

MEMORANDUM

TO: North Yarmouth Planning Board
Through Tracey Cox, Assistant to Code Enforcement

CC: Tara Mullen, Colliers Engineering and Design

From: Kate Burch, Planner, North Star Planning

RE: Carriage Hill Amended Subdivision – Planning Board meeting
December 13, 2022

Date: December 5, 2022

Overview

The applicant is amending the existing subdivision plan “Recording Plat of Carriage Hill Route 115, Gray Road, North Yarmouth, Maine made for Nina Sweet & Jan A. Parker” located at 15 Carriage Hill at Tax Map 10 Lot 64 and 65. The applicant is proposing to subdivide Lots 5 and 6 of the original approved plan into three parcels, creating four new lots for the intended use as single family dwellings. The proposed subdivision amendment will use and improve the existing Carriage Hill Extension private road to gravel way standards. Lot 5 on the approved plan corresponds to Lot 64 on the town tax map and Lot 6 corresponds to Lot 65.

This application was last brought to the Planning Board on November 9. At the meeting, the Board requested additional details on existing public walking and emergency access easements, and asked if the additional lots will require any changes to the existing Maine DOT Driveway/Entrance Permit.

The applicant addressed the inquiries regarding easements and emergency access in the letter dated November 14, 2022, and added a note confirming

existing public walking easements will remain unchanged to the plan. An email from MDOT dated November 16, 2022 confirms the existing Driveway/Entrance Permit is valid for the proposed total lots.

The applicant has not yet provided a draft maintenance agreement for the new homeowner's association for the four additional lot, or evidence of financial/technical capacity to build the road.

Applicant: Daniel Train & Shawn Albert

Owner: same as applicant

Location: 15 Carriage Hill

Zoning: Village Residential

Tax Map Number: Map 10 Lots 64 and 65

Existing Land Use: subdivision

Proposed Land Use: amended subdivision

Acreage: 30.47 acres

Waivers: The applicant is not requesting any waivers.

Site Walk: A site walk for this project was held on November 28, 2022.

Public Hearing: A public hearing has been scheduled for December 13, 2022.

Application Completeness: A completeness review is not required for amended subdivisions.

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

Suggested Motion: **[To approve/approve with condition(s)/deny]** the Carriage Hill Amended Subdivision Plan located at Tax Map 10 Lots 64 and 65 based on the Findings of Fact and Conclusions from the Planner memo dated December 5, 2022.

Subdivision Review - Findings of Fact:

1. General Layout: Lots, Blocks, Utilities, Monuments, and Back Lots
 - The applicant is subdividing Lots 64 and 65 of the “Recording Plat of Carriage Hill Route 115, Gray Road, North Yarmouth, Maine made for Nina Sweet & Jan A. Parker” into four new lots.
 - The locations of new 2,000 square foot homes with building envelopes are shown on the subdivision plan dated October 27, 2022.
 - All new lots are at least 1 acre and have at least 100 feet of frontage on Carriage Hill Extension.
 - Iron pipe monuments are labeled on the subdivision plan dated October 27, 2022 and revised November 11, 2022.
 - No new utilities are proposed for the subdivision.
2. Erosion and Sedimentation Control
 - The applicant has provided erosion and sedimentation control notes and details on sheet D-1.
 - Temporary erosion control measures will be performed for the road extension. Silt fencing will be installed surrounding the new house lots.
3. Financial and Technical Capacity
 - The applicant has paid all associated fees and has the technical capacity to complete the project.
 - The applicant indicated a letter of financial capacity will be provided.
4. Floodplain Management
 - The subdivision is not located within the 100-year floodplain.
5. Historic and Archaeological Sites
 - No historic or archaeological resources were located within the subdivision.
6. Sewage and Solid Waste Disposal

- The new homes will rely on septic for wastewater disposal.
- Test pit locations were provided by Mainly Soils LLC and shown within the building envelopes of the new homes on the subdivision plan dated October 27, 2022. The applicant has supplied test pit logs dated July 28, 2022.
- The amount of sewage disposal from the new homes will be less than 1,000 gallons per day.
- Solid waste pick-up by Casella will be extended to service the four additional homes on Carriage Hill.

7. Soil Suitability

- The applicant has attached a NRCS Cumberland County Soil Report.
- The applicant has provided test pit logs with soil classifications dated July 28, 2022. The soils are adequate for siting septic.

8. Recreation and Open Space Land Development

- The original subdivision plan contains a 25-foot wide public walking path conservation easement conveyed to the Town shown in Lot 64-1. This easement will remain unchanged.
- No new open space or recreation land is proposed.

9. Water Supply

- The subdivision will utilize individual wells for water supply.
- The applicant will provide exact locations of wells once the home locations are finalized.
- Example 100' well buffer locations are shown on the plan.

10. Water Quality

- The subdivision amendments will not result in adverse groundwater impacts.

11. Subdivision Street Connectivity

- Vehicular access to the subdivision will come from Carriage Hill Extension off Route 115. The applicant is proposing to extend and improve the existing road.
- A future easement is shown extending from the road behind Lot 65-3.
- The applicant has provided a proposed road profile, erosion control details, and a stormwater management plan.
- In a letter dated July 11, 2022, the applicant sent a letter to current Carriage Hill residents to ask for their approval to expand the subdivision, with the provision that the residents of 4 new Carriage Hill lots pay a higher Homeowner Association Fee to cover the cost of road maintenance.
- Per Section 8.4 H 2. the applicant should provide further maintenance specifications and responsibilities for each owner. In the letter dated November 14, 2022, the applicant notes they are working on the amended homeowner's association agreement, but the applicant has not yet submitted a draft agreement.

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/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)