Received Date: _____

RECEIVED

Date of Application: FEB 24 2025 Map 3 Lot 33

TOWN OF LYMAN
PLANNING BOARD SITE REVIEW APPLICATION
FOR GENERAL AND COMMERCIAL USES
11 South Waterboro Road
Lyman, ME 04002
(207) 499-7562 ext. 17 or CEO at ext. 15

1. A. Name of Applicant: Patrick Gagnon

Mailing address: 73 Mason St. Biddeford Maine 04005

Telephone #: 207-423-5742

E-Mail Address: Pgagnon@main.rr.com

B. Name of Person Representing Applicant (if applicable):

Mailing address:

Telephone #:

E-Mail Address:

NOTE: THE PERSON(S) ACTING AS AN AGENT FOR THE PROPERTY OWNER MUST HAVE WRITTEN AUTHORIZATION FROM THE OWNER GIVING PERMISSION TO ACT ON THEIR BEHALF.

2. Location of Property: Map 3 Lot 33
(as per Lyman Tax Maps)

2a. Address of Property: 54 Wilderness Way Lyman ME 04002

3. Check appropriate zone: (see zoning maps for determination)
   - ✓ General Purpose
   - Rural Residential
   - X Commercial/Residential

4. Reason for Application: (check whichever is applicable)
   - ✓ Proposal or plans require Site Review Permit as per Lyman Zoning Ordinance

_____ Proposal or plans require Planning Board approval for Subdivision

4a. Is the property part of a subdivision: (Circle One)

YES NO

4b. Is the property classified in Tree Growth, Open Space, Farm & Open Space or Resource Protection?

Please Specify no

5. Existing use of Property: (Describe in detail)

landscaping company

6. Proposed use of the Property: (Describe and be specific about your plans ie: type of business, etc.

inspection site for vehicles

7. Lot dimensions:(INCLUDE A SKETCH)

Width: _____

Depth: _____

Total Area: _____

Road Frontage: _____

8. Type of Sewerage Disposal: (Include HHE-200 Forms if possible)

Existing: _____

Proposed: _____

9. Total percentage of lot to be occupied by structures(s) _____%
(see definition section of ordinance)

10. Structure(s) exterior dimensions (length and width)

Main structure _____ by _____ # of stories _____

Garage/Shed _____ by _____ # of stories _____

Other _____ by _____ # of stories _____

11. SUBMITTALS

a. FEES Please make check payable to the TOWN OF LYMAN.
   SUBDIVISION: $2,500.00
   ALL OTHERS: $ ~~300.00~~ 250.00
b. A copy of the plumbing permit, if applicable. (This includes already installed systems regardless of age)
c. A current copy of the signed property deed(s).
d. A copy of official decisions (or actions pending) of other, state, federal or local officials (site location permit, minimum lot size waiver, Subdivision approval, Conditional Use Permits AND/OR Site Review Approvals, etc.)
e. Site Plan: ILLUSTRATE the following information about the lot and the proposed use of the lot on a SCALE DRAWING ON GRAPH PAPER or a SITE PLAN PREPARED BY A SURVEYOR, ARCHITECT OR ENGINEER.
   - Lot dimensions.
   - Names of abutting property owners. (This includes any property within 500 feet of the boundary lines including across the street.) Include the name, map and lot number, and mailing address of each abutter, which may be listed separately shall be supplied with the application.
   - Location of abutting rights of way, public or private.
   - Location of any abutting water bodies including streams.
   - Exact location of existing and proposed buildings, including dimensions and distance of each from nearest lot line(s).
   - Location of sewage disposal system and water supply.
   - Areas to be cleared, if applicable.
   - Erosion control methods and landscaping plans, if applicable.
   - Areas of fill, grading, cut or other earth-moving activity.
   - Test pit locations, if applicable.

PLEASE SUBMIT A TOTAL OF EIGHT (8) COPIES OF THIS APPLICATION INCLUDING THE ATTACHMENTS LISTED ABOVE and 6 STANDARD 1" x 2 5/8" MAILING LABELS for the APPLICANT and 6 for the APPLICANT(S) AGENT/CONTRACTOR. ALSO PLEASE SUBMIT TWO SETS OF LABELS WITH ABUTTERS' NAMES AND ADDRESSES.

NOTE: ALL APPLICANTS WILL BE NOTIFIED IN WRITING AS TO THE TIME AND PLACE THE PLANNING BOARD WILL MEET TO REVIEW YOUR APPLICATION

12. **ONSITE:** An onsite inspection (site walk) will be conducted by the Board for each application. If you add to a structure or are building new, you MUST **have the property and proposed structure(s) staked out**. This includes boundary lines to abutting properties.

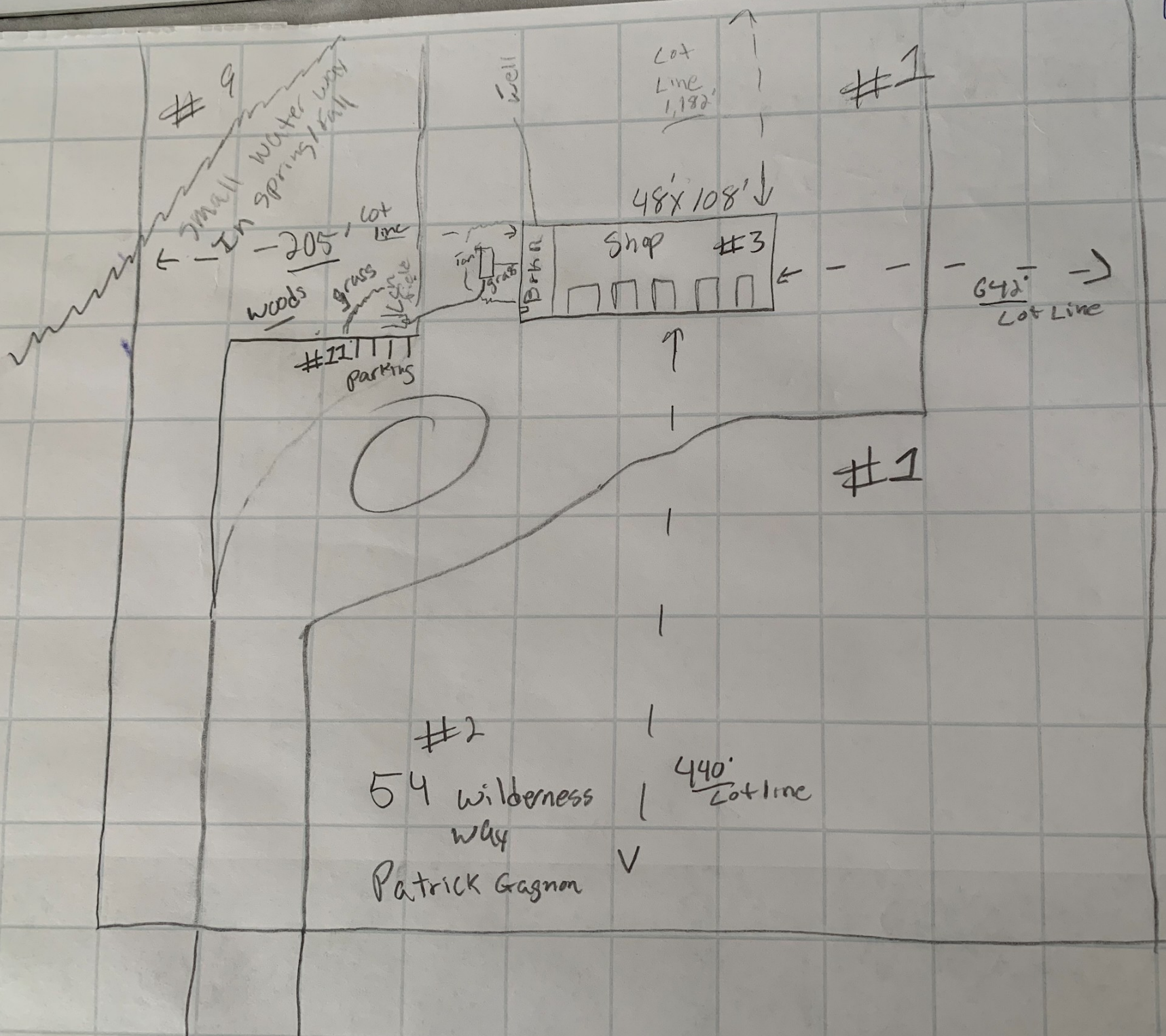
NOTE: THIS APPLICATION MUST BE FILLED OUT IN ITS ENTIRETY, INCLUDING ALL SUBMITTALS OR IT WILL NOT BE ACCEPTED AND WILL BE RETURNED TO THE APPLICANT.

To the best of my (our) knowledge, all information submitted on this application is true and correct. All proposed uses will be in conformance with the application and the Zoning Ordinance(s) of the Town of Lyman.

Signature _____ Date 2/24/25
(Of applicant/owner of property and/or Power of Attorney)

Signature _____ Date _____

Exhibit A


#9
small water way in spring/fall
205' lot line
woods
grass
#11
parking
well
lot line 1,182'
#1
48'x108'
Shop
#3
Tank
grass
642' lot line
#1
#2
54 wilderness way
Patrick Gagnon
440' lot line

Sheet: S2

I hereby certify that this boundary survey conforms to the Maine Board of Licensure for Professional Land Surveyors, Chapter 90, Standards of Practice.

Dana A. Libby Professional Land Surveyor 1350
08-13-2007

THIS PLAN IS VALID ONLY IF PRINT HAS ORIGINAL EMBOSSED SEAL OF SURVEYOR

Seal

Plan Showing A Boundary Survey For

Samuel A. Thomas, II

P.O. Box 1221 Berwick, Maine 03901-1221

Of Property Located On

State Route 111 and Howitt Road In Lyman, Maine

Scale: 1in. = 100ft.

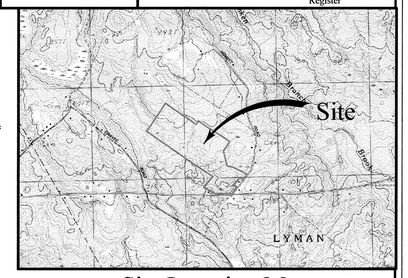
Corner Post Land Surveying, Inc.
2 Mill Street, Springvale, Maine 04083
Voice: 207.324.2119
Fax: 207.490.3946
Email: cpls@mainesurveyors.com

Issue: August 13, 2007
Revision:
Date:

Data File: .crd
CAD File: 2006023-R7Recordable.dwg
Drawn By: KAL/JLS
Job No: 2006023

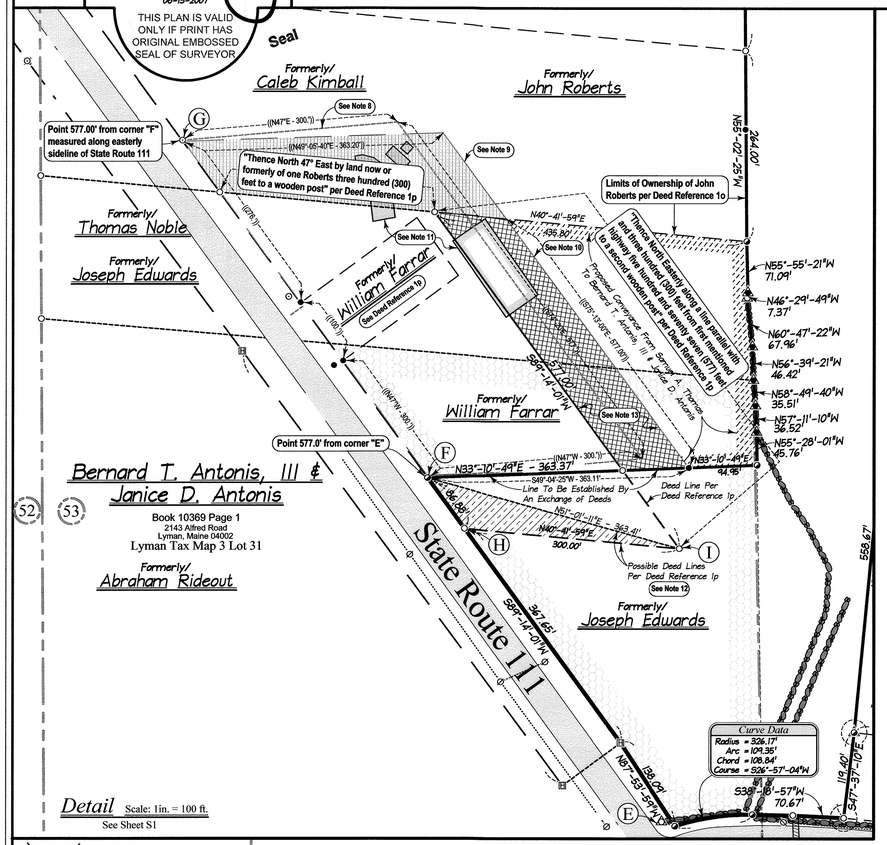
000333

YORK, ss REGISTRY OF DEEDS
Received: 8-16-07
at 2 h 53 m P M., and
Filed in Plan Book 322 Page 33
ATTEST: Debra L Anderson
Register



Site Location Map

(Not to Scale)



Detail Scale: 1in. = 100 ft.

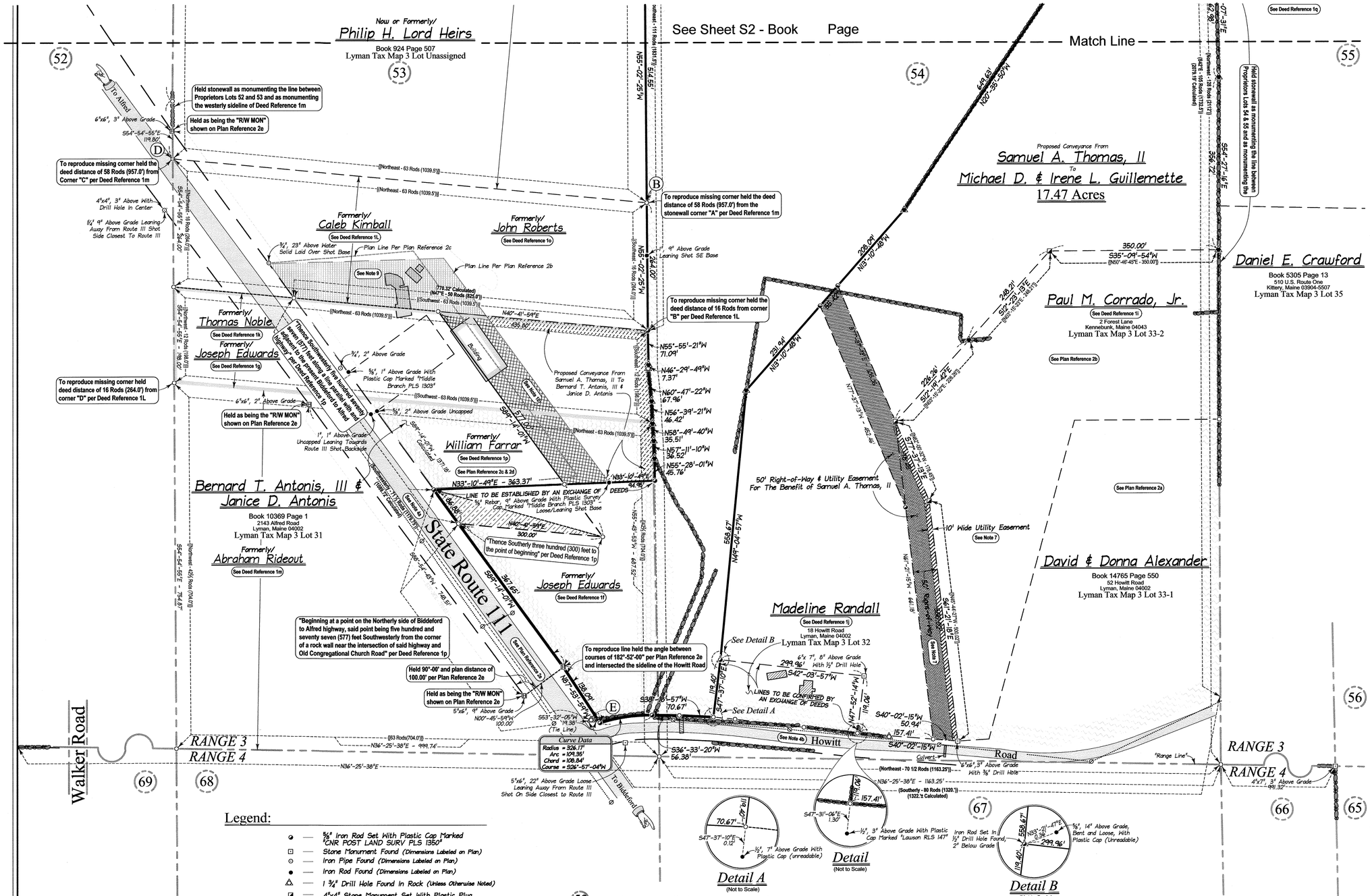
See Sheet S1

Legend:

- 5/8" Iron Rod Set With Plastic Cap Marked "CNR POST LAND SURV PLS 1350"
- Stone Monument Found (Dimensions Labeled on Plan)
- Iron Pipe Found (Dimensions Labeled on Plan)
- Iron Rod Found (Dimensions Labeled on Plan)
- 1 ¾" Drill Hole Found In Rock (Unless Otherwise Noted)
- 4"x4" Stone Monument Set With Plastic Plug Marked "PLS 1350" set in ½" Drill Hole (2004)
- Highway Monument Found (Dimensions Labeled on Plan)
- Stonewall
- Pavement
- ½" Drill Hole Set In Rock With Plastic Plug Marked "PLS 1350"
- Stonepile Found
- Remains of Wire Fence
- Utility Pole
- Overhead Telephone and Electric Service Lines
- Boundary Line
- Right of Way Line (Along Surveyed Premises)
- Abutter Line
- Former Deed Line
- Proprietors Lot Line (See Plan Reference 2h)
- Proprietors Lot Number (See Plan Reference 2h)
- Corner Identifier
- {S42°E - 105 Rods (1732.5')} — Information Taken From Deed Reference 1c
- {Southwest - No Dist} — Information Taken From Deed Reference 1d
- [Northeast - 24 3/4 Rods (408.37')] — Information Taken From Deed Reference 1e
- {(Northeast - 37 Rods (610.5')}} — Information Taken From Deed Reference 1h
- {{Northwest - 12 Rods (198.0')}} — Information Taken From Deed Reference 1k
- [[Northeast - 63 Rods (1039.5')]] — Information Taken From Deed Reference 1L
- {{Northeast - 63 Rods (1039.5')}} — Information Taken From Deed Reference 1m
- {[N50°E - 59½ Rods (981.75')]} — Information Taken From Deed Reference 1n
- {{{N50°-46'-45"E - 350.00'}}} — Information Taken From Plan Reference 2b
- {{{N47°W - 300.'}}} — Information Taken From Plan Reference 2c
- {{{S49°-04'-25"W - 363.11'}}} — Information Taken From Plan Reference 2d
- S75°-36'E - 750.02' — Information Taken From Plan Reference 2e

Graphic Scale: 1in = 100Ft.

100 50 0 50 100 200 300 400



Legend:

- 5/8" Iron Rod Set With Plastic Cap Marked "CNR POST LAND SURV PLS 1350"
- Stone Monument Found (Dimensions Labeled on Plan)
- Iron Pipe Found (Dimensions Labeled on Plan)
- Iron Rod Found (Dimensions Labeled on Plan)
- 1 3/4" Drill Hole Found In Rock (Unless Otherwise Noted)
- 4"x4" Stone Monument Set With Plastic Plug Marked "PLS 1350" set in 1/2" Drill Hole (2004)
- Highway Monument Found (Dimensions Labeled on Plan)
- Stonewall
- Pavement
- 1/2" Drill Hole Set In Rock With Plastic Plug Marked "PLS 1350"
- Stonepile Found
- Remains of Wire Fence
- Utility Pole
- Overhead Telephone and Electric Service Lines
- Boundary Line
- Right of Way Line (Along Surveyed Premises)
- Abutter Line
- Former Deed Line
- Proprietors Lot Line (See Plan Reference 2h)

53 — Proprietor Number (See Plan Reference 2h)

A — Corner Identifier

(S42°E - 105 Rods (1732.5'))	Information Taken From Deed Reference 1c
(Southwest - No Dist)	Information Taken From Deed Reference 1d
[Northeast - 24 3/4 Rods (408.37')]	Information Taken From Deed Reference 1e
{{Northeast - 37 Rods (610.5')}}	Information Taken From Deed Reference 1h
{{Northwest - 12 Rods (198.0')}}	Information Taken From Deed Reference 1k
{{Northeast - 63 Rods (1039.5')}}	Information Taken From Deed Reference 1L
{{Northeast - 63 Rods (1039.5')}}	Information Taken From Deed Reference 1m
[[N50°E - 59 1/2 Rods (981.75')]]	Information Taken From Deed Reference 1n
[[N50°-46'-45"E - 350.00']]	Information Taken From Plan Reference 2b
((N47°W - 300.'))	Information Taken From Plan Reference 2c
((S49°-04'-25"W - 363.11'))	Information Taken From Plan Reference 2d
S75°-36'E - 750.02'	Information Taken From Plan Reference 2e

Graphic Scale: 1in = 100Ft.

100 50 0 50 100 200 300 400

Notes:

1. Deed Reference:

a. **Jack Goodman & Harry Stein** to **Samuel A. Thomas, II** dated September 10, 1985 and recorded at the York County Registry of Deeds in book 3644 page 113.
b. **A. Guy Littlefield, Ruth R. Littlefield, Emery S. Littlefield, Electa L. Allen & Katherine A. Littlefield** to **Clarence N. & Mary C. Langely** dated January 31, 1948 and recorded at the York County Registry of Deeds in book 1113 page 261.
c. **Joseph Edwards** to **Richard S. Stanley** dated April 11, 1865 and recorded at the York County Registry of Deeds in book 284 page 555.
d. **Benjamin Herrich & Alvah Conant** to **Joseph Edwards** dated March 22, 1833 and recorded at the York County Registry of Deeds in book 145 page 8.
e. **Seth Cousens** to **Joseph Edwards** dated October 13, 1832 and recorded at the York County Registry of Deeds in book 143 page 191.
f. **Oran Edwards** to **Joseph Edwards** dated May 28, 1841 and recorded at the York County Registry of Deeds in book 171 page 206.
g. **Clement Noble** to **Joseph Edwards** dated August 23, 1844 and recorded at the York County Registry of Deeds in book 310 page 37.
h. **Abraham Emmons** to **Olive Emmons (Dower)** see Dower dated October 15, 1827 and recorded at the York County Registry of Probate in volume 38 page 362.
i. **Samuel A. Thomas, II** to **Paul M. Corrado, Jr.** dated July 16, 2004 and recorded at the York County Registry of Deeds in book 14161 page 500.
j. **Clarence N. & Mary J. Langley** to **Alfred & Madeline Randall** dated May 20, 1948 and recorded at the York County Registry of Deeds in book 1120 page 343.
k. **James Cousens** to **Thomas Noble** dated March 20, 1827 and recorded at the York County Registry of Deeds in book 125 page 247.
L. **James Cousens** to **Caleb Kimball** dated March 20, 1827 and recorded at the York County Registry of Deeds in book 126 page 181.
m. **James Cousens** to **Abraham Rideout** dated June 19, 1828 and recorded at the York County Registry of Deeds in book 130 page 181.
n. **Benjamin J. Herrick** to **Jedediah Tripp** dated September 13, 1840 and recorded at the York County Registry of Deeds in book 170 page 1.
o. **Calvin Drown** to **John Roberts** dated March 7, 1859 and recorded at the York County Registry of Deeds in book 263 page 4.
p. **Clarence N. & Mary C. Langley** to **William Farrar** dated September 15, 1950 and recorded at the York County Registry of Deeds in book 1167 page 494.
q. **Aaron Littlefield** to **Jonathan Calef** dated October 5, 1805 and recorded at the York County Registry of Deeds in book 105 page 43.
r. **Jonathan Taylor** to **Jonathan Calef** dated January 17, 1805 and recorded at the York County Registry of Deeds in book 105 page 43.
s. **John Raymond** to **Bradford Raymond** dated April 12, 1854 and recorded at the York County Registry of Deeds in book 232 page 247.
t. **Sarah P. Edwards** to **George H. Edwards** dated October 22, 1908 and recorded at the York County Registry of Deeds in book 578 page 368.

2. Plan Reference:

a. **"Plan Showing A Boundary Survey For Samuel A. Thomas, II"** dated April 1, 1990 and surveyed by Corner Post Land Surveying, Inc. and recorded at the York County Registry of Deeds in plan book 186 page 19.
b. **"Plan Showing A Boundary Survey For Samuel A. Thomas, II"** dated January 13, 2004 and surveyed by Corner Post Land Surveying, Inc. and recorded at the York County Registry of Deeds in plan book 287 page 4.
c. **"Land Parcel at Lyman, Maine Owned By Leon Pelletier & Fernald Gauy"** dated August 24, 1976 and surveyed by Earl T. Bladgett. This plan is unrecorded and a copy of this plan was supplied by Maine Boundary Consultants.
d. **"Standard Boundary Survey Thomas C. & Claire M. Simoneau"** dated February 28, 1994 and surveyed by Middle Branch Land Surveyors and Boundary Consultants. This plan is unrecorded and a copy of this plan was supplied by the client.
e. **"Maine State Highway Commission Right of Way Map State Highway U"** dated April, 1949 and recorded at the York County Registry of Deeds in plan book 23 page 4 & 5.
f. **"Plan Showing A Boundary Survey For Raymond & Carmen Poirier"** dated April 18, 2003 and surveyed by Corner Post Land Surveying, Inc. This plan is unrecorded.
g. **"Plan Showing A Boundary Survey For John B. Kimball & Joan M. Sedlita"** dated May 2, 2003 and surveyed by Corner Post Land Surveying, Inc. This plan is unrecorded.
h. **"An Original Plan Of A Certain Tract Of Land Lying In The Late Province Of Maine, Now County Of York In The Commonwealth Of Massachusetts, Holden Under The Will Of Bridget Phillips Late Of Boston"** dated October, 1786 and surveyed by James Warren. This plan is on file at the York County Registry of Deeds.

3. Basis of Bearings:

Bearings shown hereon are Grid North and refer to the Maine State Coordinate System, West Zone and were determined utilizing a Leica System 1200 "RTK GPS Unit" (Real Time Kinematic Global Positioning System).

4. Road Record:

a. **State Route 111**, 100.' wide, per Plan Reference 2e.
b. **Howitt Road**, no record found, assume a width of 3 rods (49.50'). To determine the sideline held 1 1/2 rods (24.75') from the centerline of the traveled way. See Maine Revised Statutes Annotated, Title 23, Section 2103

5. The word "certify" or "certification" as shown and used hereon means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.

6. No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any underground utility, municipal or public service. For information concerning these utilities or facilities please contact the appropriate agencies.

7. Deed Reference lI is conveyed **"Together with and subject to the benefits and burdens of an easement, but no the fee in a private 50-foot-wide right of way for ingress and egress and for the installation, repair, replacement and maintenance of aboveground utilities for use in common with the Grantor, the Grantor's subdivides and the Grantee, and all of their respective heirs, successors, or assigns... Any utilities installed in said right of way shall be confined to the area within ten (10) feet of the common boundary line of the Grantee's premises herein and of said right of way, and shall be constructed above ground and no below. In addition, the surface of the traveled way shall be installed at Grantee's sole expense and shall be constructed of gravel or better material, and shall be at least sixteen (16) feet in width and shall be centered on the centerline of the right of way and shall extend from Howitt Road a length of at least Five Hundred (500) feet."**

8. The Blodgett survey (Plan Reference 2c) overlaps onto land formerly of John Roberts (Deed Reference 1o) approximately 31,857 square feet. The location of the Blodgett lines were placed starting at corner "F" and running along the sideline of State Route 111 to corner "G" 577.0 feet. Then utilized the courses and distances shown on the Blodgett plan to plot the remainder of the lines. This plan shows no monumentation at the northeast corner. Deed Reference 1p, which predates the Blodgett survey by 26 years, describes a 'wooden post' at this corner. It appears that Blodgett was unable to find the wooden post described in the deed. Furthermore, it appears he did no locate the John Roberts line.

9. The Middle Branch survey (Plan Reference 2d) overlaps onto land formerly of John Roberts (Deed Reference 1o) approximately 35,331 square feet. The location of the Middle Branch lines were placed utilizing iron rods found, set by them, and then courses and distances on the plan. This plan is unsigned and not sealed. This plan states that V.A.C. Realty Trust (Book 4104 Page 89) is the northeasterly abutter. None of the lots described in book 4104 page 89 are in this area. This area is owned by the Philip H. Lord Heirs.

10. The northerly line of the Middle Branch survey (Plan Reference 2d) is shown as a line parallel with State Route III and 300 feet from the northerly sideline of Route III. Deed Reference 1p describes this line as **"Thence North Easterly along a line parallel with and three hundred (300) feet from first mentioned highway five hundred seventy seven (577) feet to a second wooden post."** Due to the fact that the Middle Branch plan holds a line 300 feet from Route III the westerly and easterly sidelines, as shown on this plan, are a little over 363 feet long. Deed Reference 1p describes these lines as 300 feet long with no more or less and there was to be "Wood Posts" at each of the rear corners. Because the called for monuments (wooden posts) cannot be located then the deed distance of 300 feet from Route III along land of John Roberts and then on a line parallel with Route III should control the location of the northerly sideline of Deed Reference 1p. This would be more consistent with the description then having sidelines that are 63 feet longer than the deed. The Middle Branch plan also shows the approximate location of the Blodgett survey and labels the area between the Blodgett survey and their northerly line as "AREA OF POTENTIAL CONFLICT" Note 11 on the Middle Branch plan states that **"These lines should be confirmed by a formal agreement."** No deeds were found confirming the location of the Middle Branch Survey.

11. The house, owned by Bernard T. Antonis, III and Janice D. Antonis is mostly over the deed line of land of John Roberts. The pool and shed are entirely over the deed line. Sometime after the Middle Branch survey and after the 2000 conveyance to Antonis a building was constructed along the northerly sideline of Deed Reference 1p. This building appears to cross over the deed line described in Deed Reference 1p, and over the Blodgett survey (Plan Reference 2c). Furthermore, the building is a couple of feet from the John Roberts line.

12. In reconstructing Deed Reference 1p there is a conflict when you hold the starting point of deed, Corner "F" verses the frontage of 577 feet described in Deed Reference 1p. By holding the beginning point, corner "F", and running along State Route III to land of John Roberts the frontage falls short by about 88.7 feet. If you construe the deed against the Grantor then you need to run easterly from corner "F" 88.7 feet to corner "H". This creates a triangle F-H-I that is of questionable ownership.

13. Due to the apparent conflicts between the deed and actual occupation it is recommended that all lines around land of Antonis be established by an exchange of deeds.

THIS PLAN IS VALID ONLY IF PRINT HAS ORIGINAL EMBOSSED SEAL OF SURVEYOR

Seal

I hereby certify that this boundary survey conforms to the Maine Board of Licensure for Professional Land Surveyors, Chapter 90, Standards of Practice.

Dana A. Libby Professional Land Surveyor 1350
08-13-2007

Sheet: S1

Plan Showing A Boundary Survey For

Samuel A. Thomas, II

P.O. Box 1221 Berwick, Maine 03901-1221

Of Property Located On

State Route 111 and Howitt Road In Lyman, Maine

Scale: 1in. = 100ft.

Corner Post Land Surveying, Inc.
2 Mill Street, Springvale, Maine 04083
Voice: 207.324.2119
Fax: 207.490.3946
Email: cpls@mainesurveyors.com

Issue: August 13, 2007
Revision:
Date:

Data File: .crd
CAD File: 20040023-R7Recordable.dwg
Drawn By: KAL/JLS
Job No: 2006023

000332

YORK, ss REGISTRY OF DEEDS
Received: 8-16-07
at 2 h 53 m P M., and
Filed in Plan Book 322 Page 32
ATTEST: Debra L. Anderson
Register