

DRAFT FINDINGS OF FACT
Major Development Review
Cumberland Farms Redevelopment Project
Planning Board Review Date: October 25, 2016

Project Name: Cumberland Farms
Address: 190 Bath Road
Brunswick, ME 04011
Case Number: 16-035
Tax Map: Assessor's Map CC1, Lot 28
Zoning: Cooks Corner Center (CC) Zoning District
Applicant: LHB Enterprises, Inc.
3 Battery Wharf, #3411
Boston, MA 02109

Authorized Representative: Sandra L. Guay, Esq.
234 Main Street
Biddeford, ME 04005

Staff reviewed the application and has made a determination of completeness.

PROJECT SUMMARY

Staff review is based on the Major Development Review application to redevelop the existing Cumberland Farms retail and motor fuel outlet prepared by Sandra Guay as most recently revised on October ~~7~~21, 2016. The application includes a plan set as follows:

1. CFG01.0 prepared by MHF Design Consultants, Inc. entitled, "Title Sheet" dated July 11, 2016 and revised most recently on ~~August 26~~October 20, 2016;
2. CFG02.0 prepared by MHF Design Consultants, Inc. entitled, "ALTA/ACSM Land Title Survey" dated July 11, 2016 and revised most recently on August 26, 2016;
3. CFG03.0 prepared by MHF Design Consultants, Inc. entitled, "Demolition Plan" dated July 11, 2016 and revised most recently on ~~August 26, 2016~~October 20, 2016;
4. CFG04.0 prepared by MHF Design Consultants, Inc. entitled, "Site Plan" dated July 11, 2016 and revised most recently on ~~August 26, 2016~~October 20, 2016;
5. CFG05.0 prepared by MHF Design Consultants, Inc. entitled, "Grading and Drainage Plan" dated July 11, 2016 and revised most recently on ~~October 20, 2016~~August 26, 2016;
6. CFG06.0 prepared by MHF Design Consultants, Inc. entitled, "Erosion and Sedimentation Control Plan" dated July 11, 2016 and revised most recently on ~~October 20, 2016~~August 26, 2016;
7. CFG07.0 prepared by MHF Design Consultants, Inc. entitled, "Utility Plan" dated July 11, 2016 and revised most recently on ~~October 20, 2016~~August 26, 2016;
8. CFG08.0 prepared by MHF Design Consultants, Inc. entitled, "Landscape Plan" dated July 11, 2016 and revised most recently on ~~October 20, 2016~~August 26, 2016;
9. CFG09.0 prepared by MHF Design Consultants, Inc. entitled, "Detail Sheet" dated July 11, 2016 and revised most recently on August 26, 2016;
10. CFG09.1 prepared by MHF Design Consultants, Inc. entitled, "Detail Sheet" dated July 11, 2016 and revised most recently on ~~October 20, 2016~~August 26, 2016;

11. CFG09.2 prepared by MHF Design Consultants, Inc. entitled, "Detail Sheet" dated July 11, 2016 and revised most recently on August 26, 2016;
12. CFG09.3 prepared by MHF Design Consultants, Inc. entitled, "Detail Sheet" dated July 11, 2016 and revised most recently on August 26, 2016;;
13. CFG10.0 prepared by red leonard associated entitled, "Lighting Plan" dated May 16, 2016 (Page 1 of 2);
14. CFG10.1 prepared by red leonard associated entitled, "Fixture Specification Sheet" (Page 2 of 2);
15. CFG11.0 prepared by Bohler Engineering entitled, "Fire Suppression Plan" dated May 16, 2016;
16. CFG12.0 prepared by Cumberland Farms, Inc. entitled, "Proposed Canopy Plan & Elevations" dated March 22, 2016;
17. CFG13.0 prepared by Cumberland Farms, Inc. entitled, "Sign Plan" dated April 20, 2016 and revised most recently on August 17, 2016;
18. CFG16.0 prepared by MHF Design Consultants, Inc. entitled, "Truck Turn Plan" dated July 11, 2016 and revised most recently on ~~October 20, 2016~~ August 26, 2016;
19. A1.1 prepared by Harrison French & Associates, Ltd. entitled, "Floor Plan" dated May 10, 2016;
20. A3.1 prepared by Harrison French & Associates, Ltd. entitled, "Exterior Elevations" dated May 10, 2016;
21. A3.2 prepared by Harrison French & Associates, Ltd. entitled, "Exterior Elevations" dated May 10, 2016;
22. DS1.1 prepared by Harrison French & Associates, Ltd. entitled, "Downspout Location Plan" dated May 10, 2016;
23. L1.1 prepared by Harrison French & Associates, Ltd. entitled, "Exterior Building Lighting Plan" dated May 10, 2016.

The proposed Final Plan Major Development Review application was submitted by authorized representative, Sandra Guay for LHB Enterprises, Inc., (Cumberland Farms) to redevelop an existing parcel with a new Cumberland Farms retail store with gasoline sales at 190 Bath Road (Map CC1, Lot 28). The project involves demolishing an existing 6,883 square foot building that contains a Cumberland Farms Convenience Store, AT&T Retail shop, and Papa John's pizza shop; and constructing a new 4,786 square foot Cumberland Farms Convenience Store building. The existing gasoline pipes, fueling locations, and underground fuel tanks will be removed from the site, and replaced with new underground tanks and pumps. The proposed pumps are proposed in a new configuration on-site with five (5) fuel dispensers that contain two (2) fueling locations per dispenser. The proposed fueling stations will be covered by a new 21-foot wide by 131-foot long canopy structure. The proposed parking lot will be reconfigured to contain 19 parking spaces for patrons, and two (2) additional parking spaces for employees for a total of 21 parking spaces. The proposed project is subject to the requirements of the CC1 Zoning District, including the *Cooks Corner Design Standards* that were adopted by the Brunswick Town Council on May 20, 2002.

The applicant provided the following list of requested waivers from the *Cooks Corner Design Standards*: *Corner Lot Treatment, Corner Buildings, Entrance (Corner Lot), Side Lot Parking, Relationship of Building to Thomas Point Road, Relationship of Building to Bath Road.*

Review Standards from Section 411 of the Town of Brunswick Zoning Ordinance

411.1 Ordinance Provisions

The proposed development complies with all applicable provisions and standards of the Cooks Corner Center (CC) Zoning District. As indicated in the project description, the applicant proposes several waivers to the Cooks Corner Design Standards. *The Board finds that the provisions of Section 411.1 are satisfied.*

411.2 Preservation of Natural Features

The proposed disturbance will be located within an area of existing development with few natural features. The proposed development maximizes the preservation of natural features of the landscape, and does not occur within or cause harm to any land which is not suitable for development. *The Board finds that the provisions of Section 411.2 are satisfied.*

411.3 Surface Waters, Wetlands and Marine Resources

Surface waters and marine resources were not identified within the proposed project area. The proposed development will not adversely affect the water quality of Casco Bay or its estuaries. *The Board finds that the provisions of Section 411.3 are satisfied.*

411.4 Flood Hazard Areas

The FEMA Flood Insurance Rate Map indicates that the project is not located within a FEMA flood hazard area; therefore there is minimal risk of flooding. *The Board finds that the provisions of Section 411.4 are satisfied.*

411.5 Stormwater Management

The proposed development satisfies the recommended storm water quality standards described in Storm Water Management for Maine: Best Management Practices, published by the State of Maine Department of Environmental Protection, November, 1995 as amended. *The Board finds that the provisions of Section 411.5 are satisfied.*

411.6 Groundwater

The Board finds that the development will not alone or in conjunction with existing activities adversely affect the quality or quantity of groundwater. *The Board finds that the provisions of Section 411.6 are satisfied.*

411.7 Erosion and Sedimentation Control

The proposed development will be constructed in accordance with Best Management Practices and will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy situation results. *The Board finds that the provisions of Section 411.7 are satisfied.*

411.8 Sewage Disposal

The existing development is served by municipal sewer, and the proposed redevelopment project intends to reconnect to municipal sewer. *The Board finds that the provisions of Section 411.8 are satisfied.*

411.9 Water Supply

The existing development utilizes public water sources; and intends to have a water source that is adequate to serve the proposed development, and that will have no adverse impact on existing water supplies by reconnecting to public water upon project completion. *The Board finds that the provisions of Section 411.9 are satisfied.*

411.10 Aesthetic, Cultural and Natural Values

The proposed project is within an existing developed site and will not disturb any natural areas. The proposed development will have no undue adverse effect on the scenic or natural beauty of the area, historic sites, significant wildlife habitats identified by the Maine Department of Environmental Protection or by the Town Of Brunswick, or rare and irreplaceable natural areas or any public rights for physical or visual access to a shoreline. *The Board finds that the provisions of Section 411.10 are satisfied.*

411.11 Community Impact

With the exception of a possible traffic impact discussed further at Section 411.12, no new impacts to traffic, the public school system, recreation, public safety, and public works resources have been identified. *The Board finds that the provisions of Section 411.11 are satisfied.*

411.12 Traffic

The Town Engineer expressed concern for potential traffic congestion, and safety from the proposed introduction of two-way access at the current one-way driveway entrance from Bath Road. At the request of the town, a third party traffic engineer from Sebago Technics reviewed the application to address concerns for traffic congestion, and safety. A copy of the review is provided in a memorandum to James Seymour from Stephen Sawyer entitled, "Traffic Peer Review – Cumberland Farms, Brunswick" and dated September 22, 2016.

As indicated in the review, the third party engineer advised against allowing right turns from the current site entrance at Bath Road as proposed. The applicant provided a response to the third party review with notable findings including observations that the existing driveway at Bath Road currently accommodates two-way traffic, and crash history within the project vicinity indicates no cause for concern. On October 19, 2016, the applicant's representatives met with staff and the third party review consultants for the town to discuss alternatives to the proposed development to minimize the probability of public road congestion and unsafe conditions. During the meeting, the representatives for the applicant maintained their analysis indicates no concern is warranted; however, they agreed to site plan modifications to mitigate concerns for traffic congestion at the proposed two-way entrance including an approximately 25-foot long, three-inch tall raised and textured island at the driveway entrance to provide separation between lanes and serve as a deterrent to cross traffic entering the site from Bath Road. The applicant further considered widening the proposed entrance to accommodate the new island, and provide additional traffic safety at the Bath Road entrance. The applicant was advised to consider reorienting the dumpster enclosure at the west side of the proposed building to a smaller footprint in order to allow the building and pump stations to be shifted slightly to the west for added aisle width, and safety improvements. Provided the applicant mitigates the Bath Road entrance to the satisfaction of the Town Engineer, the proposed project is not anticipated to cause unreasonable public road congestion or unsafe conditions. *The Board finds that the provisions of Section 411.12 are satisfied provided the Bath Road entrance is designed to the satisfaction of the Town Engineer.*

411.13 Pedestrian and Bicycle Access and Safety

As required by ordinance, the applicant is required to provide sidewalks along public road frontage. The Bicycle and Pedestrian Advisory Committee (BBPAC) reviewed the proposed development and determined ~~the proposed bicycle access and accommodations were acceptable and~~ pedestrian access is a priority at the project location, specifically, through the Zoning Ordinance requirement for sidewalks along public streets. The staff provided review and advice to the applicant regarding preferred methods for establishing safe public access to the site, and encouraging interconnectedness between locations within the project vicinity. The staff requested

the applicant consider providing a public sidewalk along the rear property boundary between Gurnet Road (Route 24), and Thomas Point Road as a preferred alternative to a sidewalk along public road frontage (i.e. Thomas Point Road, Bath Road, and Gurnet Road).

As a result, the applicant provided a memorandum of understanding for the Town of Brunswick to accept \$10,000 for use in the Cooks Corner Zoning District, and a draft public sidewalk easement along the rear property line from State Route 24 to Thomas Point Road. As drafted, the sidewalk easement would be provided to the town at the time the town is ready to construct sidewalks but only within 10 years from the date of Planning Board approval. If the sidewalk is not ready to be constructed by the Town of Brunswick within the 10 year period the sidewalk easement would expire. In conversations with the applicant's representative, the staff understands that the town would be allowed to request an extension on the 10 year expiration period should the town's construction schedule for sidewalks reach the termination of the agreement. As drafted, the town would have the right to install and maintain sidewalks and all associated infrastructure such as lighting, landscaping, and stormwater management systems. The proposal is designed to accommodate bicyclists and pedestrians, and addresses issues of bicycle and pedestrian access, safety and circulation both within the site and to points outside of the site. *The Board finds that the provisions of Section 411.13 are satisfied the memorandum of understanding for the public sidewalk easement, and \$10,000.00 proposed by the applicant is signed by an authorized representative of the applicant, and the Town of Brunswick provided a final draft of the proposed easement deed, and associated site plan that depicts the proposed easement known as "Exhibit A" is provided to the satisfaction of the Director of Planning and Development.*

411.14 Development Patterns

The proposed development will be located at an existing developed site within the growth area. The proposed development is respectful of Brunswick's historic development patterns and will have no adverse impact on areas which are primarily residential. *The Board finds that the provisions of Section 411.14 are satisfied.*

411.15 Architectural Compatibility

The proposed project is the redevelopment of an existing structure, gasoline dispensing station, and associated canopy. The proposed development is compatible with its surroundings, and conforms to the Cooks Corner Design Standards. *The Board finds that the provisions of Section 411.15 are satisfied.*

411.16 Municipal Solid Waste Disposal

The Solid Waste Impact Fee is based on 1-ton of solid waste per year, with an associated impact fee of \$258.56. The proposed development is not a substantial change and therefore a solid waste impact fee is not required. *The Board finds that the provisions of Section 411.16 are satisfied.*

411.17 Recreation Needs

A recreation impact fee is not required for the proposed commercial use. *The Board finds that the provisions of Section 411.17 are not applicable.*

411.18 Access for Persons with Disabilities

The application indicates that the proposed development will accommodate ADA requirements. *The Board finds that the provisions of Section 411.18 are satisfied.*

411.19 Financial Capacity and Maintenance

The applicant is an established business at the proposed development site that has demonstrated financial capacity and ability to maintain itself. The developer has adequate financial and technical capacity to complete the project, and once it is completed, the project is expected to have adequate resources to maintain itself. *The Board finds that the provisions of Section 411.19 are satisfied.*

411.20 Noise and Dust

During construction, work must be done in consideration of reasonable times and decibel levels, and in accordance with Section 524.1 of the Brunswick Zoning Ordinance. Best Management Practices will be used in order to prevent dust migration during demolition and construction. Upon project completion the proposed development is not anticipated to generate unreasonable noise or dust. *The Board finds that the provisions of Section 411.20 are satisfied.*

411.21 Right, Title and Interest

The applicant has sufficient right, title and interest to develop the land. *The Board finds that the provisions of Section 411.21 are satisfied.*

411.22 Payment of Application Fees

The applicant has paid all applicable development review application fees. *The Board finds that the provisions of Section 411.22 are satisfied.*

DRAFT MOTIONS
Cumberland Farms Redevelopment Project
PLANNING BOARD APPROVAL DATE: October 25, 2016
CASE NUMBER: 16-035

- Motion 1:** That the Major Development Review Final Site Plan application is deemed complete.
- Motion 2:** That the Board approves the following requested waivers from the Cooks Corner Design Standards:
1. Corner Lot Treatment;
 2. Corner Buildings;
 3. Entrance (Corner Lot);
 4. Side Lot Parking;
 5. Relationship of Building to Thomas Point Road;
 6. Relationship of Building to Bath Road.
- Motion 3:** That the Major Development Review Final Site Plan is approved with the following conditions:
1. That the Board’s review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, its representatives, reviewing officials, and members of the public as reflected in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor

modification shall require a review and approval in accordance with the Brunswick Zoning Ordinance.

- ~~2. Prior to the issuance of a building permit, a final draft of the proposed sidewalk easement deed, and associated site plan that depicts the proposed easement area known as "Exhibit A" is provided to the satisfaction of the Director of Planning and Development.~~
2. Prior to issuance of a building permit, the Bath Road entrance is shall be designed to the satisfaction of the Town Engineer and the approved design is depicted site plans are provide to the Director of Planning and Development.
3. Prior to the issuance of a building permit, the memorandum of understanding for the public sidewalk easement, and \$10,000.00 proposed by the applicant shall be signed by an authorized representative of the applicant, and the Town of Brunswick.

** Please note that Development Review Site Plan approvals by the Planning Board or Staff Review Committee shall expire at the end of two years after the date of final approval unless all construction has been completed by that date (Section 407.4.B of the Brunswick Zoning Ordinance).*

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is entered into this ___ day of _____, 2016 by and between **L. H. B. ENTERPRISES, INC.**, a Massachusetts corporation with an address of 3 Battery Wharf, Unit 3411, Boston, MA 02109 (“L.H.B.”), and **THE TOWN BRUNSWICK**, a municipal corporation, with a principal address of 28 Federal Street, Brunswick, Cumberland County, Maine 04011 (“Town”),

WHEREAS, as a condition of L.H.B.’s re-development of a Cumberland Farms convenience store and fuel service area located at 190 Bath Road in the Cooks Corner Center District (“CCD”), the Town requires certain on- and/or off-site improvements related to the re-development project (hereafter referred to as the “Cumberland Farms Project”); and

WHEREAS, an on- and/or off-site improvement required by the Town is a sidewalk in the vicinity of the Cumberland Farms redevelopment project; and

WHEREAS, the Town does not yet have a sidewalk design for the CCD and as such has not designated the location for the above-mentioned sidewalk; and

WHEREAS, in lieu of the construction of a sidewalk at the time of redevelopment L.H.B. has offered, and the Town has agreed to accept, a payment toward the future development of sidewalks in the CCD;

NOW THEREFORE, L.H.B. and the Town are desirous of entering into this MOU contemplating the delivery by L.H.B. and the use by the Town of the aforementioned fee.

1. Upon final approval of all permits required for the Cumberland Farms Project, and after any appeal periods have run, L.H.B. agrees to pay to the Town an amount of Ten Thousand (\$10,000.00) Dollars (hereafter referred to as the “Sidewalk Fee”).
2. The Sidewalk Fee may be held in the Town’s general account or an account set up specifically for the development and construction of sidewalks in the CCD, and shall be utilized by the Town for the development of sidewalks in the CCD, meaning to include, but not limited to, costs associated with engineering, design and/or construction of said sidewalks.
3. Further, if within ten (10) years from the date of Planning Board approval of the Cumberland Farms Project, the Town constructs sidewalks along Thomas Point

Road and Route 24, Cumberland Farms shall provide an easement to the Town, in the form attached to this MOU as Exhibit A, for the purpose of the construction by the Town and at the Town's sole expense, a public sidewalk that will connect the Thomas Point Road sidewalk to the Route 24 sidewalk.

4. This MOU is intended to set forth a preliminary understanding between the Parties with respect to the construction of sidewalks related to the Cumberland Farms Project. It does not bind the Town in the granting of approvals or permits for the Cumberland Farms Project, nor does it bind L.H.B. for the obligations set forth herein until all permits required and necessary for the Cumberland Farms Project have been received, and all appeal periods have run.

L. H. B. ENTERPRISES, INC.,

By: Lily H. Bentas, its President

TOWN OF BRUNSWICK

By: John Eldridge, Town Manager

EXHIBIT A

Space above for recording information

**QUITCLAIM EASEMENT DEED
(with Covenant)**

KNOW ALL PERSONS BY THESE PRESENTS that **L. H. B. ENTERPRISES, INC.**, a Massachusetts corporation with an address of 3 Battery Wharf, Unit 3411, Boston, MA 02109 (“Grantor”), grants to **THE TOWN BRUNSWICK**, a municipal corporation, with a principal address of 28 Federal Street, Brunswick, Cumberland County, Maine 04011 (“Grantee”), with Quitclaim Covenants, a certain easement over and across property of the Grantor herein, situated in Brunswick, Cumberland County, Maine, said easement area being more particularly described in Exhibit A, attached hereto and incorporated herein by reference.

Grantor hereby grants a perpetual easement to Grantee for that area of Grantor’s property that lies over and above the area marked as “Sidewalk Easement Area” as depicted on said Exhibit A, ~~said easement area being 20 feet in width at all points~~. Said easement is for the limited purpose of use as a public sidewalk. Said easement includes all statutory rights and obligations incident to ownership and use of a public sidewalk, including the obligation of Grantee to construct, maintain, and repair said sidewalk, any lighting, landscaping, or other appurtenant fixtures related to the public sidewalk, and to remove snow and/or place sand or salt within the easement area.

Neither Grantor nor its successors, lessees or assigns shall take any action to block or otherwise impede public access to the Sidewalk Easement Area without reasonable advance notice to and approval of the Town of Brunswick.

The property of the Grantor which is subject to the aforesaid easement are those premises conveyed to Grantor by Lily H. Bentas, by deed dated April 29, 1997, and recorded in the Cumberland County Registry of Deeds in Book 13060, Page 174.

The said L. H. B. Enterprises, Inc. has caused this instrument to be signed in its corporate name by Lily H. Bentas, its President, duly authorized, this ___ day of _____, 20__.

L. H. B. ENTERPRISES, INC.

Name: Lily H. Bentas
Title: President

STATE OF _____

_____, ss,

_____, 20__

Then personally appeared the above-named, Lily H. Bentas, President of said L. H. B. Enterprises, Inc., duly authorized, and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said L. H. B. Enterprises, Inc.

Before me,

Notary Public

Print Name:

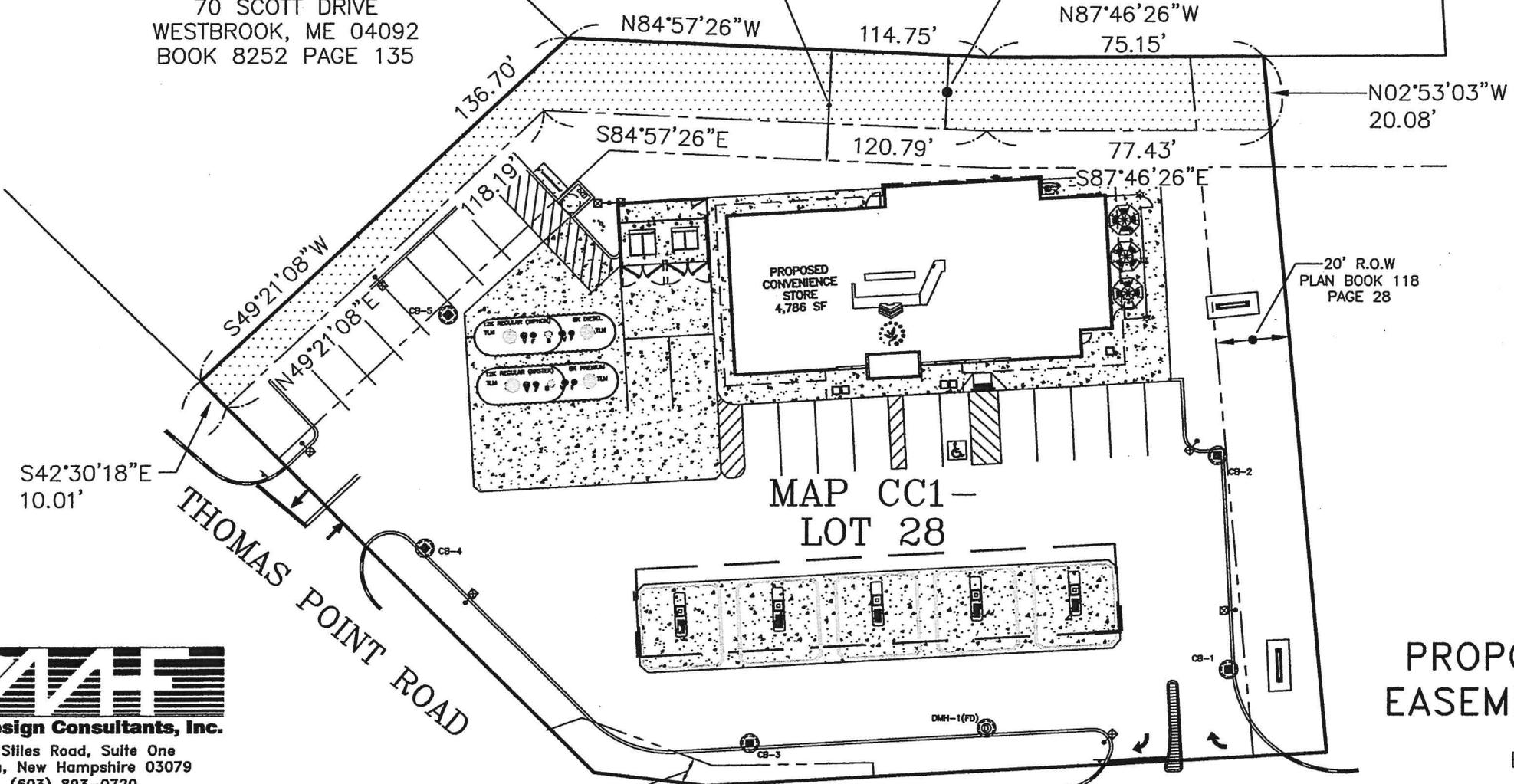
Commission Expires:

MAP CC1 LOT 27
 N/F PROMPTO, INC.
 70 SCOTT DRIVE
 WESTBROOK, ME 04092
 BOOK 8252 PAGE 135

MAP CC1 LOT 29A
 N/F McDONALD'S CORP.
 C/O JOE BREISACHER
 PO BOX 653
 BRUNSWICK, ME 04011
 BOOK 3368 PAGE 26

EXISTING 30' SEWER
 EASEMENT TO
 THE BRUNSWICK
 SEWER DISTRICT
 BOOK 2985
 PAGE 694

PROPOSED SIDEWALK EASEMENT
 5,156 Sq.Ft.



ROUTE 24

DRAFT
 10/21/16

MAP CC1 -
 LOT 28

PROPOSED SIDEWALK
 EASEMENT "EXHIBIT A"

190 BATH ROAD
 BRUNSWICK, MAINE
 PREPARED FOR

CUMBERLAND FARMS, INC.

SCALE: 1"=40' DATE: OCTOBER 21, 2016



44 Stiles Road, Suite One
 Salem, New Hampshire 03079
 (603) 893-0720
 ENGINEERS • PLANNERS • SURVEYORS
 www.mhfdesign.com
 3751Sidewalk Ease.dwg
 MHF PROJ. #375115

BATH ROAD

THOMAS POINT ROAD

Julie Erdman

From: Jared Woolston
Sent: Tuesday, October 25, 2016 10:42 AM
To: Julie Erdman
Subject: FW: CF Brunswick --Cumberland Farm Traffic Island Revisions

This needs to be part of the packet addendum too. Thanks.

Jared Woolston
Planner
Town of Brunswick
85 Union Street
Brunswick, ME 04011

(207) 725-6660, ext. 4022 (v)
(207) 725-6663 (f)
jwoolston@brunswickme.org
www.brunswickme.org

From: Jared Woolston
Sent: Tuesday, October 25, 2016 10:36 AM
To: Sandra Guay
Cc: 'Christopher Tymula'; Anna Breinich; John Foster
Subject: FW: CF Brunswick --Cumberland Farm Traffic Island Revisions

Follow up correspondence from Sebago below.

Jared Woolston
Planner
Town of Brunswick
85 Union Street
Brunswick, ME 04011

(207) 725-6660, ext. 4022 (v)
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jwoolston@brunswickme.org
www.brunswickme.org

From: James Seymour [<mailto:jseymour@sebagotechnics.com>]
Sent: Tuesday, October 25, 2016 10:34 AM
To: Steve Sawyer; John Foster; Jared Woolston
Cc: 16382
Subject: RE: CF Brunswick --Cumberland Farm Traffic Island Revisions

Additionally I agree with John that the surface should be a bright contrasting color, (green, or blue to match Cumberland Farms colors is ok). I also agree with Steve that granite curbing is a must or it will be a crumbled/sheared and a deteriorated eye sore from plowing in short time. Plus the granite sloped curbing holds up better to salt, and will protect the interior concrete from deterioration as well. This I guess could be an easy condition of approval if you choose.

I think it's back in your court or Cumberland Farms at this point.

Thanks

Jim Seymour, P.E. *Senior Project Manager*

Office: 207.200.2100 | Direct: 207.200.2083 | Cell: 207.632.1199
75 John Roberts Rd., Suite 1A, South Portland, ME 04106
jseymour@sebagotechnics.com | www.sebagotechnics.com
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From: Steve Sawyer
Sent: Tuesday, October 25, 2016 9:59 AM
To: jfoster@brunswickme.org; jwoolston@brunswickme.org
Cc: James Seymour <jseymour@sebagotechnics.com>
Subject: RE: CF Brunswick --Cumberland Farm Traffic Island Revisions

Good Morning –

I have reviewed the latest plans and see that the applicant complied with the concept we discussed at our meeting last week. There is now an island 25' long and 3' wide with a slight flare at the roadside end to reinforce right turns out only. I don't like the detail, though. I have attached some photos I took at Wells this morning and they show this same detail with the concrete already cracked - and this has been in place only recently. I suggest that this island have a sloped granite edging with a concrete surface that is stamped or scored, but the edges need to be more durable than cast-in-place concrete to hold up under winter plowing.



Stephen S. Sawyer, Jr., PE *Vice President, Transportation*
Office: 207.200.2100 | Direct: 207.200.2082 | Mobile: 207.232.1281
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From: James Seymour
Sent: Monday, October 24, 2016 5:13 PM
To: Steve Sawyer <ssawyer@sebagotechnics.com>
Subject: FW: CF Brunswick --Cumberland Farm Traffic Island Revisions

Steve can we write up a brief blurb for Jared the planner.

I think colored pavement is the biggest condition but if you have other comments please add.

Thanks

Jim Seymour, P.E. *Senior Project Manager*
Office: 207.200.2100 | Direct: 207.200.2083 | Cell: 207.632.1199
75 John Roberts Rd., Suite 1A, South Portland, ME 04106
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From: Jared Woolston [<mailto:jwoolston@brunswickme.org>]
Sent: Monday, October 24, 2016 1:38 PM
To: James Seymour <jseymour@sebagotechnics.com>
Cc: John Foster <jfoster@brunswickme.org>
Subject: FW: CF Brunswick

Jim: John reviewed the revised Cumberland Farms plans (attached) and provided cursory observations including the concrete island is not colored (as discussed) and is 20-feet long rather than 25-feet as discussed (see notes below). Can you review the revisions and provide an update to your (Steve's) review?

"I looked at the submittal and it pretty much meets what we sketched out at the meeting. They went with 20 foot depth where we had discussed 25 feet but I can live with the 20 foot depth. We talked about a yellow or red colorized concrete and I recall I told Chris to pick the color so the detail says color "gray". Or no color at all, not exactly what we discussed.

Also, since the traffic went thru a peer review shouldn't you get Steve Sawyer to sign off on this proposal? I would think so. I am out of the office tomorrow but can give you a short email saying okay on Tuesday (assuming Sebago does too and doesn't have an issue). Let me know, thanks, John"

Jared Woolston
Planner
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From: Christopher Tymula [<mailto:cmt@mhfdesign.com>]
Sent: Friday, October 21, 2016 1:26 PM
To: Jared Woolston
Cc: Sandra Guay; John Foster
Subject: RE: CF Brunswick

Not a problem. Here are the Revised Plans only in a zip file.



Chris M. Tymula | *Project Manager* | cmt@mhfdesign.com
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44 Stiles Road, Suite One | Salem, NH 03079
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From: Jared Woolston [<mailto:jwoolston@brunswickme.org>]
Sent: Friday, October 21, 2016 1:11 PM
To: Christopher Tymula <cmt@mhfdesign.com>

Cc: Sandra Guay <slg@woodedlaw.com>; John Foster <jfoster@brunswickme.org>

Subject: RE: CF Brunswick

Chris: Thanks for sending this. A condition of approval for John Foster's acceptance of the changes will be required in case he doesn't have a chance to confirm this revision is what was discussed between now and Tuesday, 10/25.

Is it possible for you to separate the revised plans from this set, and send that as a separate file? If not, I can make sure this in the Tuesday PB packet but I think it will make the PB review simpler if they know which plans are part of the addendum that addresses traffic concerns. More to the point, I have meetings this afternoon and will not be able to update the draft findings of fact with this plan set so the findings and these plans will be a little confusing over the weekend without the separate addendum (either way, these are all things that can be explained at the meeting).

One condition you should be aware of is to update the draft sidewalk easement and exhibit. Deleting reference to the 20-foot easement, and referring to the plan depiction as recently proposed by Sandra makes sense since the easement width varies but I am hoping you can update the associated plan with your most recent changes, and provide a title on the site plan that states "Exhibit A" for consistency with the draft easement language. I believe this is a straightforward draft condition of approval but if you wanted to get a head start on Tuesday's meeting it would be great to have that in hand at or before the meeting.

Thanks again for driving up to Brunswick to discuss the traffic concerns of our staff, and our third party review engineer. In my opinion, our meeting resulted in an amicable solution that would not likely have been achieved without your cooperation, or your clients willingness to work with the town. If you or Sandra have questions please call or email.

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From: Christopher Tymula [<mailto:cmt@mhfdesign.com>]

Sent: Friday, October 21, 2016 12:11 PM

To: Jared Woolston; John Foster

Cc: Sandra Guay; Dawn Johnson; DBoryszewski@cumberlandfarms.com; Robert C. Schuler (RSchuler@cumberlandfarms.com); Kathleen A. Sousa - Cumberland Gulf Group of Companies (KSousa@cumberlandfarms.com); Monticup, Heather; Brown, Rebecca

Subject: CF Brunswick

Jared, John,

Below is a dropbox link to the revised plans based on our meeting with you, John, GPI and Sebago this week. As agreed at the meeting we modified the driveway to include the mountable curbing consistent with what CF built in Wells, ME. We have provided the detail on Sheet CFG09.1 which provides specifics on the layout of the area. We will present this to the PB next week as well. Please let us know if you need hard copies and we can either bring them to the meeting or send them overnite for Monday delivery. Thank you for your assistance on this matter.

<https://www.dropbox.com/s/s0k4cnnqpou6wsj/CFG%20Brunswick%20ME%20-%20Prop%20Site%20Redevelopment%20Plans%2010-20-16.pdf?dl=0>



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2019
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WE HAVE DIESEL
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8





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