City of Biddeford
Planning Board
August 05, 2020 6:00 PM ZOOM Remote Meeting

When: Aug 5, 2020 06:00 PM Eastern Time (US and Canada)
Topic: Planning Board - May 6, 2020

Please click the link below to join the webinar:
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NOTE: THIS MEETING WILL NOT BE BROADCAST LIVE OVER PUBLIC ACCESS DUE TO MEETING PRIORITIZATION. A VIDEO RECORD OF THE MEETING WILL BE PUBLISHED TO THE VIDEO ARCHIVE NO LATER THAN THURSDAY, AUGUST 6.

1. **PLEDGE OF ALLEGIANCE**
2. **DECLARATION OF QUORUM/VOTING MEMBERS**
3. **ADJUSTMENTS TO THE AGENDA**
4. **PLANNER'S BUSINESS**
5. **CONSENT AGENDA**
   5.A. Minutes July 1, 2020
   PB Minutes 070120.pdf
6. **UNFINISHED BUSINESS**
7. **NEW BUSINESS**
   7.A. 2020.20 Shoreland Zone/Determination of Greatest Practical Extent for John Campbell and Susanna Peyton at 26 Sea Spray Drive (Tax Map 67, Lot 33) in the CR and LR (shoreland) zones.
   2020.20 26 Sea Spray GPE SR-signed.pdf
   2020.20 26 Sea Spray GPE FOF.pdf
   CAM2-20200728-26SeaSprayDrive_CoverLetter&Application.pdf
   20200730_26SeaSprayDrive_Revised.pdf
   7.B. 2019.24 The Final Subdivision Review and Conditional Use Permit for Peter A. Mourmouras to create a 6-lot Cluster Subdivision off River Road (Tax Map 6, Lot 49) in the R-F zone.
   2019.24 Moumouras Subdivision Final SR 080520-signed.pdf
   2019.24 Mourmouras Subdivision FOF 080520 DRAFT.pdf

200716, Eagle River Run Plan Plat - Signature Sheet.pdf
200718, Updated Eagle River Run, Homeowners Association Bylaws.pdf
Conservation and Agricultural Easement - City Reviewed.pdf
Eagle River Run 6-24-20.pdf
Tansley Eagle River 06-21-20_1 ARC addressed highlights 6-25-2020.pdf

7.C. 2020.04 The Final Amended Subdivision/Private Way for Dale Wilkinson to create two new lots off a new Private Road off South Street (Tax Map 1, Lot 50) in the R-F zone.
2020.04 Wilkinson Final SR 080520-signed.pdf
2020.04 Wilkinson FOF DRAFT.pdf
Cover Letter and Supporting Documents-Revisions-7-20-2020.pdf
7-21-2020 - Poppy Lane.pdf

8. OTHER BUSINESS

9. ADJOURN

The Board reserves the right to halt official business at 9:30 p.m. Items not heard at tonight's meeting shall be rescheduled to the next meeting of the Board. All materials pertaining to items on the agenda are available for public review at the Biddeford Planning Department, second floor, Biddeford City Hall during normal business hours.

CITY OF BIDDEFORD

Planning and Development Department

Greg D. Tansley, A.I.C.P.
City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207) 282-7119 or (207) 284-9115
Greg.Tansley@biddefordmaine.org

Planning Board
MINUTES (DRAFT)

Date: Wednesday, July 1, 2020
Time: 6:00 PM
Location: REMOTE ACCESS MEETING (1 MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19).

For Information on how to access and participate in the meeting go to https://www.biddefordmaine.org/2478/Video-Agendas-Minutes and select the July 1, 2020 Planning Board agenda.

1. Pledge of Allegiance - Dispensed of the Pledge of Allegiance due to COVID-19 Remote Meetings.
2. Declaration of Quorum/Voting Members

   Quorum Present: Chair William Southwick, Bruce Benway, Sean Tarpey, Spiros Droggitis, Roch Angers, Michael Cantara (Alternate).

3. Adjustments to the Agenda
4. Planner's Business
5. Consent Agenda
   A. Minutes of June 17, 2020 Planning Board Meeting.

   MOTION:
   Benway – Motion: to approve the consent agenda.
   Droggitis – Second.
   Chair Southwick – Roll Call for vote – Unanimous Approval (4-0) all in favor (Droggitis, Tarpey, Benway, Angers). Mr. Canatara was absent for this vote.

6. Unfinished Business
7. New Business
   A. 2020.16 An Amendment to a Previously Approved Subdivision (Cathedral Oaks Subdivision) for the conveyance of 5,750 s.f. of land from Charles Sherman at 56 Cathedral Oaks Drive (Tax Map 85, Lot 67) to James Gallant at 52 Cathedral Oaks (Tax Map 85, Lot 97) in the R-3 zone.

   City Planner Tansley introduced the project.

There were no public comments.

MOTIONS:

A. Benway – Motion: *Motion that due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency and a statewide stay at home order, the Planning Board pursuant to Chapter 66-9 hereby authorizes the City Planner to sign the final plan on behalf of the Planning Board and the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board evidencing approval of the final plan given that public convenience, safety, health and welfare will not be affected adversely.*

   Angers – Second.

   Chair Southwick – Roll Call for vote – Unanimous Approval (4-0) all in favor (Droggitis, Tarpey, Benway, Angers).

B. Benway. Motion: *Motion to approve the amendment to the Cathedral Oaks Subdivision for James Gallant to allow Charles Sherman to convey 5,750 s.f. of land to Mr. Gallant at 52 and 56 Cathedral Oaks Drive (Tax Map 85, Lots 95 and 67) and approve the Findings of Fact based on the conditions recommended by Staff in its report dated July 1, 2020, and that due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency and a statewide stay at home order, the Planning Board pursuant to Chapter 66-9 authorizes the City Planner to sign the final plan on behalf of the Planning Board and declares that the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board evidencing approval of the final plan.*

   Angers – Second.

   Chair Southwick – Roll Call for vote – Unanimous Approval (4-0) all in favor (Droggitis, Tarpey, Benway, Angers).

B. 2019.24 The Final Subdivision Review and Conditional Use Permit for Peter A. Mourmouras to create a 6-lot Cluster Subdivision off River Road (Tax Map 6, Lot 49) in the R-F zone.

City Planner Tansley introduced the project.

Mr. Vafiades representing the applicant provided a brief summary of the project.

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Public comments included the following:

Mr. Fred Tardiff, 165 River Road, asked about three issues of concern:

1. Blasting and impacts on his well.
2. Sale price/value of the new homes.
3. The use of the open space.

Vafiades addressed Mr. Tardif's comments:

1. Not a lot of blasting is anticipated but will be needed for some foundations. They will follow state requirements for blasting. Regarding possible septic system contamination of his well, the design of septic systems largely takes away much of that risk since the septic is treated before discharge.
2. $350,000-$400,000's.
3. Biddeford's Ordinance regulates what can and cannot do on the property, and certainly no permanent structures or structures that will create noise. The intent is recreation and agriculture.

Gagne and Wood (155 River Road) echoed Mr. Tardif's questions/concerns. They also asked if the open space intended to allow public use of the land?

Vafiades – No it would be restricted to one or all of the residents of the subdivision.

Board Member Tarpey also said he felt the use of the open space needs to be better defined/restricted.

MOTIONS:

A. Benway. Motion: Motion to table to allow the applicant to address the uses of the open space property included in this plan and return in August to the Board.

   Droggitis – Second.

   Tansley suggested that something should be provided to us by July 15 for the August Meeting.

   Chair Southwick – Roll Call for vote – Unanimous Approval (4-0) all in favor (Droggitis, Tarpey, Benway, Angers).

B. Benway – Motion. Motion that the previous motion be amended to specify the next meeting date as August 5.

   Droggitis – Second.

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Chair Southwick – Roll Call for vote – Unanimous Approval (4-0) all in favor (Droggitis, Tarpey, Benway, Angers).

C. 2020.02 The Final Site Plan Review for David Dube to construct a 3,200 square foot building for storage and office space and site infrastructure at 9 Digital Drive (Tax Map 15, Lot 7-5) in the I-1 zone.

City Planner Tansley introduced the project and provided a brief summary of changes staff's review of the project. He requested that the Board add a Financial Capacity Letter condition of approval to be required prior to any site disturbance.

Mr. Gadbois, the applicant's Engineer, provided a brief summary of the project and once Mr. Dube has final costs for the building he can provide that.

There were no public comments.

MOTIONS:

A. Benway. Motion: To add that a Financial Capacity Letter be submitted prior to prior to construction as a condition of approval.

Angers – Second.

Chair Southwick – Roll Call for vote – Unanimous Approval (4-0) all in favor (Droggitis, Tarpey, Benway, Angers).

B. Benway. Motion. Motion to approve the Site Plan for David Dube at 9 Digital Drive (Tax Map 15, Lot 7-5) and approve the Findings of Fact based on the conditions recommended by Staff in its report dated July 1, 2020, and that due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency and a statewide stay at home order, the Planning Board authorizes the City Planner to sign the final plan on behalf of the Planning Board and declares that the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board evidencing approval of the final plan.

Angers – Second.

Chair Southwick – Roll Call for vote – Unanimous Approval (4-0) all in favor (Droggitis, Tarpey, Benway, Angers).

D. 2020.04 The Final Amended Subdivision/Private Way for Dale Wilkinson to create two new lots off a new Private Road off South Street (Tax Map 1, Lot 50) in the R-F zone.

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Item removed from the agenda.

8. Other Business
9. Adjourn

A. Benway. Motion: Motion to adjourn.

Angers – Second.

Meeting Adjourned at 7:25 PM.

The Board reserves the right to halt official business at 9:30 p.m. Items not heard at the meeting shall be rescheduled to a subsequent meeting of the Board. Materials for the above and further details on public input are available for review at www.biddefordmaine.org/planning.

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CITY OF BIDDEFORD

Planning and Development Department

Greg D. Tansley, A.I.C.P.
City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207) 282-7119 or (207) 284-9115
Greg.Tansley@biddefordmaine.org

PLANNING BOARD REPORT

TO: William Southwick, Chair & the Biddeford Planning Board

FROM: Greg Tansley, A.I.C.P., City Planner

DATE: July 30, 2020

RE: **NEW BUSINESS ITEM #A –** 2020.20 Shoreland Zone/Determination of Greatest Practical Extent for John Campbell and Susanna Peyton at 26 Sea Spray Drive (Tax Map 67, Lot 33) in the CR and LR (shoreland) zones.

MEETING DATE: AUGUST 5, 2020

MEETING LOCATION: REMOTE ACCESS MEETING (1 MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19).

Zoom Virtual Meeting:

When: Aug 5, 2020 06:00 PM Eastern Time (US and Canada)

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International numbers available:
https://biddeford.zoom.us/u/ajXudpwdq

1. INTRODUCTION

The applicant is proposing to tear down and re-build the structure located at 26 Sea Spray Drive. The existing structure is non-conforming due to its proximity to the Atlantic Ocean. The Shoreland Zone off the Atlantic Ocean in this area is a Limited Residential (LR) Zone with a 100 foot setback from Highest Annual Tide determined to be 7.4' NAVD88.

The Board is required to determine if the structure to be rebuilt is the "Greatest Practical Extent" from the Resource. The Oceanside part of the existing structure is located within the 100' setback. The applicant has provided an application and plans to describe the nature of the lot and that due to setbacks and ledge it would be impractical. As such, the plans proposed represent I that if the existing structure were to be picked up and relocated on the lot, there would be nowhere else to put it than right back where it currently is.

The relevant section of the Shoreland Zoning Ordinance is Section 12.C.3 (Reconstruction or Replacement). The relevant considerations for Greatest Practical Extent are as follows (Section 12.C.2):

The Planning Board shall consider:

- *the size of the lot,*
- *the slope of the land,*
- *the potential for soil erosion,*
- *the location of other structures on the property and on adjacent properties,*
- *the location of the septic system and other on-site soils suitable for septic systems, and*
- *the type and amount of vegetation to be removed to accomplish the relocation.*

The setback in the CR Zone from Sea Spray Drive is 40'. Based on the survey, the existing structure is at its closest point, approximately 16' from Sea Spray Drive which is consistent, if not more than, some of the other structures on surrounding lots in the area. Any movement of the structure on the lot would also create the need for blasting which given to the predominance of ledge could negatively impact surrounding structures and water lines since the area is served by KKW Water.

Further, based on the need to locate the septic system and leachfield, the leachfield would be located between the new house and the road (see "Proposed Site Plan C-1.2) and the septic system itself would be on the opposite side of the house.

Source: http://gis.vgsi.com/BiddefordMEMap/index.html?pid=6428. Accessed date: 02/27/2020.

2. PROJECT DATA/INFORMATION

Note: HIGHLIGHTED information is pending.

	SUBJECT	***DATA/INFORMATION***
1.	Applicant:	Jesse Thompson 102 Exchange Street Portland, ME 04101
2.	Owner of Property:	John Campbell and Susanna Peyton 33 Muzzey Street Lexington, MA 02421
3.	Agent:	Jesse Thompson 102 Exchange Street Portland, ME 04101
4.	Surveyor:	Livingston-Hughes Professional Land Surveying Corporation 88 Guinea Road Kennebunkport, ME 04046
5.	Project Location:	26 Sea Spray Drive Biddeford, ME 04005
6.	Project Tax Map #/Lot #:	Tax Map 67, Lot 33
7.	Existing Zoning:	CR
8.	Overlay Zoning:	Limited Residential (LR) Shoreland Zone

9.	Existing Use:	Residential
10.	Proposed Use:	Residential
11.	Approvals Required:	Shoreland Zoning Approval – Greatest Practical Extent
12.	Uses in the Vicinity:	Residential, Single-family
13.	Dimensional Requirements:	New Residential Structure to be located the Greatest Practical Extent from the resource as depicted on the approved plans submitted by Kaplan Thompson Architects entitled "Campbell-Peyton Home", Sheet C-1.1 signed by the City Planner, considering all factors outlined in Section 12.C.2 of the Biddeford Shoreland Zoning Ordinance and subject to the Conditions of Approval approved by the Planning Board.
14.	Lot Size:	N/A
15.	Floodplain Status:	The property in the vicinity of the existing and proposed new structure is an VE Floodzone with Elevation 13.0 NGVD 1929 (Community Panel Number 230145 011 B).
16.	Waivers Needed:	a. None
17.	Waivers Granted:	a. None
18.	Variances Needed for Approval:	None.
19.	Other City Approvals Required:	Building Permits from the Biddeford Code Enforcement Office.
20.	Other Permits Obtained:	None.
21.	Other Non-City Permits Required:	Maine DEP NRPA Permit (possible)
22.	LDR Attachment A: Fees Paid:	Yes
23.	Plan Signature Authorization Delegated to City Planner:	Due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency and a statewide stay at home order, the Planning Board authorized the City Planner to sign the final plan on behalf of the Planning Board and the final plan once signed by the City Planner was deemed to have been signed by individual members of the Planning Board evidencing approval of the final plan.
24.	Planning Board Review History: Greatest Practical Extent Review:	August 5, 2020

3. EXISTING CONDITIONS

The existing lot has a single-family home on it.

4. PROJECT PROPOSAL

Reconstruction (construction) of a new house at 26 Sea Spray Drive.

5. STAFF REVIEW

a. ZONING: The proposed use (Residential) is a Permitted Use (P) in the CR Zone.

b. REVIEW STANDARDS: Greatest Practical Extent Standards (Article XIV, Section 12.C.2).

c. WAIVERS: None

d. OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO FINAL APPROVAL:

- Staff have no remaining issues regarding this project.

6. STAFF RECOMMENDATION

If the Board approves the project, Staff recommends doing so with the following Conditions of Approval attached:

1. **Trees removed in order to relocate a structure must be replanted with at least one native tree, three feet in height, for every tree removed. If more than five trees are planted, no one species of tree shall make up more than 50% of the number of trees planted. Replaced trees must be planted no further from the water or wetland than the trees that were removed. Other woody and herbaceous vegetation and ground cover that are removed or destroyed in order to relocate a structure must be reestablished. An area at least the same size as the area where vegetation and/or ground cover was disturbed, damaged, or removed must be reestablished within the setback area. The vegetation and/or ground cover must consist of similar native vegetation and/or ground cover that was disturbed, destroyed or removed.**
2. **Where feasible, when a structure is relocated on a parcel, the original location of the structure shall be replanted with vegetation which may consist of grasses, shrubs, trees, or a combination thereof.**
3. **Obtain required permits from Maine DEP and the Biddeford Code Enforcement.**
4. **This determination of Greatest Practical Extent shall expire one year from the date of approval if a substantial start is not made in construction. If a substantial start is made within one year of the issuance of the determination, the applicant**

shall have one additional year to complete the project, at which time any building permits shall expire.

7. NEXT STEPS/SUGGESTED ACTIONS

Consider making a determination that the proposal meets the criteria for being located to the Greatest Practical Extent away from the resource give the constraints presented.

8. SAMPLE MOTIONS

A. *Motion that due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency and a statewide stay at home order, the Planning Board authorizes the City Planner to sign the final plan on behalf of the Planning Board and declares that the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board evidencing approval of the final plan.*

B. *Motion to approve the Determination of Greatest Practical Extent for John Campbell and Susanna Peyton based on the approved plans for 26 Sea Spray Drive (Tax Map 63, Lot 33), and approve the findings of fact based on the conditions recommended by Staff in its report dated July 30, 2020.*

C. *Motion to deny Determination of Greatest Practical Extent for Campbell and Peyton based upon the following reasons:*
*a)*_____
*b)*_____

D. *Motion to table the Determination of Greatest Practical Extent for Campbell and Peyton to allow the applicant to address the outstanding issues identified by Staff and the Board.*

ATTACHMENTS

1. Applicant's Cover Letter, Application, and Plans
2. Draft Findings of Fact.

FINDINGS OF FACT AND CONCLUSIONS OF LAW
SHORELAND ZONING DETERMINATION OF GREATEST PRACTICAL EXTENT

Pursuant to the provisions of the City of Biddeford Land Development Regulations Article XIV, Shoreland Zoning, the Biddeford Planning Board has considered the application of John Campbell and Susanna Peyton, including supportive data, public hearing testimony and related materials contained in the record. Based on Public Comment and Staff's review and recommendation, the Planning Board makes the following Findings of Fact and Conclusions of Law:

Findings of Fact:

	SUBJECT	***DATA/INFORMATION***
1.	Applicant:	Jesse Thompson 102 Exchange Street Portland, ME 04101
2.	Owner of Property:	John Campbell and Susanna Peyton 33 Muzzey Street Lexington, MA 02421
3.	Agent:	Jesse Thompson 102 Exchange Street Portland, ME 04101
4.	Surveyor:	Livingston-Hughes Professional Land Surveying Corporation 88 Guinea Road Kennebunkport, ME 04046
5.	Project Location:	26 Sea Spray Drive Biddeford, ME 04005
6.	Project Tax Map #/Lot #:	Tax Map 67, Lot 33
7.	Existing Zoning:	CR
8.	Overlay Zoning:	Limited Residential (LR) Shoreland Zone
9.	Existing Use:	Residential
10.	Proposed Use:	Residential
11.	Approvals Required:	Shoreland Zoning Approval – Greatest Practical Extent
12.	Uses in the Vicinity:	Residential, Single-family
13.	Dimensional Requirements:	New Residential Structure to be located the Greatest Practical Extent from the resource as depicted on the approved plans submitted by Kaplan Thompson Architects entitled "Campbell-Peyton Home", Sheet C-1.1 signed by the City Planner, considering all factors outlined in Section 12.C.2 of the Biddeford Shoreland Zoning Ordinance and subject to

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		the Conditions of Approval approved by the Planning Board.
14.	Lot Size:	N/A
15.	Floodplain Status:	The property in the vicinity of the existing and proposed new structure is an VE Floodzone with Elevation 13.0 NGVD 1929 (Community Panel Number 230145 011 B).
16.	Waivers Needed:	a. None
17.	Waivers Granted:	a. None
18.	Variances Needed for Approval:	None.
19.	Other City Approvals Required:	Building Permits from the Biddeford Code Enforcement Office.
20.	Other Permits Obtained:	None.
21.	Other Non-City Permits Required:	Maine DEP NRPA Permit (possible)
22.	LDR Attachment A: Fees Paid:	Yes
23.	Plan Signature Authorization Delegated to City Planner:	Due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency and a statewide stay at home order, the Planning Board authorized the City Planner to sign the final plan on behalf of the Planning Board and the final plan once signed by the City Planner was deemed to have been signed by individual members of the Planning Board evidencing approval of the final plan.
24.	Planning Board Review History: Greatest Practical Extent:	August 5, 2020

Conclusions of Law:

1. The Planning Board has determined that based on the following factors, as outlined in Article XIV (Shoreland Zoning), Section 12.C.2. (Land Use Standards) of the Land Development Regulations, the approved plan for John Campbell and Susanna Peyton demonstrates the limits of the Greatest Practical Extent setback from the resource:

    a. The size of the lot limits the ability to locate further from the resource;
    b. The slope of the land limits the ability to locate further from the resource;
    c. The potential for soil erosion limits the ability to locate further from the resource;
    d. The location of other structures on the property and on adjacent properties limits the ability to locate further from the resource;

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e. The location of the septic system and other on-site soils suitable for septic systems limits the ability to locate further from the resource; and
f. The type and amount of vegetation to be removed to accomplish the relocation limits the ability to locate further from the resource.

Determination:

Based on the evidence available and the conclusions above, the Biddeford Planning Board grants the determination of the Greatest Practical Extent for John Campbell and Susanna Peyton for the proposed project summarized above, located at Map 67, Lot 33 City of Biddeford Tax Maps, in accordance with the submitted application, supporting data, representations made, other related materials on file, and the following Conditions of Approval:

Conditions of Approval:

1. **Trees removed in order to relocate a structure must be replanted with at least one native tree, three feet in height, for every tree removed. If more than five trees are planted, no one species of tree shall make up more than 50% of the number of trees planted. Replaced trees must be planted no further from the water or wetland than the trees that were removed. Other woody and herbaceous vegetation and ground cover that are removed or destroyed in order to relocate a structure must be reestablished. An area at least the same size as the area where vegetation and/or ground cover was disturbed, damaged, or removed must be reestablished within the setback area. The vegetation and/or ground cover must consist of similar native vegetation and/or ground cover that was disturbed, destroyed or removed.**
2. **Where feasible, when a structure is relocated on a parcel, the original location of the structure shall be replanted with vegetation which may consist of grasses, shrubs, trees, or a combination thereof.**
3. **Obtain required permits from Maine DEP and the Biddeford Code Enforcement.**
4. **This determination of Greatest Practical Extent shall expire one year from the date of approval if a substantial start is not made in construction. If a substantial start is made within one year of the issuance of the determination, the applicant shall have one additional year to complete the project, at which time any building permits shall expire.**

_____
Planning Board Chairman

_____
Date

102 Exchange Street Portland, ME 04101 | (207) 842-2888 | kaplanthompson.com

July 28th, 2020

City of Biddeford, Planning & Development
205 Main Street
Biddeford, ME 04005

RE: 26 Sea Spray Drive Single Family Home
Shoreland Zoning: Replacement of Nonconforming Structure, Shoreland Ordinance Section 12

The proposed project comprises of the reconstruction-in-place of an existing single family home at 26 Sea Spray Drive. The project is located in the Coastal Residential Zone and the current structure is nonconforming with the required setbacks. The proposed home places the foundation in the same location as the existing house for the majority of the foundation. The existing foundation was evaluated by a structural engineer and was deemed structurally unsound so it will need to be replaced.

The proposed structure does not encroach any closer to the water. We evaluated the possibility of moving the structure up the slope and outside of the 100 ft. setback from the 7.4 NAVD 88 line. Due to front setbacks, substantial ledge in the site that would require blasting to relocate the structure and to prevent disruption to city water lines, every attempt has been made to retain a house in substantially the same location as the existing structure.

The proposed structure does not encroach any closer to the water than the existing structure and increases the side yard setback by 2'-0" on the North side. We are requesting a review from the Planning Board that the replacement structure meets the required setbacks to the greatest practical extent.

All native plantings will be used and invasive species are to be removed.

Enclosed with this cover letter are the following:

1. Application for Shoreland Zoning Permit
2. Project drawings, including:
    i. Survey
    ii. Site diagrams showing existing and proposed structures

Please contact with any questions and we thank you for your attention on this project.

Sincerely,

Jesse Thompson, Maine Licensed Architect
Kaplan Thompson Architects

Kaplan Thompson Architects

CITY OF BIDDEFORD, MAINE
PLANNING BOARD

P.O. Box 586, 205 Main Street Biddeford, Maine 04005
207-284-9115

APPLICATION FORM

Type of Application:

- [x] Shoreland Zoning Permit
- [ ] Site Plan Review
- [ ] Extraction
- [ ] Conditional Use Permit
- [ ] Subdivision
- [ ] Private Way
- [ ] Other: _____

Applicant Information:

Applicant's Name: Jesse Thompson

Applicant's Mailing Address: 102 Exchange Street Portland, ME 04101

Applicant's Telephone: 207-842-2888

What is Applicant's legal interest in the property?

- [ ] Owner
- [ ] Potential Buyer with Contract
- [ ] Lease/Rental Agreement

Owner's Name: John Campbell, Susanna Peyton

Owner's Address: 33 Muzzey Street Lexington, MA 02421

Owner's Telephone: 617-496-6448

Agent's Name: Jesse Thompson

Agent's Address: 102 Exchange Street Portland, ME 04101

Telephone: 207-842-2888

Engineer/Surveyor: Livingston-Hughes Professional Land Surveying Corporation

Engineer/Surveyor's Address: 88 Guinea Road Kennebunkport, ME 04046

Telephone: 207-967-9761

Project Location and Lot Information:

Street Address: 26 Sea Spray Drive Biddeford, ME

Tax Map: 230145 Lot: Panel 0011B, Lot 17, Book 17968 Page 213

Current Zoning: _____ Shoreland Zoning: CR - Coastal Residential

Size of lot: 21,241 SF ☐ acres ☒ s.f. Lot Frontage: Shore: +/- 242 ft, refer to survey

Existing Use of Property: Single Family Residential

Property currently serviced by:

- ☐ City Road
- ☐ Public Sewer
- ☒ Public Water
- ☐ Public Trash
- ☒ Private Road Association
- ☐ Septic System
- ☐ Private Well
- ☐ Private Hauler

Slope Conditions in Area of Construction (if applicable):

☐ Flat (0-3 % slope) ☐ Rolling (3-8% slope) ☒ Hilly (8-15% slope) ☐ Steep (15% + slope)

Are there any wetlands or waterbodies on the site? ☒ Yes ☐ No If yes, attach information

Do you plan to bring fill onto the lot? ☒ Yes ☐ No If yes, attach information

Description of proposed use of property:

Project/Proposed Use Description:

Replacement-in-place Single Family Residential home. Existing foundation was evaluated by structural engineer and is in need of replacement. The new structure does not encroach any closer to the water than the existing building and meets the height limitations for the 75ft-100ft setback and beyond the 100ft setback. The proposed structure reduces the lot coverage and has 471 SF of green roofing system.

Property to be serviced by:

- ☐ City Road
- ☐ Public Sewer
- ☒ Public Water
- ☐ Public Trash
- ☒ Private Road Association
- ☒ Septic System
- ☐ Private Well
- ☐ Private Hauler

Is this project part of a larger project? ☐ Yes ☒ No

☐ If in a Shoreland Zone:

Percent of residential lot coverage (Max. 20%): Existing Lot Coverage: 30.5%

Percent of structure expansion (Max. 30%): Proposed Lot Coverage: 27.4%

☐ If Subdivision Review, number of lots proposed: _____

☐ If a Private Way is proposed, number of lots served: _____

☐ **If Site Plan Review, you must provide the following information:**

Total new square feet footprint of structures: _____

Total new square feet paving/parking: _____

Waiver Requests (attach details):

1. _____
2. _____
3. _____
4. _____
5. _____

Attachments:

A. Letters of Approval

☐ Fire Department - Contact Chief or Deputy Chief - 282-9986

☐ Ability to Serve for Water Service – Maine Water - 282-1543

☐ Ability to Serve for Sewer Service- Engineering Dept (Sewer) - Tom Milligan 284-9118

☐ Police Department - E-911 Road Name Designation - Contact Joanne Fisk - 282-5127

B. Letter to Planning Board describing project, waiver requests, proposed improvements, addressing permit requirements, etc.

C. Photographs of site.

D. Architectural renderings/drawings of proposed buildings, as required.

E. Engineered Plans, as required.

Fees (due at time of application):

Refer to "Attachment A Fees and Charges" of the Land Development Regulations for more information. Consult with Planning Staff if you have questions.

Required Signatures:

By signing this application, as the foresaid applicant or authorized agent:

- I certify that I have read and completely understand the application;
- I certify that the information contained in this application and it's attachments are true and correct;
- I understand that all information provided on this form and all other documents submitted as part of my proposal is a matter of public record;
- I understand that copies of this information may be supplied upon request to an interested party.
- I understand that additional funds may be required through the course of review for special studies, legal review costs, and/or engineering review.
- I understand that by submitting this application I am not guaranteed a place on any particular agenda. I further understand that the City Planner will place me on an agenda for review when the application is deemed substantially complete.

☐ Project proposed to have 1 acre or more of site disturbance:

-Project may need to apply for a Maine Construction General Permit and shall comply with the requirements of DEP Chapter 500 Stormwater Regulations, as they apply.

Signature of applicant: _____ Date: 07/14/2020

Signature of owner of property: John Campbell Date: 7/14/20

IF PLAN APPROVAL IS ANTICIPATED, PROVIDE 2 FULL SIZE MYLARS & 2 FULL SIZE PAPER COPIES FOR BOARD SIGNATURE (AS APPLICABLE). CHECK WITH PLANNING STAFF FOR CLARIFICATION.

CHECKLIST FOR *SITE PLAN* REQUIREMENTS

YES	NO	
☐	☐	Be on sheet size of 24 by 36 inches.
☐	☐	The scale of said plan shall be not less than one inch equals 50 feet and shall be indicated on the plat by use of a bar scale.
☐	☐	The plan shall bear the date, title, north point.
☐	☐	The plan shall contain a location or vicinity sketch (suggested scale one inch equals 800 feet).
☐	☐	The plan shall contain the name and address of the developer and applicant.
☐	☐	All appropriate dimensional requirements.
☐	☐	Existing and proposed easements.
☐	☐	Plan of the site showing existing watercourses and water bodies, seasonal wet areas.
☐	☐	Plan of the site showing soil type and location of test borings.
☐	☐	Location of all existing and proposed utilities.
☐	☐	Topographic contours (every five percent for zero to three percent slope; or every two feet for steeper areas).
☐	☐	Plan should include preservation and supplementation of existing dominant vegetation.
☐	☐	Plan shall indicate which features are to be retained and which are to be removed or altered.
☐	☐	Location of stonewalls, graveyards, fences, stands of trees, and other important unique natural areas and site features, including but not limited to floodplains, deer wintering areas, significant wildlife habitats, fisheries, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, sand and gravel aquifers, and historic and/or archaeological resources, together with description of such features.
☐	☐	Plan view of all buildings with their use, size, location, and first-floor elevation in respect to grade.
☐	☐	Standard elevation view of existing and proposed buildings or structures on-site.

YES	NO	
☐	☐	Outline of any buildings located within 200 feet of such existing or proposed buildings or structures indicating their shape, size, location, heights and volume.
☐	☐	Existing use of abutting properties shall be identified with approximate location of any structures thereon including access roads.
☐	☐	Location, width, curbing, and paving of access ways, egress ways, and streets within the site for both pedestrian and vehicular use.
☐	☐	The location of off-street parking and loading spaces with a layout of the parking indicated.
☐	☐	The size and proposed location of water mains and sanitary sewerage facilities will all necessary engineering data.
☐	☐	The size and location of all other existing and proposed public service connections including, without limitation, gas lines, power lines, telephone lines, and fire alarm connections and locations, indicating whether above or below ground.
☐	☐	The type, nature, and composition of all solid, liquid, and gaseous waste, industrial or otherwise, and the location, type, and design criteria of the storage and disposal facilities dealing with such waste.
☐	☐	A landscape plan and open space areas indicating grade change, vegetation to be preserved, new plantings used to stabilize areas of cut and fill, screening; plus size, location, purpose and type of vegetation.
☐	☐	A drainage plan including location, elevation, layout of catch basins and other surface and subsurface drainage features.
☐	☐	Location, size and design of proposed signs and other advertising or instructional devices.
☐	☐	Existing and proposed contours and finished grade elevations as well as the type, extent, and location of existing and proposed landscaping and open space areas which will be retained.
☐	☐	Location and type of lighting for outdoor facilities.
☐	☐	Lines of existing and proposed abutting streets showing width.
☐	☐	Surveyed property lines showing their bearing and distances and monument locations.
☐	☐	If subdivision is involved, the lines and names of all proposed streets, lanes, ways, or easements intended to be dedicated for public or private use.

YES	NO	
☐	☐	Provide copies of any covenants or restrictions that are intended to cover all or part of the land area to be developed.
☐	☐	Indicate limits of the wetland areas on the property.
☐	☐	Delineate existing zoning boundaries within 1,000 feet of the site.
☐	☐	Stamp and signature of either a Maine licensed land surveyor, professional engineer, or architect responsible for said plan.
☐	☐	Any other exhibits or data deemed necessary by the Planning Board to evaluate the proposed development for site plan review purposes.

	C-1.0	SURVEY
ARCHITECTURAL		
	C-1.1	EXISTING & PROPOSED
	C-1.2	PROPOSED SITE PLAN
	C-1.4	EXISTING PHOTOGRAPHS

Campbell-Peyton Home

Project Information

CLIENTS	John Campbell and Susanna Peyton
ARCHITECT	Kaplan Thompson Architects
CONTRACTOR	Bowley Builders
MAP/LOT	Map 230145, Panel 0011B, Lot 17, Book 17968 Page 213
PROJECT ADDRESS	26 Sea Spray Drive Biddeford, Maine

Zoning Information

ZONING	CR - Coastal Residential
MIN. FRONT YARD SETBACK	25'-0"
MIN. REAR YARD SETBACK	25'-0"
MIN. SIDE YARD SETBACK	25'-0"
MAX. BUILDING HEIGHT	25'-0" (75ft -100ft coastal setback) 35'-0"(+100ft coastal setback)
BUILDING CODE	IRC 2015
OCCUPANCY	Single Family Residential

Existing Structure

EXISTING OCCUPANCY:	Single Family
EXISTING BUILDING HEIGHT:	3-Story
EXISTING LOT COVERAGE:	30.5%

Proposed Structure

PROPOSED OCCUPANCY:	Single Family
PROPOSED BUILDING HEIGHT:	3-Story
PROPOSED LOT COVERAGE:	27.4%

Kaplan Thompson Architects
102 Exchange Street
Portland, ME 04101
(207) 842-2888
kaplanthompson.com

PROJECT
Campbell-Peyton Home

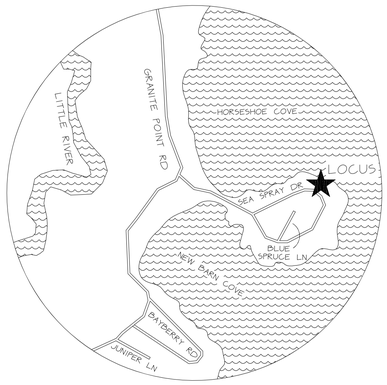
Sea Spray Lane
Biddeford, ME 04005

PLANNING BOARD

PROJECT	*CAM2*
DATE	*07/10/20*
REVISED 1	
REVISED 2	
DRAWN BY	*DF, RR, GM*
PHASE	*PLANNING BOARD*

COVER SHEET

LOCATION SKETCH



(NOT TO SCALE)

COVERAGE CHART

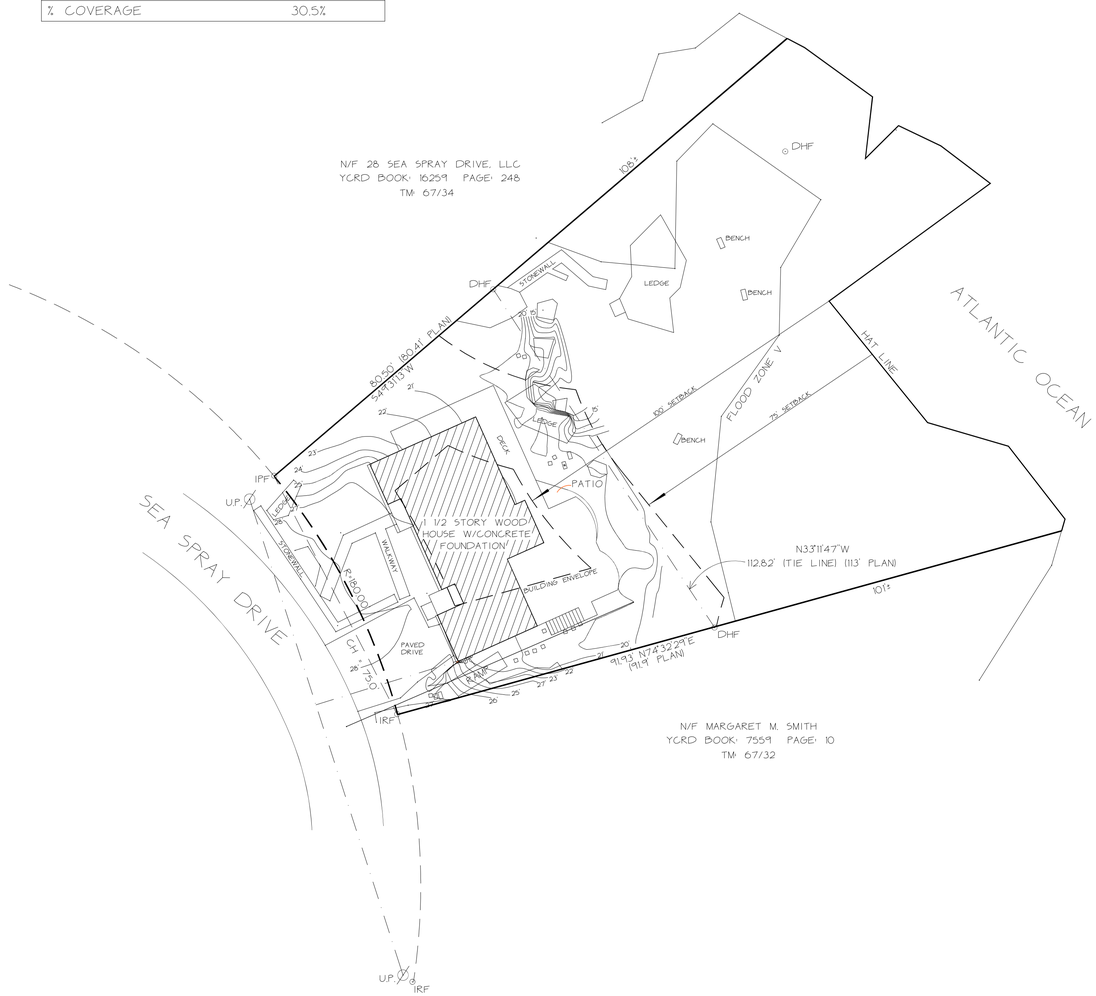
HOUSE + PATIO	2995 SQ.FT.
DRIVEWAY + WALKWAYS	506 SQ.FT.
STONE WALLS	184 SQ.FT.
TOTAL COVERAGE	3685 SQ.FT.
OVERALL LOT AREA	21241 SQ.FT.
ROCKY COASTLINE AREA (LESS)	8377 SQ.FT.
GROSS LOT AREA	12864 SQ.FT.
NON-VEGETATED AREAS (LESS)	792 SQ.FT.
NET LOT AREA	12072 SQ.FT.
% COVERAGE	30.5%

LOCUS DEED REFERENCE

YORK COUNTY REGISTRY OF DEEDS (YCRD)
BOOK: 17968 PAGE: 213

PLAN REFERENCES

1. PLAN SHOWING A PORTION OF THE PROPERTY OF KIRKLAND S. AND RUTH E. GOURLEY, SECTION NO 2, GRANITE POINT - BIDDEFORD - MAINE, PERFORMED BY LIBBY + DOW, DATED NOVEMBER 12, 1964, AND RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS PLAN BOOK 41, PAGE 4.



NOTES

1. ELEVATIONS:
GARAGE SLAB - 28.29'
1ST FLOOR - 29.35'
ROOF PEAK - 48.46'
BASEMENT - 20.85'

2. THE AREA OF THE LOT IS CALCULATED TO THE EDGE OF THE ROCKY COASTLINE, PER BIDDEFORD CEO.

3. THE LOCUS PARCEL IS SHOWN ON FEMA FLOOD INSURANCE RATE MAP 230145, PANEL 0011B. THE LOT IS SUBJECT TO THE VELOCITY FLOOD ZONE, AS DELINEATED HEREIN.

4. THE LOT IS WITHIN THE COASTAL RESIDENTIAL ZONE. BUILDING SETBACKS ARE:

FRONT - 25 FEET
SIDE - 25 FEET
REAR - 25 FEET

5. THE HAT LINE SHOWN IS 7.4' NAVD88

LEGEND

N/F - NOW OR FORMERLY
TM - TAX MAP
IPF - IRON PIPE FOUND
IRF - IRON ROD FOUND
DHF - DRILL HOLE FOUND
U.P. - UTILITY POLE

GRAPHIC SCALE: 1" = 20'

0 10 20 40 60 80

REVISION NO.	DATE	REVISION PURPOSE
1	12-24-19	REVISE SETBACK, CHANGE COVERAGE CHART
2	07-10-20	CHANGE COVERAGE, INCLUDE 75' SETBACK

STATE OF MAINE
DAVID L. J. HUGHES
#2234
PROFESSIONAL
LAND SURVEYOR

RETRACEMENT SURVEY OF LOT 17

"PLAN OF KIRKLAND S. AND RUTH E. GOURLEY
SECTION NO. 2 - GRANITE POINT"

26 SEA SPRAY DRIVE, BIDDEFORD, MAINE

MADE FOR
OWNER OF RECORD:

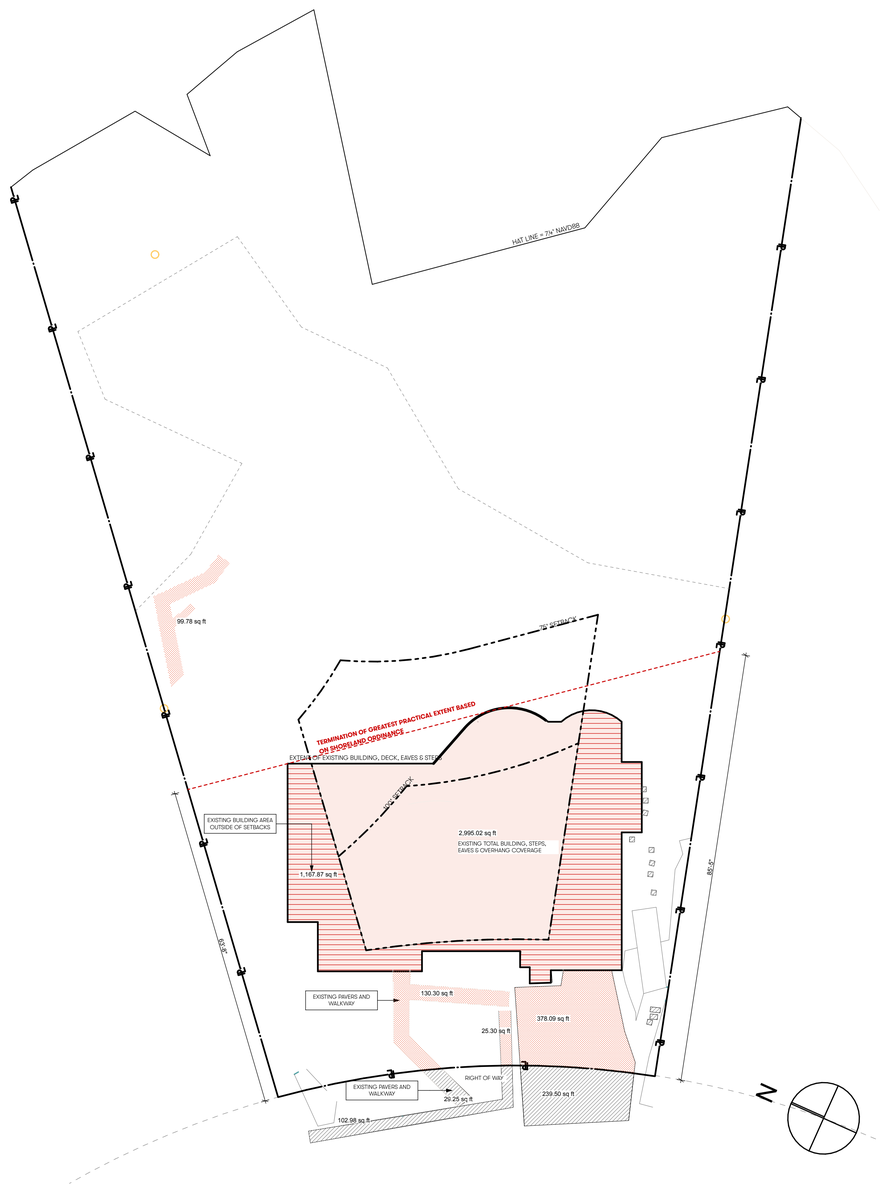
JOHN Y. CAMPBELL AND SUSANNA PEYTON

MAILING ADDRESS: 26 SEA SPRAY DRIVE, BIDDEFORD, MAINE 04005

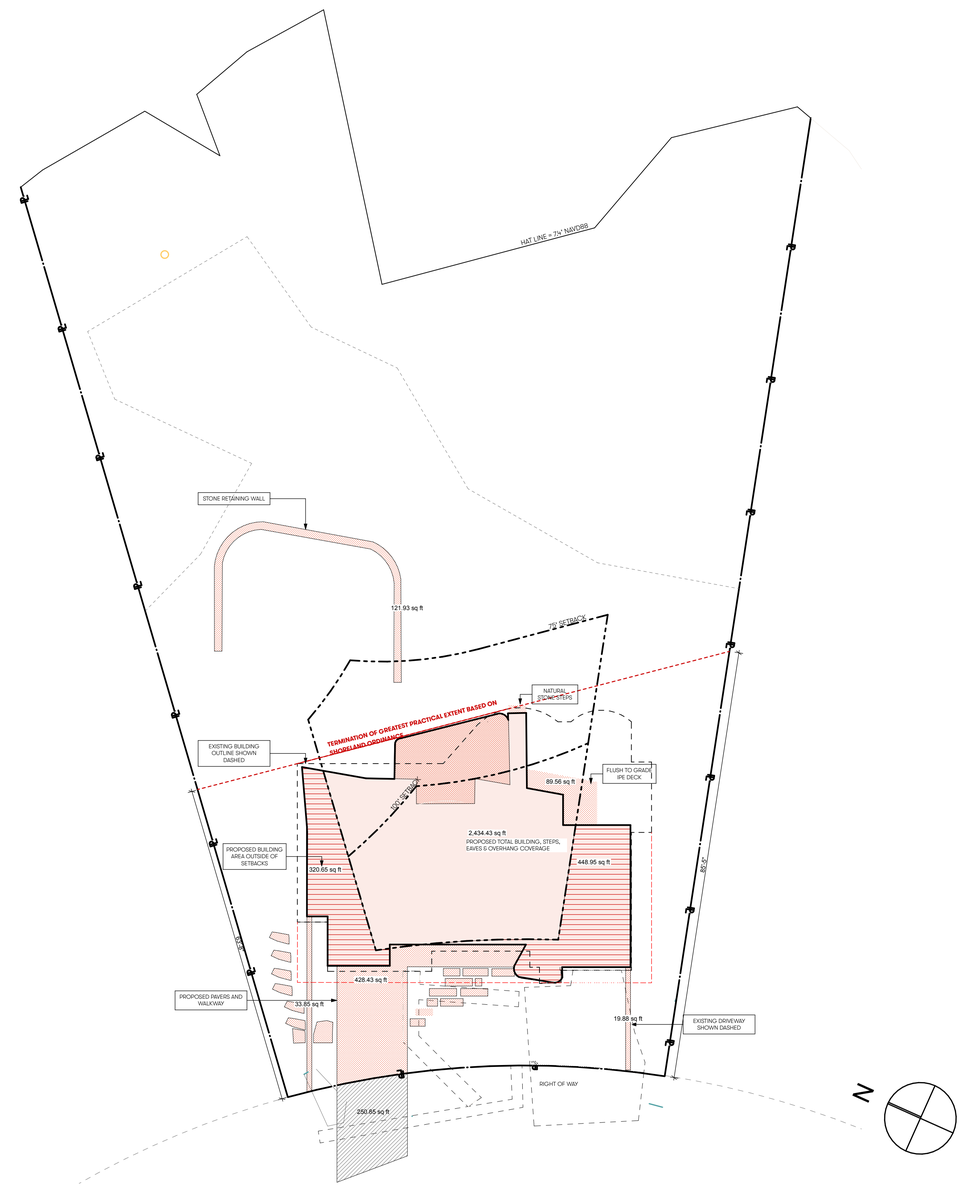
BY

LIVINGSTON-HUGHES
PROFESSIONAL LAND SURVEYING CORPORATION
88 GUINEA ROAD, KENNEBUNKPORT, MAINE 04046

REVISION NO.						
2	DAVID L.J. HUGHES PLS# 2234	DATE: 08-28-2019	DRAWN: EJH	CHECK: DLJH	FIELD BOOK: 1035-39	PROJECT: 19-043



1 EXISTING BUILDING
SCALE: 1:170.67



2 PROPOSED BUILDING
SCALE: 1:170.67

NOTE: This plan is signed by the City Planner on behalf of the Biddeford Planning Board and shall be deemed to have been signed by the individual members of the Planning Board evidencing approval of the final plan.

CITY PLANNER DATE

"Greg Tansley, City Planner, duly authorized to sign on behalf of the Biddeford Planning Board.

Kaplan Thompson Architects
102 Exchange Street
Portland, ME 04101
(207) 842-2888
kaplanthompson.com

PROJECT

Campbell-Peyton Home

26 Sea Spray Lane
Biddeford, ME 04005

STRUCTURAL
Albert Putnam Associates
183 Park Row
Brunswick, ME 04011
p: 207-299-2248

LANDSCAPE ARCHITECT
Soren Deniord Design Studio
43 Wellwood Rd
Portland, ME 04103
p: 270-400-2450

GENERAL CONTRACTOR
Bowley Builders
86 York Street
Kennebunk, ME 04043
p: 207-959-3646

SEPTIC DESIGN
Albert Frick Associates
380B Main St
Gorham, ME 04038
p: 207-839-5563

FOR PERMIT	
PROJECT	CAM2
DATE	07/10/20
REVISED 1	
REVISED 2	
DRAWN BY	DF, RR, GM
PHASE	PERMIT

EXISTING & PROPOSED
C-1.1

1 SITE PLAN
SCALE: 1" = 10'

0 5' 10' 20'

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FOR PERMIT

PROJECT	*CAM2*
DATE	*07/10/20*
REVISED 1	
REVISED 2	
DRAWN BY	*DF, RR, GM*
PHASE	*PERMIT*

PROPOSED SITE PLAN
C-1.2

EXISTING DECK/LOWER LEVEL

EXISTING BUILDING - FROM OCEAN

EXISTING REAR DECK

EXISTING NORTH SIDE YARD/DECK

EXISTING BUILDING - STREET SIDE

EXISTING SOUTH SIDE YARD

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FOR PERMIT

PROJECT	*CAM2*
DATE	*07/10/20*
REVISED 1	
REVISED 2	
DRAWN BY	*DF, RR, GM*
PHASE	*PERMIT*

EXISTING PHOTOGRAPHS

C-1.4

CITY OF BIDDEFORD

2019.24

Planning and Development Department

Greg D. Tansley, A.I.C.P.
City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207) 282-7119 or (207) 284-9115
Greg.Tansley@biddefordmaine.org

PLANNING BOARD REPORT

TO: William Southwick, Chair & Members of the Biddeford Planning Board

FROM: Greg Tansley, A.I.C.P., City Planner

DATE: July 30, 2020

RE: NEW BUSINESS ITEM #B: 2019.24 The Final Subdivision Review and Conditional Use Permit for Peter A. Mourmouras to create a 6-lot Cluster Subdivision off River Road (Tax Map 6, Lot 49) in the R-F zone.

MEETING DATE: AUGUST 5, 2020 @ 6:00 PM

MEETING LOCATION: REMOTE ACCESS MEETING (1 MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19).

Zoom Virtual Meeting:

When: Aug 5, 2020 06:00 PM Eastern Time (US and Canada)

Please click the link below to join the webinar:
https://biddeford.zoom.us/j/95265661354

Or iPhone one-tap :
US: +16465588656,,95265661354# or +13017158592,,95265661354#
Or Telephone:
Dial(for higher quality, dial a number based on your current location):
US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799
Webinar ID: 952 6566 1354
International numbers available:
https://biddeford.zoom.us/u/ajXudpwdq

1. INTRODUCTION:

NOTE: The Item was tabled at the last Planning Board Meeting to allow the Applicant to clean up (and tighten up) the Agriculture and Conservation Easement to ensure that only those uses outlined (agricultural and conservation/open space) can occur here, and other uses such as trailer and boat storage, cannot occur on this property unless directly related to the agricultural uses.

The City Attorney has reviewed the amended proposed easement and other than correcting a spelling typo, is comfortable that based on the intent to be agriculture and conservation the Easement as proposed will ensure such in perpetuity. The easement is included in the packet.

The applicant proposes and 6 Lot Subdivision of River Road in the RF zone. A new road is proposed with all lots having access off of it and with the open space to the south of the new road identified on the Concept Cluster Plan as Part Of Lot 6.

At the August 2019 meeting, the Board determined that this subdivision was a Major Subdivision.

The applicant received a waiver for the requirement of a sidewalk allowing the road to be accepted by the City Council with a 3' paved walkway on one side of the road, in addition to the shoulders. The road has been re-designed accordingly.

At the last Planning Board Meeting, the applicant received a waiver from the Planning Board for the requirements of a Wildlife Study.

Included in the packet (online) is the review Summary from the 3rd Party Engineer, with a response with highlights indicating that those items were addressed. Any remaining items I have included as suggestions for Conditions of Approval and none appear to me to be issues that would affect the subdivision Plan itself.

2. PROJECT DATA/INFORMATION:

Note: HIGHLIGHTED information is pending.

	SUBJECT	***DATA/INFORMATION***
1.	Applicant:	Peter A. Moumouras 30 Saco Avenue Old Orchard Beach, ME 04064-2243
2.	Owner of Property:	Peter A. Moumouras 30 Saco Avenue Old Orchard Beach, ME 04064-2243
3.	Agent:	Jason Vafiades, P.E.

		Atlantic Resources Consultants 541 US Route One, Suite 21 Freeport, ME 04032
4.	Engineer/Architect:	Jason Vafiades, P.E. Atlantic Resources Consultants 541 US Route One, Suite 21 Freeport, ME 04032
4.	Project Location:	0 River Road
5.	Project Tax Map #/Lot #:	Tax Map 6, Lot 49
6.	Existing Zoning:	R-F
7.	Overlay Zoning:	None
8.	Existing Use:	Vacant
9.	Proposed Use:	6-lot Subdivision, including "Open Space"
10.	City Approvals Required:	Subdivision
11.	Uses in the Vicinity:	Residential
12.	Parcel Size:	12.01 acres
13.	Number of Lots/Units in Subdivision:	6 Residential Lots, including the "Open Space"
14.	Minimum Lot Size Required: Provided:	20,000 SF Lot 1: 82,280 SF Lot 2: 29,627 SF Lot 3: 34,533 SF Lot 4: 32,320 SF Lot 5: 39,018 SF Lot 6: 54,916 SF
15.	Frontage Required:	100'
16.	Front Setback Required:	25' (75' Buffer)
17.	Side Setbacks Required:	15' (20' Buffer)
18.	Rear Setback Requires:	15' (20' Buffer)
19.	Height Requirements:	Maximum 35'
20.	Water Supply:	Drilled Private Wells
21.	Sewerage Disposal:	On-site Private Septic Systems
22.	Solid Waste Disposal:	Private unless accepted by the City of Biddeford or otherwise approved for City collection.
23.	Fire Protection:	City of Biddeford
24.	Floodplain Status:	None
25.	Wetland/Surface Water Impacts:	Per plan.
26.	Soil Study Provided:	HISS provided and Test Pit data provided.

29.	Ownership of Road:	River Road is a City Street
32.	Estimated Site Development Costs:	TBD
33.	Financial Capacity Letter:	The applicant has indicated the project will be self-financed.
34.	Waivers Needed:	a. Wildlife study
35.	Waivers Granted:	a. Wildlife study
36.	Variances Needed for Approval:	None
37.	Other Permits Obtained:	None
38.	Other Non-City Permits Required:	None
39.	Covenants, By-laws, Restrictions Required by the Planning Board:	None
40.	LDR Attachment A: Fess Paid:	All Fees Paid
41.	Planning Board Review History: Conceptual Review: Preliminary Review: Final Review: 2nd Final Review:	 August 21, 2019 March 4, 2020 July 1, 2020 – Tabled for Addiitonal Easement Work and Review August 5, 2020

3. <u>EXISTING CONDITIONS:</u>

The project site is currently vacant and is located west of River Road.

Source: "0 River Road". http://gis.vgsi.com/BiddefordMEMap/index.html?pid=847. Accessed Date: 08/08/2019.

4. PROJECT PROPOSAL:

6 Lot Cluster Subdivision. See attached Applicant's submittal for more information.

5. REVIEW HISTORY:

Conceptual Review:	August 21, 2019
Preliminary Review:	March 24, 2020
Final Review:	July 1, 2020 (tabled)
2nd Final Review:	August 5, 2020

6. STAFF REVIEW:

b. ZONING: The proposed use is a Conditional Use permitted in the R-F.

c. REVIEW STANDARDS: Performance Standards for Cluster Subdivisions and Subdivision Review.

d. WAIVERS: Granted: Wildlife Study (Article VI, Section 70)

e. OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO APPROVAL:

1. Identify on the signature plan an 20' vegetated buffer to remain around the mother parcel for the Subdivision. Show on plans.

7. STAFF RECOMMENDATION:

- Recommend the Board grant the waiver described above to allow the City Planner to sign the plan on the board's behalf.

- If the applicant has addressed the outstanding items to the satisfaction of the Board, and Board approves the project, Staff recommend doing so with the following Conditions of Approval attached:

1. **Prior to any ground disturbance/site work the following must be completed:**
   a. **A pre-construction meeting with all the contractors needs to be held with the Engineering Department to discuss inspection requirements.**
   b. **Erosion Control/Site Stabilization Bond of an amount to be determined by the Planning Department must be submitted.**
   c. **The applicant must submit a recorded copy of the subdivision plan to the Planning Department.**
   d. **Best management practices shall be adhered to during all ground disturbance operations.**
2. **Prior to the sale or conveyance of a lot/unit or issuance of any building permits:**
   a. **A performance guarantee (acceptable to the Engineering Office) in the amount of 150% of the remaining improvements (amount to be determined by the Planning Department) shall be submitted to the Planning Department.**
   b. **If the street is still private at the time a building permit is requested the driveway location needs to be approved of by the Planning Department to ensure compliance with the plan and City requirements prior to issuance of any permits.**
   c. **If the street is still private at the time a building permit is requested a copy of the registered homeowner's association documents must be provided to the Planning Department.**
   d. **Regardless of street acceptance, prior to recording the applicant shall provide the final version of the HOA to the City for approval. Other than the street, the fire suppression tank, stormwater facilities, open space, and all other commonly held property shall be the sole responsibility of the HOA for maintenance and improvements.**
3. **Prior to commencing any work in the City Right-of-Way the applicant must obtain a road-opening permit from the Public Works Department.**
4. **Prior to City acceptance of the road:**
   a. **The Homeowner's Association shall be responsible for the handling of trash collection and disposal (private curbside or private dumpster) until such time as the City has accepted the Street as a Public Street. No**

trash is permitted to be hauled to the intersection of River Road for City collection. Alternatively, the residents/lot owners may petition the Public Works Department for curbside trash collection on a private road.

b. All Monuments shall be Granite.

5. All street lighting shall be approved by the City of Biddeford.

6. Street trees shall not be installed in the street ROW and shall not be the responsibility of the City regardless of road acceptance.

7. All erosion and sediment control measures need to be installed. The applicant shall notify the Engineering Department once installed so that Staff may inspect said installation, as necessary.

8. The Department of Public Works shall approve the final layout and design of the turnaround, including final guardrail location and placement of lighting. A minimum 4' separation shall be required between the edge of pavement and the guardrail.

9. The 3' Walkway shall be striped with a minimum 4" striped white line.

10. The concrete mix for the concrete slipform curbing shall include cold weather/ice resistant additive. The Department of Public Works to approve the concrete mix prior to installation.

11. Roadway slipform concrete curbing shall be sloped.

12. All curbing with the existing River Road ROW shall be granite unless otherwise approved by the Department of Public Works.

13. The applicant shall obtain all other pertinent local, state and federal permits, licenses, and insurance such as blasting, building, electrical, plumbing, etc., prior to commencing business, unless authority issuing said permit allows for such actions.

14. Applicant/Owner shall provide a perpetual deeded easement for access from River Road to the fire suppression tanks. The easement (acceptable to the City) shall be recorded at the York County Registry of Deeds. If the road becomes a City street, this area may also be included in the road ROW, subject to approval by the City. Coordinate with the Department of Public Works and Fire Department.

15. Once completed, as-built drawings of the site shall be provided to the Planning Department. The project engineer shall certify that the project has been completed as per the approved plans or shall note any deviations from the approved plans on the as-built drawings. Acceptance of the Road will not be considered without the City having been provided acceptable as-builts and project engineer certification of the completeness of the project.

16. Copies of the maintenance logs for the stormwater facilities shall be submitted to the City for each calendar year no later than January 15th of the following year. If the Engineering Department does not receive these copies within 30 days after the deadline, the applicant may be required to return to the Planning Board for further review.

17. Standard Conditions of Approval apply.

8. SAMPLE MOTIONS

A. *Motion that due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency and a statewide stay at home order, the Planning Board pursuant to Chapter 66-9 authorizes the City Planner to sign the final plan on behalf of the Planning Board and declares that the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board evidencing approval of the final plan.*

B. *Motion to approve the Final Subdivision and Conditional Use Permit for Eagle River Run Estates off River Road (Tax Map 6, Lot 49) in the RF zone and approve the Findings of Fact based on the conditions recommended by Staff in its report dated July 30, 2020, and*

C. *Motion to table to allow the applicant to address the outstanding issues identified by Staff and the Board.*

D. *Motion to deny the Subdivison Amendment based upon the following reasons:*
   *a)*_____
   *b)*_____

ATTACHMENTS:

1. Application Package and Plans
2. Home Owners Association and Easement Documents (Reviewed by the City Attorney)
3. Draft Findings of Fact and Conclusions of Law

FINDINGS OF FACT AND CONCLUSIONS OF LAW
SUBDIVISION AND CONDITIONAL USE PERMIT REVIEW

Pursuant to the provisions of the City of Biddeford Code of Ordinances (Chapter 66) and Land Development Regulations the Biddeford Planning Board has considered the application of Peter Mourmouras, including supportive data, public hearing testimony and related materials contained in the record. Based on Public Comment and Staff's review and recommendation, the Planning Board makes the following Findings of Fact and Conclusions of Law:

Findings of Fact:

	SUBJECT	***DATA/INFORMATION***
1.	Applicant:	Peter A. Moumouras 30 Saco Avenue Old Orchard Beach, ME 04064-2243
2.	Owner of Property:	Peter A. Moumouras 30 Saco Avenue Old Orchard Beach, ME 04064-2243
3.	Agent:	Jason Vafiades, P.E. Atlantic Resources Consultants 541 US Route One, Suite 21 Freeport, ME 04032
4.	Engineer/Architect:	Jason Vafiades, P.E. Atlantic Resources Consultants 541 US Route One, Suite 21 Freeport, ME 04032
4.	Project Location:	0 River Road
5.	Project Tax Map #/Lot #:	Tax Map 6, Lot 49
6.	Existing Zoning:	R-F
7.	Overlay Zoning:	None
8.	Existing Use:	Vacant
9.	Proposed Use:	6-lot Subdivision, including "Open Space"
10.	City Approvals Required:	Subdivision
11.	Uses in the Vicinity:	Residential
12.	Parcel Size:	12.01 acres
13.	Number of Lots/Units in Subdivision:	6 Residential Lots, including the "Open Space"
14.	Minimum Lot Size Required: Provided:	20,000 SF Lot 1: 82,280 SF Lot 2: 29,627 SF Lot 3: 34,533 SF Lot 4: 32,320 SF Lot 5: 39,018 SF Lot 6: 54,916 SF

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15.	Frontage Required:	100’
16.	Front Setback Required:	25’ (75’ Buffer)
17.	Side Setbacks Required:	15’ (20’ Buffer)
18.	Rear Setback Requires:	15’ (20’ Buffer)
19.	Height Requirements:	Maximum 35’
20.	Water Supply:	Drilled Private Wells
21.	Sewerage Disposal:	On-site Private Septic Systems
22.	Solid Waste Disposal:	Private unless accepted by the City of Biddeford or otherwise approved for City collection.
23.	Fire Protection:	City of Biddeford
24.	Floodplain Status:	None
25.	Wetland/Surface Water Impacts:	Per plan.
26.	Soil Study Provided:	HISS provided and Test Pit data provided.
29.	Ownership of Road:	River Road is a City Street
32.	Estimated Site Development Costs:	TBD
33.	Financial Capacity Letter:	The applicant has indicated the project will be self-financed.
34.	Waivers Needed:	a. Wildlife study
35.	Waivers Granted:	a. Wildlife study
36.	Variances Needed for Approval:	None
37.	Other Permits Obtained:	None
38.	Other Non-City Permits Required:	None
39.	Covenants, By-laws, Restrictions Required by the Planning Board:	None
40.	LDR Attachment A: Fess Paid:	All Fees Paid
41.	Planning Board Review History: Conceptual Review: Preliminary Review: Final Review: 2nd Final Review:	 August 21, 2019 March 4, 2020 July 1, 2020 – Tabled for Addiitonal Easement Work and Review August 5, 2020

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Conclusions of Law:

General Review Standards: City of Biddeford Subdivision Ordinance:

66-10 The proposed subdivision is in conformance with the City of Biddeford Comprehensive Plan, local codes and regulations and state laws

66-11 The applicant will submit a performance guarantee, which satisfies the requirements of this ordinance

66-16 The subdivision plan reflects the building permit restrictions

66-35 All required information has been submitted and reviewed to the satisfaction of the Planning Board, including, but not limited to, surface water drainage, utilities, sanitary sewers, topography, lot lines and dimensions, use of property, proposed public areas, deed or option for purchase, fire lane areas, soil evaluation test pits, well locations, aesthetics, historic, and natural features, sedimentation and erosion control measures, easement documents, financial capability, covenants or deed restrictions, and city staff review.

66-38 Additional studies have been submitted and reviewed to the satisfaction of the Planning Board

66-70 A report on grades, drains, sewers, road surfacing has been submitted and reviewed to the satisfaction of the Planning Board

66-73 The Planning Board has approved of plans before construction of improvements

66-74 The subdivision plan indicates that lots have access to streets and have the required street frontage

66-76 The subdivision plan shows respect for natural features according to the Planning Board

66-77 The subdivision plan indicates trees, esplanades, open spaces and other landscaping as may be required

State Subdivision Law Review Criteria:

1. The proposed subdivision will not result in undue water or air pollution.

2. The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the subdivision.

3. The proposed subdivision will not cause unreasonable burden on an existing water supply, if one is to be used.

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4. The proposed subdivision will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition exists.

5. The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.

6. The proposed subdivision will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services if they are utilized.

7. The proposed subdivision will not cause an unreasonable burden on the Town's ability to dispose of solid waste, if municipal services are to be utilized.

8. The proposed subdivision will not have an undue adverse effect on the natural or scenic beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.

9. The proposed subdivision conforms to a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan or land use plan, if any.

10. The subdivider has adequate technical and financial capacity to meet the standards of the municipality.

11. Whenever situated partially or entirely within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38, chapter 3, subchapter I, article 2-B, the proposed subdivision will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.

12. The proposed subdivision will not alone, or in conjunction with existing activities, adversely affect the quality or quantity of ground water.

13. Based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant whether the subdivision is in a flood prone area.

14. All wetlands within the proposed subdivision have been identified regardless of the size of the wetlands.

15. Any river, stream or brook within or abutting the proposed subdivision has been identified.

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16. The proposed subdivision will provide for adequate stormwater management.

17. If any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond or coastal wetland as these features are defined in Title 38, section 480-B, none of the lots created within the subdivision have a lot depth to shore frontage ratio of greater than 5:1.

18. The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.

Conditional Use Permit Criteria:

1. The proposed use meets specific requirements set forth in this ordinance and would be in compliance with applicable state or federal laws;

2. The proposed use would not create fire safety hazards by providing adequate access to the site, or to the buildings on the site, for emergency vehicles and would not create hazards through the storage of chemicals and wastes;

3. The proposed exterior lighting, where allowed, would not create hazards to motorists traveling on adjacent public streets or is adequate for the safety of occupants or users of the site or would not damage the value and diminish the usability of adjacent properties;

4. The provisions for buffers and on-site landscaping provide adequate protection to neighboring properties from detrimental or unsightly features of the development;

5. The proposed use would not have a significant, detrimental effect on the use and peaceful enjoyment of abutting property as the result of noise, vibrations, fumes, odor, dust, glare, hours of operation, or other causes;

6. The provisions for vehicular loading and unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets would not create hazards to public safety or traffic congestion;

7. The proposed use would generate a volume of traffic that can reasonably be accommodated by the existing road network, or would not create unreasonable traffic hazards or would not exacerbate an existing traffic hazard, or would not create unreasonable traffic congestion;

8. The proposed use would not have a significant, detrimental effect on the value of adjacent properties, which could be avoided by reasonable modification of the proposal;

9. The proposed use would not have an adverse impact on the privacy of the residents of the immediate area (within 500 feet) which could be avoided by reasonable modification of the proposal.

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10. The proposed use would be in compliance with Biddeford's comprehensive plan;

11. The proposed use would not have an adverse impact on the immediate neighborhood or the community relative to architectural design, scale, bulk and building height, identity and historical character, or visual integrity, which could be avoided by reasonable modification of the proposal;

12. The design of the site would not result in significant flood hazards or flood damage or would be in conformance with applicable flood hazard protection requirements;

13. Adequate provision has been made for disposal of wastewater or solid waste or for the prevention of ground or surface water contamination;

14. Adequate provision has been made to control erosion or sedimentation;

15. Adequate provision has been made to handle stormwater runoff or other drainage problems on the site; and the proposed development will not unduly burden off-site surface water systems;

16. The proposed water supply would meet the demands of the proposed project (and for fire protection purposes, if applicable.)

17. Adequate provision has been made for the transportation, storage, and disposal of hazardous substances and materials as defined by state law;

18. The proposed use would not have an adverse impact on scenic vistas, historic sites, archeological resources, or on significant wildlife habitat or wetland areas and water bodies, which could be avoided by reasonable modification of the proposal;

19. When located in the Shoreland Zone, the proposed use would meet the purposes of Shoreland Zoning as identified in Article XIV, Section 1 (Purposes) of this ordinance.

Approval Granted:

Based on the evidence available and the conclusions above, the Biddeford Planning Board approves the Subdivision and Conditional Use Permit (Cluster Subdivision) application of Peter Mourmouras for the proposed project summarized above, located at Map 6, Lot 49 City of Biddeford Tax Maps, in accordance with the submitted application, supporting data, representations made, other related materials on file, and the following Conditions of Approval:

Conditions of Approval:

1. **Prior to any ground disturbance/site work the following must be completed:**

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   a. **A pre-construction meeting with all the contractors needs to be held with the Engineering Department to discuss inspection requirements.**
   b. **Erosion Control/Site Stabilization Bond of an amount to be determined by the Planning Department must be submitted.**
   c. **The applicant must submit a recorded copy of the subdivision plan to the Planning Department.**
   d. **Best management practices shall be adhered to during all ground disturbance operations.**
2. **<u>Prior to the sale or conveyance of a lot/unit or issuance of any building permits:</u>**
   a. **A performance guarantee (acceptable to the Engineering Office) in the amount of 150% of the remaining improvements (amount to be determined by the Planning Department) shall be submitted to the Planning Department.**
   b. **If the street is still private at the time a building permit is requested the driveway location needs to be approved of by the Planning Department to ensure compliance with the plan and City requirements prior to issuance of any permits.**
   c. **If the street is still private at the time a building permit is requested a copy of the registered homeowner's association documents must be provided to the Planning Department.**
   d. **Regardless of street acceptance, prior to recording the applicant shall provide the final version of the HOA to the City for approval. Other than the street, the fire suppression tank, stormwater facilities, open space, and all other commonly held property shall be the sole responsibility of the HOA for maintenance and improvements.**
3. **<u>Prior to commencing any work in the City Right-of-Way</u> the applicant must obtain a road-opening permit from the Public Works Department.**
4. **<u>Prior to City acceptance of the road:</u>**
   a. **The Homeowner's Association shall be responsible for the handling of trash collection and disposal (private curbside or private dumpster) until such time as the City has accepted the Street as a Public Street. No trash is permitted to be hauled to the intersection of River Road for City collection. Alternatively, the residents/lot owners may petition the Public Works Department for curbside trash collection on a private road.**
   b. **All Monuments shall be Granite.**
5. **All street lighting shall be approved by the City of Biddeford.**
6. **Street trees shall not be installed in the street ROW and shall not be the responsibility of the City regardless of road acceptance.**
7. **All erosion and sediment control measures need to be installed. The applicant shall notify the Engineering Department once installed so that Staff may inspect said installation, as necessary.**
8. **The Department of Public Works shall approve the final layout and design of the turnaround, including final guardrail location and placement of lighting. A minimum 4' separation shall be required between the edge of pavement and the guardrail.**
9. **The 3' Walkway shall be striped with a minimum 4" striped white line.**

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10. **The concrete mix for the concrete slipform curbing shall include cold weather/ice resistant additive. The Department of Public Works to approve the concrete mix prior to installation.**
11. **Roadway slipform concrete curbing shall be sloped.**
12. **All curbing with the existing River Road ROW shall be granite unless otherwise approved by the Department of Public Works.**
13. **The applicant shall obtain all other pertinent local, state and federal permits, licenses, and insurance such as blasting, building, electrical, plumbing, etc., prior to commencing business, unless authority issuing said permit allows for such actions.**
14. **Applicant/Owner shall provide a perpetual deeded easement for access from River Road to the fire suppression tanks. The easement (acceptable to the City) shall be recorded at the York County Registry of Deeds. If the road becomes a City street, this area may also be included in the road ROW, subject to approval by the City. Coordinate with the Department of Public Works and Fire Department.**
15. **Once completed, as-built drawings of the site shall be provided to the Planning Department. The project engineer shall certify that the project has been completed as per the approved plans or shall note any deviations from the approved plans on the as-built drawings. Acceptance of the Road will not be considered without the City having been provided acceptable as-builts and project engineer certification of the completeness of the project.**
16. **Copies of the maintenance logs for the stormwater facilities shall be submitted to the City for each calendar year no later than January 15th of the following year. If the Engineering Department does not receive these copies within 30 days after the deadline, the applicant may be required to return to the Planning Board for further review.**
17. **Standard Conditions of Approval apply.**

_____
Planning Board Chairman

_____
Date

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GENERAL NOTES:

1. OWNER OF RECORD:
   PETER A. MOURMOURAS
   30 SACO AVENUE
   OLD ORCHARD BEACH, ME 04064

2. REFERENCE DEED:

   A. WARRANTY DEED FROM LANGEVIN PROPERTIES LLC. TO PETER A. MOURMOURAS, DATED FEBRUARY 23, 2017, RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS BOOK 17426 PAGES 29-30.

3. REFERENCE PLAN:

   A. "AMENDED SUBDIVISION PLAN" PREPARED FOR RICHARD AND BEAU LANGEVIN, BY DOW AND COULOMBE, INC., DATED APRIL 11, 2011, RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS BOOK 349 PAGE 32.

4. THIS PLAN IS BASED ON A FIELD SURVEY COMPLETED IN MARCH OF 2019.

5. THE BEARINGS SHOWN HEREON REFER TO MAINE GRID NORTH AND ARE BASED ON GPS OBSERVATIONS PERFORMED ON THE DATE OF THE FIELD SURVEY.

6. PARCEL IS ZONED: RURAL FARM ZONE.

7. NO RESIDENCES SHALL BE PLACED CLOSER THAN 30' TO ANOTHER RESIDENCE.

8. STORMWATER MANAGEMENT EASEMENTS AND FACILITIES SHALL REMAIN THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION IN PERPETUITY AND SHALL NOT BE TRANSFERRED TO THE CITY OF BIDDEFORD REGARDLESS OF ROAD ACCEPTANCE.

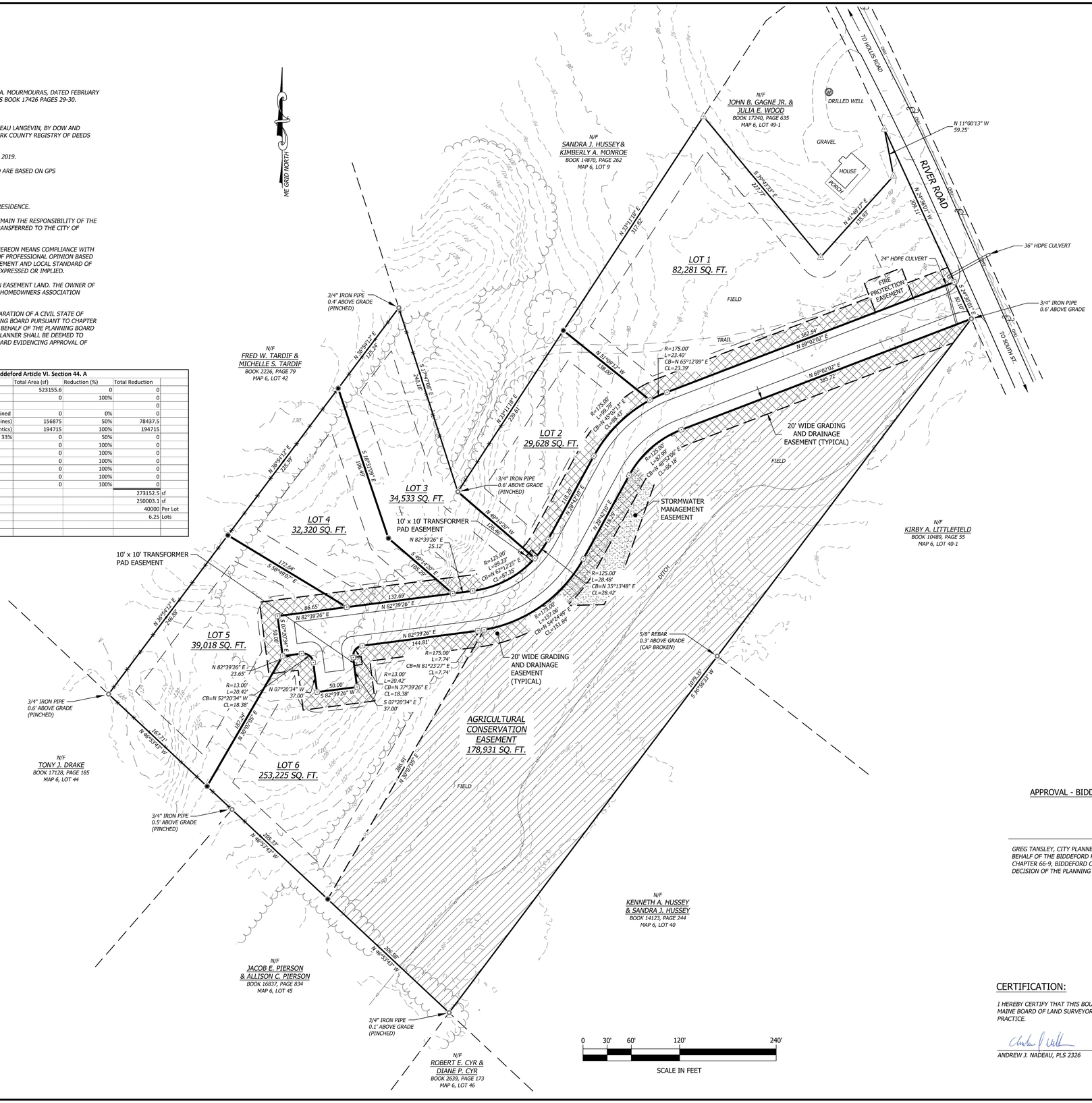
9. THE WORD "CERTIFY" OR "CERTIFICATION" AS SHOWN AND USED HEREON MEANS COMPLIANCE WITH APPLICABLE LAND SURVEY LAWS AND RULES AND AN EXPRESSION OF PROFESSIONAL OPINION BASED ON THE FACTS OF THE SURVEY, PRINCIPLES OF BOUNDARY RETRACEMENT AND LOCAL STANDARD OF CARE, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

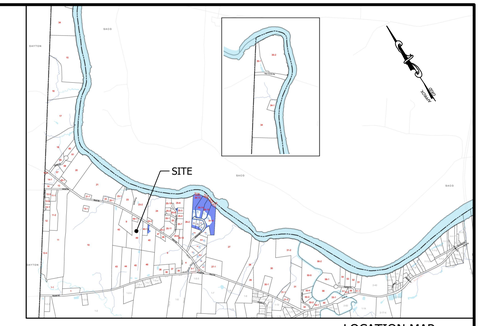
10. LOT 6 INCLUDES 178,931 SQ. FT. OF AGRICULTURAL CONSERVATION EASEMENT LAND. THE OWNER OF LOT 6 SHALL MAINTAIN THE EASEMENT IN ACCORDANCE WITH THE HOMEOWNERS ASSOCIATION DOCUMENTATION.

11. DUE TO THE CORONAVIRUS PANDEMIC AND THE GOVERNOR'S DECLARATION OF A CIVIL STATE OF EMERGENCY AND A STATEWIDE STAY AT HOME ORDER, THE PLANNING BOARD PURSUANT TO CHAPTER 66-9 AUTHORIZED THE CITY PLANNER TO SIGN THE FINAL PLAN ON BEHALF OF THE PLANNING BOARD AND DECLARED THAT THE FINAL PLAN ONCE SIGNED BY THE CITY PLANNER SHALL BE DEEMED TO HAVE BEEN SIGNED BY INDIVIDUAL MEMBERS OF THE PLANNING BOARD EVIDENCING APPROVAL OF THE FINAL PLAN.

Net Density Calculations: City of Biddeford Article VI. Section 44. A

Item	Total Area (sf)	Reduction (%)	Total Reduction	
Total Lot Area (12.01 Acres) - Tax Map 6 Lot 49	523155.6		0	
A1 - Portions within the 100-year floodplain	0	100%	0	
A2 - Portions unsuitable due to natural state*-			0	
Excessively Well, Well and Moderately Well Drained	0	0%	0	
Somewhat Poorly Drained (Lamoines)	156875	50%	78437.5	
Poorly Drained (Scantics)	194715	100%	194715	
Slopes > 33%	0	50%	0	
A3 - Recorded RoWs, Easements	0	100%	0	
A4 - Surface Waters	0	100%	0	
A5 - Prime Agricultural Soils	0	100%	0	
A6 - Land within the Resource Protection Zone	0	100%	0	
A7 - Land in the Rural Farm and Coastal Residential Zone Shoreland Zone	0	100%	0	
A8 - Land of unreclaimed extractive industry operations	0	100%	0	
Total Reductions			273152.5	sf
Total Remaining Net Density Land Available (sf)			250003.1	sf
Net Density Unit Size (sf)			40000	Per Lot
Total Units Available (lots			6.25	Lots
* see High Intensity Soil Survey prepared by Longview Partners, LLC				





LOCATION MAP
SCALE: APPROXIMATELY 1" = 2000'

LEGEND

- IRON ROD OR PIPE FOUND (SEE PLAN FOR DESCRIPTION)
- CALCULATED POINT
- CORNER TO BE MONUMENTED WITH 5/8-DIAMETER IRON ROD WITH PLASTIC CAP
- CORNER TO BE MONUMENTED WITH GRANITE MONUMENT
- WELL
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- WIRE FENCE
- PROPERTY BOUNDARY
- ABUTTING PROPERTY BOUNDARY
- TREELINE
- OVERHEAD UTILITIES
- CONTOUR, MAJOR INTERVAL
- CONTOUR, MINOR INTERVAL

APPROVAL - BIDDEFORD CITY PLANNER

DATE: _____

GREG TANSLEY, CITY PLANNER, DULY AUTHORIZED TO SIGN ON BEHALF OF THE BIDDEFORD PLANNING BOARD PURSUANT TO CHAPTER 66-9, BIDDEFORD CODE OF ORDINANCES, AND BY THE DECISION OF THE PLANNING BOARD DATED JULY 1, 2020.

CERTIFICATION:

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY CONFORMS WITH THE MAINE BOARD OF LAND SURVEYORS RULES, CHAPTER 90: STANDARDS OF PRACTICE.

ANDREW J. NADEAU, PLS 2326 — *DATE* *7/17/2020*

STATE OF MAINE — ANDREW J. NADEAU 2326 — PROFESSIONAL LAND SURVEYOR

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LITTLETON NH • NEWPORT VT
NEW LONDON NH • POMFRET VT • KENNEBUNK ME

SUBDIVISION PREPARED FOR

PETER A. MOURMOURAS

OF PROPERTY LOCATED ON
RIVER ROAD
YORK COUNTY, BIDDEFORD, MAINE

BOOK 17426 PAGE 29
MAP 6 LOT 49

NO.	DATE	REVISION DESCRIPTION	ENG	DWG
1	10/22/19	REVISED EDGE OF PAVEMENT	---	SJB
2	1/15/20	GRADING AND DRAINAGE, STORMWATER PROTECTION, FIRE PROTECTION EASEMENTS	---	SJB
3	6/9/20	GRANITE MONUMENTS, TRANSFORMER PAD EASEMENTS, NOTE 8, MODIFIED R.O.W.	---	SJB
4	7/1/20	REVISED PER PLANNING COMMENTS	---	AJN
5	7/17/20	AGRICULTURAL CONSERVATION EASEMENT	---	AJN

DATE: 9/11/2019	PROJECT #: 19022
SURV'D BY: JDN	DRAWN BY: JDN/SJB
CHECK'D BY: AJN	ARCHIVE #: H-___
SHEET 1 OF 1	

RESERVED FOR YORK COUNTY REGISTRY OF DEEDS

W:\19022 ARC - 155 River Road Biddeford Maine\DWGS\Final\19022 Subdivision-05.dwg, Surv24x36, 7/17/2020 10:56:32 AM, SBoutin

EAGLE RIVER RUN HOMEOWNERS ASSOCIATION

BY-LAWS

ARTICLE I
Name

The name of this corporation is EAGLE RIVER RUN HOMEOWNERS (The "Association"). Reference is made to the Subdivision Plan of Eagle River Run Subdivision dated _____, revised to _____, by Horizons Engineering and Surveying , recorded in York County Registry of Deeds in Plan Book ____, Page ____, (the "Subdivision"). It is one of the stated purposes of this Association to perpetually own, manage and maintain the roadway and the common areas shown on said plan and, until any of the same are conveyed to the City of Biddeford, to perpetually own, manage and maintain the same. (the roadway, open space and the common areas are hereinafter collectively referred to as the "Common Improvements").

ARTICLE II
Purpose

The purposes of this corporation are as follows:

2.1 To establish an association of lot owners in the Eagle River Run Subdivision for the fulfillment and enforcement of the responsibilities described above.. It is expressly agreed and acknowledged that the obligations of this Association shall include (but not be limited to) the obligations of the Applicant pursuant to the City of Biddeford Subdivision Review Standards.

2.2 In addition to all the powers, authority and responsibilities granted to or imposed upon this Association by the laws of the State of Maine, all of which this Association shall have, this Association shall have the following specific powers to the fullest extent permitted by law:

> To levy and collect assessments and other charges against members as owners of lots in the subdivision to maintain the Common Improvements in the Subdivision; to purchase, maintain, repair, replace and restore real and personal property; to pledge and mortgage property of the Association; to appoint agents, to hire employees, to make contracts; to promulgate rules and regulations for the members of the Association; and generally to do any and all lawful acts necessary or convenient for the fulfillment of the foregoing purposes and to exercise all powers and purposes permitted under Title 13-B of the Maine Revised Statutes, as amended.

2.3 This Association is not organized for profit and no property or profit thereof shall

inure to the benefit of any person, partnership or corporation except in furtherance of the non-profit purposes of the Association.

ARTICLE III
Members

3.1 The members of the Association shall consist of all the owners (including Peter Mourmouras or any successor developer of the Subdivision (the "Developer") so long as Developer shall be owner of any approved lot in the Subdivision.

3.2 Except as provided herein, membership shall not be transferable. The membership of each lot owner shall terminate upon a sale, transfer or other disposition, other than by mortgage, of the ownership interest of such lot owners in the lot, and thereupon the membership and any interest in this Association shall automatically transfer to and be vested in the next owner or owners succeeding to such ownership interest. The Association may, but shall not be required to, issue certificates or other evidence of membership therein.

.

ARTICLE IV
Meeting of Members

4.1 Meeting of the membership shall be held at the Subdivision or at such other place as may be specified in the notice of the meeting.

4.2 The annual meetings of the members shall be held each year on the first Wednesday of the month of August, or in the event that day is a legal holiday, on the first day thereafter which is not a legal holiday. At such meeting there shall be elected by ballot of the members a Board of Directors in accordance with the provisions of Article V. The members shall also transact such other business as may properly come before them.

4.3 It shall be the duty of the President or in his or her absence or disability, the duty of the Secretary, to call a special meeting of the members as directed by resolution of the Board of Directors, or upon a petition signed by at least fifty percent (50%) of the membership of the Association. The notice of any special meeting shall state the time, place and purpose thereof. No business shall be transacted at a special meeting except as stated in the said notice unless with the consent of the owners of a majority of the lots present at such meeting, either in person or by proxy.

4.4 It shall be the duty of the Secretary, or upon his or her failure or neglect then of any officer or member, to notify by email notice of each annual or special meeting stating the purpose, the time and place thereof to each member of record. With respect to any annual or special meeting such notice shall be so mailed at least seven (7) days but not more than thirty (30) days prior to the date so set for the hearing.

4.5 The presence at any properly noticed meeting, either in person or by proxy, of the holders of at least fifty (50%) percent of the votes of the Association as determined in accordance with paragraph 4.7 shall be requisite for and shall constitute a quorum for the transaction of business at all meetings of members.

4.6 If at any meeting of members a quorum shall not be in attendance, those members who are present may adjourn the meeting to a time not less than forty-eight (48) hours from the date at which the original meeting was called.

4.7 Each member shall be entitled to one (1) vote for each lot owned by such member. If any member consists of more than one (1) person, the voting rights for such member shall not be divided but shall be exercised only jointly as a unit. The Developer may exercise voting rights with respect to any and all lots owned by said Developer. Unless by express provisions of these bylaws a different vote is required, each question presented at a meeting shall be determined by a vote of a majority of lot owners. As used in these bylaws, the term "majority of lot owners" shall mean those lot owners having more than fifty (50%) percent of the total authorized votes as determined in accordance with this Paragraph 4.7 of all members present in person or by proxy and voting in any meeting of the members.

4.8 The vote of any corporate, partnership or trust member may be cast on its behalf by any officer, partner, trustee or beneficiary of such member and any such member may appoint, in writing, its officer, partner, trustee or beneficiary or any other member as its proxy. Each proxy must be filed with the Secretary prior to the commencement of a meeting, or at any subsequent time that delivery of proxies is required.

4.9 The order of business at all meetings of the members shall be as follows:

(a) Roll call;
(b) Proof of notice of meeting;
(c) Reading of minutes of preceding meeting for approval of same;
(d) Reports of Board of Directors or of officers or of the Manager;
(e) Reports of committees, if any;
(f) Election of inspectors of election (when so required);
(g) Election of members of the Board of Directors (when so required);
(h) Unfinished business;
(i) Determination and approval of annual assessments (when so required); and
(j) New business.

4.10 Any action required or permitted to be taken at any meeting of the members may be taken without a meeting if written consent thereto is signed by all members. The Secretary shall file such written consent with the records of the meetings of the members and such consent shall be treated as a unanimous vote of members for all purposes.

ARTICLE V
Board of Directors

5.1 The management and maintenance of the Common Improvements of the Association shall be governed by a Board of Directors which shall initially consist of three (3) persons. Each Director, other than the Directors designated in the Articles of Incorporation of the Association or any Directors nominated by the Developer shall be a lot owner, or the spouse of a lot owner; or if the lot owner shall be a corporation, partnership or trust, then an officer, partner, trustee or beneficiary or other agent or designee of such lot owners.

5.2 The Board of Directors shall have the powers and duties necessary for the administration of the affairs of the Association, and shall have all powers and duties referred to in the statutes of the State of Maine pertaining to corporations without capital stock, as amended from time to time. The powers of the Board of Directors shall include but not be limited to the following:

(a) To elect the officers of the Association;
(b) To administer the affairs of the Association;
(c) To provide for the maintenance of the Common Improvements;
(d) To estimate an annual operating budget and the annual assessments so related to the Common Improvements for submission to the members for approval at the annual meeting, and to take all necessary or desirable action with respect to the collection from the lot owners of their respective shares of the estimated expenses as hereinafter provided.

5.3 At the first annual meeting of the members, a Board of Directors shall be elected by secret written ballot of the membership which shall succeed the Directors, if any, designated in the Articles of Incorporation. Two (2) Directors shall be elected to serve two (2) year initial terms and the third (3rd) Director shall be elected to serve a one (1) year initial term. After the completion of such initial terms of the Directors elected at such first (1st) annual meeting, all terms of directorship shall be two (2) years. Directors may be re-elected without limitation. The Directors shall hold office until their successors have been elected and qualified.

5.4 Vacancies in the Board of Directors caused by any reason, including the failure of a Director to continue to meet the qualifications of office, shall be filled by vote of a majority of the remaining Directors held for that purpose promptly after the occurrence of any such vacancy, even though the Directors present at such meeting constitute less than a quorum, and each Director so elected shall be a member of the Board of Directors for the remainder of the term of the replaced Director. In the event that the remaining Directors reach a deadlock vote on the election of such a replacement Director, the matter shall go to vote of the members to be called by the President as soon as possible after such deadlock vote.

5.5 Annual meetings of the Board of Directors shall be held immediately following the annual meeting of the members and at the same place. Special meetings of the Board may be called by the President or a majority of the Board on five (5) days notice to each Director by email. Directors may waive notice of a meeting or consent to or take any action without a formal meeting.

5.6 At all meetings of the Board of Directors, two-thirds (2/3) of the Directors shall constitute a quorum for the transaction of business and any action may be taken by a majority of said two-thirds (2/3) of the Directors, or two (2) affirmative votes, whichever is greater.

5.7 Any action required or permitted to be taken at any meeting of the Board of Directors may be taken without a meeting if a written consent thereto is signed by all the Directors. The Secretary shall file such written consent with the records of the meetings of the Board of Directors and such consent shall be treated as a unanimous vote of the Board of Directors for all purposes.

5.8 Any Director may be removed from office by the vote of at least two-thirds (2/3) of the membership of the Association with or without cause, except officers of the Developer.

5.9 The members of the Board of Directors and all officers of the Association shall not be liable to the Association for any mistake of judgment, negligence, or otherwise, except for their own individual willful misconduct or bad faith. The Association shall indemnify and hold harmless all officers and members of the Board of Directors against all contractual liability to others arising out of contracts made by the Board of Directors or officers on behalf of the Association unless any such contract shall have been made in bad faith or contrary to the provisions of these By-Laws.

5.10 Directors shall receive no compensation for their services except as expressly provided by a resolution duly adopted by the members.

ARTICLE VI
Officers

6.1 The officers of the Association shall be a President, a Treasurer and a Secretary, each of whom, except the Secretary, shall be members of the Board of Directors. All officers shall hold office at the pleasure of the Board of Directors; provided, that prior to the first annual meeting of the Board of Directors, the officers may be elected at any meeting of the Board of Directors.

6.2 Any officer may be removed at any meeting by the affirmative vote of a majority of the members of the Board of Directors, either with or without cause, and any vacancy in any office may be filled by the Board of Directors at any meeting thereof.

6.3 Each respective officer of the Association shall have such powers and duties as are usually vested in such officer of a corporation without capital stock, including but not limited as follows:

(a) The President shall be a Director and shall be the Chief Executive Officer of the Association and shall preside at all meetings of the members of the Board of Directors;

(b) The Secretary shall keep minutes of all meetings of the members and of the Board of Directors and shall have custody of the Association's seal and have charge of the membership transfer books and such other books, papers and documents as the Board of Directors may prescribe;

(c) The Treasurer shall be responsible for Association funds and securities and for keeping and reporting to the Board and Members full and accurate accounts of all receipts and disbursements of the Association.

(d) No lot owner may hold two offices at the same time.

6.4 The officers shall receive no compensation for their services except as expressly provided by resolution duly adopted by the members.

ARTICLE VII
Operation of the Subdivision

7.1 The fiscal year of the Association shall begin on the first day of January each year, except for the first fiscal year of the Association which shall begin at the date of incorporation of the Association. The commencement date of the fiscal year herein established shall be subject to change by the Board of Directors.

7.2 Books and accounts of the Association shall be kept under the direction of the Treasurer and in accordance with customary accounting principles and practices. The Association shall furnish its members with a statement of the income and disbursements of the Association for each fiscal year within a reasonable time after the close of the same.

7.3 No later than thirty (30) days prior to each annual meeting of the members of the Association the Board of Directors shall estimate the Common Expenses for each calendar quarter of the following calendar year and shall present such estimate to the members at their annual meeting as the proposed budget for such calendar year. Such proposed budget shall include all anticipated expenses of the Association, including without limitation Common Improvement repair and maintenance, insurance, casualty insurance, contributions to reserves for major repair or replacement of any Common Improvement property. The quarterly assessments required to meet estimated Common Expenses for each quarter of the calendar year shall be approved by the members of the Association at their annual meeting to be held each year in the month of August prior to the commencement of the calendar year to which the estimated budget of Common Expenses applies.

7.4 All assessments shall be billed no later than the first day of each calendar quarter in each calendar year by the Treasurer of the Association sending the bills by email to the respective lot owners at the address recorded in the Secretary's records. All sums so assessed and billed shall become due no later than thirty (30) days after the date of mailing or delivery of each such bill.

7.5 The members of the Association may from time to time at a duly called meeting levy additional assessments for the purposes previously provided by the same majority of votes as required for the annual assessments.

7.6 Assessments authorized and billed by the Association shall be a charge on the lot and shall be a continuing lien upon the lot upon which such assessment is made. If the assessment to a lot owner shall not be paid within thirty (30) days after the date when due, then said assessment shall be delinquent and shall, together with interest at the rate of one (1%) percent per month, or any portion thereof, costs of collection and reasonable attorney's fees, become a continuing lien on the lot owned by the delinquent lot owner which lien shall bind the lot with the buildings and improvements thereon as well as the delinquent lot owner, his heirs, devisees, successors, personal representatives and assigns. Said lien may be enforced in the same manner as a lien for assessments against condominium units provided in the Maine Statutes, as amended. Said lien for unpaid assessments shall be prior to all of the liens and encumbrances on the lot other than the first mortgage recorded before the date on which the assessment which is sought to be enforced becomes delinquent and liens for real estate taxes and other governmental/municipal assessments or charges against the lot; provided, however, that any such lien shall not be subject to the provisions of 14 M.R.S.A., §4421(1) and 18 M.R.S.A., §2-102 et seq. as they or their equivalents may be amended or modified from time to time which statutory rights and provisions are, by a lot owner's acceptance of a deed to a lot, subordinated to the lien arising hereunder. All such charges, in addition to being a lien, shall also constitute the personal liability of the owner of the lot so assessed at the time of assessment.

7.7 The lien assessment described in Paragraph 7.6 may be enforced and foreclosed by the Association in like manner as a mortgage on real estate as provided in Section 1603-116(a) of the Maine Condominium Act (33 M.R.S.A. §1603-116(a)) or by any other means presently or hereafter provided by law or in equity. A suit to recover a money judgment for unpaid assessments, interest, penalties and costs of collection may be maintained against the owner of the lot personally without foreclosing or waiving the lien and securing such assessment and a foreclosure may be maintained notwithstanding the pendancy of any suit to recover a money judgment. During pendency of any such lien, the lot owner shall be required to pay a reasonable rental for the lot for any period prior to sale pursuant to any judgment or order of any court having jurisdiction over such sale.

7.8 The Board of Directors shall take prompt action to collect any assessment for Common Expenses due from any lot owner which remains unpaid for more than thirty (30) days from the due date for payment thereof together with any interest thereon.

7.9 The Association shall promptly provide to any lot owner or contract purchaser so requesting the same a written statement setting forth the amount of unpaid assessment currently levied against the lot.

7.10 Notwithstanding any other provision of these bylaws to the contrary, the Developer and lots owned by the Developer shall be liable for expenses which accrue prior to the conveyance of a Unit Site to a third party owner.

7.11 The Association shall be wholly responsible for the maintenance of the stormwater treatment easement as depicted on the approved plan set and as recorded in the York Country Registry of Deeds. The Association shall maintain the stormwater treatment facilities per the Stormwater Maintenance Plan, as created by Atlantic Resource Consultants, LLC, a copy of which is attached to this document as Attachment A.

7.12 The approved recording plan depicts an Agricultural Conservation Easement dedicated within the area of Lot 6, Stormwater Treatment Easements, and Fire Suppression Easements. The Storwater and Fire Suppression Easements shall be commonly maintained by the HOA, and the HOA shall provide all necessary maintenance as required per the City of Biddeford Ordinances. The HOA will have the responsibility to monitor and enforce compliance with the Conservation Agricultural Easement.

ARTICLE VIII
Amendments

These By-Laws may be amended at any time and from time to time by written instrument duly executed by the owners of the record of a majority or more of the then approved lots.

ARTICLE IX
Miscellaneous

9.1 All rights, remedies and privileges contained in these bylaws shall be deemed to be cumulative and the exercise of any one or more shall not be deemed to constitute an election of remedies nor shall it preclude the party thus exercising the same from exercising such other and additional rights, remedies or privileges as may be granted to such party hereunder or by any instrument or documents incorporated herein by reference or at law or in equity.

9.2 The use of the singular number in these bylaws shall be deemed to include the plural, the plural the singular, and the use of any one gender shall be deemed applicable to all genders.

9.3 The invalidity of any provisions of these bylaws shall not be deemed to impair or affect in any manner the validity, enforceability or effect of the remainder of these bylaws, and in such event, all other provisions of these bylaws shall continue in full force and effect if such invalid provision has been included herein.

ATTACHMENT A

CONSERVATION AND AGRICULTURAL EASEMENT

THIS INDENTURE made this __day of _____, 2020, by and between **Peter Mourmouras**, having an address of _____ (hereinafter referred to as the "Grantor") and the **Eagle River Run Homeowners Association**, a nonprofit corporation organized and existing under the laws of the State of Maine, (hereinafter referred to as the "Holder") with a mailing address of P. O. Box 151, South Berwick, Maine 03908.

Grantor hereby GRANTS, for consideration paid, with Quitclaim Covenant, to Holder a perpetual conservation easement (hereinafter the "Conservation Easement") pursuant to 33 M.R.S. Sections 476 through 479-C, inclusive, as amended, on a certain parcel of land westerly of River Road in the **City of Biddeford**, County of York, and State of Maine, being more particularly described in **Exhibit A**, and depicted on **Exhibit B** both attached hereto and made a part hereof, being a portion of that premises acquired by deed to the Grantor from _____, dated _____, and recorded in the York County Registry of Deeds, Book _____, Page ___ (hereinafter referred to as the "Property" or the "Protected Property").

It is the purpose of this Conservation and Agricultural Easement (hereinafter the "Conservation Purposes") to protect and preserve in perpetuity important natural and agricultural resources on the Protected Property, specifically its open space agricultural use; to maintain and conserve its soil productivity, air and water quality; to sustain its availability for agriculture; and to prevent any use of the Protected Property that will impair or interfere with these resources. Grantor and Holder intend that this Conservation and Agricultural Easement will confine, in perpetuity, the uses of the Protected Property to activities which are compatible with these purposes and the protection of agricultural values.

WHEREAS, Grantor is the sole owner in fee simple of the Protected Property, which is approximately 178,931 square feet in size;

WHEREAS, Holder is qualified to hold conservation easements pursuant to 33M.R.S. §476(2)(B), as amended, whose purposes include the preservation of the Protected Property as open space area and the enforcement of the ; and

WHEREAS, the Protected Property contains open space and agricultural values in its present state; and

WHEREAS, Grantor and Holder also have the common purpose of conserving in perpetuity the Protected Property as open space and agricultural land; and

WHEREAS, any significant change or development of the open space and agricultural conditions of the Protected Property, except as expressly herein provided, would have an adverse effect on the open space and agricultural resources of the community, its public values and those of the environment; and

WHEREAS, the Protected Property is "Agricultural Conservation Easement" on the subdivision plan prepared for Grantor by Horizons Engineering dated September 11, 2019, as amended (the "Subdivision Plan"), and as approved by the City of Biddeford Planning Board; and

WHEREAS, the City of Biddeford has an interest in preserving the open space and agricultural values of the Protected Property;

NOW, THEREFORE, in consideration of the above recited Conservation Purposes and recitals and of the covenants, terms, conditions and restrictions herein contained, and pursuant to the laws of the State of

Maine, Grantor and Holder have established, forever and in perpetuity, a Conservation and Agricultural Easement in gross over the Protected Property, as follows.

1. Subdivision

The Protected Property must remain in its current configuration as an entirety under single ownership together with Lot No. 6 as shown on the Subdivision Plan, and may not be divided, partitioned, subdivided, subjected to the Maine Time Share Act (33 M.R.S. c 10-A) or Maine Condominium Act (33 M.R.S. c 31), or otherwise reconfigured into legal or *de facto* lots or parcels in separate ownership, except:

i. to a nonprofit or governmental entity, including the Holder, that qualifies as a "holder" under Title 33 Maine Revised Statutes Section 476(2)(B), or successor provisions thereof, and that agrees to manage, protect, and preserve the Protected Property in the manner set forth herein,

ii. to enter into boundary line agreements to resolve bona fide boundary line disputes or clarify ambiguous boundaries, with the prior written consent of Holder, which consent shall not be unreasonably withheld, provided that the total acreage of land protected under this Conservation Easement shall not be reduced thereby by more than one quarter (0.25) acre of land.

Notwithstanding the foregoing, under no circumstances may the Protected Property or any portion thereof be included as part of the gross tract area of other property not subject to this Conservation Easement for the purposes of determining density, lot coverage, or preservation requirements, under otherwise applicable laws, regulations or ordinances controlling land use and building density.

2. Land Uses

The Protected Property includes approximately 178,931 square feet of land. No commercial, industrial, quarrying or mining activities are permitted on the Protected Property except for: (a) *de minimis* recreational activities that do not adversely affect the conservation values of the Protected Property, (b) agriculture, including horticulture and animal husbandry; (c) operating agricultural motorized equipment (tillers, mowers, etc.); and (d) installing sheds or agricultural structures that comply with the City of Biddeford Zoning Ordinance for supporting agricultural use of the Protected Property and for providing screening of approved equipment; all in accordance with the limitations and terms of this Conservation and Agricultural Easement.

Without limiting the general restrictions of this grant, the following are specifically prohibited on the Protected Property: use of motorized off-road vehicles, residential development, further subdividing, mining and mineral extraction and outside storage of non-agricultural equipment, including boats, trailers, campers, recreational vehicles, snowmobiles or passenger vehicles.

3. Structures

As of the date of this grant, there are no structures on the Protected Property. No additional structures of any kind, temporary or permanent, may be located on the Protected Property, except that the Grantor retains the following rights:

A. The right to establish and maintain temporary or portable structures for agricultural activities, such as animal watering systems and irrigation systems, pump houses, temporary livestock fencing, temporary portable livestock shelters, temporary portable privies, temporary growing structures, and similar minor structures, provided, however, that all structures may not be larger than one thousand (1,000) square feet in size in aggregate and all structures must be set back not less than one hundred (100) feet, measured horizontally, from wetlands on the Protected Property.

B. The right to install and maintain minor, unroofed, and unenclosed structures designed to enhance the opportunity for low-impact outdoor recreation, nature observation and study, such as but not limited to boundary markers; small unlighted informational and interpretive signs; commemorative plaques and monuments; registration boxes; unlighted kiosks for displaying signs, notices, and educational information; benches; wildlife habitat structures such as bird houses; sight-pervious low fences and rock walls, gates, and other minor barriers to block or discourage unauthorized access by motorized vehicles; and other minor structures necessary for safety, erosion control or protection of fragile resources. Such structures shall not degrade or damage the conservation values of the Protected Property. Notwithstanding the foregoing, substantial or high-impact outdoor recreational structures are prohibited, including but not limited to paved trails, boardwalks, tent platforms, yurts, lean-tos, outhouses, portable toilets, gazebos, golf ranges, swimming pools, campgrounds, mud runs, tennis and other recreational courts, paintball and other adventure courses, stadiums, performance stages, dressage fields, equestrian rings, polo fields, ATV or race tracks or courses, towers, playgrounds, athletic courts or fields, airstrips, and permanent aircraft pads.

C. The right to erect and maintain signs, fences and boundary markers provided such signs, fences and markers do not materially alter the traditional and scenic appearance of the Protected Property when viewed from public vantage points.

Grantor must give notice to Holder, in accordance with **Section 10**, before commencing site work or construction of any structure permitted herein.

4. Surface Alterations

No filling, dumping, excavation or other alteration may be made to the surface or subsurface of the Protected Property, except that the Grantor retains the following rights:

A. The right to construct and maintain unpaved roads of no more than twelve (12) feet in width for the purpose of accessing agricultural areas and harvesting produce.

B. The right to raise animals in numbers such as not to produce overgrazing or removal of vegetative cover such that the soil is bare or subject to erosion.

C. The right to construct and maintain foot paths for low-impact, recreational pursuits such as hiking, snowshoeing, and cross-country skiing. Any such foot paths must be no greater than six (6) feet wide, including tread width and side clearance, except with the prior written consent of Holder.

D. The right to till, cultivate, remove stones, and grade the land for commercial agriculture or personal gardens and landscaping.

E. The right to disturb topsoil, excavate, and fill as necessary and as needed for the permitted agricultural and recreational uses, as long as the activity has a minimal impact on the resources being protected.

F. The right to develop the Protected Property's water resources, in accordance with the applicable laws

of the State of Maine and the City of Biddeford, for agricultural use on the Protected Property through creation of wells or farm ponds.

5. Waste Disposal

The discharge of black or gray water waste into fresh surface waters on or about the Protected Property is strictly prohibited. It is forbidden to dispose of or store rubbish, garbage, debris, abandoned vehicles and equipment, or parts thereof, or other unsightly or offensive compost and vegetative waste material on the Protected Property, except that organic compost and vegetative waste resulting from permitted uses may be composted or used on the Protected Property, and other waste generated by permitted uses on the Protected Property may be stored temporarily in appropriate containment for removal at reasonable intervals, subject to all applicable local, state and federal laws and regulations.

6. Public Use and Access

Nothing contained herein should be construed as affording the public physical access to any portion of the Protected Property. Notwithstanding the foregoing, nothing in this Conservation and Agricultural Easement should be construed to preclude Grantor's right to grant limited public access across the Protected Property, provided that such access is allowed in a reasonable manner that does not conflict with the Conservation Purposes of the Protected Property. Nothing herein should be construed to preclude the rights of Grantor and/or Holder to assert any defense against claims for injury to the public on the Protected Property, including the statutory limitation of liability at Title 14 M.R.S.§ 159-A, or successor provisions thereof.

Notwithstanding any public use of the Protected Property and any insurance coverage therefor, neither the Grantor nor the Holder assumes any obligation to the public to maintain this Conservation and Agricultural Easement nor shall any acquiescence, or permission to enter the Protected Property by Grantor or by Holder be construed an invitation or license, and neither the Grantor or Holder assumes any liability to the general public for accidents, injuries, acts, or omissions beyond the standard of care owed or beyond the limitations of liability for injury to the public under Title 14 M.R.S.§ 159-A, or successor provisions thereof.

7. Definitions

(a) The term "Grantor", wherever used herein, and any pronouns used in place thereof, means and includes, unless repugnant to the context, the above-named Grantor and his heirs, personal representatives, executors, successors, assigns and all persons hereafter claiming by, under, or thorough said Grantor, including any trust of other title-holding entity hereafter created, whether or not such persons signed this Conservation and Agricultural Easement or had an interest in the Protected Property on the execution of this Conservation and Agricultural Easement. The term "Holder", whenever used herein, and any pronouns used in place thereof, means and includes, unless repugnant to the context, the above named "Holder" and its representatives, successors, and assigns.

(b) For the purposes of this Conservation and Agricultural Easement, a “structure” shall be defined broadly as: any combination of human-made or human-altered materials on, over, in and/or under the ground and having a temporary or permanent fixed location. A structure may be primarily two

dimensional, such as a paved parking lot, fence, or sign, or three dimensional, such as a building, stone wall or piping. An earthen berm, unpaved road or trail shall not be considered a structure but shall be considered a surface alteration subject to the restrictions set forth in Section 4.

(c) "Temporary" structures and improvements, include, but are not limited to, the following: hoop houses designed to extend the growing season, temporary animal shelters, and farm stands to which no permanent utilities such as water, electricity, or waste disposal systems are associated and have the following three characteristics:

1. Create no permanent impervious surface; and
2. Have no permanent footings or foundations; and
3. Are installed for less than nine months during each calendar year.

(d) "Agriculture" is defined as the production of plant and animal products for domestic or commercial purposes, including animal husbandry, floriculture, horticulture, orchardry, the processing and sale of farm products predominantly grown, produced or raised on the Protected Property, but shall not be deemed to include industrial processing and packaging or feed lot activities.

8. Holder's Affirmative Rights

A. Entry and Inspection. Holder shall have the right to enter the Protected Property for inspection and monitoring purposes and for enforcement, at a reasonable time and in a reasonable manner that is consistent with the Conservation Purposes. Except in emergency circumstances, Holder will make reasonable efforts to contact Grantor and/or persons in residence on the Protected Property and/or Grantor's adjacent property, prior to entry onto any area of the Protected Property. "Emergency circumstances" shall mean that the Holder has a good-faith basis to believe a violation of the easement is occurring or is imminent.

B. Enforcement. Holder shall have the right to enforce this Conservation Easement by proceedings at law and in equity, including the right to enjoin the violation, *ex parte* as necessary, by temporary or permanent injunction, to recover any damages to which it may be entitled for violation of the terms of this Conservation Easement and to require the restoration of the Protected Property to the condition that existed prior to any such injury, all without posting of any bond or other security and without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies.

Prior to initiation of an enforcement action, Holder shall provide Grantor with prior notice and reasonable opportunity to cure any breach, except where emergency circumstances require more immediate enforcement action. The parties may agree to resolve disputes through alternative dispute resolution, in accordance with the provisions of Paragraph 12 herein.

If a Court or, if applicable, an arbitrator in a binding arbitration determines that the Holder is the prevailing party in any action against Grantor to enforce or defend this Conservation and Agricultural Easement, Grantor shall reimburse Holder for any reasonable costs of enforcement or defense, including court costs, mediation and/or if applicable, arbitration costs, reasonable attorneys' fees, and any other payments ordered by such Court or arbitrator.

Grantor is not responsible for injury to or change in the Protected Property resulting from natural causes or environmental catastrophe beyond Grantor's control, such as fire, flood, storm, and earth movement, or from any prudent action taken by Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Protected Property resulting from such causes.

C. Boundaries. The Protected Property has been professionally surveyed. It shall be Grantor's obligation to keep the boundaries of the Protected Property clearly marked. In the event boundaries are not adequately clear or marked and Grantor fails to accurately mark within a reasonable time after notice by Holder, Holder

shall have the right to engage a professional surveyor to re-establish and re-mark boundaries of the Protected Property or any part thereof. Holder will obtain a minimum of three bids and either select the lowest bid or the one of Grantor's choosing. The costs associated with such survey work shall be paid by the Grantor if and to the extent necessary to determine if a breach of this Conservation Easement has occurred.

9. Third Party Rights

Grantor and Holder acknowledge that the City of Biddeford has an interest in the protection and preservation of the conservation values described in this Conservation and Agricultural Easement, and that the City of Biddeford Planning Board has relied on this document in granting approval of the Subdivision Plan. In consideration thereof, Grantor and Holder agree that the City of Biddeford shall have, and the Grantor hereby grants to the City of Biddeford, the right to enforce the terms of this Conservation and Agricultural Easement in the event a violation of the terms of this easement continues for a period of thirty (30) days after written notice thereof is given by the City of Biddeford to the Grantor and the Holder.

10. Notices and Requests for Approval

A. Notice and Approval Requirements. Grantor agrees to notify Holder prior to undertaking any activity or exercising any reserved right that may have a material adverse effect on the Conservation Purposes, as specifically required in this Conservation and Agricultural Easement. Grantor's notices must include sufficient information to enable Holder to determine whether Grantor's plans are consistent with the terms of this Conservation and Agricultural Easement and the conservation purposes hereof. Where written consent and approval is required by this Conservation and Agricultural Easement, Holder shall not give its written consent and approval unless Grantor demonstrates that the proposed use or facilities are consistent with the terms, conditions, and Conservation Purposes of this Conservation and Agricultural Easement and will not diminish or impair the conservation values of the Protected Property.

B. Method for Notice. Any notices or requests for approval required by this Conservation and Agricultural Easement shall be in writing and shall be personally delivered or sent certified mail, return receipt requested, or by such commercial delivery service as provides proof of delivery, to Grantor and Holder, at the following addresses, unless one has been notified by the other of a change of address or change of ownership:

To Grantor: Peter Mourmouras
30 Saco Avenue
Old Orchard Beach, ME 04064

To Holder: Eagle River Homeowners Association

Biddeford, ME 04005

In the event that notice mailed to Holder, or to Grantor at the last address on file with Holder, is returned as undeliverable, the sending party shall provide notice by regular mail to Grantor's last known address on file with the municipality of Biddeford, Maine; or in the case of Holder, or in the case of a corporate owner, to the address on file with the Secretary of State, State of Maine, and the mailing of such notice shall be deemed compliance with the notice provisions of this Conservation Easement.

C. Time for Notice and Reply

i. Where Grantor is required to provide notice to Holder pursuant to this Conservation and Agricultural Easement, such notice as described hereinabove shall be given in writing thirty (30) days prior to the event giving rise to the need to give notice except as otherwise specifically provided herein.

ii. Where Grantor is required to obtain Holder's prior written consent and approval, such request as described hereinabove shall be given in writing thirty (30) days prior to undertaking the proposed activity except as otherwise specifically provided herein. Holder, upon receipt of Grantor's request, shall acknowledge receipt of the same. Following such review, Holder shall grant, grant with conditions, or withhold its approval. Failure to approve Grantor's request within thirty (30) days shall be deemed a denial of such request. No proposed activity may proceed without Holder's written consent and approval as provided herein.

11. Costs, Taxes, Liability

A. Taxes and Liens. Grantor shall pay and discharge when due all property taxes and assessments imposed upon the Protected Property and any uses thereof, and shall avoid the imposition of any liens that may adversely impact Holder's rights hereunder. Grantor shall keep the Protected Property free of any liens or encumbrances that may adversely impact Holder's rights hereunder, including without limitation those arising out of any work performed for, materials furnished to, or obligations incurred by Grantor; and Grantor shall promptly notify Holder of the filing or recording of any such lien or encumbrance. Holder may, at its discretion, pay any outstanding taxes, assessments, liens or encumbrances, and shall then be entitled to reimbursement by Grantor, together with interest at the then-prevailing statutory post-judgment interest rate in Maine under Title 14 MRS Section 1602-C or successor provisions thereof, calculated from the date of Holder's payment. Grantor and Holder agree that Holder shall have a lien on the Protected Property to secure Holder's right to reimbursement and that Holder may record such lien at any time. In any collection process or court action brought by Holder for reimbursement, Holder shall be entitled to recover its costs and expenses, including, without limitation, reasonable attorney's fees.

B. Responsibility of Owners. Grantor acknowledges that Holder has neither possessory rights in the Protected Property, nor any responsibility or right to control, maintain, or keep up the Protected Property. Grantor shall retain all responsibilities and shall bear all costs and liabilities of any nature related to the ownership, operation, upkeep, improvement and maintenance of the Protected Property. Grantor shall indemnify, defend and hold Holder harmless from and against any and all liabilities, costs, damages, or expenses of any kind including, without limitation, reasonable attorney's fees, that Holder may suffer or incur as a result of or arising out of the activities of Grantor or any other person on the Protected Property, other than those caused by the negligent acts or acts of misconduct of Holder, and except those arising out of Holder's workers' compensation obligations. Holder's right to be defended, held harmless and indemnified by Grantor shall extend without limitation to any action based upon the presence of toxic and/or hazardous substances upon or emanating from the Protected Property.

12. Dispute Resolution.

This Easement is in accordance with Maine's established public policy that encourages the use of non-litigative methods of dispute resolution. When a dispute arises between the Grantor and the Holder concerning uses or activities on the Protected Property, which they cannot resolve by informal means, the following dispute resolution procedures may be followed:

A. Conditions for Required Alternative Dispute Resolution ("ADR"). Prior to bringing an action at law or in equity in a court of competent jurisdiction to enforce the terms of this Conservation and

Agricultural Easement, the parties may seek to resolve the dispute through mediation if the Holder determines that the following conditions (the "ADR Conditions") are met:

i. The Grantor agrees not to proceed with the disputed use or activity pending resolution of the dispute, and

ii. No injury to the Protected Property has occurred or will occur while the parties are engaging in the ADR process.

B. Conditional Waiver of Right to Litigate. In submitting the dispute to mediation, the parties acknowledge they are temporarily, voluntarily waiving their rights to litigate the dispute in a court of law, so long as the ADR Conditions are being met. In the event either of the ADR Conditions is violated, the Holder shall have the immediate right to bring an action at law or in equity in a court of competent jurisdiction to enforce the terms of this Conservation and Agricultural Easement, as is more fully set forth in Section 8.B, above.

C. Conditions for ADR By Mutual Agreement of the Holder and Grantor. Regardless of whether the ADR Conditions are met, the parties by mutual agreement may, in addition to mediation, submit the dispute to other forms of ADR such as binding or non-binding arbitration. By mutual agreement, other conditions may be set under which the process of ADR would proceed. The violation of these additional conditions by one of the parties, would give the other party the right to immediately proceed with an action in law or equity.

D. **Dispute Resolution.** The procedure the parties shall use for mediation is as follows:

i. Either party may serve the other with a written request for mediation. A mediation session shall be scheduled no later than sixty (60) days after the date of the request if the Holder determines that the ADR Conditions are met or unless the parties agree otherwise.

ii. Mediation shall be conducted by a mediator mutually agreeable to Holder and Grantor.

iii. If the parties cannot agree on a mediator, they shall each pick a mediator, and those two mediators shall select a third mediator who alone shall actually conduct the mediation.

iv. The costs of mediation shall be shared equally by the parties unless otherwise agreed or unless reimbursement to Holder is applicable under Paragraph 8.B. herein.

13. Standard Provisions

A. Maine Conservation Easement Act. This Conservation and Agricultural Easement is established pursuant to the Maine Conservation Easement Act at Title 33, Maine Revised Statutes Annotated, Sections 476 through 479-C, inclusive, as amended, and shall be construed in accordance with the laws of the State of Maine.

B. Assignment Limitation. This Conservation and Agricultural Easement is assignable, but only to an entity that satisfies the requirements of Section 476(2) of Title 33 of the Maine Revised Statutes Annotated, as amended (or successor provisions thereof), and that as a condition of transfer, agrees to uphold the Conservation Purposes.

C. Liens Subordinated. Grantor represents that as of the date of this grant there are no liens or mortgages outstanding against the Protected Property. Grantor has the right to use the Protected Property as collateral to secure the repayment of debt, provided that any lien or other rights granted for such purpose, regardless of date, are subordinate to Holder's rights under this Conservation and Agricultural Easement. Under no circumstances may Holder's rights be extinguished or otherwise affected by the recording, foreclosure or any other action taken concerning any subsequent lien or other interest in the Protected Property, except that Holder may, upon request, subordinate its right to monetary damages

based upon a violation that occurs subsequent to recording of such mortgage or lien, to the rights of a mortgagee.

D. Termination and Proceeds. This Conservation and Agricultural Easement may only be extinguished or terminated by judicial order in a court of competent jurisdiction. It is the intention of the parties that an extinguishment or termination be approved by a court only if all of the Conservation and Agricultural Easement are impossible to accomplish. Notwithstanding the foregoing, but subject to more restrictive laws and regulations, if any, if an interest in this Conservation and Agricultural Easement is subject to the exercise of the power of eminent domain or Holder receives a formal notice of the intention to exercise such powers by an agency of government entitled to do so, Holder, in its sole discretion, may issue prior written consent, without a judicial order, to a partial or complete extinguishment or termination of this Conservation Easement.

Grantor and Holder agree that the grant of this Conservation and Agricultural Easement gives rise to a property right which vests immediately in Holder and which has a fair market value equal to the amount by which the fair market value of the unrestricted Protected Property is reduced by the restrictions imposed by this Conservation Easement, as provided herein. Should this Conservation and Agricultural Easement be extinguished or diminished in land area by judicial decree, the power of eminent domain or other legal authority and Grantor sells, exchanges, receives payment, or if there is an increase in value of any part or the whole of the then-unrestricted Protected Property, Holder shall be entitled to be paid a portion of the proceeds of such sale, exchange or involuntary conversion, or increase in such value, computed as to the greater of: (i) the proportion that the value of this Conservation and Agricultural Easement bore to the value of the unrestricted Protected Property on the date of execution of this Conservation Easement; or (ii) the proportion that the value of this Conservation and Agricultural Easement bears to the unrestricted Protected Property at the time of the easement's extinguishment or diminishment. In any such case, the diminished value of the Protected Property due to the existence of the Conservation and Agricultural Easement shall not affect the full valuation of the Protected Property as if this Conservation and Agricultural Easement did not exist. Holder shall use its share of the proceeds or other moneys received under this paragraph in a manner consistent with the Conservation Purposes. Holder has the right to record a lien on the Protected Property to secure its rights under this Paragraph 13.D.

14. General Provisions

A. Controlling Law and Interpretation. The interpretation and performance of this Conservation and Agricultural Easement shall be governed by the laws of the State of Maine. Any general rule of construction to the contrary notwithstanding, this Easement shall be liberally construed in favor of the grant to effect the Conservation Purposes and the policy and purpose of the Maine Conservation Easement Act at Title 33, Maine Revised Statutes Annotated, Sections 476 through 479-C, inclusive, as amended. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the Conservation Purposes shall govern.

B. Grantor and Holder Definitions. The term "Grantor" or "Grantors" as used in this Conservation and Agricultural Easement shall include, unless the context clearly indicates otherwise, the within-named Grantor(s), jointly and severally, their personal representatives, heirs, successors and assigns and any successors in interest to the Protected Property. The term "Holder" as used in this Conservation Easement shall, unless the context clearly indicates otherwise, include the Holder's successors and assigns.

C. Owner's Rights and Obligations, Joint Obligation. A person's or entity's obligation hereunder as Grantor, or successor owner of the Protected Property, shall be joint and several, and will cease, only if

and when such person or entity ceases to have any ownership interest in the Protected Property, (or relevant portion thereof) but only to the extent that the Protected Property (or relevant portion thereof), is then in compliance herewith, and provided such person or entity shall have fulfilled the requirements of Paragraph 14.D.1 below. Responsibility of owners for breaches of this Conservation and Agricultural Easement that occur prior to transfer of title will survive such transfer; provided that the new owner shall also be responsible for bringing the Protected Property into compliance.

D. Subsequent Deeds and Transfers.

D.1. This Conservation and Agricultural Easement must be incorporated by reference in any deed or other legal instrument by which Grantors convey any interest in the Protected Property, including, without limitation, a leasehold or mortgage interest. Grantors further agree to give written notice to Holder within thirty (30) days of the transfer or conveyance of any interest in the Protected Property pursuant to Paragraph 14.D.2. The failure of Grantors to perform any act required by this paragraph shall not impair the validity of this Conservation and Agricultural Easement or limit its enforceability in any way.

D.2. Required Transfer Fee and Recording of Notices with Respect to Transfer. At any time the Protected Property itself, or any interest in it, is transferred by Grantor to any third party, Grantor shall pay a $100 transfer fee to Holder and Grantor shall notify Holder of such transfer within thirty (30) days of such transfer or conveyance in writing, using the form in Exhibit D attached hereto.

E. Compliance/Estoppel Certificates. Upon written request by Grantor, Holder will provide Compliance/Estoppel Certificates to Grantor or third parties, indicating the extent to which, to Holder's knowledge after due inquiry, the Protected Property is in compliance with the terms of this grant. The inspection of the Protected Property for this purpose will be made by Holder at Grantor's cost within a reasonable time after Grantor's written request.

F. Discretionary Approvals and Amendments.

F.1. Discretionary Approvals. Grantor and Holder recognize that certain activities by the Grantor may warrant the prior discretionary approval of Holder, and that Holder has the right to issue such discretionary approvals without prior notice to any other party. Nothing in this paragraph shall require either party to agree to any discretionary approval.

F.2. Amendments. Grantor and Holder recognize that rare and extraordinary circumstances could arise which warrant modification of certain of the provisions of this Conservation and Agricultural Easement. To this end, subject to more restrictive laws and regulations, if any, Grantor and Holder have the right to agree to amendments to this Conservation and Agricultural Easement without prior notice to any other party, provided that in the sole and exclusive judgment of Holder, such amendment does not violate the restrictions in Paragraph 14.F.3. Nothing in this paragraph shall require the Grantor or the Holder to agree to any amendment or to negotiate regarding any amendment.

F.3. Further Limitations on Discretionary Approval and Amendments. Notwithstanding the foregoing, except as provided by 33 M.R.S.§ 477-A(2), as amended, by which a Conservation Easement may be amended by court approval in an action in which the Attorney General is made a party, Holder and Grantor have no right or power to approve any action or agree to any amendment that would

(a) materially detract from the conservation values intended for protection under this Conservation Easement;
(b) limit the term or result in the partial or complete termination of this Conservation Easement; or
(c) adversely affect the qualification of this Conservation Easement or the status of the Holder under applicable laws, including the Maine Conservation Easement Act at 33 M.R.S. §476 *et seq.*, and Sections

170(h), 501(c)(3), 2522, and 2031(c) of the Internal Revenue Code, successor provisions thereof and regulations issued pursuant thereto.

G. Economic Hardship. In making this grant, Grantor has considered the possibility that uses prohibited by the terms of this Conservation and Agricultural Easement may become more economically valuable than permitted uses, and that neighboring properties may in the future be put entirely to such prohibited uses. In addition, the unprofitability of conducting or implementing any or all of the uses permitted under the terms of this Conservation Easement shall not impair the validity of this Conservation and Agricultural Easement or be considered grounds for its termination or extinguishment. It is the intent of both Grantors and Holder that any such economic changes shall not be deemed to be changed conditions or a change of circumstances justifying the judicial termination, extinguishment or amendment of this Conservation and Agricultural Easement.

H. Nonwaiver. The failure or delay of the Holder, for any reason whatsoever, to do any action required or contemplated hereunder, or to discover a violation or initiate an action to enforce this Conservation and Agricultural Easement shall not constitute a waiver, laches, or estoppel of its rights to do so at a later time.

I. Severability, Entire Agreement, No Forfeiture. If any provision of this Conservation and Agricultural Easement or the application of any provision to a particular person or circumstance is found to be invalid, the remainder of this Conservation and Agricultural Easement and the application of such provision to any other person or in any other circumstance, shall remain valid. This instrument and the Baseline Documentation set forth the entire agreement of the parties with respect to the Conservation and Agricultural Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Conservation and Agricultural Easement, all of which are merged herein. Nothing contained herein will result in a forfeiture of this Conservation and Agricultural Easement or reversion to Grantor of any rights extinguished or conveyed hereby.

J. Standing to Enforce. Except as otherwise provided in Section 9,only Holder and Grantor may bring an action to enforce this grant, and nothing herein should be construed to grant any other individual or entity standing to bring an action hereunder, unless otherwise provided by law; nor to grant any rights in the Protected Property by adverse possession or otherwise, provided that nothing in this Conservation and Agricultural Easement shall affect any public rights in or to the Protected Property acquired by common law, adverse possession, prescription, or other law, independently of this grant.

K. Merger of Fee and Easement. The Holder acknowledges that this Conservation and Agricultural Easement will remain in full effect should the Holder, at some time in the future, acquire the fee interest in the Protected Property.

L. Captions. The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon construction or interpretation.

M. Independent Representation. Grantor and Holder acknowledge and agree that they have not received and are not relying upon legal, tax, financial or other advice from each other.

TO HAVE AND TO HOLD the said Conservation and Agricultural Easement unto the said Holder, and its successors and assigns forever.

IN WITNESS WHEREOF, I, Peter Mormouras, have hereunto set my hand and seal this ___ day of _____, 2020.

Signed, sealed and delivered
in the presence of:

_____ _____

Witness Peter Mourmouras

STATE OF MAINE
COUNTY OF YORK _____, 2019.

Then personally appeared before me the above-named Peter Mourmouras and acknowledged the foregoing instrument to be his free act and deed.

_____
Notary Public

_____
[*Printed name of notary*]
My commission expires:_____

The above and foregoing Conservation and Agricultural Easement was authorized to be accepted by the Eagle River Run Homeowners Association and the Eagle River Run Homeowners Association does hereby accept the foregoing Conservation and Agricultural Easement, by and through _____, its President, this __ day of _____, 2020.

Signed, sealed and delivered
in the presence of:

Eagle River Run Homeowners Association

_____
Witness

By:_____

STATE OF MAINE
COUNTY OF YORK

_____, 2019.

Then personally appeared before me the above-named _____, President of Eagle River Run Homeowners Association, and acknowledged the foregoing instrument to be his free act and deed in his/her said capacity and the free act and deed of said Eagle River Run Homeowners Association.

_____
Notary Public

_____
[*Printed name of notary*]
My commission expires:_____

Exhibits and Attachments

EXHIBIT A
Legal Description of the Protected Property

[*Include relevant surveys, reference to prior recorded deeds, and existing easements and rights of way that burden or benefit the Protected Property.*]

EXHIBIT B
Sketch Plan

[*Include perimeter of Protected Property, land use areas, and location of items noted in the easement.*]

EXHIBIT D – NOT TO BE COMPLETED AT TIME OF EASEMENT RECORDING

Notice of Transfer of Protected Property

To: [*Insert name and address of holder*] ("Holder")
From: [*Insert name and address of fee owner*] ("Grantor")

Pursuant to Paragraph 14.D.(2) of the Conservation and Agricultural Easement, from Peter Mourmouras to Holder, dated _____, and recorded at the York County Registry of Deeds at Book ____ and Page _____, Holder is hereby notified by Grantor of the transfer of the fee simple interest in the subject Property legally described in Exhibit A attached hereto effective [insert date of closing] to [insert name of new Grantor], who can be reached at [insert name, legal address, phone and fax number]. This notice is accompanied by a transfer fee in the amount of $100, paid to Holder.

GRANTOR:

By:
Title:

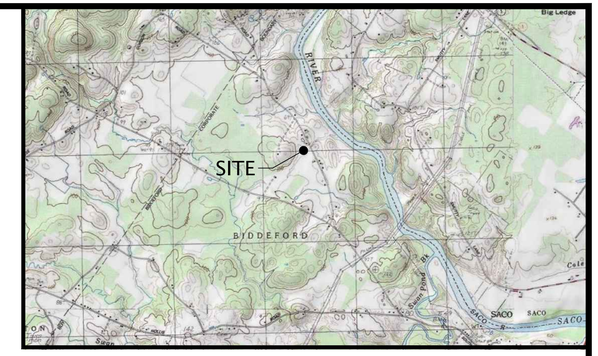
STATE OF MAINE
COUNTY OF _____)

Then personally appeared the above-named _____ and acknowledged the foregoing instrument to be his/her/their free act and deed.

Before me,

_____
Notary Public
_____
Printed name of notary
My commission expires:_____

EAGLE RIVER RUN
SUBDIVISION MAP: 6 LOT: 49
BIDDEFORD, MAINE 04046



LOCATION MAP

NOT TO SCALE

OWNER:

PETER A. MOURMOURAS
30 SACO AVENUE
OLD ORCHARD BEACH, MAINE 04046

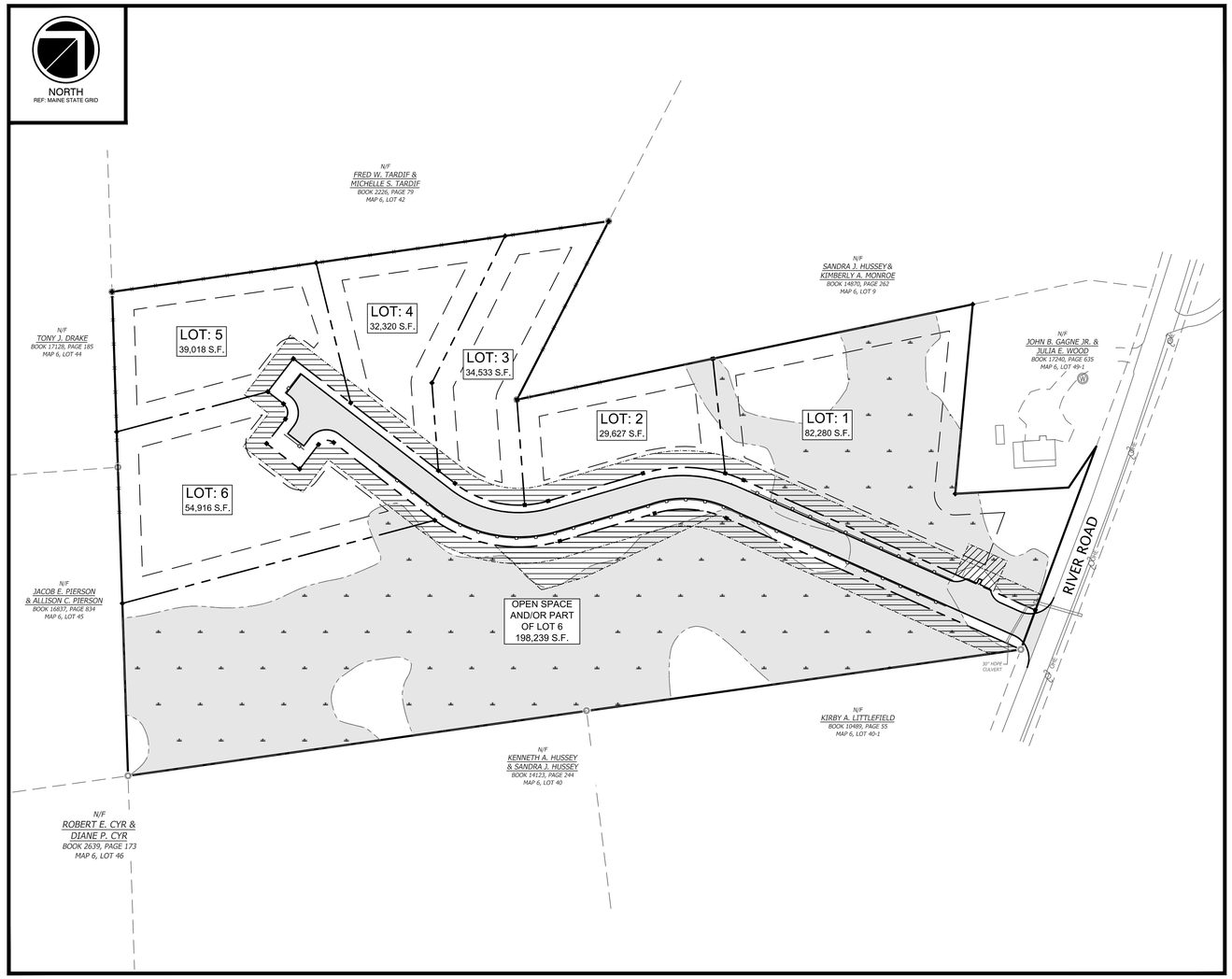
CIVIL ENGINEER:

Atlantic Resource Consultants
Engineering Strategies and Solutions

541 US ROUTE ONE, SUITE 21
FREEPORT, MAINE 04032

SOILS & WETLAND DELINIATION:

LONGVIEW PARTNERS, LLC.
6 SECOND STREET
BUXTON, MAINE 04093



PLAN VIEW

SCALE 1"=80'

SHEET INDEX:

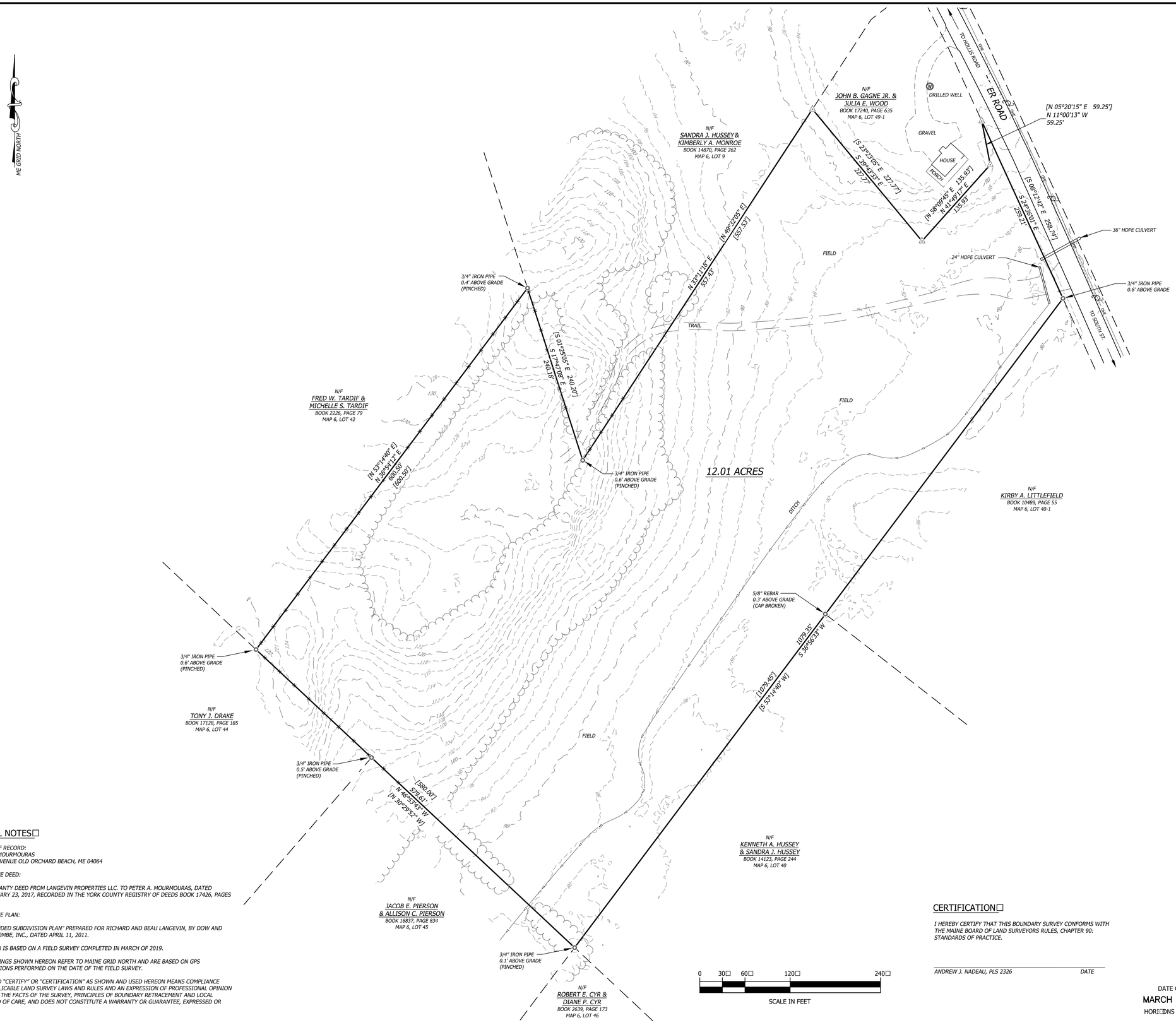
1 0F 9	COVER SHEET
1 OF 1	BOUNDARY SURVEY
1 OF 1	PLAT PLAN
2 OF 9	EXISTING CONDITIONS PLAN
3 OF 9	OVERALL SUBDIVISION PLAN
4 OF 9	GRADING, DRAINAGE AND EROSION CONTROL PLAN
5 OF 9	ROADWAY AND UTILITIES PLAN & PROFILE
6 OF 9	EROSION & SEDIMENTATION CONTROL NOTES
7 OF 9	EROSION & SEDIMENTATION CONTROL DETAILS
8 OF 9	SITE CIVIL DETAILS I
9 OF 9	STORMWATER BMP DETAILS I
1 OF 1	LANDSCAPING PLAN

PLAN REFERENCES:

1. A PLAN OF: BOUNDARY SURVEY PREPARED FOR ATLANTIC RESOURCE CONSULTANTS OF PROPERTY LOCATED ON RIVER ROAD, BIDDEFORD, MAINE. RECORD OWNER: PETER A. MOURMOURAS BOOK: 17426, PAGE: 29, MAP: 64, LOT: 49. DATED: 3/4/2019. SCALE: 1" = 60'. PREPARED BY: HORIZONS ENGINEERING.
2. A PLAN OF: CLASS A HIGH-INTENSITY SOIL SURVEY. PREPARED FOR: PETER A. MOURMOURAS 155 RIVER ROAD (MAP: 6, LOT: 49) BIDDEFORD, MAINE. SCALE: 1" = 50'. DATED: 3-20-19. PREPARED BY: LONGVIEW PARTNERS, LLC.
3. EXISTING SITE TOPOGRAPHY FROM STATE OF MAINE GIS.

REVISED: JUNE 24, 2020

FOR PERMITTING ONLY
NOT FOR CONSTRUCTION



LEGEND

- IRON ROD OR PIPE FOUND (SEE PLAN FOR DESCRIPTION)
- CALCULATED POINT
- WELL
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- WIRE FENCE
- PROPERTY BOUNDARY
- ABUTTING PROPERTY BOUNDARY
- TREELINE
- OHE — OVERHEAD UTILITIES
- CONTOUR, MAJOR INTERVAL
- CONTOUR, MINOR INTERVAL
- [N 25°31'10" E 125.99'] — RECORD DIMENSION PER REFERENCE PLAN (A)

GENERAL NOTES

1. OWNER OF RECORD:
   PETER A. MOURMOURAS
   30 SACO AVENUE OLD ORCHARD BEACH, ME 04064
2. REFERENCE DEED:
   (A) WARRANTY DEED FROM LANGEVIN PROPERTIES LLC. TO PETER A. MOURMOURAS, DATED FEBRUARY 23, 2017, RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS BOOK 17426, PAGES 29-30.
3. REFERENCE PLAN:
   (A) "AMENDED SUBDIVISION PLAN" PREPARED FOR RICHARD AND BEAU LANGEVIN, BY DOW AND COULOMBE, INC., DATED APRIL 11, 2011.
4. THIS PLAN IS BASED ON A FIELD SURVEY COMPLETED IN MARCH OF 2019.
5. THE BEARINGS SHOWN HEREON REFER TO MAINE GRID NORTH AND ARE BASED ON GPS OBSERVATIONS PERFORMED ON THE DATE OF THE FIELD SURVEY.
6. THE WORD "CERTIFY" OR "CERTIFICATION" AS SHOWN AND USED HEREON MEANS COMPLIANCE WITH APPLICABLE LAND SURVEY LAWS AND RULES AND AN EXPRESSION OF PROFESSIONAL OPINION BASED ON THE FACTS OF THE SURVEY, PRINCIPLES OF BOUNDARY RETRACEMENT AND LOCAL STANDARD OF CARE, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

CERTIFICATION

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY CONFORMS WITH THE MAINE BOARD OF LAND SURVEYORS RULES, CHAPTER 90: STANDARDS OF PRACTICE.

ANDREW J. NADEAU, PLS 2326 DATE

DATE OF PRINT
MARCH 20 2019
HORIZONS ENGINEERING

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LITTLETON NH • NORTH CONWAY NH • NORTHFIELD VT • PLYMOUTH VT
603-444-4111 603-877-0116 802-334-6434 802-457-3151

BOUNDARY SURVEY PREPARED FOR
ATLANTIC RESOURCE CONSULTANTS
OF PROPERTY LOCATED ON
RIVER ROAD, BIDDEFORD, ME

RECORD OWNER
PETER A. MOURMOURAS

BOOK 17426 PAGE 29
MAP 6 LOT 49

NO.	DATE	REVISION DESCRIPTION	ENG	DWG

DATE 3/4/2019	PROJECT 19022
SURVEY BY JND	DRAWN BY JDN
CHECKED BY AJN	ARCHIVE H-
SHEET 1 OF 1	

GENERAL NOTES:

1. OWNER OF RECORD:
   PETER A. MOURMOURAS
   30 SACO AVENUE
   OLD ORCHARD BEACH, ME 04064

2. REFERENCE DEED:

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4. THIS PLAN IS BASED ON A FIELD SURVEY COMPLETED IN MARCH OF 2019.

5. THE BEARINGS SHOWN HEREON REFER TO MAINE GRID NORTH AND ARE BASED ON GPS OBSERVATIONS PERFORMED ON THE DATE OF THE FIELD SURVEY.

6. PARCEL IS ZONED: RURAL FARM ZONE.

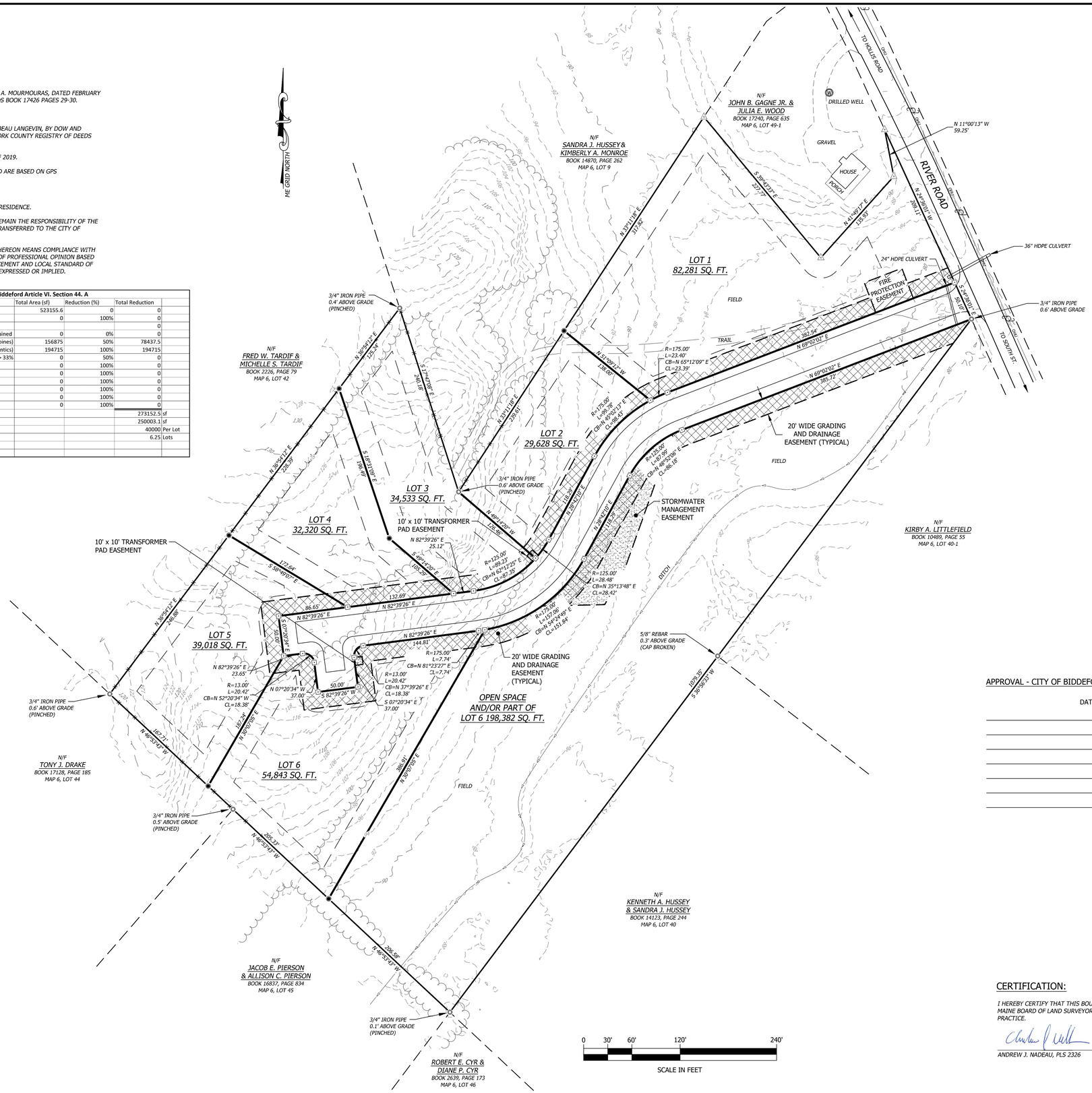
7. NO RESIDENCES SHALL BE PLACED CLOSER THAN 30' TO ANOTHER RESIDENCE.

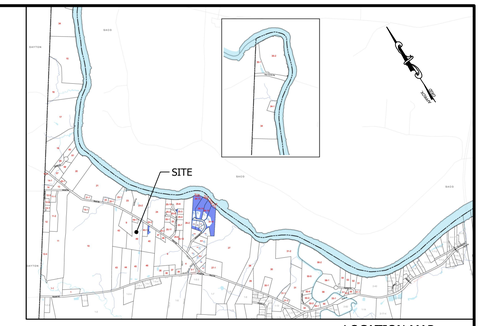
8. STORMWATER MANAGEMENT EASEMENTS AND FACILITIES SHALL REMAIN THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION IN PERPETUITY AND SHALL NOT BE TRANSFERRED TO THE CITY OF BIDDEFORD REGARDLESS OF ROAD ACCEPTANCE.

9. THE WORD "CERTIFY" OR "CERTIFICATION" AS SHOWN AND USED HEREON MEANS COMPLIANCE WITH APPLICABLE LAND SURVEY LAWS AND RULES AND AN EXPRESSION OF PROFESSIONAL OPINION BASED ON THE FACTS OF THE SURVEY, PRINCIPLES OF BOUNDARY RETRACEMENT AND LOCAL STANDARD OF CARE, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

Net Density Calculations: City of Biddeford Article VI. Section 44. A

Item	Total Area (sf)	Reduction (%)	Total Reduction	
Total Lot Area (12.01 Acres) - Tax Map 6 Lot 49	523155.6	0	0	
A1 - Portions within the 100-year floodplain	0	100%	0	
A2 - Portions unsuitable due to natural state*:			0	
Excessively Well, Well and Moderately Well Drained	0	0%	0	
Somewhat Poorly Drained (Lamoines)	156875	50%	78437.5	
Poorly Drained (Scantics)	194715	100%	194715	
Slopes > 33%	0	50%	0	
A3 - Recorded RoWs, Easements	0	100%	0	
A4 - Surface Waters	0	100%	0	
A5 - Prime Agricultural Soils	0	100%	0	
A6 - Land within the Resource Protection Zone	0	100%	0	
A7 - Land in the Rural Farm and Coastal Residential Zone Shoreland Zone	0	100%	0	
A8 - Land of unreclaimed extractive industry operations	0	100%	0	
Total Reductions			273152.5	sf
Total Remaining Net Density Land Available (sf)			250003.1	sf
Net Density Unit Size (sf)			40000	Per Lot
Total Units Available (lots			6.25	Lots
* see High Intensity Soil Survey prepared by Longview Partners, LLC				





LOCATION MAP
SCALE: APPROXIMATELY 1" = 2000'

LEGEND

- IRON ROD OR PIPE FOUND (SEE PLAN FOR DESCRIPTION)
- CALCULATED POINT
- CORNER TO BE MONUMENTED WITH 5/8-DIAMETER IRON ROD WITH PLASTIC CAP
- CORNER TO BE MONUMENTED WITH GRANITE MONUMENT
- WELL
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- WIRE FENCE
- PROPERTY BOUNDARY
- ABUTTING PROPERTY BOUNDARY
- TREELINE
- OVERHEAD UTILITIES
- CONTOUR, MAJOR INTERVAL
- CONTOUR, MINOR INTERVAL

APPROVAL - CITY OF BIDDEFORD PLANNING BOARD

DATE: _____

CERTIFICATION:

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY CONFORMS WITH THE MAINE BOARD OF LAND SURVEYORS RULES, CHAPTER 90: STANDARDS OF PRACTICE.

ANDREW J. NADEAU, PLS 2326 — *DATE* 6/9/20

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LITTLETON NH • NEWPORT VT
NEW LONDON NH • POMFRET VT • KENNEBUNK ME

SUBDIVISION PREPARED FOR

PETER A. MOURMOURAS

OF PROPERTY LOCATED ON
RIVER ROAD
YORK COUNTY, BIDDEFORD, MAINE

BOOK 17426 PAGE 29
MAP 6 LOT 49

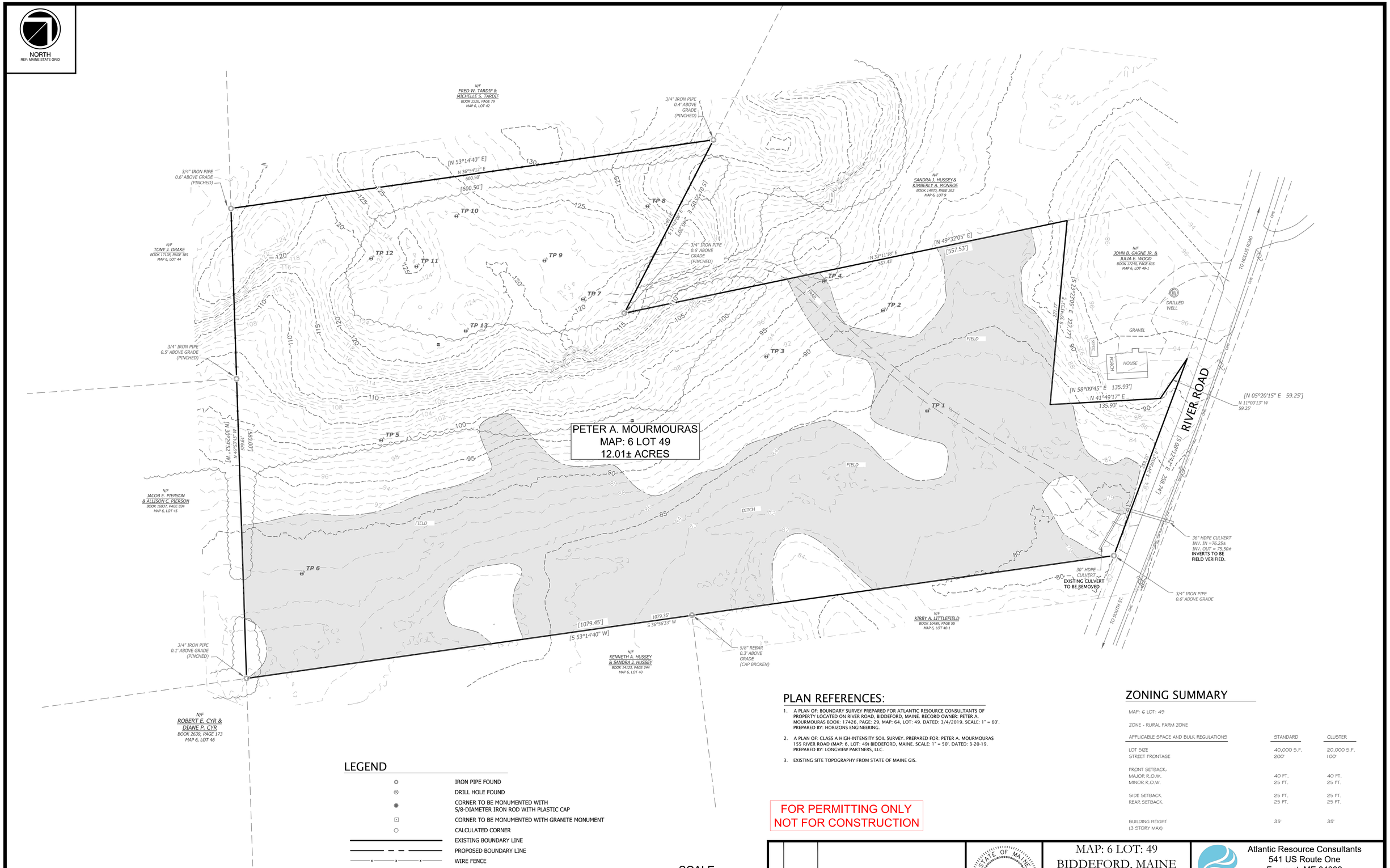
NO.	DATE	REVISION DESCRIPTION	ENG	DWG
1	10/22/19	REVISED EDGE OF PAVEMENT	---	SJB
2	1/15/20	GRADING AND DRAINAGE, STORMWATER PROTECTION, FIRE PROTECTION EASEMENTS	---	SJB
3	6/9/20	GRANITE MONUMENTS, TRANSFORMER PAD EASEMENTS, NOTE 8, MODIFIED R.O.W.	---	SJB

STATE OF MAINE ANDREW J. NADEAU 2326 PROFESSIONAL LAND SURVEYOR

DATE: 9/11/2019	PROJECT #: 19022
SURV'D BY: JND	DRAWN BY: JDN
CHECK'D BY: AJN	ARCHIVE #: H-____
SHEET 1 OF 1	

RESERVED FOR YORK COUNTY REGISTRY OF DEEDS

NORTH
REF: MAINE STATE GRID



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3. EXISTING SITE TOPOGRAPHY FROM STATE OF MAINE GIS.

ZONING SUMMARY

MAP: 6 LOT: 49

ZONE - RURAL FARM ZONE

APPLICABLE SPACE AND BULK REGULATIONS	STANDARD	CLUSTER
LOT SIZE	40,000 S.F.	20,000 S.F.
STREET FRONTAGE	200'	100'
FRONT SETBACK-		
MAJOR R.O.W.	40 FT.	40 FT.
MINOR R.O.W.	25 FT.	25 FT.
SIDE SETBACK	25 FT.	25 FT.
REAR SETBACK	25 FT.	25 FT.
BUILDING HEIGHT (3 STORY MAX)	35'	35'

LEGEND

- IRON PIPE FOUND
- DRILL HOLE FOUND
- CORNER TO BE MONUMENTED WITH 5/8-DIAMETER IRON ROD WITH PLASTIC CAP
- CORNER TO BE MONUMENTED WITH GRANITE MONUMENT
- CALCULATED CORNER
- EXISTING BOUNDARY LINE
- PROPOSED BOUNDARY LINE
- WIRE FENCE
- OHE — OVERHEAD ELECTRIC LINE
- 94 — 1' CONTOUR
- 95 — 5' CONTOUR

SCALE

0 25 50 100

SCALE in FEET
1"=50'

FOR PERMITTING ONLY
NOT FOR CONSTRUCTION

REV	DATE	DESCRIPTION
5.	6-24-2020	REVISED FOR FINAL APPROVAL PER PEER REVIEW COMMENTS.
4.	6-10-2020	REVISED PER PEER REVIEW COMMENT.
3.	1-16-2020	REVISED PER TOWN COMMENT.
2.	10-31-2019	REVISED PER MDEP COMMENT.
1.	10-4-2019	REVISED PER COMMENT.

REVISIONS

STATE OF MAINE
JASON A. VAFIADES
No. 12661
LICENSED
PROFESSIONAL ENGINEER
6/24/2020

MAP: 6 LOT: 49
BIDDEFORD, MAINE

EXISITNG CONDITIONS PLAN

PETER A. MOURMOURAS
30 SACO AVENUE
OLD ORCHARD BEACH, MAINE 04046

Atlantic Resource Consultants
541 US Route One
Freeport, ME 04032
Tel: 207.869.9050

DRAWN:	MPV	DATE:	SEPTEMBER 11, 2019
DESIGNED:	JAV	SCALE:	1" = 50'
CHECKED:	JAV	JOB NO.	19-009
FILE NAME:			
SHEET:	C-100		

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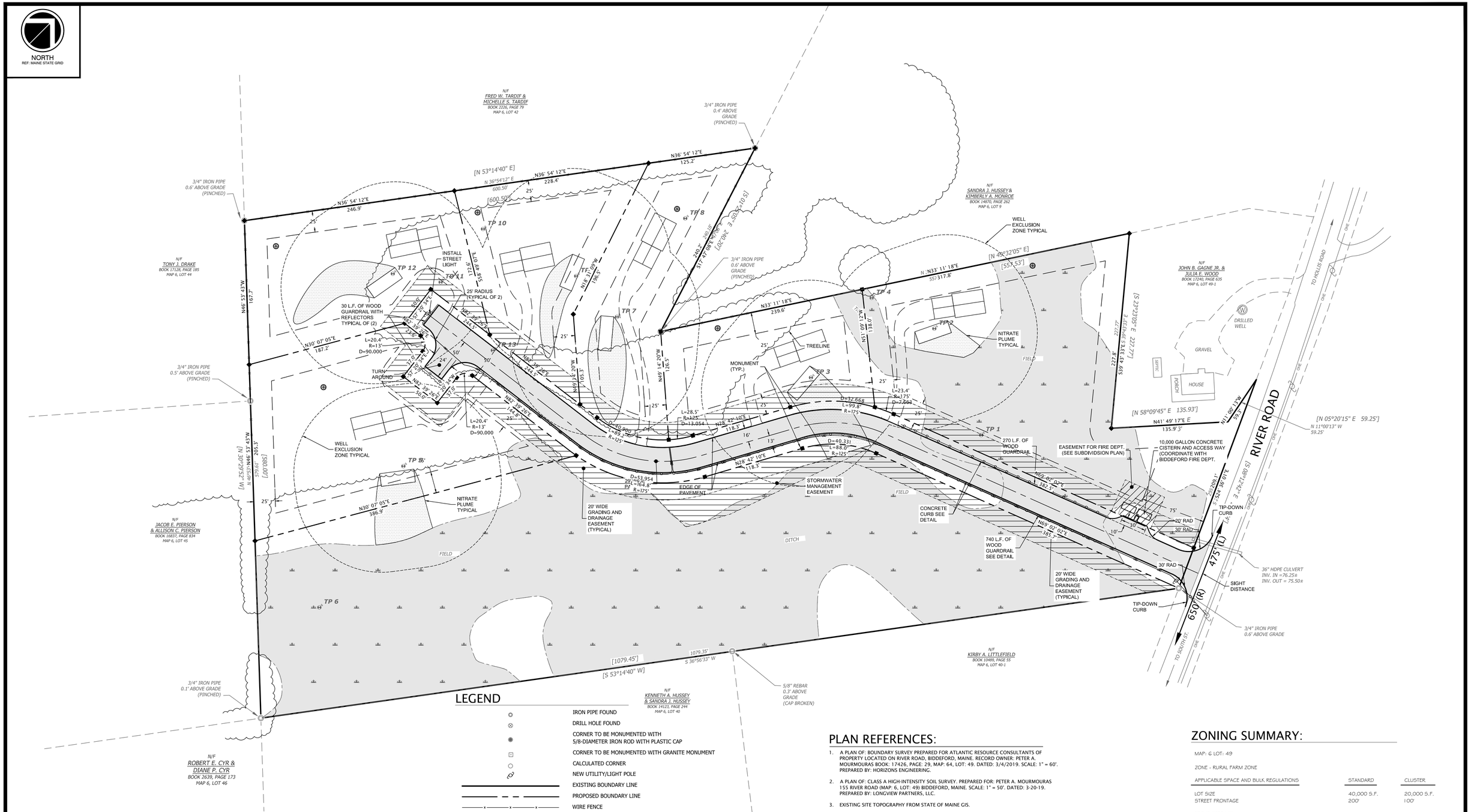

LEGEND

- IRON PIPE FOUND
- DRILL HOLE FOUND
- CORNER TO BE MONUMENTED WITH 5/8-DIAMETER IRON ROD WITH PLASTIC CAP
- CORNER TO BE MONUMENTED WITH GRANITE MONUMENT
- CALCULATED CORNER
- NEW UTILITY/LIGHT POLE
- EXISTING BOUNDARY LINE
- PROPOSED BOUNDARY LINE
- WIRE FENCE
- OHE — EXSTING OVERHEAD UTILITIES
- OHU — OVERHEAD ELECTRIC LINE
- UGU — UNDERGROUND UTILITIES
- 94 — EXISTING 1' CONTOUR
- 95 — EXISTING 5' CONTOUR
- 1' CONTOUR
- 5' CONTOUR
- TRANSFORMER PAD
- P-# — STORM DRAIN
- UD — UNDER DRAIN
- CATCH BASIN
- CULV-# — CULVERT
- SB — SILT BARRIER
- RIPRAP
- EASEMENT

PLAN REFERENCES:

1. A PLAN OF: BOUNDARY SURVEY PREPARED FOR ATLANTIC RESOURCE CONSULTANTS OF PROPERTY LOCATED ON RIVER ROAD, BIDDEFORD, MAINE. RECORD OWNER: PETER A. MOURMOURAS BOOK: 17426, PAGE: 29, MAP: 64, LOT: 49. DATED: 3/4/2019. SCALE: 1" = 60'. PREPARED BY: HORIZONS ENGINEERING.
2. A PLAN OF: CLASS A HIGH-INTENSITY SOIL SURVEY. PREPARED FOR: PETER A. MOURMOURAS 155 RIVER ROAD (MAP: 6, LOT: 49) BIDDEFORD, MAINE. SCALE: 1" = 50'. DATED: 3-20-19. PREPARED BY: LONGVIEW PARTNERS, LLC.
3. EXISTING SITE TOPOGRAPHY FROM STATE OF MAINE GIS.

ZONING SUMMARY:

MAP: 6 LOT: 49

ZONE - RURAL FARM ZONE

APPLICABLE SPACE AND BULK REGULATIONS	STANDARD	CLUSTER
LOT SIZE	40,000 S.F.	20,000 S.F.
STREET FRONTAGE	200'	100'
FRONT SETBACK-		
MAJOR R.O.W.	40 FT.	40 FT.
MINOR R.O.W.	25 FT.	25 FT.
SIDE SETBACK	25 FT.	25 FT.
REAR SETBACK	25 FT.	25 FT.
BUILDING HEIGHT (3 STORY MAX)	35'	35'

SCALE

0 25 50 100

SCALE in FEET
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Net Density Calculations: City of Biddeford Article VI. Section 44. A

Item	Total Area (sf)	Reduction (%)	Total Reduction	
Total Lot Area (12.01 Acres) - Tax Map 6 Lot 49	523155.6	0	0	
A1 - Portions within the 100-year floodplain	0	100%	0	
A2 - Portions unsuitable due to natural state*:			0	
Excessively Well, Well and Moderately Well Drained	0	0%	0	
Somewhat Poorly Drained (Lamoines)	156875	50%	78437.5	
Poorly Drained (Scantics)	194715	100%	194715	
Slopes > 33%	0	50%	0	
A3 - Recorded RoWs, Easements	0	100%	0	
A4 - Surface Waters	0	100%	0	
A5 - Prime Agricultural Soils	0	100%	0	
A6 - Land within the Resource Protection Zone	0	100%	0	
A7 - Land in the Rural Farm and Coastal Residential Zone Shoreland Zone	0	100%	0	
A8 - Land of unreclaimed extractive industry operations	0	100%	0	
Total Reductions			273152.5	sf
Total Remaining Net Density Land Available (sf)			250003.1	sf
Net Density Unit Size (sf)			40000	Per Lot
Total Units Available (lots			6.25	Lots
* see High Intensity Soil Survey prepared by Longview Partners, LLC				

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REVISIONS

STATE OF MAINE
JASON A. VAFIADES
No. 12661
LICENSED
PROFESSIONAL ENGINEER
6/24/2020

MAP: 6 LOT: 49
BIDDEFORD, MAINE
OVERALL DEVELOPMENT PLAN

PETER A. MOURMOURAS
30 SACO AVENUE
OLD ORCHARD BEACH, MAINE 04046

Atlantic Resource Consultants
541 US Route One
Freeport, ME 04032
Tel: 207.869.9050

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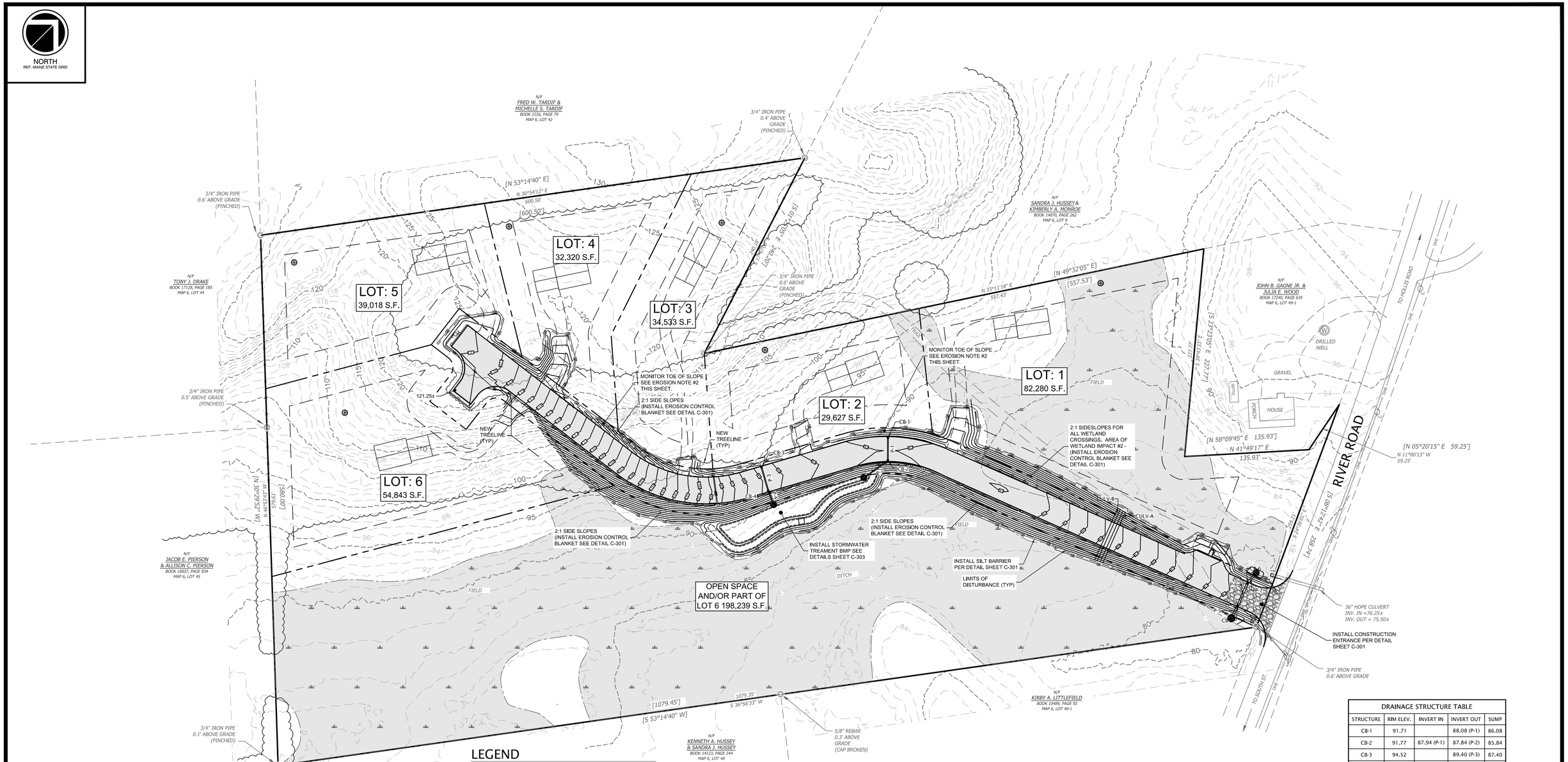

DRAINAGE STRUCTURE TABLE				
STRUCTURE	RIM ELEV.	INVERT IN	INVERT OUT	SUMP
CB-1	91.71		88.08 (P-1)	86.08
CB-2	91.77	87.94 (P-1)	87.84 (P-2)	85.84
CB-3	94.52		89.40 (P-3)	87.40
CB-4	94.58	89.25 (P-3)	89.15 (P-4)	87.15
CB-5	81.90	78.40 (P-5)	78.30 (P-6)	76.30
CB-6	81.91	78.17 (P-6)	78.07 (P-7)	76.07

LEGEND

- IRON PIPE FOUND
- DRILL HOLE FOUND
- CORNER TO BE MONUMENTED WITH 5/8-DIAMETER IRON ROD WITH PLASTIC CAP
- CORNER TO BE MONUMENTED WITH GRANITE MONUMENT
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3. EXISTING SITE TOPOGRAPHY FROM STATE OF MAINE GIS.
4. WETLANDS MAPPING PERFORMED BY LONGVIEW PARTNERS, LLC (JAMES LOGAN, CERTIFIED SOIL SCIENTIST)

STORMWATER NOTES:

1. TOTAL PROJECT IMPACTS:
   1.1. DISTURBED AREA: 49,853 SF
   1.2. IMPREVIOUS AREA: 28,202 SF
2. PROJECT REQUIRES AN MeDEP STORMWATER PERMIT BY RULE (PBR) TO BE SUBMITTED AT LEAST TWO WEEKS PRIOR TO DISTURBANCE.

WETLAND ALTERATION NOTES:

1. TOTAL PROJECT WETLAND IMPACTS:
   1.1. WETLAND FILL AREA: 11,706 SF
2. PROJECT REQUIRES AN MeDEP AND ARMY COPRS OF ENGINEERS (ACOE) NATURAL RESOURCE PROTECTION ACT (NRPA) TIER 1 WETLAND ALTERIATION PERMIT FOR THE FILLING OF 11,706 SF OF WETLAND AREA.

DRAIN PIPE TABLE							
PIPE	START	INV.	END	INV.	SIZE	L.F.	SLOPE
CULV-A		82.00		82.00	36"	60'	0.00%
CULV-B		82.00		82.00	36"	62'	0.00%
P-1	CB-1	88.08	CB-2	87.94	12"	25'	0.55%
P-2	CB-2	87.84		87.70	12"	28'	0.49%
P-3	CB-3	89.40	CB-4	89.25	12"	27'	0.56%
P-4	CB-4	89.15		89.00	12"	15'	1.03%
P-5		78.50	CB-5	78.40	24"	13'	0.79%
P-6	CB-5	78.30	CB-6	78.17	24"	27'	0.49%
P-7	CB-6	78.07		78.00	24"	12'	0.60%

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REVISIONS

STATE OF MAINE
JASON A. VAFIADES
No. 12661
LICENSED
PROFESSIONAL ENGINEER
6/24/2020

MAP: 6 LOT: 49
BIDDEFORD, MAINE
GRADING, DRAINAGE AND EROSION CONTROL PLAN

PETER A. MOURMOURAS
30 SACO AVENUE
OLD ORCHARD BEACH, MAINE 04046

Atlantic Resource Consultants
541 US Route One
Freeport, ME 04032
Tel: 207.869.9050

DRAWN: MPV	DATE: SEPTEMBER 11, 2019
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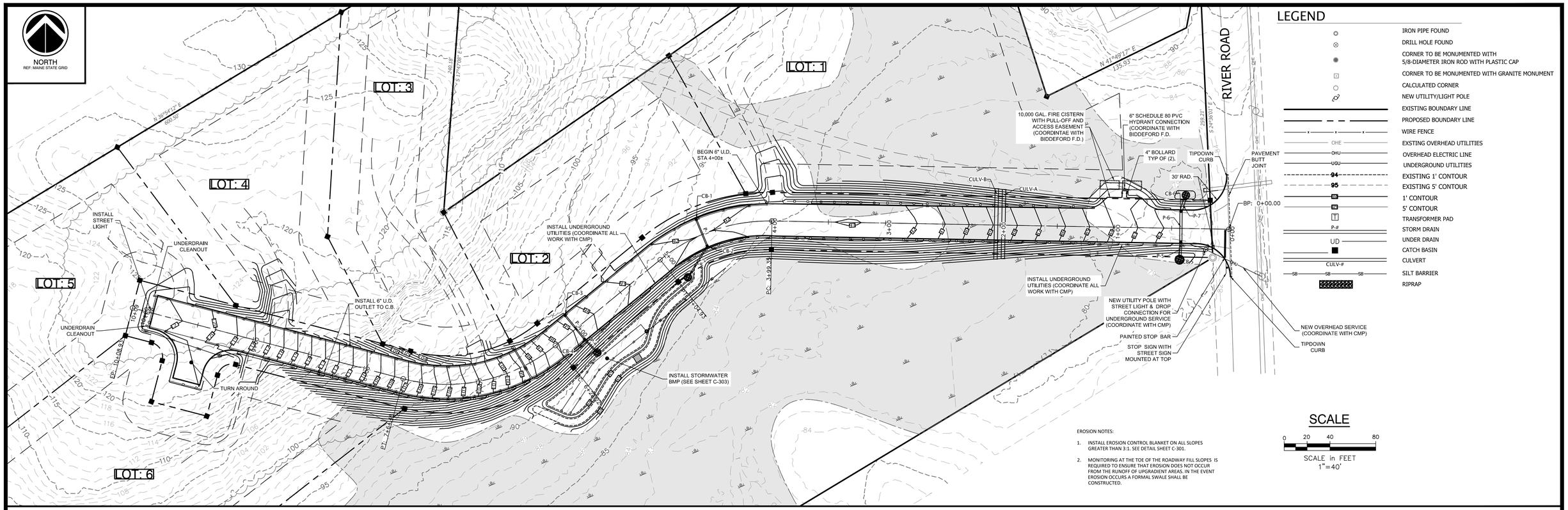
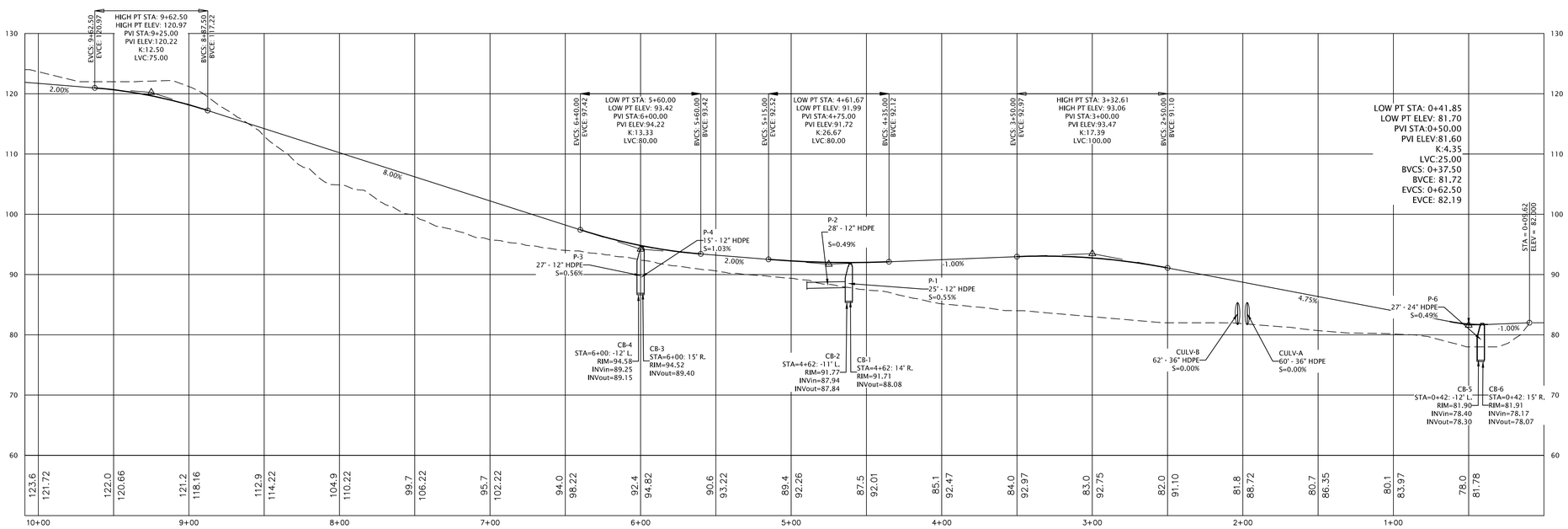
FILE NAME:	
SHEET: C-102	



EROSION NOTES:

1. INSTALL EROSION CONTROL BLANKET ON ALL SLOPES GREATER THAN 3:1. SEE DETAIL SHEET C-301.
2. MONITORING AT THE TOE OF THE ROADWAY FILL SLOPES IS REQUIRED TO ENSURE THAT EROSION DOES NOT OCCUR FROM THE RUNOFF OF UPGRADIENT AREAS. IN THE EVENT EROSION OCCURS A FORMAL SWALE SHALL BE CONSTRUCTED.



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P-4	CB-4	89.15		89.00	12"	15'	1.03%
P-5		78.50	CB-5	78.40	24"	13'	0.79%
P-6	CB-5	78.30	CB-6	78.17	24"	27'	0.49%
P-7	CB-6	78.07		78.00	24"	12'	0.60%

DRIVEWAY CULVERT SCHEDULE

DRIVE	DIA.	LENGTH	INV. IN - OUT ±
LOT: 1	15" HDPE	40± L.F.	88.50 - 85.00
LOT: 2	15" HDPE	30± L.F.	90.00 - 89.50
LOT: 3	15" HDPE	30± L.F.	97.50 - 97.00
LOT: 4	15" HDPE	30± L.F.	114.50 - 114.00
LOT: 5	15" HDPE	30± L.F.	118.00 - 117.50

NOTE:
LOTS 1-5 SHALL HAVE DRIVEWAY CULVERTS TO CONVEY LOT DRAINAGE AWAY FROM THE GUTTER LINE AND TOWARDS THE WETLAND COMPLEX NORTH OF THE PROPOSED ROADWAY. THE CULVERT SCHEDULE SHOWN ON THIS PLAN IS FOR CULVERTS LOCATED AT THE DRIVEWAY ENTRANCES AS SHOWN. LOT DEVELOPMENT MAY RESULT IN ALTERNATE DRIVEWAY LOCATIONS. DRIVEWAY CULVERT DESIGN IN ALTERNATE LOCATIONS SHALL BE REVIEWED BY PUBLIC WORKS PRIOR TO CONSTRUCTION

SCALE

HORIZONTAL: 1" = 40'

VERTICAL: 1" = 10'

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REVISIONS

STATE OF MAINE
JASON A. VAFIADES
No. 12661
LICENSED
PROFESSIONAL ENGINEER
6/24/2020

MAP: 6 LOT: 49
BIDDEFORD, MAINE
ROADWAY AND UTILITIES PLAN & PROFILE

PETER A. MOURMOURAS
30 SACO AVENUE
OLD ORCHARD BEACH, MAINE 04046

Atlantic Resource Consultants
541 US Route One
Freeport, ME 04032
Tel: 207.869.9050

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A. SOIL EROSION AND SEDIMENT CONTROL NOTES

TEMPORARY EROSION AND SEDIMENTATION CONTROL MEASURES INCLUDE THE USE OF STABILIZED CONSTRUCTION ENTRANCES, SILTATION FENCE, EROSION CONTROL MIX, STONE CHECK DAMS, HAY BALE BARRIERS, CATCH BASIN SEDIMENT COLLECTION BAGS, EROSION CONTROL BLANKET, AND TEMPORARY SEEDING AND MULCHING AS REQUIRED. PERMANENT DEVICES INCLUDE THE USE OF RIP RAP AT EXPOSED STORM DRAIN AND CULVERT INLETS AND OUTLETS, AND PERMANENT VEGETATION.

GENERAL

1. IT IS ANTICIPATED THAT CONSTRUCTION MAY BEGIN AS SOON AS POSSIBLE FOLLOWING RECEIPT OF NECESSARY PERMITS.
2. ALL SOIL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE MAINE EROSION & SEDIMENT CONTROL BMPS - MANUAL FOR DESIGNERS AND ENGINEERS (2016), OR AS CURRENTLY REVISED OR U.S. ENVIRONMENTAL PROTECTION AGENCY PUBLICATION 832/R-92-005 (SEPTEMBER, 1992) STORM WATER MANAGEMENT FOR CONSTRUCTION, CHAPTER 3, WHICHEVER IS MORE STRINGENT.
3. ANY ADDITIONAL EROSION AND SEDIMENTATION CONTROL DEEMED NECESSARY BY THE OWNER'S REPRESENTATIVE, DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) PERSONNEL AND/OR MUNICIPAL OFFICIALS SHALL BE INSTALLED BY THE CONTRACTOR.
4. THE CONTRACTOR IS RESPONSIBLE FOR ALL FINES RESULTING FROM EROSION OR SEDIMENTATION FROM THE SITE TO SURROUNDING PROPERTIES, WATER BODIES, OR WETLANDS AS A RESULT OF THIS PROJECT.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR/ REPLACEMENT/ MAINTENANCE OF ALL EROSION CONTROL MEASURES UNTIL ALL DISTURBED AREAS ARE STABILIZED TO THE SATISFACTION OF THE ABOVE PERSONNEL. DESCRIPTIONS OF ACCEPTABLE PERMANENT STABILIZATION FOR VARIOUS COVER TYPES FOLLOWS:
   a. FOR SEEDED AREAS, PERMANENT STABILIZATION MEANS A 90% COVER OF THE DISTURBED AREA WITH MATURE, HEALTHY PLANTS WITH NO EVIDENCE OF WASHING OR RILLING OF THE TOPSOIL.
   b. FOR SODDED AREAS, PERMANENT STABILIZATION MEANS THE COMPLETE BINDING OF THE SOD ROOTS INTO THE UNDERLYING SOIL WITH NO SLUMPING OF THE SOD OR DIE-OFF.
   c. FOR MULCHED AREAS, PERMANENT MULCHING MEANS TOTAL COVERAGE OF THE EXPOSED AREA WITH AN APPROVED MULCH MATERIAL. EROSION CONTROL MIX MAY BE USED AS MULCH FOR PERMANENT STABILIZATION ACCORDING TO THE APPROVED APPLICATION RATES AND LIMITATIONS.
   d. FOR AREAS STABILIZED WITH RIP RAP, PERMANENT STABILIZATION MEANS THAT SLOPES STABILIZED WITH RIP RAP HAVE AN APPROPRIATE BACKING OF A WELL-GRADED GRAVEL OR APPROVED GEOTEXTILE TO PREVENT SOIL MOVEMENT FROM BEHIND THE RIP RAP. STONE MUST BE SIZED APPROPRIATELY.
   e. PAVED AREAS: FOR PAVED AREAS, PERMANENT STABILIZATION MEANS THE PLACEMENT OF THE COMPACTED GRAVEL SUBBASE IS COMPLETED.
   f. FOR OPEN CHANNELS, PERMANENT STABILIZATION MEANS THE CHANNEL IS STABILIZED WITH MATURE VEGETATION AT LEAST THREE INCHES IN HEIGHT, WITH WELL-GRADED RIP RAP, OR WITH ANOTHER NON-EROSIVE LINING CAPABLE OF WITHSTANDING THE ANTICIPATED FLOW VELOCITIES AND FLOW DEPTHS WITHOUT RELIANCE ON CHECK DAMS TO SLOW FLOW. THERE MUST BE NO EVIDENCE OF SLUMPING OF THE LINING, UNDERCUTTING OF THE BANKS, OR DOWN CUTTING OF THE CHANNEL.

B. EROSION AND SEDIMENTATION CONTROL MEASURES

1. PRIOR TO THE BEGINNING OF CONSTRUCTION, THE TEMPORARY SILT FENCE SHALL BE INSTALLED AS SHOWN ON THE PLANS OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE, OR ENGINEER. SILT FENCE SHALL BE INSTALLED ALONG THE DOWNGRADIENT SIDE OF CONSTRUCTION WORK AREAS, WITH LOCATIONS BEING ADJUSTED ALONG WITH THE CONSTRUCTION PHASING AREAS. THE CONTRACTOR MAY USE EROSION MIX IN PLACE OF SINGLE SILT FENCE BARRIER. IN AREAS WHERE THE GRADE IS STEEPER THAN 8% SILT FENCE AND EROSION CONTROL MIX SHOULD BE USED.
2. THE SILT FENCE SHALL BE INSTALLED PER THE DETAIL PROVIDED IN THE PLAN SET AND INSPECTED IMMEDIATELY AFTER EACH RAINFALL, AND AT LEAST WEEKLY IN THE ABSENCE OF SIGNIFICANT RAINFALL. ANY REQUIRED REPAIRS WILL BE MADE IMMEDIATELY. SEDIMENT DEPOSITS SHALL BE PERIODICALLY REMOVED FROM THE UPSTREAM SIDE OF THE SILT BARRIERS. THIS SEDIMENT WILL BE SPREAD AND STABILIZED IN AREAS OF THE SITE NOT SUBJECT TO EROSION. THE CONTRACTOR SHALL MAKE REPAIRS IMMEDIATELY IF THERE ARE ANY SIGNS OF EROSION OR SEDIMENTATION BELOW THE FENCE LINE. IF SUCH EROSION IS OBSERVED, THE CONTRACTOR SHALL TAKE PROACTIVE ACTION TO IDENTIFY THE CAUSE OF THE EROSION AND TAKE ACTION TO AVOID ITS REOCCURRENCE. PROPER PLACEMENT OF STAKES AND KEYING THE BOTTOM OF THE FABRIC INTO THE GROUND IS CRITICAL TO THE FENCE'S EFFECTIVENESS. IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER OR THE EDGES, OR IMPOUNDING OF LARGE VOLUMES OF WATER BEHIND THE FENCE, THE BARRIER SHALL BE REPLACED WITH A STONE CHECK DAM AND MEASURES TAKEN TO AVOID THE CONCENTRATION OF FLOWS NOT INTENDED TO BE DIRECTED TO THE SILT FENCE. SILT FENCE SHALL BE REPLACED AS NECESSARY TO PROVIDE PROPER FILTERING ACTION.
3. TEMPORARY SEDIMENT SUMPS WILL PROVIDE SEDIMENTATION CONTROL FOR STORMWATER RUNOFF FROM DISTURBED AREAS DURING CONSTRUCTION UNTIL STABILIZATION HAS BEEN ACHIEVED.
4. A CONSTRUCTION ENTRANCE WILL BE CONSTRUCTED AT ALL ACCESS POINTS ONTO THE SITE TO PREVENT TRACKING OF SOIL ONTO ADJACENT LOCAL ROADS AND STREETS.
5. SILT LOGS MAY BE INSTALLED IN LIEU OF STONE CHECK DAMS PROVIDED THE DEVICES ARE WELL ANCHORED, AND IF PRIOR APPROVAL IS RECEIVED FROM THE PROJECT ENGINEER.
6. SILTSACKS™ WILL BE UTILIZED IN CATCH BASINS IN OR NEAR WORK AREAS AT RISK FROM RECEIVING TRANSPORTED SEDIMENT.
7. ALL CATCH BASINS AND FIELD INLETS, NEW OR EXISTING, THAT MAY RECEIVE RUNOFF FROM DISTURBED AREAS MUST BE PROTECTED DURING CONSTRUCTION.
8. REMOVAL OF SOD, TREES, BUSHES AND OTHER VEGETATION AND SOIL DISTURBANCE WILL BE KEPT TO A MINIMUM WHILE ALLOWING PROPER SITE DEVELOPMENT.
9. GRUBBINGS AND ANY UNUSABLE TOPSOIL SHALL BE STRIPPED AND REMOVED FROM THE PROJECT SITE AND DISPOSED OF IN AN APPROVED MANNER.
10. ANY SUITABLE TOPSOIL WILL BE STRIPPED AND STOCKPILED FOR REUSE IN FINAL GRADING. TOPSOIL WILL BE STOCKPILED IN A MANNER SUCH THAT NATURAL DRAINAGE IS NOT OBSTRUCTED AND NO OFF-SITE SEDIMENT DAMAGE WILL RESULT. IF A STOCKPILE IS NECESSARY, THE SIDE SLOPES OF THE TOPSOIL STOCKPILE WILL NOT EXCEED 2:1. TOPSOIL STOCKPILES WILL BE TEMPORARILY SEEDED WITH AROOSTOOK RYE, ANNUAL OR PERENNIAL RYE GRASS WITHIN 7 DAYS OF FORMATION, OR TEMPORARILY MULCHED IF SEEDING CANNOT BE DONE WITHIN THE RECOMMENDED SEEDING DATES.
11. TEMPORARY DIVERSION BERMS AND DRAINAGE SWALES SHALL BE CONSTRUCTED AS NECESSARY TO PREVENT OFF-SITE DRAINAGE FROM ENTERING THE WORK AREA.
12. TEMPORARY STABILIZATION SHALL BE CONSTRUCTED WITHIN 7 DAYS OF INITIAL DISTURBANCE OF SOILS, PRIOR TO ANY RAIN EVENT, AND PRIOR TO ANY WORK SHUT DOWN LASTING MORE THAN ONE DAY. TEMPORARY STABILIZATION INCLUDES SEED, MULCH, OR OTHER NON-ERODABLE COVER.
13. TEMPORARY SEEDING SPECIFICATIONS: WHERE SEEDBED HAS BEEN COMPACTED BY CONSTRUCTION OPERATIONS, LOOSEN SOIL TO A DEPTH OF 2 INCHES BEFORE APPLYING FERTILIZER, LIME, AND SEED. APPLY LIMESTONE AT A RATE OF 3 TONS PER ACRE (138 LB. PER 1,000 SQUARE FEET) AND 10-10-10 (N-P205-K20) FERTILIZER AT A RATE OF 600 LBS PER ACRE (13.8 LB. PER 1,000 SQUARE FEET). UNIFORMLY APPLY SEED AT THE RECOMMENDED SEEDING RATES AND DATES, APPLY HAY OR STRAW MULCH AT A RATE OF 2 TONS PER ACRES, AND ANCHOR AS NECESSARY. RECOMMENDED TEMPORARY SEEDING DATES AND APPLICATION RATES ARE AS FOLLOWS:

   AROOSTOOK RYE: RECOMMENDED SEEDING DATES: 8/15 -10/1
   APPLICATION RATE: 112 LBS/ACRE
   ANNUAL RYE GRASS: RECOMMENDED SEEDING DATES: 4/1 - 7/1
   APPLICATION RATE: 40 LBS/ACRE
   PERENNIAL RYE GRASS: RECOMMENDED SEEDING DATES: 8/15 - 9/15
   APPLICATION RATE: 40 LBS/ACRE

14. PERMANENT SEEDING SPECIFICATION. IF A LANDSCAPE PLAN HAS BEEN PREPARED FOR THE PROJECT, SOIL PREPARATION AND SEED SPECIFICATIONS OF THAT PLAN SHALL SUPERSEDE THESE GENERAL PERMANENT SEEDING REQUIREMENTS. IT IS RECOMMENDED THAT PERMANENT SEEDING BE COMPLETED BETWEEN APRIL 1 AND JUNE 15 OF EACH YEAR. LATE SEASON SEEDING MAY BE DONE BETWEEN AUGUST 15 AND SEPTEMBER 15. AREAS NOT SEEDED OR WHICH DO NOT OBTAIN A SATISFACTORY GROWTH BY OCTOBER 1SHALL BE SEEDED WITH AROOSTOOK RYE OR MULCHED AT RATES PREVIOUSLY SPECIFIED. SEE WINTER CONDITIONS NOTES FOR SEEDING STABILIZATION AFTER NOVEMBER 1.
   a. APPLY TOPSOIL TO A MINIMUM DEPTH OF 4 INCHES. MIX TOPSOIL WITH THE SUBSOIL TO A MINIMUM DEPTH OF 6 INCHES.
   b. APPLY LIMESTONE AND FERTILIZER ACCORDING TO SOIL TESTS. IN LIEU OF SOIL TESTS, APPLY GROUND LIMESTONE AT A RATE OF 3 TONS PER ACRE (138 LB. PER 1,000 SQUARE FEET) AND GRANULAR, COMMERCIAL-GRADE, 10-10-10 (N-P2O5-K2O) FERTILIZER AT A RATE OF 800 LBS PER ACRE (18.4 LBS PER1,000 SQUARE FEET).
   c. UNIFORMLY APPLY SEED MIXTURE AT THE RECOMMENDED SEEDING RATES AND DATES, APPLY HAY OR STRAW MULCH AT A RATE OF 2 TONS PER ACRES, AND ANCHOR AS NECESSARY.
   d. THE SEED MIXTURE FOR LAWN AND FILTRATION BASIN AREAS SHALL CONSIST OF SEEDS PROPORTIONED BY WEIGHT AS FOLLOWS:

      30% CREEPING RED FESCUE
      50% KENTUCKY BLUEGRASS
      20% ITALIAN/PERENNIAL RYE GRASS

   NOTE: SEED MIXTURE SHALL CONSIST OF AT LEAST TWO VARIETIES OF EACH TYPE OF GRASS. WHEN USED IN A FILTER BASIN, STORMWATER SHALL NOT BE DIRECTED TO THE BASIN UNTIL THE GRASS IS ESTABLISHED.
15. MULCH ALL AREAS SEEDED SO THAT SOIL IS NOT VISIBLE THROUGH THE MULCH REGARDLESS OF THE APPLICATION RATE.
1. DITCH LININGS, STONE CHECK DAMS, AND RIP RAP INLET AND OUTLET PROTECTION SHALL BE INSTALLED WITHIN 48 HOURS OF COMPLETING THE GRADING OF THAT SECTION OF DITCH OR INSTALLATION OF CULVERT.
2. RIP RAP REQUIRED AT CULVERTS AND STORM DRAIN INLETS AND OUTLETS SHALL CONSIST OF FIELD STONE OR ROUGH UNHEWN QUARRY STONE OF APPROXIMATELY RECTANGULAR SHAPE.
3. EROSION CONTROL BLANKET SHALL BE INSTALLED ON ALL PERMANENT SLOPES STEEPER THAN 15%, IN THE BASE OF DITCHES NOT OTHERWISE PROTECTED, AND ANY DISTURBED AREAS WITHIN 100 FEET OF A PROTECTED NATURAL RESOURCE (E.G. WETLANDS AND WATER BODIES). EROSION CONTROL BLANKET SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
4. TEMPORARY CONTROL MEASURES, SUCH AS SILT FENCE, SHALL BE REMOVED WITHIN 30 DAYS AFTER PERMANENT STABILIZATION IS ATTAINED.

C. SPECIAL MEASURES FOR SUMMER CONSTRUCTION

DURING DRY SUMMER CONDITIONS, THE CONTRACTOR SHALL:

1. IMPLEMENT A PROGRAM TO APPLY DUST CONTROL MEASURES ON A DAILY BASIS EXCEPT THOSE DAYS WHERE PRECIPITATION IS SUFFICIENT TO SUPPRESS DUST FORMATION. THIS PROGRAM SHALL EXTEND TO AND INCLUDE SWEEPING OF ADJACENT STREETS.
2. SPRAY ANY MULCHES WITH WATER AFTER ANCHORING TO DAMPEN THE SOIL AND ENCOURAGE EARLY GROWTH. SPRAYING MAY BE REQUIRED SEVERAL TIMES. TEMPORARY SEED MAY BE REQUIRED UNTIL THE LATE SUMMER SEEDING SEASON.
3. COVER STOCKPILES OF FINE-GRAINED MATERIALS, OR EXCAVATED SOILS WHICH ARE SUSCEPTIBLE TO EROSION TO PROTECT FROM THE INTENSE, SHORT-DURATION STORMS WHICH ARE MORE PREVALENT IN THE SUMMER MONTHS.
4. TAKE ADDITIONAL STEPS NEEDED, INCLUDING WATERING, OR COVERING EXCAVATED MATERIALS TO CONTROL FUGITIVE DUST EMISSIONS TO MINIMIZE REDUCTIONS IN VISIBILITY AND THE AIRBORNE DISBURSEMENT OF FINE-GRAINED SOILS. THIS IS PARTICULARLY IMPORTANT GIVEN THE POTENTIAL PRESENCE OF SOIL CONTAMINANTS, AND THEIR PROXIMITY ALONG THE ADJACENT STREETS AND PROPERTIES.
5. THESE MEASURES MAY ALSO BE REQUIRED IN THE SPRING AND FALL DURING THE DRIER PERIODS OF THESE SEASONS.

D. WINTER CONDITIONS

1. "WINTER CONSTRUCTION" IS CONSTRUCTION ACTIVITY PERFORMED DURING THE PERIOD FROM NOVEMBER 1ST THROUGH APRIL 15TH. IF AREAS WITHIN THE CONSTRUCTION ACTIVITY ARE NOT STABILIZED WITH TEMPORARY OR PERMANENT MEASURES OUTLINED ABOVE BY NOVEMBER 15TH, THEN THE SITE MUST BE PROTECTED WITH ADDITIONAL STABILIZATION MEASURES THAT ARE SPECIFIC TO WINTER CONDITIONS. NO MORE THAN ONE ACRE OF THE SITE MAY BE WITHOUT STABILIZATION AT ONE TIME.
2. SILT FENCE: IN LIEU OF PROVIDING THE 4" X 4" TRENCH, FOR FROZEN GROUND, STONY SOIL, THE PRESENCE OF LARGE ROOTS, OR OTHER PROHIBITIVE CONDITIONS, THE BOTTOM 8" TO 12" OF THE FABRIC MAY BE LAID ON EXISTING GRADE AND BACK FILLED WITH STONE ANCHORING MATERIAL, AS SHOWN ON THE DRAWINGS.
3. HAY MULCH SHALL BE APPLIED AT TWICE THE STANDARD TEMPORARY STABILIZATION RATE. AT THE END OF EACH CONSTRUCTION DAY, AREAS THAT HAVE BEEN BROUGHT TO FINAL GRADE MUST BE STABILIZED. MULCH MAY NOT BE SPREAD ON TOP OF SNOW.
4. AFTER NOVEMBER 1ST OR THE FIRST KILLING FROST FOR THE REGION AND BEFORE SNOW FALL, ALL EXPOSED AND DISTURBED AREAS NOT TO UNDERGO FURTHER DISTURBANCE ARE TO HAVE DORMANT SEEDING. THE DORMANT SEEDING METHOD: PREPARE THE SEEDBED, LIME AND FERTILIZE, APPLY THE SELECTED PERMANENT SEED MIXTURE AT DOUBLE THE REGULAR SEEDING RATE, AND MULCH AND ANCHOR. DORMANT SEEDINGS NEED TO BE ANCHORED EXTREMELY WELL ON SLOPES, DITCH BASES AND AREAS OF CONCENTRATED FLOWS. DORMANT SEEDING REQUIRES INSPECTION AND RESEEDING AS NEEDED IN THE SPRING. ALL AREAS WHERE COVER IS INADEQUATE MUST BE IMMEDIATELY RESEEDED AND MULCHED AS SOON AS POSSIBLE.
5. ALL VEGETATED DITCH LINES THAT HAVE NOT BEEN STABILIZED BY NOVEMBER 1ST, OR WILL BE WORKED DURING THE WINTER CONSTRUCTION PERIOD, MUST BE STABILIZED WITH AN APPROPRIATE STONE LINING BACKED BY AN APPROPRIATE GRAVEL BED OR GEOTEXTILE UNLESS SPECIFICALLY RELEASED FROM THIS STANDARD BY THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION.
6. MULCH NETTING MUST BE USED TO ANCHOR MULCH ON ALL SLOPES GREATER THAN 8% UNLESS EROSION CONTROL BLANKETS OR EROSION CONTROL MIX IS BEING USED ON THESE SLOPES.

E. HOUSEKEEPING

1. SPILL PREVENTION. CONTROLS MUST BE USED TO PREVENT POLLUTANTS FROM CONSTRUCTION AND WASTE MATERIALS STORED ON-SITE, INCLUDING STORAGE PRACTICES TO MINIMIZE EXPOSURE OF THE MATERIALS TO STORM WATER, AND APPROPRIATE SPILL PREVENTION, CONTAINMENT, AND RESPONSE PLANNING AND IMPLEMENTATION.
2. GROUNDWATER PROTECTION. DURING CONSTRUCTION, LIQUID PETROLEUM PRODUCTS AND OTHER HAZARDOUS MATERIALS WITH THE POTENTIAL TO CONTAMINATE GROUNDWATER MAY NOT BE STORED OR HANDLED IN AREAS OF THE SITE DRAINING TO AN INFILTRATION AREA. AN INFILTRATION AREA" IS ANY AREA OF THE SITE THAT BY DESIGN OR AS A RESULT OF SOILS, TOPOGRAPHY AND OTHER RELEVANT FACTORS, ACCUMULATES RUNOFF THAT INFILTRATES INTO THE SOIL. DIKES, BERMS, SUMPS, AND OTHER FORMS OF SECONDARY CONTAINMENT THAT PREVENT DISCHARGE TO GROUNDWATER MAY BE USED TO ISOLATE PORTIONS OF THE SITE FOR THE PURPOSES OF STORAGE AND HANDLING OF THESE MATERIALS.
3. FUGITIVE SEDIMENT AND DUST. ACTIONS MUST BE TAKEN TO ENSURE THAT ACTIVITIES DO NOT RESULT IN NOTICEABLE EROSION OF SOILS OR FUGITIVE DUST EMISSIONS DURING OR AFTER CONSTRUCTION. OIL MAY NOT BE USED FOR DUST CONTROL.
4. DEBRIS AND OTHER MATERIAL. LITTER, CONSTRUCTION DEBRIS, AND CONSTRUCTION CHEMICALS EXPOSED TO STORM WATER, MUST BE PREVENTED FROM BECOMING A POLLUTANT SOURCE.
5. COMPLY WITH ALL LOCAL AND STATE REGULATIONS FOR THE REMOVAL AND DISPOSAL OF CONSTRUCTION DEBRIS AND WASTE.
6. TRENCH OR FOUNDATION DE-WATERING. THE COLLECTED WATER REMOVED FROM THE PONDED AREA, EITHER THROUGH GRAVITY OR PUMPING, MUST BE SPREAD THROUGH NATURAL WOODED BUFFERS OR REMOVED AREAS THAT ARE SPECIFICALLY DESIGNATED TO COLLECT THE MAXIMUM AMOUNT OF SEDIMENT POSSIBLE, LIKE A COFFER DAM SEDIMENTATION BASIN. AVOID ALLOWING THE WATER TO FLOW OVER DISTURBED AREAS OF THE SITE.
7. NON-STORMWATER DISCHARGES. IDENTIFY AND PREVENT CONTAMINATION BY NON-STORWATER DISCHARGES. WHERE ALLOWED NON-STORWATER DISCHARGES EXIST, THEY MUST BE IDENTIFIED AND STEPS SHOULD BE TAKEN TO ENSURE THE IMPLEMENTATION OF APPROPRIATE POLLUTION PREVENTION MEASURES FOR THE NON-STORMWATER COMPONENT(S) OF THE DISCHARGE.

F. INSPECTION AND MAINTENANCE

1. INSPECT DISTURBED AND IMPERVIOUS AREAS, EROSION AND STORM WATER CONTROL MEASURES, AREAS USED FOR STORAGE THAT ARE EXPOSED TO PRECIPITATION, AND LOCATIONS WHERE VEHICLES ENTER OR EXIT THE SITE AT LEAST ONCE A WEEK AND BEFORE AND AFTER A STORM EVENT, PRIOR TO COMPLETION OF PERMANENT STABILIZATION. A PERSON WITH KNOWLEDGE OF EROSION AND STORM WATER CONTROLS, INCLUDING THE STANDARDS IN THE MAINE CONSTRUCTION GENERAL PERMIT AND ANY DEP OR MUNICIPAL COMPANION DOCUMENTS, MUST CONDUCT THE INSPECTION. THIS PERSON MUST BE IDENTIFIED IN THE INSPECTION LOG. IF BEST MANAGEMENT PRACTICES (BMPS) NEED TO BE MODIFIED OF IF ADDITIONAL BMPS ARE NECESSARY, IMPLEMENTATION MUST BE COMPLETED WITHIN 7 CALENDAR DAYS AND PRIOR TO ANY STORM EVENT (RAINFALL). ALL MEASURES MUST BE MAINTAINED IN EFFECTIVE OPERATING CONDITION UNTIL AREAS ARE PERMANENTLY STABILIZED.
2. AN INSPECTION AND MAINTENANCE LOG MUST BE KEPT SUMMARIZING THE SCOPE OF THE INSPECTION, NAME AND QUALIFICATIONS OF THE PERSON PERFORMING THE INSPECTION, DATE, AND MAJOR OBSERVATIONS RELATING TO OPERATION OF EROSION AND SEDIMENTATION CONTROLS AND POLLUTION PREVENTION MEASURES.
3. INSPECTION OF THE PROJECT WORK SITE SHALL INCLUDE:
   a. IDENTIFICATION OF PROPER EROSION CONTROL MEASURE INSTALLATION IN ACCORDANCE WITH THE EROSION CONTROL DETAIL SHEET.
   b. DETERMINE WHETHER EACH EROSION CONTROL MEASURE IS PROPERLY OPERATING. IF NOT, IDENTIFY DAMAGE TO THE CONTROL DEVICE AND DETERMINE REMEDIAL MEASURES.
   c. IDENTIFY AREAS WHICH APPEAR VULNERABLE TO EROSION AND DETERMINE ADDITIONAL EROSION CONTROL MEASURES WHICH SHOULD BE USED TO IMPROVE CONDITIONS.
   d. INSPECT AREAS OF RECENT SEEDING TO DETERMINE PERCENT CATCH OF GRASS. A MINIMUM CATCH OF 90 PERCENT IS REQUIRED PRIOR TO REMOVAL OF EROSION CONTROL MEASURES.
4. IF INSPECTION OF THE SITE INDICATES A CHANGE SHOULD BE MADE TO THE EROSION CONTROL PLAN, TO EITHER IMPROVE EFFECTIVENESS OR CORRECT A SITE-SPECIFIC DEFICIENCY, THE INSPECTOR SHALL IMMEDIATELY IMPLEMENT THE CORRECTIVE MEASURE AND NOTIFY THE OWNER OF THE CHANGE.
5. ALL CERTIFICATIONS, INSPECTION FORMS, AND WRITTEN REPORTS PREPARED BY THE INSPECTOR(S) SHALL BE FILED WITH THE OWNER, AND THE PERMIT FILE CONTAINED ON THE PROJECT SITE. ALL WRITTEN CERTIFICATIONS, INSPECTION FORMS, AND WRITTEN REPORTS MUST BE FILED WITHIN ONE (1) WEEK OF THE INSPECTION DATE.
6. THE PERMITTEE SHALL RETAIN COPIES OF THE ESC PLAN AND ANY FORMS, SUBMISSIONS, REPORTS, OR OTHER MATERIALS REQUIRED BY THE GENERAL PERMIT FOR A PERIOD OF AT LEAST THREE YEARS FROM THE COMPLETION OF PERMANENT STABILIZATION.
7. THE CONTRACTOR HAS SOLE RESPONSIBILITY FOR COMPLYING WITH THE EROSION/SEDIMENT CONTROL REPORT, INCLUDING CONTROL OF FUGITIVE DUST, AND SHALL BE RESPONSIBLE FOR ANY MONETARY PENALTIES RESULTING FROM FAILURE TO COMPLY WITH THESE STANDARDS.

C. CONSTRUCTION SCHEDULE & SEQUENCE

(TIMELINES ARE APPROXIMATE AND WILL BE DEPENDENT ON WEATHER AND SITE CONDITIONS).

1. **PRE-CONSTRUCTION CONFERENCE:** PRIOR TO ANY CONSTRUCTION AT THE SITE, REPRESENTATIVES OF THE CONTRACTOR, THE ARCHITECT, THE OWNER, AND THE SITE DESIGN ENGINEER SHALL MEET TO DISCUSS THE SCHEDULING OF THE SITE CONSTRUCTION AND THE DESIGNATION OF THE RESPONSIBLE PARTIES FOR IMPLEMENTING THE PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SCHEDULING THE MEETING. PRIOR TO THE MEETING, THE CONTRACTOR WILL PREPARE A DETAILED SCHEDULE AND A MARKED-UP SITE PLAN INDICATING AREAS AND COMPONENTS OF THE WORK AND KEY DATES SHOWING DATE OF DISTURBANCE AND COMPLETION OF THE WORK. THE CONTRACTOR SHALL CONDUCT A MEETING WITH EMPLOYEES AND SUB-CONTRACTORS TO REVIEW THE EROSION CONTROL PLAN, THE CONSTRUCTION TECHNIQUES WHICH WILL BE EMPLOYED TO IMPLEMENT THE PLAN AND PROVIDE A LIST OF ATTENDEES AND ITEMS DISCUSSED AT THE MEETING TO THE OWNER. THREE COPIES OF THE SCHEDULE, THE CONTRACTOR'S MEETING MINUTES, AND MARKED-UP SITE PLAN SHALL BE PROVIDED TO THE OWNER.
2. THE FOLLOWING CONSTRUCTION SEQUENCE SHALL BE REQUIRED TO INSURE THE EFFECTIVENESS OF THE EROSION AND SEDIMENTATION CONTROL MEASURES IS OPTIMIZED.
   a. INSTALL SAFETY AND CONSTRUCTION FENCE TO SECURE THE SITE FOR DEMOLITION.
   b. INSTALL ALL PERIMETER SILTATION FENCE AND EROSION CONTROL BARRIERS. PARTICULAR ATTENTION SHALL BE PAID TO AREAS UPSTREAM OF PROTECTED NATURAL RESOURCES. SIGNS SHALL BE ERECTED PERIODICALLY ALONG THESE PERIMETER BARRIERS INDICATING THAT THE DOWNSTREAM AREAS ARE OFF LIMITS TO ALL CONSTRUCTION ACTIVITIES.
   c. INSTALL CONSTRUCTION ENTRANCES.
   d. MAINTAIN EXISTING PAVED AREAS FOR LAYDOWN AND ACCESS DURING INITIAL CONSTRUCTION ACTIVITIES.
   e. CONSTRUCT ACTIVITIES ON THE SITE TO OPTIMIZE THE HANDLING OF MATERIALS AND RESTRICT THE DENUDED AREAS TO THE TIME STIPULATED.
   f. CONSTRUCT STABILIZED PADS FOR FOUNDATION AND BUILDING CONSTRUCTION.
   g. MAINTAIN STABILIZED SITE ACCESS AND WORKING AREAS DURING BUILDING CONSTRUCTION.
   h. INSTALL STORWATER BMP'S
   i. REMOVE EXISTING PAVEMENT AND INSTALL NEW PAVEMENT BASE GRAVEL MATERIALS TO RAISE THE SITE TO THE DESIGN SUBGRADE ELEVATION.
   j. INSTALL BINDER PAVEMENT.
   k. LANDSCAPE (LOAM AND SEED).
   l. INSTALL SURFACE PAVEMENTS.
   m. INSTALL STRIPING, SIGNAGE, AND MISCELLANEOUS SITE IMPROVEMENTS.
   n. REVIEW AND PUNCH THE SITE.
   o. REMOVE ANY TEMPORARY EROSION CONTROL MEASURES.
3. THE CONTRACTOR MUST MAINTAIN AN ACCURATE SET OF RECORD DRAWINGS INDICATING THE DATE WHEN AN AREA IS FIRST DENUDED, THE DATE OF TEMPORARY STABILIZATION, AND THE DATE OF FINAL STABILIZATION. ON OCTOBER 1 OF ANY CALENDAR YEAR, THE CONTRACTOR SHALL SUBMIT A DETAILED PLAN FOR STABILIZING THE SITE FOR THE WINTER AND A DESCRIPTION OF WHAT ACTIVITIES ARE PLANNED DURING THE WINTER.

FOR PERMITTING ONLY
NOT FOR CONSTRUCTION

REV	DATE	DESCRIPTION
5.	6-24-2020	REVISED FOR FINAL APPROVAL PER PEER REVIEW COMMENTS.
4.	6-10-2020	REVISED PER PEER REVIEW COMMENT.
3.	1-16-2020	REVISED PER TOWN COMMENT.
2.	10-31-2019	REVISED PER MDEP COMMENT.
1.	10-4-2019	REVISED PER COMMENT.

REVISIONS

STATE OF MAINE
JASON A. VAFIADES
No. 12661
LICENSED
PROFESSIONAL ENGINEER
6/24/2020

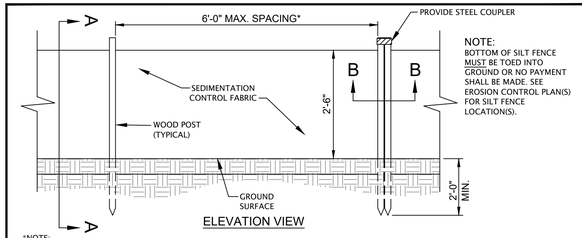
MAP: 6 LOT: 49
BIDDEFORD, MAINE

EROSION & SEDIMENTATION CONTROL NOTES

PETER A. MOURMOURAS
30 SACO AVENUE
OLD ORCHARD BEACH, MAINE 04046

Atlantic Resource Consultants
541 US Route One
Freeport, ME 04032
Tel: 207.869.9050

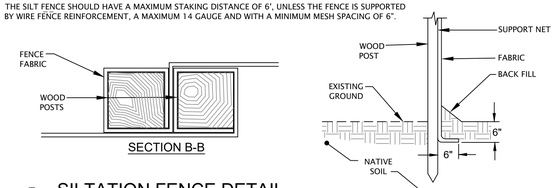
DRAWN: MPV	DATE: SEPTEMBER 11, 2019
DESIGNED: JAV	SCALE: N.T.S.
CHECKED: JAV	JOB NO. 19-009
FILE NAME:	
SHEET: C-300	



NOTE:
BOTTOM OF SILT FENCE MUST BE TOED INTO GROUND OR NO PAYMENT SHALL BE MADE. SEE EROSION CONTROL PLAN(S) FOR SILT FENCE LOCATION(S).

ELEVATION VIEW

*NOTE:
THE SILT FENCE SHOULD HAVE A MAXIMUM STAKING DISTANCE OF 6', UNLESS THE FENCE IS SUPPORTED BY WIRE FENCE REINFORCEMENT, A MAXIMUM 14 GAUGE AND WITH A MINIMUM MESH SPACING OF 6".



SECTION B-B

SECTION A-A

(A) SILTATION FENCE DETAIL
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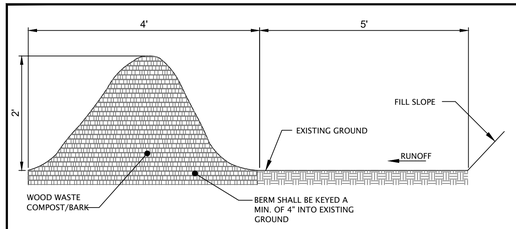


NOTES:
1. THE WOOD WASTE COMPOST/BARK MIX SHALL CONFORM TO THE FOLLOWING STANDARDS:

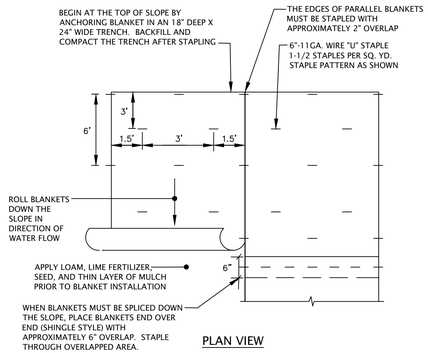
A. MOISTURE CONTENT - 30-60%
B. pH - 5.0-8.0
C. SCREEN SIZE - 100% LESS THAN 3", MAX. 70% LESS THAN 1"
D. NO LESS THAN 40% ORGANIC MATERIAL (DRY WEIGHT) BY LOSS OF IGNITION
F. NO STONES LARGER THAN 2" IN DIAMETER

2. THE COMPOST BERM SHALL BE PLACED, UNCOMPACTED, ALONG A RELATIVELY LEVEL CONTOUR.

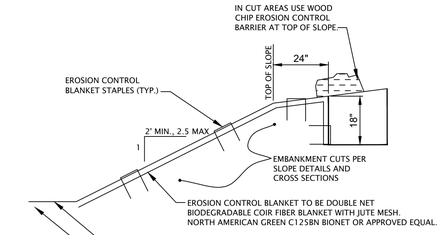
3. THE WOOD WASTE COMPOST/BARK FILTER BERM MAY BE USED IN LIEU OF SILTATION FENCE, AT THE TOE OF SHALLOW SLOPES, ON FROZEN GROUND, LEDGE OUT CROPS, VERY ROOTED FORESTED AREA OR AT THE EDGE OF GRAVEL PARKING AREAS.

4. BERMS SHALL REMAIN IN PLACE UNTIL UPSTREAM AREA IS COMPLETED OR 70% CATCH OF VEGETATION IS ATTAINED. BERMS SHALL BE REMOVED BY SPREADING SUCH THAT THE NATIVE EARTH CAN BE SEEN BELOW.

(D) EROSION CONTROL MIX BERM SEDIMENT BARRIER
N.T.S.



PLAN VIEW



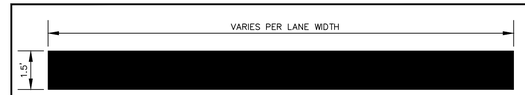
NOTE:
REINFORCEMENT BLANKET STAPLE SIZE AND DISTRIBUTION PER MANUFACTURER'S SPECIFICATIONS.

SECTION VIEW

NOTES:
1. IF GRASS CATCH IS NOT 75% BY SEPTEMBER 1, ADD #4 REBAR @ 3'-0" ROWS ON 3' CENTERS. REMOVE OR DRIVE REBAR 3" BELOW GRADE IN SPRING FOLLOWING TURF ESTABLISHMENT.

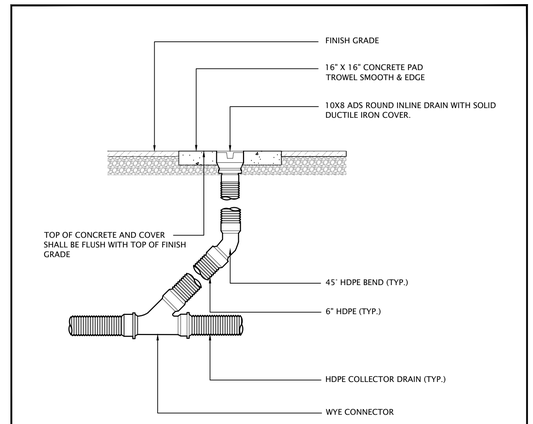
2. MULCH RATE TO BE 1/2 THE RATE OTHERWISE SPECIFIED.

(G) EROSION CONTROL BLANKET DETAIL
N.T.S.



NOTE:
PAVEMENT MARKINGS SHALL MEET THE REQUIREMENTS OF AASHTO M248. EITHER TYPE N, REGULAR TRAFFIC PAINT OR TYPE F, FAST DRY TRAFFIC PAINT (GLASS BEADS SHALL CONFORM TO THE REQUIREMENTS OF AASHTOM247, TYPE I).

(I) STOP BAR DETAIL
N.T.S.



(J) STOP SIGN DETAIL
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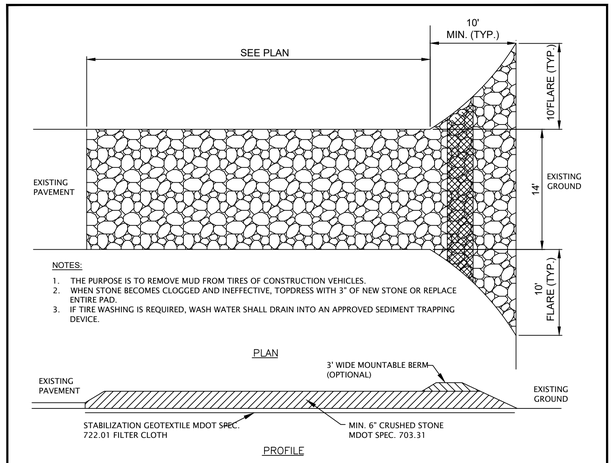
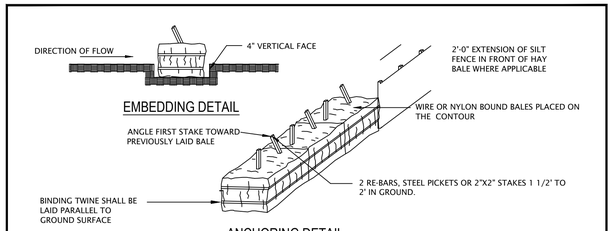


NOTES:
1. THE PURPOSE IS TO REMOVE MUD FROM TIRES OF CONSTRUCTION VEHICLES.
2. WHEN STONE BECOMES CLOGGED AND INEFFECTIVE, TOPDRESS WITH 3" OF NEW STONE OR REPLACE ENTIRE PAD.
3. IF TIRE WASHING IS REQUIRED, WASH WATER SHALL DRAIN INTO AN APPROVED SEDIMENT TRAPPING DEVICE.

PLAN

PROFILE

(B) STABILIZED CONSTRUCTION ENTRANCE DETAIL
N.T.S.

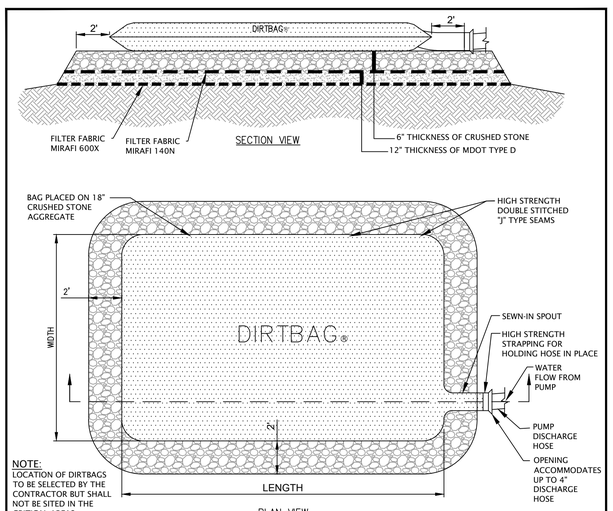


EMBEDDING DETAIL

ANCHORING DETAIL

CONSTRUCTION SPECIFICATIONS
1. BALES SHALL BE PLACED IN A ROW WITH ENDS TIGHTLY ABUTTING THE ADJACENT BALES.
2. EACH BALE SHALL BE EMBEDDED IN THE SOIL A MINIMUM OF 4".
3. BALES SHALL BE SECURELY ANCHORED IN PLACE BY STAKES OR RE-BARS DRIVEN THROUGH THE BALES. THE FIRST STAKE IN EACH BALE SHALL BE ANGLED TOWARD PREVIOUSLY LAID BALE TO FORCE BALES TOGETHER.
4. INSPECTION SHALL BE FREQUENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
5. BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.
6. A SILT SACK IS ALSO REQUIRED WHEN HAY BALES ARE USED FOR INLET PROTECTION.

(E) STRAW OR HAY BALE BARRIER
N.T.S.

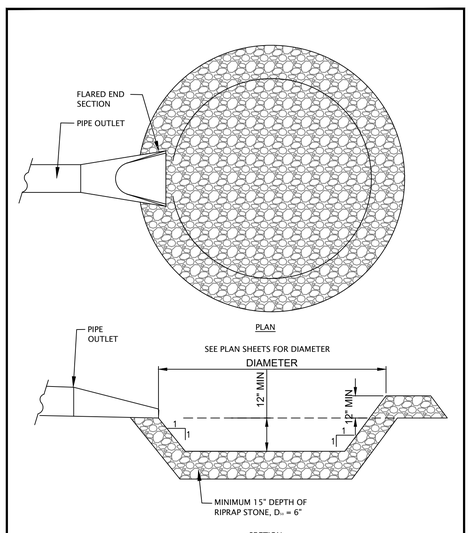


SECTION VIEW

NOTE:
LOCATION OF DIRTBAGS TO BE SELECTED BY THE CONTRACTOR BUT SHALL NOT BE SITED IN THE CRITICAL AREAS.

PLAN VIEW

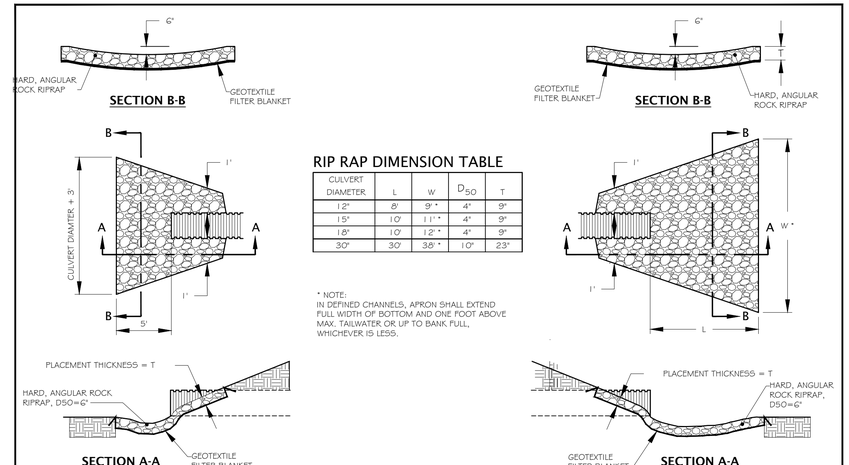
(C) DIRTBAG / SPECIFICATIONS FOR DEWATERING DETAIL
N.T.S.



PLAN

SECTION

(F) FOREBAY DETAIL
N.T.S.



RIP RAP DIMENSION TABLE

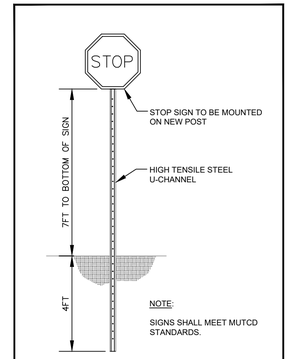
CULVERT DIAMETER	L	W	D_{50}	T
12"	8'	9' *	4"	9"
15"	10'	11' *	4"	9"
18"	10'	12' *	4"	9"
30"	30'	36' *	10"	23"

* NOTE:
IN DEFINED CHANNELS, APRON SHALL EXTEND FULL WIDTH OF BOTTOM AND ONE FOOT ABOVE MAX. TAILWATER OR UP TO BANK FULL, WHICHEVER IS LESS.

CULVERT INLET DETAIL
NOT TO SCALE

CULVERT OUTLET DETAIL
NOT TO SCALE

(H) CULVERT RIP-RAP APRON DETAILS
N.T.S.



NOTE:
SIGNS SHALL MEET MUTCD STANDARDS.

(K) STOP SIGN DETAIL
N.T.S.

FOR PERMITTING ONLY
NOT FOR CONSTRUCTION

REV	DATE	DESCRIPTION
5.	6-24-2020	REVISED FOR FINAL APPROVAL PER PEER REVIEW COMMENTS.
4.	6-10-2020	REVISED PER PEER REVIEW COMMENT.
3.	1-16-2020	REVISED PER TOWN COMMENT.
2.	10-31-2019	REVISED PER MDEP COMMENT.
1.	10-4-2019	REVISED PER COMMENT.

REVISIONS

STATE OF MAINE
JASON A. VAFIADES
No. 12661
LICENSED
PROFESSIONAL ENGINEER
6/24/2020

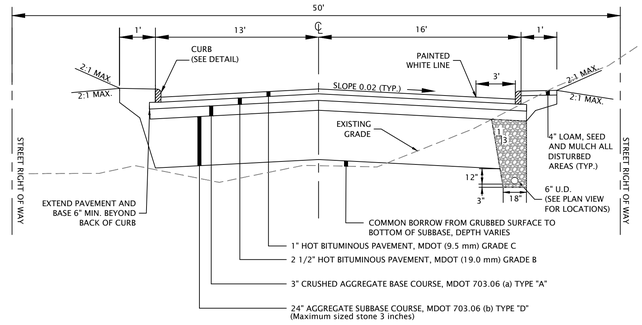
MAP: 6 LOT: 49
BIDDEFORD, MAINE

EROSION CONTROL AND SITE CIVIL DETAILS

PETER A. MOURMOURAS
30 SACO AVENUE
OLD ORCHARD BEACH, MAINE 04046

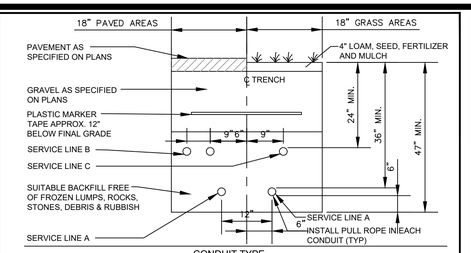
Atlantic Resource Consultants
541 US Route One
Freeport, ME 04032
Tel: 207.869.9050

DRAWN: MPV	DATE: SEPTEMBER 11, 2019
DESIGNED: JAV	SCALE: N.T.S.
CHECKED: JAV	JOB NO. 19-009
FILE NAME:	
SHEET: C-301	



1. THIS DETAIL REFLECTS MINIMUM REQUIREMENTS, INSITU SOIL CONDITIONS MAY REQUIRE ADDITIONAL MATERIALS AS DIRECYED BY PUBLIC WORKS DIRECTOR OR ENGINEER.
2. CLEARING AND GRUBBING AS NECESSARY DEPENDING ON SOIL CONDITIONS AND EXTEND A MINIMUM OF THE ENTIRE WIDTH OF THE RIGHT OF WAY.
3. ALL CONSTRUCTION SHALL MEET THE REQUIREMENTS RELATIVE TO THE APPLICABLE MDOT STANDARD SPECIFICATION FOR MATERIALS, PLACEMENT AND TESTING.
4. BASE COURSE ASPHALT SHALL EXTEND UNDER SLIPFORM CURB. SEE CURB DETAIL THIS SHEET.

A TYPICAL ROADWAY SECTION DETAIL
N.T.S.

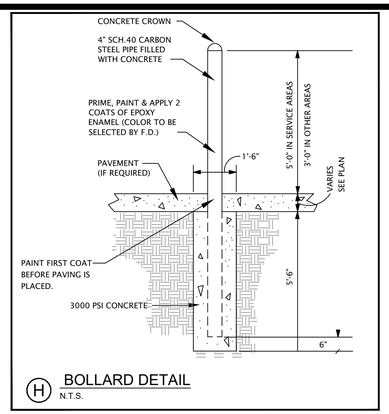


CONDUIT TYPE

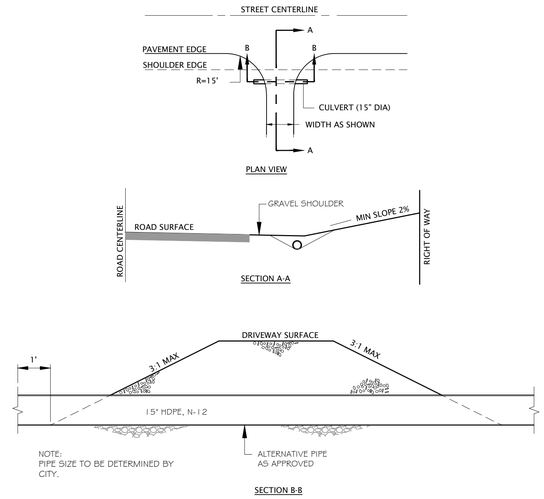
SERVICE	CONDUIT SIZE	GRASS AREAS	PAVED AREAS	UTILITY	REMARKS
A	5"	SCHEDULE 40 PVC ELECTRICAL GRADE	RIGID GALVANIZED STEEL, ASTM A120	POWER	SEE NOTE 1
B	4"	SCHEDULE 40 PVC	RIGID GALVANIZED STEEL, ASTM A120	TELEPHONE	SEE NOTE 1
C	2"	SCHEDULE 40 PVC	RIGID GALVANIZED STEEL, ASTM A120	COMMUNICATION	

NOTES:
1. ONE CONDUIT CAPPED FOR SPARE, PROVIDE GALVANIZED STEEL LONG SWEEP AT RISER POLE AND EXTEND GALVANIZED CONDUIT TO 10' ABOVE GRADE AT POLE WITH STAND-OFF BRACKETS.
2. SEE SITE ELECTRICAL PLAN FOR LOCATION AND NUMBER OF CONDUITS.

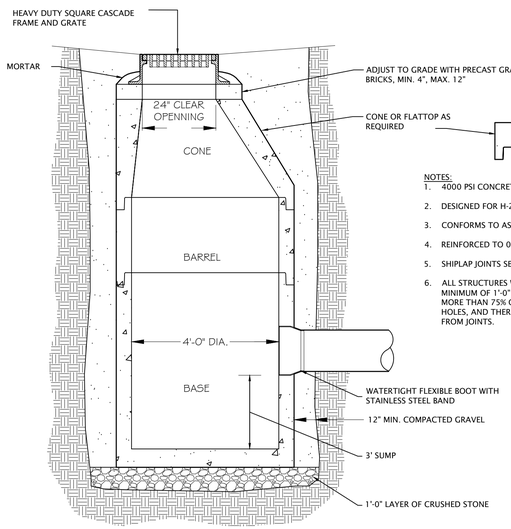
D COMBINED UTILTIY TRENCH DETAIL
N.T.S.

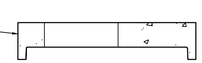


H BOLLARD DETAIL
N.T.S.



L TYPICAL DRIVEWAY ENTRACE
N.T.S.

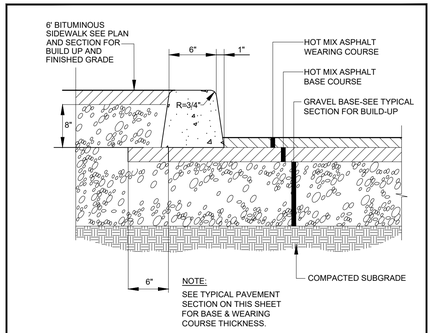




FLATTOP

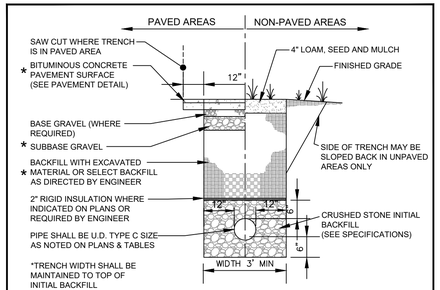
NOTES:
1. 4000 PSI CONCRETE AT 28 DAYS.
2. DESIGNED FOR H-20 WHEEL LOADING.
3. CONFORMS TO ASTM C-478 SPECIFICATIONS.
4. REINFORCED TO 0.12 IN.SQ./L.F.
5. SHIPLAP JOINTS SEALED WITH BUTYL RUBBER.
6. ALL STRUCTURES WITH MULTIPLE PIPES SHALL HAVE A MINIMUM OF 1'-0" OR OUTSIDE SURFACE BETWEEN HOLES, NO MORE THAN 75% OF A HORIZONTAL CROSS-SECTION SHALL BE HOLES, AND THERE SHALL BE NO HOLES CLOSER THAN 3" FROM JOINTS.

B PRECAST CATCH BASIN DETAIL
N.T.S.



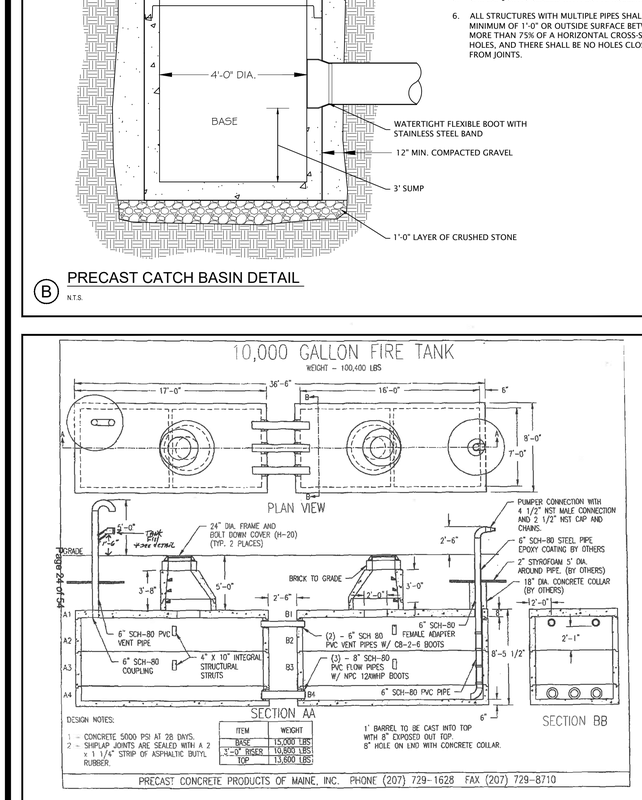
NOTE:
SEE TYPICAL PAVEMENT SECTION ON THIS SHEET FOR BASE & WEARING COURSE THICKNESS.

E VERTICAL SLIPFORM CONCRETE CURB DETAIL
N.T.S.



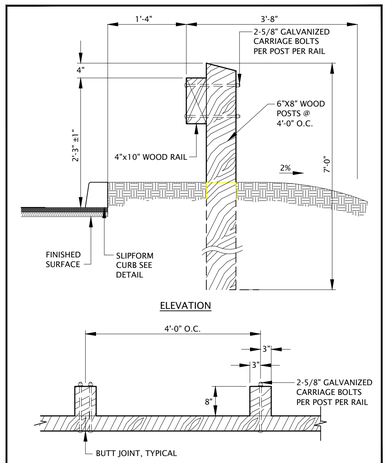
NOTE:
BRACING AND SHEETING OR OTHER TRENCH PROTECTION TO BE PROVIDED TO MEET APPLICABLE STATE AND O.S.H.A. SAFETY STANDARDS. ALL SUCH TRENCH PROTECTION TO BE THE RESPONSIBILITY OF THE CONTRACTOR.

I TYPICAL STORM DRAIN TRENCH DETAIL
NTS

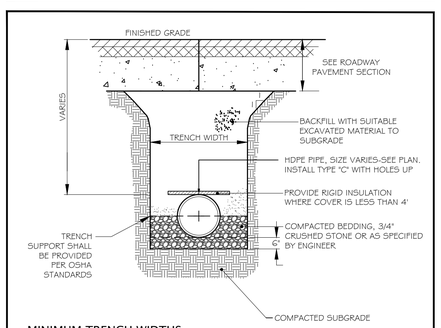


ITEM	WEIGHT
BASE	15,000 LBS
3'-0" RISER	10,800 LBS
TOP	13,800 LBS

C PRECAST FIRE CISTERN DETAIL
N.T.S. COORDINATE WITH BIDDEFORD FIRE DEPARTMENT



F WOOD GUARD RAIL
N.T.S.

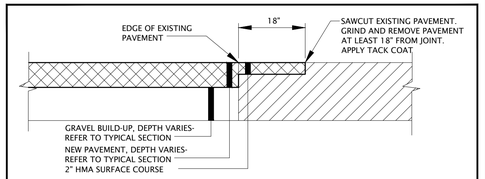


MINIMUM TRENCH WIDTHS

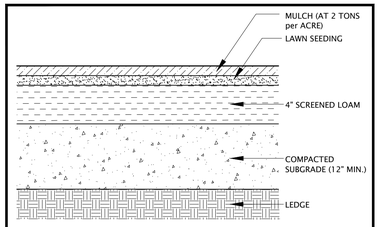
PIPE DIA.	PIPE O.D.	TRENCH WIDTH
12"	14.45"	31"
15"	17.65"	34"

NOTES:
1. WHERE TRENCHES PENETRATE DETENTION BASIN EMBANKMENTS OR OTHER SUCH SPECIAL SECTIONS, BACKFILL SHALL CONFORM TO THE THEIR REQUIREMENTS.

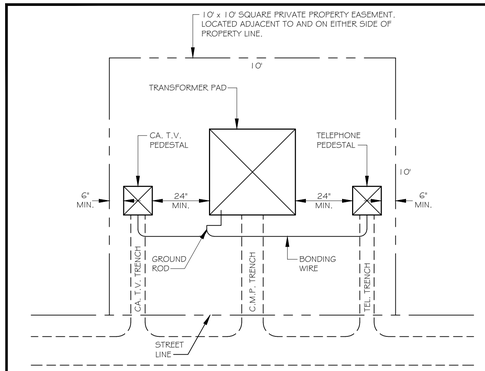
J HDPE CULVERT PIPE TRENCH
N.T.S.



K PAVEMENT BUTT JOINT
N.T.S.

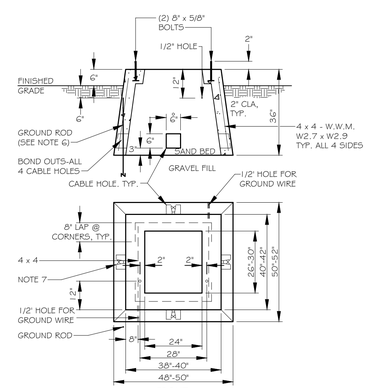


G LOAM AND SEED DETAIL
N.T.S.

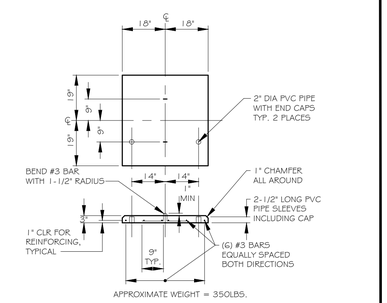


RECOMMENDED TRANSFORMER EASEMENT

NOTES:
1. THIS ILLUSTRATION IS THE RECOMMENDED LAYOUT OF A PAD-MOUNTED TRANSFORMER EASEMENT. IT IS EVIDENT THAT THIS EASEMENT IS NOT ALWAYS POSSIBLE, BUT IN CASES WHERE SUCH AN EASEMENT CAN BE OBTAINED IT WOULD BE BENEFICIAL TO SET THE EASEMENT UP AS SHOWN.
2. CONCRETE FOUNDATION IS SUITABLE FOR BOTH 7200/12470 VOLT AND 20/34.5Kv SINGLE PHASE TRANSFORMER AND PRIMARY JUNCTION BOX INSTALLATIONS.
3. SET FOUNDATION ON SUITABLE GRAVEL FILL AND PROVIDE ADEQUATE DRAINAGE. LOCATION TO BE ACCESSIBLE BY TRUCK AND SUITABLY PROTECTED FROM PLOW AND TRAFFIC DAMAGE.
4. FRONT DENOTES THE SIDE ON WHICH THE ACCESS DOORS ARE LOCATED. THE FOUNDATION MUST BE INSTALLED SO THAT THE "FRONT" IS READILY ACCESSIBLE.
5. OTHER C.M.P. APPROVED PADMOUNT TRANSFORMER FOUNDATIONS MAY BE USED.
6. PROVIDE 6" SQUARE CABLE HOLES (BOND OUT) 3' UP THE WALL FROM THE BASE. ONE PER WALL, LINE UP WITH TRENCHES.
7. CMPCo. TO FURNISH 3/4" x 8' GALVANIZED ROD TO BE INSTALLED 6" IN FRONT OF THE LEFT CORNER OF TRANSFORMER FOUNDATION. THE TOP OF THE GROUND ROD IS TO BE 6" BELOW FINAL GRADE.
8. PULLING EYE INSERT, FOR USE WITH 3/4" NATIONAL THREAD EYE-BOLT (RICHMOND LCB-1 OR EQUIVALENT). LOCATED OPPOSITE EACH CABLE HOLE AND APPROXIMATELY 16" FROM THE BOTTOM.
9. CAN BE USED AS A FOUNDATION FOR 3 PHASE JUNCTION CABINET CU UDCUT3 (S/C 62-1490) WITH CU UDCUT35 (S/C 67-3921) SKIRT.



CONCRETE TRANSFORMER FOUNDATION



CONCRETE TRANSFORMER COVER

M CENTRAL MAINE POWER TRANSFORMER PAD
NOT TO SCALE

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REVISIONS

STATE OF MAINE
JASON A. VAFIADES
No. 12661
LICENSED
PROFESSIONAL ENGINEER
6/24/2020

MAP: 6 LOT: 49
BIDDEFORD, MAINE

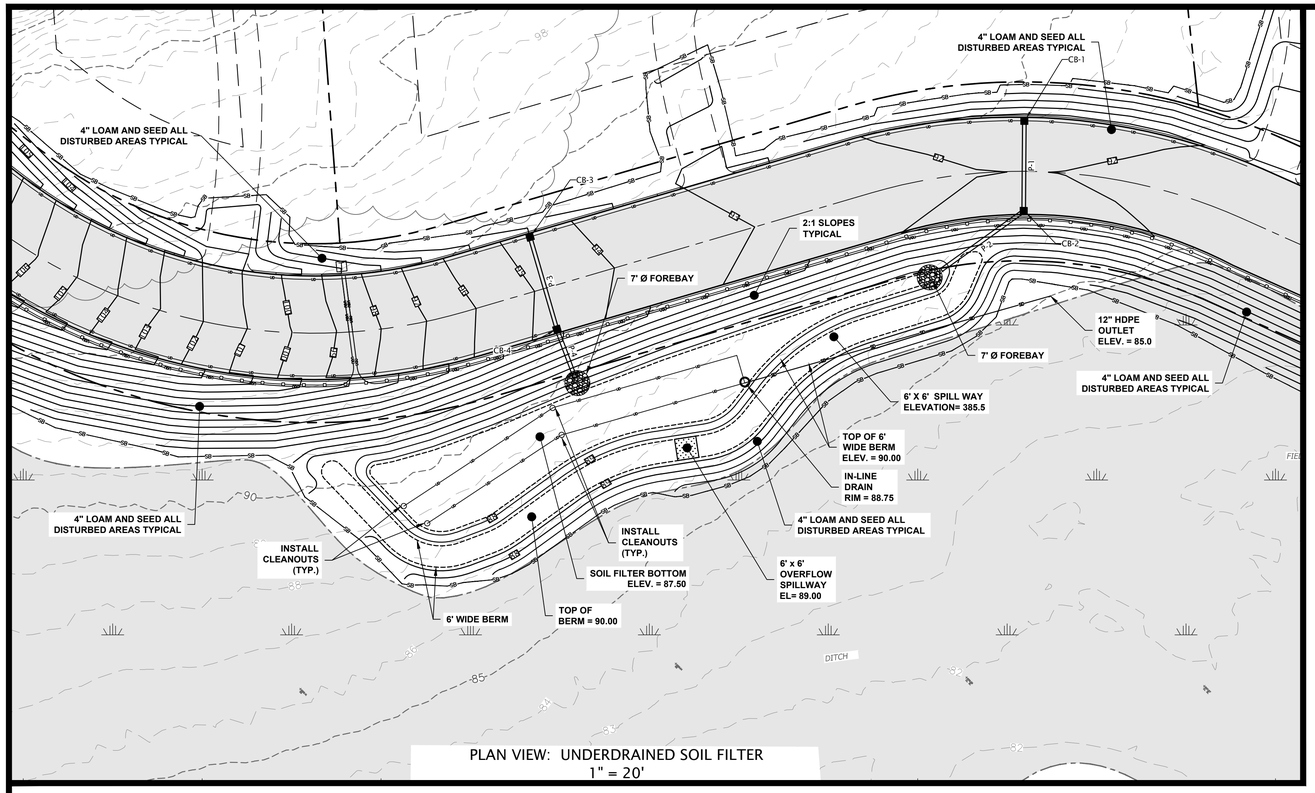
SITE CIVIL DETAILS

PETER A. MOURMOURAS
30 SACO AVENUE
OLD ORCHARD BEACH, MAINE 04046

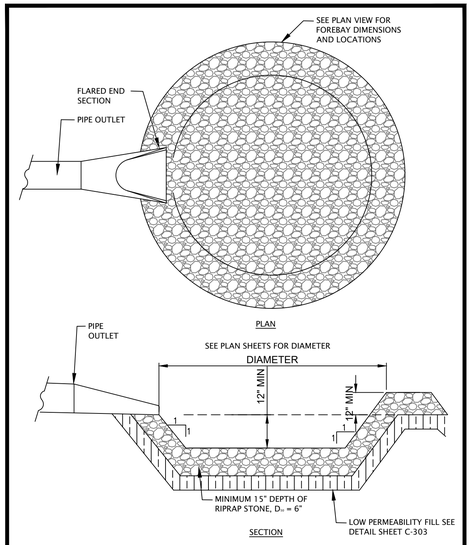
Atlantic Resource Consultants
541 US Route One
Freeport, ME 04032
Tel: 207.869.9050

DRAWN:	MPV	DATE:	SEPTEMBER 11, 2019
DESIGNED:	JAV	SCALE:	N.T.S.
CHECKED:	JAV	JOB NO.	19-009
FILE NAME:			
SHEET:	C-302		

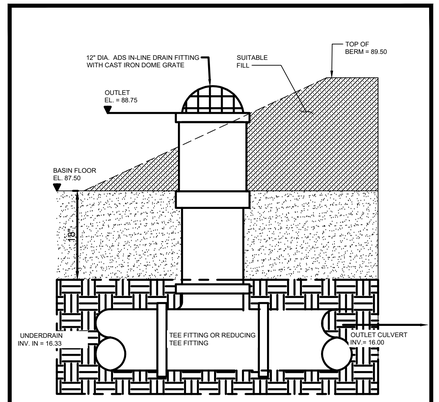
S:\19-009 155 River Road, Biddeford Subdivision\Drawings\19-009 BASE.dwg



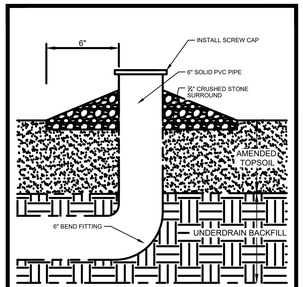
PLAN VIEW: UNDERDRAINED SOIL FILTER
1" = 20'



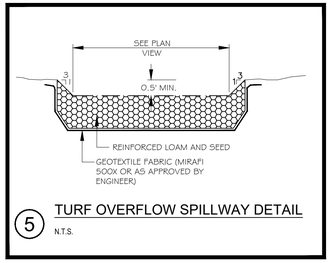
2 FOREBAY DETAIL
N.T.S.



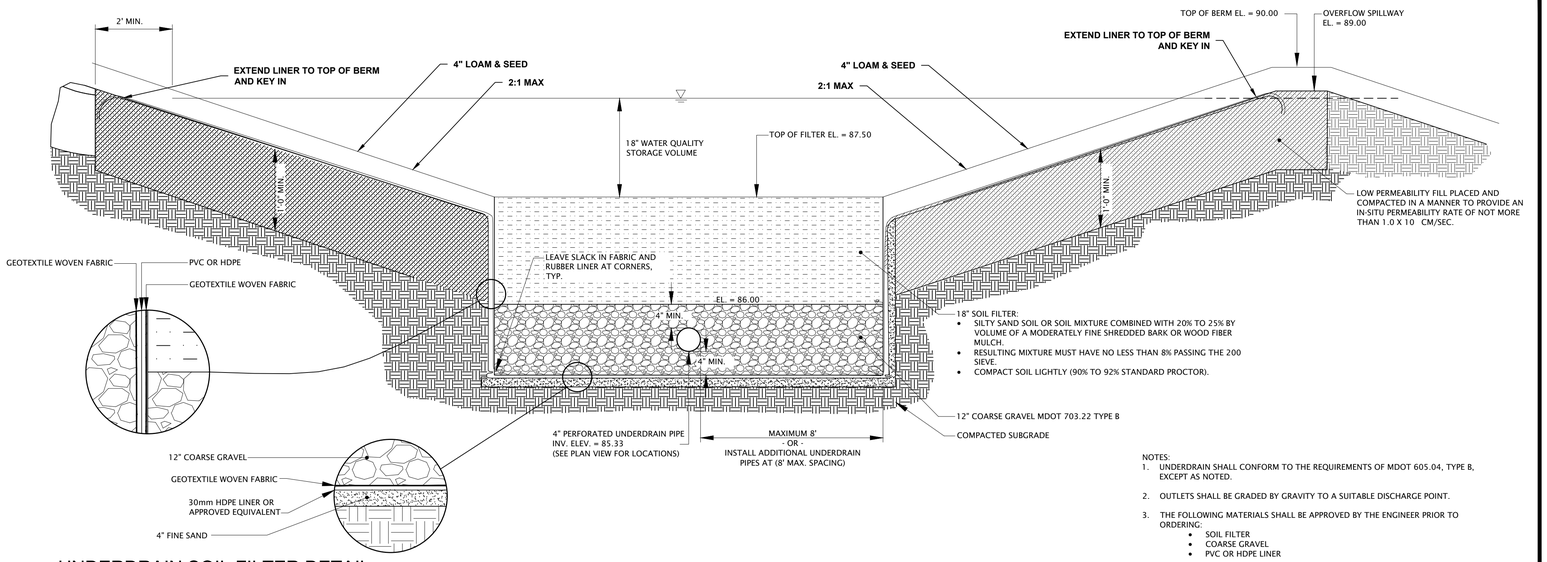
3 UNDERDRAINED SOIL FILTER OUTLET DETAIL
N.T.S.



4 UNDERDRAIN CLEANOUT DETAIL
N.T.S.



5 TURF OVERFLOW SPILLWAY DETAIL
N.T.S.



1 UNDERDRAIN SOIL FILTER DETAIL
N.T.S.

NOTES:
1. UNDERDRAIN SHALL CONFORM TO THE REQUIREMENTS OF MDOT 605.04, TYPE B, EXCEPT AS NOTED.
2. OUTLETS SHALL BE GRADED BY GRAVITY TO A SUITABLE DISCHARGE POINT.
3. THE FOLLOWING MATERIALS SHALL BE APPROVED BY THE ENGINEER PRIOR TO ORDERING:
   - SOIL FILTER
   - COARSE GRAVEL
   - PVC OR HDPE LINER

UNDERDRAINED SOIL FILTER NOTES:

1. UNDERDRAINED FILTER BASINS CONSTRUCTION SEQUENCE: THE SOIL FILTER MEDIA AND VEGETATION MUST NOT BE INSTALLED UNTIL THE AREA THAT DRAINS TO THE FILTER HAS BEEN PERMANENTLY STABILIZED WITH PAVEMENT OR OTHER STRUCTURE, 90% VEGETATION COVER, OR OTHER PERMANENT STABILIZATION UNLESS THE RUNOFF FROM THE CONTRIBUTING DRAINAGE AREA IS DIVERTED AROUND THE FILTER UNTIL STABILIZATION IS COMPLETED.COMPACTION OF SOIL FILTER: FILTER SOIL MEDIA AND UNDERDRAIN BEDDING MATERIAL MUST BE COMPACTED TO BETWEEN 90% AND 92% STANDARD PROCTOR. THE BED SHOULD BE INSTALLED IN AT LEAST 2 LIFTS OF 9 INCHES TO PREVENT POCKETS OF LOOSE MEDIA.
   CONSTRUCTION OVERSIGHT: INSPECTION BY A PROFESSIONAL ENGINEER WILL OCCUR AT A MINIMUM:
   - AFTER THE PRELIMINARY CONSTRUCTION OF THE FILTER GRADES AND ONCE THE UNDERDRAIN PIPES ARE INSTALLED BUT NOT BACKFILLED,
   - AFTER THE DRAINAGE LAYER IS CONSTRUCTED AND PRIOR TO THE INSTALLATION OF THE FILTER MEDIA,
   - AFTER THE FILTER MEDIA HAS BEEN INSTALLED AND SEEDED. BIO-RETENTION CELLS MUST BE STABILIZED PER THE PROVIDED PLANTING SCHEME AND DENSITY FOR THE CANOPY COVERAGE OF 30 AND 50%.
   - AFTER ONE YEAR TO INSPECT HEALTH OF THE VEGETATION AND MAKE CORRECTIONS, AND
   - ALL THE MATERIAL USED FOR THE CONSTRUCTION OF THE FILTER BASIN MUST BE CONFIRMED AS SUITABLE BY THE DESIGN ENGINEER. TESTING MUST BE DONE BY A CERTIFIED LABORATORY TO SHOW THAT THEY ARE PASSING DEP SPECIFICATIONS.

   TESTING AND SUBMITTALS: THE CONTRACTOR SHALL IDENTIFY THE LOCATION OF THE SOURCE OF EACH COMPONENT OF THE FILTER MEDIA. ALL RESULTS OF FIELD AND LABORATORY TESTING SHALL BE SUBMITTED TO THE PROJECT ENGINEER FOR CONFIRMATION. THE CONTRACTOR SHALL:
   - SELECT SAMPLES FOR SAMPLING OF EACH TYPE OF MATERIAL TO BE BLENDED FOR THE MIXED FILTER MEDIA AND SAMPLES OF THE UNDERDRAIN BEDDING MATERIAL. SAMPLES MUST BE A COMPOSITE OF THREE DIFFERENT LOCATIONS (GRABS) FROM THE STOCKPILE OR PIT FACE. SAMPLE SIZE REQUIRED WILL BE DETERMINED BY THE TESTING LABORATORY.
   - PERFORM A SIEVE ANALYSIS CONFORMING TO STM C136 (STANDARD TEST METHOD FOR SIEVE ANALYSIS OF FINE AND COURSE AGGREGATES 1996A) ON EACH TYPE OF THE SAMPLE MATERIAL. THE RESULTING SOIL FILTER MEDIA MIXTURE MUST HAVE 8% TO 12% BY WEIGHT PASSING THE #200 SIEVE, A CLAY CONTENT OF LESS THAN 2% (DETERMINED HYDROMETER GRAIN SIZE ANALYSIS) AND HAVE 10% DRY WEIGHT OF ORGANIC MATTER.
   - PERFORM A PERMEABILITY TEST ON THE SOIL FILTER MEDIA MIXTURE CONFORMING TO ASTM D2434 WITH THE MIXTURE COMPACTED TO 90-92% OF MAXIMUM DRY DENSITY BASED ON ASTM D698.
2. DEWATERING: A DEWATERING PLAN IS NEEDED TO ADDRESS EXCAVATION DE-WATERING FOLLOWING HEAVY RAINFALL EVENTS OR WHERE THE EXCAVATION MAY INTERCEPT THE GROUNDWATER TABLE DURING CONSTRUCTION. THE COLLECTED WATER NEEDS TREATMENT AND A DISCHARGE POINT THAT WILL NOT CAUSE DOWNGRADIENT EROSION AND OFFSITE SEDIMENTATION OR WITHIN A RESOURCE. PLEASE FOLLOW THE DETAILS OF SUCH A PLAN.
3. BASIC STANDARDS - EROSION CONTROL MEASURES: MINIMUM EROSION CONTROL MEASURES WILL NEED TO BE IMPLEMENTED AND THE APPLICANT WILL BE RESPONSIBLE TO MAINTAIN ALL COMPONENTS OF THE EROSION CONTROL PLAN UNTIL THE SITE IS FULLY STABILIZED. HOWEVER, BASED ON SITE AND WEATHER CONDITIONS DURING CONSTRUCTION, ADDITIONAL EROSION CONTROL MEASURES MAY NEED TO BE IMPLEMENTED. ALL AREAS OF INSTABILITY AND EROSION MUST BE REPAIRED IMMEDIATELY DURING CONSTRUCTION AND NEED TO BE MAINTAINED UNTIL THE SITE IS FULLY STABILIZED OR VEGETATION IS ESTABLISHED. A CONSTRUCTION LOG MUST BE MAINTAINED FOR THE EROSION AND SEDIMENTATION CONTROL INSPECTIONS AND MAINTENANCE. THE MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES AS PUBLISHED IN 1991 BY THE CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT AND THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION HAS BEEN CHANGED TO THE "MAINE EROSION AND SEDIMENT CONTROL BMPS" PUBLISHED BY THE MAINE DEP IN 2003. ALL REFERENCES SHOULD BE CHANGED TO THE NEW MANUAL. HTTP://WWW.MAINE.GOV/DEP/BLWQ/DOCSTAND/ESCBMPS/INDEX.HTM

CONSTRUCTION OVERSIGHT REQUIRED

THE APPLICANT WILL RETAIN THE SERVICES OF A PROFESSIONAL ENGINEER TO INSPECT THE CONSTRUCTION AND STABILIZATION OF ALL STORMWATER MANAGEMENT STRUCTURES. IF NECESSARY, THE INSPECTING ENGINEER WILL INTERPRET THE POND'S CONSTRUCTION PLAN FOR THE CONTRACTOR. ONCE ALL STORMWATER MANAGEMENT STRUCTURES ARE CONSTRUCTED AND STABILIZED, THE INSPECTING ENGINEER WILL NOTIFY BOTH THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION AS WELL AS THE TOWN OF OLD ORCHARD BEACH IN WRITING WITHIN 30 DAYS TO STATE THAT THE POND HAS BEEN COMPLETED. ACCOMPANYING THE ENGINEER'S NOTIFICATION MUST BE A LOG OF THE ENGINEER'S INSPECTIONS GIVING THE DATE OF EACH INSPECTION, THE TIME OF EACH INSPECTION, AND THE ITEMS INSPECTED ON EACH VISIT, AND INCLUDE ANY TESTING DATA OR SIEVE ANALYSIS DATA OF EVERY MINERAL SOIL AND SOIL MEDIA SPECIFIED IN THE PLANS AND USED ON SITE.

FOR PERMITTING ONLY
NOT FOR CONSTRUCTION

REV	DATE	DESCRIPTION
5.	6-24-2020	REVISED FOR FINAL APPROVAL PER PEER REVIEW COMMENTS.
4.	6-10-2020	REVISED PER PEER REVIEW COMMENT.
3.	1-16-2020	REVISED PER TOWN COMMENT.
2.	10-31-2019	REVISED PER MDEP COMMENT.
1.	10-4-2019	REVISED PER COMMENT.

REVISIONS

STATE OF MAINE
JASON A. VAFIADES
No. 12661
LICENSED PROFESSIONAL ENGINEER
6/24/2020

MAP: 6 LOT: 49
BIDDEFORD, MAINE

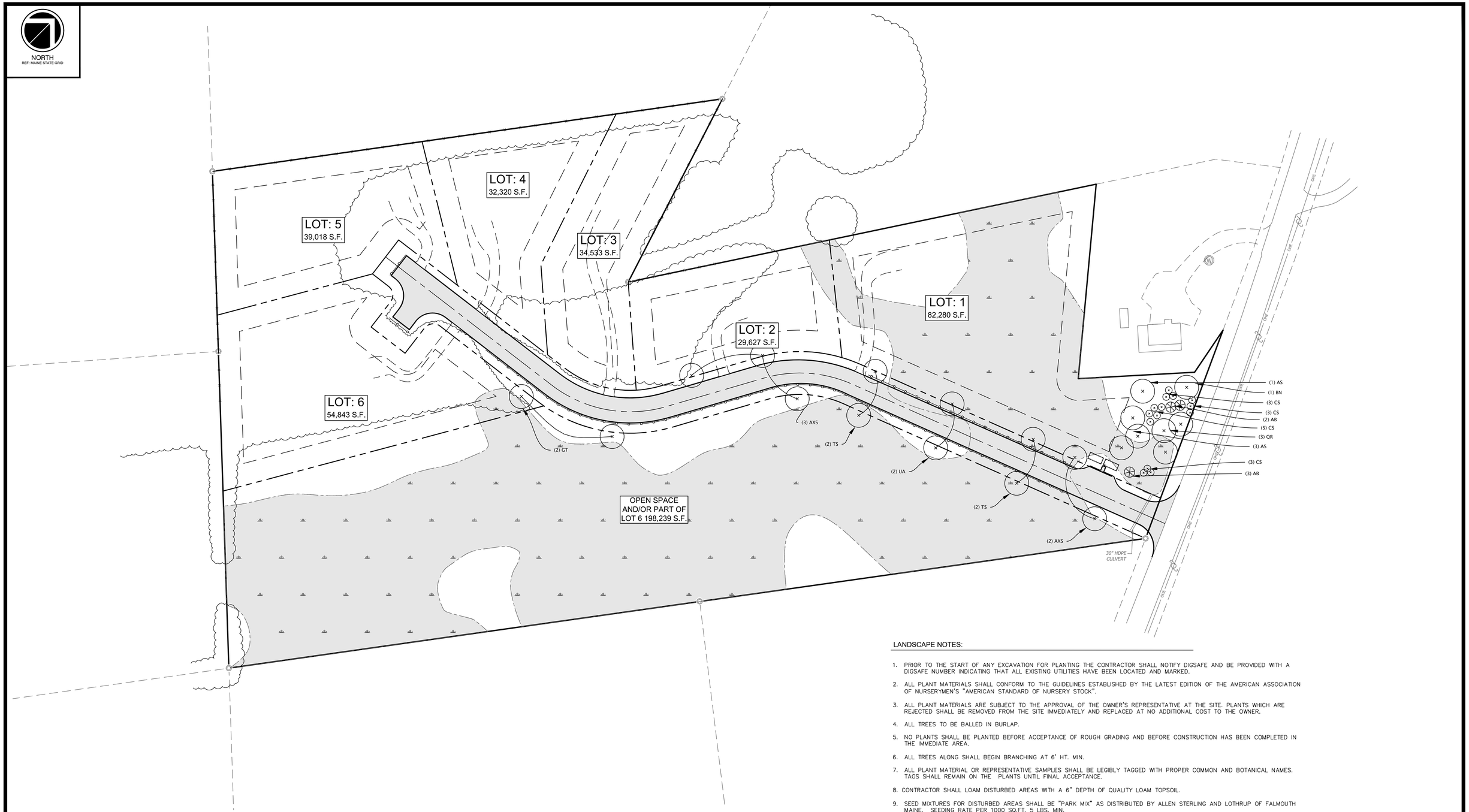
STORMWATER BMP DETAILS I

PETER A. MOURMOURAS
30 SACO AVENUE
OLD ORCHARD BEACH, MAINE 04046

Atlantic Resource Consultants
541 US Route One
Freeport, ME 04032
Tel: 207.869.9050

DRAWN:	MPV	DATE:	SEPTEMBER 11, 2019
DESIGNED:	JAV	SCALE:	AS SHOWN
CHECKED:	JAV	JOB NO.	19-009
FILE NAME:			
SHEET:	C-303		

S:\19-009 155 River Road, Biddeford Subdivision\Drawings\19-009 BASE.dwg



LANDSCAPE NOTES:

1. PRIOR TO THE START OF ANY EXCAVATION FOR PLANTING THE CONTRACTOR SHALL NOTIFY DIGSAFE AND BE PROVIDED WITH A DIGSAFE NUMBER INDICATING THAT ALL EXISTING UTILITIES HAVE BEEN LOCATED AND MARKED.
2. ALL PLANT MATERIALS SHALL CONFORM TO THE GUIDELINES ESTABLISHED BY THE LATEST EDITION OF THE AMERICAN ASSOCIATION OF NURSERYMEN'S "AMERICAN STANDARD OF NURSERY STOCK".
3. ALL PLANT MATERIALS ARE SUBJECT TO THE APPROVAL OF THE OWNER'S REPRESENTATIVE AT THE SITE. PLANTS WHICH ARE REJECTED SHALL BE REMOVED FROM THE SITE IMMEDIATELY AND REPLACED AT NO ADDITIONAL COST TO THE OWNER.
4. ALL TREES TO BE BALLED IN BURLAP.
5. NO PLANTS SHALL BE PLANTED BEFORE ACCEPTANCE OF ROUGH GRADING AND BEFORE CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
6. ALL TREES ALONG SHALL BEGIN BRANCHING AT 6' HT. MIN.
7. ALL PLANT MATERIAL OR REPRESENTATIVE SAMPLES SHALL BE LEGIBLY TAGGED WITH PROPER COMMON AND BOTANICAL NAMES. TAGS SHALL REMAIN ON THE PLANTS UNTIL FINAL ACCEPTANCE.
8. CONTRACTOR SHALL LOAM DISTURBED AREAS WITH A 6" DEPTH OF QUALITY LOAM TOPSOIL.
9. SEED MIXTURES FOR DISTURBED AREAS SHALL BE "PARK MIX" AS DISTRIBUTED BY ALLEN STERLING AND LOTHRUP OF FALMOUTH MAINE. SEEDING RATE PER 1000 SQ.FT. 5 LBS. MIN.
10. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIALS FOR ONE (1) FULL YEAR FROM DATE OF FINAL ACCEPTANCE.
11. SCREENED IMAGES SHOW EXISTING CONDITIONS. WHERE EXISTING CONDITIONS LIE UNDER OR ARE IMPINGED UPON BY PROPOSED BUILDINGS AND OR SITE ELEMENTS, THE EXISTING CONDITION WILL BE REMOVED, ABANDONED AND OR CAPPED OR DEMOLISHED AS REQUIRED.
12. THE CONTRACTOR SHALL INSTALL WATERING BAGS SUCH AS THE TREEGATOR ON ALL TREES ALONG THE PROPOSED STREET AT THE TIME OF INSTALLATION. THESE BAGS SHALL BECOME THE PROPERTY OF THE OWNER.

PLANT LIST:

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	COMMENTS
TREES					
AB	ABIES BALSAMEA	BALSAM FIR	3	4' HT.	FULL & BUSHY, B&B
AS	ACER SACCHARUM	SUGAR MAPLE	4	1" CAL.	SINGLE LEADER, B&B
AXS	ACER X FREEMANII 'SIENNA'	SIENNA GLEN FREEMAN MAPLE	5	1.5" CAL.	SINGLE LEADER, B&B
BN	BETULA NIGRA	RIVER BIRCH	1	12' HT.	CLUMP, B&B
GT	GLEDITSIA TRICANTHOS 'SKYLINE'	SKYLINE HONEYLOCUST	2	1.5" CAL.	SINGLE LEADER, B&B
QR	QUERCUS RUBRA	RED OAK	3	1" CAL.	SINGLE LEADER, B&B
TS	TILIA TOMENTOSA 'STERLING'	SILVER LINDEN	4	1.5' CAL.	SINGLE LEADER, B&B
UA	ULMUS AMERICANA 'VALLEY FORGE'	VALLEY FORGE AMERICAN ELM	3	1.5' CAL.	SINGLE LEADER, B&B
SHRUBS, GROUNDCOVERS & HERBACEOUS MATERIALS					
CS	CORNUS SERICEA 'CARDINAL'	CARDINAL RED TWIG DOGWOOD	16	5 GAL.	FULL & BUSHY

SCALE

0 25 50 100

SCALE in FEET
1"=50'

FOR PERMITTING ONLY
NOT FOR CONSTRUCTION

REV	DATE	DESCRIPTION
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REVISIONS

LICENSED LANDSCAPE ARCHITECT
PETER B. BIEGEL
No. 2624
STATE OF MAINE
9/11/19

MAP: 6 LOT: 49
BIDDEFORD, MAINE

OVERALL
DEVELOPMENT PLAN

PETER A. MOURMOURAS
30 SACO AVENUE
OLD ORCHARD BEACH, MAINE 04046

Atlantic Resource Consultants
541 US Route One
Freeport, ME 04032
Tel: 207.869.9050

DRAWN: MPV	DATE: SEPTEMBER 11, 2019
DESIGNED: JAV	SCALE: 1" = 50'
CHECKED: JAV	JOB NO. 19-009
FILE NAME:	
SHEET: L-100	

S:\19-009 155 River Road, Biddeford Subdivision\Drawings\19-009 BASE.dwg

Site Design Associates
Consulting Engineering and Land Planning

June 22, 2020

Mr. Greg Tansley
Via email

RE: Eagle River Run Subdivision
River Road
Review of Resubmission

Dear Greg;

Per your request Site Design Associates has undertaken a review of the revised plans and documentation submitted in support of a final subdivision application for the referenced project received on June 12, 2020.

Our review was based on civil engineering plans dated 06-10-20, the application packet, and the stormwater management report for the project. It is our understanding the project requires a NRPA permit from DEP, and based on the disturbed area of over one acre proposed, it will require a stormwater PBR, which requires meeting the basic stabilization standards. Therefore, we reviewed the stormwater quantity and quality analysis provided in the context of the city land use code and standard engineering practice.

Based on our review we offer the following comments for your, the planning board's, and the applicant's consideration, with the numbers corresponding to our original comments, where possible:

A. Stormwater Management

Our previous comments were addressed. As noted in the documents submitted, if the road is accepted by the city, the maintenance for the stormwater management facilities outside the right of way will remain the lot owners' responsibility, which would assumedly fall on the HOA. We quickly reviewed the draft HOA documents and did not see any specifics about the maintenance of those facilities or of the road and associated infrastructure until such time as the road might be accepted by the city. As a part of the Maine DEP Stormwater Permit by Rule process, an inspection and maintenance plan will need to be prepared and submitted for review. Preparation of such a document may be an item the planning board should consider as a condition of approval. This should be appended to the HOA documents as well.

B. Drainage Plans and Calculations

1. Addressed.

23 Whitney Way Topsham, Maine 04086
Phone: (207) 449-4275 email: info@sitedesignassociates.biz

2. Addressed.

C. Drawings

1. Subdivision Plan

   a. Addressed.
   b. Addressed.
   c. Addressed.

2. Sheet C-200 – Roadway and Utilities Plan and Profile

   a. Additional underdrainage is required from station 8+30 left to the end of the road. Additionally, cleanouts should be provided.
   b. Addressed.
   c. Addressed.
   d. Addressed.
   e. Is the turnaround area design acceptable to public works?
   f. Addressed.
   g. Addressed.
   h. We previously commented that the guardrail shown at the end of each leg of the turnaround should be removed as it will be a hindrance to winter maintenance. The response was that the public works director requested the guardrail. The guardrail is shown immediately adjacent to the pavement at the end of the road, and a few feet beyond the pavement of the leg of the turnaround. There is also a light shown behind the guardrail at the end of the road. The public works director should review and verify that the guardrail and light are acceptable as shown.
   i. Addressed.
   j. Addressed.
   k. It appears that stormwater runoff from upgradient areas will have a tendency to flow along the toe of the roadway fill slope. Protection of this toe of slope should be provided. The applicant commented that short term erosion control measures should be sufficient. Our recommendation is that a note be added to this drawing requiring monitoring and that if erosion does occur a formal swale will need to be constructed.
   l. Addressed.
   m. Addressed.
   n. A sawcut and butt joint should be shown at River Road.
   o. Addressed.
   p. Signage should be shown, including stop, street and signage required by the council order approving a 3 ft shoulder in lieu of a sidewalk.
   q. Chapter 62 requires insulation over storm drain ping with less than 4 ft of cover.
   r. Addressed.
   s. Addressed.

t. The station at the end of the road should be called out.
u. The grading for the guardrail sections does not appear to reflect the five foot wide top of slope necessary for the guardrail installation.

3. Sheet C-302 – Site Civil Details 1

a. Detail A – Typical Roadway Section
- Reference should be made to Chapter 62 for the pavement material and thickness buildup required. The pavement and base gravel thicknesses shown are not consistent with chapter 62, Table A.
- Addressed.
- Addressed.
- Addressed.
- The riprap apron table shown on drawing C-301 should include dimensions associated with a 24 inch diameter pipe.
- The detail should show a minimum of two feet backing up the curb in a fill section. In a guardrail section it will be five feet per the detail.

b. Detail B – Precast catch Basin Detail
- Given the roadway slopes, we suggest square cascade grates be provided. This has been partially addressed. Cascade grates should only be used at CB #3 and #4. Conventional grates should be used at the other locations.
- Addressed.

c. Detail E – Vertical Slipform Concrete Curb Detail
- Addressed.
- Generally, when the curb is not located adjacent to a sidewalk, a sloped form is used. This is something that the public works director should review and let the applicant know what the preference is.

d. Detail F – Wood Guard Rail
- The detail provides for 1'-10" from face of curb to the face of the guardrail for snow storage, which is another issue the public works director should review.

e. Detail K – Driveway Detail (new)
- This should show riprap aprons at the ends of the culverts.

f. An underdain trench detail should be provided.

4. Sheet C-303 – Stormwater BMP Details 1

a. It appears the reference to a 6' x 6' spillway at elevation 385.5 may be a carryover form another drawing?
b. Addressed.

c. Sideslopes are shown as 2H:1V. The maximum permitted based on the DEP BMP manual is 3H:1V.
d. Addressed.
e. Addressed.
f. Addressed.

We do not believe that these comments will significantly impact the overall design concept, and that they could be satisfactorily addressed as a condition of approval if you concur and the board is so inclined. If you have any questions, or require additional information, please do not hesitate to contact me.

Sincerely,
Site Design Associates

Tom Saucier, P.E.
President

CITY OF BIDDEFORD

Planning and Development Department

Greg D. Tansley, A.I.C.P.
City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207) 282-7119 or (207) 284-9115
Greg.Tansley@biddefordmaine.org

PLANNING BOARD REPORT

TO: William Southwick, Chair & Members of the Biddeford Planning Board

FROM: Greg Tansley, AICP, City Planner

DATE: July 30, 2020

RE: NEW BUSINESS ITEM #C: 2020.04 The Final Amended Subdivision/Private Way for Dale Wilkinson to create two new lots off a new Private Road off South Street (Tax Map 1, Lot 50) in the R-F zone.

MEETING DATE: AUGUST 5, 2020

MEETING LOCATION: REMOTE ACCESS MEETING (1 MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19).

Zoom Virtual Meeting:

When: Aug 5, 2020 06:00 PM Eastern Time (US and Canada)

Please click the link below to join the webinar:
https://biddeford.zoom.us/j/95265661354

Or iPhone one-tap :
US: +16465588656,,95265661354# or +13017158592,,95265661354#
Or Telephone:
Dial(for higher quality, dial a number based on your current location):
US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799
Webinar ID: 952 6566 1354
International numbers available:
https://biddeford.zoom.us/u/ajXudpwdq

1. INTRODUCTION

NOTE: Before the July 1, 2020 Planning Board some concerns arose reflecting some possible inconsistencies between the review documents and what had been previously recorded in the York County Registry of Deeds. This concern arose because the applicant(s) had created lots and recorded them before obtaining the approval for a subdivision amendment of a previously approved subdivision. The Applicant agreed to have the item removed from the July 1 Agenda so that they may work with their attorney to better present something coherent to the Board.

The applicant, Dale Wilkinson, is proposing to construct a 3-4 Lot Private Road off of South Street. The Private Road would access the 2 new lots to be created behind Lots 6 and 5 of the previously approved "Stoneybrook Subdivision" originally approved in 1976, as well as the existing house "Now/Formerly" (N/F) Boyack and Rivard. As a result, this project amends the Stoneybrook Subdivision and requires a 3-4 Lot Private Road which is why it is before the Planning Board.

Lot 1 is proposed to be just over 60,000 s.f., with a net land area of 40,045 s.f. This meets the minimum 40,000 s.f. lot area requirement. Lot 2 is much larger and is shown to be 198,000 s.f. in size, with 151,233 s.f. of net lot acreage. All newly created lots appear to meet the net lot acreage requirements.

The Private Road itself, including the ROW, is outside of the Swan Pond Brook RP-1 special Resource Protection (RP-1) District. The proposed driveway is also outside of the RP-1 District. Any future work within the RP-1 District may require additional approvals, such as if a driveway were to be installed in the RP-1.

2. PROJECT DATA/INFORMATION

Note: HIGHLIGHTED information is pending.

	SUBJECT	***DATA/INFORMATION***
1.	Applicant:	Dale Wilkinson 132 Dennett Road Biddeford, ME 04005
2.	Owner of Property:	Dale Wilkinson 132 Dennett Road Biddeford, ME 04005 Gerard G. Letellier Jr. Plumbing and Heating, Inc.

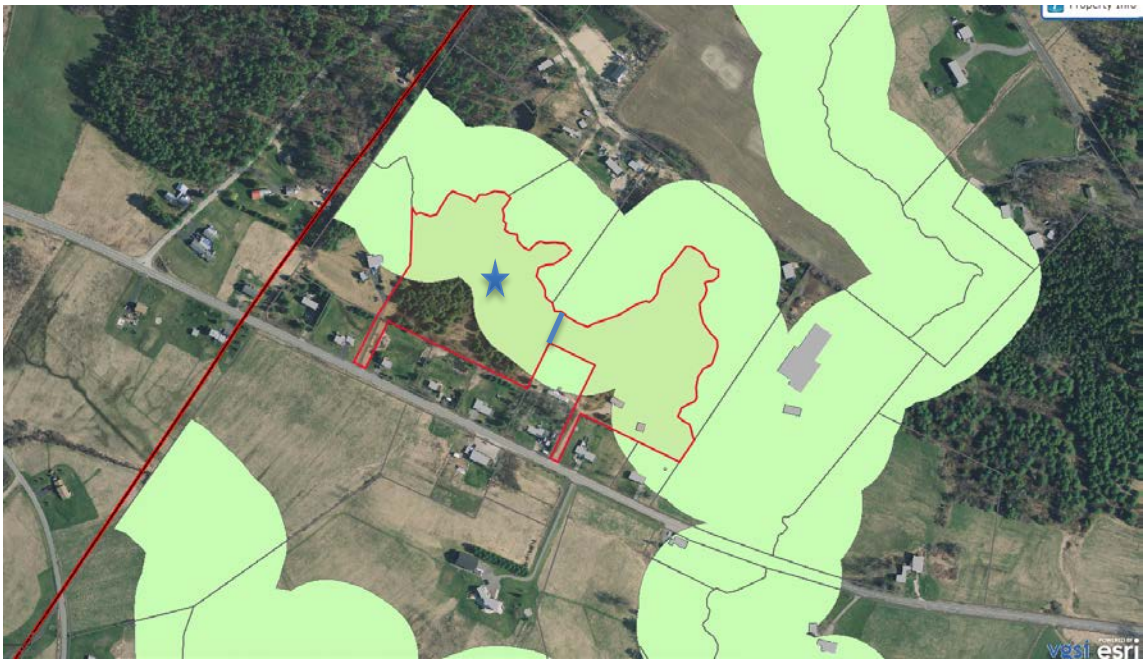
		132 Dennett Road Biddeford, ME 04005
3.	Agent:	Andrew Morrell, PE BH2M Engineers 28 State Street Gorham, M 04038
4.	Surveyor:	Andrew Morrell, PE BH2M Engineers 28 State Street Gorham, M 04038
5.	Project Location:	Off South Street
6.	Project Tax Map #/Lot #:	Tax Map 1, Lot 50
7.	Existing Zoning:	R-F
8.	Overlay Zoning:	RP-1 in the rear of the property.
9.	Existing Use:	Vacant
10.	Proposed Use:	Divide 1 Lot into 2 Lots – Residential. Amends a Previously Approved Subdivision and Requires the Construction of a 3-4 Lot Private Road since N/F Boyack and Rivard must use the new Private Road for access to South Street.
11.	City Approvals Required:	Subdivision Amendment and 3-4 Lot Private Road
12.	Uses in the Vicinity:	Residential
13.	Parcel Size:	15.6 Acres (18,295 SF)
14.	Minimum Lot Size Required: Provided:	40,000 SF Per Lot, NET Lot 1: 60,721 s.f. (40,045 s.f. NET) Lot 2: 198,00 s.f. (151,233 s.f. NET)
15.	Frontage Required:	200 feet
16.	Front Setback Required:	40 feet
17.	Side Setbacks Required:	25 feet
18.	Rear Setback Requires:	25 feet
19.	Height Requirements:	Maximum 35 feet
20.	Water Supply:	Private Wells
21.	Sewerage Disposal:	Private On-site Subsurface Wastewater Disposal Systems (HHE-200's provided and on file)
22.	Solid Waste Disposal:	Private unless eligible for City collection through the Department of Public Works.
23.	Fire Protection:	City of Biddeford
24.	Floodplain Status:	NFIP FIRM Community Panel 230145-0007 B, Effective May 15, 1984, indicates the rear of the properties, immediately adjacent to Swan

		Pond Brook is an Unnumbered A Floodzone. The flood zone is located entirely within the RP-1 District where virtually no development is permitted.
25.	Wetland/Surface Water Impacts:	None
26.	Soil Study Provided:	HHE-200's provided.
27.	Ownership of Road:	South Street is a City Street. The applicant proposes 2 new lots on a new Private Road.
28.	Parking:	N/A
29.	Estimated Site Development Costs:	$48,155.00
30.	Waivers Needed:	None
31.	Waivers Granted:	a. Due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency and a statewide stay at home order, the Planning Board pursuant to Chapter 66-9 authorized the City Planner to sign the final plan on behalf of the Planning Board and the final plan once signed by the City Planner was deemed to have been signed by individual members of the Planning Board evidencing approval of the final plan given that public convenience, safety, health and welfare will not be affected adversely.
33.	Variances Needed for Approval:	None
34.	Other Permits Obtained:	None
35.	Other Non-City Permits Required:	None
36.	Covenants, By-laws, Restrictions Required by the Planning Board:	None
37.	LDR Attachment A: Fees Paid:	Yes
38.	Planning Board Review History: Concept Review Final Review:	 March 4, 2020 August 5, 2020

3. <u>EXISTING CONDITIONS</u>

The proposed property is vacant and abuts Swan Pond Brook. The RP-1 Zone is shown below in light green (location approximate and needs to be field verified). The lot has been since divided and does not reflect what is shown below. For crude representation,

a blue line has been drawn below representing a previous lot division and the area to the left (west) of the blue line is the subject parcel of this application (marked by a star).



Source: http://gis.vgsi.com/BiddefordMEMap/index.html?pid=96. Accessed date: 02/26/2020.

4. PROJECT PROPOSAL

To gain legal frontage for Lots 1 and 2, the applicants have to construct a 2-Lot Private Road. Since an abutting property (N/F Boyak and Rivard) must also gain access via this new private road, the road must be designed to meet the 3-4 Lot standard. Due to the RP-1 District, the entire Private Road (and ROW) must be located outside of the RP-1 District.

5. REVIEW HISTORY

Concept Review: March 4, 2020

Final Review: August 5, 2020

6. STAFF REVIEW

a. ZONING: Residential is Permitted in the Rural Farm Zone. This represents an amendment to a previously approved subdivision. In order to create the required frontage, the applicant must create a 3-4 Lot Private Road.

b. REVIEW STANDARDS: General Zoning Requirements, including Dimensional Requirements. Private Road Standards.

c. WAIVERS:

Staff Recommend the following waiver (authorization):

Due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency and a statewide stay at home order, the Planning Board pursuant to Chapter 66-9 hereby authorizes the City Planner to sign the final plan on behalf of the Planning Board and the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board evidencing approval of the final plan given that public convenience, safety, health and welfare will not be affected adversely.

Staff are asking the Board to approve this waiver given that under the COVID-19 situation plans signatures would be difficult if not impossible to obtain and the public's convenience, safety, health and welfare would not be affected adversely by doing so.

d. OUTSTANDING ITEMS TO BE ADDRESSED WITH THE SUBMISSION OF A FINAL APPLICATION PACKAGE:

- Staff have no remaining issues related to this project.

7. NEXT STEPS/SUGGESTED ACTIONS

- Recommend the Board grant the waiver described above to allow the City Planner to sign the plan on the board's behalf.

- If the applicant has addressed the outstanding items to the satisfaction of the Board, and Board approves the project, Staff recommend doing so with the following Conditions of Approval attached:

1. **This approval is not valid without plan signature and plan recording at the YCRD.**
2. **Prior to any building permits or the sale/conveyance of any land or lots:**
   a. **The applicant shall provide a copy of the recorded division plan to the Planning Department within 15 days of recording.**
3. **Prior to any ground disturbance:**
   a. **The applicant must submit a recorded copy of the private way plans to the Planning Department.**
   b. **The applicant must submit copies of the recorded revised deeds for Lot 1 and 2. To the Planning Department.**

c. **A pre-construction meeting with the contractor needs to be held with the Engineering Department to discuss inspection requirements.**
d. **An Erosion and Sedimentation Control Performance Guarantee (acceptable to the Planning Department) in the amount of $XX,XXX (amount to be determined by the Planning Department) shall be submitted to the Planning Department.**
e. **A Street Opening Permit must be obtained from the Biddeford Public Works Department prior to any work within the City Right-of-Way.**

4. **<u>Prior to any building permits:</u>**
   a. **A Performance Guarantee (acceptable to the Planning Department) in an amount of 150% of the expected costs of the project being shall be submitted to the Planning Department.**
5. **Any blasting requires a City of Biddeford Blasting Permit.**
6. **Best management practices (BMPs) shall be adhered to during all ground disturbance operations.**
7. **Contact Tom Milligan in the Engineering Department at 207-284-9118 for inspections.**
8. **<u>Prior to the release of the Performance Guarantee:</u>**
   a. **All monumentation/iron pins around the ROW & interior lot lines needs to be set.**
   b. **The project engineer shall certify that the project has been completed as per the approved plans or shall note any deviations from the approved plans.**
   c. **As-built drawings of the private road shall be provided to the Planning Department.**
9. **No additional lots may be serviced by this Private Way without prior City approval.**
10. **Standard Conditions of Approval apply.**

<u>SAMPLE MOTIONS</u>

A. *Motion Due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency and a statewide stay at home order, the Planning Board pursuant to Chapter 66-9 hereby authorizes the City Planner to sign the final plan on behalf of the Planning Board and the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board evidencing approval of the final plan given that public convenience, safety, health and welfare will not be affected adversely.*

B. *Motion to approve the amendment to the Sandybrook Subdivision and Private Road for Dale Wilkinson off South Street (Tax Map 1, Lot 50) and approve the Findings of Fact based on the conditions recommended by Staff in its report dated July 30, 2020.*

C. *Motion to table to allow the applicant to address the outstanding issues identified by Staff and the Board.*

D. *Motion to deny the Subdivision Amendment based upon the following reasons:*
   *a)*_____
   *b)*_____

ATTACHMENTS:

1. Revised Submittal including Attorney's Letter, Application Package and Plans
2. Draft Findings of Fact and Conclusions of Law

FINDINGS OF FACT AND CONCLUSIONS OF LAW
AMENDMENT TO A PREVIOUSLY APPROVED SUBDIVISION AND PRIVATE WAY

Pursuant to the provisions of the City of Biddeford Code of Ordinances and Land Development Regulations (LDR), the Biddeford Staff Committee, as described in LDR, Article VI, Section 51 (Private Ways Ordinance), and Chapter 66 – Subdivisions, has considered the application of Dale Wilkinson, including supportive data, public hearing testimony and related materials contained in the record. Based on Public Comment and Staff's review and recommendation, the Planning Board makes the following Findings of Fact and Conclusions of Law:

Findings of Fact:

	SUBJECT	***DATA/INFORMATION***
1.	Applicant:	Dale Wilkinson 132 Dennett Road Biddeford, ME 04005
2.	Owner of Property:	Dale Wilkinson 132 Dennett Road Biddeford, ME 04005 Gerard G. Letellier Jr. Plumbing and Heating, Inc. 132 Dennett Road Biddeford, ME 04005
3.	Agent:	Andrew Morrell, PE BH2M Engineers 28 State Street Gorham, M 04038
4.	Surveyor:	Andrew Morrell, PE BH2M Engineers 28 State Street Gorham, M 04038
5.	Project Location:	Off South Street
6.	Project Tax Map #/Lot #:	Tax Map 1, Lot 50
7.	Existing Zoning:	R-F
8.	Overlay Zoning:	RP-1 in the rear of the property.
9.	Existing Use:	Vacant
10.	Proposed Use:	Divide 1 Lot into 2 Lots – Residential. Amends a Previously Approved Subdivision and Requires the Construction of a 3-4 Lot Private Road since N/F Boyack and Rivard must use the new Private Road for access to South Street.

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11.	City Approvals Required:	Subdivision Amendment and 3-4 Lot Private Road
12.	Uses in the Vicinity:	Residential
13.	Parcel Size:	15.6 Acres (18,295 SF)
14.	Minimum Lot Size Required: Provided:	40,000 SF Per Lot, NET Lot 1: 60,721 s.f. (40,045 s.f. NET) Lot 2: 198,00 s.f. (151,233 s.f. NET)
15.	Frontage Required:	200 feet
16.	Front Setback Required:	40 feet
17.	Side Setbacks Required:	25 feet
18.	Rear Setback Requires:	25 feet
19.	Height Requirements:	Maximum 35 feet
20.	Water Supply:	Private Wells
21.	Sewerage Disposal:	Private On-site Subsurface Wastewater Disposal Systems (HHE-200's provided and on file)
22.	Solid Waste Disposal:	Private unless eligible for City collection through the Department of Public Works.
23.	Fire Protection:	City of Biddeford
24.	Floodplain Status:	NFIP FIRM Community Panel 230145-0007 B, Effective May 15, 1984, indicates the rear of the properties, immediately adjacent to Swan Pond Brook is an Unnumbered A Floodzone. The flood zone is located entirely within the RP-1 District where virtually no development is permitted.
25.	Wetland/Surface Water Impacts:	None
26.	Soil Study Provided:	HHE-200's provided.
27.	Ownership of Road:	South Street is a City Street. The applicant proposes 2 new lots on a new Private Road.
28.	Parking:	N/A
29.	Estimated Site Development Costs:	$48,155.00
30.	Waivers Needed:	None
31.	Waivers Granted:	a. Due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency and a statewide stay at home order, the Planning Board pursuant to Chapter 66-9 authorized the City Planner to sign the final plan on behalf of the Planning Board and the final plan once signed by the City Planner was deemed to have been signed by individual members of

DRAFT

		the Planning Board evidencing approval of the final plan given that public convenience, safety, health and welfare will not be affected adversely.
33.	Variances Needed for Approval:	None
34.	Other Permits Obtained:	None
35.	Other Non-City Permits Required:	None
36.	Covenants, By-laws, Restrictions Required by the Planning Board:	None
37.	LDR Attachment A: Fees Paid:	Yes
38.	Planning Board Review History: Concept Review Final Review:	 March 4, 2020 August 5, 2020

Conclusions of Law:

General:

1. The proposed use meets specific requirements set forth in this ordinance and would be in compliance with applicable state or federal laws;

2. The proposed use would not create fire safety hazards by providing adequate access to the site, or to the buildings on the site, for emergency vehicles and would not create hazards through the storage of chemicals and wastes;

3. The proposed exterior lighting, where allowed, would not create hazards to motorists traveling on adjacent public streets or is adequate for the safety of occupants or users of the site or would not damage the value and diminish the usability of adjacent properties;

4. The provisions for buffers and on-site landscaping provide adequate protection to neighboring properties from detrimental or unsightly features of the development;

5. The proposed use would not have a significant, detrimental effect on the use and peaceful enjoyment of abutting property as the result of noise, vibrations, fumes, odor, dust, glare, hours of operation, or other causes;

6. The provisions for vehicular loading and unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets would not create hazards to public safety or traffic congestion;

7. The proposed use would generate a volume of traffic that can reasonably be accommodated by the existing road network, or would not create unreasonable traffic hazards or would not exacerbate an existing traffic hazard, or would not create unreasonable traffic congestion;

DRAFT

8. The proposed use would not have a significant, detrimental effect on the value of adjacent properties, which could be avoided by reasonable modification of the proposal;

9. The proposed use would not have an adverse impact on the privacy of the residents of the immediate area (within 500 feet) which could be avoided by reasonable modification of the proposal.

10. The proposed use would be in compliance with Biddeford's comprehensive plan;

11. The proposed use would not have an adverse impact on the immediate neighborhood or the community relative to architectural design, scale, bulk and building height, identity and historical character, or visual integrity, which could be avoided by reasonable modification of the proposal;

12. The design of the site would not result in significant flood hazards or flood damage or would be in conformance with applicable flood hazard protection requirements;

13. Adequate provision has been made for disposal of wastewater or solid waste or for the prevention of ground or surface water contamination;

14. Adequate provision has been made to control erosion or sedimentation;

15. Adequate provision has been made to handle stormwater runoff or other drainage problems on the site; and the proposed development will not unduly burden off-site surface water systems;

16. The proposed water supply would meet the demands of the proposed project (and for fire protection purposes, if applicable.)

17. Adequate provision has been made for the transportation, storage, and disposal of hazardous substances and materials as defined by state law;

18. The proposed use would not have an adverse impact on scenic vistas, historic sites, archeological resources, or on significant wildlife habitat or wetland areas and water bodies, which could be avoided by reasonable modification of the proposal;

19. When located in the Shoreland Zone, the proposed use would meet the purposes of Shoreland Zoning as identified in Article XIV, Section 1 (Purposes) of this ordinance.

Shoreland Zoning:

1. The proposed use meets specific requirements set forth in this ordinance and would be in compliance with applicable state or federal laws;

2. The proposed use/project will maintain safe and healthful conditions;

DRAFT

3. Will not result in water pollution, erosion, or sedimentation to surface waters;

4. Will adequately provide for the disposal of all wastewater;

5. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird, or other wildlife habitat;

6. Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;

7. Will protect archaeological and historic resources as designated in the comprehensive plan;

8. Will not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/maritime activities district;

9. Will avoid problems associated with floodplain development and uses; and

10. Is in conformance with the provisions of Biddeford Code of Ordinances, Part III (Land Development Regulations), Article XIV (Shoreland Zoning Ordinance), Section 15 (Land Use Standards).

Approval Granted:

Based on the evidence available and the conclusions above, the Biddeford Planning Board approves the 3-4 Lot Private Way and Subdivision Amendment for Dale Wilkinson for the proposed project summarized above, located at Map 1, Lot 50 City of Biddeford Tax Maps, in accordance with the submitted application, supporting data, representations made, other related materials on file, and the following Conditions of Approval:

Conditions of Approval:

1. **This approval is not valid without plan signature and plan recording at the YCRD.**
2. **Prior to any building permits or the sale/conveyance of any land or lots:**
   a. **The applicant shall provide a copy of the recorded division plan to the Planning Department within 15 days of recording.**
3. **Prior to any ground disturbance:**
   a. **The applicant must submit a recorded copy of the private way plans to the Planning Department.**
   b. **The applicant must submit copies of the recorded revised deeds for Lot 1 and 2.**
   c. **A pre-construction meeting with the contractor needs to be held with the Engineering Department to discuss inspection requirements.**
   d. **An Erosion and Sedimentation Control Performance Guarantee (acceptable to the Planning Department) in the amount of $XX,XXX (amount to be**

determined by the Planning Department) shall be submitted to the Planning Department.

e. A Street Opening Permit must be obtained from the Biddeford Public Works Department prior to any work within the City Right-of-Way.

4. <u>Prior to any building permits:</u>

a. A Performance Guarantee (acceptable to the Planning Department) in an amount of 150% of the expected costs of the project being shall be submitted to the Planning Department.

5. Any blasting requires a City of Biddeford Blasting Permit.

6. Best management practices (BMPs) shall be adhered to during all ground disturbance operations.

7. Contact Tom Milligan in the Engineering Department at 207-284-9118 for inspections.

8. <u>Prior to the release of the Performance Guarantee:</u>

a. All monumentation/iron pins around the ROW & interior lot lines needs to be set.

b. The project engineer shall certify that the project has been completed as per the approved plans or shall note any deviations from the approved plans.

c. As-built drawings of the private road shall be provided to the Planning Department.

9. No additional lots may be serviced by this Private Way without prior City approval.

10. Standard Conditions of Approval apply.

_____
Planning Board Chair

_____
Date

DRAFT

BH2M

Berry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors

28 State Street
Gorham, Maine 04038

Tel. (207) 839-2771
Fax (207) 839-8250

WILLIAM A. THOMPSON
ROBERT C. LIBBY Jr
WALTER E. PELKEY
ANDREW S. MORRELL
STEVEN J. BLAKE

July 21, 2020

Greg Tansley, City Planner
City of Biddeford
205 Main Street
Biddeford, Maine 04005

RE: Private Way and Amended Subdivision Revisions
Poppy Lane and Sandybrook Subdivision
Tax Map 1 Lot 50

Dear Greg,

Please find attached an electronic copy of the following information in support of revisions for a Private Way and Amended Subdivision as described above:

1. Letter from applicants attorney Rick Hull dated July 21, 2020
2. Suggested Deed Descriptions-Lot 1 and 2
3. HHE-200 and Test Pits Logs-Lots 1 and 2-Mark Hampton Associates Inc.
4. Revised Biddeford Planning Board application-Amended Subdivision and Private Way
5. Cost Estimate on City of Biddeford forms-Poppy Lane
6. Revised Private Way and Amended Subdivision Plans (full size)

These revisions come based on comments from Planning Staff and Planning Board members. The following is our response to the comments sorted by the source of the comments and using the same numbering system for clarity:

Comments from City Planner in Planning Board Report dated June 26, 2020 for meeting on July 2, 2020:

1. Attached is a cost estimate form for the proposed Private Way-Poppy Lane.
2. Attached are HHE-200 forms including test pit logs for the proposed lots 1 and 2 by Mark Hampton Associates. The plans have been revised to include this information (see sheet 1 of the plans for more information).
3. The signature block for both the Amended Subdivision Plan (sheet 1) and the Private Way Plan for Poppy Lane (sheet 2) has been revised to require a signature from the City Planner only as recommended.
4. The signature block on sheets 1 and 2 of the plans has been revised with the recommended note.

5. Note #28 was added to sheet 1 of the plans as recommended.
6. As part of our submission to the City for Private Way approval and Amended Subdivision approval on June 10, 2020 we submitted a Declaration of Maintenance for the proposed Private Way-Poppy Lane.

Comments from Planning Staff via emails from Planning Board members on various dates:

1. The plans were amended on June 25, 2020 to address comments from both Site Design Associates and the City Planner related to frontage (please refer to our submission on June 25, 2020 for this information).
2. Attached is a revised Planning Board application with some updates to provide a more clear description of the project as recommended by one of the Planning Board members.

Comments from City Planner at Zoom meeting on June 30, 2020:

1. We discussed in detail the ownership of the subject parcels and the best approach to clear up this perceived conflict for the Planning Board. There were lots of options discussed at this meeting. The applicant then conveyed this information to his attorney, Rick Hull of Hull Law Office, LLC. After discussing the issue with the applicant's attorney, it was recommended that the best solution is to revise the deeds for the proposed lots after both Amended Subdivision and Private Way approval with the City has been granted. Please find attached a detailed summary of the situation by the applicant's attorney as well as suggested deed descriptions for the two proposed lots generated by the Survey Department here at BH2M. The Planning Board may choose to make this a condition of approval for this project and the applicant is agreeable to this approach. We look forward to discussing this matter with the Planning Board at the next Planning Board meeting.

Please call me if you have any questions regarding these revisions or if additional information is needed for this submission. We look forward to working with the City on this project. We understand by submitting today this project will be eligible for the August Planning Board meeting. The applicant is hopeful this project can be considered for approval at this meeting.

Sincerely,

Andrew S. Morrell, P.E.
Project Engineer

HULL LAW OFFICE, LLC
409 ALFRED STREET
BIDDEFORD, ME 04005

RICHARD A. HULL, III

TELEPHONE: 207-282-7100
FACSIMILE: 207-282-4310
WWW.HULLLAWOFFICES.COM

July 21, 2020

VIA EMAIL to Greg.Tansley@Biddefordmaine.org only

Greg Tansley, City Planner
City of Biddeford
Main Street
Biddeford, ME 04005

Re: Wilkinson and Leteller
Private Way and Subdivision Application
South Street
BIDDEFORD

Dear Greg:

In connection with the above application for a 2 lot subdivision which is currently being treated as an amendment to an existing approved subdivision, the Planning Board has asked Wilkinson and Letellier to take certain actions which would, initially, involve combining the existing two lots into one lot and then re-configuring the joined lots into two separate lots which comport with the lots as set forth in the current plan. The existing lots were created prior to the final completion of the survey work and it has always been the intention of the two owners to reconfigure the lots in accordance with the final survey.

I would request that this lot re-configuration be required after the individuals receive Planning Board approval for the subdivision amendment. These two lots were created by Linda Cloutier as exempt lots under the "homestead" exemption to the subdivision statute. If the lots were to be combined, they would lose their exempt status and should the Planning Board not approve the lots as reconfigured, the individuals would lose the benefits of the homestead exemption.

AV® Peer Review Rated
For Ethical Standards & Legal Ability™
PREEMINENT™
Martindale-Hubbell® from LexisNexis® 2011
Richard A. Hull, III

You and I disagree as to whether the sale of a portion of "remaining land" from a '70s approved subdivision requires Planning Board of approval in the first instance, especially where there is no note of the plan requiring planning board approval if any portion of the remaining land is sold. However, since the parties have agreed to submit this to the planning board, it is my hope that the planning board would require the exchange of deeds to conform the lots to those shown on the plan as a post approval item rather than prior to obtaining approval.

Sincerely,

Richard A. Hull, III

Cc: Andy Morrill
Ltrgreg/l/ 7311-001

AV® Peer Review Rated
For Ethical Standards & Legal Ability™
PREEMINENT™
Martindale-Hubbell® from LexisNexis® 2011
Richard A. Hull, III

SUGGESTED DEED DESCRIPTION
LOT 1
POPPY LANE AND SANDY BROOK SUBDIVISION
SOUTH STREET
BIDDEFORD, MAINE

July 15, 2020

A certain lot or parcel of land located on the southerly sideline of a 50-foot wide private right of way known as Poppy Lane, in the City of Biddeford, County of York and State of Maine and shown as Lot 1 on the plan titled "Amended Subdivision and Private Way, Poppy Lane and Sandy Brook Subdivision, South Street, Biddeford, Maine" for Dale Wilkinson, dated April 2020 as revised through 6/25/20, by BH2M, Inc. to be recorded; said Lot 1 being more particularly described as follows:

Beginning at a 2" iron pipe found on the southerly sideline of said 50-foot wide private right of way known as Poppy Lane at the northwesterly corner of land now or formerly of Vanessa A. & Jamie L. Mouzas as shown on the aforesaid plan; said point of beginning being N 40°-17'-20" E a distance of 200.00 feet from a ¾" iron pipe found at the intersection of the northeasterly sideline of South Street, so-called and the southerly sideline of said Poppy Lane at the southwesterly corner of land of said Mouzas;

thence from said point of beginning in a general northeasterly direction along the southerly sideline of said Poppy Lane and along a circular curve to the right, circumscribed by a radius of 125.00 feet, an arc length of 109.28 feet to a capped iron rod to be set (PLS #2190); said capped iron rod to be set being N 65°-19'-59" E a tie distance of 105.83 feet from said previous 2" iron pipe found;

thence S 89°-37'-22" E along the southerly sideline of said Poppy Lane and along Lot 2 a distance of 166.27 feet to a capped iron rod to be set (PLS #2190);

thence S 08°-03'-07" E along said Lot 2 a distance of 205.44 feet to a capped iron rod to be set (PLS #2190);

thence S 49°-42'-40" E along said Lot 2 a distance of 273.06 feet to a capped iron rod to be set (PLS #2190) and land now or formerly of Matthew Chamberlain;

thence S 40°-17'-20" W along the land of said Chamberlain a distance of 66.00 feet to a ¾" iron pipe found and land now or formerly of Raymond R. Croteau;

thence N 49°-42'-40" W along the land of said Croteau, along land now or formerly of Pamela J. Chandler, and along land of said Mouzas a distance of 600.00 feet to the point of beginning.

The above describe Lot 1 contains 60,721 s.f. (1.39 acres). All bearings refer to magnetic north as observed in 1976.

The above described Lot 1 is conveyed together with and in common with others a certain 50-foot wide private right of way known as Poppy Lane located on said Lot 2 for ingress and egress and the installation of utilities located on the northeasterly sideline of said South Street and being more particularly described as follows:

Beginning at a ¾" iron pipe found on the northeasterly sideline of said South Street at the southwesterly corner of land now or formerly of Vanessa A. & Jamie L. Mouzas as shown on aforesaid plan;

thence N 49°-42'-40" W along the northeasterly sideline of said South Street a distance of 50.00 feet to a 1" iron rod found and land now or formerly of Rachel P. & Albany B. Lagueux;

thence N 40°-17'-20" E along the land of said Lagueux and along now or formerly of Cindy Boyack & Gontran Rivard a distance of 424.88 feet to a capped iron rod to be set (PLS #2190);

thence S 00°-22'-38" W across said Lot 2 a distance of 109.77 feet to a capped iron rod to be set (PLS #2190);

thence S 89°-37'-22" E across said Lot 2 a distance of 120.30 feet to a capped iron rod to be set (PLS #2190);

thence S 00°-22'-38" W across said Lot 2 a distance of 50.00 feet to a capped iron rod to be set (PLS #2190) and above described Lot 1 as shown on aforesaid plan;

thence N 89°-37'-22" W along the above described Lot 1 a distance of 130.36 feet to a capped iron rod to be set (PLS #2190);

thence in a general southwesterly direction along the above described Lot 1 and along a circular curve to the left, circumscribed by a radius of 125.00 feet, an arc length of 109.28 feet to a 2" iron pipe found and land of said Mouzas; said 2" iron pipe found being S 65°-19'-59" W a tie distance of 105.83 feet from said previous capped iron rod to be set;

thence S 40°-17'-20" W along the land of said Mouzas a distance of 200.00 feet to the point of beginning.

The above described 50-foot wide right of way encompasses 29,037 s.f..

STATE OF MAINE
ROBERT C. LIBBY, JR.
2190
PROFESSIONAL LAND SURVEYOR

ddPoppyLnSandyBrookLot1

SUGGESTED DEED DESCRIPTION
LOT 2
POPPY LANE AND SANDY BROOK SUBDIVISION
SOUTH STREET
BIDDEFORD, MAINE

July 15, 2020

A certain lot or parcel of land located on the northeasterly sideline of South Street, so-called, in the City of Biddeford, County of York and State of Maine and shown as Lot 2 on the plan titled "Amended Subdivision and Private Way, Poppy Lane and Sandy Brook Subdivision, South Street, Biddeford, Maine" for Dale Wilkinson, dated April 2020 as revised through 6/25/20, by BH2M, Inc. to be recorded; said Lot 2 being more particularly described as follows:

Beginning at a ¾" iron pipe found on the northeasterly sideline of said South Street at the southwesterly corner of land now or formerly of Vanessa A. & Jamie L. Mouzas as shown on aforesaid plan;

thence N 49°-42'-40" W along the northeasterly sideline of said South Street a distance of 50.00 feet to a 1" rod found and land now or formerly of Rachel P. & Albany B. Lagueux;

thence N 40°-17'-20" E along the land of said Lagueux and along land now or formerly of Cindy Boyack & Gontran Rivard a distance of 460.50 feet to a point;

thence N 39°-14'-27" E along the land of said Boyack & Rivard a distance of 82.90 feet to a 1" iron pipe found;

thence N 25°-24'-18" E along the land of said Boyack & Rivard a distance of 81.75 feet to a capped iron rod to be set (PLS #2190);

thence continuing N 25°-24'-18" E along the land of said Boyack & Rivard a distance of 30-feet more or less to the centerline of Swan Pond Creek, so-called, and land now or formerly of Reinette G. Labbe;

thence in a general southeasterly direction along the centerline of said Swan Pond Creek and along the land of said Reinette Labbe a distance of 49-feet more or less to a point and land now or formerly of Guy N. Labbe;

thence S 38°-08'-22" W along the land of said Guy Labbe a distance of 33-feet more or less to a capped iron rod to be set (PLS #2190); said capped iron rod to be set being S 51°-51'-38" E a tie distance of 44.70 feet from said previous capped iron rod to be set;

thence S 39°-14'-36" E along the land of said Guy Labbe a distance of 575.00 feet to a capped iron rod to be set (PLS #2190);

thence N 44°-34'-51" E along the land of said Guy Labbe a distance of 20-feet more or less to the centerline of said Swan Pond Creek and land now or formerly of Jeffrey A. & Deborah A. Crocker;

thence in a general southeasterly direction along the centerline of said Swan Pond Creek and along the land of said Crocker a distance of 65-feet more or less to a point and land now of formerly of Linda J. Lahoux-Cloutier;

thence S 40°-17'-20" W along the land of said Lahoux-Cloutier a distance of 30-feet more or less to a capped iron rod to be set (PLS #2190); said capped iron rod to be set being S 38°-17'-24" E a tie distance of 66.30 feet from said previous capped iron rod to be set;

thence continuing S 40°-17'-20" W along the land of said Lahoux-Cloutier and along land now or formerly of Matthew Chamberlain a distance of 240.14 feet to a capped iron rod to be set (PLS #2190) and Lot 1 as shown on aforesaid plan;

thence N 49°-42'-40" W along said Lot 1 a distance of 273.06 feet to a capped iron rod to be set (PLS #2190);

thence N 08°-03'-07" W along said Lot 1 a distance of 205.44 feet to a capped iron rod to be set (PLS #2190);

thence N 89°-37'-22" W along said Lot 1 a distance of 166.27 feet to a capped iron rod to be set (PLS #2190);

thence in a general southwesterly direction along said Lot 1 and along a circular curve to the left, circumscribed by a radius of 125.00 feet, an arc length of 109.28 feet to a 2" iron pipe found and land of said Mouzas; said 2" iron pipe found being S 65°-19'-59" W a tie distance of 105.83 feet from said previous capped iron rod to be set;

thence S 40°-17'-20" W along the land of said Mouzas a distance of 200.00 feet to the point of beginning.

The above described Lot 2 contains 198,000 s.f. more or less (4.55 +/- acres). All bearings refer to magnetic north as observed in 1976.

The above described Lot 2 is subject to and conveyed together with a certain 50-foot wide right of way in common with others for ingress and egress and the installation of utilities located on the northeasterly sideline of said South Street and being more particularly described as follows:

Beginning at a ¾" iron pipe found on the northeasterly sideline of said South Street at the southwesterly corner of land now or formerly of Vanessa A. & Jamie L. Mouzas as shown on aforesaid plan;

thence N 49°-42'-40" W along the northeasterly sideline of said South Street a distance of 50.00 feet to a 1" iron rod found and land now or formerly of Rachel P. & Albany B. Lagueux;

thence N 40°-17'-20" E along the land of said Lagueux and along now or formerly of Cindy Boyack & Gontran Rivard a distance of 424.88 feet to a capped iron rod to be set (PLS #2190);

thence S 00°-22'-38" W across the above described Lot 2 a distance of 109.77 feet to a capped iron rod to be set (PLS #2190);

thence S 89°-37'-22" E across the above described Lot 2 a distance of 120.30 feet to a capped iron rod to be set (PLS #2190);

thence S 00°-22'-38" W across the above described Lot 2 a distance of 50.00 feet to a capped iron rod to be set (PLS #2190) and Lot 1 as shown on aforesaid plan;

thence N 89°-37'-22" W along said Lot 1 a distance of 130.36 feet to a capped iron rod to be set (PLS #2190);

thence in a general southwesterly direction along said Lot 1 and along a circular curve to the left, circumscribed by a radius of 125.00 feet, an arc length of 109.28 feet to a 2" iron pipe found and land of said Mouzas; said 2" iron pipe found being S 65°-19'-59" W a tie distance of 105.83 feet from said previous capped iron rod to be set;

thence S 40°-17'-20" W along the land of said Mouzas a distance of 200.00 feet to the point of beginning.

The above described 50-foot wide right of way encompasses 29,037 s.f..

The above described Lot 2 is also subject to a certain 50-foot wide right of way known as Swan Brook Road per Deed recorded in the York County Registry of Deeds in Book 7762, Pate 174 for a more particular description.

STATE OF MAINE
ROBERT C. LIBBY, JR.
2190
PROFESSIONAL LAND SURVEYOR

ddPoppyLnSandyBrookLot2

6072

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services
Div. Environmental Health, 11SHS
(207) 287-2070 Fax: (207) 287-4172

PROPERTY LOCATION

City, Town, or Plantation	Biddeford
Street or Road	Poppy Lane
Subdivision, Lot #	Lot 1

OWNER/APPLICANT INFORMATION

Name (last, first, MI)	Wilkinson Dale — Owner [✓] Applicant [ ]
Mailing Address of Owner/Applicant	132 Dennett Road Biddeford ME 04005
Daytime Tel. #	710-1143

OWNER OR APPLICANT STATEMENT
I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a Permit.

Signature of Owner or Applicant _____ Date _____

>> CAUTION: LPI APPROVAL REQUIRED <<

Town/City _____ Permit # _____

Date Permit Issued ___/___/___ Fee: $_____ Double Fee Charged [ ]

_____ L.P.I. # _____
Local Plumbing Inspector Signature

Fee: $_____ state min fee $_____ Locally adopted fee
Copy: [ ] Owner [ ] Town [ ] State

The Subsurface Wastewater Disposal System shall not be installed until a Permit is issued by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.

Municipal Tax Map # _____ Lot # _____

CAUTION: INSPECTION REQUIRED
I have inspected the installation authoirzed above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application. _____ (1st) date approved

_____ Local Plumbing Inspector Signature _____ (2nd) date approved

PERMIT INFORMATION

TYPE OF APPLICATION
1. First Time System
2. Replacement System
Type replaced: _____
Year installed: _____
3. Expanded System
a. <25% Expansion
b. >25% Expansion
4. Experimental System
5. Seasonal Conversion

THIS APPLICATION REQUIRES
1. No Rule Variance
2. First Time System Variance
a. Local Plumbing Inspector Approval
b. State & Local Plumbing Inspector Approval
3. Replacement System Variance
a. Local Plumbing Inspector Approval
b. State & Local Plumbing Inspector Approval
4. Minimum Lot Size Variance
5. Seasonal Conversion Permit

DISPOSAL SYSTEM COMPONENTS
1. Complete Non-engineered System
2. Primitive System (graywater & alt. toilet)
3. Alternative Toilet, specify: _____
4. Non-engineered Treatment Tank (only)
5. Holding Tank, _____ gallons
6. Non-engineered Disposal Field (only)
7. Separated Laundry System
8. Complete Engineered System (2000 gpd or more)
9. Engineered Treatment Tank (only)
10. Engineered Disposal Field (only)
11. Pre-treatment, specify: _____
12. Miscellaneous Components

SIZE OF PROPERTY
1.5 SQ. FT. / ACRES

SHORELAND ZONING
Yes / No

DISPOSAL SYSTEM TO SERVE
1. Single Family Dwelling Unit, No. of Bedrooms: 3
2. Multiple Family Dwelling, No. of Units: _____
3. Other: _____ (specify)
Current Use / Seasonal / Year Round / Undeveloped

TYPE OF WATER SUPPLY
1. Drilled Well 2. Dug Well 3. Private
4. Public 5. Other

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)

TREATMENT TANK
1. Concrete
a. Regular
b. Low Profile
2. Plastic
3. Other: _____
CAPACITY: 1,000 GAL.

DISPOSAL FIELD TYPE & SIZE
1. Stone Bed 2. Stone Trench
3. Proprietary Device
a. cluster array c. Linear
b. regular load d. H-20 load
4. Other: _____
SIZE: 1152 sq. ft. lin. ft.

GARBAGE DISPOSAL UNIT
1. No 2. Yes 3. Maybe
If Yes or Maybe, specify one below:
a. multi-compartment tank
b. ___ tanks in series
c. increase in tank capacity
d. Filter on Tank Outlet

DESIGN FLOW
270 gallons per day
BASED ON:
1. Table 4A (dwelling unit(s))
2. Table 4C(other facilities)
SHOW CALCULATIONS for other facilites
3. Section 4G (meter readings)
ATTACH WATER METER DATA

SOIL DATA & DESIGN CLASS
PROFILE CONDITION
8 / C
at Observation Hole # TP-1
Depth 15 "
of Most Limiting Soil Factor

DISPOSAL FIELD SIZING
1. Medium---2.6 sq. ft. / gpd
2. Medium---Large 3.3 sq. f.t / gpd
3. Large---4.1 sq. ft. / gpd
4. Extra Large---5.0 sq. ft. / gpd

EFFLUENT/EJECTOR PUMP
1. Not Required
2. May Be Required
3. Required
Specify only for engineered systems:
DOSE: _____ gallons

LATITUDE AND LONGITUDE
at center of disposal area
Lat. 43 d 30 m 02 s
Lon. 70 d 33 m 25 s
if g.p.s, state margin of error: 15

SITE EVALUATOR STATEMENT

I certify that on 06/25/20 (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).

Site Evaluator Signature _____ SE # 243 Date 06/25/20

Site Evaluator Name Printed MARK J. Thompson Telephone Number 756-2900 E-mail Address _____

Note : Changes to or deviations from the n should be confirmed with the Site Evaluator.

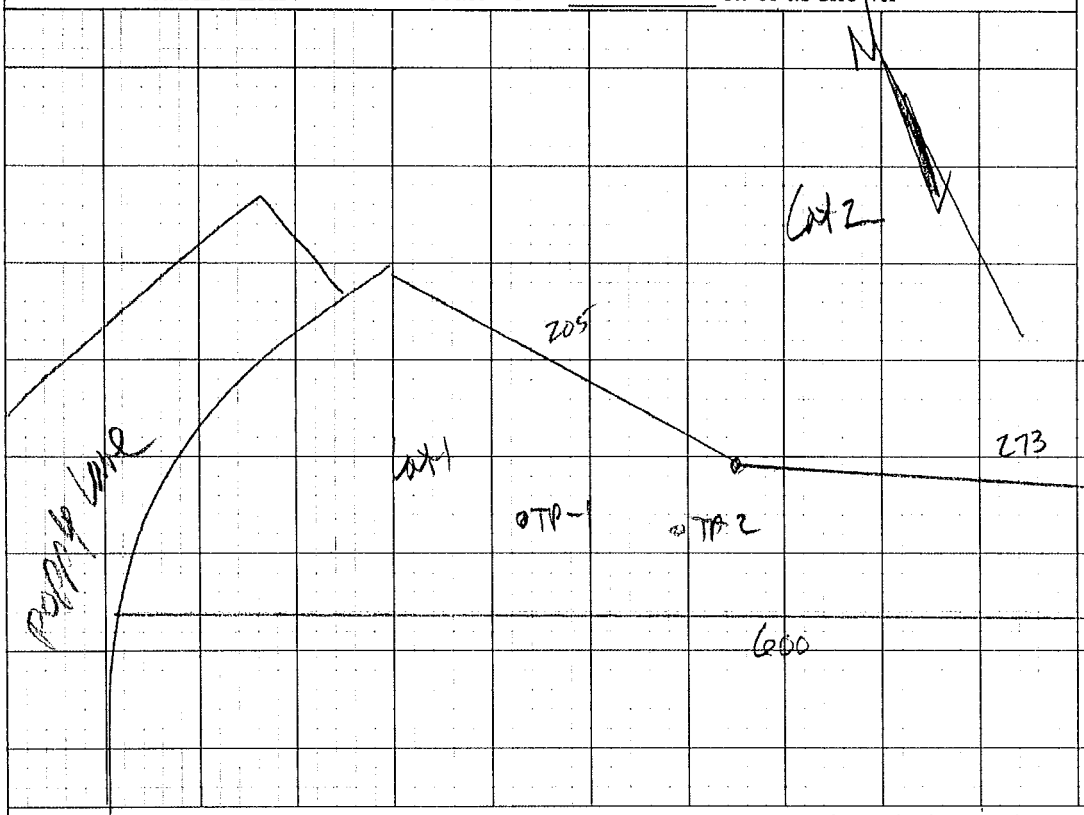
6 2012

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

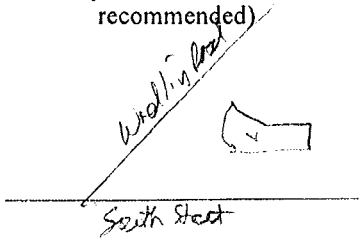
Department of Health & Human Services
Division of Environmental Health
(207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation	Street, Road, Subdivision		Owner's Name
Biddeford	Poppy Lane	Lot 1	Wilkinson Dale

SITE PLAN Scale 1" = 100 ft. or as shown



SITE LOCATION PLAN
(map from Maine Atlas recommended)



SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole TP-1 ☑ Test Pit ☐ Boring
_____ " Depth of Organic Horizon Above Mineral Soil

Depth Below Mineral Soil Surface (inches)	Texture	Consistency	Color	Mottling
0	Sandy loam	Friable	Dark Brn	
10	Sandy loam	Friable	Brown	
20	Silty Clay loam	Firm	gray	Common & distinct
30				
40				
50				

Soil Classification		Slope	Limiting Factor	
8 Profile	C Condition	2 %	15 "	☒ Ground Water ☒ Restrictive Layer [ ] Bedrock [ ] Pit Depth

Observation Hole TP-2 ☑ Test Pit ☐ Boring
_____ " Depth of Organic Horizon Above Mineral Soil

Depth Below Mineral Soil Surface (inches)	Texture	Consistency	Color	Mottling
0	Sandy loam	Friable	Dark Brn	
10	Sandy loam	Friable	Brown	
20	Silty clay loam	Firm	Gray	Common Distinct
30				
40				
50				

Soil Classification		Slope	Limiting Factor	
8 Profile	C Condition	2 %	15 "	☒ Ground Water ☒ Restrictive Layer [ ] Bedrock [ ] Pit Depth

Site Evaluator Signature _____ SE # 263 Date 06/25/20

6672

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

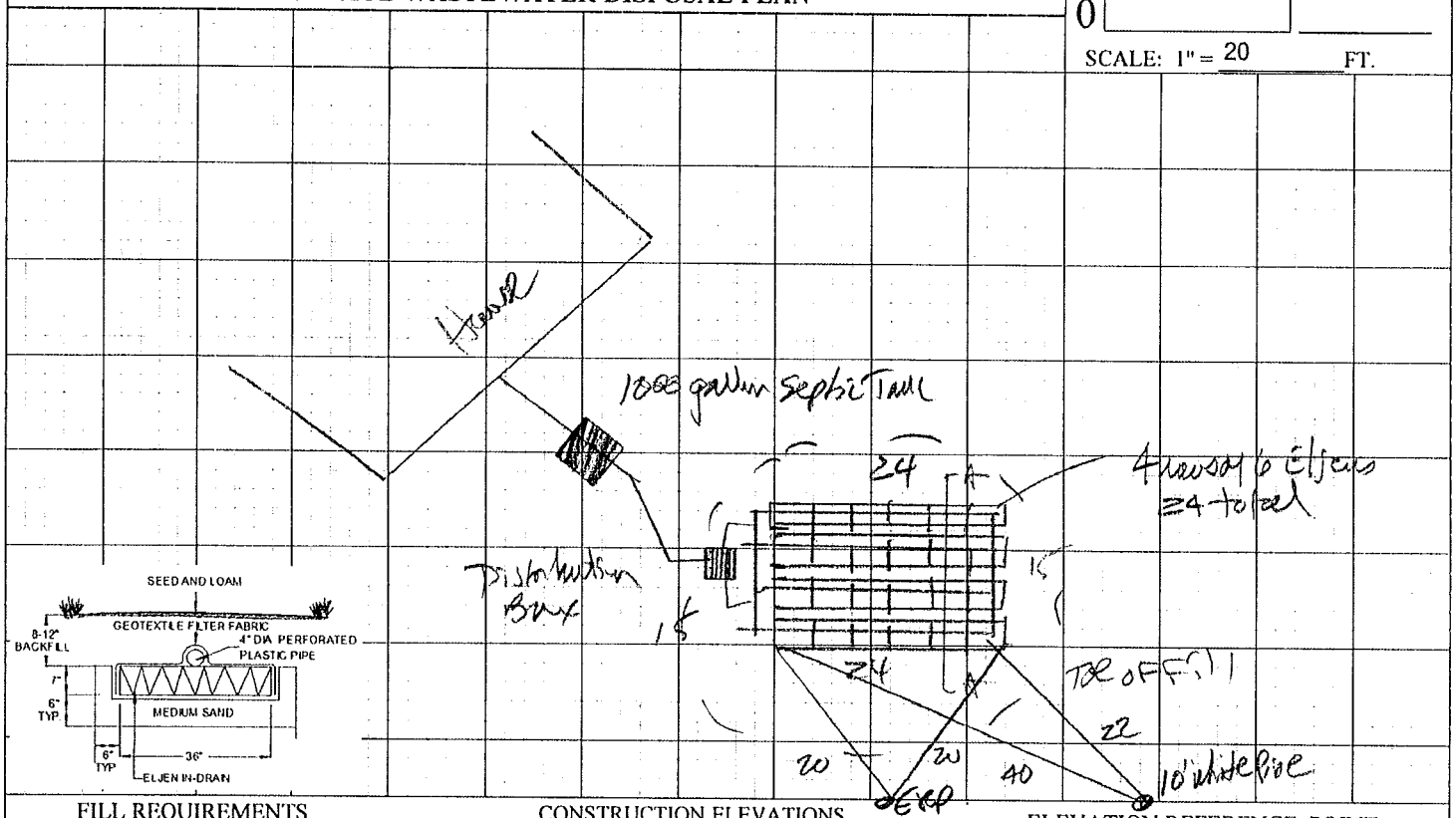
Department of Health & Human Services
Division of Environmental Health
(207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation	Street, Road, Subdivision		Owner's Name
Biddeford	Poppy Lane	Lot 1	Wilkinson Dale

SUBSURFACE WASTEWATER DISPOSAL PLAN

0 _____ _____

SCALE: 1" = 20 FT.



FILL REQUIREMENTS		CONSTRUCTION ELEVATIONS		ELEVATION REFERENCE POINT
Depth of Fill (Upslope)	21	Finished Grade Elevation	-36	Location & Description: Nail 62 inches up 4 inch diameter maple
		Top of Distribution Pipe or Proprietary Device	-46	
Depth of Fill (Downslope)	26	Bottom of Disposal Area	-57	Reference Elevation: 0

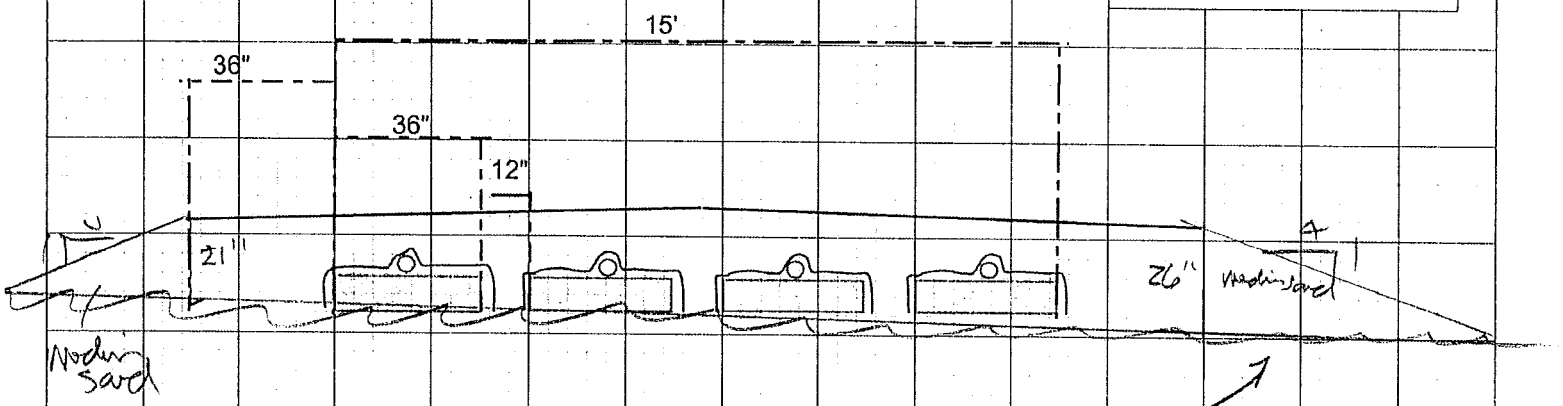
Note: Materials and installation shall be in accordance with Maine Subsurface Wastewater Disposal Rules dated 08/15 as amended.

DISPOSAL AREA CROSS SECTION

A - A

Scale
Horizontal 1" = 4 ft.
Vertical 1" = 4 ft.

Note: All ground to be filled must be scarified



Site Evaluator Signature	SE #	Date
[signature]	263	06/25/20

6072

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services
Div. Environmental Health, 11SHS
(207) 287-2070 Fax: (207) 287-4172

PROPERTY LOCATION

City, Town, or Plantation	Biddeford
Street or Road	Poppy Lane
Subdivision, Lot #	Lot 2

>> CAUTION: LPI APPROVAL REQUIRED <<

Town/City _____ Permit # _____

Date Permit Issued ___/___/___ Fee: $_____ Double Fee Charged [ ]

_____ L.P.I. # _____
Local Plumbing Inspector Signature

Fee: $_____ state min fee $_____ Locally adopted fee
Copy: [ ] Owner [ ] Town [ ] State

The Subsurface Wastewater Disposal System shall not be installed until a Permit is issued by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.

Municipal Tax Map # _____ Lot # _____

OWNER/APPLICANT INFORMATION

Name (last, first, MI)	Wilkinson Dale — Owner [✓] Applicant [ ]
Mailing Address of Owner/Applicant	132 Dennett Road
	Biddeford ME 04005
Daytime Tel. #	710-1143

OWNER OR APPLICANT STATEMENT
I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a Permit.

_____ _____
Signature of Owner or Applicant Date

CAUTION: INSPECTION REQUIRED
I have inspected the installation authoirzed above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application. _____ (1st) date approved

_____ _____
Local Plumbing Inspector Signature (2nd) date approved

PERMIT INFORMATION

TYPE OF APPLICATION
1. First Time System
2. Replacement System
Type replaced: _____
Year installed: _____
3. Expanded System
a. <25% Expansion
b. ≥25% Expansion
4. Experimental System
5. Seasonal Conversion

THIS APPLICATION REQUIRES
1. No Rule Variance
2. First Time System Variance
a. Local Plumbing Inspector Approval
b. State & Local Plumbing Inspector Approval
3. Replacement System Variance
a. Local Plumbing Inspector Approval
b. State & Local Plumbing Inspector Approval
4. Minimum Lot Size Variance
5. Seasonal Conversion Permit

DISPOSAL SYSTEM COMPONENTS
1. Complete Non-engineered System
2. Primitive System (graywater & alt. toilet)
3. Alternative Toilet, specify: _____
4. Non-engineered Treatment Tank (only)
5. Holding Tank, _____ gallons
6. Non-engineered Disposal Field (only)
7. Separated Laundry System
8. Complete Engineered System (2000 gpd or more)
9. Engineered Treatment Tank (only)
10. Engineered Disposal Field (only)
11. Pre-treatment, specify: _____
12. Miscellaneous Components

SIZE OF PROPERTY
3.8 SQ. FT. / ACRES

SHORELAND ZONING
Yes / No

DISPOSAL SYSTEM TO SERVE
1. Single Family Dwelling Unit, No. of Bedrooms: 3
2. Multiple Family Dwelling, No. of Units: _____
3. Other: _____ (specify)
Current Use Seasonal Year Round Undeveloped

TYPE OF WATER SUPPLY
1. Drilled Well 2. Dug Well 3. Private
4. Public 5. Other

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)

TREATMENT TANK
1. Concrete
a. Regular
b. Low Profile
2. Plastic
3. Other: _____
CAPACITY: 1,000 GAL.

DISPOSAL FIELD TYPE & SIZE
1. Stone Bed 2. Stone Trench
3. Proprietary Device
a. cluster array c. Linear
b. regular load d. H-20 load
4. Other: _____
SIZE: 1152 sq. ft. lin. ft.

GARBAGE DISPOSAL UNIT
1. No 2. Yes 3. Maybe
If Yes or Maybe, specify one below:
a. multi-compartment tank
b. ___ tanks in series
c. increase in tank capacity
d. Filter on Tank Outlet

DESIGN FLOW
270 gallons per day
BASED ON:
1. Table 4A (dwelling unit(s))
2. Table 4C(other facilities)
SHOW CALCULATIONS for other facilites
3. Section 4G (meter readings)
ATTACH WATER METER DATA

SOIL DATA & DESIGN CLASS
PROFILE CONDITION
8 / C
at Observation Hole # TP-3
Depth 17 "
of Most Limiting Soil Factor

DISPOSAL FIELD SIZING
1. Medium---2.6 sq. ft. / gpd
2. Medium---Large 3.3 sq. f.t / gpd
3. Large---4.1 sq. ft. / gpd
4. Extra Large---5.0 sq. ft. / gpd

EFFLUENT/EJECTOR PUMP
1. Not Required
2. May Be Required
3. Required
Specify only for engineered systems:
DOSE: _____ gallons

LATITUDE AND LONGITUDE
at center of disposal area
Lat. 43 d 30 m 04 s
Lon. 70 d 33 m 24 s
if g.p.s, state margin of error: 15

SITE EVALUATOR STATEMENT

I certify that on 06/25/20 (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).

_____ 263 06/25/20
Site Evaluator Signature SE # Date

Marc J. Hamden 756-2900
Site Evaluator Name Printed Telephone Number E-mail Address

Note : Changes to or deviations from the n should be confirmed with the Site Evaluator.

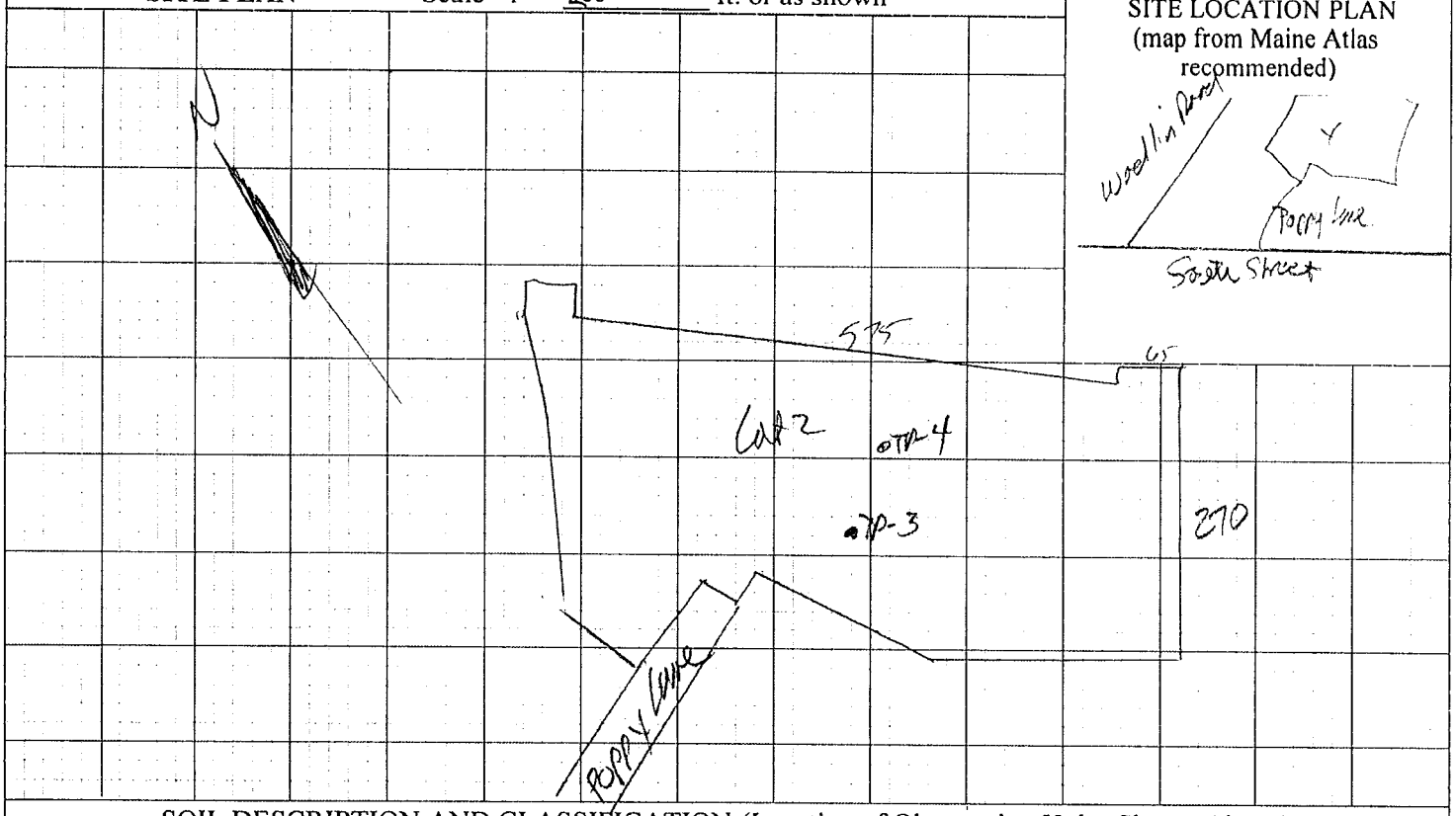
6072

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Health & Human Services
Division of Environmental Health
(207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation	Street, Road, Subdivision		Owner's Name
Biddeford	Poppy Lane	Lot 2	Wilkinson Dale

SITE PLAN Scale 1" = 200 ft. or as shown



SITE LOCATION PLAN
(map from Maine Atlas recommended)

SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole TP-3 ☑ Test Pit ☐ Boring
_____ " Depth of Organic Horizon Above Mineral Soil

Depth Below Mineral Soil Surface (inches)	Texture	Consistency	Color	Mottling
0	Sandy loam	Friable	Dark Brown	
10	Sandy loam	Friable	Brown	
20	Silty Clay loam	Firm	gray	common distinct
30				
40				
50				

Soil Classification		Slope	Limiting Factor	
8	C	2 %	17 "	☒ Ground Water ☒ Restrictive Layer [ ] Bedrock [ ] Pit Depth
Profile	Condition			

Observation Hole TP-4 ☑ Test Pit ☐ Boring
_____ " Depth of Organic Horizon Above Mineral Soil

Depth Below Mineral Soil Surface (inches)	Texture	Consistency	Color	Mottling
0	Sandy loam	Friable	Dark Brown	
10	Sandy loam	Friable	Brown	
20	Silty Clay loam	Firm	Gray	common distinct
30				
40				
50				

Soil Classification		Slope	Limiting Factor	
8	C	2 %	16 "	☒ Ground Water ☒ Restrictive Layer [ ] Bedrock [ ] Pit Depth
Profile	Condition			

Site Evaluator Signature	SE #	Date
[signature]	263	06/25/20

6072

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

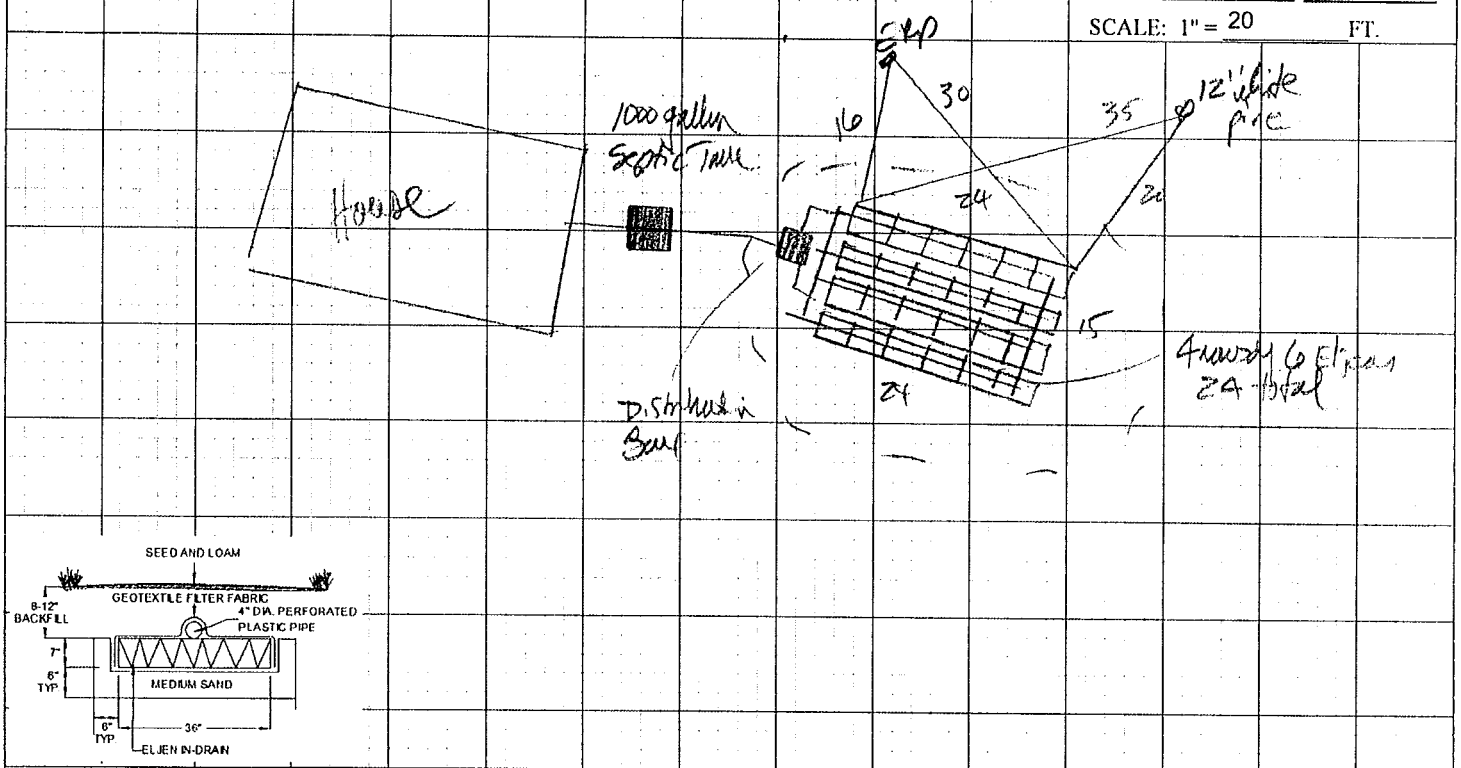
Department of Health & Human Services
Division of Environmental Health
(207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation	Street, Road, Subdivision		Owner's Name
Biddeford	Poppy Lane	Lot 2	Wilkinson Dale

SUBSURFACE WASTEWATER DISPOSAL PLAN

0

SCALE: 1" = 20 FT.



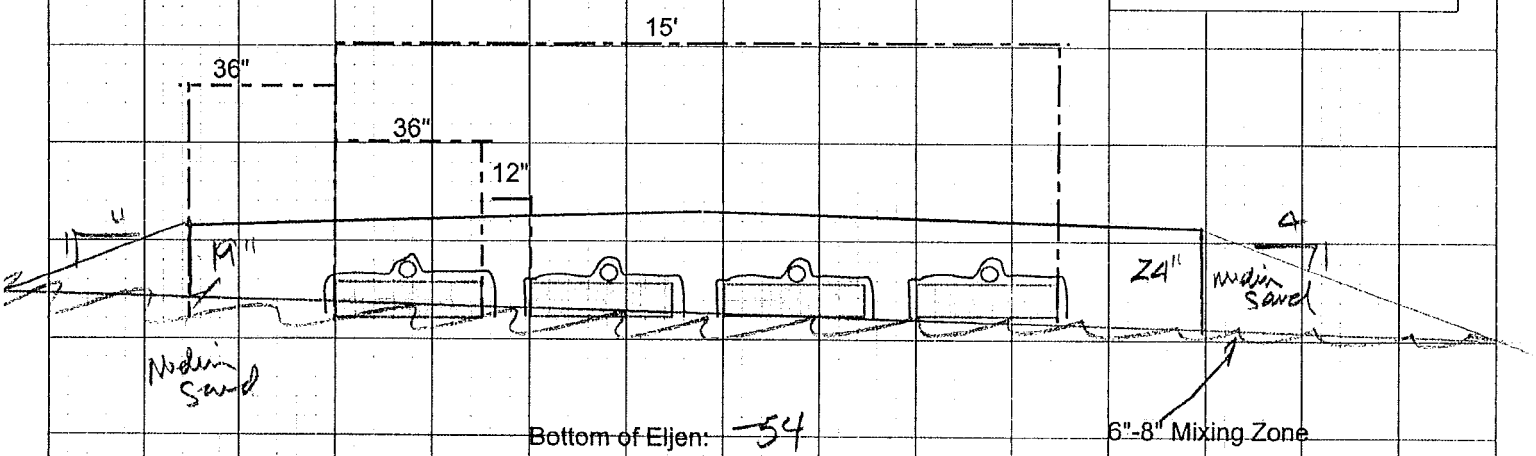
FILL REQUIREMENTS		CONSTRUCTION ELEVATIONS		ELEVATION REFERENCE POINT
Depth of Fill (Upslope)	19	Finished Grade Elevation	-33	Location & Description: Nail 50 inches up 6 inch diameter oak
		Top of Distribution Pipe or Proprietary Device	-43	
Depth of Fill (Downslope)	24	Bottom of Disposal Area	-54	Reference Elevation: 0

Note: Materials and installation shall be in accordance with Maine Subsurface Wastewater Disposal Rules dated 08/15 as amended.

DISPOSAL AREA CROSS SECTION

Scale
Horizontal 1" = 4 ft.
Vertical 1" = 4 ft.

Note: All ground to be filled must be scarified



Bottom of Eljen: -54

Site Evaluator Signature	SE #	Date
[signature]	263	06/25/20

CITY OF BIDDEFORD, MAINE
PLANNING BOARD

P.O. Box 586, 205 Main Street Biddeford, Maine 04005
207-284-9115

APPLICATION FORM

Type of Application:

☐ Shoreland Zoning Permit ☐ Site Plan Review ☐ Extraction

☐ Conditional Use Permit ☒ Subdivision ☒ Private Way

☒ Other: **Amended Subdivision & Private Way**

Amended Subdivision - Sandy Brook 1976 & Private Way - Poppy Lane - serving 3 lots

Applicant Information:

Applicant's Name: Dale Wilkinson

Applicant's Mailing Address: 132 Dennett Road, Biddeford, ME 04005

Applicant's Telephone: (207) 710-1143

What is Applicant's legal interest in the property?

☒ Owner ☐ Potential Buyer with Contract ☐ Lease/Rental Agreement

Owner's Name: Gerard G. Letellier, Jr. Plumbing & Heating Inc. Dale Wilkinson

Owner's Address: 132 Dennett Road Biddeford 132 Dennett Road Biddeford

Owner's Telephone: (207) 283-4041 (207) 710-1143

Agent's Name: Andrew S. Morrell

Agent's Address: BH2M, 28 State Street, Gorham, ME 04038

Telephone: (207) 839-2771

Engineer/Surveyor: Andrew S. Morrell, PE# 13285 / Robert Libby Jr. PLS# 2190

Engineer/Surveyor's Address: BH2M, 28 State Street, Gorham, ME 04038

Telephone: (207) 839-2771

Project Location and Lot Information:

Street Address: South Street, Biddeford, ME 04005

Tax Map: 1 Lot: 50

Current Zoning: Rural Farm (RF) Shoreland Zoning: See Plans

Size of lot: 5.94 [X] acres [ ] s.f. Lot Frontage: 50.00 feet

Existing Use of Property: **Undeveloped Lot with driveway serving abutting lot owned by Cindy Boyackand Gontran Rivard (Swan Brook Road - see sheet 3 of plans)**

Property currently serviced by:

- [ ] City Road
- [ ] Public Sewer
- [ ] Public Water
- [ ] Public Trash
- [ ] Private Road
- [ ] Septic System
- [ ] Private Well
- [ ] Private Hauler

Slope Conditions in Area of Construction (if applicable):

[ ] Flat (0-3 % slope) [X] Rolling (3-8% slope) [ ] Hilly (8-15% slope) [ ] Steep (15% + slope)

Are there any wetlands or waterbodies on the site? [X] Yes [ ] No If yes, attach information

Do you plan to bring fill onto the lot? [X] Yes [ ] No If yes, attach information

Description of proposed use of property:

Project/Proposed Use Description: **Proposed Amended Subdivision (Sandy Brook Subdivision) and Private Way to serve 2 new lots (Lots 1 & 2 on Amended Subdivision Plan) and 1 existing lot owned by abutters Boyack and Rivard (3 lots total).**

Property to be serviced by:

- [ ] City Road
- [ ] Public Sewer
- [ ] Public Water
- [ ] Public Trash
- [X] Private Road
- [X] Septic System
- [X] Private Well
- [X] Private Hauler

Is this project part of a larger project? [ ] Yes [X] No

☐ If in a Shoreland Zone:

Percent of residential lot coverage (Max. 20%): N/A

Percent of structure expansion (Max. 30%): N/A

☒ If Subdivision Review, number of lots proposed: 2 (Lots 1 & 2 on Amended Subdivision Plan)

☒ If a Private Way is proposed, number of lots served: 3 (1 existing lot - owned by abutter Boyack & Rivard)

☐ **If Site Plan Review, you must provide the following information:**

Total new square feet footprint of structures: N/A

Total new square feet paving/parking: N/A

Waiver Requests (attach details):

1. _____
2. _____
3. _____
4. _____
5. _____

Attachments:

A. Letters of Approval

☐ Fire Department - Contact Chief or Deputy Chief - 282-9986

N/A ☐ Ability to Serve for Water Service – Maine Water - 282-1543

N/A ☐ Ability to Serve for Sewer Service- Engineering Dept (Sewer) - Tom Milligan 284-9118

☐ Police Department - E-911 Road Name Designation - Contact Joanne Fisk - 282-5127

B. Letter to Planning Board describing project, waiver requests, proposed improvements, addressing permit requirements, etc.

C. Photographs of site.

D. Architectural renderings/drawings of proposed buildings, as required.

E. Engineered Plans, as required.

Fees (due at time of application):

Refer to "Attachment A Fees and Charges" of the Land Development Regulations for more information. Consult with Planning Staff if you have questions.

Required Signatures:

By signing this application, as the foresaid applicant or authorized agent:

- I certify that I have read and completely understand the application;
- I certify that the information contained in this application and it's attachments are true and correct;
- I understand that all information provided on this form and all other documents submitted as part of my proposal is a matter of public record;
- I understand that copies of this information may be supplied upon request to an interested party.
- I understand that additional funds may be required through the course of review for special studies, legal review costs, and/or engineering review.
- I understand that by submitting this application I am not guaranteed a place on any particular agenda. I further understand that the City Planner will place me on an agenda for review when the application is deemed substantially complete.

☐ Project proposed to have 1 acre or more of site disturbance:

-Project may need to apply for a Maine Construction General Permit and shall comply with the requirements of DEP Chapter 500 Stormwater Regulations, as they apply.

Signature of applicant: Dale Wilkins Date: 6/8/20

Signature of owner of property: Dale Wilkins Date: 6/8/20

Revised by Asant on 7/21/20 [illegible]

IF PLAN APPROVAL IS ANTICIPATED, PROVIDE 2 FULL SIZE MYLARS & 2 FULL SIZE PAPER COPIES FOR BOARD SIGNATURE (AS APPLICABLE). CHECK WITH PLANNING STAFF FOR CLARIFICATION.

City of Biddeford, Maine

COST ESTIMATE WORKSHEET

OWNER/APPLICANT: Dale Wilkinson

PROJECT NAME: Poppy Lane

	ITEM	UNIT	QUANTITY	UNIT COST	TOTAL
1	Clearing and Grubbing	Acre	0.5	$5,000.00	$2,500.00
2	Erosion/Sediment Control	Lump Sum	1	$2,000.00	$2,000.00
3	Site Stabilization	Lump Sum	1	$2,000.00	$2,000.00
4	Ledge Removal	Cubic Yard	0	$30.00	$0.00
5	Sanitary Sewer				
	Manholes	Each	0	$2,500.00	$0.00
	Main	Linear Foot	0	$30.00	$0.00
	House Services	Linear Foot	0	$25.00	$0.00
6	Water Main				
	Main	Linear Foot	0	$30.00	$0.00
	House Services	Linear Foot	0	$25.00	$0.00
	Hydrants	Each	0	$500.00	$0.00
7	Electric				
	Underground Utility Trench	Linear Foot	250	$10.00	$2,500.00
	Conduit/Wiring	Linear Foot	250	$20.00	$5,000.00
	Transformer (on pole)	Each	1	$500.00	$500.00
8	Storm Drainage				
	12" Stormdrain	Linear Foot	38	$15.00	$570.00
	24" Stormdrain	Linear Foot	46	$20.00	$920.00
					$0.00
9	Stormwater Management				
	Check Dams	Each	5	$50.00	$250.00
	Inlet/Outlet Protection	Each	4	$200.00	$800.00
10	Excavate and Grade Subgrade	Cubic Yard		$5.00	$0.00
11	Roadways				
	Subbase Gravel	Cubic Yard	577	$20.00	$11,540.00
	Base/Finish Gravel	Cubic Yard	130	$25.00	$3,250.00
	Base Paving	Ton	28	$85.00	$2,380.00
	Finish Paving	Ton	17	$85.00	$1,445.00
	Geotextile Fabric	Square Foot			$0.00
12	Sidewalks				
	Subbase Gravel	Cubic Yard	0		$0.00
	Base/Finish Gravel	Cubic Yard	0		$0.00
	Base Paving	Ton	0		$0.00
	Finish Paving	Ton	0		$0.00
13	Parking Lot				
	Subbase Gravel	Cubic Yard			$0.00
	Base/Finish Gravel	Cubic Yard	0		$0.00
	Base Paving	Ton	0		$0.00
	Finish Paving	Ton	0		$0.00

City of Biddeford, Maine

COST ESTIMATE WORKSHEET

14	Curbing – Bituminous	Linear Foot	0		$0.00
15	Curbing - Concrete	Linear Foot	0	$10.00	$0.00
15	Curbing – Granite	Linear Foot	0	$20.00	$0.00
16	Pavement Striping	Linear Foot	0	$0.60	$0.00
17	Guardrail	Linear Foot	0		$0.00
18	Fencing	Linear Foot	0		$0.00
19	Loam and Seed	1,000 Square Feet	17	$500.00	$8,500.00
20	Riprap	Cubic Yard	0	$25.00	$0.00
21	Landscaping	Lump Sum	0		$0.00
22	Street Lights	Each	0		$0.00
23	Site Lighting	Lump Sum	0	$10,000.00	$0.00
24	Monuments/Iron Pipes	Lump Sum	1	$500.00	$500.00
25	Clean Up	Lump Sum	1	$1,000.00	$1,000.00
26	As Builts	Lump Sum	1	$1,500.00	$1,500.00
27	Street/Stop Sign	Lump Sum	1	$1,000.00	$1,000.00
28	Other				$0.00
29	Other				$0.00
30	Other				$0.00
31	Other				$0.00

COST ESTIMATE TOTAL: **$48,155.00**
150% of TOTAL: **$72,232.50**

FOR OFFICE USE ONLY

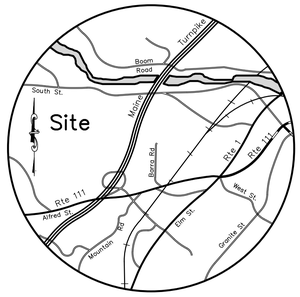
EROSION CONTROL/SITE STABILIZATION BOND (IF APPLICABLE): _____

PERFORMANCE GUARANTEE REQUIRED: _____

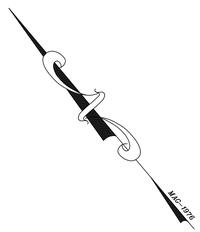
Name: _____

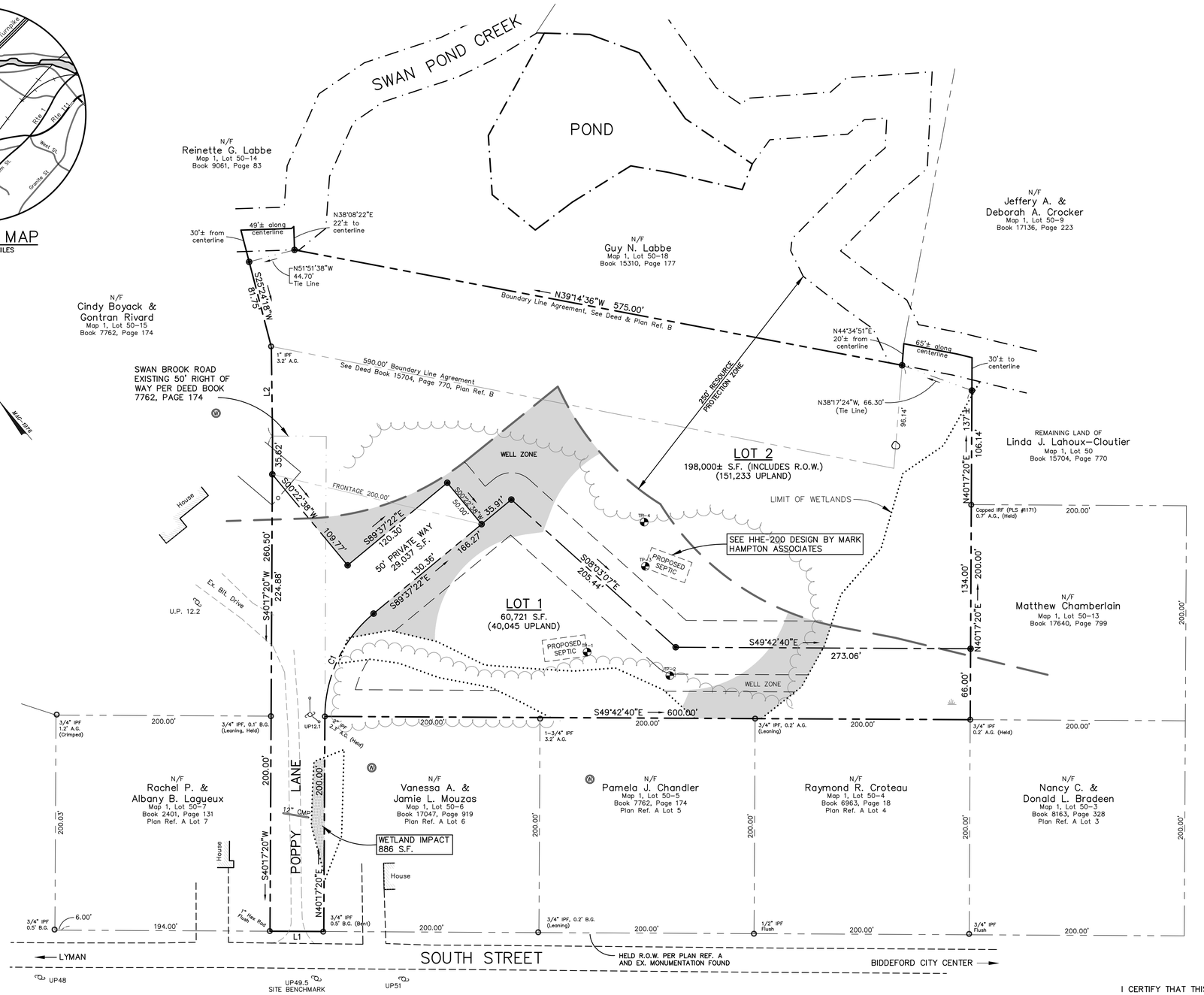
Signature: _____

Date:



LOCATION MAP
SCALE: 1" = 2 MILES





NOTES:

1. OWNER/APPLICANT: GERARD G. LETELLIER, JR.
PLUMBING & HEATING, INC.
132 DENNETT ROAD
BIDDEFORD, MAINE

DALE WILKINSON
132 DENNETT ROAD
BIDDEFORD, MAINE

2. ENGINEER: ANDY MORRELL, PE#13285
BH2M
28 STATE STREET
GORHAM, MAINE

3. SURVEYOR: ROBERT LIBBY JR., PLS#2190
BH2M

4. SEPTIC/TEST PITS/
WETLANDS: MARK HAMPTON, C.S.S, L.S.E.
MARK HAMPTON ASSOCIATES, INC.
P.O. BOX 1931
PORTLAND, MAINE 04104-1931

5. TAX MAP REFERENCE: MAP 1, LOT 50

6. DEED REFERENCES: BOOK 18108, PGS. 607 & 610

7. BENCHMARK: PK NAIL SET IN UTILITY POLE # 94.5.
ELEV. 93.01 (APPROX. NAVD 1988)

8. ZONING: RF (RURAL FARM)

9. SEWER SERVICE: SUBSURFACE WASTEWATER DISPOSAL SYSTEMS

10. WATER SERVICE: DRILLED WELLS

11. ELECTRIC/TELEPHONE: UNDERGROUND

12. MINIMUM STANDARDS: MIN. LOT SIZE 40,000 (NO WATER NO SEWER)
MIN. FRONTAGE 200'
MIN. SETBACKS - 25' FRONT/SIDE/REAR

13. WETLAND IMPACTS: WETLAND IMPACT 886 S.F.

14. NET RESIDENTIAL DENSITY CALCULATION

TOTAL PARCEL AREA	258,694 S.F.
1 RP ZONE	132,775 S.F.
2 R.O.W. (EXISTING)	23,025 S.F.
3 WETLANDS	21,777 S.F.
	81,117 S.F.

SPACE STANDARD FOR RURAL FARM

MINIMUM DENSITY - 40,000 S.F.

NET RESIDENTIAL DENSITY: $\frac{81,117 \text{ S.F.}}{40,000 \text{ S.F.}} = 2.03$ LOTS

NET AREA LOTS: LOT 1 - 40,045 S.F.
LOT 2 - 151,233 S.F.

15. PLAN REFERENCE:
A. "SANDYBROOK SUBDIVISION OF LAND OF PHILIP LABBE, SOUTH STREET, BIDDEFORD, MAINE" BY DES ROBERTS AND HENRY, INC. DATED JANUARY 21, 1976 AND RECORDED AT THE REGISTRY OF DEEDS AS PLAN BOOK 81 PAGE 4.
B. "STANDARD BOUNDARY SURVEY FOR WAYNE & DEBBIE ELLIOTT, SOUTH STREET, BIDDEFORD, MAINE" BY GADBOIS & ASSOCIATES, ENGINEERING, SURVEYING, LAND PLANNING DATED AUGUST 10, 1989.

16. THE CITY OF BIDDEFORD SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR, PLOWING, OR SIMILAR SERVICES FOR THE PRIVATE WAY SHOWN ON THIS PLAN, AND IF THE PRIVATE WAY HAS NOT BEEN BUILT TO PUBLIC WAY STANDARDS.

17. THE PRIVATE WAY SHALL BE MAINTAINED FOR ACCESS FOR EMERGENCY VEHICLES YEAR ROUND.

18 THE HOUSES SHALL BE PROPERLY NUMBERED AND THE NUMBERS SHALL BE VISIBLE YEAR ROUND FROM THE PRIVATE WAY.

19. THE PRIVATE WAY SHALL BE MARKED WITH A CITY APPROVED SIGN IDENTIFYING THE PRIVATE WAY.

20. ALL CONSTRUCTION AND SITE ALTERATIONS SHALL BE DONE IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES" CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT, DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST REVISION.

21. THE PRIVATE WAY SHALL BE RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS WITHIN 30 DAYS OF APPROVAL BY THE PLANNING BOARD.

22. THE PRIVATE WAY SHALL BE GIVEN A NAME THAT MEETS WITH THE APPROVAL OF THE FIRE AND POLICE CHIEFS.

23. THE PRIVATE WAY SHALL CONFORM AND BE CONSTRUCTED TO THE STANDARDS FOR PRIVATE WAYS AS PRESENTED IN THE CITY OF BIDDEFORD, PERFORMANCE STANDARDS, SECTION 51, PRIVATE WAYS AND ROADS.

24. THE CONSTRUCTED PRIVATE WAY SHALL BE INSPECTED AND CERTIFIED BY THE CITY ENGINEER OR AT THE CITY'S OPTION, A REGISTERED PROFESSIONAL ENGINEER HIRED BY THE CITY AT THE DEVELOPER'S EXPENSE. PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS FOR LOTS SERVED BY THE PRIVATE WAY, THE ENGINEER SHALL CERTIFY TO THE CODE ENFORCEMENT OFFICER THAT THE PRIVATE WAY HAS BEEN CONSTRUCTED TO THE ORDINANCE AND THE APPROVED PRIVATE WAY PLAN.

25. NO WORK PROPOSED WITHIN RESOURCE PROTECTION ZONE FOR THIS PROJECT.

26. DEVELOPMENT OF LOTS 1 & 2 WILL BE COMPLETED WITHOUT ANY ADDITIONAL TREE CLEARING.

27. FEE INTEREST IN POPPY LANE IS INCLUDED WITH LOT 2.

28. DUE TO THE CORONAVIRUS PANDEMIC AND THE GOVERNOR'S DECLARATION OF A CIVIL STATE OF EMERGENCY AND A STATE WIDE STAY AT HOME ORDER, THE PLANNING BOARD PURSUANT TO CHAPTER 66-9 AUTHORIZED THE CITY PLANNER TO SIGN THE FINAL PLAN ON BEHALF OF THE PLANNING BOARD AND DECLARED THAT THE FINAL PLAN ONCE SIGNED BY THE CITY PLANNER SHALL BE DEEMED TO HAVE BEEN SIGNED BY INDIVIDUAL MEMBERS OF THE PLANNING BOARD EVIDENCING APPROVAL OF THE FINAL PLAN.

LEGEND

SYMBOL	DESCRIPTION
IPF/IRF	IRON PIPE/IRON ROD FOUND
●	5/8" IRON ROD W/ CAP TO BE SET
	UTILITY POLE
W	WELL
	ROCK
	EDGE OF PAVEMENT
	PROPERTY LINE
	ABUTTERS PROPERTY LINE
	EXISTING EASEMENT
	STREAM
	POND
	WETLANDS
	TREELINE
	PICKET FENCE
190	EXISTING CONTOUR
A.G./B.G.	ABOVE GROUND/BELOW GROUND
N/F	NOW OR FORMERLY

LINE/CURVE DATA

L1	S49°42'40"E	50.00'
L2	S39°14'27"W	82.90'
C1	R=125.00',	L=109.28'

THIS PLAN SUPERSEDES THE PREVIOUSLY APPROVED PLAN TITLED "SANDY BROOK SUBDIVISION, LAND OF PHILIP LABBE, SOUTH STREET, BIDDEFORD, MAINE, DATED JAN. 21, 1976, BY DES ROBERTS & HENRY INC., AND RECOREDED IN THE YORK COUNTY REGISTRY OF DEEDS PLAN BOOK 81, PAGE 4.

Scale: 1" = 50'
50' 0 50' 100'

I CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS TECHNICAL STANDARDS OF PRACTICE FOR A STANDARD BOUNDARY SURVEY WITH THE FOLLOWING EXCEPTIONS:

1. NO SURVEYORS REPORT

STATE OF MAINE
ROBERT C. LIBBY JR.
No. 2190
PROFESSIONAL LAND SURVEYOR

ROBERT C. LIBBY JR. PLS #2190

THIS PLAN REVIEWED AND APPROVED BY THE CITY OF BIDDEFORD PLANNING BOARD.

DATE

CITY PLANNER

GREG TANSLEY, CITY PLANNER, DULY AUTHORIZED TO SIGN ON BEHALF OF THE BIDDEFORD PLANNING BOARD PURSUANT TO CHAPTER 66-9, BIDDEFORD CODE OF ORDINANCES, AND BY THE DECISION OF THE PLANNING BOARD DATED JULY 1, 2020.

REVISION

NO.	DATE	DESCRIPTION
1	5/5/20	Submitted Draft to Client for Review
2	6/10/20	Submitted Private Way & Amended Subdivision to City
3	6/25/20	Revised per City Comments - Site Design Assoc.
4	7/20/20	Revised per City Comments

STATE OF MAINE
ANDREW S. MORRELL
No. 13285
PROFESSIONAL ENGINEER

BH2M
Berry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors
28 State Street
Gorham, Maine 04038
Tel. (207) 839-2771
Fax (207) 839-8250

FOR
Dale Wilkinson
132 Dennett Road
Biddeford, Maine 04005

AMENDED SUBDIVISION AND PRIVATE WAY

POPPY LANE AND SANDY BROOK SUBDIVISION
SOUTH STREET
BIDDEFORD, MAINE

DESIGNED	DATE
W. Pelkey	April 2020
DRAWN	SCALE
Dept.	1" = 50'
CHECKED	JOB. NO.
R. Libby, Jr.	19093

SHEET
1

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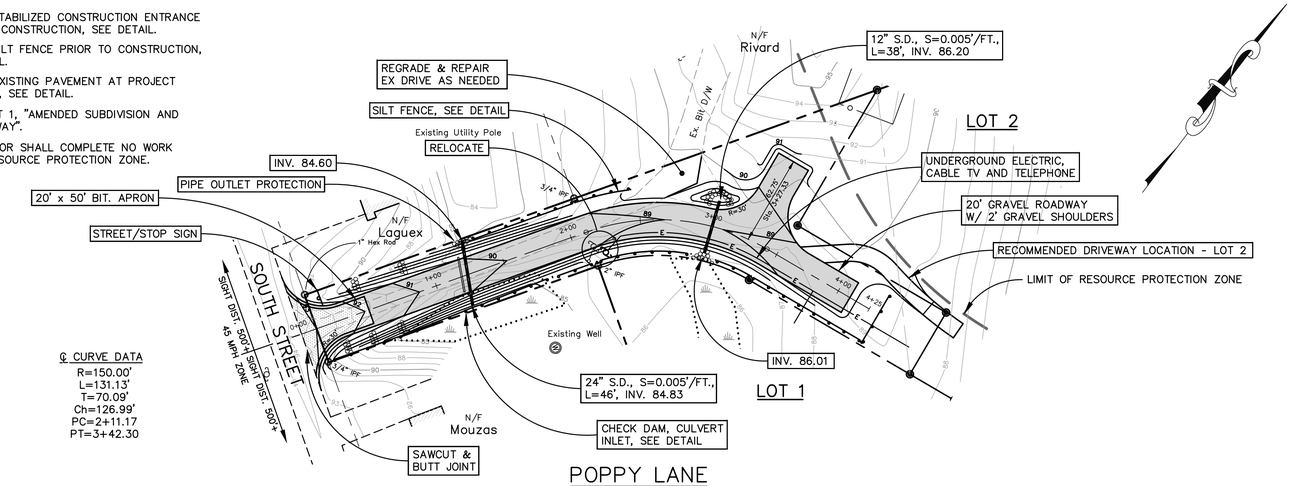
NOTES:

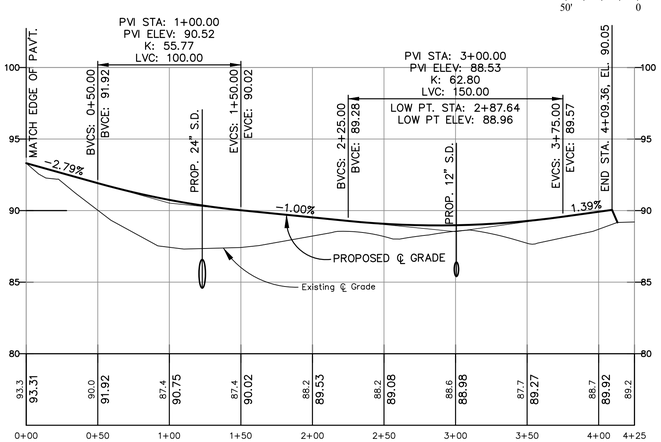
1. INSTALL STABILIZED CONSTRUCTION ENTRANCE PRIOR TO CONSTRUCTION, SEE DETAIL.
2. INSTALL SILT FENCE PRIOR TO CONSTRUCTION, SEE DETAIL.
3. SAWCUT EXISTING PAVEMENT AT PROJECT ENTRANCE, SEE DETAIL.
4. SEE SHEET 1, "AMENDED SUBDIVISION AND PRIVATE WAY".
5. CONTRACTOR SHALL COMPLETE NO WORK WITHIN RESOURCE PROTECTION ZONE.



℄ CURVE DATA
R=150.00'
L=131.13'
T=70.09'
Ch=126.99'
PC=2+11.17
PT=3+42.30

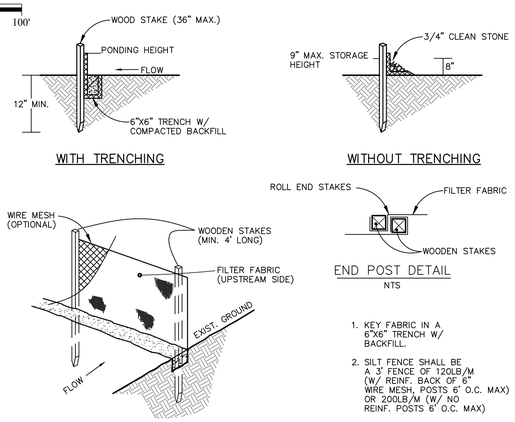
POPPY LANE

Scale: 1" = 50'



PROFILE

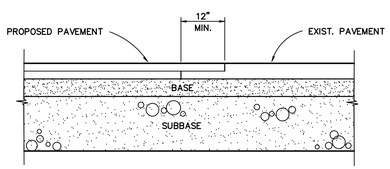
SCALE
VERTICAL: 1" = 5'
HORIZONTAL: 1" = 50'



END POST DETAIL
NTS

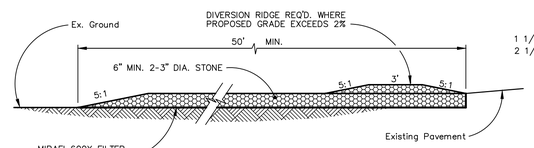
1. KEY FABRIC IN A 6"X6" TRENCH W/ BACKFILL.
2. SILT FENCE SHALL BE A 3' FENCE OF 120LB/M (W/ REINF. BACK OF 6" WIRE MESH, POSTS 6' O.C. MAX) OR 200LB/M (W/ NO REINF. POSTS 6' O.C. MAX)

SILT FENCE DETAIL
N.T.S.

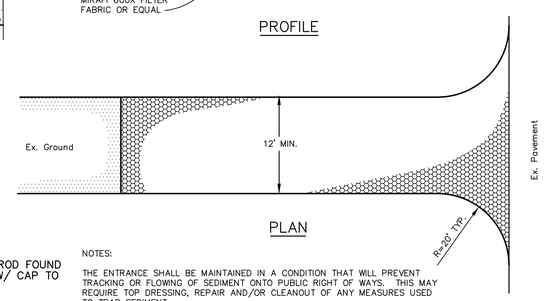


SAWCUT EXIST. PAVEMENT ALONG A SMOOTH LINE TO A NEAT EVEN VERTICAL JOINT, APPLY TACK PRIOR TO PROPOSED PAVING (AS REQ'D)

PAVEMENT JOINT DETAIL
N.T.S.



PROFILE



PLAN

NOTES:

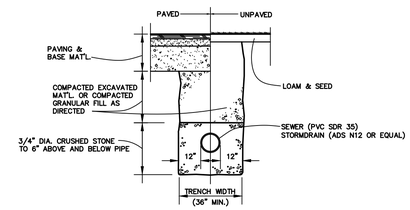
THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT OF WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.

WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT OF WAY.

WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

STABILIZED CONSTRUCTION ENTRANCE
NTS

NOTES:
1. Trench width shown is payment width for rockexcavation & replacement of unsuitable material.
2. Do not mechanically compact directly over flexible pipe (e.g. PVC, Polyethylene)
3. Concrete pipe shall have sand bedding.



TRENCH DETAIL
NTS

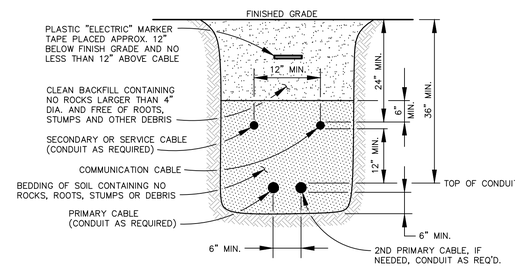
NOTES:

INSTALLATION SHOULD NOT ALLOW THE INTER-TWINING OF CABLES.

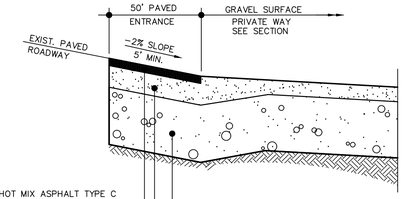
COMMUNICATION AND POWER CABLES SHALL HAVE NO LESS THAN 12" OF RADIAL SEPARATION.

CONDUITS FOR POWER AND COMMUNICATION CABLES SHALL BE SPECIFIED BY APPROPRIATE UTILITY COMPANIES.

SEE PLAN FOR SURFACE FINISH

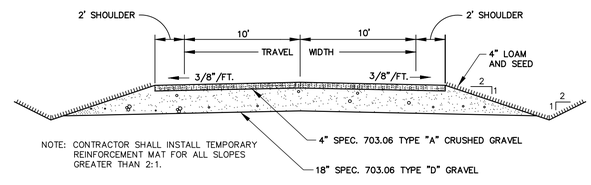


UNDERGROUND CABLE TRENCH
NTS



NOTE: THE JOINT AT THE EXISTING PAVEMENT SHOULD BE SAWCUT AND BUTT JOINT PROVIDED. THE SAWCUT SHALL BE LOCATED AT SOUND PAVEMENT.

ENTRANCE SECTION
N.T.S.

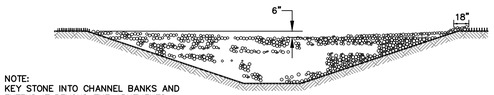


NOTE: CONTRACTOR SHALL INSTALL TEMPORARY REINFORCEMENT MAT FOR ALL SLOPES GREATER THAN 2:1.

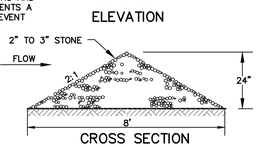
GRAVEL PRIVATE WAY
NTS

1. PREPARATION: BEFORE GRADING IS STARTED, THE ENTIRE RIGHT-OF-WAY AREA SHALL BE CLEARED OF ALL STUMPS, ROOTS, BRUSH AND OTHER OBJECTIONABLE MATERIAL AND ALL TREES NOT INTENDED FOR PRESERVATION, AS DESIGNATED BY THE CITY ENGINEER.
2. CUTS: TREE STUMPS AND OTHER ORGANIC MATERIALS SHALL BE REMOVED TO A DEPTH OF 2 FEET BELOW THE SUB GRADE. ROCKS AND BOULDERS, WHEN ENCOUNTERED, SHALL BE REMOVED TO SUB GRADE.
3. FILL: ALL MATERIAL USED IN THE CONSTRUCTION OF EMBANKMENTS SHALL BE OF THE QUALITY TO MEET THE STANDARDS FOR EMBANKMENT CONSTRUCTION, SECTIONS 203.02 THROUGH 203.17 OF THE MAINE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS, EXCEPT THAT COMPACTION SHALL NOT BE LESS THAN 95% OF MAXIMUM DENSITY (PER ASTM D 1557 MOD.). EXCESS MATERIALS INCLUDING ORGANIC MATERIALS, SOFT CLAYS, WET AND NON COMPACTABLE MATERIALS, ETC. SHALL BE REMOVED FROM THE STREET SITE. THE FILL SHALL BE SPREAD IN LAYERS NOT TO EXCEED 8 INCHES LOOSE AND THEN COMPACTED. THE FILLING OF UTILITY TRENCHES AND OTHER PLACES SHALL BE MECHANICALLY TAMPERED.
4. ALL MATERIALS AND CONSTRUCTION REQUIREMENTS SHALL CONFORM TO MDOT STANDARD SPECIFICATIONS, REVISION DEC. 2002
5. ROADWAY GRAVEL: ALL GRAVEL SHALL BE CONSOLIDATED USING A MECHANICAL VIBRATORY ROLLER SUITABLE FOR ROADWAY COMPACTION.

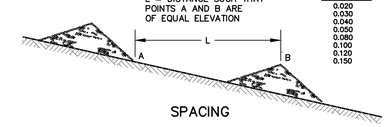
NOTE:
KEY STONE INTO CHANNEL BANKS AND EXTEND IT BEYOND THE ABUTMENTS A MINIMUM OF 18" (0.5m) TO PREVENT FLOW AROUND DAM.



ELEVATION



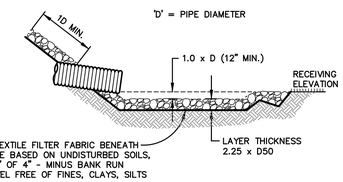
CROSS SECTION



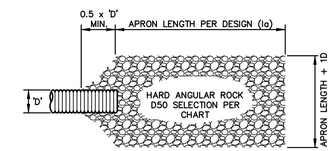
SLOPE (FT/FT)	L (FT)
0.020	100
0.030	66
0.040	50
0.050	40
0.080	25
0.100	20
0.120	17
0.150	13

SPACING

STONE CHECK DAM DETAIL
NTS



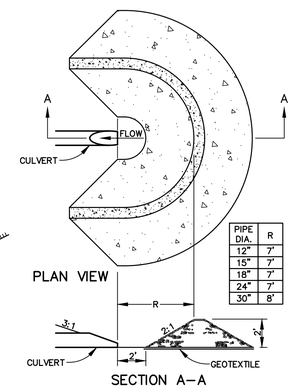
SECTION



PLAN

IN DEFINED CHANNELS, APRON SHALL EXTEND FULL WIDTH OF BOTTOM AND ONE FOOT ABOVE MAX. TAILWATER OR UP TO BANK FULL, WHICHEVER IS LESS.

PIPE OUTLET PROTECTION
NTS



PIPE DIA.	R
12"	7'
15"	7'
18"	7'
24"	7'
30"	8'

1. USE 2" TO 3" STONE.
2. PLACE STONE OVER GEOTEXTILE.
3. ONCE THE AREAS UPSTREAM FROM THE CHECK DAM ARE STABILIZED BY VEGETATION, THE SEDIMENT TRAPPED BEHIND/WITHIN THE DAM SHALL BE RELOCATED TO AN AREA UNDERGOING FINAL GRADING.
4. THE CHECK DAMS SHALL BE FLATTENED AND GRADED IN A MANNER WHICH PROTECTS THE AREA FROM EROSION AND CHANNEL BLOCKAGE. (GEOTEXTILE MUST BE REMOVED)
5. THE GEOTEXTILE SHALL BE DISPOSED OF OFFSITE.
6. THE AREA CONTRIBUTING TO THE CHECK DAM SHALL NOT EXCEED 10 ACRES.

TEMPORARY CHECK DAM AT CULVERT INLET
NTS

I CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS TECHNICAL STANDARDS OF PRACTICE FOR A STANDARD BOUNDARY SURVEY WITH THE FOLLOWING EXCEPTIONS:

1. NO SURVEYORS REPORT

STATE OF MAINE ROBERT C. LIBBY 2190 LICENSED LAND SURVEYOR

ROBERT C. LIBBY JR. PLS #2190

LEGEND

SYMBOL	DESCRIPTION
○	IRON PIPE/IRON ROD FOUND
●	5/8" IRON ROD W/ CAP TO BE SET
	UTILITY POLE
	WELL
	EXISTING EDGE OF PAVEMENT
	PROPERTY LINE
	ABUTTERS PROPERTY LINE
E	UNDERGROUND ELECTRIC
	STORM DRAIN
	SILT FENCE
160	EXISTING CONTOUR
160	PROPOSED CONTOUR
	WETLAND
	UTILITY POLE

THIS PLAN REVIEWED AND APPROVED BY THE CITY OF BIDDEFORD PLANNING BOARD.

DATE

CITY PLANNER

GREG TANSLEY, CITY PLANNER, DULY AUTHORIZED TO SIGN ON BEHALF OF THE BIDDEFORD PLANNING BOARD PURSUANT TO CHAPTER 66-9, BIDDEFORD CODE OF ORDINANCES, AND BY THE DECISION OF THE PLANNING BOARD DATED JULY 1, 2020.

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STATE OF MAINE ANDREW S. MORRELL No. 7256 LICENSED PROFESSIONAL ENGINEER

BH2M
Berry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors
28 Stone Street
Gorham, Maine 04038
Tel. (207) 839-2771
Fax (207) 839-8250

FOR
Dale Wilkenson
132 Dennett Road
Biddeford, ME 04005

PLAN OF PRIVATE WAY
POPPY LANE
SOUTH STREET
BIDDEFORD, MAINE

DESIGNED	DATE
W. Pelkey	June 2020
DRAWN	SCALE
Dept.	As Noted
CHECKED	JOB. NO.
A. Morrell	19093

SHEET
2

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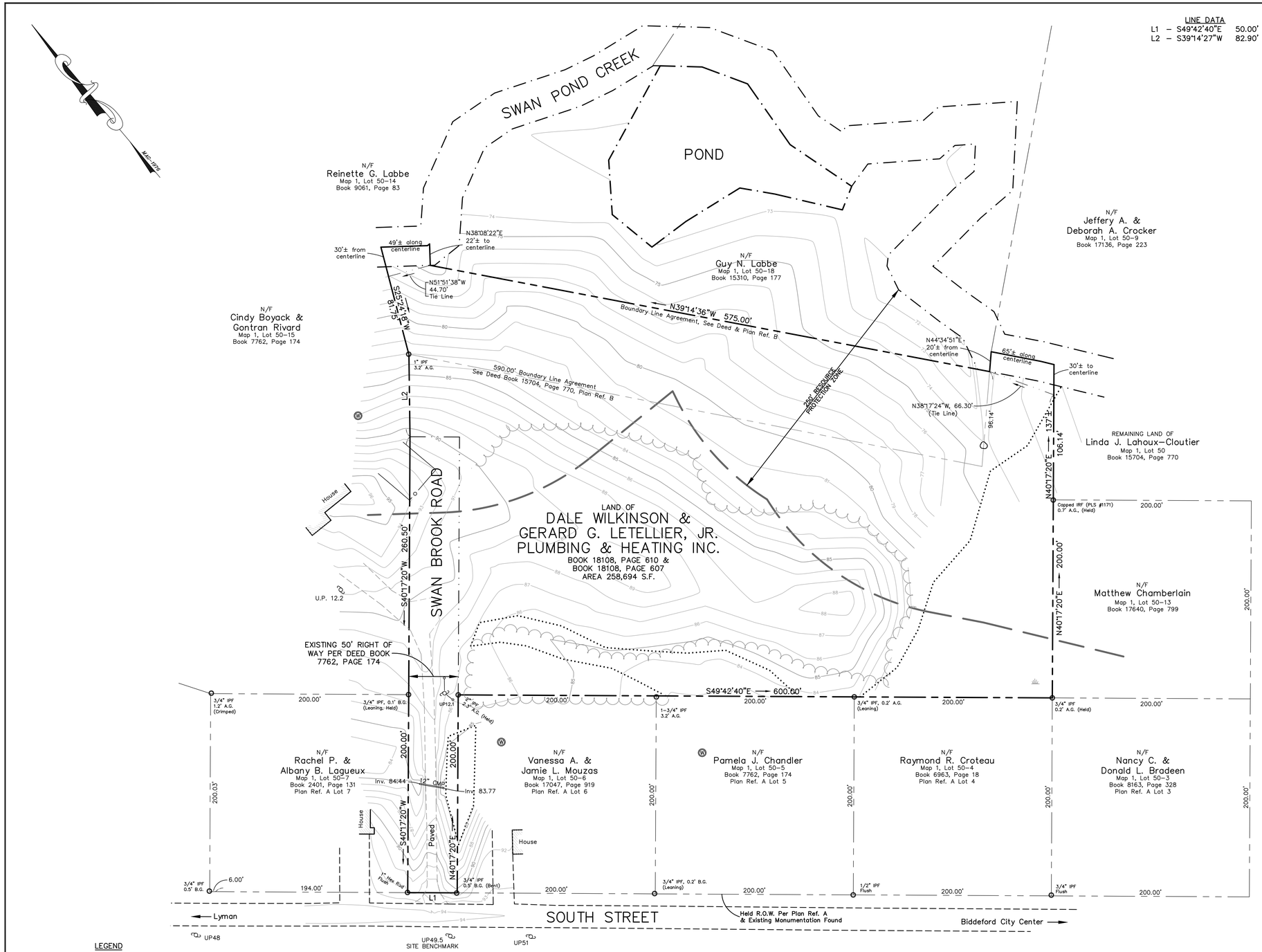
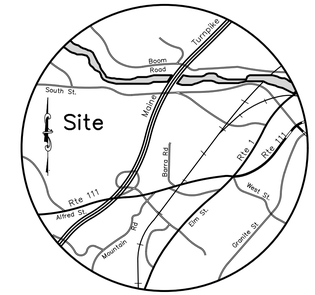


LINE DATA

L1	S49°42'40"E	50.00'
L2	S39°14'27"W	82.90'



LOCATION MAP

SCALE: 1" = 2 MILES

NOTES:

1. OWNERS: GERARD G. LETELLIER, JR.
PLUMBING & HEATING INC.
132 DENNETT ROAD
BIDDEFORD, MAINE 04005

DALE WILKINSON
132 DENNETT ROAD
BIDDEFORD, MAINE 04005

2. SURVEYOR: ROBERT C. LIBBY JR., PLS #2190
BH2M
28 STATE STREET
GORHAM, MAINE

3. WETLANDS: MARK HAMPTON, C.S.S., L.S.E.
MARK HAMPTON ASSOCIATES, INC.
P.O. BOX 1931
PORTLAND, MAINE 04104-1931

4. DEED REFERENCES: BOOK 18108 PAGE 607
BOOK 18108 PAGE 610

5. TAX MAP REFERENCE: MAP 1 LOT 50

6. ZONING: RURAL FARM (RF)

7. AREA: 258,694 ± S.F.
(5.9 ± ACRES)

8. BENCHMARK: PK NAIL SET IN UTILITY POLE # 94.5.
ELEV. 93.01 (APPROX. NAVD 1988)

9. PLAN REFERENCES:

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LEGEND

SYMBOL	DESCRIPTION
IPF/IRF	IRON PIPE/IRON ROD FOUND
●	5/8" IRON ROD W/ CAP TO BE SET
	UTILITY POLE
W	WELL
	ROCK
	EDGE OF PAVEMENT
	PROPERTY LINE
	ABUTTERS PROPERTY LINE
	EXISTING EASEMENT
	STREAM
	POND
	WETLANDS
	TREELINE
	PICKET FENCE
190	EXISTING CONTOUR
A.G./B.G.	ABOVE GROUND/BELOW GROUND
N/F	NOW OR FORMERLY

Scale: 1" = 50'

50' 0 50' 100'

I CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS TECHNICAL STANDARDS OF PRACTICE FOR A STANDARD BOUNDARY SURVEY WITH THE FOLLOWING EXCEPTIONS:

1. NO SURVEYORS REPORT

STATE OF MAINE
ROBERT C. LIBBY
PROFESSIONAL LAND SURVEYOR

ROBERT C. LIBBY JR. PLS #2190

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Fax (207) 839-8250

FOR
Dale Wilkinson
132 Dennett Road
Biddeford, Maine 04005

STANDARD BOUNDARY SURVEY AND EXISTING CONDITIONS

SOUTH STREET
BIDDEFORD, MAINE

DESIGNED	DATE
Survey	April 2020
DRAWN	SCALE
T. Mullen	1" = 50'
CHECKED	JOB. NO.
R. Libby, Jr.	19093

SHEET
3

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