

**Property Location:** Existing ROW located in southern portion of Washington. See attached zoning map.  
**Tax Map 1, Lot 12-A**  
**Owner:** Central Maine Power Company  
**Zoning Districts:** Farm & Forest

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## **Part A**

### **Review & Findings Under the Town of Washington Land Use Ordinance**

#### **Article VI District Regulations**

##### **Section 2. Farm and Forest**

*Finding: The planning Board finds that the proposed development is in the Farm and Forest District based on the Washington Districts Map*

**Motion by Steve Ocean second by Katherine Grinnell the provisions of this section have been met 6-0**

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### **Review & Findings Under the Town of Washington Land Use Ordinance**

#### **Article VII General Standards**

##### **Section 1. Environmental**

###### **A. General Requirements**

1. In all districts, if the building will have a septic tank and disposal field, the applicant shall provide evidence of adequate soil conditions for subsurface wastewater disposal by presentation of a completed Maine Department of Human Services Bureau of Health Engineering Site Evaluation Form, commonly referred to as a "plumbing permit."

*Applicant's Statement: N/A, there is no existing or proposed subsurface wastewater disposal system required for an electric line maintenance project.*

**Finding: The planning board finds that the existing wastewater disposal system meets the standards of this section**

2. The Maine State Plumbing Code requirements shall be met.

*Applicant's Statement: N/A, plumbing is not required for an electric line rebuild project.*

**Finding: The planning board finds that the provisions of this section have been met based on the fact that the existing plumbing meets the provisions of this section and that any new internal plumbing will be installed by a licensed plumber and inspected by the town appointed plumbing inspector**

3. The applicable requirements and standards of the Maine Department of Environmental Protection (MDEP) shall be met and required permits acquired prior to construction.

*Applicant's Statement: The expansion will conform to the Maine DEP stormwater law and erosion and sedimentation control law. Standards will be met and permits shall be acquired prior to construction of the applicable improvements.*

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**Finding: The planning board finds that the provisions of this section have been met based on the applicants statement and conditions 7, 9 and 11**

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**B. Water Quality**

No activity shall deposit on or into the ground or discharge to the waters of the state any pollutant that, by itself or in combination with other activities or substances, will impair designated uses such as neighboring wells or the water classification of a water body in accordance with State and Federal regulations or violates State Drinking Water Standards.

*Applicant's Statement: The use does not discharge pollutants. All activities will be in conformance with Maine DEP Standards.*

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**Finding: The planning board finds that the provisions of this section have been met based on the applicants statement and conditions 7, 9 and 11**

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**C Aquifer Protection**

1. To provide an adequate buffer for ground water and allow for filtration of impurities from surface water, except for temporary digging for foundation work, development excavation shall not be any closer than five (5) feet above the maximum seasonal high water level. The applicant shall provide documentation of the groundwater table. Monitoring of groundwater levels and quality to ensure there are no adverse impacts to any water supplies or wells within 500 feet of the site may be required.

*Applicant's Statement: The proposed development activity as well as the use does not involve excavation. The proposed development activities will not excavate closer than five (5) feet above the seasonal high-water level.*

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**Finding: The planning board finds that the proposed development meets the provisions of this section based on the applicants statement and condition 12**

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2. Any new or expansion of non-residential land use activity situated over any part of any sand and gravel aquifer identified in the most recent Town of Washington Comprehensive Plan or by MDEP or Maine Geologic Survey (MGS), hereinafter referred to as "the aquifer", shall develop and follow a written management plan for any contaminants that might pollute the groundwater.

*Applicant's Statement: The proposed use is not over any part of a sand and gravel aquifer identified in the most recent Town of Washington Comprehensive plan or Maine DEP or Maine Geologic Survey.*

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**Finding: The planning board finds that the provisions of this section have been met based on the applicants statement**

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3. No potential pollutant shall be stored above the aquifer unless placed in an approved retention system.

*Applicant's Statement: This section is not applicable, as no aquifer exists in proximity to proposed project area.*

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**Finding: The planning board finds that the provisions of this section have been met based on the fact that existing project is not above an aquifer**

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**D. Storm Water Control**

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1. All new construction and development shall be designed to reflect or resemble, as nearly as possible, natural runoff conditions in terms of volume, velocity and location of runoff. All storm water control (SWC) systems shall be designed so as to have no significant adverse effect on neighboring properties, downstream water quality, soil stability, or public drainage systems. Where possible, existing natural features such as berms, swales, terraces, and wooded areas shall be retained in order to control runoff and encourage infiltration of storm water.

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*Applicant's Statement: All existing drainage ways will be retained and stormwater management will be provided in conformance with Maine DEP Best Management practice.*

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**Finding: The planning board finds the provisions of this section have been met based on the applicants statement and conditions 7, 9 and 11**

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2. The following stormwater standards shall apply to development that exceeds 3,000 square feet of building footprint or has more than 20,000 square feet of impervious area. Agricultural activities and single family dwellings are exempt from these standards.

- a. Storm water drainage systems shall be designed to limit peak discharge from the site to predevelopment levels. The storm water system shall be designed to accommodate peak discharge of the 2, 10, and 25 year frequency, 24 hour duration storms

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*Applicant statement: Post-development peak discharge will not exceed existing condition discharge levels for the 2, 10, and 25 year storm events.*

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**Finding: The planning board finds that the provisions of this section have been met based on the applicants statement and conditions 7, 9 and 11**

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- b. Stormwater measures shall be selected from best practices as described in the "Stormwater Management for Maine, Best Management Practices, MDEP, 1995" or latest revised version thereof.

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*Applicant's Statement: All stormwater measures will be designed in conformance with the current edition of the Maine DEP Stormwater Best Management Practices.*

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**Finding: The planning board finds the provisions of this section have been met based on the applicants statement and conditions 7, 9 and 11**

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- c. A stormwater control plan prepared by a professional engineer registered in the State of Maine, or a certified erosion and sedimentation control professional, according to the requirements of DEP Regulations Chapter 500, "Stormwater Management" and Chapter 502 "Direct Watersheds of Water bodies most at risk from new development" shall be deemed suitable to meet these standards.

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*Applicant's Statement: Stormwater management elements have been designed by a professional engineer in conformance with Chapter 500 and Chapter 502.*

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**Finding: The planning board finds the provisions of this section have been met based on the applicants statement and conditions 7, 9 and 11**

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- d. Storm Water Control systems shall be maintained by the property owner in accordance with this ordinance.  
*Applicant's Statement: The owner will maintain the stormwater system on the schedule required.*
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**Finding: The planning board finds the provisions of this section have been met based on the applicants statement and conditions 7, 9 and 11**

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**E. Phosphorus Control**

The following standard shall apply to all development that exceeds 3,000 square feet of building footprint or has more than 20,000 square feet of impervious area and is within the Watershed Overlay District.

A phosphorus control plan shall be developed in accordance with the design criteria contained in the current edition of "Phosphorus Control in Lake Watersheds: A Technical Guide for Evaluating New Development" published by the Maine Department of Environmental Protection, revised September 1992 or latest revision thereof.

*Applicant's Statement: Not applicable; no buildings or impervious areas are proposed.*

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**Finding: The planning board finds the provisions of this section have been met based on the applicants statement and conditions 7, 9 and 11**

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**F Floodplain**

All development shall comply with the Town of Washington Floodplain Ordinance.

*Applicant's Statement: No part of the property is in the flood zone. (Not applicable)*

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**Finding: The planning board finds that the property is not in a flood plain based on the applicants statement and the CEO's statement that the property in question is not in a flood plain**

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**G. Natural Resource Protection**

Any proposed development shall identify areas as referenced below which shall be examined and the results certified in writing as a part of the application.

1. If any portion of the parcel to be developed has been identified as a Critical Natural Area by the Maine Natural Areas Program or as containing threatened or endangered species of plants or animals by the Maine Department of Inland Fisheries and Wildlife, these areas should not be developed. If development of these areas is proposed because no other reasonable alternative exists, the applicant shall develop a mitigation plan in cooperation with the Maine Department of Conservation (MDOC) and/or the Maine Department of Inland Fisheries and Wildlife (MDIFW) and/or the Maine Department of Environmental Protection (MDEP) and/or the Army Corps of Engineers (ACOE) as appropriate. The Code Enforcement Officer or the Planning Board shall incorporate the provisions of the mitigation plan as conditions of the permit.
  2. If any portion of the parcel to be developed includes areas mapped or identified by the MDIFW as Deer Wintering Areas, the applicant shall consult with the Department or a qualified wildlife biologist on means to limit the impact of the development on the habitat and incorporate those recommendations into the plan.
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3. If any portion of the development contains a wetland as identified by the Town of Washington, the MDEP or listed on the most recent map edition of the National Wetland Inventory Maps, the applicant shall avoid, minimize, or mitigate impacts on the wetland both during and after construction. The applicant shall comply with all applicable state and federal regulations per the Natural Resources Protection Act (NRPA).

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No person shall perform any act or use of the land in a manner which would cause erosion that results in soil or other material reaching a water body or which would have a significant adverse affect on the property of another land owner.

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*Applicant's Statement: No activity is proposed that will impact existing wetlands and no erosion will affect a water body.*

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**Finding: The planning board finds that the provisions of this section are not applicable based on the fact that the property is not located in a Critical Natural Area by the Maine Natural Areas Program or as containing threatened or endangered species of plants or animals by the Maine Department of Inland Fisheries and Wildlife,**

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#### H. Erosion Control

1. All soil disturbance must be conducted in a manner which avoids sediment leaving the property. Development must employ erosion control best management practices. Temporary and permanent erosion control measures shall be selected for the development according to "Maine Erosion and Sediment Control BMPs" (Bureau of Land and Water Quality, MDEP, March 2003, DEPLW0588) or latest revised version thereof, and the provisions of this section.
2. All proposals for development shall submit and follow a written erosion control plan unless the Code Enforcement Officer certifies in writing that the nature of the site and the proposed development poses minimal risk of erosion.
3. The Code Enforcement Officer may establish additional erosion control requirements based upon site conditions and the nature and extent of the construction. These requirements shall be listed on the permit.
4. All temporary erosion control measures shall be installed prior to any digging, soil removal, stripping of vegetation, or soil disturbance. The measures may be installed in phases to match the construction schedule.
5. Additional measures must be installed by the owner in order to address the failure or limited effectiveness of any measure previously installed. These additional measures shall be made a part of the permit.

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*Applicant's Statement: Erosion control requirements are referenced Environmental Guidelines attachment and will be in conformance with this section.*

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**Finding: The planning board finds that the provisions of this section have been met based on the applicants statement and conditions 7, 9 and 11**

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#### I Sanitary and Liquid Waste

1. All land use activities shall provide for the disposal of all solid waste on a timely basis as not to create a health hazard and in an environmentally safe manner.

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2. All necessary Subsurface Wastewater Disposal permits required by State law and regulation shall be obtained by the applicant and filed with the application.

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  3. Internal plumbing permits must be obtained prior to installation of any internal plumbing fixture as required by State law and regulations.

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  4. The specific amount and nature of all industrial or chemical waste to be generated by the proposed operation or development shall be listed in the permit application. Industrial or commercial waste may be discharged only in such quantities and/or quality as to be able to be accepted into the applicable disposal system. Wash water or other process water carrying stone dust, stone particles, silt or other mineral matter shall be treated by an acceptable system. The handling, use and disposal of all industrial and chemical waste shall conform to all applicable state and federal regulations.

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*Applicant's Statement: Not applicable. No plumbing is required, and no solid waste or wastewater will be generated by this project.*

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**Finding: The planning board finds that all sanitary waste will be disposed of by utilizing the existing subsurface Wastewater disposal system and all water to be used as part of the processing will be recycled .**

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**J Material Storage**

1. All outdoor storage areas including areas used for the storage or collection of solid waste, junk automobiles, auto parts, tires, building materials, machinery, sand and gravel, or other such items, shall have screening sufficient so that it cannot be seen from a public way, any residence except the owner's, or any regulated body of water. Walls, fencing, dense plant material, or a combination of material can be used to achieve this intent.

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*Applicant's Statement: Nearest road is 0.80 miles east. Surrounding forest cover will provide sufficient screening from public ways and residences.*

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**Finding: The planning board finds that the provisions of this section have been met based on applicants statement and condition 5**

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2. Areas designed for the outdoor display of items sold on the premises including but not limited to, vehicle sale lots, greenhouse items, and similar activities shall provide for a buffer from the public road right-of-way. The buffer width in the Village District shall be five (5) feet; the buffer width elsewhere shall be a minimum of ten (10) feet.

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*Applicant's Statement: No outdoor displays are planned.*

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**Finding: The planning board finds that the provisions of this section are not applicable based on the fact that there will be no area designed for the outdoor storage of items to be sold**

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3. No material, merchandise, or vehicles may be stored or displayed in the buffer area.

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*Applicant's Statement: No display or storage will occur in the buffer area.*

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**Finding; The planning board finds that the provisions of this section have been met based on the applicants statement and condition 5**

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**K Air Pollution**

1. All air pollution control shall comply with minimum Federal, State and local requirements.  
Emission of dust, dirt, fly ash, fumes, vapors, or gases which could damage human health, animals, vegetation, or property, or which could soil or stain persons or property, at any point beyond the lot line of the commercial or industrial establishment creating that emission shall be prohibited.
3. No land use or development shall be permitted to produce offensive or harmful odors perceptible beyond their lot lines either at ground or habitable elevation. Agricultural uses are exempt from this provision

*Applicant's Statement: Exhaust from equipment will not exceed the emission standard.*

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**Finding; The planning board finds that the provisions of this section have been met based on the applicants statement and condition 2**

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**L. Timber Harvesting**

*Applicant's Statement: Maintenance timber harvesting will be limited to the construction phase.*

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**Finding; The planning board finds that the provisions of this section are not applicable based on the fact that the permit is not for a timber harvest operation**

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**Finding pertaining to Section 1 Environmental. Motion by Steve Ocean second by Katherine Grinnell that based on the finding made the provisions of Section 1 Environmental have been met, motion carried 6-0**

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**Section 2. Abutter Protection**

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The disposal of industrial waste waters shall comply with laws of the State of Maine and the Town of Washington concerning water pollution.

1. All air pollution control shall comply with minimum Federal, State and local requirements.
2. Emission of dust, dirt, fly ash, fumes, vapors, or gases which could damage human health, animals, vegetation, or property, or which could soil or stain persons or property, at any point beyond the lot line of the commercial or industrial establishment creating that emission shall be prohibited.
3. No land use or establishment shall be permitted to produce offensive or harmful odors perceptible beyond their lot lines either at ground or habitable elevation

*Applicant's Statement: No industrial wastes will be disposed of, and no emissions or odors will be generated.*

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**Finding: The planning board finds that the provisions of this section have been met based on the applicants statement and conditions 2 and 3**

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**A. Glare**

**Property Location:** Existing ROW located in southern portion of Washington. See attached zoning map.  
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1. All exterior lighting and all reflective properties of the proposed development will be designed to minimize adverse impact on neighboring properties.
2. No land use or development shall be permitted to produce a strong dazzling light or reflection of that light beyond its lot lines onto neighboring properties, or onto any Public Way so as to impair the vision of the driver of any vehicle upon that Public Way or create a nuisance disturbance for neighboring property owners.
3. All such arrangements shall also comply with applicable federal and State regulations.

*Applicant's Statement: (Not applicable)*

**Finding: The planning board finds that the provisions of this section have been met based on conditions 13 and 14**

#### **B. Outdoor Lighting**

These outdoor lighting standards shall apply to all land use activities except for residential dwellings, and agricultural activities.

1. Lighting fixtures shall be shielded or hooded so that lighting elements are not exposed to normal view by motorist, pedestrians, structures located on adjacent properties. Light shall be directed downward so it does not light up the night sky.
2. No lighting fixture, except for street lights, shall extend beyond a height of 25 feet, as measured from ground level.
3. All exterior lighting and all reflective properties of the proposed development will be designed to minimize adverse impact on neighboring properties.

*Applicant's Statement: (Not applicable) Construction work (which will be temporary) will be performed in daylight hours.*

**Finding: The planning board finds that the provisions of this section have been met based on the applicants statement and conditions 13 and 14**

#### **C. Buffers**

1. Any non-residential, non-agricultural space abutting a residential area shall maintain a buffer strip to prevent adverse effects on environmental or aesthetic qualities of abutting properties. Natural features such as topography, stands of trees, shrubbery, and rock outcroppings shall be maintained to provide a break between the proposed development and abutting properties. When natural features do not exist or are insufficient buffers, the yard shall be landscaped with vegetation, fenced, or screened so the space cannot be seen from the abutting properties.

*Applicant's Statement: The project does not abut any residences and will provide screening from new activity to sidelines.*

**Finding: The provisions of this section have been met based on the applicants statement and condition 5**

2. All buffers shall be properly maintained to meet the preceding standard and the conditions of the permit.



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*Applicant's Statement: Buffers will be retained in their natural state and will not be thinned except to remove hazards.*

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**Finding: The provisions of this section have been met based on the applicants statement and condition 5**

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**D Noise**

The following standards shall apply to all commercial uses over 3,000 square feet, industrial uses, mineral extraction operations junkyards, and commercial outdoor Recreation Facilities.

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*Applicant's Statement: Any noise that is generated will not exceed standards, and will be limited to the construction phase of the project. Once constructed is done, no discernible noise will be generated by the electric transmission line.*

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**Finding: The planning board finds that the provisions of this section have been met based on the applicants statement and condition 6**

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**E. Signs**

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*Applicant's Statement: No signage is proposed. (not applicable)*

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**Finding: The planning board finds that the provisions of this section have been met based on the applicants statement and condition 8**

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**Finding pertaining to Section 2 Abutter protection. Motion by Samuel Collins second by Katherine Grinnell that based on the finding made the provisions of Section 2 Abutter protection, motion carried 6-0**

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**Section 3 - Lot Access**

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**A** All new developed lots shall be provided with an access to the development by means of a driveway, common driveway, lane or road. The specific requirements for each of these access ways are contained in the Town of Washington Highway Entrance Ordinance.

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*Not applicable.*

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**Finding; The planning board finds that the existing driveway is adequate for the proposed use and is subject to condition 15**

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**B** New lots proposed to be created behind a legal lot that has existing town road frontage shall be deemed to comply with the minimum road frontage requirements if it meets the following:

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1. The lot conforms to all the bulk and space requirements of this Ordinance except for road frontage.

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*Applicant's Statement: (Not applicable) No new lot is proposed.*

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**Finding: The planning board finds that the provision of this section are not applicable based on he fact that no new lots are being created.**

2. The lot has access that complies with the requirements for a driveway or common driveway as appropriate.

*Applicant's Statement: (Not applicable) No new lot is proposed.*

**Finding; The planning board finds that the provision of this section is not applicable based on fact that no new driveway is proposed.**

**Finding pertaining to Section 3 Lot Access. Motion by Kristie Grant second by Seth Anderson that based on the finding made the provisions of Section 3 Lot Access have been met, motion carried 6-0**

#### **Section 4 - Historic and Archeological Sites**

A. If any portion of a development has been identified as a site of historic, prehistoric or archeological importance by the Town of Washington Comprehensive Plan, this Ordinance, Maine Historic Preservation Commission or the National Register of Historic Places, appropriate measures for the protection of those resources shall be included in any development design.

*Applicant's Statement: No portion of the property is identified as being of historic or archeological importance.*

**Finding; Then planning board finds that no portion of the property is identified as being of historic or archeological importance.**

B. Any proposed development of sites listed by one of the above listed sources shall require review and comment by the Maine Historic Preservation Commission prior to the issuance of a permit. The Code Enforcement Officer or the Planning Board shall consider any comments and recommendations received from the commission prior to rendering a decision on the permit application.

*Applicant's Statement: Not applicable.*

**Finding; The planning board finds that the provision of this section have been met based on condition 16**

**Finding pertaining to Section 4 Historic and Archeological Sites. Motion by Steve Ocean second by Samuel Collins that based on the finding made the provisions of Section 4 Historic and Archeological Sites, motion carried 6-0**

#### **Article X - Miscellaneous Standards**

**Section 1. Purpose**

**Section 2. Abandoned Vehicles**

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**Section 3. Automobile Graveyard, Automobile Recycling, and Junkyard Operations**

Section 4. Accumulation of Debris and Junk

Section 5. Uninhabitable Structures

Section 6. Yard Sales, Garage Sales, and Flea Markets

Section 7. Adult Business Establishments/Adult Entertainment

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*Applicant's Statement: Not applicable*

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**Finding; The Planning Board finds that the provisions of Article X Miscellaneous Standards is not applicable.  
Motion by Katherine Grinnell second by Kristie Grant, motion carried 6-0**

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**Part B**

**Review & Findings Under the Town of Washington Land Use Ordinance**

**Article XI, Site Plan Review**

**Section 2 Applicability of Site Review, B, 4, States**

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4. The establishment of a new nonresidential use even if no buildings or structures are proposed, including uses such as agri-business, mineral extraction, mineral processing, cemeteries, golf courses, and other nonstructural nonresidential uses.

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*Applicant's Statement: No new, non-residential uses or new buildings are proposed. The existing land-use will not change.*

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**The planning board finds that site plan approval is applicable for the proposed use. Motion by Steve Ocean second by Kristie Grant, motion carried 6-0**

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**Section 3 Review and Approval Authority**

A Preapplication

**Finding: Planning board finds that the provisions of this section has been met and that a preapplication meeting was held on January 10, 2023**

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B. The applicant must prepare and submit a site plan review application, including the development plan and supporting documentation, that meets the submission requirements set forth below. This material must be submitted to the Code Enforcement Officer for initial review.

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*Applicant's Statement: Not applicable.*

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**Finding; The planning board finds that the applicant has submitted the application for site plan review and Land Use application**

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3. As soon as the Board determines that the application is complete, the Board shall: notify the applicant in writing of this finding, meet the notification requirements of subsection (4) below, and place the item on the agenda for substantive review within forty-five (45) days of this finding.
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*Applicant's Statement: No statement*

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**Finding; The planning board finds that the based on it review of the material and review by the planning board the application is complete**

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**D. Independent Review and Advice**

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*Applicant's Statement: The applicant understands the board may elect to have expert advice.*

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**Finding; The planning board finds that based on its review of the material submitted with the application no independent review is necessary**

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**Section 6 Approval Standards and Criteria**

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**A. Utilization of the Site**

The plan for the development must reflect the natural capabilities of the site to support development. Buildings, lots, and support facilities must be clustered in those portions of the site that have the most suitable conditions for development. Environmentally sensitive areas, including but not limited to, wetlands, steep slopes, floodplains, significant wildlife habitats, fisheries, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, and sand and gravel aquifers must be maintained and preserved to the maximum extent. Natural drainage areas must also be preserved to the maximum extent. The development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

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*Applicant's Statement: The previously developed site is to be expanded in conformance to the site's natural limits.*

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**Finding; The planning board finds that the proposed use calls for an expansion of the existing structure in conformity with the site's natural limits**

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**B. Adequacy of the Road System**

1. Vehicular access to the site must be on roads which have adequate capacity to accommodate the additional traffic generated by the development.
    - a. For developments which generate one hundred (100) or more peak hour trips based on the latest edition of the Trip Generation Manual of the Institute of Traffic Engineers, intersections on major access routes to the site within one (1) mile of any entrance road which are functioning at a Level of Service of D or better prior to the development must function at a minimum at Level of Service D after development.
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- b. If any such intersection is functioning at a Level of Service E or lower prior to the development, the project must not reduce the current level of service. This requirement may be waived by the Planning Board if the project is located within a growth area designated in the Town's adopted Comprehensive Plan and the Board determines that the project will not have an unnecessary adverse impact on traffic flow or safety.
- c. A development not meeting this requirement may be approved if the applicant demonstrates that:
  - i. A public agency has committed funds to construct the improvements necessary to bring the level of access to this standard, or
  - ii. The applicant will assume financial responsibility for the improvements necessary to bring the level of service to this standard and will assure the completion of the improvements with a financial guarantee acceptable to the municipality.

*Applicant's Statement: Not Applicable no roads are proposed.*

**Finding: The planning board finds that the provisions of this section have been met based on condition 15**

**C. Access into the Site**

Vehicular access to and from the development must be safe and convenient.

**Motioned by Steve Ocean second by Kristie Grant that the criteria of Article XI Site Plan Review have been satisfied, motion carried 6-0**

- 1. Any driveway or proposed street must be designed so as to provide the minimum sight distance according to the Maine Department of Transportation standards, to the maximum extent possible.

*Applicant's Statement: Not Applicable no roads or driveways are proposed.*

**Finding: The planning board finds that the provisions of this section have been met base on condition 15**

- 2. Points of access and egress must be located to avoid hazardous conflicts with existing turning movements and traffic flows.

*Applicant's Statement: Not Applicable.*

**Finding: The planning board finds that the provisions of this section have been met based the applicants statement and condition 15**

- 3. The grade of any proposed drive or street must be not more than  $\pm 3\%$  for a minimum of two (2) car lengths, or forty (40) feet, from the intersection.

*Applicant's Statement: The existing drive will be utilized and complies with the requirement.*

**Finding: the planning board finds that the provisions of this section have been met based the applicants statement.**

- 4. The intersection of any access/egress drive or proposed street must function:

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- a. At a Level of Service of D following development if the project will generate one thousand (1,000) or more vehicle trips per twenty-four (24) hour period; or
  - b. At a level which will allow safe access into and out of the project if less than one thousand (1,000) trips are generated.
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*Applicant's Statement: The facility creates less than 100 daily trips and the existing entrance complies with the requirement to provide a safe access point into the project.*

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**Finding: The planning board finds that the project will generate less than one thousand trips per day**

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5. Where a lot has frontage on two (2) or more streets, the primary access to and egress from the lot must be provided from the street where there is less potential for traffic congestion and for traffic and pedestrians hazards. Access from other streets may be allowed if it is safe and does not promote shortcutting through the site.
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*Applicant's Statement: This section is not applicable.*

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**Finding: The planning board finds that the proposed use fronts on one street and that the provisions of this section are not applicable**

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6. Where it is necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, the applicant shall be responsible for providing turning lanes, traffic directional islands, and traffic controls within public streets.
- 

*Applicant's Statement: Not applicable, no roads will be crossed.*

---

**Finding: The planning board finds that the provisions of this section have been met base on condition 15**

---

7. Accessways must be designed and have sufficient capacity to avoid queuing of entering vehicles on any public street.
- 

*Applicant's Statement: Not applicable, no roads will be crossed.*

---

**Finding; The planning board finds that the existing access complies with this provision**

---

8. The following criteria must be used to limit the number of driveways serving a proposed project:
    - a. No use which generates less than one hundred (100) vehicle trips per day shall have more than one (1) two-way driveway onto a single roadway. Such driveway must be no greater than thirty (30) feet wide
    - b. No use which generates one hundred (100) or more vehicle trips per day shall have more than two (2) points of entry from and two (2) points of egress to a single roadway. The combined width of all accessways must not exceed sixty (60) feet.
- 

*Applicant's Statement: Not applicable.*

---

**Finding; The planning board finds that based on the estimated traffic flow the existing driveway complies with this section**

---

**Property Location:** Existing ROW located in southern portion of Washington. See attached zoning map.  
**Tax Map 1, Lot 12-A**  
**Owner:** Central Maine Power Company  
**Zoning Districts:** Farm & Forest

---

**D Accessway Location and Spacing**

Accessways must meet the standards of the Washington Driveway Ordinance.

*Applicant's Statement: Not applicable.*

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**Finding: The planning board finds that the Town of Washington Driveway Ordinance does not apply to this application because it is a State Road and must comply with MDOT standards of condition 15**

---

**E Internal Vehicular Circulation**

The layout of the site must provide for the safe movement of passenger, service, and emergency vehicles through the site.

1. Nonresidential projects that will be served by delivery vehicles must provide a clear route for such vehicles with appropriate geometric design to allow turning and backing for at least one tractor with a forty-foot (40') trailer.
  2. Clear routes of access must be provided and maintained for emergency vehicles to and around buildings and must be posted with appropriate signage (fire lane - no parking).
  3. The layout and design of parking areas must provide for safe and convenient circulation of vehicles throughout the lot.
  4. All roadways must be designed to harmonize with the topographic and natural features of the site insofar as practical by minimizing filling, grading, excavation, or other similar activities which result in unstable soil conditions and soil erosion, by fitting the development to the natural contour of the land and avoiding substantial areas of excessive grade and tree removal, and by retaining existing vegetation during construction. The road network must provide for vehicular, pedestrian, and cyclist safety, all season emergency access, snow storage, and delivery and collection services.
- 

*Applicant's Statement: Not applicable.*

---

**Finding: The planning Board finds that previous use provided for compliance with this section and therefore finds that the new use will not require modification for compliance with this section**

---

**F. Parking Layout and Design**

Off Street Parking must conform to the following standards:

- 1 Parking areas must be arranged so that it is not necessary for vehicles to back into the street.
- 

*Applicant's Statement: Not applicable.*

---

**Finding; The planning board finds that the existing parking and driveways will not require backing into the street and therefore the provisions of this section have been met**

---

**Property Location:** Existing ROW located in southern portion of Washington. See attached zoning map.  
**Tax Map 1, Lot 12-A**  
**Owner:** Central Maine Power Company  
**Zoning Districts:** Farm & Forest

- 2 All parking spaces, access drives, and impervious surfaces must be located at least five (5) feet from any side or rear lot line, except where standards for buffer yards require a greater distance or where multiple lots share a common driveway. No parking spaces or asphalt type surface shall be located within five (5) feet of the front property line. Parking lots on adjoining lots may be connected by accessways not exceeding twenty-four (24) feet in width.

*Applicant's Statement: Not applicable.*

**Finding: The planning board finds that the provisions of the section have been met based on proposed parking is greater that 5 feet from any property line and condition 5**

- 3 All parking areas shall meet requirements for handicap parking spaces, one (1) space per twenty-five (25) spaces or fraction thereof.

*Applicant's Statement: Not applicable; no permanent parking areas are proposed.*

**Finding: The planning board finds that the handicap spaces are located on the plan as required by this section.**

- 4 All parking lots greater than fifty (50) spaces shall be properly delineated.

*Applicant's Statement: This section is not applicable.*

**Finding; The planning finds that the provisions of this section are not applicable based on fact that the parking is for less than 50 vehicles**

- 5 Parking stalls and aisle layout must conform to the following standards.

Parking Angle	Stall Width	Skew Width	Stall Depth	Aisle Width	
90 degrees	9' - 0"	18' - 0"	24' - 0"		Two way
60 degrees	8' - 6"	10' - 6"	18' - 0"	16' - 0"	One Way only
45 degrees	8' - 6"	12' - 9"	17' - 6"	12' - 0"	One Way only
30 degrees	8' - 6"	17' - 0"	17' - 0"	12' - 0"	One Way only

*Applicant's Statement: Not applicable; no permanent parking areas are proposed.*

**Finding; The planning finds that the provisions of this section are not applicable based on fact that the parking is for less than 50 vehicles**



**Property Location:** Existing ROW located in southern portion of Washington. See attached zoning map.  
**Tax Map 1, Lot 12-A**  
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**Zoning Districts:** Farm & Forest

- 
- 6 In lots utilizing diagonal parking, the direction of proper traffic flow must be indicated by signs, pavement markings or other permanent indications and maintained as necessary
- 

*Applicant's Statement: Diagonal parking is not proposed. (not applicable)*

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**Finding; The Planning Board finds that the provisions of this section are not applicable based on fact that no diagonal parking is proposed**

---

- 7 Parking areas for nonresidential uses must be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles. Double stack parking may be permitted for resident parking in conjunction with residential uses if both spaces in the stack are assigned to the occupants of the same dwelling unit.
- 

*Applicant's Statement: Stacked parking is not proposed. (not applicable)*

---

**Finding: The Planning Board finds that stacked parking is not proposed and that the provisions of this section have been met**

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- 8 Provisions must be made to restrict the "overhang" of parked vehicles when it might restrict traffic flow on adjacent through roads, restrict pedestrian or bicycle movement on adjacent walkways, or damage landscape materials.
- 

*Applicant's Statement: Not applicable.*

---

**Finding: The Planning Board finds that the provisions of this section have been met based on the fact that the proposed parking will not restrict traffic flow on adjacent through roads, restrict pedestrian or bicycle movement on adjacent walkways, or damage landscape materials.**

---

#### **G Pedestrian Circulation**

The site plan must provide for a system of pedestrian ways within the development appropriate to the type and scale of development. This system must connect the major building entrances/exits with parking areas and with existing sidewalks, if they exist or are planned in the vicinity of the project. The pedestrian network may be located either in the street right-of-way or outside of the right-of-way in open space or recreation areas. The system must be designed to link the project with residential, recreational, and commercial facilities, schools, bus stops, and existing sidewalks in the neighborhood or, when appropriate, to connect with amenities such as parks or open space on or adjacent to the site.

---

*Applicant's Statement: No pedestrian circulation is associated with this activity.(not applicable)*

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**Finding: The planning board finds that there will be no pedestrian circulation associated with this project therefore the provisions of this section have been met**

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#### **H. Stormwater Management**

**Property Location:** Existing ROW located in southern portion of Washington. See attached zoning map.

**Tax Map 1, Lot 12-A**

**Owner:** Central Maine Power Company

**Zoning Districts:** Farm & Forest

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Adequate provisions must be made for the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other surfaces, through a stormwater drainage system and maintenance plan, which must not have adverse impacts on abutting or downstream properties.

1. To the extent possible, the plan must retain stormwater on the site using the natural features of the site.
2. Unless the discharge is directly to the ocean or major river segment, stormwater runoff systems must detain or retain water such that the rate of flow from the site after development does not exceed the predevelopment rate.
3. The applicant must demonstrate that on- and off-site downstream channel or system capacity is sufficient to carry the flow without adverse effects, including but not limited to flooding and erosion of shoreland areas, or that he/she will be responsible for whatever improvements are needed to provide the required increase in capacity and/or mitigation.
4. All natural drainage ways must be preserved at their natural gradients and must not be filled or converted to a closed system unless approved as part of the site plan review.
5. Culverts in the Town's right-of-way must be placed in accordance with the standards of the Washington Driveway Ordinance.
6. The design of the stormwater drainage system must provide for the disposal of stormwater without damage to streets, adjacent properties, downstream properties, soils, and vegetation.
7. The design of the storm drainage systems must be fully cognizant of upstream runoff which must pass over or through the site to be developed and provide for this movement.
8. The biological and chemical properties of the receiving waters must not be degraded by the stormwater runoff from the development site. The use of oil and grease traps in manholes, the use of on-site vegetated waterways, and vegetated buffer strips along waterways and drainage swales, and the reduction in use of deicing salts and fertilizers may be required, especially where the development stormwater discharges into a gravel aquifer area or other water supply source, or a great pond.

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*Applicant's Statement: The natural drainage pattern will be maintained and utilized. Predevelopment peaks will be matched by passing collected stormwater from impervious areas to spreaders and buffers. Stormwater management systems in accordance with Best Management Practices are proposed for the development, there is no anticipated change in the amount of surface water runoff from the site.*

---

**Finding; The planning board finds that based on the applicants statement and conditions 1, 7 and 11, the provisions of this section have been met**

**I. Erosion Control**

1. All building, site, and roadway designs and layouts must harmonize with existing topography and conserve desirable natural surroundings to the fullest extent possible such that filling, excavation and earth moving activity must be kept to a minimum. Parking lots on sloped sites must be terraced to avoid undue cut and fill, and/or the need for retaining walls. Natural vegetation must be preserved and protected wherever possible.

**Property Location:** Existing ROW located in southern portion of Washington. See attached zoning map.  
**Tax Map 1, Lot 12-A**  
**Owner:** Central Maine Power Company  
**Zoning Districts:** Farm & Forest

- 
2. Soil erosion and sedimentation of watercourses and water bodies will be minimized by an active program meeting the requirements of the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, dated March 1991 or subsequent revision.

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*Applicant's Statement: Filling, excavation and earth moving are necessary for the proposed activities onsite. To the extent possible, earth moving is limited. Erosion and Sedimentation control measures are to be installed in accordance with Maine DEP Best Management Practices.*

---

**Finding. The planning board finds the provisions of those section have been met based on the applicants statement and condition 11**

**J. Water Supply**

1. The development must be provided with a system of water supply that provides each use with an adequate supply of water.
2. If the project is to be served by a public water supply, the applicant must secure and submit a written statement from the supplier that the proposed water supply system conforms with its design and construction standards, will not result in an undue burden on the source or distribution system, and will be installed in a manner adequate to provide needed domestic and fire protection flows.

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*Applicant's Statement: Not applicable. The project is a transmission line rebuild.*

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**Finding: The planning board finds that the provisions of this section have been met based on the applicants statement**

**K. Sewage Disposal**

The development must be provided with a method of disposing of sewage which is in compliance with the Maine Subsurface Wastewater Disposal Rules.

1. When two (2) or more lots or buildings in different ownership share the use of a common subsurface disposal system, the system must be owned and maintained in common by an owners' association. Covenants in the deeds for each lot must require mandatory membership in the association and provide for adequate funding of the association to assure proper maintenance of the system.
2. Industrial or commercial wastewater may require pretreatment at the industrial or commercial site in order to render them amenable to public treatment processes. Pretreatment includes, but is not limited to, screening, grinding, sedimentation, pH adjustment, surface skimming, chemical oxidation and reduction and dilution.

---

*Applicant's Statement: There is no public wastewater treatment service available to the site and no industrial or commercial wastewater will be generated. No common system is proposed. (not applicable)*

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**Finding: The planning board finds that the provisions of this section have been met based on the adequacy of the existing subsurface wastewater disposal system**

**L. Utilities**

**Property Location:** Existing ROW located in southern portion of Washington. See attached zoning map.  
**Tax Map 1, Lot 12-A**  
**Owner:** Central Maine Power Company  
**Zoning Districts:** Farm & Forest

---

The development must be provided with electrical, telephone, and telecommunication service adequate to meet the anticipated use of the project. New utility lines and facilities must be screened from view to the extent feasible. If the service in the street or on adjoining lots is underground, the new service must be placed underground.

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*Applicant's Statement: The existing facility is served by the necessary electrical, telephone, and telecommunication utilities, presently routed onto the property.*

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**Finding: The planning board finds that based on the applicants statement the existing utilities are adequate for the proposed use.**

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**M. Natural Features**

The landscape must be preserved in its natural state insofar as practical by minimizing tree removal, disturbance and compaction of soil, and by retaining existing vegetation insofar as practical during construction. Extensive grading and filling must be avoided as far as possible.

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*Applicant's Statement: Existing vegetation is to remain as practical for the proposed use; removal of vegetation will be limited to ROW maintenance trimming and removal of danger trees*

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**Finding: The planning board finds that based on the applicants statement the existing natural features are adequate for the proposed use and condition 5**

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**N. Groundwater Protection**

The proposed site development and use must not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water supply systems. Applicants whose projects involve on-site water supply or sewage disposal systems with a capacity of two thousand (2,000) gallons per day or greater must demonstrate that the groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of Maine.

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*Applicant's Statement: The proposed use will not adversely impact the quality or quantity of groundwater and the onsite water demands will not exceed 2,000 gallons per day.*

---

**Finding: The planning board finds that the provisions of this section have been met based on the fact that there will be little or no impact on the groundwater based on the fact that the project is served by an approved functioning waste water disposal system.**

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**O. Water Quality Protection**

All aspects of the project must be designed so that:

1. No person shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that may run off, seep, percolate, or wash into surface or groundwaters so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.

**Property Location:** Existing ROW located in southern portion of Washington. See attached zoning map.

**Tax Map 1, Lot 12-A**

**Owner:** Central Maine Power Company

**Zoning Districts:** Farm & Forest

- 
2. All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials, must meet the standards of the Maine Department of Environmental Protection and the State Fire Marshall's Office.

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  3. If the project is located within the watershed of a 'body of water most at risk from development' as identified by the Maine Department of Environmental Protection (DEP), the project must comply with the standards of the DEP with respect to the export of total suspended solids and/or phosphorous.

---

*Applicant's Statement: The project is located within the Watershed of Medomak River in Waldoboro. No waterbodies classified as "at risk from development" are located within this watershed. Stormwater quality will be enhanced by discharges through buffers.*

---

**Finding; The planning board finds that based on the applicants statement and conditions 7,9 and 11 the provisions of this section have been met**

**P. Hazardous, Special and Radioactive Materials**

1. The handling, storage, and use of all materials identified by the standards of a federal or state agency as hazardous, special or radioactive must be done in accordance with the standards of these agencies.

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2. All materials must be stored in a manner and location which is in compliance with appropriate rules, regulations, and codes of the Maine Department of Public Safety and other appropriate federal, state, and local regulations.

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*Applicant's Statement: The project will not store any hazardous, special or radioactive waste. Materials will be stored in and located in compliance with all appropriate rules, regulations and codes.*

---

**Finding: The planning board finds that the provisions of this section have been met based on applicants statement**

**Q. Shoreland Relationship**

The development must not adversely affect the water quality or shoreline of any adjacent water body. The development plan must provide for access to abutting navigable water bodies for the use of the occupants of the development as appropriate.

---

*Applicant's Statement: There are no water bodies adjacent to the project ROW and the project will not affect access to navigable water bodies.*

---

**Finding: The planning board finds that the provisions of this section are not applicable based on the fact the property is not located in a shoreland district**

**R. Technical and Financial Capacity**

The applicant must demonstrate that he/she has the financial and technical capacity to carry out the project in accordance with this ordinance and the approved plan.

---

*Applicant's Statement: The applicant has developed and presently operates a similar facility.*

---

**Property Location:** Existing ROW located in southern portion of Washington. See attached zoning map.  
**Tax Map 1, Lot 12-A**  
**Owner:** Central Maine Power Company  
**Zoning Districts:** Farm & Forest

---

**Finding: The planning board finds that based on its review of the material submitted that the applicant has met the provisions of this section**

---

**S. Solid Waste Disposal**

The proposed development must provide for adequate disposal of solid wastes. All solid waste must be disposed of at a licensed disposal facility having adequate capacity to accept the project's wastes.

*Applicant's Statement: Applicant will contract with a solid waste carting contractor to remove solid waste generated during construction. No solid waste will be generated during typical operation of the rebuilt electric transmission line.*

---

**Finding: The planning Board finds that all solid waste will be disposed of at an approved Solid Waste Facility**

---

**T. Historic and Archaeological Resources**

If any portion of the site has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

*Applicant's Statement: No portion of the property contains historic or archaeological resources.*

---

**Finding; Then planning board finds that no portion of the property is identified as being of historic or archeological importance.**

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**U. Flood Plain Management**

If any portion of the site is located within a special flood hazard area as identified by the Federal Emergency Management Agency, all use and development of that portion of the site must be consistent with the Town of Washington, Maine, Floodplain Ordinance.

*Applicant's Statement: No portion of the property is in a special flood hazard area.*

---

**Finding: The planning board finds that the property is not in a flood plain based on the applicants statement and the CEO's statement that the property in question is not in a flood plain**

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**Finding: Motion by Steve Ocean second by Katherine Grinnell that the provisions of Section 6 Approval Standards and Criteria have been met, motion carried 6-0**

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## Conditions

1. The applicable requirements and standards of the Maine s Department of Environmental Protection (MDEP) shall be met and required permits acquired prior to construction of the affected improvements. (Washington Land Use Ordinance Article VI, Section 1, A, 3)
2. All air pollution control shall comply with minimum Federal, State and local requirements. (Town of Washington land Use Ordinance Article VI, Section 2, 1)
3. No land use or establishment shall be permitted to produce offensive or harmful odors perceptible beyond their lot lines either at ground or habitable elevation. (Town of Washington land Use Ordinance Article VI, Section 2, 3)
4. Noise levels for all safety signals, warning devices, and emergency pressure relief valves and other emergency activity shall comply with OSHA requirements
5. The proposed buffer required by §2 Performance Standards — All Operations, 3 D Buffers and setbacks, 4. Must be maintained
6. Noise shall be measured with a sound level meter meeting the standards of the American National Standards Institute (ANSI S1.4-1961) "American Standard Specification for General Purpose Sound Level Meters." The instrument shall be set to the appropriate weight response scales and the meter to the slow response. Measurements shall be conducted in accordance with ANSI S1.2-1962 "American Standard Method for the Physical Measurement of Sound."
7. The applicable requirements and standards of the Maine Dept. of Environmental Protection (MDEP) shall be met and required permits acquired prior to construction of the affected improvements.
8. Any sign which are to be located on site must meet the provisions of The Town of Washington Land Use Ordinance Article VII, Section 2, E Signs
9. The applicant / operator must be in compliance with all Maine Department of Environmental Protection Laws, Rules and Regulations
10. The applicant must comply with the standards of the state and federal regulations and state drinking water standards
11. All soil disturbances and projects are subject to most recent edition of Maine Erosion and Sediment Control Handbook for Construction.
12. No excavation shall be closer that five (5) feet above seasonal high water level
13. All exterior lighting and all reflective properties will be designed to minimize adverse impact on neighboring properties
14. No land use development shall be permitted to produce a strong dazzling light or reflection of light onto neighboring properties or onto any public way so as to impair the vision of the driver of any vehicle upon a public way or create a nuisance disturbance for neighboring property owners
15. Approval of Mane Dot for any driveway entrance or use
16. All solid waste shall be disposed of at an off site approve solid waste facility
17. This Finding of Fact Order must be recorded on the Knox County Registry of Deeds within 30 days of approval

**Decision of the Washington Planning Board**

**Motion by Steve Ocean second by Katherine Grinnell to accept the application with all conditions to be voted on and approved by the board. Motion carried. 6-0**

**The following members of the planning participated in the review of the application and**

*List members voting*

**Steve Ocean  
Katherine Grinnell  
Seth Anderson  
Samuel Collins  
Kristie Grant**



**Steve Ocean, Planning Board chair on behalf of  
the voting members listed above**



**Date**

**Acknowledgement**

**State of Maine**

**Knox, ss**

**Personally appeared Steve Ocean, in his capacity of Chairman of the Town of Washington Planning Board, who acknowledged this as his free act and deed in his capacity as the Chairman of the Town of Washington planning Board, before me**



**Mary E. Anderson  
NOTARY PUBLIC  
State of Maine  
My Commission Expires 3/15/2030**