

1. Staff Review Committee Agenda 01-28-26

Documents:

[STAFF_REVIEW_AGENDA_012826.PDF](#)

2. 25-057: Ten Two LLC Subdivision - Waiver Request

Documents:

[25_057_WAIVER_REQUEST.PDF](#)

[25_057_APPLICATION_PLAN_SET_SRC.PDF](#)



Town of Brunswick, Maine

Department of Planning & Development

85 UNION STREET, BRUNSWICK, ME 04011

STAFF REVIEW COMMITTEE AGENDA

Brunswick Town Hall

85 Union Street – Council Chambers

Wednesday, January 28, 2026 @ 10:00 A.M.

There is an opportunity to attend this meeting in person or view the meeting via Zoom, TV 3, or live stream.

How to watch and comment via Zoom:

The link to view or listen to the meeting on Zoom: <https://www.brunswickme.org/313/Brunswick-Cable-TV3>

How to watch via TV3 or Live Stream:

The link to view or listen to the meeting on TV3 (Channel 3 on Comcast) or via live stream from the Town's website: <http://tv3hd.brunswickme.org/CablecastPublicSite/watch/1?channel=1>

All votes to be taken via roll call.

The public may provide written comment via email (mjames@brunswickme.gov) prior to the meeting, OR they may provide live comment at the meeting via Zoom or in person.

1. **Case No. 25-057 – Ten Two LLC Subdivision – Waiver Request:** The Staff Review Committee will review and make a recommendation to the Planning Board on a **Street Design Standards Waiver request** application submitted by Little River Land Survey on behalf of the property owner, Ten Two, LLC, for a three-lot subdivision. The subject property is located on Moody Road (Map 10, Lot 10) and within the **Rural Farm and Forest (RF) Zoning District**, and the **Shoreland Protection Overlay (SPO)**, the **Shoreland Protection Overlay – Stream Protection (SPO-SP)**, and **Aquifer Protection Overlay 3 (APO 3) Subdistricts**.
2. **Adjourn**



Town of Brunswick, Maine

INCORPORATED 1739

DEPARTMENT OF PLANNING AND DEVELOPMENT

85 UNION STREET

BRUNSWICK, MAINE 04011-1583

TELEPHONE 207-725-6660

FAX 207-725-6663

BRUNSWICK PLANNING BOARD STREET DESIGN STANDARDS WAIVER REQUEST FORM

PURPOSE

The purpose of Street Design Standards for site plans and subdivisions is to ensure that streets are designed to conform to the Brunswick Zoning Ordinance, to protect public facilities, the natural environment, and the safety of Brunswick residents. Waivers from the Brunswick Planning Board may be permitted where the layout and design of the street conform to the standards to the maximum extent possible. Chapter 14, Article VI of the Brunswick Code of Ordinances outlines the conditions under which the Planning Board may approve a waiver of the Town's street standards.

STREET DESIGN STANDARDS CATEGORIES AND THRESHOLDS

Street Design Standard thresholds and procedures are detailed in the Town of Brunswick Municipal Code of Ordinances, Chapter 14, Streets, Sidewalks and Other Public Places; as well as Section 4.8.1 and Appendix B of the Brunswick Zoning Ordinance. Briefly:

Existing Streets: All proposals that create a new lot of record if the existing street does not conform to the street standards must be reviewed by the Planning Board. These standards include but are not limited to the standards for minimum right-of-way width, roadway slope, environmental constraints, maximum length of dead-end street, maximum number of units served by a dead-end street.

The Engineering Department and the Fire department can recommend a standard waiver to the Planning Board, if the layout and design of the street conforms to the standards to the maximum extent practicable. The standards may be modified only where there are:

- 1) There are restrictions that prevent the standards from being met
- 2) Prior conveyances or construction abutting the street make it impossible or an undue hardship to meet the standards
- 3) The reviewing authority has determined that the modifications to the standards would be reasonably safe.

The reviewing authority may consider reasonable alternatives to meeting the standards such as the availability of hydrants in proximity to the development and may place reasonable conditions on the development as deemed necessary as a result of waiving the street standards associated with the development proposal. ***All lots of record as of April 1st, 2023 with access off existing streets, that are intended for use as single or two-family, and not subject to subdivision review are exempt from this requirement. Any proposed new construction is still subject to minimum fire protection standards as required by NFPA 1(2018), 18.2.3b.***

REVIEW PROCESS AND TIMEFRAME

The procedure for processing requests for street standards waivers shall be as follows:

- (1) The applicant shall submit an electronic copy of the application materials including a site plan displaying the project site and its context, documentation of hardships necessitating the waiver request, and an application fee of \$200.
- (2) Within a reasonable amount of time, the Director of Planning and Development shall determine if the application is complete.
- (3) The application shall be placed on an agenda of the Staff Review Committee for initial review and recommendation to the Planning Board.
- (4) Following the Staff Review Committee meeting the waiver request shall be scheduled for Planning Board review (and decision). If development review is also required for the project, the waiver application shall accompany the sketch plan submittal through the review process.

**Street Standards Waiver Request
Application Fee: \$200.00**

**STREET DESIGN STANDARDS
WAIVER APPLICATION**

1. Street Design Standard Waiver application type:

☐ New Street

☒ Existing Street

2. Project Name: TEN TWO LLC SUBDIVISION

3. Project Applicant

Name: TEN TWO LLC
Address: 97 LEDGE BROOK CROSSING
BRUNSWICK, ME 04101
Phone Number: 207-751-4313
Email: JON@JAIDENLANDSCAPING.COM

4. Property Owner (name on deed)

Name: TEN TWO LLC
Address: 97 LEDGE BROOK CROSSING
BRUNSWICK, ME 04101
Phone Number: 207-751-4313
Email: JON@JAIDENLANDSCAPING.COM

5. Assessor's Tax Map 10 Lot Number 10 of subject property.

6. Physical location of property: MOODY ROAD

7. Lot Size: 17.43 ACRES

8. Zoning District: RURAL FARM & FOREST

9. Overlay Zoning District: APO-3 & WILDLIFE PROTECTION

10. Description of what the waiver is being requested for:

ORIGINAL LOT 10 (35 ACRES±) WAS DIVIDED INTO LOTS 10 AND 10A IN OCTOBER, 2024.
AROUND THAT TIME A WAIVER WAS GRANTED FOR DWELLING UNITS TO BE BUILT ON THE
RESULTING TWO PARCELS. AT THIS TIME THE REQUEST IS FOR THE NEW LOT 10 TO HAVE
TWO MORE DWELLING UNITS, FOR A TOTAL OF THREE, TO ALLOW FOR A SUBDIVISION.

11. Description of why the street standards cannot be met:

MOODY ROAD IS AN EXISTING DEAD END ROAD THAT EXCEEDS THE LENGTH OF THAT
ALLOWED BY MUNICIPAL ORDINANCES.

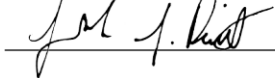
12. Describe specific physical improvements to be made: THREE SINGLE FAMILY RESIDENTIAL

DWELLING UNITS WITH PRIVATE DRIVES, WELLS AND SEPTIC SYSTEMS.

13. Indicate the interest of the applicant in the property and abutting property. For example, is the applicant the owner of the property and abutting property? If not, who owns the property subject to this application? If property owner is an organization, what is the applicant's affiliation?

THE APPLICANT OWNS THE PROPERTY, BUT HAS NO INTEREST IN ANY ABUTTING PROPERTY.

Property Owner Signature:

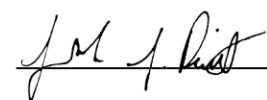


Date: JANUARY 20, 2026

Property Owner Name Printed:

JERAMIAH RAITT FOR TEN TWO, LLC

Applicant Signature:



Date: JANUARY 20, 2026

Applicant Name & Title Printed:

JERAMIAH RAITT, LAND SURVEYOR

Traffic Impact Statement

Prepared in Support of a Three-Lot Single-Family Residential Subdivision
Moody Road at Durham Road, Brunswick, Maine

Project Identification

Applicant proposes a three-lot single-family residential subdivision located on Moody Road in Brunswick, Maine. Access to the subdivision will be provided from Moody Road, with traffic dispersing through Durham Road.

Existing Roadway Network

Moody Road is a local residential roadway serving low-density development. Durham Road functions as a local/collector roadway. Both facilities operate under low traffic volumes consistent with residential land use.

Existing Traffic Conditions

Observed conditions along Moody Road and at the Moody Road/Durham Road intersection reflect free-flow operations with minimal delay. Existing Levels of Service are estimated to be LOS A or B.

Trip Generation

Trip generation estimates are based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, Land Use Code 210 (Single-Family Detached Housing). The subdivision is expected to generate approximately 30 average daily trips, including approximately 2–3 trips during the weekday AM and PM peak hours.

Trip Distribution and Assignment

Site-generated traffic will enter and exit via Moody Road and distribute naturally through the local roadway network via Durham Road. Traffic volumes are minimal and will not concentrate turning movements at any single location.

Future Traffic Conditions

The addition of three single-family dwellings will result in a negligible increase in traffic volumes. Moody Road and the Moody Road/Durham Road intersection have sufficient reserve capacity to accommodate the projected traffic.

Level of Service Analysis

Under build conditions, roadway segments and the study intersection are expected to continue operating at LOS A or B, which exceeds the Town of Brunswick's typical minimum planning standard of LOS C.

Sight Distance and Access

Residential driveways will be designed to meet applicable Town of Brunswick and MaineDOT sight distance requirements. Adequate stopping sight distance will be provided in both directions along Moody Road.

Safety Analysis

The proposed development will generate typical residential traffic at low speeds. No increase in crash potential is anticipated, and emergency vehicle access will remain adequate.

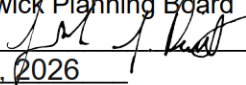
Mitigation Measures

Due to the minimal traffic generated by the proposed subdivision, no roadway improvements, intersection upgrades, or traffic control devices are required.

Conclusion

The proposed three-lot single-family residential subdivision meets the intent of the Brunswick Planning Board traffic review criteria. The project will not create adverse traffic or safety impacts and will maintain acceptable levels of service on Moody Road and at the Moody Road/Durham Road intersection.

Prepared for: Brunswick Planning Board

Prepared by:  _____

Date: January 20, 2026



Town of Brunswick, Maine

INCORPORATED 1739

DEPARTMENT OF PLANNING AND DEVELOPMENT

85 UNION STREET

BRUNSWICK, MAINE 04011-1583

TELEPHONE 207-725-6660

FAX 207-725-6663

BRUNSWICK PLANNING BOARD DEVELOPMENT REVIEW PACKET

This Packet Includes:

- I. Summary of Development Review Applicability and Process
 - II. Minor Development Review Application Form
- III. Sketch Plan Major Development Review Application Form
- IV. Final Plan Major Development Review Application Form

Note that this review process summary and the submission checklist are provided only as a ready reference for your convenience. For a complete reading of the provisions governing development review in Brunswick, the applicant must refer to the Brunswick Zoning Ordinance, copies of, which are available for a fee from the Department of Planning and Development.

PURPOSE

The purpose of Development Review for site plans and subdivisions is to ensure that the development of land occurs in a manner that conforms to the Brunswick Zoning Ordinance (Zoning Ordinance) and reasonably protects public facilities, the natural environment and neighboring uses. Development review includes subdivision and site plan reviews. Applicants are advised that a building, electrical or plumbing permit may be required in addition to Development Review. For further information, contact the Department of Planning and Development at 207-725-6660.

DEVELOPMENT REVIEW CATEGORIES AND THRESHOLDS

Development review applications are classified into “Minor” and “Major” review. Major Reviews are conducted by the Planning Board, and Minor Reviews are conducted by the Staff Review Committee. **Development review thresholds and procedures are detailed in Section 5.2.9 of the Brunswick Zoning Ordinance.** Briefly,

Minor Plan: For developments of lesser scale, the plan includes the final drawings on which the applicant’s subdivision or site plan is presented to the Staff Review Committee for approval and which, if approved, would be recorded at the Cumberland County Registry of Deeds.

Major Review Components:

Sketch Plan: Includes conceptual maps, renderings and supportive data describing the project proposed by the applicant for initial Staff Review Committee review and recommendation to the Planning Board, followed by the review and action by the Planning Board.

Final Plan: Includes the final drawings on which the applicant’s subdivision or site plan is first presented to the Staff Review Committee for review and recommendation to the Planning Board, followed by review and action by the Planning Board.

Complete Major Review applications may be eligible for concurrent sketch plan and final plan review. The staff review committee will evaluate the submission and make a formal determination to send it to the planning board as one or two applications.

REVIEW PROCESS AND TIMEFRAME

Development Review shall be conducted in accordance with the Development Review Time and Processing Requirements in the Zoning Ordinance. All time limits are expressed in calendar days.

APPLICABLE FEES

Application Fees

The following application fees shall be paid for any project undergoing development review. For projects that require a public hearing or projects for which the Planning Board schedules a public hearing an additional \$300.00 fee will be assessed to cover the costs of advertising the public hearing.

Major or Minor Subdivision:

SKETCH PLAN: \$300 per lot/unit (\$150 lot/unit Affordable Housing)

FINAL PLAN: \$300 per lot proposed (\$150 lot/unit Affordable Housing)

Major or Minor Site Plan:

SKETCH PLAN:

- For projects with new building construction of more than 2,500 square feet the cost equals the total amount of square footage for all buildings multiplied by \$0.25.
- For all other developments the fee is \$500.00.

FINAL PLAN:

- For projects with new building construction of more than 2,500 square feet the cost equals the total amount of square footage for all buildings multiplied by \$0.50.
- For all other developments the fee is \$750.00.

Impact Fees

Impact fees may apply depending upon the type of proposed development and will be determined during the development review process.

Peer Review

Peer review is a professional evaluation conducted by a consultant of the Review Authority to assist in determining whether an application submission satisfies the Review Criteria set forth in Subsection 5.2.9.O. The Staff Review Committee or Planning Board may, by majority vote, select a consultant to perform a peer review for the Staff Review Committee or the Planning Board at the applicant's expense. Peer review shall not be undertaken unless it is necessary for an informed review of the application materials and its costs are reasonable, considering the nature and the scope of the application. Estimated costs for peer review shall be disclosed to the applicant prior to undertaking such review. The Town shall require an applicant to deposit funds into an escrow account to be held for the purpose of reimbursing the peer review costs. The applicant shall be entitled to an accounting of the use of all funds and shall be entitled to a refund of all funds not expended upon final approval, denial or withdrawal of an application. The Review Authority reserves the right to deny any application due to a lack of information necessary to deem the proposal in compliance with Subsection 5.2.9.O.

DEVELOPMENT REVIEW APPLICATION

1. Development Review application type (refer to **Appendix D**):

☐

Minor Development Review

☒

Major Development Review: **Sketch Plan**

☐

Major Development Review: **Final Plan**

2. Project Name: TEN TWO LLC SUBDIVISION

3. Project Applicant

Name: TEN TWO LLC
Address: 97 LEDGE BROOK CROSSING
BRUNSWICK, ME 04101
Phone Number: 207-751-4313
Email: jsnell@jaidenlandscaping.com

4. Property Owner (name on deed)

Name: TEN TWO LLC
Address: 97 LEDGE BROOK CROSSING
BRUNSWICK, ME 04101
Phone Number: 207-751-04101
Email: jsnell@jaidenlandscaping.com

5. Authorized Representative

Name: JAY RAITT / LITTLE RIVER LAND SURVEYING
Address: 16 CATTAIL LANE
LISBON, ME 04250
Phone Number: 207-841-0056
Email: JRAITT@LRLS.NET

6. List of Design Consultants. Indicate the registration number, address and phone number, email for any additional project engineers, surveyors, architects, landscape architects or planners:

1. JERAMIAH J. RAITT, SURVEYOR, ME 2376
2. _____
3. _____

7. Physical location of property: MOODY ROAD, BRUNSWICK

8. Lot Size: 17.43 ACRES

9. Zoning District: RURAL FARM & FOREST DISTRICT

10. Overlay Zoning District(s): _____

11. Indicate the interest of the applicant in the property and abutting property. For example, is the applicant the owner of the property and abutting property? If not, who owns the property subject to this application? If property owner is an organization, what is the applicant's affiliation?

PROPERTY OWNER

12. Assessor's Tax Map 10 Lot Number 10 of subject property.

13. Brief description of proposed use/subdivision: _____

3 LOT SUBDIVISION, NO NEW INFRASTRUCTURE PROPOSED

14. Describe specific physical improvements to be done: _____

THREE HOUSES, DRIVEWAYS, SEPTIC SYSTEMS AND WELLS

Property Owner Signature:



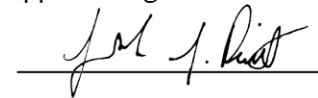
FOR TEN TWO LLC

Date: **11-17-2025**

Property Owner Name Printed:

TEN TWO LLC

Applicant Signature:



FOR TEN TWO LLC

Date: **11-17-2025**

Applicant Name & Title Printed:

TEN TWO LLC

DEVELOPMENT REVIEW APPLICATION REQUIREMENTS

The submission requirements contained in Appendix D of the Brunswick Zoning Ordinance (attached in checklist format for each application category) shall apply to all Minor Development, Major Development, and Streamlined Major Development Review unless a waiver is granted. Proposed development applications shall be submitted to the Director of Planning and Development.

For each item listed in Appendix D the applicant shall either submit the requested information or request a waiver from the information requirement pursuant to Subsection 5.2.9.M of the Zoning Ordinance.

REQUIREMENTS FOR SKETCH PLAN APPLICATION SUBMITTAL Please mark box with one of the following: “W” (Waiver); “P” (Pending); “X” (Submitted) or “N/A” (Not applicable)		Sketch Plan
General	Application form and fee	X
	Name of development	X
	Existing zoning district and overlay designations	X
	Location map (Project property and surrounding area for context)	X
	Location of features, natural and artificial, such as water bodies, wetlands, streams, important habitats, vegetation, railroads, ditches and buildings	X
	Documentation of Right, Title and Interest	X
	Draft performance guarantee or conditional agreement	N/A?
	List of anticipated permits required (federal, state, local)	N/A
Survey, Topography, & Existing Conditions	Scale, date, north point, and area	X
	Existing easements associated with the development	X
	Existing locations of sidewalks	N/A
	Approximate locations of dedicated public open space, areas protected by conservation easements and recreation areas	N/A
	When applicable, a table indicating the maximum number of lots permitted based upon the applicable dimensional requirements, the number of lots proposed, and the number of lots permitted to be further subdivided.	N/A?
	Building envelopes showing acceptable locations for principal and accessory structures, setbacks and impervious coverage	X
Proposed Development Plan	Number of lots if a subdivision	X
	If proposing 15 or more units of rental housing, describe how affordability requirements will be met.	N/A

REQUIREMENTS FOR FINAL PLAN & MINOR DEVELOPMENT REVIEW APPLICATION SUBMITTAL		Final Plan	Minor	Staff
Please mark box with one of the following: “W” (Waiver); “P” (Pending); “X” (Submitted) or “N/A” (Not applicable)				
General	Application form and fee			
	Name of development			
	Existing zoning district and overlay designations			
	Location map (Project property and surrounding area for context)			
	Location of features, natural and artificial, such as water bodies, wetlands, streams, important habitats, vegetation, railroads, ditches and buildings			
	Documentation of Right, Title and Interest			
	Draft performance guarantee or conditional agreement			
	Disclosure of permits required (federal, state, local); if permit has been granted or application submitted, provide a copy			
	Drafts of legal documents appropriate to the application, including: deeds, easements, conservation easements, deed restrictions or covenants, home/property owners association declarations and by-laws, and such other agreements or documents as are necessary to show the manner in which common areas will be owned, maintained, and protected			
	Narrative including Chapter 4 development standards and any applicable overlay standards and how they are being addressed			
Survey, Topography, & Existing Conditions	Written response to all Staff Review Committee comments received			
	Scale, date, north point, and area			
	A survey submitted by a professional land surveyor with a current license by the State of Maine Board of Licensure for Professional Surveyors. Surveys must be stamped for final plan approval.			
	Boundaries of all lots and tracts with accurate distances and bearings, locations of all permanent monuments on the property identified as existing or proposed.			
	Location of existing utilities; water, sewer, electrical lines, and profiles of underground facilities			
	Existing easements associated with the development			
	Existing locations of sidewalks			
	Approximate locations of dedicated public open space, areas protected by conservation easements and recreation areas			
	When applicable, a table indicating the maximum number of lots permitted based upon the applicable dimensional requirements, the number of lots proposed, and the number of lots permitted to be further subdivided.			
	Building envelopes showing acceptable locations for principal and accessory structures, setbacks and impervious coverage			
	Existing location, size, profile and cross section of sanitary sewers; description, plan and location of other means of sewage disposal with evidence of soil suitability			
	Topography with contour intervals of not more than two (2) feet			
	A delineation of wetlands, floodplains, important habitats, and other environmentally sensitive areas			
	A Medium Intensity Soil Survey, available from the Cumberland County Soil and Water Conservation District. The Planning Board may require a Class A (high intensity) Soil Survey, prepared in accordance with the standards of the Maine Association of Professional Soil Scientists, if issues of water quality, wetlands or other natural constraints are noted.			

REQUIREMENTS FOR FINAL PLAN & MINOR DEVELOPMENT REVIEW APPLICATION SUBMITTAL		Final Plan	Minor	Staff
Please mark box with one of the following: "W" (Waiver); "P" (Pending); "X" (Submitted) or "N/A" (Not applicable)				
Infrastructure - Proposed	Name, location, width of paving and rights-of-way, profile, cross-section dimensions, curve radii of existing and proposed streets; profiles of center-lines of proposed streets, at a horizontal scale of one (1) inch = 50 feet and vertical scale of one (1) = five (5) feet, with all evaluations referred to in U.S.G.S. datum			
	Proposed easements associated with the development			
	Kind, location, profile and cross-section of all proposed drainage facilities, both within and connections to the proposed development, and a storm-water management plan in accordance with Section 4.5.4			
	Location of proposed utilities; water, sewer, electrical lines, and profiles of underground facilities. Tentative locations of private wells.			
	Proposed location, size, profile and cross section of sanitary sewers; description, plan and location of other means of sewage disposal with evidence of soil suitability			
	Proposed locations, widths and profiles of sidewalks			
	Locations, dimensions, and number of proposed vehicular and bicycle parking spaces, including proposed shared parking arrangement if applicable.			
	Grading, erosion control, and landscaping plan; proposed finished grades, slopes, swells, and ground cover or other means of stabilization			
	Storm water management plan for the proposed project prepared by a professional engineer			
	The size and proposed location of water supply and sewage disposal systems			
	A statement from the General Manager of the Brunswick Sewer District as to conditions under which the Sewer District will provide public sewer and approval of the proposed sanitary sewer infrastructure			
	A statement from the General Manager of the Brunswick and Topsham Water District as to conditions under which public water will be provided and approval of the proposed water distribution infrastructure			
	Proposed Development Plan	Lighting plan showing details of all proposed lighting and the location of that lighting in relation to the site		
Reference to special conditions stipulated by the Review Authority				
Proposed ownership and approximate location and dimensions of open spaces for conservation and recreation. Dedicated public open specs, areas protected by conservation easements, and existing and proposed open spaces or recreation areas and potential connectivity to adjoining open space.				
When applicable, a table indicating the maximum number of lots permitted based upon the applicable dimensional requirements, the number of lots proposed, and the number of lots permitted to be further subdivided.				
Building envelopes showing acceptable locations for principal and accessory structures, setbacks and impervious coverage				
Disclosures of any required permits. If a permit has been granted or an application for one submitted, provide a copy of the permit application.				
A statement from the General Manager of the Brunswick and Topsham Water District regarding the proposed development if located within an Aquifer Protection Zone				
A plan of all new construction, expansion and/or redevelopment of existing facilities, including type, size, footprint, floor layout, setback, elevation of first floor slab, storage and loading areas				

REQUIREMENTS FOR FINAL PLAN & MINOR DEVELOPMENT REVIEW APPLICATION SUBMITTAL		Final Plan	Minor	Staff
Please mark box with one of the following: "W" (Waiver); "P" (Pending); "X" (Submitted) or "N/A" (Not applicable)				
Proposed Development Plan	An elevation view of all sides of each building proposed indicating height, color, bulk, surface treatment, signage and other features as may be required by specific design standards [Cooks Corner or Village Review]			
	A circulation plan describing all pedestrian and vehicle traffic flow on surrounding road systems			
	Traffic: A trip generation report			
	A site landscaping plan indicating grade change, vegetation to be preserved, new plantings used to stabilize areas of cut and fill, screening, the size, locations and purpose and type of vegetation			
	Number of lots if a subdivision			
	A plan showing all ten (10) inch caliper trees to be removed as a result of the development proposal			
	All applicable materials necessary for the Review Authority to review the proposal in accordance with the criteria of Chapter 5.			
	Any additional studies required by the Review Authority			

FINANCIAL CAPACITY EXPLAINED

Applicants shall demonstrate compliance with the following:

A. General Standard:

The applicant shall have financial capacity to design, construct, operate, and maintain the development. Evidence of financial capacity must be provided prior to a decision on an application, except that the applicable review authority may defer a final finding on financial capacity by placing a condition on an approval that requires the applicant to provide final evidence of financial capacity satisfactory to the Director of Planning and Development before the issuance of any building permit.

B. Specific Standard:

- (1) The applicant must show that they have right, title, or interest in the development parcel.
- (2) The application for approval of a proposed development must include evidence that affirmatively demonstrates that the developer has the financial capacity to design, construct, operate, and maintain the proposed development, except in cases in which the review authority defers a final determination as set forth in Section (A) above. Evidence of financial capacity must include, but is not limited to, the following information:

- a. Cost estimates. Accurate and complete estimates of the development, including all proposed phases. The itemization of major costs may include but is not limited to, the cost of the following activities: land purchase, erosion control, roads, sewers, structures, water supply, utilities, pollution abatement, landscaping, and restoration of the site, if applicable.
- b. Time schedule. The time schedule for construction of all phases proposed.
- c. Evidence of Funds. Evidence such as the following:
 - i. Letter of commitment or intent to fund. A letter from a financial institution, governmental agency, or other funding source indicating a commitment to provide to the applicant a specified amount of funds and the uses for which the funds may be utilized. In cases where funding is required but there can be no commitment of money until approvals are received, an applicant may submit a letter of "intent to fund" from an appropriate funding institution indicating the amount of funds intended to be provided to the applicant and the specified uses for which the funds are intended.

In cases where one or more entities are part of the applicant's business structure, evidence must be submitted describing the applicant's business structure and demonstrating that the proposed financing is clearly linked from the financing institution to the applicant.

- ii. Self-financing

- (A) The most recent corporate annual report or financial statements indicating availability of sufficient funds to finance the development together with material

explaining the report, and evidence that funds have been set aside for the proposed development. The financial information in any annual report and any financial statement should be audited, or an explanation provided why audited reports are not available.

- (B) Copies of bank statements of accounts held by the applicant or other evidence indicating that funds are available and have been set aside for the proposed development.

iii. Government agency

- (A) Evidence that funds to complete the development have been included in an approved budget and that grant money or other funds have been obtained to cover the development costs.
- (B) In cases where funding is required but there can be no commitment of money until approvals are received, a detailed plan outlining how funds for the development will be obtained and evidence that legal authority exists to implement the plan.

iv. Non-profit organization

- (A) Evidence that funds to complete the development have been included in an approved budget and that grant money or other funds have been obtained to cover the development costs.
- (B) In cases where funding is required but there can be no commitment of money until approvals are received, a detailed plan outlining how funds for the development will be obtained, including projections for and status of any fund raising.

- d. Phased Development. In cases of phased development or long-term construction projects, the department may find that the applicant has demonstrated adequate financial capacity to comply with department requirements provided (a) the applicant has demonstrated financial capacity for a separate first phase, and (b) the permit is conditioned to require that evidence of financial capacity adequate for review and approval be submitted to the Department prior to construction of each subsequent phase. Construction of each subsequent phase may not begin prior to approval of financial capacity for that phase.
- e. If the applicant is an entity registered with the Secretary of State of any state, provide a Certificate of Good Standing or other evidence of existence and good standing satisfactory to the Planning Board.

TRUSTEE'S DEED

DLN: 2510657

MARK J. FISHER, CURRENT TRUSTEE OF THE JANICE K. FISHER TRUST DATED APRIL 20, 1999, of Portland, County of Cumberland, and State of Maine, for consideration paid, grants to **TEN TWO LLC**, a Maine limited liability company with its principal place of business in Brunswick, County of Cumberland, and State of Maine, having a mailing address of 97 Ledge Brook Crossing, Brunswick, ME 04011, the real property in the Town of Brunswick, County of Cumberland, and State of Maine, more particularly described as follows:

BEGINNING on the westerly line of Moody Road at the southerly corner of land now or formerly of Jade Stuart and Samuel Stuart as described in a deed dated May 27, 2001 and recorded in book 38263, page 303;

THENCE S 23° 07' 27" W along Moody Road a distance of 234.56 feet to a point;

THENCE S 21° 16' 40" W along Moody Road a distance of 85.27 feet to a point;

THENCE S 12° 33' 47" W along Moody Road a distance of 160.93 feet to the easterly corner of land recently conveyed by this grantor;

THENCE N 58° 10' 29" W along land recently conveyed by this grantor a distance of 599.71 feet to a point;

THENCE S 81° 37' 00" W along land recently conveyed by this grantor a distance of 785.12 feet to a point in the easterly line of land now or formerly Brenda C. Masse and Patrick J. Masse as described in a deed dated September 8, 1997 and recorded in book 13337, page 263;

THENCE N 32° 37' 50" E along the land of Brenda C. Masse and Patrick J. Masse a distance of 567.44 feet to a point;

THENCE N 09° 57' 29" E along the land of Brenda C. Masse and Patrick J. Masse a distance of 112.62 feet to a point;

THENCE N 11° 51' 57" E along the land of Brenda C. Masse and Patrick J. Masse a distance of 437.16 feet to the westerly corner of land now or formerly of Stefanie M. Hallett and Alex C. Hallett as described in a deed dated September 22, 2023 and recorded in book 40385, page 29;

THENCE S 56° 56' 56" E along the land of Stefanie M. Hallett and Alex C. Hallett a distance of 516.19 feet to a point in the northwesterly line of land of Jade Stuart and Samuel Stuart;

THENCE S 33° 20' 46" W along the land of Jade Stuart and Samuel Stuart a distance of 99.96 feet to a point;

THENCE S 58° 06' 13" E along the land of Jade Stuart and Samuel Stuart a distance of 92.07 feet to a point;

THENCE S 58° 22' 51" E along the land of Jade Stuart and Samuel Stuart a distance of 203.47 feet to a point;

THENCE S 58° 36' 52" E along the land of Jade Stuart and Samuel Stuart a distance of 46.71 feet to a point;

THENCE S 58° 24' 54" E along the land of Jade Stuart and Samuel Stuart a distance of 148.75 feet to a point;

THENCE S 58° 37' 54" E along the land of Jade Stuart and Samuel Stuart a distance of 101.15 feet to a point;

THENCE S 58° 14' 41" E along the land of Jade Stuart and Samuel Stuart a distance of 172.76 feet to the Point of Beginning of the parcel herein described.

This parcel includes 17.43 acres, more or less.

This being the remaining portion of the premises described in a deed to Janice Fisher, Trustee of the Janice Fisher Trust, dated April 20, 1999 and recorded in book 14704, page 106.

This property is conveyed subject to any easements or rights of way of record.

Bearings used herein are referenced to the State Plane Coordinate System of 1983, Maine West Zone.

Reference may be made to a "Survey Of Proposed Division Of Property of Mark J. Fisher, Co-Trustee Of The Janice K. Fisher Trust" dated August 13, 2024 and revised through August 22, 2024 by Little River Land Surveying, Inc.

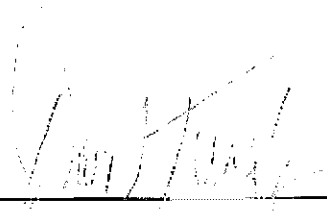
Mark J. Fisher, Trustee of the Janice K. Fisher Trust, dated April 20, 1999 hereby certifies the following:

1. This Certificate is made pursuant to Title 18-B M.R.S. § 1013 of the Maine Trust Code by Mark J. Fisher, as current Trustee of the Janice K. Fisher Trust dated April 20, 1999.

2. I, Mark J. Fisher, am the current Trustee of The Janice K. Fisher Trust, dated April 20, 1999, of which the prior Co-Trustee and Settlor, Janice K. Fisher, died on November 28, 2021, leaving me as sole Trustee.
3. That said Trust has not been altered, revoked, amended or changed and I have remained a Co-Trustee and now the sole current Trustee.
4. The Janice K. Fisher Trust dated April 20, 1999, has not been revoked, or further modified or amended in any manner that would cause the representations contained in this certification to be incorrect.
5. The powers of the Trustee, under said Trust Agreement, include the authority to convey trust assets, including real property.

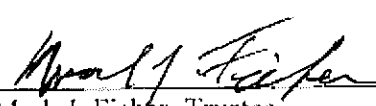
IN WITNESS WHEREOF, the said MARK J. FISHER, in his capacity as TRUSTEE OF THE JANICE K. FISHER TRUST dated April 20, 1999, has caused this instrument to be executed.

Witness my hand and seal this 21st day of March, 2025.



Witness

The Janice K. Fisher Trust dated April 20, 1999



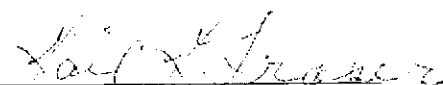
By: Mark J. Fisher, Trustee

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

March 21, 2025

Then personally appeared before me the above-named MARK J. FISHER in said capacity as current Trustee of the Janice K. Fisher Trust dated April 20, 1999 and acknowledged the foregoing instrument to be his free act and deed in said capacity.

Before me,



Notary Public / Attorney at Law

My Commission Expires: _____

GAIL G. FRASER
NOTARY PUBLIC
State of Maine
My Commission Expires
August 28, 2028

