

## SUMMARY OF FINDINGS OF FACTS AND CONCLUSIONS

### AS DOCUMENTED IN MINUTES OF THE PLANNING BOARD

June 21, 2016

Applicant: Tammy Rae (also known and referred to as Tammy L. Webster)

Property: 439 Gore Road, Otisfield, Maine 04270  
Tax Map R04 Lot 2

Site Plan Review Application to develop a wedding venue in one of the barns on the property and to rent up to five (5) rooms for lodging to members of the wedding party in the main residence.

Relevant ordinance for review of the application: Town of Otisfield Site Plan Review Ordinance, effective date March 6, 1993 and amended June 21, 2008. Current use of the property is as a residence.

**Finding of Fact:** The proposal is to have new uses for the existing structures and land and the new use will likely generate greater traffic.

**Conclusion:** Meets criteria for applicability of the Town of Otisfield Site Plan Review Ordinance as described in Section 3.A.1. See 11/17/2015 meeting Minutes.

All the requirements for a completed application were submitted and accepted by the Board.

**Finding of Fact:** A pre-Application meeting was held with both the Code Enforcement Officer and with the whole Board on November 17, 2015.

All items and materials required in the application process were received by the Planning Board by its regular meeting of April 5, 2016. (Section 4.A., B., C.) A Site Walk was conducted on April 5, 2016. A public hearing was scheduled, advertised as required, and held April 19, 2016.. Abutters were notified as required (Section 4.C. 2.) See 4/5/2016, 4/19/2016 Site Walk and Public Hearing minutes. An application Fee was paid and received by the Town as Required Section 4.D. 1.)

**Conclusion:** The application and the application procedure are deemed to be completed at a regular meeting and the applicant was sent a letter stating this dated April 6, 2016. See 4/5/2016 minutes under #8. Site Plan Application.

#### Section 4C.3. Application:

**Findings of Facts:** The matter of when a decision on an application to approve, approve with conditions, or disapprove needs to be made is addressed. The requirement is that within 45 days of a Public Hearing or 90 days of receiving a completed application if no hearing is held, the Board must make Findings of Fact on the application and either approve, approve with conditions, or disapprove the application. There is no definition of **days** in this Ordinance or

in any other Otisfield ordinance. However, the standard practice for the Board of Selectmen and the Planning Board is that days will mean **business** days. Today, June 21, 2016 is the 44<sup>th</sup> business day after the Public Hearing held on 4/19/2016.

**Conclusion:** The Board has until Wednesday, June 22, 2016, to complete Findings of Facts and make a decision on the application.

At its regularly scheduled meeting on 4/19/2016, the Planning Board began the process of reviewing the Review Standards. This review was continued on the 5/19/2016 regularly scheduled meeting. At that meeting five (5) Standards were tabled for more information, and they will be addressed at the 6/21/2016 meeting.

## Section 5. REVIEW STANDARDS

### 5A 1. Preserve and Enhance the Landscape:

**Findings of Facts:** The 60 spaces parking lot is the only major alteration of any landscaping. The lot will be behind the trees and brush along the road and will be located in one half of the current pasture. There is little disturbance of existing landscaping and any additional planting proposed will be gardens along pathways and foundations. Light pollution should not be an issue due to type and direction of lighting. See Site Plan design. See 4/5/2016 Site Walk and 4/19/2016 minutes

**Conclusion:** Criteria of Standard has been met. Motion: BD/RJ Unanimous. (4/19/2016 meeting minutes)

### 5A 2. Relationship of the Proposed Buildings to Environment:

**Findings of Facts:** There will be no exterior structural change to any of the existing buildings except for a deck to be added to the Wedding Barn. The design and construction of the deck is within standard construction requirements and is harmonious with the environment of the property. The fencing around the dumpster will be harmonious with the surroundings. See Deck construction plans and 4/19/2016 and 5/17/2015 minutes.

**Conclusion:** Criteria of Standard has been met. Motion: BD/HO Unanimous. (5/17/2016 meeting minutes)

### 5A 3. Vehicular and Pedestrian Access:

#### a.1):

**Findings of Facts:** The proposed plan drawing shows the location of two driveways. One gives access to the residence and the wedding barn and one gives access to the parking lot. There is a detailed site plan of the parking lot including access. See Engineers Project Report and Stormwater Analysis by Ross Cudlitz, PE . There is a turn-around shown for access to the Wedding Barn and residence on the proposed plan drawing.

**Conclusion:** The need to submit an Access Master Plan is waived. Motion: HO/RJ (4 in favor BD opposed). (4/19/2016 meeting minutes).

#### a.1)a):

**Findings of Facts:** Vehicular access is on Gore Road and that road and others leading to it have adequate capacity to accommodate the additional traffic that will be generated. See Letter from Selectmen dated 12/4/2015. The home owners of abutting properties are concerned about the increase in traffic on Gore Road as well as the safety of guests driving

home after 10:00 p.m. and after drinking alcohol. See 4/19/2016 Public Hearing minutes.

**Conclusion:** Vehicular Access to the proposed project site is on a road, both to the Parking Lot and to the Wedding Barn, which has the capacity to accommodate the additional traffic. (4/19/2016 meeting minutes)

*a.1)a)(1) and (2):*

**Findings of Facts:** There is no public agency funding involved with this project.

**Conclusion:** These requirements of the Standard are not applicable.

*a.1)b):*

**Findings of Facts:** There is a 425' line of sight for the Parking Lot driveway in both directions, and there is a 425' line of sight for the Wedding Barn and Residence driveway if exiting to the right onto Gore Road. There is a curve in the road when approaching the Wedding Barn and Residence driveway from the left which does not allow for a 425' line of sight measured at a distance between 10 and 15 feet if a vehicle is backing out of that driveway. There is the required line of sight if a vehicle is facing the road and is pulled up to the end of the driveway. The Town's Road Commissioner has agreed in a conversation with Selectmen Lenny Adler to install a blind drive sign at the applicant's expense if purchased by the applicant. See 4/20/2016 Board of Selectmen meeting minutes. See Parking Lot plan in the Engineers Report. See 4/19/2016 and 5/17/2016 meeting minutes.

**Conclusions:** The line of sight Standard for the Parking Lot driveway is met. The line of sight requirement in the Standard is met for a vehicle exiting onto Gore Road and turning right from the Wedding Barn and Residence driveway. The line of sight 425' requirement for the Wedding Barn and Residence driveway for vehicles is waived. If the application is otherwise approved, there will be a **condition of approval** that the applicant will purchase a blind driveway sign and have it installed at her expense by the Town's Road Department at the appropriate approach distance as determined by the Town of Otisfield's Road Commissioner.

*a.1)c),d),e):*

**Findings of Facts:** c) There is not more than one business located on this property. There are two barns and a residence accessed from and exiting to Gore Road by a single driveway. The Parking Lot has its own driveway.

d) The driveways are more than 50' from an intersection.

e) The proposed business will not generate 400 or more vehicle trips per 24 hours.

**Conclusion:** These requirements of the Standard are not applicable. Motion: RJ/DM Unanimous. (4/19/2016 meeting minutes).

*a.1)f):*

**Findings of Facts:** Gore Road is capable of handling the traffic that will be generated by the wedding venue project with no more than 75 cars on the property at any one time. The Parking Lot has 60 spaces and the parking area for the Wedding Barn and Residence cannot accommodate 15 additional vehicles. See Board of Selectmen letter dated 12/4/2015. See Parking Lot Plan on Survey Map marked SHEET C1 Site Plan & Erosion Control certified by Ross Cudlitz, PE and issued for review on 3/7/2016., Site Walk dated 4/5/2016, drawing of parking and circulation of vehicles for Linnell Farm submitted on 5/17/2016, and

4/19/2016 and 5/17/2016 minutes.

**Conclusions:** The criteria for this Standard has been met. (4/19/2016 meeting minutes).

a.2)a),b),c),d):

**Findings of Facts:** The property does not front Routes 117 or 121.

a) The property is not located at an intersection with Route 117 or 121.

b) There will be no new curb cuts. The road frontage of the property is greater than 150' and the existing two (2) driveways is allowable.

c) There will be no new curb cuts.

d) There will be no new curb cuts.

See 4/19/2016 minutes.

**Conclusions:** The requirements of the Standard are not applicable. Motion: RJ/DM Unanimous. (4/19/2016 meeting minutes).

a.(3(a)(b)(c)(d)(e):

**Findings of Facts:** The Wedding Barn and Residence driveway will remain as is and will have less than 50 vehicle trips per day.

The Parking Lot driveway will have between 50 and 200 vehicle trips per day and is a medium volume driveway See Public Hearing 4/19/2016 Minutes questions and answers and see Parking Lot Plan on Survey Map marked SHEET C1 Site Plan & Erosion Control certified by Ross Cudlitz, PE and issued for review on 3/7/2016. See 4/19/2016 meeting minutes.

(a) There will be two-way traffic and there is a minimum of 50 feet of driveway.

(b) The driveway intersects with the road at approximately 90 degrees.

(c) There will not be a median.

(d) The driveway does not slope upwards.

(e) Complies with the requisite radius and width for a two-way driveway.

**Conclusions:** The criteria for a medium volume driveway has been met. Motion: RJ/BD Unanimous. (4/19/2016 meeting minutes).

a.(4)(a)(b)(c)(d)(e)(f):

**Findings of Facts:** Neither of the two (2) driveways are high volume driveways as defined.

The Wedding Barn and Residence driveway will have less than 50 vehicle trips per day and the Parking Lot driveway will have between 50 and 200 vehicle trips per day. See Public Hearing 4/19/2016 minutes questions and answers and 4/19/2016 meeting minutes.

**Conclusion:** The criteria for a high volume driveway are not applicable. Motion: BD/HO Unanimous. (4/19/2016 meeting minutes).

5A.4. Parking and Circulation:

**Findings of Facts:** The layout and design of the Parking Lot provides for safe general interior circulation, separation of pedestrian and vehicular traffic, service traffic, loading areas, and arrangement and uses of parking area. See Parking Lot Plan on Survey Map marked SHEET C1 Site Plan & Erosion Control certified by Ross Cudlitz, PE and issued for review on 3/7/2016. There is a pathway from the Parking Lot to the Residence area within the property boundaries which will allow pedestrians to walk between the two areas without having to walk on the public road. See Site Plan drawing. The Parking Lot has two way

traffic so vehicles do not have to back out into Gore Road. The development does not abut an existing or potential parking area.

The Wedding Barn and Residence Parking area has adequate space for vehicles to park and to turn around so that it is not necessary for vehicles to back out onto Gore Road. See Parking and Circulation Plan submitted at the 5/17/2016 meeting, Public Hearing 4/19/2016 minutes, 4/19/2016 meeting minutes, and 5/17/2016 minutes.

5A.4.a.:

**Findings of Facts:** A use is not being extended nor are any structures being constructed. See 4/19/2016 meeting minutes.

**Conclusions:** The parking area for the Wedding Barn and Residence meets the requirements of the Standard (5A.4.a.1)) and has adequate room to park and maneuver so that vehicles do not need to back out of the driveway onto Gore Road. Motion: BD/SB Unanimous. (4/19/2016 meeting minutes).

The requirements (5A.4.a.2)3)4)5) of Standard is not applicable. Motion: RJ/HO Unanimous. (4/19/2016 meeting minutes).

5A.5. Surface WaterDrainage:

**Findings of Facts:** Ross Cudlitz, PE licensed by the State of Maine conducted a storm water analysis of the Linnell Farm property and has designed a storm water pre-condition and post-condition plans that provides for adequate disposal of all storm water.

5.a.: the management system is designed to meet the criteria of a 25-year storm.

5.b.: outlets are stabilized against soil erosion in order to reduce storm water velocity.

5.c.: the management system is designed to accommodate upstream drainage and has provision for a surplus design capacity factor of 25% for potential increase in upstream runoff.

5.d.: The analysis has studied and the management system provides for downstream drainage so that it will not overload existing or future planned storm drainage systems downstream from the development. Applicant accepts responsibility for financing the existing culvert drainage system improvements which may be necessary. See Engineers Project Report and Stormwater Analysis dated March 2016, and 4/19/2016 meeting minutes.

**Conclusion:** The requirements of this Standard have been met. Motion: HO/RJ Unanimous (4/19/2016 meeting minutes).

5 A. 6. Utilities:

**Finds of Facts:** The only public utility would be electric and there should not be an excessive draw on that. See Board of Selectmen letter dated 12/4/2016 and 5/17/2016 meeting minutes).

**Conclusions:** The Standard has been met. Motion: SB/BD Unanimous. (5/17/2015 meeting minutes).

5.A. 7. Advertising Features:

**Findings of Facts:** There will be two lit fixed signs. They both will be in keeping with the existing structures and with the surrounding properties. They will be shielded and non-flashing; one for the entrance of the Parking Lot and one on the Barn. There will be a light on the sign on the Barn, which will face the building. It will only be lit during functions. Solar

lights will be on the pathway. They will only be on during functions. See 4/19/2016 Public Hearing minutes and 5/17/2016 meeting minutes.

**Conclusion:** The requirements for this Standard has been met. Motion: SB/BD Unanimous. (Public Hearing 4/19/2016 minutes and 5/17/2016 meeting minutes).

5A. 8. Special Features of the Development:

**Findings of Facts:** A dumpster will be used for storage of rubbish. This will be screened by a fence. There will be no new structures constructed. There will just be storage area and waste that require screening. Any storage would be inside. The only new construction is the Parking Lot which will be somewhat shielded by trees and brush along the road. See 5/17/2016 meeting minutes.

**Conclusion:** The special features requirements of the development Standard have been satisfied. Motion: HO/DM Unanimous. (5/17/2016 meeting minutes).

5A. 9. Exterior Lighting:

**Findings of Facts:** Exterior lighting has been discussed under Advertising Features. The exterior lighting fixtures will be hooded or will be solar and are designed to minimize glare that creates hazards to vehicle traffic, light trespass onto adjacent properties or night sky glow. There will be no light trespass onto abutting properties. See 4/19/2016 Public Hearing minutes and 5/17/2016 meeting minutes.

**Conclusion:** This Standard has been satisfied. Motion: SB/HO Unanimous. (5/17/2016 meeting minutes).

5A.10. Emergency Vehicle Access:

**Findings of Facts:** The entry driveway access for the Wedding Barn and Residence is more than adequate for emergency vehicles for all of the buildings. See 5/17/2016 meeting minutes.

**Conclusion:** The Emergency vehicle access Standard has been met. Motion: BD/HO Unanimous. (5/17/2016 meeting minutes).

5A. 11. Municipal Services:

**Findings of Facts:** The Town of Otisfield does not have municipal services such as police and Garbage removal. It does have the typical services provided by a Code Enforcement Officer and by a Town Clerk. Construction, maintainance/plowing, and repair of roads and the services of the volunteer fire department are the most applicable municipal services that would be impacted. A letter from the Board of Selectmen dated 12/4/2016, states that the project will not unduly impact the roads. A letter from the Fire Chief dated 2/16/2016 outlines his review of the property and the proposed plan for using one of the barns as a wedding barn and the residence for lodging and its impact on the Fire Department if there were a fire or emergency. There is no nearby water supply on the property or nearby. The Wedding Barn and Residence do not currently have sprinklers or smoke and carbon monoxide detectors. The Department of Environmental Protection Bureau of Land and Water Quality states in a letter dated 12/11/2015, that the wetlands at the end of the culvert “qualify for the 4300 square foot exemption in the NRPA. A fire pond could be constructed in this location, without a permit from the Department...”. See the letters referred to here from the Fire Chief, Kyle Jordan, and Jeffrey Kalinich, DEP staff.

**Conclusions:** The development does not have any adverse impact on existing community services. Motion: BD/SB Unanimous. (5/17/2016 meeting minutes)

Should the application be otherwise approved, it should be with the conditions recommended by the Fire Chief: a fire pond be constructed on the property, sprinkler systems in the Wedding Barn and in the Residence, and Smoke and Carbon Monoxide detectors hard wired in both structures. KT/HO Unanimous. (5/17/2016 meeting minutes).

5A.12. Surface Water Quality:

**Findings of Facts:** The proposed development will not result in surface water pollution. See the Engineer's Project Report Report and Stormwater Analysis by Ross Cudlitz, PE.

**Conclusion:** The criteria and requirements for the Standard have been met. Motion: HO/SB Unanimous. (5/17/2016 meeting minutes).

5A.13. Conservation, Erosion & Sediment Control:

**Findings of Facts:** A plan to minimize soil erosion and sedimentation has been developed by a professional engineer and can be found in the Engineers Project Report & Stormwater Analysis provided by Ross A. Cudlitz, PE dated March 2016. See 5/17/2016 meeting minutes.

**Conclusion:** The criteria and requirements for the Standard have been met. Motion: HO/BD Unanimous. (5/17/2016 meeting minutes).

5A.14. Phosphorous Export:

**Findings of Facts:** Phosphorus control measures have been created and designed in the Engineers Project Report & Stormwater Analysis provided by Ross A. Cudlitz, PE dated March 2016, to address the concerns of the impact of phosphorus on water quality. See 5/17/2016 meeting minutes.

**Conclusion:** The criteria and requirements for the Standard have been met. Motion: DM/SB Unanimous. (5/17/2016 meeting minutes).

5A.15. Ground Water:

**Findings of Facts:** The proposed development does not result in undue affect on the quality or quantity of ground water. See the Engineers Project Report & Stormwater Analysis provided by Ross A. Cudlitz, PE dated March 2016. See 5/17/2016 meeting minutes.

**Conclusions:** The criteria and requirementsfor the Standard have been met. Motion: HO/SB Unanimous. (5/17/2016).

5A.16. Air Emissions:

**Findings of Facts:** There will be no emission of dust, ash, smoke or other particulate matter or gases and chemicals generated by this project's activities. See 5/17/2016 meeting minutes.

**Conclusion:** The Standard is not applicable. Motion: DH/HO Unanimous. (5/17/2016 meeting minutes).

5A.17. Electromagnetic Interference:

**Findings of Facts:** The proposed development will not interfere with radio, television or internet reception. See 5/17/2016 meeting minutes.

**Conclusion:** The criteria for the Standard has been met. Motion: BD/DM Unanimous. (5/17/2016 meeting minutes).

5A.18. Odor Control:

**Findings of Facts:** The proposed development will not produce offensive or harmful odors. See 5/17/2016 meeting minutes.

**Conclusion:** The criteria for the Standard has been met. Motion: HO/SB Unanimous. (5/17/2016 meeting minutes).

5A.19. Water Supply:

**Findings of Facts:** The development has sufficient water available for intended use of the Residence. Applicant will pursue “options including drilling a new well, or as a last resort, exercise a deeded water right of way” if it is found that there is not sufficient water available for activities in the entire development. See written statement provided for the 6/21/2016 meeting. See 5/17/2016 and 6/21/2016 meeting minutes. The water supplied to the temporary restroom units will be supplied by the company, Royal Restrooms, from which they will be rented rather than from the property’s well.

**Conclusion:** The requirement for the Standard either has or will be met. Motion: SB/BD unanimous. (6/21/2016 meeting minutes).

5A.20. Sewage Disposal:

**Findings of Facts:** The applicant will lease Royal Restrooms two and three-stall units. See photograph and description submitted for the 6/21/2015 meeting. The applicant will provide the number of units necessary to comply with the Minimum Plumbing Facilities (Table 4-1) as stated in the Maine Uniform Plumbing Code for the number of water closets required for the number of males and females in attendance at any event. The CEO will determine the Category and Assembly place on the Table that will apply for this project. See 6/21/2016 meeting minutes and Table 4-1 submitted by CEO and referred to in the meeting minutes.

**Conclusion:** The requirements for the Standard will be monitored by the CEO/ Local Plumbing Inspector and applicant will be required to have a system that is recognized by the State of Maine Uniform Plumbing Codes in order to pass the Plumbing Inspection .

Applicant agrees to lease the requisite number of two and three-stall Royal Restrooms units needed for the number of males and females in attendance at each event. Motion:

5.A.20, the Sewage Disposal Standard has been met as long as they are meeting the State Plumbing Code guideline minimum as shown on table 4-1 submitted by CEO. RJ/HO – Unanimous. (6/22/2016 meeting minutes).

5A.21. Waste Disposal:

**Findings of Facts:** The standard refers to trash disposal. Applicant will dispose of trash by using a dumpster which will be shielded from view by a fence. See 6/21/2016 meeting minutes.

**Conclusion:** The requirements of the Standard are met. Motion: RJ/HO unanimous. (6/22/16 meeting minutes)

5A.22. Scenic locations and Views:

**Findings of Facts:** The proposed activities will have no impact on the scenic areas and views



as identified in the Town of Otisfield Comprehensive Plan. No buildings are changing or being constructed. There is one scenic view on the Gore Road in the Comprehensive Plan that applies to this location; however, the view point listed is from the road. The parking lot will be below the road by 12 feet and the scenic view will not be impacted. See Parking Lot Plan on Survey Map marked SHEET C1 Site Plan & Erosion Control certified by Ross Cudlitz, PE and issued for review on 3/7/2016. See the Otisfield Comprehensive Plan and the 6/22/2016 meeting minutes.

**Conclusion:** There are no obstructions to the Scenic View as listed in the Otisfield Comprehensive Plan. Motion: HO/SB Unanimous. (6/21/2016 meeting minutes).

#### 5A.23. Noise:

**Findings of Facts:** The abutting home owners are concerned about the noise level in the evening and until at least 11:00 p.m. One abutter who lives across the road has a child with disabilities, and he is concerned about the noise keeping her from getting needed rest and the affect on her health. Abutters say that they can hear conversations which occur on the Residence porch. There is concern about the affect of excessive noise from the Wedding Barn on abutter's health and property values. An abutter across the road requested that a sound study be done by a Maine State licensed sound engineer. The CEO has determined that there is no licensing process for sound engineers in Maine. The abutter requested that the CEO be present for the study, and the Chair of the Planning Board sent a request to the applicant to have the CEO be present. The applicant did not respond to the email or notify the CEO about when the testing would take place. A noise analysis was conducted by an acoustician with Reverberations/Starry Studios on 6/11/2016 at 7 a.m. The report is dated June 12<sup>th</sup>. The acoustician started at the sound system, produced white noise, and then began Measuring the decibel levels inside the wedding barn and moving outside to the road (property line) and along the road in intervals of 10 feet. There were 35 testing sites. The instrument used for measurement of noise was calibrated by a certified company. Based on the white noise output at 100 decibels, 105 decibels and 110 decibels; readings at 35 locations were measured and reported in a chart. Background noise was noted at an average of 44dbA with peaks upwards of 48dbA and dips below 40dbA. At 100dbA the sound levels ranged from 35.5dbA to 45.9dbA. The State Guidelines presented in the report listed the allowable levels where the Abutting Use is Residential to be 55dbA during the day (7 a.m. – 7 p.m.) and 45dbA over night (7 p.m. – 7 a.m.). The noise level at 7: 00 p.m. to 11:00 p.m. was not measured during the sound analysis. The applicant is going to limit the sound level to 90dbA at the speakers. This output would produce decibel levels at the property lines which are below the state guidelines for a residential zone. Otisfield does not have a noise ordinance or zones. The State guidelines cannot be used as standards to be met. The applicant stated at the 4/19/2006 Public Hearing that the windows of the Wedding Barn do not open. The door facing the road does open. The speakers will be turned away from the road and events will end at 10:00 p.m. Trees and shrubs have been planted strategically along the Gore Road property line to buffer sound. The applicant will use double pane windows for all windows of the Wedding Barn. All open cracks around windows and doors will be sealed to decrease noise leakage. The applicant will install on the wall of the Wedding Barn a wall mounted decibel meter with an alarm to monitor the maximum sound levels, and she will post the limit of 90 dbA allowed. The applicant agrees to the recommendations made by the Acoustician in the report. See Public Hearing 4/19/2016 minutes, 4/19/2016 meeting

minutes, two emails from Jennifer Becker dated 5/20/2016 submitted into public record, 5/23/2016 letter and 6/12/2016 report from Reverberations/Starry Studios, and 6/22/2016 meeting minutes.

**Conclusions:** Based on the 6/12/2016 report, the noise levels at the property lines with a 100 dbA output are in line with the State Guidelines; and at 90 dbA, will be under those Guidelines. If the application is approved, the recommendations of Paul Butler, the Acoustician who did the analysis, should be conditions of approval. The applicant, by agreeing to follow those recommendations, is doing all she can to appease the noise concern. Motion: The requirements for Standard 5.A.23 is met. RJ/HO unanimous. (6/22/2016 meeting minutes)

5A.24. Protection of Significant Wildlife Habitat:

**Findings of Facts:** The development is not within seventy-five (75) feet of significant wildlife resources or fisheries habitat as identified by the Maine Department of Inland Fisheries and Wildlife. See Natural Resource maps 1 and 2 in the Town of Otisfield Comprehensive Plan. See Comprehensive Plan maps and 5/17/2016 meeting minutes.

**Conclusions:** This Standard is not applicable. Motion: DH/HO Unanimous. (5/17/2016 meeting minutes).

5A.25. Archaeological Sites:

**Findings of Facts:**

The development is not on, or adjacent to, sites listed on or eligible to be listed on the National Register of Historic Places.

**Conclusion:** This Standard is not applicable. Motion: BD/SB Unanimous. (5/17/2016 meeting minutes).

5A.26. Endangered and Threatened Plants:

**Findings of Facts:** There are no endangered or threatened plants as identified by the Maine Natural Areas Program and noted on the Town's Comprehensive Plan where the Parking Lot is to be located and there will be no other soil disturbance as part of the development. See the Otisfield Comprehensive Plan's natural resource maps and 5/17/2016 meeting minutes.

**Conclusions:** This Standard is not applicable. Motion: DH/HO Unanimous. (5/17/2016 meeting minutes).

5A.27

**Findings of Facts:** This Standard cannot be determined until the end of review of the Standards of Review when a decision can be made relative to whether or not the development is in compliance with Otisfield's ordinances. If the application is approved, the development will thereby be deemed to be in conformance with the Comprehensive Plan for the Town of Otisfield, Maine, and Town of Otisfield Ordinances. See 5/17/2016 and 6/21/2016 meeting Minutes.

**Conclusions:** If the application is approved or approved with conditions, one of the conditions will be that the Planning Board finds that Review Standard 5A.27, is in conformance with the Comprehensive Plan for the Town of Otisfield, Maine, and Town of Otisfield ordinances has been met.

Motion: SB/BD unanimous. (6/21/2016 meeting minutes)

5A.28. Financial and Technical Capacity:

**Findings of Facts:** The property is owned and the development is financed up to \$75,000 by an investment group known as Tamstars LLC. See 12/4/2015 letter from Stephen Fink, LLC member.

**Conclusion:** The Standard is satisfied. Motion: SB/HO Unanimous. (5/17/2016 meeting Minutes)

5A.29. Site Conditions:

**Findings of Facts:** This Standard relates to when construction begins on the Parking Lot. The Engineers Project Report & Stormwater Analysis by Ross Cudlitz, PE and dated March, 2016, includes information on site conditions required. The CEO has the final say and will oversee that the site conditions as listed will be adhered to. See Engineers Project Report and Stormwater Analysis by Ross Cudlitz, PE dated March, 2016 and 5/17/2016 meeting minutes.

**Conclusions:** The applicant has to meet the site conditions that are listed and overseen by the CEO at the time of construction of the Parking Lot. Motion: BD/SB Unanimous. (5/17/2016 meeting minutes)

5.B. Special Regulations:

**Finds of Facts:** The CEO considers the requirements of this Standard to be for an Institutional use. Based on that determination, the requirements under the Special Regulations of this Standard (5B1.2.3.4.5.6.7.9.) of this Ordinance are not applicable to this Development. See 5/17/2017 meeting minutes.

**Conclusions:** This development is not an institutional use and the requirements of the Standard are not applicable. Motions:

1 – 3) KT/HO Unanimous.

4) SB/HO Unanimous

5) KT/HO Unanimous.

6) BD/SB Unanimous.

7) DM/HO Unanimous.

\* There is no 8) in the Ordinance

9) SB/HO Unanimous. (5/17/2016 meeting minutes)

**Final Findings of Facts: (Not related to a specific Standard)**

A letter dated 2/16/2016, was submitted by the Otisfield Fire Chief, Kyle Jordan, in response to a request from the Planning Board. The letter details the results of his review of the development property and the proposed use as a wedding venue in one of the barns and as a lodging for the wedding party in the Residence and includes his findings and recommendations. Since there is no relevant Standard for fire safety measures, the recommendations cannot be mandated. However, the recommendations will help to provide greater safety from fire and related emergencies and should be made conditions of approval if the application is otherwise approved. A Fire Pond should be created on the property, sprinkler systems should be installed in the Wedding Barn and in the Residence, and battery operated fire and carbon monoxide detectors should be hardwired throughout the Wedding Barn and the Residence. See Fire Chief's letter dated 2/16/2016 and 5/17/2016 meeting

minutes.

**Conclusion:**

If this development is otherwise approved, it should be with the condition that the Fire Chief's recommendations be followed: A Fire Pond should be created on the property, sprinkler systems should be installed in the Wedding Barn and in the Residence, and battery operated fire and carbon monoxide detectors should be hardwired throughout the Wedding Barn and the Residence. Motion: KT/HO Unanimous. (5/17/2016 meeting minutes).