

**Planning Board Meeting
October 22, 2019 – 7:00 PM
Town Office Conference Room**



Meeting Materials

Planning Board
Tuesday, October 22, 2019
7:00 PM – Town Office Conference Room

CALL TO ORDER

MINUTES

October 8, 2019

COMMUNICATIONS

OLD BUSINESS

NEW BUSINESS

Minor Subdivision Application – Jospeh Cimino – 481 Maine Street – Map 6 Lots 47 and 47E to 4

Informational – Stuart Davis

Findings of Fact and Conclusions of law for:

Minor Subdivision Application Amendment – Megquier Hill Holdings, LLC
– 260 Megquier Hill Road – Map 14 Lots 25 and 25B

Minor Subdivision Application – Cheryl Skilling and Wayne Verrill – Wild Turkey Way
– Map 9 Lot 28 Sub-lots 2B and 3

Sketch Plan Review – Frank and Joy Lowe – 425 Maine Street – Map 6 Lot 47C

Formal Shoreland Zoning Application – Tim Garrelts – 187 Johnson Hill Road – Map 20 Lot 10

Formal Site Plan Review – Brittany Tucci and Breeana Spaulding – 1184 Maine Street
– Map 39 Lot 8

Formal Site Plan Review – Debra and Anna Lapre – 1171 Maine Street – Map 39 Lot 19

ANY OTHER BUSINESS

ADJOURNMENT

POLAND PLANNING BOARD
MINUTES OF MEETING
October 8, 2019
Approved on _____, 2019

CALL TO ORDER – Chairperson Porter called the meeting to order at 7:00pm with Members Cheryl Skilling, Stephanie Floyd, Alternate Member Jimmy Walker, CEO Scott Neal, and Sarah Merrill present. Alternate Member Walker is a voting member for this meeting. Members George Greenwood and Mark Weinberg are absent with notice.

MINUTES – September 24, 2019 – Alternate Member Walker noted that there was a mistake on the minutes. Chairperson Porter made the correction on the minutes. Member Floyd moved to approve the minutes with the correction. Member Skilling seconded the motion. Discussion: None Vote: 4-yes 0-no

COMMUNICATIONS – None

OLD BUSINESS – None

NEW BUSINESS –

Chairperson Porter asked the Board to take the applications out of order. The Board by consensus agreed.

Formal Site Plan Review – Debra and Anna Lapre – 1171 Maine Street – Map 39 Lot 19
Steve Johnson presented the project to the Board on behalf of the Lapre's. The Lapre's would like to store 8 boats outside during the winter. Fire Chief Printup met with the Lapre's and has no problem with this as long as the boats are stored on the edge of the lot in case emergency vehicles need to get in.

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

Member Floyd moved to approve the Formal Site Plan Review as complete with the following conditions: the public hearing is waived, and the site walk is waived. Member Skilling seconded the motion. Discussion: None Vote: 4-yes 0-no

Formal Site Plan Review – Kyi Maung – 123/141 Mechanic Falls Road
– Map 12 Lot 22A

Kyi Maung and Ryan Hawkes presented the project to the Board. Mr. Maung would like to be able to sell trailers on the property, offer wheel alignments and tire service in the garage, and include in the site plan leasing part of the property to Mr. Hawkes as a place to park his business trucks.

Mr. Hawkes owns his own business and rents approximately 16,000 sq. ft. of parking space from Mr. Maung to park his company trucks. Mr. Hawkes would like to be able to get power to the area and work with the Maine DOT to get a second entrance approved.

POLAND PLANNING BOARD
MINUTES OF MEETING
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Mr. Maung would also like to clean out the old foundation and fill in the hole. The Board told Mr. Maung that this does not require the Board's approval to do.

There are currently violations on the property from the Code Enforcement Office that need to be cleared up before any other permits will be given. CEO Neal went over some of the violations and what it will take to clear them up.

The Board wanted to know why there are two mailing addresses listed for the property. One address is for the house and the other address is for the business.

The Board told Mr. Maung that he needs to correct the violations, to apply for everything he wants to do on the property, contact the Maine DOT, and submit an updated Formal Site Plan. Until Mr. Maung is able to do this the Board feels the application should be tabled.

Member Floyd moved to table the Formal Site Plan Review pending completion of the application with the requested information. Member Skilling seconded the motion.
Discussion: None Vote: 4-yes 0-no

ANY OTHER BUSINESS – None

ADJOURN – Member Floyd moved to adjourn the meeting at 8:10 pm. Member Skilling seconded the motion. Discussion: None Vote: 4-yes 0-no

Recorded by: Sarah Merrill

Planning Board

_____ James Porter, Chairperson	_____ <u>Absent with Notice</u> George Greenwood, Member
_____ <u>Absent with Notice</u> Mark Weinberg, Secretary	_____ Stephane Floyd, Vice Chairperson
_____ Cheryl Skilling, Member	_____ James Walker, Alternate Member

**Town of Poland, Maine
PLANNING BOARD AGENDA REQUEST**

Date of meeting you are requesting to be scheduled for: 10 / 22 / 2019

Meetings are normally conducted from 7:00 to 10:00 PM in the Municipal Conference Room at the Town Office

Map 6 Lot 47 & 47E Sub-lot _____

Applicant's Name: Joseph F. Cimino
Mailing Address: PO Box 438
Town, State, Zip: Poland, ME 04274
Home Phone: 207-576-1553 Hours: _____
Work Phone: _____ Hours: _____

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

Road location for project: 481 Maine Street (State Route 26)

Zoning: Village IV Lake Watershed: Middle Range Pond

Nature of business to be discussed (Brief description): Subdivision of Tax Map 6, Lot 47 & 47E to 4 lots

IMPORTANT - READ CAREFULLY:

This Office must receive the original application, plus thirteen (13) copies, a digital PDF copy (on either cd or usb), and appropriate fees by Friday at 1:00 p.m., eleven (11) days before the stated meeting to be put on the upcoming agenda.

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

Applicant's Signature:  Date: 10 / 11 / 2019

OFFICE USE ONLY:

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

MINOR SUBDIVISION APPLICATION

PREPARED FOR:
JOSEPH F. CIMINO
P.O. BOX 438
POLAND, MAINE 04274

REGARDING PROPERTY LOCATED AT:

**ROUTE 26 (MAINE STREET)
POLAND, MAINE 04274**

**PROPOSED 4-LOT MINOR SUBDIVISION
OF
TAX MAP 6, LOTS 47 & 47E**

PREPARED BY:
DAVIS LAND SURVEYING

STUART A. DAVIS
PROFESSIONAL LAND SURVEYOR #2208
64 OLD COUNTY ROAD
OXFORD, MAINE 04270

OCTOBER 22, 2019

Davis Land Surveying, LLC

Mailing Address: 64 Old County Road – Oxford, ME 04270

Office Address: 990 Minot Avenue - Auburn, ME 04210

(207) 345-9991 office

(207) 782-3685 office

(207) 240-9949 cell

Email: stuart@davislandsurveying.net
www.davislandsurveying.net

October 22, 2019

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

Dear Planning Board members,

Enclosed please find a Minor Subdivision Application with exhibits on behalf of Joseph F. Cimino. The properties are located on State Route 26 and being shown as Lot 47 & 47E on the Town of Poland Tax Map 6. The properties contain 13.4 acres and are located within the Village III and Village IV Zone.

The purpose of the application is to create a four (4) lot Minor Subdivision. The original lot with the Gun Shop will be Lot 1. On June 1, 2017, Mr. Cimino sold a portion of his property to Auburn Housing Development being shown as Lot 47E on Tax Map 6. Since this occurred less than 5 years ago, this lot is included as part of the minor subdivision (Lot 2). In August 2014, the Town of Poland approved the construction of a speculative building of 4,800 sq. ft. on a portion of Mr. Cimino's property shown as Lot #3 on this plan. In November 2014, MDEP issued order #L-23926-NB-E-N & L-23926-TC-F-N for the development and a building has been constructed. Lot 4 will be accessed from a 60-ft-wide right of way through Lot #3 unless an MDOT entrance permit for access to Lot 4 directly from Route 26 is obtained.

The subdivision will be serviced with public water and sewer.

We look forward to an opportunity to discuss the project with the Planning Board and any comments and suggestions.

Thanks



Stuart Davis - ME PLS #2208

**MINOR SUBDIVISION APPLICATION
POLAND TAX MAP 6, LOTS 47 & 47E**

TABLE OF CONTENTS

Exhibit 1	Application
Exhibit 2	Agent Authorization Letter
Exhibit 3	Map of Abutters and List
Exhibit 4	Assessors Cards
Exhibit 5	Deed Book 6878 Page 283
Exhibit 6	Town GIS Contours (2')
Exhibit 7	Subdivision Plan



Town of Poland, Maine Planning Board

Minor Subdivision Application Instructions

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 And Obtain copies of information as required by the application on these pages.
 - A) Obtain names and addresses of "Abutters" (*within 500 feet of your lot*) from the Assessor's Office.
 - i) You will need to deliver this list to the Planning Board Office. It is needed for the official abutters' notification to be sent by this office of your request.
 - ii) An "Agenda Request form should be filed at the same time so that a meeting date with proper notification to the abutters can be set.
3. Use the "Submission Checklist" to make sure submission requirements are met.
 - A) The checklist is a summary of the standard requirements in Section 606.3 of the Comprehensive Land Use Code.
 - i) The actual Code wording may be found on-line at www.polandtownoffice.org. Go to the "Code Enforcement" page and then select "Comprehensive Land Use Code". 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. Make the necessary copies of all information requested.
5. NUMBER OF COPIES OF THE APPLICATION AND DUE DATES
 - A) A total of 14 copies of the plans are needed.
 - i) Four (4) of the copies are required for Department Heads and should be attached to the department head notice. (The Recreation Dept. need to be notified but usually does not need a copy of the application)
 - ii) The applicant is responsible for the delivery of the Road Commissioner's, the Fire/Rescue Chief's, the Police Dept, and the School Departments application copies.
 - B) Department heads require at least fourteen days to review the applications. If insufficient time is given to the department heads for review, their response to the Planning Board will delay the Planning Board's decision.
 - C) The Code Enforcement Office must receive an original application (An application with original signatures) and an additional 13 copies for the Board members along with the appropriate fees by 1:00 p.m. eleven (11) days before the stated meeting to remain on the upcoming agenda.
 - D) If review for completeness of information by the Code Enforcement Officer is desired, a copy must be submitted to the CEO at least 14 days prior to the meeting.
 - E) The application will be put on display for public review 7 days prior to the meeting.
 - F) Applications received after the Agenda is posted may not be reviewed by the Board for your scheduled meeting date.

PROJECT NAME:

Date of Planning Board Review: _____ / _____ / _____ Application # _____

LOT INFORMATION:

Tax Assessor's _____ Map # 6 Lot # 47 & 47E Sub-lot # _____
Lake Watershed: Middle Range Pond
Road Location: 481 Maine Street (State Route 26)
Lot Size 585,318 Sq. Ft. Water frontage 0 Ft. Road Frontage: 865.45 Ft.
Year lot created: Unknown - old (If unknown, give best estimate with "est." after date)
Zoning District(s): Village 4 & Village 3 Flood Zone: No Aquifer Overlay: No
Current use of lot: Commercial Gun Shop, Unoccupied Commercial Building, & Undeveloped Lot

LAND OWNER(s): Submit copy of deed and copy of Tax Assessor's information card

Name(s): Joseph F. Cimino
Company: _____
Mail Address: PO Box 438 Phone: 207 -576 - 1553
Town/State/Zip: Poland, Maine 04274

Applicant is: X 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: _____
Phone: _____ - _____ - _____
Town/State/Zip _____

<input checked="" type="checkbox"/>	Commercial	<input 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"/>	Residential	<input type="checkbox"/>	Resumption of Use

1. General			
i)	Does this lot have any existing development? (If No, go to next page)	<u> </u> Yes	<u> </u> No
b.	Is there an existing Well	<u> </u> Yes	<u> </u> No
c.	Is there an existing Septic System	<u> </u> Yes	<u> </u> No
i)	<i>If yes, submit a copy of a septic permit, or drawing(s) showing size & location.</i>		
d.	Is there an existing Road Entrance or driveway?	<u> </u> Yes	<u> </u> No
i)	If yes, will there be any changes/modifications?	<u> </u> Yes	<u> </u> No
ii)	<i>(If no, submit copy of appropriate road entry application if entrance is onto a state or town road.)</i>		
e.	Any structures to be removed	<u> </u> Yes	<u> </u> No
i)	<i>If yes, submit information about the structure to be removed and how any debris will be disposed of.</i>		
2. Existing Land Development & Improvements NOT Including Buildings			
a.	Size of lawns	<u> </u> N/A	<u> </u> Sq. Ft. or Acres
b.	Size of fields	<u> </u> N/A	<u> </u> Sq. Ft. or Acres
c.	Size of driveways/roads	<u> </u> TBD	<u> </u> Sq. Ft.
d.	Size of paths & other non-vegetated areas	<u> </u> N/A	<u> </u> Sq. Ft.
e.	Wetlands already filled	<u> </u> 10,700	<u> </u> Sq. Ft.
3. Existing Main Structure			
a.	Ground Footprint	<u> </u> 4800 + 6290	<u> </u> Sq. Ft.
b.	Total Gross Floor Space (exterior dimensions of all floors)	<u> </u> 4800 + 6290	<u> </u> Sq. Ft.
c.	Road Frontage Setback	<u> </u> 30'	<u> </u> Ft.
d.	Side Setback	<u> </u> 10'	<u> </u> Ft.
e.	Rear Setback	<u> </u> 10'	<u> </u> Ft.
f.	Distance to Great Pond	<u> </u> Not applicable (over 250')	<u> </u> Ft.
g.	Distance to Stream	<u> </u> Not applicable (over 250')	<u> </u> Ft.
h.	Distance to Wetlands	<u> </u> Not applicable (over 250')	<u> </u> Ft.
i.	Foundation	<u> </u> +/-40	<u> </u> Ft.
	<u> </u> X Full Basement	<u> </u> Frost Walls	<u> </u> X Slab <u> </u> Piers
4. Existing Accessory Structure(s)			
a.	Total Number of Structures	<u> </u> 0	
b.	Total Ground Footprint	<u> </u>	<u> </u> Sq. Ft.
c.	Total Floor Space	<u> </u>	<u> </u> Sq. Ft.
d.	Closest Road Setback	<u> </u> N/A	<u> </u> Ft.
e.	Closest Side Setback	<u> </u> N/A	<u> </u> Ft.
f.	Closest Rear Setback	<u> </u> N/A	<u> </u> Ft.
g.	Distance to Great Pond	<u> </u> Not applicable (over 250')	<u> </u> Ft.
h.	Distance to Streams	<u> </u> Not applicable (over 250')	<u> </u> Ft.
i.	Distance to Wetlands	<u> </u> Not applicable (over 250')	<u> </u> Ft.

PROPOSED Development

SUBMISSION REQUIREMENTS:

1. Standard submissions requirements shall follow Section 606.2 Comprehensive Land Use Code.
2. Additional information requested by the Planning Board at the Pre-application Sketch Plan and/or the Site Inspection meetings shall be added to the standard submission requirements.
3. Information shall be submitted in the order shown in the check list.
4. Submit information on status of any necessary state and/or federal permit.

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 the *Maine Uniform Building and Energy Code* and the *NFPA-101 Life Safety Code, 2006*.
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** 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 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 Court.
11. I understand that **all state and federal permits** are my responsibility as the applicant and/or owner.
12. Anything agreed to verbally or in writing during the application process must be adhered to and will be enforced.



Applicant's Signature

10/22/2019

Date

Submissions CHECKLIST:

Plan Name:

The following list is the information required by Chapter 606.3 of the Comprehensive Land Use Code for the Town of Poland, Maine for a Minor Subdivision Plan Application. Please check in the columns on the left if the information has been provided, a request of a waiver, or you believe the information is not applicable to your application. If a waiver 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		Received	On File	Waived	Not Applicable
			Section 606.3 Submission requirements				
X			A. Application form				
X			B. Location Map				
X			B.1. Existing subdivision In proximity				
X			B.2. Location & names of streets				
X			B.3. Zoning Districts				
X			B.4. Outline of subdivision & holdings				
			C. Final Plan				
			* 2 Originals plans				
			* 12 copies of application				
			* Board Endorsement area				
			* Digital form of plan				
X			D.1. Proposed name				
X			D.2. Names & address of all involved				
X			D.3. Date plan prepared				
X			D.4. Existing physical features				
X			* Number of acres				
X			* Property lines				
X			* Existing buildings				
		X	* Vegetative cover type				
		X	* Trees >24" DBH				
		X	* Clearing area for lawns & structures				
		X	* Restrictions on clearings				
		X	D.5. Location of water bodies				
X			D.6. Contours at requested intervals				
X			D.7. Zoning Districts				
X			D.8. Location, names, widths of:				
X			* Roads				
X			* Easements				
X			* Buildings				
		X	* Parks				
		X	* Open Spaces				
X			D.9. Title, rights, & interests				
X			D.10. Standard boundary survey				
X			D.11. Copy of most recent deed on parcel				
		X	D.12. Intended deed restrictions				
X			D.13. Type of sewage disposal				
		X	D.13.a. SSWS pit locations & analyses				
X			D.14.a. Public water supply approval				
		X	D.14.b. Private wells adequate supply				
		X	D.14.c. Adequate central supply				
X			D.15. Wetland identified				
		X	D.16. Phosphorous analysis				
X			D.17. Location of sewers, water mains, culverts, & drainage ways				

For Applicant Use				For Planning Board Use			
Provided	Waiver Request	Not Applicable		Received	On File	Waived	Not Applicable
		X	D.19. Dedicated public use land				
			* Offers to town				
			* Selectmen look favorable on offer				
		X	D.20. Flood prone areas				
		X	D.21. Hydrogeologic assessment				
		X	D.21.a. Sand & gravel aquifers				
			D.21.b. Average dwelling density				
			* Potential for adverse impact				
		X	D.22. Storm water management plan				
		X	D.23. Erosion & sedimentation plan				
		X	D.23.a Permit from DEP				
		X	D.24 Areas of wildlife habitat				
		X	D.25. Areas on NRHP				
		X	D.26. Disposal of debris				
			* DEP permit				
		X	D.27. Scenic sites				
		X	D.28. Agricultural areas				
		X	D.29. Archeological resources				
			D.30. Technical & financial ability				
			Supplemental Information				
			Notification of fire, rescue, road, & school departments				
			Status of State and/or Federal permits				
			Condition A.				
			Condition B.				
			Condition C.				
			Condition D.				
			Condition E.				
			Condition F.				

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

Planning Board

DEPARTMENTAL REVIEW OF PROPOSED SITE APPLICATION

Date: 10 / 11 / 2019

To: _____

In accordance with Chapter 606, Site Review, of the Comprehensive Land Use Code for the Town of Poland, an applicant for development approval is required to ask that Municipal Departments to comment on their capacity of capital facilities to serve a proposed development. Therefore, the Planning Board, by way of the applicant, is notifying you of the following proposed project and requests your comments

Applicant: Joseph F. Cimino
Address: PO Box 438
Poland, ME 04274
Location: Map # 6 Lot # 47&47E Sublot #
Road Location: 481 Maine Street (Route 26)
Project overview: Subdivision of Tax Map 6, Lot 47 & 47E to 4 lots
Scheduled Planning Board Meeting Date 10 / 22 / 2019

Applicants:

1. Should attach all relevant sections of their plans to prevent delays.
2. Mail this form letter along with a copy of the application so that each department head receives it at least fourteen days prior to the scheduled meeting. (See reverse for list of Department Heads)
3. Confirm with the department heads that they have delivered their response to the Planning Board Office in time for the meeting.

For the Department Head

I have reviewed this application and provide the following:

- ☐ The project has no impact on the Department.
☐ The Department has adequate existing capital facilities to serve the project.
☐ The Department does not have adequate existing capital facilities to serve the project for the reasons listed. (Please submit reasons on department letterhead)
☐ I need more information on the application.

Signed: _____
Head of Department

Date: ____ / ____ / ____

RETURN THIS FORM TO:

Please return by: Date: ____ / ____ / ____

Planning Board Office
Town of Poland
1231 Maine Street
Poland, Maine 04274-7328

Town of Poland

Department Heads

FIRE/ RESCUE CHIEF

TOM PRINTUP
1231 Maine Street
Poland, ME 04274
998-4689

ROAD COMMISSIONER

BYRON A. STROUT
1231 Maine Street
Poland, ME 04274
998-4601

SUPERINTENDENT OF SCHOOLS

KENNETH HEALEY
1146 Maine Street
Poland, ME 04274
998-2727

POLICE DEPARTMENT

CHIEF DEPUTY WILLIAM GAGNE
Androscoggin Sheriff's Office
2 Turner Street
Auburn, ME 04210
753-2599

Joseph Cimino
P.O. Box 438
Poland, Maine 04274

October 22, 2019

To Whom It May Concern:

I authorize Stuart Davis of Davis Land Surveying, LLC to act as my agent in preparing and presenting the application submitted before you.

Sincerely,



Joseph Cimino



ABUTTERS TO MAP 6, LOTS 47 & 47E

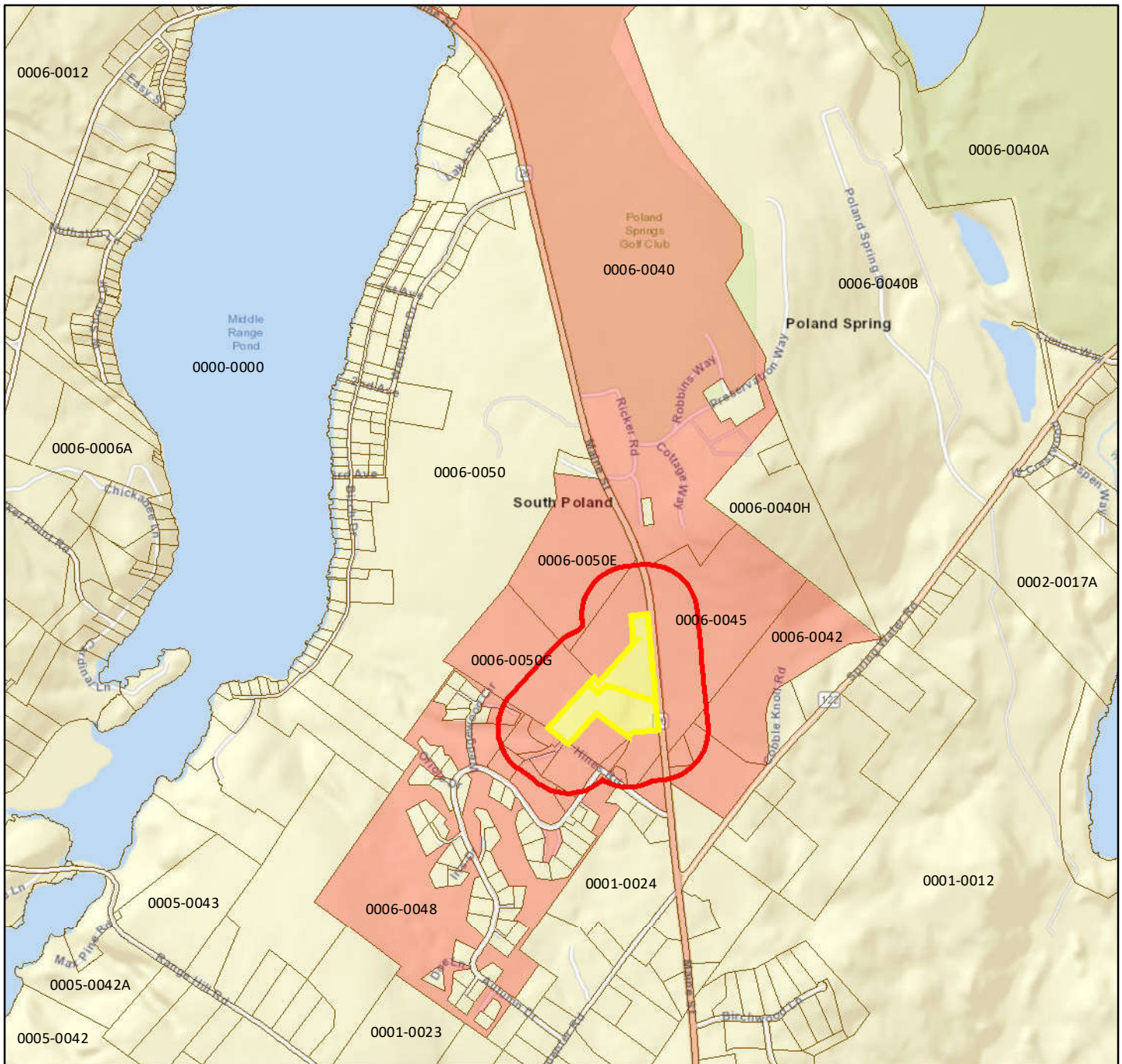
Poland, ME



October 1, 2019

1 inch = 1500 Feet

www.cai-tech.com



	Parcel Lines - No Orthos
	Parcel Lines - Orthos

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

AKIN, RACHEL B.
27 SPRING ST.
YARMOUTH, ME 04096

GRECO, RONALD T.
31 COBBLE KNOLL RD.
POLAND, ME 04274

ROY, FRANCIS R.
53 HINES RD.
POLAND, ME 04274

ANDERSON, MICHAEL
P. O. BOX 103
POLAND, ME 04274

IMAGE INC.
c/o CYNTHIA ROBBINS
543 MAINE ST.
POLAND, ME 04274

SBA TOWERS III, LLC
ATTN: TAX DEPT. ME14784-A
8051 CONGRESS AVE
BOCA RATON, FL 33487

AUDET, RALPH
P. O. BOX 522
POLAND, ME 04274

JOHNSON, CURTIS
147 AUTUMN DR.
POLAND, ME 04274

SOMMA, JEREMY D.
6 WINTERGREEN DR.
POLAND, ME 04274

AUTUMN, INC.
58 WATSON RD
POLAND, ME 04274

JUST RITE, INC.
58 WATSON RD
POLAND, ME 04274

STEVENS, LESTER
P. O. BOX 542
POLAND, ME 04274

BENEDICT, FRANK
49 SPRING WATER RD.
POLAND, ME 04274

MAINE, STATE OF
C/O BUREAU OF PUBLIC
LANDS
STATE HOUSE STATION #33
AUGUSTA, ME 04333

WEDGEWOOD ESTATES
HOMEOWNERS ASSOCIATION
4 DOE LANE
POLAND, ME 04274

CAOUCETTE, MICHAEL Y.
335 MEGQUIER HILL RD.
POLAND, ME 04274

MEYERL, BETHANY
39 HINES RD.
POLAND, ME 04274

CIMINO PROPERTIES, LLC
PO BOX 438
POLAND, ME 04274

MORIN, ROBERT R. JR.
189 AUTUMN DR.
POLAND, ME 04274

COSTA, WENDY ANN
424 MAINE ST.
POLAND, ME 04274

NESTLE WATERS NORTH
AMERICA INC
ATTN: TAX DEPARTMENT
900 LONG RIDGE ROAD,
BUILDING 2

GARCIA, PEDRO JR.
4 WINTERGREEN DR.
POLAND, ME 04274

O'CONNOR, KEVIN J.
38 HINES RD.
POLAND, ME 04274

GONZAGA, OMAR G.
23 HINES RD.
POLAND, ME 04274

PATENAUDE, DOUGLAS F.
67 HINES RD.
POLAND, ME 04274



Property Card: 481 MAINE ST. Poland, ME



Parcel ID: 0006-0047
Trio Account #: 610

Owner: CIMINO, JOSEPH F.
Co-Owner:
Mailing Address: P. O. BOX 438
POLAND, ME 04274

Valuation	Building Sketch
Card Number: 1 Acreage: 15.66 Land Value: \$76,890 Building Value: \$411,500 Total Value: \$411,500 Taxes: \$6,935	NO SKETCH AVAILABLE
Building Information	
Year Built: 1915 Remodded: 0 Living Area (sqft): 0 Basement: Full Basement Finished Basement: 0 Number of Rooms: 0 Number of Bedrooms: 0 Number of Full Baths: 3 Number of Half Baths: 0	Stories: Exterior Walls: CLAPBOARD Roofing Materials: Asphalt Shingles Foundation: Brick &/or Stone Insulation: Full Fireplace: 1 Heating: Hot Water BB A/C: None Attic: None



Property Card: MAINE ST.
Poland, ME

NO PHOTO
AVAILABLE

Parcel ID: 0006-0047E
Trio Account #: 3871

Owner: AUBURN HOUSING DEVELOPMENT
Co-Owner: CORP
Mailing Address:
P. O. BOX 3037
AUBURN, ME 04212

Valuation

Building Sketch

DEED OF SALE BY PERSONAL REPRESENTATIVE (TESTATE)

CARMEN A. CAOQUETTE, of Gray, Cumberland County, Maine, duly appointed and acting **PERSONAL REPRESENTATIVE** of the **ESTATE OF CORONA M. CAOQUETTE**, deceased (testate), as shown by the probate records of Androscoggin County, Maine, Probate Docket No. 2004-283, by the power conferred by the Probate Code, and every other power, for consideration paid, grants to **JOSEPH F. CIMINO**, of Poland, Androscoggin County, Maine, whose mailing address is P.O. Box 438. Poland, ME 04274, the real property in Poland, Androscoggin County, Maine described as follows:

SEE EXHIBIT "A" ATTACHED AND INCORPORATED HEREIN.

Also hereby conveying all rights, easements, privileges and appurtenances belonging to the premises hereinabove described.

WITNESS my hand and seal on August 24, 2006.

ESTATE OF CORONA M. CAOQUETTE

BY:

Carmen A. Caouette, Personal Rep.
Carmen A. Caouette, Personal Representative

Witness

STATE OF MAINE
Cumberland, ss.

August 24, 2006

Personally appeared, before me, the above-named **Carmen A. Caouette**, in her said capacity as Personal Representatives of the Estate of Corona M. Caouette, and acknowledged the foregoing instrument to be her free act and deed.

M B D

Notary Public/Attorney

MARY B. DEVINE
Print Name

MAINE REAL ESTATE
TRANSFER TAX PAID

**PROPERTY DESCRIPTION OF LAND LOCATED ON THE WESTERLY
SIDELINE OF STATE ROUTE 26 IN THE TOWN OF POLAND, MAINE**

N O T 13 acre Lot N O T
A N A N
O F F I C I A L O F F I C I A L

A certain parcel of land situated on the apparent westerly side of State Route 26 in the Town of Poland, County of Androscoggin, State of Maine and being more particularly described as follows:

N O T N O T
A N A N

BEGINNING at 5/8" capped rebar on the apparent westerly Sideline of State Route 26. Said rebar also being at the Southeast corner of a land now or formerly of Image, Inc. as described in a deed dated July 13, 1982 and recorded in the Androscoggin County Registry of Deeds in Book 1588, Page 20;

- 1) Thence, S 22° 39' 24" W by the apparent westerly sideline of said State Route 26, a distance of one hundred fifty-six and 82/100 feet (156.82') to a point on the north wall of a building;
- 2) Thence, S 66° 43' 04" E by the northerly wall of said building and the apparent northerly sideline of State Route 26, a distance of seven and 11/100 feet (7.11') to the northeast corner of said building;
- 3) Thence, S 23° 31' 20" W by the easterly wall of said building and the apparent westerly sideline of State Route 26, a distance of sixty-three and 78/100 feet (63.78') to the southeast corner of said building;
- 4) Thence, N 66° 43' 04" W by the southerly wall of said Building and the apparent southerly sideline of State Route 26, a distance of six and 15/100 feet (6.15') to a point;
- 5) Thence, S 22° 39' 24" W by the apparent westerly sideline of said State Route 26, a distance of nine hundred forty and 55/100 feet (940.55') to a 5/8" capped rebar at the northeast corner of land now or formerly of Michael Y. Caouette as described in a deed dated December 29, 2005 and recorded in said Registry in Book 6634, Page 237;
- 6) Thence, N 66° 26' 31" W by the northerly sideline of said Caouette, a distance of two hundred fifty-two and 48/100 feet (252.48') to a 5/8" capped rebar;
- 7) Thence, S 71° 05' 08" W by the northerly sideline of said Caouette, a distance of sixty-nine and 62/100 feet (69.62') to 5/8" capped rebar at the southeast corner of land now or formerly of Bethany Meyerl and Brian Bonney as described in a deed dated November 20, 2002 and recorded in said Registry in Book 5193, Page 27;
- 8) Thence, N 25° 33' 05" W by the easterly sideline of said Meyerl and Bonney, a distance of two hundred one and 35/100 feet (201.35') to a 5/8" capped rebar at the northeasterly corner of said Meyerl & Bonney and also being the southeast corner of other land now or formerly of Bethany Meyerl and Brian Bonney as described in a deed dated December 29, 2005 and recorded in said Registry in Book 6634, Page 235;
- 9) Thence, N 25° 33' 05" W by the easterly sideline of said other land of Meyerl and Bonney, a distance of two hundred one and 35/100 feet (201.35') to a 5/8" capped rebar;
- 10) Thence, S 71° 05' 08" W by the northerly sideline of said other land of Meyerl and Bonney, a distance of four hundred and 00/100 feet (400.00') to a 5/8" capped rebar on the apparent northeasterly sideline of the Hines Road;
- 11) Thence, N 25° 33' 05" W by the northeast sideline of said Hines Road, land now or formerly of Jeffrey C. Higgins et als as described in a deed dated June 10, 2005 and recorded in said Registry in Book 6364, Page 95 and also land now or formerly of Francis R. & Darlene M. Roy as described in a deed dated April 18, 1983 and recorded in said Registry in Book 1634, Page 319, a distance of two hundred one and 35/100 feet (201.35') to a 5/8" capped rebar at the southwest corner of said Image, Inc.;

-2-

- 12) Thence, N 71° 05' 08" E by the southerly sideline of said Image, Inc., a distance of one thousand two hundred twenty-seven and 00/100 feet (1,227.00') to a 5/8" capped rebar;
- 13) Thence, N 66° 04' 52" W by the northerly sideline of said Image, Inc., a distance of twenty-nine and 00/100 feet (29.00') to a 5/8" capped rebar;
- 14) Thence, N 23° 55' 08" E by the easterly sideline of said Image, Inc., a distance of two hundred fifty-five and 00/100 feet (255.00') to a 5/8" capped rebar;
- 15) Thence, S 66° 04' 52" W by the southerly sideline of said Image, Inc., a distance of one hundred fifty-nine and 09/100 feet (159.09') to a POINT OF BEGINNING.

The above-described parcel contains 13 acres more or less. The bearings above referred to are referenced to Magnetic North, 2002. All capped rebar's are further identified with a yellow cap inscribed JKL Surveying, PLS 2208.

Meaning and intending to describe remaining land of Corona Caouette as described in a deed from Victorienne Beaulieu dated November 22, 1994 and recorded in the Androscoggin County Registry of Deeds in Book 3358, Page 17.

ANDROSCOGGIN COUNTY
Tina K. Chaurand
 REGISTER OF DEEDS



Contours (2') per GIS

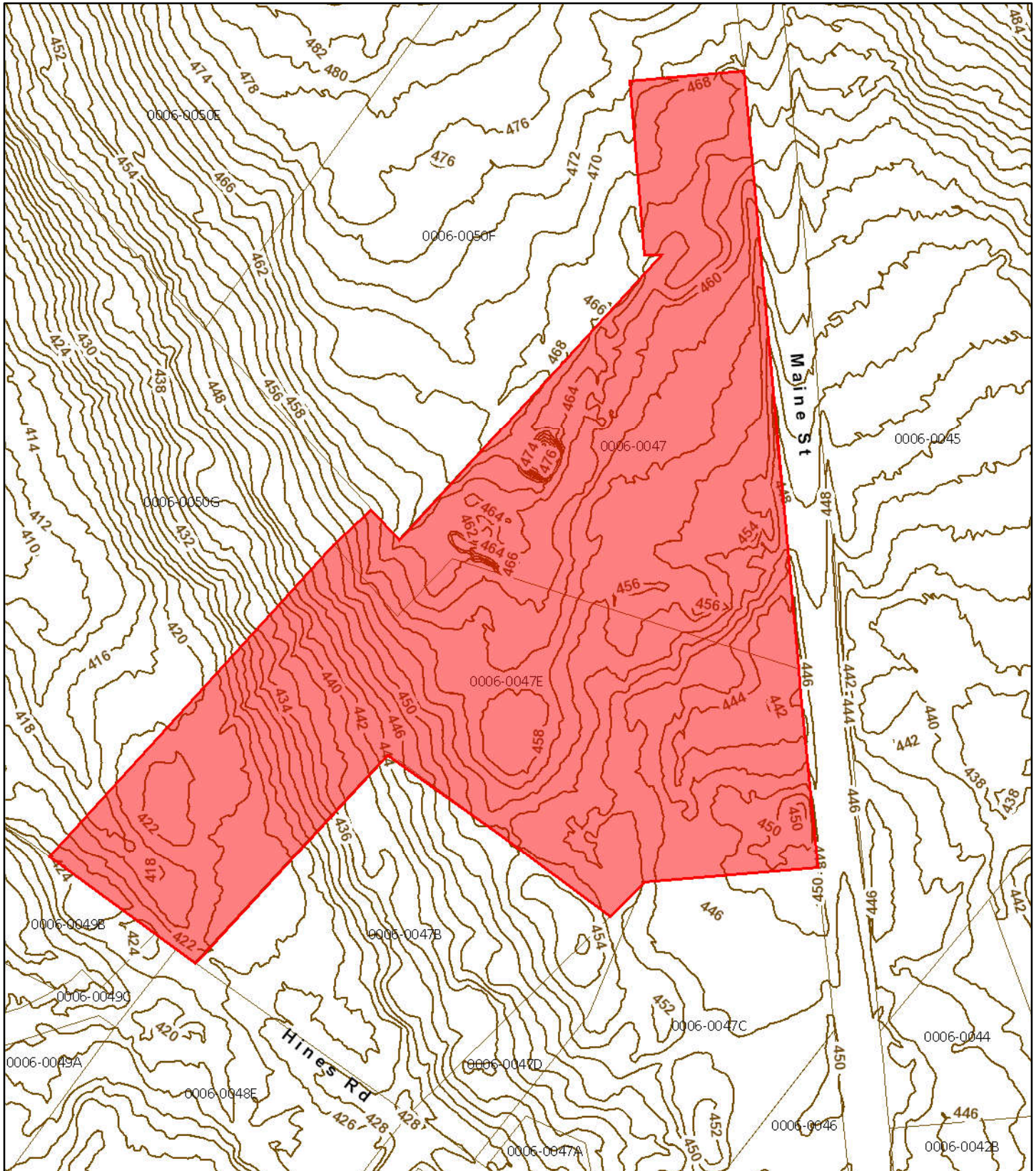
Poland, ME



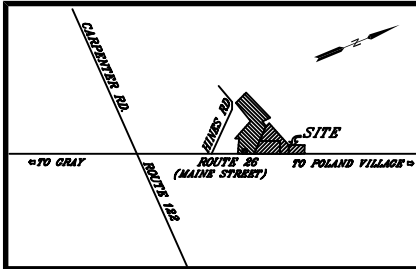
October 8, 2019

1 inch = 200 Feet

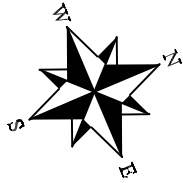
www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



-- SITE LOCATION --
-- NOT TO SCALE --



LEGEND

- PROPERTY BOUNDARY
- RIGHT OF WAY/ABUTTING LOT LINES
- SETBACK LINES
- ZONE LINE
- SET 5/8" CAPPED REBAR PLS #2208
- 5/8" REBAR - UNLESS OTHERWISE NOTED
- 5/8" CAPPED REBAR PLS #2208
- N/F NOW OR FORMERLY
- POWER POLE
- SS PUBLIC SANITATION SEWER LINE
- ⊙ SEWER MANHOLE
- PUBLIC WATER LINE
- WETLANDS

OWNER OF RECORD:

JOSEPH F. CIMINO
8-24-2006 -- REMAINING PORTION OF 6878/283 (LOTS 1, 3, & 4)

481 MAINE STREET
TAX MAP 6 - Lot 47

AUBURN HOUSING DEVELOPMENT CORPORATION
6-1-2017 -- 9610/22 (LOT 2)
MAINE STREET
TAX MAP 6 - LOT 47E
(7.1 ACRE PORTION OF 6873/283)

0.9 ACRE PORTION OF 4-16-2013 -- 8650/260 FORMERLY CIMINO PROPERTIES, LLC

AREA OF PROPERTY:

LOT 1	43,660.0 SF	1.00 AC.
LOT 2	348,475.0 SF	8.00 AC.
LOT 3	87,119.0 SF	2.00 AC.
LOT 4	98,865.0 SF	2.27 AC.
BASEMENT AREA	7,198.8 SF	0.16 AC.

TOTAL AREA 585,317.8 SF 13.23 AC.

REDUCED SIZE
NOT TO SCALE

NOTES:

- 1) BEARINGS ARE REFERENCED TO MAGNETIC NORTH AS REFERENCED TO ON PLAN REFERENCE #1.
- 2) DEED REFERENCES ARE MADE TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS - AUBURN, MAINE.
- 3) THE PURPOSE OF THIS PLAN IS TO SHOW A 4-LOT COMMERCIAL SUBDIVISION OF THE PROPERTY OF JOSEPH F. CIMINO AND BEING DESCRIBED IN A DEED DATED AUGUST 4, 2006 AND RECORDED IN THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS IN BOOK 6878, PAGE 283 & PORTION OF PROPERTY OF CIMINO PROPERTIES, LLC AS DESCRIBED IN A DEED DATED APRIL 16, 2013 AND RECORDED IN THE SAID REGISTRY IN BOOK 8650, PAGE 250.
- 4) WETLANDS LOCATED WITHIN 400 FEET OF ROUTE 26 BASED ON DELINEATION BY VAUGHN SMITH ASSOCIATES IN MAY 2014. WETLANDS LOCATED IN THE NORTH WESTERLY CORNER OF LOT 2 BASED ON DELINEATION BY JKL LAND SURVEYING IN OCTOBER 2006.
- 5) COMMERCIAL BUILDING DEVELOPMENT RECEIVED MDEP APPROVAL (SEE BOOK 9030, PAGE 162)
- 6) PROPERTY SERVICED BY PUBLIC SEWER AND WATER.
- 7) PROPERTY LIES IN VILLAGE III & VILLAGE IV DISTRICT.

~ VILLAGE III ~
Lot Size: 80,000 sq. ft.
Road/Shore frontage: 200'
Front Setback: 50'
Side & Rear Setbacks: 25'
Maximum Impervious: 75%

~ VILLAGE IV ~
Lot Size: 80,000 sq. ft.
Road frontage: 100'
Front Setback: 30'
Side & Rear Setbacks: 10'
Maximum Impervious: 75%

REFERENCES:

- 1) PLAN ENTITLED "PERIMETER BOUNDARY SURVEY-SITE PLAN OF PROPERTY - ROUTE 26 & HINES ROAD - POLAND MAINE", DATED SEPTEMBER 19, 2006, PREPARED BY JKL LAND SURVEYING, OXFORD, MAINE.
- 2) "SUBDIVISION PLAN OF: ROUTE 26 COMMERCIAL SUBDIVISION ROUTE 26, POLAND, MAINE", FOR JOSEPH CIMINO, DATED SEPTEMBER 2007, PREPARED BY SEBAGO TECHINCS AND RECORDED IN THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS IN BOOK 46, PAGE 187.
- 3) MAINE STATE HIGHWAY COMMISSION RIGHT OF WAY MAP DATED JULY, 2006 FILE NO. 1-278 AND FOUND AT THE OFFICE OF MDOT RIGHT OF WAY DEPARTMENT AUGUSTA, MAINE
- 4) TOWN OF POLAND TAX MAP 6
- 5) "BOUNDARY SURVEY, IMAGE INC., ROUTE 26, WEST VIEW DRIVE, BIRCH DRIVE POLAND, MAINE", FOR CYNTHIA ROBBINS, DATED APRIL 2010, PREPARED BY JONES ASSOCIATES INC., POLAND SPRING, MAINE
- 6) STANDARD BOUNDARY SURVEY, PLAN OF PROPERTY STATE ROUTE 26, POLAND, MAINE FOR AUBURN HOUSING DEVELOPMENT CORPORATION DATED MAY 22, 2017 PREPARED BY DAVIS LAND SURVEYING, LLC.

TOWN OF POLAND PLANNING BOARD

DATE:

CHAIRPERSON:

RECORDING INFORMATION:

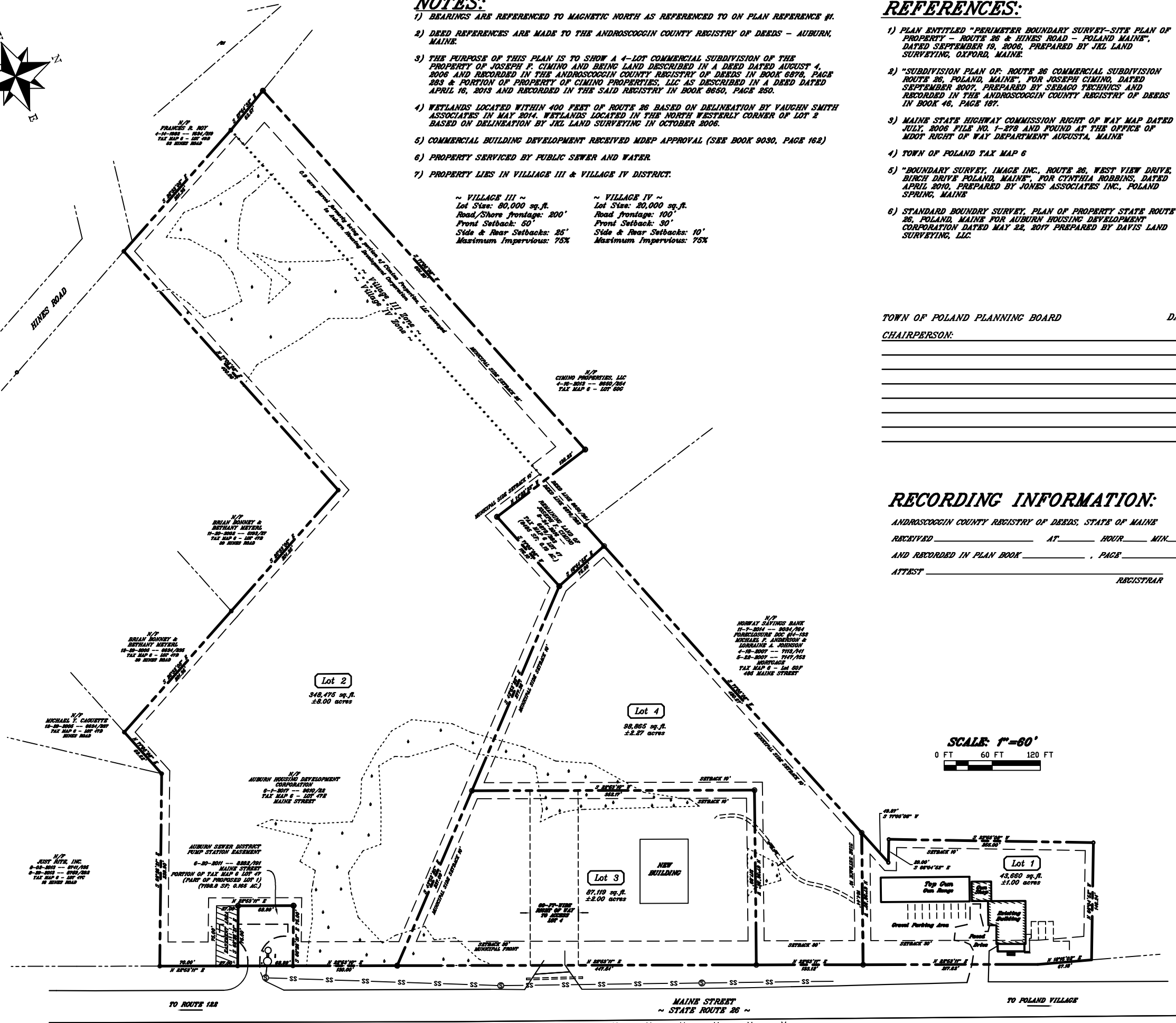
ANDROSCOGGIN COUNTY REGISTRY OF DEEDS, STATE OF MAINE

RECEIVED _____ AT _____ HOUR _____ MIN _____ M.

AND RECORDED IN PLAN BOOK _____, PAGE _____

ATTEST _____ REGISTRAR

SCALE: 1"=60'
0 FT 60 FT 120 FT



CERTIFICATION:

TO THE BEST OF MY KNOWLEDGE, I HAVE USED ORDINARY AND PRUDENT CARE IN THE PREPARATION OF THIS PLAN, AND I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

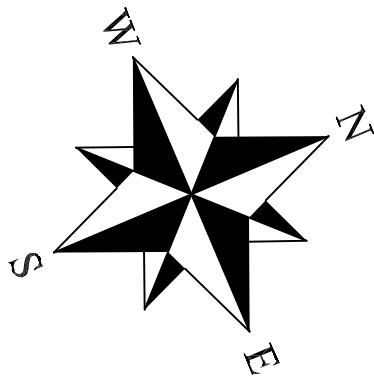
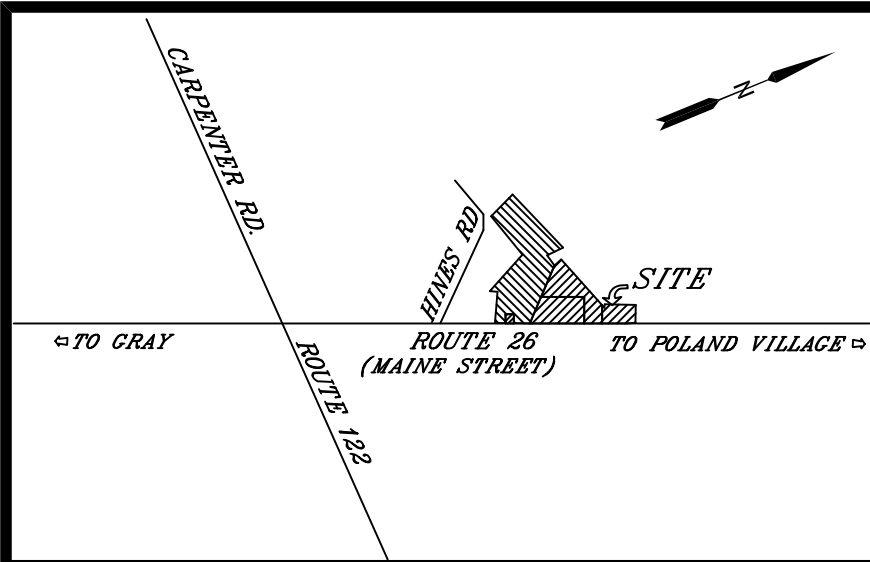
DAVIS LAND SURVEYING, LLC
MAILING: 64 OLD COUNTY ROAD - OXFORD, MAINE 04270
OFFICE: 990 MINOT AVENUE - AUBURN, MAINE 04210

OFFICE (207) 945-9991 CELL (207) 940-9949
EMAIL: davislandsurveying.net
WEBSITE: www.davislandsurveying.net
OCTOBER 22, 2019

MINOR SUBDIVISION - 4 LOTS
481 MAINE STREET, POLAND, MAINE

JOSEPH F. CIMINO

PO BOX 438, POLAND, ME 04274



-- SITE LOCATION --
-- NOT TO SCALE --

LEGEND

- PROPERTY BOUNDARY
- RIGHT OF WAY/ABUTTING LOT LINES
- SETBACK LINES
- ZONE LINE
- SET 5/8" CAPPED REBAR PLS #2208
- 5/8" REBAR - UNLESS OTHERWISE NOTED
- 5/8" CAPPED REBAR PLS #2208
- N/F NOW OR FORMERLY
- POWER POLE
- PUBLIC SANITATION SEWER LINE
- SEWER MANHOLE
- PUBLIC WATER LINE
- WETLANDS

OWNER OF RECORD:

JOSEPH F. CIMINO
8-24-2006 -- REMAINING PORTION OF 6878/283 (LOTS 1, 3, & 4)

481 MAINE STREET
TAX MAP 6 - Lot 47

&

AUBURN HOUSING DEVELOPMENT CORPORATION
6-1-2017 -- 9610/22 (LOT 2)

MAINE STREET
TAX MAP 6 - LOT 47E
(7.1 ACRE PORTION OF 6873/283

&
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- PROPERTY SERVICED BY PUBLIC SEWER AND WATER.
- PROPERTY LIES IN VILLAGE III & VILLAGE IV DISTRICT.

~ VILLAGE III ~
Lot Size: 80,000 sq. ft.
Road/Shore frontage: 200'
Front Setback: 50'
Side & Rear Setbacks: 25'
Maximum Impervious: 75%

~ VILLAGE IV ~
Lot Size: 20,000 sq. ft.
Road frontage: 100'
Front Setback: 30'
Side & Rear Setbacks: 10'
Maximum Impervious: 75%

REFERENCES:

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TOWN OF POLAND PLANNING BOARD

DATE:

CHAIRPERSON:

RECORDING INFORMATION:

ANDROSCOGGIN COUNTY REGISTRY OF DEEDS, STATE OF MAINE

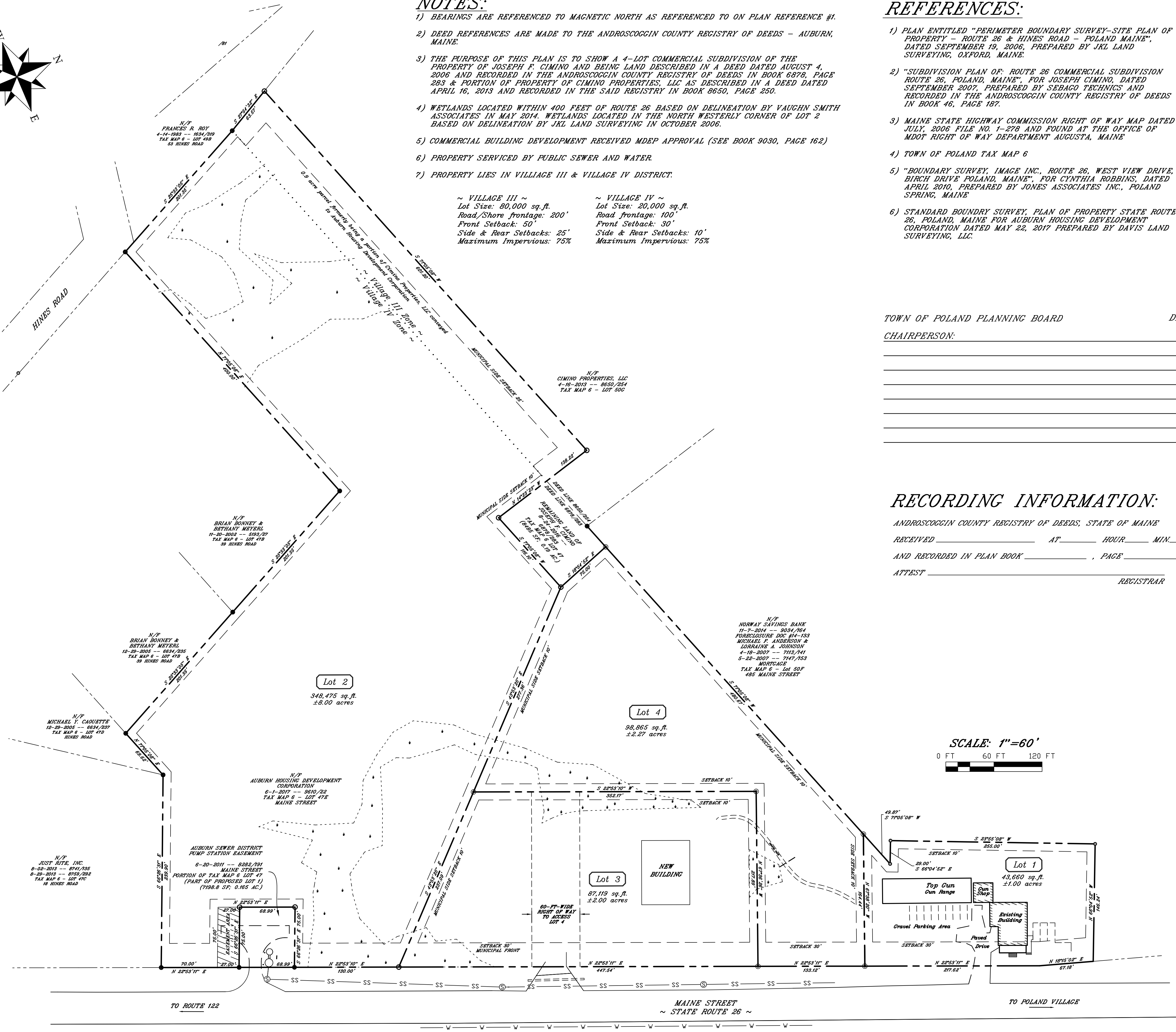
RECEIVED _____ AT _____ HOUR _____ MIN _____ M.

AND RECORDED IN PLAN BOOK _____, PAGE _____

ATTEST _____ REGISTRAR

SCALE: 1"=60'

0 FT 60 FT 120 FT



CERTIFICATION:

TO THE BEST OF MY KNOWLEDGE, I HAVE USED ORDINARY AND PRUDENT
COURT EXPECTED OF PROFESSIONAL LAND SURVEYORS, AND THE
THESE PLANS AS REQUIRED UNDER THE STANDARDS OF PRACTICE
IMPOSED BY THE BOARD OF LICENSING FOR PROFESSIONAL LAND
SURVEYORS (M.A.S.A. TITLE 52, CHAPTER 24 DATED APRIL 2000)

EXCEPT AS FOLLOWS:
1) NO PARTIAL REPORT TO DATE
2) NO DEED DESCRIPTION TO DATE

PLAN PREPARED BY: J.F.C. PLAN CHECKED BY: J.F.C.

THIS PLAN IS NOT VALID UNLESS ENDORSED ABOVE

DAVIS LAND SURVEYING, LLC

MAILING: 64 OLD COUNTY ROAD - OXFORD, MAINE 04270

OFFICE: 990 MINOT AVENUE - AUBURN, MAINE 04270

OFFICE (207) 845-9891 CELL (207) 240-9949

EMAIL: stuart@davissurveying.net
WEBSITE: www.davissurveying.net

OCTOBER 22, 2019

MINOR SUBDIVISION - 4 LOTS

481 MAINE STREET, POLAND, MAINE

JOSEPH F. CIMINO

PO BOX 438, POLAND, ME 04274

JOB NO.: 19-089

Town of Poland

Planning Board

DEPARTMENTAL REVIEW OF PROPOSED SITE APPLICATION

Date: 10 / 11 / 2019

To: Tom Printup
Fire/Rescue Chief
1231 Maine Street
Poland, ME 04274

In accordance with Chapter 606, Site Review, of the Comprehensive Land Use Code for the Town of Poland, an applicant for development approval is required to ask that Municipal Departments to comment on their capacity of capital facilities to serve a proposed development. Therefore, the Planning Board, by way of the applicant, is notifying you of the following proposed project and requests your comments

Applicant: Joseph F. Cimino
Address: PO Box 438
Poland, ME 04274
Location: Map # 6 Lot # 47&47E Sublot #
Road Location: 481 Maine Street (Route 26)
Project overview: Subdivision of Tax Map 6, Lot 47 & 47E to 4 lots
Scheduled Planning Board Meeting Date 10 / 22 / 2019

Applicants:

1. Should attach all relevant sections of their plans to prevent delays.
2. Mail this form letter along with a copy of the application so that each department head receives it at least fourteen days prior to the scheduled meeting. (See reverse for list of Department Heads)
3. Confirm with the department heads that they have delivered their response to the Planning Board Office in time for the meeting.

For the Department Head

I have reviewed this application and provide the following:

- ☐ The project has no impact on the Department.
- ☒ The Department has adequate existing capital facilities to serve the project.
- ☐ The Department does not have adequate existing capital facilities to serve the project for the reasons listed. (Please submit reasons on department letterhead)
- ☐ I need more information on the application.

Signed: Th R. Printup
Head of Department

Date: 10 / 14 / 19

RETURN THIS FORM TO:

Please return by: Date: / /

Planning Board Office
Town of Poland
1231 Maine Street
Poland, Maine 04274-7328

POLAND FIRE RESCUE

Chief Thomas Printup

Phone: 207-998-4689

Fax: 207-998-5277



1231 Maine Street
Poland, Maine 04274

tprintup@polandtownoffice.org

Date: October 14th, 2019

Reference: Subdivision of Tax Map 6, Lot 47 & 47E to 4 Lots

To Whom It May Concern:

In reference to the above site application, I feel that there would be no negative impact regarding emergency services for Poland Fire Rescue. In addition I am approving this site plan regarding the effects on our department with the understanding that this plan does not negate the previous site plan for a fire hydrant to be placed on the property as advertised in Mr. Cimino's previous site plan.

Please contact my office with any questions or concerns.

Thank you,



Tom Printup

Town of Poland

Planning Board

DEPARTMENTAL REVIEW OF PROPOSED SITE APPLICATION

Date: 10 / 11 / 2019

To: Byron A. Strout
Road Commissioner
1231 Maine Street
Poland, ME 04274

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- ☒ The project has no impact on the Department.
☐ The Department has adequate existing capital facilities to serve the project.
☐ The Department does not have adequate existing capital facilities to serve the project for the reasons listed. (Please submit reasons on department letterhead)
☐ I need more information on the application.

Signed: [Signature]
Head of Department

Date: 10 / 15 / 19

RETURN THIS FORM TO:

Please return by: Date: / /

Planning Board Office
Town of Poland
1231 Maine Street
Poland, Maine 04274-7328

Town of Poland, Maine
PLANNING BOARD AGENDA REQUEST

Date of meeting you are requesting to be scheduled for: October / 22 / 2019.

Meetings are normally conducted from 7:00 to 10:00 PM in the Municipal Conference Room at the Town Office

Map: 17 Lot: 20A Sub-lot

Applicant's Name: Stuart Davis - Davis Land Surveying, LLC
Mailing Address: 64 Old County Road
Town, State, Zip: Oxford, Maine

Home Phone: Hours:
Work Phone: 345-9991 Hours:

Type of application: Sketch Plan Site Review Shoreland Subdivision X Informational

Road location for project: 462 Meguire Hill Road

Zoning: Rural Residential I Lake Watershed: Tripp Lake

Nature of business to be discussed (*Brief description*): Section 509.11 - Backlots - Backlot Driveways

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: STUART DAVIS Date: October / 11 / 2019

OFFICE USE ONLY:

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



Planning Board Office

1231 Maine Street,
Poland, Maine 04274-7328

Findings of Fact & Conclusion of Law

Application Type: Minor Subdivision Amendment Application for Megquier Hill Overlook Subdivision
Owners Name: Megquier Hill Holdings LLC
Located at: 260 Megquier Hill Road
Parcel ID: 0014-0025 and 0025-B
Zoning Districts: Village 3

Project Description:

The project is a Minor Subdivision to be served by the existing town road Megquier Hill Road for the two added lots and retaining the existing farm on the third lot the subdivision. There are 3 residential lots total, with an open space area as shown on the Subdivision Plan, named Megquier Hill Overlook for the Megquier Hill Holdings LLC, by JKL Land surveying, dated through April 2018.

The project is located off the northerly side of Megquier Hill Road and near the intersection of Plummer's Lane. The property is located on 47 acres in the Village 3 Zoning District which typically requires 80,000 sq. ft. minimums for conventional lots. A cluster concept as provided to consider reduction in frontage requirements and area to allow for the layout as provided, but with a sizeable parcel of open space (40+ acres) the requirement for a cluster lot did not seem to warrant market demands or benefit the Town, and the conventional lot layout was selected.

The project application was reviewed to meet the performance standards in Section 612 of Poland Comprehensive Land Use Code (CLUC) and are intended to clarify and expand upon the criteria for approval found within the Subdivision Statute (Title 30-A, M.R.S.A. Section 4404) and carry out the purposes of the CLUC and the Town of Poland Comprehensive Plan. In reviewing a proposed Subdivision, the Board has reviewed the application for conformance with the following performance standards and make findings that each has been met as part of the approval of a Final Plan. Compliance with the design guidelines of Section 613 shall be considered to be evidence of meeting the appropriate performance standards.

On June 11, 2019 Megquier Hill Holdings represented by Keith Morse of JKL Land Surveying submitted an amended subdivision plan. The amendment will remove the sixty foot right of way on the northwesterly sideline of lot 1. The applicant feels the sixty foot right of way is not suitable for the original purpose of agricultural ingress and egress. The new plan will move lots 1 and 2 northwesterly to the southeast sideline of the adjoining parcel of Bishop, then adding the displaced frontage back to lot 3.

612.1 Pollution: The proposed Subdivision will not discharge wastewater into a water body and proposed subsurface wastewater systems have been considered for the proposed lots. Discharges of storm water shall be treated to remove contaminants to discharge into surface water bodies by use of retained tree buffers.

612.2 Sufficient Water: The proposed Subdivision is not within the area of a public water supply, water supply shall be from individual wells and such wells have been sited to prevent infiltration of surface water, and contamination from subsurface wastewater disposal systems and other sources of potential contamination. The design of and permit placement of wells, subsurface wastewater disposal areas, and reserve sites for subsurface wastewater disposal areas in compliance with the Maine Subsurface Wastewater Disposal Rules and the Well Drillers and Pump Installers Rules. In lieu of providing Public Water or private source of water supply for fire protection with fire hydrants the Fire Chief has accepted the use of life safety sprinkler systems to be added to each proposed home in the Subdivision.

612.3 Impact on Existing Water Supplies: - In meeting the standards of Section 612.2., the proposed Subdivision will not generate a demand on the source, treatment facilities or distribution system of the servicing water company or district beyond the capacity of those system components.

612.4 Soil Erosion: The proposed Subdivision will prevent soil erosion from entering water bodies, and adjacent properties following the procedures outlined in submitted Erosion and Sedimentation Control Plan to be implemented during the site preparation, construction, and clean-up stages. Topsoil shall be considered part of the Subdivision and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.

612.5 Traffic Conditions: The proposed subdivision does not propose any roads and only driveways therefore due to the proposed low daily trip volume from the lot development vehicular access to the Subdivision and within the Subdivision will be conducted in a manner as to: 1. Safeguard against hazards to traffic and pedestrians in existing streets and within the Subdivision; 2. Avoid traffic congestion on any street; and 3. Provide safe and convenient circulation on public streets and within the Subdivision. Adequate provisions for fire and emergency service could be provided from the existing public street, Megquier Hill Road.

612.6 Sewage Disposal: The development will provide private subsurface wastewater disposal systems and has provided evidence of site suitability for subsurface sewage disposal prepared by a State of Maine Department of Human Services licensed Site Evaluator in full compliance with the requirements of the State of Maine Subsurface Wastewater Disposal Rules. With evidence to certify in writing that each lot has one passing test pit which meet the requirements for a new system represents an area large enough to a disposal area on soils which meet the State of Maine Subsurface Wastewater Disposal Rules.

612.7 Solid Waste: - If the additional solid waste from the proposed Subdivision does exceeds the capacity of the Municipal Solid Waste given the relative low output from the 3 single family lots.

612.8 Impact on Natural Beauty, Aesthetics, Historic Sites, Wildlife Habitat, Rare Natural Areas or Public Access to the Shoreline: The Plan shall, by conditions of approval on the Final Plan and deed restrictions, limit the clearing of trees to those areas designated on the Subdivision Plan. Preservation of the existing fam and tree clearing will promote the natural Beauty and vistas from the proposed property.

612.9 Conformance with Zoning and Other Land Use Standards: - All lots meet the minimum dimensional requirements of Chapter 5, Land Zoning Standards, for the Village 3 zoning district in which they are located. The proposed Subdivision meets all applicable performance standards or design criteria from Chapter 5.

612.10 Financial and Technical Capacity: - The applicant has adequate financial resources to construct the proposed improvements and meet the criteria of Title 30-A, M.R.S.A. Section 4404 and the standards of this Code. The applicant will use qualified contractors and consultants to supervise, construct and inspect the required improvements in the proposed Subdivision.

612.11 Impact on Water Quality or Shoreline: The property is not located along a shore so there is no cutting or removal of vegetation along water bodies that could increase water temperature or result in shoreline erosion or sedimentation of water bodies.

612.12 Impact on Ground Water Quality or Quantity: The Subdivision will not adversely affect the quality or quantity of ground water. Based on the low number of single family dwellings lots proposed no hydrogeological study for nitrate plums or adverse groundwater impacts was required.

612.13 Floodplain Management: No part of the proposed Subdivision is located in a Special Flood Hazard Area as identified by the Federal Emergency Management Agency.

612.14 Identification of Freshwater Wetlands: – No Freshwater wetlands were identified in accordance with the 1987 Corps of Engineers Wetland Delineation Manual, (published by the United States Army Corps of Engineers and as amended) on the site project limits.

612.15 River, Stream, or Brook: - There are no rivers, streams, or brooks within or abutting the Subdivision shall be identified on the Plan.

612.16 Storm Water Management: Adequate provisions were made for the management of the quantity and quality of all storm water generated within the Subdivision, through incorporation of Best Management Practices equivalent to those described in the Stormwater Management for Maine: Best Management Practices, (published by the Maine Department of Environmental Protection, 2015 and as amended), and in conformance with the policies of the Town of Poland Comprehensive Plan. The stormwater design incorporates the use of buffers to mitigate downstream impacts to abutters and Tripp Lake.

612.17 Phosphorus Impacts on Great Ponds: The Subdivision is within the watershed of a Tripp Lake and did provide basic computations to comply with the required phosphorus export for the development. The subdivision qualifying for and using the Simplified Review Method in accordance with the Simplified Review Method for Minor Projects (Chapter 4) in Phosphorus Control in Lake Watersheds: A Technical Guide for Evaluating New Development, (published by the Maine Department of Environmental Protection, revised September 1992 and as amended. The buffer areas were located downslope of developed areas.

612.18 Impact on Adjoining Municipality: – The proposed Subdivision does not cross the boundary into an adjacent Municipality, the Subdivision will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public roads in an adjacent Municipality in which part of the Subdivision is located.

613 DESIGN GUIDELINES

613.1 Sufficient Water A. Fire Protection: No public roads were proposed, and no public water lines or existing fire protection services are nearby to the project. In lieu of provisions for fire protection apparatus and water supply the Fire Chief requested a condition of approval that the homes to be built be provided with a life

sprinkler system to be installed during the home construction. The Board accepted the condition and no additional measures were required to meet the guideline.

613.2 Traffic Conditions: The Subdivision does not abut an arterial street, nor has frontage on two (2) or more streets, the access to the lots shall be provided to the lot across the frontage and to the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians unless other factors make it not practical.

613.3 Wildlife Habitat, Rare Natural Areas or Public Access to the Shoreline A. Preservation of Natural Beauty and Aesthetics: The project is located in the Village 3 District as defined in Chapter 5, Land Zoning Standards, but still intends to preserve the existing 40 acre farm as part of the land retained in its natural farm and maple syrup production. Although not a Historic Feature – the proposed Subdivisions will include preservation measures and buffers to retain the character of the existing farm and maintain the vista and viewshed from the property.

613.4 Storm Water Management Design Guidelines: Design of Best Management Practices are substantially equivalent to those described in the Storm Water Management for Maine: Best. Due to the limited soil disturbance for access no pipe or culverts will be required.

613.5 Impact on Water Quality or Shoreline – The project is not in close proximity nor abuts a great pond or has shoreline frontages. Thereby the guideline does not apply.

613.6 Lots: The side lines of the lot are generally perpendicular to the street. The proposed parcels with do not provide more than twice the required minimum lot size and are laid out in such a manner as to not provide for or preclude future division. Land retained is in an area approximately 40 acres and though placed in preservation potentially the lot could be further divided in the future. Deed restrictions and conditions of approval on the Plan shall either prohibit future divisions of the lots or specify that any future division shall constitute a revision to the Plan and shall require approval from the Board, subject to the criteria of the State Subdivision Statute, the standards of this Code and conditions placed on the original approval.

613.7 Utilities: There are no proposed roads for the subdivision and the lots shall be serviced from existing public utilities available along their street frontage. The Planning Board determined that the homeowner shall have the option of overhead vs underground but advised to place underground from the last pole location.

613.8 Monuments A. No road monuments are required and all other Subdivision boundary corners and angle points, as well as all lot boundary corners, and angle points are be marked by suitable monuments or use of natural stonewalls as required by the Maine Board of Registration of Land Surveyors.

613.9 Cluster Developments: The project did provide a plan for considering Cluster development however the Planning Board following the conventional size and bulk layouts with retention of the existing farm, proposed the optimum benefit for the community and the developer for marketing. The Cluster Development design was not selected.

613.10 Reservation or Dedication and Maintenance of Open Space and Common Land, Facilities and Services: The development retained tree buffers preservation and placed the remaining tract to remain in a 40 acre parcel to be retained as farming. Since the number of units was only two new lots being proposed the guideline does not apply, even with the concept of preserving the farm character.

613.11 Agricultural Land Buffers: The proposed Subdivision will abut active commercial agricultural land, a buffer of unimproved natural vegetation of a minimum of one hundred (100) feet will be provided between dwellings and the active agricultural land.

613.12 Buffers for Non-residential Subdivisions: The guideline does not apply.

Conclusion

THEREFORE, the Town of Poland Planning Board hereby approves the subdivision amendment by a 5-0 vote held on June 11, 2019, with the following conditions, for the Minor Subdivision Plan application for Megquier Hill Holdings LLC, Megquier Hill Overlook Subdivision project consisting of construction of 3 residential lots, with 2 lots for out sale and one lot for the existing farm to remain. No private or public streets or infrastructure will be required as the lots have adequate frontage on the existing Megquier Hill Road. Proposed Minor Subdivision Amendment development is as described in the application approved and in this Findings of Fact.

Conditions of Approval

- Plan approval is also conditioned upon compliance by the Applicant with the Plans and specifications which have been received by the Planning Board in connection with the development proposal as well as with any oral or written commitments regarding the project which were specifically made by the Applicant to the Board in the course of its deliberations.
- Except in the case of a Phased Development Plan, failure to complete substantial construction of the Subdivision within five (5) years of the date of approval and signing of the Plan shall render the Plan null and void. Upon determining that a Subdivision's approval has expired under this Paragraph, the Board shall have a notice placed in the Androscoggin County Registry of Deeds to that effect.
- Any Subdivision not recorded in the Registry of Deeds within ninety (90) days of the date upon which the Plan is approved and signed by the Board shall become null and void.
- 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.
- The subdivision will require to provide an access easement over lot two for the benefit of the existing farm access and service road to the farming/ maple syrup operation. The easement shall be conveyed by deed, and proof of the execution shall be provided to the Town prior to issuance of a building permit for the lot.
- The two lots considered for sale and new home construction shall provide and install the required sprinkler life safety systems as outlined in the Fire Chiefs memo provided at the May 22, 2018 meeting.

Systems shall be approved by the Fire Chief and the Code Enforcement Officer prior to building permits and no occupancy shall be granted until proof of their final inspection and full operation has been deemed acceptable by the Town.

- 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: June 11, 2019

Poland Planning Board

James Porter, Vice -Chairperson

George Greenwood, Secretary

Mark Weinberg, Member

Stephanie Floyd, Member

Cheryl Skilling, Member

Not a Voting Member
James Walker, Alternate Member



Planning Board Office

1231 Maine Street,
Poland, Maine 04274-7328

Findings of Fact & Conclusion of Law

Application Type: Minor Subdivision Amendment Application for Skilling/Verrill subdivision
Owners Name: Wayne Verrill and Cheryl Skilling
Located at: 460 North Raymond Road
Parcel ID: 0009-0028-0002B and 0009-0028-0003
Zoning Districts: Rural Residential 2

Project Description:

The applicant represented by Wayne Wood of Wayne Wood & Co. have proposed a three lot subdivision that requires an amendment to the Hanscom and Wood Subdivision as recorded in plan book 28 page 55 by dividing lots 2 and 3. The Plan of Land/ Proposed Division dated August 2019 creates two new lots with frontage on Wild Tukey Way and the remaining land of lot 3 will continue to have frontage on the North Raymond Rd..

The project application was reviewed to meet the performance standards in Section 612 of Poland Comprehensive Land Use Code (CLUC) and are intended to clarify and expand upon the criteria for approval found within the Subdivision Statute (Title 30-A, M.R.S.A. Section 4404) and carry out the purposes of the CLUC and the Town of Poland Comprehensive Plan. In reviewing a proposed Subdivision, the Board has reviewed the application for conformance with the following performance standards and make findings that each has been met as part of the approval of a Final Plan. Compliance with the design guidelines of Section 613 shall be considered to be evidence of meeting the appropriate performance standards.

612.1 Pollution: The proposed Subdivision will not discharge wastewater into a water body and proposed subsurface wastewater systems have been considered for the proposed lots. Discharges of storm water shall be treated to remove contaminants to discharge into surface water bodies by use of retained tree buffers.

612.2 Sufficient Water: The proposed Subdivision is not within the area of a public water supply, water supply shall be from individual wells and such wells have been sited to prevent infiltration of surface water, and contamination from subsurface wastewater disposal systems and other sources of potential contamination. The design of and permit placement of wells, subsurface wastewater disposal areas, and reserve sites for subsurface wastewater disposal areas in compliance with the Maine Subsurface Wastewater Disposal Rules and the Well Drillers and Pump Installers Rules. A letter from Goodwin Well & Water stated that existing ground water should be sufficient in both quantity and quality.

612.3 Impact on Existing Water Supplies: In meeting the standards of Section 612.2., the proposed Subdivision will not generate a demand on the source, treatment facilities or distribution system of the servicing water company or district beyond the capacity of those system components.

612.4 Soil Erosion: The proposed Subdivision will prevent soil erosion from entering water bodies, and adjacent properties following the procedures outlined in submitted Erosion and Sedimentation Control Plan to be implemented during the site preparation, construction, and clean-up stages. Topsoil shall be considered part of the Subdivision and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.

612.5 Traffic Conditions: The proposed subdivision does not propose any roads and only driveways therefore due to the proposed low daily trip volume from the lot development vehicular access to the Subdivision and within the Subdivision will be conducted in a manner as to: 1. Safeguard against hazards to traffic and pedestrians in existing streets and within the Subdivision; 2. Avoid traffic congestion on any street; and 3. Provide safe and convenient circulation on public streets and within the Subdivision. Adequate provisions for fire and emergency service could be provided from the existing public street, North Raymond Road and the private road Wild Turkey Way.

612.6 Sewage Disposal: The development will provide private subsurface wastewater disposal systems and has provided evidence of site suitability for subsurface sewage disposal prepared by a State of Maine Department of Human Services licensed Site Evaluator in full compliance with the requirements of the State of Maine Subsurface Wastewater Disposal Rules. With evidence to certify in writing that each lot has one passing test pit which meet the requirements for a new system represents an area large enough to a disposal area on soils which meet the State of Maine Subsurface Wastewater Disposal Rules.

612.7 Solid Waste: The additional solid waste from the proposed Subdivision does exceeds the capacity of the Municipal Solid Waste given the relative low output from the 2 new single family lots.

612.8 Impact on Natural Beauty, Aesthetics, Historic Sites, Wildlife Habitat, Rare Natural Areas or Public Access to the Shoreline: The plan shows no impact to any of the above items.

612.9 Conformance with Zoning and Other Land Use Standards: All lots meet the minimum dimensional requirements of Chapter 5, Land Zoning Standards, for the Rural Residential 2 zoning district in which they are located. The proposed Subdivision meets all applicable performance standards or design criteria from Chapter 5.

612.10 Financial and Technical Capacity: The applicant has adequate financial resources to construct the proposed improvements and meet the criteria of Title 30-A, M.R.S.A. Section 4404 and the standards of this Code. The applicant will use qualified contractors and consultants to supervise, construct and inspect the required improvements in the proposed Subdivision.

612.11 Impact on Water Quality or Shoreline: The property is not located along a shore so there is no cutting or removal of vegetation along water bodies that could increase water temperature or result in shoreline erosion or sedimentation of water bodies.

612.12 Impact on Ground Water Quality or Quantity: The Subdivision will not adversely affect the quality or quantity of ground water. Based on the low number of single family dwellings lots proposed no

hydrogeological study for nitrate plums or adverse groundwater impacts was required.

612.13 Floodplain Management: No part of the proposed Subdivision is located in a Special Flood Hazard Area as identified by the Federal Emergency Management Agency.

612.14 Identification of Freshwater Wetlands: Freshwater wetlands were identified in accordance with the 1987 Corps of Engineers Wetland Delineation Manual, (published by the United States Army Corps of Engineers and as amended) on the site project limits.

612.15 River, Stream, or Brook: There are no rivers, streams, or brooks within or abutting the Subdivision shall be identified on the Plan.

612.16 Storm Water Management: Storm Water Management was waived by the Board Adequate provisions will be made for the management of the quantity and quality of all storm water generated within the Subdivision, through incorporation of Best Management Practices equivalent to those described in the Stormwater Management for Maine: Best Management Practices, (published by the Maine Department of Environmental Protection, 2015 and as amended), and in conformance with the policies of the Town of Poland Comprehensive Plan.

612.17 Phosphorus Impacts on Great Ponds: The applicant requested a waiver for Phosphorous Impacts. That waiver was granted by the Board.

612.18 Impact on Adjoining Municipality: The proposed Subdivision does not cross the boundary into an adjacent Municipality, the Subdivision will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public roads in an adjacent Municipality in which part of the Subdivision is located.

613 DESIGN GUIDELINES

613.1 Sufficient Water A. Fire Protection: No public roads were proposed, and no public water lines or existing fire protection services are nearby to the project. The subdivision was reviewed by the Fire Chief and no additional measures were required.

613.2 Traffic Conditions: The Subdivision does not abut an arterial street, nor has frontage on two (2) or more streets, the access to the lots shall be provided to the lot across the frontage and to the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians unless other factors make it not practical.

613.3 Wildlife Habitat, Rare Natural Areas or Public Access to the Shoreline A. Preservation of Natural Beauty and Aesthetics: There are no wildlife habitats, rare natural areas, or public access to a shoreline therefore: these guidelines do not apply.

613.4 Storm Water Management Design Guidelines: Design of Best Management Practices are substantially equivalent to those described in the Storm Water Management for Maine: Best. Due to the limited soil disturbance for access no pipe or culverts will be required.

613.5 Impact on Water Quality or Shoreline: The project is not in close proximity nor abuts a great pond or has shoreline frontages. Thereby the guideline does not apply.

613.6 Lots: The side lines of the lot are generally perpendicular to the street. The proposed parcels with do not provide more than twice the required minimum lot size and are laid out in such a manner as to not provide for or preclude future division. Any future division shall constitute a revision to the Plan and shall require approval from the Board, subject to the criteria of the State Subdivision Statute, the standards of this Code and conditions placed on the original approval.

613.7 Utilities: There are no proposed roads for the subdivision and the lots shall be serviced from existing public utilities available along their street frontage.

613.8 Monuments A. No road monuments are required and all other Subdivision boundary corners and angle points, as well as all lot boundary corners, and angle points are be marked by suitable monuments or use of natural stonewalls as required by the Maine Board of Registration of Land Surveyors.

613.9 Cluster Developments: The project did not provide a plan for considering cluster development due to its limited size.

613.10 Reservation or Dedication and Maintenance of Open Space and Common Land, Facilities and Services: The guideline does not apply.

613.11 Agricultural Land Buffers: The guideline does not apply.

613.12 Buffers for Non-residential Subdivisions: The guideline does not apply.

Conclusion

THEREFORE, the Town of Poland Planning Board hereby approves the subdivision amendment by a 4 yes, 0, no, 1 abstained vote held on August 27, 2019, with the following conditions, for the Minor Subdivision Amendment Plan application for Wayne Verrill and Cheryl Skilling proposed Minor Subdivision Amendment development as described in the application approved and in this Findings of Fact.

Conditions of Approval

- Plan approval is also conditioned upon compliance by the Applicant with the Plans and specifications which have been received by the Planning Board in connection with the development proposal as well as with any oral or written commitments regarding the project which were specifically made by the Applicant to the Board in the course of its deliberations.
- Except in the case of a Phased Development Plan, failure to complete substantial construction of the Subdivision within five (5) years of the date of approval and signing of the Plan shall render the Plan null

and void. Upon determining that a Subdivision's approval has expired under this Paragraph, the Board shall have a notice placed in the Androscoggin County Registry of Deeds to that effect.

- Any Subdivision not recorded in the Registry of Deeds within ninety (90) days of the date upon which the Plan is approved and signed by the Board shall become null and void.
- 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: August 27, 2019

Poland Planning Board

James Porter, Chairperson

George Greenwood, Member

Absent with Notice

Mark Weinberg, Secretary

Stephanie Floyd, Vice Chairperson

Cheryl Skilling, Member

James Walker, Alternate Member



Planning Board Office

1231 Maine Street,
Poland, Maine 04274-7328

Findings of Fact & Conclusion of Law

Application Type: Sketch Plan Review

Owners Name: Frank and Joy Lowe

Located at: 425 Maine St.

Parcel ID: 0006-0047F

Zoning District: Village 4

509.4.D SUBMISSIONS

The Planning Board (Board) voted on September 24, 2019 that the Sketch Plan application included all the mandatory submissions requirements for the sketch plan application. Mr. and Mrs. Lowe are proposing a change of use for an Adult Use Retail Marijuana establishment with the name High Low Dispensary. Based on this information and in the record the Planning Board finds that this criterion will be met.

509.5 REQUIREMENTS FOR AN ONSITE INSPECTION

The Board voted on September 24, 2019 to waive the on-site inspection. Based on this information and in the record the Planning Board finds that this criterion will be met.

509.7 APPLICATION PROCEDURE

A. Applications in Writing:

All applications for Site Plan Review shall be submitted to the planning board within six (6) months of the date of the first planning board meeting to discuss the Sketch Plan. If such application is not made within this time period, the application shall be deemed withdrawn. Applications for Site Plan approval shall be made in writing on forms provided for this purpose. Applications shall be reviewed by the planning board in order filed and when the planning board agenda permits.

B. Development Plan:

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

C. Dated Letter:

The Applicant, or his duly authorized representative, shall attend the meeting of the planning board to discuss the Site Plan. The Board shall provide the applicant a dated letter of a Site Plan Review Application after the planning board meeting where the application is first presented.

D. Application Completeness:

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

E. Public Hearing:

If the Board decides to hold a public hearing, it shall hold the hearing within thirty (30) days after finding it has received a complete application and shall publish notice of the date, time and place of the hearing in a newspaper of general circulation in the Municipality at least two (2) times, the date of the first publication to be at least seven (7) days prior to the hearing. Notice of the public hearing shall be mailed to all abutters within five hundred (500) feet of the applicant's property lines at least seven (7) days prior to the hearing by the Town of Poland.

F. Additional Studies:

The Board may require the applicant to undertake any study which it deems reasonable and necessary to demonstrate that the requirements of this code are met. The costs of all such studies shall be borne by the applicant.

G. Notice to Abutters:

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

H. Financial Guarantee:

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

I. Conditions:

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

J. Minor Changes to Approved Plans:

Minor changes in approved plans necessary to address field conditions or structure orientation may be authorized by the CEO provided that any such change does not affect the standards of this code or alter the intent of the approval. A request for a minor change to an approved plan shall be in writing to the CEO. In making the determination to approve a minor change to an approved Plan the CEO shall consult with the Board Chairman or the Chairman's designee. All approvals for minor changes to approved plans shall be in writing by the CEO. A copy of the written approval and revised Site Plan shall be filed with the planning board within thirty (30) days from the date of the written approval.

K. Limitation of Approvals:

Approvals of Site Plans are dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed by the applicant. Any variations from the

plans, proposals, and supporting documents, except minor changes as permitted in Subsection J. above, are subject to review and approval by the Board.

Conclusion

- The Board reviewed the Sketch Plan on September 24, 2019, approved the application checklist, and voted to not conduct a site walk.
- The applicant has provided the Board with a Deed (Book 10169, Page 264) showing reasonable right, title, or interest in the property.
- The 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 hereby approves with the following conditions the Sketch Plan application for Hi Low Dispensary owners Frank and Joy Lowe

Conditions of Approval:

- Plan approval is also conditioned upon compliance by the Applicant with the Plans and specifications which have been received by the Planning Board in connection with the development proposal as well as with any oral or written commitments regarding the project which were specifically made by the Applicant to the Board in the course of its deliberations
- All applications for Site Plan Review shall be submitted to the Planning Board within six (6) months of the date of the first Planning Board meeting to discuss the Sketch Plan.

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: September 24, 2019

Poland Planning Board

James Porter, Chairperson

Stephanie Floyd, Vice Chairperson

Absent with Notice

Mark Weinberg, Secretary

George Greenwood, Member

Cheryl Skilling, Member

James Walker, Alternate Member



Planning Board Office

1231 Maine Street,
Poland, Maine 04274-7328

Findings of Fact & Conclusion of Law

Date: September 24, 2019

Application Type: Formal Shoreland Zoning Application

Owners Name: Tim Garrelts 8 Linnea Lane, Killingworth, CT 06419

Located at: 187 Johnson Hill Rd.

Parcel ID: 0020-0010

Zoning Districts: Farm and Forest, Limited Residential

Project Description:

On September 24, 2019 Mr. Garrelts submitted a Formal Shoreland Zoning Application to replace a fifteen foot (15') by eighteen foot (18') unpermitted patio with a new patio of the same size. Existing impervious surfaces are 9555 sq. ft. covering 10.75% of the parcel. The proposed development would keep the impervious surfaces at 10.75%.

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

1. Will maintain safe and healthful conditions

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

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

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

3. Will adequately provide for disposal of all wastewater

A new wastewater disposal system was not applied for therefore; the Board finds that this section is not applicable.

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

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

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

The applicant is not proposing to impact shore cover and visual, as well as actual, points of access to inland waters therefore; the Board finds that this section is not applicable.

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

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

7. Will avoid problems associated with floodplain development and use

The patio is outside the flood plain. Based on the information above and in the record the Board finds that this criterion will be met.

504.3 Non-Conforming Structures

504.3. A. Expansions of Non-Conforming Structures

The applicant is not proposing an expansion of the structure; therefore, the Board finds that this section is not applicable.

504.3. B. Relocation of Non-Conforming Structures

The applicant has not proposed to relocate a structure; therefore, the Board finds that this section is not applicable.

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

The Board must determine if the proposed structure meets the setbacks to the greatest practical extent. The Board considered the size of the lot, the slope of the land, the potential for soil erosion, the location of other similar structures on the adjacent property, the location of the existing rain gardens and underdrainage, the location of the existing septic system, and the type and amount of vegetation that may need to be removed if the structure would be relocated. The applicant did not apply for reconstruction or replacement of the structure: Therefore, the Board finds that this section is not applicable.

504.3. D. Change of Use of a Nonconforming Structure

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

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

The patio will be no closer to the resource than the closest point of the existing home. Based on this information the Board finds that this criterion will be met.

508.27 Shoreland Zoning Standards

508.27.B. Principal and Accessory Structures

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

508.27.C. Multiple Principal Structures

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

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

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

508.27.E. Individual Private Campsites

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

508.27.F. Parking Areas

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

508.27.G. Roads and Driveways

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

508.27.H. Storm Water Runoff

Storm water runoff will be limited by the existing vegetation and erosion control materials. Based on this information above and in the record the Board finds that this criterion will be met.

508.27.I. Essential Services

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

508.27.J. Mineral Exploration and Excavation Permits

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

508.27.K. Agriculture

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

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

This application does not include clearing or removal of vegetation; therefore, the Board finds that this section is not applicable.

Conclusion

- The application checklist was approved as complete on September 24, 2019, at which time the Board voted to waive the requirement for a site walk and public hearing.
- The applicant has provided the Board with a Deed (Book 9014, Page 17) showing reasonable right, title, or interest in the property.
- The Board has concluded that they have the jurisdiction to review the application under section Chapter 5 §504.3 (Non-Conforming Structures).

Therefore, the Town of Poland Planning Board hereby approves (5-0) with the following conditions, the application for Tim Garrelts, as described in the application dated September 24, 2019, the approved site plan dated September 24, 2019, and the above findings of facts.

Conditions of Approval

- Soil Erosion Control and Stormwater Management Measures shall be in place prior to construction. The Code Enforcement Officer may require additional measures be taken.
- Soil disturbance during the period March 1st to May 1st is prohibited.
- Any disturbed soils shall be revegetated immediately upon completion of construction and any disturbed soils within 100-ft. of the high-water mark shall be revegetated per the approved plan.
- This approval will expire twelve (12) months from the date of Planning Board approval if the project or the use has not been started within this allotted time.
- Building/use permits shall be obtained prior to the start of construction/use.
- A certified person in erosion control practices by the Maine Department of Environmental Protection must be present at the site each day earthmoving activity occurs for a duration that is sufficient to ensure that proper erosion and sedimentation control practices are followed. This is required until erosion and sedimentation control measures have been installed, which will either stay in place permanently or stay in place until the area is sufficiently covered with vegetation necessary to prevent soil erosion.
- The applicant has agreed to follow the recommendations by Androscoggin County Soil and Water Conservation District regarding pre and post storm water, erosion, and phosphorus issues within the parcel.
- Plan approval is also conditioned upon compliance by the Applicant with the Plans and specifications which have been received by the Planning Board in connection with the development proposal as well as with any oral or written commitments regarding the project which were specifically made by the Applicant to the Board in the course of its deliberations.
- The applicant must apply for and obtain all applicable permits for the proposed development under the Natural Resources Protection Act, Title 38 M.R.S.A. section 480-C, the Site Location of Development Act, the Erosion and Sedimentation Control law, Title 38 M.R.S.A. section 420-C, the Stormwater Management Law, the Federal Clean Waters Act as delegated to the State of Maine, and all other applicable state and federal laws regulating the use or development of land.

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: September 24, 2019
Poland Planning Board

James Porter, Chairperson

Stephanie Floyd, Vice -Chairperson

Absent with Notice

Mark Weinberg, Secretary

George Greenwood, Member

Cheryl Skilling, Member

James Walker, Alternate Member



Planning Board Office

1231 Maine Street,
Poland, Maine 04274-7328

Findings of Fact & Conclusion of Law

Application Type: Formal Site plan

Owners Name: Brittany Tucci and Breeana Spaulding, Luxe Studio 372 Lisbon St., Apt #2 Lisbon, ME 04250

Located at: 1184 Maine St.

Parcel ID: 0039-0008

Zoning District: Downtown Village, Aquifer Protection-1 Overlay

509.8 SUBMISSIONS

The Planning Board (Board) voted on September 24, 2019 that the application included all the mandatory submissions requirements for the site plan application except for sections; 509.9. T.1. The HHE 200 presented for the two chair hair salon will only support one chair. The Board agreed to conditional approval for one chair until the sewage disposal design could be proven to support two chairs. 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 is not proposing any exterior changes to the parcel. 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 existing building has wood siding, is of neutral colors and has a pitched asphalt roof, all of which are consistent with the surrounding properties. 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 property has been commercial for several years and the change in use will not alter the existing character of the lot. 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.

Furthermore, the applicant is not proposing any changes to the existing Maine Department of Transportation (MDOT) approved curb cuts. Based on this information and in the record the Planning Board finds that this criterion will be met.

E. Access to Route:

The Maine Department of Transportation (MDOT) has approved the existing location of the driveway entrance. Based on this information and in the record the Planning Board finds that this criterion will be met.

F. Surface Water:

The applicant has not proposed any changes to the site and there is an existing site plan on file. Based on this information and in the record the Planning Board finds that this criterion will be met.

G. Conservation, Erosion and Sediment Control:

This application does not include any proposed development or soil disturbances; therefore, the Board finds that this section is not applicable.

H. Phosphorus Export:

The parcel is in the Range Pond watershed, a great pond watershed. No changes to the site are proposed; therefore, the Board finds that this section is not applicable.

I. Site Conditions:

This application does not include any proposed development or soil disturbances; therefore, the Board finds that this section is not applicable.

J. Signs:

The applicant has proposed to use the existing sign on the property. The only change will be the graphics. Based on this information and in the record the Planning Board finds that this criterion will be met.

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 property already has emergency access to three sides of the building. 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:

The building has a drilled well which is located on the property, the existing well meets the minimum plumbing requirements for the proposed dog grooming and pet boarding. Based on this information and in the record the Planning Board finds that this criterion will be met.

P. Ground Water:

The parcel is located in an aquifer overlay district however, the application does not include any activities that are prohibited within the overlay district. Therefore, the existing and proposed development shall not

result in undue effect of the quality or quantity of ground water. Based on this information and in the record the Planning Board finds that this criterion will be met.

Q. Air Emissions:

The hair salon 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 hair salon 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 hair salon 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 existing subsurface wastewater system was approved for one chair for a previous salon business that was on the site. The Board has placed a condition for only one chair until it can be proven that a second chair will be supported by the current subsurface waste. 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

There really are no existing buffer areas on the lot and the new hair salon will have little effect on those buffers. Based on this information above and in the record the Planning Board finds that this criterion will be met.

W. Adequate Financial and Technical Capacity

The hair salon will require few changes and the cost of work to complete the change of use will be minimal. Based on this information and in the record the Planning Board finds that this criterion will be met.

X. Conformance with the Comprehensive Plan

The hair salon which would be defined as a "business primary function" is a permitted use in the Downtown Village 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.

Conclusion

- The Board reviewed the Site Plan application on September 24, 2019 at which time the 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 Board with a letter from the property owner showing reasonable right, title, or interest in the property.

- The 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 hereby approves with the following conditions the application for Brittany Tucci and Breeana Spaulding, Luxe Studio for the change of use from a retail space to a hair salon as described in the application dated September 24, 2019 and the above findings of facts.

Conditions of Approval:

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

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: September 24, 2019
Poland Planning Board

James Porter, Chairman

Stephanie Floyd, Vice Chairman

Absent with Notice

Mark Weinberg, Secretary

George Greenwood, Member

Cheryl Skilling, Member

James Walker, Alternate Member



Planning Board Office

1231 Maine Street,
Poland, Maine 04274-7328

Findings of Fact & Conclusion of Law

Application Type: Site Plan Amendment–Soaring Eagle Boat Storage Facility

Owners Name: Debra & Anna Lapre (29 Garland Swamp Rd., Poland, ME 04274)

Located at: 1171 Maine Street (Rt.26)

Parcel ID: 0039-0019

Zoning Districts: Downtown Village District

SITE PLAN REVIEW STANDARDS

A. Preservation of Landscape:

This application is to allow 8 additional boats to be stored outside on existing impervious surfaces at the approved indoor storage building. The site is accessible from Route 26 Maine Street and all the lots have frontage along the existing street (RT.26). There are no scenic vistas defined in the Comprehensive Plan associated with this property and the applicant will not be altering any vegetated surfaces or slopes exceeding twenty (20%) percent with this application. The site previously housed a 10 ft. by 47 ft. mobile home, and as part of the project that will be removed. The applicant has provided screening of the boat storage buildings with a landscaping berm and plantings, along the road frontage and northerly sideline. Based on this information above and in the record the Planning Board (Board) finds that this criterion will be met.

B. Relation of Proposed Buildings to Environment:

The facility has been accepted by the Planning Board for meeting the Downtown District/Village standards for non-residential/commercial business. As a condition the applicant shall provide a building exterior view such that the Code Officer, can confirm that the roof pitch and general building appearance conforms to the Downtown Design standards. Based on this information above and in the record, the condition the Board finds that this criterion can be met.

C. Compatibility with Residential Areas:

The boat storage facility is abutted by other residential dwellings located on both sides. Due to the setbacks, deeper off the road orientation and fact that the site is within the Downtown Village District requiring appropriate standards for landscaping, the Board finds that this criterion will be met.

D. Vehicular Access:

The Board finds that the storage of 8 boats outside will not alter the existing access off Maine Street the currently exists into the lot. The site is proposed with a 24 foot wide paved travel surface into and around the boat-storage facility parking lot. As a condition of approval, the Planning Board has required that the Fire Department determine that there exists adequate access maneuverability to conduct necessary turning movements for fire and emergency equipment. Based on this information and meeting conditions, the Board finds that this criterion can be met.

E. Access to Route:

The existing access to Route 26 /Maine St. is proposed to be improved, with a minimum of 24 feet of paved surface that will serve as access to the lot. An approved MDOT highway Entrance Permit (9/14/18) was included with the application. Based on this information and in the record, the Board finds that this criterion will be met.

F. Surface Water:

The site is currently an approved indoor boat storage and the additional 8 boats stored outside will be on existing impervious surfaces. Based on this information and in the record, the Board finds that this criterion will be met.

G. Conservation, Erosion and Sediment Control:

The applicant will make sure that the cleared area during construction of the proposed area will be kept in a safe manner and immediate downstream channels, wetlands, or ditches shall be safeguarded with an erosion control plan and measures such as conservation mix berms and silt fencing until the site is firmly revegetated. Based on this information and in the record the Board finds that this criterion will be met.

H. Phosphorus Export:

The parcel is located in a lake or pond watershed most at risk, Lower Range Pond, but the proposed storage of 8 boats on existing impervious surfaces will not change the existing site plan. Based on this information and in the record the Board finds that this criterion will be met.

I. Site Conditions:

The site plan is complete and the additional 8 spaces include no new impervious surfaces. Based on this information and in the record the Board finds that this criterion will be met.

J. Signs:

Signage is not part of this current application; the applicant will need to file a separate permit request with the Code Enforcement Officer for any sign locations. The Board finds that this section is not applicable.

K. Special Features:

This application does not include any new loading docks or dumpsters, however there will be mechanical equipment on the exterior of the building(s). The proposed expansion on mechanical equipment will be consistent with existing residential sized equipment and will not be visible from a public way or any residential dwelling. Based on this information and in the record the Board finds that this criterion will be met.

L. Exterior Lighting:

The applicant is proposing exterior lighting on the outside of the proposed structures which shall be full cut off fixtures and not directly visible from a public way or residential dwelling. Based on this information and details provided and, in the record, the Board finds that this criterion will be met.

M. Emergency Vehicle Access:

The applicant has shown that at least twenty (24') feet of access will be available throughout construction and will maintain the twenty (24') foot access when the project is completed. Available vehicle spacing open in the front of the storage building, by the overhead doors will allow at least 55 feet of paved clearance. The 8 new spaces for outside storage will be in the planned parking spaces. As a condition of approval, the Planning Board has required that the Fire Department determine that there exists adequate access maneuverability to conduct necessary turning movements for fire and emergency equipment. Based on this information and in the record the Board finds that this criterion can be met.

N. Municipal Services:

Other than the Fire Chief with § M above, the project will have no impact on the municipal departments. Based on this information and in the record the Board finds that this criterion will be met.

O. Water Supply:

The site is served by an existing 8 inch water main of the Mechanic Fall Water Department. The new building will be served with a 1 inch service the boat-storage facility's domestic needs. No additional fire suppression was provided, and the nearest hydrant location appears more than 1400 feet away (in front of Town Hall). As a condition the fire department must sign off on suppression needs. Based on this information and in the record, and with the condition

the Board finds that this criterion will be met.

P. Ground Water:

The parcel is partially located in an aquifer protection overlay district but will not impact groundwater conditions based on steep topography. Based on this information and in the record the Board finds that this criterion will be met.

Q. Air Emissions:

The applicant's site improvements and added boat storage building and outside storage will not have any impact on the existing air emissions. Based on the information in the record the Board finds that this criterion will be met.

R. Odor Control:

The proposed site plan amendment and structures will not produce any harmful or offensive odors beyond the lot lines. Based on the information in the record the Board finds that this criterion will be met.

S. Noise

The proposed amendment will not exceed the MDEP or Town's sound limits as measured at the lot lines. Based on the information in the record the Board finds that this criterion will be met.

T. Sewage Disposal

The building has a subsurface wastewater system placed behind the structure that is a relatively small 80 gal/day. Adequate soils information has been provided to support the placement of such wastewater system. Based on this information and in the record the Board finds that this criterion will be met.

U. Waste Disposal

The applicant will have solid waste disposal service in place, all construction waste will be handled by a contracted hauler or removed by the contractor. Both any operational solid waste produced by the storage facility or the office within will be handled by the owner via private trash contractor or removal service. Based on this information above and in the record the Board finds that this criterion will be met.

V. Buffer Areas

The front facing side of the storage building is buffered with a landscape berm and plantings to reduce the impacts of visual sight from Rt. 26. The rear (uphill portion of the site will remain wooded to screen neighbors behind the site. Based on this information above and in the record the Board finds that this criterion will be met.

W. Adequate Financial and Technical Capacity

The applicant has provided financial capacity with funding from a Charles Schwab account in excess of \$250,000. CES Inc has provided evidence that they have the capabilities to adequately design and permit the proposed facility. Based on this information and in the record the Board finds that this criterion will be met.

X. Conformance with the Comprehensive Plan

The proposed facility is in conformance with the Comprehensive Plan and is a permitted use within the Downtown Village District. The facility must also comply with the Design Guidelines for the Poland Village district. Based on this information, required condition, and in the record the Board finds that this criterion will be met.

Conclusion

- The Board reviewed the Site Plan Amendment application on October 8, 2019, at which time the Board approved the site plan amendment (4-0) and voted the application checklist complete and voted to not hold a site walk or public hearing for the site plan application.

- The Board has concluded that they have the jurisdiction to review the application pursuant to Ch. 5 § 509.2.A.1 of the CLUC “Uses in each district which require Site Plan review as defined in Section 506.1.”

Therefore, the Town of Poland Planning Board hereby approves with the following conditions, the application for Debra and Anna Lapre, to store 8 boats outside in the existing parking area as described in the application dated October 8, 2019, and the above findings of facts.

Conditions of Approval:

- Soil Erosion Control and Stormwater Management Measures shall be in place prior to construction; the Code Enforcement Officer may require additional measures be taken
- Plan approval is also conditioned upon compliance by the Applicant with the Plans and specifications which have been received by the Planning Board in connection with the development proposal as well as with any oral or written commitments regarding the project which were specifically made by the Applicant to the Board in the course of its deliberations
- Building/use permits shall be obtained prior to the start of construction/use
- The Planning Board has required that the Fire Department determine that there exists adequate access maneuverability to conduct necessary turning movements for fire and emergency equipment.
- The applicant must submit building exterior views prior to building permit issuance to have the structure’s appearance reviewed by the Code Enforcement Officer that it complies with the Downtown Design standards
- The applicant must apply for and obtain all applicable permits for the proposed development under the Natural Resources Protection Act, Title 38 M.R.S.A. section 480-C, the Site Location of Development Act, the Erosion and Sedimentation Control law, Title 38 M.R.S.A. section 420-C, the Stormwater Management Law, the Federal Clean Waters Act as delegated to the State of Maine, and all other applicable state and federal laws regulating the use or development of land. The Applicant shall annually notify the department of any new construction or modification undertaken during the previous 12 months that is governed by the exemptions under Title 38 M.R.S.A. section 488. 29. The notice must identify the type, location, and ground area of the new construction or modification. At the time of the annual notification, the Applicant shall provide to the department development plans, certified by a professional engineer, for new construction or modification governed by this subsection.

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: October 8, 2019
Poland Planning Board

James Porter, Chairperson

Stephanie Floyd, Vice Chairperson

Absent with Notice

Mark Weinberg, Secretary

Absent with Notice

George Greenwood, Member

Cheryl Skilling, Member

James Walker, Member