

TOWN OF GRAY
PLANNING BOARD
AGENDA • JULY 14, 2022

**Planning Board
Regular Meeting**

**Council Chambers,
Henry Pennell Municipal Complex,
24 Main St., Gray**

7:00 PM

**And via Zoom Videoconferencing:
<https://us06web.zoom.us/j/89460808452>**

**Meeting ID: 894 6080 8452
Dial: +1 301 715 8592 US (Washington DC)**

I. MEETING COMMENCES

Roll Call

II. MINUTES APPROVAL

Minutes: Planning Board regular meeting June 9, 2022

III. INFORMATION EXCHANGE

- Workshop with Open Space Committee
- Planning Board Training: Aug. 25, S. Portland
- Avesta Housing Meadowview II Plan to Sign

Remote/Hybrid Meeting Policies

IV. NEW BUSINESS

a.. Gray Yarmouth Road Solar LLC Site Plan Approval Extension Request

Review a request by Gray Yarmouth Road Solar LLC, for a one-year extension of their September 2021 site plan approval for a 4.999 MW commercial solar energy system on a portion of a 102-acre parcel located at the end of Hillcrest Drive, at Map 36, Lot 33-01-00, in the Rural Residential Agricultural zoning district.

VI. PUBLIC HEARINGS

Garrison Woods Subdivision Amendment

A request by Robert Hagenow, represented by William Fletcher, to create an easement across Lot 7 of the Garrison Woods subdivision, Map 47, Lot 318-010-007, accessed off Mt. Hunger Shore Road, in the Lake zoning district, to access his abutting property (Map 039 Lot 001-009-

000). This proposal is subject to major subdivision amendment review.

V. CONTINUED BUSINESS

Gracewoods Subdivision

A request by Robert Thayer Jr., represented by Wayne Wood, for review of an amendment to a minor subdivision. This proposal is to create two additional lots on Mr. Thayer's property in the Gracewoods subdivision, on Gracewoods Lane, Map 62, Lots 027-112 and 027-113, in the Rural Residential and Agricultural zoning district and partly in the Limited Residential Shoreland Zoning District. This proposal is subject to minor subdivision amendment review.

VII. 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
GRAY PLANNING BOARD
MINUTES – JUNE 9, 2022**

Gray Planning Board Regular Meeting	Henry Pennell Municipal Complex 24 Main Street, Gray, ME 04039	7:00 PM
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I. MEETING COMMENCED AT 7:00 PM

This meeting took place, in-person, at the Town Office.

Roll Call:

Attendee Name	Title	Status
Dan Cobb	Chair	Present
Tamara Lee Pinard	Regular Board Member	Present
Keary Sibole	Regular Board Member	Absent - Excused
David Phelps	Regular Board Member	Present
Doug Webster	Community Development Director	Present
Kristen Muszynski	Community Planner	Present
Krista Chappell	Council Liaison	Present

II. MINUTES APPROVAL: There was one change to the meeting minutes of May 10, 2022 by Kristen Muszynski. That one change was made on Page No. 1, Item III. Information Exchange to change the effective date for LD2003 from July 1, 2022 to July 1, 2023. The following motion was made.

MOTION: *by Tamara Lee Pinard, seconded by David Phelps, to approve the Planning Board meeting minutes of May 10, 2022, as amended.*

VOTED: *3-0 (Passed).*

III. INFORMATION EXCHANGE:

- **Staff Review Committee Meeting of June 9, 2022.** The Staff Review Committee met prior to this Planning Board meeting at 6:00 pm to review a change of ownership for the Yarmouth Road solar project and a proposed second chair to the tattoo parlor at 19 Main St. Kristen said these were both approved unanimously.

- **CircleK Conditions of Approval Update.** The Circle K property has completed its on-site conditions of approval by installing additional plantings in lieu of the landscaped berm, to block headlights from the sightline of approaching Raymond Road motorists and the area along the Route 26 side as a “no parking zone” with painting. The only outstanding COA is now the merger of the two lots into one property.

- **CDBG Award for Village Area Loop Trail Phase II.** The Cumberland County Commissioners have approved the Community Development Block Grants for the 2023 cycle and the Town of Gray is the recipient of a \$66,877 grant for installation of an addition to the Village Area Loop Trail. This section of trail will extend from the existing trail behind Pennell, across Main Street to the gateway property and the Russell School. The Town Council voted on June 7, 2022 on acceptance of the grant. Following that, next steps are completion of an environmental review for this project and approval of the county’s comprehensive plan by HUD. Once these steps are completed, the Town can go out for an RFP and select a contractor to complete the work. The plans for the trail improvement will then come to Planning Board for review/approval.

- **Open Space Committee Upcoming Discussion.** The Open Space Committee recently completed its plan to “protect and connect” open spaces in the Town and they would like to come before the Planning Board in a Workshop to share the plan and discuss how the Board can consider open space goals as part of the Planning Board review/approval process. The committee is seeking to come before this Board at the July 2022 meeting. They are hoping to do some outreach by fall. The plan can be viewed by assessing the following link to get familiarized with it in advance: [Town of Gray Open Space Plan \(graymaine.org\)](https://www.graymaine.org)

- **Lewiston Road (Liberty) Self-Storage Development.** Based on follow-up with the applicant regarding the feasibility of the well on Residential Lot #1, the Notice of Decision has been issued with the conditions, as approved by the Planning Board at the May 10, 2022 meeting. The final subdivision plan is before this Board this evening for Board Member signatures, which will allow the applicant to file it with the Registry of Deeds within the 90-day window post-approval (August 8, 2022 deadline).

- **U.S. EPA Brownfields Grant.** The United States Environmental Protection Agency (EPA) has selected the Town of Gray to receive \$500,000 in Brownfields Assessment Grants over a three-year period starting in 2022. These grants are awarded to Towns across the country for local communities to identify and assess underutilized properties for

future clean-up and redevelopment, while protecting public health and the environment. Nate Rudy has secured the grant and will identify some projects in the Town and make recommendations to the Town Council.

- **Town Council Information by Krista Chappell.** She stated that the Town Council passed some changes to the hybrid meeting policy. Hybrid meetings are the preferred format. This increased participation. She reported making updates to committee rules. There were some changes to charges. Copies will be sent to Chairs and Board Committees. She mentioned specifics on how roads are classified for full acceptance. The OAC spent some time on discussing self-storage units. A moratorium has been placed until the end of the year. Some items discussed were siding and materials, a maximum building length of 200 feet, a height limit, regulating space between buildings, back lots, creating a listing of plant species, owners being responsible for maintaining buffers, what zones to be in, etc. The election is on June 14, 2022. There is one open Council seat and two individuals are running. The Council, at their June 21, 2022 meeting, will be having liaison assignments. The Council will be having a retreat in the fall to regroup on goals and identify strategies. She stated that, as a future Workshop Agenda item, will be retail medical marijuana facilities in Town.

IV. NEW BUSINESS:

A. Review/approve revised Planning Board application deadlines for 2022-23. As discussed at the May 10, 2022 Planning Board meeting, with support from the Board, Staff is proposing a new schedule for Planning Board submittal deadlines, to allow more time to confirm completeness of submittals prior to advertising and placing applications on Planning Board Agendas for review. Kristen has prepared the new schedule that is before this Board tonight, for both the remainder of 2022 and for 2023. The new deadlines reflected in the schedule would begin with the August 2022 meeting submittals. Dan Cobb stated that he was totally in favor of the revised Planning Board application deadlines for 2022-2023. He said he would much prefer to have the deadlines pushed forward. The following motion was made.

MOTION: *by Tamara Lee Pinard, seconded by David Phelps, to move to approve the revised Planning Board 2022 Meeting and Application Deadline Schedule and the Planning Board 2023 Meeting and Application Deadline Schedule, as submitted.*

VOTED: *3-0 (Passed).*

V. CONTINUED BUSINESS:

A. Avesta Meadowview II Senior Housing Development. A request by Avesta Housing Development Corporation, Avesta Meadowview II LP and Gray Senior Housing, Inc., represented by Nathaniel Howes of Avesta Housing and Maureen McGlone of Ransom Surveying, for site plan, conditional use, and subdivision review of a proposed multi-family 26-unit senior housing development located near 16 Hancock Street, Tax Map 43, Lot 405-39, in the Village Center Zoning District, owned by Gray Senior Housing, Inc. This application is subject to site plan, conditional use, and subdivision review as well as multi-family housing standards and village design standards.

Maureen McGlone of Ransom Surveying and Nate Howes of Avesta Housing (the applicant) were present. Dan Cobb asked Maureen to focus on what is new. She provided the following. She said Avesta Housing is now proposing a 26-unit senior housing development, based on the net residential density requirement. The Subdivision Plan includes the discontinued roadway as being part of the parcel in addition to the Dunn property. To the south are the easements to stormwater and utilities from the Gray Plaza. There are four additional spaces next to Building 3 that will be grassed with the potential to be paved later. There is a one-way, 12-foot access road provided around for emergency access and delivery vehicles and as a means to alleviate traffic during construction. The site circulation has been revised to go in a counter-clockwise manner. A vehicle turning template has been provided for the Gray Fire Department truck with some different line types. Signage has been added to include no parking areas. Pedestrian crosswalks. They provided community areas including a garden community porch and gazebo. The vegetated island is grassed. Grading/Drainage: The majority of the stormwaters are being directed to the level-up spreader and then it goes into the buffer. She said the roof runoff and foundation drain locations have been revised slightly to accommodate comments received from Doug Webster and the DHHS. They are trying to keep them away from the septic field, but also within the buffers from the wetland. The culvert is proposed under the one-way emergency access and will drain over to the level spreader. The catch basin is proposed at the entrance and will replace the existing culvert. The two-inch and six-inch fire suppression remains the same. The septic system is shown in the rear. There are three underground septic tanks. There is an engineered subsurface system. The system has been raised to meet the request, therefore, some of the grading has changed. There is still no encroachment on wetlands. She showed the Landscape Plan, which has not changed. She showed the renderings, both with and without landscaping.

Also, present was Tom Errico, from TY Lin International. Dan Cobb asked him to focus on those items that did not make it from his review into the plan set. Tom stated one item that was new was the traffic control at Hancock Street (Meadowview Drive) from a yield control to a stop. This was shown on a separate sheet that he provided. He mentioned site distance, with anyone pulling out of Hancock Street approaching Meadowview, he feels this is adequate site distance. The yield sign is unclear to motorists. He requested that the yield sign be removed and that the stop sign be placed on Hancock Street, coming out of the dead-end portion. He said he feels the crosswalks are fine. He suggested that a warning sign (simple signs) be placed before the trail. He said the facility needs to be ADA compliant. He was looking for confirmation from the applicant on that. There are two proposed removable speed humps. The sidewalk system is fine. The only outstanding item is for the design of the sidewalk along Meadowview. The sidewalk is proposed from Hancock Street down into the site. He said this

could be placed as a condition. In regards to snow plowing, he said he was fine with the proposed sidewalk system. He assumes Avesta has a winter maintenance program. His suggestion is that they plow the new sidewalk up to Hancock Street. This is the only sidewalk on that street. Kristen said part of the Road Discontinuance Agreement was that the Town maintain the sidewalk and continue winter maintenance of the discontinued road. The turning template looked like it was tracking off the pavement, but it is just an overhang. This item was fine to him.

At this point, Dan Cobb asked if the Board had any questions for the traffic engineer. Dan asked him specifically about the size of the existing parking lot and the notion of traffic flowing through that. He said he thought the parking lot seemed small and potentially congested and he did not feel there was enough room to accomplish what they are trying. Tom Errico responded that the dimensions for the aisle widths are sufficient for traffic flow. There were no further questions.

Maureen McGlone said the changes for the yield sign to a stop sign and some design details for the ADA ramp have been placed on Sheet 1.2.

Dan Cobb stated that there were a number of comments from Town Staff, as listed in the memorandum prepared by Kristen, followed by some recommended changes. Maureen McGlone said she had no issues with Staff's recommendations. There was nobody in the audience from the public. Kristen said there was one e-mail for the record. Dan Cobb noted that he had received an e-mail from a resident, but it was not related to approval of the project, it was on an issue with management. This has since been addressed, however, he advised her that he could not help her with her request.

David Phelps asked are there any restrictions around the buffer between this site and Gray Plaza down next to it? Kristen responded that the buffer that they are proposing on that side is an easement on the plaza's property. It is for stormwater and buffering.

Dan Cobb then went through the recommended changes, Items 1-6 on Page 6 of the Staff Memorandum. Staff is asking the Board for feedback and whether the Board was in agreement. The consensus of the Board was that they were in agreement with all the items listed. All the recommendations should be incorporated.

Dan Cobb then proceeded through the seven Conditional Use Criteria, as follows:

1. Will the project be compatible with the general character of the neighborhood with regard to design, scale, and bulk of proposed structures. The Boards response was "Yes."

2. Will not have a significant detrimental effect on the use and peaceful enjoyment of abutting property as a result of noise, vibrations, fumes, odor, dust, light, or glare. The Boards response was "Yes."

3. Will not have a significant adverse effect on adjacent or nearby property values. The Boards response was "Yes."

4. Will not result in significant hazards to pedestrian or vehicular traffic or significant traffic congestion.

The Board was in receipt of the Traffic Circulation Report. The Boards response was "Yes."

5. Will not result in significant fire danger. The Boards response was "Yes."

6. Will not result in significant flood hazards or floor damage, or drainage problems, ground or surface water contamination, or soil erosion. The Boards response was "Yes."

7. Will be served adequately by, but will not overburden, existing public services and facilities, including fire protection services, roads, water and storm drainage systems. The Boards response was "Yes."

It was, in full consensus of the entire Board, that the above seven Criteria Items were met.

Discussion points were also included in the Staff Memorandum. At this point, the Board then proceeded through the discussion points. Dan Cobb read each discussion point.

1. Does this application meet the conditional use criteria of 402.9.3-F? The Boards response was, "Yes."

2. Does this application meet the multi-family housing requirements of the Ordinance? Dan Cobb said it previously did not. There has been some activity by the Town Council to change that Ordinance, so, now it presumably does. Kristen said the standards have been broken out. They have figured out the buffer strip with the easement. The driveways and parking have been peer reviewed of how that is affected with the circulation. Internal road access was hit on. Orientation and scale - It is a campus style. They are adding on to what was already there. The number of units was changed by the Ordinance. The Council allowed that to move forward and voted on extending that to be up to 30 for lots of 14 acres or larger. This is in effect at this time. They are under that threshold and done the 26, as discussed. Utilities are taken care of. The road discontinuance puts more of the utility considerations on the applicant, rather than the Town with drainage, etc.

3. Does this application meet the Village Design Standards? There were no comments by the Board.

4. Is the proposed buffering plan adequate along the northeast side where the proposed shed is sited between the two existing buildings? Is all other landscaping/buffering sufficient? The Board's response was, "Yes."

5. Does the Board wish to require any plantings on the vegetated parking lot island? The Board's response was, "No."

6. Does the Board agree to grant a waiver of the stormwater management plan, given Gorrill-Palmers review/comment that it meets the provisions of the Ordinance? The Board's response was "Yes."

The Board added Item No. 7, as follows:

7. That the traffic controls be approved by the Public Works Director.

At this point, the following motions took place.

CONDITIONAL USE: The following motion was made.

MOTION: *by Tamara Lee Pinard, seconded by David Phelps, to move to find the conditional use application complete and approve the conditional use for a proposal by Avesta Housing, represented by Maureen McGlone of Ransom Engineering, for a 26-unit multi-family senior housing development located near 16 Hancock Street, Tax Map 43, Lot 405-39, in the Village Center Zoning District, owned by Gray Senior Housing, Inc.*

VOTED: 3-0 (Passed).

MULTI-FAMILY: The following motion was made.

MOTION: *by Tamara Lee Pinard, seconded by David Phelps, to move to find the proposal by Avesta Housing, represented by Maureen McGlone of Ransom Engineering, for a 26-unit multi-family senior housing development located near 16 Hancock Street, Tax Map 43, Lot 405-39, in the Village Center Zoning District, owned by Gray Senior Housing, Inc., meets the multi-family provisions of the Town of Gray Zoning Ordinance, 402.10.14.*

VOTED: 3-0 (Passed).

VILLAGE DESIGN: The following motion was made.

MOTION: *by Tamara Lee Pinard, seconded by David Phelps, to move to find the proposal by Avesta Housing, represented by Maureen McGlone of Ransom Engineering, for a 26-unit multi-family senior housing development located near 16 Hancock Street, Tax Map 43, Lot 405-39, in the Village Center Zoning District, owned by Gray Senior Housing, Inc., meets the Village Design Standards of the Town of Gray Zoning Ordinance, 402.8.3.*

VOTED: 3-0 (Passed).

WAIVERS: The following motion was made.

MOTION: *by Tamara Lee Pinard, seconded by David Phelps, to move to approve the following waivers for the proposal by Avesta Housing, represented by Maureen McGlone of Ransom Engineering, for a 26-unit multi-family senior housing development located near 16 Hancock Street, Tax Map 43, Lot 405-39, in the Village Center Zoning District, owned by Gray Senior Housing, Inc., given that the applicant is meeting the zoning ordinance by treating 75% or more of the site through the vegetated buffer.: The provisions of the Town of Gray Zoning Ordinance, 401.13.12 G, requiring the stormwater management plan to comply with flooding standards of Maine DEP Chapter 500.*

VOTED: 3-0 (Passed).

SUBDIVISION AND SITE PLAN APPROVAL: The following motion was made.

MOTION: *by Tamara Lee Pinard, seconded by David Phelps, to move to approve the application by Avesta Housing, represented by Maureen McGlone of Ransom Engineering, for a 26-unit multi-family senior housing development located near 16 Hancock Street, Tax Map 43, Lot 405-39, in the Village Center Zoning District, owned by Gray Senior Housing, Inc., 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 discontinuance of a portion of Hancock Road will be noted on the face of the final subdivision plan, with Cumberland County Registry of Deeds book/page reference.*
- 4. The applicant will include the Town's local plumbing inspector as part of the state permit review for the septic system.*
- 5. An outline of the discontinued road parcel area will be shown in its entirety as an easement to the Town of Gray, with a plan note describing that said easement is intended for winter maintenance and pedestrian access.*
- 6. The subdivision plan will include notes to memorialize municipal easements in perpetuity related to public access to the Village Area Loop Trail trailhead and the former Dunn parcel trails; and notes to memorialize the 50' forested buffer/stormwater easement on the abutting property.*
- 7. Areas that are to be maintained as open space on the site will be marked as "not for development" on the face of subdivision plan.*
- 8. The Town of Gray Public Works Department will be involved in discussions regarding construction of the new sidewalk along the discontinued road section and the applicant shall construct the sidewalk in a manner that allows the GPWD to perform winter maintenance of the sidewalk with Town equipment.*
- 9. The design of the utility plan shall be confirmed by the Mechanical Designer during final design and all such confirmation shall be provided in writing to the Town of Gray, including final plans showing the final design.*
- 10. The note on the Overall Site Inventory Plan noting that the "stormwater buffer" shall be delineated in accordance with Maine DEP Standards" shall be added to the Subdivision Plan and pins/markers shall be shown on the subdivision plan for the stormwater buffer/easements. The applicant shall submit a stormwater maintenance report to the code enforcement officer each January 1, documenting the maintenance work performed and the condition of all stormwater infrastructure.*

That Item No. 11 be struck and replaced with the following Item No. 11.

- 11. That the traffic controls be approved by the Public Works Director.*

CONDITIONS REQUIRED PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

- 1. All lots shown on the site plan must be merged to create a single lot for the development.*
- 2. The applicant will submit copies of the Maine DEP stormwater permit for the site, prior to the issuance of building permits.*

3. *The final utility layout shall receive approval from the Public Works Department and Gray Water District prior to the issuance of building permits.*
4. *The applicant shall execute the stormwater and 50' forested buffer easement with the abutting property owner and provide documentation to the code enforcement officer with the Cumberland County Registry of Deeds reference, prior to the issuance of building permits.*
5. *The applicant shall submit a full hard copy of the final subsurface wastewater disposal permit and all supporting documents, prior to the issuance of building permits.*

To add a new item – Item No. 6.

6. *That there be a pre-construction meeting with the applicant, consulting engineer, and Public Works Director to review all details.*

VOTED: 3-0 (Passed).

Dan Cobb said congratulations and thanked the applicant for all their hard work and patience in revising this a number of times. He said the outcome was far better than what they started with. Tamara Lee Pinard also said “thank you” and that this is a good thing for Gray.

B. Portland Road Self-Storage Development. 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 a portion of the property in the Resource Protection Shoreland Zoning District. This project is subject to site plan and conditional use review.

Jeff Amos from Terradyn Consultants was present. Also, present was Aaron Cureton, the applicant’s representative. Jeff said they were here last November 2021. He provided a brief overview of the project. He said that this is a 4-acre lot. The two parcels have been merged together to facilitate this project. The site is located at 119 Portland Road. The turnpike is to the west. There is another self-storage facility one lot down from this site. This development consists of seven individual buildings. The facilities are managed by a Website. There will be no on-site office or parking. No water or sewer are required. The only electrical service is for the external sign down by the entrance, unit lighting, and drive aisle lighting. The buildings are metal with earth tone colors - tan with “Hunter Green” doors and trim. They are proposing 16 new trees, with three of them being Evergreen trees in the front. They have provided screening for cars traveling north. There is a wetland at the front. Most of the trees have been cleared in the body of the site. The trees at the front of the site will remain. The entrance is proposed in the same location as the old driveway. This does have a MDEP NRPA Permit. There is a gate and there will be a black chain-link fence along the front and sides. The large wetland area is impassable and there will be no fencing there. There will be 80-100 feet in front of the gate to allow for 4-5 cars to queue. Traffic generation numbers were previously provided. The gate will be controlled with a keypad mechanism. Gray Fire & Rescue will have access to that gate. One of the comments last time was focused around the stormwater pond. There will be a new filter basin that will drain most of the site. There will be a roof drain strip along the back of Building Nos. 1, 6, and 7 to capture the roof water. They have raised the pond up slightly in order to allow that underdrain to go to the primary outlet of the level spreader. All the stormwater will flow out the spillway into a level spreader and then down through the woods before it hits the Town property. This site does require both a MDEP Stormwater Permit and NRPA Tier 1 Wetland Fill Permit and a MDOT Entrance Permit. The Town Ordinance has been rectified regarding supporting multi buildings on site. Also, he said the outdoor storage area has been removed and Building No. 7 is in that place. There is a small portion of the wetland area that is just within 200 feet of significant wetlands that are across the street. MDEP has decided that the entirety of the wetlands is significant and would need a different permit. He said they have since waived that. The MDEP has had the permit for a couple of months. They have another month to review it. He said he does not believe they have any comments coming from them. They have no outstanding comments coming from the peer reviewer, Gorrill Palmer for any engineering issues. He said they do expect MDEP to be forthcoming and would like a conditional approval without the MDEP Permits in hand. He said the applicant has agreed to break up the roadside façade of Building 1 with the placement of a minimum of four windows with shutters. Most of this area is behind the landscaped buffer. In the May 19, 2022 submittal, all the outstanding comments were answered. He said, as discussed last time, they did request a waiver from the Class B high intensity soil survey. He said those are typically used for defining soils for stormwater studies or used in place of septic test pits. No septic systems are proposed for this site.

Aaron Cureton was present on behalf of aesthetics.

Dan Cobb reiterated that that both the Town’s Consulting Engineer and Town Staff (Fire Dept., Public Works, and Planning) comments have been addressed. Kristen stated that Staff noted that given the elevation of the site, it is unclear what the view of the buildings in the rear, that are closer to the turnpike, would look like. She said the Board may wish to require additional buffering. She said the site slopes upward toward the turnpike. She said, in essence, when driving up Portland Road, what would you see. Jeff said with buildings side-by-side, there is no opportunity to gain elevation. He said the only way is to put a split in the building of six inches. The front would be built up four feet or so and the back cut down five feet or so. He said Building No. 7 is a little bit taller and tucked into the back of the site. From the Maine Turnpike, you are looking down over the project and would only see the façade of Building No. 1. Dan Cobb made reference to Sheet A1.1 Elevations. Dan said he feels it looks strange to have a big, long building with only 2-4 windows. He said he would have expected every other bay or so to have a window associated with it. He does not feel that is a great look from the roadway. David Phelps agreed that more windows would be more aesthetically pleasing. Aaron Cureton said is looking at costs. He feels the buffer does the job and does not want to place windows.

He prefers to build something with the proper buffering. He said if they want him to place windows, then he would remove the buffer. He does not feel it makes a lot of sense to do both. He said this Board needs to make a decision and he will take a lead on what they prefer. He said they are trying to make it aesthetically pleasing as possible. He said he had suggested some of the siding be horizontal and some vertical. Dan Cobb agreed that a mixture of the two would be the right balance. Aaron said his goal is to make this look nice. Thoughts from the Board included the following. David Phelps said with trees, maybe they don't need all those windows. Jeff pointed out that the trees will be blocking out the entirety of the building early on in the process. Tamara said we do not want this to look like self-storage. She said we want it to look nicer and are trying to add to the value of our Town. She mentioned six windows, with the option of eight makes more sense. Kristen said that the Town does have Design Standards in the works right now. Krista said the Town Council has not drafted changes yet.

Aaron Cureton said he has owned this property for two years and still has not been able to break ground. He has not even been able to order the buildings. In the last year, he has lost \$450,000 in increased expenses and delays in the project. He said his goal is to build this to proper standards or better. He went on to say that there is a long lead time for excavators. He had people lined up, but had to cancel and they are no longer here.

Doug Webster stated two thoughts for the Board's consideration. He said for a condition of approval that it makes it binding for the applicant to provide the number of trees that the Board agrees upon, but the location of those could be determined as the site gets further developed with the approval of the Code Enforcement Officer and the Planner. He also said that Evergreen trees are better, long term, for use of money than windows. So, he said as the trees get big they will provide some good vegetation. His final point was, if the building ordering is that far out, that the applicant has a year out for substantial start, which is 30 percent of the cost of the overall project. If the applicant does not anticipate to have an overall cost of 30 percent in one year, the Planning Board shall grant the applicant an additional time so they do not have to come back to the Board to extend their approval. He went on to say that the Town Council knowingly and intentionally exempted this project from the effect of the moratorium. Dan Cobb agreed that this makes sense.

Dan Cobb then asked if the Board agreed with the two recommended changes listed on Page 12 of the Staff Memorandum, with the suggestions of Staff and the Town's consulting engineer. The consensus of the Board was that they were in agreement of both recommended changes.

Self-storage is a conditional use and, therefore, must meet the provisions of 402.9.3-F. This has been outlined in their Attachment 4.

At this point, the Board then proceeded through the seven Conditional Use Criteria, as follows:

1. Will the project be compatible with the general character of the neighborhood with regard to design, scale, and bulk of proposed structures. The Board's response was "Yes."
2. Will not have a significant detrimental effect on the use and peaceful enjoyment of abutting property as a result of noise, vibrations, fumes, odor, dust, light, or glare. The Board's response was "Yes."
3. Will not have a significant adverse effect on adjacent or nearby property values. The Board's response was "Yes."
4. Will not result in significant hazards to pedestrian or vehicular traffic or significant traffic congestion. The Board's response was "Yes."
5. Will not result in significant fire danger. The Board's response was "Yes."
6. Will not result in significant flood hazards or floor damage, or drainage problems, ground or surface water contamination, or soil erosion. The Board's response was "Yes."
7. Will be served adequately by, but will not overburden, existing public services and facilities, including fire protection services, roads, water and storm drainage systems. The Board's response was "Yes."

It was, in full consensus of the entire Board, that the above seven Criteria Items were met.

Discussion points were also included in the Staff Memorandum. At this point, the Board then proceeded through the discussion points. Dan Cobb read each discussion point.

1. Self-storage is a conditional use and, therefore, must meet the provisions of 402.9.3-F.
2. Is the proposed buffering plan adequate? Dan Cobb stated that he liked Doug Webster's approach on the numbers and putting in some flexibility for adjustment during construction with input from Code and Staff and, similarly, his comment on eight windows every third bay. He then asked for input from the other Board Members. Tamara agreed with the eight windows. David agreed as well. The motion will include this.
3. Is the Board comfortable with the Class B high intensity soil study waiver as requested, given the test pit information, slab-on-grade construction, and technical review of the proposed development? The Board's response was "Yes."
4. Does the Board agree that the following submissions are not applicable to this project:
 - Groundwater impact analysis
 - Traffic impact analysis. This was provided in November 2021.
 - Gray Water District statement of supply adequacy (no plans exist to provide water to the buildings. Hydrants are located on Portland Road). The Board's response was "Yes" to all three as not applicable.

At this point, the following motions took place.

CONDITIONAL USE: The following motion was made.

MOTION: *by David Phelps, seconded by Tamara Lee Pinard, to move to find the conditional use application complete and approve the conditional use for an application by Beth Cureton, represented by Jeff Amos, 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.
VOTED: 3-0 (Passed).
WAIVERS: The following motion was made.
MOTION: *by David Phelps, seconded by Tamara Lee Pinard, to move to approve the following waiver for the Cureton Self-Storage development at approximately 119 Portland Road, given the test pit information, slab-on-grade construction, and technical review of the proposed development: The 402.10.10.A 4J requirement for a Class B high intensity soil survey.*

VOTED: 3-0 (Passed).
FINAL SITE PLAN APPROVAL: The following motion was made.

MOTION: *by Tamara Lee Pinard, seconded by David Phelps, to move to approve the application by Beth Cureton, represented by Jeff Amos, 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. 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 of the structures on this combined lot, as approved herein, must remain in common ownership in perpetuity, unless specifically approved in writing by the Town of Gray Planning Board.*
- 3. The location and all aspects of the sign for the self-storage facility must meet the provisions of the Town of Gray sign ordinance, Chapter 406, and the applicant must obtain a sign permit from the Code Enforcement Officer prior to installation.*
- 4. The existing culvert beneath Portland Road as well as all related inlets/outlets for stormwater must be cleaned (jetted) to remove existing debris to ensure proper stormwater flow from the site, and approved by the Town of Gray Public Works Director.*
- 5. The applicant will install eight full windows on the side of Building 1 facing Portland Road.*
- 6. The location of the buffer plantings will be reviewed with the applicant, Code Enforcement Officer, and Planner after building construction and site grading are complete and prior to planting.*

CONDITIONS REQUIRED PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

- 7. The Planning Board will grant an extension of six-months in addition to the time limit for substantial commencement of construction, per the time limit in 402.10.17A. The applicant will submit a material purchase order that demonstrates a lead time of six months or more.*
- 8. The applicant is required to provide a copy of the filing with the Registry of Deeds showing that the two lots, Tax Map 59, Lot 31-10 & 31-14, are combined as one lot, prior to issuance of building permits.*
- 9. The applicant will provide a full hard copy of the MDEP Stormwater Permit application and NRPA application to the Code Enforcement Officer when filed, and full copies of said permits when issued, prior to issuance of building permits.*
- 10. The applicant will submit signed copies of the stormwater maintenance plan and the housekeeping plan to the Town prior to issuance of building permits, identifying the party/ parties responsible for said maintenance, with maintenance logs and a report of the condition of all stormwater infrastructure due to the code enforcement officer annually on Oct. 1.*

VOTED: 3-0 (Passed).

VI. PUBLIC HEARINGS: None.

VII. ADJOURNMENT: The following motion was made to adjourn the meeting.

MOTION: *by Tamara Lee Pinard, seconded by David Phelps, to adjourn the meeting at 9:02 p.m.*

VOTED: 3-0 (Passed).

Respectfully submitted,

Doreen M. Christ
Transcriptionist/Minute Taker - Town of Gray

DRAFT

TOWN OF GRAY TOWN COUNCIL HYBRID AND REMOTE MEETING POLICY

Pursuant to 1 M.R.S § 403-B

Adopted September 7, 2021

Amended June 7, 2022

PURPOSE

The Town of Gray strives to provide an open and transparent government that maximizes the ability of its residents to participate in the public process. This Policy sets forth the conditions upon which the Gray Town Council may conduct a hybrid or remote meeting, as that term is defined in this Policy.

DEFINITIONS

A. Hybrid Meeting

A public proceeding, as defined in 1 M.R.S. § 402(2), as may be amended, conducted with some meeting attendees in person/face-to-face at a designated physical location while connecting with other meeting attendees by remote means.

B. Public Meeting

A “public proceeding,” as that term is defined in 1 M.R.S. § 402(2), as may be amended.

C. Remote Means

Means “remote methods” as that term is defined in 1 M.R.S. § 403-B(1), as may be amended. For purposes of this Policy, “remote means” may include, but is not necessarily limited to: Zoom, Go-To-Meeting, Skype, Google Meet, or other comparable internet-based telephonic or videoconferencing platform. Remote means does not include text-only means such as e-mail, text messages, or chat functions.

D. Remote Meeting

A public proceeding, as defined in 1 M.R.S. § 402(2), as may be amended, conducted solely by remote means.

HYBRID MEETINGS WITH/WITHOUT REMOTE PARTICIPATION BY INDIVIDUAL TOWN COUNCILORS

The Town Council shall conduct its meetings using the hybrid format whenever feasible as it affords the most participation and transparency. Members of the Town Council are expected to be physically present for all public meetings except when being physically present is not practicable for one or more members.

Circumstances under which physical presence for one or more members is not practicable may be, but are not limited to:

- A. Illness or other physical condition, or temporary absence from the Town of Gray, that causes the member to face significant difficulties travelling to and attending the public meeting in person; or
- B. To provide a reasonable accommodation to a member with a disability.

A Town Councilor who believes it is not practicable, as set forth above, for him/her to attend a meeting in person shall notify the Chair (or in his/her absence, the Vice Chair), as well as the Town Manager, of the existence of such circumstances as far in advance as is possible.

Staff is encouraged to use remote participation in hybrid meetings when feasible except when their physical presence will better facilitate discussions and/or meetings are held during normal business hours.

The physical address, remote link and dial in phone number will be published on all posted agendas in advance of the meeting.

REMOTE MEETINGS OF THE TOWN COUNCIL

The Town Council shall conduct its meetings using the hybrid format unless the Chair (or in his/her absence, the Vice Chair), in consultation with the Town Manager, makes a determination that an emergency or urgent issue exists that requires the Town Council to conduct a remote meeting, including, but not limited to, inclement weather and/or disasters or catastrophes caused by either natural or man-made causes. The determination of such an emergency or urgent issue shall be made as soon as practicable, and notice of a meeting being conducted solely by remote means shall be disseminated consistent with 1 M.R.S. § 406, as may be amended, the Town Charter and this Policy.

PUBLIC NOTICE OF HYBRID OR REMOTE MEETINGS

When the Town Council conducts a hybrid or remote meeting, the following shall occur:

- A. Notice of the public meeting shall be provided in a manner that provides ample time to allow public attendance. Such notice shall be disseminated in a manner that is reasonably calculated to notify the general public of the time, date, location, and method to be used to conduct the meeting. Such notice shall provide information regarding how members of the public may attend the public meeting remotely and shall provide the physical location where members of the public may participate in person, if applicable.
- B. Members of the public shall be provided with a reasonable opportunity to participate in the public meeting by remote means, which shall at a minimum include an effective means of communication between such members of the public and the Town Council. Reasonable accommodations may be provided when necessary to provide access to individuals with disabilities.
- C. Unless the entire Town Council is conducting a remote meeting as provided in Section ~~III~~ IV of this Policy, members of the public must be provided the option to attend the meeting in person or by remote means.
- D. Unless the entire Town Council is conducting a remote meeting as provided in Section ~~III~~ IV of this Policy, the Chair (or in his/her absence, the Vice Chair), at the start of the meeting, shall announce the name of any Town Councilor(s) participating by remote means.
- E. All public documents and other materials considered by the Town Council shall be made available to members of the public by the same or more efficient means as they are provided to individual Town Councilors. This requirement may be met by: (i) posting all public documents and materials to be considered by the Town Council on the Town's website at least one (1) business day prior to the meeting; (ii) making physical copies of all documents and materials to be considered by the Town Council available for in person pick-up at the Town Office at least one (1) business day prior to the meeting; or (iii) enabling the "screen-sharing" function of the remote means utilized for the meeting in such a way that members of the public are able to view all relevant documents and materials while the Town Council is reviewing and discussing the same.

QUORUM

A Town Councilor who participates in a hybrid or remote meeting is considered present for purposes of determining the presence of a quorum and voting.

ROLL CALL VOTE REQUIRED

All votes taken during a hybrid or remote meeting must be taken by roll call vote that can be seen and heard if using video technology, and heard if using only audio technology, by all Town Councilors and the public.

ZOOM PREFERRED

The preferred hybrid or remote means for all Town boards and committees shall be Zoom. The platform shall be set up and hosted by a Town official and a digital recording shall be preserved. The use of private accounts to host a hybrid or remote meeting can be used if the Town account is not available but must be recorded. The recording should then be provided to Town Staff.

DISRUPTIONS AND ADJOURNMENT

If during the conduct of a hybrid or remote meeting, the meeting is interrupted through disruptions or glitches in the technology, the meeting may be recessed for up to 15 minutes to restore communication when audio-visual communication cannot be maintained with a quorum of Town Councilors. If the interruption cannot be resolved within 15 minutes, and the Town Council has not provided reasonable notice to the public as to how the meeting will be continued at an alternative date and time, then adjournment may be considered. If the meeting being conducted is a hybrid meeting with no remote participation by individual Town Councilors and a remote connection to the public location identified in the Town Council's notice pursuant to Section VI(a) of this Policy is interrupted or lost, the meeting shall continue at the public location without the need for a recess or adjournment.

EXECUTIVE SESSIONS

To preserve the executive session privilege of any portion of a meeting closed to the public, the Chair should confirm with each attendee that no unauthorized person is present or has access to any executive session being conducted via hybrid or remote means. There shall be no audio or visual recording of an executive session.

OTHER TOWN BOARDS AND COMMITTEES

This policy applies to all Town Council boards or committees, unless the board or committee adopts its own policy.

APPLICABILITY

This Policy does not apply to Town Meetings.

AMENDMENT; SEVERABILITY; EFFECTIVE DATE

This Policy may be amended as needed by a majority vote of the Town Council. The provisions of this Policy are severable, and if any provision shall be declared to be invalid or void, the remaining provisions shall not be affected and shall remain in full force and effect. This Policy shall take effect immediately upon adoption by the Town Council.



June 21, 2022

VIA EMAIL (kmuszynski@graymaine.org, colin.walker@gs.com)

Town of Gray Planning Board
Henry Pennell Municipal Complex
24 Main Street
Gray, Maine 04039
Attn: Kristen Muszynski, Community Planner
Attn: Dan Cobb, Chair of Planning Board

Colin Walker
Goldman Sachs Asset Management: Renewable Power Group
750 Park of Commerce Blvd, Suite 200
Boca Raton, Florida 33487

Re: Request for extension of the Conditional Use Site Plan Approval for the 4.999 MW Gray Yarmouth Road Solar Project (the “Project”) at 51 Yarmouth Road

Members of the Gray Planning Board:

Dynamic Energy Solutions, LLC (“Dynamic Energy”) is in the process of closing the sale of Gray Yarmouth Road Solar LLC (the “Project Company”) to GSRP Development Company IX LLC (the “Buyer”), which is a Goldman Sachs Renewable Power company. The Buyer is anticipated to own the Project during the construction and long-term operation project phases. This upcoming change in ownership of the Project Company was approved by the Town of Gray (the “Town”) Staff Review Committee at a meeting (the “SRC Meeting”) held on June 14, 2022.

Per Section 402.10.17(A) of the Town’s Zoning Ordinance, the Conditional Use Site Plan Approval granted to the Project Company on September 20, 2021 (the “Approval”) will expire on September 20, 2022 unless either construction is *substantially commenced*¹ or the deadline is extended by the Planning Board. At the SRC Meeting, the Buyer and Dynamic Energy discussed the feasibility of meeting the *substantially commenced* threshold for construction ahead of the upcoming deadline. At this time, Dynamic Energy, as the current owner of the Project Company, would like to request a 12-month extension to the Approval on behalf of the Project Company.

Dynamic Energy would appreciate the Planning Board’s prompt review of this request at the next available juncture, and is available for further comment, as necessary.

Sincerely,

A black rectangular redaction box covers the signature of Ben Gregory.

Ben Gregory
Project Development Manager

¹ Substantial Start: Completion of thirty (30) percent of a permitted structure or use measured as a percentage of estimated total cost. See, 402.2.2 Definitions.

March 17, 2022

Kristen Schulze Muszynski (via email: kmuszynski@graymaine.org)
Community Planner
Town of Gray

Re: Shared Driveway – Garrison Woods Drive, Gray, Maine

Dear Kristen:

I am representing Bob Hagenow, the owner of two abutting parcels of land in the Town of Gray, one parcel is located within the Garrison Woods Subdivision and the other is an abutting parcel of land outside of the subdivision which was purchased by Bob's father, Harold, in 1970. The property information for the two parcels is set forth below:

- Lot 7 in the Garrison Woods Subdivision (undeveloped land; approx. 4.28 acres) (Tax Map/Lot Reference: 39-318-10-7); and
- Abutting Parcel (undeveloped land; approx. 20 acres) (Tax Map/Lot Reference: 39-1-9).

I have attached the subdivision plan showing Lot 7, along with the relevant portion of the Town's tax map for reference.

As mentioned, Bob's father purchased the Abutting Parcel in 1970; the deed which conveyed the property to Bob's father included a right of way; however, the location of the right of way was not specified (a copy of Bob's source deed for the Abutting Parcel is attached). Given this, Bob purchased Lot 7 in December 2020 in order to clarify his access to the Abutting Parcel. In addition, in order to confirm Bob's right to cross the road within Garrison Woods Subdivision, called Garrison Woods Drive, for purposes of accessing the Abutting Lot, Bob also recently obtained a confirmatory easement from the Garrison Woods Association (copy attached).

Now that the Abutting Parcel has confirmed its access rights across Garrison Woods Drive, Bob would like to have his two properties share a driveway, i.e., the Lot 7 driveway would be used by Lot 7 and would also be used to access the Abutting Parcel. No changes to the boundary lines of the subdivision or its lots would be required, simply

Kristen Schulze Muszynski
Community Planner
March 17, 2022
Page 2

rights to a shared driveway. I have attached an earlier site plan for Garrison Woods Subdivision which shows the access for the Abutting Parcel.

Bob and I were hoping to talk with you about the appropriate next steps and process from a zoning standpoint to allow Bob to move forward with a shared driveway and ultimately obtain a building permit to build a single family home on the Abutting Parcel. Please let me know when you would be available to talk with us.

Thank you in advance for your attention to this matter.

Very truly yours,



William M. Fletcher

Wmf/jfp

Enclosures

cc: Robert A. Hagenow (via email: rhagenow@Maillie.com)

*Town of Bray
 PLO Tax map 39*



Permitting Notes :

- This project will be subject to the terms and conditions of a Maine DEP NRP permits, Maine DEP Storm Water permit, MDEP Construction General Permit and Army Corps Maine Programmatic General Permit which will be made a part of the contract bid documents.
- The 5,644 sq. ft. of wetlands impact as shown hereon shall not exceed those shown, without first obtaining the appropriate permits from the Maine Department of Environmental Protection and Army Corps of Engineers, and review by the Town of Gray Planning Department.
- For storm water permitting purposes, Lot 4 - Lot 7 are restricted to a maximum of 3,735 sq. ft. (0.09 acres) of impervious surface and 13,000 sq. ft. (0.30 acres) of clearing. Any proposed development by an individual lot owner exceeding these limits shall require further review and approval by the Town, MDEP, and developer, at the responsibility of the individual lot owner.

Legend :

- crf capped rebar found
- building setback lines
- crs capped 3/4 inch rebar set I.D. #492
- crtbs capped rebar to be set by owners representative.
- monuments to be set by owners representative.
- ⊕ test pits
- [hatched] no disturbance buffer
- [dotted] wet lands
- [stippled] building envelopes
- [diagonal lines] wetland impacts
- ⊞ CMP easement 15'x15' easement where CMP has them shown, location may change do to field adjustments to location acceptable to CMP.

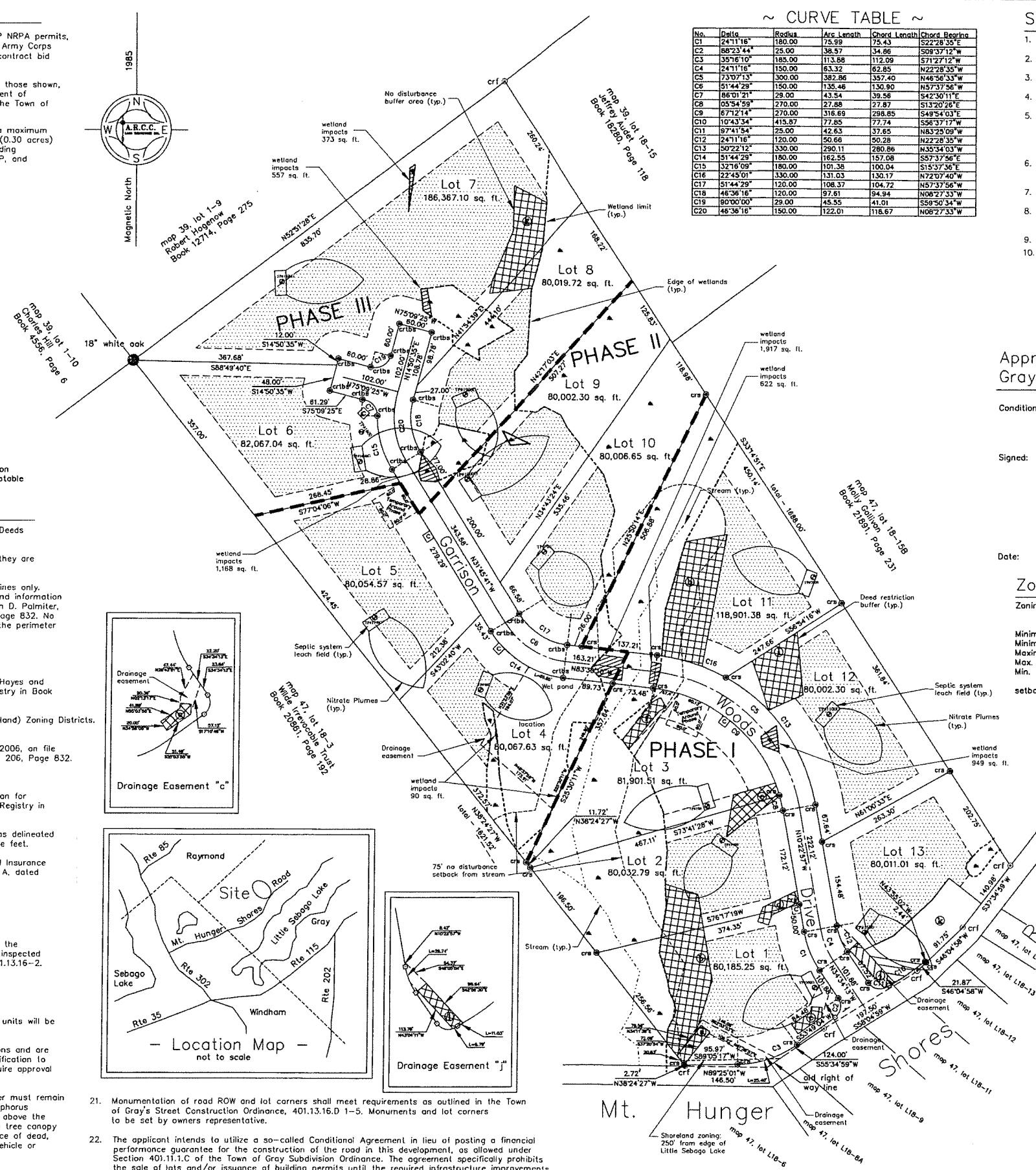
Notes :

- All Book and Page references as shown hereon are from the Registry of Deeds for Cumberland County.
- Lines shown and not labeled (bearings & distances) are illustrative only, they are based on tax maps and are not verified by this surveyor.
- A.R.C.C. Land Surveyors, Inc. takes responsibility for the internal division lines only. The boundary perimeter is based on information provided by the owner and information shown on a Standard Boundary Survey Plan made for Gary Hayes by John D. Palmer, dated December 26, 2006, and Recorded in said Registry in Book 206, Page 832. No certifications are stated or implied regarding the accuracy or validity of the perimeter boundaries.
- Area of subdivision is 29.77 acres.
- Owners of record - Linda Chase, Trustee of the Chase Family Irrevocable Trust to Gary c. Hayes and Joy E. Hayes, by deed dated June 18, 2004, and recorded in said Registry in Book 21448, Page 64.
- Parcel lies within the Lake District Zone (LD) & Limited Residential (Shoreland) Zoning Districts.
- Boundary plan reference - a. Standard Boundary Survey made for Gary Hayes dated December 26, 2006, on file at the Registry of Deeds for Cumberland County Book of Plans, Book 206, Page 832.
- This parcel is shown on the Town of Gray Tax Map 118, as Lot 10.
- Bearings are referenced to Magnetic North 1985, as shown on a recorded plan for Harold S. Jenkins Subdivision, dated April 13, 1999, and recorded in said Registry in Book of Plans, Book 199, Page 366.
- There are 283,164 square feet (6.50 acres) of wetlands on this property as delineated and located by Tooth & Associates, Inc. Wetlands impacts = 5,644 square feet.
- Property does not lie within the 100 year flood hazard zone, per the Flood Insurance Rate Maps for the Town of Gray, Community Panel Number 230048 0010 A, dated January 6, 1982.
- Class A soils information by Tooth & Associates, Inc.
- All lots are to be serviced by on-site wastewater disposal systems.
- All driveways shall be constructed in accordance with Chapter 401.13.17 of the Town of Gray Driveway Design Standards. Roads shall be constructed and inspected per the Town of Gray Subdivision Ordinance, specifically including Table 401.13.16-2.
- No foundation drainage outlets will be allowed in road ditches.
- All lots shall be serviced by underground utilities.
- All lots shall be developed as single family residential units and no duplex units will be allowed.
- The septic systems depicted on the Subdivision Plan are preliminary locations and are subject to change during the individual lot construction process. Any modification to the location of the septic systems shown on the Subdivision Plan will require approval from the Code Enforcement Office and a geologist.
- Buffer Restrictions: All existing undergrowth, forest floor duff, and leaf litter must remain undisturbed and intact. One path may be allowed per the Maine DEP Phosphorus Standards. Pruning of live tree branches that do not exceed 12' in height above the ground level is permitted provided that at least the top two-thirds of the tree canopy is maintained. No cutting is allowed of trees except for normal maintenance of dead, windblown, or damaged trees. Buffers are not to be used for all-terrain vehicle or vehicular traffic.
- Clearing limits is limited to 13,000 square feet for each lot.

- Monumentation of road ROW and lot corners shall meet requirements as outlined in the Town of Gray's Street Construction Ordinance, 401.13.16.D 1-5. Monuments and lot corners to be set by owners representative.
- The applicant intends to utilize a so-called Conditional Agreement in lieu of posting a financial performance guarantee for the construction of the road in this development, as allowed under Section 401.11.1.C of the Town of Gray Subdivision Ordinance. The agreement specifically prohibits the sale of lots and/or issuance of building permits until the required infrastructure improvements have first been completed or alternatively, a suitable financial surety has been duly established with the Town of Gray. Any person or firm intending to acquire title to any lot within this Subdivision should first verify the status of this agreement with the Town of Gray Staff before buying said lots.

~ CURVE TABLE ~

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	24°11'16"	180.00	75.99	75.43	S22°28'35"E
C2	88°23'44"	25.00	38.57	34.86	S09°37'12"W
C3	35°16'10"	185.00	113.88	112.09	S71°27'12"W
C4	24°11'16"	150.00	63.32	62.85	N22°28'35"W
C5	73°07'13"	300.00	382.86	357.40	N44°56'33"W
C6	51°44'29"	150.00	135.48	130.90	N57°37'56"W
C7	88°01'21"	28.00	43.54	39.56	S42°30'11"E
C8	05°54'59"	270.00	27.88	27.87	S13°20'26"E
C9	87°12'14"	270.00	316.69	298.85	S49°54'03"E
C10	10°43'54"	415.87	77.85	77.74	S56°37'17"W
C11	87°41'54"	25.00	42.63	37.65	N83°25'09"W
C12	24°11'16"	120.00	50.66	50.28	N22°28'35"W
C13	50°22'12"	330.00	290.11	280.86	N35°34'03"W
C14	51°44'29"	180.00	162.55	157.08	S57°37'56"E
C15	32°10'09"	180.00	101.38	100.04	S15°37'56"E
C16	22°43'01"	330.00	131.03	130.17	N72°07'40"W
C17	51°44'29"	120.00	108.37	104.72	N57°37'56"W
C18	46°36'16"	120.00	97.61	94.94	N08°27'33"W
C19	80°00'00"	29.00	45.55	41.01	S59°50'34"W
C20	46°36'16"	150.00	122.01	118.67	N08°27'33"W



Standard Private Street Notes :

- The private street shall be recorded in the Cumberland County Registry of Deeds within thirty (30) days of approval.
- The private street shall be given a name that meets with the approval of the public safety coordinator.
- The private street shall be marked with a Town approved sign identifying the private street.
- The houses shall be properly numbered and the numbers shall be visible from the private street year-round.
- All construction and site alterations shall be done in accordance with the erosion prevention provisions outlined in the "Maine Erosion and Sedimentation Control Handbook for Construction Best Management Practices," Cumberland County S.W.C.D. Department of Environmental Protection, dated March 2003.
- The private street shall conform to, and be constructed to, the Standards for Private Street as presented in the Gray Street Construction Ordinance, Chapter 401.13.16.
- The private road shall be maintained for emergency vehicles year-round.
- The construction of the private street shall be inspected by the Town Engineer or at the Town's option, a registered Professional Engineer hired by the Town at the developer's expense.
- All utilities to be constructed underground.
- Garrison Woods Drive will be a private road. The Town of Gray will not have any responsibility for plowing, maintenance or similar services for the private street shown on this plan, and if the private street has not been built to public street standards of the Gray Street Ordinance, the Town Council will not accept it as a public street. The homeowners association for the subdivision shall take over plowing and maintenance on the private road only at the time when at least 75% of the lots on Garrison Woods Drive have been sold.

Approved by the Town of Gray Planning Board

Conditions: _____
 Signed: _____
 Date: 6/9/2016 (see note 23)

Zoning Requirements :

Zoning District: Lake District (LD) & Limited Residential Shoreland Zone (LDR)

	required	provided
Minimum lot size:	80,000 S.F.	80,000 S.F.
Minimum street frontage:	200'	200'
Maximum building height:	35'	35'
Max. floor area/lot area ratio:	20%	20%
Min. land area per dwelling unit:	80,000 S.F.	80,000 S.F.

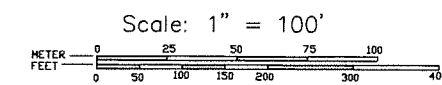
setback requirements:

	rear:	side:	front:
50'	50'	25'	50'

Cumberland County Registry of Deeds
 Received June 14, 2016 at 10:40 AM
 and Recorded in Book 216 Page 194
 Attest _____ Registrar

Abutters List

Map / Lot	Name	Book / Page
47 / L18-6	Kim Aldrich	12704 / 141
47 / L18-8A	Cheryl & Robert Brodley	8818 / 165
47 / L18-9	Margaret Morston	12424 / 168
47 / L18-11	Joseph & Barbara Gioino	16741 / 290
47 / L18-12	Alexander & Thelma Tuniewicz	6252 / 139
47 / L18-13	David & Linda Bailey	18120 / 3
47 / L18-14	Chase Farms Cider Mills Inc.	9240 / 285
47 / L18-16	Chase Family Irrevocable Trust c/o Grace Chase Trustee	2008 / 293



DAVIS LAND SURVEYING, LLC.
 64 OLD COUNTY ROAD
 OXFORD, MAINE 04270
 346-9991 office - 782-3685 office
 240-9949 cell
 www.davislandsurveying.net

Garrison Woods --- Revision 1

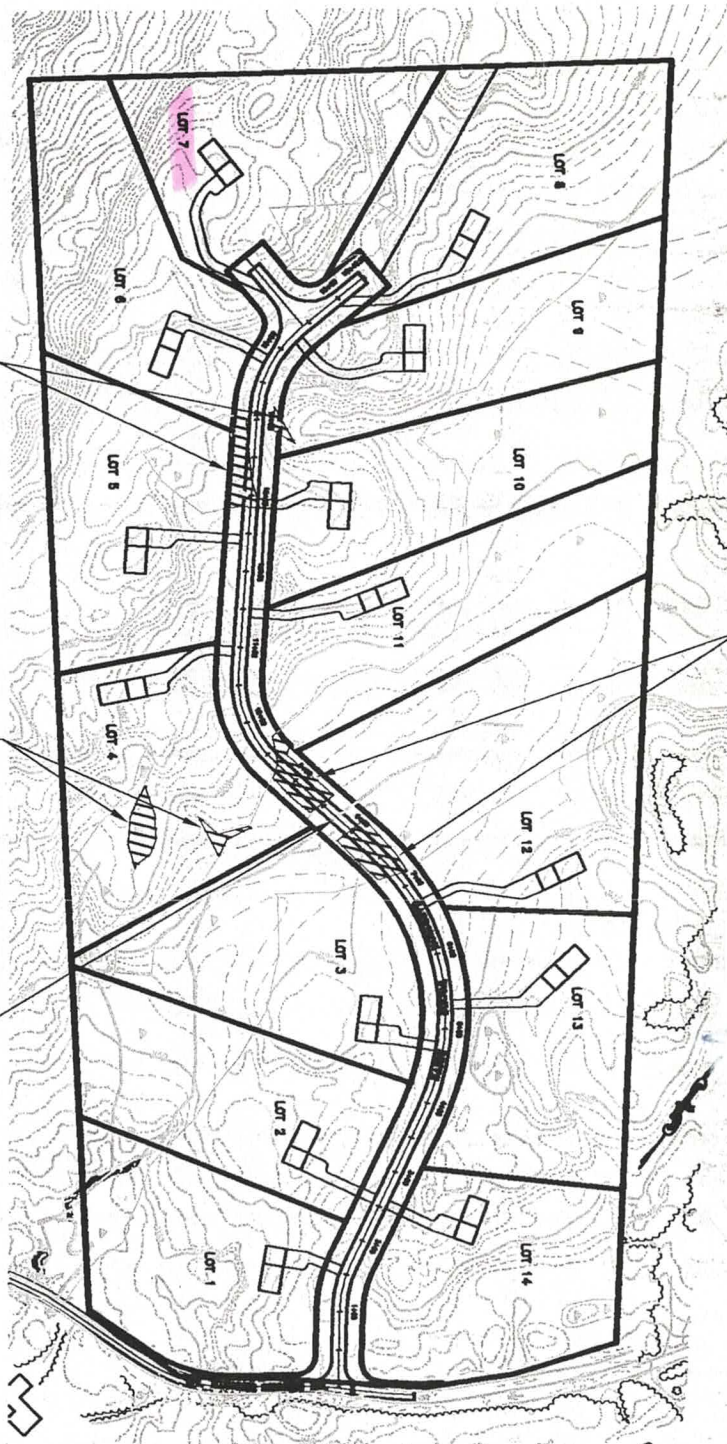
Amended Subdivision Plan for Gary & Joy Hayes

Mt. Hunger Road
 Cumberland County
 Gray, Maine 04039

JOB FILE: _____
 DRAWING NO: _____
 DATE: May 21, 2016
 SCALE: 1"=100'
 DRAFT: R.W.G.
 FIELD NO.: _____

One

JOB NO. 160405UB



WETLAND IMPACT=
3,651 S.F.

WETLAND IMPACT=
3,248 S.F.

STREAM CROSSING

WETLAND IMPACT=
6,706 S.F.

TOTAL WETLAND IMPACT=13,605 S.F.



410 Summer Street
Auburn, ME 04210
P: (207) 784-5471
F: (207) 777-5742
www.TaylorEng.com

REVISIONS

SITE PLAN

GARRISON WOODS SUBDIVISION
GRAY, MAINE

JOB NO.: 2006-044 DATE: DEC 15, 2006 SCALE: 1"=250'

DRAWN BY: JHC

CHECKED BY: NGC

SHEET NO. 1 OF 1

53542

WARRANTY DEED

HAROLD R. HAGENOW, JR. of Inverness, Florida, for full value and consideration paid, hereby grants to ROBERT A. HAGENOW, whose mailing address is 281 Vincent Drive, Honey Brook, Pennsylvania 19344, with Warranty Covenants, the following real estate in the Town of Gray, County of Cumberland, and State of Maine:

A certain parcel of land situated in the Town of Gray, County of Cumberland and State of Maine, and being a part of Lots numbered 63 and 64 in said Gray and being the easterly half of the parcel of land conveyed by Samuel Garland and Charles Rogers to Daniel Knight by deed dated March 19, 1853 and recorded in the Cumberland County Registry of Deeds in Book 261, Page 114; being the property described in the deed from Daniel to Thomas M. Knight in the fourth paragraph thereof, dated March 7, 1871, and recorded in said Registry of Deeds in Plan Book 475, Page 258, to which deed and the deeds therein referred to, reference is hereby made for a further description.

Together with a right of way in common with others in the roadway as now used across certain land now or formerly of Howard S. Knight to the Pride Road and in said Pride Road to the State Highway, and also the right to use the right of way to Little Sebago Lake across said land now or formerly of Howard S. Knight, as has been used.

Being the same premises conveyed to Harold R. Hagenow, Jr. and Catherine O. Hagenow, as joint tenants, from Maurice V. Lawler and Beverly F. Lawler by warranty deed dated April 4, 1970 and recorded in said Registry of Deeds in Book 3122, Page 420; with Catherine O. Hagenow having conveyed her interest in the premises to Harold R. Hagenow by deed dated March 1, 1978 and recorded in said Registry of Deeds in Book 4185, Page 125.

Witness my hand and seal this 3rd day of September, 1996.

WITNESS:

[Redacted Signature]

[Redacted Signature]

Harold R. Hagenow, Jr.

STATE OF Connecticut
COUNTY OF New London

Sept 3, 1996

Then personally appeared the above-named Harold R. Hagenow, Jr. and acknowledged the foregoing instrument to be his free act and deed.

[Redacted Signature]

SEAL RECEIVED
RECORDED REGISTRY OF DEEDS

Notary Public LISA L. PAPPAS
Print Name: NOTARY PUBLIC
My Commission Expires: EXPIRES MAY 31, 1998

P:\ACHAGENOW\DEED.1

95 SEP 10 11:06

CUMBERLAND AND COUNTY

[Redacted Signature]

DLN: 1002040123208

WARRANTY DEED
(Statutory Short Form)

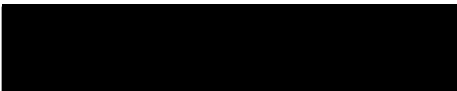
MAINE REAL ESTATE TAX-Paid


GARY E. HAYES and JOY E. HAYES, both of Raymond, Cumberland County, Maine, for consideration paid, grant to **ROBERT A. HAGENOW**, of Honey Brook, Pennsylvania whose mailing address is 281 Vincent Drive, Honey Brook, PA 19344, with warranty covenants, the land in **Gray**, Cumberland County, Maine described as follows:

Reference is made to the premises attached as Exhibit A and incorporated herein.

Also hereby conveying all rights, easements, privileges and appurtenances belonging to the premises hereinabove described.

Dated: ~~November~~ ^{December} 2, 2020.




Gary E. Hayes


Joy E. Hayes

STATE OF MAINE
Cumberland, ss.

~~November~~ ^{December} 2, 2020

Personally appeared, before me, the above-named Gary E. Hayes and Joy E. Hayes and acknowledged the foregoing instrument to be their free acts and deeds.



Notary Public/Attorney

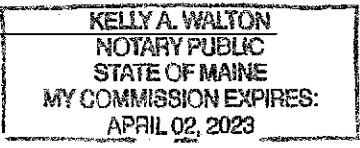
Print Name 

EXHIBIT A

A certain lot or parcel of land situated in Gray, Cumberland County, Maine, more particularly described as follows:

LOT 7 as depicted on a plan of Garrison Woods – Revision 2 subdivision recorded at the Cumberland County Registry of Deeds in Plan Book 220, Page 307.

Lot 7 is conveyed subject to and benefitted by all Notes, Easements, Terms, Conditions and Restrictions set-forth on the Plans of “Garrison Woods” recorded in Plan Book 207, Page 507; “Garrison Woods – Revision 1” recorded in Plan Book 216, Page 194 and Garrison Woods – Revision 2 recorded in Plan Book 220, Page 307.

Lot 7 is also conveyed subject to the terms and conditions set-forth in the Declaration of Covenants, Restrictions, and Easements, Garrison Woods Subdivision, Gray, Cumberland County, Maine recorded at the Cumberland County Registry of Deeds in Book 31278, Page 47; the terms and conditions set-forth in the State of Maine Department of Environmental Protection Findings of Fact and Order recorded at the Cumberland County Registry of Deeds in Book 25268, Page 190 and the utility easements given to Central Maine Power Company recorded in Book 30090, Page 333; Book 33442, Page 294 and Book 35019, Page 36.

Also conveying hereby an easement for a right of way and utility services, in common with the grantors and others, over Garrison Woods Drive as shown on the above Plans. Garrison Woods Drive is subject to the Standard Private Street Notes and Waiver Request as shown on said Plan recorded in Plan Book 220, Page 307.

Lot 7 being a portion only of the premises conveyed to Gary E. Hayes and Joy E. Hayes by deed dated June 18, 2004 and recorded at said Registry in Book 21448, Page 64.

GA. JEA

CONFIRMATORY RIGHT OF WAY EASEMENT

This Confirmatory Right of Way Easement is entered into as of this 24 day of FEBRUARY, 2022, with reference to the following facts:

WHEREAS, **Garrison Woods Homeowners' Association**, a Maine non-profit corporation ("Grantor"), owns that certain private road known as "Garrison Woods Drive" pursuant to that certain deed from Gary E. Hayes and Joy E. Hayes dated July 14, 2021, recorded at Book 38511, Page 171 in the Cumberland County Registry of Deeds (the "Association Road"), as depicted on that certain Subdivision Plan for Gary and Joy Hayes by A.R.C.C. Land Surveyors, Inc., dated June 13, 2007, and recorded in Plan Book 207, Page 507, as amended by that certain Amended Subdivision Plan for Gary and Joy Hayes by Davis Land Surveying, LLC, dated May 21, 2016 and recorded in Plan Book 216, Page 194, as amended by that certain Amended Subdivision Plan for Gary and Joy Hayes by Davis Land Surveying, LLC, dated August 17, 2020 and recorded in Plan Book 220, Page 307; further reference being made to that certain Revision-3 Amended Subdivision Plan Garrison Woods prepared for Jeremy Brown by Survey Inc., dated October 2021 (revision date December 21, 2021) and recorded in Plan Book 222, Page 26 (together, the "Plan");

WHEREAS, **Robert A. Hagenow** ("Grantee"), owns Lot 7 shown on said Plan pursuant to that certain deed from Gary E. Hayes and Joy E. Hayes dated December 2, 2020, recorded 37520, Page 96 ("Lot 7") and also owns an approximately 15.6 acre parcel of land directly abutting Lot 7, pursuant to that certain deed from Harold R. Hagenow, Jr. dated September 3, 1996, recorded at Book 12 714, Page 275 (the "Abutting Parcel");

WHEREAS, Grantee purchased Lot 7 with the intention of extending a driveway across Lot 7 for access to the Abutting Parcel, together with use of the Association Road;

WHEREAS, the Abutting Parcel has a right of way to Mt. Hunger Shores Road, and the location of such right of way has not been determined, and for avoidance of doubt the parties wish to confirm Grantee's right to use the Association Road, together with access across Lot 7, for purposes of a right of way to /from the Abutting Parcel;

NOW THEREFORE, for good and valuable consideration, the parties hereby agree as follows:

Grantor hereby grants to Grantee, his heirs, successors, and assigns, as an appurtenant right and easement for the Abutting Parcel, an easement for a right of way and utility services, in common with the Grantor and others, over the Association Road. Grantee acknowledges that the Association Road is subject to the Standard Private Street Notes and Waiver Request as shown on the Plan.

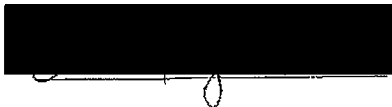
IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed as of this 24 day of FEBRUARY, 2022.

Witness:

GARRISON WOODS HOMEOWNERS' ASSOCIATION



By: JEREMY BROWN
Print Name: JEREMY BROWN
Its Duly Authorized: President



Robert A. Hagenow
Robert A. Hagenow

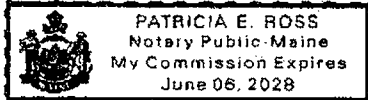
State of MAINE
County of CUMBERLAND, ss

24, 2022

PERSONALLY APPEARED the above-named Jeremy Brown, President of the Garrison Woods Homeowners' Association, and acknowledged the foregoing to be his free act and deed in his said capacity and the free act and deed of the Garrison Woods Homeowners' Association.



Notary Public
Commission Expires
Print Name:
PATRICIA E. ROSS



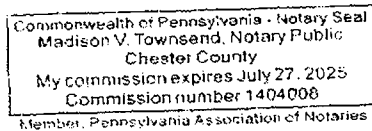
State of PA
County of CRUZZEV, ss

February 28, 2022

PERSONALLY APPEARED the above-named Robert A. Hagenow, and acknowledged the foregoing to be his free act and deed.

Before me, [Redacted]

Notary Public
Commission Expires JULY 27 2025
Print Name: MADISON V TOWNSEND





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

PROPERTY TO BE DEVELOPED

Property Location/Address	Lot 7 of the Garrison Woods Subdivision	Property Map/Lot	039 .318 .10 .007
Zoning District		Lot Acreage	4.28
Owner Name	Robert A. Hagenow	Tax Sheet	
Owner Address	281 Vincent Dr., Honey Brook, PA 19344	Owner Phone	610-8580051

APPLICANT

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

AGENT/CONSULTANT

Name	William M. Fletcher, Esq.	Contact Phone Number	207-536-4665
Mailing Address	30 Milk Street, 3rd Floor	Alternate Phone Number	
Mailing City/State/Zip	Portland, Maine 04101	Fax Number	
Email Address	wfletcher@fsd-lawfirm.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 <input checked="" type="checkbox"/> Amendment Extension Workshop Contract Zone Request
---	--

Project Description / Comments:

Proposed amendment to existing subdivision known as the Garrison Woods Subdivision ("GWS"). The purpose of the amendment is to confirm access across Lot 7 owned by the Applicant, which is within the GWS, to an abutting 15.6 acre parcel owned by the Applicant which is otherwise landlocked. The GWS Association has previously granted a confirmatory easement consistent with the proposed amendment. The Applicant is also seeking a waiver from the paving requirement. A paving waiver was previously granted by the Planning Board at the time the original subdivision was approved.

Applicant Signature		Date	7/1/2022
---------------------	--	------	----------



March 17, 2022

Kristen Schulze Muszynski (via email: kmuszynski@graymaine.org)
Community Planner
Town of Gray

Re: Shared Driveway – Garrison Woods Drive, Gray, Maine

Dear Kristen:

I am representing Bob Hagenow, the owner of two abutting parcels of land in the Town of Gray, one parcel is located within the Garrison Woods Subdivision and the other is an abutting parcel of land outside of the subdivision which was purchased by Bob's father, Harold, in 1970. The property information for the two parcels is set forth below:

- Lot 7 in the Garrison Woods Subdivision (undeveloped land; approx. 4.28 acres) (Tax Map/Lot Reference: 39-318-10-7); and
- Abutting Parcel (undeveloped land; approx. 20 acres) (Tax Map/Lot Reference: 39-1-9).

I have attached the subdivision plan showing Lot 7, along with the relevant portion of the Town's tax map for reference.

As mentioned, Bob's father purchased the Abutting Parcel in 1970; the deed which conveyed the property to Bob's father included a right of way; however, the location of the right of way was not specified (a copy of Bob's source deed for the Abutting Parcel is attached). Given this, Bob purchased Lot 7 in December 2020 in order to clarify his access to the Abutting Parcel. In addition, in order to confirm Bob's right to cross the road within Garrison Woods Subdivision, called Garrison Woods Drive, for purposes of accessing the Abutting Lot, Bob also recently obtained a confirmatory easement from the Garrison Woods Association (copy attached).

Now that the Abutting Parcel has confirmed its access rights across Garrison Woods Drive, Bob would like to have his two properties share a driveway, i.e., the Lot 7 driveway would be used by Lot 7 and would also be used to access the Abutting Parcel. No changes to the boundary lines of the subdivision or its lots would be required, simply

Kristen Schulze Muszynski
Community Planner
March 17, 2022
Page 2

rights to a shared driveway. I have attached an earlier site plan for Garrison Woods Subdivision which shows the access for the Abutting Parcel.

Bob and I were hoping to talk with you about the appropriate next steps and process from a zoning standpoint to allow Bob to move forward with a shared driveway and ultimately obtain a building permit to build a single family home on the Abutting Parcel. Please let me know when you would be available to talk with us.

Thank you in advance for your attention to this matter.

Very truly yours,



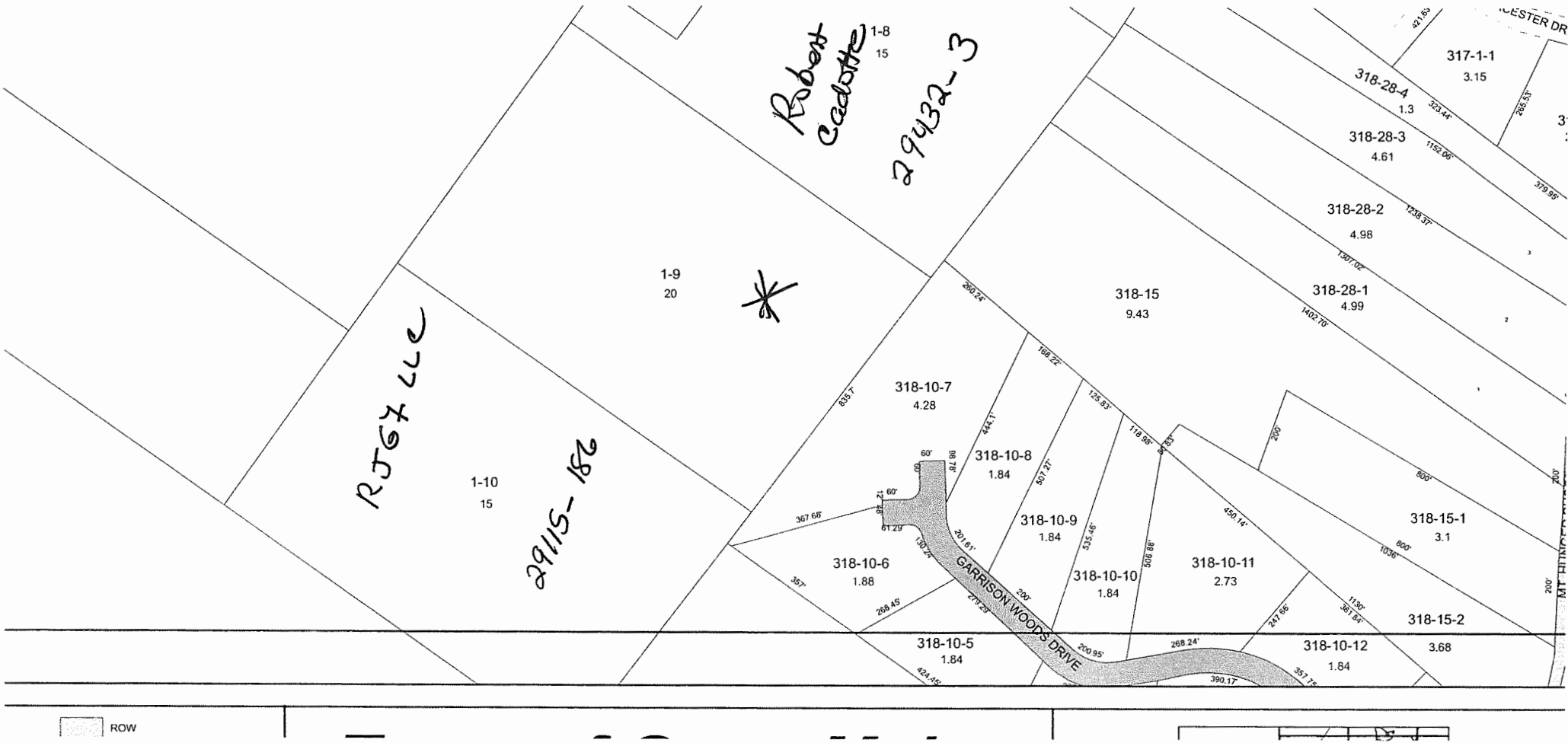
William M. Fletcher

Wmf/jfp

Enclosures

cc: Robert A. Hagenow (via email: rhagenow@Maillie.com)

Town of Bray
Plat Tax map 39



Permitting Notes :

- This project will be subject to the terms and conditions of a Maine DEP NRP permits, Maine DEP Storm Water permit, MDEP Construction General Permit and Army Corps Maine Programmatic General Permit which will be made a part of the contract bid documents.
- The 5,644 sq. ft. of wetlands impact as shown hereon shall not exceed those shown, without first obtaining the appropriate permits from the Maine Department of Environmental Protection and Army Corps of Engineers, and review by the Town of Gray Planning Department.
- For storm water permitting purposes, Lot 4 - Lot 7 are restricted to a maximum of 3,735 sq. ft. (0.09 acres) of impervious surface and 13,000 sq. ft. (0.30 acres) of clearing. Any proposed development by an individual lot owner exceeding these limits shall require further review and approval by the Town, MDEP, and developer, at the responsibility of the individual lot owner.

Legend :

- crf capped rebar found
- building setback lines
- crs capped 3/4 inch rebar set I.D. #492
- crtbs capped rebar to be set by owners representative.
- monuments to be set by owners representative.
- ⊕ test pits
- [hatched] no disturbance buffer
- [dotted] wet lands
- [stippled] building envelopes
- [diagonal lines] wetland impacts
- ⊞ CMP easement 15'x15' easement where CMP has them shown, location may change do to field adjustments to location acceptable to CMP.

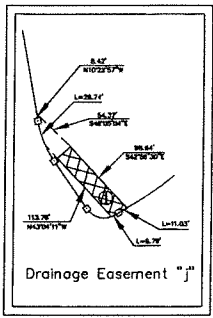
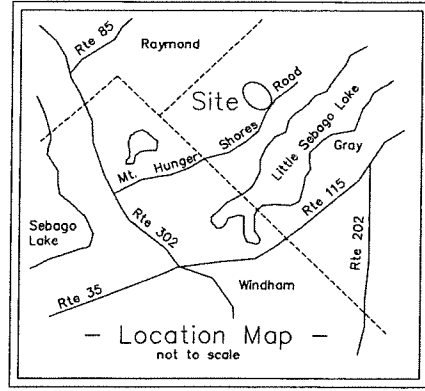
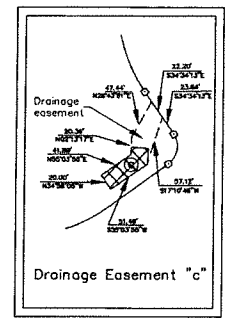
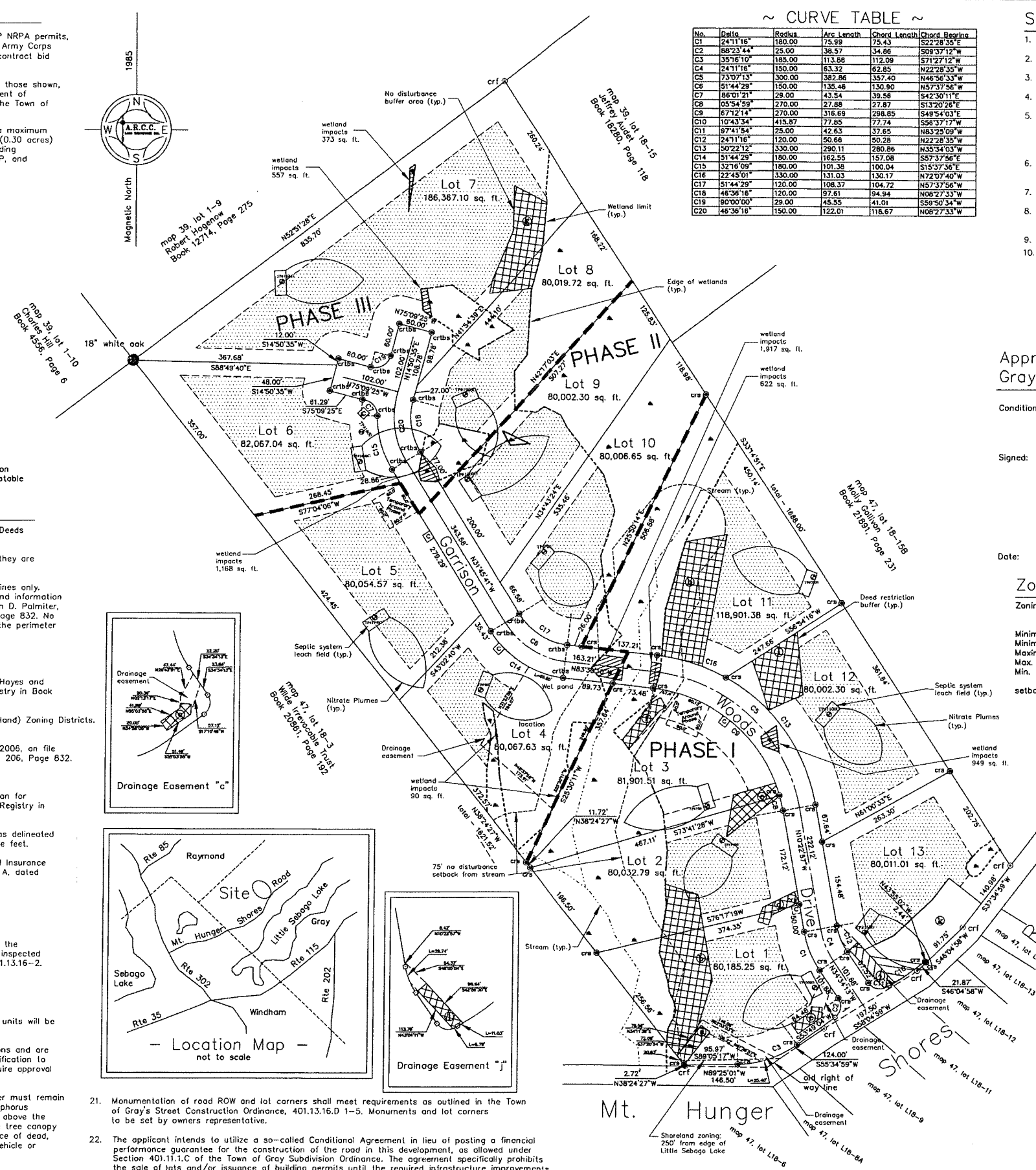
Notes :

- All Book and Page references as shown hereon are from the Registry of Deeds for Cumberland County.
- Lines shown and not labeled (bearings & distances) are illustrative only, they are based on tax maps and are not verified by this surveyor.
- A.R.C.C. Land Surveyors, Inc. takes responsibility for the internal division lines only. The boundary perimeter is based on information provided by the owner and information shown on a Standard Boundary Survey Plan made for Gary Hayes by John D. Palmer, dated December 26, 2006, and Recorded in said Registry in Book 206, Page 832. No certifications are stated or implied regarding the accuracy or validity of the perimeter boundaries.
- Area of subdivision is 29.77 acres.
- Owners of record - Linda Chase, Trustee of the Chase Family Irrevocable Trust to Gary c. Hayes and Joy E. Hayes, by deed dated June 18, 2004, and recorded in said Registry in Book 21448, Page 64.
- Parcel lies within the Lake District Zone (LD) & Limited Residential (Shoreland) Zoning Districts.
- Boundary plan reference - a. Standard Boundary Survey made for Gary Hayes dated December 26, 2006, on file at the Registry of Deeds for Cumberland County Book of Plans, Book 206, Page 832.
- This parcel is shown on the Town of Gray Tax Map 118, as Lot 10.
- Bearings are referenced to Magnetic North 1985, as shown on a recorded plan for Harold S. Jenkins Subdivision, dated April 13, 1999, and recorded in said Registry in Book of Plans, Book 199, Page 366.
- There are 283,164 square feet (6.50 acres) of wetlands on this property as delineated and located by Tooth & Associates, Inc. Wetlands impacts = 5,644 square feet.
- Property does not lie within the 100 year flood hazard zone, per the Flood Insurance Rate Maps for the Town of Gray, Community Panel Number 230048 0010 A, dated January 6, 1982.
- Class A soils information by Tooth & Associates, Inc.
- All lots are to be serviced by on-site wastewater disposal systems.
- All driveways shall be constructed in accordance with Chapter 401.13.17 of the Town of Gray Driveway Design Standards. Roads shall be constructed and inspected per the Town of Gray Subdivision Ordinance, specifically including Table 401.13.16-2.
- No foundation drainage outlets will be allowed in road ditches.
- All lots shall be serviced by underground utilities.
- All lots shall be developed as single family residential units and no duplex units will be allowed.
- The septic systems depicted on the Subdivision Plan are preliminary locations and are subject to change during the individual lot construction process. Any modification to the location of the septic systems shown on the Subdivision Plan will require approval from the Code Enforcement Office and a geologist.
- Buffer Restrictions: All existing undergrowth, forest floor duff, and leaf litter must remain undisturbed and intact. One path may be allowed per the Maine DEP Phosphorus Standards. Pruning of live tree branches that do not exceed 12' in height above the ground level is permitted provided that at least the top two-thirds of the tree canopy is maintained. No cutting is allowed of trees except for normal maintenance of dead, windblown, or damaged trees. Buffers are not to be used for all-terrain vehicle or vehicular traffic.
- Clearing limits is limited to 13,000 square feet for each lot.

- Monumentation of road ROW and lot corners shall meet requirements as outlined in the Town of Gray's Street Construction Ordinance, 401.13.16.D 1-5. Monuments and lot corners to be set by owners representative.
- The applicant intends to utilize a so-called Conditional Agreement in lieu of posting a financial performance guarantee for the construction of the road in this development, as allowed under Section 401.11.1.C of the Town of Gray Subdivision Ordinance. The agreement specifically prohibits the sale of lots and/or issuance of building permits until the required infrastructure improvements have first been completed or alternatively, a suitable financial surety has been duly established with the Town of Gray. Any person or firm intending to acquire title to any lot within this Subdivision should first verify the status of this agreement with the Town of Gray Staff before buying said lots.

~ CURVE TABLE ~

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	24°11'16"	180.00	75.99	75.43	S22°28'35"E
C2	88°23'44"	25.00	38.57	34.86	S08°37'12"W
C3	35°16'10"	185.00	113.88	112.09	S71°27'12"W
C4	24°11'16"	150.00	63.32	62.85	N22°28'35"W
C5	73°07'13"	300.00	382.86	357.40	N44°56'33"W
C6	51°44'29"	150.00	135.48	130.90	N57°37'56"W
C7	88°01'21"	28.00	43.54	39.56	S42°30'11"E
C8	05°54'59"	270.00	27.88	27.87	S13°20'26"E
C9	87°12'14"	270.00	316.69	298.85	S48°54'03"E
C10	10°43'54"	415.87	77.85	77.74	S56°37'17"W
C11	87°41'54"	25.00	42.63	37.65	N83°25'09"W
C12	24°11'16"	120.00	50.66	50.28	N22°28'35"W
C13	50°22'12"	330.00	290.11	280.86	N35°34'03"W
C14	51°44'29"	180.00	162.55	157.08	S57°37'56"E
C15	32°10'09"	180.00	101.38	100.04	S15°37'56"E
C16	22°43'01"	330.00	131.03	130.17	N72°07'40"W
C17	51°44'29"	120.00	108.37	104.72	N57°37'56"W
C18	46°36'16"	120.00	97.61	94.94	N08°27'33"W
C19	80°00'00"	29.00	45.55	41.01	S59°50'34"W
C20	46°36'16"	150.00	122.01	118.67	N08°27'33"W



Standard Private Street Notes :

- The private street shall be recorded in the Cumberland County Registry of Deeds within thirty (30) days of approval.
- The private street shall be given a name that meets with the approval of the public safety coordinator.
- The private street shall be marked with a Town approved sign identifying the private street.
- The houses shall be properly numbered and the numbers shall be visible from the private street year-round.
- All construction and site alterations shall be done in accordance with the erosion prevention provisions outlined in the "Maine Erosion and Sedimentation Control Handbook for Construction Best Management Practices," Cumberland County S.W.C.D. Department of Environmental Protection, dated March 2003.
- The private street shall conform to, and be constructed to, the Standards for Private Street as presented in the Gray Street Construction Ordinance, Chapter 401.13.16.
- The private road shall be maintained for emergency vehicles year-round.
- The construction of the private street shall be inspected by the Town Engineer or at the Town's option, a registered Professional Engineer hired by the Town at the developer's expense.
- All utilities to be constructed underground.
- Garrison Woods Drive will be a private road. The Town of Gray will not have any responsibility for plowing, maintenance or similar services for the private street shown on this plan, and if the private street has not been built to public street standards of the Gray Street Ordinance, the Town Council will not accept it as a public street. The homeowners association for the subdivision shall take over plowing and maintenance on the private road only at the time when at least 75% of the lots on Garrison Woods Drive have been sold.

Approved by the Town of Gray Planning Board

Conditions: _____
 Signed: _____
 Date: 6/9/2016 (see note 23)

Zoning Requirements :

Zoning District: Lake District (LD) & Limited Residential Shoreland Zone (LDR)

	required	provided
Minimum lot size:	80,000 S.F.	80,000 S.F.
Minimum street frontage:	200'	200'
Maximum building height:	35'	35'
Max. floor area/lot area ratio:	20%	20%
Min. land area per dwelling unit:	80,000 S.F.	80,000 S.F.

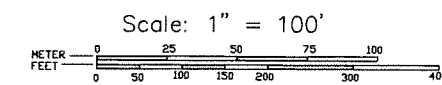
setback requirements:

	rear:	side:	front:
50'	50'	25'	50'

Cumberland County Registry of Deeds
 Received June 14, 2016 at 10:40 AM
 and Recorded in Book 210 Page 194
 Attest _____ Registrar

Abutters List

Map / Lot	Name	Book / Page
47 / L18-6	Kim Aldrich	12704 / 141
47 / L18-8A	Cheryl & Robert Brodley	8818 / 165
47 / L18-9	Margaret Morston	12424 / 168
47 / L18-11	Joseph & Barbara Gioiwa	16741 / 290
47 / L18-12	Alexander & Thelma Tuniewicz	6252 / 139
47 / L18-13	David & Linda Bailey	18120 / 3
47 / L18-14	Chase Farms Cider Mills Inc.	9240 / 285
47 / L18-16	Chase Family Irrevocable Trust c/o Grace Chase Trustee	2008 / 293



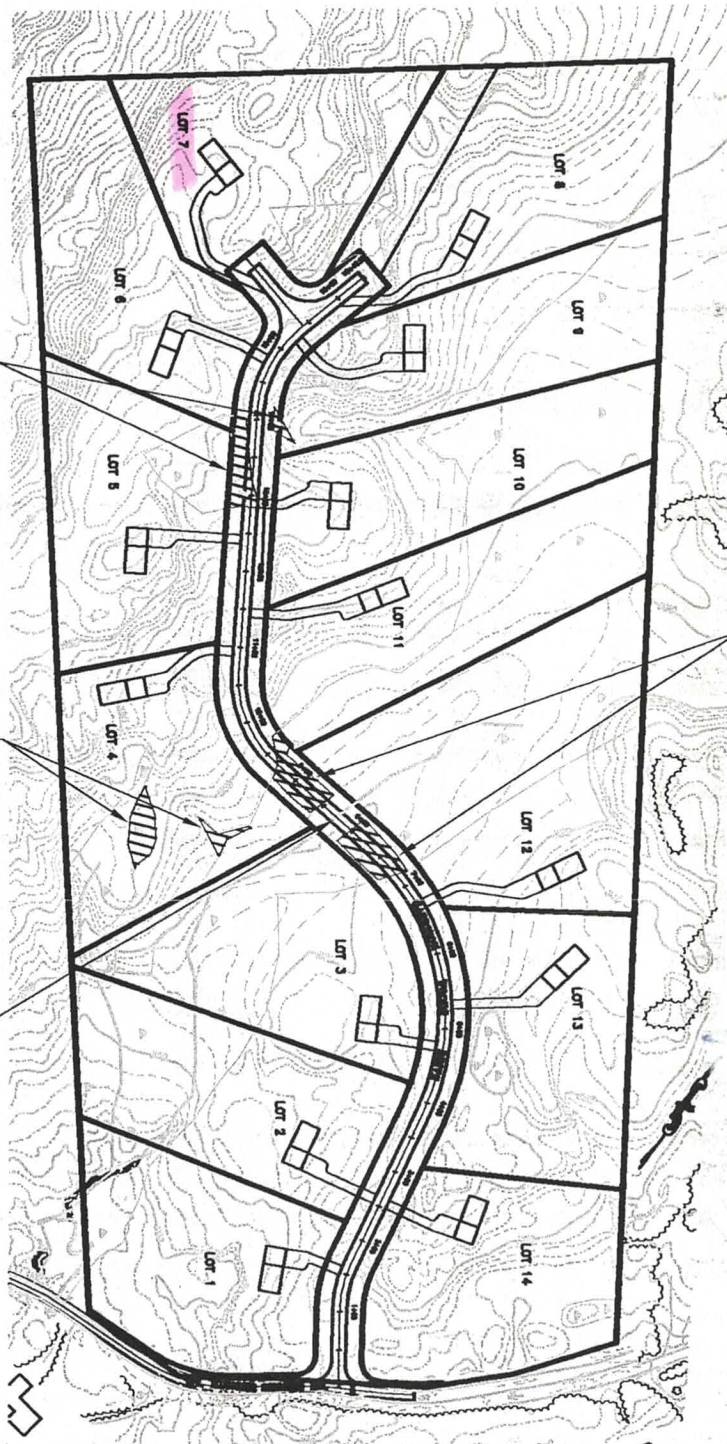
DAVIS LAND SURVEYING, LLC.
 64 OLD COUNTY ROAD
 OXFORD, MAINE 04270
 346-9991 office - 782-3685 office
 240-9949 cell
 www.davislandsurveying.net

Garrison Woods - Revision 1

Amended Subdivision Plan
 for
Gary & Joy Hayes
 Mt. Hunger Road
 Cumberland County
 Gray, Maine 04039

One

JOB FILE: 160405UB
 DRAWING NO. 160405UB
 DATE: May 21, 2016
 SCALE: 1"=100'
 DRAFT: R.W.G.
 JOB NO.: 152
 FIELD NO.: 152



WETLAND IMPACT=
3,651 S.F.

WETLAND IMPACT=
3,248 S.F.

STREAM CROSSING

WETLAND IMPACT=
6,706 S.F.

TOTAL WETLAND IMPACT=13,605 S.F.



410 Summer Street
Auburn, ME 04210
P: (207) 784-5471
F: (207) 777-5742
www.TaylorEng.com

REVISIONS

SITE PLAN

GARRISON WOODS SUBDIVISION
GRAY, MAINE

JOB NO.: 2006-044 DATE: DEC 15, 2006 SCALE: 1"=250'

DRAWN BY: JHC

CHECKED BY: NGC

SHEET NO. 1 OF 1

53542

WARRANTY DEED

HAROLD R. HAGENOW, JR. of Inverness, Florida, for full value and consideration paid, hereby grants to ROBERT A. HAGENOW, whose mailing address is 281 Vincent Drive, Honey Brook, Pennsylvania 19344, with Warranty Covenants, the following real estate in the Town of Gray, County of Cumberland, and State of Maine:

A certain parcel of land situated in the Town of Gray, County of Cumberland and State of Maine, and being a part of Lots numbered 63 and 64 in said Gray and being the easterly half of the parcel of land conveyed by Samuel Garland and Charles Rogers to Daniel Knight by deed dated March 19, 1853 and recorded in the Cumberland County Registry of Deeds in Book 261, Page 114; being the property described in the deed from Daniel to Thomas M. Knight in the fourth paragraph thereof, dated March 7, 1871, and recorded in said Registry of Deeds in Plan Book 475, Page 258, to which deed and the deeds therein referred to, reference is hereby made for a further description.

Together with a right of way in common with others in the roadway as now used across certain land now or formerly of Howard S. Knight to the Pride Road and in said Pride Road to the State Highway, and also the right to use the right of way to Little Sebago Lake across said land now or formerly of Howard S. Knight, as has been used.

Being the same premises conveyed to Harold R. Hagenow, Jr. and Catherine O. Hagenow, as joint tenants, from Maurice V. Lawler and Beverly F. Lawler by warranty deed dated April 4, 1970 and recorded in said Registry of Deeds in Book 3122, Page 420; with Catherine O. Hagenow having conveyed her interest in the premises to Harold R. Hagenow by deed dated March 1, 1978 and recorded in said Registry of Deeds in Book 4185, Page 125.

Witness my hand and seal this 3rd day of September, 1996.

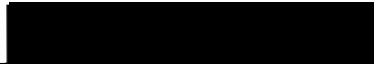
WITNESS:



STATE OF Connecticut
COUNTY OF New London

Sept 3, 1996

Then personally appeared the above-named Harold R. Hagenow, Jr. and acknowledged the foregoing instrument to be his free act and deed.



SEAL RECEIVED
RECORDED REGISTRY OF DEEDS
95 SEP 10 11:06
CUMBERLAND COUNTY

P:\ACHAGENOW\DEED.1

Notary Public
Print Name: LISA L. PAPPAS
My Commission Expires: NOTARY PUBLIC



DLN: 1002040123208

WARRANTY DEED
(Statutory Short Form)

MAINE REAL ESTATE TAX-Paid

GARY E. HAYES and JOY E. HAYES, both of Raymond, Cumberland County, Maine, for consideration paid, grant to **ROBERT A. HAGENOW**, of Honey Brook, Pennsylvania whose mailing address is 281 Vincent Drive, Honey Brook, PA 19344, with warranty covenants, the land in **Gray**, Cumberland County, Maine described as follows:

Reference is made to the premises attached as Exhibit A and incorporated herein.

Also hereby conveying all rights, easements, privileges and appurtenances belonging to the premises hereinabove described.

Dated: ~~November~~ ^{December} 2, 2020.

Gary E. Hayes

Joy E. Hayes

STATE OF MAINE
Cumberland, ss.

~~November~~ ^{December} 2, 2020

Personally appeared, before me, the above-named Gary E. Hayes and Joy E. Hayes and acknowledged the foregoing instrument to be their free acts and

Notary Public/Attorney

Print Name

KELLY A. WALTON
NOTARY PUBLIC
STATE OF MAINE
MY COMMISSION EXPIRES:
APRIL 02, 2023

EXHIBIT A

A certain lot or parcel of land situated in Gray, Cumberland County, Maine, more particularly described as follows:

LOT 7 as depicted on a plan of Garrison Woods – Revision 2 subdivision recorded at the Cumberland County Registry of Deeds in Plan Book 220, Page 307.

Lot 7 is conveyed subject to and benefitted by all Notes, Easements, Terms, Conditions and Restrictions set-forth on the Plans of “Garrison Woods” recorded in Plan Book 207, Page 507; “Garrison Woods – Revision 1” recorded in Plan Book 216, Page 194 and Garrison Woods – Revision 2 recorded in Plan Book 220, Page 307.

Lot 7 is also conveyed subject to the terms and conditions set-forth in the Declaration of Covenants, Restrictions, and Easements, Garrison Woods Subdivision, Gray, Cumberland County, Maine recorded at the Cumberland County Registry of Deeds in Book 31278, Page 47; the terms and conditions set-forth in the State of Maine Department of Environmental Protection Findings of Fact and Order recorded at the Cumberland County Registry of Deeds in Book 25268, Page 190 and the utility easements given to Central Maine Power Company recorded in Book 30090, Page 333; Book 33442, Page 294 and Book 35019, Page 36.

Also conveying hereby an easement for a right of way and utility services, in common with the grantors and others, over Garrison Woods Drive as shown on the above Plans. Garrison Woods Drive is subject to the Standard Private Street Notes and Waiver Request as shown on said Plan recorded in Plan Book 220, Page 307.

Lot 7 being a portion only of the premises conveyed to Gary E. Hayes and Joy E. Hayes by deed dated June 18, 2004 and recorded at said Registry in Book 21448, Page 64.

GA. JEA

CONFIRMATORY RIGHT OF WAY EASEMENT

This Confirmatory Right of Way Easement is entered into as of this 24 day of FEBRUARY, 2022, with reference to the following facts:

WHEREAS, **Garrison Woods Homeowners' Association**, a Maine non-profit corporation ("Grantor"), owns that certain private road known as "Garrison Woods Drive" pursuant to that certain deed from Gary E. Hayes and Joy E. Hayes dated July 14, 2021, recorded at Book 38511, Page 171 in the Cumberland County Registry of Deeds (the "Association Road"), as depicted on that certain Subdivision Plan for Gary and Joy Hayes by A.R.C.C. Land Surveyors, Inc., dated June 13, 2007, and recorded in Plan Book 207, Page 507, as amended by that certain Amended Subdivision Plan for Gary and Joy Hayes by Davis Land Surveying, LLC, dated May 21, 2016 and recorded in Plan Book 216, Page 194, as amended by that certain Amended Subdivision Plan for Gary and Joy Hayes by Davis Land Surveying, LLC, dated August 17, 2020 and recorded in Plan Book 220, Page 307; further reference being made to that certain Revision-3 Amended Subdivision Plan Garrison Woods prepared for Jeremy Brown by Survey Inc., dated October 2021 (revision date December 21, 2021) and recorded in Plan Book 222, Page 26 (together, the "Plan");

WHEREAS, **Robert A. Hagenow** ("Grantee"), owns Lot 7 shown on said Plan pursuant to that certain deed from Gary E. Hayes and Joy E. Hayes dated December 2, 2020, recorded 37520, Page 96 ("Lot 7") and also owns an approximately 15.6 acre parcel of land directly abutting Lot 7, pursuant to that certain deed from Harold R. Hagenow, Jr. dated September 3, 1996, recorded at Book 12 714, Page 275 (the "Abutting Parcel");

WHEREAS, Grantee purchased Lot 7 with the intention of extending a driveway across Lot 7 for access to the Abutting Parcel, together with use of the Association Road;

WHEREAS, the Abutting Parcel has a right of way to Mt. Hunger Shores Road, and the location of such right of way has not been determined, and for avoidance of doubt the parties wish to confirm Grantee's right to use the Association Road, together with access across Lot 7, for purposes of a right of way to /from the Abutting Parcel;

NOW THEREFORE, for good and valuable consideration, the parties hereby agree as follows:

Grantor hereby grants to Grantee, his heirs, successors, and assigns, as an appurtenant right and easement for the Abutting Parcel, an easement for a right of way and utility services, in common with the Grantor and others, over the Association Road. Grantee acknowledges that the Association Road is subject to the Standard Private Street Notes and Waiver Request as shown on the Plan.

Dick Cahill

From: "Bob Hagenow" <Bob.Hagenow@bmc-llp.com>
To: <planner@graymaine.org>
Sent: Tuesday, February 07, 2006 1:18 PM
Subject: Notice to Abutters

I received a notice to abutters. It is for the development of Tax map L18, lot 010 - LD zone.

I tried to search the Gray, Maine website for a tax map to see where this property is in proximity to my lot which is tax map 1 lot 9. I assume since I received this notice that the proposed development is adjacent to my property. The only concern I have is whether or not part of your planning / approval process includes making sure subdivision of this lot does not cause my lot to become land locked in any way.

I am hoping to build a home on my lot within the next 5 to 10 years and want to make sure this development will not cause that to be a problem down the road.

At your convenience please let me know where I can get a copy of the tax maps that would show Tax map L18, lot 10 LD zone as it relates to tax map 1 lot 9.

If you have this information you may fax it or e-mail it to me.

Best Regards,

Bob Hagenow | CPA, MT, CSRP
 Senior Manager, Tax Services



Phone: 610-647-8100
 Fax: 610-647-8177

Bob.Hagenow@bmc-llp.com | www.bmcvision.com

IMPORTANT: This communication may contain confidential or privileged information from **bmc** (Beard Miller Company LLP). This information is only for the viewing or use of the intended recipient. If it appears that this communication was sent to you in error, you may not use or copy this communication or any information contained therein, and you may not disclose this communication or the information contained therein to anyone else. In such circumstances, please notify the sender or **bmc** immediately by reply e-mail or by telephone, and immediately delete this e-mail and all attachments from your computer without making any copies thereof.

To ensure compliance with US Treasury Department Regulations, we inform you that any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or applicable state or local tax law provision, or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.

2/7/06

From: [Jeremy Brown](#)
To: [Kristen Muszynski](#)
Cc: [Robert A. Hagenow](#)
Subject: Fwd: Garrison Woods Annual Meeting Minutes 2022
Date: Monday, June 13, 2022 8:53:40 PM
Attachments: [7790bcf0d2d52b5a8ff1b742950866620.pdf](#)

Kristen, please see the revised minutes. I confirmed with my officers that we did conduct a vote at our annual meeting it just wasn't documented.
Please consider this our official meeting minutes.
Thank you,
Jeremy

Begin forwarded message:

From: Krista Angell <krista.angell7@gmail.com>
Date: June 13, 2022 at 8:26:33 PM EDT
To: Jeremy Brown <jeremybrownlcs@gmail.com>
Subject: Garrison Woods Annual Meeting Minutes 2022

Good morning!

The Garrison Woods annual meeting was held on Saturday, 5/30 at 9 am. It was nice seeing those that could attend.

- The first item that was discussed was the cost of running our association. Last year, we all paid \$306 for our yearly dues totaling \$3,672. We spent \$3,347 on plowing and sanding, liability insurance, and our P.O. Box. Our yearly lawyer fees totaling \$185 were also paid in March. There were some items that had to be paid for such as road signs and extra sandings that were taken out of the \$10,000 that Gary had given us. Our new account balance is: \$8,954.98.
- I know all of the snow just disappeared not too long ago, but we are being proactive and have discussed working with Brady Earth and Stone LLC for plowing and sanding this upcoming winter. The total cost which includes 10 storms and 4 sandings will be \$2,800. Whatever we don't use for sandings, if any, the association will apply to the following winter.
- Moving forward, our yearly dues will be due on September 1. This decision was made in order to leave plenty of room before the holidays and after paying our dues for Mt. Hunger Shores. There will be an invoice sent out around the end of July and there will be a new \$10 per month late fee. After looking quickly at the numbers for this upcoming year, our anticipated dues will be \$315. This is *subject to change* and will be confirmed in a couple of months.
- Bob Hagenow was able to join our meeting via Zoom to discuss lot 7 and his 15.6 acres located behind lot 7. Bob's family purchased the lot in 1970 with the guarantee that they would have a right of way to that property. Once Garrison Woods began to develop, that right of way disappeared.

Right now, Bob's intent with his land is to build a family retirement and vacation home right in the middle of the lot with a garage and eventually a guest house for his extended family to use. He also plans to create hiking trails throughout the property. One question that was asked was why wouldn't Bob just combine his two lots? If he were to combine his two lots, he would lose his right of way to the water. The only other concern mentioned is the town of Gray requiring us to pave Garrison Woods Drive. We are hopeful that the town will extend our existing waiver to keep our road unpaved. There will be a town meeting on Tuesday, May 10th at 6:30 pm to formally discuss this matter. You are welcome to attend in person or via Zoom. I am attaching the planning board agenda with all of the information.

- EDITED TO ADD by Krista Angell 6/13/2022- All members who were in attendance voted to approve the easement being proposed by Robert Hagenow. Those in attendance were as follows: Krista Angell, Tyler Angell, Jeremy Brown, Floyd Brown, Hannah Morrill, Bobby Bowen, Robert Hagenow, and Corey Johnston.

- Lastly, it was decided to extend the terms of all of our current officers for one more year.
 1. President: Jeremy Brown
 2. Vice President: Corey Johnston
 3. Treasurer: Earle Reagan
 4. Secretary: Krista Angell

If you have any questions, please don't hesitate to reach out. I hope you all have a great summer!
-Krista

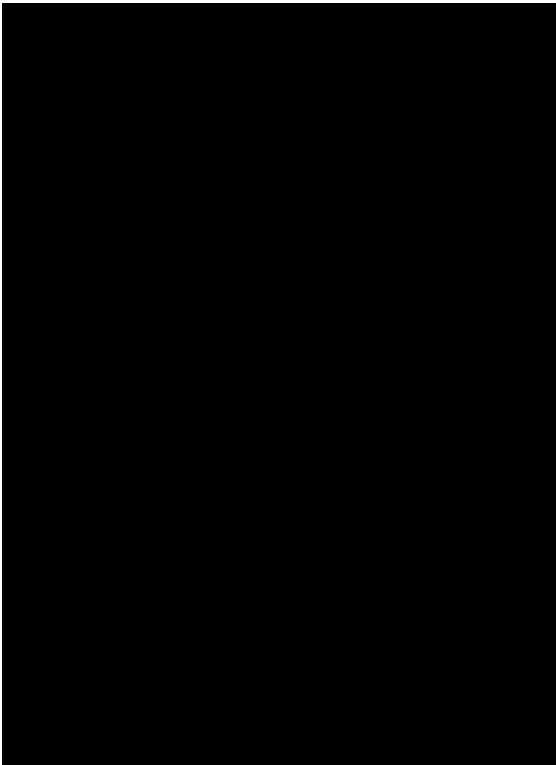
This electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it, may be considered public records, and may therefore be subject to public record requests for review and copying under Maine's Right to Know Law (Title 1, 401-521 of the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

May 9, 2022

To Whom It May Concern,

There will be a Town of Gray planning board meeting taking place on Tuesday, May 10th at 6:30 pm regarding Garrison Woods Drive located in Gray, Maine. The meeting is taking place to discuss Robert Hagenow, a landowner on Garrison Woods Drive, who also owns an abutting 15.6 acres located behind lot 7. Robert's use of the roadway to access his property past Garrison Woods Drive will also be discussed during the meeting.

At the annual Garrison Woods Homeowners' Association meeting that took place on Saturday, April 30th at 9:00 am, the residents agreed that Robert could use the roadway to access both of his properties. The concern of the town requiring Garrison Woods Drive to be paved was mentioned and the residents present unanimously agreed that they would hope that the Town of Gray board members would continue with the waiver granted prior in 2020 for the road to remain unpaved. Garrison Woods Drive is located off of Anglers Road and Mt. Hunger Shore Road, both unpaved, camp roads with some year round residents situated throughout. Below are the signatures of residents that reside on Garrison Woods Drive agreeing that they would like Garrison Woods Drive to remain unpaved.



17 Garrison Woods Drive, Gray, Maine

Address

16 Garrison Woods Drive, Gray, Maine

Address

12 Garrison Woods Drive, Gray, Maine

Address

281 Vincent Dr, Honey Brook, PA 19344

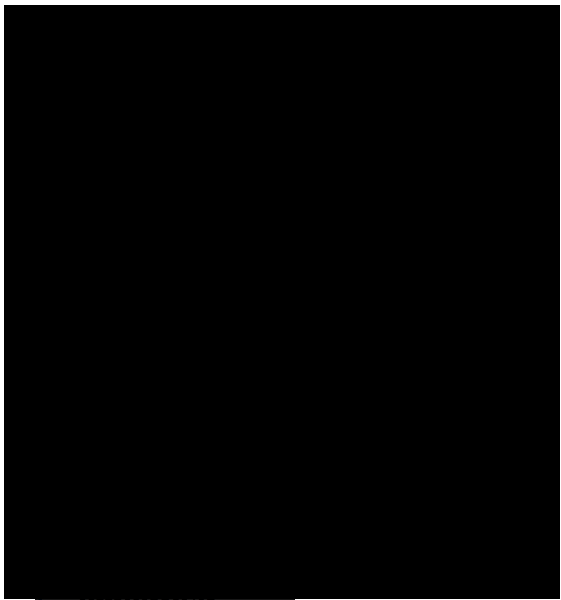
Address

9 Garrison Woods Dr Windham ME 04062

Address

PO Box 1720 Gray /6 Garrison Woods Gray

Address



Signature

Signature

Lot 6

Address

15 Garrison Woods Dr, Gray, ME 04039

Address

4 Garrison Woods Dr, Gray, Me 04039

Address

13 Garrison Woods Drive, Gray ME 04039

Address

17 Garrison Woods Dr, Gray Me 04039

Address

Address



**First Settled
1738**

Town of Gray

24 Main Street
Gray, Maine 04039

www.graymaine.org

communitydevelopment@graymaine.org

NOTICE OF DECISION

December 12, 2020

TO: Gary & Joy Hayes
8 Kincaid Lane
Raymond, ME. 04071

FROM: Kathy Tombarelli, Town Planner
Community Development Department
Town of Gray

CC: File

RE: Garrison Woods Road Subdivision Amendment
Waiver Request from approved road standard
Tax Maps 39 & 47, lots 1 through 13
Gray, ME 04039

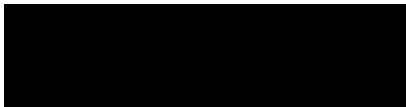
This letter is to notify you that at the Planning Board Meeting held on September 10, 2020 the Board voted 4-0 to take the following action:

Moved to approve the application from Gary and Joy Hayes to amend the previously approved and amended 13-lot Garrison Woods Subdivision located on Tax Maps 39 & 47, parcels 318-10-1 through 13 in both Lake, & Limited Residential Zoning Districts by granting a waiver to the applicable paving standard in effect on the approved and recorded subdivision plan from 2007 (CCRD Plan Book 207, Page 507), and allow the subdivision road to remain gravel 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 plan was amended to allow for Phasing on June 13, 2013. No other changes were made to the subdivision plan at this time. The amended plan was not recorded per filing requirements in 401.8.4.A. The PB re-approved phasing at the June 9, 2016 PB meeting. This plan was recorded at CCRD on June 14, 2016 - Book 216, Page 194.
3. The Planning Board grants a waiver from the paving standard (2" bituminous pavement) that was in effect when the Planning Board initially approved the Garrison Wood Subdivision on August 8, 2007. The subdivision road can remain gravel.
4. All other required subdivision improvements and conditions of approval on the original 2007 plan and amended subdivision plan (2016) remain in effect.
5. The subdivision road, Garrison Woods Drive, will remain private. The Town will not be responsible for maintenance and the road will not be eligible for winter maintenance.
6. Cash escrow for engineering inspections and any applicable performance guarantees is required in an amount to be determined by staff with input from Gorrill-Palmer prior to the release of building permits for Phase 3 (lots 10-13).

Respectfully,



Kathy Tombarelli
Town Planner

John P: Former Franklin Davis lot is on Marie Street (formerly Florence Road). The od triangle has been a nuisance, so they want to reconfigure lot line. Equal area exchange - pretty straight forward. Since it is subdivision (pre-subdivision, but previous lot line reconfiguration approved by PB), need to come here (PB) for re-configuration and PB signature.

KT: 1955 pre -subdivision. grandfathered, legally non-conforming. 1993 PB approved lot line reconfigurations for lots 17 and 19&21 (which is not part of this). Since it is nonconforming lot of record, that is why here tonight. She prepared draft motion.

PG: Recused

Abrams: If switching lot lines, is it pushing line close to shed?

Palmiter said the shed is considered portable and will be moved if setback is not met.

No other PB member had questions.

Cobb: Public comment? none - closed at 8:04pm

RESULT:

MOVER:

SECONDER:

AYES:

RECUSED:

ADOPTED [4 TO 0]

Catherine Caswell, Alternate

Charlie Abrams, Board Member

Cobb, Abrams, Caminiti, Caswell

Gellerson

b. Garrison Woods Subdivision Amendment

Public Hearing: An application from Gary and Joy Hayes to amend the previously approved and amended 13-lot Garrison Woods Subdivision by requesting a waiver to the applicable paving standard as approved and recorded in 2007 (CCRD Plan Book 207, Page 507) and allow the subdivision road to remain gravel. The lots are located on Tax Maps 39 & 47, parcels 318-10-1 through 13 in both Lake, & Limited Residential (Shoreland) Zoning Districts.

Cobb read public hearing 1st paragraph.

PG: recused - has known Gary & Susan Hayes for 40 years. Knows things about subdivision which might tilt his decision unfairly.

Cobb: confirmed that Peter feels he needs to be recused.

Caswell motion/Abrams seconded: 4-0 approved

Gary Hayes spoke this has cost him more than he could have imagined and that he has built a 5-star road.

Lot owners are all in agreement to keep road gravel. due to length of time, his age, and finances, asks PB to waive paving. will lessen debt to him and his wife Joy.

KT: gave history - 8/8 2007 approved subdivision under old street ordinance which was amended in 2011. The old ordinance under which this SD was approved only required 2 inches of pavement which was norm then; now would be 3.25 inches required.

Mr. Hayes came back in 2013 and asked for project to be phased and performance guarantee would only be needed for current phase being constructed. The road has been constructed except paving. Eight houses have been built. She received letter from lot owners, and all would prefer gravel instead of 2 inches of pavement which they think would break up at the end of Mt Hunger shores which is a gravel road. if subdivision to be built today, Mount Hunger Shores from 302 intersection to subdivision would need to be brought up to current Road Standard (which includes pavement) – likely to cost prohibitive – unique situation. Mr. Hayes has made agreement with lot owners for sum of money for maintenance in leu of paving.

Mr. Hayes is asking for waiver from road standard for 13 lots. (standards at time required 2 inches pavement).

Cobb: Mentioned he knows things can be costly and can be compassionate, but not allowed to consider financial hardship (referenced as Maguire mentioned) and have to look at ordinances, etc.

Caswell: Wants to understand more about Mount Hunger Shore road and how it plays into this - what would be needed to bring it up.

Cobb: under current ordinance, would have to require entire length be brought up to code.

KT: has done most of Mount Hunger Improvements required in 2007 which does not include paving. The point is that this situation is unique would likely not be replicated anywhere else in Town with the new standards in place. Too cost prohibitive. The road is also, in part in Raymond - Raymond's standards could come into play so not likely this would be replicated elsewhere.

Caswell: Wanted to clarify, if we do not grant waiver, would need 2 inches pavement.

Cobb: Clarified that it would be minimum 2 inches (nothing stopping them from doing more except \$).

Caminiti: Recorder could not hear comment

Watson: Grandfathered in Phase 1 only. Is number 2 being built.

Hayes – Road is all completed even phase 3 – waiver for entire road

KT: Clarified no homes built on phase 3

Hayes: Road is completed to all lots including Phase 3 lots # 6,7,8 left. all done right up until end.

Cobb: This is tough - ordinance and plan approved by previous planning board - on other hand, people on road that would like it to stay that way (gravel) which weighs heavily. Cannot just grant waivers to be nice or from a financial standpoint - have to apply ordinances. Appreciates residents like roadway it is but prior board intended it to be paved. Asked how many lots on unpaved road if they continue. Asked KT how many houses would have been approved on unpaved road. KT said not sure what was allowed in 2007 but know 2-10 would be Rural Street (unpaved). She got feedback from G&P - not crazy about unpaved but not crazy about only 2 inches either.

Cobb: Again, could put more than 2 inches if want higher quality road.

Cobb: What would have been max at that time approved on unpaved road. KT: unsure, assumed 10 houses like current standard.

Cobb: Question is to grant waiver. if board not comfortable with 13 lots on unpaved, could, if applicant interested, road to service 10 or 11 closer to what would have happened. wants to hear public input.

Abrams: G&P thoughts might weight - would be cost.

Cobb: Reminded they cannot consider financial concerns

Cobb: Would any type of reduction (3 lots unsold) / if board not favorable to granting waiver for 13 lots, would Hayes be agreeable to having it be done now - to get closer to what would be approved.

Hayes: 3 lots left - restricted by town as surety depending on what we do on road. Has to have last 3 lots to lessen debt. It has never been in-the-black project. still quite a debt on it.

KT: Not sure what # house threshold was in 2007 – Today the 10 dwelling units would be allowed on gravel. KT said she discussed with Mr. Hayes if waiver not approved, could come back with other options.

Public comments:

Dan Maguire: president of Johnson road - lived on gravel 40 years. well maintained gravel road is not liability. as Will H. pointed out, prefers gravel regarding only 2 inches. Dan mentioned some paved roads costly to maintain and they come to town asking town to take over maintenance.

Mentioned that when the Circle K application was being considered, not enough value in moving the pole for end result and can apply same thoughts here. Odd situation - change in ordinance - wants improved road 2 1/2 miles at end of gravel road. thinks it is in PB power to grant waiver due to this unique set of circumstances.

Hannah Sigler spoke lives on road. looked at cost of residents to add 1.25 so if 2 inches, will not be able to keep up cost of maintenance. prob. will get beat up first winter due to plow.

Peter Gellerson: Said when paved road needs maintenance as Maguire and Sigler referred, residents would not be able to afford that length with that few of houses.

KT: clarified G&P did not say they like gravel better, they said they would prefer 3.25 to the 2 inches of pavement.

KT: This would be private road, not eligible for winter maintenance.

Cobb: Did every current owner sign letter?

Hayes: yes

Motion: Abrams

Cobb: Had hard time voting yes on this - public comment made a big difference - reasonable thing to do and unique and hopefully last unique situation.

Move to approve the application from Gary and Joy Hayes to amend the previously approved and amended 13-lot Garrison Woods Subdivision located on Tax Maps 39 & 47, parcels 318-10-1 through 13 in both Lake, & Limited Residential Zoning Districts by granting a waiver to the applicable paving standard in effect on the approved and recorded subdivision plan from 2007 (CCRD Plan Book 207, Page 507) and allow the subdivision road to remain gravel 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 plan was amended to allow for Phasing on June 13, 2013. No other changes were made to the subdivision plan at this time. The amended plan was not recorded per filing requirements in 401.8.4.A. The PB re-approved phasing at the June 9, 2016 PB meeting. This plan was recorded at CCRD on June 14, 2016 - Book 216, Page 194.*
- 3. The Planning Board grants a waiver from the paving standard (2" bituminous pavement) that was in effect when the Planning Board initially approved the Garrison Wood Subdivision on August 8, 2007. The subdivision road can remain gravel.*
- 4. All other required subdivision improvements and conditions of approval on the original 2007 plan and amended subdivision plan (2016) remain in effect.*
- 5 The subdivision road, Garrison Woods Drive, will remain private. The Town will not be responsible for maintenance and the road will not be eligible for winter maintenance.*
- 6. Cash escrow for engineering inspections and any applicable performance guarantees is required in an amount to be determined by staff with input from Gorrill-Palmer prior to the release of building permits for Phase 3 (lots 10-13).*

RESULT:	ADOPTED [4 TO 0]
MOVER:	Charlie Abrams, Board Member
SECONDER:	Catherine Caswell, Alternate
AYES:	Cobb, Abrams, Caminiti, Caswell
RECUSED:	Gellerson

c. Straightline Subdivision Amendment

Public Hearing: A request by Ricky G. Jones & Lavoie Building and Remodeling, Inc. for Preliminary and Final Plan Review for an Amendment to the Straightline 4-lot traditional residential subdivision by the creation of 6 additional residential open space subdivision lots located near 187 Center Road on a portion of the parcel shown as Gray Tax Map 63, lot 30-8, in a Rural Residential & Agricultural Zoning District.

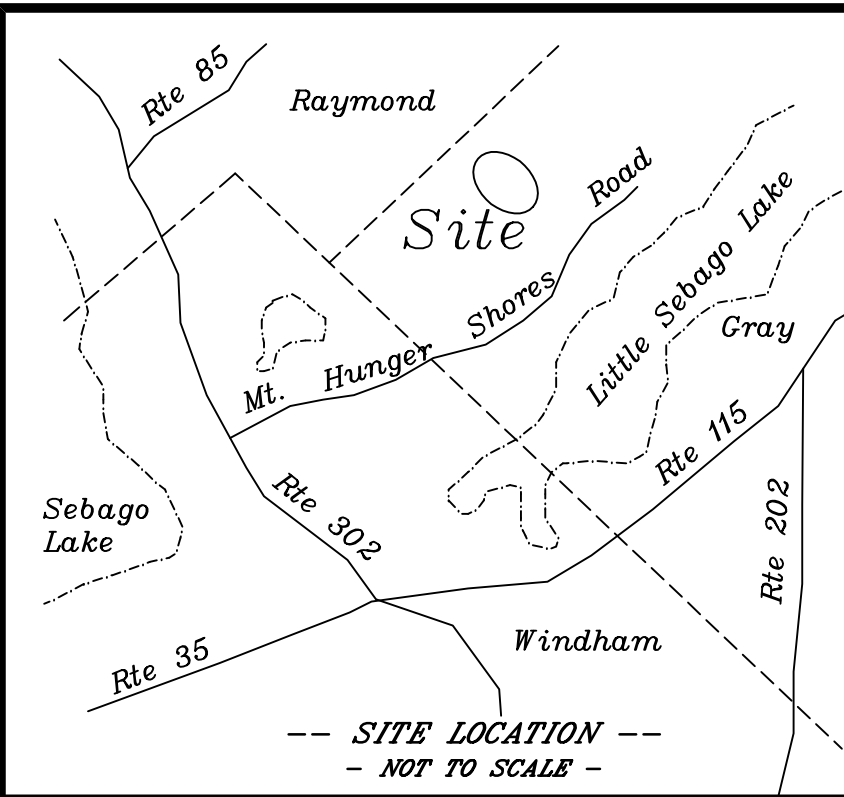
Cobb read public hearing paragraph

JP Connelly is representing the project.

Cobb asked for summary of what has changed since they last met.

JP Connolly: resolved violation has 2 yr. window for planting to take hold - plan has not changed aside from additional pins added to plan for tree clearing limits.

JP Connelly spoke about possible future development and this would allow for smoother transition to paving and sidewalk.



LEGEND

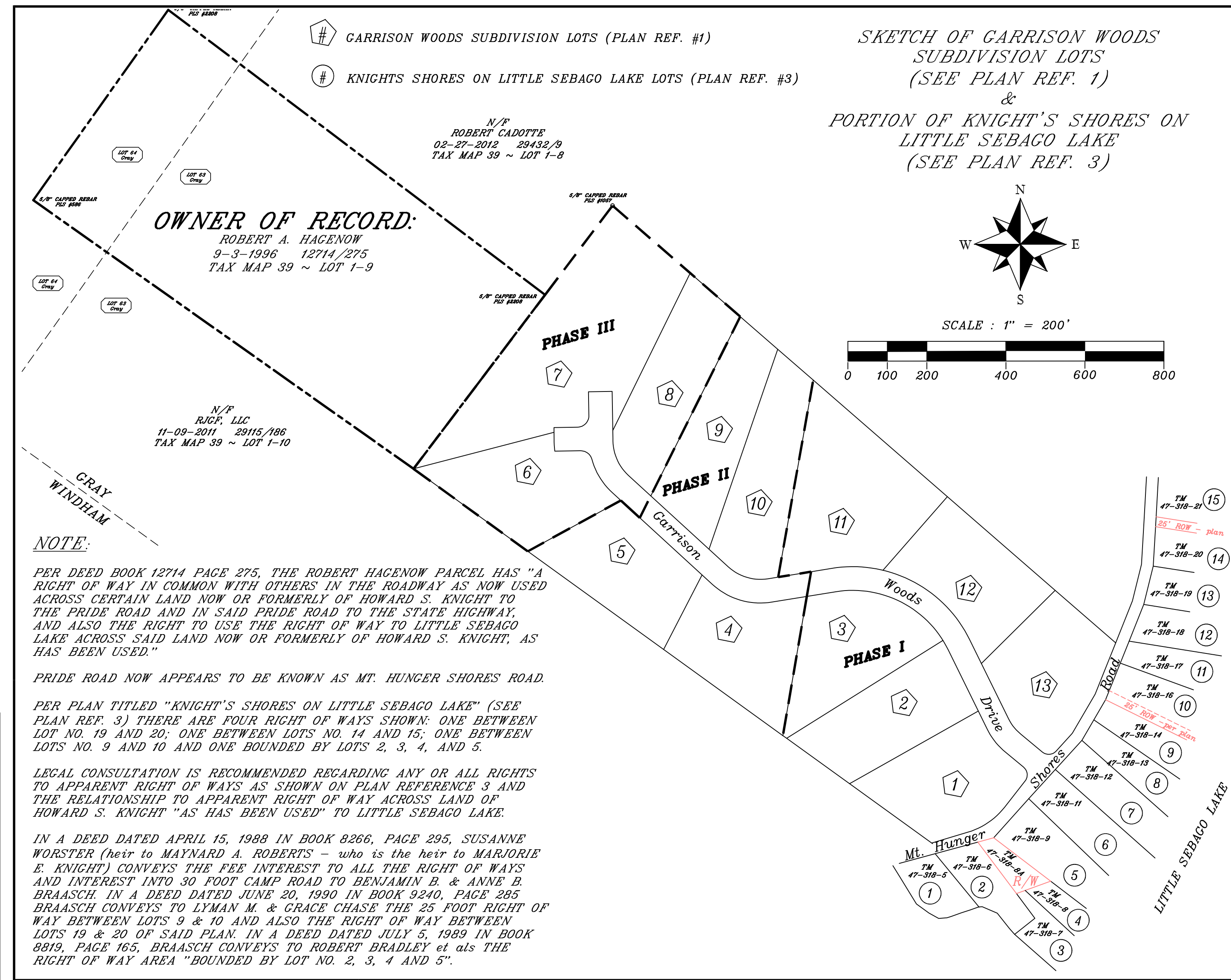
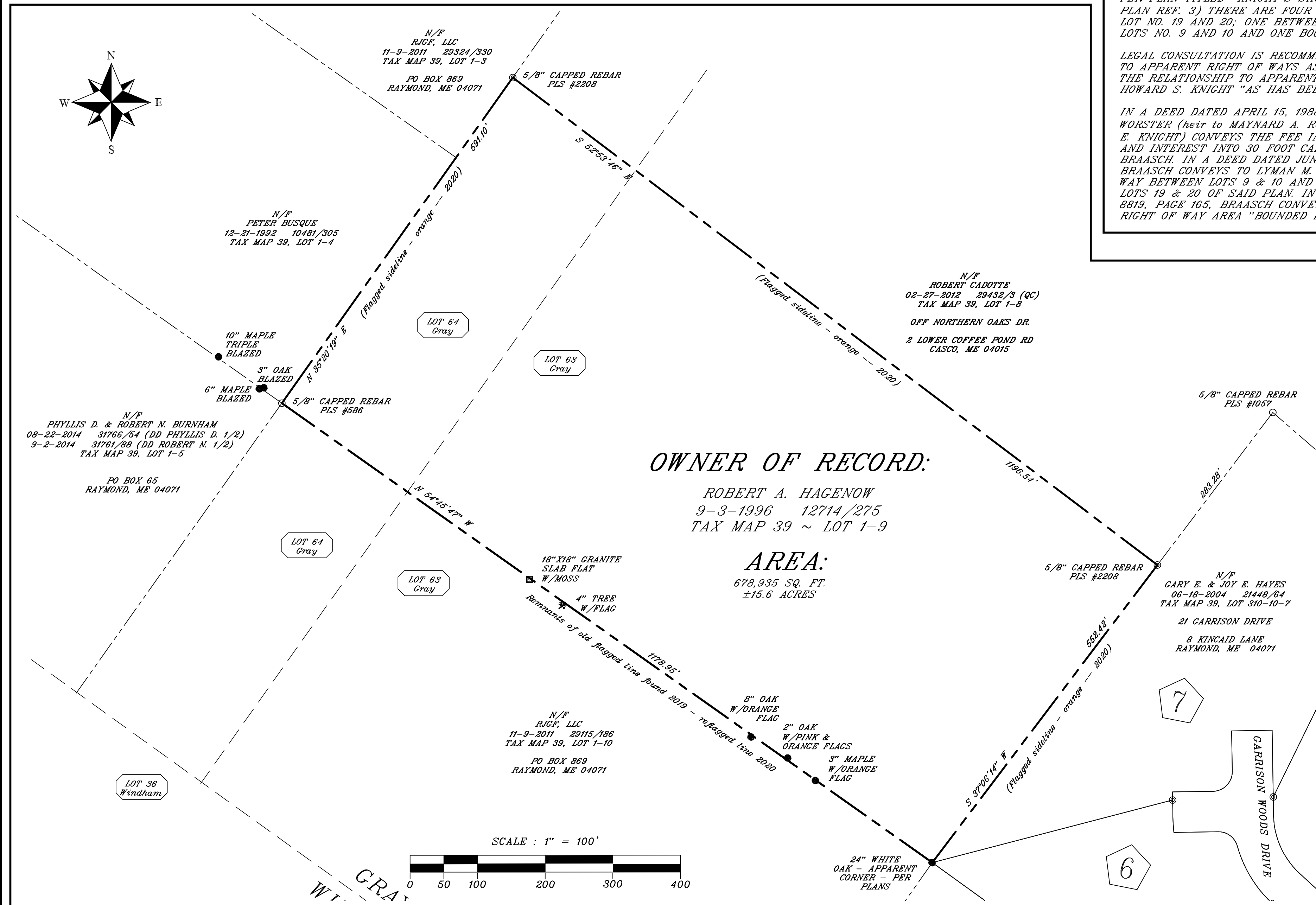
- PROPERTY LINES
- RIGHT OF WAY/ABUTTING LOT LINES
- 5/8" CAPPED REBAR SET #2208
- IRON PIN FOUND
- STONE FOUND
- TREE (AS NOTED)
- DIVISION PLANS - GRAY & WINDHAM

NOTES:

- 1) BEARINGS ARE REFERENCED TO GRID NORTH - MAINE STATE PLANE NAD 83 (2011) WEST ZONE
- 2) DEED REFERENCES ARE MADE TO THE CUMBERLAND COUNTY REGISTRY OF DEEDS
- 3) OWNER OF RECORD - ROBERT A. HAGENOW
- 4) DEED REFERENCE - BOOK 12714, PAGE 275
- 5) TAX MAP 39, LOT 1-9
- 6) THE PARCEL IS NOT LOCATED WITHIN A 100-YEAR FLOOD HAZARD AREA AS SHOWN ON THE F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL 2300480010A, DATED 1/6/1982.

REFERENCES:

- 1) AMENDED SUBDIVISION FOR GARY & JOY HAYES, GARRISON WOODS REVISION 1, DATED MAY 21, 2016, RECORDED AT CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 216, PAGE 194.
- 2) STANDARD BOUNDARY SURVEY PROPERTY PLAN OF RE-TRACEMENT MADE FOR GARY HAYES BY JOHN D. PALMITER DATED JUNE 30, 2005, RECORDED AT SAID REGISTRY OF DEEDS IN PLAN BOOK 205, PAGE 438.
- 3) KNIGHT'S SHORES ON LITTLE SEBAGO LAKE BY HOWARD S. KNIGHT DATED JUNE 1959 RECORDED AT SAID REGISTRY OF DEEDS IN PLAN BOOK 52, PAGE 6.
- 4) PLAN OF THE "TOWN OF CRAY" DATED MAY 5, 1906 AND RETRACED MARCH 1932 AND RECORDED IN PLAN BOOK 24, PAGE 6.
- 5) COPY OF OLD PLAN "WINDHAM, MAINE" REPRODUCED DECEMBER 9, 1935 AND RECORDED IN PLAN BOOK 24, PAGE 13.
- 6) TOWN OF RAYMOND RANGE AND LOT MAP DATED MAY 1829 AND RECORDED JANUARY 1884 AND RECORDED IN PLAN BOOK 24, PAGE 11.
- 7) BOUNDARY SURVEY FOR CHARLES HILL BY SURVEY INC. - UNRECORDED.



NOTE:

PER DEED BOOK 12714 PAGE 275, THE ROBERT HAGENOW PARCEL HAS "A RIGHT OF WAY IN COMMON WITH OTHERS IN THE ROADWAY AS NOW USED ACROSS CERTAIN LAND NOW OR FORMERLY OF HOWARD S. KNIGHT TO THE PRIDE ROAD AND IN SAID PRIDE ROAD TO THE STATE HIGHWAY, AND ALSO THE RIGHT TO USE THE RIGHT OF WAY TO LITTLE SEBAGO LAKE ACROSS SAID LAND NOW OR FORMERLY OF HOWARD S. KNIGHT, AS HAS BEEN USED."

PRIDE ROAD NOW APPEARS TO BE KNOWN AS MT. HUNGER SHORES ROAD.

PER PLAN TITLED "KNIGHT'S SHORES ON LITTLE SEBAGO LAKE" (SEE PLAN REF. 3) THERE ARE FOUR RIGHT OF WAYS SHOWN: ONE BETWEEN LOT NO. 19 AND 20; ONE BETWEEN LOTS NO. 14 AND 15; ONE BETWEEN LOTS NO. 9 AND 10 AND ONE BOUNDED BY LOTS 2, 3, 4, AND 5.

LEGAL CONSULTATION IS RECOMMENDED REGARDING ANY OR ALL RIGHTS TO APPARENT RIGHT OF WAYS AS SHOWN ON PLAN REFERENCE 3 AND THE RELATIONSHIP TO APPARENT RIGHT OF WAY ACROSS LAND OF HOWARD S. KNIGHT "AS HAS BEEN USED" TO LITTLE SEBAGO LAKE.

IN A DEED DATED APRIL 15, 1988 IN BOOK 8266, PAGE 295, SUSANNE WORSTER (HEIR TO MAYNARD A. ROBERTS - WHO IS THE HEIR TO MARJORIE E. KNIGHT) CONVEYS THE FEE INTEREST TO ALL THE RIGHT OF WAYS AND INTEREST INTO 30 FOOT CAMP ROAD TO BENJAMIN B. & ANNE B. BRAASCH. IN A DEED DATED JUNE 20, 1990 IN BOOK 9240, PAGE 285 BRAASCH CONVEYS TO LYMAN M. & GRACE CHASE THE 25 FOOT RIGHT OF WAY BETWEEN LOTS 9 & 10 AND ALSO THE RIGHT OF WAY BETWEEN LOTS 19 & 20 OF SAID PLAN. IN A DEED DATED JULY 5, 1989 IN BOOK 8819, PAGE 165, BRAASCH CONVEYS TO ROBERT BRADLEY et alS THE RIGHT OF WAY AREA "BOUNDED BY LOT NO. 2, 3, 4 AND 5".

~ ABUTTERS - SHORE LOTS ~

- LOTS 10 & 11 --
N/F
GRACE M. CHASE TRUSTEE
CHASE FAMILY IRREVOCABLE TRUST
5-18-2004 - 21418/61
TAX MAP 47, LOT 318-17 (LOT 10 & 11)
331 MT HUNGER SHORES ROAD
- Lot 5 --
N/F
ALAN D. & SUSAN J. MARSTON
02-03-2017 -- 33807/25 (Lot 5)
TAX MAP 47, LOT 318-9
319 MT HUNGER SHORES ROAD
- Lot 3 --
N/F
JOHN D. & NANCY J. BARNARD
7-06-1981 -- 4816/212 (Lot 3)
TAX MAP 47, LOT 318-7
313 MT HUNGER SHORES ROAD
- Lot 2 --
N/F
KIM ALDRICH - PR -- LINWOOD MERRITHEW
8-28-1996 -- 12704/141 (Lot 2)
TAX MAP 47, LOT 318-6
311 MT HUNGER SHORES ROAD
- Lot 1 --
N/F
JAMES MICHAEL CARON - TRUSTEE -- CARON
FAMILY REAL ESTATE TRUST
10-16-2008 -- 26436/77 (Lot 1)
TAX MAP 47, LOT 318-6
309 MT HUNGER SHORES ROAD
- Lot 4 --
N/F
LETARTE BROS DEVELOPMENT, LLC
02-03-2017 -- 34452/318 (Parcel 2 -
Right of Way Lot - per plan)
TAX MAP 47, LOT 318-8A
317 MT HUNGER SHORES ROAD
- Lot 7 --
N/F
BRIAN C. COWEN LVC TR DTD 8-26-16
DONNA C. COWEN LVC TR DTD 8-26-16
8-26-2016 -- 33453/326 - (Lot 7)
TAX MAP 47, LOT 318-12
323 MT HUNGER SHORES ROAD
- Lot 6 --
N/F
RONALD & DIANE M. BARTHOLOMEW
10-30-2015 -- 32769/306 - Lot 6
TAX MAP 47, LOT 318-11
321 MT HUNGER SHORES ROAD
- Lot 8 --
N/F
DAVID C. & LINDA E. BAILEY
9-19-2002 -- 18120/3 (LOT 8)
TAX MAP 47, LOT 318-13
325 MT HUNGER SHORES ROAD
WINDHAM, ME 04062
- Lot 9 --
N/F
CHASE FARMS CIDER MILL, INC
5-12-1982 -- 4961/155 (LOT 9)
TAX MAP 47, LOT 318-14
327 MT HUNGER SHORES ROAD
- Lot 1 --
N/F
LETARTE BROS DEVELOPMENT, LLC
02-03-2017 -- 34452/318 (Parcel 2 -
Right of Way Lot - per plan)
TAX MAP 47, LOT 318-8A
317 MT HUNGER SHORES ROAD
- Lot 2 --
N/F
LETARTE BROS DEVELOPMENT, LLC
02-03-2017 -- 34452/318 (Parcel 2 -
Right of Way Lot - per plan)
TAX MAP 47, LOT 318-8A
317 MT HUNGER SHORES ROAD
- Lot 3 --
N/F
LETARTE BROS DEVELOPMENT, LLC
02-03-2017 -- 34452/318 (Parcel 2 -
Right of Way Lot - per plan)
TAX MAP 47, LOT 318-8A
317 MT HUNGER SHORES ROAD
- Lot 4 --
N/F
LETARTE BROS DEVELOPMENT, LLC
02-03-2017 -- 34452/318 (Parcel 2 -
Right of Way Lot - per plan)
TAX MAP 47, LOT 318-8A
317 MT HUNGER SHORES ROAD
- Lot 5 --
N/F
ALAN D. & SUSAN J. MARSTON
02-03-2017 -- 33807/25 (Lot 5)
TAX MAP 47, LOT 318-9
319 MT HUNGER SHORES ROAD
- Lot 6 --
N/F
RONALD & DIANE M. BARTHOLOMEW
10-30-2015 -- 32769/306 - Lot 6
TAX MAP 47, LOT 318-11
321 MT HUNGER SHORES ROAD
- Lot 7 --
N/F
BRIAN C. COWEN LVC TR DTD 8-26-16
DONNA C. COWEN LVC TR DTD 8-26-16
8-26-2016 -- 33453/326 - (Lot 7)
TAX MAP 47, LOT 318-12
323 MT HUNGER SHORES ROAD
- Lot 8 --
N/F
DAVID C. & LINDA E. BAILEY
9-19-2002 -- 18120/3 (LOT 8)
TAX MAP 47, LOT 318-13
325 MT HUNGER SHORES ROAD
WINDHAM, ME 04062
- Lot 9 --
N/F
CHASE FARMS CIDER MILL, INC
5-12-1982 -- 4961/155 (LOT 9)
TAX MAP 47, LOT 318-14
327 MT HUNGER SHORES ROAD
- Lot 10 & 11 --
N/F
GRACE M. CHASE TRUSTEE
CHASE FAMILY IRREVOCABLE TRUST
5-18-2004 - 21418/61
TAX MAP 47, LOT 318-17 (LOT 10 & 11)
331 MT HUNGER SHORES ROAD
- Lot 12 --
N/F
LETARTE BROS DEVELOPMENT, LLC
02-03-2017 -- 34452/318 (Parcel 2 -
Right of Way Lot - per plan)
TAX MAP 47, LOT 318-8A
317 MT HUNGER SHORES ROAD
- Lot 13 --
N/F
LETARTE BROS DEVELOPMENT, LLC
02-03-2017 -- 34452/318 (Parcel 2 -
Right of Way Lot - per plan)
TAX MAP 47, LOT 318-8A
317 MT HUNGER SHORES ROAD
- Lot 14 --
N/F
LETARTE BROS DEVELOPMENT, LLC
02-03-2017 -- 34452/318 (Parcel 2 -
Right of Way Lot - per plan)
TAX MAP 47, LOT 318-8A
317 MT HUNGER SHORES ROAD
- Lot 15 --
N/F
LETARTE BROS DEVELOPMENT, LLC
02-03-2017 -- 34452/318 (Parcel 2 -
Right of Way Lot - per plan)
TAX MAP 47, LOT 318-8A
317 MT HUNGER SHORES ROAD

RECORDING INFORMATION:

STATE OF MAINE, CUMBERLAND, ss
REGISTRY OF DEEDS

RECEIVED _____ 20____
AT ___HR ___MIN. ___M. AND RECORDED
IN PLAN BOOK _____ PAGE _____

ATTEST: _____
REGISTER

CERTIFICATION:

TO THE BEST OF MY KNOWLEDGE, I HAVE USED ORDINARY AND PRUDENT CARE IN THE PREPARATION OF THIS PLAN, AND I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THE INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HAVE NOT BEEN ADVISED OF ANY FACTS OR CIRCUMSTANCES WHICH WOULD CAUSE ME TO BELIEVE THAT THE INFORMATION CONTAINED HEREON IS NOT TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

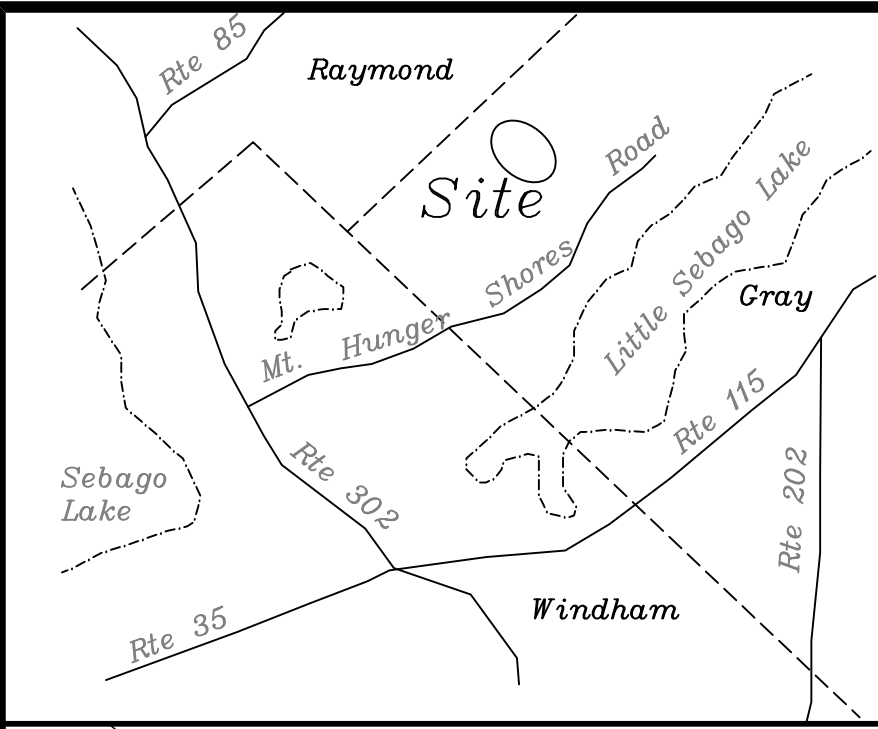
STUART DAVIS
REGISTERED PROFESSIONAL LAND SURVEYOR
MAINE STATE BOARD OF PROFESSIONAL LAND SURVEYORS (M.S.B.S.) TITLE 52, CHAPTER 241 DATED APRIL, 2009

1) NO WRITTEN REPORT TO DATE
2) NO DEED DISTRIBUTION TO DATE

PLAN PREPARED BY: S.A.B.
PLAN CHECKED BY: S.A.B.
PHIS PLAN IS NOT VALID UNLESS ENDORSED ABOVE

DAVIS LAND SURVEYING, LLC
MAILING: 64 OLD COUNTY ROAD - OXFORD, MAINE 04270
OFFICE: 990 MINOT AVENUE - AUBURN, MAINE 04270
OFFICE (207) 845-9891 - OFFICE (207) 782-8685 - CELL (207) 240-9949
EMAIL: stuart@davissurveying.net
WEBSITE: www.davissurveying.net
MARCH 18, 2020
DLS FILE NO. 391

STANDARD BOUNDARY SURVEY
PLAN OF PROPERTY
OFF GARRISON WOODS DRIVE, CRAY, MAINE
ROBERT A. HAGENOW
281 VINCENT DRIVE, HONEY BROOK, PA 19344
JOB NO.: 19-071



NOTES:

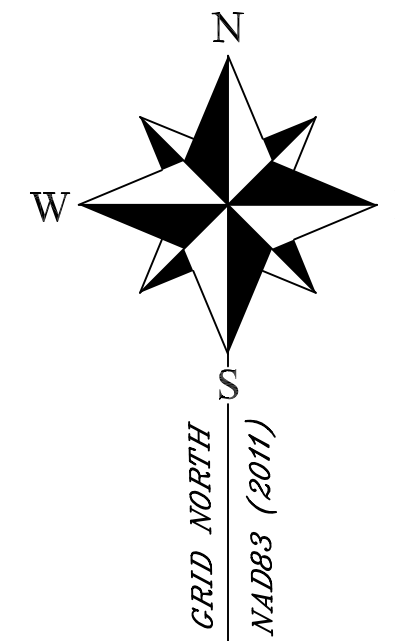
- 1) BEARINGS ARE REFERENCED TO GRID NORTH - MAINE STATE PLANE NAD 83 (2011) WEST ZONE
- 2) DEED REFERENCES ARE MADE TO THE CUMBERLAND COUNTY REGISTRY OF DEEDS - PORTLAND MAINE.
- 3) OWNER OF RECORD - ROBERT A. HAGENOW
- 4) DEED REFERENCE - BOOK 37520, PAGE 96
- 5) TAX MAP 39, LOT 1-7
- 6) THE PARCEL IS NOT LOCATED WITHIN A 100-YEAR FLOOD HAZARD AREA AS SHOWN ON THE F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL 2300480010A, DATED 1/6/1982.
- 7) PURPOSE OF THIS PLAN IS TO AMEND LOT 7 AS REFERRED TO ON PLAN REFERENCE'S 1 & 2 BY SHOWING THE PROPOSED 50 FOOT RIGHT OF WAY TO ACCESS PROPERTY OF HAGENOW TO THE WEST - TM 39 LOT 1-9.

LEGEND

- PROPERTY LINES
- - - RIGHT OF WAY/ABUTTING LOT LINES
- 5/8" CAPPED REBAR SET #2208
- IRON PIN FOUND
- STONE FOUND

REFERENCES:

- 1) AMENDED SUBDIVISION FOR GARY & JOY HAYES, GARRISON WOODS REVISION 1, DATED MAY 21, 2016, RECORDED AT CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 216, PAGE 194.
- 2) STANDARD BOUNDARY SURVEY PROPERTY PLAN OF RE-TRACEMENT MADE FOR GARY HAYES BY JOHN D. PALMITER DATED JUNE 30, 2005 RECORDED AT SAID REGISTRY OF DEEDS IN PLAN BOOK 205, PAGE 438.
- 3) KNIGHT'S SHORES ON LITTLE SEBAGO LAKE BY HOWARD S. KNIGHT DATED JUNE 1959 RECORDED AT SAID REGISTRY OF DEEDS IN PLAN BOOK 52, PAGE 6.
- 4) PLAN OF THE "TOWN OF GRAY" DATED MAY 5, 1906 AND RETRACED MARCH 1932 AND RECORDED IN PLAN BOOK 24, PAGE 6.
- 5) COPY OF OLD PLAN "WINDHAM, MAINE" REPRODUCED DECEMBER 9, 1935 AND RECORDED IN PLAN BOOK 24, PAGE 13.
- 6) TOWN OF RAYMOND RANGE AND LOT MAP DATED MAY 1829 AND RECOPIED JANUARY 1884 AND RECORDED IN PLAN BOOK 24, PAGE 11.
- 7) BOUNDARY SURVEY FOR CHARLES HILL BY SURVEY INC. - UNRECORDED.
- 8) REVISION 3 - AMENDED SUBDIVISION PLAN - GARRISON WOODS DATED OCTOBER 2021 BY SURVEY, INC. - PB 222, PG 26.
- 9) AMENDED SUBDIVISION FOR GARY & JOY HAYES, GARRISON WOODS REVISION 2, DATED MAY 21, 2016, RECORDED AT CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 220, PAGE 307.



--- SITE LOCATION ---
- NOT TO SCALE -

N/F
ROBERT CADOTTE
02-27-2012 29432/3 (QC)
TAX MAP 39, LOT 1-8

OFF NORTHERN OAKS DR.
2 LOWER COFFEE POND RD
CASCO, ME 04015

N/F
WILLIAM M. NORTON
08-13-2018 -- 35092/102
TAX MAP 39, LOT 318-15
344 MT HUNGER SHORES ROAD
WINDHAM, ME 04062

APPROVED BY GRAY PLANNING BOARD: DATE: _____
CHAIRPERSON: _____

N/F
ROBERT A. HAGENOW
9-3-1996 12714/275
TAX MAP 39 ~ LOT 1-9

N/F
ROBERT A. HAGENOW
12-02-2020 37520/96
TAX MAP 39, LOT 310-10-7
21 GARRISON WOODS DRIVE

Lot 9
80,002.3 sq. ft.
PHASE II

Lot 11
118,901.4 sq. ft.
PHASE I

0.27 Acres
11,957.92 sq.ft.

AREA: LOT 7

186,368.6 SQ. FT. - Total
±4.3 ACRES

50' Right of Way
20,775.3 sq.ft. - 0.5 acres

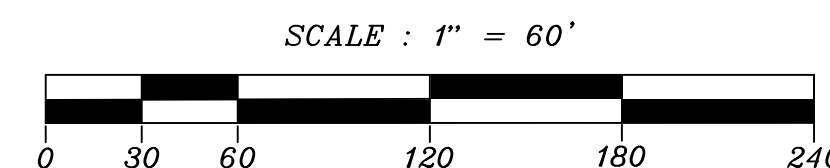
Net:
165,593.3 sq.ft. - 3.8 acres

OWNER OF RECORD:

ROBERT A. HAGENOW
9-3-1996 12714/275 - LOT 7
TAX MAP 39 ~ LOT 1-9

REVISIONS:

NO.	DESCRIPTION:	DATE:



~ CURVE TABLE ~

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	24°11'16"	180.00	75.99	75.43	S22°28'35"E
C2	88°23'44"	25.00	38.57	34.86	S09°37'12"W
C3	35°16'10"	185.00	113.88	112.09	S71°27'12"W
C4	24°11'16"	150.00	63.32	62.85	N22°28'35"W
C5	73°07'13"	300.00	382.86	357.40	N46°56'33"W
C6	51°44'29"	150.00	135.46	130.90	N57°37'56"W
C7	86°01'21"	29.00	43.54	39.56	S42°30'11"E
C8	05°54'59"	270.00	27.88	27.87	S13°20'26"E
C9	67°12'14"	270.00	316.69	298.85	S49°54'03"E
C10	10°43'34"	415.87	77.85	77.74	S56°37'17"W
C11	97°41'54"	25.00	42.63	37.65	N83°25'09"W
C12	24°11'16"	120.00	50.66	50.28	N22°28'35"W
C13	50°22'12"	330.00	290.11	280.86	N35°34'03"W
C14	51°44'29"	180.00	162.55	157.08	S57°37'56"E
C15	32°16'09"	180.00	101.38	100.04	S15°37'36"E
C16	22°45'01"	330.00	131.03	130.17	N72°07'40"W
C17	51°44'29"	120.00	108.37	104.72	N57°37'56"W
C18	46°36'16"	120.00	97.61	94.94	N08°27'33"W
C19	90°00'00"	29.00	45.55	41.01	S59°50'34"W
C20	46°36'16"	150.00	122.01	118.67	N08°27'33"W

RECORDING INFORMATION:
STATE OF MAINE, CUMBERLAND, ss
REGISTRY OF DEEDS

RECEIVED _____ 20____
AT ___HR ___MIN. ___M. AND RECORDED
IN PLAN BOOK _____ PAGE _____

ATTEST: _____
REGISTER

N/F
RICHARD W. MOODY
10-16-2013 31102/253 OAK
TAX MAP 47, LOT 318-003
305 MOUNT HUNGER SHORES ROAD

N/F
JEREMY BROWN
06-22-2018 34940/302
TAX MAP 39, LOT 310-10-5
GARRISON WOODS DRIVE

CERTIFICATION:

TO THE BEST OF MY KNOWLEDGE, I HAVE USED ORDINARY AND PRUDENT
CARE AND EXPERTISE OF A PROFESSIONAL LAND SURVEYOR, AND THE
INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF
MY KNOWLEDGE AND BELIEF. I AM NOT PROVIDING ANY GUARANTEE OR
WARRANTY BY THE BOARD OF LICENSING FOR PROFESSIONAL LAND
SURVEYORS (M.R.S.A. TITLE 52, CHAPTER 201 DATED APRIL 2000).
EXCEPT AS NOTED:
1) NO PARTIAL REPORT TO DATE:
2) NO DEED DISTRIBUTION TO DATE:
PLAN PREPARED BY: S.A.B.
PLAN CHECKED BY: S.A.B.

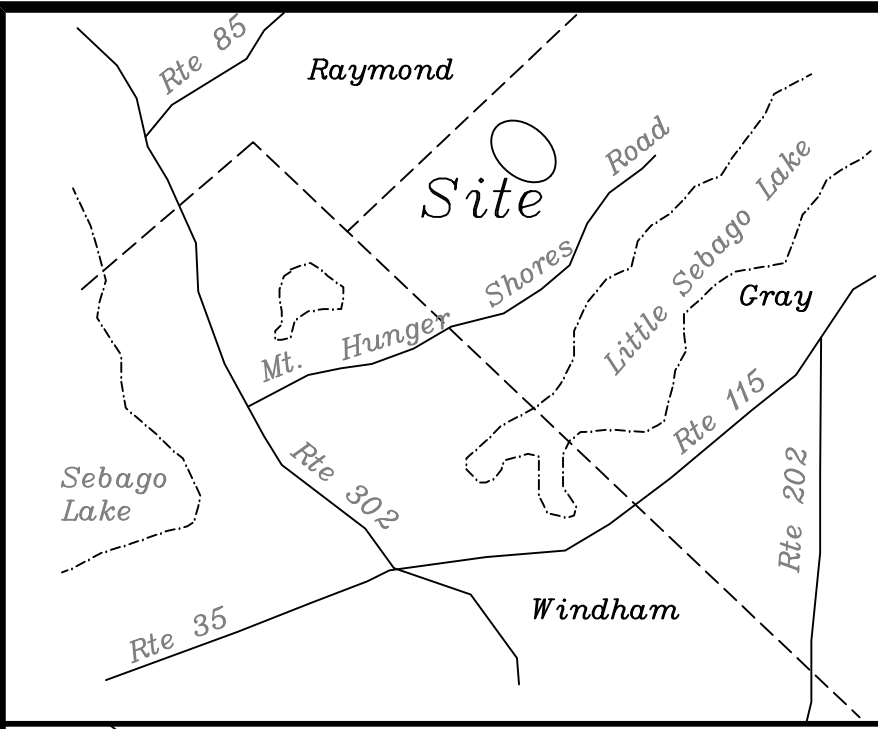
DAVIS LAND SURVEYING, LLC

990 MINOT AVENUE
AUBURN, MAINE 04210
OFFICE (207) 845-9991 ~ (207) 782-3685 ~ CELL (207) 240-9949
EMAIL: stevedavis@landsurveying.net
WEBSITE: www.davislandsurveying.net
JUNE 23, 2022

LOT 7 - PROPOSED 50' RIGHT OF WAY

OFF GARRISON WOODS DRIVE, GRAY, MAINE
ROBERT A. HAGENOW
281 VINCENT DRIVE, HONEY BROOK, PA 19334

JOB NO.: 22-061
FILE NO.: 524



NOTES:

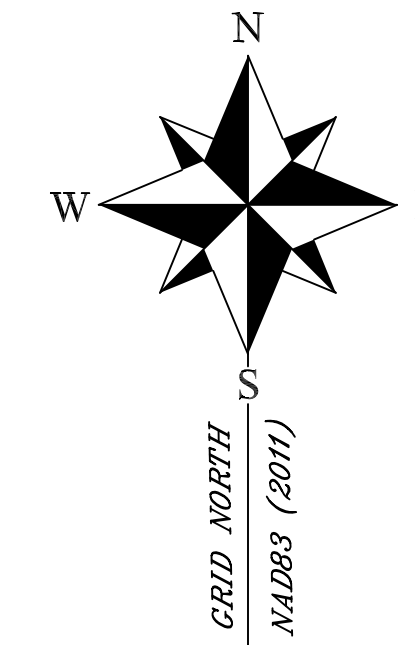
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- 4) DEED REFERENCE - BOOK 37520, PAGE 96
- 5) TAX MAP 39, LOT 1-7
- 6) THE PARCEL IS NOT LOCATED WITHIN A 100-YEAR FLOOD HAZARD AREA AS SHOWN ON THE F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL 2300480010A, DATED 1/6/1982.
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LEGEND

- PROPERTY LINES
- - - RIGHT OF WAY/ABUTTING LOT LINES
- 5/8" CAPPED REBAR SET #2208
- IRON PIN FOUND
- STONE FOUND

REFERENCES:

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--- SITE LOCATION ---
- NOT TO SCALE -

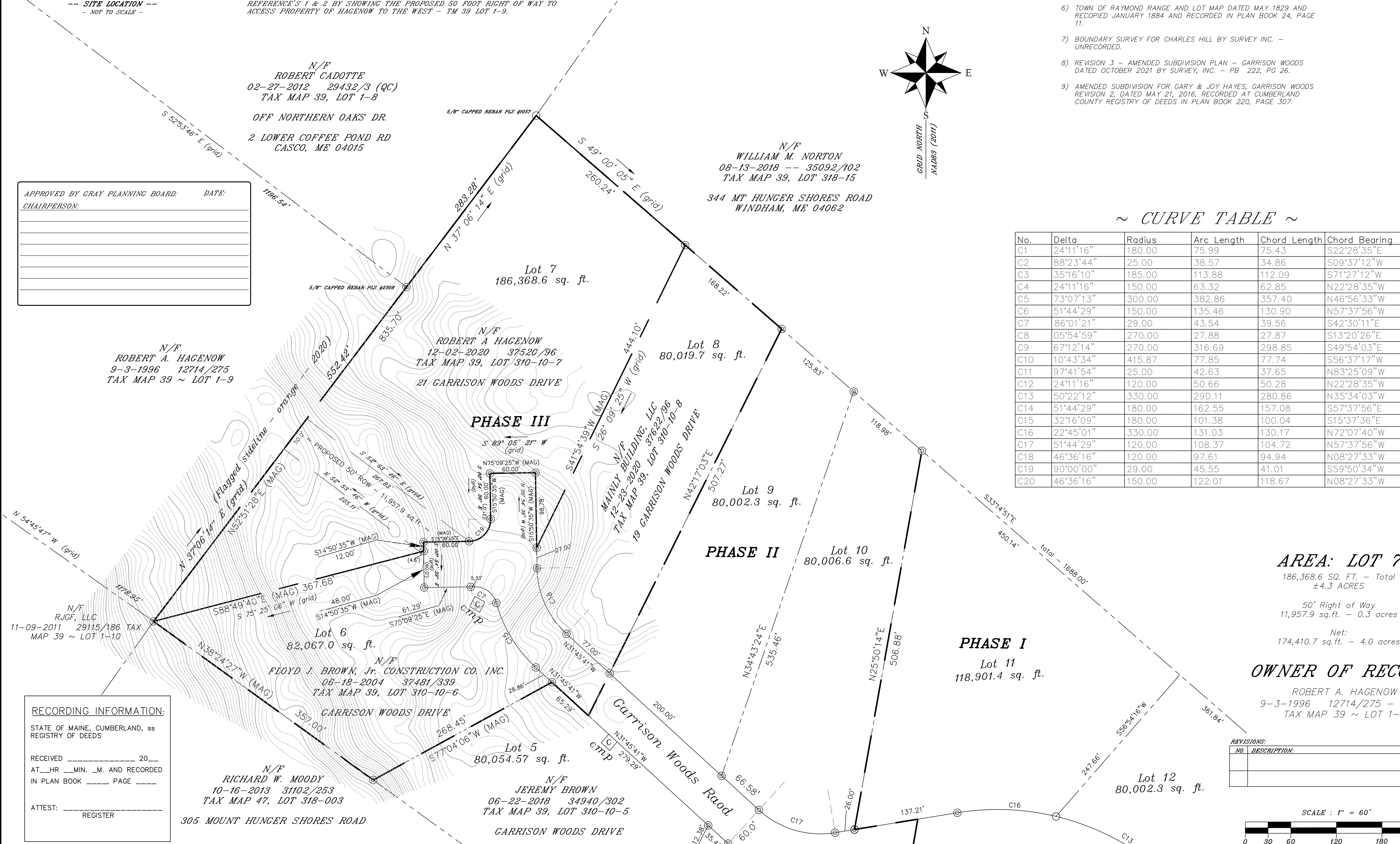
N/F
ROBERT CADOTTE
02-27-2012 29432/3 (QC)
TAX MAP 39, LOT 1-8

OFF NORTHERN OAKS DR.
2 LOWER COFFEE POND RD
CASCO, ME 04015

N/F
WILLIAM M. NORTON
08-13-2018 -- 35092/102
TAX MAP 39, LOT 318-15
344 MT HUNGER SHORES ROAD
WINDHAM, ME 04062

APPROVED BY GRAY PLANNING BOARD: DATE: _____
CHAIRPERSON: _____

N/F
ROBERT A. HAGENOW
9-3-1996 12714/275
TAX MAP 39 ~ LOT 1-9



~ CURVE TABLE ~

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
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C6	51°44'29"	150.00	135.46	130.90	N57°37'56"W
C7	86°01'21"	29.00	43.54	39.56	S42°30'11"E
C8	05°54'59"	270.00	27.88	27.87	S13°20'26"E
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C16	22°45'01"	330.00	131.03	130.17	N72°07'40"W
C17	51°44'29"	120.00	108.37	104.72	N57°37'56"W
C18	46°36'16"	120.00	97.61	94.94	N08°27'33"W
C19	90°00'00"	29.00	45.55	41.01	S59°50'34"W
C20	46°36'16"	150.00	122.01	118.67	N08°27'33"W

AREA: LOT 7

186,368.6 SQ. FT. - Total
±4.3 ACRES

50' Right of Way
11,957.9 sq.ft. - 0.3 acres

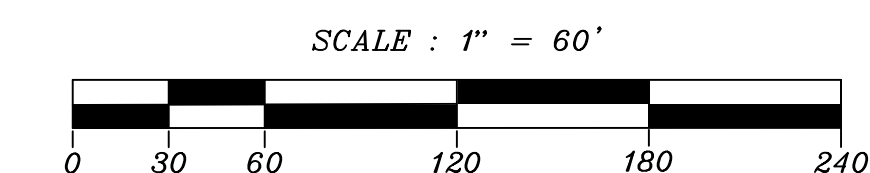
Net:
174,410.7 sq.ft. - 4.0 acres

OWNER OF RECORD:

ROBERT A. HAGENOW
9-3-1996 12714/275 - LOT 7
TAX MAP 39 ~ LOT 1-9

REVISIONS:

NO.	DESCRIPTION:	DATE:



RECORDING INFORMATION:

STATE OF MAINE, CUMBERLAND, ss
REGISTRY OF DEEDS

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305 MOUNT HUNGER SHORES ROAD

N/F
JEREMY BROWN
06-22-2018 34940/302
TAX MAP 39, LOT 310-10-5
GARRISON WOODS DRIVE

CERTIFICATION:

TO THE BEST OF MY KNOWLEDGE, I HAVE USED ORDINARY AND PRUDENT
CARE IN THE PREPARATION OF THIS SURVEY AND THE
BOUNDARIES SHOWN THEREON ARE ACCORDING TO THE STANDARDS OF PRACTICE
IMPOSED BY THE BOARD OF LICENSING FOR PROFESSIONAL LAND
SURVEYORS (M.R.S.A. TITLE 52, CHAPTER 241 DATED APRIL 30, 2000).
EXCEPT AS NOTED:
1) NO PARTIAL ADJUST TO DATE.
2) NO DEED DISTRIBUTION TO DATE.
PLAN PREPARED BY: S.A.B.
PLAN CHECKED BY: S.A.B.

DAVIS LAND SURVEYING, LLC

990 MINOT AVENUE
AUBURN, MAINE 04210
OFFICE (207) 845-9991 ~ (207) 782-3685 ~ CELL (207) 240-9949
EMAIL: stevedavislandsurveying.net
WEBSITE: www.davislandsurveying.net
JUNE 23, 2022

LOT 7 - PROPOSED 50' RIGHT OF WAY

OFF GARRISON WOODS DRIVE, GRAY, MAINE
ROBERT A. HAGENOW
281 VINCENT DRIVE, HONEY BROOK, PA 19334
JOB NO.: 22-061
FILE NO.: 524

Dick Cahill

From: "Bob Hagenow" <Bob.Hagenow@bmc-llp.com>
To: <planner@graymaine.org>
Sent: Tuesday, February 07, 2006 1:18 PM
Subject: Notice to Abutters

I received a notice to abutters. It is for the development of Tax map L18, lot 010 - LD zone.

I tried to search the Gray, Maine website for a tax map to see where this property is in proximity to my lot which is tax map 1 lot 9. I assume since I received this notice that the proposed development is adjacent to my property. The only concern I have is whether or not part of your planning / approval process includes making sure subdivision of this lot does not cause my lot to become land locked in any way.

I am hoping to build a home on my lot within the next 5 to 10 years and want to make sure this development will not cause that to be a problem down the road.

At your convenience please let me know where I can get a copy of the tax maps that would show Tax map L18, lot 10 LD zone as it relates to tax map 1 lot 9.

If you have this information you may fax it or e-mail it to me.

Best Regards,

Bob Hagenow | CPA, MT, CSRP
Senior Manager, Tax Services



Phone: 610-647-8100
Fax: 610-647-8177

Bob.Hagenow@bmc-llp.com | www.bmcvision.com

IMPORTANT: This communication may contain confidential or privileged information from **bmc** (Beard Miller Company LLP). This information is only for the viewing or use of the intended recipient. If it appears that this communication was sent to you in error, you may not use or copy this communication or any information contained therein, and you may not disclose this communication or the information contained therein to anyone else. In such circumstances, please notify the sender or **bmc** immediately by reply e-mail or by telephone, and immediately delete this e-mail and all attachments from your computer without making any copies thereof.

To ensure compliance with US Treasury Department Regulations, we inform you that any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or applicable state or local tax law provision, or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.

2/7/06



**First Settled
1738**

Town of Gray

24 Main Street
Gray, Maine 04039

www.graymaine.org

communitydevelopment@graymaine.org

NOTICE OF DECISION

December 12, 2020

TO: Gary & Joy Hayes
8 Kincaid Lane
Raymond, ME. 04071

FROM: Kathy Tombarelli, Town Planner
Community Development Department
Town of Gray

CC: File

RE: Garrison Woods Road Subdivision Amendment
Waiver Request from approved road standard
Tax Maps 39 & 47, lots 1 through 13
Gray, ME 04039

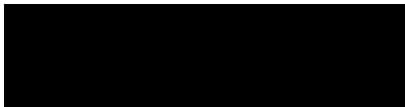
This letter is to notify you that at the Planning Board Meeting held on September 10, 2020 the Board voted 4-0 to take the following action:

Moved to approve the application from Gary and Joy Hayes to amend the previously approved and amended 13-lot Garrison Woods Subdivision located on Tax Maps 39 & 47, parcels 318-10-1 through 13 in both Lake, & Limited Residential Zoning Districts by granting a waiver to the applicable paving standard in effect on the approved and recorded subdivision plan from 2007 (CCRD Plan Book 207, Page 507), and allow the subdivision road to remain gravel 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 plan was amended to allow for Phasing on June 13, 2013. No other changes were made to the subdivision plan at this time. The amended plan was not recorded per filing requirements in 401.8.4.A. The PB re-approved phasing at the June 9, 2016 PB meeting. This plan was recorded at CCRD on June 14, 2016 - Book 216, Page 194.
3. The Planning Board grants a waiver from the paving standard (2" bituminous pavement) that was in effect when the Planning Board initially approved the Garrison Wood Subdivision on August 8, 2007. The subdivision road can remain gravel.
4. All other required subdivision improvements and conditions of approval on the original 2007 plan and amended subdivision plan (2016) remain in effect.
5. The subdivision road, Garrison Woods Drive, will remain private. The Town will not be responsible for maintenance and the road will not be eligible for winter maintenance.
6. Cash escrow for engineering inspections and any applicable performance guarantees is required in an amount to be determined by staff with input from Gorrill-Palmer prior to the release of building permits for Phase 3 (lots 10-13).

Respectfully,



Kathy Tombarelli
Town Planner

John P: Former Franklin Davis lot is on Marie Street (formerly Florence Road). The od triangle has been a nuisance, so they want to reconfigure lot line. Equal area exchange - pretty straight forward. Since it is subdivision (pre-subdivision, but previous lot line reconfiguration approved by PB), need to come here (PB) for re-configuration and PB signature.

KT: 1955 pre -subdivision. grandfathered, legally non-conforming. 1993 PB approved lot line reconfigurations for lots 17 and 19&21 (which is not part of this). Since it is nonconforming lot of record, that is why here tonight. She prepared draft motion.

PG: Recused

Abrams: If switching lot lines, is it pushing line close to shed?

Palmiter said the shed is considered portable and will be moved if setback is not met.

No other PB member had questions.

Cobb: Public comment? none - closed at 8:04pm

RESULT:	ADOPTED [4 TO 0]
MOVER:	Catherine Caswell, Alternate
SECONDER:	Charlie Abrams, Board Member
AYES:	Cobb, Abrams, Caminiti, Caswell
RECUSED:	Gellerson

b. Garrison Woods Subdivision Amendment

Public Hearing: An application from Gary and Joy Hayes to amend the previously approved and amended 13-lot Garrison Woods Subdivision by requesting a waiver to the applicable paving standard as approved and recorded in 2007 (CCRD Plan Book 207, Page 507) and allow the subdivision road to remain gravel. The lots are located on Tax Maps 39 & 47, parcels 318-10-1 through 13 in both Lake, & Limited Residential (Shoreland) Zoning Districts.

Cobb read public hearing 1st paragraph.

PG: recused - has known Gary & Susan Hayes for 40 years. Knows things about subdivision which might tilt his decision unfairly.

Cobb: confirmed that Peter feels he needs to be recused.

Caswell motion/Abrams seconded: 4-0 approved

Gary Hayes spoke this has cost him more than he could have imagined and that he has built a 5-star road.

Lot owners are all in agreement to keep road gravel. due to length of time, his age, and finances, asks PB to waive paving. will lessen debt to him and his wife Joy.

KT: gave history - 8/8 2007 approved subdivision under old street ordinance which was amended in 2011. The old ordinance under which this SD was approved only required 2 inches of pavement which was norm then; now would be 3.25 inches required.

Mr. Hayes came back in 2013 and asked for project to be phased and performance guarantee would only be needed for current phase being constructed. The road has been constructed except paving. Eight houses have been built. She received letter from lot owners, and all would prefer gravel instead of 2 inches of pavement which they think would break up at the end of Mt Hunger shores which is a gravel road. if subdivision to be built today, Mount Hunger Shores from 302 intersection to subdivision would need to be brought up to current Road Standard (which includes pavement) – likely to cost prohibitive – unique situation. Mr. Hayes has made agreement with lot owners for sum of money for maintenance in leu of paving.

Mr. Hayes is asking for waiver from road standard for 13 lots. (standards at time required 2 inches pavement).

Cobb: Mentioned he knows things can be costly and can be compassionate, but not allowed to consider financial hardship (referenced as Maguire mentioned) and have to look at ordinances, etc.

Caswell: Wants to understand more about Mount Hunger Shore road and how it plays into this - what would be needed to bring it up.

Cobb: under current ordinance, would have to require entire length be brought up to code.

KT: has done most of Mount Hunger Improvements required in 2007 which does not include paving. The point is that this situation is unique would likely not be replicated anywhere else in Town with the new standards in place. Too cost prohibitive. The road is also, in part in Raymond - Raymond's standards could come into play so not likely this would be replicated elsewhere.

Caswell: Wanted to clarify, if we do not grant waiver, would need 2 inches pavement.

Cobb: Clarified that it would be minimum 2 inches (nothing stopping them from doing more except \$).

Caminiti: Recorder could not hear comment

Watson: Grandfathered in Phase 1 only. Is number 2 being built.

Hayes – Road is all completed even phase 3 – waiver for entire road

KT: Clarified no homes built on phase 3

Hayes: Road is completed to all lots including Phase 3 lots # 6,7,8 left. all done right up until end.

Cobb: This is tough - ordinance and plan approved by previous planning board - on other hand, people on road that would like it to stay that way (gravel) which weighs heavily. Cannot just grant waivers to be nice or from a financial standpoint - have to apply ordinances. Appreciates residents like roadway it is but prior board intended it to be paved. Asked how many lots on unpaved road if they continue. Asked KT how many houses would have been approved on unpaved road. KT said not sure what was allowed in 2007 but know 2-10 would be Rural Street (unpaved). She got feedback from G&P - not crazy about unpaved but not crazy about only 2 inches either.

Cobb: Again, could put more than 2 inches if want higher quality road.

Cobb: What would have been max at that time approved on unpaved road. KT: unsure, assumed 10 houses like current standard.

Cobb: Question is to grant waiver. if board not comfortable with 13 lots on unpaved, could, if applicant interested, road to service 10 or 11 closer to what would have happened. wants to hear public input.

Abrams: G&P thoughts might weight - would be cost.

Cobb: Reminded they cannot consider financial concerns

Cobb: Would any type of reduction (3 lots unsold) / if board not favorable to granting waiver for 13 lots, would Hayes be agreeable to having it be done now - to get closer to what would be approved.

Hayes: 3 lots left - restricted by town as surety depending on what we do on road. Has to have last 3 lots to lessen debt. It has never been in-the-black project. still quite a debt on it.

KT: Not sure what # house threshold was in 2007 – Today the 10 dwelling units would be allowed on gravel. KT said she discussed with Mr. Hayes if waiver not approved, could come back with other options.

Public comments:

Dan Maguire: president of Johnson road - lived on gravel 40 years. well maintained gravel road is not liability. as Will H. pointed out, prefers gravel regarding only 2 inches. Dan mentioned some paved roads costly to maintain and they come to town asking town to take over maintenance.

Mentioned that when the Circle K application was being considered, not enough value in moving the pole for end result and can apply same thoughts here. Odd situation - change in ordinance - wants improved road 2 1/2 miles at end of gravel road. thinks it is in PB power to grant waiver due to this unique set of circumstances.

Hannah Sigler spoke lives on road. looked at cost of residents to add 1.25 so if 2 inches, will not be able to keep up cost of maintenance. prob. will get beat up first winter due to plow.

Peter Gellerson: Said when paved road needs maintenance as Maguire and Sigler referred, residents would not be able to afford that length with that few of houses.

KT: clarified G&P did not say they like gravel better, they said they would prefer 3.25 to the 2 inches of pavement.

KT: This would be private road, not eligible for winter maintenance.

Cobb: Did every current owner sign letter?

Hayes: yes

Motion: Abrams

Cobb: Had hard time voting yes on this - public comment made a big difference - reasonable thing to do and unique and hopefully last unique situation.

Move to approve the application from Gary and Joy Hayes to amend the previously approved and amended 13-lot Garrison Woods Subdivision located on Tax Maps 39 & 47, parcels 318-10-1 through 13 in both Lake, & Limited Residential Zoning Districts by granting a waiver to the applicable paving standard in effect on the approved and recorded subdivision plan from 2007 (CCRD Plan Book 207, Page 507) and allow the subdivision road to remain gravel 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 plan was amended to allow for Phasing on June 13, 2013. No other changes were made to the subdivision plan at this time. The amended plan was not recorded per filing requirements in 401.8.4.A. The PB re-approved phasing at the June 9, 2016 PB meeting. This plan was recorded at CCRD on June 14, 2016 - Book 216, Page 194.*
- 3. The Planning Board grants a waiver from the paving standard (2" bituminous pavement) that was in effect when the Planning Board initially approved the Garrison Wood Subdivision on August 8, 2007. The subdivision road can remain gravel.*
- 4. All other required subdivision improvements and conditions of approval on the original 2007 plan and amended subdivision plan (2016) remain in effect.*
- 5 The subdivision road, Garrison Woods Drive, will remain private. The Town will not be responsible for maintenance and the road will not be eligible for winter maintenance.*
- 6. Cash escrow for engineering inspections and any applicable performance guarantees is required in an amount to be determined by staff with input from Gorrill-Palmer prior to the release of building permits for Phase 3 (lots 10-13).*

RESULT:	ADOPTED [4 TO 0]
MOVER:	Charlie Abrams, Board Member
SECONDER:	Catherine Caswell, Alternate
AYES:	Cobb, Abrams, Caminiti, Caswell
RECUSED:	Gellerson

c. Straightline Subdivision Amendment

Public Hearing: A request by Ricky G. Jones & Lavoie Building and Remodeling, Inc. for Preliminary and Final Plan Review for an Amendment to the Straightline 4-lot traditional residential subdivision by the creation of 6 additional residential open space subdivision lots located near 187 Center Road on a portion of the parcel shown as Gray Tax Map 63, lot 30-8, in a Rural Residential & Agricultural Zoning District.

Cobb read public hearing paragraph

JP Connelly is representing the project.

Cobb asked for summary of what has changed since they last met.

JP Connolly: resolved violation has 2 yr. window for planting to take hold - plan has not changed aside from additional pins added to plan for tree clearing limits.

JP Connelly spoke about possible future development and this would allow for smoother transition to paving and sidewalk.

From: [Jeremy Brown](#)
To: [Kristen Muszynski](#)
Cc: [Robert A. Hagenow](#)
Subject: Fwd: Garrison Woods Annual Meeting Minutes 2022
Date: Monday, June 13, 2022 8:53:40 PM
Attachments: [7790bcf0d2d52b5a8ff1b742950866620.pdf](#)

Kristen, please see the revised minutes. I confirmed with my officers that we did conduct a vote at our annual meeting it just wasn't documented.
Please consider this our official meeting minutes.
Thank you,
Jeremy

Begin forwarded message:

From: Krista Angell <krista.angell7@gmail.com>
Date: June 13, 2022 at 8:26:33 PM EDT
To: Jeremy Brown <jeremybrownlcsw@gmail.com>
Subject: Garrison Woods Annual Meeting Minutes 2022

Good morning!

The Garrison Woods annual meeting was held on Saturday, 5/30 at 9 am. It was nice seeing those that could attend.

- The first item that was discussed was the cost of running our association. Last year, we all paid \$306 for our yearly dues totaling \$3,672. We spent \$3,347 on plowing and sanding, liability insurance, and our P.O. Box. Our yearly lawyer fees totaling \$185 were also paid in March. There were some items that had to be paid for such as road signs and extra sandings that were taken out of the \$10,000 that Gary had given us. Our new account balance is: \$8,954.98.
- I know all of the snow just disappeared not too long ago, but we are being proactive and have discussed working with Brady Earth and Stone LLC for plowing and sanding this upcoming winter. The total cost which includes 10 storms and 4 sandings will be \$2,800. Whatever we don't use for sandings, if any, the association will apply to the following winter.
- Moving forward, our yearly dues will be due on September 1. This decision was made in order to leave plenty of room before the holidays and after paying our dues for Mt. Hunger Shores. There will be an invoice sent out around the end of July and there will be a new \$10 per month late fee. After looking quickly at the numbers for this upcoming year, our anticipated dues will be \$315. This is *subject to change* and will be confirmed in a couple of months.
- Bob Hagenow was able to join our meeting via Zoom to discuss lot 7 and his 15.6 acres located behind lot 7. Bob's family purchased the lot in 1970 with the guarantee that they would have a right of way to that property. Once Garrison Woods began to develop, that right of way disappeared.

Right now, Bob's intent with his land is to build a family retirement and vacation home right in the middle of the lot with a garage and eventually a guest house for his extended family to use. He also plans to create hiking trails throughout the property. One question that was asked was why wouldn't Bob just combine his two lots? If he were to combine his two lots, he would lose his right of way to the water. The only other concern mentioned is the town of Gray requiring us to pave Garrison Woods Drive. We are hopeful that the town will extend our existing waiver to keep our road unpaved. There will be a town meeting on Tuesday, May 10th at 6:30 pm to formally discuss this matter. You are welcome to attend in person or via Zoom. I am attaching the planning board agenda with all of the information.

- EDITED TO ADD by Krista Angell 6/13/2022- All members who were in attendance voted to approve the easement being proposed by Robert Hagenow. Those in attendance were as follows: Krista Angell, Tyler Angell, Jeremy Brown, Floyd Brown, Hannah Morrill, Bobby Bowen, Robert Hagenow, and Corey Johnston.

- Lastly, it was decided to extend the terms of all of our current officers for one more year.
 1. President: Jeremy Brown
 2. Vice President: Corey Johnston
 3. Treasurer: Earle Reagan
 4. Secretary: Krista Angell

If you have any questions, please don't hesitate to reach out. I hope you all have a great summer!
-Krista

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May 9, 2022

To Whom It May Concern,

There will be a Town of Gray planning board meeting taking place on Tuesday, May 10th at 6:30 pm regarding Garrison Woods Drive located in Gray, Maine. The meeting is taking place to discuss Robert Hagenow, a landowner on Garrison Woods Drive, who also owns an abutting 15.6 acres located behind lot 7. Robert's use of the roadway to access his property past Garrison Woods Drive will also be discussed during the meeting.

At the annual Garrison Woods Homeowners' Association meeting that took place on Saturday, April 30th at 9:00 am, the residents agreed that Robert could use the roadway to access both of his properties. The concern of the town requiring Garrison Woods Drive to be paved was mentioned and the residents present unanimously agreed that they would hope that the Town of Gray board members would continue with the waiver granted prior in 2020 for the road to remain unpaved. Garrison Woods Drive is located off of Anglers Road and Mt. Hunger Shore Road, both unpaved, camp roads with some year round residents situated throughout. Below are the signatures of residents that reside on Garrison Woods Drive agreeing that they would like Garrison Woods Drive to remain unpaved.

- DocuSigned by: [Redacted] 5/9/2022
 Signature _____
 Address 17 Garrison Woods Drive, Gray, Maine _____
- DocuSigned by: [Redacted] 5/9/2022
 Signature _____
 Address 16 Garrison Woods Drive, Gray, Maine _____
- DocuSigned by: [Redacted] 5/12/2022
 Signature _____
 Address 12 Garrison Woods Drive, Gray, Maine _____
- DocuSigned by: [Redacted] 5/12/2022
 Signature _____
 Address 281 Vincent Dr, Honey Brook, PA 19344 _____
- DocuSigned by: [Redacted] 5/10/2022
 Signature _____
 Address 9 Garrison Woods Dr Windham ME 04062 _____
- DocuSigned by: [Redacted] _____
 Signature _____
 Address PO Box 1720 Gray /6 Garrisonwoods Gray _____

DocuSigned by:
[Redacted] 5/9/2022

Signature

DocuSigned by:
[Redacted] 5/9/2022

Signature

DocuSigned by:
[Redacted]

Signature

DocuSigned by:
[Redacted] /14/2022

Signature

DocuSigned by:
[Redacted] /14/2022

Signature

Signature

Lot 6

Address

15 Garrison Woods Dr, Gray, ME 04039

Address

4 Garrison Woods Dr, Gray, Me 04039

Address

13 Garrison Woods Drive, Gray ME 04039

Address

17 Garrison Woods Dr, Gray Me 04039

Address

Address

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

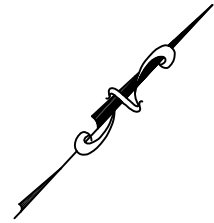
[Redacted]

Approved by the Town of
Freeport Planning Board:

Conditions:

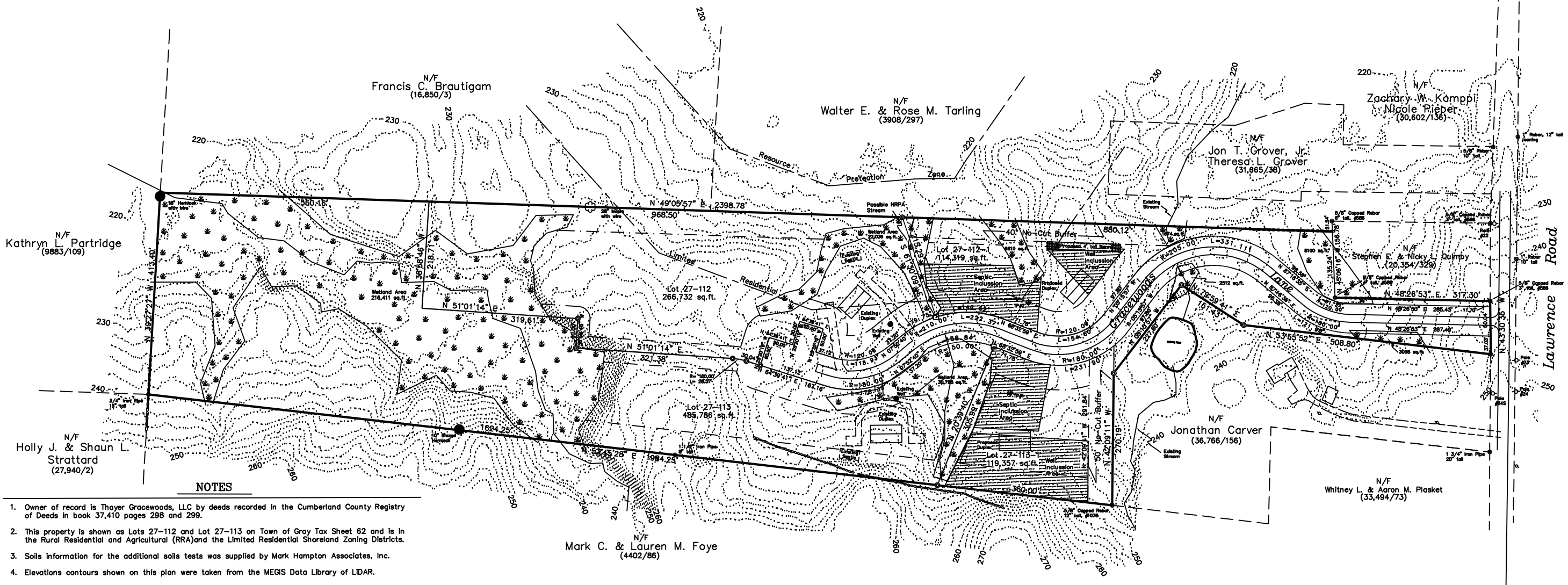
Signed:

Date:



LEGEND

- Iron Pipe or Pin Found
- ⊙ 5/8" Capped Rebar Set (#1328)
- Utility Pole
- Stone Wall
- ◆ Soils Test
- ✱ Wetlands
- N/F Now or Formerly of
(3908/297) CCRD Deed Reference
- Zoning Boundary



NOTES

1. Owner of record is Thayer Gracwoods, LLC by deeds recorded in the Cumberland County Registry of Deeds in book 37,410 pages 298 and 299.
2. This property is shown as Lots 27-112 and Lot 27-113 on Town of Gray Tax Sheet 62 and is in the Rural Residential and Agricultural (RRA) and the Limited Residential Shoreland Zoning Districts.
3. Soils information for the additional soils tests was supplied by Mark Hampton Associates, Inc.
4. Elevations contours shown on this plan were taken from the MEGIS Data Library of LIDAR.
5. These two new lots will be served by individual drilled wells and on-site septic systems.
6. Wetlands information shown on this plan is from the previously approved plans of the Gracewood Subdivision.
7. These two new lots will be serviced by underground utilities.
8. All roads in this subdivision shall remain private roads to be maintained by the developer or the lot owners and shall not be accepted or maintained by the Town except for roads that meet requirements for winter maintenance under a public easement.
9. See MDEP approval ~ permit L-22627-TB-A-N for a stream crossing and the Tier 1 wetland impact.
10. Gracwoods Lane shall be maintained year round for emergency vehicle access.
11. This plan is an amendment to the "Amended Gracewood Subdivision Plan" as approved by the Town of Gray Planning Board and recorded in the Registry of Deeds in plan book 208 page 263 which is an amendment to the original Gracewood Subdivision Plan approved by the Gray Planning Board on 08/24/06 and recorded in the Registry of Deeds in plan book 206 page 571.
12. These new dwelling units will install fire suppression sprinkler systems as per the Fire Chief.
13. Per Section 401.13.6.YH.5 of the Subdivision Ordinance cleared openings within the Limited Residential Zoning District shall not exceed in the aggregate, 25% of the lot area or 10,000 sq.ft., whichever is greater, including land previously developed.
14. All site alterations and construction shall follow the "Best Management Practices for Soil Erosion and Sedimentation Control" current edition as available from the MDEP.
15. The "No-Cut Buffers" as shown on this plan shall be kept in a natural vegetative state with only dead or diseased trees or trees that pose a safety hazard that may be removed.

Mark C. & Lauren M. Foye
(4402/86)

NET RESIDENTIAL ACERAGE CALCULATIONS

Total Lot Area	24.97 acres	
Area in RRA	21.96 acres	Area in LR 3.01 acres
Wetlands	6.79 acres	0.47 acres
Steep Slopes	0.20 acres	0.00 acres
Flood Zone	0.00 acres	0.00 acres
Roads(10% of total)	2.50 acres	0.00 acres
	12.47 acres/ 80,000 sq.ft.	2.54 acres/ 80,000 sq.ft.
	6.79 lots or 13.6 dwelling units	1.38 lots or dwelling units
	Total lots allowed is 8 or 15 dwelling units	



State of Maine, Cumberland ss.
Registry of Deeds
Received _____ 19____
at ____h____m____ and recorded in
Plan Book _____ Page _____
Attest: _____
Register



2nd Amended Gracewood Subdivision
On
Lawrence Road
Gray, Maine
For Record Owner
Thayer Gracwoods, LLC
116 Hawthorne Lane, South Portland, ME 04106

WAYNE T. WOOD & CO.
30 Wood Dr.
Gray, Maine 04039
Drwn. By: WTW
Scale: 1" = 100'
Drwg. No. 1 of 1
Bk. No.

(207)657-3330
Date July 2022
Job No. 25038A

From: [Plasket, Whitney](#)
To: [Kristen Muszynski](#)
Subject: RE: Gracewoods Lane Subdivision Expansion Proposal
Date: Tuesday, May 17, 2022 10:39:18 AM
Attachments: [image001.png](#)

Thanks!

Whitney Plasket, PE
Senior Environmental Engineer
Portland, Maine
T. +1 207.613.8447

Professional Registration / PE-ME, #PE15240



From: Kristen Muszynski <kmuszynski@graymaine.org>
Sent: Tuesday, May 17, 2022 10:37 AM
To: Plasket, Whitney <Whitney.Plasket@arcadis.com>
Subject: RE: Gracewoods Lane Subdivision Expansion Proposal

Hello: Thank you for sharing your comments regarding this application. I will forward them to the board for their consideration.

Best,
Kristen

From: Plasket, Whitney <Whitney.Plasket@arcadis.com>
Sent: Tuesday, May 17, 2022 9:14 AM
To: Kristen Muszynski <kmuszynski@graymaine.org>
Subject: Gracewoods Lane Subdivision Expansion Proposal

Hi Kristen,

Thank you for the mailing re: the subdivision expansion proposal by Mr. Thayer Jr. I must have misplaced the prior mailing re: the site walk and proposal. I have a couple of questions and comments to share:

- I'm wondering how the development of the existing subdivision housing was allowed to bisect a wetland with installation of the private road through the area, at the end of the current lane. Gray zoning does not allow for development in wetlands. My primary concern is with how the wetlands will be identified and protected through the new development process. There is a stream and a wet area present to the east of the property that is not shown on any of the proposal drawings. I would recommend a licensed wetland scientist be consulted to assess the wetlands on the property, the value of the natural resources in place, and to consult on how damage to those resources would be mitigated or replaced in kind following

the development.

- If any of my neighbors have expressed privacy concerns, I'd like to support them. I know my northern neighbor uses his property for rural and agricultural activities; those activities are the types that the comprehensive plan supports for the RRA area. I can see his privacy and desire to engage in those actions decreasing with additional traffic, potential tree clear cutting adjacent to his property for the development, and additional activity of having 4 more families/dwellings adjacent to his property. I moved to Gray and bought my home here because I love living in "the woods" and see those woods being largely clear cut in areas that are larger than they need to be to facilitate building new homes. I do recognize that my property rights do not extend onto the subject property and that we are in a housing shortage, so these are just my personal comments.

Thank you for your consideration,
Whitney Plasket
41 Lawrence Rd
Gray, ME 04039
Personal cell#: 207-572-2562

Whitney Plasket, PE
Senior Environmental Engineer
Portland, Maine
T. +1 207.613.8447

Professional Registration / PE-ME, #PE15240



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I did not receive any notice for the proposed amendment to the subdivision abutting to my property. I would like to receive documentation on:

How I was notified, the date I was notified, who notified me and what was the information contained in the notification.

This is not minor amendment to a subdivision; this kicks it into a major subdivision and is the reopening of the original plan. Evidence shows there is clear intent to circumvent subdivision rules.

88 Responses from Gray EMS or Cumberland County Sheriff to Gracewoods lane for 2021. I have provided a summary sheet of the incidents ranging from Sexual Assault/Rape, missing persons, criminal trespassing, harassment, etc. 88 responses equates to emergency services responding every 4 days. I did not print a copy of all 88 incident reports; I have included 4 reports as an example for your review.

Gray does not have their own police force. **This is an unfair disproportionate burden to the citizens of Gray. This is an excessive use of services for the Town of Gray.** The additional group homes will cause more of a burden to the surrounding neighborhood including safety issues for the people in the group home and overall services for the Town. There is a huge negative impact to the community.

Here are 3 examples of problems I've had at my property in 2021:

In May of 2021, a vehicle struck a tree near my property line, which resulted in debris being thrown from the vehicle landing next to me while I was out with my dog and my daughter's dog. If the pine tree hadn't stopped the vehicle it would have hit me while standing in my own driveway. I called 911 to report the incident. I also witnessed 7 additional auto accident in 2021, which no calls were made to 911. Two cars were racing down the road and one vehicle crashed into a tree. All other crashes were single vehicle crashes at varying times of the day due to excessive speed. Most of the traffic on the road is staff and they are creating a safety issue with their careless driving.

(A man crossed from Gracewoods lane onto my property acting suspicious then walked down our driveway towards my husband, my husband tried to have a brief conversation to find out what was going on, he did not answer, a car drove in our driveway, the first person picked up a good size rock and threw it at the vehicle driving in our driveway, at the same time a 3rd male crossed over from Gracewoods lane, there was a brief confrontation resulting in the 1st person leaving in the car and the 3rd person saying everything is okay and walking away.

I had a person from Gracewoods lane trying to break into my house in 2021. I have the video from my security camera; I reported the incident to Cumberland County. I have included the report of the incident.

Does the Roadway meet all criteria's for emergency vehicles? The road is a single lane and two emergency vehicles could not pass through at the same time. Given the excessive amount of emergency service calls, this warrants review.

Existing roadway causes seasonal flooding of my driveway due to the roadway's design, which changed water flow direction and volume.

There are multiple reports of missing people from the group home. K9 dogs and Wardens were used to find missing persons, which were located on private property on Lawrence Road, McDonald's, Hayfield Lane and more. In at least one instance staff was a no show.

What are the staffing requirements? Who makes sure staff actually shows up? How is staffing verified? What happens when they do not show or if there is a gap between shifts?

I have requested information on responding calls from The Town of Gray, due to no notification there has not been a sufficient amount of time to receive the responses yet.

On page 7 of the Agenda for May 10th it indicates that "they will be extending the lot line further to the northeasterly side of the property, along the roadside, to add the necessary square footage." This is land that is on the opposite side of a road, how is this an acceptable proposal to provide enough square footage for the lot?

Requests:

Halt all progress on lot

Postpone this meeting due to no notification and a lack of time to gather all information.

If progress is not postponed, here a list of further requests:

Guardrails installed to keep grandkids, dogs and people safe

Stockade Security fence length of my property line.

50' tree buffer, no cutting of tree 50 feet from property

24 hour staffing. 1 to 1 ratio

A phone number to notify someone of non-emergency issues.

Submitted by:

Theresa Grover
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Gray, ME 04039
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Langdon G. Thaxter, Esq.

July 11, 2022

Town of Gray Planning Board
Dan Cobb, Chair
24 Main Street
Gray, Maine 04039

Re: Proposed Amendment to the Gracewood Subdivision

Dear Mr. Cobb and Planning Board Members,

I represent Jonathan Carver, an abutter to the Gracewood Subdivision as the owner of a certain parcel of land located in the Town of Gray granted to Mr. Carver by Warranty Deed of Linda Lockhart and recorded in the Cumberland County of Deeds in Book 36766, Page 156, dated June 3rd 2022.

The property abuts a subdivision created by Robert Thayer Jr., and the land has since been granted to Thayer Gracewoods LLC, (the “Developer”). The original approved plan for the Gracewood Subdivision (“Gracewood”) is recorded in the Cumberland County Registry of Deeds in Book 206, Page 572, and amended by plan recorded in Book 208, Page 263.

The Developer has recently applied for a “minor amendment” to the existing subdivision to add two additional lots and two additional duplexes. The Developer appeared before the Town of Gray Planning Board on May 10, 2022, at which time the Planning Board (the “Board”) recommended tabling the proposal to allow for the many issues raised by abutting property owners who attended the hearing to be addressed.

The “minor amendment” to the Gracewood subdivision should be reviewed under the Gray subdivision ordinance as a major development, given the current scope and the potential for future development. During the original approval process for the development, the Town Manager and the Town’s Attorney raised similar concerns that the Board should consider the application as a major development due to the fact that there were likely plans for future development. At that time, the Developer made assurances that no additional expansion of the project was planned. Now the Developer wishes to add two additional lots with four additional duplexes, doubling the size of the initial minor subdivision.

Additionally, the subdivision as approved failed to meet four important requirements that are set out by statute in 30-A M.R.S. § 4404, and Gray Subdivision Ordinance § 401.1(A)-(T). For reasons unknown, these requirements were not considered mandatory for original subdivision approval. This was an error, and one that should not be compounded by a doubling in size of the existing subdivision, which would only exacerbate the problems raised in the original consideration of this development.

Further, the fact that the 30-A M.R.S. § 4357 prohibits zoning that excludes community living arrangements from enjoying the zoning benefits enjoyed by single-family use, does not prevent the Planning Board from applying its regular criteria and scrutiny to this subdivision as it would to any other development.

Finally, the Board is not precluded from taking into account the serious health and safety concerns raised by abutting property owner's when considering action on this subdivision amendment.

A. Development History

There is extensive history relating to the original approval of this subdivision before the Planning Board which is relevant to the current application. The history of this development is important because many of the concerns raised by abutting landowners at the time have become a reality of the current owners of the abutting lots. Additionally, the concerns raised by the Town Manager and Town's Attorney regarding the scope and future plans of the development have shown to be accurate predictions of the current situation.

Originally this development came before the "Board on May 26, 2005, and the initial plan was for four lots, with four duplexes, eight total dwelling units. In an apparent attempt to avoid being reviewed as a major subdivision at the time, the developer reduced the scope of the proposed project to only two lots with two duplexes.

In a letter dated September 22, 2005, which was addressed to the Town of Gray Planning Director by Tooth & Associates on behalf of Robert Thayer Jr., and in response to a question to the developer requesting that the applicant provide a master plan for the layout of the proposed subdivision on the *entire* Cormier's property, it was stated that "The 2 duplexes were, are and will remain to be my client's master plan."

During the prior approval process, both the Town's attorney and the Town Manager advised the Planning Board that this should be considered as a major subdivision – since it appeared as though there would be additional developments proposed. In a memorandum dated October 3, 2005, the Town Manager stated that "I reviewed the answer to [the question regarding the master plan] and still believe that the ultimate goal . . . appears to support the notion that development will occur. The level of the road construction would also support this. It begs the [Planning Board] to look at this from a larger scale subdivision than what Mr. Thayer is proposing."

The Town Manager in a memorandum to the Board dated July 17, 2005 and September 18, 2005, raised additional concerns stating "I remain concerned that the incremental approach of this first proposal to the second may imply the balance of the project can be sustained on the remaining soils. According to the provided maps, the area remains largely a wet impregnated area if not wetlands and will require the utmost of review to assure public health and safety." The memorandum also raised issues relating to traffic and neighborhood infrastructure, which the abutters raised in the May 10, 2022, Board meeting as being significant issues.

Although the Board found a number of issues with the development, the development was approved by the Planning Board in 2007. Jeffrey Gilpatric and Linda Lockhart, the prior owners of Mr. Carver's lot, filed a Rule 80B appeal for review of governmental action to review the Board's

approval of the project. The Superior Court considered the 80B appeal and in an order dated October 16, 2007 remanded the matter to the Planning Board to consider whether the minimum street frontage was met and whether a cluster plan was required. The parties in a pair of letters addressed to the Board, expressed that they had reached an agreement in which parties could agree to and the matter appears to have been resolved such that the project was approved.

B. 30-A M.R.S. § 4404; Gray Subdivision Ordinance § 401.1(A)-(T)

In its consideration of the original application, the Board made four findings of fact that should have resulted in a denial of the subdivision application and three of those factual findings apply equally to this requested amendment. The Board found that the application *did not meet* the following requirements:

- 1) Will not cause unreasonable soil erosion or reduction in the capacity of land to hold water so that a dangerous or unhealthy condition may result
- 2) Will not have an undue or adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas
- 3) Are in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any
- 4) Whenever situated in whole or in part within 250 feet of any pond, lake, river or tidal waters, will not adversely affect the quality of such body of water or unreasonably affect the shoreline of such body of water.¹

Title 30-A M.R.S. § 4404 provides that:

When adopting any subdivision regulations and when reviewing any subdivision for approval, the municipal reviewing authority shall consider the following criteria and, before granting approval, *must determine that*:

....

4. Erosion. The proposed subdivision will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results;

....

8. Aesthetic, cultural and natural values. The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;

9. Conformity with local ordinance and plans. The proposed subdivision conforms with a duly adopted subdivision regulation or ordinance comprehensive

¹ The relevant Town of Gray Ordinance was since amendment to remove the inclusion of a man-made pond from this requirement, and as such this finding is no longer relevant to the present application.

plan, development plan or land use plan, if any. In making this determination, the municipal reviewing authority may interpret these ordinances and plans.

30-A §4404 (1)-(20) (emphasis added).

This statutory requirement is reflected in the Town of Gray Subdivision Ordinance 401.2 that states “the Planning Board shall find that the following criteria as found in Title 30-A M.R.S.A. §4404 have been met, as well as all applicable provisions of the Gray Zoning Ordinance and other sections of this Ordinance, *before granting approval*. (Emphasis added). The section 4404 requirements are not merely factors for the Board to consider, but necessary elements of Board approval. The Board’s prior approval of the subdivision was therefore contrary to its own factual findings, which necessitated a denial of the application.

All three of these issues that the Board found did not meet the statutory criteria are still of concern today, and the problems are of greater concern due to the proposed doubling in size of the project.

C. Implications of 30-A M.R.S. § 4357

As the Board is aware, 30-A M.R.S. § 4357 states that “In order to implement the policy of this State that persons with disabilities are not excluded by municipal zoning ordinances from the benefits of normal residential surroundings, a community living arrangement is deemed a single-family use of property for the purposes of zoning.” This does not however, mean that community living arrangements must be treated more favorably than other kinds of development.

We do not argue that the proposed *use* of the buildings in the subdivision violate zoning in the Rural Residential Zone. We agree that the community living arrangements are considered single family under the Town Zoning. That is where the scope of section 3457 begins and ends. It has no application to subdivision approval and no bearing on the many concerns raised by the abutters regarding this project.

D. Health, Safety and Outstanding Concerns

One of the purposes of the Town of Gray’s subdivision ordinance is to “assure the safety, health and welfare of the people of the Town of Gray.” 401.1 (C). At the public hearing held on May 10, 2022, the abutters raised concerns relating to safety and overburdening of public services that should not be overlooked. One abutter raised the concern that the police and EMS services have been called to the area 88 times since 2021. Given this already high level of demand and traffic on the one access road and the area as a whole, an expansion doubling the existing project in size should not be permitted as it goes against the purpose of Gray’s zoning ordinances and Gray’s comprehensive plan.

Additionally, the soil conclusions of Mark J. Hampton, hired by the Developer, does not match the reality experienced by the abutters, and the development has had a detrimental effect on the soil and caused flooding in the area. This is supported by the concerns of the Town Manager who at the time of the original subdivision application, expressed concerns regarding the impact on soil quality. For these reasons, the Board should require the Developer to pay an Escrow Fee as permitted by 401.6.1(B) of the Town’s Subdivision Ordinance to allow for the Town to hire an independent soil analysis to determine the effect of additional construction.

Finally, as discussed, the proposed development does not meet the necessary statutory review criteria set out in 401.2, including failing to meet 401.2 (D), (H), and (I), which correspond to 30-A M.R.S. § 4404 (4), (8), (9). Maine courts have upheld Planning Board decisions to deny a proposed project when the Board found, as it should here, that on the record before it the “proposed project would have specific adverse consequences in violation of the criteria for subdivision approval prescribed by law.” *Grant's Farm Assocs., Inc. v. Town of Kittery*, 554 A.2d 799, 801 (Me. 1989). Therefore, because the Development is not in compliance with Gray’s subdivision ordinance, Maine State statute and Gray’s comprehensive plan, the Board should deny the application.

Very truly yours,

A solid black rectangular redaction box covering the signature of the sender.

Langdon G. Thaxter

Enclosure
Cc: Jonathan Carver
LGT/

From: [Natalie L. Burns](#)
To: [Kristen Muszynski](#)
Subject: Subdivision Review Questions
Date: Thursday, July 7, 2022 6:29:24 PM
Attachments: [image002.png](#)
[image004.png](#)

Kristen,

You asked that I provide an opinion concerning issues that have come up in the Planning Board's review of a subdivision amendment for 30 Gracewoods, which will result in duplex development. A concern has been raised about the potential use of the duplex units for group homes. The owner of this property already operates a few group homes in this vicinity and neighbors have expressed concerns about some of the impacts of that use.

As we discussed, as long as group homes are serving residents who fall within a protected population, they are treated as single-family uses under both State law and federal law. A protected population includes persons with a handicap, defined in federal law as a physical or mental impairment which substantially limits one or more of a person's major life activities, a record of having such an impairment, or being regarded as having such an impairment. (This definition is found in 42 U.S.C. Section 3602, which is part of the Fair Housing Act.) As noted in the State statute, 30-A M.R.S.A. Section 4357-A, the policy of the State is for persons with disabilities to not be excluded "from the benefits of normal residential surroundings."

There is nothing in the subdivision review criteria in 30-A M.R.S.A. Section 4404 that authorizes a planning board to review the proposed uses within a subdivision to determine their impact. Similarly, there is nothing in the Section 401.2 of Town's Subdivision Ordinance that establishes such a standard.

You had mentioned that there was some discussion of Section 401.1 of the Subdivision Ordinance, specifically Subsection C, which discusses assuring "the safety, health and welfare of the people of the Town of Gray." This language is part of the Purpose section of the Subdivision Ordinance. It is not a review criterion to be applied by the Planning Board. The various purposes of the Ordinance are incorporated into the review standards. As discussed above, those standards do not include the review of a potential use, particularly where it is allowed by ordinance and statute.

Please let me know if you have any other questions.

Thanks,

Natalie

Natalie L. Burns, Esq.

Attorney



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