



Town of North Yarmouth

Planning Board

FINDINGS OF FACT

September 13, 2022

Perennial Crossing Subdivision Amendment

Overview

The applicants own Lot 1 in the Perennial Crossing Subdivision located at 12 Long Hill Road and purchased the property and a newly constructed house in 2016. The subdivision is located in the Farm and Forest District at Tax Map 14 Lot 28. Since purchasing the property, the applicants have consistently had water shortage issues. The applicants worked with Goodwin Well & Water and Danial Locke, a professional hydrologist and retained the services of Aaron Martin of Ransom Consulting LLC and Northeast Geophysical to conduct a hydrogeologic investigation. The results showed water bearing fractures behind Lots 1 and 2 in the Common Open Space owned by the Royal River Conservation Trust (RRCT). The RRCT has agreed to provide an easement for the proposed well.

Applicant: Kim and Tuan Chu

Owner: same as applicant

Location: 12 Long Hill Road

Zoning: Farm and Forest District

Tax Map Number: Map 14 Lot 28

Existing Land Use: subdivision

Proposed Land Use: amended, subdivision

Acreage: 24.6 acres total, Lot 1 is 1 acre

Waivers: The applicant is not requesting any waivers.

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: A completeness review is not required for an amended subdivision.

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

Motion: To approve the Perennial Crossing Amended Subdivision Plan located at Tax Map 14 Lot 28 based on the Findings of Fact and Conclusions from the Planner memo dated August 31, 2022.



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Subdivision Review - Findings of Fact:

1. General Layout: Lots, Blocks, Utilities, Monuments, and Back Lots
 - The existing subdivision consists of seven (7) lots. Lots 1 and 2 have frontage on Long Hill Road, Lot 3 has frontage on Haskell Road, and Lots 4-7 have frontage on the private Perennial Drive.
 - No new utilities are proposed for the development.
 - Granite monuments are shown on the plan dated August 10, 2022.
2. Erosion and Sedimentation Control
 - No changes to topography or grading will occur for this project.
3. Financial and Technical Capacity
 - The applicants own Lot 1 and have paid all associate application fees.
 - The applicants have retained the services of Peter Biegel and Goodwin Well & Water to survey well locations and lot lines.
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
 - The subdivision will utilize the existing septic systems located at Lots 1 and 2.
 - A HHE-200 Subsurface Wastewater Disposal System application was prepared by Richard Sweat of Sweat Associates dated May 24, 2015.
7. Soil Suitability
 - The soils are adequate to support development.



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8. Recreation and Open Space Land Development

- The subdivision includes approximately 16 acres of open space.
- The standards of Section 10.23, Recreation and Open Space Land in Developments do not apply to this project as it is in the Farm and Forest Zoning District.

9. Water Supply

- The applicants will be obtaining water supply from the well located behind Lots 1 and 2 (see proposed well on existing septic location plan dated August 12, 2022).
- The well was surveyed by Goodwin Well & Water and is adequate to meet water supply demands.

10. Water Quality

- The subdivision will not result in any adverse impact to water quality.

11. Subdivision Street Connectivity

- The standards of Section 10.3, Subdivision Street Connectivity do not apply to this project as it is located in the Farm and Forest District.

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** 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.



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- 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 not** adversely affect the quality of such body of water.
- 13. The 100-year flood boundary ~~is/is not~~ shown on the plan. **(N/A)**
- 14. All freshwater wetlands **have** been identified on maps submitted as part of the application.
- 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** been identified on maps submitted as part of the application.
- 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)**
- 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

Jeffrey Brown

Kimry Corrette

Sanford Peabody

Paul Metevier

Chris Cabot