



# PLANNING BOARD MEETING AGENDA

Thursday April 16, 2020  
Town Hall Meeting Room  
6:30 p.m.

## **Call to Order**

## **Pledge of Allegiance**

## **Introduction of Board Members**

## **Public Comment**

## **Approval of Minutes**

1. March 5, 2020  
March 19, 2020

## **Public Hearing**

2. Site Plan Review. Funeral Home. Cemetery Road (R36-46) R2 Zone. Lang-Bibber Funeral Home
3. Site Plan Review. Adult Use Marijuana Cultivation Facility. 11 Pond Road (R70-16) RC/I Zone. CAF Realty of Maine.

## **Old Business**

2. Site Plan Review. Funeral Home. Cemetery Road (R36-46) R2 Zone. Lang-Bibber Funeral Home
3. Site Plan Review. Adult Use Marijuana Cultivation Facility. 11 Pond Road (R70-16) RC/I Zone. CAF Realty of Maine.

## **New Business**

4. Subdivision Amendment. 569 Portland Street (R72-9) RC/I Zone. Route 4 Self Storage and HP Cycles.

## **Public Comment**

## **Informational Items**

## **Adjournment**



# PLANNING BOARD MEETING MINUTES

Thursday March 5, 2020  
Town Hall Meeting Room  
6:30 p.m.

## Call to Order

## Pledge of Allegiance

## Introduction of Board Members

*Dave Andreesen; Sean Winston; Michael LaRue; Nichole Fecteau; Frank Underwood*

***Regular Member Absent:***

***Alternate Member Present:***

***Alternate Member Absent:***

*David Ross-Lyons*

***Staff Members Present:***

*Lee Jay Feldman, Director of Planning; Jenifer McCabe, Code Enforcement Officer*

## Public Comment

## Approval of Minutes

1. February 20, 2020

**Motion:** Sean Winston motioned to approve the minutes as presented.

**Second:** Michael LaRue

**VOTED – 3-0-2 in favor**

## Motion Passed

In favor: Dave Andreesen; Sean Winston; Michael LaRue

Opposed: None

Abstain: Nichole Fecteau; Frank Underwood

## Public Hearing

2. Conditional Use Application. Adult Use Marijuana Storefront. 60 Route 236 (R-57 55) RC/I Zone. Silver Therapeutics.

## Old Business

2. Conditional Use Application. Adult Use Marijuana Storefront. 60 Route 236 (R-57 55) RC/I Zone. Silver Therapeutics.

Lee Jay Feldman read his initial memo. Frank Underwood asked if the floor to ceiling height was remaining the same. Josh Silver of Silver Therapeutics confirmed it was remaining the same.

Mr. Underwood asked about the contour plan and the drainage on the site. Mr. Underwood asked about a berm and Mr. Silver said the plan will include a berm. Lee Jay Feldman said a small pond could handle the water. Mr. Underwood said there is plenty of relief to go in the ditch line along Route 236.

Josh Silver clarified that the applicant is Silver Therapeutics of Berwick LLC a Maine registered company with a co-owner who has residency in Maine.

Sean Winston said permeable pavement tends to fail over time due to lack of maintenance. Mr. Winston recommended standard pavement, a berm, drainage and a small detention pond. Nichole Fecteau asked about the existing fence and Mr. Silver confirmed the fence will be heightened and extended and the drainage suggestions from the Board will be implemented.

## New Business

3. Conditional Use Application. Substantial Expansion. 541 Portland Street (R72 7-A) RC/I Zone. Redimix Corporation.

Justin Zdunczyk of Pike said the office expansion is for organizing incoming and outgoing parts, and the activity is already happening on site.

**Motion:** Nichole Fecteau motioned to find the application complete.

**Second:** Sean Winston

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Dave Andreesen; Sean Winston; Michael LaRue; Nichole Fecteau;

Frank Underwood

Opposed: None

Abstain: None

*A Public Hearing was set for March 19<sup>th</sup>*

4. Sketch Plan. Subdivision Amendment. 241 Cranberry Meadow Road (R32-15) R2 Zone. Hersom.

Lee Jay Feldman explained the creation of a new lot constitutes a subdivision amendment to a previously approved subdivision. Chris Mende, representative of the applicant introduced himself. Mr. Mende said the lot has been subdivided twice previously. The swimming pool is encroaching upon the setback according the plan, which Mr. Mende said is based on an aerial view and the distance will be plus or minus five feet. Mr. Mende said there has been a Medium Intensity Soil Survey and asked if a High Intensity would be required.

Nichole Fecteau said the well location could be a problem during appraisal. Frank Underwood asked if the limiting factor of soil should be shown on the plan.

Mr. Mende said there was a waiver granted allowing the well to be 50' to the front property line and asked if the same waiver would apply to this application.

Lee Jay Feldman said the application could be complete in two, rather than three meetings as the next meeting could be Final Plan approval.

5. Site Plan Review. Funeral Home. Cemetery Road (R36-46) R2 Zone. Lang-Bibber Funeral Home

Lee Jay Feldman read his memo to the Board. Geoff Aleva of Civil Consultants introduced himself as the representative of the project. Mr. Aleva said there will be more parking provided than what is prescribed in the ordinance. The project includes a plan for a caretaker apartment. Mr. Aleva said all stormwater discharge is minimal which collects in a wetland. The three discharges amount to 1 CFS during a 100-year storm, Mr. Aleva said the flow would be very small.

Frank Underwood asked about the bodily fluids and the impact they would have on a septic system. Richard Bibber said their operations in Wells and Kennebunk are on tanks and the use has not caused any problems in the many years of operation.

**Motion:** Frank Underwood motioned to find the application complete.

**Second:** Nichole Fecteau

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Dave Andreesen; Sean Winston; Michael LaRue; Nichole Fecteau;

Frank Underwood

Opposed: None

Abstain: None

*Site Walk was scheduled for 5:30PM and Public Hearing set for 6:30 PM for March 19<sup>th</sup>.*

6. Site Plan Review. Adult Use Marijuana Cultivation Facility. 11 Pond Road (R70-16) RC/I Zone. CAF Realty of Maine.

Lee Jay Feldman read the memo to the Board. Part of the lot is in South Berwick and the Town has been notified of the project.

Mike Sievert of MJS Engineering introduced himself as the representative of the project. Mr. Sievert said the first building is larger because it has offices and bathrooms, the buildings in the next phases would not have either. David Ayer, the applicant, is an electrician and intends to put solar panels on the metal roofs.

Frank Underwood asked about security along power lines due to increased ATV and other recreational activity along power lines. Mr. Underwood asked if the applicant would come back to the Planning Board for subsequent phases. Mr. Feldman said a condition could be placed to have the applicant come back and it wouldn't have to be a highly technical review for each phase when they do come back.

Dave Andreesen said primary concerns are screening, lights and a tight odor control plan.

Mr. Sievert said the entire property will be fenced.

Nichole Fecteau said nine plantings are not sufficient.

Lee Jay Feldman said there was a large-scale fire in Eliot and said the applicant will need to do research on the buildings if they have to be sprinkled.

**Motion:** Michael LaRue motioned to find the application complete.

**Second:** Frank Underwood

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Dave Andreesen; Sean Winston; Michael LaRue; Nichole Fecteau; Frank Underwood

Opposed: None

Abstain: None

*Site Walk was scheduled for 5:30PM and Public Hearing set for 6:30 PM for April 2<sup>nd</sup>.*

**Public Comment.**

Heidi Leveille of 11 Perrys Way expressed her concern with the amount of marijuana establishments coming to town. Dave Andreesen said come June, the number of establishments will be capped. Ms. Leveille said there has been an increased amount of traffic down Perrys Way. Nichole Fecteau suggested having a representative from the Berwick Police Department about the increased activity.

Paul Amatucci of 12 Perrys Way said one of the most peaceful neighborhoods will be disrupted by the use. Frank Underwood said the Land Use Ordinance was voted in for the first time in 1986. The entire Route 4 corridor from Day 1 is Rural Commercial/Industrial.

Mr. Massios of 386 Portland Street said he is concerned about well contamination and marijuana waste.

**Informational Items**

Lee Jay Feldman said Tom Reinauer, KACTS Director for 27 years, is moving on to Maine DoT.

Thank you, Tom, for all your hard work and assistance to the Town of Berwick over the years!

**Adjournment**

**Motion:** Sean Winston

**Second:** Frank Underwood

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Dave Andreesen; Sean Winston; Michael LaRue; Nichole Fecteau; Frank Underwood

Opposed: None

Abstain: None

Minutes prepared by Berwick Planner James Bellissimo, for consideration at the next Berwick Planning Board meeting.

Signed as Approved by the Board:

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# PLANNING BOARD MEETING MINUTES

Thursday April 2, 2020  
Town Hall Meeting Room  
6:30 p.m.

## Call to Order

## Pledge of Allegiance

## Introduction of Board Members

*Dave Andreesen; Sean Winston; Nichole Fecteau; Frank Underwood*

*Regular Member Absent: Michael LaRue*

*Alternate Member Present: David Ross-Lyons (voting member)*

*Staff Members Present: Lee Jay Feldman, Director of Planning; James Bellissimo, Planner*

## Public Comment

## Approval of Minutes

### 1. March 5, 2020

Frank Underwood pointed out an omission on a motion for the CAF Realty project. *The minutes were tabled.*

Upon review of the March 5<sup>th</sup> meeting, it was determined that Michael LaRue motioned to find the CAF application complete.

## Public Hearing

## Old Business

### 2. Conditional Use Application. Substantial Expansion. 541 Portland Street (R72 7-A) RC/I Zone. Redimix Companies.

James Bellissimo said because the application is an expansion < 1,500 square feet, the recommendation is to cancel the Public Hearing to be able to act on the application tonight. Mr. Bellissimo said the expansion is for the management of incoming parts and the particular operation is already happening on site.

**Motion:** Nichole Fecteau motioned to approve the Findings of Fact

**Second:** David Ross-Lyons

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Dave Andreesen; Sean Winston; David-Ross Lyons; Nichole Fecteau; Frank Underwood

Opposed: None

Abstain: None

**Motion:** Frank Underwood motioned to approve the application subject to the Conditions in the Findings of Fact.

**Second:** Sean Winston

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Dave Andreesen; Sean Winston; David-Ross Lyons; Nichole Fecteau; Frank Underwood

Opposed: None

Abstain: None

3. Conditional Use Application. Adult Use Marijuana Storefront. 60 Route 236 (R-57 55) RC/I Zone. Silver Therapeutics.

James Bellissimo summarized the changes from the last plan. Frank Underwood asked if the property was connected to the Berwick Sewer. Nichole Fecteau pointed out the Findings of Fact would need to be amended to reflect that fact.

**Motion:** Frank Underwood motioned to approve the Findings of Fact as amended.

**Second:** Nichole Fecteau

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Dave Andreesen; Sean Winston; David-Ross Lyons; Nichole Fecteau; Frank Underwood

Opposed: None

Abstain: None

**Motion:** Frank Underwood motioned to approve the application

**Second:** Nichole Fecteau

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Dave Andreesen; Sean Winston; David-Ross Lyons; Nichole Fecteau; Frank Underwood

Opposed: None

Abstain: None

4. Final Plan. Subdivision Amendment. 241 Cranberry Meadow Road (R32-15) R2 Zone. Hersom.

Lee Jay Feldman summarized the project and said the applicant is requesting three waivers. Chris Mende explained the change to the lot split. Mr. Mende said a former engineer said a division was not possible, which Mr. Mende and applicant found out was not true.

Mr. Mende said a High Intensity Soil Survey was completed for the poorly drained soils.

**Motion:** Nichole Fecteau motioned to find the application complete.

**Second:** Sean Winston

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Dave Andreesen; Sean Winston; David-Ross Lyons; Nichole Fecteau; Frank Underwood

Opposed: None

Abstain: None

Chris Mende explained the reasoning behind the request for waivers.

**Motion:** Frank Underwood motioned to approve the waiver for the Stormwater Management Plan 7.2.D.30

**Second:** Nichole Fecteau

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Dave Andreesen; Sean Winston; David-Ross Lyons; Nichole Fecteau; Frank Underwood

Opposed: None

Abstain: None

**Motion:** Frank Underwood motioned to approve the waiver for the Erosion and Sedimentation Control Plan 7.2.D.31

**Second:** Nichole Fecteau

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Dave Andreesen; Sean Winston; David-Ross Lyons; Nichole Fecteau; Frank Underwood

Opposed: None

Abstain: None

**Motion:** David Ross-Lyons motioned to approve the waiver for the Hydrogeologic Assessment 7.2.D.23.

**Second:** Sean Winston

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Dave Andreesen; Sean Winston; David-Ross Lyons; Nichole Fecteau; Frank Underwood

Opposed: None

Abstain: None

**Motion:** Nichole Fecteau motioned to add a Condition of Approval to the Findings of Fact requiring the applicant to submit the soil report to the file and to approve the Findings of Fact.

**Second:** David Ross-Lyons

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Dave Andreesen; Sean Winston; David-Ross Lyons; Nichole Fecteau; Frank Underwood

Opposed: None

Abstain: None

**Motion:** Nichole Fecteau motioned to approve the subdivision plan.

**Second:** Frank Underwood

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Dave Andreesen; Sean Winston; David-Ross Lyons; Nichole Fecteau; Frank Underwood

Opposed: None

Abstain: None

**Public Comment**

**Informational Items**

The Board and Staff discussed Planning Board procedure moving forward.

**Adjournment**

**Motion:** David Ross-Lyons

**Second:** Sean Winston

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Dave Andreesen; Sean Winston; David-Ross Lyons; Nichole Fecteau; Frank Underwood

Opposed: None

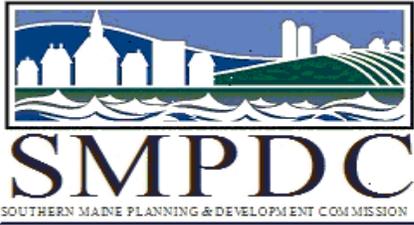
Abstain: None

Minutes prepared by Berwick Planner James Bellissimo, for consideration at the next Berwick Planning Board meeting.

Signed as Approved by the Board:

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**To:** Berwick Planning Board  
**From:** Lee Jay Feldman  
**Date:** April 16, 2020  
**Re:** Site Plan review-Laing Bibber Funeral Home- Cemetery Road

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## I. Proposal

This project is to construct a new 5,965 SF footprint funeral home building on the parcel located across from Evergreen Cemetery on Cemetery Road in Berwick, Maine. The 5.85 acre lot is situated in the Transitional Residential District (R2) zone. The new building will meet the 50 foot front setback and the 25 foot side and rear setbacks.

The lot is currently undeveloped woodlands. There will be 35,284 SF of new impervious area and approximately 75,000 SF of disturbance created as a result of this development. This includes the 5,965 SF proposed building, a 674 SF covered drop off area, and 28,645 SF of onsite parking and two new entrances for access to Cemetery Road. One of these will be located directly across the street from the northern entrance of the Evergreen Cemetery. This project requires a full Site Plan Review per the Town of Berwick Land Use Ordinance due to the construction of a building greater than 3,000 SF and the installment of more than 5,000 SF of impervious surface.

The project will require both a new private well and a new private septic system. The septic system will be designed by Civil Consultants using test pit information gathered from Ken Gardner on November 21, 2019. The proposed septic location is yet to be determined. Per section 7.17 of the Berwick Land Use Ordinance, Prior to final approval It would help to see the proposed septic system location and the separation from the proposed well.

Developments that create one or more acres of disturbed area shall meet the storm water management provisions specified in Chapters 500 and 502 of the Maine Department of Environmental Protection Stormwater Management rules. Since there will be less than an acre of impervious area, Chapter 500 requires only the basic standards be met. The applicant has received and submitted the Stormwater permit from the DEP for review. Although there are no runoff requirements for specific storm levels, the site has been designed to limit the storm water discharge off site. As part of this submission, an Erosion and Sedimentation Control Plan and a Stormwater Inspection and Maintenance Plan have been provided.

II. Waivers

None have been requested

III. Next Steps

At the last meeting held in March, the application was found complete, the sitewalk and Public Hearing scheduled.

IV. Recommendation

Based on the review of the application, and absent of any public comments during the last meeting review It would be staff recommendation to approve the application with the following conditions:

1. The landowner provide a copy of the stormwater maintenance log to the town's Code Enforcement Officer on a yearly basis.
2. The applicant provide a bond, letter of credit or other form of surety to the town's planning department prior to the start of construction. The value of the bond shall be equal to the cost of the stormwater system and stabilization of the project if it is not completed. Once the project is completed according to the design the Surety will be returned to the applicant.

**Town of Berwick Planning Board**  
**Site Plan Review - Findings of Fact**  
Applicant: Laing Bibber Funeral Home  
Cemetery Road (Map R36-Lot 46)  
**Date April 16, 2020**

This project is to construct a new 5,965 SF footprint funeral home building on the parcel located across from Evergreen Cemetery on Cemetery Road in Berwick, Maine. The 5.85 acre lot is situated in the Transitional Residential District (R2) zone. The new building will meet the 50 foot front setback and the 25 foot side and rear setbacks.

The lot is currently undeveloped woodlands. There will be 35,284 SF of new impervious area and approximately 75,000 SF of disturbance created as a result of this development. This includes the 5,965 SF proposed building, a 674 SF covered drop off area, and 28,645 SF of onsite parking and two new entrances for access to Cemetery Road. One of these will be located directly across the street from the northern entrance of the Evergreen Cemetery. This project requires a full Site Plan Review per the Town of Berwick Land Use Ordinance due to the construction of a building greater than 3,000 SF and the installment of more than 5,000 SF of impervious surface.

The project will require both a new private well and a new private septic system. The septic system will be designed by Civil Consultants using test pit information gathered from Ken Gardner on November 21, 2019. The proposed septic location is yet to be determined. Per section 7.17 of the Berwick Land Use Ordinance, Prior to final approval It would help to see the proposed septic system location and the separation from the proposed well.

Developments that create one or more acres of disturbed area shall meet the storm water management provisions specified in Chapters 500 and 502 of the Maine Department of Environmental Protection Stormwater Management rules. Since there will be less than an acre of impervious area, Chapter 500 requires only the basic standards be met. The applicant has received a stormwater permit from the Maine DEP. The current Stormwater design suggests that there will be a 1.4± cubic foot per second (cfs) increase in the water coming off the site during a 100-year storm. Although there are no runoff requirements for specific storm levels, the site has been designed to limit the storm water discharge off site. As part of this submission, an Erosion and Sedimentation Control Plan and a Stormwater Inspection and Maintenance Plan have been provided.

On March 5, 202 the applicant presented the proposal. One board member asked what happens to body fluids since the site is on a septic system? Are the fluids taken off site? The applicant indicated that they are not taken off site, the other facilities they have in Kennebunk and Wells have had no issues and have been in existence for many years.

The planning board found the application complete 5-0 and set a site walk date for the 19<sup>th</sup> of March at 5:30 and a Public Hearing to follow.

## **Findings of Fact**

1. **Conformance with the Comprehensive Plan:** *All proposed conditional uses and site plans shall conform to the Comprehensive Plan of the Town of Berwick and with the provisions of all pertinent federal, state and local codes, ordinances, and regulations.*

**This application has been classified as a Service Business which is allowed in the zone which it is located.**

2. **Preserve and enhance the landscape:** *The landscape shall be preserved in its natural state insofar as practicable by minimizing tree removal, disturbance of soil, retaining existing vegetation during construction. After construction is complete, landscape shall be designed and planted that will define, soften or screen the appearance of off street parking areas from the right of way and abutting properties and/or structures in order to enhance the physical design of the building(s) or site, and to minimize the encroachment of the proposed use on the neighboring land uses.*

**The applicant has designed the project to minimize impacts to the landscape due to the stormwater design and wetlands that surround the site. The applicant has received a Maine DEP chapter 500 permit as well. The site has had a substantial amount of landscaping added to soften the visual impacts and enhances the stormwater design.**

3. **Relationship of the proposed buildings to the environment:** *Proposed structures shall be related harmoniously to the terrain and to the existing buildings in the vicinity which have a visual relationship to the proposed buildings. Special attention shall be paid to the bulk, location and height of the building(s) and such natural features such as slope, soil type and drainage ways.*

**The site has been designed to minimize wetland impacts and stormwater impacts.**

4. **Vehicular access:** *The proposed site layout shall provide for safe access and egress from public and private roads by providing adequate location, numbers and controls of access points including site distances, turning lanes, traffic signalization when required by existing and projected traffic flow on municipal road systems.*

**Access has been designed to minimize vehicle impacts. This site will not be utilized on a daily basis. By virtue of this being a demand driven business there will be times where no traffic will enter or leave the site on a regular basis.**

5. **Parking and circulation:** *The layout and design of all vehicular and pedestrian circulation, including walkways, interior drives, and parking areas shall provide for safe general interior circulation, separation of pedestrian and vehicular traffic, service traffic, loading areas, and arrangements and use of parking areas.*

**The site design is self-contained and interior circulation is not an issue**

6. **Surface water drainage:** *Adequate provision shall be made for surface drainage so that removal of surface waters will not adversely affect neighboring properties, downstream conditions, soil erosion or the public storm drainage system. Whenever possible, on-site absorption of unpolluted run-off waters shall be utilized to permit groundwater recharge on the site.*

**The site has natural wetlands surrounding the site. The applicant has designed the site so that the added water will flow to the wetlands. The site has received a Maine DEP stormwater permit with this design.**

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

**The applicant has received capacity letter and approval from those public utilities being impacted.**

8. **Advertising features:** *The size, location, design, lighting and materials of all exterior signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and the surrounding properties.*

**The applicant proposes on sign on the front of the property. This sign must meet the sign standards prior to a permit being issued**

9. **Special features of the development:** *Exposed storage areas, exposed machinery installation, service areas, truck loading areas, utility buildings and similar structures shall have sufficient setback and screening to provide an audio/visual buffer to minimize their adverse impact on other land uses within the development area and surrounding properties.*

**The applicant proposes no outside storage or accessory structures. The building will be set back 100+feet off the road as designed**

10. **Exterior lighting:** *All exterior lighting shall be designed to minimize adverse impact on neighboring properties.*

**Outside lighting has been designed to minimize impacts and meets Dark Sky requirements**

11. **Emergency vehicle access:** *Provisions shall be made for providing and maintaining convenient and safe emergency vehicle access to all buildings and structures.*

**This site meets design requirements for emergency vehicle access.**

12. **Municipal services:** *The development will not have an unreasonable adverse impact on the municipal services including municipal road systems, fire department, police department, solid waste program, sewer treatment plant, school, open spaces, recreational programs and facilities, and other municipal service and facilities.*

**Impacted departments have commented on this project and suggested they have no issues with the project.**

13. **Will not result in water or air pollution:** *In making this determination, it shall at a minimum consider: The elevation of the land above sea level and its relationship to the floodplains, the nature*

*of soils and subsoils and their ability to adequately support waste disposal; the slope of the land and its attest on effluents; and the applicable state and local health and water resources regulations.*

**The site is relatively flat, soils have shown the ability to pass HHE 200 septic system and a Maine DEP Stormwater permit has been issued**

14. **Has sufficient water available for the reasonably foreseeable needs of the development** (*this is usually considered to be ten years approximately*).

**A private well is proposed on the site. This will not impact the Public water supply.**

15. **Will not cause an unreasonable burden on an existing water supply**, *if a municipal or community water supply is to be utilized.*

**A private well is proposed on the site. This will not impact the Public water supply.**

16. **Will not cause soil erosion or reduction in the capacity of the land to hold water** *so that dangerous or unhealthy conditions may result.*

**Maine DEP Has issued a stormwater permit. The applicant has also put together a maintenance plan to assure that the system will continue to work correctly. The applicant has also provided an appropriate soil and erosion control plan.**

17. **Will provide for adequate sewerage waste disposal.**

**The applicant has provided soils analysis for the HHE 200 septic system design**

18. **Will not have adverse effects on the scenic or natural beauty of the area, aesthetics, or rare and irreplaceable natural areas.**

**The site design is set back off the street a considerable amount. This use is allowed in the current zone.**

19. **The developer has adequate financial and technical capacity to meet the above stated standards.**

**All of the information required to be submitted providing this proof has been provided.**

20. **Whenever situated in whole or in part within 250 feet of any pond, lake or river, will not adversely affect the quality of such body of water or affect the shoreline of such body of water, based on the standards outlined in Section 9.8.I.1.j.**

**This site is outside the above standard so it is not applicable**

21. **Low Impact Design:** *Each applicant is required to submit a statement to the Planning Board documenting proposed Low Impact Design (LID) for the site, which will help to reduce storm water volumes and help to enhance storm water quality. LID includes, but is not limited to, green roofs, rain gardens, tree wells, infiltration basins and permeable pavement.*

**The applicant has received a Maine DEP stormwater permit meeting the standards that the state has setforth.**

Conditions of Approval:

1. The landowner provide a copy of the stormwater maintenance log to the town's Code Enforcement Officer on a yearly basis.
2. The applicant provide a bond, letter of credit or other form of surety to the town's planning department prior to the start of construction. The value of the bond shall be equal to the cost of the stormwater system and stabilization of the project if it is not completed. Once the project is completed according to the design the Surety will be returned to the applicant.

This approval is contingent on the fact that the Findings of Fact were not available the evening of the approval therefore the findings or approval could be modified at the time the Planning board reviewed the Findings of Fact.

I, David Andreesen, certify that I am Chair of the Planning Board of the Town of Berwick, Maine, a Planning Board established pursuant to Maine State Statute (30 MRSA § 1917 and Title 30-A § 4401) and I further certify that this decision was approved by the Planning Board at its meeting of April 16, 2020

Vote to find the application Complete

Vote to approve

Vote on Findings of Fact

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David Andreesen, Chair, Berwick Planning Board



April 12, 2020

Town of Berwick  
Planning Board  
11 Sullivan Street  
Berwick, ME 03901

Re: Pond Road Site Plan

To Whom It May Concern:

Jerry and I are residents of 10 Pond Road in Berwick, Maine. Jerry has lived here for 30 years. We are writing to express our concern with the construction of one and potentially, four marijuana production facilities at 11 Pond Road in Berwick. Our property is located across the street from the proposed project.

Below are our questions and comments.

1. In reviewing the Land Use Ordinance document with an amended date of June 11, 2019, it states " 8.25.3. Location: Medical Marijuana Cooperatives and Medical Marijuana Production Facilities are allowed in the R3 Zone only on properties which have frontage on Route 9 or 4."

In reviewing the property maps, we do not see that 11 Pond Road has frontage on Route 9 or 4. Also, the property is located in the RC/I Zone. The ordinance states the property needs to be located in the R3 Zone.

Please provide information that states that this project is permitted on 11 Pond Road, Berwick, ME. Based on our review, the project does not meet the above referenced ordinance.

2. What are the "June Marijuana Amendments" that are listed in the Public Notices section on the Berwick website. What impact do these have on approving or denying this proposal?
3. In reading the proposal, we disagree that the project will "preserve and enhance the landscape" and "the design is compatible with the neighborhood."

The proposal places one and potentially, four large buildings in a neighborhood that is currently "residential." We realize it is not zoned residential. However, for us this is a neighborhood of houses. The commercial buildings will essentially be right in the backyard of one of our neighbors.

4. What impact will this facility have on the quality of the water from existing wells for the surrounding neighbors? How will the impervious material and vehicle traffic impact the ground water? Will chemicals from the production process enter the ground water? Will any of the waste seep into the ground water? The proposal states that the existing well is sufficient for the marijuana production activity. What testing has been done to support this statement? Is this true if all 4 buildings are constructed and put into use?

Our concern is “Will this project affect the quality of the well water for the neighborhood?” Will the waste seep into the water table? Will the increased water usage drain the existing veins reducing the quality of the water? Also, what research has been done to understand the impact of the waste, the chemicals used for production and chemicals from the impervious materials will have on the water supply?

A few years ago, the quality of our well water diminished. There was an increase in the amount of minerals in our water, in particular chlorides. The only way we could remove these minerals was to buy a RO (reverse osmosis) system. The retail cost of this system was \$13,000. If the usage of water for 1 plant (not to mention the proposed 4) deteriorates the quality of well water, is it reasonable or fair to ask the existing neighbors to bear this expense?

5. How often will truck deliveries occur?
6. Odor: What rights to we, the neighbors, have if the production generates a strong odor?
7. The proposal states the “drying/curing rooms will only be in use for a period of 2 weeks post-harvest and will only be considered odor producing during these times.” How many harvests occur each year?
8. How much noise will be generated from the exhaust fans? Will it be audible to the neighbors?
9. How much lighting will be around this compound? What security concerns do the Berwick and South Berwick Police Departments have with this facility? Does the 4-foot fence provide adequate security, considering the property is not being manned with a security guard? Does the applicant have a security plan to safeguard the compound and the neighbors beyond installing a 4-foot fence and security cameras? Note: The Northeast ATM was robbed in 2016 which is essentially a vault. Breaking into a marijuana production plant seems a bit easier than an ATM. Please see bullet 15 for our safety concerns.
10. Does this proposal meet the 1,000 foot requirements as stated in 8.25.3 of the Land Use Ordinance? If yes, where can we locate that documentation? The proposal posted on the website does not include this information.
11. 8.25.6 of the Land Ordinance states “Cultivation. If marijuana and /or products containing marijuana are sold on the same site, the cultivation area shall be no greater than 50% of the total floor area of the building.  
  
Does this mean that in the future, this production facility could sell retail marijuana products? Would we be notified of this change? Would this change need to be approved?
12. Has there been any amendments to the proposal since being submitted? Is yes, please provide via email at [asgraybill@comcast.net](mailto:asgraybill@comcast.net) or provide a link to information.
13. Did the Planning Board members get to walk the site? Jerry and I attended the site walk on 4/2/2020. We were the only abutters who attended. James Bellissimo was the town official in

attendance. We were not notified of this meeting. During the Planning Board meeting in March 2020, it was stated that abutters would be notified of the site walk. I called the town hall to see if a site walk was happening in lieu of the COVID-19 outbreak. James informed me that it was. We found the site walk very helpful because it really showed how close the building(s) will be to the existing houses. It was mentioned the site walk would be published online. We do not see it online. We are not familiar with proper protocol with site walk notification and could not find this information on the website. Were the abutters given the proper opportunity to attend the site walk or was the site walk video made available to them?

14. The establishment of this facility will likely diminish the value of our property and make it harder to sell when that time comes. While the applicant of this proposal is looking to make money on this project, it is unfortunate that his ability to make money has a negative impact on all of us.
15. Safety: We are concerned about the safety of the neighborhood. Introducing this business to our neighborhood increases the potential for criminal activity. A few years ago, the ATM was robbed. This was the first time we became concerned about theft. While the Town has a responsibility to attract business to Berwick, we feel the Town also has a responsibility to protect all citizens/taxpayers of the Town. When the legislation was placed on the ballot to only allow marijuana facilities on Route 9 or 4, Jerry and I voted against that. However, we knew the majority of the Town would vote yes because the reality is – No one wants this in their neighborhood, let alone in their backyard (literally).
16. Due to the COVID-19 outbreak impairing the abutters from meeting in person at Town Hall to discuss this topic, we ask that consideration be given to postponing any decision on this matter until we can meet in person with the Planning Board. Meeting via Zoom may impact the ability of the abutters to adequately interact with the Planning Board.
17. How will your decision be communicated to the public?

Lastly, thank you for the opportunity to express our concerns and for answering our questions. It is difficult for us to feel comfortable with this project. The intent of the ordinance was to restrict the marijuana facilities to Route 4 or 9. We believe this proposal does not meet the requirements of the land ordinance. We do not support the approval of this project in our “residential” neighborhood. We hope you take into consideration that this compound is being constructed among a neighborhood of residents who are genuinely concerned about the safety of their homes. Never did we foresee that our charming country landscape would become a marijuana hub.

We look forward to your reply. We will be attending the public hearing via Zoom.

Sincerely,

Alyson and Jerry Graybill  
10 Pond Road  
Berwick, ME 03901  
603-502-2467  
207-384-2912

April 13, 2020

Town of Berwick

Planning Board

11 Sullivan Street

Berwick, ME 03901

RE: Pond Road Marijuana Production

Dear Board Members:

We echo and endorse in full all the very valid and addressable issues mentioned in the letter of April 12, 2020 to the board by Alyson and Jerry Graybill.

We live on Perry's Way and the front of our property has a direct view of the subject property.

1. Aside from the fact that this is a purely residential neighborhood at present, we see no reason to approve a property to become a commercial endeavor in the midst of the quiet enjoyment of our homes.
2. Both the enhanced marijuana laws in town and zoning seem to prohibit this business venture. It is not fronting Route 4, and our zoning is residential.
3. Also, when viewing the markers for the erection of cultivating production barns, the set back behind the abutting residence seems to be an issue. We are not sure of the commercial setback provisions in town code, but it appears this commercial building is being construction within residential setbacks. The production building will now be almost on top of the existing property's back property line. This is unacceptable.
4. With the addition of barrier fencing and lighting for security and visibility for the operation, this will turn the existing residences into nearly uninhabitable residences.
5. Security is a major issue with an enhanced burden on the town police. Property security issues for all area residences will increase because a high value cash crop is being produced. Will increased security costs for individual property owners be defrayed by this business operator?
6. Signage is very important since we want no attention paid to this property as a security target. Further, when a residential real estate transaction is happening with

- an area homeowner, identifying this as a marijuana facility could be detrimental to values.
7. Property values in the very quiet and completely residential area of our town will tumble when this facility is operational.
  8. Since the applicant is building this property but not operating the growing facilities, how is the vetting process going to take place for grower/operators. Who will check the full background (business, criminal or immigration status) of both the grower and workers who merely rent space to cultivate and process but have no ownership at all. The growers and owners liability to the town and to the local area residents must be explained to us before this project goes forward.
  9. Lastly, ALL marijuana facilities in this country have had significant odor issues during the growing and processing of this crop. Odors are similar to 24/7 skunk smells. These odors are inescapable and will not go away. It is very easy for a permit applicant to tell us they will mitigate this issue with “state of the art” systems but we need total and complete assurance of no odors whatsoever; zero tolerance.

Our deep and enduring concerns are that the planning board, local residents and town’s people will be left with a host of unintended consequences as a result of permitting this project to proceed.

We also ask that this process cease until **in person meetings** with the board can be held. Our fear is that this remote style of planning board meeting is having the effect of not allowing our voices to truly be heard.

Please include me in the Planning Board meeting, webinar, or Zoom cast for the April 16<sup>th</sup> meeting.

Respectfully,

Paul and Deborah Amatucci

12 Perry’s Way

Berwick, ME 03901

Cell: 603-833-3988 Home 207-384-8297

[paulamatucci@aol.com](mailto:paulamatucci@aol.com)





**To:** Berwick Planning Board  
**From:** Lee Jay Feldman  
**Date:** April 16, 2020  
**Re:** CAF Realty Grow Facility Pond Road

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**i. Proposal**

The applicant is proposing to construction of a marijuana grow facility on the subject parcel. The project is proposed to be phased with phase 1 including one building and the site improvements as described. The future phases only included the addition of additional buildings. The facility will be access via the existing gravel driveway that currently services the parcel from Pond Road. A new gravel driveway will be constructed leading from the existing drive approximately 450' to the northwesterly portion of the parcel where the proposed grow building will be constructed. The proposed developed area will be fenced, screened, landscaped and include stormwater treatment facilities to treat the runoff from the new impervious surfaces. The access also crosses a septic system easement servicing the abutting property. Staff has not reviewed any information pertaining to the rights associated with the easement. The applicant will need to provide clarification on future access to the easement as well as depth of the pipe and how this impacts travel over the pipe.

The subject parcel is located in the Rural Commercial/Industrial zone. A small triangular area on the southerly corner of the parcel is located in South Berwick. The area in South Berwick totals approximately 7700 SF and has approximately 135' of frontage on Pond Road. The parcel is bordered on the south by Pond Road with approximately 507' of frontage in Berwick, and the additional 135'+/- of frontage in South Berwick and on all other sides by residential property. There is one existing structure on the property at the westerly end near the intersection of Portland Street and Pond Road, which is currently used for a residence. There are no exterior changes proposed for the existing structure, just interior remodeling. The property is served by onsite water and sewer and

overhead utilities. There are approximately 15 existing parking spaces on the property that serve the existing building.

Phase 1 includes the construction of one 44' x 80' barn for the proposed operation. The building will contain an office, restrooms utility area and growing, harvesting and processing rooms. Approximately 85% of the building will be used for the growing, harvesting and processing and the remainder will be used for business support and utility. The building, access and parking area is proposed to have 24-hour surveillance. The applicant also be 24-hour security alarm monitoring. The subsequent phases will include construction of up to three additional barn structures. Each structure is 32' x 80' for a total of an additional 7680 SF. The total build out will be 11,200 Sf. There will be a total of 5 full time employees and approximately 8 total employees during harvesting.

There will be a gate installed with an electronic code to limit entrance to employees only. A Knox box or other access will be provided for the fire department. 5 additional parking spaces are proposed for the new facility with additional gravel parking area available during the harvesting time where more temporary employees are needed. The proposal is to permit the access, utilities, parking and other appurtenances for the first building as phase 1 and permit the location of up to three additional 32' x 80' buildings with minimal additional site disturbance required when the other buildings are constructed. The intent is to construct the large bioretention stormwater pond to handle the full buildout during construction of phase 1. The construction of the smaller bioretention stormwater pond to the east side of the buildings will be constructed in the future phase when the second building is constructed, to handle any additional roof runoff in that direction that cannot be channeled into the larger stormwater treatment pond.

Since this project is proposed to be phased, the applicant should provide additional information as to a proposed scheduled for the expansion. The Board may also want to condition this application on coming back to the board for additional review as the other buildings are proposed to be constructed. At a minimum, the applicant should be required to provide written notification to the board when the next phases are proposed.

## **ii. Completeness**

As completeness goes for the purpose of moving the application forward, I would suggest that the board can find the application complete. As you know, that does not mean you cannot ask for additional information pertaining to the application.

## **iii. Other issues**

As you may recall, during the comment period from the last publicly attended meeting there were several issues that the board will want to discuss with the applicant and obtain clarification of them.

- The abutter indicated the concern with the septic system easement. This needs to be addressed prior to approval
- The public noted that there was a daycare center being proposed in South Berwick. Staff had contacted South Berwick Code Enforcement whom indicated at the time that no application had been submitted. If this is the case, this application would be in the pipeline prior to the Daycare. There is also no clear indication how this is dealt with. Even though there are standards establishing certain setbacks from schools etc. That jurisdiction ends at the town line unless the state says otherwise. Staff has not found anything in the state law to address this.
- In the applicant's submittal, they discuss the exhaust system, however, none of the plans indicate where the filtration system is exhausting (which side of the building in relation to the abutter)
- The applicant should be aware that they have submitted a photo of a "Typical Building" to be constructed on the site. In doing so, the applicant is bound to construct that building in the sense of the same finishes.



**MJS ENGINEERING, P.C.**  
CIVIL • STRUCTURAL • ENVIRONMENTAL

5 Railroad Street • P.O. Box 359  
Newmarket, NH 03857  
Phone: (603) 659-4979  
Email: [mjs@mjs-engineering.com](mailto:mjs@mjs-engineering.com)

April 9, 2020

Mr. James Bellissimo Planner  
Town of Berwick  
11 Sullivan Street  
Berwick, ME

**Re: Response and resubmission for CAF Realty Maine, Pond Hill Road**

Dear James,

Please find attached the following information for the planning board;

1. Revised grading plan.
2. Revised landscape plan.

In response to the comments from Lee Jay Feldman, please review the following;

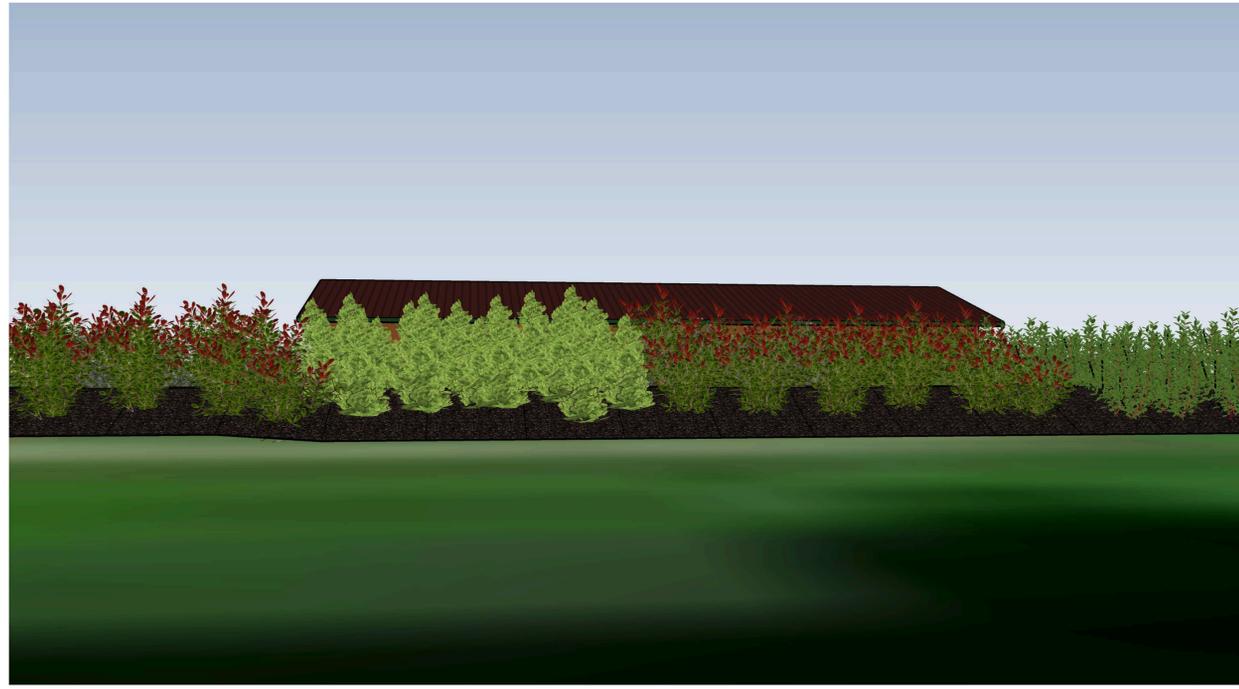
1. There are two current septic system easements on my clients property in favor of the abutting property Map R-70, Lot 16-2. It was discovered during the current survey that the easement that is shown on our plans is the current easement recorded with the deed for the subject property, however there was another plan recorded which showed an additional easement that would encompass the abutters existing leach filed. It appears that due to an error in preparing the new deed and plan the old easement was used and my surveyor is showing the septic easement that is recorded. This can be fixed with a corrective deed if necessary. If the concern is with the road crossing the easement that will be addressed during construction and the existing force main will be properly protected from damage. A construction note is on the plans and details.
2. We are not aware of any new daycare and this application was submitted prior to that knowledge.
3. The exhaust for the filtration system will be on the north side of the building.
4. The building is intended to have wood siding and a metal roof as depicted. In additiona we have shown a rendering of the building and we are currently updating that with the new plantings and berm as shown on the grading plan and landscape plan. I do not have the new rendering completed but it will be finished tomorrow and will be submitted then.

If you require additional information or have any questions or comments, please call (603) 659-4979 x302.

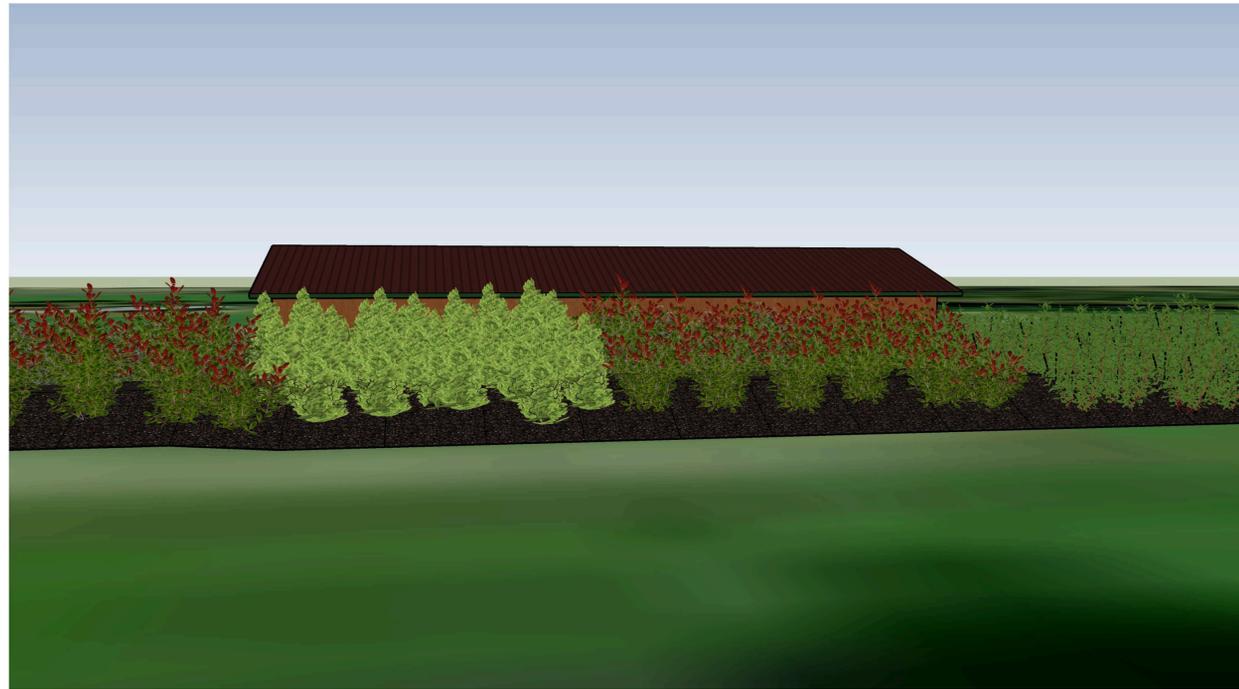
Sincerely,

A handwritten signature in black ink, reading 'Michael J. Sievert', written in a cursive style.

Michael J. Sievert PE  
President

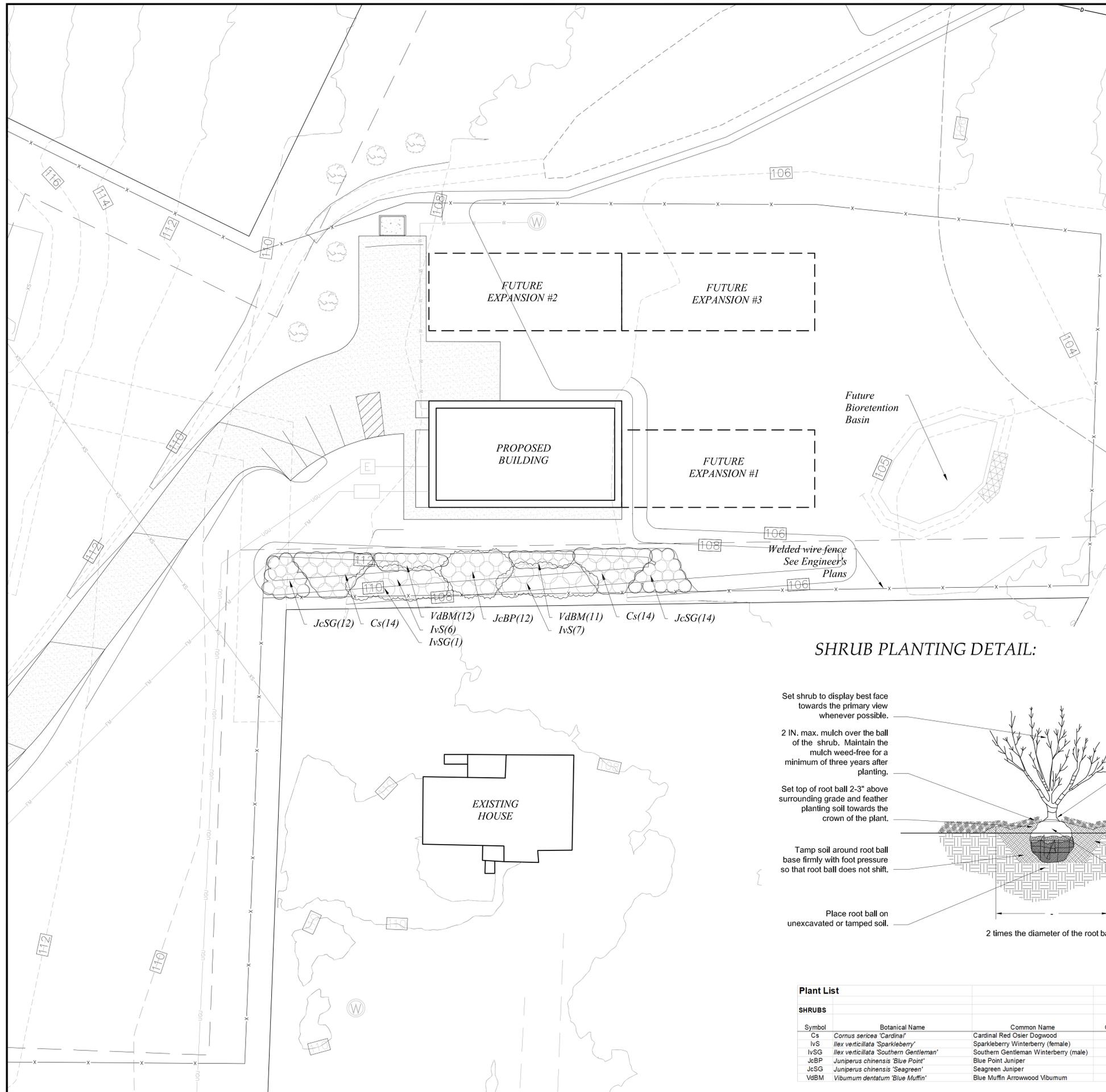


View from Abutter's Residence - at grade



View from Abutter's Residence - on deck

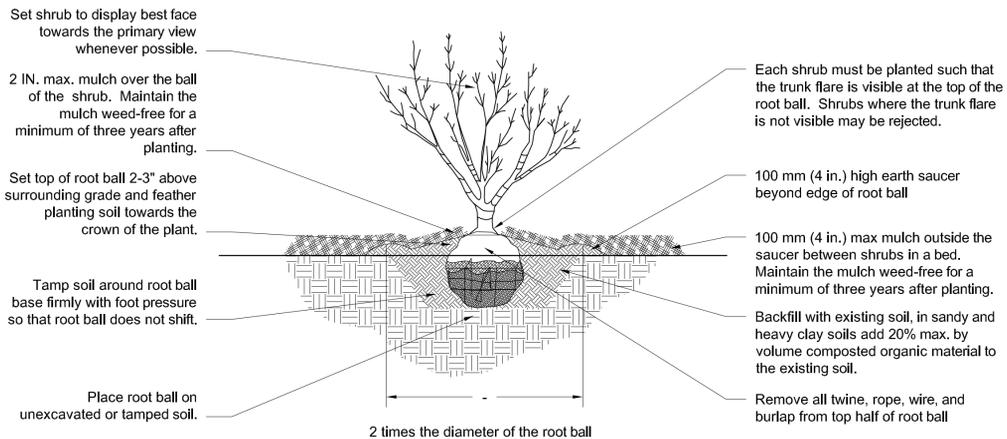
DATE: 3/13/20		NO.	DATE
SCALE: 1" = 20'		NO.	DATE
DESIGNED BY: VM & LF		NO.	DATE
DRAWN BY: LF		NO.	DATE
APPROVED BY: RW		0.	INITIAL SUBMISSION TO THE TOWN OF BERWICK
FILE:		NO.	DATE
PLANTING BUFFER STUDY		REVISIONS	
prepared for			
CAF REALTY MAINE			
TAX MAP R-70, LOT 16			
11 POND ROAD BERWICK, ME			
<b>MJS ENGINEERING, P.C.</b> CIVIL • STRUCTURAL • ENVIRONMENTAL 5 FALLS ROAD ST., P.O. BOX 359 BERWICK, ME 04915 PHONE: (603) 659-4979, FAX: (603) 659-4627 E-MAIL: MJS@MJE-ENGINEERING.COM			
JOB: 19-066			
L2			



**LANDSCAPE NOTES:**

- Design is based on drawings by MJS Engineering, P.C. dated April 7, 2020, and may require adjustment due to actual field conditions.
- The contractor shall follow best management practices during construction and shall take all means necessary to stabilize and protect the site from erosion.
- Erosion Control shall be in place prior to construction.
- Erosion Control to consist of Hay Bales and Erosion Control Fabric shall be staked in place between the work and Water bodies, Wetlands and/or drainage ways prior to any construction.
- The Contractor shall verify layout and grades and inform the Landscape Architect or Client's Representative of any discrepancies or changes in layout and/or grade relationships prior to construction.
- It is the contractor's responsibility to verify drawings provided are to the correct scale prior to any bid, estimate or installation. A graphic scale bar has been provided on each sheet for this purpose. If it is determined that the scale of the drawing is incorrect, the landscape architect will provide a set of drawings at the correct scale, at the request of the contractor.
- Trees to Remain within the construction zone shall be protected from damage for the duration of the project by snow fence or other suitable means of protection to be approved by Landscape Architect or Client's Representative. Snow fence shall be located at the drip line at a minimum and shall include any and all surface roots. Do not fill or mulch on the trunk flare. Do not disturb roots. In order to protect the integrity of the roots, branches, trunk and bark of the tree(s) no vehicles or construction equipment shall drive or park in or on the area within the drip line(s) of the tree(s). Do not store any refuse or construction materials or portalets within the tree protection area.
- This plan is for review purposes only, NOT for Construction. Construction Documents will be provided upon request.
- Location, support, protection, and restoration of all existing utilities and appurtenances shall be the responsibility of the Contractor.
- The Contractor shall verify exact location and elevation of all utilities with the respective utility owners prior to construction. Call DIGSAFE at 1-888-344-7233.
- The Contractor shall procure any required permits prior to construction.
- Prior to any landscape construction activities Contractor shall test all existing loam and loam from off-site intended to be used for lawns and plant beds using a thorough sampling throughout the supply. Soil testing shall indicate levels of pH, nitrates, macro and micro nutrients, texture, soluble salts, and organic matter. Contractor shall provide Landscape Architect with test results and recommendations from the testing facility along with soil amendment plans as necessary for the proposed plantings to thrive. All loam to be used on site shall be amended as approved by the Landscape Architect prior to placement.
- Contractor shall notify landscape architect or owner's representative immediately if at any point during demolition or construction a site condition is discovered which may negatively impact the completed project. This includes, but is not limited to, unforeseen drainage problems, unknown subsurface conditions, and discrepancies between the plan and the site. If a contractor is aware of a potential issue, and does not bring it to the attention of the landscape architect or owner's representative immediately, they may be responsible for the labor and materials associated with correcting the problem.
- The Contractor shall furnish and plant all plants shown on the drawings and listed thereon. All plants shall be nursery-grown under climatic conditions similar to those in the locality of the project. Plants shall conform to the botanical names and standards of size, culture, and quality for the highest grades and standards as adopted by the American Association of Nurserymen, Inc. in ANSI Z60.1 of the American Standard of Nursery Stock, American Standards Institute, Inc. 230 Southern Building, Washington, D.C. 20005.
- A complete list of plants, including a schedule of sizes, quantities, and other requirements is shown on the drawings. In the event that quantity discrepancies or material omissions occur in the plant materials list, the planting plans shall govern.
- All plants shall be legibly tagged with proper botanical name.
- The Contractor shall guarantee all plants for not less than one year from time of acceptance.
- Owner or Owner's Representative will inspect plants upon delivery for conformity to Specification requirements. Such approval shall not affect the right of inspection and rejection during or after the progress of the work. The Owner reserves the right to inspect and/or select all trees at the place of growth and reserves the right to approve a representative sample of each type of shrub, herbaceous perennial, annual, and ground cover at the place of growth. Such sample will serve as a minimum standard for all plants of the same species used in this work.
- No substitutions of plants may be made without prior approval of the Owner or the Owner's Representative for any reason.
- All landscaping shall be provided with either of the following
  - An underground sprinkling system
  - An outside hose attachment within 150 feet
- If an automatic irrigation system is installed, all irrigation valve boxes shall be located within planting bed areas.
- The contractor is responsible for all plant material from the time their work commences until final acceptance. This includes but is not limited to maintaining all plants in good condition, the security of the plant material once delivered to the site, and watering of plants. Plants shall be appropriately watered prior to, during and after planting. It is the contractor's responsibility to provide water from off site, should it not be available on site.
- All disturbed areas will be dressed with 6" of topsoil and planted as noted on the plans or seeded except plant beds. Plant beds shall be prepared to a depth of 12" with 75% loam and 25% compost.
- Trees, ground cover, and shrub beds shall be mulched to a depth of 2" with one-year-old, well-composted, shredded native bark not longer than 4" in length and 1/2" in width, free of woodchips and sawdust. Mulch for ferns and herbaceous perennials shall be no longer than 1" in length. Trees in lawn areas shall be mulched in a 5' diameter min. saucer. Color of mulch shall be black.
- Drip strip shall extend to 6" beyond roof overhang and shall be edged with 3/16" thick metal edger.
- In no case shall mulch touch the stem of a plant nor shall mulch ever be more than 3" thick total (including previously applied mulch) over the root ball of any plant.
- Secondary lateral branches of deciduous trees overhanging vehicular and pedestrian travel ways shall be pruned up to a height of 6' to allow clear and safe passage of vehicles and pedestrians under tree canopy.
- Snow shall be stored a minimum of 5' from shrubs and trunks of trees.
- Landscape Architect is not responsible for the means and methods of the contractor.

**SHRUB PLANTING DETAIL:**



**Plant List**

Symbol	Botanical Name	Common Name	Quantity	Size	Comments
Cs	<i>Cornus sericea</i> 'Cardinal'	Cardinal Red Osier Dogwood	28	5 gal.	
IvS	<i>Ilex verticillata</i> 'Sparkleberry'	Sparkleberry Winterberry (female)	13	3-4'	B&B
IvSG	<i>Ilex verticillata</i> 'Southern Gentleman'	Southern Gentleman Winterberry (male)	1	3-4'	B&B
JcBP	<i>Juniperus chinensis</i> 'Blue Point'	Blue Point Juniper	12	6-7'	B&B
JcSG	<i>Juniperus chinensis</i> 'Seagreen'	Seagreen Juniper	26	2-2.5'	B&B
VdBM	<i>Viburnum dentatum</i> 'Blue Muffin'	Blue Muffin Arrowwood Viburnum	23	5 gal.	

0 5 10 20 40

**woodburn & company**  
LANDSCAPE ARCHITECTURE  
103 Kent Place Neumarket, New Hampshire Phone: 603.659.5949

DATE: 3/13/20  
SCALE: 1" = 20'  
DESIGNED BY: VM & LF  
DRAWN BY: LF  
APPROVED BY: RW  
FILE:

LANDSCAPE PLAN

prepared for  
CAF REALTY MAINE  
TAX MAP R-70, LOT 16  
11 POND ROAD BERWICK, ME

**MJS ENGINEERING P.C.**  
CIVIL • STRUCTURAL • ENVIRONMENTAL  
5 FALLS ROAD ST. ALBANY, VT 05415-359  
PHONE: (603) 659-4979, FAX: (603) 659-4627  
E-MAIL: MJS@MJS-ENGINEERING.COM

JOB: 19-066

1

NO.	REVISIONS	DATE	INT.
1.	PER REVISED SITE PLAN - BERWICK	4/9/20	LF
0.	INITIAL SUBMISSION TO THE TOWN OF BERWICK	3/13/20	LF

C:\Users\mca\Documents\mca\Projects\2019\19066\Internat\dwg\19066\_civil.dwg 2/11/2019 5:16 PM

**GRADING, DRAINAGE UTILITY & EROSION CONTROL NOTES**

1. ALL EROSION AND SEDIMENTATION CONTROL STRUCTURES SHALL REMAIN IN PLACE AND BE MAINTAINED UNTIL THE VEGETATION IS ESTABLISHED AND THE GROUND SURFACE IS STABILIZED. EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE MONITORED BY THE APPLICANT ON A PERIODIC BASIS DURING CONSTRUCTION AND ANY DEFICIENCIES SHALL BE CORRECTED AS SOON AS POSSIBLE. REFER TO CONSTRUCTION AND SEQUENCING AND EROSION CONTROL NOTES ON SHEET D1.
2. ALL DRIVEWAY AND PARKING AREA WORK SHALL BE IN ACCORDANCE WITH MEDOT FOR SELECT MATERIALS.
3. ALL DISTURBED AREAS NOT PAVED OR OTHERWISE TREATED SHALL RECEIVE 4" OF LOAM, SEED AND MULCH AS SPECIFIED IN THE NOTES ON SHEET D1.
4. ALL COMPACTED AREAS SHALL BE COMPACTED TO THE FOLLOWING MINIMUM COMPACTON\* REQUIREMENTS:

LOCATION:	MINIMUM COMPACTON*
BELOW PAVED OR CONCRETE AREAS	95%
TRENCH BEDDING MATERIAL AND SAND BLANKET BACKFILL	95%
BELOW LOAM AND SEED AREAS	90%

5. \*ALL PERCENTAGES OF COMPACTON SHALL BE OF THE MAXIMUM PROCTOR DENSITY. EROSION CONTROL DEVICES SHALL BE INSPECTED AFTER EACH RAIN STORM OF 0.25 INCHES OR GREATER. DAMAGED EROSION CONTROL DEVICES SHALL BE REPAIRED/MODIFIED AS NECESSARY.
6. ALL TEMPORARY LOAM STOCKPILES SHALL RECEIVE TEMPORARY EROSION CONTROL MEASURES.
7. CARE SHALL BE TAKEN WHEN CONSTRUCTING THE DRIVEWAY OVER THE EXISTING FORCE MAIN. THE FORCE MAIN SHALL HAVE ADEQUATE PROTECTION FROM FROST. MINIMUM 4" OF COVER TO SURFACE OR PROPERLY PROTECTED WITH INSULATION AS SHOWN IN THE STANDARD TRENCH DETAIL ON SHEET D3.

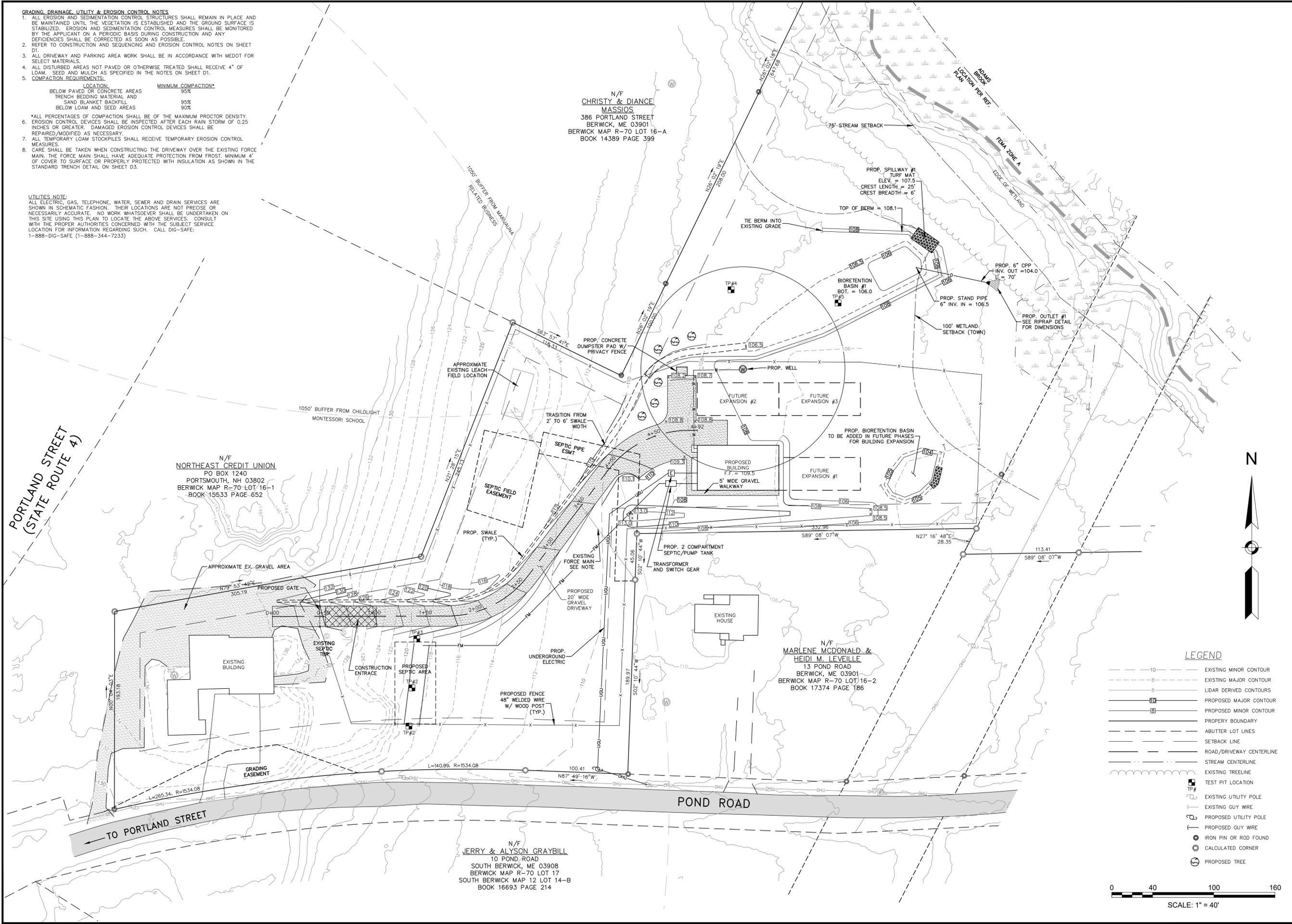
**UTILITIES NOTE:**  
ALL ELECTRIC, GAS, TELEPHONE, WATER, SEWER AND DRAIN SERVICES ARE SHOWN IN SCHEMATIC FASHION. THEIR LOCATIONS ARE NOT PRECISE OR NECESSARILY ACCURATE. NO WORK WHATSOEVER SHALL BE UNDERTAKEN ON THIS SITE USING THIS PLAN TO LOCATE THE ABOVE SERVICES. CONSULT WITH THE PROPER AUTHORITIES CONCERNED WITH THE SUBJECT SERVICE LOCATION FOR INFORMATION REGARDING SUCH. CALL DIG-SAFE: 1-888-DIG-SAFE (1-888-344-7233)

N/F  
**CHRISTY & DIANCE MASSIOS**  
386 PORTLAND STREET  
BERWICK, ME 03901  
BERWICK MAP R-70 LOT 16-A  
BOOK 14389 PAGE 399

N/F  
**NORTHEAST CREDIT UNION**  
PO BOX 1240  
PORTSMOUTH, NH 03802  
BERWICK MAP R-70 LOT 16-1  
BOOK 15533 PAGE 652

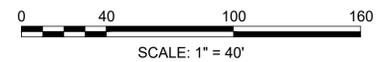
N/F  
**MARLENE McDONALD & HEIDI M. LEVEILLE**  
13 POND ROAD  
BERWICK, ME 03901  
BERWICK MAP R-70 LOT 16-2  
BOOK 17374 PAGE 186

N/F  
**JERRY & ALYSON GRAYBILL**  
10 POND ROAD  
SOUTH BERWICK, ME 03908  
BERWICK MAP R-70 LOT 17  
SOUTH BERWICK MAP 12 LOT 14-B  
BOOK 16693 PAGE 214



**LEGEND**

- 10- EXISTING MINOR CONTOUR
- 8- EXISTING MAJOR CONTOUR
- 6- LIDAR DERIVED CONTOURS
- 10- PROPOSED MAJOR CONTOUR
- 8- PROPOSED MINOR CONTOUR
- - - - - PROPERTY BOUNDARY
- - - - - ABUTTER LOT LINES
- - - - - SETBACK LINE
- - - - - ROAD/DRIVEWAY CENTERLINE
- - - - - STREAM CENTERLINE
- - - - - EXISTING TREELINE
- TP# TEST PIT LOCATION
- EXISTING UTILITY POLE
- EXISTING GUY WIRE
- PROPOSED UTILITY POLE
- PROPOSED GUY WIRE
- IRON PIN OR ROD FOUND
- CALCULATED CORNER
- PROPOSED TREE



NO.	REVISIONS	DATE	INT.
1.	REVISED BERM FOR BARN SCREENING	4/8/20	MCS
0.	INITIAL SUBMISSION TO THE TOWN OF BERWICK	2/5/20	MCS

DATE: 1/16/20  
SCALE: 1" = 40'  
DESIGNED BY: MCS  
DRAWN BY: MCS  
APPROVED BY: MJS  
FILE: 19066\_civil.dwg

**GRADING, DRAINAGE, AND UTILITIES PLAN**  
prepared for  
**CAF REALTY MAINE**  
TAX MAP R-70, LOT 16  
11 POND ROAD BERWICK, ME

**MJS ENGINEERING, PC**  
 CIVIL - STRUCTURAL - ENVIRONMENTAL  
 5 RAILROAD ST., SUITE 309  
 BERWICK, ME 03901  
 PHONE: (603) 659-4979, FAX: (603) 659-4627  
 E-MAIL: mjs@me-engineering.com

JOB: 19-066

C2



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**PLANNING BOARD MEMORANDUM  
TOWN OF BERWICK, PLANNING DEPARTMENT**

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**TO:** BERWICK PLANNING BOARD  
**FROM:** JAMES BELLISSIMO, PLANNER  
**SUBJECT:** 569 PORTLAND STREET - SUBDIVISION AMENDMENT  
**DATE:** APRIL 14, 2020  
**CC:**

Route 4 Self Storage LLC and H.P. Cycles Inc. request approval for a Minor Subdivision and lot line adjustments to a previously approved subdivision plan. In May of 2018, the Berwick Planning Board approved a subdivision amendment with lot line adjustments and the merger of one lot. Today the applicants request lot line adjustments and the creation of 1 lot for three lots total. The primary reason for the lot line adjustments is one a storage building is encroaching upon a side setback.

Proposed lot AA (Assessing will likely label it 9-1-1) will have frontage off of Coffin Lane also known as Randall Road.

The applicant did not indicate a request for any waivers.

**Planning Board Discussion Points & Decision**

1. Determine application completeness
2. Is a site walk required?
3. Schedule a Public Hearing

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## CIVIL CONSULTANTS MEMORANDUM

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**TO: Town of Berwick Planning Board**  
**FROM: Neil J. Rapoza, PE**  
**SUBJECT: 569 Portland Street, Map R72 Lot(s) 9, 9-1 & 9-2**  
**DATE: MARCH 19, 2020**  
**PROJECT: 1618702**

This application is to revise the existing subdivision plan (Book 395 Page 18) from a two lot subdivision to a three lot subdivision, as well as modify a boundary line between the existing lots. This is intended to address an existing building setback encroachment, as well as re-configure the back lot on Randall Road (Coffin Lane). The subdivision was previously three lots prior to an amendment approved in 2018.

Lot 9-1 will be split into Lot A and Lot AA. Lot A is the location of HP Cycles and associated development. Lot AA is located north of the existing storage facility and will be accessed via Coffin Lane. Lot B will be modified to eliminate the building setback encroachment and to provide areas for future stormwater treatment if expansion of the facility is pursued.

Each new lot will remain conforming. Lot A is currently owned by HP Cycles, Inc. and Lot B is owned by Route 4 Self Storage, LLC, both of whom are listed as applicants on this application.

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**CIVIL  
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

# Town of Berwick

11 Sullivan Street, Berwick, Maine 03901  
Phone: (207) 698-1101 Fax: (207) 698-5181  
Website: [www.berwickmaine.org](http://www.berwickmaine.org)

## APPLICATION FOR SUBDIVISION

Major Subdivision

Preliminary Plan

Minor Subdivision (*Amendment*)

Final Plan

### PARTY 1

### PARTY 2

#### APPLICANT INFORMATION

1. Name of Property Owner ROUTE 4 SELF STORAGE, LLC H.P. CYCLES, INC.  
Address 1465 Woodbury Ave #326 569 Portland Street  
Portsmouth, NH 03801 Berwick, ME 03901  
Telephone 207.384.6251 207.384.5329
2. Name of Applicant ROUTE 4 SELF STORAGE, LLC  
Address 1465 Woodbury Ave #326  
Portsmouth, NH 03801  
Telephone 207.384.6251
3. Is Applicant a Corporation? Yes Attach Documentation
4. Authorized Agent's Name CIVIL CONSULTANTS  
Address 293 Main Street  
South Berwick, ME 03908  
Telephone 207.384.2550
5. Persons Preparing Plan:  
Surveyor Michael P. Peverett  
State of Registration ME Reg No 2362  
Engineer Neil J. Rapoza, PE  
State of Registration ME Reg No 12169  
Soil Scientist Kenneth Gardner  
State of Registration ME Reg No 61

6. Persons to whom all correspondence concerning this application should be sent CIVIL CONSULTANTS, Neil J. Rapoza, PE  
 Address PO Box 100  
South Berwick, ME 03908  
 Telephone 207.384.2550

7. What legal interest does the applicant have in the property to be developed ? Own

Attach evidence of interest (Deed, option, purchase and sale contract, etc.)

8. What interest does the owner or applicant have in any abutting property? Own

**LAND INFORMATION**

9. Location of Property 565 & 569 Portland Street  
 Registry of Deeds: Book 17811 Page 949  
17793 Page 482  
 Berwick Tax Maps: Map R72 Lot 9,9-1  
9,9-2

10. Land Use District in which property located is located? RC/I

11. Is any part of the property located in the Shoreland Overlay District? No The Aquifer Protection District? \_\_\_\_\_

12. Is any portion of the property within a special flood hazard area as identified by the Federal Emergency Management Agency? YES

13. Does any part of the property contain wetlands as identified by the National Wetlands Inventory, US Department of the Interior? YES

14. Total acreage 9.80 Acreage to be developed N/A



GENERAL INFORMATION

*Amendment to Subdivision plan of Land of Route 4 Self Storage, LLC and H.P. Cycles, Inc.*

21. Proposed Name of Development \_\_\_\_\_

22. Number of lots or units Three

23. Anticipated date for construction N/A

24. Anticipated date of completion N/A

25. Does this development require extension of public infrastructure? No

If yes, check which items

- |       |                        |       |                           |
|-------|------------------------|-------|---------------------------|
| _____ | Roads                  | _____ | Storm Drainage            |
| _____ | Sidewalks              | _____ | Water Lines               |
| _____ | Sewer Lines            | _____ | Fire Protection Equipment |
| _____ | Other (Identify) _____ |       |                           |

26. Estimated cost of infrastructure improvements N/A

27. Method of water supply to the proposed development

- X  individual wells
- \_\_\_\_\_ central well with distribution lines
- \_\_\_\_\_ connection to public water system
- \_\_\_\_\_ other \_\_\_\_\_

28. Method of sewage disposal for the proposed development

- X  individual septic tanks
- \_\_\_\_\_ central on-site disposal with collection lines
- \_\_\_\_\_ connection to public sewer system
- \_\_\_\_\_ other \_\_\_\_\_

29. Method of fire protection for the proposed development

- X  hydrants connected to the public water system
- \_\_\_\_\_ dry hydrants located on an existing water body
- \_\_\_\_\_ existing fire pond
- \_\_\_\_\_ other \_\_\_\_\_

30. Does the applicant propose to dedicate to the public any streets, recreation areas, resource protection or other common lands? No If yes, complete the following:

Streets / Estimated length \_\_\_\_\_

Recreation / Estimated acreage \_\_\_\_\_

Resource Protection / Acreage \_\_\_\_\_

Common lands / Acreage \_\_\_\_\_

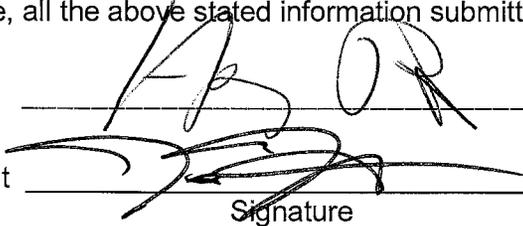
31. Does the applicant intend to request waivers of any of the subdivision regulations? No If yes, identify each item separately and state the reason for the request \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

32. Has the applicant received any variance from the requirements of the Land Use Ordinance? No If yes, what? \_\_\_\_\_

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

Date 3/26/2020 Applicant \_\_\_\_\_

  
\_\_\_\_\_  
Signature

## CIVIL CONSULTANTS MEMORANDUM

**TO:** Town of Berwick                      **FROM:** Neil J. Rapoza, PE                      **DATE:** 03/16/2020

**SUBJECT:** Berwick Minor Subdivision Review Checklist

**PROJECT:** 18-167.02 – HP Cycles, Harvey Paul & Old Route 4 Storage Amendment

Below, please find CIVIL CONSULTANTS’s responses to the submission requirements for the proposed Minor Subdivision.

SUBMISSION REQUIREMENTS	RESPONSE
<b>Article 6.3 Submissions</b>	
A. Application Form.	<i>The completed application form is included in this submission.</i>
B. Location Map. The location map shall be drawn at a size adequate to show the relationship of the proposed subdivision to the adjacent properties, and to allow the Board to locate the subdivision within the municipality. The location map shall show:	<i>Provided.</i>
1. Existing subdivisions in the proximity of the proposed subdivision.	<i>Provided.</i>
2. Locations and names of existing and proposed streets.	<i>Provided, see plan. No new streets are proposed as part of the subdivision amendment.</i>
3. Boundaries and designations of zoning districts.	<i>Provided.</i>
4. An outline of the proposed subdivision and any remaining portion of the owner’s property if the final plan submitted covers only a portion of the owner’s entire contiguous holding.	<i>Provided.</i>
C. Final Plan.  The subdivision plan for a Minor Subdivision shall consist of two reproducible, stable-based transparencies, one to be recorded at the Registry of Deeds, the other to be filed at the municipal office, and three copies of one or more maps or drawings drawn to a scale of	<i>Provided.</i>



<p>not more than one hundred feet to the inch.</p> <p>The reproducible transparencies shall be embossed with the dated seal and signature of the individual(s) responsible for preparation of the plan. Plans for subdivisions containing more than one hundred acres may be drawn at a scale of not more than two hundred feet to the inch provided all necessary detail can easily be read.</p> <p>Plans shall be no larger than 24 by 36 inches in size, and shall have a margin of two inches outside of the border lines on the left side for binding and a one inch margin outside the border along the remaining sides. Space shall be provided for endorsement by the Board. Four copies of all information accompanying the plan shall be submitted.</p>	
<p>D. Application Requirements.</p>	
<p>The application for approval of a Minor Subdivision shall include the following information. The Board may require additional information to be submitted, where it finds necessary in order to determine whether the criteria of Title 30-A M.R.S.A., §4404 are met.</p>	
<p>1. Proposed name of the subdivision, or identifying title, and the name of the municipality in which it is located, plus the assessor's map and lot numbers.</p>	<p><i>All Title Block information has been included.</i></p>
<p>2. Verification of right, title, or interest in the property.</p>	<p><i>See attached deeds.</i></p>
<p>3. A standard boundary survey of the parcel, giving complete descriptive data by bearings and distances, made and certified by a Maine professional land surveyor. The corners of the parcel shall be located on the ground and marked by monuments. The plan shall indicate the type of monument found or to be set at each lot corner.</p>	<p><i>Provided.</i></p>
<p>4. A copy of the most recently recorded deed for</p>	<p><i>Provided.</i></p>



the parcel. A copy of all deed restrictions, easements, rights-of-way, or other encumbrances currently affecting the property.	
5. A copy of any deed restrictions intended to cover all or part of the lots or dwellings in the subdivision. The deed restrictions must specify that maintenance of privately owned stormwater management facilities will be conducted and certified to the Town in accordance with Article 7.22 of the Town's Land Use Ordinance.	<i>No deed restrictions are proposed as part of the subdivision amendment.</i>
6. An indication of the type of sewage disposal to be used in the subdivision.	<i>The final use of the lots in the subdivision have not yet been determined. Any development of the lots beyond the existing self-storage buildings will require site plan approval, all sewage disposal designs will be completed at that time.</i>
a) When sewage disposal is to be accomplished by connection to the public sewer the following shall be provided or accomplished:	<i>N/A</i>
1. The Berwick Sewer District shall certify that providing service to the proposed subdivision is within the capacity of the system's existing collection and treatment system or improvements planned to be completed prior to the construction of the subdivision.	<i>N/A</i>
2. The Berwick Sewer District shall review and approve the construction drawings for the sewerage system. The size and location of laterals, collectors, manholes, and pump stations shall be reviewed and approved in writing by the Berwick Sewer District.	<i>N/A</i>
b) When sewage disposal is to be accomplished by subsurface waste water disposal systems, test pit analyses, prepared by a Maine Licensed Site Evaluator shall be provided. A map showing the location of all test pits dug on the site shall be submitted.	<i>N/A</i>



7. An indication of the type of water supply system(s) to be used in the subdivision.	<i>If a water supply is required for the development of lots in the future, a private well will be installed as needed.</i>
a) When water is to be supplied by public water supply, a written statement from the Berwick Water Department shall be submitted indicating that there is adequate supply and pressure for the subdivision and that the department approves the plans for extensions where necessary. Where the department's supply line is to be extended, a written statement from the fire chief, stating approval of the location of fire hydrants, if any, and a written statement from the department approving the design of the extension shall be submitted.	<i>N/A</i>
b) When water is to be supplied by private wells, evidence of adequate ground water supply and quality shall be submitted by a well driller or a hydrogeologist familiar with the area. Evidence shall also be submitted that adequate fire protection for fire fighting purposes is available to serve the site. If adequate fire protection is not available then a water storage tank or an automatic sprinkling system shall be included in the plan, and a written statement from the Fire Chief shall be submitted indicating the department has reviewed and approved the fire protection system design.	<i>This information will be provided as required for development of the site in the future.</i>
8. The date the plan was prepared, north point, and graphic map scale.	<i>Provided.</i>
9. The names and addresses of the record owner, applicant, and individual or company who prepared the plan, and adjoining property owners.	<i>Provided.</i>
10. A high intensity soil survey by a Maine Certified Soil Scientist. Wetland areas shall be identified on the survey, regardless of size.	<i>Provided.</i>
11. The number of acres within the proposed subdivision, location of property lines, existing buildings, vegetative cover type, and other	<i>Provided.</i>



essential existing physical features. On wooded sites, the plan shall indicate the area where clearing for lawns and structures shall be permitted and/or any restrictions to be placed on clearing existing vegetation.	
12. The location of all rivers, streams and brooks within or adjacent to the proposed subdivision. If any portion of the proposed subdivision is located in the direct watershed of a great pond, the application shall indicate which great pond.	<i>Provided.</i>
13. Contour lines at the interval specified by the Board, showing elevations in relation to mean sea level.	<i>Provided at an interval of 2'.</i>
14. The zoning district in which the proposed subdivision is located and the location of any zoning boundaries affecting the subdivision.	<i>Provided.</i>
15. The location and size of existing and proposed sewers, water mains, culverts, and drainage ways on or adjacent to the property to be subdivided.	<i>Provided.</i>
16. The location, names, and present widths of existing streets and highways, and existing and proposed easements, building lines, parks and other open spaces on or adjacent to the subdivision. The plan shall contain sufficient data to allow the location, bearing and length of every street line, lot line, and boundary line to be readily determined and be reproduced upon the ground. These lines shall be tied to reference points previously established.	<i>Provided.</i>
17. Size, type and locations of all existing and proposed overhead and underground utilities, to include but not be limited to street lighting, electricity, telephone, and cable television. The Board may require street lighting if there is a sufficient public safety need in accordance with the Town Street Lighting Policy.	<i>Existing utilities are not proposed to be impacted by the subdivision amendment.</i>
18. The location of any open space to be preserved and a description of proposed improvements and its management.	<i>No open space is proposed in the subdivision amendment.</i>
19. All parcels of land proposed to be dedicated to	<i>No public land dedication is proposed in the</i>



<p>public use and the conditions of such dedication. Written offers to convey title to the municipality of all public open spaces shown on the plan, and copies of agreements or other documents showing the manner in which open spaces to be retained by the applicant or lot owners are to be maintained shall be submitted. If open space or other land is to be offered to the municipality, written evidence that the municipal officers are satisfied with the legal sufficiency of the written offer to convey title shall be included.</p>	<p><i>subdivision amendment.</i></p>
<p>20. If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the 100-year flood elevation, as depicted on the Town of Berwick’s Flood Insurance Rate Map, shall be delineated on the plan.</p>	<p><i>Areas directly adjacent to Beaver Dam Brook are within the 100-year flood zone. This area does not impact the proposed subdivision amendment.</i></p>
<p>21. A hydrogeologic assessment prepared by a Maine Certified Geologist or Maine Registered Professional Engineer, experienced in hydrogeology, when the subdivision is not served by public sewer and:</p>	<p><i>Not included in this submission, any development will require assessment.</i></p>
<p>a) Any part of the subdivision is located over a sand and gravel aquifer, as shown on a map entitled “Hydrogeologic Data for Significant Sand and Gravel Aquifers,” by the Maine Geological Survey, 1985, Map No. 1; or</p>	<p><i>Lot is located just outside of a sand and gravel aquifer. See attached portion of the MGS mapping.</i></p>
<p>b) The subdivision has an average density of more than one dwelling unit per 100,000 square feet.</p>	<p><i>No dwellings proposed at this time.</i></p>
<p>The Board may require a hydrogeologic assessment in other cases where site considerations or development design indicate greater potential of adverse impacts on ground water quality. These cases include extensive areas of shallow to bedrock soils; or cluster developments in which the average density is less than one dwelling unit per 100,000 square feet but the density of the developed portion is in excess of one dwelling unit per 80,000 square feet; or proposed use of shared or common subsurface waste water disposal systems.</p>	<p><i>No special considerations apply to this subdivision amendment.</i></p>



<p>The hydrogeologic assessment shall be conducted in accordance with the provisions of Section 11.12.A.1 below.</p>	
<p>22. An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours. Trip generation rates used shall be taken from <i>Trip Generation Manual</i>, current edition, published by the Institute of Transportation Engineers. Trip generation rates from other sources may be used if the applicant demonstrates that these sources better reflect local conditions.</p>	<p><i>This subdivision amendment does not propose any changes in existing travel conditions.</i></p>
<p>23. For subdivisions involving 40 or more parking spaces or projected to generate more than 400 vehicle trips per day, a traffic impact analysis, prepared by a Maine Registered Professional Engineer with experience in traffic engineering, shall be submitted. The analysis shall indicate the expected average daily vehicular trips, peak-hour volumes, access conditions at the site, distribution of traffic, types of vehicles expected, effect upon the level of service of the street giving access to the site and neighboring streets which may be affected, and recommended improvements to maintain the desired level of service on the affected streets.</p>	<p><i>This subdivision amendment does not propose any changes in existing parking.</i></p>
<p>24. A storm water management plan, prepared by a Maine Registered Professional Engineer in accordance with the <i>Stormwater Management for Maine</i> manual, published by the Maine Department of Environmental Protection, January 2006. The Board may not waive submission of the storm water management plan unless the subdivision is outside the watershed of a great pond, the proposed subdivision does not involve grading which changes drainage patterns, or does not involve the addition of impervious surfaces such as roofs and driveways less than 5% of the area of the subdivision.</p> <p>The storm water management plan shall be prepared in accordance with the provisions of Article 11.</p>	<p><i>This subdivision amendment does not propose any changes in existing storm water conditions.</i></p>



<p>25. An erosion and sedimentation control plan prepared in accordance with the manual <i>Maine Erosion and Sediment Control BMP's</i> published by the Maine Department of Environmental Protection, March 2003. The Board may not waive submission of the erosion and sedimentation control plan unless the subdivision is outside the watershed of a great pond, the proposed subdivision does not involve grading which changes drainage patterns, or does not involve the addition of impervious surfaces such as roofs and driveways less than 5% of the area of the subdivision.</p>	<p><i>This subdivision amendment does not propose any earthwork, and will not require an erosion and sedimentation control plan.</i></p>
<p>26. Areas within or adjacent to the proposed subdivision which have been identified as high or moderate value wildlife habitat by the Maine Department of Inland Fisheries and Wildlife or within the comprehensive plan. If any portion of the subdivision is located within an area designated as a critical natural area by the comprehensive plan or the Maine Natural Areas Program the plan shall indicate appropriate measures for the preservation of the values which qualify the site for such designation.</p>	<p><i>No high value plant or animal habitats have been designated by the IF&amp;W on the site. See attached Beginning With Habitat mapping.</i></p>
<p>27. If the proposed subdivision is in the direct watershed of a great pond, a phosphorus control plan.</p> <p>a) For subdivisions which qualify for the simplified review procedure as described in Section 11.17.A.2, the plan shall indicate the location and dimensions of vegetative buffer strips or infiltration systems.</p> <p>b) For subdivisions which do not qualify for the simplified review procedure as described in Section 11.17.A.2, the following shall be submitted.</p> <p>1. A phosphorus impact analysis and control plan conducted using the procedures set forth in <i>Volume II – Phosphorus Control in Lake Watersheds: A Technical Guide for Evaluating New Development</i>, of the <i>Stormwater Management for Maine</i> manual dated January 2008, published by the Maine Department of Environmental</p>	<p>N/A</p>

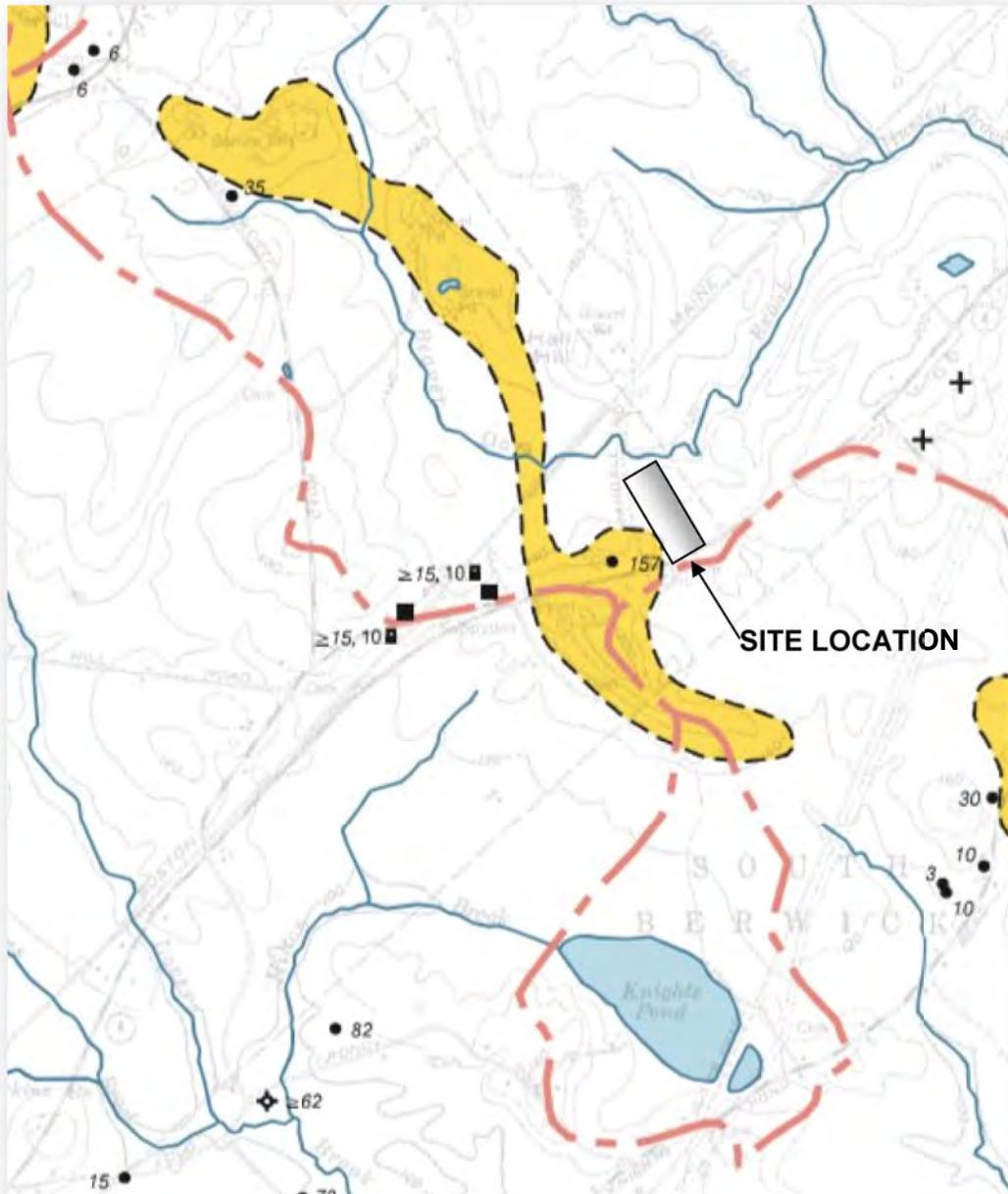


<p>Protection.</p> <p>2. A long-term maintenance plan for all phosphorus control measures.</p> <p>3. The contour lines shown on the plan shall be at an interval of no less than five feet.</p> <p>4. Areas with sustained slopes greater than 25% covering more than one acre shall be delineated.</p>	
<p>28. All areas within or adjacent to the proposed subdivision which are either listed on or eligible to be listed on the National Register of Historic Places, or have been identified in the comprehensive plan as sensitive or likely to contain such sites.</p>	<p><i>N/A.</i></p>
<p>29. The location and method of disposal for land clearing and construction debris.</p>	<p><i>No clearing or construction is proposed for the subdivision amendment.</i></p>
<p>30. If the owner of the parcel to be subdivided has owned the parcel for less than five years, a narrative describing any timber harvesting operations since the owner obtained the parcel. If harvesting has occurred, a copy of the Forest Operations Notification and a written determination of the harvest's compliance with Maine Forest Service's Timber Harvesting Standards to Substantially Eliminate Liquidation Harvesting certified by a licensed forester shall be submitted.</p>	<p><i>No timber harvesting has been performed in the past 5 years.</i></p>

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*HP Cycles, Harvey Paul & Old Route 4 Self Storage Subdivision Amendment  
Sand & Gravel Aquifer Mapping*



Not to scale

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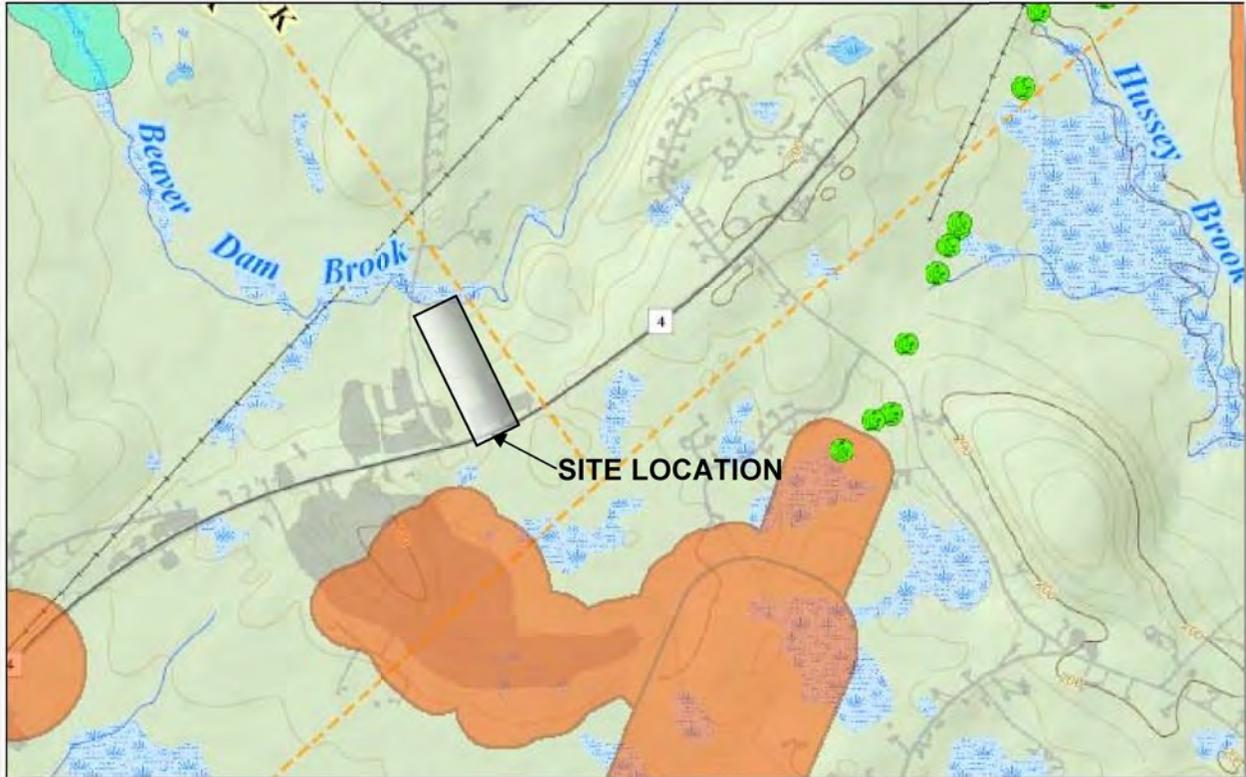


**CIVIL  
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

*HP Cycles, Harvey Paul & Old Route 4 Self Storage Subdivision Amendment  
IF&W Beginning with Habitat Mapping*

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Not to scale

J:\AAA\2016\1618702\1618702-BWH\_MAP.DOCX



**CIVIL  
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

RECORDING REQUESTED BY  
AND AFTER RECORDING RETURN TO:  
Patrick C. Lever, Esq.  
Norman Hanson DeTroy  
Two Canal Plaza  
P.O. Box 4600  
Portland, Maine 04112-4600

DEBRA L. ANDERSON, REGISTER OF DEEDS  
**Bk 17793 PG 480**  
Instr # 2018037329  
09/04/2018 03:30:31 PM  
Pages 2 YORK CO



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**WARRANTY DEED**

**HARVEY A. PAUL**, a Maine resident with a mailing address of 569 Portland Street, in the town of Berwick, County of York, and State of Maine 03901, for consideration paid, grants to **OLD ROUTE 4 STORAGE, LLC**, a Maine limited liability company with its principal place of business at and a mailing address of 565 Portland Street, in the town of Berwick, County of York, and State of Maine 03901, with **WARRANTY COVENANTS**, that certain parcel of land, including any buildings, improvements and all appurtenances thereto, located in the Town of Berwick, York County, State of Maine, and being more particularly described on Exhibit A attached hereto and made a part hereof.

IN WITNESS WHEREOF, Harvey A. Paul has executed, acknowledged and delivered this instrument this 29 day of August, 2018.

Witness  


  
Harvey A. Paul

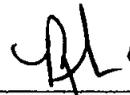
NO R.E. TRANSFER TAX PAID

STATE OF MAINE  
COUNTY OF YORK, ss.

August 29, 2018

Personally appeared the above-name Harvey A. Paul, and acknowledged the foregoing instrument to be his free act and deed.

Before me,

  
Notary Public/Attorney-at-Law  
Robin L Hilton  
Exp 5/18/20

Seal

**EXHIBIT A**  
**Legal Description**

The hereinafter-described parcel of land located in the Town of Berwick, York County, State of Maine, situated northerly of, but not adjacent to Route 4 (Portland Street), being a portion of lands of Harvey A. Paul, described in a deed from Harvey E. Paul, dated May 24, 2005, and recorded in book 14480, page 574 of the York County Registry of Deeds and being more particularly described as follows:

[Bearings in the following description are based on magnetic north in February, 1982]

BEGINNING at the southwesterly corner of the herein-described parcel, being the southwesterly corner of Lot C on the herein-after referenced superseded subdivision plan, being also the southeasterly corner of land now or formerly of Cheryl H. Dionne and David J. Dionne, described in a deed recorded in book 8064, page 55 of the York County Registry of Deeds, said point of beginning to be marked by a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence N 20°12'19" W, by said land of Dionne, 497.42 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set at remaining land of the grantor;

thence N 80°47'30" E, by said remaining land of the grantor, 190.80 feet, to an unmarked corner at land of the grantee, described in a deed recorded in book 14502, page 338 of the York County Registry of Deeds, being Lot B on the herein-after referenced superseded subdivision plan;

thence S 20°12'19" E, by said land of the grantee, 450.00 feet, to an unmarked corner;

thence S 30°36'52" E, by said land of the grantee, 50.00 feet, to an unmarked corner in the centerline of Old Route 4;

thence S 80°47'30" W, by the centerline of Old Route 4, 200.00 feet, to the POINT OF BEGINNING, containing approximately 2.1 acres (93,378 square feet +/-).

The above described parcel is depicted on a subdivision plan entitled "AMENDMENT TO SUBDIVISION PLAN OF H.P. CYCLES INC., HARVEY A. PAUL AND OLD ROUTE 4 STORAGE, LLC – TAX MAP R-72, LOTS 9, 9-1 AND 9-2, ROUTE 4 (PORTLAND STREET), BERWICK, YORK COUNTY, MAINE, PREPARED FOR: HARVEY A. PAUL, CLIENT ADDRESS: 569 PORTLAND STREET, BERWICK, ME 03901", dated May 1, 2018, approved by the Berwick Planning Board on May 17, 2018, prepared by CIVIL CONSULTANTS, recorded at the York County Registry of Deeds in plan book 395, page 18.

Reference is made to a superseded subdivision plan entitled "MODIFIED MINOR SUBDIVISION OF LAND OF HARVEY PAUL, ROUTE 4 / RANDALL ROAD, BERWICK, ME", dated August 16, 2000, approved by the Berwick Planning Board on August 17, 2000, prepared by Cheryl L. Dionne, recorded at the York County Registry of Deeds in plan book 258, page 9.

RECORDING REQUESTED BY  
AND AFTER RECORDING RETURN TO:  
Marilyn E. Mistretta, Esq.  
Law Offices of Robert E. Danielson  
65 West Commercial Street, Suite 106  
Portland, Maine 04101

DEBRA L. ANDERSON, REGISTER OF DEEDS  
E-RECORDED **Bk 17811 PG 949**  
Instr # 2018041130  
10/01/2018 10:06:45 AM  
Pages 3 YORK CO

**WARRANTY DEED**

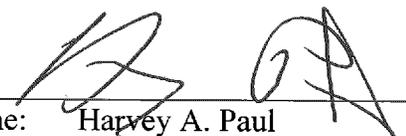
**OLD ROUTE 4 STORAGE, LLC**, a Maine limited liability company with its principal place of business at and a mailing address of 565 Portland Street, in the Town of Berwick, York County, State of Maine 03901, for consideration paid, grants to **ROUTE 4 SELF STORAGE, LLC**, a Maine limited liability company with a place of business at and a mailing address of 1465 Woodbury Avenue #362 in the City Portsmouth, Rockingham County, State of New Hampshire 03801, with **WARRANTY COVENANTS**, that certain parcel of land, including any buildings, improvements and all appurtenances thereto, located in the Town of Berwick, York County, State of Maine, and being more particularly described on Exhibit A attached hereto and made a part hereof.

IN WITNESS WHEREOF, Old Route 4 Storage, LLC has executed, acknowledged and delivered this instrument by and through Harvey A. Paul, its duly authorized Manager, this 28<sup>th</sup> day of September, 2018.

**ATTEST:**

**OLD ROUTE 4 STORAGE, LLC:**

  
\_\_\_\_\_  
Witness

By:   
\_\_\_\_\_  
Name: Harvey A. Paul  
Its: Manager

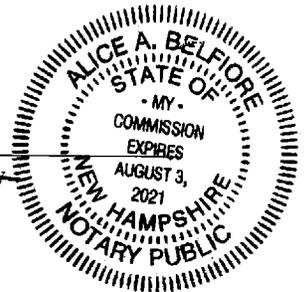
STATE OF NEW HAMPSHIRE  
ROCKINGHAM, ss.

September 28, 2018

Personally appeared the above-name Harvey A. Paul, in his capacity as duly authorized Manager of Old Route 4 Storage, LLC, and acknowledged the foregoing instrument to be his free act and deed in said capacity, and the free act and deed of said Old Route 4 Storage, LLC.

Before me,

  
\_\_\_\_\_  
Notary Public/Attorney at Law



Maine R.E. Transfer Tax Paid

**EXHIBIT A**  
**Legal Description**

The hereinafter-described parcel of land located in the Town of Berwick, York County, State of Maine, situated northerly of, but not adjacent to Route 4 (Portland Street), being lands of Old Route 4 Storage, LLC, described in a deed from Harvey E. Paul and Carol A. Paul, dated June 22, 2005, recorded in book 14502, page 338 of the York County Registry of Deeds, and lands of Old Route 4 Storage, LLC, described in a deed from Harvey A. Paul, dated August 29, 2018, recorded in book 17793, page 480 of the York County Registry of Deeds, and being more particularly described as follows:

[Bearings in the following description are based on magnetic north in February, 1982]

BEGINNING at the southwesterly corner of the herein-described parcel, being the southwesterly corner of Amended Lot B on the herein-after referenced amended subdivision plan, being also the southeasterly corner of land now or formerly of Cheryl H. Dionne and David J. Dionne, described in a deed recorded in book 8064, page 55 of the York County Registry of Deeds, said point of beginning to be marked by a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

THENCE N 20°12'19" W, by said land of Dionne, 497.42 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set at of H.P. Cycles, Inc., described in a deed of recent date from Harvey A. Paul, to be recorded at the York County Registry of Deeds;

THENCE N 80°47'30" E, by said land of H.P. Cycles, Inc., 190.80 feet, to an unmarked corner;

THENCE N 80°47'30" E, by said land of H.P. Cycles, Inc., 186.40 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set at the northwesterly corner of land now or formerly of H.P. Cycles, Inc., described in a deed recorded in book 14480, page 576 of the York County Registry of Deeds;

THENCE S 22°53'44" E, by said land H.P. Cycles, Inc., 502.56 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set in the centerline of Old Route 4;

THENCE S 80°47'30" W, by the centerline of Old Route 4, 201.23 feet to an unmarked corner;

THENCE S 80°47'30" W, by the centerline of Old Route 4, 200.00 feet to the POINT OF BEGINNING, containing approximately 4.4 acres (190,049 square feet +/-).

The hereinabove described parcel is subject to an easement benefiting land now or formerly of H.P. Cycles, Inc., as set forth in a deed recorded in book 14502, page 338 of the York County Registry of Deeds.

The above described parcel is designated as "AMENDED LOT B" as depicted on a subdivision plan entitled "AMENDMENT TO SUBDIVISION PLAN OF H.P. CYCLES INC., HARVEY A. PAUL AND OLD ROUTE 4 STORAGE, LLC – TAX MAP R-72, LOTS 9, 9-1 AND 9-2, ROUTE 4 (PORTLAND STREET), BERWICK, YORK COUNTY, MAINE, PREPARED FOR: HARVEY A. PAUL, CLIENT ADDRESS: 569 PORTLAND STREET, BERWICK, ME 03901", dated May 1, 2018, approved by the Berwick Planning Board on May 17, 2018, prepared by CIVIL CONSULTANTS, recorded at the York County Registry of Deeds in plan book 395, page 18.

Reference is made to a superseded subdivision plan entitled "MODIFIED MINOR SUBDIVISION OF LAND OF HARVEY PAUL, ROUTE 4 / RANDALL ROAD, BERWICK, ME", dated August 16, 2000, approved by the Berwick Planning Board on August 17, 2000, prepared by Cheryl L. Dionne, recorded at the York County Registry of Deeds in plan book 258, page 9.

## BOUNDARY LINE AGREEMENT AND PURCHASE AND SALE AGREEMENT

Agreement made this 26<sup>th</sup> day of March, 2020, among HP Cycles, Inc., a Maine corporation having a principal place of business in Berwick, Maine (“HPC”), Route 4 Self Storage, LLC, a Maine limited liability company having a principal place of business in Berwick, Maine, or its assigns (“R4SS”) and RV Storage Units LLC, a Maine limited liability company having a principal place of business in Berwick, Maine (“RV”).

**WHEREAS**, HPC is the owner of two (2) certain lots of land located on or near Route 4 in Berwick, Maine, depicted as Lot A (“Original Lot A”) and Lot AA (“Original Lot AA”) on a plan entitled “Amendment to Subdivision Plan of H.P. Cycles Inc., Harvey A. Paul and Old Route 4 Storage, LLC-Tax Map R-72, Los 9, 9-1 and 9-2, Route 4 (Portland Street), Berwick, York County, Maine, Prepared for: Harvey A. Paul, Client Address: 569 Portland Street, Berwick, ME 03901”, dated May 1, 2018, approved by the Berwick Planning Board on May 17, 2018, prepared by Civil Consultants, and recorded in the York County Registry of Deeds in Plan Book 395, Page 18 (the “Superseded Plan”); and

**WHEREAS**, R4SS is the owner of a lot of land located on Route 4 in Berwick, Maine, depicted ad Lot B (“Original Lot B”) on the Superseded Plan; and

**WHEREAS**, HPC and R4SS desire to amend the lot lines defining Original Lot A, Original Lot B and Original Lot AA, such that those lots are reconfigured to conform to the depiction thereof as “Amended Lot A”, “Amended Lot B” and “Proposed Lot AA” on a plan entitled “Amendment to Subdivision Plan of Land of Route 4 Self Storage, LLC and H.P. Cycles, Inc., Map R-72, Lots 9-1 and 9-2, Route 4 (Portland Street), Berwick, York County, Maine, Prepared for: Route 4 Self Storage, LLC, Client Address: 565 Portland St, Berwick, ME 03901”, dated March 2, 2020 and prepared by Civil Consultants, to be recorded in the York County Registry of Deeds, and attached hereto as **Exhibit A** (the “New Plan”); and

**WHEREAS**, RV Storage Units LLC desires to purchase from HPC, and HPC desires to sell to RV Storage Units LLC, “Proposed Lot AA” as depicted on the New Plan.

**NOW THEREFORE**, in consideration of their mutual promises set out below, the parties hereby agree as follows:

### **I. Reconfigured Lot A and Lot B; Exchange of Deeds**

Subject to the conditions set forth in this Agreement, R4SS and HPC agree to exchange portions of Original Lot B and Original Lots A and AA, respectively, for the purpose of reconfiguring said lots to conform to the drawing of Amended Lot A, Amended Lot B and Proposed Lot AA as shown on the New Plan. To accomplish the foregoing, the parties shall undertake the following actions:

- (a) R4SS shall transfer and assign to HPC all right, title and interest of R4SS in and to Amended Lot A and Proposed Lot AA, as shown on the New Plan, using the legal description set forth in **Exhibit B**, attached hereto; and
- (b) HPC shall transfer and assign to R4SS all right, title and interest of HPC in and to Amended Lot B, as shown on the New Plan, using the legal description set forth in **Exhibit C** attached hereto.

The parties shall not exchange any money for the transfer by each of the lots described in this Section I, the consideration for the transfer to each party being the applicable transfer by the other party.

## **II. Purchase and Sale of Proposed Lot AA**

Subject to the conditions set forth in this Agreement, simultaneously with the exchange of the deeds referred to in Section I above, HPC shall sell to RV Storage Units LLC, and RV Storage Units LLC shall purchase from HPC, Proposed Lot AA as shown on the New Plan, using the legal description set forth in **Exhibit D** attached hereto. The exchange of deeds described in Section I of this Agreement is conditioned upon the delivery of the deed referred to in this Section II and vice versa.

RV Storage Units LLC shall pay to HCP a total purchase price of Thirty Thousand and 00/100 Dollars (\$30,000.00) for the transfer of Proposed Lot AA pursuant to this Section II, subject to all customary prorations and adjustments, to be payable in cash or cash equivalent at closing.

## **III. Closing**

The closing shall be held at the office of **Robert E. Danielson, Esq., 65 West Commercial Street, Suite 106, Portland, Maine 04101**. The parties shall close this transaction within fifteen (15) days after satisfaction of all contingencies sets forth herein, by delivery to each party of a good and sufficient Quitclaim with Covenant Deed to the property being acquired, together with any and all other customary closing documents and by the making of any payment herein specified.

## **IV. Title**

The lots referred to herein (collectively, the "Premises") shall be conveyed by each party to the other subject to applicable land use laws and regulations, and shall be free and clear of all encumbrances except covenants, conditions, easements and restrictions of record which do not adversely affect the proposed use by the grantee thereof. Each party shall deliver to the other title to the respective Premises which is good and marketable and insurable by a national title insurance company at normal premium rates on the ALTA form currently in use, subject only to the exclusions set forth in the policy jacket and those exceptions set forth in the

preceding sentence. Should the title to any portion of the Premises prove defective, then party conveying the property with the defective title shall have a reasonable time, not to exceed 30 days after receiving written notice of the defect(s), to remedy the title, and each party hereby agrees to use diligent efforts to cure any such defects. If, within such 30 days, the defect(s) are not corrected, the other party may, within 5 days thereafter, at such party's option, declare this Agreement null and void and each party shall be relieved from all obligations hereunder.

#### **V. Conditions to Obligations of the Parties**

The obligation of the parties to consummate the transactions contemplated by this Agreement are subject to the satisfaction of all of the following contingencies:

- (a) The Town of Berwick shall have approved the New Plan, and the New Plan shall have been recorded in the York County Registry of Deeds.
- (b) All holders of mortgages or other liens encumbering any of the Premises shall have consented to the transactions contemplated by this Agreement, and shall have released their respective liens covering all affected portions of the Premises.
- (c) Each party shall have conducted and be satisfied, in its sole discretion, with the results of any and all due diligence inspections such party desires to conduct on the applicable portion(s) of the Premises.

#### **VI. Payment of Insurance and Fees**

RV Storage Units LLC and HPC shall pay for the state transfer tax, recording fees and the cost of such title searches and closing fees on the applicable portions of the Premises. Each party shall be responsible to pay for its own title insurance, attorneys' fees, and any other closing costs arising out of or attributable to the conveyance to it of the other party's property. Taxes, rentals, and operating or other expenses relating to each property, if any, shall be prorated as of the date of closing.

#### **VII. Agency Disclosure**

There are no brokers involved in this transaction. Each party warrants and represents to the other party that it has not dealt with any broker, finder or similar person concerning the exchange of the Premises. In the event of any brokerage claims against either party by anyone claiming to be such party's broker, such party agrees to defend the same and indemnify the other party against such claim.

#### **VIII. General Provisions**

- (a) Possession of each applicable portion of the Premises shall be delivered to the party entitled thereto on the date of closing unless otherwise provided in this Agreement.

(b) This Agreement supersedes any and all prior agreements between the parties regarding the Premises.

(c) Any attached addendum that is signed or initialed by the parties shall be deemed a part of this Agreement.

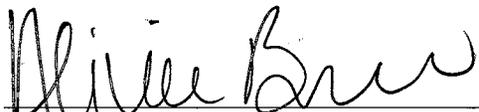
(d) If the improvements on the Premises of either party to this Agreement are destroyed or materially damaged or become subject to an eminent domain action between the date hereof and final consummation of the exchange, then the party entitled to the conveyance of such property under this Agreement may either, (i) terminate this Agreement, or (ii) accept the insurance proceeds attributable to the applicable portion of the Premises and payable by reason of such damage or destruction and close this transaction notwithstanding the same and without additional compensation or offset for such destruction, damage or loss.

(e) This Agreement may be signed on any number of identical counterparts, such as a faxed copy, with the same binding effect as if the signatures were on one instrument. Original or faxed signatures are binding.

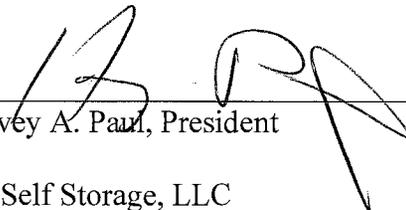
(f) This Agreement is a binding contract when signed by both parties and when that fact has been communicated to both parties or their agents.

This Agreement is made as of the day and year first above mentioned.

H.P. Cycles, Inc.

  
Witness

By:

  
Harvey A. Paul, President

Route 4 Self Storage, LLC

  
Witness

By:

  
Tanner Herget, Manager

RV Storage Units LLC

  
Witness

By:

  
Tanner Herget, Manager



**PARCEL DESCRIPTION - AMENDED LOT A COMBINED  
WITH LOT AA  
QUIT CLAIM FROM ROUTE 4 SELF STORAGE, LLC TO  
H.P. CYCLES, INC.**

The hereinafter-described parcel of land located in the Town of Berwick, York County, State of Maine, situated northerly of old Route 4, being a portion of lands of H.P. Cycles, Inc., described in a deed from Harvey E. Paul and Harvey A. Paul, dated May 24, 2005, and recorded in book 14480, page 576 of the York County Registry of Deeds; a portion of lands of H.P. Cycles, Inc., described in a deed from Harvey A. Paul, dated August 29, 2018, and recorded in book 17793, page 482 of the York County Registry of Deeds; and a portion of lands of Route 4 Self Storage, LLC, described in a deed from Old Route 4 Storage, LLC dated September 28, 2018, recorded at the York County Registry of Deeds in book 17811, page 949 and being more particularly described as follows:

[Bearings in the following description are based on magnetic north in February, 1982]

Beginning at a point in the centerline of Old Route 4, at the southeasterly corner of the herein-described parcel, being the southwesterly corner of land of Harvey A. Paul, described in a deed recorded in book 16736, page 983 of the York County Registry of Deeds, also being a point on the municipal boundary line between the towns of Berwick and North Berwick, said point of beginning being marked by a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence S 80°47'30" W, by the centerline of Old Route 4, 200.00 feet, to an unmarked corner;

thence S 80°47'30" W, by the centerline of Old Route 4, 33.00 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set at Amended Lot B on the hereinafter referenced subdivision plan;

thence N 10°29'21" W, by said Amended Lot B, 149.23 feet, to an unmarked corner;

thence N 10°29'21" W, by said Amended Lot B, 150.00 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence S 79°30'39" W, by said Amended Lot B, 33.00 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence N 10°29'21" W, by said Amended Lot B, 189.92 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence S 80°47'30" W, by said Amended Lot B, 42.00 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence N 22°53'44" W, by said Amended Lot B, 56.61 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set at Lot AA on the hereinafter referenced subdivision plan;

thence S 80°47'30" W, by said Amended Lot B, 119.16 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;



thence S 17°21'24" W, by said Amended Lot B, 61.49 feet, to an unmarked corner;

thence S 17°21'24" W, by said Amended Lot B, 27.95 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence S 80°47'30" W, by said Amended Lot B, 199.78 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set at land now or formerly of Cheryl H. Dionne and David J. Dionne, described in a deed recorded in book 8064, page 55 of the York County Registry of Deed;

thence N 20°12'19" W, by said land of Dionne, 25.47 feet, to an unmarked corner;

thence N 20°12'19" W, by said land of Dionne, 502.29 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set in the easterly sideline of Randall Road right-of-way;

thence N 20°12'19" W, by said land of Dionne, 71.46 feet, to an unmarked corner in the centerline of the Randall Road right-of-way, at land now or formerly of Tri Berwick Realty, Inc., described in a deed recorded in book 16201, page 149;

thence N 14°50'35" E, by the centerline of the Randall Road right-of-way, by said land of Tri Berwick Realty, Inc., 96.34 feet to an unmarked corner;

thence N 24°03'26" E, by the centerline of the Randall Road right-of-way, by said land of Tri Berwick Realty, Inc., 168.64 feet to an unmarked corner at Beaver Dam Brook, beneath said road;

thence easterly by the centerline of Beaver Dam Brook, by land now or formerly of Richard W. Crispin, described in a deed recorded in book 16064, page 926 of the York County Registry of Deeds, approximately 619 feet, to an unmarked corner at land now or formerly of Harvey A. Paul, described in a deed recorded in book 16736, page 983 of the York County Registry of Deeds, said unmarked corner being located on the municipal boundary line between the towns of Berwick and North Berwick, said unmarked corner being located at tie courses of S 10°39'05" E, 123.99 feet, thence S 76°07'08" E, 229.27 feet and thence N 89°04'31" E, 209.54 feet from the previous described unmarked corner at Randall Road;

thence S 22°53'44" E, by said land of Harvey A. Paul, by the municipal boundary line between the towns of Berwick and North Berwick, 1,066.73 feet, to the POINT OF BEGINNING, containing approximately 10.2 acres (442,068 square feet +/-).

A portion of the herein-above described parcel was previously benefited by an easement over land now or formerly of Old Route 4 Storage, LLC as set forth in a deed recorded in book 14502, page 338 of the York County Registry of Deeds. The area described in the easement deed is now part of the Amended Lot A described herein-above.

The above described parcel is the sum of "AMENDED LOT A" and "LOT AA" as depicted on a subdivision plan entitled "AMENDMENT TO SUBDIVISION PLAN OF LAND OF ROUTE 4 SELF STORAGE, LLC AND H.P. CYCLES, INC., MAP R-72, LOTS 9-1 AND 9-2, ROUTE 4 (PORTLAND STREET), BERWICK, YORK COUNTY, MAINE, PREPARED FOR: ROUTE 4 SELF STORAGE, LLC, CLIENT ADDRESS: 1465 WOODBURY AVENUE #362, PORTSMOUTH, NH 03801", dated



**CIVIL  
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

March 2, 2020, prepared by CIVIL CONSULTANTS, to be recorded at the York County Registry of Deeds.

Reference is made to a superseded subdivision plan entitled "AMENDMENT TO SUBDIVISION PLAN OF H.P. CYCLES INC., HARVEY A. PAUL AND OLD ROUTE 4 STORAGE, LLC – TAX MAP R-72, LOTS 9, 9-1 AND 9-2, ROUTE 4 (PORTLAND STREET), BERWICK, YORK COUNTY, MAINE, PREPARED FOR: HARVEY A. PAUL, CLIENT ADDRESS: 569 PORTLAND STREET, BERWICK, ME 03901", dated May 1, 2018, approved by the Berwick Planning Board on May 17, 2018, prepared by CIVIL CONSULTANTS, recorded at the York County Registry of Deeds in plan book 395, page 18.

Prepared by Michael P. Peverett, Maine PLS #2362

Date: March 5, 2020

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**CIVIL  
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

EXHIBIT C

**PARCEL DESCRIPTION - AMENDED LOT B**  
**QUIT CLAIM FROM H.P. CYCLES, INC. TO**  
**ROUTE 4 SELF STORAGE, LLC**

The hereinafter-described parcel of land located in the Town of Berwick, York County, State of Maine, situated northerly of old Route 4, being a portion of lands of H.P. Cycles, Inc., described in a deed from Harvey E. Paul and Harvey A. Paul, dated May 24, 2005, and recorded in book 14480, page 576 of the York County Registry of Deeds; a portion of lands of H.P. Cycles, Inc., described in a deed from Harvey A. Paul, dated August 29, 2018, and recorded in book 17793, page 482 of the York County Registry of Deeds; and a portion of lands of Route 4 Self Storage, LLC, described in a deed from Old Route 4 Storage, LLC dated September 28, 2018, recorded at the York County Registry of Deeds in book 17811, page 949 and being more particularly described as follows:

[Bearings in the following description are based on magnetic north in February, 1982]

Beginning at a point in the centerline of Old Route 4, at the southwesterly corner of the herein-described parcel, being the southeasterly corner of land now or formerly of Cheryl H. Dionne and David J. Dionne, described in a deed recorded in book 8065, page 55 of the York County Registry of Deeds, said point of beginning being marked by a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence N 20°12'19" W, by said land of Dionne, 471.96 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set at Lot AA on the hereinafter referenced subdivision plan;

thence N 80°47'30" E, by said Lot AA, 199.78 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence N 17°21'24" E, by said Lot AA, 27.95 feet, to an unmarked corner;

thence N 17°21'24" E, by said Lot AA, 61.49 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence N 80°47'30" E, by said Lot AA, 119.16 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set at Amended Lot A on the hereinafter referenced subdivision plan;

thence S 22°53'44" E, by said Amended Lot A, 56.61 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence N 80°47'30" E, by said Amended Lot A, 42.00 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence S 10°29'21" E, by said Amended Lot A, 189.92 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence N 79°30'39" E, by said Amended Lot A, 33.00 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;



**CIVIL  
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

thence S 10°29'21" E, by said Amended Lot A, 150.00 feet, to an unmarked corner;

thence S 10°29'21" E, by said Amended Lot A, 149.23 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set in the centerline of Old Route 4;

thence S 80°47'30" W, by the centerline of Old Route 4, 368.23 feet, to the POINT OF BEGINNING, containing approximately 4.5 acres (196,516 square feet +/-).

The above described parcel is designated as "AMENDED LOT B" as depicted on a subdivision plan entitled "AMENDMENT TO SUBDIVISION PLAN OF LAND OF ROUTE 4 SELF STORAGE, LLC AND H.P. CYCLES, INC., MAP R-72, LOTS 9-1 AND 9-2, ROUTE 4 (PORTLAND STREET), BERWICK, YORK COUNTY, MAINE, PREPARED FOR: ROUTE 4 SELF STORAGE, LLC, CLIENT ADDRESS: 1465 WOODBURY AVENUE #362, PORTSMOUTH, NH 03801", dated March 2, 2020, prepared by CIVIL CONSULTANTS, to be recorded at the York County Registry of Deeds.

Reference is made to a superseded subdivision plan entitled "AMENDMENT TO SUBDIVISION PLAN OF H.P. CYCLES INC., HARVEY A. PAUL AND OLD ROUTE 4 STORAGE, LLC - TAX MAP R-72, LOTS 9, 9-1 AND 9-2, ROUTE 4 (PORTLAND STREET), BERWICK, YORK COUNTY, MAINE, PREPARED FOR: HARVEY A. PAUL, CLIENT ADDRESS: 569 PORTLAND STREET, BERWICK, ME 03901", dated May 1, 2018, approved by the Berwick Planning Board on May 17, 2018, prepared by CIVIL CONSULTANTS, recorded at the York County Registry of Deeds in plan book 395, page 18.

Prepared by Michael P. Peverett, Maine PLS #2362

Date: March 5, 2020

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**CIVIL  
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

**PARCEL DESCRIPTION – LOT AA**  
**H.P. CYCLES, INC. TO**  
**TANNER'S NEW LLC**

The hereinafter-described parcel of land located in the Town of Berwick, York County, State of Maine, situated northerly of, but not adjacent to Route 4 (Portland Street), being a portion of lands of H.P. Cycles, Inc., described in a deed from Harvey A. Paul, dated August 29, 2018, and recorded in book 17793, page 482 of the York County Registry of Deeds and being a portion of lands of H.P. Cycles, Inc., described in a deed from Route 4 Self Storage, LLC of recent date and being more particularly described as follows:

[Bearings in the following description are based on magnetic north in February, 1982]

Beginning at the southwesterly corner of the herein-described parcel, being the northwesterly corner of Amended Lot B on the hereinafter referenced subdivision plan, being a point in the easterly line of land now or formerly of Cheryl H. Dionne and David J. Dionne, described in a deed recorded in book 8064, page 55 of the York County Registry of Deeds, said point of beginning being marked by a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence N 20°12'19" W, by said land of Dionne, 25.47 feet, to an unmarked corner;

thence N 20°12'19" W, by said land of Dionne, 502.29 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set in the easterly sideline of Randall Road right-of-way;

thence N 20°12'19" W, by said land of Dionne, 71.46 feet, to an unmarked corner in the centerline of the Randall Road right-of-way, at land now or formerly of Tri Berwick Realty, Inc., described in a deed recorded in book 16201, page 149;

thence N 14°50'35" E, by the centerline of the Randall Road right-of-way, by said land of Tri Berwick Realty, Inc., 96.34 feet to an unmarked corner;

thence N 24°03'26" E, by the centerline of the Randall Road right-of-way, by said land of Tri Berwick Realty, Inc., 168.64 feet to an unmarked corner at Beaver Dam Brook, beneath said road;

thence easterly by the centerline of Beaver Dam Brook, by land now or formerly of Richard W. Crispin, described in a deed recorded in book 16064, page 926 of the York County Registry of Deeds, approximately 362 feet, to an unmarked corner at Amended Lot A on the hereinafter referenced subdivision plan;

thence S 22°53'44" E, by said Amended Lot A, 40.00 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set, said rebar being located at tie courses of S 10°39'05" E, 123.99 feet, thence S 76°07'08" E, 229.27 feet from the previous described unmarked corner at Randall Road;

thence S 22°53'44" E, by said Amended Lot A, 538.63 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set at the northeast corner of Amended Lot B on the hereinafter referenced plan;



thence S 80°47'30" W, by said Amended Lot B, 119.16 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence S 17°21'24" W, by said Amended Lot B, 61.49 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence S 17°21'24" W, by said Amended Lot B, 27.95 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence S 80°47'30" W, by said Amended Lot B, 199.78 feet, to the POINT OF BEGINNING, containing approximately 5.4 acres (234,386 square feet +/-).

The hereinabove described parcel is conveyed together with an appurtenant 25-foot right-of way along Randall Road (see deeds recorded in book 8064, page 55 and book 14480, page 574 of the York County Registry of Deeds).

The above described parcel is designated as "LOT AA" as depicted on a subdivision plan entitled "AMENDMENT TO SUBDIVISION PLAN OF LAND OF ROUTE 4 SELF STORAGE, LLC AND H.P. CYCLES, INC., MAP R-72, LOTS 9-1 AND 9-2, ROUTE 4 (PORTLAND STREET), BERWICK, YORK COUNTY, MAINE, PREPARED FOR: ROUTE 4 SELF STORAGE, LLC, CLIENT ADDRESS: 1465 WOODBURY AVENUE #362, PORTSMOUTH, NH 03801", dated March 2, 2020, prepared by CIVIL CONSULTANTS, to be recorded at the York County Registry of Deeds.

Reference is made to a superseded subdivision plan entitled "AMENDMENT TO SUBDIVISION PLAN OF H.P. CYCLES INC., HARVEY A. PAUL AND OLD ROUTE 4 STORAGE, LLC - TAX MAP R-72, LOTS 9, 9-1 AND 9-2, ROUTE 4 (PORTLAND STREET), BERWICK, YORK COUNTY, MAINE, PREPARED FOR: HARVEY A. PAUL, CLIENT ADDRESS: 569 PORTLAND STREET, BERWICK, ME 03901", dated May 1, 2018, approved by the Berwick Planning Board on May 17, 2018, prepared by CIVIL CONSULTANTS, recorded at the York County Registry of Deeds in plan book 395, page 18.

Prepared by Michael P. Peverett, Maine PLS #2362

Date: March 5, 2020

j:\aaa\2016\1618702\LEGAL-DESC\2020-LOT-AA.DOC



**CIVIL  
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 03908 207-384-2550

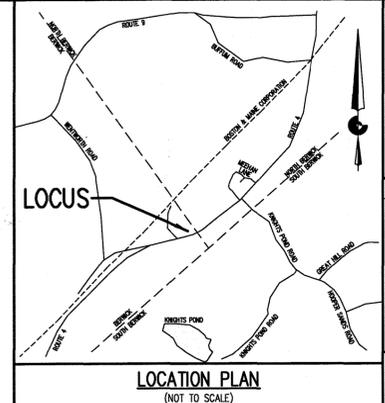
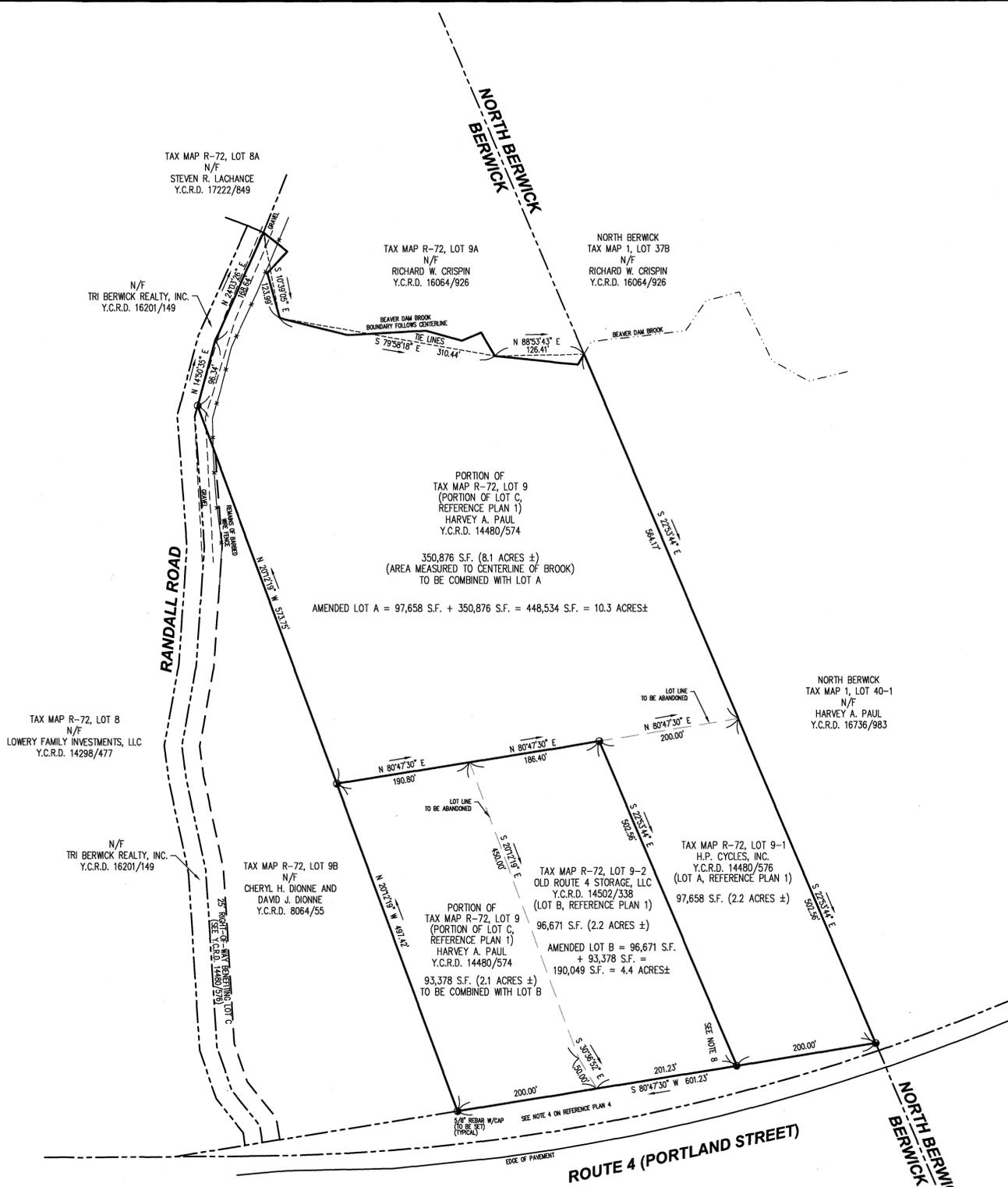


**LIST OF ABUTTERS**  
**HP Cycles, Harvey Paul & Route 4 Self Storage**  
**Map R-72 Lot 9, 9-1, 9-2**  
**569 Portland Street**  
**Berwick ME**

<i>MAP</i>	<i>LOT</i>	<i>NAME &amp; MAILING ADDRESS</i>
R72	9	Harvey A. Paul 569 Portland Street Berwick ME 03901
R72	9-1	HP Cycles, Inc. 569 Portland Street Berwick ME 03901
R72	9-2	Route 4 Self Storage, LLC 565 Portland Street Berwick ME 03901
R72	9B	Cheryl H. & David J. Dionne 425 Emery's Bridge Road South Berwick ME 03908
R72	8	Lowery Family Investments LLC 549 Portland Street Berwick ME 03901
R72	8A	Steven R. Lachance 35 Coffin Road Berwick ME 03901
North Berwick		
1	40-1	Harvey A. Paul 17 Pleasant Street South Berwick ME 03908
1	41	Tri Berwick Realty PO Box 174 North Berwick ME 03906
1	37B	Richard W. Crispin PO box 652 North Berwick ME 03906

J:\aaa\2016\1618702\abutters\20200316-1618702-ABUTTERS2.docx





STATE OF MAINE  
MICHAEL P. PEVERETT  
2362  
PROFESSIONAL LAND SURVEYOR  
51118

CIVIL CONSULTANTS  
CIVIL CONSULTANTS  
Engineers  
Planners  
Surveyors  
P.O. Box 100  
South Berwick  
Maine  
03908  
207-384-2550  
www.civcon.com

**NOTES:**

- PLANIMETRIC DETAIL AND BOUNDARY LINES DEPICTED HEREON ARE BASED ON REFERENCE PLAN 1. CIVIL CONSULTANTS HAS NOT PERFORMED ANY FIELD WORK IN CONJUNCTION WITH THE PREPARATION OF THIS PLAN. DEED RESEARCH ON THE SUBJECT PARCELS AND ABUTTING PARCELS HAS BEEN UPDATED FROM THE DATE OF REFERENCE PLAN 1 TO APRIL 27, 2018. CIVIL CONSULTANTS HAS NOT PERFORMED AN INDEPENDENT BOUNDARY RETRACEMENT SURVEY.
- NORTH AS DEPICTED HEREON IS BASED ON REFERENCE PLAN 1 (MAGNETIC - FEBRUARY 1982).
- ASSESSOR'S INFORMATION: TOWN OF BERWICK ASSESSOR'S MAP R-72, LOTS 9, 9-1 AND 9-2
- RECORD OWNERS: LOT 9 (LOT C - REFERENCE PLAN 1) - HARVEY A. PAUL  
LOT 9-1 (LOT A - REFERENCE PLAN 1) - H.P. CYCLES, INC.  
LOT 9-2 (LOT B - REFERENCE PLAN 1) - OLD ROUTE 4 STORAGE, LLC
- DEED REFERENCES: LOT 9 - Y.C.R.D. 14480/574  
LOT 9-1 - Y.C.R.D. 14480/576  
LOT 9-2 - Y.C.R.D. 14502/338
- NO UTILITY INFORMATION IS DEPICTED HEREON. CONTRACTORS NEED TO CONTACT DIGSAFE AND FIELD VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
- LOT C IS BENEFITED BY AN APPURTENANT 25-FOOT WIDE RIGHT OF WAY ALONG RANDALL ROAD (SEE Y.C.R.D. 8084/55 AND Y.C.R.D. 14480/576).
- LOT B IS SUBJECT TO AN EASEMENT BENEFITING LOT A TO "MAINTAIN AND REPAIR A SMALL TRIANGULAR SECTION OF A GRAVEL PARKING AREA LOCATED AT THE SOUTHEASTERLY CORNER OF THE ABOVE DESCRIBED PREMISES" AS SET FORTH IN Y.C.R.D. 14502/338.
- THE LOCUS PROPERTY IS IN THE RC/1 (RURAL COMMERCIAL/INDUSTRIAL) ZONING DISTRICT. DIMENSIONAL REQUIREMENTS ARE AS FOLLOWS: MINIMUM LOT SIZE WITH SEPTIC=90,000 SQUARE FEET; MINIMUM STREET FRONTAGE=200'; MINIMUM LOT WIDTH=200'; MINIMUM FRONT YARD SETBACK=50'; MINIMUM SIDE AND REAR SETBACK=25'; MAXIMUM LOT COVERAGE=80%; MAXIMUM BUILDING HEIGHT=45'. A PORTION OF THE SUBJECT PROPERTY, LOCATED WITHIN 75' OF THE NORMAL HIGH WATER LINE OF BEAVER DAM BROOK, IS LOCATED IN THE STREAM PROTECTION DISTRICT. FOR COMPLETE ZONING INFORMATION REFER TO THE TOWN OF BERWICK ZONING ORDINANCE.
- NOTE 6 ON REFERENCE PLAN 1 REFERS TO A CONSENT AGREEMENT BETWEEN MR. HARVEY PAUL AND THE BERWICK BOARD OF SELECTMAN SIGNED AND DATED SEPTEMBER 29, 1998.
- NOTE 7 ON REFERENCE PLAN 1 STATES "ANY CHANGE OF USE ON LOT B WOULD REQUIRE PLANNING BOARD APPROVAL".
- THIS PLAN IS AN AMENDMENT TO A PREVIOUSLY APPROVED MODIFICATION TO A SUBDIVISION PLAN (REFERENCE PLAN 1). REFERENCE IS ALSO MADE TO PREVIOUSLY APPROVED SUBDIVISION PLANS (REFERENCE PLANS 2 AND 3).
- IMPROVEMENTS ARE PRESENT ON ALL THREE LOTS, NOT DEPICTED HEREON.

**REFERENCE PLANS:**

- "MODIFIED MINOR SUBDIVISION OF LAND OF HARVEY PAUL, ROUTE 4 / RANDALL ROAD, BERWICK, MAINE", DATED AUGUST 16, 2000, PREPARED BY CHERYL L. DIONNE, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 258, PAGE 9.
- "REVISED MINOR SUBDIVISION OF LAND OF HARVEY PAUL, ROUTE 4 / RANDALL ROAD, BERWICK, MAINE", DATED JUNE 2, 1999, PREPARED BY CHERYL L. DIONNE, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 249, PAGE 26.
- "MINOR SUBDIVISION OF LAND OF HARVEY PAUL, ROUTE 4 / RANDALL ROAD, BERWICK, MAINE", DATED SEPTEMBER 21, 1998, PREPARED BY CHERYL L. DIONNE, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 246, PAGE 4.
- "STANDARD BOUNDARY SURVEY OF LAND OF HARVEY PAUL, ROUTE 4 / RANDALL ROAD, BERWICK, MAINE", DATED SEPTEMBER 14, 1998, LAST REVISED SEPTEMBER 21, 1998, PREPARED BY CHERYL L. DIONNE, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 246, PAGE 3.

NO.	DATE	INT.	REVISIONS
1			

RECORD OWNERS:  
HARVEY A. PAUL  
H.P. CYCLES, INC.  
OLD ROUTE 4 STORAGE, LLC  
ADDRESS:  
569 PORTLAND STREET  
BERWICK, ME 03901

AMENDMENT TO SUBDIVISION PLAN OF LAND OF H.P. CYCLES, INC., HARVEY A. PAUL AND OLD ROUTE 4 STORAGE, LLC - TAX MAP R-72, LOTS 9, 9-1 AND 9-2 ROUTE 4 (PORTLAND STREET) BERWICK, YORK COUNTY, MAINE

PREPARED FOR: HARVEY A. PAUL  
CLIENT ADDRESS: 569 PORTLAND STREET, BERWICK, ME 03901

1" = 100'  
0' 100'

DATE: MAY 1, 2018  
DRAWN BY: MPP  
CHECKED BY: CHM  
APPROVED BY: MPP

AMENDED SUBDIVISION PLAN

PROJECT NO: 1618701

**SD1**

SHEET: 1 OF 1

PLAN APPROVED BY TOWN OF BERWICK PLANNING BOARD

CHAIR

DATE: 5/17/18

**CERTIFICATION:**  
THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE STANDARDS OF PRACTICE ESTABLISHED BY THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS (02-360 CMR CHAPTER 90, PART I & PART II - SEE NOTES HEREON FOR EXCEPTIONS, IF ANY).

MAY 1, 2018  
DATE:

MICHAEL P. PEVERETT  
MAINE PROFESSIONAL LAND SURVEYOR #2362  
CIVIL CONSULTANTS  
SOUTH BERWICK, MAINE 03908  
207-384-2550

STATE OF MAINE  
YORK COUNTY ss. REGISTRY OF DEEDS  
RECEIVED May 29, 2018  
AT 2:21 p.m., AND RECORDED IN  
PLAN BOOK 395, PAGE 18

ATTEST Claude Duke REGISTER

- CONSTRUCTION.
- LOT C (SHOWN ON REFERENCE PLAN 2) IS BENEFITED BY AN APPURTENANT 25-FOOT WIDE RIGHT OF WAY ALONG RANDALL ROAD (SEE Y.C.R.D. 8064/55 AND Y.C.R.D. 14480/574).
  - LOT B IS SUBJECT TO AN EASEMENT BENEFITING LOT A TO "MAINTAIN AND REPAIR A SMALL TRIANGULAR SECTION OF A GRAVEL PARKING AREA LOCATED AT THE SOUTHEASTERLY CORNER OF THE ABOVE DESCRIBED PREMISES" AS SET FORTH IN Y.C.R.D. 14502/338. THIS EASEMENT WILL BE EXTINGUISHED IN THE DEEDS RECONFIGURING THE LOTS AS A RESULT OF THE SUBDIVISION AMENDMENT DEPICTED HEREON.
  - THE LOCUS PROPERTY IS IN THE RC/I (RURAL COMMERCIAL/INDUSTRIAL) ZONING DISTRICT. DIMENSIONAL REQUIREMENTS ARE AS FOLLOWS: MINIMUM LOT SIZE WITH SEPTIC=90,000 SQUARE FEET, MINIMUM STREET FRONTAGE=200', MINIMUM LOT WIDTH=200', MINIMUM FRONT YARD SETBACK=50', MINIMUM SIDE AND REAR SETBACKS=25', MAXIMUM LOT COVERAGE=80%, MAXIMUM BUILDING HEIGHT=45'. A PORTION OF THE SUBJECT PROPERTY, LOCATED WITHIN 75' OF THE NORMAL HIGH WATER LINE OF BEAVER DAM BROOK, IS LOCATED IN THE STREAM PROTECTION DISTRICT. FOR COMPLETE ZONING INFORMATION REFER TO THE TOWN OF BERWICK ZONING ORDINANCE.
  - NOTE 6 ON REFERENCE PLAN 2 REFERS TO A CONSENT AGREEMENT BETWEEN MR. HARVEY PAUL AND THE BERWICK BOARD OF SELECTMAN SIGNED AND DATED SEPTEMBER 29, 1998.
  - NOTE 7 ON REFERENCE PLAN 2 STATES: "ANY CHANGE OF USE ON LOT B WOULD REQUIRE PLANNING BOARD APPROVAL".
  - THIS PLAN IS AN AMENDMENT TO A PREVIOUSLY APPROVED MODIFICATION TO A SUBDIVISION PLAN (REFERENCE PLAN 1). REFERENCE IS ALSO MADE TO PREVIOUSLY APPROVED SUBDIVISION PLANS (REFERENCE PLANS 1-4).
  - IMPROVEMENTS ARE PRESENT ON LOTS A AND B, BUT ARE NOT DEPICTED HEREON.
  - PROPOSED LOT AA WILL BE BENEFITED BY AN APPURTENANT 25-WIDE RIGHT OF WAY ALONG RANDALL ROAD (SEE Y.C.R.D. 8064/55 AND Y.C.R.D. 14480/574).

**REFERENCE PLANS:**

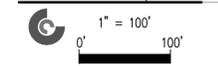
- "AMENDMENT TO SUBDIVISION PLAN OF LAND OF H.P. CYCLES, INC., HARVEY A. PAUL AND OLD ROUTE 4 STORAGE, LLC - TAX MAP R-72, LOTS 9, 9-1 AND 9-2, ROUTE 4 (PORTLAND STREET), BERWICK, YORK COUNTY, MAINE, PREPARED FOR: HARVEY A. PAUL, CLIENT ADDRESS: 569 PORTLAND STREET, BERWICK, ME 03901", DATED MAY 1, 2018, PREPARED BY CIVIL CONSULTANTS, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 395, PAGE 18.
- "MODIFIED MINOR SUBDIVISION OF LAND OF HARVEY PAUL, ROUTE 4 / RANDALL ROAD, BERWICK, MAINE", DATED AUGUST 16, 2000, PREPARED BY CHERYL L. DIONNE, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 258, PAGE 9.
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- "MINOR SUBDIVISION OF LAND OF HARVEY PAUL, ROUTE 4 / RANDALL ROAD, BERWICK, MAINE", DATED SEPTEMBER 21, 1998, PREPARED BY CHERYL L. DIONNE, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 246, PAGE 4.
- "STANDARD BOUNDARY SURVEY OF LAND OF HARVEY PAUL, ROUTE 4 / RANDALL ROAD, BERWICK, MAINE", DATED SEPTEMBER 14, 1998, LAST REVISED SEPTEMBER 21, 1998, PREPARED BY CHERYL L. DIONNE, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 246, PAGE 3.

PLAN APPROVED BY TOWN OF BERWICK PLANNING BOARD	
	CHAIR
DATE:	

	1
	NO.

RECORD OWNERS:  
ROUTE 4 SELF STORAGE, LLC  
H.P. CYCLES, INC.  
ADDRESS:  
1465 WOODBURY AVENUE #362  
PORTSMOUTH, NH 03801

AMENDMENT TO SUBDIVISION PLAN OF LAND OF  
ROUTE 4 SELF STORAGE, LLC AND H.P. CYCLES, INC.  
MAP R-72, LOTS 9-1 AND 9-2  
ROUTE 4 (PORTLAND STREET)  
BERWICK, YORK COUNTY, MAINE  
PREPARED FOR: ROUTE 4 SELF STORAGE, LLC  
CLIENT ADDRESS: 1465 WOODBURY AVENUE #362, PORTSMOUTH, NH 03801



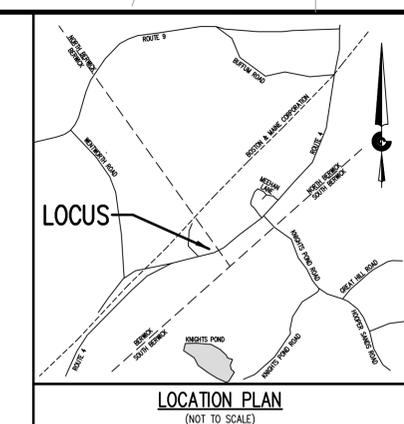
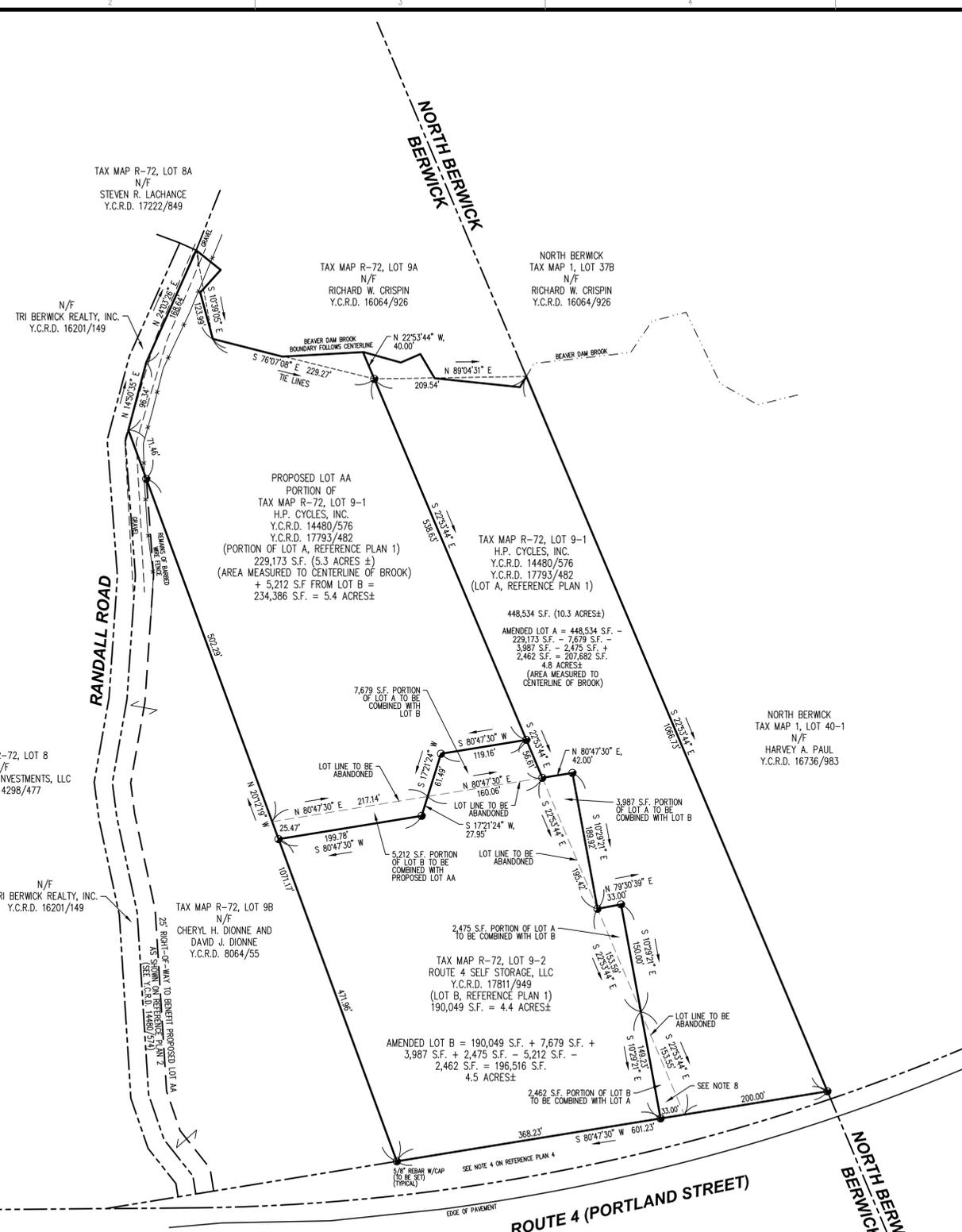
DATE: MARCH 2, 2020  
DRAWN BY: MPP  
CHECKED BY: CHM  
APPROVED BY: MPP

AMENDED  
SUBDIVISION  
PLAN

PROJECT NO: 1618702

**SD1**

SHEET: 1 OF 1



STATE OF MAINE  
MICHAEL P. PEVERETT  
2362  
PROFESSIONAL LAND SURVEYOR

CIVIL CONSULTANTS  
Engineers  
Planners  
Surveyors  
P.O. Box 100  
South Berwick  
Maine  
03908  
207-384-2550  
www.civcon.com

- NOTES:**
- PLANIMETRIC DETAIL AND BOUNDARY LINES DEPICTED HEREON ARE BASED ON REFERENCE PLAN 1. CIVIL CONSULTANTS HAS NOT PERFORMED ANY FIELD WORK IN CONJUNCTION WITH THE PREPARATION OF THIS PLAN. DEED RESEARCH ON THE SUBJECT PARCELS AND ADJUTING PARCELS HAS BEEN UPDATED FROM THE DATE OF REFERENCE PLAN 1 TO FEBRUARY 1, 2020. CIVIL CONSULTANTS HAS NOT PERFORMED AN INDEPENDENT BOUNDARY RETRACEMENT SURVEY.
  - NORTH AS DEPICTED HEREON IS BASED ON REFERENCE PLAN 1 (MAGNETIC - FEBRUARY 1982).
  - ASSESSOR'S INFORMATION: TOWN OF BERWICK ASSESSOR'S MAP R-72, LOTS 9-1 AND 9-2
  - RECORD OWNERS: LOT 9-1 (LOT A - REFERENCE PLAN 1) - H.P. CYCLES, INC.  
LOT 9-2 (LOT B - REFERENCE PLAN 1) - ROUTE 4 SELF STORAGE, LLC
  - DEED REFERENCES: LOT 9-1 - Y.C.R.D. 14480/576 AND 17793/482  
LOT 9-2 - Y.C.R.D. 17811/949
  - NO UTILITY INFORMATION IS DEPICTED HEREON. CONTRACTORS NEED TO CONTACT DIGSAFE AND FIELD VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
  - LOT C (SHOWN ON REFERENCE PLAN 2) IS BENEFITED BY AN APPURTENANT 25-FOOT WIDE RIGHT OF WAY ALONG RANDALL ROAD (SEE Y.C.R.D. 8064/55 AND Y.C.R.D. 14480/574).
  - LOT B IS SUBJECT TO AN EASEMENT BENEFITING LOT A TO "MAINTAIN AND REPAIR A SMALL TRIANGULAR SECTION OF A GRAVEL PARKING AREA LOCATED AT THE SOUTHEASTERLY CORNER OF THE ABOVE DESCRIBED PREMISES" AS SET FORTH IN Y.C.R.D. 14502/338. THIS EASEMENT WILL BE EXTINGUISHED IN THE DEEDS RECONFIGURING THE LOTS AS A RESULT OF THE SUBDIVISION AMENDMENT DEPICTED HEREON.
  - THE LOCUS PROPERTY IS IN THE RC/I (RURAL COMMERCIAL/INDUSTRIAL) ZONING DISTRICT. DIMENSIONAL REQUIREMENTS ARE AS FOLLOWS: MINIMUM LOT SIZE WITH SEPTIC=90,000 SQUARE FEET, MINIMUM STREET FRONTAGE=200', MINIMUM LOT WIDTH=200', MINIMUM FRONT YARD SETBACK=50', MINIMUM SIDE AND REAR SETBACKS=25', MAXIMUM LOT COVERAGE=80%, MAXIMUM BUILDING HEIGHT=45'. A PORTION OF THE SUBJECT PROPERTY, LOCATED WITHIN 75' OF THE NORMAL HIGH WATER LINE OF BEAVER DAM BROOK, IS LOCATED IN THE STREAM PROTECTION DISTRICT. FOR COMPLETE ZONING INFORMATION REFER TO THE TOWN OF BERWICK ZONING ORDINANCE.
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  - NOTE 7 ON REFERENCE PLAN 2 STATES: "ANY CHANGE OF USE ON LOT B WOULD REQUIRE PLANNING BOARD APPROVAL".
  - THIS PLAN IS AN AMENDMENT TO A PREVIOUSLY APPROVED MODIFICATION TO A SUBDIVISION PLAN (REFERENCE PLAN 1). REFERENCE IS ALSO MADE TO PREVIOUSLY APPROVED SUBDIVISION PLANS (REFERENCE PLANS 1-4).
  - IMPROVEMENTS ARE PRESENT ON LOTS A AND B, BUT ARE NOT DEPICTED HEREON.
  - PROPOSED LOT AA WILL BE BENEFITED BY AN APPURTENANT 25'-WIDE RIGHT OF WAY ALONG RANDALL ROAD (SEE Y.C.R.D. 8064/55 AND Y.C.R.D. 14480/574).

- REFERENCE PLANS:**
- "AMENDMENT TO SUBDIVISION PLAN OF LAND OF H.P. CYCLES, INC., HARVEY A. PAUL AND OLD ROUTE 4 STORAGE, LLC - TAX MAP R-72, LOTS 9, 9-1 AND 9-2, ROUTE 4 (PORTLAND STREET), BERWICK, YORK COUNTY, MAINE, PREPARED FOR: HARVEY A. PAUL, CLIENT ADDRESS: 569 PORTLAND STREET, BERWICK, ME 03901", DATED MAY 1, 2018, PREPARED BY CIVIL CONSULTANTS, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 395, PAGE 18.
  - "MODIFIED MINOR SUBDIVISION OF LAND OF HARVEY PAUL, ROUTE 4 / RANDALL ROAD, BERWICK, MAINE", DATED AUGUST 16, 2000, PREPARED BY CHERYL L. DIONNE, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 258, PAGE 9.
  - "REVISED MINOR SUBDIVISION OF LAND OF HARVEY PAUL, ROUTE 4 / RANDALL ROAD, BERWICK, MAINE", DATED JUNE 2, 1999, PREPARED BY CHERYL L. DIONNE, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 249, PAGE 26.
  - "MINOR SUBDIVISION OF LAND OF HARVEY PAUL, ROUTE 4 / RANDALL ROAD, BERWICK, MAINE", DATED SEPTEMBER 21, 1998, PREPARED BY CHERYL L. DIONNE, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 246, PAGE 4.
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**CERTIFICATION:**  
THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE STANDARDS OF PRACTICE ESTABLISHED BY THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS (02-360 CMR CHAPTER 90, PART 1 & PART II - SEE NOTES HEREON FOR EXCEPTIONS, IF ANY).

\_\_\_\_\_  
MICHAEL P. PEVERETT  
MAINE PROFESSIONAL LAND SURVEYOR #2362  
CIVIL CONSULTANTS  
SOUTH BERWICK, MAINE 03908  
207-384-2550

DATE: MARCH 2, 2020

STATE OF MAINE  
YORK COUNTY ss. REGISTRY OF DEEDS  
RECEIVED \_\_\_\_\_, 20\_\_\_\_  
AT \_\_\_\_\_h, \_\_\_\_\_m, \_\_\_\_\_M, AND RECORDED IN  
PLAN BOOK \_\_\_\_\_, PAGE \_\_\_\_\_  
ATTEST \_\_\_\_\_ REGISTER

PLAN APPROVED BY TOWN OF BERWICK PLANNING BOARD	
_____	CHAIR
_____	
_____	
DATE:	

1" = 100'  
0' 100'

DATE: MARCH 2, 2020  
DRAWN BY: MPP  
CHECKED BY: CHM  
APPROVED BY: MPP

AMENDED SUBDIVISION PLAN  
PROJECT NO: 1618702  
**SD1**  
SHEET: 1 OF 1