

**Planning Board Meeting
July 9, 2019 – 7:00 PM
Town Office Conference Room**



Meeting Materials

**Planning Board
Tuesday, July 9, 2019
7:00 PM – Town Office Conference Room**

CALL TO ORDER

MINUTES

June 11, 2019

COMMUNICATIONS

OLD BUSINESS

NEW BUSINESS

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

Findings of Fact and Conclusions of Law for:

Formal Shoreland Zoning Application – Stephen and Theresa Mello – 24 Upper Range Road
– Map 35 Lot 17

Elect Planning Board Officers

ANY OTHER BUSINESS

ADJOURNMENT

POLAND PLANNING BOARD
MINUTES OF MEETING
June 11, 2019
Approved on _____, 2019

CALL TO ORDER – Vice Chairperson Porter called the meeting to order at 7:00pm with Members Mark Weinberg, Cheryl Skilling, Stephanie Floyd, George Greenwood, Alternate Member Jimmy Walker, CEO Scott Neal, and Sarah Merrill present. Alternate Member Walker is not a voting member for this meeting.

MINUTES – May 28, 2019 – Member Greenwood moved to approve the minutes. Member Floyd seconded the motion. Discussion: None Vote: 5-yes 0-no

COMMUNICATIONS – None

OLD BUSINESS – None

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

Keith Morse of JKL Land Surveying presented the amended project to the Board. The Applicant would like to get rid of the 60' ingress/egress at the far end of the property and move lots 1 and 2 over into that space. Moving the lots over would add that 60' space to the farmhouse property/lot 3. Nothing else on the property will change.

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 Minor Subdivision Application Amendment with the following conditions: the public hearing is waived, and the site walk is waived. Member Weinberg seconded the motion. Discussion: None Vote: 5-yes 0-no

ANY OTHER BUSINESS – Keith Morse of JKL Land Surveying told the Board that after this year the Androscoggin County Registry of Deeds will no longer accept mylars of plans and instead will only accept paper copies of plans. The Board suggested adding this change to the CLUC.

ADJOURN – Member Floyd moved to adjourn the meeting at 7:23 pm. Member Weinberg seconded the motion. Discussion: None Vote: 5-yes 0-no

Recorded by: Sarah Merrill

**POLAND PLANNING BOARD
MINUTES OF MEETING
June 11, 2019
Approved on _____, 2019**

Planning Board

James Porter, Vice – Chairperson

George Greenwood, Secretary

Mark Weinberg, Member

Stephane Floyd, Member

Cheryl Skilling, Member

Not a Voting Member for this meeting
James Walker, Alternate Member

Phone (207) 539-5048
Toll Free 800-926-6205
Fax (207) 539-5049

Cell Phone 754-5937
E-mail: keith@jklandsurveying.com

June 27, 2019

Town of Poland Planning Board
1231 Maine Street
Poland, Maine

RE: Mark Fiorino – 40 West Shore Drive (TM 46, Lot 11)

Dear Planning Board Members:

We are coming before the Planning Board to request an amendment to the March 26, 2019 approved Shoreland Zoning application for Mark Fiorino. In error, the submitted application as approved omitted raising the roof of the existing main cottage as was intended.

The submitted Amended Shoreland Zoning application is now presented to include the omission of the intent to raise the roof by 4 feet, not to exceed 20 feet in total height from the lowest adjacent elevation as measured.

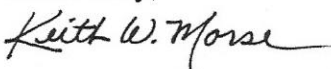
The existing lowest grade at or near the foundation was found to be 312.3 feet in elevation, and the roofline was measured to be at 328.0 feet. The difference being a total height from the ground to the roof to be 15.7 feet (maximum of 20 feet allowed). Adding the four feet (4.0) would increase the height of the structure to a total 19.7 feet, and within the allowable limits.

The Amended Shoreland Zoning application includes much of the same information as the original application, but now also includes elevation plans and profiles for your review and discussion at the meeting on July 9, 2019.

The attached application intends to meet the applicable requirements of the Town of Poland Comprehensive Land Use Ordinance – Sections 508.27 and 509.8 for Formal Shoreland Zoning Applications. It will also provide you additional information regarding this particular site.

We look forward to meeting with the Planning Board to make this a successful project for the Poland community.

Yours truly,



Keith W. Morse, PLS

Formal Shoreland Zoning Application for
Mark Fiorino
40 West Shore Drive - Middle Range Pond - Poland, Maine

Page

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2	Town of Poland Formal Shoreland Zoning Application
3	Copy of Signed Deed - Rights, Title, and Interest
4	Abutters List
5	Property Card TM 46, Lot 11
6	Site Location plan
7	Tax Map 46
8	Poland, Maine Zoning Map
9	Plan and Profile
	- Plan and Profile
	- Profile
	-Building Elevations

To whom it may concern;

I hereby authorize Keith W. Morse of JKL Land Surveying to act on my behalf and represent me at the planning board and submission to the planning board for my property at 40 West Shore Drive in Poland, Maine.

Sincerely, Mark Fiorino

A handwritten signature in blue ink, appearing to read 'Mark Fiorino', with a stylized flourish at the end.

Formal Shoreland Zoning Application



Town of Poland Planning Board

Application Form – Page 2

Submission Checklist – Page 5

Phosphorus Calculation Form – Page 7

Fee Schedule – Page 9

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INSTRUCTIONS:

1. Please complete pages two through ten. Obtain or get copies of information as required by the application on these pages.
2. Use the checklist on pages five and six to make sure submission requirements are met. The checklist is a summary of the standard requirements in the Comprehensive Land Use Code.
3. All waiver requests will require a written statement.
4. **A total of ten (10) copies of the application and required submissions as well as one digital PDF copy (on either cd or usb). Please submit these copies and the original application as well as any fees (see fee schedule) to the Code Enforcement Office by 1:00 pm eleven (11) days prior to the stated meeting.**

Applicant Name:

Date of Board Review:

Application

PARCEL INFORMATION:

Parcel ID:	0646-0011		
Lake Watershed:	Middle Range Pond		
Road Location:	40 West Shore Drive		
Lot Size:	12,055 (sq. ft.)	Year Created:	1964
Shore Frontage:	± 92 (ft.)	Road Frontage:	96.07 (ft.)
Zone:	Limited Residential	Flood Zone:	ZONE X
Aquifer Overlay:	NONE	Current Use:	Resident

OWNER INFORMATION:

Name:	Mark Fiorino
Mailing Address:	30 Cross Street - Foxborough, MA 02035
Phone #:	617-593-8727

APPLICANT INFORMATION:

Applicant Is:	<input type="checkbox"/> Landowner <input checked="" type="checkbox"/> Contractor <input type="checkbox"/> Renter <input type="checkbox"/> Buyer
	*If applicant is landowner, write "SAME" below. If not the landowner, please submit a letter of permission to construct on or use the land, and complete below.
Name:	Keith Morse - JKL Land Surveying - Agent
Mailing Address:	370 MAINE STREET, OXFORD, ME 04270
Phone #:	207 539 5048

THIS APPLICATION IS FOR:

<input type="checkbox"/> New Development <input type="checkbox"/> Change of Use <input type="checkbox"/> Expansion of Use <input checked="" type="checkbox"/> Expansion/Replacement of Structure(s) <input type="checkbox"/> Resumption of Use	ADD New Deck & RAISE HEIGHT of ROOF (Approved 3-26-2019) (AMENDMENT)
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Existing Lot Conditions

1. GENERAL

A. Does this lot have any development? (If no, go to proposed development)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
B. Is there an existing well?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
C. Is there an existing Septic System?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
D. Is there an existing road entry?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
• If YES include any changes or modifications on plans. • If NO please submit a copy of appropriate Road/Entrance Application.	
E. Will there be any existing structures removed?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
• If YES, submit information about the structure and how it will be disposed of.	Concrete Pavers to be resold & recycled

2. EXISTING LAND DEVELOPMENT & IMPROVEMENTS NOT INCLUDING BUILDINGS

A. Size of lawns:	7,500 (sq. ft.)
B. Size of fields:	— (sq. ft.)
C. Size of driveways/roads:	476.7 (sq. ft.)
D. Size of paths or other non-vegetated areas:	— (sq. ft.)
E. Size of wetlands already filled	— (sq. ft.)

3. EXISTING MAIN STRUCTURE			
A. Ground Footprint:	985.7	(sq. ft.)	
B. Total gross floor space (exterior dimensions of all floors):	985.7	(sq. ft.)	
C. Road frontage setback:	48.2	(ft.)	
D. Side setback:	18.84	(ft.)	
E. Rear setback:	48.2	(ft.)	
F. Distance to Great Pond:	33.11	(ft.)	
G. Distance to stream:	—	(ft.)	
H. Distance to wetlands:	—	(ft.)	
Foundation:	<input type="checkbox"/> Full Basement	<input type="checkbox"/> Frost Walls	<input type="checkbox"/> Slab <input type="checkbox"/> Piers
4. EXISTING ACCESSORY STRUCTURE			
A. Total number of structures:	5		
B. Total ground footprint:	178.10	(sq. ft.)	
C. Total floor space:	178.10	(sq. ft.)	
D. Closest road setback:	11.3	(ft.)	
E. Closest side setback:	6.7	(ft.)	
F. Closest rear setback:		(ft.)	
G. Distance to Great Pond:	37.8	(ft.)	
H. Distance to Streams:	—	(ft.)	
I. Distance to Wetlands:	—	(ft.)	
5. TOTAL EXISTING IMPERVIOUS SURFACES			
A. Add 2c + 2d + 3a + 4b:	476.7 + 0 + 985.7 + 178.10	1,640.5	(sq. ft.)
B. Divide this by lot size in square feet x 100%:	$\frac{1,640.5}{12055.3} \times 100 = 13.6\%$		%
*This number cannot exceed 15%			

Proposed Development

1. WETLANDS TO BE IMPACTED:	—	(sq. ft.)
2. CHANGES IN LANDSCAPE (Can be negative value for size reduction)		
A. Changes in lawn size:	* Approved March 26, 2019	-274.9 (sq. ft.)
B. Changes in buffers:		— (sq. ft.)
C. Changes in naturally wooded areas:		— (sq. ft.)
D. Total opening in forest canopy:		— (sq. ft.)
3. CHANGES IN FOOTPRINT(S) AND DEVELOPED AREA(S)		
A. Changes in building footprint(s):	ADDED NEW DECK	274.9 (sq. ft.)
B. Changes in driveway/roadway:	Remove Portion Driveway - re-circle Pavers	-40.2 (sq. ft.)
C. Changes in patios, walkways, etc:	Remove Steps + Shed #2	-71.1 (sq. ft.)
D. Total changes to impervious surfaces (3a + 3b + 3c):		163.60 (sq. ft.)
4. PERCENTAGE OF LOT COVERED BY IMPERVIOUS SURFACES		
A. 5. (Total existing impervious surfaces) + 3d (above)/total lot square footage x 100%	$\frac{1640.5 + 163.60}{12055.3} \times 100 = 14.96\%$	14.96 %
*This number cannot exceed 15%		

Required Submissions

Attach drawings and/or statements describing the following items if applicable:

- Provide a copy of deed and Tax Assessors Information Card.
- Provide a map of the general area showing land features within at least a ½ mile of this lot.
- Provide site plans(s) of your lot with existing development and its dimensions shown.

- Include: Dimensions, location, and distances of lot lines. Lawns, wooded areas, roadways, high water lines, driveways, septic system, walkways, and structures.
- Show names of roads and water bodies
- Provide site plan(s) of your lot with proposed development and its dimensions shown (may be combined on existing development drawing).
- Provide detailed plans of proposed structural development and changes.
- Provide phosphorus loading calculations.
- Provide prepared buffer plan if needed for building expansion.
- Anticipated date for start of construction.
- Anticipated date for completion of construction.
- Submission requirements shall follow sections 508.30 and 509.8 of the Comprehensive Land Use Code. Copies of the code are available for viewing at the Town Office, Library, and on the Code Enforcement page of the website, www.polandtownoffice.org. Copies can be purchased in the Code Enforcement Office.
- Use Checklist on page five for a summary of usual requirements.
- Any other requirements unique to your project added by the Planning Board.

Please list all state and federal approvals, permits, and licenses required for the project:

Disclosure

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 of the Town of Poland's ordinances and the State of Maine's statutes regulating the activities sought in this application as well as any permit(s) approved for this application.
2. I understand that all construction of structures shall conform to the *Maine Uniform Building and Energy Code* and the *NFPA 101 Life Safety Code, 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 ties.
6. I understand that all necessary **Building and Use Permits** shall be secured from the Code Enforcement Office after the Planning Board grants approval of this application.
7. I understand that a **Certificate of Occupancy** shall be required prior to the start of any use or occupancy associated with this application unless a signed written waiver is issued with the permit. Fines and penalties may be issued if use or occupancy is stated prior to the issuance of the certificate.
8. I understand that the approval becomes invalid if construction or use has not commenced within twelve (12) months of the approval date, construction is suspended for more than six (6) months and no notice for just cause is submitted prior to the end of the six (6) months, or it is found that false statements have been furnished in this application.
9. I understand that if I fail to comply with the aforementioned statements, a "STOP WORK" order may be issued for which I will immediately halt any construction and/or use(s) that are approved for this application. This failure may also require that I return the property to its natural state or as closely thereto before the use(s) was/were approved.
10. I understand that failure to follow these requirements will lead to **Violation Notices** and Citations that have fines and penalties. This in turn can lead to civil proceedings in District Court.
11. I understand that all state and federal permits are my responsibility as the applicant and/or owner.

Applicant Signature:

Keith W. Morse, agent

Date:

6-27-2019

Submissions Checklist

The following list is the information required by section 508.30 and 509.8 of the Comprehensive Land Use Code for the Town of Poland. Please check in the column on the left if the information has been provided, a waiver has been requested, or you believe the information is not applicable to your application. If a waiver has been requested, or the information is not applicable, a written explanation is required.

FOR APPLICANT USE				FOR PLANNING BOARD USE			
Provided	Waiver	N/A	Section 509.8A "Submission Requirements"	Received	On File	Waived	N/A
✓			Site Plan drawings				
✓			Signed copy of application				
✓			Name & Address of owner				
✓			Name & Address of all abutters within 500 feet of your lot				
✓			Map of general location				
✓			Show all adjacent properties				
✓			Name, Map & Lot numbers on drawings				
✓			Copy of Deeds & Agreements				
		✓	Name of designer on plans				
			<u>Section 508.30 Shoreland Areas</u>				
✓			Structure & Site Plan drawing				
		✓	New structure set back 100' from lake, 75' from streams & wetlands				
		✓	Water dependent structures indicated				
✓			Setbacks or structures shown in drawings				
✓			Show all structures				
✓			Side and road setbacks shown				
		✓	Need for larger than required setbacks				
		✓	Steep slopes shown				
		✓	Multiple Principle Structures have required land area				
			<u>Piers, Wharves, Bridges</u>				
		✓	Shore access soils described				
		✓	Locations of development and natural beaches shown				
		✓	Effect on fish & wildlife				
✓			Dimensions of structures shown				
		✓	Superstructure on piers				
		✓	Use of pier superstructures				
		✓	Permanent structures have DEP permit				
			<u>Individual Private Campsites</u>				
		✓	Show land area for each site				
		✓	Campsite setbacks are shown				
		✓	Type of development for sites				
		✓	Amount of clearing for vegetation				
		✓	Sewage disposal plan				
		✓	SSWS approved if used > 120 days				
			<u>Parking Areas</u>				
		✓	Parking areas setbacks shown				
		✓	Parking areas sized & designed for storm water				
			<u>(Part one) Driveways Only</u>				

FOR APPLICANT USE				FOR PLANNING BOARD USE			
Provided	Waiver	N/A	Section 509.8A "Submission Requirements"	Received	On File	Waived	N/A
✓			Setbacks as required				
		✓	State reasons for location in Resource Protection				
		✓	Culverts				
			(Part two) Road Only				
		✓	Setbacks as required				
		✓	Reasons stated for location in Resource Protection				
		✓	Road expansion according to Chapter 8				
		✓	Road slopes shown < 2H:1V				
		✓	Road Grades < 10%				
		✓	Buffer plan between road and water body				
		✓	Ditch relief shown				
		✓	Turnout spacing shown				
		✓	Drainage dips when < 10% slope				
		✓	Culverts shown				
		✓	Show relief sizing and stabilization				
			Storm water runoff				
✓	✓		Plans show storm water runoff and retaining areas				
		✓	Clearing of vegetation for development OR individual campsites				
		✓	Cutting of vegetation < 100' from shoreline				
		✓	Preservation of buffer strip				
		✓	Plan showing existing trees and planned cutting				
		✓	Clearing < 40% basal area in any 10 year period				
		✓	Preservation of vegetation < 3' high				
		✓	Pruning of limbs on lower 1/3 of trees				
		✓	Plan of removal and replacement of dead and diseased trees				
		✓	Tree removal plan > 100' and < 250' from shoreline				
✓			Non-conforming lot legally existing				
		✓	Fields reverted to woodlands follow forested rules				
			Shoreland Access Held In Common				
		✓	Proper water frontage for number of lots that hold access in common				
			Single Family Home in Resource Protection District				
		✓	No place on lot outside Resource Protection where home can be located				
		✓	Lot undeveloped				
✓			Location of all improvements				
		✓	Slopes > 20%				
		✓	Development 1 ft. above 100 year floodplain				
		✓	Development outside floodplain				
		✓	Total ground footprint < 1500 sq. ft.				
		✓	Structures > 150 ft. from waterline				
			Phosphorus Calculations				
		✓	Copies of state, federal permits (if applicable)				

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: _____

Planning Board Chair

____ / ____ / ____
Date



Phosphorus Calculation Form



The Code Enforcement Officer or Planning Board shall review and approve a Phosphorus Management Control Application based on one of the following methods.

POINT SYSTEM

The Applicant shall meet or exceed thirty (30) points based on the following schedule:

PROPOSED PHOSPHORUS CONTROL MEASURES (Check those proposed)	POINTS ALLOWED (By CEO or Planning Board)
10 Points for correcting an existing erosion problem on the project site.	
10 Points for a clearing limitation of <15,000 sq. ft. or <20% of lot.	
15 Points for a clearing limitation of <10,000 sq. ft. or <15% of lot.	
15 Points for the installation of rock lined drip edges or other infiltration system to serve the new construction.	
20 Points for a 50 foot wide buffer.	
25 Points for a 75 foot wide buffer.	
30 Points for a 100 foot wide buffer.	
TOTAL	

Authorized Signature: _____

Date: _____

Code Enforcement Officer or Planning Board Chair



Phosphorus Calculation Alternate Form



Watershed:		
Water Quality Category:		
Level of Protection:		
Per Acre Phosphorus Allocation: (from table 612.17.A.1.a in the CLUC)	(lbs./ac./yr.)	(oz./ac./yr.)
Total Buildable Land Area: (DO NOT INCLUDE land that is wetland or steep slopes)	(sq. ft.)	(acres)
Maximum Permitted Phosphorus Export from Project: (PPE-lbs, PPE-oz)	(lbs./yr.)	(oz./yr.)

Impervious Surface Type	Sq. Ft.	Acres	Pre-Treat Export	B	WP	Inf.	Adjusted Phos. Export
Buffer Values:	WI=		Soil GRP=		Slopes=		
Buffer Values:	WI=		Soil GRP=		Slopes=		
Buffer Values:	WI=		Soil GRP=		Slopes=		
Buffer Values:	WI=		Soil GRP=		Slopes=		
Buffer Values:	WI=		Soil GRP=		Slopes=		
Buffer Values:	WI=		Soil GRP=		Slopes=		
(TE) Total Phosphorus Export:							(lbs./yr.)
(TPA) Phosphorus Availability:							(lbs./yr.)

PER EXEMPT
508.22 BC

Comparison of PPE to TPA:

(lbs./yr.)
*Must be =>0
(oz./yr.)

ADDITIONAL INFORMATION:

Authorized Signature:	Date:
Code Enforcement Officer or Planning Board Chair	



Fee Schedule



Site Review & Formal Shoreland Zoning

Type	Description	Amount	Units/Comments
Application – Sketch Plans	Rough Design	\$75.00	Each application (no other fees)
Application – Formal		\$150.00	Each application + fees below
Approval Extension	Planning Board Only	\$50.00	One extension only
Escrow	Minimum Amount	\$700.00	When required by Planning Board
Extension of Approval		\$100.00	Before approval expires
Auto Graveyards/Recycling		\$5.00	Per vehicle storage slot (parking space)
Junkyard, Storage Lots		\$1.50	Per ft. of outside storage
Towers	Residential	First \$1,000 cost of work - \$20; Remaining cost of work \$5 per \$1,000	
Towers	Commercial	First \$1,000 cost of work - \$20; Remaining cost of work \$10 per \$1,000	

Reduced Fees: The Planning Board may, upon application therefore, allow reduced total site review fees to \$50.00 in any case which it determines that the work for which 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 Resource 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.

TOWN OF POLAND



Planning Board Agenda Request

FOR OFFICIAL USE ONLY

Date Received	
Time Received	
Received By	
Parcel ID	
Meeting Date	

Meetings are normally conducted from 7:00 to 9:00 pm in the Town Office Conference Room on the second and fourth Tuesday of each month.

07 / 09 / 2019

Date of the meeting you are requesting to be scheduled for

Applicant's Name:	Keith Morse - JKL Land Surveying - AGENT
Mailing Address:	370 Main St.
Town, State, Zip:	Oxford, ME 04270
Phone Number:	207-539-5048

Type of Application:	<input type="radio"/> Sketch Plan	<input type="radio"/> Site Review	<input checked="" type="radio"/> Shoreland	<input type="radio"/> Subdivision	<input type="radio"/> Informational
Map, Lot:	Map 46 Lot 11				
Road Location:	40 West Shore Drive				
Zoning:	Limited Residential	Lake Watershed:	Middle Range Pond		
Project Description:	Amendment - Raise height of Roof				

IMPORTANT INFORMATION:

- This office must receive the original application, plus nine (9) copies, one digital PDF copy (on either cd or usb), and appropriate fees by Friday at 1:00 pm, eleven days (11) prior to 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 fourteen days prior to the stated 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 Signature:	<u>Keith W. Morse</u>	Date:	<u>June 27, 2019</u>
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WARRANTY DEED

WAYNE P. ANDREWS and LORRAINE R. ANDREWS, both of Poland, County of Androscoggin and State of Maine, for consideration paid, grant to **MARK FIORINO** of Sharon, County of Norfolk and Commonwealth of Massachusetts with **WARRANTY COVENANTS**, the land, with any buildings thereon, situated in the Town of Poland, County of Androscoggin and State of Maine, bounded and described as follows:

A certain lot or parcel of land with the buildings thereon, situated in the Town of Poland, County of Androscoggin and State of Maine, being Lot Numbered 11 as delineated on a Plan of Poland, Spring West Shores, Middle Range Pond, in said Poland, recorded in the Androscoggin County Registry of Deeds, Plan Book 16, Page 40 to which plan reference is hereby made.


Subject to the restriction, conditions and protective covenants and also subject to the right to install and maintain such guy wires and poles on said premises as may be reasonably necessary to maintain utility lines in the streets on said plan as referred to in Deed recorded in Book 1007, Page 357.


Excepting and reserving, however, from the operation of this conveyance, the easement described in the conveyance of Wayne P. Andrews and Lorraine R. Andrews to United Video and Cablevision, Inc. dated April 2, 1989, and recorded in the Androscoggin Registry of Deeds in Book 2547, Page 125.

For title of the Grantor, reference is made to a Warranty Deed of Samuel M. Marcisso and Jacqueline A. Marcisso to the said Wayne P. Andrews and Lorraine R. Andrews dated June 16, 1978 and recorded in the Androscoggin County Registry of Deeds in Book 1346, Page 159.

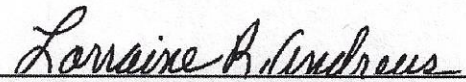
Also hereby conveying all rights, easements, privileges and appurtenances belonging to the premises hereinabove described.


WITNESS my/our hand(s) and seal(s) this 27th day of December, 2013.



Witness


Witness



LORRAINE R. ANDREWS


WAYNE P. ANDREWS

MAINE REAL ESTATE
TRANSFER TAX PAID



500 foot Abutters List Report

Poland, ME
March 11, 2019

Subject Property:

Parcel Number: 0046-0011
CAMA Number: 0046-0011
Property Address: 40 WEST SHORE DR.

Mailing Address: FIORINO, MARK
29 NORFOLK PLACE
SHARON, MA 02067

Abutters:

Parcel Number: ~~0007-0021~~
CAMA Number: ~~0007-0021~~
Property Address: BAILEY HILL RD.

Mailing Address: HUNTRESS, FRED A., JR.
67 STROUT RD.
POLAND, ME 04274

Parcel Number: ~~0007-0021~~
CAMA Number: ~~0007-0021-0006~~
Property Address: BAILEY HILL RD.

Mailing Address: HUNTRESS, FRED A., JR.
67 STROUT RD.
POLAND, ME 04274

Parcel Number: 0046-0004A
CAMA Number: 0046-0004A
Property Address: 17 WEST SHORE DR.

Mailing Address: ZINKOVITCH, PATTY M.
P. O. BOX 400
AUBURN, ME 04212

Parcel Number: 0046-0005
CAMA Number: 0046-0005
Property Address: 16 WEST SHORE DR.

Mailing Address: BSULLAK, GEORGE E.
92 PULSIFER ROAD
POLAND, ME 04274

Parcel Number: 0046-0005A
CAMA Number: 0046-0005A
Property Address: WEST SHORE DR.

Mailing Address: SPRAGUE-LAMBERT, LINDA
139 WEST ST.
BIDDEFORD, ME 04005

Parcel Number: 0046-0006
CAMA Number: 0046-0006
Property Address: 22 WEST SHORE DR.

Mailing Address: SPRAGUE-LAMBERT, LINDA
139 WEST ST.
BIDDEFORD, ME 04005

Parcel Number: 0046-0006A
CAMA Number: 0046-0006A
Property Address: WEST SHORE DR.

Mailing Address: BLANCHARD, ELIZABETH L.
37 RANSOM RD.
FRAMINGHAM, MA 01702

Parcel Number: 0046-0007
CAMA Number: 0046-0007
Property Address: 26 WEST SHORE DR.

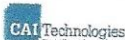
Mailing Address: RENZI, TIMOTHY ANDREW ET AL
% CAROL RENZI 974 PLEASANT ST.
FRAMINGHAM, MA 01701

Parcel Number: 0046-0008
CAMA Number: 0046-0008
Property Address: WEST SHORE DR.

Mailing Address: RENZI, TIMOTHY ANDREW ET AL
% CAROL RENZI 974 PLEASANT ST.
FRAMINGHAM, MA 01701

Parcel Number: 0046-0009
CAMA Number: 0046-0009
Property Address: 32 WEST SHORE DR.

Mailing Address: CHANDLER, BARRY D.
10080 150TH COURT NORTH
JUPITER, FL 33478



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3/11/2019

Page 1 of 2

Abutters List Report - Poland, ME



500 foot Abutters List Report

Poland, ME
March 11, 2019

Parcel Number: 0046-0010
CAMA Number: 0046-0010
Property Address: 36 WEST SHORE DR.

Mailing Address: FISHER, TIMOTHY J.
93 E. SURRY RD.
KEENE, NH 03431

Parcel Number: 0046-0012
CAMA Number: 0046-0012
Property Address: 44 WEST SHORE RD.

Mailing Address: MILDAM, DOUGLAS S.
540 LINDEN ST.
BOYLSTON, MA 01505

Parcel Number: 0046-0013
CAMA Number: 0046-0013
Property Address: 46 WEST SHORE DR.

Mailing Address: HEANSSLER, BRENT D.
87 BEECHRIDGE RD.
SCARBOROUGH, ME 04074

Parcel Number: 0046-0014
CAMA Number: 0046-0014
Property Address: 50 WEST SHORE DR.

Mailing Address: KERBER, PHILIP
9 COTTAGE STREET
FREEPORT, ME 04032

Parcel Number: 0046-0014A
CAMA Number: 0046-0014A
Property Address: 16 NUT HATCH LANE

Mailing Address: WORLEY, LARRY E.
16 NUT HATCH LANE
POLAND, ME 04274

Parcel Number: 0046-0015
CAMA Number: 0046-0015
Property Address: 54 WEST SHORE DR.

Mailing Address: BERNSTEIN, MICHAEL
71 ELM ST.
HOLLISTON, MA 01746

Parcel Number: 0046-0015-A16A
CAMA Number: 0046-0015-A16A
Property Address: 19 NUTHATCH LANE

Mailing Address: POLLEY, DAVID E.
19 NUTHATCH LANE
POLAND, ME 04274

Parcel Number: 0046-0016
CAMA Number: 0046-0016
Property Address: 60 WEST SHORE DR.

Mailing Address: HERRICK, STEVEN P.
60 WEST SHORE DR.
POLAND, ME 04274

Parcel Number: 0046-0017
CAMA Number: 0046-0017
Property Address: 64 WEST SHORE DR.

Mailing Address: FRAKE, WILLIAM J., IV
17 SETTLERS RIDGE
WINDHAM, NH 03087

Parcel Number: 0046-0026
CAMA Number: 0046-0026
Property Address: 184 SCHELLINGER RD.

Mailing Address: CHANDLER, NATHAN CHASE
5744 DIAMOND POINT CIRCLE
EL PASO, TX 79912



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3/11/2019

Page 2 of 2

Abutters List Report - Poland, ME



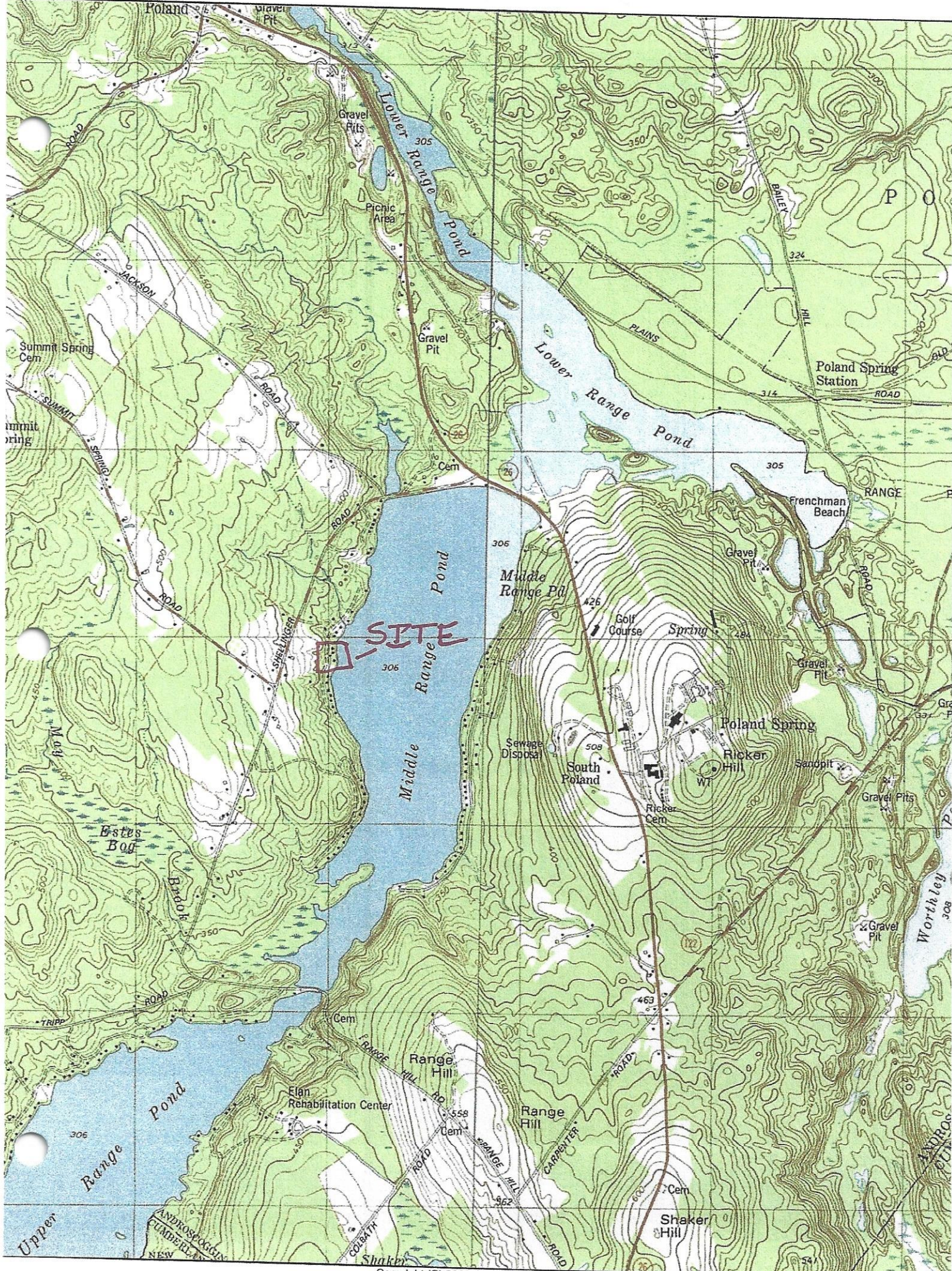
Property Card: **40 WEST SHORE DR.**
Poland, ME

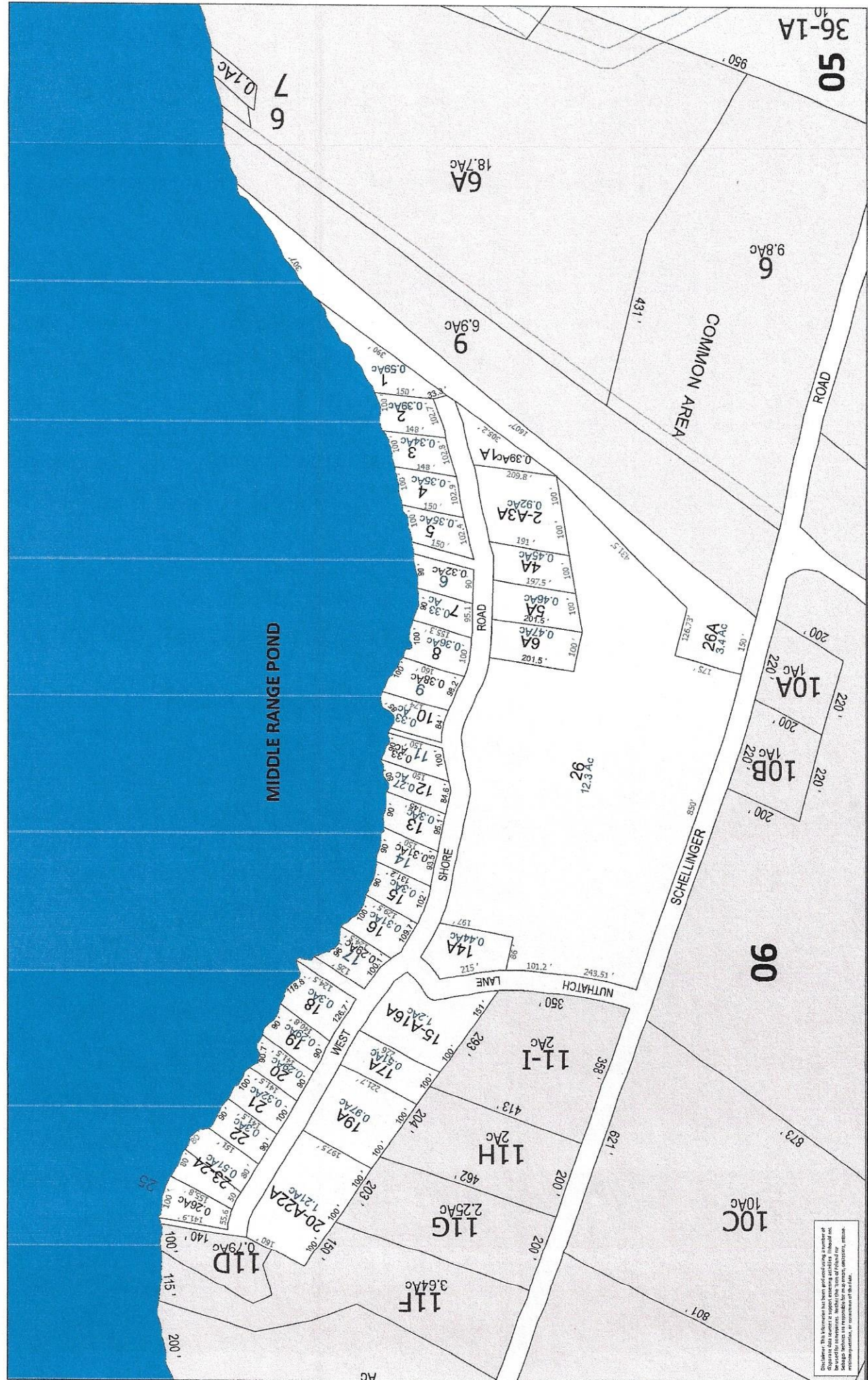


Parcel ID: 0046-0011
Trio Account #: 2784

Owner: FIORINO, MARK
Co-Owner:
Mailing Address: 29 NORFOLK PLACE
SHARON, MA 02067

Valuation	Building Sketch
Card Number: 1 Acreage: 0.33 Land Value: \$215,390 Building Value: \$52,730 Total Value: \$52,730 Taxes: \$3,807	NO SKETCH AVAILABLE
Building Information	
Year Built: 1970 Remodeled: 0 Living Area (sqft): 0 Basement: Crawl Space Finished Basement: 0 Number of Rooms: 4 Number of Bedrooms: 2 Number of Full Baths: 1 Number of Half Baths: 0	Stories: Exterior Walls: WOOD SHINGLE Roofing Materials: Metal Ic Foundation: Concrete Block Insulation: Full Fireplace: 0 Heating: Hot Water BB A/C: None Attic: None







POLAND ZONING MAP

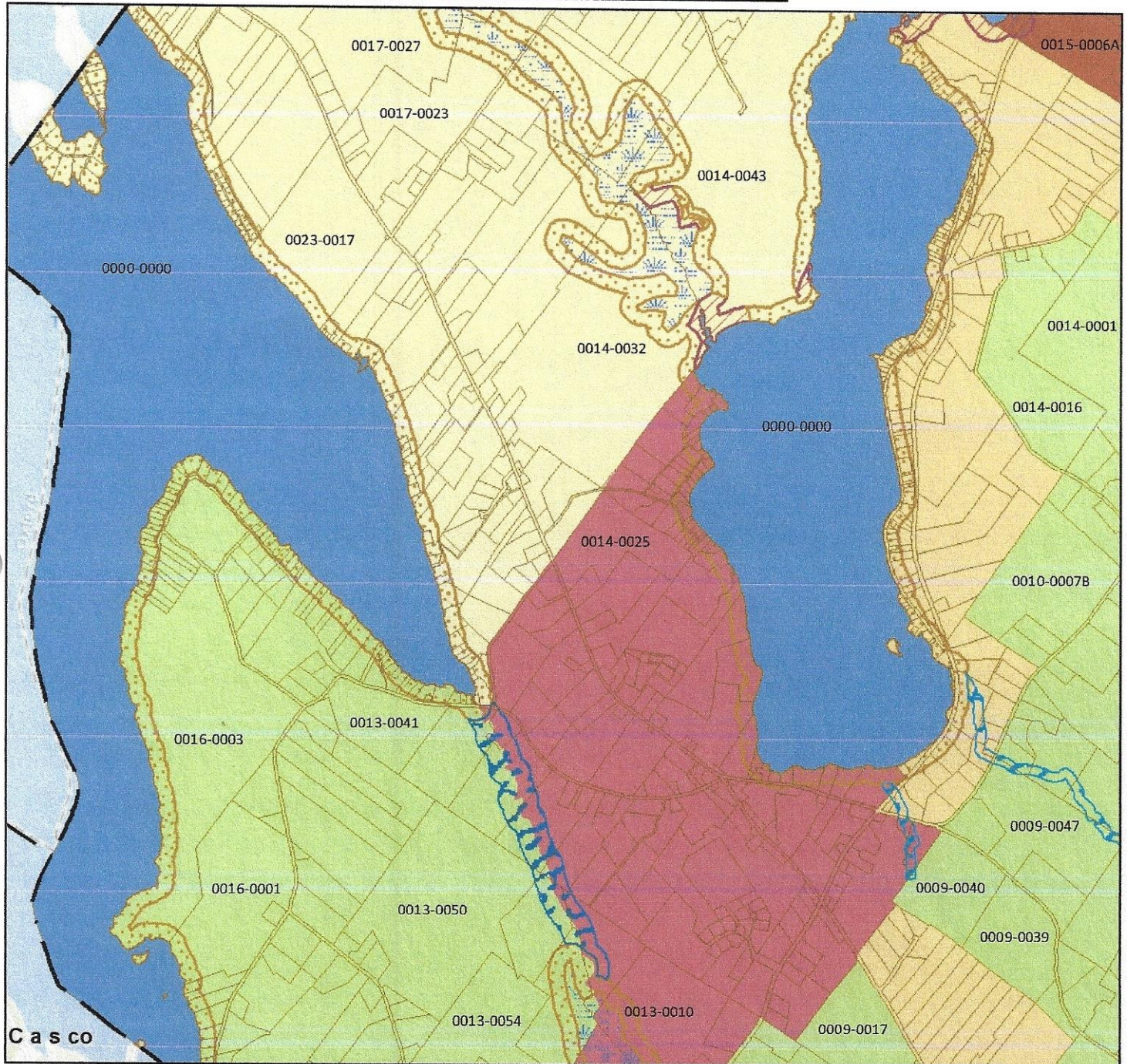
Poland, ME



April 18, 2018

1 inch = 2400 Feet

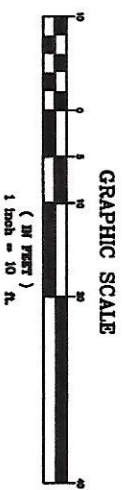
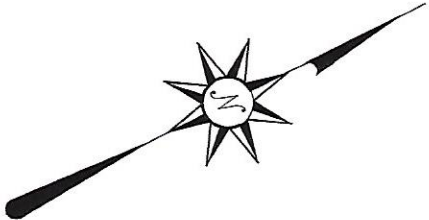
www.cai-tech.com



Large Scale	Limited Residential	WATER	Rural Residential 1 (R-1)
Town Line	Resource Protection	Wetland	Rural Residential 2 (R-2)
Parcel Lines - No Orthos	Stream Protection	Downtown (DT)	Village 3 (V-3)
Parcel Lines - Orthos	Stream Protection 250'	Farm and Forest (F-F)	

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

- UTILITY POLE
- HARDWOOD TREE
- SOFTWOOD TREE
- WELL
- HYDRANT
- RIGHT OF WAY LIMITS
- EDGE OF PAVEMENT
- STONE WALL

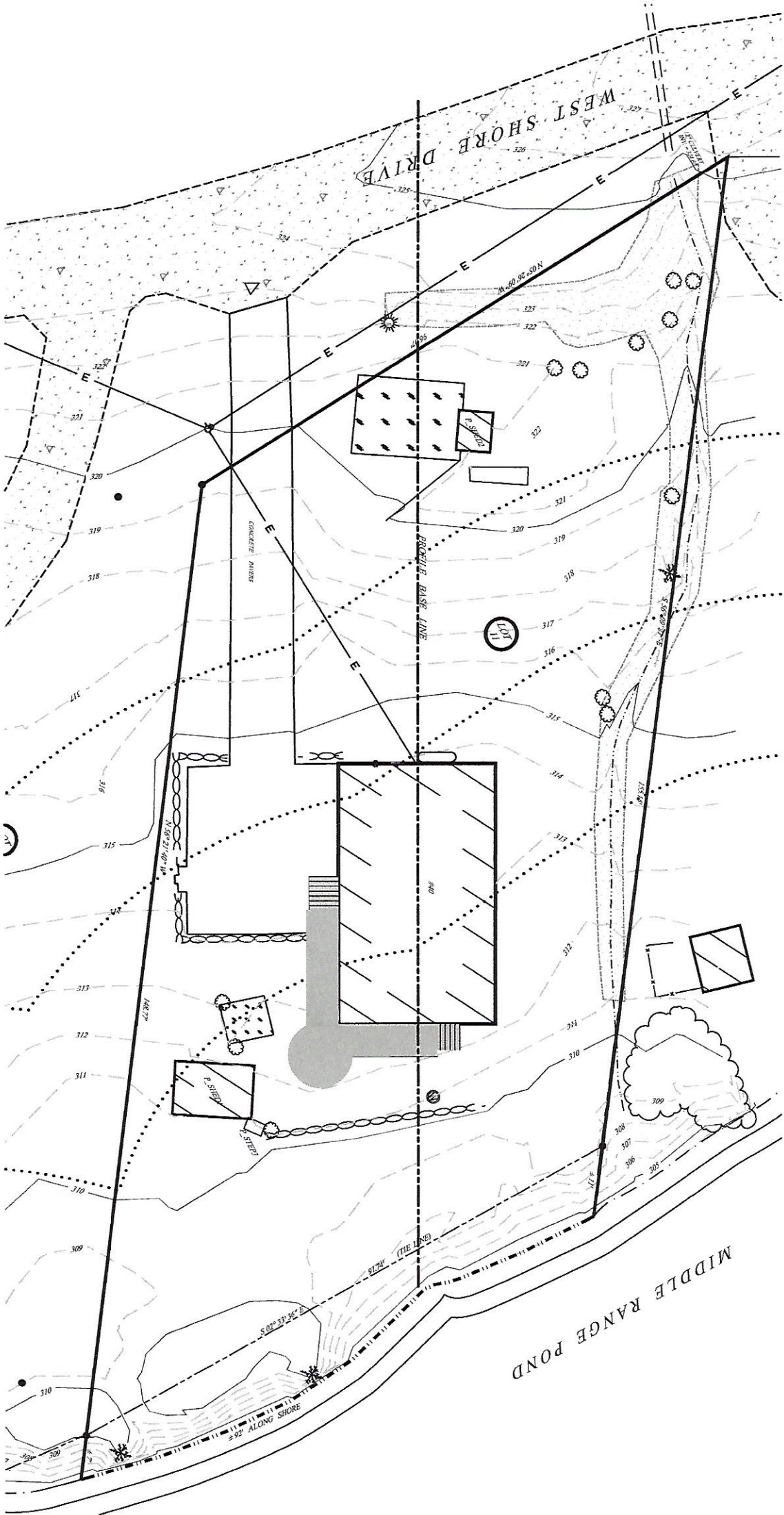


--- PROPOSED LIMITS OF STRUCTURE HEIGHT ---

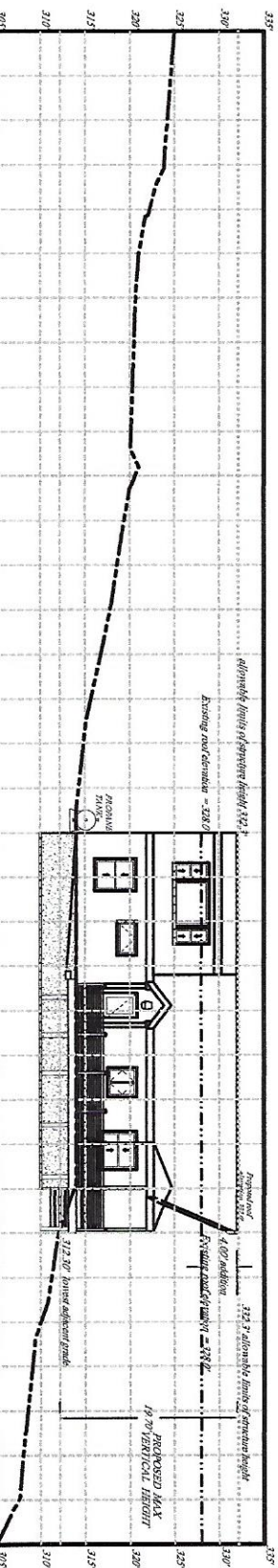
PLAN AND PROFILE

40 WEST SHORE DRIVE - POLAND, MAINE

MADE FOR



HORIZONTAL SCALE: 1" = 10'

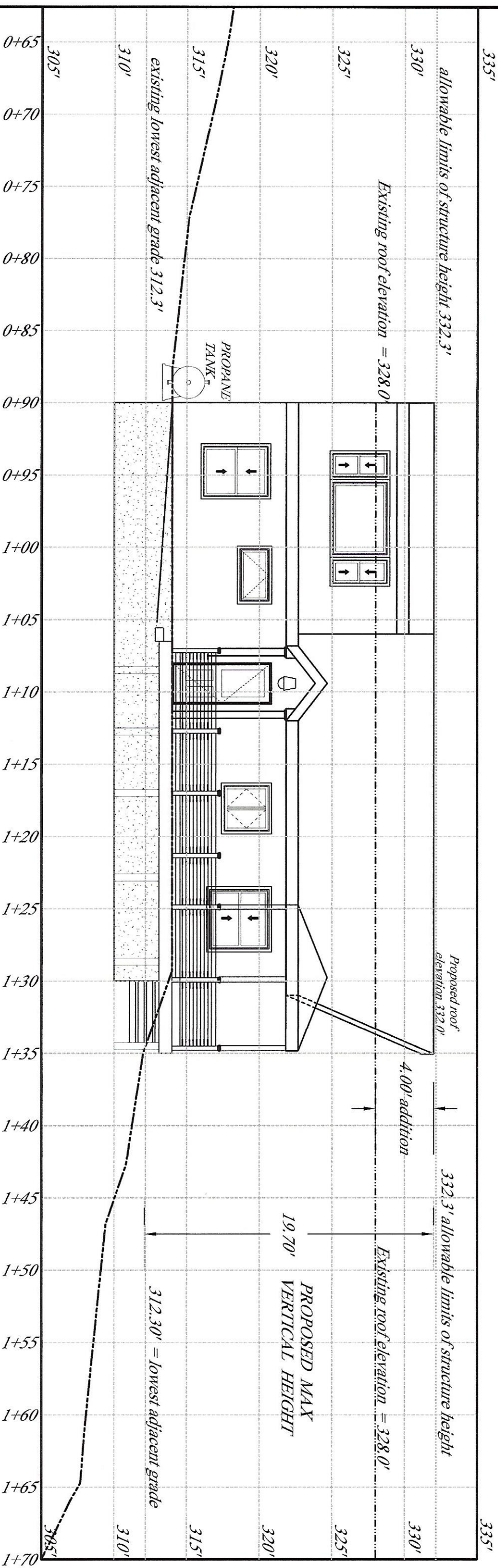


NOT TO SCALE

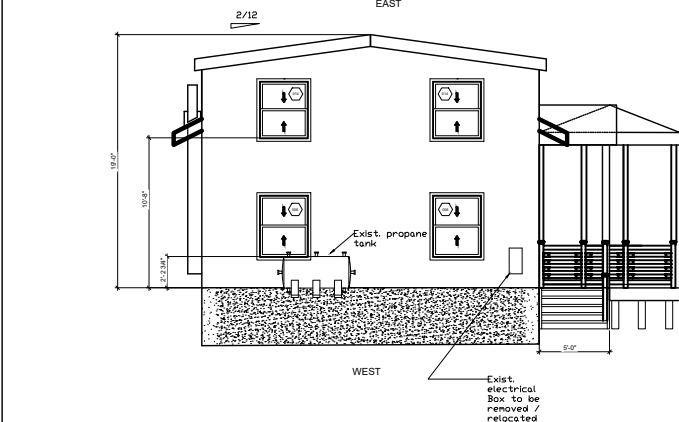
HORIZONTAL SCALE: 1" = ±3.3'

VERTICAL SCALE: 1" = ±3.3'

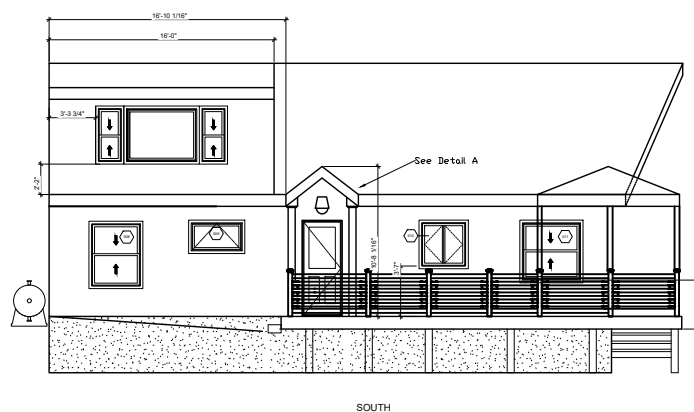
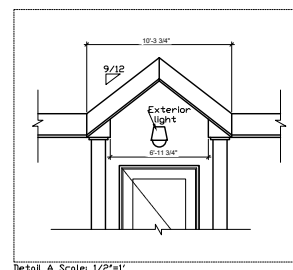
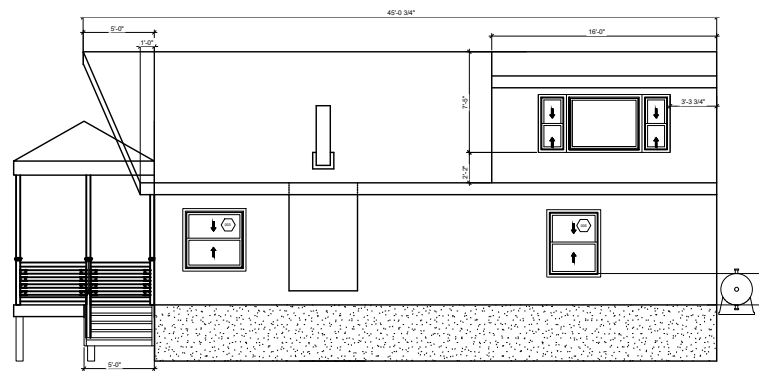
- UTILITY POLE
- HARDWOOD TREE
- SOFTWOOD TREE
- WELL
- HYDRANT
- RIGHT OF WAY LIMITS
- EDGE OF PAVEMENT
- STONE WALL



--- PROPOSED LIMITS OF STRUCTURE HEIGHT ---
PROFILE
40 WEST STONE DRIVE • POLAND, MAINE
MADE FOR



Window Schedule				
No.	Height	Width	Description	Prod.#
001	4'-0"	6'-0"	Harvey Welded Vinyl rolling	
002	4'-0"	6'-0"	Harvey Welded Vinyl rolling	
003	4'-1"	4'-1"	Harvey Classic DH	40310PW
004	4'-5"	3'-5"	Harvey Classic DH	3442
005	4'-5"	3'-5"	Harvey Classic DH	3442
006	4'-5"	3'-5"	Harvey Classic DH	3442
007	4'-5"	3'-5"	Harvey Classic DH	3442
008	4'-5"	3'-5"	Harvey Classic DH	3442
009	3'-0"	3'-6"	Harvey Awning	AWN 31
010	3'-1"	2'-0"	Harvey Classic DH	20210
011	4'-1"	4'-1 1/2"	Harvey Classic DH	40310PW
012	7'-9"	5'-2"	Harvey Majesty Special	Right Triangle
013	4'-0"	6'-0"	Harvey Majesty Special	Right Triangle
014	4'-1"	3'-5"	Harvey Classic DH	34310



Consultant
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CONCEPT DOCUMENTS NOT FOR CONSTRUCTION

[illegible]

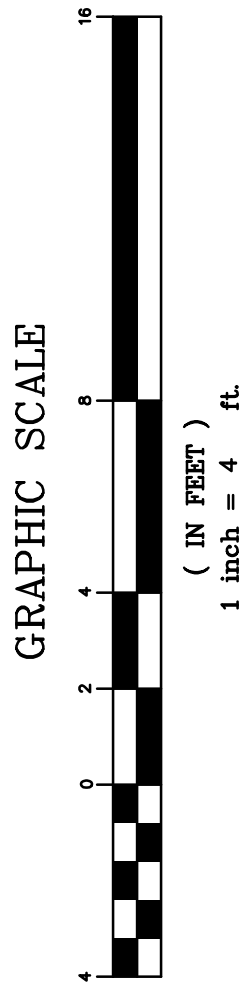
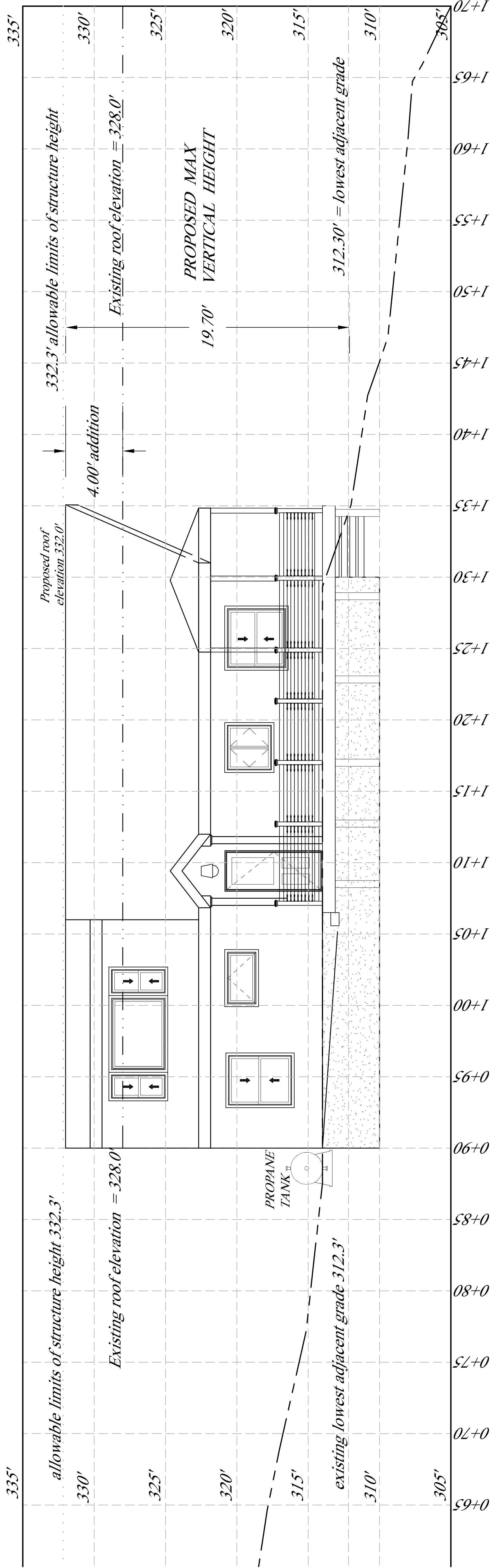
Fiorino
Maine Cottage
Elevations
A104

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
Scale	$\frac{1}{2}'' = 1'-0''$

LEGEND:

- IRON PIPE FOUND (3/4" hollow pipe unless noted)
- IRON PIN SET (5/8" rebar with yellow cap inscribed JKL Land Surveying, PLS 2216)
- N/F
- UTILITY POLE
- HARDWOOD TREE
- SOFTWOOD TREE
- WELL
- HYDRANT
- RIGHT OF WAY LIMITS
- EDGE OF PAVEMENT
- STONE WALL

HORIZONTAL SCALE: 1" = 4'
VERTICAL SCALE: 1" = 4'



... PROPOSED LIMITS OF STRUCTURE HEIGHT...

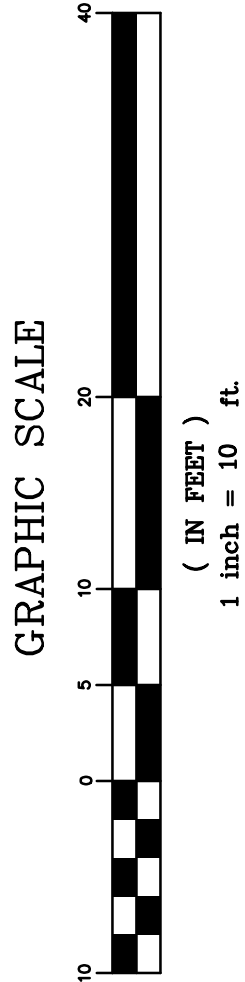
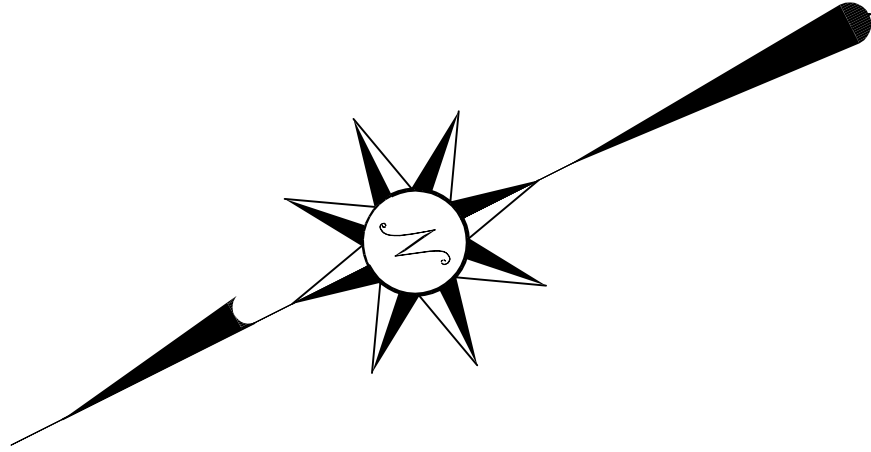
PROFILE

MADE FOR
MARK FIORINO
40 WEST SHORE DRIVE - DOLAND, MAINE

30 CROSS STREET -- FOXBOROUGH, MASSACHUSETTS 02035
JKL LAND SURVEYING
370 MAIN STREET - ROUTE 26 -- OXFORD, MAINE 04470
(207) 539-5048 -- Web Site: jkl LAND SURVEYING.COM
BOOK 178 FILE 459 JOB NO. 1001 DSK SURVEY 2018 JANUARY 23, 2019
PROVIDING "DIRECTIONS" FOR THE FUTURE

LEGEND:

- IRON PIPE FOUND (3/4" hollow pipe unless noted)
- IRON PIN SET (5/8" rebar with yellow cap inscribed JKL Land Surveying, PLS 2216)
- N/F
- UTILITY POLE
- HARDWOOD TREE
- SOFTWOOD TREE
- WELL
- HYDRANT
- RIGHT OF WAY LIMITS
- EDGE OF PAVEMENT
- STONE WALL



--- PROPOSED LIMITS OF STRUCTURE HEIGHT ---
PLAN AND PROFILE
40 WEST SHORE DRIVE - POLAND, MAINE

MADE FOR
MARK FIORINO

30 CROSS STREET - FOXBOROUGH, MASSACHUSETTS 02035

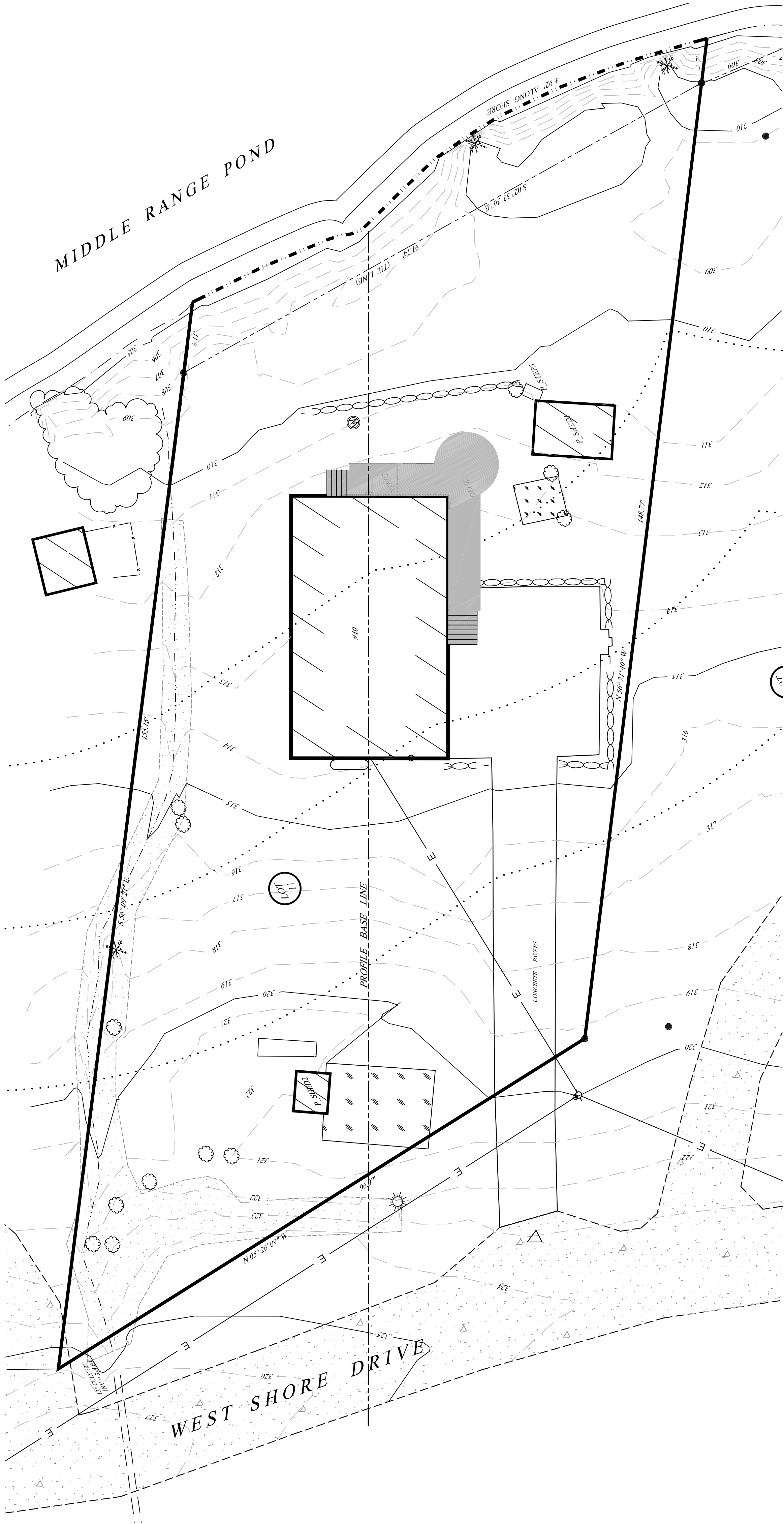
JKL LAND SURVEYING

370 MAIN STREET - ROUTE 26 - OXFORD, MAINE 04270

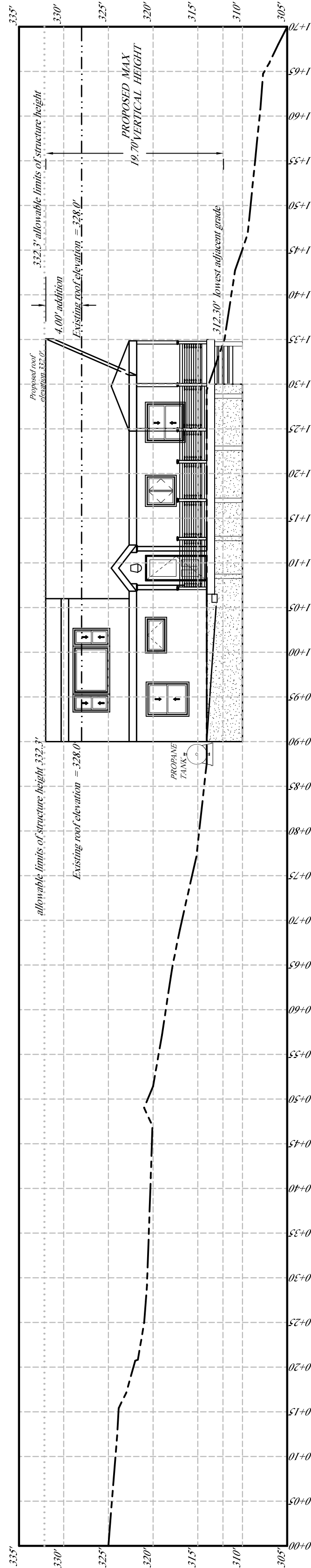
(207) 539-5048 - Web Site: allmainesurveying.com

BOOK: 178 FILE: 1839 JOB NO: 10041 DWS: 01/01/2018

PROVIDING "DIRECTIONS" FOR THE FUTURE



HORIZONTAL SCALE: 1" = 10'



VERTICAL SCALE: 1" = 5'



Planning Board Office

1231 Maine Street,
Poland, Maine 04274-7328

Findings of Fact & Conclusion of Law

Date: May 28, 2019

Application Type: Formal Shoreland Zoning Application

Owners Name: Stephen A. and Theresa M. Mello 16 Fox Run Drive Wilmington, MA 01887

Located at: 24 Upper Range Rd.

Parcel ID: 0035-0017

Zoning Districts: Rural Residential 2 and Limited Residential

Project Description:

On May 28, 2019 Mr. and Mrs. Mello submitted a Formal Shoreland Zoning Application for a new second floor addition. The proposed second story addition will not increase the impervious surfaces that are currently at 11%.

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

1. Will maintain safe and healthful conditions

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

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

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

3. Will adequately provide for disposal of all wastewater

A new Wastewater Disposal system was not applied for. Therefore, the Board finds that this section is not applicable.

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

The structure is located completely on land and will not have an impact on the spawning grounds, fish,

aquatic life, birds, or other wildlife habitat. Based on this information the Board finds this criterion will be met.

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

The applicant is proposing to revegetate all disturbed areas. Based on this information above and in the record the Board finds that this criterion will be met.

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

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

7. Will avoid problems associated with floodplain development and use

The structure associated with this application has a finished floor level that is 3' 6" above base flood elevation. 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 of square footage only the volume of the second floor; Therefore, the Board finds that this section is not applicable.

504.3. B. Relocation of Non-Conforming Structures

The applicant has proposed a second floor on the existing structure: Therefore, the Board finds that this section is not applicable.

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

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

504.3. D. Change of Use of a Nonconforming Structure

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

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

Setback reductions were not applied for and the new second floor addition will be no closer to the resource than the existing structure; Based on this information the Board finds that this criterion will be met.

508.27 Shoreland Zoning Standards

508.27.B. Principal and Accessory Structures

Chapter 5 §504.3 provides the performance standards for relocation and/or reconstruction of 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

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

508.27.G. Roads and Driveways

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

508.27.H. Storm Water Runoff

The second floor addition will not increase the impervious surfaces. Based on this information and in the record the Planning 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 removal of vegetation was not part of this application, the Board finds that this section is not applicable.

Conclusion

- The application checklist was approved as complete on May 28, 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 8818, Page 285) showing reasonable right, title, or interest in the property.
- The Board has concluded that they have the jurisdiction to review the application under section Chapter 5 §504.3 (Non-Conforming Structures).

Therefore, the Town of Poland Planning Board hereby approves (5-0) with the following conditions, the application for Mr. and Mrs. Mello, to add a second floor to the existing structure, as described in the application dated May 28, 2019 and the approved site plan dated May 28, 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.
- The new site plan must be recorded with the Androscoggin County Registry of Deeds within 90 days of approval.

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: July 9, 2019
Poland Planning Board

, Chairperson

James Porter, Vice -Chairperson

George Greenwood, Secretary

Mark Weinberg

Stephanie Floyd

Cheryl Skilling