

**-PUBLIC HEARING –
PUBLIC MEETING
Hope Planning Board
Wednesday, February 17, 2021
6:30 PM
Via Zoom**

If you would like to PARTICIPATE in the meeting, then please attend via Zoom.
This meeting may be attended via Zoom: <https://zoom.us/j/5851802397>
Meeting ID: 585 180 2397

If you would like to WATCH the meeting, then please attend via livestream.
This meeting may be livestreamed: https://townhallstreams.com/towns/hope_me

AGENDA

Call to Order:

New Business:

- Public Hearing regarding Site Plan Review for Ford Enterprises
- Botany – Adult Use Marijuana Cultivation LUO Amendment – Seth Haskins:

Future Business:

- Site Walk for S & H Tires:
- Public Hearing for Minor Subdivision – Rick Catalano:
- Site Plan Review for S& H Tires:
- Site Plan Review Sweet Tree School – Lindsay Pinchbeck:

Adjournment:

-

FORD

Dan Ford
318 Hatchet Mountain Road
Hope, ME, 04847
323-2755
fordslc@gmail.com

1/13/21

Enclosed please find my official application for the Hope Planning Board Site Plan Review for the piece of property I am pursuing to purchase on Camden Road, as discussed at the pre-application meeting with the Planning Board held on 1/6/21.

Enclosed documents include a completed written statement, Town of Hope Application for Planning Board Review, and site plan.

Thank you,



Dan Ford



TOWN OF HOPE

441 Camden Road, Hope, ME 04847
Ph: (207) 763-4199 • Fax: (207) 763-4195
www.hopemaine.org

Application for Planning Board Review

INSTRUCTIONS

Please read these instructions carefully. If you are uncertain about a requirement please contact Samantha Mank, Code Enforcement Officer through the Town Office at 763-4199. Failure to submit a complete application as indicated below may delay your review.

Deadlines: Complete applications must be submitted by the deadline to be considered for the next meeting. If you are unsure of whether or not an item is required, request a waiver. Ideally, you have met with staff and are informed regarding the applicability of items.

Application packets: Ten (10) copies of full application packets referencing the map and lot number of the property must be submitted. **Application fees are part of a complete application.**

Applicant: The applicant must have documentation with owner's signature if the owner does not sign the application.

Owner: If the owner is a non-person, documentation from the Secretary of the Association or Corporation must be submitted certifying that the person signing has authority to act for the entity.

Correspondence: Correspondence will be mailed to one person, please indicate whether, the Agent, the Owner, or the Applicant will be notified.

Condominium Development: All condominium development is subject to both subdivision and site review unless it is a single-family development.

Project Review: Some projects are required to go to pre-application conference at the Planning Board level. The applicant may opt for a staff review prior to submittal to the Planning Board. This is highly encouraged for complex development proposals and for applicants that do not hire a professional consultant to represent them or are unfamiliar with the Planning Board regulations and approval process.

Other Approvals: A complete copy of any other agency approvals must be submitted with the application.

Fees: Application fees are non-refundable.

Town of Hope Application for Planning Board Review Page 2 of 3

Property Information

Map 27 Lot 47
Zoning District Rural Residential District
Street Address: Camden Rd.
undeveloped lot. No address yet
Deed Reference
Book 4114 Page 41 Parcel Size 18 +/- Acres

Office Use Only

Filing Fee \$ _____ Abutter notices \$ _____
Legal ad fee \$ _____ Fire Department \$ _____
Total fees \$ _____

Applicant Information

Name: Dan Ford Telephone: 323-2755
Address: 318 Hackett Mountain Rd. Fax: _____
HOPE, ME, 04847 Email: fordslc@gmail.com

Note: Attach permission from owner if application not signed by owner.

Agent Information

check here if correspondence should be directed to ^{Applicant} agent
Name: _____ Telephone: _____
Address: _____ Fax: _____
Email: _____

Owner Information:

Name: Richardson Heirs (Ben Paisky Richardson, REP. ^{OWNERS}) Telephone: 384-2223
Address: 430 Emerys Bridge Rd. Fax: _____
South Berwick, ME Email: _____

Proposed Development (check all that apply)

Pre-Application Conference _____ Preliminary Plan _____
Site-Plan Review X Sub-Division _____
Final Plan Review _____ Final _____

Project Type:

_____ Major Subdivision _____ Minor Subdivision _____ Commercial
_____ Multi-family Development _____ Home Occupation _____ Industrial
X Other: Construction Business with Residential Dwelling on Property

Town of Hope Planning Board Application Page 3 of 3

Proposed Development Name: _____

_____ Number of Lots
_____ Number of Units
_____ Total Square Footage of Commercial/Industrial Buildings.

Proposed Road Name(s):

Other Approvals Required:

_____ Zoning Board of Appeals: ___ Variance ___ Special Exception


_____ Central Maine Power

_____ ME Dept. of Environmental Protection

The undersigned, being the applicant, owner or legal representative of the property, hereby certifies that all information contained in this application is true and correct to the best of his/her knowledge and submits such information for review by the Town for conformance with all applicable regulations, ordinances, and codes of the town, state and federal government. The undersigned, by signing below, authorizes any authorized agent of the Town of Hope or other review agency to enter the property for the purposes of review of this application.

Dan Ford

Print Name of Property Owner/ Applicant

 1/10/21
Signature of Property Owner/ Applicant Date

Print Name of Owner's Agent

Signature of Owner's Agent Date

Dan ford
318 Hatchet Mountain Road
Hope, ME, 04847
323-2755
fordslc@gmail.com

2/5/21

9.4.2 Written Statement for Site Plan Review

9.4.2.1. Evidence by the applicant of his/her title and interest in the land that the Application covers **See Purchase and Sale Agreement**

9.4.2.2. A description of the proposed uses to be located on the site
Residential Dwelling, Construction Business

9.4.2.3. Total floor area and footprint of each proposed building and structure and the lot coverage as defined in Section 11.2
Shop Building 40'x60' (2,400SF) Single story ranch house 28'x32'(896')

9.4.2.4. Summary of existing and proposed easements, restrictions, and covenants on the property
None

9.4.2.5. Method of solid, liquid, chemical, or other waste disposal
Non Applicable

9.4.2.6. Erosion and sedimentation control plan, stormwater drainage control plan, and soils information
See Attached. Erosion Control will consist of silt fence, erosion control mix. Surface water course will follow the existing course it has, with minimal impact to it or additional surface water added to it, as the proposed impact will be on higher ground, and surface water already drains towards the middle of the property.

9.4.2.7. Approximate volume of soil to be added or removed, the amount of blasting required, and a disposition plan for removed materials
700 yards of gravel to build approximately 1000' of driveway to access the back part of the property. Additional 900 yards of gravel to build gravel pad, base for shop foundation, turn around driveway area. No blasting required and no materials to leave the site.

9.4.2.8. If public water and sewer are to be used, written statements from the water utility and sewer district shall be provided commenting on the capacity of the system and the availability of the utility to provide service to the new development
Non Applicable

9.4.2.9. An estimate of the date when construction will start and be completed
Clearing, driveway, utilities installed in 2021. Buildings to be started in 2022.

9.4.2.10. List of approvals and permits required by the Office of the State Fire Marshal and other State and Federal Agencies
Non Applicable

9.5.1. Preservation and Enhancement of the Landscape

At completion, as defined during site plan review, landscaping should be designed and planted to define, soften or screen the appearance of off-street parking areas from the public right-of-way and abutting properties and structures.

It is important to note that the main structure of the existing woods between Camden Road and where the work site & Residential site will be will be left in place to adequately screen the road from the area that will be used in the back. In addition, a natural woods screen will be left between adjoining properties to help with a visual screen. Also, the driveway entrance will have a natural radius to it coming in off Camden Road, so the entrance will simply look like a regular driveway, with absolutely no visual from the road to the back of the property. With the existing wet area adjacent to Camden Road, we would have 400' minimum of natural woods left in place between Camden Road and the cleared area in the back. The buildings would be further away from the road than that, closer to 700' back from Camden Road. We would also leave a minimum 50' natural wood buffer between the driveway and the easterly property line. As the driveway curled back towards the middle of the property, that 50' buffer will increase. The North and West property lines will also have a smaller buffer, however both adjoining properties on those sides are undeveloped, and the furthest point away from neighboring houses.

9.5.2. Soils and Erosion Control

The soils on the site shall have adequate capacity and stability to support all proposed development. Filling, excavation and earth moving activity shall be carried out in a way that keeps erosion and sedimentation to a minimum. The design shall include best management practices that

9.5.2.1. Preserve and protect the natural vegetation

9.5.2.2. Keep the duration of exposure of disturbed soils to as short a period as possible and stabilize the disturbed soils as quickly as practicable

9.5.2.3. Use temporary vegetation or mulching to protect exposed critical areas during development

As shown on the plan, during construction, erosion control practices will follow Best Management Practices (BMP's) and consist of a combination of silt fence, erosion control mix, erosion control mat where necessary, silt socks where necessary, staked haybales, as well as spread mulch hay where necessary. Once surface drainage is complete, permanent vegetation will be established to protect disturbed areas, maintain runoff, and protect the natural vegetation.

9.5.3. Vehicular Access

Vehicular access shall comply with the access management standards of Section 5.3.1.

Camden Road (Rt. 105) is a State Road. This piece of land more than exceeds the criteria needed by MDOT standards(17-229 Chapter 299, Highway Driveway and Entrance Rules: Part A, Driveway Rules) A average of 30 trips per day is estimated (entering and exiting driveway). A MDOT driveway opening permit has been submitted and has been approved (2/1/21)

9.5.4. Parking and Circulation

The layout and design of all means of vehicular and pedestrian circulation, including walkways, interior drives and parking areas, shall provide for safe general interior circulation, separation of pedestrian and vehicular traffic, service traffic, loading areas and arrangement of parking areas.

Although there will be no general public coming or going, there will be a few employees who come to work in the morning, and park their personal vehicles while at work. There will be ample parking adjacent to the work area in the "work/shop area" as shown on the site plan. Again, this area will be well off of Camden Road (approximately 800'), well out of site.

9.5.5. Surface Water Drainage

Adequate provision shall be made for surface drainage so that removal of storm waters will not adversely affect neighborhood properties, downstream water quality, or the public storm drain system or cause soil erosion. Whenever possible, on-site absorption of run-off waters shall be used to minimize discharges from the

site. Once gravel pad and building are complete, a surface swale will be installed on the uphill side of the property to divert water around the area, and towards the middle of the property, where surface water already drains to and eventually crosses Camden Road through a culvert. In addition, the driveway will be adequately ditched and adequate cross culverts to accommodate any surface water to cross the driveway to let it go where it wants to go naturally. It is important to note that we would not be introducing any new surface water, simply re-directing the water that is already crossing the property. In addition, there does not appear to be any ground water (spring), however if ground water is encountered, it will be dealt with a French drain system. Most importantly, as already stated, the natural wet area in closest to Camden Road will remain untouched, with all of the work being done on the back side of the property, where the ground is higher, drier, and naturally better ground in general.

9.5.6. Existing Utilities

The development shall not impose an unreasonable burden on sewers and storm drains, water lines or other public utilities.

Non Applicable

9.5.7. Special Features of Development

Exposed storage areas, exposed machinery, installations, service areas, truck loading areas, utility buildings and similar structures shall have sufficient setbacks and screening to provide a sound and visual buffer sufficient to minimize their adverse impact on other land uses within the development area and surrounding properties

As stated above, the natural woods will be left in place adjacent to Camden Road, as well as neighboring properties to act as a visual and sound buffer. As stated, once complete, this will look like a residential driveway, and there will be no visual of any buildings, equipment, etc. from the road. With the existing wet area adjacent to Camden Road, we would have 400' minimum of natural woods left in place between Camden Road and the cleared area in the back, (shop and work area would be further back, roughly 700'-800' off Camden Road) as well as roughly 50' buffer to the West, North, and East sides, however it is important to mention that these sides do not have any houses on them (with exception to Ramona Graves, who is closer up front to Camden Road anyway, where only the proposed driveway will be). In addition, our plan would be to add to the earthen berm that is already adjacent to the Grave's Property, as well as add small deciduous trees along that earthen berm. We would most likely have a small sign at the entrance of the driveway, similar to what I have currently at 318 Hatchet Mountain Road, measuring 18"x24".

9.5.8. Exterior Lighting

All exterior lighting shall be designed to minimize adverse impact on adjacent properties. Factors to be considered by the Planning Board in determining whether exterior lighting has been designed to minimize impact on neighboring properties shall include the location, height, shading and intensity/wattage of the proposed exterior lighting. Where practical, the Planning Board shall require exterior lighting fixtures to have motion detectors or other security options so that illumination occurs only when necessary and is otherwise dimmed or turned off.

Both the shop and house area would have motion detected exterior lights pointed down, just enough to see in the dark, and would be off most of the time.

9.5.9. Emergency Vehicle Access

Provisions shall be made for practical and safe emergency vehicle access to all buildings and structures at all times of the year.

The intent would be to have adequate space at all times to enable emergency vehicle access at all times, as well as have all driveway surfaces built suitable to withstand emergency vehicles.

9.5.10. Municipal Services

The development will not have an unreasonable adverse impact on municipal

services.

Non Applicable

9.5.11. Water Quality

Must comply with Federal and State regulations.

We do stockpile pre-mixed winter sand in the winter months. We keep it under cover, contained in a concrete lined building. We buy about 40-50 yards at a time, and immediately put it in the building. We don't replace it until it is almost all used up, so we don't have any more than 50 yards on hand at any given time.

9.5.12. Air Quality

Must comply with Federal and State regulations.

Non Applicable

9.5.13. Water Supply

The development has sufficient water available for the reasonably foreseeable needs of the development and will not cause an unreasonable burden on an existing water supply, if one is to be used.

We would be planning on drilling a well, with minimal water use (1 bathroom in house, 1 bathroom in shop building)

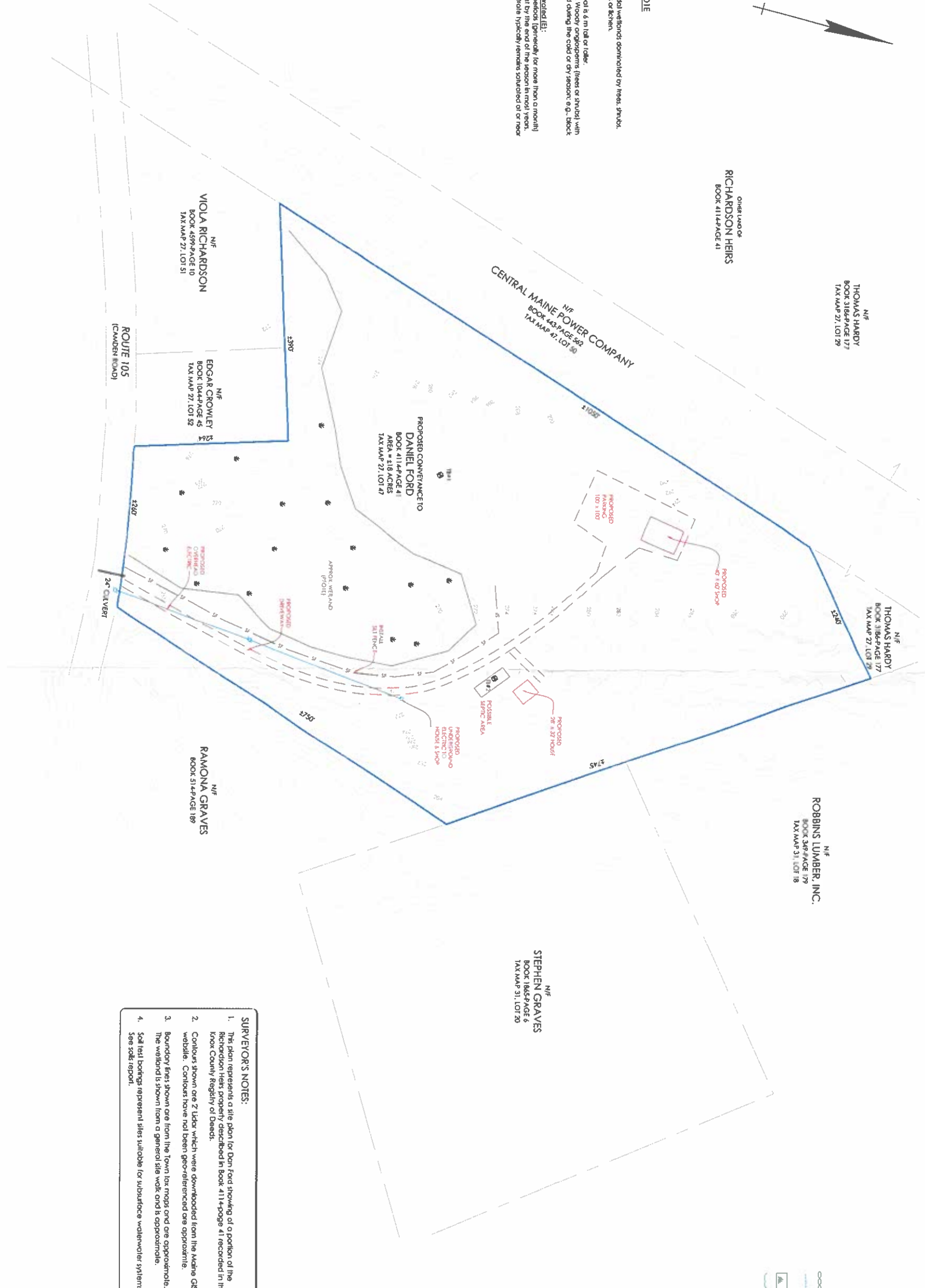


Wetland Classification code: FFO1E

System Palustrine (P):
The Palustrine System includes all nonflood wetlands dominated by reeds, shrubs, persistent emergents, emergent meadows or bogs.

Class Forested (F):
Characterized by woody vegetation that is 6 m tall or taller. Subclass Broad-leaved Deciduous (1): Woody angiosperms (trees or shrubs) with relatively wide, flat leaves that are shed during the cold or dry season; e.g., black oak (*Quercus nigra*).

Wetland Bedrock Separately Flooded (S):
Surface water is present for extended periods (for more than a month) during the growing season, but is absent by the end of the season in most years. When surface water is absent, the substrate typically remains saturated or is near the surface.



LEGEND:

- 5/8" REBAR SET
- IRON PIN FOUND
- MONUMENT FOUND
- ⊕ UTILITY POLE
- STONE WALL
- OVERHEAD UTILITY LINE
- ▭ WETLAND
- EDGE OF VEGETATION
- NOW OR FORMERLY
- ⬇️ SOIL TEST BORING

SURVEYOR'S NOTES:

1. This plan represents a site plan for Don Ford showing a portion of the Richardson Heirs property described in Book 411 & page 41 recorded in the Knox County Registry of Deeds.
2. Contours shown are 2' ticks which were downloaded from the Maine GIS website. Contours have not been georeferenced or approximated.
3. Boundary lines shown are from the Town tax maps and are approximate. The wetlands shown from a general site work and is approximate.
4. Soil test borings represent sites suitable for subsurface water/water systems. See soil report.

MARK W. INGRAHAM, III PROFESSIONAL LAND SURVEYOR INGRAHAM LAND CONSULTING, INC. 1 Fiske Lane Rockport, Maine 04856 (207) 236-9321 ingrahamlandsurveyors.com			
SITE XREF DATE:	DECEMBER, 2020	MAINE STATE OF LAND SURVEYORS	
PLAN BY:	MWM	MAINE REG. #1339	
MADE BY INGRAHAM, III	MAINE REG. #1339	NO. _____	REVISIONS:
		BT _____	DATE _____
SITE PLAN OF RICHARDSON PROPERTY		GRAPHIC SCALE INCH = FEET	
DANIEL J. FORD CAMDEN ROAD (ROUTE 105) HOPE, MAINE KNOX COUNTY		SCALE: 1" = 80' PROJECT NUMBER: 20-263 DATE: JANUARY 12, 2021	
INGRAHAM LAND CONSULTING, INC.			

BOTANY

Town of Hope Stop-Gap Idea

The following is a simple two-step stop-gap measure that would allow some adult-use marijuana cultivation to commence this spring while allowing Hope to take their time crafting a specific ordinance for adult-use marijuana cultivation.

Step One:

Amend the current marijuana moratorium:

Removing “Indoor Adult-Use Cultivation” from the list of prohibited businesses. And adding “Indoor Adult-Use Cultivation up to Tier 3 allowed in some circumstances pursuant to Hope Land Use Ordinance Section 5.3.17A”

Step Two:

Amending the Hope Land Use Ordinance Medical Marijuana section (5.3.17A) with the following paragraph:

OMP Medical Marijuana Caregiver cultivator approval prior to January 1, 2021 for caregivers currently operating in the town of Hope shall be deemed to constitute approval for up to Tier 3 indoor cultivation of adult use marijuana pursuant to 28-8 MRS 10 I et seq. Notwithstanding the above, no marijuana cultivation facility may operate without the applicable state license. Anyone cultivating adult use marijuana pursuant to 28-B MRS § 101 et seq. and this Ordinance shall adhere to the laws of the State of Maine and the State of Maine Rules governing the Adult Use Marijuana Program Rule (18-691 CMR Chapter I).

Recall Ordinance in the Town of Hope, Maine 04847

Any elected official may be recalled and removed by the voters of the Town as herein provided.

A. Procedure for Filing Petition.

- 1.) Any voter may submit an affidavit with the signatures of five (5) or more registered voters of the Town and file that affidavit with the Town Clerk in order to seek the removal of any elected official of the Town provided that such affidavit shall contain the following information:
 - a.) The name and address of the five or more registered voters. The address to which all notices are to be sent from the Town Clerk to the person submitting the petition.
 - b.) The name and address of the elected official whose removal is sought.
 - c.) A detailed statement of the reasons why the removal of that elected official is sought.
- 2.) Upon receipt of the affidavit, in proper form, the Town Clerk shall thereupon within five days deliver to the person submitting such affidavit, copies of petition blanks (printed forms of which shall be kept on hand for that purpose). Such blanks shall be issued by the Town Clerk with the Town Clerk's signature and official seal thereto attached; they shall be dated and addressed to the Select Board, shall contain the name of the persons to whom issued, the number of blanks shall be issued and circulated for each official whose removal is sought. A copy of the petition shall be entered in a record book to be kept in the office of the Town Clerk.
- 3.) The recall petition, to be effective, must be returned and filed with the Town Clerk within thirty (30) calendar days after the filing of the affidavit.
- 4.) The petition, upon being returned and filed, shall contain the signatures of no less than ten (10%) percent of the voters of the municipality voting in the last gubernatorial election.
- 5.) The petition, to be valid, must also contain the following information:
 - a.) The name and address of the elected official whose removal is sought by the petition
 - b.) The name and address of the five registered voters who commenced the circulation of the petition
 - c.) A detailed statement of the reason why the removal from office is sought by the petitioners

B. Signatures to Petitions

- 1.) The signatures to petitions need not all be affixed to one petition, but to each separate petition there shall be attached an affidavit of the circulator thereof stating that the circulator, and they only, personally circulated the foregoing paper; that it bears a stated number of signatures; that each signature appended thereto was made in the circulator's presence and is to the best of the circulator's knowledge and belief the genuine signature of the person whose name it purports to be.
- 2.) With each signature shall be stated the same name printed, the place of residence of the signer, giving the street and number or other description sufficient to identify the same.

C. Filing, Examination and Certification of Recall Petitions.

- 1.) All petition papers comprising a recall petition shall be assembled and filed with the Town Clerk as one instrument.
- 2.) Within ten (10) working days after a petition is filed, the Town Clerk shall determine whether each paper of the petition has a proper statement of the circulator and whether the petition is signed by a sufficient number of qualified voters. The Town Clerk shall declare any petition paper entirely invalid which does not have attached thereto an affidavit signed by the circulator thereof.
- 3.) If a petition paper is found to be signed by fewer persons than the number certified, the signatures shall be accepted, unless void on other grounds.
- 4.) If the Town Clerk's certificate shows the petition to be insufficient, the Town Clerk shall forthwith so notify in writing one or more of the persons designated on the petition as filing the same; and the petition may be amended at any time within the five (5) day after the giving of the notice of a supplementary petition upon additional papers, issued, signed and filed as provided herein for the original petition.
- 5.) The Town Clerk shall, within ten (10) working days after such amendment, make like examination of the amended petition, and attach thereto the certificate of the result. If then found to be insufficient, or if no timely amendment was made, the Town Clerk shall file the petition in the Town Clerk's office and shall notify each of the persons, designated thereon as filing it, of that fact.
- 6.) The final finding of insufficiency of a petition shall not prejudice the filing of a new petition for the same purpose. After completing examination of the petition, the Town Clerk shall certify the result thereof to the Board of Selectmen at its next regular meeting. If the Town Clerk shall certify that the petition is insufficient, the particulars in which it is defective shall be set forth in the certificate.

D. Calling of recall election.

- 1.) If the petition or amended petition shall be certified by the Town Clerk to be sufficient, the Town Clerk shall submit the same with the certificate to the Select Board at its next meeting and shall notify the member or members whose removal is sought of such action.
- 2.) The Select Board shall at such meeting order an election to be held not less than thirty (30) nor more than sixty (60) days after the Select Board meeting; provided that, if the date set for the special election shall fall within four (4) months of the next regular or state or municipal election, no such special election shall be called and the question shall be submitted at the regular election.

E. Form of ballot in recall election.

- 1.) Unless the member or members whose removal is sought shall have resigned before the receipt by the Select Board of the Town Clerk's certificate, the form of the ballot at such election shall be as nearly as may be: "Shall "A" be recalled? Shall "B" be recalled?" etc., (the name of the member or members whose recall is sought being inserted in place of "A", "B", etc.)
- 2.) In case of a majority of those voting for and against the recall of any official shall vote in favor of the recall, such official shall be thereby removed, provided however that the total number of votes cast equal or exceed 40% of the votes cast in the last gubernatorial election.
- 3.) Any such vacancy shall be filled at the next scheduled regular or special election. Should the Select Board by vote deem it in the best interest of the Town to fill such vacancy before the next scheduled election, then the vacancy shall be filled within sixty (60) days by a special election called by the Board for that purpose.
 - a.) No elected official that has been recalled shall be employed by the Town for at least twenty-four (24) months.
 - b.) No employee of the Town shall serve as an elected official simultaneously.
 - c.) No former employee, regardless of reason for separation, shall be eligible to be an elected official of the Town for at least twenty-four (24) months.

F. Procedure on refusal of Board of Selectmen.

- 1.) In the event the Select Board fails or refuses to order a recall election, pursuant to the provisions set forth in this Ordinance, then such election may be ordered by any Justice of the Superior Court, upon complaint to the Superior Court by any registered voter of the Town, such complaint shall be filed pursuant to Rule 80-B of the Maine Rules of Civil Procedure and in accordance with the time limits for filing of such complaint set forth in Rule 80-B.