

**Planning Board Meeting
May 14, 2019 – 7:00 PM
Town Office Conference Room**



Meeting Materials

**Planning Board
Tuesday, May 14, 2019
7:00 PM – Town Office Conference Room**

CALL TO ORDER

MINUTES

April 23, 2019

COMMUNICATIONS

OLD BUSINESS

NEW BUSINESS

Informational – Dennis Ferland – Mechanic Falls Road – Map 12 Lot 23

Findings of Fact and Conclusions of Law for:

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

Formal Site Plan Review (Amended) – RSU # 16 - Bruce M. Whittier Middle School
– 1457 Maine Street – Map 15 Lot 6

Formal Site Plan Review – 1484 Maine Street – Mark Lopez – Map 15 Lot 18B

Formal Site Plan Review (Amended) – MB Investment Properties, LLC – 100 Bark Mulch Drive
– Map 4 Lot 15 Sublot 2 and Map 4 Lot 17

Formal Site Plan Review – Poland Corner Road Water Main Extension Stream Crossing and
Water Tank Storage – Poland Corner Road – Map 11 Lots 6B and 5

ANY OTHER BUSINESS

ADJOURNMENT

POLAND PLANNING BOARD
MINUTES OF MEETING
April 23, 2019
Approved on _____, 2019

CALL TO ORDER – Vice Chairperson Porter called the meeting to order at 7:00pm with Members Mark Weinberg, George Greenwood, Stephanie Floyd, Cheryl Skilling, CEO Scott Neal, and Sarah Merrill present.

MINUTES – April 9, 2019 – Member Greenwood moved to approve the minutes. Member Weinberg seconded the motion. Discussion: None Vote: 5-yes 0-no

COMMUNICATIONS – None

OLD BUSINESS – None

NEW BUSINESS – Formal Site Plan Review – Poland Spring Bottling/Nestle Waters, North America, Inc – Spring Water Road (Rte. 122) – Map 6 Lot 40B
This application was withdrawn by the Applicant before the meeting.

Findings of Fact and Conclusions of Law for:

Formal Shoreland Zoning Application – Mark Fiorino – 40 West Shore Drive –
Map 46 Lot 11

Member Greenwood moved to approve the Findings of Fact. Member Floyd seconded the motion. Discussion: None Vote: 5-yes 0-no

Formal Shoreland Zoning Application – Waterhouse Brook Dam on Poland
Corner Road – Town of Poland Conservation Committee
– Map 10 Lot 28 Sublot 1

Member Greenwood moved to approve the Findings of Fact with a date change at the end. Member Weinberg seconded the motion.
Discussion: None Vote: 5-yes 0-no

ANY OTHER BUSINESS – St. Mary's Family Practice – Scott Young

Scott Young came in to talk to the Board about the colors they would like to make the building and whether it fits within the downtown district standards. He brought color samples and talked about how the project is going so far. The consensus of the Board is that the colors are fine.

Other Business

The Board would like to look at the Downtown and Village 4 district standards in the future and see if they can be tightened up.

The Board would also like to know if there is going to be a Special Town Meeting. No Special Town Meeting is planned at this time.

POLAND PLANNING BOARD
MINUTES OF MEETING
April 23, 2019
Approved on _____, 2019

ADJOURN – Member Floyd moved to adjourn the meeting at 7:20 pm. Member Weinberg seconded the motion. Discussion: None Vote: 5-yes 0-no

Recorded by: Sarah Merrill

Planning Board

James Porter, Vice – Chairperson

George Greenwood, Secretary

Mark Weinberg, Member

Stephane Floyd, Member

Cheryl Skilling, Member

Town of Poland, Maine
PLANNING BOARD AGENDA REQUEST

Date of meeting you are requesting to be scheduled for:

5, 14, 19

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

Map 12 Lot 23 Sub-lot _____

Applicant's Name:

Dennis R Feld

Mailing Address:

193 Hardisville Road

Town, State, Zip:

Poland Me 04274

Home Phone:

212 1040

Hours: _____

Work Phone: _____

Hours: _____

Type of application:

☐ Sketch Plan

☐ Site Review

☐ Shoreland

☐ Subdivision

☒ Informational

Road location for project: _____

Zoning: _____

Lake Watershed: _____

Nature of business to be discussed (Brief description): _____

IMPORTANT - READ CAREFULLY:

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

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

Applicant's Signature: Dennis R Feld

Date: 4, 15, 19

OFFICE USE ONLY:

Request Taken By: Scott Neal

Date: 4, 15, 19

Time: 12 :

a.m. (p.m.)

Return to the CEO Office by: _____



Planning Board Office

1231 Maine Street,
Poland, Maine 04274-7328

Findings of Fact & Conclusion of Law

Application Type: Site Plan –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 develop one indoor boat-storage facility for indoor cold 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 side line. Based on this information above and in the record the Planning Board (Board) finds that this criteria will be met.

B. Relation of Proposed Buildings to Environment:

The proposed 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 criteria can be met.

C. Compatibility with Residential Areas:

The proposed self-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 criteria will be met.

D. Vehicular Access:

The Board finds that this site plan 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 criteria 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 criteria will be met.

F. Surface Water:

The site is currently developed as a single family home site, so even with the expanse of new impervious surfaces for access and buildings, the site will not be required to obtain a Stormwater Management Law Permit from the Maine Department of Environmental Protection (MDEP) as it entails under 0.5 acres of new impervious surfaces. The applicant however proposes that the installation of a single treatment Filtration Basin, and roof drip edge application, will address the requirements for phosphorus removal following Town requirements and MDEP treatment sizing for the developed area. Additionally, the quantity of runoff will maintain or reduce peak rates of runoff to those of the existing conditions. The peak rates proposed within their stormwater modelling are 0.13cfs, 0.19cfs, and 0.63 cfs, respectfully for the 2, 10, and 25-yr rainfall events. The site drains off site onto Rt. 26 and into that drainage system, where it eventually enters Lower Range Pond. Based on this information and in the record that a MDEP permit will be required, and copies submitted to the Town, the Board finds that this criteria 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 criteria will be met.

H. Phosphorus Export:

The parcel is located in a lake or pond watershed most at risk, Lowe Range Pond, but the proposed site and impervious surface addition will not require a MDEP Stormwater Management for collection of runoff to treat phosphorus areas under the state requirements, but the site will meet the Town's Phosphorus Removal standards and with the implementation of a grassed underdrain soil filter and drip edge for the roof system, the treatment for runoff quality prior to discharging runoff into the adjacent street drainage system will meet the Sites allowed allocation of 0.12lbs/yr. with a new export of 0.10lbs/yr.. Based on this information and in the record the Board finds that this criteria will be met.

I. Site Conditions:

The applicant has stated that the contractor will make sure the construction and lay down areas will be kept in a clean and safe manner. Based on this information and in the record the Board finds that this criteria 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 criteria 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 criteria 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. 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 criteria 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 criteria 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 criteria 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 criteria will be met.

Q. Air Emissions:

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

R. Odor Control:

The proposed site plan 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 criteria will be met.

S. Noise

The proposed expansion 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 criteria will be met.

T. Sewage Disposal

The proposed building will have a subsurface wastewater system placed behind the structure that will be 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 criteria 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 criteria will be met.

V. Buffer Areas

The front facing side of the storage building will be 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 criteria 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 criteria 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 criteria will be met.

Conclusion

- The Board reviewed the Site Plan application originating on August 24, 2018 and at a meeting with the Planning Board held October 23, 2018, at which time the Board approved the site plan (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.”*
- The applicant will need to be in general compliance of the Poland CLUC § 508.30 Downtown District Design Standards¹ – based on construction of a new non-residential structures the Board determined that the following design standards are applicable to all new and expanded non-residential structures:
 1. The structures will be designed with the appearance of a pitched roofs with a minimum pitch of 5/12 and the building’s architecture shall reflect traditional New England building forms such as pitched roof.
 2. Building facade colors shall be non-reflective, subtle, neutral, or earth tone. The use of high intensity colors, metallic colors, fluorescent colors or black on facades shall be prohibited.
 3. Exterior building materials shall be of comparable aesthetic quality on all sides.
 4. Public entryways shall be clearly defined and highly visible on the building's exterior design and shall be emphasized by on-site traffic flow patterns.
 5. Any accessory building structure, shall be treated as architectural elements and meet the same design standards as the principal structures on the site.
 6. All trash collection areas shall be enclosed within the building or must be screened or recessed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent residential properties and meet the minimum setback for accessory structures.
 7. Chain link or wire mesh fencing, including vinyl covered metal fencing, may not be used for security, access control or screening.
 8. Loading docks must be screened from surrounding roads and developed properties by walls matching the building’s exterior or fully opaque landscaping. There are no loading docks proposed.
 9. Interconnections between adjacent properties shall be developed where feasible to encourage pedestrian movement and reduce vehicular trips onto the roadway network

Therefore, the Town of Poland Planning Board hereby approves with the following conditions, the application for Debra and Anna Lapre, to construct an indoor boat storage building, totaling 4800 SF and office, with the site improvements, for vehicle access, parking, utility services and required stormwater drainage collection and runoff treatment facilities, as described in the application dated August 24, 2018, 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 permittee 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 permittee 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 23, 2018
Poland Planning Board

Chairperson

James Porter, Vice Chairman

George Greenwood, Secretary

Mark Weinberg, Member

Stephanie Floyd



Planning Board Office

1231 Maine Street,
Poland, Maine 04274-7328

Findings of Fact & Conclusion of Law

Application Type: Amended Site Plan – RSU 16 Bruce Whittier Middle School Expansion

Owners Name: Region School Unit 16, 3 Aggregate Road, Poland, ME

Parcel ID: 0015-0006 (Poland Middle School)

Zoning Districts: Downtown Village District

SITE PLAN REVIEW STANDARDS

A. Preservation of Landscape:

This Amended Site Plan application entails expansion for the Poland Regional Middle School (RSU-16) facilities by replacement of modular classroom that were approved in 2016 located off the front entrance and courtyard access to the current Whittier Middle School. The project will remove the existing classroom modular units and replace with a formal 13,400 SF classroom addition of the east wing of the school. The areas currently housing modular units will be restored with grass areas and walkways to access the existing school structure.

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. Landscaping near the front of the existing school will be enhanced as there will be new landscaping to buffer the new structure's foundation view from the drop off circle and viewing from the public ways also at the buildings east end. The rest of the building is fairly well buffered with vegetation from other public views. Based on this information above and in the record the Planning Board (Board) finds that this criteria will be met.

B. Relation of Proposed Buildings to Environment:

The project is in Downtown Village Zone, consisting of 45 +acres. The site was previously part of a Maine Department of Environmental Protection site location plan and will obtain a modification approval of the project due to the small increase of footprint for the institutional use. The proposed facility has been accepted by the Planning Board meeting the Downtown District/Village standards for non-residential/commercial business. The School classroom addition will feature a 5:12 roof pitch, windows & door. The site plan features a new addition/building, totaling 13,400 SF off the existing main school structure, and will displace two previously approved modular classroom buildings. Based on this information above and in the record the Board finds that this criteria will be met.

C. Compatibility with Residential Areas:

The proposed middle school facility is located on 104 acres currently operated by RSU16 for both the High School, Middle School, and supporting athletic grounds. Due to the setbacks, orientation, and lack of Residence in close proximity, and fact that the site is within the Downtown Village District requiring appropriate standards for architecture and landscaping the Board finds that this criteria will be met.

D. Vehicular Access:

The Board finds that this site plan will not alter the existing access off Maine Street that currently exists into the RSU-16 Middle and High School property. Access to the parking lot associated with the School addition space, is adequate utilizing the existing parking access and internal road design. A new gravel surfaced fire lane to gain access around the new addition structure of 15 feet travel width will be added. Based on this information and in the record, the Board finds that this criteria can be met.

E. Access to Route:

The existing access to Route 26 /Maine St. is not proposed to be altered nor improved, as it currently serves the High and middle school access and has been adequate for Bus drop off and pick-ups as well as serving the general public and emergency vehicle access. A previously approved MDOT Entrance Permit has been issued for the site and the additional use does not warrant enough new trips to require a modification to the MDOT TMP permit. A traffic report by Gorrill Palmer was included with the application addressing trip generation resulting from the new addition. Based on this information and in the record, the Board finds that this criteria will be met.

F. Surface Water:

The site is currently developed and with the addition of approximately 10, 000 Sf of new impervious surfaces for access and building the site will be required to obtain an amended Site Location of Development Application permit from the Maine Department of Environmental Protection (MDEP) as the site was previously licensed by the state. The applicant proposes that the installation of a treatment grassed underdrained soil filter to address the requirements for TSS removal for 100% of the impervious areas and 80% of the developed area for the new addition's development. Additionally, the quantity of runoff will reduce peak rates of runoff to those of the existing conditions. The peak rates proposed within their stormwater modelling are 0.01cfs, 0.08cfs, and 0.22cfs, respectfully for the 2, 10, and 25-yr rainfall events. The site drains into an existing retention pond and then discharges to a tributary off the school property, and eventually into Mudd Pond, a Lake Most at Risk. The applicant will be required to submit revised drawings and stormwater management calculations and reports to the MDEP for their review and approval. The Board has requested that additional rocks or barriers be added as protection around the perimeter of the new grass underdrained soil filter basin area. Based on this information and in the record, that a MDEP permit will be required, and copies submitted to the Town, and with the attached condition the Board finds that this criteria can 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. A professional engineered stamped drawing erosion and sedimentation plan by Gorrill Palmer (Lucas Anthony PE) has been submitted. Based on this information and in the record the Board finds that this criteria will be met.

H. Phosphorus Export:

The parcel is located in a lake or pond watershed most at risk, Mudd Pond). Given that the proposed site and impervious surface addition will require a MDEP Stormwater Management for collection of runoff to treat 100% impervious areas and 80% developed areas, the site will meet treatment requirements for runoff quality to adjacent wetland and stream waterbodies, which will be subject to MDEP approvals. Per attached computation, the applicant intends to reduce the phosphorus export from 0.2571/lb. /yr. to 0.2342 lb. /yr., for the same developed portion of property. Based on this information and in the record and based on conditions they obtain state approvals for the Amended Site Location of Development application, the Board finds that this criteria will be met.

I. Site Conditions:

The applicant has stated that the contractor will make sure the removal of the existing modular, construction and lay down areas will be kept in a clean and safe manner, and that the public will be protected from construction activities. Based on this information and in the record the Board finds that this criteria will be met.

J. Signs:

Signage is not part of this current application; therefore, 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. Other special features include that the site for self-storage units will be entirely fenced for security and visual buffering with stockade fence. Based on this information and in the record the Board finds that this criteria will be met.

L. Exterior Lighting:

The applicant is proposing exterior lighting on the outside of the proposed structure 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 criteria will be met.

M. Emergency Vehicle Access:

The applicant has guaranteed that at least twenty (24') feet of access will be available throughout construction and will maintain the twenty (20') foot access when the project is completed. Corners around the storage external corners will be constructed with 30 feet of paved clearance. 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 criteria can be met.

N. Municipal Services:

All Department Heads have stated that the project will have no impact on their departments. Based on this information and in the record the Board finds that this criteria will be met.

O. Water Supply:

The site is served by an existing 8 inch water main of the Mechanic Fall Water Department. The water department has provided a letter that there is adequate capacity. The new addition will be served off existing water service to the current Middle School. The new addition will be sprinklers, by proposed fire suppression required by state regulations. A new fire hydrant will be added along the side of the fire lane on the parking lot side of the proposed building for benefit of the new addition. Based on this information and in the record the Board finds that this criteria will be met.

P. Ground Water:

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

Q. Air Emissions:

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

R. Odor Control:

The proposed site plan 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 criteria will be met.

S. Noise

The proposed expansion 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 criteria will be met.

T. Sewage Disposal

The proposed addition will have a subsurface wastewater system placed behind the office that will be relatively small. 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 criteria will be met.

U. Waste Disposal

The applicant will have solid waste disposal service in place for all construction waste will be handled by a contracted hauler or removed by the contractor. Both any operational solid waste produced by RSU 16 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 criteria will be met.

V. Buffer Areas

The front facing side of the public view will be buffered with a landscape strip along the foundation, and plantings to reduce the impacts of visual sight from the parking lot and drop-off circle. Based on this information above and in the record the Board finds that this criteria will be met.

W. Adequate Financial and Technical Capacity

The applicant has provided that they have adequate financial via statement that they have a Department of Education bond based on school estimated cost of 7 million dollars. Gorrill Palmer engineers 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 criteria 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 also complies with the Design Guidelines for the Poland Village district. Based on this information and in the record the Board finds that this criteria will be met.

Conclusion

- The Board reviewed the Site Plan application originating on September 27, 2018 and which was heard by the Planning Board and approved (4-0) on October 23, 2018, at which time the Board 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.4 of the CLUC *“Existing uses that require Site Plan Review as defined in Section 506.1 which seek to expand by one thousand (1,000) sq. ft.”*
 - Due to the fact the project has a net increase in impervious surface of 0.23 acres, and the development falls under the Maine Department of Environmental Protection’s Title 38 M.R.S.A. section 480-C, the Site Location of Development Act.(SLODA) The applicant has filed an amended application with the State. The applicant shall provide proof of approval, by evidence of the State of Maine decision document. All conditions of the SLODA and Stormwater Management Law as identified by the State, shall equally apply to the Town’s approval. All copies of reports for construction compliance for treatment measures shall be duplicated and filed with the Town prior to any building occupancy.
 - The applicant was found to be in general compliance of the Poland CLUC § 508.30 Downtown District Design Standards¹ – based on construction of a new non-residential structures the Board determined that the following design standards are applicable to all new and expanded non-residential structures:

1. The structures will be designed with the appearance of a pitched roofs with a minimum pitch of 5/12 and the building’s architecture shall reflect traditional New England building forms such as pitched roof. The Board determined that such treatment fulfills the intent of this subsection to the maximum practical extent.

2. Building facade colors shall be non-reflective, subtle, neutral, or earth tone. The use of high intensity colors, metallic colors, fluorescent colors or black on facades shall be prohibited.
3. Exterior building materials shall be of comparable aesthetic quality on all sides.
4. Public entryways shall be clearly defined and highly visible on the building's exterior design, and shall be emphasized by on-site traffic flow patterns.
5. The new addition/ building, shall be treated as architectural elements and meet the same design standards as the principal structures on the site.
6. All trash collection areas shall be enclosed within the building or must be screened or recessed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent residential properties and meet the minimum setback for accessory structures.
7. No changes are deemed necessary for the fencing of the site as the school grounds and uses are existing.
8. Loading docks must be screened from surrounding roads and developed properties by walls matching the building's exterior or fully opaque landscaping. There are no loading docks proposed with the addition.
9. Interconnections between adjacent properties shall be developed where feasible to encourage pedestrian movement and reduce vehicular trips onto the roadway network. The site is to be constructed with shared access for vehicle traffic and pedestrian access

Therefore, the Town of Poland Planning Board hereby approves with the following conditions, the application for RSU 16 to construct a new addition/ buildings, totaling 13,400 SF, with the site improvements, for vehicle and emergency access, utility services, and required stormwater drainage collection and runoff treatment facilities, as described in the application dated September 27, 2018, 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 applicant shall provide additional barriers around the perimeter of the proposed stormwater treatment grassed underdrained soil filter basin area.
- 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 permittee 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 permittee 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 23, 2018
Poland Planning Board

Chairperson

James Porter, Vice Chairman

George Greenwood, Secretary

Mark Weinberg, Member

Stephanie Floyd



Planning Board Office

1231 Maine Street,
Poland, Maine 04274-7328

Findings of Fact & Conclusion of Law

Application Type: Site Plan –Self Storage Facility

Owners Name: Mark Lopez (438 Commons Drive, Bridgton, ME 04009)

Located at: Route 26/1484 Maine Street

Parcel ID: 0015-0018B

Zoning Districts: Downtown Village District

SITE PLAN REVIEW STANDARDS

A. Preservation of Landscape:

This application is to develop one self-storage facility for indoor cold storage, and an outdoor storage area, with a small office building. The site is accessed by an existing 60 feet Right of Way. 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 applicant has provided screening of the self-storage buildings/units and facility with a landscaping berm and plantings, along with a landscape plan for the commercial building. Based on this information above and in the record the Planning Board (Board) finds that this criteria will be met.

B. Relation of Proposed Buildings to Environment:

The proposed facility has been accepted by the Planning Board for meeting the Downtown District/Village standards for non-residential/commercial business. The storage buildings have been rotated 90 degrees so that the gable ends face Maine Street. The front facing end of the storage buildings will feature a 5:12 roof pitch, windows & a false door. The site plan features 8 storage buildings, totaling 42,400 SF and a 3,200 SF rental office. The exterior of the self-storage area will be surrounded by a stockade fence. Based on this information above and in the record the Board finds that this criteria will be met.

C. Compatibility with Residential Areas:

The proposed self-storage facility is mainly surrounded by commercial businesses with one residential dwelling located to the southeast. Due to the setbacks, orientation and fact that the site is within the Downtown Village District requiring appropriate standards for fencing and landscaping the Board finds that this criteria will be met.

D. Vehicular Access:

The Board finds that this site plan will not alter the existing access off Maine Street the currently exists into the Washburn Subdivision and to the lot. The site is proposed with a 24 foot wide paved travel surface into and around the self-storage facility lot. Corners of the access route have been widened to 30 feet width around corners of the self-storage facility to allow for emergency vehicle turning radius. 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. Access to the parking lot associated with the rental office

space is adequate with 24 foot aisle width. Based on this information and meeting conditions, the Board finds that this criteria can be met.

E. Access to Route:

The existing access to Route 26 /Maine St. is proposed to be altered and improved, with a minimum of 24 feet of paved surface that will serve as access to the self-storage lot, rental office space, and future Washburn Commercial lots. A previously approved MDOT Entrance Permit (6/21/05) was included with the application. Based on this information and in the record, the Board finds that this criteria will be met.

F. Surface Water:

The site is currently undeveloped, so with the expanse of new impervious surfaces for access and buildings, the site will be required to obtain a Stormwater Management Law Permit from the Maine Department of Environmental Protection (MDEP) as it entails 2.61 acres of new impervious surfaces. The applicant proposes that the installation of a dual pond (two in one), and another single treatment Filtration Basin will address the requirements for TSS removal for 100% of the impervious areas and 80% of the developed area. Additionally, the quantity of runoff will maintain or reduce peak rates of runoff to those of the existing conditions. The peak rates proposed within their stormwater modelling are 11.7cfs, 24.8cfs, and 36.8 cfs, respectfully for the 2, 10, and 25-yr rainfall events. The site drains into a large wetland area located to the rear of the site and eventually enters the Cousins Brook and eventually outfalls into the Little Androscoggin River. Based on this information and in the record that a MDEP permit will be required, and copies submitted to the Town, the Board finds that this criteria 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 criteria will be met.

H. Phosphorus Export:

The parcel is not located in a lake or pond watershed most at risk, but the proposed site and impervious surface addition will require a MDEP Stormwater Management for collection of runoff to treat 100% impervious areas and 80% developed areas, and the site will therefore meet treatment requirements for runoff quality prior to discharging runoff into adjacent wetland and stream waterbodies. Based on this information and in the record the Board finds that this criteria will be met.

I. Site Conditions:

The applicant has stated that the contractor will make sure the construction and lay down areas will be kept in a clean and safe manner. Based on this information and in the record the Board finds that this criteria will be met.

J. Signs:

Signage is not part of this current application; therefore, 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. Other special features include that the site for self-storage units will be entirely fenced for security and visual buffering with stockade fence. Based on this information and in the record the Board finds that this criteria 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 criteria will be met.

M. Emergency Vehicle Access:

The applicant has guaranteed that at least twenty (24') feet of access will be available throughout construction and will maintain the twenty (20') foot access when the project is completed. Corners around the storage external corners will be constructed with 30 feet of paved clearance. 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 criteria can be met.

N. Municipal Services:

Other than the Fire Chief with § M above, All Department Heads have stated that the project will have no impact on their departments. Based on this information and in the record the Board finds that this criteria will be met.

O. Water Supply:

The site is served by an existing 8 inch water main of the Mechanic Fall Water Department. The water department has provided a letter that there is adequate capacity. The new office building will be served with a 1 inch service the Self-storage facility is unmanned and human occupied, thereby needs no water service. No additional fire suppression was required by state regulations. Based on this information and in the record the Board finds that this criteria will be met.

P. Ground Water:

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

Q. Air Emissions:

The applicant site improvements and added office building will not have any impact on the existing air emissions. Based on the information in the record the Board finds that this criteria will be met.

R. Odor Control:

The proposed site plan 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 criteria will be met.

S. Noise

The proposed expansion 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 criteria will be met.

T. Sewage Disposal

The proposed office will have a subsurface wastewater system placed behind the office that will be relatively small. 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 criteria 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 building 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 criteria will be met.

V. Buffer Areas

The front facing side of the storage units will be buffered with a landscape berm and plantings to reduce the impacts of visual sight from Rt. 26. The office building will be landscaped modestly along the frontage and at a future sign

location near the parking lot access. Based on this information above and in the record the Board finds that this criteria will be met.

W. Adequate Financial and Technical Capacity

The applicant has provided that he has adequate financial and technical capacity. Terradyn Consultants LLC 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 criteria 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 also complies with the Design Guidelines for the Poland Village district. Based on this information and in the record the Board finds that this criteria will be met.

Conclusion

- The Board reviewed the Site Plan application originating on July 13, 2018 and revised through January 22, 2019, at which time the Board approved the site plan (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.*”
 - Due to the fact the project has a net increase in impervious surface of 2.61 acres, the development falls under the Maine Department of Environmental Protection’s Storm Water Management Law 38 M.R.S.A. § 420-D. The applicant has filed an application with the State (Proj.# L-27997-NJ-B-M) with minor revisions dated through March 7, 2019. The applicant shall provide proof of approval, by evidence of the State of Maine decision document. All conditions of the Stormwater Management Law application as identified by the State, shall equally apply to the Town’s approval. All copies of reports for construction compliance for treatment measures shall be duplicated and filed with the Town prior to any building occupancy.
 - The applicant was found to be in general compliance of the Poland CLUC § 508.30 Downtown District Design Standards¹ – based on construction of a new non-residential structures the Board determined that the following design standards are applicable to all new and expanded non-residential structures:
 1. The structures will be designed with the appearance of a pitched roofs with a minimum pitch of 5/12 and the building’s architecture shall reflect traditional New England building forms such as pitched roof. The Board determined that such treatment fulfills the intent of this subsection to the maximum practical extent.
 2. Building facade colors shall be non-reflective, subtle, neutral, or earth tone. The use of high intensity colors, metallic colors, fluorescent colors or black on facades shall be prohibited.
 3. Exterior building materials shall be of comparable aesthetic quality on all sides.
 4. Public entryways shall be clearly defined and highly visible on the building's exterior design and shall be emphasized by on-site traffic flow patterns.
 5. Both the Office building and self-storage buildings/accessory structures, shall be treated as architectural elements and meet the same design standards as the principal structures on the site.
 6. All trash collection areas shall be enclosed within the building or must be screened or recessed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent residential properties and meet the minimum setback for accessory structures.
 7. Chain link or wire mesh fencing, including vinyl covered metal fencing, may not be used for security, access control or screening. The applicant has proposed a wood stocked fence around the self-storage perimeter.
 8. Loading docks must be screened from surrounding roads and developed properties by walls matching the building’s exterior or fully opaque landscaping. There are no loading docks proposed.

9. Interconnections between adjacent properties shall be developed where feasible to encourage pedestrian movement and reduce vehicular trips onto the roadway network. The site is to be constructed with shared access for vehicle traffic.

Therefore, the Town of Poland Planning Board hereby approves with the following conditions, the application for Mark Lopez, to construct 8 storage buildings, totaling 42,400 SF and a 3,200 SF rental office, with the site improvements, for vehicle access, utility services and required stormwater drainage collection and runoff treatment facilities, as described in the application dated July 13, 2018 and revised through February 26, 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 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 permittee 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 permittee 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: January 22, 2019
Poland Planning Board

Chairperson

James Porter, Vice Chairman

George Greenwood, Secretary

Mark Weinberg, Member

Stephanie Floyd



Planning Board Office

1231 Maine Street,
Poland, Maine 04274-7328

Findings of Fact & Conclusion of Law

Application Type: Amended Major Site Plan – MB Bark LLC-Recycling Facility Expansion

Owners Name: MB Bark LLC, 100 Bark Mulch Drive, Poland, ME

Parcel ID: 0004-0015-0002

Zoning Districts: General Purpose 2 District

SITE PLAN REVIEW STANDARDS

A. Preservation of Landscape:

This application is an Amended Site Plan for expansion of the existing MB Bark LLC Recycling and Composting Facility to provide two additional gravel pad areas for material staging and processing of asphalt shingles. The two pads are approximately 2.75 acres and 5.42 acres in size respectively. The development includes two 24' wide gravel surface access drives (approximately 1,650 LF and 950 LF respectively) to each of the pads, as well as stormwater management controls and conveyances required for the project.

This project intends to remove a fairly large vegetated area approximately (15 ac.) near the westerly end of the proposed project, that area will be re-graded with gravel for additional pad sites to process asphalt shingles and inert materials. There are no scenic vistas defined in the Comprehensive Plan associated with this portion of property and the proposed area is not located on slopes exceeding twenty (20%) percent with this application. The easterly portion of the site will be essentially redeveloped and reorganized to an extent for the railroad tie processing and composting. Overall the project will impact 26,283 SF of wetlands which were permits through the State and Army Corps of Engineers and a compensation fee of \$101,505 must be paid to the state for these project impacts of wetlands to be disturbed. Additionally, the applicant has per the request of the Town and abutters, planted trees and berms nearer the front and the entrance of the property to buffer the majority of the operations and noise impacts. Based on this information above and in the record the Planning Board (Board) finds that this criteria will be met.

B. Relation of Proposed Buildings to Environment:

The project is in General Purpose 2 Zone, consisting of 148 +acres. The site was previously part of a Maine Department of Environmental Protection for a Solid Waste Processing Facility plan and will obtain a modification approval of the project due to the increase of operations and land development disturbance. However, since there are no new buildings proposed with this application; the Board finds that this section is not applicable.

C. Compatibility with Residential Areas:

The removal of the proposed vegetation will occur mainly in the rear portions of the site nearer the existing railroad sections, and behind, and will not interfere with the existing vegetated buffers on the property lines to the front, even with the redevelopment. A 100 foot buffer will be retained as a natural tree buffer, as with the existing operations,

some toning down of the alarms may be preferred, along with reasonable hours of operation nearer evenings and weekends. The Board finds that this criteria will be met.

D. Vehicular Access:

This plan revision to the previously approved site plan, will not alter the existing access into the site, and based on the limited deliverables of materials for processing, and the trip generation, does not appear to warrant any measurable increase taking the traffic movements to the next level of permitting. The Board determined that updated traffic assessment meets their satisfaction, for trip generation and there will be no offsite congestion, as a result of the facility expansion. Based on this information and in the record, the Board finds that this criteria can be met.

E. Access to Route:

The existing access to Hardscrabble Road is not proposed to be expanded or altered, and additionally the applicant has stated there will be no significant increase in traffic pertaining to this application. Based on this information and in the record, the Board finds that this criteria will be met.

F. Surface Water:

The property is currently permitted by the MDEP; the facility's redevelopment areas will all be diverted into the existing ditches and stormwater facilities and will also include two new stormwater basin areas. The rear of the property will include two large gravel pad areas that will also include their own stormwater basin area. The project has already received MDEP approval for the runoff treatment and flooding standards meeting Chapter 500 regulations for stormwater management. The newly rear developed portion of the site will provide 90 % treatment of new impervious areas, and 75% treatment of developed area as allowed by the DEP, with computed treatment % at 92.4% and 78.6 % respectively. The redeveloped front portion will include in excess of the 50% treatment requirement for redevelopment with a value of 74% treated for impervious areas, and 63.5 for developed areas. In addition, all the proposed study outlet points show a reduction of the peak rate of flow from the existing conditions of the study.

Based on this information and in the record, that a MDEP permit will be required, and copies submitted to the Town, and with the attached condition the Board finds that this criteria can be met.

G. Conservation, Erosion and Sediment Control:

The site is a currently a bark mulch and composting facility and the area to be disturbed will be prepared as a mainly level pad to process various inter materials, additionally the applicant will make sure that the area during construction will kept in a clean, passable and safe manner for operating vehicles. The applicant proposes, due to their availability of material onsite, to build earthen conservation/erosion control berms (ecb) around the entire project. Additional stone check dams will be added in longer ditching stretches, to assure no scouring takes place, especially after heavy storm events during or immediately after construction. With the expansive area and disturbed locations, the applicant will be required to provide the Town updates, for the weekly inspection of the (ecb's) installation until the site is fully stabilized and vegetated. The Board conditionally requested that a hired site engineer provide progress reports per a third party inspection process utilizing an engineer on the Town's preapproved list. Based on this information and in the record the Board finds that this criteria will be met.

H. Phosphorus Export:

The parcel is not located in a lake or pond watershed most at risk, but is located in the Little Androscoggin River watershed; therefore, this section is not applicable. However, given that the proposed site and impervious surface addition will require a MDEP Stormwater Management for collection of runoff to treat 100% impervious areas and 80% developed areas, the site will meet treatment requirements for runoff quality to adjacent wetland and stream waterbodies, but will be subject to MDEP approvals. Based on conditions they obtain state approvals for the Amended Solid Waste Processing Facility application; the Board finds that this criteria will be met.

I. Site Conditions:

The applicant has stated that the contractor will make sure the construction will be kept in a clean and safe manner. Due to concerns for adequate access, during the multiple phases of construction road access is to be maintained at an

acceptable width for emergency fire department vehicles at all times. Based on this information and in the record the Board finds that this criteria will be met.

J. Signs:

Signage is not part of this current application; the applicant though shall provide some way finder signs for various pad sites to assist with identification of the site pads and process for fire department or truck routing needs. With the condition, the Board finds that this section has been met.

K. Special Features:

This application does not include any special features other than movement of equipment, hoppers and containers as part of the normal operation, which are all under the regulations of the DEP orders. Thereby this section is not applicable. Based on this information and in the record the Board finds that this criteria will be met.

L. Exterior Lighting:

This application does not include details for exterior lighting, but they will be rerouting some of the three phase power throughout the site. Should any pole lighting be relocated as a result the must identify locations, wattage, and pole height with the code enforcement officer. Based on this information and details provided and, in the record,, the Board finds that this criteria will be met.

M. Emergency Vehicle Access:

The applicant has guaranteed that at least twenty (20') feet of travel access will be available throughout construction and will maintain a 24 foot overall access when the project is completed. With the above discussed condition that the Fire Department determine that there exists adequate access maneuverability to conduct necessary turning movements for fire and emergency equipment on all access curves during construction, and based on this information and in the record, the Board finds that this criteria can be met.

N. Municipal Services:

All Department Heads have stated that the project will have no impact on their departments. Based on this information and in the record the Board finds that this criteria will be met.

O. Water Supply:

The existing facility is served by a public water, and this application does not include any new structures requiring the use of additional domestic water. There are existing hydrants on the parcel which the Fire Department has found to be adequately located. Based on this information and in the record the Board finds that this criteria will be met.

P. Ground Water:

The parcel is not located in located in an aquifer protection overlay district, however as stated above the stormwater will be treated into the existing stormwater treatments areas. During construction we a Third Party Engineer shall review the construction of each new stormwater facilities to verify it meets the design criteria and meets the requirements of the Maine DEP permitting. Based on this information and in the record the Board finds that this criteria will be met.

Q. Air Emissions:

The applicant currently has a MDEP air emissions license and the proposed further vegetation removal will not have any impact on the existing air emissions. The current composting process does have small emissions of odor which are regulated by the Maine DEP, the composting portion of the property has been previously approved, and the new proposed operations include processing or pavement, asphalt shingles and various aggregates or loams, all of which should have no emission issues. Based on the information in the record the Board finds that this criteria will be met.

R. Odor Control:

This application will produce minor offensive odors but not beyond the lot lines. These operations are already existing and have not garnished any complaints. Dust control will be a factor to address during the trucking during summer or dry periods. The applicant must manage dust or airborne materials during normal dry weather periods and submit a management plan to the Town prior to soil disturbance. Based on the information in the record the Board finds that this criteria will be met.

S. Noise:

This application will not exceed the MDEP or Town's sound limits as measured at the lot lines. Back up alarms on loading equipment could be an issue in newly phased portions of the site. Buffers will be utilized to reduce off site impacts, and some dampening of alarm decibels may be necessary to further reduce the impacts to abutting residents of the Brookdale development. Based on the information in the record the Board finds that this criteria will be met.

T. Sewage Disposal:

Given the modestly low increase in trucks and employees there was no concerns with sewage generation from the facility based on the existing wastewater facility on site. Based on this information and in the record the Board finds that this criteria will be met.

U. Waste Disposal:

The applicant currently has a solid waste disposal plan in place, and the removal of the vegetated area will not increase waste for the site. On site monitoring for various waste displaced by vermin, birds, or wind, should be monitored for inadvertent dispersal of trash, especially along the edge of buffers and property lines. Based on this information above and in the record the Board finds that this criteria will be met.

V. Buffer Areas:

The proposed use will reduce current natural or visual buffers near the rear and side lot lines. However, under the recycling requirements by the Maine DEP they will maintain a minimal of 100 foot buffers around the perimeter of the property. Given the appearances of forest beyond the railroad tracks, the visual buffers will be adequate. Based on this information above and in the record the Board finds that this criteria will be met.

W. Adequate Financial and Technical Capacity:

The applicant has provided that they have adequate financial via statement from Bank of America-Merrill Lynch based on improvements costs up to 2.5 million dollars. Both St Germain Collins and Stantec, have capable professional engineers and expertise to adequately design and permit the proposed facility. Based on this information and in the record the Board finds that this criteria 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 General Purpose 2 District. Based on this information and in the record the Board finds that this criteria will be met.

Conclusion

- The Board reviewed the Site Plan application originating on February 1, 2019 and revised through February 25, 2019 and which was heard by the Planning Board and approved (4-0) on February 26, 2019, at which time the Board 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.4 of the CLUC "*Existing uses that require Site Plan Review as defined in Section 506.1 which seek to expand by one thousand (1,000) sq. ft.*"

- Due to the fact the project has a net increase in impervious surface of 10+ acres, and the development falls under the Maine Department of Environmental Protection's Title 38 M.R.S.A. §§ 480-A-480 JJ for Solid Waste Processing Facility by the Bureau of Waste and Remediation and Waste Management (BRWM). The applicant has filed an amended application with the State. The applicant shall provide proof of approval, by evidence of the State of Maine decision document. All conditions of the BRWM and Stormwater Management Law as identified by the State, shall equally apply to the Town's approval. All copies of reports for construction compliance for treatment measures shall be duplicated and filed with the Town prior to any building occupancy.

Therefore, the Town of Poland Planning Board hereby approves with the following conditions, the application for MB Bark LLC to construct an expansion to their recycling and composting facility, with the site improvements, for vehicle and emergency access, utility services, and required stormwater drainage collection and runoff treatment facilities, as described in the application dated February 1, 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 applicant shall provide written reports via a town approved third party engineer for the required erosion and sedimentation control devices and provide reports from their design engineer as to the construction certification that stormwater treatment ponds and measures as approved by the Maine DEP have been constructed per approvals.
- 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 permittee 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 permittee 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: February 26, 2019
Poland Planning Board

Chairperson

James Porter, Vice Chairman

George Greenwood, Secretary

Mark Weinberg, Member

Stephanie Floyd



Planning Board Office

1231 Maine Street,
Poland, Maine 04274-7328

Findings of Fact & Conclusion of Law

Application Type: Site Plan

Owners Name: Mechanic Falls Water Department.

Located at: 62 Highland Avenue, Mechanic Falls, ME 04256

Parcel ID: 0011-0006B

Zoning Districts: Rural Residential III

SITE PLAN REVIEW STANDARDS

A. Preservation of Landscape:

This application is for a water main extension and installation of a 30,000 gallon water storage tank on the eastern side of the Poland Corner Road. The proposed alteration of road shoulder and pavement for water main will be over existing Public roads for a length of approximately 2350 LF. The addition of the 30000 gallon water storage tank will include minor clearing at the corner lot to Northern Springs Road and Poland Corner Road. 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. Based on this information above and in the record the Planning Board (Board) finds that this criteria will be met.

B. Relation of Proposed Buildings to Environment:

The proposed water storage tank will stand approximately 20 feet above the existing grade on site and will be set back off the road edge by 30 feet. The tank will be a round cylinder of opaque surface approximately 19+ feet in diameter. The size of the structure will be similar to a residential garage. Based on this information above and in the record the Board finds that this criteria will be met.

C. Compatibility with Residential Areas:

The proposed water storage tank is roughly 70 feet + distance from any residential dwelling and which is also visible from the public way. However, based on the utility need and general small tank size not exceeding 20 feet height, the Board finds that this criteria will be met.

D. Vehicular Access:

The Board finds that this minor site plan will not alter the existing access off Northern Spring Road to the lot. Based on this information and in the record the Board finds that this criteria will be met.

E. Access to Route:

The existing access to Poland Corner Road is not proposed to be expanded or altered, in addition the existing access off Northern Spring Road of 22 feet width will be maintained. Based on this information and in the record the Board finds that this criteria will be met.

F. Surface Water:

Given that the existing lot area has been previously stripped of vegetation, the new concrete pad for the proposed tank there shall be no adverse effect on the surface water. The remainder of the site will be loamed and seeded. All drainage shall follow existing watershed routing and collected into the existing ditch line along Poland Corners Road to eventually discharge into Waterhouse Stream. Based on this information and in the record the Board finds that this criteria will be met.

G. Conservation, Erosion and Sediment Control:

As stated there will be limited removal or disturbance of vegetation is anticipated with this application. The applicant will make sure that the cleared area during construction of the proposed slab area will be kept in a safe manner and immediate downstream channels or ditches shall be safeguarded with an erosion control measures until the site is firmly revegetated. Based on this information and in the record the Board finds that this criteria will be met.

H. Phosphorus Export:

The parcel is located in the Lower Range Pond watershed, given that the proposed tank and slab addition will be under 400 SF, the actual phosphorous export from the site will remain unchanged. Based on this information and in the record the Board finds that this criteria will be met.

I. Site Conditions:

The applicant has stated that the contractor will make sure the construction and lay down areas will be kept in a clean and safe manner. Based on this information and in the record the Board finds that this criteria will be met.

J. Signs:

Signage is not part of this current application; therefore 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. The proposed expansion on mechanical equipment will be consistent with existing bottling plant 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 criteria will be met.

L. Exterior Lighting:

The applicant is not proposing to any new exterior lights; if any ancillary lighting is necessary, the lighting shall be full cut off and not visible from a public way or residential dwelling. Based on this information and in the record the Board finds that this criteria will be met.

M. Emergency Vehicle Access:

The applicant will maintain at least twenty (20') feet of access be available throughout construction and will maintain the twenty (20') foot access when the project is completed. The plan is consistent with standard Fire/Rescue Chief (Chief) and Code Enforcement Officer (CEO) discussions for emergency vehicle access into the site and near the proposed structure. Based on this information and in the record the Board finds that this criteria will be met.

N. Municipal Services:

Other than the Chief, All Department Heads have stated that the project will have no impact on their departments. Based on this information and in the record the Board finds that this criteria will be met.

O. Water Supply:

The proposed facility is to provide public water from the Mechanic Falls Water Department for the immediate vicinity by implementation of the water tank. Adequate public water supply will be available. Based on this information and in the record the Board finds that this criteria will be met.

P. Ground Water:

The parcel is not located in an aquifer protection overlay district, nor is there any substantial site impact to groundwater as there is now sewage systems or wastewater discharge proposed. Based on this information and in the record the Board finds that this criteria will be met.

Q. Air Emissions:

The proposed installation of a water tank will not have any impact for air emissions. Based on the information in the record the Board finds that this criteria will be met.

R. Odor Control:

The proposed expansion will not produce any harmful or offensive odors beyond the lot lines. Based on the information in the record the Board finds that this criteria will be met.

S. Noise

The proposed expansion 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 criteria will be met.

T. Sewage Disposal

The proposed tank and site improvements will have wastewater generated at the facility. Based on this information and in the record the Board finds that this criteria will be met.

U. Waste Disposal

The applicant will not generate solid waste as the site is an unmanned facility. Any solid waste disposal, will be generally for construction waste will be handled by a contracted hauler or removed by the contractor. No additional operational waste is anticipated. Based on this information above and in the record the Board finds that this criteria will be met.

V. Buffer Areas

The addition of the tank will not affect any natural or visual buffers within the site. Based on this information above and in the record the Board finds that this criteria will be met.

W. Adequate Financial and Technical Capacity

Mechanic Falls Water Company is a public utility operation for several years and has shown adequate financial and technical capacity. Based on this information and in the record the Board finds that this criteria will be met.

X. Conformance with the Comprehensive Plan

The proposed utility/water tank facility is in conformance with the Comprehensive Plan and is a permitted use within the RR-3 Zoning district. Based on this information and in the record the Board finds that this criteria will be met.

Conclusion

- The Board reviewed the Site Plan application on February 26, 2019, at which time the Board approved the site plan (3-0) and voted the application checklist complete and voted to not hold a public hearing for the site plan application.
- The Board has concluded that they have the jurisdiction to review the application pursuant to Ch. 5 § 506.1. I.3 of the CLUC *uses requiring Site Plan approval for, "Utilities, Services."*
- The proposed above ground tank structure is not located within two-hundred fifty (250) feet of Lower Range Pond; therefore, the Board finds that all Shoreland zoning regulations of the CLUC are not applicable to this application.

Therefore, the Town of Poland Planning Board hereby approves with the following conditions, the application for: Mechanic Falls Water Department, to construct a water main extension within Poland Corner Road and installation of a 30,000 gallon water storage tank (20 ft. tall) on the eastern side of the Poland Corner Road at a leased area located on a parcel designated s Tax Map 11, Lot 6B, subject to conditions of approval and per 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 applicant shall obtain a permit from the Maine Department of Environmental Protection for a stream crossing Permit by Rule for the purposes of a utility crossing with replacement/extension of a water main.
- 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 permittee 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 permittee 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: February 26, 2019
Poland Planning Board

Chairperson

James Porter, Vice Chairman

George Greenwood, Secretary

Mark Weinberg, Member

Stephanie Floyd
