

December 7, 2022

Ben Grover, Construction Aggregate, Inc.  
c/o Steve Roberge  
16 Thurston Drive  
Monmouth, ME

Mr. Grover,

At the meeting of the Town of North Yarmouth Planning Board on November 9, 2022, the Board approved the application for Village Green Estates Amended Subdivision Plan.

MOTION: To approve the Village Green Estates Amended Subdivision Plan based on the Findings and Conclusions from the Planner memo dated October 27, 2022, with conditions:

1. The developer is required to coordinate with the town on the location of the Walnut Hill Road sidewalk, per the letter from the Town Manager and Public Works Director dated October 27, 2022.
2. A note shall be added to the plan regarding the need for a water line utility easement in the event unit 4 is transferred out of common ownership.

The Findings and Conclusions of Law below are from the North Star Planning Memo dated October 27, 2022.

Regards,

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Paul Whitmarsh, Planning Board Chair

cc: Ben Scipione, North Yarmouth Code Enforcement Officer

## Subdivision Review - Findings of Fact

1. General Layout: Lots, Blocks, Utilities, Monuments, and Back Lots
  - The amended subdivision consists of four (4) lots.
  - Lot lines have been added for each unit to meet the setback standards.
  - The property lines and homes for Lots 1, 2, and 3 have been relocated to minimize potential tree root conflicts during construction (see Subdivision Plan dated September 25, 2022).
  - Stone post monuments are located at the edge of the northern property boundary (see site plan).
  - All of the units will utilize underground electricity, cable, and telephone.
2. Erosion and Sedimentation Control
  - Minimal grading will occur for the new stormwater filter basin shown on the Topographic Site Plan dated September 25, 2022.
  - The project will meet erosion control best management practices for grading and construction purposes.
  - The applicant has provided an erosion control narrative in Section 8 of the application and has provided erosion control details on sheet 3. Erosion control measures will consist of silt fences, erosion control berms, hay mulch, and silt sacks.
3. Financial and Technical Capacity
  - The applicant has attached a sample financial letter of credit to be signed upon final approval and has provided construction cost estimates for the project.
4. Floodplain Management
  - The development is not located within the 100-year flood plain.
5. Historic and Archaeological Sites
  - No historic or archaeological sites are located within the project area.
6. Sewage and Solid Waste Disposal
  - All of the units will rely on public water supply and septic for wastewater disposal.
  - All wastewater will flow from a Fugii-Clean septic system to septic disposal areas. Wastewater from Units 1-3 will discharge to a 30 by 20-foot septic disposal area and wastewater from Unit 4 will discharge to a 25 by 15-foot septic disposal area (see topographic site plan).

- The operations and maintenance manual of the Fugi-Clean septic system are provided in Attachment 7 of the application.
- The applicant has submitted a revised hydrogeologic assessment from Marcotte Environmental dated October 13, 2022. The subsurface wastewater disposal system will not result in an increase in nitrate-nitrogen levels above 5 mg/L in groundwater at the property boundary. Nitrate plumes are shown on Attachment 2 pg. 2.

#### 7. Soil Suitability

- The applicant has submitted a Subsurface Wastewater Disposal System application from Mark Hampton Associates Inc. dated September 17, 2022.
- The soils are adequate to support subsurface wastewater disposal.

#### 8. Recreation and Open Space Land Development

- The subdivision will not include any public open space or recreation.

#### 9. Water Supply

- The subdivision will connect to a public water supply.
- An existing fire hydrant is located along Walnut Hill Road and is less than 500 feet from all of the units.
- The applicant has attached a new letter from the Yarmouth Water District dated October 17, 2022 regarding the revised plans and hydrogeologic study.
- The applicant will comply with the comments addressed in the letter.

#### 10. Water Quality

- No adverse impact on water quality will result from the project.

#### 11. Subdivision Street Connectivity

- Vehicular access to Units 1-3 will come from the private driveway off Walnut Hill Road. Vehicular access to Unit 4 will come from the 13-foot driveway off Village View Lane.
- A 6-foot-wide sidewalk and 4-foot-wide walkways will encourage pedestrian access to and from the units. The sidewalk has been relocated to the other side of Walnut Hill Road (see Subdivision Plan dated September 25, 2022).
- The applicant has attached a letter from the Fire Chief dated September 26, 2022. The Fire Chief determined that the turnaround shown behind Lots 2 and 3 is adequate for emergency vehicle access.
- The subdivision is anticipated to generate 30 trips per day for Units 1-3 off Walnut Hill Road and 10 trips per day for Unit 4 off Village View Lane.

## Subdivision - 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.
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)~~

