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Amended Minor Subdivision Application for 474 Lafayette Street Yarmouth, Maine

PREPARED FOR: Pamela Higgins and Stephen Connolly 7 Merganser Way Freeport, ME 04032

March 2020

SUBMITTED BY: Gorrill Palmer 707 Sable Oaks Drive Suite 30 So. Portland, ME 04106 207.772.2515



March 6, 2020

707 Sable Oaks Drive, Suite 30 South Portland, Maine 04106 207.772.2515

Alex Jaegerman, FAICP Director of Planning & Development Yarmouth Town Hall 200 Main Street Yarmouth, ME 04096

Subject: 3 Lot Minor Subdivision Amendment Formerly Elena and Mark Grassia Current Owners Pamela Higgins & Stephen Connolly 474 Lafayette Street

Dear Alex and Members of the Planning Board,

On behalf of Pamela Higgins and Stephen Connolly, please find the attached subdivision amendment application and supporting documentation for a lot located at 474 Lafayette Street. This amendment specifically applies to Tax Map 4, Lot 12-A1 currently owned by Higgins and Connolly. Attached to this cover letter are the Minor Subdivision Application Form and associated exhibits. Items that are unchanged from the original subdivision application and approval are not being resubmitted and will be noted as such in this letter and other documentation.

We are requesting to be placed on the agenda for the April 8, 2020 Planning Board meeting.

Project Description

The subject parcel is located at 474 Lafayette Street, Map 004, Lot 012-0A1. The property is in the Low Density Residential (LDR) zone. Pamela Higgins and Stephen Connolly are the property owners and applicants. The intended use of the parcel is to be residential with a single-family dwelling. The applicants' proposal is for a back lot division per Chapter 701, Article IV.F.I. Further, the applicants intend to convey a parcel of land on the southwesterly portion of their lot to the neighboring Kase Lot in exchange for a parcel of land from the Kase property to provide the minimum required street frontage and construct the proposed driveway to their dwelling. A portion of the Higgins/Connolly property is located in the Shoreland Zone, however, all proposed improvements occur outside of the Shoreland Zone. This application is for an amendment made to the original subdivision application.

Exhibit I - includes a location map

Exhibit 2 - includes a construction schedule

Right, Title, or Interest

Exhibit 3 – not applicable

Exhibit 4 – The following are included in Exhibit 4:

- Warranty deed to Pamela Higgins and Stephen Connolly for the property
- Release deed from Joel and Angela Kase to Pamela Higgins and Stephen Connolly
- Release deed from Pamela Higgins and Stephen Connolly to Joel and Angela Kase
- Easement Release deed from Pamela Higgins and Stephen Connolly to Town of Yarmouth

Alex Jaegerman March 6, 2020 Page 2



• Declaration of Restriction from Pamela Higgins and Stephen Connolly to the Town of Yarmouth

Exhibit 5 - see Exhibit 4. Applicants already own the property.

Exhibit 6 – includes easement for water service to the Meyers property. Additionally, an easement deed to the Town is included to allow cemetery maintenance access over the backlot driveway.

Exhibit 7 – not applicable

Financial Capacity

The financial capacity information was submitted in the prior application and is not included here.

Technical Ability

The Applicant has retained Gorrill Palmer to prepare the design drawings and amended subdivision application.

Water

The Yarmouth Water District has previously provided an ability to serve letter for this project. Gorrill Palmer and the Applicant have been coordinating with the Water District on the design for a new 2-inch private water service (shown on plans) from Lafayette Street.

Also note that the existing water service to the Meyers property that traverses the Higgins/Connolly Lot may not be located as shown on the easement documents for that service. If this water service is encountered during construction of the proposed driveway or house, it will be relocated and the easement revised as needed.

Traffic

The project is for a single-family home with a backlot driveway access to Lafayette Street. There is adequate sight distance for the driveway where it intersects Lafayette Street.

The driveway has been designed in accordance with the backlot driveway standards. The lot width/right-of-way for the driveway meets or exceeds the minimum 30 foot width. Where the new driveway passes the existing barn located on the Kase property, the right-of-way narrows to about 25 feet to provide adequate building setback for the existing barn. At this location an easement is provided to provide the required 30 foot width for the new driveway.

Sanitary Sewers and Storm Drains

The proposed house lot will be served by a private septic system as there is no public sanitary sewer located in Lafayette Street. A soils test pit was submitted with the prior subdivision application. The location of that test pit conflicts with the new driveway alignment. We request as a condition of approval, that a new test pit will be submitted as part of the building permit application.

Surface Drainage and Runoff, Stormwater Management

Runoff from the proposed driveway will be collected in ditches where possible and discharged to level lip spreaders and meadow buffers at several locations (shown on the plan). We did not include new drainage ditching along the left side of the driveway along the westerly edge of the Ledge Cemetery to avoid impacts to two large existing maple trees. The prior driveway design and ditching would have required the two trees to be removed. The amount of runoff from the left side of the driveway in the proposed condition will be less than the runoff in the predevelopment condition because the total drainage area will be reduced.

Erosion and Sedimentation Control

Erosion control best management practices are shown on the project plans and shall generally follow Maine DEP Erosion and Sediment Control Practices for Engineers and Contractors. Check dams may be required in the drainage ditches along the driveways to slow runoff velocities and minimize erosion.

Alex Jaegerman March 6, 2020 Page 3



Soils

Exhibit 15 includes a copy of the medium intensity soils map and classifications for the site.

Site Plan Ordinance Requirements

Exhibit 16 – not applicable

Exhibit 17 - includes a description of how the project complies with the subdivision general requirements.

Exhibit 18 – not applicable

Exhibit 19 – not applicable

Minor Subdivision Drawings, Maps

We have attached the amended subdivision plan and associated drawings for the driveway.

Sincerely, Gorrill Palmer

Will C. Hashill

William C. Haskell, PE Principal

WCH\3635\P Applications\2020-03-06 Cover Letter.doc

TOWN OF YARMOUTH

Department of Planning and Development 200 Main Street Yarmouth, Maine 04096

(207)846-2401

WWW.YARMOUTH.ME.US

Fax: (207)846-2438

MINOR SUBDIVISION APPLICATION FORM

Date: $\frac{3/6}{20}$ Zo	oning District_LDR Map _4_Lot_12A1 Ext Fee Paid		
Property Owner	Pamela Higgins & Stephen Connolly		
Mailing Address	7 Merganser Way, Freeport, ME 04032		
E-mail Address	pamelahiggins@kw.com		
Phone	207-208-0991		
Fax			
Name of Subdivision	Amended 3 Lot Subdivision Made for Record Owners Elena & Mark Grassia		
Street Address	474 Lafayette Street		
Existing Use	Single Family Home, 2 Barns, and "Guest Cottage"		
Proposed Use	Two additional house lots		

Amendment to a previously approved plan?

Yes 🗸 No ____

The Town will correspond with only one contact person/agent for this project. Please provide the requested information regarding the contact person/agent.

Contact person/agent	Gorrill-Palmer Consulting Engineers, Inc./Will Haskell, P.E.
Mailing Address	707 Sable Oaks Drive #30, South Portland, ME 04106
E-mail Address	whaskell@gorrillpalmer.com
Phone	207-772-2515 ext. 235
Fax	

I certify that, to the best of my knowledge, all information provided in this application form and accompanying materials is true and accurate.

Agent

Signature of Owner (If signed by Owner's agent, provide written documentation of authority to act on behalf of applicant.)

"I authorize appropriate staff within the Yarmouth Planning Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to collect facts pertaining to my application."

William C. Haskell, Principal, Agent Print or type name and title of signer # SEC authorizotion following this application

Revised 08/28/2008

Applicant Initials

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1. PROJECT DESCRIPTION

- A. On a separate sheet describe the overall project objectives and proposed uses of property, including quantity and type of residential units (if any).
- B. Project details
 - 1. Assessor's Map number(s) 4 Lot number(s) 12-A1
 - 2. Existing zone(s) of the site

Existing zone(s) of the site		
	Low De	ensity Residential
Shoreland Overlay District	✓ Yes	No
Mobile Home Park Overlay	Yes	_√_No

- 3. Total land area of site (all contiguous land in same ownership) 11.04 acres
- 4. Proposed number of lots. The original subdivision is comprised of three lots. However, this amendment only proposes changes to one lot.
- C. Attach as Exhibit #1 a map such as the Maine Atlas and Gazetteer map (clean photocopies are acceptable). Indicate the location of your project on map.

D. Construction sequence

- 1. Estimated time of start of project Spring 2020 Estimated time of completion of project 2020
- 2. Is this to be a phased project? Yes No \checkmark
- 3. Attach as Exhibit #2 a construction schedule outlining the anticipated sequence of construction (beginning and completion) for the major aspects of the proposed project, including roads, erosion control and drainage measures, structures. sewer and water lines, other utilities, paving, landscaping.

2. **RIGHT, TITLE, OR INTEREST**

A. Name and mailing address of record owner of the site Pamela Higgins & Stephen Connolly

7 Merganser Way, Freeport, ME 04032

Phone 207-208-0991 Fax _____

- B. Attach as Exhibit #3 evidence of corporate or partnership status, if applicant is not an individual.
- C. Attach as Exhibit #4 evidence of applicant's right, title, or interest in the site. A

Applicant Initials WEH

complete copy of the document must be provided; financial information may be deleted.

- D. Attach as Exhibit #5 a copy of the current owner's existing deed for the site.
- E. Attach as Exhibit #6 summary lists of all existing and all proposed easements or other burdens for this property. More detailed information may be required, depending on the particular circumstances of the site.
- F. If a condominium, homeowners, or property owners association will be established, attach as Exhibit #7 the articles of incorporation, the Declaration of Covenants and Responsibilities, and the proposed by-laws of the organization.

3. FINANCIAL CAPACITY

- A. Estimated cost of the project (including land purchase and development costs)
- B. Attach as Exhibit #8 evidence of your financial capacity to complete the proposed development. Submit one or more of the following (please check as appropriate):
 - A written statement from the applicant's bank or a certified public accountant who recently has audited the applicant's finances stating that the applicant has cash reserves in the amount of the estimated cost of the project and can devote those reserves to the project.
 - 2. When the applicant will personally finance the development, provide copies of bank statements or other evidence which will indicate availability of funds and evidence that the applicant can devote these funds to the project.
 - 3. The most recent corporate annual report showing availability of sufficient funds to finance the development, together with a statement from the applicant that the funds are available and will be used for the proposed project.
 - 4. A letter from a financial institution, governmental agency, or other funding agency which indicates a timely commitment to provide a specified amount of funds and the uses for which the funds may be utilized.
 - 5. In cases where outside funding is required, but there can be no commitment of money until regulatory approvals are received, a formal letter of "intent to fund upon approval" from a funding institution indicating the amount of funds it is prepared to provide, their specified uses and the conditions on which funds will be made available.

4. TECHNICAL ABILITY

- A. List all projects undertaken by the applicant within the last five years, beginning with the most recent project:
- B. Have done no prior projects _____
- C. Attach as Exhibit #9 a list of all consultants retained for this proposed project, such as engineers, architects, landscape architects, environmental consultants; and those firms or personnel who will be responsible for constructing, operating and maintaining the project.

5. WATER

Attach as Exhibit #10 written confirmation from the Yarmouth Water District that it can supply the proposed development and that the proposed plan has been approved by the District. If the applicant proposes a private supply, provide evidence that a sufficient and healthful water supply is available for the proposed development.

6. TRAFFIC

Attach as Exhibit #11 a written evaluation and demonstration of the adequacy and availability of adjacent streets to serve the proposed project. If you must submit a full traffic study to DEP, provide two (2) copies with this application.

7. SANITARY SEWERS AND STORM DRAINS

A. Estimated sewage gallons per day for the completed project

Please note that the Town Manager must approve new sanitary sewer connections that are considered sewer extensions.

- B. Will this project generate industrial or non-sanitary waste that will enter the public sewer or drains? No <u>√</u> Yes ______
 If yes, please describe proposed types and amounts
- C. If a subsurface wastewater disposal system is proposed, provide evidence that it conforms to the requirements of the State Plumbing Code.

8. SURFACE DRAINAGE AND-RUNOFF, STORMWATER MANAGEMENT

- A. Attach as Exhibit #12 a description of any problems of drainage or topography, or a representation that, in the opinion of the applicant, there are none.
- B. Attach as Exhibit #13 a complete stormwater management plan, including drainage calculations for pre- and post-development for 2 yr. and 25 yr. storm events, a drainage plan, and an assessment of any pollutants in the stormwater runoff, that meets the requirements of Chapter 601, Design Standards.

9. EROSION AND SEDIMENTATION CONTROL

A. Attach as Exhibit #14 a written description of erosion and sedimentation control measures to be used during and after construction of the proposed project.

B. Show on a plan the proposed location, type, and detail of erosion control devices, unless this information is included on a subdivision drawing.

10. SOILS

- A. Attach as Exhibit #15 a medium intensity soils classification report, including description of soils and interpretation of engineering properties. Include geotechnical report, if applicable.
- B. Show on a plan the existing soil conditions on the site, unless this information is included on a subdivision drawing. Include wetlands delineation and report, if applicable.

11. SITE PLAN ORDINANCE REQUIREMENTS

- A. Attach as Exhibit #16 list of approvals needed from other agencies, such as the Zoning Board of Appeals, Army Corps of Engineers, Maine Department of Environmental Protection.
- B. Attach as Exhibit #17 a written statement that explains how the project complies with the subdivision general requirements and with specific performance standards required in the zoning district, if applicable.
- C. Attach as Exhibit #18 a summary list and a written offer of cession to the Town of all proposed streets, utilities and open space proposed for dedication.
- D. Attach as Exhibit #19 all requests for waivers including an explanation of the undue hardship or special design requirements which are the basis for the requests.

12. MINOR SUBDIVISION DRAWINGS, MAPS:

- A. Drawings
 - a. paper no larger than 24" x 36", with all drawings in a set the same size
 - b. bound and folded no larger than 9" x 12", with project name shown on front face of folded plan
 - c. number and date drawings, with space for revision dates
 - d. scale of the drawings shall be between 1"=20' and 1"=50'
 - e. show the entire parcel in single ownership, plus off-site easements
- B. Title block shall include:
 - a. identification of plan as "Minor Subdivision Plan"; "Amended" if applicable
 - b. name and address of project
 - c. name(s) and address (es) of site owner and of applicant
 - d. name and address of plan designer(s)
- C. Location map shall include:
 - a. abutting property within one thousand feet of project boundaries
 - b. outline of proposed project
 - c. zoning district(s) of abutting properties
 - d. at least one street intersection

- D. North arrow and scale.
- E. General plan notes shall include:
 - a. zoning district and list of applicable dimensional regulations comparing the required and proposed
 - b. net residential acreage calculation
 - c. all requested waivers
- F. Name, location, width of existing and proposed streets.
- G. A Boundary Survey, Category 1, Condition 2, showing site boundaries, exact dimensions and acreage of all lots, and a minimum of 3 granite monuments at outside corners of the parcel.
- H. Setbacks as required by zoning ordinance; zone line if site is transected by a zone line or if zone line is within 30 feet of the boundaries of the site.
- I. Existing and proposed contours at 2' intervals. Show I' contours and/or spot elevations if sufficient detail cannot be shown with 2' contours.
- J. Location, dimensions, and total square-footage of existing and proposed buildings (existing buildings should be identified as such).
- K. Names of abutting property owners and locations of buildings and curb cuts on abutting properties.
- L. Locations and dimensions of parking areas, loading and unloading facilities, driveways, fire lanes, access points.
- M. Location of all existing and proposed easements and rights-of-way, including identification of who has or will receive the easement.
- N. Location, dimensions, materials of existing and proposed pedestrian access ways.
- O. Location and size of existing and proposed utilities, both on-site and in adjoining public ways. Location of nearest existing hydrant. Include installation details for proposed utilities.
- P. Construction drawings showing plans, profiles, cross-sections, and details of appurtenances for sanitary sewer and storm drainage systems.
- Q. Location and description of existing natural features, such as wetlands, water courses, marshes, rock outcroppings, stands of trees. Natural features to be preserved must be identified on plan.

- R. Grades, street profiles, typical cross-section, and specifications of proposed streets and sidewalks. These must meet the standards of Ch. 601, Article IV.
- S. A description of any right-of-way, street, sidewalk, open space, or other area the applicant proposes to designate as public.
- T. Name, registration number, seal, and signature of all registered professionals (engineer, land surveyor, architect, landscape architect, etc.) who prepared the plan.
- U. First floor finished floor elevation(s) for all proposed buildings.
- V. If project is within the RP district, extent of floodway and floodway fringe.
- W. If project is within Shoreland Overlay District, show required setbacks.

CONDITIONS OF APPROVAL

The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant concerning the development and use of the property which appear in the record of the Planning Board proceedings are conditions of approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board.

Surface Water and Groundwater: No owner of a lot, his agents, or successors in interest shall alter the natural course of surface water on any lot in a way which would alter the natural flow of such water across any other parcel, unless such alteration is approved by the owners of all parcels affected. No owner of a lot, his agents, or successors in interest shall use blasting chemicals that generate perhlorates

From:	Pamela Higgins
To:	Will Haskell: Steve Connolly: John Conway
Subject:	Re: Lafayette - Application Information for March 6 Filing
Date:	Sunday, March 1, 2020 4:42:19 PM
Attachments:	image001 png

Dear Will,

Following up on our conversation of Friday, February 28, I wanted to confirm that I will get a copy of our deed to 474-A Lafayette, the notarized copies of the two deeds for the land swap between us and the Kases, and the easement to the town for cemetery maintenance to you on Wednesday, March 4.

As we discussed, the answer to Question 3 regarding financial capacity is that the town has our Performance Bond.

Steve and I grant you permission to sign the application on our behalf.

And just to be sure that I'm understanding everything correctly, Question 2E on the application asks for all existing and proposed easements to be included with the application.

As far as the Water District restrictions go, we have the draft Declaration from them, but can't complete it because it asks for references to the deeds which won't be recorded until the Amendment to the Subdivision is approved. So we'll figure that out with Jack and I'll include that in the Wednesday packet to you.

Please let me know if I've left anything out.

Thanks.

Pamela

Pamela Higgins, REALTOR[®], GREEN

Associate Broker

Associate Broker Keller Williams Realty 50 Sewall St., Portland ME 04102 www.FindYourMaineHome.com www.FindYourMaineF 207.208.0991 (c) 207.879.9800 (o)

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Emails sent or received shall neither constitute acceptance of conducting transactions via electronic means nor shall create a binding contract in the absence of a fully signed written agreement

On Tue, Feb 25, 2020 at 9:01 AM Will Haskell <whaskell@gorrillpalmer.com> wrote:

Good Morning Pamela.

We are pulling together various pieces of the application. The original application that we downloaded from the Town website does not seem to be very complete, so it would be helpful if you could provide us with the following:

Copy of your deed for the property
Did you have to provide anything relative to financial capacity previously? The application asks for financial capacity information (see item 3 in attached)
We will eventually need your signature on the first page. If this page looks okay to you know, you can sign and return a copy to us so it will be ready once we are ready to submit.

Thank you,

William C. Haskell Principal



707 Sable Oaks Drive, Suite 30 | South Portland, ME 04106 207.772.2515 x235 (office) | 207.318.7052 (mobile)

www.gorrillpalmer.com

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EXHIBIT I Location Map



EXHIBIT 2 Construction Schedule

Exhibit #2 - Construction Schedule

It is anticipated that construction of the back lot driveway and single family home will begin in Spring 2020 and completed in 2020.

- Note: For all grading activities, the contractor shall exercise extreme caution not to overexpose the site, this shall be accomplished by limiting the disturbed area.
- 1. Install stabilized construction entrance at the intersection of the construction access points and Main Street.
- 2. Install perimeter silt fence and/or wood waste berms prior to demolition and grubbing respective areas.
- 3. Commence earthwork and grading to subgrade for driveway and drainage.
- 4. Commence installation of utilities.
- 5. Install driveway gravels.
- 6. Commence installation of drainage appurtenances.
- 7. Foundation area shall be excavated for installation of the building footings. Building work will be on going through the remainder of the project.
- 8. Complete remaining earthwork operations.
- 9. Install driveway paving.
- 10. Loam, lime, fertilize, seed and mulch disturbed areas.
- 11. Once the site is stabilized and a 90% catch of vegetation has been obtained, remove all temporary erosion control measures.
- 12. Touch up loam and seed.

EXHIBIT 4 Title / Right / Interest Release Deeds Declaration of Restriction

(SPACE ABOVE RESERVED FOR RECORDING INFORMATION)

DLN: 1001940054120

WARRANTY DEED

JOINT TENANCY Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS that we, Mark Grassia and Elena Grassia of Bradenton, County of Manatee and State of Florida for consideration paid, grant to Pamela Louise Higgins and Stephen Hood Connolly, both having a mailing address of 7 Merganser Way, Freeport, ME 04032, with WARRANTY COVENANTS, as Joint Tenants, a certain lot or parcel of land in Yarmouth, County of Cumberland and State of Maine, bounded and described as follows:

A certain lot or parcel of land situated on the southerly side of Lafayette Street in the Town of Yarmouth, County of Cumberland and State of Maine bounded and described as follows:

Commencing at a point on the southerly sideline of Lafayette Street being the northeasterly corner of the lot herein conveyed and the northwesterly corner of the Town of Yarmouth "Ledge Cemetery", thence, S 04°39'00" E along land of The Town of Yarmouth 156.81 feet; Thence, N 85°03'30" E along land of said Town of Yarmouth 65.07 feet;

Thence, S 04°09'00" E along land of said Town of Yarmouth 28.46 feet to the Point of Beginning;

Thence, from said Point of Beginning N 70°21'00" E along land of said Town of Yarmouth 295.00 feet to land now or formerly of Bruce T. Myers as described in deed Book 3654, Page 245;

Thence, along land of said Myers the following courses and distances:

S 26°26'39" E 44.41 feet;

S 21°10'08" W 374.49 feet;

S 30°20'50" W 383.02 feet;

S 12°01'03" E 449.69 feet;

S 38°39'29" W 421.85 feet to land now or formerly of Todd and Elisa Hotaling as described in deed Book 35214, Page 232;

Thence, along land of said Hotaling the following courses and distances:

N 13°43'55" E 316.21 feet;

N 23°36'31" W 123.55 feet;

N 34°34'46" W 72.24 feet;

N 40°17'13" W 120.48 feet;

N 19°54'18" W 278.21 feet;

1

Hotaling and Todd R. Hotaling.

Also granting and conveying a temporary right of access from Lafayette Street to the parcel herein conveyed over the existing driveway on the parcel labelled "Proposed Lot 2.06 Acres" as shown on the Plan to the above conveyed parcel of land. Such temporary right of access shall terminate on the first to occur of (a) the construction of an access drive within the above described Access and Utility Easement or (b) December 31, 2020.

Being a portion of the premises conveyed to Mark Grassia and Elena Grassia, by virtue of deed of Elise Liebeskind Hotaling and Todd R. Hotaling, dated August 15, 2018 and recorded in the Cumberland County Registry of Deeds in Book 35080, Page 314.

The premises are conveyed subject to any easements and restrictions of record, and together with all rights, easements, privileges and appurtenances belonging to the premises described herein.

WITNESS my/our hand(s) this 5th day of April, 2019.

Witness

Witness

Mark Gressie, Attorney- -Elera Grassia by

By Mark Grassia, Attorney-in-Fact

STATE OF MAINE COUNTY OF CUMBERLAND

April 5, 2019

Personally appeared the above-named Mark Grassia, both individually and as Attorney-in-Fact for Elena Grassia, and acknowledged the foregoing instrument to be his free act and deed, individually and as Attorney-in-Fact for Elena Grassia and the free act and deed of Elena Grassia.

Before me.

Notary Fublic-or Attorney at Law

RACHEL L. BOUCHARD ATTORNEY AT LAW

Received Recorded Resister of Deeds Apr 08,2019 09:28:06A Cumberland County Nancy A. Lane

RELEASE DEED

JOEL A. KASE and ANGELA KASE, both of Yarmouth, Cumberland County, State of Maine,

for consideration paid, RELEASE to

PAMELA LOUISE HIGGINS and STEPHEN HOOD CONNOLLY, both of Freeport, Cumberland County, State of Maine, as joint tenants, the following land situated in Yarmouth, Cumberland County, State of Maine, bounded and described as follows:

A certain lot or parcel of land situated on the southerly side of Lafayette Street beginning at a capped iron rod at the northeasterly corner of land now or formerly of Joel A. Kase et al; thence S 04° 39' 00" E along land now or formerly of the Town of Yarmouth 156.81'; thence N 85° 03' 30" F along said Town 65.07' to a drill hole; thence S 04° 09' 00" F along said Town 28.46' to land now or formerly of Pamela Louise Higgins et al as described in deed recorded in the Cumberland County Registry of Deeds in Book 35565, Page 1; thence S 41° 07' 30" W along said Higgins et al 71.14'; thence N 47° 17' 57" W across land now or formerly of said Kase et al 64.71'; thence N 01° 09' 48" W 72.47'; thence northwesterly across land now or formerly of said Kase et al 34.84' to the southerly sideline of Lafayette Street; thence N 54° 37' 00" E along the southerly sideline of said Lafayette Street 65.00' to the point of beginning. Containing 10,016 square feet, more or less. This described parcel contains the entirety of the access easement conveyed in the deed from Mark Grassia et al to Pamela Louise Higgins et al.

Also conveyed herewith is an access easement situated southerly of Lafayette Street to be used in common with Ioel A. Kase and Angela Kase, their heirs and assigns, hounded and described as follows: Commencing at a capped iron rod on the southerly sideline of Lafayette Street at the northwesterly corner of the above described parcel; thence S 35° 23' 00" E along said land 34.84'; thence southerly along said land, along a curve to the right having a radius of 90.00' an arc length of 19.46' to the point of beginning; thence from said point of beginning continuing southerly along said land along a curve to the right having a radius of 90.00' an arc length of 34.29'; thence S 01° 09' 48" E along said land 72.47'; thence N 04° 39' 00" W across land now or formerly of Joel A. Kase et al 106.13' to the point of beginning. Containing 271 square feet, more or less.

Being a portion of the premises conveyed to these grantors by Mark Grassia et al by deed dated February 26, 2019, recorded in said Registry of Deeds in Book 35538, Page 332.

This deed is given without additional consideration and is given with a deed of near or even date from these grantees to these grantors to be recorded to exchange land in order to bring the Higgins/Connolly property and the Kase property into compliance with an amended subdivision plan of "3 Lot Subdivision Plan" to be recorded. The original plan is recorded in Plan Book 219, Page 113.

Mechanics Savings Bank joins in this deed to release its interest in the above described land and access easement by virtue of two mortgages given to it by Joel A. Kase and Angela Kase: a) dated March 25, 2019, recorded in said Registry of Deeds in Book 35539, Page 1, and b) dated March 25, 2019, recorded in said Registry of Deeds in Book 35545, Page 132.

day of March, 2020 DATED this

1 a Have

Joel A. Kase

Angela Kase

Mechanics Savings Bank

STATE OF MAINE Cumberland, ss:

By niter AU Its:

March <u>3</u>, 2020

Joel A. Kase personally appeared before me and acknowledged the foregoing instrument to be his free act and deed.

Before me

Notary Public/Attorney at I

Cheisel nunier

Printed

name:

CHELSEY NUNLEY Notary Public, State of Maine My Commission Expires Sept. 11, 2022

LCW/JWC/me/NTS/39880

RELEASE DEED

PAMELA LOUISE HIGGINS and **STEPHEN HOOD CONNOLLY**, both of Freeport, Cumberland County, State of Maine,

for consideration paid, RELEASE to

JOEL A. KASE and **ANGELA KASE**, of Yarmouth, Cumberland County, State of Maine, as joint tenants, the following land situated in Yarmouth, Cumberland County, State of Maine, bounded and described as follows:

A certain lot or parcel of land situated southerly of the southerly side of Lafayette Street and beginning at the northwesterly corner of land now or formerly of Pamela Higgins and Stephen Connolly as conveyed to them by Mark Grassia et al by deed dated April 5, 2019 and recorded in the Cumberland county Registry of Deeds in Book 35565, Page 1; thence N 57° 26' 40" E along land now or formerly of Joel Kase and Angela Kase as conveyed to them by Mark Grassia et al by deed dated February 26, 2019 and recorded in said Registry of Deeds in Book 35538, Page 332 a distance of 190.19'; thence N 41° 07' 30" E along said Kase land 61.26'; thence S 34° 49' 14" W across land now or formerly of said Higgins and Connolly 298.58' to land now or formerly of Todd Hotaling et al and described in a deed recorded in said Registry of Deeds in Book 35214, Page 232; thence N 17° 18' 18" W along said Hotaling 101.21' to the point of beginning. Containing 10,290 square feet, more or less.

Being a portion of said Book 35565, Page 1.

This deed is given without additional consideration and is given with a deed of near or even date from these grantees to these grantors to be recorded to exchange land in order to bring the Higgins/Connolly property and the Kase property into compliance with an amended subdivision plan of "3 Lot Subdivision Plan" to be recorded. The original plan is recorded in Plan Book 219, Page 113.

DATED this ______ day of March, 2020

Pamela Louise Higgins

Stephen Hood Connolly, by Pamela Louise Higgins, his duly appointed power of attorney

STATE OF MAINE Cumberland, ss:

March <u>3</u>, 2020

Pamela Louise Higgins personally appeared before me and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Notary Public/Attorney at Law

Printed name: LORI D. NORRIS COMMISSION EXP. AUG 14.2024

LCW/JWC/mc/NTS/39880

EASEMENT RELEASE DEED

PAMELA LOUISE HIGGINS and **STEPHEN HOOD CONNOLLY**, both of Freeport, Cumberland County, State of Maine,

for consideration paid, RELEASE to

TOWN OF YARMOUTH, a municipality located in Cumberland County, State of Maine,

the following access easement, to be used in common with Pamela Louise Higgins and Stephen Hood Connolly, their heirs and assigns, situated on the southerly side of Lafayette Street, in Yarmouth, Cumberland County, State of Maine, bounded and described as follows:

Beginning at a capped iron rod on the southerly side of Lafayette Street at the northeasterly corner of land now or formerly of Joel A. Kase et al (Book 35538, Page 332) which iron rod is also the northwest corner of land now or formerly of the Town of Yarmouth; thence S 04° 39' 00" E along land now or formerly of the Town of Yarmouth 156.81'; thence N 85° 03' 30" E along said Town 65.07' to a drill hole; thence S 04° 09' 00" E along said Town 28.46' to land now or formerly of Pamela Louise Higgins et al as described in deed recorded in the Cumberland County Registry of Deeds in Book 35565, Page 1; thence S 41° 07' 30" W along said Higgins et al 71.14'; thence N 47° 17' 57" W across land now or formerly of said Kase et al 64.71'; thence N 01° 09' 48" W 72.47'; thence northwesterly across land now or formerly of said Kase et al along a curve to the left having a radius of 90.00' an arc length of 53.75'; thence N 35° 23' 00" W across land now or formerly sideline of Lafayette Street; thence N 54° 37' 00" E along the southerly sideline of said Lafayette Street 65.00' to the point of beginning. Containing 10,016 square feet, more or less.

This deed is given without additional consideration and is to grant an easement for the purpose of allowing the Town of Yarmouth access to the cemetery which abuts the above described easement. By acceptance of this deed, the Town of Yarmouth agrees to repair any damage caused by virtue of its use and restore the easement area to its original state.

DATED this ______ day of March, 2020

Pamela Louise Higgins

Stephen Hood Connolly, by Pamela Louise Higgins, his duly appointed power of attorney

STATE OF MAINE Cumberland, ss:

March 3, 2020

Pamela Louise Higgins personally appeared before me and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Suri D. Marin Notary Public/Attorney at Law

Printed name: LORI D. NORRIS COMMISSION EXP. AUG. 14. 2024

DECLARATION OF RESTRICTION

THIS DECLARATION, made on the date hereinafter set forth is made by _______ and ______, both of the Town of Yarmouth, Maine, hereinafter collectively referred to as "Declarant".

WITNESSETH

WHEREAS, Declarant owns certain lands on Lafayette Street in the Town of Yarmouth, County of Cumberland, and State of Maine, described in a deed recorded in the Cumberland County Registry of Deeds in Book _____, Page _____ ("Premises"); and

WHEREAS, Declarant desires to subject the Premises described is said deed, as more fully described in **Exhibit** A attached hereto, to the restrictions hereinafter set forth in order to secure a household water service from the **Yarmouth Water District**, a quasi-municipal corporation with a place of business in Yarmouth, Maine;

NOW THEREFORE, Declarant hereby declares that the Premises shall be held, sold and conveyed subject to and together with the restriction which is hereby created for the purpose of obtaining said household water service and which shall run with the title to the Premises and be binding on all parties having any right, title, or interest in the Premises of any part thereof, their heirs, successors and assigns.

ARTICLE I RESTRICTION

The Premises, as described in **Exhibit A**, shall be subject to the following restriction, which restriction shall run with the land and can be released only with the written consent of the Yarmouth Water District:

Only one dwelling unit on the Premises may be served with a household water service Service Line from the water main on Lafayette Street providing water from the Yarmouth Water District, and no additional dwelling unit(s) on the Premises, or on any portion thereof created by division or subdivision, may be served by public water unless and until Declarant, or Declarant's heirs, successors, or assigns, have at their sole cost and expense completed a water main extension installation, subject to the prior written approval of the Yarmouth Water District, which meets all applicable design and construction specifications of the Yarmouth Water District, which water main extension shall extend from Lafayette Street along and under "streets" as defined in the applicable municipal land use or zoning ordinance or deeded private rights of way to the Premises, and shall extend along and under the "street" as defined in the applicable municipal land use or zoning ordinance that abuts the Premises and provides frontage for municipal land use and zoning purposes a distance equal to then applicable municipal land use or zoning ordinance frontage requirements for all dwelling units and lots to be served by public water on the Premises. Moreover, all land conveyed in fee to Declarant by ______, owner of the abutting property more particularly described in a deed dated _______ and recorded in the Cumberland County Registry of Deeds in Book _____, Page _____ in order to create street frontage for the Premises along Lafayette Street, which land is depicted on a plan entitled ______, dated ______, 2020 and recorded in the Cumberland County Registry of Deeds in Book ______, shall remain in common ownership with the Premises and shall not be separately conveyed until such time, if ever, as Declarant, or Declarant's heirs, successors, or assigns, have completed a water main extension installation to replace said Service Line as provided above.

IN WITNESS WHEREOF, we, _____ and _____ have caused this instrument to be signed and sealed as of this _____ day of _____, 20___.

Witness

Witness

STATE OF MAINE Cumberland, ss.

. 20

Personally appeared the above-named ______ and _____ and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Notary Public/Attorney-At-Law

Typed or Printed Name:

Commission Expires:

{P1721055.1}

EXHIBIT A

{P1721055.1}

EXHIBIT 6 Meyers Water Easement

DOC :55535 BK:33531 PG:313

RECEIVED - RECORDED, CUMBERLAND COUNTY REGISTER OF DEEDS 10/18/2016, 02:50:43P

Register of Deeds Nancy A. Lane E-RECORDED

EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS that TIMOTHY E. SANDERS, of Yarmouth, Maine ("Grantor"), for consideration paid, grant to ANNE S. MYERS AND BRUCE T. MYERS ("Grantees"), whose mailing address is 21 Gilman Road, Yarmouth Maine, 04096, their heirs and assigns, for the benefit of certain land owned by Anne S. Myers and Bruce T. Myers, as described in a certain deed from Erik K. Sanders to Anne S. Myers and Bruce T. Myers dated March 5, 1975 and recorded in Cumberland County Registry of Deeds in Book 3654, Page 245, (the "Benefitted Property") the non-exclusive perpetual right and easement in common with the Grantor to operate, maintain, inspect, repair and replace an existing water pipe line extending over land of the said Timothy E. Sanders from the southerly side of Lafayette Street in a southeasterly direction to land of the said Anne S. Myers and Bruce T. Myers, the location of said water pipe line being shown as "Private Water Service" on Plan of Property Survey With Lot Division, Route 88, Lafayette Street, Yarmouth, Maine" by Royal River Survey Company dated July 25, 2012, revised through October 14, 2016 and recorded in the Cumberland County Registry of Deeds in Plan Book $\lambda t (a_{--}, Page 3 t_1 x_1^2)$.

Together with the right to enter upon the said property of Timothy E. Sanders with workers and equipment to repair, maintain and replace said water pipe line and related improvements provided that the areas disturbed are restored to the extent reasonably practical promptly after completion of such work and provided further that the Grantees, their heirs and assigns, shall indemnify and hold Timothy E. Sanders, his heirs and assigns, harmless for any claims, damages or costs, including without limitation reasonably attorneys' fees, incurred or suffered as a result of the exercise of the foregoing easement and rights.

Witness my hand and scal this $\frac{22}{3}$ day of October, 2016.

Signed, Sealed and Delivered in the presence of State of Maine County of Cumberland

Timothy E. Sanders

October 14

Then personally appeared before me the above named Timothy E. Sanders and acknowledged the foregoing instrument to be his free act and deed.

Before me, Attorney at Law/Notary Public DONNELLY S. DOUGLAS Printed Name: Maine Attorney at Law Maine Bar No. 147



EXHIBIT 15 Soil Map

Soil Map—Cumberland County and Part of Oxford County, Maine



Web Soil Survey National Cooperative Soil Survey



Soil Map—Cumberland County and Part of Oxford County, Maine



Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HIB	Hinckley loamy sand, 3 to 8 percent slopes	0.0	0.6%
Sz	Swanton fine sandy loam	0.5	18.8%
WmB	Windsor loamy sand, 0 to 8 percent slopes	2.1	80.6%
Totals for Area of Interest		2.6	100.0%



Map Unit Description

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in this report, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named, soils that are similar to the named components, and some minor components that differ in use and management from the major soils.

Most of the soils similar to the major components have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Some minor components, however, have properties and behavior characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities. Soils that have profiles that are almost alike make up a *soil series*. All the soils of a series have major horizons that are similar in composition, thickness, and arrangement. Soils of a given series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Additional information about the map units described in this report is available in other soil reports, which give properties of the soils and the limitations, capabilities, and potentials for many uses. Also, the narratives that accompany the soil reports define some of the properties included in the map unit descriptions.

Report—Map Unit Description

Cumberland County and Part of Oxford County, Maine

HIB—Hinckley loamy sand, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2svm8 Elevation: 0 to 1,430 feet

USDA

Mean annual precipitation: 36 to 53 inches Mean annual air temperature: 39 to 55 degrees F Frost-free period: 140 to 250 days Farmland classification: Farmland of statewide importance

Map Unit Composition

Hinckley and similar soils: 85 percent Minor components: 15 percent Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hinckley

Setting

Landform: Outwash plains, eskers, moraines, kame terraces, kames, outwash terraces, outwash deltas

Landform position (two-dimensional): Summit, shoulder, backslope, footslope

Landform position (three-dimensional): Nose slope, side slope, base slope, crest, tread, riser

Down-slope shape: Linear, convex, concave

Across-slope shape: Convex, linear, concave

Parent material: Sandy and gravelly glaciofluvial deposits derived from gneiss and/or granite and/or schist

Typical profile

Oe - 0 to 1 inches: moderately decomposed plant material *A - 1 to 8 inches:* loamy sand *Bw1 - 8 to 11 inches:* gravelly loamy sand *Bw2 - 11 to 16 inches:* gravelly loamy sand *BC - 16 to 19 inches:* very gravelly loamy sand *C - 19 to 65 inches:* very gravelly sand

Properties and qualities

Slope: 3 to 8 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Excessively drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (1.42 to 99.90 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Salinity, maximum in profile: Nonsaline (0.0 to 1.9 mmhos/cm)
Available water storage in profile: Very low (about 3.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified Land capability classification (nonirrigated): 3s Hydrologic Soil Group: A Hydric soil rating: No

JSDA

Minor Components

Windsor

Percent of map unit: 8 percent *Landform:* Kame terraces, outwash plains, kames, eskers,

moraines, outwash terraces, outwash deltas

Landform position (two-dimensional): Summit, shoulder, backslope, footslope

Landform position (three-dimensional): Nose slope, side slope, base slope, crest, tread, riser

Down-slope shape: Linear, convex, concave *Across-slope shape:* Convex, linear, concave

Hydric soil rating: No

Sudbury

Percent of map unit: 5 percent

Landform: Kame terraces, outwash plains, moraines, outwash terraces, outwash deltas
Landform position (two-dimensional): Backslope, footslope
Landform position (three-dimensional): Side slope, base slope, head slope, tread
Down-slope shape: Concave, linear
Across-slope shape: Linear, concave

Hydric soil rating: No

Agawam

Percent of map unit: 2 percent
Landform: Kame terraces, outwash plains, kames, eskers, moraines, outwash terraces, outwash deltas
Landform position (two-dimensional): Summit, shoulder, backslope, footslope
Landform position (three-dimensional): Nose slope, side slope, base slope, crest, tread, riser
Down-slope shape: Convex, concave, linear
Across-slope shape: Concave, linear, convex
Hydric soil rating: No

Sz—Swanton fine sandy loam

Map Unit Setting

National map unit symbol: blk4 Elevation: 10 to 900 feet Mean annual precipitation: 34 to 55 inches Mean annual air temperature: 39 to 46 degrees F Frost-free period: 90 to 195 days Farmland classification: Not prime farmland

Map Unit Composition

Swanton and similar soils: 85 percent Minor components: 15 percent

JSDA

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Swanton

Setting

Landform: Outwash plains Landform position (two-dimensional): Toeslope Landform position (three-dimensional): Talf Down-slope shape: Linear Across-slope shape: Linear Parent material: Loamy glaciolacustrine deposits

Typical profile

H1 - 0 to 9 inches: fine sandy loam *H2 - 9 to 32 inches:* fine sandy loam *H3 - 32 to 65 inches:* silty clay

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately high (0.00 to 0.20 in/hr)
Depth to water table: About 0 to 18 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: High (about 9.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified Land capability classification (nonirrigated): 4w Hydrologic Soil Group: C/D Hydric soil rating: Yes

Minor Components

Scantic

Percent of map unit: 8 percent Landform: Coastal plains Landform position (two-dimensional): Toeslope Landform position (three-dimensional): Dip Down-slope shape: Concave Across-slope shape: Concave Hydric soil rating: Yes

Whately

Percent of map unit: 4 percent Landform: Outwash plains Landform position (two-dimensional): Toeslope Landform position (three-dimensional): Dip Down-slope shape: Concave Across-slope shape: Concave Hydric soil rating: Yes

USDA

Elmwood

Percent of map unit: 3 percent Landform: Outwash plains Landform position (two-dimensional): Summit Landform position (three-dimensional): Rise Down-slope shape: Convex Across-slope shape: Convex Hydric soil rating: No

WmB—Windsor loamy sand, 0 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2w2x2 Elevation: 0 to 1,410 feet Mean annual precipitation: 36 to 71 inches Mean annual air temperature: 39 to 55 degrees F Frost-free period: 140 to 240 days Farmland classification: Farmland of statewide importance

Map Unit Composition

Windsor and similar soils: 85 percent Minor components: 15 percent Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Windsor

Setting

Landform: Outwash terraces, deltas, outwash plains, dunes Landform position (three-dimensional): Tread, riser Down-slope shape: Linear, convex Across-slope shape: Linear, convex Parent material: Loose sandy glaciofluvial deposits derived from

granite and/or loose sandy glaciofluvial deposits derived from schist and/or loose sandy glaciofluvial deposits derived from gneiss

Typical profile

Oe - 0 to 1 inches: moderately decomposed plant material

A - 1 to 3 inches: loamy sand

Bw - 3 to 25 inches: loamy sand

C - 25 to 65 inches: sand

Properties and qualities

Slope: 0 to 8 percent Depth to restrictive feature: More than 80 inches Natural drainage class: Excessively drained Runoff class: Low Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (1.42 to 99.90 in/hr) Depth to water table: More than 80 inches Frequency of flooding: None

JSDA

Frequency of ponding: None *Salinity, maximum in profile:* Nonsaline (0.0 to 1.9 mmhos/cm) *Available water storage in profile:* Low (about 4.5 inches)

Interpretive groups

Land capability classification (irrigated): None specified Land capability classification (nonirrigated): 2s Hydrologic Soil Group: A Hydric soil rating: No

Minor Components

Hinckley

Percent of map unit: 5 percent Landform: Outwash plains, eskers, deltas, kames Landform position (two-dimensional): Summit, shoulder, backslope Landform position (three-dimensional): Nose slope, side slope, crest, head slope, rise Down-slope shape: Convex Across-slope shape: Linear, convex Hydric soil rating: No

Agawam

Percent of map unit: 5 percent
Landform: Kames, moraines, outwash terraces, kame terraces, outwash plains
Landform position (two-dimensional): Footslope, summit, backslope, shoulder
Landform position (three-dimensional): Side slope, crest, tread, riser, rise
Down-slope shape: Convex
Across-slope shape: Convex
Hydric soil rating: No

Deerfield

Percent of map unit: 5 percent Landform: Outwash plains, deltas, terraces Landform position (two-dimensional): Footslope Landform position (three-dimensional): Tread, talf Down-slope shape: Linear Across-slope shape: Linear Hydric soil rating: No

Data Source Information

Soil Survey Area: Cumberland County and Part of Oxford County, Maine Survey Area Data: Version 16, Sep 16, 2019



EXHIBIT 17 Subdivision General Requirements

Exhibit 17 - Subdivision General Requirements

The lot is located in the Low Density Residential (LDR) zone and is considered a back lot. As such, the lot meets the following standards outlined in Chapter 701, Article IV for a back lot:

Standards:

 One lot has at least 50 feet of frontage on a public street, and if nonconforming as to lot frontage or width, the frontage of that lot is not reduced, except that an easement may be provided for access to a back lot, and the remaining lot area of the original lot is no less than the applicable minimum lot size of the zone in which it is located.

Response: The lot has 65 feet of frontage on Lafayette Street.

2) The back lot meets the applicable minimum lot size of the zone in which it is located.

Response: The lot is 8.98 acres. See table below for dimensional requirements.

3) Access to the back lot is provided by a private Driveway to be constructed within a 30 foot right of way which the back lot owner either owns or has an easement to cross and which intersects with an accepted Street. The improved portion of the Driveway shall be a minimum of 14 feet in width.

Response: The Driveway has a width of 14 feet and provides access to the back lot with a 30 foot right of way which the owner owns. The right-of-way narrows to about 25 feet as it nears the existing barn on the Kase property. At this location there is an easement that provides the required 30 foot width for the driveway.

4) The private Driveway does not provide access to more than two back lots and its intersection with a public Road is a minimum of 50 feet from another private Driveway accessing a back lot.

Response: The Driveway only provides access to one back lot and is not adjacent to another private Driveway accessing a back lot.

5) The home to be constructed on the back lot shall be at least a distance equal to the applicable lot width of the zone in which it is located from the public Road providing access to the lot. In addition, the setback requirements of the zone in which the home is located shall apply.

Response: The home to be constructed is approximately 330 feet from the public Road providing access to the lot. The minimum lot width of the zone is 200 feet. The site plan meets the setback requirements, as shown in the table below.

- 6) Building permit application are reviewed and approved in writing by the Town officials, including the Town Engineer and Building Inspector, in accordance with the following standards:
 - (a.) The Fire Chief and Town Engineer shall ensure that emergency vehicles are provided with adequate turn around space and adequate access to the house. The turn around shall be at least 75 feet away from the Building and constructed per the attached detail.

Response: The turn around is spaced adequately from the building and constructed per the Town's detail.

- (b.) The Town engineer shall approve detailed construction drawings to ensure that the driveway and construction meet the following standard engineering specifications:
 - i.) All erosion and sedimentation control devices shall use the Best Management Practices as defined by the Cumberland County Soil and Water Conservation Service, and shall be in place prior to the start of any construction.
 - ii.) The access Road shall be constructed in accordance with the attached cross section. The requirements will be 14' minimum travel width and 15" depth of type-C MDOT gravel.
 - iii.) All drainage improvements shall be completed in accordance with the Best Management practices as defined by the Cumberland County Soil and Water Conservation Service.
 - iv.) All culverts shall be sized to accept a 25 year storm event. Documentation and drainage calculations shall be provided to the Town Engineer when requested. The homeowner shall pay for the drainage analysis.
 - v.) No access Road shall exceed a 6% grade for gravel or 8% grade for pavement unless waived by the Town Engineer.
 - vi.) Construction material shall be in conformance with the Town's Sewer, Subdivision, and other applicable ordinances, and the Town's contractor's handbook, and shall be approved by the Town Engineer.
 - vii.) The homeowner shall pay for all test pit work. The testing may include gradation, compaction, or other applicable tests to verify that the materials meet Town specifications.

Response: The amended subdivision plan meets the above requirements.

The following table contains the dimensional and setback requirements for a single-family back lot in the LDR zone, as well as how the standard is met by the applicants' lot.

	Requirement	Provided
Area	2 Acres	8.98 Acres
Lot Width	200 Feet	Approximately 1,050 Feet
Front Yard Setback	40 Feet	>40 Feet
Side Yard Setback	20 Feet	>20 Feet
Rear Yard Setback	40 Feet	>40 Feet