



# Town of Bowdoinham

13 School St • Bowdoinham, ME 04008

Phone 666-5531 • Fax 666-5532

www.bowdoinham.com

## PLANNING BOARD APPLICATION

Type of Application:  Shoreland Zoning  Site Plan Review -  Tier II  Tier II  
 Land Use  Subdivision -  Minor  Major

### Applicant Information:

Name: William Panzino  
Mailing Address: 791 Carding machine Rd Bowdoinham, ME  
Telephone: 207-240-2943  
Right, Title, Interest in Property:  Owner  Other Renter  
*(appropriate documentation must be provided)*

### Owner Information:

Same as Above  
Name: Nancy Soule  
Mailing Address: 779 Carding Machine Rd Bowdoinham ME  
Telephone: 207-295-6547

### Agent Information:

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
 Surveyor  Engineer  Other: \_\_\_\_\_

### Property Information:

Map/Lot Number: R05-035  
Property Address: 791 Carding machine Rd Bowdoinham ME  
Lot Size: \_\_\_\_\_ Lot Frontage: \_\_\_\_\_  
Existing Lot Coverage: \_\_\_\_\_ Proposed Lot Coverage: \_\_\_\_\_  
Water Service:  Public  Private Road Ownership:  State  Town  Private  
Floodplain:  No  Yes Shoreland Zoning:  No  Yes: \_\_\_\_\_  
Tax Program:  No  Agriculture  Open Space  Tree Growth

Project Description:

Car lot near the back of the property  
for the purpose of Recycling None work or  
Damaged vehicles. Not a permanent graveyard for  
vehicles only temporary storage.

Attachments (the following items are required):

- Site Plan
- Photographs of Site
- Application Fee
- Supporting Documents as required per Land Use Ordinance

By signing this application, as the foresaid applicant:

- I certify that I have read and completely understand the application;
- I certify that the information contained in this application and it's attachments are true and correct;
- I understand that all information provided on this form and all other documents submitted as part of my proposal is a matter of public record;
- I understand that copies of this information may be supplied upon request to an interested party;
- I understand that additional funds may be required through the course of review for special studies, legal review costs, and/or engineering review;
- I understand that it is my responsibility to know and pay for any tax penalty that may result from said project;
- I understand that the information contained in this application is background information and some applications may require additional tests, maps, documentation or submissions as required by the Planning Board.

 6-28-2020  
Applicant Signature Date

William Panzino  
Print Name

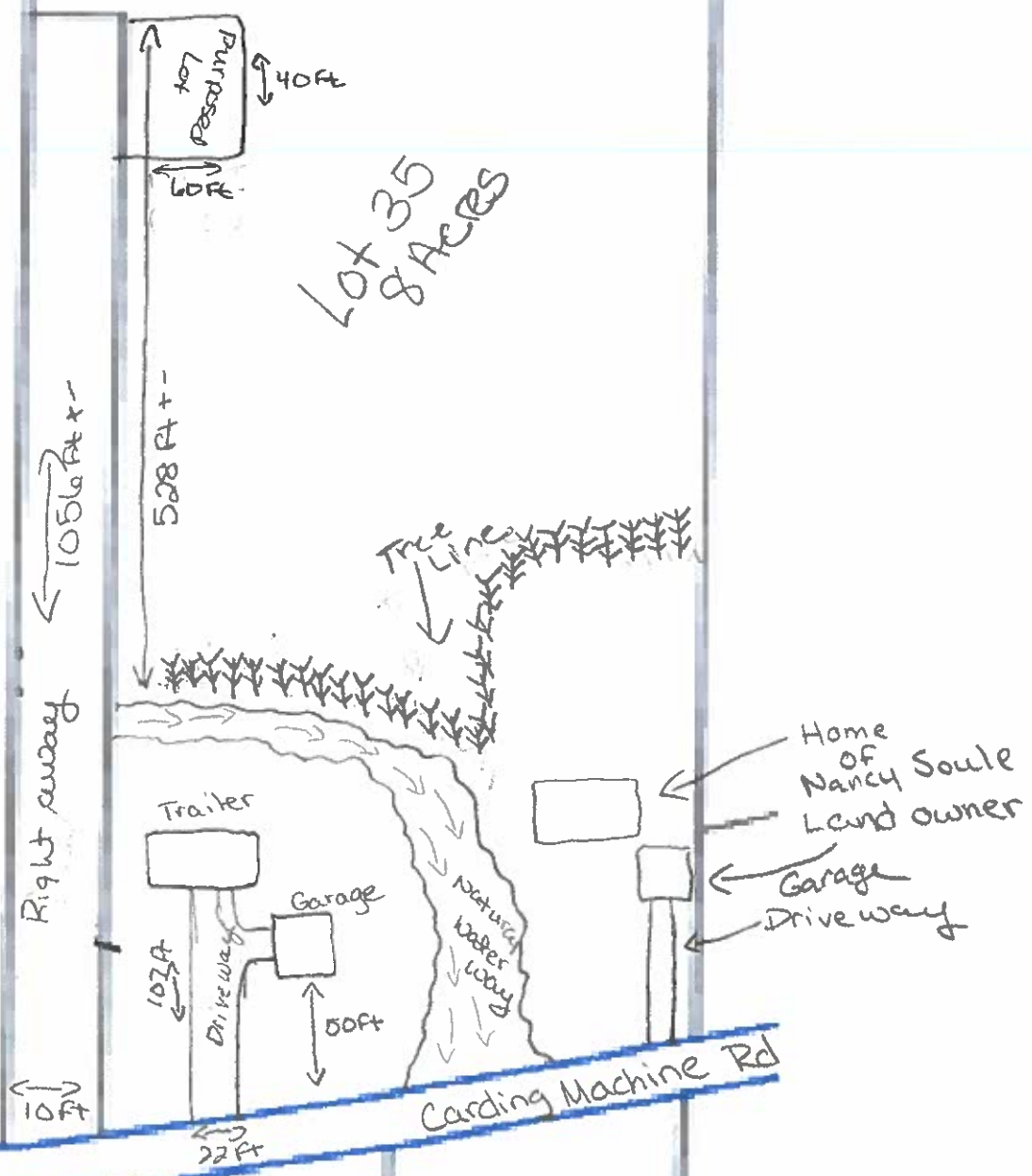
FOR OFFICE USE ONLY

Received On: \_\_\_\_\_ Fee Paid: \_\_\_\_\_

\_\_\_\_\_  
Signed Date

Lot 35A  
2 Acres  
OF Richard  
Gallagher

Lot 35  
8 ACRES



## Submission Requirements for Tier II and Tier III Site Plan Review Applications

- (i) Applications for site plan review must be submitted on application forms provided by the Town.
- (ii) Projects classified as Tier II projects shall go through a simplified review process.
- (iii) The Planning Board shall have the authority to waive any review standards if it finds they are inapplicable to Tier II projects.
- (iv) The submission must contain at least the exhibits and information specified in this section, unless specifically waived in writing.
- (v) All applications for site plan review must contain the following information:

- (A) a fully executed and signed copy of the application for development review;
- (B) evidence of payment of the application and technical review fees; and
- (C) Eleven (11) copies of written materials plus eleven (11) sets of maps or drawings. The maps or drawings must be at a scale sufficient to allow review of the items listed under approval criteria:

(1) forty (40) feet to the inch is preferred, but in no case shall the scale exceed one hundred (100) feet to the inch for that portion of the tract of land being proposed for development.

(2) General Information.

- a. record owner's name, address, and phone number and applicant's name, address and phone number, if different.
- b. the location of all required building setbacks, yards, and buffers.
- c. names and addresses of all property owners within two hundred (200) feet of any and all property boundaries.
- d. sketch map showing general location of the site within the municipality based upon a reduction of the tax maps.
- e. boundaries of all contiguous property under the total or partial control of the owner or applicant regardless of whether all or part is being developed at this time.
- f. the tax map and lot number of the parcel or parcels on which the project is to be located.
- g. a copy of the deed to the property, an option to purchase the property or other documentation to demonstrate right, title or interest in the property on the part of the applicant.
- h. the name, registration number and seal of the person who prepared the plan, if applicable.
- i. cost of the proposed development.
- j. evidence of the applicant's financial capacity to complete it. This evidence should be in the form of a letter from a bank or other source of financing indicating the name of the project, amount of financing proposed or available, and individual's or institution's interest in financing the project or in the form of a letter from a certified accountant or annual report indicating that the applicant has adequate cash flow to cover anticipated costs.
- k. evidence of the applicant's technical capability to carry out the project as proposed.

(3) Existing Conditions Plan including the following:

- a. zoning classification(s), including overlay and/or subdistricts, of the property and the location of zoning district boundaries if the property is located in two (2) or more zoning districts or subdistricts or abuts a different district.
- b. the bearings and length of all property lines of the property to be developed and the source of this information.
- c. location and size of any existing sewer and water mains, culverts and drains, on-site sewage disposal systems, wells, underground tanks or installations, and power and telephone lines and poles on the property to be developed and on abutting streets or land that may serve the development and an assessment of their adequacy and condition to meet the needs of the proposed use. Appropriate elevations must be provided as necessary to determine the direction of flow.
- d. location, names, and present widths of existing public and/ or private streets and rights - of-way within or adjacent to the proposed development.
- e. The location, dimensions and ground floor elevation of all existing buildings on the site.

- f. the location and dimensions of existing driveways, parking and loading areas, walkways, and sidewalks on or immediately adjacent to the site.
  - g. location of intersecting roads or driveways within two hundred (200) feet of the site.
  - h. the location of open drainage courses, wetlands, stonewalls, graveyards, fences, stands of trees, and other important or unique natural areas and site features, including but not limited to, floodplains, deer wintering areas, significant wildlife habitats, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, sand and gravel aquifers, and historic and/ or archaeological resources, together with a description of such features.
  - i. the direction of existing surface water drainage across the site, and any off-site drainage facilities that will be used.
  - j. the location, front view, dimensions, and lighting of existing signs.
  - k. location and dimensions of any existing easements and copies of existing covenants or deed restrictions.
  - l. the location of the nearest fire hydrant or other water supply for fire protection.
- (4) Proposed Development Activity**
- a. estimated demand for water supply and sewage disposal, together with the location and dimensions of all provisions for water supply and wastewater disposal, and evidence of their adequacy for the proposed use, including soils test pit data if on-site sewage disposal is proposed.
  - b. the direction of proposed surface water drainage across the site, and from the site, with an assessment of impacts on downstream properties.
  - c. provisions for handling all solid wastes, including hazardous and special wastes, and the location and proposed screening of any on-site collection or storage facilities.
  - d. the location, dimensions, and materials to be used in the construction of proposed driveways, parking and loading areas, and walkways and any changes in traffic flow onto or off-site.
  - e. a grading plan showing the existing and proposed topography of the site at two (2) foot contour intervals, or such other interval as the Planning Board may determine
  - f. proposed landscaping and buffering.
  - g. the location, dimensions, and ground floor elevation of all proposed buildings or building expansion proposed on the site.
  - h. location of proposed signs together with the method for securing the sign.
  - i. location and type of exterior lighting.
  - j. the location of all utilities, including fire protection systems.
  - k. a general description of the proposed use or activity.
  - l. an estimate of the peak hour and daily traffic to be generated by the project.
  - m. the existing and proposed method of handling stormwater runoff, erosion and sedimentation control measures, and water quality and/or phosphorous export management provisions.
  - n. A written statement from any utility district providing service to the project as to the adequacy of the water supply in terms of quantity and pressure for both domestic and fire flows.
  - o. Breakdown of proposed project costs.
  - p. Approval Block. Space must be provided on the plan drawing for the signatures of the Planning Board and date together.



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William S. Post, Town Manager

## **Site Plan Review Approval Criteria**

The following criteria shall be used in reviewing applications for site plan review and shall serve as minimum requirements for approval of the application. The application shall be approved unless it is determined that the applicant has failed to meet one or more of these standards. In all instances, the burden of proof shall be on the applicant to produce evidence sufficient to warrant a finding that all applicable criteria have been met.

- 1) **Vehicular Access** – The proposed site layout will provide for safe access to and egress from public and private roads.
- 2) **Internal Vehicular Circulation** – The proposed site layout will provide for the safe movement of passenger, service, and emergency vehicles through the site.
- 3) **Pedestrian Circulation** – The proposed site layout will provide for safe pedestrian circulation both on-site and off-site.
- 4) **Municipal Services** – The development will not have an unreasonable adverse impact on municipal services, including municipal road systems, fire department, solid waste program, schools, open spaces, recreational programs and facilities, and other municipal services and facilities.
- 5) **Visual Impact** – The proposed development will not have an adverse effect on the scenic or natural beauty of the area, including water views and scenic views.
- 6) **Lighting** – All exterior lighting will be designed to avoid undue glare, adverse impact on neighboring properties and rights-of-ways, and the unnecessary lighting of the night sky.
- 7) **Signage** – The proposed signage will not detract from the design of the proposed development and the surrounding properties and will not constitute hazards to vehicles and pedestrians.
- 8) **Buildings** – The proposed structures will relate harmoniously to the terrain and to existing buildings in the vicinity, so as to have a minimally adverse effect on the environmental and aesthetic qualities of the neighboring areas.
- 9) **Landscaping** – The proposed development will provide adequate landscaping in order to define, soften, and/or screen the appearance of parking and developed areas as well as to enhance the physical design of the buildings and the overall development.
- 10) **Buffering** – The proposed development will provide for the buffering of adjacent uses where there is a transition from one type of use to another use and for the screening of mechanical equipment and service and storage areas
- 11) **Utilities** – The proposed development will not impose an unreasonable burden on existing utilities.
- 12) **Water Supply** – The proposed development will be provided with an adequate supply of water.
- 13) **Sewage Disposal** – The proposed development will be provided with adequate sewage waste disposal.
- 14) **Fire Protection** – The proposed development will have adequate fire protection.
- 15) **Capacity of Applicant** – The applicant meets the following criteria:
  - a) **Right, Title and Interest in Property** – The applicant has the right, title and interest in the property.

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Northern New England's first World Health Organization designated age-friendly community  
Member of the AARP Network of Age-Friendly Communities

- b) Financial Capacity – The applicant has the financial capacity to complete the proposed development.
  - c) Technical Ability – The applicant has the technical ability to carry out the proposed development.
- 16) Special Resources –
- a) Shoreland – The proposed development will be in compliance with the Town’s Shoreland Zoning Ordinance.
  - b) Floodplain – The proposed development will be in compliance with the Town’s Floodplain Management Ordinance.
  - c) Wetlands & Waterbodies – The proposed development will not have an adverse impact on wetlands and/or waterbodies, to the extent that is practicable.
  - d) Historic & Archaeological – The proposed development will not have an adverse effect on historic and/or archaeological sites.
  - e) Groundwater – The proposed development will not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water supply systems.
  - f) Wildlife Habitat – The proposed development will not have an undue adverse effect on wildlife habitat.
  - g) Natural Areas – The proposed development will not have an undue adverse effect on rare and irreplaceable natural areas.
- 17) Environmental Impact – The landscape will be preserved in its natural state to the extent that is practical by minimizing tree removal, disturbance of soil and retaining existing vegetation.
- a) Solid Waste Management – The proposed development will provide for adequate disposal of solid wastes.
  - b) Hazardous, Special & Radioactive Materials – The proposed development will handle, store, and use all materials identified as hazardous, special or radioactive in accordance with the standards of Federal and State agencies.
  - c) Air Quality – The proposed development will not result in undue air pollution or odors.
  - d) Water Quality – The proposed development will not result in water pollution.
  - e) Stormwater – The proposed development will provide for the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other impervious surfaces, which must not have an adverse impact on abutting or downstream properties.
  - f) Sedimentation & Erosion Control – The proposed development will take adequate measures to prevent soil erosion and the sedimentation of watercourses and waterbodies.
- 18) Noise – The proposed development will control noise levels so that it will not create a nuisance for neighboring properties.
- 19) Compliance with Ordinances – The proposed development conforms with the provisions of this Land Use Ordinance and other ordinances and regulations of the Town of Bowdoinham.
- 20) Town Plans & Vision Statements – The proposed development is consistent with the intent of the Town’s Plans, including but not limited to the Comprehensive Plan, Waterfront Plan, and Transportation Vision Statement.

## Site Plan Review Criteria

- 1) vehicular Access not needed
- 2) vehicular Circulation Not needed
- 3) Not open to pedestrians
- 4) will not be near any municipal Services
- 5) will be surrounded by trees
- 6) Lighting not needed
- 7) Signage not needed
- 8) no buildings
  - a) no buildings, parking, lots, and will not be visible to public
- 10) ~~no~~ trees are surrounding area
- 11) no utilities needed
- 12) No water supply needed
- 13) No Sewerage needed
- 14) no fire protection needed
- 15)
  - a) promise to use property by land owner Nancy Soule
  - b) No finances needed
  - c) no development needed
- 16)
  - a) not near shoreland
  - b) no flood plan needed
  - c) not near wetlands
  - d) not near a historical site
  - e) not near a water supply
  - f) not interfering with the wildlife
  - g) not changing the natural area
- 17) ~~a~~
  - a) no solid waste
  - b) no hazardous material
  - c) no change to air quality
  - d) not near water



e) No need for removal of storm water

f) No impact on soil, not near water

18) No noise that should be heard by neighbors

19) No development necessary

20) No development necessary



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## **General Performance Standards**

The performance standards in this article are intended to clarify and expand upon the approval criteria. Compliance with the performance standards of this section shall be considered to be evidence of meeting the appropriate approval criteria. In all instances, the burden of proof shall be upon the applicant to present adequate information to indicate the statutory criteria for approval and performance standards have been or will be met.

The Planning Board may waive any of the general performance standards based upon a written request of the applicant. Such request should be made at the time of the Site Inventory & Analysis review or at the initial review of the application if no Site Inventory & Analysis review. A waiver of any general performance standard may be granted only if the Board finds that the standard is not required for the proposed project to be in compliance with the approval criteria.

### 1) Vehicular Access –

- a) Adequacy of Road System - Vehicular access to the site must be on roads which have adequate capacity to accommodate the additional traffic generated by the development. A Traffic Impact Study may be required by the Planning Board if deemed necessary by the Director of Public Works or the Road Commissioner.
- b) Access into the Site - Vehicular access to and from the development must be safe and convenient.
  - (i) Any driveway or proposed street must be designed so as to provide the minimum sight distance according to the Maine Department of Transportation standards.
  - (ii) Points of access and egress must be located to avoid hazardous conflicts with existing turning movements and traffic flows.
  - (iii) The grade of any proposed drive or street must be not more than 3% for a minimum of forty (40) feet, from the intersection. The Planning Board may require a greater distance if deemed necessary by the Public Works Director.
  - (iv) Where it is necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, the applicant shall be responsible for providing turning lanes, traffic directional islands, and traffic controls within public streets.

### c) Accessway Location and Spacing -

- (i) Private entrances/exits must be located at least fifty (50) feet from the closest unsignalized intersection and one hundred fifty (150) feet from the closest signalized intersection, as measured from the point of tangency for the corner to the point of tangency for the accessway. This requirement may be reduced if the shape of the site does not allow conformance with this standard.
- (ii) Private accessways in or out of a development must be separated by a minimum of seventy-five (75) feet where possible.

### 2) Internal Vehicular Circulation –

- a) All roadways must be designed to harmonize with the topographic and natural features of the site insofar as practical by minimizing filling, grading, excavation, or other similar activities which result in unstable soil conditions and soil erosion, by fitting the development to the natural contour of the land and avoiding areas of excessive grading and tree removal, and by retaining existing vegetation during

construction. The road network must provide for vehicular, pedestrian, and cyclist safety, all season emergency access, snow storage, and delivery and collection services.

b) Proposed developments that will be served by delivery vehicles must provide a clear route for such vehicles with appropriate geometric design to allow turning and backing for the largest expected vehicles.

c) Clear routes of access must be provided and maintained for emergency vehicles to and around buildings and must be posted with appropriate signage (fire lane - no parking).

d) The layout and design of parking areas must provide for safe and convenient circulation of vehicles throughout the parking lot.

e) Off-street parking must conform to the following standards:

(i) Parking areas with more than two (2) parking spaces must be arranged so that it is not necessary for vehicles to back into the street.

(ii) All parking spaces, access drives, and impervious surfaces must be located at least ten (10) feet from any side or rear lot line, except where standards for buffers require a greater distance. This requirement may be reduced if the shape of the site does not allow conformance with this standard.

(iii) No parking spaces or asphalt type surface may be located within five (5) feet of the front property line; standards for buffers may require a greater distance.

(iv) Parking lots on adjoining lots may be connected by access ways not to exceed twenty-four (24) feet in width.

(v) Parking stalls must conform to the following standards:

Parking Angle	Stall Width	Skew Width	Stall Depth	Aisle Width
90°	9'-0"	-	18'-0"	24'-0" – 2-way
60°	8'-6"	10'-6"	18'-0"	16'-0" – 1-way
45°	8'-6"	12'-9"	17'-6"	12'-0" – 1-way
30°	8'-6"	17'-0"	17'-0"	12'-0" – 1-way

### 3) Pedestrian Circulation –

a) The site plan must provide for a system of pedestrian ways within the development appropriate to the type and scale of development.

b) This system must connect the major building entrances/exits with parking areas and with existing sidewalks, if they exist or are planned in the vicinity of the project.

c) Where an existing or planned public sidewalk is interrupted by a proposed project driveway, the sidewalk material must continue to be maintained across the driveway, or the driveway must be painted to distinguish it as a sidewalk.

d) The pedestrian network may be located either in the street right-of-way or outside of the right-of-way in open space or recreation areas.

e) The system must be designed to link the project with residential, recreational, and commercial facilities, schools, bus stops, and existing sidewalks in the neighborhood or, when appropriate, to connect with amenities such as parks or open space on or adjacent to the site.

f) The system shall be safely separated from vehicular traffic through landscape buffers and curbing.

#### 4) Municipal Services –

A letter shall be requested from the appropriate Town Officials to address that the development will not have an unreasonable adverse impact on municipal services, including municipal road systems, fire department, solid waste program, schools, open spaces, recreational programs and facilities, and other municipal services and facilities.

#### 5) Visual Impact –

a) When a proposed development is located on a hillside that is visible from a public street, road, water body, or facility, the development must be designed so that it fits harmoniously into the visual environment when viewed by the public from public areas. In predominantly natural environments, site clearing must be minimized and vegetation must be retained or provided to minimize the visual intrusion of the development. In developed environments, the appearance of the new development, when viewed by the public from public areas, must be compatible with the existing visual character in terms of scale, massing, and height to the maximum extent reasonable.

b) When a proposed development is located within the viewshed of an identified view from a public street or facility, the development must be designed to minimize the encroachment of all buildings, structures, landscaping, and other site features on the identified view.

#### 6) Lighting –

All exterior lighting will be designed to avoid undue glare, adverse impact on neighboring properties and rights-of-ways, and the unnecessary lighting of the night sky.

a) Building facades may be illuminated with soft lighting of low intensity that does not draw inordinate attention to the building. The light source for the building facade illumination must be concealed.

b) Building entrances may be illuminated using recessed lighting in overhangs and soffits, or by use of spotlighting focused on the building entrances with the light source concealed (e.g., in landscaped areas). Direct lighting of limited exterior building areas is permitted when necessary for security purposes.

c) The proposed development must have adequate exterior lighting to provide for its safe use during nighttime hours, if such use is contemplated.

d) Lighting may be used which serves security, safety and operational needs but which does not directly or indirectly produce deleterious effects on abutting properties or which would impair the vision of a vehicle operator on adjacent roadways. Lighting fixtures must be shielded or hooded so that the lighting elements are not exposed to normal view by motorists, pedestrians, or from adjacent dwellings and so that they do not unnecessarily light the night sky. Direct or indirect illumination must not exceed 0.5 footcandles at the lot line or upon abutting residential properties.

e) All exterior lighting, except security lighting, must be turned off between 11 P.M. and 6 A.M. unless located on the site of a commercial or industrial use which is open for business during that period.

f) Wiring to light poles must be underground.

#### 7) Signage –

The proposed signage will not detract from the design of the proposed development and the surrounding properties and will not constitute hazards to vehicles and pedestrians.

a) Signs should be placed at right angles to the street so as to be viewed from both directions. Simple, geometrically shaped signs set low to the ground must be used.

b) Signs may be illuminated only by shielded, non-flashing lights. Any sign illumination must be turned off from 10 p.m. to 6 a.m., except if the business is open then the sign illumination may remain on during the hours of operation. No internal or flashing lights shall be permitted.

- c) Business/Institutional name signs shall be limited to two (2) signs per property, except for a property that contains more than one business.
- d) Properties which contain one business or institutional use.
  - (i) No name sign shall be greater than fifteen (15) square feet.
  - (ii) The total area of name signs on the property shall not exceed twenty-five (25) square feet.
- e) Properties containing more than one business or institutional use.
  - (i) May have a directory sign, which contains a name sign for the complex, as well as name signs for the individual businesses or institutional uses. The name sign for the complex shall not exceed fifteen (15) square feet and the name signs for the individual businesses or institutional uses shall not exceed six (6) square feet. The total square footage for the directory sign shall not exceed sixty (60) feet.
  - (ii) Each individual business or institutional use may have a name sign not to exceed fifteen (15) square feet.
- f) No free standing sign shall extend higher than twenty (20) feet above the ground.

#### 8) Buildings –

The proposed structures will relate harmoniously to the terrain and to existing buildings in the vicinity, so as to have a minimally adverse effect on the environmental and aesthetic qualities of the neighboring areas.

- a) New buildings should be compatible with the neighborhood such that they reflect the overall building bulk, square footage, dimensions, placement of the building on the lot, and rhythm of buildings and spaces along the street edge and minimize the visual impact on the neighborhood. The visual impact of a building shall be measured by its relationship to other buildings on the lot, design of the front of the building, and the rhythm of buildings and open spaces along the street. The Planning Board may require additional buffering to the road or abutting properties if the proposed building is not compatible with the neighborhood.
- b) The architectural design of the building shall be consistent with the New England vernacular and shall include such features as pitched roofs, vertical rectangle windows, and the appearance of brick, stone, log, clapboard or shingle .
  - (i) The proposed development could be exempt from this standard if the development will be screened so that it is not visible from the road and abutting properties; or
  - (ii) Depending on the tier of the application, either the Planning Board or the Code Enforcement Officer may require additional landscaping and/or screening to the road and abutting properties.
- c) Where there is a reasonably uniform relationship between the front walls of buildings and the street, new buildings must be placed on a lot in conformance with the established relationship. For buildings on corner lots, the setback relationship of both streets should be maintained.
- d) The main entrance to the building should be oriented to the street unless the parking layout or the grouping of the buildings justifies another approach, and should be clearly identified as such through building and site design, landscaping, and/or signage.
- e) In rural, uncongested areas buildings should be set back from the road so as to conform with the rural character of the area. If the parking is in front, a generous, landscaped buffer between road and parking lot is to be provided. Unused areas should be kept natural, as field, forest, wetland, etc.
- f) The site design should avoid creating a building surrounded by a parking lot.
- g) The building height shall not exceed 40 feet.

#### 9) Landscaping –

The proposed development will provide adequate landscaping in order to define, soften, and/or screen the appearance of parking and developed areas as well as to enhance the physical design of the buildings and the overall development.

- a) Landscaping must be provided as part of site design. The landscape plan for the entire site must use landscape materials to integrate the various elements on site, preserve and enhance the particular identity of the site, and create a pleasing site character.
- b) The landscaping should define street edges, break up parking areas, soften the appearance of the development, and protect abutting properties.

#### 10) Buffering –

The proposed development will provide for the buffering of adjacent uses where there is a transition from one type of use to another use and for the screening of mechanical equipment and service and storage areas.

- a) Buffering must be designed to provide a year-round visual screen in order to minimize adverse impacts. It may consist of fencing, evergreens, berms, rocks, boulders, mounds, or a combination thereof.
- b) Exposed nonresidential storage areas, exposed machinery, and areas used for the storage or collection of discarded automobiles, auto parts, metals or other articles of salvage or refuse must have sufficient setbacks and screening to provide a visual buffer sufficient to minimize their impact on abutting residential uses and users of public streets.
- c) All dumpsters or similar large collection receptacles for trash or other wastes must be screened by fencing or landscaping.
- d) The Planning Board may require buffering from impervious areas located adjacent to residential uses.
- e) The Planning Board may require buffering to reduce the impact on abutters and the public.

#### 11) Utilities –

The development must be provided with electrical, telephone, and telecommunication service adequate to meet the anticipated use of the project. New utility lines and facilities must be screened from view to the extent feasible. If the service in the street or on adjoining lots is underground, the new service must be placed underground.

#### 12) Water Supply –

- a) If the project is to be served by a public water supply, the applicant must secure and submit a written statement from the supplier that the proposed water supply system conforms with its design and construction standards, will not result in an undue burden on the source or distribution system, and will be installed in a manner adequate to provide needed domestic and fire protection flows.
- b) The proposed development shall connect to public water, unless the applicant can show that it is economically unfeasible.

#### 13) Sewage Disposal –

- a) The development must be provided with a method of disposing of sewage which is in compliance with the State Plumbing Code and the Subsurface Wastewater Disposal Rules.
- b) When two (2) or more lots or buildings in different ownership share the use of a common subsurface disposal system, the system must be owned and maintained in common by an owners' association. Covenants in the deeds for each lot must require mandatory membership in the association and provide for adequate funding of the association to assure proper maintenance of the system.

14) Fire Protection – The proposed development will have adequate fire protection as determined by the Fire Chief and State Fire Marshal's Office.

**15) Capacity of Applicant – The applicant meets the following criteria:**

- a) **Right, Title and Interest in Property – The applicant must demonstrate that they have the right, title and interest in the property.**
- b) **Financial Capacity – The applicant must demonstrate that they have the capacity to carry out the project in accordance with this ordinance and the approved plan.**
- c) **Technical Ability – The applicant must demonstrate that they have the technical capacity to carry out the project in accordance with this ordinance and the approved plan.**

**16) Special Resources –**

- a) **Shoreland – The proposed development will be in compliance with the Shoreland Zoning provisions of Article 5 and 7 of this ordinance if located within the Shoreland Zone.**
- b) **Floodplain – If any portion of the site is located within a special flood hazard area as identified by the Federal Emergency Management Agency, all use and development of that portion of the site must be consistent with the Floodplain Management provisions of Article 8 of this ordinance.**
- c) **Wetlands & Waterbodies – The proposed development will not have an adverse impact on wetlands and/or waterbodies, to the extent that is practicable.**
  - (i) **The development must not adversely affect the water quality or shoreline of any adjacent water body, to the extent practicable. The development plan must provide for access to abutting navigable water bodies for the use of the occupants of the development as appropriate.**
  - (ii) **When a proposed development is immediately visible from a river, or stream, the development must be designed so that it fits harmoniously into the visual environment when viewed from the water body. In predominantly natural environments, site clearing must be minimized, natural vegetation must be maintained adjacent to the shoreline to soften the appearance of the development, and vegetation must be retained or provided to minimize the visual intrusion of the development. In developed shoreland environments, the appearance of the new development when viewed from the water must be compatible with the existing visual character in terms of scale, massing, and height to the maximum extent possible. Storage and service areas must be screened or landscaped to minimize their visual impact.**
  - (iii) **Activities within 250 feet of vernal pools shall meet requirements set by Maine Department of Environmental Protection’s Natural Resources Protection Act.**

**17) Historic & Archaeological –**

- a) **If any portion of the site has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.**
- b) **Proposed developments which include or are adjacent to buildings or sites on the National Register of Historic Places, Maine Historic Preservation Commission or when the Comprehensive Plan has identified as being of historical significance, shall be designed in such a manner as to minimize the impacts on the historic features. When the historic features to be protected include buildings, the placement and the architectural design of new structures shall be similar to the historic structures. The Board may require the applicant to seek the advice of the Maine Historic Preservation Commission.**

**18) Groundwater –**

Projects that involve on-site water supply or sewage disposal systems with a capacity of two thousand (2,000) gallons per day or greater must demonstrate that the groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of Maine.

**19) Wildlife Habitat –**

a) If any portion of a property lies within areas identified and mapped by the Department of Inland Fisheries and Wildlife, the applicant shall demonstrate that there shall be minimal impacts on the habitat and species it supports. The plan shall provide for protection of the identified resource in a manner acceptable to the Maine Department of Inland Fisheries and Wildlife or in accordance with the recommendations of a wildlife biologist with demonstrated experience with the wildlife resource being impacted and approved by the Board. In the latter situation, the report prepared by the wildlife biologist shall assess

the potential impact of the development on the significant habitat and adjacent areas that are important to the maintenance of the affected species and shall describe appropriate mitigation measures to ensure that the development will have minimal impacts on the habitat and the species it supports. These areas include:

- (i) Habitat for species appearing on the official state or federal lists of endangered or threatened species;
- (ii) High and moderate value waterfowl habitats, including nesting and feeding areas; or
- (iii) A high or moderate value deer wintering area.

**20) Natural Areas –**

a) If any portion of the property is located within an area designated as a unique natural area by the Comprehensive Plan or the Maine Natural Areas Program, the plan shall indicate appropriate measures for the preservation of the values which qualify the site for such designation, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation. The Board may require the applicant to seek the advice of the Maine Natural Areas Program.

b) The Planning Board may require a survey from a qualified professional of the area in question if it has not been previously surveyed.

**21) Environmental Impact –**

a) The landscape will be preserved in its natural state to the extent that is practical by minimizing tree removal, disturbance of soil and retaining existing vegetation.

b) Extensive grading and filling must be avoided as far as possible.

c) The proposed development will not cause a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.

**22) Solid Waste Management –** The proposed development will provide for adequate disposal of solid wastes. All solid waste must be disposed of at a licensed disposal facility having adequate capacity to accept the project's wastes.

**23) Hazardous, Special & Radioactive Materials –**

a) Hazardous, Special and Radioactive Materials - The handling, storage, and use of all materials identified by the standards of a federal or state agency as hazardous, special or radioactive must be done in accordance with the standards of these agencies.



b) No flammable or explosive liquids, solids or gases shall be stored in bulk above ground unless they are located at least seventy-five (75) feet from any lot line, or forty (40) feet in the case of underground storage. For the purposes of this section, bulk storage shall be considered one thousand (1,000) gallons or greater. All materials must be stored in a manner and location which is in compliance with appropriate rules and regulations of the Maine Department of Public Safety and other appropriate federal, state, and local regulations.

**24) Air Quality –**

- a) The proposed development will meet the Maine Department of Environmental Protection and U.S. Environmental Protection Agency standards.
- b) The proposed development will not negatively impact abutters or the public with undue odors.

**25) Water Quality –**

- a) No proposed development shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that may run off, seep, percolate, or wash into surface or groundwater so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.
- b) All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials, must meet the standards of the Maine Department of Environmental Protection and the State Fire Marshall's Office.
- c) If the project is located within the direct watershed of a 'body of water most at risk from development' or 'a sensitive or threatened region or watershed' as identified by the Maine Department of Environmental Protection (DEP), and is of such magnitude as to require a stormwater permit from the DEP, the project must comply with the standards of the DEP with respect to the export of total suspended solids and/or phosphorous. If the project does not require a stormwater permit from the DEP, it must be designed to minimize the export of phosphorous from the site to the extent reasonable with the proposed use and the characteristics of the site.

**26) Stormwater – Adequate provisions must be made for the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other surfaces, through a stormwater drainage system and maintenance plan, which must not have adverse impacts on abutting or downstream properties.**

- a) To the extent possible, the plan must retain stormwater on the site using the natural features of the site.
- b) Unless the discharge is directly to the ocean or major river segment, stormwater runoff systems must detain or retain water such that the rate of flow from the site after development does not exceed the predevelopment rate.
- c) The applicant must demonstrate that on- and off-site downstream channel or system capacity is sufficient to carry the flow without adverse effects, including but not limited to, flooding and erosion of shoreland areas, or that he/she will be responsible for whatever improvements are needed to provide the required increase in capacity and/or mitigation.
- d) All natural drainage ways must be preserved at their natural gradients and must not be filled or converted to a closed system unless approved as part of the site plan review.
- e) The design of the stormwater drainage system must provide for the disposal of stormwater without damage to streets, adjacent properties, downstream properties, soils, and vegetation.
- f) The design of the storm drainage systems must be fully cognizant of upstream runoff which must pass over or through the site to be developed and provide for this movement.

g) The biological and chemical properties of the receiving waters must not be degraded by the stormwater runoff from the development site. The use of oil and grease traps in manholes, the use of on-site vegetated waterways, and vegetated buffer strips along waterways and drainage swales, and the reduction in use of deicing salts and fertilizers may be required, especially where the development stormwater discharges into a gravel aquifer area or other water supply source, or a great pond.

27) Sedimentation & Erosion Control –

a) All building, site, and roadway designs and layouts must harmonize with existing topography and conserve desirable natural surroundings to the fullest extent possible, such that filling, excavation and earth moving activity must be kept to a minimum. Parking lots on sloped sites must be terraced to avoid undue cut and fill, and/or the need for retaining walls. Natural vegetation must be preserved and protected wherever possible.

b) Soil erosion and sedimentation of watercourses and water bodies must be minimized by an active program meeting the requirements of the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, dated March 2003.

28) Noise –

a) Noise levels on a site abutting any residential use shall be kept to a minimum between the hours of 9 p.m. and 6 a.m.

b) The Planning Board may specify an activity or business's hours of operation to address the level of noise, if necessary.

## General Performance Standards

### 1) vehicle Access

- A) Road Not open to public
- B) Right away that accesses Lot 35-A
- C) Over 100 Ft from Roadway

### 2) Internal vehicular Circulation

- a) Road already in existence and not open to public
- B) No Delivery Vehicles
- c) No parking lot Road Not open to public
- D) No parking area's
- E) No parking area's Not open to public

### 3) Pedestrian Circulation

- a) Not open to the public
- B) No parking areas Not open to public
- C) No sidewalks
- D) Not open to the public
- E) Not Near a public Road, Not open to the public
- F) Not Near a public Road

4) Municipal Services - will not be located Near any Road Systems, Fire Departments, Schools, Etc...

### 5) visual impact

- a) will not be visible to the public, will be inclosed by woodline
- B) will not be visible by public

6) Lighting - No lighting necessary will be no nighttime use.

### 7) signage

- B) will be NO Signage
- c) will be NO Signage
- D) will be NO Signage
- e) ~~no~~ will not be Multiple business or structures
- F) will be NO Signage

### 8) Buildings

- a) will not be visible to public, and will not be near any existing buildings
- B) It is not going to be a building it is a lot for storing vehicles
- c) will not be visible from the street
- D) will not be near the street
- e) will not be near the street
- F) will not be a parking lot
- g) is not a building, is a lot for vehicles

### 9) Landscaping

- a) will be surrounded by the tree lines and will not be visible to the public
- B) not near street near existing buildings

### 10) Buffering

- a) will be surrounded by trees
- b) will be surrounded by trees, and NOT near the road.
- c) will be surrounded by trees
- d) will be surrounded by trees
- e) will be surrounded by trees

11) Utilities - No utilities necessary

12) Water Supply - No water supply necessary

13) Sewage Disposal - No sewage disposal necessary

14) Fire Protection - site only for storage fire protection not necessary

15) Capacity of Applicant

- a) Note, Deed Provided by land owner (Nancy Soule)
- B) no finances will be necessary
- C) I have equipment if necessary

16) Special Resources

- a) Not near Shoreland
- B) No Flood plain needed
- C) Not near wetlands

17) Historic & Archaeological - not part or near a historical site

18) Groundwater - no ground water needed

19) Wildlife habitat

- a) Not within an identified and mapped area by inland fisheries and wildlife

20) Natural area's

- a) Not a site of the Maine Natural area's program
- B) The land has been surveyed in the past

21) Environmental impact

- a) Only a couple trees need to be removed
- B) No filling necessary
- C) No change to land except a couple tree's removed

22) Solid waste <sup>management</sup> ~~development~~ - Not necessary

23) Hazardous, Special and Radioactive materials -

a) No Hazardous materials will be used

B) No flammable or explosive materials will be used

25) Air quality

a) will be no type of discharge from site

B) will be no storage of hazardous materials

C) Not near a body of water

26) Water Quality

will not be any change to the air quality

26) Stormwater

will not be near any street or other businesses will not need stormwater drainage

27) Sedimentation & Erosion Control

a) No major development need on site

B) will not be near bodies of water

28) Noise - should not be any noise that will be heard by neighbors

I Nancy Soule Give William Panzino  
Permisson to use my property to store  
vehicles for the purpose to recycle

Nancy M Soule

**DEED OF DISTRIBUTION BY PERSONAL REPRESENTATIVE**  
**Maine Statutory Short Form**

**Know all Persons by these Present,**

That I, **MARY AVERY**, of Minot, County of Androscoggin and State of Maine, duly appointed and acting personal representative of the estate of Janet M. Shirley, deceased, whose will was duly admitted to probate in the Probate Court for Sagadahoc County, Maine, by the power conferred by law and every other powers (in distribution of the estate) grant to:

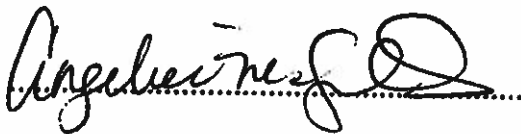
**NANCY SOULE**

whose mailing address is 7 Daisy Drive, Freeport, ME 04032, being the person entitled to distribution, the real property, together with any improvements thereon, situated in the Town of Bowdoinham, County of Sagadahoc and State of Maine, bounded and described in the Exhibit A attached hereto and made a part hereof.

Witness my hand and seal this                      day of August 2012.

Signed, Sealed and Delivered  
in the presence of

ESTATE OF JANET M. SHIRLEY, by



  
MARY AVERY, P.R.

STATE OF MAINE  
County of *Androscoggin*

August 17<sup>th</sup>, 2012

Then personally appeared before me the above named Mary Avery, in her said capacity and acknowledged the foregoing instrument to be her free act and deed.



Notary Public  
Printed Name: *Heidi L. Hersey*  
HEIDI L. HERSEY

Notary Public, Maine  
My Commission Expires March 26, 2016

Received  
SAGADAHOC COUNTY MAINE  
JUDITH E STEVENS  
REGISTRAR



# STATE OF MAINE

(SEAL OF COURT)  
SAGadahoc

COUNTY PROBATE COURT

Bath  
Location of Court

DOCKET 2009-210

Estate of Janet M. Shirley CERTIFICATE AND ABSTRACT

To the Register of Deeds of Sagadahoc County

An estate has been opened in this court for the above named decedent. The following facts apply to this estate according to the probated will or the petition or application was made or both.

Date of decedent's death 04/19/2008

- 1. Did decedent leave a will?  YES  NO
- 2. If item one is YES, will was probated  FORMALLY  INFORMALLY
- 3. If item one is YES, date of most recent probate of the will was October 27, 2009
- 4. If item 2 is answered FORMALLY, was there previous informal probate of the same will?  YES  NO
- 5. If the will was previously probated informally, was that informal probate certified to the Register of Deeds of the county to which this certificate is directed?  YES  NO
- 6. Has a petition for elective share been filed? (If YES, attach copy.)  YES  NO
- 7. Has a personal representative been appointed?  YES  NO
- 8. If item 7 is YES, date of appointment was October 27, 2009
- 9. If item 7 is YES, appointment was  FORMAL  INFORMAL
- 10. If item 7 is YES, give names and addresses of personal representatives.

Mary Avery  
74 Shaw Hill Road  
Minot, ME 04258

WARRANTY DEED  
Joint Tenancy

02976

Know all Men by these Presents,

That JOHN C. WIESE AND CHRISTINE M. WIESE of North Kingston, RI, in consideration of one dollar and other valuable considerations paid by CECIL J. SHIRLEY AND JANET M. SHIRLEY whose mailing address is 94 Seavey St., Westbrook, ME, the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell convey unto the said CECIL J. SHIRLEY AND JANET M. SHIRLEY as joint tenants and not as tenants in common, their heirs and assigns forever,

A certain lot or parcel of land together with the buildings thereon situated in said Town of Bowdoinham, County of Sagadahoc, and State of Maine, bounded and described as follows: On the east by land of Henry and Christine Densmore; on the south by land of said Densmore; on the north by land of E. LeBel; on the West by the Carding Machine Road, so-called, reserving the cemetery on said land and the right of way leading to it.

Meaning and intending to convey and hereby conveying the same premises conveyed to John C. Wiese and Christine M. Wiese by deed of Raymond W. DeMarchant and Alice Small DeMarchant, dated March 26, 1981, and recorded in the Sagadahoc County Registry of Deeds in Book 572, Page 83.

To have and to hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said CECIL J. SHIRLEY AND JANET M. SHIRLEY as joint tenants and not as tenants in common, their heirs and assigns, to their own use and behoof forever.

And we do covenant with the said Grantees, their heirs and assigns, that we are lawfully seized in fee of the premises, that they are free of all encumbrances; that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will warrant and defend the same to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, we the said JOHN C. WIESE and CHRISTINE M. WIESE joining in this deed as Grantors, and relinquishing and conveying all rights by descent and all other rights to the above described premises have hereunto set our hands and seals this 26th day of May, 1988.

Signed, Sealed and Delivered  
in presence of

*John C. Wiese*  
John C. Wiese  
*Christine M. Wiese*  
Christine M. Wiese

State of Maine

County of Cumberland, ss.

May 26, 1988

Then personally appeared the above named John C. Wiese and Christine M. Wiese and acknowledged the foregoing instrument to be their free act and deed.

Before me,

*Christine E. Tanguay*  
Notary Public  
CHRISTINE E. TANGUAY  
NOTARY PUBLIC MAINE  
MY COMMISSION EXPIRES OCTOBER 4, 1991



STATE OF MAINE  
SAGADAHOC, SS Registry of Deeds  
RECEIVED MAY 27 1988  
AND RECORDED FROM THE ORIGINAL  
ATTN:

*Lauren L. Matthews*

TRANSFER TAX PAID

AT  
Sagadahoc County  
Registry of Deeds  
27 May 1988  
2:29 PM  
27 May 1988