



Town of North Yarmouth

Planning Board

**FINDINGS OF FACT**

**June 16, 2022**

**Lady Slipper Hill Minor Subdivision – Lufkin Rd**

**Overview**

Wayne T. Wood on behalf of Stephen Woodward and Marie Burns (the applicants) are proposing a 3-lot minor subdivision. The property is located on the southwesterly side of Lufkin Road in the Village Residential zone at Tax Map 10 Lot 1. The property abuts the Central Maine Power Company transmission line corridor. All lots will utilize well for water supply and septic for wastewater disposal. The project was last brought to the Planning Board for a preapplication meeting on May 10, 2022.

**Applicant:** Stephen Woodward and Marie Burns

**Owner:** same as applicant

**Location:** Lufkin Road

**Zoning:** Village Residential

**Tax Map Number:** Map 10 Lot 1

**Existing Land Use:** wooded/forested

**Proposed Land Use:** minor residential subdivision

**Acreage:** 7.96 acres

**Waivers:** The applicant has not requested any waivers at this time.

**Site Walk:** A site walk for this project has not been scheduled.

**Public Hearing:** A public hearing for this project has not been scheduled.

**Application Completeness:** NSP reviewed the project for completeness, and found the application complete in regard to the submission requirements in the ordinance.

**Suggested Motion:** To find the Deacon Hayes Commons Preliminary Subdivision Plan and Site Plan application **complete** in regard to the submission requirements.

**Findings of Fact and Conclusions for the North Yarmouth Planning Board,**

**Suggested Motion:** To [approve/approve with conditions/deny] the Final Plan for the Lady Slipper Hill Minor Subdivision located at Tax Map 10, Lot 1, with the following findings of Fact and Conclusions in the planner memo dated June 7, 2022.



Town of North Yarmouth

Planning Board

**FINDINGS OF FACT**

**June 16, 2022**

**Lady Slipper Hill Minor Subdivision – Lufkin Rd**

**Subdivision Review - Findings of Fact:**

1. General Layout: Lots, Blocks, Utilities, Monuments, and Back Lots

- The subdivision consists of three (3) lots; a 1.48 acre, a 2.25 acre, and a 3.52-acre lot, all of which have frontage on Lufkin Road.
- Iron pipe monuments are shown at the boundary corners of the plan dated April 2022.

2. Erosion and Sedimentation Control

- The topography on site is relatively steep towards the northwest corner and flatter towards the road.
- The applicant should describe soil and erosion control details. These could take the form of best management practice details rather than shown on the site plan.
- The applicant should provide erosion control details in the notes section and shown on the plan for the next submission.

3. Financial and Technical Capacity

- The applicant should provide a letter of financial capacity demonstrating the ability to carry out the project for the next submission.

4. Floodplain Management

- The subdivision is not located within the 100-year floodplain.

5. Historic and Archaeological Sites

- No historic or archaeological sites are located within the subdivision.

6. Sewage and Solid Waste Disposal

- Each lot will be served by well and septic systems. Test pit locations are shown on the plan dated April 2022. The applicant should show the spacing between anticipated well locations and septic.
- A preliminary wastewater disposal investigation was completed for the project January 24, 2020. It was determined that the site is suitable for wastewater



Town of North Yarmouth

Planning Board

**FINDINGS OF FACT**

**June 16, 2022**

**Lady Slipper Hill Minor Subdivision – Lufkin Rd**

disposal. Further information is needed regarding the specific design of septic on site.

- The applicant should clarify if the new homes will be participating in the municipal paper and curb side recycling service.

7. Soil Suitability

- Soil tests were conducted by Mark Cenci Geologic Inc. January 24, 2020.
- Soils on site are fine sandy loam and sandy loam, which are suitable for wastewater disposal and development (see wastewater disposal investigation and test pit logs dated January 24, 2020).

8. Recreation and Open Space Land Development

- A 60-foot conservation easement is shown on the site plan revised May 2, 2022.

9. Water Supply

- The subdivision will utilize wells for water supply.
- The applicant should show the location of wells on the site plan.
- The applicant should confirm that individual wells will be sited to prevent infiltration of surface water and contamination from subsurface wastewater disposal systems.

10. Water Quality

- The subdivision will not adversely impact groundwater quality.

11. Subdivision Street Connectivity

- No new streets are being proposed for the subdivision.



Town of North Yarmouth

Planning Board

**FINDINGS OF FACT**

**June 16, 2022**

**Lady Slipper Hill Minor Subdivision – Lufkin Rd**

**Conclusions of Law:**

1. The proposed subdivision **will not** result in undue water or air pollution.
2. The proposed subdivision **will** have sufficient water available for the reasonably foreseeable needs of the subdivision.
3. The proposed subdivision **will not** cause an unreasonable burden on an existing water supply.
4. The proposed subdivision **will not** cause unreasonable soil erosion or reduction in the capacity of the land to hold water.
5. The proposed subdivision **will not** cause unreasonable highway or public road congestion or unsafe conditions.
6. The proposed subdivision **will not** provide for adequate solid and sewage waste disposal.
7. The proposed subdivision **will not** cause an unreasonable burden on the ability of a municipality to dispose of solid waste and sewage.
8. The proposed subdivision **will not** place unreasonable burden on the ability of the local governments to provide municipal or governmental services.
9. The proposed subdivision **will not** have an undue adverse effect on the scenic or natural beauty of the area.
10. The proposed subdivision **will** be in conformance with a duly adopted subdivision regulation or ordinance.
11. The subdivider **will** have adequate financial and technical capacity to meet the standards.
- ~~12. Whenever situated, in whole or in part, within 250 feet of any pond, lake, river or tidal waters, the proposed subdivision **will/will not** adversely affect the quality of such body of water. (N/A)~~
- ~~13. The 100-year flood boundary **is/is not** shown on the plan. (N/A)~~
- ~~14. All freshwater wetlands **have/have not** been identified on maps submitted as part of the application. (N/A)~~
- ~~15. All farmland within the proposed subdivision **has/has not** been identified on maps submitted as part of the application. (N/A)~~
- ~~16. Any rivers, streams, or brooks within or abutting the proposed subdivision **have/have not** been identified on maps submitted as part of the application. (N/A)~~
17. The proposed subdivision **will** provide for adequate storm water management.
- ~~18. Any lots in the proposed subdivision with frontage on a river, stream, brook, or great pond **have/do not have** a lot depth to shore frontage ratio greater than 5 to 1. (N/A)~~



Town of North Yarmouth

Planning Board

**FINDINGS OF FACT**

**June 16, 2022**

**Lady Slipper Hill Minor Subdivision – Lufkin Rd**

- ~~19. The long-term cumulative effects of the proposed subdivision will/will not unreasonably increase the great pond's phosphorus concentration during the construction phase and life of the proposed subdivision. (N/A)~~
- ~~20. If the subdivision crosses municipal boundaries, the proposed subdivision will/will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality. (N/A)~~
- ~~21. Timber on the parcel has/has not been harvested in violation of liquidation harvesting statutes and rules. (N/A)~~

**Planning Board Members**

\_\_\_\_\_  
Audrey Lones

\_\_\_\_\_  
Christopher Cabot

\_\_\_\_\_  
Sandra Falsey

\_\_\_\_\_  
Jeffrey Brown

\_\_\_\_\_  
Kimry Corrette