

**Public Hearing and  
Planning Board Meeting  
March 28, 2023 – 6:30 PM  
Town Office Conference Room**



**Meeting Materials**

**Planning Board  
Tuesday, March 28, 2023  
6:30 PM – Town Office Conference Room**

**CALL TO ORDER**

**PUBLIC HEARING**

CLUC Amendments 2023

**MINUTES**

February 14, 2023

**COMMUNICATIONS**

**OLD BUSINESS**

**NEW BUSINESS**

Formal Site Plan Review – Tom and Corrie Learned – White Oak Hill – Map 10 Lot 55

Sketch Plan Review – Hawkeye Holdings, LLC – 1372 Maine Street – Map 15 Lot 24

Findings of Fact and Conclusions of Law for:

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

**ANY OTHER BUSINESS**

**ADJOURNMENT**

**POLAND PLANNING BOARD**  
**MINUTES OF MEETING**  
**February 14, 2023**  
**Approved on \_\_\_\_\_, 2023**

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

**MINUTES** – January 24, 2023 – Member Porter moved to approve the minutes. Member Walker seconded the motion. Discussion: None    Vote: 4-yes 0-no 1-abstained (Member Gilson abstained from voting as he was not present at the 1.24.23 meeting).

**COMMUNICATIONS** – None

**OLD BUSINESS** – CEDC to discuss Downtown Design Standards  
Stacy Bsullak represented CEDC to discuss the suggested point system for the downtown design standards. CEDC thinks that the point system will be helpful, and it should be implemented.

The Board and Jim Seymour, from Sebago Technics, went through and made some changes and suggestions. Mr. Seymour will make the changes.

**Proposed CLUC Changes**

The Board, Jim Seymour, and CEO Neal went through the proposed CLUC changes for 2023.

The public hearing will be on March 14, 2023, at 6:30 p.m.

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

Tim McAlister presented the project to the Board. Mr. McAlister would like to create a backlot driveway twelve ft. wide with two ft. shoulders.

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

Member Porter moved to approve the Formal Site Plan with the following conditions: no public hearing, no site walk, the stormwater requirement is waived due to the size of the lot and the stormwater drains onto the property, and an updated plan is needed.

Member Gilson seconded the motion. Discussion: None    Vote: 5-yes 0-no

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

Tim Cote presented the project to the Board. Mr. Cote and his wife Nicole now own the gravel pit. They will not be changing anything about the way it is run.

**POLAND PLANNING BOARD**  
**MINUTES OF MEETING**  
**February 14, 2023**  
**Approved on \_\_\_\_\_, 2023**

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

Member Porter moved to approve the Gravel Pit 5 Year Renewal with the following conditions: no public hearing and no site walk. Member Skilling seconded the motion. Discussion: None    Vote: 5-yes 0-no

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 approve the Finding of Fact. Member Walker seconded the motion. Discussion: None    Vote: 3-yes 0-no 2-abstained (Members Skilling and Gilson abstained from voting as they were not present at the 12.13.22 meeting).

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

Member Porter moved to approve the Finding of Fact. Member Skilling seconded the motion. Discussion: None    Vote: 4-yes 0-no 1-abstained (Member Gilson abstained from voting as he was not present at the 2.14.23 meeting).

**ANY OTHER BUSINESS** – None

**ADJOURN** – Member Gilson moved to adjourn the meeting at 8:46 p.m. Member Porter seconded the motion. Discussion: None    Vote: 5-yes 0-no

Recorded by: Sarah Merrill

Planning Board

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

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

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

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

\_\_\_\_\_  
Jonathan Gilson, Member





# Proposed 2023 CLUC Amendments

**Article ?.** Shall the ordinance entitled **Poland Comprehensive Land Use Code** Sections 509.3.C. – “Administration”, 509.4.D.1. – “Submissions”, 509.8.A.1. – “Submission Requirements”, 604.B. – “Administrative Procedures”, Section 606.2.A – “Procedure”, 607.1.A. – “Procedure”, 608.1.A. – “Procedure”, and 610.1. – “Procedure” be amended? (A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s website at [polandtownoffice.org](http://polandtownoffice.org).)

## **509.3 Administration**

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

Submission dates for backlot driveways and or amended site plans, or subdivision plans applications, shall be determined by the Code Enforcement Officer.

Upon receipt of an application the Code Enforcement Officer shall determine if the proposed backlot driveway design or amended site or subdivision plan requires third-party engineering review for the proposed improvements. Such third-party review may include but is not limited to stormwater review, soil grading in sensitive areas or steep slopes, or where public health and safety may be of concern. When a third-party request has been deemed necessary, the Applicant's request to the Planning Board shall be no less than twenty eight (28) days prior to a scheduled a meeting with the Board, to be placed on the Board's next available agenda.

If by the Code Enforcement Officers determination, the application has provided clear plans indicating no measurable impacts to the environment, and does not create a public safety or health concern, or is not a threat due to the proximity of a regulated waterbody or wetland, then the Code Enforcement Officer may elect to accept the application within twelve (12) days of the Planning Board's next available meeting date.

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

### **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 preapplication plans and or materials to be reviewed by the Planning Board shall be submitted no less than twelve (12) days prior to the meeting.

# Proposed 2023 CLUC Amendments

## 509.8 Formal Site Plan Review Application Requirements

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 twenty eight (28) days prior to the meeting. Previously tabled, returning, or amended site plans and application materials shall be submitted no less than twelve (12) days.

## 604 ADMINISTRATIVE PROCEDURES

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

Submission dates for backlot driveways and or amended site plans, or subdivision plans applications, shall be determined by the Code Enforcement Officer.

Upon receipt of an application the Code Enforcement Officer shall determine if the proposed backlot driveway design or amended site or subdivision plan requires third-party engineering review for the proposed improvements. Such third-party review may include but is not limited to stormwater review, soil grading in sensitive areas or steep slopes, or where public health and safety may be of concern. When a third-party request has been deemed necessary, the Applicant's request to the Planning Board shall be no less than twenty eight (28) days prior to a scheduled a meeting with the Board, to be placed on the Board's next available agenda.

If by the Code Enforcement Officers determination, the application has provided clear plans indicating no measurable impacts to the environment, and does not create a public safety or health concern, or is not a threat due to the proximity of a regulated waterbody or wetland, then the Code Enforcement Officer may elect to accept the application within twelve (12) days of the Planning Board's next available meeting date.

# Proposed 2023 CLUC Amendments

## 606.2 Procedure

- A. Submittal of Application - Within six (6) months after the Pre-application Sketch Plan or on-site Inspection by the Board, the applicant shall submit an application for approval of a Final Plan for a Minor Subdivision no less than twenty eight (28) days ~~at least ten (10) days~~ prior to a scheduled meeting of the Board. Applications shall be submitted by mail to the Board in care of the Code Enforcement Officer or delivered by hand to the Code Enforcement Officer. Failure to submit the application within six (6) months shall require resubmission of the Pre-application Sketch Plan to the Board. This period may be extended for an additional thirty (30) day by mutual agreement of the Planning Board and applicant.

The Final Plan for a Minor Subdivision shall approximate the layout shown on the Pre-application Sketch Plan, and any recommendations made by the Board.

## 607.1 Procedure

- A. Submittal of Application - Within six (6) months after the Pre-application Sketch Plan or on-site Inspection by the Board, the applicant shall submit an application for approval of a Preliminary Plan for a Major Subdivision no less than twenty eight (28) days ~~at least ten (10) days~~ prior to a scheduled meeting of the Board. Applications shall be submitted by mail to the Board in care of the Code Enforcement Officer or delivered by hand to the Code Enforcement Officer. Failure to submit the application within six (6) months shall require resubmission of the Sketch Plan to the Board. The Preliminary Plan shall approximate the layout shown on the Pre-application Sketch Plan, and any recommendations made by the Board.

## 608.1 Procedure

- A. Submittal of Application - Within six (6) months after the approval of the Preliminary Plan, the applicant shall submit an application for approval of the Final Plan no less than twelve (12) days ~~at least ten (10) days~~ prior to a scheduled meeting of the Board. Applications shall be submitted by mail to the Board in care of the Code Enforcement Officer or delivered by hand to the Code Enforcement Officer. Failure to submit the application for the Final Plan within six (6) months after Preliminary Plan approval shall require resubmission of the Preliminary Plan, except as stipulated below. The Final Plan shall approximate the layout shown on the Preliminary Plan, and any changes required by the Board. If an applicant cannot submit the Final Plan within six (6) months, due to delays caused by other regulatory bodies, or other reasons, the applicant may request an extension. Such a request for an extension to the filing deadline shall be filed, in writing, with the Board prior to the expiration of the filing period. In considering the request for an extension the Board shall make findings that the applicant has made due progress in preparation of the Final Plan and in pursuing approval of the Plans before other agencies, and that this Code, Municipal standards, ordinances or regulations which may impact on the proposed development have not been amended.

- 610.1 Procedure** - An applicant for a revision to a previously approved Plan shall no less than twelve (12) days ~~at least ten (10) days~~ prior to a scheduled meeting of the Board, request to be placed on the Board's agenda.

# Proposed 2023 CLUC Amendments

**Article ?.** Shall the ordinance entitled **Poland Comprehensive Land Use Code** Section 612.8.C.2. – “Protection of Significant Wildlife Habitat” and Section 613.3.C.3. – “Protection of Deer Wintering Areas” be amended? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at [polandtownoffice.org](http://polandtownoffice.org).)*

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

C. Protection of Significant Wildlife Habitat - If any portion of a proposed Subdivision lies within:

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

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

- C. 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.

# Proposed 2023 CLUC Amendments

**Article ?.** Shall the ordinance entitled **Poland Comprehensive Land Use Code** Section 508.23 – “Nonresidential Accessory Structures” be amended? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at [polandtownoffice.org](http://polandtownoffice.org).)*

**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.

# Proposed 2023 CLUC Amendments

**Article ?.** Shall the ordinance entitled Poland Comprehensive Land Use Code Section 1103 – “Other Codes Adopted in Conjunction with the Building Code Standards for the Town of Poland” be amended? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at [polandtownoffice.org](http://polandtownoffice.org).)*

## **1103 OTHER CODES ADOPTED IN CONJUNCTION WITH THE BUILDING CODE STANDARDS FOR THE TOWN OF POLAND**

The following codes, standards, rules and their amendments as adopted and revised by the State of Maine, listed in this section, are hereby incorporated by reference.

- a. State of Maine International Plumbing Rules based on the 2009 2021 Uniform Plumbing Code.

# Proposed 2023 CLUC Amendments

**Article ?.** Shall the ordinance entitled **Poland Comprehensive Land Use Code** Section 508.11 – “Home Occupations” be amended? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at [polandtownoffice.org](http://polandtownoffice.org).)*

## 508.11 Home Occupations

- ~~A. Home occupations, when not located in the Shoreland Area, which meet the following conditions do not require a permit from the Code Enforcement Officer or Planning Board approval:~~
- ~~1. Do not employ any persons who do not make the residence their permanent home;~~
  - ~~2. Do not display any exterior signs, exterior exhibits, exterior storage of materials or any other exterior indications of the home occupation or variation from the residential character of the principal dwelling;~~
  - ~~3. Do 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, and all waste material from the home occupation shall be removed promptly from the premises according to State Laws, this Code, local ordinances and regulations;~~
  - ~~4. Do not generate regular daily or seasonal traffic.~~
- ~~B. Home occupations, when not located in the Shoreland Area, which meet the conditions in Section 508.11.A.1, 3, and 4, but require and exterior sign do not require Planning Board approval. A sign permit shall be issued from the Code Enforcement Officer, and dimensional requirements shall conform to the standards in Section 508.18.H.1.~~
- ~~1. No more than one (1) person who does not make the residence his or her permanent home may be employed;~~
  - ~~2. Accessory structures or attached additions to the principal structure must be compatible with the residential character of the neighborhood;~~
  - ~~3. Except as provided in Subsection 2 above, the appearance of the structure shall not be altered and the occupation within the residence shall not be conducted in a manner that would cause the residence to differ from its residential character by means of colors, lights and sounds;~~
  - ~~4. There is no objectionable increase in traffic over that which is normal for the neighborhood;~~
  - ~~5. If the home 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;~~



# Proposed 2023 CLUC Amendments

- ~~6. There shall be no public display of goods or wares or machinery used in the home occupation visible from any public or private way or adjacent properties;~~
  - ~~7. It does not adversely affect any natural resource or environmentally sensitive area including, but not limited to, a wetland, aquifer, water course or water body. The home occupation shall not use chemicals in quantities not commonly found in a residence;~~
  - ~~8. Do 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 and all waste material from the home occupation shall be removed promptly from the premises according to State laws, this Code, local ordinances and regulations;~~
  - ~~9. Do not display any exterior exhibits, exterior storage of materials or any other exterior indications of the home occupation or variation from the residential character of the principal dwelling or accessory building;~~
  - ~~10. Exterior signage shall comply with Section 508.18 of this Code; and~~
  - ~~11. When located in the Shoreland Area, business activities shall be wholly located within the residence.~~
  - ~~12. No more than a total three (3) vehicles and equipment trailers used in the home occupation may be parked in the yard. Sufficient off-street parking must be available for the vehicles and trailers. Materials stored on the vehicles must be enclosed inside the vehicle or covered over.~~
- ~~C. Yard Sales, Garage Sales, Lawn Sales, etc. — Yard sales are permitted without a need for permit provided:~~
- 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.

# Proposed 2023 CLUC Amendments

- 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.

# Proposed 2023 CLUC Amendments

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 ...

# Proposed 2023 CLUC Amendments

**Article ?.** Shall the ordinance entitled **Poland Comprehensive Land Use Code** Table 508.27.A – “Land uses in the Shoreland Area” and Section 508.27.D. – “Piers, Docks, Wharves, Bridges, and Other Structures and Uses Extending Over or Below the Normal Highwater Line of a Water Body or Within a Wetland” be amended? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at [polandtownoffice.org](http://polandtownoffice.org).)*

**TABLE 508.27.A / LAND USES IN THE SHORELAND AREA**

LAND USES	SP1	SP2	RP	LR	LC
1. Non-intensive recreational uses not requiring structures such as hunting, fishing and hiking	P	P	P	P	P
2. Motorized vehicular traffic on existing roads and public trails	P	P	P	P	P
3. Forest management activities except for timber harvesting	P	P	P	P	P
4. Timber harvesting	MFS	MFS	MFS	MFS	MFS
5. Clearing or removal of vegetation for activities other than timber harvesting	CEO	CEO	CEO <sup>1</sup>	CEO	CEO
6. Fire prevention activities	P	P	P	P	P
7. Wildlife management practices	P	P	P	P	P
8. Soil and water conservation practices	P	P	CEO	CEO	CEO
9. Mineral exploration	N	N	PB	PB	PB
10. Mineral extraction including sand and gravel extraction	N	N	PB <sup>2</sup>	PB	PB
11. Surveying and resource analysis	P	P	P	P	P
12. Emergency operations	P	P	P	P	P
13. Agriculture	P	P	PB	PB	PB
14. Aquaculture	PB	PB	PB	PB	PB
15. Principal structures and uses					
A. Single family residential including driveways	PB	PB	N <sup>3</sup>	PB <sup>11</sup>	PB <sup>11</sup>
B. Two family residential including driveways	N	N	N	N	N
C. Multi-family dwelling and planned residential development	N	N	N	N	N
D. Commercial	N	N	N	N	N
E. Industrial	N	N	N	N	N
F. Governmental and Institutional	N	N	N	N	PB

# Proposed 2023 CLUC Amendments

LAND USES	SP1	SP2	RP	LR	LC
G. Small non-residential facilities for educational, scientific or nature interpretation purposes	PB	PB	PB	PB	PB
16. Onsite and Offsite Structures accessory to allowed uses	CEO	CEO	CEO	CEO	CEO
17. <del>Piers, docks, wharves, and other</del> Structures and uses extending over or beyond the normal high-water line or within a wetland	<del>CEO</del>	<del>CEO</del>	<del>CEO</del>	<del>CEO</del>	<del>CEO</del>
A. <del>Temporary</del> <u>Shoreline stabilization</u>	<del>PB</del>	<del>PB</del>	<del>PB</del>	<del>PB</del>	<del>PB</del>
B. <u>Other</u> Permanent <u>Structures</u>	N	N	N	N	N
C. Permanent (only those relating to existing dams)	PB	PB	PB	PB	PB
18. Conversions of seasonal residences to year-round residences	N	N	N	CEO	CEO

## 508.27 Shoreland Areas

### ~~D. Piers, Docks, Wharves, Bridges, and Other Structures and Uses Extending Over or below the Normal High-water Line of a Water Body or Within a Wetland.~~

- ~~1. No more than one pier, dock, wharf or similar structure extending or located below the normal high water line of a water body or within a wetland is allowed on a single lot; except that when a single lot contains at least twice the minimum shore frontage as specified in Section 507.2 a second structure may be allowed and may remain as long as the lot is not further divided.~~
- ~~2. Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion.~~
- ~~3. The location shall not interfere with existing developed or natural beach areas.~~
- ~~4. The facility shall be located so as to minimize adverse effects on fish, wildlife and waterfowl habitats.~~
- ~~5. The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with the surrounding character and uses of the area. The maximum width for residential facilities shall be no greater than six (6) feet in width and no greater than twelve (12) feet in width for commercial.~~
- ~~6. No new structure shall be built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high water line of a water body or within a wetland unless the structure requires direct access to the water body or wetland as an operational~~

# Proposed 2023 CLUC Amendments

~~necessity, said structures shall not exceed twenty (20) feet in height.~~

- ~~7. No existing structure built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high water line of a water body or within a wetland shall be converted to a residential dwelling unit in any district.~~
- ~~8. Permanent structures projecting into or over water bodies shall require a permit from the Maine Department of Environmental Protection pursuant to the Natural Resource Protection Act. Permanent structures projecting into or over water bodies shall not be allowed, with the exception of structures relating to existing dams and bridges.~~
  - ~~a) Vegetation may be removed in excess of the standards in Section 508.27.M of this ordinance in order to conduct shoreline stabilization of an eroding shoreline, provided that a permit is obtained from the Planning Board. Construction equipment must access the shoreline by barge when feasible as determined by the Planning Board.~~
  - ~~b) When necessary, the removal of trees and other vegetation to allow for construction equipment access to the stabilization site via land must be limited to no more than 12 feet in width. When the stabilization project is complete the construction equipment access way must be restored.~~
  - ~~c) Revegetation must occur in accordance with Section 508.27.P.~~

D.

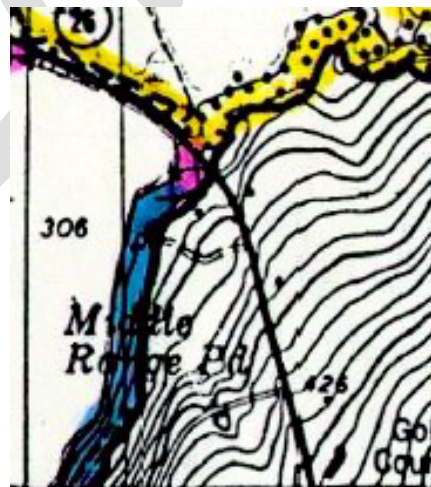
1. Permanent structures projecting into or over water bodies and permanent structures designed to stabilize shorelines shall require a permit from the Maine Department of Environmental Protection pursuant to the Natural Resource Protection Act. Permanent structures projecting into or over water bodies shall not be allowed, with the exception of structures relating to existing dams and bridges.
  - a. Vegetation may be removed in excess of the standards in Section 508.27.M of this ordinance in order to conduct shoreline stabilization of an eroding shoreline, provided that a permit is obtained from the Planning Board. Construction equipment must access the shoreline by barge when feasible as determined by the Planning Board.
  - b. When necessary, the removal of trees and other vegetation to allow for construction equipment access to the stabilization site via land must be limited to no more than twelve ft. (12') in width. When the stabilization project is complete the construction equipment access way must be restored.

# Proposed 2023 CLUC Amendments

**Article ?.** Shall the **Town of Poland Official Zoning Map** entitled Tax Map 6 Lot 52 be rezoned as Limited Commercial, Tax Map 6 Lot 17, Tax Map 6 Lot 17A, Tax Map 6 Lot 17B, Tax Map 6 Lot 16A, Tax Map 6 Lot 16B, Tax Map 6 Lot 16C, and Tax Map 6 Lot 16 be rezoned as Limited Residential, Tax Map 15 Lot 8 be rezoned Resource protection, and Tax Map 8 Lot 13, Tax Map 8 Lot 13 Sublot 1, Tax Map 42 Lot 17, Tax Map 42 Lot 16 Sublot 17A, Tax Map 42 Lot 15, Tax Map 42 Lot 11, Tax Map 42 Lot 12, Tax Map 42 Lot 13, Tax Map 42 Lot 14, Tax Map 42 Lot 10, Tax Map 42 Lot 8, and Tax Map 42 Lot 6 be rezoned as Limited Residential, as shown on the maps below, be amended? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at [polandtownoffice.org](http://polandtownoffice.org).)*

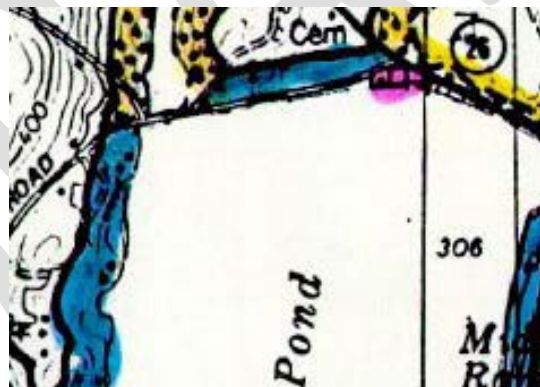
i. Middle Range Pond Map and Lots:

a. Limited Commercial (LC) - 0006-0052.



# Proposed 2023 CLUC Amendments

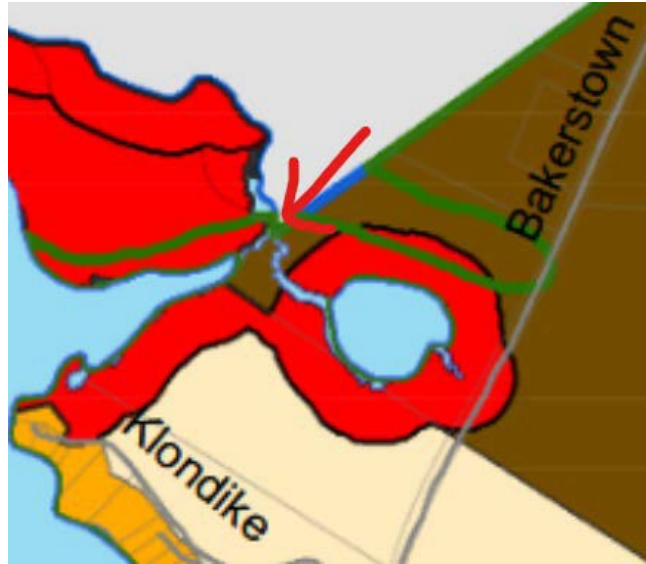
- a. Limited Residential (LR) - 0006-0017, 0006-0017A, 0006-0017B, 0006-0016A, 0006-0016B, 0006-0016C, and 0006-0016.





# Proposed 2023 CLUC Amendments

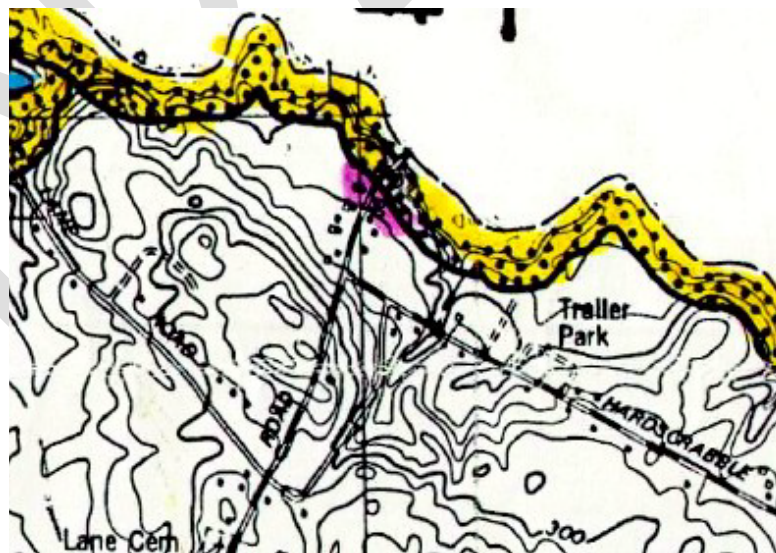
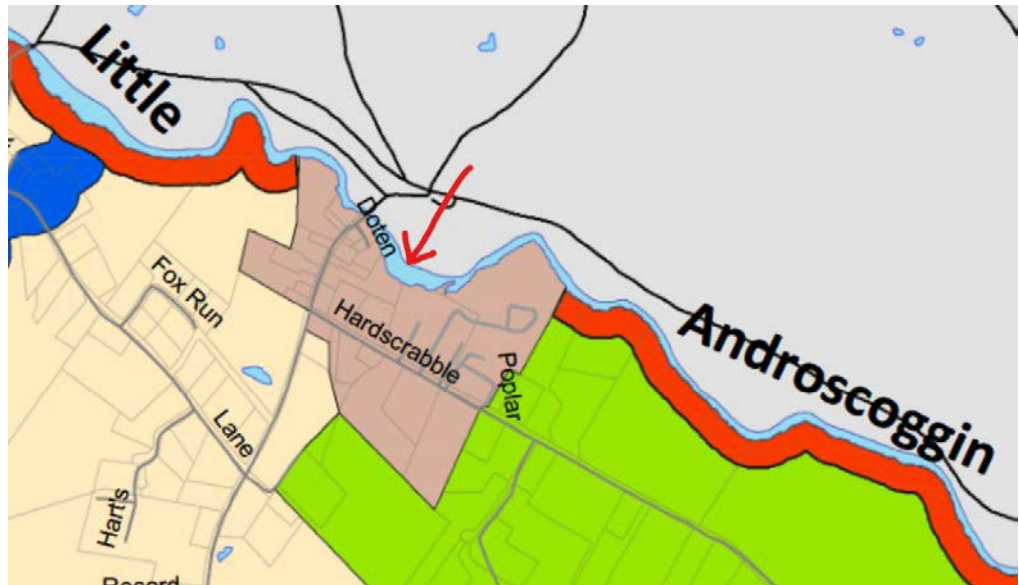
- i. Mud Pond Map and Lot:
  - a. Resource Protection (RP) - 0015-0008.



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## i. Little Androscoggin River Map and Lots:

- a. Limited Residential (LR) - 0008-0013, 0008-0013-0001, 0042-0017, 0042-0016-017A, 0042-0015, 0042-0011, 0042-0012, 0042-0014, 0042-0013, 0042-0010, 0042-0008, and 0042-0006.



# Proposed 2023 CLUC Amendments

**Article ?.** Shall the ordinance entitled **Poland Comprehensive Land Use Code** Section 508.30.A. – “Downtown Design Standards” be amended, and Section 508.30.E be enacted? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at [polandtownoffice.org](http://polandtownoffice.org).)*

**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 <sup>2</sup> 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. 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 application that provides details of how they comply with the Downtown District Design standards as required in Section 508.30.E to the Planning Authority (the Planning Board or the Planning Staff (Code Enforcement Officer and Planner). 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 Applicant’s submitted plans and written response to the Downtown Design Standards and approve based on the meeting of 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.

- E. **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 site plan applications where a new primary structure is proposed requiring Planning Board review, the Applicant shall meet or exceed 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, the Planning Authority, shall require the Applicant to apply only from the category involved with the proposed renovation. The Applicant shall acquire a minimum of 6 points 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 written narrative shall provide a detailed response of how the requested requirements 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.

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Points will be determined by the scoring criteria listed below:

## 1. Point Scoring Criteria

### a. Building Architecture Design

- i. 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

- ii. Overall Color = Façade 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

- iii. Materials requirement based on % of façade 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

- iv. 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%

- v. Public street view – based on the portion of the front façade that incorporates an architectural feature across the horizontal length. Choose one that applies.

+2 pts for multiple dormers, awnings, cupulas, 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.

# Proposed 2023 CLUC Amendments

+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.

## b. Landscaping Design

- i. Tree Plantings in the front yard space 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
- ii. Foundation plantings – based on % of foundations horizontal distance – entrance opening meeting the requirements. Choose one that applies.  
-1 pts 0-24%,  
0 pts- 25-49%,  
1pt 50-74%,  
2pts 75-95%,  
3pts, >95%
- iii. Seasonal planters – based on the portion of the building façade horizontal distance facing public street or parking lot meeting the same requirement.  
+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.
- iv. Side and rear buffering based on % of required structural setback used for the 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
- v. Screening outdoor storage. Points based on the 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

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+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

## c. Parking Provisions

- i. Minimization of parking ares. Points are based on the 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.
- ii. Shared parking arrangement. Choose one that applies.  
+ 1pt for every 10 spaces shared with another abutting property parking lot, (max of 3pts allowed)
- iii. Designed with internal islands. Choose one that applies.  
+ 1pt for every 200 SF of area in green/landscaped island (1 parking space equivalent) -3 points max
- iv. Limiting front yard parking. Choose one that applies.  
+2pts when no more than 50 % of onsite parking is located behind structure front wall/façade,  
+3 pts when all parking is totally behind the structure front/wall façade.
- v. Stormwater best management practices designs. Choose one that applies.  
+ 1 pt. if treatment measure is used to collect sediment/forebay  
+1 pt. if 50 % of paved area is treated with DEP approved best management practices (vegetative buffer/ infiltration/ pond)  
+2 pts if 80% of paved area is treated with an approved best management practice, or the site has acquired a Maine DEP Stormwater Management Permit meeting Chapter 500 standards (Phosphorus or TSS)

## d. Pedestrian Access

- i. Entrances. Choose if it applies.  
+1pt for direct access / walking route from parking lot to access door with pavement. concrete or brick or hard surface equivalent.
- ii. Interconnectivity. Choose those that apply.  
+ 2 pt. for interconnectivity of pedestrian paths, walks, trails to the adjoining property.



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+1 pt. for construction of an internal site access for pedestrian use to a public sidewalk.

+ 3 pts for providing funding for offsite construction of public sidewalk, crosswalks, or path/trail for public use. Such improvement shall meet a value equal to the length of installing a sidewalk along the project's street frontage. Such offsite improvement shall be determined to have a direct public benefit for safe pedestrian connection to the subject property or provides other pedestrian improvements to the immediate Downtown District the project resides, and which advances sidewalk connectivity for the public. In such cases the applicant shall provide an engineer's cost estimate demonstrating the equivalent value for the offsite improvement for Planning Board approval.

iii. 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.

+3 pts for construction of public sidewalk or walk for public use along street front.

iv. 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

v. Bicycle Access. Choose if it applies.

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

e. Utilitarian Areas

i. Utility installation minimization. Choose one that applies.

+3pt for installing new underground utilities to serve primary structure, or for converting existing overhead services to be placed underground.

- 1pt for construction proposing overhead utilities.

ii. Solar or alternative energy provisions. Choose those that apply.

+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

+2 for installation of Solar panels on property, such it is located behind the structure or in rear yard

+2 for other alternative energy provisions which are screened at ground level from public view (geothermal, heat pumps, wind)

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- iii. 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.
  - iv. Street Lights. Choose those that apply.
    - + 2 pt. for use of full cutoff with LED or equivalent light fixture
    - +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 after hours of operation.
  - v. Dumpsters/Compactors/Generators. Choose those that apply.
    - + 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
2. Alternate Means of Calculation - In cases where the Planning Authority determines that listed items 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 due to unique circumstances of the property, that other provisions can be offered, the Planning Authority may assess and assign a separate point value not to exceed 2-pts based on comparability with a particular standard section in the Downtown Districts



# Proposed 2023 CLUC Amendments

DRAFT



original



## 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: Residential Back lot driveway

Date of Planning Board Review:        /        /        Application #       

#### LOT INFORMATION:

Tax Assessor's Map # 10 Lot # 55 Sub lot #         
Watershed: Lower Range

Property's Road Location: White Oak Hill  
Lot Size: 39.82 Acres or Sq. Ft. Road Frontage: 128.68 Ft.  
Year lot created: 2007 (If unknown, give best estimate with "est." after date)  
Zoning District(s): Village 1 Flood Zone: N/A Aquifer Overlay: N/A  
Current use of lot: Single Residence

#### LAND OWNER(s):

Name(s) Tom + Corie Learned

Company       

Mail Address: 1143 Maine St. Main Phone 212-3051

Town/State/Zip Poland, ME. 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

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")

☐ No☒ Yes

a. Is there an existing Well

☐ No☒ Yes

b. Is there an existing Septic System

☐ No☒ Yes

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

c. Is there an existing Road Entry

☐ No☒ Yes

i) If yes, will there be any changes/modifications?

☒ No☐ Yes

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

☒ No☐ Yes

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

or Acres

1,200 Sq. Ft.

b. Size of fields

or Acres

0 Sq. Ft.

c. Size of driveways/roads

9,600 Sq. Ft.

d. Size of other non-vegetated areas

0 Sq. Ft.

e. Wetlands already filled

0 Sq. Ft.**3. Existing Main Structure**

a. Ground Footprint

2000 Sq. Ft.

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

       Sq. Ft.

c. Road Frontage Setback

1,000' Ft.



- d. Side Setback 400 Ft.  
e. Rear Setback 100 Ft.  
f. Distance to Great Pond ☒ Not applicable (over 250') 0 Ft.  
g. Distance to Stream ☒ Not applicable (over 250') 0 Ft.  
h. Distance to Wetlands ☒ Not applicable (over 250') 0 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 0 Sq. Ft.  
c. Total Floor Space 0 Sq. Ft.  
d. Closest Road Setback 0 Ft.  
e. Closest Side Setback 0 Ft.  
f. Closest Rear Setback 0 Ft.  
g. Distance to Great Pond 0 Ft.  
h. Distance to Streams 0 Ft.  
i. Distance to Wetlands 0 Ft.
6. **Total Existing Impervious Surfaces** 11,600 Sq. Ft.  
a.  $Add\ 2c + 2d + 3a + 5b$

#### PROPOSED DEVELOPMENT:

1. Wetlands to be impacted 0 Sq. Ft.  
2. New footprint(s) and developed area(s):  
a. Changes in building footprint(s) 1,600 Sq. Ft.  
b. Changes in driveway/roadway 2,100 Sq. Ft.  
c. Changes in patios, walkways, etc. 0 Sq. Ft.  
d. TOTAL (2a+2b+2c) 3,700 Sq. Ft.  
3. Percentage of lot covered by impervious surfaces:  
a.  $(Equals\ [areas\ on\ line\ 6\ page\ 2 + line\ 2d\ above] / [Total\ lot\ area\ measured\ in\ sq.\ ft.] * 100\%)$  .882 %

#### 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:

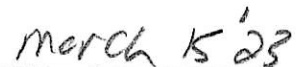
1. State highway entrance permit. ✓
2. Soil disturbances involving more than one acre.
3. Impact on more than 4,300 square feet of any type wetland.
4. Soil disturbances within 100 feet of lakes, rivers or streams.
5. Activity within 75 feet, over the water, or in the water of lakes, rivers, or streams.
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
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			Existing Conditions (Site Plan)				
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				
			Proposed Development (Site Plan)				
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	TRAFFIC DATA				

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				
			<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				
X			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: 3 / 28 / 23 Meetings are normally conducted from 7:00 to 10:00 PM in the Municipal Conference Room at the Town Office  
Map 10 Lot 55 Sub-lot \_\_\_\_\_

Applicant's Name: Tom + Corie Learned  
Mailing Address: 1143 Maine St.  
Town, State, Zip: Poland, ME. 04274  
Home Phone: 207 212 3051 Hours: 24  
Work Phone: \_\_\_\_\_ Hours: \_\_\_\_\_

Type of application: \_\_\_\_\_ Sketch Plan ☒ Site Review \_\_\_\_\_ Shoreland \_\_\_\_\_ Subdivision \_\_\_\_\_ Informational \_\_\_\_\_  
Road location for project: White Oak Hill  
Zoning: Village 1 Lake Watershed: Lower Range Nature of  
business to be discussed (Brief description): Res. Back lot driveway

**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: Thomas Learned Date: 3 / 15 / 23

**OFFICE USE ONLY:**

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



Paul R. LePage  
Governor

# Maine Department of Transportation

## Driveway/Entrance Permit

David Bernhardt, P.E.,  
Commissioner

Permit Number: 25426 - Entrance ID: 1

**OWNER**  
Name: Michael Hotham  
Address: P.O. Box 10  
New Gloucester, ME 04260  
Telephone: (207)712-3732

**LOCATION**  
Route: C397N, White Oak Hill Road  
Municipality: Poland  
County: Androscoggin  
Tax Map: 10 Lot Number: 55  
Culvert Size: inches  
Culvert Type: N/R  
Culvert Length: feet  
Date of Permit: November 21, 2017  
Approved Entrance Width: 20 feet

Date Printed: November 21, 2017

In accordance with rules promulgated under 23 M.R.S.A., Chapter 13, Subchapter I, Section 704, the Maine Department of Transportation (MaineDOT) approves a permit and grants permission to perform the necessary grading to construct, in accordance with sketch or attached plan, a **Driveway to Single Family Dwelling** at a point **480 feet South** from **Maine Street / Route 26**, subject to the Chapter 299 Highway Driveway and Entrance Rules, standard conditions and special conditions (if any) listed below.

### Conditions of Approval:

This Permittee acknowledges and agrees to comply with the Standard Conditions and Approval attached hereto and to any Specific Conditions of Approval shown here.

(G = GPS Location; W = Waiver; S = Special Condition)

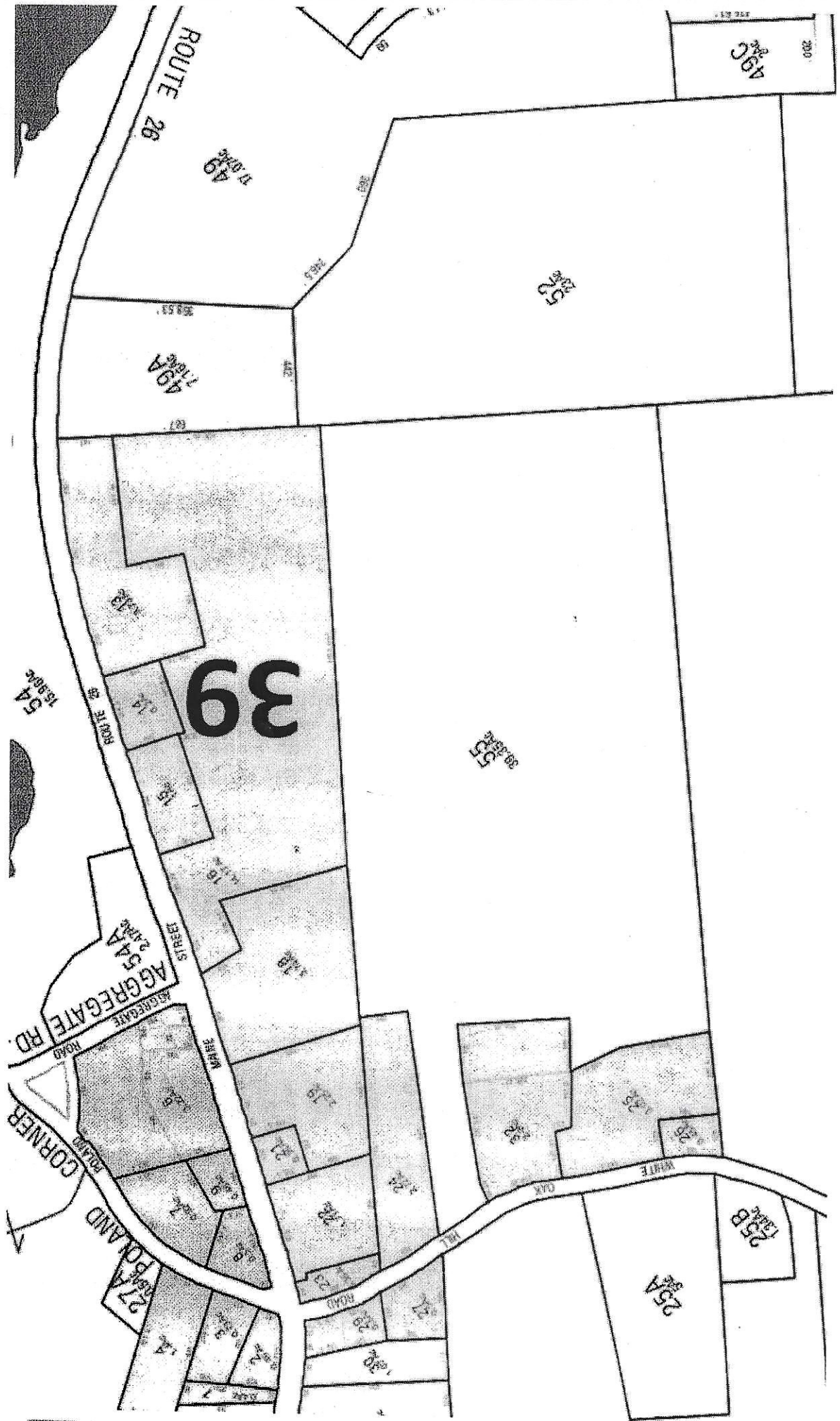
G - THE ENTRANCE SHALL BE LOCATED AT GPS COORDINATES: 44.059270N, -70.393840W.

S - The existing bituminous curb shall be saw cut on the northerly side of the driveway such that a 4' terminal end is created. Curb modification must be in compliance with MaineDOT Standard Detail # 609 (see attached).

S - In the town of Poland on the easterly side of White Oak Hill Road, the centerline being approximately 480 feet southerly of Maine Street / Route 26 and approximately 47 feet northerly of utility pole 4.

Approved by: Anthony Fontana Date: 11-21-2017







Property Card: **WHITE OAK HILL RD.**  
Poland, ME

NO PHOTO  
AVAILABLE

Parcel ID: 0010-0055  
Trio Account #: 3578

Owner: LEARNED, THOMAS H  
Co-Owner:  
Mailing Address: 1143 MAINE ST  
POLAND, ME 04274

Valuation

Card Number: 1  
Acreage: 39.35  
Land Value: \$94,430  
Building Value: \$0  
Total Value: \$0  
Taxes: \$1,341

Building Sketch

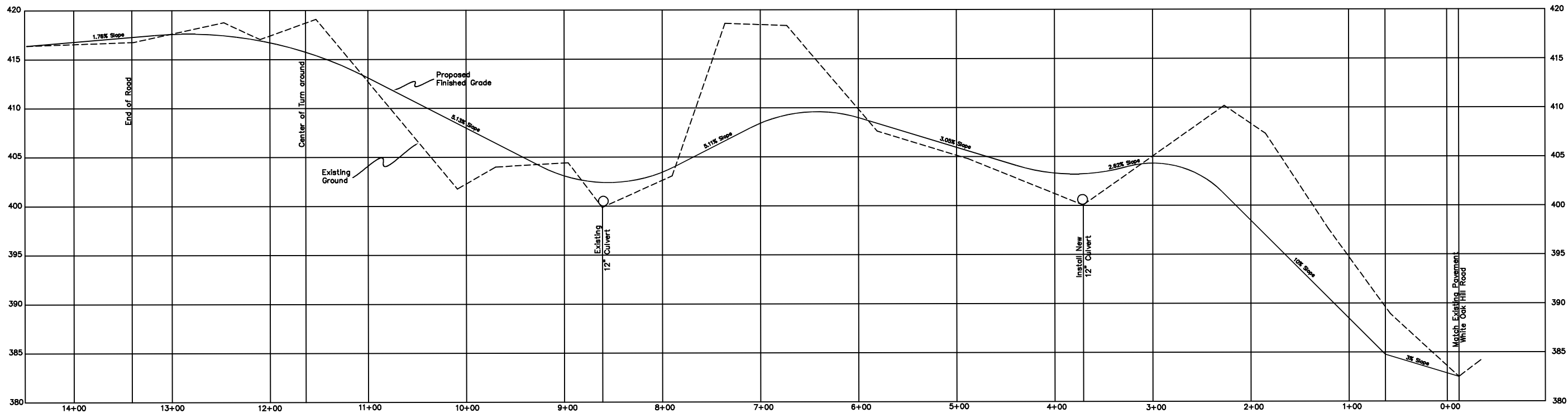
NO SKETCH  
AVAILABLE

Building Information

Year Built: Remodled:

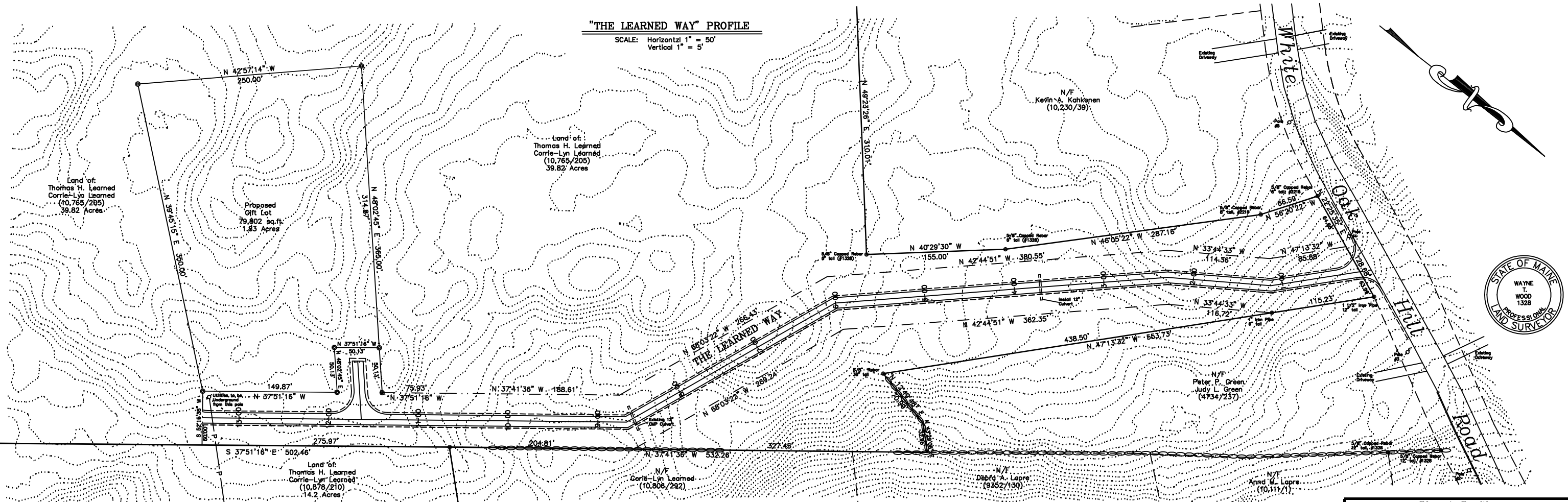
Living Area (sqft):  
Basement:  
Finished Basement:  
Number of Rooms:  
Number of Bedrooms:  
Number of Full Baths:  
Number of Half Baths:

Stories:  
Exterior Walls:  
Roofing Materials:  
Foundation:  
Insulation:  
Fireplace:  
Heating:  
A/C:  
Attic:



### "THE LEARNED WAY" PROFILE

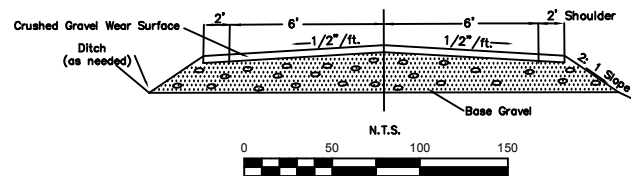
SCALE: Horizontal 1" = 50'  
Vertical 1" = 5'



### NOTES

- Owners of record are Thomas H. Learned and Corie-Lyn Learned by deeds recorded in the Androscoggin County Registry of Deeds as indicated on the individual lots.
- All bearings are referenced to Magnetic North of the Year 2012 as per the plan in Plan Reference #1 and are calculated from angles of an actual on the ground survey.
- The Learned parcels are shown on the Town of Poland, Maine Tax Map #10 as Lots #52 and #55 and Tax Map #39 as Lots #15 and #16.
- All site alterations will follow "Best Management Practices for Soil Erosion and Sedimentation Control" current issue by the MDEP.

### TYPICAL ROAD SECTION "THE LEARNED WAY"



### LEGEND

- Iron Pipe or Pin Found
- ⊙ Drill Hole
- σ Utility Pole
- Stone Wall
- N/F Now or Formerly of (8664/187) ACRD Deed Reference
- P — Overhead Utility Line

### PLAN REFERENCES

- "Plan of Land on White Oak Hill Road ~ Poland, Maine for Michael T. Hotham" dated February 2018 by Wayne T. Wood & Co.
- "Perimeter Boundary Survey ~ Plan of Property ~ 68 White Oak Hill Road Poland, Maine Made For: Phillip E. & Linda C. Libby" dated June 21, 2013 by JKL Land Surveying.
- "Plan of Land on White Oak Hill Road & Maine Street ~ Poland, Maine for Gabriel Energy & Renewables" dated November 2012 by Wayne T. Wood & Co.
- "Standard Boundary Survey for Amos Dunn & Christopher Kimball ~ State Route #26 ~ Poland, Maine ~ Owners of Record: Amos Dunn & Christopher Kimball" dated 2/21/01 ~ Revised 6/30/06 by John A. Belding.
- "Standard Boundary Survey for Amos A. Dunn ~ State Route #26 ~ Poland, Maine" dated Sept. 21, 1995 by John A. Belding.
- "Property Plan ~ Duane Little ~ Route #26 ~ Poland, Maine" dated 6-11-76 by Alberti, Larochelle & Hodson.

### Plan & Profile The Learned Way

White Oak Hill Road  
Poland, Maine  
For Owner of Record:  
Thomas Learned  
1143 Maine St. ~ Poland, ME 04274

WAYNE T. WOOD & CO.

Gray, Maine 04039  
Drawn By: KLV/WTW  
Scale: 1" = 50'  
Checked By: WTW  
Field Crew: JW/BR



(207)657-3330  
Date  
March 2023  
Job No.  
221088PP

**From:** [Sarah Merrill](#)  
**To:** [Sarah Merrill](#)  
**Subject:** FW: Back Lot  
**Date:** Wednesday, March 22, 2023 9:20:49 AM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
[image003.png](#)

---

**From:** James Seymour <[jseymour@sebagotechnics.com](mailto:jseymour@sebagotechnics.com)>  
**Sent:** Tuesday, March 21, 2023 2:16 PM  
**To:** Scott Neal <[sneal@polandtownoffice.org](mailto:sneal@polandtownoffice.org)>  
**Cc:** 12173 <[12173@sebagotechnics.com](mailto:12173@sebagotechnics.com)>  
**Subject:** RE: Back Lot/Auburn Housing

Scott,

This is a very long and steep section of backlot driveway to consider without any formal engineering. I would suggest an engineering design be submitted to address runoff/ culvert sizing, and overall grading impacts especially on the front section cutting through the hill. Also with 16 feet wide road and shoulders on about 1500 LF of proposed road, that is 24,000 SF of new impervious surface. Depending on the watershed that this falls in it might require a DEP Stormwater permit.

My greater concern would be how this entrance road off White Oak Road will impact runoff and what provisions for ditching or culverts will be needed to address where it intersects on an already steep road section.

If they need to get a DEP permit for Stormwater we would think you could defer the stormwater requirements for treatment to the Dep, but the design at the road should be town reviewed for drainage impacts. I know they have a DOT driveway entrance permit but I have not seen how they will address the runoff coming off their driveway into the existing street. Winter icing, washouts, or sediment transport off a steep gravel road is always some concern.

Also where they show culverts now, is that a seasonal stream?, how were they sized?, and what impacts are downstream?, if any.

TY

**James Seymour, PE** Senior Project Manager

Sebago Technics, Inc. | An Employee-Owned Company  
75 John Roberts Rd., Suite 4A, South Portland, ME 04106  
Office: 207.200.2100 | Direct: 207.200.2083 | Fax: 207.856.2206  
[jseymour@sebagotechnics.com](mailto:jseymour@sebagotechnics.com) | [www.sebagotechnics.com](http://www.sebagotechnics.com)









# Town of Poland, Maine

## Planning Board

### Sketch 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 and 5. Obtain or get copies of information as required by the application on these pages.
  - a. The CEO can generate a map of the general location of your project if you cannot find a topographic map.
  - b. Words in italics contain important instructions. Please follow them.
3. Use the "Submission Checklist" on page 3 to make sure submission requirements are met.
  - a. The checklist is a summary of the standard requirements in Section 509.4 of the Comprehensive Land Use Code.
  - b. The actual Code wording may be found on-line at [www.polandtownoffice.org](http://www.polandtownoffice.org). Go to the "Code Enforcement" page and then select "Services".
  - c. Hardcopies are available at the town office.
  - d. 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.
  - e. Some requirements may need only a one paragraph or one sentence statement. Make sure all requests are answered.
4. Make the necessary copies of pages 1 through 4 of the application and all information requested (see item 5 below).
5. **NUMBER OF COPIES OF THE APPLICATION AND DUE DATE**
  - a. A total of at least ten (10) copies and 1 PDF copy (either cd or usb) of the plans are needed. (**Don't forget to make a copy for yourself**) The Code Enforcement Office must receive the original application, one PDF copy (either cd or usb), and an additional nine (9) copies with appropriate fees by 1:00 p.m. eleven (11) days before the stated meeting to be put on the upcoming agenda.
  - b. 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.
6. The application must be on file for public review for at least **7 days** prior to the meeting. Applications received after the Agenda is posted may not be reviewed by the Board for your scheduled meeting date. **Additional Information:**
  - a. An Agenda Request form is on page 4. This form needs to be filled out and returned to the Planning Office. This form is used to place your application on the Planning Board's agenda on a first-come, first-served basis. This may be filled out and given to this office at the time you obtain the application.

#### Planning Board Review Fees:

Type of fee	Description	Amount	Units or Comments
Application – sketch plans	Rough designs or concepts	\$ 75.00	Hogan Pond, Whitefield Pond Each application
Notification of Abutters	All Abutters within 500 ft of property must be notified.	\$0.75	Per Notification.

#### PROJECT NAME:

Date of Planning Board Review: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Application # \_\_\_\_\_

#### LOT INFORMATION:

Tax Assessor's Map # 0015 Lot # 0024 Sub lot # \_\_\_\_\_ Watershed: Hogan Pond, Whitefield Pond

Road Location : 1372 Maine Street, Poland, ME

Lot Size: 2.1 Acres Acres or Sq. Ft. Road Frontage: 359.17 Ft.

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

Zoning District(s): DT (Downtown) Flood Zone: No Aquifer Overlay: Yes, Pro. Overlay 1

Current use of lot: Industrial, General (DT-S)

#### LAND OWNER(s):

Name(s): Hawkeye Holdings, LLC

Company: (Same as Above)

Mail Address: PO Box 709 Main Phone: 1-866-213-1999 (ext. 3)

Town/State/Zip: Poland, ME 04274 Alternate Phone: 207-333-1844

**APPLICANT - CONTACT PERSON:**

Applicant is: \_\_\_\_\_ Landowner \_\_\_\_\_ Contractor x \_\_\_\_\_ 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): Ryan Hawkes

Company Hawkeye Fiber Optics

Mail Address: PO Box 709 Main Phone: 1-866-713-1999 (ext. 3)

Town/State/Zip Poland, ME 04274 Alternate Phone: 207-333-1844

**THIS APPLICATION IS FOR:** (Check all that apply)

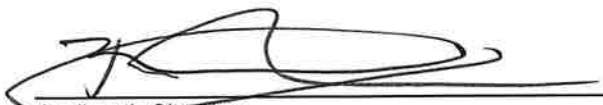
- |  |  |
|--|--|
| <input type="checkbox"/> Commercial            | <input type="checkbox"/> New Development             |
| <input checked="" type="checkbox"/> Industrial | <input checked="" type="checkbox"/> Change in Use    |
| <input type="checkbox"/> Institutional         | <input checked="" type="checkbox"/> 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           |

**Proposed Development****SUBMISSIONS:**

- Attach drawings and/or statements describing the following items if applicable:**
  - Provide a copy of deed and Tax Assessor's information card.
  - Provide a map of the general area showing land features within at least ½ mile of this lot.
  - Provide sketch plan(s) of your lot with existing development and its dimensions shown.
  - Provide sketch plan(s) of your lot with proposed development and its dimensions shown.
    - (May be combined on existing development drawing.)
  - Standard submissions requirements shall follow Section 509.4.D of the Comprehensive Land Use Code. Copies of the Code are available for viewing at the Town Office and Library. Copies can be purchased in the Code Enforcement Office.
    - (Use checklist on page 3 for summary of usual requirements.)
  - Other requirements unique to your project may be added by the Planning Board.
- List all state and federal approvals, permits, and licenses that may be required for the project:**

**DISCLOSURE: (READ BEFORE SIGNING)**

- I hereby acknowledge that I have read this application and state that the information in this document is to the best of my knowledge correct and true.
- 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 pre-application.
- I understand that all construction of proposed structures shall conform to the Maine Uniform Building and Energy Code, and the NFPA-101 Life Safety Code, 2003.
- I understand that final approval is valid for only the uses as specified in the formal application. Any approval sought in the pre-application and not in the formal application shall not be a part of any approval from the Planning Board without express written approval from the Board.
- I understand that the permitting authority must approve any changes made to the uses sought in the formal application after approval is granted or permits issued.
- I understand that the **pre-application becomes invalid** if the formal review plan has not been received by the Planning Board within six (6) months of the Planning Board's review of this application, without express written permission from the Planning Board to allow a longer time period, or it is found that false statements have been furnished with this application.
- I understand that **all state and federal permits** are my responsibility as the applicant and/or owner.

  
 Applicant's Signature

3/15/2023  
 Date

**SKETCH PLAN CHECKLIST:**

The following list is the information required in Chapter 509.4 of the Comprehensive Land Use Code for the Town of Poland, Maine for a complete Sketch Plan Review Application. Please check 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.

For Applicant Use				For Planning Board Use			
Provided	Waiver Request	Not Applicable	Item Section 509.4.D	Received	On File	Waived	Not Applicable
X			Signed copy of application				
X			Name & address of owner				
X			Map & lot #'s				
X			Name of development				
X			Sketch plan of proposed development				
X			Map of general location				
		X	Show all contiguous properties				
X			Show existing development				

This pre-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

**Special Requirements for Formal Site Review:** \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
**Planning Board Chair**

\_\_\_\_\_  
**Date**

#### On-site Inspection

ITEM	Requirements Met	Deficient	Waived	Not Applicable
A. Less than 6 inches of snow on the ground				
B. Structures, roads, parking, etc. flagged				
C. Notice of inspection posted				
D. Public allowed to accompany on-site inspection				
E. PB reviewed site findings at next meeting				
F. PB set contour intervals for formal application				

# Town of Poland, Maine PLANNING BOARD AGENDA REQUEST

Date of meeting you are requesting to be scheduled for: 03 / 28 / 23

Meetings are normally conducted from 7:00 to 10:00 PM in the Municipal Conference Room at the Town Office  
Map 0015 Lot 0024 Sub-lot \_\_\_\_\_

Applicant's Name: Hawkeye Fiber Optic / Ryan Hawkes  
Mailing Address: PO Box 709  
Town, State, Zip: Poland, ME 04274  
Home Phone: (Cell) 207-313-1999 Hours: 7 am - 5 pm  
Work Phone: 1-866-713-1999 Hours: 7 am - 5 pm

Type of application: Sketch Plan Review

X	Sketch Plan		Site Review		Shoreland		Subdivision		Informational
---	-------------	--	-------------	--	-----------	--	-------------	--	---------------

Road location for project: 1372 Maine Street  
Zoning: DT (Downtown) Lake Watershed: Hogan Pond, Whitefield Pond  
Nature of business to be discussed (Brief description):  
Change in Use/Site Expansion - Adding gravel parking/storage area behind existing building including fencing around portions of the site.

## IMPORTANT - READ CAREFULLY:

**This Office must receive the original application, one PDF copy (on either cd or usb), and an additional nine (9) copies with appropriate fees by 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: [Signature] Date: 3 / 15 / 2023

## OFFICE USE ONLY:

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

Return to the CEO Office by: \_\_\_\_\_



**THENCE, S 35° W along the westerly sideline of said Farr Family Trust, a distance of two hundred fifty feet more or less (±250') to the POINT OF BEGINNING.**

N O T

N O T

A N

A N

The above described parcel of land contains 2.1 acres, more or less. All bearings above referred to are referenced to Grid North - MSPCS West Zone - NAD83.

C O P Y

C O P Y

Meaning and intending to describe a portion of land as conveyed from the Estate of Bernice H. Page to Timothy Page and Wayne Page as described in a deed dated January 6, 2020 and recorded at the Androscoggin County Registry of Deeds in Book 10278, Page 188.

O F F I C I A L

O F F I C I A L

Meaning and intending to describe the premises conveyed from Wayne Page and Timothy Page to Worldlink, Inc. by Warranty Deed dated June 30, 2021 and recorded at the Androscoggin County Registry of Deeds in Book 10791, Page 181.

The premises hereinabove described are conveyed subject to any easements and restrictions of record and together with the benefit all rights, easements, privileges, and appurtenances belonging thereto.



Property Card: **1372 MAINE ST.**  
Poland, ME

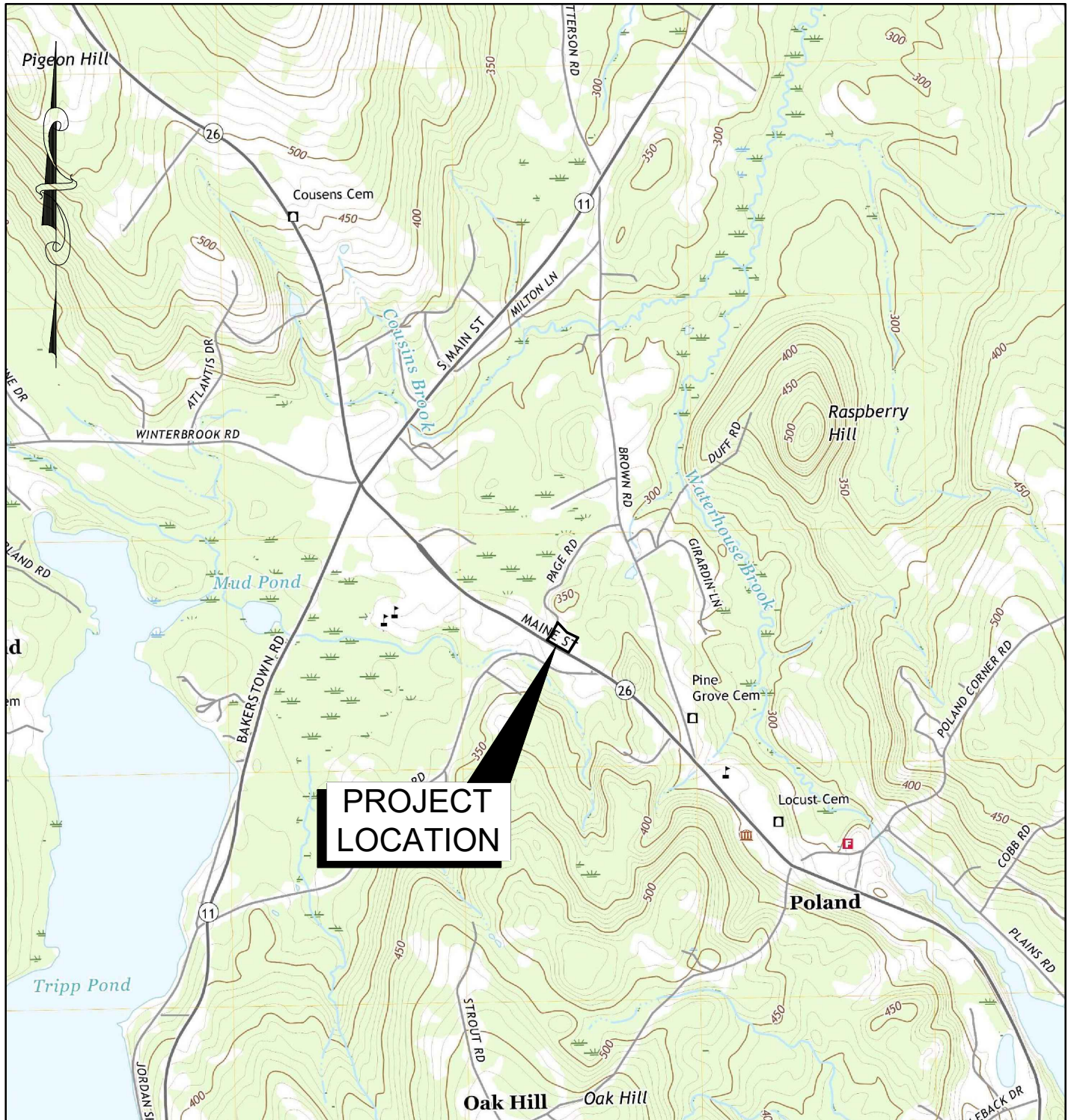


**Parcel ID:** 0015-0024  
**Trio Account #:** 1836

**Owner:** WORLDLINK INC OF MAINE  
**Co-Owner:**  
**Mailing Address:** PO BOX 175  
NAPLES, ME 04055

Valuation	Building Sketch
<b>Card Number:</b> 1 <b>Acreage:</b> 22.4 <b>Land Value:</b> \$139,000 <b>Building Value:</b> \$116,670 <b>Total Value:</b> \$116,670 <b>Taxes:</b> \$3,631	NO SKETCH AVAILABLE
Building Information	
<b>Year Built:</b> Remodeled:  <b>Living Area (sqft):</b> <b>Basement:</b> <b>Finished Basement:</b> <b>Number of Rooms:</b> <b>Number of Bedrooms:</b> <b>Number of Full Baths:</b> <b>Number of Half Baths:</b>	<b>Stories:</b> <b>Exterior Walls:</b> <b>Roofing Materials:</b> <b>Foundation:</b> <b>Insulation:</b> <b>Fireplace:</b> <b>Heating:</b> <b>A/C:</b> <b>Attic:</b>





REFERENCE:  
USGS, MECHANIC FALLS, MAINE, QUADRANGLE DATED 2021

## SITE LOCATION MAP

SKETCH PLAN REVIEW  
1372 MAINE STREET  
POLAND, MAINE 04274

HAWKEYE FIBER OPTIC  
PO BOX 709  
POLAND, MAINE 04274



FIG 1

Town of Poland – Sketch Plan Review Checklist

509.4.D

Not Applicable – *Show all contiguous properties –*

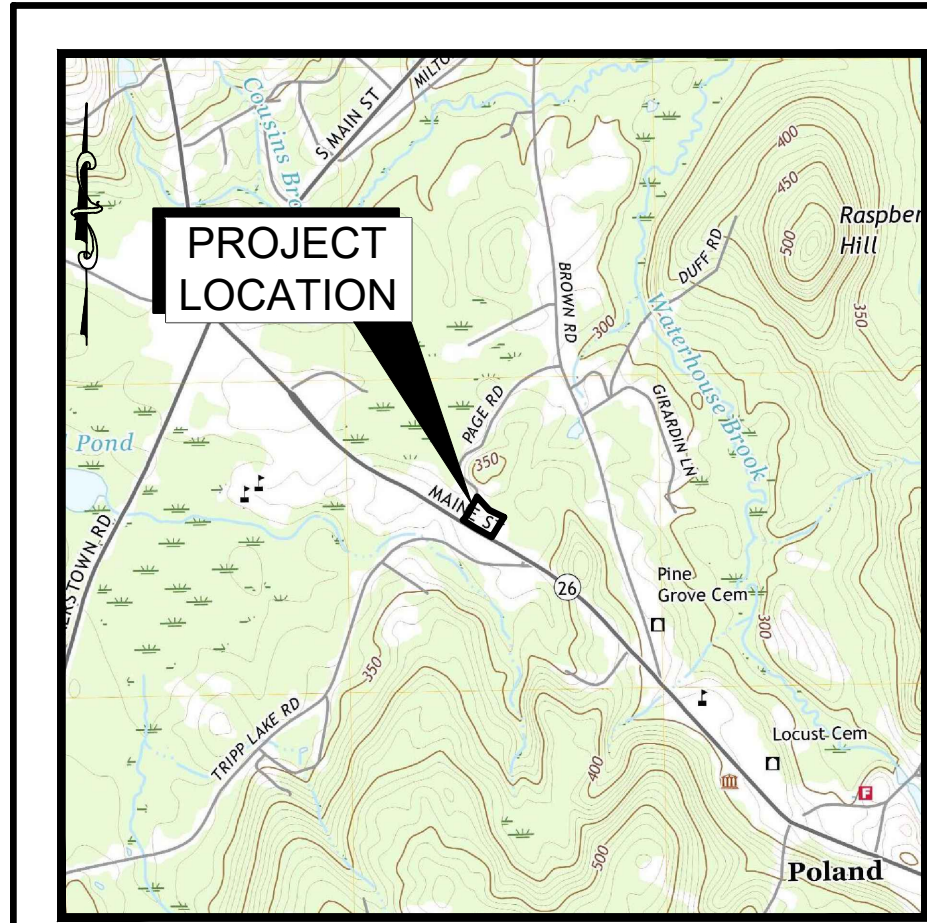
The lot owner has no other contiguous properties.

*2. List all state and federal approvals, permits, and licenses that may be required for the project.*

1. Wetlands – A wetlands survey has not been completed at this time and publicly available wetland information suggests that there are no wetlands on site. However, if a wetland is found onsite, a State of Maine Department of Environmental Protection (DEP) Permit-by-Rule (PBR) may be needed to work in or around the wetland.
2. Stormwater - A DEP stormwater license may be required depending on the new impervious and disturbed areas of the site.
3. No federal permits are expected with this project.



M:\Cad Drawings - Dwg\Active Dwg\4646 Hawkeye Fiber\4646-0003 1372 Maine St. Poland, ME\DWG\4646-0003 SK01.dwg 3/15/2023 4:03:22 PM

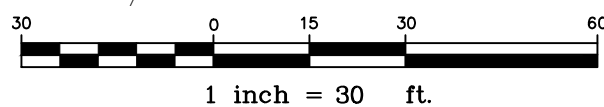


SITE LOCATION MAP

SCALE: 1" = 2,000'  
SOURCE: USGS, MECHANIC FALLS, MAINE, QUADRANGLE, DATED 2021

LEGEND

- PROPERTY LINE/ROW
- ADJACENT PROPERTY LINE
- SETBACKS
- EDGE OF GRAVEL
- BUILDINGS
- SIGNS



NOTES:

- THE PURPOSE OF THIS PLAN IS TO DEPICT THE PROPOSED CONDITIONS FOR TAX MAP 15 LOT 24 IN POLAND, MAINE. THE TOTAL AREA OF THE SUBJECT PARCEL IS 2.1± ACRES.
- THE OWNER OF RECORD IS HAWKEYE HOLDINGS, LLC, PO BOX 175, POLAND, MAINE, 04274, RECORDED IN THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS BOOK 11290 PAGE 337.
- PARCEL BOUNDARIES OBTAINED FROM THE MAINE OFFICE OF GEOGRAPHIC INFORMATION SYSTEMS (MEGIS).
- TOPOGRAPHIC INFORMATION WAS OBTAINED FROM NOAA DIGITAL COAST DATA ACCESS VIEWER CUSTOM PROCESSING OF 2011 USGS LIDAR: NORTHEAST (NY TO ME).
- TOPOGRAPHIC ELEVATIONS ARE REFERENCED TO NAVD83 DATUM. HORIZONTAL DATA IS REFERENCED TO GRID NORTH, MAINE STATE PLANE, WEST ZONE, NAD83 DATUM.
- THE PARCEL IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL 23001C0284E, DATED JULY 8, 2013.
- THE SUBJECT PARCEL IS LOCATED WITHIN THE DOWNTOWN ZONING DISTRICT.
- THE SUBJECT PARCEL IS NOT LOCATED WITHIN A SHORELAND ZONING AREA OR STREAM OR RESOURCE PROTECTION DISTRICT.
- THE SUBJECT PARCEL IS LOCATED WITHIN A MODERATE YIELD SAND AND GRAVEL AQUIFER.
- INDUSTRIAL - BUSINESS (PRIMARY FUNCTION) IS AN APPROVED USE WITH SITE PLAN APPROVAL IN THE DOWNTOWN ZONING DISTRICT.
- SPACE AND BULK REQUIREMENTS FOR THE DOWNTOWN ZONING DISTRICT ARE AS FOLLOWS:

	REQUIRED	PROPOSED
MIN. LOT AREA	20,000 SF	2.1± AC
MAX. IMPERVIOUS SURFACE RATIO	75%	~55%
FRONT SETBACK	30 FT	MEETS
SIDE & REAR SETBACK	10 FT	MEETS
MAX. STREET FRONTAGE	100 FT	359± FT
- THE EXISTENCE AND/OR LOCATION OF UTILITIES SHOWN ON THIS PLAN IS APPROXIMATE. ALL UNDERGROUND UTILITIES SHALL BE VERIFIED AS TO THEIR LOCATION, SIZE, AND TYPE BY THE PROPER UTILITY COMPANIES PRIOR TO CONSTRUCTION.
- CONTRACTOR TO CONTACT DIG-SAFE A MINIMUM 72 HOURS, EXCLUDING WEEKENDS AND HOLIDAYS, PRIOR TO CONSTRUCTION.
- PRIOR TO CONSTRUCTION, VERIFY THE LOCATION OF ANY ON-SITE WETLANDS AND POTENTIAL IMPACTS ASSOCIATED WITH THIS PROJECT. OBTAIN NECESSARY PERMITS IF REQUIRED.
- PRIOR TO CONSTRUCTION, OBTAIN ALL NECESSARY PERMITS, INSPECTIONS, BONDS, ETC. AND OTHER APPROVAL RELATED ITEMS WITH THE TOWN OF POLAND. NO CONSTRUCTION SHALL COMMENCE UNTIL SUCH PERMITS HAVE BEEN SECURED.

DRAFT

REV.	DATE	REVISION DESCRIPTION

DESIGNED BY: KSJ  
DRAWN BY: KSJ  
CHECKED BY: PJC  
DATE: 3/15/2023  
FILE NAME: 4646-0003 SK01.dwg

PROJECT NAME:

SKETCH PLAN REVIEW  
1372 MAINE STREET  
POLAND, MAINE

CLIENT:

HAWKEYE FIBER OPTICS  
PO BOX 709  
POLAND, MAINE

SHEET TITLE:

PROPOSED  
CONDITION  
SKETCH  
PLAN

SHEET NO:

SK-1







## Planning Board Office

1231 Maine Street,  
Poland, Maine 04274-7328

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

**Application Type:** Formal Site Plan

**Owners Name:** Timothy and Amanda McAlister (26 Trout Run New Gloucester, Maine 04260)

**Located at:** Kinney Woods Lane

**Parcel ID:** 0010-0082-0005E

**Zoning District:** Farm and Forest.

#### **509.8 SUBMISSIONS**

The Planning Board voted on February 14, 2023, that the application for a back lot driveway to create the needed frontage on a 34 acre parcel included all the mandatory submissions requirements for the site plan application. Based on this information and in the record the Planning Board finds that this criterion will be met.

#### **509.9 SITE PLAN REVIEW STANDARDS**

##### **A. Preservation of Landscape:**

The Applicant has proposed a back lot driveway to create frontage for an existing 34 acre parcel. The back lot will be served by an existing right of way. There are no environmentally sensitive areas shown on the plan. Based on this information above and in the record the Planning Board finds that this criterion will be met.

##### **B. Relation of Proposed Buildings to Environment:**

The Applicant has proposed the back lot driveway only. There are no proposed buildings. Based on this information above and in the record the Planning Board finds that this criterion will be met.

##### **C. Compatibility with Residential Areas:**

The proposed back lot driveway will be used to access the back lot for a future residential home. There is ample parking located on the lot for the proposed use and the proposal will not create any unsightly views, noise, odor, or lighting pollution. Based on this information above and in the record the Planning Board finds that this criterion will be met.

**D. Vehicular Access:**

This parcel does not appear to contain more than five hundred (500') feet of street frontage on a single street and consists of more than ten (10) acres; therefore, a conceptual access master plan is not required. Based on this information and in the record the Planning Board finds that this criterion will be met.

**E. Access to Route:**

The new backlot driveway will be added to the existing right of way from Kinney Lane. Based on this information and in the record the Planning Board finds that this criterion will be met.

**F. Surface Water:**

The Applicant has requested a waiver for the storm water; therefore, the Planning Board finds that this section is not applicable.

**G. Conservation, Erosion and Sediment Control:**

The Applicant has requested a waiver for the erosion and sedimentation control plan. Erosion control will be a condition of the permit and inspected by Code Enforcement. Based on this information and in the record the Planning Board finds that this criterion will be met.

**H. Phosphorus Export:**

The parcel is in the Tripp Lake watershed. The Applicant has proposed a phosphorus management plan using the Phosphorus Calculation Form limiting the clearing to 15,000 square feet. Based on this information and in the record the Planning Board finds that this criterion will be met.

**I. Site Conditions:**

The Applicant will keep the site maintained and free from debris. Based on this information and in the record the Planning Board finds that this criterion will be met.

**J. Signs:**

There are no signs proposed on this application; therefore, the Planning Board finds that this section is not applicable.

**K. Special Features:**

The Applicant is not proposing to install any new mechanical equipment. Based on this information and in the record the Planning Board finds that this criterion will be met.

**L. Exterior Lighting:**

The Applicant is not proposing to install any new exterior lighting. Based on this information and in the record the Planning Board finds that this criterion will be met.

**M. Emergency Vehicle Access:**

The proposed back lot driveway and hammerhead create sufficient access to the back lot. Based on this information and in the record the Planning Board finds that this criterion will be met.

**N. Municipal Services:**

All Town departments have not disclosed any concerns with the application as it stands. Based on this information and in the record the Planning Board finds that this criterion will be met.

**O. Water Supply:**

Water supply is not a requirement of section 509.11 Back Lot Driveways; therefore, the Planning Board finds that this section is not applicable.

**P. Ground Water:**

The parcel is not located in an aquifer overlay district and there is no proposed above or below ground fuel storage; therefore, the Planning Board finds that this section is not applicable.

**Q. Air Emissions:**

The proposed back lot driveway will not create any dust, ash, smoke, or other particulate matter and will meet or exceed the standards set by the MDEP. Based on this information and in the record the Planning Board finds that this criterion will be met.

**R. Odor Control:**

The proposed back lot driveway will not produce any offensive or harmful odors. Based on this information and in the record the Planning Board finds that this criterion will be met.

**S. Noise:**

The Applicant has stated that the proposed back lot driveway will meet the Town and MDEP'S minimum noise standards. Based on this information and in the record the Planning Board finds that this criterion will be met.

**T. Sewage Disposal**

The Applicant will provide an HHE-200 for the new home prior to construction. Based on this information and in the record the Planning Board finds that this criterion will be met.

**U. Waste Disposal**

The Applicant is proposing no visible on-site waste disposal. Based on this information and in the record the Planning Board finds that this criterion will be met.

**V. Buffer Areas**

Existing buffers will remain in place. Based on this information and in the record the Planning Board finds that this criterion will be met.

**W. Adequate Financial and Technical Capacity**

The question of financial and technical capacity was not addressed in this application; therefore, the Planning Board finds that this section is not applicable.

**X. Conformance with the Comprehensive Plan**

The back lot driveway is a permitted use in the Farm and Forest zoning district and will be in conformance with the Comprehensive Plan. Based on this information and in the record the Planning Board finds that this criterion will be met.

## **509.11 Back Lots and Back Lot Driveways**

### **D. Originate from a Paved Street:**

Kinney Woods Lane is a private gravel road. The Planning Board has granted a waiver for the back lot driveway to originate from a paved street. Based on this information and in the record the Planning Board finds that this criterion will be met.

### **Conclusion**

- The Planning Board reviewed the Site Plan application on February 14, 2023, at which time the Planning Board deemed the application as completed and decided to not hold a public hearing or site walk for the application.
- The Applicant has provided the Planning Board with a deed (Book 11004 Page 35) showing reasonable right, title, or interest in the property.
- The Planning Board has concluded that they have the jurisdiction to review the application under Ch. 5 §509.2.A.3, (New uses of existing structures or land or existing uses that require Site Plan Review)

Therefore, the Town of Poland Planning Board by a vote 5-0 hereby approves with the following conditions the application for Timothy and Amanda McAlister to create a back lot driveway as described in the application dated January 20, 2023, the site plan dated January 23, 2023, and the above findings of facts.

### **Conditions of Approval:**

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

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



**Date Approved: February 14, 2023**  
**Poland Planning Board**

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George Greenwood, Chairman

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James Porter, Vice Chairman

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Cheryl Skilling, Secretary

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James Walker, Member

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Jonathan Gilson, Member

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