

CITY OF LEWISTON
PLANNING BOARD MEETING
Monday, October 28, 2013 – 5:30 P.M.
City Council Chambers, First Floor
Lewiston City Building
27 Pine Street, Lewiston

AGENDA

I. ROLL CALL

II. ADJUSTMENTS TO THE AGENDA

III. CORRESPONDENCE

IV. PUBLIC HEARINGS:

- a) An application submitted by Stoneybrook Consultants on behalf of Gendron & Gendron, Inc. for modifications to the approved schematic layout for 23 Gendron Drive - Lot 15 of Gendron Business Park for the construction a 140,000 square foot building.
- b) An application submitted by Stoneybrook Consultants on behalf of Gendron & Gendron, Inc. for modifications to the approved schematic layout for 3 and 5 Priscilla Drive-Lots 16 and 17 of Gendron Business Park for the construction of a 50,605 square foot building on Lot 16 and a 71,470 square foot structure on Lot 17.
- c) An application submitted by Stoneybrook Consultants, Inc. on behalf of GRE, LLC to split 92 Alfred Plourde Parkway - Lot 5 into two lots.
- d) A petition submitted by Stoneybrook Consultants, Inc. on behalf of John F. Murphy Homes (JMH) to rezone the property at 5 Memorial Drive from the Medium Density Residential (MDR) district to the Highway Business (HB) district to allow places of indoor assembly, amusement or culture and academic uses as a permitted use in support of JMH's interest in developing the property.

V. OTHER BUSINESS:

- a) Discussion about drafting a chicken ordinance.
- b) Discussion about drinking establishment performance standards.
- c) Any other business Planning Board Members may have relating to the duties of the Lewiston Planning Board.

VI. OLD BUSINESS:

- a) Update on Riverfront Project
- b) Update on Comprehensive Plan

VII. READING OF THE MINUTES: Motion to adopt the draft minutes from the September 23, 2013 meeting

VIII. ADJOURNMENT

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CITY OF LEWISTON



Department of Planning & Code Enforcement

TO: Planning Board
FROM: David Hediger, City Planner
DATE: October 24, 2013
RE: October 28, 2013 Planning Board Agenda Items IV(a) and (b)

- a) **An application submitted by Stoneybrook Consultants on behalf of Gendron & Gendron, Inc. for modifications to the approved schematic layout for 23 Gendron Drive - Lot 15 of Gendron Business Park for the construction a 140,000 square foot building; and,**
- b) **For modifications to the approved schematic layout for 3 and 5 Priscilla Drive-Lots 16 and 17 of Gendron Business Park for the construction of a 50,605 square foot building on Lot 16 and a 71,470 square foot structure on Lot 17.**

Stoneybrook Consultants, Inc. on behalf of Gendron & Gendron, Inc. has submitted applications to modify the approved schematic layout for lots 15, 16, and 17 in Gendron Business Park (GBP). All three lots were previously approved for specific amounts of site disturbance and impervious area. In addition to City review and approval, DEP reviewed the original project because GBP is a subdivision of approximately 150 acres exceeding DEP's delegated review authority. As part of the City's and DEP's approval of GBP, lots in the subdivision were approved so sites could be developed without the need of an additional review process being required for each site. The original approval represented each lot with final grades and drainage improvements for established amounts of impervious area. The original Planning Board approval allowed for the development of and amendments to lots within the GBP development to be approved by staff as being de minimis pursuant to Article XIII, Section 3(k) of the Zoning and Land Use Code.

With respect to the application submitted for lots 15, 16, and 17, staff made the determination that the proposed changes are not de minimis and warrant Planning Board approval. There, the Board is reviewing this as an amendment to a previously approved plan pursuant to Article XIII, Section 4 of the Zoning and Land Use Code.

The following modifications are being proposed:

- Lot 15; 23 Gendron Drive was approved for a 120,000 square foot structure with a total impervious area of 7.57 acres. The proposed modification is for a 140,000 square foot structure with 7.52 acres of impervious area. The stormwater for this site was originally to be treated on site and into an adjacent stream. Now, the site has been graded for stormwater to be handled in a detention pond on Lot 17; 3 Priscilla Drive.
- Lot 16; 5 Priscilla Drive was approved for a 60,000 square foot structure with a total impervious area of 3.02 acres. The proposed modification is for a 50,605 square foot

structure with 3.24 acres of impervious area. The stormwater from this site was originally designed to be treated by Pond 1 - a large detention pond located downstream in GBP. Now, the site has been graded for stormwater to be handled in a detention pond on Lot 17; 3 Priscilla Drive.

- Lot 17; 3 Priscilla Drive was approved for an 80,000 square foot structure with a total impervious area of 6.07 acres. The proposed modification is for a 71,470 square foot structure with 5.27 acres of impervious area. The stormwater from this site was and shall continue to be handled by a detention on Lot 17.
- The pond on lot 17 has been modified to accommodate the additional stormwater from lots 15 and 16.
- Overall, the proposed modifications result in less impervious total area.

While the modifications on all three lots share a stormwater management system, staff recommended two separate applications be provided for the Board to review in that Lot 15 obtains its frontage from Gendron Drive and Lots 16 and 17 from Priscilla Drive.

Staff has been working closely with the applicant's representative to address concerns and questions. The applicant has since provided revised plans and documentation referencing most of staff comments (see October 23, 2013 letter from Stoneybrook Consultants). Staff notes the following with respect to the proposed development:

- The applicant has referenced all of the applicable sections of the Zoning and Land Use Code including Article XIII, Section 4 and 12.
- With respect to Article XIII, Section 12 staff has made it clear to the applicant that prior to a certificate of occupancy being issued any buildings on lots 15, 16, or 17 frontage on a city accepted street must be provided. For this reason, staff recommended two separate applications be provided for the Board to review in that Lot 15 obtains its frontage from Gendron Drive and Lots 16 and 17 from Priscilla Drive. Gendron Drive is nearly complete in that Public Works anticipates providing a recommendation to the City Council to accept said street. Construction of Priscilla Drive has not commenced and will be the responsibility of the developers to complete in accordance with city standards to be accepted as a city street. Building permits may be issued upon the streets acceptance or upon a performance guarantee provided pursuant to Section 12.
- Given the size of the site, the amount of soil disturbance, and the slopes involved, staff is recommending weekly erosion control reports are provided to city on the status of the project and any issues or corrections needed or made with respect to erosion control.
- Prior to a certificate of occupancy being issued, staff is recommending an as-built site plan is provided by a professional engineer, as being in conformance with the approved site plan. Staff is recommending the Board consider this as a standard condition of approval with projects in effort to assist staff and the developer ensure the project is completed in accordance with the approved plans.
- The applicant has demonstrated that traffic from the proposed lots will fall within the limits established by the existing traffic movement permit for GBP. It is important for the applicant and the Board to recognize that future development in GBP will likely exceed 100 additional trips of the current permit for 477 AM peak and 505 PM peak trips, at which time a new traffic movement permit will be required.

- With the exception of the striping of a turning lane on Alfred A Plourde Parkway, all traffic related improvements have been completed in accordance with the traffic movement permit for GBP. Lewiston Public Works is responsible for this striping which will be completed in the spring of 2014.
- Public Works is in the process of reviewing the applicant's response to their concerns. An update will be provided at the meeting.
- Initial concerns of Lewiston Fire included "private" fire hydrants proposed on lots 16 and 17. Lewiston Fire does not recognize "private" fire hydrants, only city owned and maintained hydrants. City hydrants are inspected tested and maintained where as private hydrants are not. The applicant has since removed the private hydrants. The building will be fully sprinkled with fire department connections. Public hydrants will be accessible from Gendron and Pricilla Drive.
- Based upon DEP's guidance, the City of Lewiston has the capacity to review site specific modifications under delegated review authority within GBP as long as sites and lots are not owned by the City, no additional wetland alterations occur, and no additional impervious area is added to that initially approved. Staff has sent a copy of the application to DEP awaiting their sign off on the City's delegated review authority for development of these lots.

No other concerns have been raised by city staff. Therefore, approval is recommended pursuant to Article XIII, Section 4 and 12 of the Zoning and Land Use Code with the following conditions to be noted on the plan:

1. Upon construction activity commencing, weekly erosion control reports are provided to city on the status of the project and any issues or corrections needed or made with respect to erosion control.
2. Prior to a certificate of occupancy being issued, an as-built site plan must be provided by a professional engineer.
3. Prior to a certificate of occupancy being issued any buildings on lot 15, 16, or 17 frontage on a city accepted street must be provided. Building permits maybe issued upon the streets acceptance or upon a performance guarantee provided pursuant to Article XIII, Section 12.
4. No building permits shall be issued until DEP signs off on the City's delegated review authority for development of these lots.

ACTIONS NECESSARY

23 Gendron Drive - Lot 15 of Gendron Business Park

1. Make a motion to consider an application submitted by Stoneybrook Consultants on behalf of Gendron & Gendron, Inc. for modifications to the approved schematic layout for 23 Gendron Drive - Lot 15 of Gendron Business Park for the construction a 140,000 square foot building.
2. Obtain input on the application;
3. Make a determination that the application is complete;
4. Make finding that the application meets all of the necessary criteria contained in the Zoning and Land Use Code, including Article XIII, Section 4 of the Zoning and Land Use Code and to grant approval to Gendron & Gendron, Inc. for modifications to the

approved schematic layout for 23 Gendron Drive - Lot 15 of Gendron Business Park for the construction a 140,000 square foot building, subject to any concerns raised by the Planning Board or staff.

3 and 5 Priscilla Drive-Lots 16 and 17 of Gendron Business Park

1. Make a motion to consider an application submitted by Stoneybrook Consultants on behalf of Gendron & Gendron, Inc. for 3 and 5 Priscilla Drive-Lots 16 and 17 of Gendron Business Park for the construction of a 50,605 square foot building on Lot 16 and a 71,470 square foot structure on Lot 17.
2. Obtain input on the application;
3. Make a determination that the application is complete;
4. Make finding that the application meets all of the necessary criteria contained in the Zoning and Land Use Code, including Article XIII, Section 4 of the Zoning and Land Use Code and to grant approval to Gendron & Gendron, Inc. for 3 and 5 Priscilla Drive-Lots 16 and 17 of Gendron Business Park for the construction of a 50,605 square foot building on Lot 16 and a 71,470 square foot structure on Lot 17, subject to any concerns raised by the Planning Board or staff.



Stoneybrook Consultants, Inc.

456 Buckfield Road
Turner, Maine 04282
(207) 514-7491 voice
(207) 514-7492 fax

September 13, 2013

David Hediger, City Planner
Department of Planning & Code Enforcement
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201

Re: Project Modification - Lot 15
Gendron Business Park

Dear David:

On behalf of Gendron & Gendron, Inc. (Gendron), I have prepared the attached information for minor modifications to the approved schematic layout for Lot 15 at Gendron Business Park (GBP). Lot 15 was approved for a 120,000 square foot building with a total impervious area of 7.57 acres on a pad area of about 8.23 acres. Stormwater flow was directed to a detention pond proposed on this lot. We have attached reduced copies of the approved plans for your information.

Lot 16 in GBP was approved with stormwater flow to Detention Pond #1 and Lot 17 was approved with stormwater flow to a detention pond on that lot. At this time, Gendron is seeking approval to modify these pad sites to allow all stormwater flow from all three lots to be controlled at the pond proposed on Lot 17. In addition, this application proposes to modify the building size on Lot 15 to a 140,000 square foot building. The improvements on Lots 16 and 17 are being submitted as a separate application.

Gendron Drive has already been constructed and is expected to become a public street very soon. Access and utility services for Lot 15 will all extend to the lot from this road. The building has been laid out as a large warehouse with small office area. Loading docks can be placed along the entire southwest building wall. Two drive-in doors are provided, one at the north building corner and the second along the southeast building wall. This layout can also accommodate light manufacturing or distribution uses. The building construction will also be flexible enough to allow the building to be divided into multiple units for rent to smaller users.

Lot 15 contains 14.72 acres and is located in the Industrial Zoning District. The proposed grading has been designed to fit the approved pad site grading, but some modifications have been made to provide specific levels for the loading docks and drive-in doors as well as pedestrian access. We have also increased the paved maneuvering areas with the relocation of the proposed detention to Lot 17. Lot 15 will have about 7.52 acres of total impervious area with an impervious ratio of 0.51 and a lot coverage of 0.22. Your code allows an impervious area ratio and a lot coverage of 0.75.

The site plan shows 51 parking spaces and parking for 21 trailers. It is expected that the final parking space count will vary depending upon the tenant occupancy of the building. Employee and customer parking will also vary with the final tenant mix and type of use. For light industrial, wholesale or storage uses, your code requires 1 space per 500 square feet up to 3,000 square feet and 1 space per 1,000 square feet after 3,000. This would require 143 parking spaces. While it would be possible to add parking spaces to the site, this code requirement is excessive and may not be practical with the expected occupancy of the building.

Large warehouse space similar in size to this building can operate with as few as a 10 to 15 employees. This would result in a parking ratio of 1 space per 10,000 square feet. This may be too few spaces, but a larger building owned by Gendron with multiple tenants operates very well with a usable parking ratio of 1 space per 3,000 square feet. The parking shown will provided 1 space per 2,745 square feet. We would request the Planning Board to accept the parking

as shown and allow the applicant to work with staff to show an acceptable parking plan based upon tenant demand as the building is occupied. This will allow the applicant to maintain large truck maneuvering areas if required or convert that area to parking as necessary to meet tenant requirements.

All utility services will be extended from Gendron Drive. Again, all stormwater flow will be directed to the new pond to be constructed on Lot 17. A stormwater study has been submitted under separate cover and details for the pond's construction are provided in the plan set for construction of improvements on Lots 16 & 17. Exterior lighting is shown on the building walls; no free standing lights are proposed. Street trees are shown along Gendron Drive. All construction activities will be subject to the approved Soil Erosion Control Plans and conditions of approval requiring engineering review and inspections during construction.

GBP has two existing Traffic Movement Permits for development of the Park. Those Permits include approved peak hour trip generation of 477 trips for the AM peak and 505 trips for the PM peak. We have asked Bill Bray, P.E. from Traffic Solution to complete traffic counts and estimate trip generation for the proposed projects. His letter report is attached for your information and his findings indicate that a Traffic Permit is not required at this time.

Construction of the proposed improvements will likely not begin until next construction season. This building will take about six to eight months to complete and could be constructed in multiple phases. The total project costs are expected to be \$4,750,000. Gendron previously provided financial capacity information with the original approvals for this project.

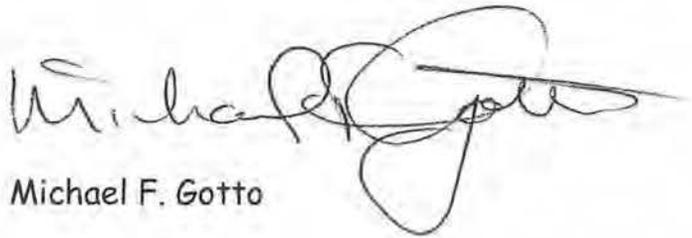
GBP was also approved by MDEP under the Site Location of Development Act (SLODA). Based upon our prior discussions with you and MDEP, we understand that the City will process this modification under your delegated review authority. Permission to process the required SLODA application for minor modifications within the approved pad sites was previously granted to the City by MDEP in September of 2010 by e-mail. A copy of that e-mail is attached for your information.

September 13, 2013
David Hediger
RE: Gendron Business Park - Lot 15
Page 4

We trust you will find this application complete for processing and we will plan to attend the next available Planning Board meeting to answer any additional questions that you may have.

Respectfully Yours

STONEBROOK CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read "Michael F. Gotto". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael F. Gotto

cc: David Gendron
Todd Spencer



Stormwater Report

**Gendron Business Park
Lots 15, 16, & 17
Priscilla Drive
Lewiston, Maine**

Prepared for:

Stoneybrook Consultants
456 Buckfield Road
Turner, Maine

Prepared by:

Summit Geoengineering Services, Inc.
640 Main Street
Lewiston, Maine

SGS #13097.1
August 2013



STORMWATER REPORT

GENDRON BUSINESS PARK LOTS 15, 16, & 17 PRISCILLA DRIVE LEWISTON, MAINE

This storm water report is prepared as part of a Development Review application for a minor modification to the approved schematic layout for Lots 15, 16, and 17 at Gendron Business Park (GBP).

In the GBP approval documents, storm water from Lot 15 was directed to detention pond proposed on this lot. Lot 16 in GBP was approved with storm water flow to Detention Pond #1 and Lot 17 was approved with storm water flow to a detention pond on that lot. At this time, Gendron is seeking approval to modify these pad sites to allow all storm water flow from all three lots to be controlled with a wet pond proposed on Lot 17.

Current City and State regulations require consideration of Basic, General, and Flooding standards. Each of these areas of consideration is discussed below. The development on the three lots will occur in phases. For the General Standards and Flooding Standards, the designs are based on the build-out of all three lots.

Reference is made to the following site development drawings.

Lot 15:

Sheet SW-1	POST DEVELOPMENT WATERSHED PLAN
Sheet 2	TOPOGRAPHIC AND UTILITY PLAN
Sheet 3	UTILITY PLAN
Sheet 4	EROSION CONTROL PLAN
Sheet 5	DETAIL SHEET

Lot 16 & 17:

Sheet SW-1	POST DEVELOPMENT WATERSHED PLAN
Sheet 2	TOPOGRAPHIC SITE PLAN
Sheet 3	UTILITY PLAN
Sheet 4	EROSION CONTROL PLAN
Sheet 5	DETAILS

These drawings are included in each of the respective Applications for Lots 15 and for Lots 16 & 17.

The storm water control designs are based on the following impervious and pervious areas.

TOTAL IMPERVIOUS AND PERVIOUS AREAS FLOWING TO POND		
Lot	Impervious (acres)	Pervious (acres)
15	7.53	1.69
16 & 17	8.72	3.83
TOTAL	16.24	5.52

The above areas only include those that flow into the proposed pond. Undisturbed areas which do not drain to the new pond are included on the Site Tabs on the Drawings but are not included in the table above.

Basic Standards

For this project, Basic Standards include the following elements.

- Erosion and Sedimentation Control Plan
 - General practices.
 - Temporary erosion and sedimentation control measures.
 - Temporary mulch/vegetation.
 - Permanent seeding.
 - Dust control.

- Inspection and maintenance.
 - Inspection of Temporary E&S Control Measures.
 - Inspection of Permanent E&S Control Measures.
 - Emergency measures.
 - Annual maintenance.
 - General maintenance.

- Housekeeping.

Information on each of these elements is presented in Appendix A. Included are inspection and maintenance forms for during construction and post construction, a City of Lewiston Annual Stormwater Management Facilities Certification Form, and a Post Construction Stormwater Management Plan performance guarantee document.

General Standards

To provide sufficient pollutant removal for storm water from Lots 15, 16, & 17, the Applicant proposed to construct a wet pond. The location of the wet pond is shown on the drawing labeled Lots 16 & 17, Sheet 2. The wet pond has been designed using the criteria in Chapter 4 Wet Ponds, of Volume III BMPs Technical Design Manual, January 2006. Computations are included in Appendix B. A cross section of the wet pond and details are presented on the drawing labeled Lots 16 & 17, Sheet 5.

Flooding Standards

The flooding standards are met by the inclusion of a channel protection volume set-aside within the wet pond. The channel protection volume allows for release of the post development flow rates to below the “pre-development” flow rates. Reference should be made to Sheet SW-1, Post Development Watershed Plan included in Appendix D.

“Pre-development” Flow Rates. For this project the “pre-development” flow rates were based on the storm water model developed by Sebago Technics which was included in the 2008 GBP approval. The basic hydrocad storm water model generated by Sebago (2, 10, and 25 year) is shown on Sheets C1 through Sheets C7 in Appendix C.1.1. Included in this information is the RCN number computation for Watershed 5S (Sheet C8). The Sebago model is related to the current development watershed model as follows:

Current Lot 15 = Watershed 9S – Stud Crossing
Current Lot 16 = A portion of Watershed 5S, modified to account for RCNs
Current Lot 17 = Watershed 10S – Lot 17

These watersheds and the associated flow paths used to generate the “pre-development” flow rates are highlighted on Sheet C1. The flow rates associated with each of these watersheds for the 2, 10, and 25 year events are shown on Sheets C2 through C7.

The computation of the “pre-development” flow rates is presented on Sheets C9 through C11 in Appendix C.1.2.

Based on the above, the following “pre-development” flow rates were computed.

“PREDEVELOPMENT” STORMWATER FLOW RATES (cfs)				
Event	Lot 15	Lot 16	Lot 17	TOTAL
2 yr	0.5	5.8	1.0	7.3
10 yr	9.8	19.3	13.5	42.6
25 yr	15.1	24.2	23.3	62.6

Post Development Flow Rates.

The stormwater runoff from the site after construction of the new buildings and parking lots is shown on the attached Sheet SW-1 in Appendix D. The model is divided into two separate watersheds, linked together in the HydroCAD model; upper watershed Lot 15 and lower watershed Lots 16 & 17. The upper watershed is connected to the lower watershed via a 30 inch CPP connecting DMH-1 to CB-4. All surface water runoff is conveyed to a new wet pond constructed in the south portion of Lot 17. Outflow from the pond travels to an existing stream channel that bisects the GBP site. The stream channel meanders through the site before entering a 54” RCP which passes beneath the closed section of the Lewiston Municipal Landfill. The stream is discharged on the opposite side of the landfill for about ½ mile and enters the Androscoggin River.

The Hydrocad output for the Post Developed site model is included in Appendix C.2.

A comparison of the “predevelopment” and post development peak flow rates is summarized in the following table.

STORMWATER RUNOFF SUMMARY			
Storm Event	2 yr	10 yr	25 yr
“Predevelopment”	7.3 cfs	42.6 cfs	62.6 cfs
Post Development	3.9 cfs	12.0 cfs	16.6 cfs

In all cases the post developed flow rate is less than the pre-developed flow rate.

William J. Bray, P.E.

235 Bancroft Street

Portland, Maine 04102

Phone (207) 774-3603

<http://www.wjbray.com>

September 11, 2013

**Traffic Assessment
Proposed
Gendron Business Park Development
Lot(s) 15, 16, and 17**

INTRODUCTION

Gendron and Gendron, Inc. are proposing to develop Lot(s) 15, 16, and 17 located within the Gendron Business Park. Approximately 263,070 square feet of building area is proposed; to include a 140,000 square foot warehouse or manufacturing building on Lot 15, multi-tenant buildings of 51,600 square feet on Lot 16, and 71,470 square feet on Lot 17.

This document estimates the peak hour trip generation of the proposed project during typical weekday AM and PM peak travel times, reviews the previous MaineDOT Chapter 305 Traffic Movement Permit record of the Business Park, and with that information, prepares a determination on further permitting requirements.

SITE TRAFFIC

The eighth edition of the Institute of Transportation Engineers (ITE) "TRIP GENERATION" manual was used to determine the volume of site trips generated by the proposed development. The ITE publication provides numerous Land-Use categories and the average volume of trips generated by each category. The following Land-Use categories and trip rates were used in that effort:

Lot 15 Warehouse/Manufacturing – 140,000 square foot building

Land-Use Code 140 – Manufacturing

Weekday Street Peak Hour – AM Peak = 0.73 trips/1,000sf [0.73 x 140 = 102 trips]

Weekday Street Peak Hour – PM Peak = 0.73 trips/1,000sf [0.73 x 140 = 102 trips]

Land-Use Code 150 – Warehousing

Weekday Street Peak Hour – AM Peak = 0.30 trips/1,000sf [0.30 x 140 = 42 trips]

Weekday Street Peak Hour – PM Peak = 0.32 trips/1,000sf [0.32 x 140 = 45 trips]

The mathematical average of the two trip rate equations provides an average total volume of 72 trips in the AM peak hour and 74 trips during the PM peak hour generated by the proposed 140,000 square foot building.

Lots 16 & 17 Multi-use Tenant Buildings – 123,070 square feet of building area

Land-Use Code 770 – Business Park

Weekday Street Peak Hour – AM Peak = 1.43 trips/1,000sf [1.43 x 123.07 = 176 trips]

Weekday Street Peak Hour – PM Peak = 1.29 trips/1,000sf [1.29 x 140 = 159 trips]

Accordingly, the proposed development proposal for Lots 15, 16, and 17 can be expected to generate a total of 248 vehicle trips in the AM peak hour and an additional 233 trips during the PM peak hour.

MaineDOT Traffic Movement Permit Record – Gendron Business Park

Phase I of Gendron Business Park: The City of Lewiston, as the delegated review authority for the Maine Department of Transportation, issued a Traffic Movement Permit (TMP) for Phase I of the Gendron Business Park in 2005 for building Lots 4, 5, 6A, 6B, and 6C for a total development of 225,410 square feet of building area. The TMP was issued for 172 AM peak hour trips and 184 PM peak hour trips.

Phase II of Gendron Business Park: The City of Lewiston issued a second TMP in June of 2006 for Phase II of the commercial subdivision for proposed building lots 1, 2, 3, 7, A, B, C, D, and E to include a total of 353,000 square feet of commercial development. The approved volume of peak hour trips authorized with issuance of the TMP was 305 trips in the AM peak hour and 321 trips during the PM peak hour.

Commercial Lot 9 Trip Generation Approval: The City of Lewiston, through their Traffic Peer Review Consultant, approved in 2011 the development of concrete and asphalt batch plants proposed by Aggregate Supply, LLC on Lot 9 with a projected peak hour trip volume of 193 passenger car equivalent (PCE) trips during both the AM and PM peak hours.

Existing Peak Hour Trip Generation of Gendron Business Park

Gendron Drive Trip Generation: Approximately 126,398 square feet of building area has been constructed on Gendron Drive with 84% of the area currently occupied. Manual vehicle turning movement counts were conducted on June 5, 2013 at the Gendron Drive/Alfred A. Plourde Parkway intersection between the hours of 7:00 and 9:00 AM and again between 3:00 and 6:00 PM to measure the current trip generation of the developed business lots. From a summary of the data it was determined that a total of 184 vehicle trips enter/exit the park during the AM peak hour and an additional 176 trips during the PM peak hour. These values were mathematically divided by 0.84 to determine trip generation estimates with full occupancy of the constructed buildings. Accordingly, a total of 219 vehicle trips are generated in the AM peak and 210 trips in the PM peak.

Aggregate Supply LLC Trip Generation: Current activity on Lot 9 includes operation of a batch asphalt plant and material mining operations conducted by Gendron and Gendron, Inc. To quantify the existing volume of trips generated by Lot 9, a manual traffic count was conducted at the driveway entrance to Lot 9 on Wednesday, June 26, 2013. All vehicles entering and exiting the driveway entrance were classified by vehicle type and volume between the hours of 7:00 and 9:00 AM and again between the hours of 3:00 and 5:00 PM. From a summary of the data it was determined that a total of 5 passenger vehicles and 27 trucks in the morning peak hour and a smaller volume of 10 passenger vehicles and 10 trucks in the PM peak hour. MaineDOT Chapter 305 rules require the conversion of all truck trips to passenger car equivalents (PCE's) in computing the trip generation of a site. All truck trips are equal to two PCE trips. Accordingly, the Aggregate Supply, LLC Lot 9 currently generates a total of 59 PCE trips in the AM peak hour and 30 PCE trips during the afternoon peak hour.

Existing Total Peak Hour Site Trip Generation – Gendron Business Park: The presently developed commercial lots within the Gendron Business Park generate a total of 278 PCE trips [219 + 59] in the AM peak hour and an additional 240 PCE trips [210 + 30] during the PM peak hour.

MaineDOT Permitting Requirements – Development of Lots 15, 16, and 17

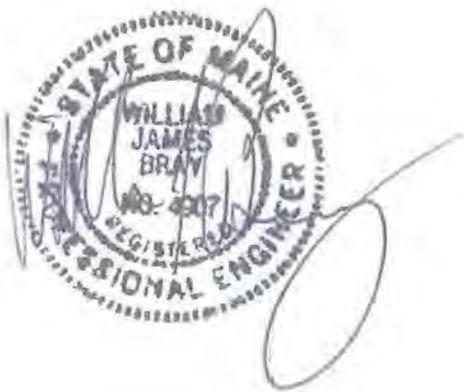
The MaineDOT policy: The MaineDOT requires the issuance of a new Traffic Movement Permit once the peak hour trips (in PCE) reaches 100 trips in excess of current permitted levels.

Total Existing Permitted Peak Hour Site Trips: The City of Lewiston have, with the issuance of two separate (Phase I and Phase II) Traffic Movement Permits, approved a total of 477 [172 trips Phase I + 305 trips Phase II] trips in the AM peak hour and 505 [184 trips Phase I + 321 trips Phase II] during the PM peak hour.

Total Trip Generation Existing and Proposed Vehicle Trips: The existing developed lots and proposed development on Lots 15, 16, and 17, combined, can be expected to generate a total of 526 trips [278 existing and 248 proposed] in the AM peak hour and 473 trips [240 existing and 233 proposed] during the PM peak hour.

Trip Balance: Development of Lots 15, 16, and 17 creates a negative balance of 49 [477 approved trips minus 526 existing + proposed trips] PCE trips in the AM peak hour and a positive value of 32 [505 approved trips minus 473 existing + proposed trips] PCE trips during the PM peak hour.

MaineDOT Permitting Requirements: The trip balance computation presented in the previous section notes a negative balance of 49 trips in the AM peak and a positive value of 32 trips in the PM peak hour. Both values are less than MaineDOT's threshold value of 100 PCE trips. Accordingly, a new Traffic Movement Permit is not required with development of Lots 15, 16, and 17.



Mike Gotto

From: David Hediger <DHediger@lewistonmaine.gov>
Sent: Thursday, July 25, 2013 4:26 PM
To: Mike Gotto
Cc: Ryan Barnes
Subject: FW: Gendron Business Park: Delegated Review Request

Fyi...

David Hediger
City Planner/Deputy Director Planning and Code Enforcement
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The City of Lewiston is an EOE. For more information, please visit our website @ www.lewistonmaine.gov and click on the Non-Discrimination policy.

From: Hediger, David [mailto:dhediger@ci.lewiston.me.us]
Sent: Monday, September 27, 2010 8:26 PM
Subject: RE: Gendron Business Park: Delegated Review Request

Marybeth:
Thank you for the clarification.

Through this email, I am copying the representatives of Gendron and the City who are involved with development of Gendron Business Park. Those lots owned by entities other than the city shall submit applications to be processed through the typical development review process. Those lots owned by an entity of the City of Lewiston shall be processed as modifications of the Site Law permit for Gendron Business Park dated April 2008 (L-21599-L3-D-N / L-21599-TG-E-N) through DEP.

Thanks again for your time and consideration.

David Hediger
City Planner/Deputy Director Planning and Code Enforcement
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201
Phone 207.513.3125 ext. 3223
TDD/TTY 207.513.3007
www.ci.lewiston.me.us

Lewiston, All-America City, 2007

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>>> "Richardson, Marybeth" <Marybeth.Richardson@maine.gov> 9/27/2010 9:00 AM >>>

The Department would have no objection to the City reviewing applications in the development if the applicant is Gendron or another entity other than the City.

Marybeth Richardson, Licensing and Enforcement Coordinator
Maine DEP, Bureau of Land and Water Quality
312 Canco Rd.
Portland, ME 04103
Ph 822.6335 Fax 822.6303
email: marybeth.richardson@maine.gov

From: David Hediger [<mailto:dhediger@ci.lewiston.me.us>]
Sent: Friday, September 24, 2010 4:52 PM
To: Richardson, Marybeth
Cc: Dave Gendron; David Jones; Gil Arsenaault; Jan Patterson; Blais Becky; Mullen, Mike; Mike Gotto
Subject: RE: Gendron Business Park: Delegated Review Request

Marybeth:
Thank you for your quick response.

DEP reviewed the original project because the subdivision consists of approximately 150 acres, exceeding our authority. In addition, the approval was subject to many wetland mitigation and compensation requirements for both DEP and ACOE. That said, it was the City and Gendron's intent as applicants and the City/Planning Board's intent to have the project approved so that sites could be developed without the need of a full review process being required for each site. Specifically, the subdivision was approved by the Planning Board with each lot represented with a final grade and the drainage improvements required for an established amount of impervious area. From a local perspective, the Planning Board would be reviewing at each lot coming forward with respect to amount of impervious, specific site layout, lighting, and other performance standards. The goal was to make it easier for developers and tenants knowing approval was likely with one meeting at the city level.

It is my understanding in speaking with Gendron and the City as applicant's that for DEP permitting purposes, actual building footprints had to be shown on each site, in part as a means of demonstrating the potential capacity of each lot. In doing so, a DEP permit was issued. However, it is the applicant's understanding that if those building footprints change, modifications will be needed from DEP.

I'm certain the applicants will be pleased to hear that minor review will likely be reviewed by DEP in an reasonable amount of time. This is always a concern with developers. However, the uncertainty remains for the developers as to whether DEP will significantly delay a project. That risk runs with Planning Board reviews, too. However, our overall review process with the Planning Board and accessibility of staff to developers and consultants is always preferred to that of the State.

I can appreciate DEEP concern with City owned lots and recognize the perception of there being a conflict of interest reviewing city projects. I can assure you from other projects where the city is the applicant, staff and the Planning Board subject the applicant to all the same requirements, as awkward as that sometimes may be.

Given the statements above, is the Department's position any different? Furthermore, would DEP be more comfortable delegating authority to lots not owned by the city and those owned by Gendron or another entity? Fully respecting DEP's position, I ask because I fully expect to be asked similar questions by both applicants.

If you feel additional information from the applicant's would assist the Department, please advise and I'm sure they will accommodate your requests.

Thanks again for your time and consideration.

David Hediger
City Planner/Deputy Director Planning and Code Enforcement
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201
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>>> "Richardson, Marybeth" <Marybeth.Richardson@maine.gov> 9/24/2010 11:08 AM >>>

I discussed this briefly with Becky today. I asked her why, if the City has delegated authority, the DEEP reviewed the original project. Although it's not entirely clear I understand that there were some pretty significant resource issues that had to be worked through to meet NRPA requirements. The City owns the parcel as well, so those factors may have weighed into the decision for the Department to review the project. So I'm uncomfortable making the call to allow the City to review and approve any changes to the lots. However I don't know the details of the DEP's 2007 approval. Typically when we approve commercial subdivisions we set parameters for each lot and we don't see them back again unless something different is proposed, so if these changes are minor the review should be pretty straightforward and not take an unreasonable amount of time or be an otherwise onerous process.

This is in no part a reflection on how the City operates in its role as a delegated review agency under the Site Law – I do believe you're doing a good job. And, as always, you can call me to discuss further.

Marybeth Richardson, Licensing and Enforcement Coordinator
Maine DEP, Bureau of Land and Water Quality
312 Canco Rd.
Portland, ME 04103
Ph 822.6335 Fax 822.6303
email: marybeth.richardson@maine.gov

From: David Hediger [<mailto:dhediger@ci.lewiston.me.us>]
Sent: Thursday, September 23, 2010 11:23 AM
To: Richardson, Marybeth
Subject: RE: Gendron Business Park: Delegated Review Request

Understood. I appreciate you consideration and timely response. Your responsiveness is a refreshing improvement at DEP.

If either of you have questions or concerns, please feel free to contact me.

Thanks again.

David Hediger
City Planner/Deputy Director Planning and Code Enforcement
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201
Phone 207.513.3125 ext. 3223
TDD/TTY 207.513.3007
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>>> "Richardson, Marybeth" <Marybeth.Richardson@maine.gov> 9/23/2010 11:09 AM >>>

David: I'll get back to you today or tomorrow on this. I wanted to talk to Becky Blais about it first.

Marybeth Richardson, Licensing and Enforcement Coordinator
Maine DEP, Bureau of Land and Water Quality
312 Canco Rd.
Portland, ME 04103
Ph 822.6335 Fax 822.6303
email: marybeth_richardson@maine.gov

From: David Hediger [<mailto:dhediger@ci.lewiston.me.us>]
Sent: Wednesday, September 22, 2010 4:10 PM
To: Richardson, Marybeth
Cc: Dave Gendron; David Jones; Gil Arsenault; Jan Patterson; Lincoln Jeffers; Blais Becky; Mike Gotto
Subject: Gendron Business Park: Delegated Review Request

Marybeth:

As you may be aware, Maine DEP approved the second phase of Gendron Business Park in April 2008 (L-21599-L3-D-N / L-21599-TG-E-N). The permit was issued to the City of Lewiston as part of a joint development agreement with Gendron and Gendron. As part of that agreement, both the City and Gendron own lots within the development. At this time the proposed road accessing the lots has been substantially completed. There is now interest in moving forward with specific site improvements on lots within the subdivision.

This office has received requests from Stoneybrook Consultants, Inc. on behalf of Gendron and Gendron and Lincoln Jeffers, Assistant to the City Administrator, City of Lewiston for the City to request of DEP delegated review authority with respect to this subdivision. Please see attachment. In both requests, the desire is for the City to have the authority to review and approve modifications on each lot as deemed necessary by the developer. Such requests would be reviewed by the Planning Board and processed in the same manner as typical delegated review projects whereby this office provides DEP notice of acceptance and approval.

It is my opinion that since any modifications requested will require Planning Board approval, granting delegated review authority to the City should be considered. As you may be aware, the subdivision was approved with a specific amount of impervious area considered on each lot along with the necessary stormwater improvements. Modifications involving building layout or reductions in impervious area should be treated as minor amendments and are certainly within the reviewing capacity of the City. As noted above, it is this office's intent to keep DEP fully informed of any modification requests as with other delegated review

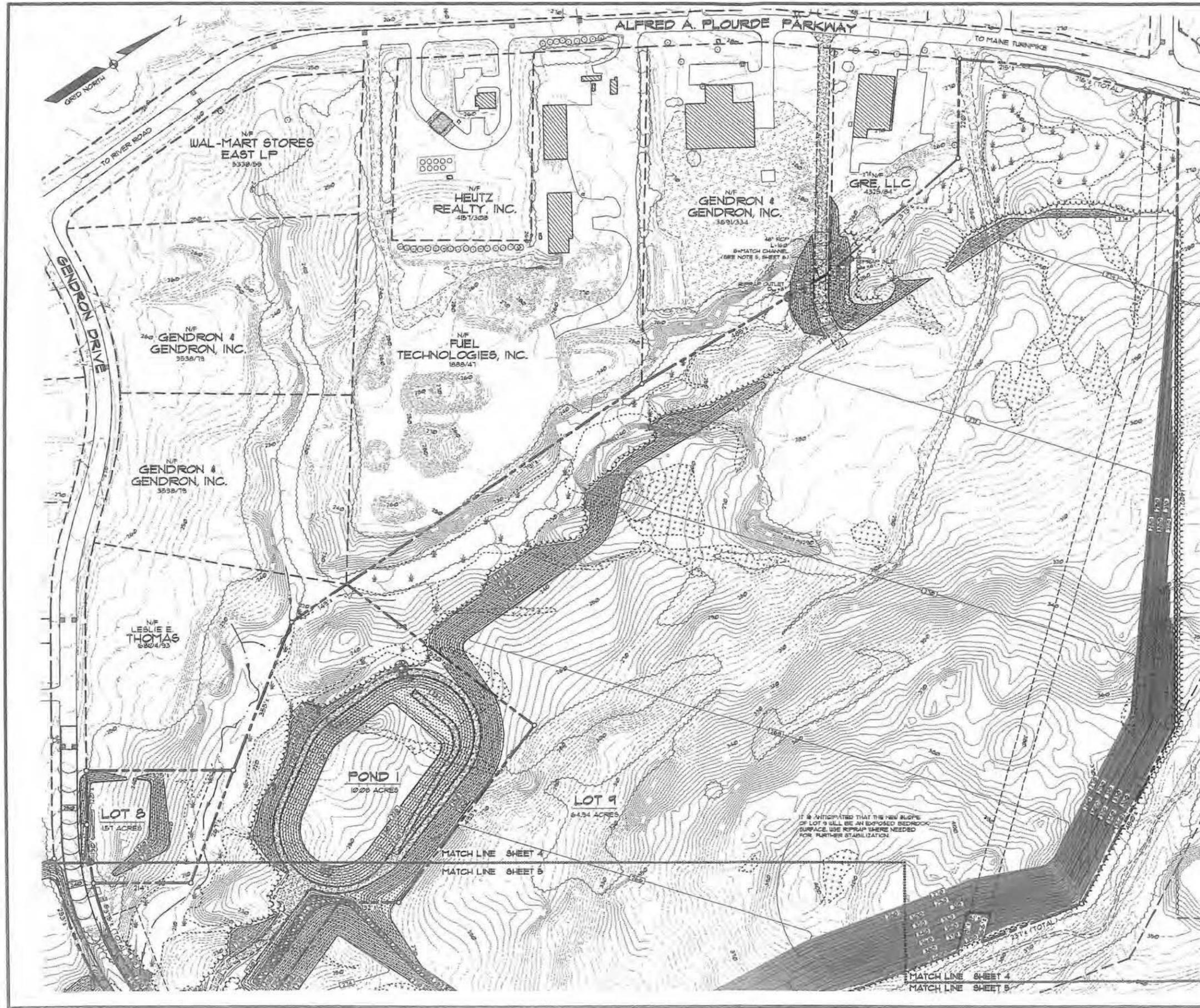
projects. DEP has honored similar requests from Bates College, St. Mary's Medical Center, and Center Maine Medical Center for the City to have expanded review authority. I believe all of those projects have been reviewed thoroughly and appropriately by the City to the satisfaction of the applicant and DEP.

Please feel free to contact me with any questions related to this request for delegated authority for modifications within Phase 2 of Gendron Business Park.

Thank you for your consideration.

David Hediger
City Planner/Deputy Director Planning and Code Enforcement
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201
Phone 207.513.3125 ext. 3223
TDD/TTY 207.513.3007
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- NOTES**
- 1) TOTAL WETLAND IMPACT - 739,114 SQUARE FEET 5.49 ACRES
 - 2) STABILIZE DEVELOPMENT PADS WITH COMPACTED GRAVEL OR LOAM, SEED, AND MULCH WHERE BEDROCK IS NOT ENCOUNTERED.
 - 3) CURLEX BLANKETS BY THE AMERICAN EXCELSIOR COMPANY OR APPROVED EQUIVALENT EROSION CONTROL BLANKET SHALL BE USED TO STABILIZE ALL SLOPES STEEPER THAN 3H:1V.
 - 4) SEE DETAILS OF STORM DRAIN SERVICES ON PLAN & PROFILE SHEETS.
 - 5) EACH LOT SHALL HAVE A STABILIZED CONSTRUCTION ENTRANCE DURING GRADING OPERATIONS AND UNTIL PERMANENT STABILIZATION IS ACHIEVED.

LEGEND

	BOUNDARY LINE (SUBJECT PARCEL)
	BOUNDARY LINE (OTHER)
	EASEMENT LINE
	STREAM
	IRON PIPE OR ROD FOUND
	IRON ROD TO BE SET
	NEW OR FORMERLY
	BOOK AND PAGE NUMBER
	EXISTING CONTOUR (UNOBSERVED)
	EXISTING CONTOUR (OBSERVED)
	EXISTING TREE LINE
	NEW TREE LINE
	EXISTING UTILITY POLE WITH OVERHEAD WIRES
	STONE WALL
	STONE WALL (ALONG BOUNDARY)
	EXISTING CATCH BASIN
	EXISTING HYDRANT
	EXISTING LIGHT POLE
	EXISTING PUMP STATION
	NEW CONTOUR
	EXISTING BUILDING
	EXISTING PAVEMENT
	NEW PAVEMENT
	EXISTING GRAVEL
	NEW GRAVEL
	WETLAND AREA
	WETLAND IMPACT AREA
	NEW RIPRAP
	CURLEX BLANKET BY THE AMERICAN EXCELSIOR CO. OR APPROVED EQUIVALENT EROSION CONTROL BLANKET

SCALE: 1" = 100'

0 50 100 200 300 400

REVISED: MAY 30, 2001 - POND AND DRAINAGE CHANGES
 REVISED: OCTOBER 19, 2006 - MODIFIED BOUNDARY LINES
 REVISED: AUGUST 29, 2006 - GRADING CHANGES

STATE OF MAINE
 CHRISTOPHER J. BRANCH
 #4804
 PROFESSIONAL ENGINEER
 FOR APPROVALS

**TOPOGRAPHIC SITE PLAN
 GENDRON BUSINESS PARK PHASE 2**
 GENDRON DRIVE - LEWISTON, MAINE
 ANDROSCOGGIN COUNTY

PREPARED FOR
CITY OF LEWISTON
 P.O. BOX 419 - LEWISTON, MAINE 04241-0419

Sebago Technica
 ENGINEERING EXPERTISE YOU CAN BUILD ON
 100 CENTER STREET - AUBURN, MAINE 04210
 TEL. (207) 783-5636 FAX (207) 783-5635

DATE: APRIL 2006 DRAWN BY: SGB SCALE: 1" = 100' SHEET
 JOB NUMBER: 01-053E CHECKED BY: CCB CADD: 01-053E TPO 4

IT IS ANTICIPATED THAT THE NEW SLOPE OF LOT 9 WILL BE AN EXPOSED BEDROCK SURFACE. USE RIPRAP WHERE NEEDED FOR FURTHER STABILIZATION.

**TOPOGRAPHIC SITE PLAN
GENDRON BUSINESS PARK PHASE 2**

GENDRON DRIVE - LEWISTON, MAINE
ANDROSCOGGIN COUNTY

PREPARED FOR
CITY OF LEWISTON

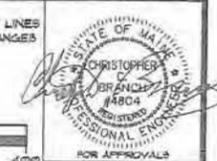
P.O. BOX 478 - LEWISTON, MAINE 04241-0478

Sebago Technics

ENGINEERING EXPERTISE YOU CAN BUILD ON
408 CENTER STREET - ALBURN, MAINE 04210
TEL: (207) 783-5856 FAX: (207) 783-5855

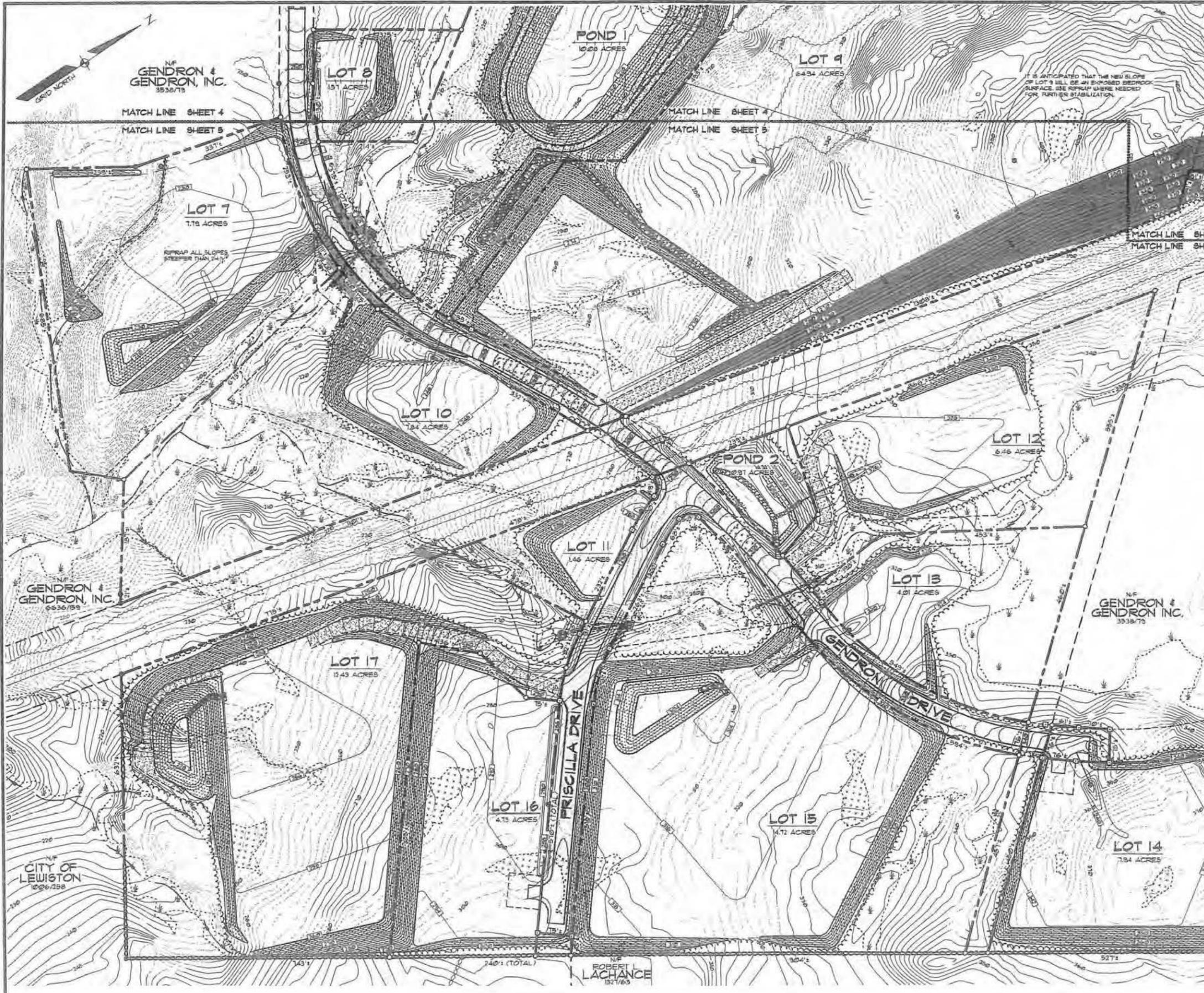
DATE: APRIL 2006
JOB NUMBER: 01-053E
DRAIN BY: EGB
CHECKED BY: CCB
SCALE: 1" = 100'
CADD: 01-053E.TPO
SHEET 5

REVISED: AUGUST 28, 2006 - GRADING CHANGES
REVISED: OCTOBER 19, 2006 - MODIFIED BOUNDARY LINES
REVISED: MAY 30, 2007 - POND AND DRAINAGE CHANGES



LEGEND

	BOUNDARY LINE (SUBJECT PARCEL)
	BOUNDARY LINE (OTHER)
	EASEMENT LINE
	STREAM
	IRON PIPE OR ROD POND
	IRON ROD TO BE SET
	NOU OR FORRIERTY
	BOOK AND PAGE NUMBER
	EXISTING CONTOUR (UNOBSERVED)
	EXISTING CONTOUR (OBSERVED)
	EXISTING TREE LINE
	NEW TREE LINE
	STONE WALL (ALONG BOUNDARY)
	EXISTING UTILITY POLE WITH OVERHEAD WIRES
	NEW CONTOUR
	EXISTING PUMP STATION
	EXISTING UTILITY POLE WITH OVERHEAD WIRES
	NEW PAVEMENT
	EXISTING GRAVEL
	NEW GRAVEL
	WETLAND AREA
	WETLAND IMPACT AREA
	NEW RIPRAP
	CURLEX BLANKET BY THE AMERICAN EXCELISOR CO. OR APPROVED EQUIVALENT EROSION CONTROL BLANKET



N/F
GENDRON &
GENDRON, INC.
3536/75

MATCH LINE SHEET 4
MATCH LINE SHEET 5

MATCH LINE SHEET 4
MATCH LINE SHEET 5

MATCH LINE SHEET 4
MATCH LINE SHEET 5

N/F
GENDRON &
GENDRON, INC.
6636/59

N/F
GENDRON &
GENDRON, INC.
3536/75

N/F
CITY OF
LEWISTON
1006/288

N/F
ROBERT
LACHANCE
121/63

LEGEND

- BOUNDARY LINE (SUBJECT PARCEL)
- BOUNDARY LINE (OTHER)
- EASEMENT LINE
- STREAM
- IRON PIPE OR ROD FOUND
- IRON ROD TO BE SET
- IRON OR PORTLAND
- STAKES
- ROCK AND PAVE NUMBER
- EXISTING CONTOUR (UNDESIGNED)
- EXISTING CONTOUR (DESIGNED)
- EXISTING TREE LINE
- NEW TREE LINE
- EXISTING UTILITY POLE WITH OVERHEAD WIRES
- STONE WALL
- STONE WALL (ALONG BOUNDARY)
- EXISTING CATCH BASIN
- EXISTING HYDRANT
- EXISTING LIGHT POLE
- EXISTING PUMP STATION
- NEW CONTOUR
- EXISTING BUILDING
- EXISTING PAVEMENT
- NEW PAVEMENT
- EXISTING GRAVEL
- NEW GRAVEL
- SETBACK AREA
- SETBACK IMPACT AREA
- NEW ERECTOR
- CURLEX BLANKET BY THE AMERICAN ENCLASER CO. OR APPROVED EQUIVALENT EROSION CONTROL BLANKET



SHEET 1 OF 1

DESIGNED BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE
PROJECT NO.	
CLIENT	
SCALE	

BUILD OUT SCHEMATIC
OF
GENDRON BUSINESS PARK PHASE 2
 GENDRON DRIVE
 LEWISTON, MAINE

Sebago Technica
 Professional Planning, You Can Rely On
 One Royal Street Lewiston, ME 04240
 Tel: 603.853.1330 Fax: 603.853.1331
 www.sebagotechnica.com

NO.	BY	DATE	STATUS

THIS PLAN SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF SEBAGO TECHNICA, INC. ANY VIOLATION OF THIS PERMISSION SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICA, INC.



Stoneybrook Consultants, Inc.

456 Buckfield Road
Turner, Maine 04282
(207) 514-7491 voice
(207) 514-7492 fax

October 23, 2013

David Hediger, City Planner
Department of Planning & Code Enforcement
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201

Re: Project Modification - Lot 15
Gendron Business Park

Dear David:

On behalf of Gendron and Gendron, Inc. (Gendron), please accept the following as our response to staff review comments related to our request for minor modifications for Lot 15 of Gendron Business Park (GBP).

Hediger Memo - October 16, 2013

1. Article XIII, Section 4

(a) Utilization of the site - Development of this site was previously approved by the City of Lewiston through the Subdivision and Site Plan Review process. This project proposes to modify the proposed building location, building size and pavement layout within the approved pad site. The approved pad site included approximately 8.23 acres and its size and location on the property will not change as a result of the minor modifications proposed from what was previously approved.

(b) Traffic Movements - This project is estimated to generate 72 trips during the AM peak hour and 74 trips in the PM peak hour. Gendron

Business Park has a total of 477 AM trips and 505 PM trips approved for the development. With approval of this project and approval of development on Lots 16 & 17 currently pending, a new or updated Traffic Movement Permit for Gendron Business Park is not required and traffic movements will operate at acceptable levels with traffic improvements already in place for this development.

(c) Access to the site - Access to this site is proposed at the same location previously approved. The access road meets all City design standards for the proposed use as previously approved.

(d) Internal vehicular circulation - Internal vehicular movements have been established to provide safe movements for pedestrians, passenger vehicles, delivery trucks and emergency vehicles.

(e) Pedestrian circulation - There are no pedestrian improvements proposed in the approved plans for Gendron Business Park. Pedestrian movements on Lot 15 have been separated from major truck loading areas and located adjacent to access doors to provide safe pedestrian movements between the building and parking areas.

(f) Stormwater management - Stormwater management for this Lot will be controlled at a new stormwater pond proposed on Lot 17. The new pond has been designed to meet all local and State requirements for stormwater management.

(g) Erosion control - All improvements for this project will be completed under the requirements of the approved Gendron Business Park erosion control plans with adjustments shown on the design plans for this project. All erosion control measures proposed meet or exceed all local and State requirements.

(h) Water supply - This project will rely upon the existing public water mains in Gendron Drive. The City service was upgraded to support

development in this area and was determined to have capacity for development of this site at the time Gendron Business Park was approved.

(i) Sewer disposal - This project will connect to the City of Lewiston public sewer system, which was determined to have capacity for development of this site at the time Gendron Business Park was approved.

(j) Utilities - This project will connect to the existing utility services along Gendron Drive which were recently installed to meet the demands of this development.

(k) Natural features - No additional natural features of this lot will be disturbed from those proposed to be disturbed at the time Gendron Business Park was originally approved.

(l) Groundwater protection - There will be no impact to groundwater resources by this project.

(m) Water and air pollution - There will be no water or air pollution with this project.

(n) Exterior lighting - The exterior lighting for this project has been designed to meet the City ordinance requirements.

(o) Waste disposal - Waste generated by this project will be no different than what was originally approved for Gendron Business Park.

(p) Lot layout - The lot layout has not been changed.

(q) Landscaping - Proposed landscaping meets City ordinance requirements.

(r) Shoreland relationship - There are no shoreland zone areas abutting or adjacent to this project.

(s) Open space - This is not a residential project and there are no open space areas proposed with this project.

(t) Technical and financial capacity - The application and design plans have been prepared by professionals qualified to perform this work. The applicant has completed a number of projects in this State and has a proven track record for completing these types of projects.

(u) Buffering - All development in this area is industrial. There is no buffering required for this project.

(v) Compliance with district regulations - Development of this lot as proposed meets all of the requirements of Article XI, Section 15.

(w) Design consistent with performance standards - The improvements proposed will comply with the performance standards of Article XII, insofar as they may be applicable.

Article XIII, Section 12

At this time, public improvements along Gendron Drive are mostly complete. Construction of those improvements is the responsibility of the City of Lewiston. Performance guarantees and or funding are already in place. Street acceptance is not expected to be done until next year. Construction of improvements shown on Lot 15 will be coordinated with the acceptance process of Gendron Drive.

2. Lot 15 has more than 900' of frontage along Gendron Drive. Gendron Drive is currently under construction by the City of Lewiston and acceptance of that street is expected to occur next year.

3. No comment necessary.

4. Given the amount of real estate owned and developed by Gendron in this city, we do not believe that it is necessary to require an engineer to

certify to the construction of private improvements on Lot 15. We do understand the requirement to have a stamped statement from an engineer indicating that the stormwater pond proposed to be constructed on Lot 17 has been constructed in accordance with the approved plans.

5. We have attached a copy of the recorded deed for this property.
6. Evidence of technical and financial capacity was provided with the approval of Gendron Business Park. Given the amount of real estate owned and developed by Gendron, they have proven many times over that they have the technical and financial capacity to complete projects of this nature.
7. Offsite traffic improvements for Gendron Business Park are the responsibility of the City of Lewiston.
8. We have attached a development review application and checklist.
9. We have shown dumpster pad locations on the project plan.
10. We have removed the note for street trees on sheet 2.
11. We have labeled the proposed curbing at several locations on the project plans.

Ryan Barns memo of October 4, 2013 for Lot 15

1. No response necessary.
2. Water will be installed in accordance with Lewiston Public Works requirements.
3. The sewer will be connected to the service stub provided.
4. The stabilized construction entrance detail has been revised as noted.

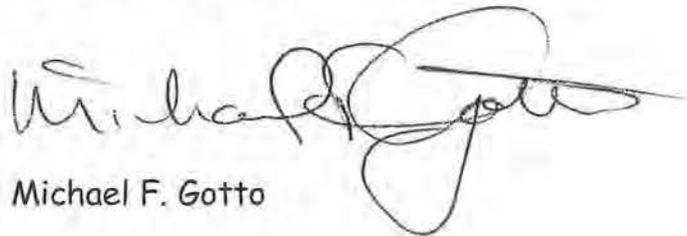
October 23, 2013
David Hediger
RE: Gendron Business Park - Lot 15
Page 6

Response to stormwater questions will be addressed in a separate submittal from Bill Peterlein.

I trust you will find this information acceptable. I will plan to attend the Planning Board meeting scheduled for October 28th to answer any additional questions that you may have.

Respectfully Yours

STONEBROOK CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read "Michael F. Gotto". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael F. Gotto

cc: David Gendron
John Gendron

PROJECT DATA

The following information is required where applicable, in order to complete the application

IMPERVIOUS SURFACE AREA/RATIO

Existing Total Impervious Area	307,534 sq. ft.
Proposed Total Paved Area	187,321 sq. ft.
Proposed Total Impervious Area	327,465 sq. ft.
Proposed Impervious Net Change	19,931 sq. ft.
Impervious surface ratio existing	47.9 % of lot area
Impervious surface ratio proposed	51.1 % of lot area

BUILDING AREA/LOT

COVERAGE

Existing Building Footprint	120,000 sq. ft.
Proposed Building Footprint	140,144 sq. ft.
Proposed Building Footprint Net change	20,144 sq. ft.
Existing Total Building Floor Area	0 sq. ft.
Proposed Total Building Floor Area	140,144 sq. ft.
Proposed Building Floor Area Net Change	20,144 sq. ft.
New Building	yes (yes or no)
Building Area/Lot coverage existing	18.7 % of lot area
Building Area/Lot coverage proposed	21.9 % of lot area

ZONING

Existing Industrial

Proposed, if applicable _____

LAND USE

Existing Industrial

Proposed Industrial

RESIDENTIAL, IF APPLICABLE

Existing Number of Residential Units 0

Proposed Number of Residential Units 0

Subdivision, Proposed Number of Lots _____

PARKING SPACES

Existing Number of Parking Spaces 0

Proposed Number of Parking Spaces 72

Required Number of Parking Spaces _____

Number of Handicapped Parking Spaces _____

ESTIMATED COST OF PROJECT

\$4,750,000

DELEGATED REVIEW AUTHORITY CHECKLIST

SITE LOCATION OF DEVELOPMENT AND STORMWATER MANAGEMENT

Existing Impervious Area 307,534 sq. ft.

Proposed Disturbed Area 430,000 sq. ft.

Proposed Impervious Area 327,465 sq. ft.

1. *If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with MDEP.*
2. *If the proposed impervious area is greater than one acre including any impervious area created since 11/16/05, then the applicant shall apply for a MDEP Stormwater Management Permit, Chapter 500, with the City.*
3. *If total impervious area (including structures, pavement, etc) is greater than 3 acres since 1971 but less than 7 acres, then the applicant shall apply for a Site Location of Development Permit with the City. If more than 7 acres then the application shall be made to MDEP unless determined otherwise.*
4. *If the development is a subdivision of more than 20 acres but less than 100 acres then the applicant shall apply for a Site Location of Development Permit with the City. If more than 100 acres then the application shall be made to MDEP unless determined otherwise.*

TRAFFIC ESTIMATE

Total traffic estimated in the peak hour-existing N/A passenger car equivalents (PCE)
(Since July 1, 1997)

Total traffic estimated in the peak hour-proposed (Since July 1, 1997) _____ passenger car equivalents (PCE)
If the proposed increase in traffic exceeds 100 one-way trips in the peak hour then a traffic movement permit will be required.

Zoning Summary

1. Property is located in the Industrial zoning district.
2. Parcel Area: 14.72 acres / _____ square feet(sf).

Regulations	Required/Allowed	Provided
Min Lot Area	40,000	/ 14.72 acres
Street Frontage	100'	/ 741' & 1074'
Min Front Yard	25'	/ 17'
Min Rear Yard	10'	/ N/A
Min Side Yard	10'	/ 42'
Max. Building Height	100'	/ 100'
Use Designation	<u>Industrial</u>	/ <u>Industrial</u>
Parking Requirement	1 space/ per _____ square feet of floor area	
Total Parking:	/	72
Overlay zoning districts (if any):	/ /	
Urban impaired stream watershed?	YES <input checked="" type="radio"/> NO <input type="radio"/> If yes, watershed name _____	

DEVELOPMENT REVIEW APPLICATION SUBMISSION

Submission shall include payment of fee and fifteen (15) complete packets containing the following materials:

1. Full size plans containing the information found in the attached sample plan checklist.
2. Application form that is completed and signed.
3. Cover letter stating the nature of the project.
4. All written submittals including evidence of right, title and interest.
5. Copy of the checklist completed for the proposal listing the material contained in the submitted application.

Refer to the application checklist for a detailed list of submittal requirements.

L/A's development review process and requirements have been made similar for convenience and to encourage development. Each City's ordinances are available online at their prospective websites:

Auburn: www.auburnmaine.org under City Departments/ Planning and Permitting/Land Use Division/Zoning Ordinance
Lewiston: <http://www.ci.lewiston.me.us/clerk/ordinances.htm>. Refer to Appendix A of the Code of Ordinances

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, I certify that the City's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for development review only; a Performance Guarantee, Inspection Fee, Building Permit Application and other associated fees and permits will be required prior to construction.

Signature of Applicant: 	Date: October 23, 2013
--	---------------------------

Development Review Checklist
 City of Auburn Planning and Permitting Department
 City of Lewiston Department of Planning and Code
 Enforcement



**THE FOLLOWING INFORMATION IS REQUIRED WHERE APPLICABLE TO BE
 SUBMITTED FOR AN APPLICATION TO BE COMPLETE**

PROJECT NAME: Gendron Business Park - Lots 16 & 17

PROPOSED DEVELOPMENT ADDRESS and PARCEL #: 3 & 5 Priscilla Drive, 128/1 & 155/20

Required Information		Check Submitted		Applicable Ordinance	
		Applicant	Staff	Lewiston	Auburn
Site Plan					
	Owner's Names/Address	✓			
	Names of Development	✓			
	Professionally Prepared Plan	✓			
	Tax Map or Street/Parcel Number	✓			
	Zoning of Property	✓			
	Distance to Property Lines	✓			
	Boundaries of Abutting land	✓			
	Show Setbacks, Yards and Buffers	✓			
	Airport Area of Influence (Auburn only)				
	Parking Space Calcs	✓			
	Drive Openings/Locations	✓			
	Subdivision Restrictions				
	Proposed Use				
	PB/BOA/Other Restrictions				
	Fire Department Review				
	Open Space/Lot Coverage	✓			
	Lot Layout (Lewiston only)	✓			
	Existing Building (s)	✓			
	Existing Streets, etc.	✓			
	Existing Driveways, etc.	✓			
	Proposed Building(s)	✓			
	Proposed Driveways	✓			
Landscape Plan					
	Greenspace Requirements				
	Setbacks to Parking	✓			
	Buffer Requirements	✓			
	Street Tree Requirements	✓			
	Screened Dumpsters	✓			
	Additional Design Guidelines				

	Planting Schedule				
Stormwater & Erosion Control Plan					
	Compliance w/ chapter 500	✓			
	Show Existing Surface Drainage	✓	✓		
	Direction of Flow				
	Location of Catch Basins, etc.	✓			
	Drainage Calculations	✓			
	Erosion Control Measures	✓			
	Maine Construction General Permit	✓			
	Bonding and Inspection Fees				
	Post-Construction Stormwater Plan	✓			
	Inspection/monitoring requirements	✓			
	Third Party Inspections (Lewiston only)				
Lighting Plan					
	Full cut-off fixtures	✓			
	Meets Parking Lot Requirements	✓			
Traffic Information					
	Access Management				
	Signage				
	PCE - Trips in Peak Hour	✓			
	Vehicular Movements				
	Safety Concerns				
	Pedestrian Circulation				
	Police Traffic				
	Engineering Traffic				
Utility Plan					
	Water	✓			
	Adequacy of Water Supply				
	Water main extension agreement				
	Sewer	✓			
	Available city capacity				
	Electric	✓			
	Natural Gas	✓			
	Cable/Phone	✓			
Natural Resources					
	Shoreland Zone				
	Flood Plain	✓			
	Wetlands or Streams	✓			
	Urban Impaired Stream				
	Phosphorus Check				
	Aquifer/Groundwater Protection				
	Applicable State Permits				
	No Name Pond Watershed (Lewiston only)				

	Lake Auburn Watershed (Auburn only)				
	Taylor Pond Watershed (Auburn only)				
Right Title or Interest					
	Verify	✓			
	Document Existing Easements, Covenants, etc.				
Technical & Financial Capacity					
	Cost Est./Financial Capacity	✓			
	Performance Guarantee				
State Subdivision Law		n/a			
	Verify/Check				
	Covenants/Deed Restrictions				
	Offers of Conveyance to City				
	Association Documents				
	Location of Proposed Streets & Sidewalks				
	Proposed Lot Lines, etc.				
	Data to Determine Lots, etc.				
	Subdivision Lots/Blocks				
	Specified Dedication of Land				
Additional Subdivision Standards		n/a			
	Single-Family Cluster (Lewiston only)				
	Multi-Unit Residential Development (Lewiston only)				
	Mobile Home Parks				
	Private Commercial or Industrial Subdivisions (Lewiston only)				
	PUD (Auburn only)				
A jpeg or pdf of the proposed site plan					
Final sets of the approved plans shall be submitted digitally to the City, on a CD or DVD, in AutoCAD format R 14 or greater, along with PDF images of the plans for archiving					

WARRANTY DEED

00723

RHEA MARIE HORNER of Aiken, County of Aiken and State of South Carolina and VIRGINIA EMILY MARTIN of Portland, County of Cumberland and State of Maine, for consideration paid, grant to GENDRON & GENDRON, INC., a Maine corporation with a principal place of business in Lewiston, County of Androscoggin and State of Maine, with WARRANTY COVENANTS, a certain lot or parcel of land situated in Lewiston, County of Androscoggin and State of Maine, and being bounded and described as follows:

Lying on both sides of the River Road, bounded Westerly by the Androscoggin River and on the East by the Ferry Road and being the Isaac Carville Homestead, with the exception of the following:

(a) The two parcels of land set apart to Edward E. Carville and William K. Carville in the Arbitration and Agreement dated September 23, 1907 and recorded at Book 217, Page 529 of the Androscoggin County Registry of Deeds between the heirs of Isaac Carville which are described therein as "the tract or parcel of land which belonged to Isaac T. Carville in his life time and which is known and called the "Fogg lot"; also a certain other tract or parcel of land bounded and described as follows: Beginning on the east side of the River Road leading by the house of the late Isaac T. Carville at the northwest corner of the Atkinson lot, so called, on the division line between said Atkinson lot and the Garcelon lot, so called, proceeding thence N. 50° E. on said division line, four hundred and ninety feet; thence S. 4° 30' E. six hundred and ten feet, parallel with the River Road; thence N. 85° W. four hundred feet to the Easterly line of said River Road; thence N. 4° 30' W. two hundred and sixty feet, by the easterly line of the road to the point of beginning, with the building thereon standing. Both parcels of land above described are situated in Lewiston in the County of Androscoggin. We have placed an iron hub at each corner of the last named parcel". The first parcel referred to herein (the so-called "Fogg lot") is identified on the Standard Boundary Survey of the Horner and Martin Parcel referred to more specifically herein as land now or formerly of the City of Lewiston described in a deed recorded at Book 1006, Page 258 of said Registry and the second parcel referred to herein is identified on the above-referenced survey plan as land now or formerly of George E. and Constance A. Gilbert described in a deed recorded at Book 1391, Page 99 of said Registry and land now or formerly of Edward W. and Anna Gilbert described in deeds recorded at Book 689, Page 433 and Book 1142, Page 118 of said Registry;

(b) The parcel taken in the Condemnation and Taking of Land dated August 13, 1931 and recorded at Book 412, Page 602 of the said Registry of Deeds by New England Telephone and Telegraph Company against Wallace L. Carville et als as confirmed by a deed from Wallace L. Carville et als to New England Telephone and Telegraph Company dated August 26, 1932 and recorded at Book 421, Page 204 of said Registry;

MAINE REAL ESTATE
TRANSFER TAX PAID

(c) Rights taken by the City of Lewiston in the Relocation of that portion of the Cottage Road now known as the Alfred A. Plourde Parkway as appears in the records of the City of Lewiston, Volume 3, Page 259;

(d) The parcel conveyed in the deed dated December 5, 1974 and recorded at Book 1122, Page 184 of said Registry from Virginia Emily Martin and Rhea Marie Horner to Central Maine Power Company;

(e) The parcel taken by Order of Condemnation and Taking by Eminent Domain dated May 6, 1980 and recorded at Book 1457, Page 232 of said Registry by the City of Lewiston against Rhea Marie Horner and Virginia Emily Martin for the relocation of a section of the River Road;

(f) The parcel conveyed in the deed from Rhea M. Horner and Virginia C. Martin to Kenneth W. Martin, Jr. and Susan B. Martin dated April, 1977 and recorded at Book 1266, Page 86 of said Registry.

(g) The parcel conveyed in the deed from Rhea M. Horner and Virginia C. Martin to Dolard Gendron dated July 26, 1989 and recorded at Book 2442, Page 117 of said Registry;

(h) The parcel conveyed in the deed from Virginia C. Martin and Rhea M. Horner to Kenneth W. Martin, Jr. and Susan B. Martin dated May 31, 1989 and recorded at Book 2415, Page 57 of said Registry;

Also included in this conveyance is grantors' entire right, title and interest, if any, without warranty covenants, in and to any portion of the River Road and/or the Cottage Road as now or formerly laid out.

The above described premises are also identified as the Horner and Martin Parcel on a Standard Boundary Survey prepared for Gendron & Gendron, Inc. by Technical Services, Inc. dated January 10, 1996 and recorded at Plan Book 39, Page 4 of said Registry, which survey has been prepared for the grantee. The grantors hereby convey all land lying within the bounds of the Horner and Martin Parcel as depicted on said survey, but disclaim any warranties as to the location of the boundary lines or dimensions of the premises as depicted on said survey.

The premises are also conveyed subject to any easements and restrictions of record and this deed includes all rights, easements, privileges and appurtenances belonging to the premises hereinabove described.

For grantors' source of title, reference is made to: (1) a deed from Luella H. Carville to Rhea Marie Horner and Virginia Emily Martin dated June 24, 1970 and recorded at Book 1020, Page 39 of said Registry; (2) the Will of Luella H. Carville, which has been probated in the Androscoggin County Registry of Probate and an Abstract of which is recorded at Book 1067, Page 497 of said Registry; and to (3) a Consent Judgment dated January 5, 1984 and recorded at Book 1725, Page 318 of said Registry issued by the Androscoggin County Superior Court in the matter of Virginia C. Martin and Rhea M. Horner vs Gladys Carville et al, and to an Order on Verified Motion dated May 29, 1984 issued in this said action and recorded at Book 1725, Page 321 of said Registry.

This transfer is a conveyance for value and grantors acknowledge receipt of adequate and full consideration for the transfer.

WITNESS our hands and seals this 11th day of January, 1996.

WITNESS:

PRG

to both

Rhea Marie Horner
RHEA MARIE HORNER

Virginia Emily Martin
VIRGINIA EMILY MARTIN

STATE OF MAINE
ANDROSCOGGIN, SS

JANUARY 11, 1996

Personally appeared the above-named Rhea Marie Horner and Virginia Emily Martin and acknowledged the foregoing instrument to be their free act and deed.

Before me,

PRG
Notary Public/Attorney at Law
Print name Paul R Gosselin

HORNGEND.DED

RECEIVED
ANDROSCOGGIN S.S.
96 JAN 16 PM 12:00

ATTEST:

Jeanine D. Bergeron
REGISTERED CLERK



MEMORANDUM

Date: 10-22-13
To: Mike Gotto
CC:
From: B. Peterlein, P.E.
RE: Gendron Park Lots 15, 16, and 17 Response to LPW Comments

Lot 15

- #1: Noted
- #2: This has been done and is shown on Lot 15, Sheet 2 and Lots 16 & 17, Sheet 3.
- #3: The manhole has been eliminated and the new lines will be connected to an existing stub off Gendron Drive.
- #4: This change has been made as shown on the revised Detail Sheets.

Lot 16

- #1: The services will be constructed in accordance with the Lewiston Water District requirements.
- #2: This change has been made as shown on the detail sheet.
- #3: Noted

Lot 17

- #1: The services will be constructed in accordance with the Lewiston Water District requirements.

Stormwater

- #1: Sediment will be settled out partially by the sump in DMH#3 and partially by the "energy dispersion pipe outlet" which has been lowered to make a basin shape and to accommodate Comment #2. This change is shown on the revised Lots 16 & 17 Sheet 2.
- #2: The 42 inch outlet pipe has been lowered to provide an outlet one foot above the permanent pool elevation as required by the Stormwater Management of Maine, Vol III BMPS Technical Design Manual (SWBMP) Section 4.1.1-10. This change is shown on the revised Lots 16 & 17 Sheet 2. This change has also been made in the Post Development Hydrocad Output.

- #3: A geotechnical report was prepared addressing the construction of a pond in this area. A copy of the report is attached. Reference should be made to Pond 17 in the report. The report addresses construction of an embankment 22 feet high. The proposed embankment will be 18 feet high. The recommendations contained in this report apply to the proposed pond embankment.
- #4: The berm has been raised from elevation 236 feet to elevation 236.5 feet to provide >1 foot of freeboard in accordance with Section 4.1.1-16 of the SWBMP.
- #5: We agree with the recommended approach. A set of computations prepared by LPW is attached. We have reviewed and agree with these computations and recommend that they become a permanent part of the project records. The resulting “predevelopment” flow rates are summarized below. A comparison of the “predevelopment” and post-development flow rates follows>

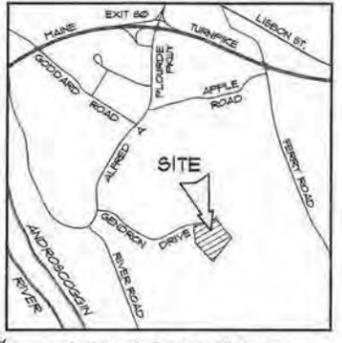
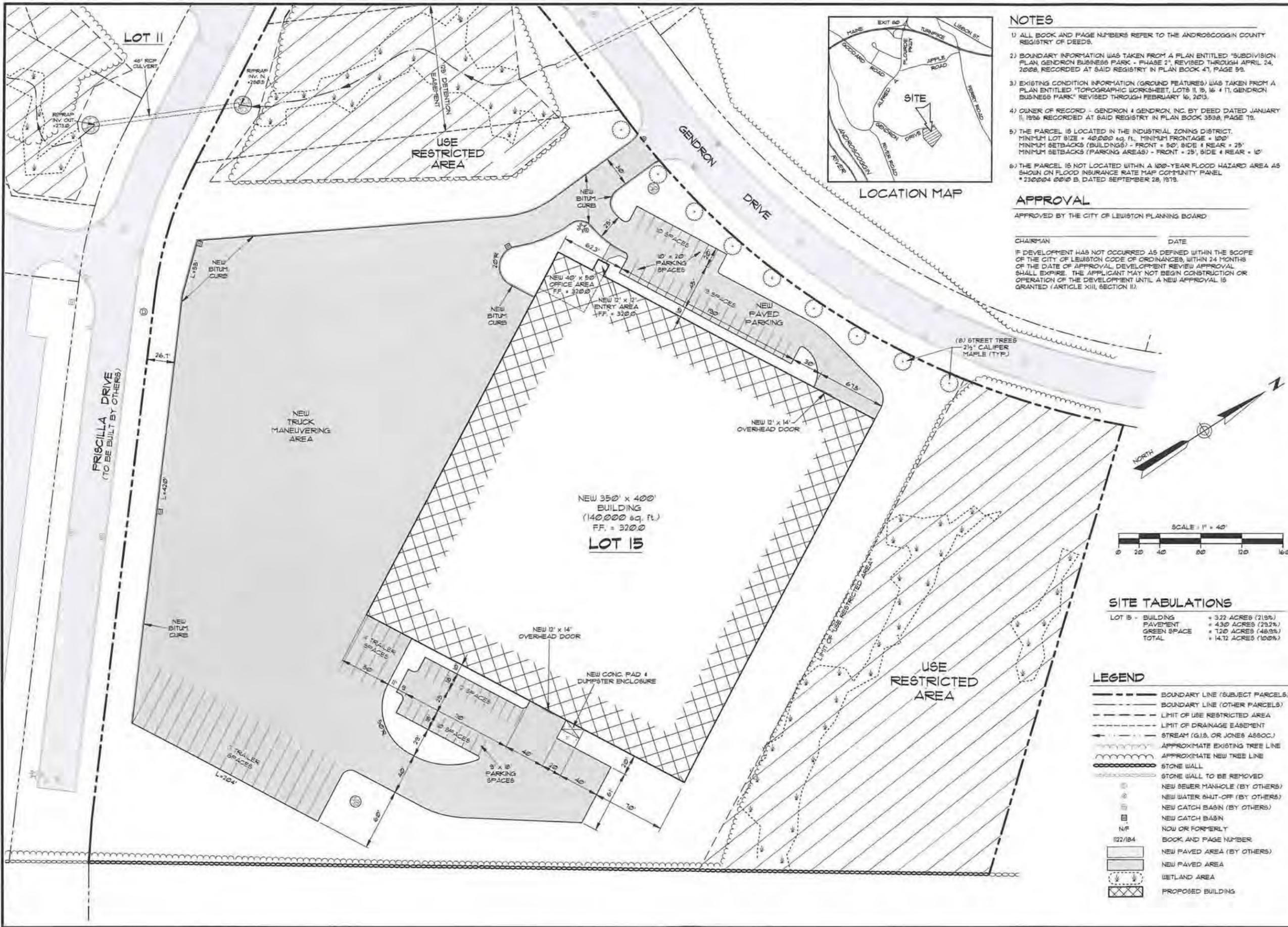
“PREDEVELOPMENT” STORMWATER FLOWRATES (cfs)				
Event	Lot 15	Lot 16	Lot 17	TOTAL
2 yr	0.5	1.84	1.0	3.34
10 yr	9.8	4.99	13.5	28.29
25 yr	15.1	5.86	23.3	44.26

STORMWATER RUNOFF SUMMARY			
Storm Event	2 yr	10 yr	25 yr
“Predevelopment”	3.3	28.3	44.3
Post Development	3.9	12.0	16.6

In all cases, the “predevelopment” flow rates are significantly greater than the post-development with the exception of the 2 year rate which is 0.6 CFS greater. Water from the pond outlet flows into a wet area and then into a meandering stream channel and travels approximately 1,200 feet to a 54 inch culvert which extends under the Landfill. We suggest that this increase is considered “insignificant” in accordance with MDEP Chapter 500 Section 4.E.

The revised “predevelopment” computations and a revised HydroCAD output are attached.

- #6: The errors were on drawing SW-1 and Lot 15 Sheet 2 and Lots 16 & 17 Sheet 3. The drawings have been revised to be consistent with the HydroCad model.



NOTES

- 1) ALL BOOK AND PAGE NUMBERS REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS.
- 2) BOUNDARY INFORMATION WAS TAKEN FROM A PLAN ENTITLED "SUBDIVISION PLAN, GENDRON BUSINESS PARK - PHASE 2", REVISED THROUGH APRIL 24, 2008, RECORDED AT SAID REGISTRY IN PLAN BOOK 47, PAGE 59.
- 3) EXISTING CONDITION INFORMATION (GROUND FEATURES) WAS TAKEN FROM A PLAN ENTITLED "TOPOGRAPHIC WORKSHEET, LOTS II, 15, 16 & 17, GENDRON BUSINESS PARK", REVISED THROUGH FEBRUARY 16, 2013.
- 4) OWNER OF RECORD - GENDRON & GENDRON, INC. BY DEED DATED JANUARY 11, 1996 RECORDED AT SAID REGISTRY IN PLAN BOOK 3538, PAGE 19.
- 5) THE PARCEL IS LOCATED IN THE INDUSTRIAL ZONING DISTRICT. MINIMUM LOT SIZE = 40,000 sq. ft., MINIMUM FRONTAGE = 100', MINIMUM SETBACKS (BUILDINGS) - FRONT = 30', SIDE & REAR = 25', MINIMUM SETBACKS (PARKING AREAS) - FRONT = 25', SIDE & REAR = 10'.
- 6) THE PARCEL IS NOT LOCATED WITHIN A 100-YEAR FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL # 230004 0010 B, DATED SEPTEMBER 28, 1979.

APPROVAL

APPROVED BY THE CITY OF LEWISTON PLANNING BOARD

CHAIRMAN	DATE

IF DEVELOPMENT HAS NOT OCCURRED AS DEFINED WITHIN THE SCOPE OF THE CITY OF LEWISTON CODE OF ORDINANCES, WITHIN 24 MONTHS OF THE DATE OF APPROVAL, DEVELOPMENT REVIEW APPROVAL SHALL EXPIRE. THE APPLICANT MAY NOT BEGIN CONSTRUCTION OR OPERATION OF THE DEVELOPMENT UNTIL A NEW APPROVAL IS GRANTED (ARTICLE XIII, SECTION II).

SITE TABULATIONS

LOT 15 - BUILDING	= 3.22 ACRES (21.9%)
PAVEMENT	= 4.30 ACRES (28.2%)
GREEN SPACE	= 12.0 ACRES (79.9%)
TOTAL	= 14.72 ACRES (100%)

LEGEND

- BOUNDARY LINE (SUBJECT PARCELS)
- BOUNDARY LINE (OTHER PARCELS)
- LIMIT OF USE RESTRICTED AREA
- LIMIT OF DRAINAGE EASEMENT
- STREAM (G.I.S. OR JONES ASSOC.)
- APPROXIMATE EXISTING TREE LINE
- APPROXIMATE NEW TREE LINE
- STONE WALL
- STONE WALL TO BE REMOVED
- NEW SEWER MANHOLE (BY OTHERS)
- NEW WATER SHUT-OFF (BY OTHERS)
- NEW CATCH BASIN (BY OTHERS)
- NEW CATCH BASIN
- N/F NOW OR FORMERLY
- 1122/184 BOOK AND PAGE NUMBER
- NEW PAVED AREA (BY OTHERS)
- NEW PAVED AREA
- WETLAND AREA
- PROPOSED BUILDING

SHEET TITLE: SITE PLAN

PROJECT: GENDRON BUSINESS PARK LOT 15

CLIENT: GENDRON & GENDRON, INC.
50 ALFRED A. FLOURCE PARKWAY - LEWISTON, ME

SCALE: 1" = 40'

DATE: OCT. 21, 2013

DRAWN BY: KRF

CHECKED BY: WJF

Stoneybrook Consultants, Inc.
456 Buckfield Road - Turner, Maine 04262
(207) 514-7991 Voice / (207) 514-7492 Fax

Tel: (207) 516-3313
Fax: (207) 788-0198
www.stoneybrook.com

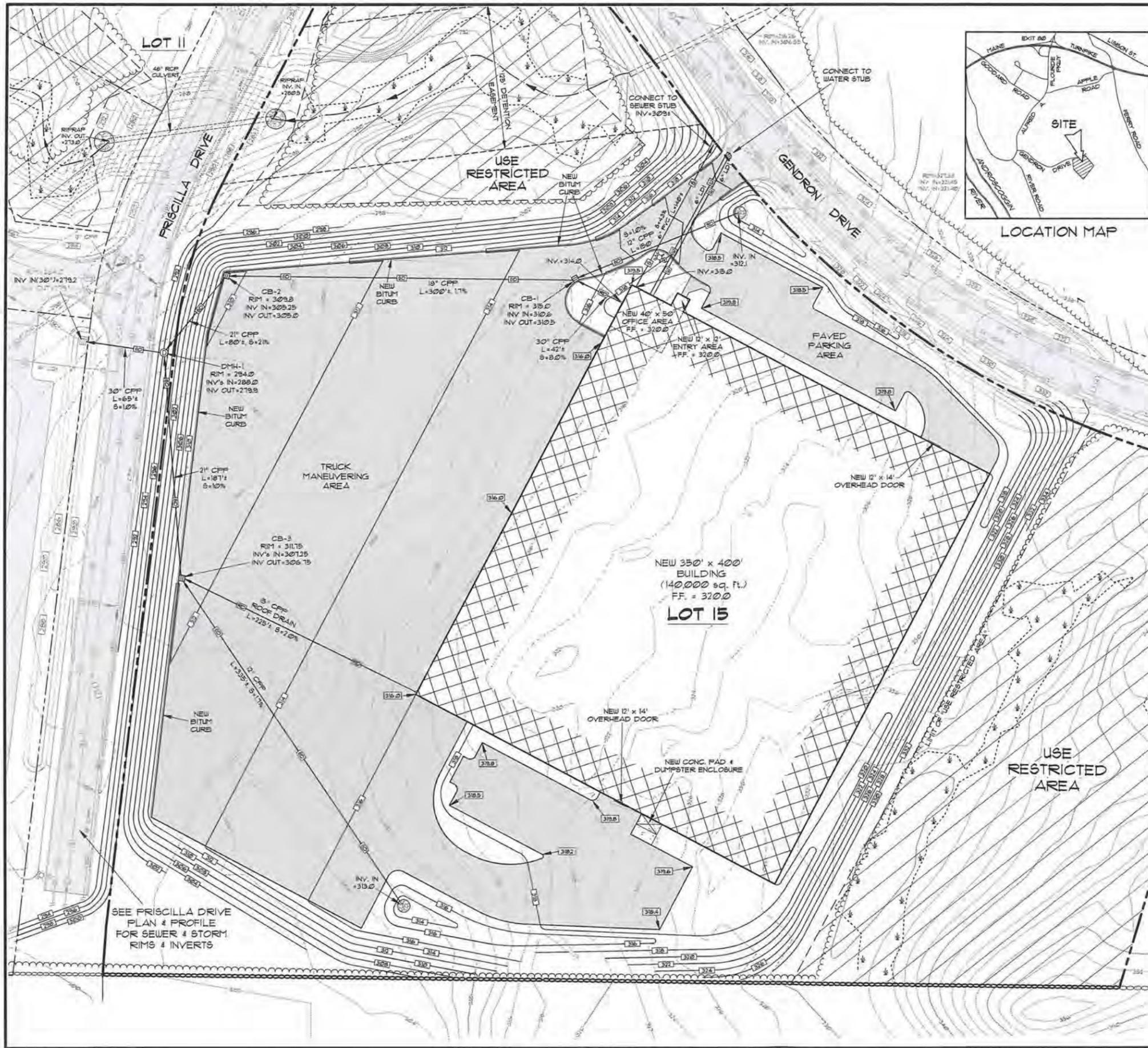
640 MAIN ST.
LEWISTON, ME 04240

SUMMIT
GEOENGINEERING SERVICES

STATE OF MAINE
WILLIAM M. PETERLIN
7577
LICENSED PROFESSIONAL ENGINEER

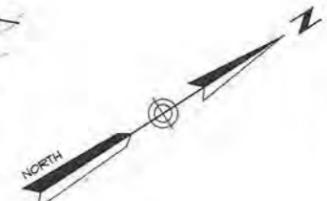
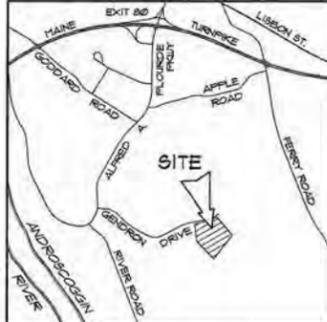
JOB NO. - 13098

SHEET 1



NOTES

- 1) ALL BOOK AND PAGE NUMBERS REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS.
- 2) BOUNDARY INFORMATION WAS TAKEN FROM A PLAN ENTITLED "SUBDIVISION PLAN, GENDRON BUSINESS PARK - PHASE 2", REVISED THROUGH APRIL 24, 2008, RECORDED AT SAID REGISTRY IN PLAN BOOK 41, PAGE 59.
- 3) EXISTING CONDITION INFORMATION (GROUND FEATURES) WAS TAKEN FROM A PLAN ENTITLED "TOPOGRAPHIC WORKSHEET, LOTS II, B, 16 & 17, GENDRON BUSINESS PARK" REVISED THROUGH FEBRUARY 16, 2013.
- 4) OWNER OF RECORD - GENDRON & GENDRON, INC. BY DEED DATED JANUARY 11, 1996 RECORDED AT SAID REGISTRY IN PLAN BOOK 3538, PAGE 73.
- 5) THE PARCEL IS LOCATED IN THE INDUSTRIAL ZONING DISTRICT. MINIMUM LOT SIZE = 40,000 sq. ft., MINIMUM FRONTAGE = 100'. MINIMUM SETBACKS (BUILDINGS) - FRONT = 50', SIDE & REAR = 25'. MINIMUM SETBACKS (PARKING AREAS) - FRONT = 25', SIDE & REAR = 10'.
- 6) THE PARCEL IS NOT LOCATED WITHIN A 100-YEAR FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL # 230004 0010 B, DATED SEPTEMBER 28, 1973.



LEGEND

- BOUNDARY LINE (SUBJECT PARCELS)
- BOUNDARY LINE (OTHER PARCELS)
- - - - - LIMIT OF USE RESTRICTED AREA
- - - - - LIMIT OF DRAINAGE EASEMENT
- STREAM (G.I.S. OR JONES ASSOC.)
- APPROXIMATE EXISTING TREE LINE
- APPROXIMATE NEW TREE LINE
- STONE WALL
- STONE WALL TO BE REMOVED
- ⊙ NEW SEWER MANHOLE (BY OTHERS)
- ⊙ NEW WATER SHUT-OFF (BY OTHERS)
- ⊙ NEW CATCH BASIN (BY OTHERS)
- ⊙ NEW CATCH BASIN
- ⊙ NEW WATER SHUT-OFF
- ⊙ NEW HYDRANT
- ⊙ NEW SEWER MANHOLE
- N/F NOW OR FORMERLY
- 1/22/184 BOOK AND PAGE NUMBER
- EXISTING (FIELD MEASURED) CONTOUR
- EXISTING (LEWISTON GIS) CONTOUR
- NEW CONTOUR
- NEW CONTOUR (BY OTHERS)
- NEW STORM DRAIN LINE
- NEW SPOT GRADE
- NEW PAVED AREA (BY OTHERS)
- NEW PAVED AREA
- GRAVEL AREA
- WETLAND AREA
- PROPOSED BUILDING
- NEW RIPRAP AREA

SEE FRISCILLA DRIVE PLAN & PROFILE FOR SEWER & STORM RIMS & INVERTS

SHEET TITLE: **TOPOGRAPHIC & UTILITY PLAN**
 PROJECT: **GENDRON BUSINESS PARK LOT 15**
 CLIENT: **GENDRON & GENDRON, INC.**
 50 ALFRED A. FLOURDE PARKWAY - LEWISTON, ME

SCALE: 1" = 40'
 DATE: OCT. 21, 2013
 DRAWN BY: KRF
 CHECKED BY: WTP

Stoneybrook Consultants, Inc.
 436 Buckfield Road - Turner, Maine 04282
 (207) 514-7491 Voice / (207) 514-7492 Fax
 www.stoneybrook.com

Tel: (207) 516-3913
 Fax: (207) 755-6228
 www.summitgeo.com

SUMMIT
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640 MAIN ST.
 LEWISTON, ME 04240

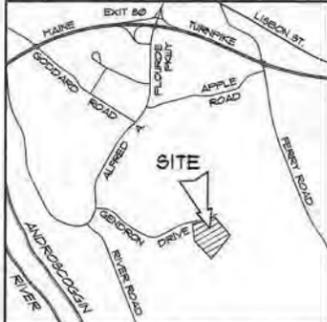
WILLIAM M. PETERLIN
 LICENSED PROFESSIONAL ENGINEER

JOB NO. - 13038
 SHEET **2**

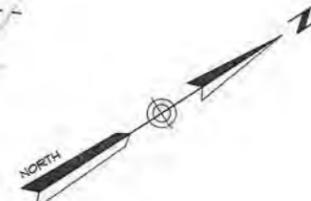
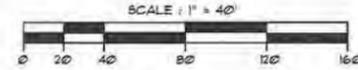


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- 3) EXISTING CONDITION INFORMATION (GROUND FEATURES) WAS TAKEN FROM A PLAN ENTITLED "TOPOGRAPHIC WORKSHEET, LOTS II, 10, 16 & 17, GENDRON BUSINESS PARK" REVISED THROUGH FEBRUARY 16, 2013.
- 4) OWNER OF RECORD - GENDRON & GENDRON, INC. BY DEED DATED JANUARY 11, 1996 RECORDED AT SAID REGISTRY IN PLAN BOOK 3938, PAGE 13.
- 5) THE PARCEL IS LOCATED IN THE INDUSTRIAL ZONING DISTRICT. MINIMUM LOT SIZE = 40,000 sq. ft., MINIMUM FRONTAGE = 100'. MINIMUM SETBACKS (BUILDINGS) - FRONT = 50', SIDE & REAR = 25'. MINIMUM SETBACKS (PARKING AREAS) - FRONT = 25', SIDE & REAR = 10'.
- 6) THE PARCEL IS NOT LOCATED WITHIN A 100-YEAR FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL # 230004 0010 B, DATED SEPTEMBER 28, 1978.



LOCATION MAP



LEGEND

- BOUNDARY LINE (SUBJECT PARCELS)
- BOUNDARY LINE (OTHER PARCELS)
- - - - - LIMIT OF USE RESTRICTED AREA
- - - - - LIMIT OF DRAINAGE EASEMENT
- STREAM (G.I.S. OR JONES ASSOC.)
- APPROXIMATE EXISTING TREE LINE
- STONE WALL
- STONE WALL TO BE REMOVED
- ⊗ NEW SEWER MANHOLE (BY OTHERS)
- ⊕ NEW WATER SHUT-OFF (BY OTHERS)
- ⊞ NEW CATCH BASIN (BY OTHERS)
- ⊞ NEW CATCH BASIN
- NF NOW OR FORMERLY
- 102/184 BOOK AND PAGE NUMBER
- EXISTING (FIELD MEASURED) CONTOUR
- EXISTING (LEWISTON GIS) CONTOUR
- NEW CONTOUR
- EXISTING PAVED AREA
- NEW PAVED AREA
- GRAVEL AREA
- WETLAND AREA
- PROPOSED BUILDING
- NEW EROSION CONTROL MAT
- NEW SILT FENCE

EROSION CONTROL PLAN

PROJECT: **GENDRON BUSINESS PARK LOT 15**
 GENDRON DRIVE - LEWISTON, ME
 CLIENT: **GENDRON & GENDRON, INC.**
 90 ALFRED A. FLOURDE PARKWAY - LEWISTON, ME

STONEYBROOK CONSULTANTS, INC.
 456 Buckfield Road - Turner, Maine 04282
 (207) 514-7491 Voice / (207) 514-7492 Fax

Tel: (207) 876-3313
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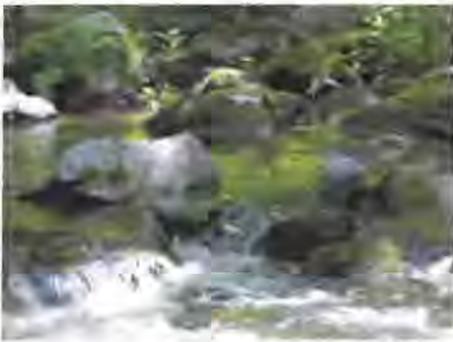
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SUMMIT
 GEOENGINEERING SERVICES

STATE OF MAINE
 WILLIAM M. PETERLEIN
 5187
 LICENSED PROFESSIONAL ENGINEER

JOB NO. - 13038
 SHEET **3**

SHEET TITLE: **EROSION CONTROL PLAN**
 SCALE: 1" = 40'
 DATE: OCT. 21, 2013
 DRAWN BY: KRF
 CHECKED BY: WJP



Stoneybrook Consultants, Inc.

456 Buckfield Road
Turner, Maine 04282
(207) 514-7491 voice
(207) 514-7492 fax

September 13, 2013

David Hediger, City Planner
Department of Planning & Code Enforcement
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201

Re: Project Modification - Lots 16 & 17
Gendron Business Park

Dear David:

On behalf of Gendron & Gendron, Inc. (Gendron), I have prepared the attached information for a minor modification to the approved schematic layout for Lots 16 & 17 at Gendron Business Park (GBP). Lot 16 was approved for a 60,000 square foot building with a total impervious area of 3.02 acres on a pad area of about 3.30 acres. Stormwater flow was directed to Detention Pond #1 within GBP. Lot 17 was approved for an 80,000 square foot building with a total impervious area of 6.07 acres on a pad area noted as 5.56 acres. Stormwater flow from Lot 17 was directed to a detention pond located on this lot. We have attached reduced copies of the approved plans for your information.

Lot 15 in GBP was approved for a building of about 120,000 square feet with a total impervious area of 7.57 acres on a pad area of 8.23 acres. Stormwater flow from Lot 15 was directed to a detention pond on Lot 15. At this time, Gendron is seeking approval to modify these pad sites to allow all stormwater flow from all three lots to be controlled at the pond proposed on Lot 17. In addition, this application proposes to modify the building size on Lot 16 to a 50,605 square foot building and place a 71,470 square foot building on Lot 17. The improvements on Lot 15 are being submitted as a separate application.

Portions of Priscilla Drive are already under construction to provide access and utility services for Lots 16 & 17. Priscilla Drive will be constructed to public road standards by Gendron based upon revised agreements with the City. The revised agreements also expect Priscilla Drive to be extended beyond these lots to provide access for future development on the abutting properties. Since stormwater from all of the public roads in Gendron Park flows toward Detention Pond #1, we are proposing to change the stormwater control system in this area to remove the development on Lot 16 from this pond. This will leave future capacity to direct portions of the extended Priscilla Drive to Detention Pond #1. All of the stormwater flow from the developed lots will flow to a new pond on Lot 17 that will be maintained by Gendron. All of the public roads will drain towards Detention Pond #1 which is maintained by the City.

Gendron plans to construct two multi-tenant commercial buildings, one on Lot 16 and one on Lot 17, with units ranging in size from 6,000 square feet to 9,160 square feet. Each unit will have a loading dock suitable for two trailers with the potential for a drive-in door at the first floor level. Several similar buildings have already been constructed along Gendron Drive. We have shown seven units in the building on Lot 16 and ten units in the building on Lot 17. The final unit count will depend upon tenant demands or space requirements and the final unit count is expected to vary from what is shown. The buildings are designed to provide flexible space that can easily be changed to meet tenant requests. Each building can also be constructed in several phases.

Lot 16 contains 4.73 acres and Lot 17 contains 12.43 acres. Both lots are located in the Industrial Zoning District. The proposed grading has been designed to fit the approved pad site grading, but some modifications have been made to provide specific levels for the loading docks and drive-in doors as well as pedestrian access to each unit.

Lot 16 will have about 3.24 acres of total impervious area with an impervious ratio of 0.68 and a lot coverage of 0.25. Lot 17 will have about 5.27 acres of impervious area with an impervious ratio of 0.42 and a lot coverage of 0.13. Your code allows an impervious area ratio and a lot coverage of 0.75.

Parking spaces have been shown on the site plan for each lot. It is expected that the final parking space count will vary depending upon how many drive-in doors are provided and the number of units placed in each building. By these plans, 76 parking spaces are provided for Lot 16, and Lot 17 has 104 spaces. Both lots have a parking ratio of about 1 space per 690 square feet.

Employee and customer parking will vary with the final tenant mix and type of use. Your code will typically require 1 space per 500 square feet for tradesman office area while light industrial, wholesale or storage uses require 1 space per 500 square feet up to 3,000 square feet and 1 space per 1,000 square feet after 3,000. The tenants in the existing buildings at GBP typically use the bulk of their space for storage, so we applied the light industrial, wholesale or storage requirements and found that Lot 16 would require 73 spaces and Lot 17 would require 102 spaces. Each building appears to meet the requirements but, based upon the existing buildings, tenant use is expected to be much less than this standard.

All utility services will be extended from Priscilla Drive. Sewer service for Lot 16 will be a gravity feed while the service for Lot 17 will require a pump. Again, all stormwater flow will be directed to the new pond to be constructed on Lot 17. A stormwater study has been submitted under separate cover and details for the pond's construction are provided in the plan set provided with this application. Exterior lighting is shown on the building walls; no free standing lights are proposed. Street trees are shown along Priscilla Drive.

At this time, access for both lots will come from a private drive leading from Priscilla Drive. In the future when Priscilla Drive is extended, Lot 16 will also have a direct access to Priscilla Drive at the east end of the parking lot. All construction activities will be subject to the approved Soil Erosion Control Plans and conditions of approval requiring engineering review and inspections during construction.

Gendron Business Park has two existing Traffic Movement Permits for development of the Park. Those Permits include approved peak hour trip generation of 477 trips for the AM peak and 505 trips for the PM peak. We have asked Bill Bray, P.E. from Traffic Solution to complete traffic counts and estimate

trip generation for the proposed projects. His letter report is attached for your information and his findings indicate that a Traffic Permit is not required at this time.

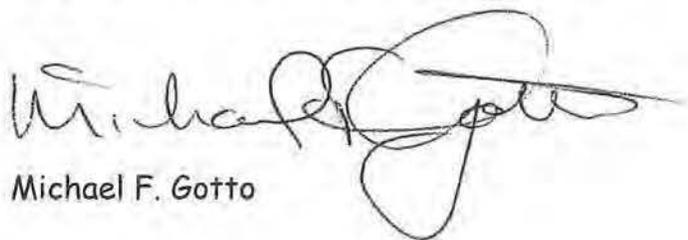
Construction of the proposed improvements will likely not begin until next construction season. Each building will take about 6 to 8 months to complete and are not planned to be constructed at the same time. The building on Lot 16 and the stormwater pond will be constructed as Phase 1 and the improvements for Lot 17 will be constructed as market conditions show demand for the space. The total project costs are expected to be \$3,950,000. Gendron previously provided financial capacity information with the original approvals for this project.

GBP was also approved by MDEP under the Site Location of Development Act (SLODA). Based upon our prior discussions with you and MDEP, we understand that the City will process this modification under your delegated review authority. Permission to process the required SLODA application for minor modifications within the approved pad sites was previously granted to the City by MDEP in September of 2010 by e-mail. A copy of that e-mail is attached.

We trust you will find this application complete for processing and we will plan to attend the next available Planning Board meeting to answer any additional questions that you may have.

Respectfully Yours

STONEBROOK CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read "Michael F. Gotto", with a large, stylized flourish at the end.

Michael F. Gotto

cc: David Gendron
Todd Spencer



Stormwater Report

**Gendron Business Park
Lots 15, 16, & 17
Priscilla Drive
Lewiston, Maine**

Prepared for:

Stoneybrook Consultants
456 Buckfield Road
Turner, Maine

Prepared by:

Summit Geoengineering Services, Inc.
640 Main Street
Lewiston, Maine

SGS #13097.1
August 2013



STORMWATER REPORT

GENDRON BUSINESS PARK LOTS 15, 16, & 17 PRISCILLA DRIVE LEWISTON, MAINE

This storm water report is prepared as part of a Development Review application for a minor modification to the approved schematic layout for Lots 15, 16, and 17 at Gendron Business Park (GBP).

In the GBP approval documents, storm water from Lot 15 was directed to detention pond proposed on this lot. Lot 16 in GBP was approved with storm water flow to Detention Pond #1 and Lot 17 was approved with storm water flow to a detention pond on that lot. At this time, Gendron is seeking approval to modify these pad sites to allow all storm water flow from all three lots to be controlled with a wet pond proposed on Lot 17.

Current City and State regulations require consideration of Basic, General, and Flooding standards. Each of these areas of consideration is discussed below. The development on the three lots will occur in phases. For the General Standards and Flooding Standards, the designs are based on the build-out of all three lots.

Reference is made to the following site development drawings.

Lot 15:

Sheet SW-1	POST DEVELOPMENT WATERSHED PLAN
Sheet 2	TOPOGRAPHIC AND UTILITY PLAN
Sheet 3	UTILITY PLAN
Sheet 4	EROSION CONTROL PLAN
Sheet 5	DETAIL SHEET

Lot 16 & 17:

Sheet SW-1	POST DEVELOPMENT WATERSHED PLAN
Sheet 2	TOPOGRAPHIC SITE PLAN
Sheet 3	UTILITY PLAN
Sheet 4	EROSION CONTROL PLAN
Sheet 5	DETAILS

These drawings are included in each of the respective Applications for Lots 15 and for Lots 16 & 17.

The storm water control designs are based on the following impervious and pervious areas.

TOTAL IMPERVIOUS AND PERVIOUS AREAS FLOWING TO POND		
Lot	Impervious (acres)	Pervious (acres)
15	7.53	1.69
16 & 17	8.72	3.83
TOTAL	16.24	5.52

The above areas only include those that flow into the proposed pond. Undisturbed areas which do not drain to the new pond are included on the Site Tabs on the Drawings but are not included in the table above.

Basic Standards

For this project, Basic Standards include the following elements.

- Erosion and Sedimentation Control Plan
 - General practices.
 - Temporary erosion and sedimentation control measures.
 - Temporary mulch/vegetation.
 - Permanent seeding.
 - Dust control.

- Inspection and maintenance.
 - Inspection of Temporary E&S Control Measures.
 - Inspection of Permanent E&S Control Measures.
 - Emergency measures.
 - Annual maintenance.
 - General maintenance.

- Housekeeping.

Information on each of these elements is presented in Appendix A. Included are inspection and maintenance forms for during construction and post construction, a City of Lewiston Annual Stormwater Management Facilities Certification Form, and a Post Construction Stormwater Management Plan performance guarantee document.

General Standards

To provide sufficient pollutant removal for storm water from Lots 15, 16, & 17, the Applicant proposed to construct a wet pond. The location of the wet pond is shown on the drawing labeled Lots 16 & 17, Sheet 2. The wet pond has been designed using the criteria in Chapter 4 Wet Ponds, of Volume III BMPs Technical Design Manual, January 2006. Computations are included in Appendix B. A cross section of the wet pond and details are presented on the drawing labeled Lots 16 & 17, Sheet 5.

Flooding Standards

The flooding standards are met by the inclusion of a channel protection volume set-aside within the wet pond. The channel protection volume allows for release of the post development flow rates to below the “pre-development” flow rates. Reference should be made to Sheet SW-1, Post Development Watershed Plan included in Appendix D.

“Pre-development” Flow Rates. For this project the “pre-development” flow rates were based on the storm water model developed by Sebago Technics which was included in the 2008 GBP approval. The basic hydrocad storm water model generated by Sebago (2, 10, and 25 year) is shown on Sheets C1 through Sheets C7 in Appendix C.1.1. Included in this information is the RCN number computation for Watershed 5S (Sheet C8). The Sebago model is related to the current development watershed model as follows:

Current Lot 15 = Watershed 9S – Stud Crossing
Current Lot 16 = A portion of Watershed 5S, modified to account for RCNs
Current Lot 17 = Watershed 10S – Lot 17

These watersheds and the associated flow paths used to generate the “pre-development” flow rates are highlighted on Sheet C1. The flow rates associated with each of these watersheds for the 2, 10, and 25 year events are shown on Sheets C2 through C7.

The computation of the “pre-development” flow rates is presented on Sheets C9 through C11 in Appendix C.1.2.

Based on the above, the following “pre-development” flow rates were computed.

“PREDEVELOPMENT” STORMWATER FLOW RATES (cfs)				
Event	Lot 15	Lot 16	Lot 17	TOTAL
2 yr	0.5	5.8	1.0	7.3
10 yr	9.8	19.3	13.5	42.6
25 yr	15.1	24.2	23.3	62.6

Post Development Flow Rates.

The stormwater runoff from the site after construction of the new buildings and parking lots is shown on the attached Sheet SW-1 in Appendix D. The model is divided into two separate watersheds, linked together in the HydroCAD model; upper watershed Lot 15 and lower watershed Lots 16 & 17. The upper watershed is connected to the lower watershed via a 30 inch CPP connecting DMH-1 to CB-4. All surface water runoff is conveyed to a new wet pond constructed in the south portion of Lot 17. Outflow from the pond travels to an existing stream channel that bisects the GBP site. The stream channel meanders through the site before entering a 54” RCP which passes beneath the closed section of the Lewiston Municipal Landfill. The steam is discharged on the opposite side of the landfill for about ½ mile and enters the Androscoggin River.

The Hydrocad output for the Post Developed site model is included in Appendix C.2.

A comparison of the “predevelopment” and post development peak flow rates is summarized in the following table.

STORMWATER RUNOFF SUMMARY			
Storm Event	2 yr	10 yr	25 yr
“Predevelopment”	7.3 cfs	42.6 cfs	62.6 cfs
Post Development	3.9 cfs	12.0 cfs	16.6 cfs

In all cases the post developed flow rate is less than the pre-developed flow rate.

William J. Bray, P.E.

235 Bancroft Street

Portland, Maine 04102

Phone (207) 774-3603

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September 11, 2013

**Traffic Assessment
Proposed
Gendron Business Park Development
Lot(s) 15, 16, and 17**

INTRODUCTION

Gendron and Gendron, Inc. are proposing to develop Lot(s) 15, 16, and 17 located within the Gendron Business Park. Approximately 263,070 square feet of building area is proposed; to include a 140,000 square foot warehouse or manufacturing building on Lot 15, multi-tenant buildings of 51,600 square feet on Lot 16, and 71,470 square feet on Lot 17.

This document estimates the peak hour trip generation of the proposed project during typical weekday AM and PM peak travel times, reviews the previous MaineDOT Chapter 305 Traffic Movement Permit record of the Business Park, and with that information, prepares a determination on further permitting requirements.

SITE TRAFFIC

The eighth edition of the Institute of Transportation Engineers (ITE) "TRIP GENERATION" manual was used to determine the volume of site trips generated by the proposed development. The ITE publication provides numerous Land-Use categories and the average volume of trips generated by each category. The following Land-Use categories and trip rates were used in that effort:

Lot 15 Warehouse/Manufacturing – 140,000 square foot building

Land-Use Code 140 – Manufacturing

Weekday Street Peak Hour – AM Peak = 0.73 trips/1,000sf [0.73 x 140 = 102 trips]

Weekday Street Peak Hour – PM Peak = 0.73 trips/1,000sf [0.73 x 140 = 102 trips]

Land-Use Code 150 – Warehousing

Weekday Street Peak Hour – AM Peak = 0.30 trips/1,000sf [0.30 x 140 = 42 trips]

Weekday Street Peak Hour – PM Peak = 0.32 trips/1,000sf [0.32 x 140 = 45 trips]

The mathematical average of the two trip rate equations provides an average total volume of 72 trips in the AM peak hour and 74 trips during the PM peak hour generated by the proposed 140,000 square foot building.

Lots 16 & 17 Multi-use Tenant Buildings – 123,070 square feet of building area

Land-Use Code 770 – Business Park

Weekday Street Peak Hour – AM Peak = 1.43 trips/1,000sf [1.43 x 123.07 = 176 trips]

Weekday Street Peak Hour – PM Peak = 1.29 trips/1,000sf [1.29 x 140 = 159 trips]

Accordingly, the proposed development proposal for Lots 15, 16, and 17 can be expected to generate a total of 248 vehicle trips in the AM peak hour and an additional 233 trips during the PM peak hour.

MaineDOT Traffic Movement Permit Record – Gendron Business Park

Phase I of Gendron Business Park: The City of Lewiston, as the delegated review authority for the Maine Department of Transportation, issued a Traffic Movement Permit (TMP) for Phase I of the Gendron Business Park in 2005 for building Lots 4, 5, 6A, 6B, and 6C for a total development of 225,410 square feet of building area. The TMP was issued for 172 AM peak hour trips and 184 PM peak hour trips.

Phase II of Gendron Business Park: The City of Lewiston issued a second TMP in June of 2006 for Phase II of the commercial subdivision for proposed building lots 1, 2, 3, 7, A, B, C, D, and E to include a total of 353,000 square feet of commercial development. The approved volume of peak hour trips authorized with issuance of the TMP was 305 trips in the AM peak hour and 321 trips during the PM peak hour.

Commercial Lot 9 Trip Generation Approval: The City of Lewiston, through their Traffic Peer Review Consultant, approved in 2011 the development of concrete and asphalt batch plants proposed by Aggregate Supply, LLC on Lot 9 with a projected peak hour trip volume of 193 passenger car equivalent (PCE) trips during both the AM and PM peak hours.

Existing Peak Hour Trip Generation of Gendron Business Park

Gendron Drive Trip Generation: Approximately 126,398 square feet of building area has been constructed on Gendron Drive with 84% of the area currently occupied. Manual vehicle turning movement counts were conducted on June 5, 2013 at the Gendron Drive/Alfred A. Plourde Parkway intersection between the hours of 7:00 and 9:00 AM and again between 3:00 and 6:00 PM to measure the current trip generation of the developed business lots. From a summary of the data it was determined that a total of 184 vehicle trips enter/exit the park during the AM peak hour and an additional 176 trips during the PM peak hour. These values were mathematically divided by 0.84 to determine trip generation estimates with full occupancy of the constructed buildings. Accordingly, a total of 219 vehicle trips are generated in the AM peak and 210 trips in the PM peak.

Aggregate Supply LLC Trip Generation: Current activity on Lot 9 includes operation of a batch asphalt plant and material mining operations conducted by Gendron and Gendron, Inc. To quantify the existing volume of trips generated by Lot 9, a manual traffic count was conducted at the driveway entrance to Lot 9 on Wednesday, June 26, 2013. All vehicles entering and exiting the driveway entrance were classified by vehicle type and volume between the hours of 7:00 and 9:00 AM and again between the hours of 3:00 and 5:00 PM. From a summary of the data it was determined that a total of 5 passenger vehicles and 27 trucks in the morning peak hour and a smaller volume of 10 passenger vehicles and 10 trucks in the PM peak hour. MaineDOT Chapter 305 rules require the conversion of all truck trips to passenger car equivalents (PCE's) in computing the trip generation of a site. All truck trips are equal to two PCE trips. Accordingly, the Aggregate Supply, LLC Lot 9 currently generates a total of 59 PCE trips in the AM peak hour and 30 PCE trips during the afternoon peak hour.

Existing Total Peak Hour Site Trip Generation – Gendron Business Park: The presently developed commercial lots within the Gendron Business Park generate a total of 278 PCE trips [219 + 59] in the AM peak hour and an additional 240 PCE trips [210 + 30] during the PM peak hour.

MaineDOT Permitting Requirements – Development of Lots 15, 16, and 17

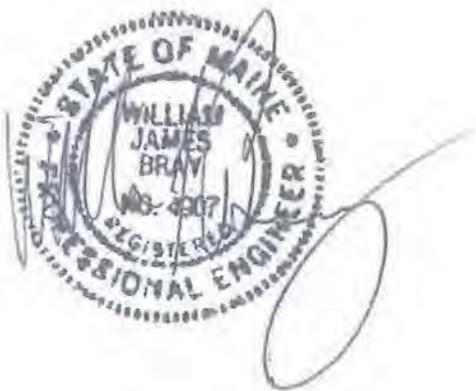
The MaineDOT policy: The MaineDOT requires the issuance of a new Traffic Movement Permit once the peak hour trips (in PCE) reaches 100 trips in excess of current permitted levels.

Total Existing Permitted Peak Hour Site Trips: The City of Lewiston have, with the issuance of two separate (Phase I and Phase II) Traffic Movement Permits, approved a total of 477 [172 trips Phase I + 305 trips Phase II] trips in the AM peak hour and 505 [184 trips Phase I + 321 trips Phase II] during the PM peak hour.

Total Trip Generation Existing and Proposed Vehicle Trips: The existing developed lots and proposed development on Lots 15, 16, and 17, combined, can be expected to generate a total of 526 trips [278 existing and 248 proposed] in the AM peak hour and 473 trips [240 existing and 233 proposed] during the PM peak hour.

Trip Balance: Development of Lots 15, 16, and 17 creates a negative balance of 49 [477 approved trips minus 526 existing + proposed trips] PCE trips in the AM peak hour and a positive value of 32 [505 approved trips minus 473 existing + proposed trips] PCE trips during the PM peak hour.

MaineDOT Permitting Requirements: The trip balance computation presented in the previous section notes a negative balance of 49 trips in the AM peak and a positive value of 32 trips in the PM peak hour. Both values are less than MaineDOT's threshold value of 100 PCE trips. Accordingly, a new Traffic Movement Permit is not required with development of Lots 15, 16, and 17.



Mike Gotto

From: David Hediger <DHediger@lewistonmaine.gov>
Sent: Thursday, July 25, 2013 4:26 PM
To: Mike Gotto
Cc: Ryan Barnes
Subject: FW: Gendron Business Park: Delegated Review Request

Fyl...

David Hediger
City Planner/Deputy Director Planning and Code Enforcement
City of Lewiston
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From: Hediger, David [mailto:dhediger@ci.lewiston.me.us]
Sent: Monday, September 27, 2010 8:26 PM
Subject: RE: Gendron Business Park: Delegated Review Request

Marybeth:
Thank you for the clarification.

Through this email, I am copying the representatives of Gendron and the City who are involved with development of Gendron Business Park. Those lots owned by entities other than the city shall submit applications to be processed through the typical development review process. Those lots owned by an entity of the City of Lewiston shall be processed as modifications of the Site Law permit for Gendron Business Park dated April 2008 (L-21599-L3-D-N / L-21599-TG-E-N) through DEP.

Thanks again for your time and consideration.

David Hediger
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Lewiston, All-America City, 2007

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>>> "Richardson, Marybeth" <Marybeth.Richardson@maine.gov> 9/27/2010 9:00 AM >>>

The Department would have no objection to the City reviewing applications in the development if the applicant is Gendron or another entity other than the City.

Marybeth Richardson, Licensing and Enforcement Coordinator
Maine DEP, Bureau of Land and Water Quality
312 Canco Rd.
Portland, ME 04103
Ph 822.6335 Fax 822.6303
email: marybeth.richardson@maine.gov

From: David Hediger [<mailto:dhedlger@ci.lewiston.me.us>]
Sent: Friday, September 24, 2010 4:52 PM
To: Richardson, Marybeth
Cc: Dave Gendron; David Jones; Gil Arsenault; Jan Patterson; Blais Becky; Mullen, Mike; Mike Gotto
Subject: RE: Gendron Business Park: Delegated Review Request

Marybeth:
Thank you for your quick response.

DEP reviewed the original project because the subdivision consists of approximately 150 acres, exceeding our authority. In addition, the approval was subject to many wetland mitigation and compensation requirements for both DEP and ACOE. That said, it was the City and Gendron's intent as applicants and the City/Planning Board's intent to have the project approved so that sites could be developed without the need of a full review process being required for each site. Specifically, the subdivision was approved by the Planning Board with each lot represented with a final grade and the drainage improvements required for an established amount of impervious area. From a local perspective, the Planning Board would be reviewing at each lot coming forward with respect to amount of impervious, specific site layout, lighting, and other performance standards. The goal was to make it easier for developers and tenants knowing approval was likely with one meeting at the city level.

It is my understanding in speaking with Gendron and the City as applicant's that for DEP permitting purposes, actual building footprints had to be shown on each site, in part as a means of demonstrating the potential capacity of each lot. In doing so, a DEP permit was issued. However, it is the applicant's understanding that if those building footprints change, modifications will be needed from DEP.

I'm certain the applicants will be pleased to hear that minor review will likely be reviewed by DEP in an reasonable amount of time. This is always a concern with developers. However, the uncertainty remains for the developers as to whether DEP will significantly delay a project. That risk runs with Planning Board reviews, too. However, our overall review process with the Planning Board and accessibility of staff to developers and consultants is always preferred to that of the State.

I can appreciate DEEP concern with City owned lots and recognize the perception of there being a conflict of interest reviewing city projects. I can assure you from other projects where the city is the applicant, staff and the Planning Board subject the applicant to all the same requirements, as awkward as that sometimes may be.

Given the statements above, is the Department's position any different? Furthermore, would DEP be more comfortable delegating authority to lots not owned by the city and those owned by Gendron or another entity? Fully respecting DEP's position, I ask because I fully expect to be asked similar questions by both applicants.

If you feel additional information from the applicant's would assist the Department, please advise and I'm sure they will accommodate your requests.

Thanks again for your time and consideration.

David Hediger
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>>> "Richardson, Marybeth" <Marybeth.Richardson@maine.gov> 9/24/2010 11:08 AM >>>

I discussed this briefly with Becky today. I asked her why, if the City has delegated authority, the DEEP reviewed the original project. Although it's not entirely clear I understand that there were some pretty significant resource issues that had to be worked through to meet NRPA requirements. The City owns the parcel as well, so those factors may have weighed into the decision for the Department to review the project. So I'm uncomfortable making the call to allow the City to review and approve any changes to the lots. However I don't know the details of the DEP's 2007 approval. Typically when we approve commercial subdivisions we set parameters for each lot and we don't see them back again unless something different is proposed, so if these changes are minor the review should be pretty straightforward and not take an unreasonable amount of time or be an otherwise onerous process.

This is in no part a reflection on how the City operates in its role as a delegated review agency under the Site Law - I do believe you're doing a good job. And, as always, you can call me to discuss further.

Marybeth Richardson, Licensing and Enforcement Coordinator
Maine DEP, Bureau of Land and Water Quality
312 Canco Rd.
Portland, ME 04103
Ph 822.6335 Fax 822.6303
email: marybeth.richardson@maine.gov

From: David Hediger [<mailto:dhediger@ci.lewiston.me.us>]
Sent: Thursday, September 23, 2010 11:23 AM
To: Richardson, Marybeth
Subject: RE: Gendron Business Park: Delegated Review Request

Understood. I appreciate you consideration and timely response. Your responsiveness is a refreshing improvement at DEP.

If either of you have questions or concerns, please feel free to contact me.

Thanks again.

David Hediger
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>>> "Richardson, Marybeth" <Marybeth.Richardson@maine.gov> 9/23/2010 11:09 AM >>>

David: I'll get back to you today or tomorrow on this. I wanted to talk to Becky Blais about it first.

Marybeth Richardson, Licensing and Enforcement Coordinator
Maine DEP, Bureau of Land and Water Quality
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Portland, ME 04103
Ph 822.6335 Fax 822.6303
email: marybeth.richardson@maine.gov

From: David Hediger [<mailto:dhediger@ci.lewiston.me.us>]

Sent: Wednesday, September 22, 2010 4:10 PM

To: Richardson, Marybeth

Cc: Dave Gendron; David Jones; Gil Arsenault; Jan Patterson; Lincoln Jeffers; Blais Becky; Mike Gotto

Subject: Gendron Business Park: Delegated Review Request

Marybeth:

As you may be aware, Maine DEP approved the second phase of Gendron Business Park in April 2008 (L-21599-L3-D-N / L-21599-TG-E-N). The permit was issued to the City of Lewiston as part of a joint development agreement with Gendron and Gendron. As part of that agreement, both the City and Gendron own lots within the development. At this time the proposed road accessing the lots has been substantially completed. There is now interest in moving forward with specific site improvements on lots within the subdivision.

This office has received requests from Stoneybrook Consultants, Inc. on behalf of Gendron and Gendron and Lincoln Jeffers, Assistant to the City Administrator, City of Lewiston for the City to request of DEP delegated review authority with respect to this subdivision. Please see attachment. In both requests, the desire is for the City to have the authority to review and approve modifications on each lot as deemed necessary by the developer. Such requests would be reviewed by the Planning Board and processed in the same manner as typical delegated review projects whereby this office provides DEP notice of acceptance and approval.

It is my opinion that since any modifications requested will require Planning Board approval, granting delegated review authority to the City should be considered. As you may be aware, the subdivision was approved with a specific amount of impervious area considered on each lot along with the necessary stormwater improvements. Modifications involving building layout or reductions in impervious area should be treated as minor amendments and are certainly within the reviewing capacity of the City. As noted above, it is this office's intent to keep DEP fully informed of any modification requests as with other delegated review

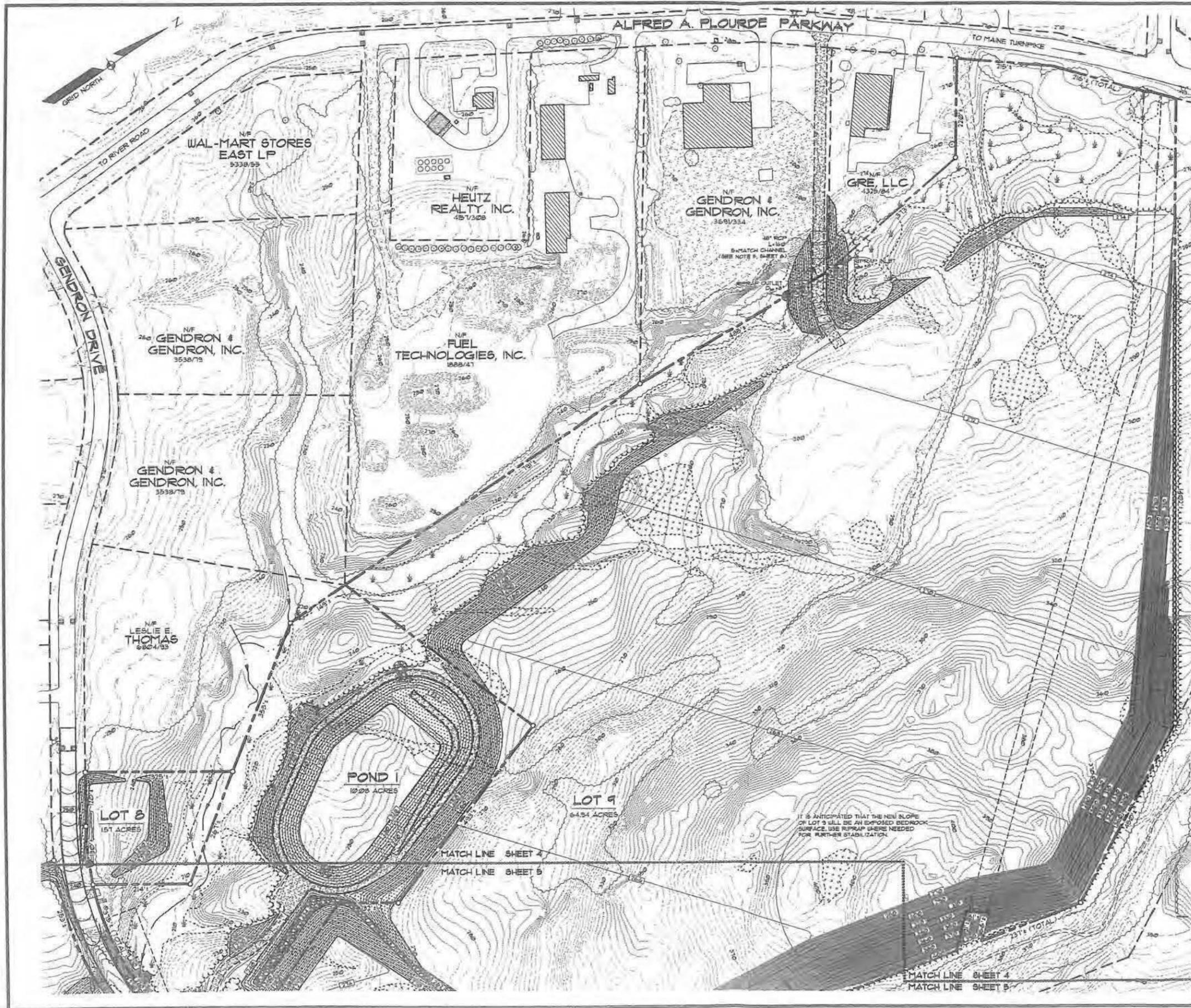
projects. DEP has honored similar requests from Bates College, St. Mary's Medical Center, and Center Maine Medical Center for the City to have expanded review authority. I believe all of those projects have been reviewed thoroughly and appropriately by the City to the satisfaction of the applicant and DEP.

Please feel free to contact me with any questions related to this request for delegated authority for modifications within Phase 2 of Gendron Business Park.

Thank you for your consideration.

David Hediger
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Phone 207.513.3125 ext. 3223
TDD/TTY 207.513.3007
www.ci.lewiston.me.us
Lewiston, All-America City, 2007

The City of Lewiston is an EOE. For more information, please visit our website @ www.ci.lewiston.me.us and click on the Non-Discrimination policy.



- NOTES**
- 1) TOTAL WETLAND IMPACT - 239,114 SQUARE FEET 5.49 ACRES
 - 2) STABILIZE DEVELOPMENT PADS WITH COMPACTED GRAVEL OR LOAM, SEED, AND MULCH WHERE BEDROCK IS NOT ENCOUNTERED.
 - 3) CURLEX BLANKETS BY THE AMERICAN EXCELSIOR COMPANY OR APPROVED EQUIVALENT EROSION CONTROL BLANKET SHALL BE USED TO STABILIZE ALL SLOPES STEEPER THAN 3H:1V.
 - 4) SEE DETAILS OF STORM DRAIN SERVICES ON PLAN # PROFILE SHEETS.
 - 5) EACH LOT SHALL HAVE A STABILIZED CONSTRUCTION ENTRANCE DURING GRADING OPERATIONS AND UNTIL PERMANENT STABILIZATION IS ACHIEVED.

LEGEND

---	BOUNDARY LINE (SUBJECT PARCEL)
---	BOUNDARY LINE (OTHER)
---	EASEMENT LINE
---	STREAM
⊗	IRON PIPE OR ROD FOUND
○	IRON ROD TO BE SET
N/F	NEW OR FORMERLY
2178/09	BOOK AND PAGE NUMBER
---	EXISTING CONTOUR (UNOBSERVED)
---	EXISTING CONTOUR (OBSERVED)
---	EXISTING TREE LINE
---	NEW TREE LINE
○	EXISTING UTILITY POLE WITH OVERHEAD WIRES
---	STONE WALL
---	STONE WALL (ALONG BOUNDARY)
⊞	EXISTING CATCH BASIN
⊞	EXISTING HYDRANT
⊞	EXISTING LIGHT POLE
⊞	EXISTING PUMP STATION
---	NEW CONTOUR
▨	EXISTING BUILDING
□	EXISTING PAVEMENT
□	NEW PAVEMENT
▨	EXISTING GRAVEL
▨	NEW GRAVEL
⊞	WETLAND AREA
⊞	WETLAND IMPACT AREA
▨	NEW RIPRAP
▨	CURLEX BLANKET BY THE AMERICAN EXCELSIOR CO. OR APPROVED EQUIVALENT EROSION CONTROL BLANKET

SCALE: 1" = 100'

0 50 100 200 300 400

REVISED: MAY 30, 2007 - POND AND DRAINAGE CHANGES
 REVISED: OCTOBER 13, 2006 - MODIFIED BOUNDARY LINES
 REVISED: AUGUST 29, 2006 - GRADING CHANGES

STATE OF MAINE
 CHRISTOPHER J. BRANCH
 #4804
 REGISTERED PROFESSIONAL ENGINEER
 FOR APPROVALS

**TOPOGRAPHIC SITE PLAN
 GENDRON BUSINESS PARK PHASE 2**
 GENDRON DRIVE - LEWISTON, MAINE
 ANDROSCOGGIN COUNTY

PREPARED FOR
CITY OF LEWISTON
 P.O. BOX 479 - LEWISTON, MAINE 04241-0479

Sebago Technica
 ENGINEERING EXPERTISE YOU CAN BUILD ON
 400 CENTER STREET - AUBURN, MAINE 04110
 TEL: (207) 783-9696 FAX: (207) 783-9695

DATE: APRIL 2006 DRAWN BY: SGB SCALE: 1" = 100' SHEET
 JOB NUMBER: 01-053E CHECKED BY: CCB CADD: 01-053E TPO 4

IT IS ANTICIPATED THAT THE NEW SLOPE OF LOT 9 WILL BE AN EXPOSED BEDROCK SURFACE. USE RIPRAP WHERE NEEDED FOR FURTHER STABILIZATION.

MATCH LINE SHEET 4
 MATCH LINE SHEET 5

MATCH LINE SHEET 4
 MATCH LINE SHEET 5

**TOPOGRAPHIC SITE PLAN
GENDRON BUSINESS PARK PHASE 2**

GENDRON DRIVE - LEWISTON, MAINE
ANDROSCOGGIN COUNTY

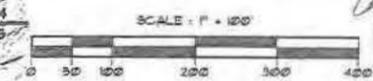
PREPARED FOR
CITY OF LEWISTON

P.O. BOX 479 - LEWISTON, MAINE 04241-0479

Sebago Technics

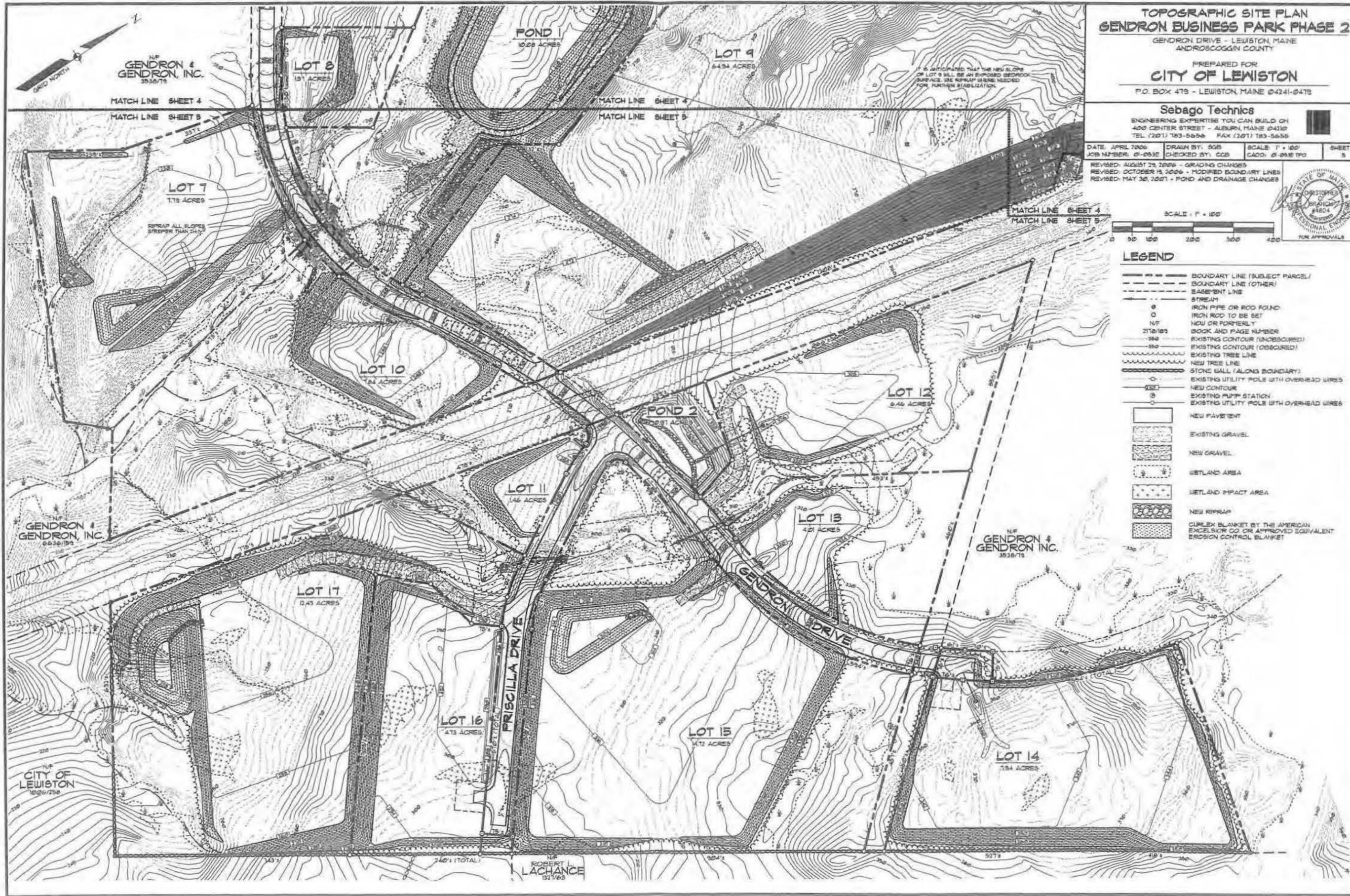
ENGINEERING EXPERTISE YOU CAN BUILD ON
400 CENTER STREET - AUBURN, MAINE 04210
TEL (207) 783-5656 FAX (207) 783-5656

DATE: APRIL 2006 DRAWN BY: SGB SCALE: 1" = 100' SHEET 5
JOB NUMBER: 01-0532 CHECKED BY: CCB CADD: 01-0532 TPO
REVISED: AUGUST 29, 2006 - GRADING CHANGES
REVISED: OCTOBER 19, 2006 - MODIFIED BOUNDARY LINES
REVISED: MAY 30, 2007 - POND AND DRAINAGE CHANGES



LEGEND

- BOUNDARY LINE (SUBJECT PARCEL)
- BOUNDARY LINE (OTHER)
- BASEMENT LINE
- STREAM
- IRON PIPE OR ROD FOUND
- IRON ROD TO BE SET
- NOW OR FORMERLY
- BOOK AND PAGE NUMBER
- EXISTING CONTOUR (UNOBSERVED)
- EXISTING CONTOUR (OBSERVED)
- EXISTING TREE LINE
- NEW TREE LINE
- STONE WALL (ALONG BOUNDARY)
- EXISTING UTILITY POLE WITH OVERHEAD LINES
- NEW CONTOUR
- EXISTING PUMP STATION
- EXISTING UTILITY POLE WITH OVERHEAD LINES
- NEW PAVEMENT
- EXISTING GRAVEL
- NEW GRAVEL
- WETLAND AREA
- WETLAND IMPACT AREA
- NEW RIPRAP
- CURLEX BLANKET BY THE AMERICAN EXCELSIOR CO. OR APPROVED EQUIVALENT EROSION CONTROL BLANKET



NF
GENDRON &
GENDRON, INC.
3535/75

LOT 6
0.7 ACRES

LOT 9
8.34 ACRES

LOT 7
1.19 ACRES

LOT 10
1.84 ACRES

LOT 12
8.46 ACRES

LOT 11
1.46 ACRES

LOT 13
4.01 ACRES

NF
GENDRON &
GENDRON, INC.
3535/75

LOT 17
0.43 ACRES

LOT 16
4.13 ACRES

LOT 15
1.71 ACRES

LOT 14
1.84 ACRES

NF
CITY OF
LEWISTON
1006/75a

NF
ROBERT L.
LACHANCE
1517/93



Stoneybrook Consultants, Inc.

456 Buckfield Road
Turner, Maine 04282
(207) 514-7491 voice
(207) 514-7492 fax

October 23, 2013

David Hediger, City Planner
Department of Planning & Code Enforcement
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201

Re: Project Modification - Lots 16 & 17
Gendron Business Park

Dear David:

On behalf of Gendron and Gendron, Inc. (Gendron), please accept the following as our response to staff review comments related to our request for minor modifications for the site layout on Lots 16 & 17 of Gendron Business Park (GBP).

Hediger Memo - October 16, 2013

1. Article XIII, Section 4

(a) Utilization of the site - Development of both lots was previously approved by the City of Lewiston through the Subdivision and Site Plan Review process. This project proposes to modify the proposed building location, building size and pavement layout within the approved pad site. The approved pad site for Lot 16 included approximately 3.30 acres and for Lot 17 the pad site was noted as 5.56 acres. Neither the size of these pad sites nor their location on the lots will change as a result of the minor modifications proposed from what was previously approved.

(b) Traffic Movements - This project is estimated to generate 176 trips during the AM peak hour and 159 trips in the PM peak hour. Gendron Business Park has a total of 477 AM trips and 505 PM trips approved for the development. With approval of this project and approval of development on Lot 15 currently pending, a new or updated Traffic Movement Permit for Gendron Business Park is not required and traffic movements will operate at acceptable levels with traffic improvements already in place for this development.

(c) Access to the site - The primary access to these lots is proposed at the same location previously approved. A secondary access for Lot 16 is not proposed at this time. The primary access road proposed meets all City design standards for the proposed use as previously approved.

(d) Internal vehicular circulation - Internal vehicular movements have been established to provide safe movement for pedestrians, passenger vehicles, delivery trucks and emergency vehicles.

(e) Pedestrian circulation - There are no pedestrian improvements proposed in the approved plans for Gendron Business Park. Pedestrian movement on both of these lots has been separated from major truck loading areas and located adjacent to access doors to provide safe pedestrian movement between the building and parking areas.

(f) Stormwater management - Stormwater management for both of these lots and Lot 15 will be controlled at a new stormwater pond proposed on Lot 17. The new pond has been designed to meet all local and State requirements for stormwater management.

(g) Erosion control - All improvements for this project will be completed under the requirements of the approved Gendron Business Park erosion control plans with adjustments shown on the design plans for this project. All erosion control measures proposed meet or exceed all local and State requirements.

(h) Water supply - This project will rely upon an extension of the existing public water mains in Gendron Drive along Priscilla Drive. The City service was upgraded to support development in this area and was determined to have capacity for development of this site at the time Gendron Business Park was approved.

(i) Sewer disposal - This project will connect to the City of Lewiston public sewer system in Gendron Drive with an extension of that service along Priscilla Drive, which was determined to have capacity for development of this site at the time Gendron Business Park was approved.

(j) Utilities - This project will connect to the existing utility services along Gendron Drive which were recently installed to meet the demands of this development.

(k) Natural features - No additional natural features on this lot will be disturbed from those proposed to be disturbed at the time Gendron Business Park was originally approved.

(l) Groundwater protection - There will be no impact to groundwater resources by this project.

(m) Water and air pollution - There will be no water or air pollution with this project.

(n) Exterior lighting - The exterior lighting for this project has been designed to meet the City ordinance requirements.

(o) Waste disposal - Waste generated by this project will be no different than what was originally approved for Gendron Business Park.

(p) Lot layout - The lot layout has not been changed.

(q) Landscaping - Proposed landscaping meets City ordinance requirements.

(r) Shoreland relationship - There are no shoreland zone areas abutting or adjacent to this project.

(s) Open space - This is not a residential project and there are no open space areas proposed with this project.

(t) Technical and financial capacity - The application and design plans have been prepared by professionals qualified to perform this work. The applicant has completed a number of projects in this State and has a proven track record for completing these types of projects.

(u) Buffering - All development in this area is industrial. There is no buffering required for this project.

(v) Compliance with district regulations - Development of this lot as proposed meets all of the requirements of Article XI, Section 15.

(w) Design consistent with performance standards - The improvements proposed will comply with the performance standards of Article XII, insofar as they may be applicable.

Article XIII, Section 12

At this time, public improvements along Gendron Drive are mostly complete. Construction of those improvements is the responsibility of the City of Lewiston. Performance guarantees and or funding are already in place for Gendron Drive. Street acceptance is not expected to be done until next year. Construction of Priscilla Drive will be done by the applicant. The applicant will propose that the improvements shown on Lots 16 & 17 will not be occupied until Gendron Drive and Priscilla Drive have been accepted as public streets by the City of Lewiston.

2. Lot 16 will have 120' of frontage along the proposed turnaround for Priscilla Drive. The buildings on Lots 16 & 17 will not be occupied until Priscilla Drive is accepted by the City of Lewiston.
3. No comment necessary.
4. Given the amount of real estate owned and developed by Gendron in this city, we do not believe that it is necessary to require an engineer to certify to the construction of private improvements on Lots 16 & 17. We do understand the requirement to have a stamped statement from an engineer indicating that the stormwater pond proposed to be constructed on Lot 17 has been constructed in accordance with the approved plans.
5. We have attached a copy of the recorded deed for this property.
6. Evidence of technical and financial capacity was provided with the approval of Gendron Business Park. Given the amount of real estate owned and developed by Gendron, they have proven many times over that they have the technical and financial capacity to complete projects of this nature.
7. Offsite traffic improvements for Gendron Business Park are the responsibility of the City of Lewiston.
8. We have attached a development review application and checklist.
9. We have shown dumpster pad locations on the project plan.

Ryan Barns memo of October 4, 2013

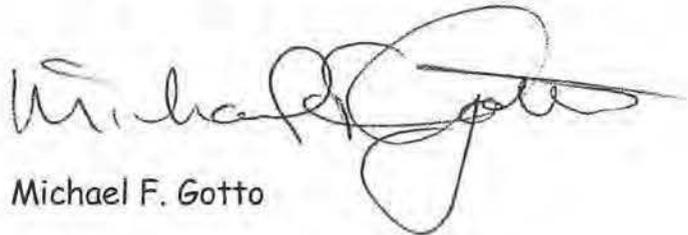
See the response to the Barns memo by Bill Peterlein attached.

October 23, 2013
David Hediger
RE: Gendron Business Park - Lots 16 & 17
Page 6

I trust you will find this information acceptable. I will plan to attend the Planning Board meeting scheduled for October 28th to answer any additional questions that you may have.

Respectfully Yours

STONEBROOK CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read "Michael F. Gotto". The signature is fluid and cursive, with a large loop at the end.

Michael F. Gotto

cc: David Gendron
John Gendron



Development Review Application

City of Auburn Planning and Permitting Department
City of Lewiston Department of Planning and Code Enforcement



PROJECT NAME: Gendron Business Park - Lots 16 & 17

PROPOSED DEVELOPMENT ADDRESS: 3 & 5 Priscilla Drive, Lewiston

PARCEL ID#: Tax Map 128, Lot 1 and Map 155, Lot 20

REVIEW TYPE: Site Plan/Special Exception Site Plan Amendment
 Subdivision Subdivision Amendment

PROJECT DESCRIPTION: Modification of existing approvals for two lots in an approved business park. See cover letter.

CONTACT INFORMATION:

Applicant

Name: Gendron & Gendron, Inc.
Address: P.O. Box 1913
Zip Code Lewiston, ME 04241-1913
Work #: (207) 782-7372
Cell #:
Fax #:
Home #:
Email: digeasy@aol.com

Project Representative

Name: Mike Gotto, Stoneybrook Consultants
Address: 456 Buckfield Road, Turner, ME
Zip Code 04282
Work #: (207) 514-7491
Cell #: (207) 513-6123
Fax #: (207) 514-7492
Home #:
Email: mike@stoneybrookllc.com

Property Owner

Name: Gendron & Gendron, Inc.
Address: P.O. Box 1913
Zip Code Lewiston, ME 04241-1913
Work #: (207) 782-7372
Cell #:
Fax #:
Home #:
Email: digeasy@aol.com

Other professional representatives for the project (surveyors, engineers, etc.),

Name:
Address:
Zip Code
Work #:
Cell #:
Fax #:
Home #:
Email:

PROJECT DATA

The following information is required where applicable, in order to complete the application

IMPERVIOUS SURFACE AREA/RATIO

	Lot 16	Lot 17	
Existing Total Impervious Area	131,550	231,740	sq. ft.
Proposed Total Paved Area	89,383	158,162	sq. ft.
Proposed Total Impervious Area	140,986	229,631	sq. ft.
Proposed Impervious Net Change	9,436	-2,109	sq. ft.
Impervious surface ratio existing	63.8	42.80	% of lot area
Impervious surface ratio proposed	68.4	42.39	% of lot area

BUILDING AREA/LOT COVERAGE

Existing Building Footprint	60,000	80,000	sq. ft.
Proposed Building Footprint	51,603	71,469	sq. ft.
Proposed Building Footprint Net change	-8,397	-8,531	sq. ft.
Existing Total Building Floor Area	60,000	80,000	sq. ft.
Proposed Total Building Floor Area	51,603	71,469	sq. ft.
Proposed Building Floor Area Net Change	-8,397	-8,531	sq. ft.
New Building	yes	yes	(yes or no)
Building Area/Lot coverage existing	29.1	14.8	% of lot area
Building Area/Lot coverage proposed	25	13.2	% of lot area

ZONING

Existing	Industrial
Proposed, if applicable	

LAND USE

Existing	Industrial
Proposed	Industrial

RESIDENTIAL, IF APPLICABLE

Existing Number of Residential Units	0
Proposed Number of Residential Units	0
Subdivision, Proposed Number of Lots	

PARKING SPACES

Existing Number of Parking Spaces	0
Proposed Number of Parking Spaces	74 104
Required Number of Parking Spaces	
Number of Handicapped Parking Spaces	6 9

ESTIMATED COST OF PROJECT

\$3,950,000

DELEGATED REVIEW AUTHORITY CHECKLIST

SITE LOCATION OF DEVELOPMENT AND STORMWATER MANAGEMENT

Existing Impervious Area	131,550	231,740	sq. ft.
Proposed Disturbed Area	206,000	397,500	sq. ft.
Proposed Impervious Area	140,986	229,631	sq. ft.

1. *If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with MDEP.*
2. *If the proposed impervious area is greater than one acre including any impervious area crated since 11/16/05, then the applicant shall apply for a MDEP Stormwater Management Permit, Chapter 500, with the City.*
3. *If total impervious area (including structures, pavement, etc) is greater than 3 acres since 1971 but less than 7 acres, then the applicant shall apply for a Site Location of Development Permit with the City. If more than 7 acres then the application shall be made to MDEP unless determined otherwise.*
4. *If the development is a subdivision of more than 20 acres but less than 100 acres then the applicant shall apply for a Site Location of Development Permit with the City. If more than 100 acres then the application shall be made to MDEP unless determined otherwise.*

TRAFFIC ESTIMATE

Total traffic estimated in the peak hour-existing (Since July 1, 1997) N/A passenger car equivalents (PCE)

Total traffic estimated in the peak hour-proposed (Since July 1, 1997) _____ passenger car equivalents (PCE)
 If the proposed increase in traffic exceeds 100 one-way trips in the peak hour then a traffic movement permit will be required.

Zoning Summary

1. Property is located in the Industrial zoning district.
2. Parcel Area: 4.73/12.43 acres / _____ square feet(sf).

Regulations	<u>Required/Allowed</u>	<u>Provided</u>
Min Lot Area	<u>40,000</u>	<u>/ 4.73/12.43 acres</u>
Street Frontage	<u>100'</u>	<u>/ 570'/189'</u>
Min Front Yard	<u>25'</u>	<u>/ 25'/ N/A</u>
Min Rear Yard	<u>10'</u>	<u>/ 31'/22'</u>
Min Side Yard	<u>10'</u>	<u>/ 21/ N/A</u>
Max. Building Height	<u>100'</u>	<u>/ 100'/100'</u>
Use Designation	<u>Industrial</u>	<u>/ Industrial</u>
Parking Requirement	1 space/ per _____ square feet of floor area	
Total Parking:	_____	<u>/ 74/104</u>
Overlay zoning districts (if any):	_____ / _____ / _____	
Urban impaired stream watershed?	YES <input type="radio"/> NO <input checked="" type="radio"/> If yes, watershed name _____	

DEVELOPMENT REVIEW APPLICATION SUBMISSION

Submission shall include payment of fee and fifteen (15) complete packets containing the following materials:

1. Full size plans containing the information found in the attached sample plan checklist.
2. Application form that is completed and signed.
3. Cover letter stating the nature of the project.
4. All written submittals including evidence of right, title and interest.
5. Copy of the checklist completed for the proposal listing the material contained in the submitted application.

Refer to the application checklist for a detailed list of submittal requirements.

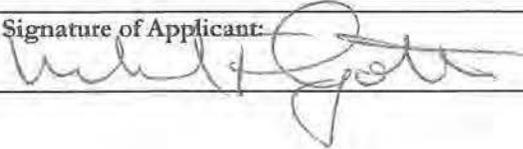
L/A's development review process and requirements have been made similar for convenience and to encourage development. Each City's ordinances are available online at their prospective websites:

Auburn: www.auburnmaine.org under City Departments/ Planning and Permitting/Land Use Division/ Zoning Ordinance

Lewiston: <http://www.ci.lewiston.me.us/clerk/ordinances.htm>. Refer to Appendix A of the Code of Ordinances

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, I certify that the City's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for development review only; a Performance Guarantee, Inspection Fee, Building Permit Application and other associated fees and permits will be required prior to construction.

Signature of Applicant: 	Date: <u>10/23/13</u>
---	-----------------------

Development Review Checklist

City of Auburn Planning and Permitting Department
City of Lewiston Department of Planning and Code Enforcement



THE FOLLOWING INFORMATION IS REQUIRED WHERE APPLICABLE TO BE SUBMITTED FOR AN APPLICATION TO BE COMPLETE

PROJECT NAME: Gendron Business Park - Lots 16 & 17

PROPOSED DEVELOPMENT ADDRESS and PARCEL #: 3 & 5 Priscilla Drive, 128/1 & 155/20

Required Information		Check Submitted		Applicable Ordinance	
		Applicant	Staff	Lewiston	Auburn
Site Plan					
	Owner's Names/Address	✓			
	Names of Development	✓			
	Professionally Prepared Plan	✓			
	Tax Map or Street/Parcel Number	✓			
	Zoning of Property	✓			
	Distance to Property Lines	✓			
	Boundaries of Abutting land	✓			
	Show Setbacks, Yards and Buffers	✓			
	Airport Area of Influence (Auburn only)				
	Parking Space Calcs	✓			
	Drive Openings/Locations	✓			
	Subdivision Restrictions				
	Proposed Use				
	PB/BOA/Other Restrictions				
	Fire Department Review				
	Open Space/Lot Coverage	✓			
	Lot Layout (Lewiston only)	✓			
	Existing Building (s)	✓			
	Existing Streets, etc.	✓			
	Existing Driveways, etc.	✓			
	Proposed Building(s)	✓			
	Proposed Driveways	✓			
Landscape Plan					
	Greenspace Requirements				
	Setbacks to Parking	✓			
	Buffer Requirements	✓			
	Street Tree Requirements	✓			
	Screened Dumpsters	✓			
	Additional Design Guidelines				

	Planting Schedule				
Stormwater & Erosion Control Plan					
	Compliance w/ chapter 500	N/A			
	Show Existing Surface Drainage	✓			
	Direction of Flow				
	Location of Catch Basins, etc.	✓			
	Drainage Calculations	✓			
	Erosion Control Measures	✓			
	Maine Construction General Permit	✓			
	Bonding and Inspection Fees				
	Post-Construction Stormwater Plan	✓			
	Inspection/monitoring requirements	✓			
	Third Party Inspections (Lewiston only)				
Lighting Plan					
	Full cut-off fixtures	✓			
	Meets Parking Lot Requirements	✓			
Traffic Information					
	Access Management				
	Signage				
	PCE - Trips in Peak Hour	✓			
	Vehicular Movements				
	Safety Concerns				
	Pedestrian Circulation				
	Police Traffic				
	Engineering Traffic				
Utility Plan					
	Water	✓			
	Adequacy of Water Supply				
	Water main extension agreement				
	Sewer	✓			
	Available city capacity				
	Electric	✓			
	Natural Gas	✓			
	Cable/Phone	✓			
Natural Resources					
	Shoreland Zone				
	Flood Plain	✓			
	Wetlands or Streams	✓			
	Urban Impaired Stream				
	Phosphorus Check				
	Aquifer/Groundwater Protection				
	Applicable State Permits				
	No Name Pond Watershed (Lewiston only)				

	Lake Auburn Watershed (Auburn only)				
	Taylor Pond Watershed (Auburn only)				
Right Title or Interest					
	Verify	✓			
	Document Existing Easements, Covenants, etc.				
Technical & Financial Capacity					
	Cost Est./Financial Capacity	✓			
	Performance Guarantee				
State Subdivision Law		N/A			
	Verify/Check				
	Covenants/Deed Restrictions				
	Offers of Conveyance to City				
	Association Documents				
	Location of Proposed Streets & Sidewalks				
	Proposed Lot Lines, etc.				
	Data to Determine Lots, etc.				
	Subdivision Lots/Blocks				
	Specified Dedication of Land				
Additional Subdivision Standards		N/A			
	Single-Family Cluster (Lewiston only)				
	Multi-Unit Residential Development (Lewiston only)				
	Mobile Home Parks				
	Private Commercial or Industrial Subdivisions (Lewiston only)				
	PUD (Auburn only)				
A jpeg or pdf of the proposed site plan					
Final sets of the approved plans shall be submitted digitally to the City, on a CD or DVD, in AutoCAD format R 14 or greater, along with PDF images of the plans for archiving					

WARRANTY DEED

00723

RHEA MARIE HORNER of Aiken, County of Aiken and State of South Carolina and VIRGINIA EMILY MARTIN of Portland, County of Cumberland and State of Maine, for consideration paid, grant to GENDRON & GENDRON, INC., a Maine corporation with a principal place of business in Lewiston, County of Androscoggin and State of Maine, with WARRANTY COVENANTS, a certain lot or parcel of land situated in Lewiston, County of Androscoggin and State of Maine, and being bounded and described as follows:

Lying on both sides of the River Road, bounded Westerly by the Androscoggin River and on the East by the Ferry Road and being the Isaac Carville Homestead, with the exception of the following:

(a) The two parcels of land set apart to Edward E. Carville and William K. Carville in the Arbitration and Agreement dated September 23, 1907 and recorded at Book 217, Page 529 of the Androscoggin County Registry of Deeds between the heirs of Isaac Carville which are described therein as "the tract or parcel of land which belonged to Isaac T. Carville in his life time and which is known and called the "Fogg lot"; also a certain other tract or parcel of land bounded and described as follows: Beginning on the east side of the River Road leading by the house of the late Isaac T. Carville at the northwest corner of the Atkinson lot, so called, on the division line between said Atkinson lot and the Garcelon lot, so called, proceeding thence N. 50° E. on said division line, four hundred and ninety feet; thence S. 4° 30' E. six hundred and ten feet, parallel with the River Road; thence N. 85° W. four hundred feet to the Easterly line of said River Road; thence N. 4° 30' W. two hundred and sixty feet, by the easterly line of the road to the point of beginning, with the building thereon standing. Both parcels of land above described are situated in Lewiston in the County of Androscoggin. We have placed an iron hub at each corner of the last named parcel". The first parcel referred to herein (the so-called "Fogg lot") is identified on the Standard Boundary Survey of the Horner and Martin Parcel referred to more specifically herein as land now or formerly of the City of Lewiston described in a deed recorded at Book 1006, Page 258 of said Registry and the second parcel referred to herein is identified on the above-referenced survey plan as land now or formerly of George E. and Constance A. Gilbert described in a deed recorded at Book 1391, Page 99 of said Registry and land now or formerly of Edward W. and Anna Gilbert described in deeds recorded at Book 689, Page 433 and Book 1142, Page 118 of said Registry;

(b) The parcel taken in the Condemnation and Taking of Land dated August 13, 1931 and recorded at Book 412, Page 602 of the said Registry of Deeds by New England Telephone and Telegraph Company against Wallace L. Carville et als as confirmed by a deed from Wallace L. Carville et als to New England Telephone and Telegraph Company dated August 26, 1932 and recorded at Book 421, Page 204 of said Registry;

MAINE REAL ESTA.
TRANSFER TAX PAID

(c) Rights taken by the City of Lewiston in the Relocation of that portion of the Cottage Road now known as the Alfred A. Plourde Parkway as appears in the records of the City of Lewiston, Volume 3, Page 259;

(d) The parcel conveyed in the deed dated December 5, 1974 and recorded at Book 1122, Page 184 of said Registry from Virginia Emily Martin and Rhea Marie Horner to Central Maine Power Company;

(e) The parcel taken by Order of Condemnation and Taking by Eminent Domain dated May 6, 1980 and recorded at Book 1457, Page 232 of said Registry by the City of Lewiston against Rhea Marie Horner and Virginia Emily Martin for the relocation of a section of the River Road;

(f) The parcel conveyed in the deed from Rhea M. Horner and Virginia C. Martin to Kenneth W. Martin, Jr. and Susan B. Martin dated April, 1977 and recorded at Book 1266, Page 86 of said Registry.

(g) The parcel conveyed in the deed from Rhea M. Horner and Virginia C. Martin to Dolard Gendron dated July 26, 1989 and recorded at Book 2442, Page 117 of said Registry;

(h) The parcel conveyed in the deed from Virginia C. Martin and Rhea M. Horner to Kenneth W. Martin, Jr. and Susan B. Martin dated May 31, 1989 and recorded at Book 2415, Page 57 of said Registry;

Also included in this conveyance is grantors' entire right, title and interest, if any, without warranty covenants, in and to any portion of the River Road and/or the Cottage Road as now or formerly laid out.

The above described premises are also identified as the Horner and Martin Parcel on a Standard Boundary Survey prepared for Gendron & Gendron, Inc. by Technical Services, Inc. dated January 10, 1996 and recorded at Plan Book 39, Page 4 of said Registry, which survey has been prepared for the grantee. The grantors hereby convey all land lying within the bounds of the Horner and Martin Parcel as depicted on said survey, but disclaim any warranties as to the location of the boundary lines or dimensions of the premises as depicted on said survey.

The premises are also conveyed subject to any easements and restrictions of record and this deed includes all rights, easements, privileges and appurtenances belonging to the premises hereinabove described.

For grantors' source of title, reference is made to: (1) a deed from Luella H. Carville to Rhea Marie Horner and Virginia Emily Martin dated June 24, 1970 and recorded at Book 1020, Page 39 of said Registry; (2) the Will of Luella H. Carville, which has been probated in the Androscoggin County Registry of Probate and an Abstract of which is recorded at Book 1067, Page 497 of said Registry; and to (3) a Consent Judgment dated January 5, 1984 and recorded at Book 1725, Page 318 of said Registry issued by the Androscoggin County Superior Court in the matter of Virginia C. Martin and Rhea M. Horner vs Gladys Carville et al, and to an Order on Verified Motion dated May 29, 1984 issued in this said action and recorded at Book 1725, Page 321 of said Registry.

This transfer is a conveyance for value and grantors acknowledge receipt of adequate and full consideration for the transfer.

WITNESS our hands and seals this 11th day of January, 1996.

WITNESS:

[Handwritten Signature]

Rhea Marie Horner
RHEA MARIE HORNER

to both

Virginia Emily Martin
VIRGINIA EMILY MARTIN

STATE OF MAINE
ANDROSCOGGIN, SS

JANUARY 11, 1996

Personally appeared the above-named Rhea Marie Horner and Virginia Emily Martin and acknowledged the foregoing instrument to be their free act and deed.

Before me,

[Handwritten Signature]
Notary Public/Attorney at Law
Print name Paul R Gosselin

HORNGEND.DED

RECEIVED
ANDROSCOGGIN S.S.
96 JAN 16 PM 12:00

ATTEST:

Jeanne D. Bergeron
REGISTERED DEEDS



MEMORANDUM

Date: 10-22-13
To: Mike Gotto
CC:
From: B. Peterlein, P.E.
RE: Gendron Park Lots 15, 16, and 17 Response to LPW Comments

Lot 15

- #1: Noted
- #2: This has been done and is shown on Lot 15, Sheet 2 and Lots 16 & 17, Sheet 3.
- #3: The manhole has been eliminated and the new lines will be connected to an existing stub off Gendron Drive.
- #4: This change has been made as shown on the revised Detail Sheets.

Lot 16

- #1: The services will be constructed in accordance with the Lewiston Water District requirements.
- #2: This change has been made as shown on the detail sheet.
- #3: Noted

Lot 17

- #1: The services will be constructed in accordance with the Lewiston Water District requirements.

Stormwater

- #1: Sediment will be settled out partially by the sump in DMH#3 and partially by the "energy dispersion pipe outlet" which has been lowered to make a basin shape and to accommodate Comment #2. This change is shown on the revised Lots 16 & 17 Sheet 2.
- #2: The 42 inch outlet pipe has been lowered to provide an outlet one foot above the permanent pool elevation as required by the Stormwater Management of Maine, Vol III BMPS Technical Design Manual (SWBMP) Section 4.1.1-10. This change is shown on the revised Lots 16 & 17 Sheet 2. This change has also been made in the Post Development Hydrocad Output.

- #3: A geotechnical report was prepared addressing the construction of a pond in this area. A copy of the report is attached. Reference should be made to Pond 17 in the report. The report addresses construction of an embankment 22 feet high. The proposed embankment will be 18 feet high. The recommendations contained in this report apply to the proposed pond embankment.
- #4: The berm has been raised from elevation 236 feet to elevation 236.5 feet to provide >1 foot of freeboard in accordance with .Section 4.1.1-16 of the SWBMP.
- #5: We agree with the recommended approach. A set of computations prepared by LPW is attached. We have reviewed and agree with these computations and recommend that they become a permanent part of the project records. The resulting “predevelopment” flow rates are summarized below. A comparison of the “predevelopment” and post- development flow rates follows>

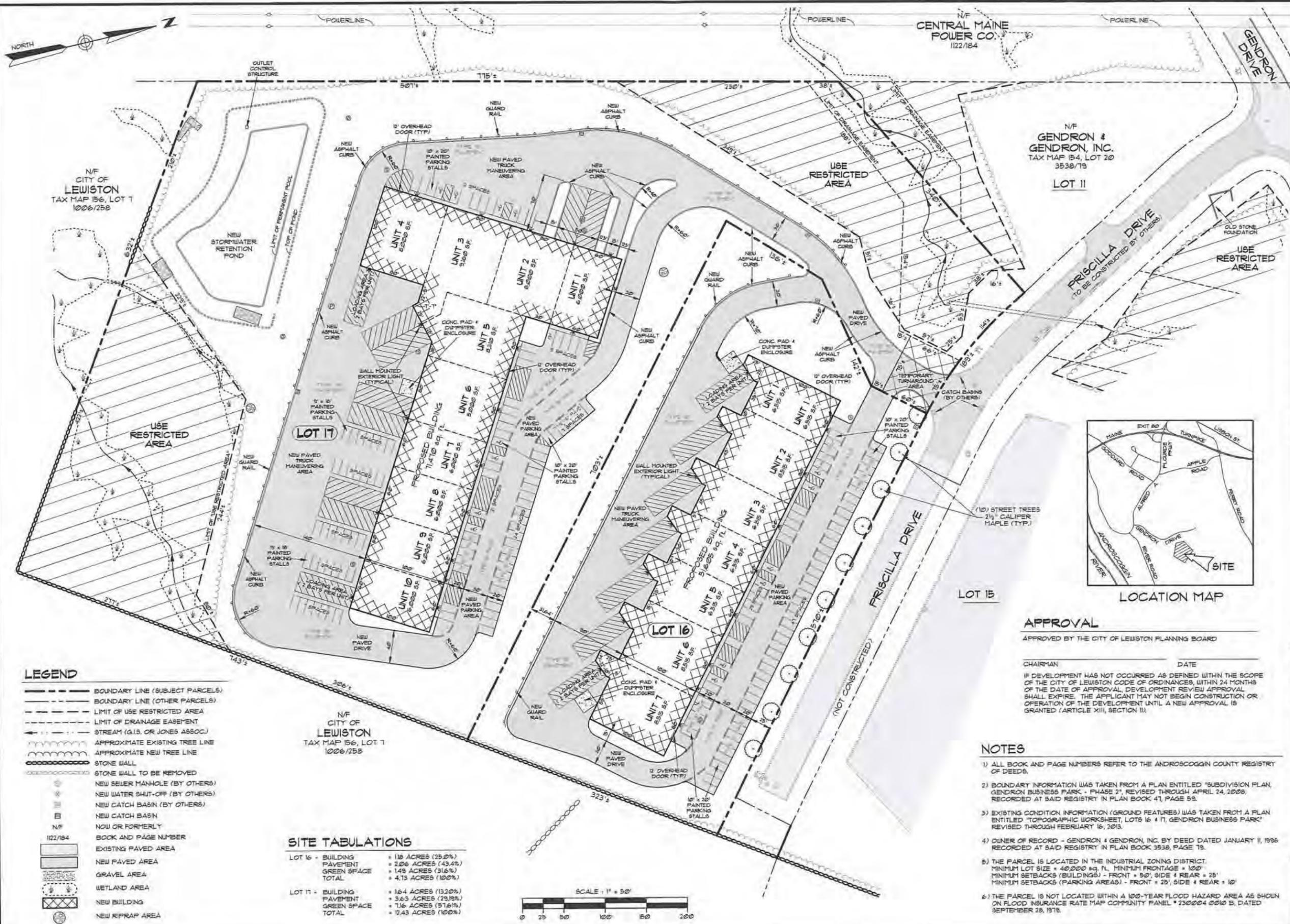
“PREDEVELOPMENT” STORMWATER FLOWRATES (cfs)				
Event	Lot 15	Lot 16	Lot 17	TOTAL
2 yr	0.5	1.84	1.0	3.34
10 yr	9.8	4.99	13.5	28.29
25 yr	15.1	5.86	23.3	44.26

STORMWATER RUNOFF SUMMARY			
Storm Event	2 yr	10 yr	25 yr
“Predevelopment”	3.3	28.3	44.3
Post Development	3.9	12.0	16.6

In all cases, the “predevelopment” flow rates are significantly greater than the post-development with the exception of the 2 year rate which is 0.6 CFS greater. Water from the pond outlet flows into a wet area and then into a meandering stream channel and travels approximately 1,200 feet to a 54 inch culvert which extends under the Landfill. We suggest that this increase is considered “insignificant” in accordance with MDEP Chapter 500 Section 4.E.

The revised “predevelopment” computations and a revised HydroCAD output are attached.

- #6: The errors were on drawing SW-1 and Lot 15 Sheet 2 and Lots 16 & 17 Sheet 3. The drawings have been revised to be consistent with the HydroCad model.

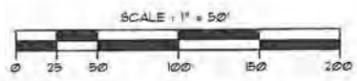


LEGEND

- BOUNDARY LINE (SUBJECT PARCELS)
- BOUNDARY LINE (OTHER PARCELS)
- - - - - LIMIT OF USE RESTRICTED AREA
- - - - - LIMIT OF DRAINAGE EASEMENT
- STREAM (G.I.S. OR JONES ASSOC.)
- APPROXIMATE EXISTING TREE LINE
- APPROXIMATE NEW TREE LINE
- STONE WALL
- STONE WALL TO BE REMOVED
- NEW SEWER MANHOLE (BY OTHERS)
- NEW WATER SHUT-OFF (BY OTHERS)
- NEW CATCH BASIN (BY OTHERS)
- NEW CATCH BASIN
- NOW OR FORMERLY
- BOOK AND PAGE NUMBER
- EXISTING PAVED AREA
- NEW PAVED AREA
- GRAVEL AREA
- WETLAND AREA
- NEW BUILDING
- NEW RIPRAP AREA

SITE TABULATIONS

LOT 16 - BUILDING	= 18 ACRES (29.0%)
LOT 16 - PAVEMENT	= 2.06 ACRES (43.4%)
LOT 16 - GREEN SPACE	= 1.49 ACRES (31.6%)
LOT 16 - TOTAL	= 4.13 ACRES (100%)
LOT 17 - BUILDING	= 16.4 ACRES (13.20%)
LOT 17 - PAVEMENT	= 3.63 ACRES (79.15%)
LOT 17 - GREEN SPACE	= 7.16 ACRES (151.61%)
LOT 17 - TOTAL	= 17.43 ACRES (100%)



APPROVAL
 APPROVED BY THE CITY OF LEWISTON PLANNING BOARD

CHAIRMAN _____ DATE _____

IF DEVELOPMENT HAS NOT OCCURRED AS DEFINED WITHIN THE SCOPE OF THE CITY OF LEWISTON CODE OF ORDINANCES, WITHIN 24 MONTHS OF THE DATE OF APPROVAL, DEVELOPMENT REVIEW APPROVAL SHALL EXPIRE. THE APPLICANT MAY NOT BEGIN CONSTRUCTION OR OPERATION OF THE DEVELOPMENT UNTIL A NEW APPROVAL IS GRANTED (ARTICLE XIII, SECTION 11).

- NOTES**
- ALL BOOK AND PAGE NUMBERS REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS.
 - BOUNDARY INFORMATION WAS TAKEN FROM A PLAN ENTITLED "SUBDIVISION PLAN, GENDRON BUSINESS PARK - PHASE 2", REVISED THROUGH APRIL 24, 2008, RECORDED AT SAID REGISTRY IN PLAN BOOK 41, PAGE 59.
 - EXISTING CONDITION INFORMATION (GROUND FEATURES) WAS TAKEN FROM A PLAN ENTITLED "TOPOGRAPHIC WORKSHEET, LOTS 16 & 17, GENDRON BUSINESS PARK" REVISED THROUGH FEBRUARY 16, 2013.
 - OWNER OF RECORD - GENDRON & GENDRON, INC. BY DEED DATED JANUARY 11, 1996 RECORDED AT SAID REGISTRY IN PLAN BOOK 3538, PAGE 79.
 - THE PARCEL IS LOCATED IN THE INDUSTRIAL ZONING DISTRICT. MINIMUM LOT SIZE = 40,000 sq. ft. MINIMUM FRONTAGE = 100'. MINIMUM SETBACKS (BUILDINGS) - FRONT = 50', SIDE & REAR = 25'. MINIMUM SETBACKS (PARKING AREAS) - FRONT = 25', SIDE & REAR = 10'.
 - THE PARCEL IS NOT LOCATED WITHIN A 100-YEAR FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL # 230004 0010 B, DATED SEPTEMBER 28, 1978.

SITE PLAN

PROJECT: **GENDRON BUSINESS PARK LOTS 16 & 17**
 FRISCELLA DRIVE - LEWISTON, MAINE

CLIENT: **GENDRON & GENDRON, INC.**
 50 ALFRED A. FLORENCE PARKWAY - LEWISTON, ME

SCALE: 1" = 50'
 DATE: OCT. 22, 2013

DRAWN BY: KRF
 CHECKED BY: UNP

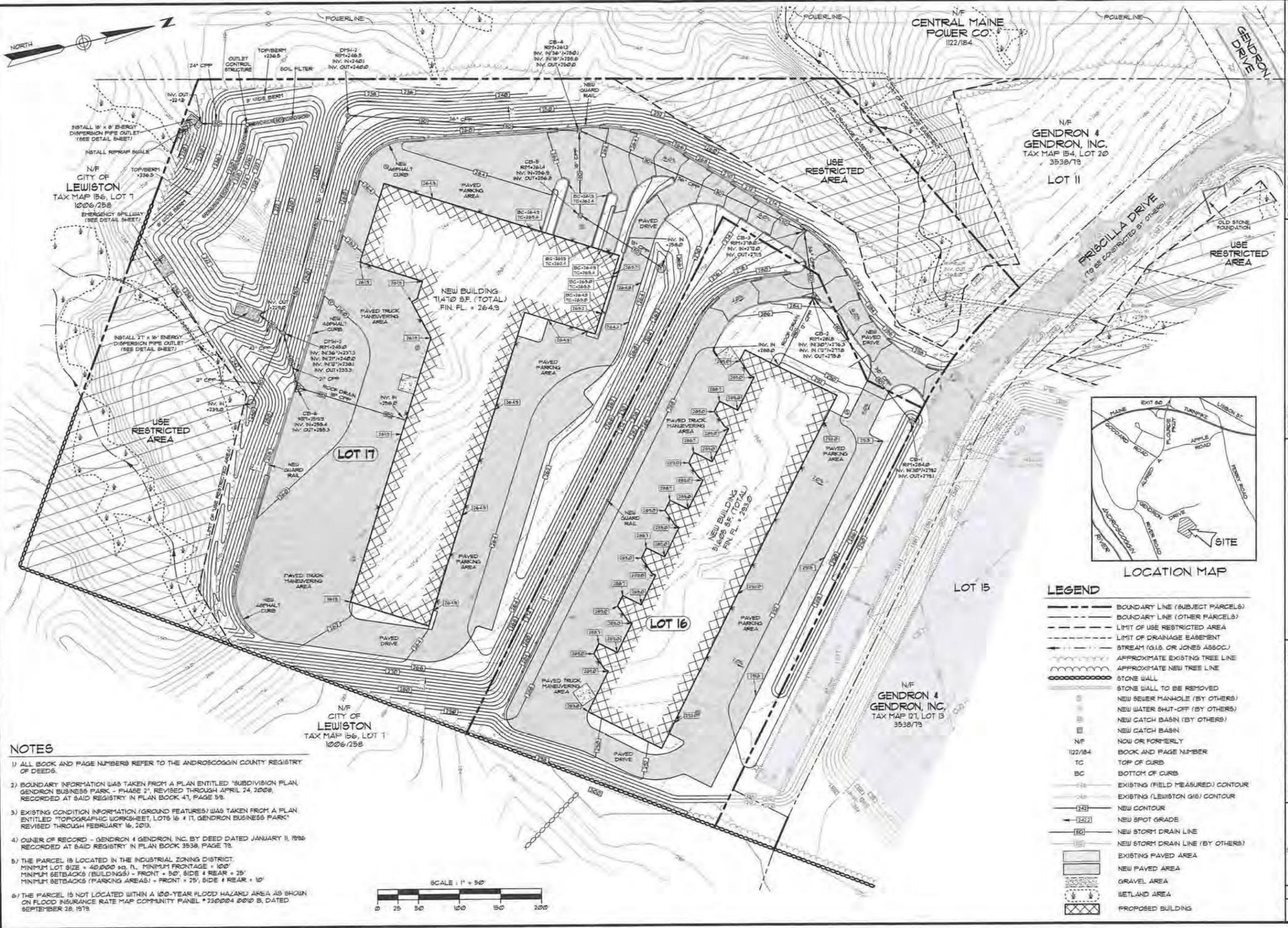
Stonebrook Consultants, Inc.
 496 Buckfield Road - Turner, Maine 04282
 (207) 514-7491 Voice / (207) 514-7492 Fax

640 MAIN ST.
 LEWISTON, ME 04240
 Tel: (207) 576-3913
 Fax: (207) 576-0120
 www.summitgeog.com

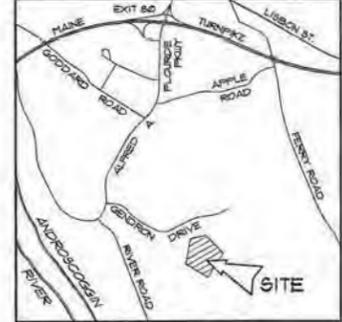
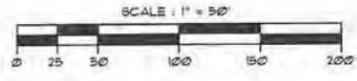
SUMMIT
 GEOENGINEERING SERVICES

STATE OF MAINE
 WILLIAM M. PETERLIN
 7578
 PROFESSIONAL ENGINEER

JOB NO. - 13091
 SHEET |



- NOTES**
- 1) ALL BOOK AND PAGE NUMBERS REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS.
 - 2) BOUNDARY INFORMATION WAS TAKEN FROM A PLAN ENTITLED "SUBDIVISION PLAN, GENDRON BUSINESS PARK - PHASE 2", REVISED THROUGH APRIL 24, 2008, RECORDED AT SAID REGISTRY IN PLAN BOOK 41, PAGE 99.
 - 3) EXISTING CONDITION INFORMATION (GROUND FEATURES) WAS TAKEN FROM A PLAN ENTITLED "TOPOGRAPHIC WORKSHEET, LOTS 16 & 17, GENDRON BUSINESS PARK" REVISED THROUGH FEBRUARY 16, 2013.
 - 4) OWNER OF RECORD - GENDRON & GENDRON, INC. BY DEED DATED JANUARY 11, 1996 RECORDED AT SAID REGISTRY IN PLAN BOOK 3538, PAGE 73.
 - 5) THE PARCEL IS LOCATED IN THE INDUSTRIAL ZONING DISTRICT. MINIMUM LOT SIZE = 40,000 SQ. FT., MINIMUM FRONTAGE = 100'. MINIMUM SETBACKS (BUILDINGS) - FRONT = 50', SIDE & REAR = 25'. MINIMUM SETBACKS (PARKING AREAS) - FRONT = 25', SIDE & REAR = 10'.
 - 6) THE PARCEL IS NOT LOCATED WITHIN A 100-YEAR FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL # 230004 0010 B, DATED SEPTEMBER 28, 1979.



LEGEND

	BOUNDARY LINE (SUBJECT PARCELS)
	BOUNDARY LINE (OTHER PARCELS)
	LIMIT OF USE RESTRICTED AREA
	LIMIT OF DRAINAGE EASEMENT
	STREAM (G.I.S. OR JONES ASSOC.)
	APPROXIMATE EXISTING TREE LINE
	APPROXIMATE NEW TREE LINE
	STONE WALL
	STONE WALL TO BE REMOVED
	NEW SEWER MANHOLE (BY OTHERS)
	NEW WATER SHUT-OFF (BY OTHERS)
	NEW CATCH BASIN (BY OTHERS)
	NEW CATCH BASIN
	NOW OR FORMERLY
	BOOK AND PAGE NUMBER
	TOP OF CURB
	BOTTOM OF CURB
	EXISTING (FIELD MEASURED) CONTOUR
	EXISTING (LEWISTON GIS) CONTOUR
	NEW CONTOUR
	NEW SPOT GRADE
	NEW STORM DRAIN LINE
	NEW STORM DRAIN LINE (BY OTHERS)
	EXISTING PAVED AREA
	NEW PAVED AREA
	GRAVEL AREA
	WETLAND AREA
	PROPOSED BUILDING

TOPOGRAPHIC SITE PLAN

PROJECT: GENDRON BUSINESS PARK LOTS 16 & 17
 PRISCILLA DRIVE - LEWISTON, MAINE

CLIENT: GENDRON & GENDRON, INC.
 50 ALFRED A. FLOURDE PARKWAY - LEWISTON, ME

OWNER: N/F GENDRON & GENDRON, INC.
 TAX MAP 154, LOT 20
 3538/73

DATE: OCT. 22, 2013

SCALE: 1" = 50'

DRAWN BY: KRF

CHECKED BY: JMF

STONEYBROOK CONSULTANTS, INC.
 456 Buckfield Road - Turner, Maine 04282
 (207) 514-7491 Voice / (207) 514-7492 Fax
 www.stoneybrook.com

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 GEOENGINEERING SERVICES

STATE OF MAINE
 WILLIAM M. PETERLEIN
 5797
 PROFESSIONAL ENGINEER

JOB NO. - 13031
 SHEET 2



NOTES

- 1) ALL BOOK AND PAGE NUMBERS REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS.
- 2) BOUNDARY INFORMATION WAS TAKEN FROM A PLAN ENTITLED "SUBDIVISION PLAN, GENDRON BUSINESS PARK - PHASE 2", REVISED THROUGH APRIL 24, 2008, RECORDED AT SAID REGISTRY IN PLAN BOOK 41, PAGE 98.
- 3) EXISTING CONDITION INFORMATION (GROUND FEATURES) WAS TAKEN FROM A PLAN ENTITLED "TOPOGRAPHIC WORKSHEET, LOTS 16 & 17, GENDRON BUSINESS PARK" REVISED THROUGH FEBRUARY 16, 2013.
- 4) OWNER OF RECORD - GENDRON & GENDRON, INC. BY DEED DATED JANUARY 11, 1936 RECORDED AT SAID REGISTRY IN PLAN BOOK 3538, PAGE 19.
- 5) THE PARCEL IS LOCATED IN THE INDUSTRIAL ZONING DISTRICT. MINIMUM LOT SIZE = 40,000 sq. ft., MINIMUM FRONTAGE = 100'. MINIMUM SETBACKS (BUILDINGS) - FRONT = 50', SIDE & REAR = 25'. MINIMUM SETBACKS (PARKING AREAS) - FRONT = 25', SIDE & REAR = 10'.
- 6) THE PARCEL IS NOT LOCATED WITHIN A 100-YEAR FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL # 330004 0000 B, DATED SEPTEMBER 28, 1979.



LEGEND

	BOUNDARY LINE (SUBJECT PARCELS)
	BOUNDARY LINE (OTHER PARCELS)
	LIMIT OF USE RESTRICTED AREA
	LIMIT OF DRAINAGE EASEMENT
	STREAM (G.I.S. OR JONES ASSOC.)
	APPROXIMATE EXISTING TREE LINE
	APPROXIMATE NEW TREE LINE
	STONE WALL
	STONE WALL TO BE REMOVED
	NEW SEWER MANHOLE (BY OTHERS)
	NEW WATER SHUT-OFF (BY OTHERS)
	NEW CATCH BASIN (BY OTHERS)
	NEW HYDRANT (BY OTHERS)
	NEW CATCH BASIN
	NEW SEWER MANHOLE
	NEW STORM DRAIN MANHOLE
	NEW WATER SHUT OFF
	NEW STORM DRAIN LINE
	NEW FORCED SEWER LINE
	NEW SEWER LINE
	NEW WATER LINE
	NEW STORM DRAIN LINE (BY OTHERS)
	NEW SEWER LINE (BY OTHERS)
	NEW WATER LINE (BY OTHERS)
	N/O OR FORMERLY
	BOOK AND PAGE NUMBER
	EXISTING PAVED AREA
	NEW PAVED AREA
	NEW GRAVEL AREA
	WETLAND AREA
	NEW BUILDING
	NEW RIPRAP AREA

UTILITY PLAN

SHEET TITLE: **GENDRON BUSINESS PARK LOTS 16 & 17**

PROJECT: **GENDRON & GENDRON, INC.**
FRISCILLA DRIVE - LEWISTON, MAINE

CLIENT: **GENDRON & GENDRON, INC.**
80 ALFRED A. FLOURDE PARQUAY - LEWISTON, ME

Scale: 1" = 50'

DATE: OCT. 22, 2013

DRAWN BY: KRF
CHECKED BY: WMP

Stoneybrook Consultants, Inc.
150 Buckfield Road - Turner, Maine 04282
(207) 514-7419 (Voice) / (207) 514-7492 (Fax)

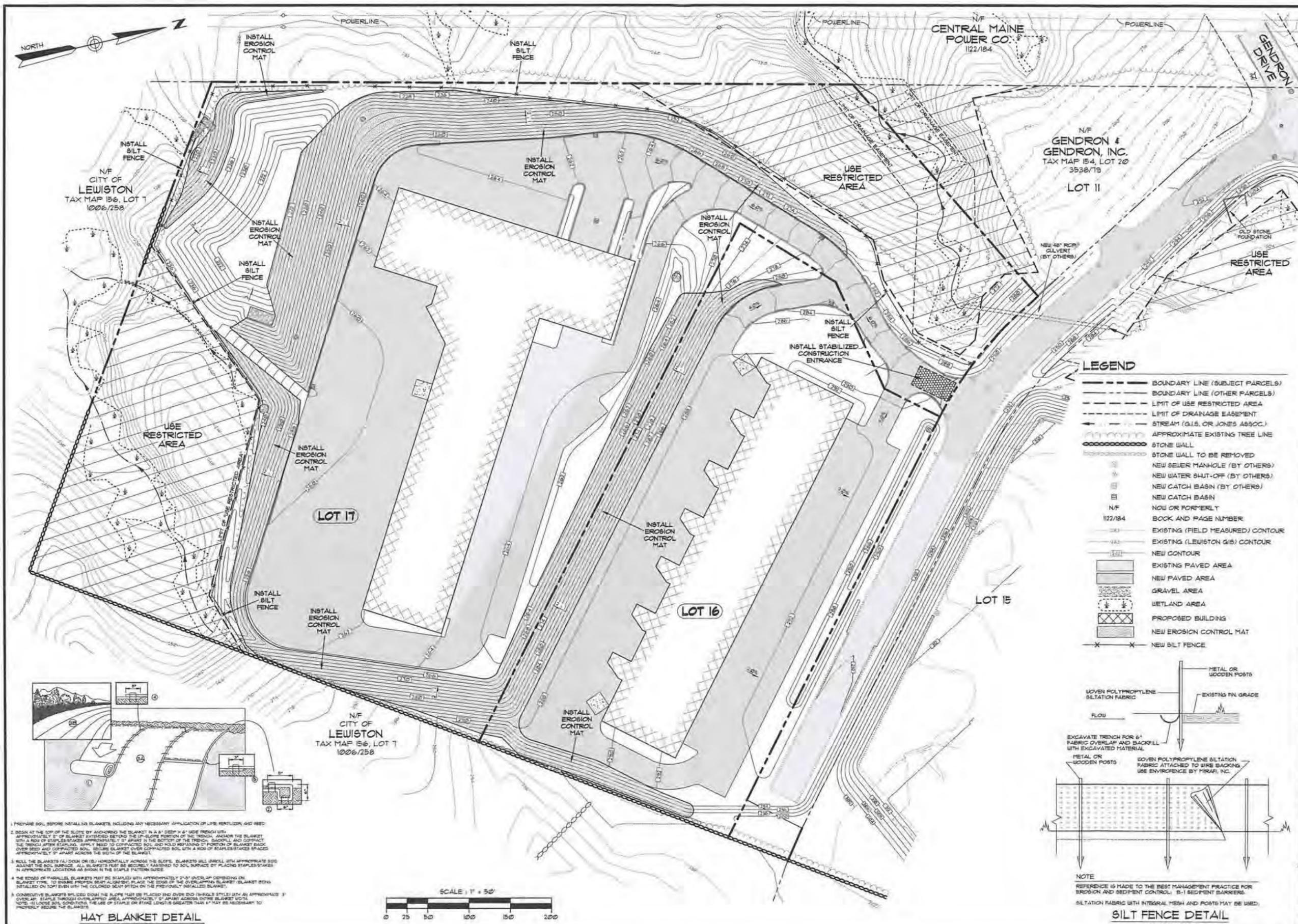
Tel: (207) 516-3315
Fax: (207) 738-6028
www.stoneybrook.com

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GEOENGINEERING SERVICES

640 MAIN ST.
LEWISTON, ME 04240

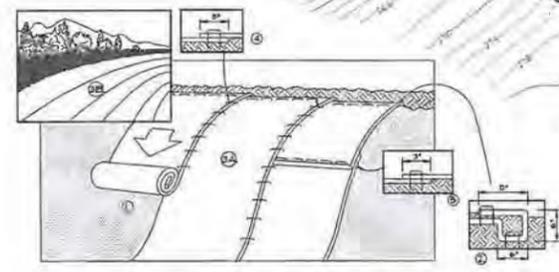
STATE OF MAINE
WILLIAM M. PETERSON
REGISTERED PROFESSIONAL ENGINEER
15187

JOB NO. - 13097
SHEET **3**



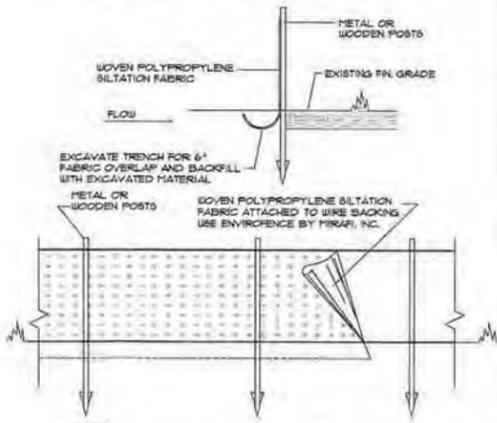
LEGEND

	BOUNDARY LINE (SUBJECT PARCELS)
	BOUNDARY LINE (OTHER PARCELS)
	LIMIT OF USE RESTRICTED AREA
	LIMIT OF DRAINAGE EASEMENT
	STREAM (G.I.S. OR JONES ASSOC.)
	APPROXIMATE EXISTING TREE LINE
	STONE WALL
	STONE WALL TO BE REMOVED
	NEW SEWER MANHOLE (BY OTHERS)
	NEW WATER SHUT-OFF (BY OTHERS)
	NEW CATCH BASIN (BY OTHERS)
	NEW CATCH BASIN
	NOW OR FORMERLY
	BOOK AND PAGE NUMBER
	EXISTING (FIELD MEASURED) CONTOUR
	EXISTING (LEWISTON GIS) CONTOUR
	NEW CONTOUR
	EXISTING PAVED AREA
	NEW PAVED AREA
	GRAVEL AREA
	WETLAND AREA
	PROPOSED BUILDING
	NEW EROSION CONTROL MAT
	NEW SILT FENCE



1. PREPARE SOIL BEFORE INSTALLING BLANKETS, INCLUDING ANY NECESSARY APPLICATION OF LIPE FERTILIZER AND SEED.
 2. BEGIN AT THE TOP OF THE SLOPE BY ANCHORING THE BLANKET IN A 6" DEEP X 6" SIDE TRENCH WITH APPROXIMATELY 10' OF BLANKET EXTENDING BEYOND THE UPPER PORTION OF THE TRENCH. ANCHOR THE BLANKET WITH A ROW OF STAPLES/STAKES APPROXIMATELY 1' APART IN THE BOTTOM OF THE TRENCH. BACKFILL AND COMPACT THE TRENCH WITH STAPLES. STAPLES MUST BE PLACED IN THE BOTTOM OF THE TRENCH AND HELD AGAINST BY PORTION OF BLANKET BACK OVER SEED AND COMPACTED SOIL. SECURE BLANKET OVER COMPACTED SOIL WITH A ROW OF STAPLES/STAKES SPACED APPROXIMATELY 10' APART ACROSS THE WIDTH OF THE BLANKET.
 3. ROLL THE BLANKETS (A) DOWN OR (B) HORIZONTALLY ACROSS THE SLOPE. BLANKETS WILL UNROLL WITH APPROPRIATE BIAS AGAINST THE SOIL SURFACE. ALL BLANKETS MUST BE SECURELY FASTENED TO SOIL SURFACE BY PLACING STAPLES/STAKES IN APPROPRIATE LOCATIONS AS SHOWN IN THE STAPLE PLACEMENT GUIDE.
 4. THE EDGES OF PARALLEL BLANKETS MUST BE STAPLED WITH APPROXIMATELY 2'-3" OVERLAP OVERLAPPING ON BLANKET TYPE. TO ENSURE PROPER MAT ALIGNMENT, PLACE THE EDGES OF THE OVERLAPPING BLANKET/BLANKETS BEING INSTALLED ON TOP EVEN WITH THE COLORED STRIP WITH ON THE PREVIOUSLY INSTALLED BLANKET.
 5. CONSECUTIVE BLANKETS MUST BE STAPLED TOGETHER WITH APPROXIMATELY 2'-3" OVERLAP OVERLAPPING ON BLANKET TYPE. STAPLES THROUGH OVERLAPPING AREA APPROXIMATELY 6' APART ACROSS ENTIRE BLANKET WIDTH.
 NOTE: (1) LOOSE SOIL CONDITIONS MAY REQUIRE THE USE OF STAPLES OR STAKE LENGTHS GREATER THAN 6" MAY BE NECESSARY TO PROPERLY SECURE THE BLANKETS.

HAY BLANKET DETAIL
NOT TO SCALE



NOTE
 REFERENCE IS MADE TO THE BEST MANAGEMENT PRACTICE FOR EROSION AND SEDIMENT CONTROL (B-1) SEDIMENT BARRIERS.
 SILTATION FABRIC WITH INTEGRAL MESH AND POSTS MAY BE USED.

SILT FENCE DETAIL
NOT TO SCALE



EROSION CONTROL PLAN

PROJECT: GENDRON BUSINESS PARK LOTS 16 & 17
 FRISCILLA DRIVE - LEWISTON, MAINE

CLIENT: GENDRON & GENDRON, INC.
 50 ALFRED A. FLOURDE PARKWAY - LEWISTON, ME

STONEBROOK CONSULTANTS, Inc.
 436 Buckfield Road - Turner, Maine 04262
 (207) 514-7491 Voice / (207) 514-7492 Fax
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 GEOENGINEERING SERVICES

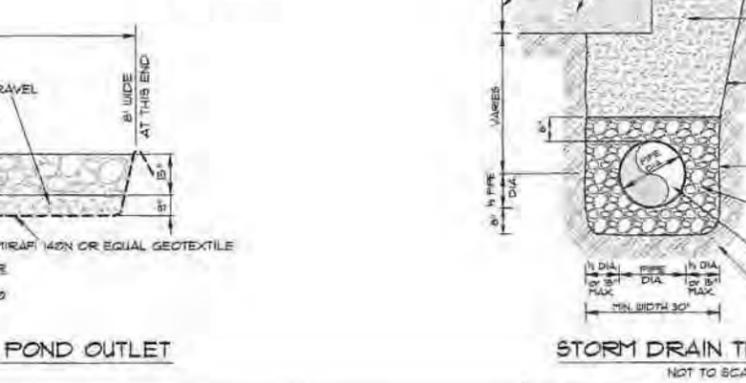
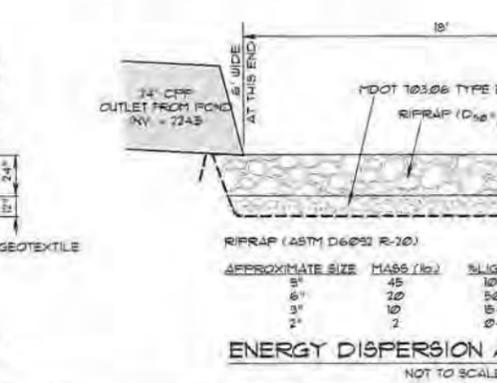
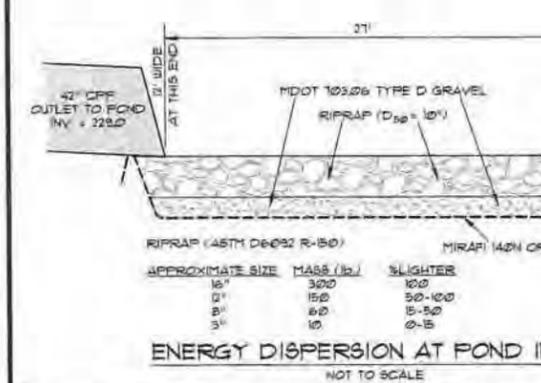
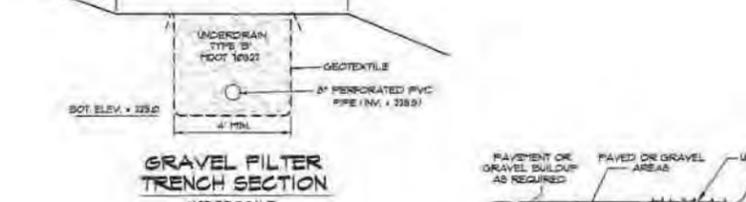
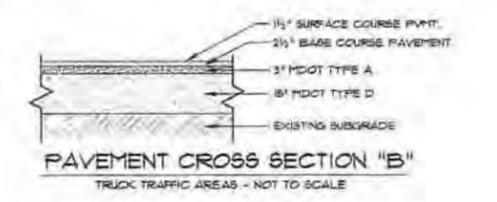
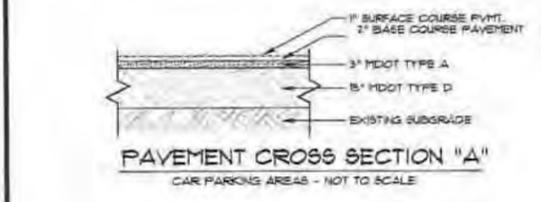
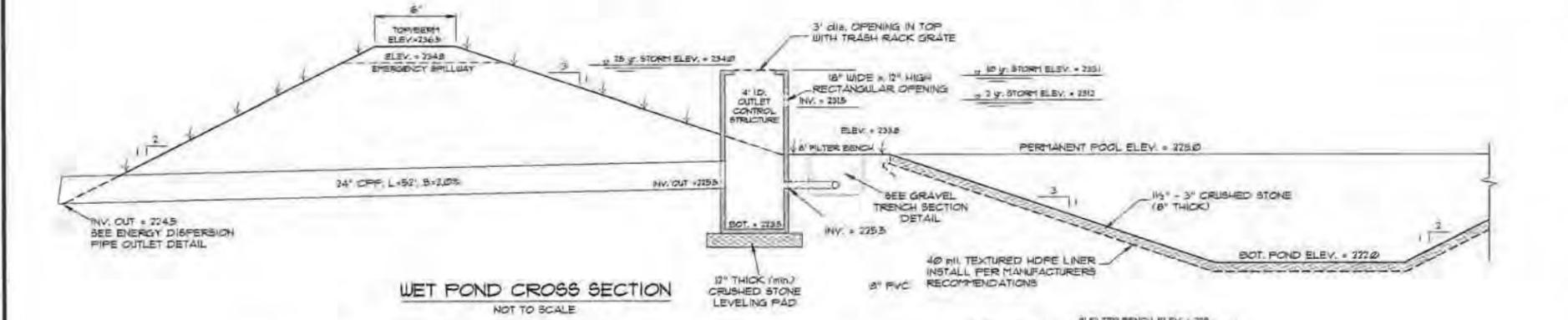
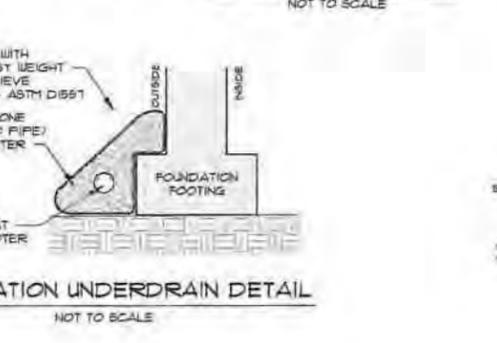
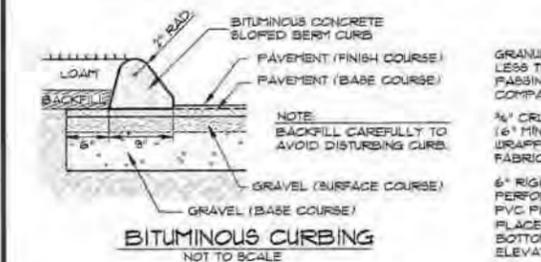
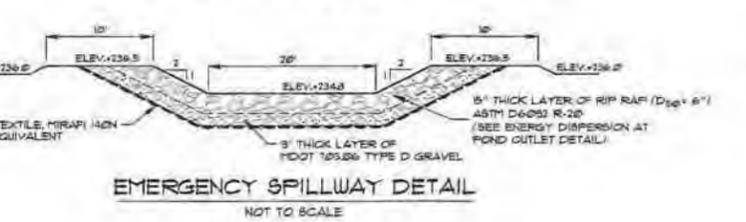
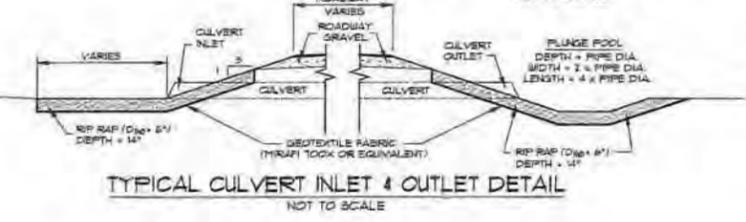
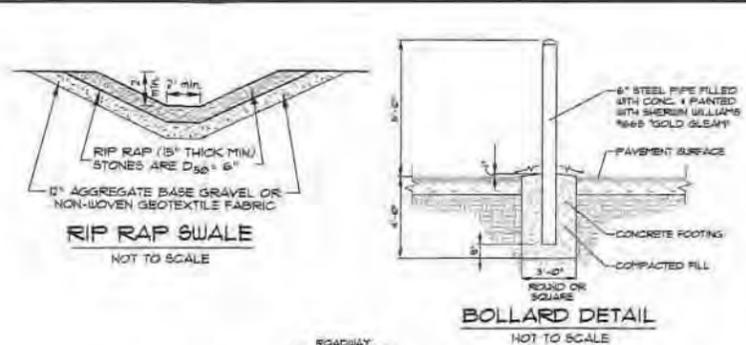
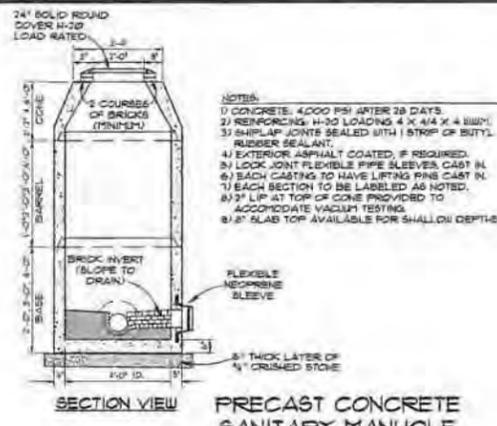
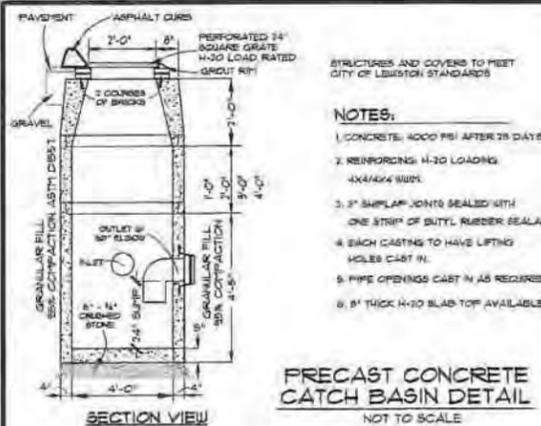
6-40 MAIN ST.
 LEWISTON, ME 04240
 TEL: (207) 576-3313
 FAX: (207) 788-6026
 www.summitgeog.com

WILLIAM M. PETERLIN
 LICENSED PROFESSIONAL ENGINEER
 STATE OF MAINE
 57187

JOB NO. - 1309T

SHEET 4

DATE: OCT. 22, 2013
SCALE: 1" = 50'
DRAWN BY: KRF
CHECKED BY: WMP

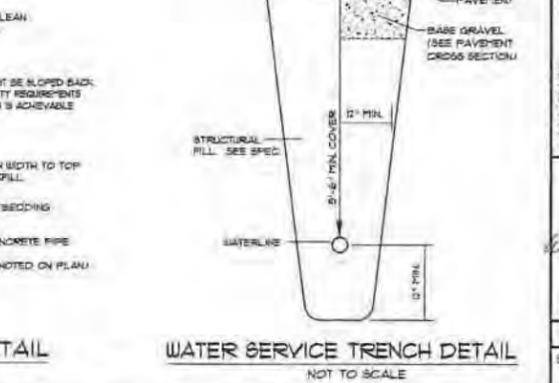
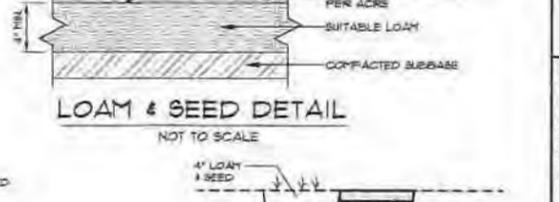


GENERAL CONSTRUCTION NOTES

- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LEWISTON PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF LEWISTON REQUIRED TO PERFORM ALL THE WORK DESCRIBED IN THESE DRAWINGS AND AS FURTHER ELABORATED IN ANY APPROPRIATE SPECIFICATIONS.
- THE WORK SHALL BE PERFORMED IN A THOROUGH WORKMANLIKE MANNER. ALL CONTRACTORS TO CONFORM TO ALL APPLICABLE OSHA STANDARDS. ANY REFERENCE TO A SPECIFICATION OR DRAWING OF THE AMERICAN SOCIETY FOR TESTING MATERIALS FEDERAL SPECIFICATIONS, OR OTHER STANDARDS, CODES OR ORDERS, REFER TO THE MOST RECENT OR LATEST SPECIFICATION OR DRAWING.
- ALL CONSTRUCTION WITHIN THE CITY OF LEWISTON AND/OR STATE OF MAINE SHALL COMPLY WITH CITY PUBLIC WORKS AND/OR DOT STANDARDS.
- THE OWNER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LEWISTON PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF LEWISTON REQUIRED TO PERFORM ALL THE WORK DESCRIBED IN THESE DRAWINGS AND AS FURTHER ELABORATED IN ANY APPROPRIATE SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LEWISTON REQUIRED TO PERFORM ALL THE WORK DESCRIBED IN THESE DRAWINGS AND AS FURTHER ELABORATED IN ANY APPROPRIATE SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LEWISTON REQUIRED TO PERFORM ALL THE WORK DESCRIBED IN THESE DRAWINGS AND AS FURTHER ELABORATED IN ANY APPROPRIATE SPECIFICATIONS.
- PRIOR TO CONSTRUCTION, THE SITE CONTRACTOR IS TO SHOW ALL AREA UTILITY COMPANIES AND GOVERNMENTAL AGENCIES OF PLANNED CONSTRUCTION. THE SITE CONTRACTOR IS REQUIRED TO CONTACT DIG-SAFE (1-800-252-4111) AT LEAST 2 BUSINESS DAYS PRIOR TO ANY EXCAVATION TO VERIFY ALL UNDERGROUND AND OVERHEAD UTILITY LOCATIONS.
- THE PROJECT DRAWINGS ARE GENERALLY SCHEMATIC AND INDICATE THE POSSIBLE LOCATION OF EXISTING UNDERGROUND UTILITIES. INFORMATION ON EXISTING UTILITIES HAS BEEN OBTAINED FROM AVAILABLE RECORDS INCLUDING FEDERAL RECORD MAPS, AND FIELD SURVEY. IT IS NOT GUARANTEED TO BE CORRECT OR COMPLETE. UTILITIES ARE SHOWN TO ALERT THE CONTRACTOR TO THEIR PRESENCE. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR DETERMINING ACTUAL LOCATIONS AND ELEVATIONS OF THE EXISTING UTILITIES AS APPROPRIATE. THE CONTRACTOR IS TO PROVIDE ADEQUATE PROTECTION AND PROTECTION DURING THE EXCAVATION AND BACKFILLING OPERATIONS. SHOULD ANY UNIDENTIFIED OR UNEXPECTED CHANGED UTILITIES BE FOUND, THE CONTRACTOR SHALL CONTACT THE DESIGN ENGINEER IMMEDIATELY FOR DIRECTION BEFORE PROCEEDING FURTHER WITH THE WORK IN THIS AREA.
- OSHA REGULATIONS MAKE IT UNLAWFUL TO OPERATE CRANES, SCISSOR LIFTS, ETC. WITHIN TEN FEET (10') OF ANY ELECTRICAL LINE. THE CONTRACTOR MUST OPERATE CLOSER THAN 10'. THE CONTRACTOR MUST CONTACT THE POWER COMPANY TO MAKE ARRANGEMENTS FOR PROTECTIVE BARRICADES BEFORE BEGINNING WORK ON THIS PROJECT.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND DETAILS FOR ADDITIONAL INFORMATION. THE CONTRACTOR SHALL VERIFY ALL THE SITE CONDITIONS IN THE FIELD AND CONTACT THE DESIGN ENGINEER IF THERE ARE ANY DISCREPANCIES BETWEEN THE CONSTRUCTION DOCUMENTS AND/OR FIELD CONDITIONS SO THAT AN APPROPRIATE REVISION CAN BE MADE BEFORE BEGINNING WORK.
- ALTERNATIVE METHODS AND PRODUCTS OTHER THAN THOSE SPECIFIED MAY BE USED IF REVIEWED AND APPROVED IN WRITING BY THE OWNER, DESIGN ENGINEER, AND APPROPRIATE GOVERNMENTAL AGENCY PRIOR TO INSTALLATION.
- ALL EXCAVATION SHALL BE BACKFILLED TO EXISTING GRADE BEFORE THE END OF THE DAY OR ADEQUATELY PROTECTED FROM DANGER TO HUMANS AND ANIMALS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL FIELD LAYOUT. THE OWNER SHALL PROVIDE A BENCH MARK AT THE CONSTRUCTION SITE FROM WHICH TO BEGIN LAYOUT.
- THE CONTRACTOR SHALL FURNISH ELECTRICAL POWER, WATER, AND SANITARY FACILITIES FOR HIS EXCLUSIVE USE AT THE CONSTRUCTION SITE THROUGHOUT THE DURATION OF THE PROJECT. THE CONTRACTOR OBTAIN THIS ESSENTIAL FOR THE PROPER PERFORMANCE OF THE CONTRACT.
- WORK MAY PROGRESS HEREIN THROUGH FREIGHT LANE AND TO 3000 FT. WORK AT OTHER TIMES MAY PROCEED UPON WRITTEN APPROVAL BY THE OWNER AND THE CITY OF LEWISTON.
- THE CONTRACTOR SHALL GUARANTEE THE FAITHFUL EXECUTION OF ANY DEFECTS DUE TO FAULTY MATERIALS OR WORKMANSHIP AND GUARANTEE PAYMENT FOR ANY RESULTS DAMAGE WHICH SHALL APPEAR WITHIN A PERIOD OF ONE (1) YEAR FROM THE DATE OF SUBstantial COMPLETION OF THE PROJECT.
- THE CONTRACTOR SHALL PROVIDE AS-BUILT RECORDS OF ALL CONSTRUCTION (INCLUDING UNDERGROUND UTILITIES) TO THE OWNER AT THE END OF CONSTRUCTION.
- PROPER IMPLEMENTATION AND MAINTENANCE OF EROSION CONTROL MEASURES ARE OF PARAMOUNT IMPORTANCE FOR THIS PROJECT. THE CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH ALL EROSION CONTROL MEASURES SHOWN ON THE PLANS. ADDITIONAL EROSION CONTROL MEASURES SHALL BE INSTALLED IF DEEMED NECESSARY BY SITE INSPECTION OF THE OWNER, THEIR REPRESENTATIVES, OR STATE/LOCAL/FEDERAL INSPECTORS AT NO ADDITIONAL COST TO THE OWNER.

EROSION & SEDIMENTATION CONTROL NOTES

- THE CONTRACTOR SHALL IMPROVE EROSION & SEDIMENT CONTROL MEASURES WEEKLY AND AFTER HEAVY RAINFALL THROUGHOUT THE DURATION OF THE PROJECT INCLUDING WEEKENDS AND HOLIDAYS. ALL EROSION AND SEDIMENT CONTROL SHALL BE MAINTAINED AS SPECIFIED IN THE BLANK AND GENERAL STANDARD SPECIFICATIONS IN THE SPECIFICATIONS APPLICATION SUBMITTED TO THE CITY OF LEWISTON.
- THE CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTING THE EROSION AND SEDIMENT CONTROL MEASURES IN ACCORDANCE WITH THE MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION BEST MANAGEMENT PRACTICES DEPARTMENT OF ENVIRONMENTAL PROTECTION DATED MARCH 2003 (OEM-10-03). ADDITIONAL MEASURES SHALL BE INSTALLED IF DEEMED NECESSARY DURING ON-SITE INSPECTIONS BY THE OWNER, THEIR REPRESENTATIVES, OR STATE/LOCAL/FEDERAL INSPECTORS AT NO ADDITIONAL COST TO THE OWNER.
- AREAS DISTURBED DURING CONSTRUCTION SHALL BE REVEGETATED. AREAS SHALL BE TEMPORARILY STABILIZED WITH MULCH OR NON-ERODIBLE COVER IF EXPOSED SOILS WILL NOT BE WORKED FOR MORE THAN 7 DAYS. STABILIZE AREAS WITHIN 70% OF THE DISTURBED AREA WITHIN 48 HOURS OF THE INITIAL DISTURBANCE OR PRIOR TO ANY STORM EVENT. PERMANENT SEEDING SHALL TAKE PLACE WITHIN 7 DAYS OF FINAL GRADING.
- PRIOR TO CONSTRUCTION, PROPERLY INSTALL SEDIMENT BARRIERS AT THE DOWN GRADIENT EDGE OF THE DISTURBED AREA AND ADJACENT TO DRAINAGE CHANNELS WITHIN THIS AREA.
- SOIL FENCE LOCATIONS SHALL BE APPROXIMATE. INSTALL WHERE APPROPRIATE TO CONTROL SEDIMENTATION ON AND OFF SITE. SOIL FENCE SHALL BE REMOVED AFTER THE SITE IS STABILIZED WITH AT LEAST 50% VEGETATED GROWTH.
- NO SLOPES EITHER PERMANENT OR TEMPORARY, SHALL BE STEEPER THAN TWO TO ONE (2 TO 1).
- IF FINAL SEEDING OF THE DISTURBED AREAS IS NOT COMPLETED 45 DAYS PRIOR TO THE FIRST KILLING FROST, USE TEMPORARY MULCHING (DONNAY SEEDING) MAY BE ATTEMPTED AS WELL TO PROTECT THE SITE AND DELAY SEEDING UNTIL THE NEXT RECORDED SEEDING PERIOD.
- TEMPORARY SEEDINGS OF DISTURBED AREAS THAT HAVE NOT BEEN FINAL GRADED SHALL BE COMPLETED BY AUGUST 01 OR 45 DAYS PRIOR TO THE FIRST KILLING FROST (OCT. 01) TO PROTECT FROM SPRING RAINFALL PROBLEMS.
- REVEGETATION MEASURES WILL COMMENCE UPON COMPLETION OF CONSTRUCTION EXCEPT AS NOTED ABOVE. ALL DISTURBED AREAS NOT OTHERWISE STABILIZED SHALL BE GRADED, SMOOTHED, AND PREPARED FOR FINAL SEEDING AS FOLLOWS:
A) IF OF LOAM SOIL, IT SHALL BE SPREAD OVER DISTURBED AREAS AND SMOOTHED TO A UNIFORM SURFACE.
B) APPLY LIMESTONE AND FERTILIZER ACCORDING TO SOIL TEST. IF SOIL TESTING IS NOT FEASIBLE ON SMALL OR VARIABLE SITES, OR WHERE TESTING IS CRITICAL, FERTILIZER MAY BE APPLIED AT THE RATE OF 100 POUNDS PER ACRE OR 20 POUNDS PER SQUARE FOOT USING 10-10-10 (N-P-K) OR EQUIVALENT. APPLY GROUND LIMESTONE (EQUIVALENT TO 30% CALCULATED PLUS MAGNESIUM OXIDE) AT A RATE OF 3.0 TONS PER ACRE (150 LB PER 1000 S.F.).
C) FOLLOWING SEED BED PREPARATION, DISTURBED AREAS SHALL BE SEEDING TO A DEPTH OF 1/4" COVERING RED PEGGIE 1/4" REDTOP AND 1/4" TALL PEGGIE. THE LIME SHALL BE SEEDING TO A PREPARED TOP SURFACE OF 44% KENTUCKY SUBGRASS, 44% CREEPING RED PEGGIE AND 12% PERENNIAL RYEGRASS. SEEDING RATE IS ONE POUND PER 1000 S.F. LIME QUALITY 800 MAY BE SUBSTITUTE FOR RED PEGGIE. RED PEGGIE SHALL CONTAIN 10% AMMONIA NUTRIENT.
D) MULCH AT THE RATE OF 10-20 TONS PER 1000 S.F. OR A HYPER-APPLICATION OF ASPHALT, WOOD OR PAPER FIBER SHALL BE APPLIED FOLLOWING SEEDING. A SUITABLE ENHANCER SUCH AS ORGALOX OR RPD PLUS WILL BE USED ON HAT MULCH FOR SOIL CONTACT.



SHEET TITLE: **DETAIL SHEET**
 PROJECT: **GENDRON BUSINESS PARK**
LOTS 16 & 17
 FRISCOLLA DRIVE - LEWISTON, MAINE
 CLIENT: **GENDRON & GENDRON, INC.**
 50 ALFRED A. FLOUDE PARKWAY - LEWISTON, ME
 SCALE: AS NOTED
 DATE: SEPT. 13, 2013
 DRAWN BY: KRF
 CHECKED BY: WJF

Stoneybrook Consultants, Inc.
 45 & Dunfield Road - Turner, Maine 04252
 (207) 514-7421 Voice / (207) 514-7492 Fax
 www.stoneybrook.com

6-40 MAIN ST.
 LEWISTON, ME 04240
SUMMIT
 GEOENGINEERING SERVICES

JOB NO. - 13091
 SHEET **5**



CITY OF LEWISTON

Department of Planning & Code Enforcement



TO: Planning Board
FROM: David Hediger, City Planner
DATE: October 24, 2013
RE: October 28, 2013 Planning Board Agenda Items IV(c)

c) An application submitted by Stoneybrook Consultants, Inc. on behalf of GRE, LLC to split 92 Alfred Plourde Parkway - Lot 5 into two lots.

Stoneybrook Consultants, Inc. on behalf of GRE, LLC has submitted application to split Lot 5 of the Turnpike Industrial Park into two lots. Lot 5 currently consists of 14.02 acres developed as manufacturing and office space. The applicant is proposing to split Lot 5 into a 12.52 acre lot and create Lot 5 A with the remaining 1.5 acres. The proposed lot split meets the space and bulk standards of the Industrial (I) district. The intent of the Lot 5A is for the applicant to gain access their abutting lot to which access has been limited due to proposed improvements by the Maine Turnpike Authority at Exit 80.

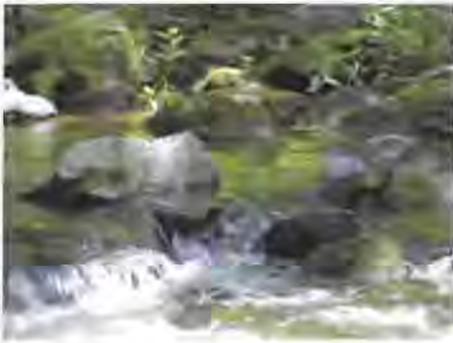
Staff has been working closely with the applicant's representative to address concerns and questions. The applicant has since provided revised plans and documentation referencing staff comments (see October 23, 2013 letter from Stoneybrook Consultants).

This amendment is subject to delegated review from DEP for which the city has received their approval to proceed.

No other concerns have been raised by city staff. Therefore, approval is recommended pursuant to Article XIII, Section 4 and 5 of the Zoning and Land Use Code.

ACTIONS NECESSARY

1. Make a motion to consider an application submitted by Stoneybrook Consultants, Inc. on behalf of GRE, LLC to split 92 Alfred Plourde Parkway - Lot 5 into two lots;
2. Obtain input on the application;
3. Make a determination that the application is complete;
4. Make finding that the application meets all of the necessary criteria contained in the Zoning and Land Use Code, including Article XIII, Section 4 and 5 of the Zoning and Land Use Code and to grant approval to GRE, LLC to split 92 Alfred Plourde Parkway - Lot 5 into two lots, subject to any concerns raised by the Planning Board or staff.



Stoneybrook Consultants, Inc.

456 Buckfield Road
Turner, Maine 04282
(207) 514-7491 voice
(207) 514-7492 fax

September 16, 2013

David Hediger, City Planner
Department of Planning & Code Enforcement
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201

Re: Project Modification - Lot 5
Turnpike Industrial Park

Dear David:

On behalf of GRE, LLC (GRE), I have attached a Revised Subdivision Plan for Lot 5 of the Turnpike Industrial Park. We are seeking a minor modification of the subdivision to allow Lot 5 to be split into two lots. Lot 5 currently contains 14.02 acres. The proposed division will reduce the lot to 12.52 acres and create a new Lot 5A with the remaining 1.50 acres.

Lot 5 is currently owned by Auburn Plaza, Inc. and GRE has an option to purchase Lot 5A once the subdivision is approved. GRE's purchase of the property is also contingent upon our ability to secure an access easement (as shown on the plan) from Central Maine Power Company (CMP) and approval to relocate a current break in Control of Access (COA) along Alfred A. Plourde Parkway from the Maine Department of Transportation (MDOT).

These changes are being driven by improvements proposed by the Maine Turnpike Authority (MTA) at Exit 80. Reconstruction of the proposed interchange will take land and eliminate an existing COA on adjacent land owned by GRE. The purchase of the proposed Lot 5A and an easement from CMP will

give GRE the ability to create a new access road from Alfred A. Plourde Parkway to its adjacent lot. Maintaining access rights to this property is important to GRE and to the City's future vision for retail development in this area.

For more than a year now, we have been working with MTA and their design engineers to make sure that we could locate an access point that would work with the proposed Turnpike improvements and still provide access for a large retail development on the GRE property. We have settled on this location and we are now working with MDOT to move our existing break in COA to this location. Discussions with MDOT have now advanced to the point that we can seek approval to revise the Subdivision Plan for Lot 5 and use that recorded plan to help document our agreements with MDOT and CMP.

To secure the break in COA, after we get approvals by the Planning Board, we will be conveying a small area to MDOT for Right of Way purposes. That area will allow room to construct a new entrance and maintain a 75' wide break in COA. To do that, we are moving a portion of the Right of Way back about 50'. This will increase the Right of Way area by 5,625 square feet. Lot 5A will, therefore, consist of the remaining area of 1.37 acres. We will also be granting access rights to CMP over a portion of Lot 5A to allow them better access to their pole structure from our new entrance road. Both of these items are shown on the revised subdivision plan.

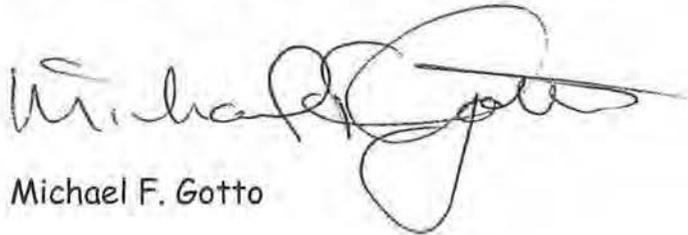
This project is located in the Industrial District. Lot 5A will meet minimum lot requirements and will be a buildable lot under the Industrial District requirements. The new Lot 5 is already developed with a large manufacturing building. There are no changes proposed for that area at this time. The existing improvements on Lot 5 include a total impervious area of 202,608 square feet. The impervious ratio will be 0.37 which meets the code requirement of 0.75. The existing building includes 104,767 square feet. This results in a lot coverage of 0.19 which, again, meets the code requirement of 0.75.

The Turnpike Industrial Park was originally approved in 1989. At that time, Lot 5 was shown as five lots with a proposed street. The area we propose to be Lot 5A was shown as Lot 10. In 1997, the Revision #1 was recorded showing this area again with 5 lots, but in a different orientation. Revision #2 was recorded in 1999 and, at that time, Lot 5 was shown as it is today. We have included reduced copies of these plans for your information.

At this time, we are proposing to divide Lot 5 to create the ability to access the large GRE parcel. We are not seeking approvals to construct the proposed access road at this time. I trust you will find this acceptable to process as a minor amendment to the Turnpike Industrial Park plans. I will plan to attend the next available Planning Board meeting to answer any additional questions that you may have.

Respectfully Yours

STONEBROOK CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read "Michael F. Gotto", with a large, stylized flourish at the end.

Michael F. Gotto

cc: David Gendron
John Gendron

PURCHASE AND SALE AGREEMENT

This Agreement made effective this 11th day of June, 2013 by and between **GRE, LLC**, a Maine Limited Liability Company with a mailing address at P.O. Box 1913, Lewiston, Maine 04241-1913 (hereinafter referred to as the "Buyer") and **Auburn Plaza, Inc.**, a Maine Corporation with a mailing address at P.O. Box 9340 Auburn, Maine 04210 (hereinafter referred to as the "Seller"),

WITNESSETH:

Whereas, the Seller is the owner of real estate located at 90 Alfred Plourde Parkway, Lewiston, Maine, described as Lot 5 on the Turnpike Industrial Park, Revision 2, recorded in the Androscoggin County Registry of Deeds at Plan Book 40, Page 113, said real estate being more fully described in Quitclaim Deed with Covenant from Diamond Turnpike Associates, LLC to Auburn Plaza, Inc. dated July 28, 2005, recorded in the Androscoggin County Registry of Deeds at Book 6434, Page 8 (the "Real Estate"); and

Whereas, the Buyer desires to purchase a portion of the Property consisting of One and One-Half (1.5) acres as more fully described in Exhibit "A" attached hereto and made a part hereof (the "Subject Property"); and

Whereas, the Seller desires to sell the Subject Property to the Buyer for which it is the purpose of this Agreement to provide.

Now Therefore, in consideration of the mutual covenants, agreements, and undertakings hereinafter expressed, the parties hereto agree as follows:

1. **Purchase and Sale.** The Seller agrees to sell and the Buyer agrees to purchase the Subject Property in accordance with the terms of this Agreement.

2. **Purchase Price.** The purchase price for acquisition of the Subject Property shall be [REDACTED] and 00/100 Dollars ([REDACTED]).

3. **Payment Period.** The purchase price for the Subject Property shall be paid by the Buyer to the Seller in lawful currency of the United States in immediately available funds as of the date of Closing.

4. **Closing.** The Closing shall take place not later than Thirty (30) days subsequent to the date that all contingencies set forth herein have been met, but in all events on or before December 31, 2013. The time and place of the Closing shall be mutually agreed upon by the parties.

5. **Conveyance.** Conveyance shall be made by Quitclaim Deed with Covenant prepared at Seller's sole expense, conveying good and marketable title to the Subject Property as defined by the standards adopted by the Maine State Bar Association, free and clear of all encumbrances, except for conventional utility easements and such restrictions as would not make the title unmarketable. The title shall also be insurable by any reputable title insurance company licensed to do business in the State of Maine. All costs of title insurance shall be borne by the Buyer. The Seller will execute such affidavits as may be required by the applicable title insurance company to cause the deletion of the standard mechanics' lien exception from the to-be-issued title insurance policy.

6. **Taxes.** Real estate taxes assessed against the Subject Property due to the City of Lewiston, Maine for the current tax year shall be prorated as of the date of Closing.

7. **Special Conditions.**

(a) **Transfer Taxes.** State of Maine Transfer Taxes shall be paid by both the Seller and the Buyer in their respective amounts under Maine Law.

(b) **Possession.** At the time of Closing, Seller will deliver over exclusive possession of the Subject Property to the Buyer.

(c) **Broker Involvement.** Seller and Buyer each warrant and covenant to the other that no brokers or finders have been retained or are involved in this transaction, and each agrees to indemnify, defend and hold the other harmless from any and all fees, costs, commissions and expenses claimed by any such broker or finder in contravention of this Section.

(d) **Easement.** The Subject Property shall be conveyed, together with a Grading Easement on the Seller's adjacent real estate as described in Exhibit "A" attached hereto and made a part hereof. The terms of said Grading Easement shall be mutually agreed upon by the parties.

8. **Time.** Time is of the essence in all matters relating to this Agreement.

9. **Title.** The Buyer shall examine at the Buyer's sole expense the title to the Subject Property and will report in writing on or before Closing any valid objections (hereafter "exceptions") thereof based on the Standards adopted by the Maine State Bar Association. Any exceptions to the title which would be disclosed by examination of the records shall be deemed to have been accepted by the Buyer if title is transferred to the Buyer without removal of said exceptions, unless otherwise agreed to in writing and signed by the Seller. If the Buyer objects to any exceptions to the title, the Seller shall use all due diligence to remove such exceptions at the Seller's own expense within Twenty (20) days thereafter. Notwithstanding the Seller's due diligence, if such exceptions objected to by the Buyer cannot be removed within the said twenty (20) day time period, or such additional period as the Buyer, in the Buyer's sole discretion, may allow, the Buyer may elect to terminate this Agreement. The Buyer shall notify the Seller of such election, in which case the obligations of all parties under this Agreement shall thereupon terminate. Alternatively, the Buyer may elect to purchase the Subject Property under the provisions of this Agreement subject to any such title exceptions which cannot be removed without any adjustment in the purchase price.

10. **Contingency.** The obligations of the Buyer and the Seller hereunder shall be contingent upon the following:

(a) **City Approval.** The Buyer must obtain any and all approvals necessary from the City of Lewiston, Maine in order to further subdivide the Real Estate and to allow the sale of the Subject Property to the Buyer in accordance with the provisions of this Agreement; and

(b) **Tenant Approval.** The Seller's tenant for the Subject Property, System Logistics Corporation f/k/a Diamond Phoenix Corporation d/b/a Diamond Systems, shall consent to the release of the Subject Property from the terms of its Lease; and

(c) **Encumbrances.** Title to the Real Estate shall be good and marketable in accordance with the provisions of Item 9 above.

(d) **Hotel Road.** The Buyer shall transfer or cause to be transferred a triangular lot containing approximately 13,500 square feet adjacent to and northerly of Hotel Road in Auburn Maine between baseline stations 1+076 and 1+140, as depicted on a plan dated December, 2001, titled "State Aid Highway 11 - Federal Aid Project No. STP-8815(00)X - Maine DOT File NO. 1-254" attached to this Agreement as Exhibit B, and incorporated herein, said real estate being more fully described in a Deed to the Authority dated August 26, 1959, recorded in the Androscoggin County Registry of Deeds at Book 709, Page 527. *AS NO COST TO Auburn Plaza Inc*

If any of the aforementioned contingencies are not met, the Buyer shall have the right to terminate this Agreement, in which case the obligations of all parties under this Agreement shall thereupon terminate.

11. **Default.** In the event of a default by the Buyer under this Agreement, the Seller shall be entitled to any and all remedies available at law or in equity. In the event of a default by the Seller under this Agreement, the Buyer shall have any and all remedies available at law or in equity, including but in no way limited to, the right to seek specific performance of the provisions of this Agreement.

12. **Risk of Loss.** Risk of loss or damage to the Subject Property by fire, storm, vandalism or other casualty from the effective date of this Agreement up to the date of Closing

shall be and is assumed by the Seller. At Closing, said risk of loss or damage shall be assumed by the Buyer.

13. **Governing Law.** This Agreement and the transactions contemplated by it shall be governed by the laws of the State of Maine. All disputes shall be resolved in courts of the State of Maine or federal courts located in the State of Maine.

14. **Notices.** Any notices required by or useful under the terms of this Agreement shall be given, in the case of the Buyer, to:

GRE, LLC
P.O. Box 1913
Lewiston, ME 04241-1913

and, in the case of Seller, to:

Auburn Plaza, Inc.
P.O. Box 9340
Auburn, ME 04210

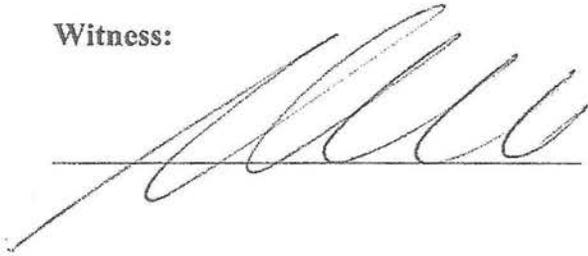
or to such other persons and addresses as the appropriate party may hereafter designate. All such notices shall be sent certified mail, prepaid, delivered to the addressee only.

15. **Succession.** This Agreement and the provisions herein shall be binding on the respective heirs, personal representatives, successors and assigns of the Seller and the Buyer, and may not be assigned or transferred to any person or entity by either the Seller or the Buyer, except as otherwise provided herein.

16. **Entire Agreement.** This Agreement contains the entire understanding between the parties. It may not be modified or amended, except pursuant to writing signed by all of the parties hereto.

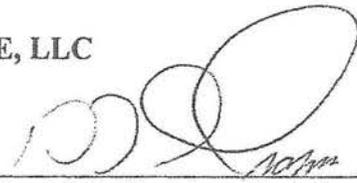
In Witness Whereof, the parties have hereunto set their hands and seals on the day and year first above written.

Witness:

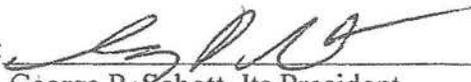


A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

GRE, LLC

By: 
David M. Gendron, Its Member

Auburn Plaza, Inc.

By: 
George P. Schott, Its President

tabbles

ALFRED A. FLOURDE PARKWAY

93°23'49"W 398.01'

N/F

CENTRAL MAINE POWER CO.

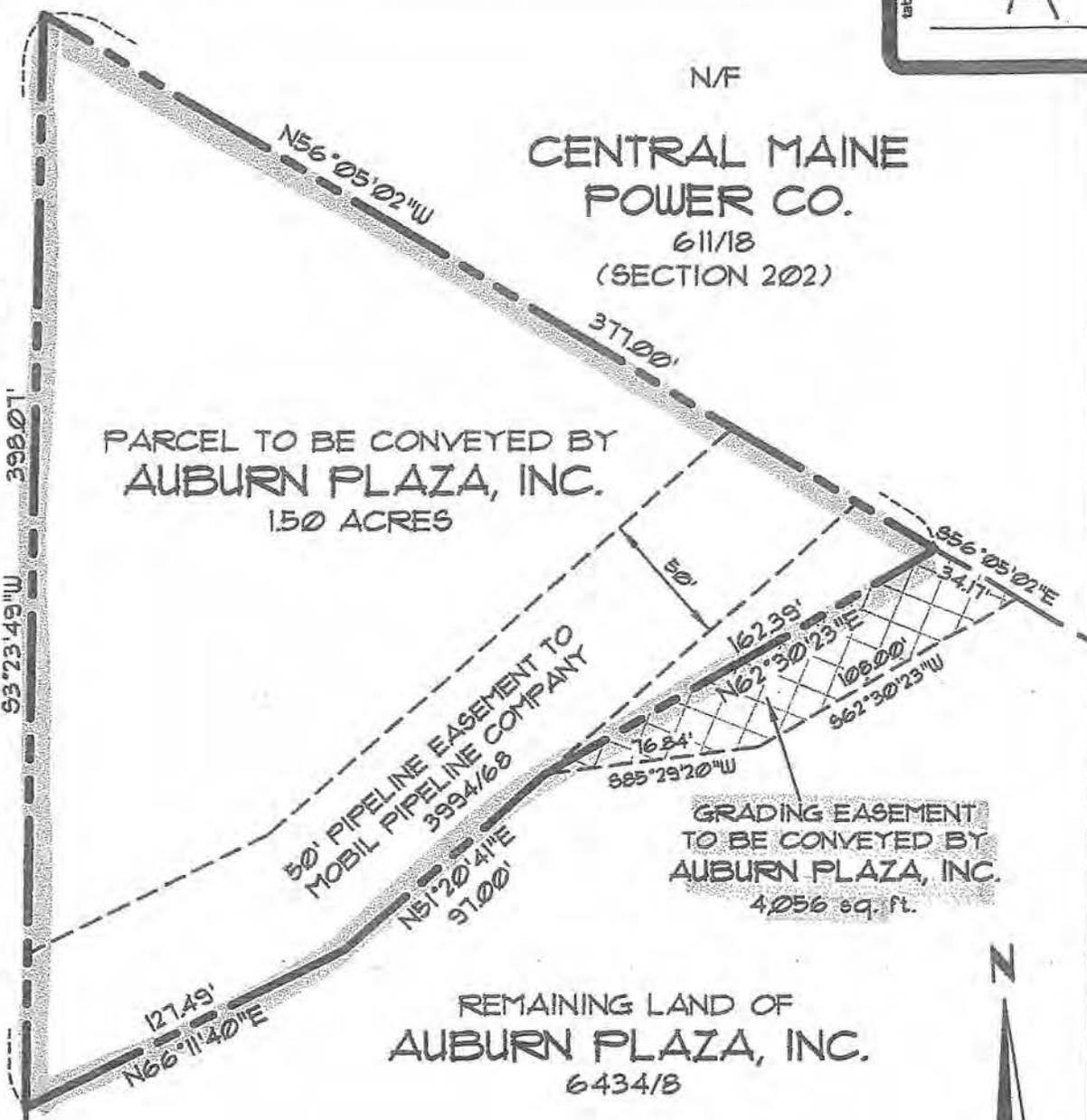
611/18 (SECTION 202)

PARCEL TO BE CONVEYED BY AUBURN PLAZA, INC. 150 ACRES

50' PIPELINE EASEMENT TO MOBIL PIPELINE COMPANY 3994/68

GRADING EASEMENT TO BE CONVEYED BY AUBURN PLAZA, INC. 4,056 sq. ft.

REMAINING LAND OF AUBURN PLAZA, INC. 6434/8



PLAN REFERENCE

"SUBDIVISION PLAN - REVISION 2 - TURNPIKE INDUSTRIAL PARK", DATED DECEMBER 1998, RECORDED AT THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS IN PLAN BOOK 40, PAGE 113.



DEED SKETCH

PORTION OF LOT 5 TURNPIKE INDUSTRIAL PARK ALFRED A FLOURDE PARKWAY - LEWISTON, MAINE

PREPARED FOR: STONEYBROOK CONSULTANTS, INC. 456 BUCKFIELD ROAD - TURNER, ME 04282

PREPARED BY: PLANIT MAPPING 488 MAIN STREET - LEWISTON, ME 04240 (207) 215-6340 planitmapping@yahoo.com

DATE: 5-4-2013	DRAWN BY: PLANIT	CHECKED BY: MFG
JOB: 13-06	SCALE: 1" = 60'	FILE: 13-06 SKT

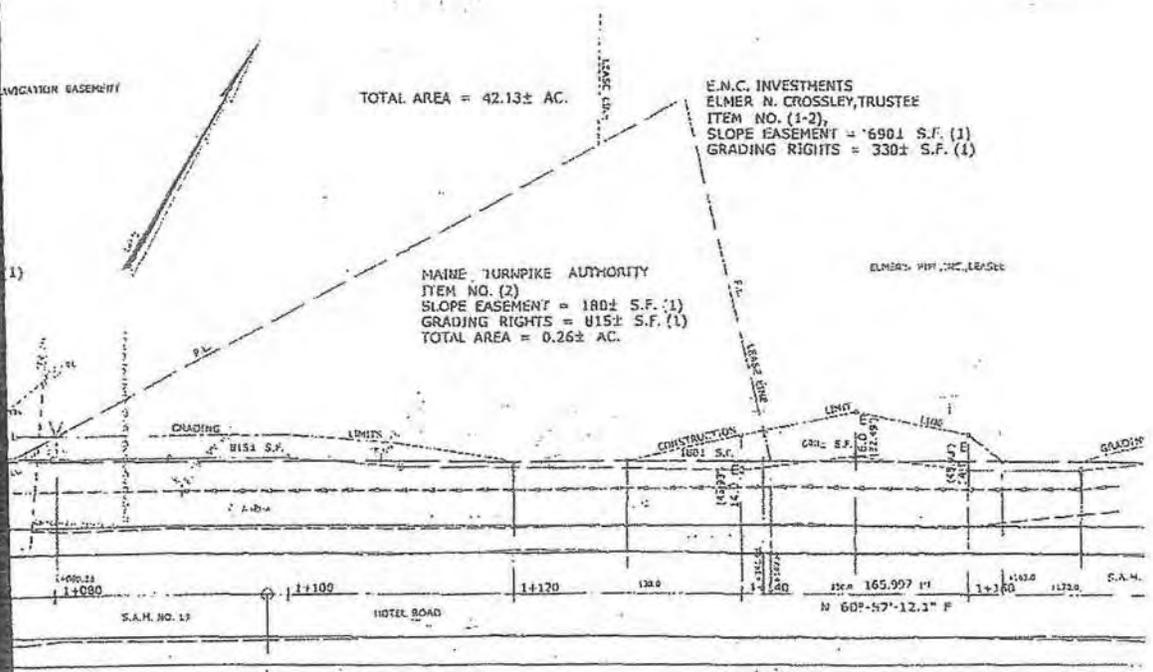
AVIATION EASEMENT

TOTAL AREA = 42.13± AC.

E.N.C. INVESTMENTS
 ELMER N. CROSSLEY, TRUSTEE
 ITEM NO. (1-2),
 SLOPE EASEMENT = 690± S.F. (1)
 GRADING RIGHTS = 330± S.F. (1)

MAINE TURNPIKE AUTHORITY
 ITEM NO. (2)
 SLOPE EASEMENT = 180± S.F. (1)
 GRADING RIGHTS = 115± S.F. (1)
 TOTAL AREA = 0.26± AC.

ELMER N. CROSSLEY, TRUSTEE

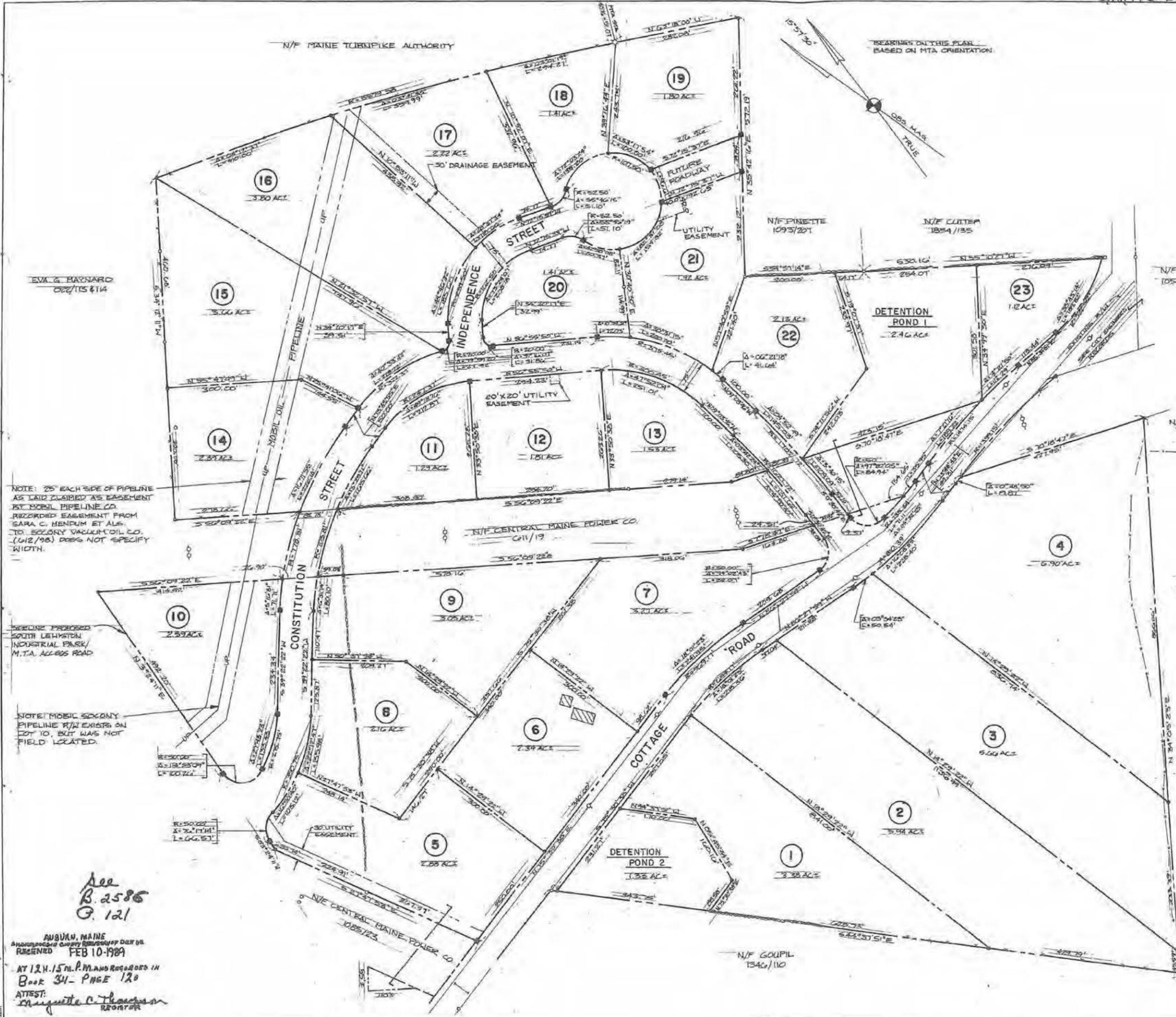


MTA-GRE Real Estate Exchange
 June, 2013
 Page 9 of 18

EXHIBIT

B

tabbles

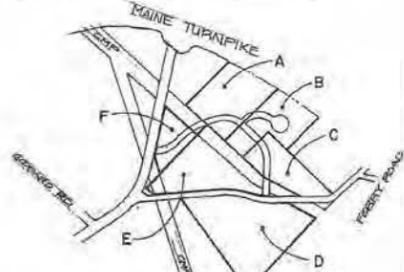


LEGEND

- IRON PIPE FOUND
- MONUMENT FOUND
- IRON PIN TO BE SET, 3/8" DIA. W/CAP
- MONUMENT TO BE SET (2" PLG PIPE W/ALUM. CAP)
- NOTE: DRILL HOLE WILL SUBSTITUTE MONUMENT WHEN LOG IS ENCOUNTERED.
- ▲ PINE TREE
- HYDRANT
- ▭ STONE WALL
- POWER POLE
- FENCE
- - - EASEMENT LINE
- - - PROPERTY LINE
- - - UNDERGROUND PIPELINE

APPROVED: *Carol A. Tracy*
 CAROL A. TRACY
 CHAIRPERSON
 LEWISTON PLANNING BOARD
 DATE: 1/24/89

PARCEL	OWNER OF RECORD
A	LEWISTON INDUSTRIAL PARK INC. 2053/209
B	
C	
D	2034/19
E	
F	SOUTH PARK DEV CORP 2089/312
TOTAL DEVELOPED AREA: 68.32 ACRES ±	



LOCATION MAP & SOURCE KEY
N.T.S.

NOTE: 25' EACH SIDE OF PIPELINE AS LAID CLAIMED AS EASEMENT BY MOBILE PIPELINE CO. RECORDED EASEMENT FROM SARA C. MENDUM ET AL. TO SOUTHWEST VACUUM OIL CO. (6/2/98) DOES NOT SPECIFY WIDTH.

PIPELINE PROPOSED SOUTH LEWISTON INDUSTRIAL PARK / M.T.A. ACCESS ROAD

NOTE: MOBILE SOUTHWEST PIPELINE R/W EXISTS ON LOT 10, BUT WAS NOT FIELD LOCATED.

See
B. 2586
G. 121

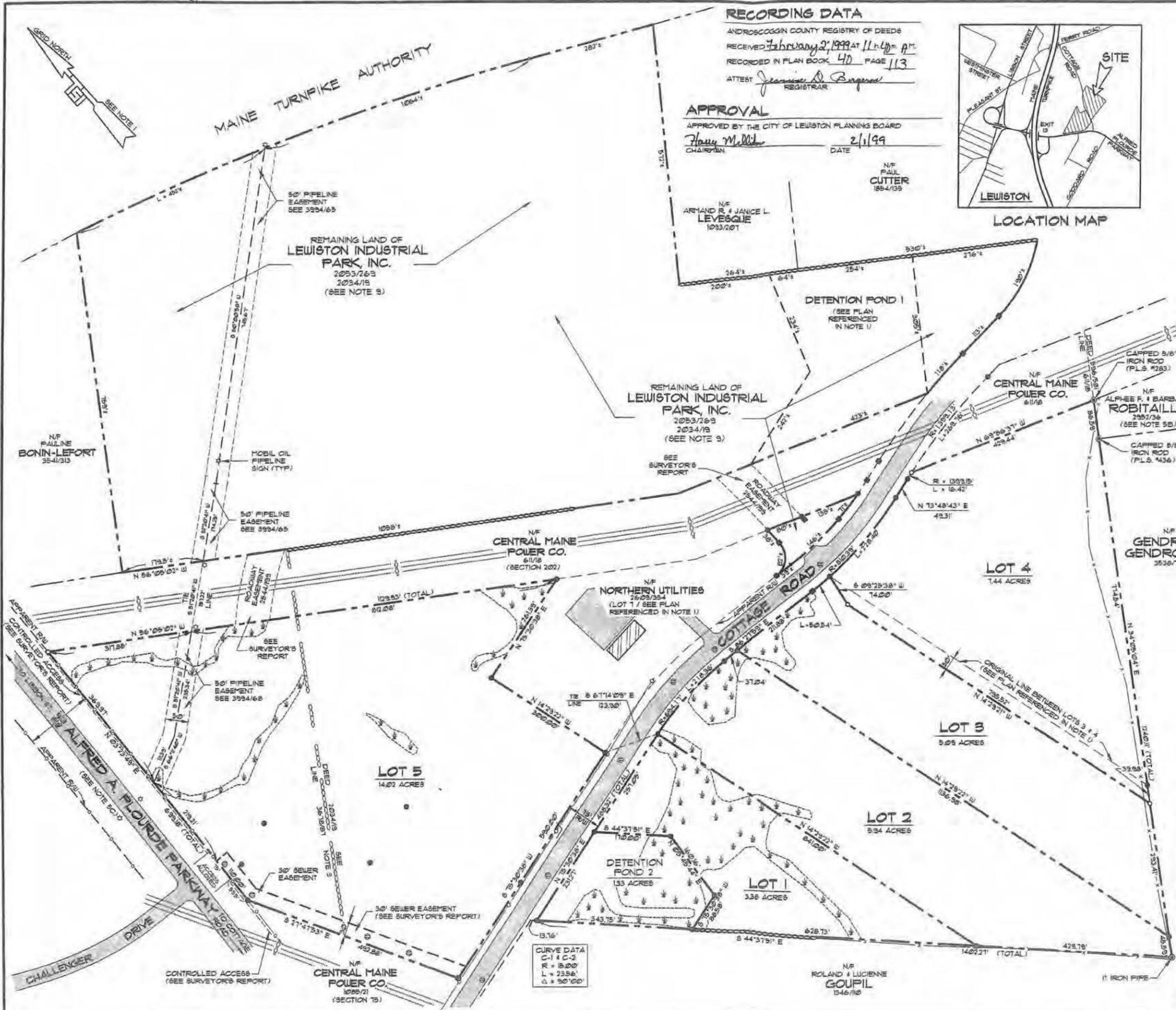
AUGUST, MAINE
 Municipal County Registry of Deeds
 RECEIVED FEB 10 1989

AT 12:15 P.M. AND READERS IN
 Book 34 - PAGE 120

ATTEST:
Augusta C. Thompson
 CLERK

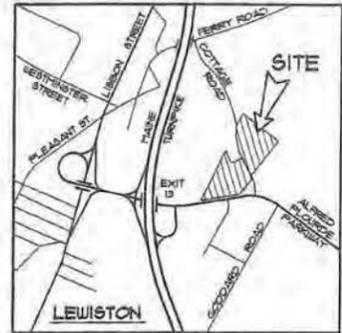
1/11/89	ADDED EASEMENTS & PIPELINE IN LOT 10
DATE	ADDITION OR REVISION
DES. BY: JTA/PRE	DR. BY: MPH
CK. BY: RSP	
LEWISTON DEVELOPMENT CORPORATION LEWISTON, MAINE	
TURNPIKE INDUSTRIAL PARK	
PLOT PLAN	
SCALE: 1"=100'	JOB NO.: 87194.01
DATE: NOV. 1988	SHEET: 1 OF 1
WOODARD & CURRAN INC. CONSULTING ENGINEERS 41 HUTCHINS DRIVE - PORTLAND, MAINE 04102 - (207) 774-2112	

See B4926
P.233



RECORDING DATA
 ANDROSCOGGIN COUNTY REGISTRY OF DEEDS
 RECEIVED February 2, 1999 AT 11:40 AM
 RECORDED IN PLAN BOOK 40 PAGE 113
 ATTEST *Jeanne A. Bingham*
 REGISTRAR

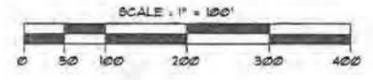
APPROVAL
 APPROVED BY THE CITY OF LEWISTON PLANNING BOARD
Harry M. Miller CHAIRMAN DATE 2/1/99



- NOTES**
- ALL BEARINGS REFER TO TRUE NORTH AS SHOWN ON A PLAN ENTITLED "TURNPIKE INDUSTRIAL PARK - PLOT PLAN" DATED NOVEMBER 1988 AND RECORDED AT THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS IN PLAN BOOK 34, PAGE 120.
 - ALL BOOK AND PAGE NUMBERS REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS.
 - SOURCE DEED - SEE DEED OF GORDON E. MILLS TO LEWISTON INDUSTRIAL PARK, INC. DATED DECEMBER 30, 1986 RECORDED AT SAID REGISTRY IN BOOK 2034, PAGE 19. ALSO SEE DEED OF SOUTH PARK DEVELOPMENT CORPORATION DATED SEPTEMBER 20, 1986 RECORDED AT SAID REGISTRY IN BOOK 3678, PAGE 81.
 - TOTAL AREAS: LOTS 1 - 4 + DET. POND 2 = 23.18 ACRES
 LOT 5 = 14.02 ACRES
 TOTAL AREA = 37.20 ACRES
 - REFERENCE IS MADE TO THE FOLLOWING PLANS:
 A) "STANDARD BOUNDARY PLAN - TURNPIKE INDUSTRIAL PARK" DATED MARCH 1988 PREPARED BY WOODARD & CURRAN, INC. JOB NO. 81194/01
 B) "STANDARD BOUNDARY SURVEY OF LAND OF CLAIRE E. RICHARD" DATED AUGUST 12, 1932 RECORDED AT SAID REGISTRY IN PLAN BOOK 31, PAGE 8.
 C) "STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP" DATED JANUARY 1989 RECORDED AT SAID REGISTRY IN PLAN BOOK 36 PAGES 75 AND 80.
 D) CENTRAL MAINE POWER COMPANY POLE LINE MAPS FOR SECTION 202 AND SECTION 15. PARTIAL COPIES WERE OBTAINED FROM THE C.M.P. REAL ESTATE DIVISION.
 E) SUBDIVISION PLAN, REVISION 1, TURNPIKE INDUSTRIAL PARK DATED JUNE 10, 1991, RECORDED AT THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS IN PLAN BOOK 39, PAGE 150.
 - THIS PLAN WAS PREPARED UNDER THE SUPERVISION OF TECHNICAL SERVICES, INC.
 - SEE SURVEYOR'S REPORT DATED MARCH 30, 1995 ON FILE AT TECHNICAL SERVICES, INC.
 - THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR LAND SURVEYORS STANDARDS FOR A STANDARD BOUNDARY SURVEY, CONDITION 1 WITH THE EXCEPTION NOTED BELOW AND MONUMENTATION WHICH WILL BE SET UPON AUTHORIZATION OF AND PAYMENT BY OUR CLIENT.
 - THE ABOVE SURVEY CERTIFICATION DOES NOT EXTEND TO THE AREAS DEPICTED ON THIS PLAN AS REMAINING LAND OF LEWISTON INDUSTRIAL PARK, INC. THE PURPOSE OF INCLUDING THESE AREAS ON THIS PLAN IS TO VOID OR ELIMINATE THE LOTS AND PROPOSED STREETS WITHIN THIS AREA AS THEY WERE SHOWN ON THE PLAN REFERENCED IN NOTE 1.
 - COTTAGE ROAD RIGHT OF WAY AS SHOWN IS BASED ON THE PLAN REFERENCED IN NOTE 1. THE LOCATION SHOWN IS RELOCATION AND WIDENING OF THE COTTAGE ROAD RIGHT OF WAY. THE LEGAL STATUS OF THIS NEW LOCATION AND WIDTH HAS NOT BEEN DETERMINED BY THIS SURVEY.
 - WETLAND DELINEATION WAS PERFORMED BY WOODLOT ALTERNATIVES, INC. IN 1993.
 - THE PURPOSE OF THIS PLAN IS TO AMEND THE "REVISION 1" PLAN REFERENCED IN NOTE 5E BY REPLACING LOTS 5, 6, 8, 9, 10 + INDEPENDENCE DRIVE WITH ONE PARCEL LABELED "LOT 5".

LEGEND

■	5" x 5" GRANITE MONUMENT FOUND (P.L.S. #341)
□	MONUMENT TO BE SET WITH SURVEYOR I.D. CAP
⊗	IRON PIPE OR ROD FOUND
⊙	CAPPED 5/8" IRON ROD FOUND (P.L.S. #341)
○	5/8" IRON ROD TO BE SET WITH SURVEYOR I.D. CAP
⊖	SEWER MANHOLE
—○—	UTILITY POLE WITH OVERHEAD WIRES
—	STONE WALL
—○—	POWER LINE STRUCTURE WITH OVERHEAD WIRES
—x—	WIRE FENCE REMNANTS
—o—	BOX WIRE FENCE
—	UNDERGROUND PIPELINE (APPROX. LOCATION)
1824/121	BOOK AND PAGE NUMBER
N/F	NOW OR FORMERLY
R/W	RIGHT OF WAY
⊕	HYDRANT
⊕	WETLAND AREA
▨	PAVED AREA



Technical Services, Inc.
 NOT VALID UNLESS
 EMBOSSED HERE

**SUBDIVISION PLAN
 REVISION 2
 TURNPIKE INDUSTRIAL PARK**
 COTTAGE ROAD LEWISTON, MAINE
 ANDROSCOGGIN COUNTY
 PREPARED FOR
LEWISTON DEVELOPMENT CORP.
 37 PARK STREET P.O. BOX #188 LEWISTON, MAINE 04243-1188

TSI TECHNICAL SERVICES, INC.
 SURVEYORS AND LAND USE CONSULTANTS
 RR #1 BOX #128 TURNER, ME 04282

DATE: DECEMBER 1998 DRAWN BY: KRF FIELD BK: 378,335,334 SHEET
 JOB NUMBER: 90094B APPROVED BY: HFG CADD: 90094B2.DWG 1 OF 1

CURVE DATA
 C-1 & C-2
 R = 15.00'
 L = 23.56'
 Δ = 90°00'

N/F
 ROLAND & LUCIENNE
 GOUPIL
 1346/110



Stoneybrook Consultants, Inc.

456 Buckfield Road
Turner, Maine 04282
(207) 514-7491 voice
(207) 514-7492 fax

October 23, 2013

David Hediger, City Planner
Department of Planning & Code Enforcement
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201

Re: Project Modification - Lot 5
Turnpike Industrial Park

Dear David:

On behalf of GRE, LLC (GRE), please accept the following as our response to staff review comments related to our Revised Subdivision Plan for Lot 5 of the Turnpike Industrial Park.

Hediger Memo - October 17, 2013

1. Article XIII, Section 4

(a) Utilization of the site - This project proposes to split an existing 14 acre parcel that is already developed. Lot 5A, the area to be split from the larger Lot 5, contains 1.50 acres and is currently unoccupied and undeveloped. The sole purpose of this plan is to allow this area to be conveyed in order to provide a future access road for development of an abutting parcel. A new access for the abutting parcel is necessary because planned improvements to Exit 80 of the Maine Turnpike will eliminate the existing access for the abutting parcel.

(b) Traffic movements - This project will not generate any new traffic movements at this time. In the future, once the development potential of the abutting parcel is known and tenants for that property have been determined, a new application for development review with detailed studies for traffic will be prepared and submitted. No development will occur on this lot until local or State approvals have been secured.

(c) Access to the site - No access to this site is proposed at this time.

(d) Internal vehicular circulation - No vehicular movements on this site are proposed at this time.

(e) Pedestrian circulation - No pedestrian movements on this site are proposed at this time.

(f) Stormwater management - No development is proposed. Therefore, there is no need for stormwater management at this time.

(g) Erosion control - No development is proposed. Therefore, erosion will not occur.

(h) Water supply - No water supply is proposed.

(i) Sewer disposal - No sewer disposal is proposed.

(j) Utilities - No utility services are proposed.

(k) Natural features - No natural features will be disturbed with this proposal at this time.

(l) Groundwater protection - No development of this site is proposed. Therefore, there will be no impact on the groundwater.

(m) Water and air pollution - There will be no water or air pollution with this project because no development is proposed.

- (n) Exterior lighting - No exterior lighting is proposed.
- (o) Waste disposal - There will be no waste of any kind generated by this proposal.
- (p) Lot layout - Both lots shown meet all dimensional requirements of the zoning ordinance.
- (q) Landscaping - No development of this lot is proposed. Therefore, no landscaping is proposed at this time.
- (r) Shoreland relationship - There are no shoreland zone areas abutting or adjacent to this project.
- (s) Open space - This is not a residential project and there are no open space areas proposed with this project.
- (t) Technical and financial capacity - There are no improvements proposed. Therefore, no funds will be required. The application and plans have been prepared by professionals qualified to perform this work.
- (u) Buffering - All development in this area is industrial. There is no buffering required for this project.
- (v) Compliance with district regulations - Both lots meet all of the requirements of Article XI, Section 15.
- (w) Design consistent with performance standards - Not applicable. There are no improvements proposed.

Article XIII, Section 5

- (1) This project will not result in undue water or air pollution.
- (2) There is sufficient water available through the City water service.

- (3) This project will not cause an unreasonable burden on the City water system.
- (4) This project will not cause any erosion or reduction of the land to hold water.
- (5) This project will not cause unreasonable congestion or unsafe conditions on the highway or public road systems.
- (6) This project can provide sewage waste disposal with connection to the public sewer system.
- (7) This project will not cause an unreasonable burden on the ability of the municipality to dispose of solid waste or sewage.
- (8) This project will not have an undue adverse effect on scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas or impact any public rights for physical or visual access to a shoreline area.
- (9) This project is in conformance with the zoning code and the City's comprehensive plan.
- (10) The subdivider has adequate financial and technical capacity to above stated standards.
- (11) This project is not located within 250' of any pond, lake, river or tidal waters and will not adversely affect the quality of water or unreasonably affect the shoreline of any body of water.
- (12) This project will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.

(13) This project is not located in a 100-year flood hazard area based upon the current Flood Insurance Rate Maps, community panel #23001C 0333 E.

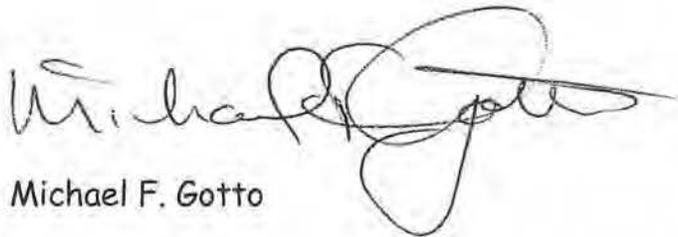
(14) This project will not interfere unreasonably with solar access of existing buildings or adjacent parcels.

2. We have attached a development review application and checklist.
3. Wetland areas based upon the prior approved plans have been added to the project plan.
4. No response required.

I trust you will find this information acceptable. I will plan to attend the Planning Board meeting scheduled for October 28th to answer any additional questions that you may have.

Respectfully Yours

STONEBROOK CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read "Michael F. Gotto", with a large, stylized flourish at the end.

Michael F. Gotto

cc: David Gendron
John Gendron

PROJECT DATA

The following information is required where applicable, in order to complete the application

IMPERVIOUS SURFACE AREA/RATIO

	Lot 5	Lot 5A
Existing Total Impervious Area	202,608	0 sq. ft.
Proposed Total Paved Area	97,841	0 sq. ft.
Proposed Total Impervious Area	202,608	0 sq. ft.
Proposed Impervious Net Change	0	0 sq. ft.
Impervious surface ratio existing	33%	0 % of lot area
Impervious surface ratio proposed	37%	0 % of lot area

BUILDING AREA/LOT COVERAGE

Existing Building Footprint	104,767	0 sq. ft.
Proposed Building Footprint	104,767	0 sq. ft.
Proposed Building Footprint Net change	0	0 sq. ft.
Existing Total Building Floor Area	104,767	0 sq. ft.
Proposed Total Building Floor Area	104,767	0 sq. ft.
Proposed Building Floor Area Net Change	0	0 sq. ft.
New Building	no	(yes or no)
Building Area/Lot coverage existing	17%	0 % of lot area
Building Area/Lot coverage proposed	19%	0 % of lot area

ZONING

Existing		
Proposed, if applicable		

LAND USE

Existing		Vacant
Proposed		Vacant

RESIDENTIAL, IF APPLICABLE

Existing Number of Residential Units		0
Proposed Number of Residential Units		0
Subdivision, Proposed Number of Lots		

PARKING SPACES

Existing Number of Parking Spaces		0
Proposed Number of Parking Spaces		0
Required Number of Parking Spaces		0
Number of Handicapped Parking Spaces		0

ESTIMATED COST OF PROJECT

		0
--	--	---

DELEGATED REVIEW AUTHORITY CHECKLIST

SITE LOCATION OF DEVELOPMENT AND STORMWATER MANAGEMENT

Existing Impervious Area	202,608	0 sq. ft.
Proposed Disturbed Area	0	0 sq. ft.
Proposed Impervious Area	202,608	0 sq. ft.

1. *If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with MDEP.*
2. *If the proposed impervious area is greater than one acre including any impervious area crated since 11/16/05, then the applicant shall apply for a MDEP Stormwater Management Permit, Chapter 500, with the City.*
3. *If total impervious area (including structures, pavement, etc) is greater than 3 acres since 1971 but less than 7 acres, then the applicant shall apply for a Site Location of Development Permit with the City. If more than 7 acres then the application shall be made to MDEP unless determined otherwise.*
4. *If the development is a subdivision of more than 20 acres but less than 100 acres then the applicant shall apply for a Site Location of Development Permit with the City. If more than 100 acres then the application shall be made to MDEP unless determined otherwise.*

TRAFFIC ESTIMATE

Total traffic estimated in the peak hour-existing (Since July 1, 1997) N/A passenger car equivalents (PCE)

Total traffic estimated in the peak hour-proposed (Since July 1, 1997) _____ passenger car equivalents (PCE)
 If the proposed increase in traffic exceeds 100 one-way trips in the peak hour then a traffic movement permit will be required.

Zoning Summary

1. Property is located in the Industrial zoning district.
 2. Parcel Area: 1.5 acres / _____ square feet(sf).

Regulations	Required/Allowed	Provided
Min Lot Area	40,000	1.5 acres
Street Frontage	100'	398.07'
Min Front Yard	25'	N/A
Min Rear Yard	10'	N/A
Min Side Yard	10'	N/A
Max. Building Height	100'	N/A
Use Designation	Industrial	Industrial
Parking Requirement	1 space/ per _____ square feet of floor area	
Total Parking:	/	0
Overlay zoning districts (if any):	/ /	
Urban impaired stream watershed?	YES <input checked="" type="radio"/> NO <input type="radio"/> If yes, watershed name: _____	

DEVELOPMENT REVIEW APPLICATION SUBMISSION

Submission shall include payment of fee and fifteen (15) complete packets containing the following materials:

1. Full size plans containing the information found in the attached sample plan checklist.
2. Application form that is completed and signed.
3. Cover letter stating the nature of the project.
4. All written submittals including evidence of right, title and interest.
5. Copy of the checklist completed for the proposal listing the material contained in the submitted application.

Refer to the application checklist for a detailed list of submittal requirements.

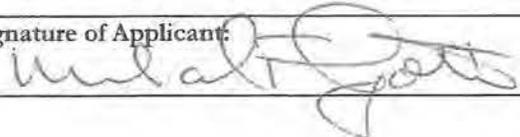
L/A's development review process and requirements have been made similar for convenience and to encourage development. Each City's ordinances are available online at their prospective websites:

Auburn: www.auburnmaine.org, under City Departments/ Planning and Permitting/Land Use Division/Zoning Ordinance

Lewiston: <http://www.ci.lewiston.me.us/clerk/ordinances.htm>. Refer to Appendix A of the Code of Ordinances

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, I certify that the City's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for development review only; a Performance Guarantee, Inspection Fee, Building Permit Application and other associated fees and permits will be required prior to construction.

Signature of Applicant: 	Date: 10/23/13
---	----------------

Development Review Checklist
 City of Auburn Planning and Permitting Department
 City of Lewiston Department of Planning and Code
 Enforcement



**THE FOLLOWING INFORMATION IS REQUIRED WHERE APPLICABLE TO BE
 SUBMITTED FOR AN APPLICATION TO BE COMPLETE**

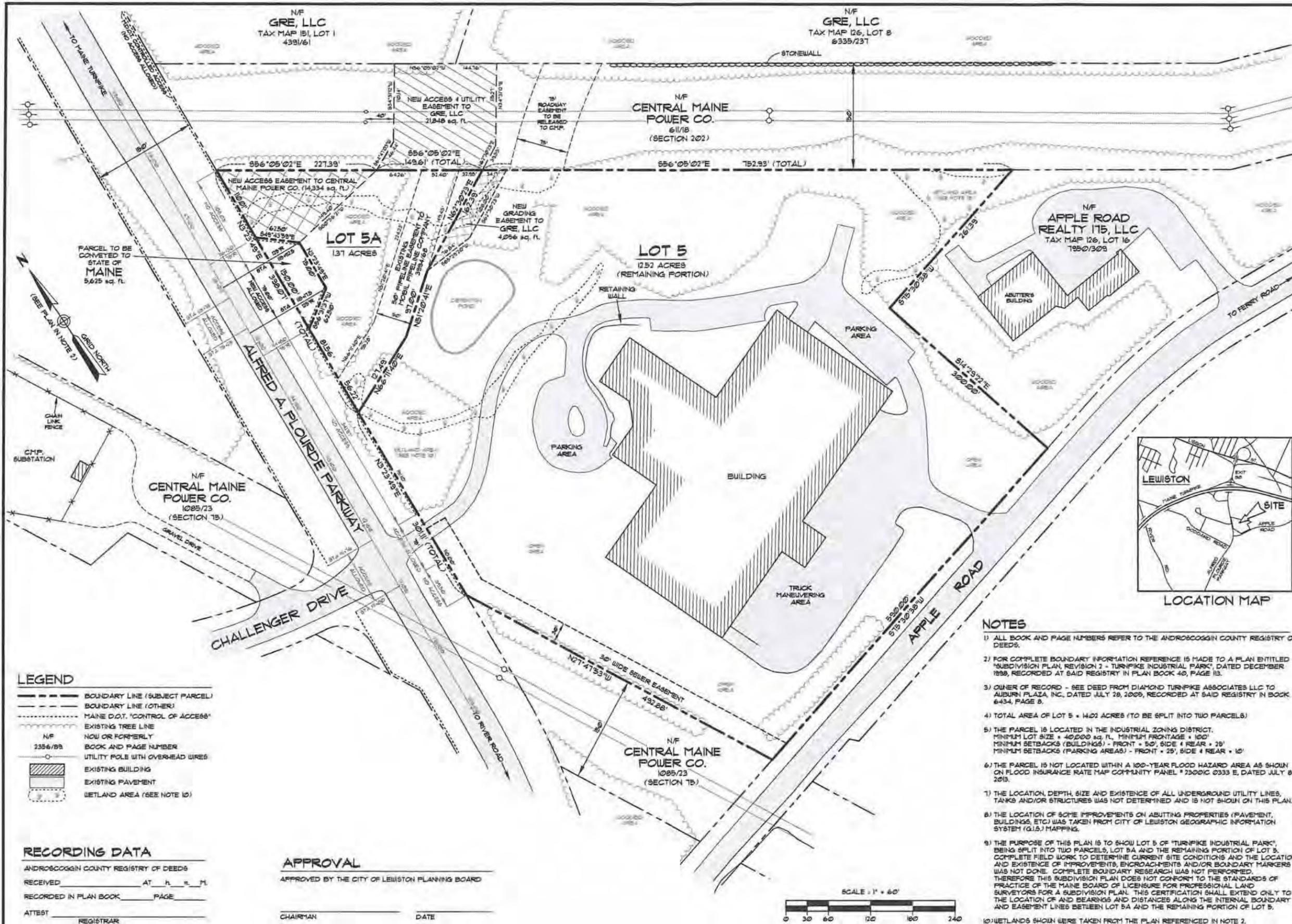
PROJECT NAME: Lot 5 - Turnpike Industrial Park

PROPOSED DEVELOPMENT ADDRESS and PARCEL #: 92 Alfred A. Plourde Parkway, 153/19

Required Information		Check Submitted		Applicable Ordinance	
		Applicant	Staff	Lewiston	Auburn
Site Plan					
	Owner's Names/Address	✓			
	Names of Development	✓			
	Professionally Prepared Plan	✓			
	Tax Map or Street/Parcel Number	✓			
	Zoning of Property	✓			
	Distance to Property Lines	✓			
	Boundaries of Abutting land	✓			
	Show Setbacks, Yards and Buffers	N/A			
	Airport Area of Influence (Auburn only)				
	Parking Space Calcs	N/A			
	Drive Openings/Locations	N/A			
	Subdivision Restrictions	None			
	Proposed Use				
	PB/BOA/Other Restrictions				
	Fire Department Review				
	Open Space/Lot Coverage	✓			
	Lot Layout (Lewiston only)	✓			
	Existing Building (s)	✓			
	Existing Streets, etc.	✓			
	Existing Driveways, etc.	✓			
	Proposed Building(s)	✓			
	Proposed Driveways	✓			
Landscape Plan		N/A			
	Greenspace Requirements				
	Setbacks to Parking				
	Buffer Requirements				
	Street Tree Requirements				
	Screened Dumpsters				
	Additional Design Guidelines				

	Planting Schedule				
Stormwater & Erosion Control Plan					
	Compliance w/ chapter 500	N/A			
	Show Existing Surface Drainage				
	Direction of Flow				
	Location of Catch Basins, etc.				
	Drainage Calculations				
	Erosion Control Measures				
	Maine Construction General Permit				
	Bonding and Inspection Fees				
	Post-Construction Stormwater Plan				
	Inspection/monitoring requirements				
	Third Party Inspections (Lewiston only)				
Lighting Plan		N/A			
	Full cut-off fixtures				
	Meets Parking Lot Requirements				
Traffic Information		N/A			
	Access Management				
	Signage				
	PCE - Trips in Peak Hour				
	Vehicular Movements				
	Safety Concerns				
	Pedestrian Circulation				
	Police Traffic				
	Engineering Traffic				
Utility Plan		N/A			
	Water				
	Adequacy of Water Supply				
	Water main extension agreement				
	Sewer				
	Available city capacity				
	Electric				
	Natural Gas				
	Cable/Phone				
Natural Resources					
	Shoreland Zone				
	Flood Plain				
	Wetlands or Streams	✓			
	Urban Impaired Stream				
	Phosphorus Check				
	Aquifer/Groundwater Protection				
	Applicable State Permits				
	No Name Pond Watershed (Lewiston only)				

	Lake Auburn Watershed (Auburn only)				
	Taylor Pond Watershed (Auburn only)				
Right Title or Interest					
	Verify	✓			
	Document Existing Easements, Covenants, etc.				
Technical & Financial Capacity					
	Cost Est./Financial Capacity	✓			
	Performance Guarantee				
State Subdivision Law					
	Verify/Check	✓			
	Covenants/Deed Restrictions	N/A			
	Offers of Conveyance to City	None			
	Association Documents	N/A			
	Location of Proposed Streets & Sidewalks	N/A			
	Proposed Lot Lines, etc.	✓			
	Data to Determine Lots, etc.	✓			
	Subdivision Lots/Blocks	N/A			
	Specified Dedication of Land	N/A			
Additional Subdivision Standards		N/A			
	Single-Family Cluster (Lewiston only)				
	Multi-Unit Residential Development (Lewiston only)				
	Mobile Home Parks				
	Private Commercial or Industrial Subdivisions (Lewiston only)				
	PUD (Auburn only)				
A jpeg or pdf of the proposed site plan					
Final sets of the approved plans shall be submitted digitally to the City, on a CD or DVD, in AutoCAD format R 14 or greater, along with PDF images of the plans for archiving					



LEGEND

	BOUNDARY LINE (SUBJECT PARCEL)
	BOUNDARY LINE (OTHER)
	MAINE D.O.T. "CONTROL OF ACCESS"
	EXISTING TREE LINE
	NOW OR FORMERLY
	BOOK AND PAGE NUMBER
	UTILITY POLE WITH OVERHEAD WIRES
	EXISTING BUILDING
	EXISTING PAVEMENT
	WETLAND AREA (SEE NOTE 10)

RECORDING DATA

ANDROSCOGGIN COUNTY REGISTRY OF DEEDS

RECEIVED _____ AT _____ H. _____ M.

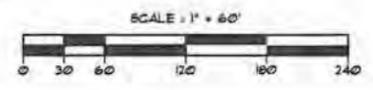
RECORDED IN PLAN BOOK _____ PAGE _____

ATTEST _____ REGISTRAR

APPROVAL

APPROVED BY THE CITY OF LEWISTON PLANNING BOARD

CHAIRMAN _____ DATE _____



- NOTES**
- ALL BOOK AND PAGE NUMBERS REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS.
 - FOR COMPLETE BOUNDARY INFORMATION REFERENCE IS MADE TO A PLAN ENTITLED "SUBDIVISION PLAN, REVISION 2 - TURNPIKE INDUSTRIAL PARK", DATED DECEMBER 1998, RECORDED AT SAID REGISTRY IN PLAN BOOK 40, PAGE 13.
 - OWNER OF RECORD - SEE DEED FROM DIAMOND TURNPIKE ASSOCIATES LLC TO AUBURN PLAZA, INC., DATED JULY 28, 2009, RECORDED AT SAID REGISTRY IN BOOK 6434, PAGE 8.
 - TOTAL AREA OF LOT 5 = 1402 ACRES (TO BE SPLIT INTO TWO PARCELS)
 - THE PARCEL IS LOCATED IN THE INDUSTRIAL ZONING DISTRICT. MINIMUM LOT SIZE = 40,000 sq. ft., MINIMUM FRONTAGE = 100'. MINIMUM SETBACKS (BUILDINGS) - FRONT = 50', SIDE & REAR = 25'. MINIMUM SETBACKS (PARKING AREAS) - FRONT = 25', SIDE & REAR = 10'.
 - THE PARCEL IS NOT LOCATED WITHIN A 100-YEAR FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL # 23001C 0333 E, DATED JULY 8, 2013.
 - THE LOCATION, DEPTH, SIZE AND EXISTENCE OF ALL UNDERGROUND UTILITY LINES, TANKS AND/OR STRUCTURES WAS NOT DETERMINED AND IS NOT SHOWN ON THIS PLAN.
 - THE LOCATION OF SOME IMPROVEMENTS ON ADJUTING PROPERTIES (PAVEMENT, BUILDINGS, ETC) WAS TAKEN FROM CITY OF LEWISTON GEOGRAPHIC INFORMATION SYSTEM (GIS) MAPPING.
 - THE PURPOSE OF THIS PLAN IS TO SHOW LOT 5 OF "TURNPIKE INDUSTRIAL PARK", BEING SPLIT INTO TWO PARCELS, LOT 5A AND THE REMAINING PORTION OF LOT 5. COMPLETE FIELD WORK TO DETERMINE CURRENT SITE CONDITIONS AND THE LOCATION AND EXISTENCE OF IMPROVEMENTS, ENCROACHMENTS AND/OR BOUNDARY MARKERS WAS NOT DONE. COMPLETE BOUNDARY RESEARCH WAS NOT PERFORMED. THEREFORE THIS SUBDIVISION PLAN DOES NOT CONFORM TO THE STANDARDS OF PRACTICE OF THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS FOR A SUBDIVISION PLAN. THIS CERTIFICATION SHALL EXTEND ONLY TO THE LOCATION OF AND BEARINGS AND DISTANCES ALONG THE INTERNAL BOUNDARY AND EASEMENT LINES BETWEEN LOT 5A AND THE REMAINING PORTION OF LOT 5.
 - WETLANDS SHOWN WERE TAKEN FROM THE PLAN REFERENCED IN NOTE 2.

PREPARED FOR:		GRE, LLC	
P.O. BOX 1913		LEWISTON, MAINE 04249-1913	
SCALE: 1" = 60'		DRAWN BY: PLAN-IT	
DATE: JULY 8, 2013		APPR. BY: MEG	
PROJECT: 13-12		CADD FILE: 13-12 SUB	
NO.		REVISION	
3	ADD WETLANDS, NOTE 10 & 6	10-31-13	
2	ADD STATIONING TO NEW ACCESS	8-28-13	
1	PARCEL TO STATE OF MAINE	8-20-13	
TITLE:		REVISION 3	
PLANIT MAPPING		TURNPIKE INDUSTRIAL PARK	
488 MAIN STREET		ALFRED A. FLOURDE PARKWAY - LEWISTON, ME	
LEWISTON, MAINE		LOT 5 - SUBDIVISION PLAN	
planitmapping.com		SEE NOTE 9	
STATE OF MAINE		REGISTERED PROFESSIONAL SURVEYOR	
SHEET NUMBER		1	



CITY OF LEWISTON

Department of Planning & Code Enforcement



TO: Planning Board
FROM: David Hediger, City Planner
DATE: February 15, 2013
RE: February 25, 2013 Planning Board Agenda Item IV(d)

A petition submitted by Stoneybrook Consultants, Inc. on behalf of John F. Murphy Homes (JMH) to rezone the property at 5 Memorial Drive from the Medium Density Residential (MDR) district to the Highway Business (HB) district.

Stoneybrook Consultants, Inc. on behalf of John F. Murphy Homes (JMH) has submitted a petition pursuant to Article VII, Section 4 and Article XVII, Section 5 to rezone the property at 5 Memorial Drive from the Medium Density Residential (MDR) district to the Highway Business (HB) district to allow places of indoor assembly, amusement or culture and academic uses as a permitted use in support of JMH's interest in developing the property.

This property of approximately 23 acres is located at the end of Memorial Drive. The lot is split zoned with approximately 2.10 acres located in the HB district. The remaining portion is zoned MDR and Resource Conservation (RC). The petitioner request is to rezone that remaining MDR portion to HB. The RC would remain unchanged. About half of the property currently abuts the HB district running parallel to Main Street. The other half abuts an existing MDR district, the Androscoggin River, and Stetson Brook. The MDR zoned land abutting 5 Memorial Drive consists of one-single family dwelling at 86 Northwoods Road and the Androscoggin Land Trust's Rancourt Preserve.

The petition is to rezone the property to HB so that JMH may purchase the property and develop the site with an indoor recreation facility with pools, gym and meeting rooms. The facility would be available to the public. JMH may also develop facilities to accommodate many school programs current offered by JMH at other locations. The MDR district does allow places of indoor assembly, amusement or culture. It does academic institutions as a conditional use. Rezoning the land to HB will allow both uses as a permitted use. Rezoning the property will eliminate an existing split zoned property and expand upon an abutting HB district in support of providing adequate land area for JMH to develop the multiple uses and services they are interested in providing.

The petitioner has made reference to the comprehensive plan in support of the request. They have also expressed interest in working with the City and the Land Trust in expanding the existing trail network and recreational opportunities along the river should the rezoning pass and upon seeking development review of the site in the future.

ACTIONS NECESSARY

1. Make a motion to consider a petition submitted by petition submitted by Stoneybrook Consultants, Inc. on behalf of John F. Murphy Homes (JMH) to rezone the property at 5 Memorial Drive from the Medium Density Residential (MDR) district to the Highway Business (HB) district.;
2. Obtain input on the petition;
3. Make a motion pursuant to Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation for the City Council's consideration to rezone the property at 5 Memorial Drive from the Medium Density Residential (MDR) district to the Highway Business (HB) district, subject to any concerns raised by the Planning Board or staff.

Land Use Table: All Zoning Districts	Medium Density Residential (MDR)	Highway Business (HB)
USES(15)(33)		
Accessory use or structure	P	P
Commercial-Service		
Veterinary facilities excluding kennels and humane societies		P
Veterinary facilities including kennels and humane societies		
Small day care facilities	P(22)	P
Day care centers		P
Day care centers accessory to public schools, religious facilities, multifamily or mixed res. developments, and mobile home parks	C(22)	
Business and professional offices including research, experimental, testing laboratories, engineering, research, management and related services		P
Restaurants		P(26)
Drinking places		C
Adult business establishments		
Hotels, motels, inns		P
Movie theaters except drive-in theaters		P
Places of indoor assembly, amusement or culture		P
Art and crafts studios		P
Personal Services		P
Retail stores		P
Neighborhood retail stores	C(21)	
Lumber and building materials dealer		P
Gasoline service stations		P
Gasoline service stations which are a part of and subordinate to a retail use		P
New and used car dealers		P
Recreational vehicle, mobile home dealers		P
Equipment dealers and equipment repair		C
Automotive services including repair		P
Registered dispensary(27)		C
Registered primary caregivers engaged in the cultivations of medical marijuana for two to five registered patients.		P
Tattoo Establishments		C
Industrial		
Light industrial uses		P(9)
Industrial uses		
Building and construction contractors		P(6)

Land Use Table: All Zoning Districts	Medium Density Residential (MDR)	Highway Business (HB)
Fuel oil dealers and related facilities		
Wholesale sales, warehousing and distribution facilities and self-storage facilities		P
Self storage facilities		
Commercial solid waste disposal facilities		
Junkyards and auto graveyards		
Recycling and reprocessing facilities		
Private industrial/commercial developments(23)		P
Transportation		
Airports or heliports		
Commercial parking facilities		P
Transit and ground transportation facilities		
Transportation facilities		P
Public and Utility		
Pumping stations, standpipes or other water supply uses involving facilities located on or above the ground surface and towers for municipal use	P	P
Power transmission lines, substations, telephone exchanges, microwave towers or other public utility or communications use	C	C
Municipal buildings and facilities	C	P
Preservation of historic areas; emergency and fire protection activities; bridges and public roadways		
Dams		
Institutional		
Religious facilities	P	P
Cemeteries	P	
Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities	C	P
Hospitals, medical clinics,		P
Museums, libraries, and non-profit art galleries and theaters		
Academic institutions, including buildings or structures for classroom, administrative, laboratory, dormitories, art, theater, dining services, library, bookstores, athletic facilities and student recreational uses, together with buildings accessory to the foregoing permitted principal buildings or structures,	C(13)	P
Civic and social organizations		

Land Use Table: All Zoning Districts	Medium Density Residential (MDR)	Highway Business (HB)
Public community meeting and civic function buildings including auditoriums		
Residential(8)		
Single-family detached dwellings on individual residential lots	P	
Mobile homes on individual residential lots	P(35)	
Two-family dwellings	P	P(14)
Multifamily dwellings in accordance with the standards of Article XIII	P(34)	
Single-Family attached dwelling in accordance with the standards of Article XIII	P(34)	
Mixed single-family residential developments in accordance with the standards of Article XIII	P	
Mixed residential developments in accordance with the standards of Article XIII	P	
Mixed use structures		P
Lodging houses		
Home occupations	P	
Bed and breakfast establishments as a home occupation	P	P
In-law apartments in accordance with the standards of Article XII	P	
Single family cluster development	P	
Family day care home	P	P
Shelters		
Natural Resource		
Agriculture		
Farm Stands		
Forest management and timber harvesting activities in accordance with the standards of Article XIII	P	P
Earth material removal		
Community gardens(20)	P	P
Water dependent uses, e.g. docks and marinas		
Non-residential structures for educational, scientific or nature interpretation purposes, containing a maximum floor area of not more than ten thousand (10,000) square feet		
Recreation		
Campgrounds		
Public or private facilities for nonintensive outdoor recreation	C	

Land Use Table: All Zoning Districts	Medium Density Residential (MDR)	Highway Business (HB)
Commercial outdoor recreation and drive-in theaters		C
Fitness and recreational sports centers as listed under NAICS Code 713940		



Stoneybrook Consultants, Inc.

456 Buckfield Road
Turner, Maine 04282
(207) 514-7491 voice
(207) 514-7492 fax

October 9, 2013

David Hediger, City Planner
Department of Planning & Code Enforcement
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201

Re: John F. Murphy Homes
5 Memorial Avenue - Rezoning Request

Dear David:

On behalf of John F. Murphy Homes (JMH), I am pleased to provide the attached petitions requesting that the property located at 5 Memorial Avenue be rezoned from Medium Density Residential (MDR) to Highway Business (HB). JMH has a purchase/sales agreement to buy this property and hopes to develop the site with an indoor recreational use that is not allowed in the MDR district as we have discussed.

I hope you find this information acceptable for processing. Please let me know if you have any questions.

Respectfully Yours,

STONEBROOK CONSULTANTS, INC.

Michael F. Gotto

cc: Peter Kowalski

AN ORDINANCE PERTAINING TO THE ZONING AND LAND USE CODE

THE CITY OF LEWISTON HEREBY ORDAINS:

Appendix A of the Code of Ordinances of the City of Lewiston, Maine is hereby amended as follows:

APPENDIX A

ZONING AND LAND USE CODE

ARTICLE IV. ESTABLISHMENT OF DISTRICTS

Section 1. Zoning Map.

The "Official Zoning Map, City of Lewiston," adopted pursuant to this section, is hereby amended by rezoning a portion of property located at 5 Memorial Avenue, more fully shown on Exhibit "A" attached hereto, from Medium Density Residential (MDR) to Highway Business (HB).

REASONS FOR THE PROPOSED AMENDMENT

The petitioner, John F. Murphy Homes (JMH), plans to purchase the properties located at 3 & 5 Memorial Avenue to create a campus for its facilities. All of 3 Memorial Avenue and a portion of 5 Memorial Avenue is currently zoned HB. Key to the purchase and development of this site for JMH is their ability to construct an indoor recreational facility, open for public use, with heated pool(s), gym and public meeting rooms. With a total of about 23 acres, this property would support such a facility and an expansion of the many school programs offered by JMH if both lots are located entirely within the HB district. There is not enough room on the property to support the recreational facilities alone with the current district boundaries. This proposal would also place all of the property located at 5 Memorial Avenue in the same district, instead of the current mapping which divides the parcel.

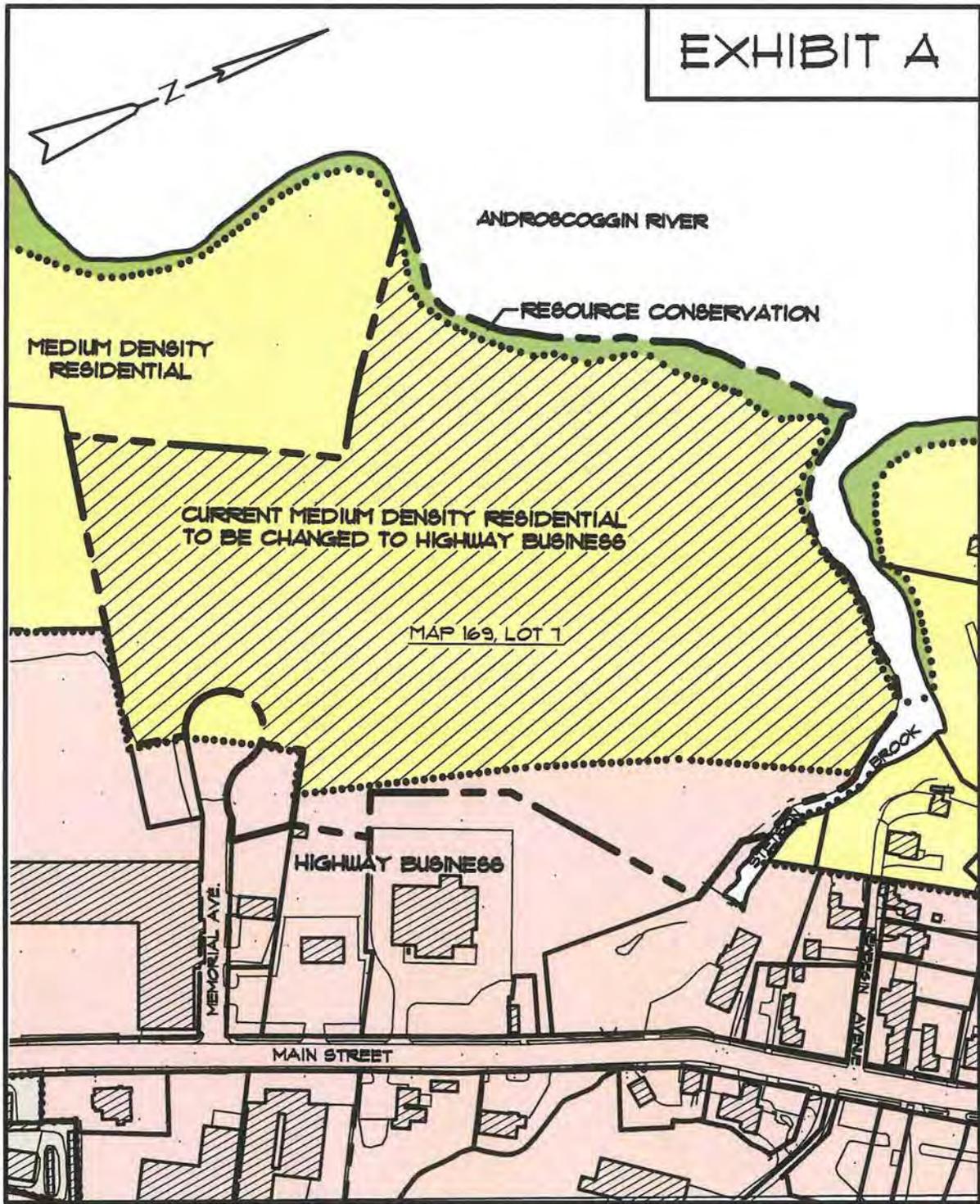
CONFORMANCE WITH THE COMPREHENSIVE PLAN

The proposal is in conformance with the Comprehensive Plan, because it:

1. Promotes the orderly growth and development of the appropriate areas of the City while making efficient use of public services . . . (Land Use, Goals, #1, page 123). All utility services available on Memorial Avenue and will not need to be extended to serve this site. The property is located on Memorial Avenue about 500' from the major Main Street travel corridor and the intersection of these two streets has been found to be suitable for the proposed development of this site. Memorial Drive provides access to the rear of the Marden's shopping plaza and this site is adjacent to the Marden's Plaza and other commercial developments at Moody's Collision Center and Reggie's Car Mart.

2. Utilizes those land use polices that were established in the 1988 Comprehensive Land Use Plan that remain valid to establish/revise zoning districts, and enact, revise, administer and enforce other ordinances and programs . . . (Land Use, Strategies, B, page 123).

EXHIBIT A



ZONING MAP AMENDMENT GRAPHIC

5 MEMORIAL AVENUE PROPERTY
APPLICANT: JOHN F. MURPHY HOMES
SCALE: NOT TO SCALE
DATE OF GRAPHIC: AUGUST 30, 2013
SOURCE: CITY OF LEWISTON GIS
PUBLICATION DATE: 2006 (WITH UPDATES)

Stoneybrook
Consultants, Inc.

PURCHASE AND SALE AGREEMENT

THIS AGREEMENT is made at Lewiston, Maine, this 9th day of ~~July~~^{Sept}, 2013,

BETWEEN

Atlantic Refinance, LLC, A Delaware Limited liability Company with a place of business in Portland, Maine, hereinafter referred to as Seller,

AND

John F. Murphy Homes, Inc, a Maine corporation with a place of business in Auburn, Maine, hereinafter referred to as Buyer.

RECITALS

A. Seller is the owner of the land situated off of Memorial Avenue and Main Street, in Lewiston, Maine, shown on Map 169 of the Assessor of the City of Lewiston as Lot 7& 8 and which is more particularly described in the deeds from ATL Holdings, LLC to Seller dated December 31, 2005 and recorded in the Androscoggin County Registry of Deeds in Book 7088, Page 253 and Book 7088, Page 221 (hereinafter referred to as the "Real Estate").

- B. Seller is desirous of selling same.
- C. Buyer is desirous of purchasing same.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants, agreements, and undertakings hereinafter expressed, the parties agree as follows:

SECTION 1: Purchase and Sale. Seller agrees to sell and Buyer agrees to purchase the Real Estate in accordance with the terms of this Agreement.

SECTION 2: Purchase Price. The purchase price for the acquisition of the Real Estate shall be ~~_____~~ Dollars (\$~~_____~~).

SECTION 3: Payment. The purchase price shall be paid in the following manner:

3.1 There shall be an initial down payment of ten Dollars (\$10.00), the receipt of which is hereby acknowledged.

3.2 The balance of the purchase price, [REDACTED] shall be paid at the Closing.

SECTION 4: Closing. The Closing shall take place at Buyer's election but not later than five o'clock (5:00) p.m., prevailing time, thirty (30) days after the expiration of the Inspection Period provided in Section 12 unless otherwise extended as provided below at the offices of Isaacson & Raymond, P.A., 75 Park Street, Lewiston, Maine, or such other place as the parties may mutually select.

SECTION 5: Conveyance and Payment.

5.1 Conveyance shall be made by Quitclaim Deed with Covenant conveying good marketable title to said Real Estate, in accordance with the standards adopted by the Maine Bar Association, free and clear of encumbrances, except for conventional utility easements and such restrictions as would not make the title unmarketable. The title shall also be insurable by any reputable title insurance company licensed to do business in the State of Maine. Seller will execute such affidavits as may appropriately be required by the applicable title insurance company to cause the deletion of the standard mechanics lien exception from the to-be-issued title insurance policy.

5.2 Buyer will make all payments by certified, cashier's or attorney trust account check.

SECTION 6: Taxes.* Real estate taxes assessed by the city of Lewiston, Maine, shall be prorated at the Closing.

SECTION 7: Buyer's Contingencies. Buyer may terminate Buyer's obligation to purchase hereunder and will be entitled to a refund of the initial down payment if any of the following contingencies occur:

7.1 Violations. There are existing violations of zoning ordinances or other laws, ordinances or restrictions applicable to the Premises.

7.2 Environmental. There are hazardous or toxic substances, underground storage tanks, or asbestos on the Premises as these terms are defined in Federal, State or local ordinances and regulations. Environmental examination and testing of the site revealing hazardous materials, toxic materials, contamination or other substances or materials on the property which would require further testing, mediation and/or monitoring, the result of which would or could negatively affect Buyer's development plans for the property.

7.3 Pending Claims. There are claims, demands, liabilities or actions pending or threatened against Seller or the Premises (including, without limitation, condemnation proceedings) which constitute or might ripen into a lien or claim against the real estate or which could prevent, prohibit, delay or interfere with Buyer's proposed use of the real estate or which could deprive Buyer of any portion thereof.

7.4 Marden Realty Option to Purchase. The Seller must provide Marden Realty by registered mail its notice to sell the former Memorial Park subdivision property in accordance with the option language set forth in the deed recorded in Book 995 and Page 105.

- 7.5 **Sewer and Drain Pipe Easements.** Verification by Buyer's consultants that the various sewer and drain pipe easements of record do not negatively impact the proposed use of the property as reasonably determined by Buyer.
- 7.6 **Gulf Island Spur.** Verification of the location of that strip of land sometimes referred to as the "Spur" or the "Gulf Island Spur", including but not limited to any rights over this strip which may have been reserved by CMP, and a determination by Buyer that its location or any of these reserved rights will not have an adverse impact on its development plans.
- 7.7 **Memorial Drive Completion.** Confirmation that the City will complete, at its cost, the improvements to Memorial Drive (including the turnaround that the current depiction of the road reflects but which was never built).
- 7.8 **Union Water Power Rights.** Verification reasonably satisfactory to Buyer that no adverse impact on the property or its intended use exists based upon a reference, found on an unrecorded Aliberti, LaRoche and Hodson plan of the area, to certain rights deriving from the Franklin Company to Union Water Power and thereafter to Lewiston Crushed Stone.
- 7.9 **Morrell Right of Way.** Confirmation that no adverse impact to the property or Murphy Homes' intended use results from (a) the location of a reserved right-of-way in favor of Abbie F. Morrell per her deed in Book 349, Page 485 and (b) the reservation to widen a certain road in favor of Lura Greenleaf per her deed in Book 843, Page 71.
- 7.10 **Pompilly Rights.** Verification that there is no adverse impact on the property or its potential use based upon a recital of certain rights held by Isaiah and Samuel Pompilly per deeds recorded in Book 171, Page 253 and Book 621, Page 328.
- 7.11 **Undischarged Liens.** That any recorded mortgage, lien, writ or other financial encumbrance filed against the property or Seller, arising between the date of the P&S and the closing, which cannot be fully satisfied and discharged by payment at closing from the purchase price, will permit Murphy Homes to terminate the agreement and receive immediate refund of any earnest money deposit.
- 7.12 **Zoning Changes.** Murphy Homes obtaining zoning changes from the City of Lewiston, which shall be final and unappealable, that it deems reasonably necessary for its intended business purposes.
- 7.13 **Wetlands.** That any wetlands on the site do not adversely impact Murphy Homes' intended use of the property or may result in potential costs which would render any project prohibitive as determined solely by Murphy Homes.

SECTION 8: Succession. This Agreement and the provisions herein shall be binding on the respective heirs, personal representatives, successors and assigns of Seller and Buyer.

SECTION 9: Miscellaneous.

9.1 Transfer Tax. State of Maine Transfer Taxes shall be paid one-half by Seller and one-half by Buyer in accordance with Maine Revised Statutes.

9.2 Entry. Buyer shall have the right to enter upon the Real Estate at reasonable times upon reasonable advance notice to Seller for the purpose of making studies for Buyer's proposed use.

9.3 Possession. At the time of Closing, Seller will deliver over exclusive possession of the Real Estate to Buyer, in the same condition as it now is, reasonable wear and tear excepted.

9.4 Brokers. Each party represents to the other that no real estate broker has been retained by the parties. Each party will defend and hold the other harmless from claims arising contrary to the party's said representations.

9.5 Time. Time is of the essence in all matters relating to this Agreement.

9.7 Disclaimer. The Premises are sold AS IS and WHERE IS. No warranties, guaranties or representations of any kind are made by Seller or Seller's agent, and all warranties are disclaimed with respect to the acreage, location and/or boundaries of the Premises or improvements thereon, title to the Premises, access to the Premises, environmental compliance, or its compliance with any applicable zoning or land use regulations, law, or ordinances.

9.8 Title Exceptions. Buyer shall examine the title to the Real Estate and report in writing any valid objections (hereafter "exceptions") thereto based on the Standards

adopted by the Maine State Bar Association. Any exceptions to the title which would be disclosed by examination of the records shall be deemed to have been accepted unless reported in writing at or prior to closing. If Buyer objects to any exceptions to the title, Seller shall may decide to attempt to remove such exceptions at Seller's own expense within ninety (90) days thereafter. But if, notwithstanding Seller's efforts, such exceptions cannot be removed within the said ninety (90) day time period, or such additional period as Buyer, in Buyer's sole discretion, may allow, Buyer may elect to terminate this Agreement. Buyer shall notify Seller of such election, in which case the down payment shall be returned to Buyer and the obligations of all parties under this Agreement shall thereupon terminate. Alternatively, Buyer may elect to purchase the Real Estate under the provisions of this Agreement subject to any such title exceptions which cannot be removed. If any such exception is a lien securing indebtedness of a definitely ascertainable amount, Buyer shall have the right to deduct the amount of such indebtedness from the purchase price payable at Closing.

9.9 Entire Agreement. This Agreement contains the entire and only agreement between the parties and no oral statements or representations or prior written matter not contained in this Agreement shall have any force and effect.

9.10 Governing Law. This Agreement and the transaction contemplated by it shall be governed by the laws of the State of Maine.

9.11 Notices. Any notices required by or useful under the terms of this Agreement shall be given, in the case of Seller, to:

James Hanley
50 Portland Pier, Ste. 400
Portland, ME 04101

With a copy to :
Daniel A. D'Auteuil, Jr.
Isaacson & Raymond, P.A.
P O Box 891
Lewiston, Me 04243-0891

and, in the case of Buyer, to:

Peter Kowalski
John F. Murphy Homes, Inc.
800 Center Street
Auburn, ME 04210

With a copy to:

Kim Visbaras
Visbaras Law, LLC
195 Center Street
Auburn, ME 04210

or such other persons and addresses as the appropriate party may hereafter designate. All such notices shall be sent certified mail, prepaid, deliver to addressee only.

9.12 Amendment. This Agreement may not be amended, modified or revoked except by a writing signed by the party against whom enforcement of the amendment, modification or revocation is sought.

9.13 Real Estate Withholding Tax. Seller shall provide Buyer at closing the following:

a. A resolution that the Seller by vote of its members has duly authorized the sale of the Real Estate.

b. An incumbency certificate from the Registered Agent identifying all of the members of the LLC, and listing a member or manager authorized to execute the documents.

C. An executed Form REW3

SECTION 10: Underground Fuel Storage Tank. Pursuant to the requirements of

Maine Law, the undersigned Seller discloses to Buyer that there (*check one*):

are no underground oil (or other fuel) storage facilities located on said Real Estate to the best of my/our knowledge.

is one or more underground oil (or other fuel) storage facility(ies) located on said property, that the registration number(s) of the facility(ies) is/are as follows: _____

_____, that the facility(ies) (*check one*):

has
 has not

been abandoned in place pursuant to 38 ME. REV. STAT. ANN. §566-A, and that the facility(ies) are subject to regulation, including registration requirements, by the State of Maine Department of Environmental Protection.

SECTION 11: Expenses. The parties hereto shall pay their own expenses, including, without limitation, fees and expenses of their agents, representatives, counsel, accountants, and other experts incidental to the preparation of this Agreement and the consummation of the transactions provided herein.

SECTION 12: Right to Inspect, Survey and Test. The Buyer is encouraged to seek information from professionals regarding any specific issue or concern. All inspections will be done by inspectors chosen and paid for by the Buyer. If the result of any inspection or other condition specified herein is reasonably unsatisfactory to the Buyer, Buyer may declare the contract null and void by notifying the Seller in writing within 90 days of the date of this agreement ("Inspection Period"), and any earnest money shall be returned to the Buyer. If the Buyer does not notify the Seller that an inspection is unsatisfactory within the time period set forth

above, this contingency is waived by the Buyer. In the absence of inspection(s) mentioned above, the Buyer is relying completely upon Buyer's own opinion as to the condition of the property.

Buyer may extend the Inspection Period for an additional 30 days upon written notice to Seller as provided in Section 9.11 and upon payment of an additional nonrefundable deposit of \$5,000.00.

SECTION 13: Environmental Testing. The Buyer, at the Buyer's expense, may perform or have performed on the Premises such reasonable and customary environmental testing as the Buyer or its financing lenders may require. Such test(s) shall be performed prior to the Closing Date and the method of testing approved by the Seller. The Seller permits the Buyer or its testing agent(s) full access to the Premises at a reasonable time and after reasonable notice in order to perform the required and approved testing, including the right to access the real estate by disturbing pavement and other portions of the improvements on the Premises. If the Buyer decides to continue with the purchase, the Buyer shall be wholly responsible for any remediation determined necessary as the result of such testing. Regardless of whether Buyer decides to continue to purchase the premises the Buyer shall be wholly responsible for any cost associated with restoring the Premises to the condition it was in prior to any such testing, which restoration shall occur prior to the Closing or within 30 days of termination of the Agreement. If Buyer chooses not to complete the remediation determined necessary, either party may terminate this agreement and the down payment shall be returned. Buyer shall provide Seller with copies of the results of all such tests. Seller acknowledges and consents to inspection already performed on the site by Buyer as follows:

1. Preliminary site investigation by Buyer's architect, builder and land use consultant
2. Preliminary survey work
3. Preliminary wetlands mapping and

4. Traffic assessment

SECTION 14. Default. In the event either party shall default on any of its obligations herein, the non-defaulting party may seek to employ any and all available legal and equitable remedies. If either party seeks specific performance, that claim shall be brought in the Maine Superior Court. The prevailing party in litigation shall be entitled to collect all of their expenses incurred in collecting or enforcing this contract, including, but not limited to, attorneys' fees, paralegal and abstracter fees and costs of suit.

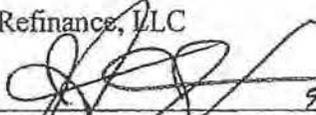
IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the day and year first above written.



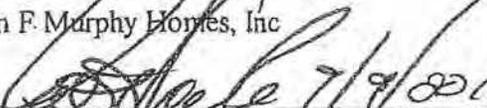
Witness

AS TO BOTH

Witness

Atlantic Refinance, LLC
By: 

James Hanley, its duly authorized agent

John F. Murphy Homes, Inc
By: 

Peter Kowalski, Its CEO

**PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE**

Pursuant to Appendix A, Article XVII, Section 5, Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to amend the "Official Zoning Map" by rezoning a portion the property located at 5 Memorial Avenue as shown on Exhibit "A" attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
✓ 1		ROBERT C M...	C ...	9/25/13
✓ 2		MARK A. Cayle	97 Summit Ave	9-25-13
✓ 3		LUCIEN B. Gosselin	625 College St.	9-25-13
✓ 4		GEORGE J. Simoes	115 Wellman St.	09-25-13
✓ 5		John D. Clifford II	134 Pond Rd	9/25/13
✓ 6		Elizabeth F. Clifford	14 Ware St	9/30/13
✓ 7		Michael Dupuy	10 Ware St	10/1/13
✓ 8		Ann Butler	20 Ware St.	10/7/13
✓ 9		JOHN D. CLIFFORD II	14 WARE ST	10/7/13
✓ 10		JOHN T BULLEN III	20 WARE ST	10/7/13
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				

CIRCULATOR'S VERIFICATION

I hereby verify that I am the Circulator of this petition, that all the signatures to this petition were made in my presence, and to the best of my knowledge and belief, each signature is that of the person it purports to be, and each person is a resident of the City of Lewiston.

JOHN D. CLIFFORD II
Printed Name of Circulator

10/7/2013
Date

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: 10

Total Invalid: 0

Date: 10/15/2013

Signature of Registrar/Deputy Registrar

PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5, Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to amend the "Official Zoning Map" by rezoning a portion the property located at 5 Memorial Avenue as shown on Exhibit "A" attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
NR 1	<i>Joshua Lussier</i>	Joshua Lussier	75 Webber Ave	10-8-13
NR 2	<i>Bethany Provost</i>	Bethany Provost	24 Wood St	10/9/13
NR 3	<i>James Manley</i>	James Manley	24 Wood St	6/8/13
NR 4	<i>Michael Bergeron</i>	Michael Bergeron	10 Vermont St	10/8/13
✓ 5	<i>Holly Warner</i>	Holly Warner	43 Elm St	6/8/13
✓ 6	<i>Bruce Lovett</i>	BRUCE LOVETT	44 Autumn Ln	10/8/13
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CIRCULATOR'S VERIFICATION

I hereby verify that I am the Circulator of this petition, that all the signatures to this petition were made in my presence, and to the best of my knowledge and belief, each signature is that of the person it purports to be, and each person is a resident of the City of Lewiston.

Ann Bentley Ann Bentley 10/8/13
 Signature of Circulator Printed Name of Circulator Date

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: 2 Total Invalid: 4

Diana Marin Date: 10/15/2013
 Signature of Registrar/Deputy Registrar

**PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE**

Pursuant to Appendix A, Article XVII, Section 5, Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to amend the "Official Zoning Map" by rezoning a portion the property located at 5 Memorial Avenue as shown on Exhibit "A" attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
✓1		Jennifer Morin	1108 Rosebule St	10-8-13
NR2		Brittany Robbins	1 Highland Ave	10-8-13
✓3		Jodie Westland Savine	10 Libby Ave Apt 2	10-8-13
✓4		Cheryl Cyr	17 Wood St	10-8-13
✓5		Stephen Holt	183 Webster St,	10-8-13
NR6		Taffny Scudickie	91 Dove Ave Apt 2	10/8/13
✓7		Lindsey Gaumont	15 Androscoquin Ave	10/8/13
✓8		Ashley Rolfe	160 Ash St Apt 3	10/8/13
✓9		Tyler Sheehan	95 Gaydon Rd	10/8/13
✓10		Kimberly Seavey	221 Central Ave	10-8-13
✓11		David Boucher	314 Pond Road	10-8-13
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CIRCULATOR'S VERIFICATION

I hereby verify that I am the Circulator of this petition, that all the signatures to this petition were made in my presence, and to the best of my knowledge and belief, each signature is that of the person it purports to be, and each person is a resident of the City of Lewiston.

Signature of Circulator

Ann Bentley
Printed Name of Circulator

10/8/13
Date

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: 9

Total Invalid: 2

Signature of Registrar/Deputy Registrar

Date: 10/15/2013

PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5, Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to amend the "Official Zoning Map" by rezoning a portion the property located at 5 Memorial Avenue as shown on Exhibit "A" attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
✓ 1	<i>James Craven</i>	JAMES CRAVEN	41 Russell st	9/24/13
✓ 2	<i>Margaret Craven</i>	MARGARET CRAVEN	41 Russell st	9/24/13
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CIRCULATOR'S VERIFICATION

I hereby verify that I am the Circulator of this petition, that all the signatures to this petition were made in my presence, and to the best of my knowledge and belief, each signature is that of the person it purports to be, and each person is a resident of the City of Lewiston.

Ann Bentley
 Signature of Circulator

Ann Bentley
 Printed Name of Circulator

10/8/13
 Date

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: 2

Total Invalid: 0

Rosina Moran
 Signature of Registrar/Deputy Registrar

Date: 10/15/2013

PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5, Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to amend the "Official Zoning Map" by rezoning a portion the property located at 5 Memorial Avenue as shown on Exhibit "A" attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
✓ 1		Debra Dodge	13 Nancy Street	10/1/13
✓ 2		HOPE MOORE	12 Coburn St	10/3/13
✓ 3		Heather Weiss	74 Cram Ave	10/3/13
NR 4		RACHEL BLACKERBY	151 Horton St.	10/3/13
NR 5		Steve Small	43 Rosedale St	10-4-13
✓ 6		Andrew Frenette	93 Howe St	10-4-13
✓ 7		Heather Fulgham	506 Sabattus St	10-4-13
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CIRCULATOR'S VERIFICATION

I hereby verify that I am the Circulator of this petition, that all the signatures to this petition were made in my presence, and to the best of my knowledge and belief, each signature is that of the person it purports to be, and each person is a resident of the City of Lewiston.

Signature of Circulator

Ann Bentley
Printed Name of Circulator

10/1/13
Date

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: 5

Total Invalid: 2

Signature of Registrar/Deputy Registrar

Date: 10/15/2013



**City of Lewiston
Planning & Code Enforcement**

TO: Planning Board
FROM: David Hediger, City Planner
DATE: August 21, 2009
RE: August 24, 2009 Planning Board Agenda Item IV(C)

Agenda Item IV(C)

To consider a proposed amendment to Article V, Section 3 of the Zoning and Land Use Code to allow the keeping of up to six chickens in all zoning districts on lots developed with single family homes.

In the City of Lewiston, the keeping of chickens is limited to properties located in the Rural Agricultural (RA) district on lots of at least three acres. Within the last year, there appears to have been a growing interest by citizens to keep domesticated chickens in zoning districts other than the RA. On June 16, 2009 the City Council voted for the Planning Board to prepare an amendment to allow the keeping of chickens in residential areas and provide a recommendation for the City Council's consideration pursuant to Article XVII, Section 5(b)(1)(a) of the Zoning and Land Use Code.

The proposed amendment to Article V, Section 3(X) of the Zoning and Land Use Code allows for the keeping of up to six chickens in all zoning districts on lots developed with single family detached dwellings including mobile homes on individual lots pursuant to the proposed provisions contained in Chapter 14, Article XIII, Sec 14-45 thru 14-57 and Chapter 22, Section 22-28. Said provisions are located in the Code of Ordinances are technically outside the purview of the Planning Board's authority. Should Article V, Section 3(X) be adopted, the provisions contained in Chapter 14, Article XIII, Sec 14-45 thru 14-57 and Chapter 22, Section 22-28 shall be considered for adoption by the City Council. Said provisions are to be administered by the Animal Control Officer. Reference should be made to Gil Arsenault's memo date June 10, 2009.

While the Board's authority is limited to the proposed amended language of Article V, Section 3(x) of the Zoning and Land Use Code, staff recommends the Board consider reviewing and provide a recommendation on the proposed language found in Chapter 14, Article XIII, Sec 14-45 thru 14-57 of the Code of Ordinances and provide a recommendation for the City Council's consideration. Much of the language provided has been modeled from Portland's ordinance adopted earlier this year.

Please note, a citizen's petition has been provided to staff requesting the City Council to defeat any and all proposals that come before the Council dealing with the raising of chickens in residential areas.

ACTIONS NECESSARY:

Zoning and Land Use Amendment

1. Make a motion to consider an amendment to Article V, Section 3 of the Zoning and Land Use Code to allow the keeping of up to six chickens in all zoning districts on lots developed with single family homes.
2. Obtain input on the petition;
3. Make a motion pursuant to Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation for the City Council's consideration to allow the keeping of up to six chickens in all zoning districts on lots developed with single family homes.

Code of Ordinances Amendment

1. Make a motion to consider an amendment to Chapter 14, Article XIII, and Sec 14-45 thru 14-57 of the Code of Ordinances to allow the keeping of chickens on lots developed with single family detached dwellings including mobile homes on individual lots.
2. Obtain input on the petition;
3. Make a motion pursuant to send a favorable recommendation for the City Council's consideration an amendment to Chapter 14, Article XIII, Sec 14-45 thru 14-57 of the Code of Ordinances to allow the keeping of chickens on lots developed with single family detached dwellings including mobile homes on individual lots.



**City of Lewiston
Planning & Code Enforcement**

TO: City Council, Mayor, Acting City Administrator
FROM: David Hediger, City Planner
DATE: August 26, 2009
RE: Proposed amendment to allow the keeping of chickens

In the City of Lewiston, the keeping of chickens is limited to properties located in the Rural Agricultural (RA) district on lots of at least three acres. Within the last year, there appears to have been a growing interest by citizens to keep domesticated chickens in zoning districts other than the RA. On June 16, 2009 the City Council voted for the Planning Board to prepare an amendment to allow the keeping of chickens in residential areas and provide a recommendation for the City Council's consideration pursuant to Article XVII, Section 5(b)(1)(a) of the Zoning and Land Use Code.

The proposed amendment to Article V, Section 3(X) of the Zoning and Land Use Code allows for the keeping of up to six chickens in all zoning districts on lots developed with single family detached dwellings including mobile homes on individual lots pursuant to the proposed provisions contained in Chapter 14, Article XIII, Sec 14-45 thru 14-57 and Chapter 22, Section 22-28. Much of the language provided has been modeled from Portland's ordinance adopted earlier this year.

On August 24, 2009 the Planning voted unanimously to send a recommendation to the City Council for their consideration to not amend Article V, Section 3(X) of the Zoning and Land Use and Chapter 14, Article XIII, and Section 14-45 thru 14-57 of the Code of Ordinances to allow the keeping of chickens on lots developed with single family detached dwellings including mobile homes on individual lots for the following reasons, but not limited to: public health issues, the burden on code enforcement, the animal control officer, and Lewiston Police Department, and the ambiguities to enforcement of the ordinance

Please note, a citizen's petition has been provided to staff requesting the City Council to defeat any and all proposals that come before the Council dealing with the raising of chickens in residential areas.



**CITY OF LEWISTON
PLANNING & CODE ENFORCEMENT**

Gildace J. Arsenault

Director

MEMORANDUM

TO: City Clerk's Office
City Council Members
FROM: David Hediger, City Planner
SUBJECT: Planning Board Action of August 24, 2009
DATE: August 26, 2009

The Planning Board took the following action at the Public Hearing held on August 24, 2009, regarding an amendment to Article V, Section 3 of the Zoning and Land Use Code, and Chapter 14, Article XIII, Section 14-45 thru 14-57 of the Code of Ordinances to allow the keeping of chickens on lots developed with single family detached dwellings including mobile homes on individual lots.

MOTION: by *David Vincent* that the Planning Board, send a recommendation to the City Council for their consideration to not amend Article V, Section 3 of the Zoning and Land Use Code and Chapter 14, Article XIII, and Section 14-45 thru 14-57 of the Code of Ordinances to allow the keeping of chickens on lots developed with single family detached dwellings including mobile homes on individual lots for the following reasons, but not limited to: public health issues, the burden on code enforcement, the animal control officer, and Lewiston Police Department, and the ambiguities to enforcement of the ordinance. Second by **Paul Robinson**.

VOTED: 7-0 (Passed).

pc: Phil Nadeau, Acting City Administrator
Lincoln Jeffers, Assistant to the City Administrator
Planning Board Members

JCB:jcb\C:\MyDocuments\chickenDeleReview.doc

The City of Lewiston is an EOE. For more information, please visit our website at www.ci.lewiston.me.us and click on the Non-Discrimination Policy.

**AN ORDINANCE PERTAINING TO THE ZONING AND LAND USE CODE
THE CITY OF LEWISTON HEREBY ORDAINS:**

Appendix A of the Code of Ordinances of the City of Lewiston, Maine is hereby amended as follows:

**APPENDIX A
ZONING AND LAND USE CODE
ARTICLE V. ADMINISTRATION AND ENFORCEMENT**

Sec. 3. General provisions.

(x) Notwithstanding the provisions under Article XI, section 1 through 14, district regulations, with respect to permitted and conditional uses, the keeping of up to six chickens is permitted in all zoning districts on lots developed with single family detached dwellings including mobile homes on individual lots pursuant to the provisions contained in Chapter 14, Article XIII, Sec 14-45 thru 14-57 and Chapter 22, Section 22-28.

REASONS FOR THE PROPOSED AMENDMENT

In the City of Lewiston, the keeping of chicken is limited to properties located in the Rural Agricultural (RA) district on lots of at least three acres. Within the last year, there has been an interest by citizens to keep domesticated chickens in zoning districts other than the RA. On June 16, 2009 the City Council voted for the Planning Board to prepare an amendment to allow the keeping of chickens in residential areas and provide a recommendation for the City Council’s consideration.

The proposed amendment to Article V, Section 3(X) of the Zoning and Land Use Code allows for the keeping of up to six chickens is permitted in all zoning districts on lots developed with single family detached dwellings including mobile homes on individual lots pursuant to the provisions contained below in Chapter 14, Article XIII, Sec 14-45 thru 14-57 and Chapter 22, Section 22-28.

**AN ORDINANCE PERTAINING TO THE KEEPING OF CHICKENS IN THE
CITY OF LEWISTON HEREBY ORDAINS:**

Chapter 14 Animals

Article I. In General

Sec.14-1. Definitions

Setback, front means the distance from the front line of the property or the side line of the street.

Setback, rear means the distance from the rear line of the lot.

Setback, side means the distance from the side property line of the lot. Any lot line not a back lot line or a front lot line shall be deemed a side lot line.

Article VII. Keeping of Non-Domestic Animals

DIVISION 3. OTHER ANIMALS

Sec. 14-31. Keeping of fowl, rabbits and guinea pigs.

Fowl, rabbits and guinea pigs shall only be kept on lots or tracts of land where allowed pursuant to Appendix A, Article XI of the Zoning and Land Use Code. Fowl, rabbits and guinea pigs must be kept indoors, or if outdoors, in a secure pen or enclosure. Litter and droppings from these animals must be collected and disposed of in accordance with the provisions of section 14-41, disposal of excrement in general, shall specifically apply to the disposal of excrement of fowl, rabbits, and guinea pigs. Provided, however, that the provisions of this section and section 14-41 shall not apply to ducks or other waterfowl inhabiting natural or manmade water courses or bodies of water.

Article XIII. Keeping of Chickens on Lots Developed with Single Family Detached Dwellings Including Mobile Homes on Individual Lots.

Sec. 14-45. Purpose

The purpose of this article is to provide standards for the keeping of domesticated chickens. It is intended to enable residents to keep a small number of female chickens on a non-commercial basis while creating standards and requirements that ensure that domesticated chickens do not adversely impact the neighborhood surrounding the property on which the chickens are kept.

Sec. 14-46. License required.

(a) An annual license is required for the keeping of any domesticated chickens. The annual license is personal to the licensee and may not be assigned.

(b) The fee for an annual license to keep chickens shall be paid by the licensee in accordance with the fee established by the City council.

(c) An applicant for a license to keep chickens must demonstrate compliance with the criteria and standards in this Article in order to obtain a license.

Sec. 14-47. Number and type of chickens allowed.

(a) The maximum number of chickens allowed is six (6) per lot developed with a single family dwelling.

(b) Only female chickens are allowed. There is no restriction on chicken species.

(c) Chickens must be purchased from an approved source such as the National Poultry Improvement Plan (i.e. hatcheries that participate in the National Poultry Improvement Plan).

Sec. 14-48. Non-commercial use only.

Chickens shall be kept as pets and for personal use only; no person shall sell eggs or engage in chicken breeding or fertilizer production for commercial purposes. The slaughtering of chickens is prohibited.

Sec. 14-49. Enclosures.

(a) Chickens must be kept in an enclosure or fenced area (chicken pen) at all times during daylight hours. Enclosures must be clean, dry, and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact. The chicken pen must provide adequate sun and shade and must be impermeable to rodents, wild birds, and predators, including dogs and cats. It shall be constructed with sturdy wire fencing of not greater than one quarter inch openings and buried at least 12" in the ground. The pen must be covered with wire fencing of not greater than one quarter inch openings, aviary netting, or solid roofing.

(b) Chickens shall be secured within a henhouse during non-daylight hours.

(1) Any henhouse shall be at least twenty-five (25) feet from any dwelling unit. The henhouse shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator and bird-proof wire of not greater than one quarter inch openings. The use of scrap, waste board, sheet metal, or similar materials is prohibited. The henhouse must be well-maintained.

(2) Chicken enclosures and henhouses shall have a minimum front setback of forty (40) feet and a minimum side and rear setback of at least twenty-five (25) feet. Henhouses are not allowed to be attached or located in any part of a dwelling unit.

Sec. 14-50. Odor and noise impacts.

(a) Odors from chickens, chicken manure, or other chicken-related substances shall not be perceptible at the property boundaries.

(b) Perceptible noise from chickens shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity.

Sec. 14-51. Lighting.

Only motion-activated lighting may be used to light the exterior of the henhouse. Henhouses may be lit by electric lighting.

Sec. 14-52. Predators, rodents, insects, and parasites.

The property owner and/or chicken owner shall take all necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by the City, through the animal control officer, or any other designee, and the cost of the same shall be borne by the property owner and/or chicken owner.

Sec. 14-53. Feed and water.

Chickens must be provided with access to feed and clean water at all times; such feed and water shall be unavailable to rodents, wild birds and predators. Chicken feed must be stored in water tight covered metal containers.

Sec. 14-54. Waste storage and removal.

Provision must be made for the storage and removal of chicken manure. All stored manure shall be covered by a fully enclosed container. No more than one, five gallon container of manure shall be stored on any one property housing chickens. All other manure shall be removed. In addition, the henhouse, chicken pen and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

Sec. 14-55. Revocation of license.

A license to keep chickens may be revoked where there is a risk to public health or safety or for any violation of or failure to comply with any of the provisions of any other applicable ordinance or law.

Sec. 14-56. Removal of chickens.

In addition to the penalty stated in Article I, Sec. 14-2, any violation of the provisions of this article shall be grounds for an order from the city to remove the chickens and the chicken-related structures. The health officer or animal control officer may order the removal of the chickens upon a determination that the chickens pose a health risk. If a chicken dies, it must be disposed of promptly in a sanitary manner such as placing it in a

10/25/2013

sealed heavy gauge 3 mil plastic bag and then placing the bag in a water tight covered metal container prior to removal to an approved solid waste facility.

Sec. 14-57. Separability.

In the event that any section, subsection or portion of this article shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this article.

ARTICLE II. DOMESTICATED CHICKENS

Sec. 3-51. Purpose.

The purpose of this article is to provide standards for the keeping of domesticated chickens. It is intended to enable residents to keep a small number of female chickens on a non-commercial basis while limiting the potential adverse impacts on the surrounding neighborhood. The City recognizes that adverse neighborhood impacts may result from the keeping of domesticated chickens as a result of noise, odor, unsanitary animal living conditions, unsanitary waste storage and removal, the attraction of predators, rodents, insects, or parasites, and non-confined animals leaving the owner's property. This article is intended to create licensing standards and requirements that ensure that domesticated chickens do not adversely impact the neighborhood surrounding the property on which the chickens are kept.

Sec. 3-52. Permit Required.

An annual permit is required for the keeping of any domesticated chickens in the City of South Portland. Additionally, a building permit is required for the construction of a henhouse and chicken pen.

(a) The annual permit to keep chickens is personal to the permittee and may not be assigned. In the event the permittee is absent from the property for longer than sixty (60) days, the permit shall automatically terminate and become void.

(b) The first permit year shall be September 25, 2007 through December 31, 2008. Thereafter the permit year shall be January 1 through December 31. In the first permit year, no more than twenty (20) permits shall be issued. In each subsequent permit year, twenty (20) more permits may be issued in addition to new permits issued to previous permittees.

Sec. 3-53. Fees

The fee for an annual permit to keep chickens is twenty-five dollars (\$25.00). In addition, a twenty-five dollar (\$25.00) fee shall be required for the building permit for the construction of a henhouse or chicken pen.

Sec. 3-54. Number and Type of Chickens Allowed.

(a) The maximum number of chickens allowed is six (6) per lot regardless of how many dwelling units are on the lot. In the case of residential condominium complexes without individually owned back yards, the maximum number of chickens allowed is six (6) per complex.

(b) Only female chickens are allowed. There is no restriction on chicken species.

Sec. 3-55. Non-Commercial Use Only.

Chickens shall be kept as pets and for personal use only; no person shall sell eggs or engage in chicken breeding or fertilizer production for commercial purposes. The slaughtering of chickens is prohibited.

Sec. 3-56. Enclosures.

(a) Chickens must be kept in an enclosure or fenced area at all times. During daylight hours, chickens may be allowed outside of their chicken pens in a securely fenced yard if supervised. Chickens shall be secured within the henhouse during non-daylight hours.

- (b) Enclosures must be clean, dry, and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.
- (c) The hen house and chicken pen must provide adequate ventilation and adequate sun and shade and must both be impermeable to rodents, wild birds, and predators, including dogs and cats.
- (d) Henhouses.
 - (1) A henhouse shall be provided and shall be designed to provide safe and healthy living conditions for the chickens while minimizing adverse impacts to other residents in the neighborhood.
 - (a) The structures shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator- and bird-proof wire of less than one (1) inch openings.
 - (b) The materials used in making the structure shall be uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The use of scrap, waste board, sheet metal, or similar materials is prohibited. The henhouse shall be well-maintained.
 - (c) The structure shall be painted; the color shall be uniform around the structure and shall be in harmony with the surrounding area.
 - (2) Henhouses shall only be located in rear yards, as defined in Sec. 27-201. For a corner lot or other property where no rear yard exists, a side yard may be used as long as the setbacks generally applicable in the zoning district are met. In no case may a henhouse be placed in the front yard.
 - (3) If a henhouse is proposed to be located less than twenty (20) feet from any side or rear property line, the Code Enforcement Officer shall notify abutting property owners by mail at least twenty (20) days before issuing a permit, except that the permit may be issued in fewer than 20 days if all abutters have responded before the expiration of that time. For henhouses proposed to be located within twenty (20) feet from the side or rear property line, the burden of proof is on the applicant to demonstrate that the proposal will meet the criteria of this article and will not adversely impact the use or enjoyment of abutting properties.
- (e) Chicken Pens.
 - (1) An enclosed chicken pen must be provided consisting of sturdy wire fencing buried at least 12" in the ground. The pen must be covered with wire, aviary netting, or solid roofing. The use of chicken wire is not permitted.

(Ord. No. 6-10/11, 9/20/10 [Fiscal Note: Less than \$1000])

Sec. 3-57. Odor and Noise Impacts.

- (a) Odors from chickens, chicken manure, or other chicken-related substances shall not be perceptible at the property boundaries.
- (b) Perceptible noise from chickens shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity.

Sec. 3-58. Lighting.

Only motion-activated lighting may be used to light the exterior of the henhouse.

Sec. 3-59. Predators, Rodents, Insects, and Parasites.

The property owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation shall be removed by the Animal Control Officer.

Sec. 3-60. Feed and Water.

Chickens must be provided with access to feed and clean water at all times; such feed and water shall be unavailable to rodents, wild birds and predators.

Sec. 3-61. Waste Storage and Removal.

Provision must be made for the storage and removal of chicken manure. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. No more than three (3) cubic feet of manure shall be stored. All other manure not used for composting or fertilizing shall be removed. In addition, the henhouse, chicken pen and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

Sec. 3-62. Application for permit.

Every applicant for a permit to keep domesticated chickens shall:

- (a) Complete and file an application on a form prescribed by the Code Enforcement Officer;
- (b) Deposit the prescribed permit fee with the Code Enforcement office at the time the application is filed.

Any material misstatement or omission shall be grounds for denial, suspension or revocation of the permit.

Sec. 3-63. Approval of permit.

The Code Enforcement Officer shall issue a permit if the applicant has demonstrated compliance with the criteria and standards in this article.

Sec. 3-64. Denial, suspension or revocation of permit.

The Code Enforcement Officer shall deny a permit if the applicant has not demonstrated compliance with all provisions of this article.

A permit to keep domesticated chickens may be suspended or revoked by the Code Enforcement Officer where there is a risk to public health or safety or for any violation of or failure to comply with any of the provisions of this article or with the provisions of any other applicable ordinance or law.

Any denial, revocation or suspension of a permit shall be in writing and shall include notification of the right to and procedure for appeal.

Sec. 3-65. Appeal.

A person appealing the issuance, denial, suspension or revocation of a permit by the Code Enforcement Officer may appeal to the Board of Appeals within thirty (30) days of the decision being appealed.

Sec. 3-66. Penalty.

In addition to any other enforcement action which the city may take, violation of any provision of this article shall be a civil violation and a fine not exceeding one-hundred dollars (\$100.00) may be imposed. Each day that a violation continues will be treated as a separate offense.

Sec. 3-67. Removal of Chickens

In addition to the penalty stated in Sec. 3-68, any violation of the provisions of this article or of the permit shall be grounds for an order from the Code Enforcement Officer to remove the chickens and the chicken-related structures.

The Health Inspector, Health Officer, or Animal Control Officer may also order the removal of the chickens upon a determination that the chickens pose a health risk.

If a chicken dies, it must be disposed of promptly in a sanitary manner.

Sec. 3-68. Annual Report to City Council

On or before December 31 annually, the Code Enforcement Officer shall submit to the City Council a report stating the number of permits issued in the permit year, the number of complaints reported in the permit year, the nature of any enforcement activities, and any other information relevant to the oversight of provisions in this article.

Sec. 3-69. Separability.

In the event that any section, subsection or portion of this article shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this article.

(Ord. No. 4-07/08, 9/5/07 [Fiscal Note: Less than \$1000])

Sec. 3-69 through 3-70 Reserved.

(Ord. No. 13-07/08, 5/5/08 [Fiscal Note: Less than \$1000])

ARTICLE IV. KEEPING OF DOMESTICATED CHICKENS

Sec. 5-400. Purpose.

The purpose of this article is to provide standards for the keeping of domesticated chickens. It is intended to enable residents to keep a small number of female chickens on a non-commercial basis while creating standards and requirements that ensure that domesticated chickens do not adversely impact the neighborhood surrounding the property on which the chickens are kept.

(Ord. No. 152-08/09, 2-18-09)

Sec. 5-401. Permit required.

(a) An annual permit is required for the keeping of any domesticated chickens. The annual permit is personal to the permittee and may not be assigned.

(b) The fee for an annual permit to keep chickens is twenty-five dollars (\$25.00).

(c) An applicant for a permit to keep chickens must demonstrate compliance with the criteria and standards in this Article in order to obtain a permit.

(Ord. No. 152-08/09, 2-18-09)

Sec. 5-402. Number and type of chickens allowed.

(a) The maximum number of chickens allowed is six (6) per lot regardless of how many dwelling units are on the lot.

(b) Only female chickens are allowed. There is no restriction on chicken species.

(Ord. No. 152-08/09, 2-18-09)

Sec. 5-403. Non-commercial use only.

Chickens shall be kept as pets and for personal use only; no person shall sell eggs or engage in chicken breeding or fertilizer production for commercial purposes. The slaughtering of chickens is prohibited.

(Ord. No. 152-08/09, 2-18-09)

Sec. 5-404. Enclosures.

- (a) Chickens must be kept in an enclosure or fenced area (chicken pen) at all times during daylight hours. Enclosures must be clean, dry, and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact. The chicken pen must provide adequate sun and shade and must be impermeable to rodents, wild birds, and predators, including dogs and cats. It shall be constructed with sturdy wire fencing buried at least 12" in the ground. The pen must be covered with wire, aviary netting, or solid roofing. The use of chicken wire is not permitted.
- (b) Chickens shall be secured within a henhouse during non-daylight hours.
- (1) Any henhouse shall be at least twenty-five (25) feet from any residential structure or any other premises on any adjacent lots. The structure shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator and bird-proof wire of less than one (1) inch openings. The use of scrap, waste board, sheet metal, or similar materials is prohibited. The henhouse must be well-maintained.
- (2) Henhouses shall only be located in rear yards, and shall meet zoning setbacks applicable to detached accessory structures. For a corner lot or other property where no rear yard exists, a side yard may be used as long as the setbacks for structures generally applicable in the zoning district are met. In no case may a henhouse be placed in the front yard. Henhouses are not allowed to be located in any part of a home.

(Ord. No. 152-08/09, 2-18-09)

Sec. 5-405. Odor and noise impacts.

(a) Odors from chickens, chicken manure, or other chicken-related substances shall not be perceptible at the property boundaries.

(b) Perceptible noise from chickens shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity.

(Ord. No. 152-08/09, 2-18-09)

Sec. 406. Lighting.

Only motion-activated lighting may be used to light the exterior of the henhouse.

(Ord. No. 152-08/09, 2-18-09)

Sec. 407. Predators, rodents, insects, and parasites.

The property owner and/or chicken owner shall take all necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites that may result in unhealthy conditions to human habitation may be removed by the City, through the animal control officer, or any other designee, and the cost of the same shall be borne by the property owner and/or chicken owner.

(Ord. No. 152-08/09, 2-18-09)

Sec. 408. Feed and water.

Chickens must be provided with access to feed and clean water at all times; such feed and water shall be unavailable to rodents, wild birds and predators.

(Ord. No. 152-08/09, 2-18-09)

Sec. 409. Waste storage and removal.

Provision must be made for the storage and removal of chicken manure. All stored manure shall be covered by a fully enclosed container. No more than one, twenty gallon container of manure shall be stored on any one property housing chickens. All other manure shall be removed. In addition, the henhouse, chicken pen and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

(Ord. No. 152-08/09, 2-18-09)

Sec. 410. Fees for reinspections.

Following the city's issuance of a notice of violation of the requirements hereunder and an order to correct violations, the city will reinspect at the expense of seventy five dollars (\$75.00) to the property owner and/or chicken owner to determine whether the violations have been fixed in compliance with this article. Failure to correct the violation shall result in a penalty imposed pursuant to sec. 4-411 below in addition to the reinspection fee. If the violations have not been fixed in

compliance with this chapter, the violator shall be assessed a reinspection fee of one hundred and fifty dollars (\$150.00) for each subsequent reinspection. Failure to pay the assessment for reinspection shall create a lien on the property of the violator and the assessment and lien shall be collected and enforced pursuant to section 1-16.

(Ord. No. 152-08/09, 2-18-09)

Sec. 411. Penalty.

In addition to any other enforcement action which the city may take, violation of any provision of this article shall be a civil violation and a fine of one-hundred dollars (\$100.00) may be imposed. Each day that a violation continues will be treated as a separate offense. This penalty is in addition to any expense for reinspection of the property.

(Ord. No. 152-08/09, 2-18-09)

Sec. 412. Revocation of permit.

A permit to keep chickens may be revoked where there is a risk to public health or safety or for any violation of or failure to comply with any of the provisions of any other applicable ordinance or law.

(Ord. No. 152-08/09, 2-18-09)

Sec. 413. Removal of chickens.

In addition to the penalty stated in §4-411, any violation of the provisions of this article shall be grounds for an order from the city to remove the chickens and the chicken-related structures.

The health inspector, health officer, or animal control officer may order the removal of the chickens upon a determination that the chickens pose a health risk.

If a chicken dies, it must be disposed of promptly in a sanitary manner.

(Ord. No. 152-08/09, 2-18-09)

Sec. 414. Separability.

In the event that any section, subsection or portion of this article shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this article.

(Ord. No. 152-08/09, 2-18-09)

Sec. 5-415.	Reserved.
Sec. 5-416.	Reserved.
Sec. 5-417.	Reserved.
Sec. 5-418.	Reserved.
Sec. 5-419.	Reserved.
Sec. 5-420.	Reserved.
Sec. 5-421.	Reserved.
Sec. 5-422.	Reserved.
Sec. 5-423.	Reserved.
Sec. 5-424.	Reserved.
Sec. 5-425.	Reserved.

DIVISION 4. - OTHER ANIMALS

Sec. 8-298. - Keeping of—Fowl, rabbits and guinea pigs.

Sec. 8-299. - Same—Bees.

Sec. 8-298. - Keeping of—Fowl, rabbits and guinea pigs.

Fowl, rabbits and guinea pigs must be kept indoors, or if outdoors, in a secure pen or enclosure. Litter and droppings from these animals must be collected and disposed of in accordance with the provisions of section 8-72, disposal of excrement in general, shall specifically apply to the disposal of excrement of fowl, rabbits, and guinea pigs; provided, however, that the provisions of this section and section 8-72 shall not apply to ducks or other waterfowl inhabiting natural or manmade watercourses or bodies of water.

(Ord of 10-1-2007(2), § 14-31

Sec. 8-299. - Same—Bees.

All persons within the property of the city shall adhere to the statutes of the state as described in 7 M.R.S.A. chs. 521 through 531, as well as:

- (1) No person shall have no more than two colonies on one-quarter acre or less;
- (2) No person shall have no more than four colonies on one-quarter to one-half acre;
- (3) No person shall have no more than six colonies on one-half to one acre;
- (4) No person shall have no more than eight colonies on a tract of land greater than one acre;
- (5) All colonies' hives shall be located a minimum of 100 feet from any inhabited dwelling other than that of the person keeping such bees; and
- (6) There is adequate source of water available at all times to the bees on the owner's property.

(Ord of 10-1-2007(2), § 14-32

State law reference— Honeybee industry, 7 M.R.S.A. § 2701 et seq.

Sec. 8-300. - Keeping of Laying Hens for personal use.

The purpose of this section is to authorize and to provide standards for the keeping of laying hens in the rear or side yard of a single-family detached residence or school. Laying hens means female chickens kept for the production of eggs. It is intended to enable residents to keep laying hens on a non-commercial basis, throughout the City while limiting the potentially adverse impacts on surrounding neighbors. This section shall not apply to allowed agricultural uses.

- (1) Number of laying hens allowed. The maximum number of laying hens allowed is based on the total lot size the resident(s) uses to house the poultry:
 - (a) On lots less than .49 acres in area a maximum of six (6) laying hens shall be allowed.
 - (b) On .5 acre or larger lots, twelve (12) laying hens per acre prorated based on actual lot size for a total maximum of thirty-six (36) laying hens per single-family detached residence.
 - (c) The keeping of roosters is expressly prohibited.
- (2) Laying hens require an enclosure and/or fenced area. Each keeper of laying hens is required to have an enclosed area to house and control said hens. If such enclosure is permanently affixed to the ground it shall meet all requirements for accessory structures set out in Chapter 60 - Zoning

Ordinance, including those for setbacks and location. Hens shall be kept only in the rear or side yard and must be kept on the property of the owner. Free ranging is allowed if the animals remain on the hen owner's lot or if the impacted abutter(s) have given the owner permission to allow the animals to be on their property.

- (3) Personal use only. The keeping of laying hens pursuant to this chapter is for non-commercial, personal use only. Non-commercial keeping of hens shall be defined as no sales on the premises.
- (4) Nuisance prohibited. The keeping of laying hens authorized under this chapter shall not create a nuisance as defined by chapter 8-56 of this ordinance. The keeping of hens shall be conducted in a manner that does not disturb the use or enjoyment of adjacent properties. Odor generated shall not be perceptible at the property boundaries, and noise generated shall not disturb people of reasonable sensitivity at the property boundaries.