



City of Gardiner
Site Plan Review Application

Project Name: GRA Real Estate Holdings, LLC Project Cost: _____

Date of submission: August 17, 2023 Received by: _____ Fees: \$250

Proposal (including all other local, state and federal permits required for the project):

GRA Real Estate Holdings, LLC, herein called the applicant has a purchase and sale agreement for Lot #21 in the Libby Hill Business Park in Gardiner, Maine. The project will consist of a new 2,400 sf warehouse and 1,200 sf office building to be located on Lot #21 along with laydown area to support the storage container operation.

Anticipated beginning/completion dates of construction: December 2023/June 2024

1. General Information:

Name of Property Owner: R&S 860 Brunswick Avenue, LLC

Address: 537 High Street, West Gardiner, Maine 04345

Phone/Fax No: 207-588-7519

Applicant/Agent Name: GRA Real Estate Holdings, LLC

Address: PO Box 2750 Seabrook, NH 03874

Phone/Fax No: 603-944-1959

Design Consultant(s): Surveyor Engineer Architect Planner

Name: E.S. Coffin Engineering & Surveying (c/o Jim Coffin)

Address: P.O. Box 4687 Augusta, ME 04330

Phone/Fax No 207-623-9475(p) / 207-623-0016(f)

Name: James Coffin (PE #8500)

Address: P.O. Box 4687 Augusta, ME 04330

Phone/Fax No: 207-623-9475/207-623-0016

Name: Kane Coffin (PLS #1292)

Address: P.O. Box 4687 Augusta, ME 04330

Phone/Fax No: 207-623-9475/207-623-0016

Signature: _____ Date: August 17, 2023

2. Property Information:

Location of Property:

Deed Ref: Book 14434	Page 1	City Tax Map(s): <u> 2 </u>	Lot(s): <u> 20-21 </u>
Deed Ref: _____	_____	City Tax Map(s): _____	Lot(s): _____
Deed Ref: _____	_____	City Tax Map(s): _____	Lot(s): _____
Deed Ref: _____	_____	City Tax Map(s): _____	Lot(s): _____
Deed Ref: _____	_____	City Tax Map(s): _____	Lot(s): _____
Deed Ref: _____	_____	City Tax Map(s): _____	Lot(s): _____
Property Size/Frontage:	Acres: 19.9	Road: 630'	Shore:
Zoning District(s): <u>Planned Industrial Commercial (PIC)</u>			

3. Development Information:

Include copies of the following as attachments:

- Deed for property, option to buy or other documentation to demonstrate right, title or interest in property on the part of the applicant
- Tax map showing the property and surrounding location
- One or more site maps prepared by a professional engineer or architect, drawn to scale showing:

location of property	property boundaries	elevations	existing & proposed uses
parking areas	roads	driveways	existing & proposed structures
entrances	erosion control features	setbacks	storm water control features
buffers & screening	rights-of-way	easements	essential services and utilities
waterbodies	all other features necessary to show compliance with this Ordinance		
- Building and structure drawings showing the footprint, height, front, side and rear profiles and all design features necessary to show compliance with this Ordinance.
- Elevation drawings prepared by a professional engineer or architect shall show the façade and roof of the side of all proposed structures facing the road, and the side facing the customer entrance. The drawings shall clearly illustrate the profile of the roof. All façade and roof materials shall be identified including color and texture.
- Photographs or similar photo representations or drawings shall show the architectural design and context of the proposed structures and adjacent properties on the both sides of the road.
- Any other information necessary to show that the proposal complies with the applicable provisions of this Ordinance.
- All other required city permit applications necessary for the proposal.

6.3.1 **Waivers**

List any waivers of the submission requirements and the reasons for the waiver request.

No waivers are being asked for with this submission.

6.3.2.7.2 The proposed development activity for which approval is requested including:

1. The estimated demand for water supply and sewage disposal together with the proposed location and provisions for water supply and wastewater disposal including evidence of soil suitability if on-site sewage disposal is proposed;
A letter has been sent to Zach Lovely of the Gardiner Water District asking if the Gardiner Water District has sufficient water capacity for the proposed project.
2. The direction of proposed surface water drainage across the site and from the site together with the proposed location of all stormwater facilities and evidence of their adequacy;
The surface water is directed towards the existing wet pond (410) to the east. Ditches help convey the runoff into the pond while staying out of the existing wetlands. Lot 21 has an allowable impervious area of 3.4 acres as shown on the Phase II Overall Plan. The total impervious area after this project has been constructed will be 3.38 acres. All lots in the LHBP have been pre-designed for stormwater with wet ponds for Phase II and detention ponds for Phase I.
3. The location, dimensions, and ground floor elevations of all proposed buildings and structures including expansions or modifications to existing buildings that change the footprint of the building;
These elements can be found on the site plan (C-1).
4. The location, dimensions and materials to be used in the construction of drives, parking areas, sidewalks and similar facilities;
These elements can be found on the site plan (C-1) and detail sheets.
5. The proposed flow of vehicular and pedestrian traffic into and through the property;
Very few lots in the Libby Hill Business Park allow pedestrian traffic through their site. In addition, there aren't any sidewalks along any of the roads in the park. Vehicles will enter the site off the end of Troiano Way and go in either direction around the proposed building as shown on the site plan (C-1).
6. The location and details for any signs proposed to be install or altered;
The applicant is proposing to erect a new sign adjacent to the entrance into the site as shown on the Site Plan (C-1).
7. The location and details for any exterior lighting proposed to be installed or altered;
All exterior lights will be wall packs (dark sky) that are attached to the building and a detail is included with this submission.
8. Provisions for landscaping and buffering; and
The project is required to implement a partial screen along Troiano Way and a full screen along the rear and side property lines. However, there is a substantial tree growth along all property lines, which will more than conform to Land Use Ordinance.
9. Any other information necessary to demonstrate compliance with the review criteria or other standards of the Land Use Ordinance.
No other information is included at this time.

6.3.3 Additional Information for Applications for Planning Board Review and Site Plan Review

In addition to the information required for all applications in accordance with 6.3.2, an application for a project that requires Planning Board Review or Site Plan Review shall contain the following additional information:

- 6.3.3.1** Building and structure drawings showing the footprint, height, front, side and rear profiles and all design features necessary to show compliance with this Ordinance;
All four building elevations are included in the planning board submission.
- 6.3.3.2** An estimate of the peak hour and average daily traffic to be generated by the project and evidence that the additional traffic can be safely accommodated on the adjacent streets;
David Allen (MDOT) has stated that once the left-hand turn lane was installed along Enterprise Drive that the conditions of the turning movement permit have been met and no further traffic mitigation is required within the subdivision. We have included a traffic report to show that there are 4.1 peak hour trips associated with this development.
- 6.3.3.3** An erosion and sedimentation control plan;
The erosion and sedimentation control plan can be found on Sheet C-3.
- 6.3.3.4** A stormwater management plan demonstrating how any increased runoff from the site will be handled if the project requires a stormwater permit from the Maine Department of Environmental Protection or if the Planning Board determines that such information is necessary based on the scale of the project and the existing conditions in the vicinity of the project; and
Lot 21 has an allowable impervious area of 3.4 acres per the Phase II Overall Plan. The total impervious area after this project has been constructed will be 3.38 acres. All lots in the LHBP have been pre-designed for stormwater with wet ponds for Phase II and detention ponds for Phase I.
- 6.3.3.5** If the property contains an identified historic or archeological resource, the application shall include an analysis explaining how the resource was taken into account in the project planning and how any negative consequences of the proposed development activity on the resource will be mitigated.
A letter is included from the Maine Historical Preservation Commission, who have indicated that there are no historic properties affected by the proposed project.

6.3.4 Additional Information for Applications for Site Plan Review

In addition to the information required for all applications in accordance with 6.3.2 and the additional information required by 6.3.3, an application for a project that requires Site Plan Review shall contain the following additional information:

- 6.3.4.1** The site map(s) required in 6.3.2.7 shall be prepared and sealed by a professional engineer or architect.
This information is included with this submission.
- 6.3.4.2** Elevation drawings prepared by a professional engineer or architect showing the façade and roof of the side of all proposed structures facing the road, and the side facing the customer entrance. The drawings shall clearly illustrate the profile of the roof. All façade and roof materials shall be identified including color and texture.
This information is included with this submission.
- 6.3.4.3** Photographs or similar photo representations or drawings showing the architectural design and context of the proposed structures and adjacent properties on the both sides of the road.
This information is included with this submission.

6.5.1 Review Criteria for All Applications

Applicant shall provide information that demonstrates that the proposed use or uses meets the Review Criteria listed below:

- 6.5.1.1 The application is complete and the review fee has been paid.
The application is complete and the Site Plan Review fee of \$250.00 has been submitted.
- 6.5.1.2 The proposal conforms to all applicable provisions of the Ordinance.
The project conforms to all applicable provisions of the LUO.
- 6.5.1.3 The proposed activity will not result in water pollution, erosion or sedimentation to water bodies.
The application contains all pertinent erosion and sediment control devices needed for the project. All runoff flows south to the existing pond shown on the Phase II Lotting Plan of the Libby Hill Business Park.
- 6.5.1.4 The proposal will provide for the adequate disposal of all wastewater and solid waste.
Public sewer is available for the project and all wastewater associated with the bathrooms, break room, etc. will be sent to the sewer system under Troiano Way. The LHBP Phase II DEP permit allows the 12 lots to discharge up to 18,000 GPD to the City's wastewater treatment facility. A letter has been sent to Doug Clark (Director) of the Gardiner Sewage District asking if District has sufficient capacity to serve the proposed addition. The applicant is anticipating having up to 7 employees associated with the proposed development. A dumpster enclosure is shown on the Site Plan (C-1) that will provide adequate disposal of solid wastes. The LHBP Phase I DEP permit allows the 12 lots to produce up to 24 tons per year or 120 cubic yards of solid wastes.
- 6.5.1.5 The proposal will not have an adverse impact upon wildlife habitat, unique natural areas, shoreline access or visual quality, scenic areas and archeological and historic resources.
The Maine Historical Preservation Committee (MHPC), the Maine Department of Inland Fisheries & Wildlife and the Maine Department of Agriculture, Conservation & Forestry (MNAP) have all provided letters that are included with this submission. There are no concerns with MHPC or MNAP, but the IF&W letter mentions deer wintering areas and recommend that any further softwood removal be kept to a minimum. There is tree cutting needed on site, which can't be done in June or July because of the bat species mating season. Jones Associates have provided a letter in regard to vernal pools and mention that none are considered significant. All wetlands have been marked and are shown on the Topographical Survey Plan.
- 6.5.1.6 The proposal will not have an adverse impact upon waterbodies and wetlands.
Jones Associates have provided the wetland delineation and our surveyors located their wetland flags. This information is shown on the topographic plan included with this submission.
- 6.5.1.7 The proposal will provide for adequate storm water management.
Lot 21 has an allowable impervious area of 3.4 acres per the Phase II Overall Plan. The total impervious area after this project has been constructed will be 3.38 acres. All lots in the LHBP have been pre-designed for stormwater with wet ponds for Phase II and detention ponds for Phase I.
- 6.5.1.8 The proposal will conform to all applicable Shoreland Zoning requirements.
The project is not within Shoreland Zoning and this section is not applicable.
- 6.5.1.9 The proposal will conform to all applicable Floodplain Management requirements.
The project is not within the 100-year flood elevation per the FIRM Map and this section is not applicable.

- 6.5.1.10 The proposal will have sufficient water available to meet the needs of the development.
A letter has been sent to Zach Lovely of the Gardiner Water District asking if the Gardiner Water District has sufficient water capacity for the proposed project.
- 6.5.1.11 The proposal will not adversely affect groundwater quality or quantity.
The project will connect to public water at the end of Troiano Way for domestic water service and a letter has been sent to Zach Lovely of the Gardiner Water District asking if the Gardiner Water District has sufficient water capacity for the proposed project. Groundwater quality and quantity will not be adversely affected with the proposed project.
- 6.5.1.12 The proposal will provide for safe and adequate vehicle and pedestrian circulation in the development.
The proposed site is being utilized for storage with offices associated with the applicant's operation. Pedestrians will not be able to walk around on site as this is the case in almost all of the parcels within the Libby Hill Business Park. Tractor trailer trucks can access and negotiate the site as needed with the ability to drive through the warehouse. The site has been designed to allow 67' long tractor trailer trucks to enter off Troiano Way and drive in either direction around the proposed building. There is more than enough area for vehicle circulation associated with the site.
- 6.5.1.13 The proposal will not result in a reduction of the quality of any municipal service due to an inability to serve the needs of the development.
A letter has been sent to John Cameron (Public Works Director) asking if he has any issues with the project.
- 6.5.1.14 The applicant has the adequate financial and technical capacity to meet the provisions of this Ordinance.
E.S. Coffin Engineering & Surveying has the technical ability to complete the project. The applicant will have provided a financial statement indicating that they have adequate financing to complete the project.
- 6.5.1.15 If the property contains an identified historic or archeological resource, the proposal shall include appropriate measures for protecting the resource, including but not limited to modification of the proposed design of the site, the timing of construction, and limiting the extent of excavation.
A letter is included from the Maine Historical Preservation Commission, who have indicated that there are no historic properties affected by the proposed project.

6.5.2 Additional Site Plan Review Criteria

All applications for Site Plan Review shall meet the Review Criteria contained in 6.5.1 and the additional criteria contained in this section.

- 6.5.2.1. The proposal will be sensitive to the character of the site, neighborhood and the district in which it is located including conformance to any zoning district specific design standards;
The parcel is surrounded by other commercial/industrial parcels except on the west side where it abuts a I-295. There are no design standards in the PIC District.
- 6.5.2.2 The proposal shall not have an adverse impact upon neighboring properties.
There aren't any residential properties that abut the parcel. It will be virtually impossible to see the building except from Troiano Way. Dust will be controlled during construction by using water or calcium. The project will not have an adverse impact on neighboring properties.
- 6.5.2.3 The proposal contains landscaping, buffering, and screening elements which provide privacy to adjacent land uses.
The project is required to implement a partial screen along Troiano Way and a full screen along the rear and side property lines. However, there is a substantial tree growth along all property lines, which will more than conform to Land Use Ordinance.
- 6.5.2.4 The building site and roadway design shall harmonize with the existing topography and conserve natural surroundings and vegetation to the greatest practical extent such that filling, excavation and earth moving is kept to a minimum.
The proposed driveway into the site is at the end of Troiano Way is at an elevation where the building finish floor elevation is about 7 feet higher. With the proposed entrance all traffic entering the site either utilizes the parking area along the west side of the building. The site has been graded to send runoff away from the building in all directions and the cuts/fills have been minimized as much as possible with the existing topography of the parcel.
- 6.5.2.5 The proposal shall reflect the natural capabilities of the site to support the development. Buildings, structures, and other features should be located in the areas of the site most suitable for development. Environmentally sensitive areas including waterbodies, steep slopes, floodplains, wetlands, significant plant and wildlife habitats, scenic areas, aquifers and archeological and historic resources shall be preserved to the maximum extent.
The proposed building is situated on the most desirable location on lot #21. The development does not impact any wetlands. Jones Associates were hired to delineate the wetlands on site and they are depicted on the Topographic Survey. The Maine Historical Preservation Committee, the Maine Department of Inland Fisheries & Wildlife and the Department of Conservation have all provided letters that are included with this submission.
- 6.5.2.6 The proposal shall provide for a system of pedestrian ways within the site appropriate to the development and the surrounding area. The system shall connect building entrances/exits with the parking areas and with existing sidewalks, if they exist or are planned in the vicinity of the project.
There are not any sidewalks on Troiano Way nor along any road within the LHBP. The general public can drive into the site, find a parking space and enter the office area, but this entire site is geared towards a storage facility with tractor trailer trucks and other construction vehicles moving continuously around the all sides of the building. It doesn't make sense for any pedestrian access to occur other than the sidewalks abutting the parking areas.

- 6.5.2.7** In urban and built-up areas, buildings shall be placed closer to the road in conformance with setback requirements and parking areas shall be located at the side or rear. In rural or sparsely built areas, buildings shall be set well back from the road to respect the rural character of the area. Front parking areas shall be landscaped to reflect the rural area.
The proposed building is situated on site so tractor trailers can adequately maneuver in and out of the warehouse building. There is parking along the south and west sides of the building. There is not any "Rural Character" associated with the Libby Hill Business Park as there are only commercial and industrial uses. The proposed parking areas are all adjacent to building so that headlights point towards the building. There has been additional landscaping added near the parking areas to soften the paved areas.
- 6.5.2.8** Proposals with multiple buildings shall be designed and placed to utilize common parking areas to the greatest practical extent.
There will not be multiple buildings on the parcel. 7 parking spaces are required per the Land Use Ordinance and there are 12 parking spaces shown on the site plan (C-1).
- 6.5.2.9** Building entrances shall be oriented to the public road unless the layout or grouping of the buildings justifies another approach.
The main entrance to the building will be on the west side of the proposed building, which faces Troiano Way.
- 6.5.2.10** Exterior building walls greater than 50 feet in length which can be viewed from the public road shall be designed with a combination of architectural features with a variety of building materials and shall include landscaping abutting the wall for at least 50% of the wall.
There are not any building design standards in the PIC District and therefore this section is not applicable.
- 6.5.2.11** Building materials shall match the character of those commonly found in the City and surrounding area and include brick, wood, native stone, tinted /textured concrete block or glass products. Materials such as smooth-faced concrete block or concrete panels and steel panels shall only be used as accent features. Materials shall be of low reflectance, subtle, neutral or earth tone colors. High-intensity and bright colors shall be prohibited except when used as trim or accent. Building materials for industrial or commercial buildings located within an approved industrial park or subdivision shall not be required to follow this provision.
There are not any building design standards in the PIC District and this section is not applicable.
- 6.5.2.12** Building entrances and points where the development intersects with the public road and sidewalk shall be provided with amenities appropriate for the area such as benches, bike racks, bus stop locations and other similar landscape features.
The site is located off from a dead-end road (Troiano Way). The proposed site is being utilized for storage containers with office space associated with the applicant's operation. Pedestrians will not be able to walk around on site as this is a storage operation. There are picnic tables are shown along the east side of the building.
- 6.5.2.13** A proposal which includes drive-through service shall be designed to minimize impact on the neighborhood. Drive-through lanes shall be fully screened from adjacent residential properties and communication systems shall not be audible on adjacent properties.
There are no drive-thru lanes associated with the project and this section is not applicable.

In regard to the General Performance Standards in Section 8 of the LUO;

8.7 Exterior Lighting:

Wall-packs are depicted on the site plan and cut sheets of these fixtures are included with this submission. All of the fixtures will be shielded so that light shines in a downward direction.

Electricity will be brought overhead from a pole at the end of Troiano Way to new pole on site and then run underground to the south side of the new building.

8.8 Noise:

The only noise generated from the operation will be during construction activities.

8.11 Bufferyard & Screening Standards:

The project is required to implement a partial screen along Troiano Way and a full screen along the rear and side property lines. However, there is a substantial tree growth along all property lines, which will more than conform to Land Use Ordinance.

In regard to Environmental Performance Standards in Section 9 of the LUO:

9.1 Air Quality:

Dust will be controlled during construction will be implemented by applying calcium and water as needed.

9.2 Water Quality:

Stormwater runoff will be sent into the ditching shown on the attached site plan and then into a plunge pool before going through a level rock spreader to disperse flows before entering the existing wet pond (401).

9.7.2 Public Sewer:

A new manhole will be installed at the end of Troiano Way and all sewer wastes will be sent into it from the proposed building. A letter has been sent to Doug Clark asking if there is enough capacity for the project.

In regard to Special Activity Performance Standards in Section 10 of the LUO:

10.24.5.7.2 Free Standing Signs:

The applicant is proposing to erect a new sign in adjacent to the entrance at the end of Troiano Way as shown on the Site Plan (C-1).

August 08, 2023


Mr. James Coffin, PE
E.S. Coffin Engineering & Surveying, LLC.
432 Cony Road
P.O. Box 4687
Augusta, Maine 04330

Subject: Agent Authorization
GRA Real Estate Holdings, LLC
Gardiner, Maine

Dear Mr. Coffin

The intent of this letter is to authorize E.S. Coffin Engineering & Surveying, Inc. to act as our agent in submitting applications and answering questions regarding our Planning Board Application to the City of Gardiner and any DEP permit applications required for the proposed project located on Lot 21, at the end of Troiano Way in the Libby Hill Business Park in Gardiner.

Sincerely,



Arleigh Greene,
Applicant

8/8/23

DLN: 1002240191676

SHORT FORM QUITCLAIM DEED WITH COVENANT

AUBURN ASPHALT, LLC, a Maine limited liability company with a place of business at 699 Main Street, Richmond, Maine 04357 (the “Grantor”), FOR CONSIDERATION PAID, grants to **R & S 860 BRUNSWICK AVENUE, LLC**, a Maine limited liability company, with a mailing address of 537 High Street, West Gardiner, Maine 04345. (the “Grantee”), with QUITCLAIM COVENANT, certain real property, together with any improvements thereon, located in the Town of Gardiner, Kennebec County, Maine and more particularly described on Exhibit A attached hereto (the “Premises”).

The following restriction shall run with the land, shall inure to the benefit of the Grantor (which benefit shall be held in gross), and its successors and assigns, and shall be binding upon the Grantee, and its successors and assigns:

The Grantee covenants and agrees that the Premises shall not be used for production of hot-mix asphalt or other similar products (e.g., cement, ready mix concrete, etc.), storage of hot-mix asphalt, cement, ready-mix products, or other similar products and related materials, or the sale (retail or wholesale) and distribution of hot-mix asphalt, cement, or other similar products and related materials from the Premises. In the event of a violation of any or all of this restrictive covenant, the Grantor, in addition to all other remedies available to it, may obtain an injunction against the Grantee issued by a court of competent jurisdiction enjoining such breach and shall be entitled to recover its costs and expenses, including, but not limited to, reasonable attorney’s fees in the enforcement or defense of the restrictions or any of them.

Meaning and intending to describe the same premises conveyed to the Grantor by Municipal Quitclaim Deed granted by the City of Gardiner dated March 23, 2018 and recorded in the Kennebec County Registry of Deeds in Book 12869, Page 168.

[Remainder of Page Intentionally Left Blank; Signature Follows]

IN WITNESS WHEREOF, Auburn Asphalt, LLC has caused this instrument to be executed by Craig S. Reed its Manager thereunto duly authorized, this 21st day of April, 2022.

WITNESS:

Heather Whittier
Name: Heather Whittier

Auburn Asphalt, LLC
By: Craig S. Reed
Name: Craig S Reed
Title: Manager

State of Massachusetts
County of Franklin, ss.

April 21, 2022

PERSONALLY APPEARED the above-named Craig S. Reed Manager of Auburn Asphalt, LLC and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of said limited liability company.

Before me,
Sue E. LaBombard
Notary Public/Attorney At Law
Print Name: Sue E. LaBombard
Commission Expires:

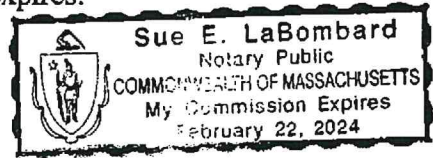


EXHIBIT A

Lot Number 17 containing 2.83 acres and Lot number 21 containing 19.90 acres as shown on drawings numbered Sheet 1 and Sheet 2 of plans entitled "Libby Hill Business Park Phase 2" prepared by Milone and MacBroom, Inc. and Maine Coast Surveying Inc. of Newcastle, Maine dated March 6, 2007, approved by the Gardiner Planning Board April 10, 2007 and signed by the Gardiner Planning Board May 23, 2007. Said Subdivision Plans are recorded at the Kennebec County Registry of Deeds on July 11, 2007, Book 2007, Plan 137-138.

Subject to the following:

A. Terms, restrictions and conditions contained in the Site Location of Development approval L-19861-39-A-N/L - 19861-T3-B-N by the Maine Department of Environmental Protection for the Libby Hill Business Park dated May 19, 1999, as revised, which shall be binding upon the Grantee, its heirs and assigns and shall be included by reference in all future conveyances;

B. Terms and conditions of the Maine Department of Environmental Protection Findings of Fact and Order, dated May 19, 1999, and recorded in said Registry in Book 5960, Page 31, as modified by the Order dated October 1, 1999, and recorded in said Registry in Book 6075, Page 203, and revised by the Order dated February 15, 2008 and recorded in said Registry in Book 9654, Page 210;

C. Terms and conditions of the Maine Department of Environmental Protection Findings of Fact and Order dated March 11, 2008 and recorded in said Registry in Book 9680, Page 276, as affected by the Condition Compliance dated November 4, 2008 and recorded in said Registry in Book 9913, Page 14, and as modified by the Minor Revision Findings of Fact and Order dated February 2, 2009 and recorded in said Registry in Book 9989, Page 46;

D. Terms and conditions set forth in a Maine Department of Environmental Protection permit dated May 17, 1999, and recorded in said Registry in Book 5960, Page 26;

E. Terms, conditions, rights and easements set forth in the deed from the City of Gardiner to the Gardiner Water District, dated January 3, 2001, and recorded in said Registry in Book 6378, Page 22;

F. The provisions of the Declaration of Covenants and Restrictions of the Libby Hill Business Park dated April 11, 2008 and recorded in said Registry in Book 9733, Page 247 and the Declaration of Covenants and Restrictions of the Libby Hill Business Park dated October 27, 2014 and recorded in said Registry in Book 11837, Page 2;

G. Term, condition, rights and easements appearing on the said subdivision pans and the plan entitled, "Overall Buffer Plan" prepared by Milone and MacBroom, Inc., dated April 3, 2008 and recorded in said Registry in Book 2008, Page 111;

H. The terms, conditions, rights and restrictions set forth in the Municipal Quitclaim Deed granted by the City of Gardiner to Auburn Asphalt, LLC dated March 23, 2018, and recorded

in the Kennebec County Registry of Deeds in Book 12869, Page 168; and

I. Further reference is hereby made to a certain Deed Restriction Modification by the City of Gardiner and joined by the Grantee dated March 14, 2022 and recorded in the Kennebec County Registry of Deeds in Book 14384, Page 325.

PURCHASE AND SALE AGREEMENT - LAND ONLY

("days" means business days unless otherwise noted, see paragraph 20)

Offer Date May 3, 2023

Effective Date _____, _____ Effective Date
Effective Date is defined in Paragraph 20 of this Agreement.

1. PARTIES: This Agreement is made between GRA Real Estate Holdings LLC ("Buyer") and R&S 860 Brunswick Avenue LLC ("Seller").

2. DESCRIPTION: Subject to the terms and conditions hereinafter set forth, Seller agrees to sell and Buyer agrees to buy all part of (if "part of" see para. 22 for explanation) the property situated in municipality of Gardiner, County of Kennebec, State of Maine, located at Libby Hill Business Park - Lot 21 and described in deed(s) recorded at said County's Registry of Deeds Book(s) 14434, Page(s) 0001.

3. PURCHASE PRICE/EARNEST MONEY: For such Deed and conveyance Buyer agrees to pay the total purchase price of \$425,000.00. Buyer has delivered; or will deliver to the Agency within 5 days of the Effective Date, a deposit of earnest money in the amount \$10,000.00. Buyer agrees that an additional deposit of earnest money in the amount of \$ _____ will be delivered _____. If Buyer fails to deliver the initial or additional deposit in compliance with the above terms Seller may terminate this Agreement. This right to terminate ends once Buyer has delivered said deposit (s). The remainder of the purchase price shall be paid by wire, certified, cashier's or trust account check upon delivery of the Deed.

This Purchase and Sale Agreement is subject to the following conditions:

4. ESCROW AGENT/ACCEPTANCE: Keller Williams Realty ("Agency") shall hold said earnest money and act as escrow agent until closing; this offer shall be valid until May 5, 2023 (date) 4:00 AM PM; and, in the event of non-acceptance, this earnest money shall be returned promptly to Buyer.

5. TITLE AND CLOSING: A deed, conveying good and merchantable title in accordance with the Standards of Title adopted by the Maine Bar Association shall be delivered to Buyer and this transaction shall be closed and Buyer shall pay the balance due and execute all necessary papers on or before 8/31/2023 (closing date) or before, if agreed in writing by both parties. If Seller is unable to convey in accordance with the provisions of this paragraph, then Seller shall have a reasonable time period, not to exceed 30 calendar days, from the time Seller is notified of the defect, unless otherwise agreed to in writing by both Buyer and Seller, to remedy the title. Seller hereby agrees to make a good-faith effort to cure any title defect during such period. If, at the later of the closing date set forth above or the expiration of such reasonable time period, Seller is unable to remedy the title, Buyer may close and accept the deed with the title defect or may terminate this Agreement in which case the parties shall be relieved of any further obligations hereunder and any earnest money shall be returned to the Buyer.

6. DEED: The property shall be conveyed by a Warranty deed, and shall be free and clear of all encumbrances except covenants, conditions, easements and restrictions of record which do not materially and adversely affect the continued current use of the property.

7. POSSESSION: Possession of premises shall be given to Buyer immediately at closing unless otherwise agreed in writing.

8. RISK OF LOSS: Until the closing, the risk of loss or damage to said premises by fire or otherwise, is assumed by Seller. Buyer shall have the right to view the property within 24 hours prior to closing for the purpose of determining that the premises are in substantially the same condition as on the date of this Agreement.

9. PRORATIONS: The following items, where applicable, shall be prorated as of the date of closing: rent, association fees, (other) _____. Real estate taxes shall be prorated as of the date of closing (based on municipality's fiscal year). Seller is responsible for any unpaid taxes for prior years. If the amount of said taxes is not known at the time of closing, they shall be apportioned on the basis of the taxes assessed for the preceding year with a reapportionment as soon as the new tax rate and valuation can be ascertained, which latter provision shall survive closing. Buyer and Seller will each pay their transfer tax as required by State of Maine.

10. DUE DILIGENCE: Buyer is encouraged to seek information from professionals regarding any specific issue or concern. Neither Seller nor Licensee makes any warranties regarding the condition, permitted use or value of Sellers' real property. This Agreement is subject to the following contingencies, with results being satisfactory to Buyer:

Page 1 of 5 Buyer(s) Initials RG

Seller(s) Initials RS

CONTINGENCY	YES	NO	FULL RESOLUTION	OBTAINED BY	TO BE PAID FOR BY
1. SURVEY Purpose: Verify Lot Size and Boundries.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	within <u>90 Calendar</u> days	<u>Buyer</u>	<u>Buyer</u>
2. SOILS TEST Purpose: To Construct building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	within <u>90 Calendar</u> days	<u>Buyer</u>	<u>Buyer</u>
3. SEPTIC SYSTEM DESIGN Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
4. LOCAL PERMITS Purpose: To Construct building and operate business.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	within <u>90 Calendar</u> days	<u>Buyer</u>	<u>Buyer</u>
5. HAZARDOUS WASTE REPORTS Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
6. UTILITIES Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
7. WATER Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
8. SUB-DIVISION APPROVAL Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
9. DEP/LUPC/ACOE APPROVALS Purpose: To Construct building and operate business.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	within <u>90 Calendar</u> days	<u>Buyer</u>	<u>Buyer</u>
10. ZONING VARIANCE Purpose: To Construct building and operate business.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	within <u>90 Calendar</u> days	<u>Buyer</u>	<u>Buyer</u>
11. HABITAT REVIEW/WATERFOWL Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
12. REGISTERED FARMLAND Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
13. MDOT DRIVEWAY/ENTRANCE PERMIT Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
14. DEED RESTRICTION Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
15. TAX STATUS* Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
16. BUILD PACKAGE Purpose: To Construct building and operate business.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	within <u>90 Calendar</u> days	<u>Buyer</u>	<u>Buyer</u>
17. OTHER Purpose: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____

* If the land is enrolled in the Maine Tree Growth Tax program, Seller agrees to provide Buyer with the current Forest Management and Harvest Plan within _____ days. Yes No

Further specifications regarding any of the above:

Unless otherwise specified above, all of the above will be obtained and paid for by Buyer. Seller agrees to cooperate with Buyer and shall give Buyer and Buyer's agents and consultants reasonable access to the property in order to undertake the above investigations. Buyer agrees to take reasonable steps to return the property to its pre-inspection condition. If the result of any investigation or other condition specified herein is unsatisfactory to Buyer in Buyer's sole discretion, Buyer will declare the Agreement null and void by notifying Seller in writing within the specified number of days, and any earnest money shall be returned to Buyer. If the result of any investigation or other condition specified herein is unsatisfactory to Buyer, and Buyer wishes to pursue remedies other than voiding the Agreement, Buyer must do so to full resolution within the time period set forth above; otherwise this contingency is waived. If Buyer does not notify Seller that an investigation is unsatisfactory within the time period set forth above, or if any investigation under this paragraph is not performed or completed during the period specified in this paragraph, this contingency and the right to conduct an investigation are waived by Buyer. In the absence of inspection(s) mentioned above, Buyer is relying completely upon Buyer's own opinion as to the condition of the property.

Page 2 of 5 Buyer(s) Initials LG Seller(s) Initials RS

17. HEIRS/ASSIGNS: This Agreement shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of the Seller and the assigns of the Buyer.

18. COUNTERPARTS: This Agreement may be signed on any number of identical counterparts, such as a faxed copy, with the same binding effect as if the signatures were on one instrument. Original, faxed or other electronically transmitted signatures are binding.

19. NOTICE: Any notice, communication or document delivery requirements hereunder may be satisfied by providing the required notice, communication or documentation to or from the parties or their Licensee. Only withdrawals of offers and withdrawals of counteroffers will be effective upon communication, verbally or in writing.

20. EFFECTIVE DATE/BUSINESS DAYS: This Agreement is a binding contract when the last party signing has caused a paper or electronic copy of the fully executed agreement to be delivered to the other party which shall be the Effective Date. Licensee is authorized to fill in the Effective Date on Page 1 hereof. Except as expressly set forth to the contrary, the use of the term "days" in this Agreement, including all addenda made a part hereof, shall mean business days defined as excluding Saturdays, Sundays and any observed Maine State/Federal holidays. Deadlines in this Agreement, including all addenda, expressed as "within x days" shall be counted from the Effective Date, unless another starting date is expressly set forth, beginning with the first day after the Effective Date, or such other established starting date, and ending at 5:00 p.m. Eastern Time on the last day counted. Unless expressly stated to the contrary, deadlines in this Agreement, including all addenda, expressed as a specific date shall end at 5:00 p.m. Eastern Time on such date.

21. CONFIDENTIALITY: Buyer and Seller authorize the disclosure of the information herein to the real estate licensees, attorneys, lenders, appraisers, inspectors, investigators and others involved in the transaction necessary for the purpose of closing this transaction. Buyer and Seller authorize the lender and/or closing agent preparing the entire closing disclosure and/or settlement statement to release a copy of the closing disclosure and/or settlement statement to the parties and their licensees prior to, at and after the closing.

22. OTHER CONDITIONS: **This Purchase and Sale Agreement is subject to the Following: The Buyer receiving all necessary Federal, State, and Local permits and approvals (collectively, the Permits & Approvals) for the development of the land to construct a building on lot 21. "As soon as the purchase and sale agreement is fully executed, the Buyer will have sufficient interest in the property to obtain permits and do investigations related to obtaining local permits.**

If buyer has made application with Gardiner Planning Board but not received building permit before scheduled closing date of 8/31/2023 Seller agrees to extend closing date until said building permit is received. Buyer will close upon Gardiner Planning Board approval and not wait for other state permits like DEP approval.

23. GENERAL PROVISIONS:

- a. A copy of this Agreement is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, contact an attorney. This is a Maine contract and shall be construed according to the laws of Maine.
- b. Seller acknowledges that State of Maine law requires buyers of property owned by non-resident sellers to withhold a prepayment of capital gains tax unless a waiver has been obtained by Seller from the State of Maine Revenue Services.
- c. Buyer and Seller acknowledge that under Maine law payment of property taxes is the legal responsibility of the person who owns the property on April 1, even if the property is sold before payment is due. If any part of the taxes is not paid when due, the lien will be filed in the name of the owner as of April 1 which could have a negative impact on their credit rating. Buyer and Seller shall agree at closing on their respective obligations regarding actual payment of taxes after closing. Buyer and Seller should make sure they understand their obligations agreed to at closing and what may happen if taxes are not paid as agreed.
- d. Buyer acknowledges that Maine law requires continuing interest in the property and any back up offers to be communicated by the listing agent to the Seller.
- e. Whenever this Agreement provides for earnest money to be returned or released, agency acting as escrow agent must comply with Maine Real Estate Commission rules which may require written notices or obtaining written releases from both parties.

24. ADDENDA: Yes No Explain: _____

DS
AG

DS
RS

- 25. ELECTRONIC SIGNATURES: Pursuant to the Maine Uniform Electronic Transactions Act and Digital Signature Act, the parties authorize and agree to the use of electronic signatures as a method of signing/initialing this Agreement, including all addenda. The parties hereby agree that either party may sign electronically by utilizing an electronic signature service.
- 26. Upon acceptance of the offer or counteroffer, Seller agrees to deliver the above-described property at the price and upon the terms and conditions set forth and agrees to pay agency a commission for services as specified in the listing agreement.

DocuSigned by:
 Buyer's Mailing address is PO Box 2750, Seabrook, NH 03874
 Austin Greene 5/3/2023

BUYER GRA Real Estate Holdings LLC DATE BUYER DATE
 BUYER DATE BUYER DATE

Seller hereby accepts the offer set forth above.

DocuSigned by:
 Seller's Mailing address is 537 High Street, West Gardiner, ME 04345
 5/3/2023

SELLER R&S 860 Brunswick Avenue LLC DATE SELLER DATE
 SELLER DATE SELLER DATE

COUNTER-OFFER

Seller agrees to sell on the terms and conditions as detailed herein with the following changes and/or conditions:

The parties acknowledge that until signed by Buyer, Seller's signature constitutes only an offer to sell on the above terms and the offer will expire unless accepted by Buyer's signature with communication of such signature to Seller by (date) _____ (time) _____ AM PM.

SELLER DATE SELLER DATE
 SELLER DATE SELLER DATE

The Buyer hereby accepts the counter offer set forth above.

BUYER DATE BUYER DATE
 BUYER DATE BUYER DATE

EXTENSION

The closing date of this Agreement is extended until _____ DATE

SELLER DATE SELLER DATE
 SELLER DATE SELLER DATE
 BUYER DATE BUYER DATE
 BUYER DATE BUYER DATE



Client Name:

GRA Real Estate Holdings, LLC

Project No.

23-059

Photo No. 1

Date: 8-23-2023

Site Location:

Lot 21
Libby Hill Business Park
Gardiner, Maine

Description:

Photo taken from the end of Troiano Way looking south at Troiano's building on Lot 22 in the Libby Hill Business Park.



Photo No. 2

Date: 8-23-2023

Site Location:

Lot 21
Libby Hill Business Park
Gardiner, Maine

Description:

Photo taken from the end of Troiano Way looking east at the aforementioned street and driveway into Troiano's site.



Client Name:

GRA Real Estate Holdings, LLC

Project No.

23-059

Photo No. 3

Date: 8-23-2023

Site Location:

Lot 21
Libby Hill Business Park
Gardiner, Maine

Description:

Photo taken from Troiano Way looking north at the entrance into the parcel.



Photo No. 4

Date: 8-23-2023

Site Location:

Lot 21
Libby Hill Business Park
Gardiner, Maine

Description:

Photo taken from at the end of Troiano Way looking north at the existing trail into the parcel.



Client Name:

GRA Real Estate Holdings, LLC

Project No.

23-059

Photo No. 5

Date: 8-23-2023

Site Location:

Lot 21
Libby Hill Business Park
Gardiner, Maine

Description:

Photo taken from the southeast corner of the parcel looking east towards wet pond 401.



Photo No. 6

Date: 8-23-2023

Site Location:

Lot 21
Libby Hill Business Park
Gardiner, Maine

Description:

Photo taken from the southeast corner of the parcel looking North at wet pond 401.





**CITY OF
GARDINER**
KENNEBEC CO.
MAINE



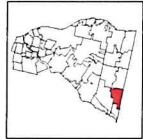
LEGEND

- Lot Hook
- Private Right of Way
- Sublot Line
- Transmission Line ROW
- River, Stream or Pond
- Railroad
- Road
- Town Line
- Building
- Parcel

For Assessment Purposes. Not to be used for conveyances.

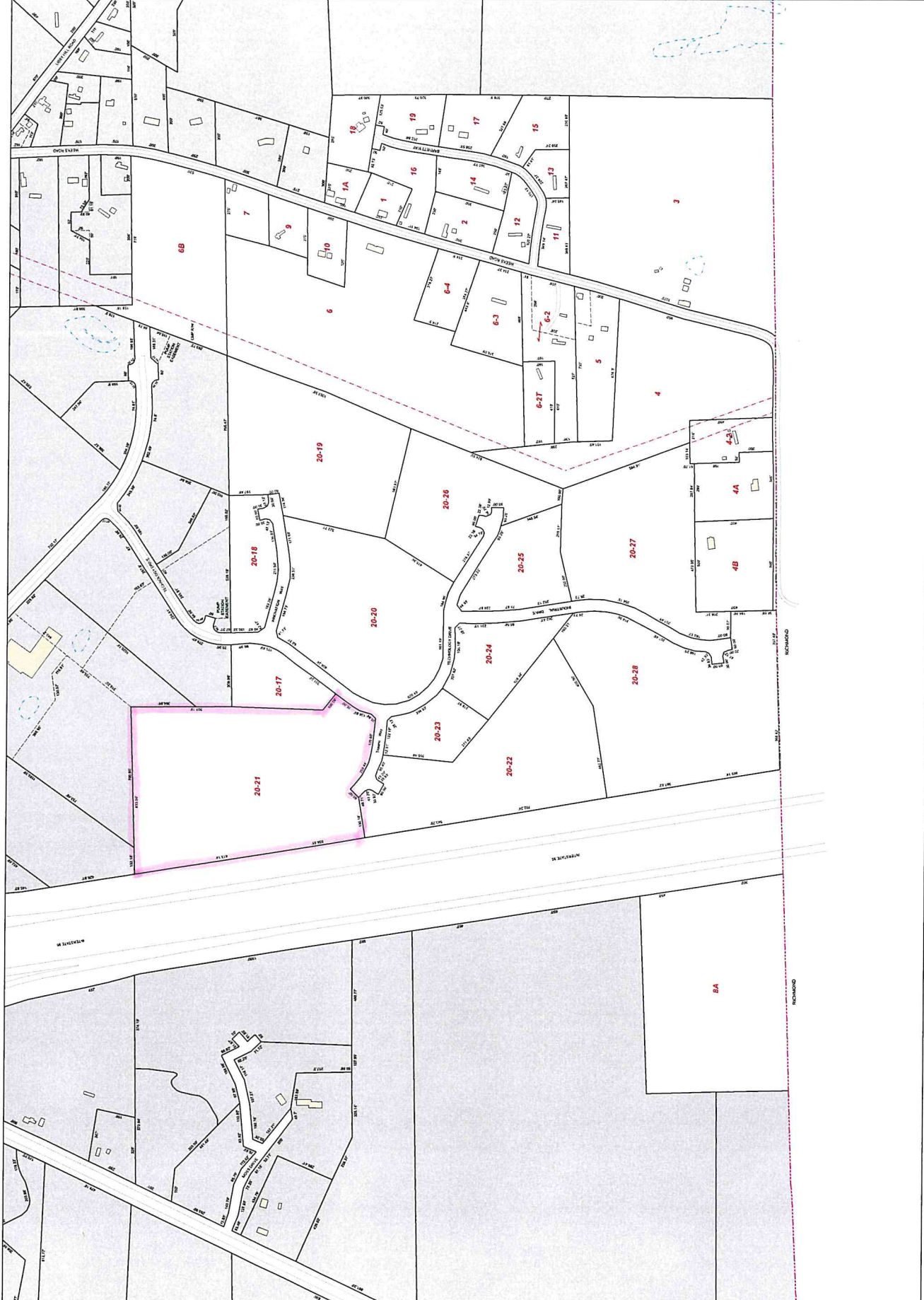


Cornerstone
Geographic Information Systems, Inc.



Map 2

Printed: 5/17/2022
Effective Date: 4/1/2022





LOCATION MAP
SCALE 1" = 2000'

CLIENT/PROJECT:	GRA REAL ESTATE HOLDINGS, LLC
LOCATION:	TROIANO WAY
TOWN:	GARDINER COUNTY: KENNEBEC STATE: MAINE


 E.S. COFFIN ENGINEERING & SURVEYING, INC.
 432 Cove Road P.O. Box 4687 Augusta, Maine 04328
 Ph: (207) 623-9474 Fax: (207) 623-2015 Toll Free 1-800-344-9475

SHEET TITLE:	SITE LOCATION MAP
SCALE:	1" = 2000'
DATE:	JULY 26, 2023

PROJ. NO. 2023-059

SLM

National Flood Hazard Layer FIRMette

69°50'14"W 44°10'24"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone C
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- NO SCREEN Area of Minimal Flood Hazard Zone X
- Effective LOMRS
- Area of Undetermined Flood Hazard Zone C

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance
 - Water Surface Elevation
 - Coastal Transect
 - Base Flood Elevation Line (BFE)
 - Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

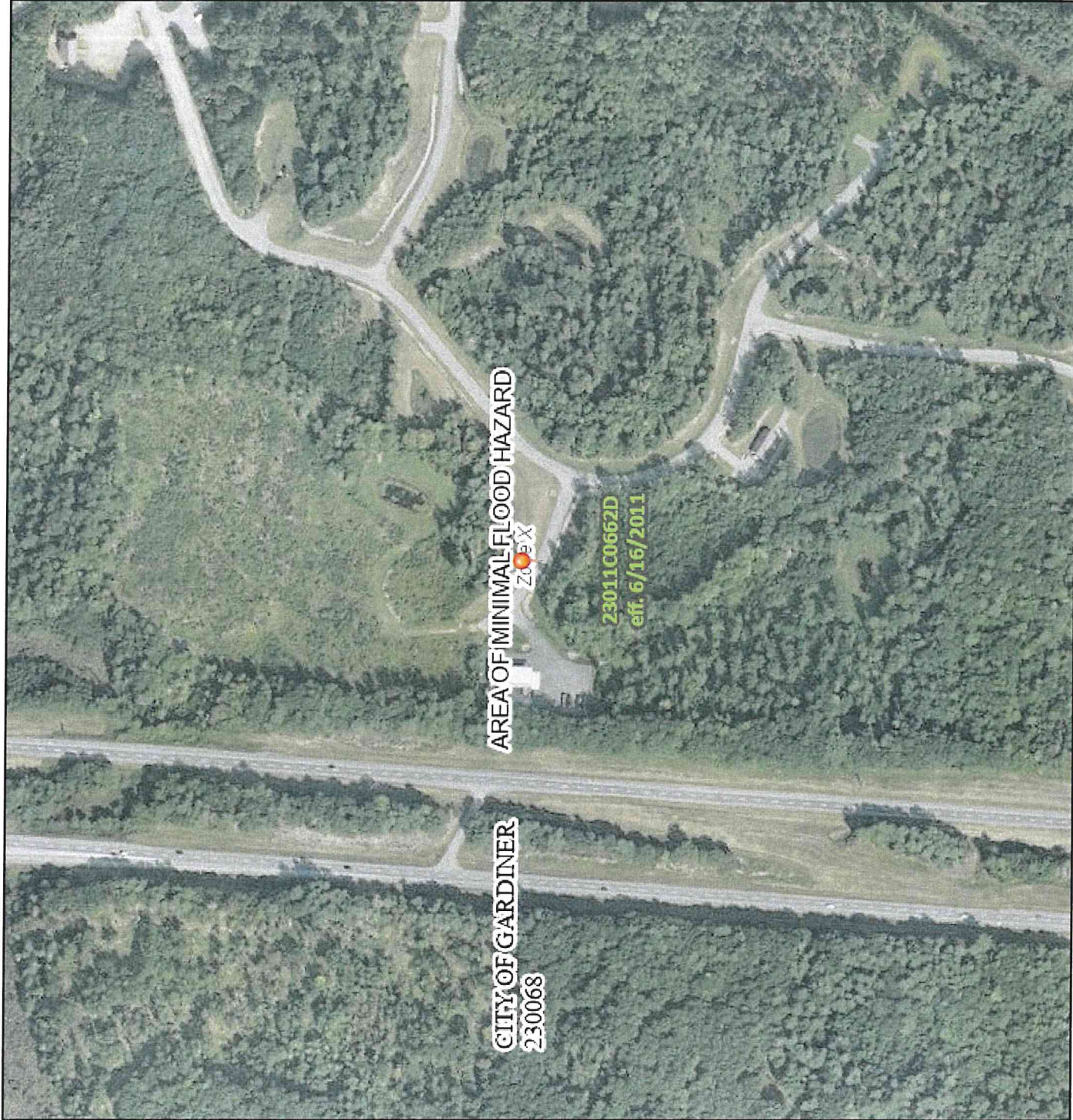
- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.


This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/9/2023 at 9:18 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



0 250 500 1,000 1,500 2,000 Feet 1:6,000
69°49'36"W 44°9'58"N

Submitted by Swaney Lighting	Catalog Number: LLC-250P8-1-LP	Type: WP1
 Job Name:	Notes: lamp included	SLA10-16176

LAREDO SERIES

LLC SERIES

Cat.#	Approvals	
Job	Type	

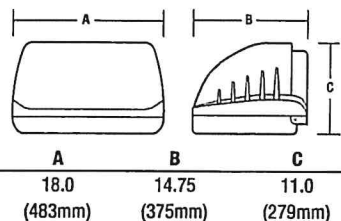


APPLICATIONS

- Full Cutoff, StarView compliant perimeter lighting. Typical mounting height is 15-30 feet.

SPECIFICATIONS

- Decorative die cast aluminum housing and door. Rugged design protects internal components and provides excellent thermal management for long life.
- Flat, tempered, impact resistant clear glass lens protects optics.
- HID units have mogul base socket. Electronic fluorescent units have universal four-pin socket.
- Multi-piece specular reflector produces high performance with wide spread. Pulse Start MH units have vertical mogul socket for maximum lamp output / life and comfort shield for reduced forward brightness. Shield is removable if greater forward throw is desired. HPS has horizontal lamp. Two-lamp CFL are base-up with universal electronic four pin sockets for either 2x32 or 2x26 watt lamps.
- Three-point lag mount to flat surfaces provides rigid mounting. Template provided to ease installation.
- Wiring can be made from recessed junction boxes or 1/2" surface conduit with hubs provided on top and sides.
- Systems include Pulse Start MH, HPS, Metal Halide and two-lamp CFL. CFL unit is available with battery back up for both lamps providing an integral, redundant system for egress applications.
- 800 Series powder paint finishes provide lasting appearance and are available in standard finishes, Dark Bronze, Black, White, Gray and Platinum
- Optional features include EM socket for remote power, QST time delay quartz stand-by, TL Touch latch for tool-free entry and LP lamp included with fixture.



LISTINGS

- All units are CSA certified to UL 1598 for use in wet locations and are IDA compliant



ORDERING INFORMATION

ORDERING EXAMPLE

LLC	320P 8	1	PC1
Series	Wattage/Source/Voltage	Finish	Options

SERIES

LLC Laredo Large Cutoff

WATTAGE/SOURCE/VOLTAGE

PULSE START METAL HALIDE

250P 8	250 watt 120/277V
250P 5	250 watt 480V
250P 6	250 watt Tri-Tap® 120,277,347V
320P 8	320 watt 120/277V
320P 5	320 watt 480V
320P 6	320 watt Tri-Tap® 120,277,347V
320P 6	320 watt 120/277V
350P 5	350 watt 480V
350P 6	350 watt Tri-Tap® 120,277,347V
400P 8	400 watt 120/277V
400P 5	400 watt 480V
400P 6	400 watt Tri-Tap® 120,277,347V

ELECTRONIC FLUORESCENT

64F 8 2x26W/2x32W/120-277V

HIGH PRESSURE SODIUM

250 S 8	250 watt 120/277V
250 S 5	250 watt 480V
250 S 6	250 watt Tri-Tap® 120,277,347V
250 S V	250 watt Five Tap
400 S 8	400 watt 120/277V
400 S 5	400 watt 480V
400 S 6	400 watt Tri-Tap® 120,277,347V
400 S V	400 watt Five Tap

FINISH

1	Bronze
2	Black
3	Gray
4	White
5	Platinum

OPTIONS

PC1 ¹	Button photocontrol 120V
QST	Time delay quartz standby
EM	DC bayonet socket only (use 150W max. lamp)
TL	Touch Latch
BBUXXX ²	Battery back up rated -4°F for one CFL lamp
2BBUXXX ²	Battery back up rated -4°F for two CFL lamp
BOCXXX ²	Battery back up rated 32°F for one CFL lamp
2BOCXXX ²	Battery back up rated 32°F for two CFL lamp
LP	Lamp included with fixture (on CFL specify LP52 or LP64)

¹Available on 250W fixtures and below.
²Specify 120 or 277 volt.

ACCESSORIES

LLC-SPC	Polycarbonate shield
PBT-1 ¹	120V button photocontrol
PBT-234 ¹	208/240/277V button photocontrol
PTA-1	External photocontrol 120V (use for 320 watt and above)
PTA-8	External photocontrol 120-277V (use for 320 watt and above)
PTA-5	External photocontrol 480V (use for 320 watt and above)

¹Use for 250P of 64F units.



August 14, 2023

Customer: Seabrook Truck Center
PO Box 2750
Seabrook, NH 03874

To Whom It May Concern:

This letter is to verify that the above referenced customer has an open and active line of credit with Katahdin Trust Company, with a maximum availability of \$2,000,000.00.

Please feel free to contact me with any questions concerning this or any other matter. I can be reached at (207) 941-6762.

Sincerely,

Justin K Jamison
Senior Vice President – Commercial Services Officer

52 Springer Drive · Bangor, ME 04401 · Telephone (207) 941-6762 (877) 525-4401 · Fax (207) 942-6036

www.katahdintrust.com

432 Cony Road
P.O. Box 4687
Augusta, ME 04330



(207) 623-9475
Fax (207) 623-0016
1-800-244-9475

August 17th, 2023

City of Gardiner
Ms. Debbie Willis, Planning Board Chairwoman
6 Church Street
Gardiner, Maine 04345

Subject: Stormwater Report
GRA Real Estate Holdings, LLC
Lot 21 LHBP

Dear Ms. Willis,

I have reviewed the plans for lot #21 in the Libby Hill Business Park in Gardiner completed by Milone & MacBroom in 2008. The entire Phase II subdivision has been pre-engineered for a certain amount of impervious area for each parcel. Wet ponds have been built at various locations throughout the subdivision and can each handle a certain amount of stormwater. Prior to 2005 the DEP standard only required stormwater quantity and after 2005 the standard dealt with stormwater quality.

The key for any project is designing the building so that the finish floor is high enough to allow positive drainage to the ponds. This would include the footing drains as well. Because the parcel is already fully engineered for stormwater it is not necessary to provide calculations. Lot #21 has been designed to have a total impervious area of 3.4-acres and the actual impervious area will be 3.38-acres. This parcel flows easterly to Pond DB-410 as shown on the Overall Plan by Milone & MacBroom, which is included with this submission. Therefore lot #21 complies with stormwater standards and if you should have any questions or concerns, please do not hesitate to contact me at 623-9475.

Respectfully submitted,

A handwritten signature in black ink that reads "James Coffin".

James E. Coffin, PE

432 Cony Road
P.O. Box 4687
Augusta, ME 04330



(207) 623-9475
Fax (207) 623-0016
1-800-244-9475

August 17th, 2023

City of Gardiner
Ms. Debbie Willis, Planning Board Chairwoman
Gardiner City Hall
6 Church Street
Gardiner, Maine 04345

Subject: GRA Real Estate Holdings, LLC
Traffic Report

Dear Ms. Willis,

GRA Real Estate Holdings, LLC, herein called the applicant has a purchase and sale agreement for Lot #21 in the Libby Hill Business Park in Gardiner, Maine. The project will consist of a new 2,400 sf maintenance building and 1,200 sf office building to be located on Lot #21 along with laydown area to support the storage container operation.

The applicant represents a national Fortune 500 company that sells, rents and leases ground level storage containers and office trailers. There will be a men's and women's bathroom, a breakroom in the office portion. The maintenance area will be wide open with a unisex bathroom. The applicant will employ 2-3 office staff and 3-4 maintenance staff with a truck driver. The hours operation will be 6 am to 6 pm with 3-5 customers per month.

There isn't a section for storage in the 8th Edition of the Institute of Transportation Engineers (ITE) Manual. Warehouse uses are the only logical choice listed in the ITE Manual. The peak hour trips generated are calculated from the ITE Manual (8th addition) under "Warehousing" and are shown below:

Based on Building Size (3,600 sf):

AM Peak Hour Rate = 0.42

$(3,600 \text{ sf}/1,000 \text{ sf}) \times 0.42 = 1.5$ peak hour trips.

PM Peak Hour Rate = 0.45

$(3,600 \text{ sf}/1,000 \text{ sf}) \times 0.45 = 1.6$ peak hour trips.

Maximum Peak Hour Trips = 1.6 (PM)

Based on Employees (7):

AM Peak Hour Rate = 0.55

(7 employees) x 0.55 = 3.9 peak hour trips.

PM Peak Hour Rate = 0.58

(7 employees) x 0.58 = 4.1 peak hour trips.

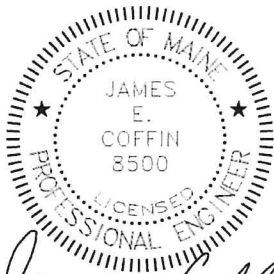
Maximum Peak Hour Trips = 4.1 (PM)

The maximum generator based on the number of employees occurs during the PM peak hour (4.1 peak hour trips) for the proposed project. The Libby Hill Business Park already has a turning movement permit from the MDOT in place and the DOT has issued a statement that once the left-hand turn lane was installed along Enterprise Drive that the conditions of this permit have been met. The project will not cause unreasonable public road congestion and if you should have any questions or concerns, please do not hesitate to contact me at 623-9475.

Respectfully Submitted,



James E. Coffin, PE



Warehousing (150)

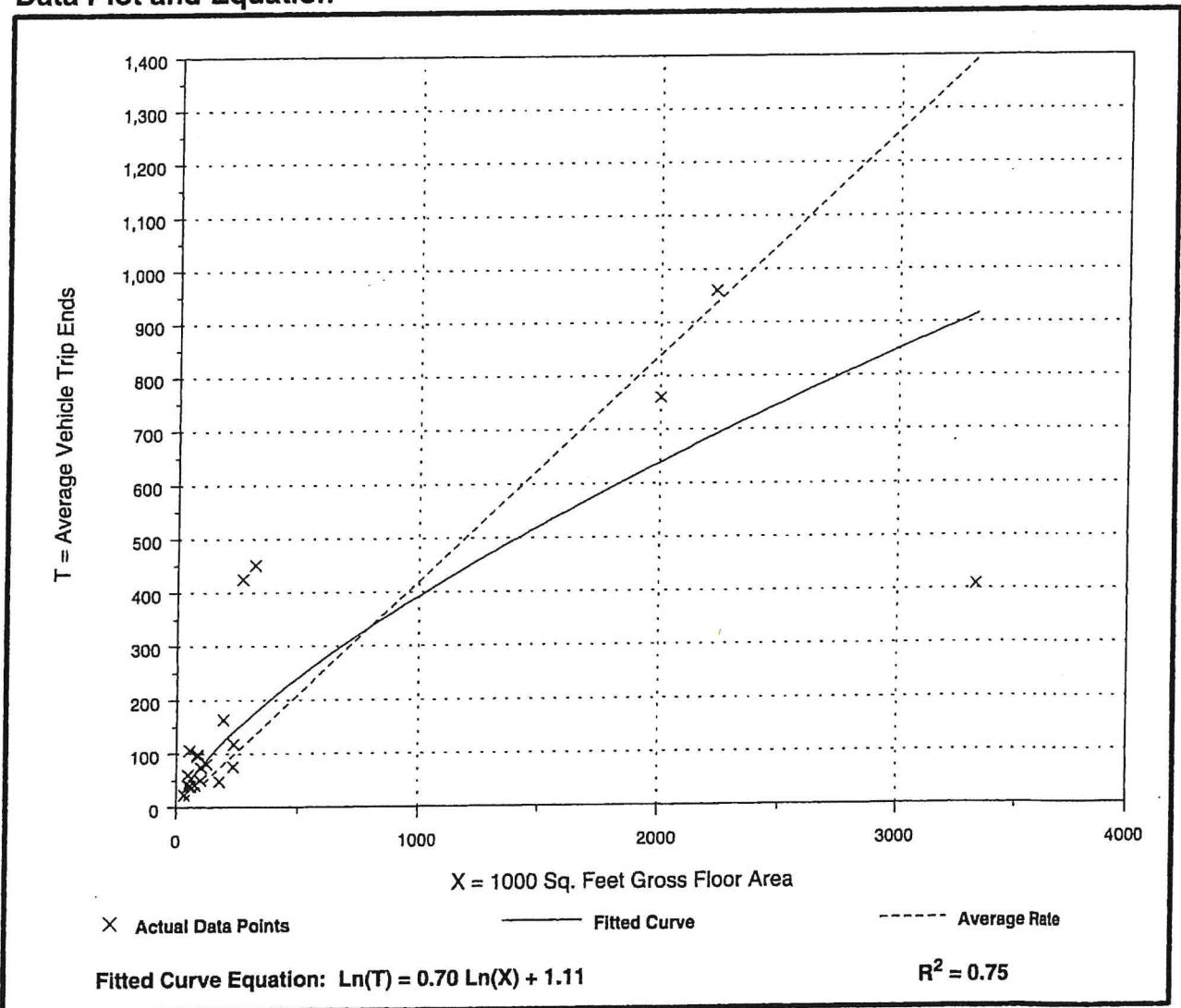
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday,
A.M. Peak Hour of Generator

Number of Studies: 20
 Average 1000 Sq. Feet GFA: 490
 Directional Distribution: 65% entering, 35% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
0.42	0.12 - 1.93	0.74

Data Plot and Equation



Warehousing (150)

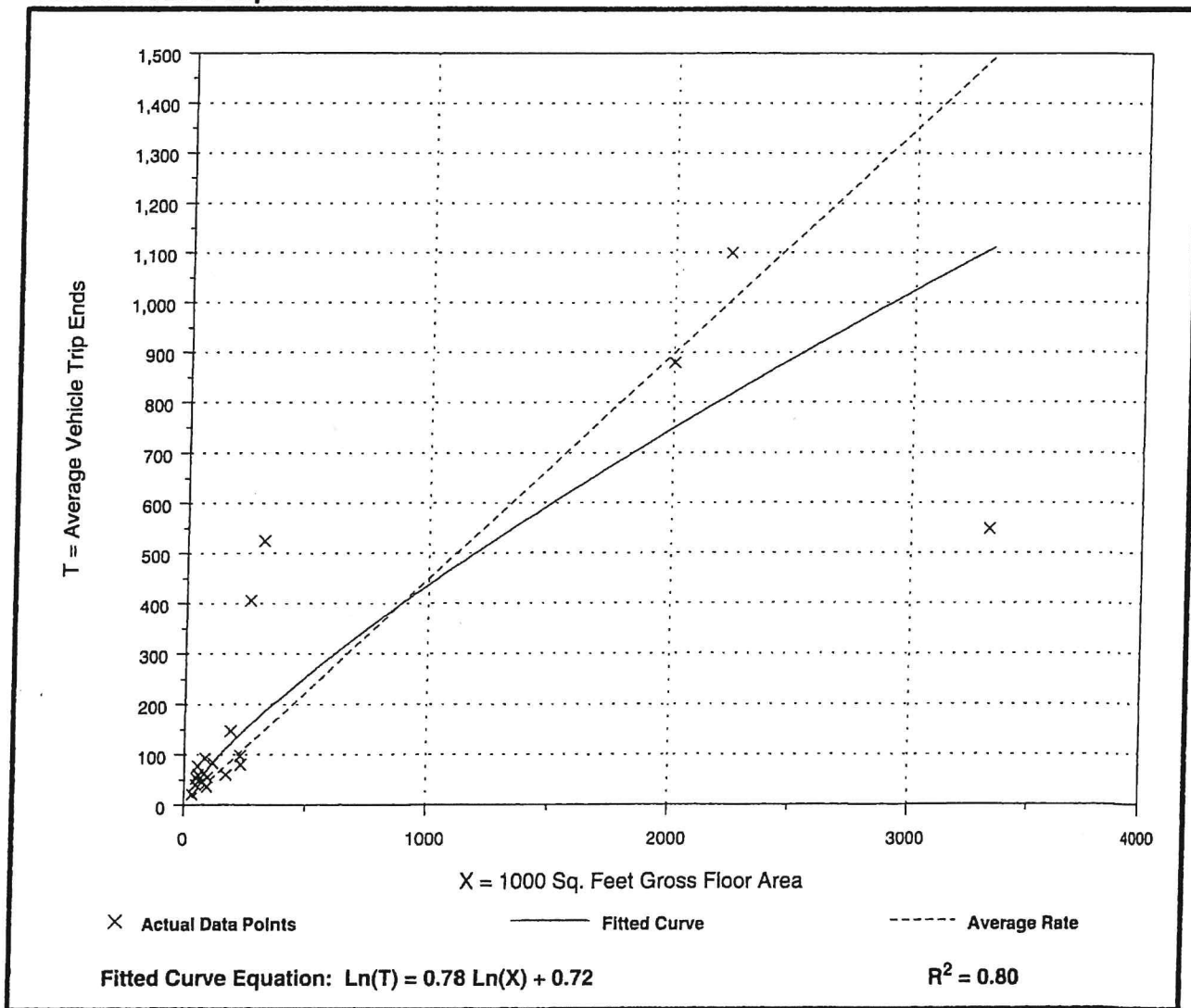
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday,
P.M. Peak Hour of Generator

Number of Studies: 19
 Average 1000 Sq. Feet GFA: 511
 Directional Distribution: 19% entering, 81% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
0.45	0.16 - 1.65	0.76

Data Plot and Equation



Warehousing (150)

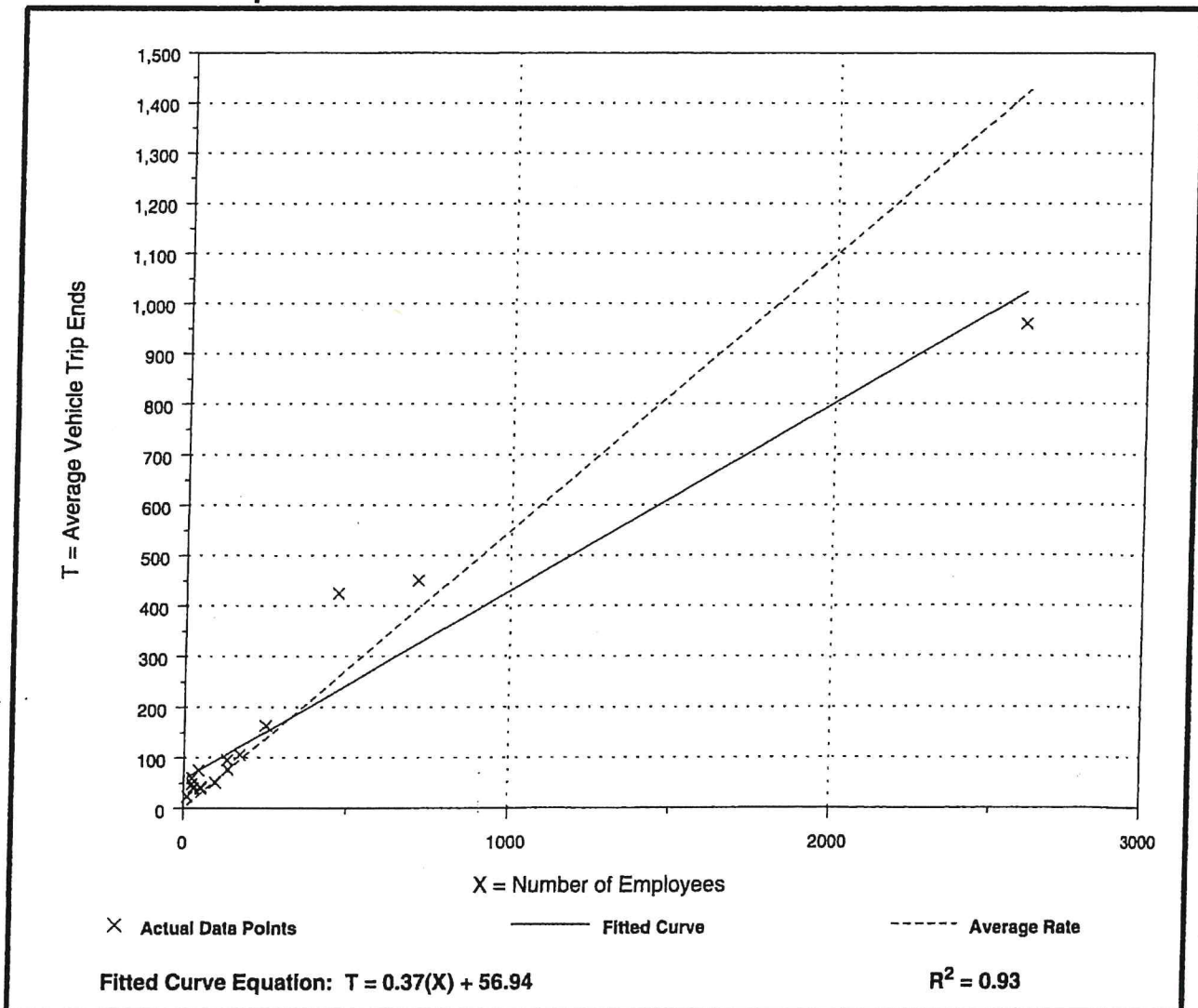
Average Vehicle Trip Ends vs: Employees
On a: Weekday,
A.M. Peak Hour of Generator

Number of Studies: 15
 Avg. Number of Employees: 322
 Directional Distribution: 50% entering, 50% exiting

Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
0.55	0.37 - 2.14	0.79

Data Plot and Equation



Warehousing (150)

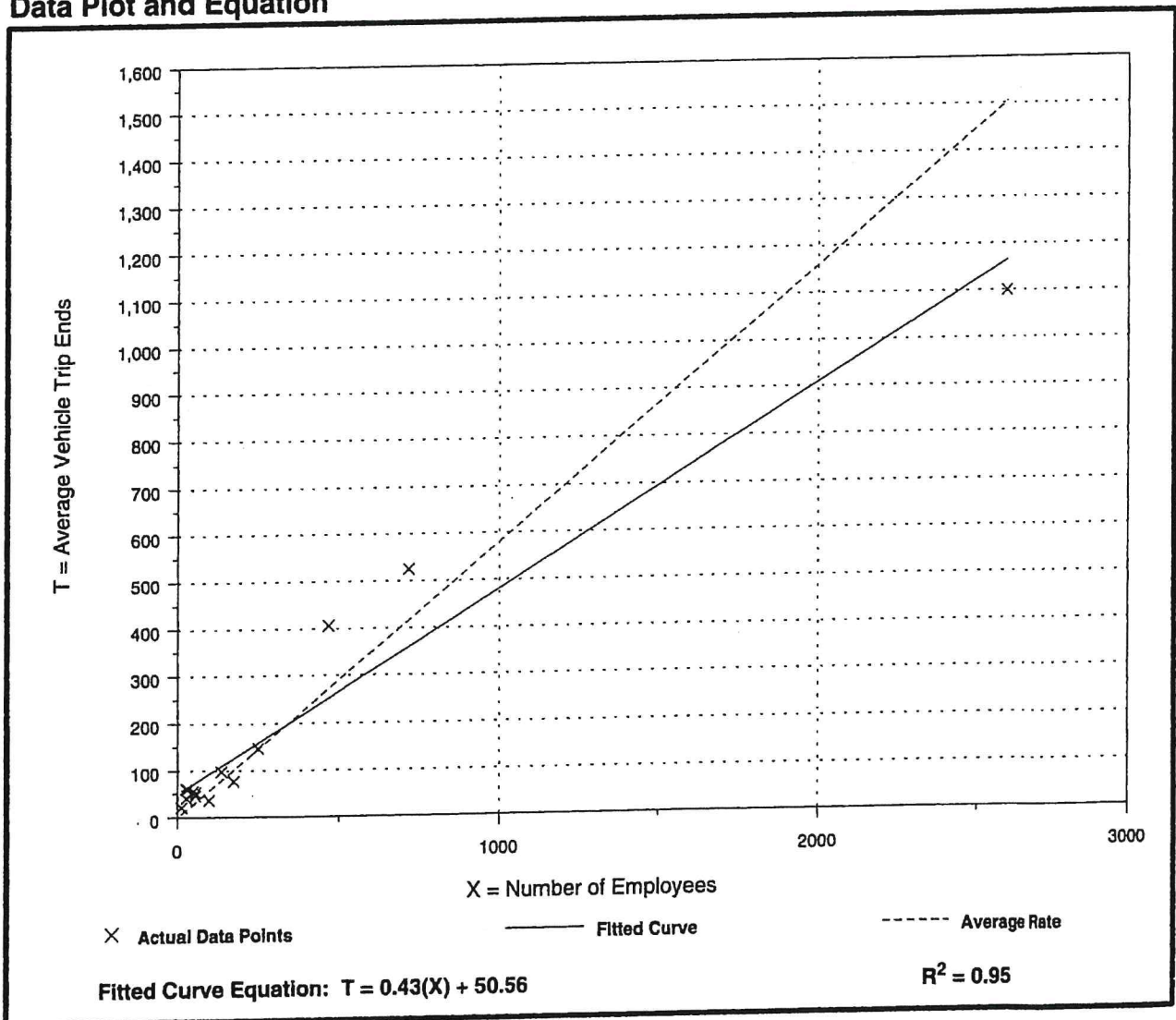
Average Vehicle Trip Ends vs: Employees
On a: Weekday,
P.M. Peak Hour of Generator

Number of Studies: 14
 Avg. Number of Employees: 335
 Directional Distribution: 22% entering, 78% exiting

Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
0.58	0.37 - 2.22	0.80

Data Plot and Equation





PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF
INLAND FISHERIES & WILDLIFE
284 STATE STREET
41 STATE HOUSE STATION
AUGUSTA ME 04333-0041

CHANDLER E. WOODCOCK
COMMISSIONER

June 5, 2017

James Coffin
E.S. Coffin Engineering & Surveying, Inc.
432 Cony Road, PO Box 4687
Augusta, ME 04330

RE: Information Request - Auburn Asphalt, LLC development, Gardiner

Dear James:

Per your request received May 10, 2017, we have reviewed current Maine Department of Inland Fisheries and Wildlife (MDIFW) information for known locations of Endangered, Threatened, and Special Concern species; designated Essential and Significant Wildlife Habitats; and fisheries habitat concerns within the vicinity of the *Auburn Asphalt, LLC development Project* in Gardiner.

Our Department has not mapped any Essential Habitats or fisheries habitats that would be directly affected by your project.

Endangered, Threatened, and Special Concern Species

Bats

Of the eight species of bats that occur in Maine, the three *Myotis* species are protected under Maine's Endangered Species Act (MESA) and are afforded special protection under 12 M.R.S §12801 - §12810. The three *Myotis* species include little brown bat (*M. lucifugus*, State Endangered); northern long-eared bat (*M. septentrionalis*, State Endangered); and eastern small-footed bat (*M. leibii*, State Threatened). The five remaining bat species are listed as Special Concern: big brown bat (*Eptesicus fuscus*); red bat (*Lasiurus borealis*), hoary bat (*Lasiurus cinereus*), silver-haired bat (*Lasionycteris noctivagans*), and tri-colored bat (*Perimyotis subflavus*).

While a comprehensive statewide inventory for bats has not been completed, it is likely that several of these species occur within the project area during migration and/or the breeding season. We recommend that you contact the U.S. Fish and Wildlife Service--Maine Fish and Wildlife Complex (Wende Mahaney, 207-902-1569) for further guidance, as the northern long-eared bat is also listed as a Threatened Species under the Federal Endangered Species Act. Otherwise, our Agency does not anticipate significant impacts to any of the bat species as a result of this project.

Significant Wildlife Habitat

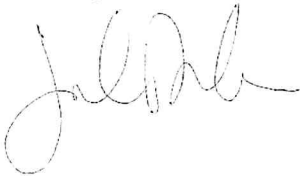
Significant Vernal Pools

At this time, MDIFW Significant Wildlife Habitat (SWH) maps indicate no known presence of SWHs within the project area, which include Waterfowl and Wading Bird Habitats, Deer Wintering Areas, Seabird Nesting Islands, Shorebird Areas, and Significant Vernal Pools. However, a comprehensive statewide inventory for Significant Vernal Pools has not been completed. Therefore, we strongly recommend that surveys for vernal pools be conducted within the project boundary by qualified wetland scientists prior to final project design to determine whether there are Significant Vernal Pools present in the area. These surveys should extend up to 250 feet beyond the anticipated project footprint because of potential performance standard requirements for off-site Significant Vernal Pools, assuming such pools are located on land owned or controlled by the applicant. Once surveys are completed, our Department will need to review and verify any vernal pool data prior to final determination of significance.

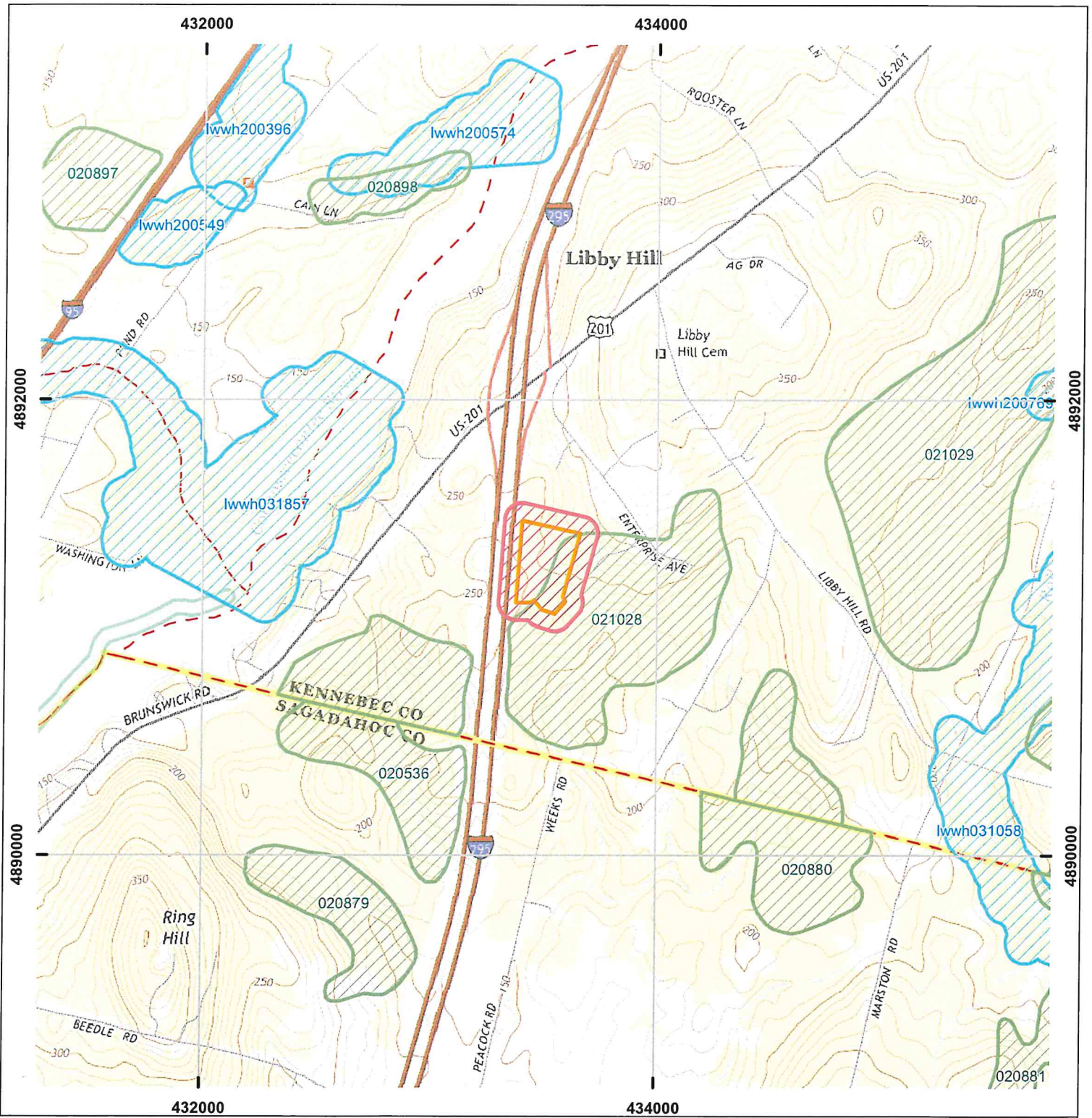
This consultation review has been conducted specifically for known MDIFW jurisdictional features and should not be interpreted as a comprehensive review for the presence of other regulated features that may occur in this area. Prior to the start of any future site disturbance we recommend additional consultation with the municipality, and other state resource agencies including the Maine Natural Areas Program and Maine Department of Environmental Protection in order to avoid unintended protected resource disturbance.

Please feel free to contact my office if you have any questions regarding this information, or if I can be of any further assistance.

Best regards,



John Maclaine
Biologist

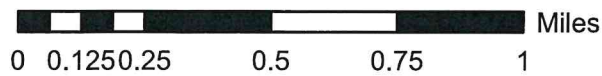


Environmental Review of Fish and Wildlife Observations and Priority Habitats

Project Name: Gardiner, Auburn Asphalt, LLC development (Version 1)



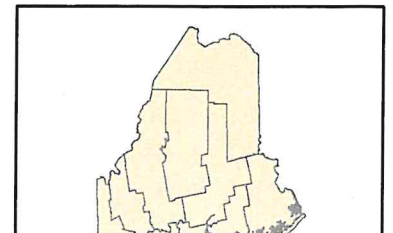
Maine Department of
Inland Fisheries and Wildlife



Projection: UTM, NAD83, Zone 19N

Date: 5/12/2017

- ProjectPolys
- Deer Winter Area
- ProjectSearchAreas
- Inland Waterfowl/Wading Bird
- Special Concern-occupied habitats(100ft buffer)





STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
177 STATE HOUSE STATION
AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

August 3, 2023

James Coffin
ES Coffin Engineering & Surveying
PO Box 4687
Augusta, ME 04333

Via email: jcoffin@coffineng.com

Re: Rare and exemplary botanical features in proximity to: #2023-059, GRA Real Estate Holdings, LLC, Troiano Way, Lot #21 Libby Hill Business Park, Gardiner, Maine

Dear James Coffin:

I have searched the Maine Natural Areas Program's Biological and Conservation Data System files in response to your request received August 2, 2023 for information on the presence of rare or unique botanical features documented from the vicinity of the project in Gardiner, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. This lack of data may indicate minimal survey efforts rather than confirm the absence of rare botanical features. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

If a field survey of the project area is conducted, please refer to the enclosed supplemental information regarding rare and exemplary botanical features documented to occur in the vicinity of the project site. The list may include information on features that have been known to occur historically in the area as well as recently field-verified information. While historic records have not been documented in several years, they may persist in the area if suitable habitat exists. The enclosed list identifies features with potential to occur in the area, and it should be considered if you choose to conduct field surveys.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

MOLLY DOCHERTY, DIRECTOR
MAINE NATURAL AREAS PROGRAM
90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-8044
WWW.MAINE.GOV/DACF/MNAP

The Maine Natural Areas Program (MNAP) is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. MNAP welcomes coordination with individuals or organizations proposing environmental alteration or conducting environmental assessments. If, however, data provided by MNAP are to be published in any form, the Program should be informed at the outset and credited as the source.

The Maine Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$150.00 for two hours of our services.

Thank you for using MNAP in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,

Lisa St. Hilaire

Lisa St. Hilaire | Information Manager | Maine Natural Areas Program
207-287-8044 | lisa.st.hilaire@maine.gov

Rare and Exemplary Botanical Features within 4 miles of

Project: #2023-059, GRA Real Estate Holdings, LLC, Troiano Way, Gardiner, ME

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
Alpine Rush	SC	S3	G5T5	1908	4	Non-tidal rivershore (non-forested, seasonally wet)
American Ginseng						
	E	S3	G3G4	1912-07	17	Hardwood to mixed forest (forest, upland)
	E	S3	G3G4	1989	33	Hardwood to mixed forest (forest, upland)
Broad Beech Fern						
	SC	S2	G5	1912-08-09	10	Hardwood to mixed forest (forest, upland)
Columbian Watermeal						
	SC	S2	G5	2007-08-14	5	Open water (non-forested, wetland)
	SC	S2	G5	2020-10-11	13	Open water (non-forested, wetland)
Eaton's Bur-marigold						
	SC	S2	G3	2013-10-04	29	Tidal wetland (non-forested, wetland)
Estuary Bur-marigold						
	SC	S3	G4	2013-10-04	30	Tidal wetland (non-forested, wetland)
Freshwater Tidal Marsh						
		S2	G4?	2013-09-10	16	
Parker's Pipewort						
	SC	S3	G3	2013-10-04	16	Tidal wetland (non-forested, wetland)
Pygmyweed						
	SC	S2S3	G5	2013-10-04	17	Open water (non-forested, wetland)
Spongy-leaved Arrowhead						
	SC	S3	G5T4	2013-10-04	15	Tidal wetland (non-forested, wetland)
Upper Floodplain Hardwood Forest						
		S3	GNR	2016-05-23	46	

Water Stargrass						
SC	S3	G5	2002-09-12	11	Open water (non-forested, wetland)	
SC	S3	G5	2020-10-11	17	Open water (non-forested, wetland)	
Wild Garlic						
SC	S2	G5	2016-05-23	26	Forested wetland, Hardwood to mixed forest (forest,	

Date Exported: 2023-08-03 10:40

Conservation Status Ranks

State and Global Ranks: This ranking system facilitates a quick assessment of a species' or habitat type's rarity and is the primary tool used to develop conservation, protection, and restoration priorities for individual species and natural habitat types. Each species or habitat is assigned both a state (S) and global (G) rank on a scale of critically imperiled (1) to secure (5). Factors such as range extent, the number of occurrences, intensity of threats, etc., contribute to the assignment of state and global ranks. The definitions for state and global ranks are comparable but applied at different geographic scales; something that is state imperiled may be globally secure.

The information supporting these ranks is developed and maintained by the Maine Natural Areas Program (state ranks) and NatureServe (global ranks).

Rank	Definition
S1 G1	Critically Imperiled – At very high risk of extinction or elimination due to very restricted range, very few populations or occurrences, very steep declines, very severe threats, or other factors.
S2 G2	Imperiled – At high risk of extinction or elimination due to restricted range, few populations or occurrences, steep declines, severe threats, or other factors.
S3 G3	Vulnerable – At moderate risk of extinction or elimination due to a fairly restricted range, relatively few populations or occurrences, recent and widespread declines, threats, or other factors.
S4 G4	Apparently Secure – At fairly low risk of extinction or elimination due to an extensive range and/or many populations or occurrences, but with possible cause for some concern as a result of local recent declines, threats, or other factors.
S5 G5	Secure – At very low risk of extinction or elimination due to a very extensive range, abundant populations or occurrences, and little to no concern from declines or threats.
SX GX	Presumed Extinct – Not located despite intensive searches and virtually no likelihood of rediscovery.
SH GH	Possibly Extinct – Known from only historical occurrences but still some hope of rediscovery.
S#S# G#G#	Range Rank – A numeric range rank (e.g., S2S3 or S1S3) is used to indicate any range of uncertainty about the status of the species or ecosystem.
SU GU	Unrankable – Currently unrankable due to lack of information or due to substantially conflicting information about status or trends.
GNR SNR	Unranked – Global or subnational conservation status not yet assessed.
SNA GNA	Not Applicable – A conservation status rank is not applicable because the species or ecosystem is not a suitable target for conservation activities (e.g., non-native species or ecosystems).
Qualifier	Definition
S#? G#?	Inexact Numeric Rank – Denotes inexact numeric rank.
Q	Questionable taxonomy that may reduce conservation priority – Distinctiveness of this entity as a taxon or ecosystem type at the current level is questionable. The “Q” modifier is only used at a global level.
T#	Infraspecific Taxon (trinomial) – The status of infraspecific taxa (subspecies or varieties) are indicated by a "T-rank" following the species' global rank.

State Status: Endangered and Threatened are legal status designations authorized by statute. Please refer to MRSA Title 12, §544 and §544-B.

Status	Definition
E	Endangered – Any native plant species in danger of extinction throughout all or a significant portion of its range within the State or Federally listed as Endangered.
T	Threatened – Any native plant species likely to become endangered within the foreseeable future throughout all or a significant portion of its range in the State or Federally listed as Threatened.
SC	Special Concern – A native plant species that is rare in the State, but not rare enough to be considered Threatened or Endangered.
PE	Potentially Extirpated – A native plant species that has not been documented in the State in over 20 years, or loss of the last known occurrence.

Element Occurrence (EO) Ranks: Quality assessments that designate viability of a population or integrity of habitat. These ranks are based on size, condition, and landscape context. Range ranks (e.g., AB, BC) and uncertainty ranks (e.g., B?) are allowed. The Maine Natural Areas Program tracks all occurrences of rare plants and natural communities/ecosystems (S1-S3) as well as exemplary common natural community types (S4-S5 with EO ranks A/B).

Rank	Definition
A	Excellent – Excellent estimated viability/ecological integrity.
B	Good – Good estimated viability/ecological integrity.
C	Fair – Fair estimated viability/ecological integrity.
D	Poor – Poor estimated viability/ecological integrity.
E	Extant – Verified extant, but viability/ecological integrity not assessed.
H	Historical – Lack of field information within past 20 years verifying continued existence of the occurrence, but not enough to document extirpation.
X	Extirpated – Documented loss of population/destruction of habitat.
U	Unrankable – Occurrence unable to be ranked due to lack of sufficient information (e.g., possible mistaken identification).
NR	Not Ranked – An occurrence rank has not been assigned.

Visit the Maine Natural Areas Program website for more information
<http://www.maine.gov/dacf/mnap>



432 Cony Road
P.O. Box 4687
Augusta, ME 04330



(207) 623-9475
Fax (207) 623-0016
1-800-244-9475

July 26, 2023

Kirk F. Mahoney, Director
Maine Historic Preservation Commission
55 Capitol Street
State House Station 65
Augusta, Maine 04333



Subject: GRA Real Estate Holdings, LLC
Troiano Way
Gardiner, Maine

Dear Mr. Shettleworth:


GRA Real Estate Holdings, LLC, herein called the applicant has a purchase and sale agreement for Lot #21 in the Libby Hill Business Park in Gardiner, Maine. The project will consist of a new 2,400 sf maintenance building and 1,200 sf office building to be located on Lot #21 along with laydown area to support the storage container operation. A Site Location Map (SLM) has been provided for your use.

Please identify any properties in the area of historic, architectural, or archaeological significance that this project may impact. If you should have any questions, please do not hesitate to contact me.

Sincerely,


James E. Coffin, PE

Based on the information submitted, I have concluded that there will be no historic properties affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act. Consequently, pursuant to 36 CFR 800.4(d)(1), no further Section 106 consultation is required unless additional resources are discovered during project implementation pursuant to 36 CFR 800.13.


Kirk F. Mahoney,
State Historic Preservation Officer
Maine Historic Preservation Commission

8/7/23
Date

James Coffin

From: Allen, David (DOT) <David.Allen@maine.gov>
Sent: Friday, May 12, 2017 8:16 AM
To: James Coffin
Cc: John Lavin
Subject: RE: Libby Hill Business Park

John Adams and I did exchange emails and reach that conclusion.

David P. Allen, PE
Mid Coast Region 2 Traffic Engineer
Maine Department of Transportation
66 Industrial Drive
98 State House Station
Augusta, ME 04333-0098

Phone (207) 624-8200

"Let each become all that he was created capable of being." Thomas Carlyle

From: James Coffin [<mailto:jcoffin@coffineng.com>]
Sent: Wednesday, May 10, 2017 6:56 PM
To: Allen, David (DOT)
Cc: John Lavin
Subject: Libby Hill Business Park

Hi Dave,

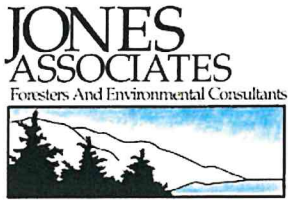
Auburn Asphalt, Inc. has a purchase sale agreement with the City of Gardiner to purchase lots 17 & 21 in the Libby Hill Business Park. John Adams (Millone & MacBroom) told me that he had a conversation with you indicating that since the left-hand turn lane was implemented onto Enterprise Drive that the City had meant all conditions of the DOT permit. Therefore a turning movement permit will not be necessary for my client. Could you please confirm this with me? I've attached a Site Location Map for your use and if you need anything else let me know.

Thanks,

Jim

James E. Coffin, P.E.
Vice President
E.S. Coffin Engineering & Surveying, Inc.
P.O. Box 4687 432 Cony Road
Augusta, Maine 04330
(207) 623-9475 Phone
1-800-244-9475 Toll Free
(207) 623-0016 Fax
jcoffin@coffineng.com





5/16/17

Jim Coffin
Coffin Engineering
432 Cony Road
P.O. Box 4687
Augusta, ME 04330

Re: Libby Hill Lot 21 Vernal Pool

Dear Mr. Coffin:

Jones Associates has completed their vernal pool investigation of Lot 21 in Libby Hill subdivision. The site plan you provided showed one potential vernal pool located along the westerly boundary approximately in the middle of Lot 21. We have completed three site investigations during the breeding season. We were on site on April 24, May 8 and May 16. During these site investigations no egg masses were present. Though the site has many of the typical physical attributes of a vernal pool it is not functioning as a vernal pool.

During the last site visit water level in the pool itself was only about 10 inches, this was immediately after approximately 2 inches of rain fell during the prior 48 hours. We anticipate that this is the likely reason that no egg masses were found. Vernal pools in this geographic region need to maintain a hydro-period (the time when water is present) until mid-July in order for the indicator species to be viable.

We will be forwarding you the vernal pool collection data sheets which you or your client can file with MDEP. This will identify this area as nonsignificant in the state vernal pool database. If you have any questions please feel free to contact me.

Sincerely,

Rick Jones

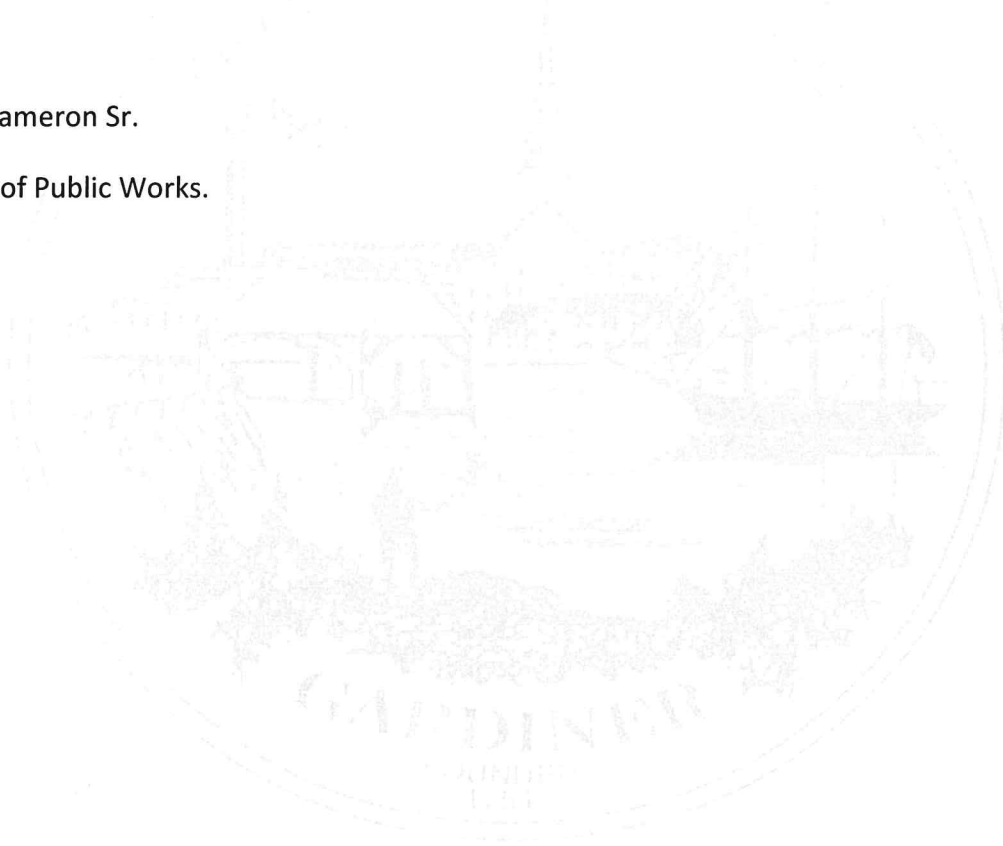


Dear James Coffin,

I have looked over the project plans for GRA Real Estate Holdings, LLC for lot 21 in the Libby Hill Business Park and I have no concerns for any issues for the public roads or the immediate area.

John A Cameron Sr.

Director of Public Works.



Department of Public Works
6 Church Street | Gardiner, ME 04345
207-582-4800 | 207-582-6895 (fax) | jcameron@gardinermaine.com
www.GardinerMaine.com



CITY OF GARDINER FIRE & RESCUE DEPARTMENT



Chief Richard Sieberg

August 22, 2023

Dear Mr. Coffin,

I have received your proposal to construct a new business at Lot 21 in The Libby Hill Business Park on behalf of GRA Real Estate Holdings, LLC.

After reviewing the documents and plans it appears the addition of this business would not create a significant burden on the Fire Department.

As always we look forward to working with all of the businesses in the City. Please feel free to reach out to the Fire Department if you have questions or concerns.

Sincerely,

Richard Sieberg
Gardiner Fire Department
Fire Chief