

**POLAND PLANNING BOARD**  
**MINUTES OF PUBLIC HEARING AND MEETING**  
**February 11, 2020**  
**Approved on 2/25, 2020**

**CALL TO ORDER** – Chairperson Porter called the meeting to order at 6:30 pm with Members Cheryl Skilling, Stephanie Floyd, George Greenwood, Alternate Member Jimmy Walker, CEO Scott Neal, and Sarah Merrill present. Alternate Member Walker is a voting member for this meeting. Member Mark Weinberg is absent without notice.

**PUBLIC HEARING ON CLUC AMENDMENTS 2020**

Member Floyd moved to open the public hearing. Member Skilling seconded the motion.

Discussion: None    Vote: 3-yes 0-no (Member Greenwood and Alternate Member Walker were absent for this vote.)

No members of the public were present at the public hearing to ask questions, raise concerns, or make comments about any of the proposed CLUC changes.

Member Floyd moved to close the public hearing at 6:35 pm. Member Skilling seconded the motion.

Discussion: None    Vote: 3-yes 0-no (Member Greenwood and Alternate Member Walker were absent for this vote.)

**VOTE OF CLUC AMENDEMENTS 2020**

**Article 4.** To see if the Town will vote to adopt the 2020 Amendment to the [Poland Comprehensive Land Use Code](#) – section 506.2 “Land Use Key” sections A.1., B.1., C.1., D.1., D.2., E.1., F.1., G.1., H.1., I.1. J.1., J.2., K.1., K.2., L.1., and M.1.? *(A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at [polandtownoffice.org](http://polandtownoffice.org), and will also be available at Town Meeting.)*

**506.2 Land Use Key**

**A. Village 1**

**1. Permitted Uses Requiring a Permit from the Code Enforcement Officer**

- |                                       |  |
|---------------------------------------|--|
| • Single Family Dwelling              | • Home Day care  |
| • Accessory Uses & Structures         | • Signs  |
| • Housing, Manufactured, Definition B | • Filling 200 cubic yards to 5,000 cubic yards                       |
| • Accessory Apartment                 | • <a href="#">Medical Marijuana Caregiver Cultivation</a>            |
| • Accessory Residential Structure     | • <a href="#">Medical Marijuana Manufacturing Facilities</a>         |
| • Offsite Accessory Structure         | • <a href="#">Medical Marijuana Testing Facilities</a>               |
| • Two Family/Duplex Dwelling          | • <a href="#">Adult Use Marijuana Cultivation Facilities: Tier 1</a> |
| • Home Occupation                     |  |
| • Farm Stand                          |  |

**POLAND PLANNING BOARD  
MINUTES OF PUBLIC HEARING AND MEETING**

February 11, 2020

Approved on 2/25, 2020

**B. Village 2**

1. Permitted Uses Requiring a Permit from the Code Enforcement Officer

- |                                       |   |
|---------------------------------------|---|
| • Single Family Dwelling              | • Home Day Care   |
| • Accessory Uses & Structures         | • Signs   |
| • Housing, Manufactured, Definition B | • Filling 200 cubic yards to 5,000 cubic yards                              |
| • Accessory Apartment                 | • <a href="#"><u>Medical Marijuana Caregiver Cultivation</u></a>            |
| • Accessory Residential Structure     | • <a href="#"><u>Medical Marijuana Manufacturing Facilities</u></a>         |
| • Offsite Accessory Structure         | • <a href="#"><u>Medical Marijuana Testing Facilities</u></a>               |
| • Two Family/Duplex Dwelling          | • <a href="#"><u>Adult use Marijuana Cultivation Facilities: Tier 1</u></a> |
| • Home Occupation                     |   |
| • Farm Stand                          |   |

**C. Village 3**

1. Permitted Uses Requiring a Permit from the Code Enforcement Officer

- |                                       |   |
|---------------------------------------|---|
| • Single Family Dwelling              | • Home Day Care   |
| • Accessory Uses & Structures         | • Signs   |
| • Housing, Manufactured, Definition B | • Filling 200 cubic yards to 5,000 cubic yards                              |
| • Accessory Apartment                 | • <a href="#"><u>Medical Marijuana Caregiver Cultivation</u></a>            |
| • Accessory Residential Structure     | • <a href="#"><u>Medical Marijuana Manufacturing Facilities</u></a>         |
| • Offsite Accessory Structure         | • <a href="#"><u>Medical Marijuana Testing Facilities</u></a>               |
| • Two Family/Duplex Dwelling          | • <a href="#"><u>Adult use Marijuana Cultivation Facilities: Tier 1</u></a> |
| • Farm Stand                          |   |
| • Home Occupation                     |   |

**POLAND PLANNING BOARD**  
**MINUTES OF PUBLIC HEARING AND MEETING**  
**February 11, 2020**  
**Approved on 2/25, 2020**

**D. Village 4**

1. Permitted Uses Requiring a Permit from the Code Enforcement Officer
  - Single Family Dwelling
  - Accessory Uses and Structures
  - Housing, Manufactured, Definition B
  - Accessory Apartment
  - Accessory Residential Structure
  - Offsite Accessory Structure
  - Two Family/Duplex Dwelling
  - Farm Stand
  - Home Occupation
  - Home Day Care
  - Signs
  - Filling 200 cubic yards to 5,000 cubic yards
  - [Medical Marijuana Caregiver Cultivation](#)
  - [Medical Marijuana Manufacturing Facilities](#)
  - [Medical Marijuana Testing Facilities](#)
  - [Adult Use Marijuana Cultivation Facilities: Tier 1](#)
2. Permitted Uses Requiring Planning Board Approval
  - Filling of more than 5,000 cubic yards
  - [Medical Marijuana Registered Caregiver Retail Store](#)
  - [Adult Use marijuana Cultivation Facilities: Tier 2](#)
  - [Adult Use Marijuana Products Production Facilities](#)
  - [Adult Use Marijuana Testing Facilities](#)
  - [Adult Use Marijuana Store](#)

**E. Downtown**

1. Permitted Uses Requiring a Permit from the Code Enforcement Officer
  - Single Family Dwelling
  - Accessory Uses & Structures
  - Housing, Manufactured Definition A, B, and C
  - Accessory Apartment
  - Accessory Residential Structure
  - Offsite Accessory Structure
  - Two Family/Duplex Dwelling
  - Home Occupation
  - Home Day Care



**POLAND PLANNING BOARD  
MINUTES OF PUBLIC HEARING AND MEETING**

February 11, 2020

Approved on 2/25, 2020

- Signs
- Filling 200 cubic yards to 5,000 cubic yards
- [Medical Marijuana Caregiver Cultivation](#)
- [Medical Marijuana Manufacturing Facilities](#)
- [Medical Marijuana Testing Facilities](#)
- [Adult use Marijuana Cultivation Facilities: Tier 1](#)

**F. Historic**

1. Permitted Uses Requiring a Permit from the Code Enforcement Officer
  - Single Family Dwelling
  - Accessory Uses & Structures
  - Accessory Apartment
  - Offsite Accessory Structure
  - Home Occupation
  - Home Day Care
  - Farm Stand
  - Signs
  - Filling 200 cubic yards to 5,000 cubic yards
  - [Medical Marijuana Cultivation](#)
  - [Medical Marijuana Manufacturing Facilities](#)
  - [Medical Marijuana Testing Facilities](#)
  - [Adult use Marijuana Cultivation Facilities: Tier 1](#)

**G. Rural Residential 1**

1. Permitted Uses Requiring a Permit from the Code Enforcement Officer
  - Single Family Dwelling
  - Accessory Uses & Structures
  - Housing, Manufactured Definition A, B, and C
  - Accessory Apartment
  - Accessory Residential Structure
  - Offsite Accessory Structure
  - Two Family/Duplex Dwelling
  - Home Occupation
  - Home Day Care
  - Farm Stand
  - Signs
  - Filling 200 cubic yards to 5,000 cubic yards
  - [Medical Marijuana Caregiver Cultivation](#)
  - [Medical Marijuana Manufacturing Facilities](#)
  - [Medical Marijuana Testing Facilities](#)
  - [Adult Use Cultivation Facilities: Tier 1](#)

**POLAND PLANNING BOARD**  
**MINUTES OF PUBLIC HEARING AND MEETING**  
**February 11, 2020**  
**Approved on 2/25, 2020**

**H. Rural Residential 2**

1. Permitted Uses Requiring a Permit from the Code Enforcement Officer
  - Single Family Dwelling
  - Accessory Uses & Structures
  - Housing, Manufactured Definition A, B, and C
  - Accessory Apartment
  - Accessory Residential Structure
  - Offsite Accessory Structure
  - Two Family/Duplex Dwelling
  - Home Occupation
  - Home Day Care
  - Farm Stand
  - Signs
  - Filling 200 cubic yards to 5,000 cubic yards
  - [Medical Marijuana Caregiver Cultivation](#)
  - [Medical Marijuana Manufacturing Facilities](#)
  - [Medical Marijuana Testing Facilities](#)
  - [Adult Use Marijuana Cultivation Facility: Tier 1](#)

**I. Rural Residential 3**

1. Permitted Uses Requiring a Permit from the Code Enforcement Officer
  - Single Family Dwelling
  - Accessory Uses & Structures
  - Housing, Manufactured Definition A, B, and C
  - Accessory Apartment
  - Accessory Residential Structure
  - Offsite Accessory Structure
  - Two Family/Duplex Dwelling
  - Home Occupation
  - Home Day Care
  - Farm Stand
  - Signs
  - Filling 200 cubic yards to 5,000 cubic yards
  - [Medical Marijuana Caregiver Cultivation](#)
  - [Medical Marijuana Manufacturing Facilities](#)
  - [Medical Marijuana Testing Facilities](#)
  - [Adult Use Marijuana Cultivation Facility: Tier 1](#)

**J. Farm and Forest**

1. Permitted Uses Requiring a Permit from the Code Enforcement Officer
  - Single Family Dwelling
  - Accessory Uses & Structures

**POLAND PLANNING BOARD**  
**MINUTES OF PUBLIC HEARING AND MEETING**  
**February 11, 2020**  
**Approved on 2/25, 2020**

- Housing, Manufactured Definition A, B, and C
- Accessory Apartment
- Accessory Residential Structure
- Offsite Accessory Structure
- Two Family/Duplex Dwelling
- Home Occupation
- Home Day Care
- Farm Stand
- Signs
- Filling 200 cubic yards to 5,000 cubic yards
- [Medical Marijuana Caregiver Cultivation](#)
- [Medical Marijuana Manufacturing Facilities](#)
- [Medical Marijuana Testing Facilities](#)
- [Adult Use Marijuana Cultivation Facility: Tier 1](#)

2. Permitted Uses Requiring Planning Board Approval

- Filling of more than 5,000 cubic yards
- [Adult Use Marijuana Cultivation Facilities: Tier 2 and Tier 3](#)
- [Adult Use Marijuana Products Production Facilities](#)
- [Adult Use Marijuana Testing Facilities](#)

**K. General Purpose 1**

1. Permitted Uses Requiring a Permit from the Code Enforcement Officer

- Accessory Uses & Structures
- Home Occupation
- Home Day Care
- Farm Stand
- Signs
- Filling 200 cubic yards to 5,000 cubic yards
- [Medical Marijuana Caregiver Cultivation](#)
- [Medical Marijuana Manufacturing Facilities](#)
- [Medical Marijuana Testing Facilities](#)
- [Adult use Marijuana Cultivation Facilities: Tier 1](#)

2. Permitted Uses Requiring Planning Board Approval

- Filling of more than 5,000 cubic yards
- [Medical Marijuana Registered Caregiver Retail Store](#)
- [Adult Use Marijuana Cultivation Facilities: Tier 2](#)
- [Adult Use Marijuana Products Production Facilities](#)
- [Adult Use Marijuana Testing Facilities](#)
- [Adult Use Marijuana Store](#)

**POLAND PLANNING BOARD**  
**MINUTES OF PUBLIC HEARING AND MEETING**  
**February 11, 2020**  
**Approved on 2/25, 2020**

**L. General Purpose 2**

1. Permitted Uses Requiring a Permit from the Code Enforcement Officer
  - Accessory Uses & Structures
  - Home Occupation
  - Home Day Care
  - Farm Stand
  - Signs
  - Filling 200 cubic yards to 5,000 cubic yards
  - [Medical Marijuana Caregiver Cultivation](#)
  - [Medical Marijuana Manufacturing Facilities](#)
  - [Medical Marijuana Testing Facilities](#)
  - [Adult use Marijuana Cultivation Facilities: Tier 1](#)

**M. General Purpose 3**

1. Permitted Uses Requiring a Permit from the Code Enforcement Officer
  - Accessory Uses & Structures
  - Home Occupation
  - Home Day Care
  - Farm Stand
  - Signs
  - Filling 200 cubic yards to 5,000 cubic yards
  - [Medical Marijuana Caregiver Cultivation](#)
  - [Medical Marijuana Manufacturing Facilities](#)
  - [Medical Marijuana Testing Facilities](#)
  - [Adult use Marijuana Cultivation Facilities: Tier 1](#)

**Member Floyd moved to recommend the amendment. Member Skilling seconded the motion. Discussion: None Vote: 4-yes 0-no (Member Greenwood was absent for this vote.)**



POLAND PLANNING BOARD  
MINUTES OF MEETING  
January 28, 2020 2/11/20  
Approved on 2/25, 2020

Article 5. To see if the Town will vote to adopt the 2020 Amendment to the Poland Comprehensive Land Use Code – Chapter 14 Definitions “Structure”? (A copy of the proposed ordinance amendment is available for inspection in the Clerk’s office, as well as on the Town’s web site at [polandtownoffice.org](http://polandtownoffice.org), and will also be available at Town Meeting.)

**Chapter 14 Definitions:**

**Structure:** Anything temporary or permanently located built, constructed or erected for the support, shelter or enclosure of persons, animals, goods or property of any kind, together with anything constructed or erected on or in the ground, exclusive. The term includes structures temporarily or permanently located including membrane structures, decks, patios, satellite dishes, and solar panels. Structure does not include fences; poles and wiring and other aerial equipment normally associated with service drops, including guy wires and guy anchors; subsurface waste water disposal systems as defined in Title 30-A, section 4201, subsection 5; geothermal heat exchange wells as defined in Title 32, section 4700-E, subsection 3-C; or wells or water wells as defined in Title 32, section 4700-E, subsection 8.

**Member Floyd moved to recommend the amendment. Member Skilling seconded the motion. Discussion: None Vote: 4-yes 0-no (Member Greenwood was absent for this vote.)**



POLAND PLANNING BOARD  
MINUTES OF MEETING  
January 28, 2020 2/11/20  
Approved on 2/25, 2020

Article 6. To see if the Town will vote to adopt the 2020 Amendment to the Poland Comprehensive Land Use Code. Section 1204 "Adoption of NFPA 1 Fire Code by Reference"? (A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at [polandtownoffice.org](http://polandtownoffice.org), and will also be available at Town Meeting.)

**1204 ADOPTION OF NFPA 1 FIRE CODE BY REFERENCE**

- A. That a certain document, three (3) copies of which are on file in the office of the Town of Poland Clerk of the Town with one (1) copy being in the Town Clerk's Office, marked and designated as the NFPA Fire Code 1 – 2018 Edition as published by the National Fire Protection Association, as adopted and amended by the State of Maine and further amended by section 1204.B, be and is hereby adopted as the Fire Code of the Town of Poland

**Member Floyd moved to recommend the amendment. Member Skilling seconded the motion. Discussion: None Vote: 4-yes 0-no (Member Greenwood was absent for this vote.)**

Article 7. To see if the Town will vote to adopt the 2020 Amendment to the Poland Comprehensive Land Use Code. Section 1205 "Adoption of NFPA Life Safety 101 by Reference"? (A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at [polandtownoffice.org](http://polandtownoffice.org), and will also be available at Town Meeting.)

**1205 ADOPTION OF NFPA LIFE SAFETY 101 BY REFERENCE**

- A. That a certain document, three (3) copies of which are on file in the office of the Poland Town Clerk Town, with one (1) copy being in the Town Clerk's Office, marked and designated as the Life Safety Code 101 – 2018 Edition including Appendices A and B as published by the National Fire Protection Association, as adopted and amended by the State of Maine and amended by section 1205.B, be and is hereby adopted as the Life Safety Code of the Town of Poland for control of buildings and structures as herein provided.

**Member Floyd moved to recommend the amendment. Member Skilling seconded the motion. Discussion: None Vote: 4-yes 0-no (Member Greenwood was absent for this vote.)**

POLAND PLANNING BOARD  
MINUTES OF MEETING  
January 28, 2020 2/16/20  
Approved on 2/25, 2020

Article 8. To see if the Town will vote to adopt the 2020 Amendment to the Poland Comprehensive Land Use Code. Section 1511.1 "Allowed Locations"? (A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at [polandtownoffice.org](http://polandtownoffice.org), and will also be available at Town Meeting.)

**1511. 1 Allowed Locations** – Adult use marijuana products manufacturing facilities shall be allowed in the following locations, subject to the requirements of this Section:

- A. Allowed in all locations where adult use Tier 2 and Tier 3 cultivation is allowed and must be co-located with a cultivation facility.

**Member Floyd moved to recommend the amendment. Member Skilling seconded the motion. Discussion: None Vote: 4-yes 0-no (Member Greenwood was absent for this vote.)**

Article 9. To see if the Town will vote to adopt the 2020 Amendment to the Poland Comprehensive Land Use Code. Section 1512.1 "Allowed Locations"? (A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at [polandtownoffice.org](http://polandtownoffice.org), and will also be available at Town Meeting.)

**1512. 1 Allowed Locations** – Adult use marijuana testing facilities shall be allowed in the following locations, subject to the requirements of this Section:

- A. Allowed in all locations where adult use Tier 2 and Tier 3 cultivation is allowed and must be co-located with a cultivation facility.

**Member Floyd moved to recommend the amendment. Member Skilling seconded the motion. Discussion: None Vote: 4-yes 0-no (Member Greenwood was absent for this vote.)**



**POLAND PLANNING BOARD**  
**MINUTES OF MEETING**  
January 28, 2020 2/14/20  
Approved on 2/25, 2020

Article 10. To see if the Town will vote to adopt the 2020 Amendment to the Poland Comprehensive Land Use Code. Section 508.30.A.7. "Downtown Design Standards"? (A copy of the proposed ordinance amendment is available for inspection in the Clerk's office, as well as on the Town's web site at [polandtownoffice.org](http://polandtownoffice.org), and will also be available at Town Meeting.)

**508.30 Downtown Design Standards**

**A.7** Chain link or wire mesh fencing, including vinyl covered metal fencing, may not be used for security, access control or screening. However, chain link fencing, fence posts, rails, or mechanical features finished with a black vinyl coating, may be used for security, access control, or screening where installed behind the principle structure's rear façade. No portion of black vinyl coated fencing or mechanical features associated with the fence system may project closer to the street frontage than the line which is parallel to the buildings rear façade as measured from the principle main building corner. Small structural projections, porches, decks, and architectural projections shall not constitute the reference line of the rear façade.

**Member Floyd moved to recommend the amendment. Member Skilling seconded the motion. Discussion: None Vote: 4-yes 0-no (Member Greenwood was absent for this vote.)**

**MINUTES** – January 28, 2020 – Member Floyd moved to approve the minutes. Member Skilling seconded the motion. Discussion: None Vote: 4-yes 0-no (Member Greenwood was absent for this vote.)

**COMMUNICATIONS** –

Copy of Letter – Sketch Plan Application Approval for Auburn Housing Development Corporation – January 28, 2020

**OLD BUSINESS** –

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

Keith Morse of JKL Land Surveying presented the project to the Board. Mr. Fiorino would like to move the camp back from the resource to the greatest possible extent.

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



**POLAND PLANNING BOARD**  
**MINUTES OF MEETING**  
**January 28, 2020** 2/11/20  
**Approved on** 2/25, 2020

Member Greenwood moved to approve the Formal Shoreland Zoning Application with the following conditions: the plans are corrected to show the current setbacks of the camp, the public hearing is waived, and the site walk is waived. Member Floyd seconded the motion. Discussion: None    Vote: 5-yes 0-no

**NEW BUSINESS –**

**Formal Shoreland Zoning Application – Margery Finley Camden – 36 West Shore Drive**  
**– Map 46 Lot 10**

Stuart Davis of Davis Land Surveying presented the project to the Board. Ms. Finley Camden would like to remove the existing 16' x 12' single story section of the camp and replace it with a 22' x 19' two story addition, to be supported by concrete piers and to build a screened in porch on the existing deck.

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

Member Greenwood moved to approve the Formal Shoreland Zoning Application with the following conditions: the CEO will inspect the trees and decide which trees can come down, the public hearing is waived, and the site walk is waived. Member Floyd seconded the motion. Discussion: None    Vote: 5-yes 0-no

Findings of Fact and Conclusions of Law for:

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

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

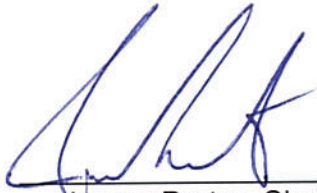
**ANY OTHER BUSINESS – None**

**ADJOURN** – Member Floyd moved to adjourn the meeting at 7:40 pm. Member Greenwood seconded the motion. Discussion: None    Vote: 5-yes 0-no

Recorded by: Sarah Merrill

POLAND PLANNING BOARD  
MINUTES OF MEETING  
January 28, 2020 2/11/20  
Approved on 2/25, 2020

Planning Board



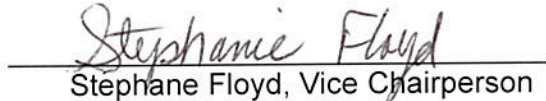
James Porter, Chairperson



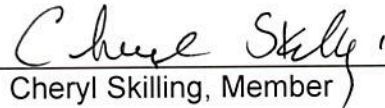
George Greenwood, Member

Absent without Notice

Mark Weinberg, Secretary



Stephane Floyd, Vice Chairperson



Cheryl Skilling, Member



James Walker, Alternate Member