Saco River Corridor Commission

Rules Committee Meeting Packet

May 11th, 2022

SACO RIVER CORRIDOR COMMISSION
RULES COMMITTEE MEETING AGENDA
MAY 11th, 2022

DATE: May 11th, 2022
TIME: 7:00 PM
LOCATION: Click here to join the Zoom webinar
webinar ID: 852 8237 1709
telephone: +1 929 205 6099
Password: 1973

Time Extensions:

1. **Brookfield White Pine Hydro, LLC,** Permit #17 -143-B – Seeking a first time extension for a permit to construct concrete stairs, reestablish a preexisting walking path; create a small parking area, and place fencing and signs in Hollis.

2. **Robert Faucette,** Permit #19-381 – Seeking a first time extension for a permit to finish constructing a meandering pathway and an above-ground pool in Saco.

Applications:

3. **Casey Gray,** Application #15-561 - Seeking a Hardship Variance for a permit to construct a single-family residence and septic system in Waterboro.

4. **Lewis Properties,** Application #15-563 – Seeking a Hardship Variance for a permit to construct a single-family residence, septic system, and detached garage in Waterboro.

5. **David Brennan,** Application #06-080 – Seeking an after-the-fact permit to replace a failed leach field in Porter.

6. **Saco Island Ventures, LLC,** Application #19-436 – Seeking a permit to remove an existing stockpile of granite blocks and stockpile the blocks on site for reuse in retaining walls during future construction in Saco.

7. **Sisters Inc.,** Application #15-560 – Seeking a permit to reconstruct and expand an existing camp and install a septic system in Waterboro.

8. **James and Debra Dalton,** Application #19-435 – Seeking a permit to demolish and reconstruct an existing single-family cottage in Saco.

9. **Steven Brown,** Application #04-121 – Seeking a permit to demolish an existing cabin and reconstruct a single-family residence with an attached garage in Hiram.

10. **Hubbard Family Trust,** Application #09-097 – Seeking a permit to construct a detached garage, patio, walkways, and pond/streams in Limington.

Time Extension Requests

Brookfield White Pine Hydro

Permit #17-143-B

Time Extension

BROOKFIELD WHITE PINE HYDRO
150 MAIN STREET
LEWISTON, ME 04240
APPLICATION #17-143-B

PROJECT DESCRIPTION

The applicant is seeking a first time extension for a permit to construct concrete stairs to allow for angler wading; reestablish a preexisting walking path; create a small parking area along West Buxton Road; and place fencing and signage downriver of the West Buxton Dam on the Hollis side of the Saco River.

SITE LOCATION/DESCRIPTION

1. Location: Lot #37, (Map #10), south and adjacent to the bridge on West Buxton Road in Hollis, Maine.
2. The lot has 800 feet of frontage on the Saco River.
3. This property is located within the Limited Residential District.
4. The locations are downstream of the West Buxton Dam, with the access stairs just downstream of the West Buxton Road Bridge. The location appears to be within the 100-year floodplain.

ISSUES

5. The start date of the project has been postponed until the Summer of 2022 due to issues that arose during the local permitting process.
6. The angler platform portion of the original permit has been withdrawn, including an associated crosswalk and pathway. The applicant seeks to continue with all other aspects of the permit, although the extent to which the preexisting angling trail (downstream) will be improved has been limited due to wetland impact concerns.
7. The design of the parking area was slightly modified in accordance with the Maine DOT standards. The gravel parking area has been reduced from 3 parking spaces to 2 and will now include a small turn around.
8. A small amount of gravel fill will be necessary to delineate the walking path to the steps.
9. The proposed stairs and landings will require additional fill.

ANALYSIS

10. The proposed concrete access stairs will be constructed with a field determined pre-cast concrete stair unit, with a 6-foot concrete landing at the bottom of the stairs, and a 5-foot concrete landing at the top of the stairs, located just below the West Buxton Bridge.
11. The project being proposed is in accordance with the West Buxton Hydroelectric Projects 2018 Recreation Management Plan approved by FERC on January 1, 2019 and provides a FERC required public access to the impoundment.
12. The use of contractor designed turbidity curtains and silt fences will be employed to trap sediment during construction activities.

13. John Boland's site visit notes recommended ensuring the small gravel parking lot has adequate erosion preventative measures in place.
14. The applicant has withdrawn the permit (#17-143-A) for a boat ramp, float abutment, parking area, and access road for a public boat launch upriver of the West Buxton Dam on the Hollis side of the Saco River. *(No further information regarding Part A of the permit has been included in this issue paper.)*
15. The preexisting walking path will be reestablished to be 5 feet wide by selective pruning and removal of small shrubs.

RELEVANT STANDARD OF THE ACT

16. §959-A(1)(A- K) of the Act further defined in Chapter 103: Standards to Address the Environmental Factors.
    a. (B) Alternation of Wetlands;
    b. (D)(6) Any floodplain encroachment (including buildings, filling and all other development requiring a permit from the Commission) will not result in any measurable or significant increase in flood levels during the occurrence of a 100-year frequency flood.

Brookfield White Pine Hydro

Permit #17-143-B

Permit Order

Saco River Corridor Commission

"Communities Working Together To Protect Our Rivers"

COMMISSION ORDER
IN THE MATTER OF

BROOKFIELD WHITE PINE HYDRO 150 MAIN STREET LEWISTON, ME 04240 APPLICATION #17-143-B	SACO RIVER CORRIDOR ACT FINDINGS OF FACT AND ORDER

The Saco River Corridor Commission, created by the Maine State Legislature in the Saco River Corridor Act, Title 38 M.R.S.A. Section 951, et. seq., hereinafter referred to as the "Act," at a meeting held on June 24, 2020 via Zoom Webinar, and after a review of the application and supporting documents makes the following findings of fact:

PROJECT DESCRIPTION

1. The applicant is seeking a permit for construction of a concrete angler platform and concrete stairs to allow for angler wading; reestablishment of a preexisting walking path; creation of a small parking area along West Buxton Road; and the placement of fencing and signage downriver of the West Buxton Dam on the Hollis side of the Saco River.

SITE LOCATION/DESCRIPTION

2. Location: Lot #37, (Map #10), South and adjacent to the bridge on West Buxton Road in Hollis, Maine.

3. The lot has 800 feet of frontage on the Saco River.

4. This property is located within the Limited Residential District.

OTHER

5. The project being proposed is in accordance with the West Buxton Hydroelectric Projects 2018 Recreation Management Plan approved by FERC on January 1, 2019 and provides FERC required public access to the impoundment.

6. The proposed start date of the project is early Fall of 2020.

7. The proposed project would require the use of a small amount of gravel fill to "top dress" the parking area and to delineate the walking paths.

P.O. Box 283 - Cornish, Maine 04020-0283 - (207) 625-8123 Fax (207) 625-7050 Email: srcc@srcc-maine.org

8. The proposed concrete angler platform will be 20 x 20 feet with railings and will utilize existing rock for the base of the concrete.

BASED ON THE ABOVE FINDINGS, as determined at a duly noticed Commission Meeting, the Commission draws the following conclusions:

1. The applicant has shown the proposed design to be within the meaning of the Act.

2. The proposed use will not unreasonably involve any of the factors enumerated in Section 959-A.1.A. through K of the Act.

THEREFORE, the Commission APPROVES the application of Brookfield White Pine Hydro, #17-143-A, to construct a platform, stairs, parking area, and reestablish a trail on the property owned by them, provided the activity is carried out according to the application and UPON THE FOLLOWING CONDITIONS:

1. Standard Conditions of Approval (copy attached).
2. Other conditions as decided by a vote of the Commission at a duly noticed Commission Meeting.
3. The use of best management practices, contractor designed turbidity curtains, and silt fences will be utilized during construction.
4. Saco River Corridor Commission Staff will monitor and determine if a revegetation plan is necessary for erosion control management.

Any appeals from this decision, including any of its conditions, shall be taken pursuant to Section 968 of the Act, except that no appeal pursuant to Section 968 of the Act shall be taken from a decision of the Commission which decision was made without a public hearing until a request for reconsideration has been submitted to the Commission and the Commission has made a final determination in the matter. Any person wishing to file an appeal or to request reconsideration must do so within 30 days of the Commission's written decision and order. Requests for reconsideration must be submitted in accordance with applicable Commission regulations. All permits to be valid, must meet all federal, state, and local ordinances and regulations.

DONE AND DATED AT CORNISH, MAINE THIS 24TH DAY OF JUNE 2020.

BY: Diane House
For: Elizabeth Jakofsky, Chairperson

6/24/20
Dated

Brookfield White Pine Hydro

Permit #17-143-B
Correspondence

Dalyn Houser

From: Uriah Forest-Bulley <Uriah.Forest-Bulley@Kleinschmidtgroup.com>
Sent: September 20, 2021 10:17 AM
To: Dalyn Houser; keisha@srcc-maine.org
Cc: Reny, Melissa
Subject: RE: Wet Buxton Angler Access Area Permit #17-143-B

Hey Dalyn,
So the only changes are the removal of the angling platform and the removal of the crosswalk and path that were intended to lead to it. Additionally due to some wetland impact concerns the extent that the downstream angling trail will be improved has been limited.
If a call is easier feel free to reach out at your convenience or I am happy to set something up.

Uriah Forest-Bulley
Associate Licensing Coordinator
Kleinschmidt
Office: 207-416-1280
www.KleinschmidtGroup.com

From: Dalyn Houser <dalyn@srcc-maine.org>
Sent: Monday, September 20, 2021 9:47 AM
To: keisha@srcc-maine.org; Uriah Forest-Bulley <Uriah.Forest-Bulley@Kleinschmidtgroup.com>
Cc: Reny, Melissa <Melissa.Reny@brookfieldrenewable.com>
Subject: RE: Wet Buxton Angler Access Area Permit #17-143-B

Hello Uriah,

Besides the removal of the Angling platform, what else is included in the outlined changes?

Thank you,

Dalyn Houser
Executive Director
Saco River Corridor Commission

81 Maple Street
Post Office Box 283
Cornish, Maine 04020
207-625-8123
www.srcc-maine.org

From: Keisha Garnett <keisha@srcc-maine.org>
Sent: September 20, 2021 9:41 AM
To: 'Uriah Forest-Bulley' <Uriah.Forest-Bulley@Kleinschmidtgroup.com>
Cc: Dalyn Houser <dalyn@srcc-maine.org>; 'Reny, Melissa' <Melissa.Reny@brookfieldrenewable.com>
Subject: FW: Wet Buxton Angler Access Area Permit #17-143-B

Hello Uriah,

Dalyn will need to take a look at the changes and advise on the next steps. As for the permit extension, the permit is still active until June of 2022. At that time, if more time is needed, you can request a time extension that would extend the permit another two years if approved.

Sincerely,

Keisha Garnett
Administrative Assistant
Clerk of the Board
Saco River Corridor Commission
207-625-8123
www.srcc-maine.org

81 Maple Street
P.O. Box 283
Cornish, ME 04020

From: Uriah Forest-Bulley <Uriah.Forest-Bulley@Kleinschmidtgroup.com>
Sent: Monday, September 20, 2021 9:36 AM
To: keisha@srcc-maine.org
Cc: Reny, Melissa <Melissa.Reny@brookfieldrenewable.com>
Subject: Wet Buxton Angler Access Area Permit #17-143-B

Good morning Keisha,
I am reaching out to you in regard to additional changes to the Project at the West Buxton site. Most notably the Angling platform upstream of the bridge is being removed from the Project. Please find the attached drawing package outlining the changes to the project.
WE will also be planning to submit another extension of time for this permit in the next week. What is the maximum amount of time we can extend this permit for?

Thanks for your help and let me know if you have any questions!

Uriah Forest-Bulley
Associate Licensing Coordinator
Kleinschmidt
Office: 207-416-1280
www.KleinschmidtGroup.com

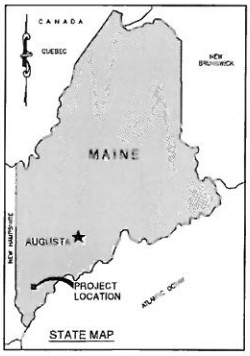
BROOKFIELD RENEWABLE

LEWISTON, ME

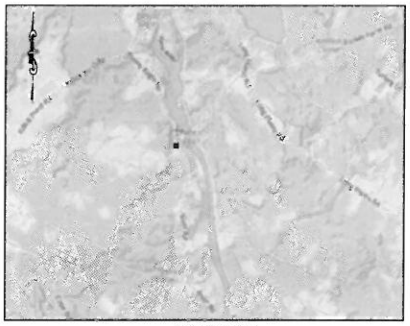
WEST BUXTON

△ ANGLER ACCESS

DRAWING LIST			
SHEET NO.	CONSTRUCTION DRAWINGS	DATE	STATUS
1	GENERAL NOTES	09-17-21	REVISION 1
2	EXISTING OVERALL SITE PLAN	09-17-21	REVISION 1
3	SEDIMENT AND EROSION CONTROL PLAN	09-17-21	REVISION 1
4	SEDIMENT AND EROSION CONTROL NOTES & DETAILS	09-17-21	REVISION 1
~~5~~	~~BOAT LAUNCH SITE PLAN (REMOVED FROM DRAWING SET)~~		NOT ISSUED
6	ANGLER ACCESS SITE PLAN	09-17-21	REVISION 1
7	ANGLER ACCESS PARKING PLAN AND SECTION	09-17-21	REVISION 1
~~8~~	~~RAMP PLAN (REMOVED FROM DRAWING SET)~~		NOT ISSUED
~~9~~	~~RAMP SECTIONS AND DETAILS (REMOVED FROM DRAWING SET)~~		NOT ISSUED
~~10~~	~~FLOAT AND ABUTMENT PLAN AND SECTIONS (REMOVED FROM DRAWING SET)~~		NOT ISSUED
~~11~~	~~FLOAT SECTION AND DETAILS (REMOVED FROM DRAWING SET)~~		NOT ISSUED
12	ANGLER ACCESS SECTIONS AND DETAILS	09-17-21	REVISION 1



STATE MAP


VICINITY MAP

SITE MAP

Brookfield

RELEASED FOR CONSTRUCTION
03-03-21
09-17-21 REVISION 1

Kleinschmidt

SCOPE OF WORK

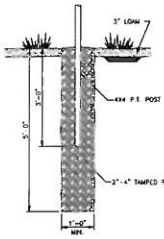
1. MOBILIZE IN COOPERATION WITH OWNER
2. INSTALL TEMPORARY SEDIMENT AND EROSION CONTROL FEATURES ~~AT THE BOAT LAUNCH (SEE AND REFER TO PLAN VIEW)~~. CONSTRUCTION OF THE BOAT LAUNCH HAS BEEN REMOVED FROM THE SCOPE OF WORK. NOTES ON THIS SHEET ONLY APPLICABLE TO THE BOAT LAUNCH ARE NO LONGER VALID.
3. ~~EXCAVATE TO SUBGRADES AND INSTALL ICE MATERIAL FOR BOAT RAMP, FLOAT ABUTMENT, PARKING AREA, AND ACCESS ROAD.~~
4. ~~INSTALL NEW CONCRETE FISHING PLATFORM, STAIRS IN NEW ACCESS PATH TO FISHING PLATFORM. INSTALL NEW PARKING SPACES, NEW STAIRS, FENCING AND IMPROVED WALKWAY PATH.~~ CONSTRUCTION OF THE FISHING PLATFORM HAS BEEN REMOVED FROM THE SCOPE OF WORK. NOTES ON THIS SHEET ONLY APPLICABLE TO THE BOAT LAUNCH ARE NO LONGER VALID.
5. REMOVE TEMPORARY SEDIMENT CONTROL FEATURES, PERFORM FINAL SEEDING, AND PERFORM FINAL SITE CLEANUP TO SATISFACTION OF OWNER.
6. DEMOBILIZE.
7. RETURN TO SITE AFTER VEGETATIVE SITE STABILIZATION HAS BEEN ESTABLISHED. REMOVE SEDIMENT AND EROSION CONTROL FEATURES. REPAIR ANY EROSION.

NOTES

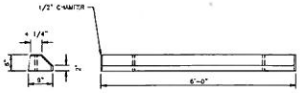
1. GENERAL NOTES
   A. NOTIFY DIG SAFE PRIOR TO ANY SITE WORK. CALL 811 OR WWW.DIGSAFE.COM
   B. COORDINATE STORAGE OF TOOLS AND EQUIPMENT WITH OWNER.
   C. ALL DIMENSIONS SUBJECT TO FIELD VERIFICATION.
   D. CLEAN UP SITE AND LEAVE IN AS-FOUND OR BETTER CONDITION.
   E. REPAIR ALL DAMAGE TO EXISTING SITE CAUSED BY CONTRACTOR OPERATIONS.
   F. CLEAR AND GRUB AREA AFFECTED BY WORK. REMOVE STUMPS AND BOULDERS. STOCKPILE "TOPSOIL FOR USE AS LOAM. PROTECT ANY TREES OUTSIDE THE WORK AREA FROM DAMAGE FROM EQUIPMENT. PROTECT ANY UTILITY LINES AND POLES.
   G. GRADE AREA TO NEW SUBGRADES REQUIRED BY FINISH GRADES SHOWN. PROVIDE FILL AS REQUIRED. DO NOT BURY ROOTS OF EXISTING TREES
   H. PROOF ROLL SUBGRADE TO DETECT ANY SOFT AREAS REQUIRING REMEDIAL ACTION. IN THE PRESENCE OF THE OWNER/ENGINEER. REMOVE ANY UNSUITABLE MATERIAL AND REPLACE WITH SUITABLE COMPACTED FILL. UPON THE APPROVAL OF THE OWNER/ENGINEER.
   I. PROVIDE NEW GRAVEL BASE AND SUBBASE FILL. COMPACT AND FINE GRADE.
   J. PROVIDE ALL MATERIALS REQUIRED TO CONSTRUCT THE NEW BOAT RAMPS INCLUDING BUT NOT LIMITED TO: RIP RAP, BASE MATERIALS, GEOTEXTILE FABRIC, PRECAST CONCRETE PLANKS, PRECAST CONCRETE CURB, CAST-IN-PLACE CONCRETE FLOAT ABUTMENT, PIPE BOLLARDS, FLOATS ETC. AS REQUIRED TO CONSTRUCT RAMP FACILITY AS SHOWN.CONTRACTOR SHALL MINIMIZE HANDLING OF NEW CONCRETE PLANKS TO AVOID DAMAGE. THE OWNER/ENGINEER RETAINS THE RIGHT TO REJECT ANY DAMAGED PLANKS. PURCHASE AND REPLACEMENT OF PLANKS SHALL BE AT THE CONTRACTORS EXPENSE.
   K. PROVIDE BITUMINOUS ASPHALT PAVEMENT WHERE INDICATED.
   L. PROVIDE FENCING AND BOULDER GUARDRAILS WHERE INDICATED.
   M. PROVIDE ALL MATERIALS FOR FISHING ACCESS PLATFORM AND STAIRS INCLUDING BUT NOT LIMITED TO: STEEL/CONCRETE STAIRS, HANDRAIL/GUARDRAIL, CAST-IN-PLACE CONCRETE, RIPRAP, STONE BEDDING, COMPACTED FILL, ETC.
   N. LOAM, SEED AND MULCH THE REMAINING AREAS NOT PAVED OR GRAVEL SURFACED. FINISHED AREAS SHALL BE MOWABLE, FREE FROM STUMPS, ROCKS OR OTHER OBSTRUCTIONS.
   O. CONTRACTOR SHALL SAVE TOPSOIL WHEN GRUBBING FOR FINAL CONDITIONS
   P. INSTALL SIGNS, WHEEL STOP CURBS, AND PAVEMENT MARKINGS. ALL SIGN POSTS SHALL BE P.T. WOOD POSTS SET IN AUGURED HOLES AND BACKFILLED WITH TAMPED IN 2"-4" BLOCKS (TYP).
2. FLOODING AND EROSION CONTROL
   A. THE CONTRACTOR IS RESPONSIBLE FOR SCHEDULING AND PROTECTING WORK FROM RISING WATERS. DAMAGE TO PARTIALLY COMPLETED WORK, MATERIALS OR EQUIPMENT SHALL BE THE CONTRACTOR'S RESPONSIBILITY AND SHALL BE REPAIRED BY THE CONTRACTOR. CONTRACTOR SHALL SUBMIT COFFERDAM DESIGN FOR OWNER APPROVAL PRIOR TO INSTALLATION.
   B. PROVIDE ALL REQUIRED SOIL EROSION CONTROL PROVISIONS REQUIRED TO MEET REQUIREMENTS UNDER THE PERMITS OBTAINED BY THE OWNER.
3. EARTHWORK MATERIALS
   A. GRAVEL SUBBASE MATERIAL: NATURALLY OR ARTIFICIALLY GRADED MIXTURE OF NATURAL OR CRUSHED GRAVEL, CRUSHED STONE, NATURAL OR CRUSHED SAND. COMPLY WITH MAINE DEPT. OF TRANSPORTATION (MDOT) STANDARDS SECTION 703.06, TYPE B.
      i. GRAVEL BASE MATERIAL: COMPLY WITH MDOT SECTION 703.06, TYPE A, AND CRUSHED.
      ii. GRAVEL SURFACE MATERIAL: COMPLY WITH MDOT SECTION 703.10.
      iii. SUBBASE AND BASE COURSE MATERIALS SHALL BE COMPACTED TO 95 PERCENT OF ITS MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D-1557. SOIL LIFT THICKNESS SHALL NOT EXCEED 9".
   B. BORROW FOR FILL: BORROW MATERIAL COMPLYING WITH MDOT SECTION 703.18 OR 703.19.
   C. RIP RAP: SOUND, DURABLE, ANGULAR ROCK COMPLYING WITH MDOT SECTION 703.26. MINIMUM 50% OF STONES BY VOLUME SHALL EXCEED 6" (UNO) IN THE LEAST DIMENSION. HAND CHINK SPALLS BETWEEN LARGE STONES USING SMALLER STONES. INSTALL PER MDOT SECTION 610 ON PREPARED BED.
   D. CRUSHED STONE BASE: MDOT 703.31 1/2" CRUSHED STONE.
4. ASPHALT PAVING
   A. PROVIDE AND INSTALL ASPHALT PAVING IN CONFORMANCE WITH MDOT STANDARDS, ALL APPLICABLE SECTIONS.
   B. MATERIALS: ASPHALT CEMENT: AASHTO M226 (ASTM D-3381)
      BITUMINOUS CONCRETE: COMPLY WITH MDOT SECTION 703.09
      BASE COURSE: MDOT TYPE B
      SURFACE COURSE: MDOT TYPE C
      TACK COAT: EMULSIFIED ASPHALT: AASHTO M-140 (ASTM D-977) OR M-208 (ASTM D-2397)
   C. PROOF ROLL PREPARED SUBBASE PRIOR TO PAVING. CORRECT ANY DEFICIENT AREAS.
   D. APPLY TACK COAT TO EDGES OF EXISTING ASPHALT OR PREVIOUSLY CONSTRUCTED ASPHALT
5. SEEDING
   A. COMPLY WITH STATE BEST MANAGEMENT PRACTICES (BMP'S).
   B. TOPSOIL: FERTILE,CLEAN, NATURAL LOAM. MINIMUM 3" DEPTH. FERTILIZER: COMMERCIAL GRADE 10-10-10. APPLY AT 800 LBS/ACRE OR RATE AS DETERMINED BY SOIL TESTS. AGRICULTURAL LIMESTONE: APPLY AT RATE OF 2000 LBS/ACRE OR AS DETERMINED BY SOIL TESTS. SEED: SEED ROADSIDE MIXTURE APPLY AT 3 LBS/ 1000 SQ.FT. CREEPING RED FESCUE 50%, KENTUCKY BLUEGRASS 15%, WHITE CLOVER 5%, RED TOP 5%, BIRDSFOOT TREFOIL/VAR. EMPIRE 3%, ANNUAL RYEGRASS 25%. MULCH: HAY OR STRAW AT 2-90 LB BALES PER 1,000 SQ FT OR CHEMICAL MULCH, APPLIED ACCORDING TO MFG'S DIRECTIONS
   C. SEEDING SHALL BEGIN AS SOON AS PRACTICAL BUT PERMANENT SEEDING SHALL OCCUR BETWEEN MARCH 15 AND OCTOBER 15. AFTER OCTOBER 15, USE TEMPORARY SEEDING AND MULCH. RE-SEED THE FOLLOWING SPRING WITH PERMANENT SEEDING AND MULCH. DORMANT SEEDING OF THE PERMANENT MIXTURE MAY BE ATTEMPTED BY THE CONTRACTOR FOLLOWING THE SEPTEMBER 15 DATE.
   D. ON SLOPES, PROVIDE AGAINST WASHOUTS BY AN APPROVED METHOD. AT THE CONTRACTOR'S EXPENSE, REGRADE AND RESEED ANY WASHOUT WHICH OCCURS, UNTIL A STABLE SOD IS ESTABLISHED.
6. INSTALLATION OF PRECAST CONCRETE PLANK BOAT RAMP: REFER TO THE METHODS DESCRIBED FOR THE CONTRACTOR'S INFORMATION ON HOW CONCRETE PLANK RAMPS HAVE BEEN INSTALLED IN OTHER LOCATIONS. THESE METHODS ARE DESCRIBED IN THE "DESIGN HANDBOOK FOR RECREATIONAL BOATING AND FISHING FACILITIES", BY THE STATES ORGANIZATION FOR BOATING ACCESS, 2008 EDITION
7. GEOTEXTILE: THE GEOTEXTILE REQUIRED UNDER THE ROADWAY SHALL BE MIRAFI 180N OR EQUAL NON-WOVEN NEEDLE PUNCHED FABRIC. ANY "REPLACEMENT" FABRIC SHALL MEET ALL SPECIFICATIONS OF MIRAFI 180N.
8. THE CONTRACTOR SHALL SUBMIT SUBMITTALS FOR ALL MATERIALS PRIOR TO CONSTRUCTION, INCLUDING PROPOSED RIPRAP AND SOIL MATERIALS. ONE GRAIN SIZED ANALYSIS FOR THE SUBBASE AND BASE SHALL BE SUBMITTED AT LEAST 2 WEEKS PRIOR TO PLACEMENT. THE CONTRACTOR IS RESPONSIBLE FOR CONTRACTING WITH A 3RD PARTY TESTING FIRM TO PROVIDE PROCTOR DENSITY LAB TESTING AND IN-SITU DENSITY TESTING OF THE ROADWAY AND PARKING LOT SUBBASE AND BASE MATERIALS. A MINIMUM OF ONE DENSITY TEST PER LIFT EVERY 25 FEET OF ROADWAY AND PARKING LOT IS REQUIRED.

CONCRETE NOTES

1. SURFACE PREPARATION:
   A. ALL LOOSE RUBBLE, CONCRETE, AND SOIL SHALL BE REMOVED PRIOR TO CONSTRUCTION. REMOVE ANY GREASE, OIL OR OTHER COATINGS ON ANY EXISTING SURFACE.
   B. WHEN CONCRETE IS PLACED DIRECTLY AGAINST ROCK SURFACES, THE SURFACE SHALL BE CLEANED WITH HIGH-PRESSURE WATER TO REMOVE ALL DIRT OR LOOSE MATERIAL.
   C. SURFACE PREPARATION OF EXISTING CONCRETE AND MASONRY SURFACES SHALL REMOVE ALL LOOSE OR DETERIORATED MATERIAL AND VEGETATION. ACCEPTABLE METHODS INCLUDE SANDBLASTING, MECHANICAL CHIPPING, OR HIGH-PRESSURE WATER BLAST (6000 PSI MINIMUM PRESSURE).
2. CONCRETE:
   A. ALL WORK SHALL CONFORM TO ACI 318, ACI 301 AND ACI 347, LATEST EDITIONS.
   B. SPECIFICATIONS:
      i. MINIMUM 28 DAY STRENGTH = 4500 PSI
      ii. MAXIMUM WATER/CEMENT RATIO = 0.45
      iii. SLUMP 3" TO 4"
      iv. AIR CONTENT PROVIDED BY AIR ENTRAINMENT ADMIXTURE 5 % TO 7% AS MEASURED BY ASTM C231. EXCEPT FOR CONCRETE CLASS AH AROUND THE HYDROSTATION SCROLL CASE AS DESIGNATED ON THE DRAWINGS.
      v. WATER REDUCING ADMIXTURE SHALL BE USED AT THE OPTION OF THE CONTRACTOR.
      vi. FLYASH SHALL BE USED. ADMIXTURES CONTAINING CALCIUM CHLORIDE SHALL NOT BE USED.
   C. DO NOT PLACE CONCRETE AGAINST ACTIVE LEAKS OR SEAMS WITH FLOWING WATER. STOP FLOW OR INSTALL DRAINAGE TO DIVERT FLOW AWAY FROM FRESH CONCRETE.
   D. CURE CONCRETE FOR 7 DAYS MINIMUM. DO NOT APPLY LOADS TO NEW CONCRETE FOR AT LEAST 7 DAYS UNLESS APPROVED BY THE ENGINEER
3. REINFORCEMENT:
   A. ASTM A615 GRADE 60
   B. FIELD BEND REINFORCING BARS TO CLEAR BOXOUTS AND PIPES WHERE REQUIRED. NO CUTTING OF REINFORCEMENT BARS SHALL BE DONE WITHOUT PRIOR APPROVAL OF ENGINEER.
      i. SPLICES: LENGTH SHALL BE PER REINFORCEMENT DEVELOPMENT SCHEDULE. SPLICES SHALL BE AD CLASS B UNLESS NOTED OTHERWISE.
      ii. DOWELS: PER REINFORCEMENT DEVELOPMENT SCHEDULE. PROVIDE DOWELS OF SIZE AND DIMENSION SHOWN. CLEAN DRILL HOLES WITH AIR PRESSURE TO REMOVE DUST AND STANDING WATER. HOLES MAY BE DAMP. GROUT SHALL BE NON-SHRINK PROPRIETARY CEMENT GROUT (4,000 PSI MINIMUM), OR EPOXY GROUT, AT CONTRACTOR'S OPTION. SELECTED GROUT MUST BE SUITABLE FOR USE IN WET HOLES. INSTALL PER MANUFACTURER'S INSTRUCTIONS. ENSURE THAT HOLES ARE COMPLETELY FILLED WITH GROUT. WHERE SURFACES ARE VERTICAL, INSTALL JOINTER WITH SLOPE DOWNHILL OR USING MANUFACTURER'S STANDARD HOLE STOPPER AND INJECTION SYSTEM.
      iii. HOOKS: HOOKS IN BARS SHALL BE DIMENSIONED AND BENT PER ACI STANDARD HOOKS.
      iv. REBAR COVER: WATER PASSAGE = 5"; INTERIOR = 2" OR AS NOTED; EXTERIOR = 3"
      v. CONCRETE ANCHORS: HILTI "HAS" ADHESIVE ANCHOR OR APPROVED EQUAL. INSTALL TO THE DEEPER OF THE DEPTH SHOWN ON THE DRAWINGS OR THE MANUFACTURER'S MINIMUM RECOMMENDED DEPTH.
      vi. CONTRACTOR MAY PROPOSE ADDITIONAL SPLICE LOCATIONS TO BE APPROVED BY OWNER.
4. FORMWORK AND CONSTRUCTION JOINTS:
   A. CONSTRUCT FORMS TRUE TO LINE AND GRADE, ADEQUATELY BRACED TO MAINTAIN POSITION DURING PLACEMENT OF CONCRETE. WELDING OF FORM TIES TO STRUCTURAL DOWELS IS NOT PERMITTED. THROUGH ADDITIONAL DOWELS MAY BE INSTALLED FOR THAT PURPOSE.
   B. PROVIDE 3/4" CHAMFER ON ALL EXPOSED EDGES UNLESS NOTED OTHERWISE
   C. REPAIR ALL AIR HOLES AND VOIDS LARGER THAN 1/4" AND FILL ALL TIE HOLES. REMOVE FINS AND PROJECTIONS.
   D. CONSTRUCTION JOINTS SHOWN SHALL BE LOCATED AS SHOWN UNLESS OTHERWISE APPROVED BY THE ENGINEER. ADDITIONAL JOINTS MAY BE USED. WHERE THE STRENGTH AND DURABILITY OF THE STRUCTURE IS NOT AFFECTED AND ARE SUBJECT TO THE REVIEW OF THE ENGINEER. IF CONTRACTOR PROPOSES CONSTRUCTION JOINT LOCATIONS DIFFERENT FROM THOSE SHOWN ON DRAWINGS, CONTRACTOR SHALL SUBMIT LOCATION OF ANY PROPOSED CONSTRUCTION JOINT TO ENGINEER FOR REVIEW.
   E. REINFORCEMENT SHALL BE CONTINUOUS THRU JOINT, UNLESS NOTED OTHERWISE.
   F. CLEAN ALL JOINTS TO REMOVE LATANCE WITH MIN. 1500 PSI WATER BLAST OR SANDBLASTING PRIOR TO NEXT CONCRETE PLACEMENT. MECHANICAL ROUGHENING IS AN ACCEPTABLE ALTERNATE FOR LATANCE REMOVAL. ACID CLEANING/REMOVAL OF LATANCE IS NOT ACCEPTABLE.
   G. SATURATE JOINT IMMEDIATELY PRECEEDING AND 12 HOURS PRIOR TO NEXT CONCRETE PLACEMENT. REMOVE ALL STANDING WATER.
   H. MAXIMUM HORIZONTAL C.J. SPACING IS 12 FEET (U.N.O.).
   I. MAXIMUM VERTICAL C.J. SPACING IS 35 FEET (U.N.O.).



TYPICAL SIGN POST EMBEDMENT DETAIL
N.T.S.



TYPICAL PRECAST CURB DETAIL
3/4" = 1'-0"

No.	Revision	Date	Drawn	Checked
1	REMOVED FISHING PLATFORM AND TITLE CHANGE	9/17/21	TLT	EMT
0	RELEASED FOR CONSTRUCTION	[illegible]	JFB	EMT

Designed	Drawn	Checked	Project No.	Date Revised	Drawing No.
EMT	BJL	EMT	3T618.0-048	09/17/21	01

BROOKFIELD RENEWABLE
LEWISTON, ME

WEST BUXTON
ANGLER ACCESS

GENERAL NOTES

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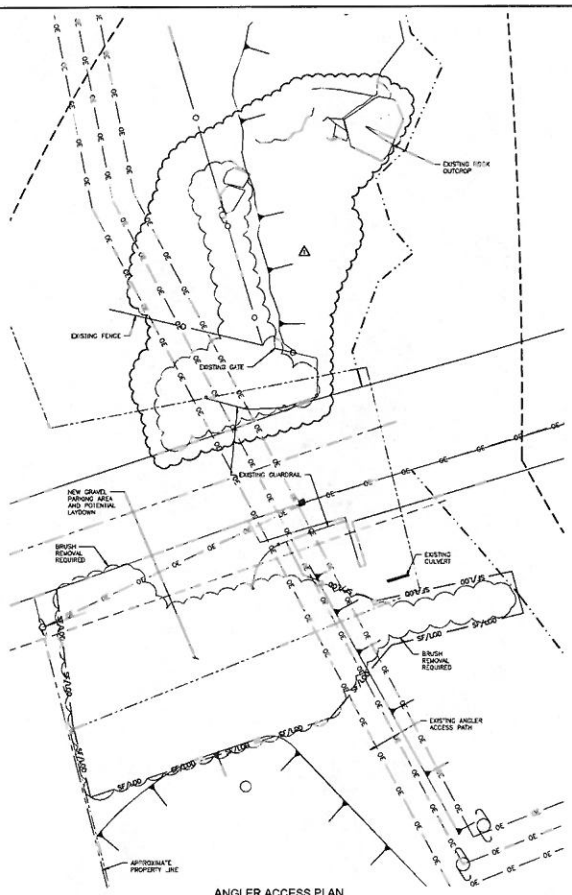
24:36 = FULL SCALE
0
1"
2"
3"
FLOWING BARREL
MONORAIL
SPILLWAY
FLUSH CHAT
INFORMED ACCESS PATH
BROOKFIELD RENEWABLE
LEWISTON, ME
WEST BUXTON
ANGLER ACCESS
OVERALL GENERAL SITE PLAN
Kleinschmidt
888-224-5542
KleinschmidtGroup.com
REMOVED FISHING PLATFORM SCOPE/TITLE CHANGE
RELEASED FOR CONSTRUCTION
Revision
Date
Drawn
Checked
TLT
EMT
JFB
EMT
Designed
Drawn
Checked
EMT
BJL
EMT
Project No.
3758-048
Date Revised
09/17/21
Drawing No.
02

24x36 = FULL SCALE



ANGLER ACCESS PLAN
1:10

100 0 100 200
SCALE IN FEET

STATE OF MAINE BRIAN THOMAS MCLEAN 3432

LEGEND	
EXISTING FENCE	— O —
EXISTING CONTOURS	— — XXX — —
EXISTING TREES	
EXISTING PROPERTY LINE	— - - —
EXISTING TREELINE	
EXISTING WATERLINE	— · —
EXISTING OVERHEAD LINES	— OE —
EXISTING POWER POLES	

No.	Revision	Date	Drawn	Checked
1	REMOVED FISHING PLATFORM EXCEPT FILE CHANGE	9/13/21	FLT	EMT
0	RELEASED FOR CONSTRUCTION	02/15/21	JFB	EMT

Designed	Drawn	Checked	Project No.	Date Formed	Drawing No.
EMT	BJL	EMT	3758-046	09/17/21	03

BROOKFIELD RENEWABLE
LEWISTON, ME

WEST BUXTON
ANGLER ACCESS

SEDIMENT AND EROSION CONTROL

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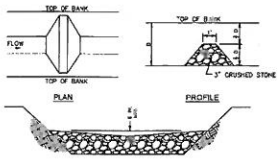
EROSION AND SEDIMENT CONTROL NOTES

1. EROSION PREVENTION AND SEDIMENT CONTROL SHALL BE IN ACCORDANCE WITH LOCAL AND STATE STANDARDS AND SPECIFICATIONS FOR EROSION PREVENTION & SEDIMENT CONTROL. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN PLACE PRIOR TO THE START OF EARTHWORK. THE CONTRACTOR SHALL ENSURE THAT THE APPROVED EROSION AND SEDIMENT CONTROL PLAN IS PROPERLY AND COMPLETELY IMPLEMENTED.
2. THE CONTRACTOR WILL BE RESPONSIBLE FOR THE PROPER CONSTRUCTION, STABILIZATION AND MAINTENANCE OF ALL EROSION AND SEDIMENTATION CONTROLS AND RELATED ITEMS INCLUDED WITHIN THIS PLAN. THE CONTRACTOR SHALL SCHEDULE AND CONDUCT HIS OPERATIONS TO MINIMIZE EVASION OF SOILS AND TO PREVENT SILTING AND MUDDYING OF STREAMS, RIVERS AND DRAINAGE SYSTEMS.
3. IMMEDIATELY UPON DISCOVERING UNFORESEEN CIRCUMSTANCES POSING THE POTENTIAL FOR ACCELERATED EROSION AND/OR SEDIMENT POLLUTION, THE CONTRACTOR SHALL IMPLEMENT APPROPRIATE EROSION AND SEDIMENT CONTROL MEASURES TO ELIMINATE THE POTENTIAL FOR ACCELERATED EROSION AND/OR SEDIMENT POLLUTION.
4. POLLUTANTS SUCH AS FUELS, LUBRICANTS, BITUMENS, RAW SEWAGE AND OTHER HARMFUL MATERIALS SHALL NOT BE DISCHARGED INTO OR NEAR RIVERS, STREAMS AND IMPOUNDMENTS OR INTO NATURAL OR MANMADE CHANNELS LEADING THERETO. WASH WATER OR WASTE FROM OPERATIONS SHALL NOT BE ALLOWED TO ENTER LIVE STREAMS.
5. THE CONTRACTOR SHALL NOT STOCKPILE EQUIPMENT, TOPSOIL, MATERIALS, ETC. IN OTHERWISE UNDISTURBED LAWN AREAS AND AREAS INDICATED FOR THE PRESERVATION OF EXISTING VEGETATION.
6. UNTIL THE SITE ACHIEVES FINAL STABILIZATION, THE CONTRACTOR SHALL ENSURE THAT THE EROSION AND SEDIMENT CONTROL MEASURES ARE IMPLEMENTED, OPERATED, AND MAINTAINED PROPERLY AND COMPLETELY. MAINTENANCE SHALL INCLUDE INSPECTIONS OF ALL EROSION & SEDIMENT CONTROL MEASURES.
7. ALL SEDIMENT REMOVED FROM EROSION AND SEDIMENT CONTROL MEASURES AS A PART OF MAINTENANCE SHALL BE DISPOSED OF IN AN AREA THAT IS:
   - A. LESS THAN 5% IN SLOPE.
   - B. AT LEAST 100 FT. FROM ANY DOWNSLOPE WATER BODY OR CONVEYANCE TO A WATER BODY (INCLUDING STORM DRAIN INLET OR DITCH).
   - C. VEGETATED.
8. CONTRACTOR SHALL PLACE ALL EXCESS CUT SOIL IN A SOIL PLACEMENT LOCATION APPROVED BY THE OWNER.
9. PERMANENT STABILIZATION OF SOIL SHALL BE IMMEDIATELY IMPLEMENTED FOLLOWING DISPOSAL.
10. DISTURBED AREAS BORDERING AND DRAINING TO WATERWAYS SHALL HAVE AN APPROPRIATE SEDIMENT BARRIER SPANNING THE EDGE OF THE DISTURBANCE TO PREVENT WASHING OF SEDIMENT ONTO WATERWAYS.
11. SEDIMENTATION BASIN: SEDIMENT LADEN WATER SHALL NOT BE RELEASED INTO ANY WATERWAY. CONTRACTOR SHALL PROVIDE APPROPRIATELY SIZED SEDIMENTATION BASIN, WATER FILTERING BAGS OR OTHER APPROVED SEDIMENT REMOVAL DEVICES FOR ALL DEWATERING OR WATER DIVERSION ACTIVITIES.
12. DE-SILTING BASINS OR WATER FILTERING BAGS OR OTHER APPROVED SEDIMENT REMOVAL DEVICES ON SHORE SHALL HAVE A EFFECTIVE BUFFER FOR DISCHARGE. BASINS NEED TO BE ACCESSIBLE FOR MAINTENANCE BUT OUT OF THE WAY OF LANDWORK AND CONSTRUCTION ACTIVITIES.
13. DEWATERING & WATER MANAGEMENT PLAN TO BE APPROVED BY OWNER'S ENGINEER.
14. [illegible]
15. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS AFTER FINAL SITE STABILIZATION OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED, UNLESS OTHERWISE AUTHORIZED.
16. EROSION CONTROL BLANKET SHALL BE NORTH AMERICAN GREEN ECRONET S150 DOUBLE-NET STRAW BLANKET, OR AN APPROVED EQUIVALENT, UNLESS OTHERWISE NOTED ON THE PLANS.

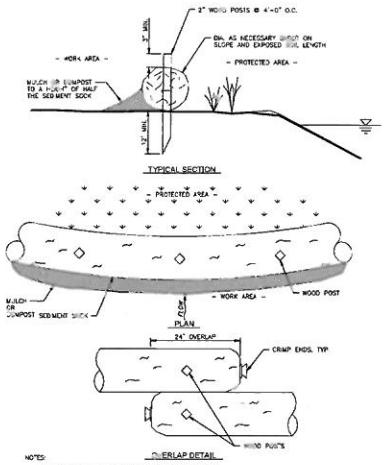


NOTES:

1. INSTALL BY PLACING APPROPRIATELY SIZED RIPRAP IN SPECIFIED LOCATION AS SPECIFIED IN THE DETAIL.
2. SEDIMENT MUST BE REMOVED WHEN ACCUMULATIONS REACH 1/2 THE HEIGHT OF CHECK DAM.
3. IMMEDIATELY UPON STABILIZATION OF EACH CHANNEL REMOVE ACCUMULATED SEDIMENT, REMOVE ROCK CHECK DAMS, AND STABILIZE DISTURBED AREAS.
4. [illegible]

TEMPORARY ROCK CHECK DAMS

N.T.S.

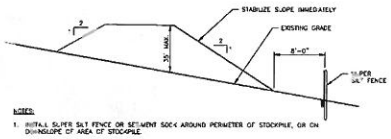


NOTES:

1. FABRIC SHALL BE HEAVY DUTY BIODEGRADABLE MESH.
2. FILLER SHALL BE FREE OF SEED AND LOW IN MOISTURE CONTENT, AND MAY CONSIST OF WOOD CHIPS OR COMPOST MATERIAL.
3. ENSURE SOCK RETAINS SHAPE FOR DURATION OF PROJECT. RESHAPE BY HAND AS NEEDED.
4. ENSURE SOCK MAINTAINS GROUND CONTACT. IF LOSS OF CONTACT, FILL DEPRESSIONS WITH CHIPS.
5. REGULARLY INSPECT SEDIMENT SOCK FOR DAMAGE OR SEDIMENT BUILDUP. REMOVE SEDIMENT BUILDUP WHEN MORE THAN 1/3 SOCK HEIGHT IS REACHED.
6. REPAIR ANY DAMAGE TO SOCK MATERIAL WITH ZIP TIES. DAMAGE OVER 12" LONG REQUIRED REPLACEMENT.
7. SOCK SHALL TURN UPHILL FOR AT LEAST 6 FEET AT EACH END OF THE SOCK AND SHALL RUN ALONG THE GRADE CONTOURS.

TYPICAL SEDIMENT SOCK DETAIL

N.T.S.

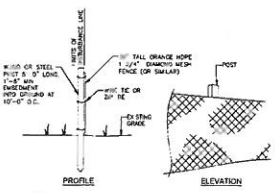


NOTES:

1. INSTALL SUPER SILT FENCE OR SEDIMENT SOCK AROUND PERIMETER OF STOCKPILE, OR ON DOWNSLOPE OF AREA OF STOCKPILE.
2. PLACE STOCKPILE IN AREAS WITHOUT BLOCKING NATURAL DRAINAGE PATTERNS.
3. FOLLOW DIMENSIONS SHOWN ABOVE. HEIGHT SHOULD NOT EXCEED 35 FT. SIDE SLOPES SHOULD NOT BE STEEPER THAN 2(H):1(V).
4. STABILIZE IMMEDIATELY PER RIGGM REQUIREMENTS.
5. PERFORM WEEKLY INSPECTIONS, ROUTINE MAINTENANCE AND REGULAR SEDIMENT REMOVAL.
6. APPLY TEMPORARY SEEDING OR POLYETHYLENE COVER IF STOCKPILE WILL NOT BE DISTURBED FOR 14 DAYS.

TEMPORARY STOCKPILE DETAIL

N.T.S.

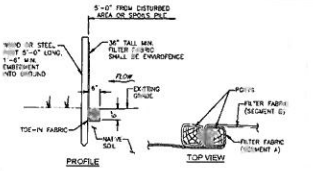


NOTES:

1. LOD FENCE SHALL RUN THE ENTIRE LENGTH/PERIMETER AS SHOWN ON THE PLANS. SILT FENCE OR SEDIMENT SOCK MAY SERVE AS THE LOD MARKER WHERE THEY OVERLAP.
2. MAINTAIN FENCE. REPAIR AREAS THAT ENCOUNTER DAMAGE DURING CONSTRUCTION.
3. NO ACTIVITY TO BE ALLOWED OUTSIDE THE DEMARCATED L.O.D. WITHOUT ENGINEER REVIEW AND ALL OWNER/PERMIT APPROVALS.

LIMITS OF DISTURBANCE FENCE DETAIL

N.T.S.



NOTES:

1. POST SPACING SHALL BE 10' FT. CENTER TO CENTER IF WIRE REINFORCED SILT FENCE IS USED OR 6 FT CENTER TO CENTER IF NO WIRE REINFORCEMENT IS USED.
2. SEDIMENT MUST BE REMOVED WHERE ACCUMULATION REACH 1/3 THE HEIGHT OF THE FENCE.
3. SILT FENCE SHALL BE ENVIROFENCE AS MANUFACTURED BY MIRAFI INC. PROPEX SILT STOP AS MANUFACTURED BY AMOCO FABRICS CO. OR APPROVED EQUAL.
4. [illegible]
5. LOCATE DOWN-GRADIENT OF ALL DISTURBED AREAS AND TEMPORARY STOCKPILES. PLACE ALONG CONTOURS AT UNIFORM ELEVATION. BOTH ENDS OF EACH FENCE SECTION MUST BE EXTENDED AT LEAST 6 FEET UPSLOPE AT 45 DEGREES TO THE MAIN FENCE ALIGNMENT.
6. SILT FENCE TO BE INSPECTED AFTER EACH RUNOFF EVENT AND AT LEAST WEEKLY AND REPAIRED & MAINTAINED AS NEEDED.

SILT FENCE DETAIL

N.T.S.

No.	Revision	Date	Drawn	Checked
1	TITLE CHANGE	03/17/21	JFB	EMT
0	RELEASED FOR CONSTRUCTION	03/05/21	JFB	EMT

Designed	Drawn	Checked
-	SJL	EMT

BROOKFIELD RENEWABLE
LEWISTON, ME

WEST BUXTON
ANGLER ACCESS

EROSION & SEDIMENT CONTROL NOTES & DETAILS

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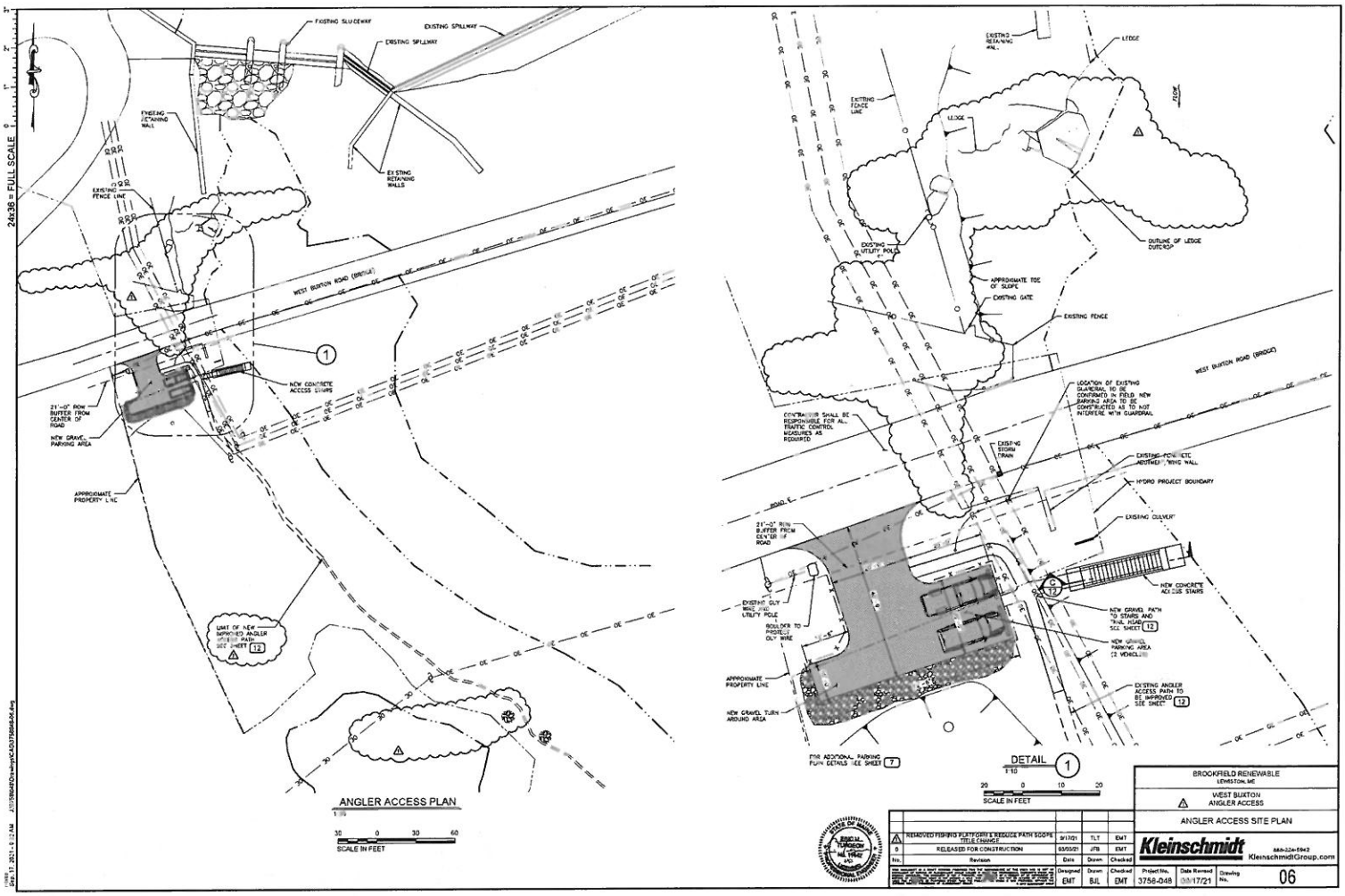
Project No.	Date Revised	Drawing No.
3758-048	09/17/21	04

24:36 = FULL SCALE


EXISTING SLUICEWAY
EXISTING SPILLWAY
EXISTING SPILLWAY
EXISTING RETAINING WALL
EXISTING RETAINING WALLS
EXISTING FENCE LINE
WEST BUXTON ROAD (BRIDGE)
NEW CONCRETE ACCESS STAIRS
21'-0" ROW BUFFER FROM CENTER OF ROAD
NEW GRAVEL PARKING AREA
APPROXIMATE PROPERTY LINE
LIMIT OF NEW IMPROVED ANGLER ACCESS PATH SEE SHEET 12
ANGLER ACCESS PLAN
SCALE IN FEET
EXISTING RETAINING WALL
LEDGE
EXISTING FENCE LINE
LEDGE
FLOW
EXISTING UTILITY POLES
OUTLINE OF LEDGE OUTCROP
APPROXIMATE TOE OF SLOPE
EXISTING GATE
EXISTING FENCE
WEST BUXTON ROAD (BRIDGE)
LOCATION OF EXISTING GUARDRAIL TO BE CONFIRMED IN FIELD. NEW PARKING AREA TO BE CONSTRUCTED AS TO NOT INTERFERE WITH GUARDRAIL
CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TRAFFIC CONTROL MEASURES AS REQUIRED
EXISTING STORM DRAIN
EXISTING CONCRETE ABUTMENT WING WALL
HYDRO PROJECT BOUNDARY
ROAD E
EXISTING CULVERT
21'-0" ROW BUFFER FROM CENTER OF ROAD
NEW CONCRETE ACCESS STAIRS
EXISTING GUY WIRE AND UTILITY POLE
BOULDER TO PROTECT GUY WIRE
NEW GRAVEL PATH TO STAIRS AND TRAIL HEAD SEE SHEET 12
NEW GRAVEL PARKING AREA (2 VEHICLES)
APPROXIMATE PROPERTY LINE
EXISTING ANGLER ACCESS PATH TO BE IMPROVED SEE SHEET 12
NEW GRAVEL TURN AROUND AREA
FOR ADDITIONAL PARKING PLAN DETAILS SEE SHEET 7
DETAIL 1
SCALE IN FEET
BROOKFIELD RENEWABLE
LEWISTON, ME
WEST BUXTON ANGLER ACCESS
ANGLER ACCESS SITE PLAN
REMOVED FISHING PLATFORM & REDUCE PATH SLOPE TITLE CHANGE 9/17/21 TLT EMT
B RELEASED FOR CONSTRUCTION 03/05/21 JPB EMT
No. Revision Date Drawn Checked
Designed EMT Drawn BJL Checked EMT
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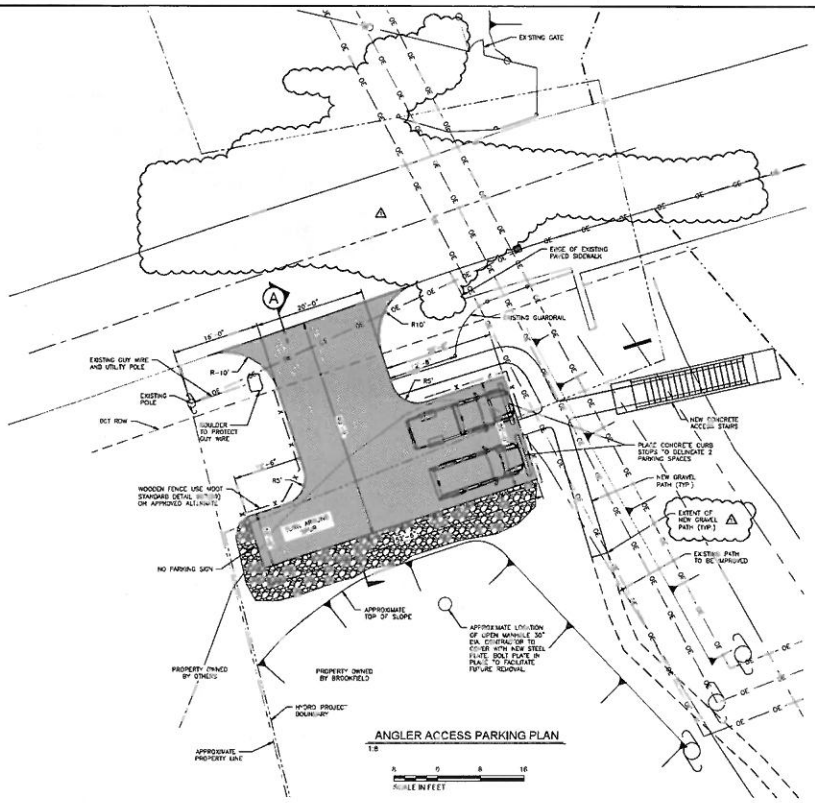
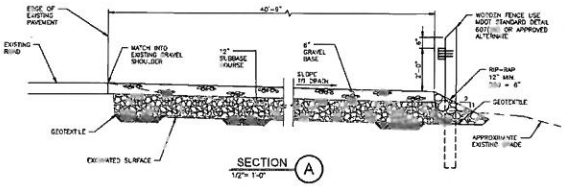
Project No. 3758-048
Date Revised 09/17/21
Drawing No. 06

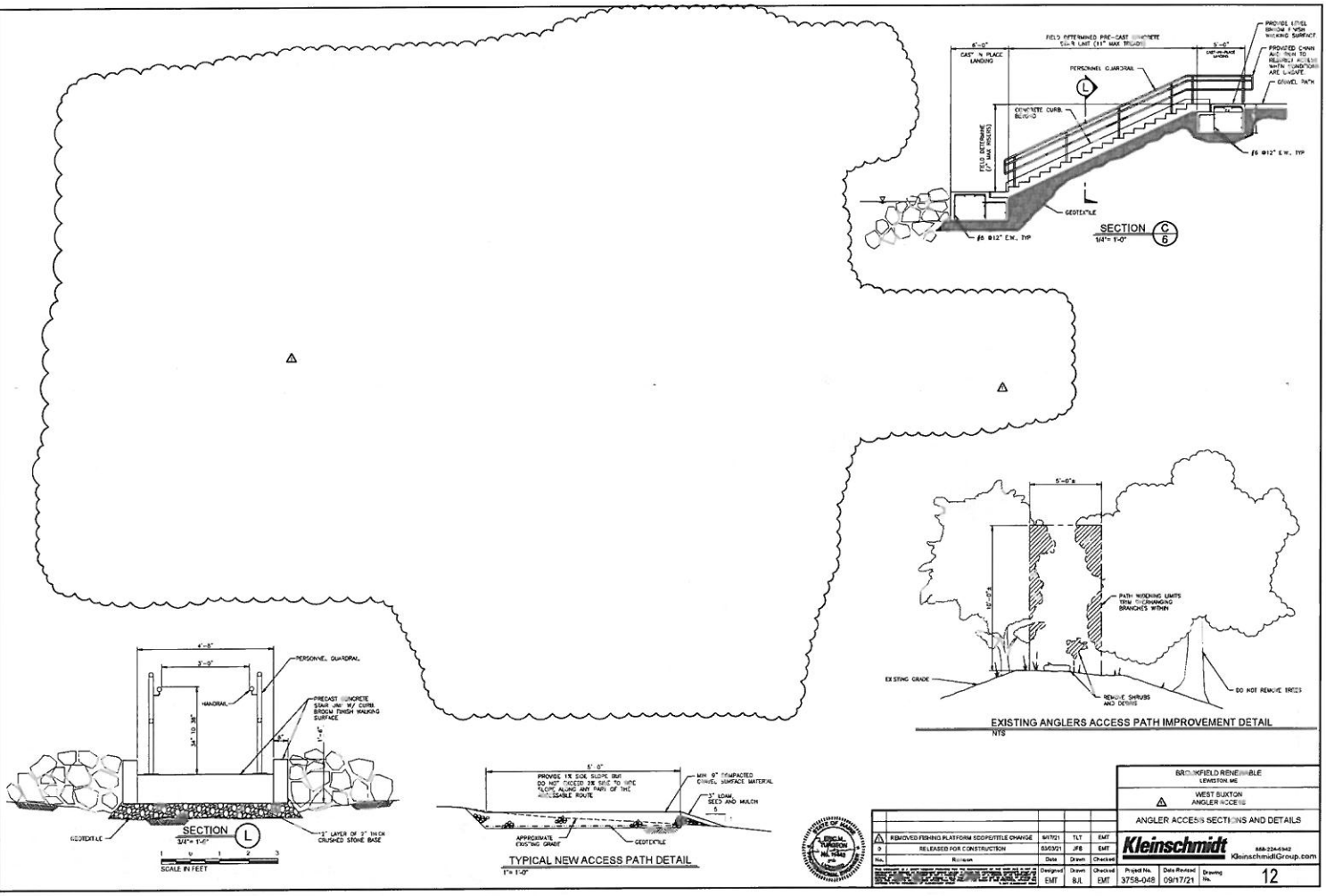




					BROOKFIELD RENEWABLE LEWISTON, ME
					WEST BUXTON ANGLER ACCESS
					ANGLER ACCESS PARKING PLAN AND SECTION
1	REVISED FISHING PLATFORM & ROAD DRAINAGE SWALE/RIPTILE CHANGE	9/17/21	TLT	EMT	Kleinschmidt 153-224-5942 KleinschmidtGroup.com
0	RELEASED FOR CONSTRUCTION	8/31/21	JFB	EMT	
No.	Revision	Date	Drawn	Checked	

Designed	Drawn	Checked	Project No.	Date Revised	Drawing No.
EMT	BJL	EMT	3758-048	09/17/21	07

24x36 = FULL SCALE


24x36 = FULL SCALE
SECTION C 6
1/4" = 1'-0"
PERSONNEL GUARDRAIL
CONCRETE CURB
GEOTEXTILE
#6 @12" E.W. TYP
GRAVEL PATH
SECTION L
3/4" = 1'-0"
PERSONNEL GUARDRAIL
HANDRAIL
PRECAST CONCRETE STAIR UNIT W/ CURB BROOM FINISH WALKING SURFACE
GEOTEXTILE
1" LAYER OF 3" THICK CRUSHED STONE BASE
SCALE IN FEET
TYPICAL NEW ACCESS PATH DETAIL
1" = 1'-0"
MIN 9" COMPACTED GRAVEL SURFACE MATERIAL
3" LOAM SEED AND MULCH
APPROXIMATE EXISTING GRADE
GEOTEXTILE
EXISTING GRADE
PATH WIDENING LIMITS TRIM THE HANGING BRANCHES WITHIN
REMOVE SHRUBS AND DEBRIS
DO NOT REMOVE TREES
EXISTING ANGLERS ACCESS PATH IMPROVEMENT DETAIL
NTS
BROOKFIELD RENEWABLE
LEWISTON, ME
WEST BUXTON ANGLER ACCESS
ANGLER ACCESS SECTIONS AND DETAILS
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REMOVED FISHING PLATFORM SCOPE/TITLE CHANGE
RELEASED FOR CONSTRUCTION
Designed EMT
Drawn BJL
Checked EMT
Project No. 3758-048
Date Revised 09/17/21
Drawing No. 12

174 FERC ¶ 62,047
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Brookfield White Pine Hydro, LLC Project No. 2531-085

ORDER APPROVING REVISED IMPLEMENTATION SCHEDULE TO COMPLETE RECREATION FACILITIES

(Issued January 26, 2021)

1. On November 16, 2020, Brookfield White Pine Hydro, LLC, licensee for the West Buxton Hydroelectric Project No. 2531,[1] filed a request to revise the implementation schedule to complete recreation facilities, pursuant to the approved recreation plan.[2] The project is located on the Saco River in York and Cumberland counties, Maine. The project does not occupy federal land.

2. Article 407, in accordance with Condition 6 of the Maine Department of Environmental Protection's Water Quality Certification, requires the licensee to operate and maintain, or provide for the operation and maintenance of the following sites: the Canoe Tailwater Access; the Canoe Impoundment Take-Out; the Project Boat Launch; and the Angler Access Trail. Article 407 also required the licensee to file a revised recreation plan, which the licensee filed on November 16, 2018 and Commission staff approved on January 3, 2019.

3. Section 6.0 of the approved recreation plan provides an implementation schedule for completion of recreation facilities at the project. Relevant to the current filing, the licensee must complete construction of the angler access trail and boat launch facility within two years of the filing date of the recreation plan (i.e., by November 16, 2020), contingent upon timely permit issuance and coordination with the Maine Department of Transportation (Maine DOT).

4. In accordance with the approved recreation plan, the licensee intends to install a concrete fishing pier and access trail north at the flood channel of West Buxton dam and a parking area and trail improvements along the river to the south to complete the angler access trail. The licensee reports that the final design of the angler access trail has been

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[1] Order Issuing New License (162 FERC ¶ 62,108), issued February 15, 2018.

[2] Order Approving Recreation Plan (166 FERC ¶ 62,005), issued January 3, 2019 (2019 Order).

completed. However, construction is delayed as the licensee continues efforts to obtain required local, state, and federal permits, as well as to coordinate with Maine DOT. Consultation with permitting agencies and Maine DOT have resulted in several redesigns of the facility. The licensee anticipates obtaining the necessary permits and authorizations to complete construction of the angler access trail by the fall of 2021.

5. The approved recreation plan also requires construction of a boat launch facility consisting of an access road, parking area, a single lane launch for hand-carry and small trailered boats, and a dock. During the design and permitting phase, initiated in 2019, the licensee states that it discovered vast expanses of wetlands within the licensee-owned parcel designated for the construction of the boat launch facility. The licensee reports that it has worked on several design reiterations to reduce wetland impacts and permitting burden. The licensee has also determined that there is no alternative location for the boat launch facility within the designated land area to avoid wetland impacts. Further concerns specific to the parking and boat launch installation, including crossing a transmission line corridor, shoreline tree removal, and the precipitous grade and high elevation of the shoreline proposed for the boat launch, were also raised. Therefore, the licensee proposes to re-evaluate options for and alternatives to the proposed boat launch, in consultation with the U.S. Fish and Wildlife service (FWS), Maine Department of inland Fisheries and Wildlife, and the Maine Department of Environmental Protection, before proceeding with the current design and location. The licensee proposes to comply with the requirement to provide hand-carry and small trailered boat access to the impoundment by November of 2023.

6. As an interim measure, the licensee proposes to make improvements to and designate parking at the canoe impoundment take-out to enhance accessibility to the impoundment. The licensee notes that the existing canoe take-out and proposed boat launch provide access to the same area of the impoundment. Further, with the addition of a dock at the canoe take-out, there is more accessibility for a broader range of watercraft, including small motorized boats. Completion of the parking enhancement (i.e., additional gravel parking spaces and signage) would be completed following agency consultation and contingent on obtaining required permits and authorizations. The licensee anticipates completing these interim measures by fall of 2021.[3] The licensee would also, as an interim measure, monitor the canoe take-out periodically to determine demand and instances of use in excess of capacity.

7. The licensee's filing was copied to FWS, the Maine Department of Inland Fisheries and Wildlife, and the Maine Department of Environmental Protection. No

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[3] Should the parking facilities proposed as an interim measure become permanent, the licensee must file an amendment to its approved recreation plan to reflect these facilities.

comments were filed with the Commission on the proposed implementation schedule revision.

8. The proposed revisions in the implementation schedule to complete construction of an angler trail access and boat launch facility are based on continued efforts by the licensee to comply with its approved recreation plan. The licensee has progressed with design and permitting for the angler access trail. More extensive consultation on the proposed boat launch facility is needed to avoid and/or minimize impacts to discovered wetlands within the land area designated for the boat launch. According to the information in the filing, the resource agencies have been involved throughout the design and permitting processes which have resulted in the further concerns.

9. The licensee proposes to complete the angler access trail in the fall of 2021 and the boat launch facility requirement in November of 2023. Since these timeframes do not clearly identify specific dates, we clarify the date for completion of the angler access trail to be an additional year from the original due date, until November 16, 2021 and the date to meet the requirement for the boat launch facility to be November 16, 2023. With these modifications, the licensee's proposed revised implementation schedule to complete recreation facilities at the project should be approved. The licensee is also reminded of its responsibility to file documentation of completion of the angler access trail and boat launch facility within 90 days of their completion, as required in ordering paragraph (B) of the 2019 Order. The licensee is reminded also that should the continued consultation result in any substantive changes to the approved boat launch facility, it must file with the Commission an amendment to the approved recreation plan, prior to initiating construction of the recreation facilities.

The Director orders:

(A) Brookfield white Pine Hydro, LLC's November 16, 2020 request to revise the implementation schedule to complete recreation facilities, pursuant to the approved recreation plan for the West Buxton Hydroelectric Project No. 2531, as modified by paragraphs (B) and (C) below, is approved.

(B) By November 16, 2021, the licensee must complete the angler access trail required by the approved recreation plan for the West Buxton Project No. 2531.

(C) By November 16, 2023, the licensee must comply with the requirement to install a boat launch facility as required by the approved recreation plan for the West Buxton Project No. 2531.

(D) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 825l (2018), and the Commission's regulations at 18 C.F.R. § 385.713 (2020). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

Robert J. Fletcher
Land Resources Branch
Division of Hydropower Administration
and Compliance

Dalyn Houser

From: Uriah Forest-Bulley <Uriah.Forest-Bulley@Kleinschmidtgroup.com>
Sent: January 5, 2021 10:06 AM
To: keisha@srcc-maine.org; Reny, Melissa
Cc: Dalyn Houser
Subject: RE: Permit #17-143

Good Afternoon Keisha,
Since submittal of the original permit application, Brookfield has determined that they will not be moving forward with any aspect of the boat launch at this time.

Brookfield does intend to move forward with the construction of the Angler Access Area in Spring of 2021 and asks that the SRCC only consider this portion of the original permit moving forward. Additionally, in consultation with the Maine Department of Transportation (MDOT), a modified parking area design is being developed in accordance with MDOT regulations for the Angler Access Area. The current design does not conform with MDOT driveway and entrance permit regulations and Brookfield is currently working with MDOT to develop a plan for the parking area that meets their standards. The updated design will be generally located in the same area and will be slightly larger so to move the designated parking spaces outside of the state aid road's right of way, and to accommodate a small turn around. We will submit final, updated parking area designs as soon as we have them.

From: Keisha Garnett <keisha@srcc-maine.org>
Sent: Wednesday, December 30, 2020 10:44 AM
To: Uriah Forest-Bulley <Uriah.Forest-Bulley@Kleinschmidtgroup.com>; Reny, Melissa <Melissa.Reny@brookfieldrenewable.com>
Cc: Dalyn Houser <dalyn@srcc-maine.org>
Subject: Permit #17-143

Good Morning Uriah and Melissa,

I hope all is going well for you both. I just wanted to check in with you regarding the status of the boat launch on Bonny Eagle Road in Hollis and the angler platform on West Buxton Road in Hollis.

As you may recall, a condition of the permit for the boat launch was that trees along the shoreline would be approved by SRCC staff prior to removal and a vegetation plan would also be provided for SRCC staff approval. A condition of the angler platform is that SRCC staff will determine if a revegetation plan is necessary.

We would like to know if the project has been started and when you may expect the trees would be ready for a site visit to approve removal? We are expecting another very busy year and I would highly recommend, to avoid delays, that you let us know a month in advance when the trees will be ready if they are not ready at this time. Site visits are typically conducted the second week of the month, and usually only once a month.

Thank you in advance for the update.

Happy holidays!

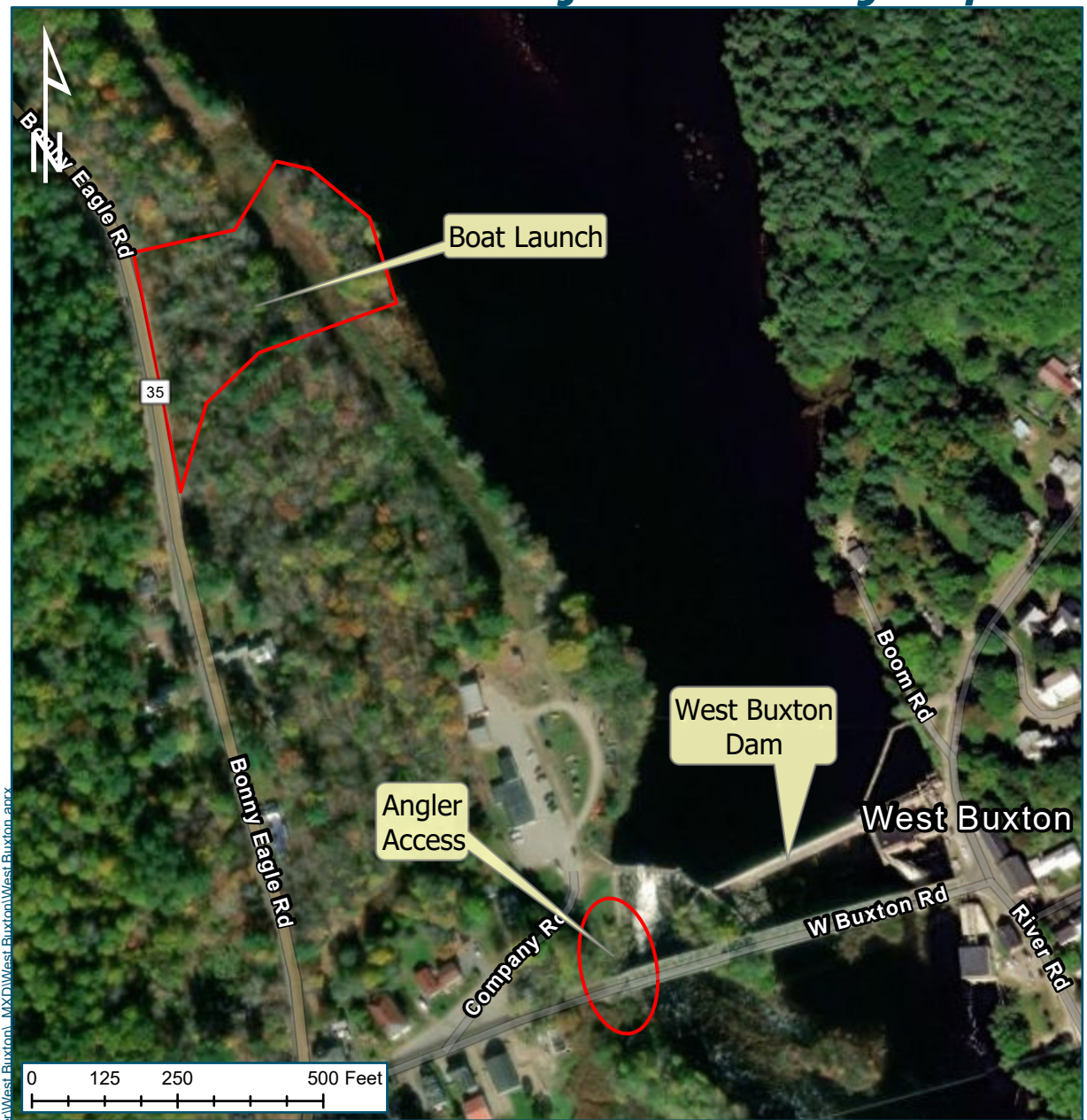
Sincerely,

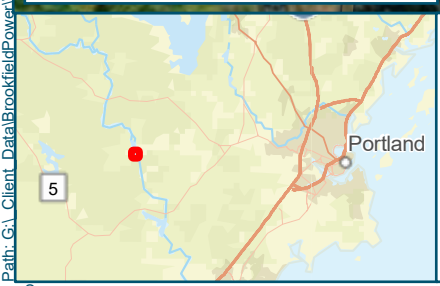
Keisha Garnett

Administrative Assistant
Clerk of the Board
Saco River Corridor Commission
207-625-8123
www.srcc-maine.org

81 Maple Street
P.O. Box 283
Cornish, ME 04020

West Buxton Project Areas of Impact





Legend

Area of Impact

Brookfield Renewable
Lewiston, ME

Drawn By:	Date Drawn:	Checked By:	Date Checked:
NXG	02-03-2020	MAH	02-03-2020

Kleinschmidt
141 Main St., PO Box 650
Pittsfield, Maine 04967
Telephone: (207) 487-3328
Fax: (207) 487-3124
www.KleinschmidtGroup.com

This map/data was created for informational, planning, reference and guidance purposes only. Kleinschmidt Associates makes no warranty, expressed or implied related to the accuracy or content of these materials.

Path: G:_Client_Data\BrookfieldPower\West Buxton_MXD\West Buxton\West Buxton.aprx

Date Printed: 3/17/2020

Source:

PN: 3758048.01

Brookfield White Pine Hydro

Permit #17-143-B

SRCC Screenshots

SRCC_Maps - January 2020
with Web AppBuilder for ArcGIS
Saco River Corridor Commission
RCAP Solutions, Inc
23 bonny eagle rd hollis maine
Show search results for 23 bonny ea...
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SRCC_Maps - January 2020 with Web AppBuilder for ArcGIS Saco River Corridor Commission RCAP Solutions, Inc

23 bonny eagle rd hollis maine

Show search results for **23 bonny ea...**

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010023000000
01235B000000
012036000000
0016-0023
0016-0015
0016-0014
0016-025&24
0016-0012
0016-0011
0016-0010

(1 of 3)

Parcels_2015

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COUNTY	York
GEOCODE	31100
STATE_ID	31100_010037000000
MAP_BK_LOT	010037000000
PARENT	
PROP_LOC	00000 WEST BUXTON
PROPLOCNUM	0.00
TYPE	Parcel
FMUPDORG	
FMUPDAT	4/1/2011
FMSRCORG	MUSKIE

Zoom to

200ft

-70.606 43.663 Degrees

Maxar

Brookfield White Pine Hydro

Permit #17-143-B

June 11, 2020, Site Visit by John Boland

DANGER!
WATER MAY
RISE RAPIDLY

DANGER
WATER MAY
RISE RAPIDLY

ANGLER ACCESS STAIRWAY AREA (DOWNSTREAM OF BRIDGE)

ANGLER ACCESS PARKING AREA

Robert Faucette

Permit #19-381

Time Extension

ROBERT FAUCETTE
9 OCEANVIEW CIRCLE
SACO, ME 04072
APPLICATION #19-381 (TIME EXTENSION)

PROJECT DESCRIPTION

1. The applicant is seeking a first time extension for a permit to construct a single family residence with an attached garage and accessory structures, a paved driveway, a private road, a meandering pathway to the water (with 21 wooden steps), and install an above ground pool approximately 275 feet from the mean high water line of the Saco River.

SITE LOCATION/DESCRIPTION

2. Location: Lot #18, (Map #8), 399 Ferry Road, Saco, Maine.
3. The lot has 700 feet of frontage on the Saco River.
4. This property is located within the Limited Residential District with some areas of Resource Protection District along the shoreline.
5. The proposed pool is approximately 315 feet from the mean high water line of the Saco River.
6. The closest point of construction from the mean high water line is approximately 275 feet from the Saco River. Though the exact location of the mean high water line is difficult to determine without a survey, this lot is conforming.

ANALYSIS

7. The applicant has completed all aspects of the previously approved permit, except for the meandering path and the above-ground pool. The area for the pool has already been cleared and the meandering path will require minimal vegetation removal.
8. The applicants have removed a select few trees on top of the bank in front of the home (approximately 4-5) for the meandering pathway/stairs to the water. The trees have been approved for removal by the Saco Code Enforcement Officer and allowed by the SRCC with the prior approval of the meandering pathway.
9. The bank is steeply sloped down to the tidal marsh area of the river and the applicant feels access to the water would be safer with stairs placed in a meandering fashion (these stairs were already approved by the commission).
10. The previously granted permit amendment included moving the location of the pool further from the mean high water line of the Saco River, opposite the riverside of the home.
11. The proposed use will not unreasonably involve any of the factors enumerated in section 959-A(1)(A)-(K) of the Act.
12. This is a conforming lot, and the applicants are meeting all relevant setbacks under the Act.

Robert Faucette

Permit #19-381

Permit Order

Saco River Corridor Commission

"Communities Working Together To Protect Our Rivers"

COMMISSION ORDER
IN THE MATTER OF

ROBERT FAUCETTE 9 OCEANVIEW CIRCLE SACO, ME 04072 APPLICATION #19-381 (amendment)	SACO RIVER CORRIDOR ACT FINDINGS OF FACT AND ORDER

The Saco River Corridor Commission, created by the Maine State Legislature in the Saco River Corridor Act, Title 38 M.R.S.A. Section 951, et. seq., hereinafter referred to as the "Act," at a meeting held on November 20, 2019 at Dayton, Maine, and after a review of the application and supporting documents makes the following findings of fact:

PROJECT DESCRIPTION

1. The applicant is seeking an amendment to an existing permit to include an increased building footprint of 28 x 62 feet for the single family residence, an attached 36 x 28 foot garage and 12 x 18 foot breezeway to be located approximately 200 feet from the nearest tidal channel of the Saco River known as "Great Creek." The applicant also requests an amendment for a private drilled well and the change of the location of the above-ground pool and patio area. The applicant received prior approval to pave his driveway, construct a 200-foot private road and create a meandering pathway to the water.

SITE LOCATION/DESCRIPTION

2. Location: Lot #18, (Map #8), 399 Ferry Road in Saco, Maine.

3. The lot has 700 feet of frontage on the Saco River.

4. This property is located within the Limited Residential District.

OTHER

1. On July 26, 2019, the applicant received a permit from the commission to construct a 32 x 46 foot single family residence with an attached 28 x 32 foot garage, construct a pool and patio, pave his driveway, construct a 200-foot private road and create a meandering pathway to the water. This was the original permit issued for this project.

P.O. Box 283 - Cornish, Maine 04020-0283 - (207) 625-8123 Fax (207) 625-7050 Email: srcc@srcc-maine.org

2. The meandering pathway will include 20-22 wooden steps separated into three different sections in a meandering fashion.

BASED ON THE ABOVE FINDINGS, as determined at a duly noticed Commission Meeting, the Commission draws the following conclusions:

1. The applicant has shown the proposed design to be within the meaning of the Act.

2. The proposed use will not unreasonably involve any of the factors enumerated in Section 959-A.1.A. through K of the Act.

THEREFORE, the Commission APPROVES the application amendment of Robert Faucette, #19-381, to a larger single family residence footprint (28 x 62 ft., 12 x 18 ft. and 36 x 28 ft.), with a private drilled well and the movement of the above-ground pool and patio to a location further from the waterfront, on the property owned by them, provided the activity is carried out according to the application and UPON THE FOLLOWING CONDITIONS:

1. Standard Conditions of Approval (copy attached).
2. The single family residence will be located approximately 200 feet from the nearest tidal channel of the Saco River known as "Great Creek."
3. Other conditions as decided by a vote of the Commission at a duly noticed Commission Meeting.

Any appeals from this decision, including any of its conditions, shall be taken pursuant to Section 968 of the Act, except that no appeal pursuant to Section 968 of the Act shall be taken from a decision of the Commission which decision was made without a public hearing until a request for reconsideration has been submitted to the Commission and the Commission has made a final determination in the matter. Any person wishing to file an appeal or to request reconsideration must do so within 30 days of the Commission's written decision and order. Requests for reconsideration must be submitted in accordance with applicable Commission regulations. All permits to be valid, must meet all federal, state, and local ordinances and regulations.

DONE AND DATED AT CORNISH, MAINE THIS 25th DAY OF NOVEMBER 2019.

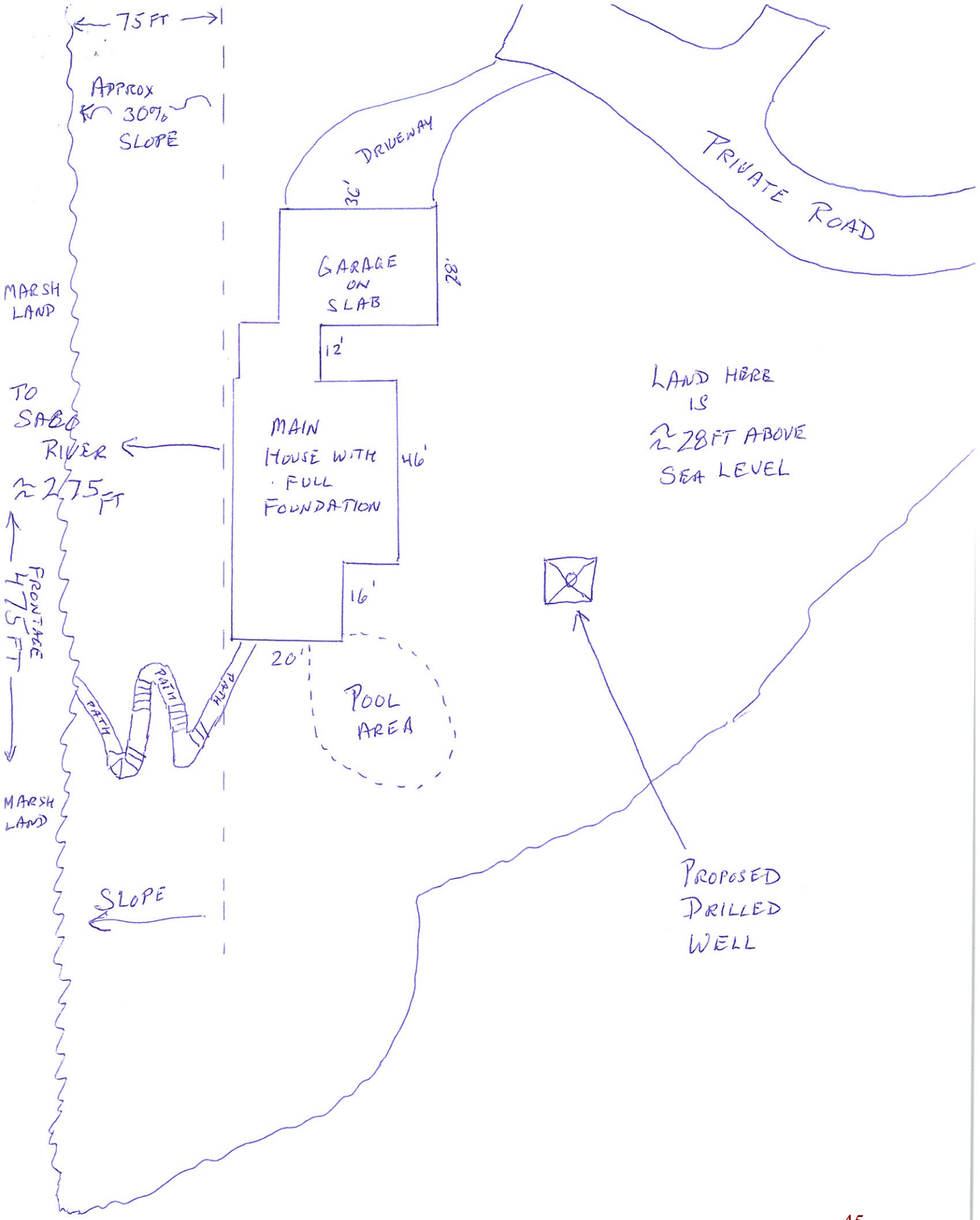
BY: Daly Houser
For Elizabeth Jakofsky, Chairperson

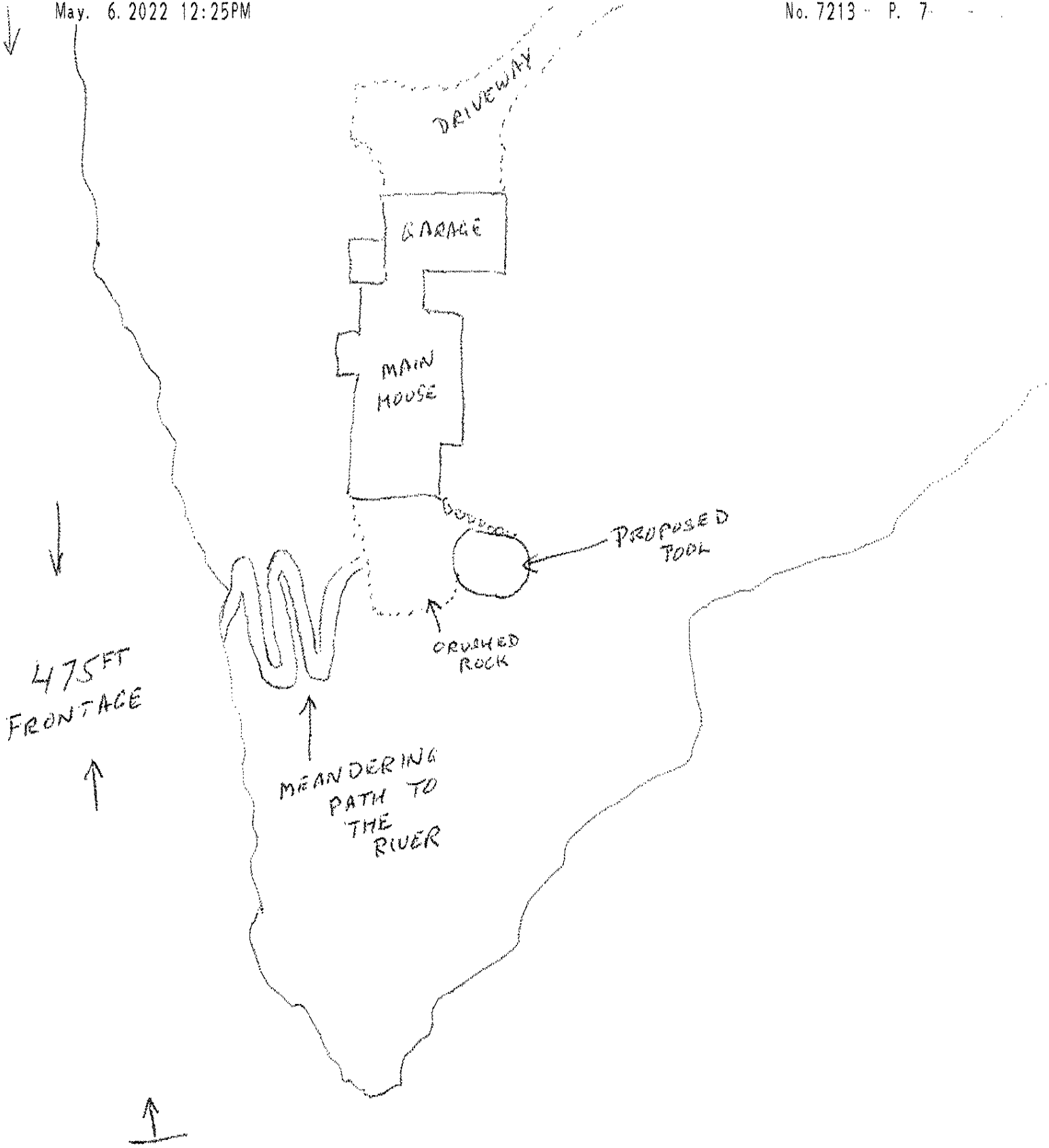
11/25/19
Dated

Robert Faucette

Permit #19-381

Site Plans


75 FT
APPROX 30% SLOPE
DRIVEWAY
PRIVATE ROAD
36'
GARAGE ON SLAB
28'
MARSH LAND
12'
TO SABO RIVER
≈ 275 FT
MAIN HOUSE WITH FULL FOUNDATION
46'
LAND HERE IS ≈ 28 FT ABOVE SEA LEVEL
FRONTAGE 475 FT
16'
20'
PATH
PATH
PATH
POOL AREA
MARSH LAND
SLOPE
PROPOSED DRILLED WELL



ROBERT FAUCETTE
5-6-22

Robert Faucette

Permit #19-381

SRCC Screenshots

SRCC_Maps - January 2020 with Web AppBuilder for ArcGIS Saco River Corridor Commission RCAP Solutions, Inc

399 ferry rd saco maine

Show search results for 399 ferry rd s...

Measurement_2

Feet

Measurement Result

315.3 Feet

Clear

Setback to Pool

Press CTRL to enable snapping

200ft

-70.399 43.477 Degrees

Layer List

Layers

- SmplSites_2019
- ME_SRCC Towns
- River_Saco_Edited
- River_LittleOssipeeFlowlinesDigitized
- Parcels_2015
- SRCCDistrictCats
- Conservation Lands within 1000ft Buffer
- Buffer100ft_FINAL
- Buffer250ft_FINAL
- Buffer500ft_FINAL
- Buffer1000ft_FINAL
- FEMA_FIRM_Merged_202001
- Biddeford_FloodZones_1986
- FloodZones_2006_Saco

Robert Faucette

Permit #19-381

Janurary 2020 Site Visit Pictures by John Boland

HydroGap

Hardship Variance Request Applications

Casey Gray

Application #15-561 with a Hardship Variance

CASEY GRAY
638 HOLLIS RD
HOLLIS, ME 04042
APPLICATION #15-561

PROJECT DESCRIPTION

1. The applicant is seeking a Hardship Variance for a permit to construct a single-family residence and septic system no closer than 256 feet from the normal high water line of the Little Ossipee Flowage.

SITE LOCATION/DESCRIPTION

2. Location: Lot #4 (Map #43), Basken Shore Road, Waterboro, Maine.
3. The 0.3-acre lot has 100 feet of frontage on the side closest to and most nearly parallel to Lake Arrowhead.
4. This property is located within the Limited Residential District.
5. The applicant proposes a 44 x 28-foot residence, setback 265 feet from the normal high water line.
6. The approximate setback of the proposed leach field is 293 feet from the water.
7. The lot is not within the 100-year floodplain.

ISSUES

8. The applicant is seeking Hardship Variances from the Saco River Corridor Act, Title 38 M.R.S.A.:
    a. §957-B. (3)(E)(3) The combined river frontage and setback of any building is not less than 500 feet;
    b. §958. If 2 or more contiguous lots or portions thereof are in single ownership on or after March 19, 1974, and if all or part of the lots do not meet the criteria of lot width, area, frontage or other measures required under this chapter or if a building thereon could not meet the aggregate requirements established by this chapter, the lots involved shall be considered to be one parcel for the purposes of this chapter;
    c. §962.(1)(G) The minimum lot size for each residential dwelling unit is 40,000 square feet…
9. The applicant seeks to use the frontage and square-footage of the "common land" owned by Eastern Shores Association's Lots #1-20 in calculating the frontage and lot size of Lot #4.
10. In November 2017, the Commission approved Permit #15-527, Paul Tebbetts, to construct a 28 x 48-foot single-family residence with a 28 x 32-foot detached garage. This permit included Lots #4, 5, and 6 (Map #43) with 280 feet of frontage.
11. John Boland conducted a compliance check on March 13, 2020 and reported that Mr. Tebbetts decided not to construct the home. Mr. Boland noted there was some confusion about the ownership of the lots when conversing with the applicant during the site visit and noted a "For Sale" sign on Lot # 4. Mr. Tebbetts did not provide a deed for the property with this application. Therefore, the ownership history is unclear. The grantors on the deed to Ms. Gray are Randy and Sheila Gleason. Ms. Gray has recently purchased this property. Ms. Gray outlined the ownership history of the lot in her Hardship Variance Request. (*See pg.2 for relevant section of the Act).*

12. The lot is nonconforming; however, it appears that the home, septic tank, and leach field are setback to the greatest practical extent given the lot size.
13. The applicant proposes minor vegetation clearing for the building envelope. Erosion control methods include silt fencing, with the project area loamed and seeded post-construction.

ANALYSIS

14. The proposal includes a septic system with a 1,000-gallon tank and a design flow of 270 gallons per day to support a three-bedroom home.
15. The proposed leach field is 768 square feet, located behind the proposed residence and closest to Basken Shore Road.
16. A drilled well is proposed for the water supply.
17. Mr. Boland conducted a site visit on April 15, 2022. Mr. Boland stated that the previous owner owned the lot in question and the two adjacent lots, therefore, the lot should not have been sold separately.

RELEVANT STANDARDS OF THE ACT

18. **§957-B. (3)(E)(3):** The combined river frontage and setback of any building is not less than 500 feet;
19. **§958. Existing uses:** If 2 or more contiguous lots or portions thereof are in single ownership on or after March 19, 1974, and if all or part of the lots do not meet the criteria of lot width, area, frontage or other measures required under this chapter or if a building thereon could not meet the aggregate requirements established by this chapter, the lots involved shall be considered to be one parcel for the purposes of this chapter.
20. **§962.(1)(G):** The minimum lot size for each residential dwelling unit is 40,000 square feet…

Saco River Corridor Commission

PUBLIC HEARING NOTICE

The Saco River Corridor Commission, under the authority of 38 M.R.S.A. §951 et. seq., will hold a public hearing beginning at **6:00 PM on May 25th, 2022**, via Zoom Webinar. The subject of the public hearing is a request from **Casey Gray** for a Hardship Variance from the Saco River Corridor Act, for relief of standards. The applicant is seeking Hardship Variances from the Saco River Corridor Act, *Title 38 M.R.S.A., §957-B. (3)(E)(3) The combined river frontage and setback of any building is not less than 500 feet; §958. If 2 or more contiguous lots or portions thereof are in single ownership on or after March 19, 1974, and if all or part of the lots do not meet the criteria of lot width, area, frontage or other measures required under this chapter or if a building thereon could not meet the aggregate requirements established by this chapter, the lots involved shall be considered to be one parcel for the purposes of this chapter; and §962.(1)(G) The minimum lot size for each residential dwelling unit is 40,000 square feet…*

The location of this project is Lot #4, (Map #43), Basken Shore Road in Waterboro, Maine. Information with respect to this application is available in the Commission Office by phone at (207) 625-8123 or by fax at (207) 625-7050, located at 81 Maple Street in Cornish, Maine.

To be considered by the Commission, any written comments must be received in the Commission's office no later than 5:00 PM on May 24th, 2022. Oral testimony will be taken at the public hearing. Meeting login information can be obtained on the SRCC website at srcc-maine.org or by contacting the office.

Dalyn Houser

Executive Director

Casey Gray

Application #15-561 with Hardship Variance

Site Plans

APPROVED BY
SELECTMEN
OF WATERBORO
Philip E. Green
Norman Taylor
John T. Smith

SIMONS LAND

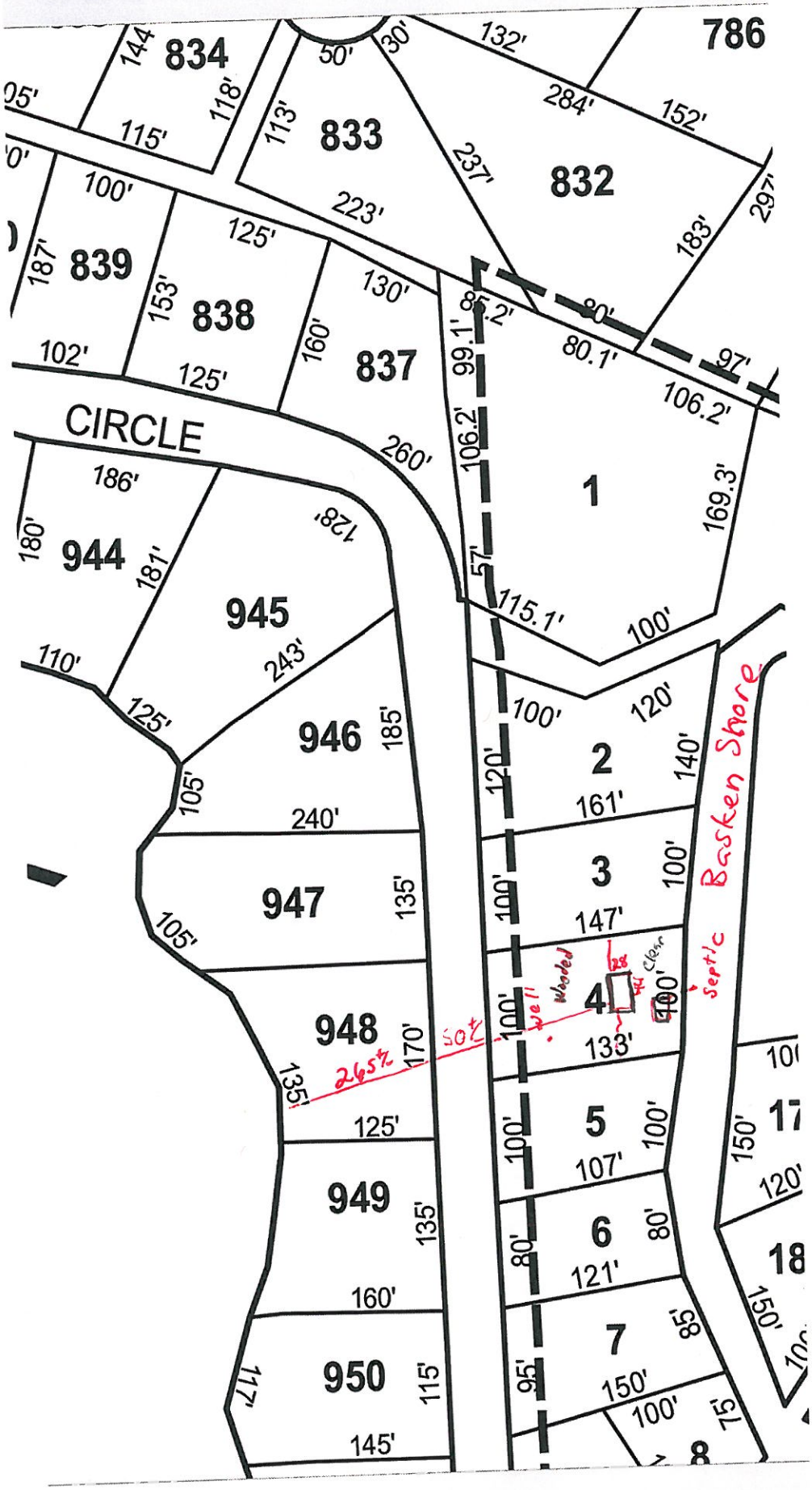
SUBJECT

N-55-E

1460+-

IRON

Authentisign ID: 48659A60-158F-478D-B368-9AF7F3651D61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Basken Shore
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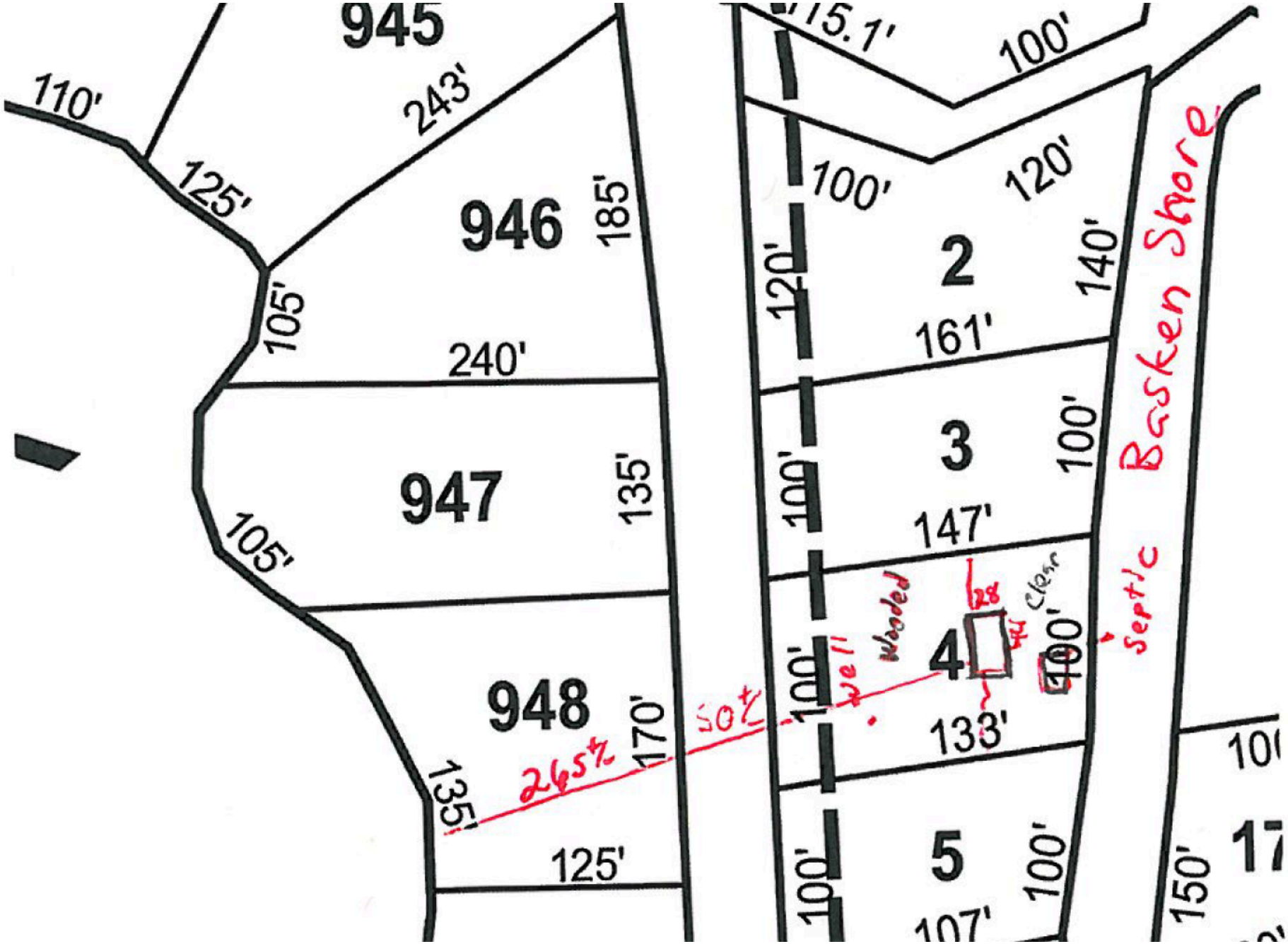
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3
100'
147'
4
133'
5
107'
100'
100'
100'
100'
100'
100'
Well
Wooded
28
Clear
Septic
Basken Shore
150'

6991

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services
Div. Environmental Health, 11SHS
(207) 287-2070 Fax: (207) 287-4172

PROPERTY LOCATION

City, Town, or Plantation	Waterboro
Street or Road	45 Basken Shores Road
Subdivision, Lot #	Lot 4

>> CAUTION: LPI APPROVAL REQUIRED <<

Town/City _____ Permit # _____

Date Permit Issued ___/___/___ Fee: $_____ Double Fee Charged [ ]

_____ L.P.I. # _____

Local Plumbing Inspector Signature

Fee: $_____ state min fee $_____ Locally adopted fee

Copy: [ ] Owner [ ] Town [ ] State

The Subsurface Wastewater Disposal System shall not be installed until a Permit is issued by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.

Municipal Tax Map # _____ Lot # _____

OWNER/APPLICANT INFORMATION

Name (last, first, MI)	Southern Maine Modular — Owner [ ] Applicant [✓]
Mailing Address of Owner/Applicant	638 Hollis Road
	Hollis 04042
Daytime Tel. #	929-5942

OWNER OR APPLICANT STATEMENT

I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a Permit.

_____ Signature of Owner or Applicant _____ Date

CAUTION: INSPECTION REQUIRED

I have inspected the installation authoirzed above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application. _____ (1st) date approved

_____ Local Plumbing Inspector Signature _____ (2nd) date approved

PERMIT INFORMATION

TYPE OF APPLICATION

1. First Time System
2. Replacement System

Type replaced: _____

Year installed: _____

3. Expanded System
   a. <25% Expansion
   b. ≥25% Expansion
4. Experimental System
5. Seasonal Conversion

THIS APPLICATION REQUIRES

1. No Rule Variance
2. First Time System Variance
   a. Local Plumbing Inspector Approval
   b. State & Local Plumbing Inspector Approval
3. Replacement System Variance
   a. Local Plumbing Inspector Approval
   b. State & Local Plumbing Inspector Approval
4. Minimum Lot Size Variance
5. Seasonal Conversion Permit

DISPOSAL SYSTEM COMPONENTS

1. Complete Non-engineered System
2. Primitive System (graywater & alt. toilet)
3. Alternative Toilet, specify: _____
4. Non-engineered Treatment Tank (only)
5. Holding Tank, _____ gallons
6. Non-engineered Disposal Field (only)
7. Separated Laundry System
8. Complete Engineered System (2000 gpd or more)
9. Engineered Treatment Tank (only)
10. Engineered Disposal Field (only)
11. Pre-treatment, specify: _____
12. Miscellaneous Components

SIZE OF PROPERTY

0.30 SQ. FT. ACRES

SHORELAND ZONING

Yes No

DISPOSAL SYSTEM TO SERVE

1. Single Family Dwelling Unit No. of Bedrooms: 3
2. Multiple Family Dwelling, No. of Units: _____
3. Other: _____ (specify)

Current Use Seasonal Year Round Undeveloped

TYPE OF WATER SUPPLY

1. Drilled Well 2. Dug Well 3. Private 4. Public 5. Other

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)

TREATMENT TANK

1. Concrete
   a. Regular
   b. Low Profile
2. Plastic
3. Other: _____

CAPACITY 1000 GAL.

DISPOSAL FIELD TYPE & SIZE

1. Stone Bed 2. Stone Trench
3. Proprietary Device
   a. cluster array c. Linear
   b. regular load d. H-20 load
4. Other: _____

SIZE: 768 sq. ft. lin. ft.

GARBAGE DISPOSAL UNIT

1. No 2. Yes 3. Maybe

If Yes or Maybe, specify one below:

a. multi-compartment tank
b. ___ tanks in series
c. increase in tank capacity
d. Filter on Tank Outlet

DESIGN FLOW

270 gallons per day

BASED ON:

1. Table 4A (dwelling unit(s))
2. Table 4C(other facilities)
   SHOW CALCULATIONS for other facilites
3. Section 4G (meter readings)
   ATTACH WATER METER DATA

SOIL DATA & DESIGN CLASS

PROFILE CONDITION

5 / B

at Observation Hole # TP1

Depth >48 "

of Most Limiting Soil Factor

DISPOSAL FIELD SIZING

1. Medium---2.6 sq. ft. / gpd
2. Medium---Large 3.3 sq. f.t / gpd
3. Large---4.1 sq. ft. / gpd
4. Extra Large---5.0 sq. ft. / gpd

EFFLUENT/EJECTOR PUMP

1. Not Required
2. May Be Required
3. Required

Specify only for engineered systems:

DOSE: _____ gallons

LATITUDE AND LONGITUDE

at center of disposal area

Lat. 43 d 38 m 18 s

Lon. 70 d 43 m 49 s

if g.p.s, state margin of error: 15

SITE EVALUATOR STATEMENT

I certify that on 3/10/22 (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).

Hope Hampton — Site Evaluator Signature

427 — SE #

3/10/22 — Date

Hope Hampton — Site Evaluator Name Printed

207-632-8125 — Telephone Number

hamptonsiteeval@gmail.com — E-mail Address

Note : Changes to or deviations from the n should be confirmed with the Site Evaluator.

6991

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Health & Human Services
Division of Environmental Health
(207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation	Street, Road, Subdivision		Owner's Name
Waterboro	45 Basken Shores Road	Lot 4	Southern Maine Modular

SITE PLAN Scale 1" = 50 ft. or as shown

SITE LOCATION PLAN

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

Observation Hole TP1 ☑ Test Pit ☐ Boring
_____" Depth of Organic Horizon Above Mineral Soil

Depth Below Mineral Soil Surface (inches)	Texture	Consistency	Color	Mottling
0–10	Loamy Sand	Friable	Dark Brown	
10–20	Sand	Friable	Yellow Brown	
20–50	Sand	Friable	Tan	None Noted

Soil Classification	Slope	Limiting Factor	
5 (Profile) B (Condition)	0 %	>48 "	[ ] Ground Water [ ] Restrictive Layer [ ] Bedrock [ ] Pit Depth

Observation Hole _____ ☐ Test Pit ☐ Boring
_____" Depth of Organic Horizon Above Mineral Soil

Depth Below Mineral Soil Surface (inches)	Texture	Consistency	Color	Mottling
0–10				
10–20				
20–30				
30–40				
40–50				

Soil Classification	Slope	Limiting Factor	
_____ (Profile) _____ (Condition)	_____ %	_____ "	[ ] Ground Water [ ] Restrictive Layer [ ] Bedrock [ ] Pit Depth

Site Evaluator Signature: [signature] SE #: 427 Date: 3/10/22

6991

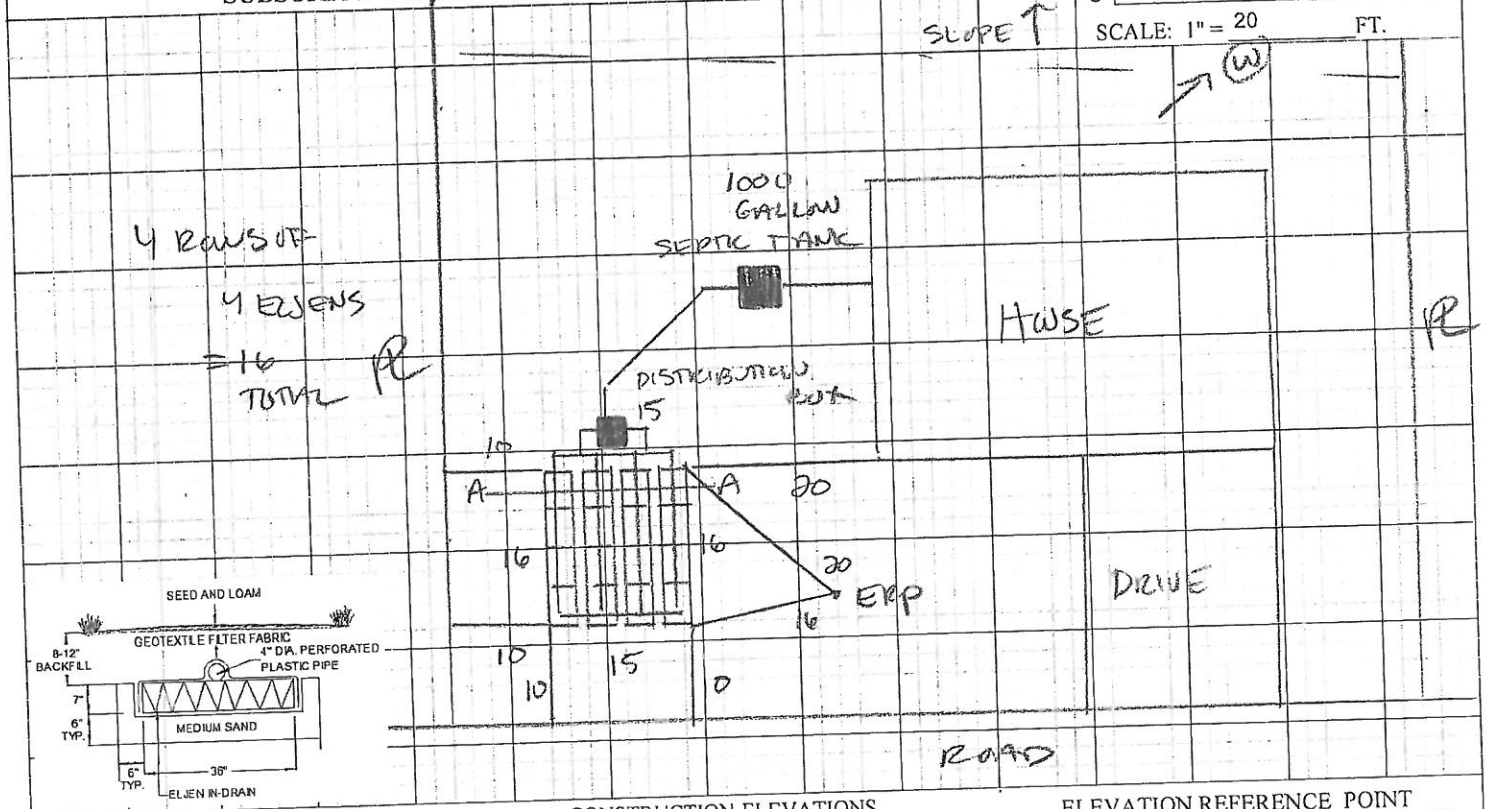
SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Health & Human Services
Division of Environmental Health
(207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation	Street, Road, Subdivision		Owner's Name
Waterboro	45 Basken Shores Road	Lot 4	Southern Maine Modular

SUBSURFACE WASTEWATER DISPOSAL PLAN

0 SCALE: 1" = 20 FT.



FILL REQUIREMENTS		CONSTRUCTION ELEVATIONS		ELEVATION REFERENCE POINT
Depth of Fill (Upslope)	0	Finished Grade Elevation	-38	Location & Description: Top of grade stake, 40" above grade
		Top of Distribution Pipe or Proprietary Device	-48	Reference Elevation: 0
Depth of Fill (Downslope)	0	Bottom of Disposal Area	-59	

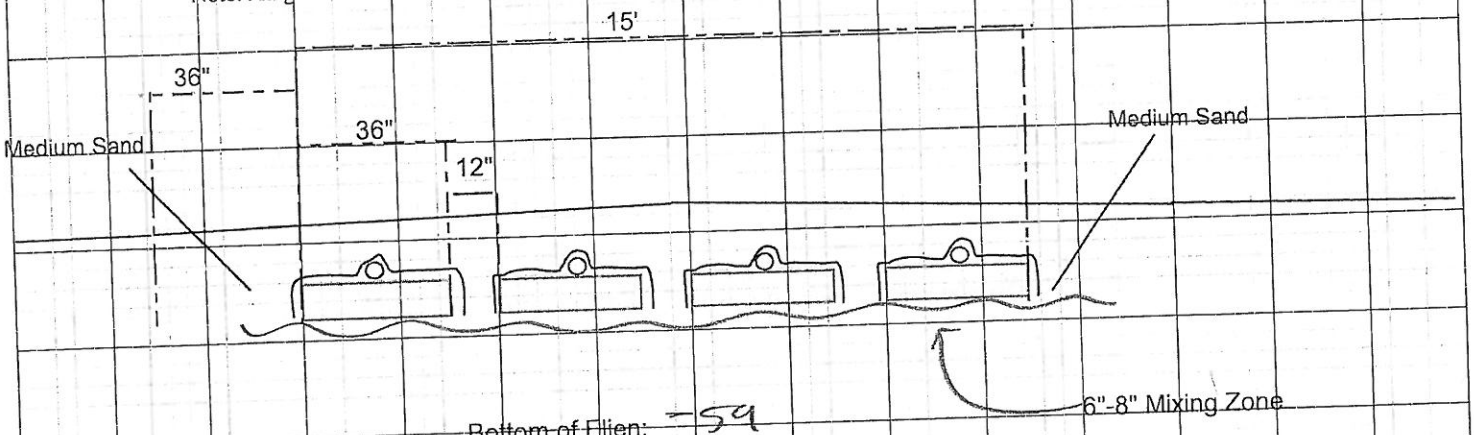
Note: Materials and installation shall be in accordance with Maine Subsurface Wastewater Disposal Rules dated 08/15 as amended.

DISPOSAL AREA CROSS SECTION

A-A

Scale
Horizontal 1" = 4 ft.
Vertical 1" = 4 ft.

Note: All ground to be filled must be scarified

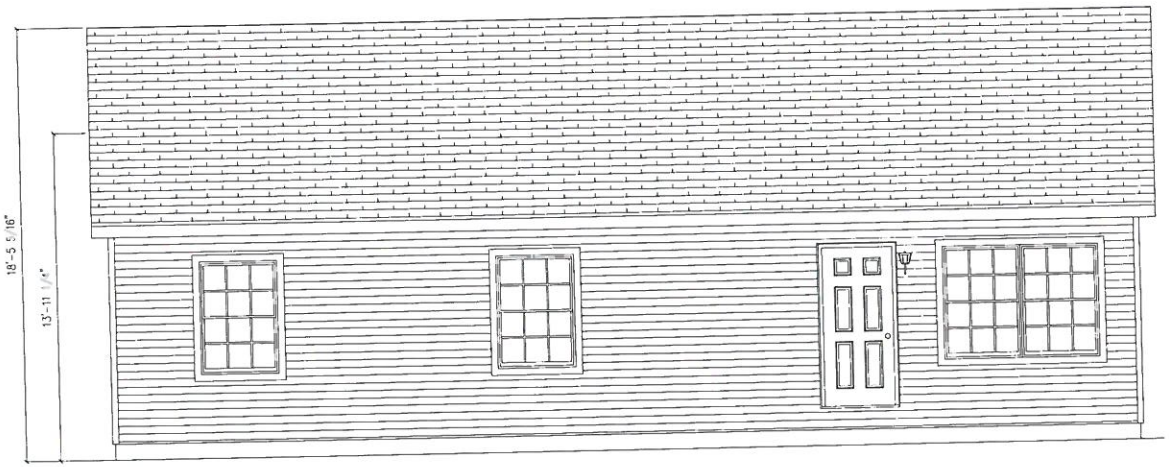


Bottom of Eljen: -59

Site Evaluator Signature | 427 SE # | 3/10/22 Date

INSTALL OVERHANG BLOCK & EXTENSIONS
SHIPLOOSE PIPES BUILDER TO RUN CONNECTIONS ON-SITE
SHIPLOOSE KNEE WALLS BETWEEN FLIP & OVERHANG BLOCK

INSTALL 1X3 SHADOW BOARD ON FASCIA W/STEPPED ALUMINUM FASCIA



CEILING

FLOOR

ACTUAL HOUSE MAY VARY FROM ELEVATION--ACCESS TO GRADE ON-SITE BY OTHERS

SCOTTW 3/14/2022 11:10:35 AM

DS PWK

DS EFK

BUILDER: SOUTHERN MAINE MODULAR IN
CUSTOMER: BASKEN SHORE
CITY: WATERBORO
COUNTY: YORK
STATE: ME
WIND SPEED: 115 MPH VULT
SNOW LOAD: 50
SQ. FT.: 1210
ORDER NO.
SERIAL NO.
FILE NO.

2844--CBS RANCH
FRONT ELEVATION

MBSP
CUSTOM BUILDING SYSTEMS LLC

STATUS: STF
DRAWN BY: SHW
DATE: 03/14/2022

PAGE: 2.1

ATTIC VENTILATION
50% @ EAVES
02 SUPPLIED 2.73
50% 3'-0" MIN ABOVE EAVES
02 SUPPLIED 2.16 (3 PCS)

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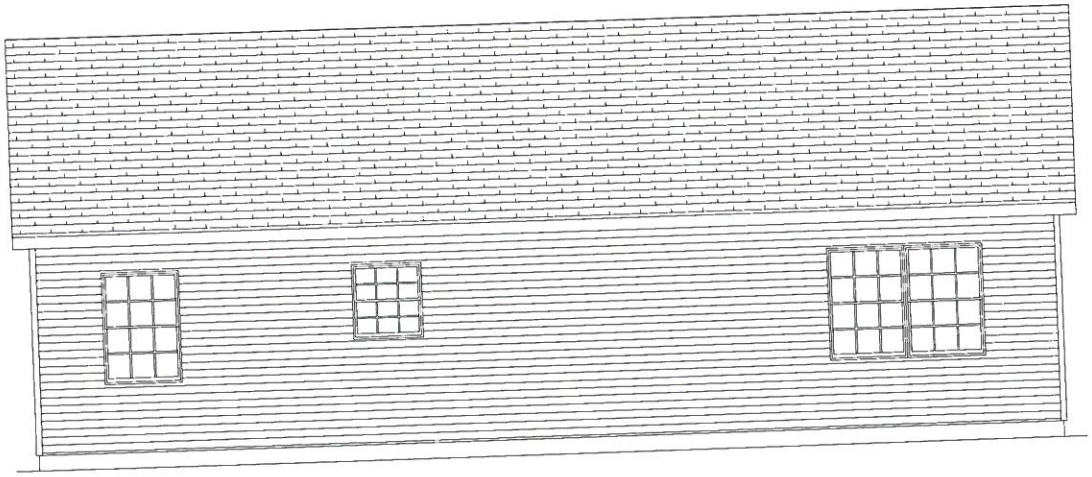
INSTALL 1X3 SHADOW BOARD ON FASCIA W/STEPPED ALUMINUM FASCIA



CEILING

FLOOR

ACTUAL HOUSE MAY VARY FROM ELEVATION--ACCESS TO GRADE ON-SITE BY OTHERS

SCOTTW 3/14/2022 11:10:35 AM

DS PLUK

DS EFFK

BUILDER: SOUTHERN MAINE MODULAR IN

CUSTOMER: BASKEN SHORE

CITY: WATERBORO

COUNTY: YORK

STATE: ME

WIND SPEED: 115 MPH VULT

SNOW LOAD: 50

SQ. FT: 1210

ORDER NO.:

SERIAL NO.:

FILE NO.:

2844-CBS RANCH

REAR ELEVATION

MBSP MODULAR BUILDING SYSTEMS LLC

CUSTOM BUILDING SYSTEMS LLC

Custom Building Systems LLC
200 Cooper Ave
Winterville, NC 28590
(888) 553-444
www.custombuildingsystems.net

DATE: 03/14/2022

DRAWN BY: SWW

STATUS: STF

PAGE: 2.2

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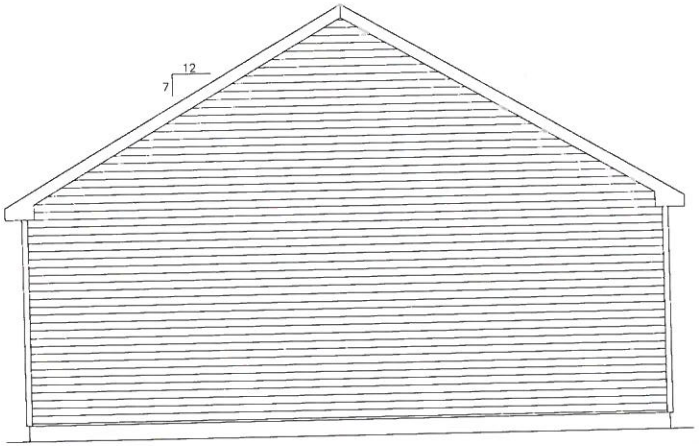
INSTALL 1X3 SHADOW BOARD ON FASCIA W/STEPPED ALUMINUM FASCIA



CEILING

FLOOR

ACTUAL HOUSE MAY VARY FROM ELEVATION--ACCESS TO GRADE ON-SITE BY OTHERS

SCOTTW 3/14/2022 11:10:35 AM

DS PLWK

DS EFH

BUILDER	SOUTHERN MAINE MODULAR IN
CUSTOMER	BASSKEN SHORE
CITY	WATERBORO
COUNTY	YORK
STATE	ME
WIND SPEED	115 MPH VULT
SNOW LOAD	50
SQ. FT.	1210
ORDER NO.	
SERIAL NO.	
FILE NO.	

2844-CBS RANCH
LEFT ELEVATION

MBSP MODULAR BUILDING SYSTEMS

Custom Building Systems LLC
202 Carlisle Ave
Middleburg, PA 17842
(888) 553-1414
www.custombuildingsystems.net

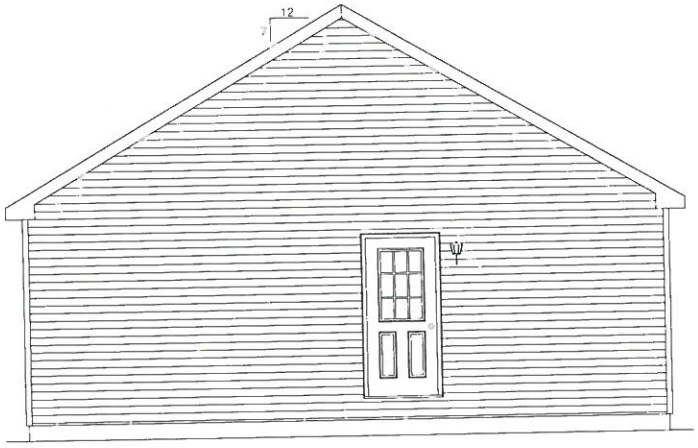
CUSTOM BUILDING SYSTEMS LLC

DATE:	DRAWN BY:	STATUS:
03/14/2022	SHAW	STF

PAGE: 2.3

DocuSign Envelope ID: FAF5DF84-E516-48F9-9B0D-6B71F6A04C08

INSTALL 1X3 SHADOW BOARD ON FASCIA W/STEPPED ALUMINUM FASCIA



CEILING

FLOOR

ACTUAL HOUSE MAY VARY FROM ELEVATION–ACCESS TO GRADE ON–SITE BY OTHERS

SCOTTW 3/14/2022 11:10:35 AM

DS PWK

DS EFH

BUILDER: SOUTHERN MAINE MODULAR IN

CUSTOMER: BASKEN SHORE

CITY: WATERBORO | COUNTY: YORK | STATE: ME

WIND SPEED: 115 MPH ULT | SNOW LOAD: 50 | SQ. FT.: 1210

ORDER NO. | SERIAL NO | FILE NO.

2844–CBS RANCH
RIGHT ELEVATION

MBSP MODULAR BUILDING SYSTEMS OF PA

Custom Building Systems LLC
200 Custom Ave
Mechanicsburg, PA 17502
(888) 825-1414
www.custombuildingsystems.com

CUSTOM BUILDING SYSTEMS LLC

DATE: 02/14/2022 | DRAWN BY: SMH | STATUS: STF

PAGE: 2.4

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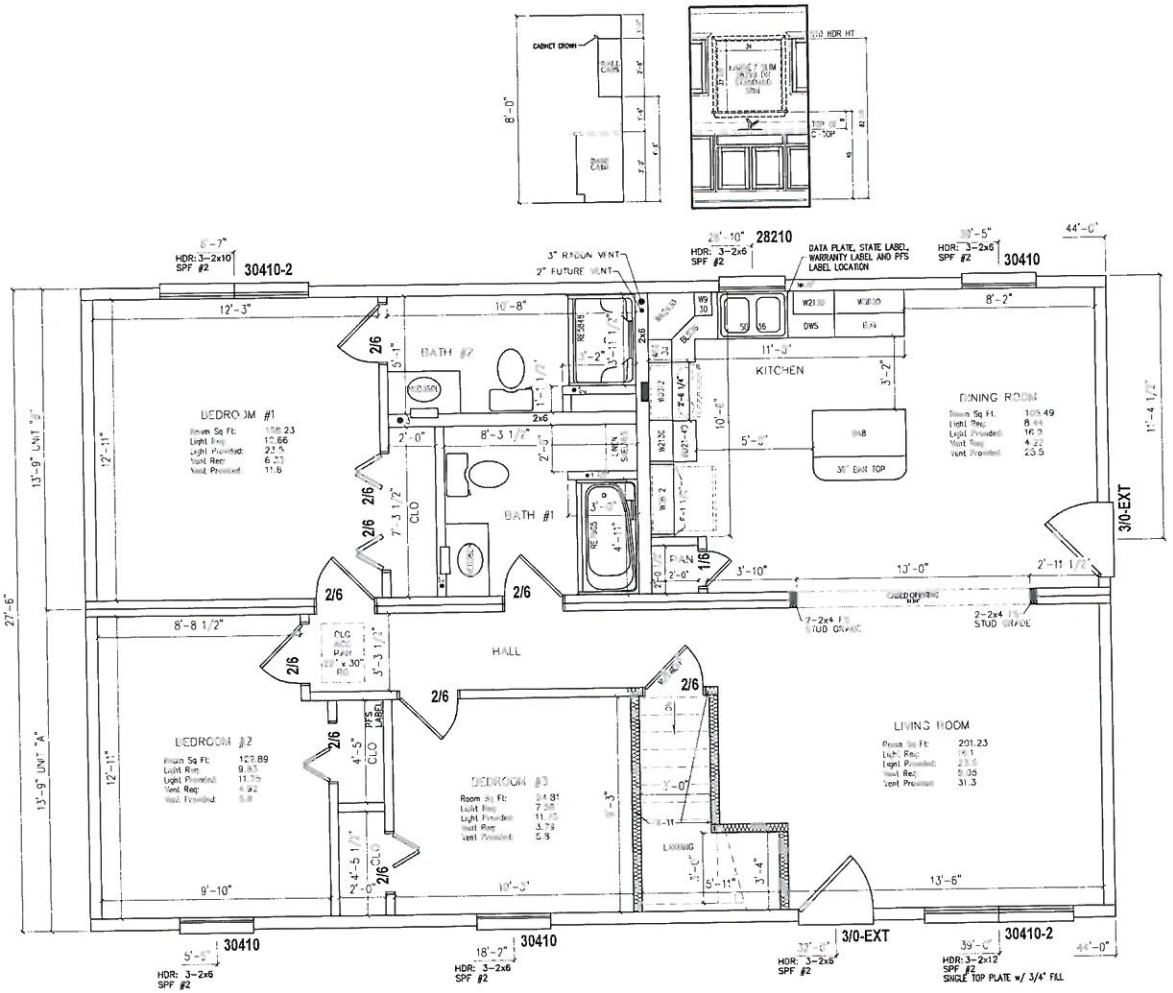

DS PWK

DS EFH

NOTES:
15 INTERNATIONAL RESIDENTIAL CODE WITH AMENDMENTS
15 UNIFORM PLUMBING CODE WITH EXCEPTIONS
17 NFPA 70, NATIONAL ELECTRICAL CODE WITH EXCEPTIONS
11 NFPA 31, STD. FOR THE INSTALLATION OF OIL BURNING EQUIPMENT
09 NFPA 54, NATIONAL FUEL GAS CODE
10 NFPA 211, STD. FOR CHIMNEYS, FIREPLACES, VENTS & SOLID FUEL BURNING APPLIANCES
11 STATE OF MAINE OIL AND SOLID FUEL BOARD LAW & RULES

NOTES:
1. *- DENOTES ADDITIONAL COLUMN IN BASEMENT
2. 2X6 EXTERIOR WALLS 16" O.C.
3. 2X4 MARRIAGE WALLS 16" O.C.
4. ROOF RAFTERS 16" O.C.
5. 8'-0" CLG.
6. STAIRS TO BE 8 1/4" RISERS AND 9" TREADS.
7. CEILING BEAM OVER LIVING ROOM / DINING ROOM / KITCHEN TO BE: (1) 1.5"x9.25" LVL (PER UNIT)
8. HEAT LOSS WAS CALCULATED IN ACCORDANCE W/STATE REQ'D INSULATION VALUES
9. BUILDER IS RESPONSIBLE FOR PROVIDING A PROPERLY SIZED HEATING SYSTEM TO COVER A BTU LOSS OF 26700

SCOTTW 3/14/2022 11:10:35 AM

BUILDER: SOUTHERN MAINE MODULAR INC
CUSTOMER: BASKEN SHORE
CITY: WATERBORO
COUNTY: YORK
STATE: ME
WIND SPEED: 115 MPH VULT
SNOW LOAD: 50
SQ. FT.: 1210
OWNER NO.
SERIAL NO.
FILE NO.

2844-CBS RANCH
1st STORY FLOOR PLAN

MBSP
MODULAR BUILDING SYSTEMS OF ME

CUSTOM BUILDING SYSTEMS LLC
Custom Building Systems LLC
1000 Cantor Ave
McAllenville, PA 19962
Fax: 570-474-4
www.custombuildingsystems.net

DATE: 03/14/2022
DRAWN BY: SMP
STATUS: STF

PAGE: 3.1

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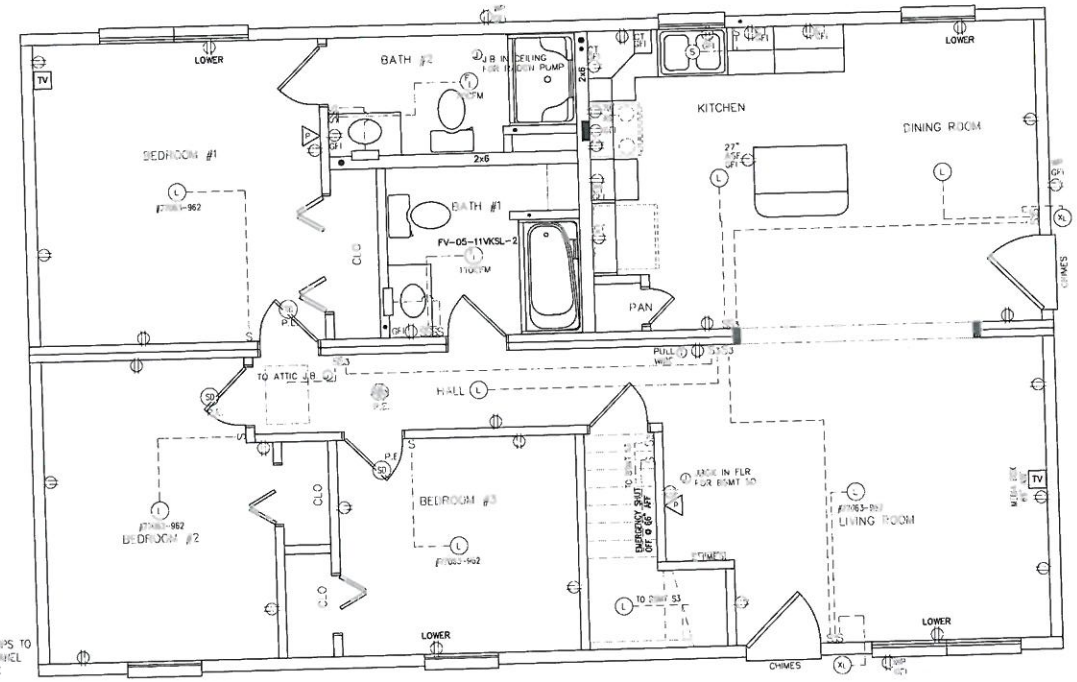

DS PUMP

DS EXFH

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SEE NOTES FOR MAINE ENERGY INFORMATION ON THE ENERGY SPECIFICATION PAGE FOR SUFFICIENT INFORMATION TO ASSURE COMPLIANCE	
VENT FUTURE POWER WILL BE ON A GENERAL LIGHTING CIRCUIT	
EXHAUST FANS VENTED TO EXTERIOR	
50# LIGHT BOXES	
BRANCH CIRCUITS SUPPLYING 15 AND 20 AMPERE OUTLETS, AND SMOKE DETECTORS IN KITCHENS, LAUNDRY ROOMS, BATHROOMS, FAMILY ROOMS, DINING ROOMS, LIVING ROOMS, PARLORS, LIBRARIES, DENS, SUNROOMS, RECREATION ROOMS, CLOSETS, HALLWAYS, OR SIMILAR ROOM OR AREAS, TO BE PROTECTED BY AN ARC-FAULT CIRCUIT INTERRUPTER IN ACCORDANCE WITH SECTION 210.12, 2017 NEC	
125-VOLT, 15-20 AMPERE RECEPTACLES INSTALLED IN AREAS SPECIFIED BY 210.52 SHALL BE LISTED TAMPER-RESISTANT TYPE.	
, RANGE, DISHWASHER, AND LAUNDRY RECEPTACLES TO BE ON ACCI BREAKERS	

BUILDER: SOUTHERN MAINE MODULAR INC
CUSTOMER: BASKEN SHORE
CITY: WATERBORO
COUNTY: YORK
STATE: ME
WIND SPEED: 115 MPH MULT
SNOW LOAD: 50
SQ. FT.: 1210
ORDER NO.:
SERIAL NO.:
FILE NO.:

2844-CBS RANCH
1st STORY ELECT. PLAN

MBSP MODULAR BUILDING SYSTEMS CORP.
CUSTOM BUILDING SYSTEMS LLC
Custom Building Systems LLC
2 Dodge Ave
Waterford, PA 16841
(888) 565-1414
www.custombuildingsystems.net

DATE: 03/14/2022
DRAWN BY: SWW
STATUS: STF

PAGE: 4

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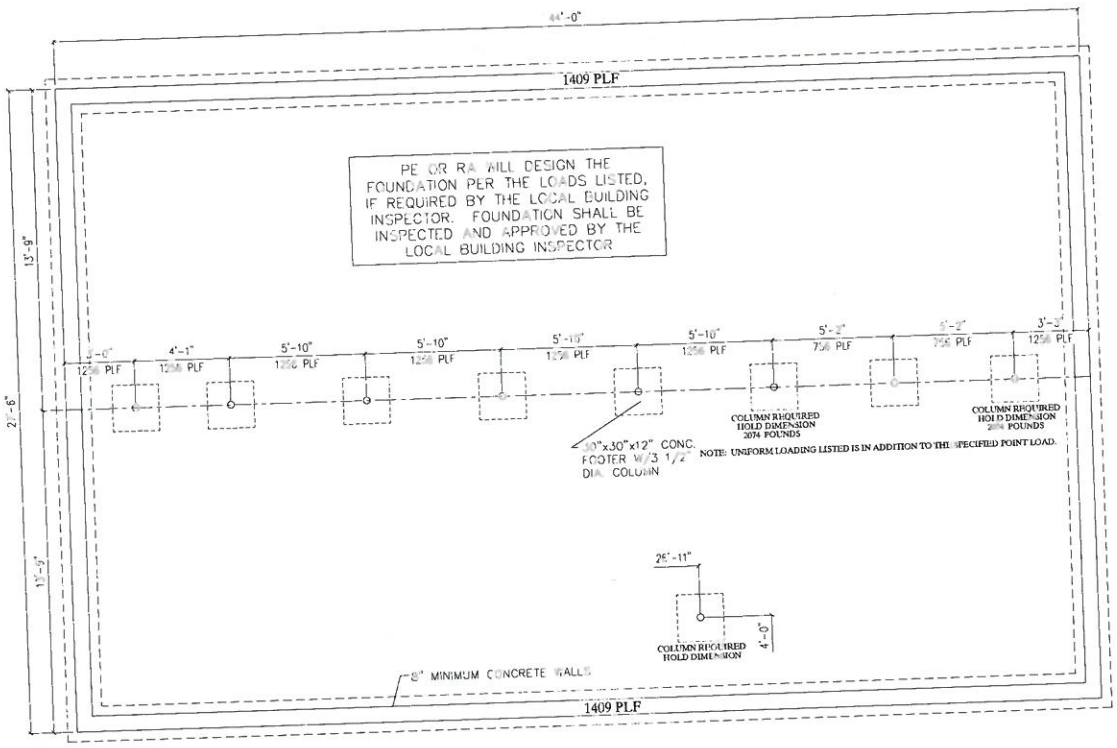

ALL FOOTERS TO BE LOCATED BELOW THE FROST LINE

FOR BASEMENT STAIRS: MAX. RISER HEIGHT OF 8.25" AND A MIN. TREAD DEPTH OF 9" AND A 1" NOSING WILL BE PROVIDED ON ALL TREADS WITH TREAD WIDTH LESS THAN 10". THIS EXCEPTION SHALL APPLY WHEN THE BASEMENT STAIRS ARE A COMPONENT OF A FACTORY DESIGN WHICH SPECIFIES THE NECESSARY BASEMENT HEIGHT AND THE DESIGN HAS BEEN CERTIFIED BY THE BOARD-APPROVED INSPECTION AGENCY.

UNDATION DRAWINGS ARE TO BE USED AS A GUIDE ONLY. ROFESSIONAL BUILDING SYSTEMS WILL NOT ACCEPT ANY BILITY OR RESPONSIBILITY FOR INCORRECT FOUNDATIONS.

S: 1. PERIMETER RAIL ATTACHED TO SILL WITH 16d. NAILS AT 6" O.C.
2. PIER FOOTINGS BASED UPON 2000 PSF. ALLOWABLE SOIL BEARING PRESSURE
3. CONCRETE COMPRESSIVE STRENGTH: 3000 PSI
4. M OR S TYPE MORTAR TO BE USED
5. MAX. ANCHOR BOLT SPACING: 6'-0" O.C. (4'-0" O.C. MAX. IN AREAS WHERE WIND VELOCITY IS @ OR EXCEEDS 100 MPH VASD/130 VULT)
6. WINDOWS OR VENTS (INSTALLED BY BLDR) ARE REQ'D. TO PROVIDE 1/150 OF FLOOR AREA AS FREE VENTILATION AND SHALL BE LOCATED AS CLOSE TO CORNERS AS POSSIBLE.

SCOTTW 3/14/2022 11:10:35 AM

DS PWH

DS EFH

BUILDER: SOUTHERN MAINE MODULAR IN
CUSTOMER: BISKEN SHORE
CITY: WATERBORO
COUNTY: YORK
STATE: ME
WIND SPEED: 115 MPH VULT
SNOW LOAD: 50
SQ. FT.: 1210
ORDER NO.:
SERIAL NO.:
FILE NO.:

2844-CBS RANCH
FOUNDATION PLAN

MBSP MODULAR BUILDING SYSTEMS

CUSTOM BUILDING SYSTEMS LLC

Custom Building Systems LLC
200 Custom Way
Medford, WI 54451
(888) 571-1414
www.custombuildingsystems.com

DATE: 03/14/2022
DRAWN BY: SMW
STATUS: STF

PAGE: 5

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Casey Gray

Application #15-561 with Hardship Variance
-Previously issued permit for the lots:
#15-527 Paul Tebbetts

Saco River Corridor Commission

"Communities Working Together To Protect Our Rivers"

COMMISSION ORDER
IN THE MATTER OF

PAUL TEBBETTS P.O. BOX 25 WATERBORO, ME 04087 APPLICATION #15-527	SACO RIVER CORRIDOR ACT FINDINGS OF FACT AND ORDER

The Saco River Corridor Commission, created by the Maine State Legislature in the Saco River Corridor Act, Title 38 M.R.S.A. Section 951, et. seq., hereinafter referred to as the "Act", at a meeting held on November 29, 2017 at Porter, Maine, and after a review of the application and supporting documents makes the following findings of fact:

PROJECT DESCRIPTION

1. The applicant is requesting a permit to construct a 28 x 48 foot house and a 28 x 32 foot detached garage to be located no closer than 225 feet to the normal high water line of the Little Ossipee Flowage.

SITE LOCATION/DESCRIPTION

2. Location: Lot #4/5/6, (Map #43), Baskin Shore's Road, Waterboro (LAC), Maine.

3. The lot has 280 feet of frontage on the Saco River.

4. This property is located within the Limited Residential District.

OTHER

5. The Subsurface Wastewater Disposal Plan indicates that the property is suitable for a 1000 gallon concrete tank with a 600 square foot medium size stone bed disposal field as designed and submitted by Kenneth Gardner, per his HHE-200 dated November 1, 2017.

BASED ON THE ABOVE FINDINGS, as determined at a duly noticed Commission Meeting, the Commission draws the following conclusions:

1. The applicant has shown the proposed design to be necessary within the meaning of the Act.

2. The proposed use will not unreasonably involve any of the factors enumerated in Section 959-A.1.A. through K of the Act.

THEREFORE, the Commission APPROVES the application of Paul Tebbetts, #15-527, to construct a 28 x 48 foot house and a 28 x 32 foot detached garage on property owned by him, provided the activity is carried out, according to the application and exhibits attached thereto and UPON THE FOLLOWING CONDITIONS:

1. Standard Conditions of Approval (copy attached).
2. No part of the structures will be placed closer than 225 feet to the normal high water line.
3. Other conditions as decided by a vote of the Commission at a duly noticed Commission Meeting.

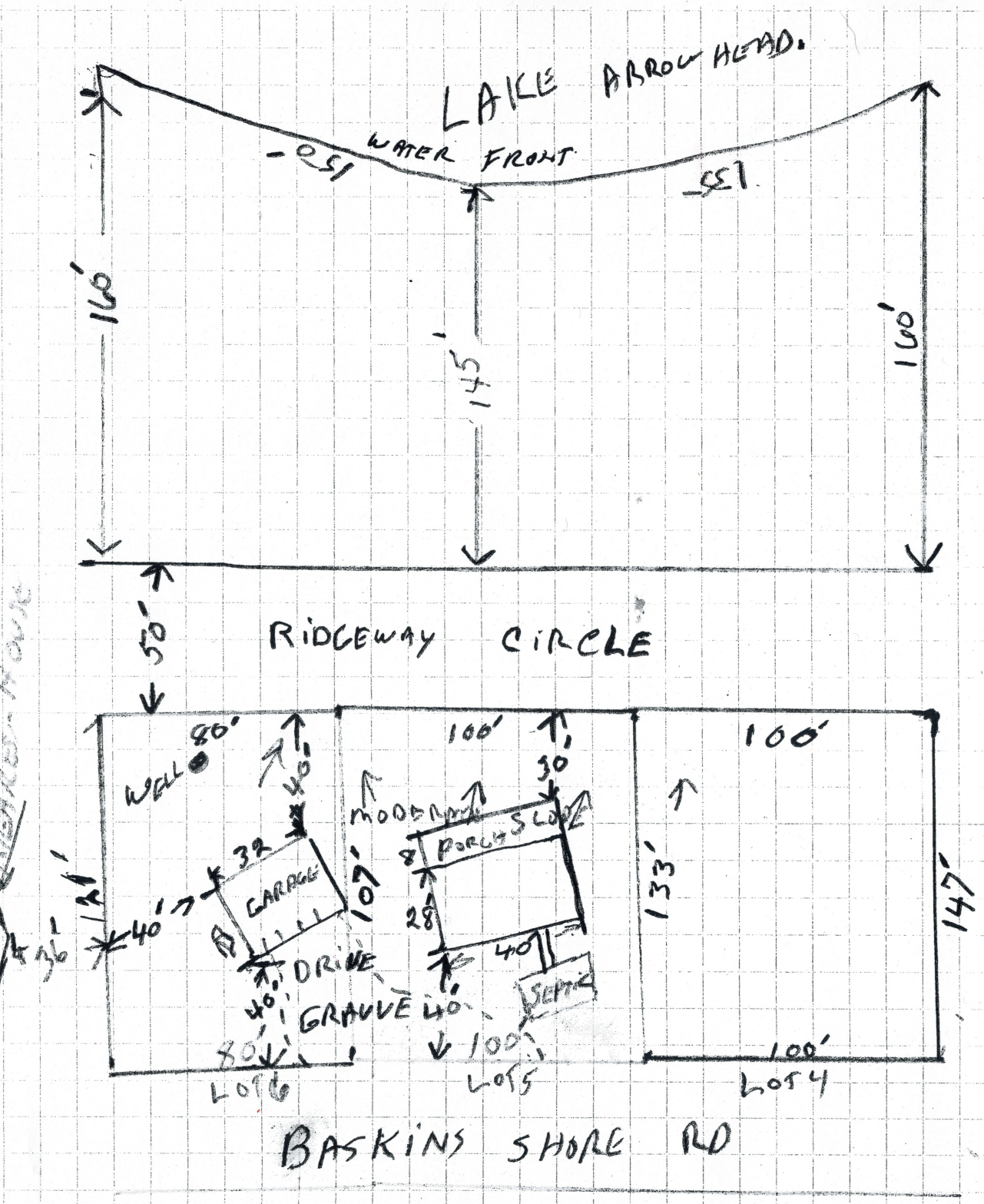
Any appeals from this decision, including any of its conditions, shall be taken pursuant to Section 968 of the Act, except that no appeal pursuant to Section 968 of the Act shall be taken from a decision of the Commission which decision was made without a public hearing until a request for reconsideration has been submitted to the Commission and the Commission has made a final determination in the matter. Any person wishing to file an appeal or to request reconsideration must do so within 30 days of the Commission's written decision and order. Requests for reconsideration must be submitted in accordance with applicable Commission regulations. All permits to be valid, must meet all federal, state, and local ordinances and regulations.

DONE AND DATED AT CORNISH, MAINE THIS 29th DAY OF NOVEMBER, 2017.

BY: _____ _____
Michael Robinson, Chairperson Dated

PAUL TEBBETTS
207-247-6705

Tebbetts
15527



SCALE 1" = 50'

Casey Gray

Application #15-561
Correspondence

From: haley@srcc-maine.org
To: "caseymyrealtor@gmail.com"
Cc: "dalyn@srcc-maine.org"
Subject: Lot #4 Basken Shore Road
Date: Tuesday, April 19, 2022 2:58:00 PM
Attachments: 6) THE UNDUE HARDSHIP TEST.pdf
6) hardship.pdf

Good afternoon, Casey,

I just wanted to provide an update to the documents that we had sent you before regarding hardship variances. After input from the Commission, we've removed the language used in the examples under the "self-created" sections that stated that there had to be knowledge of restrictions. This change better aligns with the law pertaining to hardship variances (below).

§963. Variance from performance standards

1. Variance. A relaxation of the performance standards enacted by this chapter or adopted pursuant thereto may be granted by the commission, after notice and public hearing, upon a finding by the commission that the following provisions are met:

A. Application of the performance standard to the land or water area in question will result in undue hardship to the applicant, provided that hardship to the applicant, provided that hardship shall not be construed to include:

(1) Any hardship attributable to any act, course of conduct or failure to act of the applicant or his predecessor in interest beginning with the owner of record on the effective date of this chapter or of a performance standard adopted pursuant thereto from which a variance is sought; or

(2) Any hardship that is not unique to the petitioner's land; [PL 1979, c. 459, §1 (NEW).]

B. The variance, if granted, will not subvert the intent of this chapter as stated in section 951 or as manifested in the standards from which a variance is sought; and [PL 1979, c. 459, §1 (NEW).]

C. The proposed use, if a variance is granted, will not unreasonably interfere with the use and enjoyment of their lands by adjacent landowners, or result in any unreasonable:

(1) Degradation of air and water quality;
(2) Harmful alteration of wetlands;
(3) Increase in erosion or sedimentation;
(4) Danger of increased flood damage;
(5) Obstruction of flood flow;
(6) Damage to fish and wildlife habitat;
(7) Despoliation of the scenic, rural and open space character of the corridor;
(8) Overcrowding;
(9) Excessive noise;
(10) Obstructions to navigation; or
(11) Interference with the educational, scenic, scientific, historic or archaeological values of those areas designated and approved for inclusion within the Resource Protection District. [PL 1977, c. 459, §1 (NEW).]

No variance shall be granted because of other nonconforming uses within a district or because of similar uses in an adjoining district. The burden of proof shall be on the applicant to show entitlement to a variance under this section. The owner of a building lot of record which is wholly within the corridor on March 19, 1974, shall be entitled

> to a variance for a single family residence which may be granted by the commission without public hearing. Any variance granted by the commission may be granted subject to such reasonable conditions concerning matters enumerated in section 959-B as the commission finds necessary to avoid the dangers enumerated in section 957-D. For the purposes of enforcement, variances granted hereunder and the conditions thereto shall be treated as orders of the commission.

You are welcome to adjust your request if you feel this change relates to anything you previously submitted. My apologies for any issues this change causes.

We are currently looking at publishing the notice for the public hearing next week, with the hearing itself to be held at the start of the Commission meeting on May 25th, 2022 at 6:00 PM.

Please feel free to reach out with any questions.

Best,

Haley Monroe
Administrative Assistant
Saco River Corridor Commission

81 Maple Street
Post Office Box 283
Cornish, Maine 04020
207-625-8123
www.srcc-maine.org

From: dalyn@srcc-maine.org
To: haley@srcc-maine.org
Subject: Re: Lot 4 Basken shore
Date: Saturday, April 16, 2022 7:57:01 AM

Again, awesome!!

Thank you so much!! I really appreciate it Haley.

Get Outlook for iOS

From: haley@srcc-maine.org <haley@srcc-maine.org>
Sent: Friday, April 15, 2022 6:40 PM
To: caseymyrealtor@gmail.com <caseymyrealtor@gmail.com>
Cc: 'Dalyn Houser' <dalyn@srcc-maine.org>
Subject: RE: Lot 4 Basken shore

Casey,

Attached is a picture included in a presentation that can be found on our website or by clicking here. I feel it does the best job explaining the aggregate system in a visual manner. Essentially the formula is Setback + Frontage ≥ 500 feet. Setback is the distance from the closest point of the structure to the waterline and frontage is either actual water frontage or in your case, the side of the lot closest and most nearly parallel to the waterline.

Have a good weekend.

Best,

Haley Monroe
Administrative Assistant
Saco River Corridor Commission

81 Maple StreetPost Office Box 283
Cornish, Maine 04020
207-625-8123
www.srcc-maine.org

From: caseymyrealtor@gmail.com <caseymyrealtor@gmail.com>
Sent: Friday, April 15, 2022 5:03 PM
To: dalyn@srcc-maine.org
Cc: haley@srcc-maine.org
Subject: Re: Lot 4 Basken shore

Can you explain to me in simple English how to calculate your aggregate system? I feel confused by it

Casey

On Apr 15, 2022, at 3:56 PM, dalyn@srcc-maine.org wrote:

Hello Casey,

You can present that information with the document and the Commission will consider the information. The home still needs a variance from three requirements, (the 500-foot aggregate limit system, the rule about combined lots under common ownership, and the lot size requirement). The lot size requirement is 40,000 square feet, so you can talk about the common land as you have below in your supporting document for the Commission's review. I do understand your comments regarding cluster development.

There is plenty of time to adjust the document. It takes several weeks to set up a meeting, but we are working to do so as quickly as possible.

Best,
Dalyn

From: caseymyrealtor@gmail.com <caseymyrealtor@gmail.com>
Date: Friday, April 15, 2022 at 2:09 PM
To: caseymyrealtor@gmail.com <caseymyrealtor@gmail.com>
Cc: Dalyn Houser <dalyn@srcc-maine.org>
Subject: Re: Lot 4 Basken shore

I've calculated the lot size as13,514 sq ft adding the 28,488.24 share of the common land I have a total of 42,002 sq ft

I think your minimum was 40,000 correct?

I'm sorry for all the individual emails I just wish I had thought about this first

Casey

On Apr 15, 2022, at 12:47 PM, caseymyrealtor@gmail.com wrote:

Dear Dalyn
Please find my hardship application letter attached with documentation. As I was reviewing to send, it occurred to me that this is a cluster subdivision with a large amount of common land. This land is owned by each and all lot owners 1-20. It actually might be important for the board to consider this fact because lot size is the core issue here. Because I just thought of it I have not calculated the size of the common land But an easy way to think of this type of subdivision is, if there is a three acre minimum lot size in a zone, and a person has 30 acres in that zone, they could have 10 lots. Cluster subdivision would allow 10 -1 acre lots and 20 acres of common land owned by all the lots together. Personally I think this is a great way to develop Land because it causes protection of larger natural areas and keeps developed areas together in a “cluster” and lessens the overall impact of the development to the environment. It may be possible that there is enough common land owned in Eastern Shores if calculated its “share” into the lot size we may meet the minimum. Either way this fact should be considered- would it be possible for you to include this information with my letter? Or should I rewrite it

Casey

Updated Hardship Variance Request

Submitted: April 19, 2022

by Casey Gray

Lot 4 Basken Shore Hardship Variance Request

For Saco River Corridor

To Whom it may concern, Please accept this letter as my request for a hardship variance. I will explain below how I believe it meets the standards for approval for the 4 required categories of proof and how if granted the request will not cause harm to the neighborhood or water quality where it is located.

My permit request was put on hold for a couple of considerations mostly because the lot was owned in common ownership with an abutting lot(s) for a few years. I will outline the details of that finding later in my letter.

The initial reason I was told this was a problem was because the lot size would need to be 40,000 sq feet in order to have remained separate for the neighboring lot. I have outlined below how it is possible to consider the nature of a cluster subdivision that common land could be a factor in Lot Size calculations.

The Lot was created and approved by the town selectmen in 1966/67 as part of a subdivision plan for the neighborhood Eastern Shores Association containing 20 lots (1-20) and common land. The lot is part of what is essentially a Cluster development. The common land in the development is owned by each and all lot owners 1-20. This is important for the board to consider this fact because lot size is a core issue. The common land Is 13.08 acres. 13.08 divided by 20 lots means that each lot has a .654 acre share of the common space or an additional 28,488.24 sq feet. I have calculated the lot sq footage at 13,517 sq ft for a total of 42,005.24 sq ft. If this is considered this way, the lot meets the 40,000 sq ft minimum required.

But an easy example is, if there is a three acre minimum lot size in a zone, and a person has 30 acres in that zone, they could have 10 lots. Cluster subdivision would allow 10 -1 acre lots and 20 acres of common land owned by all the lots together.

30 Acres with 3acre minimum lot size= 10 1 acre lots + 20 acres of natural land vs 10 3 acre lots to be used as each owner desires.

My opinion is, this is a great way to develop Land because it causes protection of larger natural areas and keeps developed areas together in a "cluster" and lessens the overall impact of the development to the environment.

I was then told that the lot does not meet the aggregate system for the frontage. I found this idea particularly confusing and new to me. I am a real estate professional and consider myself fairly proficient but was surprised how the application of this rule is affecting the outcome of my ability to work with the lot I purchased. At first glance in person my lot appears to be quite far from the water. Perhaps 1000 feet from the shared beach commonly owned by the subdivision and across the street plus another lot away from Lake Arrowhead on the other side which hadn't even initially occurred to me as the approach to Lot 4 is on the Basken Shore side. The Proposed House site is about 265 feet from the water by my quick calculations. Outside the shoreland zone. By the initial calculation of 265 plus the 100' of "frontage" (SRCC definition) would consider I have 365' of "Aggregate" of the total 500 they would require for the previous chain of ownership to not be a problem.

I am unsure if or how to calculate the common portions of the subdivision "frontage" into SRCC aggregate system. This aggregate system doesn't seem to have a way to account for common features and I'm unsure how to best do it. The subdivision/ lot owners have a shared beach of 500' of frontage as well as a total lot length of 1460 feet on the "water' side where lot 4 is located. 595 feet of the 1460 sideline are occupied by actual lots leaving 865' of shared "frontage" (by SRCC definition) to all the lots for a total of either 1960 total (1460+500) or 1265 (865 remaining unencumbered feet+500 shorefront). Additional questions generated for me when considering the common factors would be if all the lots should be included in the consideration of "frontage"... as some appear close to or outside of the SRCC Zone, And the common land is mostly out of the SRCC zone.

See Item 1 attached Subdivision Plan showing common land, common and owned frontage

Given that this aggregate system seems to be the rule that may have triggered Lots 4,5,and 6 to be inadvertently combined, I think it would be important to consider how and when that happened. I will outline a quick history of Lot 4 below

The History Of lot 4 :

1.Raymond Marquis to Peter K Williams lot 4 only in 1967 (book 1793 Pg 382)

2.)Inhabitants of town of Waterboro(vs Peter K Williams)to Paul Tebbetts in 2016 (book 17367 pg751)

Peter Williams 2017 to Paul Tebbetts 2017 (Book17434 pg74)

(Paul Tebbetts also purchased lot 5 in 2016)

Paul Tebbetts to Steven a Gallo (Included Lots 4,5,6) 2020(Book 18421 pg634)

Steven Gallo to Sheila and Randy Gleason (Lot 4 Only) Book 18628 pg199

Gleason to Casey Gray (Lot 4 only) Book 18974 pg 230

Chain of Deeds provided for lot 4 a 5 see attached

It is easy to see after doing this extensive research that Lot 4 was under different ownership from Lot 5 and any other lot Since it's creation in 1966/67 except when purchased initially at tax foreclosure sale in 2016 and later the release by Mr. Williams in 2017 when Purchased by Paul Tebbetts. I do not know If Mr Tebbetts had any intention to combine the lots at that time or If he understood that is what he did cause at that time. He may not have known about cluster subdivisions, Aggregates and the items that caused this to be a problem now. Mr Gallo believes still that he purchased 3 separate lots, and I think the Gleasons believe they sold be a separate buildable lot as that was how they advertised it. The lot was only in common ownership for 3ish years.

Copy of listing sheet see attached

When I Purchased the Property (Lot 4 only) I Purchased from The Gleasons who only owned lot 4. I was provided a copy of their deed and a copy of the subdivision map and a copy of the tax map which all

showed lot 4 as an individual lot. I did not look into it further. I obtained a title search and title insurance and closed on the property. I filed for building permits and when they were ready to be picked up Code enforcement called. We chatted about various topics and realized that before the conversation was done that I should actually apply for Saco River corridor approval. This hadn't occurred to me before because when traveling to the lot, It seems really far from the water and the association beach but it is across another road which is part of a different association about 200' or so from the back edge of lot 4. Code enforcement and I agreed the SRCC permit was a pretty routine case and I would get him a copy of the permit as soon as it was available. I sent in my application right away and two days later received notice that My permit was put on hold because when reviewing the board had discovered a permit application from Paul Tebbetts (3 owners before me) that depicted him building on lots 5 and 6 but also included lot 4 in the depiction of the property. I Immediately reached out to the attorney who did my title work who referred me back to the subdivision plan. I shared this with the SRCC who said that because the lots were once joined could never be developed individually because they don't meet the minimum lot size of 40,000 sq feet or the aggregate(Which I'm still having a hard time understanding)

This answer means to me that the corridor considers this lot unbuildable. I will add facts and commentary below why I think this case meets the four categories required for hardship consideration.

1. REASONABLE RETURN;

I purchased the lot to construct a home. The lot would be useless to me as vacant land. I paid a price that one would expect to pay for a challenged but buildable lot. I have read my title policy and am unsure that this issue would be covered. Even if it might be, I have been involved with title claims in the past. It is a very difficult and stressful process with no guaranteed outcome. Even a win with title insurance, Is so much effort and work that it's not a win at all. It would likely lead to lawsuits among multiple persons and companies, if pursued to the end.

Knowing what I know now, The lot would be worth pennies on the dollar what I paid for it.

My secondary concern, I am currently under contract to construct a Modular Home for a customer on the lot and have ordered their house from the factory. I had agreed to sell them a home on this lot because I had met them and knew they were struggling badly to find a home and compete with many offers of every property listed. They are also quite upset by the news that our plans may not be able to go through. They have struggled so badly to find anything affordable that I worry about their ability to find something else that is safe and comfortable within a reasonable time frame. They have also locked in an interest rate about 2% lower than what they could get today.

2. UNIQUE CIRCUMSTANCES;

I purchased this lot from another individual who only owned this lot. It was Identified as an individual lot in both the subdivision map and the tax map. There was no initial indication that the lot was not a stand alone property upon my initial inspection. This is a unique situation I have never come across before and I have far more real estate experience than an average person. I believe the chain of deeds shows this effectively. The few years it was owned collectively with other lots may not have intended to combine them all. The owner may just not have been aware of the consequences of purchasing the properties using the same name.

Also this neighborhood has some unique factors such as Common land and common frontages. It is unclear to me wether thes could effect the aggregate rule in question.

3. WILL NOT ALTER NEIGHBORHOOD

This lot was planned at the same time as the rest of the neighborhood. Most of the properties in the neighborhood are the same size or smaller. The neighborhood abuts the Lake arrowhead community full of small and similar lots. I believe the construction of a home would actually enhance the neighborhood with a modest year round residence. A home would enhance the features of the lot because the state it is currently in (partially cleared with no ground cover) is an eyesore in my opinion . Lots 5 and 6 are in an even worse state than lot 4 as they are completely cleared with no ground cover.

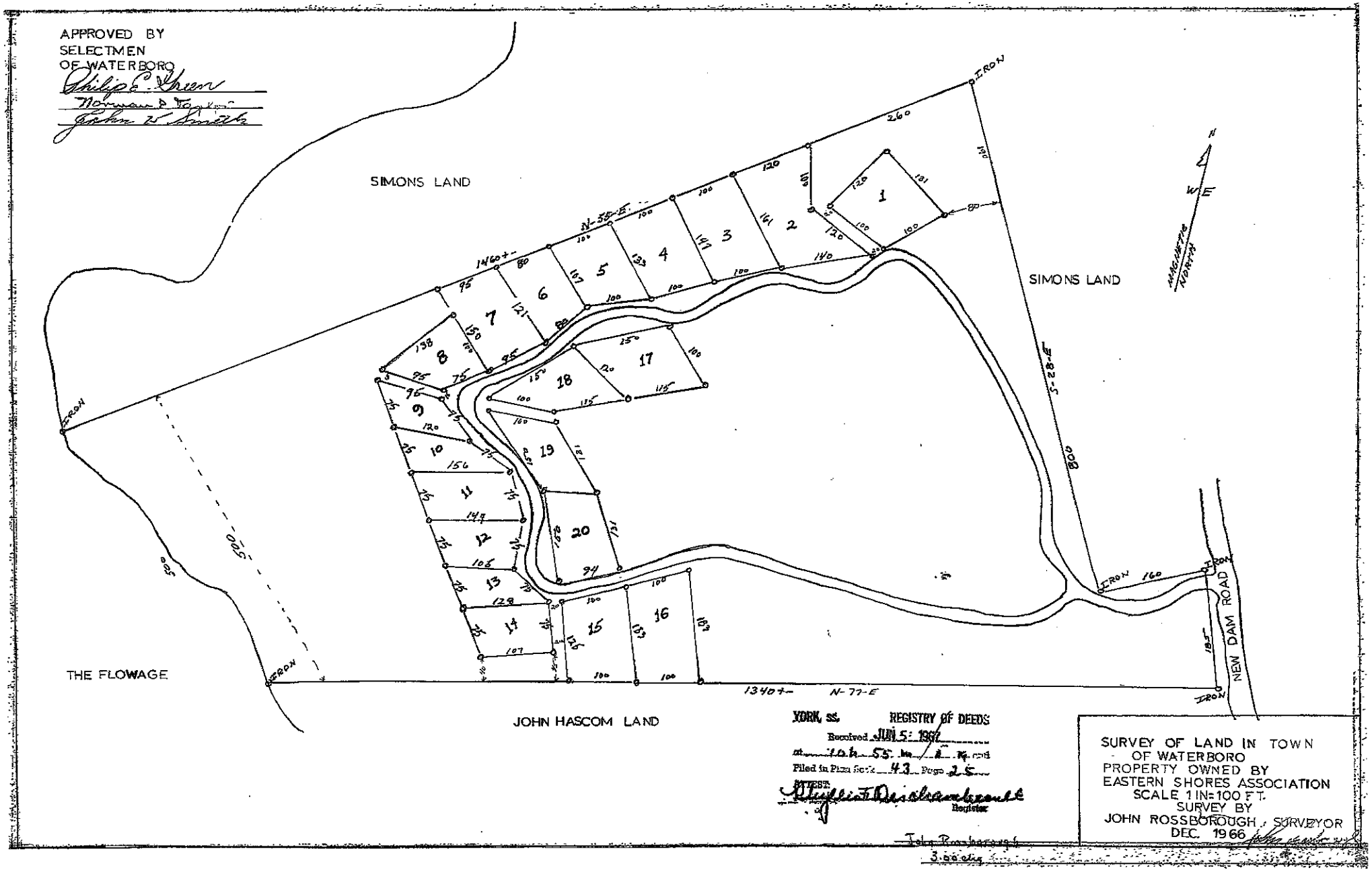
4. NOT SELF-CREATED

When I purchased the lot It was sold to me as only Lot 4 from an owner who only owned lot 4. It was clearly Identified as an individual lot in the documentation I had. I assumed the previous owner checked the title (as I did) and because it was already in an individual title when I purchased I didn't investigate further. My title attorney also must have missed the potential issue because it was never mentioned as a potential problem until I received notice from the SRCC that my permit request would not be able to be processed because it had at one time been owned by the same owner as lot 5 and 6 for 3 years or so. I did not create the division and the person before me was not aware of the potential issue when it was sold to them. I can see now the cause but have a hard time believing that any of the previous owners planned to cause a problem, by purchasing or selling the lots individually. It appears to me to be caused by not understanding the Aggregate rule before purchasing abutting lots and again when selling them. I too found it a little confusing and often deal with complex real estate issues. I can imagine that less savvy folks would really struggle understanding the issue.

I believe that if a permit is granted that it will not subvert the act. This lot was created and owned as an individual lot for decades after the corridor was established. Although I do not know any of the previous owners, I do not believe they acted with ill intent to skirt the rules. The rule in question, is a relatively obscure clause and with the longer distance to the water and the common occurrence for the public to be unaware that Lake Arrowhead is part of Saco River Corridor, and the lots appearing separate on a few different resources, It could be easy to miss and misunderstand. Heck, I missed it and would consider myself fairly savvy compared to the average buyer. Because of the unique circumstances of this situation I do not believe it would cause others to see it as a desirable path to take. I know this entire situation has caused me a great deal of stress and I have only been informed of a problem for a few days.

I believe the proposed used will improve a few factors on the lot. The frontage of the lot is loose sand and the back of the lot is a steeper hill. A homeowner is likely to maintain a yard in such a way to prevent further erosion. There is also a road between this lot and the water and that indicates to me this lot is unlikely to impact the water at all. Currently the property appears to me to be a bit of an eyesore for the neighborhood. I think we could improve the site to a state that would bring the neighborhood up a little.

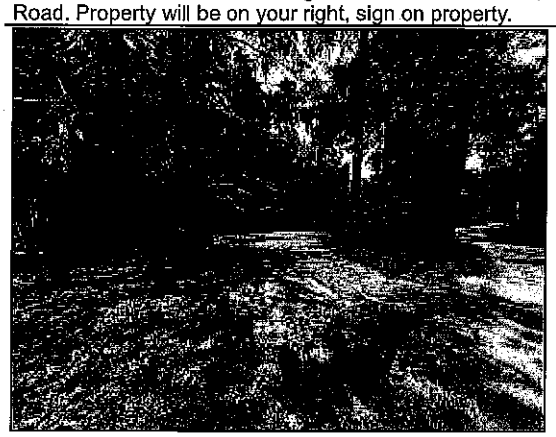
I look forward to the Corridor's decision in this matter and Hope to hear soon. I may be reached by phone at 207-756-4095 and by email at caseygray@roadrunner.com with any questions


APPROVED BY
SELECTMEN
OF WATERBORO
Philip E. Green
Norman D. Taylor
John W. Smith
SIMONS LAND
SIMONS LAND
THE FLOWAGE
JOHN HASCOM LAND
NEW DAM ROAD
IRON
N-55-E
N-77-E
S-28-E
1460+-
1340+-
MAGNETIC NORTH
N
W
E
YORK, ss. REGISTRY OF DEEDS
Received JUN 5 1967
at 10h 55m A.M.
Filed in Plan Book 43 Page 25
ATTEST
Register
SURVEY OF LAND IN TOWN
OF WATERBORO
PROPERTY OWNED BY
EASTERN SHORES ASSOCIATION
SCALE 1 IN=100 FT.
SURVEY BY
JOHN ROSSBOROUGH, SURVEYOR
DEC. 1966

Public Detail Report

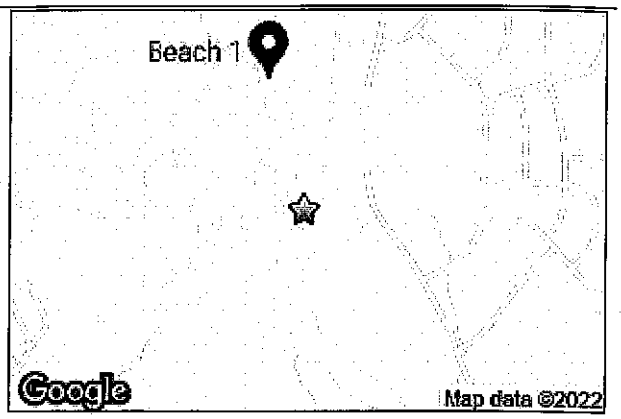
MLS #: 1502133
Status: Closed
Nbd/Assn: Basken Shores Association
County: York
Property Type: Land
Association Fee: $350/ Annually
Seasonal: No
List Price: $32,500
Original List Price: $35,000

Directions: Take Rt. 5 north, right on Silas Brown Road, right on Chadbourne Ridge Road, left New Dam Road, first left on New Dam Road, Basken Shores Road. Property will be on your right, sign on property.



0 Basken Shores Road
Waterboro, ME 04087

List Price: $32,500
MLS#: 1502133



Land Information

Surveyed:	Yes	**Waterfront:**	Yes	**Waterfront Amount +:**	100	**Zoning:**	R
Lot Size Acres +/-:	0.3	**Srce of Wtrfrt:**	Seller	**Water Frontage Owned:**	0	**Zoning Overlay:**	Yes
Source of Acreage:	Public Records	**Water Views:**	No	**Waterfront Shared +/-:**	100	**Bank Owned REO:**	No
				Water Body:	Arrowhead		
Mobile Homes Allowed:	Yes			**Water Body Type:**	Lake		

Property Features

Driveway:	Gravel	**Electric:**	No Electric	**Roads:**	Association; Gravel/Dirt
Parking:	On Site	**Gas:**	No Gas	**Site:**	Open; Rolling/Sloping; Wooded
Location:	Rural; Subdivision	**Water:**	None; Well Needed on Site		
Recreational Water:	Deeded; Lake/Fresh Water; Nearby; ROW to Water	**Sewer:**	None; Septic Needed		
View:	Trees/Woods				

Tax/Deed Information

Book/Page/Deed:	18628/199/All	**Full Tax Amt/Yr:**	$208/ 2020	**Map/Block/Lot:**	43//4
Deed/Conveyance Type Offered:	Warranty	**School District:**	RSU 57/MSAD 57	**Tax ID:**	0BaskenShoresRoadWaterboroME04087
Deed Restrictions:	Unknown				

Remarks

Remarks: Little piece of paradise! Looking to build your next home or even better, a home away from home? Don't look past this beautiful, and peaceful, lot that recently had a new driveway installed. Partly cleared, with a wooded back yard. Electricity at the road makes hooking up to power easy. Not sold yet? This property ALSO has rights to Lake Arrowhead through the Basken Shores Association. Land is only 35-minutes to Old Orchard Beach, 45-minutes to Portland and 2-hours to Boston! Curious? Interested? Call today for more information!

LO: Coldwell Banker Realty

Sold Information

Sold Terms/Other:

Closed Date: **03/11/2022**
Closed Price: **$32,500**

Listing provided courtesy of:

Casey Gray
RE/MAX Coastal
638 Hollis Road
Hollis, ME 04042
207-756-4095
207-773-6400
caseygray@roadrunner.com
http://caseygray.remax-maine.com

Prepared by Casey Gray on Tuesday, April 19, 2022 3:32 PM.

The information on MLS listings has been assembled from various sources of varying degrees of reliability. Any information that is critical to your buying decision should be independently verified. All dimensions are approximate and not guaranteed. Copyright Maine Listings © 2022 and FBS.
MAINE Listings

LOT 4

CHAIN

OF

TITLE

BOOK 1793 PAGE 380 **Know All Men by These Presents,**

LOT 4
1

That I, Raymond J. Marquis of Danvers, in the County of Essex and Commonwealth of Massachusetts,

in consideration of one dollar and other valuable considerations. (less than one hundred dollars in all),

paid by Peter K.Williams of Beverly, in the County of Essex and Commonwealth of Massachusetts,

the receipt whereof I **do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said**

Peter K. Williams, his

heirs and assigns forever, a certain lot or parcel of land, situated in the Town of Waterboro, in the County of York and State of Maine, and being the lot known and designated as Lot Number Four (4), on a plan entitled "Survey of Land in Town of Waterboro, Property Owned By Eastern Shores Association", etc., made by John Rossborough, Surveyor, in December 1966, subsequently approved by the Selectmen of the Town of Waterboro, and since duly filed in York County Registry of Deeds, Plan Book 43, Page 25, said Lot Number Four (4) being more particularly bounded and described as follows, to wit:-

Southerly for one hundred (100) feet by unlotted lands on said plan; southwesterly for one hundred thirty-three (133) feet by Lot Number Five (5) on said plan; northwesterly for one hundred (100) feet by land now or formerly of one Simons; and northeasterly for one hundred forty-seven (147) feet by Lot Number Three (3) on saidplan.

Together with the right to come and go over said unlotted lands, over the private ways as shown on said plan, to and from the highway known as "New Dam Road", which abuts the premises on the easterly side thereof as shown on said plan.

Together with the right, in common with others, to use any and all of the unlotted lands on said plan for any and all purposes of enjoyment and recreation, subject only to reasonable and proper regard for others having rights therein, and further subject to such reasonable rules and regulations as may be established from time to time by Eastern Shores Associates, an unincorporated association composed of the persons owning and holding lands within the area shown by the above described plan.

The above described lot or parcel of land being a portion only of the premises which John E. Hanscom conveyed to the present grantor by deed dated February 11, 1965, recorded in said Registry, Book 1639, Page 463.

To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said

Peter K. Williams, his

heirs and assigns, to him and their use and behoof forever.

And I do covenant with the said Grantee, his heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all incumbrances;

that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will **Warrant and Defend** the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof. I, the said Raymond J. Marquis,

and I, Veronica J. Marquis,

wife of the said Raymond J. Marquis,

joining in this deed as Grantor, and relinquishing and conveying my rights by descent and all other rights in the above described premises, have hereunto set our hands and seals this seventh day of July in the year of our Lord one thousand nine hundred and sixty-seven.

Signed, Sealed and Delivered in presence of

Joseph D. Jenkins
For Both.

Raymond J. Marquis
Veronica J. Marquis

State of Maine. Mass. Essex County ss. JUL 7 1967 19 67.

Personally appeared the above named

Raymond J. Marquis

and acknowledged the foregoing instrument

to be his **free act and deed.**

Before me,

Justice of the Peace
Notary Public

York, ss.
Received NOV 14 1967 at 10h.11m. A M
and recorded from the original.

LOT 4
2

MUNICIPAL QUITCLAIM DEED
KNOW ALL MEN BY THESE PRESENTS

THAT The INHABITANTS OF THE TOWN OF WATERBORO, a body corporate and politic, located at Waterboro, in the County of York and State of Maine, other valuable consideration, paid by

PAUL J TEBBETTS .

WILLIAMS, PETER K

Whose mailing address is:
C/O SYBIL RIEMENSNIDER
20 TEAL POINT DR
SCARBOROUGH, ME 04074

BK 17367 PGS 751 - 752 11/18/2016 03:19:22 PM
INSTR # 2016049954 DEBRA ANDERSON
RECEIVED YORK SS REGISTER OF DEEDS

The receipt whereof it does hereby acknowledge does hereby **remise, release, bargain, sell and convey** and forever quitclaim unto the Williams, Peter K. as joint tenants, their heirs and assigns forever, all its right, title and interest in and to the following described real estate situated in Waterboro, in the County of York, State of Maine:

A certain lot or parcel of land, together with any improvements thereon, situated in sand Town of Waterboro, and being **Map 043 Lot 0004** of the Tax Assessor's maps, and further as shown on a Plan of Land in Waterboro, Maine.

The purpose of this deed is to release the Town of Waterboro's interest, if any, in said Lot 900, which interest is derived from the mature tax leins listed below and recorded in the York County Registry of Deeds:

August 17, 2012---Book 16392 Page 8
August 16, 2013---Book 16675 Page 816
August 15, 2014---Book 16784 Page 555
August 21, 2015---Book 17082 Page 797
August 19, 2016---Book 17302 Page 553

This conveyance is benefited by and burdened by the rights, easements, covenants, conditions and restrictions as are included in conveyances of other lots as shown on said Plan herein before referred to, to such extent as the same are currently binding and enforceable.

TO HAVE AND TO HOLD, the same, together with all the privileges and appurtenances thereunto belonging to the said Williams, Peter K. as joint tentants, heirs and assigns forever.

No R.E. Transfer Tax Paid

24 Townhouse Rd.
East Waterboro, ME. 04030

IN WITNESS WHEREOF, The Said Inhabitants of the Town of Waterboro has caused this instrument to be signed and sealed by, Dennis G. Abbott, Jon C. Gale, Timothy P. Neill, Gordon L. Littlefield, Jr. and Dwayne A. Woodsome, its duly authorized Selectmen, this 27th day of the month of September, 2016.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Gary F Nodeau to all

INHABITANTS OF THE
TOWN OF WATERBORO

By: _____
Dennis G. Abbott

By: _____
Jon C. Gale

By: Gordon L. Littlefield, Jr.
Gordon L. Littlefield, Jr.

By: _____
Timothy P. Neill

By: Dwayne A. Woodsome
Dwayne A. Woodsome

STATE OF MAINE
COUNTY OF YORK ss

September 27, 2016

Then personally appeared the above-named Dennis G. Abbott, Jon C. Gale, Timothy P. Neill, Gordon L. Littlefield, Jr. and David A.Woodsome are Selectmen thereunto duly authorized, Selectmen for the Town of Waterboro, and acknowledged the foregoing instrument to their free act and deed in their said capacity.

SEAL

Before me,

Notary Public

CHRISTINE TORNO
Notary Public, Maine
My Commission Expires August 25, 2021

Print name

BK 17434 PGS 74 - 75
INSTR # 2017009314
RECEIVED YORK SS

03/10/2017 10:14:38 AM
DEBRA ANDERSON
REGISTER OF DEEDS

CONSERVATOR DEED

LOT 4

3

KNOW ALL MEN BY THESE PRESENTS

That **SYBIL RIEMENSNIDER,** of the Town of Scarborough, County of Cumberland and State of Maine, as **GUARDIAN AND CONSERVATOR OF PETER K. WILLIAMS,** as set forth in the York County Probate Court Docket No. 2016-0169, by the power conferred by law, and every other power,

for consideration paid,

grant to **PAUL J. TEBBETTS,** of 261 West Shore Road, in the Town of Waterboro, County of York and State of Maine 04087, whose mailing address is: P.O. Box 25, Waterboro, ME 04087

Maine R.E. Transfer Tax Paid

A certain lot or parcel of land situated in the Town of Waterboro, County of York and State of Maine, and being the lot known and designated as Lot Numbered Four (4), on a plan entitled "Survey of Land in Town of Waterboro, Property Owned by Eastern Shores Association", etc., made by John Rossborough, Surveyor, in December 1966, subsequently approved by the Selectmen of the Town of Waterboro, and since duly filed in York County Registry of Deeds in Plan Book 43, Page 25, said Lot Numbered four (4) being more particularly bounded and described as follows:

Southerly for one hundred (100) feet by unlotted lands on said plan; southwesterly for one hundred thirty-three (133) feet by Lot Numbered Five (5) on said plan; northwesterly for one hundred (100) feet by land now or formerly of one Simons; and northeasterly for one hundred forty-seven (147) feet by Lot Numbered Three (3) on said plan.

Together with the right to come and go over said unlotted lands, over the private ways as shown on said plan, to and from the highway know as "New Dam Road", which abuts the premises on the easterly side thereof as shown on said plan.

Together with the right, in common with others, to use any and all of the unlotted lands on said plan for any and all purposes of enjoyment and recreation, subject only to reasonable and proper regard for others having rights therein and further subject to such reasonable rules and regulations as may be established from time to time by Eastern Shores Associates, an unincorporated association composed of the persons owning and holding lands within the area shown by the above described plan.

For Grantors source of title reference is made to a warranty deed from Raymond J.

app-> Paul Tebbetts
PO Box 25
Waterboro Me 04087

Marquis dated July 7, 1967 and recorded in the York County Registry of Deeds in Book 1793, Page 380. Reference is further made to a Municipal Quitclaim Deed from the Inhabitants of the Town of Waterboro dated September 27, 2016 and recorded in the said Registry of Deeds in Book 17367, Page 751.

WITNESS our hands this 7th day of March, 2017.

Kelly Marston

Sybil Riemensnider

Sybil Riemensnider, Guardian and
Conservator of Peter Williams

STATE OF MAINE,
YORK, SS.

March 7, 2017

Personally appeared the above named Sybil Riemensnider, Guardian and Conservator of the Peter Williams and acknowledged the foregoing instrument to be her free act and deed in her said capacity.

Before me,

Laurie L. Nielsen

Notary Public

SEAL

Laurie L. Nielsen
Notary Public
State of Maine
My Commission Expires
May 11, 2021

NANCY E HAMMOND, REGISTER OF DEEDS
E-RECORDED **Bk 18421 PG 634**
Instr # 2020053575
10/22/2020 01:17:11 PM
Pages 3 YORK CO

LOT 4,5,6,

4)

Return to:
Steven A. Gallo
351 Williams Rd
Lyman, ME 04002

Transfer Tax $143.00 **WARRANTY DEED**

Paul J. Tebbetts, also known as **Paul Tebbetts**, of Waterboro, County of York, and State of Maine, for consideration paid, grants to **Steven A. Gallo**, of 351 Williams Road, Lyman, ME 04002, with WARRANTY COVENANTS:

SEE ATTACHED EXHIBIT A

Maine R.E. Transfer Tax Paid

MEANING and INTENDING to describe and convey the same premises conveyed to the grantor herein by deed of Sybil Riemensnider, as Guardian and Conservator of Peter K. Williams dated 3/7/2017 and recorded at Book 17434, Page 74 in the York County Registry of Deeds; and, by deeds of Lesley L. Ortiz dated September 19, 2016 and recorded in said Registry of Deeds in Book 17324, Page 122 and in Book 17324, Page 124.

Executed this 20 day of October, 2020.

Paul J. Tebbetts

State of Maine
County of York 10 / 20 /2020

Then personally appeared before me the said Paul J. Tebbetts, also known as Paul Tebbetts, and acknowledged the foregoing to be his voluntary act and deed.

Notary Public/Attorney at Law
Commission expiration:

SARA MERRILL
MY COMMISSION EXPIRES APRIL 24, 2025
NOTARY PUBLIC
MAINE

S.G.

EXHIBIT A

Parcel 1

A certain lot or parcel of land situated in the Town of Waterboro, County of York and State of Maine, and being the lot known and designated as Lot Numbered Four (4), on a plan entitled "Survey of Land in Town of Waterboro, Property Owned by Eastern Shores Association", etc., made by John Rossborough, Surveyor, in December 1966, subsequently approved by the Selectmen of the Town of Waterboro, and since duly filed in York County Registry of Deeds in Plan Book 43, Page 25, said Lot Numbered four (4) being more particularly bounded and described as follows:

Southerly for one hundred (100) feet by unlotted lands on said plan; southwesterly for one hundred thirty-three (133) feet by Lot Numbered Five (5) on said plan; northwesterly for one hundred (100) feet by land now or formerly of one Simons; and northeasterly for one hundred forty-seven (147) feet by Lot Numbered Three (3) on said plan.

Together with the right to come and go over said unlotted lands, over the private ways as shown on said plan, to and from the highway know as "New Dam Road", which abuts the premises on the easterly side thereof as shown on said plan.

Together with the right, in common with others, to use any and all of the unlotted lands on said plan for any and all purposes of enjoyment and recreation, subject only to reasonable and proper regard for others having rights therein and further subject to such reasonable rules and regulations as may be established from time to time by Eastern Shores Associates, an unincorporated association composed of the persons owning and holding lands within the area shown by the above described plan.

Parcel 2

A certain lot or parcel of land together with the buildings thereon situated in the Town of Waterboro, County of York and State of Maine, and being the lot known and designated as Lot Number Five (5) on a plan entitled "Survey of Land in Town of Waterboro, Property owned by Eastern Shores Association", etc., made by John Rossborough, Surveyor, in December, 1966, subsequently approved by the Selectmen of the Town of Waterboro and since duly filed in York County Registry of Deeds in Plan Book 43, Page 25, said Lot Numbered Five (5) being more particularly bounded and described as follows:

Southerly for one hundred (100) feet by unlotted lands on said plan; southwesterly for one hundred seven (107) feet by Lot Number Six (6) on said plan; northwesterly for one hundred (100) feet by land now or formerly of one Simons; and

northeasterly for one hundred thirty-three (133) feet by Lot Numbered Four (4) on said plan.

Together with the right to come and go over said unlotted lands, over the private ways as shown on said plan, to and from the highway known as "New Dam Road", which abuts the premises on the easterly side thereof as shown on said Plan.

Together with the right, in common with others, to use any and all of the unlotted lands on said Plan for any and all purposes of enjoyment and recreation, subject only to reasonable and proper regard for others having rights therein, and further subject to such reasonable rules and regulations as may be established from time to time by Eastern Shores Associates, an unincorporated association composed of the persons owning and holding lands within the area shown by the above described Plan.

Parcel 3:

A certain lot or parcel of land together with the buildings thereon situated in the Town of Waterboro, County of York and State of Maine, and being the lot known and designated as Lot Number Six (6) on a plan entitled "Survey of Land in Town of Waterboro, Property owned by Eastern Shores Association", etc., made by John Rossborough, Surveyor, in December, 1966, subsequently approved by the Selectmen of the Town of Waterboro and since duly filed in York County Registry of Deeds in Plan Book 43, Page 25, said Lot Numbered Six (6) being more particularly bounded and described as follows:

Southerly for eighty (80) feet by unlotted lands on said plan; southwesterly for one hundred twenty-one (121) feet by Lot Number Seven (7) on said Plan; northwesterly for eighty (80) feet by land now or formerly of one Simons; and northeasterly for one hundred seven (107) feet by Lot Number Five (5) on said Plan.

Together with the right to come and go over said unlotted lands, over the private ways as shown on said Plan, to and from the highway known as "New Dam Road", which abuts the premises on the easterly side thereof as shown on said Plan.

Together with the right, in common with others, to use any and all of the unlotted lands on said Plan for any and all purposes of enjoyment and recreation, subject only to reasonable and proper regard for others having rights therein, and further subject to such reasonable rules and regulations as may be established from time to time by Eastern Shores Associates, an unincorporated association composed of the persons owning and holding lands within the area shown by the above described Plan.

S. G.

LOT 4

S

NANCY E HAMMOND, REGISTER OF DEEDS
E-RECORDED **Bk 18628 PG 199**
Instr # 2021021349
04/14/2021 09:43:57 AM
Pages 2 YORK CO

Return to:
Randy L. Gleason and
Sheila R. Gleason
3673 VT Route 105
West Charleston VT 05872

WARRANTY DEED

Transfer Tax $94.60

Steven A. Gallo, of 351 Williams Road, Lyman ME 04002 for consideration paid, grants to **Randy L. Gleason and Sheila R. Gleason**, of 3673 VT Route 105, West Charleston, VT 05872, as joint tenants with rights of survivorship, with WARRANTY COVENANTS:

SEE ATTACHED EXHIBIT A

MEANING and INTENDING to describe and convey a portion of the premises conveyed to the grantor herein by deed of Paul J. Tebbetts, also known as Paul Tebbetts dated 10/20/2020 and recorded at Book 18421, Page 634 in the York County Registry of Deeds.

Executed this 2 day of April, 2021.

Steven A. Gallo

State of Maine
County of York 4/2/2021

Then personally appeared before me the said Steven A. Gallo and acknowledged the foregoing instrument to be his free and voluntary act and deed.

Notary Public/Attorney at Law
Commission expiration:

SARA MERRILL
MY COMMISSION EXPIRES APRIL 24, 2025
NOTARY PUBLIC
MAINE

Maine R.E. Transfer Tax Paid

/

EXHIBIT A

A certain lot or parcel of land situated in the Town of Waterboro, County of York and State of Maine, and being the lot known and designated as Lot Numbered Four (4), on a plan entitled "Survey of Land in Town of Waterboro, Property Owned by Eastern Shores Association", etc., made by John Rossborough, Surveyor, in December 1966, subsequently approved by the Selectmen of the Town of Waterboro, and since duly filed in York County Registry of Deeds in Plan Book 43, Page 25, said Lot Numbered four (4) being more particularly bounded and described as follows:

Southerly for one hundred (100) feet by unlotted lands on said plan;

southwesterly for one hundred thirty-three (133) feet by Lot Numbered Five (5) on said plan;

northwesterly for one hundred (100) feet by land now or formerly of one Simons; and

northeasterly for one hundred forty-seven (147) feet by Lot Numbered Three (3) on said plan.

Together with the right to come and go over said unlotted lands, over the private ways as shown on said plan, to and from the highway know as "New Dam Road", which abuts the premises on the easterly side thereof as shown on said plan.

Together with the right, in common with others, to use any and all of the unlotted lands on said plan for any and all purposes of enjoyment and recreation, subject only to reasonable and proper regard for others having rights therein and further subject to such reasonable rules and regulations as may be established from time to time by Eastern Shores Associates, an unincorporated association composed of the persons owning and holding lands within the area shown by the above described plan.

NANCY E HAMMOND, REGISTER OF DEEDS
E-RECORDED Bk 18974 PG 530
Instr # 2022011367
03/11/2022 09:43:05 AM
Pages 2 YORK CO

CURRENT LOT 4

4

DLN: 1002240185883

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS: That RANDY L. GLEASON and SHEILA R. GLEASON, both individuals of West Charleston, Vermont, for consideration paid grant to CASEY GRAY, an individual of Hollis, Maine, with WARRANTY COVENANTS, the real estate located in the Town of Waterboro, County of York and State of Maine described as follows:

A certain lot or parcel of land situated in the Town of Waterboro, County of York, and State of Maine, and being the lot known and designated as Lot Numbered Four (4), on a plan entitled "Survey of Land in Town of Waterboro, Property Owned by Eastern Shores Association", etc., made by John Rossborough, Surveyor, in December 1966, subsequently approved by the Selectmen of the Town of Waterboro, and since duly filed in York County Registry of Deeds in Plan Book 43, Page 25, said Lot Numbered Four (4) being more particularly bounded and described as follows:

Southerly for one hundred (100) feet by unlotted lands on said plan;

Southwesterly for one hundred thirty-three (133) feet by Lot Numbered Five (5) on said plan;

Northwesterly for one hundred (100) feet by land now or formerly of one Simons; and

Northeasterly for one hundred forty-seven (147) feet by Lot Numbered Three (3) on said plan.

Together with the right to come and go over said unlotted lands, over the private ways as shown on said plan, to and from the highway know as "New Dam Road", which abuts the premises on the easterly side thereof as shown on said plan.

Together with the right, in common with others, to use any and all of the unlotted lands on said plan for any and all purposes of enjoyment and recreation, subject only to reasonable and proper regard for others having rights therein and further subject to such reasonable rules and regulations as may be established from time to time by Eastern Shores Associates, and unincorporated association composed of the persons owning and holding lands within the area shown by the above described plan.

Maine R.E. Transfer Tax Paid

After recording return to Beagle, Thomas & Ridge, LLC, PO Box 1815, Standish, Maine 04084
File #27464

Meaning and conveying the same premises conveyed to Randy L. Gleason and Sheila R. Gleason by virtue of a deed recorded in the York County Registry of Deeds at Book 18628, Page 199.

Executed this 4 day of March, 2022.

Randy L. Gleason

Randy L. Gleason

Sheila R. Gleason

Sheila R. Gleason

State of Vermont
County of Orleans

March 4, 2022

Then personally appeared before me the said Randy L. Gleason and Sheila R. Gleason and each acknowledged the foregoing to be each's voluntary act ~~and deed~~.

Notary Public

Name and Commission expiration:
Shelly Lontine Exp. 1-31-2023

Shelly Lontine NOTARY No 157 0002283 PUBLIC VERMONT

LOT 5
CHAIN OF TITLE

(LOTS)

(1)

BOOK 1793 PAGE 382 **Know All Men by These Presents,**

That I, Raymond J. Marquis of Danvers, in the County of Essex and Commonwealth of Massachusetts,

in consideration of one dollar and other valuable considerations. (less than one hundred dollars in all),

paid by Henry C. Schulz and Anne G. Schulz, husband and wife, both of Melrose, in the County of Middlesex and Commonwealth of Massachusetts,

the receipt whereof I **do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said**

Henry C. Schulz and Anne G. Schulz,

as joint tenants and not as tenants in common, and their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivor of them, forever,

A certain lot or parcel of land, situated in the Town of Waterboro, in the County of York and State of Maine, and being the lot known and designated as Lot Number Five (5), on a plan entitled "Survey of Land in Town of Waterboro, Property Owned By Eastern Shores Association", etc., made by John Rossborough, Surveyor, in December 1966, subsequently approved by the Selectmen of the Town of Waterboro, and since duly filed in York County Registry of Deeds, Plan Book 43, Page 25, said Lot Number Five (5) being more particularly bounded and described as follows, to wit:-

Southerly for one hundred (100) feet by unlotted lands on said plan; southwesterly for one hundred seven (107) feet by Lot Number Six (6) on said plan; northwesterly for one hundred (100) feet by land now or formerly of one Simons; and northeasterly for one hundred thirty-three (133) feet by Lot Number Four (4) on said plan.

Together with the right to come and go over said unlotted lands, over the private waysas shown on said plan, to and from the highway known as "New Dam Road", which abuts the premises on the easterly side thereof as shown on said plan.

Together with the right, in common with others, to use any and all of the unlotted lands on said plan for any and all purposes of enjoyment and recreation, subject only to reasonable and proper regard for others having rights therein, and further subject to such reasonable rules and regulations as may be established from time to time by Eastern Shores Associates, an unincorporated association composed of the persons owning and holding lands within the area shown by the above described plan.

The above described lot or parcel of land being a portion only of the premises which John E. Hanscom conveyed to the present grantor by deed dated February 11, 1965, recorded in said Registry, Book 1639, Page 463.

To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said

Henry C. Schulz and Anne G. Schulz,

as joint tenants and not as tenants in common, and their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivor of them, to them and their use and behoof forever.

And I do covenant with the said Grantees, as aforesaid, that I am lawfully seized in fee of the premises, that they are free of all incumbrances, that I have good right to sell and convey the same to the said Grantees to hold as aforesaid, and that I and my heirs shall and will Warrant and Defend the same to the said Grantees, their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivor of them, forever, against the lawful claims and demands of all persons.

In Witness Whereof, I, the said Raymond J. Marquis,

and I, Veronica J. Marquis,

wife of the said Raymond J. Marquis,

joining in this deed as Grantor, and relinquishing and conveying my rights by descent and all other rights in the above described premises, have hereunto set our hands and seals this seventh day of July in the year of our Lord one thousand nine hundred and sixty-seven.

Signed, Sealed and Delivered in presence of

Joseph D. Jenkins
Jr. Both.

Raymond J. Marquis
Veronica J. Marquis

State of Maine, Mass. Essex County ss. JUL 7 1967 1967.

Personally appeared the above named

Raymond J. Marquis

and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Notary Public

York, ss.
Received NOV 14 1967 at 10:22 a.m. A M
and recorded from the original.

BK 11523PG324

LOT 5

0203'72

WARRANTY DEED
Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS,

THAT, ANNE G. SCHULZ of Limerick, County of York, and State of Maine, **being unmarried**, for consideration paid, grant to **EDWARD C. SCHULZ**, of Limerick, County of York, State of Maine, whose mailing address is: P.O. Box 204, Limerick, ME 04048, with **WARRANTY COVENANTS**, the land in Waterboro, County of York, State of Maine, described as follows:

A certain lot or parcel of land, situated in the Town of Waterboro, County of York and State of Maine, and being the lot known and designated as Lot Number Five (5), on a Plan entitled "Survey of Land in Town of Waterboro, Property Owned by Eastern Shores Association", etc., made by John Rossborough, Surveyor, in December, 1966, subsequently approved by the Selectmen of the Town of Waterboro, and since duly filed in York County Registry of Deeds, Plan Book 43, Page 25, said Lot Number Five (5) being more particularly bounded and described as follows, to wit:

Southerly for one hundred (100) feet by unlotted lands on said Plan; Southwesterly for one hundred seven (107) feet by Lot Number Six (6) on said Plan; Northwesterly for one hundred (100) feet by land now or formerly of one Simons; and Northeasterly for one hundred thirty-three (133) feet by Lot Number Four (4) on said Plan.

Together with the right to come and go over said unlotted lands, over the private ways as shown on said Plan, to and from the highway known as "New Dam Road", which abuts the premises on the Easterly side thereof as shown on said Plan.

Together with the right, in common with others, to use any and all of the unlotted lands on said Plan for any and all purposes of enjoyment and recreation, subject only to reasonable and proper regard for others having rights therein, and further subject to such reasonable rules and regulation as may be established from time to time by Eastern Shores Associates, an unincorporated association composed of the persons owning and holding lands within the area shown by the above described plan.

NC.R.E. TRANSFER TAX PAID

Being the same premises conveyed to Henry C. Schulz and Anne G. Schulz by Warranty Deed of Raymond J. Marquis dated July 7, 1967 and recorded November 14, 1967 in the York County Registry of Deeds in Book 1793, Page 382. The said Henry C. Schulz having deceased on April 23, 1991 and the said Anne G. Schulz being the surviving joint tenant.

WITNESS my hand this 29 day of March, 2002.

Witness

Anne G. Schulz

STATE OF MAINE
County of York, ss.

March 29, 2002

Then personally appeared the above-named Anne G. Schulz and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Notary Public/Attorney at Law

Printed Name: Lisa M. Hughes

LISA M. HUGHES
Notary Public, Maine
My Commission Expires April 8, 2006

TITCOMB, MARASS, FLAHERTY & KNIGHT, LLC
P.O. BOX 311
SANFORD, ME 04073

RECEIVED YORK S.S
2002 APR -5 PM 2:23
ATTEST: Lois M. Muse
REGISTER OF DEEDS

Bk 14445 Pg 0647 - 0648
Received York SS
04/29/2005 12:57PM
Debra L. Anderson
Register of Deeds

6

3

WARRANTY DEED

Know all Persons by these Presents that I, ***Edward C. Schulz***, Town of Limerick, State of Maine, in consideration of one dollar and other valuable consideration paid by ***Raymond C. Achterberg and Lesley L. Achterberg***, whose mailing address is 140 Greenridge Drive, Pensacola, FL 32534-3134 the receipt whereof I do hereby acknowledge do hereby ***give, grant, bargain, sell and convey*** unto the said ***Raymond C. Achterberg and Lesley L. Achterberg***, as joint tenants, not as tenants in common, their heirs and assigns forever,

MAINE R.E. TRANSFER TAX PAID

A certain lot or parcel of land, situated in the Town of Waterboro, County of York and State of Maine, and being the lot known and designated as Lot Number Five (5), on a Plan entitled "Survey of Land in Town of Waterboro, Property Owned by Eastern Shores Association", etc., made by John Rossborough, Surveyor, in December, 1966, subsequently approved by the Selectmen of the Town of Waterboro, and since duly filed in the York County Registry of Deeds, Plan Book 43, Page 25, said Lot Number Five (5) being more particularly bounded and described as follows, to wit:

Southerly for one hundred (100) feet by unlotted lands on said Plan; Southwesterly for one hundred seven (107) feet by Lot Number Six (6) on said Plan; Northwesterly for one hundred (100) feet by land now or formerly of one Simons; and Northeasterly for one hundred thirty-three (133) feet by Lot Number Four (4) on said Plan.

Together with the right to come and go over said unlotted lands, over the private ways as shown on said Plan, to and from the highway known as "New Dam Road", which abuts the premises on the Easterly side thereof as shown on said Plan.

Together with the right, in common with others, to use any and all of the unlotted lands on said Plan for any and all purposes of enjoyment and recreation, subject only to reasonable and proper regard for others having rights therein, and further subject to such reasonable rules and regulation as may be established from time to time by Eastern Shores Associates, an unincorporated association composed of the persons owning and holding lands within the area shown by the above described plan.

Meaning and intending to convey, and hereby conveying, the premises described in a deed from Anne G. Schulz to Edward C. Schulz dated March 29, 2002 and recorded in the York County Registry of Deeds in Book 11523, Page 324.

To have and to hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said ***Raymond C. Achterberg and Lesley L. Achterberg***, their heirs and assigns, to them and their use and behoof forever.

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

IN WITNESS WHEREOF, I, the said ***Edward C. Schulz***, have hereunto set my hand and seal this 18 day of April, 2005.

Signed, Sealed and Delivered
in the presence of

Witness

Edward C. Schulz

STATE OF MAINE
COUNTY OF CUMBERLAND, *ss.*

Dated: April 18th, 2005

Personally appeared the above-named Edward C. Schulz and acknowledged the foregoing instrument to be his/her free act and deed.

Before me,

Attorney at Law/~~Notary Public~~

Printed name: Jeffry R. Vige

RETURN TO:
FIDELITY TITLE COMPANY
1050 FOREST AVENUE
PORTLAND, ME 04103

END OF DOCUMENT

LOTS

BK 16856 PGS 278 - 278 07/21/2014 03:40:08 PM
INSTR # 2014026849 DEBRA ANDERSON
RECEIVED YORK SS REGISTER OF DEEDS

4

WARRANTY DEED

I, LESLEY L. ORTIZ, formerly known as Lesley L. Achterberg, having a mailing address of 932 Coronado Drive, Gulf Breeze, Florida, 32563,

for consideration paid, grant with **WARRANTY COVENANTS** to **LESLEY L. ORTIZ,** having a mailing address of 932 Coronado Drive, Gulf Breeze, Florida, 32563, the following described parcel of land, namely:

A certain lot or parcel of land together with buildings thereon situated in the Town of Waterboro, County of York and State of Maine, and being the lot known and designated as Lot Number Five (5), on a plan entitled "Survey of Land in Town of Waterboro, Property Owned by Eastern Shores Association", etc., made by John Rossborough, Surveyor, in December 1966, subsequently approved by the Selectmen of the Town of Waterboro and since duly filed in the York County Registry of Deeds in Plan Book 43, Page 25, said Lot Number Five (5) being more particularly bounded and described as follows, to wit:

Southerly for one hundred (100) feet by unlotted lands on said Plan; southwesterly for one hundred seven (107) feet by Lot Number Six (6) on said Plan; northwesterly for one hundred (100) feet by land now or formerly of one Simons; and northeasterly for one hundred thirty-three (133) feet by Lot Number Four (4) on said Plan.

Together with the right to come and go over said unlotted lands, over the private ways as shown on said Plan, to and from the highway known as "New Dam Road", which abuts the premises on the easterly side thereof as shown on said Plan.

Together with the right in common with others, to use any and all of the unlotted lands on said Plan for any and all purposes of enjoyment and recreation, subject only to reasonable and proper regard for others having rights therein, and further subject to such reasonable rules and regulations as may be established from time to time by Eastern Shores Associates, an unincorporated association composed of the persons owning and holding lands within the area shown by the above described Plan.

Being the same premises conveyed to Raymond C. Achterberg and Lesley L. Achterberg, as joint tenants, by Warranty Deed of Edward C. Schultz dated April 18, 2005, which was recorded on April 29, 2005, in the York County Registry of Deeds in Book 14445, Page 647. Raymond C. Achterberg died on August 31, 2007, leaving Lesley L. Achterberg as the surviving joint tenant.

The purpose of this deed is to place on record a new deed showing the Grantor's name as now being Lesley L. Ortiz.

Witness my hand this 18th day of July, 2014.

Ann D. Dionne
Witness

Lesley L. Ortiz
LESLEY L. ORTIZ,
formerly known as Lesley L. Achterberg

No R.E. Transfer Tax Paid

1 pg.

STATE OF MAINE,
COUNTY OF YORK

July 18, 2014

Personally appeared the above named **LESLEY L. ORTIZ,** and acknowledged the foregoing to be her free act and deed.

Ret. to:
LAW OFFICE OF
CHARLES L. NICKERSON
902 MAIN STREET
P O. BOX 232
SANFORD, MAINE 04073

SEAL

Before me,
Lynne H. Lincourt
Notary Public
Printed Name: LYNNE H. LINCOURT
My Commission Expires:
Notary Public, State of Maine
Commission Expires Sep. 27, 2019

BK 14445 PG 0647 - 0648
Received York SS
04/29/2005 12:57PM
Debra L. Anderson
Register of Deeds

5

WARRANTY DEED

Know all Persons by these Presents that I, ***Edward C. Schulz***, Town of Limerick, State of Maine, in consideration of one dollar and other valuable consideration paid by ***Raymond C. Achterberg and Lesley L. Achterberg***, whose mailing address is 140 Greenridge Drive, Pensacola, FL 32534-3134 the receipt whereof I do hereby acknowledge do hereby ***give, grant, bargain, sell and convey*** unto the said ***Raymond C. Achterberg and Lesley L. Achterberg***, as joint tenants, not as tenants in common, their heirs and assigns forever,

MAINE R.E. TRANSFER TAX PAID

A certain lot or parcel of land, situated in the Town of Waterboro, County of York and State of Maine, and being the lot known and designated as Lot Number Five (5), on a Plan entitled "Survey of Land in Town of Waterboro, Property Owned by Eastern Shores Association", etc., made by John Rossborough, Surveyor, in December, 1966, subsequently approved by the Selectmen of the Town of Waterboro, and since duly filed in the York County Registry of Deeds, Plan Book 43, Page 25, said Lot Number Five (5) being more particularly bounded and described as follows, to wit:

Southerly for one hundred (100) feet by unlotted lands on said Plan; Southwesterly for one hundred seven (107) feet by Lot Number Six (6) on said Plan; Northwesterly for one hundred (100) feet by land now or formerly of one Simons; and Northeasterly for one hundred thirty-three (133) feet by Lot Number Four (4) on said Plan.

Together with the right to come and go over said unlotted lands, over the private ways as shown on said Plan, to and from the highway known as "New Dam Road", which abuts the premises on the Easterly side thereof as shown on said Plan.

Together with the right, in common with others, to use any and all of the unlotted lands on said Plan for any and all purposes of enjoyment and recreation, subject only to reasonable and proper regard for others having rights therein, and further subject to such reasonable rules and regulation as may be established from time to time by Eastern Shores Associates, an unincorporated association composed of the persons owning and holding lands within the area shown by the above described plan.

Meaning and intending to convey, and hereby conveying, the premises described in a deed from Anne G. Schulz to Edward C. Schulz dated March 29, 2002 and recorded in the York County Registry of Deeds in Book 11523, Page 324.

To have and to hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said ***Raymond C. Achterberg and Lesley L. Achterberg***, their heirs and assigns, to them and their use and behoof forever.

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

IN WITNESS WHEREOF, I, the said ***Edward C. Schulz***, have hereunto set my hand and seal this 18 day of April, 2005.

Signed, Sealed and Delivered
in the presence of

Witness

Edward C. Schulz

STATE OF MAINE
COUNTY OF CUMBERLAND, *ss.*

Dated: April 18th, 2005

Personally appeared the above-named Edward C. Schulz and acknowledged the foregoing instrument to be his/her free act and deed.

Before me,

Attorney at Law/~~Notary Public~~

Printed name: Jeffry R. Vize

RETURN TO:
FIDELITY TITLE COMPANY
1050 FOREST AVENUE
PORTLAND, ME 04103

2 pg

END OF DOCUMENT

LOT 5

6

BK 17324 PGS 122 - 123
INSTR # 2016040413
RECEIVED YORK SS
09/20/2016 09:08:14 AM
DEBRA ANDERSON
REGISTER OF DEEDS

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS

That, I, **LESLEY L. ORTIZ,** of the City of Pensacola, County of Escambia and State of Florida,

for consideration paid,

grant to **PAUL TEBBETTS,** of 261 West Shore Road, in the Town of Waterboro, County of York and State of Maine, whose mailing address is P.O. Box 25, Waterboro, ME 04087

with **WARRANTY COVENANTS,**

A certain lot or parcel of land together with the buildings thereon situated in the Town of Waterboro, County of York and State of Maine, and being the lot known and designated as Lot Number Five (5) on a plan entitled "Survey of Land in Town of Waterboro, Property owned by Eastern Shores Association", etc., made by John Rossborough, Surveyor, in December, 1966, subsequently approved by the Selectmen of the Town of Waterboro and since duly filed in the York County Registry of Deeds in Plan Book 43, Page 25. said Lot Numbered Five (5) being more particularly bounded and described as follows:

Southerly for one hundred (100) feet by unlotted lands on said Plan; southwesterly for one hundred seven (107) feet by Lot Number Six (6) on said Plan; northwesterly for one hundred (100) feet by land now or formerly of one Simons; and northeasterly for one hundred thirty-three (133) feet by Lot numbered Four (4) on said Plan.

Together with the right to come and go over said unlotted lands, over the private ways as shown on said Plan, to and from the highway known as "New Dam Road", which abuts the premises on the easterly side thereof as shown on said Plan.

Together with the right in common with others, to use any and all of the unlotted lands on said Plan for any and all purposes of enjoyment and recreation, subject only to reasonable and proper regard for others having rights therein, and further subject to such reasonable rules and regulations as may be established from time to time by Eastern Shores Associates, an unincorporated association composed of the persons owning and holding lands within the area shown by the above described Plan.

Maine R.E. Transfer Tax Paid

xp → Paul Tebbetts
PO Box 25
Waterboro ME 04087
(2)

Being the same premises conveyed to the Grantor herein by warranty deed of Lesley L. Ortiz dated July 18, 2014 and recorded in the York County Registry of Deeds in Book 16856, Page 278.

WITNESS my hand this 19TH day of September, 2016.

Lesley L. Ortiz

STATE OF MAINE
COUNTY OF YORK

September 19th, 2016

Personally appeared the above named Lesley L. Ortiz and acknowledged the foregoing instrument to be her free act and deed.

Seal

Before me,

LAURETTE RICHARD
Notary Public
My comm. expires: 10-26-2022

SACO RIVER CORRIDOR COMMISSION
P.O. BOX 283, 81 MAPLE STREET ~ CORNISH, MAINE 04020-0283
TELEPHONE (207) 625-8123 ~ FAX (207) 625-7050 ~ E-MAIL: srcc@srcc-maine.org

HARDSHIP VARIANCE INFORMATION SHEET

In order to be considered for a hardship variance, the applicant or the agent must present testimony, during a scheduled public hearing, which addresses the issue of undue hardship. The Act states that the burden of proof is upon the applicant to demonstrate "undue hardship" which is defined in Title 30-A M.R.S.A. Section 4353 as the following:

- The land can not yield a reasonable return unless a hardship variance is granted;
- The need for the hardship variance is due to unique circumstances of the property and not to the general conditions in the neighborhood;
- The granting of a hardship variance will not alter the essential character of locality; and
- The hardship variance is not the result of action taken by the applicant or a prior owners.

The Saco River Corridor Act (Title 38 M.R.S.A. Section 951 et. seq.) further states that the applicant must meet the following tests in addition to establishing undue hardship:

- The hardship variance, if granted, will not subvert the intent of the Saco River Corridor Act; and
- The proposed use will not unreasonably interfere with the use and enjoyment of their lands by adjacent landowners, or result in any unreasonable a) degradation of air and water quality; b) harmful alteration of wetlands; c) increasing erosion or sedimentation; d) danger of increased flood damage; e) obstruction of flood flow; f) damage to fish and wildlife habitat; g) despoliation of the scenic, rural, and open space character of the Corridor; h) overcrowding; i) excessive noise; j) obstructions to navigation; or k) interference with the educational, scenic, scientific, historic, or archeological values of those areas designated and approved for inclusion within the Resource Protection District.

When preparing your argument to the Commission, please review the points and examples listed below.

NO REASONABLE RETURN	
• Reasonable return, not maximum return • Practical loss of all beneficial use ("TAKING") • Hardship must relate to land, not personal circumstances	Examples: - Land unsuitable for any permitted use - Conformance possible only at great cost - Ordinance limited to non-productive uses
DUE TO UNIQUE CIRCUMSTANCES	
• Of property, not person • Uncommon condition, not shared by neighborhood	Examples: - Substandard lot where most/all others conform - Unusual location/topographical features
WILL NOT ALTER NEIGHBORHOOD CHARACTER	
• "Essential" character: residential/commercial/industrial/etc.	Examples: - Accessory apartment in mixed single family/multi-family zone - Setback reduction in densely development neighborhood
NOT SELF-CREATED	
• Action contributing to hardship • By applicant or prior owners	Examples: - Ordinance adopted/amended after purchase - No hardship where applicant acquired property with actual/constructive knowledge of restrictions

Notice to advertise

Revised February 2021

Hardship Variance Request

Submitted: April 15, 2022

by Casey Gray

Lot 4 Basken Shore Hardship Variance Request

For Saco River Corridor

To Whom it may concern, Please accept this letter as my request for a hardship variance. I will explain below how I believe it meets the standards for approval for the 4 required categories of proof and how if granted the request will not cause harm to the neighborhood or water quality where it is located.

I think it would be helpful to start with a brief history of the lot. The Lot was created and approved by the town selectmen in 1966/67 as part of a subdivision plan for the neighborhood Eastern Shores Association containing 20 lots (1-20) and common land.

See Item 1 attached Subdivision Plan

The History Of lot 4 :

1.Raymond Marquis to Peter K Williams lot 4 only in 1967 (book 1793 Pg 382)

2.)Inhabitants of town of Waterboro(vs Peter K Williams)to Paul Tebbetts in 2016 (book 17367 pg751)

Peter Williams 2017 to Paul Tebbetts 2017 (Book17434 pg74)

(Paul Tebbetts also purchased lot 5 in 2016)

Paul Tebbetts to Steven a Gallo (Included Lots 4,5,6) 2020(Book 18421 pg634)

Steven Gallo to Sheila and Randy Gleason (Lot 4 Only) Book 18628 pg199

Gleason to Casey Gray (Lot 4 only) Book 18974 pg 230

Chain of Deeds provided for lot 4 a 5 see attached

It is easy to see after doing this extensive research that Lot 4 was under different ownership from Lot 5 and any other lot Since it's creation in 1966/67 except when purchased initially at tax foreclosure sale in 2016 and later the release by Mr. Williams in 2017 when Purchased by Paul Tebbetts.

When I Purchased the Property (Lot 4 only) I Purchased from The Gleasons who only owned lot 4. I was provided a copy of their deed and a copy of the subdivision map and a copy of the tax map which all showed lot 4 as an individual lot. I did not look into it further. I obtained a title search and title insurance and closed on the property. I filed for building permits and when they were ready to be picked up Code enforcement called. We chatted about various topics and realized that before the conversation was done that I should actually apply for Saco River corridor approval. This hadn't occurred to me before because when traveling to the lot It seems really far from the water and the association beach but it is across another road about 200' or so from the lot. We agreed it was a pretty routine case and I would get him a copy of the permit as soon as it was available. I sent in my application right away and two days later received notice that My permit was put on hold because when reviewing the board had discovered

a permit application from Paul Tebbetts (3 owners before me) that depicted him building on lots 5 and 6 but also included lot 4 in the depiction of the property. I Immediately reached out to the attorney who did my title work who referred me back to the subdivision plan. I shared this with the SRCC who said that because the lots were once joined could never be developed individually because they don't meet the aggregate(Which I'm still having a hard time understanding) or the 1 acre lot size.

This answer means to me that the corridor considers this lot unbuildable.

1. REASONABLE RETURN;

The construction of a home is what this lot was purchased for. The lot would be useless to me as vacant land. I paid a price that one would expect to pay for a challenged but buildable lot. I have read my title policy and am unsure that this issue would be covered. Even if it might be, I have been involved with title claims in the past. It is a very difficult and stressful process with no guaranteed outcome. Even with a win with title insurance, Its so much effort and work that its not a win at all. It would likely lead to lawsuits among multiple persons and companies if pursued to the end.

My secondary concern, I am currently under contract to construct a Modular Home for a customer on the lot and have ordered their house from the factory. I had agreed to sell them a home on this lot because I had met them and knew they were struggling badly to find a home and compete with many offers of every property listed. They are also quite upset by the news that our plans may not be able to go through. They have struggled so badly to find anything affordable that I worry about their ability to find something else that is safe and comfortable within a reasonable time frame. They have also locked in an interest rate about 2% lower than what they could get today.

2. UNIQUE CIRCUMSTANCES;

I purchased this lot from another individual who only owned this lot. It was Identified as an individual lot in both the subdivision map and the tax map. There was no initial indication that the lot was not a stand alone property upon my initial inspection. This is a unique situation I have never come across before and I have far more real estate experience than an average person. I believe the chain of deeds shows this effectively.

3. WILL NOT ALTER NEIGHBORHOOD

This lot was planned at the same time as the rest of the neighborhood. Most of the properties in the neighborhood are the same size or smaller. The neighborhood abuts the Lake arrowhead community full of small similar lots. I believe the construction of a home would actually enhance the road with a year round residence and make it worthwhile to enhance the features of the lot because of it's current "grubbed out" state.

4. NOT SELF-CREATED

When I purchased the lot It was sold to me as only Lot 4 from an owner who only owned lot 4. It was clearly Identified as an individual lot in the documentation I had. I assumed the previous owner checked the title (as I did) and because it was already in an individual title when I purchased I didn't investigate further. My title attorney also must have missed the potential issue because it was never mentioned as

a potential problem until I received notice from the SRCC that my permit request would not be able to be processed because it had at one time been owned by the same owner as lot 5 and 6. I did not create the division and the person before me was not aware of the potential issue when it was sold to them.

I believe that if a permit is granted that it will not subvert the act. This lot was created and owned as an individual lot for decades after the corridor was established. Although I do not know any of the previous owners, I do not believe they acted with ill intent to skirt the rules. The rule in question, is a relatively obscure clause and with the longer distance to the water and the common occurrence for the public to be unaware that Lake Arrowhead is part of Saco River Corridor, and the lots appearing separate on a few different resources, It could be easy to miss and misunderstand. Heck, I missed it and would consider myself fairly savvy compared to the average buyer. Because of the unique circumstances of this situation I do not believe it would cause others to see it as a desirable path to take. I know this entire situation has caused me a great deal of stress and I have only been informed of a problem for a few days.

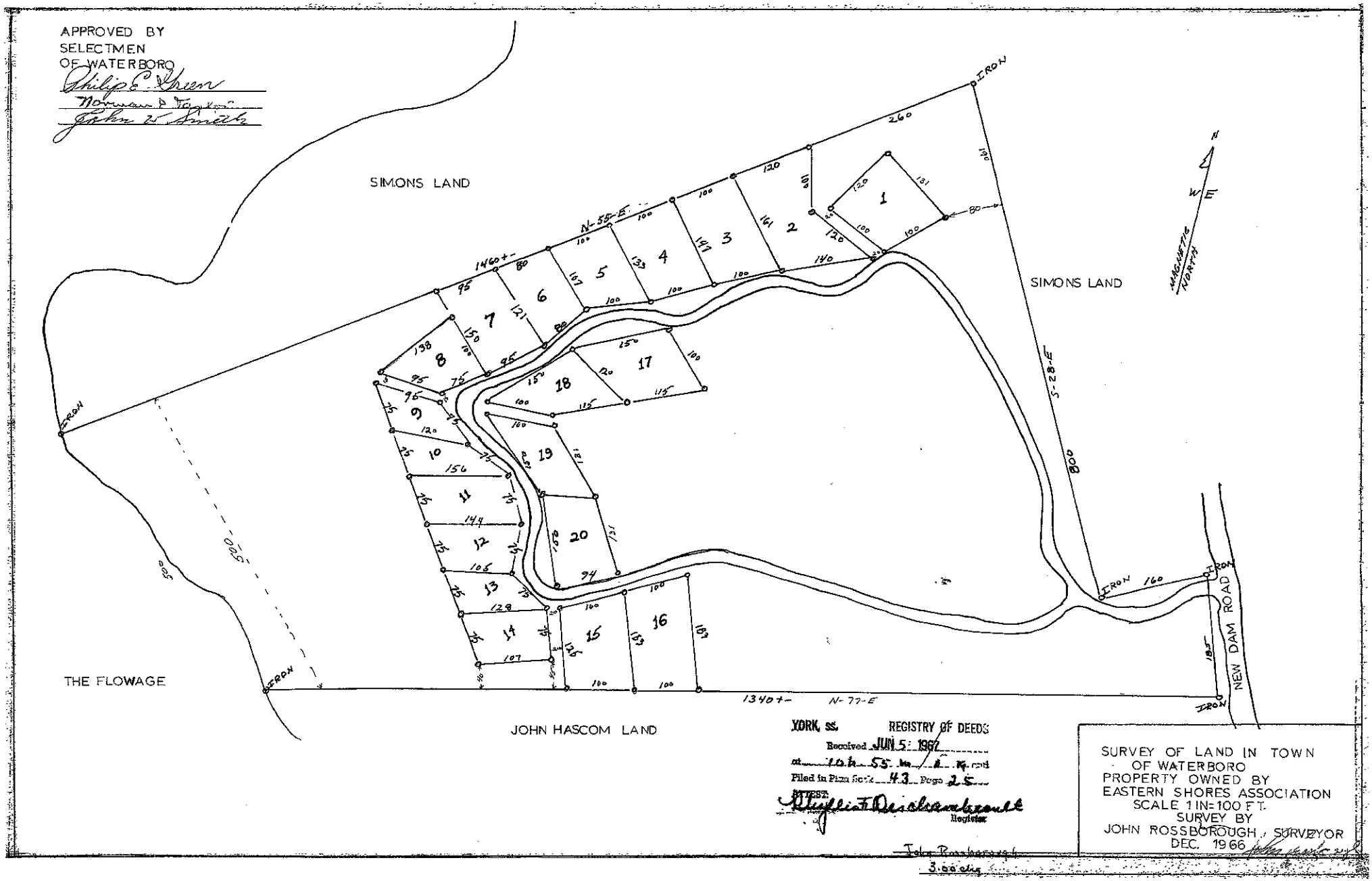
I believe the proposed used will improve a few factors on the lot. The frontage of the lot is loose sand and the back of the lot is a steeper hill. A homeowner is likely to maintain a yard in such a way to prevent further erosion. There is also a road between this lot and the water and that indicates to me this lot is unlikely to impact the water at all. Currently the property appears to me to be a bit of an eyesore for the neighborhood. I think we could improve the site to a state that would bring the neighborhood up a little.

I look forward to the Corridor's decision in this matter and Hope to hear soon. I may be reached by phone at 207-756-4095 and by email at caseygray@roadrunner.com with any questions

Town Approved

Subdivision

MAP


APPROVED BY
SELECTMEN
OF WATERBORO
Philip E. Green
Norman D. Taylor
John W. Smith
SIMONS LAND
SIMONS LAND
THE FLOWAGE
JOHN HASCOM LAND
NEW DAM ROAD
IRON
N-55-E
1460+-
1340+-
N-77-E
S-28-E
800
260
160
MAGNETIC NORTH
N
W
E
YORK, ss. REGISTRY OF DEEDS
Received JUN 5 1967
Filed in Plan Book 43 Page 25
ATTEST
Register
SURVEY OF LAND IN TOWN
OF WATERBORO
PROPERTY OWNED BY
EASTERN SHORES ASSOCIATION
SCALE 1 IN=100 FT.
SURVEY BY
JOHN ROSSBOROUGH, SURVEYOR
DEC. 1966

End Hardship Variance Request Documents

Hardship Variance Test

THE UNDUE HARDSHIP TEST

- Required by 30-A M.R.S.A. Section 4353

"UNDUE HARDSHIP" Defined:

1. Land cannot yield a reasonable return;
2. Need is due to unique circumstances of property, not general conditions in the neighborhood;
3. Variance will not alter essential character of locality; and
4. Hardship is not the result of action taken by the applicant or prior owners.

A FOUR-PART TEST

1. NO REASONABLE RETURN
   - Reasonable return not maximum return
   - Practical loss of all beneficial use ("TAKING")
   - Hardship must relate to land, not personal circumstances

EXAMPLES:
- Land unsuitable for any permitted use
- Conformance possible only at great cost
- Ordinance limited to non-productive uses

2. DUE TO UNIQUE CIRCUMSTANCES
   - Of property, not person
   - Uncommon condition, not shared by neighborhood

EXAMPLES:
- Substandard lot where most/all others conform
- Unusual location/topographical features

3. WILL NOT ALTER NEIGHBORHOOD CHARACTER
   - "ESSENTIAL" Character: Residential/Commercial/Industrial/Etc.

EXAMPLES:
- Accessory apartment in mixed single family/multi-family zone
- Setback reduction in densely developed neighborhood

4. NOT SELF-CREATED
   - Action contributing to hardship
   - By applicant or prior owners

EXAMPLES:
- Ordinance adopted/amended after purchase

SACO RIVER CORRIDOR COMMISSION
P.O. BOX 283, 81 MAPLE STREET ~ CORNISH, MAINE 04020-0283
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HARDSHIP VARIANCE INFORMATION SHEET

In order to be considered for a hardship variance, the applicant or the agent must present testimony, during a scheduled public hearing, which addresses the issue of undue hardship. The Act states that the burden of proof is upon the applicant to demonstrate "undue hardship" which is defined in Title 30-A M.R.S.A. Section 4353 as the following:

- The land can not yield a reasonable return unless a hardship variance is granted;
- The need for the hardship variance is due to unique circumstances of the property and not to the general conditions in the neighborhood;
- The granting of a hardship variance will not alter the essential character of locality; and
- The hardship variance is not the result of action taken by the applicant or a prior owners.

The Saco River Corridor Act (Title 38 M.R.S.A. Section 951 et. seq.) further states that the applicant must meet the following tests in addition to establishing undue hardship:

- The hardship variance, if granted, will not subvert the intent of the Saco River Corridor Act; and
- The proposed use will not unreasonably interfere with the use and enjoyment of their lands by adjacent landowners, or result in any unreasonable a) degradation of air and water quality; b) harmful alteration of wetlands; c) increasing erosion or sedimentation; d) danger of increased flood damage; e) obstruction of flood flow; f) damage to fish and wildlife habitat; g) despoliation of the scenic, rural, and open space character of the Corridor; h) overcrowding; i) excessive noise; j) obstructions to navigation; or k) interference with the educational, scenic, scientific, historic, or archeological values of those areas designated and approved for inclusion within the Resource Protection District.

When preparing your argument to the Commission, please review the points and examples listed below.

NO REASONABLE RETURN	
• Reasonable return, not <u>maximum</u> return • Practical loss of <u>all</u> beneficial use ("TAKING") • Hardship must relate to <u>land</u>, not personal circumstances	Examples: - Land unsuitable for any permitted use - Conformance possible only at great cost - Ordinance limited to non-productive uses
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NOT SELF-CREATED	
• Action contributing to hardship • By applicant or prior owners	Examples: - Ordinance adopted/amended <u>after</u> purchase

§963. Variance from performance standards

1. Variance. A relaxation of the performance standards enacted by this chapter or adopted pursuant thereto may be granted by the commission, after notice and public hearing, upon a finding by the commission that the following provisions are met:

A. Application of the performance standard to the land or water area in question will result in undue hardship to the applicant, provided that hardship to the applicant, provided that hardship shall not be construed to include:

(1) Any hardship attributable to any act, course of conduct or failure to act of the applicant or his predecessor in interest beginning with the owner of record on the effective date of this chapter or of a performance standard adopted pursuant thereto from which a variance is sought; or

(2) Any hardship that is not unique to the petitioner's land; [PL 1979, c. 459, §1 (NEW).]

B. The variance, if granted, will not subvert the intent of this chapter as stated in section 951 or as manifested in the standards from which a variance is sought; and [PL 1979, c. 459, §1 (NEW).]

C. The proposed use, if a variance is granted, will not unreasonably interfere with the use and enjoyment of their lands by adjacent landowners, or result in any unreasonable:

(1) Degradation of air and water quality;

(2) Harmful alteration of wetlands;

(3) Increase in erosion or sedimentation;

(4) Danger of increased flood damage;

(5) Obstruction of flood flow;

(6) Damage to fish and wildlife habitat;

(7) Despoliation of the scenic, rural and open space character of the corridor;

(8) Overcrowding;

(9) Excessive noise;

(10) Obstructions to navigation; or

(11) Interference with the educational, scenic, scientific, historic or archaeological values of those areas designated and approved for inclusion within the Resource Protection District. [PL 1977, c. 459, §1 (NEW).]

No variance shall be granted because of other nonconforming uses within a district or because of similar uses in an adjoining district. The burden of proof shall be on the applicant to show entitlement to a variance under this section. The owner of a building lot of record which is wholly within the corridor on March 19, 1974, shall be entitled to a variance for a single family residence which may be granted by the commission without public hearing. Any variance granted by the commission may be granted subject to such reasonable conditions concerning matters enumerated in section 959-B as the commission finds necessary to avoid the dangers enumerated in section 957-D. For the purposes of enforcement, variances granted hereunder and the conditions thereto shall be treated as orders of the commission.
[PL 1979, c. 459, §1 (NEW).]

SECTION HISTORY

PL 1979, c. 459, §1 (NEW).

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PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.

Casey Gray

Application #15-561
SRCC Screenshots

Contents

Search

Drawing Order

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  - Rivers_Streams_Secondary
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          - SKMBT_22316051712590.tif
          - SKMBT_22316051712591.tif
          - SKMBT_22316051713000.tif
          - SKMBT_22316051713001.tif
          - SKMBT_22316051713010.tif

Map | Layers

Measure Area

Planar | Square Feet

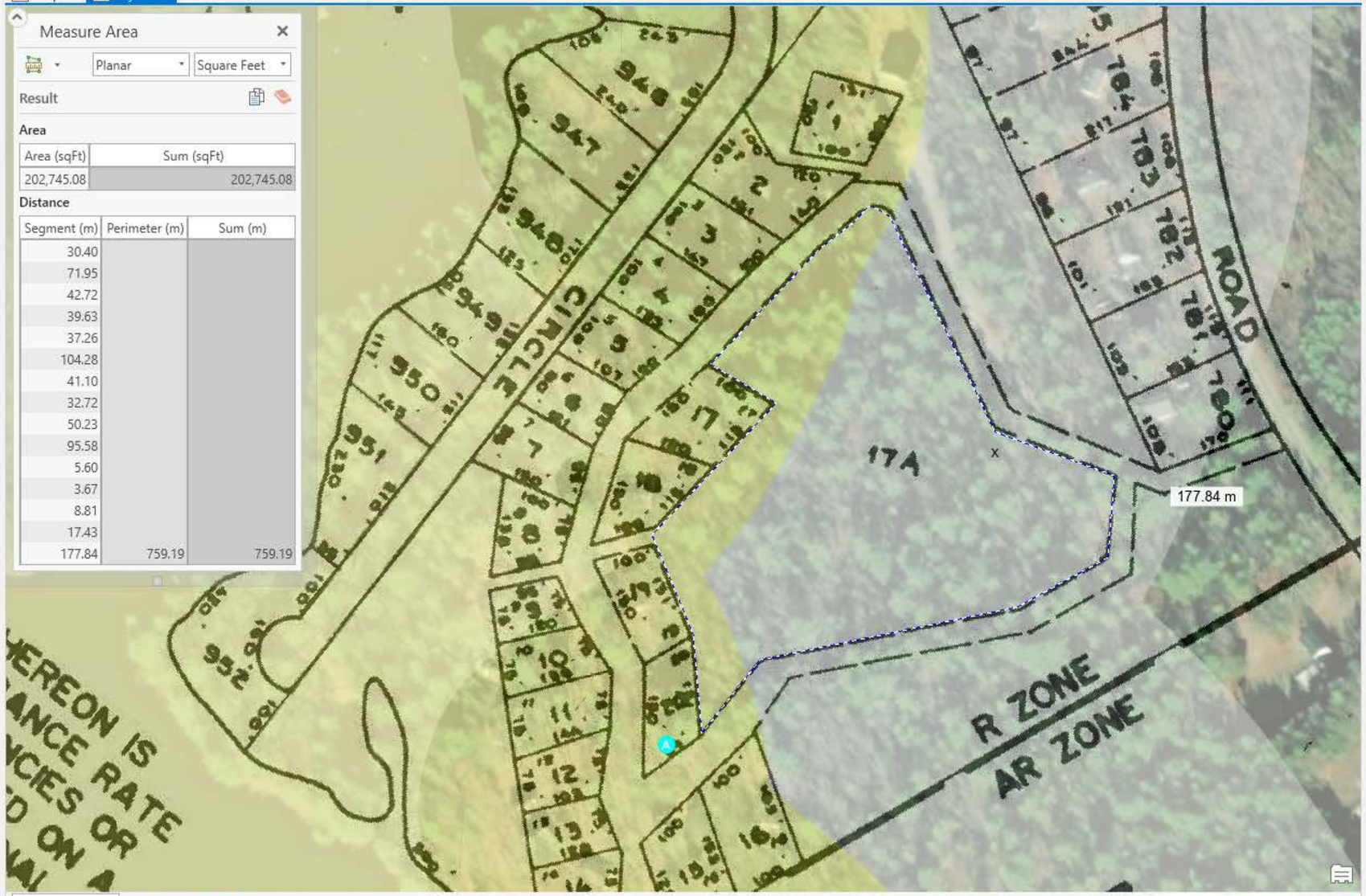
Result

Area

Area (sqFt)	Sum (sqFt)
202,745.08	202,745.08

Distance

Segment (m)	Perimeter (m)	Sum (m)
30.40		
71.95		
42.72		
39.63		
37.26		
104.28		
41.10		
32.72		
50.23		
95.58		
5.60		
3.67		
8.81		
17.43		
177.84	759.19	759.19



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Locate

Locate | Layer Search

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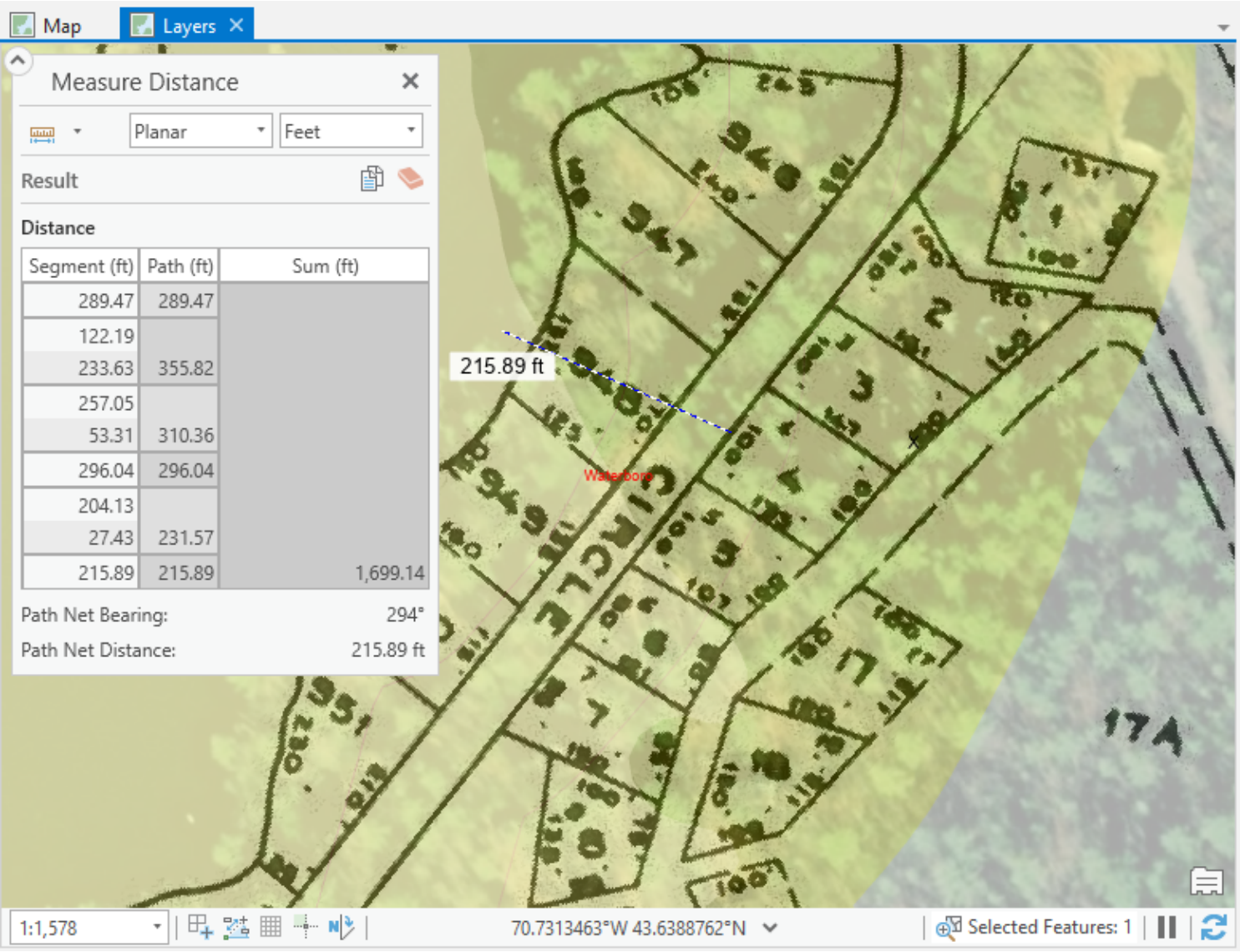
Show all candidates

Esri World Geocoder

Basken Shrs, North Waterboro, Maine, 04061

Catalog | Locate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Planar
Feet
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122.19
233.63 | 355.82
257.05
53.31 | 310.36
296.04 | 296.04
204.13
27.43 | 231.57
215.89 | 215.89 | 1,699.14
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Path Net Distance: 215.89 ft
215.89 ft
Waterboro
CIRCLE
17A
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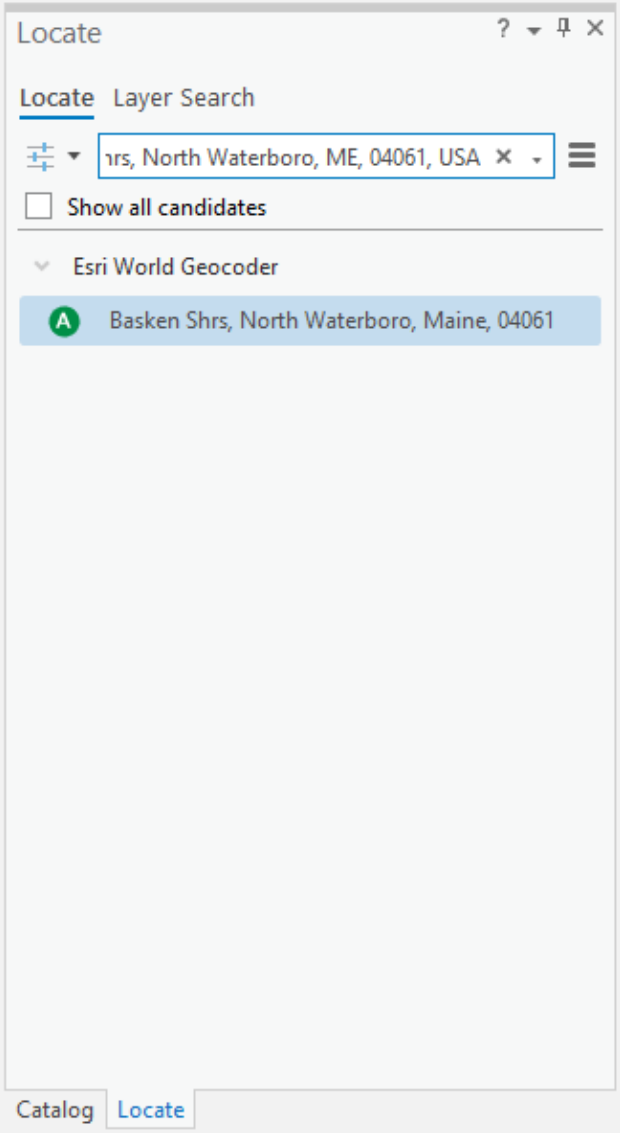
Selected Features: 1


Locate
Locate
Layer Search
hrs, North Waterboro, ME, 04061, USA
Show all candidates
Esri World Geocoder
Basken Shrs, North Waterboro, Maine, 04061
Catalog
Locate

Casey Gray

Application #15-561
J. Boland Site Visit Photos
April 14th, 2022

Lewis Properties

Application #15-563
with Hardship Variance

LEWIS PROPERTIES
AGENT: CHERYL ROY
143 JO JOY ROAD
LIMINGTON, ME 04049
APPLICATION #15-563

PROJECT DESCRIPTION

1. The applicant is seeking a Hardship Variance for a permit to construct a single-family residence, septic system, and detached garage no closer than 220 feet from the normal high water line of the Little Ossipee Flowage.

SITE LOCATION/DESCRIPTION

2. Location: Lots #5 and #6 (Map #43), Basken Shore Road, Waterboro, Maine.
3. The 0.5-acre lots have 180 feet of frontage on the side closest to and most nearly parallel to Lake Arrowhead.
4. This property is located within the Limited Residential District.
5. The applicant proposes a residence with foundation dimensions of 24 x 34 feet and outside dimensions of 28 x 38 feet with a height of 28 feet.
6. The approximate setback of the leach field is 265 feet.
7. The staff determined Lot #6 and a small portion of Lot #5 appear to be within the 100-year floodplain according to the legally effective FEMA floodplain maps.

ISSUES

8. The applicant is seeking Hardship Variances from the Saco River Corridor Act, Title 38 M.R.S.A.:
    a. §957-B. (3)(E)(3) The combined river frontage and setback of any building is not less than 500 feet *(for both the residence and detached garage)*;
    b. §957-B. (3)(E)(4) The structures and fill do not encroach on the 100-year floodplain;
    c. §958. If 2 or more contiguous lots or portions thereof are in single ownership on or after March 19, 1974, and if all or part of the lots do not meet the criteria of lot width, area, frontage or other measures required under this chapter or if a building thereon could not meet the aggregate requirements established by this chapter, the lots involved shall be considered to be one parcel for the purposes of this chapter;
    d. §962.(1)(G) The minimum lot size for each residential dwelling unit is 40,000 square feet…
9. The applicant initially intended the detached garage to be constructed in the future but has since added it to the scope of the current application.
10. The applicant seeks to use the square-footage of the "common land" owned by Eastern Shores Association's Lots #1-20 in calculating the frontage and lot size of Lots #5 and #6.
11. In November 2017, the Commission approved Permit #15-527, Paul Tebbetts, to construct a 28 x 48-foot single-family residence with a 28 x 32-foot detached garage. This permit included Lots #4, 5, and 6 (Map #43) with 280 feet of frontage.
12. John Boland conducted a compliance check on March 13, 2020 and reported that Mr. Tebbetts decided not to construct the home. Mr. Boland noted there was some confusion about the ownership of the lots when conversing with the applicant during the site visit and noted a

"For Sale" sign on Lot # 4. Mr. Tebbetts sold Lots #4-6 to Steven Gallo, who has since sold Lot #4 to Casey Gray, creating a subdivision of the lots which, when joined, were conforming.

13. The applicants have not obtained an HHE-200 or an Elevation Certificate as they are unsure if the Hardship Variance will be approved.
14. The lots are currently cleared of vegetation except for a few trees along the sides. The applicant proposes to loam and seed the lots following completion of construction.

ANALYSIS

15. The proposal includes a septic system and a drilled well for water supply.

RELEVANT STANDARDS OF THE ACT

16. **§957-B. (3)(E)(3):** The combined river frontage and setback of any building is not less than 500 feet;
17. **§957-B. (3)(E)(3):** The structures and fill do not encroach on the 100-year floodplain;
18. **§958. Existing uses:** If 2 or more contiguous lots or portions thereof are in single ownership on or after March 19, 1974, and if all or part of the lots do not meet the criteria of lot width, area, frontage or other measures required under this chapter or if a building thereon could not meet the aggregate requirements established by this chapter, the lots involved shall be considered to be one parcel for the purposes of this chapter.
19. **§962.(1)(G):** The minimum lot size for each residential dwelling unit is 40,000 square feet…

Saco River Corridor Commission

PUBLIC HEARING NOTICE

The Saco River Corridor Commission, under the authority of 38 M.R.S.A. §951 et. seq., will hold a public hearing beginning at **6:00 PM on May 25th, 2022**, via Zoom Webinar. The subject of the public hearing is a request from **Lewis Properties** for a Hardship Variance from the Saco River Corridor Act, for relief of standards. The applicant is seeking Hardship Variances from the Saco River Corridor Act, *Title 38 M.R.S.A., §957-B. (3)(E)(3) The combined river frontage and setback of any building is not less than 500 feet (for both the proposed residence and detached garage); §957-B. (3)(E)(4) The structures and fill do not encroach on the 100-year floodplain; §958. If 2 or more contiguous lots or portions thereof are in single ownership on or after March 19, 1974, and if all or part of the lots do not meet the criteria of lot width, area, frontage or other measures required under this chapter or if a building thereon could not meet the aggregate requirements established by this chapter, the lots involved shall be considered to be one parcel for the purposes of this chapter; and §962.(1)(G) The minimum lot size for each residential dwelling unit is 40,000 square feet…*

The location of this project is Lots #5 and #6, (Map #43), Basken Shore Road in Waterboro, Maine. Information with respect to this application is available in the Commission Office by phone (207) 625-8123 or by fax at (207) 625-7050, located at 81 Maple St. in Cornish, Maine.

To be considered by the Commission, any written comments must be received in the Commission's office no later than 5:00 PM on May 24th, 2022. Oral testimony will be taken at the public hearing. Meeting login information can be obtained on the SRCC website at srcc-maine.org or by contacting the office.

Dalyn Houser – Executive Director

Lewis Properties

Application #15-563

Correspondence

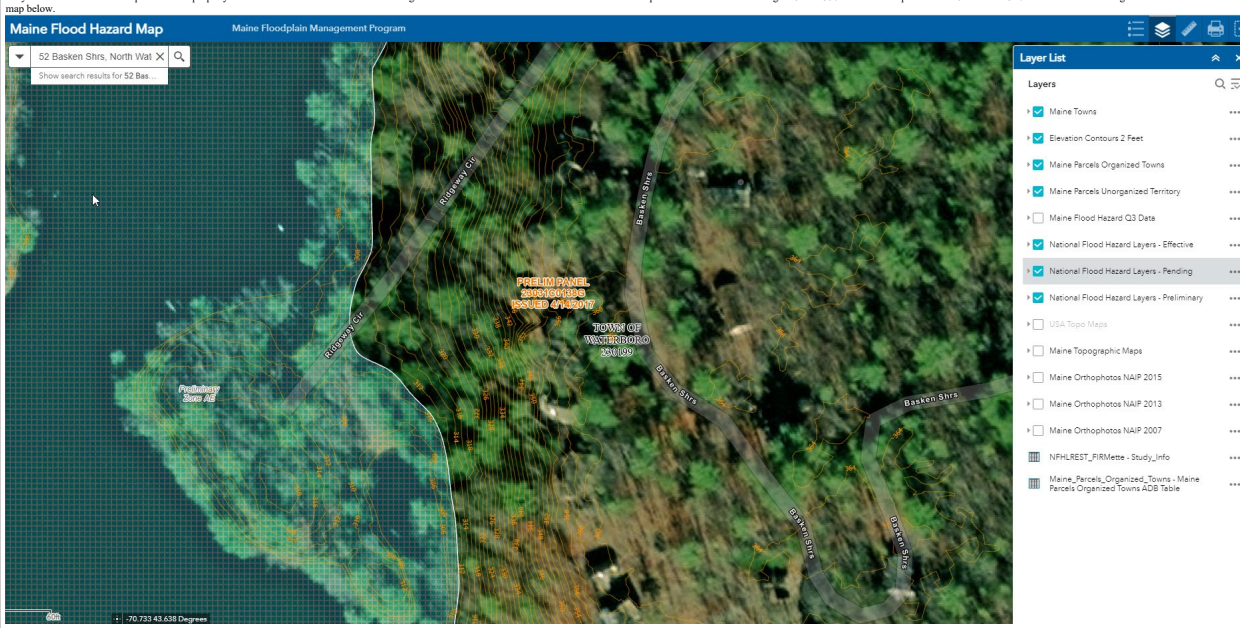
From: Larry Stuteville
To: Dalyn Houser
Cc: Cheryl Roy-Stuteville; haley@srcc-maine.org; Rikki Haley
Subject: Re: Surveyor list
Date: Friday, May 6, 2022 11:57:52 AM
Attachments: image001.png

Hi Dalyn,
This is the map I'm using for flood plain information. It makes more logical sense than the EMA map that shows sections of water not in the flood zone and land 40 feet above the water to be in the flood zone. I want to make sure the Committee has accurate information on which to base decisions for not only my request but for other in the future.

https://maine.maps.arcgis.com/apps/webappviewer/index.html?id=3c0935139776 4bd2aa9ba385d2e9efe7

On Fri, May 6, 2022 at 9:22 AM Dalyn Houser <dalyn@srcc-maine.org> wrote:

> Hi Larry,
>
> I believe I have seen this platform before. We utilize the FEMA flood maps from the FEMA service center as these maps show the legally effective floodplain layer. For Waterboro the legally effective FEMA layer is from 1985. https://msc.fema.gov/portal/home
>
> It looks like the layer on the map below is the most recent mapping that is still pending approval. Could you send me the direct link to the map below? I do not know the floodplain elevation for the property, but we can include this information with the application.
>
> Thank you,
>
> Dalyn Houser
>
> Executive Director
>
> Saco River Corridor Commission
>
> 81 Maple Street
>
> Post Office Box 283
>
> Cornish, Maine 04020
>
> 207-625-8123
>
> www.srcc-maine.org
>
> ---
>
> **From:** Larry Stuteville <ls4172@googlemail.com>
> **Sent:** May 6, 2022 8:17 AM
> **To:** Cheryl Roy-Stuteville <sroycheryl@gmail.com>; Dalyn Houser <dalyn@srcc-maine.org>
> **Subject:** Re: Surveyor list
>
> Thank you for the info Dalyn. I have been trying to figure out the flood map to see what layer you were showing in your example. From what I can tell you are using Maine Flood Hazard Q3 layer. This layer seems To be offset several hundred feet. If you look closely, this layer shows areas of actual water that are not part f the flood zone. The National Flood Hazard layer (and all other layers) are actually aligned with the body of water. I am worried incorrect data is being used to determine flood zones. In the screenshot below you can see that Basken Shores road is quite far from the flood zone. Am I mis interpreting this map?
>
> Do you know the elevation required for the property to be out of the flood zone? I can do a rough elevation check to see if the elevation lines on the map are close as well. I'm seeing lot 5 is at 350' at the lowest point and lot 5 is around 340' of elevation according to the elevation lines on map below.



> Regards,
>
> Larry Stuteville
>
> On May 4, 2022, at 5:53 PM, Larry Stuteville <ls4172@googlemail.com> wrote:
>
> Regards,
>
> Larry Stuteville
>
> Begin forwarded message:
>
> **From:** Dalyn Houser <dalyn@srcc-maine.org>
> **Date:** May 4, 2022 at 3:05:47 PM EDT
> **To:** ls4172@gmail.com
> **Cc:** Haley@srcc-maine.org
> **Subject: FW: Surveyor list**
>
> Hi Larry,
>
> Here is the list of surveyors.
>
> Best,
>
> Dalyn Houser
>
> Executive Director

Saco River Corridor Commission

81 Maple Street
Post Office Box 283
Cornish, Maine 04020
207-625-8123
www.srcc-maine.org

Surveryors

Stephen W. Everett, PLS- 73 Pheasant Run Road, East Waterboro, ME 04030 207-650-5216

Lalonde Land Surveying, LLC- 207-793-3727 (this is the only phone number I could find for them)

Boundary Engineering Survey Technology- (207)929-BEST

Maine Boundary Consultants- 8 River Road, Buxton 207-727-5359

Please note that neither I nor the Commission endorse or recommend any of the above surveyors, this is just a list of some of the local surveyors that we have encountered recently.

Sincerely,

Keisha Garnett
Administrative Assistant
Clerk of the Board
Saco River Corridor Commission
207-625-8123
www.srcc-maine.org

81 Maple Street
P.O. Box 283
Cornish, ME 04020

From: Dalyn Houser
To: "Cheryl Roy-Stuteville"
Cc: Ls4172@gmail.com; haley@srcc-maine.org; "Rikki Haley"
Subject: RE: SRCC Application-15-563: Lot #6 in the 100-year floodplain
Date: Thursday, May 5, 2022 9:27:33 AM
Attachments: Map Image with Floodplain.png

Hi Cheryl,
Thanks for the message. I will add this phone number to the file. There is a different number under your name on the file.
I have attached another image of the SRCC mapping system that shows the 100-year floodplain (the white layer). The legend is on the left-hand side of the image. This is the most recent FEMA floodplain mapping. The Commission uses this system along with the FEMA service center floodplain maps that you can access via the link below to determine the extent of the 100-year floodplain to the best of our ability.
FEMA Floodplain Maps: https://msc.fema.gov/portal/home
Please do not misunderstand this as a request but only as information being relayed. It would be normal procedure to request an elevation certificate when evaluating this type of project as the construction of a residence is not an allowed use in the 100-year floodplain. This is for many reasons, including protecting floodwaters, water quality, and preventing the destruction of property. It is entirely your choice whether or not to pursue an elevation certificate. If no further information is provided, we will utilize the FEMA maps and add a fifth variance request to the application.

Feel free to let us know if you have any other questions.
Thank you,
Dalyn Houser
Executive Director
Saco River Corridor Commission

81 Maple Street
Post Office Box 283
Cornish, Maine 04020
207-625-8123
www.srcc-maine.org

From: Cheryl Roy-Stuteville <sroycheryl@gmail.com>
Sent: May 4, 2022 5:05 PM
To: Dalyn Houser <dalyn@srcc-maine.org>
Subject: Re: SRCC Application-15-563: Lot #6 in the 100-year floodplain

you must have the wrong number for me as I didnt get a phone call- 281-3265,

Just to clarify, the whitish area is considered the flood zone? I will need more pictures please that confirm this, a close up of the map legend would be helpful. You're asking for a $1200 elevation certificate. I will need more documentation to share with Steve Gallo, Rob Myers, and Larry Stuteville to justify this additional expense.

On Wed, May 4, 2022 at 2:49 PM Dalyn Houser <dalyn@srcc-maine.org> wrote:

> Hello Larry and Cheryl:

I tried to call both of you to relay the message that the SRCC map system shows lot #6 to be in the 100-year floodplain. Therefore, another variance is required for the proposal as the construction of homes is not allowed in the floodplain. You can seek an elevation certificate or survey to determine the exact location of the 100-year floodplain. Unless other information is provided, we will be using the FEMA floodplain maps which show that lot 6 is in the 100-year floodplain.

Feel free to call me if you have any questions.

Thank you,

Dalyn Houser
Executive Director
Saco River Corridor Commission

81 Maple Street
Post Office Box 283
Cornish, Maine 04020
207-625-8123
www.srcc-maine.org

--

Thank you,
Cheryl Roy-Stuteville
RE/MAX Coastal
638 Hollis Rd, Hollis ME 04042
(207) 281-3265

From:	Larry Stuteville
To:	Dalyn Houser
Cc:	ls4172@gmail.com; cherylroy@remax.net; Haley@srcc-maine.org; Rikki Haley
Subject:	Re: SRCC Application-15-563: Lot #6 in the 100-year floodplain
Date:	Wednesday, May 4, 2022 2:49:07 PM
Attachments:	Map Image with Floodplain.png Untitled attachment 00688.htm Public Hearing Ad Lewis Properties 05_02_2022.doc Untitled attachment 00691.htm

---

Hi Dalyn,
I will call you momentarily to discuss the latest discovery.

Regards,
Larry Stuteville

On May 4, 2022, at 2:47 PM, Dalyn Houser <dalyn@srcc-maine.org> wrote:

Hello Larry and Cheryl:

I tried to call both of you to relay the message that the SRCC map system shows lot #6 to be in the 100-year floodplain. Therefore, another variance is required for the proposal as the construction of homes is not allowed in the floodplain. You can seek an elevation certificate or survey to determine the exact location of the 100-year floodplain. Unless other information is provided, we will be using the FEMA floodplain maps which show that lot 6 is in the 100-year floodplain.

Feel free to call me if you have any questions.

Thank you,

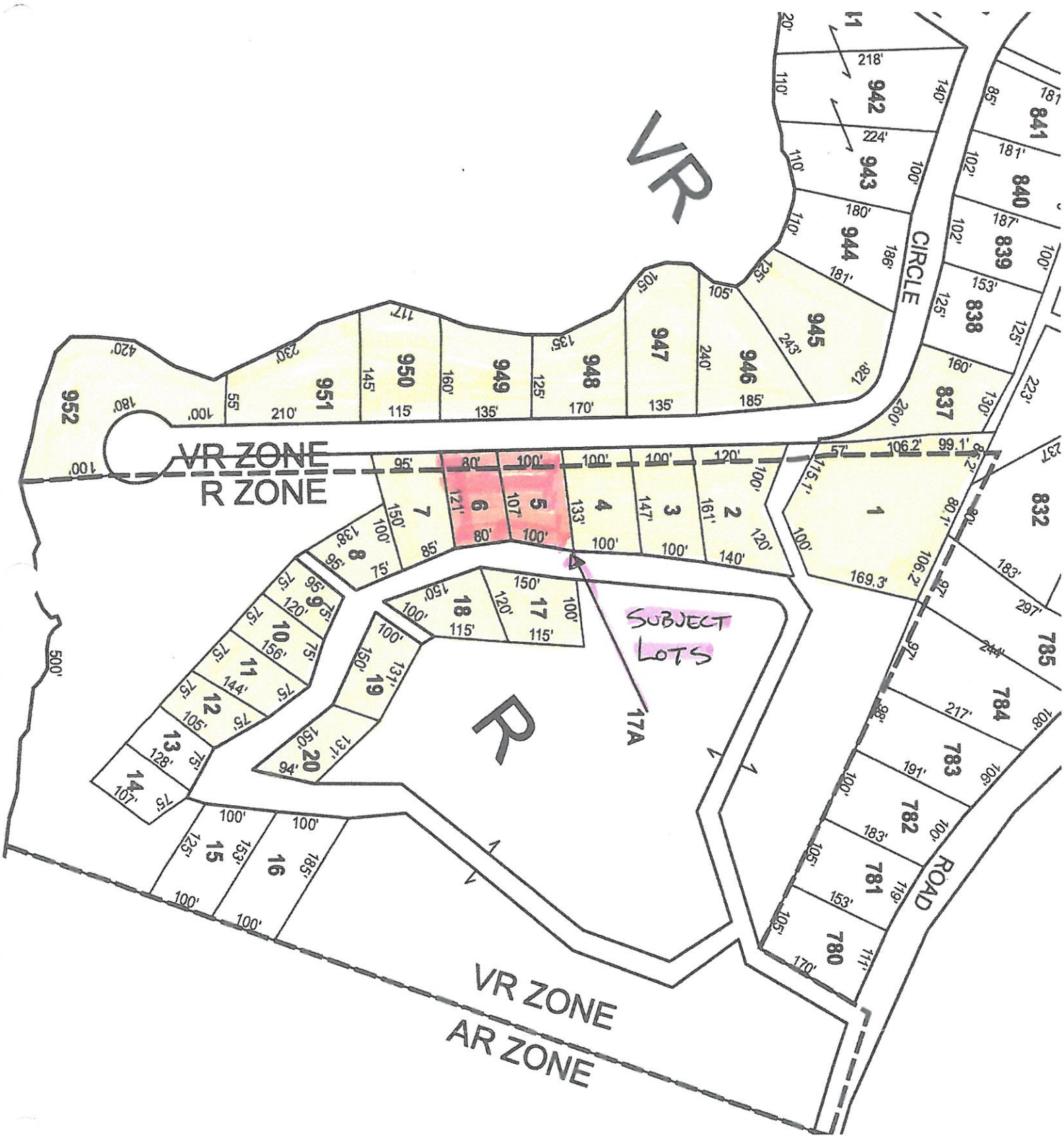
Dalyn Houser
Executive Director
Saco River Corridor Commission

81 Maple Street
Post Office Box 283
Cornish, Maine 04020
207-625-8123
www.srcc-maine.org

Lewis Properties

Application #15-563

Site Plans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SUBJECT LOTS
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942
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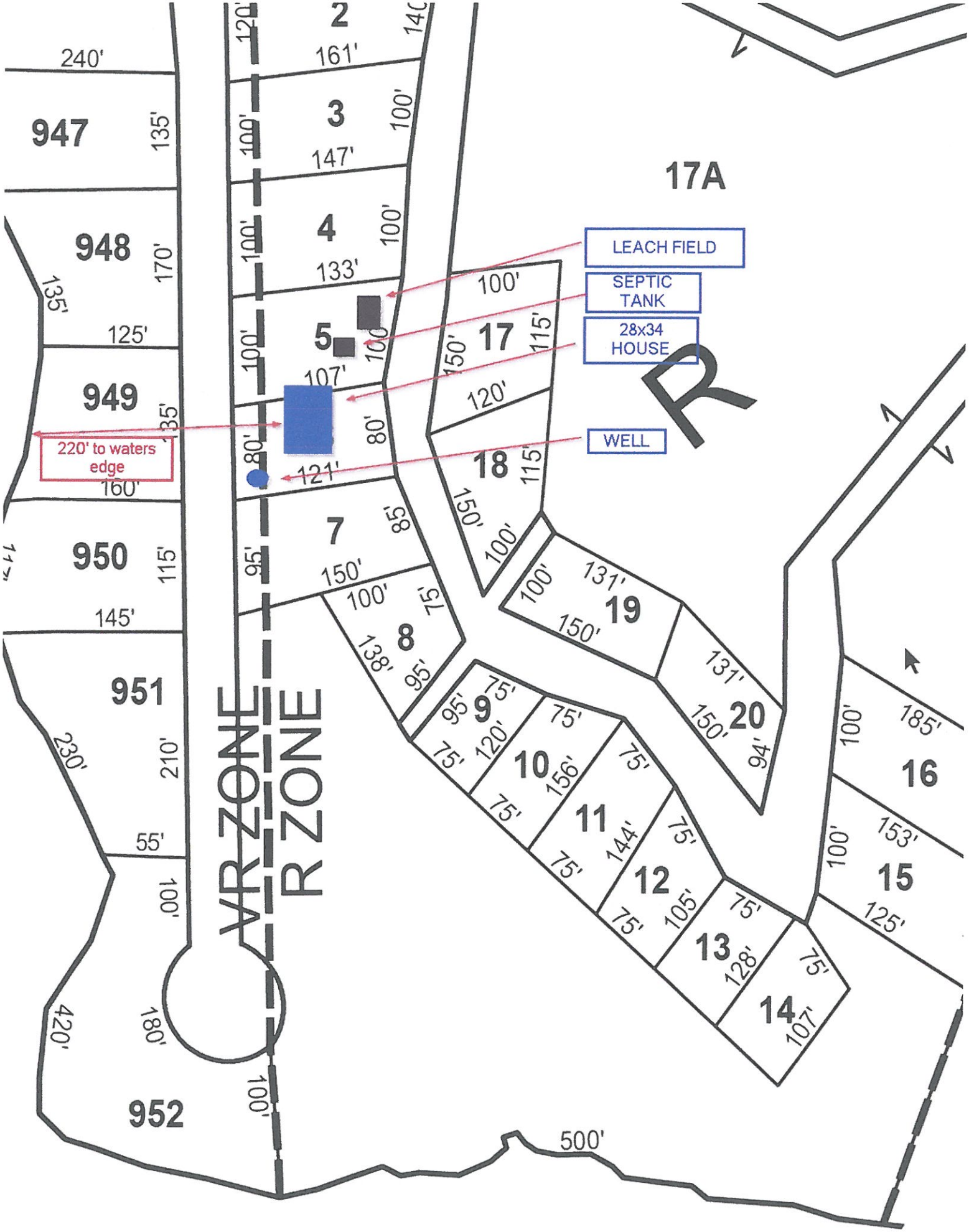
LEACH FIELD
SEPTIC TANK
28x34 HOUSE
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220' to waters edge
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VR ZONE
R ZONE
R
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950
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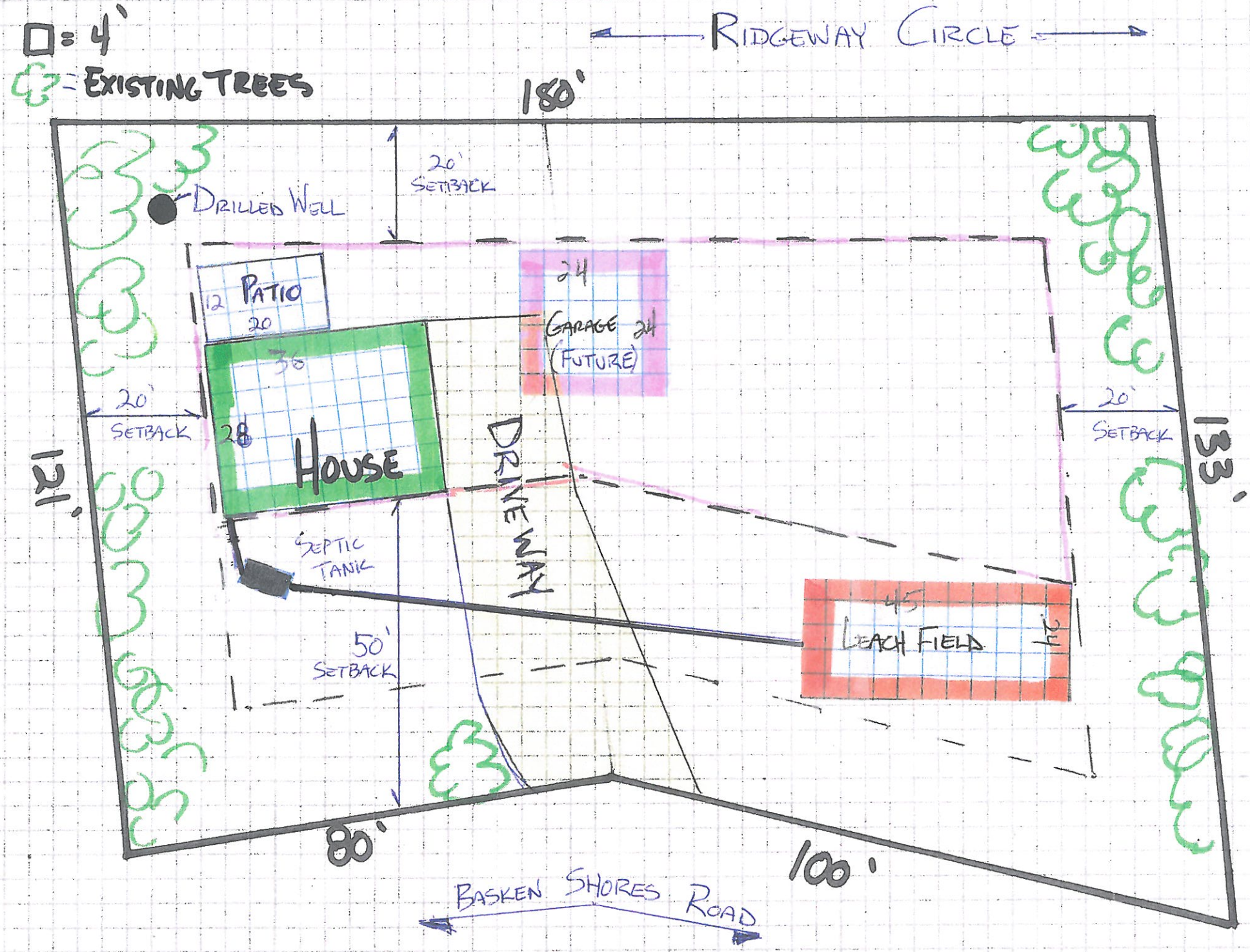
□ = 4'
EXISTING TREES
RIDGEWAY CIRCLE
180'
20' SETBACK
DRILLED WELL
12
PATIO
20
24
GARAGE
24
(FUTURE)
36
20' SETBACK
20' SETBACK
28
HOUSE
DRIVEWAY
133'
SEPTIC TANK
45
LEACH FIELD
24
50' SETBACK
80'
100'
BASKEN SHORES ROAD

Lewis Properties

Application #15-563

Previous permit on lots: Paul Tebbetts

Saco River Corridor Commission

"Communities Working Together To Protect Our Rivers"

COMMISSION ORDER
IN THE MATTER OF

PAUL TEBBETTS P.O. BOX 25 WATERBORO, ME 04087 APPLICATION #15-527	SACO RIVER CORRIDOR ACT FINDINGS OF FACT AND ORDER

The Saco River Corridor Commission, created by the Maine State Legislature in the Saco River Corridor Act, Title 38 M.R.S.A. Section 951, et. seq., hereinafter referred to as the "Act", at a meeting held on November 29, 2017 at Porter, Maine, and after a review of the application and supporting documents makes the following findings of fact:

PROJECT DESCRIPTION

1. The applicant is requesting a permit to construct a 28 x 48 foot house and a 28 x 32 foot detached garage to be located no closer than 225 feet to the normal high water line of the Little Ossipee Flowage.

SITE LOCATION/DESCRIPTION

2. Location: Lot #4/5/6, (Map #43), Baskin Shore's Road, Waterboro (LAC), Maine.

3. The lot has 280 feet of frontage on the Saco River.

4. This property is located within the Limited Residential District.

OTHER

5. The Subsurface Wastewater Disposal Plan indicates that the property is suitable for a 1000 gallon concrete tank with a 600 square foot medium size stone bed disposal field as designed and submitted by Kenneth Gardner, per his HHE-200 dated November 1, 2017.

BASED ON THE ABOVE FINDINGS, as determined at a duly noticed Commission Meeting, the Commission draws the following conclusions:

P.O. Box 283 - Cornish, Maine 04020-0283 - (207) 625-8123 Fax (207) 625-7050 Email: srcc@srcc-maine.org

1. The applicant has shown the proposed design to be necessary within the meaning of the Act.

2. The proposed use will not unreasonably involve any of the factors enumerated in Section 959-A.1.A. through K of the Act.

THEREFORE, the Commission APPROVES the application of Paul Tebbetts, #15-527, to construct a 28 x 48 foot house and a 28 x 32 foot detached garage on property owned by him, provided the activity is carried out, according to the application and exhibits attached thereto and UPON THE FOLLOWING CONDITIONS:

1. Standard Conditions of Approval (copy attached).
2. No part of the structures will be placed closer than 225 feet to the normal high water line.
3. Other conditions as decided by a vote of the Commission at a duly noticed Commission Meeting.

Any appeals from this decision, including any of its conditions, shall be taken pursuant to Section 968 of the Act, except that no appeal pursuant to Section 968 of the Act shall be taken from a decision of the Commission which decision was made without a public hearing until a request for reconsideration has been submitted to the Commission and the Commission has made a final determination in the matter. Any person wishing to file an appeal or to request reconsideration must do so within 30 days of the Commission's written decision and order. Requests for reconsideration must be submitted in accordance with applicable Commission regulations. All permits to be valid, must meet all federal, state, and local ordinances and regulations.

DONE AND DATED AT CORNISH, MAINE THIS 29th DAY OF NOVEMBER, 2017.

BY: _____
Michael Robinson, Chairperson

_____
Dated

Lewis Properties

Application #15-563
Hardship Variance Request

Dear SRCC Members,

I am currently under contract to purchase lots 5 and 6, map 43, on Basken Shores Road from Mr. Steven Gallo. Once under contract, it was discovered these lots fall under the jurisdiction of the SRCC which can impose regulations to better protect the waterways and reduce environmental impacts that could result from over development or sub-standard development practices. At first glance, this would require submitting necessary documentation to the SRCC and all would be well. The lots are similar in size and proximity to the water as other lots on Basken Shores Road. I have since discovered there is a rule requiring contiguous lots under the same ownership be combined to meet minimum lot size. In this case, Paul Tebbetts owned lots 4, 5, and 6 for a short period prior to selling to Steve Gallo. Steve Gallo subsequently sold lot 4 to Sheila and Randy Gleason. Lot 4 was then sold to Casey Gray and I am under contract to purchase lots 5 and 6. To ensure the purchase of these lots can move forward without hinderance, I am seeking a hardship variance for myself and also for Steve Gallo as this property will likely remain vacant and unused if the variance is not granted.

No Reasonable Return:

- Steve Gallo purchased property with the understanding they were 3 unique and individual lots. Without a variance to build on these lots they will essentially be rendered useless for any purpose that could offer him a reasonable return on his investment. This would prove to be financially devastating for Mr. Gallo

Unique Circumstances:

- Lots 5 and 6 combined will not meet the 40,000 minimum lot standard nor the 500 aggregate measurement from the water. Distance from waters edge to lot 5 boundary on Ridgeway Circle is approximately 220ft to setback on the lot(s). Adding frontage of lots 4, 5, and 6 to this (100+80+95) is 495ft which short of the required 500ft aggregate. However, there is an argument to be made that these lots (and all other lots in the Eastern Shores Subdivision) have deeded rights to equal parts of the common property resulting in more "owned" square footage than the lot sizes. In this case, lots 5 and 6 (approximately 0.6 acres combined) should include their deeded share of common land of 13.08 acres. There are 20 designated lots in Eastern Shores subdivision which lots 5 and 6 are deeded 1/20th each (13.08/20= .654). Combining Lots 5 and 6 with the shared ownership puts them at 1.908 acres (83,112 sq ft).

Will Not Alter Character of Neighborhood:

- Granting this hardship variance will allow the land to be improved and single family home built on land that could be considered an eyesore as it sits today. Currently, both lots are 90% sand and have no significant vegetation or trees to control erosion. Building a single family home on these lots will help stabilize the land by properly sloping and including drainage as part of the site work. Adding loam/ topsoil to the lots will allow vegetation to root and prevent erosion issues.

Not Self-Created:

- Eastern Shore subdivision was created in 1966 with 20 unique lots and 13+ acres of common land. By keeping the lots small and common land relatively large, the developers created a

method of controlling how much land could be cleared, turned into lawn, or built upon. This is a method used today in cluster sub-divisions and Open Space Subdivisions resulting in less damaged to the environment.

- In keeping with the idea of Open Space Subdivisions and Cluster Sub-Divisions, lots in Eastern Shores are purposely small. It is highly unlikely they planned for the lots to be combined in the future to prevent the lots to be built on or developed to provide housing. Shoreland Zoning and the SRCC were created to prevent environmental issues resulting from unfettered development but I feel the developers of Eastern Shores were pioneers ahead of their time.
- All lots in Eastern Shores were created as buildable lots and there is no evidence available to the layman that indicate otherwise.
    - All maps available show lots 4, 5, and 6 as unique and separate.
    - Town taxes are billed for lots 4, 5, and 6 as separate lots.
    - Association dues to Eastern Shores is billed separately for each lot.
    - Lot 4 was sold multiple times over the past several years and went through multiple title lawyers that did not discover the contiguous ownership rules imposed by SRCC.
    - There is no reference in Eastern Shores by-laws about combining contiguous lots.
    - It is a reasonable for anyone (even the professionals) to understand these lots are not combined or need to be combined. The only way to know this is to have knowledge SRCC exists and have intimate knowledge of the regulations imposed by the SRCC.

Sincerely,

Larry and Cheryl Stuteville

Lewis Properties, LLC

Steven Gallo Submission - Current Owner of Lots 5 and 6

WHEN I FIRST ASKED ABOUT BUYING LOTS 4-5-6 I ASKED IF I COULD BUY 1 OR 2 LOTS, REALITOR AND OWNER SAID THEY WANTED TO SELL ALL 3 LOTS, I WAS NEVER TOLD THAT I COULDN'T SELL A LOT BECAUSE OF SACO RIVER RULES, I HAD NO KNOWLEGE OF THE RULE OR RESTRICTIONS

IF I CAN'T SELL LOTS 5-6 IT WOULD BE INCREDIBLE HARDSHIP FOR ME. FIRST OF ALL MOST OF MY MONEY IS TIED UP OWNING MY LOTS, I SOLD LOT 4 TO PAY OFF A 20K LOAN PERSONS I TOOK OUT TO BUY THE 3 LOTS, I WAS GOING TO BUILD ON LOTS 5+6 BUT MY CHILDREN CONVINCED ME I WOULD BE PUTTING A MORGAGE ON MY BACK I COULDN'T AFFORD ESPECIALLY SO CLOSE TO RETIREMENT, MY SON OFFERED TO PUT IN SOME MONEY SO WE COULD BUILD A GARAGE WITH A INLAW APT FOR ME WE'VE ALREADY STARTED THE PROCESS BECAUSE I HAVE MY LAND UNDER CONTRACT, IF I DON'T SELL MY LAND I WON'T HAVE THE MONEY I NEED TO PUT TOWARD THE PROJECT, I'M LIVING AT MY EX FIANCE HOUSE BUT SHE WANTS ME OUT, IF I DON'T SELL MY LAND I WILL HAVE NO PLACE TO LIVE, I DON'T HAVE THE FUND. UNLESS I SELL MY LAND, MY WIFE OF 32 YEARS GOT VERY ILL AND I HAD TO USE ALL MY SAVINGS AND 401K MONEY TO HELP HER, SHE PASSED AWAY.

PUTTING A HOUSE ON LOTS 5+6 IS PERFECTLY OK WITH THE TOWN OF WATERBORO, BUILDING PERMITS WOULD BE ISSUED, THE LOT IS DEFINITLY A BUILDABLE LOT BY TOWN ZONING STANDARDS, BUILDING ON THIS PROPERTY WOULD BE NO DIFFEREN THAN EVERY EXISTING HOUSE IN BASKIN SHORES. THERE WAS ALREADY AN APPROVAL FROM SACO RIVER TO PREVIOUS OWNER TO BUILD.

I CANT AFFORD TO JUST OWN THIS PROPERTY AND CAN NEVER DO ANYTHING WITH IT.

THIS SUBDIVISON WAS APPROVED IN 1966, YEARS BEFORE THE SACO RIVER COMMISSION EVEN EXISTED

MOST OF THE HOUSES ARE CLOSER THAN 500' TO THE WATER

3 SEPERATE LOTS, 3 TAXBILLS, 3 DEEDS, 3 ASSOC FEES

Steven A. Bolle 4/24/2022

Lewis Properties

Application #15-563

SRCC Screenshots

SRCC_ExDir_ArcOnline_Shapes.mxd - ArcMap

File Edit View Bookmarks Insert Selection Geoprocessing Customize Windows Help

1:2,000

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    - SKMBT_22316051712580.tif
    - SKMBT_22316051712590.tif
    - SKMBT_22316051712591.tif
    - SKMBT_22316051713000.tif
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  - Newfield Parcels_SCANNED
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  - Porter Parcel_SCANNED
  - Waterboro Parcels_SCANNED
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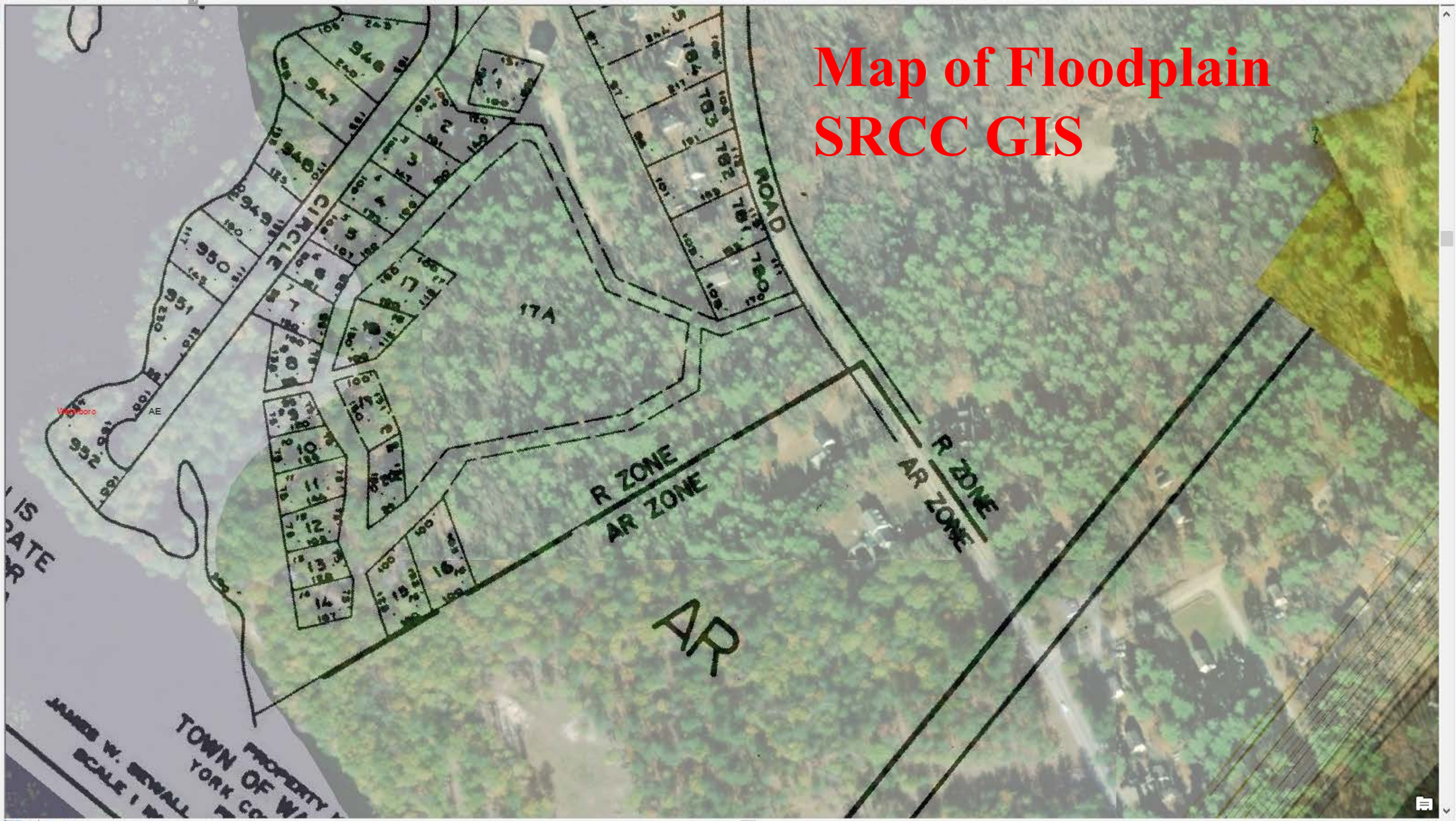
    - Waterboro 15 (Little Ossipee
    - Waterboro 16 (Laker Arrowh
    - Waterboro 17 (Lake Arrowhe
- SRCC_Buffers
  - Buffer100ft_FINAL
  - Buffer250ft_FINAL
  - Buffer500ft_FINAL
  - Buffer1000ft_FINAL
- DistrictCategories
- Conservation Lands
- FEMA_FIRM
  - Biddeford_FloodZones_1986
  - FEMA_FIRM_Merged_
    - ZONE
    - A: 100yr - w/o depth
    - AE: 100yr - w/o depth
    - AO: 100yr - depth 1-3ft
    - D: Undetermined but possible
    - VE: 100yr - Velocity Hazard
  - Saco_FloodZones_2006
- Maine_PublicWaterSystems
- SewerTreatmentPlants_201907
- Soils
- WWTP_Outfalls_201907



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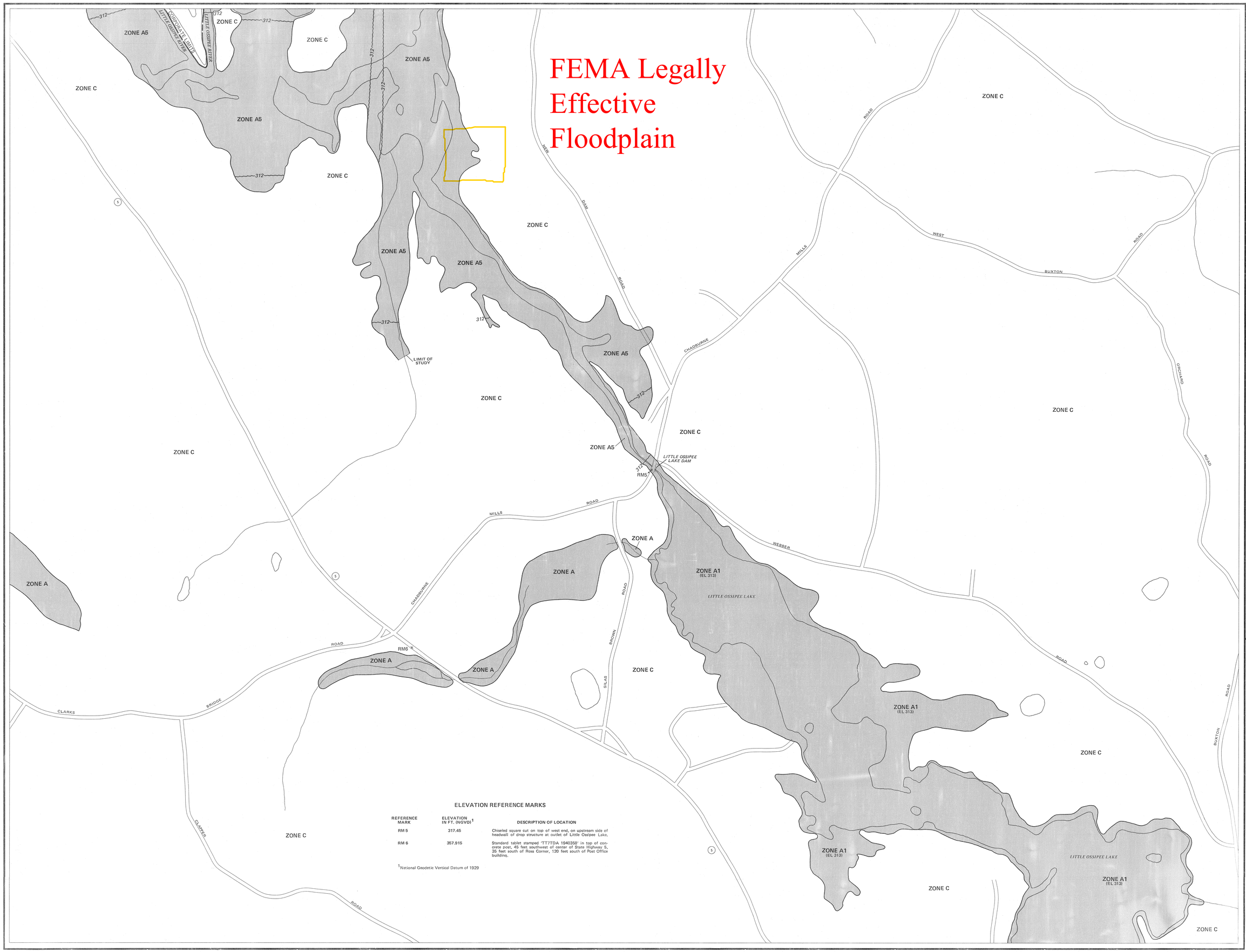
47°F Rain showers 2:21 PM 5/4/2022

FEMA Legally Effective Floodplain



ELEVATION REFERENCE MARKS

REFERENCE MARK	ELEVATION IN FT. (NGVD)[1]	DESCRIPTION OF LOCATION
RM 5	317.45	Chiseled square cut on top of west end, on upstream side of headwall of drop structure at outlet of Little Ossipee Lake.
RM 6	357.915	Standard tablet stamped 'T77TDA 1940358' in top of concrete post, 45 feet southwest of center of State Highway 5, 35 feet south of Ross Corner, 120 feet south of Post Office building.

[1] National Geodetic Vertical Datum of 1929

KEY TO MAP

500-Year Flood Boundary
100-Year Flood Boundary
Zone Designations*
100-Year Flood Boundary
500-Year Flood Boundary
Base Flood Elevation Line With Elevation In Feet**
Base Flood Elevation in Feet Where Uniform Within Zone**
Elevation Reference Mark
Zone D Boundary
River Mile

ZONE B
ZONE A1
ZONE A5
ZONE B
513
(EL 987)
RM7
*M1.5

**Referenced to the National Geodetic Vertical Datum of 1929

*EXPLANATION OF ZONE DESIGNATIONS

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
A0	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
A99	Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined.
B	Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. (Medium shading)
C	Areas of minimal flooding. (No shading)
D	Areas of undetermined, but possible, flood hazards.
V	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.
V1-V30	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined.

NOTES TO USER

Certain areas not in the special flood hazard areas (zones A and V) may be protected by flood control structures.

This map is for flood insurance purposes only; it does not necessarily show all areas subject to flooding in the community or all planimetric features outside special flood hazard areas.

For adjoining map panels, see separately printed Index To Map Panels.

INITIAL IDENTIFICATION:
FEBRUARY 21, 1975
FLOOD HAZARD BOUNDARY MAP REVISIONS:
OCTOBER 15, 1976
AUGUST 17, 1979

FLOOD INSURANCE RATE MAP EFFECTIVE:
FEBRUARY 1, 1985
FLOOD INSURANCE RATE MAP REVISIONS:

Refer to the FLOOD INSURANCE RATE MAP EFFECTIVE date shown on this map to determine when actuarial rates apply to structures in the zones where elevations or depths have been established.

To determine if flood insurance is available in this community, contact your insurance agent, or call the National Flood Insurance Program, at (800) 638-6620.

APPROXIMATE SCALE
500 0 500 FEET

NATIONAL FLOOD INSURANCE PROGRAM

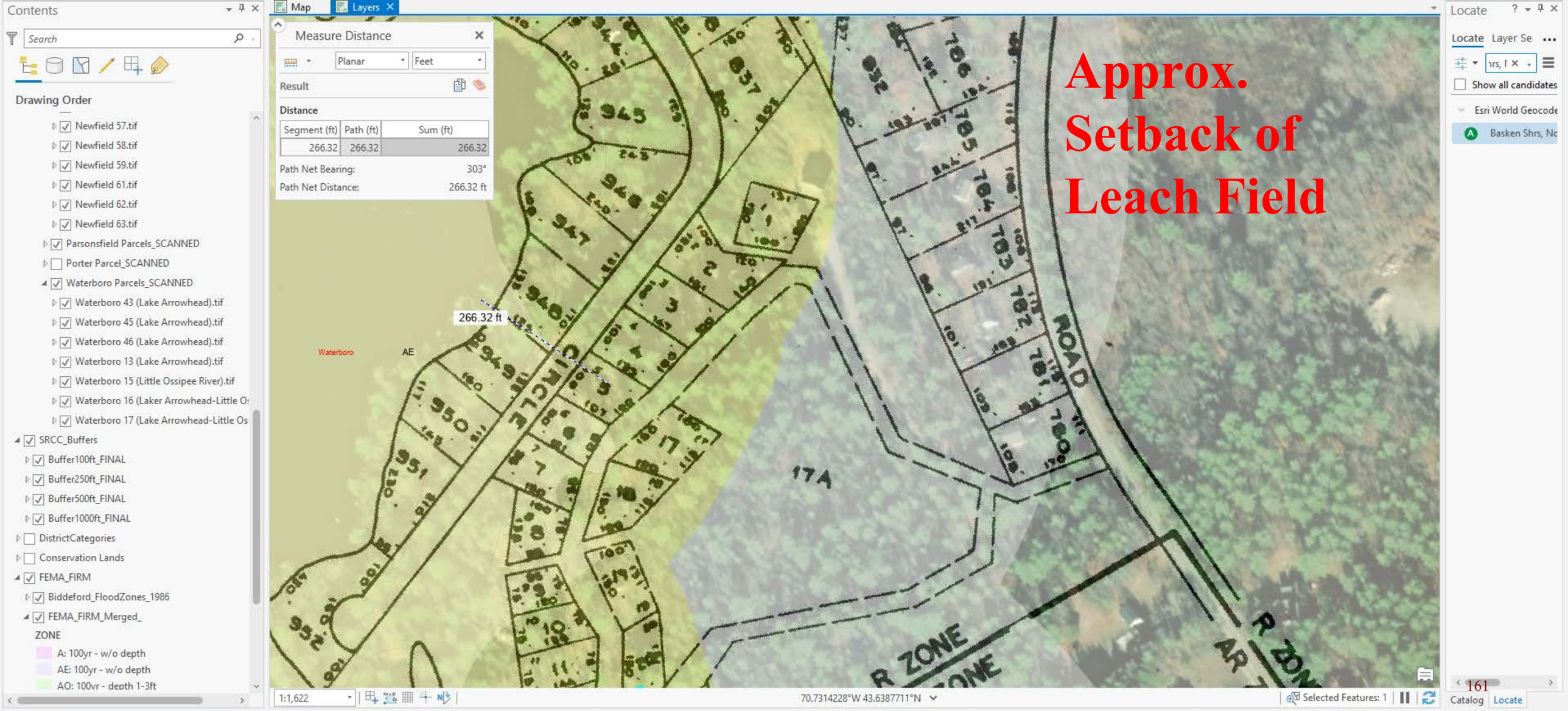
FIRM
FLOOD INSURANCE RATE MAP

TOWN OF
WATERBORO,
MAINE
YORK COUNTY

PANEL 7 OF 20
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
230199 0007 C
EFFECTIVE DATE:
FEBRUARY 1, 1985

Federal Emergency Management Agency


Contents
Search
Drawing Order
Newfield 57.tif
Newfield 58.tif
Newfield 59.tif
Newfield 61.tif
Newfield 62.tif
Newfield 63.tif
Parsonsfield Parcels_SCANNED
Porter Parcel_SCANNED
Waterboro Parcels_SCANNED
Waterboro 43 (Lake Arrowhead).tif
Waterboro 45 (Lake Arrowhead).tif
Waterboro 46 (Lake Arrowhead).tif
Waterboro 13 (Lake Arrowhead).tif
Waterboro 15 (Little Ossipee River).tif
Waterboro 16 (Laker Arrowhead-Little O
Waterboro 17 (Lake Arrowhead-Little Os
SRCC_Buffers
Buffer100ft_FINAL
Buffer250ft_FINAL
Buffer500ft_FINAL
Buffer1000ft_FINAL
DistrictCategories
Conservation Lands
FEMA_FIRM
Biddeford_FloodZones_1986
FEMA_FIRM_Merged_
ZONE
A: 100yr - w/o depth
AE: 100yr - w/o depth
AO: 100yr - depth 1-3ft
Map
Layers
Measure Distance
Planar
Feet
Result
Distance
Segment (ft)
Path (ft)
Sum (ft)
266.32
266.32
266.32
Path Net Bearing:
303°
Path Net Distance:
266.32 ft
266.32 ft
Waterboro
AE
CIRCLE
ROAD
17A
R ZONE
Approx.
Setback of
Leach Field
1:1,622
70.7314228°W 43.6387711°N
Selected Features: 1
Locate
Locate
Layer Se
Show all candidates
Esri World Geocode
Basken Shrs, Nc
Catalog
Locate

Contents

Search

Drawing Order

- Newfield 57.tif
- Newfield 58.tif
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  - Waterboro 46 (Lake Arrowhead).tif
  - Waterboro 13 (Lake Arrowhead).tif
  - Waterboro 15 (Little Ossipee River).tif
  - Waterboro 16 (Laker Arrowhead-Little O:
  - Waterboro 17 (Lake Arrowhead-Little Os
- SRCC_Buffers
  - Buffer100ft_FINAL
  - Buffer250ft_FINAL
  - Buffer500ft_FINAL
  - Buffer1000ft_FINAL
- DistrictCategories
- Conservation Lands
- FEMA_FIRM
  - Biddeford_FloodZones_1986
  - FEMA_FIRM_Merged_
    - ZONE
      - A: 100yr - w/o depth
      - AE: 100yr - w/o depth
      - AO: 100yr - depth 1-3ft

Map | Layers

Measure Distance

Planar | Feet

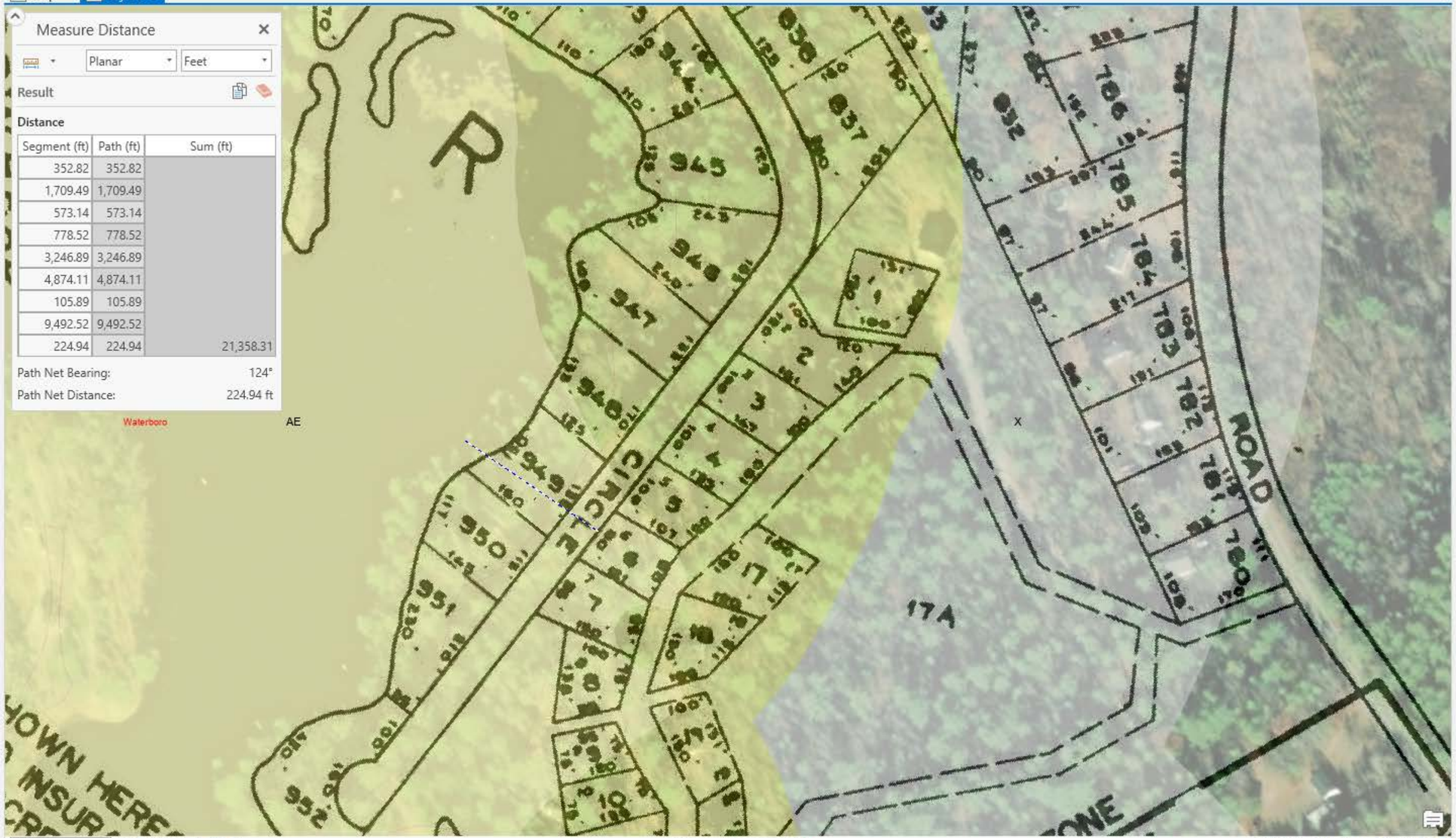
Result

Distance

Segment (ft)	Path (ft)	Sum (ft)
352.82	352.82	
1,709.49	1,709.49	
573.14	573.14	
778.52	778.52	
3,246.89	3,246.89	
4,874.11	4,874.11	
105.89	105.89	
9,492.52	9,492.52	
224.94	224.94	21,358.31

Path Net Bearing: 124°

Path Net Distance: 224.94 ft



1:1,622 | 70.7309982°W 43.6382521°N | Selected Features: 1

Locate

Locate | Layer Se

Show all candidates

Esri World Geocode

Basken Shrs, Nc

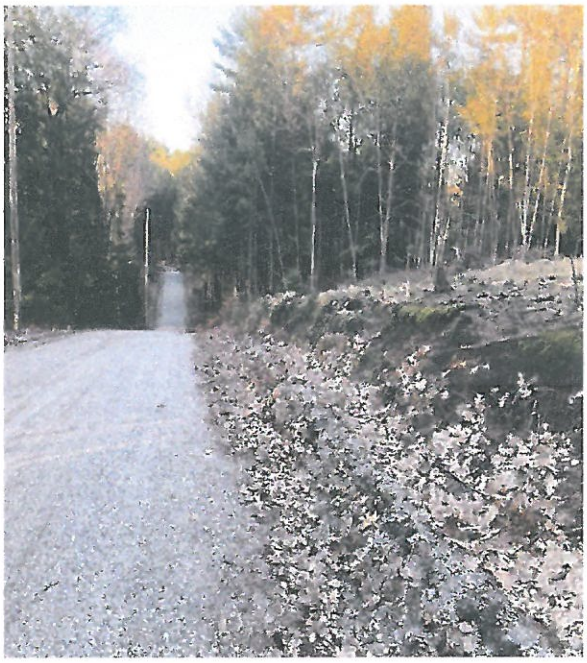
Catalog | Locate

Lewis Properties

Application #15-563

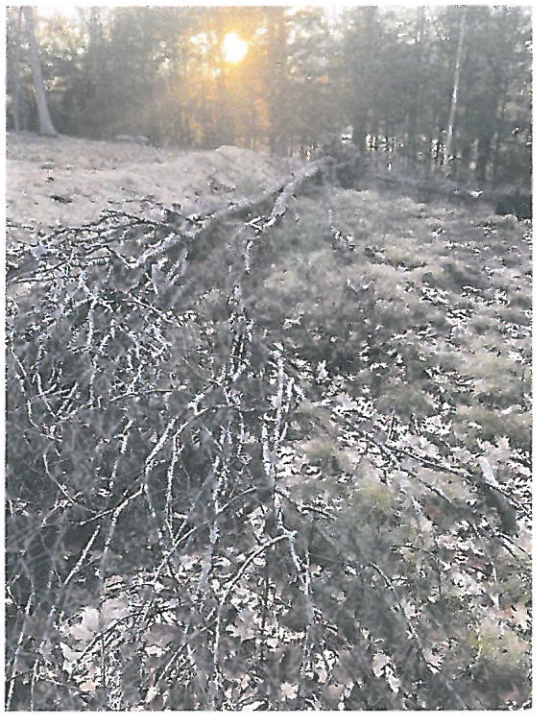
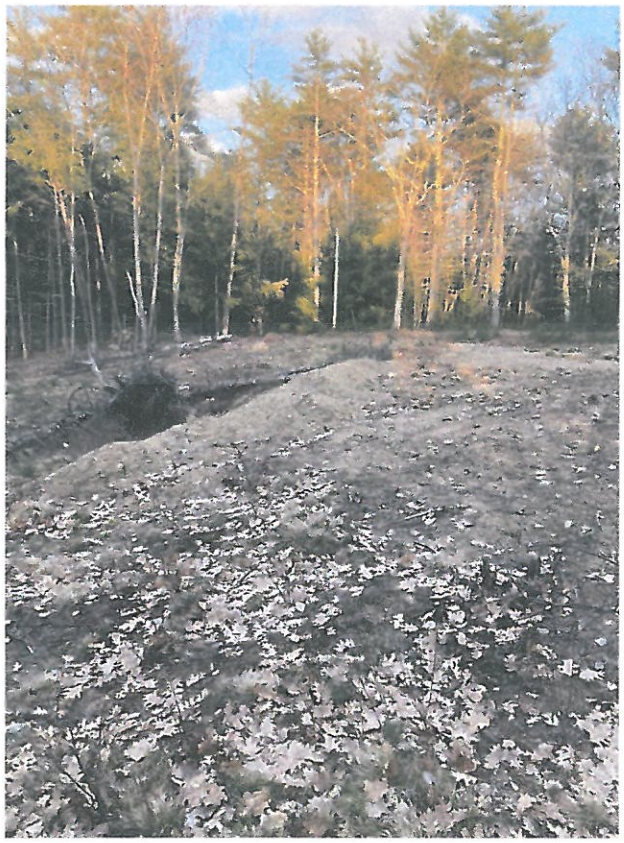
J. Boland Site Visit Pictures

Ridgeway Circle Road sits between subject property and waterline.



Lots are cleared of vegetation with the exception of a few trees along the sides.

Current condition of lots 5 and 6



Current Condition Lots 5 and 6