



City of Auburn, Maine

Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Development Review Application

PROJECT NAME: Life Forest Woodland Conservation Cemetery

PROPOSED DEVELOPMENT ADDRESS: Lot #035-009

PARCEL ID #: 035-009

REVIEW TYPE: Site Plan ☒ Subdivision ☐ Site Plan Amendment ☐ Subdivision Amendment ☐

PROJECT DESCRIPTION: A conservation cemetery for the burial of cremains. No buildings are a part of this proposal and all practices will be in line with accepted conservation practices.

CONTACT INFORMATION:

Applicant

Name: Michelle Melaragno and Chelsea Eaton

Address: 576 Trapp Rd

City / State Auburn, ME

Zip Code 04210

Work #:

Cell #: (207) 240-1316

Fax #:

Home #:

Email:

whistleridge@roadrunner.com

Property Owner

Name: Michelle Melaragno

Address: 576 Trapp Rd

City / State Auburn, ME

Zip Code 04210

Work #:

Cell #: (207) 240-1316

Fax #:

Home #:

Email:

whistleridge@roadrunner.com

Project Representative

Name: Life Forest Management Company

Address: 1087 Elm St, Ste 414

City / State Manchester NH

Zip Code 03101

Work #: 603-315-0790

Cell #:

Fax #:

Home #:

Email:

inquiries@thelifeforest.com

Other professional representatives for the project (surveyors, engineers, etc.),

Name: Colton Sawyer

Address: 1700 Co Rd 203, A206

City / State Durango, CO

Zip Code 81301

Work #:

Cell #: 413-320-2363

Fax #:

Home #:

Email:

colton.w.sawyer@gmail.com

PROJECT DATA

The following information is required where applicable, in order complete the application

IMPERVIOUS SURFACE AREA/RATIO

Existing Total Impervious Area	0	sq. ft.
Proposed Total Paved Area	0	sq. ft.
Proposed Total Impervious Area	0	sq. ft.
Proposed Impervious Net Change	0	sq. ft.
Impervious surface ratio existing	0	% of lot area
Impervious surface ratio proposed	0	% of lot area

BUILDING AREA/LOT COVERAGE

Existing Building Footprint	0	sq. ft.
Proposed Building Footprint	0	sq. ft.
Proposed Building Footprint Net change	0	sq. ft.
Existing Total Building Floor Area	0	sq. ft.
Proposed Total Building Floor Area	0	sq. ft.
Proposed Building Floor Area Net Change	0	sq. ft.
New Building	no	(yes or no)
Building Area/Lot coverage existing	0	% of lot area
Building Area/Lot coverage proposed	0	% of lot area

ZONING

Existing	Agriculture
Proposed, if applicable	no change

LAND USE

Existing	Agricultural
Proposed	Agricultural

RESIDENTIAL, IF APPLICABLE

Existing Number of Residential Units	0
Proposed Number of Residential Units	0
Subdivision, Proposed Number of Lots	0

PARKING SPACES

Existing Number of Parking Spaces	0
Proposed Number of Parking Spaces	4
Number of Handicapped Parking Spaces	1
Proposed Total Parking Spaces	4

ESTIMATED COST OF PROJECT:	\$100,000
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DELEGATED REVIEW AUTHORITY CHECKLIST

SITE LOCATION OF DEVELOPMENT AND STORMWATER MANAGEMENT

Existing Impervious Area	0	sq. ft.
Proposed Disturbed Area	0	sq. ft.
Proposed Impervious Area	0	sq. ft.

1. *If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with MDEP.*
2. *If the proposed impervious area is greater than one acre including any impervious area created since 11/16/05, then the applicant shall apply for a MDEP Stormwater Management Permit, Chapter 500, with the City.*
3. *If total impervious area (including structures, pavement, etc) is greater than 3 acres since 1971 but less than 7 acres, then the applicant shall apply for a Site Location of Development Permit with the City. If more than 7 acres then the application shall be made to MDEP unless determined otherwise.*
4. *If the development is a subdivision of more than 20 acres but less than 100 acres then the applicant shall apply for a Site Location of Development Permit with the City. If more than 100 acres then the application shall be made to MDEP unless determined otherwise.*

TRAFFIC ESTIMATE

Total traffic estimated in the peak hour-existing (Since July 1, 1997)	5	passenger car equivalents (PCE)
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Total traffic estimated in the peak hour-proposed (Since July 1, 1997)	5	passenger car equivalents (PCE)
If the proposed increase in traffic exceeds 100 one-way trips in the peak hour then a traffic movement permit will be required.		

Zoning Summary

1. Property is located in the Agricultural zoning district.
2. Parcel Area: 10 (proposed) acres / 435,600 square feet(sf).

Regulations	Required/Allowed	Provided
Min Lot Area	10 acres for conservation cemetery /	<u>10 acres</u>
Street Frontage	/	<u>780 ft</u>
Min Front Yard	25 ft if dwelling present /	<u>0</u>
Min Rear Yard	25 ft if dwelling present /	<u>0</u>
Min Side Yard	15 ft if dwelling present /	<u>0</u>
Max. Building Height	0ft / 35 ft /	<u>0</u>
Use Designation	Conservation Cemetery /	<u>Agricultural</u>
Parking Requirement	1 space/ per	<u>square feet of floor area</u>
Total Parking:	1 if dwelling present /	<u>4</u>
Overlay zoning districts (if any):	<u>none</u> /	<u>/</u>
Urban impaired stream watershed?	YES/NO If yes, watershed name <u>No</u>	

DEVELOPMENT REVIEW APPLICATION SUBMISSION

Submissions shall include fifteen (15) complete packets containing the following materials:

1. 5 Full size plans and 10 smaller (no larger than 11" x 17") plans containing the information found in the attached sample plan checklist.
2. Application form that is completed and signed by the property owner or designated representative.
(NOTE: All applications will be reviewed by staff and any incomplete application will not be accepted until all deficiencies are corrected.
3. Cover letter stating the nature of the project.
4. All written submittals including evidence of right, title and interest.
5. Copy of the checklist completed for the proposal listing the material contained in the submitted application.

Refer to the application checklist for a detailed list of submittal requirements.

To view the City of Auburn Zoning Ordinance, go to:

www.auburnmaine.gov under Government, select Departments of the City, then Planning, Permitting & Code. On the left menu, choose Subdivisions, Land Use, Zoning Ordinance. Or click [HERE](#).

For additional information on Site Plan Review, please click [HERE](#) or scan code:



For additional information on Special Exceptions, please click [HERE](#) or scan code:



I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, I certify that the City's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for development review only; a Performance Guarantee, Inspection Fee, Building Permit Application and other associated fees and permits will be required prior to construction.

Signature of Applicant:

Date:



Life Forest Woodland Conservation Cemetery

Auburn, ME

The following document indicates where information on the required checklist can be found, or if not applicable and the reasoning.

SITE PLAN	2
LANDSCAPE PLAN	3
STORMWATER & EROSION CONTROL PLAN	3
LIGHTING PLAN	4
TRAFFIC INFORMATION	4
UTILITY PLAN	5
NATURAL RESOURCES	5
RIGHT, TITLE OR INTEREST	6
TECHNICAL & FINANCIAL CAPACITY	6
STATE SUBDIVISION LAW	6
ADDITIONAL SUBDIVISION STANDARDS	7
PDF OF PLAN	7

Site Plan

Owner's Names/Address

Michelle Melaragno, Cheslea Eaton
576 Trapp Rd, Auburn, ME 04210

Names of Development

Life Forest Woodland Conservation Cemetery

Professionally Prepared Plan

Plan prepared by Colton Sawyer, PhD

Tax Map or Street/Parcel Number

Parcel 035-009

Zoning of Property

Agricultural

Distance to Property Lines

No impervious areas or buildings planned

Boundaries of Abutting land

Shown on attached map for relevant area of plot

Show Setbacks, Yards and Buffers

No impervious areas or buildings planned

Airport Area of Influence

No residential buildings planned

Parking Space Calcs

4 parking spaces constructed with permeable material in line with conservation practices. Shown on attached map.

Drive Openings/Locations

Single entry point shown on attached map

Subdivision Restrictions

No planned residential properties

Proposed Use

Conservation Cemetery

PB/BOA/Other Restrictions

No other restrictions

Fire Department Review

Not applicable/no buildings planned

Open Space/Lot Coverage

100% open space; no buildings planned

Landscape Plan

Greenspace Requirements

Not applicable/no buildings planned

Setbacks to Parking

Parking spaces as shown on attached map; nearest corner is greater than 20ft to the road

Buffer Requirements

Not applicable/no buildings planned

Street Tree Requirements

Not applicable/no buildings planned

Screened Dumpsters

Not applicable/no buildings planned

Additional Design Guidelines

Not applicable/no buildings planned

Planting Schedule

See attached document (Proposal) for details on planned schedule

Stormwater & Erosion Control Plan

Compliance w/ chapter 500

Not applicable/no buildings planned

Show Existing Surface Drainage

See attached map for surface contours

Direction of Flow

See attached map for surface contours

Location of Catch Basins, etc.

See attached map for surface contours

Drainage Calculations

No buildings planned for increase in natural drainage

Erosion Control Measures

Erosion control measures will be in line with conservation practices; no buildings planned

Maine Construction General Permit

Not applicable/no buildings planned

Bonding and Inspection Fees

Not applicable/no buildings planned

Post-Construction Stormwater Plan

Not applicable/no buildings planned

Inspection/monitoring requirements

Not applicable/no buildings planned that will increase stormwater and erosion greater than what is naturally occurring

Lighting Plan

Full cut-off fixtures

Not applicable/no lighting in line with conservation practices

Meets Parking Lot Requirements

Not applicable/no lighting in line with conservation practices

Traffic Information

Access Management

See attached map for location of entryway, see attached document for traffic review

Signage

See attached map for location of sign at entry

PCE- Trips in Peak Hour

See attached document for traffic review

Vehicular Movements

See attached document for traffic review

Safety Concerns

See attached document for traffic review; no safety concerns due to projected low average visits per day

Pedestrian Circulation

See attached map for pathways; note these are unpaved pathways in line with conservation practices

Police Traffic

Not applicable/no interior roadways or buildings

Engineering Traffic

Not applicable/no interior roadways or buildings. Small equipment may be used to improve trails.

Utility Plan

Water

Not applicable/no buildings planned

Adequacy of Water Supply

Not applicable/no buildings planned

Water main extension agreement

Not applicable/no buildings planned

Sewer

Not applicable/no buildings planned

Available city capacity

Not applicable/no buildings planned

Electric

Not applicable/no buildings planned

Natural Gas

Not applicable/no buildings planned

Cable/Phone

Not applicable/no buildings planned

Natural Resources

Shoreland Zone

Not at or near shoreline

Flood Plain

Not located in a flood plain

Wetlands or Streams

No streams or recognized wetlands in development area

Urban Impaired Stream

No urban impaired streams in development area

Phosphorus Check

No occupancy planned

Aquifer/Groundwater Protection

No occupancy planned; conservation practices will be observed

Applicable State Permits

Not applicable/no buildings planned

Lake Auburn Watershed

Not applicable/not located in watershed

Taylor Pond Watershed

Not applicable/not located in watershed

Right, Title or Interest

Verify

Property title attached

Document Existing Easements, Covenants, etc.

No existing easements or covenants

Technical & Financial Capacity

Cost Est./Financial Capacity

Owners have sufficient funding, experience, and equipment to complete project.

Cost Estimate: Legal setup: paid through Life Forest Management Company;

Land preparation and clearing: Equipment already owned and operated by landowners

Performance Guarantee

Owners have sufficient funding, experience, and equipment to complete project

State Subdivision Law

Verify/Check

No buildings planned

Covenants/Deed Restrictions

No buildings planned

Offers of Conveyance to City

No buildings planned

Association Documents

No buildings planned

Location of Proposed Streets & Sidewalks

No buildings planned; all paths will be constructed of natural materials in line with conservation approach

Proposed Lot Lines, etc.

No buildings planned

Data to Determine Lots, etc.

No buildings planned

Subdivision Lots/Blocks

No buildings planned

Specified Dedication of Land

No buildings planned

Additional Subdivision Standards

Mobile Home Parks

No buildings planned

PUD

No buildings planned

PDF of plan

See attached



What is Life Forest?	2
Life Forest Mission Statement	2
Credo	2
Purpose of this Document	3
Sec. 60-1301. - Scale; required information.	3
	5
Sec. 60-1336. - Conditions.	5
ARTICLE X. - ACCESS MANAGEMENT STANDARDS	6
DIVISION 1. - GENERALLY	6
Sec. 60-770. - Definitions.	7
Sec. 60-771. - Purpose.	8
Sec. 60-772. - Applicability.	8
Secs. 60-773—60-797. - Reserved.	9
DIVISION 2. - STANDARDS	9
Sec. 60-798. - Purpose.	9
Sec. 60-799. - Safe sight distance.	9
Sec. 60-800. - Curb cut and driveway spacing.	10
Sec. 60-801. - Number of driveways per lot.	11
Sec. 60-802. - Access to planned developments.	12
Sec. 60-803. - Corner lot access.	12
Sec. 60-804. - Shared driveways.	13
Sec. 60-805. - Interconnections.	13
Sec. 60-806. - Access management standards.	13
Secs. 60-807—60-835. - Reserved.	13
ARTICLE XIV. - HISTORIC AND ARCHAEOLOGICAL RESOURCES	14
Sec. 60-1094. - Purpose.	14
Sec. 60-1095. - Submission requirements.	14
Sec. 60-1096. - Standards of approval.	14

What is Life Forest?

Life Forest is a Nonprofit Conservation Cemetery for cremated and composted remains. We believe natural beauty helps promote healing by connecting to and harnessing the boundless energy of nature.

Life Forest Mission Statement

At Life Forest we believe a positive surrounding is the foundation of healing and sustaining emotional connection to those who have passed. That is why we have created a space that promotes health, healing and happiness. We do this by harnessing the energy of plants and reconnecting to our forests.

Today, as a pioneer in the burial process we are committed to protecting land from deforestation and maintaining the tradition of burial and perpetual care.

Credo

Our first responsibility is to families, environmental protection, and record keeping. In meeting these needs everything we do is approached with balancing the cause and effect of burial and environmental sustainability.

We pledge to consistently ask ourselves the following questions in order to sustain a burial environment that is able to properly adapt and adjust to the ever changing world:

How do we create an environment for the families we serve that evokes an emotional response of healing and tranquility? How can we respect nature while simultaneously honoring burial tradition and ancestry? How do we utilize the latest technology for record keeping, location identification and spreading our mission?

Purpose of this Document

The purpose of this document is to address Auburn Maine's specific requirements for consideration of approval of the opening of a Life Forest Conservation Cemetery within the Agricultural Zone of Auburn.

With the intention of a thorough report for consideration we are addressing the required Sections of the following ordinance requirements:

Sec. 60-1301. - Scale; required information.

The original plan shall be drawn on reproducible Mylar at a scale of no more than 100 feet to the inch. Each site plan shall contain the following information:

(1)

Name and address of owner and developer and interest of the applicant if other than the owner or developer.

See attached map.

(2)

Name of development, scale and meridian arrow, with specific definition of representation, date of plan and legend.

See attached map.

(3)

Names and addresses of all owners of record of all adjacent property as appear on assessor's records.

Parcel 035-007: Michelle Melaragno - 576 Trapp Rd, Auburn ME 04210

Parcel 035-008: Michelle Melaragno - 576 Trapp Rd, Auburn ME 04210

Parcel 035-011: Kenneth and Claire Bellefleur - 100 Royal River Rd, Auburn ME 04210

Parcel 017-001: Royal River Resources, LLC - 2915 Mayflower Loop, Clermont FL 34714

(4)

Current zoning boundaries and 100-year floodplain boundaries including surrounding areas to a distance of 300 feet from the perimeter of the site.

This property is currently located in an agricultural zoning area. There are no floodplain boundaries within the required distance, nor is the site located in a FEMA-defined floodplain (<https://accessauburn-auburnme.hub.arcgis.com/datasets/AuburnME::fema-flood-zone>)

(5)

Easements; rights-of-way, existing, planned or proposed; or other reservations adjacent to or intersecting the property.

Proposed conservation easements will exist upon approval, 10' wide access along path (see attached map for location). The developer will work with a local conservation entity to provide environmental oversight.

(6)

Topographic map of the site, containing the following:

a.

Existing contours, where the slope of existing ground surface is generally two percent or more, the topographic map shall show contours at intervals of five feet of elevation (or lesser intervals as the planning board or engineering department may prescribe). Where the slope of the existing ground surface is generally less than two percent, contour intervals of one foot shall be shown. These contours shall not be copied from the city topographic maps and shall be determined from an on-site survey certified by a registered land surveyor.

b.

Proposed contours shall be shown at intervals to be determined by the city engineer.

See attached map.

(7)

Location of watercourses, wetlands, marshes, surface water, rock outcroppings, wooded areas, single trees with a diameter of ten inches measured three feet from the base of the trunk.

There are no significant or non-significant vernal pools on this site

(<https://maine.maps.arcgis.com/home/item.html?id=9d90131579dd4c10b89d7c6bc9d9a5ca>)

There are no significant wetlands on this site

(<https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>)

(8)

Location of buildings existing on the tract to be developed and on adjacent tracts within a distance of 100 feet from the property line, indicating whether existing buildings on the tract are to be retained, modified or removed.

There are no existing buildings within the property line; there are no buildings planned, retained, modified, or removed.

(9)

Locations of water mains, sewer mains, wells, fire hydrants, culverts, drains, pipe sizes, grades and direction of flow, existing within 200 feet of the subject property.

There are no water/sewer mains, wells, hydrants, culverts, or drains within 200 ft of property

Wells:

(<https://maine.maps.arcgis.com/home/item.html?id=fa91313497b84a0d88c866f1b3ac1a6e>)

Culverts:

(<https://maine.maps.arcgis.com/home/item.html?id=617d6f95e3e947d7a0d8985ddfc028e9>)

(<https://maine.maps.arcgis.com/home/item.html?id=05e65c5a43da4f2ab29b88fb33c20a4b>)

(10)

Existing soil conditions and soil suitability test results.

The existing soil on the site is typically Lyman-Tunbridge complex.

(<https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>)

(11)

Locations of proposed buildings and uses thereof.

There are no proposed buildings for this site.

(12)

Proposed traffic circulation system including streets, parking lots, driveways and other access and egress facilities, curblines, sidewalk lines and existing streets, including the projected traffic flow patterns into and upon the site for both vehicles and pedestrians and an estimate of the projected number of motor vehicle trips to and from the site for an average day and for peak hours.

See attached map for the parking area. We project fewer than 1 car per day on average, with the exception of burial services.

(13)

Location of existing and proposed public utility lines, indicating whether proposed lines will be placed underground.

There are no utility lines on this property.

(14)

Site developments requiring stormwater permits pursuant to 38 M.R.S.A. § 420-D shall include the required plan and to the extent permitted under 38 M.R.S.A. § 489-A, be reviewed under the procedures of article XVI of this chapter; and they shall meet and comply with 38 M.R.S.A. § 484(4-A) and those Rules promulgated by the Maine Department of Environmental Protection pursuant to the Site Law and section 420-D, specifically Rules 500, 501 and 502, as last amended August 12, 2015. If a project proposes infiltration and the standards in Rule 500, appendix D are not met, then a waste discharge license may be required from the Maine Department of Environmental Protection. An infiltration system serving a development regulated under the Site Location of Development Act may be required to meet standards in addition to those in appendix D.

There are no stormwater requirements for this property.

(15)

Location and design of proposed off-street parking and loading areas indicating number and size of stalls.

Please see the attached map for details of the parking area and the proposed location of primary (4) stalls, each measuring 9' x 18'.

(16)

Proposed location and direction of and time of use of outdoor lighting.

In line with a conservation land approach, there will be no outdoor lighting on this property.

(17)

Existing and proposed planting, fences and walls, including all landscaping and screening and indicating existing trees to be retained and areas to be left undisturbed, including design features intended to integrate the proposed new development into the existing landscape to enhance aesthetic assets and to screen objectionable features from neighbors.

See map for proposed conservation trail and secondary trail, open areas, and burial groves. There are no features that would garner objection from neighbors as the groves are contained within the forest along the conservation trail.

(18)

Location, size, design and manner of illumination of signs.

See map for location of sign at the entrance of the parking area. This sign will be no larger than 4' wide by 6' in total height, with 4x4 posts and made of aluminum with print on both sides. In line with a conservation land approach, there will be no illumination of the sign.

(19)

Disposal of sewage, trash, solid waste, oil waste, hazardous waste or radioactive waste showing disposal facilities, receptacles or areas.

There are no facilities on this site.

(20)

Perimeter boundaries of the site giving complete descriptive lot data by bearings, distances and radii of curves including the name and seal of the registered land surveyor who prepared the plan.

The boundaries of the site are based on city tax map data (<https://auburnme.maps.arcgis.com>).

(21)

Description and plan of capacity and location of means of sewage disposal together with approval of sewer district engineer or evidence of soil suitability for such disposal (test pit locations shall be shown on the plans) similarly approved by the city engineer department.

No sewage disposal is necessary for this site.

(22)

A statement of the amount of area of land involved in the site, the percentage of the site proposed to be covered by buildings, the total number of dwelling units proposed per acre, the area proposed to be devoted to open space, the area proposed to be paved for parking, driveways, loading space and sidewalks, the total number of parking spaces required by the zoning chapter for the uses proposed, the number of employees expected per shift and the total floor area of proposed commercial or industrial uses.

A total of 10 acres is proposed for this site, with 0% covered by buildings, no more than 3% open space, no floor area for commercial or industrial buildings; no paving per request for special exception; (4) designated parking spaces; and no individuals employed for regular shifts.

(23)

Description and plan of a phase development concept detailing the areas and sequence of phasing.

The phase of development is as follows: Grade parking area; develop pollinator garden (see attached pollinator garden plan); begin clearing of conservation trail; begin burials in groves closest to parking area via the conservation trail in either a clockwise or counterclockwise manner (see map for details on the proposed conservation trail and groves).

(24)

A statement by the developer assuring that they have the financial capabilities to fully carry out the project and to comply with the conditions imposed by the planning board.

(Ord. of 9-21-2009, § 7.1D(2); Ord. No. 10-10172016, 11-7-2016)

Michelle Melaragno & Chelsea Eaton (owners) will perform all required site preparations and maintenance for proposed parking spots, open area, pollinator gardens, burial groves and walking trails. Owners are financially capable and responsible for all site work, which will be accomplished utilizing equipment they own and rent.

Sec. 60-1336. - Conditions.

Not applicable.

(a)

As conditions prerequisite to the granting of any special exceptions, the board shall require evidence of the following:

(1)

That the special exception sought fulfills the specific requirements, if any, set forth in the zoning ordinance relative to such exception.

(2)

That the special exception sought will neither create nor aggravate a traffic hazard, a fire hazard or any other safety hazard.

(3)

That the special exception sought will not block or hamper the master development plan pattern of highway circulation or of planned major public or semipublic land acquisition.

(4)

That the exception sought will not alter the essential characteristics of the neighborhood and will not tend to depreciate the value of property adjoining and neighboring the property under application.

(5)

That reasonable provisions have been made for adequate land space, lot width, lot area, stormwater management in accordance with [section 60-1301](#)(14), green space, driveway layout, road access, off-street parking, landscaping, building separation, sewage disposal, water supply, fire safety, and where applicable, a plan or contract for perpetual maintenance of all the common green space and clustered off-street parking areas to ensure all such areas will be maintained in a satisfactory manner.

(6)

That the standards imposed are, in all cases, at least as stringent as those elsewhere imposed by the city building code and by the provisions of this chapter.

(7)

That essential city services which will be required for the project are presently available or can be made available without disrupting the city's master development plan.

(b)

As part of the granting or the denial of any such petition for a special exception, the board shall show by written statements filed in its records of such application and by a statement in the minutes of the board how the special exception sought fulfills the foregoing conditions. An applicant may request the board to make a statement as to how the special exception may be granted without danger to health and safety and without substantially derogating from the essential intents and purposes of the zoning ordinance or of the city master development plan.

(c)

Approval of a special exception may be made subject to such conditions, modifications and restrictions on the proposed land use as the planning board may deem necessary to carry out the foregoing objectives and conditions. Any development of the land uses allowed by special exception shall be carried out only in conformity to such conditions, modifications and restrictions in addition to those that may be called for by an approved site plan for the same site and shall be enforced by the municipal officer charged with enforcement in the same manner as specified for approved site plans. Any change, addition or enlargement of a use allowed by special exception shall require approval of the planning board in the same manner as specified for the original special exception.
(Ord. of 9-21-2009, § 7.2B)

ARTICLE X. - ACCESS MANAGEMENT STANDARDS

DIVISION 1. - GENERALLY

Sec. 60-770. - Definitions.

The following definitions are applicable to an access management program for development along arterial and collector roadways and, where applicable, local roads serving land abutting arterial and collector roadways. Definitions found in other chapters or in other municipal ordinances which relate to access management may be used to assist in gaining greater understanding of the city's overall intentions.

Acceleration lane means a speed-change lane for the purpose of enabling a vehicle entering a roadway to increase its speed to a rate at which it can safely merge with through traffic.

Access means the ability to enter or leave a public street or highway from an adjacent driveway or another public street.

Access management means the control of driveways and intersections to maintain highway safety and the traffic carrying capacity of an arterial.

Annual average daily traffic (AADT) means the annual average two-way daily traffic volume. It represents the total annual traffic on a road for the year, divided by 365.

Arterial means major roadways which serve long distance through traffic. Access to abutting land can generally be provided. Also see *Major arterial highway* and *Minor arterial highway* in [section 60-2](#).

Collector street means roadways which connect streets to arterials and generally provide access to abutting lands. Also see *Minor arterial highway* in [section 60-2](#).

Corner clearance means the minimum dimension, measured parallel to a highway, between the curb, pavement or shoulder lines of an intersecting highway and the nearest edge of a driveway.

Corner lot means a single lot with frontage on two or more intersecting roads. Also see *Corner lot* in [section 60-2](#).

Deceleration lane means a speed-change lane for the purpose of enabling a vehicle to leave the through traffic lane at speed equal to or slightly less than the speed of traffic in the through lane and to decelerate to a stop or make a slow speed turn.

Design hourly volume means the hourly traffic volume used to evaluate or design a highway or driveway.

Driveway means an entrance used by vehicular traffic to access property abutting a highway. As used in this chapter, the term "driveway" includes private residential driveways as well as commercial and other nonresidential driveways.

(1)

Low volume driveways means driveways with a traffic volume of less than 500 vehicle trips per day and less than 50 vehicle trips per peak hour.

(2)

Medium volume driveways means driveways with a traffic volume of 500 to less than 1,500 vehicle trips per day and 50 to less than 150 vehicle trips per peak hour.

(3)

High volume driveways means driveways with a traffic volume of 1,500 or more vehicle trips per day and 150 or more vehicle trips per peak hour.

Driveway width means the narrowest width of the driveway, measured parallel to the highway right-of-way.

Highway capacity means the maximum number of vehicles that a highway can handle during a specific unit of time at a given level of service.

Lane means the portion of a roadway for the movement of a single line of vehicles which does not include the gutter or shoulder of the roadway.

Peak hour traffic means the highest number of vehicles found to be passing over a section of a lane or roadway during any 60 consecutive minutes. Typically, there is a peak hour condition in the morning and a peak hour condition in the afternoon for which the roadway or intersection is analyzed for capacity and level of service.

Service road/frontage road means a local street or road located parallel to an arterial for service to abutting properties for the purpose of controlling access to the arterial.

Shared driveway means a single driveway serving two or more lots. A shared driveway may cross a lot line or be on the lot line, and the owners may have an easement for the shared use and maintenance.

Storage length means additional lane footage added to a turning lane to hold the maximum number of vehicles likely to accumulate during a peak period so as not to interfere with the through travel lanes.

Traffic congestion means a condition resulting from more vehicles trying to use a given road during a specific period of time than the road can handle with what are considered to be acceptable levels of delay or inconvenience.

Trip generation means the estimated volume of traffic going to and from a particular location.

Uncontrolled access means the unlimited number, spacing and/or unstandardized design of driveways onto a street or road.

Vehicle trip means the vehicle moving from an origination point to a destination point.

(Ord. of 9-21-2009, § 4.6B)

Sec. 60-771. - Purpose.

The access management program is the sum of all actions taken by the city to maintain the safety and traffic carrying capacity of its arterials and collector roadways. The following standards are enacted to provide for safe driving conditions, reduced potential traffic hazards, relieve congestion, and achieve a sustainable level of vehicle carrying capacity within identified commercial corridors and abutting lands. The effective application of these standards, coupled with other associated municipal ordinances, will assist in preserving highway capacity, reducing accidents and avoiding or minimizing costly road improvements. (Ord. of 9-21-2009, § 4.6A)

Sec. 60-772. - Applicability.

This section is not applicable.

The provisions of this ordinance shall apply as follows:

(1)

See [section 60-2](#), definitions of major or principal highway and minor arterial highway for a listing of roadways subject to access management standards.

(2)

Proposed changes in use requiring the issuance of any land use permit.

(3)

Properties which meet the following threshold standards:

a.

Any building or addition which results in a building footprint of greater than 5,000 square feet.

b.

Uses generating more than 100 vehicle trips in the peak hour.

c.

Uses with a drive-through facility which generates more than 50 vehicle trips in the peak hour.

(4)

Subdivisions consisting of three or more lots.

(5)

The following municipal uses where large or emergency vehicles are commonly used: fire, public works, parks and recreation, police and schools.

(Ord. of 9-21-2009, § 4.6C; Ord. No. 11-03012021, § 75, 3-15-2021)

Secs. 60-773—60-797. - Reserved.

DIVISION 2. - STANDARDS

Sec. 60-798. - Purpose.

The following standards are designed to ensure safety and maintain the traffic carrying capacity of identified roadways. In the review of a development proposal, a primary consideration shall be for the safety of people traveling on the arterial and a secondary consideration shall be for people entering and leaving the proposed development. Design elements should conform to the standards as contained in the most current version of the Institute of Transportation Engineers (ITE) manual and commonly used by the state department of transportation (MDOT).

(Ord. of 9-21-2009, § 4.6D(intro. ¶))

Sec. 60-799. - Safe sight distance.

Driveways and other accesses for all developments, including individual residences, subdivisions and commercial and other nonresidential developments shall be located to meet a minimum sight distance measured in each direction along the arterial or collector while maintaining adequate distances from adjacent driveways and intersections. For the purpose of the sight distance standard, the following provisions shall apply:

(1)

The sight distance shall be based on the posted speed limit. For those developments requiring planning board review and/or the submission of a traffic impact study, the developer shall provide an analysis of the sight distance for both the posted speed limit and the 85th percentile speed, either one of which the board may require the plan to be designed to.

(2)

Measurements shall be from the driver's seat of a vehicle that is ten feet behind the curb (or edge of shoulder) line with the height of the eye 3½ feet above the pavement and the height of the object 4¼ feet.

(3)

Where truck traffic from a development onto a roadway is expected to be significant, increase the sight distance by 50 percent. Height of eye shall be six feet with the height of the object no more than 4¼ feet.

(4)

For low and medium volume driveways and intersection road placement, the unobstructed sight distance shall be according to the following schedule:

EXPAND

Highway Speed (mph)	Minimum Sight Distance (in feet)
20	200
25	250
30	300
35	350
40	400

45	450
50	500
55	550

There is sufficient unobstructed sight distance (>350 ft) along both sides of the driveway. Note the road is fairly flat in this section and has no curves within this distance (see map, specifically the elevation contours).

(5)

For high volume driveways and intersection road placement, an unobstructed sight distance shall be according to the following schedule:

EXPAND

Highway Speed (mph)	Minimum Sight Distance (in feet)
25	300
30	380
40	580
50	840
55	990

This site does not contain a high volume driveway.

(Ord. of 9-21-2009, § 4.6D(1); Ord. No. 11-03012021, § 76, 3-15-2021)

Sec. 60-800. - Curb cut and driveway spacing.

There are no driveways on the same lot or adjoining lots within 150 ft (see map).

(a)

For those developments requiring planning board review, the developer shall provide a design for curb cuts and driveways for both the posted speed limit and the 85th percentile speed, either one of which the board may required the plan to be designed to. The minimum distances shall apply to driveways on the same lot or on adjoining lots to the maximum possible to minimize traffic safety impacts. The minimum distance between curb cuts and driveways shall be measured from the centerline of the driveways at the right-of-way line and shall be a function of the posted corridor road speed according to the following table:

EXPAND

Highway Speed (mph)	Minimum Spacing (in feet)
20	85
25	105
30	125
35	150
40	185
45	230
50	275

(b)

When a lot lacks sufficient corridor road frontage for spacing, the distance can be reduced to the next lowest level as shown on the table in this section. For example, on a 40 mph road requiring an 185 foot spacing, the distance may be reduced to no less than 150 feet; or the property owner can establish a shared driveway or common frontage road with an adjacent property owner.

(c)

Where adjoining nonconforming frontage lots or conforming and nonconforming frontage lots are owned in common, those lots shall be considered combined for the purposes of meeting the frontage and access requirements of this article.

(Ord. of 9-21-2009, § 4.6D(2); Ord. No. 11-03012021, § 77, 3-15-2021)

Sec. 60-801. - Number of driveways per lot.

There is a single two-way driveway access to this site. See attached map for parking lot location.

The maximum number of driveways to a particular site shall be governed by the following:

(1)

No low volume traffic generator, including single-family dwellings and duplexes, shall have more than one two-way access onto a single roadway.

(2)

No medium or high volume traffic generator shall have more than one two-way access or two one-way accesses in total onto a single roadway.

(3)

All driveways shall comply with the spacing requirements.

(Ord. of 9-21-2009, § 4.6D(3))

Sec. 60-802. - Access to planned developments.

This proposal does not include the construction of units on the property, now or in the future.

Where a proposed development involves the construction of two or more uses, or where the potential for two or more uses being developed over time exists, access to the development shall be as follows:

(1)

Direct access to an arterial to any individual lot or to a single place of business shall be prohibited unless it is determined that physical conditions peculiar to the parcel justify the granting of a waiver. A waiver may be granted only if there will be no further subdivision of the parcel and one of the following conditions is met:

a.

There is too little road frontage to reasonably allow the creation of a new way;

b.

The shape or physical condition of the parcel does not permit access to or creation of a street other than an arterial; or

c.

Common access will be utilized which will allow other proposed lots to be serviced by one new curb cut.

(2)

If there is more than one developer or if development proceeds piecemeal over time, smaller sites may be served by an individual entrance until such time as adjacent lots are developed. These temporary individual commercial driveways shall be closed or consolidated into one or two access points and connected to a common service road.

(3)

Permitted access to the development may include one or more of the following:

a.

A common frontage road running parallel to the corridor road provided that such frontage road shall be located at least 35 feet from the edge of the right-of-way.

b.

A common driveway or subdivision street which may intersect the arterial and which serves the individual lots or businesses or a common parking lot adjacent to the individual lots or businesses.

c.

One or more minor roads to be constructed by the developer according to the standards of this article which shall serve the development.

(Ord. of 9-21-2009, § 4.6D(4))

Sec. 60-803. - Corner lot access.

Where a proposed development is to be located at the intersection of an arterial and a minor or collector road, entrance to and exit from the site shall be located only on the minor or

collector road. This requirement may be waived where it can be demonstrated that existing site conditions preclude the location of a driveway on the minor or collector road or that the location of the driveway on the minor or collector road would significantly interfere with a predominately residential neighborhood.
(Ord. of 9-21-2009, § 4.6D(5))

This property is not a corner lot.

Sec. 60-804. - Shared driveways.

Shared driveways shall be encouraged for adjacent sites in order to minimize the number of driveways along the arterial. When two or more adjacent property owners agree to a shared curb cut, driveway or common frontage road, the development may be granted a bonus of lot size and road frontage up to 15 percent for each property owner. In addition, the percentage of the total lot area to be covered by buildings may be increased by up to ten percent for each development that uses a shared driveway. No additional parking shall be required as a result of building space.
(Ord. of 9-21-2009, § 4.6D(6))

There are no shared driveways with adjacent properties as the access to this site is in the middle of the property boundary line.

Sec. 60-805. - Interconnections.

For all projects, provisions for vehicular and pedestrian circulation connections to future projects on adjacent properties shall be provided wherever feasible and to the maximum extent possible. When the developer agrees to establish vehicular connections to adjacent developments of a type, scale and intensity similar to the proposed development, a reduction up to five percent of lot size, road frontage and parking requirements may be granted. Developers are further encouraged to provide pedestrian and bicycle linkages, separated from vehicular connections between adjacent developments and residential developments in the area.
(Ord. of 9-21-2009, § 4.6D(7))

There are no planned future projects on adjacent properties.

Sec. 60-806. - Access management standards.

An applicant for a project subject to site plan review or a developer or owner of property which is subject to the access management standards may request, with the exception of [section 60-799](#), a modification of such standards. Such requests shall be made to the planning board. Modifications to the access management standards may be allowed upon a

demonstration of need by the applicant provided the planning board makes a finding that the objectives of access management have been satisfied.
(Ord. of 9-21-2009, § 4.6D(8))

Secs. 60-807—60-835. - Reserved.

ARTICLE XIV. - HISTORIC AND ARCHAEOLOGICAL RESOURCES

Sec. 60-1094. - Purpose.

The provisions set forth in this article are intended to protect the public health and safety, promote the general welfare of the community and conserve the environment by assuring that all projects requiring planning board review are designed and developed in a manner which ensures that adequate provisions are made for protection of historic and archaeological resources; minimizing the adverse impacts on adjacent properties; and fitting the project harmoniously into the fabric of the community.
(Ord. of 9-21-2009, § 5.8A)

Sec. 60-1095. - Submission requirements.

The location of historic and/or archaeological resources, must be indicated on the plans if the area is located within identified historic or archaeological areas shown on the Maine Historic Preservation Commission Maps in the Community Development Office.
(Ord. of 9-21-2009, § 5.8B) - Katherine will send map when she returns

**According to the Maine Historical Properties GIS file
(https://arcgisserver.maine.gov/arcgis/rest/services/mdot/MaineDOT_Feature/MapServer/45),
there are no identified historical properties or archaeological areas on site. A visual survey confirmed the lack of stone walls or basement holes on site.**

Sec. 60-1096. - Standards of approval.

The plan for the development will reflect the natural capabilities of the site to support development. Building lots and support facilities will be clustered in those portions of the site that have the most suitable conditions for development. The development shall include appropriate measures for protecting these resources including, but not limited to,

modification of the proposed design of the site, time of construction, and limiting the extent of excavation.

(Ord. of 9-21-2009, § 5.81C)

WARRANTY DEED

Richard Aime Bernier of Lewiston, Androscoggin County, Maine, for consideration paid, grants to **Michelle Melaragno** of Auburn, Androscoggin County, Maine (whose mailing address is 576 Trapp Road, Auburn, ME 04210) with Warranty Covenants, the following described real estate:

See "Exhibit A" Attached

For grantor's source of title, reference may be had to a deed from Richard Aime Bernier to Richard Aime Bernier and Madeline Bernier, as joint tenants, dated December 14, 2000, and recorded in the Androscoggin County Registry of Deeds in Book 4559, Page 11. The said Madeline Bernier died on May 9, 2015 leaving Richard Aime Bernier as surviving joint tenant.

Any and all other rights, easements, privileges and appurtenance belonging to the granted estate are hereby conveyed.

This conveyance is made subject to the property taxes assessed against the premises, which said taxes are to be prorated between the parties hereto as of the date of delivery of this deed in accordance with 36 M.R.S.A., sec. 558.

Witness my hand and seal this 30 day of MARCH, 2023.

WITNESS:

Richard Aime Bernier
Richard Aime Bernier

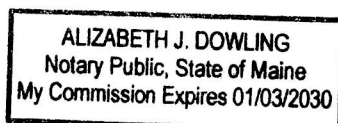
STATE OF MAINE
Androscoggin, ss

MARCH 30, 2023

Then personally appeared the above-named Richard Aime Bernier and acknowledged the foregoing instrument to be his free act and deed.

Before me,

File No.: 2023-1072



Elizabeth J. Dowling
Notary Public/Attorney-at-Law
Commission Expiration:

“Exhibit A”

Certain lots or parcels of land, together with any buildings or improvements thereon, situated in the City of Auburn, County of Androscoggin, and State of Maine, more particularly bounded and described as follows:

Parcel One:

Lot One:

Situated in that part of Auburn formerly known as Danville, on the northerly side by land of one Nelson Lacourse; easterly by the main road leading from New Gloucester to Auburn; southerly by land of Walter Cobb; and on the westerly side by land of Paul Caron and Nelson Lacourse to the point of beginning.

Lot Two:

Situated in that part of Auburn formerly known as Danville, on the North by land of J. W. Jordan; on the easterly by land occupied or owned by one Charles Wood, formerly owned by H.N. Good; southerly by land of Mary Goss; westerly by the main road leading from New Gloucester to Auburn.

The above premises are conveyed with the exception of the stumpage sold to Nelson Lacourse and Paul Caron on an area of about one acre to Paul Caron and about one acre and one-half to Lacourse. Said Caron has two years more to cut and haul the same and said Lacourse to arrange with said Joseph Pelletier, Jr., for the time of cutting and hauling. Also with right given to Irving Goss and Orville Swett to remove wood now cut across the above premises either this winter or winter of 1898.

Parcel Two:

On the northerly side of Washington Street and being lots two (2) and three (3) on plan of lots made by John A. Jones for John R. Learned recorded in Androscoggin County Registry of Deeds in Book of Plans, Volume 2, at Page 3 to which said Plan and its record reference may be had for a more particular description of said premises.

NOTES

CITY OF AUBURN, ME TAX MAP 035, LOT 009

OWNER OF RECORD; MICHELLE MELARAGNO AND CHELSEA EATON
ALL BOOKS AND PAGES REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS

THIS PLAN IS NOT A SURVEY PLAN. PROPERTY BOUNDARIES ARE APPROXIMATE AND ARE BASED ON CITY TAX MAP DATA DOWNLOADED FORM [HTTPS://AUBURNME.MAPS.ARCGIS.COM](https://auburnme.maps.arcgis.com).

EXISTING ELEMENTS SHOWN WERE DEVELOPED BY A COMBINATION OF AERIAL PHOTOGRAPHY AND SITE FEATURES LOCATED BY COLTON SAWYER ON 05/02/2023 WITH A TRIMBLE GEO5T GPS.

CONTOURS SHOWN ARE BASED ON STATE OF MAINE LIDAR DATA AND WERE DOWNLOADED FROM NOAA.GOV/DATA/VIEWER WITH A CONTOUR INTERVAL OF 2-FOOT. THE VERTICAL DATUM IS NAVD83.

THE TRACT OF PROPERTY IS DESCRIBED AS FOLLOWS:

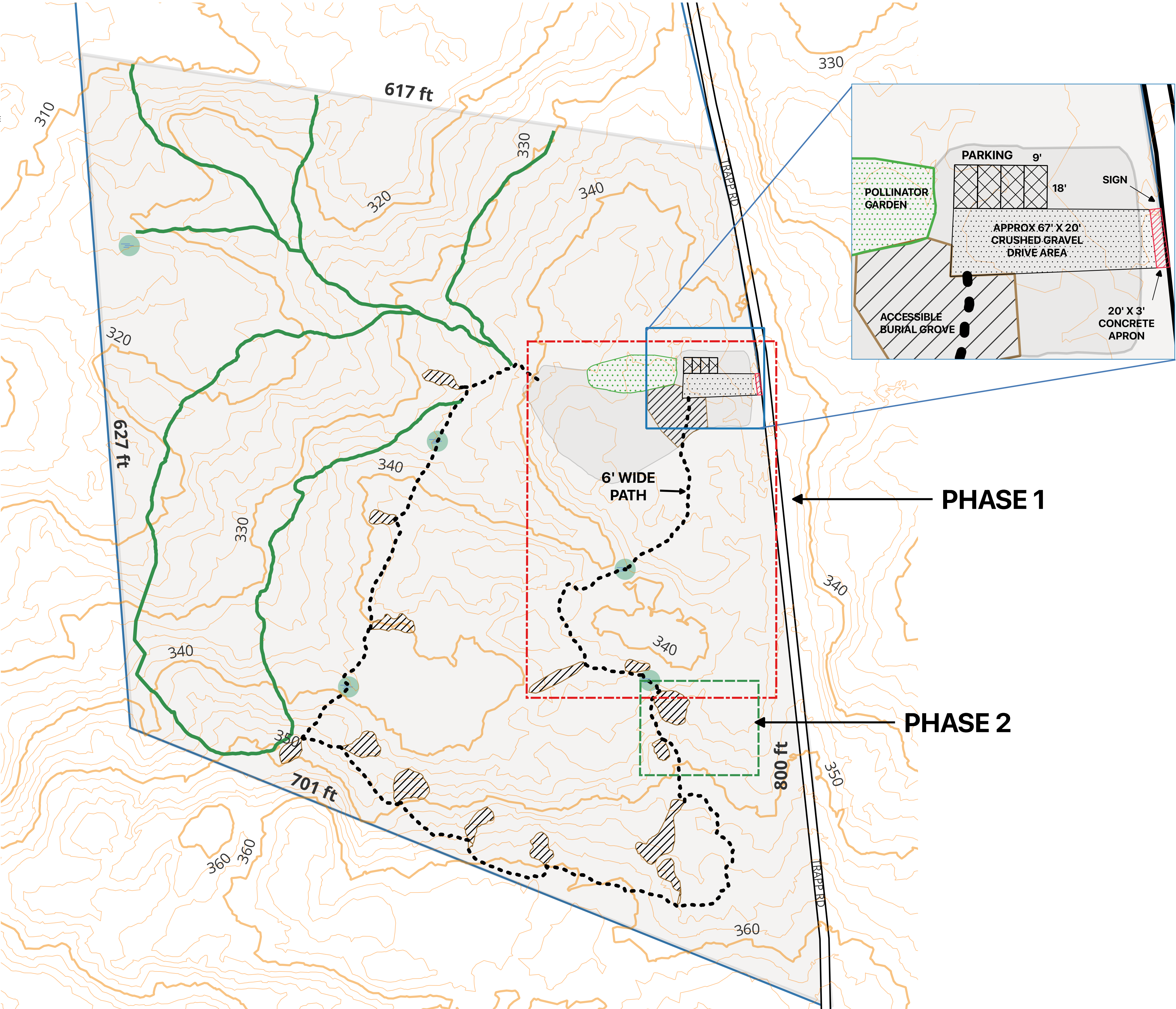
FROM THE SOUTHEAST CORNER OF THE LOT DEFINED AS TAX MAP 035-009 IN THE CITY OF AUBURN, MAINE;
FOLLOWING BEARING 311.84 DEGREES A DISTANCE OF APPROXIMATELY 700 FEET;
FOLLOWING A BEARING OF 15.69 DEGREES A DISTANCE OF APPROXIMATELY 627 FEET;
FOLLOWING A BEARING OF 118.50 DEGREES A DISTANCE OF APPROXIMATELY 617 FEET;
AND FOLLOWING ALONG TRAPP RD A DISTANCE OF APPROXIMATELY 800 FEET TO THE STARTING POINT.
CONTAINING 10 ACRES, MORE OR LESS.

DISTANCE OF THE NORTH CORNER OF THE DRIVE ENTRANCE TO THE NORTHEAST CORNER IS 212 FEET;
DISTANCE OF THE SOUTH CORNER OF THE DRIVE ENTRANCE TO THE SOUTHEAST CORNER IS 515 FEET.
WIDTH OF THE DRIVE IS 20 FEET.

SITE CONTAINS ROCKY AND SANDY LOAM SOIL.

LEGEND

- PARKING AREA**
- Crushed Gravel
 - Designated Spaces
- DESIGNATED REGIONS**
- Open Area
 - Pollinator Garden
 - Burial Groves
- TRAILS**
- Conservation Trail
 - Secondary Trails
- ELEVATION**
- Major Contour Lines
 - Minor Contour Lines
- POINTS OF INTEREST**
- Seasonal Wet Areas



LIFE FOREST
Sustaining Life Through Love

1087 ELM ST, STE 414
MANCHESTER, NH 03101

PROJECT
**LIFE FOREST WOODLAND
CONSERVATION CEMETERY**

TRAPP RD
MAP & LOT # 035-009
AUBURN, MAINE 04210

OWNER OF RECORD
**MICHELLE MELARAGNO
CHELSEA EATON**

576 TRAPP RD
AUBURN, MAINE 04210

MADE FOR
**MICHELLE MELARAGNO
CHELSEA EATON**

576 TRAPP RD
AUBURN, MAINE 04210

DRAWING SCALE
25 0 25 50 ft
1 INCH = FEET

SUBMISSION NOTES:
SUBMISSION 1: 2023-08-17 CWS
FOR PLANNING BOARD

PROJ MGR: MEB
DRAWN BY: CWS
CHECKED BY: CWS
SUBMISSION NO: 1
SURVEY DATE: N/A
SUBMISSION DATE: 2023-08-23
SUBMITTED FOR: REVIEW

SITE PLAN
NOT FOR CONSTRUCTION

PREPARED BY
COLTON SAWYER, PH.D.
2023-08-23

Life Forest Clarification Points for Planning Board

Meets and Bounds; Distance from driveway to corners of lot along Trapp Road

The meets and bounds description of the parcel was initially missing from the printed map. This has been subsequently updated, and included here for reference. Also included is a description of the distance from the drive to the corners.

The area can be described as follows:

From the southeast corner of the lot defined as Tax Map 035-009 in the City of Auburn, Maine ;

Following bearing 311.84 degrees a distance of approximately 700 feet;

Following a bearing of 15.69 degrees a distance of approximately 627 feet;

Following a bearing of 118.50 degrees a distance of approximately 617 feet;

And following along Trapp Rd a distance of approximately 800 feet to the starting point.

Containing 10 acres, more or less.

Distance of the north corner of the drive entrance to the northeast corner is 212 feet;

Distance of the south corner of the drive entrance to the southeast corner is 515 feet.

Width of the drive is 20 feet.

The parking area is approximately 67 feet by 20 feet. The concrete apron is approximately 20 feet by 3 feet.

The total amount of impervious area (considered to be either crushed gravel or concrete) is approximately 2000 square feet, or 0.05 acres. As the proposed parcel is 10 acres, this impervious area constitutes less than 0.5% of the total area. The forest path and burial area material will consist of natural forest floor, with construction in line with conservation practices to preserve natural beauty.

Sight distance along Trapp Rd from proposed drive area

A clearer description of how sight distance was measured from the proposed driveway:

The sight distance was measured from the edge points of the proposed driveway, as indicated on the map, in either direction along Trapp Rd. All foliage was trimmed, at minimum, to the interior edge of the ditch next to the road (typically 6 feet at minimum width). There are no significant hills in either direction for at least 500 feet. This was verified by using the 2' contour lines on the map provided.

Supplemental Maps

An additional map consisting of the soil types, an overhead visual, and an elevation map without overlaid details is included. Note that according to publicly-available Maine GIS data, there are no recognized wetlands in the parcel.

Accessibility Considerations

We are using the USDA National Forest Service Guidelines for consideration of accessibility practices and construction in this project. In line with these guidelines, an accessible burial grove, directly located off the drive area, will be constructed. The proposed drive area has a slope of less than 5% and the proposed burial area has less than 2 feet in elevation change across the area (see the Supplemental Map, Accessibility Panel). These are in line with the USDA National Forest Service Guidelines for accessible parking and common areas.

The driveway, in line with these guidelines, will be constructed of crushed gravel at a 3-4" compacted depth. The grade of the driveway will not exceed 5%, and the cross-grade of the parking spaces will not exceed 3%.

The general use conservation trail, although not wheelchair accessible, will be made as accessible as possible to pedestrians. This is allowable under Exception 2 of compliance (pg 85 of this resource) because alteration of the trail to ensure full accessibility will alter the purpose of the facility, namely preservation of the trail in a near-primitive state. This state is necessary to preserve not only conservation management practices in this area, but for the nature of a woodland burial in an otherwise undisturbed area.

In order to minimize any new additional impact on the forest contained within the parcel, the trail system is designed to follow existing paths constructed by previous users. The length of the proposed conservation trail is approximately one mile, but only 20 feet of the trail goes through the accessible area. Thus, since greater than 15% of the usage of the trail does not comply with the technical requirements for accessibility, and secondly, the surface matter on the trail is neither firm nor stable for more than 45 feet of the trail, this is also exempt from accessibility requirements (pg 89).

Even though the majority of the trail system will not be accessible to those with mobility devices, we are forming the system with best practices in mind for both conservation of natural beauty and resources as well as user-friendly construction. This includes ensuring a wide enough trail for gatherings at a burial grove, bog bridges or elevated platforms from natural materials where appropriate to minimize trail degradation, and general clearing of the path from debris. Trail rerouting will occur only when there is significant identified need for such action, and will minimize the impact on the surrounding area as much as possible.

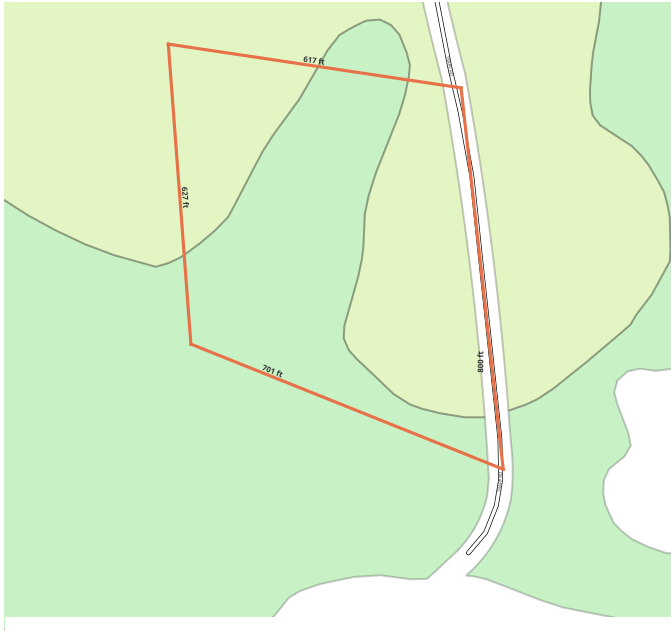
Impact of Wet Areas along the Trail

During the site walk in May 2023, there were several areas along the trail system that were identified as "wet" areas. However, the total impacted area of these wet areas in the trail amounts to less than 4000 square feet: The calculations are as follows:

The trail is intended to be 6 feet wide for access purposes. This allows for roughly 650 linear feet of trail, or 8% of the total proposed conservation trail, to go through the wet areas. Each of the wet areas encompassed less than 100 feet of linear distance along the trail (typically less than 50 feet). No burial groves are intended for placement in wet areas. Thus, the total impact is less than 4000 square feet of potential disruption. Further mitigation of disrupting will include the placement of bog bridges or other elevated structures to minimize trail damage due to user passage.

SUPPLEMENTAL MAPS

SOIL TYPES

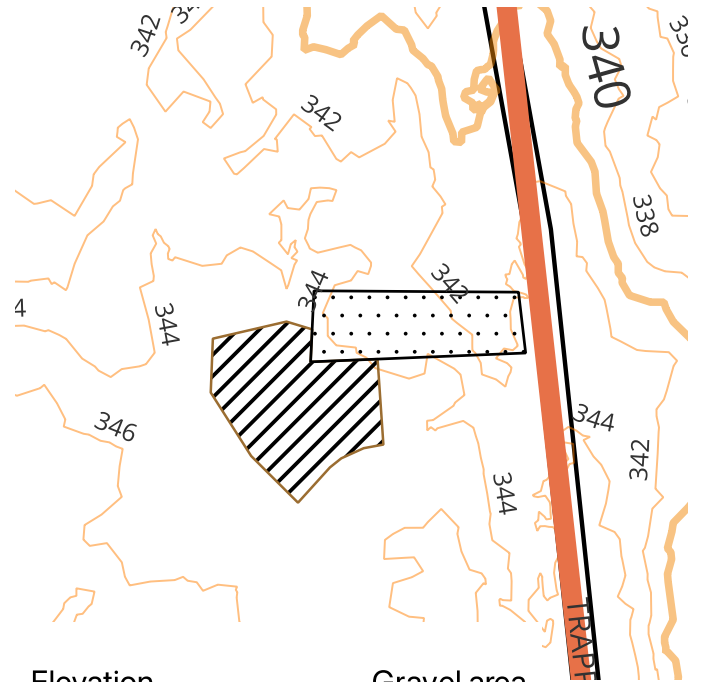


Soil Types


 HOLLIS FINE SANDY LOAM

 HOLLIS VERY ROCKY FINE SANDY LOAM

ACCESSIBLE GROVE



Elevation

 Major contour lines

 Minor contour lines

 Accessible Grove

Gravel area

 Drive

OVERHEAD VIEW



1. On the plan itself, we are lacking the meets and bounds/ dimensions of the lot. If we can see the measurements of the lot, the setbacks, the parking area, the drive entrance, and the distance between the drive entrance and either side of the lot, that would be great.

The area can be described as follows:

*From the southeast corner of the lot defined as Tax Map 035-009 in the City of Auburn, Maine ;
Following bearing 311.84 degrees a distance of approximately 700 feet;
Following a bearing of 15.69 degrees a distance of approximately 627 feet;
Following a bearing of 118.50 degrees a distance of approximately 617 feet;
And following along Trapp Rd a distance of approximately 800 feet to the starting point.
Containing 10 acres, more or less.*

*Distance of the north corner of the drive entrance to the northeast corner is 212 feet;
Distance of the south corner of the drive entrance to the southeast corner is 515 feet.
Width of the drive is 20 feet.*

The parking area is approximately 67 feet by 20 feet. The apron is approximately 20 feet by 3 feet.

2. In the narrative, would you clarify where you measured the site distance from? you state that there is sufficient unobstructed site distance, but if you would be able to name the road, and the area where you measured and how you measured would make this more complete.

The sight distance was measured from the edge points of the proposed driveway, as indicated on the map, in either direction along Trapp Rd. All foliage was trimmed, at minimum, to the interior edge of the ditch next to the road (typically 6 feet at minimum width). There are no significant hills in either direction for at least 500 feet. This was verified by using the 2' contour lines on the map provided.

3. Your application provides links to maps (FEMA, wetlands, soils, etc.) but because this is for planning board review, we would ask for physical copies of these maps for their reference. These can be in separate maps, or integrated as you see fit. We would like to see meets and bounds on the plan.

The physical maps restricted to the proposed area of interest will not be helpful because there are no wetlands, flood zones, etc in the region. The soil description has been updated in the map description.

4. It would be helpful to see an overhead image of the lot so someone looking at the site plan can tell what the land cover is.

The overhead image is included (but is not terribly helpful).

5. On the development review application, it states that there is no proposed impervious area. Because the paved apron, parking areas and possible the path would count as impervious area, we would need to have an idea of what this area amounts to.

The parking spaces and drive area will be constructed of crushed stone (gravel). The apron will be concrete. The total area of these features is approximately 2000 square feet, or 0.05 acres. The path is forest floor.

6. We would like to see a detail of the parking area and path (material, thickness, etc.). We are happy to sketch this out for you, and you can verify whether your plan is to follow the design. If so, we can have this as a condition of approval.

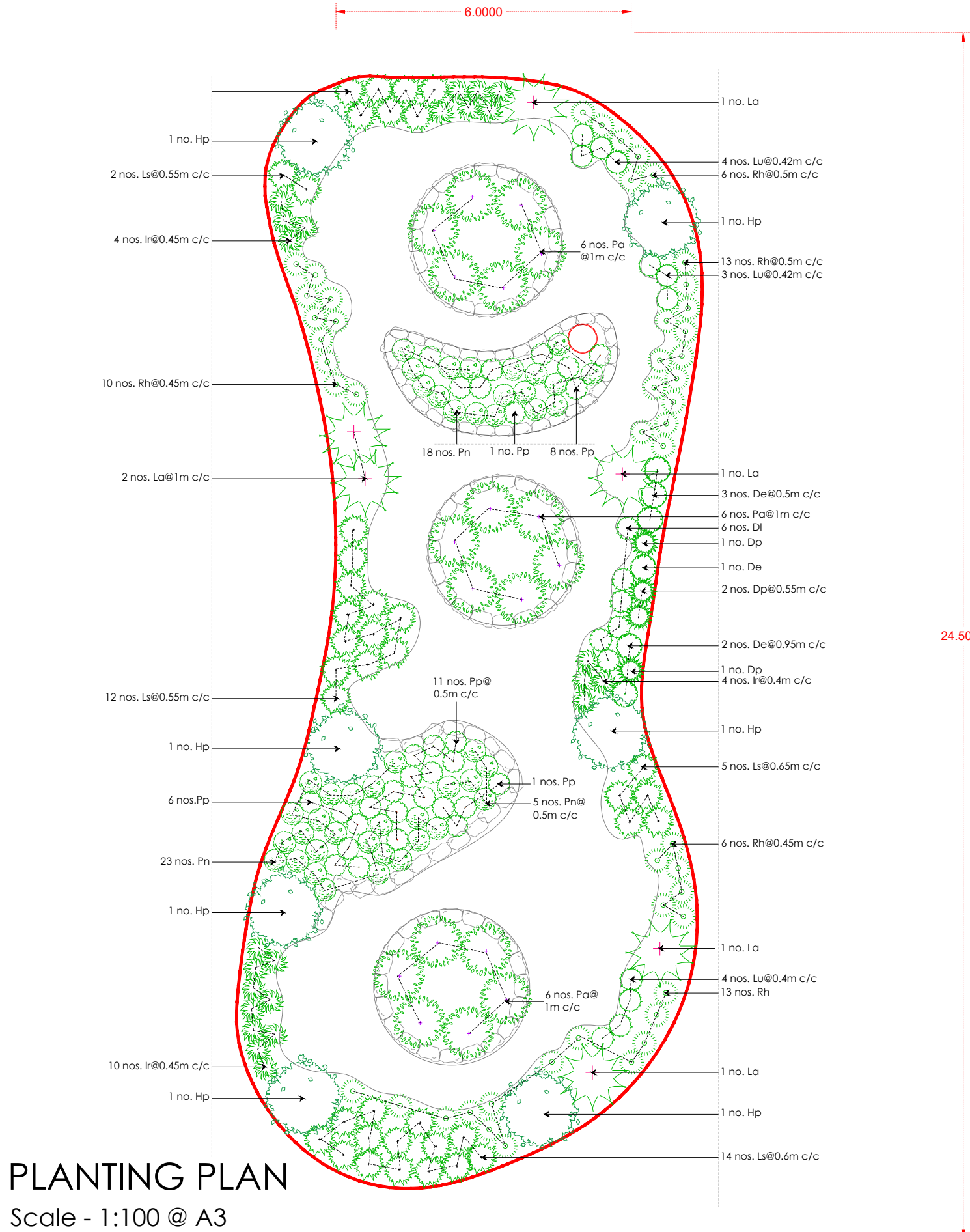
The parking area is composed of crushed stone (gravel). The path material is natural forest floor.

7. I'm wondering whether you are intending for the paved apron to be concrete as it says in the plan, or if you intend it to be asphalt?

The apron will be constructed using concrete.

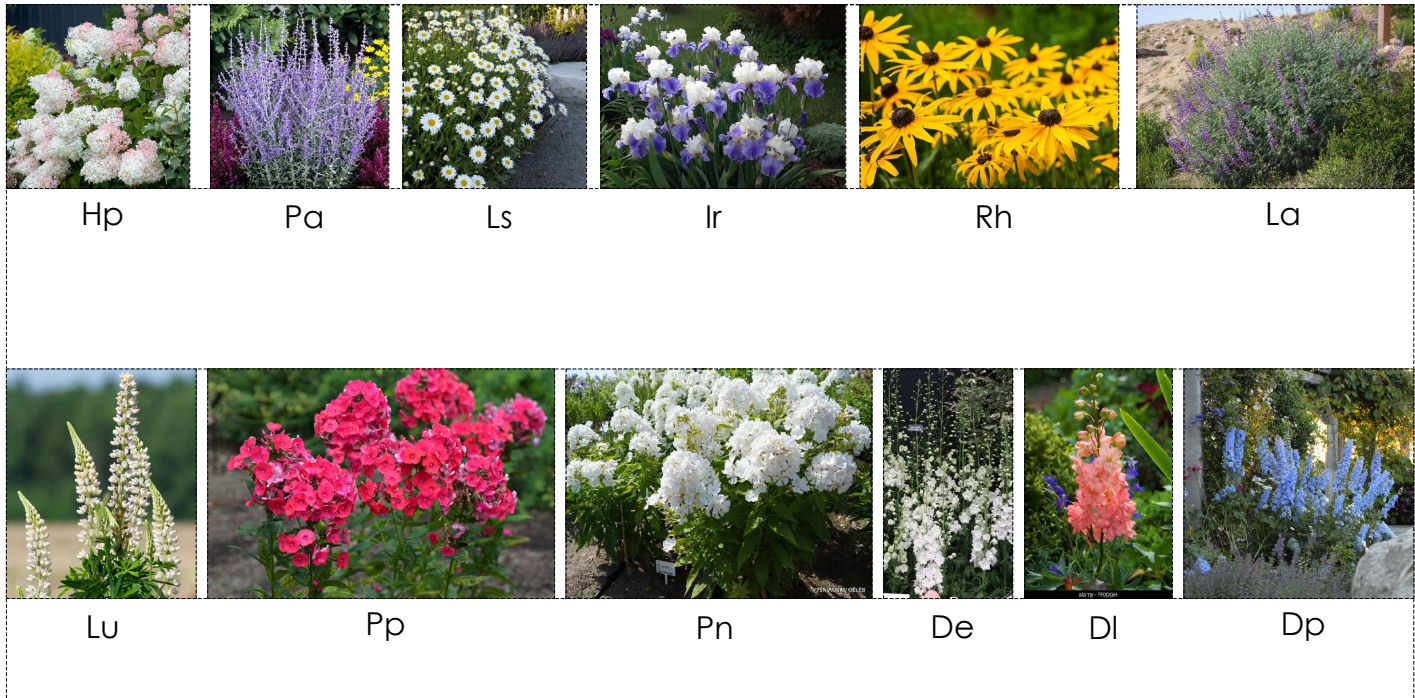
8. We are hoping to go out to do a site walk, especially to check out the seasonal wet areas, and are hoping to find a time that Michelle, Chelsea, and you all wouldn't mind us stopping by.

Contact Michelle and Chelsea

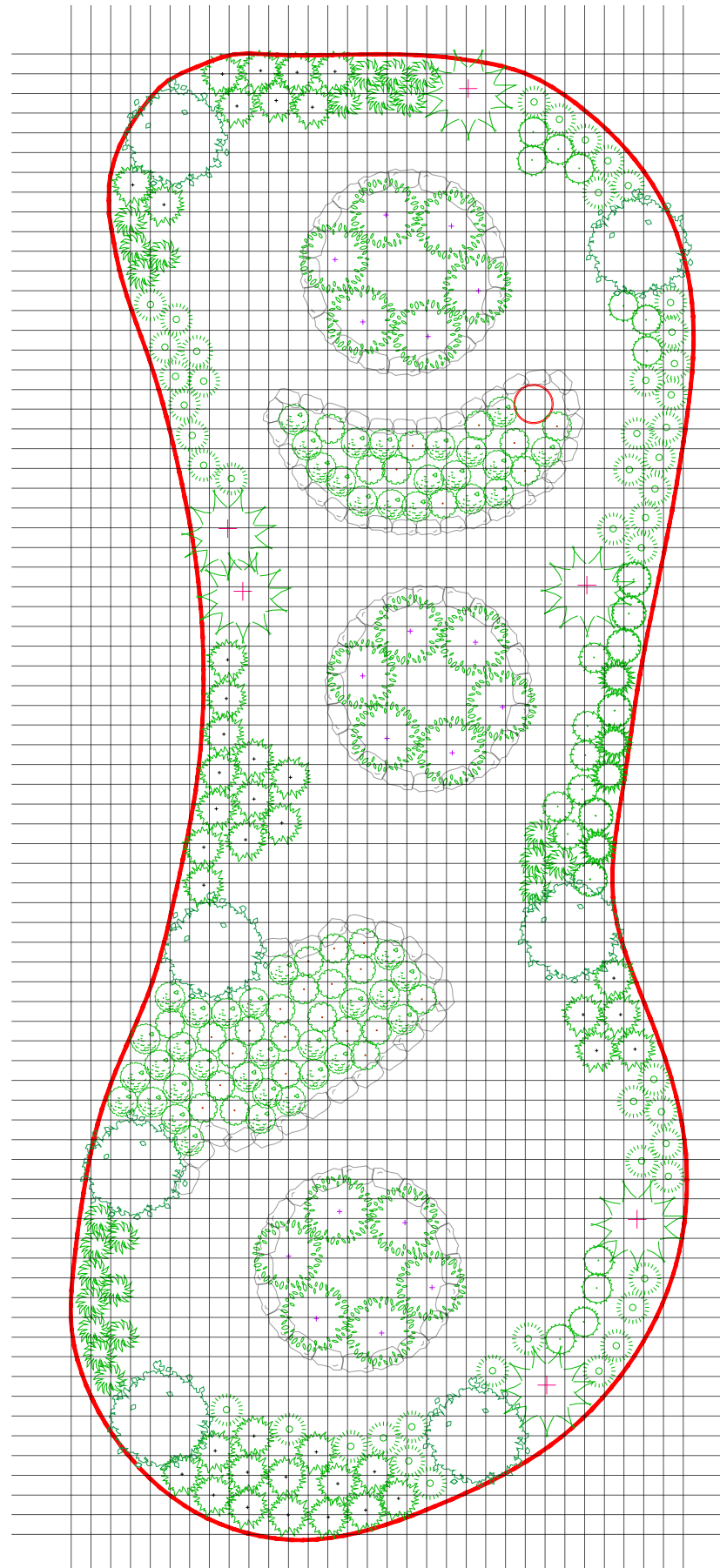


PLANTING PLAN
Scale - 1:100 @ A3

KEY :				
TYPE	CODE	COMMON NAME	SYMBOL	QNTY.
Shrubs	Hp	Hydrangea		7 nos.
Perennials	Pa	Russian Sage		18 nos.
	Ls	Shasta Daisy		40 nos.
	Ir	Bearded Iris		24 nos.
	Rh	Black Eyed-Susan		48 nos.
	La	Silver Lupine		6 nos.
	Lu	Lupine		11 nos.
	Pp	Garden Phlox - Pink		30 nos.
	Pn	Garden Phlox - White		46 nos.
	De	Candle Larkspur - White		6 nos.
	Dl	Candle Larkspur - Pink		6 nos.
	Dp	Candle Larkspur - Blue		4 nos.



PLANT SCHEDULE :						
TYPE	CODE	SCIENTIFIC NAME	COMMON NAME	MATURE HEIGHT	MATURE SPREAD	REMARKS
Shrubs	Hp	Hydrangea paniculata 'Little Lamb'	Hydrangea	1.2 - 1.8 m	1.2 - 1.8 m	Compact, bushy, deciduous shrub boasting a profusion of small, tight, but delicate, pure white flower heads from mid-summer to fall. Held upright on strong stems, the blossoms may turn pink in the fall. Easy to grow and reliable. Performs best in sun to partial shade in humus-rich, moist, well-drained soils. Afternoon shade in hot summer climates is recommended. Easy-to-grow plant with reliable flowering and flower color regardless of soil PH. Best if pruned back in late winter or early spring. Blooms occur on the current season's growth, ensuring reliable flowering. Propagate by softwood cuttings.Foliage can aggravate skin allergies. Mild stomach upset is possible if ingested. Toxic to dogs and cats, toxic to horses.
Perennials	Pa	Perovskia atriplicifolia	Russian Sage	0.9 - 1.2 m	0.9 - 1.2 m	Bushy, woody-based deciduous perennial with long terminal panicles of small, lavender-blue flowers, borne on thin white stems, clad with finely-dissected, aromatic gray-green leaves. Blooming for weeks from mid-summer to fall, this delicate-looking plant is a toughy that is resistant to drought, heat, pests, and poor soils. Even in winter when the stems create a beautiful feature in the landscape. Performs best in full sun, in average, dry to medium, well-drained soils. Drought and salt tolerant. No serious pest or disease issues. Deer and rabbit resistant. Attracts scores of pollinating bees, butterflies, and hummingbirds Cut back plants almost to the ground in late winter to early spring as soon as new growth appears. Propagate by softwood cuttings in late spring or semi-ripe cuttings in summer
	Ls	Leucanthemum x superbum	Shasta Daisy	0.6 - 0.9 m	0.3 - 0.6 m	Highly floriferous and robust; is a free flowering herbaceous perennial valued for its abundant floral display and disease resistance. It produces a sea of large, pure white, single daisy flowers with golden yellow centers atop a lush basal rosette of dark green leaves. Blooming for weeks from early to late summer, the flowers are pollinated primarily by insects, including beetles, flies, wasps, and butterflies. Extremely easy to grow. Thrives in full sun in moderately fertile, moist but well-drained soil. Light shade is tolerated, specifically in hot summer areas. Good soil drainage is critical. Drought and dry soil tolerant. Robust, low maintenance, and virtually disease-free, this daisy is deer, and rabbit resistant. Keep an eye out for leaf spots and aphids. Remove spent flowers to promote further blooms and maintain a neat appearance. Cut stems down to the ground in winter. Propagate by division in early spring or late summer.
	Ir	Iris 'Stairway to Heaven'	Bearded Iris	0.9 - 1.2 m	0.3 - 0.6 m	Vigorous, will continue to add interest to the landscape after flowering is over. Easy to grow, it is deer and rabbit resistant, and quite drought tolerant once established. A profuse bloomer, it produces up to 8-10 buds per stem and will bring its glorious and glamorous blooms in late spring or early summer over a long blooming period. Please note that bloom times depend very much on the weather. Performs best in full sun in humus-rich, medium moisture, well-drained soils. Tolerates light shade but best flowering and disease resistance occur in full sun. Good soil drainage is essential to prevent rot issues. Grows from creeping rhizomes which store food produced by the sword-shaped, semi-evergreen leaves and form large clumps over time. The best time to plant bearded irises is July through September. Container-grown iris can be planted in the spring. All parts may cause discomfort if ingested. Wear gloves and other protective equipment when handling. Toxic to dogs, toxic to cats, toxic to horses.
	Rh	Rudbeckia hirta	Black Eyed-Susan	0.6 - 0.9 m	0.3 - 0.6 m	Biennial or short-lived perennial boasting brilliant yellow daisylike flowers with a dark chocolate center disk. Enjoying a fairly extended blooming season, from early summer to fall, the flowers are attractive to butterflies, birds, and pollinating insects. They are borne atop stiff, upright stems clad with rough, hairy, lance-shaped leaves. Forms a rosette of leaves the first year, followed by flowers the second year. It will bloom the first year from seed planted in early spring. Self-seeds freely and keeps a presence in the landscape. Tolerates heat, drought, and a wide range of soils except wet ones. Thrives in full sun in average, dry to moist, well-drained soils. Drought tolerant but responds well to occasional watering. Additional irrigation in a dry year will lengthen the flowering season. Easy to grow. No serious pest or disease issues. Keep an eye out for powdery mildew, slugs, and snails. Deer resistant. Remove and discard spent flowers to encourage extended blooming and prevent unwanted seedlings next season. Easily propagated by seed in fall or spring. Spring-sown seed should be stratified.
	La	Lupinus albiifrons	Silver Lupine	0.9 - 1.5m	1.2 - 1.5 m	Very showy and fragrant. It is a fast-growing, evergreen perennial shrub boasting silky, gray to silvery palmate leaves and narrow, elongated clusters of blue to magenta, pea-shaped flowers. Blooming in spring to early summer, they are borne on the upper 3-12 in. (7-30 cm) of stout, ascending stems, well above the foliage. They are attractive to butterflies and many pollinators. Silver Lupine tends to be short-lived in gardens, about 3-4 years. However, if the conditions are right, with full sun and excellent drainage to avoid root rot, Silver Lupine will be long-lived and look breathtaking when planted in mass. Thrives in full sun in sandy or rocky, dry, well-drained soils. Will tolerate some water but is best on the dry side. Water maximum twice per month in summer after the plant is established. Low maintenance, this plant is also deer resistant. Propagate by seed. Plant immediately or stratify. All parts, particularly the seeds, may cause severe discomfort if ingested. Toxic only if eaten in large quantities. Wear gloves and wash your hands after handling. Toxic to dogs, toxic to cats, toxic to horses, toxic to humans.
	Lu	Lupinus 'Gallery White'	Lupine	0.3 - 0.6 m	0.3 - 0.6 m	Dwarf Lupine featuring showy, erect spikes of densely packed, sweetly scented, pure white flowers in late spring - early summer. Rising on sturdy stems above bushy clumps of palmate, bright green leaves, the flowers open up from the bottom over several weeks, hence providing a long blooming period.Can produce up to 10-12 flower spikes on each plant. Hummingbirds and butterflies are endlessly attracted to them. Lupines are short-lived perennial plants, but they will self-sow in optimum growing conditions. Ignored by deer and rabbits and excellent for naturalizing. Lupines perform best in full sun in organically rich, moderately fertile, evenly moist, well-drained soils. They thrive in areas with fairly cool summers and appreciate some afternoon shade in hot summer areas. Provide a sheltered location to protect your Lupines from winds and avoid staking. Apply mulch to keep the root zones cool. Deadhead spent flower spikes to promote additional bloom and prevent undesired self-seeding. Provide good air circulation to avoid powdery mildew. Propagate by seed or cuttings in early spring One of the most striking perennials in the late spring garden, Lupines have long been cultivated by gardeners. All parts, particularly the seeds, may cause severe discomfort if ingested. Toxic only if eaten in large quantities. Wear gloves and wash your hands after handling. Toxic to dogs, toxic to cats, toxic to horses, toxic to humans.
	Pp	Phlox paniculata 'Grenadine Dream'	Garden Phlox - Pink	0.3 - 0.6 m	0.3 - 0.6 m	Enjoys a long blooming season. Herbaceous perennial with large, pyramidal clusters densely packed with reddish-purple flowers. Blooming for weeks from mid-summer to early fall, the sweetly fragrant flowers are rich in nectar and visited by hummingbirds and butterflies. They are borne atop stiff, upright stems, clad with narrow lance-shaped leaves, and make excellent fresh-cut flowers. Healthy and mildew resistant, this compact phlox. Prefers full sun to very light shade and enjoys moderately fertile, medium moisture, well-drained soils. This plant needs good air circulation! Avoid overhead watering and add summer mulch to keep the root area cool. Remarkably mildew resistant, allowing us to fully enjoy our garden rather than worry. Deadhead to preserve a neat appearance and promote new blooms. Cut back stems after flowering is over. Propagate by division in spring or autumn
	Pn	Phlox paniculata Flame White	Garden Phlox - White	0.3 - 0.6 m	0.3 - 0.6 m	A dwarf and compact, Bright herbaceous perennial with large clusters of pure white flowers. Blooming for weeks from mid to late summer, the fragrant flowers are rich in nectar and visited by hummingbirds and butterflies. They are borne atop relatively short, bushy clumps of medium green foliage. Demonstrates good mildew resistance in trials. Prefers full sun to very light shade and enjoys moderately fertile, medium moisture, well-drained soils. This plant needs good air circulation! Avoid overhead watering and add summer mulch to keep the root area cool. Remarkably mildew resistant, allowing us to fully enjoy our garden rather than worry. Deadhead to preserve a neat appearance and promote new blooms. Cut back stems after flowering is over. Propagate by division in spring or autumn
	De	Delphinium 'Jill Curley'	Candle Larkspur - White	1.5 - 2.1 m	0.3 - 0.6 m	Vigorous, tall, clump-forming, herbaceous perennial with spectacular spikes of extra large, 3 in. across (8 cm), semi-double, white flowers with a creamy-white eye. Blooming for weeks from early to midsummer. Will require staking. Performs best in full sun in fertile, medium moisture, well-drained soils. Provide a sheltered location to protect your plants from strong winds. Attractive to hummingbirds and butterflies, but ignored by deer and rabbits! Deadhead by cutting spent flower spikes back to small flowering side shoots. Cut down all growth to ground level after it has withered in autumn. Apply a balanced liquid every couple of weeks in the growing season. For best flower spikes thin shoots when 7cm high to leave a minimum of 2-3 shoots on young plants and 5-7 shoots on established plants. Propagate by taking pencil thick basal cuttings in early spring. Keep an eye out for slugs, snails, leaf miners, caterpillars, powdery mildew, and crown rot. All parts of the plant may cause severe discomfort if ingested. Toxic to dogs, toxic to cats, toxic to horses. Poisoning is rare in humans, however, seeds and plants if ingested can lead to fatal effects.
	DI	Delphinium 'Princess Caroline'	Candle Larkspur - Pink	0.6 - 0.9 m	0.3 - 0.6 m	Mid-sized herbaceous perennial with sturdy flower spikes, densely packed with salmon-pink flowers, elegantly streaked with red. Blooming for weeks from early to mid-summer. Performs best in full sun or part shade in fertile, medium moisture, well-drained soils. Provide a sheltered location to protect your plants from strong winds. Attractive to hummingbirds and butterflies, but ignored by deer and rabbits! Removing spent flower spikes will promote another round of blooms in late summer or fall. All parts of the plant may cause severe discomfort if ingested. Toxic to dogs, toxic to cats, toxic to horses. Poisoning is rare in humans, however, seeds and plants if ingested can lead to fatal effects
	Dp	Delphinium 'Blue Lace'	Candle Larkspur - Blue	1.5 - 1.8 m	0.3 - 0.6 m	Tall herbaceous perennial with sturdy flower spikes, densely packed with frilly sky blue florets adorned with a touch of lavender pink. Blooming for weeks from early summer to early fall. Cold hardy, they are also more tolerant of heat and humidity. Performs best in full sun or part shade in fertile, medium moisture, well-drained soils. Provide a sheltered location to protect your plants from strong winds. Attractive to hummingbirds and butterflies, but ignored by deer and rabbits! Removing spent flower spikes will result in another round of blooms on secondary spikes in late summer and fall. All parts of the plant may cause severe discomfort if ingested. Toxic to dogs, toxic to cats, toxic to horses. Poisoning is rare in humans, however, seeds and plants if ingested can lead to fatal effects.

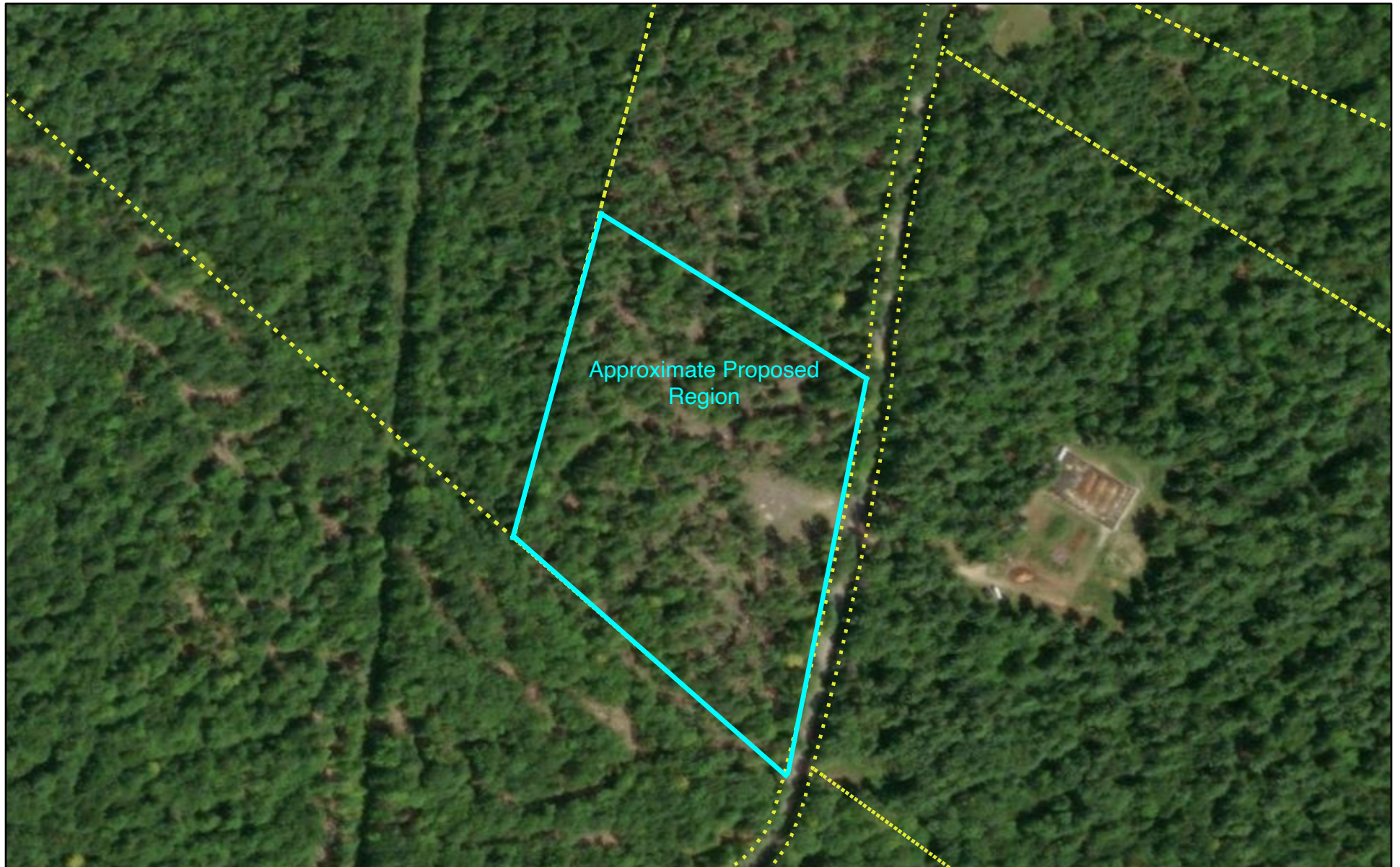


GRID PLAN

Scale - 1:100 @ A3

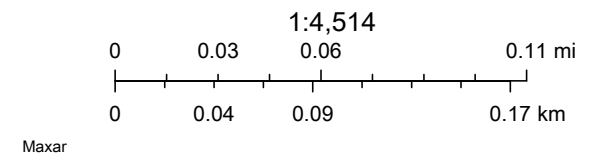
1 Grid = 1' (0.3m)

Lot 035-009



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 Current Parcels - Yellow - For use with aerials



Design Tip

Use the VanHorn Roll to minimize maintenance.

Consider how time and normal weathering will affect accessibility when designing recreation areas. For instance, at the point where the concrete pad for a restroom meets the gravel outdoor recreation access route that connects it to the rest of the campground, gravel often erodes away from the concrete, leaving a drop in grade that doesn't meet accessibility requirements. Solve this problem by rolling the edge of the concrete down under the gravel surface of the outdoor recreation access route, as shown in figure 28. This is known as the "VanHorn Roll," named for the Unitas-Wasatch-Cache National Forest recreation technician who invented the concept. A similar design can be used to keep the junction between asphalt and concrete surfaces accessible over time, as shown in figure 29.

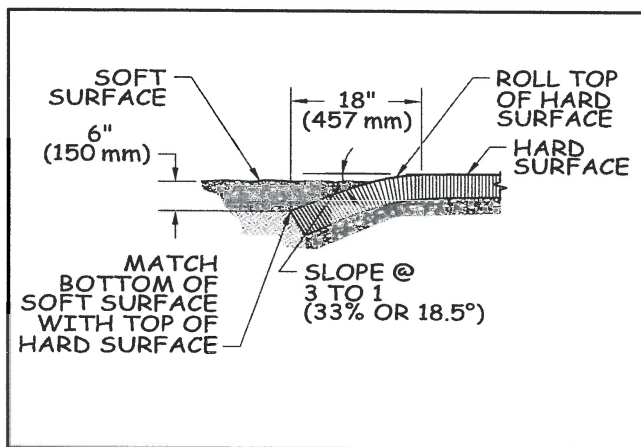


Figure 28—The VanHorn Roll is a design strategy to prolong the time a junction between concrete and gravel pedestrian surfaces meet the accessibility requirements without importing additional gravel to replace material that has eroded away.

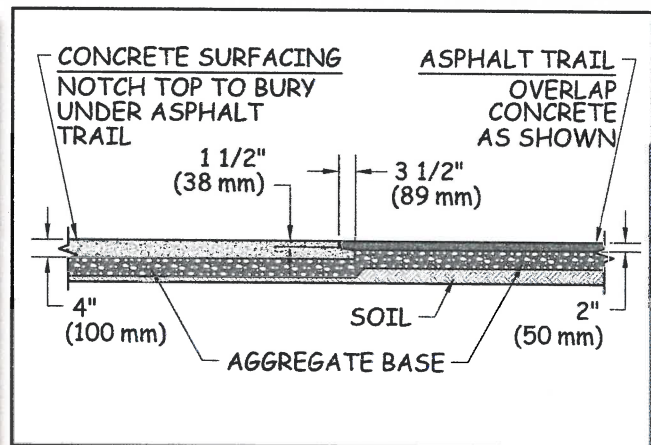


Figure 29—Differential settlement is less likely to occur between adjacent asphalt and concrete walking surfaces if the asphalt is overlaid onto a notch of the adjacent concrete surface.

Q: What are the basic components of a road?

A: The below profile shows some of the basic names and components of a constructed camp road. Descriptions and details of the components, along with many variations and considerations follow in the 'Camp Road Maintenance' section (page 20) of this manual.

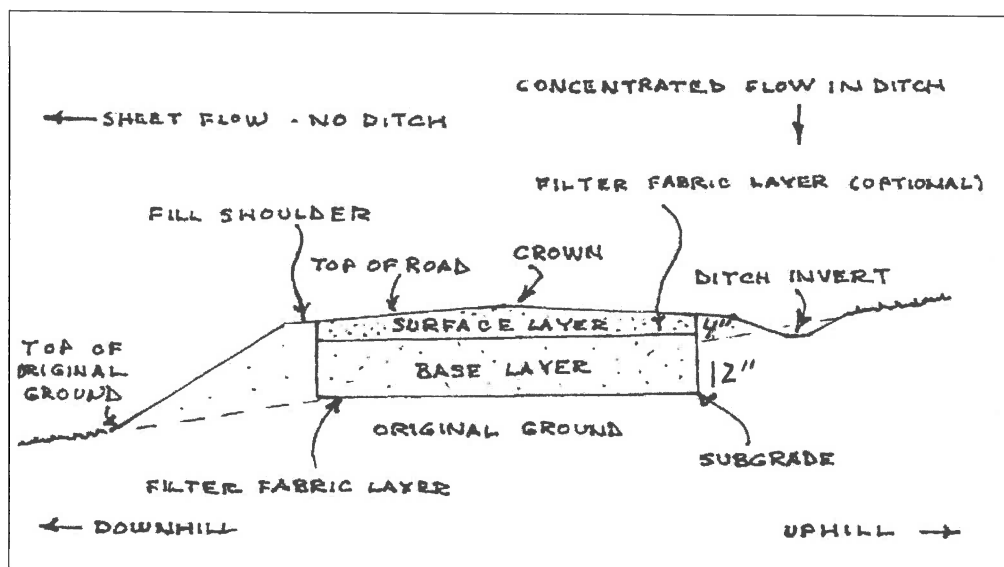


Figure 1. The Anatomy of a Road

Whistle Ridge of Auburn

BY-LAWS

ARTICLE I

Articles of Agreement

The name of the Corporation, the purposes for which it is established, and the location of its principal place of business shall be as set forth in the Articles of Agreement, as from time to time amended, and these By-Laws. The powers of the Board of Directors (the “Board”) and all matters concerning the conduct and regulation of the Corporation shall be subject to such provisions in regard thereto, if any, as are set forth in such Articles of Agreement which are hereby made a part of these By-Laws.

ARTICLE II

Membership and Dues

Membership. The membership of the Corporation shall consist of the Board of Directors.

ARTICLE III

Board of Directors

Section 1. Powers. The management and administration of the affairs of the Corporation shall be carried out by the Board, which shall have all powers enumerated in the Articles of Agreement, the laws of the State of Maine as amended from time to time, and all other powers conferred by these By-Laws.

Section 2. Number. The Board shall consist of not less than five (5) individuals (each individually referred to as “Director,” collectively referred to as the “Directors”). At least five (5) of the Directors shall not be of the same immediate family or related by blood or marriage, nor

shall an employee of the Corporation be the President or presiding officer of the Board of Directors.

Section 3. Appointment and Election. The Incorporators at their initial meeting shall elect a Board of Directors to serve until the next annual meeting. Thereafter, except as otherwise provided by these By-Laws or in the Articles of Agreement, the Board of Directors shall consist of their active members; however, at no time shall there be less than five Directors. A Director who fails to attend three consecutive meetings without prior notification to the Secretary shall be considered inactive. Any individual who desires to become a Director must make a written request to the Secretary, and the vote of the majority of Directors then duly in office may approve such Director at the next annual or regular meeting of the Board.

Section 4. Removal. A Director may be removed from office with or without cause by vote of a majority of the Directors then duly in office.

Section 5. Resignation. Any Director may resign by delivering his/her written resignation to the President of the Corporation at the Corporation's principal office. Such resignation shall be effective upon receipt unless it is specified to be effective at some other time or upon the happening of some other event.

Section 6. Annual Meeting. The annual meeting shall be held during the month of **December**, or at such other time as may be fixed by the Board of Directors.

Section 7. Regular Meetings. Regular meetings of the Board may be held at such times and places as shall from time to time be fixed by resolution of the Board. Five (5) days' notice shall be given of regular meetings. If, at any meeting of the Board at which a resolution is adopted fixing the times or place or places for any regular meeting(s), any Director is absent, no meeting shall be held pursuant to such resolution until either each such absent Director has in writing the resolution or seven (7) days have elapsed after a copy of the resolution has been sent by electronic mail or mailed, postage prepaid, addressed to each such absent Director at his/her last known email address or home or business address.

Section 8. Special Meetings. Special meetings of the Board may be called by the President, by the Secretary, or by any three Directors and shall be held at the place designated in the notice or call thereof. At such special meetings, no business shall be transacted which is not specified in the notice of meeting. Notice of the time, place, and purpose of such meetings given by telephone, by electronic mail, or in person at least ten (10) days prior to the date of such meetings shall be sufficient to pass any measure.

Section 9. Notice. Unless otherwise provided for in these By-Laws, written or printed notice stating the place, day, and hour of any meeting of the Board shall be delivered either personally, by mail, or by electronic mail to each Director, by or at the direction of the President, or the President, or the Secretary, or the Officers or persons calling the meeting. If mailed, the notice of a meeting shall be deemed to be delivered when deposited in the United States mail addressed to the Director at the address as it appears on the records of the Corporation, with postage thereon prepaid. A Director waives notice of any meeting by attending such meeting, unless a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. The business to be transacted at the meeting need be specified in the notice or waiver of notice of such meeting in accordance with applicable law or these By-Laws.

Section 10. Quorum. Four Directors of the Board present in person shall constitute a quorum for the transaction of business at any meeting of the Board; but, if less than a majority of the Directors is present at said meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice.

Section 11. Manner of Acting. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board, unless the act of the greater number is required by law or these By-Laws. The Board may also act without a meeting if written consent setting forth the action taken thereto is signed by all the Directors and filed with the records of the Board meetings. Such consent shall be treated as a vote of the Directors for all purposes.

Section 12. Vacancies. The Board, by vote of a simple majority of all of the Directors then duly in office, shall fill any vacancy occurring on the Board for the balance of the unexpired term of any Director who does not complete the term for which that Director was then duly in office.

Section 13. Director - Residuary Powers. The Board shall have the powers and duties necessary or appropriate for the administration of the affairs of the Corporation. All powers of the Corporation, set forth in the Articles of Agreement or these By-Laws, shall be vested in the Board.

Section 14. Committees. The Board may, by vote of a majority of Directors then duly in office, establish such committees and subcommittees or other committee of the Board as it may deem desirable to which it may, by like vote, delegate thereto some or all of its powers except those which by law, the Articles of Agreement, or these By-Laws it is prohibited from delegating. Except as the Board may otherwise determine, any such committee may make rules for the conduct of its business, but, unless otherwise provided by the Board or in such rules, its business shall be conducted as nearly as possible in the same manner as is provided by these By-Laws for the Directors. The Board shall have the power to fill vacancies in, or disband, any such committee.

Section 15. Telephone Conference Meetings. The Directors or the members of any committee may participate in a meeting of the Board or such committee by means of a conference telephone, virtual meeting platform, or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time, and participating by such means shall constitute presence in person or attendance at a meeting.

Section 16. Annual Election by Mail. Notwithstanding the foregoing, upon vote of the Board, the election of the Directors may be conducted by mail or via electronic mail by ballot being sent to the Directors then duly in office by mail or electronic mail at least fourteen (14) days before the election date, in which event the election shall be valid only if at least fifty-one percent (51%) of the Directors shall cast ballots on or before the election date.

Section 17. Conflict of Interest. Should any item come before the Board that might result in a Director having or appearing to have a conflict of interest either by occupation, place of residence or other holdings, or any other interest, the Director shall make his/her personal interest known to the Board as soon as he/she recognizes a possible conflict and shall refrain from voting on matters regarding the issue.

In addition to the conflict-of-interest provisions of these By-Laws, the Board shall adopt a Conflicts of Interest Policy and policy for dealing with “pecuniary benefit transactions” in conformity with Maine Title 13-B: MAINE NONPROFIT CORPORATION ACT 718

Section 18. Compensation. Directors shall not receive any compensation for their services as Directors, but they may be reimbursed for incidental expenses incurred in carrying out their duties as Directors or attending Board meetings.

Section 19. Means of Communication. Notwithstanding any other provision of these By-Laws, any notice required for any purpose under these By-Laws may be delivered in person, or by mail, facsimile, or electronic mail, or by any other means which is now or may in the future be permitted under applicable law and which provides a reasonable assurance that the communication was delivered to the intended recipient(s).

ARTICLE IV Officers

The Officers of the Corporation shall be the President of the Board, Treasurer, and Secretary. The Officers of the Corporation may also include one or more Assistant Treasurers and/or Assistant Secretaries. The Board may elect or appoint such other Officers as it deems desirable, such Officers to have authority and perform the duties prescribed, from time to time, by the Board. The Office of any official position may be combined and held by one (1) person.

ARTICLE V Powers of Officers

Section 1. President. The President shall preside at all meetings of the Board of Directors. The President shall nominate all members of Board committees.

Section 2. President. The President shall be the Chief Executive Officer of the Corporation. If the President is an employee of the Corporation, the President shall attend, but not preside at, all meetings of the Board. The President, the Treasurer, or some other person specifically authorized by vote of the Board may sign all deeds, leases, contracts, notes, and/or other instruments to be executed on behalf of the Corporation. The President shall perform all the duties commonly incident to his/her office and shall perform such other duties and have such other powers as the Board may from time to time designate.

Section 3. Treasurer. The Treasurer shall have the care and custody of the funds of the Corporation and shall have and exercise under the supervision of the Board all the powers and duties commonly incident to his/her office. He/she shall, with the President, have the power to sign all deeds, leases, contracts, notes, and/or other instruments to be executed on behalf of the Corporation. He/she shall have the custody of the corporate seal and of all the money, funds, valuable papers, and documents of the Corporation. He/she shall deposit all the funds of the Corporation in such bank or trust company, or with such firm doing a banking or brokerage business, as the Board may from time to time designate. He/she may, on behalf of the Corporation, endorse, for deposit or collection, all checks, notes, and other obligations payable to the Corporation or its order and may accept drafts on behalf thereof. He/she shall keep accurate books of account of all corporate transactions, which books shall be the property of the Corporation, and, together with all other of its property in his/her possession, shall be subject at all times to the inspection and control of the Board. All receipts and vouchers for payment made to the Corporation, and checks, drafts, notes, and other corporate obligations for the payment of money by the Corporation, shall be signed by the Treasurer except as the Board may otherwise specifically order. Checks and drafts need not be countersigned, unless otherwise ordered by the Board.

Section 4. Secretary. The Secretary of the Corporation shall be present at all meetings of the Board, and he/she shall keep accurate records, in books provided for that purpose, of the proceedings had at such meetings, which books shall respectively be open at all reasonable times to the inspection of any Director.

He/she shall perform all the duties commonly incident to his/her office and shall perform such other duties and have such other powers as the Board may from time to time designate. In the absence of the Secretary from any meeting of the Board, as the case may be, a Secretary pro tempore may be chosen who shall record the proceedings thereof.

Section 5. Assistant Secretary. Any Assistant Secretary who is elected may perform the duties and exercise the powers of the Secretary in his/her absence and shall perform such other duties as the Board shall prescribe.

Section 6. Election and Term of Office.

(a) The Officers of the Corporation specified in Article IV shall be elected by the Board at its annual meeting or as soon thereafter as feasible and shall be elected by ballot cast by qualified Directors. The old officers are responsible for the running of the annual meeting, but, two months prior to the annual meeting, a non-voting slate will be presented to the Board of Directors. A plurality of votes cast shall elect. New offices may be created and filled at any meeting of the Board. Each Officer shall hold office until the next annual election of the Board and until a successor shall have been duly elected and shall have qualified.

(b) The term of office shall be one (1) year. Any Officer may be re-elected by the Directors to hold office for additional one (1) year terms.

Section 7. Removal. Any Officer elected or appointed by the Board may be removed by the Board by two-thirds (2/3) vote of the remaining Directors whenever in its judgment the best interest of the Corporation would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the Officer so removed.

Section 8. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification, or otherwise may be filled by the Board by majority vote for the unexpired portion of the term.

Section 9. Compensation. If the President is an employee of the Corporation, the President shall be entitled to receive reasonable compensation for his/her services as President and may be reimbursed for incidental expenses in carrying out his/her duties as President or attending Board meetings. Other officers of the Corporation may receive reasonable compensation for carrying out their duties, subject to the Corporation's Conflicts of Interest Policy.

ARTICLE VI

Amendments

These By-Laws may be amended by a majority vote of the Board upon written notice and discussion by all Directors.

ARTICLE VII
Contracts, Checks, Deposits, and Funds

Section 1. Contracts. All documents to be executed by the Corporation including deeds, mortgages, leases, promissory notes, or other instruments, except checks, shall be executed by the President. The Board may authorize any Officer or Officers, agent or agents, of the Corporation, in addition to the Officers so authorized by these By-Laws, to enter into contracts or execute and deliver any instrument in the name of and on behalf of the Corporation; and such authority may be general or confined to specific instance.

Section 2. Checks. All checks issued to the Corporation shall be executed by the President or the Treasurer. All checks issued by the Corporation shall be executed by the Treasurer and President or such other persons as the Board may designate.

Section 3. Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation and in such banks, trust companies, financial institutions, or other depositories as the Board may select.

Section 4. Cemetery Maintenance. All sales of cemetery plots are subject to a contract for the perpetual care of the lot or plot and / or for general cemetery maintenance. The contract requires that at least 30% of the proceeds from the sale of the lot or plot be set aside with the income from those funds to be used for cemetery maintenance.

See Maine Cemetery Law 13 § 1306. Cemetery perpetual care fund A person, corporation or any other private entity that controls a cemetery shall establish a cemetery perpetual care fund. This fund is separate from any permanent care and improvement fund for a community mausoleum on a cemetery's premises established under section 1348. The income from the cemetery perpetual care fund must be devoted to maintenance of the cemetery. This cemetery perpetual care fund must be created by depositing in the fund at least 30% of the proceeds received, in full and in installments, from the sale of lots and plots in the cemetery. This section does not apply to a family burying ground as described in section 1142. **The sale of a cemetery lot or plot that is subject to a contract for the perpetual care of the lot or plot or for general cemetery maintenance is exempt from this section, as long as the contract requires that at least 30% of the proceeds from the sale of the lot or plot be set aside with the income from those funds to be used for cemetery maintenance.*

Section 5. Gifts. The Board may accept on behalf of the Corporation any contribution, gift, bequest, or devise for the general purposes or for any special purpose of the Corporation.

ARTICLE VIII Books and Records

The Corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of the Board, and committees having any of the authority of the Board, and shall keep at the registered or principal office a record giving the names and addresses of the members of the Board. All books and records of the Corporation may be inspected by any Director, or Director's agent or attorney, for any legal and valid purpose, at any reasonable time. The Board, if it deems prudent, shall cause an audit of the records of the Corporation to be made each year by a competent auditor.

ARTICLE IX Audit of Books

Provision shall be made by the Board for a periodic audit or appropriate accountant review of the accounts of the Treasurer, either by a committee of Directors or by an accountant retained by the Board for the purpose of such audit.

ARTICLE X Personal Liability

The Directors and Officers of the Corporation shall not be personally liable for any debt, liability, or obligation of the Corporation. All persons, corporations, or other entities extending credit to, contracting with, or having any claim against the Corporation may look only to the funds and property of the Corporation for the payment of any debt, damages, judgment, or decree, or of any money that may otherwise come due or payable to them from the Corporation. The Corporation may obtain insurance for Officers and Directors. The Corporation shall indemnify

and hold Directors and Officers harmless for claims made against them to the full extent allowed by Maine and federal law, as set forth in the Articles of Agreement of the Corporation.

ARTICLE XI
Fiscal Year

The fiscal year of the Corporation shall begin on **JANUARY 1** in each year.

Adopted by the Board of Directors **INSERT DATE HERE**

Janet T. Mills
Governor

Jeanne M. Lambrew, Ph.D.
Commissioner



Maine Department of Health and Human Services
Maine Center for Disease Control and Prevention
11 State House Station
286 Water Street
Augusta, Maine 04333-0011
Tel: (207) 287-8016; Fax (207) 287-9058
TTY: Dial 711 (Maine Relay)

REGISTRATION APPLICATION FOR BURIAL GROUND

1. Owner/Operator of Facility: Non-Profit Life Forest of Hillsborough
2. Name of Facility: Life Forest at Whistle Ridge Farm
3. Facility Location: Street Trapp Rd Town/City: Auburn, ME
4. Owner/Operator Mailing Address: 1087 Elm St, Suite 414
Town/City Manchester State NH ZIP Code 03101
Telephone: 603-315-0790 E-mail: inquiries@thelifeforest.com
5. This facility will be a: ☐ Private Cemetery ☐ Municipal Cemetery ☐ For Profit Public Cemetery
☐ Mausoleum ☐ Columbarium ☐ Non-Profit Conservation Cemetery for Cremated/Composted Remains Only
NO Full Body ☒
6. Size of Proposed Burial Ground 10 ☒ acres or ☐ square feet
7. Water Supply: ☐ Municipal System ☐ Private Well ☒ None
8. Wastewater Disposal: ☐ Municipal Sewer ☐ Private Septic System ☒ None
9. Effluvia Disposal: Will effluvia from human remains be collected on the premises?
☐ Yes ☒ No If yes, how will such effluvia be disposed of? _____
10. Storage of Human Remains: How will human remains be stored at the proposed facility prior to interment?
N/A
11. Facility Plan: Submit as **Exhibit A**, a plan or plans showing the property lines/boundaries of the proposed cemetery or burial ground, and any mausoleum, columbarium, or other structure(s) on the site, prepared by an engineer, land surveyor, architect, or other knowledgeable professional. For columbaria located inside a structure, submit a floor plan of the structure specifying the number and location of niches.
12. Right, Title, or Interest: Submit as **Exhibit B**, a copy of a deed, lease, contract of sale, or letter of interest establishing right, title, or interest to the property upon which the proposed facility is to be located.

Please complete this application form and deliver it to the Division of Environmental and Community Health, along with Exhibits A and B.

I, Colton W. Sawyer, PhD, state that the information submitted
(print name)

is correct to the best of my knowledge and understand that any falsification is reason for the Department to deny the project.

SIGNATURE: Colton W. Sawyer DATE: 07/08/2023



1087 Elm St, Suite 414, Manchester, NH 03101

Ph 603-315-0790 * inquiries@thelifeforest.com

TheLifeForest.com

Woodland Trail Burial Plot Purchase Agreement

Purchaser: _____ Date: _____

The undersigned, referred to as “Purchaser”, hereby agrees to purchase Burial Rights and Services described herein, subject to acceptance and approval of Life Forest of Hillsborough, hereinafter referred to as “Life Forest”.

Email: _____ Phone: _____

Address: _____

Coordinates & Location: _____

Description of Burial Rights and Location: Woodland Trail Burials are within the property known and numbered as 200 Beard Rd in Hillsborough, N.H. Map 11 E Lot 9. Owner of Record Life Forest of Hillsborough. Survey drawn by Donald R. Mellen Surveyor, LLC, recorded in the Hillsborough County Registry of Deeds as Plan No. 35600 (referred to as the “Forest”).

Woodland Trail Burial, a 3 x 3 plot in a natural wooded area. This plot allows for 1 opening with as many sets of cremains or composted remains buried at that one time for no extra fees.

1. Purchase Price: \$2,500.00

Memorial Service Fee (select one)

Weekday Service: \$300 - 2 hour bracket

Weekend Service: \$500 - 2 hour bracket

None: \$0 \$ _____

Total Purchase Price: \$ _____

2. Rules and Regulations. Purchaser agrees that all rights conveyed under this agreement are and at all times shall be subject to rules and regulations now existing or hereafter revised or supplemented by Life Forest at its sole discretion (the “Forest Rules”). The Forest Rules shall include compliance with the Conservation Easement at the Town of Hillsborough Conservation Commission, and restrictions set forth on the Right of Way.
3. Certain Defined Terms "you" or "your" refers to the "Purchaser" of burial rights. "we", "us" and "our" refers to Life Forest. “Forest” refers to the grounds in which burial occurs. “Party” refers to each of you and Life Forest individually, and “Parties” refers to you and Life Forest collectively. “Certificate of Burial Rights” shall mean the license issued to you after payment has been made in full.
4. License Only. The Purchase Agreement grants you a license to access the Forest and Burial Rights, and does not convey any ownership rights in the Forest. The license becomes effective only after full payment under the Purchase Agreement and a Certificate of Burial Rights is issued.
5. Certificate of Burial Rights Life Forest will issue a Certificate of Burial Rights upon receipt of the full payment under the Purchase Agreement. Burial Rights shall be subject to all Forest Rules.
6. Forest Conservation and Maintenance Life Forest fully intends to maintain the Forest in its most natural state until such time that the property is placed into conservation. The Forest itself will proceed to its natural state, trees may die or fall, and may specifically suffer from damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, and unavoidable accidents. Purchaser is entering into this Purchase Agreement with full acknowledgment and understanding that Life Forest will have no obligation or liability related to these potential hazards.

If burial is for a veteran, please review and sign Veteran Burial Release Form with regards to Conservation Cemetery Maintenance

I have seen and reviewed release form, if burial is for a veteran:

Initial: _____ Date: _____

Not applicable, no veterans will be buried in this plot:

Initial: _____ Date: _____

7. Limitations on Sculptures Memorial Markers and / or Sculptures are not available on the Woodland Trail. Memorial plantings per approval of Life Forest staff.
8. Information Prior to Burial Before the deceased Beneficiary's (the "Deceased") ashes can be planted, a representative of the Deceased must provide Life Forest the following information:

- a. Name of Deceased _____
 - b. Age of Deceased including birth date, if known _____
 - c. Date of death _____
 - d. Name of the next-of-kin _____
 - e. Funeral establishment (if any) _____ f.
 - Name of executor of Deceased's estate (if any) _____ g.
 - If the Deceased is not an adult, the names of his or her parent(s) or legal guardian(s)
-

If a pet, then only the pet's name, date of death, and proof of ownership are required prior to burial.

9. Refunds and Limitations on Damages Life Forest hereby disclaims any liability or responsibility for failing to perform any services or make any burial because of strike, lockout, invasion, insurrection, riot, war, order of any military or civil authority, order of the court, or because of any other event or incident outside of Life Forest's reasonable control.
10. Limitation on Liability. WITHOUT LIMITING ANY LIMITATIONS ON LIABILITY SET FORTH ABOVE, LIFE FOREST SHALL NOT BE LIABLE FOR ANY DIRECT, INDIRECT, INCIDENTAL, SPECIAL, OR CONSEQUENTIAL DAMAGES HOWEVER ARISING, EVEN IF IT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. LIFE FOREST'S LIABILITY FOR DAMAGES ARISING OUT OF, RELATING TO, OR IN ANY WAY CONNECTED WITH THIS AGREEMENT OR THE SERVICES PROVIDED HEREIN SHALL IN NO EVENT EXCEED THE AMOUNT RECEIVED BY LIFE FOREST FROM PURCHASER UNDER THIS AGREEMENT.

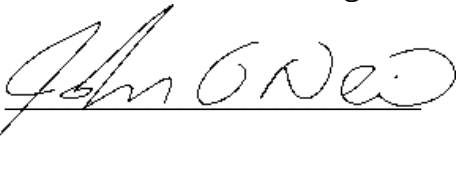
11. Arbitration. ANY DISPUTE OR CONTROVERSY ARISING OUT OF OR RELATED TO THIS AGREEMENT SHALL BE SUBMITTED TO NON-BINDING ARBITRATION UPON THE DELIVERY BY ONE PARTY TO THE OTHER OF A NOTICE SPECIFYING THE NATURE OF THE DISPUTE OR CONTROVERSY AND DEMANDING THAT THE MATTER BE SENT TO ARBITRATION (THE "ARBITRATION NOTICE"). WITHIN TEN (10) DAYS AFTER THE DELIVERY OF THE ARBITRATION NOTICE, EACH PARTY TO THE DISPUTE WILL SUBMIT A LIST OF PROPOSED ARBITRATORS TO THE OTHER PARTY. THE ARBITRATOR SHALL BE SELECTED BY AGREEMENT OF THE PARTIES TO THE DISPUTE FROM THE LIST OF PROPOSED ARBITRATORS NO LATER THAN TWENTY (20) DAYS AFTER THE DELIVERY OF THE ARBITRATION NOTICE.

IF THE PARTIES DO NOT AGREE ON AN ARBITRATOR WITHIN THE SPECIFIED TIME, THEN THE PARTIES WILL SUBMIT THE ARBITRATION TO THE AMERICAN ARBITRATION ASSOCIATION LOCATED IN CONCORD, NEW HAMPSHIRE AND WILL CONDUCT THE ARBITRATION PURSUANT TO THE SUPPLEMENTARY PROCEDURES FOR CONSUMER RELATED DISPUTES RULES OF THE AMERICAN ARBITRATION ASSOCIATION. THE ARBITRATION WILL BE GOVERNED BY THE COMMERCIAL ARBITRATION RULES OF THE AMERICAN ARBITRATION ASSOCIATION. THE ARBITRATOR SHALL BE DIRECTED TO IDENTIFY THE PREVAILING PARTY IN THE ARBITRATION, AND THE NON-PREVAILING PARTY SHALL BE RESPONSIBLE FOR THE COSTS AND EXPENSES INCURRED IN CONDUCTING THE ARBITRATION PROCEEDING, INCLUDING REASONABLE ATTORNEYS' FEES AND EXPENSES. THE ARBITRATOR'S AWARD SHALL BE ACCOMPANIED BY A REASONED, WRITTEN OPINION. JUDGMENT ON THE AWARD MAY BE ENTERED IN ANY COURT HAVING JURISDICTION THEREOF.

12. Law. This Agreement is governed by the applicable laws of the State of New Hampshire.

13. Entire Agreement; Binding. This Agreement and all documents referenced herein supersede all other discussions and contracts, whether oral or written, relating to the subject matter set forth in the agreements. This Agreement is binding on the parties to the purchase agreement and their respective successors and assigns.

14. Notice. Each Party shall deliver all notices, requests, consents, claims, demands, waivers, and other communications under this Agreement (each, a "Notice") in writing and addressed to the other Party at the addresses set forth on the Purchase Agreement. Each Party shall deliver all Notices by personal delivery, nationally recognized overnight courier (with all fees prepaid), facsimile or email (with confirmation of transmission), or certified or registered mail (in each case, return receipt requested, postage prepaid). Each Notice is effective only (a) upon receipt by the receiving party and (b) if the party giving the Notice has complied with the requirements of this Section.
15. Severability. If any term or provision of this Agreement is invalid, illegal, or unenforceable in any jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other term or provision of this Agreement or invalidate or render unenforceable such term or provision in any other jurisdiction.

<p>For Life Forest of Hillsborough</p> <p>By: </p> <p>Name: John O'Neil</p> <p>Title: Co-Founder, duly authorized</p>	<p>Purchaser: Print Name & Signature:</p> <p>_____</p> <p>_____</p> <p>Name of Trust (if applicable):</p> <p>_____</p> <p>_____</p>
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Life Forest at Whistle Ridge Veteran Burial Release Form

When choosing a conservation cemetery burial in Auburn Maine with Life Forest at Whistle Ridge, please understand and agree to the following:

Maintenance Expectations of a Conservation Cemetery Versus a Non-Conservation Cemetery

Conservation Cemetery guidelines and best practices are **the allowance of the land's most natural state**. The expectation is that legal access to a burial plot will always be maintained, however, **maintenance of the site differs vastly from non conservation cemeteries expectations**, especially with regards to burials of veterans within a conservation cemetery. The maintenance expectations of the burial site must be in alignment with conservation cemetery rules and regulations as well as conservation easement language.

AUBURN MAINE ORDINANCE LANGUAGE FOR CONSERVATION CEMETERY

Cemeteries, subject to the following conditions:

- a. At least 20 acres in area.
- b. Not located in any environmental overlay district or over any known aquifer.
- c. At least 10 acres if designated a conservation cemetery.**

Conservation cemetery means a type of natural cemetery that includes a conservation management plan that upholds best practices, and provides perpetual protection of the land according to a conservation easement or deed restriction. Burials in conservation cemeteries utilize non-toxic and biodegradable materials.

Conservation Cemetery Maintenance Expectations

For appropriate expectations of the composition of forest floors, in and around woodland burial plots in Life Forest Conservation Cemetery at Whistle Ridge, and what may be in the presence of a veterans burial site, please reference the following to cited sources:

a. The Layers of a Forest From Floor to Canopy by Laura Klappenbach

Mature forests often have several distinct vertical layers. These include:

Forest floor layer: The forest floor is often blanketed with decaying leaves, twigs, fallen trees, animal scat, moss, and other detritus. The forest floor is where recycling occurs, fungi, insects, bacteria, and earthworms are among the many organisms that break down waste materials and ready them for reuse and recycling throughout the forest system.

Herb layer: The herb layer of the forest is dominated by herbaceous (or soft-stemmed) plants such as grasses, ferns, wildflowers, and other ground covers. Vegetation in the herb layer often gets little light and in forests with thick canopies, shade tolerant species are predominant in the herb layer.

Shrub layer: The shrub layer is characterized by woody vegetation that grows relatively close to the ground. Bushes and brambles grow where enough light passes through the canopy to support shrub growth.

Understory layer: The understory of a forest consists of immature trees and small trees that are shorter than the main canopy level of the tree. Understory trees provide shelter for a wide range of animals. When gaps form in the canopy, often times understory trees take advantage of the opening and grow to fill in the canopy.

Canopy layer: The canopy is the layer where the crowns of most of the forest's trees meet and form a thick layer.

Emergent layer: Emergents are trees whose crowns emerge above the rest of the canopy.

b) "Encyclopedia of Forest Sciences 2004, Pages 1223-1227", article SOIL DEVELOPMENT AND PROPERTIES | The Forest Floor by author R.D. Briggs R.D. Briggs from State University of New York, Syracuse, NY, USA

"The forest floor has a tremendous impact on the soil environment. One of the most important factors affecting tree growth is the capacity of the soil to transfer energy, water, and gases from the soil surface to organisms and roots living deeper in the soil. One of

the fundamental soil physical properties influencing this transfer is soil structure, which refers to the aggregation of primary soil particles (sand, silt, clay) into secondary units.”

Non-Conservation Cemetery Maintenance Expectations BY State of Maine MRS Title 13, Chapter 83. CEMETERY CORPORATIONS

Duties of Town or County

§1101. Maintenance and repairs; municipality

2. Grave sites of veterans in public burying grounds. A municipality, cemetery corporation or cemetery association owning and operating a public burying ground shall, in collaboration with veterans' organizations, cemetery associations, civic and fraternal organizations and other interested persons, keep the grave, headstone, monument or marker designating the burial place of any veteran of the Armed Forces of the United States in that public burying ground in good condition and repair from May 1st to September 30th of each year.

A municipality in which a public burying ground is located may, in collaboration with veterans' organizations, cemetery associations, civic and fraternal organizations and other interested persons, adopt standards of good condition and repair to which grave sites of veterans of the Armed Forces of the United States must be kept. The standards at a minimum must detail how to maintain the grave, grass and headstones.

If a municipality does not adopt standards, the municipality, cemetery corporation or cemetery association shall apply the following standards of good condition and repair: \

A. [PL 2013, c. 524, §1 (RP).]

B. [PL 2013, c. 524, §1 (RP).]

C. [PL 2013, c. 524, §1 (RP).]

D. Ensure that grass is suitably cut and trimmed; [PL 2013, c. 524, §1 (AMD).]

E. Keep a flat grave marker free of grass and debris; and [PL 2013, c. 524, §1 (AMD).]

F. Keep the burial place free of fallen trees, branches, vines and weeds. [PL 2013, c. 524, §1 (AMD).]

[PL 2013, c. 524, §1 (AMD).]

SECTION HISTORY PL 1977, c. 255, §1 (AMD). PL 1999, c. 700, §1 (AMD). PL 2013, c. 421, §1 (RPR). PL 2013, c. 524, §1 (AMD). PL 2019, c. 561, §1 (AMD).

§1101-A. Definition

4. Public burying ground. "Public burying ground" means a burying ground or cemetery in which any person may be buried without regard to religious or other affiliation and includes a cemetery owned and operated by a municipality, a cemetery corporation or a cemetery association. [PL 2013, c. 524, §2 (NEW).]

I / We understanding the difference between the maintenance expectations of a Conservation Cemetery versus a Non-Conservation Cemetery as described above and therefore WAIVE ALL SUCH MAINTENANCE REQUIREMENTS AND RESPONSIBILITIES FROM LIFE FOREST AT WHISTLE RIDGE, THE TOWN OF AUBURN, MAINE AS WELL AS THE STATE OF MAINE - as these requirements were created with a non conservation cemetery design in mind.

I also understand that this signed document will be publicly available at the request of the town of Auburn, Maine, the State of Maine as well as any Veteran Related Entities that require such knowledge of receipt of understanding.

Signature

Date