

TOWN OF LIMERICK PLANNING BOARD

CONDITIONAL USE PERMIT APPLICATION

This Application must be delivered to the Planning Board Office two weeks prior to a regularly scheduled meeting, along with the \$250.00 application fee made payable to the Town of Limerick, in order to be placed on the agenda.

Read the instructions "How to Apply for a Conditional Use Permit" before completing this application.

Proposed Use/Business Name: _____

Applicant Information

Name of Applicant: _____

Address _____

Telephone _____ E-mail: _____

Name of Property Owner(s) (list all): _____
(If different than applicant)

Address _____

Telephone _____

Name of Applicants' Authorized Agent: _____ E-mail _____

Address _____

Telephone _____

Name Land Surveyor/Engineer: _____ E-mail _____

Address _____

Telephone _____

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

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

of Attachments: _____

Signature of Applicant

Date:

For Office Use Only

Map/Lot #:

Date Received:

Fee Paid:

Property Information

Location of property: (Street or Road) _____

Register of Deeds Book _____ Page _____

Limerick Tax Maps Map _____ Lot(s) _____; Map _____ Lot(s) _____

(Please include a copy of a deed, lease, or purchase and sale contract as noted in step 4 of instructions)

Current property zoning as indicated on the Limerick Zoning Map: _____

Acreage to be developed: _____ Total Acreage: _____

Indicate any restrictive covenants in the deeds (no business use, unregistered vehicles, etc.)

Identify the existing use(s) of property (farmland, woodlot, etc.):

Does the parcel include any water bodies? ____yes ____no

Does the parcel include wetlands? ____yes ____no

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

Please make note verifying existence of any historical features on this parcel such as cemeteries or historical landmarks.

Land use as specified in Article V- District Regulations of the Limerick Zoning Ordinance:

Describe proposed land use in detail:

Expected Hours of Operation: _____

Attach a detailed sketch plan (may be a freehand drawing) including distance from lot boundaries, entrance points and parking spaces, as well as buffers if needed.

For Office Use Only

Date:

Initials:

Property Abutters

Please complete the following information for each abutter within 250' of your property. Note, this includes property located across any streets or roads:

- 1.) Map and lot numbers from the Town of Limerick tax maps.
- 2.) The property owner(s) full name(s).
- 3.) Complete mailing address.
- 4.) Attach additional pages as necessary

MAP	LOT	OWNERS FULL NAME	MAILING ADDRESS

LIMERICK ZONING ORDINANCE ARTICLE VII-CONDITIONAL USES

Please present ***evidence*** to satisfy each condition below:

- A. A conditional use permit is designed for those uses, which may be permitted as a service to the community or for the benefit of the town's general welfare. The standards of this provision are designed to ensure adequate control of the location, design and operation of conditional uses.
- B. The Planning Board may approve an application for a Conditional Use Permit if the applicant demonstrates that the proposed use:
1. Will meet the definition and specific requirements set forth in this ordinance for the specific use;
 2. Will not have a significant detrimental effect on the use and peaceful enjoyment of adjacent or nearby property as a result of noise, vibrations, fumes, odor, dust, light, glare or other cause;
 3. Will not have a significant adverse effect on adjacent or nearby property values;
 4. Will not result in significant hazards to pedestrian or vehicular traffic or significant traffic congestion;
 5. Will not result in a significant fire danger;
 6. Will not result in significant flood hazards or flood damage, drainage problems, ground or surface water contamination, or soil erosion;
 7. Will not create a safety hazard because of inadequate access to the site, or to the buildings on the site, for emergency vehicles;
 8. Has proposed exterior lighting which will not create hazards to motorists traveling on adjacent public streets, is adequate to the safety of occupants or users of the site, will not damage the value and diminish the usability of adjacent properties;
 9. Make provisions for onsite buffers or landscaping which provide adequate protection to neighboring properties from detrimental features of the development;
 10. Makes provisions for vehicular loading and unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets which neither create hazards to safety nor impose significant burdens on public facilities;
 11. Makes adequate provision for disposal of waste water or solid waste and for the prevention of ground or surface water contamination;
 12. Makes adequate provision to control erosion or sedimentation;
 13. Makes adequate provision to handle storm water run-off and other drainage problems on the site;
 14. Provides for a water supply which will meet the demands of the proposed use;
 15. Makes adequate provision for the transportation, storage and disposal of hazardous substances and materials as defined by State law;
 16. Will not have an adverse impact on significant scenic vistas or on significant wildlife habitat, which could be avoided by reasonable modification of the plan.

**Office of the Road Commissioner
55 Washington Street
Limerick, ME 04048**

Date: _____

To: Limerick Planning Board
55 Washington Street
Limerick, ME 04048

Re: Site Inspection Report for a Conditional Use Permit Application:

Fill this out only if property is located on Town or private road.

DOT driveway permits are necessary if property is located on a state highway.

Applicant: _____

Property Location: Map _____ Lot(s) _____

Address: _____

Date of Site Inspection: _____

Site Inspection Details: _____

Based on my inspection and including any conditions listed above, I find that the applicant:

Does: _____

Road Commissioner – Town of Limerick

Does Not: _____

Road Commissioner – Town of Limerick

Meet the criteria outlined in the **Limerick Zoning Ordinance or Planning Board Standards for Reviewing Subdivisions.**

**Limerick Fire Department & EMS
24 School Street
Limerick, ME 04048**

Date: _____

To: Limerick Planning Board
55 Washington Street
Limerick, ME 04048

Re: Fire and Rescue Inspection Report for a Conditional Use Permit Application:

Applicant: _____

Property Location: Map _____ Lot(s) _____

Address: _____

Date of Site Inspection: _____

Site Inspection Details: _____

Based on my inspection and including any conditions listed above, I find that the applicant:

Does: _____
Fire Chief – Town of Limerick

Does Not: _____
Fire Chief – Town of Limerick

Meet the criteria outlined in the **Limerick Zoning Ordinance or Planning Board Standards for Reviewing Subdivisions.**

AGENT AUTHORIZATION FORM

PROPERTY LEGAL DESCRIPTION:

MAP _____ LOT _____ DEED: Book _____ Page _____

STREET ADDRESS: _____

Please print:

Property Owner: _____

Property Owner: _____

The undersigned, registered property owners of the above noted property, do hereby authorize

_____, of _____

(Contractor / Agent)

(Name of consulting firm)

to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit or certification and any and all standard and special conditions attached.

Property Owner's Address (if different than property above):

Telephone: _____

We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.

Authorized Signature

Authorized Signature

Date: _____

Date: _____

Town of Limerick Planning Board (PB) Instructions

How to Apply for a Conditional Use (CU) Permit

Step 1. Obtain a CU application package from the town website, from the Planning Board, or another municipal employee located at the Municipal Office on Washington St. The package includes the application form, an agent authorization form, these instructions, a sample site plan and sample responses to the conditional use requirements.

APPLICANT/PROPERTY OWNERS/AGENT INFORMATION

Step 2. If the **applicant or property owner** is a corporation, submit a copy of the Articles of Incorporation with the completed application form.

Step 3. List **ALL** property owners for all Map/Lots that are part of the project.

Step 4. The **applicant** must establish a **legal interest** in any and all properties under consideration. A deed in the applicant's name will satisfy this requirement. If the applicant is different than the property owner then legal interest can be demonstrated by providing a lease or purchase and sales contract(s) between the applicant and the property owner.

If proof of legal interest is not provided, the PB cannot process or issue a CU permit.

Step 5. Complete the agent information if the applicant is to be represented by another entity during the permitting process. This situation may occur if the applicant is a corporation or the applicant wants another individual other than herself/himself to serve as spokesperson during the permitting process.

If an agent is appointed by the applicant, a Planning Board Agent Authorization Form (blank form enclosed) must be completed and signed by the applicant/owner and the agent and submitted with the application.

CURRENT PROPERTY INFORMATION

Step 6. On page 2 of the application, complete the Book/Page(s) for all deeds submitted. This information is usually on the deed itself or can be obtained from the Registry of Deeds in Alfred.

Identify the Map/Lot(s), Zone(s) and Land Use(s) by referring to the Limerick Tax Maps, the Limerick Zoning Map, and the Land Use Chart located in the Limerick Zoning Ordinance (LZO). The tax maps and zoning map are available at the Municipal Building or on the town website.

Continue to describe the current land use by answering the questions on page 2 of the application form.

PROPOSED LAND USE DESCRIPTION

Step 7. Complete a detailed description of the project either on the application form on page 2 or as a supplemental attachment to the application if more space is needed. More information is better than less. This description should include the proposed land use as defined in the Limerick Land Use Chart located in the LZO. Additionally, note any requirements for extension of public infrastructure such as roads, sidewalks, water supply, waste disposal, fire protection, power/telephone/cable placement either underground or overhead and estimate the costs of infrastructure improvement.

SITE PLAN

Step 8. The site plan should include, **if applicable:**

- A. The date the site plan written, the name and address of the property owner and the applicant, a North arrow, and the scale size (not less than one inch to 50 ft.).
- B. The exact dimensions and acreage of the parcel to be built upon with boundaries noted.
- C. Contour intervals of not less than two feet.
- D. The size, shape and location of existing and proposed buildings.
- E. The location and dimensions of parking areas, loading and unloading facilities, points of ingress/egress of vehicles to/from the site to public streets.
- F. Location of all existing and/or proposed easements and right of ways.
- G. Location and dimensions of pedestrian access ways.
- H. Location and size of existing and proposed water/sewer mains, culverts and storm drains.
- I. Location of outdoor lighting.
- J. Location of natural features such as watercourses, marshes, rock outcroppings, and tree stands.
- K. Location and types of landscaping including plantings and screenings.
- L. Location and size of signs and advertising features.
- M. Any other provisions contained in the Limerick Ordinance that the PB deems appropriate.

PROPERTY ABUTTER INFORMATION

Step 9. Complete the abutter information on page 3 of the application. This information is obtained from the tax maps located in the Municipal Building. If you need assistance see the PB secretary or other municipal employee.

STANDARDS AND CONDITIONS FOR APPROVAL

Some CU requirements may not be applicable to your project. If so, indicate NOT APPLICABLE ***and explain why the requirement does not apply.***

Step 10. No final application shall be approved unless, in the judgment of the PB, the applicant has provided proof in writing that the proposed project will satisfy the following CU requirements:

- CU 1 –
 - a. Is the land use allowed is in the district in which the property resides?
 - b. Does the project plan meet the definition of conditional use:
A use permitted only after review and approval by the Planning Board. A conditional use is a use that would not be appropriate without restriction, but which, if controlled under the provision of the Ordinance would promote the purpose of this Ordinance.
 - c. Does the project plan satisfy the purposes of the LZO:
 - i. Promote health, safety and general welfare
 - ii. Preserve the amenities now attached to our Town
 - iii. Promote good civic design and arrangements
 - iv. Adequately provide for public utilities
 - v. Provide a service to the community

CU 2 – Explain how your operation might create noise, vibrations, fumes, odor, dust, light, glare or any other related potential impacts and how you plan to minimize these impacts.

CU 3 – Provide a property value impact letter from a realtor or licensed appraiser that addresses the possible impact on abutters' property and land values and a plan to minimize this impact if any.

CU 4 - If the road access is a town road request a written review of the physical site and the site plan by the Limerick Road Commissioner (form letter is in the application). If the access is a State road, request a review of the physical site and the site plan by the Department of Transportation.

CU 5 & CU 7- Request a written review of the physical site and the site plan by the Limerick Fire Department (form letter is in the application).

CU 6, CU 12 & CU 13 - Provide a written explanation and prevention plan(s) for all applicable areas of potential flood damage, flood hazard, storm water run-off, drainage problems, ground or surface water contamination, soil erosion and sedimentation.

CU 8 - Provide an exterior lighting plan which includes: type, location, direction and height of lighting, wattage and duration of use.

CU 9 & CU 10 - See step 8 in the instructions on how to complete a site plan.

CU 11 – Define how the disposal of waste water and/or solid waste will be handled. If applicable develop a waste disposal plan with the assistance of a licensed site evaluator, engineer or municipal sewer operator. Address what kind of burden will be placed on municipal services, if any.

CU 14 – Provide a water supply letter from driller or municipal water supplier.

CU 15 - Document a plan for the disposal of hazardous materials.

CU 16 - Document how scenic or wildlife habitat areas will be affected by the project. Are any Maine natural resource areas involved? Define actions the applicant will take to mitigate any potential impact.

SUBMISSION

Step 11. Submit the following to the PB secretary or other municipal employee:

- a completed application form
- articles of incorporation (if applicable)
- deeds, leases, or purchase/sales contract(s)
- project overview if separate from the application
- a site plan
- responses to the CU requirements with supporting documents
- a copy of applicable State Licenses
- a check made payable to the TOWN of LIMERICK for \$250

SAMPLE RESPONSES TO CONDITIONAL USE REQUIREMENTS FOR A CAR WASH APPLICATION

(Note: This example is a fictitious case. References to support documents are not included.)

Project Plan Description – I am applying for a CU permit to establish an automatic and do-it yourself car wash and an interior car detailing center in Limerick on Map 999, Lot 999, located in Limerick on Rt. 11, 2.5 miles from Main St. , on a 3.5 acre site. See the site plans for a description of the physical location of the business at the above location as well as how the lot will be configured. I hired EcoEngineers, Inc., Judson and Reed, to assist in planning this project.

CU #1 The purposes and definition of a conditional use contained in the Limerick Ordinance are satisfied by this project as follows. The use is allowed as specified in the land use chart as a personal service business. This type of business requires a conditional use permit in the RFF district. Currently there are no car washes in Limerick. It is expected that 2 people will be employed either full or part time. There are many elderly people in Limerick who will be served by this facility. An informal survey of Limerick residents indicated that this service would be welcome. A car wash will attract residents from adjacent towns as this service is not available in Parsonsfield, Newfield, or Cornish. By attracting residents from neighboring towns, improved sales could result for other businesses in Limerick. I consider these factors to contribute to the general welfare of the public and provide a service to all residents.

No public funds or public utilities will be required by the project.

CU #2 The property site is located in the RFF district approximately 2 miles from Main St. in Limerick on the left side of the road heading west on Rt.11. It is surrounded by a large field and lightly forested area. There are no residences within site of the property. A lumber business is over 500 feet away from the location of the car wash. A residence is across the street, set back 400 ft. and fronted with trees that protect the home from view and traffic on Rt.11. Operating hours are expected to be from 9 AM to 4 PM Tuesday-Friday and 9 to 6 on Saturday, closed on Sunday and Monday. Lights will be operated during open winter evening hours only. The access area to the car washes will be paved to keep dust at a minimum. Some noise may result from the washing and spraying devices but will be dissipated due to plantings and landscaping.

CU #3 There will be no adverse effect on adjacent property values as there are no neighbors in close proximity or view of the proposed site. Abutters across the street are set back out of view and are far enough away to not be disturbed by sounds emanating from the sprayers and washers. Light is kept to a minimum of operating hours.

CU #4 Rt. 11 is not a heavily travelled route. The location of the car wash is visible for a long distance from both directions allowing plenty of time for cars or trucks to enter and leave the site without creating hazards to vehicular traffic travelling along Rt. 11. The entrance is separate from the exit so only one way traffic is travelling through the site. Projected use is expected to be light to moderate during the week and heavier on Saturday. It's expected that on average 40 vehicles will use the facility per day with the majority of use being the automatic washer. It is expected that as the business becomes known more people will schedule interior car detailing. A self-pay vacuum and air source is available at that location for customers to clean their own vehicles.

CU #5. A fire extinguisher will be located in each bay and personnel will be trained in its use once a year and upon hiring. Detergents and a supply of oil for lubricating machinery parts will be located in the locked storage compartment on site.

CU #6 All effluent from the operation of sprayers will be drained into the sloping wells of each bay and then into the oversized septic system and leach field that was designed by Eco Engineers, Inc. Detergents used will be biodegradable. The land surrounding the washing bays are contoured at 4" drops every 20' to aid in run off. There are culverts under the entrance and exit roads to the site to accommodate rainfall and operational runoff if any. The septic system and leach field is sized to handle 3000 gallons of effluent per operational day. A geological survey was conducted by EcoEngineers, Inc. The water aquifer is sufficient to support use up to 5000 gallons of draw a day with recovery overnight. See the enclosed reports.

CU #7 The 30 ft. wide driveways into and out of the site are designed for fire truck and emergency vehicle access without parking in the ROW on Rt. 11. See the site plan.

CU #8 A pole, installed on the island area in front of the car washers, will contain two spotlights of 100 watts each. The lights will be attached approximately 20 ft. above ground. The spotlights will be aimed downward toward the entrance and exit areas. In the winter, before closing and after dusk, the lights will operate for a few hours. There will be a light above the office door that will be extinguished at closing. Most of the year there will be no lights operated on site.

CU #9 Evergreen shrubs along with summertime flowers will be planted and maintained on the island area in front of the bays. Christmas lights will be strung on the evergreens in December only.

CU #10 All traffic will enter on the east side of Rt. 11 and exit out the back of each bay through the west side of Rt. 11 to avoid traffic congestion on the site. The entrance road will accommodate 3-4 waiting vehicles. There will be 2 (1' x 2') signs denoting the entrance and exit areas. A non-lit sign, 3' x 5' identifying the business, will be installed in the center of the front island.

CU #11 All water from cleaning vehicles will flow via canted drains in each bay to the septic system at the rear of the property and then into the oversized leach field. Dirt and contaminants on vehicles will collect in the bays during washing and will be removed and disposed of monthly or as needed by Waste Management Disposal Systems (WMDS) of Maine. See the attached agreement with WMDS for how the washing waste will be handled, removed, and properly disposed. Other solid wastes will consist of paper and plastic products and dust and dirt from vacuuming vehicles. Trash containers are located outside of each bay. In addition, a three unit trash bin that is secured and covered will be emptied weekly and trash deposited at the Limerick transfer station. No fluids for or from vehicles will be stored onsite.

CU #12, #13 Every effort has been made to minimize erosion and protect the environment from operational use. The area consists of pavement, grasses, trees, shrubs, and flowers. The intent is to keep the area as natural as possible. If necessary, swales can be installed on either side to the property to help direct drainage to the side of road (Rt. 11). Culverts will be installed under both driveways along Rt. 11.

CU #14 Water demand and supply has been projected by EcoEngineers, Inc. See attached report. The automatic washer and timing of self-service washers are designed to conserve water (no more than 30 gals. for each wet, wash, and rinse cycle). With 100 customers per day, it is expected that no more than 3000 gallons of water will be drawn per day. Records will be kept to ensure that no more than 100 vehicles are washed per operational day.

CU #15 All hazardous materials (solid effluent) will be removed by WMDS on a regular basis. All detergents are biodegradable.

CU #16 Currently, the area is rural, interspersed with businesses and residences. Deer roam freely throughout the wooded areas and fields mostly from dusk to dawn when the facility will be non-operational and without traffic. As noted previously the site being developed will be enhanced with evergreen plantings and flowers to fit in with the rural nature of the area and thereby will not impact scenic vistas. Visibility of the car wash from the road will be minimal.

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It will be a sample plot plan

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It will be a sample plot plan