



TOWN OF GRAY
PLANNING BOARD
AGENDA • JANUARY 13, 2022

**Planning Board
Regular Meeting**

Online Via Zoom Videoconferencing
<https://us06web.zoom.us/j/83932048023>

7:00 PM

I. MEETING COMMENCES

- Roll Call
- Election of Chair and Vice-Chair
- Elevate one or more alternate members to voting members for Jan. 13, 2022 meeting

II. MINUTES APPROVAL

- a. Meeting Minutes of Regular Planning Board Meeting, Nov. 18, 2021, 7 p.m.

III. INFORMATION EXCHANGE

- a. Circle K conditions of approval follow-up
- b. Bruns Bros.: Change to alignment of building expansion
- c. Self-storage ordinance: town council discussion
- d. ISM (turnpike bypass) solar project fencing poles
- e. Garrison Woods subdivision lot combination: Plan to sign

IV. NEW BUSINESS

- a. Sketch Plan Review/ Pre-application Conference:

Scott Liberty, dba as Odessa Properties LLC, represented by JP Connolly of DM ROMA Consulting Engineers, is seeking Planning Board input for a proposal to create two lots on his property at 100 and 104 Lewiston Road, in the Commercial Zoning District. One lot is proposed for commercial development of self storage units, while a second would be for a single-family residential use. The 4.35-acre parcel was divided into two lots in 2020, located at Map 28, Lots 26-2 and 26-2-1. This proposal is subject to minor subdivision review and site plan amendment review.

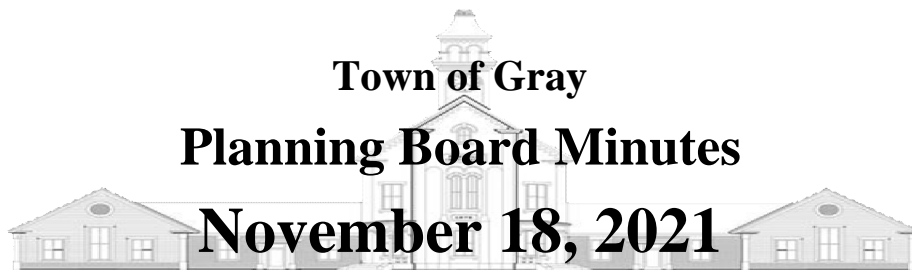
V. PUBLIC HEARINGS

a. Cambell Shores Subdivision Amendment

A request by Kristin Stanley, represented by Tom Noonan, for an amendment to an approved subdivision, to divide an existing 12-acre lot at 55 Cambell Shore Road, Tax Map 56, Lot 017-028-000 in the Cambell Acres/Cambell Shore Road/Jenny Drive subdivision, into three lots. The parcel is located in the Rural Residential & Agriculture Zoning District. The proposal is subject to minor subdivision plan review.

VI. ADJOURNMENT

** The Town of Gray is an equal opportunity employer and complies with all applicable equal access to public accommodations law. If you are planning to attend a Town Council or Town committee or board meeting and need assistance with a physical disability, please contact the Town Manager's office at least 48 hours in advance of the meeting to have the Town assist you. 657-3339. TTY 657-3931.*



Town of Gray
Planning Board Minutes
November 18, 2021

Regular Meeting

Henry Pennell Municipal Complex
 24 Main Street, Gray, ME 04039

7:00 PM

I. MEETING COMMENCED AT 7:02pm

This meeting took place virtually.

a. Roll Call

Attendee Name	Title	Status
Dan Cobb	Chair	Present
Catherine Caswell	Board Member	Present
Tamara Lee Pinard	Board Member	Present
Kiersten Scarpati	Board Member	Present
Andrew Watson	Alternate	Absent
Emanuel (Manny) Archibald	Alternate	Present
Doug Webster	Community Development Director	Present
Kristen Muszynski	Town Planner	Present
Dan Maguire	Town Council Liaison	Present

b. Elevate an alternate member into the vacant full member seat.

Motion to appoint Manny Archibald as a voting member for this meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Catherine Caswell, Board Member
SECONDER:	Tamara Lee Pinard, Board Member
AYES:	Cobb, Caswell, Pinard, Scarpati

II. MINUTES APPROVAL

a. Approve the Planning Board meeting minutes of October 21, 2021.

Motion to approve the Planning Board Minutes of October 21, 2021.

Catherine Caswell requested an edit to reflect she had been present, not absent, at the meeting.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Catherine Caswell, Board Member
SECONDER:	Kiersten Scarpati, Board Member
AYES:	Cobb, Caswell, Pinard, Scarpati, Archibald

III. INFORMATION EXCHANGE

- a. Planning Board Workshop of Nov. 18 2021: Avesta Meadowview major site plan review.
Public input provided from current Meadowview residents.

Chair Cobb provided an update regarding the Avesta workshop which happened prior to this evening's Planning Board meeting. Avesta wants to add a building to the site. Major topics of discussion included the number of units and traffic flow. No formal votes were taken. The applicant will present a formal application at an upcoming meeting.

- b. MSAD 15 Outdoor classroom structures

Town Planner Kristen Muszynski said she was contacted by MSAD 15. The school district wants to have outdoor classroom structures consisting of a roof and gravel base, located at all of the schools. This will provide outdoor learning areas. She said the size and use of these structures don't require full review, but she wanted the Planning Board to be aware of this request.

- c. Training/ Communications:

1. GPCOG session with Town Council, TBD in December

Kristen Muszynski said the hope is for this to happen sometime in December. Town Council Liaison Dan Maguire confirmed that a date has not yet been set. Councilor Maguire provided information that there has been a longstanding request to have a workshop between Town Council and Planning Board to discuss the relationship, roles, and responsibilities of the two groups. In the past, Planning Board members wanted this to happen in-person, but this was unable to happen due to the COVID situation. He asked current Planning Board members if they would prefer meeting face-to-face or via Zoom. Chair Cobb said he would prefer to meet in person. He also noted the previous urgency to meet is no longer as relevant due to changes of who is on the board. He would like a good agenda to be developed. Catherine Caswell agreed; she would like to meet in-person, have a solid agenda, and there isn't a rush. Town Planner Kristen Muszynski also prefers to meet in person. Chair Cobb will keep this on their list of upcoming items. Dan Maguire will get an outline of an agenda from GPCOG.

2. Maine Municipal Association live webinar, Dec. 8, 4-7:30 p.m.

Kristen Muszynski asked Planning Board members to notify Pam Edson if they are interested so they can be registered for this event. Chair Cobb encouraged participation for any board member who has not yet had this training.

IV. NEW BUSINESS

Dan Maguire informed the board that a new Minutes Recorder will be sought for Town Council, Planning Board, and ZBA. Peggy Brown will no longer have the availability due to her other work responsibilities.

Dan Maguire mentioned the Town Council is holding a retreat at Pineland from 9am-2pm if anyone from the board or the public wanted to attend.

Dan Maguire stated that the Town Council extended the timeframe for remote meetings so the December Planning Board meeting will be remote. Although it is not his preferred way to meet, they have had better participation from the public via Zoom. There is a total capacity of 21 people in council chambers due to social distancing. Therefore, meetings would have to be canceled and rescheduled if more people showed up. They are working on a hybrid model for Town Council, Planning Board, and ZBA meetings. Dan Cobb said he agrees with Dan Maguire and would prefer to meet in person, especially in order to be able to view large plans together by unfolding them on a table.

Chair Cobb announced that Catherine Caswell has resigned her position as a board member. Catherine Caswell said it is due to time and family, but she plans to be back in the future. She will stay through the month of December.

V. PUBLIC HEARINGS

a. Cureton Self Storage Site Plan Review

A request by Beth Cureton, represented by Jeff Amos of Terradyn Consultants, for site plan review for a proposed self-storage facility on 3.85 +/- acres located on properties currently owned by the Equity Trust Company (Custodian FBO Beth Ann Cureton Roth IRA) at approximately 119 Portland Road, as shown on Tax Map 59, Lot 31-10 & 31-14 in the Commercial Zoning District, with portions of the parcels in the Resource Protection Shoreland Zoning District. This project is subject to Site Plan and Conditional Use Review.

Jeff Amos was present for the meeting, representing the Curetons, who were out of state. He provided a comprehensive overview of the project, including information noted in the discussion items of the Planner's memo.

The plan is for 6 self-storage buildings. The site will not include an office, will not have employees, and there will be no water/septic on site. The buildings will be tan with forest green doors. The side facing the road will not have doors. A 6' black chain link fence will be installed. There will be a gate about 100' from the road with a keypad and the keypad code will be provided to all storage renters, as well as Fire/Rescue. There will be outside lighting which won't cause glare to the sky. The sign will be externally lit. Although there is lighting, there will be no outlets/plugs as they will be discouraging people from lingering; want them to just load and unload items. There will be no sprinklers. There will be prohibitions on what can be stored; no flammable materials will be allowed. They expect this to be a low traffic generator. According to their traffic manual, they expect nine peak hour trips on a Saturday.

They are planning maple and dogwood trees for screening. The applicants are willing to do more landscaping if the board prefers. There is a large wetland area on site which will require some alteration.

He provided details regarding stormwater drainage. He has just submitted his request for a DEP stormwater permit.

Mr. Amos said they are requesting a waiver of the Class B High Intensity Soil Survey since those are usually for stormwater buffers or septic designs, which they don't have for this project. He said the third-party engineer implied that was reasonable.

Additionally, they received engineering comments from Gorrill-Palmer and have addressed them. Due to the conflicting zoning ordinance language, they will have time to address Will Haskell's comments while they wait for Town Council to hopefully address the needed zoning language changes. They hope to have their DEP permits in a couple of months. At that time, they hope they can come back for approval if the ordinance language is adjusted by then. Once approved, they may come back in the future for an amendment to put a building on a gravel pad.

Mr. Amos addressed concerns of Alec Dodd regarding draining. Mr. Dodd feels a level spreader is necessary, but Mr. Amos disagrees. Additionally, Mr. Amos also doesn't think that additional parking or pedestrian ways are needed.

Town Planner Kristen Muszynski thanked him for his thorough overview. She noted the topics of parking and pedestrian ways are in the ordinance, so she had flagged them for discussion.

Kiersten Scarpati asked about the intent of the outdoor storage area. Mr. Amos said that is for campers, etc.

Tamara Lee Pinard addressed the concerns of Public Works Director Alec Dodd. Mr. Amos thinks Mr. Dodd misunderstood the underdrain with cap system they are proposing. Doug Webster provided more information based on a discussion he had with Alec Dodd, saying Mr. Dodd's issue was the manner to which the water gets into the drainage ditch as he doesn't like it entering directly into a roadside ditch and wants a level spreader. Jeff Amos will speak to Mr. Dodd.

Chair Cobb opened the Public Hearing at 7:48pm. There were no public comments, so it was closed at 7:48pm.

Chair Cobb went over the discussion points from page 7 of the Planner's Memo dated November 15, 2021.

1: No comments/concerns by the board members.

2: Catherine Caswell said this was non-applicable. Board members Scarpati, Pinard, Archibald, and Cobb agreed.

3: Catherine Caswell said this was non-applicable. Board members Scarpati, Pinard, Archibald, and Cobb agreed.

4: Dan Cobb said the applicant will discuss this directly with the Town's consulting engineer.

5: Board members Caswell, Scarpati, and Archibald were not sure how they felt about this. Tamara Lee Pinard thought it was a good idea. Dan Cobb did as well and said the applicant should work out a solution with Doug Webster and Kristen Muszynski. Mr. Amos said they are fine with waiting for solution on this as they need to wait for ordinance language solution in the meantime.

6: Catherine Caswell said no since there is no human element involved. Board members Pinard, Archibald, and Cobb agreed. Board member Scarpati was unsure, not sure if there were standards to follow.

7: Dan Cobb opened this discussion as there were specific questions north of the property line, etc. Catherine Caswell lives nearby and said this applicant is offering more than a nearby property and thinks this is enough buffering. Kiersten Scarpati said this is more than others had been required to have. Tamara Lee Pinard said she is always in favor of more trees. Jeff Amos suggested they add more in the front left corner. Manny Archibald would also like more trees. Dan Cobb would like to see more plantings in the corner.

Dan Cobb inquired about the elevations in terms of buffering needs/view from the road. He would also like the back of the building which faces the road to include faux windows or some other architectural item to break up the large expanse of that building. Jeff Amos will talk to the applicant who he suggests will be agreeable; he will have more information in time for the final approval.

b. 31 Main Street Site Plan Amendment

A request by Kurt Johnson for an amendment to an approved site plan for the establishment of a personal services use for a barber shop at his property at 31 Main Street, Tax Map 35, Lot 403-026. The parcel is located within the Village Center Proper zoning district and is subject to minor development site plan review.

Mr. Johnson was present. His plan is to have a barber shop move into the building. He has received a variance from the Zoning Board of Appeals for this second use in his office building. He has now encountered a stumbling block with parking and buffering so this is before the Planning Board tonight. He hopes the Planning Board won't require all the additional parking spaces. He may provide them anyway, but there is an issue with the dogleg section of his property and some of the parking would actually be encumbering the town's abutting property. He also requested the Planning Board not require more buffering as the lot has been there for over 30 years without more buffering.

Town Planner Muszynski explained the Planning Board needs to weigh in on the parking and buffering. Doug Webster explained that historically, buffering has not been on site. This went to ZBA. It is specified in the ordinance to have a required lot size for each type of use, so it technically requires 20,000 sq. ft. of space for each use. Mr. Johnson explained he was planning to bring in reclaim to make it a firmer foundation than just sand. He showed his plan which illustrated lighter gray areas of existing parking and dark gray areas of proposed parking to meet the requirement of 17 spaces. However, the lot line goes across the current parking area so technically five parking spots are not on his property.

Kristen Muszynski said the barber shop will have two chairs but both barbers, Ginny and Jade, won't always be there at the same time. Doug Webster said the parking for the current use appears adequate and the board can't greenlight parking on property the applicant doesn't own. The Town Council may straighten out the property line when they address the Village Gateway property, but that is up to them. He recognizes that historically there hasn't been much buffering on three sides. He doesn't think adding more reclaim would be a good option. Dan Cobb agreed.

Chair Cobb opened the Public Hearing at 8:20pm. There were no comments, so he closed the Public Hearing at 8:21pm.

The board discussed buffering. Manny Archibald thought landscaping, not necessarily buffering, would look nice. Catherine Caswell said the parking is fine. Goal is to build up downtown and make it pedestrian-friendly. She suggested the possibility of requesting future buffering after we know what happens with the town property. Dan Cobb said due to change of use, this application was triggered which provides a good opportunity to address buffering. He didn't think it was necessary to ask for extensive buffering, however, as this is not a new-build project. He prefers a combination of not requiring more parking but getting some buffering. He doesn't want a lot of gravel.

Doug Webster said he and Kristen Muszynski explored other options regarding future landscaping. He suggested the board could consider the applicant putting money in escrow for landscaping once the town determines use of the Village Gateway property. He also suggested buffering could happen with a fence, not just plantings. Dan Cobb was not in favor of a fence.

Mr. Johnson didn't think it made sense to have to dig up existing asphalt to plant things. He has tenants to pay the mortgage so if this is going to cost thousands of dollars, he won't continue his application. He said if the town fixes the dogleg property line issue and deeds that over to him, he would be willing to landscape that area and asked if the board was in favor of that.

Dan Cobb said they need to consider the application in front of them. The applicant is looking to fill a space, and this is low impact. He would like to bring businesses to town without a lot of red tape. He doesn't think it makes sense to tear up pavement to plant something. He suggested moving this along to get it approved. Catherine Caswell suggested waiving the parking and buffering as she is more interested in bringing services to town center. Board members Scarpati and Pinard agreed. Manny Archibald also didn't want to hold up the application for small concerns.

The board discussed the draft motion and determined they would indicate eight parking spaces with an area reserved for seven more if needed. Dan Cobb said they will strike #3 regarding buffering.

Motion: The Planning Board approves a request by Kurt Johnson for an amendment to an approved site plan for the establishment of a personal services use for a barber shop at his property at 31 Main Street, Tax Map 35, Lot 403-026. The parcel is located within the Village Center Proper zoning district and is subject to minor development site plan review.

1. The project shall be constructed, operated, and maintained in accordance with the plans, submissions and testimony presented to the Planning Board by the applicant and its representatives.

2. All prior applicable standards and conditions of approval remain in effect.

~~3. (Placeholder) The applicant will install landscaping along the Main Street road frontage and the north and rear property lines, as a buffer for the parking area.~~

4. (Placeholder) The applicant will provide ~~15~~ 8 parking spaces at this time, with area reserved for ~~two~~ seven additional spaces, to be built out as needed.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Tamara Lee Pinard, Board Member
SECONDER:	Catherine Caswell, Board Member
AYES:	Cobb, Caswell, Pinard, Scarpati, Archibald

c. Garrison Woods Amendment to Approved Subdivision

A request by Jeremy Brown for an amendment to an approved subdivision, to combine lots 4 and 5 in the Garrison Woods subdivision into a single lot for residential use, Tax Map 47, Lot 318-10, sublots 4 and 5. Mr. Brown owns and resides at 16 Garrison Woods Road (Lot 4) and also owns the abutting vacant lot (Lot 5). The parcels are located in the Lake Zoning District. A portion of the subdivision is located in the Limited Residential Shoreland Zoning District.

Jeremy Brown was present. He said he is seeking to add a cold storage garage so he merged both lots due to setbacks requirements/subdivision covenants. Town Planner Muszynski said Mr. Brown has met requirements by getting signatures from Homeowners Association members.

Chair Cobb opened the Public Hearing at 8:55pm. There were no public comments, so he closed the Public Hearing at 8:55pm.

Chair Cobb said discussion point #1 (page 10 of Planner’s Memo dated November 15, 2021) made sense to include a note on the updated plan filed with the Cumberland County Registry of Deeds. Doug Webster said having that note would be helpful. Also, due to the covenants, the applicant must secure right, title, and interest. He and Kristen Muszynski agree right, title, and interest has been met.

Motion: The Planning Board approves the application by Jeremy Brown for an amendment to an approved subdivision, to combine lot residential use, Tax Map 47, Lot 318-10, sublots 4 and 5, as depicted on the plan for Jeremy Brown by Survey Inc., dated October 2021. Mr. Brown owns and resides at 16 Garrison Woods Road (Lot 4) and also owns the abutting vacant lot (Lot 5). The parcels are located in the Lake Zoning District. A portion of the subdivision is located in the Limited Residential Shoreland Zoning District. This approval is subject to the following conditions:

1. The project shall be constructed, operated, and maintained in accordance with the plans, submissions and testimony presented to the Planning Board by the applicant and its representatives.

2. All prior applicable standards and conditions of approval remain in effect.

3. Prior to Planning Board members signing their approval, a revised plan complying with Cumberland County Registry of Deeds requirements shall be submitted to town staff.

4. The applicant is responsible for meeting all requirements of the subdivision’s civil deed covenants, including obtaining any necessary approvals from, and providing notification to, the homeowner’s association and road association, as well as filing subdivision changes with the Cumberland County Registry of Deeds.

5. Any future proposal to separate the combined lots would require Planning Board approval, and this will be noted on the revised plan as filed with the Cumberland County Registry of Deeds.

RESULT:**APPROVED [UNANIMOUS]****MOVER:**

Emanuel Archibald, Alternate

SECONDER:

Kiersten Scarpati, Board Member

AYES:

Cobb, Caswell, Pinard, Scarpati, Archibald

d. Shoreland Zoning Permit Review - Proposed New Road

A request by Michael & Jennifer Doten to construct 1,000 +/- feet of new road beginning near 332 Ramsdell Road and ending near 344 Ramsdell Road on property owned by the Dotens (Map 25, lot 8-1-4) and the Estate of Dennis Durgin/Cynthia Rogers (Map 25, lot 8-1) in the Lake and Limited Residential (Shoreland) zoning districts. The project requires a Shoreland Zoning Permit issued by the Planning Board and meeting town-wide erosion & sedimentation standards in Section 402.6.10 of the zoning ordinance.

Michael Doten was present. He said he has a deeded easement to extend the new road onto the new section. He has met with abutters who feel it is appropriate. He did a walk-through with Doug Webster, Kristen Muszynski, an engineer, and George Froehlich of Code Enforcement. He is doing this change due to safety issues of the road. He wants to protect his family. He noted George Froehlich almost got hit while they were on site.

Doug Webster explained Mr. Doten will ask the Town Council about winter maintenance. This is before the Planning Board due to road construction in a shoreland zone and erosion/sedimentation issues. He said if the Planning Board wishes to do a site walk, he recommends this be scheduled before there is snow on the ground. He wanted this to be in front of the Planning Board tonight to determine if the board wants to schedule a site walk. He said Mr. Doten intends to seek Town Council input on his project and then Planning Board approval once his plans are finalized. He is also obtaining survey information from Wayne Wood and his own engineer.

Chair Cobb noted his surprise that this was scheduled as a public hearing right away and inquired if proper notifications had been done on this project. Mr. Webster said all abutters of the proposed road were notified, along with some other residents on Ramsdell Road. He wanted to get known elements on the table so Mr. Doten can move forward.

Chair Cobb was quite uncomfortable moving forward and holding a public hearing without notifying the road association which is a huge stakeholder. Mr. Doten said he is the Treasurer of the road association, and he has brought up this issue with the association.

Mr. Webster noted most of Ramsdell Road is not owned by lot owners; there are various easements. He said many are not referred to as metes and bounds but rather just by size. A surveyor is working on the lot lines. There is work underway about right, title, and interest, but they wanted to know about the board's preference as to whether or not a site walk would be requested.

Mr. Doten said he is simply relocating the road on his own land. It will be bigger and wider. He said he isn't stopping anyone from traveling on the current road until the new one is done. He said he doesn't understand the legality of these concerns/this process. Mr. Cobb said he wants to make sure all proper people are notified. Mr. Doten said that might be 65 or more people and asked if that was really necessary, to which Mr. Cobb explained the town is required to notify all proper people about a public hearing.

Mr. Doten said he is upgrading the road to a better situation and doesn't understand why that needs to be done. Mr. Cobb used an example to help clarify to Mr. Doten that if someone else built something or installed, for example, jersey barriers, wouldn't he have liked the opportunity to weigh in on the matter?

Mr. Cobb stated he did not feel the town had done all proper notifications. Mr. Webster said the public hearing was advertised in the paper and those located along the entirety of the new road received a letter from the town.

Mr. Cobb proposed they schedule a site walk. He said his preference is to not get into discussions without further notifications and the site walk. He said he would provide the opportunity for the public to speak if they have been waiting during this meeting and have any comments. The board scheduled Tuesday, November 30th at 3pm for the site walk. Mr. Webster noted if the date and time for the site walk are set during this meeting, they will not have to put an ad in the paper about it.

Chair Cobb opened the meeting to public comments.

Alex Rogers, resident of 203 Center Road, spoke. He said he is an abutter and his mother and another family member are also abutters. He thinks Mr. Doten’s intent is good and agrees with the plan. He would like to see the improvements go further, but understands that would be cost prohibitive.

There were no other public comments, so Chair Cobb closed the Public Hearing at 9:40pm. He requested a motion to table this until the next planned meeting, pending the site walk. He said Mr. Doten doesn’t have to be held to that December meeting time frame, he can return at a later meeting if necessary, when he is ready.

Motion: The Planning Board tables this discussion until the next planned meeting in December, pending site walk.

RESULT:	TABLED [UNANIMOUS]
MOVER:	Catherine Caswell, Board Member
SECONDER:	Emanuel Archibald, Alternate
AYES:	Cobb, Caswell, Pinard, Scarpati, Archibald

VI. ADJOURNMENT

Motion to adjourn at 9:43pm

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tamara Lee Pinard, Board Member
SECONDER:	Catherine Caswell, Board Member
AYES:	Cobb, Caswell, Pinard, Scarpati, Archibald



**First Settled
1738**

Town of Gray

24 Main Street
Gray, Maine 04039

www.graymaine.org

communitydevelopment@graymaine.org

NOTICE OF DECISION

September 24, 2020

TO: Mac's Convenience Stores, LLC
d/b/a Circle K
935 E. Tallmadge Ave
Akron, OH 44310

Henry Hanson
4 Colley Hill Road
Gray, ME. 04039

CC: Scott Dvorak, Code Enforcement
Alec Dodd, Public Works
Robert Wellert, Wellert Corporation
MDOT
File

FROM: Kathy Tombarelli, Town Planner
Community Development Department

RE: Amendment to Site Plan & Shoreland Zone Permit for
Relocation of North Raymond Road Access and a new parking area.

ZONING: Limited Commercial & Resource Protection (Shoreland Zones),
Rural Residential & Agricultural
Tax Map 13, Lots 101-1 (253 Shaker Road) & 101-3 (3 North Raymond Road)

Dear Applicants,

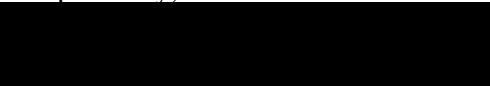
This letter is to notify you that at the Planning Board meeting held on September 10, 2020 at 7:00 PM, the Board, voted 5-0 to take the following action:

Moved to approve the request by Mac's Convenience Stores, LLC d/b/a Circle K and Henry T. Hanson for a Shoreland Zone Permit and an Amendment to a previously approved Site Plan to allow for the relocation of the existing curb cut from the Circle K site on North Raymond Rd. further west and add a new parking area with the following findings of fact and conditions of approval:

1. The project shall be constructed, operated, and maintained in accordance with the plans, submissions, and testimony presented to the Planning Board by the Applicant.
2. The existing curb cut on North Raymond Road is located on Map 13, Lot 101-1 and the proposed curb cut is located on Map 13, Lot 101-3 (3 North Raymond Road) in a Limited Commercial (Shoreland), Resource Protection (Shoreland), and Rural, Residential & Agricultural Zoning Districts.
3. The project results in an overall decrease in the impervious surface cover and an increase in the stream buffer.
4. The new access drive around the northeasterly side of the store is contingent upon the Maine DOT transferring land to the applicant or granting an easement across land located in the Right-of-Way.
5. The low mound and landscaping shown in the Right-of-Way is subject to Maine DOT approval. The applicant is responsible for the installation and maintenance of all landscaping on the plan in coordination with MDOT.
6. All applicable conditions of approval from previously approved Site Plans remain in effect.
7. The two parcels 013-001-001 & 013-001-003 are to be merged after transfer of title per the submitted Purchase & Sale agreement.
8. The Planning Board agrees that the existing access on North Raymond Road can be utilized through November 15, 2020 while the new access and parking area is being constructed. If the new access is not completed and/or the existing access is not closed in accordance with the approved plan by November 15, 2020 the Town will close the currently existing access. Only base paving will be allowed after October 31, 2020. If final pavement cannot be accomplished to industry standards by October 31, 2020, final pavement will be required to be completed as soon as weather permits in the Spring.
9. The Planning Board agrees that the plan meets the criteria in 403.16.D.1-8 (Shoreland Zoning) for the purposes of issuing a the Shoreland Zone Permit.

The minutes from this meeting are available on the Town's website, www.graymaine.org in the meeting portal, and are also available on file at the Town Hall, 24 Main Street.

Respectfully,



Kathy Tombarelli
Town Planner



TOWN OF GRAY

Henry Pennell Municipal Complex
24 Main St, Gray Maine 04039
www.graymaine.org

COMMUNITY DEVELOPMENT

Kristen Schulze Muszynski
kmuszynski@graymaine.org
(207) 657-3339 x 114

November 29, 2021

TO: RoseAnn Hammock
Real Estate Property Manager
Circle K Stores Inc./Mac's Convenience Stores LLC
North American Property Management
3802 Corporex Park Drive, Suite 200
Tampa, FL 33619

CC: Diane Rioux, Circle K
Dave Lambert, general contractor/landscaping
Andrew Daggett, Circle K
Richard Schmitt Sr., Circle K
Brian Keezer, MDOT project manager

FROM: Town Planner Kristen Muszynski

RE: Conditions of approval

Ms. Hammock:

I am writing on behalf of the Town of Gray to follow up on the conditions of site plan approval (attached) for the relocation of the curb cut for the Circle K property at the intersection of North Raymond Road and Shaker Road in Gray, Maine.

We recently reviewed the site upon notification that the landscaping work had been completed, and we have identified some aspects of the site that are not in compliance with the conditions of site plan approval, as issued by the Town of Gray Planning Board Sept. 10, 2020.

The landscaping plan calls for a "low mound approx. 2 feet high" along the North Raymond Road street frontage, with plantings that grow to 2-3 feet in height. The intent of this buffer is to block headlights from vehicles on the Circle K property from impacting motorists on North Raymond Road.

Upon inspection this week, we found that while the plantings are in conformance with the landscaping plan, the designated 2' mound area is not built up. The area marked for mounding is no higher than the curb, which is insufficient to provide the desired buffering of CircleK customer headlights for North Raymond Road motorists. (Reference: Condition of approval #5).

We understand that the MeDOT has limited the height of plantings and fill to 42" from the pavement surface *within the right of way*, and required no plantings within 15' of the white line

from Route 26 or 10' of the white line from North Raymond Road. Our review shows that those criteria have been met, with those areas kept clear of plantings.

The 2' mound described on the landscaping plan is outside of the ROW, along the interior CircleK throughway, and is not impacted by these MeDOT restrictions.

In a Nov. 6, 2020 email to former Town Planner Kathy Tombarelli, Gaftek Inc. Vice President Jim Mullin stated, "Our intent is to build up the loam berm as called for on the drawings and cover it with bark mulch to address any erosion concerns over the winter and then come back in the spring to landscape the two areas that show landscaping on the drawings."

It is unclear if the berm (mound) was ever installed or if it was diminished or destroyed during the winter of 2020.

If installation of a 2' mound is prohibitive at this point in the season, or would damage the recent plantings, perhaps additional plantings of a greater height can be added in that area, either before this winter or come next spring to achieve the same purpose of screening. We are open to discussing the options to achieve this buffering/screening goal in that area.

In addition to the landscaping plan, we have identified two additional conditions of approval that are not yet in compliance:

- We do not have record of the required merger of the two lots on which the business operates. (Reference: Condition of approval #7).
Per the September 26, 2019 Planning Board Notice of Decision, "in the event that the properties do not merge, the applicant will be required to return to the Planning Board for site plan amendment concerning the Hanson property."
- Parking along the curve radii adjacent to Shaker Road and North Raymond Road, which was explicitly eliminated in the site plan of 2007 and is not shown on the 2020 site plan, is currently being allowed, with two spaces formally marked on the pavement and additional parking taking place in front of those. These marked spaces should be eliminated in accordance with the existing site plan and the area should be marked "no parking." (Reference: Condition of approval #6 and final approved site plan).

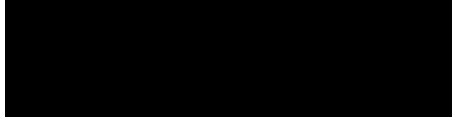
The parking spaces eliminated in the 2007 plan apparently were created again prior to 2020. The planner's memo for the Sept. 10, 2020 Planning Board meeting references the spaces, noting that in the newly submitted site plan, "they have relocated the awkward parking spaces that were along the curve radii adjacent to Shaker Road and North Raymond Road to a new 5-space parking area behind the store."

Notably, correspondence between the town and Circle K engineer Robert Wellert also references the applicant's request for two-way traffic circulation around the northeast corner of the store. Site plans submitted to the town July 1 show a 24' width to accommodate two-way traffic. The town subsequently advocated on the applicant's behalf before MeDOT to provide an easement that would allow the necessary width to accommodate this traffic flow. The easement was granted, per agreement between the

applicant, town and MeDOT, but we now find that the two -way traffic is not accommodated due to the installation of these parking spaces.

Thank you for your attention to these matters and we look forward to finalizing the compliance process with you for this property. If you have any questions or would like to discuss further, please do not hesitate to contact me at 207-657-3112.

Sincerely,



Kristen Muszynski
Town Planner

NORTH RAYMOND RD

LOW MOUND AND LANDSCAPING IN RIGHT-OF-WAY SUBJECT TO MAINE DOT APPROVAL

LOW MOUND APPROX. 2' HIGH

TM 13 LOT 101-3

AREA =
15,926 S.F. ±
0.37 ACRES ±

S60°17'12"E
144.71'

N11°08'56"E
108.15'

DRAINAGE SWALE

(5) C

(7) A

(7) D

(3) B

(7) C

(3) B

(8) D

(7) A

(7) C

EM 10

(3) B

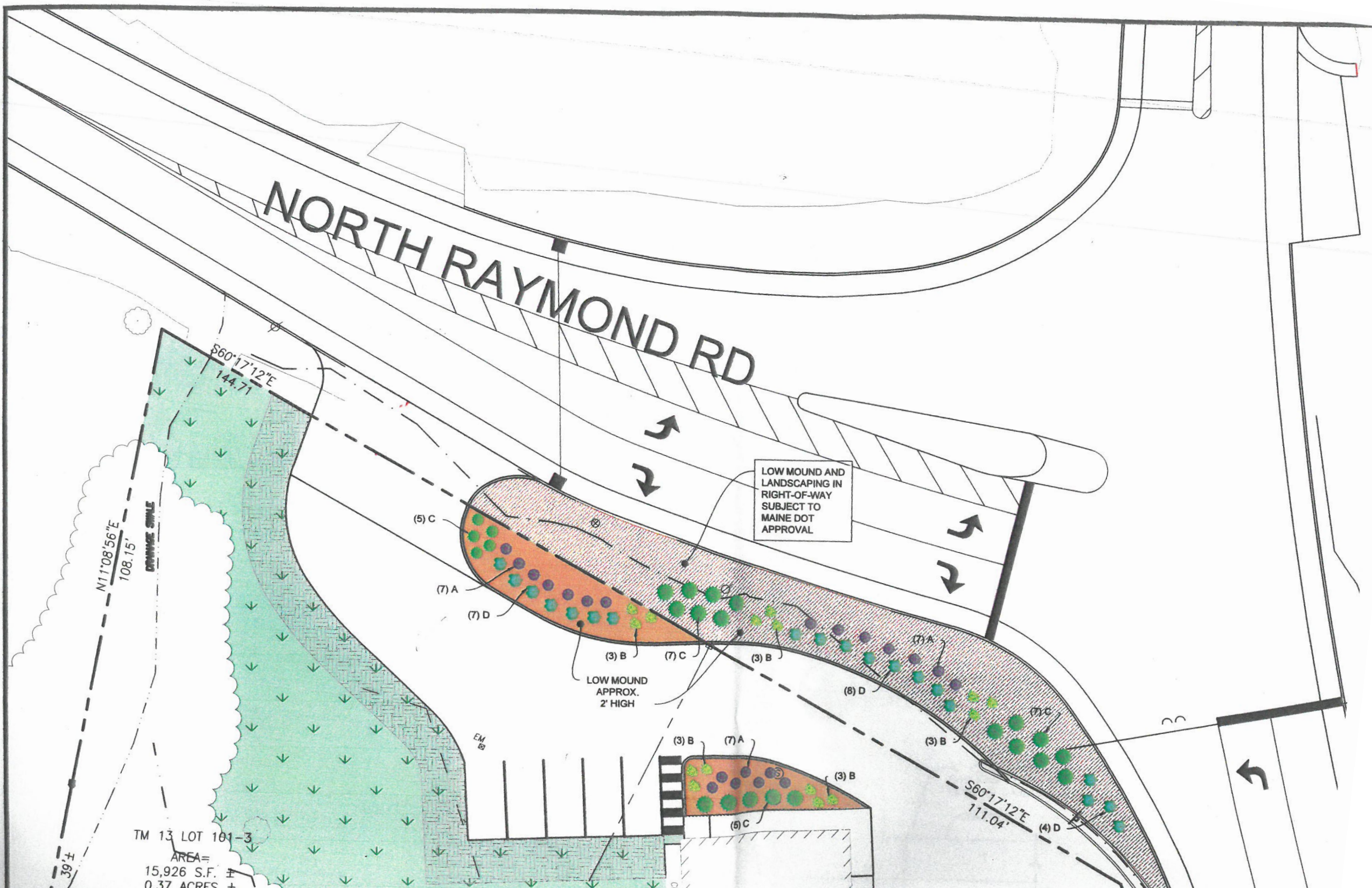
(7) A

(3) B

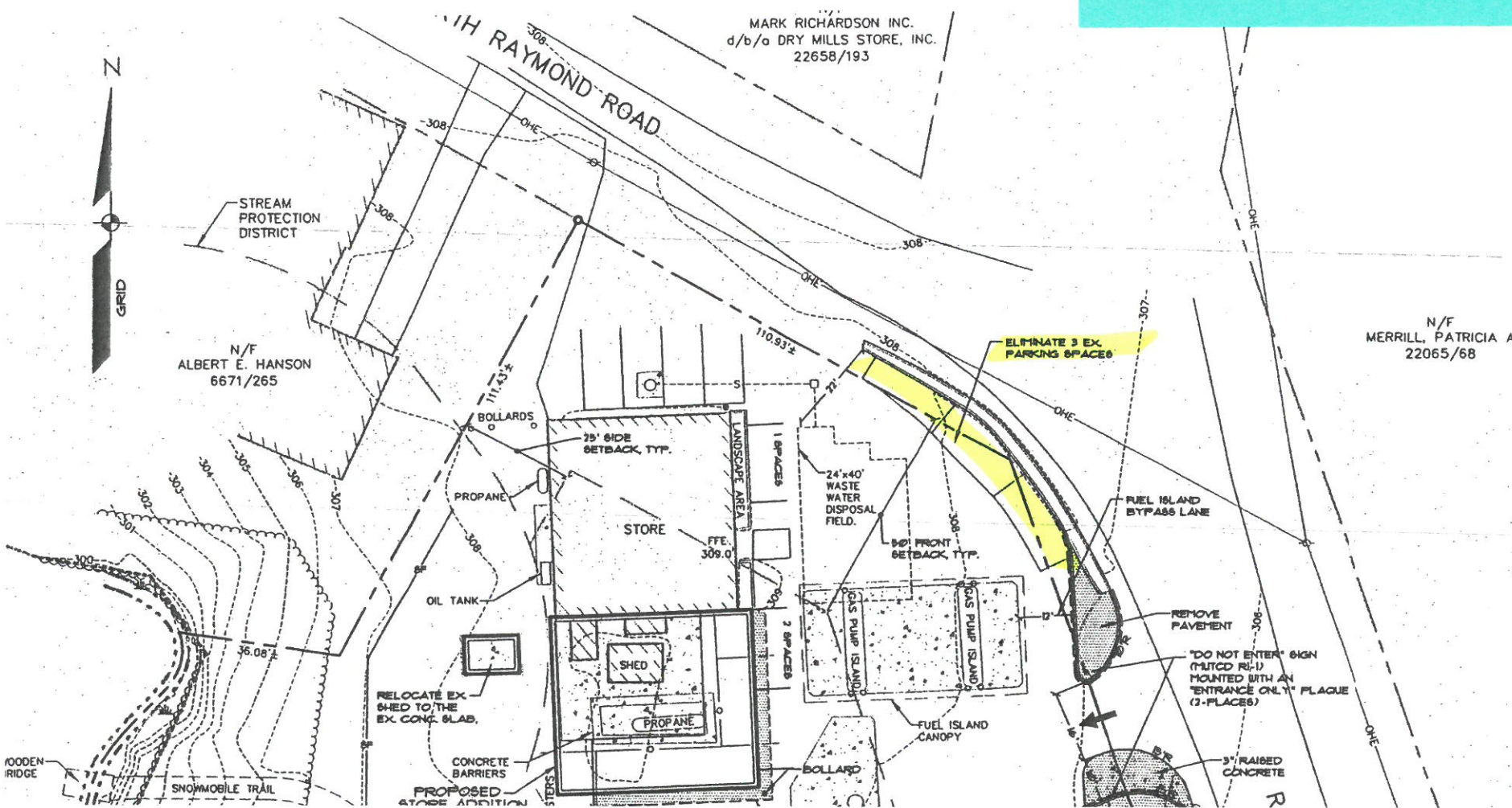
(5) C

S60°17'12"E
111.04'

(4) D

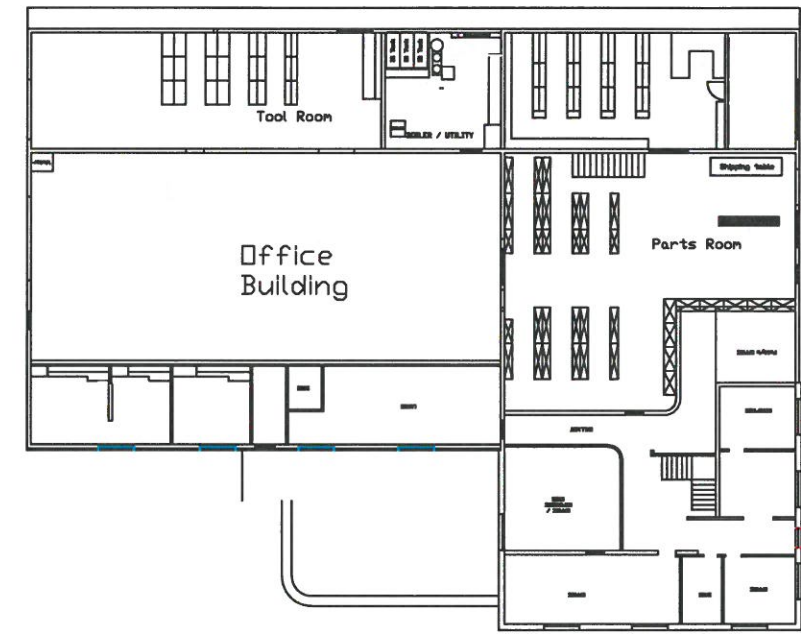
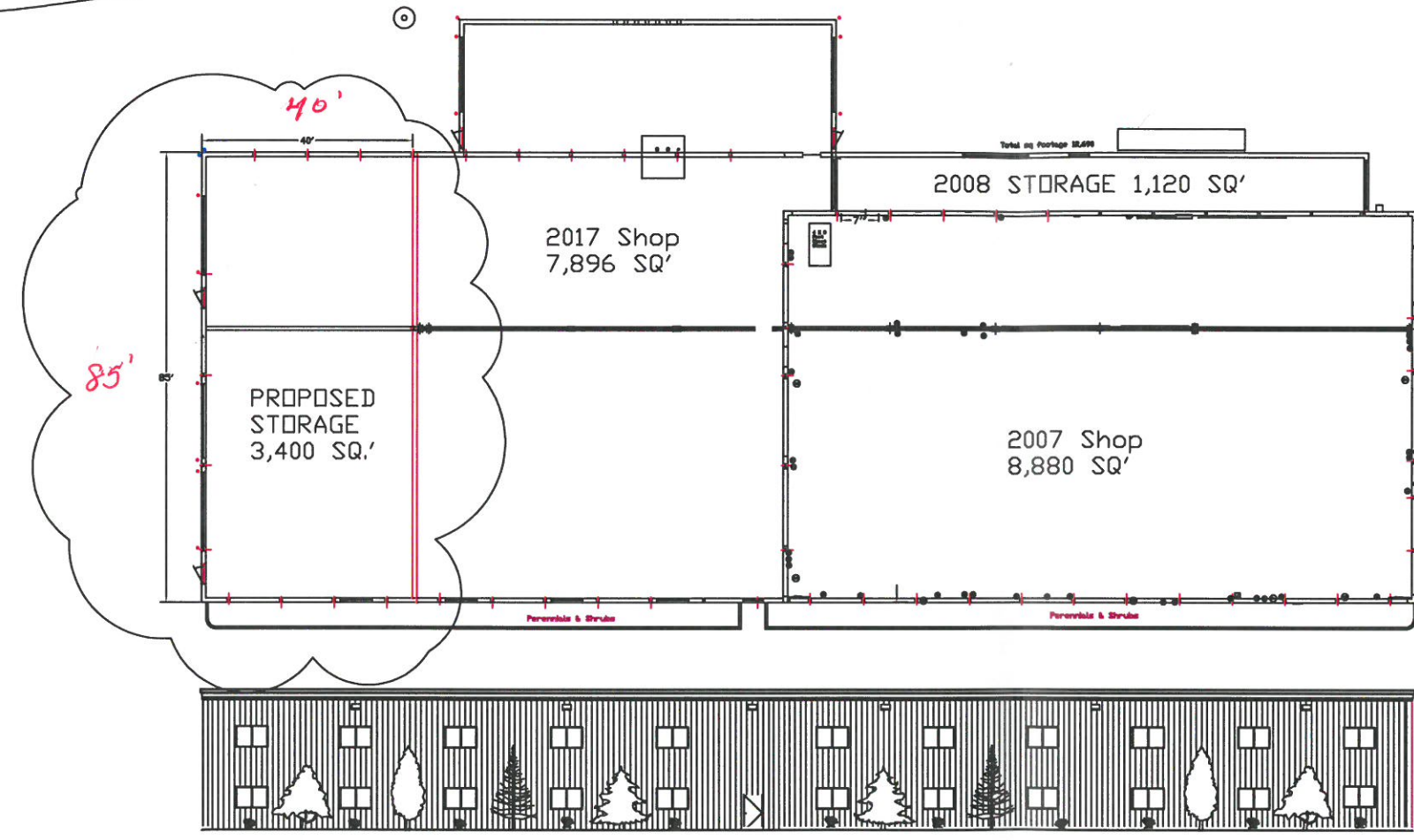


CoA #1
2007 plan
shows removal of
parking spaces



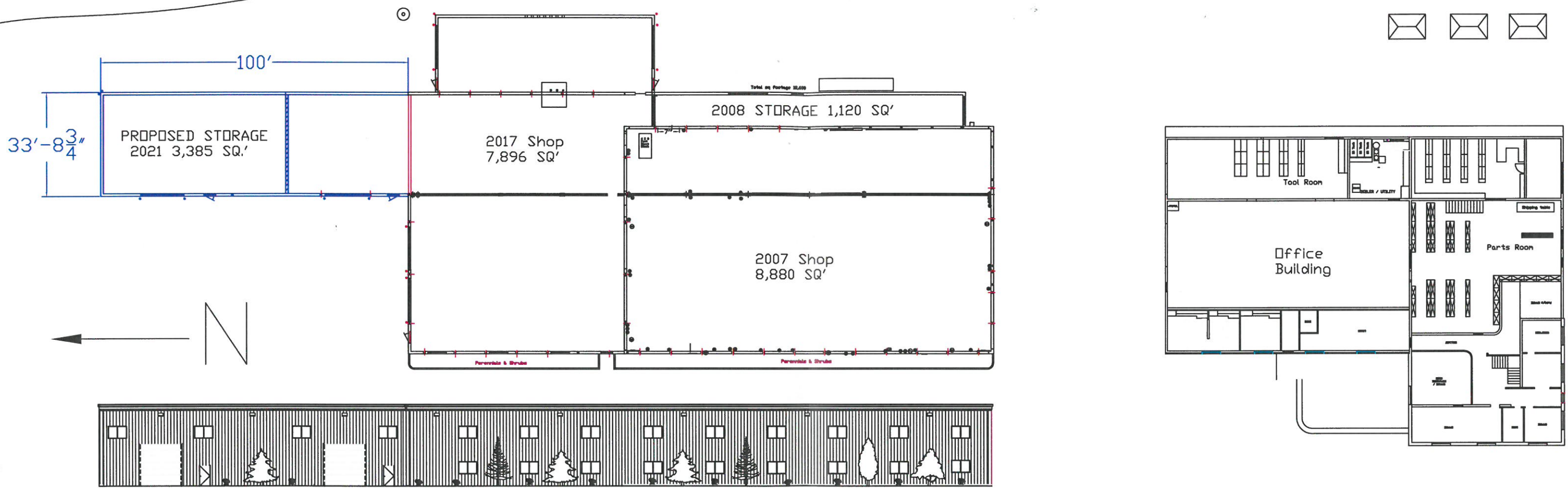
TRENDS
REATMENT

Scale 1/32"=12" Site Plan For Bruns Properties LLC Addition



PORTLAND ROAD

Scale 1/32"=12" Site Plan For Bruns Properties LLC Addition



PORTLAND ROAD



TOWN OF GRAY

Henry Pennell Municipal Complex
24 Main St, Gray Maine 04039
www.graymaine.org

COMMUNITY DEVELOPMENT

Kristen Schulze Muszynski
kmuszynski@graymaine.org
(207) 657-3339 x 114

NOTICE OF DECISION

October 26, 2021

TO: Mr. Robert Emerson
Bruns Properties LLC
175 Portland Road
Gray, ME 04039

Mr. Kenneth Bruns and Mr. Michael Bruns
Bruns Properties LLC
175 Portland Road
Gray, ME 04039

FROM: Kristen Muszynski, Community Development Department

RE: Bruns Properties LLC
3500 sq. ft. addition (manufacturing/processing use)
175 Portland Road
Tax Map 59, Lots 36-25 & 21
Contract Zoning District (formerly Commercial/ partial Shoreland)

Dear Mr. Emerson,

This letter is to notify you that the Town of Gray Planning Board, at its meeting held on October 21, 2021, voted unanimously to take the following action:

Moved to approve the application by Bruns Bros. LLC, represented by Robert Emerson, for an amendment to an approved Site Plan for a 3,500 sq. ft. addition to an existing building for manufacturing/processing use on their property at 175 Portland Road, Tax Map 59, lots 36-25 & 21, owned by Bruns Properties LLC, in an established Contract Zoning Agreement approved by the Gray Town Council on November 1, 2016, as depicted on the submitted plans and documentation subject to the following conditions:

1. The project shall be constructed, operated, and maintained in accordance with the plans, submissions and testimony presented to the Planning Board by the applicant and its representatives.
2. All prior applicable standards and conditions of approval remain in effect.

3. The applicant is responsible for obtaining any necessary amendments to the MeDEP stormwater permit for the parcel and providing the code enforcement officer with a full copy of any changes.
4. In accordance with the submitted plan, the applicant will be adding a berm to the northerly portion of the property to screen parked commercial trailers from Portland Road.
5. The applicant will re-establish the buffer of woody vegetation with a total of 13 trees in planters installed along Portland Road, with particular attention to the northerly and southerly portions, and may consider trees that are more salt-tolerant. Plantings will be completed no later than July 4, 2022.
6. The property owner is responsible for taking steps to minimize adverse impacts of stormwater onto Long Hill Road.

With this approval, your next steps will be to apply for the necessary permits via our Code Enforcement office and to comply with these conditions of approval.

The minutes from this meeting will be available on the Town's website, www.graymaine.org in the meeting portal, and are also available on file at the Town Hall, 24 Main Street.

If you have any questions, please call me directly. Thank you.

Sincerely,

A black rectangular redaction box covering the signature of Kristen Schulze Muszynski.

Kristen Schulze Muszynski
Community Planner

December 1, 2021

TO: Nate Rudy, Town Manager
FROM: Doug Webster, Community Development
RE: Background information for Town Council consideration
Council Discussion Item: Self-Storage provision in Zoning Ordinance

Community Development staff would like to bring an ordinance change in the Zoning Ordinance forward for your consideration, regarding self-storage units. Self-storage is a conditionally permitted use in the respective zoning districts per the uses table in the current zoning ordinance.

The Planning Board has a pending proposal for a six-building self-storage facility near 119 Portland Road, with an associated outdoor storage area.

During review of this proposal, we noticed that our ordinance actually prohibits the approval of a typical multi-building self-storage facility:

- The zoning ordinance (Sect. 402.6.2 G-H) requires that only one principal building may be located per lot.
- Additionally, a self-storage facility is defined as “a structure containing separate storage spaces of varying size, leased or rented on an individual basis.”

In conferring with the town attorney on these points, she advised that we should pursue an ordinance change to amend the language.

While the zoning ordinance has been periodically updated, this provision was never noticed previously. In fact, a multi-building storage facility currently exists just down the road from the proposed new facility.

Community Development Director Doug Webster was integral in the zoning updates and notes that the language restricting a self-storage facility to a single building was inadvertent.

The language was repurposed from the previous zoning definition for “mini-warehousing,” which was an allowed use requiring site plan review in the commercial, business development, and business transitional-1 districts.

In the prior zoning ordinance, mini-warehousing was defined as “a structure containing separate storage spaces of varying size, leased or rented on an individual basis. Structures to be one story with direct access to paved driveways, distance between structures is to be at least 24 feet, outdoor storage is prohibited. Space is not to be used for anything other than storage.”

Thus, the previous definition included wording to acknowledge multiple structures, and there was no intention in the revision to limit such facilities to a single building.

An additional consideration that we propose to add back into the ordinance, within the definition of self-storage, is a provision to address outdoor storage. The old ordinance bans it outright,

while the current ordinance makes no mention of outdoor storage. We would suggest that the amended ordinance allow limited outdoor storage at such facilities, but subject to the buffering/screening standards established in Light Manufacturing Overlay District (402.8.9), which also governs “warehousing” use.

Thus, in summary, we are asking the council to consider changes to the ordinance that would:

- allow multiple buildings in the definition of a self-storage facility;
- exempt such facilities from the single principal building requirement, with the requirement that all buildings remain in common ownership and with the same use; and
- allow a limited amount (to be specified) of outdoor storage at such facilities, subject to the buffering/screening standards of the Light Manufacturing Overlay District (402.8.9).

We request Council input on this proposed change at the upcoming meeting to enable town staff to take the necessary steps with regards to the pending planning board application and requested change to the zoning ordinance.

MEMO

12-17-21

FROM: Community Development Staff

TO: Town Council,

CC: Town Manager Nate Rudy

RE: Self-storage ordinance changes

In the interest of providing clarity to two applicants with pending applications before the Planning Board, we are asking the council to consider changes to the Zoning Ordinance that would:

- Allow multiple buildings in the definition of a self-storage facility (402.2.2);
- Explicitly exempt self-storage facilities from the single principal building requirement in our zoning ordinance (402.6.2); and
- Prohibit outdoor storage within the self-storage use definition

DRAFT MOTIONS

1. Move to approve a change to the definition of “Self-Storage Facility” in the Town of Gray Zoning Ordinance Chapter 402.2.2 to read:

“One or more structures containing separate storage spaces of varying size, leased or rented on an individual basis. Multiple-building self-storage facilities are limited to a maximum width of 50 feet and a height of 16 feet for each structure. Outdoor storage is prohibited.”

2. Move to approve a change to the Town of Gray Zoning Ordinance Chapter 402.6.2, to allow multiple principal structures for a self-storage facility use, to read:

G. Only One Principal Building per Lot

1. No more than one (1) principal structure and its accessory buildings as regulated in this Ordinance may be located on any one lot, except in the case of a Self-Storage Facility, Planned Unit Development and Cluster Housing unless all applicable space and dimensional standards are met separately for each principal structure or use on the lot, subject to the following: (...)

BACKGROUND

The Planning Board has two pending proposals for multi-building self-storage facilities, one in the area of 119 Portland Road, abutting the Maine Turnpike; and another abutting the former Cyr Auction property (now a marijuana cultivation facility) near 100 Lewiston Road.

The Portland Road proposal is for a six-building 27,900 sf storage facility with a 9,000 sf pad for outdoor storage. Applicant is Beth Cureton.

The Lewiston Road proposal is for a four-building 17,900 sf storage facility with no outdoor storage. Applicant is Scott Liberty.

The Planning Board and staff are seeking direction from the council regarding a potential ordinance change, to advise these applicants on how to proceed with their project planning.

During review of the Portland Road proposal, we noticed that our ordinance prohibits the approval of a typical multi-building self-storage facility:

- A self-storage facility is defined as “a structure containing separate storage spaces of varying size, leased or rented on an individual basis.” Our attorney has advised that this is a use restriction built into the definition and thus prohibits the town from allowing multiple structures with this use.
- Additionally, The zoning ordinance (Sect. 402.6.2 G-H) requires that only one principal building may be located per lot.

The zoning ordinance was updated in 2010, but this single building use restriction for self-storage was never noticed previously. In fact, a multi-building storage facility currently exists just down the road from the proposed new facility on Portland Road.

Community Development Director Doug Webster was integral in the zoning updates and notes that the language restricting a self-storage facility to a single building was inadvertent.

The language was repurposed from the previous zoning definition for “mini-warehousing,” which was an allowed use requiring site plan review in the commercial, business development, and business transitional-1 districts.

Mini-warehousing was defined as “a structure containing separate storage spaces of varying size, leased or rented on an individual basis. Structures to be one story with direct access to paved driveways, distance between structures is to be at least 24 feet, outdoor storage is prohibited. Space is not to be used for anything other than storage.”

Thus, the previous definition included wording to acknowledge multiple structures, and there was no intention in the revision to limit such facilities to a single building.

An additional consideration that we propose to add back into the definition of self-storage, is a provision to address outdoor storage. The old ordinance bans it outright, while the current ordinance makes no mention of outdoor storage.

We suggest that the amended ordinance reinstate the ban on outdoor storage within the self-storage use definition. Any self-storage facility seeking to have outdoor storage on the property would need to pursue an additional use of “warehousing” as defined in the Zoning Ordinance (402.2.2):

A land area where goods, wares, and merchandise are stored in a warehouse facility and/or in outdoor areas. This use may involve light manufacturing directly associated with the warehousing but does not include more traffic-intensive use(s) such as a

Trucking Terminal. This use is subject to performance standards in the Light Manufacturing Overlay District. Warehousing and associated light manufacturing shall not include any principal or accessory uses related to medical marijuana cultivation facilities, medical marijuana registered dispensaries, adult use marijuana establishments, marijuana food establishments, marijuana extraction, or the manufacturing of marijuana concentrate or marijuana products as defined herein, unless expressly authorized herein.

Warehousing is a permitted use in the BD-1 and BD-2 zoning districts; and is a conditionally permitted use in the Light Manufacturing Overlay District. (The LMOD is in effect for the Commercial zoning district, excluding the area of Commercial zoning district closest to the Village Center.)

As noted in the definition, warehousing use is subject to the standards of the Light Manufacturing Overlay District (402.8.9), which include the following:

Outdoor Performance Standards

1. Outdoor manufacturing, fabrication, or processing shall not occur regularly and shall only be permitted when, in aggregate, it is clearly ancillary to the principal use(s) occurring on the property and shall only be allowed to occur intermittently. The reviewing authority shall review detailed documentation submitted by the applicant to ensure this standard is met and that sufficient measures have been taken to provide sufficient screening, buffering to minimize adverse impacts to abutting properties and/or a publicly maintained road.
2. No outdoor storage of any type is permitted within any minimum zoning setback applicable for structures.
3. All outdoor storage areas shall be adequately fenced or screened as determined by the reviewing authority. The reviewing authority shall have the ability to require sufficient landscaping in addition to fencing when the storage area is located in a location that is visually prominent from a publicly maintained road or an adjacent property.

BRANSON LAW OFFICE, P.A.
482 CONGRESS STREET, SUITE 304
P.O. BOX 7526
PORTLAND, MAINE 04112-7526
WWW.BRANSONLAWOFFICE.COM

JOHN H. BRANSON*
JBRANSON@BRANSONLAWOFFICE.COM

TEL: (207) 780-8611
FAX: (207) 221-2203

*Admitted to practice in Maine and Massachusetts.

December 20, 2021

BY EMAIL

Hon. Sandra Carder
Chair, Gray Town Council
24 Main Street
Gray, ME 04039

RE: *Technical Correction to Definition of Self-Storage Facility
Gray Zoning Ordinance Section 402.2.2*

Dear Chair Carder:

I represent Odessa Properties LLC (“Odessa”) in connection with its effort to get site plan approval from the Town Planning Board for the construction and installations of self-storage units at 100 and 104 Lewiston Road (the “Self-Storage Project”). With assistance from an engineering firm hired by Odessa, DM Roma Engineering Consultants, a preliminary project layout was presented to the Planning Board during a workshop meeting this past August, which layout contemplated three (3) separate self-storage structures on the subject lot. At that time, the Planning Board interpreted the applicable Zoning Ordinance provisions to allow for the siting of multiple self-storage structures on a single lot, provided that the structures conform with all applicable space and dimensional requirements. This appears to be consistent with Zoning Ordinance Section 402.6.2.H.

Odessa went forward with further planning in regard to the Self-Storage Project and incurred additional engineering expenses. During the week of December 13, 2021, an application for Sketch Plan Review was submitted by Odessa’s engineer to the Planning Board pursuant to Zoning Ordinance Section 402.6.2.H. Shortly thereafter, the Town Planner informed Odessa’s engineer that the Town identified a possible discrepancy with the “self-storage facility” definition in the Zoning Ordinance with respect to a separate self-storage project before the Planning Board.

BRANSON LAW OFFICE, P.A.

Hon. Sandra Carder
Chair, Gray Town Council
December 20, 2021
Page 2

The issue presented was whether more than one self-storage structure on a single lot was consistent with the conditionally approved self-storage use in the commercial zone.

On December 1, 2021, Community Development Administrator Doug Webster sent a memorandum on this subject to Town Manager Nate Rudy, a true and correct copy of which is attached hereto as Exhibit A. Administrator Webster informed the Town Manager that an “inadvertent” error in the definitional language for “self-storage facility” limited it to one building, when in fact multiple separate structures were intended to be allowed. Administrator Webster further informed the Town Manager that the Town’s Attorney – after being apprised of this inadvertent error – advised that the Town pursue an ordinance change to amend the definitional language. The existence of other self-storage facilities in Gray approved by the Planning Board confirm the longstanding assumption of Town officials that multiple separate structures on a single lot are conditionally allowed for self-storage uses.

This matter was on the agenda of the Town Council meeting on December 7, 2021, and Administrator Webster’s December 1st Memorandum was part of the Agenda Packet. In your capacity as Chair, you shared your understanding that the proposed change was a technical correction to remedy an inadvertent error. Other members of the Council were under the mistaken impression that the amendment was a substantive change being sought by a project applicant. That was not the case. In fact, those Councilors who expressed reluctance to make technical corrections recommended by the CD Administrator and Town Attorney were instead expressing support for substantive changes to the self-storage definition particularly as it pertained to outdoor storage.

Odessa hopes that the Town Council will make technical corrections to the self-storage facility definition recommended by the Community Development Administrator and Town Attorney. As you pointed out during the Council meeting on December 7th, those corrections – which contemplate multiple self-storage structures on a single lot – are fully and completely consistent with industry standards in the self-storage field. As pointed out by Administrator Webster on December 7th, the Planning Board would also retain substantial discretion in its review of an

BRANSON LAW OFFICE, P.A.

Hon. Sandra Carder
Chair, Gray Town Council
December 20, 2021
Page 3

application for site plan approval – because self-storage is a conditional use in the commercial zone – and can impose those conditions for project approval as it may deem necessary and appropriate.

Odessa takes no position on any substantive changes to the definitional language that may add restrictions on outdoor storage, and would not oppose the addition of such restrictions. Odessa's proposed self-storage project involves no proposed outdoor storage uses.

Thanks for your consideration of my client's concerns with respect to this matter. I ask that this letter be made part of the record for the next Town Council meeting or workshop with respect to which this matter is on the agenda. If you have any questions, please feel free to contact me or have the Town Attorney contact me.

Sincerely,

John H. Branson

John H. Branson

Enclosure

cc: Doug Webster, Community Development Administrator (w/enc., by email)
Councilor Martin Meaney (w/enc., by email)
Councilor Anne Gass (w/enc., by email)
Councilor Krista Chappell (w/enc., by email)
Councilor Dan Maguire (w/enc., by email)
Odessa Properties LLC (w/enc., by email)
J.P. Connolly, DM Roma Consulting Engineers (w/enc., by email)

December 1, 2021

TO: Nate Rudy, Town Manager
FROM: Doug Webster, Community Development
RE: Background information for Town Council consideration
Council Discussion Item: Self-Storage provision in Zoning Ordinance

Community Development staff would like to bring an ordinance change in the Zoning Ordinance forward for your consideration, regarding self-storage units. Self-storage is a conditionally permitted use in the respective zoning districts per the uses table in the current zoning ordinance.

The Planning Board has a pending proposal for a six-building self-storage facility near 119 Portland Road, with an associated outdoor storage area.

During review of this proposal, we noticed that our ordinance actually prohibits the approval of a typical multi-building self-storage facility:

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While the zoning ordinance has been periodically updated, this provision was never noticed previously. In fact, a multi-building storage facility currently exists just down the road from the proposed new facility.

Community Development Director Doug Webster was integral in the zoning updates and notes that the language restricting a self-storage facility to a single building was inadvertent.

The language was repurposed from the previous zoning definition for “mini-warehousing,” which was an allowed use requiring site plan review in the commercial, business development, and business transitional-1 districts.

In the prior zoning ordinance, mini-warehousing was defined as “a structure containing separate storage spaces of varying size, leased or rented on an individual basis. Structures to be one story with direct access to paved driveways, distance between structures is to be at least 24 feet, outdoor storage is prohibited. Space is not to be used for anything other than storage.”

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Thus, in summary, we are asking the council to consider changes to the ordinance that would:

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- allow a limited amount (to be specified) of outdoor storage at such facilities, subject to the buffering/screening standards of the Light Manufacturing Overlay District (402.8.9).

We request Council input on this proposed change at the upcoming meeting to enable town staff to take the necessary steps with regards to the pending planning board application and requested change to the zoning ordinance.

Kristen Muszynski

From: Scott Liberty <Scott@scottliberty.com>
Sent: Thursday, December 30, 2021 2:52 PM
To: Kristen Muszynski
Cc: jp@dmroma.com; john branson
Subject: Re: Gray Planning Board- self-storage

Hi Kristen.

JP Connolly and Roma engineering will be representing Odessa properties LLC. they don't represent me personally they represent Odessa. I am the managing member of the LLC. Odessa is the applicant.

Thank you.

Scott Liberty

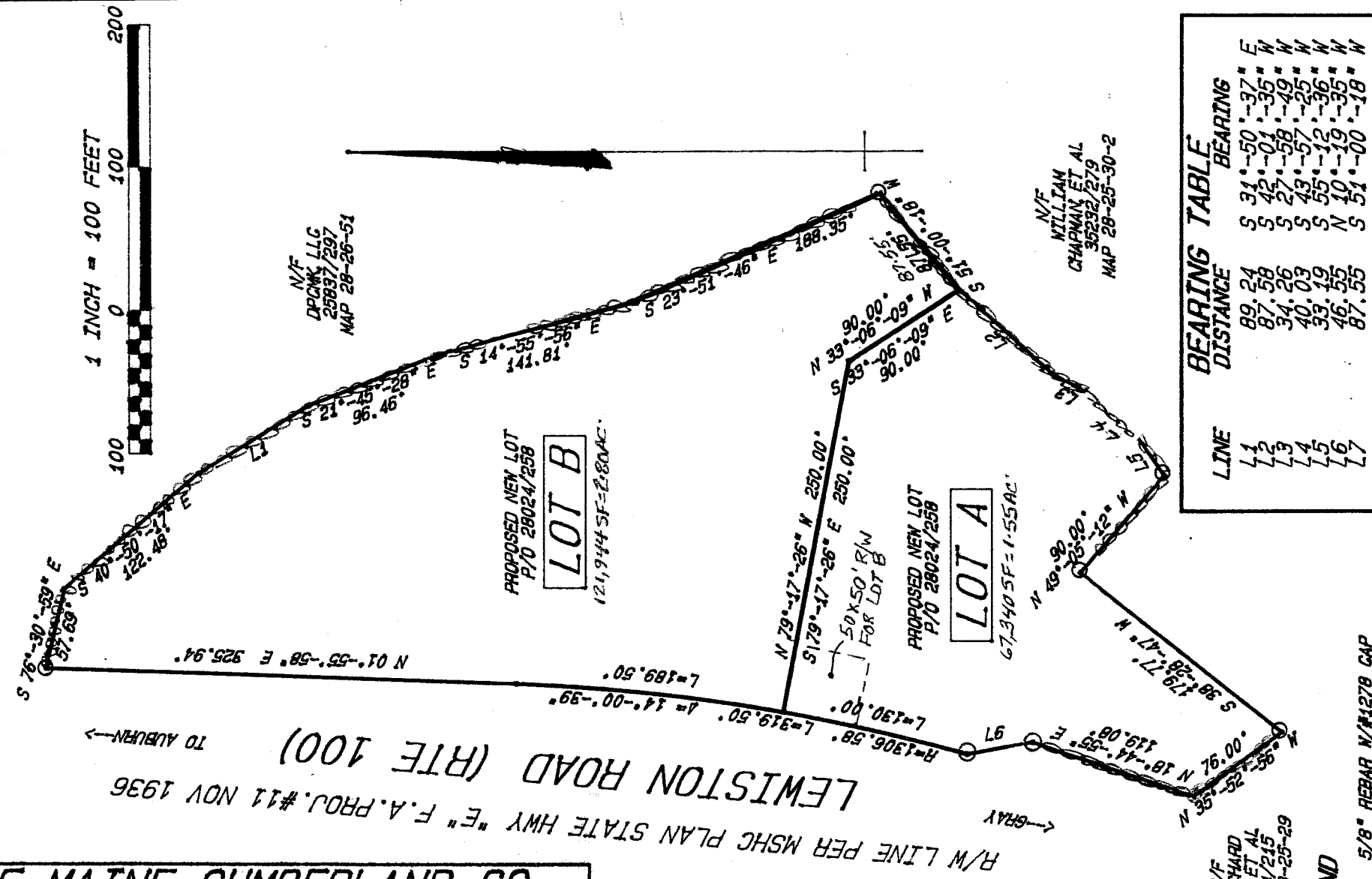
Sent from my iPhone

STATE OF MAINE, CUMBERLAND SS
 REGISTRY OF DEEDS

RECEIVED ~~JULY~~ August 5 2020
 AT 9 H 21. M. AM AND RECORDED IN
 PLAN BOOK 220 PAGE 237

ATTEST: _____
 REGISTER

LEWISTON ROAD (RTE 100)
 R/W LINE PER MSHC PLAN STATE HWY "E" F.A. PROJ. #11 NOV 1936
 TO AUBURN →



LINE	BEARING	DISTANCE
L1	S 31°-50'-37" E	89.24
L2	S 42°-01'-35" W	87.58
L3	S 27°-58'-49" W	34.26
L4	S 43°-57'-25" W	40.03
L5	S 55°-12'-36" W	33.19
L6	N 10°-19'-35" W	46.55
L7	S 51°-00'-18" W	87.55

NOT BASED ON PAL-
 MITER FIELD WORK

○ 5/8" REBAR N/A1278 CAP
 N/F NON OR FORMERLY OF
 123/456 BOOK & PAGE OF RECORDED DEED
 ○○○○ STONEMALL

REFERENCES:
 KEY BANK NATIONAL
 ASSOCIATION TO 100
 LEWISTON ROAD, LLC
 28024/258 8/25/2010

NOTES:
 1) THIS SKETCH IS NOT BASED ON A FIELD SURVEY BY THIS SURVEYOR BUT IS BASED ON A PLAN BY CUMBERLAND LAND SURVEYING ENTITLED PLAN OF PROPERTY FOR RODNEY BOYNTON DATED 07/15/2010.
 2) BEARINGS ARE REFERENCED TO MAGNETIC NORTH 1986
 3) THIS LOT DOES NOT FALL WITHIN A FLOOD HAZARD ZONE
 4) STRUCTURES COMPLY WITH LOCAL ZONING IN REGARD TO SETBACKS
 5) THERE ARE NO APPARENT ENCROACHMENTS ON TO OR OFF FROM SUBJECT PROPERTY

SKETCH PLAN FOR
 LOT DIVISION

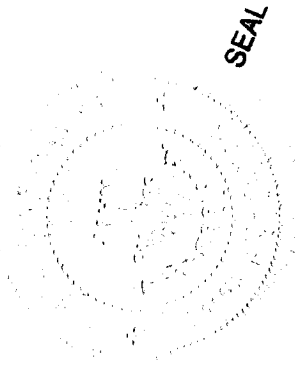
104 LEWISTON RD. - GRAY, ME. 04039

MADE FOR
SCOTT LIBERTY

P. O. BOX 989 - GRAY, MAINE 04039

FROM CUMBERLAND PLAN OF PROPERTY
 FOR RODNEY BOYNTON 7/15/10 1st PLN

JOHN D. PALMATTER PLS 1057
 P. O. BOX 74 GRAY, MAINE 04039
 TELEPHONE (807) 671-7246





December 31, 2021

Town of Gray Planning Board
c/o Kristen Muszynski, Town Planner
Henry Pennell Municipal Complex
24 Main St, Gray, ME 04039

**Re: 100 & 104 Lewiston Road Commercial Subdivision –
Sketch Plan Application for a Minor Subdivision
Grayland Holdings LLC & Odessa Properties LLC – Applicants**

Dear Ms. Muszynski:

On behalf of Grayland Holdings LLC & Odessa Properties LLC, DM Roma Consulting Engineers has prepared the enclosed Sketch Plan application package for a Minor Subdivision at 100 & 104 Lewiston Road. The applicant wishes to develop the site into a three (3) lot subdivision, consisting of an existing commercial structure (formerly Cyr Auction), a proposed commercial lot, and a proposed residential lot. The 4.35-acre parcel, identified as Lots 26-2 & 26-2-1 on the Town of Gray Tax Map 28.

Development Description

The parcel is located within the Commercial Zoning District and the primary focus of the project is proposed development with either several non-climate controlled self-storage buildings or two (2) climate-controlled buildings. Lot 1 is intended to serve as a proposed residential lot, that the applicant intends to construct, Lot 2 is intended to support the proposed commercial development, and Lot 3 is intended to provide a conforming lot for the existing commercial structure.

Previously, we presented a preliminary layout provided by John Palmiter at a Town Planning Board workshop in August. At that time one of the concerns that was brought to our attention was the Zoning Ordinance requirement for a maximum of 65% impervious surface. With this in mind the Sketch plans provided with this application indicate the total allowed and total design impervious surface areas for each lot.

This site was subject to previous Site Plan permitting through the Town in 1990 and amended again in 1996. Those projects included the construction of the existing commercial building and buildout of a gravel parking & outside storage areas. The project site has existing septic system (HHE-200 included with this application).

MDEP stormwater permit was also issued for the project site. While the construction of the project will likely not trigger MDEP stormwater permit, as the project disturbance will be less than one acre and additional proposed impervious areas will likely be less than one acre (the

project site is not located in a lake watershed). As such we will be requesting a MDEP permitting pre-application meeting, to determine whether the MDEP would prefer us to file a new application to supersede the existing permit(s) or if the MDEP would prefer to amend the existing permit(s). We expect this to occur concurrently with our Town submittal of the Preliminary Minor Subdivision, and expect it that MDEP approval of the project will be a condition of the Town's ultimate approval.

Enclosed with this submission is the application, supporting documentation and sketch plans for your review. Upon your review of the submission, please do not hesitate to contact me if you have any questions or require any additional information.

Sincerely,

DM ROMA CONSULTING ENGINEERS



Senior Project Engineer

Cc: Grayland Holdings, LLC. & Odessa Properties, LLC.



PLANNING BOARD/STAFF REVIEW COMMITTEE APPLICATION TOWN OF GRAY MAINE

PROPERTY TO BE DEVELOPED

Property Location/Address	Property Map/Lot
Zoning District	Lot Acreage
Owner Name	Tax Sheet
Owner Address	Owner Phone

APPLICANT

Name (IF different than owner)	Contact Phone Number
Mailing Address	Alternate Phone Number
Mailing City/State/Zip	Fax Number
Email Address	

AGENT/CONSULTANT

Name	Contact Phone Number
Mailing Address	Alternate Phone Number
Mailing City/State/Zip	Fax Number
Email Address	

PROJECT

The undersigned requests that the Town of Gray Planning Board consider the following application for:

- | | |
|--|--|
| <input type="checkbox"/> Subdivision
<input type="checkbox"/> Sketch Plan Review
<input type="checkbox"/> Preliminary Plan Review (Major)
<input type="checkbox"/> Final Plan Review (Major)
<input type="checkbox"/> Minor

<input type="checkbox"/> Site Plan Review
<input type="checkbox"/> Pre-Application Conference
<input type="checkbox"/> Minor
<input type="checkbox"/> Major

<input type="checkbox"/> Shoreland Zoning Permit | <input type="checkbox"/> Other (specify)
<input type="checkbox"/> Conditional Use
<input type="checkbox"/> Amendment
<input type="checkbox"/> Extension
<input type="checkbox"/> Workshop
<input type="checkbox"/> Contract Zone Request |
|--|--|

Project Description / Comments:

Applicant Signature	Date 12-31-2021
----------------------------	------------------------

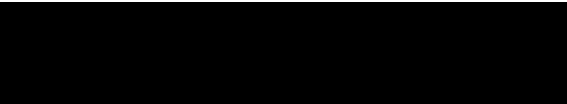
WARRANTY DEED
Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS, That **100 Lewiston Road, LLC** of Jackman in the County of Somerset and State of Maine, for consideration paid, grants to **Grayland Holdings LLC**, a Maine limited liability company with a mailing address of PO Box 963, Gray, ME 04039, with **WARRANTY COVENANTS**, the real property situated in **Gray, County of Cumberland and State of Maine** more particularly described in Schedule A attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, this instrument has been executed by **Rodney Boyington, Managing Member of 100 Lewiston Road, LLC**, this 22nd day of July, 2020.

MAINE REAL ESTATE TAX PAID

100 Lewiston Road, LLC



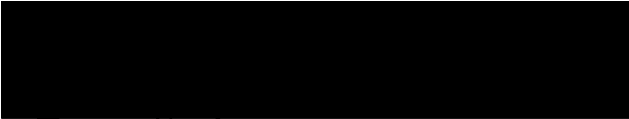
Witness to all
John H. Branson

Rodney Boyington, Managing Member

State of Maine
County of Cumberland, ss.

July 22, 2020

Personally appeared before me the above named **Rodney Boyington, Managing Member of 100 Lewiston Road, LLC** and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said **100 Lewiston Road, LLC**.



Notary Public/Attorney at Law

SUSAN CAKE KNEBLER
Notary Public, Maine
My Commission Expires November 22, 2025

SCHEDULE A

A certain lot or parcel of land, with the buildings and other improvements thereon, located in the Town of Gray, County of Cumberland, and State of Maine, and bounded and described as follows:

BEGINNING at a stonewall corner on the assumed east sideline of Route 100 (Lewiston Road) as shown on a plan entitled "Maine State Highway Commission Plan of Proposed Relocation State Highway "E" Gray - Cumberland County" F.A. Proj #11 - sheet 1 of 3 dated November 1936 per S.H.C. File 3-34 - CCRD plan book 31 page 22, said point shown on said map as the corner between Martha C. Bishop Estate and Margie E. Fogg and said point being now the southwest corner of the grantor (100 Lewiston Road, LLC 28024-258) and being the north corner of land formerly of Burchard A. Dunn, et al (Book 4964, Page 215);

Thence N18°-44'-55"E, 119.08' along the old 1936 Route 100 right of way ("R/W") and following along or near a stonewall to a 5/8" rebar with #1278 cap;

Thence N10°-19'-35"W, 46.55' along the old 1936 Route 100 R/W to a 5/8" rebar with #1278 cap;

Thence northerly 130' by a 1306.58' radius non-tangential curve left along the new 1936 Route 100 R/W to a point;

Thence S79°-17'-26"E, 250' thru grantors (100 Lewiston Road, LLC 28024-258) to a point;

Thence S33°-06'-09"E, 90' thru grantors (100 Lewiston Road, LLC 28024-258) to a point in a stonewall on the northwest line of William Chapman, et al (35232-279);

Thence S42°-01'-35"W, 87.58' along the northwest line of Chapman, et al (35232-279) and following along or near a stonewall to a point;

Thence S27°-58'-49"W, 34.26' along the northwest line of Chapman, et al (35232-279) and following along or near a stonewall to a point;

Thence S43°-57'-25"W, 40.03' along the northwest line of Chapman, et al (35232-279) and following along or near a stonewall to a point;

Thence S55°-12'-36"W, 33.19' along the northwest line of Chapman, et al (35232-279) and following along or near a stonewall to a stonewall corner and a 5/8" rebar with #1278 cap;

Thence N49°-05'-16"W, 90' along Chapman, et al (35232-279) and following along or near a stonewall the first 74± to a 5/8" rebar to a 5/8" rebar with #1278 cap;

Thence S38°-28'-47"W, 179.77' along Chapman, et al (35232-279) to a 5/8" rebar with #1278 cap at the west corner thereof and being on the northeast line of land formerly of Burchard Dunn, et al 4964-215;

Thence N35°-52'-56"W, 76' along Dunn and following along or near a stonewall the last 65'± to POINT OF BEGINNING, containing 67,340 SF or 1.55 acres and is a portion of land conveyed by Key Bank National Association to 100 Lewiston Road, LLC by deed dated 8-25-2010 CCRD book 28024 page 258.

All bearings refer to the magnetic meridian as observed in 1990.

SUBJECT TO easement rights in a 50' wide R/W for ingress, egress, utilities and all purposes for which a public way may be used, the north line of which is bounded and described as follows:

BEGINNING at the northwest corner of lot herein described and conveyed; thence S79°-17'-26"E, 50' along said north line to terminus of herein described 50' wide R/W; the south line contracted or projected to intersect the east R/W line of Route 100 (Lewiston Road).

BEING the same premises described and depicted as "Lot A" on a certain "Sketch Plan for Lot Division" Prepared by John D. Palmiter for Scott Liberty, to be recorded in the Cumberland County Registry of Deeds.

ALSO BEING a portion of the same premises described in a Quitclaim Deed from KeyBank National Association to 100 Lewiston Road, LLC dated August 25, 2010 and recorded in Book 28024, Page 258 in the Cumberland County Registry of Deeds.

Received
Recorded Register of Deeds
Jul 28, 2020 11:17:15A
Cumberland County
Nancy A. Lane

2

WARRANTY DEED
Maine Statutory Short Form

MAINE REAL ESTATE TAX PAID

KNOW ALL MEN BY THESE PRESENTS, That **100 Lewiston Road, LLC** of Jackman in the County of Somerset and State of Maine, for consideration paid, grants to **Odessa Properties LLC**, a Maine limited liability company with a mailing address of 23 Country Way, Gray, Maine 04039, with **WARRANTY COVENANTS**, the real property situated in **Gray, County of Cumberland and State of Maine** more particularly described in Schedule A attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, this instrument has been executed by **Rodney Boyington, Managing Member of 100 Lewiston Road, LLC**, this 22nd day of July, 2020.

100 Lewiston Road, LLC

[Redacted Signature]

[Redacted Signature]

Witness to all:
John H. Branson

Rodney Boyington, Managing Member

State of Maine
County of Cumberland, ss.

July 22, 2020

Personally appeared before me the above named **Rodney Boyington, Managing Member of 100 Lewiston Road, LLC** and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said **100 Lewiston Road, LLC**.

[Redacted Signature]

Notary Public/Attorney at Law
SUSAN CAGE KRAEDLER
Notary Public, Maine
My Commission Expires November 22, 2025

2

SCHEDULE A

One or more lots or parcels of land, with the buildings and other improvements thereon, located in the Town of Gray, County of Cumberland, and State of Maine, and bounded and described as follows:

PARCEL ONE:

BEGINNING at a 5/8" rebar with #1278 cap at the west end of a stonewall corner on the assumed east sideline of Route 100 (Lewiston Road) as shown on a plan entitled "Maine State Highway Commission Plan of Proposed Relocation State Highway "E" Gray - Cumberland County" F.A. Proj #11 - sheet 1 of 3 dated November 1936 per S.H.C. File 3-34 - CCRD plan book 31 page 22, said point shown on said map as 33' Rt. of Sta. 684+92± and said point being now the northwest corner of the grantor (100 Lewiston Road, LLC, Book 28024, Page 258);

Thence S76°-30'-59"E, 57.69' along a jog in Lewiston Road (Route 100) from 33' to 50' and along the south line of DPCMK, LLC (25837-297), formerly Margie E. Fogg and following along or near a stonewall to a point;

Thence southeasterly and southerly by the southwest and west line of DPCMK, LLC (25837-297), formerly Margie E. Fogg and following along or near a stonewall with occasional gaps the following courses:

- S40°-50'-17"E, 122.48'
- S31°-50'-37"E, 89.24'
- S21°-45'-28"E, 96.46'
- S14°-55'-56"E, 141.81'

Thence S23°-51'-46"E, 188.35' to a 5/8" rebar with #1278 cap near the northeast end of a stonewall at the west corner of Lawrence Humphrey (4964-215) and being the north corner of William Chapman, et al (35232-279);

Thence S51°-00'-18"W, 87.55' along the northwest line of William Chapman, et al (35232-279) and following along or near a stonewall to a point;

Thence N33°-06'-09"W, 90' thru grantor (100 Lewiston Road, LLC 28024-258) to a point;

Thence N79°-17'-26"W, 250' thru grantor (100 Lewiston Road, LLC 28024-258) to a point on the east line of Route 100 (Lewiston Road) per aforementioned "Maine State Highway Commission Plan of Proposed Relocation State Highway "E" Gray - Cumberland County";

Thence northerly 189.50' by a nontangential 1306.58' radius curve left to a point;

2

Thence N01°-55'-58"E, 325.94' along said east line of Route 100 (Lewiston Road) to POINT OF BEGINNING, containing 121,944 SF or 2.80 acres and is a portion of land conveyed by Key Bank National Association to 100 Lewiston Road, LLC by deed dated 8-25-2010 CCRD book 28024 page 258.

All bearings refer to the magnetic meridian as observed in 1990.

Benefitted by easement rights in a 50' wide right of way ("R/W") for ingress, egress, utilities and all purposes for which a public way may be used the north line of which is bounded and described as follows: BEGINNING at the southwest corner of lot herein described and conveyed; thence S79°-17'-26"E, 50' along said south line to terminus of herein described 50' wide R/W; the south line contracted or projected to intersect the east R/W line of Route 100 (Lewiston Road).

BEING the same premises described and depicted as "Lot B" on a certain "Sketch Plan for Lot Division" prepared by John D. Palmiter for Scott Liberty, to be recorded in the Cumberland County Registry of Deeds.

ALSO BEING a portion of the same premises described in a Quitclaim Deed from KeyBank National Association to 100 Lewiston Road, LLC dated August 25, 2010 and recorded in Book 28024, Page 258 in the Cumberland County Registry of Deeds.

PARCEL TWO:

ALL and the same premises conveyed to Portland, Gray and Lewiston Railroad Company by Stanley Bishop by deed dated December 11, 1909, and recorded in the Cumberland County Registry of Deeds in Book 849, Page 492, as the same is located within the bounds of land owned by the Grantor.

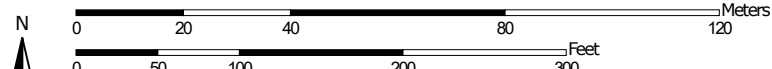
MEANING AND INTENDING TO CONVEY to the Grantee herein, and hereby conveying to the Grantee herein, all the real property conveyed to the Grantor herein by Quitclaim Deed from KeyBank National Association dated August 25, 2010 and recorded in Book 28024, Page 258 in the Cumberland County Registry of Deeds, together with any improvements thereto, EXCEPTING AND EXCLUDING all the real property conveyed by the Grantor herein to Grayland Holdings LLC by Warranty Deed on this date.

Received
Recorded Register of Deeds
Jul 28, 2020 11:18:02A
Cumberland County
Nancy A. Lane

Hydrologic Soil Group—Cumberland County and Part of Oxford County, Maine



Map Scale: 1:1,410 if printed on A portrait (8.5" x 11") sheet.




Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84



MAP LEGEND

Area of Interest (AOI)









 Area of Interest (AOI)

Soils

Soil Rating Polygons





 A
 A/D
 B
 B/D
 C
 C/D
 D
 Not rated or not available

Soil Rating Lines


 A
 A/D
 B
 B/D
 C
 C/D
 D
 Not rated or not available

Soil Rating Points





 A
 A/D
 B
 B/D

 C
 C/D
 D
 Not rated or not available


Water Features

 Streams and Canals

Transportation

 Rails
 Interstate Highways
 US Routes
 Major Roads
 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cumberland County and Part of Oxford County, Maine
 Survey Area Data: Version 18, Aug 31, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 7, 2019—Jul 2, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
HgC	Hermon sandy loam, 8 to 15 percent slopes	A	0.2	2.7%
PbB	Paxton fine sandy loam, 3 to 8 percent slopes	C	3.9	54.0%
PbC	Paxton fine sandy loam, 8 to 15 percent slopes	C	0.2	2.3%
PfC	Paxton very stony fine sandy loam, 8 to 15 percent slopes	C	3.0	40.8%
WsB	Woodbridge very stony fine sandy loam, 0 to 8 percent slopes	C	0.0	0.1%
Totals for Area of Interest			7.3	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

PROPERTY OWNERS NAME
 Last: CYR First: JAMES & ROSEMARIE

Applicant Name:
 Mailing Address of Owner/Applicant (if Different)

installed until a Permit is attached here by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.

Owner/Applicant Statement
 I certify that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Local Plumbing Inspector to deny a Permit.

Signature of Owner/Applicant _____ Date _____

Caution: Inspection Required
 I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules.

Local Plumbing Inspector Signature _____ Date Approved _____

PERMIT INFORMATION

THIS APPLICATION IS FOR:

- NEW SYSTEM
- REPLACEMENT SYSTEM
- EXPANDED SYSTEM
- EXPERIMENTAL SYSTEM

THIS APPLICATION REQUIRES:

- NO RULE VARIANCE
- NEW SYSTEM VARIANCE
Attach New System Variance Form
- REPLACEMENT SYSTEM VARIANCE
Attach Replacement System Variance Form
 - Requiring Local Plumbing Inspector Approval
 - Requires State and Local Plumbing Inspector Approval
- MINIMUM LOT SIZE VARIANCE

INSTALLATION IS:

COMPLETE SYSTEM

- NON-ENGINEERED SYSTEM
- PRIMITIVE SYSTEM
(Includes Alternative Toilet)
- ENGINEERED (+ 2000 gpd)

INDIVIDUALLY INSTALLED COMPONENTS:

- TREATMENT TANK (ONLY)
- HOLDING TANK _____ GAL
- ALTERNATIVE TOILET (ONLY)
- NON-ENGINEERED DISPOSAL AREA (ONLY)
- ENGINEERED DISPOSAL AREA (ONLY)
- SEPARATED LAUNDRY SYSTEM

SEASONAL CONVERSION
 to be completed by the LPI

- SYSTEM COMPLIES WITH RULES
- CONNECTED TO SANITARY SEWER
- SYSTEM INSTALLED - P# _____
- SYSTEM DESIGN RECORDED AND ATTACHED

IF REPLACEMENT SYSTEM:
 YEAR FAILING SYSTEM INSTALLED _____

THE FAILING SYSTEM IS:

- BED
- CHAMBER
- TRENCH
- OTHER: _____

DISPOSAL SYSTEM TO SERVE:

- SINGLE FAMILY DWELLING
- MODULAR OR MOBILE HOME
- MULTIPLE FAMILY DWELLING
- OTHER AUCTION HALL
SPECIFY _____

TYPE OF WATER SUPPLY
PUBLIC

SIZE OF PROPERTY 4.35 ACRES

ZONING _____

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)

TREATMENT TANK

- SEPTIC: Regular Low Profile
- AEROBIC
 SIZE: 2-1000 GAL. OR 1-2000 GALS.

WATER CONSERVATION

- NONE
- LOW VOLUME TOILET
- SEPARATED LAUNDRY SYSTEM
- ALTERNATIVE TOILET
SPECIFY: _____

PUMPING

- NOT REQUIRED
- MAY BE REQUIRED
(DEPENDING ON TREATMENT TANK LOCATION AND ELEVATION)
- REQUIRED
DOSE: _____ GALS.

CRITERIA USED FOR DESIGN FLOW (BEDROOMS, SEATING EMPLOYEES, WATER RECORDS, ETC)

200 PERSON SEATING AUCTION HALL.

DESIGN FLOW: 1059
(GALLONS/DAY)

SOIL CONDITIONS USED FOR DESIGN PURPOSES

PROFILE	CONDITION
<u>3</u>	<u>C</u>

DEPTH TO LIMITING FACTOR: 19

SIZE RATINGS USED FOR DESIGN PURPOSES

- SMALL
- MEDIUM
- MEDIUM-LARGE
- LARGE
- EXTRA LARGE

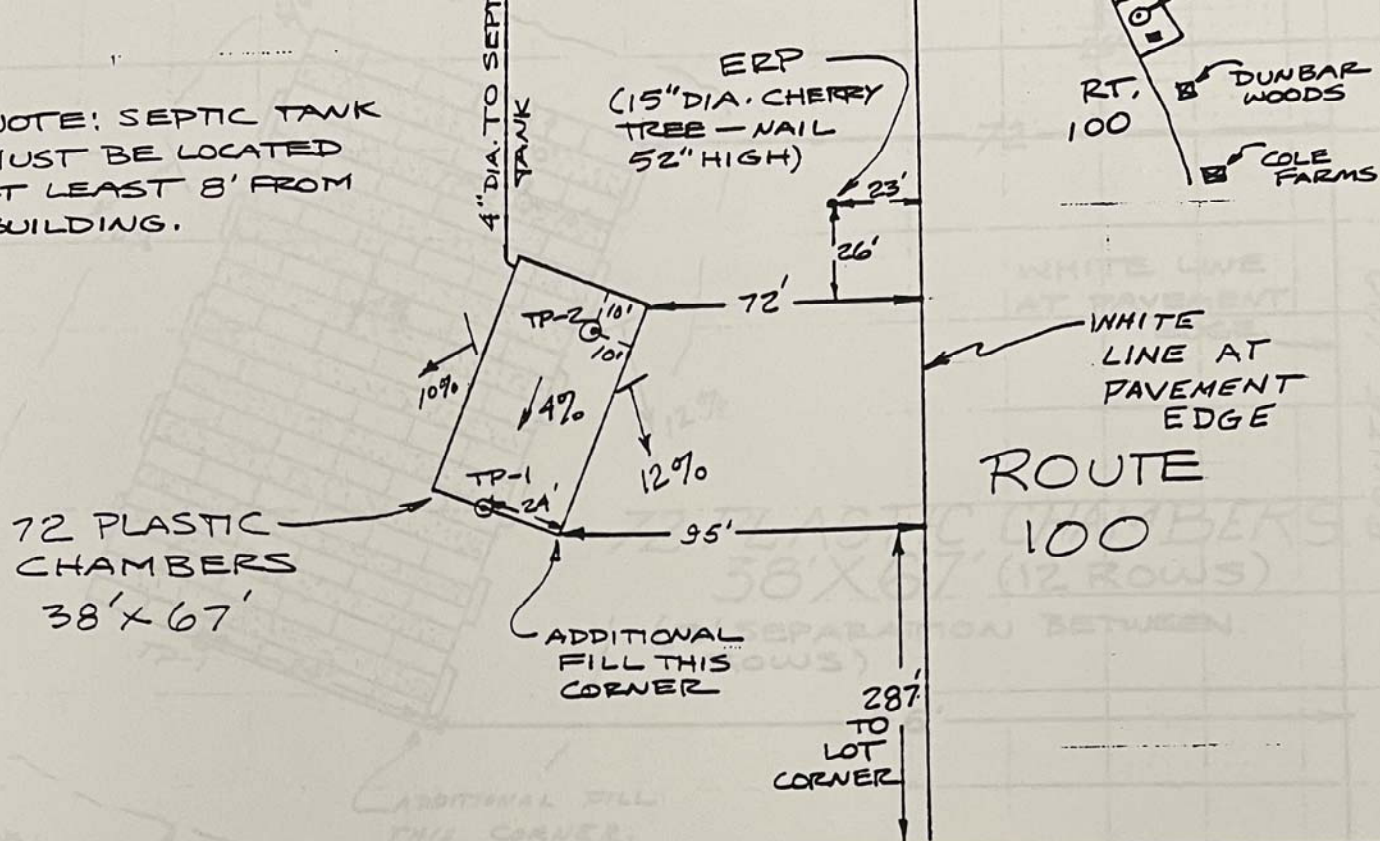
DISPOSAL AREA TYPE/SIZE

- BED _____ Sq. Ft.
- CHAMBER 1296 Sq. Ft.
 PLASTIC REGULAR H-20
- TRENCH _____ Linear Ft.
- OTHER: _____

SITE EVALUATOR STATEMENT

On 4-18-90 (date) I conducted a site evaluation...

NOTE: SEPTIC TANK MUST BE LOCATED AT LEAST 8' FROM BUILDING.



SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole TP-1 Test Pit Boring

* Depth of Organic Horizon Above Mineral Soil

DEPTH BELOW MINERAL SOIL SURFACE (Inches)	Texture	Consistency	Color	Mottling
0			DK. BRN.	
6	STONY			
10	SANDY LOAM	FRIABLE	RED OLIVE	
20		FIRM	OLIVE GRAY	FEW
30				
40				
50				

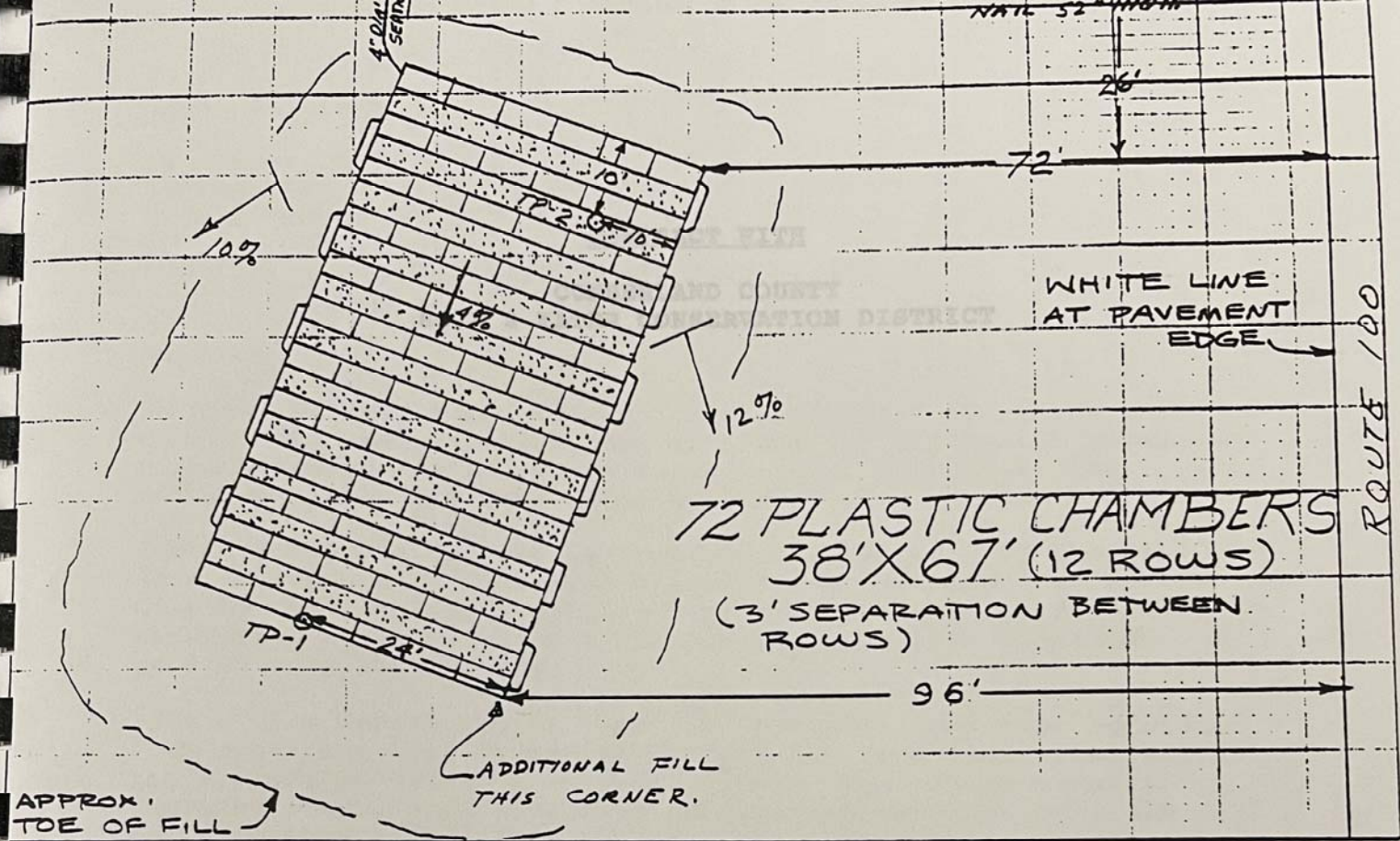
Soil Profile <u>3</u>	Classification <u>C</u>	Slope <u>4</u> %	Limiting Factor <u>19</u>	<input checked="" type="checkbox"/> Ground Water
	Condition			<input checked="" type="checkbox"/> Restrictive Layer
				<input type="checkbox"/> Bedrock

Observation Hole TP-2 Test Pit Boring

* Depth of Organic Horizon Above Mineral Soil

DEPTH BELOW MINERAL SOIL SURFACE (Inches)	Texture	Consistency	Color	Mottling
0				
6			DK. BRN.	
10	STONY FINE SANDY LOAM	FRIABLE	TO RED	
20		FIRM		FEW
30	SANDY LOAM		OLIVE GRAY	
40				
50				

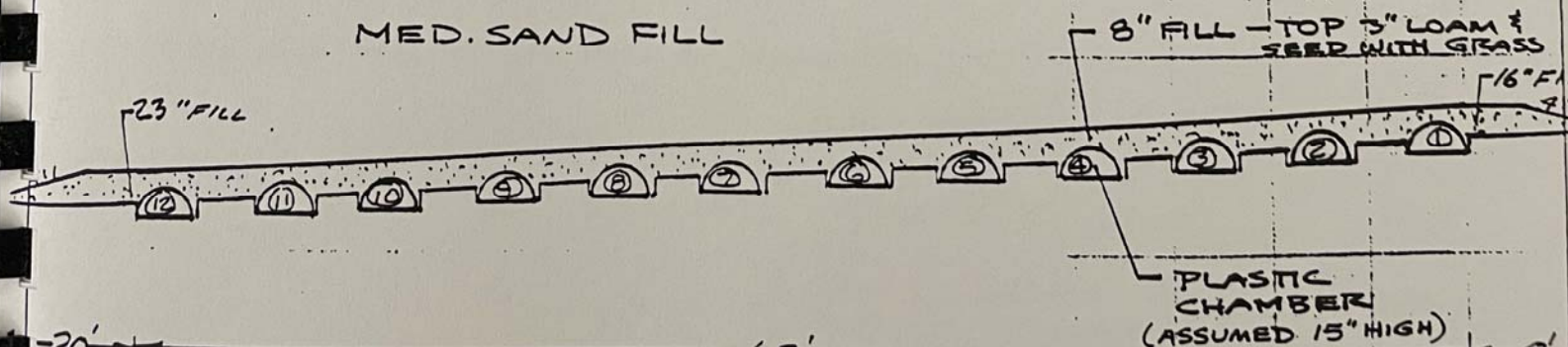
Soil Profile <u>3</u>	Classification <u>C</u>	Slope <u>4</u> %	Limiting Factor <u>21</u>	<input checked="" type="checkbox"/> Ground Water
	Condition			<input checked="" type="checkbox"/> Restrictive Layer
				<input type="checkbox"/> Bedrock



FILL REQUIREMENTS	CONSTRUCTION ELEVATIONS	ELEVATION REFERENCE POINT LOCATION & DESCRIPTION
Depth of Fill (Upslope) <u>16"</u>	Reference Elevation is <u>0</u>	
Depth of Fill (Downslope) <u>23"</u>	Bottom of Disposal Area (ROW #1) <u>-49"</u>	<u>NAIL IN CENTER OF ORANGE</u>
	Top of Distribution Lines or Chambers <u>-34"</u>	<u>CROSS ON CHERRY TREE.</u>

NOTE: SCARIFY GROUND BELOW ENTIRE FILL AREA.

DISPOSAL AREA CROSS SECTION		Scale:
BOTTOM OF ROW #		Vertical: 1 inch = 10 Ft.
2	52"	Horizontal: 1 inch = 10 Ft.
3	55"	
4	58"	
5	61"	BOTTOM OF ROW #9 - 73"
6	64"	" " " " 10 - 76"
7	67"	" " " " 11 - 79"
8	70"	" " " " 12 - 82"



Kristen Muszynski

From: Kristin Stanley <kristinstanley133@gmail.com>
Sent: Monday, December 6, 2021 10:10 AM
To: Kristen Muszynski; Doug Webster
Cc: Tom Noonan
Subject: Re: Planning board app for subdivision amendment - Stanley, 55 Cambell Shore

Follow Up Flag: Follow up
Flag Status: Completed

Hi Kristen & Doug,

I am going to let my friend, Tom Noonan, represent me on this. He will be present at the planning board meeting on my behalf as well.

His cell is [REDACTED] and I've copied him on this email.

Tom will be reaching out to set up the initial meeting.

Thank you both!

Kristin
[REDACTED]

Letter of Intent

Kristen Schulze Muszynski
Community Planner
Town of Gray
207-657-3339 Ext. 114

December 2, 2021

Dear Ms. Muszynski,

I would like to divide my existing 12-acre lot on Cambell Shore Road & Jenny Drive into three lots. The original parcel is part of an existing subdivision Cambell Acres plan that would require an amendment to that plan.

Theoretically Lot 1 would have the existing house on 3+ acres with the existing driveway off from Cambell Shore Road. Lot 2 would be approximately 2 acres with a driveway off Jenny Drive, and Lot 3 would be about 7 acres with a driveway off Jenny Drive. In keeping with the rural character of West Gray, the two new lots would have a 'buffer zone' with limited tree cutting and/or buildings in those designated areas.

Attached is my application and preliminary lot division survey.

I look forward to working with you on this project.

Sincerely,

A solid black rectangular redaction box covering the signature of Kristin Stanley.

Kristin Stanley

Gray, Maine 04039



**PLANNING BOARD/STAFF REVIEW COMMITTEE APPLICATION
TOWN OF GRAY MAINE**

PROPERTY TO BE DEVELOPED

Property Location/Address	55 Cambell Shore Rd	Property Map/Lot	056 _017 _028 _000
Zoning District	RRA	Lot Acreage	12.71
Owner Name	Kristin Stanley	Tax Sheet	
Owner Address	PO Box 1161 Gray 04039	Owner Phone	(207) 329-1210

APPLICANT

Name (IF different than owner)		Contact Phone Number	
Mailing Address		Alternate Phone Number	
Mailing City/State/Zip		Fax Number	
Email Address	kristinstanley133@gmail.com		

AGENT/CONSULTANT

Name	Tom Noonan	Contact Phone Number	(207) 838-7851
Mailing Address	909 Roosevelt Trail	Alternate Phone Number	
Mailing City/State/Zip	Windham ME 04039	Fax Number	
Email Address	tnoonan207@gmail.com		

PROJECT

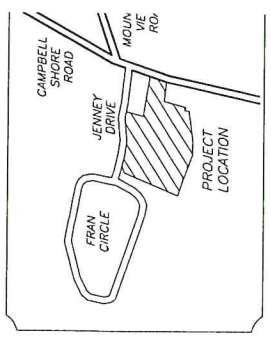
The undersigned requests that the Town of Gray Planning Board consider the following application for:

<input type="checkbox"/> Subdivision Sketch Plan Review Preliminary Plan Review (Major) Final Plan Review (Major) Minor <input type="checkbox"/> Site Plan Review Pre-Application Conference Minor Major <input type="checkbox"/> Shoreland Zoning Permit	<input checked="" type="checkbox"/> Other (specify) Conditional Use X Amendment Extension Workshop Contract Zone Request
---	--

Project Description / Comments:
 I would like to split my existing lot into 3 lots. My preliminary lot division plan is attached

Applicant Signature Date 12/2/21

Stanley - Prelim plan



LOCATION MAP
(NOT TO SCALE)

SURVEY NOTES

- (1) THE OWNERS OF RECORD ARE KRISTIN A. STANLEY AND PHILIP J. STANLEY. THIS SURVEY WAS ORDERED RECORDED IN BOOK 18847-20 IN THE CUMBERLAND COUNTY REGISTER OF DEEDS.
- (2) THE PARCEL BEHIND 51 LOT 17-28 ON THE TOWN OF GRAY ASSESSORS MAP '06.
- (3) BEARINGS ARE GRID NORTH, MAINE STATE PLANE, NAD 83.
- (4) VERTICAL DATUM: NAVD83.
- (5) LIMITS OF THE OPEN FIELD WERE TAKEN FROM GOOGLE EARTH IMAGERY.

PLAN REFERENCES

- (1) PLAN OF PROPERTY IN GRAY MAINE MADE FOR VERA G. JORDAN DATED MAY 21, 1993 REVISED JUNE 1, 1993 BY T.H. AND E. JORDAN.
- (2) CAMPBELL ACRES GRAY, MAINE FINAL SUBDIVISION PLAN K. NORTON & J. GEDRON RECORDED IN PLAN BOOK 181 PAGE 17 IN THE CUMBERLAND COUNTY REGISTER OF DEEDS.
- (3) CAMPBELL SUBDIVISION GRAY MAINE RECORDED IN PLAN BOOK 131 PAGE 4 IN THE CUMBERLAND COUNTY REGISTER OF DEEDS.
- (4) SUBDIVISION PLAN OF CAMPBELL ACRES GRAY, MAINE FOR KERRY NORTON AND EDSON SOBIEY DATED OCT. 1, 1977 BY JACK BERMAN, INC. RECORDED IN PLAN BOOK 19 PAGE 6 IN THE CUMBERLAND COUNTY REGISTER OF DEEDS.
- (5) SURVEY OF CAMPBELL SHORE ROAD GRAY, MAINE FOR KRISTIN STANLEY AND PHILIP J. STANLEY DATED OCTOBER 2011 BY SURVEY INC.
- (6) RESUBDIVISION PLAN OF LOT 1 CAMPBELL ACRES SUBDIVISION FOR FRANCES L. AND VERNAL MACKELL FRANK CIRCLE AND JENNY DRIFT DATED JANUARY 8, 1988 BY JOHN D. BROWN RECORDED IN PLAN BOOK 10 PAGE 6 IN THE CUMBERLAND COUNTY REGISTER OF DEEDS.
- (7) BOUNDARY SURVEY CAMPBELL SHORE ROAD GRAY, MAINE FOR KRISTIN STANLEY DATED OCTOBER 2011 BY SURVEY INC.

CERTIFICATION:
I CERTIFY THAT THIS SURVEY CONFORMS WITH THE STANDARDS OF THE MAINE BOARD OF LICENSED PROFESSIONAL LAND SURVEYORS AND IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

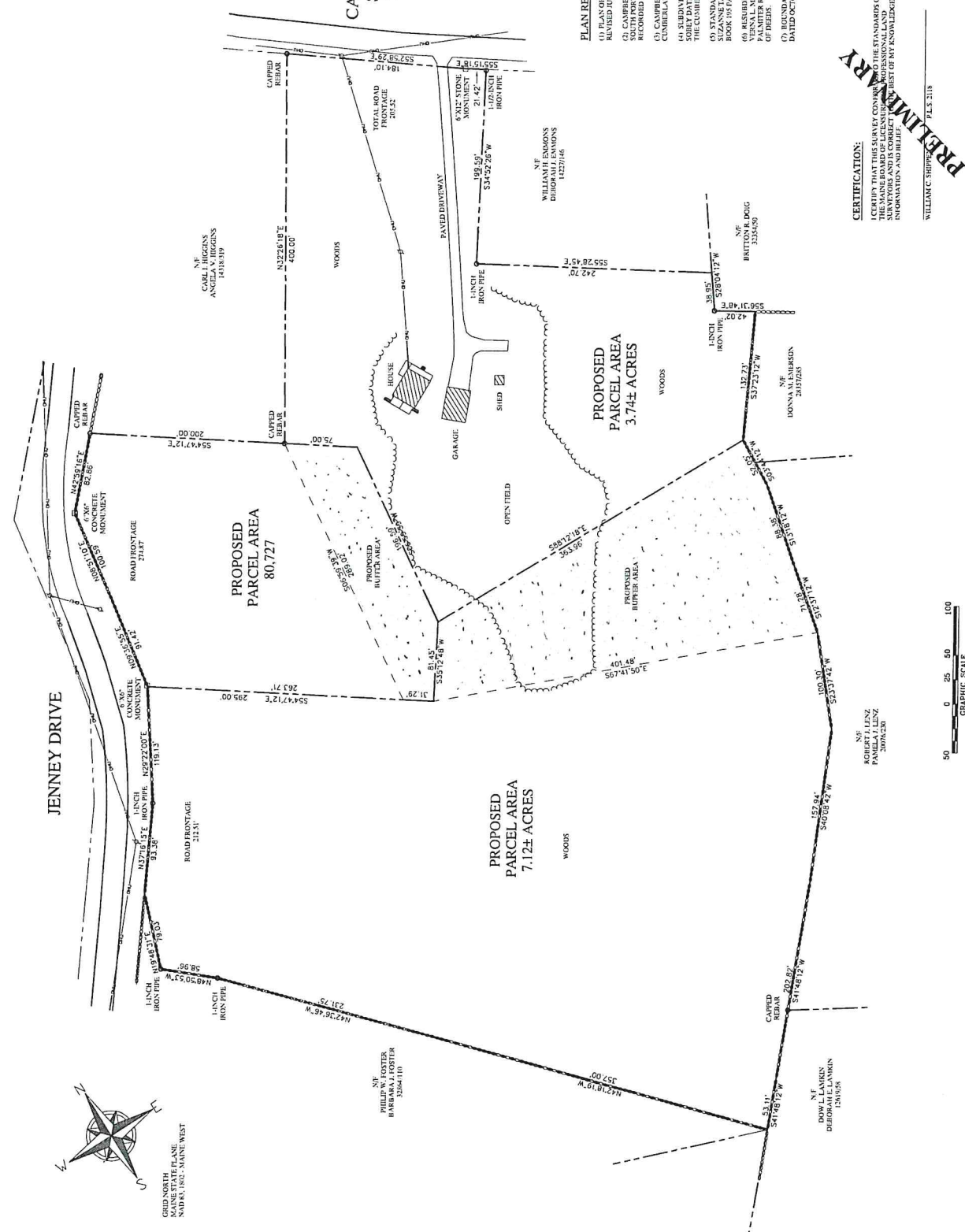
WILLIAM C. SHIPLEY PLS 2118

LOT DIVISION PLAN
CAMPBELL SHORE ROAD
GRAY, MAINE

FOR
KRISTIN STANLEY
PO BOX 1161
GRAY, MAINE 04109
(CLIENT)

SURVEY BY:
SURVEY, INC.
P.O. BOX 210
WINDHAM, ME 04602
207-892-2556
INFO@SURVEYINCORPORATED.COM

DRAWN BY
DATE: NOVEMBER 2021 JOB NO. 21-270-1 CHECKER



WARRANTY DEED
Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS, That **Sheila J. Wheelden** of Gray in the County of Cumberland and State of Maine, for consideration paid, grant(s) to **Kristin A. Stanley and Philip M. Stanley**, whose mailing address is P. O Box 1161, Gray, ME 04039, with **WARRANTY COVENANTS as Joint Tenants with Rights of Survivorship**, the real property situated in Gray, County of Cumberland and State of Maine more particularly described in Exhibit A attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, this instrument has been executed by **Carl I. Higgins**, Attorney in Fact for **Sheila J. Wheelden**, this 1st day of November, 2021.

[Redacted Signature]

Witness to all

X SHEILA J WHEELDEN

Sheila J. Wheelden, by Carl I. Higgins, Attorney in Fact, by virtue of authority granted by Durable General Power of Attorney dated June 10, 2021 to be recorded herewith

State of Maine
County of Cumberland, ss.

November 1, 2021

Personally appeared before me the above named by **Carl I. Higgins, Attorney in Fact for Sheila J. Wheelden**, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said **Sheila J. Wheelden**.

[Redacted Signature]

Notary Public/Attorney at Law

File Number 2021-1175

EXHIBIT A
(DEED)

A certain lot or parcel of land with any buildings thereon situated on the Cambell Shore Road (sometimes referred to as Campbell Shore Road) in Gray in the County of Cumberland and State of Maine, and shown as Lot No. 1 on a subdivision plan of Cambell Acres, Gray, Maine, which plan is recorded in the Cumberland County Registry of Deeds in Plan Book 104, Page 27, said Lot No. 1 comprises 14.5 acres, more or less.

The premises conveyed herewith are conveyed subject to the provisions set forth in said subdivision plan as follows:

1. Further subdivision of this lot may not be made without the express approval of the Planning Board of the Town of Gray.

EXCEPTING and RESERVING a certain lot or parcel of land on the Southwesterly side of Campbell Shore Road and on the Southeasterly side of Jenny Drive in the Town of Gray, County of Cumberland, State of Maine, conveyed by Paul D. Wheelden and Sheila J. Wheelden to Carl I. Higgins and Angela V. Higgins by deed dated October 29, 1998 recorded in said Registry of Deeds in Book 14318, Page 319 and therein bounded and described as follows:

Beginning at a 5/8" rebar iron pin set in concrete at the intersection of the Southwesterly sideline of Campbell Shore Road with the Southeasterly sideline of Jenny Drive as shown on a Final Subdivision Plan of Campbell Acres by Land Use Consultants Inc. dated October 24, 1998, and recorded in the Cumberland County Registry of Deeds, Plan Book 104 Page 27;

THENCE by the following courses and distances:

- 1) S 31° 48' 30" E along the Southwesterly sideline of Campbell Shore Road a distance of One Hundred Thirty-Four and 19/100 (134.19) Feet to a point;
- 2) 35° 34' 30" E along the Southwesterly sideline of Campbell Shore Road a distance of Sixty-Five and 81/100 (65.81) Feet to a 5/8" rebar iron pin set;
- 3) S 49° 51' 30" W by remaining land of Grantors a distance of Four Hundred and 00/100 (400.00) Feet to a 5/8" rebar iron pin set;
- 4) N 37° 22' 00" W by remaining land of Grantors a distance of Two Hundred and 00/100 (200.00) Feet to a 5/8" rebar iron pin set on the Southeasterly sideline of Jenny Drive;
- 5) N 60° 22' 22" E along the Southeasterly sideline of Jenny Drive a distance of Seventy-Five and 00/100 (75.00) Feet to a point;

File Number 2021-1175

SJW BY CJH

Stanley - Deed - page 2 of 3

6) N 43° 06' 00" E along the Southeasterly sideline of Jenny Drive a distance of One Hundred Forty-One and 11/100 (141.11) Feet to a concrete monument found;

7) N 51° 05' 10" E along the Southeasterly sideline of Jenny Drive a distance of Two Hundred One and 18/100 (201.18) Feet to the point of beginning.

Reference is made to a survey entitled "Resubdivision Plan of Lot 1 Campbell Acres Subdivision for Francis L. and Verna L. Mackell" dated January 8, 1988 recorded in said Registry of Deeds in Plan Book 170, Page 58, approved by the Gray Planning Board on April 28, 1988.

For title, reference may be had to a deed from Paul d. Wheelden to Paul D. Wheelden and Sheils J. Wheelden, as joint tenants, dated May 16, 1985 recorded in said Registry of Deeds in Book 6766, Page 56. The said Paul d. Wheelden died on April 22, 2005 leaving the Sheila J. Wheelden as surviving joint tenant.

File Number 2021-1175

SJW BY CH

Stanley - Deed - page 3 of 3

December 9, 2021



Bill Shippen
Survey Inc.
Windham, ME 04062

**RE: Soil Evaluation for Subsurface Wastewater Disposal Systems
Campbell Shore Road Lots, Gray, Maine**

Dear Mr. Shippen:

On December 9, 2021, two test pits were dug and assessed on two proposed residential house lots located on the west side of Campbell Shore Road and the south side of Jenny Lane in Gray by Alexander Finamore, LSE #391. The parcel is identified by the Town of Gray as Tax Map 56 Lot 17-28-0. Each test pit was located by with a submeter accuracy Trimble Geo handheld GPS unit and marked with a pink survey flag. Both test pits were located on side slopes and revealed sandy loam glacial till soils with a restrictive layer between 24 and 34 inches below the mineral surface. All of the test pits contained suitable soils to support a 'First Time System' according to the Maine Subsurface Wastewater Disposal Rules. Please find the soil profile descriptions of the test pits attached.

If you have any questions, please feel free to email me at: mainelysoils@gmail.com or call 207-650-4313.

Sincerely,



Alexander A. Finamore, LSE #391, CWS #267

From: [rick licht](#)
To: [Kristen Muszynski](#)
Cc: [Doug Webster](#)
Subject: Stanley Property Campbell Shore and Jenny Drive, Sketch Plan Submittal Comments
Date: Wednesday, January 12, 2022 11:02:03 AM
Attachments: [Stanley Campbell Shore Rd Plan Mark Up RL.PDF](#)

Krysten/Doug:

I am writing to provide comment on the proposed Sketch Plan or Preliminary Subdivision Plan (not clear) submission by Kristen Stanley re: the Amendment to the Campbell Acres Subdivision located off Jenny Drive and Campbell Shore Road (Map 056/017/028)

I believe that the creation of two additional lots will not be out of character with the existing neighborhood and RRA District but would provide the following recommendations.

1. The applicant indicates the desire to maintain wooded buffers on the two new lots (See attached plan mark-up). I would recommend those buffer areas be shown not only to the current lot on Campbell Shore Road, but to the abutting lots and dimensioned on the final plan and including a minimum 50-foot buffer along the Foster property to the SW and the lots to the rear located to the SE. Additionally I would recommend a restriction on open clearing along the frontage on Jenny Drive (while allowing for thinning of the front of the lots within the building setback) to maintain the character of the surrounding lots. (The drives will likely require a robust opening due to the grades which is understood.) Any such buffers/cutting restrictions should be referenced in the final *lot deeds* as well as on the final plat.
2. Is it the applicant's intent that the 7.12 acre parcel be limited to one lot or would the door be left open for the opportunity to further divide that lot (subject to frontage and *Back Lot* provisions, etc.) in the future? If the former, I would recommend a note be added to the final plat with such restriction.
3. I presume this plan would constitute a formal Subdivision Amendment and not a simple creation of two lots in addition to a homestead lot?
4. Septic test pit sites and well exclusion zones should be shown on the final plans.

Thank you for your consideration of the above comments. Please forward the above to the full Planning Board.

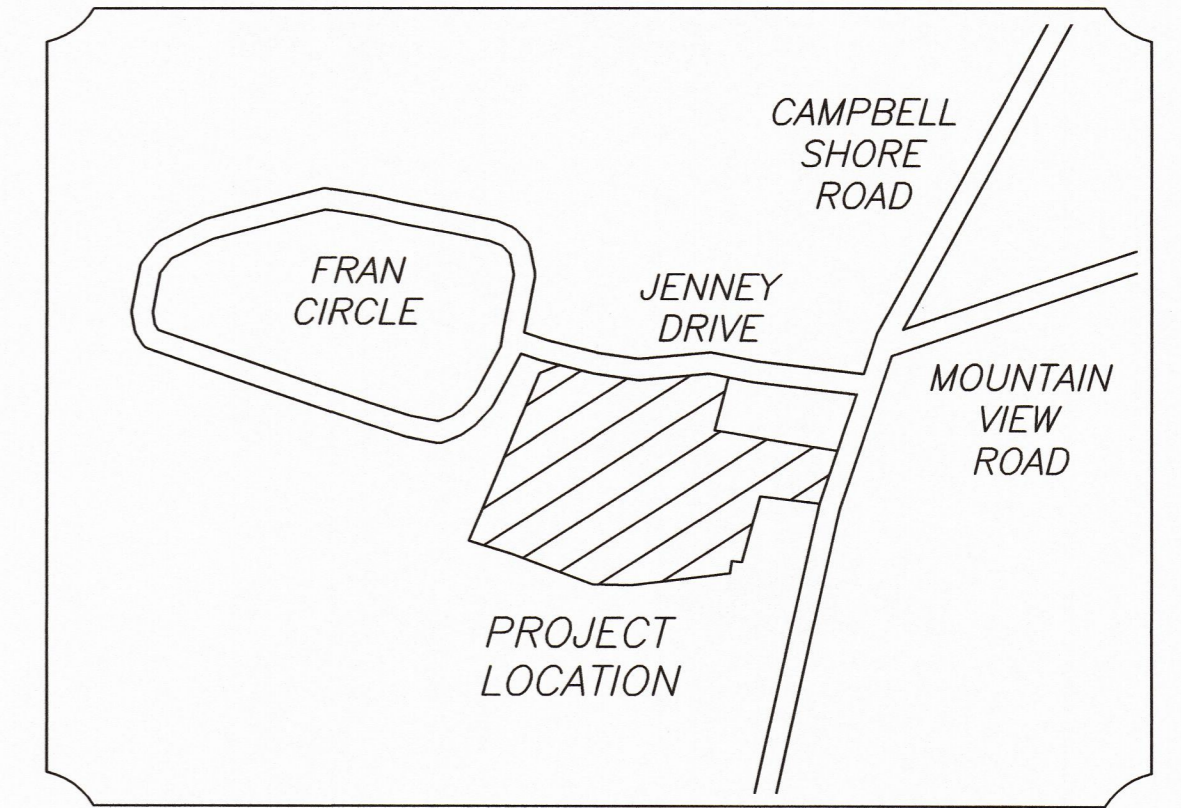
Best,

Rick Licht

Frederic (Rick) Licht, PE, LSE
Licht Environmental Design, LLC
35 Fran Circle

Gray, Maine 04039
(v) 207.749.4924
lichtenvironmentaldesign.com

This electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it, may be considered public records, and may therefore be subject to public record requests for review and copying under Maine's Right to Know Law (Title 1, 401-521 of the Maine Revised Statutes).



LOCATION MAP
(NOT TO SCALE)

SURVEY NOTES:

- (1) THE OWNERS OF RECORD ARE PAUL D. WHEELDEN AND JEAN A. WHEELDEN AS DESCRIBED IN A DEED RECORDED IN BOOK 3674 PAGE 289 IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
- (2) THE PARCEL IS SHOWN AS LOT 17-28-0 ON THE TOWN OF GRAY ASSESSORS MAP 56.
- (3) BEARINGS ARE GRID NORTH, MAINE STATE PLANE 1802 WEST ZONE.
- (4) VERTICAL DATUM- NAVD 88
- (5) LIMITS OF THE OPEN FIELD WERE TAKEN FROM GOGGLE EARTH IMAGERY.

PLAN REFERENCES:

- (1) PLAN OF PROPERTY IN GRAY MAINE MADE FOR VERA G. JORDAN DATED MAY 23, 1973 REVISED JUNE 7, 1973 BY HI AND EC JORDAN.
- (2) CAMPBELL ACRES GRAY, MAINE FINAL SUBDIVISION PLAN K. NORTON & J. GENDRON SOUTH PORTLAND, MAINE DATED OCTOBER 1974 BY LAND USE CONSULTANTS, INC RECORDED IN PLAN BOOK 104 PAGE 27 IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
- (3) CAMPBELL SUBDIVISION GRAY MAINE RECORDED IN PLAN BOOK 115 PAGE 4 IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
- (4) SUBDIVISION PLAN OF CAMPBELL ACRES GRAY, MAINE FOR KERRY NORTON AND EDSON SOBEY DATED OCT. 5, 1977 BY JACK BERMAN, INC. RECORDED IN PLAN BOOK 119 PAGE 65 IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
- (5) STANDARD BOUNDARY SURVEY ON CAMPBELL SHORE ROAD GRAY, MAINE FOR SUZANNE TANBERG DATED OCTOBER 1994 BY WAYNE T. WOOD AND CO. RECORDED IN PLAN BOOK 195 PAGE 403 IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
- (6) RESUBDIVISION PLAN OF LOT 1 CAMPBELL ACRES SUBDIVISION FOR FRANCIS L. AND VERA L. MACKELL FRAN CIRCLE AND JENNEY DRIVE DATED JANUARY 8, 1988 BY JOHN D. PALMITER RECORDED IN PLAN BOOK 170 PAGE 58 IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.

CERTIFICATION:

I CERTIFY THAT THIS SURVEY CONFORMS TO THE STANDARDS OF THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS AND IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

WILLIAM C. SHIPPEN P.L.S. 2118

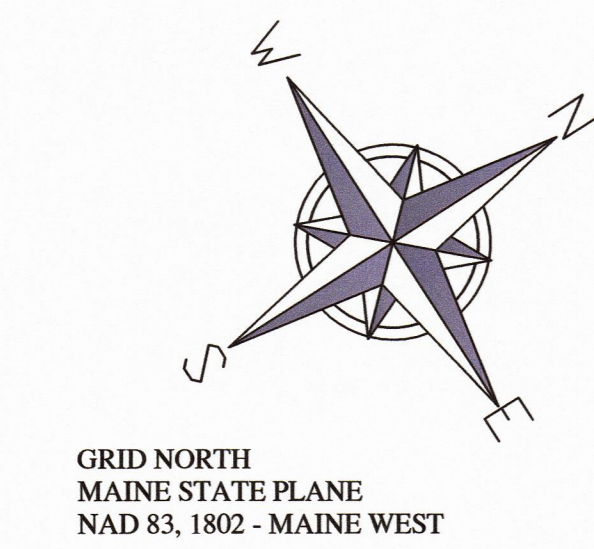
BOUNDARY SURVEY

CAMPBELL SHORE ROAD
GRAY, MAINE

FOR: **KRISTIN STANLEY**
PO BOX 1161
GRAY, MAINE 04039
(CLIENT)

SURVEY BY: **SURVEY, INC.**
P.O. BOX 210
WINDHAM, ME 04062
(207) 892-2556
INFO@SURVEYINCORPORATED.COM

DWN: WCS
DATE: OCTOBER 2021
CHK: DRR
JOB NO. 21-270



GRID NORTH
MAINE STATE PLANE
NAD 83, 1802 - MAINE WEST

