

Trident Cold Water Extraction

316 Stainless Steel

Food Grade Pumps

Sanitary Piping and Connections

Closed Loop Water Chilling

Remote Access PLC

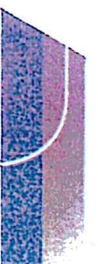
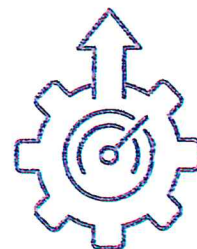
Key Equipment Features:

- 316 stainless steel on all product contacting surfaces
- 100-gallon total volume / 80-gallon working volume
- Produces consistent and high-quality hash, oil or rosin
- Food grade pumps and sanitary connections
- Designed for long term use with minimal wear and tear or consumables
- Easy to install- fits through a 48-inch doorway
- 0.5-1.5°C closed loop water chilling
- UltraVibe filtration- FDA approved vibrating screen filter solution
- Maratek quickswitch mixing technology including interchangeable and customizable blades to optimize hash yields
- Maratek 3C technology
- SOP/recipe packages available
- On site recipe customization
- Optional EXR carrier oil emulsion and decarboxylation reactor

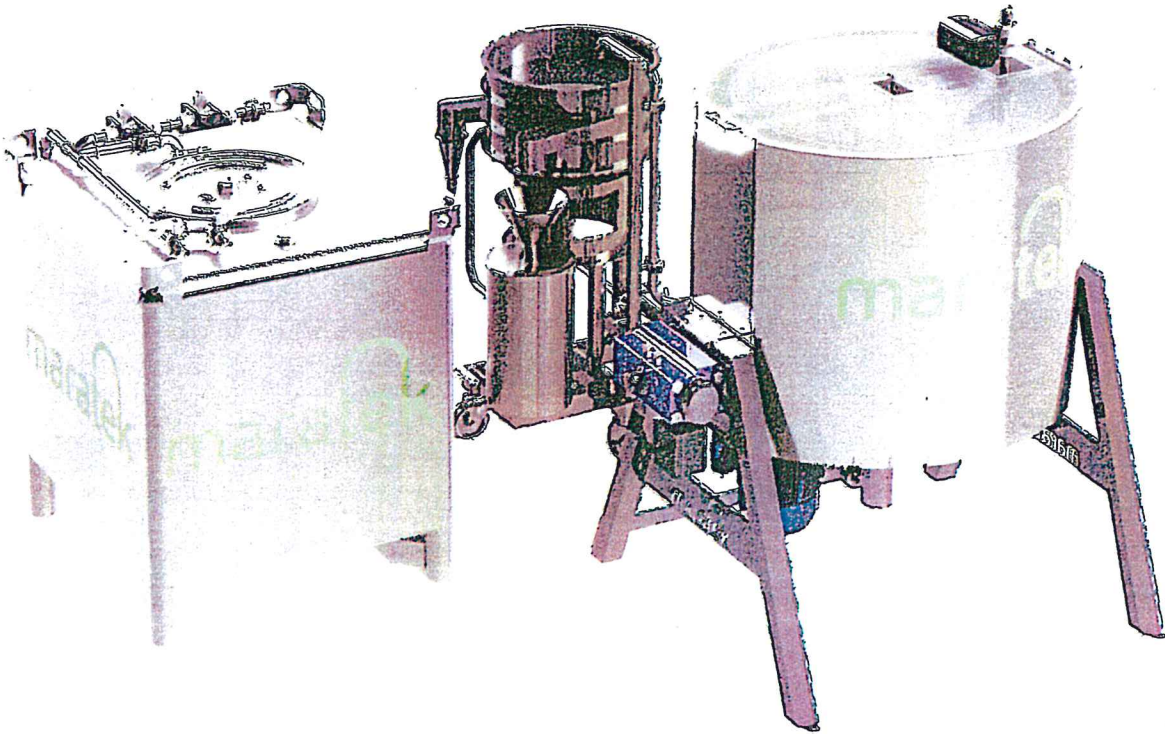


Maratek 3C Technology

3 C Technology offers you complete cycle control of all operating parameters. This includes rotation speed, rotation duration, torque settings, agitation speed and agitation time. These settings can be saved under different recipes, each customizable for unique applications



Trident Cold Water Extraction



Water Extraction Process

- Step 1: Load biomass for processing
- Step 2: Select recipe on PLC
- Step 3: The system will automatically fill, agitate, spin and drain as per the recipe selected
- Step 4: Unload biomass
- Step 5: Collect trichomes from the UltraVibe filter stack
- Step 6: Run next cycle
- Step 7: Process trichomes into hash, oil or rosin

Let Maratek's 3C Automated PLC
work for you!

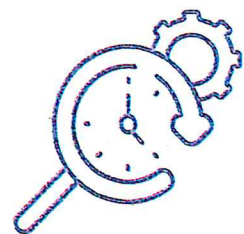
Gentle Separation

Most other water extraction solutions use internal mixing or agitation which can cause damage to the biomass which increases impurities and degrades trichome quality.

The Trident system uses gentle external agitation to ensure an ideal trichome separation while preventing excess damage to the biomass.

What is the EXR?

As an optional feature we can include a reactor which can infuse/emulsify your high quality water hash product into the carrier oil of your choice. This produces a food grade, solvent free, ready to sell product which has not lost any terpenes from drying or exposure to solvents. The reactor is also able to decarboxylate the product if you wish.

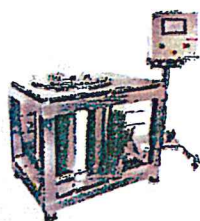


About Maratek

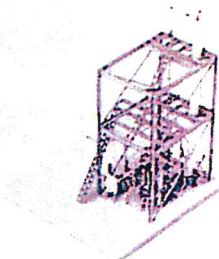
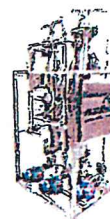
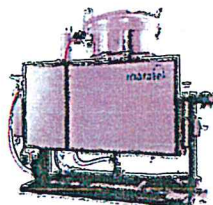
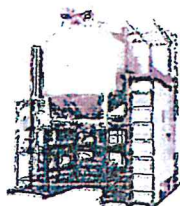
Maratek is an award-winning industry leader in the solvent recycling and cannabis & hemp oil production industries. We strive for the highest safety and quality standards with all our equipment designated as Class 1 Division 1 certified, and UL listed using only **North American stainless steel, parts, and labour.**

With over 50 years of experience in solvent waste and recovery industry, Maratek has solved a wide variety of engineering challenges. Let us provide world-class engineering services to integrate systems and provide closed loop cannabis & hemp oil production processes.

Cryogenic Ethanol Extraction Series - EV - M

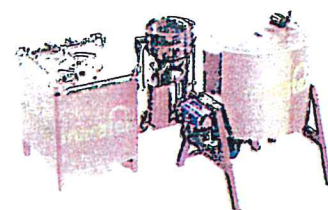


Oil and Ethanol Recovery Systems - OERS & Helios

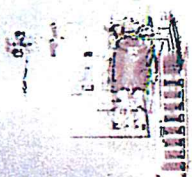


Fractional Distillation and Dewatering Systems - F-Series

The Maratek Family of Cannabis & Hemp Equipment and Services



Water Extraction and Refining Trident and Poseidon



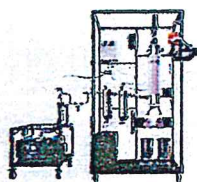
Turnkey Automatic Winterization Systems - TAWS



MIPs



Isolate Production



Oil Distillation Systems



Engineering Services

Contact

References available upon request with installations in facilities across the US, Canada and globally. Contact us now for a quote on our family of cannabis and hemp solutions!

Call: 905.857.2738 | Toll Free: 1.800.667.6272 | Email: sales@maratek.com | www.maratek.com

Canada
39 Nixon Road
Bolton, Ontario,
Canada,
L7E 1K1

USA
250 Monroe Ave
NW, Suite 400
Grand Rapids, MI
49503

Mexico
Fuente Bella 3299,
Ciudad de Mexico,
14130,
Mexico

maratek
Automate | Optimize | Scale

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number: 22-20	Date Received:
Project Name:	Fee Paid (amount):
Applicant:	



Town of Lisbon, Maine

CONDITIONAL USE APPLICATION

Project Name/Title: Petroleum Installation (Underground Tank)

This application must be received at the Town Office by close of business on the 2nd Thursday of the month to be considered at the regular Planning Board meeting on the 4th Thursday of the month. The applicant shall provide **10 copies** of the application form and all submission materials.

Applicant Information

2. Name of Applicant:

Address

Telephone

Lisbon Public Works
14 Capital Ave Lisbon Falls
(207) 353-3000

1. Name of Property Owner (if different):

Address

Telephone

Town of Lisbon
300 Lisbon St Lisbon
(207) 353-3000

3. Name of authorized agent (if different):

Address

Telephone

()

4. If applicant is a corporation, check if licensed in Maine:

☒ No ☐ Yes
 (if yes, attach a copy of State registration)

5. Person and address to which all correspondence regarding this application should be sent (if different):

Name

Address

Telephone

Randy Cyr
14 Capital Ave Lisbon Falls
(207) 576-8694

I have reviewed all submission requirements and completed the remaining pages of this application form.

☐ Attachments Checklist ☐ Waiver Request Form

To the best of my knowledge, all the information submitted in this application is complete and correct.

Signature of Applicant

Date

11/23/22

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number:	Project Name:

Property Information

6. Location of Property (Street or Road) 14 Capital Ave
 Register of Deeds Book 1256 Page 241
 Lisbon Tax Maps Map U10 Lot 004
7. What legal interest does the applicant/owner have in the property to be developed (fee ownership, option, purchase and sale contract, etc.)? Attach evidence of interest.
FEE OWNERSHIP
8. What interest does the applicant/owner have in any property abutting the parcel to be developed?
N/A
9. Are there any easements or restrictive covenants on the property to be developed?
 Yes ☒ No ☐ If yes, please specify: None Known
10. Current zoning of property: COMMERCIAL
 Current use(s) of property: PUBLIC WORKS GARAGE
11. Is any part of the project or property(s) in question part of an overlay zone?
☒ Aquifer Protection Overlay 10-50 GPM ☒ Wellhead Protection Overlay WELL HEAD III
11. Indicate if this property has previously been reviewed and/or permitted as part of a town-approved subdivision, site plan review, conditional use, floodplain development, or other planning board or appeals board review:
SALT / SAND SHED APPROVAL

Project Information

If the applicant is not the owner of the property, then a letter of intent from the owner authorizing the application as submitted and noting that it is provided with the full authority of the owner.

12. Nature of the Project. Provide a brief description of the proposed project, including proposed use(s), proposed buildings and structures, proposed site work and other improvements to the property, or other information to familiarize the Planning Board with your application.

install petroleum system at the Lisbon Public Works Garage. 8ft diameter, 6,000 gallon (Regular Unleaded) jacketed steel UST

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number:	Project Name:

Waiver Request Form

Conditional Use Application

If anticipated, the applicant should indicate any requests for waivers of review standards or application submission requirements, to submit with the Conditional Use Application form.

Where the code enforcement officer and/or planning board makes written findings of fact that extraordinary and unnecessary hardships may result from strict compliance with review standards, or where there are special circumstances of a particular project, the code enforcement officer and/or planning board may waive any review standard provided that such waivers will not have the effect of nullifying the purpose of the Chapter, Code or comprehensive plan. In granting waivers, the code enforcement officer and/or planning board shall require such conditions as will assure the purpose of the chapter are met.

Further, where the planning board makes written findings of fact that there are special circumstances of a particular application, it may waive portions of the application information requirements, unless otherwise indicated in this chapter, provided that the applicant has demonstrated that the standards of this chapter have been or will be met, the public health, safety and welfare are protected, and provided the waivers do not have the effect of nullifying the intent and purpose of the comprehensive plan of this chapter.

Applicants should take note that the planning board CANNOT waive or give variances on the following: a land use not allowed under the Lisbon Zoning Ordinance (see Section 70-531, Table of Land Uses), and dimensional requirements such as lot size/density, setbacks, frontage, etc. (see Section 70-536, Dimensional Requirements). Variances for dimensional requirements may be requested only through the Lisbon Board of Appeals.

1. Standard/requirement to be waived: _____
 Need/reason for waiver: _____

2. Standard/requirement to be waived: _____
 Need/reason for waiver: _____

3. Standard/requirement to be waived: _____
 Need/reason for waiver: _____

4. Standard/requirement to be waived: _____
 Need/reason for waiver: _____

Attach additional page(s) if necessary.

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number:	Date Received:
Project Name:	Fee Paid (amount):
Applicant:	

Conditional Use Application ATTACHMENTS CHECKLIST

REFERENCE Chapter 70-193(b), Lisbon Code of Ordinances

✓ or N/A		OFFICE USE ONLY
	Basic Required Attachments:	
	1. A complete set of plans in accordance with the submission requirements under section 66-52 (3) of the Town of Lisbon Subdivision Ordinance: <u>Preliminary Plan</u> . The preliminary plan and all application material shall be submitted in ten (10) copies of one or more maps or drawings which may be printed or reproduced on paper, with all dimensions shown in feet or decimals of a foot. The plan shall be drawn to a scale of not more than 100 feet to the inch.	
	2. If the applicant is not the owner of the property, then a letter of intent from the owner authorizing the application as submitted and noting that it is provided with the full authority of the owner, 10 copies .	
	3. A statement addressing all of the applicable factors listed in section 70-194 of this Zoning Ordinance (10 copies):	
	Factors applicable to conditional uses	
	A. <i>Primary factors.</i> In considering a conditional use permit, the planning board shall evaluate the immediate and long-range effects of the proposed use upon: <ul style="list-style-type: none"> i. <i>Health.</i> The maintenance of safe and healthful conditions. ii. <i>Pollution.</i> The prevention and control of water pollution and sedimentation. iii. <i>Building sites.</i> The control of building sites, placement of structures and land uses. iv. <i>Wildlife habitat.</i> The protection of spawning grounds, fish, aquatic life, bird and other wildlife habitat. v. <i>Shore cover.</i> The conservation of shore cover, visual as well as actual points of access to inland and coastal waters and natural beauty. 	
	B. <i>Additional factors.</i> The planning board shall also consider the following factors: <ul style="list-style-type: none"> i. <i>Compatibility with area.</i> The compatibility of the proposed use with adjacent land uses. ii. <i>Need.</i> The need of a particular location for the proposed use. iii. <i>Access.</i> Access to the site from existing or proposed roads. iv. <i>Flooding.</i> The location of the site with respect to floodplains and floodways of rivers or streams. v. <i>Waste disposal.</i> The amount and type of wastes to be generated by the proposed use and the adequacy of the proposed disposal systems. 	

OFFICE USE ONLY – Conditional Use Application

Application Number:

Project Name:

	<p>vi. <i>Impact on land and water.</i> The impact of the proposed use on the land and adjacent water bodies and the capability of the land and water to sustain such use without degradation.</p> <p>vii. <i>Topography.</i> Existing topographic and drainage features and vegetative cover on the site.</p> <p>viii. <i>Erosion.</i> The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.</p> <p>ix. <i>Transportation.</i> The impact of the proposed use on transportation facilities.</p> <p>x. <i>Community facilities.</i> The impact of the proposed use on local population and community facilities.</p> <p>xi. <i>Water supply.</i> The impact of the proposed use on local water supplies.</p>	
	Possible Additional Attachments:	
	<i>In order to secure information upon which to base its determination, the planning board may require the applicant to furnish, in addition to the information required for a conditional use permit, the following information:</i>	
	1. <i>Contours; groundwater; bedrock; slope; vegetation.</i> A plan of the area showing contours at intervals to be determined by the planning board and referred to mean sea level, normal high water elevation, groundwater conditions, bedrock, slope and vegetative cover.	
	2. <i>Soils.</i> A soils report identifying the soils boundaries and names in the proposed development with the soils information superimposed upon the plot plan in accord with the USDA Soil Conservation Service National Cooperative Soil Classification.	
	3. <i>Buildings; access; open space.</i> Location of existing and proposed buildings, parking areas, traffic access, driveways, walkways, piers, open spaces, and landscaping.	
	4. <i>Sewage; water.</i> Plans of buildings, sewage disposal facilities, and water supply systems.	
	5. <i>Technical assistance.</i> Other pertinent information necessary to determine if the proposed use meets the provisions of this chapter. In evaluating each application, the planning board may request the assistance of the regional planning commission, county soil and water conservation district, and any other state or federal agency which can provide technical assistance.	
	6. <i>Access management.</i> If the project includes new or existing driveway access onto Lisbon Street (Route 196), Main Street north of Huston Street (Route 125), Mill Street, Ridge Road (Route 9), or Upland Road, it shall be subject to the requirements of Chpt. 46-134 Access Management. The applicant is required to apply for review and permit for driveway access according to this ordinance.	

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number:	Date Received:
Project Name:	Fee Paid (amount):
Applicant:	

Conditional Use Review Planning Board Procedure Checklist

Date Completed	
	1. Initial application received (10 copies), payment of fee(s)
	2. (a) Code Enforcement Officer determines submission complete, go to #6 (b) OR may be referred to Planning Board to review for completeness
	3. Schedule initial review meeting with Planning Board (to review application and determine completeness)
	4. Refer application submission to appropriate staff for review or additional information, as appropriate
	5. At review meeting, PB determine if additional submission materials needed, determine if complete, provide written notice
	6. Schedule public hearing at least 14 days after notice of completeness or receipt of complete submission; abutters must be provided with a notice of receipt of an application and date of public hearing (and site visit if applicable) by mail at least 7 days before the hearing
	7. Notice of filing of an application and notice of scheduled public hearing, published by newspaper at least 7 days before the hearing; include notice of scheduled site visit if applicable
	8. Planning Board site visit (optional)
	9. Public hearing held: (a) applicant presentation, (b) staff comments/ presentation, (c) public comment
	10. Planning Board review of application and decision (approve, approve with conditions, deny) – does not have to be same meeting as hearing
	11. Provide applicant and abutters with written notice of decision, including reasons for decision, within 20 days of the public hearing.

Conditional Use Permit Review Applicant Procedure Checklist

Date completed	Please refer any questions regarding the procedure to appropriate town staff.
	<p>1. Submit Application to Town Office (Code Enforcement Officer), by the 2nd Thursday of the month:</p> <ul style="list-style-type: none"> a. Complete application form and prepare all required submission materials (see checklist), provide 10 copies of all forms and materials; b. Applicant must pay any required fee(s) at time of submission; c. Schedule an initial submission review meeting with Planning Board (regular meetings are 4th Thursdays of the month).
	<p>2. Attend first Planning Board meeting, initial application review:</p> <ul style="list-style-type: none"> a. Planning board will review the submitted materials, including any requests for waivers, and make a determination if the submission is complete or if additional materials must be provided; b. If Board determines submission is complete, applicant will be provided with a written notice; if submission is not complete, Board will specify additional materials needed, applicant must provide additional materials to the Code Enforcement Officer and will then be issued a written notice of completeness; c. A public hearing with the Planning Board will be scheduled within 14 days of issuance of written notice of completeness; the Town will send notices to all abutters and publish a public notice of scheduled hearing; d. Board may request a site visit prior to the public hearing; e. Application will be referred to appropriate town departments/staff as appropriate, prior to public hearing.
	<p>3. Optional site visit:</p> <p>If a site visit is scheduled, the Town shall publish notice of the site visit; the applicant shall be present at the Board site visit.</p>
	<p>4. Attend public hearing:</p> <ul style="list-style-type: none"> a. Applicant (or representative) will be allowed a brief presentation; b. Town staff will present any comments; c. Public hearing will be opened, Board will make a note of all public and abutter comments; d. Upon close of public hearing, no further comment or discussion from the public or applicant shall be entertained; the Board will decide whether to conduct their review and decision immediately after the hearing, or may table the application review to a second meeting (held within two weeks of the public hearing);

*For informational purposes, applicant not required to submit this form.
(REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)*

	<p>5. Planning Board Review (may be a separate meeting from the hearing):</p> <p>a. Planning Board shall conduct a review of the proposed conditional use based on the standards and requirements of town ordinance(s) (see Conditional Use Permit Standards Checklist);</p> <p>b. The Board shall make a decision to (a) approve, (b) approve with conditions, or (c) deny the proposed conditional use, and will indicate any specific conditions and requirements of approval in its written notice of decision.</p>
	<p>6. Written notice of decision:</p> <p>The Town shall provide the applicant and abutters with a written notice of the decision, including reasons for decision and any conditions (must be provided within 20 days of the public hearing).</p>
	<p>7. Issuance of permits and compliance with conditions:</p> <p>Upon issuance of a written decision to approve, the applicant may obtain appropriate permit(s) from the Code Enforcement Officer; the applicant will be required to comply with all conditions specified in the written decision.</p>

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number:	Date Received:
Project Name:	Fee Paid (amount):
Applicant:	

Conditional Use Permit Standards Checklist

Waivers. Where the code enforcement officer and/or planning board makes written findings of fact that extraordinary and unnecessary hardships may result from strict compliance with review standards, or where there are special circumstances of a particular project, the code enforcement officer and/or planning board may waive any review standard provided that such waivers will not have the effect of nullifying the purpose of this chapter, Code or comprehensive plan. In granting waivers, the code enforcement officer and/or planning board shall require such conditions as will assure the purpose of this chapter are met.

Sec. 70-194. - Factors applicable to conditional uses

(a) **Primary factors.** In considering a conditional use permit, the planning board shall evaluate the immediate and long-range effects of the proposed use upon:

Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	1. <i>Health.</i> The maintenance of safe and healthful conditions. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	2. <i>Pollution.</i> The prevention and control of water pollution and sedimentation. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	3. <i>Building sites.</i> The control of building sites, placement of structures and land uses. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	4. <i>Wildlife habitat.</i> The protection of spawning grounds, fish, aquatic life, bird and other wildlife habitat. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	5. <i>Shore cover.</i> The conservation of shore cover, visual as well as actual points of access to inland and coastal waters and natural beauty. Conditions:

Application Number:

Project Name:

(b) Additional factors. The planning board shall also consider the following factors:

Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	1. <i>Compatibility with area.</i> The compatibility of the proposed use with adjacent land uses. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	2. <i>Need.</i> The need of a particular location for the proposed use. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	3. <i>Access.</i> Access to the site from existing or proposed roads. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	4. <i>Flooding.</i> The location of the site with respect to floodplains and floodways of rivers or streams. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	5. <i>Waste disposal.</i> The amount and type of wastes to be generated by the proposed use and the adequacy of the proposed disposal systems. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	6. <i>Impact on land and water.</i> The impact of the proposed use on the land and adjacent water bodies and the capability of the land and water to sustain such use without degradation. Conditions:

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number:	Project Name:

Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	<p>7. <i>Topography.</i> Existing topographic and drainage features and vegetative cover on the site.</p> <p>Conditions:</p>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	<p>8. <i>Erosion.</i> The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.</p> <p>Conditions:</p>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	<p>9. <i>Transportation.</i> The impact of the proposed use on transportation facilities.</p> <p>Conditions:</p>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	<p>10. <i>Community facilities.</i> The impact of the proposed use on local population and community facilities.</p> <p>Conditions:</p>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	<p>11. <i>Water supply.</i> The impact of the proposed use on local water supplies.</p> <p>Conditions:</p>

Additional conditions list, next page.

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number:	Project Name:

Sec. 70-195. - Conditions attached to conditional uses

Additional conditions. Upon consideration of the factors listed in section 70-194, the planning board may attach such conditions, in addition to those required elsewhere in this chapter, that it finds necessary to further the purposes of this chapter. Such conditions may include, but are not limited to specifications for:

Additional Factors	Conditions
Type of vegetation:	
Increased setbacks and yards:	
Specified sewage disposal and water supply facilities:	
Landscaping and planting screens:	
Period of operation:	
Operational controls:	
Professional inspection and maintenance:	
Sureties:	
Deed restrictions:	
Restrictive covenants:	
Locations of piers, docks, parking and signs, type of construction:	
Any other conditions necessary to fulfill the purpose of the conditional use chapter:	

Site Plan Review

Local Ordinances Checklist:

This checklist is provided to ensure that all municipal ordinances have been considered for applicability and that appropriate standards are met.

N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Table of Land Uses, Table of Dimensional Requirements. Chapter 70, Article IV, Division 13 and Division 14 <i>These tables list all permitted and non-permitted land uses by zone/district, and indicate dimensional requirements (lot size, density, frontage, setbacks) by zone.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Manufactured Housing, Mobile Homes and Trailers, [Parks]. Chapter 22, Article II <i>No manufactured housing, house trailer or mobile home park shall be established in the town except upon application to the planning board and the town council.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Entrances onto Public Ways. Chapter 46, Article V <i>Any new entrance onto a public way requires a permit and must meet specified standards. Access Management (Sec. 46-134): This chapter includes specific standards and permitting for driveway access onto Lisbon Street (Route 196), Main Street north of Huston Street (Route 125), Mill Street, Ridge Road (Route 9), or Upland Road.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Building Code. Chapter 54, Article II <i>In accordance with 25 M.R.S. §2373, the Town of Lisbon has adopted the mandatory standards and regulations of the Maine Uniform Building and Energy Code (MUBEC), ASHRAE 62.1-2013, ASHRAE 62.2-2013, ASHRAE 90.1-2013, ASTM E-1465-08.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Floodplain Management. Chapter 58, Article II <i>Land uses within any special flood hazard areas (Zones A and A1-30 identified by FEMA) are subject to evaluation and to land use and control measures to reduce future flood impacts, in accordance with the National Flood Insurance Program.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Shoreland Zoning. <i>The standards and provisions of shoreland zoning apply to any development, structure, or land use activities in land areas within 250 feet horizontal distance of (1) the normal high-water line or any great pond or river, (2) the upland edge of a coastal wetland, (3) the upland edge of a freshwater wetland, (4) all land areas within 75 feet horizontal distance of the normal high-water line of a stream. This Ordinance also applies to any structure built on, over or abutting a</i>

Application Number:

Project Name:

			dock, wharf or pier, or other structure extending or located below the normal high-water line of a water body or within a wetland.
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Site Plan Review. Chapter 62, Article I Commercial, industrial and institutional development, including and multifamily that is not considered to be a subdivision under 30-A M.R.S.A. § 4401, must meet the standards of this chapter to ensure that the development occurs in a manner which minimizes adverse effects on public facilities, the environment and neighboring uses.
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Subdivisions. Chapter 66, Article I All subdivisions are subject to review and must meet the standards and provisions of this chapter according to state statute 30-A M.R.S.A. § 4401. "Subdivision" means the division of a tract or parcel of land into 3 or more lots within any 5-year period beginning on or after September 23, 1971, including the creation of or division of structure(s) to have 3 or more dwelling units within a 5-year period, or conversion from a non-residential use to residential creating 3 or more dwelling units. Subdivisions in ROS Districts: All subdivisions in ROS zones greater than 10 acres must meet the Open Space Subdivision standards. Open Space Subdivisions: This chapter includes specific provisions to allow for open space preservation through increased flexibility in subdivision standards and requirements.
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Groundwater & Wellhead Protection. Chapter 70, Article V, Division 2 Includes special regulations to protect the town's sensitive sand and gravel aquifers and public drinking water supplies (wellheads) from development impacts, based on the mapped overlay zones.
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Supplementary Zoning Regulations. Chapter 70, Article VI, Division I Includes additional regulations for the following: <ul style="list-style-type: none"> • Accessory buildings • Agriculture • Campgrounds • Filling, grading, dredging, earth moving • High-intensity farming • Home occupations • Sanitation • Drainage • Conversion of existing building to multi-unit housing • Water quality • Archeological sites • Roads and driveways • Essential services

OFFICE USE ONLY – Conditional Use Application

Application Number:

Project Name:

N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Rear Lots. Chapter 70, Article VI, Division 2, Sec. 70-641 <i>The creation of a rear lot may be permitted through conditional use review, and must meet the requirements within this section.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Off-Street Parking and Loading. Chapter 70, Article VI, Division 3 <i>Includes standards for the provision of off-street parking and loading areas, excluding single-family and duplex units.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Marine Structures. Chapter 70, Article VI, Division 4 <i>Includes standards for piers, docks or other shoreline construction. (See also Shoreland Zoning.)</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Signs. Chapter 70, Article VI, Division 5 <i>Includes standards for all public and private signage. (See also Table of Land Uses, Chapter 70, Article IV, Division 13, for permitted zones.)</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Timber Harvesting and Clearing Vegetation. Chapter 70, Article VI, Division 6 <i>Includes standards for all timber harvesting within 250 feet horizontal distance of the normal high-water line of a river or the upland edge of a freshwater wetland, or within 75 feet of the normal high-water line of a stream.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Planned Unit or Cluster Development. Chapter 70, Article VI, Division 7 <i>Specific provisions applying to a planned development under unified management, planned and developed as a whole according to comprehensive and detailed plans.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Not <input type="checkbox"/>	Expansion of Sand and Gravel Mining within Aquifer Protection Overlay District. Chapter 70, Article VI, Division 9 <i>Standards applying to overlay district zones 2 or 3, zone 1 expansions not permitted.</i>

Conditional Use Permit Standards Checklist

Waivers. Where the code enforcement officer and/or planning board makes written findings of fact that extraordinary and unnecessary hardships may result from strict compliance with review standards, or where there are special circumstances of a particular project, the code enforcement officer and/or planning board may waive any review standard provided that such waivers will not have the effect of nullifying the purpose of this chapter, Code or comprehensive plan. In granting waivers, the code enforcement officer and/or planning board shall require such conditions as will assure the purpose of this chapter are met.

Sec. 70-194. - Factors applicable to conditional uses

(c) **Primary factors.** In considering a conditional use permit, the planning board shall evaluate the immediate and long-range effects of the proposed use upon:

Met <input type="checkbox"/>	Not <input type="checkbox"/>	6. <i>Health.</i> The maintenance of safe and healthful conditions. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	7. <i>Pollution.</i> The prevention and control of water pollution and sedimentation. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	8. <i>Building sites.</i> The control of building sites, placement of structures and land uses. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	9. <i>Wildlife habitat.</i> The protection of spawning grounds, fish, aquatic life, bird and other wildlife habitat. Conditions:
Met <input type="checkbox"/>	Not <input type="checkbox"/>	10. <i>Shore cover.</i> The conservation of shore cover, visual as well as actual points of access to inland and coastal waters and natural beauty. Conditions:

For informational purposes, applicant not required to submit this form.
(REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)

(d) Additional factors. The planning board shall also consider the following factors:

Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	<p>12. <i>Compatibility with area.</i> The compatibility of the proposed use with adjacent land uses.</p> <p>Conditions:</p>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	<p>13. <i>Need.</i> The need of a particular location for the proposed use.</p> <p>Conditions:</p>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	<p>14. <i>Access.</i> Access to the site from existing or proposed roads.</p> <p>Conditions:</p>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	<p>15. <i>Flooding.</i> The location of the site with respect to floodplains and floodways of rivers or streams.</p> <p>Conditions:</p>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	<p>16. <i>Waste disposal.</i> The amount and type of wastes to be generated by the proposed use and the adequacy of the proposed disposal systems.</p> <p>Conditions:</p>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	<p>17. <i>Impact on land and water.</i> The impact of the proposed use on the land and adjacent water bodies and the capability of the land and water to sustain such use without degradation.</p> <p>Conditions:</p>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	<p>18. <i>Topography.</i> Existing topographic and drainage features and vegetative cover on the site.</p> <p>Conditions:</p>

For informational purposes, applicant not required to submit this form.
 (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)

Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	19. <i>Erosion.</i> The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover. <i>Conditions:</i>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	20. <i>Transportation.</i> The impact of the proposed use on transportation facilities. <i>Conditions:</i>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	21. <i>Community facilities.</i> The impact of the proposed use on local population and community facilities. <i>Conditions:</i>
Met <input type="checkbox"/>	Not <input type="checkbox"/>	Waived <input type="checkbox"/>	22. <i>Water supply.</i> The impact of the proposed use on local water supplies. <i>Conditions:</i>

Additional conditions list, next page.

*For informational purposes, applicant not required to submit this form.
(REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)*

Sec. 70-195. - Conditions attached to conditional uses

Additional conditions. Upon consideration of the factors listed in section 70-194, the planning board may attach such conditions, in addition to those required elsewhere in this chapter, that it finds necessary to further the purposes of this chapter. Such conditions may include, but are not limited to specifications for:

<i>Additional Factors</i>	<i>Conditions</i>
Type of vegetation:	
Increased setbacks and yards:	
Specified sewage disposal and water supply facilities:	
Landscaping and planting screens:	
Period of operation:	
Operational controls:	
Professional inspection and maintenance:	
Sureties:	
Deed restrictions:	
Restrictive covenants:	
Locations of piers, docks, parking and signs, type of construction:	
Any other conditions necessary to fulfill the purpose of the conditional use chapter:	

For informational purposes, applicant not required to submit this form.

Site Plan Review

Local Ordinances Checklist:

This checklist is provided to ensure that all municipal ordinances have been considered for applicability and that appropriate standards are met. Full ordinance text available on the Town website or at the town office. **Applicants are encouraged to contact Code Enforcement to review applicability of any special standards or provisions under the Lisbon Code of Ordinances to their project.**

N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<u>Table of Land Uses, Table of Dimensional Requirements.</u> Chapter 70, Article IV, Division 13 and Division 14 <i>These tables list all permitted and non-permitted land uses by zone/district, and indicate dimensional requirements (lot size, density, frontage, setbacks) by zone.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<u>Manufactured Housing, Mobile Homes and Trailers, [Parks].</u> Chapter 22, Article II <i>No manufactured housing, house trailer or mobile home park shall be established in the town except upon application to the planning board and the town council.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<u>Entrances onto Public Ways.</u> Chapter 46, Article V <i>Any new entrance onto a public way requires a permit and must meet specified standards. Access Management (Sec. 46-134): This chapter includes specific standards and permitting for driveway access onto Lisbon Street (Route 196), Main Street north of Huston Street (Route 125), Mill Street, Ridge Road (Route 9), or Upland Road.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<u>Building Code.</u> Chapter 54, Article II <i>In accordance with 25 M.R.S. §2373, the Town of Lisbon has adopted the mandatory standards and regulations of the Maine Uniform Building and Energy Code (MUBEC), ASHRAE 62.1-2013, ASHRAE 62.2-2013, ASHRAE 90.1-2013, ASTM E-1465-08.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<u>Floodplain Management.</u> Chapter 58, Article II <i>Land uses within any special flood hazard areas (Zones A and A1-30 identified by FEMA) are subject to evaluation and to land use and control measures to reduce future flood impacts, in accordance with the National Flood Insurance Program.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	<u>Shoreland Zoning.</u> <i>The standards and provisions of shoreland zoning apply to any development, structure, or land use activities in land areas within 250 feet horizontal distance of (1) the normal high-water line or any great pond or river, (2) the upland edge of a coastal wetland, (3) the upland edge of a freshwater wetland, (4) all land areas within 75 feet horizontal distance of the normal high-water line of a stream. This Ordinance also applies to any structure built on, over or abutting a dock, wharf or pier, or other structure extending or located below the normal high-water line of a water body or within a wetland.</i>

For informational purposes, applicant not required to submit this form.

<p>N/A</p> <input type="checkbox"/>	<p>Met</p> <input type="checkbox"/>	<p>Site Plan Review. Chapter 62, Article I Commercial, industrial and institutional development, including and multifamily that is not considered to be a subdivision under 30-A M.R.S.A. § 4401, must meet the standards of this chapter to ensure that the development occurs in a manner which minimizes adverse effects on public facilities, the environment and neighboring uses.</p>
<p>N/A</p> <input type="checkbox"/>	<p>Met</p> <input type="checkbox"/>	<p>Subdivisions. Chapter 66, Article I All subdivisions are subject to review and must meet the standards and provisions of this chapter according to state statute 30-A M.R.S.A. § 4401. "Subdivision" means the division of a tract or parcel of land into 3 or more lots within any 5-year period beginning on or after September 23, 1971, including the creation of or division of structure(s) to have 3 or more dwelling units within a 5-year period, or conversion from a non-residential use to residential creating 3 or more dwelling units. Subdivisions in ROS Districts: All subdivisions in ROS zones greater than 10 acres must meet the Open Space Subdivision standards. Open Space Subdivisions: This chapter includes specific provisions to allow for open space preservation through increased flexibility in subdivision standards and requirements.</p>
<p>N/A</p> <input type="checkbox"/>	<p>Met</p> <input type="checkbox"/>	<p>Groundwater & Wellhead Protection. Chapter 70, Article V, Division 2 Includes special regulations to protect the town's sensitive sand and gravel aquifers and public drinking water supplies (wellheads) from development impacts, based on the mapped overlay zones.</p>
<p>N/A</p> <input type="checkbox"/>	<p>Met</p> <input type="checkbox"/>	<p>Supplementary Zoning Regulations. Chapter 70, Article VI, Division I Includes additional regulations for the following:</p> <ul style="list-style-type: none"> • Accessory buildings • Agriculture • Campgrounds • Filling, grading, dredging, earth moving • High-intensity farming • Home occupations • Sanitation • Drainage • Conversion of existing building to multi-unit housing • Water quality • Archeological sites • Roads and driveways • Essential services
<p>N/A</p> <input type="checkbox"/>	<p>Met</p> <input type="checkbox"/>	<p>Rear Lots. Chapter 70, Article VI, Division 2, Sec. 70-641 The creation of a rear lot may be permitted through conditional use review, and must meet the requirements within this section.</p>

For informational purposes, applicant not required to submit this form.

N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Off-Street Parking and Loading. Chapter 70, Article VI, Division 3 <i>Includes standards for the provision of off-street parking and loading areas, excluding single-family and duplex units.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Marine Structures. Chapter 70, Article VI, Division 4 <i>Includes standards for piers, docks or other shoreline construction. (See also Shoreland Zoning.)</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Signs. Chapter 70, Article VI, Division 5 <i>Includes standards for all public and private signage. (See also Table of Land Uses, Chapter 70, Article IV, Division 13, for permitted zones.)</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Timber Harvesting and Clearing Vegetation. Chapter 70, Article VI, Division 6 <i>Includes standards for all timber harvesting within 250 feet horizontal distance of the normal high-water line of a river or the upland edge of a freshwater wetland, or within 75 feet of the normal high-water line of a stream.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Planned Unit or Cluster Development. Chapter 70, Article VI, Division 7 <i>Specific provisions applying to a planned development under unified management, planned and developed as a whole according to comprehensive and detailed plans.</i>
N/A <input type="checkbox"/>	Met <input type="checkbox"/>	Expansion of Sand and Gravel Mining within Aquifer Protection Overlay District. Chapter 70, Article VI, Division 9 <i>Standards applying to overlay district zones 2 or 3, zone 1 expansions not permitted.</i>

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number:	Date Received:
Project Name:	Fee Paid (amount):
Applicant:	

OFFICE USE ONLY:

Conditional Use Final Planning Board Decision

Page 1 of 2

- ☐ Application approved
☐ Application approved with conditions
☐ Application denied

See written decision and conditions, next page.

Planning Board Signatures:

Signature of Planning Board Member

Date

Signature of Planning Board Member

Date

Signature of Planning Board Member

Date

Signature of Planning Board Member

Date

Signature of Planning Board Member

Date

A conditional use permit secured under the provisions of this article by vote of the planning board shall expire if the work or change involved is not commenced within one year of the date on which the conditional use is authorized, and if the work or change is not substantially completed within two years

OFFICE USE ONLY – Site Plan Review (REFERENCE Chapter 62 Site Plans, Lisbon Code of Ordinances)	
Application Number: <u># 22-21</u>	Date Received:
Project Name:	Fee Paid (amount):
Applicant:	Tier 1 _____ Tier 2 _____



Town of Lisbon, Maine SITE PLAN REVIEW APPLICATION

Site Plan Name/Title: 743 LISBON STREET

This application must be received at the Town Office by close of business on the 2nd Thursday of the month to be considered at the regular Planning Board meeting on the 4th Thursday of the month.

Applicant Information

2. Name of Applicant: JASON SMITH
 Address: 2 MOCKINGBIRD LANE, LISBON
 Telephone: (207) 522-0209

1. Name of Property Owner (if different): _____
 Address: _____
 Telephone: ()

3. Name of authorized agent (if different): _____
 Address: _____
 Telephone: ()

4. If applicant is a corporation, check if licensed in Maine: _____ No ☒ Yes
 (if yes, attach a copy of State registration)

5. Person and address to which all correspondence regarding this application should be sent (if different):

Name: _____
 Address: _____
 Telephone: ()

I have reviewed all submission requirements and completed the remaining pages of this application form.
☒ Attachments Checklist ☒ Waiver Request Form

To the best of my knowledge, all the information submitted in this application is complete and correct.

[Signature]
 Signature of Applicant

12/6/22
 Date

OFFICE USE ONLY – Site Plan Review (REFERENCE Chapter 62 Site Plans, Lisbon Code of Ordinances)	
Application Number:	Project Name:

Property Information

6. Location of Property (Street or Road) 743 LISBON STREET
 Register of Deeds Book 8215 Page 129
 Lisbon Tax Maps Map U1 Lot 002
7. What legal interest does the applicant/owner have in the property to be developed (fee ownership, option, purchase and sale contract, etc.)? Attach evidence of interest.
- owner -
8. What interest does the applicant/owner have in any property abutting the parcel to be developed?
- none -
9. Are there any easements or restrictive covenants on the property to be developed?
☒ Yes ☐ No. If yes, please specify: DEEDS ATTACHED
10. Current zoning of property: _____
 Current use(s) of property: VACANT OLD MILL SITE - BLIGHT
11. Is any part of the project or property(s) in question part of an overlay zone?
☒ NO Aquifer Protection Overlay ☒ NO Wellhead Protection Overlay
12. Indicate if this property has previously been reviewed and/or permitted as part of a town-approved subdivision, site plan review, conditional use, floodplain development, or planning board or appeals board review:
OLD MILL SITE - SEE TOWN FILES

Project Information

13. Proposed use of property: MARIJUANA GROW OPERATION
14. Nature of the Project. Provide a brief description of the proposed project, including proposed businesses and/or use(s), proposed buildings and structures, proposed site work and other improvements to the property, or other information to familiarize the Planning Board with your application.
* SEE CONDITIONAL USE APPLICATION
ALREADY SUBMITTED FOR THIS PROJECT

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number:	Date Received:
Project Name:	Fee Paid (amount):
Applicant:	



Town of Lisbon, Maine CONDITIONAL USE APPLICATION

Project Name/Title: 743 LISBON STREET, CO.

This application must be received at the Town Office by close of business on the **2nd Thursday of the month** to be considered at the regular Planning Board meeting on the **4th Thursday of the month**. The applicant shall provide **10 copies** of the application form and all submission materials.

Applicant Information

- Name of Applicant: JASON SMITH
Address: 2 MOCKINGBIRD LANE, LISBON
Telephone: (207) 522-2209
- Name of Property Owner (if different): - SAME -
Address: _____
Telephone: ()
- Name of authorized agent (if different): _____
Address: _____
Telephone: ()
- If applicant is a corporation, check if licensed in Maine: _____ No ☒ Yes
(if yes, attach a copy of State registration)
- Person and address to which all correspondence regarding this application should be sent (if different):
Name: _____
Address: _____
Telephone: ()

I have reviewed all submission requirements and completed the remaining pages of this application form.

☒ Attachments Checklist

☐ Waiver Request Form

To the best of my knowledge, all the information submitted in this application is complete and correct.

[Signature]
Signature of Applicant

11/21/22
Date

Application Number:

Project Name:

Property Information6. Location of Property (Street or Road) 743 LISBON STREET

Register of Deeds

Book 10605 Page 335

Lisbon Tax Maps

Map 01 Lot 002

7. What legal interest does the applicant/owner have in the property to be developed (fee ownership, option, purchase and sale contract, etc.)? Attach evidence of interest.

OWNER - DEED ATTACHED8. What interest does the applicant/owner have in any property abutting the parcel to be developed?- NONE -

9. Are there any easements or restrictive covenants on the property to be developed?

✓ Yes No If yes, please specify: SEE FULL DEED DESCRIPTION

10. Current zoning of property:

Current use(s) of property:

VACANT LOT - OLD MILL DEMO

11. Is any part of the project or property(s) in question part of an overlay zone?

NO Aquifer Protection Overlay NO Wellhead Protection Overlay

11. Indicate if this property has previously been reviewed and/or permitted as part of a town-approved subdivision, site plan review, conditional use, floodplain development, or other planning board or appeals board review:

OLD MILL SITE. SEE TOWN FILES FOR
PROPERTY HISTORY**Project Information***If the applicant is not the owner of the property, then a letter of intent from the owner authorizing the application as submitted and noting that it is provided with the full authority of the owner.*12. Nature of the Project. Provide a brief description of the proposed project, including proposed use(s), proposed buildings and structures, proposed site work and other improvements to the property, or other information to familiarize the Planning Board with your application.MEDICAL / ADULT USE CANNABIS GROW OPERATION.PUBLIC SPACE FOR FUTURE WALKING TRAIL.REVITALIZE OLD MILL SITE - BLIGHTED AREA.

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number:	Project Name:

Waiver Request Form

Conditional Use Application

If anticipated, the applicant should indicate any requests for waivers of review standards or application submission requirements, to submit with the Conditional Use Application form.

Where the code enforcement officer and/or planning board makes written findings of fact that extraordinary and unnecessary hardships may result from strict compliance with review standards, or where there are special circumstances of a particular project, the code enforcement officer and/or planning board may waive any review standard provided that such waivers will not have the effect of nullifying the purpose of the Chapter, Code or comprehensive plan. In granting waivers, the code enforcement officer and/or planning board shall require such conditions as will assure the purpose of the chapter are met.

Further, where the planning board makes written findings of fact that there are special circumstances of a particular application, it may waive portions of the application information requirements, unless otherwise indicated in this chapter, provided that the applicant has demonstrated that the standards of this chapter have been or will be met, the public health, safety and welfare are protected, and provided the waivers do not have the effect of nullifying the intent and purpose of the comprehensive plan of this chapter.

Applicants should take note that the planning board CANNOT waive or give variances on the following: a land use not allowed under the Lisbon Zoning Ordinance (see Section 70-531, Table of Land Uses), and dimensional requirements such as lot size/density, setbacks, frontage, etc. (see Section 70-536, Dimensional Requirements). Variances for dimensional requirements may be requested only through the Lisbon Board of Appeals.

1. Standard/requirement to be waived: _____
 Need/reason for waiver: _____

2. Standard/requirement to be waived: _____
 Need/reason for waiver: _____

3. Standard/requirement to be waived: _____
 Need/reason for waiver: _____

4. Standard/requirement to be waived: _____
 Need/reason for waiver: _____

Attach additional page(s) if necessary.

OFFICE USE ONLY – Conditional Use Application (REFERENCE Chapter 70, Article III, Lisbon Code of Ordinances)	
Application Number:	Date Received:
Project Name:	Fee Paid (amount):
Applicant:	

Conditional Use Application ATTACHMENTS CHECKLIST

REFERENCE Chapter 70-193(b), Lisbon Code of Ordinances

✓ or N/A		OFFICE USE ONLY
	Basic Required Attachments:	
✓	1. A complete set of plans in accordance with the submission requirements under section 66-52 (3) of the Town of Lisbon Subdivision Ordinance: <u>Preliminary Plan</u> . The preliminary plan and all application material shall be submitted in ten (10) copies of one or more maps or drawings which may be printed or reproduced on paper, with all dimensions shown in feet or decimals of a foot. The plan shall be drawn to a scale of not more than 100 feet to the inch.	SCALE = 1 TO 1 SATELLITE VIEW
✓	2. If the applicant is not the owner of the property, then a letter of intent from the owner authorizing the application as submitted and noting that it is provided with the full authority of the owner, 10 copies .	DEED ATTACHED
✓	3. A statement addressing all of the applicable factors listed in section 70-194 of this Zoning Ordinance (10 copies): Factors applicable to conditional uses	
	A. <i>Primary factors.</i> In considering a conditional use permit, the planning board shall evaluate the immediate and long-range effects of the proposed use upon: <ul style="list-style-type: none"> ✓ i. <i>Health.</i> The maintenance of safe and healthful conditions. ✓ ii. <i>Pollution.</i> The prevention and control of water pollution and sedimentation. ✓ iii. <i>Building sites.</i> The control of building sites, placement of structures and land uses. ✓ iv. <i>Wildlife habitat.</i> The protection of spawning grounds, fish, aquatic life, bird and other wildlife habitat. ✓ v. <i>Shore cover.</i> The conservation of shore cover, visual as well as actual points of access to inland and coastal waters and natural beauty. 	
	B. <i>Additional factors.</i> The planning board shall also consider the following factors: <ul style="list-style-type: none"> ✓ i. <i>Compatibility with area.</i> The compatibility of the proposed use with adjacent land uses. ✓ ii. <i>Need.</i> The need of a particular location for the proposed use. ✓ iii. <i>Access.</i> Access to the site from existing or proposed roads. ✓ iv. <i>Flooding.</i> The location of the site with respect to floodplains and floodways of rivers or streams. ✓ v. <i>Waste disposal.</i> The amount and type of wastes to be generated by the proposed use and the adequacy of the proposed disposal systems. 	

OFFICE USE ONLY – Conditional Use Application

Application Number:

Project Name:

✓	<p>✓vi. <i>Impact on land and water.</i> The impact of the proposed use on the land and adjacent water bodies and the capability of the land and water to sustain such use without degradation.</p> <p>✓vii. <i>Topography.</i> Existing topographic and drainage features and vegetative cover on the site.</p> <p>✓viii. <i>Erosion.</i> The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.</p> <p>✓ix. <i>Transportation.</i> The impact of the proposed use on transportation facilities.</p> <p>✓x. <i>Community facilities.</i> The impact of the proposed use on local population and community facilities.</p> <p>✓xi. <i>Water supply.</i> The impact of the proposed use on local water supplies.</p>	
	Possible Additional Attachments:	
	<i>In order to secure information upon which to base its determination, the planning board may require the applicant to furnish, in addition to the information required for a conditional use permit, the following information:</i>	
N/A	1. <i>Contours; groundwater; bedrock; slope; vegetation.</i> A plan of the area showing contours at intervals to be determined by the planning board and referred to mean sea level, normal high water elevation, groundwater conditions, bedrock, slope and vegetative cover.	
N/A	2. <i>Soils.</i> A soils report identifying the soils boundaries and names in the proposed development with the soils information superimposed upon the plot plan in accord with the USDA Soil Conservation Service National Cooperative Soil Classification.	
✓	3. <i>Buildings; access; open space.</i> Location of existing and proposed buildings, parking areas, traffic access, driveways, walkways, piers, open spaces, and landscaping.	PLAN ATTACHED
N/A	4. <i>Sewage; water.</i> Plans of buildings, sewage disposal facilities, and water supply systems.	
	5. <i>Technical assistance.</i> Other pertinent information necessary to determine if the proposed use meets the provisions of this chapter. In evaluating each application, the planning board may request the assistance of the regional planning commission, county soil and water conservation district, and any other state or federal agency which can provide technical assistance.	
✓	6. <i>Access management.</i> If the project includes new or existing driveway access onto Lisbon Street (Route 196), Main Street north of Huston Street (Route 125), Mill Street, Ridge Road (Route 9), or Upland Road, it shall be subject to the requirements of Chpt. 46-134 Access Management. The applicant is required to apply for review and permit for driveway access according to this ordinance.	

DLN: 1002140127635

N O T
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INDUSTRIAL SALES & SALVAGE, INC., a Maine corporation duly organized and existing by law and having a mailing address of 20 Cedar Lane, New Limerick, County of Aroostook, State of Maine 04761,

for consideration paid

grants to 743 LISBON STREET, LLC, having a mailing address of 9 Passbook Road, Durham, Maine 04222, with QUITCLAIM COVENANTS,

THE FOLLOWING DESCRIBED PARCELS OF LAND, TOGETHER WITH ANY BUILDINGS THEREON, SITUATED IN LISBON, ANDROSCOGGIN COUNTY, STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

PARCEL ONE:

A CERTAIN LOT OR PARCEL OF LAND, WITH THE BUILDINGS THEREON, LOCATED SOUTHERLY OF ROUTE 196, IN THE TOWN OF LISBON, COUNTY OF ANDROSCOGGIN AND STATE OF MAINE AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE SOUTHERLY SIDELINE OF ROUTE 196 AND THE WESTERLY SIDELINE OF THE LITTLE RIVER, THENCE BY THE FOLLOWING COURSES

- 1) S 13 DEGREES 36 MINUTES 01 SECONDS W ALONG THE LITTLE RIVER A DISTANCE OF 29.48 FEET TO A POINT ON THE NORTHERLY SIDELINE OF LAND NOW OR FORMERLY OF THE STATE OF MAINE AS RECORDED ON THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS IN BOOK 2690, PAGE 93.
- 2) WESTERLY ALONG LAND OF SAID STATE ON A CURVE TO THE LEFT HAVING A RADIUS OF 1343.02 FEET AN ARC DISTANCE OF 210.32 FEET TO A POINT.
- 3) S 24 DEGREES MINUTES 33 SECONDS W ALONG LAND OF SAID STATE A DISTANCE OF 16.70 FEET TO A POINT.
- 4) WESTERLY ALONG LAND OF SAID STATE ON A CURVE TO THE LEFT HAVING A RADIUS OF 1326.77 FEET AN ARC DISTANCE OF 50.26 FEET TO A POINT.
- 5) N 20 DEGREES 04 MINUTES 33 SECONDS E ALONG LAND OF SAID STATE A DISTANCE OF 8.31 FEET TO A POINT.

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6) WESTERLY ALONG LAND OF SAID STATE ON A CURVE TO THE LEFT HAVING A RADIUS OF 1334.77 FEET AN ARC DISTANCE OF 18.56 FEET, MORE OR LESS, TO A 5/8" DIAMETER IRON ROD SET, MARKED "RJ WHEELER PLS 2277" AT THE SOUTHEAST CORNER OF THOSE PREMISES CONVEYED BY WARRANTY DEED DATED JULY 27, 2018 FROM INDUSTRIAL SALES & SALVAGE, INC. TO KT, LLC AND RECORDED IN THE ANDROSCOGGIN REGISTRY OF DEEDS IN VOL. 9895, PAGE 139.

7) N 20 DEGREES 40 MINUTES 33 SECONDS E FOR A DISTANCE OF 110.65 FEET TO A 5/8" DIAMETER IRON ROD SET, MARKED "RJ WHEELER PLS 2277" ON THE SOUTHERLY SIDE OF LISBON STREET AND BEING THE NORTHEAST CORNER OF SAID PREMISES RECORDED IN SAID REGISTRY IN VOL. 9895, PAGE 139.

8) S 66 DEGREES 34 MINUTES 08 SECONDS E ALONG THE SOUTHERLY SIDELINE OF ROUTE 196 A DISTANCE OF 24.53 FEET, MORE OR LESS, TO AN ANGLE POINT;

9) S 22 DEGREES 44 MINUTES 29 SECONDS W ALONG THE SOUTHERLY SIDELINE OF ROUTE 196 A DISTANCE OF 23.53 FEET TO A POINT.

10) EASTERLY ALONG THE SOUTHERLY SIDELINE OF ROUTE 196 ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5679.65 FEET AN ARC DISTANCE OF 247.43 FEET TO THE POINT OF BEGINNING.

EXCEPTING, HOWEVER, A 50 FOOT WIDE SEWER LINE EASEMENT CONVEYED TO KT, LLC BY SAID DEED RECORDED IN SAID REGISTRY FOR THE INSTALLATION OF AN UNDERGROUND SEWER LINE LEADING FROM THE WESTERLY LINE OF THE PARCEL DESCRIBED HEREIN OVER THE HEREIN DESCRIBED AND CONVEYED PREMISES TO INTERSECT THE EXISTING UNDERGROUND SEWER LINE. THE CENTERLINE OF THE SAID 50 FOOT WIDE LINE EASEMENT BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY LINE OF THE PARCEL DESCRIBED HEREIN AND BEING FURTHER LOCATED S 23 DEGREES 40 MINUTES 35 SECONDS W OF, AND 48.3 FEET FROM THE IRON ROD SET ON THE SOUTHERLY SIDE OF LISBON STREET AT THE NORTHEASTERLY CORNER OF THE PARCEL DESCRIBED HEREIN; THENCE RUNNING ON A COURSE OF S 66 DEGREES FORTY-FOUR MINUTES FIFTY SECONDS E THROUGH THE PARCEL TO BE RETAINED BY THE GRANTOR TO INTERSECT THE EXISTING UNDERGROUND SEWER LINE.

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ANY MAINTENANCE OR REPAIRS REQUIRED TO THAT SEWER LINE
LEADING FROM THE PUMP STATION TO LISBON STREET, OR TO THE A L
PUMP STATION SHALL BE SHARED EQUALLY BY KT, LLC ITS
SUCCESSORS AND ASSIGNS AND GRANTEE ITS SUCCESSORS AND
ASSIGNS, PROVIDED HOWEVER THAT GRANTEE'S REQUIREMENTS WILL
NOT COMMENCE UNTIL SUCH TIME AS GRANTEE HAS CONNECTED TO
THE SEWER LINE. THE GRANTEE SHALL BE RESPONSIBLE FOR ALL
COSTS INCURRED FOR THE CONNECTION TO THE SEWER LINE AND
ALSO BE RESPONSIBLE FOR ALL CHARGES BY THE TOWN OF LISBON
FOR GRANTEE'S USE OF THE SEWER LINE. KT, LLC SHALL REMAIN
RESPONSIBLE FOR ANY COSTS INCURRED FOR KT, LLC USE OF THE
SEWER LINE WITH THE TOWN OF LISBON.

EACH SEWER LINE LEADING FROM KT, LLC AND GRANTEE'S
RESPECTIVE PROPERTIES SHALL BE SEPARATELY METERED.

ALSO, EXCEPTING AN EASEMENT AND RIGHT TO USE, OPERATE,
MAINTAIN OR UPGRADE THE EXISTING SEWER LINE AND PUMPING
STATION LOCATED SOUTHEASTERLY OF SAID PREMISES RECORDED IN
SAID REGISTRY IN VOL. 9895, PAGE 139 OVER THE PARCEL DESCRIBED
AND CONVEYED HEREIN.

PARCEL TWO:

A CERTAIN LOT OR PARCEL OF LAND, WITH THE BUILDINGS THEREON,
LOCATED EASTERLY OF ROUTE 9 AND 125, AND OFF THE SOUTHERLY
SIDE OF ROUTE 196 IN THE TOWN OF LISBON, COUNTY OF
ANDROSCOGGIN AND STATE OF MAINE AND BOUNDED AND DESCRIBED
AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE SOUTHERLY
SIDELINE OF LAND NOW OR FORMERLY OF THE STATE OF MAINE AS
RECORDED IN THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS IN
BOOK 2690, PAGE 93, WITH THE WESTERLY SIDELINE OF THE LITTLE
RIVER, THENCE BY THE FOLLOWING COURSES AND DISTANCES:

- 1) SOUTHERLY ALONG THE LITTLE RIVER A DISTANCE OF 400 FEET,
MORE OR LESS, TO THE ANDROSCOGGIN RIVER.
- 2) WESTERLY ALONG THE ANDROSCOGGIN RIVER 1770 FEET, MORE
OR LESS, TO A POINT ON THE EASTERLY SIDELINE OF ROUTE 9.
- 3) N 27 DEGREES 34 MINUTES 51 SECONDS E ALONG ROUTE 9 AND
125 A DISTANCE OF 95.27 FEET TO A POINT.

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- 4) N 89 DEGREES 34 MINUTES 51 SECONDS E ALONG ROUTE 9 AND
125 A DISTANCE OF 12.00 FEET TO A POINT.
- 5) N 36 DEGREES 34 MINUTES 51 SECONDS E ALONG ROUTE 9 AND
125 A DISTANCE OF 3.00 FEET TO A POINT.
- 6) S 88 DEGREES 25 MINUTES 09 SECONDS E ALONG ROUTE 9 AND 125
A DISTANCE OF 13.00 FEET TO A POINT.
- 7) N 7 DEGREES 25 MINUTES 09 SECONDS W ALONG ROUTE 9 AND
125 A DISTANCE OF 7.00 FEET TO A POINT.
- 8) N 87 DEGREES 25 MINUTES 09 SECONDS W ALONG ROUTE 9 AND
125 A DISTANCE OF 17.00 FEET TO A POINT.
- 9) N 60 DEGREES 04 MINUTES 51 SECONDS E ALONG ROUTE 9 AND
125 A DISTANCE OF 28.00 FEET TO A POINT.
- 10) N 21 DEGREES 22 MINUTES 37 SECONDS E ALONG ROUTE 9 AND
125 A DISTANCE OF 22.44 FEET TO A POINT.
- 11) EASTERLY ALONG LAND OF SAID STATE ON A CURVE TO THE
LEFT HAVING A RADIUS OF 1355.21 FEET AN ARC DISTANCE OF 11.46
FEET TO A POINT.
- 12) EASTERLY ALONG LAND OF SAID STATE ON A CURVE TO THE
LEFT HAVING A RADIUS OF 5088.51 FEET AN ARC DISTANCE OF 201.31
FEET TO A POINT.
- 13) EASTERLY ALONG LAND OF SAID STATE ON A CURVE TO THE
LEFT HAVING A RADIUS OF 2897.79 FEET AN ARC DISTANCE OF 659.17
FEET TO THE POINT.
- 14) EASTERLY ALONG LAND OF SAID STATE ON A CURVE TO THE
RIGHT HAVING A RADIUS OF 1268.77 FEET AN ARC DISTANCE OF 46.75
FEET TO A POINT.
- 15) N 24 DEGREES 04 MINUTES 33 SECONDS E ALONG LAND OF SAID
STATE A DISTANCE OF 18.75 FEET TO A POINT.
- 16) EASTERLY ALONG LAND OF SAID STATE ON A CURVE TO THE
RIGHT HAVING A RADIUS OF 1286.77 FEET AN ARC DISTANCE OF 50.37
FEET TO A POINT.

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17) S 24 DEGREES 04 MINUTES 33 SECONDS W ALONG LAND OF SAID STATE A DISTANCE OF 27.06 FEET TO A POINT.

18) EASTERLY ALONG LAND OF SAID STATE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1260.52 FEET AN ARC DISTANCE OF 224.10 FEET TO THE POINT OF BEGINNING.

THE DESCRIPTIONS FOR PARCELS ONE AND TWO AS SET FORTH ABOVE ARE BASED ON A LAND TITLE SURVEY PREPARED BY CULLENBERG LAND SURVEYING FOR MASONITE CORPORATION DATED SEPTEMBER 10, 2003, TO BE RECORDED IN THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS. REFERENCE HEREBY MADE TO ALTA/ACSM LAND TITLE SURVEY, 743 LISBON STREET, LISBON, MAINE, MADE FOR MASONITE CORPORATION, SEPTEMBER 10, 2003 BY CULLENBERG LAND SURVEYING, 892 OLD DANVILLE ROAD, AUBURN, MAINE, 04210.

EXCEPTING, HOWEVER, A CONSTRUCTION & MAINTENANCE EASEMENT AND SLOPE EASEMENT DATED OCTOBER 6, 2014 FROM SWIFT DEMOLITION, INC. TO STATE OF MAINE, ACTING BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION AND RECORDED IN SAID REGISTRY IN BOOK 9011, PAGE 313.

The property herein described is conveyed subject to, and benefitted by, as the case may be, the following:

1. Any and all restrictions, covenants, easements, encumbrances, liens of any kind, leases, and interest of others including private, public, and utility easements, roads, highways, right-of-way for roads, pipelines, railroads and public utilities, whether or not matters of public record.
2. The lien of all ad valorem real estate taxes and assessments not yet due and payable as of the date hereof.
3. Local, state and federal laws, ordinances or governmental regulations, including but not limited to, building and zoning laws, ordinances and regulations, now or hereafter in effect.
4. Easement from Richard N. Kenney to Central Maine Power Company dated April 14, 1952 and recorded in said Registry in Book 655, Page 646.
5. Utility easement from U.S. Gypsum Company, Inc. to Central Maine Power Company and New England Telephone and Telegraph Company dated January 16, 1979 and recorded in said Registry in Book 1390, Page 59.

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6. Flowage easement from Masonite Corporation to Meridian Trust Company dated July 11, 1988 and recorded in said Registry in Book 2293, Page 77. A L
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7. Utility easement from Masonite Corporation to Central Maine Power Company dated October 31, 1988 and recorded in said Registry in Book 2379, Page 163.

8. Utility easement from Masonite Corporation to Meridian Trust Company dated June 10, 1993, recorded with Androscoggin in Book 3059, Page 179.

9. License Agreement for signage and landscaping from Masonite Corporation to the Inhabitants of the Town of Lisbon dated November 4, 2002, recorded with Androscoggin in Book 5176, Page 246.

10. Easement made by Andrew I. Durisko and Lorraine Durisko in favor of Central Maine Power Company and New England Telephone and Telegraph Company dated November 9, 1977, recorded with Androscoggin in Book 1318, Page 337.

11. Easement deed from Andrew Durisko and Lorraine Durisko to Roy Brothers Construction for installation for sewer pipe dated December 6, 1988, recorded with Androscoggin in Book 2376, Page 92.

12. Easements and conditions as shown on Plan of Lots owned by Geka Construction Corp., recorded with Androscoggin in said Registry in Book 24, Page 13.

13. Sewer easement conveyed to Geka Construction Company, Inc. to the inhabitants of the Town of Lisbon dated September 18, 1973, recorded with Androscoggin in Book 1092, Page 126.

14. Terms and conditions as set forth in an Affidavit regarding plan for State of Maine Solid Waste Permit dated December 12, 2001, recorded with Androscoggin in Book 4857, Page 316.

15. Notice of Layout and Taking by the State of Maine Department of Transportation for a portion of State Highway "17" in the Town of Lisbon in Androscoggin County and Town of Topsham in Sagadahoc County, Maine dated January 28, 2004 and recorded in Androscoggin County Registry of Deeds in Book 5804, Page 319 and in Sagadahoc County Registry of Deeds in Book 2356, Page 133.

16. Plans entitled State of Maine Department of Transportation Right of Way Map, State Highway "17" (Route 196), dated November, 2003 and recorded in Androscoggin County Registry of Deeds in Plan Book 45, Pages 103 and 104 and in Sagadahoc County Registry of Deeds in Plan Book 43, Page 73.

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17. Such state of facts, including but not limited to the notes and exceptions, set forth on surveys made for Masonite Corporation by Cullenberg Land Surveying dated September 10, 2003.

18. Apparent encroachment of a portion of the buildings located on the insured premises onto land now or formerly of the State of Maine, as shown on survey made for Masonite Corporation by Cullenberg Land Surveying dated September 10, 2003.

ALSO, hereby conveying those premises situated in Lisbon conveyed by Quitclaim Deed dated December 22, 2016 from Swift Demolition, Inc. to Industrial Sales & Salvage, Inc. and recorded in said Registry in Vol. 9522, Page 209, EXCEPTING, HOWEVER, those premises conveyed by Warranty Deed dated July 27, 2018 from Industrial Sales & Salvage, Inc. to KT, LLC and recorded in said Registry in Vol. 9895, Page 139.

Meaning and intending to convey part and part only of those premises conveyed by Quitclaim Deed dated December 22, 2016 from Swift Demolition, Inc. to Industrial Sales & Salvage, Inc. and recorded in said Registry in Vol. 9522, Page 209.

Neither the existing bridge which connects the premises conveyed herein and land retained by the Grantor on the Sagadahoc County side of the Little River, nor any right to use the bridge is conveyed by this deed. The Grantor retains all ownership of the bridge and liability associated therewith. Grantor may demolish the bridge should Grantor so choose.

Any and all rights, easements, privileges and appurtenances belonging to the within granted estate are hereby conveyed.

The Grantor hereby certifies that this transfer is for adequate and full consideration in money or monies worth.

IN WITNESS WHEREOF, INDUSTRIAL SALES & SALVAGE, INC. has caused this instrument to be signed by Matthew B. Cox, its President this 21 day of December, 2020.

Signed, Sealed and Delivered
in the presence of

Lisa M. Grand

INDUSTRIAL SALES & SALVAGE, INC.

Matthew B. Cox

BY: MATTHEW B. COX
ITS: PRESIDENT

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STATE OF MAINE
COUNTY OF AROOSTOOK

December 21st, 2020

Personally appeared the above-named MATTHEW B. COX and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,


Notary Public

Printed Name:

Commission expires:

PHILIP K. JORDAN
Notary Public, Maine
My Commission Expires September 5, 2021

CURRIER, TRASK & JORDAN - ATTORNEYS AT LAW - HOULTON, MAINE 04730

Maine Real Estate Transfer Tax Paid
TINA M. CHOUINARD, REGISTER
ANDROSCOGGIN COUNTY MAINE E-RECORDED

743 Lisbon Street

Adult Use Cultivation Facility

Tier 2 Site Plan Review – Town of Lisbon Ordinances - Section 70-194

A. Primary factors:

- i. Health* – This business requires State licensing as well as local licensing. The business will maintain safe and healthful conditions.
- ii. Pollution* – This business does not create hazardous pollution. Water and sedimentation pollution will not be an issue.
- iii. Building Sites* – The buildings being proposed are placed outside of Flood Zone AE and the Resource Protection area.
- iv. Wildlife Habitat* – No significant wildlife habitat is located on this property. There will be minimal to no impact on wildlife.
- v. Shore Cover* – The shore line will not be disturbed under this project. All areas within 75' of the high water mark will be protected.

B. Additional Factors:

- i. Compatibility with area* – This project is designed on the property of an old Mill Site. It has been a blighted site for many, many years and is a high priority for the Town of Lisbon to see developed. I believe this project is compatible to the area and is located in the commercial zone which supports businesses.
- ii. Need* – This project develops a blighted area of town and will support my existing business located in the town. A portion of the property is designated for the growth of the Lisbon Trail System and provides additional parking and access to the trails.
- iii. Access* – This project has adequate access from Lisbon Street Route 196 as well as a rear entrance from Canal Street. The property will be fenced in with a security gate entrance.
- iv. Flooding* – This project is located along the Androscoggin River and also abuts the Little River. The buildings are situated outside of Flood Zone AE and are outside of the required Shoreland Zoning setback of 75' from the high water mark.

4. *Sewage, Water* – This project intends to use a privately drilled well for its water supply. A private wastewater company will handle wastewater removal through portable units until the owner expands the project to include a private wastewater disposal system.
5. *Technical assistance* – The owner is representing himself on this project.
6. *Access Management* – This project will be utilizing the existing entrance from Lisbon Street Route 196. This entrance location meets the requirements of Chapter 46-134 Access Management.

- v. *Waste Disposal* – The primary waste generated by this project will be agricultural based and will be disposed of in approved containers which will be maintained by a private waste removal company.
- vi. *Impact on Land and Water* – There will be no adverse impact on land or water quality. The project is developing an area that has been designated by the town as blight.
- vii. *Topography* – This project is developing a portion of the vacant land. The remaining portions of the land are being cleaned up, graded and improved. The plan accompanying this application shows the project, landscape and parking which shows the proposed improvements.
- viii. *Erosion* – Standard erosion control measures will be used during development. The project will not create erosion issues.
- ix. *Transportation* – This project will have no impact on transportation facilities.
- x. *Community Facilities* – This project will have a positive impact on the community with no impact on community facilities. The project allows for the development of the Lisbon Trail System and additional parking for the public.
- xi. *Water Supply* – This project will be served by a private water supply and will have no impact on the local water supplies.

Additional Attachments:

1. *Contours...* - This is an existing site with contours already in place. This project does not change the contours of the property. The Town of Lisbon possesses files on the history of the property and also DEP findings. A site visit will show the location of the proposed buildings in relation to the existing paved areas, mill foundation...
2. *Soils* – This project is being developed over an old mill site. There have been numerous studies of the soils on this site. The existing project does not disturb the soils. The building will be placed on slabs at grade.
3. *Buildings, access, open space* – A “one to one” scaled plan has been submitted with this application. The plan is done over a satellite image of the property providing a true scale of one to one. Proposed access, parking, structures, landscape, signage and accessories are show to scale.

Sec. 70-531. Table of land uses.

Resource Based & Recreation Uses	RP	LR	GR	RO-I	RO-II	RR	LRR	V	C	I	DD ⁸
Conservation/recreation	P	P	P	P	P	P	P	P	P	P	P
Plers/Docks/Floats	P	C	P	C	P	C	C	C	C	C	C
Agriculture	P	P	P	P	P	P	P	P	P	P	P
Forest Management Activities	P	P	P	P	P	P	P	P	P	P	P
Timber Harvesting	P	P	P	P	P	P	P	P	P	P	P
Open Space Use	P	P	P	P	P	P	P	P	P	P	P
Boathouses	C	C	P	C	P	C	P	P	P	P	P
Public/Private Recreation Facilities	C	C	NO	C	P	C	C	P	C	NO	P
High Intensity Farming	NO	NO	NO	C	P	C	NO	NO	NO	NO	NO
Kennels & Animal Hospitals	NO	NO	NO	C	C	C	NO	NO	C	NO	NO
Accessory uses/structures	P	P/C	P	P	P	P/C	P	P	P	P	P
Residential Uses	RP	LR	GR	RO-I	RO-II	RR	LRR	V	C	I	DD ⁸
Accessory Dwelling Unit	C	C	C	C	C	C	C	C	NO	NO	C
Single-family Dwelling	C	P	P	P	P	P	P	P	NO	NO	p ¹⁰
Mobile Home	NO	NO	NO	P	P	P	NO	NO	NO	NO	NO
Two Family Dwelling	NO	P	P	P	P	P	P	P	NO	NO	p ¹⁰
Multifamily Dwelling	NO	NO	P/C ⁶	P/C ⁶	NO	P/C ⁶	NO	P	C ¹¹	NO	p ¹⁰
Mobile Home Parks	NO	NO	P ³	NO	NO	P ⁴	NO	NO	NO	NO	NO
Home Occupations	P	P	P	P	P	P	P	P	P	NO	P
Planned Unit Development/Cluster	NO	C	C	C	NO	C	C	P	NO	NO	p ⁹
Raising of nondomestic animals	P ₁₃	P ₁₃	P ₁₃	P ₁₃	P ₁₃	P ₁₃	P ₁₃	P ₁₃	P ₁₃	P ₁₃	P ₁₃
Raising of Domestic Pets	P	P	P	P	P	P	P	P	P	P	P
Conversion of existing buildings which do not meet dimensional requirements or parking requirement to unit housing	NO	NO	C	NO	NO	NO	NO	C	NO	NO	NO
Dwelling Unit necessary to a business for owners or employees or custodial purposes	NO	NO	NO	NO	NO	NO	NO	P	P	P	C

Accessory Uses & Structures	C	P/C	P/C	P/C	P/C	P/C	P/C	P	P	P	P
Public/Semi-Public Uses	RP	LR	GR	RO-I	RO-II	RR	LRR	V	C	I	DD ⁸
Utility/Public Works	C	C	C	C	NO	C	NO	P	P	P	P
Church/Place of Worship, Parish House, Rectory, Convent & Religious Institutions	NO	P	P	P	NO	P	P	P	NO	NO	P
Public, Private, Parochial Schools	NO	P	P	P	NO	P	P	P	NO	NO	C
Public Buildings	NO	P	P	P	NO	P	P	P	P	NO	P
Semipublic activities such as clubs not operated for private gain, fraternal org., charitable or education institutions	NO	C	P	P	NO	P	C	P	NO	NO	C
Semipublic activities, clubs & institutions	NO	C	NO	NO	NO	P	NO	P	NO	NO	P
Parking Lot Public/Private	NO	NO	NO	NO	NO	NO	NO	P	P	P	C
Public Utilities	P	P	P	P	P	P	P	P	P	P	P
Public Garages and Storage Yards	NO	NO	NO	NO	NO	NO	NO	C	P	P	C
Public Facilities other than those permitted	NO	C	NO	NO	NO	NO	NO	P	P	NO	C
Public Utility Building	NO	NO	C	NO	NO	NO	NO	P	P	P	P
Accessory Uses & Structures	P	P	P	P	P	P	P	P	P	P	P
Commercial/Business Uses	RP	LR	GR ¹²	RO-I	RO-II	RR	LRR	V	C	I	DD ⁸
Childcare, Small Facility	NO	C	C	C	C	C	NO	C	NO	NO	C
Childcare Center	NO	NO	C	C	NO	C	C	C	C	C	C
Nursery school	NO	P	C	P	NO	P	P	P	NO	NO	C
Offices/office buildings not exceeding 2,500 sq. ft.	NO	NO	P	NO	NO	NO	NO	P	P	P	P
Office Building greater than 2,500 sq. ft.	NO	NO	NO	NO	NO	NO	NO	P	P	P	P
Convalescent, rest, nursing, or boarding homes	NO	NO	C	C	NO	C	C	P	NO	NO	C

Business occupations by resident in detached buildings	NO	NO	C	NO	C	NO	NO	P	P	NO	NO
Small businesses, on individual lots/principal building not exceeding 2,500 sq. ft.	NO	NO	C	NO	NO	NO	NO	P	P	NO	P
Campgrounds	NO	NO	NO	C	NO	C	NO	NO	NO	NO	NO
Hotel, motel, inn, tourist home	NO	NO	NO	NO	NO	NO	NO	P	P	NO	C
Medical/dental office or facility	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P
Retail Store or outlet, such as grocery, drug, furniture	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P
Medical Marijuana Businesses (See footnote 14 for definitions)											
• Registered Caregiver Retail Store	NO	NO	NO	NO	NO	NO	NO	C	C	NO	C
• Registered Caregiver Cultivation Facility	NO	NO	NO	C14	C14	C14	NO	NO	C14	C14	C14
• Registered Dispensaries	NO	NO	NO	NO	NO	NO	NO	C	C	C	C
• Marijuana Testing Facilities	NO	NO	NO	NO	NO	NO	NO	C	C	C	C
• Manufacturing Facilities	NO	NO	NO	NO	NO	NO	NO	NO	C	C	C
Adult Use Marijuana Businesses (See footnote 15 for definitions)											
• Marijuana Retail Stores	NO	NO	NO	NO	NO	NO	NO	C	C	NO	C
• Cultivation Facilities	NO	NO	NO	C	C	C	NO	NO	C	C	C
• Products Manufacturing Facilities	NO	NO	NO	NO	NO	NO	NO	NO	C	C	C
• Testing Facilities	NO	NO	NO	NO	NO	NO	NO	C	C	C	C
Service establishment, such as barbershop, beauty parlor, cleaner	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P

Lawn & garden equipment sales/service	NO	NO	NO	C	C	NO	NO	P	P	NO	C
Snowmobile, motorcycle, recreational vehicle, ATV, boat sales/service	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P
Automobile sales, etc.	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P
Auto service station, auto repair, gasoline service establishment	NO	NO	NO	NO	NO	NO	NO	P	P	NO	NO
Bakery or Food Shop	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P
Eating Place	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P
Recreational use such as bowling, theaters, dance hall	NO	NO	NO	NO	NO	NO	NO	P	P	NO	NO
Funeral home	NO	NO	NO	NO	NO	NO	NO	P	P	NO	NO
Auditoriums, gymnasiums, places of amusement or places of assembly	NO	NO	NO	NO	NO	NO	NO	P	P	NO	C
Self-storage facility	NO	NO	NO	NO	NO	NO	NO	P	P	P	C
Shop of painter, carpenter or other skilled worker	NO	NO	NO	NO	NO	NO	NO	P	P	NO	C
Wholesale establishment	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Warehouses	NO	NO	NO	NO	C	NO	NO	NO	P	P	P
Laboratory or research facility	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Laundry/dry cleaning	NO	NO	NO	NO	NO	NO	NO	P	P	P	NO
Retail sales of lumber/building supplies	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Yards of electrical, heating, painting, or roofing contractor	NO	NO	NO	NO	NO	NO	NO	NO	P ⁷	P	NO
Retail business or service involving manufacturing on the premises and not employing more than 10 people, the products of which are principally at	NO	NO	NO	NO	NO	NO	NO	NO	P ⁷	P	NO

sale at retail on the premises.											
Light manufacturing	NO	NO	NO	NO	NO	NO	NO	C	C	P	P
Business Office related directly to an industrial use on Premises	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Retail sales of products manufactured on premises	NO	NO	NO	NO	C	NO	NO	P	P	P	NO
Accessory Uses & Structures	NO	NO	P/C	P/C	P/C	P/C	C	P	P	P	P
Industrial Uses	RP	LR	GR	RO-I	RO-II	RR	LRR	V	C	I	DD ⁸
Junkyards	NO	NO	NO	C	NO	C	NO	NO	NO	C	NO
Transmission facilities-radio, television, power, telephone	NO	NO	NO	C	C	C	C	NO	C	P	NO
Sawmills	NO	NO	NO	C	C	C	NO	NO	NO	P	NO
Truck Terminal	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Bottling & beverages	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Manufacturing, processing, assembly of products or Goods	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Above ground storage of propane or flammable petroleum fuel products stored in accordance with rules promulgated by the state fire marshal	NO	NO	NO	NO	NO	NO	NO	C	C	P	NO
Commercial & industrial uses and facilities not meeting criteria for permitted uses	NO	NO	NO	NO	NO	NO	NO	NO	C	C	NO
Temporary construction, excavation, fabrication or Processing	NO	NO	NO	C	C	C	NO	NO	C	P	NO
Accessory Uses & Structures	NO	NO	NO	P	P	C	C	P	P	P	P
Ground Mounted Solar Energy System	C	C	NO	C	C	C	C	NO	C	C	C
Signs	P	P	P/C	P	P	P	P	P	P	P	C

Notes:

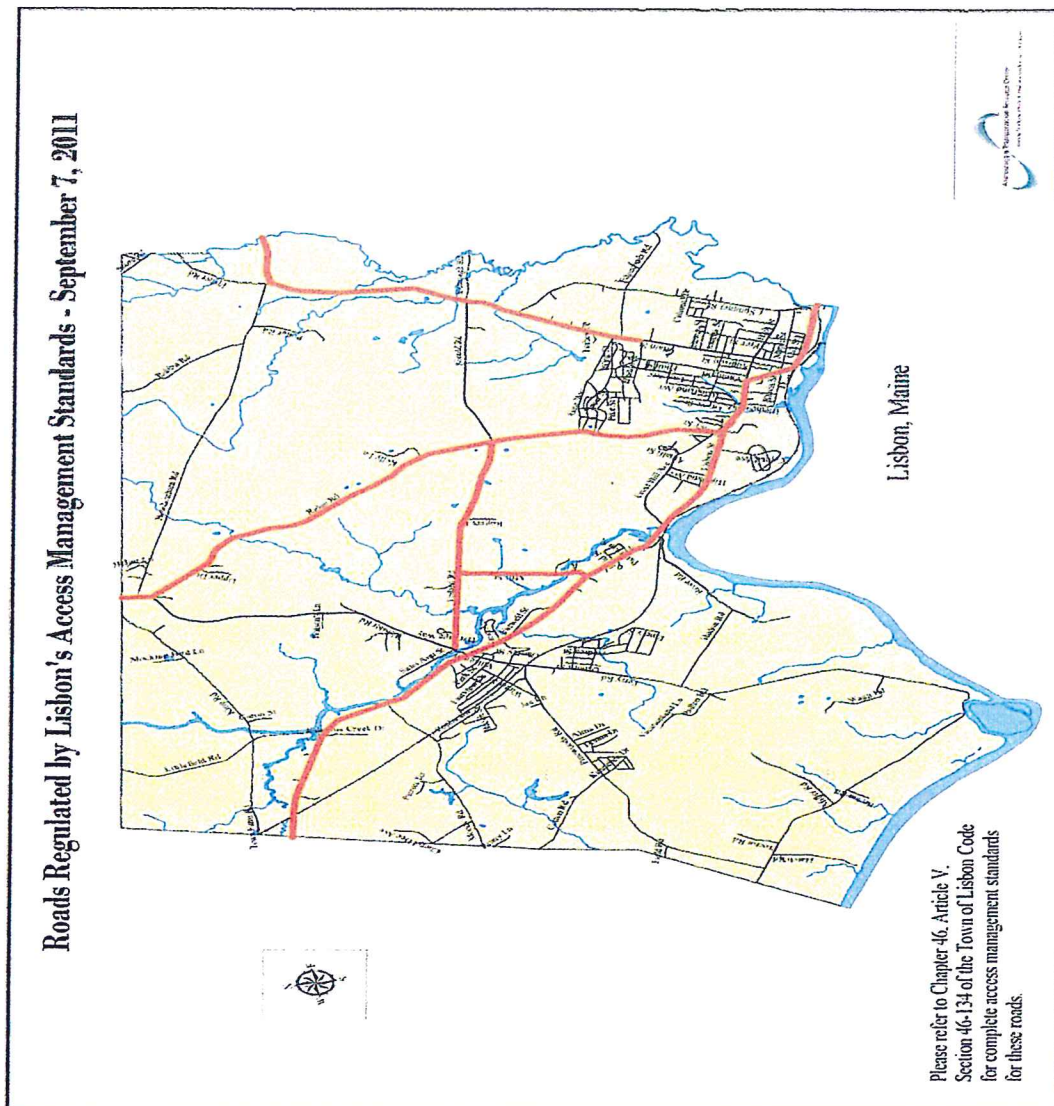
- 1 Up to four dwelling units.
- 2 Home occupations, limited to 25 percent of the total floor area and employing no more than two outside employees.
- 3 Mobile home parks approved during the period June 29, 1971, through March 10, 1975, under the previous ordinance.
- 4 Mobile home parks, limited to area within 1,000 feet of a general residential district and where public water and sewer is available or is accessible.
- 5 Multifamily dwelling up to two dwelling units.
- 6 Multifamily dwellings containing more than four units.
- 7 Provided that where open storage is habitually involved, a solid, view-obstructing fence shall be erected between such storage and any adjoining residential district.
- 8 The planning board may allow to be located in the diversified development district certain uses which are not specifically listed by conducting a public hearing and approving by affirmative vote by a majority of its members.
- 9 A plan unit development or cluster development must contain a minimum of 15 dwelling units.
- 10 Must be in a planned unit development or cluster development.
- 11 Multifamily dwellings are permitted conditionally as an element of the revitalization of commercial zones that directly abut the Androscoggin River.
- 12 Small businesses, on individual lots/principal building not exceeding 2,500 sq. ft. are a conditional use in the general residential district.
- 13 Minimum lot size must be 40,000 sf. to raise nondomestic animals.
- 14 **Medical Marijuana Businesses:**
 - Registered caregiver retail stores - authorized to operate a retail store to sell medical marijuana to qualifying patients.
 - Registered caregiver cultivation facilities - authorized to cultivate medical marijuana for qualifying patients except that the facility must be organized as a legal business entity recognized under the laws of the state and that the business must operate its cultivation area solely as an indoor operation.
 - Registered dispensaries - authorized to cultivate and dispense medical marijuana to qualifying patients and caregivers.
 - Marijuana testing facilities - authorized to test medical marijuana for contamination, potency and cannabinoid profile.
 - Manufacturing facilities - authorized to manufacture marijuana products and marijuana concentrate for medical use.
 - Signs, advertising and marketing used by or on behalf of Medical Marijuana business may not be placed within 500 feet of the property line of a pre-existing public or private school.
- 15 **Adult Use Marijuana Businesses:**
 - Marijuana stores - authorized to sell marijuana, marijuana products, immature marijuana plants and seedlings directly to consumers.
 - Cultivation facilities - authorized to grow, prepare and package marijuana for sale to other marijuana businesses.
 - Products manufacturing facilities - authorized to blend, infuse or extract components of the marijuana plant to make marijuana products such as ointments, tinctures or edibles, for sale to marijuana stores or other marijuana products manufacturing facilities.
 - Testing facilities - authorized to conduct research, analysis and testing of marijuana and marijuana products for contamination, potency and safety.
 - Signs, advertising and marketing used by or on behalf of Adult Use Marijuana business may not be placed within 500 feet of the property line of a pre-existing public or private school.

(C.M. of 11-15-2011, V. 2011-208; C.M. of 5-1-2012, V. 2012-47; C.M. of 2-5-2013, V. 2013-28; C.M. of 12-2-2014, V. 2014-257; C.M. of 1-6-2015, V. 2015-02 ; C.M. of 5-5-2015, V. 2015-109 ; C.M. of 4-17-2018, V. 2018-83 ; C.M. of 10-30-2018, V. 2018-238 ; C.M. 6-4-2019, V. 2019-128 ; C.M. of 6-2-2020, V. 2020-106 ; C.M. of 8-17-2021, V. 2021-183)

Sec. 46-134. Access management.

1. General provisions.

- 1.1. *Applicability.* These standards apply to all new public and private accesses, the alteration of existing access, and for changes in use on lots of record as of September 6, 2011, onto the following public roads:



- A. Highway Sections. These roads and road sections will be classified as highway sections for purposes of these standards:
- Lisbon Street, from the Lewiston town line to Moody Road and from River Road to Blethen Street.
 - Main Street, north of Huston Street.
 - Mill Street.

- Ridge Road.
- Upland Road.

B. Village Sections.

- Lisbon Street, from Moody Road to River Road and from Blethen Street to the Topsham town line.

- 1.2. *Purpose.* The purpose of the access management standards is to manage access onto regulated roads in a manner that protects the safety of access and road users, protects the road system from the negative impacts of drainage, preserves mobility and economic productivity related to roadway transportation, and avoids the long-term cost of constructing new roadway capacity.
- 1.3. *Administration.* The access management standards will be administered by the planning board, the code enforcement officer and the public works director with assistance from the town engineer, as needed. Upon approval from the code enforcement officer or planning board that the standards of this section are met, the applicant shall qualify for a driveway entrance permit from the Town of Lisbon. The code enforcement officer is responsible for determining if a proposed development requires approval from the planning board and/or the public works director.
- 1.4. *Definitions.*

Access. A public or private point of entry or exit from land adjacent to a public road used by motor vehicles as defined in 29-A M.R.S.A., Chapter 1, § 101. For purposes of the standards in this section, access shall generally refer to all driveways, entrances, roads, or other access points that provide public or private access, except where driveway or entrance is identified separately as having distinct standards.

Access point. The intersection of an existing or proposed access with the public right-of-way.

Alteration. A significant physical change to an access existing on or after September 6, 2011, including significant changes to location, width, cross-section, grade, or drainage characteristics of the access. Paving a gravel access will not be considered an "alteration" unless accompanied by other such changes.

Applicant. The person applying for the permit. Normally, this will be the owner of the property but can be another party provided that person (or organization) can demonstrate that he/she has right, title or interest in the property.

Change in use. A change in land use or intensity of activity occurring on the property accessed by the driveway as a result of either the conversion of a building or parcel of land from a single-family or two-family dwelling to a three- or more-family use, the conversion from a residential use to nonresidential use, or a change from one type of nonresidential use to any other type of nonresidential use that increases the traffic levels in and out of the property. A change in ownership alone is not a change in use.

Corner clearance. The minimum distance, measured parallel to a highway, between the nearest curb, pavement or shoulder line of an intersecting public way and the nearest edge of a driveway or entrance excluding its radii.

Driveway. A type of vehicular access that serves one of the following land uses: residential (up to three dwelling units), home-based occupations, forest management activities, farming, low impact industrial (e.g. substation), generating less than 50 vehicles trips per day. Driveways may consist of surface material such as mineral soil, gravel, asphalt or other natural or man-made material constructed or created by repeated passage of on-road vehicles. See also the definition of entrance.

Driveway width. The distance across the driveway, excluding radii, measured parallel to the highway.

Entrance. A type of vehicular access that serves one of the following land uses: residential (serving four or more dwelling units), housing developments, commercial, industrial, retail, office, or service business including

access to edge of access, excluding radii. Accesses located directly across the roadway from the proposed access are not counted in applying the spacing standard.

Table 3—Minimum Access Spacing Standards	
Posted Speed (MPH)	Access Separation (Feet)
25	70
35	85
40	175
45	265
50	350
55	525

2.3. *Access width.* Driveways and entrances must be designed in accordance with the MaineDOT Standard Details.

A. Driveway width must be between 12 and 20 feet.

B. Entrance width.

1. If 30% or less of the traffic projected to use the proposed entrance will be larger vehicles, the width of a two-way within the road right-of-way must be between 22 and 30 feet inclusive.
2. If more than 30% of the traffic projected to use the proposed entrance will be larger vehicles, the width of a two-way entrance within the road right-of-way must be between 30 and 42 feet inclusive.

2.4. *Corner clearance.* The minimum corner clearance for accesses onto the roadway must be as follows, except that the town may require increased corner clearance if the town reasonably determines that the proposed driveway or entrance will significantly impact public safety or cause a reduction in posted speed:

A. Highway sections: 150 feet.

B. Village sections: 75 feet.

2.5. *Shared access.* Whenever possible, property owners should seek opportunities for shared accesses.

2.6. *Number of accesses.* Lots will be limited to one two-way access on regulated roads.

[2.7. *Reserved.*]

2.8. *Intersection angle/radius of edge.* To the maximum extent practical, the entrance must be constructed perpendicular to the highway at the access point. Except where curbing exists or is proposed, the minimum radius on the edges of an access must be sufficient to allow the design vehicle to enter the access without encroaching into the path of existing vehicles in accordance with the MaineDOT Standard Details included in Appendix B. Accesses designed for right turns only must be designed to the greatest extent possible to prohibit illegal traffic movements.

2.9. *Throat length.* The throat must be of sufficient length to prevent incoming vehicles from queuing back into the roadway. Access from the throat to parking or other areas is prohibited.

2.10. *Separator strips.* Access separator strips must be installed between the parking area and the roadway and along the throat. The separator strip must extend away from the roadway to the greater of (1) 5

feet from the right-of-way limits, or (2) in areas where the right-of-way limits are defined by wrought portion, 7 feet from the edge of a clearly evident shoulder. The property owner must maintain any vegetation within the separator strip such that it does not interfere with the sight distance at the access. In areas where sidewalks exist, curbing or wheel stops must be provided to prevent parking vehicles from interfering with pedestrian flow.

- 2.11. *Paving.* The access, including all radii, must be paved from the edge of pavement of the roadway to the road right-of-way or to the length of the design vehicle, whichever is greater.
- 2.12. *On-street parking.* Parking must meet the requirements of Town of Lisbon Code Chapter 70, Article VI, Division 3, Off-Street Parking and Loading.
- 2.13. *Turnaround area/parking.* Accesses will be designed such that all maneuvering and parking of any vehicles will take place outside of the road right-of-way and such that vehicles may exit the premises without backing onto the roadway or roadway shoulder. All accesses must have a turnaround area with a width of at least 8 feet and a length of at least 15 feet or the length of the design vehicle, whichever is greater.
- 2.14. *Loading dock requirements.* Loading docks or other delivery areas must not be located within the road right-of-way and must be situated so that delivery vehicles do not encroach on the road right-of-way. All delivery vehicles must maneuver entirely on-site.
- 2.15. *Double frontage lots.* Access for lots with double frontage on regulated roads and another public way will be restricted to the other public way, unless the planning board determines that queuing of traffic using a access off the other public way would interfere with traffic on the regulated road due to insufficient lot frontage along the other public way.
- 2.16. *Traffic signal restriction.* No proposed access will be permitted on a regulated road if the proposed access serves a development that warrants installation of a traffic signal.
- 2.17. *Mobility enhancement measures.* The planning board may require applicants to provide for improvement of the existing safety or mobility levels through enhancement measures if the planning board determines, based upon accepted traffic engineering principles, that the proposed access will significantly impact public safety or cause a reduction in posted speed.

Mobility enhancement measures include:

- A. Elimination, combination or modification of existing accesses;
 - B. Development of frontage, backage or other service roads within the corridor to provide alternate access points to existing lots.
- 2.18. *Off-site improvements.* If the planning board reasonably determines that off-site improvements within the public right-of-way are required to safely accommodate a proposed access or that an altered access will have an impact public safety or cause a reduction in posted speed, the planning board may require mitigation of traffic impacts from a proposed access. In making such determinations, the planning board may consider existing developments planned or reasonably expected on the parcel of land owned or controlled by the applicant.

If mitigation is required, applicants will be required to employ and, in some instances maintain, one or more of the mitigation techniques listed below:

- A. Acceleration and/or deceleration lanes.
- B. Medians, jug handles or turnarounds.

When mitigation measures are required, the town may require the applicant, prior to construction, to submit a performance and payment bond or certified check payable to the Town of Lisbon, in an

way and do not have sufficient lot frontage to meet these spacing standards, may be allowed access if the applicant meets the following criteria, in addition to the above-referenced waiver criteria:

- A. The applicant meets the criteria of granting waivers set forth in this section.
- B. The proposed access is located in an area designated for growth in the town's comprehensive plan.
- C. The proposed access will not have an unreasonable adverse impact on the regulated road such that the speed limit must be reduced to accommodate new traffic expected to be generated.

(C.M. of 8-16-2011, V. 2011-154; C.M. 12-17-2019, V. 2019-233)

DIVISION 3. OFF-STREET PARKING AND LOADING¹

Sec. 70-661. Basic requirement.

- (a) In any district where permitted, no use of premises shall be authorized or extended, and no building or structure shall be constructed or enlarged unless there is provided for such extension, construction or enlargement, off-street automobile parking space within 300 feet of the principal building, structure or use of the premises, in accordance with section 70-662.
- (b) In the Village District the use of an existing building for its current use shall be deemed to be in compliance with the off-street parking requirements of this section. However, any change in the use above the first floor or any renovation which increases the floor area shall be required to comply with the required off-street parking requirements for the increased floor area.
- (c) Except as provided below, each parking space shall contain a rectangular area at least 18 feet long and nine feet wide. Up to 20 percent of required parking spaces may contain a rectangular area of only eight feet in width by 15 feet in length. If such spaces are provided, they shall be conspicuously designated as reserved for small or compact cars only. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles, so long as the parking spaces so created contain within them the rectangular area required by this section.
- (d) Wherever parking areas consist of spaces set aside for parallel parking, the dimensions of such parking spaces shall be not less than 22 feet by nine feet.
- (e) The use of shared parking and driveways is allowed as a conditional use. Required off-street parking may be allowed when the developer/owner demonstrates right and availability of parking within that zone. The following criteria must be met in order for the planning board to approve shared parking or driveways: reasonable access to the site; walking distance to the facility; and enough spaces are available to accommodate the needs of each use. If the parcel changes ownership, uses, or is enlarged, the property owner must return to the planning board for reapproval of the shared parking.
- (f) The joint use of a parking facility by two or more principal buildings or uses may be approved by the planning board where it is clearly demonstrated that said parking facilities would substantially meet the intent of the requirements by reason of variation in the probable time of maximum use by patrons or employees of such establishments.
- (g) All parking spaces shall be at least five feet from any side or rear lot line.
- (h) Parking spaces shall be provided and available for use prior to the issuance of the certificate of occupancy.
- (i) No off-street parking facility shall have more than two entrances and exits on the same street, and no entrance or exit shall exceed 26 feet in width.
- (j) Parking areas with more than two parking spaces shall be so arranged that vehicles can be turned around within such areas and are prevented from backing into the street. This requirement may be modified as a conditional use.

¹Cross reference(s)—Streets, sidewalks and other public places, ch. 46.

(k) A driveway/entrance permit shall be obtained from the Maine Department of Transportation on any state or state aid roads outside the urban compact area.

(l) Entrances and exits shall be clearly identified by the use of devices such as signs, curb cuts, and landscaping.

(Code 1983, § 15-607(1); T.M. of 5-17-2003, art. 54; T.M. of 7-21-2009, § 2009-111)

Sec. 70-661.5. Parking lot design criteria (not applicable to single-family dwellings and duplexes).

- (a) A minimum six-foot-wide raised or physically separated pedestrian walk must be constructed between all parking areas and drives which abut buildings, except in areas of drive-through facilities and loading bays.
- (b) Access to parking stalls should not be from major interior travel lanes, and shall not be immediately accessible from any public way.
- (c) Parking areas shall be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles.
- (d) Parking aisles should be oriented perpendicular to stores or businesses for easy pedestrian access and visibility.
- (e) Lighting of parking areas may be required at the discretion of the planning board. All artificial lighting used to illuminate any parking space or spaces shall be so arranged that no direct rays from such lighting shall fall upon any neighboring property or streets.
- (f) All lots with parking and loading areas for ten or more vehicles shall be paved with at least two inches of bituminous concrete (or equivalent) surfacing over a gravel sub base at least six inches in thickness. This shall include driveways, parking, loading, turning and aisle areas. These areas shall have appropriate bumpers or curbs to prevent vehicle traffic on unpaved areas.
- (g) On paved areas, painted stripes shall be used to delineate parking stalls. Stripes shall be a minimum of four inches in width.
- (h) Driveways providing access to parking aisles shall be not less than ten feet in width for one-way traffic and 18 feet in width for two-way traffic, except that ten-foot-wide driveways are permissible for two-way traffic when (i) the driveway is not longer than 50 feet, (ii) it provides access to not more than six spaces, and (iii) sufficient turning space is provided so that vehicles need not back into a public street.
- (i) Parking area aisle widths shall conform to the following table, which varies the width requirement according to the angle of parking.
- (j) Where the development will abut an existing or potential parking area provisions shall be made for internal vehicular connections.

AISLE WIDTH

	Parking Angle (in degrees)				
	0	30	45	60	90
One-way traffic	12	12	14	16	22
Two-way traffic	18	19	20	22	22

(T.M. of 5-17-2003, art. 54; T.M. of 7-21-2009, § 2009-111)

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(Supp. No. 40)

Sec. 70-662. Schedule of minimum off-street parking requirements.

PARKING SPACE REQUIREMENTS

Activity	Minimum Required Parking
Amusement, assembly, auditoriums, church, convention halls, funeral homes, gymnasiums, library, restaurant (and similar), stadiums, sports arenas, race tracks, skating rinks, theaters	1 space for every 4 seats (24 inches of bench equals 1 seat) plus 1 space for every 200 gsf of assembly area
Automobile dealers new and used	5 spaces + 1 space for every 3,000 gsf of display area (indoor and outdoor)
Automobile repair garage	2 spaces for every service bay + 1 space for every employee
Barber/beauty shop	2 spaces for every chair
Boarding house, lodging house, motel/hotel/inn, tourist home	1 space for every bedroom + 1 space for every employee on largest shift
Campground	1 space for every site
Children's day care facility	1 space for every employee + 1 space for every 6 children
Clubs	1 space for every 3 patrons (design capacity)
Construction contractors and tradesmens offices, laboratories and similar uses	1 space for every employee on largest shift
Drive through facility	5 queuing spaces per lane
Flea market	2 spaces for every table (max table length = 10 feet)
Gasoline service establishment	1 space for every 250 gsf (note 1)
Group homes (ME DHS)	1 space for every 3 bedrooms + 1 space for every employee
Home occupations	1 space for every 350 gsf of area used for home occupation
Hospital	1 space for every bed + 1 space for every 3 employees
Industrial use, warehouse	1 space for every employee on largest shift
Med offices	5 space for every staff doctor + 2 spaces for every 3 employees
Mixed use	Total of individual uses
Museum, wholesale	1 space for every 500 gsf
Nursing homes	1 space for every 5 beds + 1 space for every employee
Office bldg, retail	1 space for every 300 gsf
Residential dwelling unit	2 space for every dwelling unit
Residential elderly housing	0.5 space for every dwelling unit (Note 2)
School—Community colleges and arts schools	1 space for every 200 gsf
School—Elementary	2 spaces for every classroom
School—Secondary	5 spaces for every classroom
Self storage facilities	1 space for every 50 units

NOTES:

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- (1) For retail stores that are part of a gasoline service establishment, one-half of service spaces at the pumps may be applied to meet not more than one-half of the required parking spaces.
 - (2) Applies to elderly housing as constructed under special local, state or federal guidelines restricting occupancy to elderly persons.
 - (3) GSF stands for gross square feet.

The minimum off-street parking requirements shown in the above section may be modified as a conditional use. All such modifications require a parking demand study by a registered professional engineer. The parking demand study shall address occupancy, demand, demand as reflected by time of day, duration, turnover and assessment of alternatives.

(Code 1983, § 15-607(2); T.M. of 5-14-1994, art. 48; T.M. of 5-17-2003, art. 54)

Sec. 70-663. Off-street loading.

In any district where permitted or allowed, off-street loading facilities shall be located entirely on the same lot as the building or use to be served so that trucks, trailers and containers shall not be located for loading or storage upon any public way.

(Code 1983, § 15-607(3); T.M. of 5-17-2003, art. 54)

Sec. 70-664. Landscaping and lighting.

- (a) *Landscaping at street line.* Any parking lot that is located partially or entirely within the required front setback shall be buffered from the street with a combination of distance and screening, as follows:
 - (1) A minimum buffer width of 20 feet, as measured from the street line, is required if the width consists of a mixture of deciduous and evergreen vegetation a minimum of 18 inches in height at the time of planting.
 - (2) A minimum buffer width of ten feet, as measured from the street line, is required if the buffer consists of entirely non-deciduous vegetation, a minimum of 18 inches in height at the time of planting.
 - (3) No minimum buffer width is required if the parking lot will be separated from the street by a solid hedge, berm, wall, or fence a minimum of two feet in height, provided that the buffering structure does not encroach upon the street right-of-way.
- (b) *Screening from residential properties.* Any parking lot that is located within 100 feet horizontal distance of a residential district or existing residential use shall be screened from that district or use. A natural or landscaped vegetative strip shall be established or retained to provide an effective visual barrier. At the time of application, the board may require the developer to produce a visual representation (such as a Photoshop image) to illustrate the effectiveness of the barrier.
 - (1) A minimum screen width of 50 feet shall be required if the area will consist of undisturbed native woodland or change in elevation of at least ten feet.
 - (2) A minimum screen width of 25 feet shall be required if the area will consist entirely of native coniferous vegetation forming an effective visual barrier, or if a planted vegetative screen is installed and maintained. If a planted vegetative screen is used, it shall consist of a combination of mature trees, understory trees, and shrubs forming an effective visual barrier within five years of planting.

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- (3) Where the establishment of vegetation is impracticable, or in unique circumstances, the board may permit screening to consist of fences, walls, berms, or combinations thereof. In no case shall a parking lot be located closer than five feet to adjoining residential property.
- (c) *Landscaping within the parking lot.*
- (1) A parking lot exceeding 10,000 square feet shall be supplemented by interior landscaping. Landscaping shall be oriented and designed to serve multiple purposes, such as stormwater retention, traffic flow management, pavement cooling, and pedestrian refuges.
- A minimum of five percent of the overall area of the parking lot shall be devoted to interior landscaping.
 - Landscaped aisles shall be used to break large expanses of parking stalls into bays of no more than 50 stalls each. Landscaped aisles shall have a minimum width of 15 feet, if containing a pedestrian walkway, or ten feet if consisting entirely of pervious surface.
 - Landscaped areas shall consist of a mixture of deciduous and evergreen vegetation selected for adaptability to the site. A two-inch caliper canopy tree shall be placed within each landscaped area and along every 50 feet of landscaped aisle, to aid in cooling and reduce visual and aural impacts of the parking lot.
 - Landscaped areas shall be located, designed, planted, and maintained as bio-retention areas for the purpose of managing stormwater from the parking lot wherever feasible.
 - Landscaped areas shall be protected from vehicle encroachment by curbs, wheel stops, or other devices permanently installed.
- (d) *Landscape plan.* The applicant shall provide a landscaping plan in sufficient detail to ascertain the landscape elements, including lighting structures, hardscape features, and type and placement of vegetation planted or retained on the site.
- All trees and shrubs to be planted must be rated for climate Zone 4 or lower, and must be demonstrated to be adaptable to urban, roadside conditions. Non-native plants shall not be of an invasive or nuisance species.
 - The landscaping plan shall include provisions for regular maintenance and replacement of required plantings.
 - The landscaping plan shall include provisions for maintenance of walls, fences, drains, and other landscape features and stormwater structures, including but not limited to, regular painting and repair.
- (e) *Lighting.* A development may employ parking lot lighting which serves security, safety, and operational needs but does not impair the vision of vehicle operators on adjacent streets or infringe on neighboring properties.
- Lighting fixtures shall be shielded or hooded, and placed so that the lighting elements are not exposed to normal view from a public street or adjacent dwellings. Under no circumstances will fixtures be located or directed so as to create a nuisance to abutting residential properties.
 - Free-standing light fixtures that are located within 100 feet of a residential district or existing residential property shall not extend more than 15 feet above ground level.
 - Lighting intensity shall not exceed one-half foot-candle at the property line. The board may require a lighting plan which will estimate the intensity of the proposed lighting throughout the site.

(Code 1983, § 15-607(4); T.M. of 5-17-2003, art. 54; T.M. of 7-21-2009, § 2009-111)