

Findings of Fact and Conclusions of Law Nature's Way Campground

1: Applicant's Legal Name:

The applicant's name is Nature's Wilderness, LLC. – A Maine Corporation

2: Applicants Mailing Address:

Nature's Wilderness, LLC
c/o Mr. Scott Efron
2 Upper Twain Road
Baldwin, ME 04091

3: Applicant's Phone Number:

Mr. Gerry Brown, General Manager, is the primary contact for the project and can be reached at 207-409-7724. Mr. Scott Efron, owner, can be reached at 207-787-6012.

4: Owner of Record:

Nature's Wilderness, LLC is the legal owner of the property. Mr. Scott Efron is the president of Nature's Wilderness, LLC. (Previously submitted)

5: Right, Title or Interest:

Nature's Wilderness, LLC is the legal owner of the property per deed recorded in the Cumberland County Registry of Deeds in book 33066, page 317. (Previously submitted)

6: Property Owner's Name:

Nature's Wilderness, LLC is the legal owner of the property. Mr. Scott Efron is the president of Nature's Wilderness, LLC. See Attachment 2 for a copy of the property deed.

7: Owner of Record Address

Nature's Wilderness, LLC
17569 Middlebrook Way
Boca Raton, FL 33496

8: Location of Property:

The property is located at 2 Upper Twain Road.

9: Tax Map & Lot Number:

The development is a portion of the property shown as Lot 22 on Tax Map 7.

10: Zoning District:

The development is located in the Rural Zoning District. The area surrounding Marston's Pond is zoned Resource Protection.

Additional Contact information on this development is as follows:
Nature's Wilderness is a Maine Corporation
Local Contact is: Gary Brown by way of Power of Attorney
Local Phone number is: 207-409-7724.

The applicant met with the board on February 28, 2019 in order to go over a list of issues presented by the contract planner from Southern Maine Planning and Development Commission. That list includes the following:

- 1. Since this site will have varied type of camping opportunities it would make sense for the planning board to request a conceptual design of each type of site to see where parking will be and where water/sewer and electric will be provided to hook into the units that will require this.**
- 2. The applicant mentions in the submitted narrative (Campground Rules g.) that there will be Equestrian opportunities in the Campground. Are there stalls and turnout areas for the horses? How and where will manure be stored until it is trucked away? If this use is not going to occur than the rules should be updated to reflect this.**
- 3. The application also mentions Archery as an activity, where will the archery facility be located in relation to camp sites? Will it be supervised at all times?**
- 4. Trash receptacle standard suggest you should have on within 500 feet of all camp sites. The same standard holds true for Privy and toilet facilities. Realizing that some of the sites are for self-contained units those sites would not apply but all other tenting sites do apply to this standard. The applicant should provide a plan showing that both of these types of facilities meet that standard.**
- 5. The applicant has indicated there would be Glamping sites how do these work regarding the issues relevant to #4 above? Maybe further definition of Glamping can address this issue.**
- 6. The site will have cabins which are indicated to have two bedrooms. In my mind that would suggest that 2 couples could rent these units not all of the units will be family members traveling in one vehicle. Is there parking for 2 vehicles on these sites? And have those extra vehicles been added in to the trip analysis?**
- 7. The applicant is proposing to reconstruct Marston Road and finish it with a compacted aggregate base coat. My concern is that even with this material as a finish, during dry summer spells it will get dusty and there are several homes along that road. The applicant may want to develop a plan for the board that assures it will be moistened during these dry periods to control**

the dust, or propose some type of paving or liquefied asphalt finish to the road.

- 8. The Plan to me is somewhat unclear in that it has two parallel heavy lines, I assume one signifies the 75' setback from the resource as noted on the plan. The second line is not noted anywhere, my assumption is that it is the 100' setback but it is not noted anywhere on the plan set. I might suggest just eliminating that line in order to clean the plan up.**
- 9. Sheet C-1.2 shows 2 proposed wells within 200' of each other. Is this by design or does the plan need to be corrected?**
- 10. Sheets C.2.0-2.2 show a series of Restoration areas on the plans. I have found no documentation as to what the restoration is about or what exactly is being done for restoration. If trees are being replanted than the plan should include detail on how plantings will be accomplished. There is also no plan or narrative to indicate the timing of this restoration. It seems to me that a third party inspector may be required to oversee this restoration plan and any additional construction needed on the site.**
- 11. Has the Fire Chief reviewed these plans or been on-site yet to comment on camp roads for width and tree heights in order to get adequate equipment on to the site during emergency situations?**
- 12. The front page of the plan set needs to be corrected to reflect the town of Baldwin not the Town of Windham.**
- 13. In general, I believe that there a number of things that need to be cleaned up on the plans and would be happy to discuss them with the applicants engineers so that the planning board does not get bogged down on this issue.**

The applicant went through this list and discussed each item and indicated that the plans would be changed to address each of the issues. The planning board set the next meeting on this project to be March 28, 2019 in order to give the applicant an opportunity to address all of the concern. The applicant submitted revised plans to SMPDC for review on Monday March 25, 2019 for review prior to the scheduled meeting of March 28.

During the meeting of March 28, 2019, the applicant had 3 missing pieces of information that the Planning Board has requested prior to them finding the application complete. That information includes:

1. An executed agreement with the town for Marston Road along with a \$40,000 bond
2. An Emergency Plan reviewed and approved by the Fire Chief
3. A complete set of Campground rules

During the meeting, the board continued to ask questions of the applicant in order to address a serious of concerns on the project. Those issues included:

- The need for a full 400+ Acre survey not just the 157 acres of the campsite itself
- Clarification of who the Owner is in regards to a Florida Corporation or a Maine Corporation
- Needing to establish quiet hours for the evenings as well as ATV shutdowns at night.
- Identifying the number of staff who will work the overnight at the facility
- Addressing the Traffic Study use of Vehicle trips and not that of Rv's. Is there a difference?
- The plans also need updating for a Pool location and Fence detail \
- The applicant has also verbally indicated that there will be NO Archery program on the premises
- There was also discussion regarding Live entertainment and what time that type of event would be shut down in the evening.

The next meeting is scheduled for April 11, 2019. The applicant held several meetings with the board since April of 2019.

November 2019, the application was found complete and on December 7, 2019 the planning board held a site walk with the applicant and several interested parties from the public joined the walk.

On December 12, 2019 the board held the first public hearing with the application. Approximately 30 people attended the meeting and spoke regarding several issues. The most prominent issue discussed all evening was Traffic. William Bray, Traffic Engineer and consultant to the applicant presented his initial analysis for 300 camp sites. The initial study submitted to the board was for 250 sites. Trips generated during peak our Weekday is 111 and weekend I projected to be 165. A great deal of the traffic discussion surrounded the intersections of Route 113 and Senator Black Road and Senator Black at Marston. Based on the number of trips, there are concerns about geometrics and alignment for Motor homes and large tow behind campers.

Some citizens were concerned about kids playing on Marston road and the danger that these added vehicles will bring to the kids in the area.

The applicant indicated that a phasing scheme to develop the project will be proposed, the board has not seen any phasing plans at this time. The applicant also indicated the project will be required to obtain both a Maine DEP Site Location of Development permit as well as a Maine DOT Traffic Movement permit. The Traffic permit will not occur until the project meets a certain threshold size which will meet the DOT permit standards.

There were questions also asked in regards to water on the site and the applicants representative indicated that they would need a permit from the Maine Department of Health and Human Services Well Water Division. As well as a Permit for the two proposed Dumping stations proposed on the site which will be the only two sewerage

disposal systems on site. It was noted that both the Wells and the Septic systems must be separated by a minimum of 300 feet.

On January 9, 2020 the planning board continued the Public Hearing with approximately 30 people in the audience. One abutter spoke and submitted written testimony citing the performance standards and how the applicant has not yet met all of the requirements, several others also spoke about how the enforcement is not working and will need to be evaluated in order for the applicant to comply based on stiffer fines if the applicant does not comply with the regulations. There was also discussion regarding the need to have the project phased in in order to monitor the traffic impacts as well as other impacts that may be associated with the development. The board postponed further discussion to later date uncertain giving the applicant an opportunity to work on addressing these and other concerns.

In February the board closed the Public Hearing portion of the meeting with no new information for the board's consideration. During the meeting, the applicant presented a revised plan half the size of the previous application and proposed a 3 phase approach which provided additional comfort to the planning board. The Planning Board tabled the application until March 12 for additional consideration. The development proposal has been revised as noted above to look like the following:

Proposed Project

The applicant intends to open a campground on the property. The development will be contained within the portion that lies north of Marston's Road and just east of Deacon Road. This development area is approximately 150 acres of the 469 acre property. The applicant proposes to develop the site with a series of camp sites, a club house and a general store. There will be a mix of RV compatible sites, cabins & tent sites. The campground will offer a wide variety of amenities to outdoor enthusiasts including swimming, fishing, hiking & mountain biking and use of miles of existing ATV trails. Our plans feature a maximum of **172 camp sites**. This can further be loosely broken down into 103 large RV sites and 69 cabin/tenting/small RV sites. All remaining land shall remain undisturbed. Each of the campsites will have, at a minimum, one parking space, fire pit & picnic table.

The development will be constructed over the course of no less than three phases. The phases are shown on the attached phasing plan and break down as follows:

Phase 1: This phase includes 60 total sites including 19 RV sites and 41 cabin/tent sites. The sites labeled as cabin/tent are interchangeable from a permitting perspective. They both have a smaller footprint than one of the large RV sites. Some of the cabin/tent sites may also be used for small RVs. This phase will also include:

- Updates to the onsite stormwater pond
- Retrofits necessary to install the dry hydrant (fire truck connection).
- Swimming pool
- Improvements to the Marston's Road from the intersection of Senator Black Road to the campground.
- Signage improvements to Senator Black Road.

Phase 2: This phase includes 67 total sites including 39 RV sites and 28 cabin/tent sites. This phase will also include the club house, sewer dump stations and the stormwater upgrades to Marston's Pond.

Phase 3: This phase includes the three remaining dead end roads and the associated 45 RV sites. These dead end sections will be built one at a time and really represent three mini-phases that will be constructed when the applicant has the resources to construct them. The applicant has already cleared much of the proposed development area. No new development is proposed within 250' of Marston's Pond or within 100' of the onsite stream due to the RP zone. Only structures and features that were permitted prior to the enacting of the RP Zone in March 2018 will be located within the Resource Protection Area.

Project Utilities

The majority of sites will be served by an electrical service that will be fed via underground electric lines. Group septic systems will be regionally located around the campground to service the sites.

The large cabin sites are expected to have individual water and sewer connections, while the majority of the other sites will rely on regionally located bath houses and laundry houses. Three dump stations will be centrally located to service clients with holding tanks. Septic locations are shown on the plans. HHE-200 forms will be provided by the project site evaluator.

The State of Maine Department of Health and Human Services (Department) requires that all sites have access to water carried sewage facilities. The Department stipulates that all water carried sewage effluent shall be disposed of by means of: a public system; or an approved sewage disposal system which is constructed and operated in conformance with applicable state and local laws, ordinances and regulations. Non-water carried sewage disposal facilities include pit privies, vault privies, chemical toilets, and composting toilets are only allowed if specifically permitted through the Department. By the State definition, the entirety of the campground will be serviced with conveniently located (within 500' of all camp sites) water carried sewage facilities. The Department defines sites without access to water or sanitary buildings as a primitive site. We believe that the density requirements of the Town Zoning Ordinances (5,000 SF per site vs. 20,000 SF per site) differentiate sites that have access to water carried sewer facilities vs. those that are classified as primitive sites.

Required State Permits & Project Consultants

This project will require a MDEP Site Location of Development Permit prior to beginning the second phase of development. We've had several meetings with MDEP representatives and followed the latest meeting up with a scoping/pre-application meeting at the MDEP Portland Office in October 2018. The project will also need a NRPA Wetland Alteration Permit.

The project has been reduced in size and no longer will need a MDOT traffic movement permit since the peak hour trips are now less than 100. William Bray, P.E. of Traffic Solutions has prepared a traffic study. The applicant has previously agreed to upgrade Marston's Road to the Town Road Standards from the intersection with Senator Black Road to the campground entrance. The applicant will also improve the intersection of Marston's Road with Senator Black Road by providing larger entrance radii.

The overall property boundary information shown on the attached plans is based upon a

boundary survey that was completed in 1996 and was recorded in the Cumberland County Registry of Deeds (previously submitted). The property lines near the development area for the campground have been defined by Survey, Inc. (previously submitted). Statewide Surveys, Inc. & Longview Partners, Inc combined to perform a wetland & stream delineation of the project area. Longview Partners performed a vernal pool assessment in the spring of 2018. A significant vernal pool was found on the backside of Marston's Pond that is located within the town Resource Protection District. Onsite topography of the developed area was provided by Statewide Surveys, Inc. Middle Branch Land Surveying provided an existing conditions plan of Marston's Road. The remaining topography was obtained from the State of Maine Office of GIS and is shown at a 2' contour interval. The United States Army Corp of Engineers requested that a site investigation be undertaken to look for the presence of the Small Whorled Pagonia. This type of pagonia is a threatened species. Flycatcher LLC performed a site survey in July of 2019. A grouping of four individual plants were found on the site. A copy of their report is attached. The plants are located approximately 300' from the nearest proposed area of development. The Maine Natural Areas Program will review the plan to ensure that adequate buffering has been provided. Terradyn Consultants, LLC will assist the applicant with the local, state and federal permitting process. Campground Rules The campground rules were previously provided but are included here for your convenience. The campground will publish a series of rules & safety guidelines that its users will agree to adhere to. It will also operate under Department rules and regulations: Specific rules are discussed below:

a. **Dates of Operation:** The campground will be open from May 1st through October 31st.

b. **Hours of Entry:** The campground will be controlled by a gated entrance 24-hours a day. Controlled access to and from the campground will be available 24-hours a day. The registration office will be open from 7 AM to 8 PM each day the campground is open. Campers and visitors will be provided instructions on gate access procedures upon check-in. No new (un-registered) visitors will be allowed in after 8 PM.

c. **Reservations & Rates:** The applicant has previously provided a sample rate sheet. Reservations will open February 1st of each year. Seasonal sites will need to reserve the site for the following year prior to the expiration of their rental term. After such time, the site will be offered via standard reservation on a first come, first serve basis.

d. **Vehicular Access:** All campers will be given directions to the campground from both east & west of the campground access and will be directed to come down Senator Black Road via Marston's Road. It is expected that signage along Route 113 will be allowable by the Town and MDOT to direct traffic away from Brown Road.

e. **Emergency Preparedness:** Campground safety regulations are published by the American Camp Association (see www.acacamps.org for more information). The applicant is researching those guidelines, will review them with the Baldwin Fire Dept. and intends to enact them. Copies of the campground safety regulations will be provided once prepared. The Nature's Wilderness plan will –at a minimum- feature the following:

i. Campfires will be put out prior to quiet/bed time.

ii. Camp employees will be trained in emergency procedures including first

aid and fire control procedures.

iii. All RV, Glamping and cabin sites will have water connections.

iv. The campground owns a functioning fire truck that will be available to respond to any fire related emergency.

v. A dry hydrant will be installed in the primary stormwater pond along the Marston's Road frontage. The connection will allow all area pumper trucks to connect to a large volume of water. As designed the stormwater/fire pond will contain more than 1,000,000 gallons of water.

f. **Number of sites:** The park will not permit the placement of any R.V.'s or tents exceeding the number of sites approved by the Town of Baldwin & the State of Maine.

g. **Primitive Recreation:** All hiking, biking & equestrian use will be limited to the campground property and abutting surrounding lands, based upon written agreements between the campground and the landowner that may be created/amended from time to time. Mounted maps will be posted at various points throughout the trail system and in the club house. Maps will be updated to reflect current land agreement areas each year.

h. **ATV use:** The campground proposes to allow ATV use within the land owned by the applicant described as lot 22 on Town of Baldwin Tax Map 7. This land area contains existing trails and the campground expects to prepare additional trail networks. The applicant is proposing to reserve the right to obtain permission from abutting land owners for trail maintenance and access in an effort to expand ATV use to established trail networks located in this part of the State. All trails, existing and proposed are to be mapped and property/use limits clearly posted on the trails. The campground will display a series of maps located at various points along the trail system and will publish trail maps for the renters. A trail map exhibit is attached to this submittal. Signs will be placed at the perimeter of the defined trail limits signifying that ATV traffic must remain trails that are specifically indicated on the maps. ATVs will be prohibited from traveling along Marston's Road except at specified crossing locations. The hours of operation of ATV's on the site will be limited to 7 AM to a half hour after sunset each day. The campground reserves the right to impose additional restrictions and/or revoke privileges on the ATV use/users.

i. **Right of entry and inspection:** The Town of Baldwin Code Enforcement Officer (CEO) and any duly designated officer or employee of the State of Maine Department of Health and Human Services (Department) shall have the right, without an administrative inspection warrant, to enter upon and into the premises of the campground at any reasonable time in order to determine the state of compliance with this the permit and any rules in force pursuant thereto.

j. **Register:** The proprietor shall keep and maintain or cause to be kept and maintained therein, a register of guests renting or occupying sites. The register may be a book or separate registration form or card. The register shall be signed by the person renting sites or by someone under their direction. The proprietor or their agent shall write opposite each name the number of sites assigned to and occupied by each guest, and the state and license number of any automobile then being used or operated by the registrant. The proprietor or their agent shall keep and preserve the record for 5 years showing the date of registration and duration

of occupancy of each site. Said register shall be available to the CEO or any agent of the Department upon request.

k. **Water analysis:** A copy of the current water analysis shall be at the park and in view of the public. A water sample shall be taken, tested and shown to be satisfactory before the campground opens for the season.

l. **Dump Station:** Dump stations will be provided consisting of at least a four inch (10 cm.) sewer riser pipe, connected to the R.V. sewage disposal system, surrounded at the inlet by a 3 foot by 3 foot concrete apron sloped to the drain, provided with a suitable hinged cover and/or screw cap; and a water outlet to permit periodic wash down of adjacent areas. This water outlet shall be protected with an anti-siphon backflow preventer. A sign shall be posted stating that the water from this outlet is not for drinking purposes.

m. **Garbage & Rubbish Disposal:** Garbage collection points will be installed and maintained at a number of locations within the campground. Most garbage collection points will be dumpsters, while smaller receptacles may be installed as well. Garbage and rubbish will be kept in durable insect proof containers that do not leak and do not absorb liquids. Plastic bags and wet-strength paper bags may be used to line these containers. All containers will be provided with tight-fitting lids. The campground will provide a sufficient number of containers to hold all of the garbage and rubbish which accumulates between periods of removal.

n. **Swimming Pool:** The campground will contain a large swimming pool. It will be constructed and operated in accordance with all state rules applicable to swimming pools.

o. **Park Amenities & Services Limited to Paying Guests:** The park amenities, services & activities will be available only to campers & guests. The park is not open for use by the general public. The campground intends to offer a variety of amenities, services & activities including:

i. **Swimming:** Swimming lessons will be offered to guests and taught by a certified instructor.

ii. **Archery:** an archery range may be established in a suitable location. If and when the range is open, a safety instructor will be on duty.

iii. **Canoes & Kayaks:** Canoes and Kayaks will be provided for free to campers and invited guests.

iv. **Live Music**

Note: ATV's will not be rented to the campers.

p. **Multi-purpose Building:** The multi-purpose building will function as a community center, general store & restaurant. It will be open to campers and registered guests between the hours of 8 am to 9 pm.

The campground intends to sell retail goods from the general store. No limitations on goods that are offered for sale are proposed under this application.

The restaurant will offer prepared and made-to-order food items for sale to campers and registered guests. Menu items are expected to include breakfast, lunch and dinner items. The applicant reserves the right to change the menu items as they see fit. The building will also contain games, TV's and other indoor

recreational activities.

q. **Primitive Sites Prohibited:** The Nature's Wilderness Campground will not contain

any primitive sites.

A conditional use may be granted by the Planning Board only in the event that the applicant has established to the satisfaction of the Planning Board that:

A. Neither the proposed use nor the proposed site upon which the use will be located is of such a character that the use will have significant adverse impact upon the value or quiet possession of surrounding properties greater than would normally occur from such a use in the district. In reaching a determination on this standard, the Planning Board shall consider:

1. the size of the proposed use compared with surrounding uses;
2. the intensity of the proposed use, including amount and type of traffic to be generated, hours of operation, expanse of pavement, and similar measures of intensity of use, compared with surrounding uses;
3. the potential generation of noise, dust, odor, vibration, glare, smoke, litter and other nuisances;
4. unusual physical characteristics of the site, including size of the lot, shape of the lot, topography, and soils, which may tend to aggravate adverse impacts upon surrounding properties;
5. the degree to which landscaping, fencing, and other design elements have been incorporated to mitigate adverse impacts on surrounding properties.

B. Municipal or other facilities serving the proposed use will not be overburdened or hazards created because of inadequate facilities. In reaching a determination on this standard, the Planning Board shall consider:

1. the ability of traffic to safely move into and out of the site at the proposed location;
2. the presence of facilities to assure the safety of pedestrians passing by or through the site;
3. the capacity of the street network to accommodate the proposed use;
4. the capacity of the storm drainage system to accommodate the proposed use;
5. the ability of the Town to provide necessary fire protection services to the site and development.

C. The natural characteristics of the site, including topography, drainage, and relationship to ground and surface waters and flood plains, shall not be such that the proposed use when placed on the site will cause undue harm to the environment or to neighboring properties.

Access to Property

Each property shall be provided with vehicular access to the property by abutting public or private ways or roads. Private rights-of-way shall be protected by permanent easements.

Access will be by State aid, Town ways and private ways as defined in the town of Baldwin. All access information was provided and discussed as part of the review of

this project. The applicant will provide Traffic numbers based on the phases as proposed in the narrative submitted by the applicant.

Access Limitations

Any lot created after the effective date of this Ordinance, as part of a subdivision as defined by the Town of Baldwin and State of Maine shall have its required road frontage on a way other than Routes 11, 107, and 113, the Douglas Hill Road, and the River Road unless the Planning Board determines that conditions particular to a parcel justify a waiver from this requirement. A waiver shall be granted only if there will be no further subdivision of the parcel and one of the following conditions is met:

- A. There is too little road frontage to reasonably allow for the creation of a new way.
- B. The shape or physical condition of the parcel does not permit access to or creation of a way.

No waivers are required. The applicant is not accessing this site via any of the Roads listed above.

9.4 Dust, Fumes, Vapors and Gases

Emission of dust, fly ash, fumes, vapors or gases which could damage human health, animals, vegetation, or property, or which could soil or stain persons or property, at any point beyond the lot line of the commercial or industrial establishment creating that emission shall be prohibited. All such activities shall also comply with applicable Federal and State regulations.

The applicant shall be responsible for watering the Marston Road during the dry spells in order to keep dust at a minimum for abutting residential properties

9.5 Glare

No land use or establishment shall be permitted to produce a stray, dazzling light or reflection of that light beyond its lot lines onto neighboring properties, or onto any public way so as to impair the vision of the driver of any vehicle upon that way.

This use is contained within a 700-acre piece of land and is a Campground. There will be no glare impacting abutting property owners. No personal fireworks shall be allowed at the campground. If the Campground management chooses to do fireworks displays, it must first be provided dates of proposed fireworks to the town/fire department for the upcoming season.

9.6 Industrial Odors

No land use or establishment shall be permitted to produce offensive or harmful odors perceptible beyond their lot lines, either at ground or habitable elevation.

Not Applicable

9.7 Off-Street Parking Standards

A. Applicability

In all new construction, expansions or changes of use there shall be provided off-street parking for their use.

The applicant has provided spaces off street for each unit and at the Club House & pool Area

B. Requirements

Off-street parking shall be considered an accessory use when required or provided to serve conforming uses located in any district. An off-street parking space shall be 10 feet wide by 20 feet long exclusive of maneuvering space. The following minimum number of spaces shall be provided and maintained:

Campground1 space per site

Service establishments1 space per 200 square feet of gross floor area

Eating and drinking establishments.....1 space per 3 seats

The plan has made accommodations for the required parking spaces as noted above even though the Eating and Drinking establishment will not be open to the public.

C. Off-Street Parking

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

Not Applicable

9.8 Sewage Disposal

Any use which relies on the soils for treatment of wastewater shall comply with the requirements of the Maine State Plumbing Code. The discharge of wastewater other than to soils shall be in compliance with the regulations of the Maine Department of Environmental Protection.

The applicant has provided HHE 200 forms for the Septic system designs and all of the information indicated that the above standards will be adhered too.

9.9 Soils and Earth-Moving

No person shall perform any act or use of the land in a manner which would cause substantial or avoidable erosion, create a nuisance, or significantly alter existing patterns of natural water flow in the Town.

The applicants plan shows a great deal of Erosion control measures and the project requires Maine DEP review which will also trigger inspections by the state during construction

9.10 Stormwater Drainage

A. Stormwater drainage systems shall be designed to minimize the volume and rate of outflow from the development.

B. Design of drainage facilities shall accommodate, at a minimum, a 25-year storm frequency

The applicant has demonstrated that they have a more than sufficient stormwater design which must also be approved by Maine DEP prior to the start of construction.

In addition to the above Performance Standards, The Planning Board must also consider the following from Article 10 Section 10.4

Campgrounds

Campgrounds shall conform to the minimum requirements imposed under State licensing procedures and the following:

A. Areas containing water-carried sewage facilities

Recreational vehicle and tenting areas containing approved water-carried sewage facilities shall meet the following criteria:

1. Each recreational vehicle, tent, or shelter site shall contain a minimum of 5,000 square feet, not including roads and driveways.

The applicants density is equivalent to 5,966 square feet per unit

2. A minimum of 200 square feet of off-street parking plus maneuvering space shall be provided for each recreational vehicle, tent, or shelter site.

The plans have included a typical site design for each camp site that includes a 10'x20' Parking areas well as enough room on each site to maneuver a camper as needed

3. Each recreational vehicle, tent, or shelter site shall be provided with a picnic table, trash receptacle, and fireplace.

Sheet C1.1 includes a typical layout showing all of the above amenities which must be included on each designated site.

B. Areas without water-carried sewage facilities

Recreational areas without water-carried sewage facilities shall contain a minimum of 20,000 square feet, not including roads and driveways, for each recreational vehicle, tent or shelter site.

Not Applicable

C. Setbacks

The area intended for placement of the recreational vehicle, tent, or shelter and utility and service buildings, shall be set back a minimum of 100 feet from the exterior lot lines of the camping area and 100 feet from the normal high water elevation of any water body.

Not only has the applicant provided the required setbacks, the property itself is much larger than the campground which will be contained within the property. The plans also represent a design that meets the required waterbody setbacks.

D. Screening

All campgrounds shall be screened from adjacent land areas by a continuous landscaped area not less than 25 feet in width containing evergreen shrubs, trees, fences, walls or any combination which forms an effective visual barrier of not less than six feet in height.

Not only has the applicant provided the required setbacks, the property itself is much larger than the campground which will be contained within the property.

Based on the above Statement of Findings of Fact and Conclusions of Law, the Planning Board Approves/Denies the application for Natures Way Campground owned and operated by Natures Wilderness, LLC by a vote of which includes the following conditions:

- The Campground cannot expand without first seeking additional approvals from the Planning Board
- The applicant shall be responsible for watering the Marston Road during the dry spells in order to keep dust at a minimum for abutting residential properties
- The applicant shall develop an evacuation plan for the campers in case of a forest fire or other natural disasters which may impact the campground. This plan shall be provided to the town and the fire department for their knowledge.
- The applicant shall provide a Mass gathering plan including Porte Pottie locations and numbers of units, Parking locations Time of the event(s) and number of potential attendees, and who will be responsible for enforcement during these events i.e. Sherriff department, Code Enforcement etc...for the purpose of this development Mass Gathering consists of XXX number of people on the grounds and not staying at the facility. Such events shall be presented to the Planning Board and Select board 3 months prior to event in order to ensure the town is aware of the event and has planned to work with the event organizer on coordinated efforts.
- The Campground shall only operate between the dates of May 1 and October 31. No one shall be living on the premises during a non-operational period.
- The Campground shall be responsible for placing directional signage along both Senator Black and Brown Roads. Those signs shall consist of Directional signs as well as any other appropriate signage used within the Manual of Uniform Traffic Devices.
- All ATV and walking trails shall be signed at or near the property lines of the outer boundary to notify campers of Trespass
- The applicant shall post a letter of credit for the construction of the park based on the phase of development. The LOC shall be rolled over and a new one supplied to the town prior to the initiation of construction for that phase.
- No Hunting will be allowed within the boundary of the property owned by the campground or any other entity affiliated with the campground ownership
- No personal fireworks shall be allowed at the campground. If the Campground management chooses to do fireworks displays, it must first be provide dates of proposed fireworks to the town/fire department for the upcoming season.

- No firearms discharge will be allowed for any reason within the campground or associated property surrounding the campgrounds