

TOWN OF GRAY
PLANNING BOARD
AGENDA • OCTOBER 13, 2022

**Planning Board
Regular Meeting**

Henry Pennell Municipal Complex
24 Main St., Gray, Maine

7:00 PM

And via Zoom videoconferencing:
<https://us06web.zoom.us/j/87528229490>

I. MEETING COMMENCES

Roll Call

II. MINUTES APPROVAL

- July 14, 2022 Meeting
- September 15, 2022 Meeting

III. INFORMATION EXCHANGE

- Self-storage ordinance updates- council/November public hearing
- Stipend update- council
- Pending projects PB process updates

IV. NEW BUSINESS

- a.. Accessory structure setbacks
Provide input to council
- b.. Review/Approval of 2023 Planning Board Schedule
- c.. Hybrid/Remote Meeting Policy
Discuss proposed policy language and consider adoption of policy
- d.. Sketch Plan: Wilson Subdivision Amendment

A request by Thomas and Beth Fox for sketch plan review of an amendment to an approved subdivision, to divide an existing 4.38-acre lot at 158 Shaker Road, in the Earle and Nancy Wilson subdivision, Map 20, Lot 45-15, in the Rural Residential Agricultural zoning district, into two lots.

V. CONTINUED BUSINESS

- a..

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.

VI. ADJOURNMENT

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

Town of Gray Planning Board

Minutes: Sept. 15, 2022

7 p.m., Council Chambers, Henry Pennell Municipal Complex
and via Zoom videoconferencing

I. Meeting Commences

Commenced at 7:12 pm due to council workshop overlap with videoconferencing account.

Present: Chairman Dan Cobb, members Tamara Lee Pinard, David Phelps, Melinda Sheehee;
Town Planner Kristen Muszynski; alternate council liaison Marty Meaney

Absent: Council Liaison Dan Maguire, excused

II. Minutes approval

No comments from board.

Gracewoods abutter Theresa Grover approached the board to state a concern that the minutes are incorrect, as she did not agree to a 40-foot buffer.

The board agreed to table the minutes to allow staff review of the meeting video to confirm the content and submit edits as necessary.

MOTION: To table approval of the minutes to allow staff to review and update as necessary.

Sheehee moved; Pinard second, motion unanimous. Tabled.

III. Information Exchange

1. Minutes- Staff

Muszynski advised that staff will now be producing the minutes, with the video available for review.

2. October council workshops

Muszynski advised that the town council will have their retreat on October 1 and plans to schedule training/forum sessions for committees in October after the retreat and will notify the board when that date is set.

3. Self-storage and short-term rental ordinances before council

Muszynski advised that the council provided input on the draft ordinance language and design standards of an updated self-storage ordinance at its workshop on Tuesday, September 6. A first reading of the ordinance is expected at the council's Oct. 4 meeting. The council also enacted the new short-term rental registration ordinance.

4. In other information exchange items:

Chairman Cobb shared that member Keary Sibole has resigned from the board, effective immediately. He thanked her for her time and contributions.

Chairman Cobb shared that Councilor Martin Meaney had inquired if the board could provide input regarding accessory structure setbacks. Cobb advised that the board could provide feedback if staff can bring information before them at the next meeting.

Muszynski noted that Scott Liberty, whose self-storage subdivision was approved by the board this summer, has inquired about adding solar panels to the roof. She noted that depending on the design, the code enforcement office could handle the review of a rooftop installation unless the change is significant and warrants an amendment to the subdivision plan. Board members advised that they would have interest in reviewing any installation that may increase the height or go at an angle opposite the roof but would not need to review flat panels attached to the existing roof.

Chairman Cobb also noted that he and member Tamara Pinard were recently reappointed to the board.

New Business

1. Discussion: Planning Board stipends

The Town council has asked for Planning Board input regarding potential stipends for PB members. They are seeking feedback regarding the preferred method of administering stipends (per meeting attended, per year, etc.).

Chairman Cobb said the stipend allocation should be handled the same as it is for the council, as keeping track of attendance is overly burdensome. Other members agreed.

2. Discussion: Potential workshops regarding planning processes

Chairman Cobb advised that Councilor Maguire had reached out to him regarding the potential for various trainings for the board members. Members support the idea but raised concerns around the time commitment, particularly for staff, noting that it would be burdensome for staff to create trainings. Cobb said the Maine Municipal Association trainings should be the first step and if board members have specific questions, they could seek additional localized information.

Sheehee said MMA training is helpful; would want more specifics about these trainings to determine if it would be useful to her, or a white paper or memo would be good too.

In board discussion, members support information sessions in which the board would direct the topics. Muszynski suggested that rather than formal training, perhaps the staff could answer questions in a workshop format on specific topics.

Pinard suggested that training webinars shared at planning-related conferences could be shared with the board.

3. Discussion: Remote/Hybrid Meeting Policy

Chairman Cobb said the current council policy applies to all other boards and committees. For the planning board, he suggests that in-person should be the standard and hybrid/remote should be by request, to the planner and board chairman.

Sheehee said in-person should be standard for applicants and board, but that the process is improved when the public can speak so the board should have it hybrid for participation whenever there is a public hearing. Pinard and Phelps agree, make it as easy as possible for public participation. Having a representative here to speak for them is reasonable. Remote participation for an applicant is last resort. Dan acknowledged that remote participation can be positive for public hearings, though he does not favor hybrid meetings.

Muszynski will work on an updated draft of the policy for the board's consideration/public hearing adoption process.

VI. Continued Business

1. Gracewoods Subdivision

Discussion: Provide guidance on next steps for the application of Robert Thayer Jr., represented by Wayne Wood, regarding the proposed amendment to the Gracewoods subdivision, on Gracewoods Road, 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.

Chairman Cobb noted that the applicant/representative for the Gracewoods subdivision was not present, though abutters were in attendance.

MOTION: To take the Gracewoods subdivision out of order and table the review. Sheehee moved; Pinard second, motion unanimous. Tabled.

Public Hearing

1. Similar Use/Site Plan Review: Caswell Farm

A request by Catherine Caswell, seeking Planning Board similar use review of a proposal to construct a 24x40' building for use as a commercial kitchen and expand the existing 60-square-foot farmstand to 200 square feet, on her property at 120 Whitney Road, Map 69, Lot 41-33, in the Rural Residential Agricultural zoning district. This proposal is subject to conditional use, similar use and minor site plan review.

Catherine Caswell participated remotely, noted that site plan is not yet complete and is coming before the board tonight for the similar and conditional use reviews.

Public hearing opened at 7:55 p.m. and closed; no participants. One public comment in support of the proposal was submitted via email, shared with the board and applicant prior to the meeting.

Board reviewed conditional use criteria and applicant responses; board unanimously approved that all 7 of the criteria are met.

Move to find the conditional use application complete and approve the conditional use for a request by Catherine Caswell, seeking Planning Board similar use review of a proposal to construct a 24x40' building for use as a commercial kitchen and expand the existing 60 square foot farmstand to 200 square feet, on her property at 120 Whitney Road, Map 69, Lot 41-33, in the Rural Residential Agricultural zoning district.

Moved by Sheehee; second by Phelps; unanimous approval.

Board reviewed staff input regarding similar use.

Move to find the similar use application complete and approve the similar uses of agritourism facility and general agriculture for a proposal by Catherine Caswell to construct a 24x40' building for use as a commercial kitchen and expand the existing 60 square foot farmstand to 200 square feet, on her property at 120 Whitney Road, Map 69, Lot 41-33, in the Rural Residential Agricultural zoning district.

Moved by Phelps; second by Pinard; unanimous approval.

Board discussed parameters on the use, in preparation for review of the conditional site plan approval. Pinard questioned if the applicant would need to return for board approval if seeking increased parameters on participation/frequency. Cobb confirmed that the applicant would need to return for board approval.

Caswell said that people are attracted to the type of experience she plans to offer, and it may be successful. She understands that she would have to come back.

Sheehee and Pinard suggest increasing the parameters for the initial approval, stating they would be fine with considering a higher number for a minor change, to avoid having the applicant return.

Caswell said potential for a 20% increase would be helpful.

Cobb advised that flexibility cannot be part of the condition, but they would be receptive to slightly higher estimates for attendance/frequency if she chooses to present that with the final site plan.

Cobb noted that conditions should also include language regarding awareness of permits/licenses/food safety requirements to sell finished products on site. Caswell acknowledged she needs DHHS and AG approval.

Chairman Cobb noted that board officers are chosen in January and the board should appoint a vice chairman at that time.

Motion to adjourn, 8:12 p.m.

Moved by Pinard, Sheehee second. All in favor.

**TOWN OF GRAY
GRAY PLANNING BOARD
MINUTES – JULY 14, 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 was conducted as a hybrid meeting - via "Zoom" and in-person.

Roll Call:

Attendee Name	Title	Status
Dan Cobb	Chair	Present (In-Person)
Tamara Lee Pinard	Regular Board Member	Present (In-Person)
Keary Sibole	Regular Board Member	Present (In-Person)
David Phelps	Regular Board Member	Present (In-Person)
Melinda Shehee	Regular Board Member	Present (In-Person)
Doug Webster	Community Development Director	Present (In-Person)
Kristen Muszynski	Community Planner	Present (In-Person)
Dan Maguire	Council Liaison	Present (In-Person)

II. MINUTES APPROVAL: There were no changes. The following motion was made.

MOTION: *by Tamara Lee Pinard, seconded by David Phelps, to approve the Planning Board meeting minutes of June 9, 2022, as written.*

VOTED: *3-2 (Passed). (Keary Sibole and Melinda Shehee – Abstained).*

III. INFORMATION EXCHANGE:

- **Workshop with Open Space Committee.** The Planning Board met earlier at 6:00 pm this evening. The Open Space Committee (OAC) met with the Planning Board and discussed the Open Space Plan. There was a discussion around ways to align Planning Board and Town activities with the Open Space Plan. The plan is posted on the Town's Website.

- **Remote/Hybrid Meetings.** The newly enacted hybrid/remote meeting policy was adopted by the Town Council. This was included in the Board Member packets. Dan Cobb suggested Board Members review it this month and have it for a item of discussion for next month. He said he had some changes he would like to see with this. This was written by the Town Council for the Town Council. This applies to the Planning Board, as well. There is a provision that the policy can be modified to be most effective for the Planning Board's own use. Any potential modifications can be discussed next month. Dan Cobb feels fully remote is easier than the hybrid method. Dan Maguire said the Planning Board is a quasi-judicial board. There is a higher bar there. This does make for an excellent record. The presentations are much easier to see on-line than here on a monitor.

- **Planning Board Training: August 25, 2022, South Portland.** A reminder that there is a training workshop being put on by the MMA. Kristen Muszynski said she has had a couple of people to sign up and encouraged the Board Members to attend. She stated that they can reach out to the Community Development Office to get registered.

- **Avesta Housing Meadowview II Plan to Sign.** Dan Cobb reminded Board Members to sign the Avesta Housing Meadowview II Plan, which is here at this meeting.

- **Pre-Construction Meetings.** Kristen said in regards to pre-construction meetings, the Town is trying to get these in place as a Best Management Practice (BMP).

- **Village Visioning Meetings.** Kristen urged Board Members to attend if they can or to go on-line and participate that way. There is a meeting on Thursday, July 28, 2022, at 5:00 pm specifically for the Planning Board and Town Council. Dan Maguire said in regards to Avesta, the scale of the project is huge for the Town of Gray. It will have big impacts on traffic where Brown Street comes into the village, etc. The Town has MDOT's attention and buy in to do a lot of this work. It is literally generational stuff. They will do this work. He said this is something that happens every 30-40 years. It is an opportunity to redesign Main Street to make it more pedestrian-friendly and to help manage the traffic that goes through the village. He said it really is a big deal and he hopes people take the time to participate. Doug Webster said that this is the visioning portion and this is really the time to provide input. It is what you want the Gray Village to look like. He emphasized that this is really the opportunity.

IV. NEW BUSINESS: Gray Yarmouth Road Solar LLC Site Plan Approval Extension Request. To 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. Dan Cobb said previously there was a Staff Review meeting on this item and now it is before this Board for the formal request.

Ben Gregory, from Dynamic Energy, was remotely present for this formal request. He focused on specifics. He said the request is for an extension to the Site Plan and Conditional Use Approval that was granted to Gray Yarmouth Road Solar LLC on 09/20/2021. He said about a month ago they came before the Staff Review and announced that there would be an ownership change that would be forthcoming. The project was being sold to another entity – GSRP, which is Goldman Sachs Renewable Power, LLC. This is a privately-held company managed by the Renewable Power Group of Goldman Sachs Asset Management. This transaction has not happened yet. There was a long discussion with Staff on the substantial start of construction and what that entailed. This extension needed to be requested, because it would not be possible to meet the substantially commenced threshold. As a result, Dynamic Energy, who still owns the company, has submitted the request for a 12-month extension under Section 402.10.17A for the Town’s Ordinance. This 12-month extension is requested to start construction.

Steven Green, a representative of GSRP was present (in-person). He provided insight on the extension request. He said the issue they are having are with supply chain issues, which is a world-wide problem. Steven said when this transition does take place, they plan to start clearing, etc.; however, they cannot get materials to be substantially commenced. Steven Green said this actually needs to be ground broken, with a structure in the ground. He said that is why they need this extension. Doug Webster stated that it is an Ordinance Standard. Dan Cobb asked for what was the decision outcome from the Staff Review meeting. Kristen responded that the Staff Review meeting was to review the change of ownership. Doug Webster stated that the Staff Review, per Section 402.10.17, does not have the authority to do the extension, only the Planning Board does. There were no questions from this Board.

This item was then opened for Public Comment. There being none, the Public Comment portion was then closed.

The following motion was made.

MOTION: *by Tamara Lee Pinard, seconded by David Phelps, to move to approve the request by Colin Walker of Goldman Sachs Renewable Power LLC, owner/operator of Gray Yarmouth Road Solar LLC, for a one-year extension of the project’s September 20, 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, subject to the following conditions:*

Conditions of Approval:

1. All prior applicable standards and conditions of approval remain in effect.
2. The applicant will participate in a pre-construction meeting with the town staff, as a component of condition #9 of the September 2021 Notice of Decision, referenced below:
9. The applicant and any party part of the construction shall keep the following parties apprised of the intended schedule with ample advance notice for the requisite party:
 - A. The Town’s Code Enforcement Officer.
 - B. The Town’s consulting engineer.
 - C. An appropriate party representing the Hillcrest Drive Road Association.

VOTED: *4-1 (Passed). (Keary Sibole – Abstained).*

It shall be noted that Keary Sibole abstained from voting, due to being an abutter. Dan Maguire said that Maine’s conflict of interest laws are pretty narrow and clear and that unless you have a financial stake, there is no conflict of interest. Dan Cobb stated that typically a Board Member is required to vote.

V. PUBLIC HEARING: 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.

Present, at this meeting was Bill Fletcher, representing the applicant, Bob Hagenow and Bob Hagenow’s son, Robert Hagenow, who were also present, along with Stuart Davis of Davis Land Surveying, who prepared the amended subdivision plan. Bill said the applicant owns Lot 7 within the Garrison Woods Subdivision. He is seeking approval for an access driveway to access his back lot, which is about 20 acres. His father purchased this property back in 1970. They are also requesting a waiver of the requirement to have the road paved. That waiver is presently in place for this subdivision. This was spoken about in a Workshop in May.

There were no questions or a discussion from the Board. Dan Cobb went through the memorandum, starting first with the requested waivers. They are looking for a continuation of the existing waiver of the paving requirements. This was formally granted by the Planning Board when this project was in front of this Board in 2020. The residents, at that time, had requested that this remain unpaved.

Requested Waivers: Continuation of the existing waiver of the paving requirement for rural public easement streets (401.13.16-2), as granted by the Planning Board in 2020.

Comments per Town’s Consulting Engineer: Their comments were for more detail on driveway and updated stormwater calculations. Bill stated that they are willing to work with the Town Engineer to design the roadway in such a way that it addresses his concerns with stormwater and design.

Comments per Town Staff: Staff is looking for the limit of 13 lots and recommends that a cap on allowed development on Lot 009 is reflected on the face of the plan.

Public Hearing: This item was opened for Public Comment. There were none, both in-person or remote. Dan Cobb said today, the Board received one written comment from Mr. Bowen. This will be included as part of the public record. The Public Comment portion was then closed.

Discussion Points:

1. Should a limit of 13 dwelling units accessed via Garrison Woods Drive, as recommended by town staff, be required as a condition of approval? Dan Cobb said they derived with the 13 lots, as follows: They started with 13 lots. Lots 4 and 5 were combined – now there are 12 (Lot 7 is part of that 12) and then adding a dwelling unit out back as Lot 9 would keep this as 13 lots. Bill Fletcher said the subdivision road would serve 13 lots. The back lot will be served by that road. Confirmation was that Lot 7 would be a buildable lot. Kristen said the abutters would like to retain the paving waiver and the easement has been granted, via their Homeowner's Association. Bill stated that his client has not plans to subdivide the lot. He is simply seeking single-family use of the back lot. Doug Webster said that there is a condition on the cap of 13 without it having to come back to the Planning Board. He said this is listed as #5 on Page 6 of the Planners Memo.

2. Should the waiver of the paving requirement be continued with the addition of this access driveway? Melinda asked regarding dirt road vs. paved – is it considered less impactful on the environment or basically the same because it is still a road? Dan Cobb responded that normally in the Ordinance it would be required to be paved. They have signed a waiver to not have it paved. They still want it not paved. Doug Webster explained that the environmental impact of a gravel road vs. a paved road is not super-different, but is most relevant is the condition of the stormwater measures and how well they are maintained. A gravel road that is compacted functions as impervious. It is really the maintenance and effectiveness of the stormwater measures. Jeremy, the President of the Homeowner's Association, was in remote attendance and said they have a vested interest in maintaining the road condition and the integrity of the road. The developer of the subdivision went a long-ways to make sure the drainage system was sufficient.

3. Should stormwater/design information be required for the driveway? The consensus of the Board was in the affirmative for Item No. 3. Dan Cobb then asked why would you not combine Lot 7 with the back lot? Bill Fletcher responded that Robert's father brought this property in 1970. The property is almost 20 acres. In 2006, when this subdivision was originally considered, Robert was concerned that this subdivision would make this back lot to be landlocked. He does have a deeded ROW. As a precaution a couple of years ago, he bought this back lot so that he could have a shared driveway. This is now part of that 19-acre lot. He hopes to have this for his family. Dan asked if there is any potential future issue with Lots 4 and 5 being split back. Kristen responded that that is a done deal. He did that because he wanted to build a larger garage on the property that would have been too close to the home, given the setbacks that are required. It is merged now and built and the subdivision only allows for one dwelling unit per lot. If this were to happen, this would need to come back to this Board. The following motion was made.

MOTION: *by Keary Sibole, seconded by Tamara Lee Pinard, to move to approve the 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, in the Lake zoning district, to access his abutting property (Map 039 Lot 001-009-000), subject to the following conditions:*

Conditions: *These conditions to appear on the Plan.*

- 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. Garrison Woods Drive shall serve as access for no more than 13 dwelling units. Additional dwelling units will require review by the Planning Board.*
- 4. The waiver of the requirement to install bituminous paving, issued at the September 2020 Planning Board meeting, will remain in place.*
- 5. The following notes must appear on the face of the final plan, as noted in the memo:*

Pavement waiver: *The Planning Board, in its vote of September 2020, granted a waiver from the paving standard that was in effect when the Planning Board initially approved the Garrison Woods Subdivision on August 8, 2007, allowing the subdivision road to remain gravel. This waiver was confirmed for this amended plan by the Planning Board at its meeting of July 14, 2022, with the provision that Garrison Woods Drive serves no more than 13 dwelling units."*

Dwelling units: *Garrison Woods Drive will serve as access for no more than 13 dwelling units. Proposals to access additional dwelling units via Garrison Woods Drive will require review and written approval by the Planning Board.*

Standard Road note: *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.*

Lot 7: *The addition of the right of way easement and driveway accessing the lot at Map 39, Lot 001-009-000 does not create a division of Lot #7 in the Garrison Woods subdivision.*

Buffer note: *There shall be no construction within the no-cut forested buffer as delineated on the plan, other than the necessary clearing for the approved driveway. Forested buffers as shown on said 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 in keeping with the Maine Department of Environmental Protection regulations, Chapter 500. 6. The following conditions of approval must be completed prior to issuance of any building permits for the project: A. (Placeholder) Approval of the driveway design and associated stormwater management plan by the town code enforcement officer; with input from the town's engineer; at applicant's expense, that verifies that stormwater*

from the new driveway.

6. The following Conditions of Approval must be completed prior to issuance of any building permits for the project:

A. Approval of the driveway design and associated stormwater management plan by the Town Code Enforcement Officer with input from the Town's Engineer, at applicant's expense, that verifies that stormwater from the new driveway will not significantly exacerbate current stormwater conditions.

VOTED: 5-0 (Passed).

VI. 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.

Wayne Wood was present (in-person). He said he has come back to this Board with the changes put forth at the last meeting. He said the road is staying the same as it was. The lots go all the way to the front. He said they have worked with Staff on the septic/well inclusion areas as to where they will sit on the lots. He said the soils information is all there. The acreage calculations have been updated. The Resource Protection Zone is in place. They are proposing to accommodate the abutters to the north side of this property. He said the property owner (Mr. Thayer) has agreed to a 40 foot, no-cut buffer along that sideline with a four-foot raised berm and plantings along the sideline to shield it from the abutting lot. The contours have been labeled. He said they added the stream, which dumps into the pond and goes under the road and keeps on going. The notes were adjusted with spelling errors.

Comments per Town's Consulting Engineer: N/A – There was nothing new from the consulting engineer.

Requested Waivers:

Groundwater study, per 401.13.9 A 1.E

Soils survey, per 401.13.18 C – Not required yet. Kristen clarified that this is for any additional lots.

Comments per Town Staff, Town's Legal Counsel, and Public Safety/Public Works: These have all been addressed.

Public Hearing: Dan Cobb commented that since this is continued business and there has already been Public Comment on this one, but given the amount and nature of the feedback, he opened this item back up for Public Comment, as follows:

Langdon Thaxter, Esq from Norman Hanson Detrov was present on behalf of Jonathan Carver. Langdon Thaxter said he appreciates a second chance at Public Comment and spoke of difficulties that the abutters are encountering, such as public safety and stormwater concerns, and soil erosion. He said he already submitted a letter to the Board. There were four (4) major points that he wanted to address: First of, he said that this is being considered a minor subdivision amendment. He feels this is a problem for a variety of reasons. This approach is allowing it to avoid major subdivision review. He said this Board has an opportunity now to consider this a major subdivision review, given the scope of it and the potential for future development. He said previously the developer said there would be no more development and that they were going to stop at two (2) lots. Their analysis provides that there could be six (6) lots. He said we know now what the developers plan is moving forward. He said it would be unfortunate if there were a major development here with six (6) lots without ever being subjected to the major development review. He continued by saying that in the initial review process, a number of issues were raised. They are now more prevalent now, due to the fact that it is doubled in scope. The erosion does not meet the requirement, meaning it could cause a reasonable soil erosion and reduction in soil capacity. The abutters have already stated that that is happening, that there is flooding and water runoff from the property and the subdivision. The soil sustainability is very low in this area of the Town. There is a significant amount of wetland. He said they would like to see an independent evaluation in terms of explaining exactly how the soil is going to be able to sustain double the development that is there now. He said initially the Planning Board found that this is not in accordance with the Town Ordinances/Comprehensive Plan. He said that this is still the case. In the Town's Comprehensive Plan, it is clear that development in rural areas should be regulated to respect the existing rural character of the Town. He said duplex development should only be allowed so that the new buildings blend with the rural character of these areas. He referenced this as Page 26 of the Comprehensive Plan. He said this demonstrates that the current proposal is not in line with the Comprehensive Plan and that is one of the requirements for approval for subdivisions. He said the abutters have raised a number of health/safety concerns. The ability of this Board is to take this into account in its evaluation. Health and safety is one of the primary goals of the Planning Board approval and is important to the Town as one of the goals. He said how does the Town view these two (2) duplexes as multi-family, since they will be used as group homes. He said they are asking the Planning Board to treat these two duplexes as they would any other duplexes. This is not about the use as group homes, it is about the demand on the area - the amount of them, the density of them and traffic. He said the Town and its Planning Board can properly consider these very concerning health and safety issues and concerns the abutters have raised. Dan Cobb said that there was a follow-up opinion from the Town Attorney speaking to points in his letter to the Board. Doug Webster then provided that letter to Langdon.

Theresa Grover, who is an abutter addressed flooding concerns. She said her driveway has flooded over from where the existing water dumps into the pond and keeps on going. She said there are three culverts that were put in with the raised driveway. She said the one culvert to her driveway that goes down five feet from their built up road cannot sustain the massive amount of water that pours through those culverts. It has taken the culvert out of her driveway and cost her significant repairs. She said every spring and winter her driveway does flood. She provided the Board photographs of one of the floods that she has and is still happening. She has a big concern with the soil, water, and flooding issue as well. She then follow up with the health and

safety issues. There were 88 emergency calls for 2021. She received her FOAA request from the Town for the EMS and Fire. She said there were 260 calls where EMS and Fire had to respond. This is a high demand on the Town's emergency services. Mr. Thayer also owns a group home on Egypt Road. She said in 2022, there have already been 22 emergency calls to that location. This is an average of one call per week. There have been five (5) accidents already in 2022. She feels this is excessive on a private road. She said the safety concerns are still happening. She said she does not feel safe in her driveway or in her home because of these issues. She provided the Board the summary of information she put together, along with the photographs. There being no further Public Comment, the Public Comment portion was then closed.

Dan Cobb said this Board is not talking about the specific use of the group home on the property. It is off the table and is not going to be discussed. Dan said it is a landlord renting units. There has been very impactful testimony from the neighbors on how it is affecting their lives and living in that area. He said it is a big problem and it needs to be fixed. This project is not going down a good path. There have been attorney opinions on both sides. He said he is not interested in seeing this project go back through litigation again, as well as the neighbors and the applicant. He said to Wayne Wood that he would like to see the Board provide feedback to him on waivers – soils and stormwater. He asked Wayne if his applicant is willing to have a neighborhood meeting or something where they can talk face-to-face, not in a public meeting, to work these issues out and make things better. Wayne said he can entertain that. Dan stated to Wayne that he would not be getting approval this evening. There is input that needs to be considered with respect to waivers. Dan said he would like to see this resolved in a matter of fashion and that this would be a lot better in the end. At this point Dan said he would like feedback from the Board Members on the discussion points and the waivers.

Discussion Points:

1. Does the board agree that a soils study should be required if any additional lots or dwelling units are proposed? Kristen said this pertains to any additional lots. Kristen stated that Staff advises that a soils study is not required as part of this subdivision amendment, but advocates that the Board may require a soils study if any additional lots or dwelling units are proposed in the future. (5-0 – Unanimous – Yes)

2. Does the board endorse waiving the groundwater impact study now that more comprehensive septic and well inclusion zones are shown on the revised plan? Melinda Shehee had a clarifying question. She said that notes applies to the septic and well, not the drainage. Kristen said the groundwater is separate from stormwater. Doug Webster said that there were some questions raised from Mr. Carver and in response to that, Doug said what was proposed was to have the septic inclusions 200 feet from the stream, which is well above the minimum requirement for the Maine Subsurface Water Disposal System rules, as an attempt to try to accommodate the concern that was addressed at the prior meeting. Melinda said clearly stormwater is a problem and has not been fully addressed. Dan Cobb said that this is specific to groundwater. Melinda said she would endorse the waiver. (4-1 – Melinda Shehee).

3. Does the board endorse not requiring stormwater information for the existing road, given the prior subdivision approval and town records indicating inspections were done by the prior town consulting engineer? Keary Sibole said the Board does not endorse, not requiring. A stormwater analysis is required for the existing road. (5-0 – Unanimous - Yes). Dan Cobb's advise to Wayne was to do his homework and get everything buttoned up. Tamara Lee Pinard said stream crossings have changed over time. Doug Webster commented that the review of the design was done by the site design, the pre-construction meetings, and inspections were done by Gorrill Palmer. He said the opinion received in the last couple of days in response to Mr. Thaxter's letter did provide some guidance. Doug said if the Planning Board has an amendment to an approved subdivision in front of them, the review is limited in scope to those elements that are changing. He said it is relevant that there have been flooding issues that have been raised and it is relevant that the additional clearing in the vicinity of where the flooding has been reported, raises questions with regards to the stormwater. He said one path for the Boards consideration would be to ask for a stormwater review of existing conditions together with the proposed additional clearing and lots with particular attention towards the flooding that has been reported down gradient from the project site. Melinda said two new units will change the way the drainage works. She said it makes sense to have another look at the way the drainage situation given all the information. The Board was acceptable to this.

4. Does the board want to consider requiring improvements to the road base of Gracewoods Lane, given the reports from public safety? (See draft Condition of Approval A.) Kristen said this references something in the prior approval. The Staff Memo was written before they had received input from the attorney. Wayne Wood said the issue was not what it was portrayed originally as. Dan Cobb said that this is why we request information 72 hours ahead of time. He said this makes things at these meetings confusing. Keary Sibole said she would consider this. She said there is some misrepresentation of the goals of this project from the very beginning. She is under the assumption that the road base was created under the assumption that there would be two buildings on this lot and now we are looking at two more and potentially two more after that. She said she would consider requiring improvements to the road base. Tamara Lee Pinard said she feels conflicted because of the legal advice and that the Board cannot consider that. Dan said that the Board can only consider what it presented to them. He said the Board cannot consider what it may or may not be. Keary asked if the road base can be contributing to the road flooding? Dan said on this one, he is not ready to say, "no." He said he does not necessary agree with the Town's Attorney's opinion on that. He said his feedback is not a "yes" or a "no." David Phelps said some changes are improvements to the road base and should be considered. Melinda commented that she needs to digest the lawyer's feedback as well. Dan said the input on this is not definitive.

At this point, Dan Cobb allowed Wayne Wood to respond. He stated that this has been 17 years in the works between approvals. He said he has no intention of doing anything with it right now. He said something may change and in 17 years there is a good possibility that something will. On the road standards, he said, as he recalled, the standards that the Town of Gray has utilized for private road approval, this would meet the standards up to ten (10) dwelling units, in which time, the only change would be to pave the road. For the purposes of the materials for the base of the road, SW Cole Engineering signed off on every bit of

gravel that went into the road. He said it was designed by an engineer, checked by an engineer, and inspected by an engineer. It was built by the standards that are required by the Town of Gray for a private road, not just four (4) units - two (2) lots, but considerably more than that. He stated, are we looking to dig up what is there to prove that they put down what was already certified to by the Town Engineer as being appropriate. He said that would be the road base that is being talked about. He said if you are talking about maintenance of the surface of the road, potholes, grading etc., he said that is a different discussion. Dan stated that Mr. Wood specifically talked about the road base. He said the concern is more about the overall road quality, not necessarily the engineered base of the road and how that relates to the stormwater issues that may be happening. Doug Webster said the cross section that was on the original plans, there is a 20-foot road with two (2), two (2)-foot shoulders. He said the current standard is correct. He said the current standard for up to ten (10) dwelling units is a 16-foot travel way with three-foot shoulders. Doug said the road base was put in the way it was supposed to (as designed) and meets the current standard. The issue was maintenance and ice. The stormwater review will look at what is happening, not so much with the base. He said, it is conceivable if the stormwater is not moving the way that it needs to move, it could cause the icing that was the source of the comments from Public Works regarding being called to the site to tow a public safety vehicle that had gone off the roadway of Gracewoods Lane, due to conditions. Dan said the Board is more interested in the overall stormwater impact, as it relates to any clearing, existing conditions, and how that may or may not be affecting the road, the road base, and anything else that stormwater can affect, including the neighbors down stream of it.

5. Given the input from neighboring property owners, provided in writing and in-person at the May 10, 2022 public hearing, it seems prudent for the board to have a discussion with the applicant regarding the various questions and concerns that were raised. Is it possible for the board and the applicant to agree upon any project design elements to mitigate impacts to nearby properties. Dan Cobb suggested having some pro-active conversations and bring some mutually agreeable design elements back to the Board. He said he does not necessary agree with what he heard from either attorney. Dan said that he is better off working out what he can amongst themselves first. Robert Thayer, the developer, was present and stated that he is willing to talk to any of the neighbors. He said his goal is to not ruin anybody's home, life, or whatever. He said the buildings have been there 15-17 years and he said he has never heard a complaint. Dan suggested maybe some increase communication can maybe solve a lot of issues. He suggested they have a neighborhood meeting and maybe the Town can help facilitate this through the Planning Department.

Keary Sibole asked Wayne how they were going to address the safety and health concerns? Wayne stated that the people have to have a place to live. She said, clearly there is something about this subdivision, that is creating safety concerns to the abutters. She said that is one of the biggest concerns the Board has heard from the public. Wayne said people with special needs are living there. He said he does not know how to cure that problem. Robert Thayer said that they have one resident who suffers from panic attacks and anxiety and when she gets scared she calls 9-1-1 because that is her support. He said they are trying to help her with her anxiety, but she has the right to call. Keary Sibole said she does have the right to call 9-1-1, but if it is something that is turning into a safety issue for the neighbors, it is a different concern. Dan stressed to be careful about talking about individuals about personal stuff. He then stated that the Public Hearing has been closed.

Dan Cobb said he feels for the neighbors. There are safety and welfare issues. He mentioned a Nuisance Property Ordinance and properties that are overly burdensome to public services. The Planning Board is not the right form to resolve this. He then offered to the neighbors and asked Dan Maguire if maybe this is something the Town Council is more equipped to deal with and increase the quality of life for everyone in the area. Dan Maguire said the Planning Board does not have the tools or the ability to address mental health issues. The Ordinances do not have the ability to address mental health issues. The Town Council also has so much that they can do. He said this is a difficult situation. He said the Town's Attorney was also clear that this is not part of the discussion here. He said he will encourage Town Councilors to view the recording so they have a better understanding of what the issues are. Dan Cobb then encouraged the neighbors to follow up with Town Council and share their experiences and challenges with them. It is a different forum and they have different abilities then the Planning Board has. He said it is limited to as to what can be addressed.

Dan Cobb stated to Wayne that he has his feedback on the waivers. Hopefully, he will have some communication and come back and let the Board know where he is. This will be taken up when it is brought back. The following motion was made.

MOTION: by Tamara Lee Pinard, seconded by Keary Sibole, to move to table this item.

VOTED: 5-0 (Passed).

Before adjournment, Kristen reminded those Board Members who voted, that they need to sign the Avesta Plan before they leave.

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

MOTION: by Melinda Shehee, seconded by Keary Sibole, to adjourn the meeting at 8:56 p.m.

VOTED: 5-0 (Passed).

Respectfully submitted,

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

DRAFT

PLANNING BOARD
2023 MEETING & APPLICATION DEADLINE SCHEDULE

To be approved at the 10/13/2022

MONTH	NEW APPLICATION DEADLINE	SKETCH PLAN & EXISTING APPLICATION DEADLINE	MEETING DATE
January	12/9/2022*	12-12-2022	1-12-2023
February	1-13-2023	1-17-2023*	2-9-2023
March	2-10-2023	2-13-2023	3-9-2023
April	3-17-2023	3-20-2023	4-13-2023
May	4-14-2023	4-17-2023	5-11-2023
June	5-12-2023	5-15-2023	6-8-2023
July	6-16-2023	6-20-2023*	7-13-2023
August	7-14-2023	7-17-2023	8-10-2023
September	8-4-2023	8-7-2023	9-14-2023
October	9-15-2023	9-18-2023	10-12-2023
November	10-13-2023	10-16-2023	11-9-2023
December	11-10-2023*	11-13-2023*	12-14-2023

**The deadline date has been adjusted to accommodate Holiday*

ZONING BOARD OF APPEALS
2023 MEETING & APPLICATION DEADLINE SCHEDULE

To be approved by the ZBA at the 10/26/22

MONTH	APPLICATION DEADLINE	MEETING DATE
January	12-30-2022	1-25-2023
February	1-27-2023	2-22-2023
March	2-24-2023	3-22-2023
April	3-31-2023	4-26-2023
May	4-21-2023	5-17-2023*
June	5-2-2023	6-28-2023
July	6-30-2023	7-26-2023
August	7-28-2023	8-23-2023
September	8-25-2023*	9-27-2023
October	9-29-2023	10-25-2023
November	10-20-2023	11-15-2023*
December	11-30-2023	12-27-2023

**These dates have been adjusted to accommodate Holidays*

TOWN OF GRAY PLANNING BOARD HYBRID AND REMOTE MEETING POLICY

Pursuant to 1 M.R.S § 403-B

Adopted XXDate

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 Planning Board 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, GoTo-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 BOARD MEMBERS

The Planning Board shall conduct its meetings using the hybrid format whenever feasible as it affords the most participation and transparency. The physical address, remote link and dial in phone number will be published on all posted agendas in advance of the meeting. Members of the board 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 board member, liaison, or staff member who believes it is not practicable, as defined 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 Planner of the existence of such circumstances as far in advance as is possible.

Applicants or their representatives are expected to be physically present for all public meetings at which the board is considering their application. Any applicant who believes it is not practicable, as defined above, for him/ her, or their duly-authorized agent(s) or representative(s), to attend a meeting in person shall notify the Chair (or in his/her absence, the Vice Chair), as well as the Town Planner of the existence of such circumstances as far in advance as is possible to request remote participation. The Chair, in consultation with the Town Planner, shall decide if the applicant's remote participation is feasible or if the board's review of the application is to be postponed to a later date when the applicant/representative can attend in-person.

REMOTE MEETINGS OF THE PLANNING BOARD

The Planning Board shall conduct its meetings using the hybrid format, with all board members attending the meeting in person (subject to remote participation permitted by this Policy), unless the Chair (or in his/her absence, the Vice Chair), in consultation with the Town Planner, makes a determination that an emergency or urgent issue exists that requires the entire board 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 Planning Board 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 board. Reasonable accommodations may be provided when necessary to provide access to individuals with disabilities.
- C. Unless the entire Planning Board is conducting a remote meeting as provided per 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 Planning Board is conducting a remote meeting as provided per this policy, the Chair (or in his/her absence, the Vice Chair), at the start of the meeting, shall announce the name of any board member(s) participating by remote means.
- E. All public documents and other materials considered by the Planning Board shall be made available to members of the public by the same or more efficient means as they are provided to individual board members. This requirement may be met by: (i) posting all public documents and materials to be considered by the board 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 board 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 Planning Board is reviewing and discussing the same.

QUORUM

A board member who participates in a hybrid meeting by remote means, or who participates in a fully 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 remote meeting, or during a hybrid meeting in which at least one board member is participating remotely, 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 board members 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 board members. If the interruption cannot be resolved within 15 minutes, and the board 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 board members and a remote connection to the public location identified in the public notice issued pursuant to this Policy is interrupted or lost, the meeting shall continue at the public location without the need for a recess or adjournment.

EXECUTIVE SESSIONS AND WORKSHOPS

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.

To preserve the informal nature of workshops, such meetings will remain in-person and open to the public, but will not incorporate a hybrid, recorded or broadcast component. Workshop participants, including board members, may request remote participation in advance, for consideration by the Chair and Town Planner. If such participation is approved, it will only be available to allow participation by those participants and will not be recorded or broadcast.

AMENDMENT; SEVERABILITY; EFFECTIVE DATE

This Policy may be amended as needed by a majority vote of the Planning Board. 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 Planning Board.

DRAFT



**PRELIMINARY SUBDIVISION PLAN
APPLICATION SUBMISSION CHECKLIST F-1B
TOWN OF GRAY MAINE**

For Office Use Only
Date Received: _____
Received by: _____

SUBDIVISION

Subdivision Name **Earle and Nancy Wilson** Date **09/10/2022**

This checklist has been prepared to assist applicants in developing their applications. It should be used as a guide in assembling the information necessary for a complete application. The checklist, however, does not substitute for the requirements of **Article 7** of the Subdivision Ordinance. The Planning Board will also use the checklist to ensure your application is complete. Indicate if the information has been submitted or if a waiver is requested. If you feel that information is not applicable to your project, please indicate in the second column. The perimeter survey, subdivision plan and engineering plans may be contained on the same drawing. Detailed engineering drawings such as road profiles, drainage swales and erosion/sedimentation plans, however, may best be presented on a separate sheet or sheets. Note that this checklist only covers the submission requirements for a *preliminary plan*.

There is an additional checklist for final plan submission. Neither checklist addresses the standards that the subdivision plan must meet. For review standards refer to Article 13 & checklist F-1D.

PRELIMINARY SUBDIVISION PLAN SUBMISSION REQUIREMENTS

	Submitted by Applicant	Not Applicable	Applicant Request to be Waived	Reviewed by Planner/Engineer	Waived by Planning Board
401.7.2.A Fourteen (14) copies of application plus accompanying information	X				
401.7.2.B LOCATION MAP					
B.1 Existing subdivisions in the proximity of proposed subdivision	X				
B.2 Locations and names of existing and proposed streets	X				
B.3 Zoning boundaries and designations	X				
B.4 Outline of proposed subdivision and owner's remaining contiguous land	X				
401.7.2.C PRELIMINARY PLAN					
C. Fourteen (14) copies of all maps and/or drawings printed or reproduced on paper	X				
C. Scale not smaller than 1"= 100'; for subdivision more than 100 acres, not smaller than 1"= 200'	X				
401.7.2.C APPLICATION REQUIREMENTS					
C.1 Name of subdivision name of town and assessor's map and lot number(s)	X				
C.2 Verification of right, title or interest in property	X				
C.3 Standard boundary survey with bearings and distances, certified by PLS, all corners located and marked.	X				
C.3 Standard boundary survey shows entire parcel or tract and all contiguous land in common ownership within the last five years per MRSA Title 30-A section 4401	X				
C.4 Copy of most recently recorded deed; all restrictions, easements, rights-of-way and other encumbrances	X				
C.5 Deed restrictions on proposed new lots or dwellings		X			

401.7.2.C APPLICATION REQUIREMENTS (CONT'D)

C.6 Map of test pits & test pit analyses by Site Evaluator or Certified Soil Scientist	X		
C.7 Type of water supply system(s)	X		
C.7 Gray Water District letter of capacity	X		
C.8 Date plan prepared, north point and graphic map scale	X		
C.9 Names and addresses of record owner, applicant, plan preparer(s) and adjoining property owners	X		
C.10 All wetlands delineated regardless of size		X	
C.11 Total acres in subdivision; location of property lines, existing building(s), unusually large specimen trees, vegetative cover type and other essential physical features	X		
C.12 All rivers, streams and brooks within and adjacent to subdivision; designation of great pond watershed		X	
C.13 Zoning district of proposed subdivision and any zoning boundary lines affecting the subdivision	X		
C.14 Location and size of existing and proposed sewers, water mains, culverts and drainage ways on and adjacent to subdivision		X	
C.15 Location, name and widths of existing and proposed streets and highways easements, building lines, parks and open spaces on or adjacent to subdivision	X		
C.16 Width & location of any streets, public improvements or open space shown in Comprehensive Plan within the property		X	
C.17 Proposed lot lines, approximate dimensions and lot areas	X		
C.18 Parcels of land proposed to be dedicated to public use; condition of such dedication		X	
C.19 Open space to be preserved; proposed ownership, improvements, management		X	
C.20 Area of each lot permitting forest clearing and/or lawn	X		
C.21 Anticipated driveway locations & constraints	X		
C.22 100-year flood elevations in flood prone areas		X	
C.22 Areas within or adjacent to the subdivision identified by the Comprehensive Plan, MDIFW, MNAP, or BWH as areas to be preserved and appropriate preservation measures.		X	
C.23 Areas within or adjacent to subdivision listed in the Comprehensive Plan or listed/eligible to be listed on National Register of Historic Places		X	

401.7.3 ADDITIONAL REQUIRED PLANS & STUDIES

A. Contour lines at interval set by Planning Board showing all areas at greater than 25% slopes	X		
B. Erosion & sedimentation control plan (can be waived if not in great pond watershed and < 5% impervious)		X	X
C. Stormwater management plan (can be waived if not in great pond watershed and < 5% impervious)		X	X
D. Phosphorus management plan if in pond watershed & > 4 lots or 800 ft. of road or drives		X	X

401.7.4 REQUIRED SUBMISSIONS FOR WHICH A WAIVER MAY BE GRANTED

A. High Intensity Soil Survey by a Registered Soil Scientist			X
B.1 Hydrogeologic assessment for subdivision if any part of subdivision is over a sand and gravel aquifer, or			X
B.2 Hydrogeologic assessment if average density is more than one dwelling unit per 100,000 sq. ft.			X
B.3 Hydrogeologic assessment if Board determines potential adverse impacts on ground water quality (e.g., shallow bedrock soils, cluster subdivisions)		X	
C. Vehicular trip generation rates & entrance sight distances	X		
D. Traffic impact analysis by a registered traffic P.E. for 28 or more parking spaces or projected to generate more than 140 vehicle trips per day to include expected ADT, peak-hour volumes, access conditions, distribution of traffic, types of vehicles expected, effect on LOS, recommended improvements		X	

2nd Amendment of Earle and Nancy Wilson Subdivision, 158 Shaker Road,
Gray, Maine
For Record Owner Thomas and Beth Fox Revocable Trust, 23 Toastie Walk,
Brunswick, ME 04101

Amendment Request is to divide Lot 45-15 into two lots of ~80,000 sq.-ft. each.

1) C14--Water main location parallel to West side of Shaker Road, 158 Shaker Road is located on the East side of Shaker Road

2) C20--areas for clearing:

Lot 1 (located adjacent to Shaker Road) will have an ~50' buffer between Shaker Road as currently exists. This lot was cleared in 2021 with large oak trees remaining at Shaker Road. Those trees will remain as currently stand except for any needing removal for road installation or dead/diseased.

Lot 2 (the back lot) will have an ~20' buffer running along the south line between adjacent properties with frontage on Adler. This area is currently comprised of large trees and natural vegetation.

Note: Buffer areas are subject to limited cutting of trees and vegetation. No buildings are to be located within the buffer zones. Forested buffers as shown on said plan shall be kept in a natural vegetative state with only dead/diseased trees or trees that present a safety hazard which may be removed in keeping with the Maine Department of Environmental Protection regulations chapter 500.

Note: Proposed driveways will adhere to the Town of Gray Street Ordinance, Chapter 400. No driveways will be permitted connecting to the end of the road or the hammerhead turnaround (see waiver request for "driveway" vice "street/road").

Note: Sprinkler installation is required for any dwelling located on the back lot (see waiver request).

401.13.8 Financial and technical capacity--n/a--this subdivision will create no financial obligations/commitments (e.g. install sewage disposal piping, establishment of a paved town approved road, etc.) with liabilities should the commitment not be completed.

401.13.15 Traffic report developed from the Trip Generation Manual (Institute of Transportation Engineers) estimates an increase of between 18 and 27 trips per day (18 if single family dwellings front and back, 27 if front lot is a duplex).

401.7.4 Required Submissions for which a Waiver may be granted

A. "High-Intensity Soil Survey

Prepared by a registered soil scientist identifying the soil types down to 1/8 acre or less at a scale equivalent to the subdivision plan submitted. The soils shall be identified in accordance with the National Cooperative Soil Survey. The map shall show the location of all test pits used to identify the soils, and shall be accompanied by a log of each sample point identifying the textural classification and the depth to a limiting factor such as seasonal high water table or bedrock AMENDED MAY 16, 2017 / EFFECTIVE JUNE 15, 2017 X:\ORDINANCE & POLICY\CHAPTER 401 SUBDIVISION\CH 401 SUBDIVISION ORDINANCE.DOCX 23 at that location. Single soil test pits and their evaluation for suitability for subsurface waste water disposal systems shall not be considered to constitute high intensity soil surveys."

Waiver Request Basis:

The entire property at 158 Shaker Road is comprised of a very thin top soil layer which transitions from sandy loam to loamy gravelly sand with no limiting factors identified (see attached Wetland Investigation and Soil Report, Mark Cenci Geologic). The Cenci Report discusses the general soil characteristics which may or may not be considered a "high intensity soil survey".

B. Hydrogeologic Assessment

A hydrogeologic assessment prepared by a certified geologist or registered professional engineer, experienced in hydrogeology, when:

1. Any part of the subdivision is located over a sand and gravel aquifer, as shown on a map entitled "Hydrogeologic Data for Significant Sand and Gravel Aquifers," by the Maine Geological Survey, 1998, File No. 98-138, 144 and 147; or
2. The subdivision has an average density of more than one dwelling unit per 100,000 square feet.

Waiver Request Basis:

This amendment to the original subdivision will result in a maximum of 3 families residing within the subdivision (2 structures with the possibility of the structure just off Shaker being a duplex. Current plans are for a single family house on the front and back lots, however, this request is for a single family on the back lot and potential duplex on the front lot) which will result in 1 structure/80,00+ square feet. Based on the soil found at this location, the impact of up to 3 families from a waste water management perspective is minimal, as referenced in the Cenci Report.

Waiver Request: Street Lighting

Waiver Request Basis:

Street Lighting—waiver requested as the proposed division of this lot will not create a highly traveled “street” but is creating a common driveway for 2 houses. Visibility in both the north and south directions is over 800’ as discussed in note 11 of the attached survey performed by Wayne Woods.

0.17

Waiver Request: Installation of a sprinkler system for a structure built within 600' of the existing hydrant on the west side of 158 Shaker Road.

Waiver Request Basis:

Based on proximity of 158 Shaker Road to both the local fire house (less than .4 miles) and nearest hydrant (located directly across route 26 from 156 Shaker or hydrant located on Adler) it is requested that the house built on the back lot, if within 600' of the existing hydrant, be granted a waiver of the requirement to meet the code for sprinkler, cistern, or installation of a new hydrant. If the closest part of said house is beyond 600' the requirement to meet the currently established fire fighting measures shall be required.

Waiver Request: 401.13.16-2, Minor Street Standards

Waiver Request Basis:

The application for amendment to the subdivision at 58 Shaker Road is to allow building of 2 houses. The only destination for drivers on the driveway is to access one or both of the two houses, it will be a residential driveway. Traffic on the driveway will be very minimal and maintenance of the driveway will be the responsibility of the respective land owners. Based on the extremely limited number of users, construction of a 16' wide road with 2' shoulders is excessive and an unnecessary financial burden as well as aesthetics consideration for the land owners who would be fully served with a 12' driveway. Additionally, a 12' wide driveway would still enable access by emergency vehicles.

Waiver Request:

401.7.3

B. Erosion and Sedimentation Control Plan

“An erosion and sedimentation control plan prepared in accordance with the Maine Erosion and Sediment Control Handbook for Construction, Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. The Board may waive submission of the erosion and sedimentation control plan only if the subdivision is not in the watershed of a great pond, and upon a finding that the proposed subdivision will not involve road construction or grading which changes drainage patterns and if the addition of impervious surfaces such as roofs and driveways is less than five (5%) percent of the area of the subdivision. “

Waiver Request Basis:

The property in discussion is not located in a watershed of a great pond and road construction will have very minor impact on grading as the land parcel where road construction will take place has a very flat contour. Additionally, the “road” will be a driveway for a single house and the only other excavation planned would be trenching for utilities. Should electrical poles be installed vice buried electrical, boring for pole placement will also be performed. Road construction and grading will not change drainage patterns. The “road” will be of gravel construction which will not introduce impervious surfaces other than the asphalt apron located at the entrance to Shaker Road. Roof surfaces for the two lots will be substantially less than 5% of the subdivision lots.

C. Stormwater Management Plan

“A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management for Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally applicable to the site. The Board may waive submission of the stormwater management plan only if the subdivision is not in the watershed of a great pond, and upon a finding that the proposed subdivision will not involve road construction or grading which changes drainage patterns and if the addition of impervious surfaces such as roofs and driveways is less than five (5%) percent of the area of the subdivision.

Waiver Request Basis:

Same basis as in B. above--The property in discussion is not located in a watershed of a great pond and road construction will have very minor impact on grading as the land parcel where road construction will take place has a very flat contour. Additionally, the “road” will be a driveway for a single house and the only other excavation planned

would be trenching for utilities. Should electrical poles be installed vice buried electrical, boring for pole placement will also be performed. Road construction and grading will not change drainage patterns. The "road" will be of gravel construction which will not introduce impervious surfaces other than the asphalt apron located at the entrance to Shaker Road. Roof surfaces for the two lots will be substantially less than 5% of the subdivision lots.

D. Phosphorus Management Plan

If any portion of the proposed subdivision is in the direct watershed of a great pond, has five (5) or more lots, and/or creates eight hundred (800) or more linear feet of street and/or driveway, the following shall be submitted or indicated on the plan:

Waiver Request Basis:

N/A—Plan is for 2 lots only and driveway length is less than 800' (planned driveway is ~508').

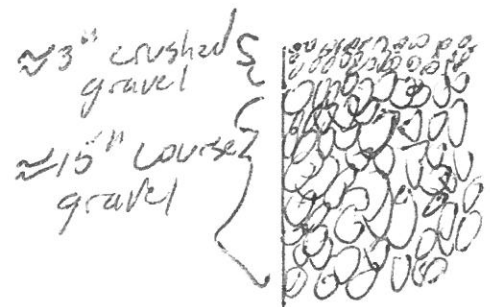
2nd Amendment to Earle and Nancy Wilson subdivision at 158 Shaker Road

Cross section of road: *From Table 401.13.16-2 for Minor Rural street*

Road will conform to Subdivision Ordinance for Minor Rural Street listed below or as approved by Town of Gray Engineer.

G. Aggregate sub-base course gravel 15 inches

H. Aggregate upper base crushed gravel 3 inches



Index for 2nd Amendment to Earle and Nancy Wilson Subdivision at 158 Shaker Road, Rte. 26 Gray, Maine.

1. Proposed name of the subdivision—see attached survey map. p. 1
2. Verification of right, title or interest in the property by deed, purchase and sales agreement, option to purchase, or some other proof of interest—see attached deed. p. 2
3. A standard boundary survey of the parcel, giving complete descriptive data by bearings and distances, made and certified by a professional land surveyor—see attached survey map. p. 1
4. A copy of the most recently recorded deed for the parcel—see attached deed. p. 2
5. A copy of any proposed deed restrictions intended to cover all or part of the lots, dwellings, or common land in the subdivision—N/A
6. An indication of the type of sewage disposal to be used in the subdivision. When sewage disposal is to be accomplished by subsurface waste water disposal systems, test pit analyses, prepared by a Licensed Site Evaluator or Certified Soil Scientist shall be provided (Cenci Report attached). A map showing the location of all test pits dug on the site shall be submitted (shown on survey map). p. 1, pp. 6--13
7. An indication of the type of water supply system(s) to be used in the subdivision. When water is to be supplied by a public water supply, a written statement from the servicing water district shall be submitted indicating there is adequate supply and pressure for the subdivision-see attached letter from Gray water district. p. 4-5
8. The date the plan was prepared, north point, and graphic map scale—see attached survey map and Cenci Report. p. 1, and pp. 6-13
9. The names and addresses of the record owner, applicant, and individual or company who prepared the plan—see attached survey map and adjoining property owners (town clerk to determine).
10. Wetland areas shall be delineated on the survey, regardless of size see attached survey map. p. 1
11. The number of acres within the proposed subdivision, location of property lines, existing buildings, vegetative cover type, unusually large specimen trees, if present, and other essential existing physical features—see attached survey map. p. 1
12. The location of all rivers, streams and brooks within or adjacent to the proposed subdivision. If any portion of the proposed subdivision is located in the direct watershed of a great pond, the application shall indicate which great pond—see attached survey map. p. 1
13. The zoning district in which the proposed subdivision is located and the location of any zoning boundaries affecting the subdivision—see attached survey map. p. 1

14. The location and size of existing and proposed sewers, water mains, culverts, and drainage ways on or adjacent to the property to be subdivided—see attached survey map. p. 1
15. The location, names, and present widths of existing streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision—see attached survey map. p. 1
16. The width and location of any streets, public improvements or open space shown upon the official map and the comprehensive plan, if any, within the subdivision—N/A--see attached survey map. p. 1
17. The proposed lot lines with approximate dimensions and lot areas—see attached survey map. p. 1
18. All parcels of land proposed to be dedicated to public use and the conditions of such dedication. N/A—no public use areas.
19. The location of any open space to be preserved or common areas to be created, and a general description of proposed ownership, improvement and management—N/A—no common ownership areas.
20. The area on each lot where existing forest cover will be permitted to be removed and converted to lawn, structures or other cover and any proposed restrictions to be placed on clearing existing vegetation—see attached survey map. p. 1
21. The proposed driveway access to the area of each lot that will be developed as indicated in Subsection 20, and any drainage or topographic features that must be crossed to access the proposed home site—see attached survey map. p. 1
22. [Adopted May 18, 2004] If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the 100-year flood elevation, as depicted on the municipality's Flood Insurance Rate Map, shall be delineated on the plan—N/A—see attached survey map. p. 1
23. Areas within or adjacent to the proposed subdivision which have been identified by the Maine Department of Inland Fisheries and Wildlife Beginning with Habitat Project or within the comprehensive plan. If any portion of the subdivision is located within an area designated as a unique natural area by the comprehensive plan or the Maine Natural Areas Program or Maine Department of Inland Fisheries & Wildlife Beginning With Habitat Project the plan shall indicate appropriate measures for the preservation of the values which qualify the site for such designation—N/A
24. All areas within or adjacent to the proposed subdivision which are either listed on or eligible to be listed on the National Register of Historic Places, or have been identified in the AMENDED MAY 16, 2017 / EFFECTIVE JUNE 15, 2017 X:\ORDINANCE & POLICY\CHAPTER 401 SUBDIVISION\CH 401 SUBDIVISION ORDINANCE.DOCX 22 comprehensive plan or by the Maine Historic Preservation Commission as sensitive or likely to contain such sites—N/A.

Requests for Waiver pp. 14--20

DLN: 1002240184276

MAINE REAL ESTATE TAX-Paid

WARRANTY DEED(Statutory Short Form Deeds Act
33 M.R.S.A. § 761 et seq.)

Prepared by Law Office of Dawn D. Dyer, P. C. 936 Roosevelt Trail, Suite 4 Windham ME 04062-5654 (207) 893-8100 Deed preparer does not certify title.
--

Ralph Vance Land Development, a corporate body duly organized and existing under the laws of the State of Maine, with a principal office in the Town of Windham, County of Cumberland and State of Maine and mailing address of 590 Roosevelt Trail, Windham, Maine 04062, for consideration paid, grants to **Thomas M. Fox and Beth A. R. Fox**, Trustees of the **Thomas and Beth Fox Revocable Trust dated December 19, 2019**, of the Town of Readfield, County of Kennebec and State of Maine and mailing address of 68 Sturtevant Hill Road, Readfield, Maine 04355, with **warranty covenants**, the land in the Town of Gray, County of Cumberland and State of Maine, bounded and described as follows:

A certain lot or parcel of land situated in Gray, County of Cumberland and State of Maine, on the easterly side of the road leading from Gray to Dry Mills and bounded and described as follows:

° Beginning at a stone post on the easterly side of said road leading from Gray to Dry Mills, the same being the southwesterly corner of land now or formerly, Mary Jane Morrill; thence North seventy-one and three fourths degrees ($71 \frac{3}{4}^{\circ}$) East fifty-seven rods and twenty links (57 rods - 20 links) to the center of a large rock; thence Northwesterly about forty (40) rods to an iron pipe; thence Northeasterly three rods and twelve feet (3 rods - 12 feet) to a stake and stones; thence Northwesterly one rod and seven links (1 rod - 7 links) to the corner of land of Merle Verrill or formerly so; thence Southwesterly on the line of Verrill's land about fifty-eight rods (58 rods) to the first mentioned road; thence Southeasterly on the side line of said road, on the easterly side thirty-two rods nine links (32 rods - 9 links) to the point of beginning, the same being a part of the Loring Field, so called.

Excepting Lots No. 2 and 3 as described in subdivision plan dated July, 1984, and recorded in the Cumberland County Registry of Deeds in Plan Book 144, Page 15.

P. 3
2/2

Being the same premises conveyed to Ralph Vance Land Development pursuant to Warranty Deed from Adam M. Wilson, dated February 27, 2021 and recorded in Cumberland County Registry of Deeds in Book 37889, Page 60.

For reference purposes, the herein-conveyed premises are identified on Town of Gray records as 158 Shaker Road, Tax Map/Lot 15-A-015-000-000.

Witness the hand and seal of Diane M. Vance in his/her capacity as Shareholder of Ralph Vance Land Development, duly authorized this date: February 23, 2022.

Ralph Vance Land Development

By: _____
Print Name: Diane Vance
Its: Treas.

State of Maine
Cumberland County, ss.

February 23, 2022

Personally appeared the above-named Diane M. Vance in his/her capacity as Shareholder of Ralph Vance Land Development and acknowledged the foregoing instrument to be his/her free act and deed in said capacity and individually, and the free act and deed of said corporation. Before me,

Notary Public / Attorney-at-Law



P. 4

Gray Water District

P.O. BOX 196 80 SHAKER RD. GRAY, ME 04039-0196 (207) 657-3500

May 10, 2022

Town of Gray Planning Board
24 Main St
Gray, ME 04039

Re: Letter of Ability to Serve
Fox subdivision
Shaker Road

Dear Board Members:

Based on information provided by Beth Fox, it is my opinion that the Gray Water District does have the ability to provide domestic water service to the future homes at 158 Shaker Rd.

Sincerely,

A large black rectangular redaction box covers the signature area of the letter.

Bill Gardner, GWD Superintendent

cc. Tom & Beth Fox

P.5

Gray Water District
PO Box 196, 80 Shaker Rd
Gray, ME 04039
Phone: 207-657-3500 Fax: 207-657-3277

APPLICATION FOR EXISTING WATER SERVICE:
 Please print unless otherwise noted

Applicant Name: Tom Fox Telephone No. 2074587184

Driver's License # or Other ID Information acceptable to the utility: 3419099 Email: one4allseasons12@att.net

Co-Applicant Name: Beth Fox Telephone No. 9203652907

Driver's License # or Other ID Information acceptable to the utility: 6307082 Email: tbfox2@gmail.com

Service Location: 158 Shaker Road, Gray, Maine

Mailing Address: 23 Toastie Walk, Brunswick, Maine 04011

Emergency Contact Name and Tel No (if different than above): _____

Applicant Employer Name, Address & Tel No: Retired

Co-Applicant Employer Name, Address & Tel No: Retired

The use of this service is Residential Commercial Mixed Residential/Commercial Industrial Fire Protection

0 % of building used for non-residential purposes (information required by Maine Revenue Services 207-624-9693)

Please state Business name, if applicable _____
(If business is tax-exempt entity, copy of certificate must be provided in order to receive the exemption)

Total number of persons residing at service location: 0 Customer Status: Owner Tenant

If Tenant, provide Owner(s) Name, Address & Telephone #: _____

Has Applicant or Co-Applicant previously had service with Gray W.D.? Yes No Years of Service _____

If yes, provide Account Name and/or Address: _____

Does anyone at the service location have a medical condition that requires life support equipment or that may require emergency restoration if water service is interrupted? Yes No

PLEASE READ PRIOR TO SIGNING BELOW: The undersigned hereby agree(s) to comply with all applicable Rules and Regulations of the Maine Public Utilities Commission, and with the Gray W.D. Terms and Conditions now in force or which may hereafter approved. The undersigned further agree(s) to be responsible for all payments for Applicant water service provided by the Gray W.D. until such time as Applicant properly notifies the Gray W.D. that service is terminated. The undersigned understand(s) that provision of incomplete or false information may result in referral to the appropriate law enforcement agency. The undersigned hereby give(s) the Gray W.D. permission to release any and all information which is deemed necessary to collect outstanding debts owed to the Gray W.D.. Read Terms and Conditions before signing listed signature fields

 Signature

 Date 05/06/2022

 Co-Applicant Signature

 Date _____

Effective date 05/06/2022

0.6



**Wetland Investigation and Soil Report
Proposed Duplex Subdivision
Shaker Road Parcel, Gray**

Date: March 15, 2021

To: Tony Vance
RVLD, Inc.
590 Roosevelt Trail
Windham, ME 04062

Wetlands Summary:

There are no wetlands or stream drainages on the property.

Soil and Wastewater Summary:

There are multiple areas on both proposed lots that are suitable for wastewater disposal.

Date of Investigation: March 12, 2021

Location of the Investigation:

The property investigated is located on Shaker Road, Gray. The parcel is identified as Lot 45-15 on Tax Map 20. The parcel is reported to be 4.4 acres in size.

Purposes of the Investigation:

The purposes of the wetland investigation are to identify and describe wetlands on the property according to definitions in the Maine Natural Resources Protection Act (the *NRPA*) to determine if specific alteration and filling permits are required and if there are

any setbacks required under the *NRPA*, to determine the Maine DEP jurisdictional status of any streams and to identify any potential vernal pools.

The purpose of the soil investigation is to identify, describe and locate representative suitable areas for wastewater disposal, according to the Maine Subsurface Wastewater Disposal Rules (the *Rules*), to accommodate a duplex on each of two proposed lots.

Methods of the Investigation:

A literature search and on-site investigations were made. The investigations were performed following the guidelines described in the 1987 Corps of Engineers Delineation Manual and the 2009 Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region. This procedure uses a multiple parameter approach that requires the presence of three primary components for an area to be identified as a wetland: 1) hydric soils; 2) predominance of hydrophytic vegetation; and 3) wetland hydrology.

A concept plan with LIDAR topography by Wayne T. Wood & Co. was used in the field during the investigation.

Soil test pits dug by hand with a shovel and soil probe were done for the on-site wastewater disposal investigation.

Site Location and Description:

The property is located on the northeasterly margin of a broad terrace feature located easterly of Libby Hill. Drainage is northeasterly to Mill Brook (see Figure 1).

The property is depicted as an association of Hinckley loamy sand and Windsor loamy sand on the *National Cooperative Soil Survey* (see Figure 2). These are soils that formed in sandy, gravelly glacial outwash plains. On-site soil testing agrees with this mapping.

There are no drainages mapped on the property. There are no wetlands mapped on the property on the National Wetlands Inventory.

Results of the Wetlands Investigation:

The property was walked and evaluated for any wetland conditions. The ravine was particularly reviewed. There was minimal snow cover on the ground and herb vegetation was visible. A soil auger boring was done to evaluate soil drainage conditions. No wetlands, stream drainages or vernal pools were found on the property.

Results of the Soil and Wastewater Disposal Investigation:

Soil test logs are attached. The soil is a sandy loam to loamy sand with no restrictive horizons or seasonally high-water table to at least 48 inches below the surface. The soils are rated Medium for wastewater disposal sizing by the Rules and are classified as 5B. Site reconnaissance indicates there are other suitable sites, not tested or located.

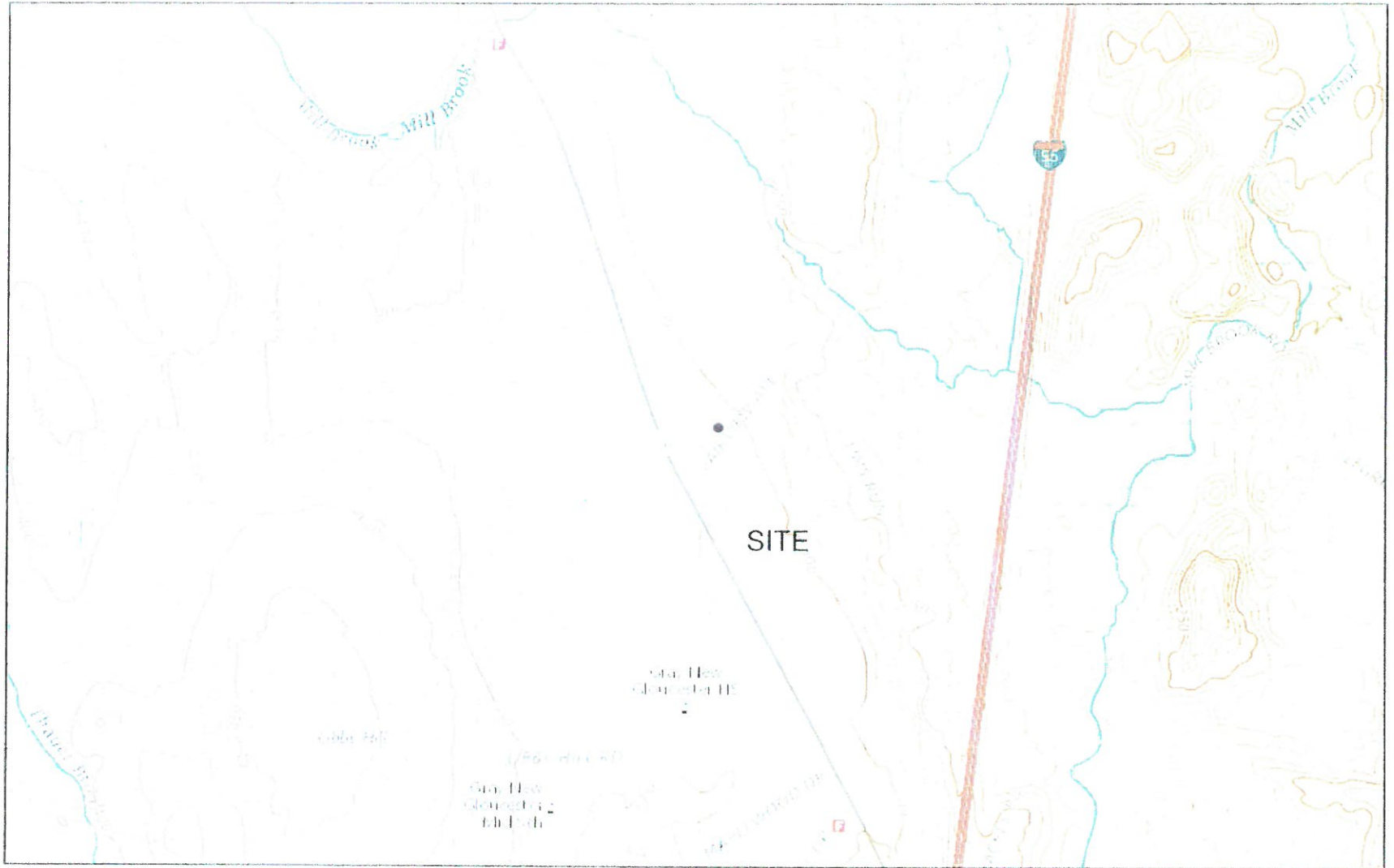
Typical four-bedroom duplex disposal areas are stone beds, 20' x 45' in size. The disposal systems do not need to be mounded above grade. Wastewater pump stations can be avoided by proper foundation planning. A 1500 gallon sized septic tank will be required for each duplex.

Further investigation will be required to design a system on any lot.



Mark Cenci
Maine Licensed Geologist #467
Maine Licensed Site Evaluator #262

Figure 1.



3/15/2021 10:20:58 AM

Normal Intermediate Contours

Normal Index Contours

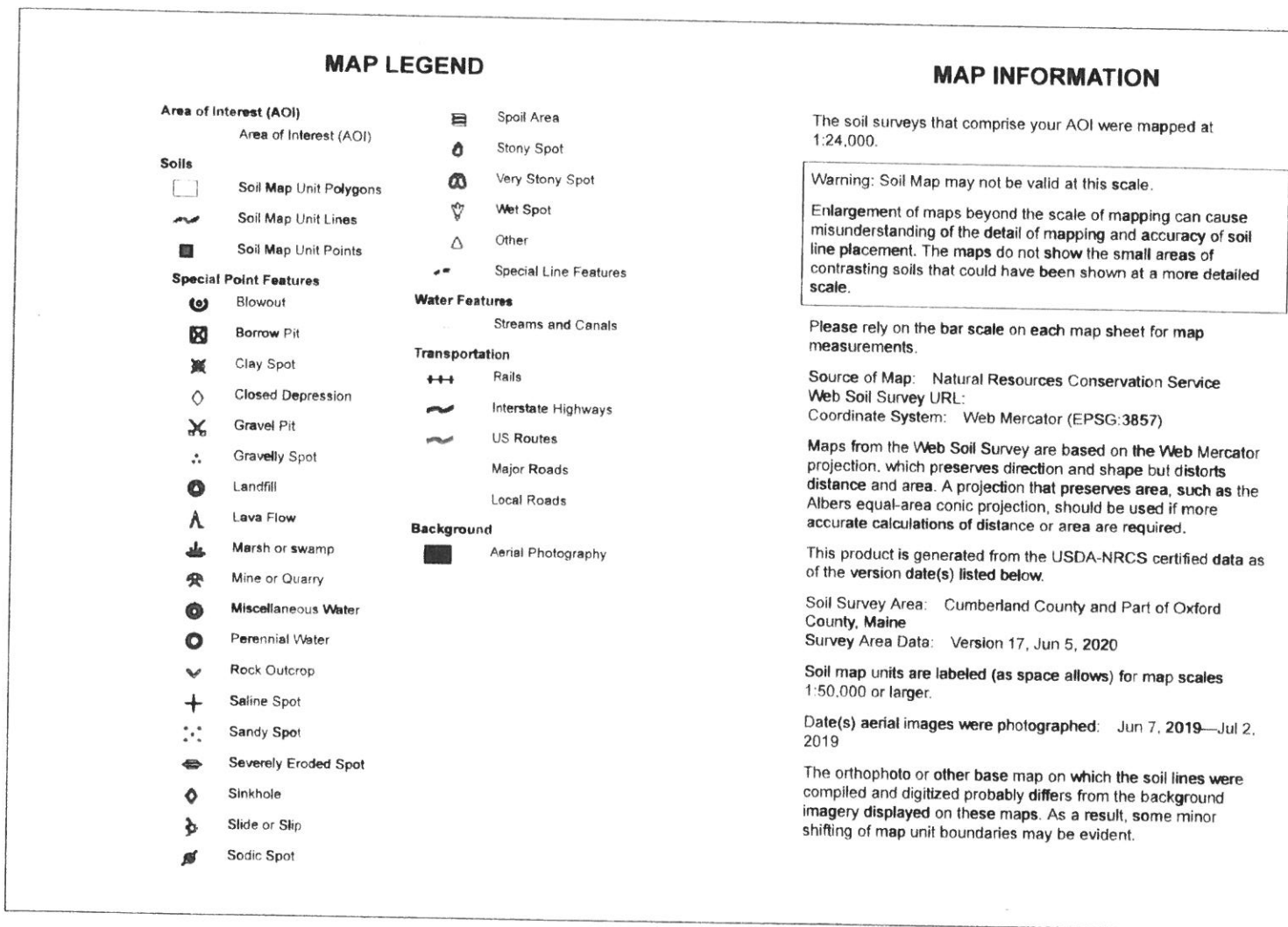
1:18,056



USGS The National Map National Boundaries Dataset 3DEP Elevation

USGS
2021 USGS

Soil Map—Cumberland County and Part of Oxford County, Maine
(Figure 2.)



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Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BuB	Lamoine silt loam, 3 to 8 percent slopes	0.0	0.0%
HIB	Hinckley loamy sand, 3 to 8 percent slopes	28.0	52.3%
Sn	Scantic silt loam, 0 to 3 percent slopes	0.2	0.3%
SuC2	Suffield silt loam, 8 to 15 percent slopes, eroded	0.5	0.9%
WmB	Windsor loamy sand, 0 to 8 percent slopes	23.4	43.7%
WmC	Windsor loamy sand, 8 to 15 percent slopes	1.5	2.8%
Totals for Area of Interest		53.6	100.0%

Soil Map—Cumberland County and Part of Oxford County, Maine
(Figure 2)



P. 12

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services
 Division of Health Engineering, Station 10
 (207) 287-5872 Fax: (207) 287-3165

Town, City, Plantation
GRAN

Street, Road, Subdivision
SHAKER ROAD

Owner or Applicant Name
TONY NANCE

SITE PLAN Scale 1" = _____ ft.

SITE LOCATION PLAN
 (map from Maine Atlas recommended)

SEE SIDE PLAN
 BY WAYNE T. WOOD & CO

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

Observation Hole # TP-1 Test Pit Boring

Depth of organic horizon above mineral soil _____"

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0	<u>SANDY LOAM</u>		<u>DK BRN</u>	
6	<u>LO</u>		<u>RED BROWN</u>	
12	<u>LO</u>	<u>LOOSE</u>	<u>TO</u>	
18	<u>LOAM</u>		<u>YELLOW</u>	
24	<u>GRAVELLY SAND</u>		<u>BROWN</u>	<u>NONE</u>
30	<u>SAND</u>		<u>GRAY</u>	
36	<u>LIMIT OF BORING</u>			
42				
48				

Soil Profile	Classification	Slope	Limiting Factor	<input type="checkbox"/> Groundwater
<u>5</u>	<u>B</u>		<u>-</u>	<input type="checkbox"/> Restrictive Layer
	Condition	Percent	Depth	<input type="checkbox"/> Bedrock
				<input type="checkbox"/> Pit Depth

Observation Hole # TP-2 Test Pit Boring

Depth of organic horizon above mineral soil _____"

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0	<u>SANDY LOAM</u>		<u>DK BRN</u>	
6	<u>LO</u>		<u>YELLOW</u>	
12	<u>LO</u>		<u>BROWN</u>	
18	<u>LOAM</u>	<u>LOOSE</u>		
24	<u>SAND</u>			<u>NONE</u>
30			<u>GRAY</u>	
36	<u>LIMIT OF BORING</u>			
42				
48				

Soil Profile	Classification	Slope	Limiting Factor	<input type="checkbox"/> Groundwater
<u>5</u>	<u>B</u>		<u>-</u>	<input type="checkbox"/> Restrictive Layer
	Condition	Percent	Depth	<input type="checkbox"/> Bedrock
				<input type="checkbox"/> Pit Depth

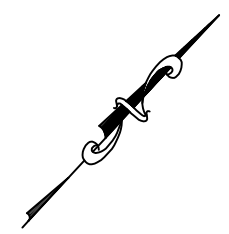
Site Evaluator Signature _____ SE # 262 Date 3-15-21 Page 2 of 3
 HHE-200 Rev. 10/02

Approved by the Town of
Freeport Planning Board:

Conditions:

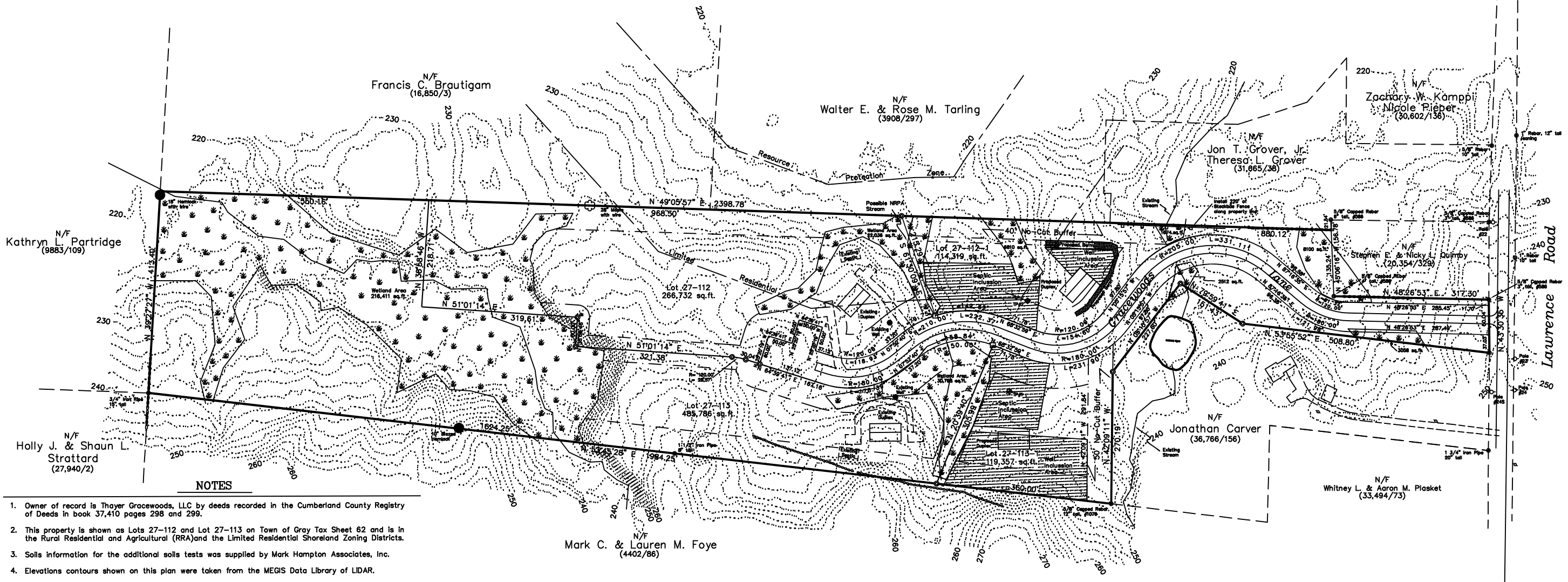
Signed:

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 Gracewoods, 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. Gracewoods 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.

NET RESIDENTIAL ACERAGE CALCULATIONS

	24.97 acres	24.97 acres
Total Lot Area	24.97 acres	24.97 acres
Area in RRA	21.96 acres	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 _____ and recorded in
Plan Book _____ Page _____
Attest: _____ Register



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

Wayne T. Wood & Co.
30 Wood Dr.
Gray, Maine 04039
Date July 2022
Job No. 25038A

Drawn By: WLW
Scale: 1" = 100'
Drawn No. 1 of 1
Bk. No.

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

Revision 10/03/22 Added fencing along Grover line and added to the berm