



TOWN OF BRUNSWICK

PLANNING BOARD

85 UNION STREET
BRUNSWICK, ME 04011

**PLANNING BOARD
AGENDA
BRUNSWICK TOWN HALL
COUNCIL CHAMBERS
85 UNION STREET**

TUESDAY, AUGUST 4, 2015, 7:00 P.M.

1. **Case #15-034 Grace Reformed Baptist Church Special Permit:** The Planning Board will hold a **Public Hearing**, then review and take action regarding a **Special Permit** application submitted by Micah Renihan, on behalf of the Northern New England District, Council of Assemblies of God, requesting approval to reestablish a church in the existing structures onsite as a use by Special Permit. The property is located at 34 Grover Lane, in the **Country Residential 1 (CR1) Zoning District**. (Assessor's Map 41, Lot 23A).
2. **Case #15-033 Rose Douglas Village Sketch Plan:** The Planning Board will review and take action regarding a **Major Development Review Sketch Plan** application submitted by Robert and Judith Muller to develop a 14-unit open space residential subdivision at 207 Hacker Road and adjacent undeveloped lots totally 47.56 acres, in the **Farm and Forest 1 (FF1) Zoning District**. (Assessor's Map 7, Lots 36-41).
3. **Zoning Ordinance Rewrite Committee (ZORC) Update**
4. **Approval of Minutes**
5. **Other Business**
6. **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)
Grace Reformed Baptist Church
Planning Board Review Date: August 4, 2015**

Project Name: Grace Reformed Baptist Church Special Permit
Case Number: 15-034
Tax Map: Map 41, Lot 23A
Zoning District: Country Residential 1 (CR1)
Applicant: Micah Renihan
2 Store Road
Bowdoin, ME 04287

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

PROJECT SUMMARY

Public Hearing: Case #15-034 - Grace Reformed Baptist Church Special Permit - The Board will hold a public hearing then review and take action regarding a **Special Permit** application submitted by Micah Renihan, on behalf of the Northern New England District, Council of Assemblies of God, requesting approval to reestablish a religious institution use onsite as a use by Special Permit. The property is located at 34 Grover Lane, in the **Country Residential 1 (CR1) Zoning District. (Assessor's Map 41, Lot 23A).**

The existing structures were originally used as a church then later changed to an educational use in 2010 thereby voiding the original special permit for a religious institution. It is unknown when the current owner, Northern New England District, Council of Assemblies of God, reestablished a religious institution as no change of use/Special Permit was granted. A new Special Permit is now required to lawfully reestablish a religious institution use in the Country Residential 1 Zoning District by the Grace Reformed Baptist Church. Prior to occupying the site, the applicant will ensure that the proposed facility complies with all applicable codes and ordinances. No additional changes to the site are proposed at this time.

The parcel is located within the town's designated rural area.

DRAFT MOTION:

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

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

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.

- A. The application shall further the planning goals of the Planning Area (Appendix D) in which the property is located, as follows:**

A2.1 Rural Residential Planning Areas

1. The purpose of the Rural Residential Planning Area is to allow low-density residential and compatible nonresidential uses in rural areas where agriculture is not the predominant use. Small-scale commercial uses are encouraged where they will not adversely affect nearby residential uses. High-impact and large-scale commercial uses are discouraged.
2. Rural Residential Planning Areas include the following zoning districts: Country Residential (CR) and MU1 (Lower Old Bath Road) Districts.

The proposed religious institution is within Country Residential 1 Zoning District and is a compatible nonresidential use for the location. The site has served as a religious institution from 1989-2010 at which time the use changed to a permitted use, an educational facility. It is bordered by the Androscoggin River Bike Path and Route 1 to the south and west, and residential uses to the east and north.

The Planning Board finds the proposed use furthers the planning goals of the Rural Residential Planning Area.

- B. 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 proposed use will be housed in the existing structures onsite, totally 7,362 square feet, and are compatible in scale to its surroundings. Up to 3 employees will be onsite. Anticipated peak demand during Sunday services is estimated to be between 40-70 vehicles. No increase in parking is proposed.

The Planning Board finds that the use will remain compatible with the scale of its surroundings.

- C. 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 buildings are proposed at this time and the existing structures are harmonious in design to its surroundings.

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

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

There are no sidewalks in the area. The Androscoggin River Bike Path abuts the site and provides pedestrian and bicycle connectivity to the religious institution and downtown neighborhoods. Prior congregations had a shared parking arrangement with the Town of

Brunswick for use by Bike Path users except during specified times for church services. The Town requests a similar parking arrangement be established with the new property owner.

Although not specifically encouraged in this planning area, the Planning Board finds that the application maintains a pedestrian-oriented character with access to the well-established Bike Path.

E. The application will not violate any standard of this Ordinance.

The Special Permit use does not violate any standard in the Zoning Ordinance. No site changes are proposed at this time.

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**
- 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 MOTION

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

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 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.

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.

7/17
Jamalyn

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

1. Applicant:

Name: Micah Renihan
Address: 2 Store Rd.
Bowdoin, ME 04287
Phone #: (760) 443-5148

2. Business:

Name: Grace Reformed Baptist Church
Address: P.O. Box 152 Or 39 MacMillan Dr.
Brunswick, ME 04011 Brunswick, ME 04011
Phone #: (760) 443-5148 (207) 725-4240

3. Property/Building Owner:

Name: Northern New England District, Council of Assemblies of God
Address: 501 Riverside St.
Portland, ME 04103

4. Assessor's Tax Map # 41 Lot # 23A of subject property. 8.1 acres

5. Zoning District CR1

6. Street Address of Parcel(s) For Consideration: 34 Grover Ln.

7. Planning Area (See Appendix I): Rural Residential Planning Area A2.1

Owner Signature: _____

Applicant Signature (if different): 

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. Re-establishing this property as a church fits the planning area goal "to allow low-density residential and compatible non-residential uses in rural areas where agriculture is not the predominant use." We have no commercial components. We are similar to other permitted uses such as a school, museum, or library. This is not a "high-impact" use, and it will not adversely affect the neighbors.

2. How many square feet of space is the proposed use going to occupy? 7362.
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)? N/A

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? N/A
5. How many customers are likely to use the site during the course of a day? week?
 . Please anticipate peak demand. Current use for all day Sunday is 40-70.
Maximum capacity is 240. Other uses during week (days and nights until 10 PM) will be less
6. How many service vehicles per week do you anticipate? 0
7. What are the sizes of vehicles that will service the business should the Special Permit be granted? automobiles only
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 re-establishing a previous use of this property as a church. The size of the structure is fitting with the typical range of sizes for a church.

9. Explain how this application enhances or further maintains a pedestrian oriented character for the larger neighborhood. There are no sidewalks; no curb cuts will be needed. Easy access to bike path. We anticipate no negative impact on the pedestrian character of the neighborhood.

PURCHASE AND SALE AGREEMENT

("days" means business days unless otherwise noted, see paragraph 23)

Offer Date June 10, 2015

June 11, 2015 Effective Date
Effective Date defined in Paragraph 23 of this Agreement.

1. PARTIES: This Agreement is made between Grace Reformed Baptist Church ("Buyer") and Northern New England District, Council of Assemblies of GOD ("Seller").

2. DESCRIPTION: Subject to the terms and conditions hereinafter set forth, Seller agrees to sell and Buyer agrees to buy (all part of; if "part of" see para. 26 for explanation) the property situated in municipality of Brunswick, County of Cumberland, State of Maine, located at 34 Grover Lane, and described in deed(s) recorded at said County's Registry of Deeds Book(s) 6289, Page(s) 226.

3. FIXTURES: The Buyer and Seller agree that all fixtures, including but not limited to existing storm and screen windows, shades and/or blinds, shutters, certain rods, built-in appliances, heating sources/systems including gas and/or kerosene-fired heaters and wood/pellet stoves, sump pump, electrical fixtures, and N/A are included with the sale except for the following: N/A. Seller represents that all mechanical components of fixtures will be operational at the time of closing except: N/A.

4. PERSONAL PROPERTY: The following items of personal property as viewed on March 25, 2015 are included with the sale at no additional cost, in "as is" condition with no warranties: N/A.

5. PURCHASE PRICE/EARNEST MONEY: For such Deed and conveyance Buyer agrees to pay the total purchase price of \$180,000.00. Buyer has delivered; or will deliver to the Agency within N/A days of the Effective Date, a deposit of earnest money in the amount of \$1,500.00. Buyer agrees that an additional deposit of earnest money in the amount of \$1,500.00 will be delivered See Other Conditions. If Buyer fails to deliver the initial or additional deposit in compliance with the above terms Seller may terminate this Agreement. This right to terminate ends once Buyer has delivered said deposit(s). The remainder of the purchase price shall be paid by wire, certified, cashier's or trust account check upon delivery of the Deed.

This Purchase and Sale Agreement is subject to the following conditions:

6. ESCROW AGENT/ACCEPTANCE: RE/NAK Riverside ("Agency") shall hold said earnest money and act as escrow agent until closing; this offer shall be valid until June 11, 2015 (date) 5:00 AM PM; and, in the event of non-acceptance, this earnest money shall be returned promptly to Buyer.

7. TITLE AND CLOSING: A deed, conveying good and merchantable title in accordance with the Standards of Title adopted by the Maine Bar Association shall be delivered to Buyer and this transaction shall be closed and Buyer shall pay the balance due and execute all necessary papers on July 07, 2015 (closing date) or before, if agreed in writing by both parties. If Seller is unable to convey in accordance with the provisions of this paragraph, then Seller shall have a reasonable time period, not to exceed 30 calendar days, from the time Seller is notified of the defect, unless otherwise agreed to in writing by both Buyer and Seller, to remedy the title. Seller hereby agrees to make a good-faith effort to cure any title defect during such period. If, at the later of the closing date set forth above or the expiration of such reasonable time period, Seller is unable to remedy the title, Buyer may close and accept the deed with the title defect or this Agreement shall become null and void in which case the parties shall be relieved of any further obligations hereunder and any earnest money shall be returned to the Buyer.

8. DEED: The property shall be conveyed by a Warranty deed, and shall be free and clear of all encumbrances except covenants, conditions, easements and restrictions of record which do not materially and adversely affect the continued current use of the property.

9. POSSESSION, OCCUPANCY, AND CONDITION: Unless otherwise agreed in writing, possession and occupancy of premises, free of tenants and occupants, shall be given to Buyer immediately at closing. Said premises shall then be broom clean, free of all possessions and debris, and in substantially the same condition as at present, excepting reasonable use and wear. Buyer shall have the right to view the property within 24 hours prior to closing.

10. RISK OF LOSS, DAMAGE, DESTRUCTION AND INSURANCE: Prior to closing, risk of loss, damage, or destruction of premises shall be assumed solely by the Seller. Seller shall keep the premises insured against fire and other extended casualty risks prior to closing. If the premises are damaged or destroyed prior to closing, Buyer may either terminate this Agreement and be refunded the earnest money, or close this transaction and accept the premises "as-is" together with an assignment of the insurance proceeds relating thereto.

Revised 2015 Page 1 of 4 - P&S Buyer(s) Initials [Signature] Seller(s) Initials CW

[Handwritten Signature] CW
[Handwritten Signature] RB

15. BROKERAGE DISCLOSURE: Buyer and Seller acknowledge they have been advised of the following relationships:

Don Spann (009738) of RE/MAX Riverside (1874)
 Licensee MLS ID Agency MLS ID
 is a Seller Agent Buyer Agent Disc Dual Agent Transaction Broker

Linda Coron (001210) of Walton Home Realty (2276)
 Licensee MLS ID Agency MLS ID
 is a Seller Agent Buyer Agent Disc Dual Agent Transaction Broker

If this transaction involves Disclosed Dual Agency, the Buyer and Seller acknowledge the limited fiduciary duties of the agents and hereby consent to this arrangement. In addition, the Buyer and Seller acknowledge prior receipt and signing of a Disclosed Dual Agency Consent Agreement.

16. DEFAULT/RETURN OF EARNEST MONEY: In the event of default by the Buyer, Seller may employ all legal and equitable remedies, including without limitation, termination of this Agreement and forfeiture by Buyer of the earnest money. In the event of a default by Seller, Buyer may employ all legal and equitable remedies, including without limitation, termination of this Agreement and return to Buyer of the earnest money. Agency acting as escrow agent has the option to require written releases from both parties prior to disbursing the earnest money to either Buyer or Seller. In the event that the Agency is made a party to any lawsuit by virtue of acting as escrow agent, Agency shall be entitled to recover reasonable attorney's fees and costs which shall be assessed as court costs in favor of the prevailing party.

17. MEDIATION: Earnest money disputes within the jurisdictional limits of small claims court will be handled in that forum. All other disputes or claims arising out of or relating to this Agreement or the property addressed in this Agreement (other than requests for injunctive relief) shall be submitted to mediation in accordance with generally accepted mediation practices. Buyer and Seller are bound to mediate in good faith and to each pay half of the mediation fees. If a party fails to submit a dispute or claim to mediation prior to initiating litigation (other than requests for injunctive relief), then that party will be liable for the other party's legal fees in any subsequent litigation regarding that same matter in which the party who failed to first submit the dispute or claim to mediation loses in that subsequent litigation. This clause shall survive the closing of the transaction.

18. PRIOR STATEMENTS: Any representations, statements and agreements are not valid unless contained herein. This Agreement completely expresses the obligations of the parties.

19. HEIRS/ASSIGNS: This Agreement shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of the Seller and the assigns of the Buyer.

20. COUNTERPARTS: This Agreement may be signed on any number of identical counterparts with the same binding effect as if the signatures were on one instrument. Original or faxed or other electronically transmitted signatures are binding.

21. SHORELAND ZONE SEPTIC SYSTEM: Seller represents that the property does does not contain a septic system within the Shoreland Zone. If the property does contain a septic system located in the Shoreland Zone, Seller agrees to provide certification at closing indicating whether the system has/had not malfunctioned within 180 calendar days prior to closing.

22. NOTICE: Any notice, communication or document delivery requirements hereunder may be satisfied by providing the required notice, communication or documentation to or from the parties or their licensees. Only withdrawals of offers and counteroffers will be effective upon communication, verbally or in writing.

23. EFFECTIVE DATE/BUSINESS DAYS: This Agreement is a binding contract when the last party signing has caused a paper or electronic copy of the fully executed agreement to be delivered to the other party which shall be the Effective Date. Licensee is authorized to fill in the Effective Date on Page 1 hereof. Except as expressly set forth to the contrary, the use of the term "days" in this Agreement, including all addenda made a part hereof, shall mean business days defined as excluding Saturdays, Sundays and any observed Maine State/Federal holidays. Deadlines in this Agreement, including all addenda, expressed as "within x days" shall be counted from the Effective Date, unless another starting date is expressly set forth, beginning with the first day after the Effective Date, or such other established starting date, and ending at 5:00 p.m. Eastern Time on the last day counted. Unless expressly stated to the contrary, deadlines in this Agreement, including all addenda, expressed as a specific date shall end at 5:00 p.m. Eastern Time on such date.

24. CONFIDENTIALITY: Buyer and Seller authorize the disclosure of the information herein to the real estate licensees, attorneys, lenders, appraisers, inspectors, investigators and others involved in the transaction necessary for the purpose of closing this transaction. Buyer and Seller authorize the lender and/or closing agent preparing the closing statement to release a copy of the closing statement to the parties and their licensees prior to, at and after the closing.

25. ADDENDA: Lead Paint - Yes No ; Other - Yes No Explain: _____

The Property Disclosure Form is not an addendum and not part of this Agreement.

26. OTHER CONDITIONS: 1) Subject to Buyer's satisfaction of formal estimate of cost to have structure rased w/in 15 days. 2) Subject to final approval of congregation by 07/17/2018. 3) Site Drainage Evaluation satisfactory to Buyer w/in 15 days. 4) 2nd EMD due once all contingencies satisfied except congregational approval.

Buyer's Initials: [Signature] Seller's Initials: CW

Free App #1
[Signature]
[Signature]
CW

I, SARAH ADAMS

of San Diego County, California
 (and ~~conveyed~~) for consideration paid,
 grant to ~~the~~ **NORTHERN NEW ENGLAND DISTRICT COUNCIL OF THE ASSEMBLIES OF GOD,**
 a non-profit corporation organized and existing under the laws of the State of
 Maine and having its principal place of business in Portland in the County of
 Cumberland and State of Maine,
 with Warranty Covenants
 the land in Brunswick, Cumberland County, State of Maine.

A one-third (1/3) interest, undivided and in common, in and to a certain lot or parcel of land, situated in Brunswick, County of Cumberland and State of Maine, and being the same premises conveyed to Evangelos M. Koucoules, also known as M. Koucoulis, by deed of Charles L. Douglas dated July 14, 1927 and recorded in the Cumberland County Registry of Deeds in Book 1283, Page 393 and therein described as follows:

"A certain lot or parcel of land with the buildings thereon, situated in the town of Brunswick, County of Cumberland and said State of Maine, being bounded and described as follows, i.e: beginning at a point in the northwesterly line of the Federal Highway leading from Brunswick to Bath, which point marks the intersection of said line of Highway and the northeasterly line of land formerly of George A. Storer; thence in a northwesterly direction along said Storer's line, as aforesaid, to the point which marks the intersection of said Storer line and the southeasterly line of land owned or occupied by one Koucoulis; thence northwesterly by line of said Koucoulis, formerly of Charles Storer, to a point which marks the intersection of last said line and the southwesterly line of land now or formerly of Charles Grover; thence southeasterly by said Grover's last named line until said Grover line intersects the said northwesterly line of said Federal Highway; thence in a southwesterly direction along the line of the said Highway to the point begun at."

Excepting, however, from the above described premises so much thereof as was conveyed by Evangelos M. Koucoules to the East Brunswick Baptist Church Corporation by deed dated November 8, 1954 and recorded in said Registry of Deeds in Book 2519, Page 236 and therein described as follows:

"a parcel or lot of land in Brunswick in the County of Cumberland and State of Maine, bounded and described as follows:

Beginning at a point on the Old Bath Road, so-called, and running along the land owned by Grover, for a distance of about 800 feet, thence running along the land of Palmer for about 150 feet, at an angle of less than 90 degrees, thence running along land of the grantor for about 800 feet, more or less, to the Old Bath Road, and thence running about 150 feet to the point of beginning, being a portion of the property conveyed to the grantor by one Charles Douglas."

Also excepting from the above described premises so much thereof as was taken by the State of Maine for highway purposes.

Reference is made to the following deeds: Book 1283, Page 393; Book 1750, Page 437 and Book 2519, Page 236.

THOMAS ADAMS, husband executor of said grantor,
 joins as grantor and releases all rights by descent and all other rights.

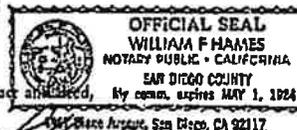
Witness our hands and seals this 19th day of September 19 83

Raymond L. Pristas Sarah Adams
Robert P. Schwartz Thomas Adams

CALIFORNIA
 The State of ~~California~~ **San Diego** 19th September 19 83 **SEAL**

Then personally appeared the above named **SARAH ADAMS**

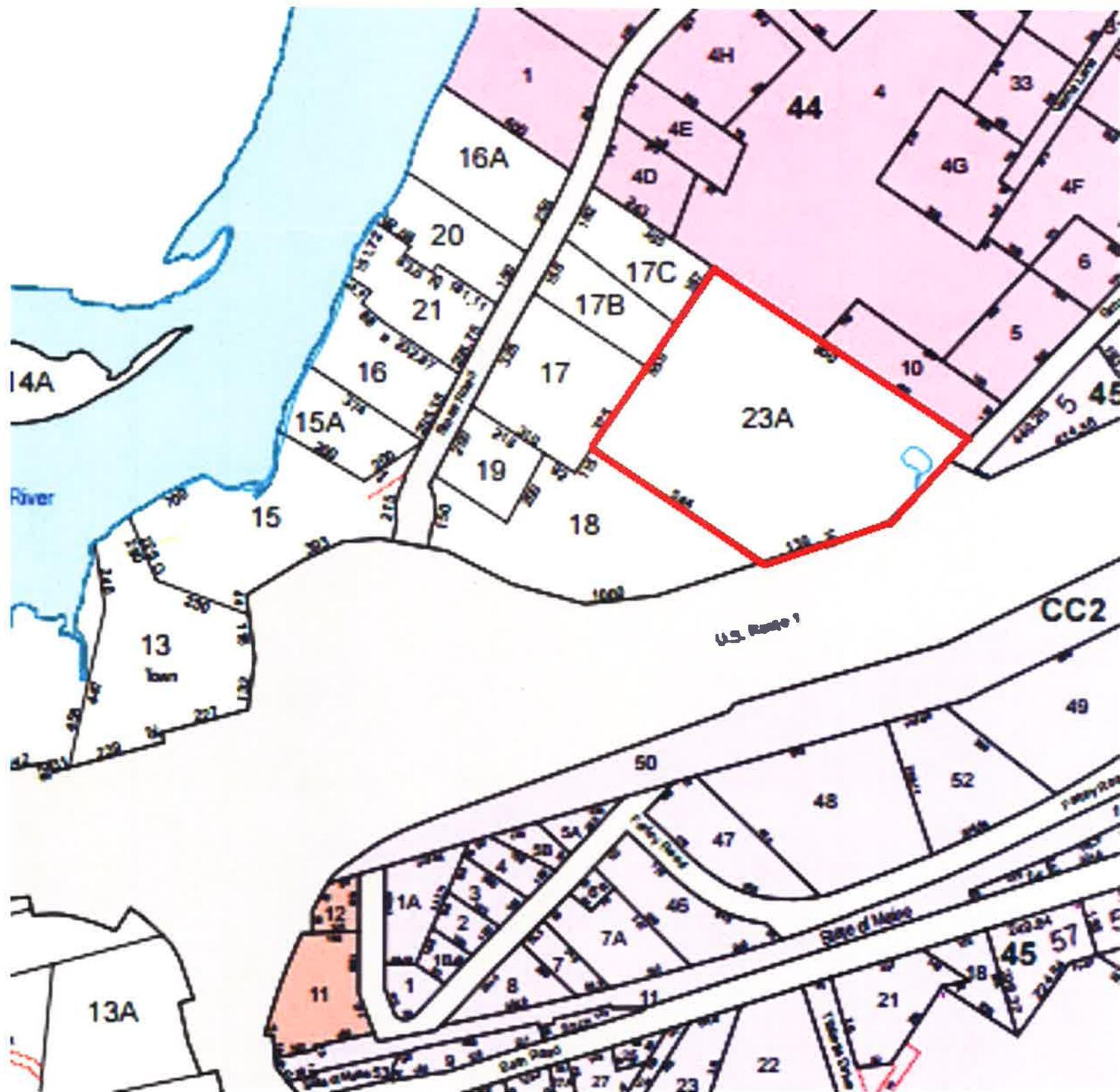
and acknowledged the foregoing instrument to be her (free act and deed)

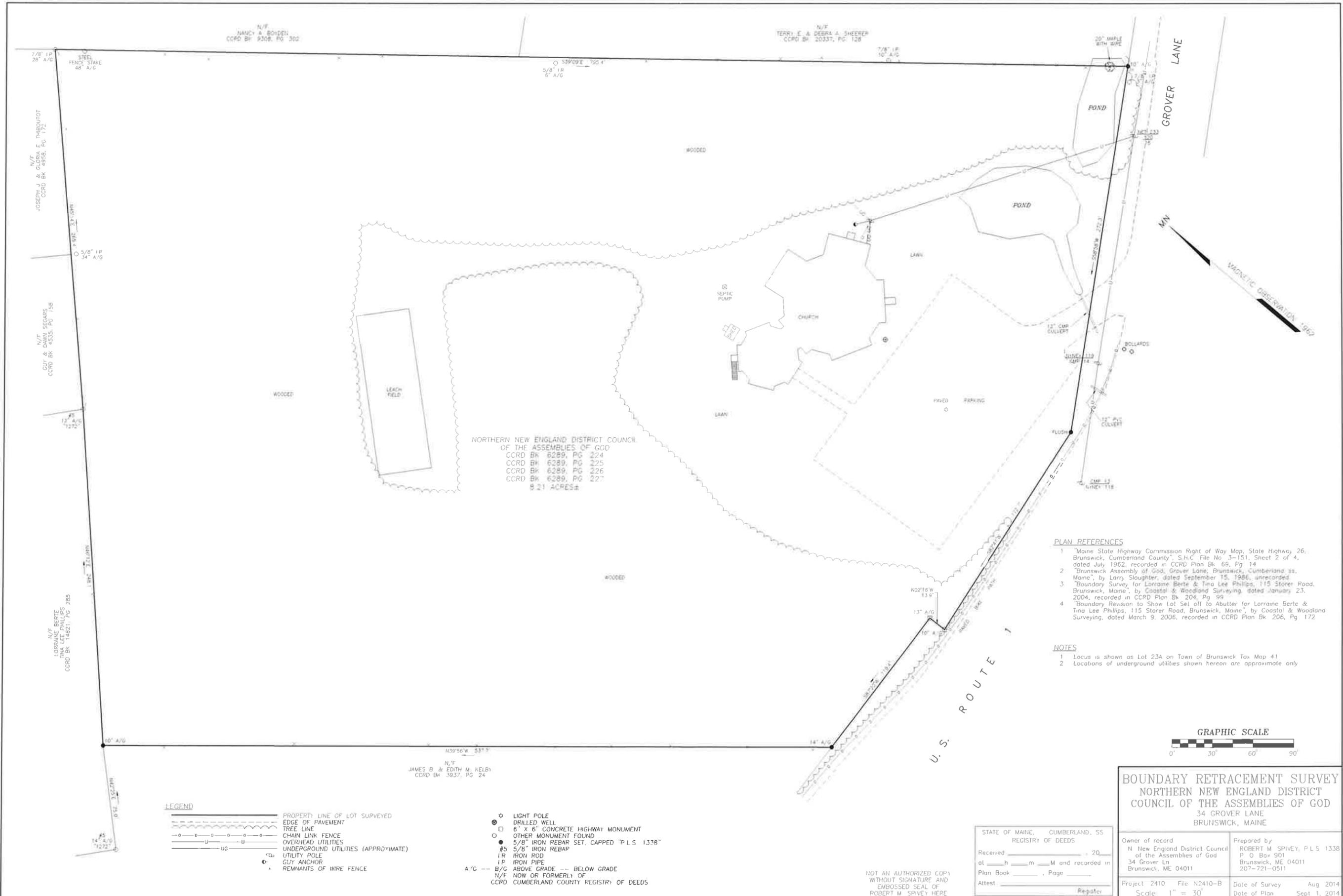


Before me: William F. Hames
 Justice of the Peace - Attorney at Law - Notary Public

158 S WARRANTY DEED

STATE OF MAINE
 CUMBERLAND, ss. REGISTRY OF DEEDS
 Received at 8H 32 M A M on OCT 6 1983 and recorded in
 Book 6289 Page 225 Attest: James J. Walker





N/F
NANCY A. BOYDEN
CCRD BK 2308, PG 302

N/F
TERRY E. & DEBRA A. SHEPHERD
CCRD BK 20337, PG 128

7/8" IR
28" A/G

N/F
JOSEPH J. & CLAUDIA E. THIBOUTOT
CCRD BK 4958, PG 172

N/F
GUY & DAWN SECARS
CCRD BK 43351, PG 158

N/F
LORRAINE BERTÉ
TINA LEE PHILLIPS
CCRD BK 14821, PG 285

N/F
JAMES B. & EDITH M. KELBY
CCRD BK 3937, PG 24

NORTHERN NEW ENGLAND DISTRICT COUNCIL
OF THE ASSEMBLIES OF GOD
CCRD BK 6289, PG 224
CCRD BK 6289, PG 225
CCRD BK 6289, PG 226
CCRD BK 6289, PG 227
8.21 ACRES±

- PLAN REFERENCES**
- "Maine State Highway Commission Right of Way Map, State Highway 26, Brunswick, Cumberland County", S.H.C. File No. 3-151, Sheet 2 of 4, dated July 1962, recorded in CCRD Plan Bk 69, Pg 14
 - "Brunswick Assembly of God, Grover Lane, Brunswick, Cumberland Co., Maine", by Larry Slaughter, dated September 15, 1986, unrecorded.
 - "Boundary Survey for Lorraine Berté & Tina Lee Phillips, 115 Storer Road, Brunswick, Maine", by Coastal & Woodland Surveying, dated January 23, 2004, recorded in CCRD Plan Bk 204, Pg 99
 - "Boundary Revision to Show Lot Set off to Abutter for Lorraine Berté & Tina Lee Phillips, 115 Storer Road, Brunswick, Maine", by Coastal & Woodland Surveying, dated March 9, 2006, recorded in CCRD Plan Bk 206, Pg 172

- NOTES**
- Locus is shown as Lot 23A on Town of Brunswick Tax Map 41
 - Locations of underground utilities shown hereon are approximate only

LEGEND

	PROPERTY LINE OF LOT SURVEYED
	EDGE OF PAVEMENT
	TREE LINE
	CHAIN LINK FENCE
	OVERHEAD UTILITIES
	UNDERGROUND UTILITIES (APPROXIMATE)
	UTILITY POLE
	GUY ANCHOR
	REMNANTS OF WIRE FENCE

- LIGHT POLE
- DRILLED WELL
- 6" x 6" CONCRETE HIGHWAY MONUMENT
- OTHER MONUMENT FOUND
- 5/8" IRON REBAR SET, CAPPED "P L S 1338"
- #5 5/8" IRON REBAR
- IR IRON ROD
- IP IRON PIPE
- A/G --- B/G ABOVE GRADE --- BELOW GRADE
- N/F NOW OR FORMERLY OF
- CCRD CUMBERLAND COUNTY REGISTRY OF DEEDS

NOT AN AUTHORIZED COPY
WITHOUT SIGNATURE AND
EMBOSSSED SEAL OF
ROBERT M. SPIVEY HERE



BOUNDARY RETRACEMENT SURVEY
NORTHERN NEW ENGLAND DISTRICT
COUNCIL OF THE ASSEMBLIES OF GOD
34 GROVER LANE
BRUNSWICK, MAINE

STATE OF MAINE, CUMBERLAND, SS
REGISTRY OF DEEDS

Received _____ 20____
at _____ h _____ m _____ M and recorded in
Plan Book _____, Page _____

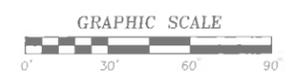
Attest: _____
Register

Owner of record N New England District Council of the Assemblies of God 34 Grover Ln Brunswick, ME 04011	Prepared by ROBERT M. SPIVEY, P.L.S. 1338 P O Box 901 Brunswick, ME 04011 207-721-0511
Project 2410 Scale 1" = 30'	File N2410-B Date of Survey Aug 2014 Date of Plan Sept 1, 2014



- NOTES**
- This is not a boundary survey. See plan titled "Boundary Retracement Survey, Northern New England District Council of the Assemblies of God", by Robert M. Spivey, dated September 1, 2014.
 - Elevations shown hereon are in feet and are based on an arbitrary vertical datum.
 - Locations of underground utilities shown hereon are approximate and must be verified prior to construction. Existing water and septic lines have not been located. Pastor Chris Wilcoxson is not aware of any other underground utilities on the locus, but again this must be verified prior to construction.
 - Locus falls entirely within the Country Residential 2 zoning district, with the following dimensional requirements:

Minimum Lot Area	1.5 acres
Maximum Density	1 unit/1.5 acre
Minimum Lot Width	150'
Minimum Front Yard	25'
Minimum Rear Yard	30'
Minimum Side Yard	30'
Maximum Impervious Surface	20%
Maximum Building Height	40'
Maximum Footprint/Structure	10,000 sq ft



LEGEND	
	PROPERTY LINE (SEE NOTE 1)
	EDGE OF PAVEMENT
	TREE LINE
	CHAIN LINK FENCE
	OVERHEAD UTILITIES
	UNDERGROUND UTILITIES (APPROXIMATE)
	UTILITY POLE
	GUY ANCHOR
	REMNANTS OF WIRE FENCE
	SOFTWOOD
	HARDWOOD
	SHRUB
	WOOD POST
	LIGHT POLE
	DRILLED WELL
	6" x 6" CONCRETE HIGHWAY MONUMENT
	OTHER MONUMENT FOUND
	5/8" IRON REBAR SET, CAPPED "P L S 1338"
	5/8" IRON REBAR
	IRON ROD
	IRON PIPE
	ABOVE GRADE
	BELOW GRADE
	NOW OR FORMERLY OF
	CONTOUR LINE WITH ELEVATION
	BENCH MARK
	SIGN
	SETBACK LINE

TOPOGRAPHIC SURVEY
 NORTHERN NEW ENGLAND DISTRICT
 COUNCIL OF THE ASSEMBLIES OF GOD
 34 GROVER LANE
 BRUNSWICK, MAINE

Owner of record N New England District Council of the Assemblies of God 34 Grover Ln Brunswick, ME 04011	Prepared by ROBERT M. SPIVEY, P.L.S. 1338 P O Box 901 Brunswick, ME 04011 207-721-0511
--	--

Project 2410	File N2410-T	Date of Survey	Aug 2014
Scale 1" = 30'		Date of Plan	Sept 1, 2014

HOT AN AUTHORIZED COPY
 WITHOUT SIGNATURE AND
 EMBOSSED SEAL OF
 ROBERT M. SPIVEY HERE















TOWN OF BRUNSWICK, MAINE

INCORPORATED 1739

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

ANNA BREINICH, FAICP
DIRECTOR OF PLANNING & DEVELOPMENT

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

July 30, 2015

TO: Brunswick Planning Board
FROM: Anna Breinich, FAICP *AB*
RE: Major Development Review Sketch Plan Application: Rose Douglas Village (Case #15-033)

Case #15-033 Rose Douglas Village Sketch Plan: *The Planning Board will review and take action regarding a Major Development Review Sketch Plan application submitted by Robert and Judith Muller to develop a 14-unit open space residential subdivision at 207 Hacker Road and adjacent undeveloped lots totaling 47.56 acres, in the Farm and Forest 1 (FF1) Zoning District. (Assessor's Map 7, Lots 36-41).*

PROJECT SUMMARY

Staff reviewed the sketch plan application and has determined it is complete.

The project involves the combining of seven parcels previously subdivided into family trust lots into one parcel totaling 47.56 acres, for purposes of developing a 14-unit open space residential subdivision. Approximately 23.8 acres is being considered for conservation and common open space. The subdivision, to be known as Rose Douglas Village, is located on a loop road intersecting Hacker Road (Original Assessor's Map 7, Lot 36-41) in the Farm and Forest 1 (FF1) Zoning District.

The representative for the applicant, Kevin Clark, Sitelines PA, has provided a letter, dated July 20, 2015, which summarizes the project, as well as the overall proposed subdivision (attached). Comments from the July 22, 2015 Staff Review Committee meeting are also attached.

As stated in the application, the applicant will request waivers for the following items as part of the final plan submittal:

- Class A Soils Survey. The project is located on soils suitable for the proposed development. A preliminary soils investigation has been completed and test pits will be provided for each of the units at final plan submission.
- Profile, cross-section dimensions, curve radii of existing streets. No changes are proposed to Hacker Road.

Utilities

The proposed development is within the town's Rural Area. As such, shared private wells and subsurface wastewater disposal systems will be utilized to limit disturbance. As has been the Department's practice,

staff agrees that DEP's review and approval of a Stormwater Management Permit would be acceptable in lieu of a review by the Town's consulting engineer. Permit applications to Maine DEP should be made immediately following Sketch Plan approval and prior to Final Plan submittal.

Infrastructure Improvements and Traffic

The project will require an entrance permit from the Town's Public Work Department.

Dimensional & Density Standards

Based on the materials submitted by the applicant the proposed project meets all dimensional and density standards for an open space subdivision in the Farm and Forest 1 (FF1) Zoning District as indicated in the table following table. No density bonus is being requested at this time. Prior to final plan submittal, applicant should more clearly delineate area to be retained by owner and for what purpose.

Open Space Subdivision Standards for FF1 Zoning District

Standard / District	FF1	X = meets standard
Minimum Road Frontage on Primary Road	250 feet	X
Minimum Road Frontage on Secondary Roads	100 feet	X
Minimum Front Yard	25 feet	X
Minimum Rear Yard for Principal Structures	20 feet	X
Minimum Side Yard	10 feet	X
Maximum Impervious Surface Coverage	25%	X
Maximum Building Height	40 feet	X
Maximum Building Footprint per Structure	10,000 s.f.	X
Minimum Protected Conservation Land	50%	X

Residential Density Calculation

	Calculation	Area (Acres)
Overall Area	Plan	47.6
Wetlands	Plan	3.1
Proposed Row	Plan	2.5
Net Site Area	47.6-(3.1+2.5)	42.0
Allowable Density	NET/87,150	21 dwelling units
Wildlife Habitat Block (WHB) Area	Plan	43.8
Required WHB Mitigation	WHB*0.50	21.9
Conservation Open Space Offered	Plan	22.2
Req. Open Space	A*0.50	23.8
Common and Open Space Provided	Plan	23.8

Natural and Archeological Resource Constraints

As stated in the application and indicated on the sketch plan, all wetland and watercourses have been field identified and mapped by Eco-Analysts, Inc. A print-out of the Town's Wildlife Habitat Block mapping for the parcel is also attached. The applicant has indicated that 43.8 acres of the tract is within the Wildlife Habitat Block.

Proposed Protected Conservation and Recreation Areas

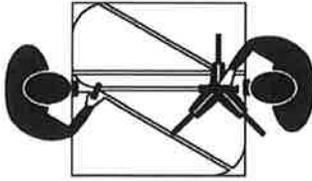
As required for open space subdivision sketch plans, the proposed area for protected conservation and/or recreation lands must be identified. The applicant shall meet with the Recreation and Conservation Commissions prior to final plan submittal in order to determine suitability of lands proposed for conservation and common open space. It is further recommended that a site walk be scheduled as part of the review process.

DRAFT MOTIONS

**ROSE DOUGLAS VILLAGE SKETCH PLAN
CASE #15-033**

Motion 1. That the Board deems the Sketch Plan to be complete.

Motion 2. That the Board approves the Sketch Plan.



Revised: July 20, 2015

938

Anna Breinich, Director of Planning
Town of Brunswick
28 Federal Street
Brunswick, Maine 04011

Re: Sketch Plan Application
ROSE DOUGLAS VILLAGE
207 HACKER ROAD, BRUNSWICK, MAINE
Tax Map 7, Lots 36-41

Dear Anna,

On behalf of ROBERT & JUDITH MULLER, Sitelines, PA is pleased to submit the enclosed Sketch Plan Application and supporting materials for the development of a 14-unit residential subdivision off the Hacker Road in Brunswick. This letter is intended to summarize the project in order to facilitate the review process.

PROPERTY

THE MULLER'S own several parcels (Family Trust Lots) of land located off Hacker Road (Tax Map 7, Lots 36-42). The parcels contain a total of 47.56 acres and are currently undeveloped, with a mix of woodland and former agricultural fields. The property was previously divided into family trust lots, which would be merged back together to accommodate this development. The property is located in the Farm & Forest 1 (FF1) Zoning district, in which residential dwellings are a Permitted Use and has a minimum density of 1 unit per 2 acres.

SITE DESIGN

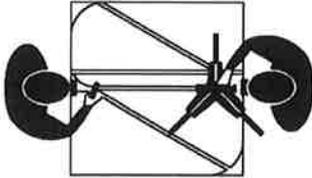
The proposed subdivision consists of fourteen (14) new residential units aligned a private loop road, which was designed to avoid a dead end road limitation. Each unit will have direct access off the loop road. The road will be constructed to the Town of Brunswick standards for a private road and is not proposed to be offered for acceptance.

The units will be configured in a clustered New England style village setting and the project is intended to be designed as a Zero-Energy project, with solar panels. The design will utilize shared private wells and subsurface wastewater disposal systems to limit the disturbance. Wetlands and water courses have been identified and mapped by Eco-Analysts, Inc. and the Net Site Area has been computed to be 42.0± acres, allowing a density of 21 units. Approximately 25.4± acres is proposed for development and Common Space, with another 22.2± acres to be dedicated for Conservation Open Space. Open Space will be preserved by means of a Conservation Easement and retained by the developer. No Density Bonus is being requested at this time.

OPEN SPACE DEVELOPMENT

Per Section 308.1, the four step design process included:

- A) Mapping Land of Conservation Value - Wetlands and water courses have been identified and mapped by Eco-Analysts, Inc., 3.01 acres of wetlands were mapped on the property. The Wildlife Habitat Block contains 43.8 acres on the property.



B) Location of Building Envelopes

1. The proposed development area(s) limit the fragmentation of the Wildlife Habitat Block from connectivity to adjacent properties;
 2. The proposed development area(s) minimizes wetland impacts with one stream crossing and avoids wetlands associated with stream flow;
 3. The proposed development area(s) minimizes impact to scenic resources, as there are no large fields to avoid. The development areas are located upon the high ground of the site, but this is not a significant ridgeline.
 4. The proposed Open Space is contiguous to other Open Spaces areas on adjacent properties.
 5. This is not a commercial development and thus the orientation is not applicable.
- C) Alignments of Street and Trails – The proposed roadway and the path within the Common Space have been aligned to limit impacts to wetlands and land of conservation value. There is ample opportunity for connections from the developed areas to the Open Space via paths or trails that will not disrupt land of conservation value.
- D) Lot Lines – This project is intended as a clustered development and traditional lot lines are not planned.

WILDLIFE HABITAT BLOCK

The Wildlife Habitat Block has been identified from the Brunswick Zoning Ordinance and Maps, with approximately 43.8± acres of the Wildlife Habitat Block being located on the property, of which approximately 22.2± acres will be preserved as part of the Open Space/Conservation Land. The preserved Wildlife Habitat Block exceeds a 1:1 mitigation ratio.

Based on the specifics of the project, the applicant will request waivers for the following application items:

- Class A Soil Survey. The project is located on soils suitable for the proposed use. A preliminary soils investigation has been completed and test pits will be provided for each of the units at final submission.
- Profile, cross-section dimensions, curve radii of existing streets. No changes are proposed to Hacker Road.

SUMMARY

We trust that this information satisfactorily addresses the requirements for Sketch Plan Review and we look forward to meeting with you and the Planning Board at their August 4, 2015 meeting to obtain their feedback.

We appreciate your assistance with this project. Should you have any questions, please call or contact me via kclark@sitelinespa.com.

Very truly yours,

Kevin P. Clark

Kevin P. Clark, PLS
President

Enclosures

cc: Bob Muller

**MAJOR DEVELOPMENT REVIEW
SKETCH PLAN APPLICATION**

1. Project Name: Rose Douglas Village Subdivision

2. Project Applicant

Name: Robert & Judith Muller (Family Trust Lots)
Address: PO Box 309
Brunswick, ME 04011
Phone Number: 207-720-0200

3. Authorized Representative

Name: Sitelines, P.A. Attn: Kevin Clark, PLS
Address: 8 Cumberland Street
Brunswick, ME 04011
Phone Number: 207-725-1200 ext. 14

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

1. Surveyor: Kevin P. Clark, PLS #2245 Sitelines, P.A., 207-725-1200 ext. 14
2. Engineer: Curtis Y. Neufeld, PE #9779, Sitelines, P.A., 207-725-1200 ext. 18
3. Wetlands: Tim Forrester, Wetland Scientist, Eco-Analysts, Inc., 207-386-0405

5. Physical location of property being affected: 207 Hacker Road

6. Lot Size: 47.56 acres

7. Zoning District: FF1

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

9. Assessor's Tax Map X7 Lot Number 36-42 of subject property.

10. Brief description of proposed use: Refer to Cover Letter

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

Owner Signature:  (AGENT)

Applicant Signature (if different): _____

Required Attachments (by Applicant):

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

Required Attachment (by Planning and Development Department):

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

SKETCH PLAN REQUIREMENTS

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

Item	O	S	NA	W	P	Comments
Indicate Variances Granted			X			
Indicate Special Permits			X			
Indicate Special Exceptions			X			
Date, north point, scale		X				
Land area, existing use of the property, location of proposed development, locations reserved for future development		X				
Tentative rights-of-way locations, lot lines, lot numbers, lot areas		X				
Estimated soil boundary locations from the Soil Conservation Service Medium Intensity Soil Survey noting areas of severe and very severe soil limitations		X				No severe/very severe soil limitations on-site.
Existing natural, topographical, and cultural features including areas of steep slopes, bedrock outcrops, ponds, streams, aquifers, and other water bodies, wetlands, groundwater recharge areas, slumps, flood hazard areas, trees, and other vegetation, excavation sites, stone walls, net site area, historic and archeological sites, structures, or districts, and any other pertinent features.		X				
Tentative locations of proposed structures, owners of existing structures, and neighboring land uses		X				
Special conservation and recreation areas		X				
Location map		X				
Zoning information, including the zoning district(s) in which the property is located and the location of any overlay zones depicted on the plan.		X				
Any conditions imposed by previous development on the site.		X				None Imposed.
Other information Planning Board/Staff Review Committee deems necessary to conduct an informed review.			X			
Letter of consent signed by property owner authorizing the development review application in cases where applicant is not the owner of the property.		X				Applicants are the owners of the property.
Application Fee		X				Provided under separate cover
For Open Space Developments, sketch plan design review requirements indicated in Section 308.1		X				
Open Space Development: Request for Bonus Density		X				

88-578 - 955

WARRANTY DEED - SHORT FORM

010074

MAINE REAL ESTATE TRANSFER TAX PAID

KNOW ALL MEN BY THESE PRESENTS THAT WE, Steven D. Liggett and Jane M. Welzel, of the County of Auckland and Country of New Zealand, for valuable consideration received, hereby grant to Robert N. Muller and Judith Porter-Muller, of the County of Sagadahoc, and State of Maine, as JOINT TENANTS, with WARRANTY COVENANTS, that certain lot or parcel of land, with any buildings thereon, located at Lot #4, Hacker Road, Brunswick, in the County of Cumberland and State of Maine, as more fully described in Exhibit A attached hereto and incorporated herein.

In Witness Whereof, we have hereunto set our hands and seals on March 7, _____, 1989.

Bruce M. Ray
Witness
Bruce M. Ray

Michael R. St. Laurent
Steven D. Liggett
By: Michael R. St. Laurent,
his duly authorized Attorney-
in-Fact

Witness

Michael R. St. Laurent
Jane M. Welzel
By: Michael R. St. Laurent,
her duly authorized Attorney-
in-Fact

STATE OF MAINE
Androscoggin, ss

March 7, _____, 1989

On March 7, _____, 1989, personally appeared the above-named Michael R. St. Laurent, individually, and as Attorney-in-Fact for Steven P. Liggett and Jane M. Welzel, and acknowledged the foregoing deed to be his free act and deed, and his free act and deed in his said capacity.

Before me,

Bruce M. Ray
Notary Public/Attorney At Law

SEAL

Type or Print Name
Bruce M. Ray

2K867904056

3977R R890133

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY LOCATED AT
Lot 4, Hacker Road, Brunswick, MAINE

A certain lot or parcel of land, with any buildings thereon, situated on the southerly side of Hacker Road in Brunswick, County of Cumberland and State of Maine, described more particularly as follows:

Beginning at a 5/8" rebar on the southerly side line of Hacker Road so-called which marks the westerly corner of land now of Seven P. Liggett and Jane M. Welzel dated August 27, 1987, recorded in Book 7959, Page 40, Cumberland County Registry of Deeds;

Thence, easterly along the southerly side line of said Hacker Road North seventy-two degrees forty-three minutes thirty-four seconds east (N72°43'34"E) seventy and twenty-two hundredths (70.22) feet to the beginning of a curve concave to the south and having a radius of seven hundred thirty and thirty-six hundredths (730.36) feet;

Thence, easterly two hundred fifty-nine and fifty hundredths (259.50) feet along the southerly side line of said Hacker Road and the arc of said curve through a central angle of twenty degrees twenty-one minutes twenty-six seconds (20°21'26") to the point of tangency of said curve;

Thence, South eighty-five degrees thirty-four minutes twenty-seven seconds east (S85°34'27"E) one hundred sixty-nine and thirty-six hundredths (169.36) feet along the southerly side line of said Hacker Road to the beginning of a curve concave to the northwest and having a radius of four hundred forty-six and fifty-eight hundredths (446.58) feet;

Thence, northeasterly two hundred ninety-eight and sixty-two hundredths (298.62) feet along the southerly side line of said Hacker Road and the arc of said curve through a central angle of thirty-eight degrees eighteen minutes forty-six seconds (38°18'46") to the point of tangency of said curve;

Thence, North fifty-six degrees six minutes forty-seven seconds east (N56°06'47"E) ninety-three and fifty hundredths (93.50) feet along the southerly line of said Hacker Road to a 5/8" rebar with aluminum cap stamped Wright-Pierce set at the most westerly corner of Lot 5 as shown on "Plan of Lots, of Property of Steven P. Liggett and Jane M. Welzel", dated January 24, 1989;

Thence, South thirty-two degrees twenty-one minutes twenty-six seconds east (S32°21'26"E) seven hundred sixty-three and zero hundredths (763.00) feet to the most southerly corner of said Lot 5;

307 D 78 11057

-2-

Thence, North fifty-six degrees six minutes forty-seven seconds east (N56°06'47"E) ninety-three and fifty hundredths (93.50) feet along the southerly line of said Hacker Road to a 5/8" rebar with aluminum cap stamped Wright-Pierce set at the most westerly corner of Lot 5 as shown on "Plan of Lots, of Property of Steven P. Liggett and Jane M. Welzel", dated January 24, 1989;

Thence, South thirty-two degrees twenty-one minutes twenty-six seconds east (S32°21'26"E) seven hundred sixty-three and zero hundredths (763.00) feet to the most southerly corner of said Lot 5;

Thence, North fifty-six degrees six minutes forty-seven seconds east (N56°06'47"E) two hundred and zero hundredths (200.00) feet to a 5/8" rebar with aluminum cap stamped Wright-Pierce set at the most easterly corner of said Lot 5 in the southwesterly line of Lot 3 as shown on said Plan of Lots;

Thence, along the southwesterly line of said lot 3 South thirty-two degrees twenty-one minutes twenty-six seconds east (S32°21'26"E) one thousand four hundred thirty-nine and six hundredths (1439.06) feet to a 5/8" rebar with aluminum cap stamped Wright-Pierce set at the most southerly corner of said Lot 3 in the southerly line of said Liggett and Welzel;

Thence, South fifty-four degrees seven minutes twenty-three seconds west (S54°07'23"W) along the southerly line of said Liggett and Welzel one thousand one hundred fifteen and sixty-nine hundredths (1115.69) feet to a 4"x4" granite monument at the south corner of said land of Liggett and Welzel;

Thence, along the westerly line of said Liggett North twenty-nine degrees fifty-nine minutes forty-nine seconds west (N29°59'49"W) two thousand five hundred eighty-eight and ninety-five hundredths (2588.95) feet to the point of beginning

The above described parcel of land is shown as Lot 4 on "Plan of Lots, of Property of Steven P. Liggett and Jane M. Welzel, Hacker Road Brunswick, Maine for Steven D. Liggett and Jane M. Welzel", by Wright-Pierce Engineers, 99 Main Street, Topsham, Maine, dated January 24, 1989, recorded in Plan Book 177, Page 26 in the Cumberland County Registry of Deeds.

Being a portion of the same premises conveyed to Steven P. Liggett and Jane M. Welzel from Michael R. St. Laurent, et al. dated August 27, 1987 and recorded in said Registry of Deeds in Book 7959, Page 40.

RECORDED
DEEDS

1989 MAR -9 AM 9:28

Thomas D. M. M.
CUMBERLAND COUNTY

QUITCLAIM DEED

KNOW ALL BY THESE PRESENTS, that **ROBERT MULLER AND JUDITH MULLER**, both of Brunswick, Maine, in consideration of love and affection, and for no other consideration, do hereby REMISE, RELEASE, BARGAIN, SELL and CONVEY and forever QUITCLAIM unto **ROBERT MULLER, JUDITH MULLER AND ELIZABETH MULLER**, all of Brunswick, Maine, their heirs, successors and assigns forever, the following described;

A certain lot or parcel of land in Brunswick, County of Cumberland and State of Maine, and being Lot A on a certain Survey entitled "Boundary Plan Muller Family Lots" by Sitelines, P.A., dated March 1, 2006, recorded in the Cumberland County Registry of Deeds at Book 2006, Page 152, to which reference may be had for a more particular description.

The above-described Lot is conveyed subject to those notes, easements and conditions listed in the above-described Survey.

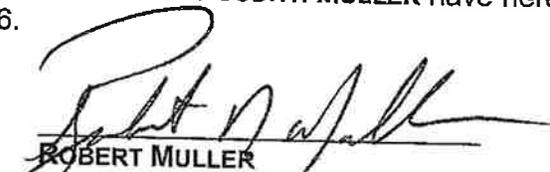
Also granting and conveying perpetual easements for ingress and egress by foot and motor vehicle and for all utilities, in common with the Grantors and others, over and across the rights of way as portrayed on the above-described Survey.

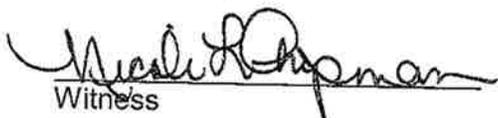
Reference is made to a deed into the Grantors recorded in the Cumberland County Registry of Deeds at Book 8679, Page 55.

The conveyance is a gift from husband and wife to husband, wife and daughter, for no consideration other than love and affection.

IN WITNESS WHEREOF, the said **ROBERT MULLER AND JUDITH MULLER** have hereunto set their hand and seal this 6th day of March 2006.


Witness


ROBERT MULLER


Witness


JUDITH MULLER

STATE OF MAINE
COUNTY OF SAGADAHOC

March 6, 2006

Then personally appeared before me, the above named **ROBERT MULLER AND JUDITH MULLER** and acknowledged the foregoing instrument to be their free act and deed.

Received
Recorded Register of Deeds
Mar 06, 2006 02:45:06P
Cumberland County
John B O'Brien


Notary Public/Attorney at Law

NICOLE L. CHIPMAN
Notary Public State of Maine
My Commission Expires Aug. 9, 2012

QUITCLAIM DEED

KNOW ALL BY THESE PRESENTS, that **ROBERT MULLER AND JUDITH MULLER**, both of Brunswick, Maine, in consideration of love and affection, and for no other consideration, do hereby REMISE, RELEASE, BARGAIN, SELL and CONVEY and forever QUITCLAIM unto **JUDITH MULLER**, of Brunswick, Maine, her heirs, successors and assigns forever, the following described;

A certain lot or parcel of land in Brunswick, County of Cumberland and State of Maine, and being Lot B on a certain Survey entitled "Boundary Plan Muller Family Lots" by Sitelines, P.A., dated March 1, 2006, recorded in the Cumberland County Registry of Deeds at Book 2006, Page 152, to which reference may be had for a more particular description.

The above-described Lot is conveyed subject to those notes, easements and conditions listed in the above-described Survey.

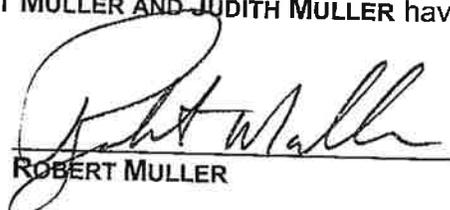
Also granting and conveying perpetual easements for ingress and egress by foot and motor vehicle and for all utilities, in common with the Grantors and others, over and across the rights of way as portrayed on the above-described Survey.

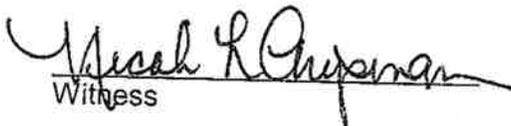
Reference is made to a deed into the Grantors recorded in the Cumberland County Registry of Deeds at Book 8679, Page 55.

The conveyance is a gift from husband and wife to wife, for no consideration other than love and affection.

IN WITNESS WHEREOF, the said **ROBERT MULLER AND JUDITH MULLER** have hereunto set their hand and seal this 6th day of March 2006.


Witness


ROBERT MULLER


Witness

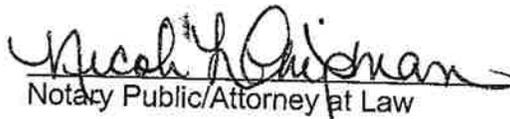

JUDITH MULLER

STATE OF MAINE
COUNTY OF SAGADAHOC

March 6, 2006

Then personally appeared before me, the above named **ROBERT MULLER AND JUDITH MULLER** and acknowledged the foregoing instrument to be their free act and deed.

Received
Recorded Register of Deeds
Mar 06, 2006 02:46:28P
Cumberland County
John B O'Brien


Notary Public/Attorney at Law

NICOLE L. CHIPMAN
Notary Public State of Maine
My Commission Expires Aug. 9, 2012

QUITCLAIM DEED

KNOW ALL BY THESE PRESENTS, that **ROBERT MULLER AND JUDITH MULLER**, both of Brunswick, Maine, in consideration of love and affection, and for no other consideration, do hereby REMISE, RELEASE, BARGAIN, SELL and CONVEY and forever QUITCLAIM unto **ELIZABETH MULLER**, of Brunswick, Maine, her heirs, successors and assigns forever, the following described;

A certain lot or parcel of land in Brunswick, County of Cumberland and State of Maine, and being Lot C on a certain Survey entitled "Boundary Plan Muller Family Lots" by Sitelines, P.A., dated March 1, 2006, recorded in the Cumberland County Registry of Deeds at Book 2006, Page 152, to which reference may be had for a more particular description.

The above-described Lot is conveyed subject to those notes, easements and conditions listed in the above-described Survey.

Also granting and conveying perpetual easements for ingress and egress by foot and motor vehicle and for all utilities, in common with the Grantors and others, over and across the rights of way as portrayed on the above-described Survey.

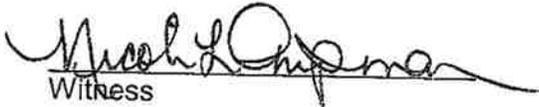
Reference is made to a deed into the Grantors recorded in the Cumberland County Registry of Deeds at Book 8679, Page 55.

The conveyance is a gift from husband and wife to daughter, for no consideration other than love and affection.

IN WITNESS WHEREOF, the said **ROBERT MULLER AND JUDITH MULLER** have hereunto set their hand and seal this 6th day of March 2006.


Witness


ROBERT MULLER


Witness


JUDITH MULLER

STATE OF MAINE
COUNTY OF SAGADAHOC

March 6, 2006

Then personally appeared before me, the above named **ROBERT MULLER AND JUDITH MULLER** and acknowledged the foregoing instrument to be their free act and deed.

Received
Recorded Register of Deeds
Mar 06, 2006 02:47:22P
Cumberland County
John B O'Brien


Notary Public/Attorney at Law

NICOLE L. CHIPMAN
Notary Public State of Maine
My Commission Expires Aug. 9, 2012

QUITCLAIM DEED

KNOW ALL BY THESE PRESENTS, that **ROBERT MULLER AND JUDITH MULLER**, both of Brunswick, Maine, in consideration of love and affection, and for no other consideration, do hereby REMISE, RELEASE, BARGAIN, SELL and CONVEY and forever QUITCLAIM unto **JUDITH MULLER AND ELIZABETH MULLER**, both of Brunswick, Maine, their heirs, successors and assigns forever, the following described;

A certain lot or parcel of land in Brunswick, County of Cumberland and State of Maine, and being Lot D on a certain Survey entitled "Boundary Plan Muller Family Lots" by Sitelines, P.A., dated March 1, 2006, recorded in the Cumberland County Registry of Deeds at Book 2006, Page 152, to which reference may be had for a more particular description.

The above-described Lot is conveyed subject to those notes, easements and conditions listed in the above-described Survey.

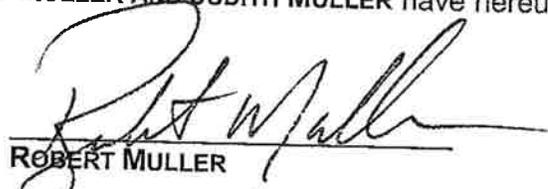
Also granting and conveying perpetual easements for ingress and egress by foot and motor vehicle and for all utilities, in common with the Grantors and others, over and across the rights of way as portrayed on the above-described Survey.

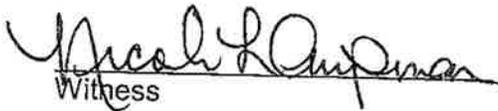
Reference is made to a deed into the Grantors recorded in the Cumberland County Registry of Deeds at Book 8679, Page 55.

The conveyance is a gift from husband and wife to wife and daughter, for no consideration other than love and affection.

IN WITNESS WHEREOF, the said **ROBERT MULLER AND JUDITH MULLER** have hereunto set their hand and seal this 6th day of March 2006.


Witness


ROBERT MULLER


Witness


JUDITH MULLER

STATE OF MAINE
COUNTY OF SAGADAHOC

March 6, 2006

Then personally appeared before me, the above named **ROBERT MULLER AND JUDITH MULLER** and acknowledged the foregoing instrument to be their free act and deed.

Received
Recorded Register of Deeds
Mar 06 2006 02:48:07P
Cumberland County
John B O'Brien


Notary Public/Attorney at Law

NICOLE L. CHIPMAN
Notary Public State of Maine
My Commission Expires Aug. 9, 2012

QUITCLAIM DEED

KNOW ALL BY THESE PRESENTS, that **ROBERT MULLER AND JUDITH MULLER**, both of Brunswick, Maine, in consideration of love and affection, and for no other consideration, do hereby REMISE, RELEASE, BARGAIN, SELL and CONVEY and forever QUITCLAIM unto **ROBERT MULLER AND ELIZABETH MULLER**, both of Brunswick, Maine, their heirs, successors and assigns forever, the following described;

A certain lot or parcel of land in Brunswick, County of Cumberland and State of Maine, and being Lot E on a certain Survey entitled "Boundary Plan Muller Family Lots" by Sitelines, P.A., dated March 1, 2006, recorded in the Cumberland County Registry of Deeds at Book 2006, Page 152, to which reference may be had for a more particular description.

The above-described Lot is conveyed subject to those notes, easements and conditions listed in the above-described Survey.

Also granting and conveying perpetual easements for ingress and egress by foot and motor vehicle and for all utilities, in common with the Grantors and others, over and across the rights of way as portrayed on the above-described Survey.

Reference is made to a deed into the Grantors recorded in the Cumberland County Registry of Deeds at Book 8679, Page 55.

The conveyance is a gift from husband and wife to husband and daughter, for no consideration other than love and affection.

IN WITNESS WHEREOF, the said **ROBERT MULLER AND JUDITH MULLER** have hereunto set their hand and seal this 6th day of March 2006.


Witness


ROBERT MULLER


Witness


JUDITH MULLER

STATE OF MAINE
COUNTY OF SAGADAHOC

March 6, 2006

Then personally appeared before me, the above named **ROBERT MULLER AND JUDITH MULLER** and acknowledged the foregoing instrument to be their free act and deed.

Received
Recorded Register of Deeds
Mar 06, 2006 02:49:01P
Cumberland County
John B O'Brien


Notary Public/Attorney at Law

NICOLE L. CHIPMAN
Notary Public State of Maine
Commission Expires Aug. 9, 2012

QUITCLAIM DEED

KNOW ALL BY THESE PRESENTS, that **ROBERT MULLER AND JUDITH MULLER**, both of Brunswick, Maine, in consideration of love and affection, and for no other consideration, do hereby REMISE, RELEASE, BARGAIN, SELL and CONVEY and forever QUITCLAIM unto **ROBERT MULLER**, of Brunswick, Maine, his heirs, successors and assigns forever, the following described;

A certain lot or parcel of land in Brunswick, County of Cumberland and State of Maine, and being Lot F on a certain Survey entitled "Boundary Plan Muller Family Lots" by Sitelines, P.A., dated March 1, 2006, recorded in the Cumberland County Registry of Deeds at Book 2006, Page 152, to which reference may be had for a more particular description.

The above-described Lot is conveyed subject to those notes, easements and conditions listed in the above-described Survey.

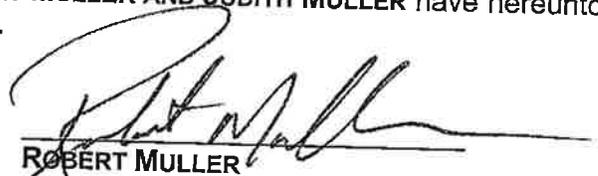
Also granting and conveying perpetual easements for ingress and egress by foot and motor vehicle and for all utilities, in common with the Grantors and others, over and across the rights of way as portrayed on the above-described Survey.

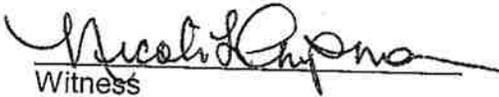
Reference is made to a deed into the Grantors recorded in the Cumberland County Registry of Deeds at Book 8679, Page 55.

The conveyance is a gift from husband and wife to husband, for no consideration other than love and affection.

IN WITNESS WHEREOF, the said **ROBERT MULLER AND JUDITH MULLER** have hereunto set their hand and seal this 6th day of March 2006.


Witness


ROBERT MULLER


Witness


JUDITH MULLER

STATE OF MAINE
COUNTY OF SAGADAHOC

March 6, 2006

Then personally appeared before me, the above named **ROBERT MULLER AND JUDITH MULLER** and acknowledged the foregoing instrument to be their free act and deed.

Received
Recorded Register of Deeds
Mar 06, 2006 02:49:51P
Cumberland County
John B O'Brien


Notary Public/Attorney at Law

NICOLE L. CHIPMAN
Notary Public State of Maine
My Commission Expires Aug. 9, 2012

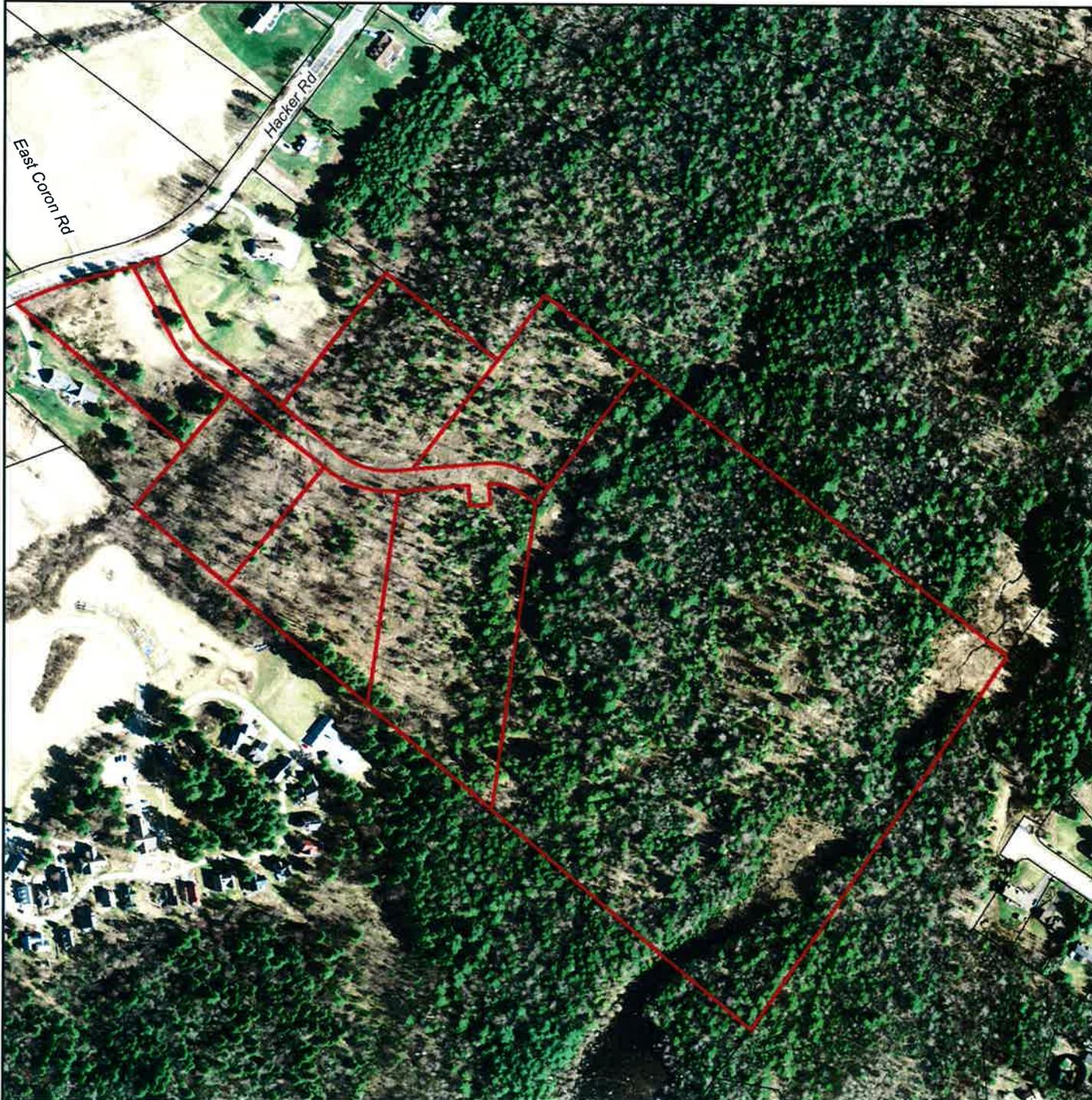
unity[®]

Building Technologies



ROSE DOUGLAS VILLAGE

Brunswick Maine



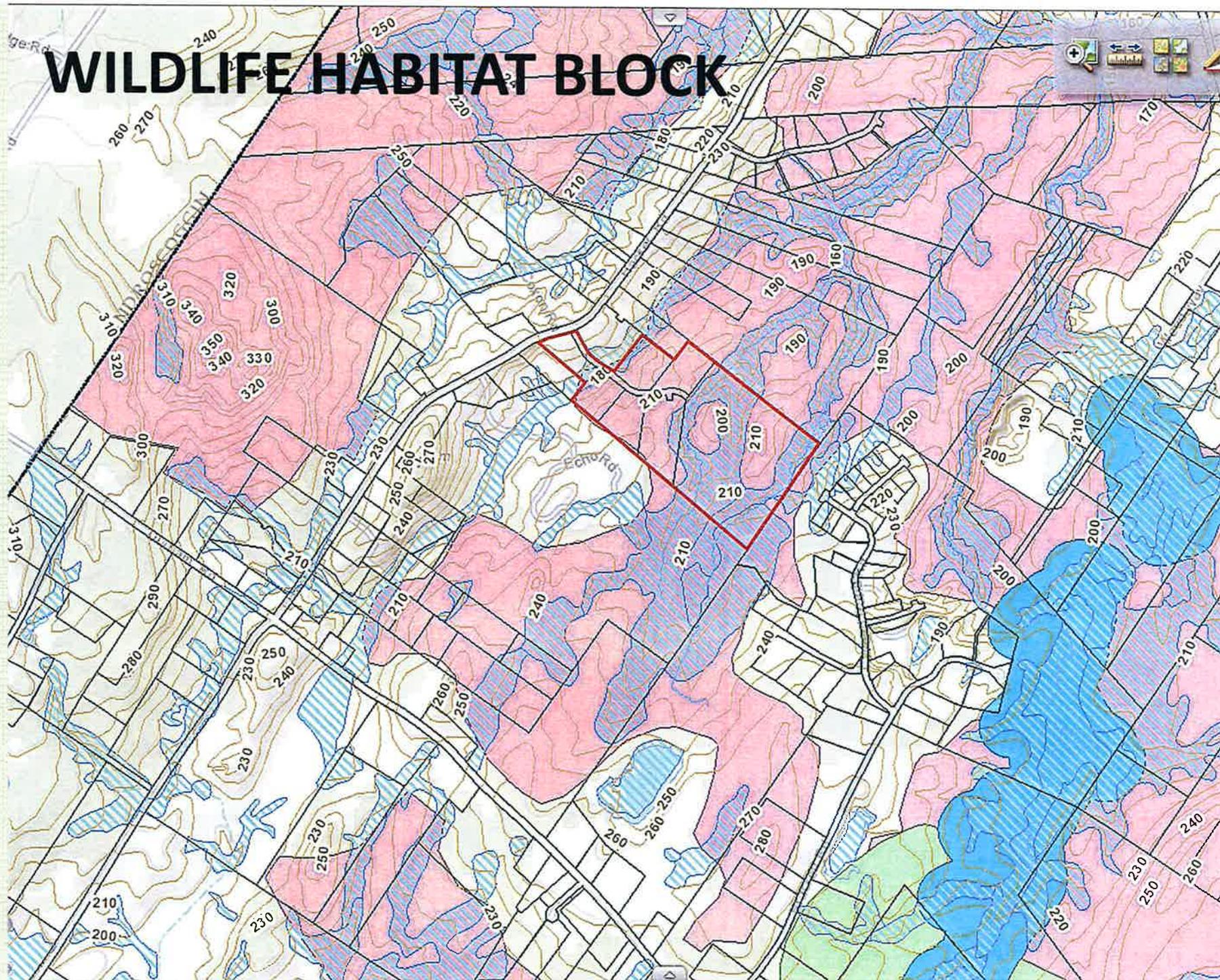
Legend

-  Selected Parcels
-  Parcel
-  Town Boundary



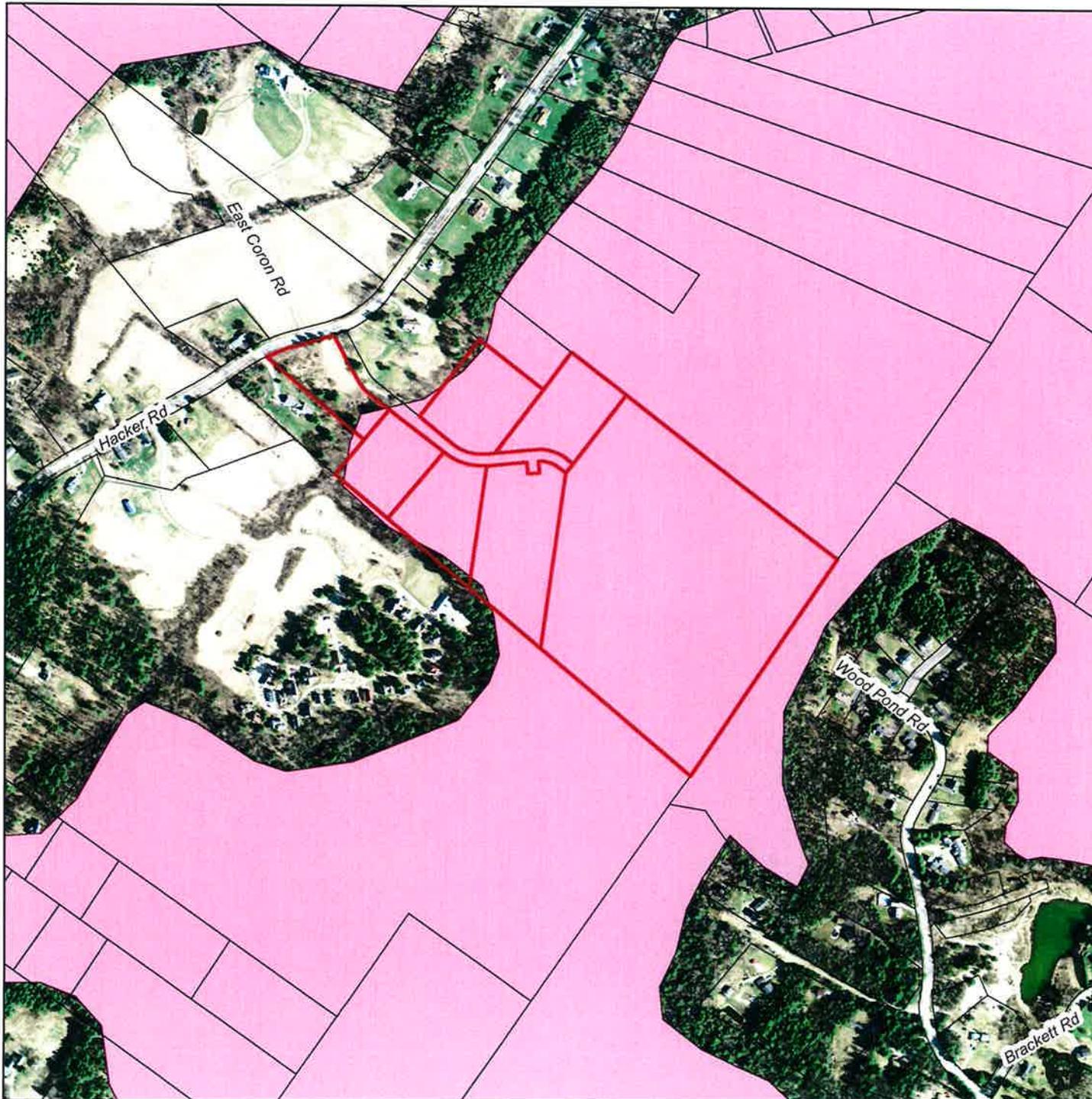
This map was generated by the Town of Brunswick's online GIS. This information has been compiled from various public and private sources. While every attempt has been made to provide accurate information, neither the municipality nor the service host guarantee the accuracy of information provided herein.

WILDLIFE HABITAT BLOCK



Brunswick Maine

ROSE DOUGLAS WILDLIFE HABITAT BLOCK



- Legend
- Selected Parcels
 - Parcels
 - Town Boundary
 - Inland Waterfowl/Wading Bird Habitat
 - Deer Wintering Areas
 - High-Moderate Value Wet Areas
 - Wildlife Corridor Districts
 - Wildlife Habitat Block Districts
 - Rare Communities

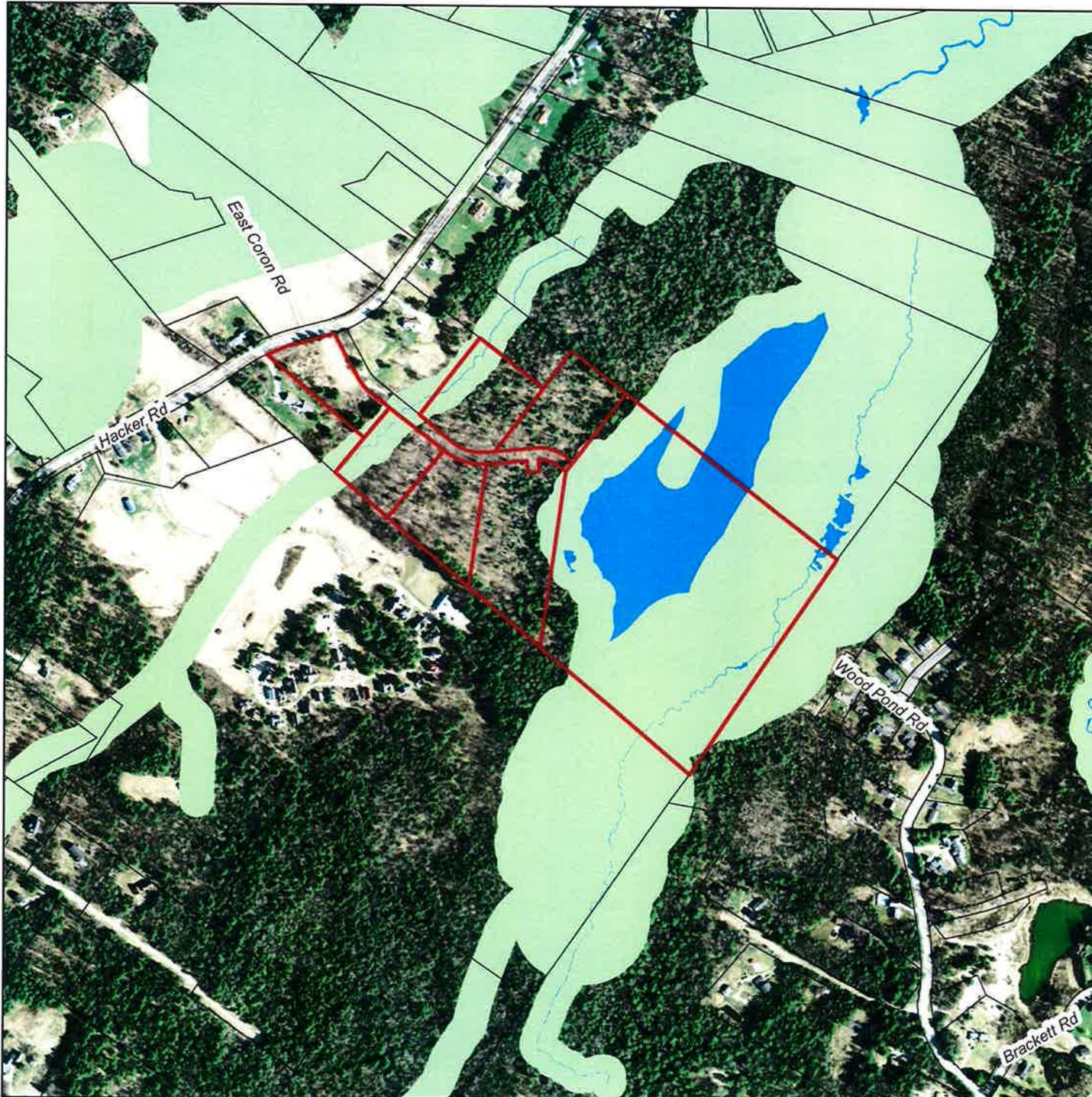
0 305 610 1,220
Feet

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: 7/31/2015

ROSE DOUGLAS NATURAL RESOURCE PROTECTION ZONE

Brunswick Maine

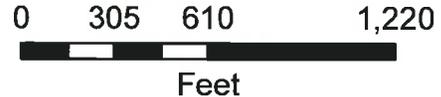


Legend

- Selected Parcels
- Parcels
- Town Boundary
- Natural Resource Protection Zone

TYPE

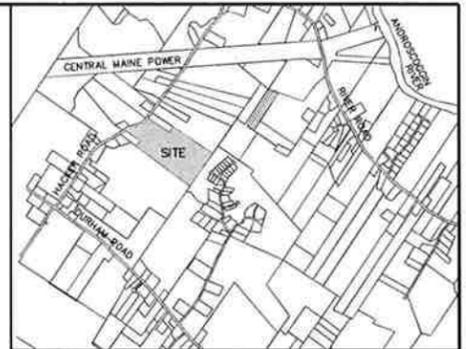
- NRPZ
- Topem
- Water



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: 7/31/2015

RESIDENTIAL DENSITY CALCULATION		
	CALCULATION	AREA (ACRES)
OVERALL AREA	PLAN	47.6
WETLANDS	PLAN	3.1
PROPOSED ROW	PLAN	2.5
NET SITE AREA	$47.6 - (3.1 + 2.5)$	42.0
ALLOWABLE DENSITY	$NET \times 0.5$	21 UNITS
WILDLIFE HABITAT BLOCK (WHB) AREA	PLAN	43.8
REQ. WHB MITIGATION	$WHB \times 0.50$	21.9
CONSERVATION OPEN SPACE OFFERED	PLAN	22.2
REQ. OPEN SPACE	$AREA \times 0.50$	23.8
COMMON & OPEN SPACE OFFERED	PLAN	23.8



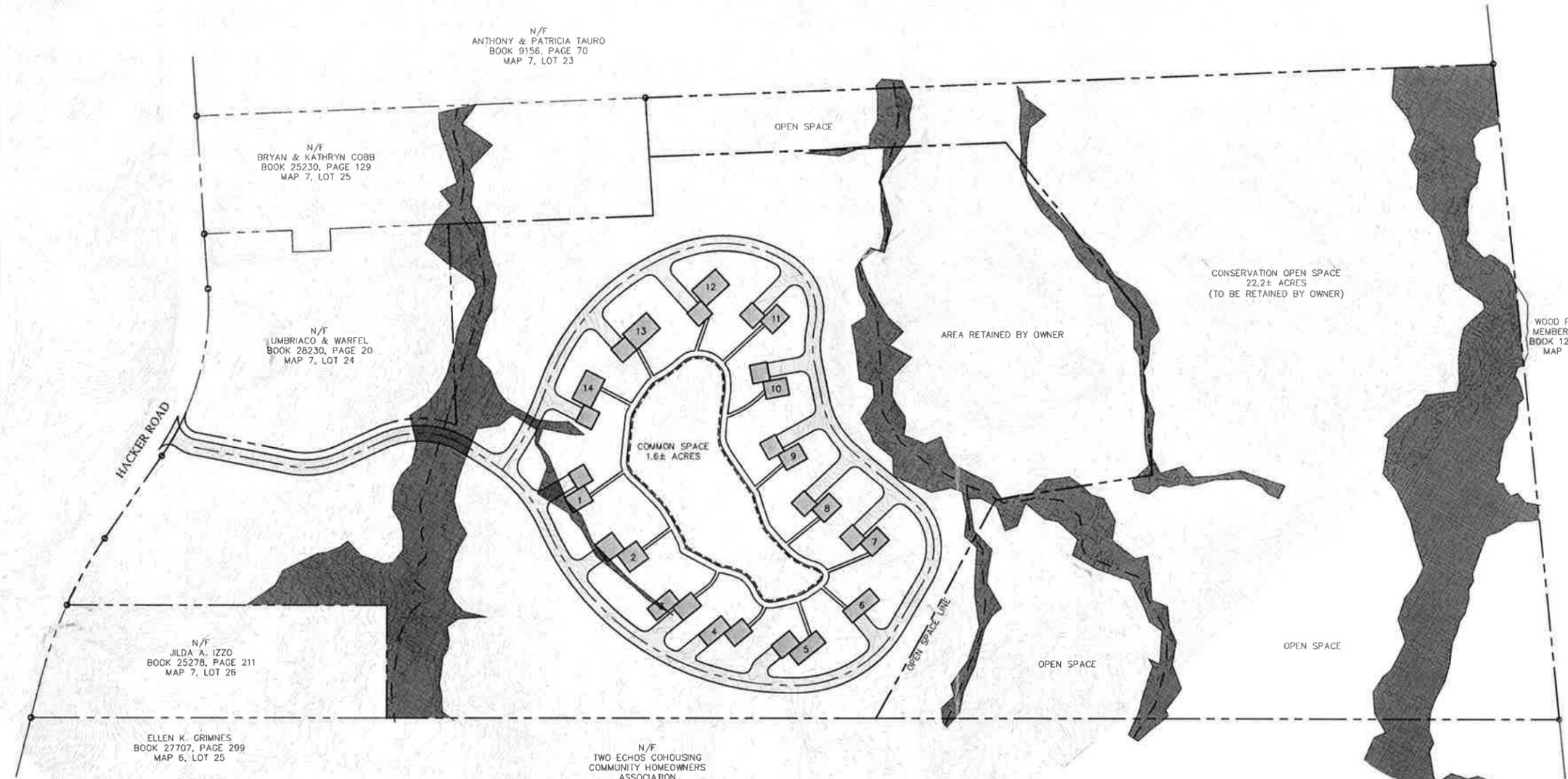
LOCATION MAP
NOT TO SCALE

PLAN REFERENCE:

- "PLAN OF LOTS 4.4A AND 5 HACKER ROAD, BRUNSWICK, MAINE FOR ROBERT MULLER" DATED 02-10-89 BY WRIGHT-PIERCE ENGINEERS, TOPSHAM, MAINE, PB 179 PG. 41
- "BOUNDARY PLAN MULLER FAMILY LOTS" BY SITELINES P.A. DATED 3-3-06 PB. 206 PG. 152
- "SURVEY PLAN OF MULLER FAMILY LOTS" BY SITELINES P.A. DATED 10-25-10 PB. 210 PG. 356

GENERAL NOTES:

- THE SITE IS OWNED BY ROBERT & JUDITH & ELIZABETH MULLER, HACKER ROAD, BRUNSWICK, MAINE (TAX MAP 7, LOT 36-42).
- ALL BEARINGS REFER TO MAGNETIC NORTH AS OBSERVED 1960.
- ALL BOOK AND PAGE NUMBERS REFER TO THE CUMBERLAND COUNTY REGISTRY OF DEEDS (CORD).
- AREA OF EXISTING LOT = 47.56 ACRES
- ORDINANCE STANDARDS:
ZONE: FF1 (DURHAM-HACKER ROAD AREA)
MINIMUM LOT SIZE: 2.0 ACRES
DIMENSION REQUIREMENTS:
1.) MINIMUM LOT WIDTH: 150'
2.) YARD DEPTHS
A) FRONT = 25'
B) REAR = 30'
C) SIDE = 30'
3.) MAXIMUM BUILDING HEIGHT = 40'
MAXIMUM DENSITY = 1 UNIT PER 2 ACRES
MAXIMUM IMPERVIOUS SURFACE COVERAGE = 25%
MAXIMUM BUILDING FOOTPRINT PER STRUCTURE = 10,000 S.F.
- WETLAND DELINEATION BY ECO-ANALYSIS, INC. = 3.1± ACRES
- WILDLIFE HABITAT BLOCK AREA : 43.8± ACRES
- OPEN SPACE: SEE TABLE



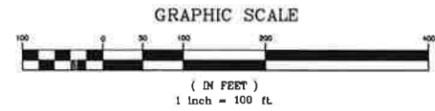
SKETCH PLAN
ROSE DOUGLAS VILLAGE

207 HACKER ROAD
BRUNSWICK, MAINE

ROBERT & JUDITH MULLER
P.O. BOX 309, 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: W-P	SCALE: 1"=100'	SHEET:
DRN BY: RPL	JOB #: 938	1
CH'D BY: KPC	SS:	
DATE: 07-14-2015	FILE: CONCEPT4	



July 22, 2015

STAFF REVIEW COMMITTEE NOTES

Staff present:

Peter Baecher (Parks and Facilities Manager, Parks and Recreation), Anna Breinich (Planning and Development Director), Rob Pontau, (Sewer District), Chief Ken Brilliant (Fire Department), Jeff Hutchinson (Codes), John Foster (Public Works). Non-voting staff: Bridger Tomlin (Bowdoin Fellow), Linda Smith (Economic and Community Development)

Applicants present: Curt Neufeld, Sitelines PA (representative for client), Kevin Clark, Sitelines PA (representative for clients), Shelley Prophett, Micah Renihan, Ron Baines

Public present: None

1. **Case # 15-031, McGee Storage:** The Committee will review and take action on a **Minor Development Review** application submitted by McGee Real Estate Holding, Inc. for the construction of a 3600 square foot self-storage facility and associated site improvements, located at 383 Bath Road. (**Assessor's Map 45, Lot 46**) in the **Industry 3 (I3) District**.

Present for applicant:

- o Curt Neufeld (CN), Sitelines PA, presented aerial views of property and explained intent for landscaping/trees and sight distance information.

Staff comments/questions of applicant:

Peter Baecher

- o Asked for the verbal explanation of client's tree planting intent to be listed on drawing.

John Foster

- o Is there a fence? CN: No fence.
- o How much drainage? CN: Will be drained to center of lot.
- o Concern on west side of parking lot draining onto neighbor's property. Anna said storm water drainage needs to be addressed.

Jeff H.

- o Asked about parking space and lighting (not on plan but needs to be shown on it). Curt said residential type motion light to be on building.

Anna

- o Applicant asking for waiver on 3 requirements

Motion 1: That the Minor Development Review Final Site Plan application is deemed complete.

Rob Pontau moved, Jeff H seconded, all in favor, none opposed, motion passed.

Motion 2: That the Committee waives the following requirements:

1. Section 412.2.B.16 - Class A High Intensity Soil Survey.
2. Section 412.2.B.8 - Profile, cross-section dimensions, curve radii of existing streets.
3. Section 412.2.B.17 - Location of all trees over 10 inches diameter.

Jeff H moved, Rob seconded, all in favor, none opposed, motion passed.

Motion 3: That the Minor Development Review Final Site Plan is approved with the following conditions:

1. That the Committee'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. That prior to the issuance of a building permit, a street entrance permit shall be obtained from the Department of Public Works.
3. That prior to the issuance of a building permit, the parking space is located on the final site plan satisfactory to the Director of Planning and Development.
4. That prior to the issuance of a building permit, proposed landscaping is identified on the final site plan satisfactory to the Town Arborist.
5. That prior to the issuance of a building permit, cut-off site lighting is identified on the final site plan satisfactory to the Public Works Director.
6. That prior to the issuance of a building permit, the applicant provides documentation of financial capacity to complete the project, to the satisfaction of the Director of Planning and Development.
7. That prior to the issuance of a building permit, stormwater drainage is directed away from the west side of property and indicated on the final site plan satisfactory to the Public Works Director.

Moved for approval by Rob motioned, Jeff H seconded. All in favor, none opposed motion passed.

2. **Case # 15-032, Prophett Residence, 73 Water Street:** The Staff Review Committee will review and take action on a **Minor Development Review** application submitted by Shelley Prophett to replace an existing 745+/- square foot residence with a new 940+/- square foot residence in same general location, on a .35 acre parcel located at 73 Water Street. (**Assessor's Map U07, Lot 20**) in the **Town Residential 3 (TR3) District** and **Natural Resource Protection Zone**.

Present for applicant: Kevin Clark (KC), Sitalines PA, and owner, Shelley Prophett

Staff Comments:

Jeff Hutchinson

- o Made note of committee's charge regarding set back; he supports the proposal.

John Foster

- o Will same water and sewer be used? KC: Yes.
- o Time table? Shelley: Not sure as home manufacturer may be delayed; sometime in August.
- o Asked Kevin if the property lines are accurate on plan. KC: Yes. No longer considering garage addition.

Anna Breinich

- o Not related to proposal, however, Tom Farrell asked that the Prophett's dock be moved so as not to encroach on neighboring town property.

Motion 1: That the Final Plan is deemed complete.

Motion 2: That the Final Plan is approved with the following conditions:

1. That the Committee'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.

Rob proposed combining Motions 1 & 2, agreed, Rob moved both motions for approval, John Foster seconded. All in favor, none opposed, motion passed.

3. **Case #15-034 Grace Reformed Baptist Church Special Permit:** The Staff Review Committee will review and provide a recommendation to the Planning Board regarding a **Special Permit** application submitted by Micah Renihan on behalf of the Northern New England District, Council of Assemblies of God, requesting approval to reestablish a church in the existing structures as a use by Special Permit. The property is located at 34 Grover Lane, in the **Country Residential 1 (CR1) Zoning District. (Assessor's Map 41, Lot 23A).**

Present for applicant: Micah Renihan and Ron Baines

Staff Comments:

Anna Breinich:

- Tom Farrell would like to have sign (that indicated allowable parking) replaced at the start of the bike path. Though deed restriction can't be found, there was an agreement in past allowing parking for those using the bike path. Need to find the previous agreement. If not found, Anna asked if a new one be allowable for review by the church. Applicant said yes and is totally agreeable to allowing bike path parking.

4. **Case #15-033 Rose Douglas Village Sketch Plan:** The Staff Review Committee will review and provide a recommendation to the Planning Board regarding a **Major Development Review Sketch Plan** application submitted by Robert and Judith Muller to develop a 14-unit open space residential subdivision at 207 Hacker Road and adjacent undeveloped lots totally 47.56 acres, in the **Farm and Forest 1 (FF1) Zoning District. (Assessor's Map 7, Lots 36-41).**

Present for applicant: Kevin Clark, Sitelines PA, representing owners

Staff Comments:

Ken Brilliant:

- A similar subdivision was required to have a water cistern installed. Contained private, residential sprinkler systems are the first choice. He asked that Jeff be consulted when back from vacation.
- Rob Pontau:
Asked if a combined waste system is being considered. KC: Yes. Rob said sewer department does offer maintenance plans.
- Rob expressed the length of road being longer than necessary. Kevin said it was for the village effect. Homes proposed to be modular style (NH company with possibility of local contractor establishing a facility locally).

Jeff Hutchinson:

- No comments at this time.

John Foster:

- Concern raised regarding steep grade for proposed access road; asked if any alternatives being considered.

- Discussed potential alternatives for trash pickup, either at end of access drive or internal curbside.

Anna Breinich:

- Applicant will need to get on agendas for Conservation and Recreation commissions.
- Anna asked for the results of the soil tests? Kevin can provide them.
- Abutter notifications have been sent out. Requested applicant contact representative of abutting Two Echo co-housing development regarding emergency access connection. (Chief Brillant noted that would be preferable if that provided a second means of access.)

**BRUNSWICK PLANNING BOARD
MEETING MINUTES
MAY 27, 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 27, 2015, in the Meeting Room, 2nd floor, 85 Union Street. Chair Charlie Frizzle called the meeting to order at 6:30 P.M.

1. Case # 15-017 Medical Office Building: Tabled by the Planning Board at their May 12th Meeting. 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.

Charlie Frizzle stated that quite a bit has happened since this application was tabled. With respect to the confusion and conflict between the Zoning Ordinance and the Cooks Corner Design Standards, Charlie said that the Town Attorney confirmed that despite the conflict, the Board has to refer to the Zoning Ordinance. Having said that, Charlie pointed out that the applicant has asked for a waiver of this portion of the Cooks Corner Design standards that deal with having to have an active door on the major street it faces; the applicant has supplied an elaborate justification for the waiver. Charlie said that Planning staff recommends that the Board grant the waiver only if the applicant is willing to put a structure on the east side that appears like a faux door to improve the appearance of the building from the Baribeau Street view.

Applicant Project Engineer, Eric Emery reviewed the proposed layout and stated that in discussions with Anna Breinich, if there is a way to take the double sided windows in the middle and adding either a canopy or a portico columns to help define an entry way, they will. Michael School agreed and stated that this seems like a reasonable way to accomplish this faux door and added that they do not want to make the faux door look too much like an entry way as the rooms will be patient rooms. Soxna Dice likes the illustration passed around because it makes the building more inviting but not misleading. Margaret Wilson stated that the letter submitted by Eric Emery dated May 19th very much addresses her concerns from the previous meeting. Soxna replied that she appreciates that the letter clearly addresses each of the points for the waiver. Dale King asked if the ADA parking meets the number of spaces required and Jeremy Doxsee replied that it does. Richard Visser asked about a bike rack and Charlie replied that they will be putting a bike rack in. Margaret asked about trash disposal and Michael replied that trash will be scheduled for the days that they do not see patients.

**MOTION BY DALE KING THAT THE MAJOR DEVELOPMENT REVIEW
COMBINED SKETCH AND FINAL SITE PLAN ARE DEEMED COMPLETE.
MOTION SECONDED BY BILL DANA AND APPROVED UNANIMOUSLY.**

Charlie Frizzle opened the meeting to public comment. No comment made, public comment closed.

Charlie Frizzle suggested updating the stormwater Condition per the Sebago Technics Memo dated May 21, 2015. Charlie pointed out that that the traffic engineer, William Eaton, has stated that there will be no traffic impact and will not have any level of roadway impact and will not need a Condition of Approval.

**MOTION BY BILL DANA THAT THE BOARD WAIVE THE FOLLOWING
REQUIREMENTS:**

1. Profile, cross-section dimensions, curve radii of existing streets.
2. Class A High Intensity Soil Survey.
3. Show all trees over 10 inches in diameter.
4. Cook's Corner Design Standards, Buildings and the Street, Entranceways, stating "All sides of a principal building that directly face an abutting street shall feature at least one customer entrance."
 - a. Conditionally granted upon provision of a "faux" entranceway, side porch or other appropriate design treatment being placed on the building side facing Baribeau Street, to the satisfaction of the Director of Planning & Development.

MOTION SECONDED BY DALE KING, APPROVED UNANIMOUSLY.

Richard visser noted that the town arborist has made some suggestions for buffering.

**MOTION BY SOXNA DICE THAT THE MAJOR DEVELOPMENT COMBINED
SKETCH AND FINAL SITE PLAN APPLICATION 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 the building permit, the Town's consulting engineer shall confirm that the stormwater management plan is complete and adequate.

3. Prior to the commencement of construction, the applicant shall obtain a street opening permit and an entrance permit from the Department of Public Works.
4. Prior to issuance of a building permit, the Town Arborist shall approve the landscaping plan.
5. Prior to issuance of a building permit, provision of an architectural rendering and amended site plan showing a “faux” entranceway, side porch, or other appropriate design treatment being placed on the building side facing Baribeau Street, to the satisfaction of the Director of Planning & Development.
6. Prior to issuance of a building permit, the applicant shall show proof of payment of the solid waste impact fee of \$585.77.

MOTION SECONDED BY RICHARD VISSER, APPROVED UNANIMOUSLY.

2. Case # 15-020 Brunswick Landing Subdivision Phase 2: The Board will review and take action on a Sketch Major Review Subdivision application submitted by the Midcoast Regional Redevelopment Authority for the proposed creation of seven (7) new lots, a proposed roadway providing access from Orion Street, and associated stormwater utilities. The project is located off of Orion Street in the BNAS Reuse District, within the Business & Technology Industries Land Use District. Assessor’s Map 40, Lots 55 & 81.

Jeremy Doxsee reviewed the project summary for phase II of the Brunswick Landing Subdivision and said that this application was before the Staff Review Committee on May 20th, these notes are included in packet materials. Jeremy said the major discussion at the Staff Review meeting was weather this private road will be suitable for the town in the future; the Town Engineer will need to determine this.

Yan Wiegman, from Write-Pierce, stated that the project consists of 9.2 acres of land that is south of the previous subdivision on Orion Street. Yan said that there are three buildings on this site currently. One business is NEW ENGLAND tent awning, one is Frostys Donuts and one is not leased. Due to the lot configurations, Yan said that they have created the roadway off Orion Street and will access all 7 lots. The roadway is 60 foot right-of-way with a 26 feet road with a hammerhead turnaround at the end; they feel that the hammerhead may be temporary as they are still awaiting land from the Navy. Yan said that lots range from 1 to 2 acres with no particular use in mind and pointed out that the site currently has sewer, natural gas and water and will extend the services. In order to meet stormwater requirements, Yan said that the best solution would be to make the road out of porous pavement and filter the water below the pavement; where it is anticipated to be a generally a light use, they felt that this was the best way to treat the water. Yan said that Jeremy Doxsee had mentioned that when reviewing the private road variations there were some differences if it were to become a public road and that basically it comes down to the lack of the radii needed and the reverse curve. Charlie Frizzle added that there is also a provision that you not allowed to access a building at the hammerhead. Charlie asked if the lots will be leased or sold and stated that it matters only because a maintenance

agreement will need to be made to make sure that everyone carries their share of road maintenance. Yan replied that there is a road maintenance agreement that they envision will be carried on. Soxna Dice asked for clarification on how the sand will behave on porous asphalt. Yan replied that sanding will not be needed as much because any water that comes upon it will drain away. Yan said that the maintenance that will need to be done will be vacuuming of the street and soils below the asphalt will need to be checked to make sure that they are draining properly. Jeremy Evans asked about durability of the road as it pertains to trucks. Yan replied that they feel that the durability will be comparable to regular pavement.

MOTION BY SOXNA DICE THAT THE BOARD DEEM THE SKETCH PLAN TO BE COMPLETE. MOTION SECONDED BY DALE KING, APPROVED UNANIMOUSLY.

Chair Charlie Frizzle opened the meeting to the public comment, no comment made and the public comment period was closed.

MOTION BY MARGARET WILSON THAT THE BOARD APPROVES THE SKETCH PLAN. MOTION SECONDED BY BILL DANA, APPROVED UNANIMOUSLY.

3. Zoning Ordinance Rewrite Committee Update

Anna Breinich stated that the next meeting is scheduled for next Thursday at 9:00.

4. Approval of Minutes

No minutes were reviewed at this meeting.

5. Other

No other business.

Adjourn

This meeting was adjourned at 7:16 P.M.

Respectfully Submitted,

Tonya Jenusaitis

Recording Secretary

**BRUNSWICK PLANNING BOARD
MEETING MINUTES
JUNE 9, 2015**

MEMBERS PRESENT: Chair Charlie Frizzle, 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, June 9, 2015, in Council Chambers, 85 Union Street. Chair Charlie Frizzle called the meeting to order at 7:00 P.M.

1. Case # 15-024 Gelato Fiasco Expansion: The Board will review and take action on a combined Sketch - Final Major Development Review application submitted by Great Falls Construction for the proposed construction of a 5,400 sf addition to the existing manufacturing and warehouse facility, a 22-space parking lot, loading docks, and associated site improvements. The project is located at 2 Industry Road in the Business and Industry 1 (I1) Zoning District. Assessor's Map U07, Lot 66.

Jeremy Doxsee introduced the application for a combined Sketch-Final Plan for the construction of a 5,400 sf, two-story addition to the existing manufacturing and warehouse facility for the Gelato Fiasco along with a 22-space parking lot, loading docks, and associated site improvements. Jeremy pointed out that the Staff Review Committee reviewed this application at their May 27th meeting; these notes are included in the packet materials.

Norm Chamberlain with Walsh Engineering, applicant representative, reviewed the plan and stated that this project will provide them room for warehousing with a little bit of extra manufacturing and will allow for better loading and shipping. Norm said that they are adding a 10 foot wide sound mitigation / fence in the back to help alleviate noise and have been working with the neighbors to fix sound issues. They are ADA compliant throughout the structure and are adding a 22 car parking lot to include 1 handicapped space and will be providing a bike rack by the dumpster. Traffic is not anticipated to change with the exception of delivery changing from 3 a week to 5 and shipping from 2 a week to 3. Norm said that landscaping is proposed to be placed around the front of the building and that they will be adding a few trees by the loading dock and in the back for added screening. Lighting will be LED wall packs and will all cut off with no light spill over. Stormwater has been reviewed by Sebago technics and they will have a grass infiltration dumping into a new catch basin.

Soxna Dice pointed out that listed in the Conditions of Approval by the Board, that items 1-8 listed in the Sebago Technics memo be addressed and asked if this has been done yet. Norm Chamberlain replied that most of the issues have been addresses and pointed out that included in the packet is a letter from him addressing these issues. Norm said that the outstanding issue is a test pit in the soil filter to evaluate the filtration of the groundwater; addresses condition number

3 in the Sebago memo. Soxna asked what the level the water would have to be and Norm replied that if the water level was too high they would have to put the liner back. Soxna asked what the exact measurement was and Charlie Frizzle replied that the condition the Board is being asked to approve is that the applicant will satisfy the Town Engineer and not the specifics. Soxna stated that she was unhappy with the wording on the Sebago Technics condition number 1 even though Sebago Technics has stated that overflow in the parking lot is acceptable. Soxna clarified that the Town Engineer would have to find that the statements listed by Sebago Technics are adequately addressed by the applicant.

With respects to condition number 2 by Sebago Technics, Soxna Dice asked if the current rate of soil medium has been addressed. Norm Chamberlain said that it has been addressed. Soxna asked if the conditions listed by Sebago that have been addressed could be removed from the Findings of Fact Condition number 2. Charlie Frizzle replied that he would prefer the condition of approval remain as is to ensure that all 8 Sebago Technics conditions are satisfied by the Town Engineer. Anna Breinich asked Norm if Jim Seymour from Sebago Technics has reviewed the changes that the applicant has made. Norm replied that he has and stated that Jim wrote a letter to Jeremy Doxsee and himself stating that he wants the applicant to change the soil filter and also wants the owner to write something stating the he understands the parking lot may flood and that it is not due to anything the Town has done. Anna asked Norm if he has any issues with the way the Condition of Approval is worded and Norm replied that he does not. Bill Dana pointed out that included in the packet materials is a letter from the Town Engineer stating that he does not have issues with a lot of what Sebago Technics has listed. Soxna stated that she feels that if these Conditions of Approval are going to be legally binding then they should be tightened up. Charlie replied that the wording for condition number 2 in the Conditions of approval will remain as is. With respects to conditions 6, 7 and 8, Soxna noted that she feels that they to need more detail.

Dale King asked what time of day they intend to have their deliveries. Norm Chamberlain replied that they will not be at night. Dale asked what type of material the sound barrier is made of and Norm replied that it will be wooden and looks like a fence. Richard Visser asked what exactly Sebago Technics is looking for in their conditions and noted that it seems more of a comment then a condition. Jeremy Doxsee replied that he has asked the consultant that in the future they list what will be required for conditional approval by the Planning Board.

Charlie Frizzle opened the meeting to public comment, hearing none, the public comment period was closed.

MOTION BY BILL DANA THAT THE MAJOR DEVELOPMENT REVIEW COMBINED SKETCH AND FINAL SITE PLAN BE DEEMED COMPLETE. MOTION SECONDED BY DALE KING, APPROVED UNANIMOUSLY.

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

1. Profile, cross-section dimensions, curve radii of existing streets.

2. Class A High Intensity Soil Survey.

MOTION SECONDED BY SOXNA DICE, APPROVED UNANIMOUSLY.

MOTION BY DALE KING THAT THE MAJOR DEVELOPMENT COMBINED SKETCH AND FINAL SITE PLAN APPLICATION 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 the building permit, the Town's consulting engineer shall confirm that comments # 1-8 in the memo by Sebago Technics dated June 1, 2015, have been adequately addressed.
3. Prior to the commencement of construction, the applicant shall obtain a street opening permit from the Department of Public Works.
4. Prior to issuance of a building permit, the Town Arborist shall approve the landscaping plan.

MOTION SECONDED BY RICHARD VISSER. MOTION APPROVED BY CHARLIE FRIZZLE, BILL DANA, JEREMY EVANS, DALE KING AND RICHARD VISSER. MOTION DENIED BY SOXNA DICE. MOTION APPROVED 5-1.

2. Workshop: Case # 14-038, Lot 6 at Brunswick Landing: The applicant, Priority Real Estate Group, has requested a workshop with the Planning Board to discuss proposed changes to the previously approved (January 13th, 2015) Sketch Plan Major Development Review application, for the 5.6-acre property located at 4-16 Admiral Fitch Drive, in the BNAS Reuse District (R-CMU Land Use District), and also within the previously Planning Board-approved Brunswick Landing Common Development Plan area. Assessor's Map 40, Lot 37.

Tom Saucier with Site Designs reviewed the proposed changes stemming from the previously approved plan for Lot 6. Richard Visser stated that he is happy with the improved traffic flow, but asked what will occur if the parking lot is full and they cannot enter the one way. Tom replied that this is a good point and suggested that they leave one parking slot reserved for turning around. Anna Breinich asked if the dumpster could be moved to the back.

Chair Charlie Frizzle opened the workshop to public comment.

3. Zoning Ordinance Rewrite Committee Update

Anna Breinich stated that the next meeting is scheduled for June 10th in room 206 at 5:30 P.M. and they will begin reviewing mapping.

4. Approval of Minutes

No minutes were reviewed at this meeting.

5. Other

No other business.

Adjourn

This meeting was adjourned at 7:50 P.M.

Respectfully Submitted,

Tonya Jenusaitis

Recording Secretary