



TOWN OF BRUNSWICK

PLANNING BOARD

85 UNION STREET
BRUNSWICK, ME 04011

PLANNING BOARD

AGENDA

BRUNSWICK TOWN HALL

COUNCIL CHAMBERS

85 UNION STREET

TUESDAY, JUNE 23, 2015, 7:00 P.M.

** AGENDA REVISED ON JUNE 18TH **

1. **Case # 15-026: 31 Bath Road - Special Permit:** The Planning Board will hold a **Public Hearing** and then review and take action on a Special Permit application submitted by Greg & Peter Leonard, for the conversion of a vacant building into a mixed use building, including the creation of an apartment unit, which requires a special permit in the HC2 Zoning District. Located at 31 Bath Road in the Highway Commercial 2 / Inner Bath Road (HC2). Assessor's Map U03, Lot 3.
2. **Case # 14-034: 10 Round Hill Lane – Special Permit:** The Planning Board will hold a **Public Hearing** and then review and take action on a Special Permit application submitted by Ian Talmage, for proposed seasonal weekend rentals of their property for weddings. Located at 10 Round Hill Lane (off of Casco Road), in the Coastal Protection 1 (CP1) Zoning District. Assessor's Map 21, Lot 20.
3. **Case # 15-025 Request for Subdivision Approval Extension - Moody Road**
Subdivision Section 1: Harold & Barbara Sandelin, in partnership with property owner Joseph Klocek are requesting the Board extend its Subdivision Approval per Section 407.4.A of the Zoning Ordinance for the development of 8 lots on a new road in the Farm and Forest 1 (FF1) District.
4. **Zoning Ordinance Rewrite Committee (ZORC) Update**
5. **Approval of Minutes**
6. **Other Business**
7. **Adjourn**

This agenda is mailed to owners of property within 200 feet of the above referenced development proposals as well as others upon request. It is the practice of the Planning Board to allow public comment on development review applications and all are invited to attend and participate.

Please call the Brunswick Department of Planning and Development (725-6660) with questions or comments. Individuals needing auxiliary aids for effective communications please call 725-6659 or TDD 725-5521. This meeting will be televised.

**Draft Findings of Fact
Special Permit (Section 701)
Planning Board Review Date: June 23, 2015**

Project Name: Mixed Use Project at 31 Bath Road
Case Number: 15-026
Tax Map: Map U03, Lot 3
Zoning District: Highway Commercial 2
Applicant: Greg & Peter Leonard
119 Highlands Farm Road
Yarmouth, ME 04096

Staff has reviewed the Special Permit application and has determined it is complete.

PROJECT SUMMARY

The Planning Board will hold a Public Hearing and then review and take action on a Special Permit application submitted by Greg & Peter Leonard, for the conversion of a vacant, former retail building into a mixed use building consisting of a medical office and residential apartment unit. A mixed use requires a special permit in the Highway Commercial 2 (HC2) Zoning District. In accordance with Appendix 1 of the Brunswick Zoning Ordinance, this project is located within the Highway Commercial Planning Area.

The following standards set forth herein shall be applied, where applicable, by the Planning Board when considering an application for Special Permit. The burden of proof of compliance with these standards rests solely with the applicant.

A1.6 Highway Commercial Planning Areas

- A. Highway Commercial Planning Areas encompass portions of the town that currently have commercial strip development. These areas encourage commercial uses that are automobile dependent and therefore not compatible with the town center or neighborhood shopping areas or within a residential neighborhood.
- B. It is a Town goal to improve the aesthetic quality and traffic conditions in Highway Commercial Planning Areas through improvements in landscaping, reduction of curb cuts and other measures.
- C. The portion of this planning area which is located near the Brunswick Naval Air Station and within its flight path has special restrictions as indicated in Section 214 of this Ordinance.
- D. The Highway Commercial Planning Areas are growth center areas which include the following zoning districts: HC (Highway Commercial).

The proposed adaptive reuse and conversion into a mixed use property is appropriate for the Highway Commercial Planning Area. The site is automobile dependent, as this portion of Bath Road does not have sidewalks or bicycle facilities. No new impervious surfaces or curb cuts are proposed. The applicant is proposing new landscaping, new cedar shingle siding, and

installation of new windows. Overall, the reuse will be an aesthetic improvement, while generating new activity within the commercial corridor.

The Planning Board finds the proposed use furthers the planning goals of the Highway Commercial Planning Area.

Review Standards from Special Permits Section 701.2 of the Town of Brunswick Zoning Ordinance

- A. The application is compatible in scale to its surroundings. In making this finding, the Planning Board shall consider the size and mass of buildings where new structures are being proposed, the number of employees, residents or customers, and the size and number of vehicles servicing the use. Notwithstanding the foregoing, when the Special Permit is proposed for a pre-existing structure, the Planning Board may find that the proposed use is compatible with its surroundings, even though it is out of scale and design with such surrounding properties if the applicant can demonstrate that the proposal will achieve mutual benefits without compromising any of the standards found in this ordinance.

The structure is pre-existing, with a small addition proposed in the rear, to accommodate a one-bedroom apartment. The existing vacant structure (for retail use as a gun shop) is to remain unoccupied, but will be used for storage. A condition of approval has been added that, if this rear structure is to be occupied or used for anything other than storage, the applicant shall return to the Planning Board for an amended Special Permit. No new impervious surfaces are proposed, but a field change may require a small increase to accommodate the 9 parking spaces. The existing curb cuts will be retained, and no new curb cuts are proposed. The applicant is proposing new landscaping, new cedar shingle siding, installation of new windows, as well as stripping for 9 parking spaces. 31 Bath Road and 29 Bath Road (Durphee's Flooring Center) appear to have a shared entrance, providing access to parking in the rear of both properties. Staff has asked the applicant to research the deed regarding the existence of a shared access agreement or easement. Procurement or creation of a shared access agreement has been added as a condition of approval. Overall, the reuse will be an aesthetic improvement, while generating new activity within the commercial corridor.

The Planning Board finds that the use is compatible with the scale of surrounding development.

- B. The application is harmonious in design to its surroundings. In making this finding, the Planning Board shall consider building and window proportions, roof-lines, spacing of doors and windows, as well as orientation to public streets.

The structure is pre-existing, with a small addition proposed in the rear, to accommodate a one-bedroom apartment. The applicant is proposing new landscaping, new cedar shingle siding, installation of new windows, and the

striping of 9 parking spaces. Overall, the reuse will be an aesthetic improvement, while generating new activity within the commercial corridor.

The Planning Board finds the application is harmonious in design and compatible to the surrounding area.

- C. The application further maintains or enhances a pedestrian oriented character in planning districts where such character is encouraged.

The Highway Commercial Planning Area does not encourage a pedestrian-oriented character. There are no sidewalks or bicycle lanes on this portion of Bath Road. This criterion is not applicable.

The Planning Board finds that this criterion is not applicable.

- D. The application will not violate any standard of this Ordinance.

The proposed development will not violate any standard in the Zoning Ordinance. The western third of the property is existing pavement, and the applicant is proposing to strip the area between the two structures to accommodate 9 parking spaces. This may require a small increase in impervious area, but the site would still be well below the 70% impervious threshold. 31 Bath Road and 29 Bath Road (Durphee's Flooring Center) appear to have a shared entrance, providing access to parking in the rear of both properties. Staff has asked the applicant to research the deed regarding the existence of a shared access agreement or easement. Procurement or creation of a shared access agreement has been added as a condition of approval.

The Board finds that the application will not violate any standard in the Zoning Ordinance.

Notwithstanding the foregoing, the Planning Board shall deny an application for a Special Permit if, in its determination, substantive, objective evidence from one or more persons entitled to notice is presented that reasonably demonstrates that:

1. The proposal will adversely affect the enjoyment or use of that person's property; or
2. The proposal will devalue such property.

The Board finds that no person entitled to notice has presented substantive, objective evidence reasonably demonstrating that the proposed development will adversely affect the enjoyment of that person's property or that it will devalue such property.

DRAFT MOTIONS
SPECIAL PERMIT APPLICATION FOR 31 BATH ROAD
CASE NUMBER: 15-026

Motion 1: That the Special Permit application is deemed complete.

Motion 2: That the Special Permit is approved with the following conditions:

1. That the Board's review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, its representatives, reviewing officials, and members of the public as reflected in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification shall require a review and approval in accordance with the Brunswick Zoning Ordinance.
2. In the event the rear building, which is currently vacant, is occupied and used for anything other than storage, the applicant shall return to the Planning Board for an amended special permit.
3. The applicant shall produce evidence of an existing shared access agreement with 29 Bath Road, or provide a recorded shared access easement with 29 Bath Road to the Director of Planning and Development, prior to issuance of a building permit.

Planning Board Denial of Special Permits

If the Planning Board denies an application for Special Permit, the Planning Board's decision is not subject to any appeal. However, the applicant may apply to the Town Council for a zoning amendment as provided for by Section 108 of the Town of Brunswick Zoning Ordinance.

Brunswick Planning Board
Special Permit Application
Parking plan for 31 Bath Road, Brunswick, Maine

I have attached the parking plan, drawn to scale, for the property at 31 Bath Road.

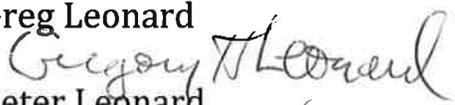
This plan depicts nine parking spaces in the existing parking lot. These nine spaces will accommodate the proposed remodel of the front building. (old house) See the attached proposed floor plan.

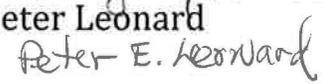
The buildings in the back of the property will have limited access as the planned use is for storage only. (old building, addition, and storage shed)

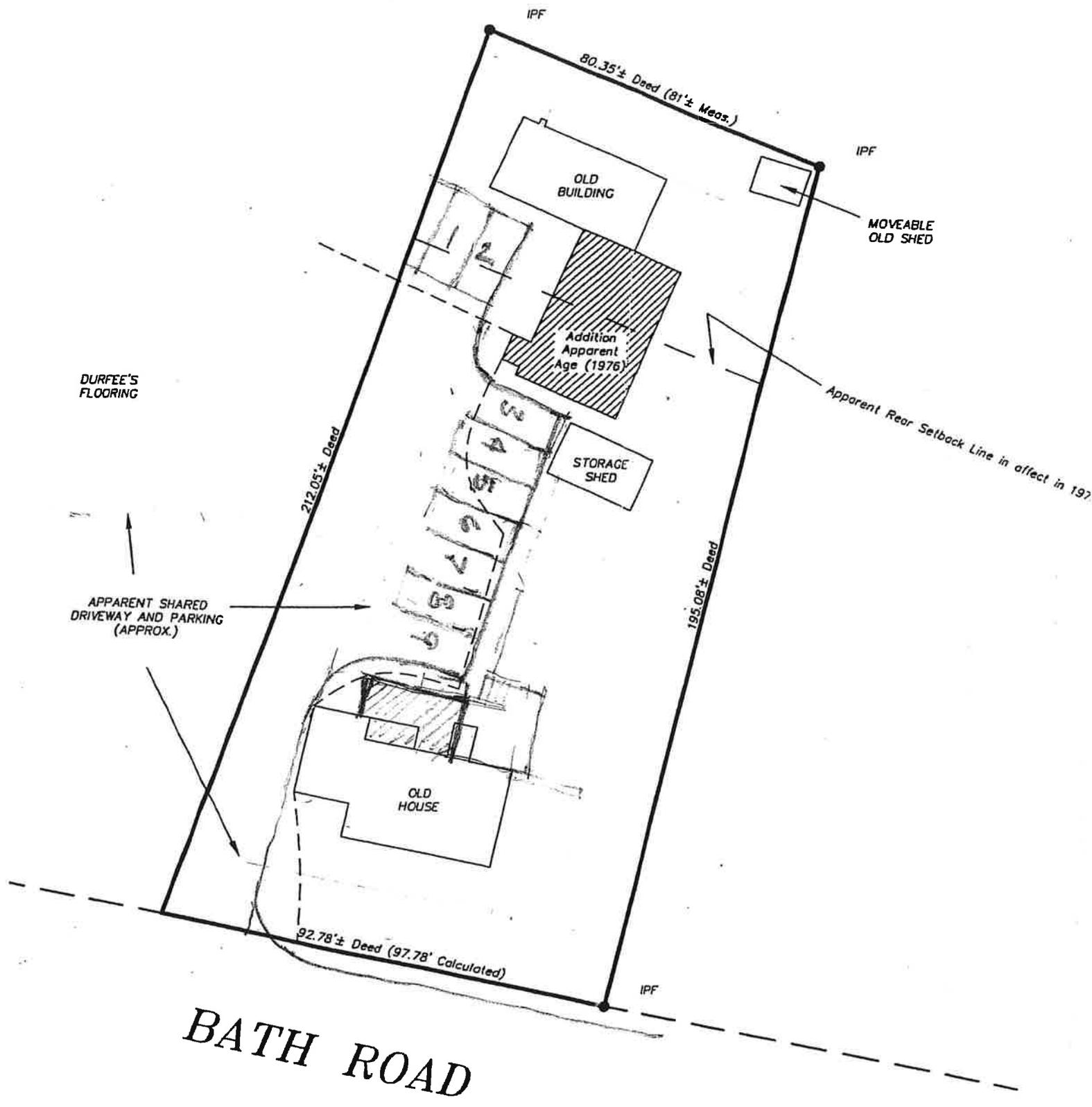
I met with Codes Officer, Jeff Hutchinson on Thursday, June 11, and he gave his approval of this proposed parking plan.

Sincerely,

Greg Leonard


Peter Leonard


Whale Rock Properties, LLC



IPF

80.35'± Deed (81'± Meas.)

IPF

MOVEABLE OLD SHED

OLD BUILDING

Addition Apparent Age (1976)

STORAGE SHED

Apparent Rear Setback Line in effect in 1976

DURFEE'S FLOORING

212.05'± Deed

195.08'± Deed

APPARENT SHARED DRIVEWAY AND PARKING (APPROX.)

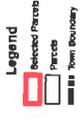
OLD HOUSE

92.78'± Deed (97.78' Calculated)

IPF

BATH ROAD

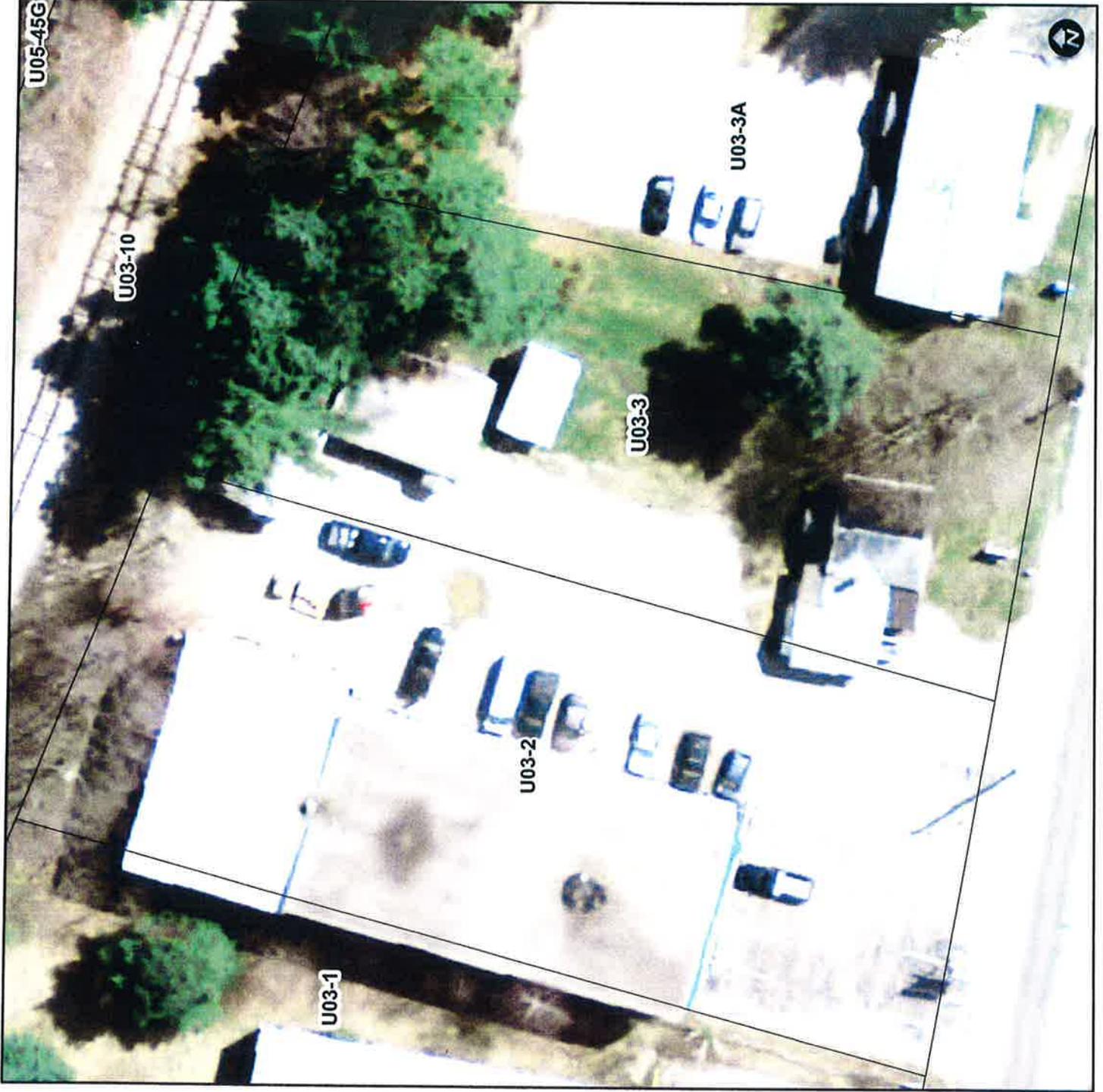
Brunswick Maine



This map was generated by the Town of Brunswick's online GIS. This information has been compiled from various public and private sources. While every attempt has been made to provide accurate information, neither the municipality nor the service host guarantee the accuracy of information provided herein.

Map generated on: 6/17/2015

title



**APPLICATION/CHECK LIST
SPECIAL PERMIT FOR UNCLASSIFIED AND OMMITTED USES
BRUNSWICK PLANNING BOARD**

1. Applicant:

Name: Greg + Peter Leonard
Address: 119 Highlands Farm Rd.
Yarmouth, ME 04096
Phone #: 207-653-3822 / 207-310-0674

2. Business:

greggc@maine.RR.com
Name: Whale Rock Properties LLC
Address: same as above
Phone #: same as above

3. Property/Building Owner:

Name: Peoples United Bank
Address: 112 Main St.
BRUNSWICK, ME 04011

4. Assessor's Tax Map # U03 Lot # 3 of subject property.

5. Zoning District HC2/Inner Bath Rd

6. Street Address of Parcel(s) For Consideration: 31 Bath Rd.

7. Planning Area (See Appendix I): Town Core

Owner Signature: _____

Applicant Signature (if different): Gregory Leonard / Whale Rock Prop. LLC

SUBMISSION REQUIREMENTS

- Site Plan. If copies are greater than 11" x 17", submit 17 copies of all materials. Otherwise, one copy is sufficient. Site plan should include all elements indicated in the application packet.

On this form, or on a separate letter to the Planning Board, please indicate your responses to the following:

1. How does your application further the Planning Goals for the Planning Area in which your property is located. Please indicate each of the Planning Area Goals with your response.

- A) We are taking a property that is currently a vacant, neglected, eyesore and converting it into a tax generating commercial property.
- B) We will be providing a health service to the general public that will be ADA compliant. Chiropractor's office / Doctors office Ne
- C) The property is walking distance from downtown Brunswick + Bou
- D) Applying to add space and amenities to enhance the existing building.

2. How many square feet of space is the proposed use going to occupy? 1804.

Is this use to be located within an existing structure? yes If a new structure(s)

is proposed how many square feet is the structure(s)? Just an addition (264 sq. ft)

3. How many people are to be employed at this site should the Special Permit be granted?

1-3

4. If this involves a residential component, how many dwelling units are proposed? 1

5. How many customers are likely to use the site during the course of a day? 4-7 week? 20-35. Please anticipate peak demand.

6. How many service vehicles per week do you anticipate? 1-3

7. What are the sizes of vehicles that will service the business should the Special Permit be granted? UPS sized trucks

8. If you are reusing a structure, demonstrate the mutual benefits associated with your application request. (In other words, how will this project provide a benefit to its larger area in spite of the fact that it may be occurring within a pre-existing structure that is generally larger than typically found. We are converting this space into a holistic health center that will compliment the surrounding health care offices. We plan on the optimum in landscaping and structural design.

There will be an apartment attached.

9. Explain how this application enhances or further maintains a pedestrian oriented character for the larger neighborhood. We are within walking distance from downtown Brunswick. There is a bike/pedestrian lane but

No sidewalk.



TOWN OF BRUNSWICK, MAINE

INCORPORATED 1739

DEPARTMENT OF PLANNING & DEVELOPMENT
TOWN HALL - ROOM 216
85 UNION STREET
BRUNSWICK, ME 04011

ANNA BREINICH, FAICP
DIRECTOR OF PLANNING & DEVELOPMENT

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

June 17, 2015

STAFF REVIEW COMMITTEE NOTES

Staff Present:

Dick Rizzo (Police), Jeff Hutchinson (Codes), Anna Breinich (Planning), Jeremy Doxsee (Planning, Non-Voting Member),

Public Present: None

Case # 15-026 31 Bath Road Special Permit: *(Tabled at June 10th meeting)*

The Committee will review and provide a recommendation to the Planning Board regarding a Special Permit application submitted by Greg & Peter Leonard, for the conversion of a vacant building into a mixed use building, including the creation of an apartment unit, which requires a special permit in the HC2 Zoning District. Located at 31 Bath Road in the Highway Commercial 2 / Inner Bath Road (HC2). Assessor's Map U03, Lot 3.

Present for Applicant:

Greg Leonard

- Greg provided an overview of the proposed project.

Staff Comments:

Jeff Hutchinson and Anna Breinich:

- Anna: is the proposed apartment unit considered accessory? Jeff: the addition of an apartment converts the building into a mixed use – the apartment is not considered accessory.
- Anna: is proposed parking sufficient?
 - Jeff: Yes. The applicant would have to return to the PB for an amended SP if they decide to occupy the rear building and/or use it for anything other than storage.
 - Jeff: there is an approximately 29' aisle between Durphee's parking spaces and the proposed parking at 31 Bath, which is sufficient.
 - Anna: the driveway entrance appears to be shared between 31 Bath and Durphee's Flooring Center.
 - Jeff: It's hard to tell based on the Mortgage Loan Inspection Sketch Plan provided. But while it's not a boundary survey, the sketch plan does shown 3 corner pins and distances based on the deed, which should be accurate.

- Anna: applicant needs to establish rights of entrance. Provision of a shared access agreement / easement should be a PB condition of approval.
- Anna: will there be parking in front of building?
 - Greg: no. We will remove existing porch and provide landscaping treatment for the front of the building. We will also remove the vinyl siding and install cedar shingles.
- Anna: show on the plan a handicapped parking space.
 - Jeff: space #9 would be the appropriate location for handicapped parking.
 - Anna: would a handicapped ramp be required?
 - Jeff: Town can't require but is obligated to bring it to the attention of the applicant.
 - Greg: we will provide a ramp.
- Jeff: is there any lighting on site?
 - Greg: Durphee's actually has wall-mounted lighting, which illuminates rear of my property.

END

**QUITCLAIM DEED WITHOUT COVENANT
CORPORATE GRANTOR**

KNOW ALL BY THESE PRESENTS, THAT People's United Bank, with a place of business in Portland, Maine, acting pursuant to Judgment of Foreclosure and Sale, entered on June 22, 2012, in the Cumberland County Superior Court, located in Portland, Maine, Docket No. PORSC-RE-10-556, under 14 M.R.S.A. §§6321 et seq. for the foreclosure of a Mortgage to People's United Bank by Cindy L. Eggleston and Stephen T. Eggleston by Mortgage, dated February 16, 2007 and recorded in the Cumberland County Registry of Deeds in Book 24860, Page 105 as amended in consideration of One Dollar (\$1.00) and other valuable consideration paid by People's United Bank, with a place of business in Portland, Maine, the receipt whereof it does hereby acknowledge, does hereby remise, release, bargain, sell and convey, and forever quitclaim unto the said People's United Bank, its successors and assigns forever, A certain lot or parcel of land, together with the buildings thereon, situated at 31 Bath Road, Brunswick, Maine, being more particularly described in the attached **Exhibit A**.

This deed is granted through a foreclosure sale held pursuant to 14 M.R.S.A. §6323(1). A notice of public sale stating time, place and terms of the sale was published on October 5, 2012, October 12, 2012 and October 19, 2012 in the Times Record, which is a newspaper of general circulation in Cumberland County, which is the county where the premises are located. The redemption period expired September 20, 2012. The public sale was held on November 6, 2012. The grantee(s) was the highest bidder.

TO HAVE AND TO HOLD the same, together with all privileges and appurtenances thereunto belonging, to the said People's United Bank, its successors and assigns forever.

MAINE REAL ESTATE TAX PAID

IN WITNESS WHEREOF, People's United Bank, has caused this instrument to be signed
in its corporate name by Kregg Jarvais, its Vice President,
this 5 day of December, 2012.

Signed and Delivered in the Presence of:

Elizabeth J. Sargent

People's United Bank

By: [Signature]
Its: Kregg Jarvais
Vice President

STATE OF MAINE
Cumberland, ss.

December 5, 2012

Then personally appeared the above named Kregg Jarvais,
Vice President of People's United Bank and acknowledged the foregoing
instrument to be his/her free act and deed, and the free act and deed of People's United Bank.

Before me,

[Signature]
Notary Public
Leah H. Hylar
Printed Name

LEAH H. NYLER
My Commission Expires July 5, 2013

SEAL

~~Doc#: 43375 Bk:29825 Pg: 73~~

~~Doc#: 1000 Bk:2484 Pg: 44~~

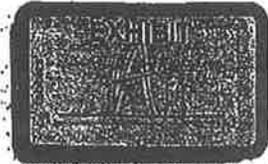


EXHIBIT A

Beginning at an iron pin set in the ground on the northerly side of the Old Bath Road by land of Valmore and Helen Lavigne; thence continuing North 17° 30' East 212.05 feet to an iron pin driven into the ground by land of Maine Central Railroad; thence continuing South 68° 55' 30" East 80.35 feet along land of Maine Central Railroad to an iron pin set in the ground by land of Joseph and Ruth Jones; thence South 11° 45' 20" West 195.08 feet to an iron pin set in the ground along the Old Bath Road; thence continuing along Old Bath Road North 79° 56' 40" West a distance of 92.78 feet to the point of beginning.

~~Received
Recorded Register of Deeds
Feb 22, 2007 09:23:33
Cumberland County
Pamela E. Lovley~~

~~Received
Recorded Register of Deeds
Aug 09, 2012 11:47:16A
Cumberland County
Pamela E. Lovley~~

Received
Recorded Register of Deeds
Dec 12, 2012 02:43:52P
Cumberland County
Pamela E. Lovley

**Draft Findings of Fact
Special Permit (Section 701)
Planning Board Review Date: June 23, 2015**

Project Name: Proposed Wedding Events at 10 Round Hill Road
Case Number: 14-034
Tax Map: Map 21, Lot 20
Zoning District: Coastal Protection 1
Applicant: Ian Talmage and Jennifer Banis
10 Round Hill Road
Brunswick, ME 04011

Staff has reviewed the Special Permit application and has determined it is complete.

PROJECT SUMMARY

The Planning Board will hold a Public Hearing and then review and take action on a Special Permit application submitted by Ian Talmage and Jennifer Banis, for proposed seasonal weekend rentals of their property for weddings, which is an omitted use in the Brunswick Zoning Ordinance, and therefore requires a special permit. The property is located in the Coastal Protection 1 (CP1) Zoning District. In accordance with Appendix 1 of the Brunswick Zoning Ordinance, this project is located within the Rural Coastal Protection Planning Area.

The following standards set forth herein shall be applied, where applicable, by the Planning Board when considering an application for Special Permit. The burden of proof for compliance with these standards rests solely with the applicant.

A2.3 Rural Coastal Protection Planning Areas

1. The purpose of this area is to protect marine resources and the largely undeveloped watershed that drains into Brunswick's coastal waters, necessary to sustain and support marine economic, environmental, and recreational resources. Commercial and multi-family uses are discouraged, unless they are designed and operated in a manner that would have no more impact on water quality than permitted residential development.
2. The Rural Coastal Protection Planning Area is intended to protect coastal embayments from the potential impacts of excessive nutrient loading and other non-point source pollution, to maintain and enhance the economic resources of these coastal embayments and their associated watersheds. These goals are achieved by:
 - a. A reduction in allowable net density of population through density controls.
 - b. The provision of appropriate storm water management practices.
 - c. The provision of specific requirements regarding the installation and maintenance of individual sewage disposal systems.
 - d. The application of reasonable and appropriate restrictions on residential lawn maintenance and agricultural practices.

No new permanent structures or additional impervious surfaces are proposed. Tents will be rented by individual wedding parties, and set up and taken down each weekend, which will allow for grass to revitalize itself between events. While exact times can vary, the average operation times for wedding events will be from 4 PM to 12 AM. Accommodations for weddings would include portable toilets, tents, tables, chairs, and other amenities typically associated with outdoor weddings. The applicant has indicated that most wedding guests will need to be dropped off and picked up at the site via vans or buses from nearby hotels, and that a maximum of 10 vehicles would be permitted on-site. The applicant has indicated that they will be on-site during all wedding events, to ensure compliance with these restrictions. If not managed properly, and too much parking is allowed on grass / lawn areas, there could be the potential for some erosion, although those impacts would be negligible to the surrounding watershed. Overall, there will be no increase in net density, no need for the application of stormwater management practices, and no apparent undue impacts to the existing septic system.

The Planning Board finds the proposed use has no impact on the planning goals of the Rural Coastal Protection Planning Area.

Review Standards from Special Permits Section 701.2 of the Town of Brunswick Zoning Ordinance

- A. The application is compatible in scale to its surroundings. In making this finding, the Planning Board shall consider the size and mass of buildings where new structures are being proposed, the number of employees, residents or customers, and the size and number of vehicles servicing the use. Notwithstanding the foregoing, when the Special Permit is proposed for a pre-existing structure, the Planning Board may find that the proposed use is compatible with its surroundings, even though it is out of scale and design with such surrounding properties if the applicant can demonstrate that the proposal will achieve mutual benefits without compromising any of the standards found in this ordinance.

No new permanent structures are proposed, and the renovated barn and house are pre-existing. Accommodations for weddings would include portable toilets, tents, tables, chairs, and other amenities typically associated with outdoor weddings. The applicant has indicated that most wedding guests will need to be dropped off and picked up at the site via vans or buses from nearby hotels, and that a maximum of 10 vehicles would be permitted on-site. The applicant has indicated the weddings would vary in size from as few as 40 guests up to 200 guests. While the applicant has outlined clear policies to mitigate traffic and parking impacts, the celebratory nature of large weddings - with alcohol, music, dancing, and similar activities - tends to generate a level of noise and activity that is not compatible with rural, residential neighborhoods. These concerns, coupled with the frequency and number of proposed weddings, suggest a lack of compatibility and scale within this rural coastal protection area.

The Planning Board finds that the use is not compatible with the surrounding development.

- B. The application is harmonious in design to its surroundings. In making this finding, the Planning Board shall consider building and window proportions, roof-lines, spacing of doors and windows, as well as orientation to public streets.

No new permanent structures are proposed, and the renovated barn and house are pre-existing.

The Planning Board finds that this criterion is not applicable.

- C. The application further maintains or enhances a pedestrian oriented character in planning districts where such character is encouraged.

The Rural Coastal Protection Planning Area does not contain goals relating to pedestrian-oriented character.

The Planning Board finds that this criterion is not applicable.

- D. The application will not violate any standard of this Ordinance.

This omitted use in the Brunswick Zoning Ordinance does not violate any dimensional or performance standards within the zoning ordinance. However, there are concerns that, despite the applicant's best intentions, the size and frequency of the proposed weddings may violate Section 109 "Noise" of the Town Code. The applicant used a decibel meter "app" on their smartphone to conduct their own noise study on May 26th, 2015. They rented DJ equipment and played music that they considered approximate to a wedding event, and then measured decibel levels at the property line. The results of the noise study are shown on the site plan. Staff is concerned that a large wedding event was not sufficiently replicated during their noise study, so measurements / results may not be accurate. Staff suggested that the applicant hire a qualified sound engineer to conduct a study, but the applicant, citing excessive cost (\$7,000 - \$10,000), decided to conduct the study on their own. However, in accordance with Section 109, the sound meter used to test noise levels "shall meet Type I or Type II specifications for ANSC standards". The applicant would need to confirm their methodology and equipment meets applicable standards. Anecdotal testimony from neighbors indicates that wedding events from the summer of 2014 were audible from significant distances away, which negatively impacted enjoyment of their property and quality of life.

The Board finds that the application will not violate any standard in the Zoning Ordinance, with the exception for the potential to be in violation Section 109 "Noise" of the Town Zoning. Should the Board consider approving the application, staff recommends adding a condition of approval that "a noise study be conducted by a qualified professional sound engineer and documentation provided to the Director of

Planning and Development, confirming that noise from wedding events are highly unlikely to produce violations of Section 109 of the Zoning Ordinance.”

Notwithstanding the foregoing, the Planning Board shall deny an application for a Special Permit if, in its determination, substantive, objective evidence from one or more persons entitled to notice is presented that reasonably demonstrates that:

1. The proposal will adversely affect the enjoyment or use of that person’s property; or
2. The proposal will devalue such property.

Multiple abutters and neighbors have presented anecdotal evidence, both in writing and verbally, that the wedding events during the summer of 2014 adversely affected enjoyment of their property, and if allowed to continue will devalue their properties. In accordance with Section 701.2.E. the Board must find that this anecdotal testimony qualifies as “substantive, objective evidence” that the proposal adversely affects the enjoyment and use of their property ad will devalue such property.

**DRAFT MOTIONS
SPECIAL PERMIT APPLICATION FOR PROPOSED WEDDING EVENTS AT
10 ROUND HILL ROAD
CASE NUMBER: 14-034**

Motion 1: That the Special Permit application is deemed complete.

Motion 2: That the Special Permit is *denied* based on objective analysis of the criteria listed for the rural coastal protection area and Section 701.2 of the Zoning Ordinance.

Planning Board Denial of Special Permits

If the Planning Board denies an application for Special Permit, the Planning Board’s decision is not subject to any appeal. However, the applicant may apply to the Town Council for a zoning amendment as provided for by Section 108 of the Town of Brunswick Zoning Ordinance.

**APPLICATION/CHECK LIST
SPECIAL PERMIT FOR UNCLASSIFIED AND OMMITTED USES
BRUNSWICK PLANNING BOARD**

1. Applicant:

Name: JAN TALMAGE
Address: 18 ROUND HILL LN
BRUNSWICK, ME 04811
Phone #: (207) 831-8664

2. Business:

Name: _____
Address: _____
Phone #: _____

3. Property/Building Owner:

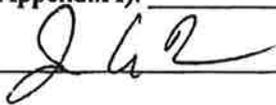
Name: SAME AS ABOVE
Address: _____

4. Assessor's Tax Map # 21 Lot # 20 of subject property.

5. Zoning District CPI

6. Street Address of Parcel(s) For Consideration: 10 ROUND HILL LANE

7. Planning Area (See Appendix I): _____

Owner Signature: 

Applicant Signature (if different): _____

SUBMISSION REQUIREMENTS

SEE ATTACHED DOCUMENT

- **Site Plan.** If copies are greater than 11" x 17", submit 17 copies of all materials. Otherwise, one copy is sufficient. Site plan should include all elements indicated in the application packet.

On this form, or on a separate letter to the Planning Board, please indicate your responses to the following:

1. **How does your application further the Planning Goals for the Planning Area in which your property is located. Please indicate each of the Planning Area Goals with your response.**

2. **How many square feet of space is the proposed use going to occupy? _____.**
Is this use to be located within an existing structure? _____ If a new structure(s)
is proposed how many square feet is the structure(s)? _____

3. **How many people are to be employed at this site should the Special Permit be granted?**

4. **If this involves a residential component, how many dwelling units are proposed? _____**

5. **How many customers are likely to use the site during the course of a day? _____ week?**
_____ . Please anticipate peak demand.

6. **How many service vehicles per week do you anticipate? _____**

7. **What are the sizes of vehicles that will service the business should the Special Permit be granted? _____**

8. **If you are reusing a structure, demonstrate the mutual benefits associated with your application request. (In other words, how will this project provide a benefit to its larger area in spite of the fact that it may be occurring within a pre-existing structure that is generally larger than typically found. _____**

9. **Explain how this application enhances or further maintains a pedestrian oriented character for the larger neighborhood. _____**

Introduction

Similar to the farmer's market at Crystal Springs Farm, we intend to create a low impact source of economic growth for the area.

It has been our dream to live and raise a family on a farm in the beautiful, historic, farmland area of Brunswick. Hosting weddings will help us reach this goal by providing an income to continue to restore this historic mid-1800's farm and maintain it into the future (see some before and after pictures of the restorations we have completed). We believe this also works in tandem with the planning board by supporting the adjacent farms and the local agriculture, as well as helping to maintain the beauty and history of the property and farmhouse. We already source as much of our produce, meats, dairy, flowers, breads and eggs as possible from local farms. We intend to source as many of these products from Crystal Spring Farms and its associated farmer's market vendors to provide our clients with true source-to-table on-site weddings. Hosting wedding will also provide an increase in business for area hotels, motels, inns, restaurants, pubs, town green vendors, retail gift shops, hair salons and more in and around the Brunswick area.

1. How does your application further the Planning Goals for the Planning Area in which your property is located. Please indicate each of the Planning Area Goals with your response.

Rural Coastal Protection Planning Area

1. The purpose of this area is to protect marine resources and the largely undeveloped watershed that drains into Brunswick's coastal waters, necessary to sustain and support marine economic, environmental, and recreational resources. Commercial and multi-family uses are discouraged, unless they are designed and operated in a manner that would have no more impact on water quality than permitted residential development.

Wedding couples renting the farm will be required to rent portable toilets and bring drinking water for guest use. They will also be required to remove all trash from the site. This approach will allow us to maintain or eliminate any potential impacts on the environment as outlined above.

2. The Rural Coastal Protection Planning Area is intended to protect coastal embayments from the potential impacts of excessive nutrient loading and other non-point source pollution, to maintain and enhance the economic

resources of these coastal embayments and their associated watersheds.
These goals are achieved by:

a. A reduction in allowable net density of population through density controls.

Similar to the farmer's market at Crystal Springs Farm we will be hosting events on the weekends and from May to October. Guests (ranging between 40 and 200) will primarily be shuttled to and from the wedding. We have spoken with the sales managers of the Comfort Inn, Fairfield Inn & Suites, Brunswick Hotel and The Daniel and all are interested in partnering with us to provide guest accommodations. We have letters of support with arrangements for guest accommodations and parking. Guests will park their vehicles at the inns and hotels and be shuttled to and from the farm. Vehicles parked onsite will be limited to the bridal party, vendors and elderly/handicapped and local wedding guests. It is our intent to discourage onsite parking but in the event it is needed, we will allow up to 10 vehicles onsite.

b. The provision of appropriate storm-water management practices.

c. The provision of specific requirements regarding the installation and maintenance of individual sewage disposal systems.

Wedding couples renting the farm will be required to rent portable toilets and bring drinking water for guest use.

d. The application of reasonable and appropriate restrictions on residential lawn maintenance and agricultural practices.

We currently do not use any chemicals in the maintenance of our lawn and we do not intend to change this practice.

2. How many square feet of space is the proposed use going to occupy? ____ The milk house (510 sqf), and outside yard__ (3200 sq ft for a tent - see attached map for likely spot)_____.

Is this use to be located within an existing structure? ____ Yes__

If a new structure(s) is proposed how many square feet is the structure(s)?

3. How many people are to be employed at this site should the Special Permit be

granted?

The farm will be managed by myself, Ian Talmage and/or Jennifer Banis, and a property manager. We currently use a local lawn care service and house cleaning company. The bridal couple may hire a rental company to setup a tent and deliver rentals. Typically couples hire one or many of the following; a catering company, dj or band, photographer, videographer, florist and wedding planner.

4. If this involves a residential component, how many dwelling units are proposed?
_____ The farmhouse

5. How many customers are likely to use the site during the course of a day?
_____ week? _____. Please anticipate peak demand.

The anticipated peak demand will be from June to October and on Saturdays in particular. Between 40 and 200 wedding guests will be onsite during the day of the wedding.

6. How many service vehicles per week do you anticipate? _____

1 to 2 box truck size (rental delivery trucks) and 4 to 6 van or sedan size vehicles (catering, music, photographer, florist).

7. What are the sizes of vehicles that will service the business should the Special Permit be granted? _____

1 to 2 deliver vehicles (box trucks) will drop off wedding rentals during the week. On the day of the wedding several van sized vehicles may enter the property. These will typically be catering, dj or band, photographer, florist and occasionally wedding planner.

8. If you are reusing a structure, demonstrate the mutual benefits associated with your application request. (In other words, how will this project provide a benefit to its larger area in spite of the fact that it may be occurring within a pre-existing structure that is generally larger than typically found.) _____

Since the appeal of having a wedding on a Maine farm is the farm itself, it is our intention to maintain and retain the original character of the farm. The existing farmhouse and milk house will be used for the wedding and a temporary wedding tent may be setup on site.

9. Explain how this application enhances or further maintains a pedestrian oriented

character for the larger neighborhood.

We will seek to further maintain the pedestrian oriented character of the larger neighborhood by requiring wedding guests be shuttled to and from the farm to local area hotels. Vehicles parked onsite will be limited to the bridal party, vendors and elderly/handicapped and local wedding guests. It is our intent to discourage onsite parking but in the event it is needed, we will allow up to 10 vehicles onsite along the edge of one side of the loop driveway.

Jeremy Doxsee

From: Jennifer Banis <info@111Maine.com>
Sent: Wednesday, May 27, 2015 5:03 PM
To: Jeremy Doxsee
Cc: iantalmage@yahoo.com
Subject: RE: sound study

Hi Jeremy,

Thanks for the feedback. When is the next planning meeting again? We are very anxious to move forward with discussions, even if they circle back around to us. We would be interested in having everyone out to the site, it would just mean finding a time because I know you are all busy and we have guests staying at the house throughout the summer.

There are only two people in the state that do certified sound studies. One still has not returned our many calls and the other was 7k base minimum and the price increased from there.

My recollection of the last meeting was that all of the board members had signed off with no real concerns except Anna and Jeff. And the conversation morphed into concerns mostly about the septic system. The neighbors jumped right on that bandwagon, worrying about run off. I think we need to update that there never was a real concern in regards to the septic, present this sound plotting, discuss the parking plan and see if they push back and want more. We can always revisit then if need be- that's my gut. And at that point if they do push back we can do a supervised sound study and have the time to get letters from town councilors and Maine Street business owners.

Best,
Jennifer

- > Hi Jennifer,
- >
- > Your results sound encouraging (no pun intended). You are entitled to
- > proceed using this data, but my gut tells me the Planning Board and
- > skeptical neighbors will question the methodology and equipment used
- > to obtain this data, and neighbors will be sure to insinuate that you,
- > the applicant, cannot be trusted to submit objective data on noise impacts.
- >
- > My advice is that you should have a sound engineer corroborate your

> findings. If that is not feasible due to cost, submit written estimates
> (I believe one quote was for \$10,000?), justifying economic hardship,
> and thereby justifying the DIY approach.
>
> Remember, noise impacts are going to be the lynchpin for this entire
> application. The Special Permit application states the following: "The
> Planning Board may deny an application if substantive, objective
> evidence is submitted by any person entitled to notice that
> demonstrates that the proposal will adversely effect their enjoyment of their property, or will
> devalue their property." So you need to make the noise data as
> unassailable as possible.
>
> Thinking out loud here, but perhaps you can request a site visit by the
> planning board, and re-create the dj set-up with large speakers. That
> might be your best bet. Not sure if the PB would agree, but it's worth a
> shot. (I just sent the PB Chair and Anna an email asking if such a site
> visit was possible)
>
> Once you make a decision about the noise impact data, let's review
> materials that you want to include in your submittal and we'll start
> the clock
>
>
>
> Jeremy Doxsee, AICP
> Town Planner
> The Department of Planning & Development Town of Brunswick
> 85 Union Street
> Brunswick, ME 04011
> (207)725-6660 x4022
> www.brunswickme.org
>
> -----Original Message-----
> From: Jennifer Banis [mailto:info@111Maine.com]
> Sent: Tuesday, May 26, 2015 10:19 PM
> To: Jeremy Doxsee
> Subject: sound study
>
> Hi Jeremy,
>
> Well, my mind was blown. After the extreme fury surrounding noise
> concerns by neighbors, we found that the sound did not increase the
> decibels at all, with the music played both inside and outside. The
> sound was based on a dj set up with large speakers generating 80
> decibels inside the milk house and in the field next to the stand of
> pine trees adjacent to the barn. Depending on what vehicle was driving
> by at the time, in many cases the decibels actually dropped. And these
> readings were taken at our property line, which is still quite far away from anyone else's home.
> While we were conducting the study, it was obvious that our initial



TOWN OF BRUNSWICK, MAINE

INCORPORATED 1739

DEPARTMENT OF PLANNING & DEVELOPMENT
TOWN HALL - ROOM 216
85 UNION STREET
BRUNSWICK, ME 04011

ANNA BREINICH, FAICP
DIRECTOR OF PLANNING & DEVELOPMENT

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

October 9, 2014

STAFF REVIEW COMMITTEE NOTES

Staff Present:

Anna Breinich (Planning), Jeff Hutchinson (Code Enforcement), Jeff Emerson (Fire), John Foster (Public Works), Clint Swett (Assessing), Dick Rizzo (Police), Jeremy Doxsee (Planning, non-voting member)

Case # 14-029: The Committee will review and provide a recommendation to the Planning Board regarding a Major Review Final Plan application submitted by Bruce Martinson, for a 3-lot residential subdivision, a private drive, and associated site improvements, on the 8.15 ± acre property located along Coombs Road, in the Farm Forest 3 (FF3) Zoning District. Assessor's Map 38, Lot 13.

Present for Applicant:

Curt Neufeld (Sitelines)

Staff Comments:

Jeremy Doxsee

- The two primary issues from the last SRC and PB meetings were resolution of whether the proposed lots contain High-to-Moderate Value Deer Wintering Areas and overall disturbance of wetlands – both of which have been adequately addressed. Staff received a letter from Scott Lindsay, Regional Wildlife Biologist for Maine IF&W, stating that Deer Wintering Areas in Brunswick are designated as “Indeterminate”, and are not considered High-to-Moderate Value. The plan now shows that up to 1,071 sf of wetlands will be disturbed from development of Hawkins Lane.

Anna Breinich:

- No comments

Jeff Hutchinson:

- No comments

Jeff Emerson:

- No comments

John Foster:

- No comments

Clint Swett:

- No comments

Dick Rizzo

- No comments

Case # 14-034 10 Round Hill Lane: The Committee will review and provide a recommendation to the Planning Board regarding Special Permit and Minor Development Review applications submitted by Ian Talmage, regarding proposed weekend rentals of their property for seasonal weddings, and construction of a 3,528 open-air accessory structure, on the 3.3 acre property located at 10 Round Hill Lane, in the Coastal Protection I (CP1) Zoning District. Assessor's Map 21, Lot 20.

Present for Applicant:

Jennifer Banis

- Would have maximum of 20 weddings at the property
- Maximum of 10 cars on property for events. Would use shuttles from nearby hotels to transport guests to and from property.
- Weddings would use trailored toilets with self-contained water systems
- Jen plans on catering events herself. Either Ian or Jen would be at all events to supervise and enforce terms of contract.

Staff Comments:

Jeff Hutchinson / Anna Breinich:

- Will food be prepared on site? Jen – no. I have a commercial kitchen in Topsham. Only light heating of food on-site.
- Looked thru property file – in the 1990s then-CEO made a determination that septic field had failed. No records in file that it's been replaced. Also in same area where proposed greenhouse structure is proposed. Jen – we bought the house 3 years ago and had system cleaned recently, and we were told the septic system and leach field are in the front yard. Maybe previous owner did without permits? Jeff- or maybe permits were lost / misplaced by Town. Either way, needs to be resolved before going to the Planning Board. You can use a licensed site evaluator to locate septic system. Bill Mayer, who did original installation, is still working in the area.
- Concerned that, even if portable toilets are nice, guests won't use them and will use inside facilities.
- Noise ordinance needs to be adhered to. Ordinance stipulates that decibel level at property line can't exceed 50 decibels during the day and 40 decibels after 8 pm. Doubtful that weddings will stay beneath those thresholds. Very difficult to attenuate noise from open air weddings.
- Parking is a concern. You indicate that parking will be alongside the driveway, but you don't indicate where. Driveway is only wide enough for one car – how will emergency vehicles get thru?
 - Clint suggested that cars could be restricted to one side of loop, leaving other side of loop open.

- Jen reiterated that there will be a 10 car limit. Other guests will be required to use off-site shuttles. Jeff was dubious that applicant would be able to enforce that.
- Anna – if 50 cars are parking off-site, where will they park? Jen – at nearby B&Bs, hotels, etc. Anna – even day guests? Jen – we will make necessary arrangements. Anna – approved parking for hotels didn't calculate use as satellite parking lot. Day parking will take away spaces from overnight guests, or downtown parking spaces. Applicant needs to provide written documentation from hotels regarding parking agreement/arrangements. There is a MDOT-owned park & ride lot on Cedar Street that could be an option.
- Jeff would like to see examples of other similar, successful wedding operations in rural, residential neighborhoods.

Jeff Emerson:

- Will greenhouse structure be enclosed? Jen – no. Will use canvas or plastic walls that could be lowered and raised.
- We can connect after meeting to discuss issues / thresholds pertaining to public assembly space.

John Foster:

- No comments

Clint Swett:

- No comments

Dick Rizzo

- No comments

Public Comments:

Bruce Cohorn, 61 Granite Farm Rd.

- Has observed 2 events at site already. Cars were parked along Casco Rd and dirt driveway.
- Even from a quarter mile away and with the windows closed, could hear music and voices.
- Applicant is already advertising wedding rentals on Vacation Rental By Owner (VRBO) website.
 - Jeff H: advertising for VRBO is ok because its still a single family residential use, but applicant shouldn't be advertising for weddings before obtaining necessary approvals.
- Property abuts a conservation easement – how will loud noise and crowds impact wildlife?

Joyce Bailey – 43 Casco Rd.

- Why did you rent out the property for weddings if it wasn't yet approved?
 - Jen – we didn't know we'd need approval at the time. Once we started receiving more interest in renting our property for weddings, we approached the Town to see what approvals would be needed.

Debbie Kupa – 93 Casco Rd (Granite Farm)

- Concerned about noise impacts, and impacts to wildlife.
- Concerned about impacts on her property, from overuse of applicant's septic system, which is upland from her property

- Has experience with weddings – impacts will be hard to control. There will be drinking, guests will want to dance and play music. Difficult to reign in once underway.
- What if it rains? Party will undoubtedly shift into house and barn. Worried about safety issues.

Anna and Jeff indicated that this should be taken off the Planning Board agenda until parking, septic, noise impact, and related issues are adequately addressed.

Case # 14-028: The Committee will review and provide a recommendation to the Planning Board regarding a Major Review Sketch Plan application submitted by Coastal Building Investments, Inc., for a 17-lot residential subdivision, a 965 foot private drive, and associated site improvements, on the 7.45 ± acre property located along Barrows Street, in the Town Residential 5 /Columbia Ave – Spring Street (TR5) Zoning District. Assessor’s Map U27, Lot 6.

Present for Applicant:

Curt Neufeld (Sitelines)

Staff Comments:

Anna Breinich:

- Materials indicate that houses will use crushed stone drip edge for stormwater. How will homeowners be made aware that they are required to install this stormwater treatment measure? This is part of larger concern that, while stormwater management plan for private road will be part of this review, stormwater treatment won’t be adequately addressed for individual development of lots. Same thing for groundwater impacts. Curt indicated that he would look into this for final plan submission.

Jeff Hutchinson:

- All set – application satisfies sketch plan requirements.

Jeff Emerson:

- Emergency access concerns addressed by showing connection of private road to Barrows and Belmont Streets.

Clint Swett:

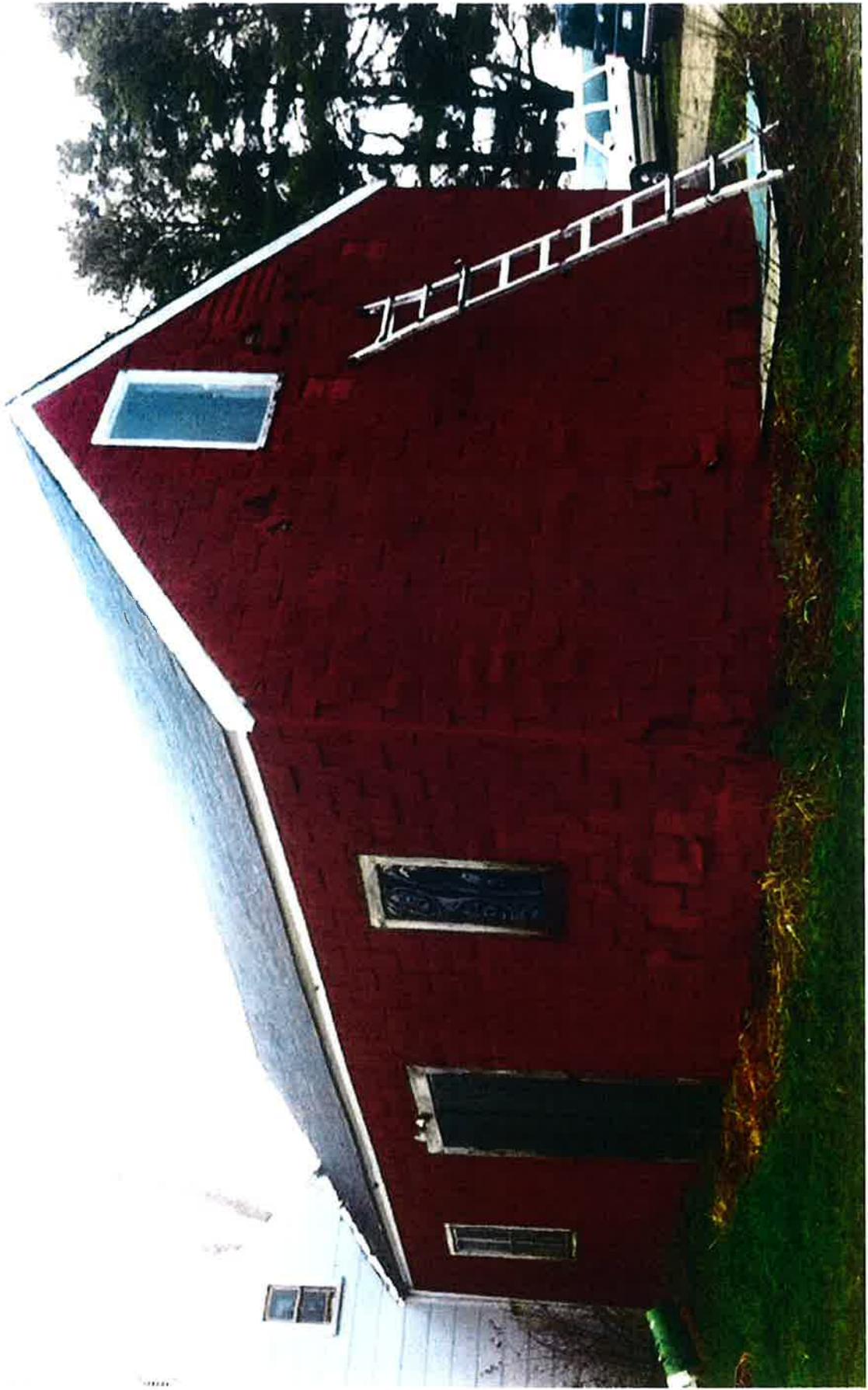
- Assessing Dept is not in favor of naming portion of Boody Street and private road Governor’s Way. Would rather entire loop be named Boody Street, especially since it will eventually be accepted by the Town.
 - There was general discussion among the group about a preferred street name. Anna indicated that the Planning Department would prefer a grid pattern of development for this street, in keeping with the rest of the neighborhood. Curt responded that staff has already seen the sketch plan and indicated that a loop road connection to Barrows Street would be acceptable. It’s late in the process to start redesigning the entire subdivision layout.
- John Foster
 - The drainage swales running parallel to road, in the front of all the properties, are not in keeping with the character of the rest of the neighborhood. The large lots, wide frontages, and swales, are more indicative of a rural subdivision, rather than an in-town development.
 - Had to leave for another appointment, will submit additional comments in email to Town Planner.

Dick Rizzo

- No comments

END

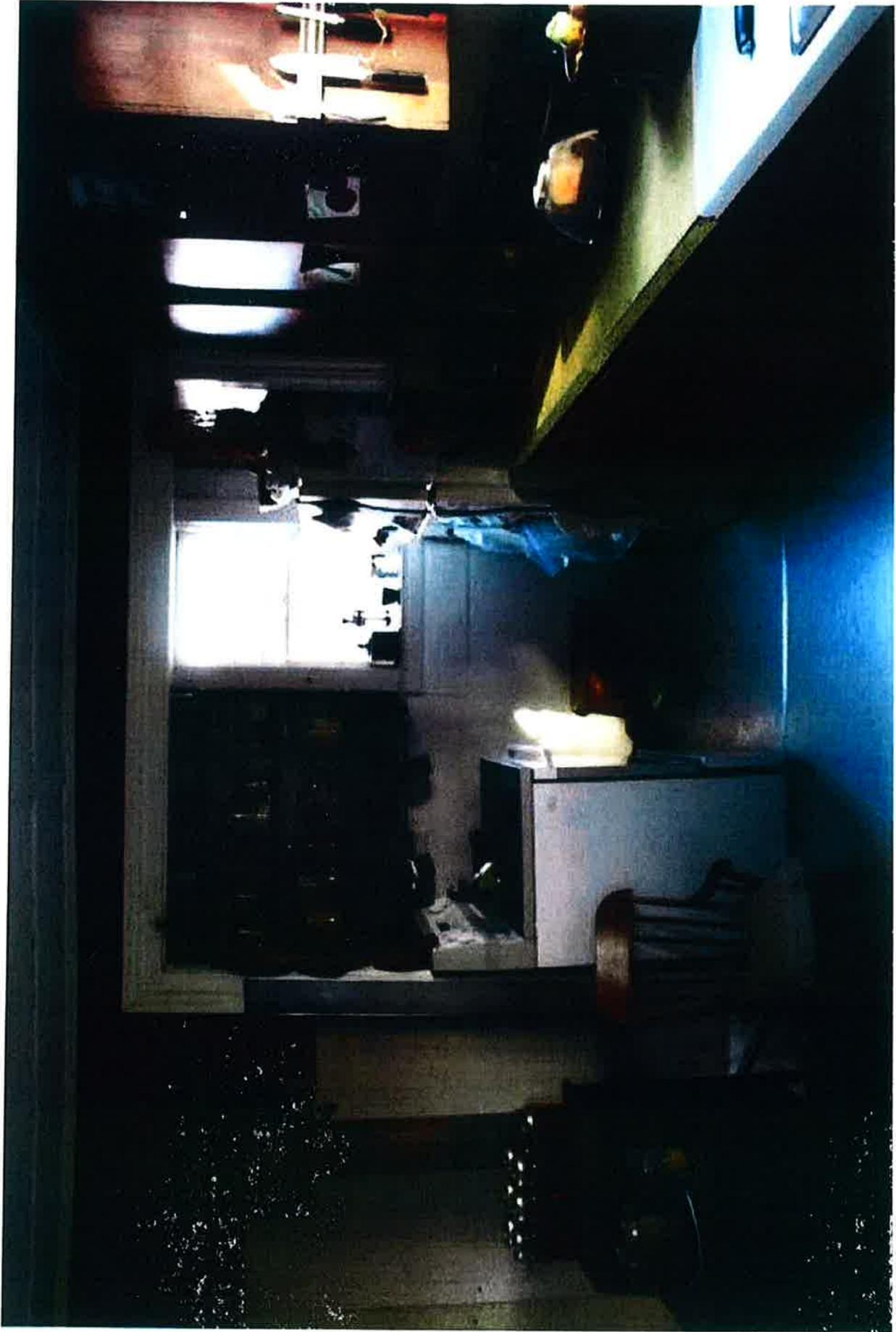
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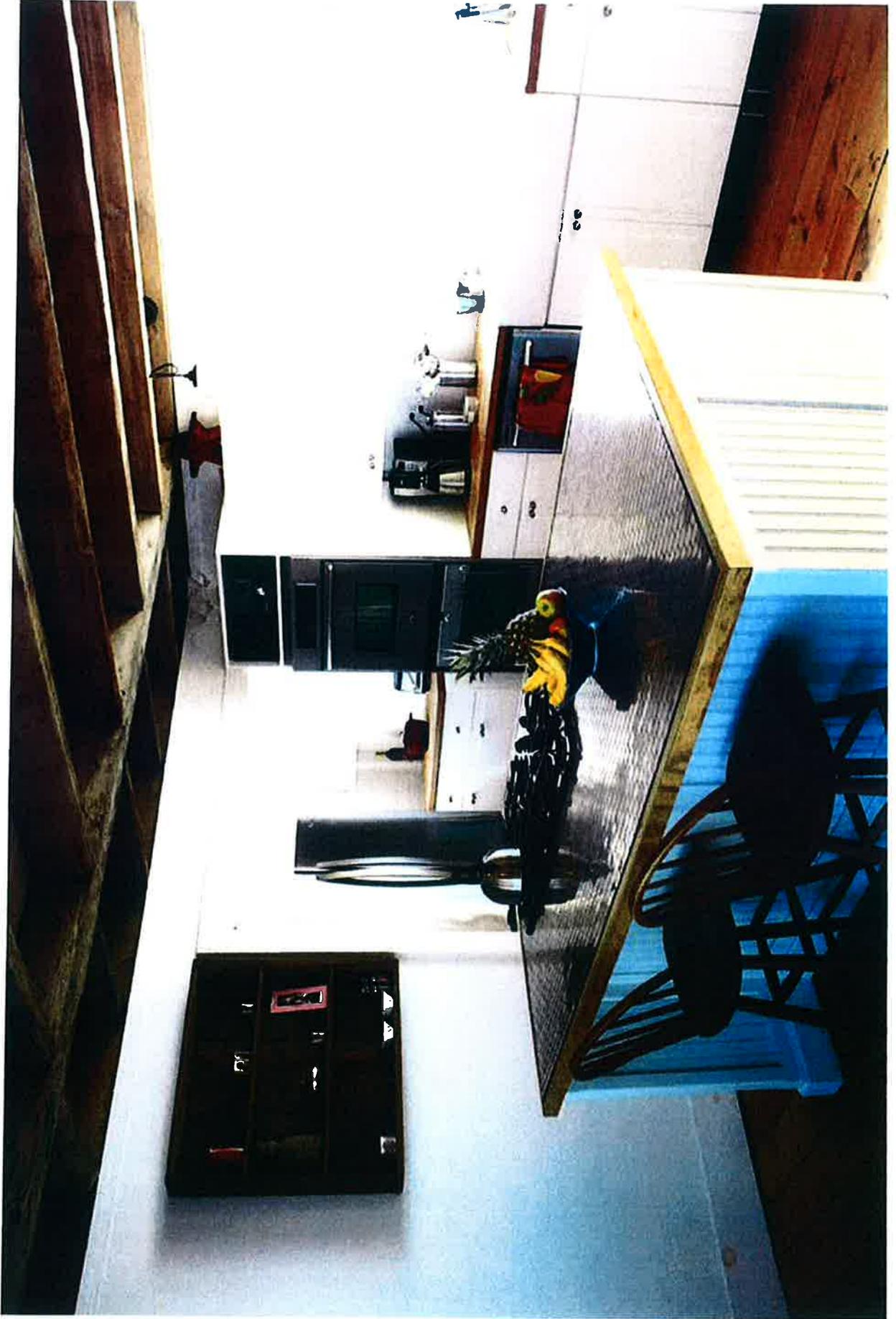
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Before



After



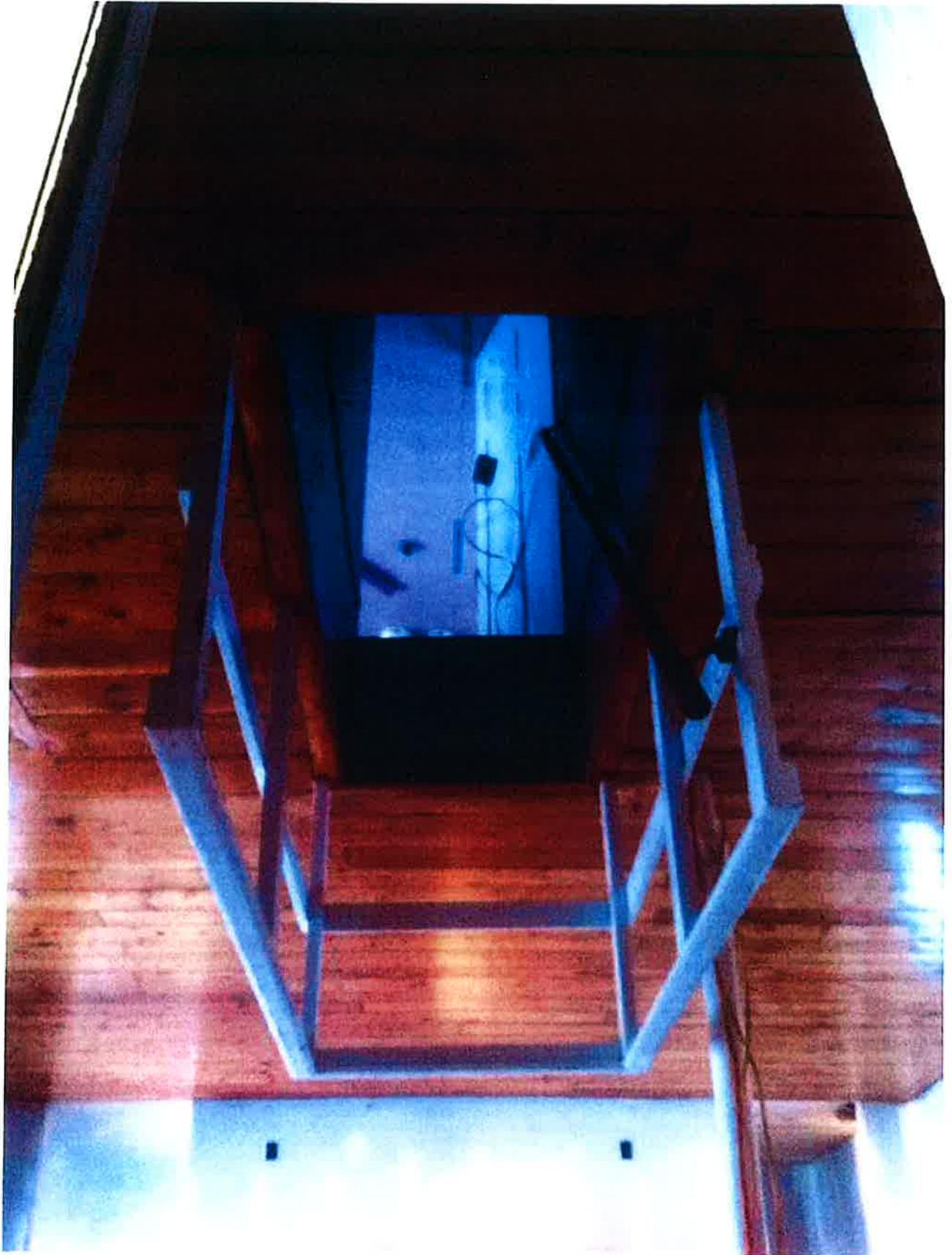
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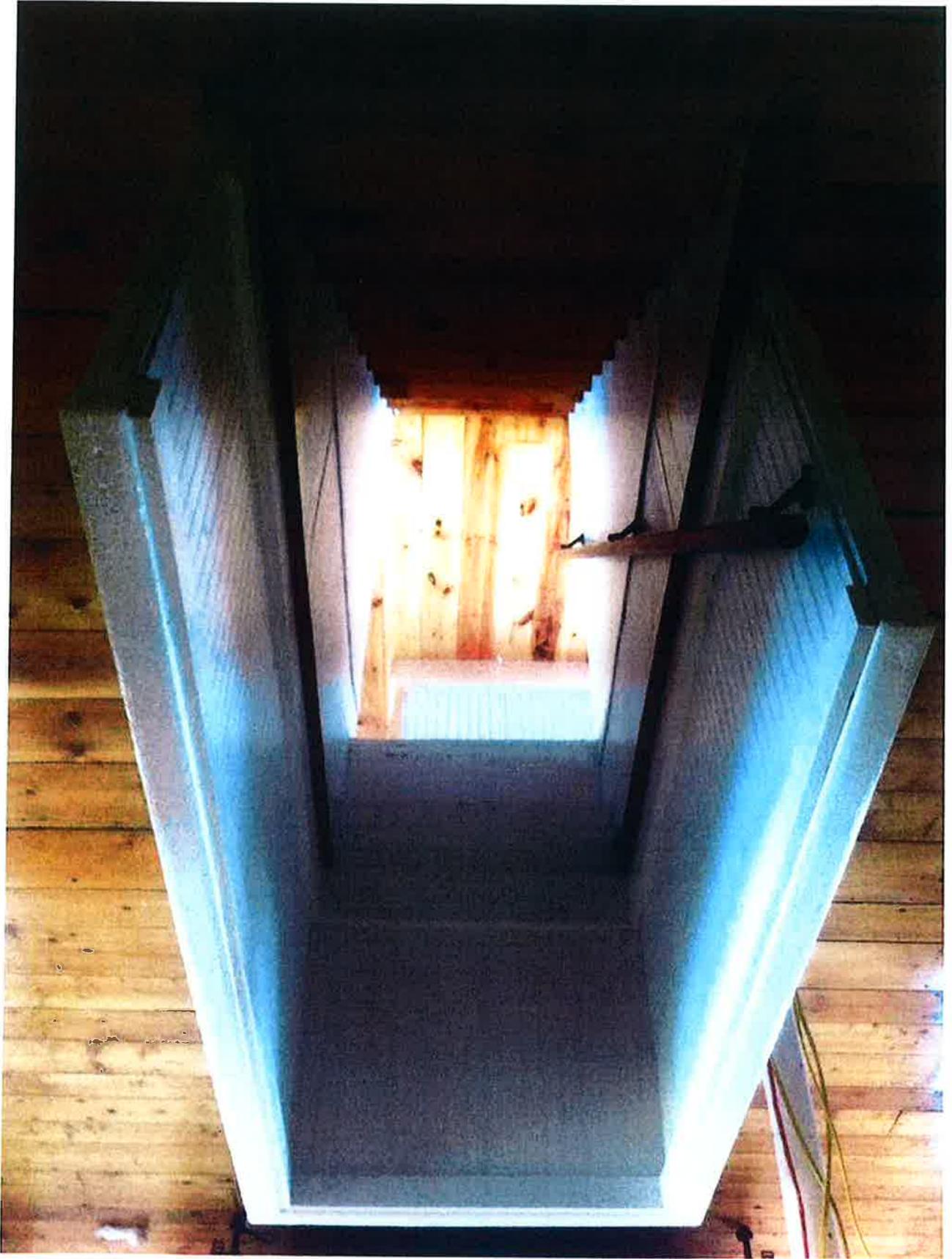
After



Before



After



Jeremy Doxsee

From: Jeff Hutchinson
Sent: Thursday, October 30, 2014 11:57 AM
To: Anna Breinich; Jeremy Doxsee
Subject: FW: Farm Weddings

FYI

JEFF HUTCHINSON
Codes Enforcement Officer
Town of Brunswick
85 Union Street
Brunswick, ME 04011
phone: (207)725-6651(ext 4024)
fax: (207)725-6663
e-mail: jhutchinson@brunswickme.org
web: www.brunswickme.org

From: Ian Talmage [mailto:iantalmage@yahoo.com]
Sent: Thursday, October 30, 2014 9:10 AM
To: Jeff Emerson; Carl Adams
Cc: Jeff Hutchinson
Subject: Re: Farm Weddings

Hi Jeff,

Thank you for the quick reply and the very helpful information.

Best regards,

Ian & Jennifer

On Wednesday, October 29, 2014 10:42 AM, Jeff Emerson <jemerson@brunswickme.org> wrote:

Ian,
Thanks for having us out to have a look around, you have done a great job with the place. I will address the issues individually below that I believe are the main points:

- 1) **Sound and Parking** – Being addressed through the Planning and Codes Department
- 2) **Bathroom** – Being reviewed by the Codes Department
- 3) **Food Service for Events** – I have asked the question of off-site catering being finished (warmed, plated, etc.) on site to the Department of Health and will forward you their response when I receive it.
- 4) **Sprinkler System for Proposed Building** – The type of building use being proposed for construction will not require a sprinkler system until the occupant load exceeds 300 based on either concentrated use (no tables or chairs) @ 7 FT² per person, or non-concentrated use (tables and chairs) @ 15FT² per person. This number is calculated by using available square footage and dividing it by the Occ. Load factor (in this case 7 or 15). I believe the seasonal question is irrelevant at this point? If not, let me know and I will follow up on that issue.

5) **Rooming and Lodging** – I have attached below the definitions and some explanatory material from the code book which helps to distinguish the difference between a 1 & 2 Family Dwelling and a Rooming and Lodging house. I think when you read this you will see that you are in a gray area. My suspicion is that the final interpretation will rest with this office. When it comes to that, I will likely reach out to peers as well as our attorney to assist me in making a decision. At this point I think the focus would be on the primary use of the building. I know that is not much help, but as I said it is a gray area that would need to be further researched. My recommendation as you move forward is to plan on a change of use, or regulate the use of the building through contracts to remain in line with the one and two family definition.

Please feel free to call me for more detailed information if needed.

Thanks,

Jeff Emerson
Deputy Chief
Fire Prevention Division
Brunswick Fire Department
21 Town Hall Place
Brunswick, ME 04011
207-725-5541 Ext # 2
207-725-6638 Fax
jemerson@brunswickme.org

Chapter 26 Lodging or Rooming Houses

26.1.1.1* The requirements of this chapter shall apply to buildings that provide sleeping accommodations for 16 or fewer persons on either a transient or permanent basis, with or without meals, but without separate cooking facilities for individual occupants, except as provided in Chapter **24**.

A.26.1.1.1 Bed and breakfast occupancies with more than 3, but fewer than 17, occupants are considered lodging and rooming houses.

Chapter 24 One- and Two-Family Dwellings

24.1.1.1* The requirements of this chapter shall apply to one- and two-family dwellings, which shall include those buildings containing not more than two dwelling units in which each dwelling unit is occupied by members of a single family with not more than three outsiders, if any, accommodated in rented rooms.

A.24.1.1.1 The *Code* specifies that wherever there are three or more living units in a building, the building is considered an apartment building and is required to comply with either Chapter **30** or Chapter **31**, as appropriate. A townhouse unit is considered to be an apartment building if there are three or more units in the building. The type of wall required between units in order to consider them as separate buildings is normally established by the authority having jurisdiction. If the units are separated by a wall of sufficient fire resistance and structural integrity to be considered as separate buildings, the provisions of Chapter **24** apply to each townhouse. Condominium status is a form of ownership, not occupancy; for example, there are condominium warehouses, condominium apartments, and condominium offices.

The provisions of **24.1.1.1** state that, in one- and two-family dwellings, each dwelling unit can be "occupied by members of a single family with not more than three outsiders." The *Code* does not define the term *family*. The definition of *family* is subject to federal, state, and local regulations and might not be restricted to a person or a couple (two people) and their children. The following examples aid in differentiating between a single-family dwelling and a lodging or rooming house:

- (1) An individual or a couple (two people) who rent a house from a landlord and then sublease space for up to three individuals should be considered a family renting to a maximum of three outsiders, and the house should be regulated as a single-family dwelling in accordance with Chapter **24**.
- (2) A house rented from a landlord by an individual or a couple (two people) in which space is subleased to 4 or more individuals, but not more than 16, should be considered and regulated as a lodging or rooming house in accordance with Chapter **26**.
- (3) A residential building that is occupied by 4 or more individuals, but not more than 16, each renting from a landlord, without separate cooking facilities, should be considered and regulated as a lodging or rooming house in accordance with Chapter **26**.

From: Ian Talmage [mailto:iantalmage@yahoo.com]
Sent: Wednesday, October 29, 2014 10:12 AM

To: Jeff Emerson; Carl Adams
Subject: Farm Weddings

Hi Jeff and Carl,

Thank you both for coming out to see the farm, hear our plans, and help us determine things we will need to consider. We look forward to hearing back from you both with further information and if you have any questions, please feel free to email me at this email address or by phone at (207) 831-8664.

Best regards,

Ian & Jennifer

On Thursday, October 9, 2014 7:46 AM, Jeremy Doxsee <jdoxsee@brunswickme.org> wrote:

fyi

Jeremy Doxsee, AICP
Town Planner
The Department of Planning & Development
Town of Brunswick
85 Union Street
Brunswick, ME 04011
(207)725-6660 x4022
www.brunswickme.org

From: Beth T [<mailto:mainebeth@gmail.com>]
Sent: Wednesday, October 08, 2014 4:45 PM
To: Jeremy Doxsee
Subject: Case 14-034 10

Dear Committee members,

I am unable to attend the staff review committee meeting on Thurs. Oct. 9, 2014 however I did want to share a couple of concerns I have as a neighbor to 10 Round Hill Lane. The house and barn are on a lovely property and I am happy to see that it appears that the owners are renovating and using the farm. A "venue" appears to be a good use of the property. I'm wondering about the auxiliary structure being proposed, and why the barn cannot serve this purpose. If any structure is allowed it should fit the rural setting. An additional concern centers around parking. There have been recent weekend events held at the site and Casco Road has been lined with cars on the narrow shoulder. There is no street lighting and cars travel at a high rate of speed on Casco Road, so that this parking presents a hazard. I strongly suggest that off street parking spaces adequate for the number of guests allowed at each event be mandated as a condition for approval. In our quiet rural setting I also am concerned about noise from amplified music. Could acoustic music only be allowed, or perhaps put a 10 pm limit on amplification? Thanks for considering my concerns.

Sincerely,
Beth Thompson
73 Granite Farm Rd.

Jeremy Doxsee

From: Michael Samson <46sams46@gmail.com>
Sent: Monday, November 10, 2014 7:41 AM
To: Jeremy Doxsee
Subject: Round Pond LN Coding Variance

Dear Mr. Doxie,

As the owner of 46 Casco Road and half owner of my in-laws home at 74 Casco Lane, I am writing to oppose any change in the coding rules for this area. Specifically, I am opposed to the changes that would allow commercial use of the property opposite ours, and specifically for weddings and large functions.

The main issue I have is parking on the road and especially the noise issue. They are marketing their property as quiet, serene, beautiful Maine countyside home, then are themselves leaving and the neighbors are then stuck with the noise of their groups. The last wedding had music blasting well over midnight that kept me and also my son awake. We finally closed our windows even though it was a warm summer night. At 1:15AM, I went out into the driveway to see what was going on. There was loud drunk yelling including the "f-bomb" until well after 1:30 AM. The home at 74 Casco has bedrooms in the front of the house and are even more affected by noise.

Weddings, by their nature, are an event that leads to loud celebrations. There is no shortage of commercial properties that can host these events without disturbing our quiet neighborhood. I urge you and the town officials to vote against this measure.

Please let me know if there are meetings scheduled to further discuss this matter as I would like to attend.

Thank you,
Michael J Samson
46 Casco Road
207-751-6065

Jeremy Doxsee

From: Pem Schaeffer <pemster4062@yahoo.com>
Sent: Thursday, October 09, 2014 2:09 PM
To: Anna Breinich; Jeremy Doxsee
Cc: Julie Erdman
Subject: Opposition to Case #14-034; 10 Round Hill Lane

Planning Board:

We are writing to express our opposition to the proposal embodied in this case, both as to the proposed use, and the proposed construction.

Nearly two weeks ago, an event of some sort was held on this property, and the noise and music were clearly heard at our home on Crestview Lane. This was in fall conditions, where virtually all windows and doors were closed. Conduct of such events in summer conditions, on the larger scale that would be enabled by a 3,500 sf pavilion or other structure, would clearly cause even higher noise levels, and other possible consequences due to high vehicle traffic, etc.

This amounts to conduct of a commercial 'event' enterprise with all that encompasses: entertainment, food services, parking, adult beverages, and more.

We believe this proposed use will significantly alter the tranquility, safety, and quality of life in the surrounding neighborhoods, and is an entirely inappropriate use for a residential property in a rural and agricultural setting.

We therefore respectfully request that you deny approval of this proposed use.

Thank you,

Pem & Joy Schaeffer
90 Crestview Lane
Brunswick
798-6919

To: Jeremy Doxsee, AICPP
Town Planner
85 Union Street
Brunswick, Maine

From: John and Virginia Plummer
74 Casco Road Brunswick, Maine

We had our home built three years ago in a rural residential area on Casco Road. During this year a business has begun directly opposite our home on 74 Casco Road at property on 10 Round Hill Lane. This business is not compatible with our residential area. It is visible and noisy late into the night.

It also creates a parking problem along Casco Road. Further, it abnormally increases the flow of traffic on Casco Road.

We are apposed to the special permit requested for 10 Round Hill Lane. In general it would degrade the value of our property and our normal residential living conditions.

Sincerely,

Handwritten signatures of John Plummer and Virginia Plummer in cursive script.

John and Virginia Plummer



TOWN OF BRUNSWICK, MAINE

INCORPORATED 1739

DEPARTMENT OF PLANNING AND DEVELOPMENT
85 UNION STREET
BRUNSWICK, ME 04011

ANNA M. BREINICH, FAICP
DIRECTOR OF PLANNING & DEVELOPMENT

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

June 23, 2015

To: Planning Board
From: Jeremy Doxsee, Town Planner
Subject: Planning Board Subdivision Extension Decision: Moody Road Section 1

At the July 13, 2010, Planning Board meeting, the Board approved a request by Harold and Barbara Sandelin to extend the subdivision approval for Moody Road Section 1 (04-078) for five years. The project was first approved by the Board on July 26, 2005. The extension granted by the Board made the Moody Road Subdivision Section 1 plan valid until July 26, 2015. The applicant is seeking an additional extension, until July 26, 2020.

The applicant's engineer, Curt Neufeld of Sitelines PA, has submitted the attached letter dated May 20, 2015, which outlines the project history and the applicant's intentions, moving forward.

Pursuant to Section 407.4.C of the Zoning Ordinance, all approved infrastructure systems must be completed by this date or an extension request be submitted to the Planning Board prior to plan expiration. Any changes to the approved Subdivision Plan require approval from the Planning & Development Department, the Staff Review Committee or Planning Board, as applicable.

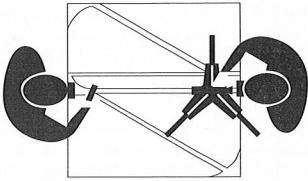
DRAFT MOTION MOODY ROAD SUBDIVISION PHASE I EXTENSION REQUEST CASE NUMBER: 15-025

Motion 1: That the Major Development Review Subdivision Plan is extended with the following conditions:

1. All conditions of approval from the July 26, 2005 approval remain in effect, as follows:
 - 1) That the Board's review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, their representatives, reviewing officials and members of the public as

reflected in the public record. Any changes to the approved plan not called for in these conditions of approval shall require review and approval in accordance with the Brunswick Zoning Ordinance.

- 2) That, prior to issuance of a building permit, the Solid Waste Impact fee of \$2,068.48 shall be paid.
- 3) That the recommendations of the Recreation Commission shall be implemented and that any impact fee recommended by the Commission is hereby assessed and shall be paid prior to issuance of a building permit.
- 4) That, prior to start of construction, five paper copies of a revised subdivision plan, satisfactory to the Director of Planning and Development, shall be submitted that: 1) complies with the maximum dead-end road length standard, 2) depicts all jurisdictional streams and their associated NRPZ setbacks, 3) shows a note stipulating that any additional clearing, filling, grading or building within any wetland area shall constitute an amendment to the subdivision plan and shall require prior local, state and Federal review and approval and, 4) shows a property boundary between the land retained by the applicant and the land to be conveyed to the homeowners association.
- 5) That, prior to the start of construction, the applicant shall provide an executed conservation easement, satisfactory to the Conservation Commission and Town Attorney, for the proposed open space areas. Should the Town Council not accept the conservation easement, the open space in question shall otherwise be protected with deed covenants satisfactory to the Town Attorney in accordance with Section 523.4 of the Brunswick Zoning Ordinance.
- 6) That the written recommendations of the Town Engineer shall be implemented and that, should those recommendations require plan revisions, three paper copies of those revised plans, satisfactory to the Town Engineer, shall be submitted.
- 7) That, prior to issuance of a building permit, a landscape plan, satisfactory to the Director of Planning and Development, shall be submitted, to provide screening of the new road from abutting properties along its first 350 feet.
- 8) That, prior to the sale of Lot 8, the applicant shall provide evidence, satisfactory to the Codes Enforcement Officer, of two passing test pits on that lot.



1026-7

May 20, 2015

Jeremy Doxsee, Town Planner
Town of Brunswick
85 Union Street
Brunswick, Maine 04011

**Re: Request for Subdivision Plan Approval Extension
Moody Road Subdivision – Section 1
Tax Map 4, Lot 1**

Dear Jeremy:

On behalf of Harold & Barbara Sandelin, in partnership with the property owner, Joseph Klocek, this letter serves as a request for a subdivision approval extension for the Moody Road Subdivision, Section 1, in Brunswick, Maine.

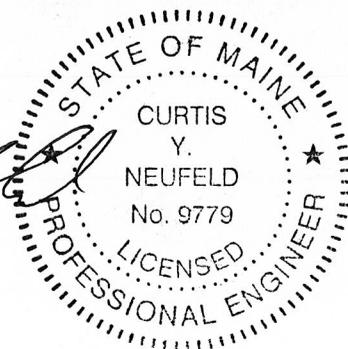
Section 1 was approved by the Brunswick Planning Board in July 2005. In early 2006, Sitelines PA worked with the Applicants to obtain bids for the infrastructure work (road and utility extensions) to serve the proposed lots. After receiving the costs for the work, which represented considerable capital expense, the Applicants elected to delay construction while the impact of the base closure could be evaluated. Their decision to delay was validated by the rapid decline in home sales in the area. The impact of the closure on the housing market has been substantial, and is only recently showing signs of recovery. The applicants received an approval extension in 2010, extending the approval to July 2015.

The Applicants have followed the situation and are anticipating constructing the Section 1 infrastructure in 2015. The Applicants intend to proceed with the project as approved. A copy of the approved subdivision plan is enclosed for reference. The previous conditions of approval are understood to be binding on this extension.

We trust that this information is adequate to warrant granting the site plan approval extension as requested. This request is forwarded with the intention of being heard at the next available Planning Board meeting and we look forward to the opportunity to meet with the Board. If you have any questions or require additional information, please do not hesitate to call. Thank you for your assistance with this project.

Very truly yours,


Curtis Y. Neufeld, P.E.
Vice President



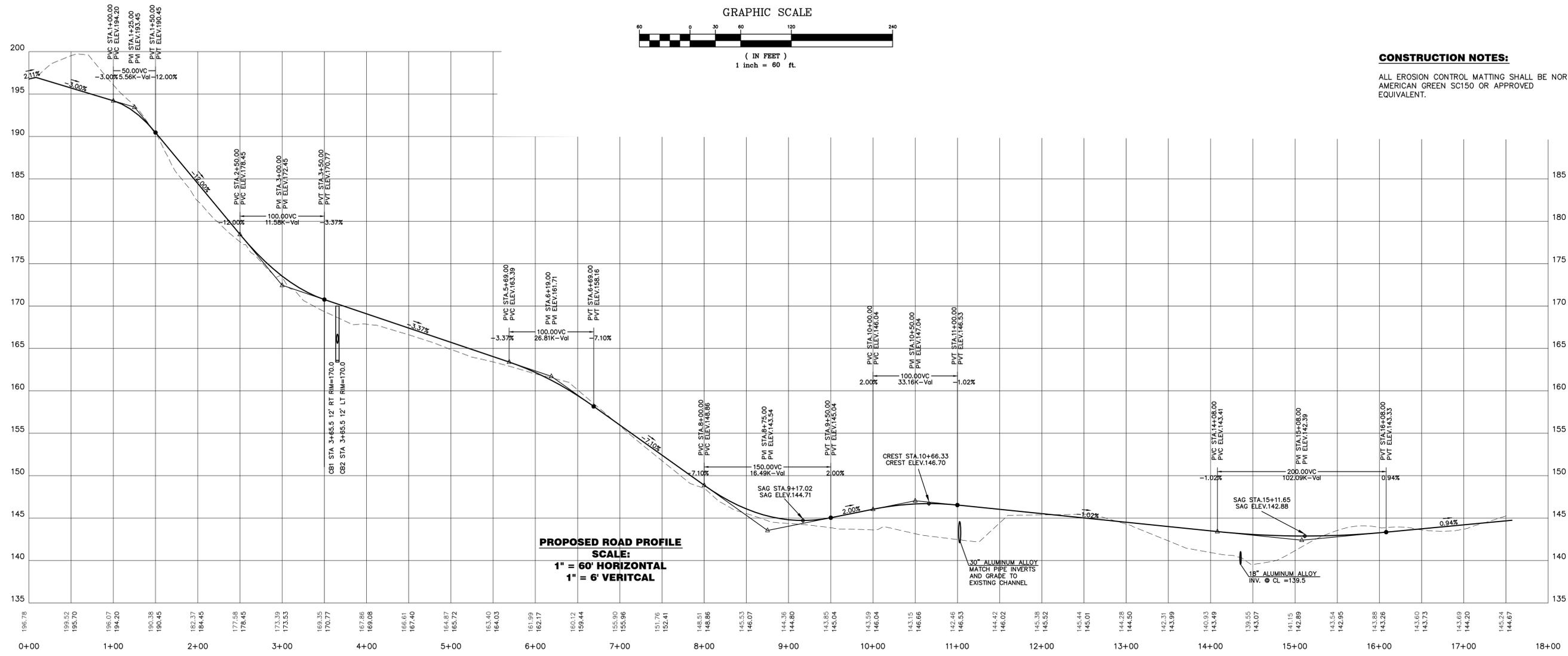
Enclosure

cc: Harold Sandelin and Joseph Klocek

SITELINES, PA

ENGINEERS ■ PLANNERS ■ SURVEYORS ■ LANDSCAPE ARCHITECTS
8 Cumberland Street ■ Brunswick, ME 04011 ■ TEL 207-725-1200 ■ FAX 207-725-1114 ■ www.sitelinespa.com

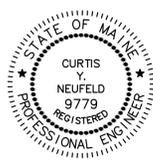
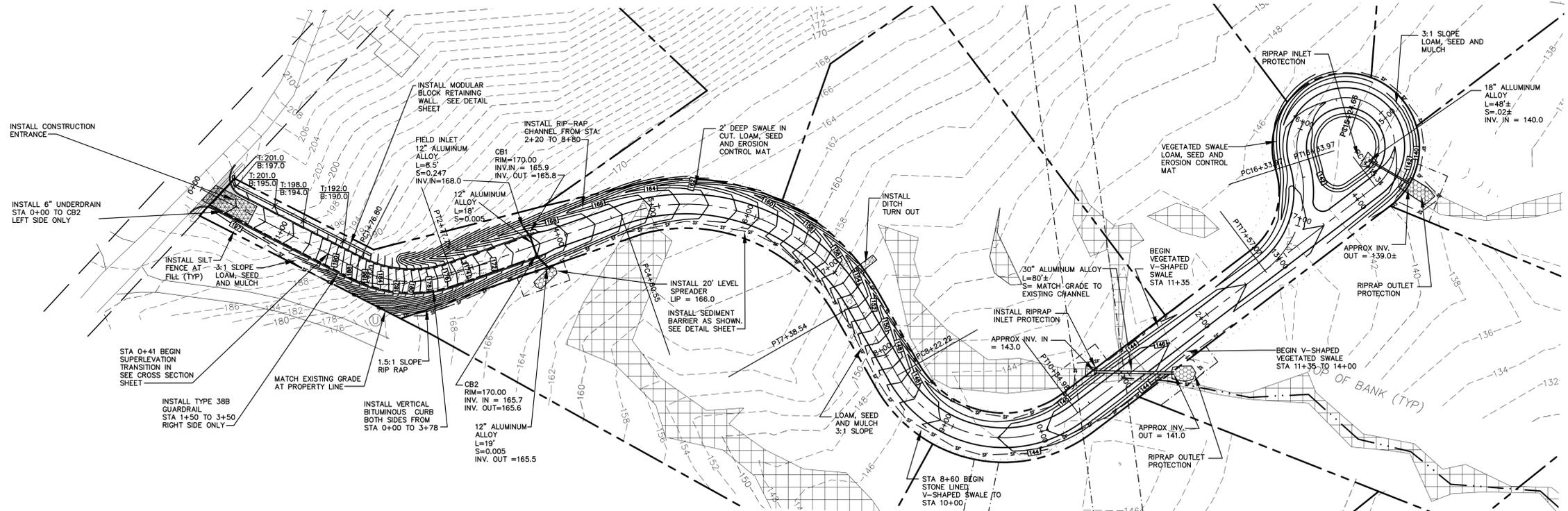
GRAPHIC SCALE



PROPOSED ROAD PROFILE
SCALE:
1" = 60' HORIZONTAL
1" = 6' VERTICAL

CONSTRUCTION NOTES:

ALL EROSION CONTROL MATTING SHALL BE NORTH AMERICAN GREEN SC150 OR APPROVED EQUIVALENT.

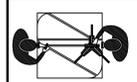


- 5. 04-22-15 REVISED CL AND ROW, PROFILE ADDED RET WALL SUBMITTED FOR EXTENSION APPROVAL RPL
- 4. 07-28-05 REVISED CL AND RIGHT OF WAY LENGTH REVISED DRAINAGE AND GRADING ACCORDINGLY REH
- 3. 07-12-05 REVISED CL AND RIGHT OF WAY, REVISED GRADING AND DRAINAGE ACCORDINGLY, SUBMITTED TO TOWN SUBMITTED TO TOWN PLANNER FOR FINAL APPROVAL REH
- 2. 06-28-05 REVISED SLOPE TO 2:1 STA 11+00 TO 13+50 REVISED PER TOWN COMMENTS, SUBMITTED TO PUBLIC WORKS DIRECTOR AND PLANNING BOARD REH
- 1. 06-14-05

PLAN AND PROFILE

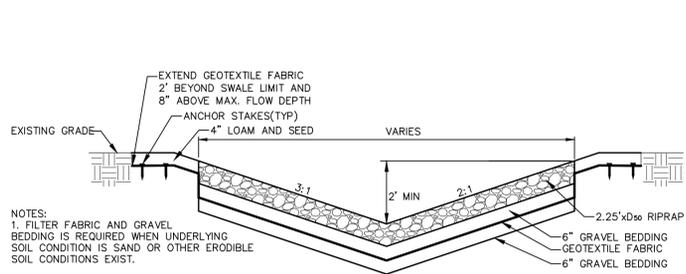
MOODY ROAD SUBDIVISION
 BRUNSWICK, MAINE

PREPARED FOR:
 HAROLD SANDELIN



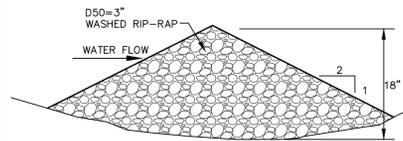
SITELINES P.A.
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 LANDSCAPE ARCHITECTS
 8 CUMBERLAND STREET, BRUNSWICK, ME 04011
 Phone: (207) 725-1200 Fax: (207) 725-1114

FIELD WK: -	SCALE: 1"=60'	SHEET:
DRN BY: REH	JOB #: 1026	2
CHD BY: KPC	MAP/LOT: 14/13	
DATE: 04-10-05	FILE: 1026Final	

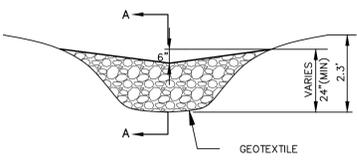


NOTES:
 1. FILTER FABRIC AND GRAVEL BEDDING IS REQUIRED WHEN UNDERLYING SOIL CONDITION IS SAND OR OTHER ERODIBLE SOIL CONDITIONS EXIST.
 2. MINIMUM D₅₀ SHALL BE 8". D₅₀ IS DEFINED BY THE AVERAGE STONE SIZE IN THE MIXTURE. THE RIPRAP SHALL BE COMPOSED OF A WELL-GRADED MIXTURE DOWN TO THE ONE-INCH SIZE PARTICLE SUCH THAT 50 PERCENT OF THE MIXTURE BY WEIGHT SHALL BE LARGER THAN THE D₅₀ SIZE.

STONE LINED DITCH / SWALE (V-SHAPED)
 STA 12+00 TO 17+00
 NOT TO SCALE

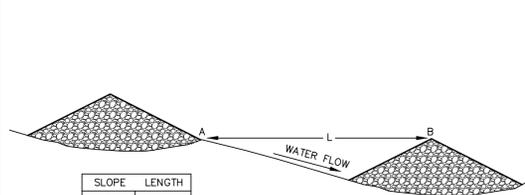


CHECK DAM SECTION A-A



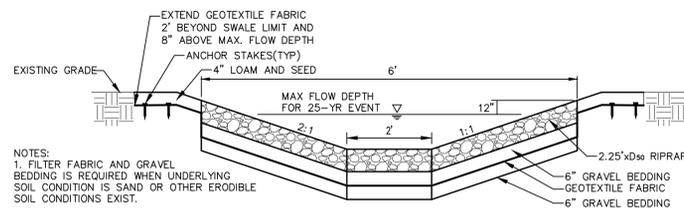
SECTION VIEW OF DRAINAGE WAY

STONE CHECK DAM IN DRAINAGE-WAY
 NOT TO SCALE



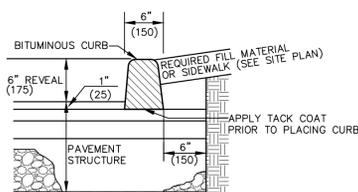
L= THE DISTANCE SUCH THAT POINTS A AND B ARE OF EQUAL ELEVATION

CHECK DAM SPACING

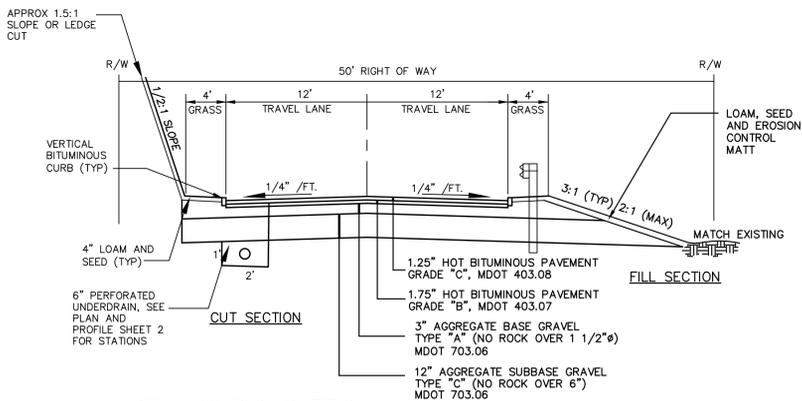


NOTES:
 1. FILTER FABRIC AND GRAVEL BEDDING IS REQUIRED WHEN UNDERLYING SOIL CONDITION IS SAND OR OTHER ERODIBLE SOIL CONDITIONS EXIST.
 2. MINIMUM D₅₀ SHALL BE 8". D₅₀ IS DEFINED BY THE AVERAGE STONE SIZE IN THE MIXTURE. THE RIPRAP SHALL BE COMPOSED OF A WELL-GRADED MIXTURE DOWN TO THE ONE-INCH SIZE PARTICLE SUCH THAT 50 PERCENT OF THE MIXTURE BY WEIGHT SHALL BE LARGER THAN THE D₅₀ SIZE.

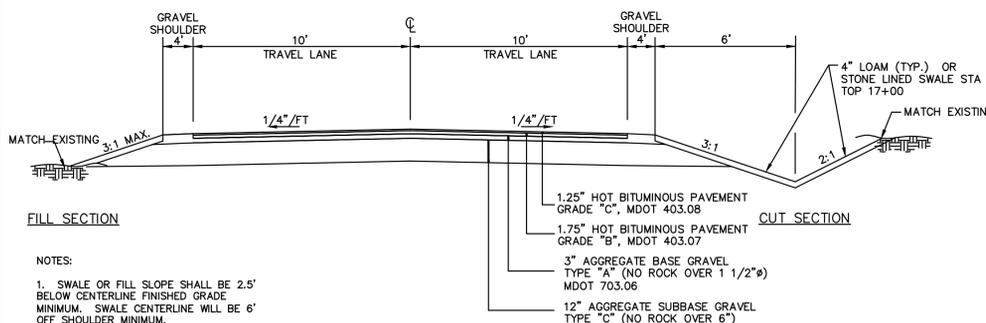
WEST MERRILL ROAD STONE LINED DITCH / SWALE
 NOT TO SCALE



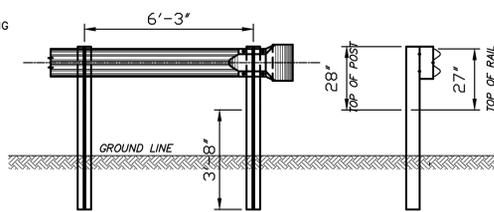
VERTICAL BITUMINOUS CURB
 NOT TO SCALE



STA 0+00 TO 3+70 TYPICAL ROADWAY SECTION
 NOT TO SCALE

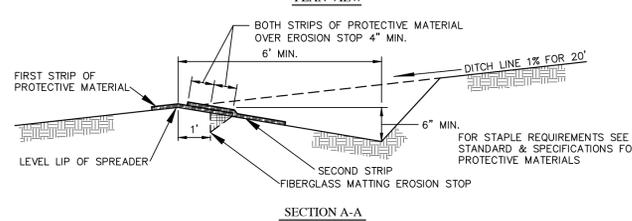
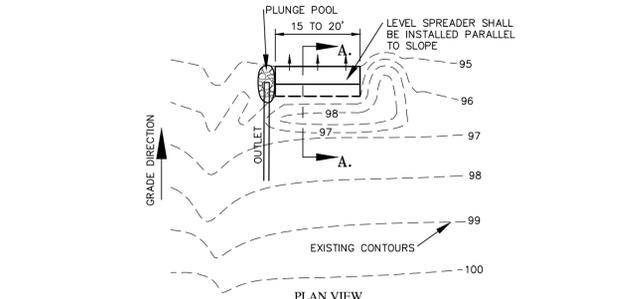


STATION 3+70 TO 17+57
 TYPICAL CROSS SECTION
 NOT TO SCALE



NOTES:
 1.) STEEL POSTS AND OFFSET BRACKETS FOR GUARD RAIL SHALL BE W6x8.5 OR W6x9.

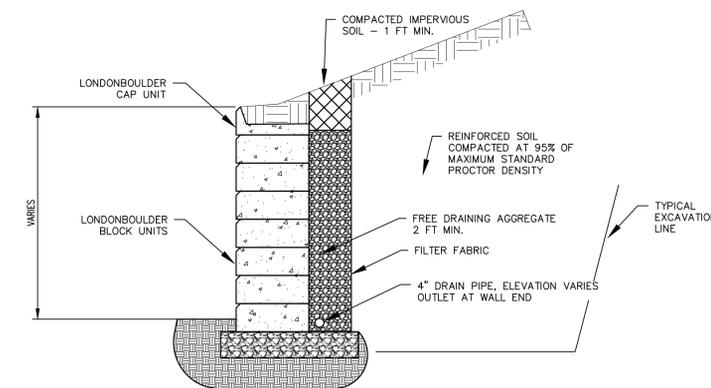
TYPICAL GUARD RAIL DETAIL
 (NOT TO SCALE)



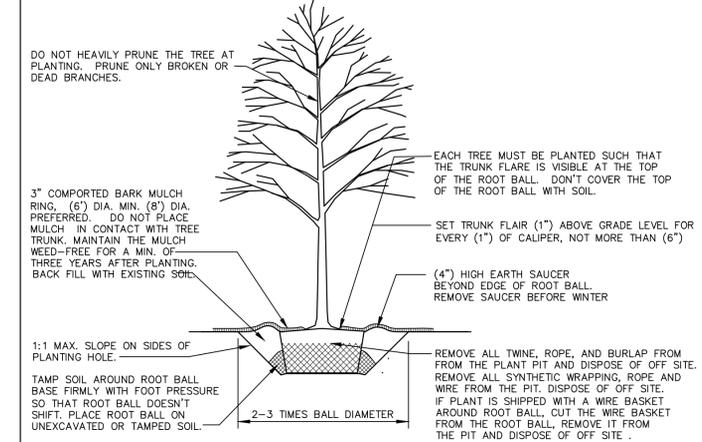
CONSTRUCTION SPECIFICATIONS

1. CONSTRUCT LEVEL LIP ON ZERO PERCENT GRADE TO INSURE UNIFORM SPREADING OF SEDIMENT-FREE RUNOFF (CONVERTING CHANNEL FLOW TO SHEET FLOW).
2. LEVEL SPREADER SHALL BE CONSTRUCTED ON UNDISTURBED SOIL (NOT ON FILL).
3. A FIBERGLASS MATTING EROSION STOP SHALL BE PLACED VERTICALLY AND AT LEAST SIX INCHES DEEP IN A SLIT TRENCH ONE FOOT BACK OF THE LEVEL LIP AND PARALLEL WITH THE LIP. THIS EROSION STOP SHALL EXTEND THE ENTIRE LENGTH OF THE LEVEL LIP AND SHALL BE TRIMMED AFTER BACKFILL WITH TAMPED SOIL SO THAT THE UPPER EDGE IS FLUSH WITH THE SOIL SURFACE.
4. THE ENTIRE LEVEL LIP AREA SHALL BE PROTECTED BY PLACING TWO STRIPS OF JUTE OR EXCELSIOR PROTECTIVE MATERIAL AS SHOWN IN DETAIL.
5. THE ENTRANCE CHANNEL SHALL NOT EXCEED A 1% GRADE FOR LEAST 20 FEET BEFORE ENTERING SPREADER.
7. STORM RUNOFF CONVERTED TO SHEET FLOW SHALL OUTLET ONTO STABILIZED AREAS. WATER SHALL NOT BE RECONCENTRATED IMMEDIATELY BELOW THE POINT OF DISCHARGE.
8. PERIODIC INSPECTION AND REQUIRED MAINTENANCE SHALL BE PROVIDED.

PLUNGE POOL AND LEVEL SPREADER
 NOT TO SCALE

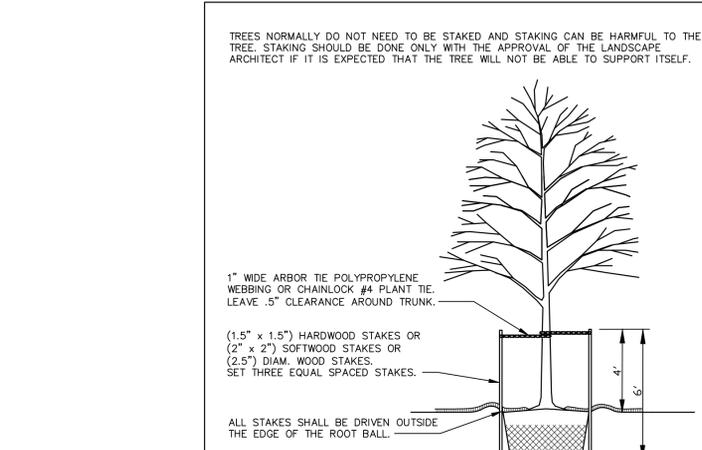


RETAINING WALL
 NOT TO SCALE



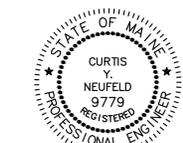
DO NOT HEAVILY PRUNE THE TREE AT PLANTING. PRUNE ONLY BROKEN OR DEAD BRANCHES.
 EACH TREE MUST BE PLANTED SUCH THAT THE TRUNK FLARE IS VISIBLE AT THE TOP OF THE ROOT BALL. DON'T COVER THE TOP OF THE ROOT BALL WITH SOIL.
 SET TRUNK FLAIR (1") ABOVE GRADE LEVEL FOR EVERY (1") OF CALIPER, NOT MORE THAN (6")
 (4") HIGH EARTH SAUCER BEYOND EDGE OF ROOT BALL. REMOVE SAUCER BEFORE WINTER.
 REMOVE ALL TWINE, ROPE, AND BURLAP FROM THE PLANT PIT AND DISPOSE OF OFF SITE. REMOVE ALL SYNTHETIC WRAPPING, ROPE AND WIRE FROM THE PIT. DISPOSE OF OFF SITE. IF PLANT IS SHIPPED WITH A WIRE BASKET AROUND ROOT BALL, CUT THE WIRE BASKET FROM THE ROOT BALL. REMOVE IT FROM THE PIT AND DISPOSE OF OFF SITE.
 1:1 MAX. SLOPE ON SIDES OF PLANTING HOLE.
 TAMP SOIL AROUND ROOT BALL BASE FIRMLY WITH FOOT PRESSURE SO THAT ROOT BALL DOESN'T SHIFT. PLACE ROOT BALL ON UNEXCAVATED OR TAMPED SOIL.
 2-3 TIMES BALL DIAMETER

TREE PLANTING DETAIL - B&B TREES IN ALL SOIL TYPES
 NOT TO SCALE



NOTES:
 1. REMOVE ALL STAKING AS SOON AS THE TREE HAS GROWN SUFFICIENT ROOTS TO OVERCOME THE PROBLEM THAT REQUIRED THE TREE TO BE STAKED. STAKES SHALL BE REMOVED NO LATER THAN JUNE 1 OF THE FIRST CALENDAR YEAR AFTER PLANTING.
 2. ROOT BALLS WITH VERY SANDY SOIL OR PLANT PITS IN VERY WET CLAY SOIL SHALL BE STAKED.
 3. TREES LOCATED IN A PLACE OF EXTREMELY WINDY CONDITIONS SHALL BE STAKED.

TREE STAKING DETAIL - TREES 75mm (3") CALIPER OR LESS
 NOT TO SCALE



4. 05-20-15 REVISED DETAILS AND SUBMITTED FOR EXTENSION OF APPROVALS RPL
3. 07-12-05 REVISED TYPICAL SECTION DETAILS REH
2. 06-28-05 SUBMITTED TO TOWN PLANNER FOR FINAL APPROVAL REH
1. 06-14-05 REVISED PER TOWN COMMENTS REH

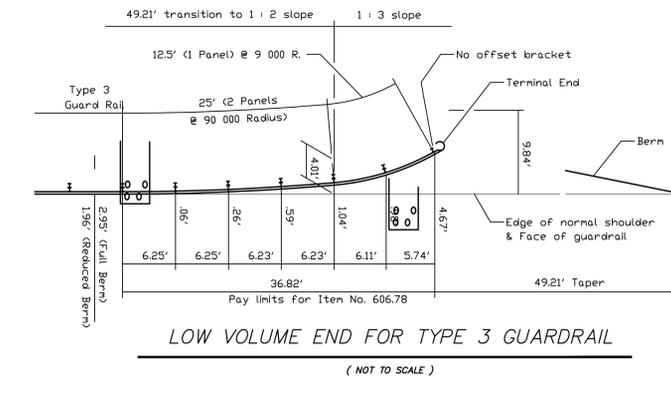
DETAILS

MOODY ROAD SUBDIVISION
 BRUNSWICK, MAINE

HAROLD SANDELIN
 BRUNSWICK, MAINE

SITELINES P.A.
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FIELD WK:	SCALE: NOT TO SCALE	SHEET:
DRN BY: REH	JOB #: 1026	4
CHD BY: KPC	MAP/LOT:	
DATE: 05-10-05	FILE: 1026FINAL	



LOW VOLUME END FOR TYPE 3 GUARDRAIL
 (NOT TO SCALE)

GENERAL NOTES:

- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR THE ELEVATION OF THE EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION HAS NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVES AND IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL CALL THE APPROPRIATE UTILITY COMPANY AND DIG SAFE (1-800-DIG-SAFE) AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
- THE LOCATION, SIZE, DEPTH, AND SPECIFICATIONS FOR CONSTRUCTION OF PROPOSED PRIVATE UTILITY SERVICES SHALL BE INSTALLED ACCORDING TO THE REQUIREMENTS PROVIDED BY, AND APPROVED BY THE RESPECTIVE UTILITY COMPANY (GAS, TELEPHONE, ELECTRIC AND FIRE ALARM). FINAL DESIGN LOADS AND LOCATIONS TO BE COORDINATED WITH OWNER AND ARCHITECT.
- THE CONTRACTOR SHALL FIELD VERIFY THE LOCATION, SIZE, INVERTS AND TYPES OF EXISTING PIPES AT ALL PROPOSED POINTS OF CONNECTION PRIOR TO ORDERING MATERIALS. WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATIONS, ELEVATION, AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR, AND THE INFORMATION FURNISHED IN WRITING TO THE OWNER'S REPRESENTATIVE FOR THE RESOLUTION OF THE CONFLICT.
- CONTRACTOR SHALL VERIFY ALL CRITICAL DIMENSIONS AND GRADES TO HIS SATISFACTION BEFORE WORK BEGINS. CONTRACTOR SHALL CONFIRM LOCATION AND DEPTH ALL UTILITY LINE CROSSINGS WITH TEST PITS PRIOR TO BEGINNING WORK. CONFLICTS SHALL BE REPORTED IN WRITING TO ENGINEER FOR RESOLUTION OF THE CONFLICT.
- ALL AREAS OUTSIDE THE LIMIT OF WORK THAT ARE DISTURBED SHALL BE RESTORED BY THE CONTRACTOR TO THEIR ORIGINAL CONDITION AT THE CONTRACTOR'S EXPENSE. ALL AREAS DISTURBED DURING CONSTRUCTION NOT COVERED WITH BUILDINGS, STRUCTURES, OR PAVEMENT SHALL RECEIVE 6 INCHES OF LOAM AND SEED.
- CONTRACTOR SHALL MAKE ALL ARRANGEMENTS AND SHALL BE RESPONSIBLE FOR PAYING ANY FEES FOR ANY POLE RELOCATION AND FOR THE ALTERATION OR ADJUSTMENT OF GAS, ELECTRIC, TELEPHONE, FIRE ALARM AND ANY OTHER PRIVATE UTILITIES BY THE UTILITY COMPANIES.
- UPON AWARD OF CONTRACT, CONTRACTOR SHALL MAKE ALL NECESSARY CONSTRUCTION NOTIFICATIONS AND APPLY FOR AND OBTAIN ALL NECESSARY PERMITS, PAY ALL FEES AND POST ALL BONDS ASSOCIATED WITH THE WORK INDICATED ON THE DRAWINGS.
- ALL PROPERTY MONUMENTATION DISTURBED DURING CONSTRUCTION SHALL BE RESET TO THEIR ORIGINAL LOCATION BY A MAINE REGISTERED PROFESSIONAL LAND SURVEYOR (PLS) AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL PREPARE AN AS-BUILT PLAN SURVEY SHOWING LOCATIONS OF ALL SURFACE FEATURES AND SUBSURFACE UTILITY SYSTEMS INCLUDING THE LOCATION TYPE, SIZE AND INVERTS.
- CONTRACTOR SHALL INSTALL ALL EROSION CONTROL MEASURES PRIOR TO EARTHWORK OPERATION AND MAINTAIN ALL EROSION CONTROL MEASURES AND SEEDED EMBANKMENTS DURING CONSTRUCTION. EROSION CONTROL SHALL BE REMOVED ONLY UPON THE ESTABLISHMENT OF ALL LANDSCAPED AREAS. ALL WORK SHALL BE IN COMPLIANCE WITH THE ENVIRONMENTAL QUALITY HANDBOOK FOR EROSION AND SEDIMENT CONTROL, LATEST EDITION, AS ADOPTED BY THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION.
- CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR SITE SECURITY AND JOB SAFETY. ALL CONSTRUCTION ACTIVITY SHALL BE IN ACCORDANCE WITH OSHA STANDARDS AND LOCAL REQUIREMENTS.
- ALL MATERIALS AND CONSTRUCTION METHODS USED WITHIN THE PUBLIC RIGHT-OF-WAY SHALL CONFORM TO ALL LOCAL MUNICIPAL STANDARDS AND MAINE DEPARTMENT OF TRANSPORTATION SPECIFICATIONS.
- THE CONTRACTOR IS REQUIRED TO CONTROL DUST DURING CONSTRUCTION. EXPOSED SOIL AREAS SHALL BE SPRAYED WITH WATER AS NEEDED TO CONTROL DUST EMISSIONS. COVER EXPOSED SOIL AREAS AS QUICKLY AS PRACTICAL TO PREVENT WINDS FROM GENERATING DUST.

- CONTRACTOR SHALL FOLLOW BEST MANAGEMENT PRACTICES OF THE CUMBERLAND COUNTY SOIL CONSERVATION SERVICE AND THE MAINE DEP BEST MANAGEMENT PRACTICES HANDBOOK.

EROSION AND SEDIMENTATION NOTES:

- CONTRACTOR SHALL FOLLOW BEST MANAGEMENT PRACTICES OF THE CUMBERLAND COUNTY SOIL CONSERVATION SERVICE AND THE MAINE DEP BEST MANAGEMENT PRACTICES HANDBOOK.
- GENERAL EROSION AND SEDIMENTATION CONTROL PRACTICES:
 - EROSION/SEDIMENT CONTROL DEVICES: THE FOLLOWING EROSION SEDIMENTATION CONTROL DEVICES ARE PROPOSED FOR CONSTRUCTION ON THIS PROJECT. INSTALL THESE DEVICES AS INDICATED ON THE PLANS.
 - SILT FENCE: SILT FENCE WILL BE INSTALLED ALONG THE DOWN GRADING EDGES OF DISTURBED AREAS TO TRAP RUNOFF BORNE SEDIMENTS UNTIL THE SITE IS STABILIZED. IN AREAS WHERE STORMWATER DISCHARGES THE SILT FENCE WILL BE REINFORCED WITH HAY BALES TO HELP MAINTAIN THE INTEGRITY OF THE SILT FENCE AND TO PROVIDE ADDITIONAL TREATMENT.
 - HAY BALES: HAY BALES TO BE PLACED IN LOW FLOW DRAINAGE SWALES AND PATHS TO TRAP SEDIMENTS AND REDUCE RUNOFF VELOCITIES. DO NOT PLACE HAY BALES IN FLOWING WATER OR STREAMS.
 - RRIPRAP: PROVIDE RRIPRAP IN AREAS WHERE CULVERTS DISCHARGE OR AS SHOWN ON THE PLANS.
 - LOAM, SEED, & MULCH: ALL DISTURBED AREAS, WHICH ARE NOT OTHERWISE TREATED, SHALL RECEIVE PERMANENT SEEDING AND MULCH TO STABILIZE THE DISTURBED AREAS. THE DISTURBED AREAS WILL BE REVEGETATED WITHIN 5 DAYS OF FINAL GRADING. SEEDING REQUIREMENTS ARE PROVIDED AT THE END OF THIS SPECIFICATION.
 - STRAW AND HAY MULCH: USED TO COVER DENUDDED AREAS UNTIL PERMANENT SEED OR EROSION CONTROL MEASURES ARE IN PLACE. MULCH BY ITSELF CAN BE USED ON SLOPES LESS THAN 15% IN SUMMER AND 8% IN WINTER. JUTE MESH IS TO BE USED OVER MULCH ONLY. CURLEX II AND EXCELRIOR MAY BE USED IN PLACE OF JUTE MESH OVER MULCH.
 - MULCH NETTING SHALL BE USED TO ANCHOR MULCH IN ALL DRAINAGE WAYS WITH A SLOPE GREATER THAN 3% FOR SLOPES EXPOSED TO DIRECT WINDS AND FOR ALL OTHER SLOPES GREATER THAN 8%.

TEMPORARY EROSION/SEDIMENTATION CONTROL MEASURES:

- PROVIDE THE FOLLOWING TEMPORARY EROSION/SEDIMENTATION CONTROL MEASURES DURING CONSTRUCTION OF THE DEVELOPMENT:
- SILTATION FENCE ALONG THE DOWNGRADIENT SIDE OF THE PARKING AREAS AND OF ALL FILL SECTIONS. THE SILTATION FENCE WILL REMAIN IN PLACE UNTIL THE SITE IS 85% REVEGETATED.
 - HAY BALES PLACED AT KEY LOCATIONS TO SUPPLEMENT THE SILT FENCE.
 - PROTECT TEMPORARY STOCKPILES OF STUMPS, GRUBBINGS, OR COMMON EXCAVATION AS FOLLOWS:
 - SOIL STOCKPILE SIDE SLOPES SHALL NOT EXCEED 2:1.
 - AVOID PLACING TEMPORARY STOCKPILES IN AREAS WITH SLOPES OVER 10 PERCENT, OR NEAR DRAINAGE SWALES. SEE ITEM 3 IN CONSTRUCTION PHASE NOTES BELOW.
 - STABILIZE STOCKPILES WITHIN 15 DAYS BY TEMPORARILY SEEDING WITH A HYDROSEED METHOD CONTAINING AN EMULSIFIED MULCH TACKIFIER OR BY COVERING THE STOCKPILE WITH MULCH.
 - SURROUND STOCKPILE SOIL WITH SILTATION FENCE AT BASE OF PILE.
 - ALL DENUDDED AREAS WHICH HAVE BEEN ROUGH GRADED AND ARE NOT LOCATED WITHIN THE BUILDING PAD, OR PARKING AND DRIVEWAY SUBBASE AREA SHALL RECEIVE MULCH WITHIN 30 DAYS OF INITIAL DISTURBANCE OF SOIL OR WITHIN 15 DAYS AFTER COMPLETING THE ROUGH GRADING OPERATIONS. IN THE EVENT THE CONTRACTOR COMPLETES FINAL GRADING AND INSTALLATION OF LOAM AND SOO WITHIN THE TIME PERIODS PRESENTED ABOVE, INSTALLATION OF MULCH AND NETTING, WHERE APPLICABLE, IS NOT REQUIRED.
 - IF WORK IS CONDUCTED BETWEEN OCTOBER 15 AND APRIL 15, ALL DENUDDED AREAS ARE TO BE COVERED WITH HAY MULCH, APPLIED AT TWICE THE NORMAL APPLICATION RATE, AND ANCHORED WITH FABRIC NETTING. THE PERIOD BETWEEN FINAL GRADING AND MULCHING SHALL BE REDUCED TO A 15 DAY MAXIMUM.
 - TEMPORARY EROSION CONTROL MEASURES SHALL BE REMOVED ONCE THE SITE HAS BEEN STABILIZED OR IN AREAS WHERE PERMANENT EROSION CONTROL MEASURES HAVE BEEN INSTALLED.

PERMANENT EROSION CONTROL MEASURES:

- THE FOLLOWING PERMANENT CONTROL MEASURES ARE REQUIRED BY THIS EROSION/SEDIMENTATION CONTROL PLAN:
- ALL AREAS DISTURBED DURING CONSTRUCTION, BUT NOT SUBJECT TO OTHER RESTORATION (PAVING, RRIPRAP, ETC.), WILL BE LOAMED, LIMED, FERTILIZED AND SEEDED. NATIVE TOPSOIL SHALL BE STOCKPILED AND REUSED FOR FINAL RESTORATION WHEN IT IS OF SUFFICIENT QUALITY.
 - SLOPES GREATER THAN 2:1 WILL RECEIVE RRIPRAP.

CONSTRUCTION PHASE:

- THE FOLLOWING GENERAL PRACTICES WILL BE USED TO PREVENT EROSION DURING CONSTRUCTION OF THIS PROJECT.
- ONLY THOSE AREAS UNDER ACTIVE CONSTRUCTION WILL BE CLEARED AND LEFT IN AN UNTREATED OR UNVEGETATED CONDITION. IF FINAL GRADING, LOAMING AND SEEDING WILL NOT OCCUR WITHIN 15 DAYS, SEE ITEM NO. 4.
 - PRIOR TO THE START OF CONSTRUCTION IN A SPECIFIC AREA, SILT FENCING AND/OR HAY BALES WILL BE INSTALLED AT THE TOE OF SLOPE AND IN AREAS AS LOCATED ON THE PLANS TO PROTECT AGAINST ANY CONSTRUCTION RELATED EROSION. IMMEDIATELY FOLLOWING CONSTRUCTION OF CULVERTS AND SWALES, RIP RAP APRONS SHALL BE INSTALLED, AS SHOWN ON THE PLANS.
 - TOPSOIL WILL BE STOCKPILED WHEN NECESSARY IN AREAS WHICH HAVE MINIMUM POTENTIAL FOR EROSION AND WILL BE KEPT AS FAR AS POSSIBLE FROM THE EXISTING DRAINAGE COURSE. NO STOCKPILE SHALL BE CLOSER THAN 100' OF A RESOURCE INCLUDING, BUT NOT LIMITED TO, WETLANDS, STREAMS, AND OPEN WATER BODIES. ALL STOCKPILES SHALL HAVE A SILTATION FENCE BELOW THEM REGARDLESS OF TIME OF PRESENCE. ALL STOCKPILES EXPECTED TO REMAIN LONGER THAN 15 DAYS SHALL BE:
 - TREATED WITH ANCHORED MULCH (WITHIN 5 DAYS OF THE LAST DEPOSIT OF STOCKPILED SOIL).
 - SEEDING WITH CONSERVATION MIX AND MULCHED IMMEDIATELY.
 - INSTALL SILT FENCE AROUND STOCKPILE AT BASE OF PILE. STOCKPILES TO HAVE SILT FENCE INSTALLED AT TIME OF ESTABLISHMENT AT BASE OF PILE.
 - ALL DISTURBED AREAS EXPECTED TO REMAIN LONGER THAN 30 DAYS SHALL BE EITHER:
 - TREATED WITH ANCHORED MULCH IMMEDIATELY, OR
 - SEEDING WITH CONSERVATION MIX OF ANNUAL RYE GRASS (0.9 LBS/1000 SQ. FT) AND MULCHED IMMEDIATELY.
 - ALL GRADING WILL BE HELD TO A MAXIMUM 2:1 SLOPE WHERE PRACTICAL. ALL SLOPES WILL BE STABILIZED WITH PERMANENT SEEDING, OR WITH STONE, WITHIN 5 DAYS AFTER FINAL GRADING IS COMPLETE. (SEE POST-CONSTRUCTION REVEGETATION FOR SEEDING SPECIFICATION.)
 - ALL CULVERTS WILL BE PROTECTED WITH STONE RRIPRAP (D50 = 6" UNLESS OTHERWISE SPECIFIED) AT INLETS AND OUTLETS.

POST-CONSTRUCTION REVEGETATION:

THE FOLLOWING GENERAL PRACTICES WILL BE USED TO PREVENT EROSION AS SOON AS AN AREA IS READY TO UNDERGO FINAL GRADING.

- A MINIMUM OF 4" OF LOAM WILL BE SPREAD OVER DISTURBED AREAS AND GRADED TO A UNIFORM DEPTH AND NATURAL APPEARANCE, OR STONE WILL BE PLACED ON SLOPES TO STABILIZE SURFACES.
- IF FINAL GRADING IS REACHED DURING THE NORMAL GROWING SEASON (4/15 TO 9/15), PERMANENT SEEDING WILL BE DONE AS SPECIFIED BELOW. PRIOR TO SEEDING, LIMESTONE SHALL BE APPLIED AT A RATE OF 138 LBS/1000 SQ. FT. AND 10:20:20 FERTILIZER AT A RATE OF 18.4 LBS/1000 SQ.FT WILL BE APPLIED. BROADCAST SEEDING AT THE FOLLOWING RATES:

LAWNS	SWALES
KENTUCKY BLUEGRASS 0.46 LBS/1000 SF.	RED TOP 0.05 LBS/1000 SF.
CREeping RED FESCUE 0.46 LBS/1000 SF.	TALL FESCUE 0.46 LBS/1000 SF.
PERENNIAL RYE GRASS 0.11 LB/1000 SF.	

- AN AREA SHALL BE MULCHED IMMEDIATELY AFTER IS HAS BEEN SEEDDED. MULCHING SHALL CONSIST OF HAY MULCH, HYDRO-MULCH, JUTE NET OVER MULCH, PRE-MANUFACTURED EROSION MATS OR ANY SUITABLE SUBSTITUTE DEEMED ACCEPTABLE BY THE DESIGNER.
 - HAY MULCH SHALL BE APPLIED AT THE RATE OF 2 TONS PER ACRE. HAY MULCH SHALL BE SECURED BY EITHER:
 - SOIL SHALL NOT BE VISIBLE.
 - BEING DRIVEN OVER BY TRACKED CONSTRUCTION EQUIPMENT ON GRADES OF 5% AND LESS.
 - BLANKETED BY TACKED PHOTODEGRADABLE/BIODEGRADABLE NETTING, OR WITH SPRAY, ON GRADES GREATER THAN 5%.
 - SEE NOTE 6, GENERAL NOTES, AND NOTE 8, WINTER CONSTRUCTION.
- HYDRO-MULCH SHALL CONSIST OF A MIXTURE OF EITHER ASPHALT, WOOD FIBER OR PAPER FIBER AND WATER SPRAYED OVER A SEEDDED AREA. HYDRO-MULCH SHALL NOT BE USED BETWEEN 9/15 AND 4/15.

- CONSTRUCTION SHALL BE PLANNED TO ELIMINATE THE NEED FOR SEEDING BETWEEN SEPTEMBER 15 AND APRIL 15. SHOULD SEEDING BE NECESSARY BETWEEN SEPTEMBER 15 AND APRIL 15 THE FOLLOWING PROCEDURE SHALL BE FOLLOWED. ALSO REFER TO NOTE 9 OF WINTER CONSTRUCTION.
 - ONLY UNFROZEN LOAM SHALL BE USED.
 - LOAMING, SEEDING AND MULCHING WILL NOT BE DONE OVER SNOW OR ICE COVER. IF SNOW EXISTS, IT MUST BE REMOVED PRIOR TO PLACEMENT OF SEED.
 - WHERE PERMANENT SEEDING IS NECESSARY, ANNUAL WINTER RYE (1.2 LBS/1000 SQ.FT) SHALL BE ADDED TO THE PREVIOUSLY NOTED AREAS.
 - WHERE TEMPORARY SEEDING IS REQUIRED, ANNUAL WINTER RYE (2.6 LBS/1000 SQ. FT.) SHALL BE SOWN INSTEAD OF THE PREVIOUSLY NOTED SEEDING RATE.
 - FERTILIZING, SEEDING AND MULCHING SHALL BE APPLIED TO LOAM THE DAY THE LOAM IS SPREAD BY MACHINERY.
 - ALTERNATIVE HAY MULCH SHALL BE SECURED WITH PHOTODEGRADABLE/BIODEGRADABLE NETTING. TRACKING BY MACHINERY ALONE WILL NOT SUFFICE.

- FOLLOWING FINAL SEEDING, THE SITE WILL BE INSPECTED EVERY 30 DAYS UNTIL 85% COVER HAS BEEN ESTABLISHED. RESEEDING WILL BE CARRIED OUT BY THE CONTRACTOR WITHIN 10 DAYS OF NOTIFICATION BY THE ENGINEER THAT THE EXISTING CATCH IS INADEQUATE.

MONITORING SCHEDULE:

THE CONTRACTOR IS RESPONSIBLE FOR INSTALLING, MONITORING, MAINTAINING, REPAIRING, REPLACING AND REMOVING ALL OF THE EROSION AND SEDIMENTATION CONTROLS OR APPOINTING A QUALIFIED SUBCONTRACTOR TO DO SO. MAINTENANCE MEASURES WILL BE APPLIED AS NEEDED DURING THE ENTIRE CONSTRUCTION CYCLE. AFTER EACH RAINFALL, A VISUAL INSPECTION WILL BE MADE OF ALL EROSION AND SEDIMENTATION CONTROLS AS FOLLOWS:

- HAY BALE BARRIERS, SILT FENCE, AND STONE CHECK DAMS SHALL BE INSPECTED AND REPAIRED ONCE A WEEK OR IMMEDIATELY FOLLOWING ANY SIGNIFICANT RAINFALL. SEDIMENT TRAPPED BEHIND THESE BARRIERS SHALL BE EXCAVATED WHEN IT REACHES A DEPTH OF 6" AND REDISTRIBUTED TO AREAS UNDERGOING FINAL GRADING. SHOULD THE HAY BALE BARRIERS PROVE TO BE INEFFECTIVE, THE CONTRACTOR SHALL INSTALL SILT FENCE BEHIND THE HAY BALES.
- VISUALLY INSPECT RRIPRAP ONCE A WEEK OR AFTER EACH SIGNIFICANT RAINFALL AND REPAIR AS NEEDED. REMOVE SEDIMENT TRAPPED BEHIND THESE DEVICES ONCE IT ATTAINS A HEIGHT EQUAL TO 1/2 THE HEIGHT OF THE DAM OR RISER. DISTRIBUTE REMOVED SEDIMENT OFF-SITE OR TO AN AREA UNDERGOING FINAL GRADING.
- REVEGETATION OF DISTURBED AREAS WITHIN 25' OF DRAINAGE-COURSE/STREAM WILL BE SEEDDED WITH THE "MEADOW AREA MIX" AND INSPECTED ON A WEEKLY BASIS OR AFTER EACH SIGNIFICANT RAINFALL AND RESEEDED AS NEEDED. EXPOSED AREAS WILL BE RESEEDED UNTIL THE AREA HAS OBTAINED 100% GROWTH RATE. PROVIDE PERMANENT RRIPRAP FOR SLOPES IN EXCESS OF 3:1 AND WITHIN 25' OF DRAINAGE COURSE.

EROSION CONTROL DURING WINTER CONSTRUCTION:

- WINTER CONSTRUCTION PERIOD: NOVEMBER 1 THROUGH APRIL 15.
- WINTER EXCAVATION AND EARTHWORK SHALL BE COMPLETED SUCH THAT NO MORE THAN 1 ACRE OF THE SITE IS WITHOUT STABILIZATION AT ANY ONE TIME.
- EXPOSED AREA SHALL BE LIMITED TO THOSE AREAS TO BE MULCHED IN ONE DAY PRIOR TO ANY SNOW EVENT. AT THE END OF EACH WORK WEEK NO AREAS MAY BE LEFT UNSTABILIZED OVER THE WEEKEND.
- CONTINUATION OF EARTHWORK OPERATIONS ON ADDITIONAL AREAS SHALL NOT BEGIN UNTIL THE EXPOSED SOIL SURFACE ON THE AREA BEING WORKED HAS BEEN STABILIZED, SUCH THAT NO LARGER AREA OF THE SITE IS WITHOUT EROSION CONTROL PROTECTION AS LISTED IN ITEM 2 ABOVE.
- AN AREA SHALL BE CONSIDERED TO HAVE BEEN STABILIZED WHEN EXPOSED SURFACES HAVE BEEN EITHER MULCHED WITH STRAW OR HAY AT A RATE OF 150 LB. PER 1000 S.F. (WITH OR WITHOUT SEEDING) OR DORMANT SEEDDED, MULCHED AND ANCHORED SUCH THAT SOIL SURFACE IS NOT VISIBLE THROUGH THE MULCH. NOTE: AN AREA IS ALSO CONSIDERED STABLE IF SODDED, COVERED WITH GRAVEL (PARKING LOTS) OR STRUCTURAL SAND.
- BETWEEN THE DATES OF OCTOBER 15 AND APRIL 1, LOAM OR SEED WILL NOT BE REQUIRED. DURING PERIODS OF ABOVE FREEZING TEMPERATURES THE SLOPES SHALL BE FINE GRADED AND EITHER PROTECTED WITH MULCH OR TEMPORARILY SEEDDED AND MULCHED UNTIL SUCH TIME AS THE FINAL TREATMENT CAN BE APPLIED. IF THE DATE IS AFTER NOVEMBER 1 AND IF THE EXPOSED AREA HAS BEEN LOAMED, FINAL GRADED WITH A UNIFORM SURFACE, THEN THE AREA MAY BE DORMANT SEEDDED AT A RATE OF 3 TIMES HIGHER THAN SPECIFIED FOR PERMANENT SEED AND THEN MULCHED. IF CONSTRUCTION CONTINUES DURING FREEZING WEATHER, ALL EXPOSED AREAS SHALL BE CONTINUOUSLY GRADED BEFORE FREEZING AND THE SURFACE TEMPORARILY PROTECTED FROM EROSION BY THE APPLICATION OF MULCH. SLOPES SHALL NOT BE LEFT UNEXPOSED OVER THE WINTER OR ANY OTHER EXTENDED TIME OF WORK SUSPENSION UNLESS TREATED IN THE ABOVE MANNER. UNTIL SUCH TIME AS WEATHER CONDITIONS ALLOW, DITCHES TO BE FINISHED WITH THE PERMANENT SURFACE TREATMENT, EROSION SHALL BE CONTROLLED BY THE INSTALLATION OF BALES OF HAY, SILT FENCE OR STONE CHECK DAMS IN ACCORDANCE WITH THE STANDARD DETAILS SHOWN ON THE DESIGN DRAWINGS. NOTE: DORMANT SEEDING SHOULD NOT BE ATTEMPTED UNLESS SOIL TEMPERATURE REMAINS BELOW 50 DEGREES AND DAY TIME TEMPERATURES REMAIN IN THE 30'S.
- MULCH NETTING SHALL BE USED TO ANCHOR MULCH IN ALL DRAINAGE WAYS, SLOPES GREATER THAN 3% FOR SLOPES EXPOSED TO DIRECT WINDS AND FOR ALL OTHER SLOPES GREATER THAN 8% VEGETATED DRAINAGE SWALES SHALL BE LINED WITH EXCELRIOR OR CURLEX.
- BETWEEN THE DATES OF OCTOBER 15 TO NOVEMBER 1, WINTER RYE IS RECOMMENDED FOR STABILIZATION. AFTER NOVEMBER 1, WINTER RYE IS NOT EFFECTIVE. AROUND NOVEMBER 15 OR LATER, ONCE TEMPERATURES OF THE AIR AND SOIL PERMIT, DORMANT SEEDING IS EFFECTIVE.
- IN THE EVENT OF SNOWFALL (FRESH OR CUMULATIVE) GREATER THAN 1 INCH DURING WINTER CONSTRUCTION PERIOD ALL SNOW SHALL BE REMOVED FROM THE AREAS OF SEEDING AND MULCHING PRIOR TO PLACEMENT.

SITE INSPECTION AND MAINTENANCE:

1. WEEKLY INSPECTIONS, AS WELL AS ROUTINE INSPECTIONS FOLLOWING RAIN FALLS, SHALL BE CONDUCTED BY THE GENERAL CONTRACTOR OF ALL TEMPORARY AND PERMANENT EROSION CONTROL DEVICES UNTIL FINAL ACCEPTANCE OF THE PROJECT (85% GRASS CATCH). NECESSARY REPAIRS SHALL BE MADE TO CORRECT UNDERMINING OR DETERIORATION. FINAL ACCEPTANCE SHALL INCLUDE A SITE INSPECTION TO VERIFY THE STABILITY OF ALL DISTURBED AREAS AND SLOPES. UNTIL FINAL INSPECTION, ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL IMMEDIATELY BE CLEANED, AND REPAIRED BY THE GENERAL CONTRACTOR AS REQUIRED. DISPOSAL OF ALL TEMPORARY EROSION AND CONTROL DEVICES SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

IT IS RECOMMENDED THAT THE OWNER HIRE THE SERVICES OF THE DESIGN ENGINEER TO PROVIDE COMPLIANCE INSPECTIONS (DURING ACTIVE CONSTRUCTION) RELATIVE TO IMPLEMENTATION OF THE STORMWATER AND EROSION CONTROL PLANS. SUCH INSPECTIONS SHOULD BE LIMITED TO ONCE A WEEK OR AS NECESSARY AND BE REPORTABLE TO THE OWNER, TOWN AND DEP.

- SHORT-TERM SEDIMENTATION MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CLEAN OUT ALL SWALES AND STRUCTURES PRIOR TO TURNING PROJECT OVER.
- LONG-TERM PROVISIONS FOR PERMANENT MAINTENANCE OF ALL EROSION AND SEDIMENTATION CONTROL DEVICES AFTER ACCEPTANCE OF THE PROJECT SHALL BE THE RESPONSIBILITY OF THE OWNER, TOWN OR THEIR DESIGNEE.

LAYOUT NOTES:

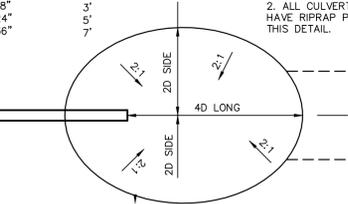
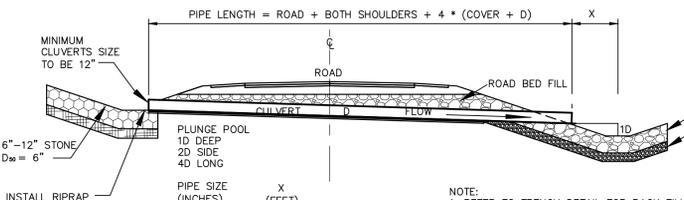
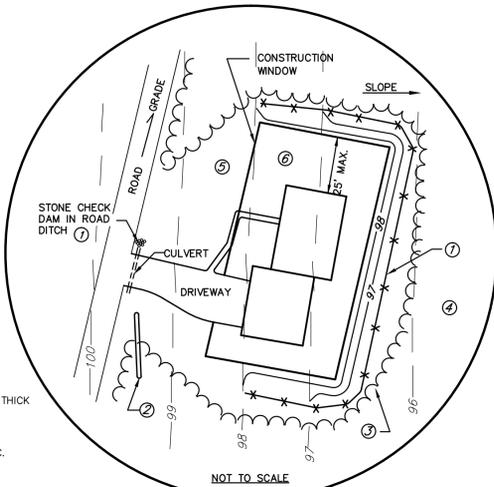
- ALL DIMENSIONING, UNLESS NOTED OTHERWISE, IS TO THE FACE OF CURB OR BUILDING.
- OFFSETS TO CATCH BASINS AND MANHOLES ARE TO THE CENTER OF THE FRAME.
- PIPE LENGTH EQUALS THE CENTER TO CENTER DISTANCES BETWEEN CATCH BASINS AND/OR MANHOLES MINUS ONE HALF THE DIAMETER OF EACH CATCH BASIN OR MANHOLE.
- BOUNDARY INFORMATION ON LAYOUT PLAN IS FOR REFERENCE ONLY, REFER TO CERTIFIED BOUNDARY PLANS FOR BOUNDARY INFORMATION.

GRADING AND DRAINAGE NOTES:

- UNLESS OTHERWISE NOTED, ALL STORM DRAIN PIPE SHALL BE IN ACCORDANCE WITH MDOT SPECIFICATIONS SECTION 603. PIPE CULVERTS AND STORM DRAINS, LATEST REVISION WITH THE EXCEPTION THAT THE ONLY ACCEPTABLE TYPES OF PIPE ARE AS FOLLOWS:

- REINFORCED CONCRETE PIPE
- POLYVINYL CHLORIDE PIPE (PVC)
- SMOOTH BORE POLYETHYLENE PIPE - HDPE N-12 ADS OR SDR 35

- TOPSOIL STRIPPED IN AREAS OF CONSTRUCTION THAT IS SUITABLE FOR REUSE AS LOAM SHALL BE STOCKPILED ON SITE AT A LOCATION TO BE DESIGNATED BY OWNER. UNSUITABLE SOIL SHALL BE SEPARATED, REMOVED AND DISPOSED OF ON AN APPROVED DISPOSAL LOCATION OFF SITE.
- THE CONTRACTOR SHALL ANTICIPATE THAT GROUNDWATER WILL BE ENCOUNTERED DURING CONSTRUCTION AND SHALL INCLUDE SUFFICIENT COSTS WITHIN THEIR BID TO PROVIDE DEWATERING AS NECESSARY. NO SEPARATE PAYMENT SHALL BE MADE TO THE CONTRACTOR FOR DEWATERING.



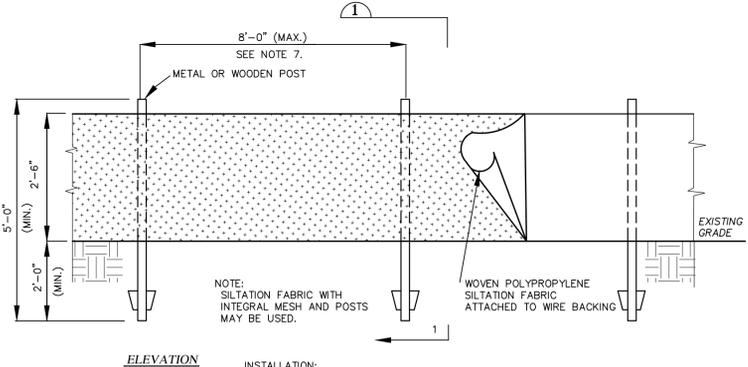
OUTLET	DIA.	D50	X	1D DEEP	2D SIDE	4D LONG
12" CULVERT	12"	6"	2'	1'	2'	4'
15" CULVERT	15"	6"	2.5'	1.25'	2.5'	5'
18" CULVERT	18"	6"	3'	1.5'	3'	6'
24" CULVERT	24"	6"	5'	2'	4'	8'
30" CULVERT	30"	6"	6'	2.5'	5'	10'
36" CULVERT	36"	6"	7'	3'	6'	12'

CULVERT INLET / OUTLET PROTECTION
NOT TO SCALE

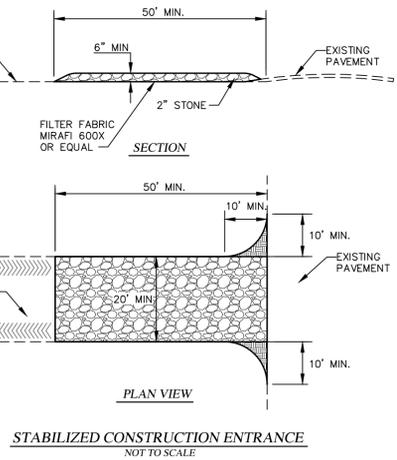
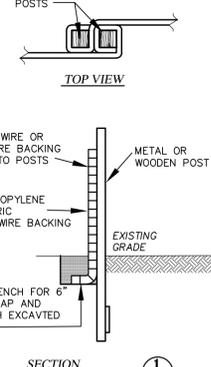
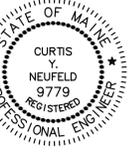
- INSTALLATION:**
- INSTALL SEDIMENT BARRIERS ON YOUR SITE BEFORE DISTURBING SOILS. SEE THE "SEDIMENT BARRIERS" MEASURE FOR DETAILS ON INSTALLATION AND MAINTENANCE.
 - CONSTRUCT A DIVERSION DITCH TO KEEP UPSLOPE RUNOFF OUT OF WORK AREA.
 - MARK CLEARING LIMITS ON THE SITE TO KEEP EQUIPMENT OUT OF AREAS WITH STEEP SLOPES, CHANNELLED FLOW, OR ADJACENT SURFACE WATERS AND WETLANDS.
 - PRESERVE BUFFERS BETWEEN THE WORK AREA AND ANY DOWNSTREAM SURFACE WATERS AND WETLANDS. SEE THE "BUFFERS" MEASURE FOR BUFFER PRESERVATION.
 - USE TEMPORARY MULCH AND RYE-SEED TO PROTECT DISTURBED SOILS OUTSIDE THE ACTIVE CONSTRUCTION AREA. SEE THE "MULCHING" MEASURE AND "VEGETATION" MEASURE FOR DETAILS AND SPECIFICATIONS FOR THESE CONTROLS.
 - PERMANENTLY SEED AREAS NOT TO BE PAVED WITHIN SEVEN DAYS OF COMPLETING FINAL GRADING. SEE "VEGETATION" MEASURE FOR INFORMATION ON PROPER SEEDING.

MAINTENANCE:
EVERY MONTH THE FIRST YEAR AFTER CONSTRUCTION AND YEARLY THEREAFTER, INSPECT FOR AREAS SHOWING EROSION OR POOR VEGETATION GROWTH. FIX THESE PROBLEMS AS SOON AS POSSIBLE. EACH SPRING REMOVE ANY ACCUMULATION OF DEBRIS OR WINTER SAND THAT WOULD IMPEDE RUNOFF FROM ENTERING A BUFFER OR DITCH.

HOUSE SITE - BEST MANAGEMENT PRACTICES
NOT TO SCALE



SILT FENCE DETAIL
N.T.S.



STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE

- 06-28-05 SUBMITTED FOR FINAL APPROVAL REH
- 05-10-05 SUBMITTED 18 COPIES TO TOWN PLANNER REH
- 05-10-05 ADDED CONSTRUCTION ENTRANCE

EROSION CONTROL NOTES

MOODY ROAD SUBDIVISION
BRUNSWICK, MAINE

HAROLD SANDELIN
BRUNSWICK, MAINE

SITELINES P.A.
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
8 CUMBERLAND STREET, BRUNSWICK, ME 04011
Phone: (207) 725-1200 Fax: (207) 725-1114

FIELD WK:	SCALE: NOT TO SCALE	SHEET:
DRN BY: REH	JOB #: 1026	3
CHD BY: KPC	MAP/LOT:	
DATE: 04-05-05	FILE: 1026FINAL	

**BRUNSWICK PLANNING BOARD
MEETING MINUTES
APRIL 14, 2015**

MEMBERS PRESENT: Chair Charlie Frizzle, Vice Chair Margaret Wilson, Bill Dana, Soxna Dice, Jeremy Evans, Dale King and Richard Visser

STAFF PRESENT: Director of Planning and Development, Anna Breinich; Town Planner, Jeremy Doxsee

A meeting of the Brunswick Planning Board was held on Tuesday, April 14, 2015, in Council Chambers, 85 Union Street. Chair Charlie Frizzle called the meeting to order at 7:00 P.M.

1. Case # 15-002 Chamberlain Woods Final Subdivision: The Board will review and take action regarding a Final Plan Major Review application, submitted by Coastal Buildings and Investments, Inc., for the development of a 9-lot residential subdivision, a 225 foot private drive, and associated site improvements, on a 7.22+ acre parcel with frontage on Barrows Street and the end of Boody Street. The proposed subdivision is located in the Town Residential 5 – Columbia Avenue – Spring Street (TR5) Zoning District. Assessor’s Map U27, Lot 6.

Charlie Frizzle introduced the application for Chamberlain Woods Subdivision, Final Plan Major Review and clarified that earlier materials had stated this was for 10 lots when in fact it is for the development of a 9-lot residential subdivision. The proposal is for 8 new lots, one previously developed lot and a wooded lot to be retained by the owner. Jeremy Doxsee added that the Sketch Plan was approved by the Planning Board on February 5th and stated that the Final Plan application was reviewed by the Staff Review Committee on March 11, 2015; those notes are included in the packet material. Jeremy reviewed the project summary and stated that the parcel is currently 7.2 acres and the applicant is proposing to develop less than 3 acres. Jeremy noted that a stormwater permit from DEP is not required but the stormwater plan has been reviewed by Sebago Technics and those comments were received late on April 10th. Staff has not had the opportunity to address all the concerns. Jeremy said that the Town Engineer comments are also included in the packet and have been conditioned.

Curt Neufeld of Sitelines, reiterated Charlie Frizzle and Jeremy Doxsee’s comments and reviewed a PowerPoint presentation. In regards to the stormwater comments received Friday, Curt noted that they are all in agreement. Curt reviewed the aerial photo and pointed out that they will maintain the connection to Crimmins Field and reviewed the easement that the applicant will convey to the Town. Curt pointed out that they have gone with the Town Engineer’s suggestion to remove the swails and will have two new catch basins. In addition, Curt said that they have agreed that no foundation will be built below four feet. Curt reviewed the requested waivers and noted that when the road is constructed, they will only cut what needs to be cut and will not be clearing the house lots until they are ready for development.

Charlie Frizzle pointed out that there was also a request to waive sidewalks and noted that Section 5.11.4 of the Brunswick Zoning Ordinance specifically exempts dead end streets with less than 20 units. Therefore, sidewalks are not a requirement for this application and will not

need to be waived and can be removed from the requested waivers. Bill Dana asked if there is enough pitch to push the house back if the homeowner desired. Curt replied that they will have room to move, but that the intention is that the front will drain to the street. With respects to the Town Engineers request that the circle be bigger in the cul-de-sac, Soxna Dice asked if or how this will effect setbacks. Curt replied that they will meet the requirements and noted that the property lines did not change, just the roadway.

Chair Charlie Frizzle opened the meeting to public comment.

Colleen Cogdnon, resident of 56 Boody Street, said that she understands that there is no notification requirement, but that it would be nice to know when the construction is going to begin. Colleen would like to know how much acreage is going to be set aside for the road and to understand how the traffic circle can get bigger, yet the housing lots do no change. Charlie Frizzle replied that the applicant moved the edge of the road further into the right-of-way. Colleen would like to know if the drainage pipe will be insulated to prevent freezing and Charlie replied that he believed it will, but the specifics on how much is still being worked on by the Town Engineer, Sebago Technics and the applicant. Colleen asked what housing lots are going to be built and what ones are going to be left. Margaret Wilson replied that the applicant has not designated this yet. Colleen asked if this is a requirement and Charlie replied no. Colleen noted that even if they dig foundations four feet or less, they are still going to need sump pumps. Colleen asked who will assume liability for the drains if they do not work and Anna Breinich replied that this is a question and determination that will need to be made by the Town Engineer. Colleen asked when the clearing will occur for the roadway for the corner lot if it is undetermined at this time when it is going to be built. Margaret suggested that they come back to this. Colleen asked how much a buffer will be left between the houses being built and the house that are already there and Charlie replied that they usually don't buffer residential to residential. Colleen stated that the fill is not suitable for planting. Colleen asked where the cluster mailbox is going and Charlie replied that it is up to the post office whether they want to serve a dead-end street. If the Post Office does not want to serve the street, they require a cluster box out front; it is up to the post office to make this decision. Colleen pointed out that the math on the assessment for recreation in lieu of land is wrong and Charlie replied that this will need to be reviewed with the Recreation Department. Soxna Dice asked for more clarification on the discrepancies and Colleen stated that the lot area for lot 8 is not correct from what was posted as part of the packet. Charlie replied that staff will need to make sure that the land areas concur with the map. With respects clearing for the pipe, Charlie replied that they will need to come through the lot. Curt Neufeld replied that in terms of construction notification, the applicant will take this into consideration. With respects to the road acreage, Curt does not know, but is willing to talk about it after the meeting. Curt said that road within the right-of-way moved but that the right-of-way did not; property lines and setbacks did not change. Curt said that the insulated pipe, where it is the shallowest, insulation will be doubled and will go across the top, bottom and sides. Curt pointed out the water drainage notes that are on the plan. Curt said that they do not have plans on what lots will be built yet and noted that sump pumps will be recommended for every house. In terms of who would take responsibility for the drainage pipe, the Town would when they take over ownership of the Road. Buffering between the lots is homeowner's

preference. Curt said that he has no knowledge of the post office boxes and would be happy to review any math discrepancies. Margaret Wilson replied that in looking over the math discrepancies she believes it was just a typo for lot 8.

Jeremy Doxsee asked if the four lots would remain wooded until they are developed and Curt replied that they would be. Jeremy asked that the plan state this. The applicants Real Estate consultant, Tom Kohl, replied that they have no intention of clearing lots until they are to be developed, but does not know if there is a way to logistically state this.

Ron Stadden, resident of 54 Columbia Ave, asked what stipulations apply to the lot being retained by the owner. Charlie replied that if a development proposal is created, it would stand on its own merits and possibly stricter merits at that point. Anna Breinich replied that if the owner decided to sell or develop as a single family, it would not come back before the Planning Board and would only require a building permit.

Chair Charlie Frizzle closed the public comment period.

With respects to the concerns by Sebago Technics, Margaret Wilson asked how are those concerns worked out, how they will be codified and where will the results end up. Jeremy Doxsee reviewed the process that the developer would need to go through via the Codes Enforcement Office, Sebago Technics and the Town Engineer. Margaret asked if there is ever a subset of questions that have to be met before they can continue development and what happens to those. Curt Neufeld replied that when review comments arrive late, many times they will be added to the plan with a revised per comments date and submitted to Sebago Technics and the Town Engineer who will write another letter; this is what typically comes back to the Board for final signature. Soxna Dice asked if there is history with insulated pipes and do they freeze. Curt replied that the shallow ones that are old and un-insulated do freeze, which is the reason why they doubled the insulation at the shallowest point; this is a widely used practice. Soxna asked if they require landscaping, do they have any requirement that they have sufficient soil. Charlie replied that in the current ordinance, they have very little in terms of planting longevity, but that they are correcting this in the new ordinance. Charlie said that the homeowner will need to speak to the developer on what they want. Curt replied that they do have provisions within the documents that do address disturbed land. Jeremy suggested that they add a condition that street trees be provided as this will become a Town road. Jeremy acknowledge that they do have 21 Conditions of Approval, but with the notations on the plan now, they may be able to bring this closer to 15. Jeremy said that the Board could also table the application. Charlie agreed that they did have a lot of conditions listed, but that in review of the Ordinance and the conditions, he is comfortable with proceeding especially knowing that the Town Engineer will be involved with settling most of these issues. Soxna stated that she is not comfortable with the level of conditions. Anna agreed and stated that staff needed to bring this forward as to where the plan was.

MOTION BY SOXNA DICE TO TABLE THE FINAL PLAN MAJOR REVIEW APPLICATION FOR CHAMBERLAIN WOODS SUBDIVISION PENDING FURTHER CLARIFICATION. SECONDED BY BILL DANA. MOTION PASSED 4-3.

2. Case # 15-014 Tao Yuan Greenhouse: The Board will review and take action on a Final Plan Major Review application, submitted by Cecile and John Stadler/Cara's Place LLC, as an amendment to a site plan approved 5/27/14. The proposed amendment includes the construction of a 2-story commercial structure with a top-floor greenhouse; and storage/office/work space dedicated to greenhouse and restaurant support tasks located on the ground and basement floors. Structure to be built on the existing foundation with associated parking and site improvements, located on a .16 acre lot, 0 Abbey Road/22 Pleasant Street, and within the Town Center 1 (TC1) Zoning District and Village Review Overlay Zone. Assessor's Map U13, Lot 095/1-3.

Jeremy Doxsee reviewed the project summary amendment for an aquaphonic greenhouse and storage/work area. Jeremy said that this application was seen before the Staff Review Committee on March 11, 2015 and those notes are included in packet. Jeremy stated that there are 4 Conditions of Approval, one include parking schematic for staff only in the basement.

Kate Holcombe reviewed the application and presented a PowerPoint presentation. Kate noted that they are not changing the size of the existing foundation, but they are adding a small staircase and loading dock outside of the current foundation. Richard Visser asked why the address was 0 Abbey Road and Anna Breinich explained that it was originally 1-3 Abbey Road, but those condominium units were never constructed and they just need a new number.

Chair Charlie Frizzle opened this meeting to public comment.

Art Boulay, abutting owner for the Brunswick Business Center, asked for more clarification on the offices to be located on the ground floor. John Stadler, applicant, replied that they changed the plan to restaurant use only as they could not put in ramps for handicapped entrances; there will be no public offices. Richard Visser asked if there were any bike requirements and Jeremy Doxsee replied that there are none.

MOTION BY BILL DANA THAT THE MAJOR DEVELOPMENT REVIEW AMENDED SITE PLAN IS DEEMED COMPLETE. MOTION SECONDED BY RICHARD VISSER, APPROVED UNANIMOUSLY.

Charlie Frizzle noted that for Section 411.10 and 411.15 of the Brunswick Zoning Ordinance, this application was reviewed by the Village Review Board and was approved for a Certificate of Appropriateness once the VRB conditions are met.

MOTION BY DALE KING THAT THE FOLLOWING WAIVERS BE GRANTED:

1. Topography with contour intervals. No grading proposed. Site all impervious.
2. Profile, cross-section dimensions, curve radii of existing streets. No changes proposed to Pleasant Street or Abbey Road.

MOTION SECONDED BY BILL DANA, APPROVED UNANIMOUSLY.

MOTION BY SOXNA DICE THAT THE MAJOR DEVELOPMENT REVIEW AMENDED SITE PLAN IS APPROVED WITH THE FOLLOWING CONDITIONS:

1. That the Board's review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, its representatives, reviewing officials, and members of the public as reflected in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification shall require a review and approval in accordance with the Brunswick Zoning Ordinance.
2. Prior to issuance of a building permit, the applicant shall submit a letter from a bank verifying financial capacity, satisfactory to the Director of Planning & Development.
3. Prior to issuance of a building permit, a note shall be added to the plan stating that rain and melt water will be collected from the greenhouse structure and diverted into cistern(s) in the basement.
4. Prior to issuance of a building permit, a parking layout plan with dimensions shall be provided, to the satisfaction of the Director of Planning and Development.

MOTION SECONDED BY BILL DANA, APPROVED UNANIMOUSLY.

3. Zoning Ordinance Rewrite Committee (ZORC) Update

Anna Breinich reviewed the upcoming ZORC meeting schedule.

4. Approval of Minutes

5. Other

6. Adjourn

This meeting was adjourned at 8:26 P.M.

Respectfully Submitted,

Tonya Jenusaitis

Recording Secretary

**BRUNSWICK PLANNING BOARD
MEETING MINUTES
MAY 5, 2015**

MEMBERS PRESENT: Chair Charlie Frizzle, Bill Dana, Soxna Dice, Jeremy Evans, and Richard Visser

STAFF PRESENT: Director of Planning and Development, Anna Breinich

A meeting of the Brunswick Planning Board was held on Tuesday, May 5, 2015, in Council Chambers, 85 Union Street. Chair Charlie Frizzle called the meeting to order at 7:00 P.M.

1. Case # 15-002 Chamberlain Woods Final Subdivision: The Board will review and take action regarding a Final Plan Major Review application, submitted by Coastal Buildings and Investments, Inc., for the development of a 9-lot residential subdivision, a 225-foot private drive, and associated site improvements, on a 7.22+ acre parcel with frontage on Barrows Street and the end of Boody Street. The proposed subdivision is located in the Town Residential 5 – Columbia Avenue – Spring Street (TR5) Zoning District. Assessor’s Map U27, Lot 6.

Charlie Frizzle introduced the Chamberlain Woods final Subdivision application and asked that the staff and the applicant bring the Board up to date on the list of conditions that needed approval at the April 14, 2015, meeting. Kevin Clark from Sitelines reviewed the red balloons located on the plan that were comments from the Town Engineer and Sebago Technics. Charlie stated two conditions needed to be added, as Section 411.8 of the Zoning Ordinance asks for a letter for sewage capacity and Section 411.9 asks for a letter from the Water Department for capacity to serve, neither of which are included in the packet. Soxna Dice asked for clarification on the two dates listed in Condition 7, and Anna replied that the Town Manager has placed a 30-day limit on renewal of the outstanding consent agreement with a deadline of June 4, 2015. Soxna suggested language changes. Charlie pointed out that there has been some confusion over whether this is a 10-lot subdivision or a 9-lot subdivision and he believes that this is a 10-lot subdivision; one previously developed lot, one 4.35 acre lot to be retained by the applicant and 8 new lots. Anna agreed and stated that they described it in the project summary as such. Bill Dana pointed out that there was a discrepancy over the length of the private drive cul-de-sac; staff to clarify upon approval.

Bill Dana and Charlie Frizzle suggested language changes/updates to the Findings of Fact. Charlie explained the reason behind Condition 11 and the pre-construction meeting. Bill replied that this meeting along with the sitewalk helped alleviate some of the concerns that he originally had. Soxna Dice suggested linking the waiver to the provision in the Ordinance that the requested waivers apply to. Anna Breinich replied that sometimes waivers can apply to more than one provision. Soxna stated that she would rather link the waivers to their corresponding review standard and reviewed what provisions apply to the requested waivers.

Chairman Charlie Frizzle opened the meeting to public comment.

Colleen Cogdon, resident of 56 Boody Street, asked how the radius changes will affect the abutting lot sizes. Charlie Frizzle replied that the lot sizes will lose a little bit within the right-of-way. Kevin Clark replied that the lot sizes did not change, just the pavement; a little less on the shoulder. Colleen asked that staff review all the math on this plan again as she is concerned that some of the calculations may not be correct.

Charlie Frizzle closed the public comment period.

MOTION BY BILL DANA THAT THE MAJOR DEVELOPMENT REVIEW FINAL SUBDIVISION PLAN APPLICATION IS DEEMED COMPLETE. MOTION SECONDED BY SOXNA DICE, APPROVED UNANIMOUSLY.

MOTION BY RICHARD VISSER THAT THE BOARD WAIVES THE FOLLOWING REQUIREMENTS:

1. Class A Soil Survey.
2. Profiles, cross-section dimensions, curve radii of existing streets.
3. Waiver for the requirement to show all trees over 10 inches in diameter.

MOTION SECONDED BY JEREMY EVANS, APPROVED UNANIMOUSLY.

MOTION BY BILL DANA THAT THE MAJOR DEVELOPMENT REVIEW FINAL SUBDIVISION PLAN IS APPROVED WITH THE FOLLOWING CONDITIONS:

1. That the Board's review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, its representatives, reviewing officials, and members of the public as reflected in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification shall require review and approval in accordance with the Brunswick Zoning Ordinance.
2. Prior to issuance of Building Permits, concurrence by the Town Engineer that all engineering comments have been adequately addressed.
3. Prior to issuance of Building Permits, the applicant shall show proof of payment of the solid waste impact fee.
4. Prior to issuance of Building Permits, the applicant shall show proof of payment of the recreation impact fee.
5. Prior to issuance of Building Permits, the applicant shall show proof of payment of the street light impact fee of \$296.03.

6. Prior to issuance of Building Permits, recorded stormwater drainage easements to the Town shall be provided, in form and substance satisfactory to the Town Engineer.
7. The plan shall not be recorded until the applicant file with the Town Manager a renewed letter of credit conditioned by the 2010 Wood Pond Village consent agreement. This filing shall occur no later than June 4, 2015, in order to fulfill financial capacity requirements per section 411.19.
8. Prior to the commencement of road construction or installation of any utilities, the developer shall provide the Town with a performance guarantee in the amount of \$292,500 for all subdivision infrastructure, as required under Section 411.19.
9. Prior to the commencement of construction of the road or installation of any utilities, the applicant shall establish an escrow account with the Town for a construction inspection escrow fee of \$5,100.
10. Prior to the commencement of any construction, a Street Opening Permit for the proposed subdivision road construction shall be obtained from the Public Works Department.
11. At least one week prior to the commencement of any construction, a pre-construction conference with Public Works staff, the engineering consultant and the roadway site work contractor is required.
12. Prior to the commencement of any construction, a digitized electronic drawing file (CAD file and PDF) of the approved plans, in an approved format, shall be furnished to Public Works Department.
13. Prior to acceptance by the Town of the private street and utilities, an "as-built" or set of record drawings shall be submitted in a form acceptable to the Public Works Department upon completion of the project.
14. Prior to the issuance of Building Permits, the applicant shall obtain capacity to serve the subdivision letters from the Brunswick Sewer District and Brunswick-Topsham Water District.

MOTION SECONDED BY SOXNA DICE, APPROVED UNANIMOUSLY.

2. Zoning Ordinance Rewrite Committee (ZORC) Update

Anna Breinich reviewed the upcoming ZORC meeting schedule.

3. Approval of Minutes

No minutes were reviewed at this meeting.

4. Other

5. Adjourn

This meeting was adjourned at 7:51 P.M.

Respectfully Submitted,

Tonya Jenusaitis

Recording Secretary

**BRUNSWICK PLANNING BOARD
MEETING MINUTES
MAY 12, 2015**

MEMBERS PRESENT: Chair Charlie Frizzle, Vice Chair Margaret Wilson, Bill Dana, Soxna Dice, Jeremy Evans, Dale King and Richard Visser

STAFF PRESENT: Director of Planning and Development, Anna Breinich; Town Planner, Jeremy Doxsee

A meeting of the Brunswick Planning Board was held on Tuesday, May 12, 2015 in Council Chambers, 85 Union Street. Chair Charlie Frizzle called the meeting to order at 7:00 P.M.

1. Case # 15-017 Medical Office Building: The Board will review and take action on a combined Sketch / Final Major Review application submitted by Smiling Sailboat Holdings, LLC, for the proposed development of a 5,084 sf office building, a 33-space parking lot, and associated site improvements, on a 1.06-acre lot located at 84 Baribeau Drive, in the Residential 4 (Meredith Drive – West McKeen Street) Zoning District, within the Medical Use Overlay Zone. Assessor’s Map 22, Lot 31.

Jeremy Doxsee introduced the combined Sketch / Final Major Review application for the development of dental offices and said that this application was before the Staff Review Committee at their April 29, 2015, meeting; These notes are included in the meeting packet. Jeremy said that the applicant proposes to construct a 5,840 sf dental building on a 1.173 acre parcel in the Medical Use Overlay Zone and the Residential 4 Zoning District and pointed out that the Cooks Corner Design Standards also apply to this application because it will be located within the Medical Use Overlay Zone. Jeremy reviewed the layout which includes stormwater retention ponds and pointed out that Jim Seymour, the consultant, was overall satisfied with the plan but has some conditions such as sedimentation and erosion control and has asked for a few more details. The lighting plan includes three pole mounted lights which have been found satisfactory by the Town Engineer, John Foster; these notes can be found in the packet materials. The application includes a dumpster enclosure and bike rack and pointed out that the 33-space parking lot which is bigger than what the applicant has stated that they will need. There are residential uses to the west and south and a medical office to the north. Landscaping is also a condition of approval, the Town arborist, Peter Beacher, will be generating a Memo. Jeremy said that to the west the applicant is proposing to maintain a 50-foot buffer. The trees are a little leggy and it is believed that the arborist will require some underbrush. On the south property line, the applicant does have a grading plan but there is 20 to 25 feet of vegetation that they are proposing to maintain and the arborist will be looking at this as well. Jeremy pointed out that there are three white spruces behind the dumpster enclosure that will provide additional screening. The application is under an acre of disturbance and does not trigger a state DEP permit and staff has reviewed the architectural elevations and found them to be in conformance of the CCDS.

Applicant, Michael Scholl, reiterated Jeremy's comments and added that he will be the developer and owner. Richard Visser asked what the percentage of impervious surface was. Jeremy replied that the existing is 0 and the proposed is .42 acres of an overall 1.1 acres, roughly 40% impervious. Soxna Dice expressed her concerns over the lack of detail required for conditions and stated that she is comfortable when there is a condition listed referencing a standard, but that she is not comfortable with the conditions that say "as long as you give additional details to the satisfaction of the Town Engineer", and asked details that demonstrate what exactly? Charlie Frizzle replied that in the packet materials, the letter from James Seymour from Sebago Technics dated May 7th, outlines the technical details that he is looking for. Soxna stated that this letter should be referenced if this is the case. Jeremy Doxsee explained what occurs when there are several conditions listed in approvals and stated that they do not usually list all the details in an attempt to keep the conditions shorter. Margaret Wilson stated that she is not entirely comfortable with James Seymour's letter as it seems as though there are still too many variables that need to be clarified. Bill Dana stated that he believes that it is pretty clear on what they can accept and thinks the Jeremy is right that they are not listing all the technicalities, but the information is in James Seymour's notes. Soxna replied that if the conditions are more tightly tied to James Seymour's Memo, she would be more comfortable.

Margaret Wilson stated that she is concerned that they do not have a traffic study and that there are still many issues that need to be worked out in regards to stormwater. Margaret is also very concerned that this does not meet the Cooks Corner Design Standards as the main entrance does not face Baribeau Drive; this is a major component of the CCDS and Margaret pointed out that every other building does have a face on Baribeau Drive. Charlie Frizzle replied that reorienting the plan so that it does face Baribeau Drive should allow adequate time to address the other issues as well. Soxna Dice agreed and noted that they also do not know what the materials will be. Jeremy Doxsee replied that a face on Baribeau Drive was not overlooked and that this application was reviewed by several others. Jeremy noted that there are no sidewalks on Baribeau Drive, that no one uses the front entrances and believed that there are other buildings that did not have clear frontage. Richard Visser stated that if the application does not meet the standards, then the application needs to be reworked. Michael Scholl replied that the reason the building is situated as it is, is so that it faces the parking lot as they could not have parking in the front of the building. Margaret asked how many spaces this application does require as opposed to what they will be construction. Jeremy replied that they only needed 15. Soxna asked why they wanted so many additional parking spaces. Michael replied that they wanted the ability to possibly expand in the future. Anna Breinich reviewed the buffer standards and the landscaping abilities.

Jeremy Doxsee asked if in the future, would the Board like paraphrasing of technical Memos included in the conditions. Charlie Frizzle replied that they would just like the Memos to be referenced.

Charlie Frizzle opened the meeting to the public hearing. There were no comments made and the public hearing period was closed.

MOTION BY BILL DANA TO TABLE COMBINED SKETCH / FINAL MAJOR REVIEW APPLICATION. MOTION SECONDED BY MARGARET WILSON, APPROVED UNANIMOUSLY.

2. Zoning Ordinance Rewrite Committee (ZORC) Update

Anna Breinich stated that the May meeting schedule will be completed shortly.

3. Approval of Minutes

MOTION BY MARGARET WILSON TO APPROVE THE MINUTES OF APRIL 28, 2015. MOTION SECONDED BY DALE KING, APPROVED UNANIMOUSLY BY THOSE PRESENT.

4. Other Business

No other business.

5. Adjourn

This meeting was adjourned at 8:26 P.M.

Respectfully Submitted,

Tonya Jenusaitis

Recording Secretary