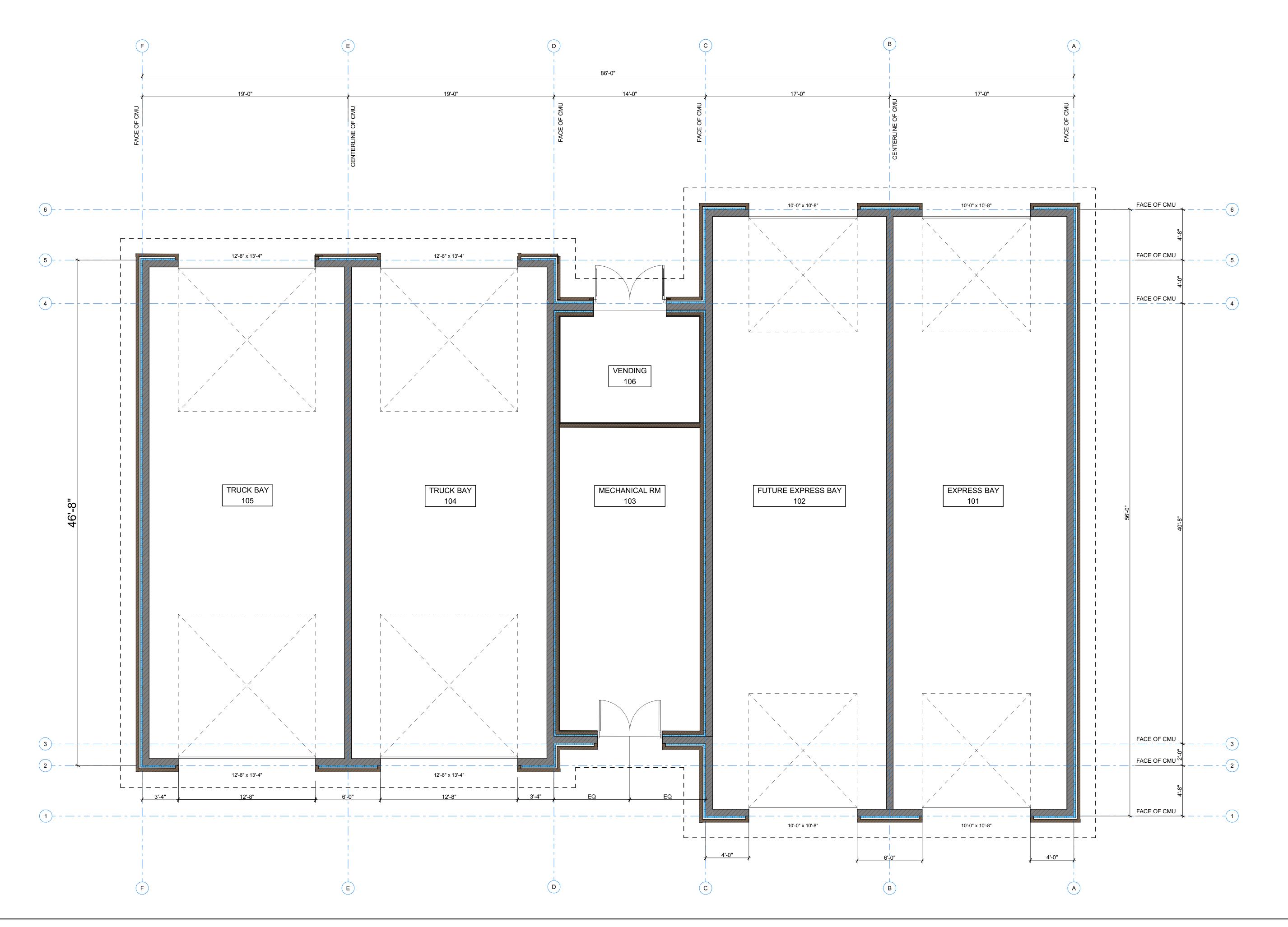


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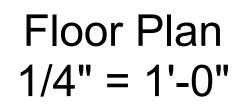
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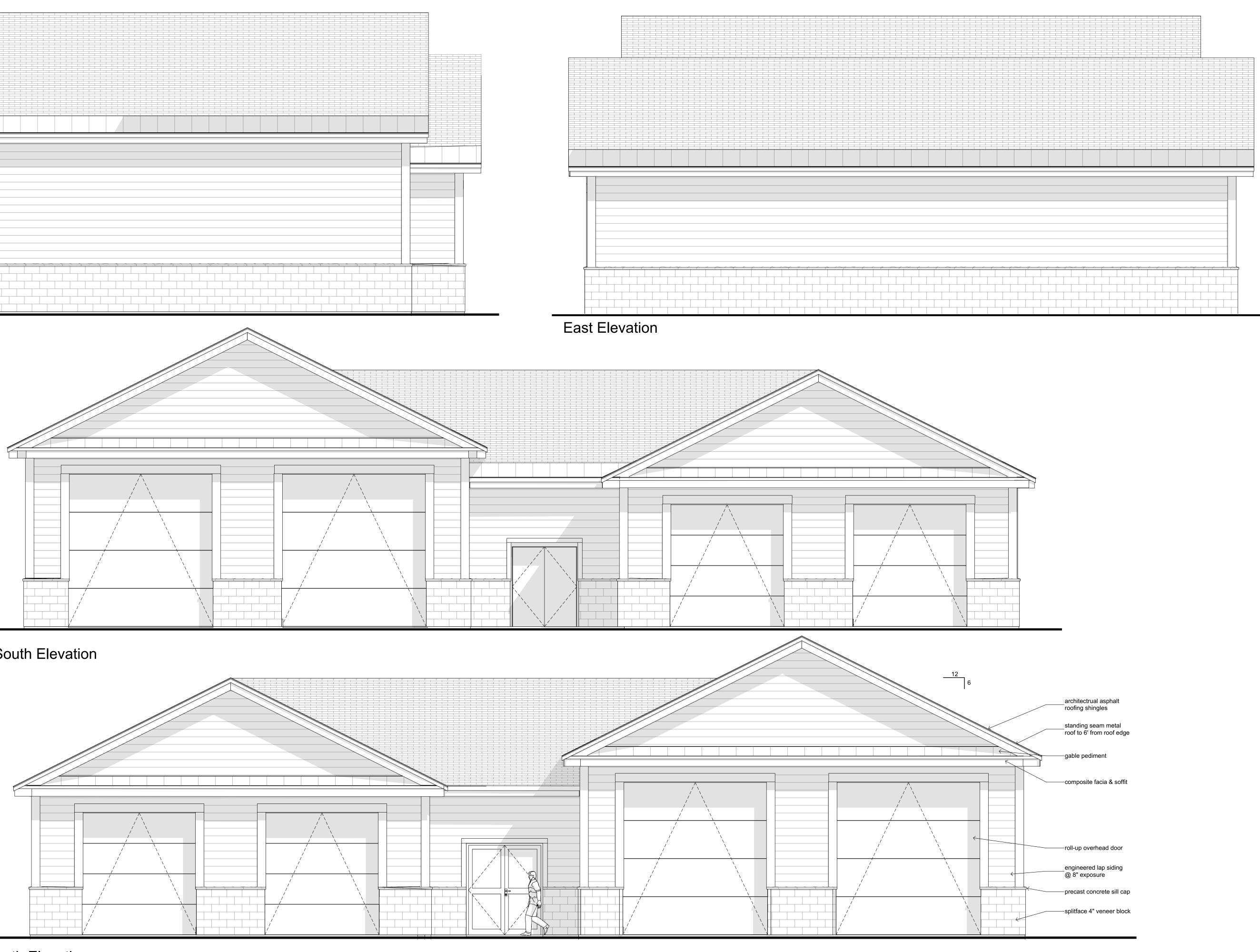
# Planning Board Submission March 14,2024

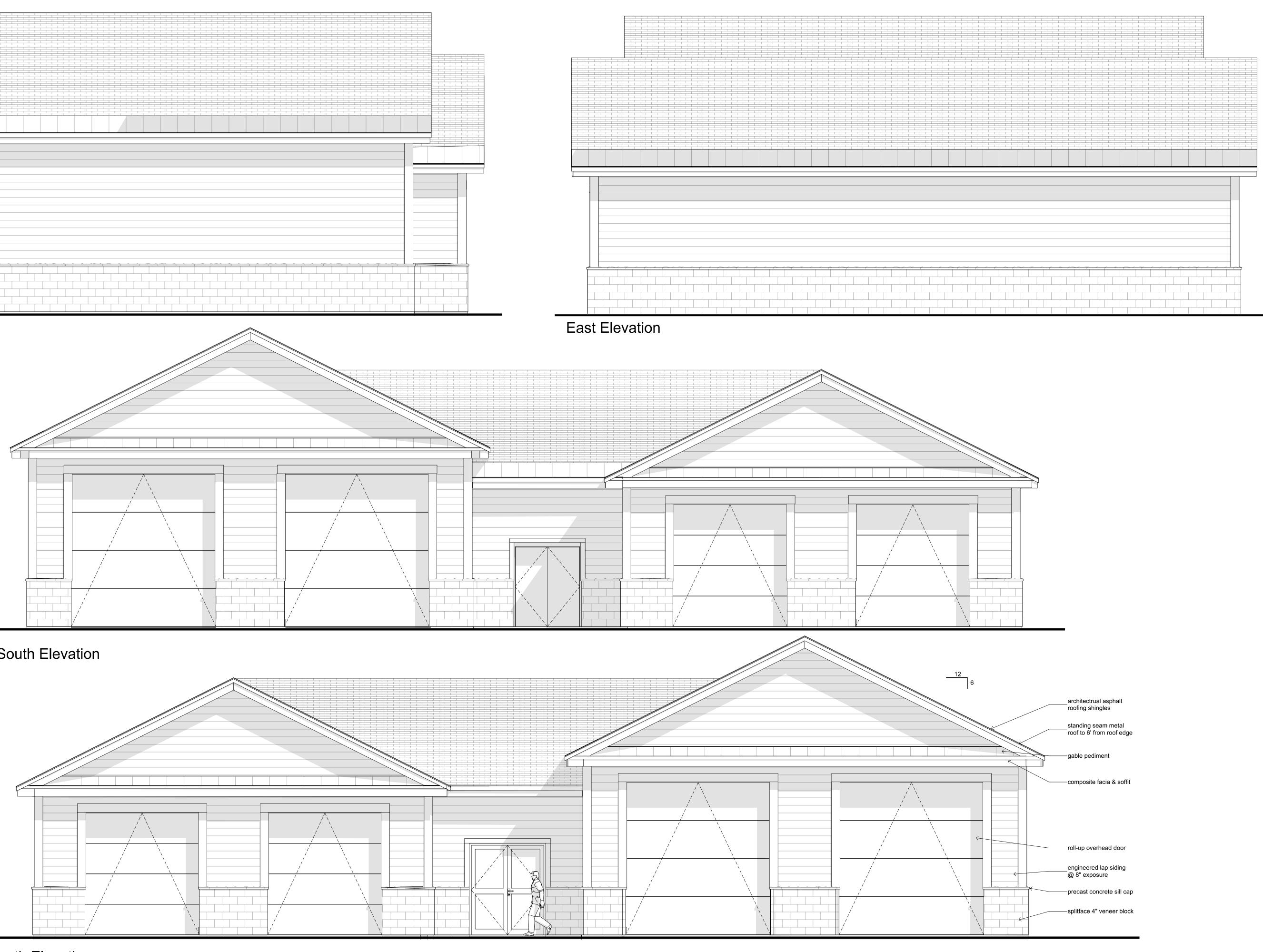
Portland Auto Spa Route 26 Poland, Maine



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## North Elevation

# Planning Board Submission March 14,2024

Portland Auto Spa Route 26 Poland, Maine

## Elevations 1/4" = 1'-0"





Planning Board Submission March 14,2024 Southeast View

Northwest View

Portland Auto Spa Route 26 Poland, Maine

# 3D Views Not to Scale



Driftwood

Roofing:Certainteed LandmarkArchitectural Roofing Shingles Color: Driftwood

Planning Board Submission March 14,2024





Siding: LP 'Smartside' Color: Tundra Gray

> Portland Auto Spa Route 26 Poland, Maine

Splitface Masonry: Gagne 'Granite Blend'

**Exterior Finish Materials** 



## **Planning Board Office**

1231 Maine Street, Poland, Maine 04274

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

Date: March 12, 2024

Application Type: Formal Shoreland Zoning Application Owners Name: Pamela Booth (9377 SW 56<sup>th</sup> Loop Ocala, FL 34481) Located at: 26 Cliff Lane Parcel ID: 0020-0020 Zoning Districts: Rural Residential 1 and Limited Residential

#### **Project Description:**

On January 11, 2022, Ms. Booth submitted a Formal Shoreland Zoning Application to remove a portion of the main deck and a covered shed to construct an enclosed 10' x 15' enclosed addition to the existing house totaling 146.8 square feet including the eaves. A small portion of the new addition (3.3 square feet) will be located within 75' to 100' from the shoreline. The existing and proposed impervious coverage will remain at 13.1%. On July 12, 2022, Ms. Booth submitted a Formal Shoreland Zoning application proposing to extend the previously approved addition 8' towards the water. A portion of the proposed addition (99.8 square feet) will be located within 75' to 100' from the shoreline. The remaining portion (38.5 square feet) will be located beyond 100'. The proposed addition will bring the impervious lot coverage to 13.5%. On February 12, 2024, Ms. Booth submitted a Formal Shoreland Zoning and replace it with a new camp using the approved footprint from the July 12, 2022, approval. The new camp will be set back from the lake an additional 5 feet from the lake with 402.85 square feet of the approved impervious surface inside the 100' setback from the lake and 3,645.32 square feet outside the 100' setback. The approved lot coverage will go up to 13.7 % from the previously approved 13.5 %.

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

- 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 Planning Board (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

There is an existing subsurface waste system and there are no new bedrooms proposed. Based on this information the Board finds that this criterion will be met.

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 Nonconforming Structures

#### 504.3. A. Expansions of Nonconforming Structures

The Applicant had previously proposed a 99.8 square foot expansion between the 75' and 100' shoreland setback for a total of 467.32 square feet. The new approved part of the structure between the 75' and 100' shoreland setback has been reduced to 402.85 square feet. The new impervious lot coverage will be 13.7 percent. Based on this information the Board finds that this criterion will be met.

#### 504.3. B. Relocation of Nonconforming Structures

The Applicant has proposed to relocate the new home 5 feet back from the existing structure. Based on this information the Board finds that this criterion will be met.

#### 507.3.C. Reconstruction or Replacement of Nonconforming 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 relocate the new home 5 feet back from the existing. Based on this information 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 nonconforming structure; therefore, the Board finds that this section is not applicable.

## 504.3. E. Planning Board Special Review for a Legal Nonconforming Single-Family Dwelling Located in a Shoreland Zoning District

Setback reductions were not applied for, and the new camp will be no closer to the resource than the existing structure; 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 nonconforming structures. The Applicant has not proposed any 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. Structures and Uses Extending Over or Below the Normal High Water Line of a Water Body or within a Wetland

This application does not include any permanent structures projecting into or over waterbodies 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 by 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 March 12, 2024, 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 10789, Page 232) showing reasonable right, title, or interest in the property.
- The Board has concluded that they have the jurisdiction to review the application under section Chapter 5 §504.3 (Non-Conforming Structures).

Therefore, the Town of Poland Planning Board hereby approves (5-0) with the following conditions, the application for Pamela Booth to Remove and replace the existing camp as described in the application dated March 12, 2024, and the approved site plan dated March 12, 2024, 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 to be taken.
- Soil disturbance during the period March 1st to May 1st is prohibited.
- Any disturbed soil shall be revegetated immediately upon completion of construction and any disturbed soil 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 Planning Board approval if the project or the use has not been started within this allotted time.
- Building/use permits shall be obtained prior to the start of construction/use.
- 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 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 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 proposed stairs must be relocated outside the setback of the original camp per the revised site plan dated March 14, 2024.

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: March 12, 2024 Poland Planning Board

James Porter,	Chairpersor	ſ
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Absent with Notice George Greenwood, Vice -Chairperson

Jonathan Gilson, Secretary

Cheryl Skilling, Member

James Walker, Member

Heather Ryan, Membe