



TOWN OF BRUNSWICK
STAFF REVIEW COMMITTEE

**STAFF REVIEW COMMITTEE
- AGENDA -
BRUNSWICK SCHOOL DEPARTMENT BUILDING
46 FEDERAL STREET, BRUNSWICK**

THURSDAY, MARCH 6, 2014, 10:00 A.M.

***** REVISED *****

1. **Case # 14-008 – The Plaza at Cook’s Corner:** The Committee will review and provide a recommendation to the Planning Board on a Major Review Sketch Plan application submitted by Just Because, LLC, to redevelop the former Atrium Hotel property, located at 21 Gurnet Road, for potential retail, banking, and restaurant uses. Assessor’s Map CC1, Lots 30 & 43, in the Commercial / Cook’s Corner (CC) Zoning District.
2. **Other Business**
3. **Adjourn**

This agenda is mailed to owners of property within 200 feet of proposed development sites. In cases where Committee action is pending this agenda serves as notice of same. In cases where the Committee's role is to advise the Planning Board, this agenda is mailed as a courtesy along with notice of the Planning Board meeting.

The Staff Review Committee meeting is open to the public. All are invited to attend and participate. For further information call Anna Breinich at the Brunswick Department of Planning and Development (725-6660).



TOWN OF BRUNSWICK, MAINE

INCORPORATED 1739

DEPARTMENT OF PLANNING AND DEVELOPMENT
28 FEDERAL STREET
BRUNSWICK, ME 04011

ANNA BREINICH, AICP
DIRECTOR OF PLANNING & DEVELOPMENT

PHONE: 207-725-6660
FAX: 207-725-6663

MEMORANDUM

TO: The Staff Review Committee
FROM: Jeremy Doxsee, Town Planner
DATE: March 6, 2014
RE: Sketch Plan Review of the Plaza at Cooks Corner, located at 21 Gurnet Road

Attached is a Major Review Sketch Plan application for the Plaza at Cook's Corner (former Atrium Hotel site). Stonybrook Consultants have prepared a project narrative outlining the proposed development, supporting materials, and a corresponding sketch plan, grading plan, and survey. Comments and recommendations from the Staff Review Committee will be forwarded to the Planning Board, for consideration at their March 18th meeting.



Stoneybrook Consultants, Inc.

456 Buckfield Road
Turner, Maine 04282
(207) 514-7491 voice
(207) 514-7492 fax

February 24, 2014

Jeremy Doxsee, AICP
Town Planner
Department of Planning & Development
Town of Brunswick
28 Federal Street
Brunswick, ME 04011

RE: The Plaza at Cooks Corner
Sketch Plan Review

Dear Mr. Doxsee,

I am working with Just Because, LLC on plans to redevelop the former Atrium Hotel property located at 21 Gurnet Road at Cooks Corner in Brunswick. It is our client's intent to develop a portion of this site with several retail or restaurant pad sites. He has one known retail tenant which will define the Phase 1 of this development. Phase 2 will include the three additional pad sites. It is expected that future tenants could include a restaurant, bank or additional retail tenants.

This project will also require approvals for a Traffic Movement Permit from the Maine Department of Transportation and a major amendment to a Site Location of Development Act permit from the Maine Department of Environmental Protection. We hope to secure all of these permits so that we can begin construction late this Spring. Applications to both of these State agencies will be submitted later this week.

Just Because, LLC purchased the property in two deeds, one from BO-ED, Inc. and one from W.G., LLC in 2008. Copies of both deeds are attached. We have also included a copy of a recent boundary survey prepared by Jones Associates,

Inc. showing the parcels involved in this purchase which include a total of 9.5 acres. The property also benefits from shared parking, access rights, utility services and maintenance responsibilities with several other abutting owners in this area. Those rights are described in the Amended Reciprocal Easements Agreement dated July 31, 1997 and recorded at the Cumberland County Registry of Deeds in Book 13254, Page 71.

The intent is to prepare about 6.2 acres of the property for this project. The proposed improvements are shown on a Site Plan and Grading Plan prepared by Summit Geoengineering Consultants, Inc. which are attached. While we are planning to provide details for traffic, parking, utility services, and stormwater controls for all four building pad sites with this application, we only have specific building plans for Pad Site 1 at this time. This pad site has been designed for occupancy by Goodwill Industries for a retail store of 14,700 square feet. We have attached two different preliminary views of what that building will look like.

At this time, we do not have details for the specific buildings that will be constructed in Phase 2. Pad Site 2 has been shown on the Site Plan to support a 4,000 square foot bank with a three lane drive-thru, but we have noted that it could also support a retail building of 9,000 square feet. Pad Site 3 has been shown to support an 8,000 square foot retail store and Pad Site 4 has been shown to support a 5,000 square foot restaurant with drive-thru or a 9,000 square foot retail building.

Phase 1 construction will include the Goodwill building and the related parking and driveways. Filtration basins required for Pad Sites 2, 3 & 4 will also be constructed and the pad areas will be graded and seeded for future development. The Phase 1 improvements will be completed this year. Phase 2 buildings and improvements may not be completed for several years depending upon market conditions. We may also need to make minor changes for each of the three remaining pad sites once we have a tenant and the specific requirements for that tenant's building.

The existing site includes about 4.8 acres (77%) of impervious area when you include the former hotel building. There are about 1.4 acres (23%) of green space.

In the proposed condition, we will have 3.6 acres (58%) of impervious area and 2.6 acres (42%) of green space. The existing site is very flat and existing stormwater systems are very shallow. This has made it very difficult to site buildings and grade the parking areas to provide stormwater treatment. We have proposed to install infiltration basins along the existing road frontages or at the edge of proposed parking areas. Since we have reduced impervious area and since we will be infiltrating most of the stormwater flow from this site, post condition runoff will be significantly reduced with this development.

We are also proposing three buildings with drive-thru lanes or drop off areas. The ability to drive around these buildings and the location of stormwater treatment areas has moved the proposed buildings away from the public streets. We will be working with Frank Cushing to prepare common landscaping plans for these areas, but the building locations and single row of parking in front of one of the buildings will require waivers from some of your ordinance requirements.

The project is located in the CC District and is subject to the Cooks Corner Design Standards. It is expected that the maximum setback for buildings from Gurnet Road will be 25' under your ordinance requirements. This maximum setback will also apply to the proposed Public Road that will abut this project on the north. The buildings shown on Pad Sites 1 & 2 are set back 46' and the building on Pad Site 4 is set back 70' from Gurnet Road. There is a single row of parking shown between the proposed Public Road and the building shown on Pad Site 2 and the building shown on Pad Site 3 is set back about 35' from the proposed right of way for the Public Road.

This layout was driven by preservation of some of the mature landscaping along Gurnet Road, providing access to the abutting property owned by W.G. LLC, vehicle access for drive-thru lanes, access to the drop off lane for the Goodwill building, and providing space for infiltration basins. Along the proposed Public Road, we attempted to fit the proposed improvements within the current driveway easements and still provide space for the proposed Public Road that is currently being designed.

February 24, 2014
Jeremy Doxsee, AICP
RE: The Plaza at Cooks Corner
Page 4

A very small portion of the property along Perryman Drive may be subject to requirements of the Natural Resource Protection Zone. No development is proposed in this area. There are no wetland areas on the property. The property is not located in an Aquifer Protection Zone or a Flood Hazard Area. There are no known historic or archeological sites and no wildlife areas of significance.

We have attached the Sketch Plan Application and several graphics prepared from the USGS Map, Tax Map, Zoning Map, USDA Soils Map and Flood Map. I hope you will find this information acceptable to process our request for Sketch Plan review. Please let me know if you have any questions or need additional information. I look forward to your review.

Respectfully Yours,

STONEBROOK CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read "Michael F. Gotto", with a long horizontal flourish extending to the right.

Michael F. Gotto

cc: George Schott

**MAJOR DEVELOPMENT REVIEW
SKETCH PLAN APPLICATION**

1. Project Name: Atrium Hotel Redevelopment

2. Project Applicant
Name: Just Because, LLC
Address: P.O. Box 9340
Auburn, ME 04210
Phone Number: (207) 786-2977

3. Authorized Representative
Name: Mike Gotto - Stoneybrook Consultants
Address: 456 Buckfield Road
Turner, ME 04282
Phone Number: (207) 514-7491

3. List of Design Consultants. Indicate the registration number, address and phone number of any engineer, surveyor, architect, landscape architect or planner used:

1. Bill Peterlein, PE #5787 - Summit Geoen지니어ing, P.O. Box 7216, Lewiston, ME 04243
2. William Bray, PE #4007 - 235 Bancroft Street, Portland, ME 04102
3. Michael Hartman, PLS #2433 - Jones Associates, Inc., 63 Tucker Lane, Poland, ME 04274
Michael Deyling, CG #270 - Summit Environmental Consultants, 640 Main Street, Lewiston, ME 04240

5. Physical location of property being affected: 21 Gurnet Road

6. Lot Size: 9.5 acres

7. Zoning District: CC

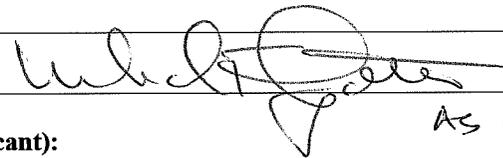
8. Indicate the interest of the applicant in the property and abutting property. For example, is the applicant the owner of the property and abutting property? If not, who owns the property subject to this application? Owner

9. Assessor's Tax Map CC1 Lot Number 30 & 43 of subject property.

10. Brief description of proposed use: See attached Cover Letter.

11. Describe specific physical improvements to be done: See attached Cover Letter.

Owner Signature: _____

Applicant Signature (if different):  AS AGENT

Required Attachments (by Applicant):

- Sketch Plan Check List
- Sketch Plan Requirements for Open Space Developments (if applicable)
- Request for Waivers (if applicable)
- Required Copies of Sketch Plan

Required Attachment (by Planning and Development Department):

- Listing of all owners of property within 200-foot radius of property under review.

SKETCH PLAN REQUIREMENTS

Key: "O"= omit; "S"=submit; "NA"=not applicable; "W" = waiver; "P"=pending

Item	O	S	NA	W	P	Comments
Indicate Variances Granted						
Indicate Special Permits						
Indicate Special Exceptions						
Date, north point, scale		✓				
Land area, existing use of the property, location of proposed development, locations reserved for future development		✓				
Tentative rights-of-way locations, lot lines, lot numbers, lot areas		✓				
Estimated soil boundary locations from the Soil Conservation Service Medium Intensity Soil Survey noting areas of severe and very severe soil limitations		✓				
Existing natural, topographical, and cultural features including areas of steep slopes, bedrock outcrops, ponds, streams, aquifers, and other water bodies, wetlands, groundwater recharge areas, slumps, flood hazard areas, trees, and other vegetation, excavation sites, stone walls, net site area, historic and archeological sites, structures, or districts, and any other pertinent features.		✓				
Tentative locations of proposed structures, owners of existing structures, and neighboring land uses		✓				
Special conservation and recreation areas			✓			
Location map		✓				
Zoning information, including the zoning district(s) in which the property is located and the location of any overlay zones depicted on the plan.		✓				
Any conditions imposed by previous development on the site.			✓			
Other information Planning Board/Staff Review Committee deems necessary to conduct an informed review.						
Letter of consent signed by property owner authorizing the development review application in cases where applicant is not the owner of the property.			✓			
Application Fee		✓				
For Open Space Developments, sketch plan design review requirements indicated in Section 308.1			✓			
Open Space Development: Request for Bonus Density			✓			

**Just Because LLC
P.O. Box 9340
Auburn, ME 04210**

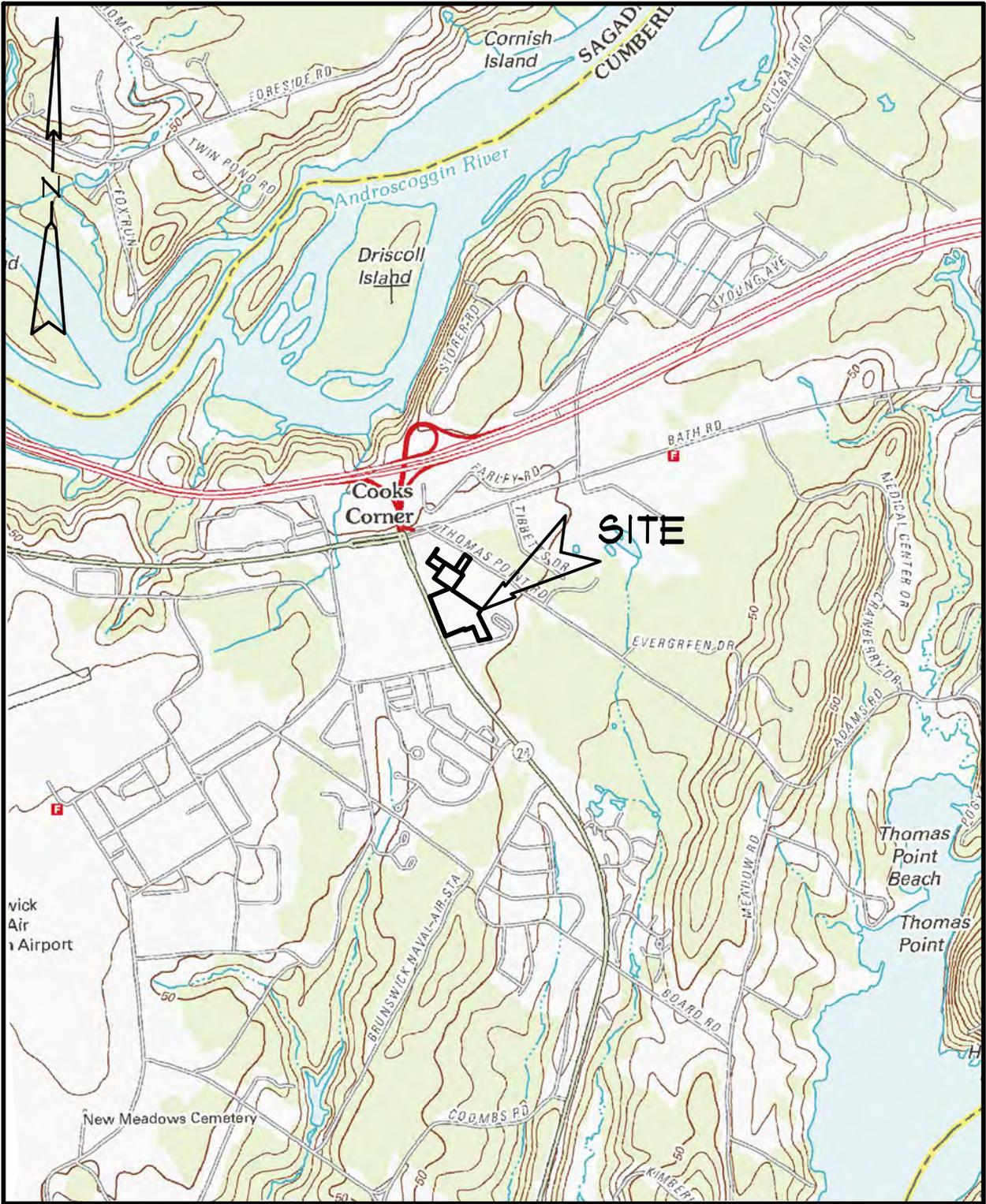
To Whom It May Concern:

The signature below authorizes Stoneybrook Consultants, Inc. and William Bray, P.E. to act as the applicant's agents in the processing of the enclosed application.



for Just Because LLC, applicant
GEORGE SCHOTT, MEMBER

(print name, title)



USGS LOCATION MAP

THE PLAZA AT COOKS CORNER - BRUNSWICK

OWNER: JUST BECAUSE, LLC

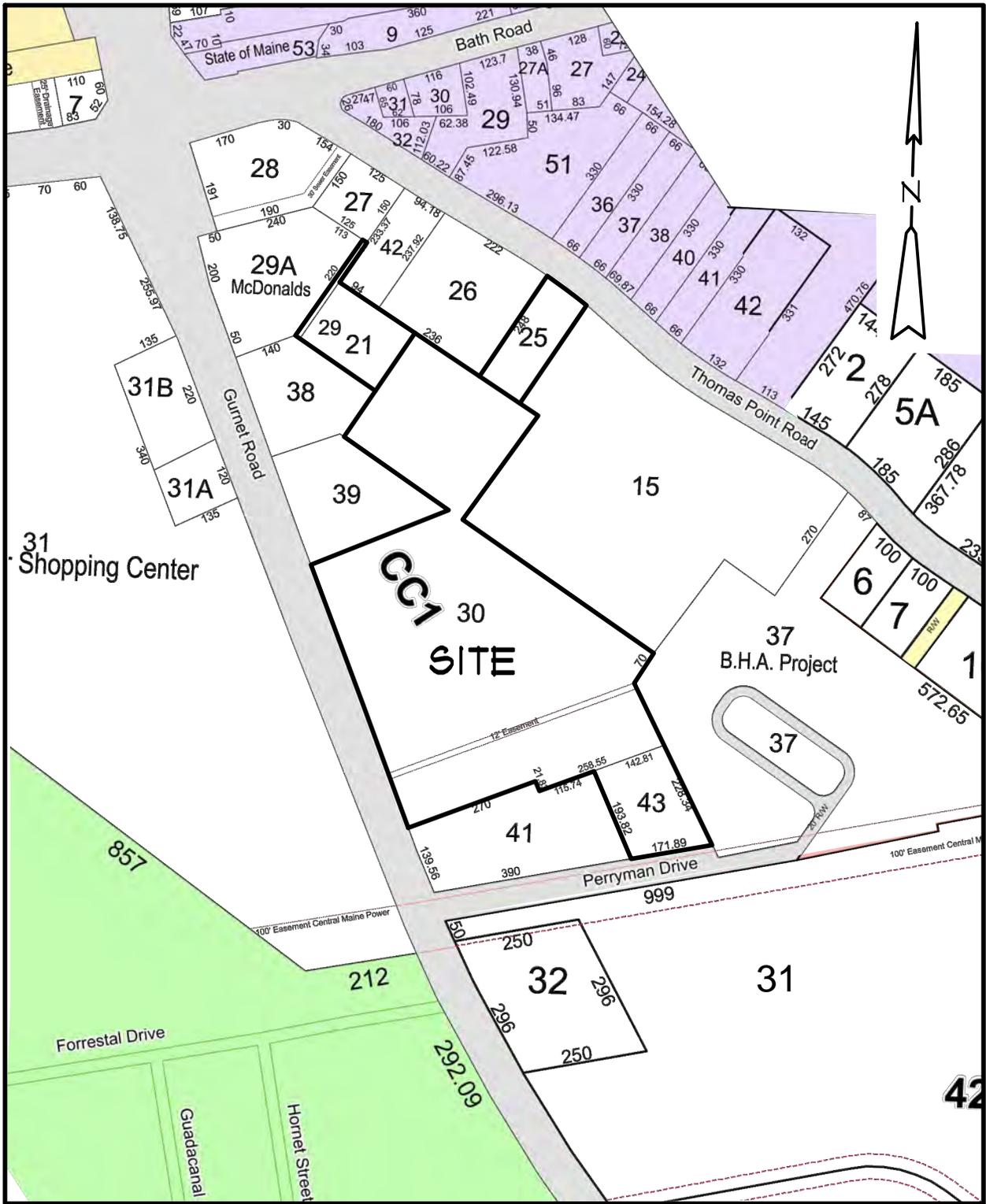
SCALE: 1" = 2,000'

DATE OF GRAPHIC: DECEMBER 12, 2013

SOURCE: MAINE OFFICE OF GIS

ORIGINAL PUBLICATION DATE: 1967

Stoneybrook
Consultants, Inc.



TAX MAP

THE PLAZA AT COOKS CORNER - BRUNSWICK

OWNER: JUST BECAUSE, LLC

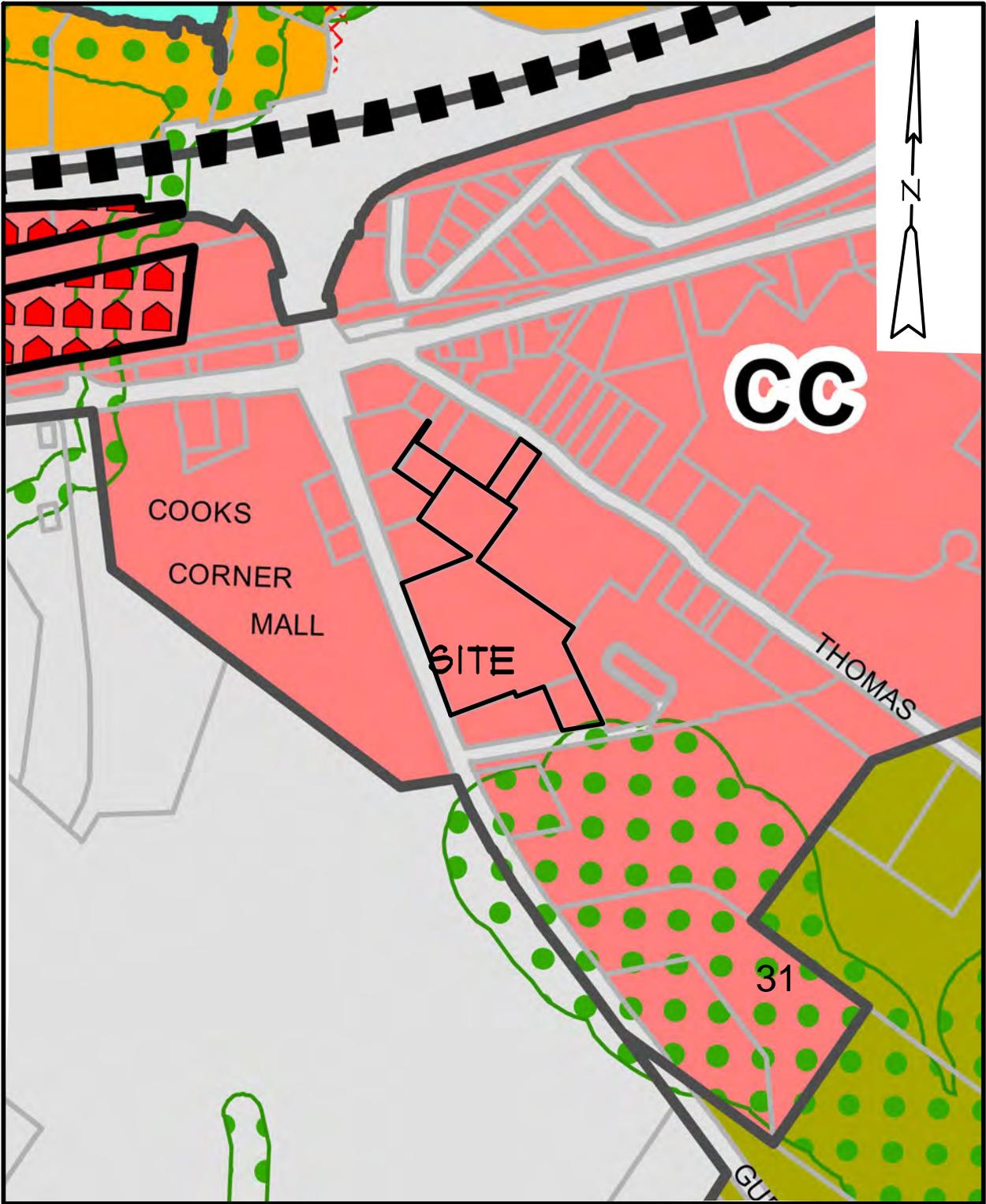
SCALE: 1" = 300'±

DATE OF GRAPHIC: DECEMBER 12, 2013

SOURCE: TOWN OF BRUNSWICK

PUBLICATION DATE: APRIL 1, 2012

Stoneybrook
Consultants, Inc.



ZONING MAP

THE PLAZA AT COOKS CORNER - BRUNSWICK
 OWNER: JUST BECAUSE, LLC
 SCALE: 1" = 600'±
 DATE OF GRAPHIC: DECEMBER 12, 2013
 SOURCE: TOWN OF BRUNSWICK
 PUBLICATION DATE: 2013

Stoneybrook
 Consultants, Inc.



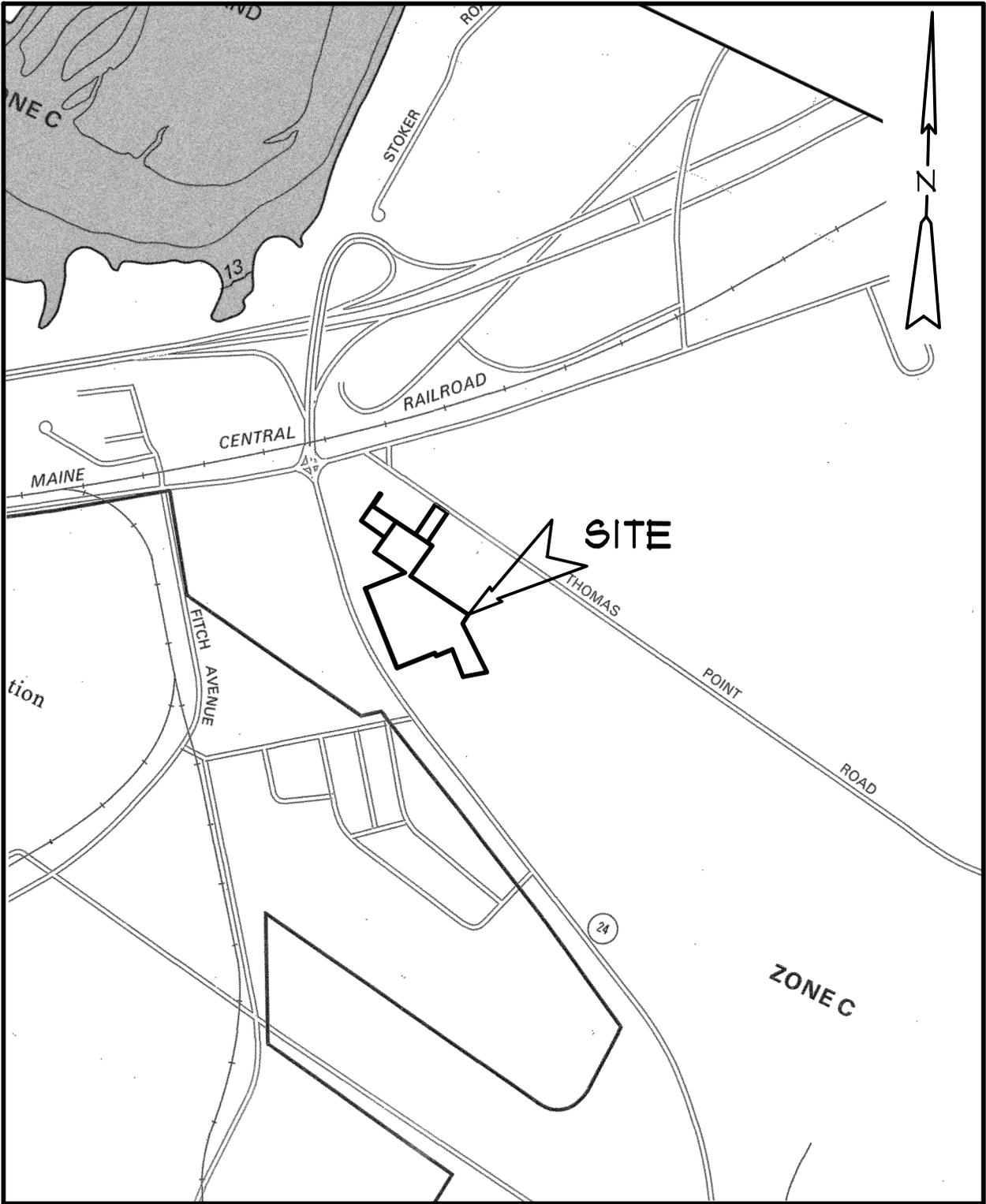
SOILS LEGEND

Au	AU GRES LOAMY SAND
DeB	DEERFIELD LOAMY SAND, 3 TO 8 PERCENT SLOPES
Wa	WALPOLE FINE SANDY LOAM
WmB	WINDSOR LOAMY SAND, 0 TO 8 PERCENT SLOPES

SOILS MAP

THE PLAZA AT COOKS CORNER - BRUNSWICK
 OWNER: JUST BECAUSE, LLC
 SCALE: 1" = 300'
 DATE OF GRAPHIC: DECEMBER 12, 2013
 SOURCE: USDA NRCS
 PUBLICATION DATE: NOVEMBER 27, 2013

*Stoneybrook
 Consultants, Inc.*



FLOOD MAP

THE PLAZA AT COOKS CORNER - BRUNSWICK
OWNER: JUST BECAUSE, LLC
SCALE: 1" = 1,000'
DATE OF GRAPHIC: DECEMBER 12, 2013
SOURCE: FEMA
PUBLICATION DATE: JANUARY 3, 1986

Stoneybrook
Consultants, Inc.

QUITCLAIM DEED WITHOUT COVENANT

BO-ED, INC, a Maine corporation with a mailing address of 21 Gurnet Road, Brunswick, Maine ("Grantor"), FOR CONSIDERATION PAID does hereby give, grant, bargain, sell and convey unto **JUST BECAUSE, LLC**, a Maine limited liability company having a mailing address of P.O. Box 9340, Auburn, Maine 04210 ("Grantee"), its successors and assigns forever, certain parcels of land and any buildings and improvements thereon situated in the Town of Brunswick, County of Cumberland, State of Maine, more particularly described on Exhibit A attached hereto and made a part thereof.

The property herein described is subject to, and benefited by, as the case may be, all utility easements which serve the premises; other easements, covenants, conditions and restrictions of record affecting the premises.

This Deed is given in Lieu of Foreclosure by the Grantee, said foreclosure having been commenced by Power of Sale under Mortgage as described in the Mortgagee's Sale of Real Estate and Notice of Secured Party's Sale of Personal Property dated May 25, 2007 recorded in the Cumberland County Registry of Deeds at Book 25136, Page 39, the rights of said mortgagee thereunder having been assigned to the Grantee by Assignment from Androscoggin Savings Bank to the Grantee dated near or even date herewith to be recorded prior hereto in the Cumberland County Registry of Deeds

IN WITNESS WHEREOF, BO-ED, INC. has caused this instrument to be executed by Robert A. Rosenthal, its President, duly authorized as of this 16th day of July, 2008.

Witness:

Name:

MICHAEL A. FABONE

BO-ED, INC.

By:

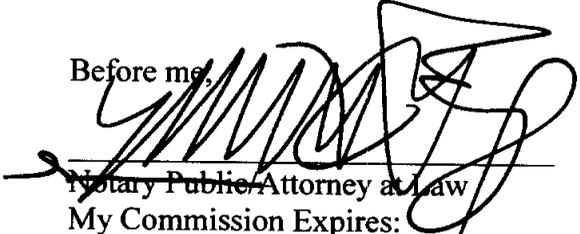
Name: ROBERT A. ROSENTHAL
Its PRESIDENT

State of Maine
County of Cumberland

July 16, 2008

Personally appeared before me the above-named ROBERT A. ROSENTHAL,
PRESIDENT of BO-ED, INC. as aforesaid and acknowledged the foregoing
instrument to be his free act and deed in his said capacity and the free act and deed of BO-ED,
INC.

Before me,



Notary Public/Attorney at Law

My Commission Expires:

Print Name: MICHAEL A. FAGONE

EXHIBIT A

Atrium Motel Parcel:

A certain lot or parcel of land situated in the Town of Brunswick, County of Cumberland, State of Maine, together with any improvements thereon, situated on the northeasterly side of State Route 24, also known as the Gurnet Road, the boundaries of which are more particularly described as follows:

Beginning at a point in the northeasterly line of State Route 24 which lies South 22° 39'29" East 125.00 feet from the southwesterly corner of the parcel of land described in the conveyance to Motel Services, Inc., by deed recorded in Book 8567, Page 215 in the Cumberland County Registry of Deeds, said point of beginning being the southwesterly corner of the parcel of land described in the lease to Conifer Industries, Inc. dated December 31, 1992, and recorded in the Cumberland County Registry of Deeds in Book 10527, Page 110;

Thence North 67° 20'30" East 284.54 feet along the southeasterly line of the parcel of land described in the lease to said Conifer Industries, Inc. to the southwesterly line of the parcel of land described in the conveyance to Bo-Ed, Inc., by deed recorded in Book 3733, Page 347 in the Cumberland County Registry of Deeds;

Thence South 57° 13'33" East 513.94 feet in part along the southwesterly line of the parcel of land of Bo-Ed, Inc., described in said deed recorded in Book 3733, Page 347, and in part along the southwesterly line of the parcel of land of Theatricks, Inc., to the northwesterly line of the first parcel of land described in the conveyance to Brunswick Housing Authority, by deed recorded in the Cumberland County Registry of Deeds in Book 3164, Page 445;

Thence South 39° 01'40" West 71.24 feet along the northwesterly line of the said parcel of land of said Brunswick Housing Authority;

Thence South 29° 07'29" East 134.22 feet along the southwesterly line of the parcel of land of said Brunswick Housing Authority;

Thence South 67° 20'30" West 258.55 feet along the northwesterly line of a parcel of land of Bo-Ed, Inc. being a portion of the second parcel described in the deed recorded in the Cumberland County Registry of Deeds in Book 4730, Page 67, to the northeasterly line of the first parcel of land described in the said deed to Bo-Ed, Inc., by deed recorded in the Cumberland County Registry of Deeds in Book 4730, Page 67;

Thence North 22° 39'29" West 21.83 feet along said northeasterly line of the parcel of land of said Bo-Ed, Inc., to the northeasterly corner of said parcel of land at or near an existing (1995), one inch diameter galvanized pipe;

Thence South 67° 20'30" West 270.00 feet along the northwesterly line of the first parcel of land

described in the deed to Bo-Ed, Inc., by deed recorded in the Cumberland County Registry of Deeds in Book 4730, Page 67, to the northeasterly line of State Route 24;

Thence northwesterly along the arc of a curve along the northeasterly line of State Route 24 a distance of 4.28 feet through a central angle of $0^{\circ} 04'36''$, to the tangent point of said curve forming the northeasterly line of State Route 24;

Thence North $22^{\circ} 39'29''$ West 564.25 feet along the northeasterly line of State Route 24 to the point of beginning.

Parking Parcel:

Also, another certain lot or parcel of land situated in the Town of Brunswick, County of Cumberland, State of Maine, situated northeasterly of State Route 24, also known as the Gurnet Road, the boundaries of which are more particularly described as follows:

Commencing at a point in the northeasterly line of State Route 24 which lies South $22^{\circ} 39'29''$ East 125.00 feet from the southwesterly corner of the parcel of land described in the conveyance to Motel Services, Inc., by deed recorded in the Cumberland County Registry of Deeds in Book 8567, Page 215, said point of commencement being the southwesterly corner of the parcel of land described in the lease to Conifer Industries, Inc.;

Thence North $67^{\circ} 20'30''$ East 284.54 feet along the southeasterly line of the parcel of land described in the lease to said Conifer Industries, Inc.;

Thence South $57^{\circ} 13'33''$ East 42.51 feet to the point of beginning of the parcel herein described;

Thence from said point of beginning North $34^{\circ} 42'09''$ East 247.64 feet to the southeasterly line of the parcel of land described in the conveyance to Andrew B. Rosenthal by deed recorded in the Cumberland County Registry of Deeds in Book 8264, Page 56, now land of Theatricks, Inc.;

Thence North $57^{\circ} 13'33''$ West 287.99 feet along the southwesterly line of the parcel of lands of said Andrew B. Rosenthal, of Harry McNelley and Laurie McNelley, which they took by deeds recorded in the Cumberland County Registry of Deeds in Book 9360, Page 91, and David McCrater, which he took by deed recorded in the Cumberland County Registry of Deeds in Book 4520, Page 205;

Thence South $34^{\circ} 42'09''$ West 247.64 to the northeasterly line of the parcel of land described in the conveyance to Motel Services, Inc., by deed recorded in the Cumberland County Registry of Deeds in Book 8567, Page 215;

Thence South $57^{\circ} 13'33''$ East 287.99 feet along the northeasterly line of the parcel of land described in said conveyance to Motel Services, Inc., and the parcel of land described in the lease to Conifer Industries, Inc. to the point of beginning.

Together with a permanent easement for the purposes of access, ingress and egress by foot and motor vehicle to and from the Thomas Point Road, so-called, in common with others together with the rights to enter, to clear, maintain and repair said access easement, over and across the parcel of land labeled "Access Easement, Theatricks, Inc. to Bo-Ed, Inc.," on the herein referenced easement plan.

Shared Easements:

Subject to and with the benefit of an Amended Reciprocal Easements Agreement dated July 31, 1997, and recorded in the Cumberland County Registry of Deeds in Book 13254, Page 71 for the purpose of access, ingress and egress by foot and motor vehicle to and from Route 24 and Thomas Point Road, and for the purposes of constructing, maintaining and repairing electric, telephone and propane gas lines and for the purposes of constructing, maintaining and repairing a sign entered into with Theatricks, Inc. together with the rights to enter, to clear, maintain and repair said access easements, over and across parcels of land as shown on a certain plan entitled "Plan of Shared Easements between properties of Theatricks, Inc. Bo-Ed, Inc. and Motel Services, Inc., Thomas Point Road and Route 24 (Gurnet Road), Brunswick, Maine," by Paul H. Ruopp, Jr., RLS, dated 21 March 1995, through June 1, 1995, and recorded in the Cumberland County Registry of Deeds in Plan Book 195, Page 161, and as shown on a certain plan entitled "Plan of Shared Easements Property of Calco, Inc., Motel Services, Inc., Theatricks and Bo-Ed, Inc.," prepared by Paul H. Ruopp, Jr., dated May30, 1997, updated to July 17, 1997, and recorded in the Cumberland County Registry of Deeds in Plan Book 197, Page 348.

McNelley Parcel:

A certain parcel of land situated in the Town of Brunswick, County of Cumberland and State of Maine, situated on the southwesterly side of the Thomas Point Road, at Cooks Corner, the boundaries of which are more particularly located and described as follows:

Commencing in the southwesterly right of way line of the Thomas Point Road, at the northeasterly corner of the parcel of land described in the conveyance to David A. McCrater, deed recorded in the Cumberland County Registry of Deeds in Book 4520, Page 205;

Thence on a bearing oriented to Grid North Maine State Plane Coordinate System West Zone, 1927 NAD, South 56° 15'50" East 96.07 feet along the southwesterly line of the Thomas Point Road to the northwesterly corner of the parcel of land described in the conveyance to Developers Diversified Cooks Corner, LP recorded in the Cumberland County Registry of Deeds in Book 13256, Page 158;

Thence South 32° 46'27" West 239.62 feet along the northwesterly line of the parcel of land described in the said conveyance to Developers Diversified Cooks Corner, LP to the northeasterly line of the parcel of land described in the conveyance to Bo-Ed, Inc., deed recorded in Book 3733, Page 347;

Thence North 57° 13'33" West 96.06 feet along the northeasterly line of the parcel of land described in the conveyance to Bo-Ed, Inc. to the southeasterly corner of the parcel of land described in the said conveyance to David A. McCrater;

Thence North 32° 46'27" East 241.23 feet along the southeasterly line of parcel of land described in the said conveyance to David A. McCrater to the point of beginning.

Williams Parcel and p/o Oravetz Parcel:

A certain parcel of land situated in the Town of Brunswick, County of Cumberland, State of Maine, situated on the northeasterly side of the Gurnet Road, but not adjacent thereto, at Cooks Corner, the boundaries of which are more particularly located and described as follows:

Commencing in the northeasterly right of way line of the Gurnet Road, also known as State Route 24, at the southwesterly corner of the parcel of land described in the conveyance to McDonalds Corporation, deed recorded in the Cumberland County Registry of Deeds in Book 3368, Page 26, at or near an existing 1-1/2 inch diameter iron pipe;

Thence on a bearing oriented to Grid North Maine State Plane Coordinate System West Zone, 1927 NAG, North 67° 15'42" East 140.63 feet along the southerly line of the parcel of land described in said deed to McDonalds to the point of beginning, an existing 3/4-inch diameter iron pipe;

Thence North 34° 18'50" East 133.48 feet along the southeasterly line of the parcel of land described in the said conveyance to McDonalds Corporation, to an existing 5/8-inch diameter reinforcing bar with a cap inscribed Owen Haskell, PLS;

Thence North 31° 52'34" East 86.26 feet along the southeasterly line of the parcel of land described in the said conveyance to McDonalds Corporation to an existing 1/2-inch diameter iron pipe at the southwesterly line of the parcel of land described in the conveyance to Prompto, Inc. deed recorded in the Cumberland County Registry of Deeds in Book 8252, Page 135;

Thence South 60° 27'33" East 11.47 feet along the southwesterly line of the parcel of land described in the said conveyance to Prompto, Inc., to an existing 1/2-inch diameter iron pipe in the northeasterly line of the parcel of land described in the conveyance to David A. McCrater, and recorded in the Cumberland County Registry of Deeds in Book 4520, Page 205;

Thence South 33° 37'19" West 97.67 feet along the northwesterly line of said parcel of land of David A. McCrater to the southwesterly corner of the said parcel of land described in the said conveyance to David A. McCrater at northwesterly corner of the parcel of land described in the conveyance to Theatricks, Inc., deed recorded in the Cumberland County Registry of Deeds in Book 12189, Page 36;

Thence South 57° 13'33" East 185.43 feet along the southeasterly line of said parcel of land of David A. McCrater to the northwesterly corner of the parcel of land described in the conveyance to Bo-Ed, Inc. deed recorded in Book 3970, Page 218;

Thence South 34° 42'09" West 129.25 feet along the northwesterly line of the parcel of land described in the said conveyance to Bo-Ed, Inc., to the northeasterly line of the parcel of land described in the conveyance to Developers Diversified Cooks Corner, LP, deed recorded in the Cumberland County Registry of Deeds in Book 13765, Page 212;

Thence North 55° 17'51" West 193.43 feet along the northeasterly line of the said parcel of land described in the conveyance to Developers Diversified Cooks Corner, LP to the point of beginning.

Received
Recorded Register of Deeds
Jul 17, 2008 01:35:05P
Cumberland County
Pamela E. Lovley

QUITCLAIM DEED WITHOUT COVENANT

W. G., LLC, a Maine limited liability company with a mailing address of 21 Gurnet Road, Brunswick, Maine ("Grantor"), FOR CONSIDERATION PAID does hereby give, grant, bargain, sell and convey unto **JUST BECAUSE, LLC**, a Maine limited liability company having a mailing address of P.O. Box 9340, Auburn, Maine 04210 ("Grantee"), its successors and assigns forever, a certain parcel of land situated in the Town of Brunswick, County of Cumberland, State of Maine, situated on the northeasterly side of the Gurnet Road, at Cooks Corner, the boundaries of which are more particularly located and described as follows:

Beginning in the northwesterly right of way line of Perryman Drive North 78° 36' 03" East 390.00 feet from the intersection of the northeasterly right of way line of the Gurnet Road, also known as State Route 24, at the intersection with the northwesterly right of way limits of Perryman Drive;

Thence on a bearing oriented to Grid North Maine State Plane Coordinate System West Zone, 1927 NAD. North 78° 36' 03" East 171.89 feet along the northerly right of way line of said Perryman Drive to the southwesterly line of the parcel of land described in the conveyance to the Brunswick Housing Authority, deed recorded in Book 3164, Page 445 in the Cumberland County Registry of Deeds;

Thence North 29° 07' 29" West 228.34 feet along the southwesterly line of the said parcel of land of the Brunswick Housing Authority;

Thence South 67° 20' 30" West 142.81 feet along other land of Bo-Ed, Inc., Atrium Motel parcel;

Thence South. 22° 39' 30" East 193.82 feet through land of W.G., LLC to the point of beginning. Containing 0.75 acres.

The property described above is subject to, and benefited by, as the case may be, all utility easements which serve the premises; other easements, covenants, conditions and restrictions of record affecting the premises.

Being a portion of the property conveyed to the Grantor by deed from BO-ED, Inc. dated May 30, 2002 and recorded in the Cumberland County Registry of Deeds in Book 17684, Page 93.

This Deed is given in Lieu of Foreclosure by the Grantee, said foreclosure having been commenced by Power of Sale under Mortgage as described in the Mortgagee's Sale of Real Estate dated May 25, 2007 recorded in the Cumberland County Registry of Deeds at Book 25136, Page 45, the rights of said mortgagee thereunder having been assigned to the Grantee by Assignment from Androscoggin Savings Bank to the Grantee dated near or even date herewith to be recorded prior hereto in the Cumberland County Registry of Deeds

IN WITNESS WHEREOF, W.G., LLC has caused this instrument to be executed by Robert A. Rosenthal, its Manager, duly authorized as of this 16th day of July, 2008.

Witness:

Rona Rosenthal
Name:

W.G., LLC

By:

Robert A. Rosenthal
Robert A. Rosenthal
Its Manager

State of Maine
County of Cumberland

July 16, 2008

Personally appeared before me the above-named Robert A. Rosenthal, Manager, of W.G., LLC as aforesaid and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of W.G., LLC.

Before me,

Michael A. Fasone
Notary Public/Attorney at Law
My Commission Expires:

Print Name: Michael A. Fasone

Received
Recorded Register of Deeds
Jul 17, 2008 01:37:29P
Cumberland County
Pamela E. Lovley

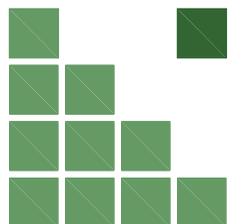


Goodwill - Rte 24 View Brunswick, Maine

JAMES HERRICK
ARCHITECT

47 Main Street
Topsham, Maine 04086

(207) 729-4177



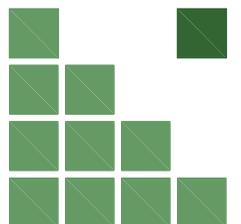


Goodwill - Parking Lot View Brunswick, Maine

JAMES HERRICK
ARCHITECT

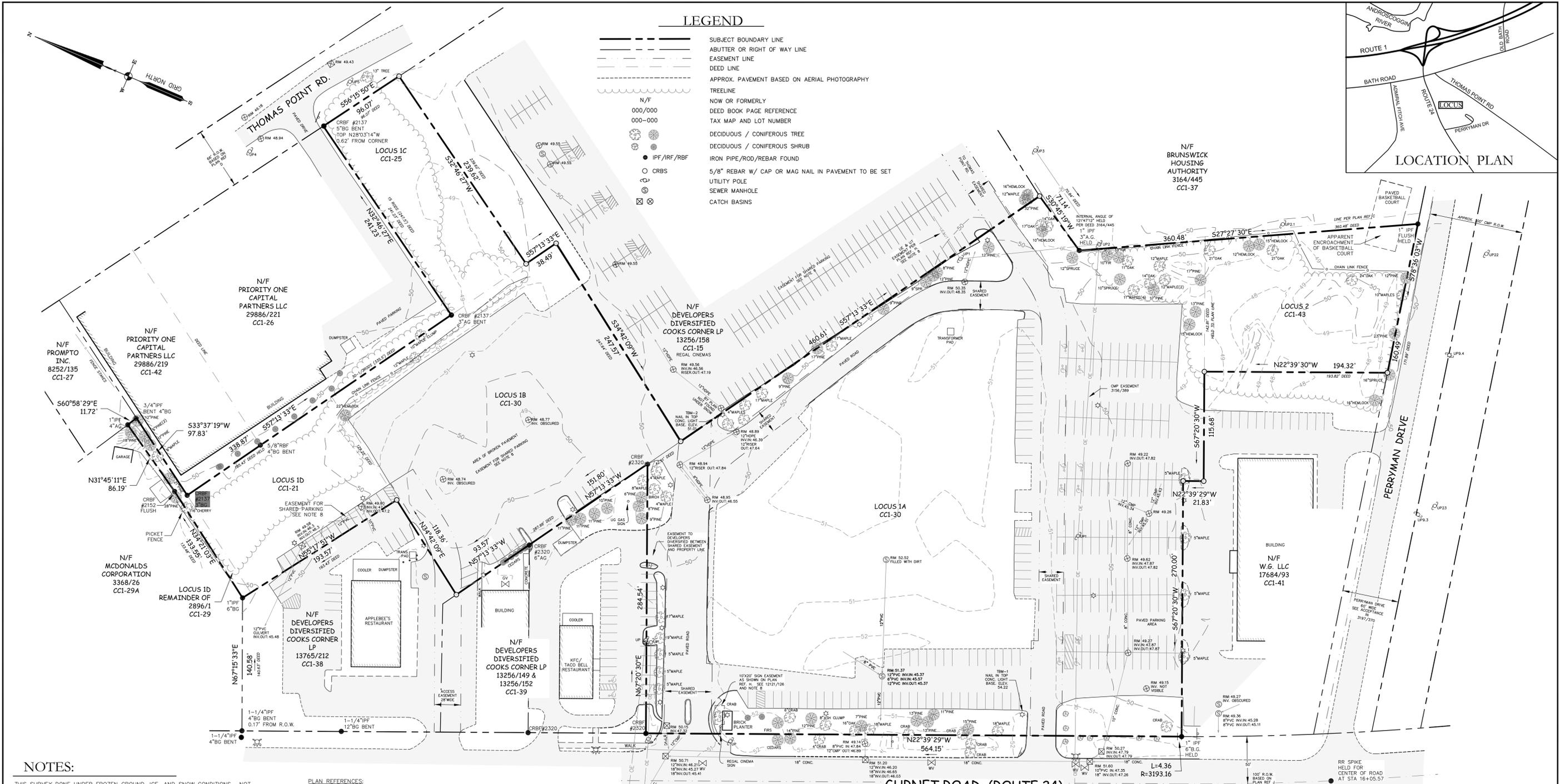
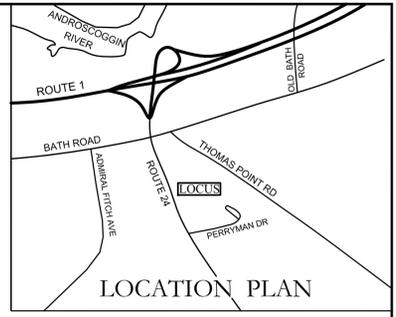
47 Main Street
Topsham, Maine 04086

(207) 729-4177



LEGEND

- SUBJECT BOUNDARY LINE
- ABUTTER OR RIGHT OF WAY LINE
- EASEMENT LINE
- DEED LINE
- APPROX. PAVEMENT BASED ON AERIAL PHOTOGRAPHY
- TREELINE
- NOW OR FORMERLY
- DEED BOOK PAGE REFERENCE
- TAX MAP AND LOT NUMBER
- DECIDUOUS / CONIFEROUS TREE
- DECIDUOUS / CONIFEROUS SHRUB
- IRON PIPE/ROD/RBF
- CRBS
- UTILITY POLE
- SEWER MANHOLE
- CATCH BASINS

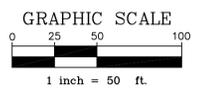


NOTES:

THIS SURVEY DONE UNDER FROZEN GROUND, ICE, AND SNOW CONDITIONS. NOT ALL FEATURES WERE VISIBLE OR COULD BE LOCATED DUE TO WINTER CONDITIONS. THIS SITE SHOULD BE VISITED WHEN THE GROUND IS OPEN TO VERIFY EXISTING CONDITIONS.

- RECORD OWNER: JUST BECAUSE, LLC
- PARCEL DEED REFERENCE, LOCUS #1 SEE DEED FROM BO-ED, INC TO JUST BECAUSE, LLC DATED JULY 16, 2008, RECORDED AT THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS IN BOOK 26210, PAGE 139. LOCUS #2 SEE DEED FROM W. G. LLC TO JUST BECAUSE, LLC DATED JULY 16, 2008 RECORDED AT SAID REGISTRY IN BOOK 26210, PAGE 146.
- ALL BOOK AND PAGE REFERENCES REFER TO THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
- PARCEL TAX MAP REFERENCE: TOWN OF BRUNSWICK
 - LOCUS 1A MAP CCI, LOT 30
 - LOCUS 1B MAP CCI, LOT 30
 - LOCUS 1C MAP CCI, LOT 25
 - LOCUS 1D MAP CCI, LOT 21 & LOT 29
 - LOCUS 2 MAP CCI, LOT 43
- TOTAL AREA OF PARCEL 9.50 ACRES.
- ALL BEARINGS ARE REFERENCED TO MAINE STATE PLANE GRID NORTH BASED ON PLAN REF. D
- ELEVATIONS SHOWN ARE TIED TO NAVD 88 BY GPS OPUS OBSERVATIONS.
- SHARED EASEMENTS SHOWN HEREON BASED ON PLAN REF. E & H AS WELL AS RECIPROCAL EASEMENTS AGREEMENT FOUND IN 12121/98, AND 13254/71. SEE ALSO EASEMENTS FOUND IN 11953/196, 12121/126, 12136/113, 13254/116, 13254/122, 13254/126, 13254/128, 13254/130, AND 13254/134.
- THE LOCATION, SIZE, AND DEPTH OF UNDERGROUND UTILITY LINES, TANKS, AND OR STRUCTURES (INCLUDING SUBSURFACE WASTEWATER DISPOSAL SYSTEMS) NOT DETERMINED BY THIS SURVEY. UNDERGROUND UTILITIES SHOWN BASED ON EVIDENCE OBSERVABLE AT THE TIME OF THIS SURVEY.

- PLAN REFERENCES:**
- BOUNDARY SURVEY PLAN OF LAND OF PRIORITY ONE CAPITAL PARTNERS, LLC, 14 THOMAS POINT ROAD, BRUNSWICK, MAINE PREPARED BY SITELINES, PA DATED 05-21-2012 REVISED 08-28-2012.
 - ALTA/ACSM LAND TITLE SURVEY, DEVELOPERS DIVERSIFIED COOKS CORNER LP, 17 GURNET ROAD, BRUNSWICK, MAINE MADE FOR CONIFER INDUSTRIES, INC. PREPARED BY TITCOMB ASSOCIATES DATED AUGUST 27, 2007.
 - PLAN OF BOUNDARY SURVEY OF PROPERTY OF BO-ED, INC., WORLD GYM PARCEL, GURNET ROAD, BRUNSWICK, MAINE FOR BO-ED, INC. PREPARED BY PAUL H. RUOPP JR., PLS DATED FEBRUARY 26, 2002 RECORDED IN SAID REGISTRY PLAN BOOK 202, PAGE 351.
 - PLAN OF STANDARD BOUNDARY SURVEY OF PROPERTY OF THEATRICKS, INC., BO-ED, INC., & CALCO, INC., GURNET ROAD (ROUTE 24) & THOMAS POINT ROAD, BRUNSWICK, MAINE FOR DEVELOPERS DIVERSIFIED REALTY CORP., & DEVELOPERS DIVERSIFIED COOKS CORNER LP PREPARED BY PAUL H. RUOPP JR., PLS DATED AUGUST 10, 1997 RECORDED IN SAID REGISTRY PLAN BOOK 197, PAGE 347.
 - PLAN OF SHARED EASEMENTS PROPERTY OF CALCO, INC., MOTEL SERVICES, INC., THEATRICKS, INC., & BO-ED, INC. NEW GURNET ROAD, ROUTE 24, BRUNSWICK, MAINE FOR CALCO, INC., PREPARED BY PAUL H. RUOPP JR., PLS DATED MAY 30, 1997, REVISED JULY 17, 1997 RECORDED IN SAID REGISTRY PLAN BOOK 197, PAGE 348.
 - SITE DEVELOPMENT PLAN APPLEBEE'S GRILL & BAR, COOK'S CORNER, BRUNSWICK, MAINE PREPARED BY SITELINES DATED 4-24-97, REVISION 8 DATED 5-14-97.
 - FINAL PLAN GYM / FITNESS CLUB, BO-ED INC, COOKS CORNER, BRUNSWICK, MAINE PREPARED BY SITELINES DATED 07-28-95.
 - PLAN OF SHARED EASEMENTS BETWEEN PROPERTIES OF THEATRICKS, INC., BO-ED, INC. & MOTEL SERVICES, INC., THOMAS POINT ROAD & ROUTE 24 (GURNET ROAD), BRUNSWICK, MAINE FOR THEATRICKS, INC., BO-ED, INC. PREPARED BY SITELINES, INC. DATED MARCH 28, 1995 REVISED JUNE 1, 1995 RECORDED IN SAID REGISTRY PLAN BOOK 195, PAGE 161.
 - STANDARD BOUNDARY SURVEY ON ROUTE 24, BRUNSWICK, MAINE MADE FOR MCDONALD'S CORPORATION PREPARED BY OWEN HASKELL, INC. DATED APRIL 26, 1993.
 - MDOT RIGHT OF WAY MAP STATE AID HIGHWAY NO. 10, BRUNSWICK, CUMBERLAND COUNTY, FEDERAL AID PROJECT NO. M-3055(3) DATED MARCH 1983.



GURNET ROAD (ROUTE 24)

CERTIFICATION:

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY CONFORMS TO THE STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, STANDARDS OF PRACTICE (CHAPTER 90, SECTIONS 1 & 2).

Michael A. Hartman

MICHAEL A. HARTMAN, P.L.S. #2433
FOR JONES ASSOCIATES INC.



REVISIONS		
NO.	DATE	DESCRIPTION
1.	01-21-14	ADD SEWER & DRAIN INFO, EASEMENTS REV.

PLAN OF LAND OF
FORMER ATRIUM HOTEL SITE
GURNET ROAD
BRUNSWICK, MAINE

PREPARED FOR RECORD OWNER: **JUST BECAUSE LLC**
P.O. BOX 9340
AUBURN, ME 04210

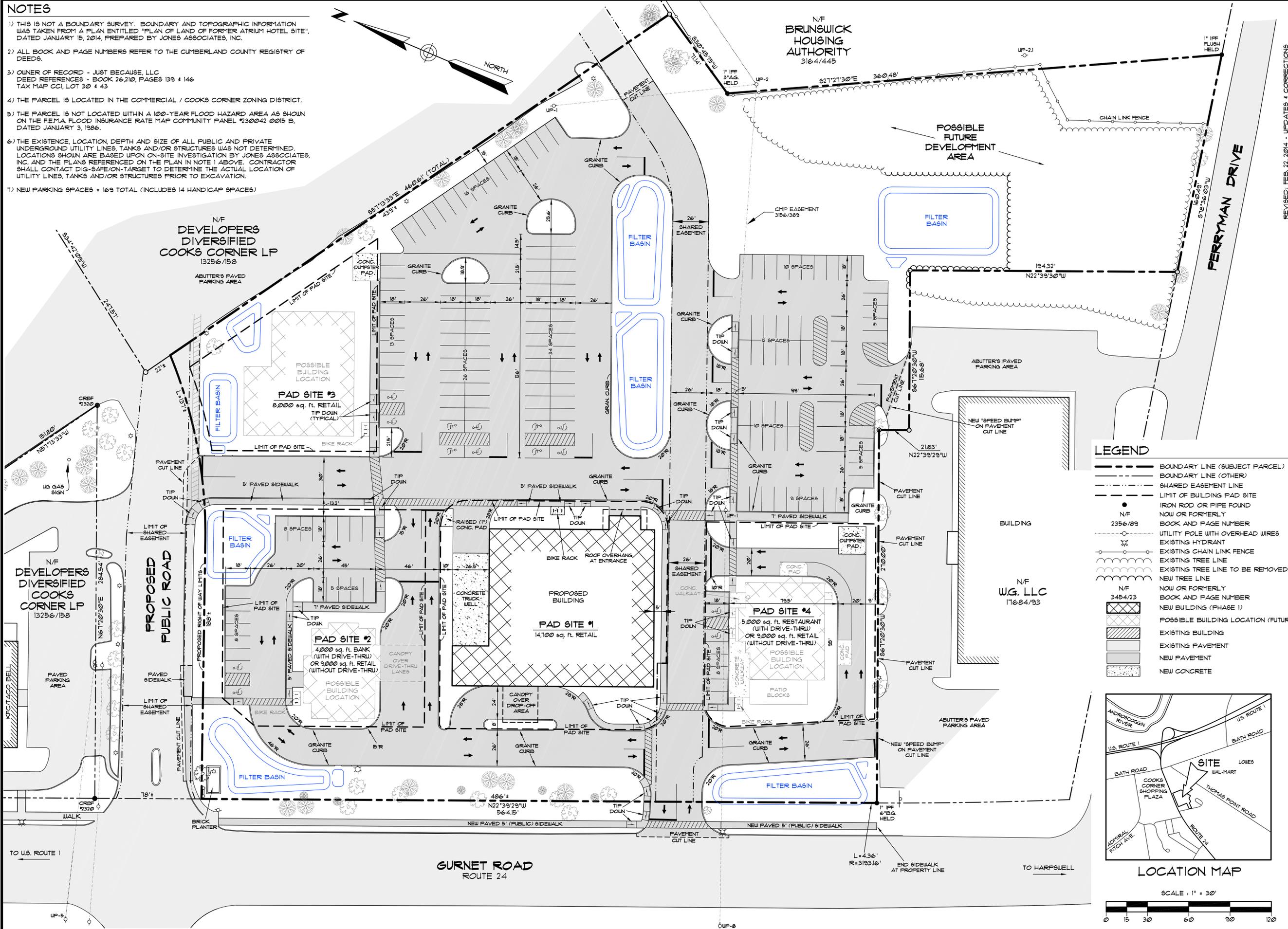
PREPARED BY: **JONES ASSOCIATES INC.**
Foresters, Surveyors And Environmental Consultants

PLAN DATE: 01-15-2014
REVISED: 01-21-2014
SCALE: 1"=50'
PROJ. #: 13-070

63 TUCKER LANE, POLAND SPRING, MAINE 04274
(207) 996-3242

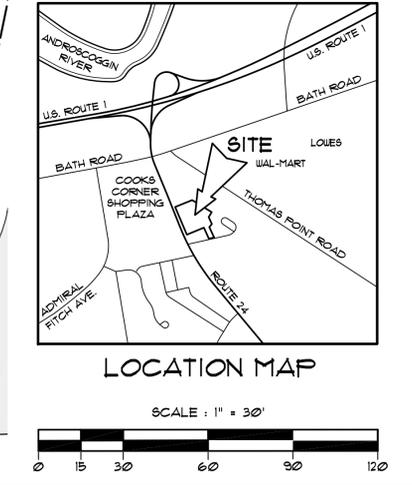
NOTES

- 1) THIS IS NOT A BOUNDARY SURVEY. BOUNDARY AND TOPOGRAPHIC INFORMATION WAS TAKEN FROM A PLAN ENTITLED "PLAN OF LAND OF FORMER ATRIUM HOTEL SITE", DATED JANUARY 15, 2014, PREPARED BY JONES ASSOCIATES, INC.
- 2) ALL BOOK AND PAGE NUMBERS REFER TO THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
- 3) OWNER OF RECORD - JUST BECAUSE, LLC
DEED REFERENCES - BOOK 26210, PAGES 133 & 146
TAX MAP CCI, LOT 30 & 43
- 4) THE PARCEL IS LOCATED IN THE COMMERCIAL / COOKS CORNER ZONING DISTRICT.
- 5) THE PARCEL IS NOT LOCATED WITHIN A 100-YEAR FLOOD HAZARD AREA AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL #230042 0015 B, DATED JANUARY 3, 1986.
- 6) THE EXISTENCE, LOCATION, DEPTH AND SIZE OF ALL PUBLIC AND PRIVATE UNDERGROUND UTILITY LINES, TANKS AND/OR STRUCTURES WAS NOT DETERMINED. LOCATIONS SHOWN ARE BASED UPON ON-SITE INVESTIGATION BY JONES ASSOCIATES, INC. AND THE PLANS REFERENCED ON THE PLAN ABOVE. CONTRACTOR SHALL CONTACT DIG-SAFE/ON-TARGET TO DETERMINE THE ACTUAL LOCATION OF UTILITY LINES, TANKS AND/OR STRUCTURES PRIOR TO EXCAVATION.
- 7) NEW PARKING SPACES = 163 TOTAL (INCLUDES 14 HANDICAP SPACES)



LEGEND

	BOUNDARY LINE (SUBJECT PARCEL)
	BOUNDARY LINE (OTHER)
	SHARED EASEMENT LINE
	LIMIT OF BUILDING PAD SITE
	IRON ROD OR PIPE FOUND
	NOW OR FORMERLY
	BOOK AND PAGE NUMBER
	UTILITY POLE WITH OVERHEAD WIRES
	EXISTING HYDRANT
	EXISTING CHAIN LINK FENCE
	EXISTING TREE LINE
	EXISTING TREE LINE TO BE REMOVED
	NEW TREE LINE
	NOW OR FORMERLY
	BOOK AND PAGE NUMBER
	NEW BUILDING (PHASE I)
	POSSIBLE BUILDING LOCATION (FUTURE)
	EXISTING BUILDING
	EXISTING PAVEMENT
	NEW PAVEMENT
	NEW CONCRETE



REVISED: FEB. 22, 2014 - UPDATES & CORRECTIONS
 REVISED: FEB. 19, 2014 - ADD TIP DOWNS & BIKE RACKS
 SHEET TITLE: **SITE PLAN**

PROJECT: **THE PLAZA AT COOKS CORNER**
 21 GURNET ROAD - BRUNSWICK, MAINE
 CLIENT: **JUST BECAUSE, LLC**
 P.O. BOX 9940 - AUBURN, ME 04210

Stoneybrook Consultants, Inc.
 456 Duckfield Road - Turner, Maine 04282
 (207) 514-7491 Voice / (207) 514-7492 Fax

145 LIBBON ST. - SUITE 601 20027 ATLANTIC HIGHWAY
 LEWISTON, ME 04240
 Tel: (207) 516-3313

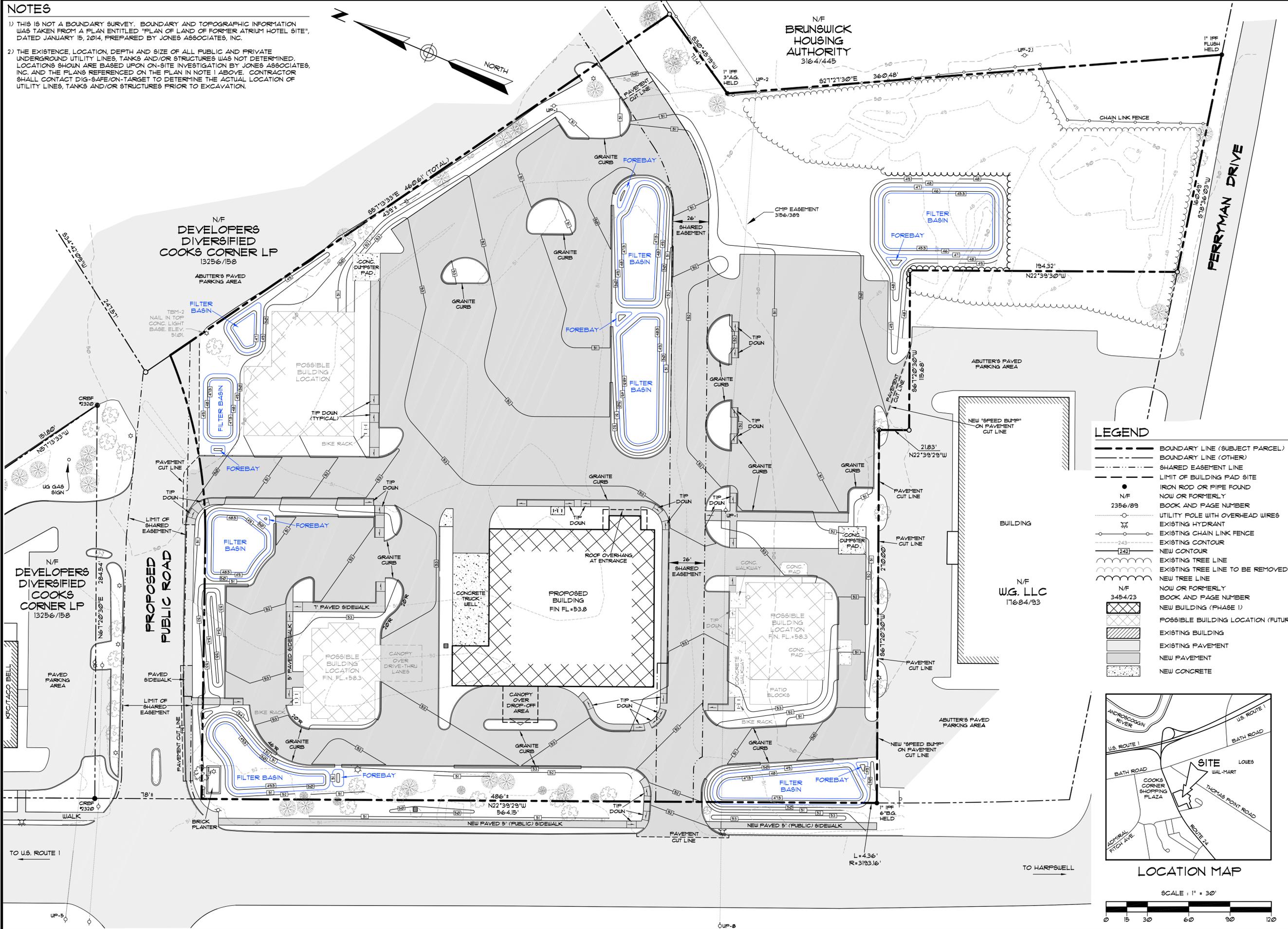
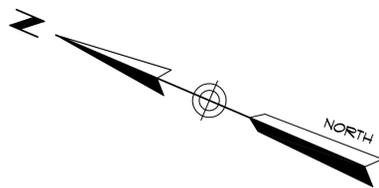
SUMMIT
 GEOENGINEERING SERVICES

STATE OF MAINE
 WILLIAM M. PETERLIN
 5787
 LICENSED PROFESSIONAL ENGINEER

JOB NO. - 14017
 SHEET **2**

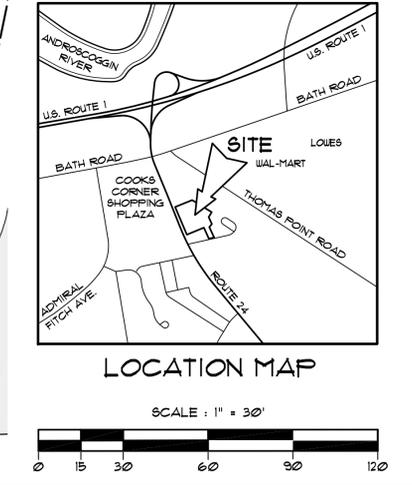
NOTES

- THIS IS NOT A BOUNDARY SURVEY. BOUNDARY AND TOPOGRAPHIC INFORMATION WAS TAKEN FROM A PLAN ENTITLED "PLAN OF LAND OF FORMER ATRIUM HOTEL SITE", DATED JANUARY 15, 2014, PREPARED BY JONES ASSOCIATES, INC.
- THE EXISTENCE, LOCATION, DEPTH AND SIZE OF ALL PUBLIC AND PRIVATE UNDERGROUND UTILITY LINES, TANKS AND/OR STRUCTURES WAS NOT DETERMINED. LOCATIONS SHOWN ARE BASED UPON ON-SITE INVESTIGATION BY JONES ASSOCIATES, INC. AND THE PLANS REFERENCED ON THE PLAN IN NOTE 1 ABOVE. CONTRACTOR SHALL CONTACT DIG-SAFE/ON-TARGET TO DETERMINE THE ACTUAL LOCATION OF UTILITY LINES, TANKS AND/OR STRUCTURES PRIOR TO EXCAVATION.



LEGEND

	BOUNDARY LINE (SUBJECT PARCEL)
	BOUNDARY LINE (OTHER)
	SHARED EASEMENT LINE
	LIMIT OF BUILDING PAD SITE
	IRON ROD OR PIPE FOUND
	NOW OR FORMERLY
	BOOK AND PAGE NUMBER
	UTILITY POLE WITH OVERHEAD WIRES
	EXISTING HYDRANT
	EXISTING CHAIN LINK FENCE
	EXISTING CONTOUR
	NEW CONTOUR
	EXISTING TREE LINE
	EXISTING TREE LINE TO BE REMOVED
	NEW TREE LINE
	NOW OR FORMERLY
	BOOK AND PAGE NUMBER
	NEW BUILDING (PHASE 1)
	POSSIBLE BUILDING LOCATION (FUTURE)
	EXISTING BUILDING
	EXISTING PAVEMENT
	NEW PAVEMENT
	NEW CONCRETE



<p>PROJECT: THE PLAZA AT COOKS CORNER 21 GURNET ROAD - BRUNSWICK, MAINE CLIENT: JUST BECAUSE, LLC P.O. BOX 9940 - AUBURN, ME 04210</p>	<p>CONTRACTOR: Stonebrook Consultants, Inc. 456 Duckfield Road - Turner, Maine 07282 (207) 514-7491 Voice / (207) 514-7492 Fax</p>	<p>SHEET TITLE: GRADING PLAN</p> <p>SCALE: 1" = 30' DATE: FEB. 24, 2014 DRAWN BY: KRF CHECKED BY: WMP</p>
<p>145 LISBON ST. - SUITE 601 2002 ATLANTIC HIGHWAY LEWISTON, ME 04240 Tel: (207) 516-3313</p> <p style="font-size: 2em; font-weight: bold; color: blue;">SUMMIT</p> <p>GEOENGINEERING SERVICES</p>		
<p>JOB NO. - 14017 SHEET 3</p>		