



## *City of Caribou, Maine*

*Municipal Building*

*25 High Street*

*Caribou, ME 04736*

*Telephone (207) 493-3324*

*Fax (207) 498-3954*

### **AGENDA Caribou Planning Board Regular Meeting Thursday February 9, 2023, at 6:00 p.m.**

The meeting will be broadcast on Cable Channel 1301 and the City's YouTube Channel. Public Comments submitted prior to the meeting no later than 4:00 pm on Thursday, February 9, 2023, will be read during the meeting. Send comments to CEO Ken Murchison at [kmurchison@cariboumaine.org](mailto:kmurchison@cariboumaine.org) or call 493-5967.

- I. Call Meeting to Order, Determine Quorum
- II. Public Hearings
- III. Approval of minutes
  - a. Review and Approval of January 12, 2023, Planning Board Meeting Minutes
- IV. Council Liaison Updates
- V. New Business
  - a. Introduction a Site Design Review Permit Application by Saré Damboise 808 West Presque Isle Road Map 1 Lot 7-B in the R-3 District. Ms. Dambois would like to create an event center from a converted storage building.
  - b. Land Use Table, Proposed Zoning, Riverfront Development District next steps.
    - i. Rezoning for Caribou trailer Park, rezoning for Solman Street and Comprehensive Plan Process
  - c. Scheduling for February Comprehensive Plan Required Section Meetings, Natural Resources.
  - d. Planning Board Goals for 2023
- VI. Old Business
  - a. The Home Occupation Permit Application by Patrick Enright 808 Madawaska Road Map 21 Lot 6-A in the R-3 District was not completed. The Public Hearing should be scheduled for the Planning Board meeting on March 9<sup>th</sup>, 2023.
  - b. Day Care Application for Sonya's Kids Daycare 16 Dahlgren Street, Tax Map 032 Lot 111 in the R-1 District, update.
  - c. Proposed "City of Caribou Cannabis Business Ordinance" Council Guidance.
  - d. Report on Problem Properties/15 Prospect Street
- VII. Staff Report
  - a. Caribou Trailer Park Closure/West Gate Villa Clean Up
    - i. Report on Court date (02/07/2023) for Lot 87
  - b. Next Riverfront Renaissance Committee Meeting February 14, 2023
- VIII. Adjournment





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[www.cariboumaine.org](http://www.cariboumaine.org)

### **Caribou Planning Board Meeting Minutes Thursday, January 12, 2023 @ 5:30 pm City Council Chambers**

**Members Present:** Steve Wentworth, Frank McElwain, Amanda Jandreau, Liz Mockler, David Corriveau,

**Members Absent:** Eric Hitchcock, Council Liaison Dan Bagley

**Others in Attendance:** Ken Murchison, Troy Haney, Jim Gamage, Melissa Lizotte

- I. **Welcome new and returning Board Members,** The Board welcomed newly appointed member Francis Liz Mockler and returning reappointed members Frank McElwain and David Corriveau

- a. Swearing in of Appointed Officials, City Clerk Danielle Brissette Swore in our appointed Board Members Mockler, McElwain and Corriveau. Thank you, Danielle!

Acting Chairperson Jandreau called the meeting to order at 5:30 pm.

### **II. Election of Officers for 2022**

- a. Chairperson

- i. Dave Corriveau Nominated Amanda Jandreau to serve as Chairperson. Seconded by Steve Wentworth

**Roll Call Vote:** Steve Wentworth –Yes; Frank McElwain – Yes; Liz Mockler –Yes; David Corriveau – Yes  
Nomination passed by majority vote.

- b. Vice Chairperson

- i. Dave Corriveau Nominated Frank McElwain to serve as Vice Chairperson. Seconded by Steve Wentworth

**Roll Call Vote:** Steve Wentworth –Yes; Frank McElwain – Yes; Liz Mockler –Yes; David Corriveau – Yes  
Nomination passed by majority vote.

- c. Secretary

- i. Dave Corriveau Nominated Liz Mockler to serve as Secretary. Seconded by Frank McElwain

**Roll Call Vote:** Steve Wentworth –Yes; Frank McElwain – Yes; Liz Mockler –Yes; David Corriveau – Yes  
Nomination passed by majority vote.

### **III. Setting Meeting Dates/Times for 2023**

- a. Meeting time and days will remain the second Thursday each month, but the time will now be at 6:00 pm in the Caribou City Council Chambers with other workshop meetings as needed by consensus.
- b. Introductions were made among Planning Board Members.

### **IV. Call Meeting to Order, Determine Quorum**

- a. Chairperson Jandreau called the meeting to order at 6:00 pm. A quorum was present.

## **V. Public Hearings**

None

## **VI. Approval of minutes**

### **a. Review and Approval of December 8, 2022, Planning Board Meeting**

Steve Wentworth moved to approve the minutes for the December 8, 2022, Caribou Planning Board Meeting as presented, David Corriveau Seconded the motion to approve.

#### **Roll Call Vote:**

Steve Wentworth – Yes; Frank McElwain – Yes; David Corriveau – Yes; Amanda Jandreau – Yes, Liz Mockler – Abstained Passed by majority vote.

Point of order, CEO to verify that with a seven-person board that a passing (majority) vote of requires four votes to the affirmative. CEO did verify with the City Clerk that a four-person affirmative vote is appropriate to pass a motion.

## **VII. Council Liaison Update**

None

## **VIII. New Business**

- a. Presentation of Reuse Proposal for the Caribou Trailer Park Property by Troy Haney and Jim Gamage.
  - i. Troy Haney address the Planning Board with a proposal for the reuse of the Caribou Trailer Park which would entail placement of cabins, a common lodge and possibly RV parking and a short term rental development. Troy introduced Jim Gamage owner of 180 Seal Coating and partner in this venture and together they outlined the project. Initially there would be 40 lots (pads) constructed and 25 cabins placed. The remaining pads would be available for RV parking until such time as full build out could be accomplished.

The development would feature a common lodge at the Main Street side of the Property and up to 40 cabins that would be available for short term rental for travelers from the adjacent airport, traveling health care professionals, trail enthusiasts, and other seasonal and event tourists.

This site would offer:

- Its own water source.

- CUD sewer service available at Main Street

- Close trail access

- Location close in proximity to city center, CARY Hospital, and Airport

Challenges:

- FAA control of property

- City purchase and sales or lease agreement

- Rezoning

- Site Design Review

- Timing

The presentation was well received by the Planning Board and was taken under advisement for future action as the development advances.

- b. Introduction a Home Occupation Permit Application by Patrick Enright 808 Madawaska Road Map 21 Lot 6-A in the R-3 District.

Mr. Enright would like to do an Automotive Detailing business from his home at 808 Madawaska Road. His application was somewhat late to present in public hearing for January, but we should have all of the elements for his application ready for a public hearing scheduled for the February Planning Board Meeting 02/09/2023.

David Corriveau moved to approve the minutes for the December 8, 2022, Caribou Planning Board Meeting as presented, Frank McElwain Seconded the motion to approve.

**Roll Call Vote:**

Steve Wentworth – Yes; Frank McElwain – Yes; David Corriveau – Yes, Liz Mockler – Yes  
Motion passed.

**IX. Old Business**

- a. Day Care Application for Sonya's Kids Daycare 16 Dahlgren Street, Tax Map 032 Lot 111 in the R-1 District Update Still unresolved, applicant is seeking legal assistance.
- b. Proposed "City of Caribou Cannabis Business Ordinance" Council Guidance and set Council/Planning Board workshop Dates. Write Letter to Council Requesting guidance on whether to proceed with Cannabis Ordinance process or remain with our current code.
- c. Proposed Planning Board/Riverfront Renaissance Committee Meeting, schedule for January 24<sup>th</sup>, 2023, at 6:00 in the Council Chambers.
- d. January Comprehensive Plan Required Section Meetings, Historic and Archaeological Resources scheduled for January 27<sup>th</sup>, 2023.
- e. Land Use Table (Clean Copy). Thank you, Dan Bagley. We will review with the CRRC at the 01/24/2023 joint meeting.
- f. Report on Problem Properties/15 Prospect Street.
  - i. Problem properties/Inspection of 15 Prospect Street. Since the inspection of 15 Prospect Street on December 3, 2022 by CEO Kenneth Murchison and Caribou Fire and Ambulance Chief Scott Susi staff has scheduled a meeting with City Legal Counsel to seek guidance on next steps for January 17<sup>th</sup> 2023.
  - ii. Notice of Violation was served by hand at 91 Collins Street property Maintenance violations, garbage.

**X. Staff Report**

- a. Caribou Trailer Park Closure/West Gate Villa Clean Up
  - i. A court date has been scheduled for February 7<sup>th</sup> for the nonpayment of lot rent from Lot 87. The roof was lost in a windstorm at the Peterson trailer at lot 82. Just three mobile home remain at the Caribou Trailer Park
- b. Final Inspection at 60 Access Highway, now home of Evergreen Lanes/Rendezvous Restaurant a certificate of occupancy has been issued by the city. The business is conducting a series of soft openings and will open to the public very soon. Also of interest, Diodo's Pizza is now open at the former Reno's Pizza location.
- c. Next Riverfront Renaissance Committee Meeting January 24, 2023.
- d. **Next Meeting January 12, 2023**

**XI. 2023 Planning Board Goals**

Discuss Next Meeting

**XII. Next Meeting**

- a. February 9, 2023, at 6:00 pm at the Caribou City Council Chambers

The Planning Board is currently not fully appointed, we would like to have one more volunteer appointed to be a full Board. If anyone knows or can think of someone that would be interested in serving, please contact the CEO.

Mandatory Freedom of Access training must be completed by all elected and appointed City Officials. Please review the “Frequently asked Questions and Answers” document provided and sign the certificate of completion and return to the CEO.

**XIII. Adjournment**

Motion by Dave Corriveau to adjourn, seconded by Frank McEwain

**Roll Call Vote:**

Steve Wentworth – Yes; Frank McElwain – Yes; David Corriveau – Yes, Liz Mockler – Yes

Motion passed.

Meeting Adjourned 7:20 pm.

Respectfully Submitted,

Francis Liz Mockler  
Planning Board Secretary

AJ/KM

## Ken Murchison

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**From:** Saré Damboise <sare.f.damboise@gmail.com>  
**Sent:** Monday, October 31, 2022 2:35 PM  
**To:** Ken Murchison  
**Subject:** Caribou Venue

Good Afternoon Mr. Murchison,

I wanted to reach out to you in regard to a project I started at 734 W Presque Isle Rd. Originally my father and I were building a garage for myself and my husband but plans changed.

I've had a few events out of the location and have worked with the State Fire Marshal, Scott Cyr.

I was wondering what, if any steps, are required by the City of Caribou.

Email works best for a point of communication as I work the same hours as you and usually cannot take personal calls. If a call is needed, I can be reached at 551-2770

Thank you,

Saré Kinsey

[This email comes from outside of your organization. Please be cautious opening or clicking on any attachments or links.]







## City of Caribou Site Design Review Application

Planning & Code Enforcement  
25 High Street  
Caribou, Maine 04736  
(207) 493-5967  
kmurchison@cariboumaine.org

Site Design Review will be scheduled only after the Code Enforcement Officer and/or Planning Board has determined that the application is complete, and all necessary information to review the proposal and render a decision has been provided by the applicant. Applicants are advised to meet with the Code Enforcement Officer prior to submitting the application for review. For applications that must be approved by the Planning Board, the review process includes at least one (1) presentation to the Planning Board, and possibly additional presentations, until all required information has been provided. Applicant may be required to tender a performance guarantee prior to, or as a condition of, project approval.

**Note to Applicant:** Complete this application and return it with the required documents. In addition, the required non-refundable fee must be returned along with this completed application. Make checks payable to: "City of Caribou", in the amount of \$90.00 plus \$10.00 per 2000 square feet of total gross floor area for commercial, industrial or other non residential applications. Please refer to Section 13-300 Site Design Review Ordinance for further details concerning requirements and submission/approval processes.

### Please print or type all information

Name of Property Owner / Developer: Saré Kinsey

Development Name: \_\_\_\_\_

Location of Property (Street Address): 724 West Presque Isle Rd

City of Caribou      Tax Map: 001      Lot: 007      Zone: B

### Applicant Information

Brief description of project:

Event venue in Caribou, ME. Initial use was going to be a garage  
then another route was taken.

Person and address to which all correspondence regarding this application should be sent:

Name: Sare Kinsey Phone: 207-551-2770

Address: 15 Arrostook Way E-mail: Sare.f.danboise@gmail.com

City, State, Zip: Fort Fairfield, ME 04742

If applicant is a corporation, check if licensed in Maine ( ☐ ) Yes ( ☐ ) No ( ☒ ) N/A  
(Attach copy of Secretary of State Registration)

Name of Land Surveyor, Engineer, Architect or other Design Professionals. (attach list if needed)

\_\_\_\_\_  
Phone: \_\_\_\_\_

\_\_\_\_\_  
Phone: \_\_\_\_\_

What legal interest does the applicant have in property to be developed (ownership, owners representative, option, purchase & sales contract, etc?)

100% owner

(Attach supportive legal documentation)

### General Information

Aroostook County Registry Deeds: Book # \_\_\_\_\_ Page # \_\_\_\_\_ (attach copy of deed)

What interest does the applicant have in any abutting property? \_\_\_\_\_

Is any portion of the property within 250 feet of the normal high water line of a lake, pond, river, or wetland or within 75 feet of any stream? ( ☐ ) Yes ( ☒ ) No

Is any portion of the property within a Flood Hazard Zone? ( ☐ ) Yes ( ☒ ) No

Total area or acreage of parcel: 23 Total area or acreage to be developed: \_\_\_\_\_

Has this land been part of subdivision in the past five years? ( ☐ ) Yes ( ☒ ) No

Identify existing use(s) of land (farmland, woodlot, residential, etc.)

Residential

Are there restrictive covenants in the deed, or to be placed in the deed (attach list) ( ☐ ) Yes ( ☒ ) No

Does the applicant propose to dedicate any recreation area, or common lands? ( ☐ ) Yes ( ☒ ) No

Recreation area(s) Estimated Area & Description: \_\_\_\_\_

Common land(s) Estimated Area & Description: \_\_\_\_\_

Anticipated start date for construction: Month / Year \_\_\_\_ / \_\_\_\_ Completion: \_\_\_\_ / \_\_\_\_

Does any portion of the proposal cross or abut an adjoining municipal line? ☐ Yes ☒ No

Does this development require extension of public services? ☐ Yes ☒ No

Roads: ☐ Storm Drainage: ☐ Sidewalks: ☐ Sewer Lines: ☐ Other: ☐

Estimated cost for infrastructure improvements: \$ \_\_\_\_\_

Water Supply: Private Well: ☒ Public Water Supply: ☐ None: ☐

Sewage Disposal: Private SSWD: ☒ Public Sewer: ☐ None: ☐

Estimated sewage disposal gallons per day: (\_\_\_\_\_/day)

Do the plans require review by the State Fire Marshal Office? ☒ Yes ☐ No  
(Attach Barrier Free and Construction Permits from SFMO)

Have the plans been reviewed & approved by the Caribou Fire Chief? ☐ Yes ☐ No

Does the building have an automatic sprinkler system? ☐ Yes ☒ No ☐ N/A

Does the building have an automatic fire detection system? ☒ Yes ☐ No ☐ N/A

Will the development require a hydrant or dry hydrant fire pond? ☐ Yes ☒ No

#### Concept Plan Review Requirements

At the request of the applicant, the Code Enforcement Officer or Planning Board may review the application first as a Concept Plan. Concept Plan Review is intended to ensure that the proposed plan is in conformance with the Caribou Comprehensive Plan and all City ordinances. If the application must be approved by the Planning Board, the completed application and Concept Plan must be delivered to the Code Enforcement Office no less than 21 days prior to the next scheduled meeting of the Planning Board, in order for it to be considered during that meeting. Concept Plan Review applications must include the following items:

1. \_\_\_\_\_ Name and address of the owner of record and applicant (if different).
2. \_\_\_\_\_ Name of the proposed development and location.
3. \_\_\_\_\_ Names and addresses of all property owners within 500 feet of the property.
4. \_\_\_\_\_ A copy of the deed to the property, option to purchase the property, or other documentation to demonstrate right, title, or interest in the property on the part of the applicant.
5. \_\_\_\_\_ Names and addresses of all consultants working on the project.

6. \_\_\_\_\_ 1 complete set of plans, delivered in Adobe Acrobat, high-resolution .pdf file(s)

Plans to be included:

Boundary Survey  
Storm Water Management  
Erosion and Sediment Control  
Finish Grading Plan  
Site Improvement Detail  
Building Elevations and Structural Plans

7. \_\_\_\_\_ Plans to show the following elements for review:

- \_\_\_\_\_ a. Graphic scale and north arrow.
- \_\_\_\_\_ b. Location and dimensions of any existing or proposed easements and copies of existing covenants or deed restrictions.
- \_\_\_\_\_ c. Name, registration number, and seal of the land surveyor, architect, engineer, and/or similar professional who prepared the Plan.
- \_\_\_\_\_ d. All property boundaries, land area, and zoning designations of the site, regardless of whether all or part is being developed at this time.
- \_\_\_\_\_ e. Size, shape, and location of existing and proposed buildings on the site including dimensions of the buildings and setbacks from property lines.
- \_\_\_\_\_ f. Access for Emergency Vehicles, location and layout design of vehicular parking, circulation areas, loading areas, and walkways including curb cuts, driveways, parking space and vehicle turn around areas.
- \_\_\_\_\_ g. Location and names of streets and rights-of-way within 200' and adjacent to the proposed development.
- \_\_\_\_\_ h. Proposed finish grades and graphic arrows indicating the direction of storm water runoff.
- \_\_\_\_\_ i. Conceptual treatment of on and off site storm water management facilities.
- \_\_\_\_\_ j. Location and sizes of existing and proposed sewer and water services including connections.
- \_\_\_\_\_ k. Conceptual treatment of landscaping buffers, screens, and plantings.
- \_\_\_\_\_ l. Location of outdoor storage areas, fences, signage and accessory structures.
- \_\_\_\_\_ m. Context map illustrating the area surrounding the site that will be affected by the proposal, including all streets, sidewalks, intersections, storm water drainage ways, sanitary sewer lines and pump stations, nearby properties and buildings, zoning districts, and geographic features such as, but not limited to, wetlands, natural features, historic sites, flood plains, significant scenic areas, and significant wildlife habitats as provided in the Comprehensive Plan.
- \_\_\_\_\_ n. All proposed signage and exterior lighting, including the location, size and wording of all signs, type of exterior lights, radius of light, manufacturer's specifications sheet, and the ground level intensity in foot- candles of all exterior lights. If no signage or exterior lighting is proposed, state "n/a."

### Final Plan Review Requirements

Upon determination that the application is complete, the Code Enforcement Officer or Planning Board (by majority vote) will schedule a Final Plan Review. If additional information or changes are required by the Code Enforcement Officer or Planning Board following a Concept Plan Review (if applicable), a complete set of revised plans must be provided for the Final Plan Review. If the application must be approved by the Planning Board, plans must be delivered to the Code Enforcement Office at least 21 days prior to the next scheduled Planning Board meeting, in order to be considered during that meeting.

Final Plan Review requires three (3) 24" X 36" sets of plans. If the application must be approved by the Planning Board, an area designated for all seven (7) Planning Board Member signatures must be provided on the plans. Otherwise, an area designated for the Code Enforcement Officer signature must be provided.

If the Code Enforcement Officer or Planning Board determines that a third party review is necessary to make a sound decision, the applicant will be responsible for any fees incurred for the third party review.

During the Final Plan Review, the Code Enforcement Officer or Chairman of the Planning Board (or designee) ensures that all elements of review 7-a. through 7-n. above, and all criteria of the Final Plan Review A. through AA. below have been addressed. If the application must be approved by the Planning Board, then the Chairman may call for a motion to Approve, Approve with Conditions, Deny, or Table the application. Otherwise, the Code Enforcement Officer renders a decision, based on his/her review.

If the Final Plan is approved by the Code Enforcement Officer or Planning Board, no work may commence for a period of 30 days following the date of approval, to allow sufficient time for potential appeal(s) to the decision.

A request to the Planning Board to reconsider a decision must be filed within 10 days of the decision that is to be reconsidered. A vote to reconsider and the action taken on that reconsideration must occur and be completed within 45 days of the date of the vote on the original decision. The Planning Board may conduct additional hearings and receive additional evidence and testimony, as provided.

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

Signature of Applicant: Sari Kinsey Date: 12-15-2022

Final Plan Review application was determined to be complete on: \_\_\_\_\_ Date: \_\_\_\_\_

Final Plan Review	Date: _____	<u>Yes</u>	<u>No</u>	<u>N/A</u>
A. Conformance with Comprehensive Plan		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Traffic		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Site Access		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Parking & Vehicle Circulation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. Pedestrian Circulation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<u>Yes</u>	<u>No</u>	<u>N/A</u>
F. Site Conditions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G. Open Space	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Sanitary Sewage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I. Water	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Emergency Vehicle Access	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
K. Waste Disposal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
L. Buffering	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. Natural Areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N. Exterior Lighting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O. Stormwater Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
P. Erosion & Sediment Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Q. Buildings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R. Existing Landscaping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S. Infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
T. Advertising Features	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
U. Design Relationship to Site & Surrounding Properties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
V. Scenic Vistas & Areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
W. Utilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
X. Mineral Exploration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Y. Phosphorus Export	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Z. General Requirements (ref 13-700)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AA. Access Management, Off-Street Parking, Loading, and Road Design and Construction (ref 13-710)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**City of Caribou, Maine  
Site Design Review**

Site Design Review for: \_\_\_\_\_

Address: \_\_\_\_\_

**Decision by the Caribou Code Enforcement Officer**

On \_\_\_\_\_ (date) the Code Enforcement Officer conducted the Final Plan Review for the property or project referenced above.

The application was: ☐ Denied ☐ Approved ☐ Approved with Conditions

Signed: \_\_\_\_\_ Code Enforcement Officer

**Decision by the Caribou Planning Board**

On \_\_\_\_\_ (date) the members of the Caribou Planning Board conducted the Final Plan Review for the property or project referenced above.

The application was: ☐ Denied ☐ Approved ☐ Approved with Conditions

Signed: \_\_\_\_\_ Planning Board Chairman

\_\_\_\_\_ Planning Board Member

\_\_\_\_\_ Planning Board Member

\_\_\_\_\_ Planning Board Member

\_\_\_\_\_ Planning Board Member

\_\_\_\_\_ Planning Board Member

\_\_\_\_\_ Planning Board Member

**Condition(s) of Approval:**

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

**Reason(s) for Denial:**

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





**QUITCLAIM DEED**  
(Without Covenant <Release>)

KNOW ALL MEN BY THESE PRESENTS,

That **Francis L. Damboise**, of Caribou, County of Aroostook, State of Maine, (herein referred to as Grantor, in consideration of one dollar and other valuable considerations, paid by **Saré Kinsey** (herein after referred to as Grantee), and whose mailing address is 15 Aroostook Way, Fort Fairfield, Maine 04742, the receipt whereof Grantor) does hereby acknowledge, does hereby remise, release, bargain, sell and convey and forever quitclaim unto the said Grantee her heirs and assigns forever, a certain lot or parcel of land situated in the County of Aroostook, State of Maine:

A certain lot or parcel of land situated on the easterly side of the West Presque Isle Road and being a part of Lot Seventy-eight (78), Township "H", Range 2, now Caribou, Aroostook County, Maine, and being further bounded and described as follows to wit:

Beginning at a three (3) inch iron bar found on the easterly line of the West Presque Isle Road marking the northwesterly corner of land conveyed to Edmond Theriault, Jr. and Cindy Brittenham-Theriault by Deed of James W. Tucker, Jr. and Vicki L. Tucker as recorded in the Southern District of the Aroostook County Registry of Deeds in Book 3536, Page 278; thence on a Maine State Grid North bearing of North three degrees fourteen minutes West (N 3° 14' W) along the easterly line of the West Presque Isle Road six hundred ninety-five (695) feet to an iron pipe set; thence North eighty-eight degrees eighteen minutes East (N 88° 18' E) one thousand three hundred fifteen (1,315) feet to an iron pipe set; thence South twenty-two degrees nineteen minutes East (S 22° 19' E) seven hundred twenty (720) feet to an iron pipe set on the southerly line of Lot Seventy-eight (78); thence South eighty-seven degrees thirty-two minutes West (S 87° 32' W) along the land of Matthew Griffeth as recorded in Book 3748, Page 113 and along the land of Theriault one thousand five hundred fifty (1,550) feet to the point of beginning. Containing twenty-two and fifty-four hundredths (22.54) acres.

All iron pipes set are one (1) inch by thirty-six (36) inch black iron pipe set two to two and one-half (2-2 1/2) feet into the ground with a yellow plastic identification cap #1219 affixed to the top.

Being the same premises described in a Warranty Deed dated August 14, 2020, recorded at Book 6052, Page 74, Southern District Aroostook Registry of Deeds.

To have and to hold the same, together with all the privileges and appurtenances thereof to the said Grantee, her heirs and assigns, to their own use and behoof forever.

In Witness Whereof, I the said Francis L. Damboise, and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set my hand(s) this 21 day of September in the year of our Lord two thousand and twenty-two (2022).

Signed, Sealed and Delivered

in presence of

  
WITNESS


  
FRANCIS L. DAMBOISE  
GRANTOR

STATE OF MAINE,  
AROOSTOOK, ss:

September 21, 2022

Personally appeared the above named Francis L. Damboise and acknowledged the above instrument to be his free act and deed.

Before me,

  
Richard L. Currier  
Notary Public  
My Commission Expires: 11/6/22

**ENCLOSURE**

**Date:** September 26, 2022

**RE:** Francis Damboise to Saré Kinsey

We enclose the following: Discharge of Mortgage recorded at Book 6373, Page 327 and  
Quitclaim Deed recorded at Book 6373, Page 93, Southern District Aroostook Registry of Deeds.

**TO:** Saré Kinsey  
15 Aroostook Way  
Fort Fairfield, ME 04742

Richard L. Currier, Esq.  
**CURRIER, TRASK & DUNLEAVY**  
*Attorneys at Law*  
55 North Street  
Presque Isle, ME 04769  
Phone: (207) 764-4193 Fax: (207) 764-7593  
E-Mail: [rcurrier@curriertrask.com](mailto:rcurrier@curriertrask.com)

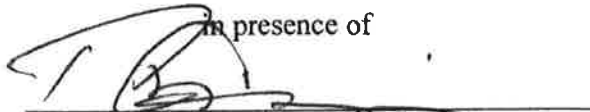
**DISCHARGE OF MORTGAGE**

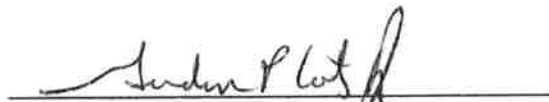
**KNOW ALL MEN BY THESE PRESENTS,**

That **Gordon P. Coty, Jr.**, of Ashland, County of Aroostook, State of Maine, (Mortgagee), owner of a certain mortgage given by **Francis L. Damboise and Saré Kinsey** to Gordon P. Coty, Jr., dated August 14, 2020, and recorded in the Southern District Aroostook Registry of Deeds, Book 6052, Page 76, does hereby acknowledge that he has received full payment and satisfaction of the same and of the debt thereby secured, and in consideration thereof does hereby cancel and discharge said mortgage, and release unto the said Francis L. Damboise and Saré Kinsey, their heirs and assigns forever the premises therein described.

In Witness Whereof, the said Gordon P. Coty, Jr. has hereunto set his hand(s) and seal(s) this 22 day of September in the year of our Lord two thousand and twenty-two (2022).

Signed, Sealed and Delivered

  
WITNESS


  
GORDON P. COTY, JR.

STATE OF MAINE  
AROOSTOOK, ss:

September 22, 2022

Personally appeared the above named Gordon P. Coty, Jr. and acknowledged the above instrument to be his free act and deed.

Before me,

  
Richard L. Currier  
Notary Public  
My Commission Expires: 11/6/22

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services  
Division of Health Engineering  
(207) 287-5872 FAX (207) 287-4172

<b>PROPERTY LOCATION</b>		<b>&gt;&gt; CAUTION: PERMIT REQUIRED - ATTACH IN SPACE BELOW &lt;&lt;</b>	
City, Town, or Plantation	Caribou	<b>CARIBOU</b> Date Permit Issued: <u>9-12-08</u> Local Plumbing Inspector Signature: <u>[Signature]</u> PERMIT # 1669 TOWN COPY \$ <u>1100.00</u> FEE Double Fee Charged <input type="checkbox"/> L.P.I. # <u>785</u>	Th t
Street or Road	West Presque Isle Road		
Subdivision, Lot #			
<b>OWNER / APPLICANT INFORMATION</b>			
Name (last, first, MI)	Cote, Gordon	Owner <input type="checkbox"/>	Applicant <input checked="" type="checkbox"/>
Mailing Address of Owner / Applicant	P.O. Box 2339 Ashland, Me. 04732		
Daytime Tel. #	207-435-2491 O. 551-6162 C.		
<b>OWNER OR APPLICANT STATEMENT</b>			
I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a permit. Signature of Owner or Applicant: <u>[Signature]</u> Date: <u>9-12-08</u>		<b>CAUTION: INSPECTION REQUIRED</b> I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application. Local Plumbing Inspector Signature: <u>[Signature]</u> (1st) date approved: <u>10-22-08</u> (2nd) date approved: <u>10-32-08</u>	

PERMIT INFORMATION			
<b>TYPE OF APPLICATION</b>		<b>THIS APPLICATION REQUIRES</b>	
<input checked="" type="checkbox"/> 1. First Time System <input type="checkbox"/> 2. Replacement System Type replaced: _____ Year installed: _____ <input type="checkbox"/> 3. Expanded System <input type="checkbox"/> a. Minor Expansion <input type="checkbox"/> b. Major Expansion <input type="checkbox"/> 4. Experimental System <input type="checkbox"/> 5. Seasonal Conversion		<input checked="" type="checkbox"/> 1. No Rule Variance <input type="checkbox"/> 2. First Time System Variance <input type="checkbox"/> a. Local Plumbing Inspector Approval <input type="checkbox"/> b. State & Local Plumbing Inspector Approval <input type="checkbox"/> 3. Replacement System Variance <input type="checkbox"/> a. Local Plumbing Inspector Approval <input type="checkbox"/> b. State & Local Plumbing Inspector Approval <input type="checkbox"/> 4. Minimum Lot Size Variance <input type="checkbox"/> 5. Seasonal Conversion Permit	
<b>SIZE OF PROPERTY</b>		<b>DISPOSAL SYSTEM TO SERVE</b>	
23± <input type="checkbox"/> SQ. FT. <input checked="" type="checkbox"/> ACRES		<input checked="" type="checkbox"/> 1. Single Family Dwelling Unit, No. of Bedrooms: <u>3</u> <input type="checkbox"/> 2. Multiple Family Dwelling, No. of Units: _____ <input type="checkbox"/> 3. Other: _____ (specify)	
<b>SHORE LAND ZONING</b>		<b>TYPE OF WATER SUPPLY</b>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> 1. Drilled Well <input type="checkbox"/> 2. Dug Well <input type="checkbox"/> 3. Private <input type="checkbox"/> 4. Public <input type="checkbox"/> 5. Other	

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)			
<b>TREATMENT TANK</b>		<b>DISPOSAL FIELD TYPE &amp; SIZE</b>	
<input checked="" type="checkbox"/> 1. Concrete <input checked="" type="checkbox"/> a. Regular <input type="checkbox"/> b. Low Profile <input type="checkbox"/> 2. Plastic <input type="checkbox"/> 3. Other: _____ CAPACITY: <u>1500</u> GAL.		<input checked="" type="checkbox"/> 1. Stone Bed <input type="checkbox"/> 2. Stone Trench <input type="checkbox"/> 3. Proprietary Device <input type="checkbox"/> a. Cluster array <input type="checkbox"/> c. Linear <input type="checkbox"/> b. Regular load <input type="checkbox"/> d. H-20 load <input type="checkbox"/> 4. Other: _____ SIZE: <u>1125</u> sq. ft. <input type="checkbox"/> lin. ft.	
<b>SOIL DATA &amp; DESIGN CLASS</b>		<b>GARBAGE DISPOSAL UNIT</b>	
PROFILE CONDITION DESIGN <u>1 / B / 1</u> at Observation Hole # <u>TP-2</u> Depth <u>50"</u> Depth of of Most Limiting Soil Factor <u>pit</u>		<input type="checkbox"/> 1. No <input checked="" type="checkbox"/> 2. Yes <input type="checkbox"/> 3. Maybe If Yes or Maybe, specify one below: <input type="checkbox"/> a. multi-compartment tank <input type="checkbox"/> b. _____ tanks in series <input checked="" type="checkbox"/> c. increase in tank capacity <input type="checkbox"/> d. Filter on Tank Outlet	
<b>EFFLUENT / EJECTOR PUMP</b>		<b>DESIGN FLOW</b>	
<input checked="" type="checkbox"/> 1. Not Required <input type="checkbox"/> 2. May Be Required <input type="checkbox"/> 3. Required Specify only for engineered systems: DOSE: _____ gallons		<u>270</u> gallons per day BASED ON: <input checked="" type="checkbox"/> 1. Table 501.1 (dwelling unit(s)) <input type="checkbox"/> 2. Table 501.2 (other facilities) SHOW CALCULATIONS — for other facilities — <u>3 Bedrooms at 90</u> <u>gallons = 270 gallons</u> <u>per day</u> <input type="checkbox"/> 3. Section 503.0 (meter readings) ATTACH WATER METER DATA	
		<b>LATITUDE AND LONGITUDE</b>	
		at center of disposal area Lat. <u>47° 47' 23.0"</u> Lon. <u>68° 01' 25.7"</u> if g.p.s. state margin error: <u>14'</u> ±	

SITE EVALUATOR STATEMENT		
I certify that on <u>4-02-07</u> (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).		
Site Evaluator Signature: <u>[Signature]</u> WILLIAM K. HERSEY Site Evaluator Name Printed	SE #: <u>60</u> (207) 498-2108 Telephone Number	Date: <u>5-4-06</u> SoilDogger@Juno.com E-mail Address

Note: Changes to or deviations from the design should be confirmed with the Site Evaluator.

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services  
Division of Health Engineering  
(207) 287-5672 FAX (207) 287-4172

Town, City, Plantation  
Caribou

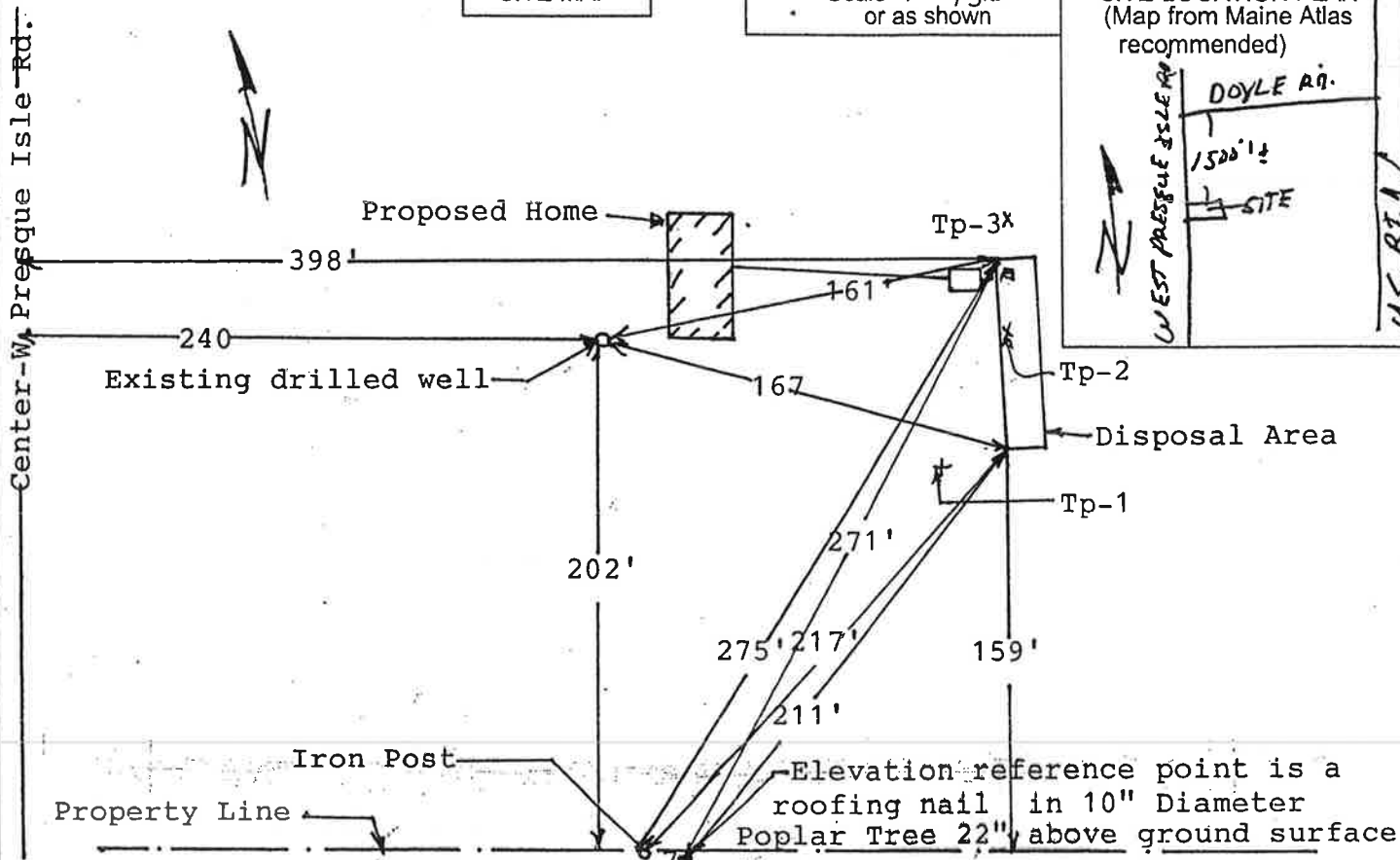
Street, Road, Subdivision  
West Presque Isle Road

Owner's Name  
Cote, Gordon

## SITE MAP

Scale 1" = 75 ft.  
or as shown

## SITE LOCATION PLAN (Map from Maine Atlas recommended)



## SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole <u>1</u>				<input checked="" type="checkbox"/> Test Pit	<input type="checkbox"/> Boring
<u>        </u> " Depth of Organic Horizon Above Mineral Soil					
DEPTH BELOW MINERAL SOIL SURFACE (inches)	Texture	Consistency	Color	Mottling	
	Gravelly Loam	Friable	Brown		
	Loamy Sketel		Yellowish Brown		
Shaly silt Loam to 56"					
Soil Classification		Slope	Limiting	<input type="checkbox"/> Ground Water	
1	B	6 %	Factor	<input type="checkbox"/> Restrictive Layer	
Profile	Condition		50	<input type="checkbox"/> Bedrock	
				<input checked="" type="checkbox"/> Pit Depth	

Observation Hole 2 ☒ Test Pit ☐ Boring

" Depth of Organic Horizon Above Mineral Soil

DEPTH BELOW MINERAL SOIL SURFACE (inches)	Texture	Consistency	Color	Mottling
	Gravelly		Brown	
	Silt			
	Loam	Friable	Yellowish	
			Brown	
	Loamy			
	Sketel			
	</			

*William G. Nease*  
Site Evaluator Signature

60  
SE #

5-4-06  
Date

Page 2 of 4  
HHE-200

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services  
Division of Health Engineering  
(207) 287-5672 FAX (207) 287-4172

Town, City, Plantation

Caribou

Street, Road, Subdivision

West Presque Isle Road

Owner's Name

Cote, Gordon

Property Line

SUBSURFACE WASTEWATER DISPOSAL PLAN

Scale 1" = 20 ft.

Installation consists of a 15 feet wide by 75 feet long stone and pipe bed

Fill Requirements

- A=0"
- B=0"
- C= 8"
- D=10"

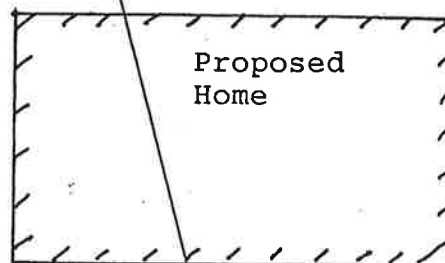
Iron Post

Elevation reference point is a roofing nail in 10" Diameter Poplar Tree 22" above ground surface

Toe or edge of fill

Sealed 1500 gallon concrete septic tank

20' Optional Distribution Box



4" Line to proposed home

## Notes:

- 1: Installation to comply with chapter 8 attached
- 2: Do not use wheeled vehicles on disposal area during installation
- 3: Contractor to field verify that cut and/or fill requirements and the construction elevations shown on pages three and four are consistent

## FILL REQUIREMENTS

Depth of fill (Upslope) 00"  
Depth of fill (Downslope) 3'8" - 10"

## CONSTRUCTION ELEVATIONS

Finish Grade Elevation - 89" - 96"  
Top of Distribution Pipe - 104"  
Bottom of Disposal Area - 115"

## ELEVATION REFERENCE POINT

Location & Description SEE ABOVE  
Reference Elevation 00"

SEE PAGE FOUR FOR CROSS-SECTION

*William K. Hays*  
Site Evaluator Signature

60

SE #

5-4-06

Date

Page 3 of 4  
HHE-200

Town, City, Plantation Caribou	Street, Road, Subdivision West Presque Isle Road	Owner's Name Cote, Gordon	<b>SUBSURFACE WASTEWATER DISPOSAL SYSTEM CROSS SECTION</b>
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**CROWN SURFACE @ 3%, LOAM WITH 4" TOPSOIL, RAKE, SEED & MULCH ALL DISTURBED AREAS**

**FILTER FABRIC WITH MINIMUM WEIGHT OF 4.0 OZ/YD<sup>2</sup> OVERLAPPED 6", OR 2" COMPRESSED HAY**

**SCALE:**  
HORIZONTAL: 1" = 5'  
VERTICAL: 1" = 5'

The diagram shows a cross-section of the disposal system. From top to bottom, the layers are:  
 - Crown Surface: 3% slope, loam with 4" topsoil, raked, seeded, and mulched.  
 - Filter Fabric: Minimum weight of 4.0 oz/yd², overlapped 6" or 2" compressed hay.  
 - Backfill: Scarified and mixed with 4" of original soil to create a transition layer.  
 - Distribution Pipe: 4" perforated PVC pipe spaced 5' apart, 12" clean, uniformly graded, stone 1 1/2" diameter.  
 - Stone Bed: 12" thick, cut 26" to bottom of stone bed.  
 - Rototill Soils: Under stone before placing stone.  
 - All Fill: Under, around, and over stone (except for topsoil for seeding) to be gravelly coarse sand with gravel fragments up to 3" diameter.

**NOTES:**

- REMOVE SOD BENEATH BED & BACKFILL EXTENSIONS AND ROTOTILL TO LOOSEN PACKED SOILS.
- PLACE FOUR INCHES OF BACKFILL UNDER DISPOSAL AREA & BACKFILL EXTENSIONS AND MIX WITH FOUR INCHES OF NATIVE SOILS USING A ROTOTILLER OR EXCAVATOR TEETH. THIS PROCEDURE ENHANCES THE INFILTRATION OF EFFLUENT INTO THE NATIVE SOILS.
- PLACE REMAINING BACKFILL, COMPACTING ONLY SUFFICIENTLY TO PREVENT FURTHER SETTLING.
- CONSTRUCT 3" WIDE SHOULDER AROUND PERIMETER BEFORE PLACING STONE TO PREVENT DRIBBLING OF STONE OUTSIDE OF BED AREA WHICH MAY RESULT IN SEEPAGE AROUND THE BED EDGE.
- BOTTOM OF DISTRIBUTION PIPE TO BE 7" ABOVE BOTTOM OF STONE.
- LIME & FERTILIZE WITH APPROPRIATE SEED TO ESTABLISH SOD AND PREVENT EROSION. ONCE SEEDED, MULCH ALL DISTURBED AREAS.
- CONTRACTOR TO FIELD VERIFY THAT BOTTOM OF DISPOSAL AREA CONSTRUCTION ELEVATIONS AND CUT AND/OR FILL REQUIREMENTS ARE CONSISTENT WITH THOSE SHOWN ABOVE.
- RECOMMENDATION: INSULATE TOP OF SEPTIC TANK WITH 2" POLYSTYRENE TO RAISE DIGESTION TEMPERATURES RESULTING IN MORE COMPLETE WASTEWATER TREATMENT.

**CONSTRUCTION ELEVATIONS**

Finish Grade Elevation	- 89' - 96"
Top of Distribution Pipe	- 104'
Bottom of Disposal Area	- 115'

ELEVATION REFERENCE POINT (E.R.P.)    00"

Site Evaluator Signature \_\_\_\_\_

Date \_\_\_\_\_

SE # \_\_\_\_\_

Page 4 of 4



## DISPOSAL FIELD CONSTRUCTION TECHNIQUES

## SECTION 800.0 GENERAL

**800.1 Intent:** This Chapter governs the installation of disposal fields.

**800.2 General:** On sites with fine soil textures, excavations that expose the bottom and sidewall area of the disposal field shall not be carried out when the soil moisture content is above the plastic limit except when correcting a nuisance, there is no practical alternative, the plumbing inspector agrees and special construction techniques are used. The absolute plastic limit can be estimated by rolling the soil with the fingers. If the soil forms a wire or rod 1/8th of an inch in diameter and does not crumble when handled, the soil moisture content is too high to proceed with the excavation.

**800.3 Dig Safe Law:** The "Dig Safe Law" 23 MRSA §3360-A places certain notification requirements on any person doing excavations. Excavation is broadly defined to mean any operation in which earth, rock or other material on or below the ground is moved or otherwise displaced by means of power tools, power equipment or explosives and including grading, trenching, digging, ditching, drilling, auguring, tunneling, scraping and cable or pipe driving, except tilling of the soil and gardening or agricultural purposes. For a free Dig Safe in Maine information kit, contact the Maine Public Utilities Commission: 1-800-452-4699 [www.state.me.us/mpuc](http://www.state.me.us/mpuc) - email: [maine.puc@maine.gov](mailto:maine.puc@maine.gov).

## SECTION 801.0 SITE PREPARATION

**801.1 Site preparation requirements:** Prior to the placement of any backfill material, the ground surface shall be prepared as follows:

**801.2 Soil erosion and sediment control:** In areas adjacent to a water body or wetlands, preventative erosion and sediment control measures should be employed consistent with Section 1504.0.

**801.3 Clearing:** Vegetation shall be cut and removed from the area where backfill material is to be placed.

**801.4 Scarify the site:** Where possible, the area under the disposal field and backfill extensions shall be plowed or disked to produce a thoroughly roughened surface. Plowing shall be done parallel to the topographic contour in such a direction that each plow furrow will be thrown up-slope. The soil should be broken up to a depth of 6 to 8 inches. Alternatively, a roto-tiller or the teeth of a backhoe may be used.

**801.5 Transitional horizon:** On sites where the backfill material is coarser than the original soil, a minimum of 4 inches of backfill materials must be mixed (by plowing, disking or roto-tilling) into the original soil to form a transitional horizon beneath the disposal area footprint and all side and down slope fill extensions.

**801.6 Fill large holes:** If large holes are left as a result of stump and/or stone removal, these holes shall be filled with suitable backfill material that meets the requirements of Subsection 803.2.

**801.7 Surface water diversion:** Surface water shall be diverted away from the disposal field site.

## SECTION 802.0 EXCAVATION

**802.1 Excavation requirements:** Any excavation required for the installation of a disposal field shall comply with all the requirements in this Section.

**802.2 Bottom of disposal field:** The bottom of each disposal field shall be installed at the elevation specified on the permit. It shall be maintained to a level grade no greater than 2 inches within 100 feet. Note: The bottom of a disposal field serves as the final stage of the distribution network.

**802.3 Avoid unnecessary compaction:** Excavation shall be carried out in a manner that will avoid unnecessary compaction of both sidewalls and bottom area. Heavy equipment, especially rubber tired vehicles such as front-end loaders, should not be driven over the exposed bottom of the disposal field. Excavation should be carried out, when possible, by a back-hoe operating from outside the perimeter of the previously excavated portions of the disposal fields.

**802.4 Reopen smeared or compacted bottom or sidewall surfaces:** If any portion of the bottom or sidewalls becomes smeared or compacted, that portion

must be scarified to reopen soil pores. Rototilling may be necessary to reach the limit of compacted soil depth.

**802.5 Weather conditions:** Work should be scheduled so that excavated areas are not exposed to rainfall or wind-blown silt. Any loose soil or debris that is washed or otherwise deposited within the excavation shall be carefully removed prior to backfilling. Additionally, disposal fields should not be installed in frozen ground or when the ambient air temperature is below freezing, especially if construction will take place over several days.

## SECTION 803.0 INSTALLATION

**803.1 Construction:** The installer of the system shall make certain that the system and all its component parts are installed in conformance with the requirements of this code, the plan prepared by the site evaluator, and with any special engineering design requirements approved or required by the Department under Chapter 19.

**803.2 Soil and backfill material:** The installer of the system shall make certain that the construction and installation are performed without adversely affecting the capacity of the soil or backfill material to adequately absorb or treat the septic tank effluent.

## SECTION 804.0 BACKFILL PLACEMENT FOR DISPOSAL AREAS INCLUDING FILL EXTENSIONS

**804.1 General:** Selection and placement of backfill shall comply with the requirements of this section.

**804.2 Backfill standards:** The backfill material shall be a coarse sand to a gravelly coarse sand which meets the following requirements:

**804.2.1 Coarse fragments:** The upper limit of coarse fragments shall be 3 inches in diameter and approximately 5% by volume;

**804.2.2 Textural analysis:** The soil texture for backfill, unless otherwise authorized by this code, is coarse sand to gravelly coarse sand with approximately 4 to 8% of the sand, silt and clay fraction passing a #200 sieve. The upper limit of clay sized particles in the sand, silt, and clay fraction shall be approximately 2%. The backfill shall contain approximately 15% to 30% (by weight) coarse fragments (gravel 2 mm to 3 inches).

**804.2.3 Field Determination of backfill:** Due to the difficulty of obtaining sieve analyses and the variability of backfill material, the following procedures can be used in the field to determine the suitability of backfill material. The backfill is suitable if the soil texture is loose single grains, the individual sand grains can be readily seen (similar to salt or sugar grains) and felt, and the following conditions are observed: If squeezed in the hand when dry, it will fall apart when the pressure is released but has enough fines to stain the lines in the palm of the hand; or, if squeezed when moist, it will form a cast that will crumble when touched and bears very careful handling; and it does not form a ribbon between the thumb and forefinger but has enough fines to stain the lines in the palm of the hand.

**804.2.4 Coarser material beneath or beside disposal system:** Stone meeting the requirements of Section 805.2 may be placed immediately adjacent to the disposal field provided that the rest of the backfill material meets the requirements of Subsection 804.2. If used beneath the disposal field, it shall be considered part of the disposal field for determining the separation between the limiting factor and the bottom of the disposal system.

**804.2.5 Fill material placement above disposal system:** Immediately above the filter fabric, hay or proprietary devices, fill is required as specified on the plans. It shall be a minimum of 8 inches in thickness (including cover material).

**804.2.6 Cover material:** Immediately above the backfill or fill material, at least 4" of soil or soil and soil amendment mix, suitable for establishment of a good vegetative cover, shall be placed over the entire disturbed soil area, including fill extensions.

**804.3 Disposal fields installed completely in the original ground:** If the disposal field is completely installed in original ground, the backfill material shall

## Fill Estimation Worksheet

William K. Hersey

292 Hardison Road

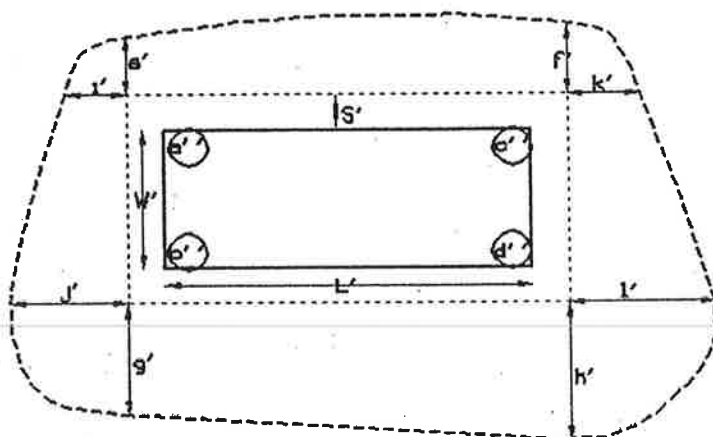
Caribou, Me. 04736

207-498-2108

E-Mail: soildogger@juno.com

Town: Caribou  
 Project owner/applicant: Cote, Gordon  
 Address: P.O. Box 2339  
Ashland, Me. 04732

This worksheet is being provided as a complimentary tool to assist in estimating the **approximate** amount of fill required to construct the proposed system. This worksheet does not substitute for a personal visit to the site for your own estimate. These calculations are intended to serve as a check to your work. Site features beyond the model (terrain) can vary to effect model projections.



Length (L)	<u>75</u> feet
Width (W)	<u>15</u> feet
Shoulder (S)	<u>3</u> feet
<u>Depth of fill:</u>	
upper left (a)	<u>0</u> inches
upper right (b)	<u>0</u> inches
lower left (c)	<u>12</u> inches
lower right (d)	<u>15</u> inches
<u>Fill Extension:</u>	
left up (e)	<u>0</u> feet
right up (f)	<u>0</u> feet
left down (g)	<u>5</u> feet
right down (h)	<u>6</u> feet
upper left (i)	<u>0</u> feet
lower left (j)	<u>4</u> feet
upper right (k)	<u>0</u> feet
lower right (l)	<u>5</u> feet
Cost of fill per yard= \$ <u>X.XX</u>	

Body	36 cubic yards
Fill Down	10 cubic yards
Fill Up	0 cubic yards
Fill left	1 cubic yards
Fill right	1 cubic yards
Fill upleft	0 cubic yards
Fill upright	0 cubic yards
Fill downleft	1 cubic yards
Fill downright	1 cubic yards

SubTotal=	50 cubic yards
Shrinkage %=	15 %
Total Backfill	58 cubic yards

Adjusted cost of Total  
 Backfill=

XX.xx

# Future Land Use Plan

## Future Land Use Plan

Goal: To encourage orderly growth and development in appropriate areas of each community, while protecting the state's rural character, making efficient use of public services, and preventing development sprawl.

<i>Policies</i>	<i>Strategies</i>	<i>Responsibility</i>	<i>Implementation</i>
To coordinate the community's land use strategies with other local and regional land use planning efforts.	Assign responsibility for implementing the Future Land Use Plan to the appropriate committee, board or municipal official.	Planning Board	Ongoing
To support the locations, types, scales, and intensities of land uses the community desires as stated in its vision.	Amend Land Use Ordinances to align with Future Land Use Plan	Planning Board/Code Enforcement Officer	2015
To support the level of financial commitment necessary to provide needed infrastructure in growth areas.	Include in the Capital Investment Plan anticipated municipal capital investments needed to support proposed land uses.	City Council	Ongoing
To establish efficient permitting procedures, especially in growth	Meet with neighboring communities to coordinate land use designations and regulatory and non-regulatory strategies.	City Manager	Ongoing
To protect critical rural and critical waterfront areas from the impacts of development.	Provide the Code Enforcement Officer with the tools, training, and support necessary to enforce land use regulations, and ensure that the Code Enforcement Officer is certified in accordance with 30-A M.R.S.A. §4451.	City Manager	Ongoing
	Track new development in the community by type and location	Code Enforcement Officer	Ongoing
	Direct a minimum of 75% of new municipal growth-related capital investments into designated growth areas identified in the Future Land Use Plan	City Council/City Manager	Ongoing
	Periodically (at least every five years) evaluate implementation of the plan in accordance with Section 2.7.	Planning Board	2019

## **GROWTH AREAS & IMPLEMENTATION**

The urban core of Caribou is the area to which growth will be directed during the 10 year planning period. The growth anticipated will be a mix of new growth and infill however will primarily be commercial. Primary areas include the riverfront, which will transition from an industrial to a commercial use, as well as the site known as the “Birds Eye” site transitioning to a new commercial site that will accommodate any large-scale (i.e. “big box”) type retail development that is currently being sought by the City. Small scale and specialty retail will be located in the traditional downtown which has a high enough vacancy rate and space availability to accommodate projected growth during the planning period.

Residential growth will be limited to area within and immediately adjacent to the urban core. There exists a large amount of properties for sale in the urban core and that trend is anticipated to continue. Furthermore open lots are available for development into single or multi-family residential uses throughout the urban core therefore substantial residential construction is not anticipated and should be limited to the urban core. Currently several areas zoned residential exist that should be rezoned as rural as intended subdivisions were never developed and likely will not be developed during the planning period.

City has adequate space available for growth, even substantial commercial, industrial, and residential growth, within and immediately adjacent to the urban core that would not require additional municipal infrastructure. The goal of the City during the planning period should be to utilize these existing sites and areas so as to add to the tax base without increasing the level of investment. Much of Caribou’s infrastructure was designed for the community when it had a population totaling over 12,000 people; with just over 8,100 residents as of 2014 the City can grow substantially without increasing infrastructure.

The Future Land Use Plan will require condensing multiple district designations down to primarily 4 uses as well as rezoning some residential and commercial zones that are no longer utilized as such to rural zones. Land use ordinances will need to be changed to accommodate the streamlined zoning districts as well as reducing regulatory controls in the urban core while increasing setbacks and other requirements in the rural areas of town to reduce the potential for growth in infrastructure-costly parts of town.

### **Critical Natural Resources**

The City of Caribou has identified the Collins Pond area as a critical natural resource. Surrounded by high density development Collins Pond could be remediated to increase public access and use as well as improving the ecological conditions of the pond. The possibility exists for fishing in Collins Pond if the pond were to be dredged and stocked after some environmental repair. Given the Collins Pond walking path is an important recreational trail for the City the restoration of the Pond will enhance the walking path and increase its utilization and care.

The City should begin investigating grant opportunities to dredge Collins Pond and begin capital reserve savings towards matches or ultimately project completion with municipal funds. Restoration of Collins Pond would add usage and density right at the center of the urban core and adds activities to the downtown area.

## **LAND USE DISTRICTS**

### **Special Development Zones**

Special Development Zones are areas that could see large scale growth and development however the City does not want to limit the specific type of growth or development as a variety of options would suit the city’s overall development plan as well as nearby neighborhoods.

The city has two special development zones. These two zones are sites that are currently developable or will shortly be in a position to be developed and can accommodate large-scale growth with minimal or no municipal infrastructure investment. Both sites, one being the riverfront area and the other being the former “Birds Eye” site, are currently equipped with water and sewer, rail access, high visibility, near downtown, and have served previous industrial uses.

These two sites represent the best case scenario for large projects to be built with no infrastructure expansions, thus creating self-sustaining tax bases. If residential development were to take place in either site the focus shall be on large apartment/condo complexes that will accommodate up to several hundred residents in each area; however this much residential growth is not anticipated. There is further benefit from removing the riverfront area from industrial uses, most of which have faded, to more sustainable commercial/retail uses.

## **Residential District**

The Residential District encompasses most of the older residential neighborhoods and is located within convenient reach of business facilities. The District is expected to contain most of higher density single-family type dwellings likely to be needed by the community as well as multi-family or apartment type dwellings likely to be needed by the community. Certain additional uses which meet the requirements of this Ordinance may be permitted which will contribute to balanced neighborhoods and enhance the attractiveness of the community.

Caribou wants to maintain clean, safe, and healthy neighborhoods that are adaptable to a changing demographic need including more seniors and smaller families, while maintaining opportunities for easy entry into the housing and rental market. Combining the two residential districts into one simplifies zoning for both the city and prospective builders and allows housing to develop throughout the City core in a manner consistent to meet the changing demographics of the City.

Currently the areas zoned R-1 and R-2 that will become the new residential zone has the capacity for development infill and new residential developments in pockets throughout many neighborhoods. This infill is highly desirable as it brings more people into the greater downtown area and does not require additional infrastructure expansions. Certain residential areas could accommodate in-laws, split lots, and replacement of outdated housing stock or replacement of unused buildings to condense housing into the City’s core neighborhoods.

Merging two residential districts into one does not change the desired use of the area in question. At one point in time the primary distinction was to keep multi-family homes in one residential zone and single family homes in a separate zone. With changing demographics however larger single family homes are more readily used and reused as conversions to multifamily homes as many residents, both seniors and young families are looking to downsize and older larger homes in the center of town are less fiscally feasible as single family homes. In effect the intended uses for two separate zones have shifted and created a conglomeration of housing. Continuing to allow any type of housing in the residential zone allows this to continue and the City to make the most of its available in town lots; this is critical to prevent development in the rural zone which often adds costly infrastructure for the City to maintain. It is in the interest of the City to maximize the opportunity for housing to locate in town as opposed to in the rural area.

Continued growth and development, including conversion, of in-town lots located in the new residential zone will not require any municipal infrastructure expansion and in fact will prevent the expansion and continuation of infrastructure in the rural parts of town. This will further add to the fiscal viability of maintaining City roads and other infrastructure as well as potentially force small scale development out of the rural parts of town and into the urban core.

## **Rural District**

The Rural District encompasses most of the area outside the urban center and is intended for the kinds of uses which have traditionally predominated in rural New England; forestry and farming, farm residence, and a scattering of varied uses not inconsistent with a generally open, non-intensive pattern of land use. The minimum lot size requirement is high in order to prevent over-development where public sewers are not feasible and where a full range of urban services cannot be provided economically.

Given the immense space available in the rural district it is unlikely that proposed or potential developments would impact the overall nature of the district and the City's desire to maintain its rural areas in a rural state.

The rural district of Caribou, comprising most of the area outside the urban core, has the potential to accommodate any amount or type of development. The challenge is small scale residential development and single family homes which spread out infrastructure and often require more municipal investment than will be recovered through property taxes. Development in this zone should be limited to agricultural operations, or an industrial or residential operation that is of sufficient size to generate enough taxation to pay for the required infrastructure.

Larger subdivisions, if located in the rural district but close to town, may be permissible if the size and scope of the subdivision warrants municipal investment in required infrastructure; however given building trends over the last 10 years this is unlikely. There are two former industrial sites in the rural district that could benefit from redevelopment, or potentially land adjacent to the Caribou Municipal Airport or Cary Medical Center (its own district) that could be beneficial as long as development in the rural district is self-sustaining with tax revenue. Larger "country" roads should be discontinued and small scale residential development along many of these roads should be discouraged as they will not contain the necessary tax base to continue supporting these roads.

Caribou should investigate the implementation of substantial impact fees for small scale residential development in the rural district as this type of development should be discouraged, since it adds little value and does not serve as an attractant to potential businesses or residences, mainly serving to force the city to maintain an unsustainable infrastructure level.

## **Downtown District**

The Downtown District is intended primarily for commercial uses to which the public requires easy and frequent access. Centrally located and at the center of the existing downtown business district, the Downtown District is intended to encourage the concentration of commercial development to the mutual advantage of customers and merchants. In order to protect the integrity of the Downtown Zone, residential dwelling space is not allowed on the first floor (street level) of buildings in the Downtown Zone. Accessory and incidental residential dwelling units may be developed on the floors other than the first floor and setback requirements are eliminated in the narrowly defined downtown district.

The vision for the downtown area is a traditional downtown with mixed uses (residential above the first floor) and the area serving as a pedestrian friendly gathering place for the community. The potential for development in the downtown district is substantial as the city has and will continue to make substantial investments in marketing and economic development in the downtown area and ample commercial space exists. Furthermore the existing inventory of parking lots and pedestrian friendly design overcomes the first hurdles often encountered in the development of an active downtown. Constraints include the four structures known as the "Downtown Mall" which are less appropriate for retail development and architecturally are dated, out of line with nearby development, and focus on professional services more than the retail and food service that will draw individuals to downtown.

The definition of the Downtown Zone can be expanded to include nearby Water Street, originally a part of the

traditional downtown Caribou but without much development currently, which allows the downtown district to begin expanding towards the riverfront area and can serve as a connector between downtown and the riverfront. Over time High Street and Bennett Drive could be added to the downtown district/zoning in the future, consistent with the City's vision that the traditional downtown as well as the connector of High Street and the commercial area of Bennett Drive all collectively be referred to and developed as Caribou's Downtown.

Future municipal investment in the downtown district is required, though major acquisitions and development have already been completed through the Urban Renewal process in the late 1970's/early 1980's. Sidewalk and site amenities will need to see continued investment, the City would benefit from municipal investment in storefront improvement.

### **Commercial District**

The Commercial District is intended primarily for commercial uses to which the public requires free and easy access and to provide for a wide range of associated activities in the business community. In order to protect the integrity of the Commercial Zone, residential dwelling units are not allowed on the first floor (street level) of buildings in the Commercial Zone. Accessory and incidental residential dwelling units may be developed on the floors other than the first floor.

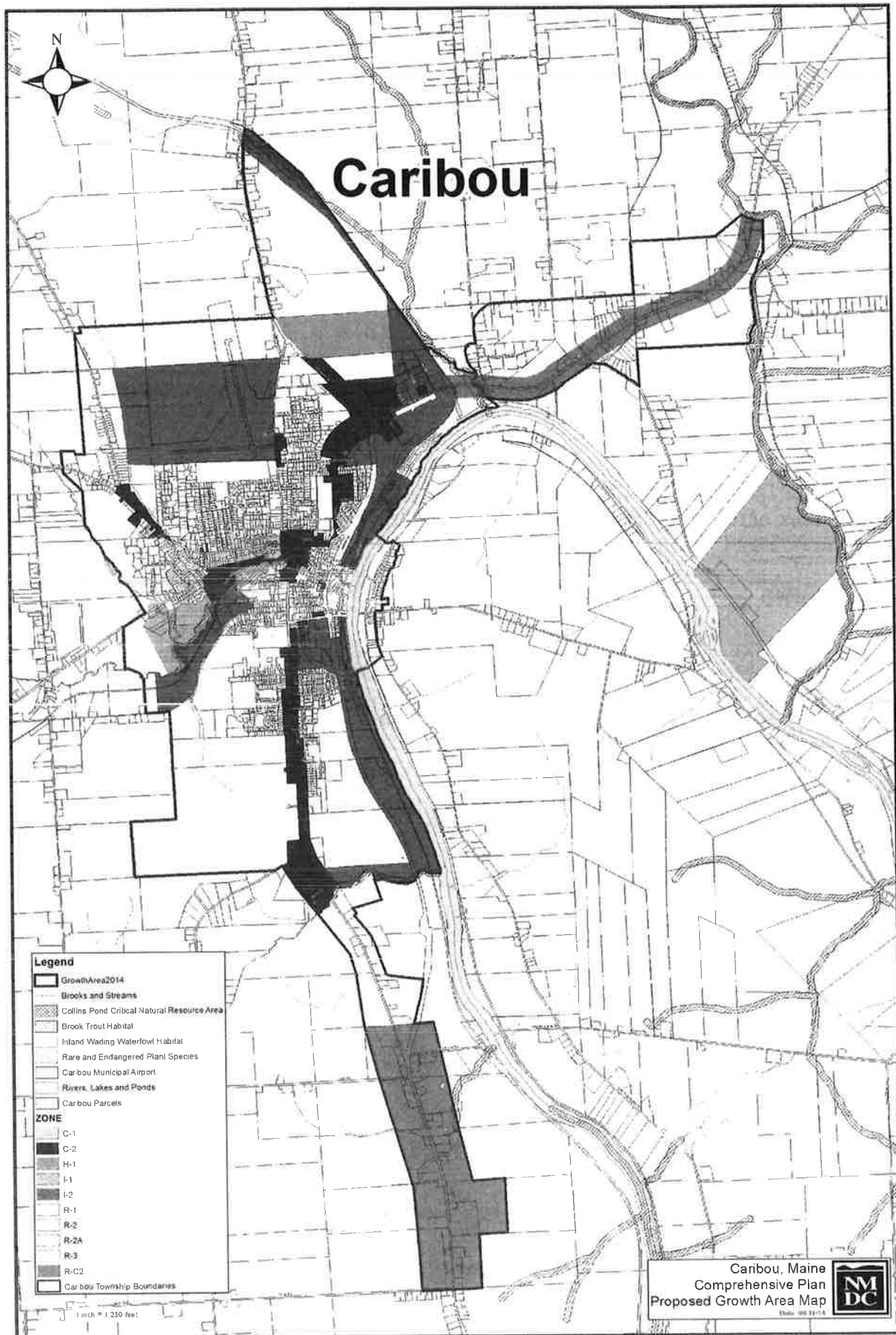
The Commercial District contains the primary location for retail and other commercial development in the community. Most of the City's current commercial district is served by water and sewer and requires little to no additional infrastructure to maintain and grow.

### **Industrial District**

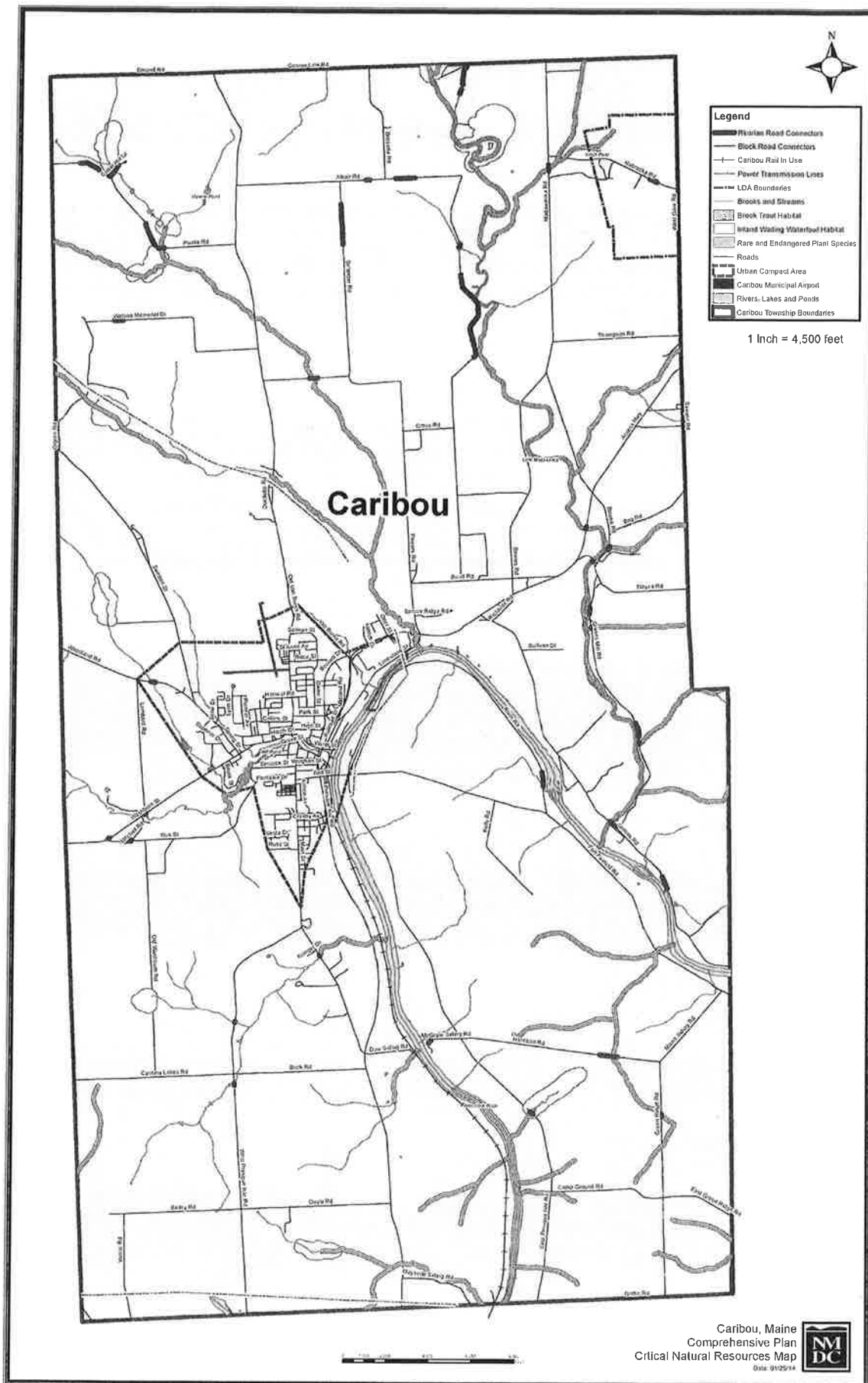
The Industrial District is to provide land which is conveniently located with respect to transportation and municipal services and where other conditions are favorable to the development of industry and which at the same time is so located as to prevent undesirable conflict with residential and business uses. The industrial area for the City of Caribou will primarily be located along Access Highway, which has traditionally served as an industrial area for the City and contains the City's industrial park.

The City will transition from having two separate industrial districts to one land use type. The primary driver behind this decision is the elimination of several industrial districts along the riverfront area in Caribou and elsewhere in town. The City will attempt to condense industrial development to sites that are accessible to necessary infrastructure and away from natural resources such as the riverfront. Condensing industrial uses to these areas will allow industry to develop in a manner that will not expand infrastructure costs to the City. Industrial development in rural parts of town will be limited to large scale operations on previously-zoned industrial areas that can create a self-sustaining tax base and not require municipal infrastructure investment.









# Appendix A: Existing Land Use Plan

## Zone Descriptions

### **R-1 Residential District.**

The R-1 District encompasses most of the older residential neighborhoods and is located within convenient reach of business facilities. The District is expected to contain most of higher density single-family type dwellings likely to be needed by the community. Certain additional uses which meet the requirements of this Ordinance may be permitted which will contribute to balanced neighborhoods and enhance the attractiveness of the community.

### **R-2 Residential District.**

The R-2 District encompasses most of the older residential neighborhoods and is located within convenient reach of business facilities. The R-2 District is expected to contain most of the multi-family or apartment type dwellings likely to be needed by the community. However, in harmony with the established neighborhoods, predominant land use will probably continue to be single-family residence. As in the R-1 District, certain additional uses which meet the requirements of this Ordinance may be permitted, which contribute to balanced neighborhoods and enhance the attractiveness of the community.

### **R-3 Residential District.**

The R-3 District encompasses most of the area outside the urban center and is intended for the kinds of uses which have traditionally predominated in rural New England; forestry and farming, farm residence, and a scattering of varied uses not inconsistent with a generally open, non-intensive pattern of land use. The minimum lot size requirement is high in order to prevent over-development where public sewers are not feasible and where a full range of urban services cannot be provided economically.

### **C-1 Commercial District.**

The C-1 District is intended primarily for commercial uses to which the public requires easy and frequent access. Centrally located and at the center of the existing downtown business district, the C-1 District is intended to encourage the concentration of commercial development to the mutual advantage of customers and merchants.

### **C-2 Commercial District.**

The C-2 District is intended primarily for commercial uses to which the public requires free and easy access and to provide for a wider range of associated activities in the business community than in the "C-1" District.

### **RC-2 Commercial District.**

The RC-2 District is intended for commercial uses to which the public requires free and easy access. The lot size requirements are larger than other commercial Districts, since the area may not be serviced by public sewer, and the setback requirements are greater, since most RC-2 Districts are expected to be along major traveled roads.

### **I-1 Industrial District.**

The I-1 District is to provide land which is conveniently located with respect to transportation and municipal services and where other conditions are favorable to the development of industry and which at the same time is so located as to prevent undesirable conflict with residential and business uses.

### **I-2 Industrial District.**

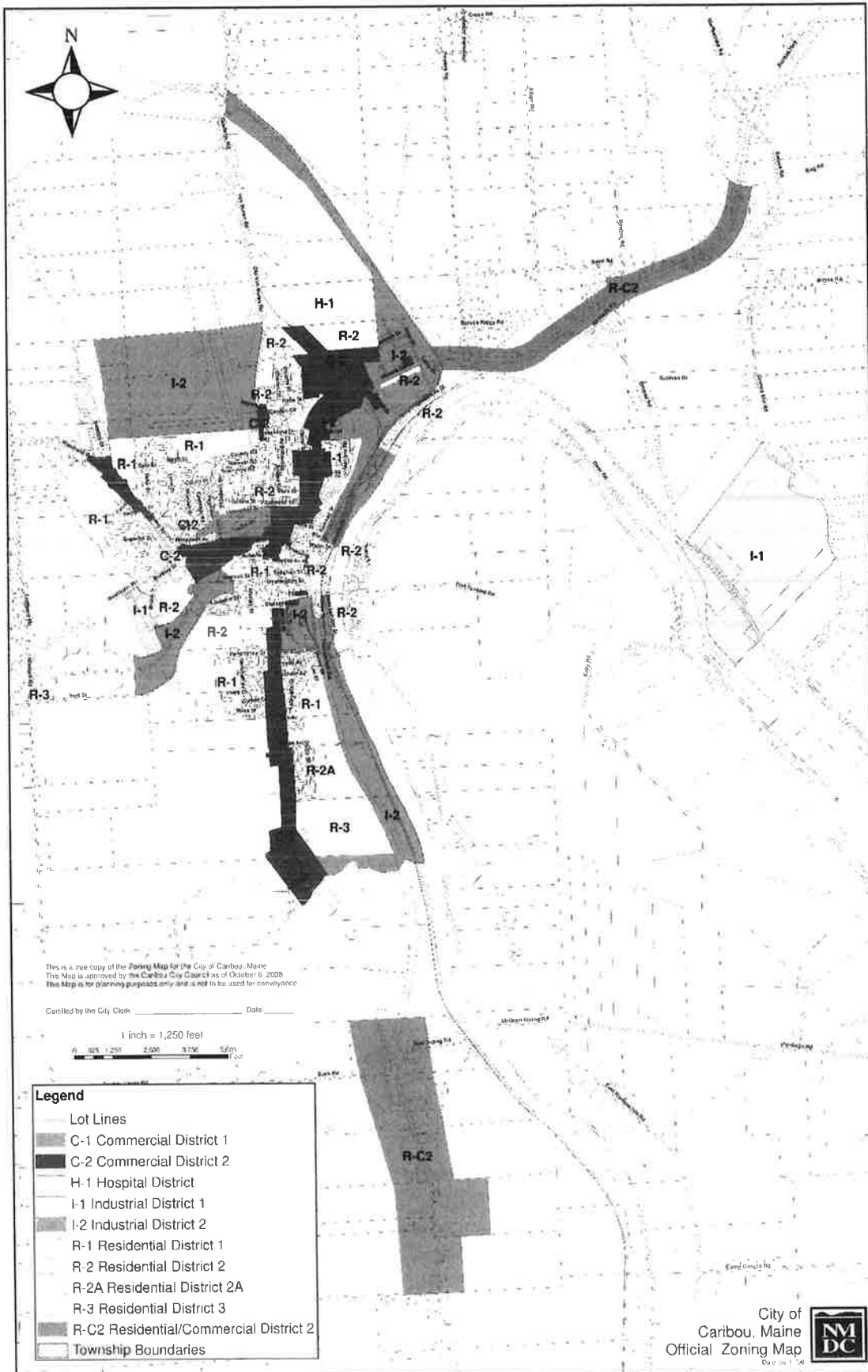
The I-2 District is to provide land which is conveniently located to transportation facilities for business activities which require extensive land area, but do not require close proximity to residential and commercial areas of the community and to promote such land use in the community while at the same time locating such activity as to prevent undesirable conflict with residential and business uses and reduce traffic congestion in these areas.

### **H-1 Health Related District.**

The H-1 District is intended primarily for health use or uses compatible with a hospital or health-related purpose. Located in the proximity of the Cary Medical Center, the H-1 District is intended to encourage the concentration of medically related development for efficient land use.

**Historical Note:** Land Use Table was amended July 17, 2006; Land Use Table RC-2 Zone was amended September 24, 2007 and Land Use Table R-3 Zone, Automobile Uses were amended October 29, 2007; Land Use Table R-3 Zone was amended and R-4 Zone was deleted July 14, 2008; R2-A District dissolved – amended January 11, 2010; Agricultural Product Storage as amended February 13, 2012; Kennels as adopted February 13, 2012; Telecommunications Towers as adopted March 12, 2012.

# City of Caribou Current Zoning Map



## Lot Standards and Dimensions

	Min. Lot Size	Min. Lot frontage	Min. Lot Coverage	Minimum Setback Dimensions Principal and Accessory Structures				Max Height
				Front *	Side	Rear		
R-1	Single Family Dwelling: 9,000 SF Two Family Dwelling 10,500 SF Other Allowed Use: 12,000 SF	Single Family Dwelling: 85' Two Family Dwelling: 95' Other Allowed Use: 100'	30%	20'	5'	10'		35'
R-2	Single Family Dwelling: 9,000 SF Two Family Dwelling 10,500 SF Multi Family Dwelling: 12,000 SF Plus 1,500 SF for Each Additional Dwelling Unit. Other Allowed Use: 10,500 SF	Single Family Dwelling 75' Two Family Dwelling 85' Multi Family Dwelling 95' Plus 10' for Each Additional Dwelling Unit Other Allowed Use: 85'	30%	20'	5'	10'		35'
RC-2	43,560 SF	150'		30'	15'	15'		60'
R-3	Single Family Dwelling: 43,560 SF Two Family Dwelling: 65,000 SF Multi Family Dwelling: 87,000 SF Plus 10,000 SF for Each Additional Dwelling Unit Other Allowed Use: 65,000 SF	Single Family Dwelling: 150' Two Family Dwelling: 160' Multi Family Dwelling: 175' Plus 10' for Each Additional Dwelling Unit Other Allowed Use: 160'	30%	30'	15'			35'
C-1						15'		
C-1			100%	0'	0'	0'		45'
			50%	10'	10'	10'		45'
I-1	43,560 SF	100'	75%	20'	10'	20'		45'
I-2	43,560 SF	100'	40%	20'	10'	20'		45'
	W/Public Sewer: 9,000 SF WO/Public Sewer: 20,000 SF	75'	40%	40'	10'	20'		0'

## Existing Land Use Information

As established in the Zoning and Land Use Ordinance, the City of Caribou wishes to provide a direction of growth to accomplish a positive environment and quality of development for both residential and commercial activities. Well defined neighborhoods that encourage similar activities and uses promote growth without infringing on the quiet enjoyment of residential homes or restricting commercial growth within our community. Much of the local economy is driven by agricultural activities and support services. Our goal is to ensure a balanced and supportive municipal approach to both residential and commercial growth.

Most recent residential development has occurring in the rural areas of the community on larger individual lots. A much smaller number of residential homes have been built in our urban subdivisions during the last ten years. For the most part, commercial development has been agricultural in nature. Presently the Commercial Zones are mostly developed. The Industrial Zones have space available. The Caribou Planning Board has revised the Land Use Chart to now allow many commercial activities within the Industrial Zones. In doing so; The City of Caribou promotes growth consistent with the Comprehensive Plan. The redevelopment of existing commercial space has established Caribou as a service center for central Aroostook County. Available commercial and industrial space welcomes new development. The former site of an agricultural produce processing plant provides plenty of space for new commercial or industrial development.

It will be in the best interest of Caribou to maintain an active and progressive Planning Board. A dynamic vision for the community can be obtained through planning based on economic and developmental trends. Zoning regulations can be used to encourage development. Many business owners and developers recognize the benefits to having the protection of zoning regulations. Caribou currently enforces the Maine Uniform Building and Energy Code, Maine Plumbing Code, municipal and state Land Use Regulations, Shoreland Zoning Regulations and the National Flood Insurance Program.

The administration of Caribou's land use regulations are accomplished through the Planning Board, Zoning Board of Appeals and the Code Enforcement Officer. The Planning Board consists of seven members, all volunteers, appointed by the City Council. Both planning and application review for subdivisions and site design occur at the Planning Board's monthly meetings. The Zoning Board of Appeals hears both Zoning Appeals and Administrative Appeals. Our Zoning Board of Appeals consists of 5 members, appointed by the City Council.

The Caribou Zoning Board of Appeals is unique in the State of Maine. All five members are Maine certified Code Enforcement Officers in Land Use, Zoning and Shoreland Zoning. Enforcement of Zoning and Land Use violations is done by the Code Enforcement Officer.

Caribou does participate in the National Flood Insurance Program. The City of Caribou currently uses Flood Insurance Rate Maps dated August 1, 1980. The ordinance is consistent with state and federal standards. Identified flood hazards are typically along the Aroostook and Madawaska Rivers. Historical events show the Flood Insurance Rate Maps to be accurate.

### **Major Development within the Last Ten Years**

#### **Potato storage buildings:**

1. Ayer Farm, Presque Isle Rd.
2. Irving Farms, Buck Rd.
3. Irving Farms, Caribou Lake Rd.
4. Blackstone Farms, East Presque Isle Rd.
5. Scott Martin, Albair Rd.
6. Bouchard Farms, Van Buren Rd.
7. Bouchard Farms, Van Buren Rd.

#### **Misc. new commercial, industrial, institutional buildings:**

1. Salar Self Storage, Solman St.
2. Larry's Construction, Aldridge Dr.
3. Boy Scout Building, Aldridge Dr.
4. S.W. Collins Warehouse, Hatch Dr.
5. Assembly of God Meeting Hall, Sweden St.
6. Complete rebuild of McDonalds, Bennett Dr.
7. Major renovation of DHHS Building, Skyway Plaza

#### **New Residential Single Family:**

##### Urban

1. Superior Dr. (1)
2. Raymond Joseph Dr. (1)
3. Solar Slopes (3)

Suburban

1. Washburn Rd. (2)
2. Albair Rd. (2)
3. Belanger Rd. (1)
4. Powers Rd. (2)
5. Richards Rd. (2)
6. Emond Rd. (3)
7. E. Presque Isle Rd. (1)
8. Plante Rd. (2)





**CARIBOU ADMINISTRATION  
25 HIGH STREET  
CARIBOU, ME. 04736**



**MEMO**

**TO: Caribou City Council**  
**FROM: Code Enforcement Department**  
**RE: 15 Prospect Street**  
**DATE: February 2, 2023**

---

**Re: 15 Prospect Street**

Councilors,

Due to the long history deficiencies, unanswered Notices of Violation, and the mounting numbers of incident reports at this address, Code Enforcement advises the declaration of this property, 15 Prospect Street, Tax Map 31 Lot 9 as nuisance/dangerous building as defined by the State of Maine M.R.S.A Title 17: CRIMES, Chapter 91: NUISANCE, Subchapter 4: DANGEROUS BUILDINGS subsection 2851.

This property was declared a Chronic Nuisance property at the November 14, 2022, Public Hearing. Since that time the owner at 15 Prospect Street has allowed an inspection of the building. The findings from the December 3, 2022, inspection by Fire Chief Susi and CEO Murchison have resulted in this request for a Public Hearing to determine if this property should be declared "Dangerous" as define by State Statute.

**Recommended Action:**

Set a Public Hearing to determine whether the building at 15 Prospect Street, Tax Map 31 Lot 9 is a dangerous building as defined by the State of Maine M.R.S.A Title 17: CRIMES, Chapter 91: NUISANCE, Subchapter 4: DANGEROUS BUILDINGS subsection 285, to be held February 27, 2023.

If this property is declared "Dangerous" it is the intent of this office to notify the property owner and if required, request an Administrative Warrant to be issued by the District Court to determine the disposition of this building at 15 Prospect Street and further action as required.

Best regards,

  
Kenneth Murchison

City of Caribou CEO/Zoning Administrator





## *City of Caribou, Maine*

 **DRAFT**

*Municipal Building*  
25 High Street  
Caribou, ME 04736  
*Telephone* (207) 493-3324  
*Fax* (207) 498-3954  
[www.cariboumaine.org](http://www.cariboumaine.org)

### **Caribou Planning Board Notice of Public Hearings**

**Monday, February 27, 2023, at 6:00 pm**  
**City Council Chambers at the City Office, 25 High Street**  
**The side door (nearest the bank) will be open to the public to attend the meeting.**

**To:** Owner of Record within 500' of the Public Hearing property

**From:** Caribou City Council

**Date:** February 2, 2023

**Re:** The Caribou City Council will hold a Public Hearing on Monday February 27, 2023, at 6:00 pm in City Council Chambers, 25 High Street for The Public Hearing will be to determine whether the building at 15 Prospect Street, Caribou, Maine, Map 031 Lot 009 can be designated as a dangerous property pursuant to, State of Maine M.R.S.A Title 17: CRIMES, Chapter 91: NUISANCE, Subchapter 4: DANGEROUS BUILDINGS.

**Public Hearing:** Public Hearing will be to determine whether the building at 15 Prospect Street, Caribou, Maine, Map 031 Lot 009 can be designated as a dangerous building.

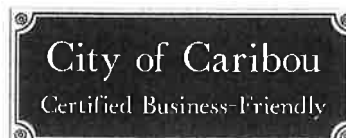
To view tax maps, zoning maps, the local ordinance or other information, please visit the Code Enforcement page at the City's website:  
<http://www.cariboumaine.org/index.php/departments/code-enforcement/>

Interested individuals are encouraged to attend.

Best Regards,



Ken Murchison  
Zoning Administrator/CEO





## Ken Murchison

---

**From:** Rick Solman <rsolman@solmanhunter.com>  
**Sent:** Tuesday, January 17, 2023 2:57 PM  
**To:** Ken Murchison  
**Subject:** 17 Prospect Street

Ken:

By way of recap, the City declared the property at 17 Prospect Street a nuisance following a hearing conducted on November 14, 2022. On December 19, 2022, you served a Final Notice of Nuisance/Dangerous Property on the owner. There has been no response to date.

Here is my recommendation: (1) Send a follow up letter to the owner or have the letter served giving the owner until January 31<sup>st</sup> to meet with you and to propose a plan to bring the property into compliance with all applicable Codes. (2) If there is no meaningful effort to remediate the property, the City should consider scheduling a dangerous building hearing before the City Council. If the Council concludes that the building is unsafe, it can give the owner a deadline to remediate following which the City will have the right to demolish the building. Witnesses at the hearing would include yourself, Chief Susi and any other professional necessary to establish that the building is unsafe.

Rick  
RICHARD D. SOLMAN, ESQ.  
SOLMAN & HUNTER, P.A.  
P.O. BOX 665  
CARIBOU, ME 04736  
Tel: (207) 496-3031  
Fax: (207) 498-2258

[This email comes from outside of your organization. Please be cautious opening or clicking on any attachments or links.]





## *City of Caribou, Maine*

*Municipal Building*  
25 High Street  
Caribou, ME 04736  
*Telephone* (207) 493-3324  
*Fax* (207) 493-4228  
[www.cariboumaine.org](http://www.cariboumaine.org)

January 20, 2023

John Barreto  
15 Prospect Street  
Caribou ME 04736

John Barreto,

Attached to this letter, find a copy of the Legal Notice, "Final Notice of Nuisance/Dangerous Property" dated 12/19/2022. The terms of this notice required corrective action by January 20, 2023. Since there is no evidence that correction action has taken place, the City has determined that the property owner has until January 31<sup>st</sup>, 2023, to meet with the City and to propose a plan to bring the property at 15 Prospect Street into compliance with all applicable Codes.

If further action is warranted the City will seek relief as defined within Maine Revised Statute (MRS) Title 17: CRIMES, Chapter 91: NUISANCES, Subchapter 4: DANGEROUS BUILDINGS, also attached.

You must notify the Code Enforcement Officer when corrective actions are complete to schedule an inspection or to schedule a meeting to propose an action plan.

If we can of assistance in the resolution or if you have any questions please contact this office at the Caribou Municipal Building at 25 High Street, phone: (207) 493-5967 or email at [kmurchison@cariboumaine.org](mailto:kmurchison@cariboumaine.org).

Best Regards,

  
Kenneth Murchison  
Zoning Administrator/CEO

Cc: City Manager, Fire Chief and Police Chief







## City of Caribou, Maine

Municipal Building  
25 High Street  
Caribou, ME 04736  
Telephone (207) 493-3324  
Fax (207) 498-3954  
www.cariboumaine.org

### Legal Notice Final Notice of Nuisance/Dangerous Property

Date of Notice: December 19, 2022  
Reference: Map 31 – Lot 009

 **COPY**

To: John Barretto  
15 Prospect Street  
Caribou ME 04736

Mr. Barretto,

Due to the history of unresolved International Property Maintenance Code Violations, and numerous Caribou Police Department Incident reports and Caribou Fire and Ambulance calls, public nuisance, and a chronic nuisance property as defined Chapter 8 Article 5 of the City of Caribou Code and Ordinances by the Caribou City Council at the November 14, 2022, City Council Meeting.

An inspection was scheduled for the property at 15 Prospect for December 2, 2022, but was rescheduled to December 3<sup>rd</sup> due to timing issues. An inspection was conducted on December 3, 2022, at which time numerous structural and safety violations were noted.

Conducting the inspection were Chief Susi from Caribou Fire and Ambulance and Code Enforcement Officer Kenneth Murchison. The inspection team was welcomed into the residence by the property owner or record, John Barretto at 2:00 pm December 3, 2022. The following conditions were observed.

At the time of the 12/03/2022 inspection it was noted that the structure integrity of a load bearing support beam had been comprised by a fire event that was unattended by local Fire Protection. A temporary support beam was installed improperly with a support column installed in the center of a 20' run with no support at either end of the temporary beam. Other columns, non-dimensional log posts, and one temporary jack-post were distributed haphazardly. Also noted visually upon entry to the building was a severely rotted exposed sill plate at the South building entrance further evident from the failure of the threshold at the entrance door. See photos 1-4 attached.

**You are hereby notified** that you are in violation of the following 2015 IPMC Article III Property Maintenance Codes regarding conditions at your 15 Prospect Street property.

Date this violation was observed: 12/03/2022

**Violation Description:****UNSAFE STRUCTURES AND EQUIPMENT****PM-108.1 General:**

When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human *occupancy*, or is found unlawful, such structure shall be *condemned* pursuant to the provisions of this code.

**PM-108.1.1 Unsafe structure:**

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the structure by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or complete collapse is likely.

**PM-108.1.3 Structure unfit for human occupancy:**

A structure is unfit for human *occupancy* whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public.

[A] **108.1.5 Dangerous structure or premises.** For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

The following conditions were observed regarding the lack of electrical power in the building. Electrical power to the building has been cut off and electric meters removed. Switches and fixtures were open, and wires dangled from the ceiling and protruded from the walls.

Inspection was accomplished by flashlight even though it was a bright sunny day. Windows and openings were covered by heavy drapes or hanging sleeping bags.

**Maine Revised Statutes Title 32: PROFESSIONS AND OCCUPATIONS****Chapter 17: ELECTRICIANS §1153-A. Standards; installation**

All electrical installations must comply with the National Electrical Code that is adopted by rule by the board. The board shall establish by rule technical standards for the proper installation of electrical equipment. These standards must conform as nearly as practicable to the National Electrical Code.

National Fire Protection Association standard #70. The installation of the electrical equipment must also comply with the applicable statutes of the State and all applicable ordinances, orders, rules and regulations of any city or town where the installation is being performed. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [2017, c. 198, §12 (AMD).]

**The following conditions** were observed regarding the fire safety and solid fuel burning stoves in the building. The publication "Recommended Standards for the Installation of Solid Fuel Burning Stoves" prepared by the Office of Maine State Fire Marshal, was provided to the property owner at the time of the inspection.

During the inspection of December 3, 2022, three wood burning stoves were noted.

A home-made barrel wood stove was located on the first floor in the room near the west entrance of the building. This is a non-approved (AHJ), non-UL listed appliance placed within the minimum clearance recommend, 36" from the wall (placed at 24" +/-) at the south and east corner of the room. The stove pipe hooks to the exterior chimney through the south wall but no thimble was apparent, only masonry plaster. There was an attempt at wall and floor fire protection, poorly applied. See photos 5 and 6 attached.

There is a wood stove heating appliance placed at the Northeast corner of the basement. This appliance was once an approved or UL listed appliance but had been modified the door was held closed by an improvised clamp (vice-grip) application. Placement was within the 36" suggested distance. The area around this stove smelled of #2 heating fuel from a vandalized fuel tank on the south wall at that end of the building. See photos 7 and 8 attached.

A third wood stove, again once approved or UL listed but modified, was located in a kitchen space near the northeast central portion of the building. The front access door was held shut with a rubber fastener (bungee strap) and the front cast iron stove burner ring was replaced with a stock pot cover. The appliance was stuffed full of garbage at the time of the inspection and there was no draft control on the smokestack. This cook stove was place within one foot of the wall with limited fire protection. See photos 9 and 10 attached.

**You are hereby notified** that you are in violation of the following 2015 IPMC Article III Property Maintenance Codes regarding conditions at your 15 Prospect Street property.

Date this violation was observed: 12/03/2022

Violation of Sections: 701

Violation Description: **Fire Safety Requirements (General)**

#### **701.2 Responsibility**

The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.

Date this violation was observed: 12/03/2022

Violation of Sections: 702

Violation Description: Means of Egress

**F-702.3 Locked Doors**

Means of egress doors shall be readily openable from the side from which egress is to be made without need for keys, special knowledge, or effort, except where door hardware conforms to that permitted by the International Building Code.

Means of egress issues were discussed with the property owner. Further inspection revealed a bedroom locked from the outside (hallway side) of the egress door. Lack of egress was observed in other sleeping areas where bedrooms had no operational window and no smoke detectors.

Date this violation was observed: 12/03/2022

Violation of Sections: 704

Violation Description: Fire Protection Systems

**F-704.1 General**

Systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with International Fire Code.

**F-704.2.1.1 Group R-1**

Single or Multiple station smoke alarms shall be installed in all of the following locations in Group R-1

1. In sleeping areas
2. In every room in the path of means of egress from the sleeping areas to the floor leading from the sleeping unit

**Exceptions:**

2. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.

**Because of these violations this building has been posted as unfit for occupancy, considered condemned and occupancy is not legally permitted at this location until all code violations described are corrected.**

**You are hereby ordered to:** Notify occupants that they will need to vacate the premises by December 20, 2022. This building can not be occupied until such time as all violations are corrected.

The **"Notice Occupancy of this property is not permitted due to conditions dangerous or detrimental to life or health. Removal of the notice without the approval of the City of Caribou, Zoning Administrator/Codes Enforcement is prohibited by law"** posting will be immediately posted on the building. Please note that this notice can only be removed by the Code Enforcement Officer after the property complies with all local and state ordinances."

**You are hereby ordered to take corrective action by:**

January 20, 2023

Failure to comply with this order may result in court action being taken against you. MRSA Title 30-A establishes a minimum fine of \$100.00 to \$2,500.00 per day for each violation. A separate fine may be assessed for each day the violation continues. The City of Caribou may seek an order for corrective action, a substantial fine plus attorney fees and court cost in this action.

Contact the office of Zoning Administrator & Code Enforcement Caribou City Office or by phone 493-5967 if you have any questions concerning this violation and to make arrangements to bring your property into compliance. You must notify the Code Enforcement Officer when corrective actions are complete to schedule an inspection.

Copies of the local ordinances and a link to the 2015 International Property Maintenance Code as adopted by the City of Caribou 01/23/2017 is available at the City of Caribou website:  
[www.cariboumaine.org](http://www.cariboumaine.org).

Best Regards,

  
Kenneth Murchison

Zoning Administrator/CEO Cc: City Manager, Fire Chief, Police Chief and Building Inspector



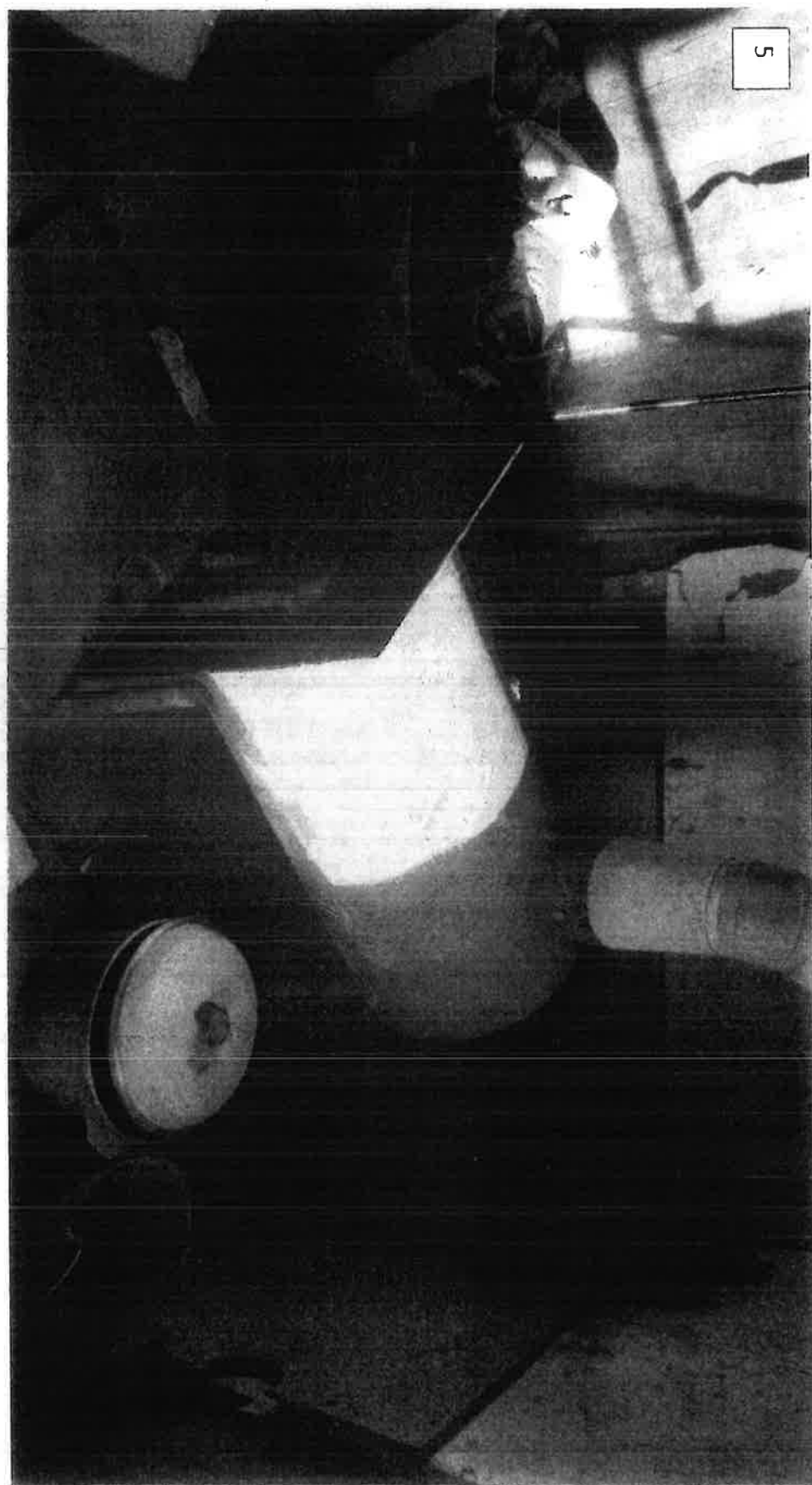






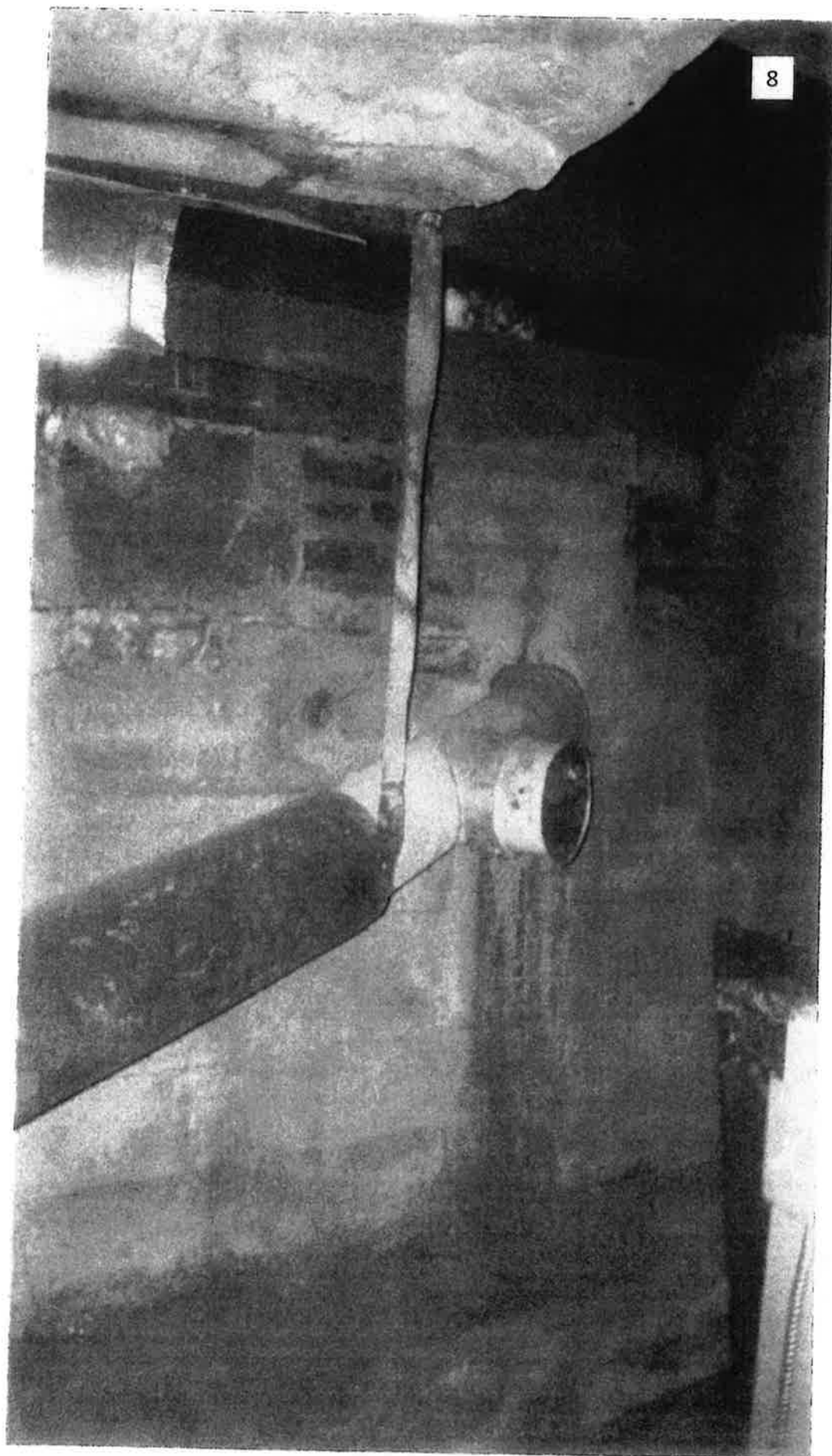


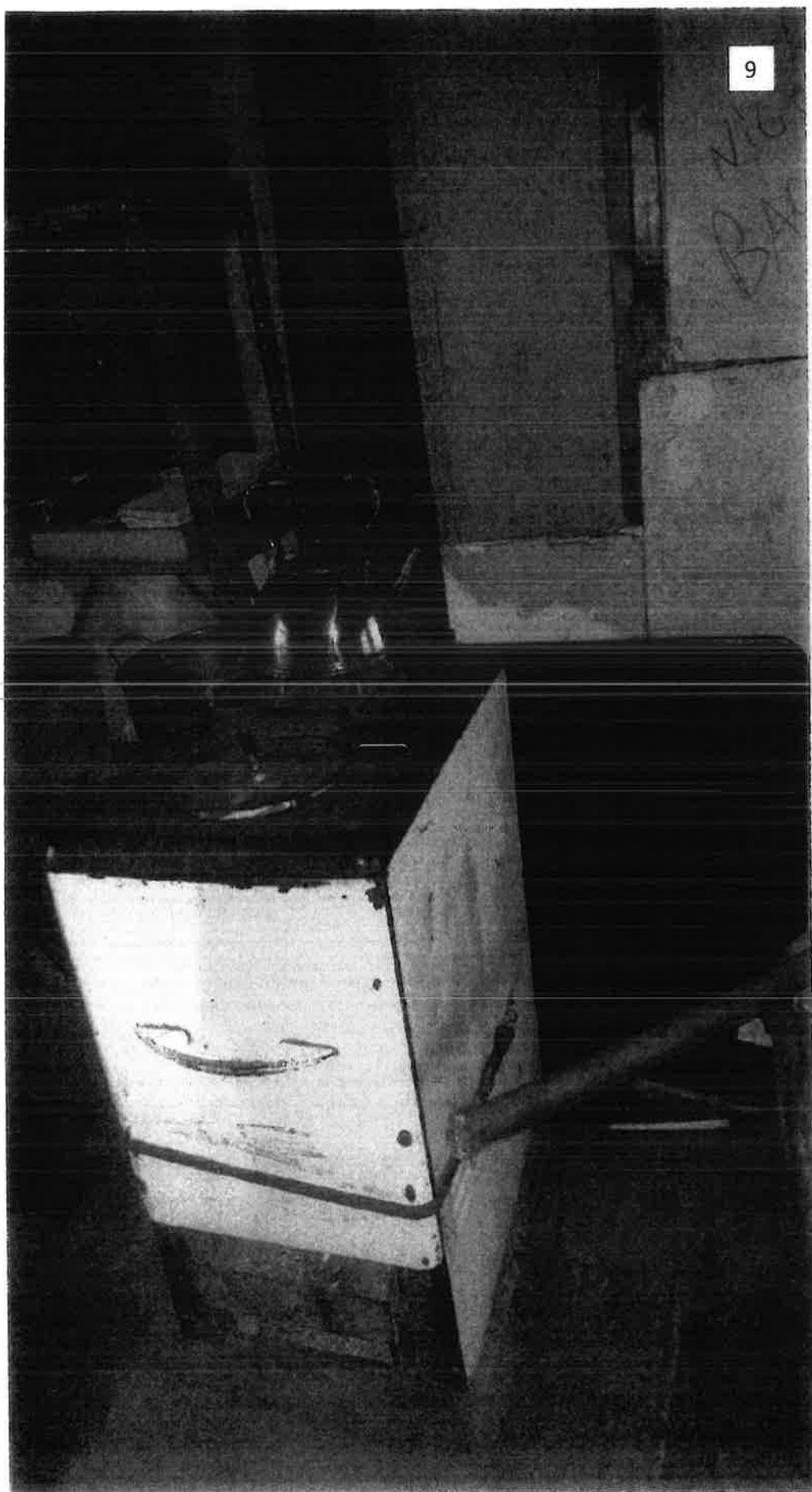




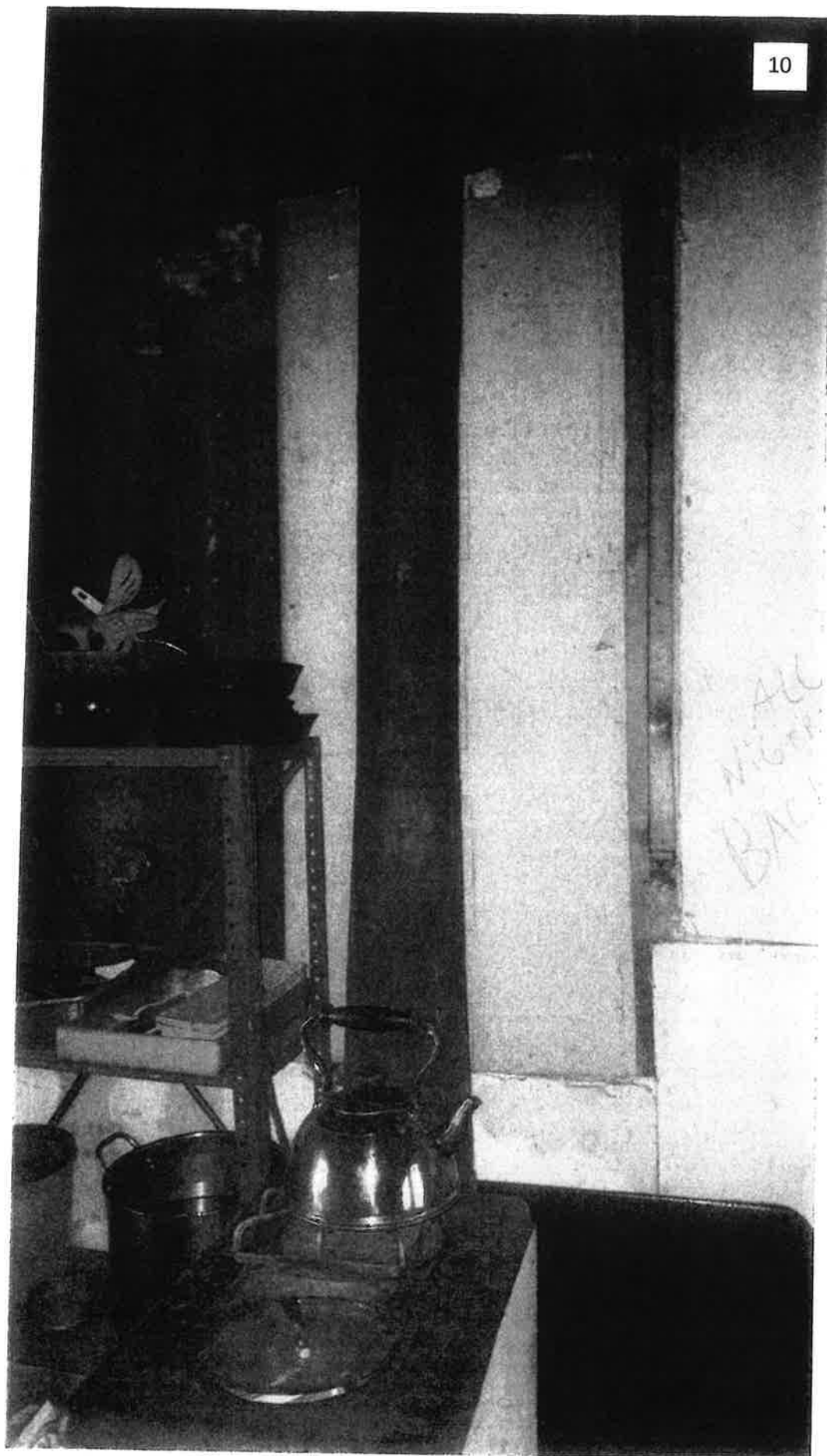
















**§2851. Dangerous buildings**

The municipal officers in the case of a municipality or the county commissioners in the case of the unorganized or deorganized areas in their county may after notice pursuant to section 2857 and hearing adjudge a building to be a nuisance or dangerous, in accordance with subsection 2-A, and may make and record an order, in accordance with subsection 3, prescribing what disposal must be made of that building. The order may allow for delay of disposal if the owner or party in interest has demonstrated the ability and willingness to satisfactorily rehabilitate the building. If an appeal pursuant to section 2852 is not filed or, if an appeal pursuant to section 2852 is filed and the Superior Court does not order, stay or overturn the order to dispose of the building, the municipal officers or the county commissioners shall cause the nuisance to be abated or removed in compliance with the order. After recording an attested copy of the notice required by section 2857 in the registry of deeds located within the county where the building is situated, the municipality or the county may seek a writ of attachment of the property on which the building is located in accordance with Title 14, chapter 507 and the Maine Rules of Civil Procedure. [PL 2019, c. 557, §1 (AMD).]

For the purposes of this subchapter, "building" means a building or structure or any portion of a building or structure or any wharf, pier, pilings or any portion of a wharf, pier or pilings thereof that is or was located on or extending from land within the boundaries of the municipality or the unorganized or deorganized area, as measured from low water mark, and "parties in interest" has the same meaning as in Title 14, section 6321. [PL 2017, c. 136, §1 (NEW).]

**1. Notice.**

[PL 2017, c. 136, §1 (RP).]

**2. Notice; how published.**

[PL 2017, c. 136, §1 (RP).]

**2-A. Standard.** To adjudge a building to be a nuisance or dangerous, the municipal officers or county commissioners must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property. [PL 2017, c. 136, §1 (NEW).]

**3. Recording of the order.** An order made by the municipal officers or county commissioners under this section must be recorded by the municipal or county clerk, who shall cause an attested copy to be served upon the owner and all parties in interest in the same way service of process is made in accordance with the Maine Rules of Civil Procedure. If the name or address cannot be ascertained, the clerk shall publish a copy of the order in the same manner as provided for notice in section 2857. [PL 2017, c. 136, §1 (AMD).]

**4. Proceedings in Superior Court.** In addition to proceedings before the municipal officers or the county commissioners, the municipality or the county may seek an order of demolition by filing a complaint in the Superior Court situated in the county where the building is located. The complaint must identify the location of the property and set forth the reasons why the municipality or the county seeks its removal. Service of the complaint must be made upon the owner and parties in interest in accordance with the Maine Rules of Civil Procedure. After hearing before the court sitting without a jury, the court shall issue an appropriate order and, if it requires removal of the building, it shall award costs as authorized by this subchapter to the municipality or the county. The municipality or the county may petition the court for a writ of attachment of the property on which the building is located in accordance with Title 14, chapter 507 and the Maine Rules of Civil Procedure. Appeal from a decision of the Superior Court is to the law court in accordance with the Maine Rules of Civil Procedure. [PL 2019, c. 557, §2 (AMD).]

## SECTION HISTORY

PL 1965, c. 284 (RPR). PL 1967, c. 401, §1 (AMD). PL 1973, c. 143, §1 (AMD). PL 1979, c. 27, §§1-3 (AMD). PL 1997, c. 6, §1 (AMD). PL 2017, c. 136, §1 (AMD). PL 2019, c. 557, §§1, 2 (AMD).

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