

**Planning Board Meeting  
January 8, 2019 – 7:00 PM  
Town Office Conference Room**



**Meeting Materials**

**Planning Board  
Tuesday, January 8, 2019  
7:00 PM – Town Office Conference Room**

**CALL TO ORDER**

**MINUTES**

December 11, 2018

**COMMUNICATIONS**

**OLD BUSINESS**

**NEW BUSINESS**

Findings of Fact and Conclusions of Law for:

Formal Shoreland Zoning Application – Dennis and Susan Ackroyd – 261 Jordan Shore Road  
– Map 29 Lot 8

Formal Shoreland Zoning Application – Gerald and Margaret Dugal – 49 Mountain View Drive  
– Map 49 Lot 31

Formal Shoreland Zoning Application – Mary Gresik – 265 Jordan Shore Road – Map 29 Lot 7

Application for Road Name – Elizabeth Carr

Proposed CLUC Changes

**ANY OTHER BUSINESS**

**ADJOURNMENT**

**POLAND PLANNING BOARD**  
**MINUTES OF MEETING**  
**December 11, 2018**  
**Approved on \_\_\_\_\_, 2018**

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

**MINUTES** – November 23, 2018 – Member Greenwood moved to approve the minutes. Member Floyd seconded the motion. Discussion: None    Vote: 4-yes 0-no

**COMMUNICATIONS** – October Monthly Activity Report

**OLD BUSINESS** – None

**NEW BUSINESS** –

Findings of Fact and Conclusions of Law for:

Formal Site Plan Review (Site Plan Amendment) – Poland Spring Bottling/Nestle Waters, North America, Inc – Spring Water Road (Rte. 122) – Map 6 Lot 40B

Member Greenwood moved to approve the Findings of Fact. Member Weinberg seconded the motion. Discussion: None    Vote: 4- yes 0- no

Formal Shoreland Zoning Application – Lynne Johnson and Jerry Harris – 60 Cardinal Way – Map 37 Lot 13

Member Greenwood moved to approve the Findings of Fact. Member Floyd seconded the motion. Discussion: None    Vote: 4- yes 0- no

Formal Shoreland Zoning Application (Addendum) – Lynne Johnson and Jerry Harris – 60 Cardinal Way – Map 37 Lot 13

Member Greenwood moved to approve the Findings of Fact. Member Weinberg seconded the motion. Discussion: None    Vote: 4- yes 0- no

**ANY OTHER BUSINESS** – Marijuana Committee Update

Mark Weinberg and CEO Neal gave updates on the progress being made on the marijuana CLUC changes. The Committee went over a handout from the Marijuana Committee. Once the changes have been finalized by the Marijuana Committee they will be given to the Board, there will be an informational, and a public hearing.

**CLUC Changes**

The Board discussed some CLUC changes. Ms. Merrill gave the Board a short list of CLUC changes to consider for discussion at a meeting in January.

**POLAND PLANNING BOARD**  
**MINUTES OF MEETING**  
**December 11, 2018**  
**Approved on \_\_\_\_\_, 2018**

**ADJOURN** – Member Floyd moved to adjourn the meeting at 8:08 pm. Member Greenwood seconded the motion. Discussion: None    Vote: 4-yes 0-no

Recorded by: Sarah Merrill

Planning Board

\_\_\_\_\_  
, Chairperson

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James Porter, Vice - Chairperson

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George Greenwood, Secretary

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Mark Weinberg, Member

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Stephane Floyd, Member

\_\_\_\_\_  
, Alternate



## Planning Board Office

1231 Maine Street,  
Poland, Maine 04274-7328

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

**Date:** August 28, 2018

**Application Type:** Formal Shoreland Zoning Application

**Owners Name:** Dennis and Susan Ackroyd

**Located at:** 261 Jordan Shore Rd.

**Parcel ID:** 0029-0008

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

#### **Project Description:**

On August 28, 2018 the applicant submitted a Formal Shoreland Zoning Application to expand the existing home 194.4 square feet of additional of living space. The other proposed changes will be the reduction of the existing gravel walk from 326.6 square feet to 129.6 square feet. The reduced area upon completion will be re-seeded and turned into lawn area. The applicant will also remove 243.8 square feet of deck to comply with the previous permit. The existing lot coverage with the temporary boardwalk of 25 percent will be reduced to 23 percent with the proposed changes.

#### **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**

The application does not include any new wastewater structures; 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 and the proposed activity does not appear to generate any problems in relation to floodplain development. Based on the information above and the information 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 proposing expanding the structure however, the expansion is not more than 1500 square feet or thirty (30%) larger. Therefore, the Board finds that that this is allowed under this section.

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

The applicant is not proposing to relocate the existing non-conforming 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, the type, and amount of vegetation that may need to be removed if the structure would be relocated. The applicant is asking for a 194.4 square foot addition therefore, the Board is not requiring the structure to be relocated.

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

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

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

The application does not include the need for setback reductions; therefore, the Board finds that this section is not applicable.

**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; 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 roads or driveways 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 applicant will incorporate installation of rock lined drip edges, a mitigation plan for pre and post construction erosion, and phosphorus control. Based on this information and the information in the record the Board finds that the 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 application does not include the removal of any trees or vegetation therefore, the Board finds this section is not applicable.

#### **Conclusion**

- The application checklist was approved as complete on August 28, 2018, 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 8294, Page 309) 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 by a vote of 5 - yes and 0 - no hereby approves with the following conditions, the application for Dennis and Susan Ackroyd, to expand a structure, as described in the application dated August 14, 2018 and the approved site plan dated August 28, 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
- Soil disturbance during the period March 1st to May 1st is prohibited
- Any disturbed soils shall be re-vegetated 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: August 28, 2018**  
**Poland Planning Board**

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Dawn Dyer, Chairperson

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James Porter, Vice -Chairperson

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George Greenwood, Secretary

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Mark Weinberg

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Stephanie Floyd



## Planning Board Office

1231 Maine Street,  
Poland, Maine 04274-7328

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

**Date:** September 11, 2018

**Application Type:** Formal Shoreland Zoning Application

**Owners Name:** Gerald M. and Margaret M. Dugal

**Located at:** 49 Mountain View Drive

**Parcel ID:** 0049-0031

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

#### **Project Description:**

On August 28, 2018 the applicant submitted a Formal Shoreland Zoning Application to expand the existing home 440.7 square feet of additional living space and 315.3 square feet of additional decks. The application was tabled by the Board with a vote of 5 - yes and 0 - no. On September 11, 2018 the applicant submitted additional information for the tabled Formal Shoreland Zoning Application. The additional changes the Applicant would like to make are reducing the paved drive from 3,543 square feet to 3,152.4 square feet which will be seeded and turned to lawn. Also, being removed is a brick walkway that is 93.6 square feet. With these proposed changes of the new addition and deck the impervious area will remain unchanged at 22 percent.

#### **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**

The application does not include any new wastewater structures; 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 and the information 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 and the proposed activity does not appear to generate any problems in relation to floodplain development. 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 proposing expanding the structure however, the expansion is not more than 1500 square feet or thirty (30%) larger. Therefore, the Board finds that that this is allowed under this section.

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

The applicant is not proposing to relocate the existing non-conforming 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 Board finds that this section is not applicable.

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

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

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

The application does not include the need for setback reductions; therefore, the Board finds that this section is not applicable.

**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; 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 roads or driveways 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 applicant will incorporate installation of rock lined drip edges, a mitigation plan for pre and post construction erosion, and phosphorus control. Based on this information and the information in the record the Board finds that this criterion will be met.

**508.27.I. Essential Services**

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

**508.27.J. Mineral Exploration and Excavation Permits**

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

#### **508.27.K. Agriculture**

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

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

The application does include the removal of trees and or vegetation. The applicant will submit a revegetation plan, from the Androscoggin Valley Soil and Water Conservation District. Based on this information and the information in the record the Board finds that this criterion will be met.

#### **Conclusion**

- The application checklist was approved as complete on September 11, 2018, 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 9346, Page 6) 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 with a vote of 5 - yes and 0 - no hereby approves with the following conditions, the application for Gerald M. and Margaret M. Dugal, to expand a structure, as described in the application dated August 28, 2018 and the approved site plan dated September 11, 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.
- Soil disturbance during the period March 1st to May 1st is prohibited.
- Any disturbed soils shall be re-vegetated 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.
- The two unpermitted patios will need to be remove before any new permits are given.

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

**Date Approved: September 11, 2018**  
**Poland Planning Board**

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Dawn Dyer, Chairperson

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James Porter, Vice -Chairperson

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George Greenwood, Secretary

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Mark Weinberg

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Stephanie Floyd

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Alternate



## Planning Board Office

1231 Maine Street,  
Poland, Maine 04274-7328

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

**Date:** September 11, 2018

**Application Type:** Formal Shoreland Zoning Application

**Owners Name:** Mary A. Gresik

**Located at:** 265 Jordan Shore Rd.

**Parcel ID:** 0029-0007

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

#### **Project Description:**

On September 11, 2018 the applicant submitted a Formal Shoreland Zoning Application to place retaining walls and rip rap for erosion control. The applicant would also remove the existing shed and add a new 6' x 10' shed along with a proposed walkway. These improvements would keep the impervious surfaces at 15 percent.

#### **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**

The application does not include any new wastewater structures; 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 and the information 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 and the proposed activity does not appear to generate any problems in relation to floodplain development. 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 proposing expanding the structure however, the expansion is not more than 1500 square feet or thirty (30%) larger. Therefore, the Board finds that that this is allowed under this section.

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

The applicant is proposing to relocate the existing non-conforming shed and move it away from the resource therefore, based on this information and the information in the record the Board finds that this criterion will be met.

**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 Board finds that this section is not applicable.

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

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



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

The Board requires the side setback for the new shed to be no more non-conforming than the existing shed; Based on this information and the information in the record 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 Board finds that the relocation of the shed will be more conforming than where it is now. Based on this information and the information in the record the Board finds that this criterion will be met.

**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 roads or driveways 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 applicant will incorporate installation of rock lined drip edges, a mitigation plan for pre and post construction erosion, and phosphorus control. Based on this information and the information in the record the Board finds that this criterion will be met.

**508.27.I. Essential Services**

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

**508.27.J. Mineral Exploration and Excavation Permits**

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

### **508.27.K. Agriculture**

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

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

The application does not include the removal of trees or vegetation therefore, the Board finds that this section is not applicable.

### **Conclusion**

- The application checklist was approved as complete on September 11, 2018, 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 7937, Page 254) 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 with a vote of 5 - yes and 0 - no hereby approves with the following conditions, the application for Mary A. Gresik to install rip rap and retaining walls for erosion control, a relocated 6' x 10' shed and a new walk way, as described in the application dated September 11, 2018 and the approved site plan dated September 11, 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.
- Soil disturbance during the period March 1st to May 1st is prohibited.
- Any disturbed soils shall be re-vegetated 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.
- The two unpermitted patios will need to be removed before any new permits are given.

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

**Date Approved: September 11, 2018**  
**Poland Planning Board**

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Dawn Dyer, Chairperson

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James Porter, Vice -Chairperson

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George Greenwood, Secretary

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Mark Weinberg

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Stephanie Floyd

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Alternate

# TOWN OF POLAND



## Road Name Application

Parcel ID #:	0005-0016-B1-A
Closest Existing Road:	Watson Rd

### Property Owner/Applicant Information

Owner Name:	Elizabeth and David Carr
Mailing Address:	189 Watson Rd. Poland ME 04274
Phone Number:	207-240-0468
Email Address:	turtlecove@usa.com

### Name request for new road:

1<sup>st</sup> Choice: Allee Way

2<sup>nd</sup> Choice: Carr Way

3<sup>rd</sup> Choice: Betsy Boulevard

*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.*

Applicant Signature: Elizabeth Carr Date: 12/19/2018

### CEO STATEMENT

*I have checked the Town of Poland road names and find the following:*

☒ None of the names suggested are in use or similar to other road names

☐ Another road is using one of the names: \_\_\_\_\_

☐ One or more of the names is similar to an existing road: \_\_\_\_\_

CEO Signature: [Signature] Date: 12-17-18

### PLANNING BOARD

The Planning Board recommends the following name: \_\_\_\_\_

Chairperson Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### BOARD OF SELECTPERSONS

The Board of Selectpersons Approves the following name: \_\_\_\_\_

Chairperson Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# CLUC Changes for Town Meeting April 2019

- Specify business days
- Definitions: Replace – to put something new in place of, i.e. 50% or more is being changed.
  - Repair – to restore by replacing a part or putting together what is torn or broken., i.e. 49% or less is being changed.
- Fix discrepancy in the sign rules – state allows signs on right of ways we don't. In prohibited signs – we need to make an exception to political signs.
- Overlay of limited residential with underlying zone – which one wins?
- Time limit for when LED type business signs can be on – Sue Peters, Poland Corner Road, from the Public Hearing on July 24, 2018
- Definition for Business primary
- Take properties on the lake out of farm and forest or make limited residential the dominant zone.
- Agriculture definition needs to specifically exclude marijuana
- Downtown district standards need a full review – should all buildings need to meet the standard?