

June 29, 2021

Ryan Keith, Code Enforcement Officer  
Town of North Yarmouth  
10 Village Square Road  
North Yarmouth, Maine 04097

Subject: Village Center Estates Subdivision, Phase 2  
Final Plan for Major Subdivision  
MEDEP Department Order and Updated Plan Set

Dear Mr. Keith:

On behalf of Construction Aggregate Inc, Sevee & Maher Engineers, Inc. (SME) is pleased to provide eight copies of the MEDEP Department Order for the Village Center Estates Subdivision Project, Phase 2 located off Walnut Hill Road in North Yarmouth.

This submission also includes three full size copies and eight reduced size copies of the revised plan set. Plans have been updated to include the surveyor's signature on the Subdivision Plan, C-102. A full-size copy of Subdivision Plan with the embossed surveyor's seal is also attached for Planning Board signature and recording at the Registry.

We look forward to presenting the project for final approval at the Planning Board meeting on July 13, 2021, and appreciate your consideration of our application. Please feel free to contact me at 207.829.5016, if you have any questions or need additional information.

Very truly yours,

SEVEE & MAHER ENGINEERS, INC.



Jeffrey T. Read, P.E.

Attachments



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

IN THE MATTER OF

CONSTRUCTION AGGREGATE, INC.	) SITE LOCATION OF DEVELOPMENT ACT
North Yarmouth, Cumberland County	) NATURAL RESOURCES PROTECTION ACT
VILLAGE CENTER ESTATES	) FRESHWATER WETLAND ALTERATION
SUBDIVISION, PHASES I and II	)
L-27980-L3-B-N (approval)	) WATER QUALITY CERTIFICATION
L-27980-TB-C-N (approval)	) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S. §§ 481–489-E and §§ 480-A–480-JJ, Section 401 of the Federal Water Pollution Control Act (33 U. S. C. § 1341), and Chapters 310, 375, and 500 of Department rules, the Department of Environmental Protection has considered the application of CONSTRUCTION AGGREGATE, INC. with the supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. History of Project: In Department Order #L-27980-NJ-A-N, dated October 24, 2018, the Department approved the stormwater management system for Phase I of Village Center Estates which consisted of a 14-lot residential subdivision, an open space lot that extends to the west side of the CMP transmission line corridor to frontage on Knights Pond, and the associated 3,200-linear foot access road (Village View Lane). The project included 5.25 acres of developed area, of which 2.49 acres was impervious area. Phase I of the project included 3,470 square feet of freshwater wetland impact. The site is located off Walnut Hill Road (Route 115) in the Town of North Yarmouth. Phase I has been constructed.

B. Summary: The applicant proposes to subdivide 42.5 acres into 26 lots which includes 22 single-family residential lots (Lots 1-21, & 24), a 0.99 acre lot (Lot 22) with a gravel parking area for six vehicles and the proposed gravel wetland for stormwater management, a 13.17 acre open space lot (Lot 25 which is labeled as a “no cut buffer” and has a proposed footpath), a 2.34 acre commercial lot (Lot 23) and a 0.23 acre open space lot (no lot number). No development on the commercial lot was proposed or reviewed as part of this Order; any proposed development on this lot requires a modification of this Order. The Site Law review also includes review of Phase I of the project; the original parcel size for both phases of the project was 107 acres. The proposed project includes an approximately 1,600-linear foot road with a sidewalk (Wildlife Lane), a 370-foot long road (Spillway Drive) and extensive site grading for the proposed developed portions of the proposed lots, including where the proposed subsurface wastewater disposal systems are to be located. The residential lots range in size from 0.54 acres to 4.08 acres. The project is shown on a set of plans, of which the subdivision plan is titled “Construction Aggregate Inc., Village Center Estates, Phase II,

North Yarmouth, Maine, Subdivision Plan,” prepared by Sevee & Maher Engineers, and dated October 2020, with a last revision date of February 2021. The Phase II project site is located on the south side of Village View Lane, which was constructed as part of Phase I.

The applicant is also seeking approval under the Natural Resources Protection Act to alter an additional 2,455 square feet of freshwater wetland; see Finding 16 for further discussion.

The Department accepted a Natural Resources Protection Act (NRPA) Permit by Rule Notification form (PBR #71336) on November 12, 2020, for activities adjacent to a protected natural resource, and outfall pipes associated with the proposed project that will be constructed in accordance with Chapter 305 Sections 2 and 7 of the Permit by Rule Standards. It is noted that no development was proposed on Lot 23 at this time, any proposed development on Lot 23 within 75 feet of the stream, will require an additional submittal of a Permit by Rule Notification form.

C. Current Use of Site: The Phase II area of the site is currently forested, with the most recent timber harvest having occurred circa 2017. There are wetlands on the east side of the site and a stream crossing the northeast corner of the site, near Walnut Hill Road.

2. FINANCIAL CAPACITY:

The total cost of the project is estimated to be \$965,000. The applicant submitted a letter from Norway Savings Bank, dated October 14, 2020, indicating that it looks forward to consideration of any financial needs of the construction of the Village Center Phase II project. Prior to the start of construction, the applicant must submit evidence that it has been granted a line of credit or a loan by a financial institution authorized to do business in this State or evidence of any other form of financial assurance consistent with Department Rules, Chapter 373, § 1, to the Bureau of Land Resources for review and approval.

The Department finds that the applicant has demonstrated adequate financial capacity to comply with Department standards provided that prior to the start of construction the applicant submits evidence of financial capacity to the Department with a condition compliance application for review and approval.

3. TECHNICAL ABILITY:

The applicant retained the services of Sevee & Maher Engineers for site design and permitting services. Mark Hampton was retained for soil survey, site evaluator services and wetland delineation. Wayne Wood was retained for professional land surveyor services.

The Department finds that the applicant has demonstrated adequate technical ability to comply with Department standards.

4. NOISE:

Noise from the routine operation of residential developments are exempt from regulation per Department Rules, Chapter 375, § 10(C)(5)(e). Noise from the routine operations on the proposed commercial lot (Lot 23) is regulated. The proposed use of Lot 23 is not known at this time. The commercial use of Lot 23 will be required to meet the Sound Level Limits in Department Rules Chapter 375, § 10(C) or the town's noise ordinance if the town's ordinance is more restrictive

Noise from the construction of developments between the hours of 7:00 a.m. to 7:00 p.m. or during daylight hours, whichever is longer, is not regulated pursuant to 38 M.R.S. § 484(3)(A). The applicant proposes to limit construction to the hours between at 7:00 a.m. and 7:00 p.m. or during daylight hours whichever is longer.

The Department finds that the applicant has made adequate provision for the control of excessive environmental noise from the proposed project provided that prior to construction of Lot 23, the applicant must submit an amendment application which describes how the use of Lot 23 will comply with Chapter 375, § 10(C).

5. SCENIC CHARACTER:

The abutting property to the north of the project parcel is forested. Along the east side of the parcel are residential lots with frontage on Route 115. The abutting property to the south of the project parcel is forested area. To the west of the project is a Central Maine Power transmission line and additional forested area on the west of the transmission line. The applicant has provided no cut visual buffers, no cut stormwater buffers and plantings to provide visual screening of the project along the eastern and southern property lines. The west and north sides of Phase II will be provided with visual screening by the forested areas to be retained on the open space lot (Lot 25).

Based on the project's location and design, the Department finds that the proposed project will not have an unreasonable adverse effect on the scenic character of the surrounding area.

6. WILDLIFE AND FISHERIES:

The Maine Department of Inland Fisheries and Wildlife (MDIFW) reviewed the proposed project. In its comments, MDIFW stated that it found no records of any Essential Habitats. Knights Pond, its associated wetland complex, and a 250-foot upland zone surrounding it (that extends to the northeast into the CMP transmission corridor) are mapped as Inland Waterfowl and Wading Bird Habitat, which is a Significant Wildlife Habitat as defined by the NRPA Chapter 335. No development is proposed in the Inland Waterfowl and Wading Bird Habitat associated with Knights Pond. MDIFW



recommended 100-foot-wide undisturbed vegetated buffers be maintained along streams and the wetlands associated with the streams. The stream runs through Lot 22 and 23. No development is proposed on Lot 23 at this time. The applicant proposes to construct a stormwater management sand filter within approximately 45 feet of the stream on Lot 22. The applicant stated that this limited intrusion into the stream buffer is required because this location is the low point of the site that receives gravity flow of stormwater which is required to be treated from the development on the northeast section of the site. The Department agrees that there is no other location for the sand filter and that because of its nature, it will have a minimal impact to the habitat within the stream.

The Department finds that the applicant has made adequate provision for the protection of wildlife and fisheries.

7. HISTORIC SITES AND UNUSUAL NATURAL AREAS:

The Maine Historic Preservation Commission reviewed the proposed project and stated that it will have no effect upon any structure or site of historic, architectural, or archaeological significance as defined by the National Historic Preservation Act of 1966.

The Maine Natural Areas Program database does not contain any records documenting the existence of rare or unique botanical features on the project site.

The Department finds that the proposed development will not have an adverse effect on the preservation of any historic sites or unusual natural areas either on or near the development site.

8. BUFFER STRIPS:

Stormwater buffers and no cut visual buffers have been provided along the east and southeast sides of the property. Lot 25, which is a 13.17-acre open space lot, will provide a forested buffer along the west and north side of the project.

The Department finds that the applicant has made adequate provision for buffer strips.

9. SOILS:

The applicant submitted a soil survey map and report based on the soils found at the project site. This report was prepared by a certified soils scientist and reviewed by staff from the Division of Environmental Assessment (DEA) of the Bureau of Water Quality (BWQ). DEA also reviewed a Blasting Plan submitted by the applicant and outlining the proposed procedures for removing ledge. If a rock crusher is being utilized on site, the applicant must ensure that the crusher is licensed by the Department's Bureau of Air Quality and is being operated in accordance with that license.

The Department finds that, based on this report and blasting plan, and DEA's review, the soils on the project site present no limitations to the proposed project that cannot be overcome through standard engineering practices.

10. STORMWATER MANAGEMENT:

The proposed Phase II of the project includes approximately 12.75 acres of developed area, of which 2.56 acres is impervious area. The total for both phases of the subdivision is 18.0 acres of developed area, of which 5.05 acres is impervious area. It lies within the watershed of Toddy Brook which is a tributary to the Royal River. The applicant submitted a stormwater management plan based on the Basic, General, and Flooding Standards contained in Chapter 500 Stormwater Management rules (06-096 C.M.R. Ch. 500, effective August 12, 2015) for the proposed residential lots and roads but not for the commercial lot. The proposed stormwater management system for Phase II consists of a gravel wetland, three underdrained soil filters, and two forested buffers including one level spreader.

A. Basic Standards:

(1) Erosion and Sedimentation Control: The applicant submitted an Erosion and Sedimentation Control Plan that is based on the performance standards contained in Appendix A of Chapter 500 and the Best Management Practices outlined in the Maine Erosion and Sediment Control BMPs, which were developed by the Department. This plan and plan sheets containing erosion control details were reviewed by and revised in response to the comments of the Cumberland County Soil and Water Conservation District (CCSWCD).

Erosion control details will be included on the final construction plans and the erosion control narrative will be included in the project specifications to be provided to the construction contractor. Given the size and nature of the project site, the applicant must retain the services of a third party inspector in accordance with the Special Condition for Third Party Inspection Program, which is attached to this Order. Prior the start of construction, the applicant must conduct a pre-construction meeting to discuss the construction schedule and the erosion and sediment control plan with the appropriate parties. This meeting must be attended by the applicant's representative, Department staff, the design engineer, the contractor, and the third-party inspector. Given the size and nature of the project site, the applicant must retain the services of a third party inspector in accordance with the Special Condition for Third Party Inspection Program, which is attached to this Order.

(2) Inspection and Maintenance: The applicant submitted a maintenance plan that addresses both short and long-term maintenance requirements. The maintenance plan is based on the standards contained in Appendix B of Chapter 500. This plan was reviewed by and revised in response to the comments of the CCSWCD. A homeowners' association will be established that will be responsible for the maintenance of the stormwater management system. A draft of the Declaration of Covenants and

Restrictions for the association was reviewed and found to meet Department requirements. Prior to the formation of the homeowners' association, the applicant will be responsible for all such maintenance.

Grit and sediment materials removed from stormwater structures and storm drain lines during maintenance activities must be disposed of in compliance with the Maine Solid Waste Management Rules.

(3) Housekeeping: The proposed project will comply with the performance standards outlined in Appendix C of Chapter 500.

Based on BLR's review of the erosion and sedimentation control plan and the maintenance plan, the Department finds that the proposed project meets the Basic Standards contained in Chapter 500, § 4(B) provided that the applicant retains a third party inspector and hold a preconstruction meeting as described above and disposes of grit and sediment removed from stormwater structures and storm drain lines in compliance with the Maine Solid Waste Management Rules.

B. General Standards:

The applicant's stormwater management plan includes general treatment measures that will mitigate for the increased frequency and duration of channel erosive flows due to runoff from smaller storms, provide for effective treatment of pollutants in stormwater, and mitigate potential thermal impacts. This mitigation is being achieved by using Best Management Practices (BMPs) that will treat runoff from 99% of the impervious area and 93% of the developed area. It is noted that no treatment of stormwater runoff has been provided for Lot 23; any proposed development on this lot requires review by the Department to determine if additional treatment to meet the General Standards is required.

The two forested, no disturbance stormwater buffers which extend across Lots 12, 13, 20, 21 and the 0.23-acre open space lot will be protected from alteration through the execution of a deed restriction. The applicant proposes to use the deed restriction language contained in Appendix G of Chapter 500.

Prior to the start of construction, the location of forested stormwater buffers must be permanently marked on the ground. The deed for each lot, including the open space lot, that contains any portion of the designated stormwater buffers must contain the stormwater buffer deed restrictions and have attached to it a plot plan for the lot, drawn to scale, that specifies the location of the buffer on the lot. The applicant shall execute and record all required deed restrictions, including the appropriate stormwater buffer deed restrictions, within 60 days of the date of this Order unless the deed restriction is to be placed on a subdivision lot. In that situation, the applicant shall execute and record the required deed restriction when the lot is sold or transferred. The applicant shall submit a copy of the recorded deed restriction, including the plot plan, to the BLR within 60 days of its recording.

The stormwater management system proposed by the applicant was reviewed by and revised in response to comments from CCSWCD. After a final review, the CCSWDC commented that the proposed stormwater management system is designed in accordance with the General Standards contained in Chapter 500, § 4(C).

Based on the stormwater system's design and CCSWCD's review, the Department finds that the applicant has made adequate provision to ensure that the proposed project will meet the General Standards contained in Chapter 500, § 4(C) provided that prior to construction of Lot 23, the applicant must submit an amendment application which provides stormwater management plans and details of the BMPs to treat the stormwater runoff from the proposed developed area on Lot 23 to meet the General Standards.

C. Flooding Standard:

The applicant is proposing to utilize a stormwater management system based on estimates of pre- and post-development stormwater runoff flows obtained by using Hydrocad, a stormwater modeling software that utilizes the methodologies outlined in Technical Releases #55 and #20 from the U.S.D.A. Soil Conservation Service and detains stormwater from 24-hour storms of 2-, 10-, and 25-year frequency. The post-development peak flow from the site will not exceed the pre-development peak flow from the site and the peak flow of the receiving waters will not be increased as a result of stormwater runoff from the development site.

CCSWCD commented that the proposed system is designed in accordance with the Flooding Standard contained in Chapter 500, § 4(F).

Based on the system's design and the CCSWCD's review, the Department finds that the applicant has made adequate provision to ensure that the proposed project will meet the Flooding Standard contained in Chapter 500, § 4(F) for peak flow from the project site, and channel limits and runoff areas provided that prior to construction of Lot 23, the applicant must submit an amendment application which provides stormwater management plans, details, and the Hydrocad model of the BMPs to detain the stormwater runoff from the proposed developed area on Lot 23 to meet the Flooding Standards.

The Department further finds that the proposed project will meet the Chapter 500 standards for easements and covenants.

11. GROUNDWATER:

The project site is not located over a mapped sand and gravel aquifer. The proposed project does not propose any withdrawal from, or discharge to, the groundwater with the exception of subsurface wastewater disposal systems. A commercial lot, Lot 23, is proposed as part of this project and the use of this lot is unknown at this time. Section 15(B) of the Site Location of Development application requires that any developments that store or use any quantities of petroleum products, pesticides, herbicides, road salt,

solvents, acids, or other materials with the potential to contaminate the groundwater in any quantities of such material exceeding those required for normal household uses to provide a groundwater protection plan. If the owner or occupant of Lot 23 proposes to store or use any quantities of petroleum products, pesticides, herbicides, road salt, solvents, acids or other materials with the potential to contaminate the groundwater in any quantities of such material exceeding those required for normal household uses, then that owner or occupant shall submit a condition compliance application with a groundwater protection plan as described in Section 15(B) of the Site Location of Development Application to the Department for review and approval prior to storage of those materials.

The Department finds that the proposed project will not have an unreasonable adverse effect on ground water quality provided that any owner or occupant of Lot 23 that proposes use or store potential groundwater contaminants in greater than household quantities must submit a condition compliance application with a groundwater protection plan to the Department for review and approval prior to storage of those materials.

12. WATER SUPPLY:

Water is supplied to Phase I by individual, private wells. The wells have been located to be the minimum distance away from wastewater disposal systems as required by the Maine Subsurface Wastewater Disposal Rules.

When completed, Phase II of the project is anticipated to use approximately 9,900 gallons of water per day. Water will be supplied by the Yarmouth Water District. The applicant submitted an email from the Yarmouth Water District, dated June 21, 2021, stating that it will be capable of servicing this project.

The Department finds that the applicant has made adequate provision for securing and maintaining a sufficient and healthful water supply.

13. WASTEWATER DISPOSAL:

Phase I of the project used individual wastewater disposal systems on each lot which were reviewed and approved by the local authority. Wastewater for Phase II of the project will be disposed of by individual subsurface wastewater disposal systems on each lot. Suitable soils for a subsurface wastewater disposal system have been found on each lot. The design flows for each single-family dwelling will be a maximum of 360 gallons per day and the design for the proposed commercial lot is not anticipated to be more than 2,000 gallons per day. The applicant proposes to use a Fuji engineered wastewater pretreatment unit for each system to improve solids management and denitrification as required by the project's local approval. The applicant submitted the soil survey map and report discussed in Finding 9 and an analysis of potential impacts to off-site groundwater quality resulting from on-site wastewater disposal prepared by a certified geologist. This information was reviewed by, and revised in response to comments from, DEA. Each individual system must be designed to meet the requirements of the Maine State

Plumbing Code. The applicant proposes to extensively regrade most of the areas where the proposed houses and their associated subsurface wastewater disposal systems will be located. This includes cutting, by excavating and blasting for ledge removal, on some lots on the upgradient side of the proposed road and filling on the lots downgradient of the proposed road such that the soils reviewed for the proposed subsurface wastewater systems will be removed on some lots or will be buried on other the lots. The applicant has agreed to submit to the Department for review and approval any wastewater system that has changes in proposed design flow, in location or any proposal to remove a wastewater treatment system. The applicant must also submit the final Maine Department of Health and Human Services Subsurface Wastewater Disposal System Application (Form HHE-200) for Lots 2 through 18 and also Lots 23 and 24 to the Department for review and approval with a condition compliance application prior to the construction of the house and disposal system.

Any activity on Lot 23 that requires disposal of any wastewater other than normal sanitary wastewater, in the proposed disposal field will require review by the Department prior to use to determine whether or not additional licensing criteria under the Wastewater Discharge Program would apply. If Lot 23 will have design flows of more than 2,000 gallons of wastewater per day, then it must receive approval from the Department of Health and Human Services, Division of Environmental Health Subsurface Wastewater Unit (DHHS-DEH).

Based on DEA's comments, the Department finds that the proposed wastewater disposal systems will be built on suitable soil types and that Maine's Drinking Water Standard for nitrates will be met at the project's property lines provided that the applicant submit the HHE-200 form for Lots 2 through 18 and also Lot 24 to the Department for review and approval prior to the construction of the house and disposal system, that the applicant must submit information regarding any wastewater water other than normal sanitary wastewater generated on Lot 23 . to the Department for review and approval, and that if Lot 23 will have design flows of more than 2,000 gallons of wastewater per day then it must obtain approval from the Department of Health and Human Services, Division of Environmental Health Subsurface Wastewater Unit (DHHS-DEH).

14. SOLID WASTE:

When completed, the proposed project is anticipated to generate approximately 3.5 tons of municipal solid waste per year. All municipal solid wastes from the proposed project will be collected curbside by Pine Tree Waste which transports the material to the Pine Tree facility in Westbrook and then the waste is taken to Juniper Ridge Landfill in Old Town. This method of disposal is currently in substantial compliance with the Maine Solid Waste Management Rules.

The proposed project will generate approximately 500 cubic yards of stumps and other land clearing land clearing wood waste. All stumps and land clearing wood waste will be ground on site and used in erosion control mix for the project. Any excess erosion

control mix will be transported to other sites for use or sold. This method of disposal is in compliance with the Maine Solid Waste Management Rules.

The proposed project will generate approximately 1,760 cubic yards of construction debris. The construction debris generated will be hauled by Casella/Pine Tree Waste to the Casella Zero Sort facility in Lewiston for sorting. Non-recyclable material will be taken for disposal to the Juniper Ridge Landfill in Old Town, which is currently in substantial compliance with the Maine Solid Waste Management Rules.

Based on the above information, the Department finds that the applicant has made adequate provision for solid waste disposal.

15. FLOODING:

The applicant submitted a portion of the Federal Emergency Management Agency Flood Insurance Rate Map for the Town of North Yarmouth that shows that the proposed project is not located within the 100-year flood plain of any river or stream.

The Department finds that the proposed project is unlikely to cause or increase flooding or cause an unreasonable flood hazard to any structure.

16. WETLAND IMPACTS:

The applicant proposes to fill 2,455 square feet of forested wetlands to construct the end of Spillway Drive and to provide access to Lot 20. The applicant previously altered 3,470 square feet of forested wetland to construct the Phase I of the project. The cumulative wetland impacts for the two phases is 5,925 square feet.

The applicant has avoided and minimized wetland impacts by designing the lot and road layout to utilize the uplands and only impact wetlands to provide lot access. Some of the wetlands have been placed in no cut visual buffers, which will be deed restricted, to prevent future impacts to the wetlands.

The Department finds that the applicant has avoided and minimized wetland impacts to the greatest extent practicable, and that the proposed project represents the least environmentally damaging alternative that meets the overall purpose of the project.

17. ALL OTHER:

All other Findings of Fact, Conclusions and Conditions remain as approved in Department Order #L-27980-NJ-A-N, and subsequent Orders.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S. §§ 480-A–480-JJ and Section 401 of the Federal Water Pollution Control Act:

- A. The proposed activity will not cause unreasonable erosion of soil or sediment.
- B. The proposed activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic habitat, travel corridor, freshwater, estuarine, or marine fisheries or other aquatic life.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S. §§ 481–489-E:

- A. The applicant has provided adequate evidence of financial capacity and technical ability to develop the project in a manner consistent with state environmental standards provided that prior to the start of construction, the applicant submits evidence of financial capacity to the Bureau of Land Resources with a condition compliance application for review and approval.
- B. The applicant has made adequate provision for fitting the development harmoniously into the existing natural environment and the development will not adversely affect existing uses, scenic character, air quality, water quality or other natural resources in the municipality or in neighboring municipalities provided that. prior to construction of Lot 23, the applicant submits an amendment application which describes how the development on Lot 23 will comply with Chapter 375 Section 10(C).
- C. The proposed development will be built on soil types which are suitable to the nature of the undertaking and will not cause unreasonable erosion of soil or sediment nor inhibit the natural transfer of soil.
- D. The proposed development meets the standards for storm water management in 38 M.R.S. § 420-D and the standard for erosion and sedimentation control in 38 M.R.S. § 420-C provided that the applicant retains a third party inspector, holds a preconstruction meeting, disposes of grit and sediment removed from stormwater structures and storm drain lines in compliance with the Maine Solid Waste Management Rules, permanently marks the stormwater buffers, executes and records the stormwater buffer deed restrictions as described in Finding 10, and provided that prior to construction of Lot 23, the applicant submits an amendment application which provides stormwater management plans, details, and Hydrocad model of the BMPs to treat and detain the stormwater runoff from the proposed developed area on Lot 23 to meet the General and Flooding Standards.
- E. The proposed development will not pose an unreasonable risk that a discharge to a significant groundwater aquifer will occur provided that any owner or occupant of Lot 23 that proposes use or store potential groundwater contaminants in greater than household quantities must submit a condition compliance application with a groundwater protection plan to the Department for review and approval prior to storage of those materials.
- F. The applicant has made adequate provision of utilities, including water supplies, sewerage facilities and solid waste disposal required for the development and the development will not have an unreasonable adverse effect on the existing or proposed



utilities in the municipality or area served by those services provided that prior to the construction of the houses and disposal systems, the applicant submits the HHE-200 forms for Lots 2 through 18 and also Lots 23 and 24 to the Department for review and approval, that the applicant submits information regarding any wastewater water other than normal sanitary wastewater generated on Lot 23 to the Department for review and approval, and that if Lot 23 will have design flows of more than 2,000 gallons of wastewater per day then it must obtain approval from the Department of Health and Human Services, Division of Environmental Health Subsurface Wastewater Unit (DHHS-DEH).

- G. The activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties nor create an unreasonable flood hazard to any structure.

THEREFORE, the Department APPROVES the application of CONSTRUCTION AGGREGATE, INC. to construct Phase II of Village Center Estates subdivision and to alter freshwater wetlands as described herein, SUBJECT TO THE FOLLOWING CONDITIONS and all applicable standards and regulations:

1. The Standard Conditions of Approval, a copy attached.
2. In addition to any specific erosion control measures described in this or previous orders, the applicant shall take all necessary actions to ensure that its activities or those of its agents do not result in noticeable erosion of soils or fugitive dust emissions on the site during the construction and operation of the project covered by this approval.
3. Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.
4. The applicant shall include in all conveyances of subdivision lots deed restrictions making the conveyance subject to all terms and conditions of this Department permit and any applicable municipal approval. These terms and conditions may be incorporated by specific and prominent reference to the permit in the deed. All conveyances required by this approval to contain restrictions shall include in the restrictions the requirement that any subsequent conveyance shall specifically include the same restrictions.
5. The applicant shall give a copy of this permit, including the standard conditions, and a copy of the approved subdivision plan to each lot buyer at least 14 days prior to the date of closing on the sale or lease of the lot. The applicant also shall maintain a file containing signed and dated statements by lot buyers or lessees acknowledging that they have received and read their copy of this permit and the subdivision plan prior to the closing on their lot. The file shall also contain a copy of the signed and dated deed or lease containing the restrictive covenants required under this approval. The applicant shall make this file available for inspection upon request by the Department.

6. Prior to the start of construction, the applicant shall submit evidence of financial capacity to the BLR with a condition compliance application for review and approval.
7. Prior to construction of Lot 23, the applicant shall submit an amendment application to the Department which describes the development on Lot 23 will comply with Chapter 375, § 10(C).
8. The applicant shall execute and record all required deed restrictions, including the stormwater buffer deed restrictions, within 60 days of the date of this Order unless the deed restriction is to be placed on a subdivision lot. In that situation, the applicant shall execute and record the required deed restriction at the time of the sale or transfer of the lot. The applicant shall submit a copy of the recorded deed restriction, including the plot plan, to the BLR within 60 days of its recording.
9. Prior to the start of construction, the location of forested stormwater buffers shall be permanently marked on the ground.
10. The applicant shall retain the services of a third-party inspector in accordance with the Special Condition for Third-Party Inspection Program, which is attached to this Order.
11. Prior the start of construction, the applicant shall conduct a pre-construction meeting. This meeting shall be attended by the applicant's representative, Department staff, the design engineer, the contractor, and the third-party inspector.
12. The applicant shall dispose of grit and sediment materials removed from stormwater structures and storm drain lines during maintenance activities in compliance with the Maine Solid Waste Management Rules.
13. Prior to construction of Lot 23, the applicant shall submit an amendment application to the Department which provides stormwater management plans, details, and Hydrocad model of the BMPs to treat and detain the stormwater runoff from the proposed developed area on Lot 23 to meet the General and Flooding Standards.
14. The owner or occupant of Lot 23 shall submit a condition compliance application with a groundwater protection plan to the Department for review and approval prior to the use or storage of potential groundwater contaminants in greater than household quantities.
15. Prior to the construction of the house and disposal system, the applicant shall submit the HHE-200 forms for Lots 2 through 18 and also Lots 23 and 24 to the Department for review and approval.
16. The applicant shall submit information regarding any wastewater water other than normal sanitary wastewater generated on Lot 23 to the Department for review and approval.
17. If Lot 23 will have wastewater design flows of more than 2,000 gallons per day then it shall obtain approval of the subsurface wastewater disposal system from the Department

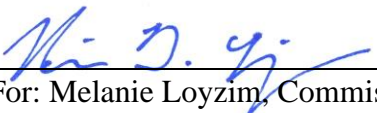
of Health and Human Services, Division of Environmental Health Subsurface Wastewater Unit (DHHS-DEH).

18. All other Findings of Fact, Conclusions and Conditions remain as approved in Department Order #L-27980-NJ-A-N, and subsequent Orders, and are incorporated herein.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.

DONE AND DATED IN AUGUSTA, MAINE, THIS 24<sup>TH</sup> DAY OF JUNE, 2021.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:   
For: Melanie Loyzim, Commissioner

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

CGW/L27980BNCN/ATS#86731, 86733

**FILED**  
June 24<sup>th</sup>, 2021  
State of Maine  
Board of Environmental Protection

**Department of Environmental Protection**  
**SITE LOCATION OF DEVELOPMENT (SITE)**  
**STANDARD CONDITIONS**

- A. Approval of Variations from Plans.** The granting of this approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation. Further subdivision of proposed lots by the applicant or future owners is specifically prohibited without prior approval of the Board, and the applicant shall include deed restrictions to that effect.
- B. Compliance with All Applicable Laws.** The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. Compliance with All Terms and Conditions of Approval.** The applicant shall submit all reports and information requested by the Board or the Department demonstrating that the applicant has complied or will comply with all preconstruction terms and conditions of this approval. All preconstruction terms and conditions must be met before construction begins.
- D. Advertising.** Advertising relating to matters included in this application shall refer to this approval only if it notes that the approval has been granted WITH CONDITIONS, and indicates where copies of those conditions may be obtained.
- E. Transfer of Development.** Unless otherwise provided in this approval, the applicant shall not sell, lease, assign or otherwise transfer the development or any portion thereof without prior written approval of the Board where the purpose or consequence of the transfer is to transfer any of the obligations of the developer as incorporated in this approval. Such approval shall be granted only if the applicant or transferee demonstrates to the Board that the transferee has the technical capacity and financial ability to comply with conditions of this approval and the proposals and plans contained in the application and supporting documents submitted by the applicant.
- F. Time frame for approvals.** If the construction or operation of the activity is not begun within four years, this approval shall lapse and the applicant shall reapply to the Board for a new approval. The applicant may not begin construction or operation of the development until a new approval is granted. A reapplication for approval may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.
- G. Approval Included in Contract Bids.** A copy of this approval must be included in or attached to all contract bid specifications for the development.
- H. Approval Shown to Contractors.** Work done by a contractor pursuant to this approval shall not begin before the contractor has been shown by the developer a copy of this approval.



## Natural Resources Protection Act (NRPA) Standard Conditions

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THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCES PROTECTION ACT, 38 M.R.S. § 480-A ET SEQ., UNLESS OTHERWISE SPECIFICALLY STATED IN THE PERMIT.

- A. Approval of Variations From Plans. The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
- B. Compliance With All Applicable Laws. The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. Erosion Control. The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.
- D. Compliance With Conditions. Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other the specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.
- E. Time frame for approvals. If construction or operation of the activity is not begun within four years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.
- F. No Construction Equipment Below High Water. No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.
- G. Permit Included In Contract Bids. A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- H. Permit Shown To Contractor. Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.

## **STORMWATER STANDARD CONDITIONS**

### **STRICT CONFORMANCE WITH THE STANDARD AND SPECIAL CONDITIONS OF THIS APPROVAL IS NECESSARY FOR THE PROJECT TO MEET THE STATUTORY CRITERIA FOR APPROVAL**

**Standard conditions of approval.** Unless otherwise specifically stated in the approval, a department approval is subject to the following standard conditions pursuant to Chapter 500 Stormwater Management Law.

- (1) Approval of variations from plans. The granting of this approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the permittee. Any variation from these plans, proposals, and supporting documents must be reviewed and approved by the department prior to implementation. Any variation undertaken without approval of the department is in violation of 38 M.R.S. §420-D(8) and is subject to penalties under 38 M.R.S. §349.
- (2) Compliance with all terms and conditions of approval. The applicant shall submit all reports and information requested by the department demonstrating that the applicant has complied or will comply with all terms and conditions of this approval. All preconstruction terms and conditions must be met before construction begins.
- (3) Advertising. Advertising relating to matters included in this application may not refer to this approval unless it notes that the approval has been granted WITH CONDITIONS, and indicates where copies of those conditions may be obtained.
- (4) Transfer of project. Unless otherwise provided in this approval, the applicant may not sell, lease, assign, or otherwise transfer the project or any portion thereof without written approval by the department where the purpose or consequence of the transfer is to transfer any of the obligations of the developer as incorporated in this approval. Such approval may only be granted if the applicant or transferee demonstrates to the department that the transferee agrees to comply with conditions of this approval and the proposals and plans contained in the application and supporting documents submitted by the applicant. Approval of a transfer of the permit must be applied for no later than two weeks after any transfer of property subject to the license.
- (5) Time frame for approvals. If the construction or operation of the activity is not begun within four years, this approval shall lapse and the applicant shall reapply to the department for a new approval. The applicant may not begin construction or operation of the project until a new approval is granted. A reapplication for approval may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.
- (6) Certification. Contracts must specify that "all work is to comply with the conditions of the Stormwater Permit." Work done by a contractor or subcontractor pursuant to this approval may not begin before the contractor and any subcontractors have been shown a copy of this approval with the conditions by the permittee, and the permittee and each contractor and sub-contractor has certified, on a form provided by the department, that the approval and conditions have been received and read, and that the work will be carried out in accordance with the approval and conditions. Completed certification forms must be forwarded to the department.

- (7) **Maintenance.** The components of the stormwater management system must be adequately maintained to ensure that the system operates as designed, and as approved by the Department. If maintenance responsibility is to be transferred from the permittee to another entity, a transfer request must be filed with the Department which includes the name and contact information for the person or entity responsible for this maintenance. The form must be signed by the responsible person or agent of the responsible entity.
- (8) **Recertification requirement.** Within three months of the expiration of each five-year interval from the date of issuance of the permit, the permittee shall certify the following to the department.
- (a) All areas of the project site have been inspected for areas of erosion, and appropriate steps have been taken to permanently stabilize these areas.
  - (b) All aspects of the stormwater control system are operating as approved, have been inspected for damage, wear, and malfunction, and appropriate steps have been taken to repair or replace the system, or portions of the system, as necessary.
  - (c) The stormwater maintenance plan for the site is being implemented as approved by the Department, and the maintenance log is being maintained.
  - (d) All proprietary systems have been maintained according to the manufacturer's recommendations. Where required by the Department, the permittee shall execute a 5-year maintenance contract with a qualified professional for the coming 5-year interval. The maintenance contract must include provisions for routine inspections, cleaning and general maintenance.
  - (e) The Department may waive some or all of these recertification requirements on a case-by-case basis for permittees subject to the Department's Multi-Sector General Permit ("MSGP") and/or Maine Pollutant Discharge Elimination System ("MEPDES") programs where it is demonstrated that these programs are providing stormwater control that is at least as effective as required pursuant to this Chapter.
- (9) **Transfer of property subject to the license.** If any portion of the property subject to the license containing areas of flow or areas that are flooded are transferred to a new property owner, restrictive covenants protecting these areas must be included in any deeds or leases, and recorded at the appropriate county registry of deeds. Also, in all transfers of such areas and areas containing parts of the stormwater management system, deed restrictions must be included making the property transfer subject to all applicable terms and conditions of the permit. These terms and conditions must be incorporated by specific and prominent reference to the permit in the deed. All transfers must include in the restrictions the requirement that any subsequent transfer must specifically include the same restrictions unless their removal or modification is approved by the Department. These restrictions must be written to be enforceable by the Department, and must reference the permit number.
- (10) **Severability.** The invalidity or unenforceability of any provision, or part thereof, of this permit shall not affect the remainder of the provision or any other provisions. This permit shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

Special Condition  
for  
Third Party Inspection Program



## THIRD-PARTY INSPECTION PROGRAM

### 1.0 THE PURPOSE OF THE THIRD-PARTY INSPECTION

As a condition of this permit, the Maine Department of Environmental Protection (MDEP) requires the permit applicant to retain the services of a third-party inspector to monitor compliance with MDEP permit conditions during construction. The objectives of this condition are as follows:

- 1) to ensure that all construction and stabilization activities comply with the permit conditions and the MDEP-approved drawings and specifications,
- 2) to ensure that field decisions regarding erosion control implementation, stormwater system installation, and natural resource protection are based on sound engineering and environmental considerations, and
- 3) to ensure communication between the contractor and MDEP regarding any changes to the development's erosion control plan, stormwater management plan, or final stabilization plan.

This document establishes the inspection program and outlines the responsibilities of the permit applicant, the MDEP, and the inspector.

### 2.0 SELECTING THE INSPECTOR

At least 30 days prior to starting any construction activity on the site, the applicant will submit the names of at least two inspector candidates to the MDEP. Each candidate must meet the minimum qualifications listed under section 3.0. The candidates may not be employees, partners, or contracted consultants involved with the permitting of the project or otherwise employed by the same company or agency except that the MDEP may accept subcontractors who worked for the project's primary consultant on some aspect of the project such as, but not limited to, completing wetland delineations, identifying significant wildlife habitats, or conducting geotechnical investigations, but who were not directly employed by the applicant, as Third Party inspectors on a case by case basis. The MDEP will have 15 days from receiving the names to select one of the candidates as the inspector or to reject both candidates. If the MDEP rejects both candidates, then the MDEP shall state the particular reasons for the rejections. In this case, the applicant may either dispute the rejection to the Director of the Bureau of Land Resources or start the selection process over by nominating two, new candidates.

### 3.0 THE INSPECTOR'S QUALIFICATIONS

Each inspector candidate nominated by the applicant shall have the following minimum qualifications:

- 1) a degree in an environmental science or civil engineering, or other demonstrated expertise,
- 2) a practical knowledge of erosion control practices and stormwater hydrology,
- 3) experience in management or supervision on large construction projects,
- 4) the ability to understand and articulate permit conditions to contractors concerning erosion control or stormwater management,
- 5) the ability to clearly document activities being inspected,
- 6) appropriate facilities and, if necessary, support staff to carry out the duties and responsibilities set forth in section 6.0 in a timely manner, and
- 7) no ownership or financial interest in the development other than that created by being retained as the third-party inspector.

#### 4.0 INITIATING THE INSPECTOR'S SERVICES

The applicant will not formally and finally engage for service any inspector under this permit condition prior to MDEP approval or waiver by omission under section 2.0. No clearing, grubbing, grading, filling, stockpiling, or other construction activity will take place on the development site until the applicant retains the MDEP-approved inspector for service.

#### 5.0 TERMINATING THE INSPECTOR'S SERVICES

The applicant will not terminate the services of the MDEP-approved inspector at any time between commencing construction and completing final site stabilization without first getting written approval to do so from the MDEP.

#### 6.0 THE INSPECTOR'S DUTIES AND RESPONSIBILITIES

The inspector's work shall consist of the duties and responsibilities outlined below.

- 1) Prior to construction, the inspector will become thoroughly familiar with the terms and conditions of the state-issued site permit, natural resources protection permit, or both.
- 2) Prior to construction, the inspector will become thoroughly familiar with the proposed construction schedule, including the timing for installing and removing erosion controls, the timing for constructing and stabilizing any basins or ponds, and the deadlines for completing stabilization of disturbed soils.
- 3) Prior to construction, the inspector will become thoroughly familiar with the project plans and specifications, including those for building detention basins, those for installing the erosion control measures to be used on the site, and those for temporarily or permanently stabilizing disturbed soils in a timely manner.
- 4) During construction, the inspector will monitor the contractor's installation and maintenance of the erosion control measures called for in the state permit(s) and any additional measures the inspector believes are necessary to prevent sediment discharge to off-site properties or natural resources. This direction will be based on the approved erosion control plan, field conditions at the time of construction, and the natural resources potentially impacted by construction activities.
- 5) During construction, the inspector will monitor the contractor's construction of the stormwater system, including the construction and stabilization of ditches, culverts, detention basins, water quality treatment measures, and storm sewers.
- 6) During construction, the inspector will monitor the contractor's installation of any stream or wetland crossings.
- 7) During construction, the inspector will monitor the contractor's final stabilization of the project site.
- 8) During construction, the inspector will keep logs recording any rain storms at the site, the contractor's activities on the site, discussions with the contractor(s), and possible violations of the permit conditions.
- 9) During construction, the inspector will inspect the project site at least once a week and before and after any significant rain event. The inspector will photograph all protected natural resources both before and after construction and will photograph all areas under construction. All photographs will be identified with, at a minimum the date the photo was taken, the location and the name of the individual taking the photograph.  
*Note: the frequency of these inspections as contained in this condition may be varied to best address particular project needs.*
- 10) During construction, the inspector will prepare and submit weekly (*or other frequency*) inspection reports to the MDEP.

- 11) During construction, the inspector will notify the designated person at the MDEP immediately of any sediment-laden discharges to a protected natural resource or other significant issues such as the improper construction of a stormwater control structure or the use of construction plans not approved by the MDEP.

## 7.0 INSPECTION REPORTS

The inspector will submit weekly written reports (*or at another designated frequency*), including photographs of areas that are under construction, on a form provided by the Department to the designated person at the MDEP. Each report will be due at the MDEP by the Friday (*or other designated day*) following the inspection week (Monday through Sunday).

The weekly report will summarize construction activities and events on the site for the previous week as outlined below.

- 1) The report will state the name of the development, its permit number(s), and the start and end dates for the inspection week (Monday through Sunday).
- 2) The report will state the date(s) and time(s) when the inspector was on the site making inspections.
- 3) The report will state the date(s) and approximate duration(s) of any rainfall events on the site for the week.
- 4) The report will identify and describe any erosion problems that resulted in sediment leaving the property or sediment being discharged into a wetland, brook, stream, river, lake, or public storm sewer system. The report will describe the contractor's actions to repair any damage to other properties or natural resources, actions to eliminate the erosion source, and actions to prevent future sediment discharges from the area.
- 5) The report will list the buildings, roads, parking lots, detention basins, stream crossings or other features open to construction for the week, including those features or areas actively worked and those left unworked (dormant).
- 6) For each area open to construction, the report will list the date of initial soil disturbance for the area.
- 7) For each area open to construction, the report will note which areas were actively worked that week and which were left dormant for the week. For those areas actively worked, the report will briefly state the work performed in the area that week and the progress toward final stabilization of the area – e.g. “grubbing in progress,” “grubbing complete,” “rough grading in progress,” “rough grading complete,” “finish grading in progress,” “finish grading complete,” “permanent seeding completed,” “area fully stable and temporary erosion controls removed,” etc.
- 8) For each area open to construction, the report will list the erosion and sedimentation control measures installed, maintained, or removed during the week.
- 9) For each erosion control measure in-place, the report will note the condition of the measure and any maintenance performed to bring it to standard.

**Third Party Inspection Form**

**This report is prepared by a Third Party Inspector to meet the requirements of the Third Party Inspector Condition attached as a Special Condition to the Department Order that was issued for the project identified below. The information in this report/form is not intended to serve as a determination of whether the project is in compliance with the Department permit or other applicable Department laws and rules. Only Department staff may make that determination.**

TO: <i>PM, Maine DEP (@maine.gov)</i>	FROM:
PROJECT NAME/ LOCATION:	DEP #:
DATE OF INSPECTION:	DATE OF REPORT:
WEATHER:	CONDITIONS:

**SITE CHARACTERISTICS:**

# ACRES OPEN:	# ACRES ACTIVE:	# ACRES INACTIVE:
LOCATION OF OPEN LAND:	LOCATION OF ACTIVE LAND:	LOCATION OF INACTIVE LAND:
OPEN SINCE:	OPEN SINCE:	OPEN SINCE:

**PROGRESS OF WORK:**

INSPECTION OF:	Satisfactory	Minor Deviation (corrective action required)	Unsatisfactory (include photos)
STORMWATER CONTROL (VEGETATIVE & STRUCTURAL BMP'S)			
EROSION & SEDIMENTATION CONTROL (TEMPORARY & PERMANENT BMP'S)			
OTHER: (PERMIT CONDITIONS, ENGINEERING DESIGN, ETC.)			

COMMENTS/CORRECTIVE ACTIONS TAKEN (attach additional sheets as necessary):

Photos (must be labeled with date, photographer and location):

<b>Cc:</b>		
<i>Original and all copies were sent by email only.</i>		



# DEP INFORMATION SHEET

## Appealing a Department Licensing Decision

**Dated: November 2018**

**Contact: (207) 287-2452**

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### **SUMMARY**

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's (DEP) Commissioner: (1) an administrative process before the Board of Environmental Protection (Board); or (2) a judicial process before Maine's Superior Court. An aggrieved person seeking review of a licensing decision over which the Board had original jurisdiction may seek judicial review in Maine's Superior Court.

A judicial appeal of final action by the Commissioner or the Board regarding an application for an expedited wind energy development (35-A M.R.S. § 3451(4)) or a general permit for an offshore wind energy demonstration project (38 M.R.S. § 480-HH(1)) or a general permit for a tidal energy demonstration project (38 M.R.S. § 636-A) must be taken to the Supreme Judicial Court sitting as the Law Court.

This information sheet, in conjunction with a review of the statutory and regulatory provisions referred to herein, can help a person to understand his or her rights and obligations in filing an administrative or judicial appeal.

### **I. ADMINISTRATIVE APPEALS TO THE BOARD**

#### **LEGAL REFERENCES**

The laws concerning the DEP's *Organization and Powers*, 38 M.R.S. §§ 341-D(4) & 346; the *Maine Administrative Procedure Act*, 5 M.R.S. § 11001; and the DEP's *Rules Concerning the Processing of Applications and Other Administrative Matters* ("Chapter 2"), 06-096 C.M.R. ch. 2.

#### **DEADLINE TO SUBMIT AN APPEAL TO THE BOARD**

The Board must receive a written appeal within 30 days of the date on which the Commissioner's decision was filed with the Board. Appeals filed more than 30 calendar days after the date on which the Commissioner's decision was filed with the Board will be dismissed unless notice of the Commissioner's license decision was required to be given to the person filing an appeal (appellant) and the notice was not given as required.

#### **HOW TO SUBMIT AN APPEAL TO THE BOARD**

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017. An appeal may be submitted by fax or e-mail if it contains a scanned original signature. It is recommended that a faxed or e-mailed appeal be followed by the submittal of mailed original paper documents. The complete appeal, including any attachments, must be received at DEP's offices in Augusta on or before 5:00 PM on the due date; materials received after 5:00 pm are not considered received until the following day. The risk of material not being received in a timely manner is on the sender, regardless of the method used. The appellant must also send a copy of the appeal documents to the Commissioner of the DEP; the applicant (if the appellant is not the applicant in the license proceeding at issue); and if a hearing was held on the application, any intervenor in that hearing process. All of the information listed in the next section of this information sheet must be submitted at the time the appeal is filed.

## INFORMATION APPEAL PAPERWORK MUST CONTAIN

Appeal materials must contain the following information at the time the appeal is submitted:

1. *Aggrieved Status.* The appeal must explain how the appellant has standing to maintain an appeal. This requires an explanation of how the appellant may suffer a particularized injury as a result of the Commissioner's decision.
2. *The findings, conclusions, or conditions objected to or believed to be in error.* The appeal must identify the specific findings of fact, conclusions regarding compliance with the law, license conditions, or other aspects of the written license decision or of the license review process that the appellant objects to or believes to be in error.
3. *The basis of the objections or challenge.* For the objections identified in Item #2, the appeal must state why the appellant believes that the license decision is incorrect and should be modified or reversed. If possible, the appeal should cite specific evidence in the record or specific licensing requirements that the appellant believes were not properly considered or fully addressed.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.
5. *All the matters to be contested.* The Board will limit its consideration to those matters specifically raised in the written notice of appeal.
6. *Request for hearing.* If the appellant wishes the Board to hold a public hearing on the appeal, a request for public hearing must be filed as part of the notice of appeal, and must include an offer of proof in accordance with Chapter 2. The Board will hear the arguments in favor of and in opposition to a hearing on the appeal and the presentations on the merits of an appeal at a regularly scheduled meeting. If the Board decides to hold a public hearing on an appeal, that hearing will then be scheduled for a later date.
7. *New or additional evidence to be offered.* If an appellant wants to provide evidence not previously provided to DEP staff during the DEP's review of the application, the request and the proposed evidence must be submitted with the appeal. The Board may allow new or additional evidence, referred to as supplemental evidence, to be considered in an appeal only under very limited circumstances. The proposed evidence must be relevant and material, and (a) the person seeking to add information to the record must show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process; or (b) the evidence itself must be newly discovered and therefore unable to have been presented earlier in the process. Specific requirements for supplemental evidence are found in Chapter 2 § 24.

## OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license application file is public information, subject to any applicable statutory exceptions, and is made easily accessible by the DEP. Upon request, the DEP will make application materials available during normal working hours, provide space to review the file, and provide an opportunity for photocopying materials. There is a charge for copies or copying services.
2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer general questions regarding the appeal process.
3. *The filing of an appeal does not operate as a stay to any decision.* If a license has been granted and it has been appealed, the license normally remains in effect pending the processing of the appeal. Unless a stay of the decision is requested and granted, a license holder may proceed with a project pending the outcome of an appeal, but the license holder runs the risk of the decision being reversed or modified as a result of the appeal.

## **WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD**

The Board will formally acknowledge receipt of an appeal, and will provide the name of the DEP project manager assigned to the specific appeal. The notice of appeal, any materials accepted by the Board Chair as supplementary evidence, any materials submitted in response to the appeal, and relevant excerpts from the DEP's application review file will be sent to Board members with a recommended decision from DEP staff. The appellant, the license holder if different from the appellant, and any interested persons are notified in advance of the date set for Board consideration of an appeal or request for public hearing. The appellant and the license holder will have an opportunity to address the Board at the Board meeting. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision or remand the matter to the Commissioner for further proceedings. The Board will notify the appellant, the license holder, and interested persons of its decision.

## **II. JUDICIAL APPEALS**

Maine law generally allows aggrieved persons to appeal final Commissioner or Board licensing decisions to Maine's Superior Court (see 38 M.R.S. § 346(1); 06-096 C.M.R. ch. 2; 5 M.R.S. § 11001; and M.R. Civ. P. 80C). A party's appeal must be filed with the Superior Court within 30 days of receipt of notice of the Board's or the Commissioner's decision. For any other person, an appeal must be filed within 40 days of the date the decision was rendered. An appeal to court of a license decision regarding an expedited wind energy development, a general permit for an offshore wind energy demonstration project, or a general permit for a tidal energy demonstration project may only be taken directly to the Maine Supreme Judicial Court. See 38 M.R.S. § 346(4).

Maine's Administrative Procedure Act, DEP statutes governing a particular matter, and the Maine Rules of Civil Procedure must be consulted for the substantive and procedural details applicable to judicial appeals.

## **ADDITIONAL INFORMATION**

If you have questions or need additional information on the appeal process, for administrative appeals contact the Board's Executive Analyst at (207) 287-2452, or for judicial appeals contact the court clerk's office in which your appeal will be filed.

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**Note: The DEP provides this INFORMATION SHEET for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.**

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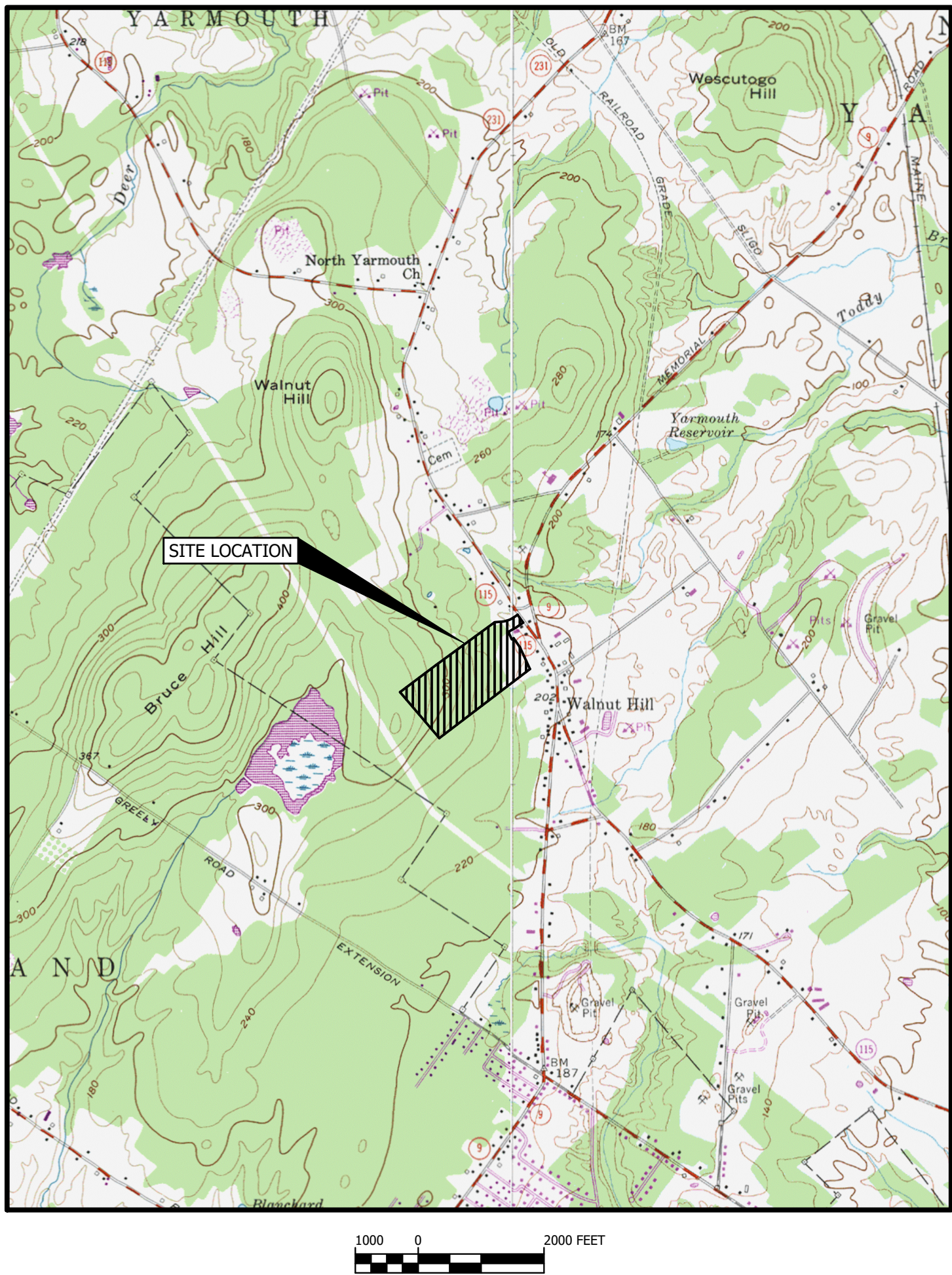


# CONSTRUCTION AGGREGATE INC.

## VILLAGE CENTER ESTATES, PHASE 2

### NORTH YARMOUTH, MAINE

LOCATION MAP

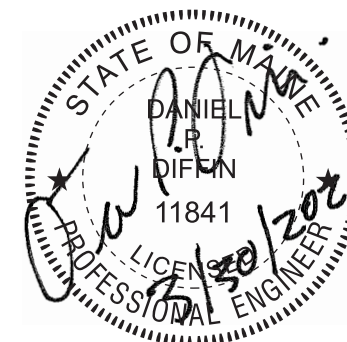


TITLE	DWG NO
COVER SHEET	
GENERAL NOTES, LEGEND, AND ABBREVIATIONS	C-100
EXISTING CONDITIONS PLAN	C-101
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GRADING AND EROSION CONTROL PLAN	C-104
WILDLIFE LANE PLAN AND PROFILE - STA 0+00 TO STA 8+50	C-200
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STORMWATER MANAGEMENT PLAN - PRE-DEVELOPMENT CONDITIONS	D-100
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ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE

4 Blanchard Road, PO Box 85A, Cumberland Center, Maine 04021  
Phone 207.829.5016 • Fax 207.829.5692 • smemaine.com





GENERAL NOTES:

- 1. BASE MAP DERIVED FROM SURVEY PERFORMED BY WAYNE T. WOOD & CO. ENTITLED "PLAN OF LAND OF SMITH ON WALNUT HILL ROAD IN NORTH YARMOUTH, MAINE FOR FREDERICK CHERNER, 4 PINWOOD DR. ~CUMBERLAND CTR, ME 04021", DATED JUNE, 2018.
- 2. EXISTING ZONING LINE AND GROUNDWATER PROTECTION OVERLAY ZONE DIGITIZED FROM TOWN OF NORTH YARMOUTH ZONING MAP.
- 3. ALL SITE AND CONSTRUCTION ACTIVITIES SHALL BE IN COMPLIANCE WITH MEDEP BEST MANAGEMENT PRACTICES AND EXISTING FEDERAL, STATE, AND LOCAL PERMITS AND PERMITTING REQUIREMENTS FOR THE SITE.
- 4. SOILS INFORMATION FROM HIGH INTENSITY SOIL SURVEY COMPLETED BY MARK HAMPTON ASSOCIATES ON DECEMBER 3, 2019.
- 5. THE EXISTING CONTOURS SHOWN IN THE PHASE I AREA ARE FROM DESIGN DRAWINGS BY SME, DATED AUGUST 29, 2018. THE EXISTING CONTOURS SHOWN IN THE PHASE II AREA ARE TAKEN FROM LIDAR AS AVAILABLE FROM MAINE GIS DATA CATALOG.

SURVEYOR'S NOTES

- 1. OWNERS OF RECORD ARE GAIL S. BRUNS, CINDY A. CHERNER AND J. WHITMAN SMITH BY DEED OF DISTRIBUTION OF SIDNEY D. SMITH RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 12,863 ON PAGE 144 AND NORMAN L. & NELSON L. SMITH BY DEED OF DISTRIBUTION OF NORMAN L. SMITH RECORDED IN THE SAID REGISTRY OF DEEDS BOOK 32,519 PAGE 82.
- 2. ALL BEARINGS ARE REFERENCED TO MAGNETIC NORTH OF THE YEAR 1983 PER THE PLAN IN SURVEYOR'S PLAN REFERENCE NOTES #9 AND ARE CALCULATED FROM ANGLES OF AN ACTUAL ON THE GROUND SURVEY.
- 3. THE SUBJECT PARCEL IS SHOWN ON THE TOWN OF NORTH YARMOUTH, MAINE TAX MAP 7 AS LOT 34.
- 4. THE EXISTING CONTOURS SHOWN ARE TAKEN FROM LIDAR AS AVAILABLE FROM MAINE GIS DATA CATALOG.
- 5. WETLANDS SHOWN ARE AS DELINEATED BY SWEET ASSOCIATES ON A PLAN DATED JUNE 10, 2016. ADDITIONAL WETLANDS SHOWN ARE AS DELINEATED BY MARK HAMPTON ASSOCIATES ON JULY 1, 2018.
- 6. THE RICHARD BASTON PROPERTY MAY HAVE AN EASEMENT OR RIGHT OF WAY ACROSS THIS PROPERTY OVER THE SECTION OF THIS PARCEL LABELED AS THE "OSGOODY/DOLLOFF LOT" FOR THE PURPOSES OF ACCESSING THE BASTON LOT FOR WOOD HARVESTING ACTIVITIES.

SURVEYOR'S PLAN REFERENCE NOTES

- 1. "PLAN OF LAND ON MEMORIAL HIGHWAY IN NORTH YARMOUTH, MAINE FOR FREDERICK CHERNER" DATED SEPTEMBER 2017 BY WAYNE T. WOOD & CO.
- 2. "GUIDI FLASH HOLDINGS ~ STONE POST SUBDIVISION ~ ROUTE 115 ~ NORTH YARMOUTH, MAINE" DATED MARCH 2016 BY SEVEE & MAHER ENGINEERING RECORDED IN PLAN BOOK 216 PAGE 384.
- 3. "CONDOMINIUM PLAT WALNUT HILL CONDOMINIUM 2 WALNUT HILL ROAD, NORTH YARMOUTH, MAINE MADE FOR PIPER, LLC" DATED APRIL 15, 2015 BY OWEN HASKELL, INC. RECORDED IN PLAN BOOK 215 PAGE 138.
- 4. "PLAN OF LAND FOR THOMAS AND SARE CURTIS" DATED OCTOBER 2013 BY COLONIAL SURVEYING COMPANY, LLC RECORDED IN PLAN BOOK 215 PAGE 31.
- 5. "UPDATE TO A STANDARD BOUNDARY SURVEY SHOWING LAND OF REBECCA L. SWIGGETT FOR THE TRUST FOR PUBLIC LAND GREELY ROAD EXTENSION & PLEASANT VALLEY ROAD, CUMBERLAND & NORTH YARMOUTH, MAINE" DATED AUGUST 26, 2013 REVISED 6/3/2014.
- 6. "RIGHT OF WAY MAP STATE AID HIGHWAY NOS. 2 & 3 (ROUTES 9 & 115) NORTH YARMOUTH, CUMBERLAND COUNTY" DATED JUNE 2004.
- 7. "STANDARD BOUNDARY SURVEY FOR RICHARD & HELEN KNIGHT, GREELY ROAD EXTENSION, CUMBERLAND / NORTH YARMOUTH, MAINE" DATED FEB 1, 1996 REVISED THRU 7/15/96 RECORDED IN PLAN BOOK 196 PAGE 395.
- 8. "STANDARD BOUNDARY SURVEY ON ROUTE 115 IN NORTH YARMOUTH, MAINE FOR NELLIE LEIGHTON & PAUL & BETTY KAY TURINA" DATED 1/26/1989 BY DANIEL T.C. LAPOINT.
- 9. "STANDARD BOUNDARY SURVEY PLAN OF LAND ON ROUTE 115 IN NORTH YARMOUTH, MAINE FOR NORMAN L. SMITH, SIDNEY D. SMITH" DATED 4/17/1987 BY DANIEL T. C. LAPOINT.
- 10. "PLAN OF LAND FOR PAUL CLARK, ROUTE 115, NORTH YARMOUTH, ME" DATED 7/10/1978 BY C. R. STORER, INC. RECORDED IN PLAN BOOK 120 PAGE 30.

TYPICAL ABBREVIATIONS:

ACCPM	ASPHALT COATED CMP	EA	EACH	OC	ON CENTER
ACP	ASBESTOS CEMENT PIPE	EG	EXISTING GROUND OR GRADE	OD	OUTSIDE DIAMETER
AC	ACRE	ELEC	ELECTRIC		
AGG	AGGREGATE	EL	ELEVATION	PC	POINT OF CURVE
ALUM	ALUMINUM	ELB	ELBOW	PD	PERIMETER DRAIN
APPD	APPROVED	EOP	EDGE OF PAVEMENT	PI	POINT OF INTERSECTION
APPROX	APPROXIMATE	EQUIP	EQUIPMENT	PIV	POST INDICATOR VALVE
ARMH	AIR RELEASE MANHOLE	EST	ESTIMATED	PT	POINT OF TANGENT
ASB	ASBESTOS	EXC	EXCAVATE	PERF	PERFORATED
ASP	ASPHALT	EXIST	EXISTING	PP	POWER POLE
AUTO	AUTOMATIC			PSI	POUNDS PER SQUARE INCH
AUX	AUXILIARY	FI	FIELD INLET	PVC	POLYVINYL CHLORIDE
AVE	AVENUE	FG	FINISH GRADE	PVMT	PAVEMENT
AZ	AZIMUTH	FBRGL	FIBERGLASS		
		FDN	FOUNDATION	QTY	QUANTITY
BCCMP	BITUMINOUS COATED CMP	FLEX	FLEXIBLE		
BM	BENCH MARK	FLG	FLANGE	RCP	REINFORCED CONCRETE PIPE
BIT	BITUMINOUS	FLR	FLOOR	ROW	RIGHT OF WAY
BLDG	BUILDING	FPS	FEET PER SECOND	RAD	RADIUS
BOT	BOTTOM	FT OR	FEET	REQD	REQUIRED
BRG	BEARING	FTG	FOOTING	RT	RIGHT
BY	BALL VALVE			RTE	ROUTE
		GA	GAUGE		
CB	CATCH BASIN	GAL	GALLON	S	SLOPE
CEN	CENTER	GALV	GALVANIZED	SCH	SCHEDULE
CEM LIN	CEMENT LINED	GPD	GALLONS PER DAY	SF	SQUARE FEET
CHP	CORRUGATED METAL PIPE	GPM	GALLONS PER MINUTE	SHT	SHEET
CO	CLEAN OUT			SMH	SANITARY MANHOLE
CF	CUBIC FEET	HDPE	HIGH DENSITY POLYETHYLENE	ST	STREET
CFS	CUBIC FEET PER SECOND	HORIZ	HORIZONTAL	STA	STATION
CI	CAST IRON	HP	HORSEPOWER	SY	SQUARE YARD
CL	CLASS	HYD	HYDRANT		
CONC	CONCRETE	ID	INSIDE DIAMETER	TAN	TANGENT
CONST	CONSTRUCTION	IN OR "	INCHES	TDH	TOTAL DYNAMIC HEAD
CONTR	CONTRACTOR	INV	INVERT	TEMP	TEMPORARY
CS	CURB STOP	INV EL	INVERT ELEVATION	TYP	TYPICAL
CTR	CENTER			UD	UNDERDRAIN
CY	COPPER	LB	POUND	V	VOLTS
	CUBIC YARD	LC	LEACHATE COLLECTION	VA TEE	VALVE ANCHORING TEE
D	DEGREE OF CURVE	LD	LEAK DETECTION	VERT	VERTICAL
DBL	DOUBLE	LF	LINEAR FEET		
DEG OR °	DEGREE	LOC	LOCATION	WG	WATER GATE
DEPT	DEPARTMENT	LT	LEACHATE TRANSPORT	W/	WITH
DI	DUCTILE IRON			W/O	WITHOUT
DIA OR	DIAMETER	MH	MANHOLE		
DIM	DIMENSION	MJ	MECHANICAL JOINT	YD	YARD
DIST	DISTANCE	MATL	MATERIAL		
DN	DOWN	MAX	MAXIMUM		
DR	DRAIN	MFR	MANUFACTURE		
DWG	DRAWING	MIN	MINIMUM		
		MISC	MISCELLANEOUS		
		MON	MONUMENT		
		NITC	NOT IN THIS CONTRACT		
		NTS	NOT TO SCALE		
		N/F	NOW OR FORMERLY		
		NO OR #	NUMBER		

GENERAL SITE NOTES:

- 1. EXCAVATE AND STOCKPILE ON-SITE TOPSOIL. TOPSOIL IS TO REMAIN THE PROPERTY OF THE OWNER DURING CONSTRUCTION, AND SHALL NOT BE REMOVED FROM THE SITE. AFTER FINAL LOAM AND SEED EXCESS TOPSOIL SHALL BE REMOVED FROM SITE BY CONTRACTOR.
- 2. PAVEMENT EDGES SHALL BE TRUE TO LINE. SAWCUT EXISTING PAVEMENT IN SMOOTH STRAIGHT LINE WHERE NEW PAVEMENT JOINS, PROVIDE TACK COAT LAYER AS SPECIFIED.
- 3. PROVIDE TRAFFIC CONTROL SIGNAGE AND STRIPING AS SHOWN AND IN ACCORDANCE WITH U.S.D.O.T. MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MOST RECENT VERSION).
- 4. HORIZONTAL DATUM: NAD83, WEST, FT. VERTICAL DATUM: NAVD 88.

GRADING NOTES:

- 1. ADD 4" LOAM, SEED AND MULCH TO DISTURBED AREAS UNLESS OTHERWISE NOTED. PROVIDE EROSION CONTROL MESH ON ALL SLOPES STEEPER THAN 3:1, AND ALONG DITCH CHANNELS.
- 2. MAINTAIN TEMPORARY EROSION CONTROL MEASURES FOR THE FULL DURATION OF CONSTRUCTION. INSPECT WEEKLY AND AFTER EACH STORM AND REPAIR AS NEEDED. REMOVE SEDIMENTS FROM THE SITE. PLACE IN AREA OF LOW EROSION POTENTIAL, AND STABILIZE WITH SEED AND MULCH.
- 3. PLACE TEMPORARY SOIL STABILIZATION WITHIN 7 DAYS OF INITIAL DISTURBANCE. PLACE PERMANENT SOIL STABILIZATION WITHIN 7 DAYS OF FINAL GRADING.

UTILITY NOTES:

- 1. THE ACCURACY AND COMPLETENESS OF SUBSURFACE INFORMATION IS NOT GUARANTEED. VERIFY SITE CONDITIONS INCLUDING TEST PITS FOR LOCATIONS AND INVERTS OF UTILITIES AND REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO PROCEEDING WITH THAT PORTION OF THE WORK.
- 2. COORDINATE WORK ON UTILITY LINES OR WITHIN ROAD RIGHT-OF-WAY WITH THE UTILITY COMPANIES AND TOWN ROAD DEPARTMENT AND MEDOT.
- 3. ALL PIPING AND DRAINAGE STRUCTURES SHALL BE INSTALLED IN ACCORDANCE WITH THE TOWN OF NORTH YARMOUTH MUNICIPAL STANDARDS.

DIG SAFE NOTES:

PRIOR TO EXCAVATION, VERIFY THE UNDERGROUND UTILITIES, PIPES, STRUCTURES AND FACILITIES. PROVIDE THE FOLLOWING MINIMUM MEASURES:

- 1. PRE-MARK THE BOUNDARIES OF PLANNED EXCAVATION WITH WHITE PAINT, FLAGS OR STAKES, SO UTILITY CREWS KNOW WHERE TO MARK THEIR LINES.
- 2. CALL DIG SAFE, AT 811, AT LEAST THREE BUSINESS DAYS - BUT NO MORE THAN 30 CALENDAR DAYS - BEFORE STARTING WORK. DO NOT ASSUME SOMEONE ELSE WILL MAKE THE CALL.
- 3. IF BLASTING, NOTIFY DIG SAFE AT LEAST ONE BUSINESS DAY IN ADVANCE.
- 4. WAIT THREE BUSINESS DAYS FOR LINES TO BE LOCATED AND MARKED WITH COLOR-CODED PAINT, FLAGS OR STAKES. NOTE THE COLOR OF THE MARKS AND THE TYPE OF UTILITIES THEY INDICATE. TRANSFER THESE MARKS TO THE AS-BUILT DRAWINGS.
- 5. CONTACT THE LANDOWNER AND OTHER "NON-MEMBER" UTILITIES (WATER, SEWER, GAS, ETC.). FOR THEM TO MARK THE LOCATIONS OF THEIR UNDERGROUND FACILITIES. TRANSFER THESE MARKS TO THE AS-BUILT DRAWINGS.
- 6. RE-NOTIFY DIG SAFE AND THE NON-MEMBER UTILITIES IF THE DIGGING, DRILLING OR BLASTING DOES NOT OCCUR WITHIN 30 CALENDAR DAYS, OR IF THE MARKS ARE LOST DUE TO WEATHER CONDITIONS, SITE WORK ACTIVITY OR ANY OTHER REASON.
- 7. HAND DIG WITHIN 18 INCHES IN ANY DIRECTION OF ANY UNDERGROUND LINE UNTIL THE LINE IS EXPOSED. MECHANICAL METHODS MAY BE USED FOR INITIAL SITE PENETRATION, SUCH AS REMOVAL OF PAVEMENT OR ROCK.
- 8. DIG SAFE REQUIREMENTS ARE IN ADDITION TO TOWN, CITY, AND/OR STATE DOT STREET OPENING PERMIT REQUIREMENTS.
- 9. FOR COMPLETE DIG SAFE REQUIREMENTS, CALL THE PUC OR VISIT THEIR WEBSITE.
- 10. IF YOU DAMAGE, DISLOCATE OR DISTURB ANY UNDERGROUND UTILITY LINE, IMMEDIATELY NOTIFY THE AFFECTED UTILITY. IF DAMAGE CREATES SAFETY CONCERNS, CALL THE FIRE DEPARTMENT AND TAKE IMMEDIATE STEPS TO SAFEGUARD HEALTH AND PROPERTY.
- 11. ANY TIME AN UNDERGROUND LINE IS DAMAGED OR DISTURBED OR IF LINES ARE IMPROPERLY MARKED, YOU MUST FILE AN INCIDENT REPORT WITH THE P.U.C. FOR AN INCIDENT REPORT FORM VISIT WWW.STATE.ME.US/MPUC OR CALL THE PUC AT 1-800-452-4699.

LEGEND

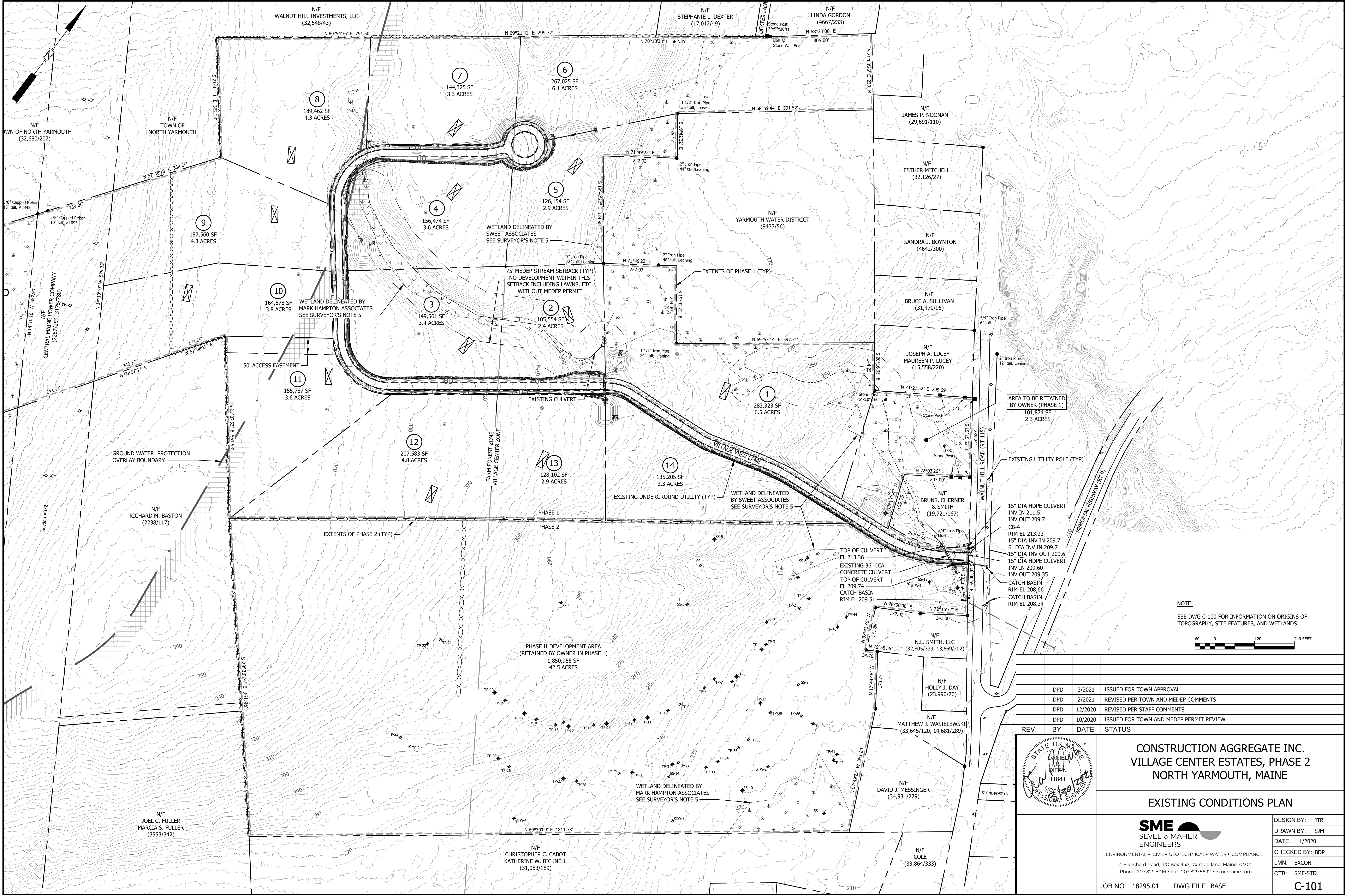
EXISTING		PROPOSED
	PROPERTY LINE	
	SETBACK	
	EASEMENT	
	IRON PIPE	
	STONE POST	
	EDGE OF PAVEMENT	
	EDGE OF GRAVEL	
	WALKING PATH	
	CONTOUR	
	SPOT GRADE	
	FENCE	
	STORM DRAIN	
	CULVERT	
	UNDERDRAIN	
	CATCH BASIN	
	UTILITY POLE	
	UNDERGROUND UTILITY	
	TRANSFORMER	
	WATER LINE	
	HYDRANT	
	SIGN	
	RIPRAP	
	TREELINE	
	TEST PIT	
	WETLAND	
	NO-CUT BUFFER	
	ZONING BOUNDARY	
	GROUNDWATER PROTECTION OVERLAY BOUNDARY	
	RESIDENTIAL SHORELAND ZONING	
	100' WELL EXCLUSION ZONE	
	POTENTIAL SEPTIC BED	

EROSION CONTROL LEGEND

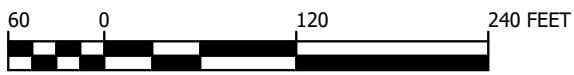
	CATCH BASIN PROTECTION WITH SILTSACK
	SILT FENCE
	CHECK DAM
	STABILIZED ENTRANCE

	DPD	3/2021	ISSUED FOR TOWN APPROVAL
	DPD	2/2021	REVISED PER TOWN AND MEDEP COMMENTS
	DPD	12/2020	REVISED PER STAFF COMMENTS
	DPD	10/2020	ISSUED FOR TOWN AND MEDEP PERMIT REVIEW
REV.	BY	DATE	STATUS
<div><div></div><div><div>CONSTRUCTION AGGREGATE INC.</div><div>VILLAGE CENTER ESTATES, PHASE 2</div><div>NORTH YARMOUTH, MAINE</div></div></div>			
<div><div><div>SME</div><div>SEVEE &amp; MAHER</div><div>ENGINEERS</div></div><div>ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE</div><div>4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021</div><div>Phone 207.829.5016 • Fax 207.829.5692 • smemaine.com</div></div>			
JOB NO. 18295.00 DWG FILE GEN-NOTES			DESIGN BY: JTR
			DRAWN BY: SJM
			DATE: 1/2020
			CHECKED BY: BDP
			LMN: NONE
			CTB: SME-STD
			C-100





NOTE:  
SEE DWG C-100 FOR INFORMATION ON ORIGINS OF  
TOPOGRAPHY, SITE FEATURES, AND WETLANDS.



REV.	BY	DATE	STATUS
	DPD	3/2021	ISSUED FOR TOWN APPROVAL
	DPD	2/2021	REVISED PER TOWN AND MEDEP COMMENTS
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**CONSTRUCTION AGGREGATE INC.**  
**VILLAGE CENTER ESTATES, PHASE 2**  
**NORTH YARMOUTH, MAINE**

**EXISTING CONDITIONS PLAN**

**SME**  
**SEVEE & MAHER**  
**ENGINEERS**

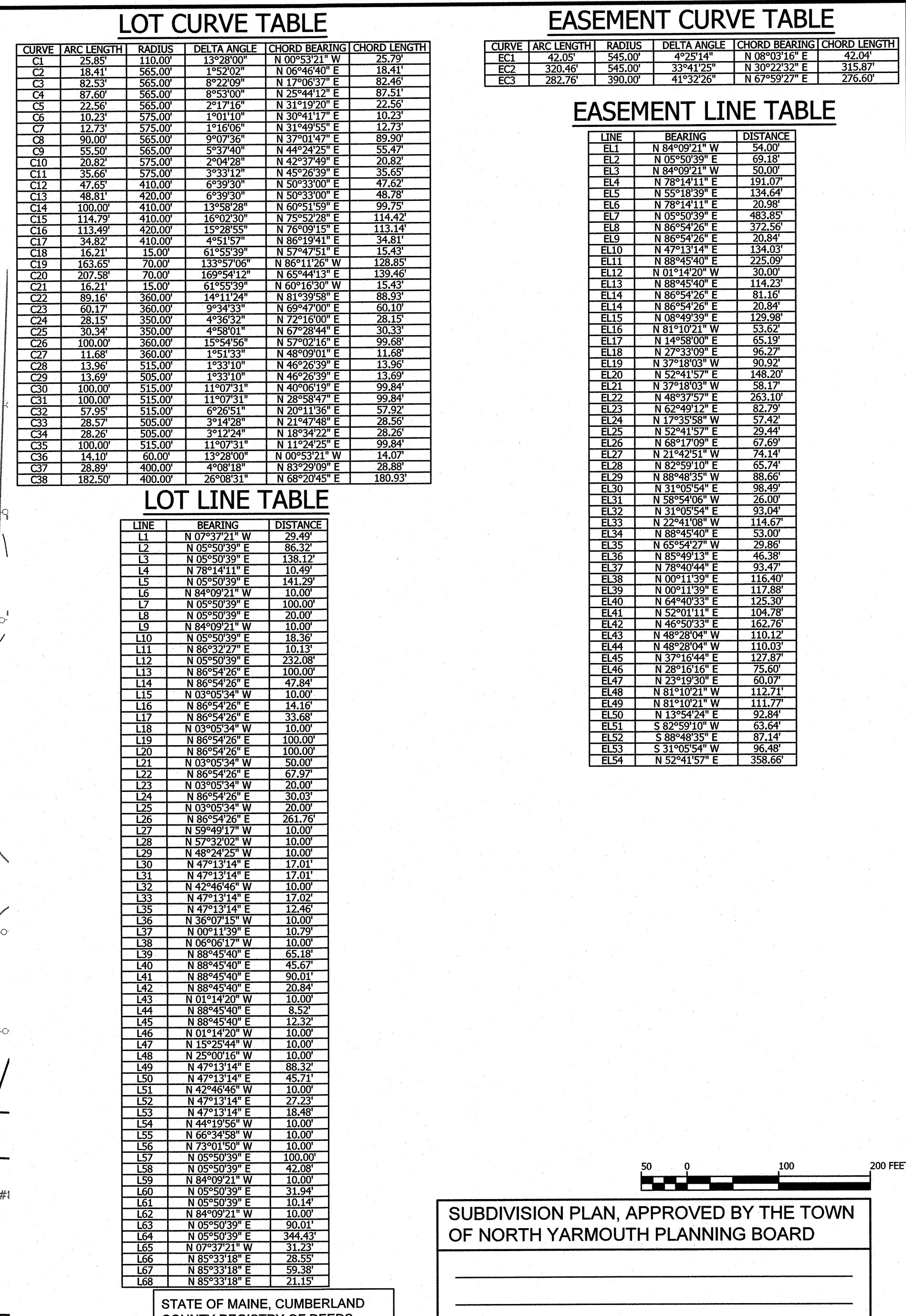
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JOB NO. 18295.01   DWG FILE BASE

DESIGN BY: JTR  
DRAWN BY: SJM  
DATE: 1/2020  
CHECKED BY: BDP  
LMN: EXCON  
CTB: SME-STD





1. PROPERTY OWNER:  
CONSTRUCTION AGGREGATE INC.
2. APPLICANT:  
CONSTRUCTION AGGREGATE INC.  
82 DOUGHTY ROAD  
NORTH YARMOUTH, MAINE 04097
3. PROPOSED USE:  
MAJOR SUBDIVISION - PROPOSED 39 LOT SUBDIVISION (14 FROM PHASE I AND 25 FROM PHASE II)
4. PROPOSED SEPTIC SYSTEM SHALL BE CONSTRUCTED FOR EACH LOT FOR LOTS 1 - 21 AND 24.
5. LOT INFORMATION: TAX MAP 7, LOT 34
6. ZONING DISTRICT: FARM FOREST ZONE AND VILLAGE CENTER ZONE
7. ZONING REQUIREMENTS: DIMENSIONAL STANDARDS TO BE IN ACCORDANCE WITH THE APPROVED ZONE AS SHOWN BELOW:

1. "PLAN OF LAND ON MEMORIAL HIGHWAY IN NORTH YARMOUTH, MAINE FOR FREDERICK CHERNER" DATED SEPTEMBER 23 BY WAYNE T. WOOD & CO.
2. "GUIDI FLASH HOLDINGS ~ STONE POST SUBDIVISION ~ ROUTE 115 ~ NORTH YARMOUTH, MAINE" DATED MARCH 2016 BY SEEVE & MAHER ENGINEERING RECORDED IN PLAN BOOK 216 PAGE 384.
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9. "STANDARD BOUNDARY SURVEY OF LAND OF ROBERT & ROSE KILLEN ON ROUTE 115 IN NORTH YARMOUTH, MAINE FOR NORMAN L. SMITH, JR. & SUE D. SMITH" DATED 4/17/1978 BY DANIEL C. LAPOINTE.
10. "PLAN OF LAND FOR PAUL CLARK, ROUTE 115, NORTH YARMOUTH, ME" DATED 7/10/1978 BY C. R. STORER, INC. RECORDED IN PLAN BOOK 120 PAGE 30.

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\*THE MINIMUM LOT SIZE CAN BE REDUCED TO 20,000 SF IN THE VILLAGE CENTER DISTRICT WHEN THE LOT IS SERVED BY AN ADVANCED WASTEWATER TREATMENT SYSTEM.

7. ALL LOTS IN THE PHASE 2 SUBDIVISION WILL BE SERVED BY AN ADVANCED WASTEWATER TREATMENT SYSTEM WITH PRETREATMENT THAT PROVIDES A MINIMUM OF 50 PERCENT REDUCTION IN NITRATES AND HAS DEMONSTRATED THAT WATER QUALITY WILL NOT BE DEGRADED.
8. WETLANDS DELINEATED BY SWEET ASSOCIATES, DATED JUNE 2016, AND MARK HAMPTON ASSOCIATES, DATED JULY 1, 2018.
9. SITE UTILITIES WILL BE PROVIDED AS FOLLOWS:  
ELECTRIC/COMMUNICATIONS: UNDERGROUND FROM EXISTING SERVICE  
WATER SUPPLY: PUBLIC WATER  
SEWER SERVICE: SEPTIC SYSTEMS (SEE ZONING NOTE 4)
10. SINGLE FAMILY HOMES SHALL HAVE A MAXIMUM OF 4 BEDROOMS.
11. GRADING PLANS FOR INDIVIDUAL LOTS WILL BE SUBMITTED TO THE TOWN FOR REVIEW PRIOR TO CONSTRUCTION AS PART OF THE BUILDING PERMIT APPLICATION PROCESS.

12. THE PROPERTY IS NOT WITHIN A FLOODPLAIN OR SHORELAND ZONE AS REFERENCED ON FEMA COMMUNITY PANEL 230202 0100 B.
13. THE PROPOSED ROADWAY WILL BE PRIVATE.
14. TOTAL WETLAND IMPACTS - PHASE 1: 3,470 SF PHASE 2: 11,455 SF TOTAL: 14,925 SF.
15. NO DEVELOPMENT WILL BE ALLOWED WITHIN THE MEDEP 7'S STREAM SETBACK WITHOUT A MEDEP PERMIT FOR PERMITTING PURPOSES, AN ALLOWANCE OF 2,500 SF OF IMPERVIOUS AREA IS ANTICIPATED FOR EACH RESIDENTIAL LOT (1-21, 24).
17. LOT 23 MAY BE DEVELOPED AS A COMMERCIAL PROPERTY, FOR PERMITTING PURPOSES, AN ALLOWANCE OF 12,500 SF OF IMPERVIOUS AREA AND 4,850 SF OF WETLAND IMPACT ARE ANTICIPATED. STORMWATER MANAGEMENT AND SCEPTIC DESIGN WILL BE REQUIRED FOR PROPOSED DEVELOPMENT ON THIS PAREL, PRIOR TO DEVELOPMENT. SITE PLANS WILL BE FORWARDED TO MEDEP FOR REVIEW. DEVELOPMENT IN EXCESS OF THE ANTICIPATED IMPERVIOUS AREA AND WETLAND IMPACT MAY REQUIRE ADDITIONAL MEDEP PERMITTING.

18. NET RESIDENTIAL CALCULATIONS - PHASE 2:		FARM FOREST	VILLAGE CENTER
TOTAL PARCEL PER ZONE:		693,581 SF	1,156,903 SF
A.	AREAS CUT-OFF FROM PARCEL ISOLATED OR UNAVAILABLE	0 SF	0 SF
B.	AREAS BELOW NORMAL HIGH WATER MARK OF WATER BODIES (STREAM)	0 SF	0 SF
C.	AREAS WITHIN 100-YEAR FLOOD PLAIN	0 SF	0 SF
D.	AREAS WITHIN 250-FEET OF ROYAL RIVER, CHANDLER BROOK AND EAST BRANCH	0 SF	0 SF
E.	AREAS CLASSIFIED AS WETLAND	0 SF	59,400 SF
F.	AREAS CREATED BY FILLING/DRAINAGE POND OR WETLAND	0 SF	0 SF
G.	UN-RECLAIMED GRAVEL PIT	0 SF	0 SF
H.	SLOPES IN EXCESS OF 20%	23,467 SF	106,243 SF
I.	AREAS WITH VERY POORLY DRAINED SOILS	0 SF	0 SF
J.	AREAS SUBJECT TO EXISTING RIGHT-OF-WAY OR EASEMENTS	0 SF	0 SF
TOTAL:		670,114 SF	991,260 SF
SUBTRACT 15% OF NET DEDUCTIONS:		100,517 SF	148,689 SF
NET RESIDENTIAL ACREAGE:		569,596 SF	842,571 SF
NET RESIDENTIAL ACREAGE PER LOT:			
FARM FOREST ZONE	569,596 SF / 130,680 SF PER LOT = 4 LOTS (2 LOTS PROPOSED)		
VILLAGE CENTER ZONE	842,571 SF / 20,000 SF PER LOT = 42 LOTS (21 LOTS PROPOSED)		

19. MAINTENANCE OF TRAILHEAD PARKING WILL BE BY THE TOWN OF NORTH YARMOUTH. ANY ADDITIONAL PARKING OR TRAILHEAD IMPROVEMENTS WILL BE SUBJECT TO REVIEW AND APPROVAL BY THE VILLAGE CENTER ESTATES HOME OWNERS ASSOCIATION (PHASE 1 AND 2).
20. TOWN PUBLIC WORKS STAFF MAY ACCESS STORMWATER FACILITY AREAS BY ESTABLISHED EASEMENTS IN EMERGENCY SITUATIONS.
21. SNOW REMOVAL WILL BE COMPLETED BY THE HOMEOWNERS ASSOCIATION IN CONFORMANCE WITH THE REQUIREMENT OF THE LOCAL FIRE DEPARTMENT.

LINE	BEARING	DISTANCE
1	N 0°29'39"E	26.49
2	N 0°50'39"E	86.32
3	N 0°50'39"E	138.12
4	N 78°14'11"E	15.82
5	N 0°50'39"E	141.39
6	N 84°09'21"W	10.00
7	N 0°50'39"E	100.00
8	N 0°50'39"E	20.00
9	N 84°09'21"W	10.00
10	N 0°50'39"E	18.32
11	N 86°32'27"E	10.13
12	N 0°50'39"E	222.08
13	N 86°42'26"E	100.00
14	N 86°42'26"E	47.84
15	N 0°50'39"E	14.16
16	N 86°42'26"E	44.16
17	N 86°42'26"E	33.68
18	N 0°50'39"E	10.00
19	N 86°42'26"E	100.00
20	N 86°42'26"E	100.00
21	N 0°50'39"E	50.00
22	N 86°42'26"E	67.87
23	N 0°30'54"W	20.00
24	N 86°42'26"E	20.03
25	N 0°30'54"W	20.00
26	N 86°42'26"E	261.78
27	S 94°01'11"W	10.00
28	N 57°52'07"W	10.00
29	N 48°42'26"E	10.00
30	N 47°13'14"E	12.61
31	N 47°13'14"E	12.61
32	N 42°46'46"W	10.00
33	N 47°13'14"E	12.62
34	N 47°13'14"E	12.46
35	N 42°46'46"W	10.00
36	N 00°11'59"E	10.79
37	N 0°06'16"W	10.00
38	N 88°45'40"E	65.18
39	N 88°45'40"E	45.67
40	N 88°45'40"E	50.01
41	N 88°45'40"E	25.84
42	N 0°14'20"W	10.00
43	N 88°45'40"E	8.52
44	N 88°45'40"E	12.52
45	N 0°14'20"W	10.00
46	N 0°14'20"W	10.00
47	N 15°25'44"E	10.00
48	N 0°50'39"E	10.00
49	N 47°13'14"E	88.32
50	N 47°13'14"E	45.71
51	N 42°46'46"W	10.00
52	N 47°13'14"E	27.23
53	N 47°13'14"E	18.48
54	N 44°19'55"W	10.00
55	N 66°34'58"W	10.00
56	N 7°30'15"E	10.00
57	N 0°50'39"E	100.00
58	N 0°50'39"E	42.08
59	N 84°09'21"W	10.00
60	N 0°50'39"E	31.94
61	N 0°50'39"E	10.14
62	N 84°09'21"W	10.00
63	N 0°50'39"E	90.01
64	N 0°50'39"E	344.43
65	N 10°57'21"W	31.44
66	N 85°33'18"E	26.55
67	N 85°33'18"E	39.38
68	N 85°33'18"E	21.15

LINE	BEARING	DISTANCE
E1	N 84°09'51" W	54.00'
E2	N 0°50'51" W	10.00'
E3	N 84°09'51" W	50.00'
E4	N 78°41'11" E	19.10'
E5	N 55°18'03" E	48.35'
E6	N 78°41'11" E	20.98'
E7	N 0°50'59" E	483.85'
E8	N 86°54'26" E	1.00'
E9	N 86°54'26" E	20.88'
E10	N 4°17'13" E	1.00'
E11	N 86°54'40" E	235.09'
E12	N 01°14'20" W	30.00'
E13	N 86°54'40" E	1.00'
E14	N 86°54'26" E	81.16'
E15	N 86°54'26" E	20.88'
E16	N 0°51'13" E	1.00'
E17	N 81°10'21" W	53.62'
E18	N 14°38'00" E	65.19'
E19	N 2°24'51" E	74.14'
E20	N 37°18'03" W	90.50'
E21	N 37°18'03" W	90.50'
E22	N 37°18'03" W	58.17'
E23	N 48°37'57" E	263.10'
E24	N 62°59'49" E	26.30'
E25	N 17°35'58" W	57.42'
E26	N 52°41'57" E	29.44'
E27	N 68°17'06" E	1.00'
E28	N 21°24'51" W	74.14'
E29	N 82°49'01" E	65.74'
E30	N 88°48'48" E	1.00'
E31	N 31°05'54" E	96.49'
E32	N 38°51'06" E	26.60'
E33	N 31°05'54" E	26.60'
E34	N 22°41'08" W	114.67'
E35	N 88°48'48" E	1.00'
E36	N 65°54'27" W	29.86'
E37	N 85°49'13" E	46.38'
E38	N 78°40'11" E	1.00'
E39	N 00°11'39" E	116.49'
E40	N 00°11'39" E	117.28'
E41	N 64°40'11" E	1.00'
E42	N 52°01'11" E	104.78'
E43	N 48°50'01" E	104.78'
E44	N 48°28'33" E	104.78'
E45	N 28°16'07" W	110.03'
E46	N 13°36'07" E	110.03'
E47	N 28°16'07" E	75.50'
E48	N 23°19'30" E	60.00'
E49	N 31°10'21" W	111.77'
E50	N 81°10'21" W	111.77'
E51	N 13°54'24" E	92.84'
E52	N 82°49'01" E	65.74'
E53	N 88°48'48" E	87.14'
E54	N 31°05'54" E	96.49'
E55	N 54°51'52" E	358.69'

STATE OF MAINE, CUMBERLAND  
COUNTY REGISTRY OF DEEDS

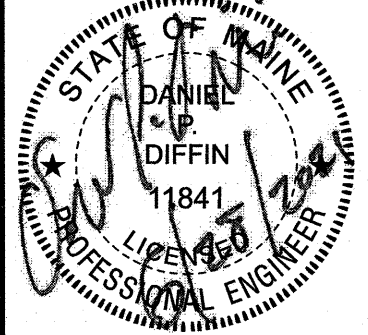
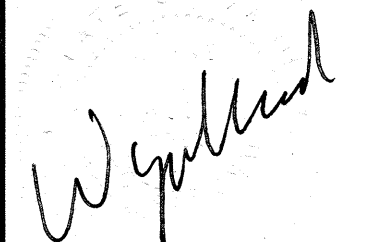

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at \_\_\_\_\_ h \_\_\_\_\_ m \_\_\_\_\_ M  
AND RECORDED IN  
PLAN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

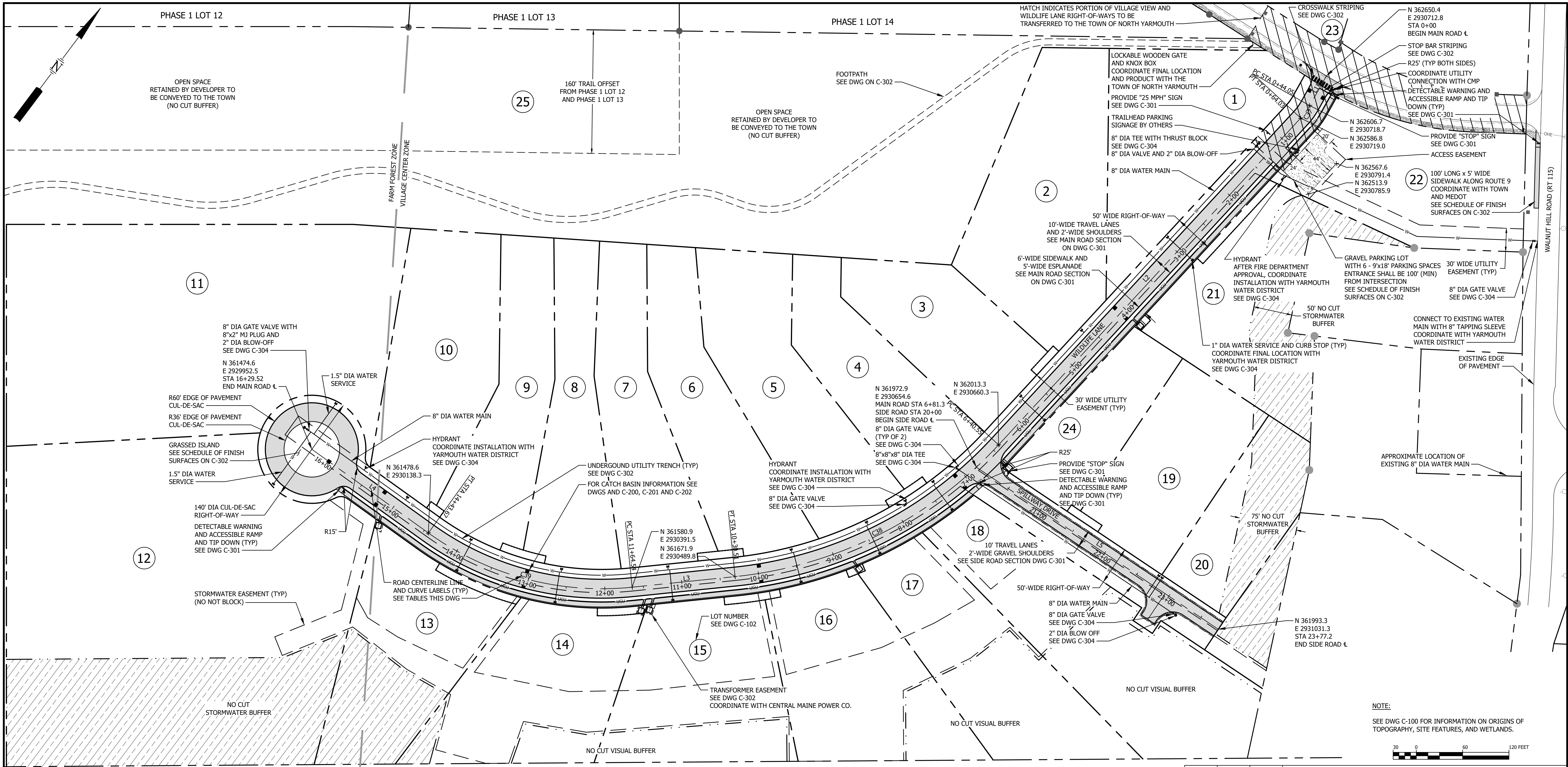
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REGISTER

SUBDIVISION PLAN, APPROVED BY THE TOWN OF NORTH YARMOUTH PLANNING BOARD	
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	
	DATE _____

	DPD	6/2021	REVISED PER PEER REVIEW AND SURVEYORS COMMENTS
	DPD	3/2021	ISSUED FOR TOWN APPROVAL
	DPD	2/2021	REVISED PER TOWN AND MEDEP COMMENTS
	DPD	12/2020	REVISED PER STAFF COMMENTS
	DPD	10/2020	ISSUED FOR TOWN AND MEDEP PERMIT REVIEW
REV.	BY	DATE	STATUS
			CONSTRUCTION AGGREGATE INC. VILLAGE CENTER ESTATES, PHASE 2 NORTH YARMOUTH, MAINE
			SUBDIVISION PLAN
			 <b>SME</b> SEVEE & MAHER ENGINEERS ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE 4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021 Phone 207.829.5016 • Fax 207.829.5692 • smemaine.com
			DESIGN BY: JTR DRAWN BY: SJM DATE: 1/2020 CHECKED BY: BDP LMN: SUBD CTB: SME-STD
JOB NO.	18295.01	DWG FILE	BASE C-102





	DPD	3/2021	ISSUED FOR TOWN APPROVAL
	DPD	2/2021	REVISED PER TOWN AND MEDEP COMMENTS
	DPD	12/2020	REVISED PER YARMOUTH WATER DISTRICT COMMENTS
	DPD	12/2020	REVISED PER STAFF COMMENTS
	DPD	10/2020	ISSUED FOR TOWN AND MEDEP PERMIT REVIEW
REV.	BY	DATE	STATUS
<div><div><div>STATE OF MAINE</div><div>DANIEL J. SEVEE</div><div>11841</div><div>PROFESSIONAL ENGINEER</div></div><div>2020</div></div>			
CONSTRUCTION AGGREGATE INC. VILLAGE CENTER ESTATES, PHASE 2 NORTH YARMOUTH, MAINE			
SITE LAYOUT AND UTILITIES PLAN			
SME SEVEE & MAHER ENGINEERS ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE 4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021 Phone 207.829.5016 • Fax 207.829.5692 • smemaine.com			DESIGN BY: JTR DRAWN BY: SJM DATE: 1/2020 CHECKED BY: BDP LMN: SITE-UTIL CTB: SME-STD
JOB NO. 18295.01    DWG FILE BASE			C-103

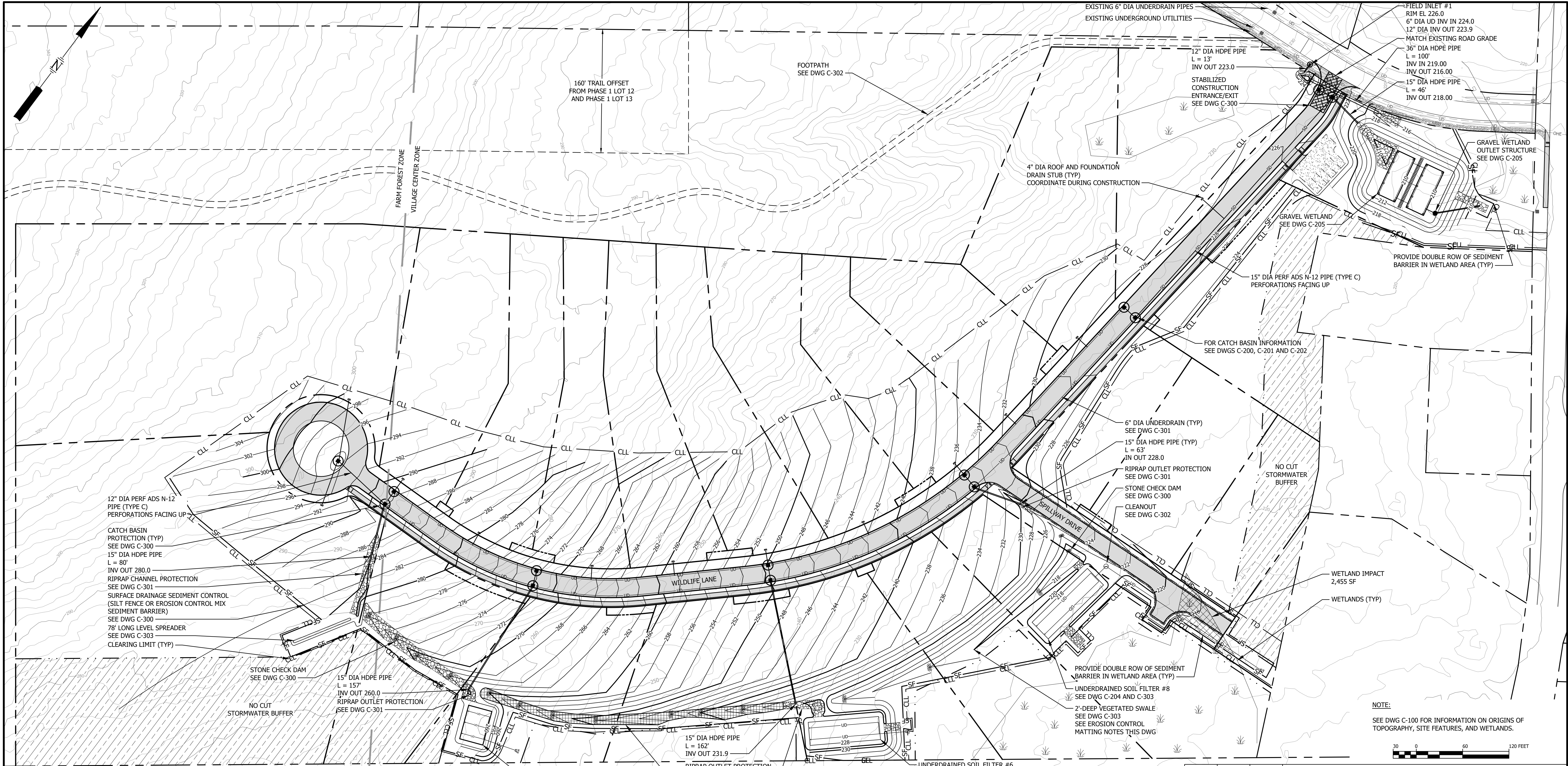
CENTERLINE CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C37	85.00'	19.98'	19.93'	S 00°53'21" E	13°28'00"
C38	540.00'	389.96'	381.55'	N 26°31'57" E	41°22'35"
C39	385.00'	279.13'	273.06'	S 67°59'27" W	41°32'26"

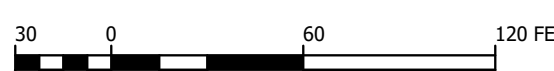
CENTERLINE LINE TABLE

LINE	BEARING	DISTANCE
L1	S 07°37'21" E	44.05'
L2	N 05°50'39" E	576.51'
L3	S 47°13'14" W	134.03'
L4	S 88°45'40" W	185.85'
L5	S 66°54'26" W	377.23'





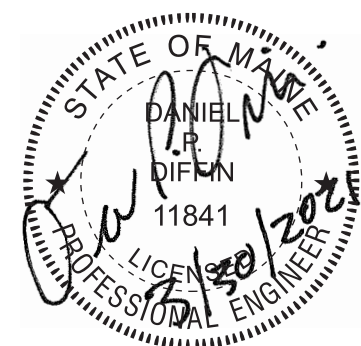
NOTE:  
SEE DWG C-100 FOR INFORMATION ON ORIGINS OF TOPOGRAPHY, SITE FEATURES, AND WETLANDS.



**EROSION CONTROL MATTING**

- SC250
- EROSION CONTROL MATTING NOTES:
1. ALL MATTING TO BE NORTH AMERICAN GREEN (NAG) OR ENGINEERED APPROVED EQUAL.
  2. ALL DITCHES WILL BE LINED WITH NAG S75 UNLESS NOTED OTHERWISE.

REV.	BY	DATE	STATUS
	DPD	3/2021	ISSUED FOR TOWN APPROVAL
	DPD	2/2021	REVISED PER TOWN AND MEDEP COMMENTS
	DPD	12/2020	REVISED PER STAFF COMMENTS
	DPD	10/2020	ISSUED FOR TOWN AND MEDEP PERMIT REVIEW



**CONSTRUCTION AGGREGATE INC.**  
VILLAGE CENTER ESTATES, PHASE 2  
NORTH YARMOUTH, MAINE

**GRADING AND EROSION CONTROL PLAN**

**SME**  
SEVEE & MAHER  
ENGINEERS

ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE

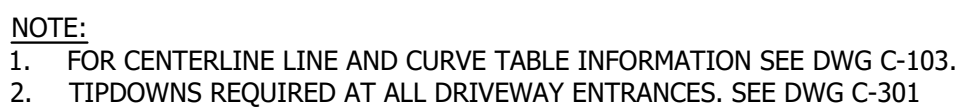
4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021  
Phone 207.829.5016 • Fax 207.829.5692 • smemaine.com

JOB NO. 18295.01    DWG FILE BASE

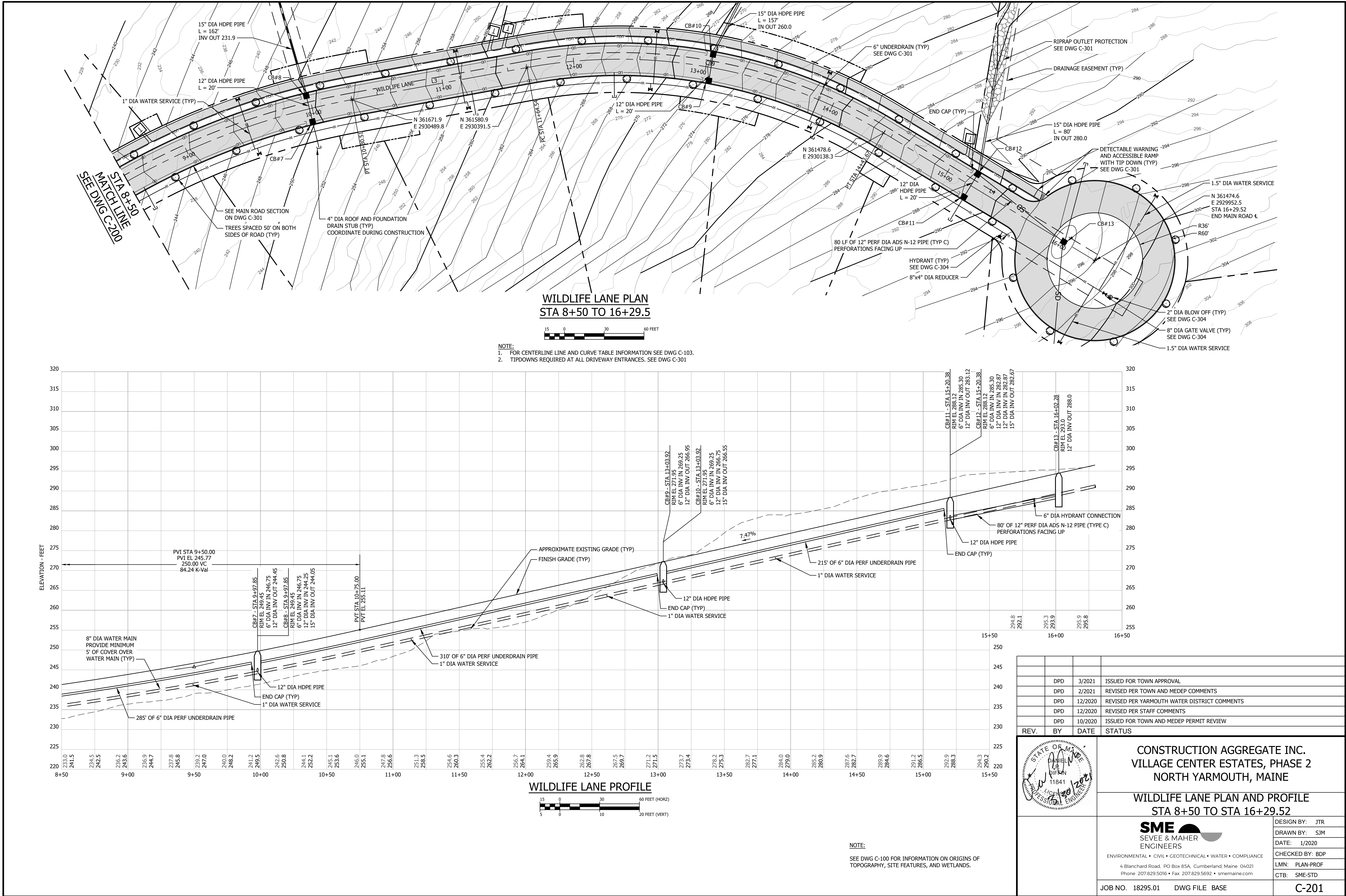
DESIGN BY: JTR  
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DATE: 7/2020  
CHECKED BY: BDP  
LMN: GRAD-EROS  
CTB: SME-STD

**C-104**



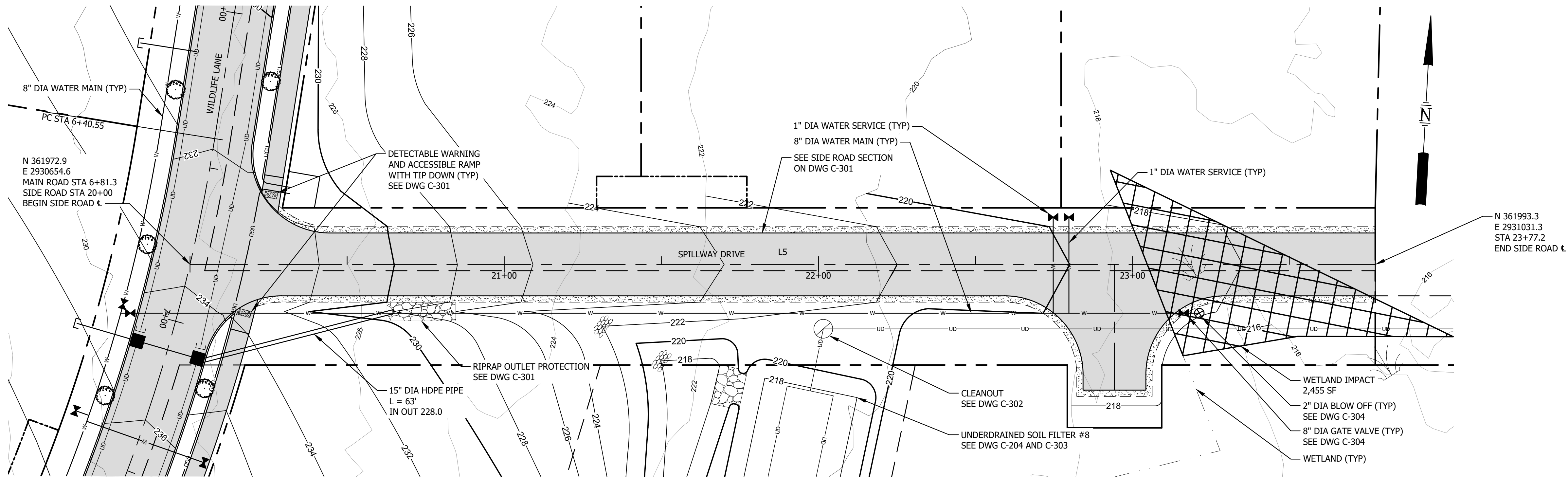




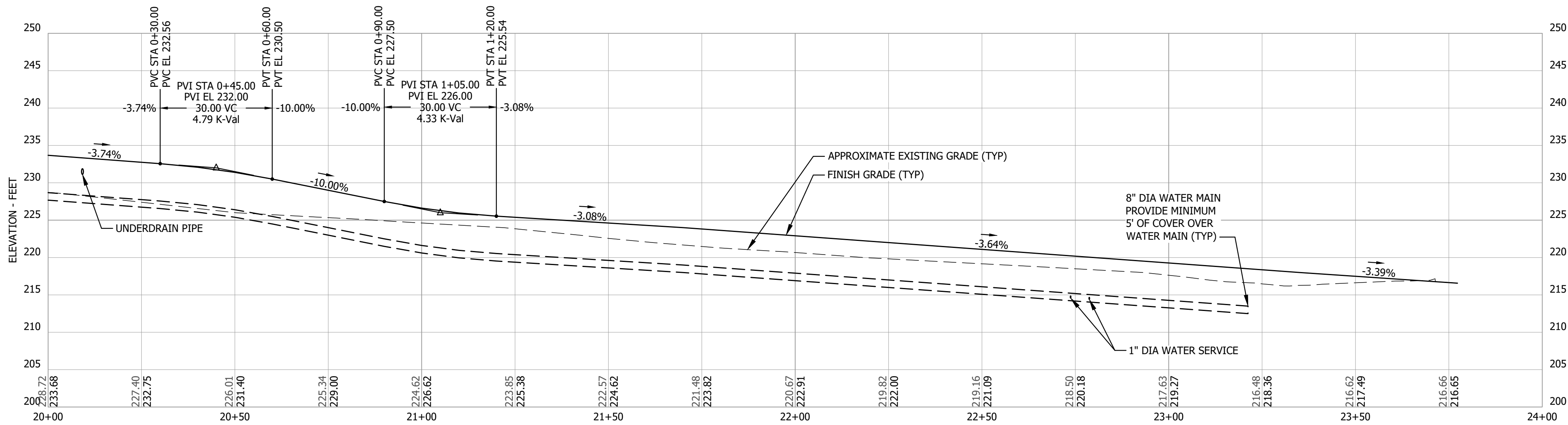


DPD	3/2021	ISSUED FOR TOWN APPROVAL	
DPD	2/2021	REVISED PER TOWN AND MEDEP COMMENTS	
DPD	12/2020	REVISED PER YARMOUTH WATER DISTRICT COMMENTS	
DPD	12/2020	REVISED PER STAFF COMMENTS	
DPD	10/2020	ISSUED FOR TOWN AND MEDEP PERMIT REVIEW	
REV.	BY	DATE	STATUS
<div><div><div>STATE OF MAINE</div><div>DANIEL R. SEVEE</div><div>11841</div><div>PROFESSIONAL ENGINEER</div></div><div>1/2021</div></div>			
CONSTRUCTION AGGREGATE INC. VILLAGE CENTER ESTATES, PHASE 2 NORTH YARMOUTH, MAINE			
WILDLIFE LANE PLAN AND PROFILE STA 8+50 TO STA 16+29.52			
SME SEVEE & MAHER ENGINEERS			DESIGN BY: JTR
ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE			DRAWN BY: SJM
4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021			DATE: 1/2020
Phone 207.829.5016 • Fax 207.829.5692 • smemaine.com			CHECKED BY: BDP
JOB NO. 18295.01			LMN: PLAN-PROF
DWG FILE BASE			CTB: SME-STD
			C-201

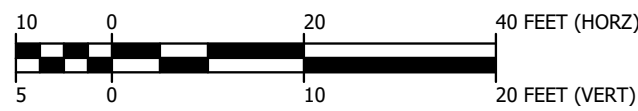




- NOTE:
1. FOR CENTERLINE LINE AND CURVE TABLE INFORMATION SEE DWG C-103.
  2. TIPDOWNS REQUIRED AT ALL DRIVEWAY ENTRANCES. SEE DWG C-301

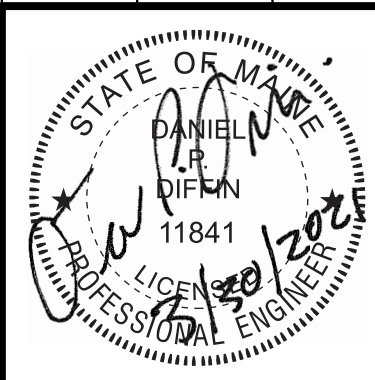


**SPILLWAY DRIVE PROFILE**

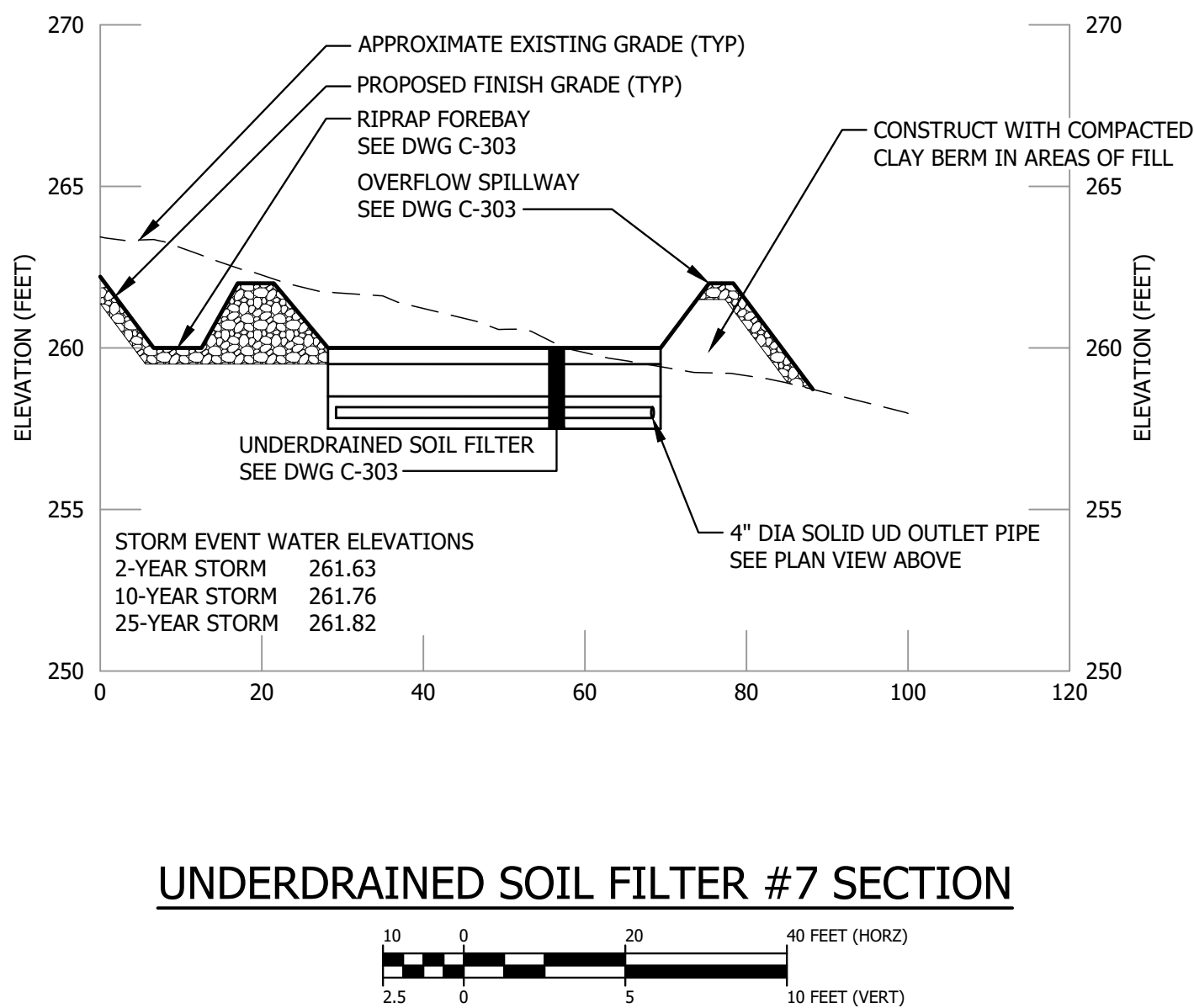
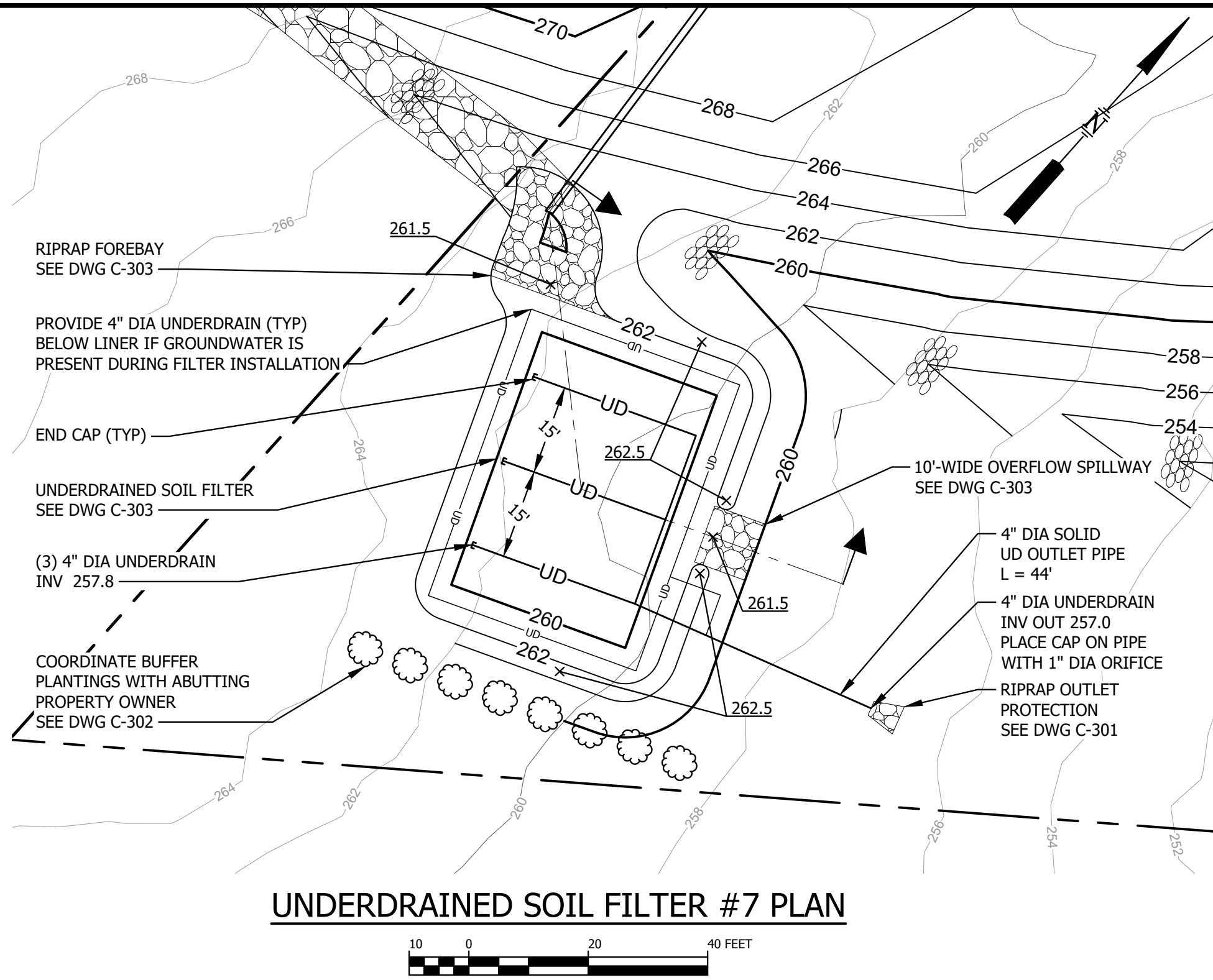
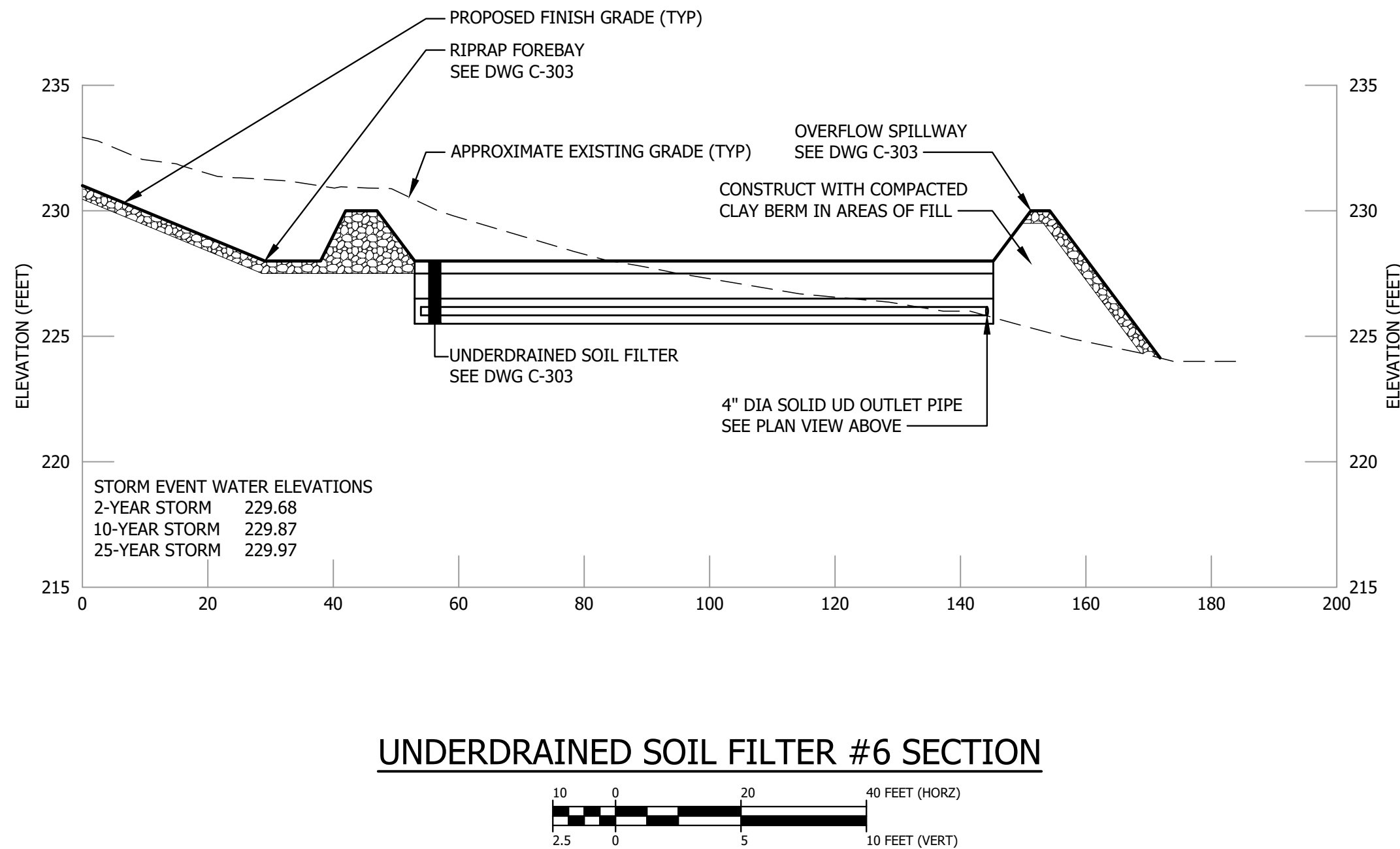
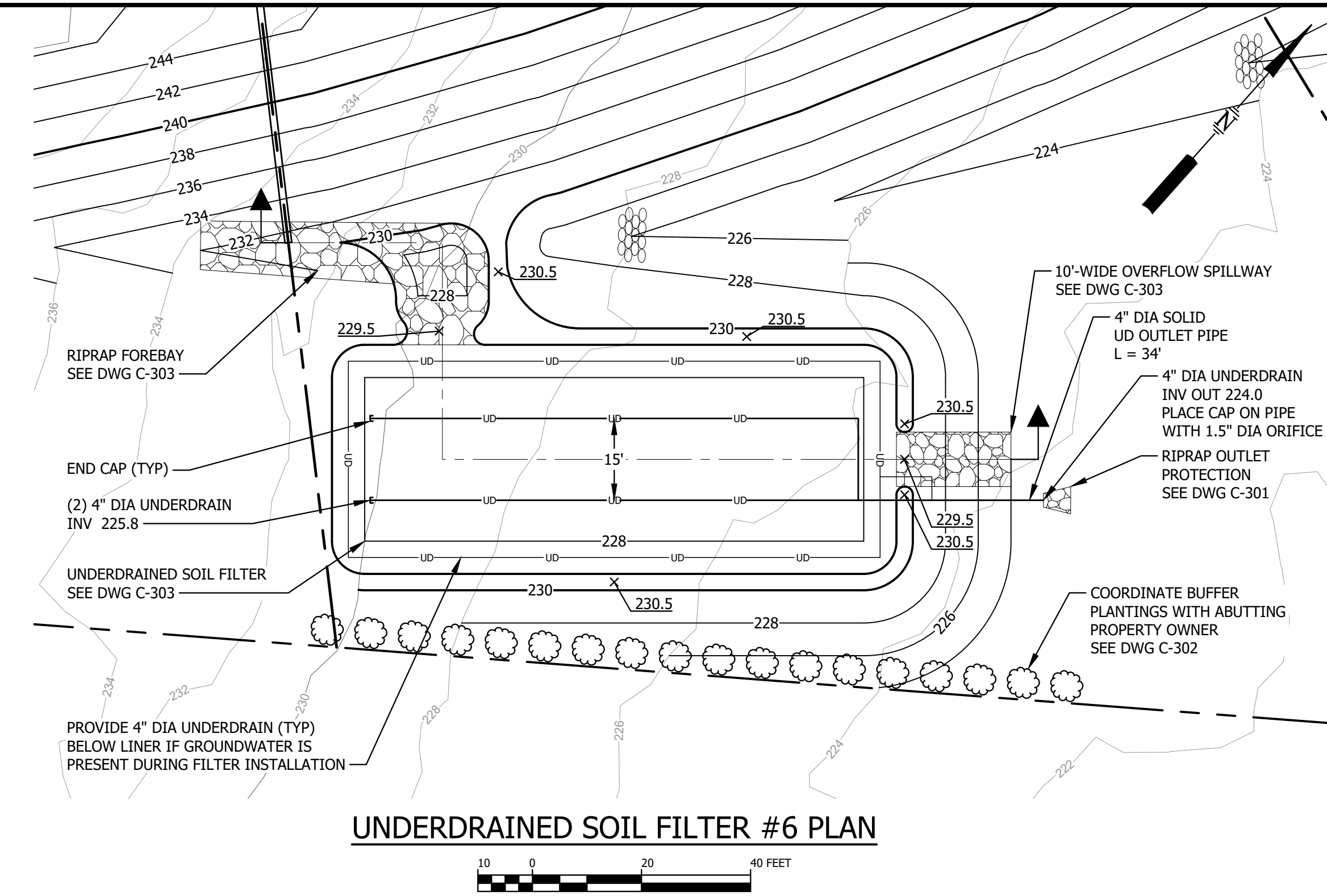


NOTE:  
SEE DWG C-100 FOR INFORMATION ON ORIGINS OF  
TOPOGRAPHY, SITE FEATURES, AND WETLANDS.

REV.	BY	DATE	STATUS
	DPD	3/2021	ISSUED FOR TOWN APPROVAL
	DPD	2/2021	REVISED PER TOWN AND MEDEP COMMENTS
	DPD	12/2020	REVISED PER YARMOUTH WATER DISTRICT COMMENTS
	DPD	12/2020	REVISED PER STAFF COMMENTS
	DPD	10/2020	ISSUED FOR TOWN AND MEDEP PERMIT REVIEW

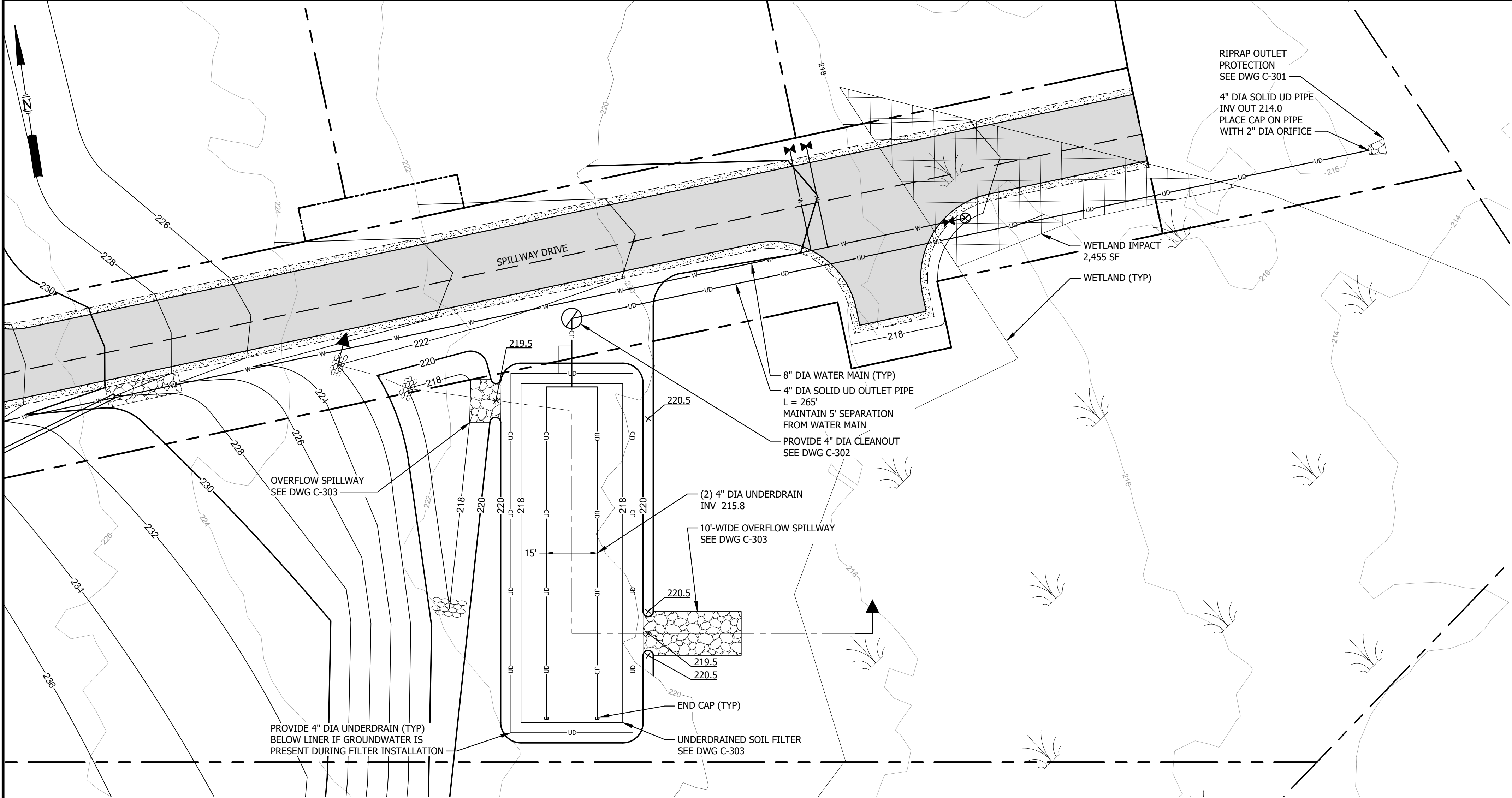
	CONSTRUCTION AGGREGATE INC. VILLAGE CENTER ESTATES, PHASE 2 NORTH YARMOUTH, MAINE	
	SPILLWAY DRIVE PLAN AND PROFILE	
 ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE 4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021 Phone 207.829.5016 • Fax 207.829.5692 • smemaine.com	DESIGN BY:	JTR
	DRAWN BY:	SJM
	DATE:	1/2020
	CHECKED BY:	BDP
	LMN:	PLAN-PROF
	CTB:	SME-STD
JOB NO. 18295.01    DWG FILE BASE		C-202



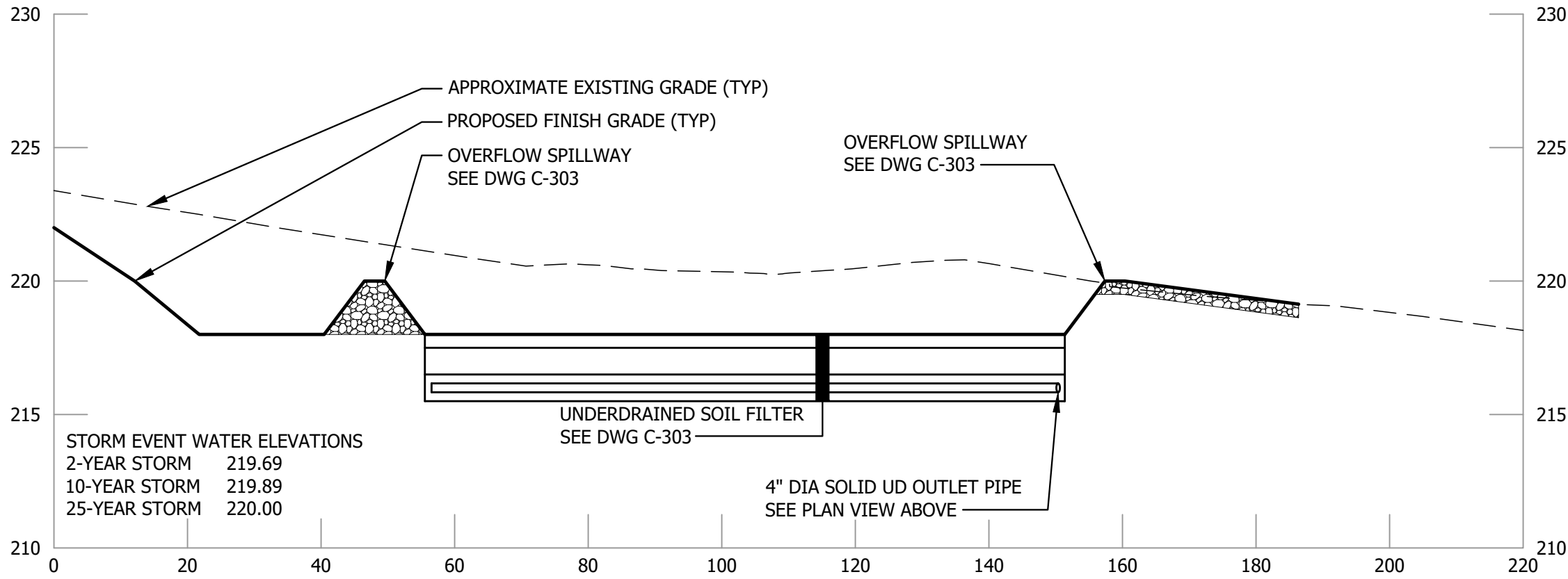


	DPD	3/2021	ISSUED FOR TOWN APPROVAL
	DPD	2/2021	REVISED PER TOWN AND MEDEP COMMENTS
	DPD	12/2020	REVISED PER STAFF COMMENTS
	DPD	10/2020	ISSUED FOR TOWN AND MEDEP PERMIT REVIEW
REV.	BY	DATE	STATUS
<div><div><div><div><div><div><span></span></div><div>STATE OF MAINE</div></div><div><div><span></span></div><div>DANIEL J. MAHER</div><div>11841</div></div><div><div>PROFESSIONAL ENGINEER</div><div>10/20/2020</div></div></div></div><div><div>CONSTRUCTION AGGREGATE INC.</div><div>VILLAGE CENTER ESTATES, PHASE 2</div><div>NORTH YARMOUTH, MAINE</div></div></div></div>			
<div><div><div><div><div><div><span></span></div><div>SME</div></div><div><div>SEVEE &amp; MAHER</div><div>ENGINEERS</div></div></div><div>ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE</div><div>4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021</div><div>Phone 207.829.5016 • Fax 207.829.5692 • smemaine.com</div></div><div>DESIGN BY: JTR</div><div>DRAWN BY: JRL</div><div>DATE: 10/2020</div><div>CHECKED BY: BDP</div><div>LMN: PLAN-PROF</div><div>CTB: SME-STD</div></div></div>			
JOB NO. 18295.01    DWG FILE BASE			C-203

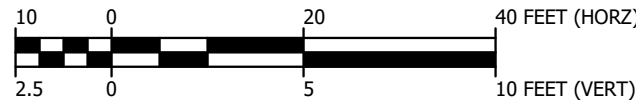




UNDERDRAINED SOIL FILTER #8 PLAN



UNDERDRAINED SOIL FILTER #8 SECTION



	DPD	3/2021	ISSUED FOR TOWN APPROVAL
	DPD	2/2021	REVISED PER TOWN AND MEDEP COMMENTS
	DPD	12/2020	REVISED PER STAFF COMMENTS
	DPD	10/2020	ISSUED FOR TOWN AND MEDEP PERMIT REVIEW
REV.	BY	DATE	STATUS

CONSTRUCTION AGGREGATE INC.  
VILLAGE CENTER ESTATES, PHASE 2  
NORTH YARMOUTH, MAINE

UNDERDRAINED SOIL FILTER  
PLANS AND SECTIONS

**SME**  
SEVEE & MAHER  
ENGINEERS

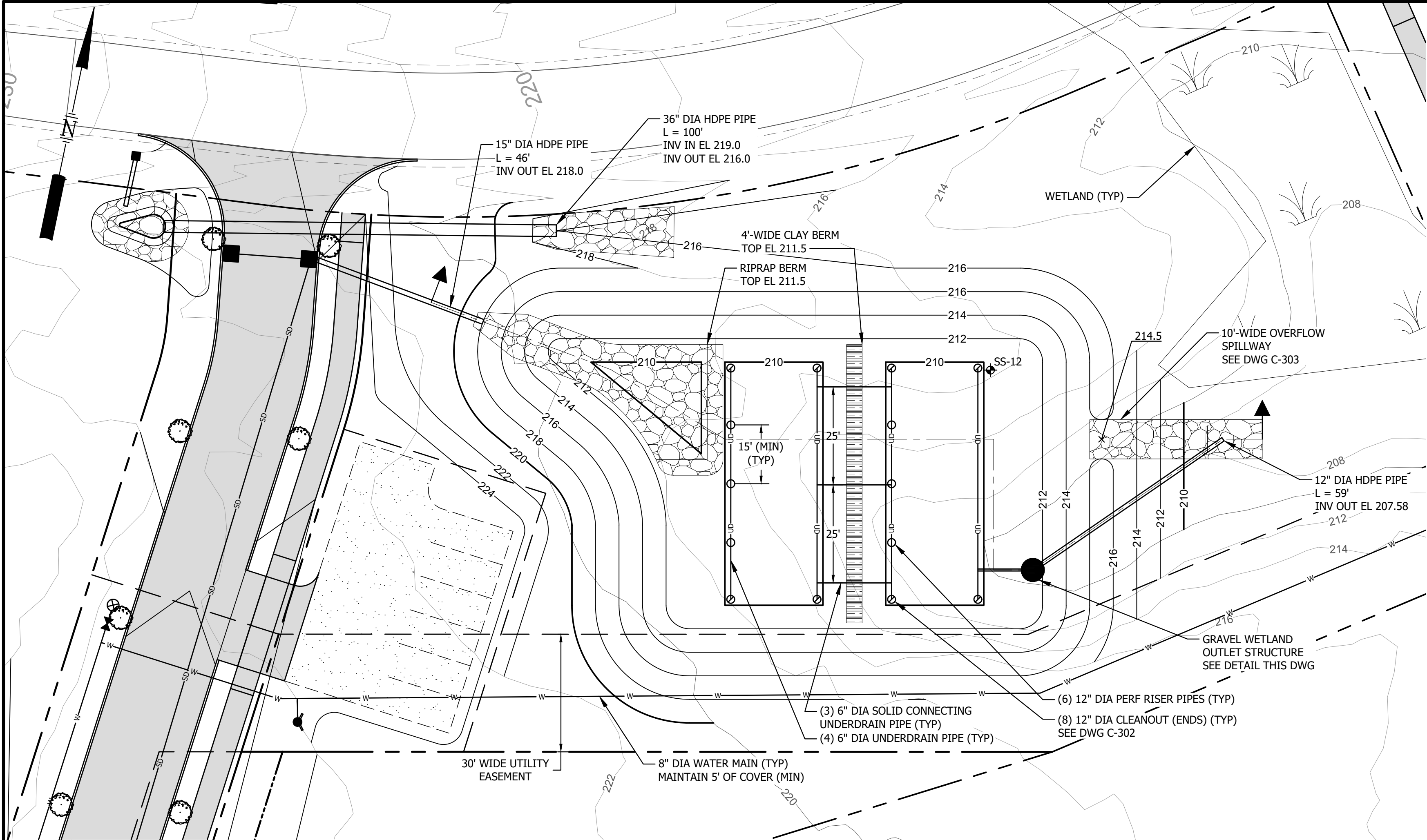
ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE

4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021  
Phone 207.829.5016 • Fax 207.829.5692 • smemaine.com

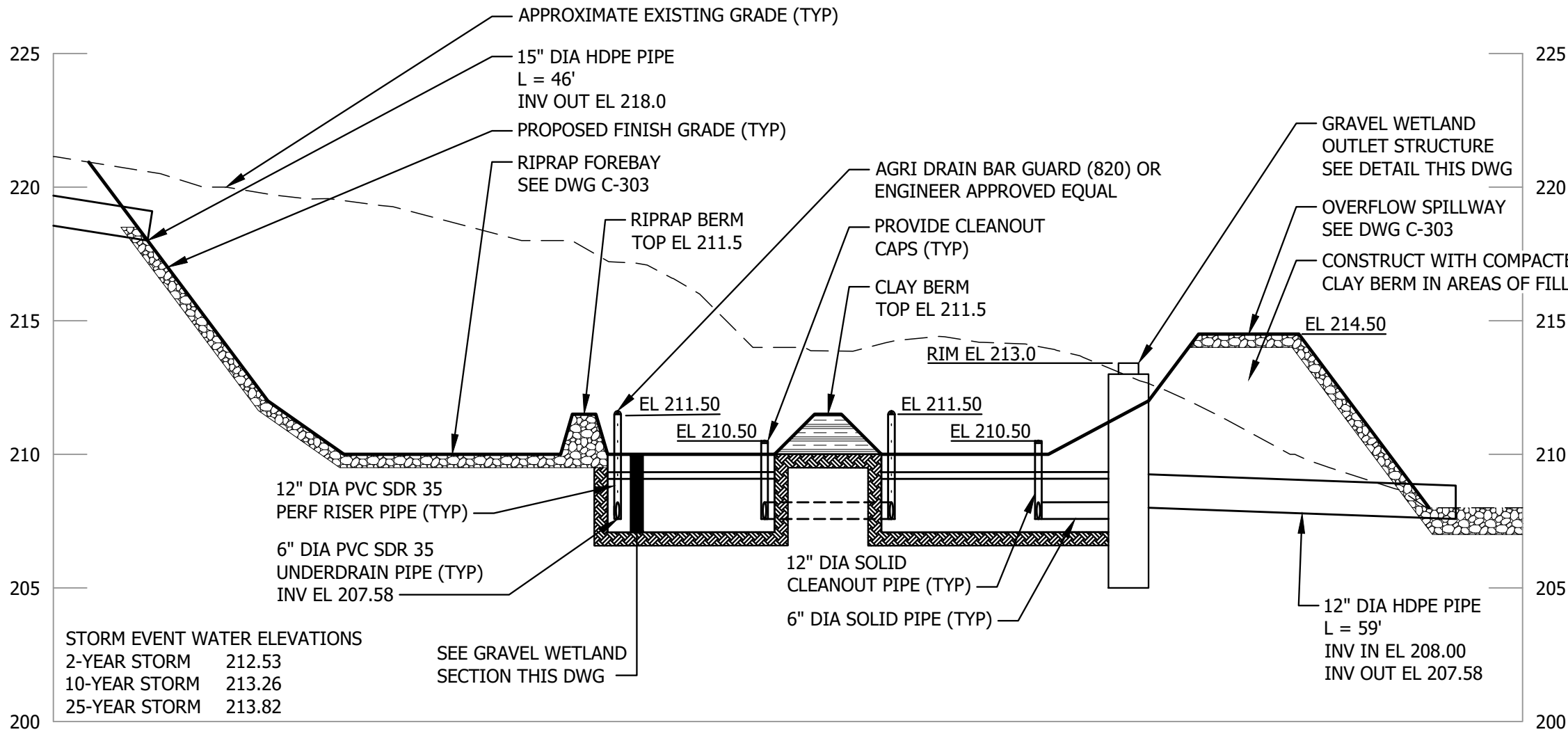
DESIGN BY: JTR  
DRAWN BY: JRL  
DATE: 10/2020  
CHECKED BY: BDP  
LMN: PLAN-PROF  
CTB: SME-STD

JOB NO. 18295.01    DWG FILE BASE    C-204

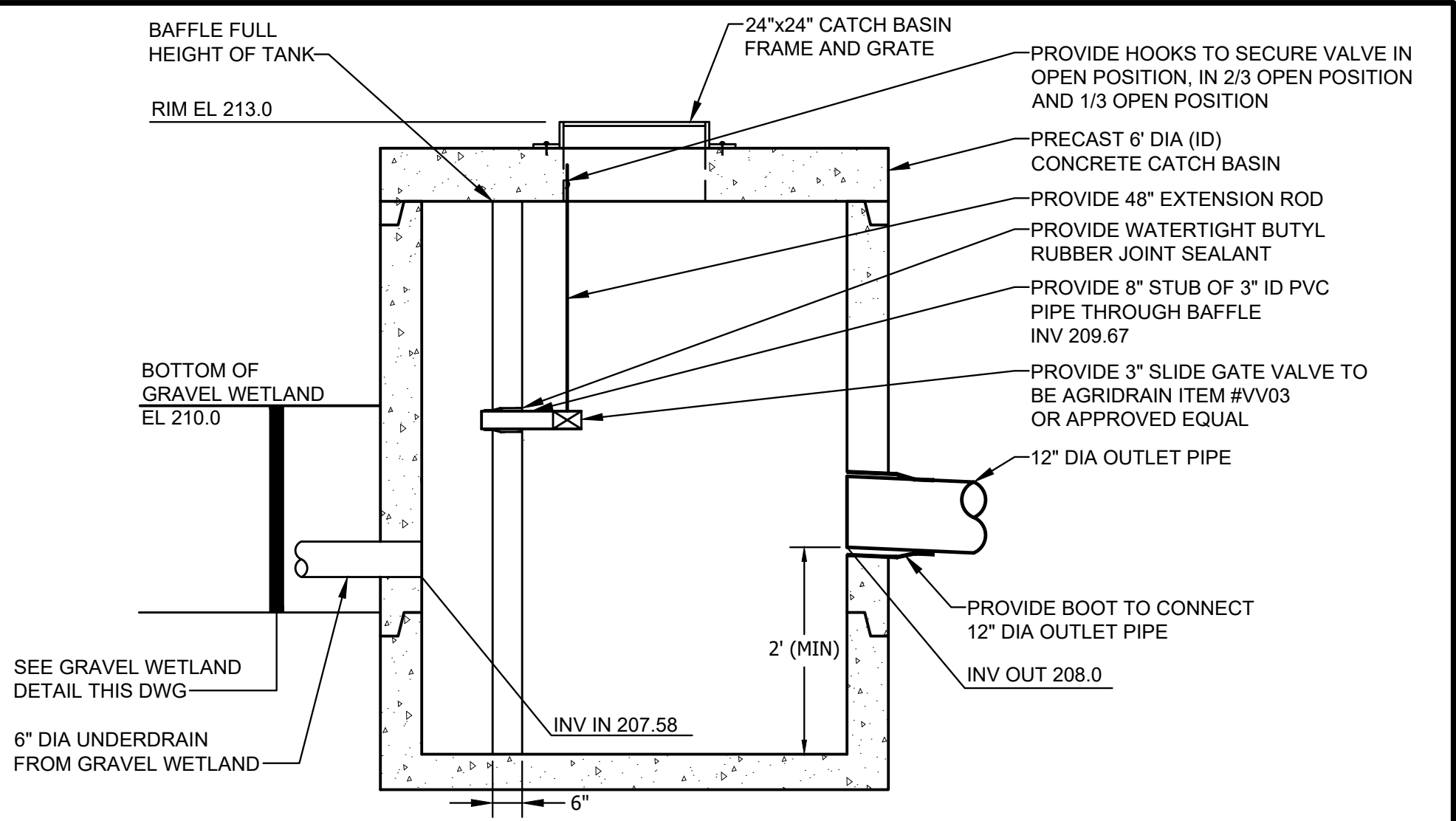
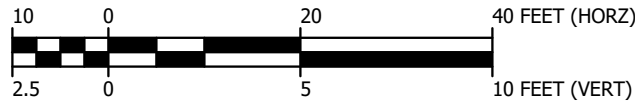




GRAVEL WETLAND PLAN



GRAVEL WETLAND SECTION



OUTLET CONTROL STRUCTURE NOTES:

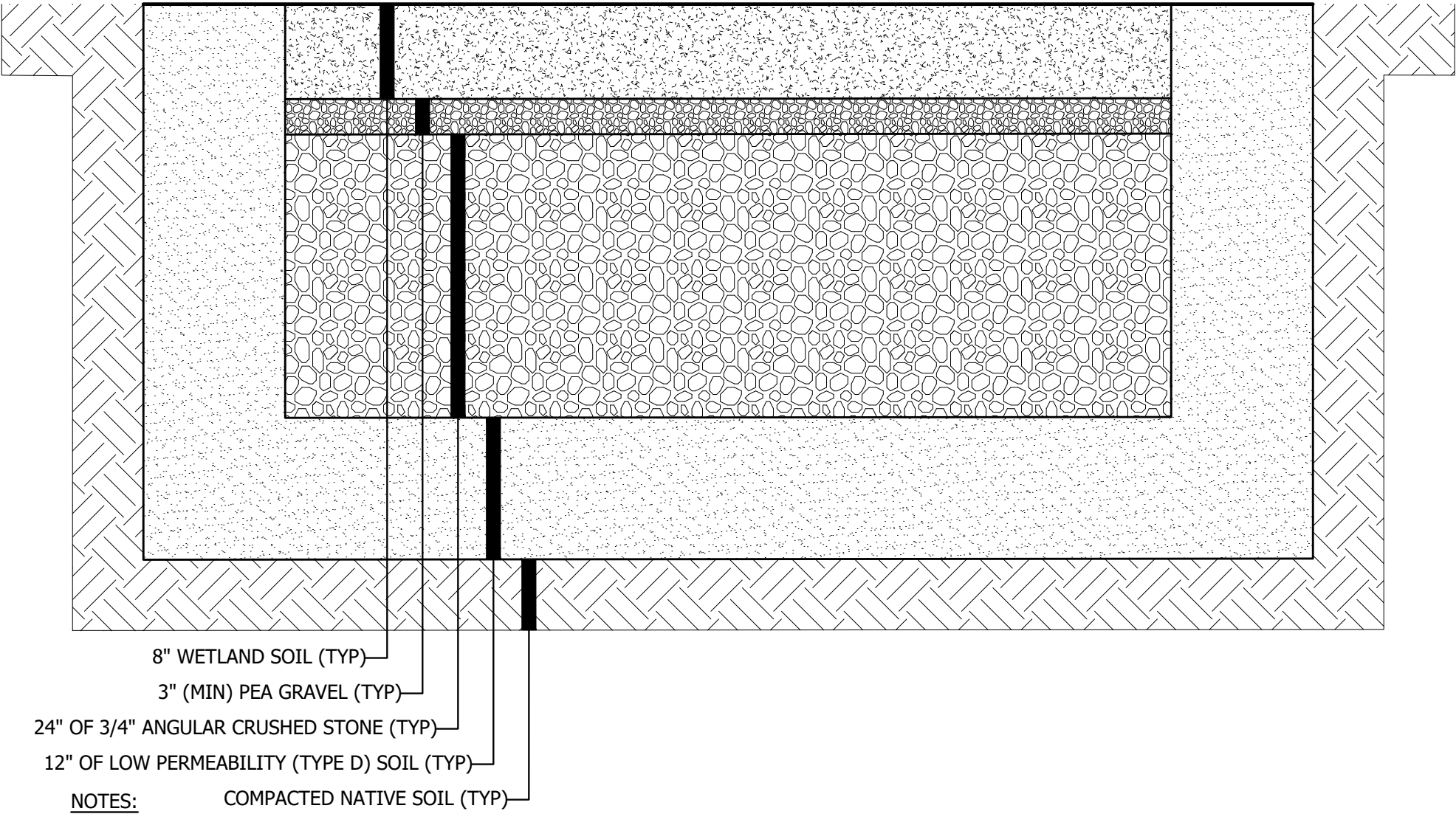
THE CONTRACTOR SHALL PROVIDE SUBMITTALS TO THE ENGINEER FOR APPROVAL. SUBMITTALS SHALL INCLUDE BUT NOT LIMITED TO THE FOLLOWING:

PRODUCT DATA: SUBMIT PRODUCT DATA FOR ALL MATERIALS USED ON THE JOB FOR REVIEW FOR LIMITED PURPOSE OF CHECKING FOR CONFORMANCE WITH INFORMATION GIVEN AND DESIGN CONCEPT EXPRESSED IN CONTRACT DOCUMENTS.

SHOP DRAWINGS: SUBMIT FOR REVIEW SHOP DRAWINGS OF ALL PRECAST UNITS. MANUFACTURER'S INFORMATION SHALL BE SUBMITTED FOR JOINT SEALANTS AND WATERPROOFING. MANUFACTURE SHALL PROVIDE ANTI-FLOTATION DESIGN SHOP DRAWINGS AND CALCULATIONS, INCLUDING ANY EXTENDED BASE SLABS AS NECESSARY, FOR PROPOSED MANHOLES. MANUFACTURER SHALL ASSUME GROUNDWATER LEVELS EQUAL TOP OF GROUND ELEVATIONS AND PROVIDE FOR A 1.2 FACTOR OF SAFETY AGAINST FLOTATION.

GRAVEL WETLAND OUTLET CONTROL STRUCTURE

NTS



NOTES:

1. WETLAND SOIL TO BE MANUFACTURED USING COMPOST, SAND AND SOME FINE SOIL. SOIL SHALL CONTAIN GREATER THAN 15% ORGANIC MATTER. CLAY CONTENT OF THE SOIL SHALL BE LESS THAN 15%. SUBMIT TESTS OF MATERIALS MEETING THE ABOVE.
2. PEA GRAVEL TO MEET MDOT SPECIFICATION 703.27 UNDERDRAIN TYPE C AND SHALL MEET THE COARSE GRAVEL SPEC ON C-201.
3. SEED GRAVEL WETLAND WITH "NEW ENGLAND WET MIX" FROM NEW ENGLAND WETLAND PLANTS. APPLICATION RATE 1LB/2500 SQ FT (18LBS/ACRE).
4. LOW PERMEABILITY (TYPE D) SOIL TO BE COMPACTED TO HIGH DENSITY AS NECESSARY TO CONTAIN THE SYSTEM AND PREVENT INFILTRATION OR LOSS OF MOISTURE, PRESERVE HORIZONTAL FLOW WITHIN THE TREATMENT LAYER AND SUSTAIN THE WETLAND PLANTS. INSTALL PER MEDEP REQUIREMENTS FOR GRAVEL WETLANDS.

GRAVEL WETLAND SECTION

NTS

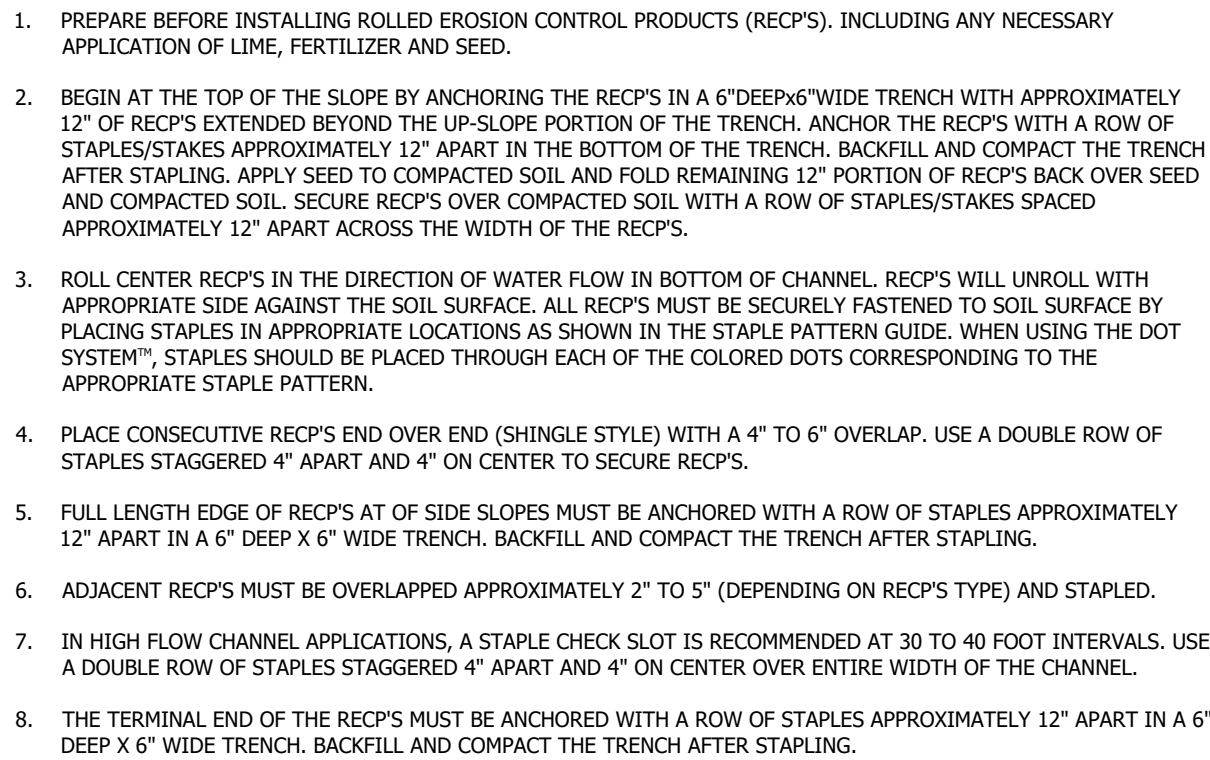
REV.	BY	DATE	STATUS
	DPD	3/2021	ISSUED FOR TOWN APPROVAL
	DPD	2/2021	REVISED PER TOWN AND MEDEP COMMENTS
	DPD	12/2020	REVISED PER STAFF COMMENTS
	DPD	10/2020	ISSUED FOR TOWN AND MEDEP PERMIT REVIEW

	CONSTRUCTION AGGREGATE INC. VILLAGE CENTER ESTATES, PHASE 2 NORTH YARMOUTH, MAINE	
	STORMWATER MANAGEMENT AREA GRAVEL WETLAND	
	 ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE 4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021 Phone 207.829.5016 • Fax 207.829.5692 • smemaine.com	DESIGN BY: JTR
		DRAWN BY: JRL
JOB NO. 18295.01 DWG FILE BASE		DATE: 10/2020
		CHECKED BY: BDP
		LMN: PLAN-PROF
		CTB: SME-STD
		C-205

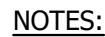






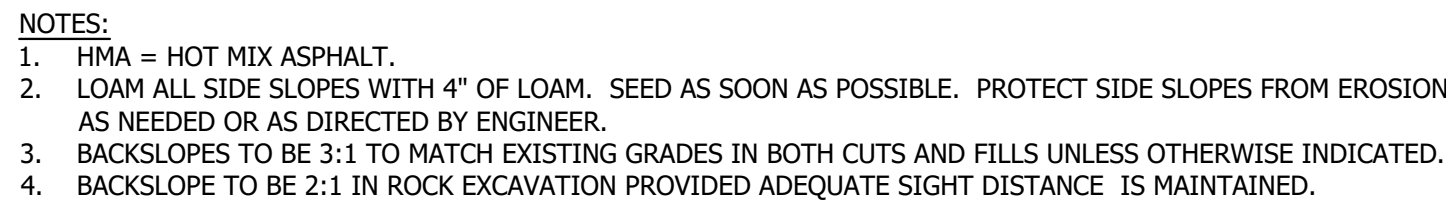


## NTS

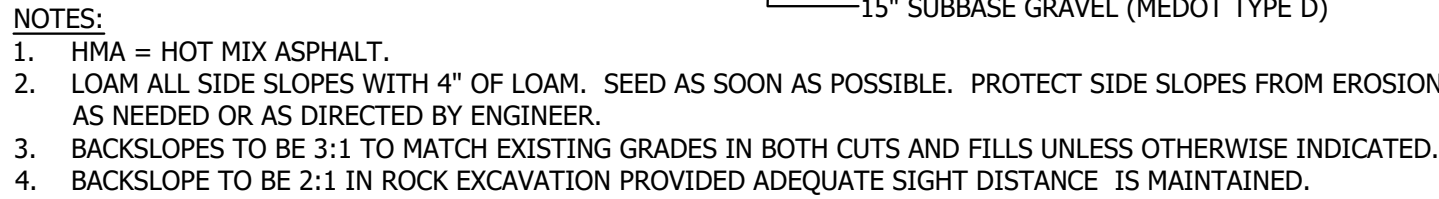


1. SIGNS SHALL BE FABRICATED AND INSTALLED IN ACCORDANCE WITH MAINE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS, HIGHWAYS AND BRIDGES REVISION OF DECEMBER 2002, SECTION 645.
2. ALL PERMANENT SIGNS ON THIS PROJECT ARE CLASSIFIED UNDER SECTION 645.03(b) TYPE 1 REGULATORY WARNING AND ROUTE MARKER ASSEMBLY SIGNS.
3. SIGN MATERIAL SHALL BE AS SPECIFIED IN SECTION 719 OF THE MDOT STANDARD SPECIFICATIONS.
4. POSTS SHALL BE METAL CHANNELS AS SPECIFIED IN SECTION 720.08. ALTERNATE POSTS MAY BE 4"x6" WOOD AS SPECIFIED IN SECTION 720.12, AS APPROVED BY ENGINEER.
5. POSTS IN THE PUBLIC RIGHT-OF-WAY TO BE ON BREAKAWAY POSTS AS SPECIFIED IN SECTION 720 OF THE MDOT STANDARD SPECIFICATIONS.

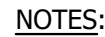
NTS



## NTS

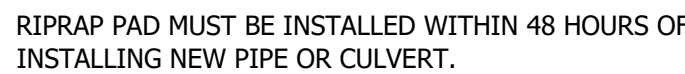


NTS



1. SUBGRADE PREPARATION: SHAPE THE SUBGRADE TO THE LINES AND GRADES AS SHOWN ON THE DRAWINGS AND AS SHOWN ON THE DETAILS. REMOVE ALL ORGANIC MATTER, DEBRIS AND SOIL THAT IS TOO WET TO SUPPORT RIPRAP. IF FILL IS REQUIRED PROVIDE SUITABLE SOIL FROM ON SITE OR COMMON BORROW (MDOT 703.18) COMPACTED TO A DENSITY APPROXIMATELY THAT OF THE SURROUNDING UNDISTURBED SOIL BUT NOT LESS THAN 92% (ASTM D1557).
2. GEOTEXTILE FABRIC: PLACE AND ANCHOR GEOTEXTILE (FILTER FABRIC) IMMEDIATELY AFTER SUBGRADE PREPARATION IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
3. STONE PLACEMENT: PLACE RIPRAP IMMEDIATELY AFTER PLACING GEOTEXTILE FABRIC. PLACE RIPRAP SO THAT IT PRODUCES A DENSE, WELL-GRADED MASS OF STONE WITH A MINIMUM OF VOIDS
4. MAINTENANCE: INSPECT RIPRAP FOLLOWING SIGNIFICANT RAINFALL EVENTS (3 INCHES OR MORE IN 24 HOURS) AND AFTER THE SPRING THAW. REPAIR DAMAGED AREAS IMMEDIATELY.
5. RIPRAP: SOUND DURABLE ROCK WHICH WILL NOT DISINTEGRATE BY EXPOSURE TO WATER OR WEATHER. EITHER FIELD STONE OR ROUGH, UNEVEN QUARRY STONE MAY BE USED. STONES SHALL BE ANGULAR AND AS NEARLY RECTANGULAR IN CROSS-SECTION AS PRACTICABLE. DO NOT USE ROUNDED BOULDERS OR COBBLES. USE A WELL GRADED MIXTURE OF STONE SIZES WITH 50 PERCENT OF THE MIXTURE BY WEIGHT BEING LARGER THAN THE D SIZE SPECIFIED AND 50 PERCENT SMALLER.

NTS



PIPE	A	B	C	D	E	RIPRAP THICKNESS	D <sub>50</sub>
12"~	3 FT.	2 FT.	3 FT.	9 FT.	8 FT.	12"	5"
15"~	3.75 FT.	2.5 FT.	3.75 FT.	11.5 FT.	10 FT.	18"	8"
18"~	4.5 FT.	3 FT.	4.5 FT.	11.5 FT.	10 FT.	18"	8"
36"~	9 FT.	6 FT.	9 FT.	12 FT.	30 FT.	28"	14"



## NTS



1. MINIMUM 28 DAY COMPRESSIVE STRENGTH: 4,000 PSI
2. AIR ENTRAINMENT: 4% TO 6%
3. REINFORCING: FIBERMESH OR EQUIVALENT GRACE PRODUCT
4. STRAND LENGTH 1-1/2", 1" TO 1-1/2 LB/CUBIC YARD
5. SLUMP: 1" TO 1-1/2"
6. FINISH:
  - a. VERTICAL AND TOP FACES: SMOOTH SLIPFORM
  - b. SLOPED FACES: BROOM
7. JOINTS: SAWCUT 10' OC 3" DEEP THE DAY AFTER PLACING
8. SEALER: SALT GUARD OR EQUAL WATER BASED SEALER

NTS



STATE OF MARYLAND  
DANIEL R. DIFFIN  
11841  
LICENSED PROFESSIONAL ENGINEER  
7/30/2021

## SECTIONS AND DETAILS

ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE

4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021

Phone 207.829.5016 • Fax 207.829.5692 • [smemaine.com](http://smemaine.com)

[illegible]

JOB NO. 18295.00 DWG FILE DETAILS

DESIGN BY: JTF

[illegible]

DRAWN BY: SJM

DATE: 1/2020

2011	2012

CHECKED BY: BD

LMN:	NONE
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EMR:	NONE
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CTB: SME-STD

0001

C-301





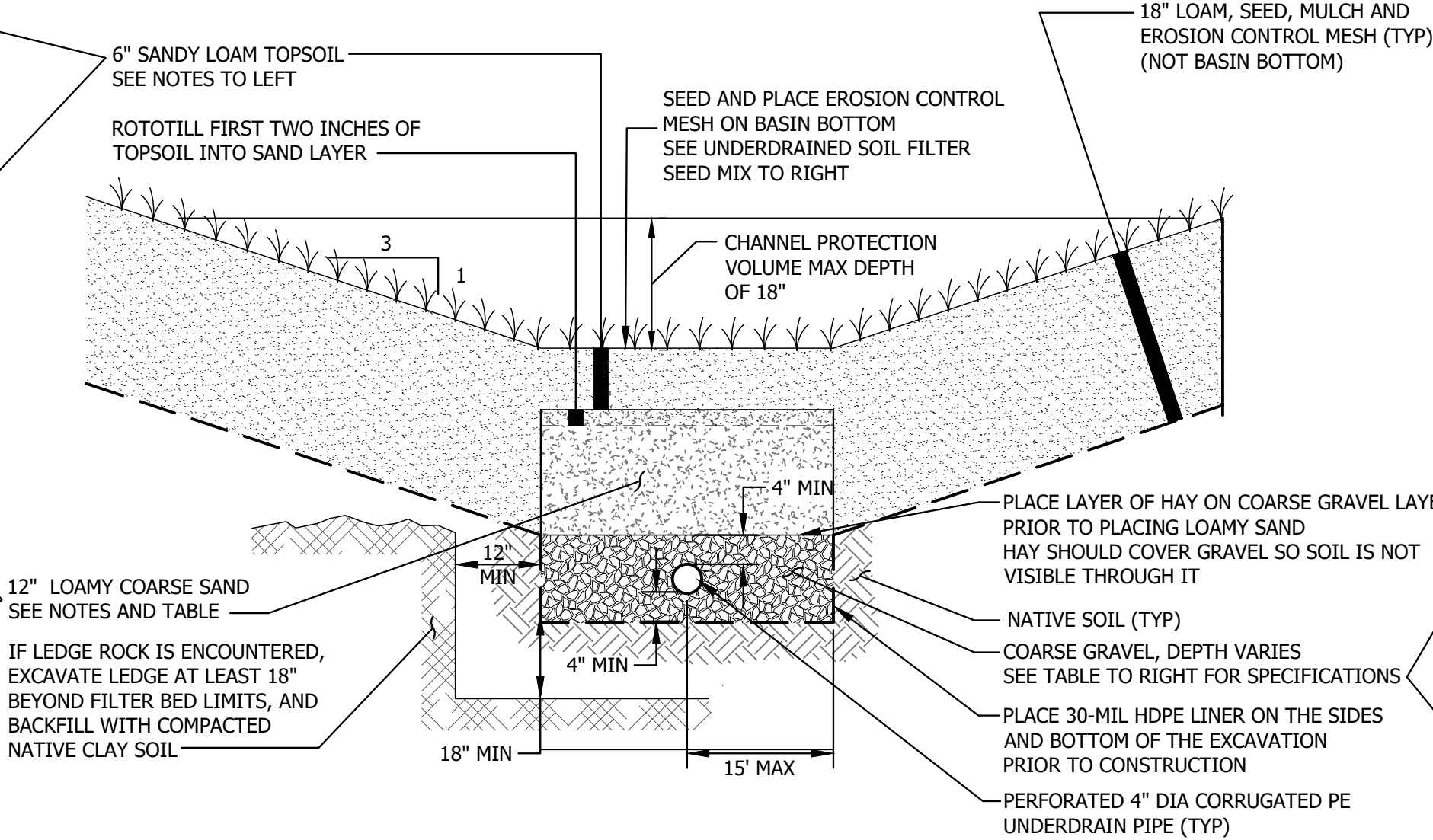


THE SANDY LOAM TOPSOIL SHALL BE TESTED AT A SOIL TESTING LAB AND:

- MATCH THE USDA SANDY LOAM TOPSOIL CLASSIFICATION
- HAVE 5-8% HUMIFIED ORGANIC MATTER
- HAVE A CLAY CONTENT OF LESS THAN 2%
- BE FREE OF STONES, STUMPS, ROOTS OR OTHER OBJECTS GREATER THAN 2".

IF THE TOPSOIL DOES NOT CONTAIN SUFFICIENT NUTRIENT CONTENT TO SUPPORT GRASS GROWTH, SUPPLEMENT WITH SUPERHUMUS ORGANIC MATTER AND RETEST ORGANIC MATTER AND CLAY CONTENT.

SOIL FOR 12" LOAMY COARSE SAND LAYER (MEDOT #703.01)	
SIEVE SIZE	% BY WEIGHT
#10	85-100
#20	70-100
#60	15-40
#200	8-15
#200 (CLAY SIZE)	< 2.0



UNDERDRAINED SOIL FILTER SEED MIX	
Name	LBS/ACRE
Creeping Red Fescue	20
Tall Fescue	20
Birdsfoot trefoil	8
Total	48

COARSE GRAVEL MEDOT SPECIFICATIONS FOR UNDERDRAINS (MEDOT #703.22)	
SIEVE SIZE	% PASSING BY WEIGHT
UNDERDRAIN TYPE B	
1"	95-100
1/2"	75-100
#4	50-100
#20	15-80
#50	0-15
#200	0-5

#### CONSTRUCTION OVERSIGHT:

**CONSTRUCTION SEQUENCE:** THE SOIL FILTER MEDIA AND VEGETATION MUST NOT BE INSTALLED UNTIL THE AREA THAT DRAINS TO THE FILTER HAS BEEN PERMANENTLY STABILIZED WITH PAVEMENT OR OTHER STRUCTURE, 90% VEGETATION COVER, OR OTHER PERMANENT STABILIZATION UNLESS THE RUNOFF FROM THE CONTRIBUTING DRAINAGE AREA IS DIVERTED AROUND THE FILTER UNTIL STABILIZATION IS COMPLETE.

**COMPACTION OF SOIL FILTER:** FILTER SOIL MEDIA AND UNDERDRAIN BEDDING MATERIAL MUST BE COMPACTED TO BETWEEN 90% AND 92% STANDARD PROCTOR.

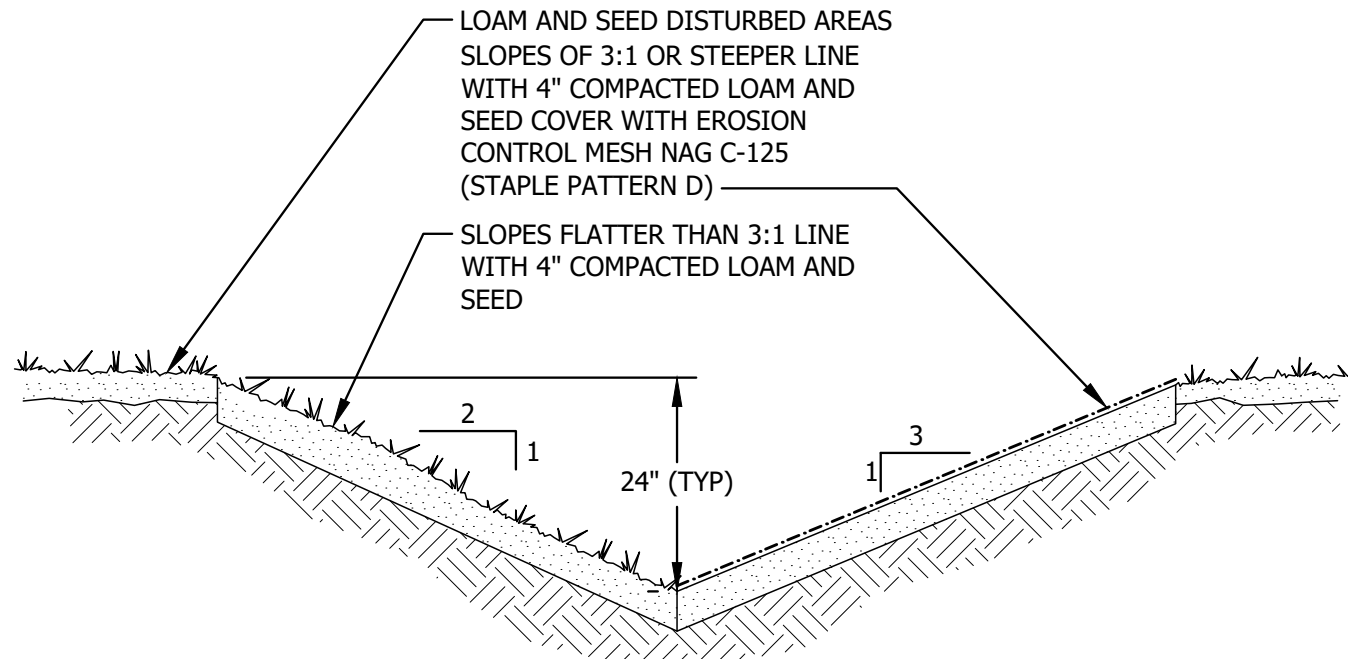
**CONSTRUCTION OVERSIGHT:** INSPECTION BY A PROFESSIONAL ENGINEER FAMILIAR WITH CONSTRUCTION REQUIREMENTS OF OF UNDERDRAINED SOIL FILTERS WILL OCCUR AT A MINIMUM:

- AFTER THE PRELIMINARY CONSTRUCTION OF THE FILTER GRADES AND ONCE THE UNDERDRAIN PIPES ARE INSTALLED BUT NOT BACKFILLED,
- AFTER THE DRAINAGE LAYER IS CONSTRUCTED AND PRIOR TO THE INSTALLATION OF THE FILTER MEDIA,
- AFTER THE FILTER MEDIA HAS BEEN INSTALLED AND SEEDED.
- AFTER ONE YEAR TO INSPECT HEALTH OF THE VEGETATION AND MAKE CORRECTIONS, AND
- ALL THE MATERIAL USED FOR THE CONSTRUCTION OF THE FILTER BASIN MUST BE CONFIRMED AS SUITABLE BY THE DESIGN ENGINEER. TESTING MUST BE DONE BY A CERTIFIED LABORATORY TO SHOW THAT THEY ARE PASSING DEP SPECIFICATIONS.
- WITHIN 30 DAYS OF COMPLETION OF THE UNDERDRAINED FILTER BASIN, THE APPLICANT MUST SUBMIT A LOG OF INSPECTION REPORTS DETAILING THE ITEMS INSPECTED, PHOTOS TAKEN, AND THE DATES OF EACH INSPECTION TO THE BUREAU OF LAND RESOURCES FOR REVIEW.

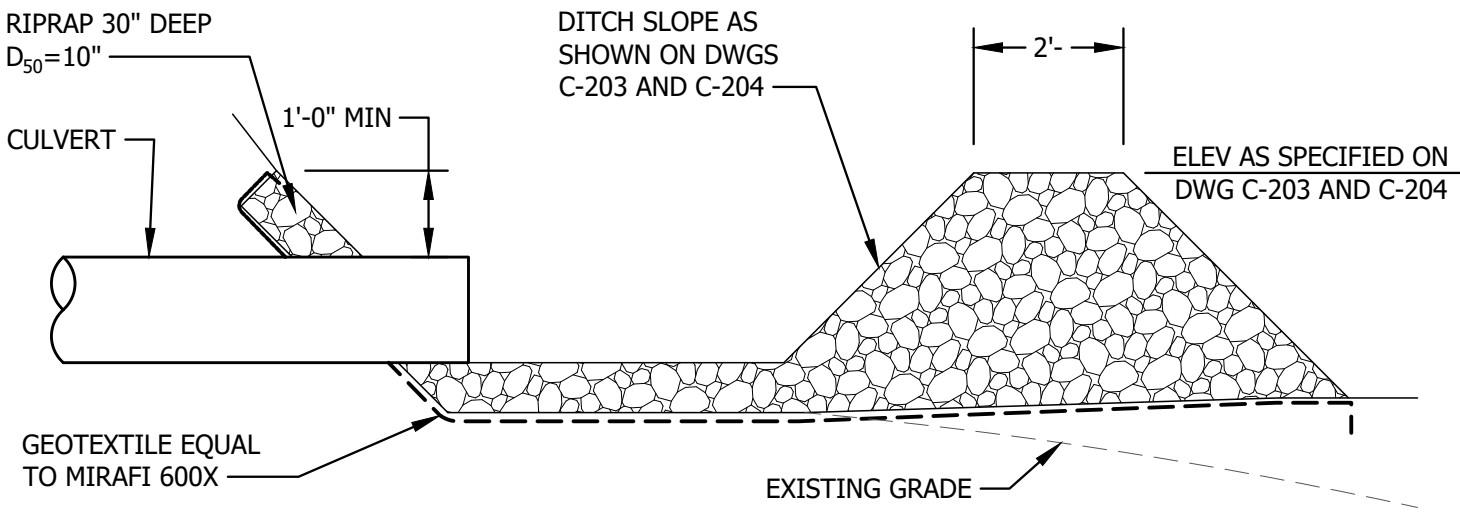
**TESTING AND SUBMITTALS:** THE CONTRACTOR SHALL IDENTIFY THE LOCATION OF THE SOURCE OF EACH COMPONENT OF THE FILTER MEDIA. ALL RESULTS OF FIELD AND LABORATORY TESTING SHALL BE SUBMITTED TO THE PROJECT ENGINEER FOR CONFIRMATION. THE CONTRACTOR SHALL:

- SELECT SAMPLES OF EACH TYPE OF MATERIAL TO BE BLENDED FOR THE MIXED FILTER MEDIA AND SAMPLES OF THE UNDERDRAIN BEDDING MATERIAL. SAMPLES MUST BE A COMPOSITE OF THREE DIFFERENT LOCATIONS (GRABS) FROM THE STOCKPILE OR PIT FACE. SAMPLE SIZE REQUIRED WILL BE DETERMINED BY THE TESTING LABORATORY.
- PERFORM A SIEVE ANALYSIS CONFORMING TO ASTM C136 (STANDARD TEST METHOD FOR SIEVE ANALYSIS OF FINE AND COARSE AGGREGATES 1996A) ON EACH TYPE OF THE SAMPLE MATERIAL.

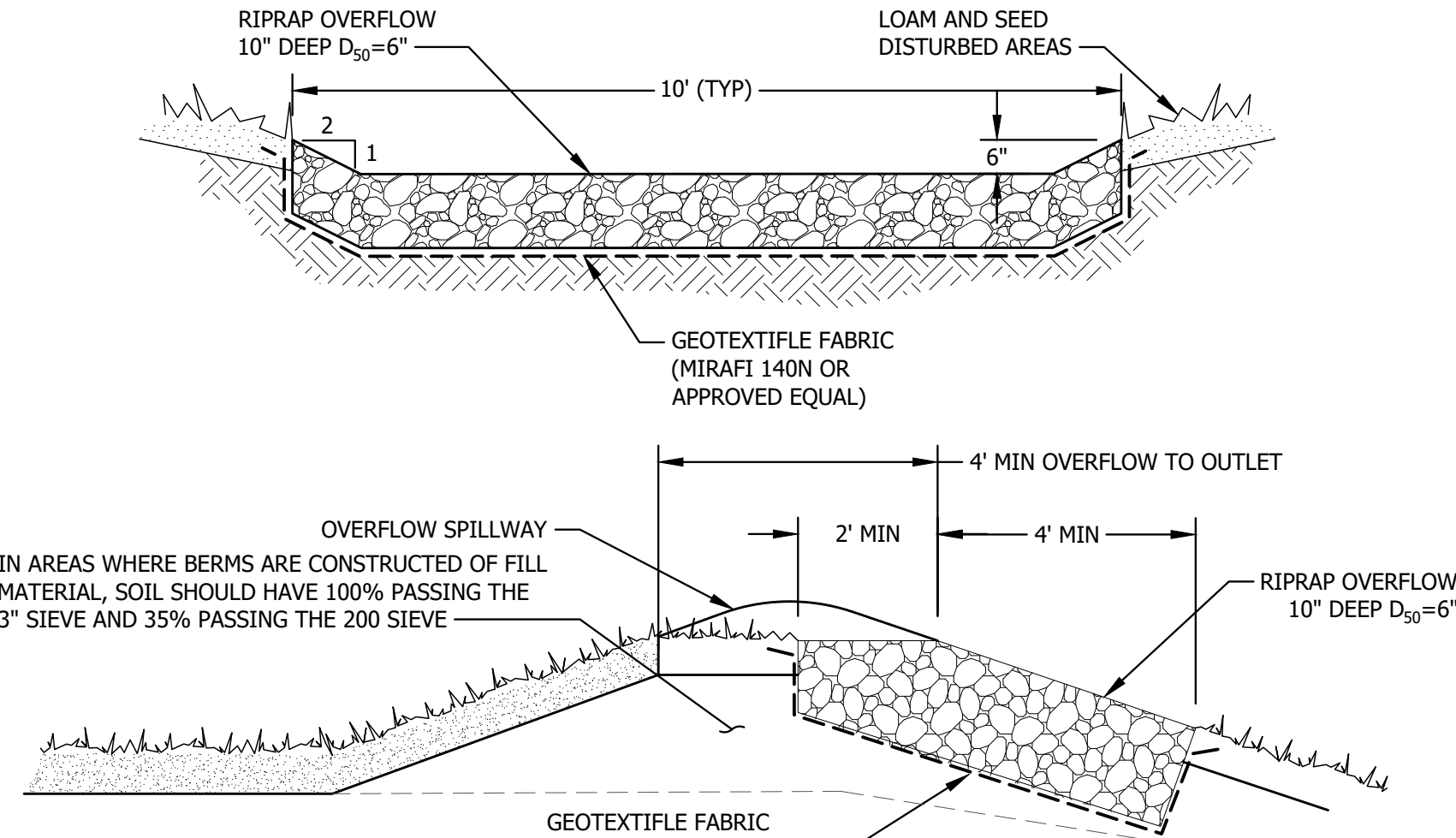
### TYPICAL UNDERDRAINED SOIL FILTER



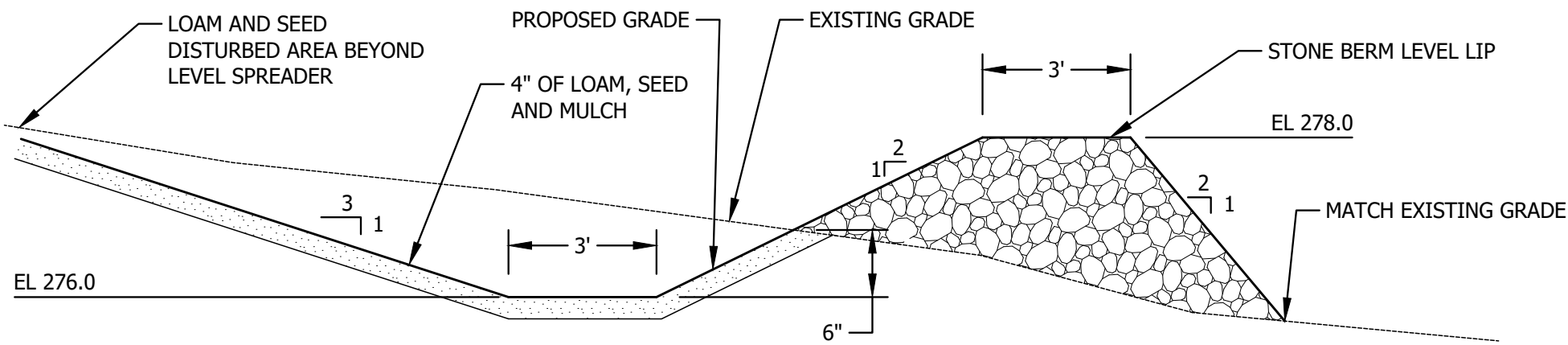
VEGETATED SWALE  
NTS



RIPRAP FOREBAY  
NTS



OVERFLOW SPILLWAY SECTIONS  
NTS



BERM STONE SIZE	
SIEVE	% BY WEIGHT PASSING SIEVE
12 in	100
6 in	84-100
3 in	68-83
1 in	42-55
No. 4	8-12

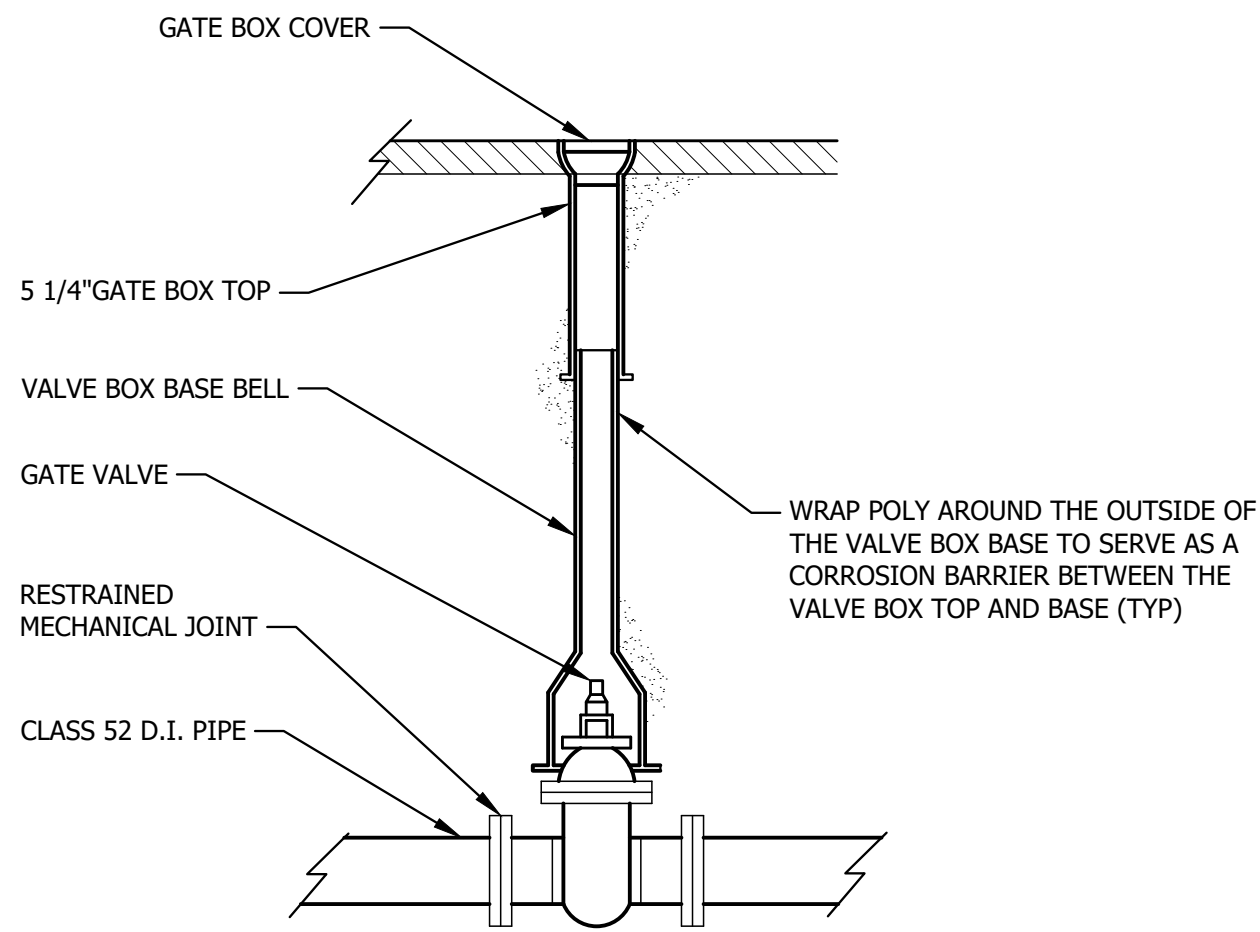
- NOTES:
1. CONSTRUCT LEVEL LIP AND SPREADER ON ZERO PERCENT GRADE.
  2. DO NOT CONSTRUCT LEVEL SPREADER ON FILL.
  3. STORM RUNOFF CONVERTED TO SHEET FLOW SHALL OUTLET ONTO STABILIZED AREA. WATER SHALL NOT BE CHANNELIZED IMMEDIATELY BELOW POINT OF DISCHARGE.

### LEVEL SPREADER

NTS

	DPD	3/2021	ISSUED FOR TOWN APPROVAL
	DPD	2/2021	REVISED PER TOWN AND MEDEP COMMENTS
	DPD	12/2020	REVISED PER STAFF COMMENTS
	DPD	10/2020	ISSUED FOR TOWN AND MEDEP REVIEW
REV.	BY	DATE	STATUS
<div><div><div><div>STATE OF MAINE</div><div>DANIEL R. DIFEN</div><div>11841</div><div>LICENSED PROFESSIONAL ENGINEER</div></div><div><div>2020</div></div></div></div>			
CONSTRUCTION AGGREGATE INC. VILLAGE CENTER ESTATES, PHASE 2 NORTH YARMOUTH, MAINE			
SECTIONS AND DETAILS			
<div><div><div>SME</div><div>SEVEE &amp; MAHER</div><div>ENGINEERS</div></div><div>ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE</div><div>4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021</div><div>Phone 207.829.5016 • Fax 207.829.5692 • smemaine.com</div></div>			DESIGN BY: JTR
			DRAWN BY: SJM
			DATE: 1/2020
			CHECKED BY: BDP
			LMN: NONE
			CTB: SME-STD
JOB NO. 18295.00 DWG FILE DETAILS			C-303

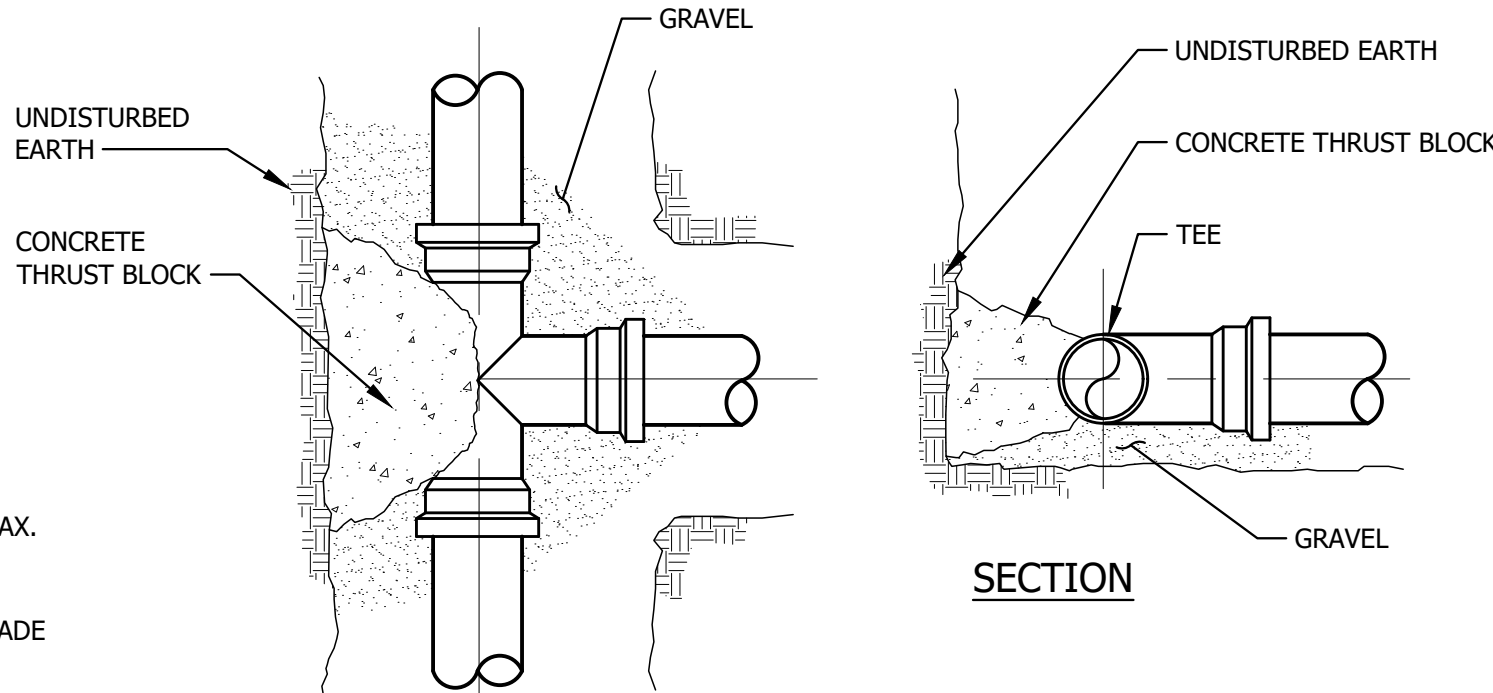




**GATE VALVE**  
NTS

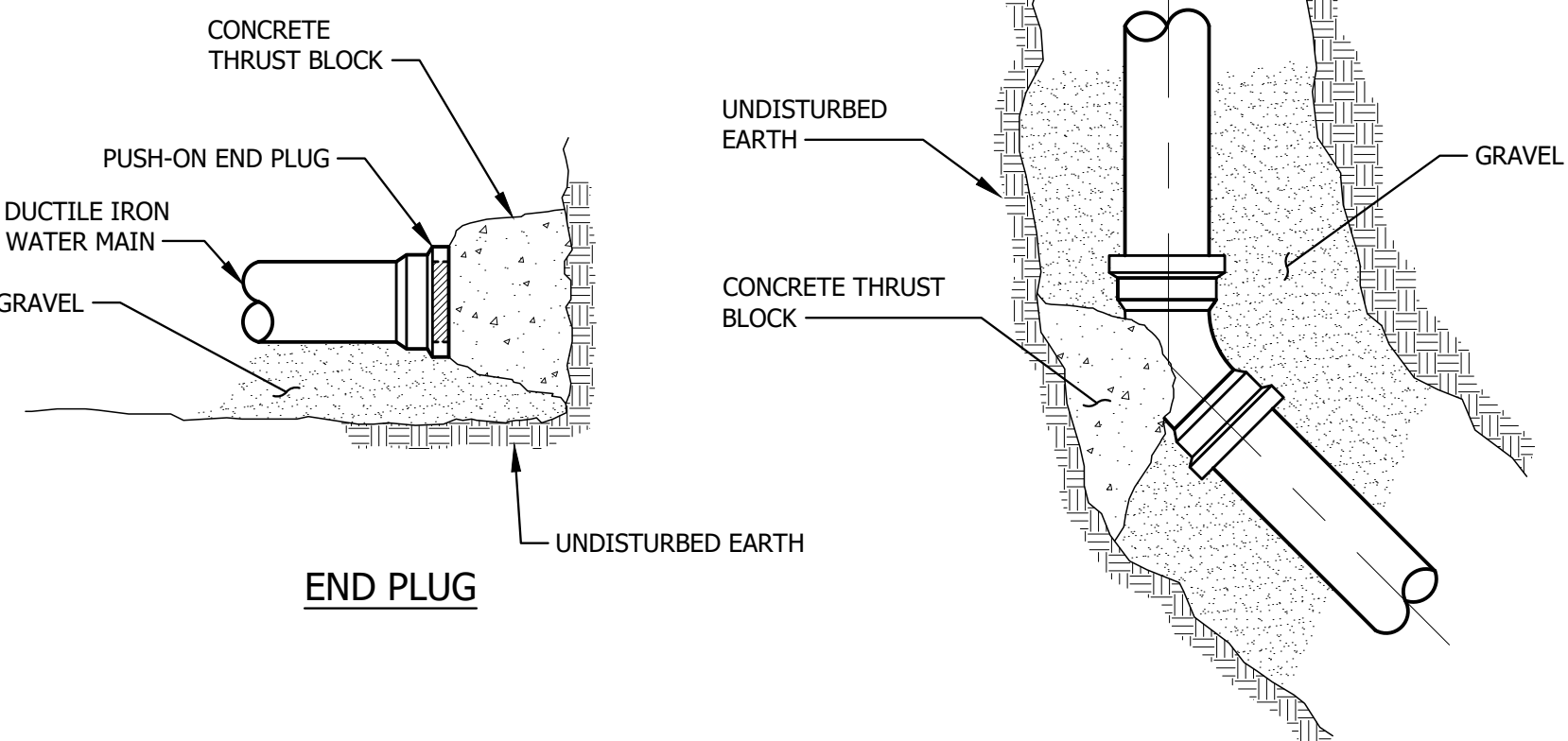
CONCRETE THRUST BLOCK SIZE REQUIREMENTS				
		SQ. FT. OF BEARING ON UNDISTURBED SOIL		
FITTINGS		90°BENDS	45°BENDS	TEES AND PLUGS
PIPE SIZE	6"	4.0	2.0	3.0
	8"	8.0	4.0	6.0
	12"	15	9	12
	16"	26	14	19
	20"	40	22	28

BASED ON SOIL BEARING PRESSURE OF 2000PSF AND 100PSI LINE PRESSURE. COMPACT COURSE TO FINE SANDS AND CLAYS REQUIRE ENGINEERED BLOCKS. ENGINEERED BLOCKS WILL TYPICALLY REQUIRE REINFORCING STEEL OF #5 AT 12".



**PLAN**

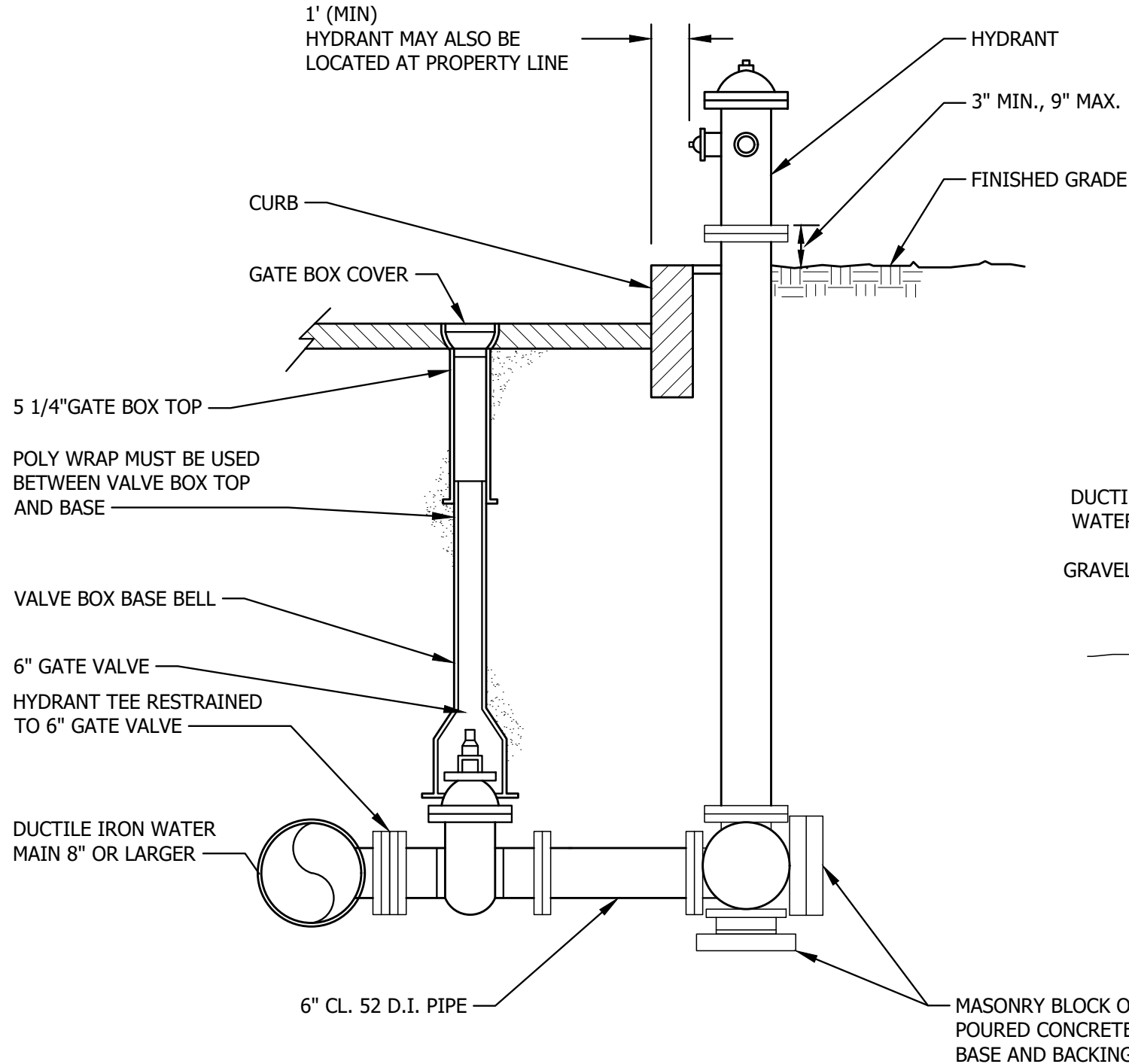
**SECTION**



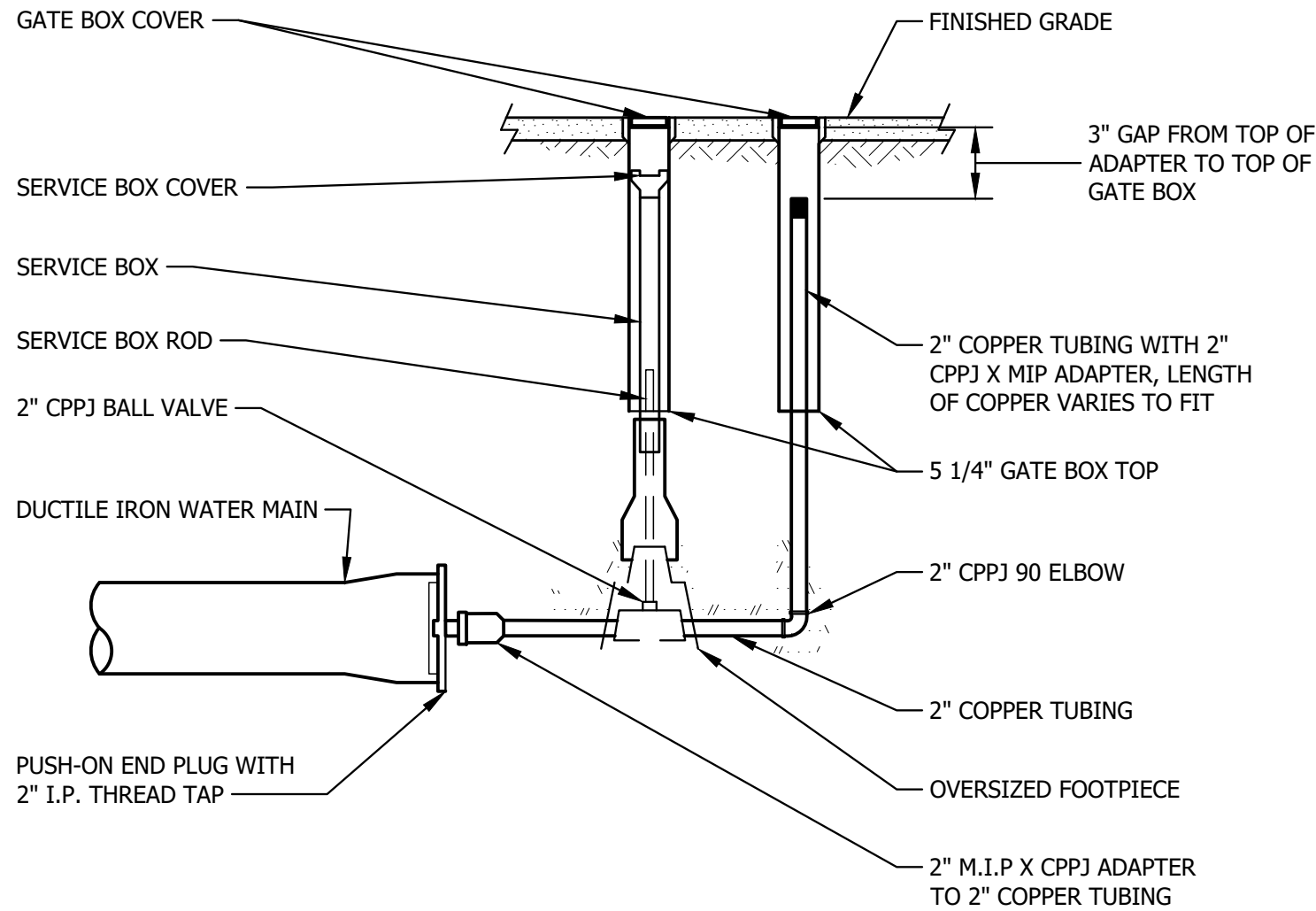
**END PLUG**

**45° BEND**

NOTE:  
PLACE 6 MIL (MIN) POLYETHENE SHEETING BETWEEN PIPE AND CONCRETE.

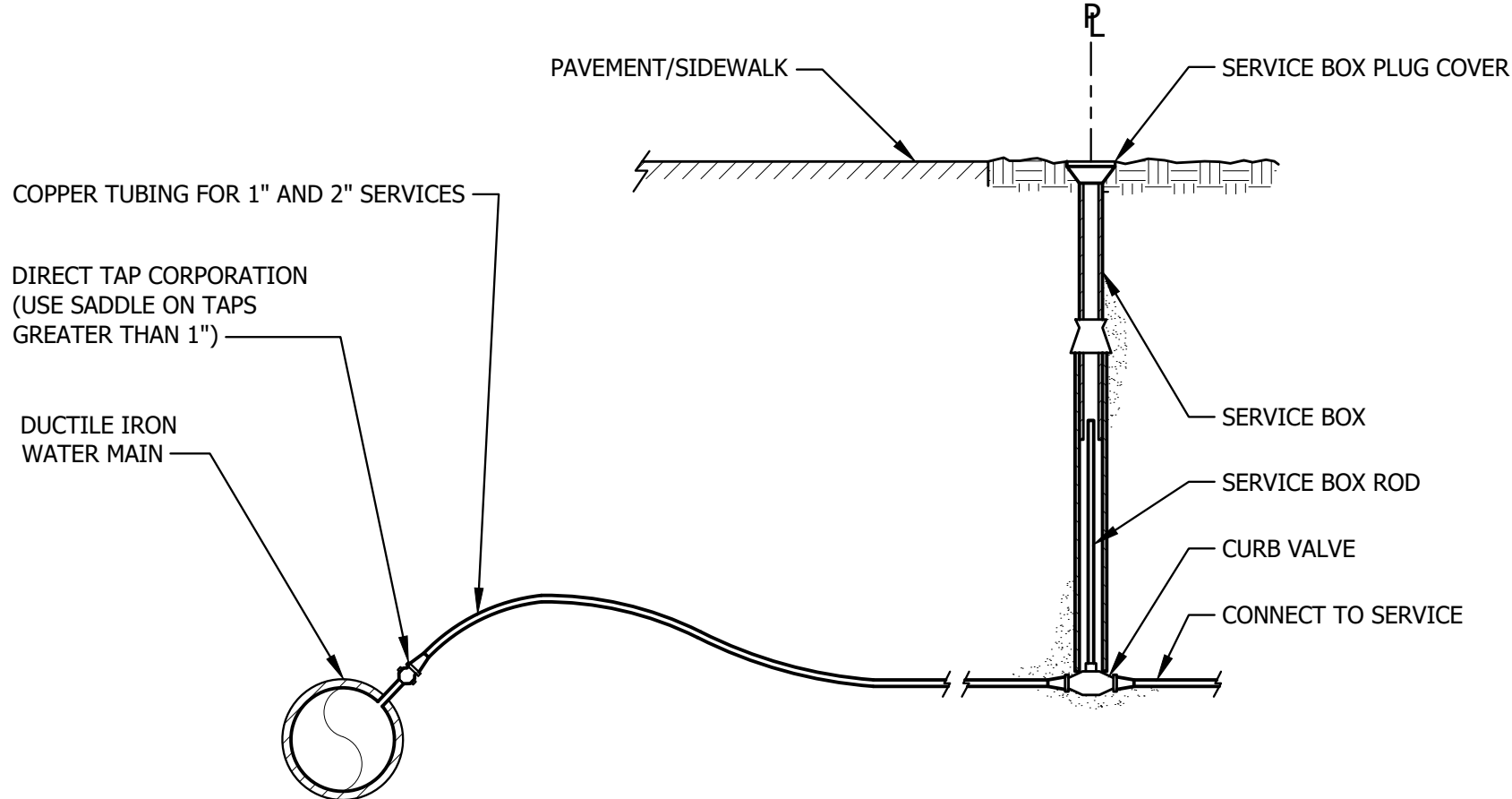


**FIRE HYDRANT**  
NTS



NOTE:  
PLUGS REQUIRE THREADED ROD RESTRAINED TO BELL AND SLOTTED DUCTILE IRON PIPE TO FIT AROUND BRASS AS BASE TO APPROVED THRUST BLOCK.

**BLOW-OFF ASSEMBLY**  
NTS



**SERVICE DETAIL**  
NTS

	DPD	3/2021	ISSUED FOR TOWN APPROVAL
	DPD	2/2021	REVISED PER TOWN AND MEDEP COMMENTS
	DPD	12/2020	REVISED PER STAFF COMMENTS
REV.	BY	DATE	STATUS
		CONSTRUCTION AGGREGATE INC. VILLAGE CENTER ESTATES, PHASE 2 NORTH YARMOUTH, MAINE	
		SECTIONS AND DETAILS	
		DESIGN BY:	JTR
		DRAWN BY:	JRL
		DATE:	12/2020
		CHECKED BY:	BDP
		LMN:	NONE
		CTB:	SME-STD
JOB NO.		18295.00	DWG FILE DETAILS
		C-304	



