



Titcomb Associates

Land Surveying Land Planning

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February 18, 2021

Town of North Yarmouth
Planning Board
10 Village Square Road
North Yarmouth, ME. 04097

**RE: Amended Plan of Division of Land, Thomas & Ann McCormick
 64 Country Lane, North Yarmouth ME.
 Tax Map 4, Lot 133**

Dear Planning Board:

On behalf of Thomas & Ann McCormick our firm is hereby submitting plans and materials for an Amended Plan of Division of Land on Country Lane in North Yarmouth. Enclosed please find the following:

- Minor Subdivision Application
- Request for Hearing form
- Fee Calculation Sheet
- Waiver or Not Applicable Request form
- Abutter List and Notification Statement
- Deed to Thomas & Ann McCormick
- Preliminary Site Evaluation, ChapmanGeo
- Wetlands Report, ChapmanGeo
- 2 paper copies full-sized, Plan of Boundary Survey and Lot Division
- 10 reduced copies (11" x 17"), Plan of Boundary Survey and Lot Division
- 10 identical paper application packets

This submittal is intended to divide the parcel into two lots and extend the existing right-of-way, Country Lane, into the new lot created. This lot had prior Planning Board Approval for a lot division on October 28, 1998, and was recorded in the Cumberland County Registry of Deeds in Plan Book 198, Page 355, but was then merged back into one lot in 2005. The proposed lot division has a slightly different configuration than what had previously been approved and recorded, while keeping the right-of-way extension the same.

This lot division is intended to create one additional residential lot. The existing house is serviced by a private artesian well and septic system. The new house lot will also be serviced by a private artesian well and septic system. All construction and design will meet town standards as established by the Town of North Yarmouth's Land Use Ordinance. The landowners estimate it will be 3 -5 years before all construction is complete.

The level of impact and development on site will be minimal, less than 20,000 square feet of disturbance, so an erosion and sedimentation control plan and a storm water management plan will not be required. Wetland

buffers have been established and will be maintained in their natural state. One additional house lot should not have a significant impact on local traffic.

A waiver for setting stone monuments along the right-of-way and setting permanent markers along the wetland buffers has been requested.

Thank you for your consideration of this application. If you need additional information, or if you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Titcomb', written in a cursive style.

David E. Titcomb, PLS
President, Titcomb Associates

Enclosures

Cc: Thomas & Ann McCormick



**TOWN OF NORTH YARMOUTH
PLANNING BOARD
MINOR SUBDIVISION APPLICATION**

(See Article 5 pages 38 through 59 of the North Yarmouth Land Use Ordinance)

NAME OF APPLICANT: Thomas & Ann McCormick PHONE #: 203-376-1041
EMAIL: thomasjmccormick@aol.com ALT. PHONE#: _____
FULL ADDRESS: 64 Country Lane, North Yarmouth, ME 04097
PROPERTY ADDRESS: 64 Country Lane, North Yarmouth, ME 04097
MAP: 4 LOT: 133

AGENT/REPRESENTATIVE (if other): David Banks PHONE #: 207-831-8033
EMAIL: dbanks@davidbanksteam.com
FULL ADDRESS: 190 US Route 1 Box 122, Falmouth, ME 04105

1. Names and Addresses of ALL property owners within 500' of any and all property boundaries (use a separate sheet).

2. Plan preparer information if other than property owner:

Name: David Titcomb/ Titcomb Associates
Address: 133 Gray Road, Falmouth, ME 04105
Phone Number: 207-797-9199 Professional Lic. # 1273
Email: dtitcomb@titcombsurvey.com

3. Zoning Classification of the Property

- | | | |
|---|--|---|
| <input type="checkbox"/> Village Center | <input type="checkbox"/> Village Residential | <input checked="" type="checkbox"/> Farm and Forest |
| <input type="checkbox"/> Shoreland Residential | <input type="checkbox"/> Resource Protection | <input type="checkbox"/> Royal River Overlay |
| <input type="checkbox"/> Groundwater Protection Overlay | | |

4. Provide a General Description of the proposed use or activity, including but not limited to the type of use, square footage involved, hours of operation, types and amount of traffic to be generated (use separate sheet).

5. Historic Structures: Are there any historic structures or areas of historical importance on the property? YES NO

6. Complete List of all chemicals, pesticides, fuels, nutrients and other potentially toxic or hazardous materials to be used or stored on the premises, and the quantities of these materials (use a separate sheet). N/A

7. List of Equipment to be used, parked or stored (use a separate sheet). N/A

8. To the best of my knowledge, all the above-stated information, and all prepared submissions in this application are correct.

DocuSigned by:
David M Banks
Signature of Applicant/Owner

2/22/2021
Date



TOWN OF NORTH YARMOUTH PLANNING BOARD REQUEST FOR HEARING

NAME OF APPLICANT: Thomas & Ann McCormick PHONE #: 203-376-1041
EMAIL: thomasjmccormick@aol.com ALT. PHONE#: _____
FULL ADDRESS: 64 Country Lane, North Yarmouth, ME 04097
PROPERTY ADDRESS: 64 Country Lane, North Yarmouth, ME 04097
MAP: 4 LOT: 133 ZONE: Farm & Forest

AGENT/REPRESENTATIVE (if other): David Banks PHONE #: 207-831-8033
EMAIL: dbanks@davidbanksteam.com
FULL ADDRESS: 190 US Route 1 Box 122, Falmouth, ME 04105

The undersigned requests the North Yarmouth Planning Board consider the following application for:

<input type="checkbox"/>	Pre-application Sketch Plan Review	<input type="checkbox"/>	Major Subdivision
<input checked="" type="checkbox"/>	Minor Subdivision	<input type="checkbox"/>	Site Plan Review
<input type="checkbox"/>	Contract Zoning		
<input type="checkbox"/>	Other (Specify): _____		

NOTE TO APPLICANT:

1. This form and appropriate materials must be filed at the Code Enforcement Office no later than (fourteen) 14 days prior to the regular meeting of the Board (2nd Tuesday monthly). Applications shall be accompanied by all applications fee and materials required by the applicable ordinance(s), checklists and fee schedule.
2. All applications shall include all materials and copies as specified on the submittal requirements form.
3. All materials in color shall be copied in color.

Application Authorization

I hereby make application to the Town of North Yarmouth for the above-referenced property(ies) and the development as described. To the best of my knowledge, the information provided herein is accurate and is in accordance with the Zoning and Subdivision Ordinances of the Town, except where waivers are requested. The Town of North Yarmouth Planning Board and/or town employees are authorized to enter the property(ies) for purposes of reviewing this proposal and for inspecting improvements as a result of an approval of this proposal. I understand that I am responsible for appearing, or having someone appear on my behalf, at all meetings before the Planning Board.

Signature: *David M Banks* Date: 2/22/2021
Printed Name: David M Banks

Please identify yourself (check one): Agent*: Property Owner:



**TOWN OF NORTH YARMOUTH
PLANNING BOARD
FEE CALCULATION SHEET**

NAME OF APPLICANT: _____
 PROPERTY ADDRESS: _____
 MAP: _____ LOT: _____

SITE PLAN FEES

<u>Description</u>	<u>Fees</u>	<u>Total</u>
Preliminary Sketch Plan Review	\$0	_____
Site Plan Review Permit	\$250.00	_____
Amendment to Site Plan Review Permit	\$75.00	_____

SUBDIVISION APPROVAL FEES
MINOR SUBDIVISION (4 lots or less)

<u>Description</u>	<u>Fees</u>	<u>Total</u>
Non-refundable Application Fee	\$250.00	_____
Each Lot/Dwelling Unit	\$100.00	_____
Technical Review	Cost + \$25.00	_____

MAJOR SUBDIVISION (5 lots or more)

<u>Description</u>	<u>Fees</u>	<u>Total</u>
Non-refundable Application Fee	\$350.00	_____
Each lot/Dwelling Unit	\$100.00	_____
Technical Review	Cost + \$25.00	_____

TOTAL FEES REQUIRED _____

NOTE: Certain Subdivisions will be required to complete a Site Plan Review Permit. Review fees are not typically refundable. If extenuating circumstances occur, the Board may consider a partial or full refund.



**TOWN OF NORTH YARMOUTH
PLANNING BOARD
WAIVER OR NOT APPLICABLE REQUEST**

NAME OF APPLICANT: Thomas & Ann McCormick PHONE #: 203-376-1041
 AGENT/REPRESENTATIVE (if other): David Banks PHONE #: 207-831-8033
 PROPERTY ADDRESS: 64 Country Lane, North Yarmouth, ME 04097
 MAP: 4 LOT: 133 ZONE: Farm & Forest
 (CIRCLE ONE) WAIVER NOT APPLICABLE
 WAIVER OR N/A TYPE: SUBMITTAL ITEM STANDARD
 (CIRCLE ONE)
 ORDINANCE SECTION#: 10-2 E. Monuments
 ORDINANCE LANGUAGE:

Stone monuments shall be set at all street intersections and points of curvature, but no further than 750 feet apart along street lines without curves or intersections.

Stone monuments or capped iron pipe shall be set at all corners and angle points of the development boundaries, not already marked, where the interior angle of the development boundaries is 135° or less.

SUPPORTING EVIDENCE FOR WAIVER CONSIDERATION: (use separate sheet is necessary)

We would like to not have to set stone monuments along the extension of the proposed righth-of-way because the fee ownership of the right-of-way will be retained by the lot owner.

The new lot corners established will be marked with 5/8" capped iron rods (PLS 1273).

(CIRCLE ONE) WAIVER NOT APPLICABLE
 WAIVER OR N/A TYPE: (CIRCLE ONE) SUBMITTAL ITEM STANDARD
 ORDINANCE SECTION#: 10-3 Brook, Pond, Vernal Pool and Wetland Buffers
 ORDINANCE LANGUAGE:

Permanent markers shall be installed a minimum of every 100 feet along the upland boundary of all buffers. The Board may require additional markers if necessary to clearly identify the upland boundary of the buffers.

SUPPORTING EVIDENCE FOR WAIVER CONSIDERATION: (use separate sheet is necessary)

There will be minimal development and impact on the site with adequate wetland buffers.

Parcel Number	Property Address	Owner Name	Owner Address	Owner City	Owner State	Owner Zip
004-117	39 THE LANE	DIXON, MARK S.	39 THE LANE	NORTH YARMOUTH	ME	04097
004-118	16 SPLIT ROCK RD	WITHEE, DAVID D.	16 SPLIT ROCK RD	NORTH YARMOUTH	ME	04097
004-119	383 WALNUT HILL RD	VERRILL, MARK W.	383 WALNUT HILL RD	NORTH YARMOUTH	ME	04097
004-122	0 GRAVEL PIT OFF RT115	BURNELL, KERRY D, SANDRA M, DALE L & DIANE L	27 SPLIT ROCK RD	NORTH YARMOUTH	ME	04097
004-132	46 COUNTRY LANE	VOGEL, RICHARD R.	46 COUNTRY LANE	NORTH YARMOUTH	ME	04097
004-134	63 COUNTRY LANE	VERRILL, DONNA B.	63 COUNTRY L ANE	NORTH YARMOUTH	ME	04097
004-135	47 COUNTRY LANE	RICE, PATRICIA E.	47 COUNTRY LANE	NORTH YARMOUTH	ME	04097
004-136	323 WALNUT HILL RD	STAGER, DAVID M.	323 WALNUT HILL RD	NORTH YARMOUTH	ME	04097
004-149	0 OFF BASTON RD	MORRISON, STEPHEN H.	P.O. BOX 25A	CUMBERLAND	ME	04021
004-151	84 BASTON RD	ESPEAGINETTE, WILLIAM F.	84 BASTON RD	NORTH YARMOUTH	ME	04097
004-156	44 HEATHER LOCH	GODSOE, PETER H.	44 HEATHER LOCH	NORTH YARMOUTH	ME	04097
004-157	39 HEATHER LOCH	EKOWICKI, PETER W.	39 HEATHER LOCH	NORTH YARMOUTH	ME	04097
004-167	95 THE LANE	SKYLINE FARM	P O BOX 144	YARMOUTH	ME	04096
004-169	95 THE LANE	SKYLINE FARM	P O BOX 144	YARMOUTH	ME	04096
004-171	43 THE LANE	SMITH, STANLEY A & AYER, CHRISTA A, TRUSTEES	43 THE LANE	NORTH YARMOUTH	ME	04097
004-173	13 THE LANE	MAINES, WILLIAM D	13 THE LANE	NORTH YARMOUTH	ME	04097

** THE ABUTER NOTIFICATIONS WERE MAILED ON FEBRUARY 23, 2021



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February 18, 2021

Dear Town of North Yarmouth resident,

This letter is to inform you that an application for subdivision approval has been submitted to the Town Planning Board. The proposed lot division is at 64 Country Lane, Tax Map 4, Lot 133. The existing lot is about 10.9 acres located in the Farm and Forest zone and is primarily "open" (field/pasture). It is being proposed to divide the lot into two and extend the right-of-way to gain access. The subdivision of this lot had prior Planning Board approval on October 28, 1998 and recorded in the Cumberland County Registry of Deeds in Plan Book 198, Page 355, but was merged back into one lot in 2005. The newly proposed division of land has a slightly different configuration than what was previously approved (5.5 +/- acres VS. 7.0 +/- acres). The Planning Board will be meeting on March 9, 2021 to discuss this proposed lot division.

Sincerely,

David E. Titcomb, PLS
President, Titcomb Associates

MAINE REAL ESTATE TAX-Paid

WARRANTY DEED
Statutory Short Form

DLN: 1002040122327

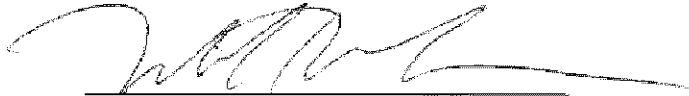
KNOW ALL BY THESE PRESENTS, That We, **Mark A. Malone and Karen T. Malone**, whose mailing address is **64 Country Lane, North Yarmouth, ME 04097**, for consideration paid, grant to **Thomas McCormick and Ann McCormick**, whose mailing address is **17 Carroll Street, Falmouth, ME 04105**, as JOINT TENANTS, with Warranty Covenants, the real property in the Town of **North Yarmouth**, County of **Cumberland** and State of **Maine**, more particularly described as follows:

See Exhibit A Attached Hereto

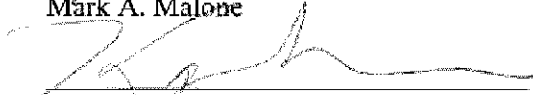
Meaning and intending to convey and conveying the real property described in a deed to **Mark A. Malone and Karen T. Malone** dated August 24, 2007 and recorded with the Cumberland County Registry of Deeds in Book 25417, Page 90.

Witness our hands and seals this 24th day of November, 2020.

Witness:



Mark A. Malone



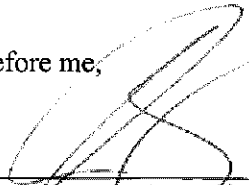
Karen T. Malone

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

November 24, 2020

Personally appeared on the above date, the above-named **Mark A. Malone and Karen T. Malone** and acknowledged the foregoing instrument to be their free act and deed.

Before me,



Notary Public/Attorney at Law

Print name:

Exp:

Jenilee Bryant

Jenilee Rose Bryant
State of Maine
Notary Public
Commission Expires:
September 18, 2021

Exhibit A - Property Description

A certain lot or parcel of land located on Country Lane Extension in the Town of North Yarmouth, County of Cumberland and State of Maine and being Lot 2 as shown on a plan entitled "Amended Plan of Division of Land" made for Dwight Verrill and Randall Verrill by John D. Palmiter, PLS, dated November 18, 1997 and recorded at the Cumberland County Registry of Deeds on January 12, 1998 in Plan Book 198, Page 6.

Also conveying an easement in common with others over Country Lane and Country Lane Extension as shown on said Plan extending from Route 115 to the parcel hereinabove conveyed, which easement shall be used as a right-of-way for all purposes of ingress and egress by pedestrians or vehicles and for the installation and maintenance of any and all utility lines, pipes, conduits and their appurtenant facilities, and said right-of-way areas may be improved for any such purposes; provided, however, all utilities installed in Country Lane Extension shall be underground.

The Grantees covenant and acknowledge by acceptance of this deed that this conveyance is made subject to a Declaration of Roadway Use, Protective Covenants and Restrictions dated August 4, 1997 and recorded at the Cumberland County Registry of Deeds in Book 13291 Page 202.

The lot herein conveyed shall not be further divided without approval by the Town of North Yarmouth Planning Board unless such approval requirement is waived by said Planning Board. Grantees may assign and convey rights in Country Lane and Country Lane Extension to any future lots created provided that all lots using Country Lane and Country Lane Extension shall be subject to the aforementioned Declaration of Roadway Use, Protective Covenants and Restrictions.

ChapmanGeo
Preliminary Site Evaluation
64 Country Lane
North Yarmouth, Maine

DATE: January 25, 2021
745

TO: David Banks
RE/MAX By the Bay, The David Banks Team
281 Veranda Street
Portland, Maine 04102

LOCATION: The site, an approximately 7-acre portion of a parcel, identified by the North Yarmouth Assessor's Office as Map 4, Lot 133, is located at the end of Country Lane approximately 1,700 feet northeast from the intersection of Country Lane and Walnut Hill Road in the town of North Yarmouth, Maine. The site is depicted on the attached topographic map, Figure 1.

DATE OF INVESTIGATION: January 20, 2021

PURPOSE OF INVESTIGATION: The purpose is to determine the suitability of the soil and site for subsurface sewage disposal.

METHOD OF INVESTIGATION: Hand auger

RESULTS OF INVESTIGATION:

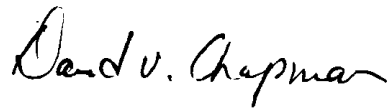
The test borings at the site are located as shown on the attached site plan, Figure 2. Two boring logs are attached. The borings revealed a brown to olive friable silt loam topsoil, a light olive brown to light olive gray friable subsoil, and a firm olive to light olive gray clay loam substratum. The proposed disposal field is rated for 39 Eljen units for a 4-bedroom house. The Maine Subsurface Wastewater Disposal Rules designation is 9D.

CONCLUSION:

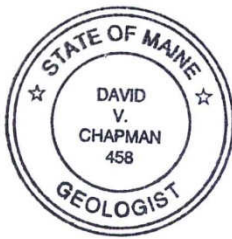
These tested sites are acceptable for subsurface sewage disposal according to the Maine Subsurface Wastewater Disposal Rules. Further investigation will be required to prepare a septic system design for the sites.

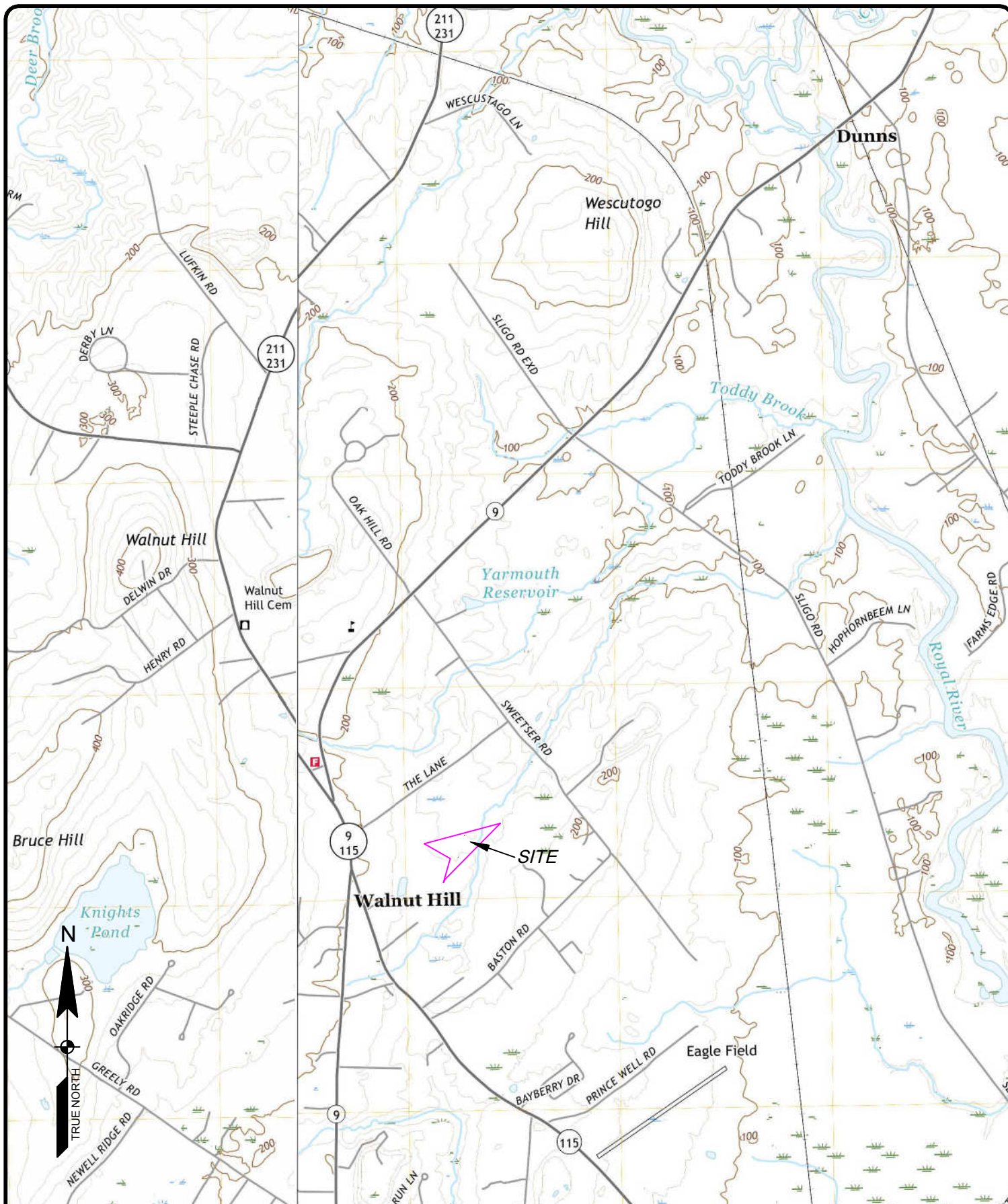
Sincerely,

SEBAGO TECHNICS, INC.



Dave Chapman
Site Evaluator #293





ChapmanGeo
New Gloucester, ME

Figure 1. Topographic Map

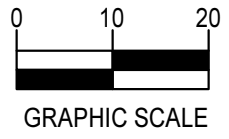
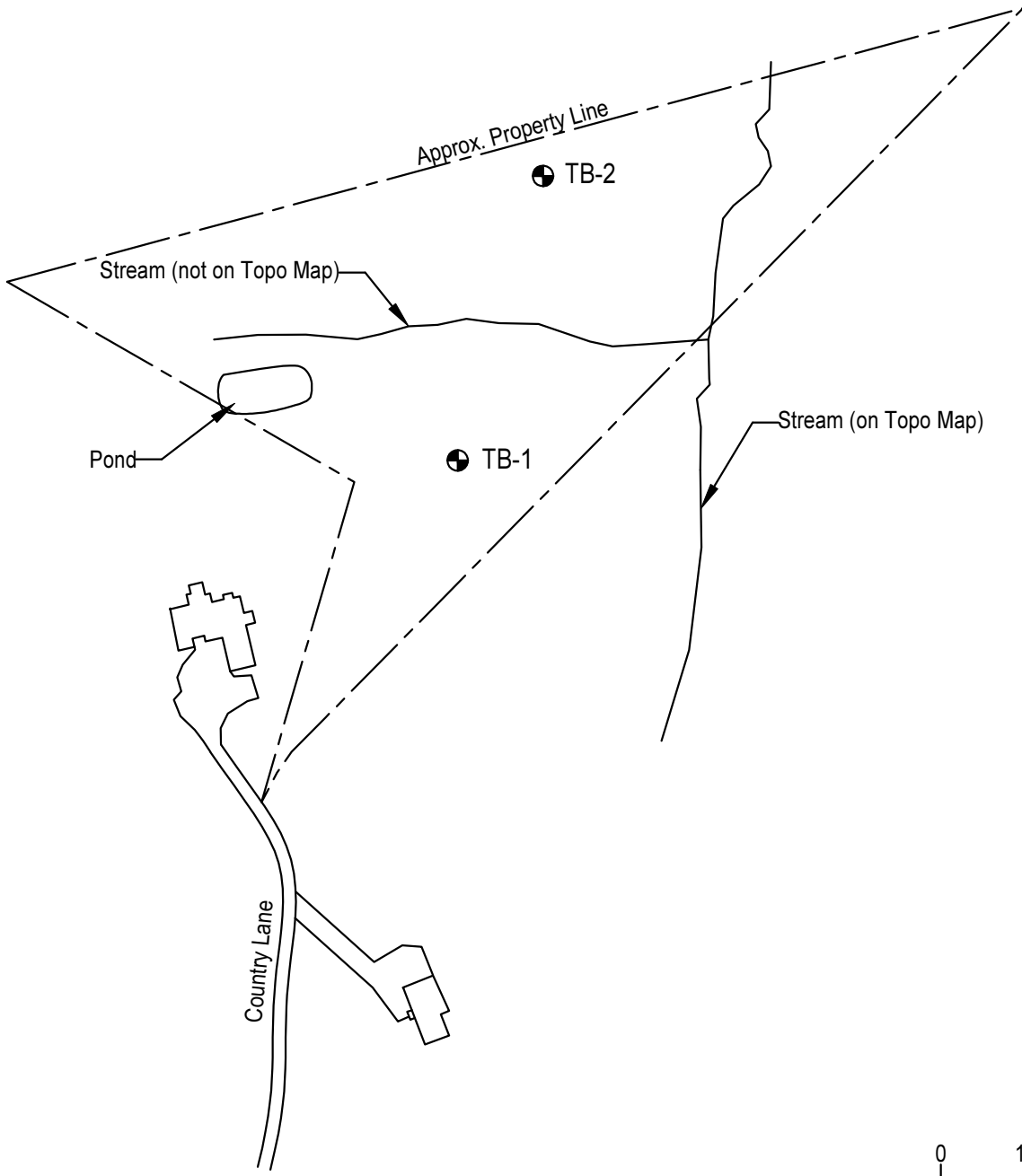
64 Country Lane
New Gloucester, Maine

RE/MAX by the Bay The David Banks Team
FOR: 281 Veranda Street
Portland, Maine

Scale 1" = 2000'

Date 1-25-2021

Sheet 1 of 1



ChapmanGeo New Gloucester, Maine	Figure 2. Site Plan		Scale	1" = 200'
			Date	1-22-2021
	64 Country Lane North Yarmouth, Maine	RE/MAX by the Bay The David Banks Team 281 Veranda Street Portland, Maine	Sheet	1 of 1

SOIL PROFILE / CLASSIFICATION INFORMATION		DETAILED DESCRIPTION OF SUBSURFACE CONDITIONS AT PROJECT SITES
Project Name: 64 Country Lane	Applicant Name: David Banks	Project Location (municipality): North Yarmouth

Observation Hole # TB-1 Test Pit Boring

_____ " Depth of organic horizon above mineral soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0			Brown	
6	Silt Loam	Friable		
12	Clay Loam		Light Olive Brown	
18		Firm	Olive	Common/ Distinct
24				
30				
36				
42				
48				

Soil Profile	Classification Condition	Slope Percent	Limiting Factor Depth	<input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock
9	D	3	11"	

Observation Hole # TB-2 Test Pit Boring

_____ " Depth of organic horizon above mineral soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0			Olive	
6	Silt Loam	Friable		
12	Clay Loam		Light Olive Gray	
18		Firm		Common/ Faint
24				
30				
36				
42				
48				

Soil Profile	Classification Condition	Slope Percent	Limiting Factor Depth	<input type="checkbox"/> Groundwater <input type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock
9	D	2	14"	

Observation Hole # _____ Test Pit Boring

_____ " Depth of organic horizon above mineral soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0				
6				
12				
18				
24				
30				
36				
42				
48				

Soil Profile	Classification Condition	Slope Percent	Limiting Factor Depth	<input type="checkbox"/> Groundwater <input type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock

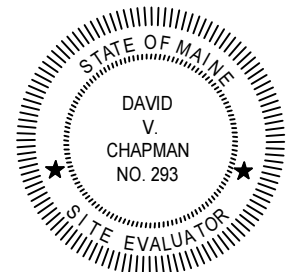
Observation Hole # _____ Test Pit Boring

_____ " Depth of organic horizon above mineral soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0				
6				
12				
18				
24				
30				
36				
42				
48				

Soil Profile	Classification Condition	Slope Percent	Limiting Factor Depth	<input type="checkbox"/> Groundwater <input type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock

INVESTIGATOR INFORMATION AND SIGNATURE	
Signature: <i>David V. Chapman</i>	Date: 1-22-2021
Name Printed/typed: David V. Chapman	Cert/Lic/Reg.# 293
Title: <input checked="" type="checkbox"/> Licensed Site Evaluator <input type="checkbox"/> Certified Soil Scientist <input type="checkbox"/> Certified Geologist <input type="checkbox"/> Other:	



**CHAPMANGEO
WETLAND DELINEATION
MAP 004, LOT 133
64 COUNTRY LANE, NORTH YARMOUTH**

INTRODUCTION:

The purpose of this investigation is to flag and locate wetlands on the property located at 64 Country Lane in North Yarmouth. Data used for this project includes a Titcomb Associates Preliminary Plan of Boundary Survey, 64 Country Lane, North Yarmouth, Maine for David Banks dated January 12, 2021. Interpretation of the wetland is from the Maine Department of Environmental Protection Rules and the Town of North Yarmouth Land Use Ordinance.

The wetland delineation was conducted on February 1, 2021. The delineation covered the entire lot. The investigation involved plant identification and topographic analysis. A series of flagged stations were established along the wetland/upland boundary. These flags were located by Titcomb Associates.

LITERATURE REVIEW & SITE DESCRIPTION:

The site is on the *U.S.G.S. Yarmouth Maine Quadrangle 7.5 Minute Series*. The map depicts a stream that flows from south to north through the eastern portion of the site.

A review of the *county soil survey* for this site depicts three series of soil at the site. The northern portion of the site is characterized as moderately well drained Buxton (Bu) silt loam. At the southwest corner of the lot, in the area of the existing house, the soil is described as the excessively drained to moderately well drained Hinkley-Suffield (Hn) complex. The soil at the southeast portion of the site is shown as well drained Hartland fine sandy loam (Hf).

A review of the *National Wetlands Inventory (NWI) Map* reveals two streams depicted at the site, the stream shown on the topographic map, and a second, west-to-east flowing stream, that empties into the first.

METHODOLOGY AND CLASSIFICATION:

The delineation of wetlands was conducted according to the *Corps of Engineers Wetlands Delineation Manual* dated January 1987, and according to performance standards and the supplemental definitions issued 1 August 1995 by the New England Division, U.S. Army Corps of Engineers. The term “wetlands” is defined by federal regulation to mean “...those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions...” (33 C.F.R. Part 323.2). In order to properly define these areas, three mandatory criteria must be met. These criteria define hydrophytic vegetation, hydric soils, and wetland hydrology. Hydrophytic vegetation fits into the wetland category when more than 50 percent of the dominant vegetation is within the range of obligate through facultative on the *National List of Plant Species That Occur in Wetlands: Northeast*

(Region 1). Hydric soil is any soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part. Wetland hydrology is the permanent or periodic inundation, or saturation of soil by groundwater for a significant period (usually two weeks or more) during the growing season. All three of the mandatory criteria, i.e., hydrophytic vegetation, hydric soil conditions, and wetland hydrology, were present within the mapped wetland areas.

The State of Maine Department of Environmental Protection Natural Resource Protection Act (Chapter 310 - Wetland and Waterbodies Protection) classifies some wetland areas as Wetlands of Special Significance. All coastal wetlands and great ponds are considered Wetlands of Special Significance. Additionally, certain freshwater wetlands are considered Wetlands of Special Significance. Freshwater Wetlands of Special Significance have one or more of the following characteristics:

- contains critically imperiled (S1) or imperiled community (S2) as defined by the Natural Areas Program (not examined in this study);
- contains significant wildlife habitat shown on state maps;
- contain peatlands;
- located within 250 feet of a coastal wetland or GPA great pond (pond less than 10 acres in size);
- located within 25 feet of a river, stream or brook;
- contain at least 20,000 square feet of aquatic vegetation, emergent marsh vegetation or open water (artificial ponds or impoundments are not included);
- located within a 100-year flood plain based on Federal Emergency Management Agency flood insurance maps or other site-specific information.

The wetlands were mapped as high value or low value according to Town of North Yarmouth criteria.

High Value Wetlands: A freshwater wetland, as defined by the Maine Natural Resource Protection Act, which meets one or more of the following criteria:

- Contains a pond or a vernal pool;
- Lies within the 100-year floodplain of a stream or a pond;
- More than 50 percent of the dominant species in all strata of the vegetation consist of facultative wetland or obligate wetland plant species, as listed in the National List of Plant Species that Occur in Wetlands, by the U.S. Fish and Wildlife Service, latest edition.

Low Value Wetland: A wetland, as defined by the Natural Resource Protection Act, which does not meet the criteria of a high value wetland.

The identification of a Significant Vernal Pool must be conducted according to the State of Maine Department of Environmental Protection, Natural Resource Protection Act (Chapter 335 - Significant Wildlife Habitat). The policy reads:

“A vernal pool, also referred to as a seasonal forest pool, is a natural, temporary to semi-permanent body of water occurring in a shallow depression that typically fills during the spring or fall and may dry during the summer. Vernal pools have no permanent inlet and no viable populations of predatory fish. A vernal pool may provide the primary breeding habitat for wood frogs (*Rana sylvatica*), spotted salamanders (*Ambystoma maculatum*), blue-spotted salamanders (*Ambystoma laterale*), and fairy shrimp (*Eubranchipus sp.*), as well as valuable habitat for other plants and wildlife, including several rare, threatened, and endangered species. A vernal pool intentionally created for the purposes of compensatory mitigation is included in this definition.

“Whether a vernal pool is a Significant Vernal Pool is determined by the number and type of pool-breeding amphibian egg masses in a pool, or the presence of fairy shrimp, or use by threatened or endangered species as specified in Section 9(B). The Significant Vernal Pool habitat consists of the vernal pool depression and a portion of the critical terrestrial habitat within a 250-foot radius of the spring or fall high water mark of the depression. An activity that takes place in, on, over, or adjacent to a Significant Vernal Pool habitat must meet the standards of this chapter.”

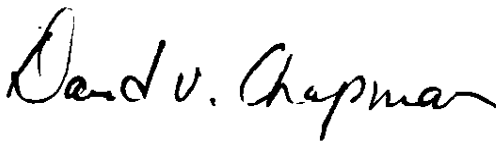
Many natural wetland areas can be ruled out as being or containing a Significant Vernal Pool based on the following criteria: not naturally occurring, land surface morphology, permanent standing water, a permanently flowing inlet or outlet and/or the presence of fish. However, under many circumstances it is impossible to determine whether or not a particular wetland contains a Significant Vernal Pool. Under these circumstances, two or more vernal pool surveys during the Spring are required to determine whether or not a Significant Vernal Pool exists on-site.

The pond at the west end of the site is manmade. Although depicted on the current topographic map, it does not appear on an aerial photograph of the site taken in June 1997 so it was constructed after that time. Consequently, it would not be considered a significant vernal pool by the State of Maine.

CONCLUSIONS:

The conclusions of this wetland delineation are as follows:

- Two streams were identified at the property. All wetlands within 25' of the streams are considered DEP wetlands of special significance.
- All streams and wetlands within the survey area are shown on a site plan prepared by Titcomb Associates. Wetlands were mapped according to the Corps of Engineers Wetlands Delineation Manual (1987) and classified according to the State of Maine Department of Environmental Protection Natural Resources Protection Act and the Town of North Yarmouth Land Use Ordinance.
- Four wetland areas were identified at the site. The first followed the two streams at the site and included an extension to the north. The second consisted of the pond at the west end of the site. The third is a small area near the northwest corner of the site and the fourth is between the two hills in the north section of the site.
- The pond is not considered a significant vernal pool or wetland of special significance because it is manmade.
- North Yarmouth: For the purposes of this report, because the delineation was done in February, the wetlands at the site are assumed to be high-value. If warranted, the site may be re-visited in the spring and some of the wetland areas may be determined to be low value.
- No potential significant vernal pools were identified at the site.



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