

**Planning Board Meeting  
November 26, 2019 – 7:00 PM  
Town Office Conference Room**



**Meeting Materials**

**Planning Board  
Tuesday, November 26, 2019  
7:00 PM – Town Office Conference Room**

**CALL TO ORDER**

**MINUTES**

November 12, 2019

**COMMUNICATIONS**

**OLD BUSINESS**

Minor Subdivision Application – Joseph Cimino – 481 Maine Street – Map 6 Lots 47 and 47E

**NEW BUSINESS**

Formal Site Plan Review – Adam Mocchiola – 46 Mechanic Falls Road – Map 12 Lot 16A

Findings of Fact and Conclusions of Law for:

Formal Shoreland Zoning Application – Joseph and Suzanne Rochon – 115 Chickadee Lane  
– Map 37 lot 9

**ANY OTHER BUSINESS**

**ADJOURNMENT**

**POLAND PLANNING BOARD**  
**MINUTES OF MEETING**  
**November 12, 2019**  
**Approved on \_\_\_\_\_, 2019**

**CALL TO ORDER** – Chairperson Porter called the meeting to order at 7:00pm with Members Mark Weinberg, Cheryl Skilling, Stephanie Floyd, George Greenwood, CEO Scott Neal, and Sarah Merrill present. Alternate Member Walker is absent without notice.

**MINUTES** – October 22, 2019 – Member Greenwood moved to approve the minutes with a minor change. Member Weinberg seconded the motion.

Discussion: None    Vote: 4-yes 0-no 1-abstained

Member Floyd abstained because she was not present at the meeting.

**COMMUNICATIONS** – None

**OLD BUSINESS** – None

**NEW BUSINESS** –

Sketch Plan Review – Adam Mocciola – 46 Mechanic Falls Road – Map 12 Lot 16A

Adam Mocciola presented the project to the Board. Mr. Mocciola would like to make some interior renovations to the building to create an adult use marijuana store and an adult use tier 2 marijuana cultivation site. The Board went over some of the information they expect to see in the formal site plan.

Member Greenwood moved to approve the checklist as complete. Member Floyd seconded the vote. Discussion: None    Vote: 5-yes 0-no

Formal Shoreland Zoning Application – Joseph and Suzanne Rochon  
– 115 Chickadee Lane – Map 37 lot 9

Keith Morse of JKL Land Surveying presented the project to the Board. The Rochon's would like to demolish the existing camp, build a year round two story home on a full basement, and move the new house back to the greatest practical extent from the resource. Mr. Morse is requesting a waiver on the stormwater requirements.

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

Member Greenwood moved to approve the Formal Shoreland Zoning Application as complete with the following conditions: the public hearing is waived, the site walk is waived, and the stormwater requirements are waived. Member Skilling seconded the motion. Discussion: One of the Rochon's neighbors had questions about how the septic and well placements on the Rochon's property would affect their future plans for their property. Vote: 5-yes 0-no

**POLAND PLANNING BOARD**  
**MINUTES OF MEETING**  
**November 12, 2019**  
**Approved on \_\_\_\_\_, 2019**

Findings of Fact and Conclusions of Law for:

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

Member Greenwood moved to Approve the Findings of Fact. Member Weinberg seconded the motion. Discussion: None    Vote: 4-yes 0-no 1-abstained  
Member Floyd abstained as she was absent with notice for that meeting.

**ANY OTHER BUSINESS** – Joy and Michael Lowe came to the Board to ask if there is a way for the Board to approve their project enough to allow the slab to be poured and the shell of the building built before winter sets in. The Lowe's are still getting together all the information needed for their Formal Site Plan. The Board would need to first approve the commercial development and the Code Enforcement Officer needs stamped engineered plans and approval from the Fire Marshall's office to issue a commercial building permit. Since the Lowe's are still waiting on the engineered plans and approval from the Fire Marshall there is nothing the Board can do.

**ADJOURN** – Member Floyd moved to adjourn the meeting at 8:15 pm. Member Skilling seconded the motion. Discussion: None    Vote: 5-yes 0-no

Recorded by: Sarah Merrill

Planning Board

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

\_\_\_\_\_  
George Greenwood, Member

\_\_\_\_\_  
Mark Weinberg, Secretary

\_\_\_\_\_  
Stephane Floyd, Vice Chairperson

\_\_\_\_\_  
Cheryl Skilling, Member

\_\_\_\_\_  
Absent without Notice  
James Walker, Alternate Member



**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](mailto:stuart@davislandsurveying.net)  
[www.davislandsurveying.net](http://www.davislandsurveying.net)

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November 15, 2019

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

Dear Planning Board members,

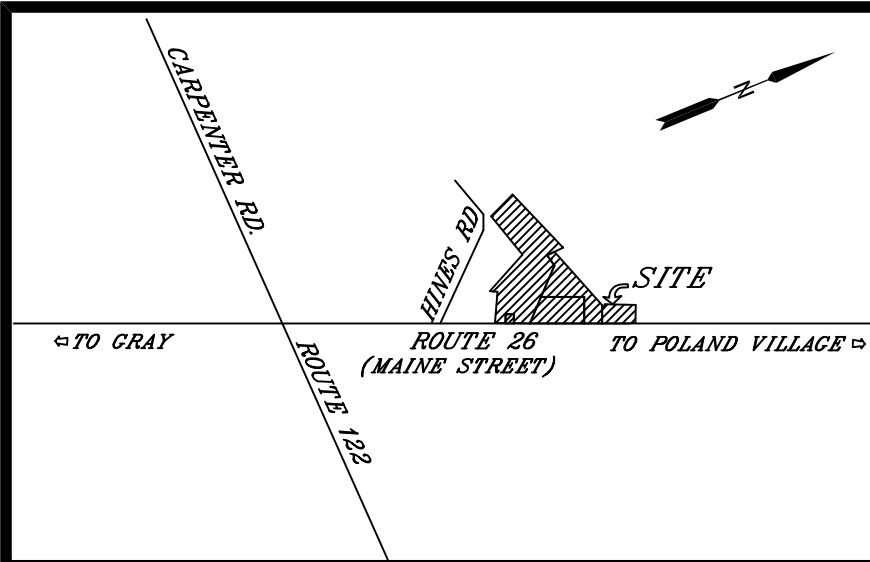
On October 22, 2019, a four (4) lot Minor Subdivision Application on behalf of Joseph F. Cimino was presented to the Planning Board for Town of Poland Tax Map 6, Lot 47 & 47E. During the review of the plan, discussions ensued concerning the small rectangle of retained land (0.19 acres) of Tax Map 6, Lot 47 located westerly of Lot 4. It was decided to include that area as part of Lot 4. The attached plan reflects the change.

We look forward to meeting with the Planning Board to finalize the plan. If you have any questions, please don't hesitate to contact our office.

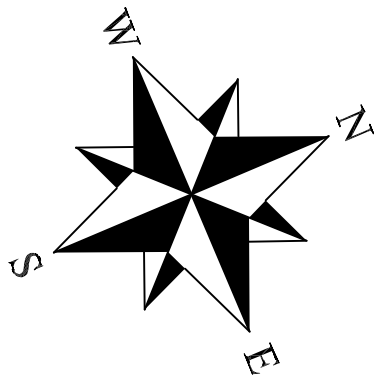
Thanks,

A handwritten signature in black ink, appearing to read 'Stuart Davis', with a stylized, flowing script.

Stuart Davis - ME PLS #2208



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



## LEGEND

- PROPERTY BOUNDARY
- RIGHT OF WAY/ABUTTING LOT LINES
- SETBACK LINES
- ZONE LINE
- 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 -- 8650/250 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	107,350.0 SF	2.46 AC.
EASEMENT AREA	7,198.8 SF	0.16 AC.

TOTAL AREA 593,802.8 SF 13.62 AC.

## 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 LAND 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 I & VILLAGE IV DISTRICT.

~ VILLAGE I ~  
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:

- 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 TECHNIQS 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 BOUNDRY 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.

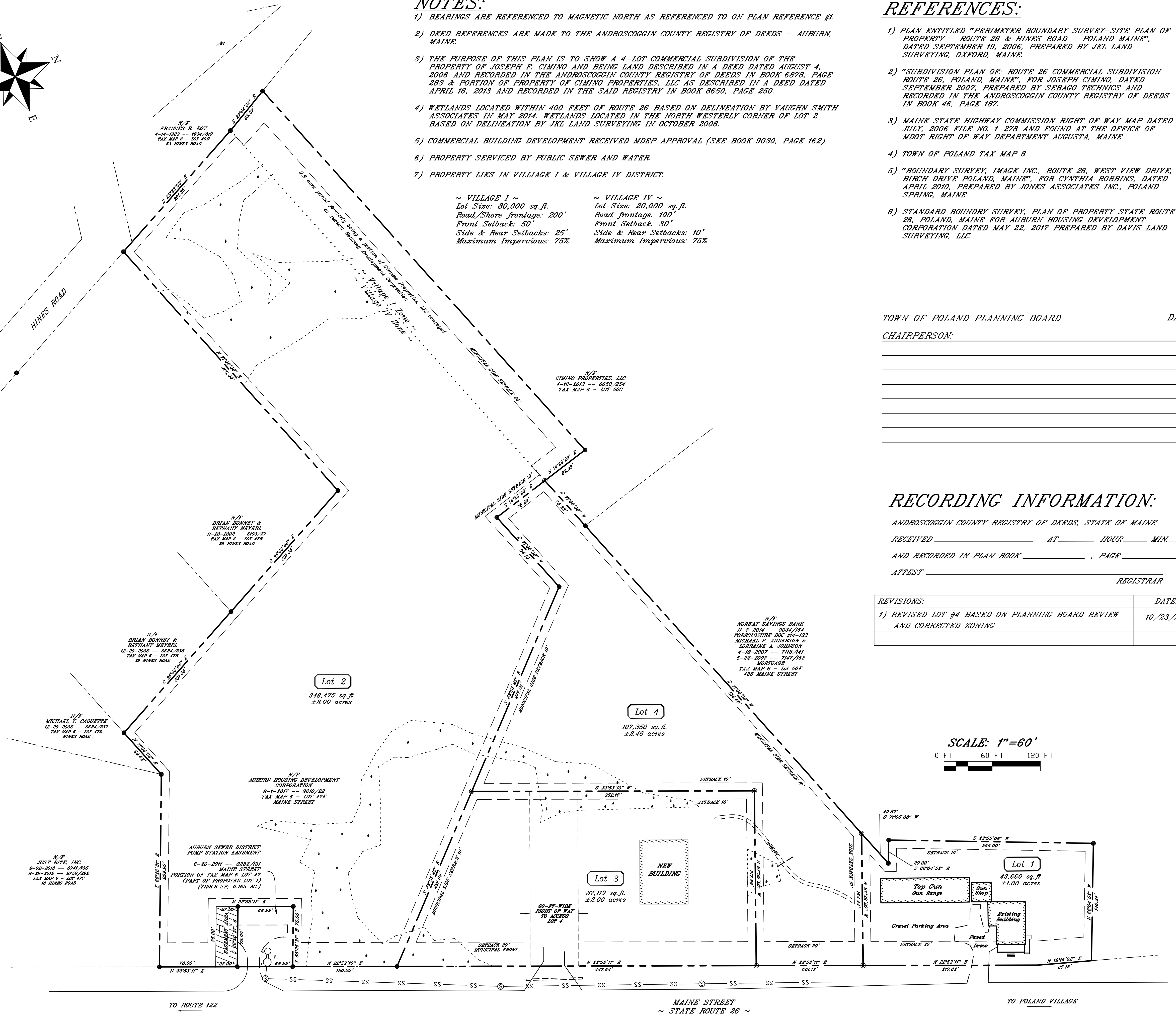
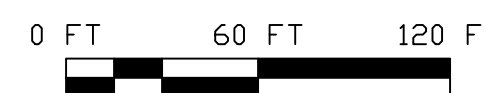
AND RECORDED IN PLAN BOOK \_\_\_\_\_, PAGE \_\_\_\_\_

ATTEST \_\_\_\_\_ REGISTRAR

## REVISIONS:

REVISIONS:	DATE:
1) REVISED LOT #4 BASED ON PLANNING BOARD REVIEW AND CORRECTED ZONING	10/23/2019

SCALE: 1"=60'



## CERTIFICATION:

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

ENCLOSURE AS FOLLOWS:  
1) NO PARTIAL REPORT TO DATE  
2) NO DEED DISCUSSION TO DATE

PLAN PREPARED BY: S.A.B. 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) 845-8881 CELL (207) 240-8949

EMAIL: [stuart@davissurveying.net](mailto:stuart@davissurveying.net)

WEBSITE: [www.davissurveying.net](http://www.davissurveying.net)

OCTOBER 22, 2019

REVISED OCTOBER 23, 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, Maine Planning Board

## Formal Site Plan Review

### Instructions:

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

### PROJECT NAME: \_\_\_\_\_

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

### LOT INFORMATION:

Tax Assessor's Map # 0012 Lot # 0016A Sub lot # \_\_\_\_\_

Watershed: \_\_\_\_\_

Property's Road Location: 46 (48-50) MECHANIC FALLS RD.

Lot Size: 2.52 Acres or Sq. Ft. Road Frontage: 275 Ft.

Year lot created: 9/15/1953 est. (If unknown, give best estimate with "est." after date)

Zoning District(s) GENERAL PURPOSE 1 Flood Zone: \_\_\_\_\_ Aquifer Overlay: \_\_\_\_\_

Current use of lot: \_\_\_\_\_

Auction Barn / Currently vacant

### LAND OWNER(s):

Name(s) Adam Mecciola

Company \_\_\_\_\_

Mail Address: 383 MEGOLIER HILL RD Main Phone 207-577-8701  
POLAND ME 04274

Town/State/Zip POLAND, ME 04274 Alternate Phone: \_\_\_\_\_



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

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

Name(s): SAME

Company: \_\_\_\_\_

Mail Address: SAME Main Phone: SAME - -Town/State/Zip: SAME Alternate Phone: - -**THIS APPLICATION IS FOR:**

(Check all that apply)

- ☒ Commercial  
☐ Industrial  
☐ Institutional  
☐ Governmental  
☐ Open Space

- ☐ New Development  
☒ Change In Use  
☐ Expansion of Use  
☒ Expansion of Structure(s)  
☐ Resumption of Use

**EXISTING LOT CONDITIONS:**

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

**1. General**

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

No

a. Is there an existing Well

No

b. Is there an existing Septic System

No

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

c. Is there an existing Road Entry

No

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

☒ No

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

d. Any structures to be removed

No

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

**2. Existing Land Development & Improvements NOT Including Buildings**

a. Size of lawns

or Acres

b. Size of fields

or Acres

c. Size of driveways/roads

d. Size of other non-vegetated areas

e. Wetlands already filled

**3. Existing Main Structure**

a. Ground Footprint

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

c. Road Frontage Setback

X YesX YesX YesX Yes       YesX Yes - if variance approved for ramp/porch

- DIMENSION

48,884 Sq. Ft. approx510,920 Sq. Ft.483 Sq. Ft.N/A Sq. Ft.N/A Sq. Ft.3072 Sq. Ft.3072 Sq. Ft.49 Ft.

- d. Side Setback 10.3 Ft.  
e. Rear Setback 27.3 Ft.  
f. Distance to Great Pond X Not applicable (over 250') Ft.  
g. Distance to Stream X Not applicable (over 250') Ft.  
h. Distance to Wetlands X Not applicable (over 250') Ft.  
4. **Foundation Type** \_\_\_\_\_ Full Basement \_\_\_\_\_ Frost Walls X Slab \_\_\_\_\_ Piers  
5. **Existing Accessory Structure(s)**  
a. Total Number of Structures 3  
b. Total Ground Footprint 3072 Sq. Ft.  
c. Total Floor Space 2592 Sq. Ft.  
d. Closest Road Setback 49 Ft.  
e. Closest Side Setback 10.3 Ft.  
f. Closest Rear Setback 720 Ft.  
g. Distance to Great Pond X Not applicable (over 250') Ft.  
h. Distance to Streams X Not applicable (over 250') Ft.  
i. Distance to Wetlands X Not applicable (over 250') Ft.  
6. **Total Existing Impervious Surfaces** 100 Sq. Ft.  
a.  $Add\ 2c + 2d + 3a + 5b$

#### PROPOSED DEVELOPMENT:

1. Wetlands to be impacted N/A Sq. Ft.  
2. New footprint(s) and developed area(s):  
a. Changes in building footprint(s) N/A Sq. Ft.  
b. Changes in driveway/roadway Maybe Signs ? Exit/Entr Sq. Ft.  
c. Changes in patios, walkways, etc. 144 Sq. Ft.  
d. TOTAL  $(2a+2b+2c)$  100 Sq. Ft.  
3. Percentage of lot covered by impervious surfaces:  
a.  $(Equals\ [areas\ on\ line\ 6\ page\ 2 + line\ 2d\ above] / [Total\ lot\ area\ measured\ in\ sq.\ ft.] * 100\%)$  %

#### SUBMISSIONS:

1. **Attach drawings and/or statements describing the following items, if applicable:**  
a. Provide a copy of deed and Tax Assessor's information card.  
b. Provide a map of the general area showing land features within at least ½ mile of this lot.  
c. Provide site plan(s) of your lot with existing development and its dimensions shown.  
d. Provide site plan(s) of your lot with proposed development and its dimensions shown.  
i. *(May be combined on existing development drawing.)*  
e. Provide detailed plans of proposed structural development and changes.  
f. Provide statements or drawings of methods of infrastructure:  
i. Water supply  
ii. Sewage disposal  
iii. Fire protection  
iv. Electricity  
v. Solid waste disposal  
g. Type, size, and location of signs.  
h. Number of parking spaces.  
i. Provide phosphorus loading calculation if in a great pond watershed area.  
j. Anticipated date for start of construction.  
k. Anticipated date for completion of construction.  
l. Standard submissions requirements shall follow Section 509.8 of the Comprehensive Land Use Code. Copies of the Code are available for viewing at the Town Office and Library. Copies are available for purchase (\$25.00) in the Code Enforcement Office.  
i. *(Use checklist starting on page 6 for summary of usual requirements.)*  
m. Other requirements unique to your project added by the Planning Board.



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

This includes but is not limited to the following:

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

**DISCLOSURE: (READ BEFORE SIGNING)**

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

  
Applicant's Signature(s)

  
Date

## Submission CHECKLIST

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

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



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

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

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

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

**Conditions of Approval for Formal Site Review:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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



### Site Review and Shoreland Zoning Review Fees:

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

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

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

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

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

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

Date of meeting you are requesting to be scheduled for: 11 / 26 / 19 Meetings are normally

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

Map 0012 Lot 00116A Sub-lot \_\_\_\_\_

Applicant's Name: Adam Mecciola

Mailing Address: 383 Megquier Hill Rd.

Town, State, Zip: Poland, ME 04274

Home Phone: 207-577-8701

Hours: ANY

Work Phone: \_\_\_\_\_

Hours: \_\_\_\_\_

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

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

Zoning: GENERAL PURPOSE 1 Lake Watershed: \_\_\_\_\_ Nature of

business to be discussed (Brief description): Renovation; change of use

**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: AM Date: 11 / 15 / 2019

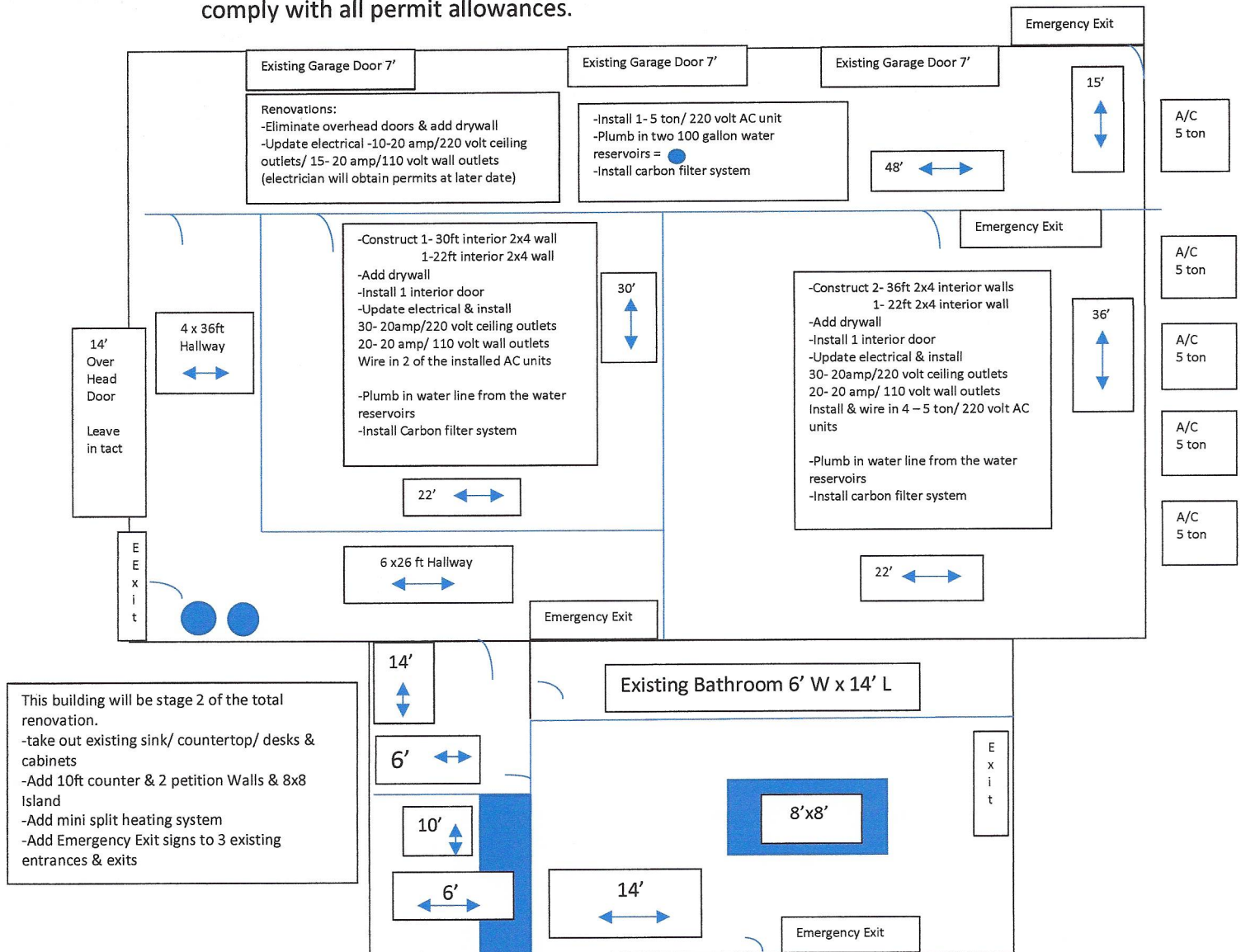
**OFFICE USE ONLY:**

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



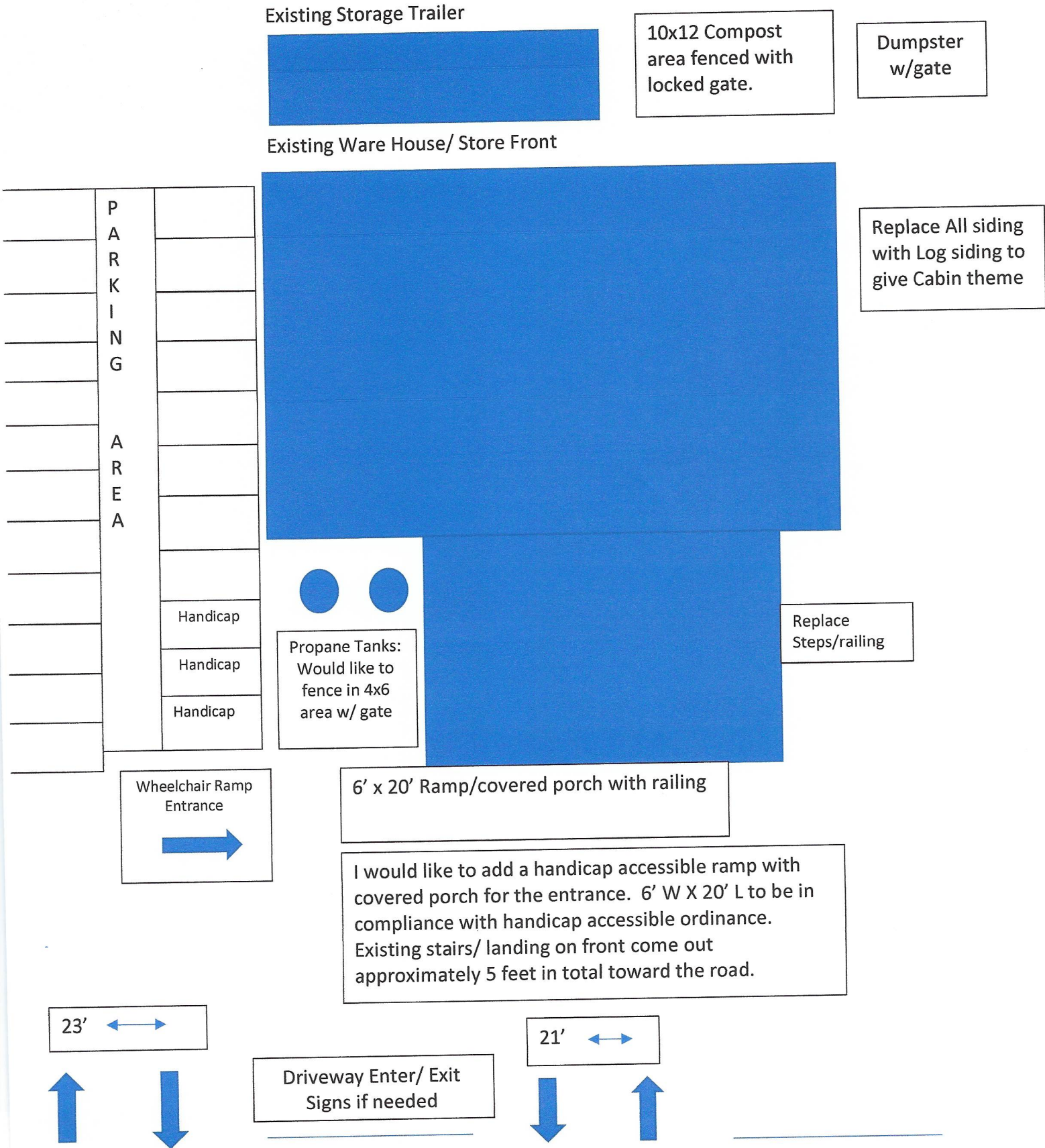
## First stage of renovation for 48 Mechanic Falls Rd. Poland ME

- The below modifications from the original permit drawing will change some of the specifications for the permit; it will actually lower the canopy square footage & will comply with all permit allowances.



## FLOOR PLAN/ INDOOR RENOVATION DIAGRAM

# Outdoor Renovations/ Parking/Entrance Etc.





## **Detailed Plans of Construction Requested:**

Construction Location: 46 Mechanic Falls Rd, Poland, ME. 04274

### **Structural Changes:**

(Warehouse)

- We plan on removing the three 7' garage doors on the back side of the building and replacing them with three 7' (2x4) petition walls, sheetrock, etc.
- Build two interior walls, one to separate two rooms (30' (2x4 wall). The other will create a hallway along the left side wall one 6x26 ft and one 4x36ft heading to the back of the building.
- Build two interior walls 10' to separate the back of building from the front. Add two 36" doors to access the two rooms.
- D & Son Construction will be performing most all of the interior renovations

(Store)

- Remove sink and countertops/cabinets, build new 15 foot countertop. Add mini-split AC system.
- Add emergency exit signs to current exterior doors
- I would like to replace front entrance stairs with a 144 square foot covered entry ramp/landing- compliant with wheelchair accessibility. This would increase the porch entrance by approximately 3 feet toward the center of Mechanic Falls Rd.\*\*

\*\*If this variance cannot be granted through this application, I would like to add a ramp to side entrance increasing the side setback to 3 feet beyond what exists.

### **Water Supply:**

- We will use current artesian well to supply the building with water. We will have two reservoir tanks that will have plumbing into each of the rooms
- We are currently working to contract licensed plumber, Robert Hodgkins from Casco Maine, as the plumber to install all reservoirs & applicable plumbing

### **Sewage disposal:**

- Sewage disposal will be current leach field
- Septic Plans on File with the Town (ie: Scott was looking these up)

### **Fire Protection:**

- We will have fire extinguishers in all rooms and storefront.
- There will be emergency exit signs and fire alarms in all rooms and storefront.

#### Electrical:

- We have contracted Ben Pelchat Electric (licensed master electrician) to install all electrical outlets (70 220v outlets/ 55 110v outlets), add new 400 amp service on the same side of the building as the current electrical service.
- Hire HAVOC contractor Agren Appliance to install all AC systems.

#### Solid Waste disposal:

- There will be an onsite dumpster at all times for all solid waste and there will be a fenced/ gated compost pile for all soil and all other decomposable waste.

#### Signs:

- We will have two signs, one on the current sign that is now still listed at **McMorrow Auctions** (15x20), then potential sign located on the front (road side) of the building(10x15).

#### Parking Spaces:

- 23 total parking spaces (3 dedicated to handicap)

#### Traffic Flow:

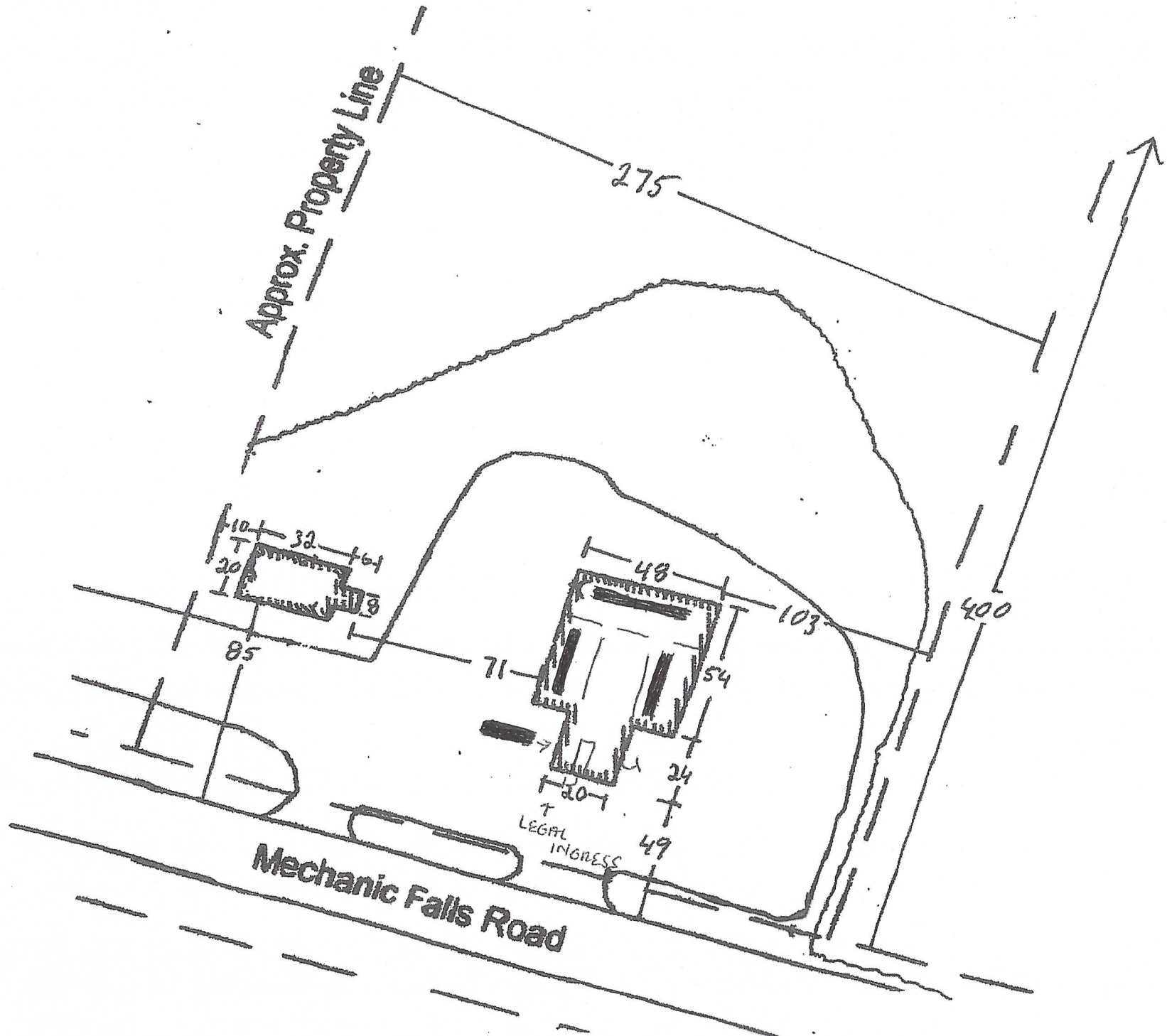
- There are two entrances/ exits to the property and I am willing to mark or add enter/exit signs as necessary.
- My thought is to have traffic enter/exit to the right of the sign if you are facing the building as standing on Mechanic Falls Rd.; this is the first driveway opening and is largest @ 23 feet wide. I can also mark the second driveway to the right as either an exit /entrance as well if this is needed. This opening is 21 feet wide. Please advise.
- Traffic Data: I have called and left a message with the Scarborough DOT as suggested by Poland CEO Scott Neal and have not received a response. I have requested a waiver as this information needs to be provided by this department and they have not responded.

Anticipated date of construction: As soon as permit is granted.

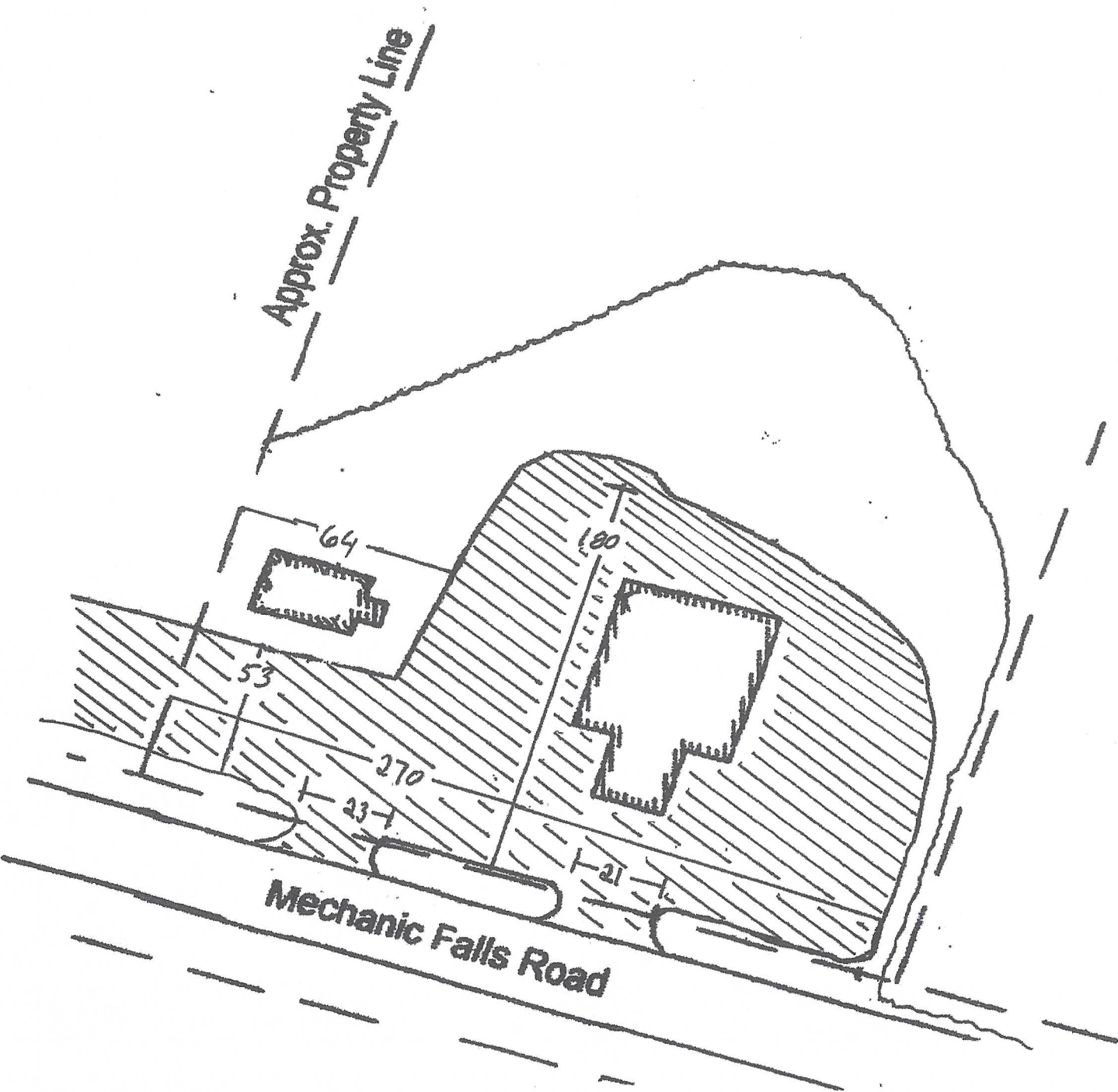
Anticipated date of completion: A year from when permit is granted.

Estimation of cost: **\$42,000**

# STRUCTURES



Gravel Parking Area is shaded,





NOW OR FORMERLY  
**McMORROW**  
BOOK 3645 PAGE 95

STAT.

LOT 3

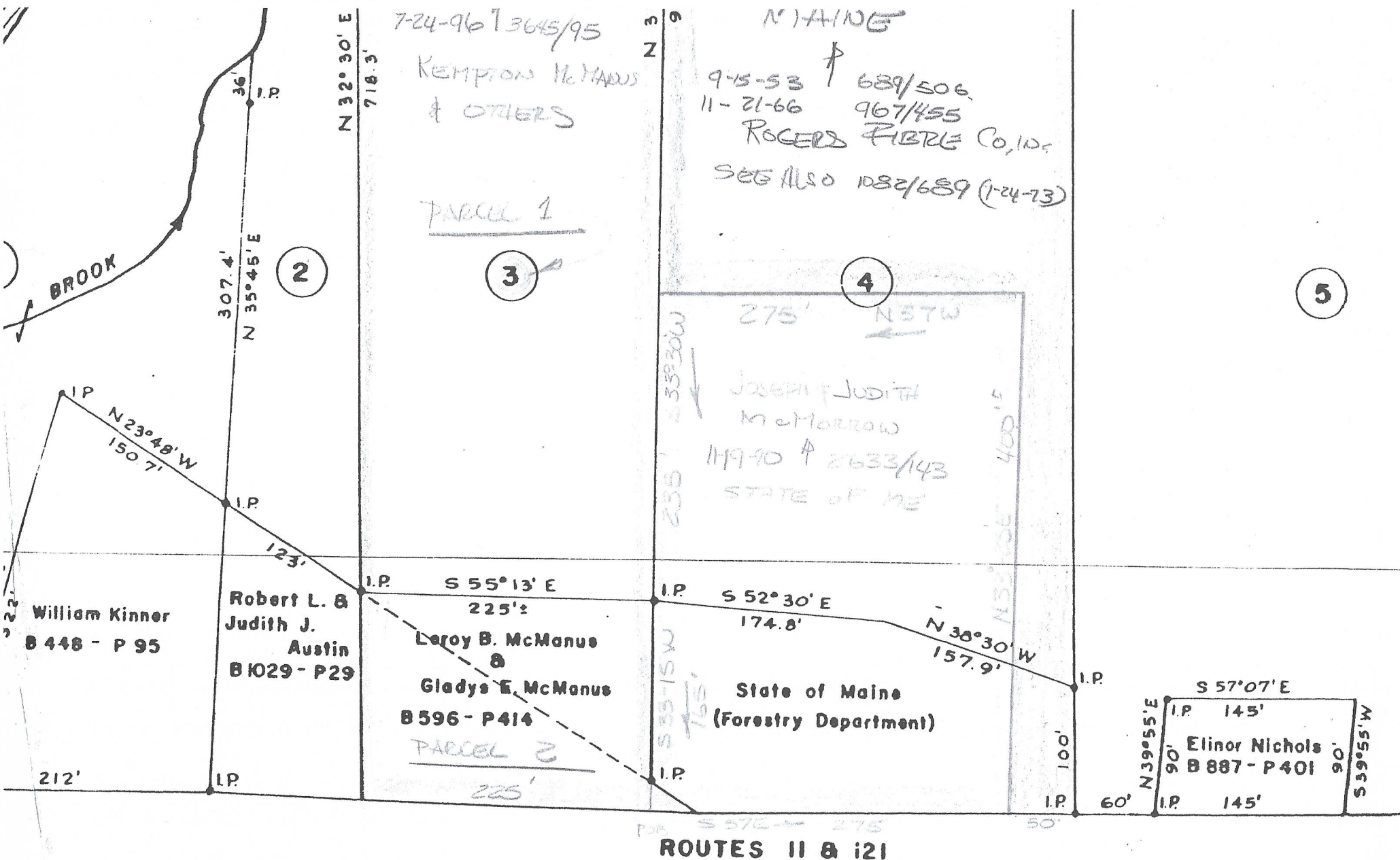
S 33°30' W  
235'±

N 57°00' W  
275'±

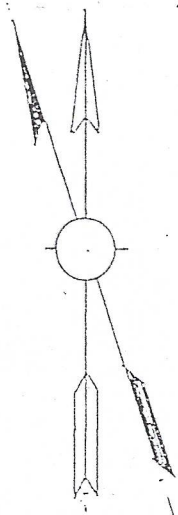
PORTION OF  
LOT 4

PLAN REFERENCE  
BOOK 22 PAGE 41





PROPERTY OF  
**ROGERS FIBRE DIVISION OF COLONIAL BOARD COMP**  
POLAND, MAINE



N/F KEMPTON B. McMINUS, ET ALS

LITTLE ANDROSCOGGIN RIVER

340'

I.P. (Typical)

(3)

6.11 Ac  
RESERVEDS 32° 10' W - 1163'  
N/F FRANKLIN L. STEWART, ET AL

## STATE OF MAINE DEEDS:

	DATE	BOOK & PAGE	ACRES
①	- 9/15/53	506 689	0.60
②	- 11/21/66	967 455	0.43
③	- 1/24/73	1082 689	7.60
		TOTAL	8.63

## BUILDINGS:

- A - Residence
- B - Garage/Storage

REFERENCE: SURVEY & PLAN DATED 12/72  
ANDROSCOGGIN COUNTY REGISTRY OF DEEDS  
PLAN BOOK 22 PAGE 41.

NOT FOUND



SITE TO BE SOLD

STATE OF MAINE  
DEPARTMENT OF CONSERVATION

Division of Engineering and Realty

MAINE FOREST SERVICE  
AUGUSTA, MAINE

SURPLUS REAL ESTATE  
POLAND, MAINE

DRAWN R S COFFIN

CHECKED

DATE 6/6/90

SCALE 1"=150'

PROJECT NO.

FEDERAL NO.

MECHANIC  
FALLS  
4 Mi.

ROUTES 11 &amp; 121

AUBURN

8 Mi. →

TEE IRON  
POST175' N 57° W  
275.00'

150'

100'

49.8'

165'

235.0'

1" I.P.

1" I.P.

1" I.P.

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1" I.P.

1" I.P.





# TOWN OF POLAND

1231 MAINE ST  
POLAND, ME 04274-7328



## 2020 REAL ESTATE TAX BILL

### CURRENT BILLING INFORMATION

LAND VALUE	\$94,700.00
BUILDING VALUE	\$99,900.00
TOTAL: LAND & BLDG	\$194,600.00
	\$0.00
	\$0.00
MACHINERY & EQUIPMENT	\$0.00
MISCELLANEOUS	\$0.00
TOTAL PER. PROPERTY	\$0.00
HOMESTEAD EXEMPTION	\$0.00
OTHER EXEMPTION	\$0.00
NET ASSESSMENT	\$194,600.00
TOTAL TAX	\$2,915.11
LESS PAID TO DATE	\$0.00

**TOTAL DUE** ⇒ **\$2,915.11**

For the Fiscal Year July 1, 2019 to June 30, 2020

### OFFICE HOURS

Monday: 9:00am - 7:00pm  
Tuesday - Friday: 9:00am - 4:00pm

Telephone: (207) 998-4601

S61842 P29959 - 1of1



MCMORROW, JOSEPH P.  
MCMORROW, JUDITH A.  
75 PATTERSON RD  
MECHANIC FALLS, ME 04256-5917

**THIS IS THE ONLY BILL  
YOU WILL RECEIVE**

ACCOUNT: 001468 RE

ACREAGE: 2.52

MIL RATE: \$14.93

MAP/LOT: 0012-0016A

LOCATION: 46 MECHANIC FALLS RD.

FIRST HALF DUE: \$1,457.56

SECOND HALF DUE: \$1,457.55

BOOK/PAGE: B2633P143

### TAXPAYER'S NOTICE

#### INTEREST AT 9% PER ANNUM CHARGED BEGINNING 11/01/2019 AND 05/01/2020.

Without State Aid for Education, Homestead Exemption Reimbursement and State Revenue Sharing, your tax bill would have been 44.41% higher. Mil Rate at 14.98 per \$1,000 of taxable value.

This bill is for the current fiscal year only, any payment on past due amounts are not included. To determine past due amounts OR to receive information regarding payments, interest, cost changes and/or refunds, please contact the Treasurer's Office at (207) 998-4601. Under State law, the ownership and valuation of all real estate and personal property subject to taxation shall be fixed as of April 1st. For this tax bill, that date is April 1, 2019. If you have sold your real estate since April 1, 2019, it is your obligation to forward this bill to the current property owner.

As of June 30, 2019 the Town of Poland has outstanding bonded indebtedness in the amount of \$6,914,306.00. After eight months and no later than one year from the date of commitment, a lien will be placed on all real estate for which taxes remain unpaid. Any abatement requests must be made within 185 calendar days from the date of commitment, for this tax bill. Please direct any abatement questions to the Assessor's Office at (207) 998-4651.

**DO NOT LOSE OR DISCARD THIS BILL. YOU WILL NOT RECEIVE A BILL FOR THE SECOND PAYMENT.**

### CURRENT BILLING DISTRIBUTION

School	\$1,456.97	49.980%
Town	\$1,278.28	43.850%
Androscoggin County	\$179.86	6.170%
TOTAL	\$2,915.11	100.000%

### REMITTANCE INSTRUCTIONS

Please make check or money order payable to  
**TOWN OF POLAND** and mail to:

**TOWN OF POLAND  
1231 MAINE ST  
POLAND, ME 04274-7328**

If a receipt is desired, please send a self-addressed, stamped envelope.

TOWN OF POLAND, 1231 MAINE ST, POLAND, ME 04274-7328

### 2020 REAL ESTATE TAX BILL

ACCOUNT: 001468 RE

NAME: MCMORROW, JOSEPH P.

MAP/LOT: 0012-0016A

LOCATION: 46 MECHANIC FALLS RD.

ACREAGE: 2.52



INTEREST BEGINS ON 05/01/2020

DUE DATE	AMOUNT DUE	AMOUNT PAID
04/01/2020	\$1,457.55	

PLEASE REMIT THIS PORTION WITH YOUR SECOND PAYMENT

TOWN OF POLAND, 1231 MAINE ST, POLAND, ME 04274-7328

### 2020 REAL ESTATE TAX BILL

ACCOUNT: 001468 RE

NAME: MCMORROW, JOSEPH P.

MAP/LOT: 0012-0016A

LOCATION: 46 MECHANIC FALLS RD.

ACREAGE: 2.52



INTEREST BEGINS ON 11/01/2019

DUE DATE	AMOUNT DUE	AMOUNT PAID
10/01/2019	\$1,457.56	

PLEASE REMIT THIS PORTION WITH YOUR FIRST PAYMENT





**TOWN OF POLAND**  
1231 MAINE ST  
POLAND, ME 04274-7328



**2020 PERSONAL PROPERTY TAX BILL**

**CURRENT BILLING INFORMATION**

LAND VALUE	\$0.00
BUILDING VALUE	\$0.00
TOTAL: LAND & BLDG	\$0.00
	\$0.00
	\$0.00
MACHINERY & EQUIPMENT	\$1,200.00
MISCELLANEOUS	\$0.00
TOTAL PER. PROPERTY	\$1,200.00
HOMESTEAD EXEMPTION	\$0.00
OTHER EXEMPTION	\$0.00
NET ASSESSMENT	\$1,200.00
TOTAL TAX	\$17.98
LESS PAID TO DATE	\$0.00

**TOTAL DUE** ⇒ **\$17.98**

For the Fiscal Year July 1, 2019 to June 30, 2020

**OFFICE HOURS**

Monday: 9:00am - 7:00pm  
Tuesday - Friday: 9:00am - 4:00pm

Telephone: (207) 998-4601

S61842 P29959 - 1of1



MCMORROW AUCTION  
% JOSEPH P. MCMORROW  
75 PATTERSON RD  
MECHANIC FALLS, ME 04256-5917

**THIS IS THE ONLY BILL  
YOU WILL RECEIVE**

ACCOUNT: 000268 PP

MIL RATE: \$14.98

LOCATION: 0 MECHANIC FALLS RD.

BOOK/PAGE:

ACREAGE:

MAP/LOT:

FIRST HALF DUE: ~~\$8.99~~  
SECOND HALF DUE: ~~\$8.99~~

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Without State Aid for Education, Homestead Exemption Reimbursement and State Revenue Sharing, your tax bill would have been 44.41% higher. Mil Rate at 14.98 per \$1,000 of taxable value.

This bill is for the current fiscal year only, any payment on past due amounts are not included. To determine past due amounts OR to receive information regarding payments, interest, cost changes and/or refunds, please contact the Treasurer's Office at (207) 998-4601. Under State law, the ownership and valuation of all real estate and personal property subject to taxation shall be fixed as of April 1st. For this tax bill, that date is April 1, 2019. **If you have sold your real estate since April 1, 2019, it is your obligation to forward this bill to the current property owner.**

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**DO NOT LOSE OR DISCARD THIS BILL. YOU WILL NOT RECEIVE A BILL FOR THE SECOND PAYMENT.**

**CURRENT BILLING DISTRIBUTION**

School	\$8.99	49.980%
Town	\$7.88	43.850%
Androscoggin County	<u>\$1.11</u>	<u>6.170%</u>
TOTAL	\$17.98	100.000%

**REMITTANCE INSTRUCTIONS**

Please make check or money order payable to  
**TOWN OF POLAND** and mail to:

**TOWN OF POLAND**  
1231 MAINE ST  
POLAND, ME 04274-7328

If a receipt is desired, please send a self-addressed, stamped envelope.

TOWN OF POLAND, 1231 MAINE ST, POLAND, ME 04274-7328

**2020 PERSONAL PROPERTY TAX BILL**

ACCOUNT: 000268 PP

NAME: MCMORROW AUCTION

MAP/LOT:

LOCATION: 0 MECHANIC FALLS RD.

ACREAGE:



**INTEREST BEGINS ON 05/01/2020**

DUE DATE	AMOUNT DUE	AMOUNT PAID
04/01/2020	\$8.99	

**PLEASE REMIT THIS PORTION WITH YOUR SECOND PAYMENT**

TOWN OF POLAND, 1231 MAINE ST, POLAND, ME 04274-7328

**2020 PERSONAL PROPERTY TAX BILL**

ACCOUNT: 000268 PP

NAME: MCMORROW AUCTION

MAP/LOT:

LOCATION: 0 MECHANIC FALLS RD.

ACREAGE:



**INTEREST BEGINS ON 11/01/2019**

DUE DATE	AMOUNT DUE	AMOUNT PAID
10/01/2019	\$8.99	

**PLEASE REMIT THIS PORTION WITH YOUR FIRST PAYMENT**

## QUITCLAIM DEED

**KNOW ALL MEN BY THESE PRESENTS**, that **Joseph P. McMorrow and Judith A. McMorrow**, of the Town of Mechanic Falls, County of Androscoggin, State of Maine, for consideration paid, GRANT and QUITCLAIM unto **Adam R. Mocchiola** whose mailing address is 383 Megquier Hill Road, Poland, Maine, a certain lot or parcel of land with the improvements thereon located in the Hackett-Mills vicinity of the Town of Poland, County of Androscoggin, State of Maine, being more particularly described on the attached Exhibit A.

Also hereby conveying all rights, easements, and privileges pertaining thereto.

**WITNESS** our hands this 30<sup>th</sup> day of September, 2019.

Signed and delivered  
in the presence of

Aubrey Russell

Aubrey Russell, Bar #4228

Witness

Aubrey Russell

Aubrey Russell, Bar #4228

Joseph P. McMorrow

Joseph P. McMorrow, Grantor

Judith A. McMorrow

Judith A. McMorrow, Grantor

STATE OF MAINE  
Androscoggin, ss.

September 30, 2019

Then personally appeared the above named Joseph P. McMorrow and Judith A. McMorrow and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Crystal Chamberlain  
Crystal Chamberlain, Notary Public

**Crystal Chamberlain**  
**NOTARY PUBLIC**  
**STATE OF MAINE**  
**My Commission Expires 01/19/2024**



## Exhibit A

A certain lot of parcel of land with the improvements thereon located in the Hackett Mills vicinity of the town of Poland, County of Androscoggin, and State of Maine, bounded and described as follows:

Beginning on the northerly side of Highway Route 11 at the easterly side line of land now or formerly of Kempton B. McManus et als at an iron pin in the ground; thence running South 57° East along the northerly sideline of said highway 275 feet, more or less, to an iron pin and land reserved by State of Maine; thence North 33° 25' East, 400 feet more or less along said land of State of Maine to an iron pin; thence North 57° west, 275 feet more or less to an iron pin and land of said McManus, thence South 33° 30' West, 235 feet, more or less, to an iron pin; thence South 33° 15' West 165 feet, more or less, to the point of beginning and Southeast corner of said McManus land.

Adam R. Mocciola grants to Joseph P. McMorrow and Judith A. McMorrow a Right of Way over the real property to access the wood lot owned by Joseph P. McMorrow and Judith A. McMorrow at 60 Mechanic Falls Road, Poland, Maine through October 1, 2029. This includes not only a right of way to access the wood lot, but also the right to use the area known as the "lower landing" to bring the wood out and cut it on before removing it from the property. The "lower landing" is the lower flat area directly behind the auction hall.

Said parcel contains 2.52 acres, more or less.

Reference may be had to Quitclaim Deed of Direct of the Bureau of Forestry, Department of Conservation to Joseph P. McMorrow and Judith A. McMorrow, dated November 19, 1990, as recorded in the Androscoggin County Registry of Deeds in Book 2633, Page 143.

Reference may be had to Warranty Deed of Rogers Fibre Company, Inc. dated September 15, 1953 as recorded at the Androscoggin County Registry of Deeds in Book 689, Page 506 and portion of premises according to Quitclaim Deed of said Rogers Fibre Company, Inc. dated November 21, 1966 as recorded at said Registry of Deeds in Book 967, Page 455.

Reference may also be had to portion of premises according to Quitclaim Deed of Rogers Fibre Division of Colonial Board Company dated January 24, 1973 as recorded at said Registry of Deeds in Book 1082, Page 689.

Reference may be had to plan of Fred Huntress, Jr. dated December 1972 being a portion of parcel 4 and recorded at said Registry of Deeds in Plan Book 22 Page 41.



## Planning Board Office

1231 Maine Street,  
Poland, Maine 04274-7328

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

**Date:** November 11, 2019

**Application Type:** Formal Shoreland Zoning Application

**Owners Name:** Joseph and Suzanne Rochon (P.O. Box 51 A Cumberland Center, Maine 04021)

**Located at:** 115 Chickadee Ln.

**Parcel ID:** 0037-0009

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

#### **Project Description:**

On November 11, 2019 Mr. and Mrs. Rochon submitted a Formal Shoreland Zoning Application to remove the existing cottage and decks and replace it with new home on a full foundation. The new home will not exceed the existing square footage of 1126 square feet. The closest setback for the existing structure to Middle Range Pond is 29.5 feet. The applicants propose to set the new structure back to 75.7 feet to Middle Range Pond. The existing lot coverage is 16.4% and the proposed improvements will reduce the lot coverage to 16.1%.

#### **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 has been designed and will be installed with the new home. Based on this information the Board finds that this criterion will be met.



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

The 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 this information above and in the record the Board finds that this criterion will be met.

**504.3 Non-Conforming Structures**

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

The applicant is not proposing an expansion beyond the existing footprint; therefore, the Board finds that this section is not applicable.

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

The applicant has proposed to relocate the structure 46.2 feet back from the resource; therefore, based on this information the Board finds that this criterion will be met.

**504.3.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 apply for replacement of the structure and the setbacks were met to the greatest practical extent. Based on this information the Board finds that this criterion will be met.

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

This application is not for a change of use of the existing 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 proposed new home will be moved away from the resource 46.2 feet and will be 20.3 feet from the right of way. 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**

The applicant has a permit to remove two hazard trees and no other tree removal is proposed; therefore, based on this information the Board finds that this criterion will be met.

### **Conclusion**

- The application checklist was approved as complete on November 12, 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 4020, Page 146) showing reasonable right, title, or interest in the property.
- The Board has concluded that they have the jurisdiction to review the application under Chapter 5 §504.3 (Non-Conforming Structures).

Therefore, the Town of Poland Planning Board hereby approves (5-0) with the following conditions, the application for Joseph and Suzanne Rochon, as described in the application dated November 12, 2019, the approved site plan dated July 12, 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: November 12, 2019**  
**Poland Planning Board**

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James Porter, Chairperson

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Stephanie Floyd, Vice -Chairperson

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Mark Weinberg, Secretary

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George Greenwood, Member

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Cheryl Skilling, Member

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Absent without Notice  
James Walker, Alternate Member