Town of Brunswick, Maine

PLANNING BOARD

85 UNION STREET, BRUNSWICK, ME 04011

PLANNING BOARD AGENDA
BRUNSWICK TOWN HALL
85 UNION STREET
COUNCIL CHAMBERS
TUESDAY, JANUARY 28, 2020, 7:00 P.M.

1. **Case #19-050 Miller Point Site Plan Amendment:** The Planning Board will review and take action on a **Final Plan Major Development Review** application submitted by Sarah Witte on behalf of Robert and Nancy King to amend a previously approved site plan to divide the property into five (5) lots, creating four (4) house lots for the King family. The subject lot (Map 31, Lot 29) is located within the **RP1 (Rural Protection 1) Zoning District**; **the RPSMO (Rural Protection Stormwater Management Overlay); the SPO-RP (Shoreland Protection Overlay – Resource Protection Subdistrict) and the SPO-SP (Shoreland Protection Overlay – Stream Protection Subdistrict).**

2. **Case #19-056 Hunt Subdivision Amendment:** The Planning Board will review and take action on a **Final Plan Major Development Review** subdivision amendment application submitted by Sitelines, PA on behalf of Michael and Rebecca Samson for an after-the-fact division of an indentured lot and the creation of an additional indentured lot. The subject lots (Map 21, Lots 19 & 44) are located within the **RP1 (Rural Protection 1) Zoning District; the RPSMO (Rural Protection Stormwater Management Overlay); the SPO-SP (Shoreland Protection Overlay – Stream Protection Subdistrict) and the WPO (Wildlife Protection Overlay – Wildlife Habitat Corridor).**

3. **Other Business**

4. **Approval of Minutes**

5. **Adjourn**

This agenda is mailed to owners of property within 200 feet of proposed development sites and 300 feet for Conditional Use or Special Use Permits. Please call the Brunswick Department of Planning and Development (725-6660) with questions or comments. Individuals needing auxiliary aids for effective communications please call 725-6659 or TDD 725-5521. This meeting will be televised.

PLANNING BOARD
Major Development Review
DRAFT Findings of Fact
Review Date: January 28, 2020

Project Name:	Miller Point Site Plan Amendment
Project Location:	Miller Point
Tax Map:	Map 31, Lot 29
Zoning District:	RP1
Overlay:	SPO, RPSMO
Case Number:	19-050
Applicant:	Nancy P. King & Robert C King, Jr.
Authorized Representative:	Sarah Witte, LA 16 Cumberland Street Yarmouth, ME 04096

Staff reviewed the application and has determined it is complete.

DRAFT Motion 1: That the Amended Site Plan is deemed complete.

PROJECT SUMMARY
In Case #99-049B, the Planning Board approved a private road within the 250-foot high to moderate value wetland setback associated with the former Natural Resource Protection Zone (NRPZ) aka the 'shoreland zone.' The NRPZ is currently called the Shoreland Protection Overlay (SPO) Zoning District. Staff reviewed the mapped 250-foot foot setback depicted on the site plan and it appears to be consistent with the 1999 plan. The extent of the mapped 250-foot high to moderate value wetland setback in the SPO is the same as it was in 1999. As part of the Planning Board's review, the property owners elected to grant a conservation easement to the Town to protect Miller Point and part of John's Point. The Town of Brunswick holds the Miller Point conservation easement today. Subsequent changes to the approved development areas in the conservation easement were approved by the Town of Brunswick (easement holder) to allow up to four (4) house lots in Development Area 1, so-called.

The Planning Board reviewed the project in a workshop on December 10, 2019. All workshop materials that were provided to the Planning Board in November are referenced in the applicant's January 3, 2020, rev. January 24, 2010 cover letter (re: "Material on File: [still applicable, previously submitted])" and were reviewed by staff for the draft findings of fact. The workshop materials are provided in the online packet only. The updated materials and the application for site plan review include all relevant updates to materials noted by the Staff Review Committee (SRC) at the January 15, 2020 meeting regarding the proposed lot dimensions and the driveway

extension to access Lot 1 and Lot 2. The SRC meeting notes are included in the packet.

Review Standards from Section 4.2 of the Town of Brunswick Zoning Ordinance

4.1 Applicability of Property Development Standards
The subject property is located within the RP1 Zoning District and contains the Shoreland Protection Overlay (SPO) and mapped subdistricts and the Rural Protection Stormwater Management Overlay (RPSMO). The applicant provided draft covenants for the proposed project. Staff advise the Town Attorney review these draft documents prior to the issuance of a building permit.

Rural Protection Stormwater Management Overlay
The applicant provided calculations for the proposed impervious and developed area. Based on the proposed development at this time only an erosion and sedimentation plan is required. The applicant provided an acceptable E&S plan for the shared driveway. Staff note future developed on the subject parcel that is within the RPSMO is cumulative towards stormwater treatment thresholds.

Shoreland Protection Permit (Subsection 5.2.6)
In accordance with subsection 5.2.6, all development or other land use activity within the Shoreland Protection Overlay District shall require a Shoreland Protection Permit from the applicable Review Authority. In addition to the review criteria in Chapter 4, the below finding satisfies the zoning ordinance requirement for additional SPO review.

Based on the information in the application and the SRC advice, the Board finds the SPO permit review criteria at subsection 5.2.6.B.1(a-h) are satisfied as follows:

a. The development or other land use activity will maintain safe and healthful conditions;
b. The development or other land use activity will not result in water pollution, erosion, or sedimentation to surface waters;
c. The development or other land use activity will adequately provide for the disposal of all wastewater;
d. The development or other land use activity will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;
e. The development or other land use activity will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;
f. The development or other land use activity will protect archaeological and historic resources as designated in the 2008 Comprehensive Plan, as amended;
g. The development or other land use activity will avoid problems associated with floodplain development and use; and
h. The development or other land use activity is in conformance with standards set forth in Section 2.3 (Shoreland Protection Overlay District) and Chapter 4 (Property Development Standards), as applicable.

The Board finds that the provisions of Section 4.1 are satisfied provided the draft covenants are reviewed and approved by the Town Attorney.

4.2 Dimensional and Density Standards
The applicant provided a description of the proposed lot dimensions and a dimensional and density table on the plans. The net site area was previously noted in Section 5 of the May 23, 2019 report from Stantec that was included in the Planning Board's November 2019 workshop packet. Based on that report, the parcel contains 43 acres of suitable land for the four (4) proposed single dwelling units.

The proposed site plans indicate compliance with the minimum 30,000 square feet of lot and 150 feet of coastal frontage in the SPO in table Table 4.2.5.F(1) of the zoning ordinance. *The Board finds that the provisions of Section 4.2 are satisfied.*

4.3 Natural and Historic Areas
The applicant inventoried protected natural resources and identified all areas pertinent to state and local review in the report provided at the November 2019 workshop by Stantec. Natural areas within the proposed house lots are identified on the site plan. In order to serve Lot 1 and Lot 2, the applicant will construct a shared driveway at the end of the previously approved road. The driveway will cross freshwater wetlands as proposed. The wetland crossing was approved by the Maine Department of Environmental Protection (DEP) pursuant to the Natural Resources Protection Act (NRPA). Staff note the 2015 Historic Preservation Map (copy provided in the Planning Board's packet) from the State of Maine indicates there may be a historic area at the subject parcel. Staff recommend seeking guidance for the treatment of any historical or archeological sites encountered during construction of the houses shall by the Maine Historic Preservation Office.

Based on the available information, the proposed development will not result in undue water or air pollution; significant plant and animal habitat; steep slopes; erosion and sedimentation; groundwater; surface waters, wetlands, and marine resources; and historic and archaeological resources in accordance with Section 4.3.2. - 4.3.9., respectively. *The Board finds that the provisions of Section 4.3 are satisfied provided guidance for the treatment of any historical or archeological sites encountered during construction of the houses is provided by the Maine Historic Preservation Office and provided to the Director of Planning and Development.*

4.4 Flood Hazard Areas
The subject parcel is within Flood Protection Overlay (FPO) District or Flood Hazard Area along the coastal shoreline. However, no proposed development is proposed within the FPO or Flood Hazard Area at this time. *The Board finds subsection 4.4 is not applicable to the proposed development.*

4.5 Basic Municipal Services

Minimal changes are proposed or anticipated to Solid Waste Disposal. No impact to the public storm drain system from stormwater management is proposed in accordance with Section 4.5.3 and 4.5.4, respectively. *The Board finds that the provisions of Section 4.5 are satisfied.*

4.6 Landscaping
The proposed activity is the division of an existing developed parcel and no landscaping is proposed. Therefore, landscaping standards in Section 4.6 are not applicable. *The Board finds that the provisions of Section 4.6 is not applicable to the proposed development.*

4.7 Residential Recreation Requirements
The future houses are required to pay recreational impact fees for residential development at the time of building permit review. Staff note the applicant did not submit house plans and recreation impacts cannot be determined at this time. *The Board finds that the provisions of Section 4.7 conditionally satisfied upon payment of impact fees at the time of building permit review.*

4.8 Circulation and Access
A minor increase in vehicle trips is anticipated for access to the four (4) future residences. No other changes are proposed to circulation and access. *The Board finds that the provisions of Section 4.8 are satisfied.*

4.9 Parking and Loading
No changes are proposed to parking area; and loading is not applicable. *The Board finds that the provisions of Section 4.9 are satisfied.*

4.10 Lighting
No new lighting is proposed. *The Board finds that the provisions of Section 4.10 are not applicable to the proposed development.*

4.11 Architectural Compatibility
Except for the construction of a private driveway, no development is proposed prior to the issuance of a building permit for single dwelling unit homes. Therefore, architectural compatibility standards are not applicable. *The Board finds that the provisions of Section 4.11 are not applicable to the proposed development.*

4.12 Neighborhood Protection Standards
The neighborhood protection standards are not applicable. *The Board finds that the provisions of Section 4.12 are not applicable to the proposed development.*

4.13 Signs
No signs are proposed at this time. *The Board finds that the provisions of Section 4.13 are not applicable to the proposed development.*

4.14 Performance Standards

Except for the construction of a private driveway, no development is proposed prior to the issuance of a building permit. No exceedance in Section 4.14 standards is anticipated. *The Board finds that the provisions of Section 4.14 are satisfied.*

4.15 Site Feature Maintenance
Except for the construction of a private driveway no further development is proposed. *The Board finds that the provisions of Section 4.15 is not applicable to the proposed development.*

4.16 Financial and Technical Capacity
The applicant owns the subject parcel and except for the construction of a private driveway no further development is proposed. The applicant sufficiently demonstrates adequate financial and technical capacity to meet the standards of the proposed development. *The Board finds that the provisions of Section 4.16 are satisfied.*

4.17 Administrative Adjustments / Alternative Equivalent Compliance
No administrative adjustment / alternative equivalent compliance is requested. *The Board finds that the provisions of Section 4.17 are not applicable to the proposed development.*

DRAFT MOTIONS
CASE #19-050

Motion 2: That the Final Plan is approved with the following conditions:

1. That the Board's review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, his representatives, reviewing officials, and members of the public as reflected in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification shall require a review and approval in accordance with the Brunswick Zoning Ordinance.

2. <u>Prior to issuance of a building permit</u>, the standard recreational impact fees shall be paid at the time of building permit review.

3. <u>Prior to issuance of a building permit</u>, the draft covenants shall be reviewed and approved by the Town Attorney.

4. <u>Prior to issuance of a building permit</u>, guidance for the treatment of any historical or archeological sites encountered during construction of the houses shall be provided by the Maine Historic Preservation Office and provided to the Director of Planning and Development.

1/15/20

STAFF REVIEW COMMITTEE NOTES

Staff present: Ryan Leighton, Acting Town Assessor; Jay Astle, Public Works Director; Jeff Emerson, Deputy Fire Chief; Ryan Barnes, Town Engineer; Matt Pelletier, Assistant Town Engineer; Matt Panfil, Director of Planning and Development; Dennis Wilson, Town Arborist. Non-voting Staff: Jared Woolston, Planner; Julie Erdman, Planning Technician.
Applicants Present: John Cunningham, Eaton Peabody; Kevin Clark, Sitelines, PA; Keith Smith, Keith Smith Landscape Architecture.
Public Present: None

1. **Case #19-050 Miller Point Site Plan Amendment:** The Staff Review Committee will review and make a recommendation to the Planning Board on a **Final Plan Major Development Review** application submitted by Sarah Witte on behalf of Robert and Nancy King to amend a previously approved site plan to divide the property into five (5) lots, creating four (4) house lots for the King family. The subject lot (Map 31, Lot 29) is located within the **RP1 (Rural Protection 1) Zoning District**; **the RPSMO (Rural Protection Stormwater Management Overlay); the SPO-RP (Shoreland Protection Overlay – Resource Protection Subdistrict) and the SPO-SP (Shoreland Protection Overlay – Stream Protection Subdistrict).**

John Cunningham: It is my understanding that a significant point raised during the last discussion with this committee was that we had previously shown the private road being extended up to reach Lot #1. The road, as it was shown on the plans attached to the conservation easement 20 years ago, ended short of that point. There was some concern that it might be an issue if we extended the road so we undid that. The new plans that have been given to you show the road with the same terminus that it had back in 2000. Instead of extending the road, we've simply created a driveway easement for Lot #1 and that driveway is shared with Lot #2. The purpose of that being to leave the original layout of the road unchanged.

Jared Woolston: Because this is going to Planning Board it's probably important to get into some of the semantics of the subdivision. As we reviewed last time, this went through site plan review years ago for the access drive's proximity to the shoreland zone. There's a high to moderate value wetland on the shoreland zone map and the applicants went to the Board to encroach on a 250 foot setback off that high to moderate value wetland (mapped by Inland Fisheries and Wildlife and adopted by the State and the Town). The 250 foot setback is the same today as it was then and this is an approved site plan just for that encroachment. This project doesn't require subdivision review because it is a family subdivision. There's an exemption in the statute that allows these divisions if they stay in family ownership for a period of five years or more. If this hadn't gone through site plan review those many years ago, we wouldn't even be looking at it today. The Shoreland Protection Overlay boundary is delineated very clearly on all the plans. You'll see that any infrastructure including this driveway is outside of the shoreland buffer and the lots all conform as far as we can tell with the dimensional and density standards. It seems pretty straightforward from staff perspective.

Ryan Leighton: No comments.

Jay Astle: No comments

Jeff Emerson: I know we've discussed this a lot, but I'm a little concerned with the E911 addressing standards. If that driveway is not laid out appropriately that it might drive there to be another street name. E911requires you to have an independent street name if you have more than one address off of a driveway. It looks like in this situation you could easily come off of the existing road into Lot #2, and then off the existing road again into Lot #1 without creating that issue. I just wanted to bring it up as a concern.

John Cunningham: We would have no objection to creating a separate road name if that's acceptable.

Jeff Emerson: I don't think we want to go there just because of everything that's taken place so far. We would rather keep this one road with a driveway that comes off the end.

John Cunningham: I agree with you, the way it's laid out, Lot #2 is actually touching the edge of the road. Although Lot #2 might make some physical use of that shared driveway for legal purposes, it does abut the road itself, so maybe that is the answer to the problem.

Jeff Emerson: It is going to end up being reviewed by the E911 people and they will have to make a decision. I'm not the expert. I'm just bringing it up as a possible concern down the road; you're just going to want to take that into account as you design it.

Jared Woolston: I did just want to point out that there's a small encroachment on the opposite side of the peninsula to the high to moderate value wetland side, it is a small encroachment in the shoreland zone but it's not within the 125 foot setback so it would be okay. When we go through the findings of fact, I'll have to make some, draft findings for consistency with shore land zoning on that side.

John Cunningham: Okay.

Matt Pelletier: No comments.

Matt Panfil: Years ago, in exchange for the conservation easement, the Planning Board agreed to have a road longer than the standards. Extending the road would have been increasing a nonconformity which is why we suggested the driveway solution. We thought it best to leave the road as is and provide an alternative way to provide access.

John Cunningham: Thank you.

Ryan Barnes: We have discussed that it's not recommended to come off the end of the road or a hammerhead, but we don't dictate how private roads are handled.

2. **<u>Case #19-056 Hunt Subdivision Amendment:</u>** The Staff Review Committee will review and make a recommendation to the Planning Board on a **Final Plan Major Development Review** subdivision amendment application submitted by Sitelines, PA on behalf of Michael and Rebecca Samson for an after-the-fact division of an indentured lot and the creation of an additional indentured lot. The subject lots (Map 21, Lots 19 & 44) are located within the **RP1 (Rural Protection 1) Zoning District; the RPSMO (Rural Protection Stormwater Management Overlay); the SPO-SP (Shoreland Protection Overlay – Stream Protection Subdistrict) and the WPO (Wildlife Protection Overlay – Wildlife Habitat Corridor).**

Jared Woolston: Planning Board approved the Hunt Subdivision in 1986. There was an indenture that was approved and a lot split that happened and the applicants are looking to legitimize that lot split and then request

another split and another indenture. Jeff Hutchinson is not here to explain the indenture but you've worked with them enough to maybe help us understand what that means.

Kevin Clark: Essentially, in this RP1 zone where you're required to have four or five acres (dependent on if you're going through development review or not); Jeff has had rulings from the Town Attorney that allow the creation of a smaller one or two acre lot, and then the indenture of the remaining portion that would create five acres somewhere else on the adjacent property. It is creating the five acre density, even though the five acres is not contained within the lot - you're taking the development rights of that other portion of property.

Ryan Leighton: Is there a mechanism that formalizes that?

Kevin Clark: It gets recorded in the deed.

Ryan Leighton: I didn't see anything in the packet.

Jared Woolston: I actually went looking for it and I did find it recorded at the registry with Jeff's signature on it. It would be helpful to have that for the Planning Board packet. I neglected to make copies for this meeting, but I did see it. As far as the Town's review of that piece of it, that was for the indenture, but not for the lot split. You need Planning Board to approve the after the fact lot split and the proposed lot split. That's the way I understand it.

Kevin Clark: Correct. We're proposing a new lot with an indentured area. The reason for that additional indenture area is that Samson's want to downsize and build a smaller home off of Pleasant Hill Rd but they would like to keep as much of the open fields with the existing farmhouse and barns. It makes the most sense because it's use as pasture for horses.

Jared Woolston: For staff advice, what we will be telling the Planning Board basically is that the indenture is good. We're not going to say anything about the indenture because the Code Officer signed off on it. As far as the lot goes, my advice will be that the lot conforms, but they need to review it as if it doesn't already exist. The staff will advise the Board that it's okay. The Planning Board has the authority to say if it is or not. Our advice will be the same on the new lot split and they can decide to approve it or not.

Ryan Leighton: I had to look up indenture today to see what it was. It isn't clear in the packet either as far as what the stipulations are for that three acre lot and what ensures it's staying undeveloped. There's nothing that explained any of that.

Jay Astle: I'm just curious, does the indenture have to be adjacent to or contiguous to the lot?

Kevin Clark: It does not.

Ryan Barnes: What's the minimum lot and maximum density out there?

Jared Woolston: In RP1, if it goes through review it is a minimum four acre lot; if it doesn't go through review it is five acres.

Jeff Emerson: No comments.

Matt Pelletier: No comments.

Matt Panfil: It took me awhile to understand what was going on, but now that I do, it seems like we're addressing an issue and trying to resolve it so I'm satisfied.

Ryan Barnes: We've already looked at the driveway access for the house that they're planning on building off Pleasant Hill. I know we are okay with that one. I couldn't find any record of a driveway entrance permit for the after-the-fact lot split – Lot #4. I don't know if that one's any good.

Meeting Adjourned

JAE

Sarah Witte, Landscape Architect
16 Cumberland Street, Yarmouth ME 04096
207.415.2973 sarahwitteLA@gmail.com sarahwitteLA.net

January 2, 2020, *rev. 1.24.2020**

Charlie Frizzle, Chair, Planning Board
Town of Brunswick, Maine
Department of Planning and Development
85 Union Street,
Brunswick, ME 04011-1583

RE: Miller Point, Lot 31-29: Plan for 4-Lot Residential Development

Dear Mr. Frizzle and Members of the Board,

SUMMARY OF PROPOSAL:

On behalf of Robert and Nancy King, it is my pleasure to submit revised plans for your review. In a nutshell, we have left the existing private gravel road exactly as is, per the recommendations of Staff, and revised the proposed lot lines to create a shared driveway to Lots 1 and 2 on a 30' wide easement.

On that basis, the Kings do not need to amend the current site plan which was recorded in 2000, and we simply seek your approval of the four proposed lots. And the lot division is not technically a subdivision, since the Kings will build one home and the other three homes will be owned by the Kings' children.

Revised plans include:

- the extents of current vegetation coverage,
- the Rural Protection Stormwater Management Overlay district,
- a plan and profile for the shared driveway to Lots 1 and 2, and
- an erosion control plan for the entire proposal.

PROPOSED DRIVEWAY:

Town Engineer Ryan Barnes requested that Lots 1 and 2's shared driveway from the end of the existing gravel road be built to the same dimensional standards as the road: 14' wide gravel with 3' drivable shoulders and 13'9 x 22' clearance for emergency vehicles. The hammerhead will have a 60' stem turnaround. Please see Walsh Engineering sheets C1.1 and C1.2.

**ADDED INFO 1.24.2020: Proposed area of the gravel surface is 3,990 sf. The proposed area of the drivable gravel shoulders planted with grass is 1,950 sf. Total proposed developed: 5,940 sf, of which 560 sf is in the RPSMO/SHORELAND ZONE.*

LOT AREAS:

The following is a summary of the four proposed lots, as revised:

Lot 1
Area: 148,340 square feet
Non vegetated area allowed: 14,834 sf

Lot 2
Area: 67,096 sf
Non vegetated area allowed: 10,890 sf

Lot 3
Area: 129,276 sf
Non vegetated area allowed: 12,927 sf

Lot 4
Area: 184,041 sf
Non vegetated area allowed: 18,404 sf

We look forward to seeing you on January 28th at 3 pm for a site walk, and then the meeting later that evening. We are seeking a final approval on the 28th so that the architecture and construction teams can keep on track for building in the spring.

Please contact me with any questions or if additional information would be of use.

Very best regards,

Sarah Witte
Landscape Architect, ME Reg. #114

Attachments: (new material)

1. Cover letter, 2 pp. (rev. 1.24.2020)
2. Development Review Application, 3 pp.
3. Sheets 1, 2, 3 (200, 120, 60 scale) prepared by Owen Haskell Inc, Surveyors, with revised lot lines and updated zoning boundaries.
4. Sheets C1.1 and C1.2 prepared by Walsh Engineering, addressing road and driveway design as well as erosion control measures.
5. Legal Documents: Declaration, Bylaws and Sample Deed

Material on File: (still applicable, previously submitted)

6. 11.18.19 Previous Cover Letter, detailing permitting history and status.
7. 12.5.19 Email from Ryan Barnes agreeing to driveway configuration

8. 12.5.19 Email from Jeff Hutchinson specifying setbacks and easement design
9. List of Consultants, 1 p.
10. Agent Authorization, 1 p.
11. Warranty Deed, 1 p.
12. State of Maine DEP Permit 10.06.19, 6 pp.
13. US Army Corps Individual Permit 9.16.2019, 10 pp
14. Stantec Report, 5.23.2019, 17 pp
15. Conservation Easement for Miller Point, 3.21.2000, 19 pp.
16. Approved Road Extension and Boundary of Development areas, rev. 2.16.2000
17. ~~Proposed Revised Road and Plan for 4 Lots, 1"=200, rev. 11.14.2019~~ (rev.)
18. ~~" " " , 1"=120', rev. 11.14.2019~~ (rev.)
19. ~~" " " , 1" = 60', rev. 11.14.2019~~ (rev.)
20. ~~Plan for proposed driveway wetland crossing on Lot 1, rev. 9.18.19~~(rev.)
21. HHE 200 Disposal System Application 10.15.2019, 8 pp
22. Septic System Site Plan, rev. 11.13.2019, 1 p.

Town of Brunswick, Maine

INCORPORATED 1739

DEPARTMENT OF PLANNING AND DEVELOPMENT

85 UNION STREET TELEPHONE 207-725-6660

BRUNSWICK, MAINE 04011-1583 FAX 207-725-6663

BRUNSWICK PLANNING BOARD
DEVELOPMENT REVIEW PACKET

This Packet Includes:

I. Summary of Development Review Applicability and Process
II. Minor Development Review Application Form
III. Sketch Plan Major Development Review Application Form
IV. Final Plan Major Development Review Application Form
V. Streamlined Final Plan Review Application Form

Note that this review process summary and the submission checklist are provided only as a ready reference for your convenience. For a complete reading of the provisions governing development review in Brunswick, the applicant must refer to the Brunswick Zoning Ordinance, copies of, which are available for a fee from the Department of Planning and Development.

PURPOSE

The purpose of Development Review for site plans and subdivisions is to ensure that the development of land occurs in a manner that conforms to the Brunswick Zoning Ordinance (Zoning Ordinance) and reasonably protects public facilities, the natural environment and neighboring uses. Development review includes subdivision and site plan reviews. Applicants are advised that a building, electrical or plumbing permit may be required in addition to Development Review. For further information, contact the Town Planner, Department of Planning and Development at 207-725-6660.

DEVELOPMENT REVIEW CATEGORIES AND THRESHOLDS

Development review applications are classified into "Minor", "Major" and "Streamlined Major" review. Major Reviews are conducted by the Planning Board, and Minor Reviews are conducted by the Staff Review Committee. **Development review thresholds and procedures are detailed in Section 5.2.9 of the Brunswick Zoning Ordinance.** Briefly;

Minor Plan: For developments of lesser scale, the plan includes the final drawings on which the applicant's subdivision or site plan is presented to the Staff Review Committee for approval and which, if approved, would be recorded at the Cumberland County Registry of Deeds.

Major Review Components:

> **Sketch Plan:** Includes conceptual maps, renderings and supportive data describing the project proposed by the applicant for initial Staff Review Committee review and recommendation to the Planning Board, followed by the review and action by the Planning Board.
>
> **Final Plan:** Includes the final drawings on which the applicant's subdivision or site plan is first presented to the Staff Review Committee for review and recommendation to the Planning Board, followed by review and action by the Planning Board.

Streamlined Major Plan: If the proposed development is located within the Brunswick Growth Area, as delineated on the Town's Official Zoning Map, an applicant has the option to submit a Streamlined Major Plan for Planning Board review and approval. A staff-level pre-application meeting is required prior to the application being submitted.

REVIEW PROCESS AND TIMEFRAME

Development Review shall be conducted in accordance with the Development Review Time and Processing Requirements in Table 5.2.9.I of the Zoning Ordinance and provided below. All time limits are expressed in calendar days. In cases where the date prescribed in this Table is a legal holiday, all deadlines shall apply to the previous working day.

Table 5.2.9.I: Development Review Time and Processing Requirements			
Timing	**Minor Development Review (Staff Review Committee)**	**Standard Major Development Review (Planning Board)**	**Streamlined Major Development Review (Planning Board)**
No less than 21 days prior to Review Authority Meeting		Deadline for filing one (1) copy of application for Planning Board consideration.	No less than 21 days prior to Planning Board consideration, applicant shall meet with Department staff to discuss application.
No less than 14 days prior to Review Authority meeting	Deadline for filing one (1) copy of application for Staff Review Committee consideration. Staff confirms that application is complete within three (3) working days and completes abutter notification in accordance with Subsection 5.1.3.B(1). The applicant then supplies 12 copies of all application materials and one (1) electronic copy.	Within five (5) working days, staff confirms that application is complete and all owners of property per Subsection 5.1.3.B(1) are notified of the Staff Review Committee and Planning Board meetings. The applicant then supplies 12 copies of all application materials and one (1) electronic copy for Staff Review Committee distribution.	Deadline for filing one (1) copy of application for Planning Board consideration. [1] Staff confirms that application is complete and all owners of property per Subsection 5.1.3.B(1) are notified of the Staff Review Committee and Planning Board meetings. The applicant then supplies 12 copies of all application materials and one (1) electronic copy for Staff Review Committee distribution.
No less than seven (7) days prior to Review Authority meeting		The application shall be brought before the Staff Review Committee for comments and recommendation. Within five (5) days following the Staff Review Committee meeting, the applicant shall supply nine (9) copies of the revised plans and one (1) electronic version for distribution to Planning Board. If a Public Hearing is required, the first of two (2) required notices shall appear in a newspaper of general circulation no less than seven (7) days prior to the hearing.	The application shall be brought before the Staff Review Committee for comments and recommendation. Within five (5) days following the Staff Review Committee meeting, the applicant shall supply nine (9) copies of the revised plans and one (1) electronic version for distribution to Planning Board. If a Public Hearing is required, the first of two (2) required notices shall appear in a newspaper of general circulation no less than seven (7) days prior to the hearing.
No less than three (3) days prior to Review Authority meeting	The Director shall issue preliminary Findings of Fact based on Subsection 5.2.9.O and shall issue a draft set of conditions of approval, if any. This material shall be mailed, emailed, faxed, or hand delivered to the Staff Review Committee and the applicant.	The Director shall issue preliminary Findings of Fact based on Subsection 5.2.9.O and shall issue a draft set of conditions of approval, if any. This material shall be mailed, emailed, faxed, or hand delivered to the Planning Board and the applicant.	The Director shall issue preliminary Findings of Fact based on Subsection 5.2.9.O and shall issue a draft set of conditions of approval, if any. This material shall be mailed, emailed, faxed or hand delivered to the Planning Board and the applicant.
No more than seven (7) days after decision by Review Authority	The Staff Review Committee shall transmit its written decision and Findings of Fact to the applicant.		

Table 5.2.9.I: Development Review Time and Processing Requirements			
Timing	**Minor Development Review (Staff Review Committee)**	**Standard Major Development Review (Planning Board)**	**Streamlined Major Development Review (Planning Board)**
No more than 30 days after decision by Review Authority if Public Hearing held, or no more than 60 days if no public hearing is held.		The Planning Board shall transmit its written decision and Findings of Fact to the applicant.	The Planning Board shall transmit its written decision and Findings of Fact to the applicant.
No more than 30 days after application is deemed complete by staff.	The Review Authority shall consider an application unless postponement is requested or agreed to by applicant.		
NOTES: 1. If application lacks any required submittal materials, the streamlined process shall be terminated and the application shall revert back to the Major Development Review process.			

Flowcharts illustrating specific review procedures for each development review category are attached.

APPLICABLE FEES

Application Fees

The following application fees shall be paid for any project undergoing development review. For projects that meet the public hearing threshold or projects for which the Planning Board schedules a public hearing an additional $250.00 fee will be assessed to cover the costs of advertising.

Minor Development Review:

- $200.00

Major Subdivision:

SKETCH PLAN: $125 per lot proposed
FINAL PLAN: $175 per lot proposed

Major Site Plan:

SKETCH PLAN:

- For projects with new building construction of more than 2,500 square feet the cost equals the total amount of square footage for all buildings multiplied by $0.05.
- For all other developments the fee is $200.00.

FINAL PLAN:

- For projects with new building construction of more than 2,500 square feet the cost equals the total amount of square footage for all buildings multiplied by $0.12.
- For all other developments the fee is $200.00.

Impact Fees

Impact fees may apply depending upon the type of proposed development and will be determined during the development review process.

DEVELOPMENT REVIEW
APPLICATION

1. Development Review application type (refer to **Appendix D**):

   - [ ] **Minor Development Review**
   - [x] Major Development Review: **Sketch Plan**
   - [ ] Major Development Review: **Final Plan**
   - [ ] Major Development Review: **Streamlined Final Plan**

2. Project Name: Miller Point

3. Project Applicant
   Name: Nancy P. King & Robert C King, Jr.
   Address: 553 Mere Point Road
   Brunswick ME 04011
   Phone Number: (207) 902-3377
   Email: robertckingjr@gmail.com, npking19@gm

4. Project Owner (if different than applicant)
   Name: _____
   Address: _____
   _____
   Phone Number: _____
   Email: _____

5. Authorized Representative
   Name: Sarah Witte, Landscape Architect
   Address: 16 Cumberland Street
   Yarmouth ME 04096
   Phone Number: (207) 415-2973
   Email: sarahwitteLA@gmail.com

6. List of Design Consultants. Indicate the registration number, address and phone number, email for any additional project engineers, surveyors, architects, landscape architects or planners:

   1. Sarah Witte, Landscape Architect, (above) ME Lic #114
   2. see attached list of others
   3. _____

7. Physical location of property: Miller Point, via Simpson Point Road

8. Lot Size: Development Area 1 including Lots 1-4 is 42.1 acres

9. Zoning District: RP1, SPO-SP

10. Overlay Zoning District(s): SPO, RPSMO

11. Indicate the interest of the applicant in the property and abutting property. For example, is the applicant the owner of the property and abutting property? If not, who owns the property subject to this application?

The Kings own the land. Deeds attached.

_____

12. Assessor's Tax Map 31 Lot Number 10,21,29 of subject property.

13. Brief description of proposed use/subdivision: _____

Four homes, accessory structure ('Barn'), common septic system, on five lots within Development Area 1, as allowed by Conservation Easement.

14. Describe specific physical improvements to be done: _____

Extension of existing road to new hammerhead. Limited clearing as allowed by state and local ordinances.

Owner Signature:

_____

Applicant Signature (*if different*):

_____

DEVELOPMENT REVIEW APPLICATION REQUIREMENTS

The submission requirements contained in **Appendix D** of the Brunswick Zoning Ordinance (attached in checklist format for each application category) shall apply to all Minor Development, Major Development, and Streamlined Major Development Review unless a waiver is granted. Proposed development applications shall be submitted to the Director of Planning and Development.

For each item listed in Appendix D the applicant shall either submit the requested information or request a waiver from the information requirement pursuant to Subsection 5.2.9.M of the Zoning Ordinance.

REQUIREMENTS FOR SKETCH PLAN APPLICATION SUBMITTAL Please mark box with one of the following: "W" (Waiver); "P" (Pending); "X" (Submitted) or "N/A" (Not applicable)		Sketch Plan
General	Application form and fee	--
	Name of development	--
	Existing zoning district and overlay designations	--
	Location map	--
	Location of features, natural and artificial, such as water bodies, wetlands, streams, important habitats, vegetation, railroads, ditches and buildings	--
	Documentation of Right, Title and Interest	--
	Draft performance guarantee or conditional agreement	--
Survey, Topography, & Existing Conditions	Scale, date, north point, and area	--
	Existing easements associated with the development	--
	Existing locations of sidewalks	--
	Approximate locations of dedicated public open space, areas protected by conservation easements and recreation areas	--
	When applicable, a table indicating the maximum number of lots permitted based upon the applicable dimensional requirements, the number of lots proposed, and the number of lots permitted to be further subdivided.	--
Proposed Development Plan	Number of lots if a subdivision	--

REQUIREMENTS FOR FINAL PLAN, STREAMLINED REVIEW & MINOR REVIEW APPLICATION SUBMITTAL Please mark box with one of the following: "W" (Waiver); "P" (Pending); "X" (Submitted) or "N/A" (Not applicable)		Final Plan	Streamlined	Minor
General	Application form and fee	X	--	--
	Name of development	X	--	--
	Existing zoning district and overlay designations	X	--	--
	Location map	X	--	--
	Names of current owner(s) of subject parcel and abutting parcels	X	--	--
	Names of engineer and surveyor; and professional registration numbers of those who prepared the plan	X	--	--
	Location of features, natural and artificial, such as water bodies, wetlands, streams, important habitats, vegetation, railroads, ditches and buildings	X	--	--
	Documentation of Right, Title and Interest	X	--	--
	Drafts of legal documents appropriate to the application, including: deeds, easements, conservation easements, deed restrictions or covenants, home/property owners association declarations and by-laws, and such other agreements or documents as are necessary to show the manner in which common areas will be owned, maintained, and protected	P P	-- --	-- --
	Draft performance guarantee or conditional agreement	N/A	--	--
Survey, Topography, & Existing Conditions	Scale, date, north point, and area	X	--	--
	A survey submitted (stamped for final plan submittal) by a professional surveyor with a current license by the State of Maine Board of Licensure for Professional Surveyors	X	--	--
	Boundaries of all lots and tracts with accurate distances and bearings, locations of all permanent monuments property identified as existing or proposed	X	--	--
	Existing easements associated with the development	X	--	--
	Location of existing utilities; water, sewer, electrical lines, and profiles of underground facilities	X	--	--
Survey, Topography, & Existing Conditions	Existing location, size, profile and cross section of sanitary sewers; description, plan and location of other means of sewage disposal with evidence of soil suitability	N/A	--	--
	Topography with contour intervals of not more than two (2) feet	X	--	--
	A Medium Intensity Soil Survey, available from the Cumberland County Soil and water Conservation District,. The Planning Board may require a Class A (high intensity) Soil Survey, prepared in accordance with the standards of the Maine Association of Professional Soil Scientists, if issues of water quality, wetlands or other natural constraints are noted.	X --	-- --	-- --
	Existing locations of sidewalks	N/A	--	--
	A delineation of wetlands, floodplains, important habitats, and other environmentally sensitive areas	X	--	--
	Approximate locations of dedicated public open space, areas protected by conservation easements and recreation areas	X	--	--

REQUIREMENTS FOR FINAL PLAN, STREAMLINED REVIEW & MINOR REVIEW APPLICATION SUBMITTAL Please mark box with one of the following: "W" (Waiver); "P" (Pending); "X" (Submitted) or "N/A" (Not applicable)		Final Plan	Streamlined	Minor
Infrastructure - Proposed	Name, location, width of paving and rights-of-way, profile, cross-section dimensions, curve radii of existing and proposed streets; profiles of center-lines of proposed streets, at a horizontal scale of one (1) inch = 50 feet and vertical scale of one (1) = five (5) feet, with all evaluations referred to in U.S.G.S. datum	X --	-- --	-- --
	Proposed easements associated with the development	X	--	--
	Kind, location, profile and cross-section of all proposed drainage facilities, both within and connections to the proposed development, and a storm-water management plan in accordance with Section	X	--	--
	Location of proposed utilities; water, sewer, electrical lines, and profiles of underground facilities. Tentative locations of private wells.	X	--	--
	Proposed location, size, profile and cross section of sanitary sewers; description, plan and location of other means of sewage disposal with evidence of soil suitability	X	--	--
	Proposed locations, widths and profiles of sidewalks	N/A	--	--
	Locations and dimensions of proposed vehicular and bicycle parking areas, including proposed shared parking arrangement if applicable.	N/A	--	--
Infrastructure - Proposed	Grading, erosion control, and landscaping plan; proposed finished grades, slopes, swells, and ground cover or other means of stabilization	X	--	--
	Storm water management plan for the proposed project prepared by a professional engineer	X	--	--
	The size and proposed location of water supply and sewage disposal systems	X	--	--
	Where a septic system is to be used, evidence of soil suitability	X	--	--
	A statement from the General Manager of the Brunswick Sewer District as to conditions under which the Sewer District will provide public sewer and approval of the proposed sanitary sewer infrastructure	N/A	--	--
	A statement from the Fire Chief recommending the number, size and location of hydrants, available pressure levels, road layout and street and project name, and any other fire protection measures to be taken	X	--	--
	A statement from the General Manager of the Brunswick and Topsham Water District as to conditions under which public water will be provided and approval of the proposed water distribution infrastructure	N/A	--	--
Proposed Development Plan	Lighting plan showing details of all proposed lighting and the location of that lighting in relation to the site	N/A	--	--
	Reference to special conditions stipulated by the Review Authority	N/A	--	--
	Proposed ownership and approximate location and dimensions of open spaces for conservation and recreation. Dedicated public open specs, areas protected by conservation easements, and existing and proposed open spaces or recreation areas and potential connectivity to adjoining open space.	X --	-- --	-- --
	When applicable, a table indicating the maximum number of lots permitted based upon the applicable dimensional requirements, the number of lots proposed, and the number of lots permitted to be further subdivided.	X	--	--
	Building envelopes showing acceptable locations for principal and accessory structures, setbacks and impervious coverage	X	--	--

REQUIREMENTS FOR FINAL PLAN, STREAMLINED REVIEW & MINOR REVIEW APPLICATION SUBMITTAL Please mark box with one of the following: "W" (Waiver); "P" (Pending); "X" (Submitted) or "N/A" (Not applicable)		Final Plan	Streamlined	Minor
Proposed Development Plan	Disclosure of any required permits or, if a permit has already been granted, a copy of that permit	N/A	--	--
	A statement from the General Manager of the Brunswick and Topsham Water District regarding the proposed development if located within an Aquifer Protection Zone	N/A	--	--
	A plan of all new construction, expansion and/or redevelopment of existing facilities, including type, size, footprint, floor layout, setback, elevation of first floor slab, storage and loading areas	N/A	--	--
	An elevation view of all sides of each building proposed indicating height, color, bulk, surface treatment, signage and other features as may be required by specific design standards	N/A	--	--
	A circulation plan describing all pedestrian and vehicle traffic flow on surrounding road systems	N/A	--	--
	A site landscaping plan indicating grade change, vegetation to be preserved, new plantings used to stabilize areas of cut and fill, screening, the size, locations and purpose and type of vegetation	N/A	--	--
	Number of lots if a subdivision	X	--	--
	A plan showing all ten (10) inch caliper trees to be removed as a result of the development proposal	N/A	--	--
	All applicable materials necessary for the Review Authority to review the proposal in accordance with the criteria of Chapter 5.	X	--	--
	Any additional studies required by the Review Authority	N/A	--	--

PROPERTY BOUNDARIES
LINE TABLE

No.	Bearing	Distance
L1	N87°41'03"W	57.54'
L2	S58°56'57"W	175.91'
L3	S46°11'57"W	165.03'
L4	S57°43'57"W	91.57'
L5	S18°18'57"W	156.04'
L6	S04°58'57"W	50.00'
L7	N85°01'03"W	104.66'
L8	N89°05'03"W	253.58'
L9	N88°35'03"W	252.23'
L10	N85°09'33"W	246.88'
L11	N00°44'13"E	327.09'
L12	N03°16'28"E	742.29'
L13	N03°00'17"E	243.06'
L14	N07°59'43"W	148.50'
L15	S70°59'43"E	44.00'
L16	N21°24'31"E	335.13'
L17	N09°55'40"E	75.36'
L18	N21°12'00"E	150.94'
L19	N29°37'55"E	144.41'
L20	N29°06'10"E	94.86'
L21	N24°38'10"E	212.80'
L22	N28°13'50"E	145.96'
L23	N37°57'10"E	107.30'
L24	N39°41'50"E	41.48'
L25	N79°25'00"E	385.15'
L26	S44°54'00"E	441.83'
L27	S31°52'05"W	411.12'
L28	S07°30'53"W	298.12'
L29	S11°09'55"E	515.63'
L30	S08°50'08"E	250.06'
L31	S09°50'04"E	273.92'
L32	N80°48'31"E	8.25'
L33	S09°11'29"E	303.67'
L34	N40°07'38"E	119.04'
L35	N36°24'30"E	472.14'
L36	N32°18'50"E	446.87'
L37	N34°48'43"E	372.66'
L38	S32°04'51"E	300.00'
L39	S34°13'31"E	370.72'
L40	N58°42'10"E	447.70'
L41	S04°23'10"W	36.82'
L42	S62°06'20"E	61.52'
L43	S54°33'20"E	64.82'
L44	S16°26'50"E	93.00'
L45	S23°52'50"E	92.78'
L46	S37°33'50"E	108.27'
L47	S26°48'10"E	362.36'
L48	N34°48'43"E	285.00'
L49	S54°13'50"W	416.54'
L50	N25°11'17"W	410.00'
L51	N05°11'17"W	200.00'
L52	N34°48'43"E	87.66'
L53	S25°11'17"E	50.00'
L54	S53°41'17"E	240.00'
L55	S32°48'43"W	790.00'
L56	N51°12'30"W	800.98'
L64	S00°44'57"W	394.62'
L65	S26°39'57"W	833.42'
L66	N69°11'03"W	83.14'
L67	N65°29'33"E	170.77'
L68	N55°24'45"E	336.47
L69	N31°24'25"E	364.81'
L70	N05°42'38"E	150.75'
L71	N24°01'35"W	90.87'
L72	N27°26'47"E	145.36'
L73	N16°16'47"E	117.72'
L74	N02°38'33"E	65.07'
L75	S76°51'58"E	181.60'
L76	S49°12'35"E	40.00'
L77	S42°36'36"E	297.08'
L78	S37°31'03"E	390.00'
L79	N18°23'45"W	259.42'
L80	N16°36'15"E	351.10'
L81	S03°08'57"W	869.44'
L122	N23°41'28"E	96.80'

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	04°54'56"	2020.00	173.30	173.25	N38°19'57"E

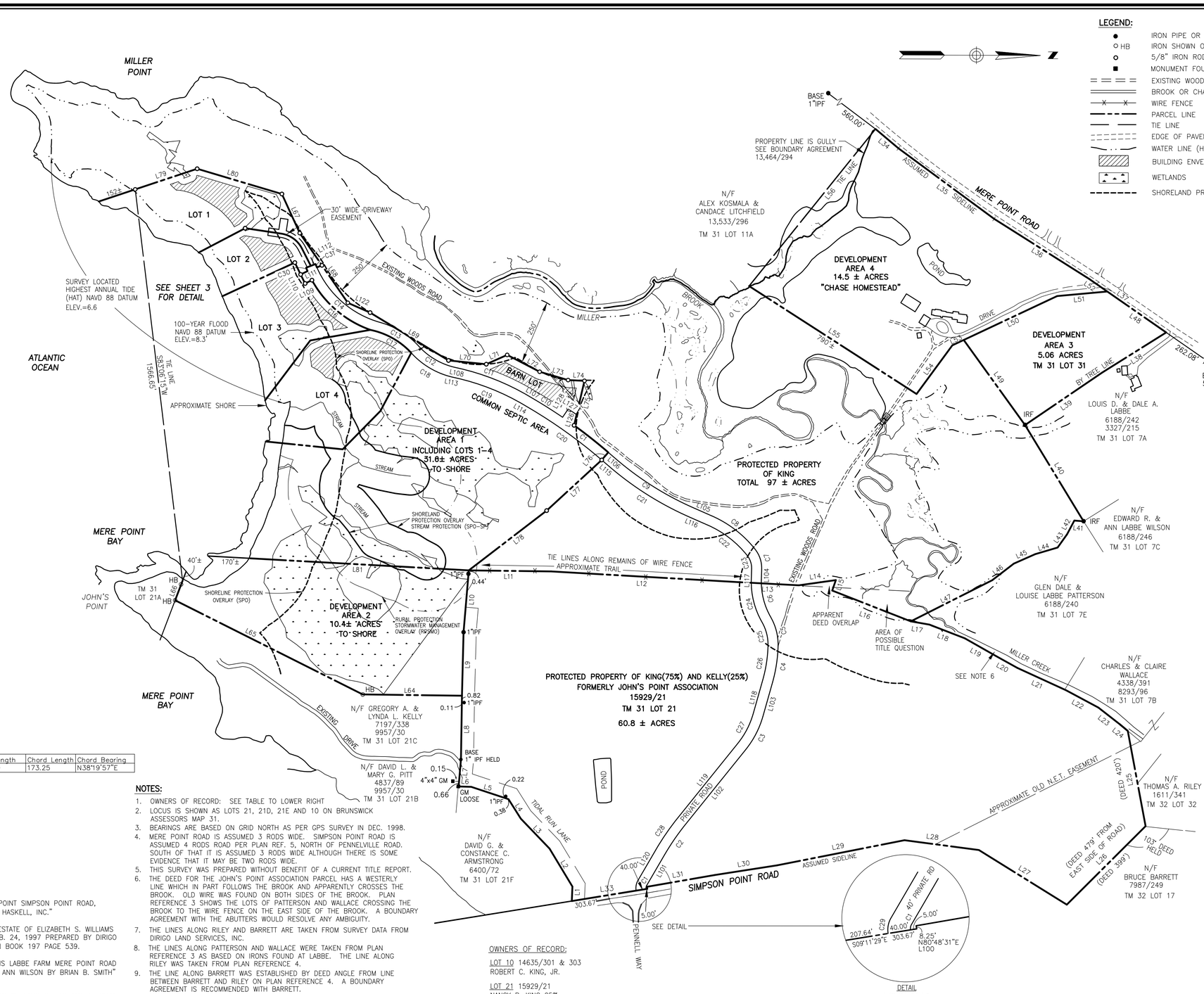
LOT CALCULATIONS

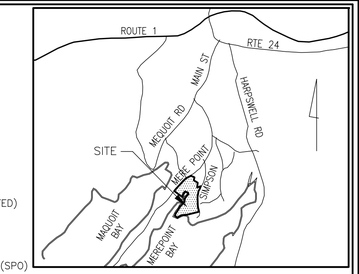
ALLOWABLE NON-VEGETATED COVERAGE		
LOT #	AREA (S.F.)	ALLOWED (S.F.)
LOT 1	148,340	14,834
LOT 2	67,096	10,890
LOT 3	129,276	12,297
LOT 4	184,041	18,404

PLAN REFERENCES:

1. "AMENDED SUBDIVISION PLAN OF JOHN'S POINT SIMPSON POINT ROAD, BRUNSWICK, ME. MARCH 04, 1999 OWEN HASKELL, INC."
2. "STANDARD BOUNDARY SURVEY FOR THE ESTATE OF ELIZABETH S. WILLIAMS MERE POINT ROAD BRUNSWICK, MAINE FEB. 24, 1997 PREPARED BY DIRIGO LAND SERVICES, INC." RECORDED IN PLAN BOOK 197 PAGE 539.
3. "PROPERTY SURVEY AND DIVISION OF LOUIS LABBE FARM MERE POINT ROAD BRUNSWICK, MAINE NOVEMBER 1982 FOR ANN WILSON BY BRIAN B. SMITH" RECORDED IN PLAN BOOK 138 PAGE 24.
4. "STANDARD PROPERTY SURVEY AND DIVISION OF LAND OF THOMAS P. RILEY FOR R. C. THEBERGE, INC. MERE POINT ROAD BRUNSWICK, MAINE DECEMBER 18, 1997 PREPARED BY: DIRIGO LAND SERVICES, INC.
5. "PLAN AND PROFILE OF SIMPSONS POINT ROAD BRUNSWICK, MAINE MADE FOR TOWN OF BRUNSWICK PUBLIC WORKS DEPT. NOVEMBER 1997 ROYAL RIVER SURVEY CO."
6. "PLAN OF JOHN'S POINT SIMPSON'S POINT ROAD BRUNSWICK, MAINE OWNED BY JOHN'S POINT ASS'N OCT. 11, 1971 – TRACED AUG. 27, 1976 BY HOWARD F. BABBIDGE" RECORDED IN PLAN BOOK 116, PAGE 21.

GRAPHIC SCALE
0 100' 200' 400' 800'





LEGEND:

- IRON PIPE OR ROD FOUND
- HB IRON SHOWN ON PLAN REF. 6
- 5/8" IRON ROD TO BE SET
- MONUMENT FOUND
- EXISTING WOODS ROAD
- BROOK OR CHANNEL
- WIRE FENCE
- PARCEL LINE
- TIE LINE
- EDGE OF PAVEMENT
- WATER LINE (HAT LINE WHERE NOTED)
- BUILDING ENVELOPE
- WETLANDS
- SHORELAND PROTECTION OVERLAY (SPO)

ROAD TABLE

No.	Bearing	Distance
L100	N80°48'31"E	8.25'
L101	N59°45'40"W	140.94'
L102	N51°09'43"W	381.62'
L103	N74°11'29"W	140.64'
L104	N88°07'54"W	41.90'
L105	S23°47'25"W	81.95'
L106	S40°47'25"W	39.15'
L107	S30°39'08"W	28.46'
L108	S12°36'31"W	10.75'
L109	S26°01'45"E	30.47'
L110	S63°58'15"W	40.00'
L111	N26°01'45"W	30.47'
L112	N21°23'45"W	40.00'
L113	N12°36'31"E	10.75'
L114	N30°39'08"E	28.46'
L115	N40°47'25"E	39.15'
L116	N23°47'25"E	81.95'
L117	S88°07'54"E	41.90'
L118	S74°11'29"E	140.64'
L119	S51°09'43"E	381.62'
L120	S59°45'40"E	140.94'
L121	N39°33'32"E	186.31'

ROAD TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	39°25'49"	21.94	15.10	14.80	N79°28'35"W
C2	08°35'58"	980.00	147.09	146.95	N55°27'41"W
C3	23°01'46"	370.00	148.72	147.72	N62°40'36"W
C4	14°13'11"	588.79	146.12	145.75	N81°18'04"W
C5	31°35'21"	218.20	120.30	118.78	S75°47'40"W
C6	31°52'06"	280.00	155.74	153.74	S75°56'03"W
C7	40°12'15"	120.00	84.20	82.49	S71°45'59"W
C8	27°52'27"	450.12	218.98	216.83	S37°43'38"W
C9	17°00'00"	1230.00	364.95	363.61	S32°17'25"W
C10	03°38'22"	2020.00	128.31	128.29	S32°28'19"W
C11	18°02'37"	970.00	305.47	304.21	S21°37'49"W
C12	35°16'04"	278.04	171.15	168.46	S30°14'33"W
C13	32°25'18"	320.00	181.08	178.67	S31°39'56"W
C14	50°59'37"	387.92	345.25'	333.97'	N40°57'05"E
C15	34°29'05"	150.00	90.28'	88.92	S45°42'58"W
C16	41°43'46"	427.92	311.66'	304.82	N40°25'28"E
C17	32°25'19"	280.00	158.44	156.34	N31°39'56"E
C18	35°16'04"	318.04	195.77	192.69	N30°14'33"E
C19	18°02'37"	930.00	292.88	291.67	N21°37'49"E
C20	10°08'17"	1980.00	350.34	349.89	N35°43'16"E
C21	17°00'00"	1270.00	376.82	375.44	N32°17'25"E
C22	27°52'27"	410.12	199.52	197.56	N37°43'38"E
C23	40°12'15"	80.00	56.14	54.99	N71°45'59"E
C24	31°52'06"	320.00	177.99	175.70	N75°56'03"E
C25	31°35'21"	178.20	98.25	97.01	N75°47'40"E
C26	14°13'11"	548.79	136.20	135.85	S81°18'04"E
C27	23°01'46"	330.00	132.64	131.75	S62°40'36"E
C28	08°35'58"	1020.00	153.09	152.95	S55°27'41"E
C29	39°25'49"	61.94	42.62	41.79	S79°28'35"E
C30	01°57'16"	427.92	14.60'	14.60'	N67°37'36"E
C31	02°09'22"	387.92'	14.60'	14.60'	N67°31'34"E

FLOOD ZONE:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE C (AREAS OF MINIMAL FLOOD HAZARD) AND PARTIALLY IN ZONE A2 (BASE FLOOD ELEVATION 9 NAVD29) OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230042 0026B, WHICH BEARS AN EFFECTIVE DATE OF JANUARY 3, 1986.

ZONING

THE SURVEYED PROPERTY IS LOCATED IN THE RURAL PROTECTION DISTRICT (RP1), RESOURCE PROTECTION SUBDISTRICT – WETLAND HIGH TO MODERATE VALUE (SPO–RP), STREAM PROTECTION SUBDISTRICT (SPO–SP), THE SHORELAND PROTECTION OVERLAY DISTRICT (SPO) AND THE RURAL PROTECTION STORMWATER MANAGEMENT OVERLAY DISTRICT (RPSMO).

RP1 DIMENSIONAL AND DENSITY STANDARDS

MINIMUM LOT AREA	20,000 S.F.
MINIMUM LOT WIDTH	125 FEET
FRONT SETBACK	30 FEET
SIDE SETBACK	25 FEET
REAR SETBACK	30 FEET

NOTES:

1. OWNERS OF RECORD: SEE TABLE TO LOWER RIGHT
2. LOCUS IS SHOWN AS LOTS 21, 21D, 21E AND 10 ON BRUNSWICK ASSESSORS MAP 31.
3. BEARINGS ARE BASED ON GRID NORTH AS PER GPS SURVEY IN DEC. 1998.
4. MERE POINT ROAD IS ASSUMED 3 RODS WIDE. SIMPSON POINT ROAD IS ASSUMED 4 RODS ROAD PER PLAN REF. 5, NORTH OF PENNELVILLE ROAD. SOUTH OF THAT IT IS ASSUMED 3 RODS WIDE ALTHOUGH THERE IS SOME EVIDENCE THAT IT MAY BE TWO RODS WIDE.
5. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A CURRENT TITLE REPORT.
6. THE DEED FOR THE JOHN'S POINT ASSOCIATION PARCEL HAS A WESTERLY LINE WHICH IN PART FOLLOWS THE BROOK AND APPARENTLY CROSSES THE BROOK. OLD WIRE WAS FOUND ON BOTH SIDES OF THE BROOK. PLAN REFERENCE 3 SHOWS THE LOTS OF PATTERSON AND WALLACE CROSSING THE BROOK TO THE WIRE FENCE ON THE EAST SIDE OF THE BROOK. A BOUNDARY AGREEMENT WITH THE ABUTTERS WOULD RESOLVE ANY AMBIGUITY.
7. THE LINES ALONG RILEY AND BARRETT ARE TAKEN FROM SURVEY DATA FROM DIRIGO LAND SERVICES, INC.
8. THE LINES ALONG PATTERSON AND WALLACE WERE TAKEN FROM PLAN REFERENCE 3 AS BASED ON IRONS FOUND AT LABBE. THE LINE ALONG RILEY WAS TAKEN FROM PLAN REFERENCE 4.
9. THE LINE ALONG BARRETT WAS ESTABLISHED BY DEED ANGLE FROM LINE BETWEEN BARRETT AND RILEY ON PLAN REFERENCE 4. A BOUNDARY AGREEMENT IS RECOMMENDED WITH BARRETT.
10. PRIOR DEED OF JOHN'S POINT ASSOCIATION LAND CALLS FOR SIMPSON POINT ROAD AS INCLUDED IN THE PARCEL, WITH PROPERTY LINE ON EAST SIDE OF ROAD.
11. SEE CONSERVATION EASEMENT DEED AND INDENTURE MILLER POINT RECORDED IN BOOK 15378 PAGE 259 AND AMENDMENT AND RESTATEMENT OF SAME TO BE RECORDED.
12. SEE CONSERVATION EASEMENT DEED AND INDENTURE JOHNS POINT RECORDED IN BOOK 15929 PAGE 25 AND AMENDMENT AND RESTATEMENT OF SAME TO BE RECORDED.
13. ROBERT AND NANCY KING TO RELEASE THEIR RIGHTS IN TIDAL RUN LANE. OTHERS WITH RIGHTS IN THIS ROAD WOULD NEED TO RELEASE THEIR RIGHTS IN ORDER TO ELIMINATE A PORTION OF THE ROAD (PORTIONS ALONG L8, L9, 10).
14. SHORELINE TAKEN FROM AERIAL PHOTOGRAPHY BY COL–EAST, INC. IN 1999 AND PARTLY FIELD VERIFIED IN 2015.
15. DEVELOPMENT AREAS ARE OVERLAY DISTRICTS ON THE PROTECTED PROPERTY.
16. DEVELOPMENT AREA 1 EXTENDS TO SEASONAL LOW WATER OF MERE POINT BAY.
17. WETLANDS SHOWN WERE PROVIDED BY STANTEC AND ARE ONLY SHOWN ON DEVELOPMENT AREA 1.
18. FOR EASE OF VIEWING TRAILS ARE NOT SHOWN, SEE SHEETS 2 & 3 FOR TRAIL LOCATIONS.

OWNERS OF RECORD:

LOT 10 14635/301 & 303
ROBERT C. KING, JR.

LOT 21 15929/21
NANCY P. KING 25%
ROBERT C. KING, JR. 25%
ROBERT C. & NANCY P. KING 25%
GREGORY AND LYNDA P. KELLY 25%

LOT 31 15471/188
ROBERT C. KING, JR. AND NANCY P. KING

LOT 29, 30, 32 AND 33 ARE ALL IN 31962/229
NANCY P. KING AND ROBERT C. KING, JR.

NOTE:
DEVELOPMENT AREA 1 IS PART OF FORMER LOTS 30, 32 AND 33

DEVELOPMENT AREA 3 IS PART OF LOT 10

PROTECTED PROPERTY INCLUDES LOTS 29, 10, 30 32 AND 33

NOTICE OF NON–DEDICATION:

AS PERMITTED BY 23 M.R.S. § 3031(3), THE PUBLIC SHALL ACQUIRE NO RIGHTS OF INCIPIENT DEDICATION TO PUBLIC USE OF THE WAYS LAID OUT ON THIS PLAN BY VIRTUE OF THE RECORDING OF THIS PLAN, NO PERSON ACQUIRING TITLE TO ANY LAND SHOWN ON THIS PLAN SHALL ACQUIRE A PRIVATE RIGHT OF WAY OVER THE WAYS LAID OUT ON THIS PLAN BY VIRTUE OF THE RECORDING OF THIS PLAN, AND NEITHER THE PUBLIC NOR ANY PERSON SHALL ACQUIRE ANY RIGHTS OF ANY NATURE IN OR TO ANY WAYS, AREAS, OR FACILITIES SHOWN ON THIS PLAN, WHETHER BY IMPLICATION OF LAW OR ANY OTHER PRINCIPLE, OR BY VIRTUE OF THE PREPARATION OR RECORDING OF THIS PLAN. ANY SUCH RIGHTS, PUBLIC OR PRIVATE, SHALL BE CREATED ONLY BY WRITTEN INSTRUMENTS SPECIFICALLY GRANTING THE SAME.

CERTIFICATION:

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

01/14/2020
DATE

RANDY R. LOUBIER, PLS #2407

REV. 4	01–14–20	LABELED BARN LOT & COMMON SEPTIC AREA
REV. 3	12–18–19	REVISE LOTS 1, 2, 3 & PRIVATE WAY
REV. 2	11–14–19	REVISE LOT 3 AND 4 TIE LINE
REV. 1	11–13–19	REVISE LOT 3 AND 4 AND PRIVATE ROAD

BOUNDARY SURVEY & LOT DIVISION

OF

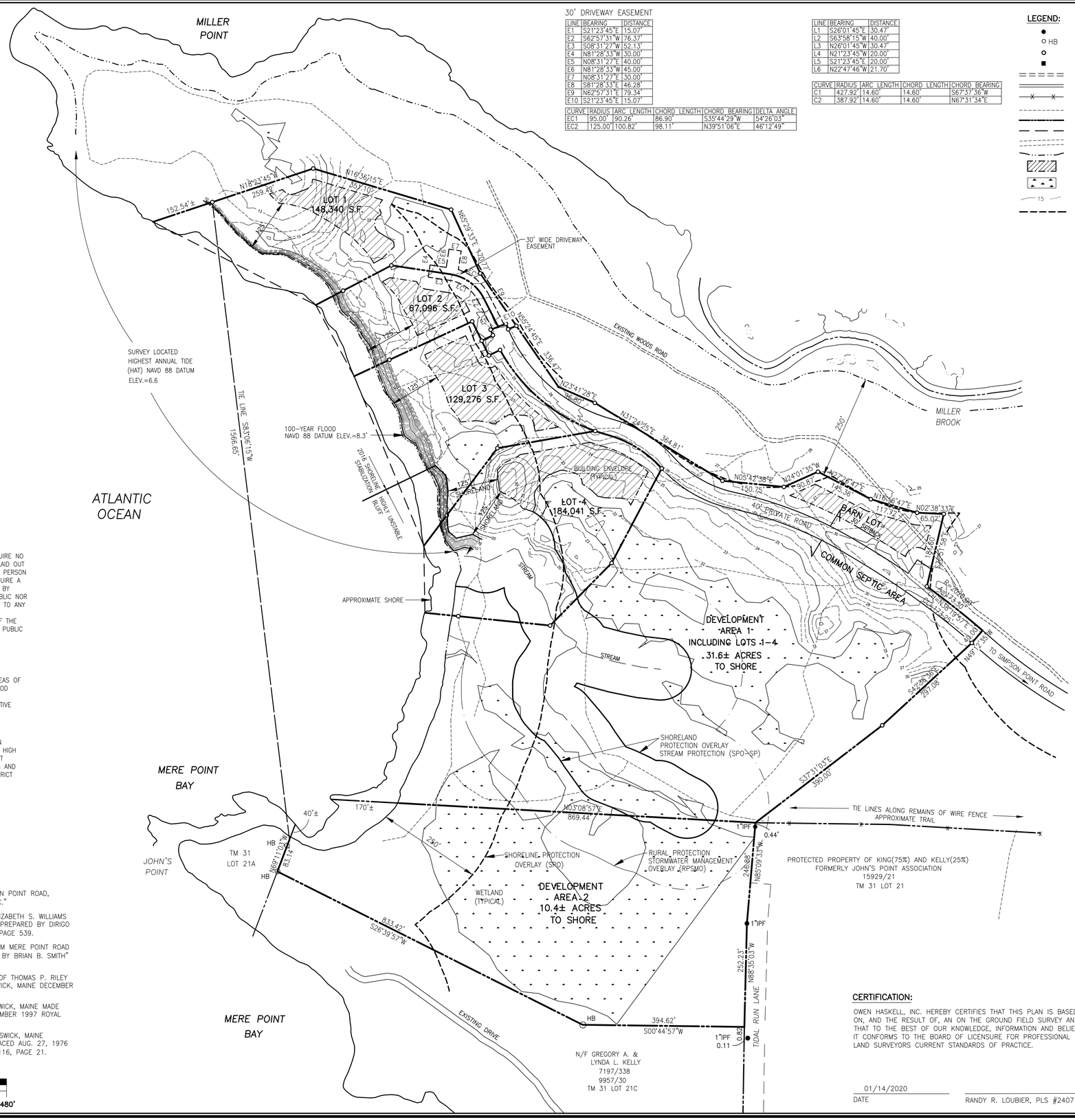
MILLER POINT AND JOHN'S POINT
MERE POINT ROAD & SIMPSON POINT ROAD
BRUNSWICK, MAINE
MADE FOR

ROBERT C. KING, JR. & NANCY P. KING

553 MERE POINT ROAD, BRUNSWICK, ME 04011

OWEN HASKELL, INC.
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207)774–0424
PROFESSIONAL LAND SURVEYORS

Drwn By	JCS	Date	Job No.
Trace By	JLW	OCTOBER 18, 2019	98314BK
Check By	RRL	Scale	Drwg. No.
Book No.	871	1" = 200'	1 OF 3



30' DRIVEWAY EASEMENT

LINE	BEARING	DISTANCE
E1	S21°23'45"E	15.07'
E2	S62°57'31"W	76.37'
E3	S08°31'27"W	52.13'
E4	N81°28'33"W	30.00'
E5	N08°31'27"E	40.00'
E6	N81°28'33"W	45.00'
E7	N08°31'27"E	30.00'
E8	S81°28'33"E	46.28'
E9	N62°57'31"E	79.34'
E10	S21°23'45"E	15.07'

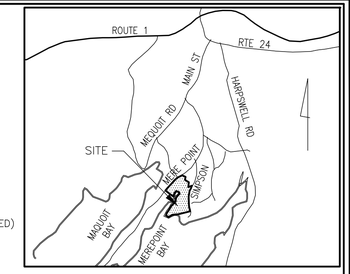
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EC1	95.00'	90.26'	86.90'	S35°44'29"W	54°26'03"
EC2	125.00'	100.82'	98.11'	N39°51'06"E	46°12'49"

LINE	BEARING	DISTANCE
L1	S26°01'45"E	30.47'
L2	S63°58'15"W	40.00'
L3	N26°01'45"W	30.47'
L4	N21°23'45"W	20.00'
L5	S21°23'45"E	20.00'
L6	N22°47'46"W	21.70'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	427.92'	14.60'	14.60'	S67°37'36"W
C2	387.92'	14.60'	14.60'	N67°31'34"E

LEGEND:

- IRON PIPE OR ROD FOUND
- HB IRON SHOWN ON PLAN REF. 6
- 5/8" IRON ROD TO BE SET
- MONUMENT FOUND
- EXISTING WOODS ROAD
- BROOK OR CHANNEL
- WIRE FENCE
- TRAIL
- PARCEL LINE
- TIE LINE
- EDGE OF PAVEMENT
- WATER LINE (HAT LINE WHERE NOTED)
- BUILDING ENVELOPE
- WETLANDS
- 15 1' CONTOUR
- SHORELAND PROTECTION OVERLAY (SPO)



NOTES:

1. OWNERS OF RECORD: SEE TABLE TO LOWER RIGHT
2. LOCUS IS SHOWN AS LOTS 21, 21D, 21E AND 10 ON BRUNSWICK ASSESSORS MAP 31.
3. BEARINGS ARE BASED ON GRID NORTH AS PER GPS SURVEY IN DEC. 1998.
4. MERE POINT ROAD IS ASSUMED 3 RODS WIDE. SIMPSON POINT ROAD IS ASSUMED 4 RODS ROAD PER PLAN REF. 5, NORTH OF PENNELVILLE ROAD. SOUTH OF THAT IT IS ASSUMED 3 RODS WIDE ALTHOUGH THERE IS SOME EVIDENCE THAT IT MAY BE TWO RODS WIDE.
5. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A CURRENT TITLE REPORT.
6. THE DEED FOR THE JOHN'S POINT ASSOCIATION PARCEL HAS A WESTERLY LINE WHICH IN PART FOLLOWS THE BROOK AND APPARENTLY CROSSES THE BROOK. OLD WIRE WAS FOUND ON BOTH SIDES OF THE BROOK. PLAN REFERENCE 3 SHOWS THE LOTS OF PATTERSON AND WALLACE CROSSING THE BROOK TO THE WIRE FENCE ON THE EAST SIDE OF THE BROOK. A BOUNDARY AGREEMENT WITH THE ABUTTERS WOULD RESOLVE ANY AMBIGUITY.
7. THE LINES ALONG RILEY AND BARRETT ARE TAKEN FROM SURVEY DATA FROM DIRIGO LAND SERVICES, INC.
8. THE LINES ALONG PATTERSON AND WALLACE WERE TAKEN FROM PLAN REFERENCE 3 AS BASED ON IRONS FOUND AT LABBE. THE LINE ALONG RILEY WAS TAKEN FROM PLAN REFERENCE 4.
9. THE LINE ALONG BARRETT WAS ESTABLISHED BY DEED ANGLE FROM LINE BETWEEN BARRETT AND RILEY ON PLAN REFERENCE 4. A BOUNDARY AGREEMENT IS RECOMMENDED WITH BARRETT.
10. PRIOR DEED OF JOHN'S POINT ASSOCIATION LAND CALLS FOR SIMPSON POINT ROAD AS INCLUDED IN THE PARCEL, WITH PROPERTY LINE ON EAST SIDE OF ROAD.
11. SEE CONSERVATION EASEMENT DEED AND INDENTURE MILLER POINT RECORDED IN BOOK 15378 PAGE 259 AND AMENDMENT AND RESTATEMENT OF SAME TO BE RECORDED.
12. SEE CONSERVATION EASEMENT DEED AND INDENTURE JOHNS POINT RECORDED IN BOOK 15929 PAGE 25 AND AMENDMENT AND RESTATEMENT OF SAME TO BE RECORDED.
13. ROBERT AND NANCY KING TO RELEASE THEIR RIGHTS IN TIDAL RUN LANE. OTHERS WITH RIGHTS IN THIS ROAD WOULD NEED TO RELEASE THEIR RIGHTS IN ORDER TO ELIMINATE A PORTION OF THE ROAD (PORTIONS ALONG L8, L9, 10).
14. SHORELINE TAKEN FROM AERIAL PHOTOGRAPHY BY COL-EAST, INC. IN 1999 AND PARTLY FIELD VERIFIED IN 2015.
15. DEVELOPMENT AREAS ARE OVERLAY DISTRICTS ON THE PROTECTED PROPERTY.
16. DEVELOPMENT AREA 1 EXTENDS TO SEASONAL LOW WATER OF MERE POINT BAY.
17. WETLANDS SHOWN WERE PROVIDED BY STANTEC AND ARE ONLY SHOWN ON DEVELOPMENT AREA 1.

OWNERS OF RECORD:

LOT 10 14635/301 & 303
ROBERT C. KING, JR.

LOT 21 15929/21
NANCY P. KING 25%
ROBERT C. KING, JR. 25%
ROBERT C. & NANCY P. KING 25%
GREGORY AND LYNDA P. KELLY 25%

LOT 31 15471/188
ROBERT C. KING, JR. AND NANCY P. KING

LOT 29, 30, 32 AND 33 ARE ALL IN 31962/229
NANCY P. KING AND ROBERT C. KING, JR.

NOTE:
DEVELOPMENT AREA 1 IS PART OF FORMER LOTS 30, 32 AND 33
DEVELOPMENT AREA 3 IS PART OF LOT 10
PROTECTED PROPERTY INCLUDES LOTS 29, 10, 30 32 AND 33

LOT CALCULATIONS

LOT #	AREA (S.F.)	ALLOWABLE NON-VEGETATED COVERAGE ALLOWED (S.F.)
LOT 1	148,340	14,834
LOT 2	67,096	10,890
LOT 3	129,276	12,297
LOT 4	184,041	18,404

NOTICE OF NON-DEDICATION:

AS PERMITTED BY 23 M.R.S. § 3031(3), THE PUBLIC SHALL ACQUIRE NO RIGHTS OF INCIPIENT DEDICATION TO PUBLIC USE OF THE WAYS LAID OUT ON THIS PLAN BY VIRTUE OF THE RECORDING OF THIS PLAN, NO PERSON ACQUIRING TITLE TO ANY LAND SHOWN ON THIS PLAN SHALL ACQUIRE A PRIVATE RIGHT OF WAY OVER THE WAYS LAID OUT ON THIS PLAN BY VIRTUE OF THE RECORDING OF THIS PLAN, AND NEITHER THE PUBLIC NOR ANY PERSON SHALL ACQUIRE ANY RIGHTS OF ANY NATURE IN OR TO ANY WAYS, AREAS, OR FACILITIES SHOWN ON THIS PLAN, WHETHER BY IMPLICATION OF LAW OR ANY OTHER PRINCIPLE, OR BY VIRTUE OF THE PREPARATION OR RECORDING OF THIS PLAN. ANY SUCH RIGHTS, PUBLIC OR PRIVATE, SHALL BE CREATED ONLY BY WRITTEN INSTRUMENTS SPECIFICALLY GRANTING THE SAME.

FLOOD ZONE:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE C (AREAS OF MINIMAL FLOOD HAZARD) AND PARTIALLY IN ZONE A2 (BASE FLOOD ELEVATION 9 NAVD29) OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230042 0026B, WHICH BEARS AN EFFECTIVE DATE OF JANUARY 3, 1986.

ZONING

THE SURVEYED PROPERTY IS LOCATED IN THE RURAL PROTECTION DISTRICT (RP1), RESOURCE PROTECTION SUBDISTRICT – WETLAND HIGH TO MODERATE VALUE (SPO-RP), STREAM PROTECTION SUBDISTRICT (SPO-SP), THE SHORELAND PROTECTION OVERLAY DISTRICT (SPO) AND THE RURAL PROTECTION STORMWATER MANAGEMENT OVERLAY DISTRICT (RPSMO).

RP1 DIMENSIONAL AND DENSITY STANDARDS

MINIMUM LOT AREA	20,000 S.F.
MINIMUM LOT WIDTH	125 FEET
FRONT SETBACK	30 FEET
SIDE SETBACK	25 FEET
REAR SETBACK	30 FEET

PLAN REFERENCES:

1. "AMENDED SUBDIVISION PLAN OF JOHN'S POINT SIMPSON POINT ROAD, BRUNSWICK, ME. MARCH 04, 1999 OWEN HASKELL, INC."
2. "STANDARD BOUNDARY SURVEY FOR THE ESTATE OF ELIZABETH S. WILLIAMS MERE POINT ROAD BRUNSWICK, MAINE FEB. 24, 1997 PREPARED BY DIRIGO LAND SERVICES, INC." RECORDED IN PLAN BOOK 197 PAGE 539.
3. "PROPERTY SURVEY AND DIVISION OF LOUIS LABBE FARM MERE POINT ROAD BRUNSWICK, MAINE NOVEMBER 1982 FOR ANN WILSON BY BRIAN B. SMITH" RECORDED IN PLAN BOOK 138 PAGE 24.
4. "STANDARD PROPERTY SURVEY AND DIVISION OF LAND OF THOMAS P. RILEY FOR R. C. THEBERGE, INC. MERE POINT ROAD BRUNSWICK, MAINE DECEMBER 18, 1997 PREPARED BY: DIRIGO LAND SERVICES, INC.
5. "PLAN AND PROFILE OF SIMPSONS POINT ROAD BRUNSWICK, MAINE MADE FOR TOWN OF BRUNSWICK PUBLIC WORKS DEPT. NOVEMBER 1997 ROYAL RIVER SURVEY CO."
6. "PLAN OF JOHN'S POINT SIMPSON'S POINT ROAD BRUNSWICK, MAINE OWNED BY JOHN'S POINT ASS'N OCT. 11, 1971 – TRACED AUG. 27, 1976 BY HOWARD F. BABBIDGE" RECORDED IN PLAN BOOK 116, PAGE 21.

GRAPHIC SCALE
0 60' 120' 240' 480'

CERTIFICATION:

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

01/14/2020
DATE

RANDY R. LOUBIER, PLS #2407

REV. 4	01-14-20	LABELED BARN LOT & COMMON SEPTIC AREA
REV. 3	12-18-19	REVISE LOTS 1, 2, 3 AND PRIVATE WAY
REV. 2	11-14-19	REVISE LOT 3 AND 4 AND TIE LINES
REV. 1	11-13-19	REVISE LOT 3 AND 4 AND PRIVATE ROAD

BOUNDARY SURVEY & LOT DIVISION

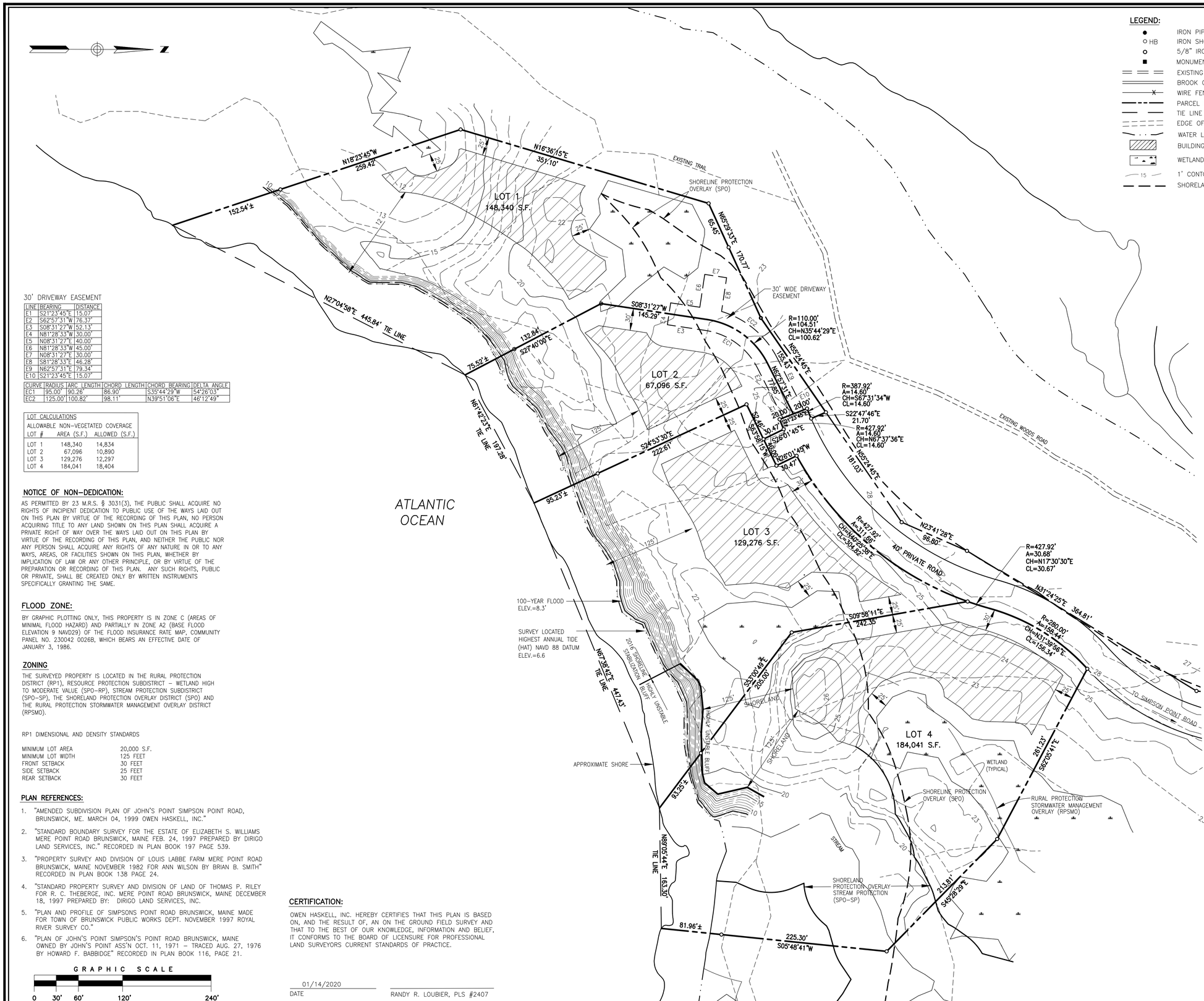
OF

MILLER POINT AND JOHN'S POINT
MERE POINT ROAD & SIMPSON POINT ROAD
BRUNSWICK, MAINE
MADE FOR

ROBERT C. KING, JR. & NANCY P. KING
553 MERE POINT ROAD, BRUNSWICK, ME 04011

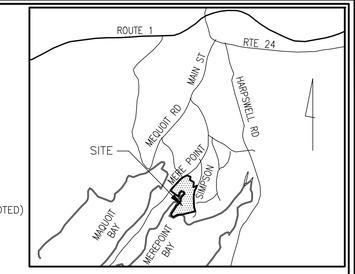
OWEN HASKELL, INC.
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207) 774-0424
PROFESSIONAL LAND SURVEYORS

Drwn By	JCS	Date	Job No.
Trace By	JLW	OCTOBER 18, 2019	98314BK
Check By	JCS	Scale	Drwg. No.
Book No.	871	1" = 120'	2 OF 3



LEGEND:

- IRON PIPE OR ROD FOUND
- HB IRON SHOWN ON PLAN REF. 6
- 5/8" IRON ROD TO BE SET
- MONUMENT FOUND
- EXISTING WOODS ROAD
- BROOK OR CHANNEL
- WIRE FENCE
- PARCEL LINE
- TIE LINE
- EDGE OF PAVEMENT
- WATER LINE (HAT LINE WHERE NOTED)
- BUILDING ENVELOPE
- WETLANDS
- 15 1' CONTOUR
- SHORELAND PROTECTION OVERLAY (SPO)



NOTES:

1. OWNERS OF RECORD: SEE TABLE TO LOWER RIGHT
2. LOCUS IS SHOWN AS LOTS 21, 21D, 21E AND 10 ON BRUNSWICK ASSESSORS MAP 31.
3. BEARINGS ARE BASED ON GRID NORTH AS PER GPS SURVEY IN DEC. 1998.
4. MERE POINT ROAD IS ASSUMED 3 RODS WIDE. SIMPSON POINT ROAD IS ASSUMED 4 RODS ROAD PER PLAN REF. 5, NORTH OF PENNELVILLE ROAD. SOUTH OF THAT IT IS ASSUMED 3 RODS WIDE ALTHOUGH THERE IS SOME EVIDENCE THAT IT MAY BE TWO RODS WIDE.
5. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A CURRENT TITLE REPORT.
6. THE DEED FOR THE JOHN'S POINT ASSOCIATION PARCEL HAS A WESTERLY LINE WHICH IN PART FOLLOWS THE BROOK AND APPARENTLY CROSSES THE BROOK. OLD WIRE WAS FOUND ON BOTH SIDES OF THE BROOK. PLAN REFERENCE 3 SHOWS THE LOTS OF PATTERSON AND WALLACE CROSSING THE BROOK TO THE WIRE FENCE ON THE EAST SIDE OF THE BROOK. A BOUNDARY AGREEMENT WITH THE ABUTTERS WOULD RESOLVE ANY AMBIGUITY.
7. THE LINES ALONG RILEY AND BARRETT ARE TAKEN FROM SURVEY DATA FROM DIRIGO LAND SERVICES, INC.
8. THE LINES ALONG PATTERSON AND WALLACE WERE TAKEN FROM PLAN REFERENCE 3 AS BASED ON IRONS FOUND AT LABBE. THE LINE ALONG RILEY WAS TAKEN FROM PLAN REFERENCE 4.
9. THE LINE ALONG BARRETT WAS ESTABLISHED BY DEED ANGLE FROM LINE BETWEEN BARRETT AND RILEY ON PLAN REFERENCE 4. A BOUNDARY AGREEMENT IS RECOMMENDED WITH BARRETT.
10. PRIOR DEED OF JOHN'S POINT ASSOCIATION LAND CALLS FOR SIMPSON POINT ROAD AS INCLUDED IN THE PARCEL, WITH PROPERTY LINE ON EAST SIDE OF ROAD.
11. SEE CONSERVATION EASEMENT DEED AND INDENTURE MILLER POINT RECORDED IN BOOK 15378 PAGE 259 AND AMENDMENT AND RESTATEMENT OF SAME TO BE RECORDED.
12. SEE CONSERVATION EASEMENT DEED AND INDENTURE JOHNS POINT RECORDED IN BOOK 15929 PAGE 25 AND AMENDMENT AND RESTATEMENT OF SAME TO BE RECORDED.
13. ROBERT AND NANCY KING TO RELEASE THEIR RIGHTS IN TIDAL RUN LANE. OTHERS WITH RIGHTS IN THIS ROAD WOULD NEED TO RELEASE THEIR RIGHTS IN ORDER TO ELIMINATE A PORTION OF THE ROAD (PORTIONS ALONG L8, L9, 10).
14. SHORELINE TAKEN FROM AERIAL PHOTOGRAPHY BY COL-EAST, INC. IN 1999 AND PARTLY FIELD VERIFIED IN 2015.
15. DEVELOPMENT AREAS ARE OVERLAY DISTRICTS ON THE PROTECTED PROPERTY.
16. DEVELOPMENT AREA 1 EXTENDS TO SEASONAL LOW WATER OF MERE POINT BAY.
17. WETLANDS SHOWN WERE PROVIDED BY STANTEC AND ARE ONLY SHOWN ON DEVELOPMENT AREA 1.

30' DRIVEWAY EASEMENT

LINE	BEARING	DISTANCE
E1	S21°23'45"E	15.07'
E2	S62°57'31"W	76.37'
E3	S08°31'27"W	52.13'
E4	N81°28'33"W	30.00'
E5	N08°31'27"E	40.00'
E6	N81°28'33"W	45.00'
E7	N08°31'27"E	30.00'
E8	S81°28'33"E	46.28'
E9	N62°57'31"E	79.34'
E10	S21°23'45"E	15.07'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EC1	95.00'	90.26'	86.90'	S35°44'29"W	54°26'03"
EC2	125.00'	100.82'	98.11'	N39°51'06"E	46°12'49"

LOT CALCULATIONS

ALLOWABLE NON-VEGETATED COVERAGE		
LOT #	AREA (S.F.)	ALLOWED (S.F.)
LOT 1	148,340	14,834
LOT 2	67,096	10,890
LOT 3	129,276	12,297
LOT 4	184,041	18,404

NOTICE OF NON-DEDICATION:

AS PERMITTED BY 23 M.R.S. § 3031(3), THE PUBLIC SHALL ACQUIRE NO RIGHTS OF INCIPIENT DEDICATION TO PUBLIC USE OF THE WAYS LAID OUT ON THIS PLAN BY VIRTUE OF THE RECORDING OF THIS PLAN, NO PERSON ACQUIRING TITLE TO ANY LAND SHOWN ON THIS PLAN SHALL ACQUIRE A PRIVATE RIGHT OF WAY OVER THE WAYS LAID OUT ON THIS PLAN BY VIRTUE OF THE RECORDING OF THIS PLAN, AND NEITHER THE PUBLIC NOR ANY PERSON SHALL ACQUIRE ANY RIGHTS OF ANY NATURE IN OR TO ANY WAYS, AREAS, OR FACILITIES SHOWN ON THIS PLAN, WHETHER BY IMPLICATION OF LAW OR ANY OTHER PRINCIPLE, OR BY VIRTUE OF THE PREPARATION OR RECORDING OF THIS PLAN. ANY SUCH RIGHTS, PUBLIC OR PRIVATE, SHALL BE CREATED ONLY BY WRITTEN INSTRUMENTS SPECIFICALLY GRANTING THE SAME.

FLOOD ZONE:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE C (AREAS OF MINIMAL FLOOD HAZARD) AND PARTIALLY IN ZONE A2 (BASE FLOOD ELEVATION 9 NAVD29) OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230042 0026B, WHICH BEARS AN EFFECTIVE DATE OF JANUARY 3, 1986.

ZONING

THE SURVEYED PROPERTY IS LOCATED IN THE RURAL PROTECTION DISTRICT (RP1), RESOURCE PROTECTION SUBDISTRICT – WETLAND HIGH TO MODERATE VALUE (SPO-RP), STREAM PROTECTION SUBDISTRICT (SPO-SP), THE SHORELAND PROTECTION OVERLAY DISTRICT (SPO) AND THE RURAL PROTECTION STORMWATER MANAGEMENT OVERLAY DISTRICT (RPSMO).

RP1 DIMENSIONAL AND DENSITY STANDARDS

MINIMUM LOT AREA	20,000 S.F.
MINIMUM LOT WIDTH	125 FEET
FRONT SETBACK	30 FEET
SIDE SETBACK	25 FEET
REAR SETBACK	30 FEET

PLAN REFERENCES:

1. "AMENDED SUBDIVISION PLAN OF JOHN'S POINT SIMPSON POINT ROAD, BRUNSWICK, ME. MARCH 04, 1999 OWEN HASKELL, INC."
2. "STANDARD BOUNDARY SURVEY FOR THE ESTATE OF ELIZABETH S. WILLIAMS MERE POINT ROAD BRUNSWICK, MAINE FEB. 24, 1997 PREPARED BY DIRIGO LAND SERVICES, INC." RECORDED IN PLAN BOOK 197 PAGE 539.
3. "PROPERTY SURVEY AND DIVISION OF LOUIS LABBE FARM MERE POINT ROAD BRUNSWICK, MAINE NOVEMBER 1982 FOR ANN WILSON BY BRIAN B. SMITH" RECORDED IN PLAN BOOK 138 PAGE 24.
4. "STANDARD PROPERTY SURVEY AND DIVISION OF LAND OF THOMAS P. RILEY FOR R. C. THEBERGE, INC. MERE POINT ROAD BRUNSWICK, MAINE DECEMBER 18, 1997 PREPARED BY: DIRIGO LAND SERVICES, INC.
5. "PLAN AND PROFILE OF SIMPSONS POINT ROAD BRUNSWICK, MAINE MADE FOR TOWN OF BRUNSWICK PUBLIC WORKS DEPT. NOVEMBER 1997 ROYAL RIVER SURVEY CO."
6. "PLAN OF JOHN'S POINT SIMPSON'S POINT ROAD BRUNSWICK, MAINE OWNED BY JOHN'S POINT ASS'N OCT. 11, 1971 – TRACED AUG. 27, 1976 BY HOWARD F. BABBIDGE" RECORDED IN PLAN BOOK 116, PAGE 21.

GRAPHIC SCALE

0 30' 60' 120' 240'

CERTIFICATION:

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

01/14/2020
DATE

RANDY R. LOUBIER, PLS #2407

OWNERS OF RECORD:

LOT 10 14635/301 & 303
ROBERT C. KING, JR.

LOT 21 15929/21
NANCY P. KING 25%
ROBERT C. KING, JR. 25%
ROBERT C. & NANCY P. KING 25%
GREGORY AND LYNDA P. KELLY 25%

LOT 31 15471/188
ROBERT C. KING, JR. AND NANCY P. KING

LOT 29, 30, 32 AND 33 ARE ALL IN 31962/229
NANCY P. KING AND ROBERT C. KING, JR.

NOTE:
DEVELOPMENT AREA 1 IS PART OF FORMER LOTS 30, 32 AND 33

DEVELOPMENT AREA 3 IS PART OF LOT 10

PROTECTED PROPERTY INCLUDES LOTS 29, 10, 30 32 AND 33

REV. 4	01-14-20	MISC. LABELS
REV. 3	12-18-19	LOTS 1-3, PRIVATE WAY & ZONE LINES
REV. 2	11-14-19	REVISE LOT 3 AND 4 AND TIE LINES
REV. 1	11-13-19	REVISE LOT 3 AND 4

BOUNDARY SURVEY & LOT DIVISION

OF

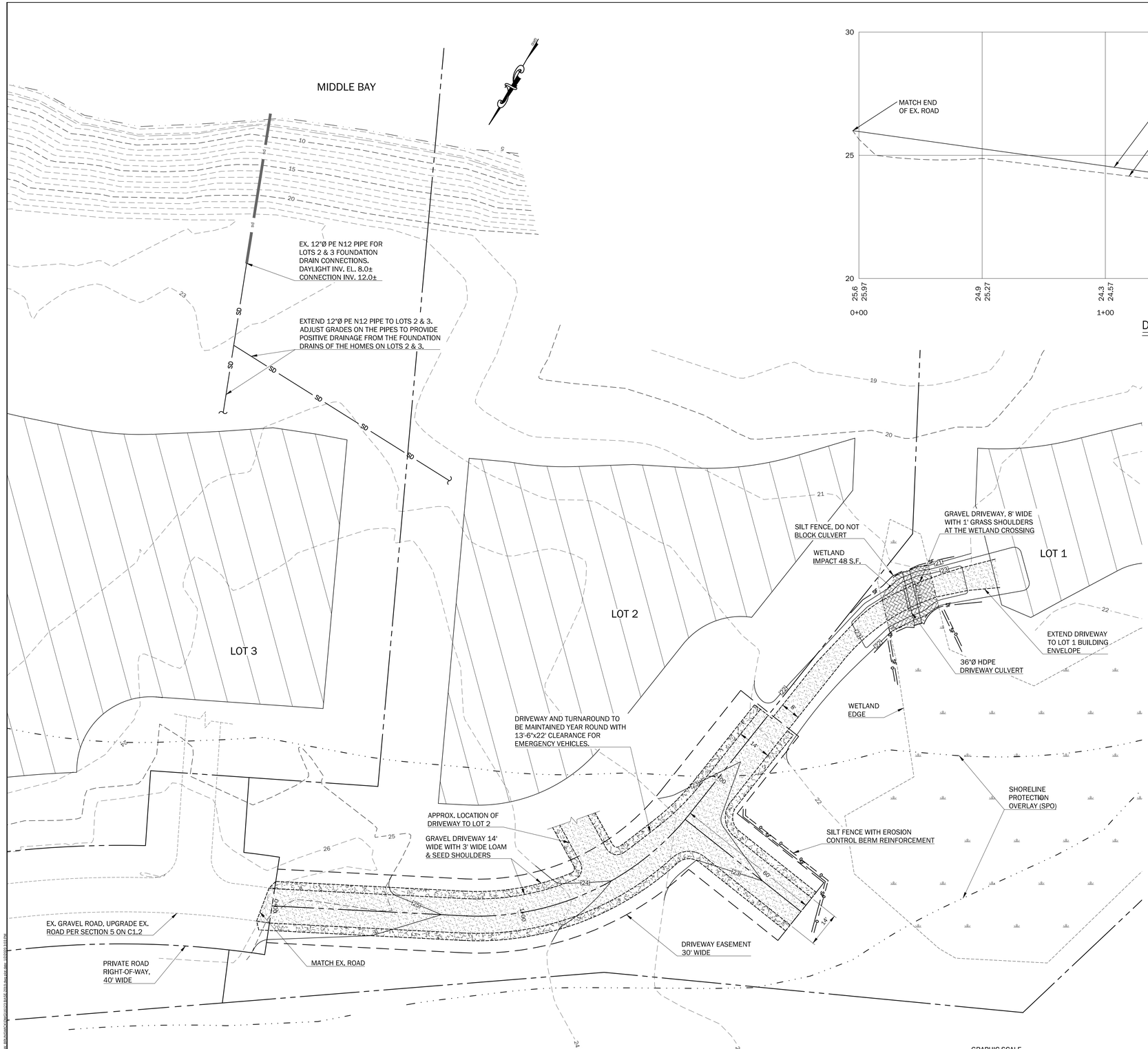
MILLER POINT AND JOHN'S POINT
MERE POINT ROAD & SIMPSON POINT ROAD
BRUNSWICK, MAINE

MADE FOR

ROBERT C. KING, JR. & NANCY P. KING
553 MERE POINT ROAD, BRUNSWICK, ME 04011

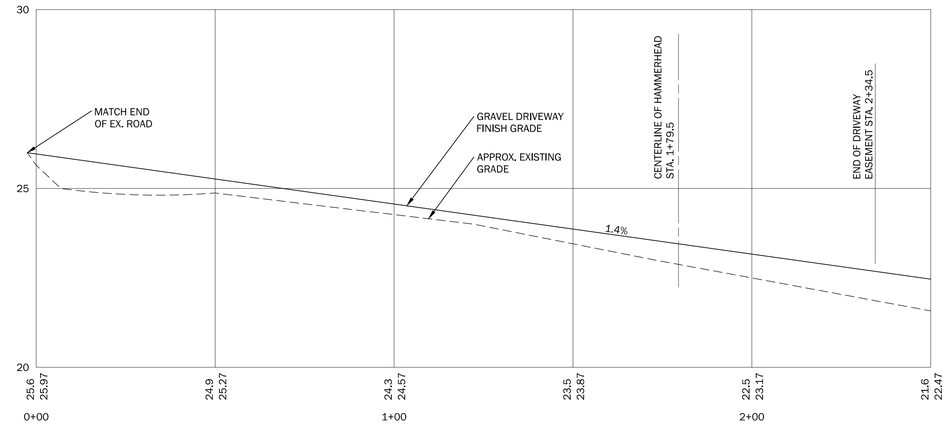
OWEN HASKELL, INC.
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207) 774-0424
PROFESSIONAL LAND SURVEYORS

Drwn By	JCS	Date	Job No.
Trace By	JLW	OCTOBER 18, 2019	98314BK
Check By	RRL	Scale	Drwg. No.
Book No.	871	1" = 60'	3 OF 3



DRIVEWAY PLAN

SCALE: 1"=20'



DRIVEWAY PROFILE

SCALE: HORIZ: 1"=20'
VERT: 1"=2'

PERMITS:
THE DRIVEWAY CROSSING HAS EXISTING PERMITS. ANY ALTERATION OF THE PLAN MAY REQUIRE ADDITIONAL PERMITTING BY ARMY CORP AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION.
DEP PERMIT: L-26631-TE-K-N, APPROVED OCTOBER 8, 2019

WETLAND CROSSING INSTALLATION AND EROSION CONTROL NARRATIVE:

- PRIOR TO CUTTING TREES AND EARTHWORK INSTALL SILT FENCE ACROSS THE WETLAND ON BOTH SIDES OF THE DRIVEWAY.
- LEAVE GAPS IN THE SILT FENCE AT THE CULVERT INLET AND OUTLET LOCATIONS.
- REMOVE SILT FENCE ONCE THE DRIVEWAY IS STABLE.

SCHEDULE:
1. LOCATE DRIVEWAY CROSSING AND STAKE OUT CHANNEL LOCATION.
2. INSTALL SILT FENCE.
3. CLEAR TREES AND GRUB THE AREA OF THE CROSSING.
4. INSTALL GEOTEXTILE.
5. PREPARE BASE FOR CULVERT AND INSTALL CULVERT.
6. COMPLETE CONSTRUCTION OF DRIVEWAY.
7. LOAM AND SEED SIDE SLOPES.
8. REMOVE SILT FENCE WHEN SIDE SLOPES ARE FULLY VEGETATED.

GRAPHIC SCALE

20 0 10 20 40 80

1 inch = 20 ft.

WALSH
ENGINEERING ASSOCIATES, INC.
One Karen Dr., Suite 2A | Westbrook, Maine 04092
ph: 207.553.9898 | www.walsh-eng.com

Copyright © 2020

STATE OF MAINE
THOMAS S. GREER
No. 4206
LICENSED PROFESSIONAL ENGINEER
1/2/2020

KING PROPERTY
MERE POINT ROAD & SIMPSON POINT ROAD
BRUNSWICK, MAINE

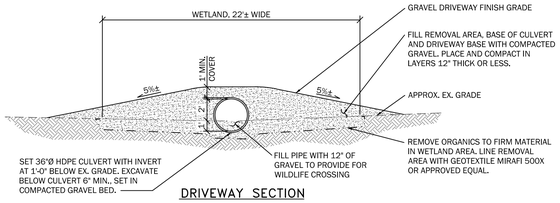
PREPARED FOR:
ROBERT C. KING JR. & NANCY P. KING
14 KNOLLWOOD ROAD
SHORT HILLS, NH 07078

Rev.	Date	Description	Drawn	Check

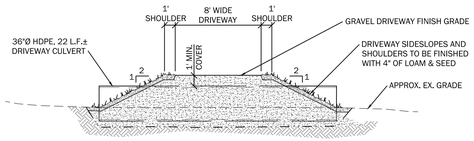
Sheet Title:
DRIVEWAY PLAN AND PROFILE

Job No.:	16123
Date:	JAN. 2, 2020
Scale:	AS SHOWN
Drawn:	JDC
Checked:	TSG

Sheet No.: C1.1



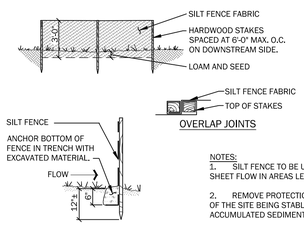
DRIVEWAY SECTION



DRIVEWAY CROSS-SECTION

1 DRIVEWAY CULVERT AT WETLAND CROSSING SECTIONS

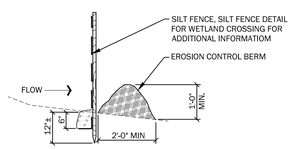
NOT TO SCALE



NOTES:
1. SILT FENCE TO BE USED TO CONTROL SHEET FLOW IN AREAS LESS THAN 1/2 ACRE.
2. REMOVE PROTECTION WITHIN 30 DAYS OF THE SITE BEING STABLE. REMOVE ANY ACCUMULATED SEDIMENT.

3 SILT FENCE DETAIL FOR WETLAND CROSSING

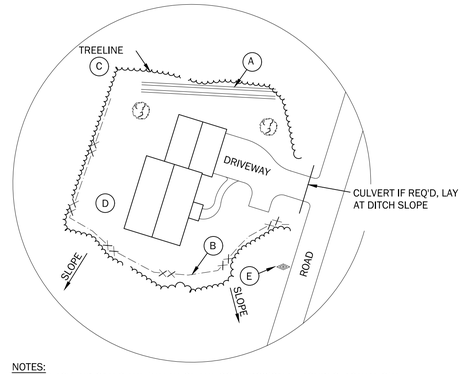
NOT TO SCALE



NOTES:
1. EROSION CONTROL MIX CAN BE MANUFACTURED ON OR OFF THE SITE. IT MUST CONSIST PRIMARILY OF ORGANIC MATERIAL SEPARATED AT THE POINT OF GENERATION, AND MAY INCLUDE: SHREDDED BARK, STUMP GRINDINGS, COMPOSTED BARK, OR FLUME GRIT AND FRAGMENTED WOOD GENERATED FROM WATER-FLUME LOG HANDLING SYSTEMS.
2. WOOD CHIPS, GROUND CONSTRUCTION DEBRIS, REPROCESSED WOOD PRODUCTS OR BARK CHIPS WILL NOT BE ACCEPTABLE AS THE ORGANIC COMPONENT OF THE MIX.
3. EROSION CONTROL MIX SHALL CONTAIN A WELL-GRADED MIXTURE OF PARTICLE SIZES AND MAY CONTAIN ROCKS LESS THAN 4" IN DIAMETER.
4. EROSION CONTROL MIX MUST BE FREE OF REFUSE, PHYSICAL CONTAMINANTS, AND MATERIAL TOXIC TO PLANT GROWTH.
5. THE MIX COMPOSITION SHALL MEET THE FOLLOWING STANDARDS:
   A. ORGANIC MATERIAL: BETWEEN 20% - 100% (DRY WEIGHT BASIS)
   B. PARTICLE SIZE: BY WEIGHT, 100% PASSING 6" SCREEN, 70-85% PASSING 0.75" SCREEN
   C. THE ORGANIC PORTION NEEDS TO BE FIBROUS AND ELONGATED.
   D. LARGE PORTIONS OF SILTS, CLAYS OR FINE SANDS ARE NOT ACCEPTABLE IN THE MIX.
   E. SOLUBLE SALTS CONTENT SHALL BE LESS THAN 4.0 MMHOS/CM.
   F. PH: 5.0 - 8.0
6. THE BARRIER MUST BE PLACED ALONG A RELATIVELY LEVEL ELEVATION. IT MAY BE NECESSARY TO CUT TALL GRASSES OR WOODY VEGETATION TO AVOID CREATING VOIDS AND BRIDGES THAT WOULD ENABLE FINES TO WASH UNDER THE BARRIER THROUGH THE GRASS BLADES OR PLANT STEMS.
7. THE EROSION CONTROL MIX BARRIERS SHOULD BE INSPECTED REGULARLY AND AFTER EACH LARGE RAINFALL. REPAIR ALL DAMAGED SECTIONS OF BERM IMMEDIATELY BY REPLACING OR ADDING ADDITIONAL MATERIAL PLACED ON THE BERM TO THE DESIRED HEIGHT AND WIDTH.
8. SEDIMENT DEPOSITS SHOULD BE REMOVED WHEN THEY REACH APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.
9. REPLACE SECTIONS OF BERM THAT DECOMPOSE, BECOME CLOGGED WITH SEDIMENT OR OTHERWISE BECOME INEFFECTIVE. THE BARRIER SHOULD BE RESHAPED AS NEEDED.
10. EROSION CONTROL MIX BARRIERS CAN BE LEFT IN PLACE AFTER CONSTRUCTION. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER BARRIER IS NO LONGER REQUIRED SHOULD BE SPREAD TO CONFORM TO THE EXISTING GRADE AND BE SEEDED AND MULCHED. WOODY VEGETATION CAN BE PLANTED INTO THE BARRIERS, OR THEY CAN BE OVER-SEEDED WITH LEGUMES. IF THE BARRIER NEEDS TO BE REMOVED, IT CAN BE SPREAD OUT INTO THE LANDSCAPE.

4 SILT FENCE & EROSION CONTROL BERM DETAIL AT BARN & SEPTIC SYSTEM

NOT TO SCALE



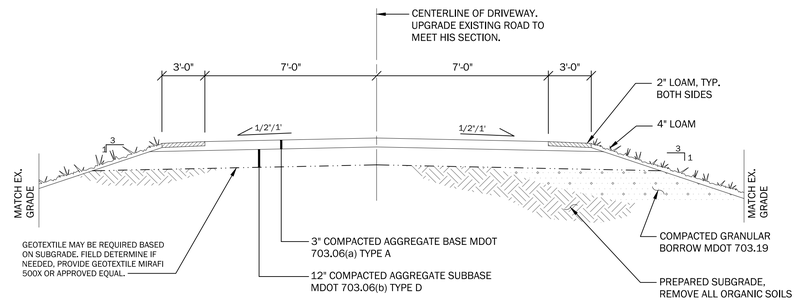
NOTES:
THIS SKETCH INDICATES THE INTENT OF THE SOIL EROSION MEASURES. ACTUAL SITE CONDITIONS AND LAYOUTS WILL VARY FROM SITE TO SITE.

BUILDING CONTRACTORS MUST COMPLY WITH THE EROSION CONTROL NOTES SHOWN ON THESE DRAWINGS AND WITH "MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES".

A - CONSTRUCT DIVERSION DITCH TO KEEP UPSLOPE DRAINAGE FROM ENTERING SITE.
B - INSTALL SILT FENCE BELOW ALL DISTURBED AREAS.
C - KEEP CLEARING TO A MINIMUM.
D - RESEED ALL DISTURBED AREAS, SEE SEEDING NOTES.
E - INSTALL STONE CHECK DAM(S) DOWNSTREAM OF CULVERT AS NECESSARY.

2 BUILDING SITE EROSION CONTROL

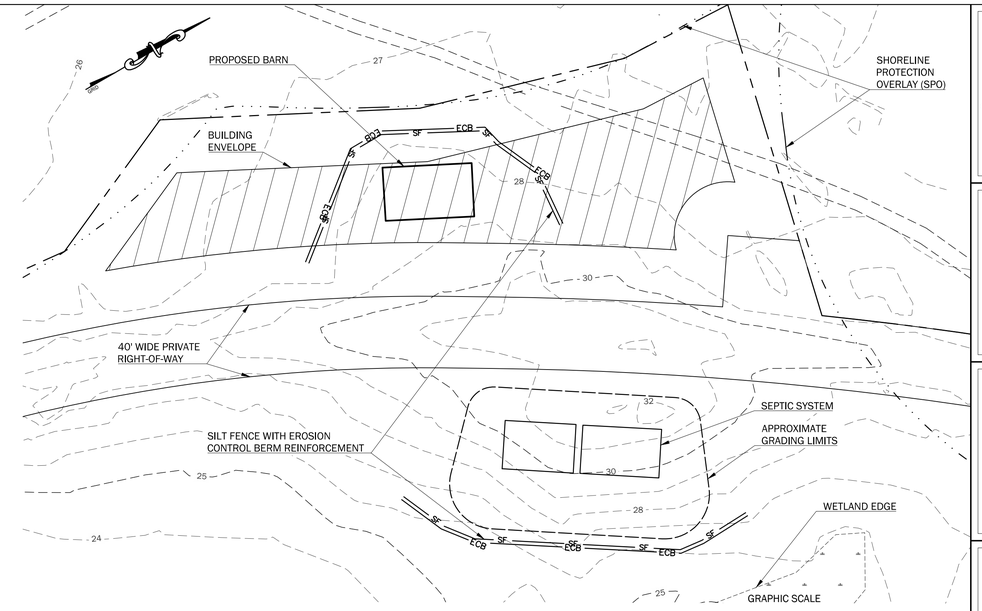
NOT TO SCALE



NOTES:
1. LOAM ALL SIDE SLOPES WITH 4" OF LOAM. SEED AS SOON AS POSSIBLE. PROTECT SIDE SLOPES FROM EROSION AS NEEDED OR AS DIRECTED BY ENGINEER.
2. BACKSLOPES TO BE 3:1 TO MATCH EXISTING GRADES IN BOTH CUTS AND FILLS UNLESS OTHERWISE INDICATED.

5 TYPICAL DRIVEWAY SECTION

NOT TO SCALE



BARN LOT EROSION CONTROL PLAN

SCALE: 1"=40'

GRAPHIC SCALE

40 0 20 40 80 160

1 inch = 40 ft.

WALSH
ENGINEERING ASSOCIATES, INC.
One Karen Dr., Suite 2A | Westbrook, Maine 04092
ph: 207.553.9898 | www.walsh-eng.com

Copyright © 2020

STATE OF MAINE
THOMAS S. GREER
No. 4206
LICENSED PROFESSIONAL ENGINEER
1/2/2020

KING PROPERTY

MERE POINT ROAD & SIMPSON POINT ROAD
BRUNSWICK, MAINE

PREPARED FOR:
ROBERT C. KING JR. & NANCY P. KING
14 KNOLLWOOD ROAD
SHORT HILLS, NH 07078

Rev.	Date	Description	Drawn	Check

Sheet Title:
BARN EROSION CONTROL PLAN & SITE DETAILS

Job No.:	16123
Date:	JAN. 2, 2020
Scale:	AS SHOWN
Drawn:	JDC
Checked:	TSG

Sheet No.: C1.2

DECLARATION OF COVENANTS

KING FAMILY ROAD ASSOCIATION, BRUNSWICK, MAINE

[The actual association name may be different.]

In this declaration, the *Plans* are the plans entitled *Boundary Survey & Lot Division or Miller Point and John's Point, Sheet 1* and *Sheet 3*, dated October 18, 2019, and recorded in the Cumberland County Registry of Deeds in Plan Book _____, Page _____ and Page _____. A *Lot* any of Lot 1 through Lot 4 as shown on the Plans, An *Owner* means any owner of any Lot, other than mortgagees or others who hold title solely as security. The *Association* means King Family Road Association, a Maine nonprofit corporation. All of the Lots are currently owned by Nancy P. King and Robert C. King (the "Declarants").

This Declaration is made to insure the best use and the most appropriate development and improvement of each Lot; to protect the Owners against such improper use of surrounding Lots as will depreciate the value of their property; to preserve, so far as practicable, the natural beauty of the Lots; to encourage and secure the erection of attractive homes thereon, in appropriate locations on each Lot; to prevent haphazard and inharmonious improvements of any Lot; to secure and maintain property setbacks from streets, and adequate free spaces between structures; to provide for the maintenance of the common access road serving the Lots; and in general to provide for a high quality of improvement on the Lots. The undersigned, being the owners of the Lots, hereby declare that the Lots are, and forever after shall be, held, transferred, sold, and conveyed subject to the covenants, restrictions, easements, liens, and charges set forth below, which shall run with the land.

1. No Lot shall be used for any commercial purposes, but shall be used solely for single-family residential purposes, except that this restriction shall not be construed to prevent the practice of a home occupation, craft work, artistic endeavor, or similar occupation conducted within a private residence or permitted outbuilding which does not generate additional traffic, noise, odors, or other disturbances to the other Lots.

2. The use of each Lot shall at all times comply with all applicable laws, ordinances, and regulations, and nothing contained herein shall in any way alter or amend the obligations of every Owner to comply with all applicable laws, ordinances, and regulations.

3. All of the Lots are subject to the "Conservation Easement Deed and Indenture, Miller Point," dated March 21, 2000, and recorded in the Cumberland County Registry of Deeds in Book 15378, Page 259, and they shall be used, occupied, and maintained at all times in accordance with said conservation easement.

4. *[Possible lot and building use and design restrictions]*

5. Every Lot includes an appurtenant easement to use the common access road shown on the Plans as the "Private Road" and/or "50' Private Road" for purposes of access to the Lot. This easement includes the right to install utility services. Every Lot includes an appurtenant easement to use the "Barn Lot" and the "Common Septic Area" shown on the Plans, in accordance with the rules and regulations of the Association. Lot 1 and Lot 2 are subject to and have the benefit of a driveway easement, as set forth in their deeds. All of the foregoing easements are subject to the terms of this declaration and the bylaws, rules, and regulations of the Association.

6. Each Lot must include adequate parking for the Owner(s) and guests. No parking shall be permitted on the common access road except of an occasional and temporary nature.

7. Every Owner is entitled to be a voting member of the Association. One vote in the Association shall be allocated to each Lot. Every Lot and every Owner, together with their tenants, agents, and invitees shall be subject to the bylaws, rules, and regulations of the Association.

8. The Association has the responsibility for the maintenance and improvement of the common access road, the Barn Lot, and the Common Septic Area. No Owner may independently undertake any such maintenance or improvement, except in case of emergency.

9. In order to pay for said maintenance and improvement (and related administrative costs), the Association may levy an assessment against each Lot, which is a personal obligation of the Lot's Owner(s), may be collected by an action in any court of competent jurisdiction, and constitutes a lien upon the Lot until paid. This lien may be enforced by any method provided by law, now or hereafter, for the enforcement of liens, including, but not limited to, the methods provided for the foreclosure of mortgages. The obligations secured by this lien also include all costs of collection, including, but not limited to, attorney fees, paralegal fees, and court costs, together with interest at a rate to be set by the Association (but which interest rate shall not be higher than permitted by law).

10. The said assessments shall be made equally against all of the improved Lots, with each unimproved Lot being assessed at one half of the amount assessed against an improved Lot, except for expenses caused by or arising from the actions or negligence of particular Owners or their invitees, which shall be assessed exclusively against such Owners and their Lots. For this purpose, a Lot is "improved" if any structure has been built or located upon it or if it has been used for storage of any equipment or other property.

11. This declaration constitutes notice of the lien hereby created. The priority of any lien arising hereunder, whether or not further evidenced by the later recording of any claim or certificate of lien, shall relate back to the date of this declaration.

12. All of the provisions of this declaration may be enforced by the Association or by any one or more of the Declarants in any appropriate proceeding. The failure to enforce any

provision of this declaration upon any occasion or series of occasions shall not be deemed a waiver of the right to such enforcement. Any expenses incurred in enforcing this declaration, including, but not limited to, attorney fees, paralegal fees, and court costs, shall be paid by the party or parties against whom it was enforced.

Witness our hands and seals as of this _____ day of _____, 2020.

_____	_____
Witness	Nancy P. King
_____	_____
Witness	Robert C. King

STATE OF MAINE

Cumberland County _____, 2020

Personally appeared the above named Nancy P. King and Robert C. King and acknowledged before me the foregoing instrument to be their free act and deed.

_____
Notary Public/Attorney at law

_____
Print or type name as signed

BYLAWS
OF
KING FAMILY ROAD ASSOCIATION

[This actual association name may be different.]

Article 1
Name and Objectives of Corporation

Section 1.1. Name. This corporation shall be known as **King Family Road Association**, hereinafter called the *Association*.

Section 1.2. Objectives. The Association shall be obligated to perform the maintenance and other obligations for the benefit of the Lots in the King Family Development in Brunswick, Maine, as set forth in the declaration of covenants recorded in the Cumberland County Registry of Deeds in Book _____, Page _____ (the "Declaration), as the same may be amended from time to time.

Article 2
Membership

Section 2.1. Membership. The membership of the Association shall be limited to all persons who own a Lot in the King Family Development as defined in the Declaration. Any person or entity who holds an interest in a Lot only as security shall not be a member of the Association. Each owner, or joint or common owner, of a Lot shall be a member of the Association.

Section 2.2. Assessments. Each member shall pay to the Association the *Assessments* as established by the Association. The Assessments shall be used to achieve the objectives of the Association. The Board of Directors shall establish the date or dates on which the Assessments shall be due.

Section 2.3. Amount of Assessments. The Assessments shall be established on a yearly basis at the annual meeting of the Association. No further assessments may be made unless specifically approved by the Association at a special meeting of the Association called pursuant to these Bylaws.

Section 2.4. Default. In the event of default by any member in paying to the Association any Assessments, then the member in default shall be obligated to pay interest at the rate established by the Association (which shall not be higher than allowed by the Declaration) on such Assessments from the due date thereof as determined by the Association, together with all expenses, including reasonable attorney's fees, incurred by the Association in any proceedings brought to collect such unpaid common charges. The Association shall have a lien on the Lot of

any defaulting member to secure the payment of such charges, interest, expenses, costs, and fees, which lien may be enforced in any manner provided for the foreclosure of mortgages or liens under Maine law.

Section 2.5. Membership Nonassignable. Membership and the rights and privileges of a member shall not be assignable, but shall always be an incident of Lot ownership.

Section 2.6. Vote. Each member may vote in person or by proxy at any meeting of the members; provided, however, that if two or more members have or hold common or joint ownership of any Lot, only one vote shall be cast for each Lot with common or joint ownership, but the owner of more than one Lot shall have one vote for each Lot. If the holders of a majority interest in any Lot cannot agree on how to cast the vote allocated to that Lot, then the vote shall not be cast. The designation of any proxy shall be made in writing to the Secretary of the Association, and shall be revocable at any time by written notice to the Secretary.

Article 3
Directors and Officers

Section 3.1. Board of Directors. The Board of Directors shall consist of three members, each of whom shall be a Lot owner, elected by majority vote at the annual meeting of the members of the Association. Directors shall serve for terms of two years, and the terms shall be staggered so that either one or two directors shall be elected at each annual meeting. Directors may serve any number of consecutive terms. Co-owners of a Lot may both serve as directors.

Section 3.2. Officers. The officers of the Association shall consist of a President, Secretary, and Treasurer. The officers shall be elected annually from among the directors by majority vote of the Board of Directors at its first meeting following the annual meeting of members of the Association.

Section 3.3. Vacancies. If a vacancy occurs among the directors or officers, the Board of Directors shall fill said vacancy for the remainder of the term.

Section 3.4. Removal. Any director or officer may be removed from office if so voted by members of the Association entitled to cast at least three-fourths of the total number of votes in the Association.

Article 4
Meetings

Section 4.1. Annual Meeting of Members. The date of the annual meeting of members of the Association shall be established by the Board of Directors. Notice of the time and place of holding the annual meeting shall be mailed or emailed to each member not less than ten nor more than fifty days before the date of each annual meeting.

Section 4.2. Special Meeting of the Association. Special meetings of the Association members may be called by the President, two members of the Board of Directors, or upon request of four members to the President made in writing. Notice of the meeting shall be mailed or emailed to each member not less than ten nor more than fifty days before the date of the meeting, and at such special meeting there shall only be considered such business as is specified in the notice of meeting.

Section 4.3. Quorum for Meeting. At all meetings of the Association, either regular or special, the presence of members in good standing, in person or by proxy, entitled to cast more than one half of the total number of votes in the Association, shall constitute a quorum.

Section 4.4. Lack of Quorum. If a quorum is not present, the presiding officer may adjourn the meeting to a day and hour set by such officer. The members present at a duly called or held meeting at which a quorum was once present may continue to do business at the meeting notwithstanding the withdrawal of enough members to leave less than a quorum.

Section 4.5. Location. Meetings of the Association shall be held at a suitable place convenient to the members and such place shall be specified in the notice of the meeting.

Article 5
Duties of Officers

Section 5.1. President. The President shall preside at all meetings of the Association.

Section 5.2. Secretary. The Secretary shall keep the minutes of all meetings of the Association. The Secretary shall mail out all notices for meetings of the Association.

Section 5.3. Treasurer. The Treasurer shall have charge of all receipts and monies of the Association, deposit them in the name of the Association in a bank approved by the Association, and disburse funds as ordered or authorized by the Association. The Treasurer shall keep regular accounts of all receipts and disbursements, submit the records when requested, and give an itemized statement at regular meetings of the Association. The Treasurer or the President may sign checks and withdrawal slips on behalf of the Association upon any and all of its bank accounts.

Section 5.4. Execution of Instruments. The President, together with either the Secretary or the Treasurer, shall, on being so directed by the Association, sign all leases, contracts, or other instruments in writing.

Article 6
Duties and Powers of the Board of Directors

Section 6.1. Management of Association. The Board of Directors of the Association shall have general charge and management of the affairs, funds, and property of the Association.

The Board of Directors shall have the duty to prepare the annual budget of the Association; to appoint such committees as the Board of Directors deems advisable, and to fill any vacancies thereof; and otherwise carry out the purposes of the Association according to its Articles of Incorporation and these Bylaws.

Section 6.2. Assessments. The Board of Directors shall have the power to collect the Assessments which members are required to pay and to take such actions as they deem necessary to their collection.

Section 6.3. Meetings. The Board of Directors, at their discretion, shall set times and days for meetings as agreed by a majority of the Board. There shall be no need for formal written notice of the meetings, but rather, it will be left to the President of the Association, who shall be the Chair of the Board of Directors, to schedule meetings of the Board when necessary. A majority of the Board of Directors shall constitute a quorum for conducting business. Any member of the Board of Directors may participate in any meeting thereof by conference telephone, provided that he or she may hear and be heard by all others participating in the meeting.

Article 7
Compensation of Officers

Neither the officers nor members serving on committees shall receive any salary or compensation for services rendered to the Association. Any person may be reimbursed for materials supplied or expenses incurred in the performance of services to the Association, at the discretion of the Board of Directors.

Article 8
Notices

All notices to members shall be mailed or emailed to their addresses as given on the books of the Association, and such mailing or emailing shall constitute presumptive evidence of receipt thereof.

Article 9
Liability of Officers

The officers of the Association shall not be liable to the members of the Association for any mistake of judgment, negligence, or otherwise, except for their own individual willful misconduct or bad faith. The members of the Association shall indemnify and hold harmless each of the officers against all contractual liability to others arising out of contracts made by the officers on behalf of the Association unless any such contract shall have been made in bad faith or contrary to the provisions of the Declaration or of these Bylaws. It is intended that the officers shall have no personal liability with respect to any contract made by them on behalf of the Association. It is also intended that any liability of any member of the Association arising out of

any contract made by said officers either individually, pursuant to authority provided hereunder, or acting as a group in the form of a Board of Directors, or out of the aforesaid indemnity in favor of said officers, shall be limited to such proportion of the total liability thereunder as said member's votes in the Association bear to the total number of votes in the Association.

Article 10
Business Records

The corporate business records of the Association shall at all times, during reasonable business hours, be subject to the inspection of any member.

Article 11
Parliamentary Rules

Roberts Rules of Order, as most recently revised, shall govern the conduct of the Association meetings when not in conflict with these Bylaws.

Article 12
Amendments

Section 12.1. Proposal. Amendments to these Bylaws may be proposed by a majority of members of the Association, whether meeting as members or by an instrument in writing signed by them.

Section 12.2. Adoption. Amendments to these Bylaws may be adopted only if so voted by members of the Association entitled to cast at least three-fourths of the total number of votes in the Association, provided that notice of the proposed amendment is given in the notice of the meeting.

DEED

[This is a sample deed to illustrate how the Lots will be subject to the Declaration of Covenants of the road association and its bylaws. Other covenants specific to particular Lots may be added later.]

We, Nancy P. King and Robert C. King, of Brunswick, Maine, as a gift, grant to *[Name]*, whose mailing address is *[mailing address]*, with warranty covenants, the land, together with any buildings and improvements thereon, in Brunswick, Cumberland County, Maine, bounded and described as follows:

> Lot 1 as shown on the plan entitled *Boundary Survey & Lot Division or Miller Point and John's Point, Sheet 3*, dated October 18, 2019, and recorded in the Cumberland County Registry of Deeds in Plan Book _____, Page _____ and Page _____.

Lot 1 is conveyed subject to and together with the benefit of the "30' Wide Driveway Easement," as shown on said plan, for the purpose of building, using, maintaining, inspecting, repairing, maintaining, and improving a driveway, utility services, and related equipment for the benefit of Lot 1 and Lot 2 as shown on said plan. This easement shall be appurtenant to the said two Lots.

This conveyance is made subject to and together with the benefits of the Declaration of Covenants of the King Family Road Association dated _____, 2020, and recorded in the Cumberland County Registry of Deeds in Book _____, Page _____.

This conveyance is made subject to the "Conservation Easement Deed and Indenture, Miller Point," dated March 21, 2000, and recorded in the Cumberland County Registry of Deeds in Book 15378, Page 259, and the above described property shall be used, occupied, and maintained at all times in accordance with said conservation easement.

Witness our hands and seals as of this _____ day of _____, 2020.

_____	_____
Witness	Nancy P. King
_____	_____
Witness	Robert C. King

STATE OF MAINE

Cumberland County _____, 2020

Personally appeared the above named Nancy P. King and Robert C. King and acknowledged before me the foregoing instrument to be their free act and deed.

_____
Notary Public/Attorney at law

_____
Print or type name as signed

Town of Brunswick, Maine

DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Planning Board

FROM: Matt Panfil, AICP CUD, Director of Planning & Development

DATE: December 10, 2019

SUBJECT: Workshop – Miller Point - Driveway

I. PROJECT SUMMARY:

In 1999, the Planning Board approved a private road within the 250-foot high to moderate value wetland setback associated with the former Natural Resource Protection Zone (NRPZ) aka the 'shoreland zone.' The NRPZ is currently called the Shoreland Protection Overlay (SPO) Zoning District. Staff reviewed the mapped 250-foot foot setback depicted on the site plan and it appears to be consistent with the 1999 plan. The extent of the mapped 250-foot high to moderate value wetland setback in the SPO is the same as it was in 1999. As part of the Planning Board's review, the property owners elected to grant a conservation easement to the Town to protect Miller Point and part of John's Point. The Town of Brunswick holds the Miller Point conservation easement today. Subsequent changes to the approved development areas in the conservation easement were approved by the Town of Brunswick (easement holder) to allow up to four (4) house lots in Development Area 1, so-called. In order to serve the proposed four (4) residential lots, the applicant is proposing to construct several new driveways at the end of the previously approved road. One (1) of the proposed driveways will cross freshwater wetlands. The proposed wetland crossing was approved by the Maine Department of Environmental Protection (DEP) pursuant to the Natural Resources Protection Act (NRPA).

A project narrative and plans are included with the packet. The Staff Review Committee (SRC) reviewed the site plan amendment request on December 4, 2019. The SRC meeting notes have been included in the packet. Due to changes requested by the SRC, the applicant has requested that the item appear before the Planning Board in a workshop setting to gain additional feedback prior to requesting Final Sketch Plan approval. Substantive changes from SRC include the following:

1. Depict the entire Shoreland Protection Overlay (SPO)
    a. Mapped SPO subdistricts include the SPO-RP & SPO-SP
2. Depict the Rural Protection Stormwater Management Overlay (RPSMO)
3. Revise Lots 3 & 4 to reduce the length of the ROW and associated private road
    a. Provide driveway access to these lots
4. Depict the dimensional requirements for each lot on the plan
5. Depict the extent of the existing ROW and private road.

Lot 1	132,751 sf
Lot 2	66,800 sf
Lot 3	131,194 sf
Lot 4	184,041 sf

(Approximate areas, pending final plot plan by surveyors)

Net Site Area Calculation Findings

May 23, 2019

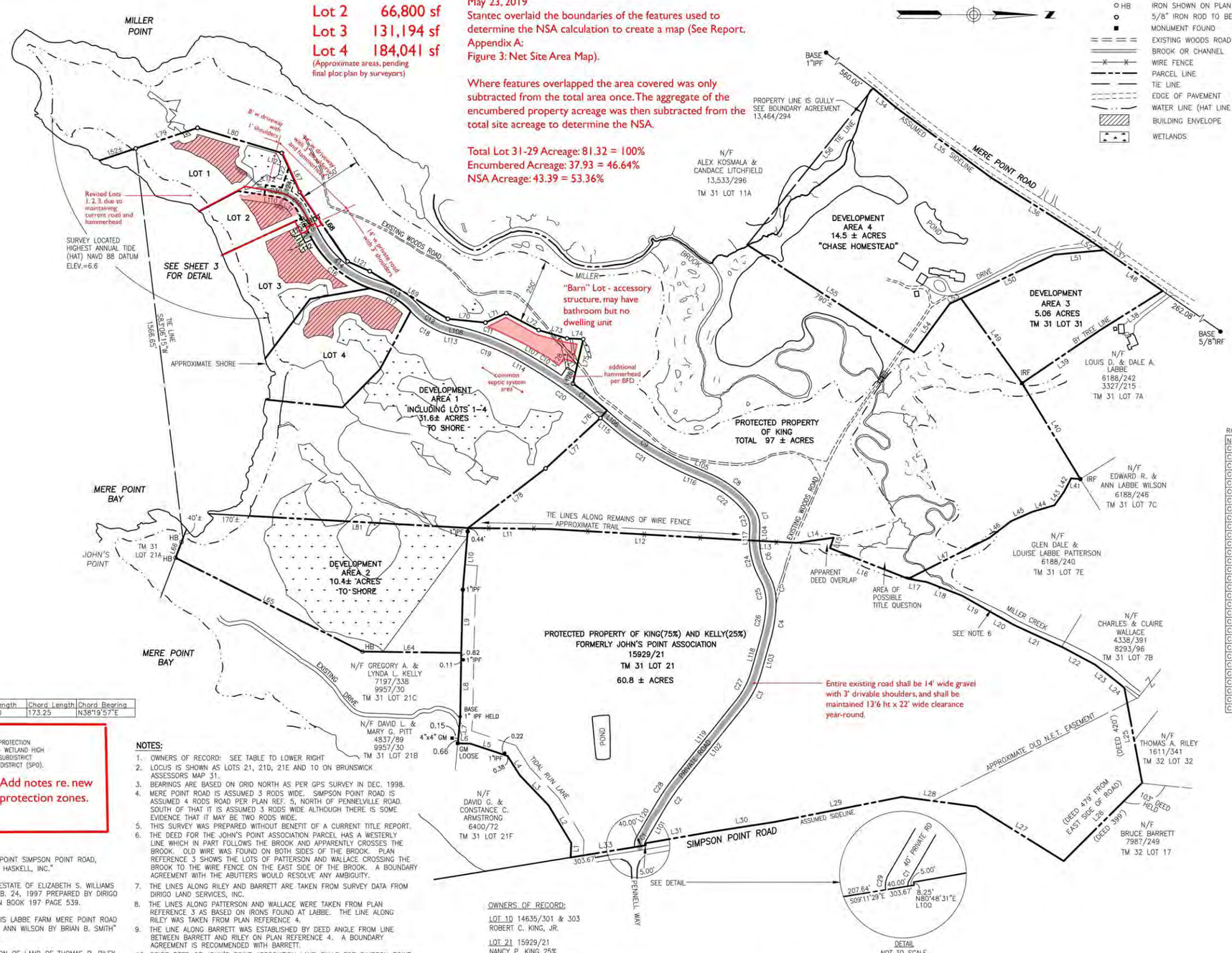
Stantec overlaid the boundaries of the features used to determine the NSA calculation to create a map (See Report, Appendix A: Figure 3: Net Site Area Map).

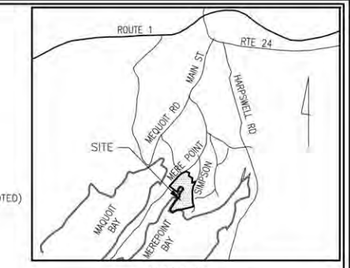
Where features overlapped the area covered was only subtracted from the total area once. The aggregate of the encumbered property acreage was then subtracted from the total site acreage to determine the NSA.

Total Lot 31-29 Acreage: 81.32 = 100%
Encumbered Acreage: 37.93 = 46.64%
NSA Acreage: 43.39 = 53.36%

LEGEND:

- IRON PIPE OR ROD FOUND
- HB IRON SHOWN ON PLAN REF. 6
- 5/8" IRON ROD TO BE SET
- MONUMENT FOUND
- EXISTING WOODS ROAD
- BROOK OR CHANNEL
- WIRE FENCE
- PARCEL LINE
- TIE LINE
- EDGE OF PAVEMENT
- WATER LINE (HAT LINE WHERE NOTED)
- BUILDING ENVELOPE
- WETLANDS





PROPERTY BOUNDARIES LINE TABLE

No.	Bearing	Distance
L1	N87°41'03"W	57.54'
L2	S58°56'57"W	175.91'
L3	S46°11'57"W	165.03'
L4	S57°43'57"W	91.57'
L5	S18°18'57"W	156.04'
L6	S04°58'57"W	50.00'
L7	N85°01'03"W	104.66'
L8	N89°05'03"W	253.58'
L9	N88°35'03"W	252.23'
L10	N85°09'33"W	246.88'
L11	N00°44'13"E	327.09'
L12	N03°16'28"E	742.29'
L13	N03°00'17"E	243.06'
L14	N07°59'43"W	148.50'
L15	S70°59'43"E	44.00'
L16	N21°24'31"E	335.13'
L17	N09°55'40"E	75.36'
L18	N21°12'00"E	150.94'
L19	N29°37'55"E	144.41'
L20	N29°06'10"E	94.86'
L21	N24°38'10"E	212.80'
L22	N28°13'50"E	145.96'
L23	N37°57'10"E	107.30'
L24	N39°41'50"E	41.48'
L25	N79°25'00"E	385.15'
L26	S44°54'00"E	441.83'
L27	S31°52'05"W	411.12'
L28	S07°30'53"W	298.12'
L29	S11°09'55"E	515.63'
L30	S08°50'08"E	250.06'
L31	S09°50'04"E	273.92'
L32	N80°48'31"E	8.25'
L33	S09°11'29"E	303.67'
L34	N40°07'38"E	119.04'
L35	N36°24'30"E	472.14'
L36	N32°18'50"E	446.87'
L37	N34°48'43"E	372.66'
L38	S32°04'51"E	300.00'
L39	S34°13'31"E	370.72'
L40	N58°42'10"E	447.70'
L41	S04°23'10"W	36.82'
L42	S62°06'20"E	61.52'
L43	S54°33'20"E	64.82'
L44	S16°26'50"E	93.00'
L45	S23°52'50"E	92.78'
L46	S37°33'50"E	108.27'
L47	S26°48'10"E	362.36'
L48	N34°48'43"E	285.00'
L49	S54°13'50"W	416.54'
L50	N25°11'17"W	410.00'
L51	N05°11'17"W	200.00'
L52	N34°48'43"E	87.66'
L53	S25°11'17"E	50.00'
L54	S53°41'17"E	240.00'
L55	S32°48'43"W	790.00'
L56	N51°12'30"W	800.98'
L64	S00°44'57"W	394.62'
L65	S26°39'57"W	833.42'
L66	N69°11'03"W	83.14'
L67	N65°29'33"E	170.77'
L68	N55°24'45"E	239.58'
L69	N31°24'25"E	364.81'
L70	N05°42'38"E	150.75'
L71	N24°01'35"W	90.87'
L72	N27°26'47"E	145.36'
L73	N16°16'47"E	117.72'
L74	N02°38'33"E	65.07'
L75	S76°51'58"E	181.60'
L76	S49°12'35"E	40.00'
L77	S42°36'36"E	297.08'
L78	S37°31'03"E	390.00'
L79	N18°23'45"W	259.42'
L80	N16°36'15"E	351.10'
L81	S03°08'57"W	869.44'

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	04°54'56"	2020.00	173.30	173.25	N38°19'57"E

ROAD TABLE

No.	Bearing	Distance
L100	N80°48'31"E	8.25'
L101	N59°45'40"W	140.94'
L102	N51°09'43"W	381.62'
L103	N74°11'29"W	140.64'
L104	N88°07'54"W	41.90'
L105	S23°47'25"W	81.95'
L106	S40°47'25"W	39.15'
L107	S30°39'08"W	28.46'
L108	S12°36'31"W	10.75'
L109	S62°57'31"W	109.11'
L110	S08°31'27"W	53.07'
L111	181°28'33"W	40.00'
L112	N08°31'27"E	53.07'
L113	N12°36'31"E	10.75'
L114	N30°39'08"E	28.46'
L115	N40°47'25"E	39.15'
L116	N23°47'25"E	81.95'
L117	S88°07'54"E	41.90'
L118	S74°11'29"E	140.64'
L119	S51°09'43"E	381.62'
L120	S59°45'40"E	140.94'
L121	N39°33'32"E	186.31'
L122	N70°57'41"W	39.77'
L123	N19°02'19"E	40.00'
L124	N70°57'41"W	41.00'
L125	N62°57'31"E	109.11'
L126	N76°51'58"W	43.78'
L127	S34°12'43"W	40.00'
L128	S55°42'30"E	40.00'

ROAD TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	39°25'49"	21.94	15.10	14.80	N79°28'35"W
C2	08°35'58"	980.00	147.09	146.95	N55°27'41"W
C3	23°01'46"	370.00	148.72	147.72	N62°40'36"W
C4	14°13'11"	588.79	146.12	145.75	N81°18'04"W
C5	31°35'21"	218.20	120.30	118.78	S75°47'40"W
C6	31°52'06"	280.00	155.74	153.74	S75°56'03"W
C7	40°12'15"	120.00	84.20	82.49	S71°45'59"W
C8	27°52'27"	450.12	218.98	216.83	S37°43'38"W
C9	17°00'00"	1230.00	364.95	363.61	S32°17'25"W
C10	03°38'22"	2020.00	128.31	128.29	S32°28'19"W
C11	18°02'37"	970.00	305.47	304.21	S21°37'49"W
C12	35°16'04"	278.04	171.15	168.46	S30°14'33"W
C13	32°25'18"	320.00	181.08	178.67	S31°39'56"W
C14	47°30'15"	387.92	321.63	321.49	N39°12'24"E
C15	34°29'05"	150.00	90.28'	88.92	S45°42'58"W
C16	47°30'15"	427.92	354.79	344.71	S39°12'24"W
C17	32°25'19"	280.00	158.44	156.34	N31°39'56"E
C18	35°16'04"	318.04	195.77	192.69	N30°14'33"E
C19	18°02'37"	930.00	292.88	291.67	N21°37'49"E
C20	10°08'17"	1980.00	350.34	349.89	N35°43'16"E
C21	17°00'00"	1270.00	376.82	375.44	N32°17'25"E
C22	27°52'27"	410.12	199.52	197.56	N37°43'38"E
C23	40°12'15"	80.00	56.14	54.99	N71°45'59"E
C24	31°52'06"	320.00	177.99	175.70	N75°56'03"E
C25	31°35'21"	178.20	98.25	97.01	N75°47'40"E
C26	14°13'11"	548.79	136.20	135.85	S81°18'04"E
C27	23°01'46"	330.00	132.64	131.75	S62°40'36"E
C28	08°35'58"	1020.00	153.09	152.95	S55°27'41"E
C29	39°25'49"	61.94	42.62	41.79	S79°28'35"E
C30	04°37'04"	150.00	12.09	12.09	S10°49'59"W
C31	54°26'03"	110.00	104.51	100.62	N35°44'29"E

ZONING

THE SURVEYED PROPERTY IS LOCATED IN THE RURAL PROTECTION DISTRICT (RP1), RESOURCE PROTECTION SUBDISTRICT – WETLAND HIGH TO MODERATE VALUE (SPO-RP), STREAM PROTECTION SUBDISTRICT (SPO-SP) AND THE SHORELAND PROTECTION OVERLAY DISTRICT (SPO).

RP1 DIMENSIONAL AND DENSITY STANDARDS

MINIMUM LOT AREA	20,000 S.F.
MINIMUM LOT WIDTH	125 FEET
FRONT SETBACK	30 FEET
SIDE SETBACK	25 FEET
REAR SETBACK	30 FEET

Add notes re. new protection zones.

PLAN REFERENCES:

1. "AMENDED SUBDIVISION PLAN OF JOHN'S POINT SIMPSON POINT ROAD, BRUNSWICK, ME. MARCH 04, 1999 OWEN HASKELL, INC."
2. "STANDARD BOUNDARY SURVEY FOR THE ESTATE OF ELIZABETH S. WILLIAMS MERE POINT ROAD BRUNSWICK, MAINE FEB. 24, 1997 PREPARED BY DIRIGO LAND SERVICES, INC." RECORDED IN PLAN BOOK 197 PAGE 539.
3. "PROPERTY SURVEY AND DIVISION OF LOUIS LABBE FARM MERE POINT ROAD BRUNSWICK, MAINE NOVEMBER 1982 FOR ANN WILSON BY BRIAN B. SMITH" RECORDED IN PLAN BOOK 138 PAGE 24.
4. "STANDARD PROPERTY SURVEY AND DIVISION OF LAND OF THOMAS P. RILEY FOR R. C. THEBERGE, INC. MERE POINT ROAD BRUNSWICK, MAINE DECEMBER 18, 1997 PREPARED BY: DIRIGO LAND SERVICES, INC.
5. "PLAN AND PROFILE OF SIMPSONS POINT ROAD BRUNSWICK, MAINE MADE FOR TOWN OF BRUNSWICK PUBLIC WORKS DEPT. NOVEMBER 1997 ROYAL RIVER SURVEY CO."
6. "PLAN OF JOHN'S POINT SIMPSON'S POINT ROAD BRUNSWICK, MAINE OWNED BY JOHN'S POINT ASS'N OCT. 11, 1971 – TRACED AUG. 27, 1976 BY HOWARD F. BABBIDGE" RECORDED IN PLAN BOOK 116, PAGE 21.

GRAPHIC SCALE

0 100' 200' 400' 800'

NOTES:

1. OWNERS OF RECORD: SEE TABLE TO LOWER RIGHT
2. LOCUS IS SHOWN AS LOTS 21, 21D, 21E AND 10 ON BRUNSWICK ASSESSORS MAP 31.
3. BEARINGS ARE BASED ON GRID NORTH AS PER GPS SURVEY IN DEC. 1998.
4. MERE POINT ROAD IS ASSUMED 3 RODS WIDE. SIMPSON POINT ROAD IS ASSUMED 4 RODS ROAD PER PLAN REF. 5, NORTH OF PENNELVILLE ROAD. SOUTH OF THAT IT IS ASSUMED 3 RODS WIDE ALTHOUGH THERE IS SOME EVIDENCE THAT IT MAY BE TWO RODS WIDE.
5. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A CURRENT TITLE REPORT.
6. THE DEED FOR THE JOHN'S POINT ASSOCIATION PARCEL HAS A WESTERLY LINE WHICH IN PART FOLLOWS THE BROOK AND APPARENTLY CROSSES THE BROOK. OLD WIRE WAS FOUND ON BOTH SIDES OF THE BROOK. PLAN REFERENCE 3 SHOWS THE LOTS OF PATTERSON AND WALLACE CROSSING THE BROOK TO THE WIRE FENCE ON THE EAST SIDE OF THE BROOK. A BOUNDARY AGREEMENT WITH THE ABUTTERS WOULD RESOLVE ANY AMBIGUITY.
7. THE LINES ALONG RILEY AND BARRETT ARE TAKEN FROM SURVEY DATA FROM DIRIGO LAND SERVICES, INC.
8. THE LINES ALONG PATTERSON AND WALLACE WERE TAKEN FROM PLAN REFERENCE 3 AS BASED ON IRONS FOUND AT LABBE. THE LINE ALONG RILEY WAS TAKEN FROM PLAN REFERENCE 4.
9. THE LINE ALONG BARRETT WAS ESTABLISHED BY DEED ANGLE FROM LINE BETWEEN BARRETT AND RILEY ON PLAN REFERENCE 4. A BOUNDARY AGREEMENT IS RECOMMENDED WITH BARRETT.
10. PRIOR DEED OF JOHN'S POINT ASSOCIATION LAND CALLS FOR SIMPSON POINT ROAD AS INCLUDED IN THE PARCEL, WITH PROPERTY LINE ON EAST SIDE OF ROAD.
11. SEE CONSERVATION EASEMENT DEED AND INDENTURE MILLER POINT RECORDED IN BOOK 15378 PAGE 259 AND AMENDMENT AND RESTATEMENT OF SAME TO BE RECORDED.
12. SEE CONSERVATION EASEMENT DEED AND INDENTURE JOHNS POINT RECORDED IN BOOK 15929 PAGE 25 AND AMENDMENT AND RESTATEMENT OF SAME TO BE RECORDED.
13. ROBERT AND NANCY KING TO RELEASE THEIR RIGHTS IN TIDAL RUN LANE. OTHERS WITH RIGHTS IN THIS ROAD WOULD NEED TO RELEASE THEIR RIGHTS IN ORDER TO ELIMINATE A PORTION OF THE ROAD (PORTIONS ALONG L8, L9, 10).
14. SHORELINE TAKEN FROM AERIAL PHOTOGRAPHY BY COL-EAST, INC. IN 1999 AND PARTLY FIELD VERIFIED IN 2015.
15. DEVELOPMENT AREAS ARE OVERLAY DISTRICTS ON THE PROTECTED PROPERTY.
16. DEVELOPMENT AREA 1 EXTENDS TO SEASONAL LOW WATER OF MERE POINT BAY.
17. WETLANDS SHOWN WERE PROVIDED BY STANTEC AND ARE ONLY SHOWN ON DEVELOPMENT AREA 1.
18. FOR EASE OF VIEWING TRAILS ARE NOT SHOWN, SEE SHEETS 2 & 3 FOR TRAIL LOCATIONS.

OWNERS OF RECORD:

LOT 10 14635/301 & 303
ROBERT C. KING, JR.

LOT 21 15929/21
NANCY P. KING 25%
ROBERT C. KING, JR. 25%
ROBERT C. & NANCY P. KING 25%
GREGORY AND LYNDA P. KELLY 25%

LOT 31 15471/188
ROBERT C. KING, JR. AND NANCY P. KING

LOT 29, 30, 32 AND 33 ARE ALL IN 31962/229
NANCY P. KING AND ROBERT C. KING, JR.

NOTE:
DEVELOPMENT AREA 1 IS PART OF FORMER LOTS 30, 32 AND 33

DEVELOPMENT AREA 3 IS PART OF LOT 10

PROTECTED PROPERTY INCLUDES LOTS 29, 10, 30 32 AND 33

NOTICE OF NON-DEDICATION:

AS PERMITTED BY 23 M.R.S. § 3031(3), THE PUBLIC SHALL ACQUIRE NO RIGHTS OF INCIPIENT DEDICATION TO PUBLIC USE OF THE WAYS LAID OUT ON THIS PLAN BY VIRTUE OF THE RECORDING OF THIS PLAN, NO PERSON ACQUIRING TITLE TO ANY LAND SHOWN ON THIS PLAN SHALL ACQUIRE A PRIVATE RIGHT OF WAY OVER THE WAYS LAID OUT ON THIS PLAN BY VIRTUE OF THE RECORDING OF THIS PLAN, AND NEITHER THE PUBLIC NOR ANY PERSON SHALL ACQUIRE ANY RIGHTS OF ANY NATURE IN OR TO ANY WAYS, AREAS, OR FACILITIES SHOWN ON THIS PLAN, WHETHER BY IMPLICATION OF LAW OR ANY OTHER PRINCIPLE, OR BY VIRTUE OF THE PREPARATION OR RECORDING OF THIS PLAN. ANY SUCH RIGHTS, PUBLIC OR PRIVATE, SHALL BE CREATED ONLY BY WRITTEN INSTRUMENTS SPECIFICALLY GRANTING THE SAME.

CERTIFICATION:

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

11/14/2019
DATE

RANDY R. LOUBIER, PLS #2407

STATE OF MAINE RANDY R. LOUBIER 2407 PROFESSIONAL LAND SURVEYOR

ZONING

THE SURVEYED PROPERTY IS LOCATED IN THE RURAL PROTECTION DISTRICT (RP1), RESOURCE PROTECTION SUBDISTRICT – WETLAND HIGH TO MODERATE VALUE (SPO-RP), STREAM PROTECTION SUBDISTRICT (SPO-SP) AND THE SHORELAND PROTECTION OVERLAY DISTRICT (SPO).

RP1 DIMENSIONAL AND DENSITY STANDARDS

MINIMUM LOT AREA	20,000 S.F.
MINIMUM LOT WIDTH	125 FEET
FRONT SETBACK	30 FEET
SIDE SETBACK	25 FEET
REAR SETBACK	30 FEET

Revisions responding to Staff Comments 12.4.2019
Sarah Witte, Landscape Architect

REV. 2	11-14-19	REVISE LOT 3 AND 4 TIE LINE
REV. 1	11-13-19	REVISE LOT 3 AND 4 AND PRIVATE ROAD

BOUNDARY SURVEY & LOT DIVISION

OF

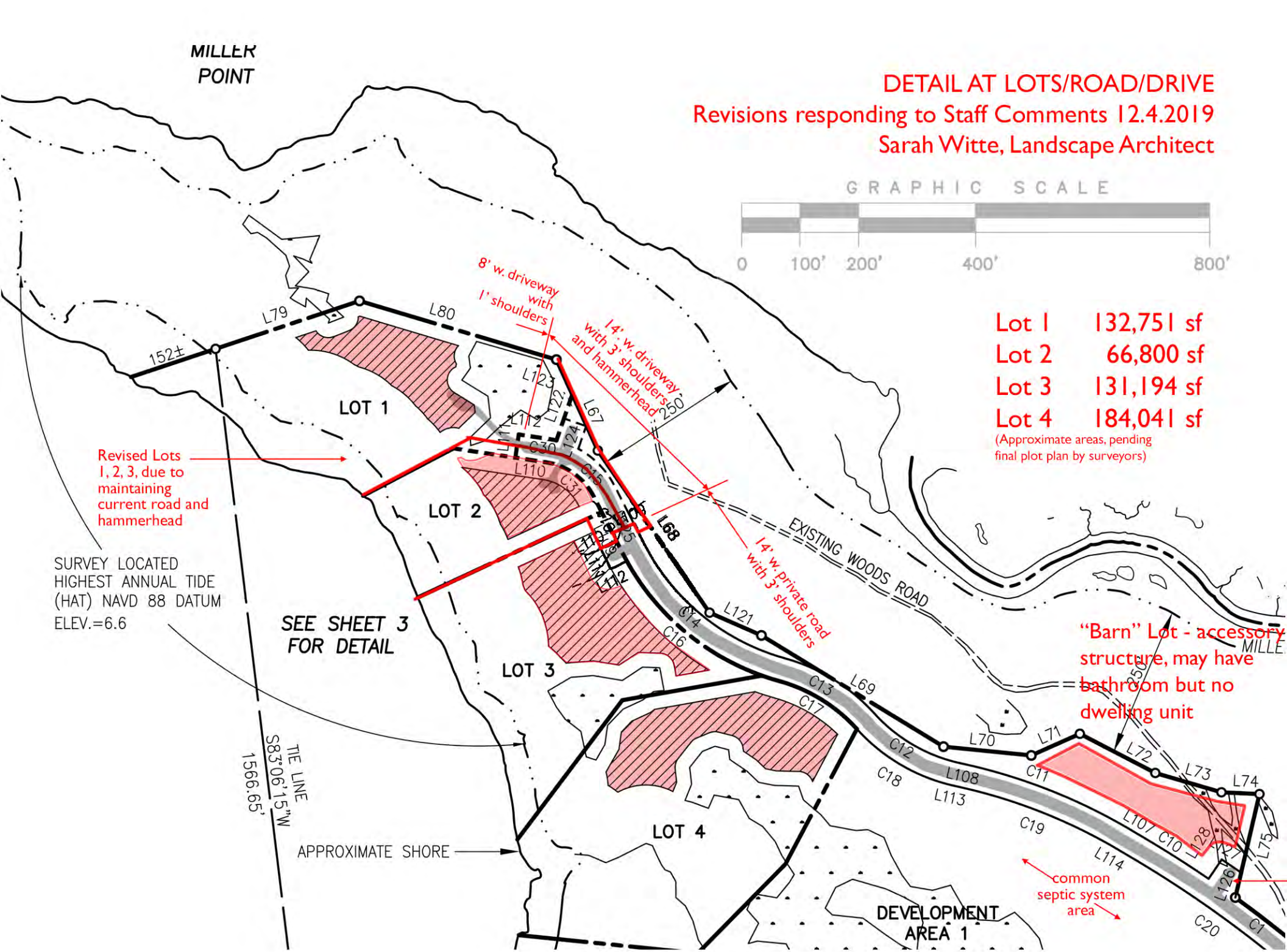
MILLER POINT AND JOHN'S POINT
MERE POINT ROAD & SIMPSON POINT ROAD
BRUNSWICK, MAINE

MADE FOR

ROBERT C. KING, JR. & NANCY P. KING
553 MERE POINT ROAD, BRUNSWICK, ME 04011

OWEN HASKELL, INC.
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207)774-0424
PROFESSIONAL LAND SURVEYORS

Drwn By	JCS	Date	Job No.
Trace By	JLW	OCTOBER 18, 2019	98314BK
Check By	RRL	Scale	Drwg. No.
Book No.	871	1" = 200'	1 OF 3


DETAIL AT LOTS/ROAD/DRIVE
Revisions responding to Staff Comments 12.4.2019
Sarah Witte, Landscape Architect
GRAPHIC SCALE
0 100' 200' 400' 800'
MILLER POINT
Lot 1 132,751 sf
Lot 2 66,800 sf
Lot 3 131,194 sf
Lot 4 184,041 sf
(Approximate areas, pending final plot plan by surveyors)
8' w. driveway with 1' shoulders
14' w. driveway with 3' shoulders and hammerhead
14' w. private road with 3' shoulders
Revised Lots 1, 2, 3, due to maintaining current road and hammerhead
LOT 1
LOT 2
LOT 3
LOT 4
SEE SHEET 3 FOR DETAIL
SURVEY LOCATED HIGHEST ANNUAL TIDE (HAT) NAVD 88 DATUM ELEV.=6.6
TIE LINE S83°06'15"W 1566.65'
APPROXIMATE SHORE
EXISTING WOODS ROAD
"Barn" Lot - accessory structure, may have bathroom but no dwelling unit
common septic system area
DEVELOPMENT AREA 1
152±
250
L79
L80
L123
L122
L112
L124
L67
L110
C30
C31
C15
L68
L121
C14
C16
C13
C17
L69
C12
C18
L70
L108
L113
L71
C11
C19
L72
L107
C10
L128
L73
L74
L75
L126
C20
C1

From: Jeff Hutchinson <jhutchinson@brunswickme.org>
Subject: RE: Miller Point Revised lines - please review
Date: December 5, 2019 at 10:00:30 AM EST
To: Sarah Witte <sarahwittela@gmail.com>
Cc: Matt Panfil <mpanfil@brunswickme.org>, Jeff Emerson <jemerson@brunswickme.org>, Jared Woolston <jwoolston@brunswickme.org>, "Ryan Barnes" <rbarnes@brunswickme.org>

Sarah,

The design of the ROW for the two flag lots look fine. It appears that each lot's front property line would follow the center line of the ROW and end when it meets the side line between lots 1 & 2. Both front building setbacks would be measured from that center line. For both lots, I would consider the shoreline property lines as being the "Back" lines with a normal building setback of 30 feet (trumped by the 125' SPO setback) and the remaining lot lines to be side lines with a 25 foot building setback.

Hope this helps.
Jeff

JEFF HUTCHINSON
Codes Enforcement Officer
Town of Brunswick
85 Union Street
Brunswick, ME 04011
phone: (207)725-6651(ext 4024)
fax: (207)725-6663
e-mail: jhutchinson@brunswickme.org
web: www.brunswickme.org

From: Ryan Barnes
Sent: Thursday, December 05, 2019 9:15 AM
To: Sarah Witte
Cc: Matt Panfil; Jeff Emerson; Jeff Hutchinson
Subject: RE: Miller Point Revised lines - please review

Sarah provided the portion of the driveway shown in yellow below [previously the private road extension] is constructed to meet the 20' width and the turnaround is constructed to meet our previous conversation I am ok with the proposed change to a driveway. In regards to having a driveway coming off the end of the roadway this isn't allowed in the situation of a public roadway but since this roadway will remain private it is allowable to have the driveway come off the roadway it is just a possible future maintenance issue.

Thanks

Ryan

Sarah Witte, Landscape Architect
16 Cumberland Street, Yarmouth ME 04096
207.415.2973 sarahwitteLA@gmail.com sarahwitteLA.net

November 18, 2019

Charlie Frizzle, Chair, Planning Board
Town of Brunswick, Maine
Department of Planning and Development
85 Union Street,
Brunswick, ME 04011-1583

RE: Miller Point Site Plan Revision and Plan for 4-Lot Residential Development
Lot 31-29

Dear Mr. Frizzle and Members of the Board,

INTRODUCTION:

On behalf of Robert and Nancy King, it is my pleasure to submit plans for your review. This Major Site Plan Application includes a revision to an approved site plan for a private road accessing Miller Point (recorded in 2000), as well as four new residential homes proposed on the land for members of the King Family, in accordance with the terms of the Conservation Easement (CE). Formal subdivision review is not required, since the Kings will build one home and the other three homes will be owned by the Kings' children. In the interest of an orderly development however, they have chosen to create 4 separate lots.

BACKGROUND:

In 1999 the Kings purchased the Chippy Chase property on Mere Point Road, as well as two lots on John's Point adjacent to the eastern border of the Chase property and majority interests in lots shared with others on John's Point. In order to establish access to the buildable areas of Miller Point with the least environmental impact, the Kings chose to primarily locate their access road on an existing hardened woods road.

They received DEP and Town permission for this private road. In a Conservation Easement (CE) held by the Town, dated March 21, 2000, *(see Tab 9)* the Kings agreed to limit their future dwellings on Miller Point and their locations to Development Areas 1 and 2 *(see APPROVED Boundary Survey, Tab 10)*, and they put the rest of the land into protected status. The original CE was modified by the Brunswick Town Council in December 2018 to transfer the construction of one allowed residences from Development Area 2 to Development Area 1. Therefore all of the proposed homes are now shown on Development Area 1.

PERMITTING STATUS:

Since their purchase and subsequent creation of the Conservation Easement, the Kings have gathered extensive field data on their property. An early 'reconnaissance level' wetland map from 2000 showed only limited wetlands. More detailed field delineations and continual updating with wetland scientists at Stantec have resulted in an understanding of the much more extensive wetland systems and vernal pools on the point, reducing developable land area dramatically.

Meanwhile, much of the shoreline on the Middle Bay site of the peninsula was in a 'red zone' meaning highly unstable soils on the Maine Coastal Bluff mapping. The bluffs were visibly eroding. Knowing how much of the land was constrained by wetlands and vernal pools, and that development sites were at risk due to accelerating erosion, the Kings applied for permits to stabilize the bank on Middle Bay.

In 2016 the State approved a shoreline stabilization project which allowed the Kings to protect about 600 linear feet of the bank with a hybrid approach of large placed stones and planted landscape materials. Native soils were preserved and spread over the stones to regenerate a resilient slope. The bank is now vegetated and stable, and no longer in 'red' or 'yellow' condition. Building setbacks on this frontage will be measured from the toe of the slope or Highest Annual Tide (HAT) line instead of the top of bank.

The areas now remaining after Shoreland setbacks, stream setbacks, and wetland impact thresholds are fortunately able to support 4 homes, 1 accessory 'barn' structure, and one common septic system for all the homes. Stantec's report summarizes all of the resources and the dates of their work. In 2019 Rodney Kelshaw, Project Scientist at Stantec updated all the delineations again, and compiled a summary of the encumbered areas to derive a Net

Site Area calculation of 43.39 acres. *(See page 11 of the attached 2019 Stantec report, Tab 8.)*

Following the shoreline work, with land that was legally (Conservation Easement status) and environmentally (stable bank, and Net Site Area verified exclusive of wetlands etc.) capable of accommodating the proposed homes and accessory uses, the Kings sought a DEP Permit-by-Rule (PBR) for an intended driveway out to Lot 1, knowing it would impact a small area – 418 square feet - of wetland. There was no alternate access to Lot 1, and the design for a narrow driveway minimized impacts. *(See Wetland Crossing WC-1 by Walsh Engineering, Tab 14.)*

This PBR application triggered a cascade of additional reviews and permits. All wetland impacts since 1999 were tallied: 14,960 sf for the road in 1999, and 192 sf for the shoreline stabilization in 2016. With the final 418 sf proposed for the driveway at Lot 1, the impacts totaled 15,570 sf, necessitating a State of Maine Natural Resources Protection Act (NRPA) Tier 2 permit with In-Lieu Fee for the total 15,570 sf impacts, as well as an Army Corps of Engineers Individual Permit. Copies of both the DEP (10.08.2019) and ACE (9.16.2019) permits are attached. *(See Tabs 6 and 7.)*

No other wetland impacts are planned or necessary to accommodate the four proposed homes and related site improvements. The lot lines have been located to make a building setback also a wetland setback everywhere possible.

PROPOSED ROAD EXTENSION:

In order to provide safe and sustainable access to four homes, the Kings propose to extend the existing gravel road about 150' west, toward the point. There will be no wetland impacts with this new road area. The Road Extension is the reason for a Site Plan Revision review. Final design materials will include plan and profile for the road, with cross section and materials matching the existing road.

On Feburary 7, 2019, the Kings' Architect Russ Tyson and I met with Deputy Fire Chief Jeff Emerson. Deputy Chief Emerson ok'd the road and road extension with these provisions:

- it will be maintained at 14' wide gravel plus 3' wide grass/gravel shoulders
- the buildings will have sprinkler systems

- the road will be plowed to 20' wide in the winter
- vertical clearance will be kept 13'6" the whole 20' width
- an additional turn-out/hammerhead (at the Barn) will give trucks another place to turn around or accommodate each other

This summer we had the encroaching vegetation trimmed back to make the 20' x 13'6" lane open again.

On February 21, 2019, I met with Ryan Barnes, Town Engineer, to review the proposed hammerhead layout. It was acceptable to him, and we proceeded to work on the layout of the homes. The geometry of the proposed hammerhead is best seen on the enlarged lot maps which at full print size would be 1"=60'. *(See Tab 13.)*

PROPOSED RESIDENTIAL LOTS:

The Kings propose to build four homes on the four lots labeled Lots 1, 2, 3, 4, and a common accessory structure for storage and caretaker unit ("Barn") on the land east of the four homes. (The architectural designs of the homes and their associated site improvements will be the material of future individual Building Permit Applications, and the lots will be developed in accordance with local and state regulations as well as the terms of the Conservation Easement held by the Town of Brunswick.) Due to extremely limited soil suitability, the Kings have ensured that a shared septic system will take care of all the buildings. A design for the septic system by Frick Associates is attached. *(see Tabs 15 and 16.)*

The following is a summary of the four proposed lots:

Lot 1
Area: 142,270 square feet
Waterfront: 445.84' (tie line)

Lot 2
Area: 55,901 sf
Waterfront: 197.28' (tie line)

Lot 3
Area: 131,994 sf
Waterfront: 447.43' (tie line)

Lot 4
Area: 184,041
Waterfront: 163.3' (tie line)

SUMMARY:

While the extension of a private gravel road and construction of four family homes are a rather small project, the complications and constraints at this beautiful and highly visible property have required extra measures of due diligence and precautionary planning. We have appreciated the expertise and support of the Town's planning staff as the complexities of the Miller Point planning process have unfolded over the years.

We look forward to working with you toward successful realization of the Kings' objectives. I hope we can fit in a Planning Board Site Walk before deep winter.

Please contact me with any questions along the way.

Very best regards,

Sarah Witte

Sarah Witte
Landscape Architect, ME Reg. #114

Attachments: *(with Tab numbers)*

1. Cover letter, 5 pp.
2. Development Review Application, 3 pp.
3. List of Consultants, 1 p.
4. Agent Authorization, 1 p.
5. Warranty Deed, 1 p.
6. State of Maine DEP Permit 10.06.19, 6 pp.
7. US Army Corps permit 9.16.2019, 10 pp
8. Stantec Report, 5.23.2019, 17 pp
9. Conservation Easement for Miller Point, 3.21.2000, 19 pp.
10. Approved Road Extension and Boundary of Development areas, rev. 2.16.2000
11. Proposed Revised Road and Plan for 4 Lots, 1"=200, rev. 11.14.2019
12. " " " , 1"=120', rev. 11.14.2019
13. " " " , 1" = 60', rev. 11.14.2019
14. Plan for proposed driveway wetland crossing on Lot 1, rev. 9.18.19
15. HHE 200 Disposal System Application 10.15.2019, 8 pp
16. Septic System Site Plan, rev. 11.13.2019, 1 p.

DEVELOPMENT REVIEW
APPLICATION

1. Development Review application type (refer to **Appendix D**):

- [ ] **Minor Development Review**
- [x] Major Development Review: **Sketch Plan**
- [ ] Major Development Review: **Final Plan**
- [ ] Major Development Review: **Streamlined Final Plan**

2. Project Name: Miller Point

3. Project Applicant
   Name: Nancy P. King & Robert C King, Jr.
   Address: 553 Mere Point Road
   Brunswick ME 04011
   Phone Number: (207) 902-3377
   Email: robertckingjr@gmail.com, npking19@gmail.com

4. Project Owner (if different than applicant)
   Name:
   Address:
   Phone Number:
   Email:

5. Authorized Representative
   Name: Sarah Witte, Landscape Architect
   Address: 16 Cumberland Street
   Yarmouth ME 04096
   Phone Number: (207) 415-2973
   Email: sarahwitteLA@gmail.com

6. List of Design Consultants. Indicate the registration number, address and phone number, email for any additional project engineers, surveyors, architects, landscape architects or planners:

   1. Sarah Witte, Landscape Architect, (above) ME Lic #114
   2. see attached list of others
   3.

7. Physical location of property: Miller Point, via Simpson Point Road

8. Lot Size: Development Area 1 including Lots 1-4 is 42.1 acres

9. Zoning District: RP1, SPO-SP

10. Overlay Zoning District(s): SPO, RPSMO

11. Indicate the interest of the applicant in the property and abutting property. For example, is the applicant the owner of the property and abutting property? If not, who owns the property subject to this application?

The Kings own the land. Deeds attached.

12. Assessor's Tax Map 31 Lot Number 10,21,29 (combined 2014) of subject property.

13. Brief description of proposed use/subdivision:

Four homes, accessory structure ('Barn'), common septic system, on five lots within Development Area 1, as allowed by Conservation Easement.

14. Describe specific physical improvements to be done:

Extension of existing road to new hammerhead.

Limited clearing as allowed by state and local ordinances.

Owner Signature:

Applicant Signature (*if different*):

Sonan Nute

SEE ATTACHED AUTHORIZATION

DEVELOPMENT REVIEW APPLICATION REQUIREMENTS

The submission requirements contained in **Appendix D** of the Brunswick Zoning Ordinance (attached in checklist format for each application category) shall apply to all Minor Development, Major Development, and Streamlined Major Development Review unless a waiver is granted. Proposed development applications shall be submitted to the Director of Planning and Development.

For each item listed in Appendix D the applicant shall either submit the requested information or request a waiver from the information requirement pursuant to Subsection 5.2.9.M of the Zoning Ordinance.

REQUIREMENTS FOR SKETCH PLAN APPLICATION SUBMITTAL Please mark box with one of the following: "W" (Waiver); "P" (Pending); "X" (Submitted) or "N/A" (Not applicable)		Sketch Plan
General	Application form and fee	-- X
	Name of development	-- X
	Existing zoning district and overlay designations	-- X
	Location map	-- X
	Location of features, natural and artificial, such as water bodies, wetlands, streams, important habitats, vegetation, railroads, ditches and buildings	-- X
	Documentation of Right, Title and Interest	-- X
	Draft performance guarantee or conditional agreement	-- P
Survey, Topography, & Existing Conditions	Scale, date, north point, and area	-- X
	Existing easements associated with the development	-- X
	Existing locations of sidewalks	-- N/A
	Approximate locations of dedicated public open space, areas protected by conservation easements and recreation areas	-- X
	When applicable, a table indicating the maximum number of lots permitted based upon the applicable dimensional requirements, the number of lots proposed, and the number of lots permitted to be further subdivided.	-- X
Proposed Development Plan	Number of lots if a subdivision	-- X

Miller Point Design and Permitting Consultants
November 2019

Coordination of Planning and Permitting:
Sarah Witte, Landscape Architect, ME Lic #114
16 Cumberland Street, Yarmouth ME 04096
207.415-2973
www.sarahwitteLA.net sarahwitteLA@gmail.com

Civil Engineering:
Thomas S. Greer, PE, Senior Vice President
One Karen Drive, Suite 2A,
Westbrook, ME 04092
P: (207) 553-9898, Ext 108 tgreer@walsh-eng.com
www.walsh-eng.com tgreer@walsh-eng.com

Attorneys:
John F. Loyd, Jr., John Cunningham
Eaton Peabody
P.O. Box 9, 167 Park Row,
Brunswick, Maine 04011
Tele: 207.729.1144 ext. 3805 Fax: 207.729.1140

Surveyors:
Randy R. Loubier, PLS | Principal
Owen Haskell, Inc. Professional Land Surveyors
390 U.S. Route 1, Suite 10 |
Falmouth, ME 04105
T: (207) 774-0424 ext. 105 | D: (207) 781-1280
rloubier@owenhaskell.com |
www.owenhaskell.com

Architects
Russ Tyson / Principal
Whitten Architects
37 Silver Street, Portland, Maine 04101
207.774.0111 x102
www.whittenarchitects.com
russ@whittenarchitects.com

Site Evaluator & Septic Design
Brady Frick, President
Albert Frick Associates, Inc
Environmental Consultants
380B Main Street, Gorham, ME 04038
(207) 839-5563 f (207) 839-5564
www.albertfrick.com brady@albertfrick.com

Wetland Scientists
Rodney Kelshaw, CWB, CPSS, PWS, CPESC, LSE, CSS_Project Scientist
Stantec
30 Park Drive, Topsham ME 04086-1737
Direct: 207 729-1199 Mobile: 207 944-6776
Rodney.Kelshaw@stantec.com

Sarah Witte, Landscape Architect 16 Cumberland Street, Yarmouth ME 04096 207.415.2973 sarahwitteLA@gmail.com

AGENT AUTHORIZATION

We authorize Sarah Witte, Landscape Architect, to prepare and submit documentation and to represent us, our land, activities and interests at Miller Point, 553 Mere Point Road, including but not limited to the following Lots on Tax Map 31: 10, 21, 29, 30, 31, 32 and 33, in local and state permitting applications and hearings.

Robert C. King 18-oct-2019

Name Date

Nancy P King 18-oct-2019

Name Date

Doc#: 59311 Bk:31962 Pg: 229

Exhibit 3A
DEED

(with 4 Attachments)

WARRANTY DEED

We, **Nancy P. King** and **Robert C. King, Jr.**, of Short Hills, New Jersey, as a gift, grant to ourselves, **Nancy P. King** and **Robert C. King, Jr.**, whose mailing address is 275 Hartshorn Drive, Short Hills, New Jersey 07078, as joint tenants, with warranty covenants, all and the same property in Brunswick, Cumberland County, Maine, which was conveyed to us by the deeds, all dated April 10, 2000, and all recorded in Book 15471 in the Cumberland County Registry of Deeds, in Page 176, Page 179, Page 182, and Page 185.

The purpose of this deed is to merge all of the land conveyed hereby into one lot, held by us as joint tenants.

Witness our hands and seals this 30th day of ~~October~~ November, 2014.

Witness

Nancy P. King

Witness

Robert C. King, Jr.

Received
Recorded Register of Deeds
Dec 10,2014 11:09:49A
Cumberland County
Pamela E. Lovley

STATE OF NEW ~~JERSEY~~ York

New York
~~Essex~~ County

December 4, 2014

Personally appeared the above named Nancy P. King and acknowledged before me the foregoing instrument to be his/her/their free act and deed.

Notary Public

SEAL

Artrisa Y. Williams
Print or type name as signed

ARTRISA Y. WILLIAMS
Notary Public, State of New York
No. 01WI6124039
Qualified in New York County
Commission Expires May 24, 2017

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

DEPARTMENT ORDER

IN THE MATTER OF

ROBERT AND NANCY KING	) NATURAL RESOURCES PROTECTION ACT
Brunswick, Cumberland County	) FRESHWATER WETLAND ALTERATION
ACCESS ROAD EXTENSION	) WATER QUALITY CERTIFICATION
L-26631-TE-K-N (approval)	) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S. §§ 480-A–480-JJ, Section 401 of the Federal Water Pollution Control Act (33 U.S.C. § 1341), and Chapters 310 of Department rules, the Department of Environmental Protection has considered the application of ROBERT AND NANCY KING 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-T00725-TC-A-N, dated March 11, 1999, the department approved 14,960 square feet of freshwater wetland impact for the construction of a road. In Department Order #L-26631-4D-A-N/L-26631-TW-B-N, dated June 25, 2015, the Department approved the construction of a 500-linear foot shoreline stabilization project. The project included the alteration of approximately 2,534 square feet of coastal wetland below the Highest Annual Tide (HAT) line requiring compensation which was paid to the In-Lieu Fee program on June 30, 2015. The project included construction of a fringe marsh in front of the proposed riprap that would result in the alteration of approximately 16,000 to 20,000 square feet of restored coastal wetland habitat. In Department Order #L-26631-4D-C-M/L-26631-TW-D-M, dated October 30, 2015, the Department approved the removal of the fringe marsh from the plan and the installation of 50 linear feet of a combination of slope material and Fortrac 3D matting with native vegetation to stabilize the shoreline. In Department Order #L-26631-2F-G-M, dated October 21, 2016, the Department approved a revised shoreline stabilization design that moved the originally proposed riprap material further landward and out of coastal wetland. The approved design included a six-inch underdrain pipe along the top of the bank and a 12-inch foundation drain pipe for the future connections of residential buildings, both of which terminate within the riprap. In Department Order L-26631-4D-I-N/L-26631-TW-J-N, the Department granted after-the-fact approval for 192 square feet of additional coastal wetland alteration not approved in Department Order #L-26631-2F-G-M. The project site is located on Miller Point in the Town of Brunswick.

B. Summary: The applicants propose to alter 418 square feet of forested freshwater wetland that is considered a wetland of special significance because it is within 250 feet of coastal wetlands. Wetland impacts on the parcel, including the proposed project, will total 15,570 square feet. The applicants propose to construct an extension to the existing gravel access road as shown on a plan titled "Miller Point residences," prepared by Sarah

Witte, and dated June 29, 2019. The proposed project is located off Simpson Point Road in the Town of Brunswick.

C. Current Use of the Site: The project parcel is currently developed with a gravel road and a riprap shoreline stabilization system. The parcel is approximately 177 acres in size. The parcel is identified as Lots 10, 21, and 29 on Map 31 of the Town of Brunswick's tax maps.

2. EXISTING SCENIC, AESTHETIC, RECREATIONAL OR NAVIGATIONAL USES:

The Natural Resources Protection Act (NRPA), in 38 M.R.S. §480-D(1), requires the applicant to demonstrate that the proposed project will not unreasonably interfere with existing scenic, aesthetic, recreational and navigational uses.

In accordance with Chapter 315, *Assessing and Mitigating Impacts to Scenic and Aesthetic Uses* (06-096 C.M.R. ch. 315, effective June 29, 2003), the applicant submitted a copy of the Department's Visual Evaluation Field Survey Checklist as Appendix A to the application along with a description of the property and the proposed project. The applicant also submitted several photographs of the proposed project site and surroundings.

The proposed project is not located in a public natural resource. The site of the propose project and the surrounding area is largely undeveloped.

The Department determined that based on the nature of the proposed project and its location, there are no existing recreational or navigational uses of the resource that would be unreasonably impacted.

The Department finds that the proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational or navigational uses of the protected natural resource.

3. SOIL EROSION:

The NRPA, in 38 M.R.S. §480-D(2), requires the applicant to demonstrate that the proposed project will not cause unreasonable erosion of soil or sediment nor unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.

Prior to cutting trees and disturbing soil, a silt fence will be installed across the wetland on both sides of the access road. The silt fences and any sediment that may have accumulated will be removed within 30 days of the site being stabilized.

The Department finds that the activity will not cause unreasonable erosion of soil or sediment nor unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.

4. HABITAT CONSIDERATIONS:

The NRPA, in 38 M.R.S. §480-D(3), requires the applicant to demonstrate that the proposed project will not unreasonably harm significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine or marine fisheries or other aquatic life.

The Maine Department of Inland Fisheries and Wildlife (MDIFW) reviewed the proposed project and stated that there are no Essential or Significant Wildlife Habitats at the project site.

The Department finds that the activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine or marine fisheries or other aquatic life.

5. WATER QUALITY CONSIDERATIONS:

As discussed in Finding 3, the applicant proposes to use erosion and sediment control during construction to minimize impacts to water quality from siltation.

The Department does not anticipate that the proposed project will violate any state water quality law, including those governing the classification of the State's waters.

6. WETLANDS AND WATERBODIES PROTECTION RULES:

The applicant proposes to directly alter 418 square feet of forested freshwater wetland to construct the proposed access road extension.

The *Wetlands and Waterbodies Protection Rules*, 06-096 C.M.R. ch. 310 (last amended January 26, 2009), interpret and elaborate on the Natural Resources Protection Act (NRPA) criteria for obtaining a permit. The rules guide the Department in its determination of whether a project's impacts would be unreasonable. A proposed project would generally be found to be unreasonable if it would cause a loss in wetland area, functions and values and there is a practicable alternative to the project that would be less damaging to the environment. Each application for a NRPA permit that involves a freshwater wetland alteration must provide an analysis of alternatives in order to demonstrate that a practicable alternative does not exist.

A. Avoidance. An applicant must submit an analysis of whether there is a practicable alternative to the project that would be less damaging to the environment and

this analysis is considered by the Department in its assessment of the reasonableness of any impacts. Additionally, for activities proposed in, on, or over wetlands of special significance the activity must be among the types listed in Chapter 310, § 4(A) or a practicable alternative less damaging to the environment is considered to exist and the impacts is unreasonable. The applicant's proposed access road crosses a wetland of special significance but is among the activities specifically provided for in Ch. 310, § 4(A)(1)(b). The applicant submitted an alternatives analysis for the proposed project completed by Sarah Witte. The purpose of the project is to provide access to the upland building envelope in Lot 1 from their property and access to build additional residential buildings for family members. The applicants considered not constructing a road, but this would not have met the project's purpose. The applicants also considered a more direct route, but this would have resulted in greater impacts because of the width of the wetland crossing in that location. Based on these considerations, there is no other practicable alternative to avoid wetland impacts than the proposed project.

B. Minimal Alteration. In support of an application and to address the analysis of the reasonableness of any impacts of a proposed project, an applicant must demonstrate that the amount of wetland to be altered will be kept to the minimum amount necessary for meeting the overall purpose of the project. The applicants have minimized wetland impacts to the greatest extent practicable by crossing the wetland at the narrowest point, installing 36-inch size culverts to maintain hydrologic connectivity in wetland area and by designing steeper road side slopes for the access road.

C. Compensation. In accordance with Chapter 310, § 5(C)(6)(b), compensation may be required to achieve the goal of no net loss of coastal wetland functions and values. For the cumulative impacts of the previous and current projects, totaling 15,570 square feet, the applicant proposes to make a contribution into the In-Lieu Fee program of the Maine Natural Resource Conservation Program in the amount of $2,451. Prior to the start of construction, the applicant must submit a payment in the amount of $2,451, payable to "Treasurer, State of Maine", and directed to the attention of the In-Lieu Fee Program Administrator at 17 State House Station, Augusta, Maine 04333.

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 provided that prior to project construction, the applicant submits the In-Lieu Fee payment as described above.

7. OTHER CONSIDERATIONS:

The Department finds, based on the design, proposed construction methods, and location, the proposed project will not inhibit the natural transfer of soil from the terrestrial to the marine environment, will not interfere with the natural flow of any surface or subsurface waters, and will not cause or increase flooding. The proposed project is not located in a coastal sand dune system, is not a crossing of an outstanding river segment, and does not involve dredge spoils disposal or the transport of dredge spoils by water.

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 unreasonably interfere with existing scenic, aesthetic, recreational, or navigational uses.

B. The proposed activity will not cause unreasonable erosion of soil or sediment.

C. The proposed activity will not unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.

D. The proposed activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine, or marine fisheries or other aquatic life provided that prior to construction the applicant makes a contribution to the In-Lieu Fee program as described in Finding 6.

E. The proposed activity will not unreasonably interfere with the natural flow of any surface or subsurface waters.

F. The proposed activity will not violate any state water quality law including those governing the classifications of the State's waters.

G. The proposed activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties.

H. The proposed activity is not on or adjacent to a sand dune.

I. The proposed activity is not on an outstanding river segment as noted in 38 M.R.S. § 480-P.

THEREFORE, the Department APPROVES the above noted application of ROBERT AND NANCY KING to alter wetlands for an access road extension as described in Finding 1, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations:

1. Standard Conditions of Approval, a copy attached.

2. The applicant shall take all necessary measures to ensure that their activities or those of their agents do not result in measurable erosion of soil on the site during the construction 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. Prior to the start of construction, the applicant shall submit a payment in the amount of $2,451, payable to "Treasurer, State of Maine," to the attention of the In-Lieu Fee Program Administrator at 17 State House Station, Augusta, Maine 04333.

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 8th DAY OF October, 2019.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
For: Gerald D. Reid, Commissioner

Filed
OCT 08 2019
State of Maine
Board of Environmental Protection

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

AG/L26631KN/ATS#84727

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

REPLY TO ATTENTION OF

MAINE GENERAL PERMIT (GP)
AUTHORIZATION LETTER AND SCREENING SUMMARY

ROBERT & NANCY KING
553 MERE POINT ROAD
BRUNSWICK, MAINE 04011

CORPS PERMIT # NAE-2015-00459 MOD
CORPS GP ID# NA
STATE ID# L-26631-TA-K-N

DESCRIPTION OF WORK:
To place fill in an unnamed freshwater wetland in conjunction with the installation of a 36" culvert and construction of a residential access drive serving 4 residential house lots off Simpson Point Road, Map 31 Lots 10, 21 and 29 at Brunswick, Maine as described on the attached state of Maine DEP NRPA application entitled "Robert and Nancy King", revised "08-13-2019" and as shown on plans on 2 sheets revised "08-09-2019". Approximately 418SF (0.009acres) of freshwater wetland will be impacted by the project. Cumulative freshwater wetland impact on site to date 0.31acres.
ADDITIONAL CONDITIONS SEE ATTACHED SHEET.

LAT/LONG COORDINATES: 43.851395° N -69.982548° W **USGS QUAD:** ORRS ISLAND, MAINE

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. **Your work is therefore authorized by the U.S. Army Corps of Engineers under the enclosed Federal Permit, the Maine General Permit (GP).** Accordingly, we do not plan to take any further action on this project.

You must perform the activity authorized herein in compliance with all the terms and conditions of the GP [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed GP carefully, including the GP conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the GP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 37 of the GP (page 16) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the GP on October 13, 2020. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 13, 2021.

This authorization presumes the work shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to the undersigned.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. **This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.**

II. STATE ACTIONS: PENDING [X], ISSUED [ ], DENIED [ ] DATE_____

APPLICATION TYPE: PBR:____, TIER 1: X, TIER 2 :____, TIER 3:____, LURC: ____ DMR LEASE: ____ NA: ____

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: NA LEVEL OF REVIEW: CATEGORY 1: X CATEGORY 2:____

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10____, 404 X 10/404____, 103____

EXCLUSIONS: The exclusionary criteria identified in the general permit do not apply to this project.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA NO, USF&WS NO, NMFS NO

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Augusta, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at http://per2.nwp.usace.army.mil/survey.html

LEEANN B. NEAL
SENIOR PROJECT MANAGER
MAINE PROJECT OFFICE

9-16-2019
FRANK J. DEL GIUDICE DATE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION

US Army Corps of Engineers®
New England District

GENERAL PERMIT
WORK-START NOTIFICATION FORM

MAIL TO: LeeAnn Neal
U.S. Army Corps of Engineers, New England District
Maine Project Office
442 Civic Center Drive, Suite 350
Augusta, Maine 04330

A Corps of Engineers Permit (NAE-2015-00459 MOD) was issued to Robert & Nancy King. The permit authorized the permittee(s) to place fill in an unnamed freshwater wetland in conjunction with the installation of a 36" culvert and construction of a residential access drive serving 4 residential house lots off Simpson Point Road, Map 31 Lots 10, 21 and 29 at Brunswick, Maine. Approximately 418SF (0.009acres) of freshwater wetland will be impacted by the project. Cumulative freshwater wetland impact on site to date 0.31acres.

The people (e.g., contractor) listed below will do the work, and they understand the permit's conditions and limitations.

PLEASE PRINT OR TYPE

Name of Person/Firm: _____

Business Address: _____

Telephone: ( ) _____ ( ) _____

Proposed Work Dates: Start: _____

Finish: _____

PERMITTEE'S SIGNATURE: _____ DATE: _____

PRINTED NAME: _____ TITLE: _____

FOR USE BY THE CORPS OF ENGINEERS

PM **NEAL** Submittals Required: **No.**

Inspection Recommendation: Random MEGP compliance

US Army Corps
of Engineers®
New England District

(Minimum Notice: Permittee must sign and return notification within one month of the completion of work.)

COMPLIANCE CERTIFICATION FORM

Corps of Engineers Permit No: NAE-2015-00459 MOD

Name of Permittee: Robert & Nancy King

Permit Issuance Date: _____

Please sign this certification and return it to the following address upon completion of the activity and any mitigation required by the permit. You must submit this after the mitigation is complete, but not the mitigation monitoring, which requires separate submittals.

```
*********************************************************************
* MAIL TO: U.S. Army Corps of Engineers, New England District       *
*          Policy & Technical Support Branch                        *
*          Regulatory Division                                      *
*          696 Virginia Road                                        *
*          Concord, Massachusetts 01742-2751                        *
*********************************************************************
```

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the above referenced permit, and any required mitigation was completed in accordance with the permit conditions.

_____ Signature of Permittee

_____ Date

_____ Printed Name

_____ Date of Work Completion

( ) _____ Telephone Number

( ) _____ Telephone Number

IMPORTANT: IF THE SIGNATURE BELOW IS NOT THE APPLICANT'S SIGNATURE, ATTACH LETTER OF AGENT AUTHORIZATION SIGNED BY THE APPLICANT.

By signing below the applicant (or authorized agent), certifies that he or she has read and understood the following :

DEP SIGNATORY REQUIREMENT

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor a permit be issued.

CORPS SIGNATORY REQUIREMENT

USC Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry shall be fines not more than $10,000 or imprisoned not more than five years or both. I authorize the Corps to enter the property that is subject to this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein.

DEP SIGNATORY REQUIREMENT

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Further, I hereby authorize the DEP to send me an electronically signed decision on the license I am applying for with this application by emailing the decision to the address located on the front page of this application (see #4 for the applicant and #8 for the agent)."

Susan Witte

SIGNATURE OF AGENT/APPLICANT

Date: 6.29.2019

Signature of Agent_____

Date:_____

NOTE: Any changes in activity plans must be submitted to the DEP and the Corps in writing and must be approved by both agencies prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.

(yellow)

Department of Environmental Protectir
Bureau of Land Resources
17 State House Station
Augusta, Maine 04333
Telephone: 207-287-7688

FOR DEP USE
ATS #
L-
Total Fees:
Date: Received

APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

→PLEASE TYPE OR PRINT IN *BLACK INK ONLY*

1. Name of Applicant:	Robert and Nancy King	5.Name of Agent:	Sarah Witte, Landscape Architect
2. Applicant's Mailing Address:	553 Mere Point Rd Brunswick ME 04011	6. Agent's Mailing Address:	16 Cumberland St Yarmouth ME 04096
3. Applicant's Daytime Phone #:	(212) 902-3377	7. Agent's Daytime Phone #:	(207) 415-2973
4. Applicant's Email Address: Required from *either* applicant or agent:	robert.king@gs.com	8.Agent's E-mail Address:	sarahwitteLA@gmail.com

9. Location of Activity: (Nearest Road, Street, Rt.#)	Simpson Point Rd	10. Town:	Brunswick	11. County:	Cumberland

12. Type of Resource: (Check all that apply)	☐ River, stream or brook ☐ Great Pond ☐ Coastal Wetland ☑ Freshwater Wetland ☐ Wetland Special Significance ☐ Significant Wildlife Habitat ☐ Fragile Mountain	13. Name of Resource:	CASCO BAY & shoreline. Small wetland
		14. Amount of Impact: (Sq.Ft.)	Fill: ~~< 240 SF~~ 418 SF Dredging/Veg Removal/Other:

REV 8.13.19 SW

15. Type of Wetland: (Check all that apply)	☑ Forested ☐ Scrub Shrub ☐ Emergent ☐ Wet Meadow ☐ Peatland ☐ Open Water ☐ Other	FOR FRESHWATER WETLANDS *Tier 1*	*Tier 2*	*Tier 3*
		☑ 0 - 4,999 sq ft. ☐ 5,000-9,999 sq ft ☐ 10,000-14,999 sq ft	☐ 15,000 – 43,560 sq. ft.	☐ > 43,560 sq. ft. or ☐ smaller than 43,560 sq. ft., not eligible for Tier 1

16. Proposed Start Date and Brief Activity Description:	9/15/2019. Install 8' wide gravel driveway with 36" culvert across finger of Wetland #07.

REV 8.13.2019 -SW-

17. Size of Lot or Parcel & UTM Locations:	☐ _____ square feet, or ☑ 3.2 acres	UTM Northing: _____	UTM Easting: _____

18. Title, Right or Interest:	☑ own ☐ lease ☐ purchase option ☐ written agreement

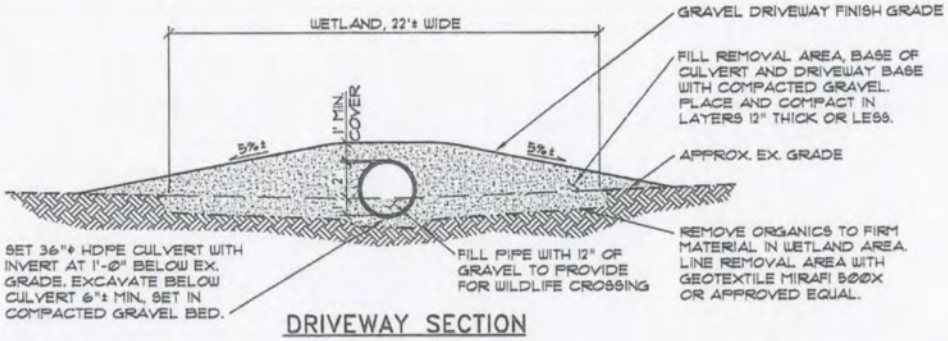
19. Deed Reference Numbers:	Book#: 31962 Page: 229	20. Map and Lot Numbers:	Map #: 31	Lot #: 10, 21, 29	
21. DEP Staff Previously Contacted:	Dustin Dorr, Aug.	22. Part of a larger project:	☐ Yes ☑ No	After-the-Fact:	☐ Yes ☑ No
23. Resubmission of Application?	☐ Yes→ ☑ No	If yes, previous application #		Previous project manager:	
24. Written Notice of Violation?	☐ Yes → ☑ No	If yes, name of DEP enforcement staff involved:		25. Previous Wetland Alteration:	☐ Yes ☑ No

26. Detailed Directions to the Project Site:	Mere Point Rd to L on Simpson Pt. Rodd. Driveway is 1.0 mile on R. Gate swings in, is not locked.

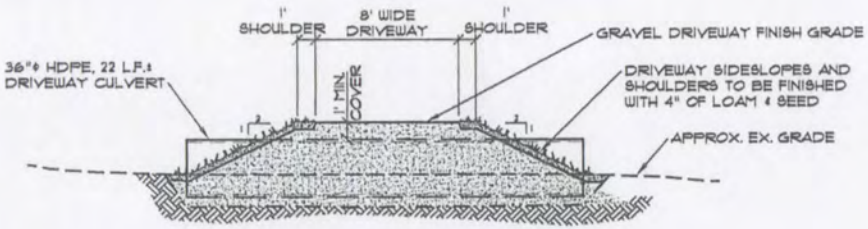
27. TIER 1	TIER 2/3 AND INDIVIDUAL PERMITS	
☑ Title, right or interest documentation ☑ Topographic Map ☑ Narrative Project Description ☑ Plan or Drawing (8 1/2" x 11") ☑ Photos of Area ☑ Statement of Avoidance & Minimization ☑ Statement/Copy of cover letter to MHPC	☐ Title, right or interest documentation ☐ Topographic Map ☐ Copy of Public Notice/Public Information Meeting Documentation ☐ Wetlands Delineation Report (Attachment 1) that contains the Information listed under Site Conditions ☐ Alternatives Analysis (Attachment 2) including description of how wetland impacts were Avoided/Minimized	☐ Erosion Control/Construction Plan ☐ Functional Assessment (Attachment 3), if required ☐ Compensation Plan (Attachment 4), if required ☐ Appendix A and others, if required ☐ Statement/Copy of cover letter to MHPC ☐ Description of Previously Mined Peatland, if required

28. FEES: Amount Enclosed:	

CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2



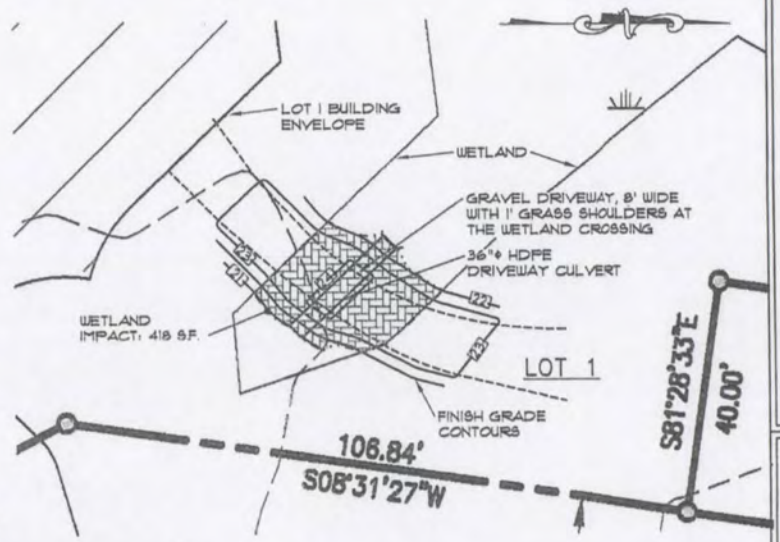
DRIVEWAY SECTION



DRIVEWAY CROSS-SECTION

DRIVEWAY CULVERT AT WETLAND CROSSING SECTIONS

NOT TO SCALE



GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

WETLAND CROSSING IMPACT PLAN

SCALE: 1"=20'

ROBERT & NANCY KING
BRUNSWICK, MAINE
WETLAND FILL/CULVERT
NAE-2015-00459 MOD
SHEET 2 OF 2 REVISED "08/09/2019"

STATE OF MAINE
THOMAS S. GREER
No. 4206
LICENSED PROFESSIONAL ENGINEER
8/12/2019

Sheet Number: WC-1

Sheet Title: LOT 1 WETLAND CROSSING

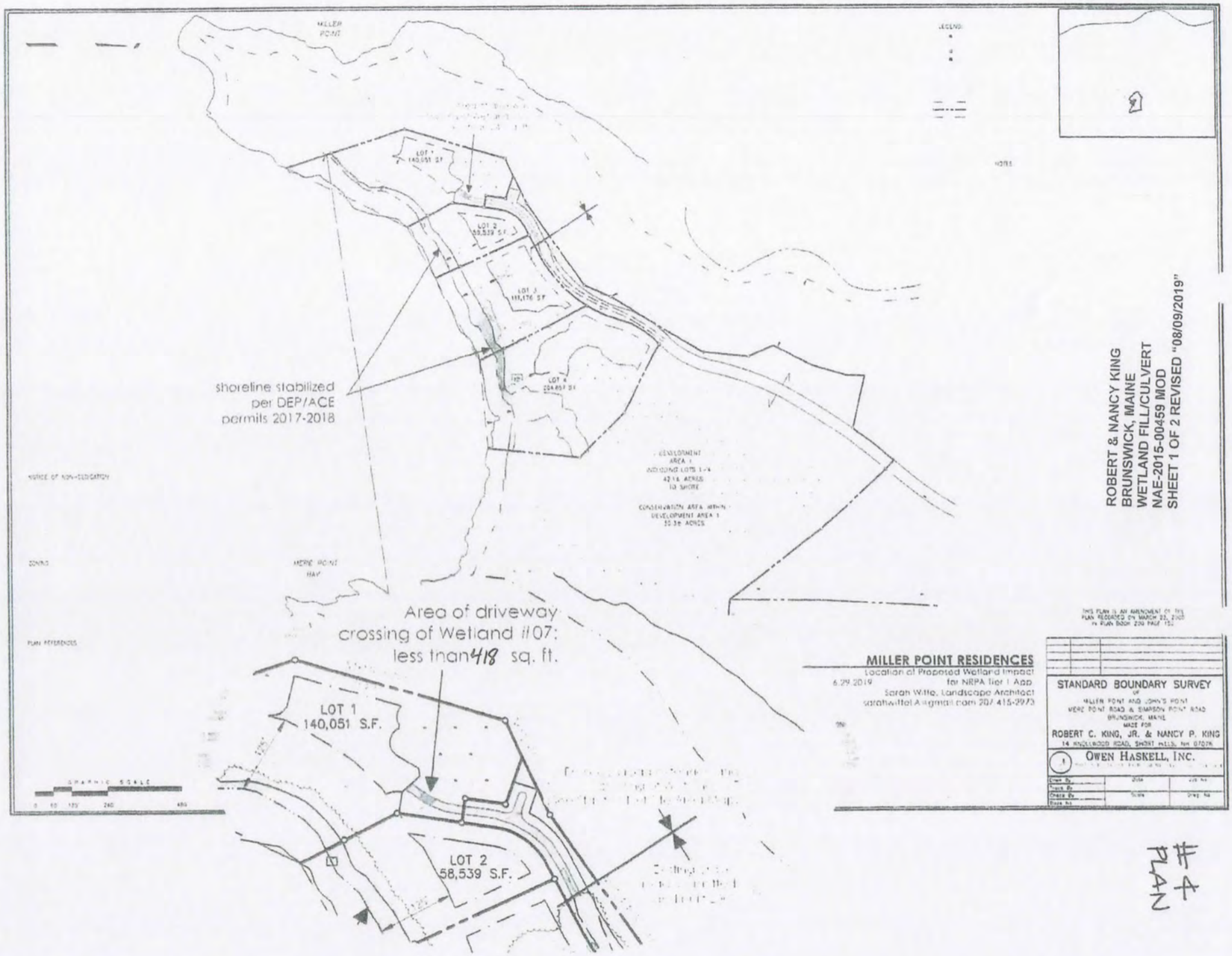
Job No.:	16123
Date:	AUG. 9, 2019
Scale:	AS SHOWN
Drawn:	JDC
Checked:	TSG

WETLAND CROSSING

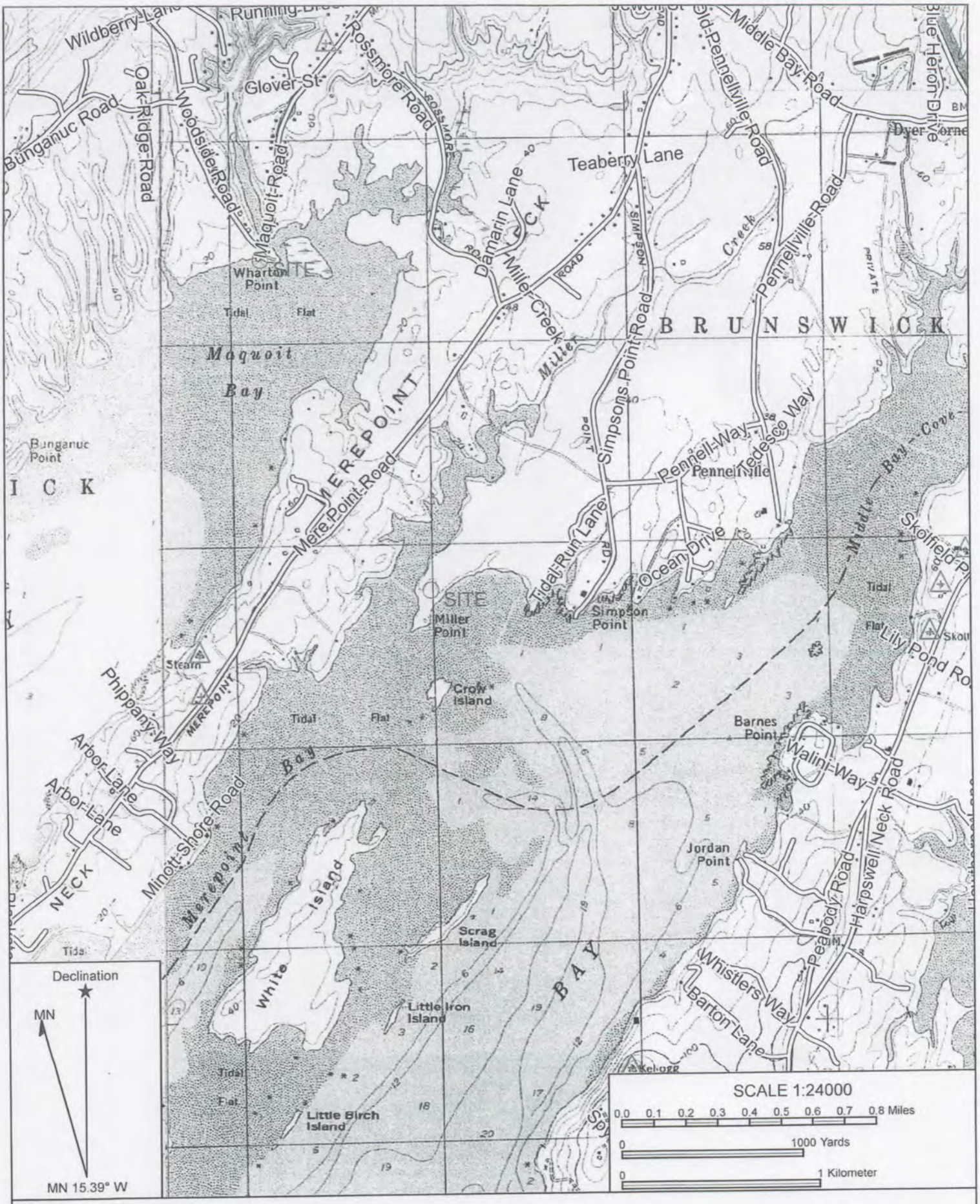
KING PROPERTY
LOT 1, MILLER POINT

WALSH
ENGINEERING ASSOCIATES, INC.
One Kenjon Dr., Suite 2A | Westbrook, Maine 04092
ph: 207.553.0998 | www.walsh-eng.com

Copyright © 2019


MILLER POINT
LOT 1 140,051 S.F.
LOT 2 58,539 S.F.
LOT 3 111,176 S.F.
LOT 4 204,857 S.F.
shoreline stabilized per DEP/ACE permits 2017-2018
DEVELOPMENT AREA 1 INCLUDING LOTS 1-4 42.16 ACRES 1.0 SHORE
CONSERVATION AREA WITHIN DEVELOPMENT AREA 1 20.36 ACRES
MERE POINT BAY
Area of driveway crossing of Wetland #107: less than 418 sq. ft.
LOT 1 140,051 S.F.
LOT 2 58,539 S.F.
MILLER POINT RESIDENCES
Location of Proposed Wetland Impact
6.29.2019
for NRPA Tier 1 App.
Sarah Witte, Landscape Architect
sarahwittel@gmail.com 207 415-3973
STANDARD BOUNDARY SURVEY
OF
MILLER POINT AND JOHN'S POINT
MERE POINT ROAD & SIMPSON POINT ROAD
BRUNSWICK, MAINE
MADE FOR
ROBERT C. KING, JR. & NANCY P. KING
14 KNOLLWOOD ROAD, SHORT HILLS, NJ 07078
OWEN HASKELL, INC.
ROBERT & NANCY KING
BRUNSWICK, MAINE
WETLAND FILL/CULVERT
NAE-2015-00459 MOD
SHEET 1 OF 2 REVISED "08/09/2019"

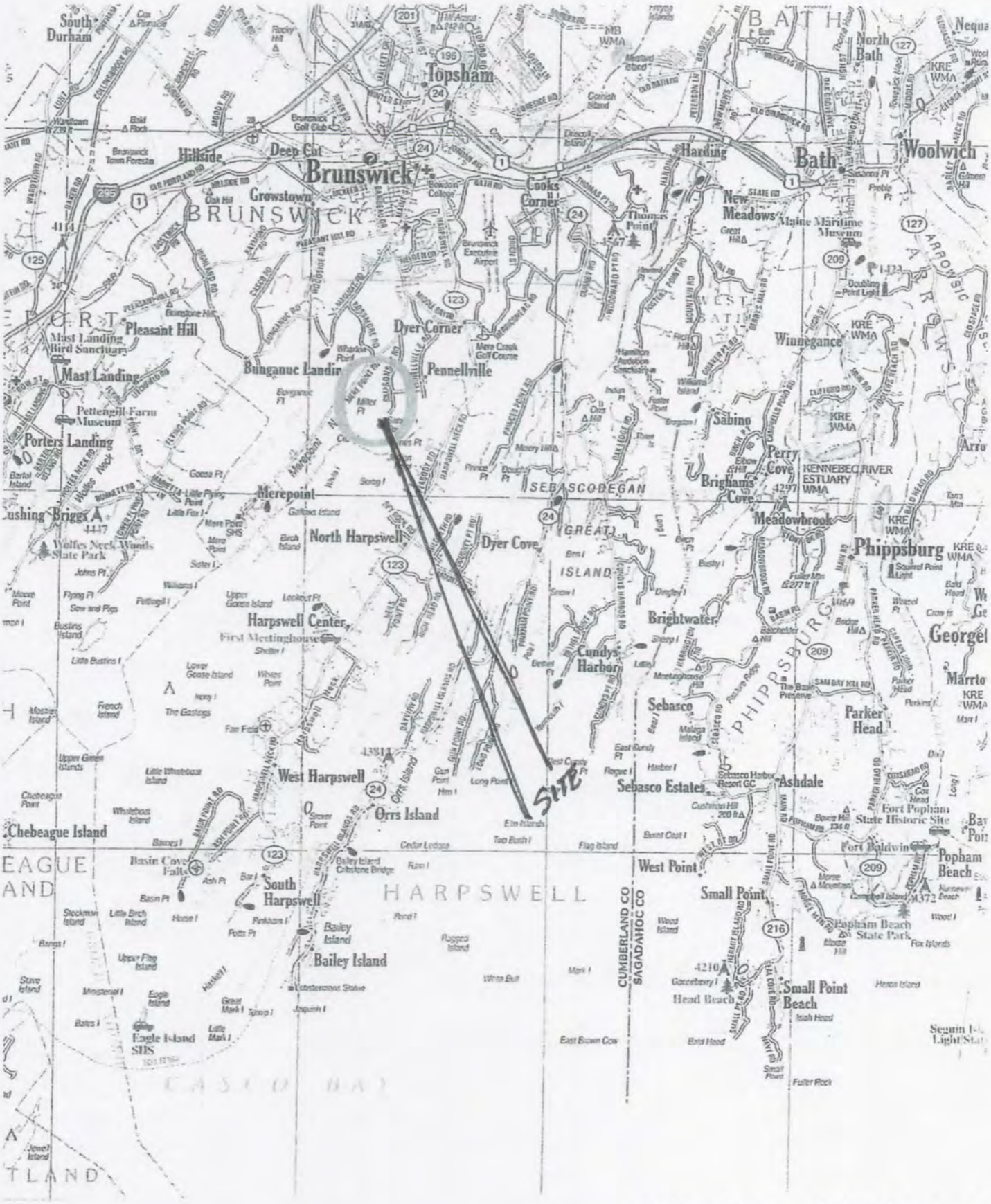
PLAN #4



Name: ORRS ISLAND
Date: 08/14/19
Scale: 1 inch = 2,000 ft.

Copyright (C) 2009 MyTopo

#2



43.851395 N
- 69.982548 W
ORRS ISLAND

Miller Point Residences

6.29.2019 Location of Property, Brunswick Maine

Sarah Witte, Landscape Architect
sarahwitteLA@gmail.com 207.415.2973

US Army Corps
of Engineers ®
New England District

PLEASE NOTE THE FOLLOWING ADDITIONAL CONDITIONS FOR DEPARTMENT OF THE ARMY GENERAL PERMIT NO. NAE-2015-00459 MOD

1. The permittee shall assure that a copy of this permit is at the work site whenever work is being performed and that all personnel performing work at the site of the work authorized by this permit are fully aware of the terms and conditions of the permit. This permit, including its drawings and any appendices and other attachments, shall be made a part of any and all contracts and sub-contracts for work which affects areas of Corps of Engineers' jurisdiction at the site of the work authorized by this permit. This shall be done by including the entire permit in the specifications for the work. If the permit is issued after construction specifications but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. The term "entire permit" includes permit amendments. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions of the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps of Engineers jurisdiction.

2. Adequate sedimentation and erosion control devices, such as geotextile silt fences or other devices capable of filtering the fines involved, shall be installed and properly maintained to minimize impacts during construction. These devices must be removed upon completion of work and stabilization of disturbed areas. The sediment collected by these devices must also be removed and placed upland, in a manner that will prevent its later erosion and transport to a waterway or wetland.

3. Clearing of forested vegetation >3" dbh is limited to August 1 – May 30 of any given year. No clearing of forested vegetation >3" dbh is authorized from June 1- July 31 of any given year in order to avoid direct impact to the Northern Long-eared Bat.

4. Freshwater wetland fill is limited to that indicated on the attached plan. No additional filling of waters of the United States (wetlands or waterways) for lot development is authorized without written approval from the Corps.

5. Stockpile storage areas shall be maintained with sediment and erosion control measures to avoid the migration of materials into adjoining areas during and following rain events. These areas shall be monitored and maintained on a daily basis prior to leaving the site for the day.

6. All exposed soils resulting from the construction will be promptly seeded and mulched in order to achieve vegetative stabilization.

7. The permittee must still obtain any other Federal, State, or local permits as required by law before beginning work.

8. This authorization requires you to 1) notify us before beginning work so we may inspect the project, and 2) submit a Compliance Certification Form. You must complete and return the enclosed Work Start Notification Form(s) to this office at least two weeks before the anticipated starting date. You must complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work and any required mitigation (but not mitigation monitoring, which requires separate submittals).

Miller Point Wetland/Watercourse Delineation, Vernal Pool Survey, and Habitat Assessment Report

Simpson's Point Road – Miller Point,
Brunswick, ME

May 23, 2019

Prepared for:

Sarah Witte, Landscape Architect
16 Cumberland St.
Yarmouth, ME 04096

Prepared by:

Stantec Consulting Services Inc.

Table of Contents

1.0 INTRODUCTION 1

2.0 METHODS 2

3.0 SURVEY RESULTS 3
3.1 GENERAL SITE DESCRIPTION 3
3.2 WETLAND, WATERCOURSE AND VERNAL POOL DELINEATION AND VERIFICATION RESULTS 4
3.3 WETLAND REGULATIONS 9
3.3.1 State and Federal Regulations 9
3.3.2 Municipal Regulations 10

4.0 WILDIFE HABITAT DESKTOP ANAYLSIS 11

5.0 NET SITE AREA CALCULATION FINDINGS 11

LIST OF TABLES

Table 1. Summary of Delineated Wetlands 5
Table 2. Summary of Delineated Streams 8
Table 3. Summary of Vernal Pools 8

LIST OF APPENDICES

APPENDIX A. FIGURES
APPENDIX B. CORPS WETLAND DETERMINATION DATA FORMS
APPENDIX C. MDIFW VERNAL POOL REPORTING FORMS
APPENDIX D. REPRESENTATIVE PHOTOGRAPHS
APPENDIX E. AGENCY CORRESPONDENCE

1.0 INTRODUCTION

The King family owns several parcels of land on Miller Point, in Brunswick, Maine (site) (Appendix A: Figure 1. Site Location Map). Since 2013 Stantec Consulting Services Inc. (Stantec) has worked on this site performing various wetland and wildlife related surveys to collect data that was provided to the King's and their contractors to support planning and permitting of projects. Based on conversations and email correspondence with Sarah Witte our understanding of the current project and request for our services is that the Kings are proposing to construct several cottages and a barn, and their modified project plans will require Town Planning Board (PB) approval.

One requirement of this process is to determine the Net Site Area[1] of the property to determine if the proposed plans adhere to development standards. To make this determination Stantec was requested to gather additional on-site data including expanding the wetland (freshwater and tidal) and watercourse delineation and vernal pool survey of the remaining area on Tax Map/Lot 31-29, and to include the adjoining area on Lot 31-10 south of Miller Creek; encompassing a total of approximately 34 acres. The previous wetland and watercourse delineation and vernal pool survey on Lot 31-29 was completed five and six years ago so Stantec also verified the previous delineations and updated areas where changes were observed. The total area investigated in 2019 by Stantec was approximately 90 acres.

Stantec also conducted a desktop wildlife habitat assessment and agency consultation which consisted of review of publicly available data. Stantec contacted the Maine Department of Inland Fisheries and Wildlife (MDIFW), Maine Natural Areas Program (MNAP), and United States Fish and Wildlife Service (USFWS) to inquire about the presence of important botanical and wildlife habitats or natural areas on site.

---

[1] Net Site Area is calculated by subtracting from the parcel the full area of land that consists of:

1. Land areas of 5,000 or more contiguous square feet with sustained slopes of 25 percent or greater;
2. Any wetland, including but not limited to, coastal, forested and freshwater wetlands;
3. Any water body;
4. Any existing or proposed public street or private street right-of-way;
5. Habitat for species appearing on the official State or Federal lists of endangered or threatened species, where there has been evidence of the occurrence of the species;
6. Rare and endangered natural communities as listed and mapped by the Maine Natural Areas Program, including critically imperiled (S1), imperiled (S2), and rare plant communities (S3); and
7. Any of the following as defined by the Natural Resources Protection Act (NRPA)
    a. High & moderate value waterfowl and wading bird habitat, including nesting and feeding areas; or
    b. Shorebird nesting, feeding, and staging areas; or
    c. Significant vernal pool habitat; or
    d. Seabird nesting islands.

This report includes descriptions of wetlands, streams, and vernal pools mapped on-site. It also includes a discussion of wildlife habitats and a determination of Net Site Area.

2.0 METHODS

Stantec conducted a desktop landscape analysis prior to performing the on-site delineation. As part of the analysis, Stantec reviewed digital resource maps and aerial photography images, including United States Geologic Survey topographic maps, United States Department of Agriculture (USDA) Natural Resource Conservation Service mapped soils as depicted on the Web Soil Survey, and the USFWS mapped National Wetland Inventory wetlands. We also reviewed the wetland delineation map/results from the previous Stantec wetland delineations.

On-site wetlands and watercourses were identified in accordance with the definitions detailed in Maine State Statute 38 M.R.S.A. Sec. 480-B of the Natural Resources Protection Act[2]. Wetland boundaries were determined using the technical criteria described in the *Corps of Engineers Wetlands Delineation Manual*[3] and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2)*.[4] Wetland communities were classified according to the *Classification of Wetlands and Deepwater Habitats of the United States*[5]. Hydric soil determinations were made in accordance with the Corps manuals and the *Field Indicators for Identifying Hydric Soils in New England, Version 4*[6]. Wetlands of Special Significance (WoSS) were identified based on criteria in Chapter 310 of the Maine Natural Resources Protection Act (NRPA)[7] and Chapter 335 Significant Wildlife Habitat[8]. Identification of WoSS was limited to observable conditions within the survey area. Wetland delineations were conducted under seasonally appropriate conditions.

Mapped watercourses (e.g., river, stream or brook) were identified based on the technical guidance available from the United States Army Corps of Engineers (Corps) on the identification of an Ordinary High Water Mark (OHWM)[9], definition of a tributary as described in the Clean Water Act[10], and as

---

[2] Title 38: Waters and Navigation, Chapter 3: Protection and Improvement of Waters, Subchapter 1: Environmental Protection Board, Article 5-a: Natural Resources Protection Act

[3] Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*. Technical Report Y-87-1. U.S. Army Corps of Engineers Waterways Experiment Station, Vicksburg, MS.

[4] U.S. Army Corps of Engineers. 2012. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0),* ed. J.S. Wakeley, R.W. Lichvar, and C.V. Noble. ERDC/EL TR-12-1. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

[5] *Federal Geographic Data Committee. 2013. Classification of wetlands and deepwater habitats of the United States. FGDC-STD-004-2013. Second Edition. Wetlands Subcommittee, Federal Geographic Data Committee and U.S. Fish and Wildlife Service, Washington, DC.*

[6] New England Hydric Soils Technical Committee. 2017. Field Indicators for Identifying Hydric Soils in New England (Version 4).

[7] Maine Department of Environmental Protection. 2009. Natural Resources Protection Act Chapter 310: Wetlands and Waterbodies Protection Rules. Bureau of Land and Water Quality, DEPLW0297-D2009.

[8] Maine Department of Environmental Protection. 2014. Natural Resources Protection Act Chapter 335: Significant Wildlife Habitat.

[9] U.S. Army Corps of Engineers. 2005. *Regulatory Guidance Letter: Ordinary High Water Mark Identification*. No. 05-05.

[10] U.S. Army Corps of Engineers. 2015. *33 Code of Federal Regulations, Part 328, "Waters of the United States"*.

detailed in the Maine Department of Environmental Protection (MDEP) watercourse identification guidance document[11]. Data was collected on flow regime, bankfull and OHWM width, dominant substrates, and evidence of biological use.

Stantec conducted seasonally appropriate vernal pool surveys in accordance with the Maine Association of Wetland Scientists' 2014 Vernal Pool Survey Protocol (April 2014), as well as the definitions set forth in Chapter 335, Significant Wildlife Habitat, of the NRPA and the Corps General Permit (GP).

In 2013 and 2014 Stantec completed wetland and watercourse delineations, and vernal pool surveys for approximately 56-acres of the south-central portion of Lot 31-29. Over time wetland boundaries can change and as such the Corps and the MDEP typically require that wetland delineations are completed or at least verified within five years of submittal of wetland data for project permitting. Since these delineations are five and six years old, Stantec re-surveyed this portion of the site to verify the wetland boundaries were still accurate. If current wetland or watercourse boundaries were observed to be inconsistent with the previous mapping, the boundaries were re-mapped and associated data was updated to reflect current site conditions.

Each delineated resource was assigned a unique alpha-numeric code. Wetland boundaries and watercourses delineated in 2019 were marked in the field with pink flagging. Previously mapped features observed to be accurate were not re-flagged. A global positioning system (GPS) receiver capable of sub-meter accuracy was used to locate the wetland, watercourse and vernal pool boundaries. Representative photographs were taken of each wetland, watercourse and vernal pool.

Stantec reviewed published mapping of the site and we observed that the coastal marsh is mapped by MDIFW as Tidal Waterfowl Wading Bird Habitat (TWWH), which is Significant Wildlife Habitat (SWH). We contacted MDIFW and MNAP and performed the USFWS Information for Planning and Consultation online review to request official maps, species lists, and habitat maps for the site.

3.0 SURVEY RESULTS

3.1 GENERAL SITE DESCRIPTION

The site consists of two properties, Tax Map/Lot 31-29 and the adjoining area on Lot 31-10 south of Miller Creek; encompassing approximately 90 acres. It is located along Miller Creek and Simpsons Point Road in Brunswick, Maine. The southern and western boundary of the property follows the coast of Middle Bay and abuts a tidal flat. The site is relatively undisturbed; however, there is an existing gravel road that runs north to south through the western side of the site, ending approximately 250 feet from the coast line. Other human disturbances observed are vehicle ruts from historic timber harvesting.

[11] Danielson, T. J. 2018. *Natural Resource Protection Act (NRPA) Streams, Rivers, and Brooks*. Maine Department of Environmental Protection, Augusta, ME.

The property is relatively flat and densely forested. The canopy of the forested uplands is composed of eastern white pine (*Pinus strobus*), northern red oak (*Quercus rubra*), American beech (*Fagus grandifolia*), paper birch (*Betula papyrifera*), red spruce (*Picea rubens*), and balsam fir (*Abies balsamea*). The upland sapling and shrub layer is dominated by species present in the canopy, as well as eastern hemlock (*Tsuga canadensis*). The upland herbaceous layer is dominated by lowbush blueberry (*Vaccinium angustifolium*), bracken fern (*Pteridium aquilinum*), princess-pine (*Lycopodium obscurum*), as well as seedlings of the canopy species described above.

The USDA Soil Survey of Cumberland County, Maine[12] depicts the site mapped as having three major soil types: Buxton silt loam, Suffield silt loam, and Scantic silt loam. Buxton and Suffield silt loam soils are glaciolacustrine deposits derived from siltstone and/or fine-silty marine deposits and are classified as moderately well drained. Scantic silt loam soils are derived from fine glaciolacustrine deposits and are classified as poorly drained. The areas along the immediate shoreline are mapped as eroded Buxton and Suffield silt loams. Portions of the coastline are steep, highly eroded and unstable. In 2016 an approximately 0.5-acre portion of the shoreline was stabilized.

3.2 WETLAND, WATERCOURSE AND VERNAL POOL DELINEATION AND VERIFICATION RESULTS

During surveys conducted on April 23 and 24, 2019, seventeen wetlands, six watercourses, and three vernal pools were delineated or confirmed from previous delineations. They were GPS-located within the site and are depicted on the attached map (Appendix A: Figure 2. Wetland and Vernal Pool Delineation Map). One of the mapped wetlands is the tidal wetland. These results are characterized in Table 1. Summary of Delineated Wetlands, Table 2. Summary of Delineated Streams, and Table 3. Summary of Vernal Pools. Representative Corps wetland determination data forms were collected and are included in Appendix B. State of Maine Vernal Pool Forms are included as Appendix C. Representative photographs of identified natural resources are included in Appendix D.

[12] Web Soil Survey, Natural Resources Conservation Service, United States Department of Agriculture. Available at: http://websoilsurvey.nrcs.usda.gov/ [accessed April 2013].

Table 1. Summary of Delineated Wetlands

Wetland Identifier	Wetland Classification[1]	Dominant Vegetation	Hydric Soil Criteria and Indicator	Evidence of Hydrology	Wetland of Special Significance (WoSS)	Wetland Delineation Details	Additional Comments
W1/W2/01RPA	PFO	Trees: red maple (*Acer rubrum*), red spruce (*Picea rubens*), balsam fir (*Abies balsamea*), eastern hemlock (*Tsuga canadensis*) Saplings / Shrubs: red maple, red spruce, balsam fir Herbs: cinnamon fern (*Osmundastrum cinnamomeum*), sensitive fern (*Onoclea sensibilis*)	F3b-Depleted matrix	Surface water, High water table, Soil saturation, Water stained leaves, Drainage patterns	Yes, portions within 250 feet of coastal wetland and within 25 feet of the stream	2013 mapped wetland, boundary verified and extended in 2019	Large PFO wetland that extends off-site. Stream 01RP (S-1) flows from northwest edge of wetland. Contains VP_01KN_N.
W01RPC	PFO	Trees: red maple, red spruce, balsam fir, green ash (*Fraxinus pennsylvanica)* Saplings / Shrubs: red maple, balsam fir Herbs: cinnamon fern, sensitive fern	F3b-Depleted matrix	Surface water, High water table, Soil saturation, Water stained leaves	Yes, portions within 250 feet of coastal wetland and within 25 feet of the stream	2019 mapped wetland	PFO wetland. Stream 02RP flows along and out of the wetland eastern edge.
W03	PFO	Trees: red maple, red spruce, balsam fir Saplings / Shrubs: red maple, red spruce, balsam fir Herbs: cinnamon fern, goldthread (*Coptis trifolia*)	F3b-Depleted matrix	Surface water, High water table, Soil saturation, Water stained leaves	fNo	2013 mapped wetland, boundary verified in 2019	Old logging road naturalized into small disturbed wetland
W04	PFO	Trees: red maple, American elm (*Ulmus Americana*), big-tooth aspen (*Populus grandidentata*), green ash Saplings / Shrubs: common winterberry (*Ilex verticillata*), balsam fir Herbs: cinnamon fern, sensitive fern, three-seeded sedge (*Carex trisperma*)	A2-Histic epipedon	Surface water, High water table, Soil saturation, Water stained leaves	Yes, portions within 250 feet of coastal wetland and within 25 feet of the stream	2013 mapped wetland, boundary verified in 2019	Large PFO wetland. Stream S-2 flows out of the wetland eastern edge. Contains VP_02KN_N and VP_03KN_N.
W05/01EBD	PEM	Trees: red maple (fringe), balsam fir (fringe), eastern white pine (*Pinus strobus*) Saplings / Shrubs: red maple Herbs: cinnamon fern, sensitive fern, spinulose wood fern (*Dryopteris carthusiana*)	F3b-Depleted matrix	High water table, Soil saturation	Yes, portions within 250 feet of coastal wetland	2013 mapped wetland, boundary modified in 2019	Disturbed wetland in old logging trail.
W06	PFO	Trees: red maple, balsam fir, red spruce, eastern white pine, yellow birch (*Betula alleghaniensis*) Saplings / Shrubs: red maple, red spruce, balsam fir, yellow birch Herbs: cinnamon fern, balsam fir, red spruce, greater bladder sedge (*Carex intumescens*)	F3b-Depleted matrix	Surface water, High water table, Soil saturation, Water stained leaves	Yes, portions within 250 feet of coastal wetland	2013 mapped wetland, boundary verified in 2019	PFO wetland with disturbance along edges from past timber harvesting.
W07	PFO	Trees: red maple, red spruce, balsam fir, eastern white pine Saplings / Shrubs: red maple, balsam fir, red spruce Herbs: three-seeded sedge, cinnamon fern, nodding sedge (*Carex gynandra*) goldthread	F2-Loamy gleyed matrix	Surface water, High water table, Soil saturation, Water stained leaves	Yes, portions within 250 feet of coastal wetland	2013 mapped wetland, boundary verified in 2019	PFO wetland with evidence of disturbance from past timber harvesting.

Wetland Identifier	Wetland Classification[1]	Dominant Vegetation	Hydric Soil Criteria and Indicator	Evidence of Hydrology	Wetland of Special Significance (WoSS)	Wetland Delineation Details	Additional Comments
W09/01EBE	E2EM / E2US / M2US	Trees: none Saplings / Shrubs: none Herbs: salt water chord grass (*Spartina alterniflora*), saltmarsh rush (*Juncus gerardii*), narrow-leaved cattail (*Typha angustifolia*), saltmeadow cordgrass (*Spartina patens*)	F2-Loamy gleyed matrix, Hydrogen sulfide	Surface water, High water table, Soil saturation, Hydrogen sulfide odor	Yes	2013 mapped wetland, boundary extended in 2019	Emergent coastal wetland and tidal mud flat. Mapped as Tidal Waterfowl and Wading Bird Habitat (TWWH).
W10/01EBA	PFO	Trees: red maple, balsam fir, red spruce, red oak (*Quercus rubra*) Saplings / shrubs: balsam fir, red spruce Herbs: cinnamon fern, goldthread	F3b-Depleted matrix	Surface water, High water table, Soil saturation, Water stained leaves	Yes, portions within 25 feet of the stream and within 250 feet of coastal wetland	2014 mapped wetland, boundary modified in 2019	PFO wetland depression. Stream S01EB drains flows out of the southwestern edge.
W11	PFO	Trees: balsam fir Saplings / shrubs: balsam fir Herbs: cinnamon fern, goldthread, Canada mayflower (*Maianthemum canadensis*), red maple	F2-Histic epipedon	Surface water, High water table, Soil saturation	Yes, portions within 250 feet of coastal wetland	2014 mapped wetland, boundary verified in 2019	Portion of the wetland bisected by old woods trail.
W12	PFO	Trees: balsam fir, red maple Saplings / shrubs: balsam fir Herbs: cinnamon fern, goldthread, New York fern (Parathelypteris novaboracensis), bluejoint grass (*Calamagrostis canadensis*)	F2-Histic epipedon	High water table, Soil saturation	Yes, portions within 250 feet of coastal wetland	2014 mapped wetland, boundary verified in 2019	Portion of the wetland crossed by old woods trail.
W01EBB	PFO	Trees: red maple, red oak Saplings / shrubs: red maple, red spruce Herbs: cinnamon fern	F3b-Depleted matrix	Surface water, High water table, Soil saturation	Yes, portions within 250 feet of coastal wetland	2019 mapped wetland	Isolated wetland depression south of wetland W10.
W01EBC	PFO	Trees: red maple, balsam fir, yellow birch Saplings / shrubs, common winterberry, highbush blueberry (*Vaccinium corymbosum*), balsam fir, yellow birch, red maple Herbs: cinnamon fern	F3b-Depleted matrix	Surface water, High water table, Soil saturation	Yes, portions within 250 feet of coastal wetland	2019 mapped wetland	Isolated wetland depression, old woods roads existing at western edge.
W01EBE	PFO	Trees: eastern white pine Saplings / shrubs: balsam fir, red spruce Herbs: sensitive fern, spinulose wood fern	F3b-Depleted matrix	High water table, Soil saturation	Yes, portions within 25 feet of the stream and within 250 feet of coastal wetland	2019 mapped wetland	Small floodplain wetland of stream S02EB, eastern white pine growing on hummock.

SURVEY RESULTS
May 23, 2019

Wetland Identifier	Wetland Classification[1]	Dominant Vegetation	Hydric Soil Criteria and Indicator	Evidence of Hydrology	Wetland of Special Significance (WoSS)	Wetland Delineation Details	Additional Comments
W01RKA	PEM	Trees: red maple, balsam fir, green ash, eastern hemlock*, big-tooth aspen* (fringe and sparse within wetland) Saplings / shrubs: Speckled alder (*Ainus incana*), winterberry Herbs: sensitive fern, interrupted fern (*Osmunda claytonia*), meadowsweet (*Spiraea latifolia*)	A11-Depleted below dark surface	Surface water, High water table, Soil saturation, Sediment deposits, Sparsely vegetated concave surface, Water-stained leaves, Drainage pattern, Geomorphic position	Yes, within 25 feet of the stream and within 250 feet of coastal wetland	2019 mapped wetland	Freshwater wetland riparian to stream S01RK, that drains to the coastal wetland. Bisected by constructed access road that partially washed out.
W01RKB	PEM	Trees: red maple, balsam fir, (fringe) Herbs: spinulose wood fern	F3b-Depleted Matrix	High water table, Soil saturation, Sediment deposits, Sparsely vegetated concave surface, Water-stained leaves, Drainage pattern, Geomorphic position	Yes, within 250 feet of coastal wetland	2019 mapped wetland	Freshwater wetland, side slope groundwater discharge that drains to the coastal wetland.
W01RKC	PEM	Trees: red maple, balsam fir (fringe) Herbs: sensitive fern, spinulose wood fern	F3b-Depleted Matrix	High water table, Soil saturation, Sediment deposits, Sparsely vegetated concave surface, Water-stained leaves, Drainage pattern	Yes, within 250 feet of coastal wetland	2019 mapped wetland	Isolated wetland depression, old woods road tire ruts.

[1] Wetland classification follows Cowardin et al. (1979):

PFO = Palustrine Forested

PEM = Palustrine Emergent

E2EM = Estuarine Intertidal Emergent

E2US = Estuarine Intertidal Unconsolidated Shore

M2US = Marine Intertidal Unconsolidated Shore

* = Morphological Adaptations

Table 2. Summary of Delineated Streams

Stream Identifier	Flow Type	Bankfull Width (ft)	Ordinary High Water Mark Width (ft)	Dominant Substrates	NRPA Stream	Additional notes
S01EB	Intermittent	3.5	2	Silt	Yes	Stream drains W10 and terminates in coastal wetland W09, aquatic macroinvertebrates observed, stream mapped in 2019
S02EB	Perennial	6	4	Sand, Silt	Yes	Stream terminates in coastal wetland W09, aquatic macroinvertebrates observed, stream mapped in 2019
S01RP/S1	Perennial	4	3	Gravel, Sand, Cobble	Yes	Stream drains W01RPA and terminates in coastal wetland W09, stream mapped in 2014, extended northern portion in 2019
S02RP	Intermittent	3	3	Gravel, Sand	Yes	Stream drains W01RPC, empties into culvert, which becomes S01RK across road, stream mapped in 2019
S03RP/S2	Perennial	8	6	Gravel, Sand, Cobble, Boulder	Yes	Stream empties into S01RP; Stream mapped in 2014, verified in 2019
S01RK	Intermittent	1.5 - 4	1.5 - 3	Silt, sand gravel	Yes	Stream S01RK begins at an access road culvert outlet, across road and an extension of stream S02RP. S01RK flows through wetland W01RKA and dissipates into the tidal marsh.

Table 3. Summary of Vernal Pools

Vernal Pool Identifier	MDEP Significant Vernal Pool	Corps Vernal Pool	Origin	Hydrology	Obligate Species Use and Abundance - 2019[1]	Additional Comments
VP_01KN_N	No	Yes	Natural	Ephemeral	Wood frog (*Lithobates sylvaticus*) egg masses: 0 / 0 Spotted salamander (*Ambystoma maculatum*) egg masses: 0 / 10 Blue-spotted salamander (*Ambystoma laterale*) egg masses: 0 / 0 Fairy shrimp (*Anostraca sp.*): Absent	Mapped in 2013: 4 wood frog and 2 spotted salamander egg masses. Mapped in 2019: 0 wood frog and 10 spotted salamander egg masses.
VP-02KN_N	No	No	Natural	Ephemeral	Wood frog egg masses: 0 / 0 Spotted salamander egg masses: 0 / 0 Blue-spotted salamander egg masses: 0 / 0 Fairy shrimp: Absent	Mapped in 2013: 2 wood frog egg masses. Visited in 2019: No indicator species present.
VP-03KN_N	No	No	Natural	Ephemeral	Wood frog egg masses: 0 / 0 Spotted salamander egg masses: 0 / 0 Blue-spotted salamander egg masses: 0 / 0 Fairy shrimp: Absent	Mapped in 2013: 1 wood frog egg mass. Origin is depression as the result of tree throw. Visited in 2019: No indicator species present.

[1] Two separate egg mass count numbers are present (e.g., 0 / 0). The first number represents the egg mass counts conducted during the first vernal pool survey event between April 22–23, 2019; the second number represents the egg mass count completed during the second vernal pool survey event on May 8, 2019.

3.3 WETLAND REGULATIONS

3.3.1 State and Federal Regulations

The Corps, and MDEP regulate the wetlands and waterbodies (e.g., streams) identified within the Project area. Under the provisions of Section 404 of the CWA, the Corps regulates dredging or filling within Waters of the United States, which include navigable waters and all their tributaries, adjacent wetlands, and other waters or wetlands where degradation or destruction could affect interstate or foreign commerce. The Corps has issued a GP for the State of Maine that merges the federal and state permit review process for many projects.

In Maine, wetlands and waterbodies, as well as other protected natural resources, are regulated under 38 M.R.S.A. §§ 480-A – 480-JJ, the NRPA. Projects that do not impact a wetland or projects that impact less than 4,300 square feet of wetland are usually exempt from NRPA Tier permitting requirements. This exemption does not apply if the impact is:

1. in, on, or over a coastal wetland, great pond, river, stream, or brook;
2. within 25 feet of those resources identified above, or is more than 25 feet and no erosion control is used;
3. in a shoreland zone or a wetland protected by the shoreland zone;
4. part of a wetland with more than 20,000 square feet of open water or emergent vegetation, except artificial impoundments;
5. in a peatland;
6. part of a larger project; or
7. in Significant Wildlife Habitat.

Typically projects with cumulative impacts to freshwater wetlands between 4,300 but less 15,000 square feet are eligible for review under the Tier 1 process. The Tier 2 review process applies to alterations that affect between 15,000 and 43,560 square feet (1 acre) of freshwater wetlands. Cumulative freshwater wetland impacts that exceed 1 acre typically require a Tier 3 review. Impacts to WoSS, rivers, streams, brooks, great ponds, and Significant Wildlife Habitat typically require an Individual Permit.

Based on Stantec's delineation, portions of the wetlands within the survey area meet the characteristics to be considered WoSS. This includes wetlands within 250 feet of the tidal wetland and portions of wetlands within 25 feet of an MDEP-regulated stream. All three watercourses identified within the survey area were created by the action of surface water, and therefore meet the MDEP definition of a stream.

3.3.2 Municipal Regulations

The Town of Brunswick (Town) Zoning Ordinance[13] defines the "Shoreland Area," which is a component of the Natural Resource Protection Zone (NRPZ), as: "*The land area located within two hundred and fifty (250) feet, horizontal distance, of the normal highwater line of any river; within 250 feet, horizontal distance, of the upland edge of a coastal wetland, including all areas affected by tidal action; within 250 feet of the upland edge of a freshwater wetland; or within seventy-five (75) feet, horizontal distance, of the normal high-water line of a stream.*"

Based on Stantec's site visit and the definitions given in the Town Zoning Ordinance, some of the mapped resources within the project area meet the definition of protected resources within the NRPZ. Specifically, Wetland W-01EBE meets the definition of a coastal wetland and mapped streams meet the definition of a stream. The freshwater wetlands, except W-01RKA and W-01RKB, however, do not meet the definition of a freshwater wetland because they are either forested wetlands, or less than 10 acres in size and not connected to a surface water body. W-01RKA and W-01RKB are non-forested and are connected to the tidal wetland. Therefore, the area within 250 feet of the coastal wetland and wetlands W-01RKA and W-01RKB, and the area within 75 feet of the streams would be considered part of the Shoreland Area. Land use activities within the NRPZ are required to conform to performance standards stated in the Town Ordinance. Stantec recommends further consultation with the Town Code Enforcement Officer to determine what restrictions would be placed on proposed development within the Project area.

To confirm the required setbacks for principle and accessory structures on the parcel in 2014, Terrence J. DeWan & Associates contacted Jeff Hutchinson, the Brunswick Code Enforcement Officer, to discuss the setbacks associated with the mapped TWWH adjacent to the property. According to the Town's GIS data layer, the high value habitat stops at a point in Miller Creek and does not wrap around Miller Point and continue to John Point. Mr. Hutchinson confirmed that a 250-foot setback would only be required from the area mapped as high value habitat on the Town's GIS data layer. Because the wetlands around Miller Point and in the cover between Miller Point and John Point are not mapped as high value, a 125-foot setback from the edge of the coastal wetland would be required for structures. Because the Town has updated the municipal zoning ordinance and MDIFW has updated habitat mapping we recommend that you confirm that the 125-foot setback in this area is still applicable.

[13] Town of Brunswick [Internet]. Zoning Ordinance, Town of Brunswick. [Updated 7 August 2017] Available at: http://www.brunswickme.org/departments/planning-development/zoning-ordinance-design-standards/ (Accessed 12 May 2019).

4.0 WILDIFE HABITAT DESKTOP ANAYLSIS

Stantec reviewed publicly available natural resource information by overlay of mapped features over the site boundary and aerial photography. The result was that the only mapped State of Maine SWH mapped on the site is the TWWH. This mapped feature extends inland to the limit of the tidal wetland/terrestrial boundary and does not include additional upland/terrestrial habitat as a buffer. Stantec also contacted MDIFW and MNAP to verify that the published mapping information is correct, and both verified that there are no SWH, rare or threatened plant communities or natural areas (Appendix E – Agency Correspondence). The site is within the known range of the Northern Long-eared bat (*Myotis septentrionalis*) which is a State listed Endangered and Federally listed Threatened species. Stantec conducted acoustic surveys between the nights of 15 – 18 July 2015, to support the shoreline stabilization project. Detectors operated successfully for two nights at each site, yielding a total of four detector nights that were analyzed. The results were that "*there was minimal presence of northern long-eared bat activity at the site based on 1 file identified as a northern long-eared bat at Site 1 only and a resulting MLE less than 0.05. Visual inspection confirmed that the file was a Myotis species, and although the file lacked the very high frequencies (>80 - 85 kHz) characteristic of northern long-eared bats, individual pulses in the file were steeper than those typical of little brown bats.*

The single file identified as a northern long-eared bat provides little indication of a specific type of bat activity, though the single recording is more likely to suggest shoreline foraging versus local roosting activity. Regardless, the single call certainly suggests a low overall activity level for the species at the site. Northern long-eared bats were not detected at the inland site, although activity of other bat species occurred there.". It is our understanding that in subsequent conversations between the King's representation and the municipality of Brunswick, it was agreed that the site is not classified as a known roosting site for this species.

5.0 NET SITE AREA CALCULATION FINDINGS

Stantec compiled the data required for a net site area (NSA) calculation. Even though the 2019 site survey included 10-acres of Lot 31-10, the NSA calculation was only performed for Lot 31-29. Stantec provided the acreage calculations for the freshwater wetland, tidal wetland, and streams based on our 2019 delineation. Correspondence with State and Federal agencies combined with our on-site investigations determined that there are no known wildlife habitats or natural communities that encumber land outside the tidal wetland. Owen Haskell, Inc. surveyors provided the area calculation for the sustained steep slopes, the boundary for the property maps, and the proposed private street right-of-way.

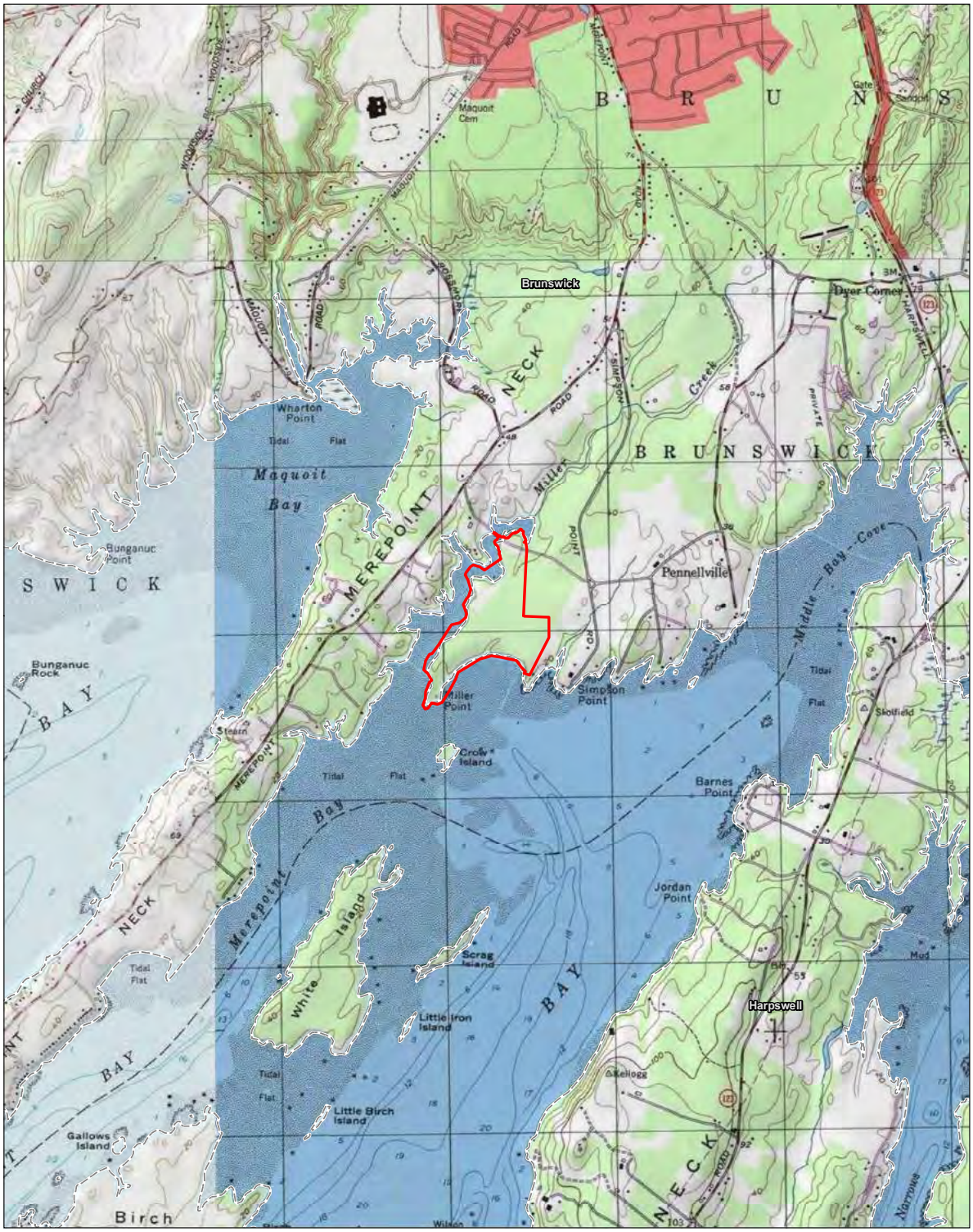
Net Site Area Calculation Findings
May 23, 2019

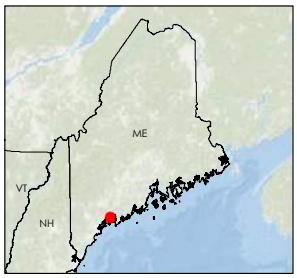
Stantec overlaid the boundaries of the features used to determine the NSA calculation to create a map (Appendix A: Figure 3: Net Site Area Map). Where features overlapped the area covered was only subtracted from the total area once. The aggregate of the encumbered property acreage was then subtracted from the total site acreage to determine the NSA.

Total Lot 31-29 Acreage:	81.32 = 100%
Encumbered Acreage:	37.93 = 46.64%
NSA Acreage:	**43.39 = 53.36%**

APPENDIX A

FIGURES





Legend
- Approximate Project Location
- Town Boundary

0 2,000 Feet
(At original document size of 11x17)
1:24,000

N

Stantec

Project Location Brunswick, Maine	Prepared by REM on 2019-04-25 TR by KWH on 2019-04-26 IR Review by RK on 2019-05-03
Client/Project	195601702

Sarah Witte, Landscape Architect
King Property - Miller Point
Brunswick, ME

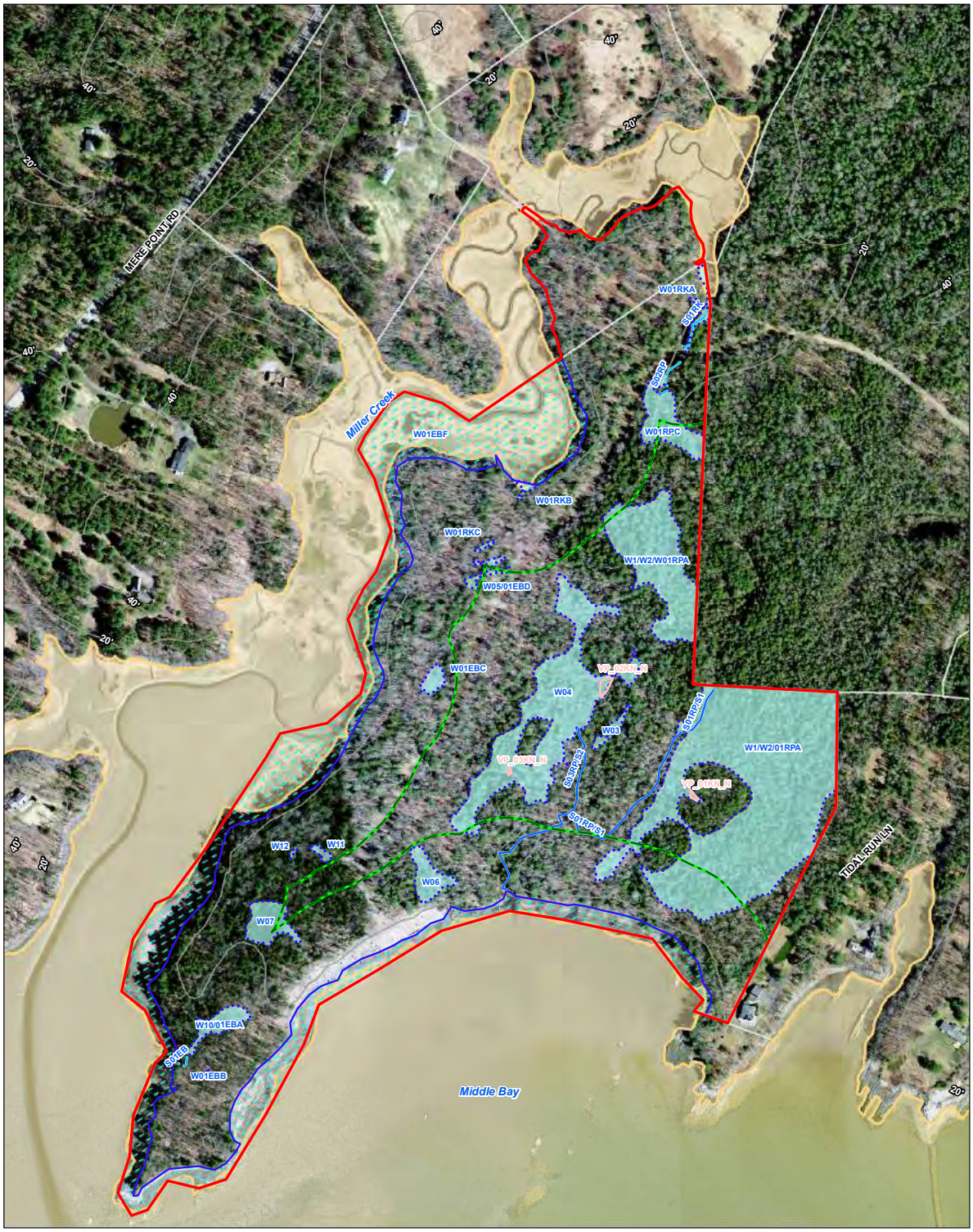
Figure No.
1

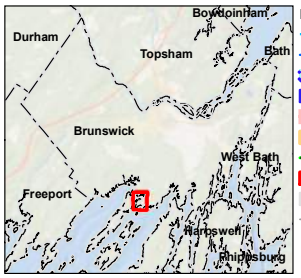
Title
Site Location Map

Notes
1. Coordinate System: NAD 1983 StatePlane Maine West FIPS 1802 Feet
2. Background: USGS Imagery/Topo provided by The National Map Mapping Service (http://basemap.nationalmap.gov/arcgis/services/USGSImageryTopo).

V:\1956\active\195601702\03_data\gis_cad\gis\MXDs\01702_01_SiteLocation.mxd Revised 2019-05-22 By: rmack

Disclaimer: This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.





Legend
- Delineated Intermittent Stream
- Delineated Perennial Stream
- Delineated Freshwater Wetland
- Delineated Tidal Wetland
- Vernal Pool Boundary
- Tidal Waterfowl and Wading Bird Habitat
- Coastal Shoreland Zone
- 2019 Survey Limits
- Property Boundary
- 10' Contour

0 350 Feet
(At original document size of 11x17)
1:4,200

N

Stantec

Project Location
Brunswick, Maine

Prepared by REM on 2019-04-25
TR by KWH on 2019-04-26
IR Review by RK on 2019-05-03

Client/Project
195601702

Sarah Witte, Landscape Architect
King Property - Miller Point
Brunswick, ME

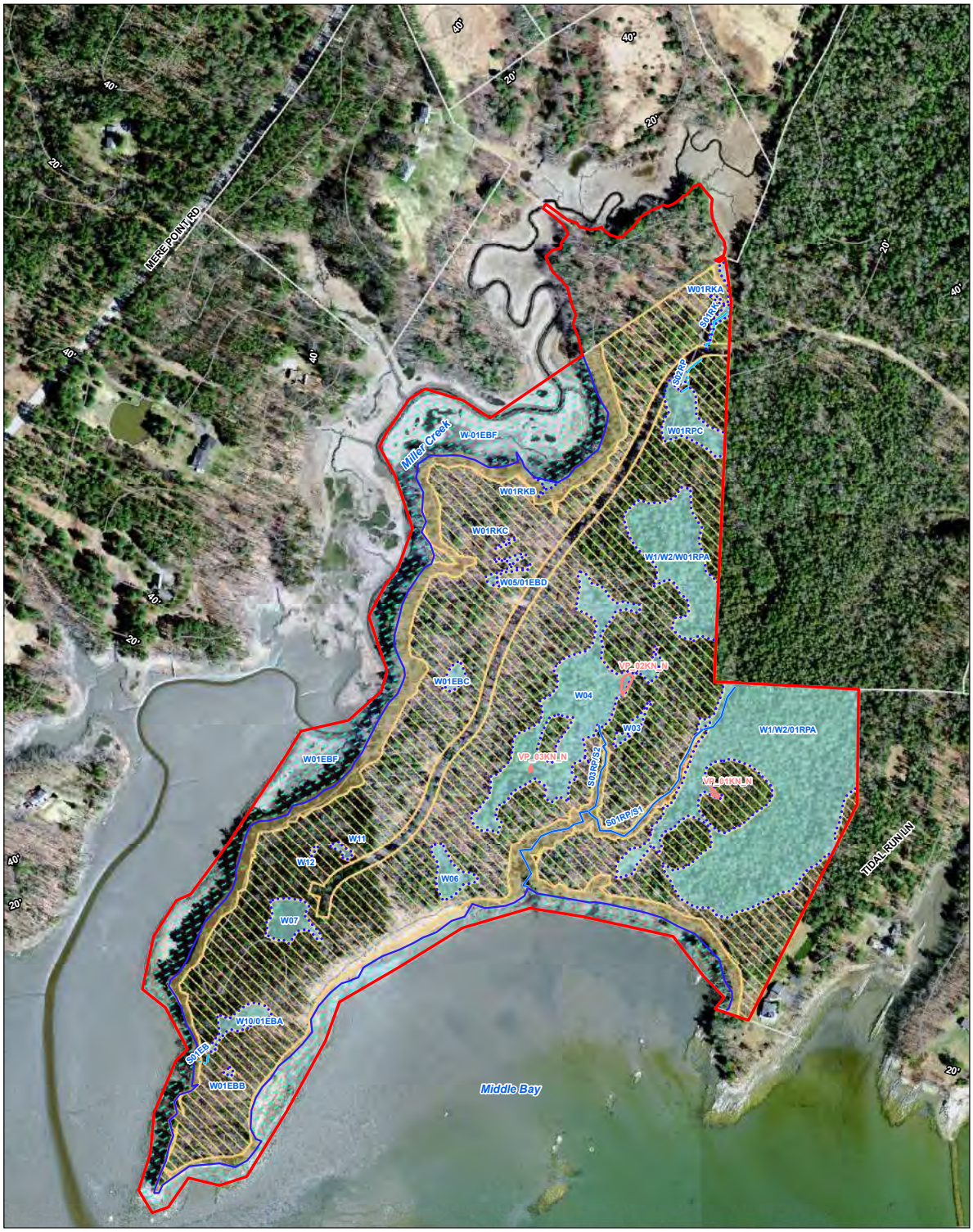
Figure No.
2

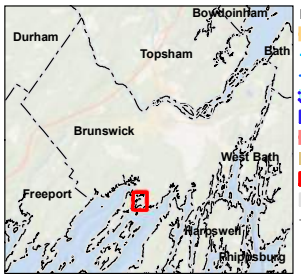
Title
Wetland and Vernal Pool Delineation Map

Notes
1. Wetland boundaries delineated in accordance with the USACE Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Regional Supplement (Version 2.0).
2. Wetland and stream boundaries were located utilizing a Trimble GeoExplorer Series Receiver. Expected accuracy of GPS data is within 1 meter of actual position.
3. Coordinate System: NAD 1983 StatePlane Maine West FIPS 1802 Feet
4. Data Source: Surveyed property boundaries provided by Owen Haskell, Inc. Contours obtained from the Maine Office of GIS (MEGIS). Tidal waterfowl and wading bird habitat provided by Maine Department of Inland Fisheries and Wildlife.
5. Background: Maine Orthoimagery Regional 2018

V:\1956\active\195601702\03_data\gis_cad\gis\MXDs\01702_02_WetlandDelin.mxd Revised: 2019-05-22 By: rmack

Disclaimer: This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.





Legend
- Net Site Area (approx. 1,889,997 SQ. FT.)
- Delineated Intermittent Stream
- Delineated Perennial Stream
- Delineated Freshwater Wetland
- Delineated Tidal Wetland
- Vernal Pool Boundary
- Steep Slopes - SWLA
- 2019 Survey Limits
- Property Boundary
- 10' Contour

0 350 Feet
(At original document size of 11x17)
1:4,200

N

Stantec

Project Location
Brunswick, Maine

Prepared by REM on 2019-04-25
TR by KWH on 2019-04-26
IR Review by RK on 2019-05-03

Client/Project
195601702

Sarah Witte, Landscape Architect
King Property - Miller Point
Brunswick, ME

Figure No.
3

Title
Net Site Area Map

Notes
1. Wetland boundaries delineated in accordance with the USACE Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Regional Supplement (Version 2.0).
2. Wetland and stream boundaries were located utilizing a Trimble GeoExplorer Series Receiver. Expected accuracy of GPS data is within 1 meter of actual position.
3. Coordinate System: NAD 1983 StatePlane Maine West FIPS 1802 Feet
4. Data Source: Steep slope data and surveyed property boundaries provided by Owen Haskell, Inc. Contours obtained from the Maine Office of GIS (MEGIS).
5. Background: Maine Orthoimagery Regional 2018

V:\1956\active\195601702\03_data\gis_cad\gis\MXDs\01702_03_NetSiteArea.mxd Revised: 2019-05-22 By: rmack

Disclaimer: This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.

APPENDIX B

CORPS WETLAND DETERMINATION DATA FORMS

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Miller Point City/County: Brunswick/Cumberland Sampling Date: 5/13/2019

Applicant/Owner: King Family State: ME Sampling Point: Upland

Investigator(s): Eben Baker Section, Township, Range: _____

Landform (hillslope, terrace,etc.): Depression Local relief (concave, convex, none): Concave Slope (%) 2 - 3

Subregion (LRR or MLRA): LRR R Lat: 43.855774 Long: -69.979789 Datum: NAD83

Soil Map Unit Name: _____ NWI Classification: UPL

Are climatic / hyrologic conditions on the site typical for this time of year? Yes X No ____ (if no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (if needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	if yes, optional Wetland Site ID: 01EBC
Wetland Hydrology Present?	Yes ____	No X	

Remarks: (Explain alternative procedures here or in a separate report.)

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required: check all that apply)

- ____ Surface Water (A1)
- ____ High Water Table (A2)
- ____ Saturation (A3)
- ____ Water Marks (B1)
- ____ Sediment Deposits (B2)
- ____ Drift Deposits (B3)
- ____ Algal Mat or Crust (B4)
- ____ Iron Deposits (B5)
- ____ Inundation Visible on Aerial Imagery (B7)
- ____ Sparsley Vegetated Concave Surface (B8)
- ____ Water-Stained Leaves (B9)
- ____ Aquatic Fauna (B13)
- ____ Marl Deposits (B15)
- ____ Hydrogen Sulfide Odor (C1)
- ____ Oxidized Rhizospheres on Living Roots (C3)
- ____ Presence of Reduced Iron (C4)
- ____ Recent Iron Reduction in Tilled Soils (C6)
- ____ Thin Muck Surface (C7)
- ____ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ____ Surface Soil Cracks (B6)
- ____ Drainage Patterns (B10)
- ____ Moss Trim Lines (B16)
- ____ Dry-Season Water Table (C2)
- ____ Crayfish Burrows (C8)
- ____ Saturation Visible in Aerial Imagery (C9)
- ____ Stunted or Stressed Plants (D1)
- ____ Geomorphic Position (D2)
- ____ Shallow Aquitard (D3)
- ____ Microtopographic Relief (D4)
- ____ FAC-Neutral Test (D5)

Surface Water Present?	Yes ____	No X	Depth (inches) ____	Wetland Hydrology Present? Yes ____ No X
Water Table Present?	Yes ____	No X	Depth (inches) ____	
Saturation Present?	Yes ____	No X	Depth (inches) ____	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION - Use scientific names of plants Sampling Point: **Upland**

Tree Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Acer rubrum	65	X	FAC
Abies balsamea	15		FAC
Populus grandidentata	10		FACU
	90 = Total Cover		

Shrub Stratum (Plot Size: 15'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Acer rubrum	10	X	FAC
Pinus strobus	10	X	FACU
Abies balsamea	10	X	FAC
	30 = Total Cover		

Herb Stratum (Plot Size: 5'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Maianthemum canadense	10	X	FACU
Trientalis borealis	5	X	FAC
	15 = Total Cover		

Woody Vine Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
	= Total Cover		

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 66.7% (A/B)

Prevalence Index Worksheet:

OBL species	0	x 1	0	
FACW species	0	x 2	0	
FAC species	105	x 3	315	
FACU species	30	x 4	120	
UPL species	0	x 5	0	
Column Totals	135	(A)	435	(B)

Prevalence Index = B/A = 3.22

Hydrophytic Vegetation Indicators:

- ____ 1- Rapid Test For Hydrophytic Vegetation
- X 2- Dominance Test is => 50%
- ____ 3- Prevalence Index is =< 3.0
- ____ 4- Morphological Adaptations
- ____ 5- Problematic Hydrophytic Vegetation

Definitions of Vegetation Strata:

Tree- Woody plants 3 in. (7.6cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub- Woody plants less than 3 in. DBH and greater than or equal to 3.28ft (1m) tall.

Herb- All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28ft tall.

Woody Vines- All woody vines greater than 3.28ft in height.

Hydrophytic Vegetation Present? Yes X No ____

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL Sampling Point: **Upland**

Depth (inches	Matrix Color	Matrix %	Redox Features Color	Redox %	Type	Loc	Texture	Remarks
0-2	2.5Y 3/2	100					Loam	
2-16	10YR 3/6	100					Silt Loam	
16-20	10YR 3/4	100					Silt Loam	

Hydric Soil Indicators:

____ Histosol (A1)
____ Histic Epipedon (A2)
____ Black Histic (A3)
____ Hydrogen Sulfide (A4)
____ Stratified Layers (A5)
____ Depleted Below Dark Surface (A11)
____ Thick Dark Surface (A12)
____ Sandy Mucky Mineral (S1)
____ Sandy Gleyed Matrix (S4)
____ Sandy Redox (S5)
____ Stripped Matrix (S6)
____ Dark Surface (S7)

____ Polyvalue Below Surface (B15)
____ Thin Dark Surface (S9)
____ Loamy Mucky Mineral (F1)
____ Loamy Gleyed Matric (F2)
____ Depleted Matrix (F3)
____ Redox Dark Surface (F6)
____ Depleted Dark Surface (F7)
____ Redox Depressions (F8)

Indicators for Problematic Soils:

____ 2 cm Muck (A10)
____ Coast Prarie Redox (A16)
____ 5 cm Mucky Peat or Peat (S3)
____ Dark Surface (S7)
____ Polyvalue Below Surface (S8)
____ Thin Dark Surface (S9)
____ Iron-Manganese Masses (F12)
____ Piedmont Floodplain Soils (F19)
____ Mesic Spodic (TA6)
____ Red Parent Material (F21)
____ Very Shallow Dark Surface (TF12)
____ Other (Explain in Remarks)

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ____ No X

Remarks:

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Miller Point City/County: Brunswick/Cumberland Sampling Date: 5/13/2019

Applicant/Owner: King Family State: ME Sampling Point: Wetland

Investigator(s): Eben Baker Section, Township, Range: _____

Landform (hillslope, terrace,etc.): Depression Local relief (concave, convex, none): Concave Slope (%) 0 - 2

Subregion (LRR or MLRA): LRR R Lat: 43.855818 Long: -69.979844 Datum: NAD83

Soil Map Unit Name: _____ NWI Classification: PFO

Are climatic / hyrologic conditions on the site typical for this time of year? Yes X No ____ (if no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (if needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X No ____	**Is the Sampled Area within a Wetland?**	Yes X No ____
Hydric Soil Present?	Yes X No ____	if yes, optional Wetland Site ID:	01EBC
Wetland Hydrology Present?	Yes X No ____		

Remarks: (Explain alternative procedures here or in a separate report.)

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required: check all that apply)

____	Surface Water (A1)	X	Water-Stained Leaves (B9)	____	Drainage Patterns (B10)
X	High Water Table (A2)	____	Aquatic Fauna (B13)	____	Moss Trim Lines (B16)
X	Saturation (A3)	____	Marl Deposits (B15)	____	Dry-Season Water Table (C2)
____	Water Marks (B1)	____	Hydrogen Sulfide Odor (C1)	____	Crayfish Burrows (C8)
____	Sediment Deposits (B2)	____	Oxidized Rhizospheres on Living Roots (C3)	____	Saturation Visible in Aerial Imagery (C9)
____	Drift Deposits (B3)	____	Presence of Reduced Iron (C4)	____	Stunted or Stressed Plants (D1)
____	Algal Mat or Crust (B4)	____	Recent Iron Reduction in Tilled Soils (C6)	____	Geomorphic Position (D2)
____	Iron Deposits (B5)	____	Thin Muck Surface (C7)	____	Shallow Aquitard (D3)
____	Inundation Visible on Aerial Imagery (B7)	____	Other (Explain in Remarks)	____	Microtopographic Relief (D4)
X	Sparsley Vegetated Concave Surface (B8)			____	FAC-Neutral Test (D5)

Secondary Indicators (minimum of two required)

____	Surface Soil Cracks (B6)

Surface Water Present?	Yes ____	No X	Depth (inches) ____	
Water Table Present?	Yes X	No ____	Depth (inches) 0	Wetland Hydrology Present? Yes X No ____
Saturation Present?	Yes X	No ____	Depth (inches) 0	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION - Use scientific names of plants Sampling Point: **Wetland**

Tree Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Acer rubrum	40	X	FAC
Betula alleghaniensis	20	X	FAC
Abies balsamea	10		FAC
	70 = Total Cover		

Shrub Stratum (Plot Size: 15'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Vaccinium corymbosum	30	X	FACW
Abies balsamea	10	X	FAC
	40 = Total Cover		

Herb Stratum (Plot Size: 5'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Osmundastrum cinnamomeum	10	X	FACW
Maianthemum canadense	2		FACU
	12 = Total Cover		

Woody Vine Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
	= Total Cover		

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 5 (A)

Total Number of Dominant Species Across All Strata: 5 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100% (A/B)

Prevalence Index Worksheet:

OBL species	0	x 1	0	
FACW species	40	x 2	80	
FAC species	80	x 3	240	
FACU species	2	x 4	8	
UPL species	0	x 5	0	
Column Totals	122	(A)	328	(B)

Prevalence Index = B/A = 2.69

Hydrophytic Vegetation Indicators:

- ____ 1- Rapid Test For Hydrophytic Vegetation
- X 2- Dominance Test is => 50%
- X 3- Prevalence Index is =< 3.0
- ____ 4- Morphological Adaptations
- ____ 5- Problematic Hydrophytic Vegetation

Definitions of Vegetation Strata:

Tree- Woody plants 3 in. (7.6cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub- Woody plants less than 3 in. DBH and greater than or equal to 3.28ft (1m) tall.

Herb- All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28ft tall.

Woody Vines- All woody vines greater than 3.28ft in height.

Hydrophytic Vegetation Present? Yes X No ____

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL Sampling Point: **Wetland**

Depth (inches	Matrix Color	Matrix %	Redox Features Color	Redox %	Type	Loc	Texture	Remarks
0-2	10YR 3/1	100					Loam	
2-6	5Y 5/1	95	10YR 3/4	5	C	M	Silt Loam	
6-20	5Y 5/1	90	10YR 4/6	10	C	M	Silty Clay Loam	

Hydric Soil Indicators:

- ____ Histosol (A1)
- ____ Histic Epipedon (A2)
- ____ Black Histic (A3)
- ____ Hydrogen Sulfide (A4)
- ____ Stratified Layers (A5)
- X Depleted Below Dark Surface (A11)
- ____ Thick Dark Surface (A12)
- ____ Sandy Mucky Mineral (S1)
- ____ Sandy Gleyed Matrix (S4)
- ____ Sandy Redox (S5)
- ____ Stripped Matrix (S6)
- ____ Dark Surface (S7)
- ____ Polyvalue Below Surface (B15)
- ____ Thin Dark Surface (S9)
- ____ Loamy Mucky Mineral (F1)
- ____ Loamy Gleyed Matric (F2)
- X Depleted Matrix (F3)
- ____ Redox Dark Surface (F6)
- ____ Depleted Dark Surface (F7)
- ____ Redox Depressions (F8)

Indicators for Problematic Soils:

- ____ 2 cm Muck (A10)
- ____ Coast Prarie Redox (A16)
- ____ 5 cm Mucky Peat or Peat (S3)
- ____ Dark Surface (S7)
- ____ Polyvalue Below Surface (S8)
- ____ Thin Dark Surface (S9)
- ____ Iron-Manganese Masses (F12)
- ____ Piedmont Floodplain Soils (F19)
- ____ Mesic Spodic (TA6)
- ____ Red Parent Material (F21)
- ____ Very Shallow Dark Surface (TF12)
- ____ Other (Explain in Remarks)

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes X No ____

Remarks:

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Miller Point City/County: Brunswick/Cumberland Sampling Date: 5/13/2019

Applicant/Owner: King Family State: ME Sampling Point: Upland

Investigator(s): Eben Baker Section, Township, Range: _____

Landform (hillslope, terrace,etc.): Terrace Local relief (concave, convex, none): Concave Slope (%) 1 - 2

Subregion (LRR or MLRA): LRR R Lat: 43.856978 Long: -69.978010 Datum: NAD83

Soil Map Unit Name: _____ NWI Classification: UPL

Are climatic / hyrologic conditions on the site typical for this time of year? Yes X No ____ (if no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (if needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	if yes, optional Wetland Site ID: 01EBD
Wetland Hydrology Present?	Yes ____	No X	

Remarks: (Explain alternative procedures here or in a separate report.)

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required: check all that apply)

- ____ Surface Water (A1)
- ____ High Water Table (A2)
- ____ Saturation (A3)
- ____ Water Marks (B1)
- ____ Sediment Deposits (B2)
- ____ Drift Deposits (B3)
- ____ Algal Mat or Crust (B4)
- ____ Iron Deposits (B5)
- ____ Inundation Visible on Aerial Imagery (B7)
- ____ Sparsley Vegetated Concave Surface (B8)
- ____ Water-Stained Leaves (B9)
- ____ Aquatic Fauna (B13)
- ____ Marl Deposits (B15)
- ____ Hydrogen Sulfide Odor (C1)
- ____ Oxidized Rhizospheres on Living Roots (C3)
- ____ Presence of Reduced Iron (C4)
- ____ Recent Iron Reduction in Tilled Soils (C6)
- ____ Thin Muck Surface (C7)
- ____ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ____ Surface Soil Cracks (B6)
- ____ Drainage Patterns (B10)
- ____ Moss Trim Lines (B16)
- ____ Dry-Season Water Table (C2)
- ____ Crayfish Burrows (C8)
- ____ Saturation Visible in Aerial Imagery (C9)
- ____ Stunted or Stressed Plants (D1)
- ____ Geomorphic Position (D2)
- ____ Shallow Aquitard (D3)
- ____ Microtopographic Relief (D4)
- ____ FAC-Neutral Test (D5)

Surface Water Present?	Yes ____	No X	Depth (inches) ____	Wetland Hydrology Present? Yes ____ No X
Water Table Present?	Yes ____	No X	Depth (inches) ____	
Saturation Present?	Yes ____	No X	Depth (inches) ____	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION - Use scientific names of plants Sampling Point: **Upland**

Tree Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Pinus strobus	60	X	FACU
Acer rubrum	20	X	FAC
	80	= Total Cover	

Shrub Stratum (Plot Size: 15'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Pinus strobus	35	X	FACU
Abies balsamea	5		FAC
Berberis thunbergii	5		FACU
	45	= Total Cover	

Herb Stratum (Plot Size: 5'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Dryopteris intermedia	10	X	FAC
Trientalis borealis	5	X	FAC
Maianthemum canadense	3		FACU
Aralia nudicaulis	2		FACU
	20	= Total Cover	

Woody Vine Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
		= Total Cover	

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 5 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 60% (A/B)

Prevalence Index Worksheet:

OBL species	0	x 1	0	
FACW species	0	x 2	0	
FAC species	40	x 3	120	
FACU species	105	x 4	420	
UPL species	0	x 5	0	
Column Totals	145	(A)	540	(B)

Prevalence Index = B/A = 3.72

Hydrophytic Vegetation Indicators:

- ____ 1- Rapid Test For Hydrophytic Vegetation
- X 2- Dominance Test is => 50%
- ____ 3- Prevalence Index is =< 3.0
- ____ 4- Morphological Adaptations
- ____ 5- Problematic Hydrophytic Vegetation

Definitions of Vegetation Strata:

Tree- Woody plants 3 in. (7.6cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub- Woody plants less than 3 in. DBH and greater than or equal to 3.28ft (1m) tall.

Herb- All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28ft tall.

Woody Vines- All woody vines greater than 3.28ft in height.

Hydrophytic Vegetation Present? Yes X No ____

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL Sampling Point: **Upland**

Depth (inches	Matrix Color	Matrix %	Redox Features Color	Redox %	Type	Loc	Texture	Remarks
0-13	2.5Y 4/3	100					Silt Loam	
13-20	5Y 5/1	90	10YR 4/6	10	C	M	Silty Clay Loam	

Hydric Soil Indicators:

____ Histosol (A1)
____ Histic Epipedon (A2)
____ Black Histic (A3)
____ Hydrogen Sulfide (A4)
____ Stratified Layers (A5)
____ Depleted Below Dark Surface (A11)
____ Thick Dark Surface (A12)
____ Sandy Mucky Mineral (S1)
____ Sandy Gleyed Matrix (S4)
____ Sandy Redox (S5)
____ Stripped Matrix (S6)
____ Dark Surface (S7)

____ Polyvalue Below Surface (B15)
____ Thin Dark Surface (S9)
____ Loamy Mucky Mineral (F1)
____ Loamy Gleyed Matric (F2)
____ Depleted Matrix (F3)
____ Redox Dark Surface (F6)
____ Depleted Dark Surface (F7)
____ Redox Depressions (F8)

Indicators for Problematic Soils:

____ 2 cm Muck (A10)
____ Coast Prarie Redox (A16)
____ 5 cm Mucky Peat or Peat (S3)
____ Dark Surface (S7)
____ Polyvalue Below Surface (S8)
____ Thin Dark Surface (S9)
____ Iron-Manganese Masses (F12)
____ Piedmont Floodplain Soils (F19)
____ Mesic Spodic (TA6)
____ Red Parent Material (F21)
____ Very Shallow Dark Surface (TF12)
____ Other (Explain in Remarks)

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ____ No X

Remarks:

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Miller Point City/County: Brunswick/Cumberland Sampling Date: 5/13/2019

Applicant/Owner: King Family State: ME Sampling Point: Wetland

Investigator(s): Eben Baker Section, Township, Range: _____

Landform (hillslope, terrace,etc.): Terrace Local relief (concave, convex, none): Concave Slope (%) 0 - 2

Subregion (LRR or MLRA): LRR R Lat: 43.856993 Long: -69.979091 Datum: NAD83

Soil Map Unit Name: _____ NWI Classification: PEM

Are climatic / hyrologic conditions on the site typical for this time of year? Yes X No ____ (if no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (if needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X No ____	**Is the Sampled Area within a Wetland?**	Yes X No ____
Hydric Soil Present?	Yes X No ____	if yes, optional Wetland Site ID:	01EBD
Wetland Hydrology Present?	Yes X No ____		

Remarks: (Explain alternative procedures here or in a separate report.)

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required: check all that apply)

____	Surface Water (A1)	X	Water-Stained Leaves (B9)	____	Drainage Patterns (B10)
X	High Water Table (A2)	____	Aquatic Fauna (B13)	____	Moss Trim Lines (B16)
X	Saturation (A3)	____	Marl Deposits (B15)	____	Dry-Season Water Table (C2)
____	Water Marks (B1)	____	Hydrogen Sulfide Odor (C1)	____	Crayfish Burrows (C8)
____	Sediment Deposits (B2)	____	Oxidized Rhizospheres on Living Roots (C3)	____	Saturation Visible in Aerial Imagery (C9)
____	Drift Deposits (B3)	____	Presence of Reduced Iron (C4)	____	Stunted or Stressed Plants (D1)
____	Algal Mat or Crust (B4)	____	Recent Iron Reduction in Tilled Soils (C6)	____	Geomorphic Position (D2)
____	Iron Deposits (B5)	____	Thin Muck Surface (C7)	____	Shallow Aquitard (D3)
____	Inundation Visible on Aerial Imagery (B7)	____	Other (Explain in Remarks)	____	Microtopographic Relief (D4)
____	Sparsley Vegetated Concave Surface (B8)			____	FAC-Neutral Test (D5)

Secondary Indicators (minimum of two required)

____	Surface Soil Cracks (B6)

Surface Water Present?	Yes ____	No X	Depth (inches) ____	Wetland Hydrology Present?	Yes X No ____
Water Table Present?	Yes X	No ____	Depth (inches) 0		
Saturation Present?	Yes X	No ____	Depth (inches) 0		

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION - Use scientific names of plants Sampling Point: **Wetland**

Tree Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
		= Total Cover	

Shrub Stratum (Plot Size: 15'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Acer rubrum	10	X	FAC
	10	= Total Cover	

Herb Stratum (Plot Size: 5'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Onoclea sensibilis	50	X	FACW
Dryopteris carthusiana	15	X	FACW
Osmundastrum cinnamomeum	10		FACW
	75	= Total Cover	

Woody Vine Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
		= Total Cover	

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100% (A/B)

Prevalence Index Worksheet:

OBL species	0	x 1	0	
FACW species	75	x 2	150	
FAC species	10	x 3	30	
FACU species	0	x 4	0	
UPL species	0	x 5	0	
Column Totals	85	(A)	180	(B)

Prevalence Index = B/A = 2.12

Hydrophytic Vegetation Indicators:

- ____ 1- Rapid Test For Hydrophytic Vegetation
- X 2- Dominance Test is => 50%
- X 3- Prevalence Index is =< 3.0
- ____ 4- Morphological Adaptations
- ____ 5- Problematic Hydrophytic Vegetation

Definitions of Vegetation Strata:

Tree- Woody plants 3 in. (7.6cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub- Woody plants less than 3 in. DBH and greater than or equal to 3.28ft (1m) tall.

Herb- All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28ft tall.

Woody Vines- All woody vines greater than 3.28ft in height.

Hydrophytic Vegetation Present? Yes X No ____

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL Sampling Point: **Wetland**

Depth (inches	Matrix Color	Matrix %	Redox Features Color	Redox %	Type	Loc	Texture	Remarks
0-2	2.5Y 3/2	100					Loam	
2-10	2.5Y 5/2	95	10YR 4/6	5	C	M	Silt Loam	
10-20	5Y 5/1	90	10YR 4/6	10	C	M	Silty Clay Loam	

Hydric Soil Indicators:

- ____ Histosol (A1)
- ____ Histic Epipedon (A2)
- ____ Black Histic (A3)
- ____ Hydrogen Sulfide (A4)
- ____ Stratified Layers (A5)
- X Depleted Below Dark Surface (A11)
- ____ Thick Dark Surface (A12)
- ____ Sandy Mucky Mineral (S1)
- ____ Sandy Gleyed Matrix (S4)
- ____ Sandy Redox (S5)
- ____ Stripped Matrix (S6)
- ____ Dark Surface (S7)
- ____ Polyvalue Below Surface (B15)
- ____ Thin Dark Surface (S9)
- ____ Loamy Mucky Mineral (F1)
- ____ Loamy Gleyed Matric (F2)
- X Depleted Matrix (F3)
- ____ Redox Dark Surface (F6)
- ____ Depleted Dark Surface (F7)
- ____ Redox Depressions (F8)

Indicators for Problematic Soils:

- ____ 2 cm Muck (A10)
- ____ Coast Prarie Redox (A16)
- ____ 5 cm Mucky Peat or Peat (S3)
- ____ Dark Surface (S7)
- ____ Polyvalue Below Surface (S8)
- ____ Thin Dark Surface (S9)
- ____ Iron-Manganese Masses (F12)
- ____ Piedmont Floodplain Soils (F19)
- ____ Mesic Spodic (TA6)
- ____ Red Parent Material (F21)
- ____ Very Shallow Dark Surface (TF12)
- ____ Other (Explain in Remarks)

Restrictive Layer (if observed):

Type: Massive/Dense

Depth (inches): 12

Hydric Soil Present? Yes X No ____

Remarks:

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Miller Point City/County: Brunswick/Cumberland Sampling Date: 5/13/2019

Applicant/Owner: King Family State: ME Sampling Point: Upland

Investigator(s): Eben Baker Section, Township, Range: _____

Landform (hillslope, terrace,etc.): Rise Local relief (concave, convex, none): Concave Slope (%) 1 - 2

Subregion (LRR or MLRA): LRR R Lat: 43.857832 Long: -69.977940 Datum: NAD83

Soil Map Unit Name: _____ NWI Classification: UPL

Are climatic / hyrologic conditions on the site typical for this time of year? Yes X No ____ (if no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (if needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____ No X	**Is the Sampled Area within a Wetland?**	Yes ____ No X
Hydric Soil Present?	Yes ____ No X	if yes, optional Wetland Site ID:	01RPA
Wetland Hydrology Present?	Yes ____ No X		

Remarks: (Explain alternative procedures here or in a separate report.)

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required: check all that apply)

- ____ Surface Water (A1)
- ____ High Water Table (A2)
- ____ Saturation (A3)
- ____ Water Marks (B1)
- ____ Sediment Deposits (B2)
- ____ Drift Deposits (B3)
- ____ Algal Mat or Crust (B4)
- ____ Iron Deposits (B5)
- ____ Inundation Visible on Aerial Imagery (B7)
- ____ Sparsley Vegetated Concave Surface (B8)
- ____ Water-Stained Leaves (B9)
- ____ Aquatic Fauna (B13)
- ____ Marl Deposits (B15)
- ____ Hydrogen Sulfide Odor (C1)
- ____ Oxidized Rhizospheres on Living Roots (C3)
- ____ Presence of Reduced Iron (C4)
- ____ Recent Iron Reduction in Tilled Soils (C6)
- ____ Thin Muck Surface (C7)
- ____ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ____ Surface Soil Cracks (B6)
- ____ Drainage Patterns (B10)
- ____ Moss Trim Lines (B16)
- ____ Dry-Season Water Table (C2)
- ____ Crayfish Burrows (C8)
- ____ Saturation Visible in Aerial Imagery (C9)
- ____ Stunted or Stressed Plants (D1)
- ____ Geomorphic Position (D2)
- ____ Shallow Aquitard (D3)
- ____ Microtopographic Relief (D4)
- ____ FAC-Neutral Test (D5)

Surface Water Present?	Yes ____ No X	Depth (inches) ____	Wetland Hydrology Present? Yes ____ No X
Water Table Present?	Yes ____ No X	Depth (inches) ____	
Saturation Present?	Yes ____ No X	Depth (inches) ____	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION - Use scientific names of plants Sampling Point: **Upland**

Tree Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Picea rubens	65	X	FACU
Pinus strobus	20	X	FACU
Abies balsamea	10		FAC
	95	= Total Cover	

Shrub Stratum (Plot Size: 15'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Picea rubens	20	X	FACU
Abies balsamea	10	X	FAC
	30	= Total Cover	

Herb Stratum (Plot Size: 5'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Maianthemum canadense	5	X	FACU
	5	= Total Cover	

Woody Vine Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
		= Total Cover	

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 5 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 20% (A/B)

Prevalence Index Worksheet:

OBL species	0	x 1	0	
FACW species	0	x 2	0	
FAC species	20	x 3	60	
FACU species	110	x 4	440	
UPL species	0	x 5	0	
Column Totals	130	(A)	500	(B)

Prevalence Index = B/A = 3.85

Hydrophytic Vegetation Indicators:

____ 1- Rapid Test For Hydrophytic Vegetation

____ 2- Dominance Test is => 50%

____ 3- Prevalence Index is =< 3.0

____ 4- Morphological Adaptations

____ 5- Problematic Hydrophytic Vegetation

Definitions of Vegetation Strata:

Tree- Woody plants 3 in. (7.6cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub- Woody plants less than 3 in. DBH and greater than or equal to 3.28ft (1m) tall.

Herb- All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28ft tall.

Woody Vines- All woody vines greater than 3.28ft in height.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL Sampling Point: **Upland**

Depth (inches	Matrix Color	Matrix %	Redox Features Color	Redox %	Type	Loc	Texture	Remarks
0-3	10YR 2/1	100					Loam	
3-10	2.5Y 4/3	100					Silt Loam	
10-15	10YR 4/3	100					Silt Loam	
15-20	5Y 4/1	98	10YR 4/6	2	C	M	Silty Clay Loam	

Hydric Soil Indicators:

____ Histosol (A1)
____ Histic Epipedon (A2)
____ Black Histic (A3)
____ Hydrogen Sulfide (A4)
____ Stratified Layers (A5)
____ Depleted Below Dark Surface (A11)
____ Thick Dark Surface (A12)
____ Sandy Mucky Mineral (S1)
____ Sandy Gleyed Matrix (S4)
____ Sandy Redox (S5)
____ Stripped Matrix (S6)
____ Dark Surface (S7)

____ Polyvalue Below Surface (B15)
____ Thin Dark Surface (S9)
____ Loamy Mucky Mineral (F1)
____ Loamy Gleyed Matric (F2)
____ Depleted Matrix (F3)
____ Redox Dark Surface (F6)
____ Depleted Dark Surface (F7)
____ Redox Depressions (F8)

Indicators for Problematic Soils:

____ 2 cm Muck (A10)
____ Coast Prarie Redox (A16)
____ 5 cm Mucky Peat or Peat (S3)
____ Dark Surface (S7)
____ Polyvalue Below Surface (S8)
____ Thin Dark Surface (S9)
____ Iron-Manganese Masses (F12)
____ Piedmont Floodplain Soils (F19)
____ Mesic Spodic (TA6)
____ Red Parent Material (F21)
____ Very Shallow Dark Surface (TF12)
____ Other (Explain in Remarks)

Restrictive Layer (if observed):

Type: Massive/Dense
Depth (inches): 15

Hydric Soil Present? Yes ____ No X

Remarks:

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Miller Point City/County: Brunswick/Cumberland Sampling Date: 5/13/2019

Applicant/Owner: King Family State: ME Sampling Point: Wetland

Investigator(s): Eben Baker Section, Township, Range: _____

Landform (hillslope, terrace,etc.): Depression Local relief (concave, convex, none): Concave Slope (%) 0 - 2

Subregion (LRR or MLRA): LRR R Lat: 43.857259 Long: -69.977674 Datum: NAD83

Soil Map Unit Name: _____ NWI Classification: PFO

Are climatic / hyrologic conditions on the site typical for this time of year? Yes X No ____ (if no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (if needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X No ____	**Is the Sampled Area within a Wetland?**	Yes X No ____
Hydric Soil Present?	Yes X No ____	if yes, optional Wetland Site ID:	01RPA
Wetland Hydrology Present?	Yes X No ____		

Remarks: (Explain alternative procedures here or in a separate report.)

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required: check all that apply)

	Surface Water (A1)	X	Water-Stained Leaves (B9)		Secondary Indicators (minimum of two required)
X	High Water Table (A2)		Aquatic Fauna (B13)		Surface Soil Cracks (B6)
X	Saturation (A3)		Marl Deposits (B15)		Drainage Patterns (B10)
	Water Marks (B1)		Hydrogen Sulfide Odor (C1)		Moss Trim Lines (B16)
	Sediment Deposits (B2)		Oxidized Rhizospheres on Living Roots (C3)		Dry-Season Water Table (C2)
	Drift Deposits (B3)		Presence of Reduced Iron (C4)		Crayfish Burrows (C8)
	Algal Mat or Crust (B4)		Recent Iron Reduction in Tilled Soils (C6)		Saturation Visible in Aerial Imagery (C9)
	Iron Deposits (B5)		Thin Muck Surface (C7)		Stunted or Stressed Plants (D1)
	Inundation Visible on Aerial Imagery (B7)		Other (Explain in Remarks)		Geomorphic Position (D2)
	Sparsley Vegetated Concave Surface (B8)				Shallow Aquitard (D3)
				X	Microtopographic Relief (D4)
					FAC-Neutral Test (D5)

Surface Water Present?	Yes ____	No X	Depth (inches) ____	
Water Table Present?	Yes X	No ____	Depth (inches) 0	Wetland Hydrology Present? Yes X No ____
Saturation Present?	Yes X	No ____	Depth (inches) 0	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION - Use scientific names of plants Sampling Point: **Wetland**

Tree Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Abies balsamea	30	X	FAC
Picea rubens	30	X	FACU
Acer rubrum	15	X	FAC
	75	= Total Cover	

Shrub Stratum (Plot Size: 15'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Picea rubens	20	X	FACU
Abies balsamea	10	X	FAC
	30	= Total Cover	

Herb Stratum (Plot Size: 5'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Osmundastrum cinnamomeum	25	X	FACW
	25	= Total Cover	

Woody Vine Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
		= Total Cover	

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 66.7% (A/B)

Prevalence Index Worksheet:

OBL species	0	x 1	0	
FACW species	25	x 2	50	
FAC species	55	x 3	165	
FACU species	50	x 4	200	
UPL species	0	x 5	0	
Column Totals	130	(A)	415	(B)

Prevalence Index = B/A = 3.19

Hydrophytic Vegetation Indicators:

- ____ 1- Rapid Test For Hydrophytic Vegetation
- X 2- Dominance Test is => 50%
- ____ 3- Prevalence Index is =< 3.0
- ____ 4- Morphological Adaptations
- ____ 5- Problematic Hydrophytic Vegetation

Definitions of Vegetation Strata:

Tree- Woody plants 3 in. (7.6cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub- Woody plants less than 3 in. DBH and greater than or equal to 3.28ft (1m) tall.

Herb- All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28ft tall.

Woody Vines- All woody vines greater than 3.28ft in height.

Hydrophytic Vegetation Present? Yes X No ____

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL Sampling Point: **Wetland**

Depth (inches	Matrix Color	Matrix %	Redox Features Color	Redox %	Type	Loc	Texture	Remarks
0-10	5Y 4/1	98	2.5Y 5/4	2	C	M	Silt Loam	
10-20	5Y 5/1	85	10YR 4/6	15	C	M	Silty Clay Loam	

Hydric Soil Indicators:

- ____ Histosol (A1)
- ____ Histic Epipedon (A2)
- ____ Black Histic (A3)
- ____ Hydrogen Sulfide (A4)
- ____ Stratified Layers (A5)
- ____ Depleted Below Dark Surface (A11)
- ____ Thick Dark Surface (A12)
- ____ Sandy Mucky Mineral (S1)
- ____ Sandy Gleyed Matrix (S4)
- ____ Sandy Redox (S5)
- ____ Stripped Matrix (S6)
- ____ Dark Surface (S7)
- ____ Polyvalue Below Surface (B15)
- ____ Thin Dark Surface (S9)
- ____ Loamy Mucky Mineral (F1)
- ____ Loamy Gleyed Matric (F2)
- X Depleted Matrix (F3)
- ____ Redox Dark Surface (F6)
- ____ Depleted Dark Surface (F7)
- ____ Redox Depressions (F8)

Indicators for Problematic Soils:

- ____ 2 cm Muck (A10)
- ____ Coast Prarie Redox (A16)
- ____ 5 cm Mucky Peat or Peat (S3)
- ____ Dark Surface (S7)
- ____ Polyvalue Below Surface (S8)
- ____ Thin Dark Surface (S9)
- ____ Iron-Manganese Masses (F12)
- ____ Piedmont Floodplain Soils (F19)
- ____ Mesic Spodic (TA6)
- ____ Red Parent Material (F21)
- ____ Very Shallow Dark Surface (TF12)
- ____ Other (Explain in Remarks)

Restrictive Layer (if observed):

Type: Massive/Dense

Depth (inches): 10

Hydric Soil Present? Yes X No ____

Remarks:

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Miller Point City/County: Brunswick/Cumberland Sampling Date: 5/13/2019

Applicant/Owner: King Family State: ME Sampling Point: Upland

Investigator(s): Eben Baker Section, Township, Range: _____

Landform (hillslope, terrace,etc.): Rise Local relief (concave, convex, none): Convex Slope (%) 2 - 3

Subregion (LRR or MLRA): LRR R Lat: 43.854500 Long: -69.976764 Datum: NAD83

Soil Map Unit Name: _____ NWI Classification: UPL

Are climatic / hyrologic conditions on the site typical for this time of year? Yes X No ____ (if no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (if needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____ No X	**Is the Sampled Area within a Wetland?**	Yes ____ No X
Hydric Soil Present?	Yes ____ No X	if yes, optional Wetland Site ID:	W01
Wetland Hydrology Present?	Yes ____ No X		

Remarks: (Explain alternative procedures here or in a separate report.)

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required: check all that apply)

- ____ Surface Water (A1)
- ____ High Water Table (A2)
- ____ Saturation (A3)
- ____ Water Marks (B1)
- ____ Sediment Deposits (B2)
- ____ Drift Deposits (B3)
- ____ Algal Mat or Crust (B4)
- ____ Iron Deposits (B5)
- ____ Inundation Visible on Aerial Imagery (B7)
- ____ Sparsley Vegetated Concave Surface (B8)
- ____ Water-Stained Leaves (B9)
- ____ Aquatic Fauna (B13)
- ____ Marl Deposits (B15)
- ____ Hydrogen Sulfide Odor (C1)
- ____ Oxidized Rhizospheres on Living Roots (C3)
- ____ Presence of Reduced Iron (C4)
- ____ Recent Iron Reduction in Tilled Soils (C6)
- ____ Thin Muck Surface (C7)
- ____ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ____ Surface Soil Cracks (B6)
- ____ Drainage Patterns (B10)
- ____ Moss Trim Lines (B16)
- ____ Dry-Season Water Table (C2)
- ____ Crayfish Burrows (C8)
- ____ Saturation Visible in Aerial Imagery (C9)
- ____ Stunted or Stressed Plants (D1)
- ____ Geomorphic Position (D2)
- ____ Shallow Aquitard (D3)
- ____ Microtopographic Relief (D4)
- ____ FAC-Neutral Test (D5)

Surface Water Present?	Yes ____ No X	Depth (inches) ____	Wetland Hydrology Present? Yes ____ No X
Water Table Present?	Yes ____ No X	Depth (inches) ____	
Saturation Present?	Yes ____ No X	Depth (inches) ____	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION - Use scientific names of plants Sampling Point: **Upland**

Tree Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Picea rubens	75	X	FACU
Acer rubrum	10		FAC
Betula alleghaniensis	5		FAC
	90	= Total Cover	

Shrub Stratum (Plot Size: 15'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Picea rubens	20	X	FACU
	20	= Total Cover	

Herb Stratum (Plot Size: 5'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Pinus strobus	5	X	FACU
Abies balsamea	2	X	FAC
	7	= Total Cover	

Woody Vine Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
		= Total Cover	

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 25% (A/B)

Prevalence Index Worksheet:

OBL species	0	x 1	0	
FACW species	0	x 2	0	
FAC species	17	x 3	51	
FACU species	100	x 4	400	
UPL species	0	x 5	0	
Column Totals	117	(A)	451	(B)

Prevalence Index = B/A = 3.85

Hydrophytic Vegetation Indicators:

____ 1- Rapid Test For Hydrophytic Vegetation

____ 2- Dominance Test is => 50%

____ 3- Prevalence Index is =< 3.0

____ 4- Morphological Adaptations

____ 5- Problematic Hydrophytic Vegetation

Definitions of Vegetation Strata:

Tree- Woody plants 3 in. (7.6cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub- Woody plants less than 3 in. DBH and greater than or equal to 3.28ft (1m) tall.

Herb- All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28ft tall.

Woody Vines- All woody vines greater than 3.28ft in height.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL Sampling Point: **Upland**

Depth (inches	Matrix Color	Matrix %	Redox Features Color	Redox %	Type	Loc	Texture	Remarks
0-2	10YR 2/1	100					Peat	
2-16	10YR 4/6	100					Silty Clay Loam	
16-20	5Y 5/1	90	10YR 4/6	10	C	M	Silty Clay Loam	

Hydric Soil Indicators:

____ Histosol (A1)
____ Histic Epipedon (A2)
____ Black Histic (A3)
____ Hydrogen Sulfide (A4)
____ Stratified Layers (A5)
____ Depleted Below Dark Surface (A11)
____ Thick Dark Surface (A12)
____ Sandy Mucky Mineral (S1)
____ Sandy Gleyed Matrix (S4)
____ Sandy Redox (S5)
____ Stripped Matrix (S6)
____ Dark Surface (S7)
____ Polyvalue Below Surface (B15)
____ Thin Dark Surface (S9)
____ Loamy Mucky Mineral (F1)
____ Loamy Gleyed Matric (F2)
____ Depleted Matrix (F3)
____ Redox Dark Surface (F6)
____ Depleted Dark Surface (F7)
____ Redox Depressions (F8)

Indicators for Problematic Soils:

____ 2 cm Muck (A10)
____ Coast Prarie Redox (A16)
____ 5 cm Mucky Peat or Peat (S3)
____ Dark Surface (S7)
____ Polyvalue Below Surface (S8)
____ Thin Dark Surface (S9)
____ Iron-Manganese Masses (F12)
____ Piedmont Floodplain Soils (F19)
____ Mesic Spodic (TA6)
____ Red Parent Material (F21)
____ Very Shallow Dark Surface (TF12)
____ Other (Explain in Remarks)

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ____ No X

Remarks:

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Miller Point City/County: Brunswick/Cumberland Sampling Date: 5/13/2019

Applicant/Owner: King Family State: ME Sampling Point: Wetland

Investigator(s): Eben Baker Section, Township, Range: _____

Landform (hillslope, terrace,etc.): Depression Local relief (concave, convex, none): Concave Slope (%) 0 - 2

Subregion (LRR or MLRA): LRR R Lat: 43.854674 Long: -69.976907 Datum: NAD83

Soil Map Unit Name: _____ NWI Classification: PFO

Are climatic / hyrologic conditions on the site typical for this time of year? Yes X No ____ (if no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (if needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X No ____	**Is the Sampled Area within a Wetland?**	Yes X No ____
Hydric Soil Present?	Yes X No ____	if yes, optional Wetland Site ID:	W01
Wetland Hydrology Present?	Yes X No ____		

Remarks: (Explain alternative procedures here or in a separate report.)

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required: check all that apply)

X	Surface Water (A1)	X	Water-Stained Leaves (B9)		Secondary Indicators (minimum of two required)
X	High Water Table (A2)		Aquatic Fauna (B13)		Surface Soil Cracks (B6)
X	Saturation (A3)		Marl Deposits (B15)		Drainage Patterns (B10)
	Water Marks (B1)		Hydrogen Sulfide Odor (C1)		Moss Trim Lines (B16)
	Sediment Deposits (B2)		Oxidized Rhizospheres on Living Roots (C3)		Dry-Season Water Table (C2)
	Drift Deposits (B3)		Presence of Reduced Iron (C4)		Crayfish Burrows (C8)
	Algal Mat or Crust (B4)		Recent Iron Reduction in Tilled Soils (C6)		Saturation Visible in Aerial Imagery (C9)
	Iron Deposits (B5)		Thin Muck Surface (C7)		Stunted or Stressed Plants (D1)
	Inundation Visible on Aerial Imagery (B7)		Other (Explain in Remarks)		Geomorphic Position (D2)
	Sparsley Vegetated Concave Surface (B8)				Shallow Aquitard (D3)
					Microtopographic Relief (D4)
					FAC-Neutral Test (D5)

Surface Water Present?	Yes X	No ____	Depth (inches)	1
Water Table Present?	Yes X	No ____	Depth (inches)	0
Saturation Present?	Yes X	No ____	Depth (inches)	0

Wetland Hydrology Present? Yes X No ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION - Use scientific names of plants Sampling Point: **Wetland**

Tree Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Abies balsamea	60	X	FAC
Picea rubens	15	X	FACU
	75 = Total Cover		

Shrub Stratum (Plot Size: 15'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Abies balsamea	10	X	FAC
Picea rubens	5	X	FACU
	15 = Total Cover		

Herb Stratum (Plot Size: 5'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Osmundastrum cinnamomeum	50	X	FACW
	50 = Total Cover		

Woody Vine Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
	= Total Cover		

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 5 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 60% (A/B)

Prevalence Index Worksheet:

OBL species	0	x 1	0	
FACW species	50	x 2	100	
FAC species	70	x 3	210	
FACU species	20	x 4	80	
UPL species	0	x 5	0	
Column Totals	140	(A)	390	(B)

Prevalence Index = B/A = 2.79

Hydrophytic Vegetation Indicators:

- ____ 1- Rapid Test For Hydrophytic Vegetation
- X 2- Dominance Test is => 50%
- X 3- Prevalence Index is =< 3.0
- ____ 4- Morphological Adaptations
- ____ 5- Problematic Hydrophytic Vegetation

Definitions of Vegetation Strata:

Tree- Woody plants 3 in. (7.6cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub- Woody plants less than 3 in. DBH and greater than or equal to 3.28ft (1m) tall.

Herb- All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28ft tall.

Woody Vines- All woody vines greater than 3.28ft in height.

Hydrophytic Vegetation Present? Yes X No ____

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL Sampling Point: **Wetland**

Depth (inches	Matrix Color	Matrix %	Redox Features Color	Redox %	Type	Loc	Texture	Remarks
0-2	10YR 2/1	100					Mucky Peat	
2-8	2.5Y 3/1	100					Silt Loam	
8-20	5Y 5/1	80	10YR 4/6	20	C	M	Silty Clay Loam	

Hydric Soil Indicators:

- ____ Histosol (A1)
- ____ Histic Epipedon (A2)
- ____ Black Histic (A3)
- ____ Hydrogen Sulfide (A4)
- ____ Stratified Layers (A5)
- X Depleted Below Dark Surface (A11)
- ____ Thick Dark Surface (A12)
- ____ Sandy Mucky Mineral (S1)
- ____ Sandy Gleyed Matrix (S4)
- ____ Sandy Redox (S5)
- ____ Stripped Matrix (S6)
- ____ Dark Surface (S7)
- ____ Polyvalue Below Surface (B15)
- ____ Thin Dark Surface (S9)
- ____ Loamy Mucky Mineral (F1)
- ____ Loamy Gleyed Matric (F2)
- X Depleted Matrix (F3)
- ____ Redox Dark Surface (F6)
- ____ Depleted Dark Surface (F7)
- ____ Redox Depressions (F8)

Indicators for Problematic Soils:

- ____ 2 cm Muck (A10)
- ____ Coast Prarie Redox (A16)
- ____ 5 cm Mucky Peat or Peat (S3)
- ____ Dark Surface (S7)
- ____ Polyvalue Below Surface (S8)
- ____ Thin Dark Surface (S9)
- ____ Iron-Manganese Masses (F12)
- ____ Piedmont Floodplain Soils (F19)
- ____ Mesic Spodic (TA6)
- ____ Red Parent Material (F21)
- ____ Very Shallow Dark Surface (TF12)
- ____ Other (Explain in Remarks)

Restrictive Layer (if observed):

Type: Massive/Dense

Depth (inches): 10

Hydric Soil Present? Yes X No ____

Remarks:

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Miller Point City/County: Brunswick/Cumberland Sampling Date: 5/13/2019

Applicant/Owner: King Family State: ME Sampling Point: Upland

Investigator(s): Eben Baker Section, Township, Range: _____

Landform (hillslope, terrace,etc.): Rise Local relief (concave, convex, none): Concave Slope (%) 2 - 3

Subregion (LRR or MLRA): LRR R Lat: 43.855456 Long: -69.978985 Datum: NAD83

Soil Map Unit Name: _____ NWI Classification: UPL

Are climatic / hyrologic conditions on the site typical for this time of year? Yes X No ____ (if no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (if needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____ No X	**Is the Sampled Area within a Wetland?**	Yes ____ No X
Hydric Soil Present?	Yes ____ No X	if yes, optional Wetland Site ID:	W04
Wetland Hydrology Present?	Yes ____ No X		

Remarks: (Explain alternative procedures here or in a separate report.)

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required: check all that apply)

- ____ Surface Water (A1)
- ____ High Water Table (A2)
- ____ Saturation (A3)
- ____ Water Marks (B1)
- ____ Sediment Deposits (B2)
- ____ Drift Deposits (B3)
- ____ Algal Mat or Crust (B4)
- ____ Iron Deposits (B5)
- ____ Inundation Visible on Aerial Imagery (B7)
- ____ Sparsley Vegetated Concave Surface (B8)
- ____ Water-Stained Leaves (B9)
- ____ Aquatic Fauna (B13)
- ____ Marl Deposits (B15)
- ____ Hydrogen Sulfide Odor (C1)
- ____ Oxidized Rhizospheres on Living Roots (C3)
- ____ Presence of Reduced Iron (C4)
- ____ Recent Iron Reduction in Tilled Soils (C6)
- ____ Thin Muck Surface (C7)
- ____ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ____ Surface Soil Cracks (B6)
- ____ Drainage Patterns (B10)
- ____ Moss Trim Lines (B16)
- ____ Dry-Season Water Table (C2)
- ____ Crayfish Burrows (C8)
- ____ Saturation Visible in Aerial Imagery (C9)
- ____ Stunted or Stressed Plants (D1)
- ____ Geomorphic Position (D2)
- ____ Shallow Aquitard (D3)
- ____ Microtopographic Relief (D4)
- ____ FAC-Neutral Test (D5)

Surface Water Present?	Yes ____ No X	Depth (inches) ____	Wetland Hydrology Present? Yes ____ No X
Water Table Present?	Yes ____ No X	Depth (inches) ____	
Saturation Present?	Yes ____ No X	Depth (inches) ____	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION - Use scientific names of plants Sampling Point: **Upland**

Tree Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Picea rubens	40	X	FACU
Pinus strobus	30	X	FACU
Betula papyrifera	10		FACU
Abies balsamea	5		FAC
Acer rubrum	5		FAC
	90	= Total Cover	

Shrub Stratum (Plot Size: 15'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Abies balsamea	15	X	FAC
	15	= Total Cover	

Herb Stratum (Plot Size: 5'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Maianthemum canadense	5	X	FACU
Trientalis borealis	5	X	FAC
Osmundastrum cinnamomeum	2		FACW
	12	= Total Cover	

Woody Vine Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
		= Total Cover	

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 5 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 40% (A/B)

Prevalence Index Worksheet:

OBL species	0	x 1	0	
FACW species	2	x 2	4	
FAC species	30	x 3	90	
FACU species	85	x 4	340	
UPL species	0	x 5	0	
Column Totals	117	(A)	434	(B)

Prevalence Index = B/A = 3.71

Hydrophytic Vegetation Indicators:

- ____ 1- Rapid Test For Hydrophytic Vegetation
- ____ 2- Dominance Test is => 50%
- ____ 3- Prevalence Index is =< 3.0
- ____ 4- Morphological Adaptations
- ____ 5- Problematic Hydrophytic Vegetation

Definitions of Vegetation Strata:

Tree- Woody plants 3 in. (7.6cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub- Woody plants less than 3 in. DBH and greater than or equal to 3.28ft (1m) tall.

Herb- All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28ft tall.

Woody Vines- All woody vines greater than 3.28ft in height.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL Sampling Point: **Upland**

Depth (inches	Matrix Color	Matrix %	Redox Features Color	Redox %	Type	Loc	Texture	Remarks
0-3	10YR 2/1	100					Loam	
3-13	10YR 4/6	100					Silty Clay Loam	
13-20	5Y 5/1	95	10YR 4/6	5	C	M	Silty Clay Loam	

Hydric Soil Indicators:

____ Histosol (A1)
____ Histic Epipedon (A2)
____ Black Histic (A3)
____ Hydrogen Sulfide (A4)
____ Stratified Layers (A5)
____ Depleted Below Dark Surface (A11)
____ Thick Dark Surface (A12)
____ Sandy Mucky Mineral (S1)
____ Sandy Gleyed Matrix (S4)
____ Sandy Redox (S5)
____ Stripped Matrix (S6)
____ Dark Surface (S7)
____ Polyvalue Below Surface (B15)
____ Thin Dark Surface (S9)
____ Loamy Mucky Mineral (F1)
____ Loamy Gleyed Matric (F2)
____ Depleted Matrix (F3)
____ Redox Dark Surface (F6)
____ Depleted Dark Surface (F7)
____ Redox Depressions (F8)

Indicators for Problematic Soils:

____ 2 cm Muck (A10)
____ Coast Prarie Redox (A16)
____ 5 cm Mucky Peat or Peat (S3)
____ Dark Surface (S7)
____ Polyvalue Below Surface (S8)
____ Thin Dark Surface (S9)
____ Iron-Manganese Masses (F12)
____ Piedmont Floodplain Soils (F19)
____ Mesic Spodic (TA6)
____ Red Parent Material (F21)
____ Very Shallow Dark Surface (TF12)
____ Other (Explain in Remarks)

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ____ No X

Remarks:

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Miller Point City/County: Brunswick/Cumberland Sampling Date: 5/13/2019

Applicant/Owner: King Family State: ME Sampling Point: Wetland

Investigator(s): Eben Baker Section, Township, Range: _____

Landform (hillslope, terrace,etc.): Depression Local relief (concave, convex, none): Concave Slope (%) 0 - 2

Subregion (LRR or MLRA): LRR R Lat: 43.855497 Long: -69.978877 Datum: NAD83

Soil Map Unit Name: _____ NWI Classification: PFO

Are climatic / hyrologic conditions on the site typical for this time of year? Yes X No ____ (if no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (if needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X No ____	**Is the Sampled Area within a Wetland?**	Yes X No ____
Hydric Soil Present?	Yes X No ____	if yes, optional Wetland Site ID:	W04
Wetland Hydrology Present?	Yes X No ____		

Remarks: (Explain alternative procedures here or in a separate report.)

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required: check all that apply)

	Surface Water (A1)	X	Water-Stained Leaves (B9)		Secondary Indicators (minimum of two required)
X	High Water Table (A2)		Aquatic Fauna (B13)		Surface Soil Cracks (B6)
X	Saturation (A3)		Marl Deposits (B15)		Drainage Patterns (B10)
	Water Marks (B1)		Hydrogen Sulfide Odor (C1)		Moss Trim Lines (B16)
	Sediment Deposits (B2)		Oxidized Rhizospheres on Living Roots (C3)		Dry-Season Water Table (C2)
	Drift Deposits (B3)		Presence of Reduced Iron (C4)		Crayfish Burrows (C8)
	Algal Mat or Crust (B4)		Recent Iron Reduction in Tilled Soils (C6)		Saturation Visible in Aerial Imagery (C9)
	Iron Deposits (B5)		Thin Muck Surface (C7)		Stunted or Stressed Plants (D1)
	Inundation Visible on Aerial Imagery (B7)		Other (Explain in Remarks)		Geomorphic Position (D2)
	Sparsley Vegetated Concave Surface (B8)				Shallow Aquitard (D3)
					Microtopographic Relief (D4)
					FAC-Neutral Test (D5)

Surface Water Present?	Yes ____	No X	Depth (inches) ____	Wetland Hydrology Present? Yes X No ____
Water Table Present?	Yes X	No ____	Depth (inches) 12	
Saturation Present?	Yes X	No ____	Depth (inches) 2	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION - Use scientific names of plants Sampling Point: **Wetland**

Tree Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Picea rubens	30	X	FACU
Abies balsamea	30	X	FAC
Acer rubrum	15		FAC
Pinus strobus	5		FACU
	80	= Total Cover	

Shrub Stratum (Plot Size: 15'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Abies balsamea	30	X	FAC
Acer rubrum	5		FAC
	35	= Total Cover	

Herb Stratum (Plot Size: 5'radius)	Absolute % Cover	Dominant Species?	Indicator Status
Osmundastrum cinnamomeum	20	X	FACW
Coptis trifolia	5		FACW
Maianthemum canadense	2		FACU
	27	= Total Cover	

Woody Vine Stratum (Plot Size: 30'radius)	Absolute % Cover	Dominant Species?	Indicator Status
		= Total Cover	

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 75% (A/B)

Prevalence Index Worksheet:

OBL species	0	x 1	0	
FACW species	25	x 2	50	
FAC species	80	x 3	240	
FACU species	37	x 4	148	
UPL species	0	x 5	0	
Column Totals	142	(A)	438	(B)

Prevalence Index = B/A = 3.08

Hydrophytic Vegetation Indicators:

- ____ 1- Rapid Test For Hydrophytic Vegetation
- X 2- Dominance Test is => 50%
- ____ 3- Prevalence Index is =< 3.0
- ____ 4- Morphological Adaptations
- ____ 5- Problematic Hydrophytic Vegetation

Definitions of Vegetation Strata:

Tree- Woody plants 3 in. (7.6cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub- Woody plants less than 3 in. DBH and greater than or equal to 3.28ft (1m) tall.

Herb- All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28ft tall.

Woody Vines- All woody vines greater than 3.28ft in height.

Hydrophytic Vegetation Present? Yes X No ____

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL Sampling Point: **Wetland**

Depth (inches	Matrix Color	Matrix %	Redox Features Color	Redox %	Type	Loc	Texture	Remarks
0-2	10YR 2/1	100					Mucky Peat	
2-22	5Y 5/1	90	10YR 4/6	10	C	M	Silty Clay Loam	

Hydric Soil Indicators:

- ____ Histosol (A1)
- ____ Histic Epipedon (A2)
- ____ Black Histic (A3)
- ____ Hydrogen Sulfide (A4)
- ____ Stratified Layers (A5)
- X Depleted Below Dark Surface (A11)
- ____ Thick Dark Surface (A12)
- ____ Sandy Mucky Mineral (S1)
- ____ Sandy Gleyed Matrix (S4)
- ____ Sandy Redox (S5)
- ____ Stripped Matrix (S6)
- ____ Dark Surface (S7)
- ____ Polyvalue Below Surface (B15)
- ____ Thin Dark Surface (S9)
- ____ Loamy Mucky Mineral (F1)
- ____ Loamy Gleyed Matric (F2)
- X Depleted Matrix (F3)
- ____ Redox Dark Surface (F6)
- ____ Depleted Dark Surface (F7)
- ____ Redox Depressions (F8)

Indicators for Problematic Soils:

- ____ 2 cm Muck (A10)
- ____ Coast Prarie Redox (A16)
- ____ 5 cm Mucky Peat or Peat (S3)
- ____ Dark Surface (S7)
- ____ Polyvalue Below Surface (S8)
- ____ Thin Dark Surface (S9)
- ____ Iron-Manganese Masses (F12)
- ____ Piedmont Floodplain Soils (F19)
- ____ Mesic Spodic (TA6)
- ____ Red Parent Material (F21)
- ____ Very Shallow Dark Surface (TF12)
- ____ Other (Explain in Remarks)

Restrictive Layer (if observed):

Type: Massive/Dense

Depth (inches): 8

Hydric Soil Present? Yes X No ____

Remarks:

APPENDIX C

MDIFW VERNAL POOL REPORTING FORMS

Maine State Vernal Pool Assessment Form

INSTRUCTIONS: Complete all 3 pages of form as thoroughly as possible. Most fields are required for pool registration.

Observer's Pool ID: VP01KN_N **MDIFW Pool ID:** _____

1. PRIMARY OBSERVER INFORMATION

a. Observer name: Eben Baker

b. Contact and credentials previously provided? ○ No (submit Addendum 1) ◉ Yes

2. PROJECT CONTACT INFORMATION

a. Contact name: ○ same as observer ◉ other Rodney Kelshaw

b. Contact and credentials previously provided? ○ No (submit Addendum 1) ◉ Yes

c. Project Name: King Property

NOTE: Clear photographs or digital images of a) the pool and b) the indicators (one example of each species egg mass) are required for nonprofessional observers and encouraged for all observers.

3. LANDOWNER CONTACT INFORMATION

a. Are you the landowner? ○ Yes ◉ No If no, was landowner permission obtained for survey? ◉ Yes ○ No

b. Landowner's contact information (required)

Name: Robert C. and Nancy P. King Phone: _____

Street Address: 275 Hartshorn Drive City: Shorthills State: NJ Zip: 07078-1

c. ☐ Large Projects: check if separate project landowner data file submitted

4. VERNAL POOL LOCATION INFORMATION

a. Location Township: Brunswick, Maine

Brief site directions to the pool (using mapped landmarks):

From the intersection of Simpsons Point Road and Pennell Way take the dirt road east for 2,700' then turn east and walk another 900', the pool is located on the western side of an upland island in a large wetland complex.

b. Mapping Requirements: At least 2 of the 3 must be submitted (check those submitted):

☐ USGS topographic map with pool clearly marked.

☒ Large scale aerial photograph with pool clearly marked.

☒ GPS data (complete section below).

GPS location of vernal pool

Longitude/Easting: 43.854792 Latitude/Northing: -69.976506

Check Datum: ◉ NAD27 ○ NAD83 / WGS84 Coordinate system: Decimal degrees

Check one:

◉ GIS shapefile
- send to Jason.Czapiga@maine.gov; observer has reviewed shape accuracy (best)

◉ The pool perimeter is delineated by multiple GPS points. (excellent)
- Include map or spreadsheet with coordinates.

○ The above GPS point is at the center of the pool. (good)

○ The center of the pool is approximately _____ m ○ /ft ○ in the compass direction of _____ degrees from the above GPS point. (acceptable)

5. VERNAL POOL HABITAT INFORMATION

a. Habitat survey date (only if different from indicator survey dates on page 3):_____

b. Wetland habitat characterization

■ Choose the best descriptor for the landscape setting:

- ○ Isolated depression
- ○ Floodplain depression
- ◉ Pool associated with larger wetland complex
- ○ Other: _____

■ Check all wetland types that best apply to this pool:

- ☒ Forested swamp
- ☐ Shrub swamp
- ☐ Peatland (fen or bog)
- ☐ Emergent marsh
- ☐ Wet meadow
- ☐ Lake/Pond
- ☐ Abandoned beaver flowage
- ☐ Active beaver flowage
- ☐ Slow stream
- ☐ Floodplain overflow / oxbow
- ☐ Headwater seepage
- ☐ Other: _____

c. Vernal pool status under the Natural Resources Protection Act (NRPA)

i. Pool Origin: ◉ Natural ○ Natural-Modified ○ Unnatural ○ Unknown

If modified, unnatural or unknown, describe any modern or historic human impacts to the pool (required):

ii. Pool Hydrology

■ Select the pool's estimated hydroperiod AND provide rationale for opinion.

- ○ Permanent
- ○ Semi-permanent (drying partially in all years and completely in drought years)
- ◉ Ephemeral (drying out completely in most years)
- ○ Unknown

Explain:

The pool is small and shallow and likely dries out in most years.

■ Maximum depth at survey: ◉ 0-12" (0-1 ft.) ○ 12-36" (1-3 ft.) ○ 36-60" (3-5 ft.) ○ >60" (>5 ft.)

■ Approximate size of pool (at spring highwater): Width: 10 ○ m ◉ ft Length: 40 ○ m ◉ ft

■ Predominate substrate in order of increasing hydroperiod:

- ◉ Mineral soil (bare, leaf-litter bottom, or upland mosses present)
- ○ Mineral soil (sphagnum moss present)
- ○ Organic matter (peat/muck) shallow or restricted to deepest portion
- ○ Organic matter (peat/muck) deep and widespread

■ Pool vegetation indicators in order of increasing hydroperiod (check all that apply):

- ☐ Terrestrial nonvascular spp. (e.g. haircap moss, lycopodium spp.)
- ☐ Dry site ferns (e.g. spinulose wood fern, lady fern, bracken fern)
- ☐ Moist site ferns (e.g. sensitive fern, cinnamon fern, interrupted fern, New York fern)
- ☐ Moist site vasculars (e.g. skunk cabbage, jewelweed, blue flag iris, swamp candle)
- ☒ Sphagnum moss (anchored or suspended)
- ☐ Wet site ferns (e.g. royal fern, marsh fern)
- ☒ Wet site shrubs (e.g. highbush blueberry, maleberry, winterberry, mountain holly)
- ☐ Wet site graminoids (e.g. blue-joint grass, tussock sedge, cattail, bulrushes)
- ☐ Aquatic vascular spp. (e.g. pickerelweed, arrowhead)
- ☐ Floating or submerged aquatics (e.g. water lily, water shield, pond weed, bladderwort)
- ☐ No vegetation in pool

■ Faunal indicators (check all that apply):

- ☐ Fish
- ☐ Bullfrog or Green Frog tadpoles
- ☐ Other: _____

iii. Inlet/Outlet Flow Permanency

Type of inlet or outlet (a seasonal or permanent channel providing water flowing into or out of the pool):

- ◉ No inlet or outlet
- ○ Intermittent inlet or outlet
- ○ Permanent inlet or outlet (channel with well-defined banks and permanent flow)
- ○ Other or Unknown (explain): _____

6. VERNAL POOL INDICATOR INFORMATION

a. Indicator survey dates: April 22, 2019, and May 8, 2019

b. Indicator abundance criteria

- Was the entire pool surveyed for egg masses? ◉ Yes ◯ No; what % of pool surveyed?_____
- For each indicator species, indicate the exact number of egg masses, confidence level for species determination, and egg mass maturity. Separate cells are provided for separate survey dates.

INDICATOR SPECIES	Egg Masses (or adult Fairy Shrimp)									Tadpoles/Larvae					
	#			Confidence Level[1]			Egg Mass Maturity[2]			Observed			Confidence Level[1]		
Wood Frog	0	0		3	3					no	no		3	3	
Spotted Salamander	0	10		3	3			M		no	no		3	3	
Blue-spotted Salamander	0	0		3	3					no	no		3	3	
Fairy Shrimp [3]	0	0		3	3										

1-Confidence level: 1 = <60%, 2 = 60-95%, 3 = >95%
2-Egg mass maturity: F= Fresh (<24 hrs), M= Mature (round embryos), A= Advanced (looser matrix, curved embryos), H= Hatched or hatching
3-Fairy Shrimp: X = present

c. Rarity criteria

- Note any rare species associated with vernal pools. Check the method(s) of verification and fill in the confidence level (CL) for each species observation. Observations should be accompanied by photographs (labeled with observer name, pool location, and date).

SPECIES	Method of Verification*			CL**	SPECIES	Method of Verification*			CL**
	P	H	S			P	H	S	
Blanding's Turtle	☐	☐	☐		Wood Turtle	☐	☐	☐	
Spotted Turtle	☐	☐	☐		Ribbon Snake	☐	☐	☐	
Ringed Boghaunter	☐	☐	☐		Other:	☐	☐	☐	

*Method of verification: P = Photographed, H = Handled, S = Seen
**CL - Confidence level in species determination: 1= <60%, 2= 60-95%, 3= >95%

d. Optional observer recommendation:

◯ SVP ◯ Potential SVP ◉ Non Significant VP ◯ Indicator Breeding Area

e. General vernal pool comments and/or observations of other wildlife:

Send completed form and supporting documentation to: Maine Dept. of Inland Fisheries and Wildlife
Attn: Vernal Pools
650 State Street, Bangor, ME 04401

NOTE: Digital submission (to Jason.Czapiga@maine.gov) of vernal pool field forms and photographs is only acceptable for projects with 3 or fewer assessed pools; larger projects must be mailed as hard copies.

For MDIFW use only Reviewed by MDIFW Date:_____ Initials:_____

This pool is: ☐ **Significant** ☐ **Potentially Significant** but lacking critical data ☐ **Not Significant** due to: ◯ does not meet biological criteria. ◯ does not meet MDEP vernal pool criteria.

Comments:

Vernal Pool 1: VP01KN Stantec Consulting, May 8, 2013.

Maine State Vernal Pool Assessment Form

INSTRUCTIONS: Complete all 3 pages of form as thoroughly as possible. Most fields are required for pool registration.

Observer's Pool ID: VP02KN_N **MDIFW Pool ID:** _____

1. PRIMARY OBSERVER INFORMATION

a. Observer name: Katelin Nickerson

b. Contact and credentials previously provided? ○ No (submit Addendum 1) ◉ Yes

2. PROJECT CONTACT INFORMATION

a. Contact name: ○ same as observer ◉ other Bryan Emerson

b. Contact and credentials previously provided? ○ No (submit Addendum 1) ◉ Yes

c. Project Name: King Property

NOTE: Clear photographs or digital images of a) the pool and b) the indicators (one example of each species egg mass) are required for nonprofessional observers and encouraged for all observers.

3. LANDOWNER CONTACT INFORMATION

a. Are you the landowner? ○ Yes ◉ No If no, was landowner permission obtained for survey? ◉ Yes ○ No

b. Landowner's contact information (required)

Name: Robert C. and Nancy P. King Phone: _____

Street Address: 275 Hartshorn Drive City: Shorthills State: NJ Zip: 07078-1

c. ☐ Large Projects: check if separate project landowner data file submitted

4. VERNAL POOL LOCATION INFORMATION

a. Location Township: Brunswick, Maine

Brief site directions to the pool (using mapped landmarks):

From the intersection of Simpsons Point Road and Pennell Way take the dirt road that runs west for 2,665' then walk southeast 432' through a large wetland complex. The pool is located on the eastern edge of this wetland.

b. Mapping Requirements: At least 2 of the 3 must be submitted (check those submitted):

☐ USGS topographic map with pool clearly marked.

☒ Large scale aerial photograph with pool clearly marked.

☒ GPS data (complete section below).

GPS location of vernal pool

Longitude/Easting: 43-855834 Latitude/Northing: -69.977635

Check Datum: ◉ NAD27 ○ NAD83 / WGS84 Coordinate system: Decimal degrees

Check one:

◉ GIS shapefile
- send to Jason.Czapiga@maine.gov; observer has reviewed shape accuracy (best)

◉ The pool perimeter is delineated by multiple GPS points. (excellent)
- Include map or spreadsheet with coordinates.

○ The above GPS point is at the center of the pool. (good)

○ The center of the pool is approximately _____ m ○ /ft ○ in the compass direction of _____ degrees from the above GPS point. (acceptable)

5. VERNAL POOL HABITAT INFORMATION

a. Habitat survey date (only if different from indicator survey dates on page 3):_____

b. Wetland habitat characterization

■ Choose the best descriptor for the landscape setting:

- ○ Isolated depression
- ○ Floodplain depression
- ◉ Pool associated with larger wetland complex
- ○ Other: _____

■ Check all wetland types that best apply to this pool:

- ☒ Forested swamp
- ☐ Shrub swamp
- ☐ Peatland (fen or bog)
- ☐ Emergent marsh
- ☐ Wet meadow
- ☐ Lake/Pond
- ☐ Abandoned beaver flowage
- ☐ Active beaver flowage
- ☐ Slow stream
- ☐ Floodplain overflow / oxbow
- ☐ Headwater seepage
- ☐ Other: _____

c. Vernal pool status under the Natural Resources Protection Act (NRPA)

i. Pool Origin: ◉ Natural ○ Natural-Modified ○ Unnatural ○ Unknown

If modified, unnatural or unknown, describe any modern or historic human impacts to the pool (required):

ii. Pool Hydrology

■ Select the pool's estimated hydroperiod AND provide rationale for opinion.

- ○ Permanent
- ○ Semi-permanent (drying partially in all years and completely in drought years)
- ◉ Ephemeral (drying out completely in most years)
- ○ Unknown

Explain:

Grasses and ferns from last year observed in the pool, shallow water.

■ Maximum depth at survey: ◉ 0-12" (0-1 ft.) ○ 12-36" (1-3 ft.) ○ 36-60" (3-5 ft.) ○ >60" (>5 ft.)

■ Approximate size of pool (at spring highwater): Width: 25 ○ m ◉ ft Length: 50 ○ m ◉ ft

■ Predominate substrate in order of increasing hydroperiod:

- ○ Mineral soil (bare, leaf-litter bottom, or upland mosses present)
- ○ Mineral soil (sphagnum moss present)
- ◉ Organic matter (peat/muck) shallow or restricted to deepest portion
- ○ Organic matter (peat/muck) deep and widespread

■ Pool vegetation indicators in order of increasing hydroperiod (check all that apply):

- ☐ Terrestrial nonvascular spp. (e.g. haircap moss, lycopodium spp.)
- ☐ Dry site ferns (e.g. spinulose wood fern, lady fern, bracken fern)
- ☐ Moist site ferns (e.g. sensitive fern, cinnamon fern, interrupted fern, New York fern)
- ☐ Moist site vasculars (e.g. skunk cabbage, jewelweed, blue flag iris, swamp candle)
- ☒ Sphagnum moss (anchored or suspended)
- ☒ Wet site ferns (e.g. royal fern, marsh fern)
- ☐ Wet site shrubs (e.g. highbush blueberry, maleberry, winterberry, mountain holly)
- ☒ Wet site graminoids (e.g. blue-joint grass, tussock sedge, cattail, bulrushes)
- ☐ Aquatic vascular spp. (e.g. pickerelweed, arrowhead)
- ☐ Floating or submerged aquatics (e.g. water lily, water shield, pond weed, bladderwort)
- ☐ No vegetation in pool

■ Faunal indicators (check all that apply):

- ☐ Fish
- ☐ Bullfrog or Green Frog tadpoles
- ☐ Other: _____

iii. Inlet/Outlet Flow Permanency

Type of inlet or outlet (a seasonal or permanent channel providing water flowing into or out of the pool):

- ◉ No inlet or outlet
- ○ Intermittent inlet or outlet
- ○ Permanent inlet or outlet (channel with well-defined banks and permanent flow)
- ○ Other or Unknown (explain): _____

6. VERNAL POOL INDICATOR INFORMATION

a. Indicator survey dates: April 17, 2013 AND April 30, 2013

b. Indicator abundance criteria

- Was the entire pool surveyed for egg masses? ◉ Yes ○ No; what % of pool surveyed?_____
- For each indicator species, indicate the exact number of egg masses, confidence level for species determination, and egg mass maturity. Separate cells are provided for separate survey dates.

INDICATOR SPECIES	Egg Masses (or adult Fairy Shrimp)									Tadpoles/Larvae					
	#			Confidence Level[1]			Egg Mass Maturity[2]			Observed			Confidence Level[1]		
Wood Frog	0	2		3	3		n/a	A		0	0		3	3	
Spotted Salamander	0	0		3	3		n/a	n/a		0	n/a		3	n/a	
Blue-spotted Salamander	0	0		3	3		n/a	n/a		0	n/a		3	n/a	
Fairy Shrimp[3]	0	0		3	3										

1-Confidence level: 1 = <60%, 2 = 60-95%, 3 = >95%
2-Egg mass maturity: F= Fresh (<24 hrs), M= Mature (round embryos), A= Advanced (looser matrix, curved embryos), H= Hatched or hatching
3-Fairy Shrimp: X = present

c. Rarity criteria

- Note any rare species associated with vernal pools. Check the method(s) of verification and fill in the confidence level (CL) for each species observation. Observations should be accompanied by photographs (labeled with observer name, pool location, and date).

SPECIES	Method of Verification*			CL**	SPECIES	Method of Verification*			CL**
	P	H	S			P	H	S	
Blanding's Turtle	☐	☐	☐		Wood Turtle	☐	☐	☐	
Spotted Turtle	☐	☐	☐		Ribbon Snake	☐	☐	☐	
Ringed Boghaunter	☐	☐	☐		Other:	☐	☐	☐	

*Method of verification: P = Photographed, H = Handled, S = Seen
**CL - Confidence level in species determination: 1= <60%, 2= 60-95%, 3= >95%

d. Optional observer recommendation:

○ SVP ○ Potential SVP ◉ Non Significant VP ○ Indicator Breeding Area

e. General vernal pool comments and/or observations of other wildlife:

Send completed form and supporting documentation to: Maine Dept. of Inland Fisheries and Wildlife
Attn: Vernal Pools
650 State Street, Bangor, ME 04401

NOTE: Digital submission (to Jason.Czapiga@maine.gov) of vernal pool field forms and photographs is only acceptable for projects with 3 or fewer assessed pools; larger projects must be mailed as hard copies.

For MDIFW use only Reviewed by MDIFW Date:_____ Initials:_____

This pool is: ☐ **Significant** ☐ **Potentially Significant** but lacking critical data ☐ **Not Significant** due to: ○ does not meet biological criteria. ○ does not meet MDEP vernal pool criteria.

Comments:

Vernal Pool 2: VP02KN
Stantec Consulting, April, 2013.

Vernal Pool 2: VP02KN
Stantec Consulting, April, 2013.

Maine State Vernal Pool Assessment Form

INSTRUCTIONS: Complete all 3 pages of form as thoroughly as possible. Most fields are required for pool registration.

Observer's Pool ID: VP03KN_N **MDIFW Pool ID:** _____

1. PRIMARY OBSERVER INFORMATION

a. Observer name: Katelin Nickerson

b. Contact and credentials previously provided? ○ No (submit Addendum 1) ◉ Yes

2. PROJECT CONTACT INFORMATION

a. Contact name: ○ same as observer ◉ other Bryan Emerson

b. Contact and credentials previously provided? ○ No (submit Addendum 1) ◉ Yes

c. Project Name: King Property

NOTE: Clear photographs or digital images of a) the pool and b) the indicators (one example of each species egg mass) are required for nonprofessional observers and encouraged for all observers.

3. LANDOWNER CONTACT INFORMATION

a. Are you the landowner? ○ Yes ◉ No If no, was landowner permission obtained for survey? ◉ Yes ○ No

b. Landowner's contact information (required)

Name: Robert C. and Nancy P. King Phone: _____

Street Address: 275 Hartshorn Drive City: Shorthills State: NJ Zip: 07078-1

c. ☐ Large Projects: check if separate project landowner data file submitted

4. VERNAL POOL LOCATION INFORMATION

a. Location Township: Brunswick, Maine

Brief site directions to the pool (using mapped landmarks):

From the intersection of Simpsons Point Road and Pennell Way take the dirt road that runs west for 3,010' then turn southeast and walk 246' toward a large wetland complex. The pool is located in a well from a tree fall..

b. Mapping Requirements: At least 2 of the 3 must be submitted (check those submitted):

☐ USGS topographic map with pool clearly marked.

☒ Large scale aerial photograph with pool clearly marked.

☒ GPS data (complete section below).

GPS location of vernal pool

Longitude/Easting: 43.855014 Latitude/Northing: -69.978855

Check Datum: ◉ NAD27 ○ NAD83 / WGS84 Coordinate system: Decimal degrees

Check one:

◉ GIS shapefile
- send to Jason.Czapiga@maine.gov; observer has reviewed shape accuracy (best)

◉ The pool perimeter is delineated by multiple GPS points. (excellent)
- Include map or spreadsheet with coordinates.

○ The above GPS point is at the center of the pool. (good)

○ The center of the pool is approximately _____ m ○ /ft ○ in the compass direction of _____ degrees from the above GPS point. (acceptable)

5. VERNAL POOL HABITAT INFORMATION

a. Habitat survey date (only if different from indicator survey dates on page 3):_____

b. Wetland habitat characterization

■ Choose the best descriptor for the landscape setting:

- ○ Isolated depression
- ○ Floodplain depression
- ◉ Pool associated with larger wetland complex
- ○ Other: _____

■ Check all wetland types that best apply to this pool:

- ☒ Forested swamp
- ☐ Shrub swamp
- ☐ Peatland (fen or bog)
- ☐ Emergent marsh
- ☐ Wet meadow
- ☐ Lake/Pond
- ☐ Abandoned beaver flowage
- ☐ Active beaver flowage
- ☐ Slow stream
- ☐ Floodplain overflow / oxbow
- ☐ Headwater seepage
- ☐ Other: _____

c. Vernal pool status under the Natural Resources Protection Act (NRPA)

i. Pool Origin: ◉ Natural ○ Natural-Modified ○ Unnatural ○ Unknown

If modified, unnatural or unknown, describe any modern or historic human impacts to the pool (required):

Pool occurs in a depression made from a tree fall.

ii. Pool Hydrology

■ Select the pool's estimated hydroperiod AND provide rationale for opinion.

- ○ Permanent
- ○ Semi-permanent (drying partially in all years and completely in drought years)
- ◉ Ephemeral (drying out completely in most years)
- ○ Unknown

Explain:

Water levels were significantly lower at the second visit. Mineral soils here likely do not hold water for long.

■ Maximum depth at survey: ◉ 0-12" (0-1 ft.) ○ 12-36" (1-3 ft.) ○ 36-60" (3-5 ft.) ○ >60" (>5 ft.)

■ Approximate size of pool (at spring highwater): Width: 6 ○ m ◉ ft Length: 10 ○ m ◉ ft

■ Predominate substrate in order of increasing hydroperiod:

- ○ Mineral soil (bare, leaf-litter bottom, or upland mosses present)
- ◉ Mineral soil (sphagnum moss present)
- ○ Organic matter (peat/muck) shallow or restricted to deepest portion
- ○ Organic matter (peat/muck) deep and widespread

■ Pool vegetation indicators in order of increasing hydroperiod (check all that apply):

- ☐ Terrestrial nonvascular spp. (e.g. haircap moss, lycopodium spp.)
- ☐ Dry site ferns (e.g. spinulose wood fern, lady fern, bracken fern)
- ☐ Moist site ferns (e.g. sensitive fern, cinnamon fern, interrupted fern, New York fern)
- ☐ Moist site vasculars (e.g. skunk cabbage, jewelweed, blue flag iris, swamp candle)
- ☒ Sphagnum moss (anchored or suspended)
- ☐ Wet site ferns (e.g. royal fern, marsh fern)
- ☐ Wet site shrubs (e.g. highbush blueberry, maleberry, winterberry, mountain holly)
- ☐ Wet site graminoids (e.g. blue-joint grass, tussock sedge, cattail, bulrushes)
- ☐ Aquatic vascular spp. (e.g. pickerelweed, arrowhead)
- ☐ Floating or submerged aquatics (e.g. water lily, water shield, pond weed, bladderwort)
- ☐ No vegetation in pool

■ Faunal indicators (check all that apply):

- ☐ Fish
- ☐ Bullfrog or Green Frog tadpoles
- ☐ Other: _____

iii. Inlet/Outlet Flow Permanency

Type of inlet or outlet (a seasonal or permanent channel providing water flowing into or out of the pool):

- ◉ No inlet or outlet
- ○ Intermittent inlet or outlet
- ○ Permanent inlet or outlet (channel with well-defined banks and permanent flow)
- ○ Other or Unknown (explain): _____

6. VERNAL POOL INDICATOR INFORMATION

a. Indicator survey dates: April 17, 2013 AND April 30, 2013

b. Indicator abundance criteria

- Was the entire pool surveyed for egg masses? ◉ Yes ○ No; what % of pool surveyed?_____
- For each indicator species, indicate the exact number of egg masses, confidence level for species determination, and egg mass maturity. Separate cells are provided for separate survey dates.

INDICATOR SPECIES	Egg Masses (or adult Fairy Shrimp)									Tadpoles/Larvae					
	#			Confidence Level[1]			Egg Mass Maturity[2]			Observed			Confidence Level[1]		
Wood Frog	0	1		3	3		n/a	M		no	no		3	3	
Spotted Salamander	0	0		3	3		n/a	n/a		no	n/a		3	n/a	
Blue-spotted Salamander	0	0		3	3		n/a	n/a		no	n/a		3	n/a	
Fairy Shrimp[3]	0	0		3	3										

1-Confidence level: 1 = <60%, 2 = 60-95%, 3 = >95%
2-Egg mass maturity: F= Fresh (<24 hrs), M= Mature (round embryos), A= Advanced (looser matrix, curved embryos), H= Hatched or hatching
3-Fairy Shrimp: X = present

c. Rarity criteria

- Note any rare species associated with vernal pools. Check the method(s) of verification and fill in the confidence level (CL) for each species observation. Observations should be accompanied by photographs (labeled with observer name, pool location, and date).

SPECIES	Method of Verification*			CL**	SPECIES	Method of Verification*			CL**
	P	H	S			P	H	S	
Blanding's Turtle	☐	☐	☐		Wood Turtle	☐	☐	☐	
Spotted Turtle	☐	☐	☐		Ribbon Snake	☐	☐	☐	
Ringed Boghaunter	☐	☐	☐		Other:	☐	☐	☐	

*Method of verification: P = Photographed, H = Handled, S = Seen
**CL - Confidence level in species determination: 1= <60%, 2= 60-95%, 3= >95%

d. Optional observer recommendation:

○ SVP ○ Potential SVP ◉ Non Significant VP ○ Indicator Breeding Area

e. General vernal pool comments and/or observations of other wildlife:

Send completed form and supporting documentation to: Maine Dept. of Inland Fisheries and Wildlife
Attn: Vernal Pools
650 State Street, Bangor, ME 04401

NOTE: Digital submission (to Jason.Czapiga@maine.gov) of vernal pool field forms and photographs is only acceptable for projects with 3 or fewer assessed pools; larger projects must be mailed as hard copies.

For MDIFW use only Reviewed by MDIFW Date:_____ Initials:_____

This pool is: ☐ **Significant** ☐ **Potentially Significant** but lacking critical data ☐ **Not Significant** due to: ○ does not meet biological criteria. ○ does not meet MDEP vernal pool criteria.

Comments:

Vernal Pool 3: VP03KN
Stantec Consulting, April, 2013.

APPENDIX D

REPRESENTATIVE PHOTOGRAPHS

Photo 1. View north at wetland 01RKA, and coastal wetland in background. Stantec, April 22, 2019.

Photo 2. View downstream to the northwest of stream 01RK. Stantec, April 22, 2019.

Photo 3. View downstream to the north of stream 02RK. Stantec, April 22, 2019.

Photo 4. View south at wetland 01RKB. Stantec, April 22, 2019.

Photo 5. View southwest at wetland 01RKC. Stantec, April 22, 2019.

Photo 6. View downstream to the southwest of stream 01EB. Stantec, April 22, 2019.

Photo 7. View west at wetland 01EBB. Stantec, April 22, 2019.

Photo 8. View south at wetland 10/01EBA. Stantec, April 22, 2019.

Photo 9. View west at wetland 01EBC. Stantec, April 22, 2019.

Photo 10. View southwest at wetland 01. Stantec, April 22, 2019.

Photo 11. View south at wetland 07. Stantec, April 22, 2019.

Photo 12. View west at wetland 11. Stantec, April 22, 2019.

Photo 13. View south at wetland 12. Stantec, April 22, 2019.

Photo 14. View southwest at wetland 01EBF. Stantec, April 22, 2019.

Photo 15. View east at wetland 01 and vernal pool 01KN. Stantec, May 8, 2019.

Photo 16. View east at wetland 01RPA. Stantec, April 23, 2019.

Photo 17. View southwest at wetland 01RPC. Stantec, April 23, 2019.

Photo 18. View downstream at stream 01/01RP. Stantec, April 23, 2019.

Photo 19. View downstream at stream 02RP. Stantec, April 23, 2019.

Photo 20. View downstream at stream 03/03RP. Stantec, April 23, 2019.

APPENDIX E

AGENCY CORRESPONDENCE

JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF
INLAND FISHERIES & WILDLIFE
284 STATE STREET
41 STATE HOUSE STATION
AUGUSTA ME 04333-0041

JUDITH CAMUSO
COMMISSIONER

May 16, 2019

Rodney Kelshaw
30 Park Drive
Topsham, ME 04086

RE: Information Request - King Property, Brunswick

Dear Rodney:

Per your request received May 03, 2019, we have reviewed current Maine Department of Inland Fisheries and Wildlife (MDIFW) information for known locations of Endangered, Threatened, and Special Concern species; designated Essential and Significant Wildlife Habitats; and fisheries habitat concerns within the vicinity of the *King Property Project* in Brunswick.

Our Department has not mapped any Essential Habitats that would be directly affected by your project.

Endangered, Threatened, and Special Concern Species

Bats

Of the eight species of bats that occur in Maine, the three *Myotis* species are protected under Maine's Endangered Species Act (MESA) and are afforded special protection under 12 M.R.S §12801 - §12810. The three *Myotis* species include little brown bat (State Endangered), northern long-eared bat (State Endangered), and eastern small-footed bat (State Threatened). The five remaining bat species are listed as Special Concern: big brown bat, red bat, hoary bat, silver-haired bat, and tri-colored bat.

While a comprehensive statewide inventory for bats has not been completed, based on historical evidence it is likely that several of these species occur within the project area during migration and/or the breeding season. We recommend that you contact the U.S. Fish and Wildlife Service--Maine Fish and Wildlife Complex (Wende Mahaney, 207-902-1569) for further guidance, as the northern long-eared bat is also listed as a Threatened Species under the Federal Endangered Species Act. Otherwise, our Agency does not anticipate significant impacts to any of the bat species as a result of this project.

Significant Wildlife Habitat

Tidal Waterfowl and Wading Bird Habitats

This search area includes Tidal Waterfowl and Wading Bird Habitat (TWWH), a Significant Wildlife Habitat under Maine's Natural Resources Protection Act. TWWHs provide important feeding and/or breeding habitat for diverse waterfowl and wading bird species. Birds utilize intertidal mudflats,

eelgrass, and mussel beds to forage for aquatic invertebrates, a primary food source, and maintaining natural tidal flow is essential to maintaining healthy intertidal areas and food sources to support waterfowl and wading bird species. Based on the location of the search area in relation to this habitat, we recommend that you design your project to provide as much undisturbed buffer as possible to protect this habitat.

Significant Vernal Pools

At this time, MDIFW Significant Wildlife Habitat maps indicate no known presence of Significant Vernal Pools in the project search area; however, a comprehensive statewide inventory for Significant Vernal Pools has not been completed. Therefore, we recommend that surveys for vernal pools be conducted within the project boundary by qualified wetland scientists prior to final project design to determine whether there are Significant Vernal Pools present in the area. These surveys should extend up to 250 feet beyond the anticipated project footprint because of potential performance standard requirements for off-site Significant Vernal Pools, assuming such pools are located on land owned or controlled by the applicant. Once surveys are completed, survey forms should be submitted to our Agency for review well before to the submission of any necessary permits. Our Department will need to review and verify any vernal pool data prior to final determination of significance.

Fisheries Habitat

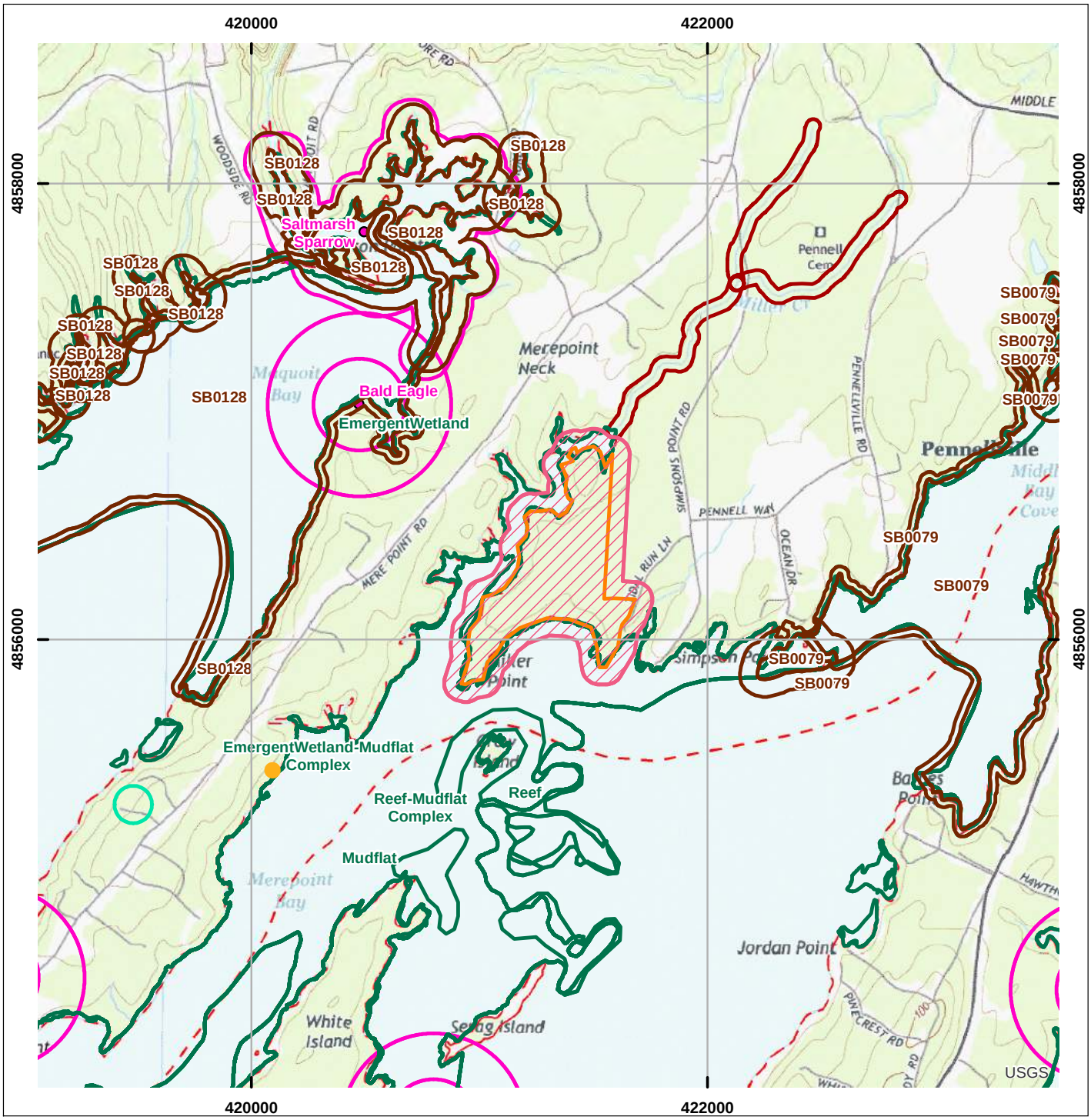
We recommend that 100-foot undisturbed vegetated buffers be maintained along streams. Buffers should be measured from the edge of stream or associated fringe and floodplain wetlands. Maintaining and enhancing buffers along streams that support coldwater fisheries is critical to the protection of water temperatures, water quality, natural inputs of coarse woody debris, and various forms of aquatic life necessary to support conditions required by many fish species. Stream crossings should be avoided, but if a stream crossing is necessary, or an existing crossing needs to be modified, it should be designed to provide full fish passage. Small streams, including intermittent streams, can provide crucial rearing habitat, cold water for thermal refugia, and abundant food for juvenile salmonids on a seasonal basis and undersized crossings may inhibit these functions. Generally, MDIFW recommends that all new, modified, and replacement stream crossings be sized to span at least 1.2 times the bankfull width of the stream. In addition, we generally recommend that stream crossings be open bottomed (i.e. natural bottom), although embedded structures which are backfilled with representative streambed material have been shown to be effective in not only providing habitat connectivity for fish but also for other aquatic organisms. Construction Best Management Practices should be closely followed to avoid erosion, sedimentation, alteration of stream flow, and other impacts as eroding soils from construction activities can travel significant distances as well as transport other pollutants resulting in direct impacts to fish and fisheries habitat. In addition, we recommend that any necessary instream work occur between July 15 and October 1.

This consultation review has been conducted specifically for known MDIFW jurisdictional features and should not be interpreted as a comprehensive review for the presence of other regulated features that may occur in this area. Prior to the start of any future site disturbance we recommend additional consultation with the municipality, and other state resource agencies including the Maine Natural Areas Program and Maine Department of Environmental Protection in order to avoid unintended protected resource disturbance.

Please feel free to contact my office if you have any questions regarding this information, or if I can be of any further assistance.

Best regards,

Becca Settele
Wildlife Biologist



Environmental Review of Fish and Wildlife Observations and Priority Habitats

Project Name: Brunswick, King Property (Version 1)

Miles

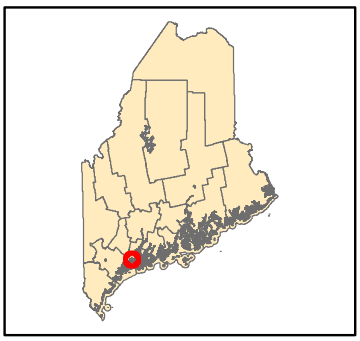
0 0.125 0.25 0.5 0.75 1

Projection: UTM, NAD83, Zone 19N

Date: 5/4/2019

Maine Department of Inland Fisheries and Wildlife

- ProjectPoints
- ProjectLines
- ProjectPolys
- ProjectSearchAreas
- Deer Winter Area
- LUPC p-fw
- Cooperative DWAs
- Seabird Nesting Islands
- Shorebird Areas
- Inland Waterfowl/Wading Bird
- 2008 Iwwh (Shoreland Zoning)
- Tidal Waterfowl/Wading Bird
- Significant Vernal Pools
- Environmental Review Polygons
- Roseate Tern
- Piping Plover/Least Tern
- Aquatic ETSc (2.5 mi review)
- Rare Mussels (5 mi review)
- Maine Heritage Fish Waters
- Arctic Charr Habitat
- Redfin Pickerel/Swamp Darter Habitats (buffer100ft)
- Special Concern-occupied habitats(100ft buffer)
- Wild Lake Trout Habitats



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
177 STATE HOUSE STATION
AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

May 6, 2019

Rodney Kelshaw
Stantec
30 Park Drive
Topsham, ME 04086

Via email: rodney.kelshaw@stantec.com

Re: Rare and exemplary botanical features in proximity to: 195601702, King Property, Brunswick, Maine

Dear Mr. Kelshaw:

I have searched the Maine Natural Areas Program's Biological and Conservation Data System files in response to your request received May 2, 2019 for information on the presence of rare or unique botanical features documented from the vicinity of the project in Brunswick, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. This lack of data may indicate minimal survey efforts rather than confirm the absence of rare botanical features. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

If a field survey of the project area is conducted, please refer to the enclosed supplemental information regarding rare and exemplary botanical features documented to occur in the vicinity of the project site. The list may include information on features that have been known to occur historically in the area as well as recently field-verified information. While historic records have not been documented in several years, they may persist in the area if suitable habitat exists. The enclosed list identifies features with potential to occur in the area, and it should be considered if you choose to conduct field surveys.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

MOLLY DOCHERTY, DIRECTOR
MAINE NATURAL AREAS PROGRAM
BLOSSOM LANE, DEERING BUILDING

PHONE: (207) 287-804490
WWW.MAINE.GOV/DACF/MNAP

The Maine Natural Areas Program (MNAP) is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. MNAP welcomes coordination with individuals or organizations proposing environmental alteration, or conducting environmental assessments. If, however, data provided by MNAP are to be published in any form, the Program should be informed at the outset and credited as the source.

The Maine Natural Areas Program has instituted a fee structure of $75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for $150.00 for two hours of our services.

Thank you for using MNAP in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,

Kristen Puryear | Ecologist | Maine Natural Areas Program
207-287-8043 | kristen.puryear@maine.gov

Rare and Exemplary Botanical Features within 4 miles of Project: King Property, Brunswick, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
Adder's Tongue Fern						
	SC	S1	G5	1905-08-10	7	Non-tidal rivershore (non-forested, seasonally wet),Open wetland, not coastal nor rivershore (non-forested, wetland),Old field/roadside (non-forested, wetland or upland)
Climbing Hempweed						
	PE	SH	G5	1916-08	1	Dry barrens (partly forested, upland),Open wetland, not coastal nor rivershore (non-forested, wetland)
Clothed Sedge						
	E	S1	G5	1898-06-15	1	Dry barrens (partly forested, upland)
	E	S1	G5	2018-07-28	9	Dry barrens (partly forested, upland)
	E	S1	G5	1999-08-05	4	Dry barrens (partly forested, upland)
Dry Land Sedge						
	SC	S2	G5	2017-06-17	15	Old field/roadside (non-forested, wetland or upland)
Mountain Honeysuckle						
	E	S2	G5	2018-09-20	18	Dry barrens (partly forested, upland),Hardwood to mixed forest (forest, upland)
	E	S2	G5	2014-06-05	15	Dry barrens (partly forested, upland),Hardwood to mixed forest (forest, upland)
	E	S2	G5	1933-09	4	Dry barrens (partly forested, upland),Hardwood to mixed forest (forest, upland)
Pitch Pine - Heath Barren						
	<null>	S1	G3G5	2002-09-26	1	Dry barrens (partly forested, upland)
Pitch Pine Bog						
	<null>	S2	G3G5	2002-09-26	9	Forested wetland,Coastal non-tidal wetland (non-forested, wetland)
Salt-hay Saltmarsh						
	<null>	S3	G5	2011-09-23	60	Tidal wetland (non-forested, wetland)
	<null>	S3	G5	2009	25	Tidal wetland (non-forested, wetland)

Rare and Exemplary Botanical Features within 4 miles of Project: King Property, Brunswick, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
	<null>	S3	G5	2018-09-20	45	Tidal wetland (non-forested, wetland)
	<null>	S3	G5	2011-10-30	48	Tidal wetland (non-forested, wetland)
Saltmarsh Bulrush						
	SC	S2	G5	2011-08-04	2	<null>
Saltmarsh False-foxglove						
	SC	S3	G5	2018-09-20	39	Tidal wetland (non-forested, wetland)
Sandplain Grassland						
	<null>	S1	GNR	2007-05-08	4	Dry barrens (partly forested, upland)
	<null>	S1	GNR	2008-11-19	5	Dry barrens (partly forested, upland)
Sassafras						
	SC	S2	G5	1906	10	Hardwood to mixed forest (forest, upland),Old field/roadside (non-forested, wetland or upland)
	SC	S2	G5	2010-06-10	28	Hardwood to mixed forest (forest, upland),Old field/roadside (non-forested, wetland or upland)
Showy Lady's-slipper						
	SC	S3	G4G5	1907-07-09	38	Forested wetland,Open wetland, not coastal nor rivershore (non-forested, wetland)
Small Reed Grass						
	SC	S3	G5	2018-09-13	13	Old field/roadside (non-forested, wetland or upland)
Unicorn Root						
	SC	S1	G5	1884	1	Dry barrens (partly forested, upland)

STATE RARITY RANKS

S1 Critically imperiled in Maine because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extirpation from the State of Maine.
S2 Imperiled in Maine because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
S3 Rare in Maine (20-100 occurrences).
S4 Apparently secure in Maine.
S5 Demonstrably secure in Maine.
SU Under consideration for assigning rarity status; more information needed on threats or distribution.
SNR Not yet ranked.
SNA Rank not applicable.
S#? Current occurrence data suggests assigned rank, but lack of survey effort along with amount of potential habitat create uncertainty (e.g. S3?).

Note: **State Rarity Ranks** are determined by the Maine Natural Areas Program for rare plants and rare and exemplary natural communities and ecosystems. The Maine Department of Inland Fisheries and Wildlife determines State Rarity Ranks for animals.

GLOBAL RARITY RANKS

G1 Critically imperiled globally because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extinction.
G2 Globally imperiled because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
G3 Globally rare (20-100 occurrences).
G4 Apparently secure globally.
G5 Demonstrably secure globally.
GNR Not yet ranked.

Note: **Global Ranks** are determined by NatureServe.

STATE LEGAL STATUS

Note: State legal status is according to 5 M.R.S.A. § 13076-13079, which mandates the Department of Conservation to produce and biennially update the official list of Maine's **Endangered** and **Threatened** plants. The list is derived by a technical advisory committee of botanists who use data in the Natural Areas Program's database to recommend status changes to the Department of Conservation.

E ENDANGERED; Rare and in danger of being lost from the state in the foreseeable future; or federally listed as Endangered.
T THREATENED; Rare and, with further decline, could become endangered; or federally listed as Threatened.

NON-LEGAL STATUS

SC SPECIAL CONCERN; Rare in Maine, based on available information, but not sufficiently rare to be considered Threatened or Endangered.
PE Potentially Extirpated; Species has not been documented in Maine in past 20 years or loss of last known occurrence has been documented.

Visit our website for more information on rare, threatened, and endangered species!
http://www.maine.gov/dacf/mnap

ELEMENT OCCURRENCE RANKS - EO RANKS

Element Occurrence ranks are used to describe the quality of a rare plant population or natural community based on three factors:

- **Size**: Size of community or population relative to other known examples in Maine. Community or population's viability, capability to maintain itself.
- **Condition**: For communities, condition includes presence of representative species, maturity of species, and evidence of human-caused disturbance. For plants, factors include species vigor and evidence of human-caused disturbance.
- **Landscape context**: Land uses and/or condition of natural communities surrounding the observed area. Ability of the observed community or population to be protected from effects of adjacent land uses.

These three factors are combined into an overall ranking of the feature of **A**, **B**, **C**, or **D**, where **A** indicates an **excellent** example of the community or population and **D** indicates a **poor** example of the community or population. A rank of **E** indicates that the community or population is **extant** but there is not enough data to assign a quality rank. The Maine Natural Areas Program tracks all occurrences of rare (S1-S3) plants and natural communities as well as A and B ranked common (S4-S5) natural communities.

Note: **Element Occurrence Ranks** are determined by the Maine Natural Areas Program for rare plants and rare and exemplary natural communities and ecosystems. The Maine Department of Inland Fisheries and Wildlife determines Element Occurrence ranks for animals.

Visit our website for more information on rare, threatened, and endangered species!
http://www.maine.gov/dacf/mnap

02.20.00

CONSERVATION EASEMENT DEED AND INDENTURE
MILLER POINT

THIS CONSERVATION DEED AND INDENTURE is made this 21st day of March, 2000, between ROBERT C. KING, JR. and NANCY P. KING of 14 Knollwood Road, Short Hills, New Jersey 07078 (hereinafter referred to as the "Grantor") and the TOWN OF BRUNSWICK, a Maine municipality ("Holder").

WHEREAS, this Conservation Easement is being given to the Holder to satisfy an alternative condition of approval imposed by the Town of Brunswick Planning Board in the approval of the Grantors' application for the construction of a portion of a driveway within the setback from a high to moderate value wetland on an a parcel of land adjacent to the Protected Premises known as Miller Point [see minutes of Brunswick Planning Board dated March 9, 1999]. As voted by the Planning Board, this Conservation Easement is being granted in lieu of the Grantors' unilateral imposition of restrictive covenants on the Protected Premises that meet the other conditions of approval voted by the Planning Board.

WHEREAS, Grantors hold title to approximately one hundred fifteen and 4/10 (115.4) acres of real property situated on Miller Point, so called, on Middle Bay, between John's Point and Mere Point (hereinafter referred to as "Miller Point"), and approximately nine and eight tenths (9.8) acres of land known as Lots C and D on John's Point, on Middle Bay between Simpson's Point and Miller Point (hereinafter referred to as "John's Point"), in Brunswick, Cumberland County, Maine, described on the attached survey entitled "Standard Boundary Survey of Miller Point and John's Point Road & Simpson Point Road Brunswick, Maine", for Robert C. King, Jr. and Nancy P. King, by Owen Haskell, Inc., dated January 6, 2000, to be recorded in the Cumberland County Registry of Deeds, attached hereto and made a part hereof at EXHIBIT A (collectively referred to as the "Property" or the "Protected Premises") acquired by deeds recorded in the Cumberland County Registry of Deeds at: Book 14635, Page 301[Miller Point]; Book 14635, Page 303; [Miller Point] and Book 14657, Page 47, [Lot D, John's Point]; and, Book 15254, Page 304, [Lot C, John's Point] reference is also made to "Amended Subdivision Plan of John's Point, Simpson Point Road, Brunswick, ME by Owen Haskell, Inc., dated March 4, 1999, to be recorded in the Cumberland

County Registry of Deeds [Lots C and D, John's Point] (hereinafter referred to as the "John's Point Plan"); and,

WHEREAS, in connection with the Grantor's plan to establish up to four (4) new dwellings on Miller Point (for a total of not more than five (5) dwellings on Miller Point, including the so-called Chase Homestead) and one (1) new dwelling on John's Point (sometimes referred to as the "permitted dwellings"), the delivery to the Holder of a conservation easement on the adjacent land heretofore owned by John's Point Association (hereinafter referred to as the "John's Point Common Land") by the Grantors and Gregory A. Kelly, MD and Lynda L. Kelly; the Grantors' development of a common access driveway (hereinafter referred to as "driveway") across the said adjacent John's Point Common Land from Simpson's Point Road to the Protected Premises, the Grantors wish to protect, in perpetuity, the natural, scenic, open space, recreational, wildlife and aesthetic values of the Property, for the benefit of the Protected Premises, the adjacent land owned by the Grantors and others on John's Point, the Town of Brunswick, and the protection of the Protected Premises' conservation values; and,

WHEREAS, Holder is qualified and willing to accept the grant of this Conservation Easement Deed and Indenture pursuant to Internal Revenue Code, 26 U.S.C.A. §170(h)(3), and the Maine Uniform Conservation Easement Act, 33 M.R.S.A. §476 et seq.;

In consideration of the foregoing and the covenants herein contained, Grantors do hereby GRANT WITH WARRANTY COVENANTS to Holder, its successors and assigns, a conservation easement over the Protected Premises, subject to the reservation of rights unto Grantors for the benefit of the Protected Premises, all as follows:

1. PURPOSE. The purpose hereof is to preserve and protect in perpetuity the natural, scenic, open space, recreational, wildlife and aesthetic values of the Protected Premises, through the continuation of responsible conservation practices and recreational uses. For the purpose of this Conservation Easement the Protected Premises are defined as those areas of the Property not containing accessory and appurtenant structures to the permitted dwellings, septic systems and their components, driveways, turnouts and turnarounds.

2. AFFIRMATIVE RIGHTS CONVEYED TO THE HOLDER. Grantors convey to Holder the following affirmative rights:

a) The right to identify, to preserve and to protect in perpetuity the natural, scenic, open space, recreational, wildlife and aesthetic values of the Protected Premises.

b) Upon advance written notice to the Grantors, the right to enter upon the Protected Premises not more often than once a quarter in any manner that will not unreasonably interfere with the permitted uses being made of the Protected Premises, for the sole purposes of inspection and to take any action as may be necessary, with or without order of Court, to remedy or abate any violation of this Easement; provided, however, in the event Holder has a reasonable belief that there has been, or there is ongoing, a violation of this easement, Holder may enter the Protected Premises at reasonable intervals to assess and see to the remediation of such violation.

c) The right to enforce the covenants herein set forth.

d) The right of the Protected Premises to be free of any taint, corruption or pollution of whatever character arising from any use of the Protected Premises in a manner not permitted hereunder.

3. RESERVED RIGHTS, RESIDENTIAL STRUCTURES and USES. By this Conservation Easement as more particularly set forth in this instrument, the Grantors reserve certain rights to construct, conserve, raze repair and maintain structures within the Development Areas shown on Exhibit A (individually sometimes hereinafter referred to as "Area" followed by the area number appearing on Exhibit A) and to utilize the Development Areas to the fullest non commercial residential potential permitted by the applicable land use ordinances and regulations. The rights reserved by the Grantors with respect to the Development Areas are to utilize the Development Areas for any residential purposes and uses permitted by the Town of Brunswick, State of Maine and federal land use ordinances, statutes and regulations and on three (3) Areas to construct therein not more than five (5) single family dwellings in the aggregate (three (3) within Area 1, one (1) within Area 2 and one (1) west of Miller Creek in Area 3), together with all appurtenant structures permitted in the zone within which the Development Areas are located. As used herein, the words "non commercial" shall not be construed to prevent the owner of any permitted dwelling to rent the dwelling or portions thereof for residential use or to prevent the use of a dwelling for any at-home business or home occupation that is permitted by the Town of Brunswick land use ordinances in the applicable zoning district and, to the extent the use is

conducted on the Protected Premises, the use is substantially conducted within the dwelling.

a) Except as reserved by the Grantors herein, no permanent, temporary or seasonal structures shall be permitted upon the Protected Premises. The Grantors reserve to themselves the following rights with respect to development of the Protected Premises:

i) **Area 1**. In Area 1, Grantors may create not more than three (3) lots, each meeting the standards of the Town of Brunswick and State of Maine land use ordinances, statutes and regulations for a lot within that zoning district without the review or approval of the Holder under this Easement. Within Area 1 the Grantor reserves the right to site, construct, maintain, repair, alter, renovate, remove and replace up to three (3) dwellings together with permitted structures as permitted by the Town of Brunswick land use ordinances. The Grantor reserves the right to construct a total of not more than two (2) docks, including cribbing and piers, on Areas 1 and 2 combined.

ii) **Area 2**. The Grantors reserve right to site, construct, maintain, repair, alter, renovate, remove and replace one (1) dwelling together with permitted structures on the Protected Premises east of Miller Creek within Area 2 as shown on Exhibit A, as permitted by the Town of Brunswick land use ordinances. The Grantor reserves the right to construct a total of not more than two (2) docks, including cribbing and piers, on Areas 1 and 2 combined.

iii) **Area 3**. The Grantors reserve the right to create a building lot on the Protected Premises west of Miller Creek (between Miller Creek and Mere Point Road), in Area 3, as depicted on Exhibit A, and to site, construct, maintain, repair, alter, renovate, remove and replace thereon up to one (1) dwelling and permitted structures and the right to construct, maintain, repair and replace a driveway to the dwelling from Mere Point Road or the existing gravel driveway serving the Chase home.

iv) **Area 4**. Within Area 4, as shown on Exhibit A, the Grantors reserve the right to maintain, repair, alter, remove, restore, replace, and renovate the existing farm house and all ells and outbuildings, including septic systems and wells and to site, construct, maintain, alter, repair, remove and reconstruct permitted structures on the Protected Premises west of

Miller Creek, commonly known as the "Chase home" or the "Homestead," [see Motion of Approval with Conditions, Brunswick Planning Board, March 9, 1999]. This reserved right includes the right to raze all or part of the structure of the Chase home and the outbuildings and to construct and reconstruct replacements and additions to the Chase home and the outbuildings.

b) Grantors reserve the right to apply to the Town of Brunswick Planning Board to expand Area 1 by approximately 2 acres by relocating that portion of the westerly boundary of Area 1 (now 250 feet from Miller Creek Cove) that is south of the medium value wetland, as determined by the Maine Department of Inland Fisheries and Wildlife, in a westerly direction to coincide with the applicable shoreland setback for the siting of "principal and accessory structures" (currently 125 feet from normal high water line); and, if the Planning Board votes to permit such expansion, Area 1 shall, without the need for further Holder approval and upon the recording of the vote of the Planning Board in the Cumberland County Registry of Deeds and the delivery of notice of the Planning Board vote to the Holder, be automatically expanded to the applicable shoreland setback.

c) Examples of structures and uses that are permitted within the Development Areas include but are not be limited to the following: permitted residential structures, attached and detached garages, water wells and associated mains, pumps and well houses, septic systems, tennis courts, paddle tennis courts, swimming pools and associated pool buildings and fencing, skating rinks, basketball courts, shuffle-board courts, volleyball courts, tether-ball courts, horseshoe pits, croquet courts, play equipment (swing sets, trampolines, jungle gyms, slides, teeter totters, play houses and forts, etc.), equestrian rings, lawns, gazeboes, greenhouses, composting areas, gardens of all types, fountains, stables, barns, workshops, garden and storage sheds, pet and dog houses and runs, patios, decks, porches, exterior steps and stairs, ladders, walls, fences, paved areas (including walks, driveways and other appurtenant surfaces), storage facilities and structures (boat, automobile, RV, etc.), exterior lighting and light stanchions as necessary to safely enjoy the above; provided, no use or structure shall be for commercial purposes other than an at home business otherwise permitted by local land use ordinances. The foregoing are sometimes referred to in this Easement as "permitted structures."

4. STRUCTURES.

a) The right to retain, repair, maintain, alter, remove, restore and replace all structures that exist on the Protected Premises on the date hereof, to wit: the bridge crossing Miller Creek and the Chase Homestead and accessory structures.

b) The right to construct, maintain, repair, alter, remove, restore and replace perimeter fencing and other similar structures as needed for permitted wildlife, aesthetic and recreational purposes and for the protection and/or preservation of the Protected Premises.

c) The right to construct, maintain, repair, alter, remove, restore and replace boundary monuments and non-commercial directional, cautionary, informational or instructional signage.

d) The right to post the boundaries and perimeter of the Protected Premises with appropriate signage to prohibit trespass and trespass for the purpose of hunting, trapping and use of prohibited motorized vehicles on the Protected Premises.

5. ACCESS DRIVEWAYS, DRIVEWAYS and UTILITIES. Except as specifically reserved by the Grantors herein there shall be no roads or driveways constructed or created on the Protected Premises, meaning and intending that there shall be no roads on the Protected Premises except:

a) The driveways shown on the plan presented to the Brunswick Planning Board on March 9, 1999, entitled "Right of Way Plan, King Property, Brunswick, Maine" by Mitchell & Associates, dated March 5, 1999, exclusive of the unbuilt extension of Tidal Run Lane (unless the Tidal Run Lane extension is needed for access to Lots C and/or D, John's Point):

b) The right to retain, repair, maintain, alter, remove, restore and replace all ways that exist on the Protected Premises on the date hereof.

c) The right to maintain, repair, pave, alter, remove, restore and replace the existing gravel driveway from Mere Point Road to the Chase home.

d) The right to construct, maintain, repair, pave, alter, remove, restore and replace a driveway to and from Mere Point Road to serve Development Area 3 and the dwelling and structures constructed thereon.

e) The right to maintain, repair, alter, remove, restore and replace the driveway and bridge crossing Miller Creek immediately east of the Chase home where the old county road, so called, crossed Miller Creek.

f) The right to construct, maintain, repair, remove, restore and replace a gravel access driveway from the access driveway constructed by the Grantors across the adjacent John's Point land from Simpson's Point Road to the Protected Premises substantially within the easement corridor shown on Exhibit A. for the exclusive purpose of providing ingress and egress to and from said Simpson's Point Road to the dwellings permitted in the Development Areas shown on Exhibit A; provided, however, such driveway may serve a maximum of four (4) dwellings. After the gravel driveway has been fully constructed substantially within the corridor shown on Exhibit A, the Grantors shall have prepared at their expense an "as built" survey showing the location of the gravel driveway, as built, which survey will be recorded in the Cumberland County Registry of Deeds in order to establish the precise location of the driveway corridor on the face of the earth.

g) The right to construct, maintain, repair, alter, remove, restore and replace a gravel driveway to serve the dwelling permitted to be sited and constructed within Area 2 from said dwelling and its appurtenant structures to the access driveway from Simpson's Point Road to Miller Point, so long as the Grantor has not constructed a driveway over the extension of Tidal Run Lane from the existing terminus of Tidal Run Lane to a dwelling in Area 2. The driveway serving Area 2 may cross Area 1.

h) The right to construct, maintain, repair, alter, remove, restore and replace above and below ground utility lines, poles and other equipment including but not limited to, electric, telephone and cablevision poles, wires, cables, conduits, pipes, transformers, relay stations and supporting mechanical devices and housings serving not more than the four (4) dwellings and appurtenant structures permitted on the Protected Premises east of Miller Creek in Areas 1 and 2 along, on and under the access driveway corridor area shown on Exhibit A, from Simpson's Point Road across John's Point Common Land, so called, and to the Protected Premises and along, on and under the driveway and within the driveway corridor from the above mentioned access driveway to the structures within Areas 1 and 2.

6. SURFACE ALTERATIONS. No filling, dumping, excavations or other alterations shall be made to the surface of the Protected Premises other than caused by the forces of nature, except that Grantors reserve unto themselves the following

rights and the rights to make surface alterations as necessary to make improvements of the type and nature set forth at paragraph 4 of this easement:

a) The right, within the Development Areas shown on Exhibit A, to fill, excavate and alter the surface of the Protected Premises, including but not limited to the laying of impervious surfaces such as walkways, sidewalks, paved aprons and driveways and excavating for wells, foundations, footings and basements.

b) If, in the opinion of a licensed site evaluator, an insufficient number of suitable septic waste disposal areas exist within the Development Areas shown at Exhibit A, the Grantor reserves the right to construct, install, repair, maintain and replace suitable septic waste disposal areas, together with associated pipes, pumps and mains, outside the Development Area shown on Exhibit A, provided not more than one septic waste disposal field is created for each of the dwellings and appurtenant structures that are permitted within the Development Areas.

c) The right to excavate and fill in connection with the construction, maintenance, repair and replacement of the permitted gravel driveways on the Protected Premises, including the driveway to Area 2, , and all appurtenant and adjacent ditches and associated culverts; and, to excavate and fill in connection with the maintenance, repair and replacement of above ground utility lines and poles and underground, utility lines and associated mechanical installations, provided that previous condition of the adjacent land be thereafter promptly substantially restored.

d) The right to construct, maintain, repair, alter, remove, restore and replace (but not relocate) the paths and trails shown on Exhibit A to provide pedestrian access to, across and through the Protected Premises and its natural features and access for permitted purposes.

e) The right to construct, maintain, repair , alter, remove, restore and replace temporary unpaved ways, such as skidder trails, to provide vehicular access for permitted purposes in a manner intended to minimize material and permanent adverse impact to the Protected Premises.

f) With notice to the Holder, the right to excavate and alter small, select portions of the Protected Premises outside of the Development Areas for ecological or archeological purposes, provided that any such excavations shall be done according to generally accepted professional practices and standards in a manner

intended to minimize material and permanent adverse impact to the Protected Premises.

g) The right to maintain, repair, rehabilitate, restore and support the pond within the Protected Premises as necessary to preserve the same.

7. TREE CUTTING AND VEGETATION. The destruction or removal of standing trees, plants, shrubs or other vegetation upon the Protected Premises shall not be permitted, except that Grantors reserve unto themselves the following rights:

a) The right to cut, trim and remove trees and other vegetation within the Development Areas shown on Exhibit A as deemed necessary by the Grantors for the siting and construction of permitted dwellings and appurtenant out buildings and permitted structures.

b) The right to mow and cut shrubs, saplings, grasses and other vegetation to maintain, restore and rehabilitate existing open fields, if any and to keep the ditches, culverts and sightlines along the permitted driveways clear.

c) The right to graze, cultivate, fertilize, plant and harvest existing open fields west of Miller creek, for non-commercial purposes, employing the best management practices and nutrient loading management plan(s) as established and defined by the Maine Department of Agriculture Food, and Rural Resources, or its successor ; provided, however the prohibition against commercial agricultural purposes shall not be deemed to prohibit a community garden, truck garden, the harvest from which is sold by the Grantor, or the raising and sale of a small number of farm animals or products thereof.

d) The right to clear, manage and restore vegetation and forest cover and other vegetation on and within the Protected Premises and the Development Areas, by selective cutting and/or planting so as to promote and maintain the health and aesthetic qualities of the forest and the forest eco-system, as well as the right to clear and restore forest cover and other vegetation that is damaged or destroyed by the forces of nature, such as ice storms, fire or disease, and when necessary to prevent the spread of disease and the elimination or reduction of potential forest fire fuel, in accordance with a plan prepared by a licensed forester in a manner intended to minimize material and permanent adverse impact to the Protected Premises that is not consistent with this right, which plan has been approved by Holder, the approval of which will not be unreasonably withheld. This right

permits the Grantors to manage the forest for their personal, non-commercial, use to preserve the scenic and natural character of the Protected Premises to enhance wildlife values, and, to the extent possible, considering these goals, to provide a sustained yield of forest products to the Grantors for non-commercial purposes. Clear cutting is strictly prohibited for these purposes unless required to mitigate greater harm to the conservation values of the Protected Premises. Under no circumstances shall this paragraph be deemed to be the reservation of any right to manage and/or harvest the forest cover for commercial purposes, provided, however, the material cut and harvested pursuant to this paragraph may be used by the Grantors and put into the stream of commerce, sold or used as compensation for the forester and/or operator.

e) The right to clear, cut and restore forest cover and other vegetation in the event of an emergency, such as when necessary to prevent the spread of fire.

8. PROHIBITED ACTIVITIES. The Protected Premises shall not be used for the following purposes:

a) Commercial, industrial, quarrying or mining activities, including but not limited to the stripping of loam or other soil strata.

b) Placement or use of trailers or campers on the Protected Premises outside of the Development Areas, provided that such prohibition shall not prevent Grantors, their heirs or assigns, from erecting tents or building not more than four tree houses for occasional and temporary camping or recreational purposes outside of the Development Areas.

c) Billboards, antennae or telecommunications apparatus that are visible from any lot, parcel of land, public or private road or driveway outside of the Protected Premises, provided, however, this provision shall not prohibit the erection and use of television, radio and similar antennae within the Development Areas used for the sending and reception of signals to be used by and disseminated by and to the dwellings permitted on and within the Protected Premises (hereinafter referred to as "private antennae") provided, reasonable effort is made to screen any free standing private antennae from view from any public way and residences sited off of the Protected Premises.

9. RESERVED RIGHTS. Grantors reserve unto themselves, as owners of the Protected Premises, the right to use (or to regulate or prohibit use of) the Protected

Premises for all purposes not inconsistent with rights of Holder under this grant, including but not limited to:

a) The right to regulate, control or prohibit hunting or trapping of animals by any means, including the posting of the Protected Premises;

b) The right to regulate, control and prohibit the taking of flora and fauna specimens from the Protected Premises;

c) The right to regulate, control or prohibit the use of motorized vehicles on the Protected Premises; and,

d) The right to regulate recreational uses such as camping, walking, hiking, bicycling, horseback riding, skiing; gardening and the use of the Protected Premises by pets and domesticated animals; provided, however, all signs prohibiting non-motorized access to the Protected Premises shall be approved by the Holder which approval will not be unreasonably withheld. The failure of the Holder to grant or deny approval of Grantor's request for approval of signage prohibiting non-motorized access within thirty (30) days of the Holder's receipt of Grantor's request shall be deemed to be approval of the request. If the Grantors erect such signs to prevent or control the imminent threat of damage or injury to the Protected Premises or themselves and/or their families and their guests and invitees, no such advance approval shall be necessary, however notice of the same shall be given to Holder as soon thereafter as reasonably possible.

10. CONSTRUCTION. If uncertainty should arise in the interpretation of this easement, judgment should be made in favor of (a) conserving the Protected Premises outside of the Development Areas in its natural, scenic or open state and (b) preserving the use of the Protected Premises for recreational, wildlife and aesthetic purposes outside of the Development Areas while permitting full use of the driveway and utility rights reserved to the Grantors and allowing the Grantors full residential use and enjoyment of the Development Areas. Nothing herein shall be construed to permit any activity otherwise prohibited by the valid laws and regulations of any federal, state or local government or government agency having competent jurisdiction over the Protected Premises.

11. PUBLIC ACCESS. This easement does not confer upon the public a right of access to the Protected Premises.

12. MONITORING. Holder, its successors and assigns, shall make reasonable efforts from time-to-time to assure compliance by Grantors with all of the

covenants and restrictions herein. In exercising its access rights for inspection of the Protected Premises, Holder shall prepare, keep on file and make available to Grantor their monitoring reports for each inspection.

13. ENFORCEMENT. In the event Holder becomes aware of an event or circumstance of noncompliance with the terms and conditions herein set forth. Holder shall give notice to Grantors, their heirs or assigns, of such event or circumstance of noncompliance via certified mail, return receipt requested, and demand corrective action sufficient to abate such event or circumstance of noncompliance and sufficient to restore the Protected Premises to its condition prior to the breach. Failure by Grantors, their heirs or assigns, with reasonable speed to cause discontinuance, abatement or such other corrective action as may be demanded by Holder, shall entitle Holder, at its discretion, to enter the Protected Premises to take such action reasonably necessary to effect such correction without court order, to bring action at law or in equity in a court of competent jurisdiction to enforce the terms hereof, to obtain injunctive relief and to recover any damages arising from such noncompliance. If a court determines a breach thereof, Grantors, their heirs or assigns, shall reimburse Holder for any reasonable costs of restoration, correction and enforcement, including without limitation court costs and reasonable attorney fees. Nothing contained herein shall be construed to preclude Grantors from exhausting their legal remedies to determine whether the event or circumstance to which Holder objected was in fact not in compliance with the terms hereof. Language herein to the contrary notwithstanding, the Grantors shall not be liable, accountable or subject to damages to the Holder or any other party with standing as a Holder for any failure to remediate, abate or stop any activity on, or use of, the Protected Premises by third parties unless the Holder and its successors and assigns establish by a preponderance of the evidence that the Grantors had knowledge of the event or activity and, having such knowledge, failed to make any reasonable effort to prevent further or recurrent events or activity.

14. ESTOPPEL CERTIFICATES. Holder shall, within thirty (30) days after written request of Grantors, their successors and assigns, execute, acknowledge and deliver a written certificate in a form suitable for recordation stating that the Grantors are in compliance with the terms hereof, or stating what violations hereof may then exist.

15. COSTS AND TAXES. Grantors agree to bear all costs and responsibility of operation, upkeep and maintenance of the Protected Premises and do hereby relieve, indemnify and hold harmless Holder therefrom. In addition, Grantors

agree to pay any and all real property taxes and assessments levied by competent authority on the Protected Premises. However, nothing contained herein shall preclude Grantors from delegating the responsibility for payment of all costs as aforesaid and the responsibility for operation, upkeep and maintenance of the Protected Premises to any other party with an interest in the Protected Premises benefiting from the reservation of rights hereunder.

16. GRANT IN PERPETUITY. The conservation easement herein granted shall be a burden upon and shall run with the Protected Premises in perpetuity and shall bind Grantors forever. A copy of the restrictions contained herein or incorporation by reference hereof shall be included in any subsequent deed or legal instrument by which Grantors convey any interest (including a leasehold) in the Protected Premises.

17. SUBSEQUENT TRANSFEREES. By acceptance hereof, Holder covenants and agrees, as real covenants running with the land in perpetuity, and not as conditions hereof or as restraints on alienability: (a) that it will hold the conservation easement hereunder in perpetuity for conservation purposes; (b) that it will not transfer rights and obligations hereunder, except to an entity which, as a condition precedent to such transfer, gives Holder and Grantors assurances that it is committed to the conservation purposes hereof and is able to and agrees to enforce the rights granted herein; and (c) that any such transferee shall be a "Qualified Organization" under Section 170(h)(3) of the Internal Revenue Code and a qualified "holder" under the Maine Uniform Conservation Easement Act, 33 M.R.S.A. §476 et seq., as amended. The rights and obligations of Holder hereunder may not be transferred in any event except with the prior consent of Grantors which consent shall not be unreasonably withheld.

18. NOTICE. All notices and other communications authorized or required hereunder shall be in writing and shall be effective only if sent by certified United States mail, return receipt requested. Notice shall be effective when received.

a) All notices to the Grantors and their respective heirs and assigns shall be sent to them at the following addresses or such different address as the Grantors, or their agent shall provide to the Holder using the procedures for giving notice to the Holder:

i) ROBERT C. KING, JR. and NANCY P. KING
14 Knollwood Road
Short Hills, New Jersey 07078

and

JOHN F. LOYD, JR., ESQ.
13 Pleasant Street
P. O. Box 40
Brunswick, Maine 04011-0040

ii) The heirs and assigns of ROBERT C. KING, JR. and NANCY P. KING at their address(e)s of record served on the Holder by a notice mailed as hereinabove set forth or the records of the Town of Brunswick, Maine Tax Assessor.

iii) The foregoing to the contrary notwithstanding, notice to either of the Kings at the address for notice to the Kings shall be deemed to be notice to both Kings.

b) Notice to Holder shall be sent to the Town Manager or, other chief executive officer at the Town office at the following address or such different address as the Holder and its successors and assigns shall provide to the Grantors, using the procedures for giving notice to the Grantors:

Town of Brunswick
28 Federal Street
Brunswick, Maine 04011

19. CONSENT OR APPROVAL OF HOLDER.

a) To the extent the word "Holder" as used herein shall mean and refer to the Holder as a municipality, and in all events where the consent or approval of the Holder is required and no municipal permit is also required, the approval or consent of the Holder shall be sought by an application to the chief executive officer of the municipality or its successor (e.g., Town Manager). Except as may otherwise be specified herein, when the approval or consent of the Holder is required for an action or activity that does not otherwise require a municipal permit, the Holder shall have sixty (60) days from the date a request for approval

or consent is made by the Grantors to consider the request, and Holder's failure to deny such request within said sixty (60) day period and any permitted extension period shall be deemed to evidence Holder's consent to the request. If Holder denies any such request, to be effective as a denial, the denial shall be in writing and shall contain the reasons for denial and findings of fact upon which the denial is based. To be effective, the denial of a request for approval or consent shall be signed by the Town Manager or other chief executive officer of the Holder.

b) Permits. To the extent the word "Holder" as used herein shall mean and refer to the Holder as a municipality, and to the extent an activity or use requires a permit from the Codes Enforcement Office, the Planning Board or other municipal office for any permitted use, the seeking of the permit shall not be interpreted to expand the rights of the Holder.

Conversely, to the extent Grantors are issued a permit from the Codes Enforcement Office, the Planning Board or other municipal office for an activity or use which is not permitted under this Easement, the issuance shall not be interpreted to expand the rights of the Grantors under this Easement, and shall not be interpreted to prevent the Holder from pursuing available remedies for the wrongful issuance.

20. MISCELLANEOUS.

a) The word "Grantors", wherever used herein, and any pronouns used in place thereof, shall mean and include, unless repugnant to the context, the above-named Grantors and their heirs and assigns and all persons hereafter claiming by, under or though said Grantors whether or not such persons executed this Conservation Easement Deed and Indenture or had an interest in the Protected Premises or the remainder of the Property as of the execution hereof; notwithstanding the foregoing, such a person shall have no obligation by virtue hereof, if and when such person shall cease to have any present, partial, contingent, collateral or future interest in the Protected Premises or any portion thereof by reason of a bona fide transfer for value (or upon transfer by demise or dissolution), provided such entity shall have received an estoppel certificate from Holder as of the date of such transfer indicating compliance with the terms hereof.

b) The word "Holder" shall mean and refer to the Town of Brunswick or its designee, such as the Conservation Commission, and the assigns of the Town of Brunswick.

c) Language herein to the contrary notwithstanding, all rights reserved herein by the Grantor shall be exercised only in a manner consistent with the land use ordinances and statutes of the Town of Brunswick and the State of Maine. Nothing herein shall be construed to give or reserve a right to act other than pursuant to and in conformance with all applicable laws and regulations.

d) In the event that the Protected Premises or portions thereof are owned by multiple parties and their assigns or they are multiple tenants in common or they otherwise own the Protected premises or any portion thereof in fractional interests, the exercise of a permitted or reserved right or use under this Easement shall require the consent of those persons collectively owning at least a majority interest in the Protected Premises based upon the record ownership in the Cumberland County Registry of Deeds.

e) The fact that any of the uses prohibited herein, or other uses not mentioned, may become greatly more economically valuable than the permitted uses, or that neighboring properties may in the future be put entirely to such non-permitted uses, has been considered by Grantors in granting this perpetual easement. It is Grantors' belief that any such changes will increase the benefit to the public of the continuation of this Conservation Easement Deed and Indenture and it is the intent of Grantors and Holder that any such changes should not be deemed to be changed conditions permitting termination hereof.

f) If any provisions hereof or the application thereof to any person, partnership or corporation or circumstance is found to be invalid, the remainder of the provisions hereof and the application of such provisions to persons, partnerships or corporations or circumstances other than those as to which it is found to be invalid, shall not be affected thereby.

g) Should it be necessary at any time in connection with any action of the Holder, to obtain the agreement or approval of multiple assigns of the Grantors (i.e., multiple owners of the interest of the Grantors in and to the Protected Premises), in connection with any matter relating to this Conservation Easement Deed and Indenture, the agreement or approval of the assigns of the Grantors (who are of full age and competent) holding title to a majority of the interests in the Protected Premises, including lots created therefrom shall be deemed to be the agreement or approval of all of the assigns of the Grantors, unless the Grantors and/or their respective heirs and assigns, have conveyed the authority to make such agreements with the Holder or to grant approval to the Holder, to a person, persons

or an entity representing the Grantors and their assigns of their interest in the Protected Premises.

h) Grantors and Holder agree that this Conservation Easement Deed and Indenture gives rise to a property right which vests immediately in Holder and which, for the purposes of this paragraph, has a fair market value equal to the amount by which the fair market value of the unrestricted Protected Premises, on the date of the execution hereof, is reduced by the restrictions imposed hereby. Should this Conservation Easement Deed and Indenture be extinguished by judicial decree or the powers of eminent domain and Grantor thereafter sells, exchanges or receives payment for any part or whole of the then unrestricted Protected Premises, Holder shall be entitled to a portion of the proceeds of such a sale, exchange, or involuntary conversion, at least equal to the proportion that the value hereof, as calculated above, bore to the value of the unrestricted Protected Premises on the date of the execution hereof. Such proceeds shall be used by Holder for its conservation purposes.

TO HAVE AND TO HOLD the said conservation easement as aforesaid unto the said Holder, and its successors and assigns forever, subject to such reservation of rights unto Grantors, their heirs and assigns.

AND GRANTORS DO COVENANT with Holder, and its successors and assigns, that they are lawfully seized in fee of the premises, and that the premises are free of all encumbrances; that they have good right to convey the same to the said Holder to hold as aforesaid; and that they and their heirs and assigns shall and will WARRANT AND DEFEND the same to the said Holder, its successors and assigns, forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this 24th day of February, 2000.

ROBERT C. KING, JR. - Grantor

NANCY P. KING – Grantor

HOLDER'S ACCEPTANCE.

The above and foregoing Conservation Easement Deed and Indenture was authorized to be accepted by the Town of Brunswick, Holder as aforesaid, and the said Holder does hereby accept the foregoing, by and through its Town MANAGER, thereunto duly authorized, this 21st day of March, 2000.

THE TOWN OF BRUNSWICK

By: Donald H. Gerrish
Print Name: DONALD H. GERRISH
Title: TOWN MANAGER

STATE OF MAINE

February 24, 2000

County of Cumberland, ss.

Personally appeared, before me, the above-named ROBERT C. KING, JR. and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Ann Hartzler
Notary Public
Ann Hartzler
Print name

Date commission expires

ANN HARTZLER
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES: 2/11/2007

SEAL

STATE OF MAINE
County of Cumberland, ss.

3/21, 2000

Personally appeared, before me, the above-named Donald H Gerrish, as Town Manager of the TOWN OF BRUNSWICK, and acknowledged the foregoing instrument to be his or her free act and deed and the free act and deed of the TOWN OF BRUNSWICK.

Before me,

Elin M. Gould

Notary Public

Elin M. Gould
~~Notary Public~~
My Commission Expires July 25, 2005

Print name

Date commission expires

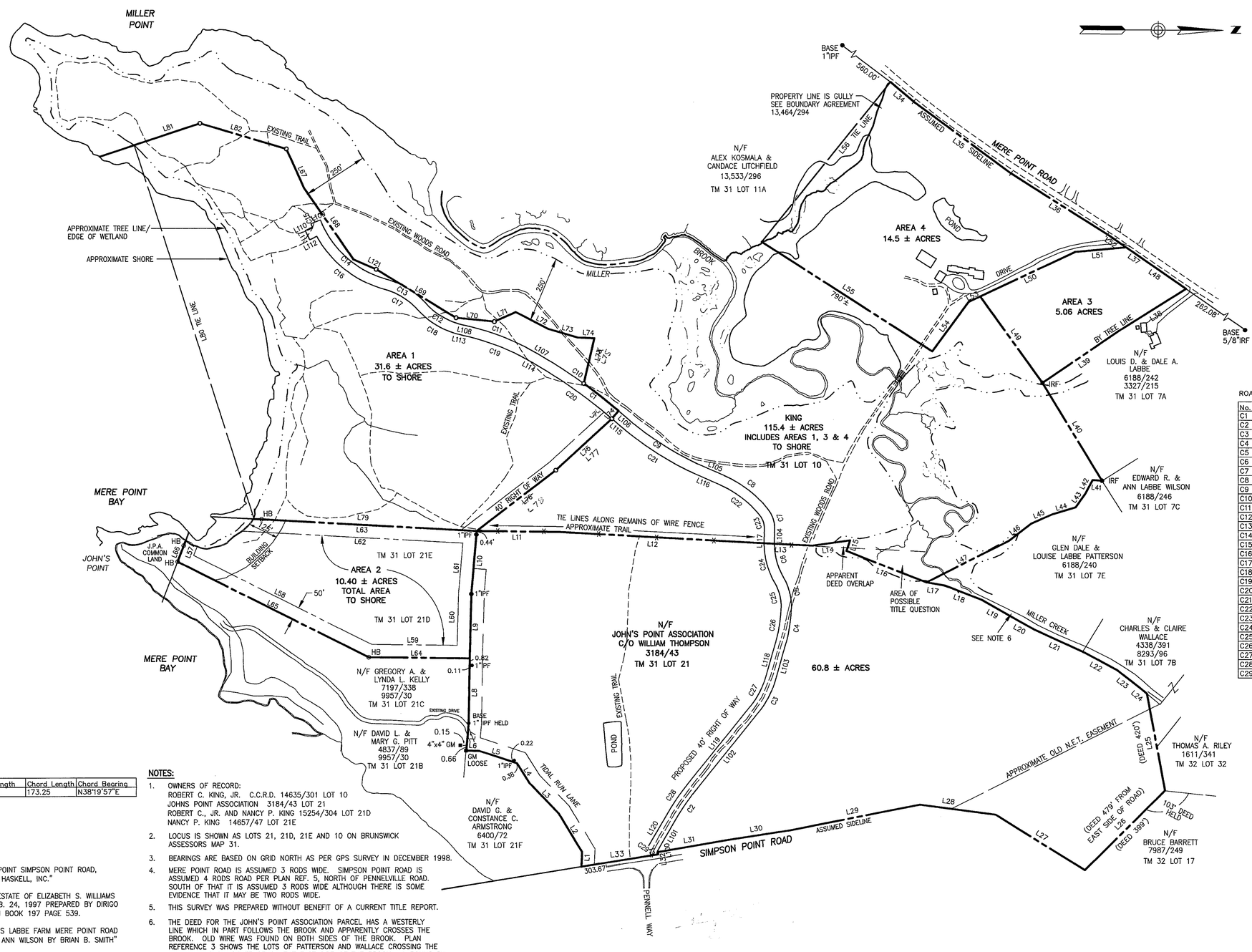
SEAL

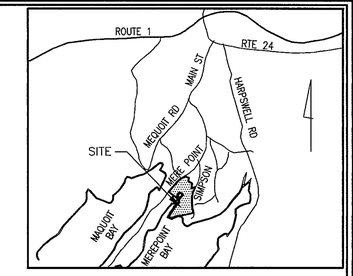
RECEIVED
RECORDED REGISTRY OF DEEDS
2000 MAR 22 AM 11:47
CUMBERLAND COUNTY
John B O'Brien

LINE TABLE

No.	Bearing	Distance
L1	N87°41'03"W	57.54'
L2	S58°56'57"W	175.91'
L3	S46°11'57"W	165.03'
L4	S57°43'57"W	91.57'
L5	S18°18'57"W	156.04'
L6	S04°58'57"W	50.00'
L7	N85°01'03"W	104.66'
L8	N89°05'03"W	253.58'
L9	N88°35'03"W	252.23'
L10	N85°09'33"W	246.88'
L11	N00°44'13"E	327.09'
L12	N03°16'28"E	742.29'
L13	N03°00'17"E	243.06'
L14	N07°59'43"W	148.50'
L15	S70°59'43"E	44.00'
L16	N21°24'31"E	335.13'
L17	N09°55'40"E	75.36'
L18	N21°12'00"E	150.94'
L19	N29°37'55"E	144.41'
L20	N29°06'10"E	94.86'
L21	N24°38'10"E	212.80'
L22	N28°13'50"E	145.96'
L23	N37°57'10"E	107.30'
L24	N39°41'50"E	41.48'
L25	N79°25'00"E	385.15'
L26	S44°54'00"E	441.83'
L27	S31°52'05"W	411.12'
L28	S07°30'53"W	298.12'
L29	S11°09'55"E	515.63'
L30	S08°50'08"E	250.06'
L31	S09°50'04"E	273.92'
L32	N80°48'31"E	8.25'
L33	S09°11'29"E	303.67'
L34	N40°07'39"E	119.04'
L35	N36°24'30"E	472.14'
L36	N32°18'50"E	446.87'
L37	N34°48'43"E	372.66'
L38	S32°04'51"E	300.00'
L39	S34°13'31"E	370.72'
L40	N58°42'10"E	447.70'
L41	S04°23'10"W	36.82'
L42	S62°06'20"E	61.52'
L43	S54°33'20"E	64.82'
L44	S16°26'50"E	93.00'
L45	S23°52'50"E	92.78'
L46	S37°33'50"E	108.27'
L47	S26°48'10"E	362.36'
L48	N34°48'43"E	285.00'
L49	S54°13'50"W	416.54'
L50	N25°11'17"W	410.00'
L51	N05°11'17"W	200.00'
L52	N34°48'43"E	87.66'
L53	S25°11'17"E	50.00'
L54	S53°41'17"E	240.00'
L55	S32°48'43"W	790.00'
L56	N51°12'30"W	800.98'
L57	S69°11'03"E	38.00'
L58	N26°39'57"E	776.78'
L59	N00°44'57"E	333.69'
L60	N88°35'03"W	204.30'
L61	N85°09'33"W	196.88'
L62	S03°08'57"W	817.94'
L63	N03°08'57"E	869.44'
L64	S00°44'57"W	394.62'
L65	S26°39'57"W	833.42'
L66	N69°11'03"W	83.14'
L67	N65°29'33"E	170.77'
L68	N55°24'45"E	239.58'
L69	N31°24'25"E	364.81'
L70	N05°42'38"E	150.75'
L71	N24°01'35"W	90.87'
L72	N27°26'47"E	145.36'
L73	N16°16'47"E	117.72'
L74	N02°38'33"E	65.07'
L75	S76°51'58"E	181.60'
L76	S49°12'35"E	40.00'
L77	S42°36'36"E	297.08'
L78	S37°31'03"E	390.00'
L79	S03°08'57"W	869.44'
L80	S72°17'59"W	1535.66'
L81	N18°23'45"W	270.00'
L82	N16°36'15"E	351.10'

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	04°54'56"	2020.00	173.30	173.25	N38°19'57"E





ROAD TABLE

No.	Bearing	Distance
L100	N80°48'31"E	8.25'
L101	N59°45'40"W	140.94'
L102	N51°09'43"W	381.62'
L103	N74°11'29"W	140.64'
L104	N88°07'54"W	41.90'
L105	S23°47'25"W	81.95'
L106	S40°47'25"W	39.15'
L107	S30°39'08"W	28.46'
L108	S12°36'31"W	10.75'
L109	S21°23'45"E	40.00'
L110	S26°01'45"E	30.47'
L111	N63°58'15"E	40.00'
L112	N26°01'45"W	30.47'
L113	N12°36'31"E	10.75'
L114	N30°39'08"E	28.46'
L115	N40°47'25"E	39.15'
L116	N23°47'25"E	81.95'
L117	S88°07'54"E	41.90'
L118	S74°11'29"E	140.64'
L119	S51°09'43"E	381.62'
L120	S59°45'40"E	140.94'
L121	N39°33'32"E	186.31'

ROAD TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	39°25'49"	21.94	15.10	14.80	N79°28'35"W
C2	08°35'58"	980.00	147.09	146.95	N55°27'41"W
C3	23°01'46"	370.00	148.72	147.72	N62°40'36"W
C4	14°13'11"	588.79	146.12	145.75	N61°18'04"W
C5	31°35'21"	218.20	120.30	118.78	S75°47'40"W
C6	31°52'06"	280.00	155.74	153.74	S75°56'03"W
C7	40°12'15"	120.00	84.20	82.49	S71°45'59"W
C8	27°52'27"	450.12	218.98	216.83	S37°43'38"W
C9	17°00'00"	1230.00	364.95	363.61	S32°17'25"W
C10	10°08'17"	2020.00	357.42	356.95	S35°43'16"W
C11	18°02'37"	970.00	305.47	304.21	S21°37'49"W
C12	35°16'04"	278.04	171.15	168.46	S30°14'33"W
C13	32°25'18"	320.00	181.08	178.67	S31°39'56"W
C14	53°08'58"	387.92	359.85	347.08	S42°01'45"W
C15	01°57'16"	427.92	14.60	14.60	N67°37'36"E
C16	45°50'14"	427.92	342.34	333.28	N38°22'23"E
C17	32°25'19"	280.00	158.44	156.34	N31°39'56"E
C18	35°16'04"	318.04	195.77	192.69	N30°14'33"E
C19	18°02'37"	930.00	292.88	291.67	N21°37'49"E
C20	10°08'17"	1980.00	350.34	349.89	N35°43'16"E
C21	17°00'00"	1270.00	376.82	375.44	N32°17'25"E
C22	27°52'27"	410.12	199.52	197.56	N37°43'38"E
C23	40°12'15"	80.00	56.14	54.99	N71°45'59"E
C24	31°52'06"	320.00	177.99	175.70	N75°56'03"E
C25	31°35'21"	178.20	98.25	97.01	N75°47'40"E
C26	14°13'11"	548.79	136.20	135.85	S81°18'04"E
C27	23°01'46"	330.00	132.64	131.75	S62°40'36"E
C28	08°35'58"	1020.00	153.09	152.95	S55°27'41"E
C29	13°27'29"	18.84	4.42	4.41	S66°29'25"E

NOTES:

1. OWNERS OF RECORD:
   ROBERT C. KING, JR. C.C.R.D. 14635/301 LOT 10
   JOHNS POINT ASSOCIATION 3184/43 LOT 21
   ROBERT C., JR. AND NANCY P. KING 15254/304 LOT 21D
   NANCY P. KING 14657/47 LOT 21E
2. LOCUS IS SHOWN AS LOTS 21, 21D, 21E AND 10 ON BRUNSWICK ASSESSORS MAP 31.
3. BEARINGS ARE BASED ON GRID NORTH AS PER GPS SURVEY IN DECEMBER 1998.
4. MERE POINT ROAD IS ASSUMED 3 RODS WIDE. SIMPSON POINT ROAD IS ASSUMED 4 RODS ROAD PER PLAN REF. 5, NORTH OF PENNELVILLE ROAD. SOUTH OF THAT IT IS ASSUMED 3 RODS WIDE ALTHOUGH THERE IS SOME EVIDENCE THAT IT MAY BE TWO RODS WIDE.
5. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A CURRENT TITLE REPORT.
6. THE DEED FOR THE JOHN'S POINT ASSOCIATION PARCEL HAS A WESTERLY LINE WHICH IN PART FOLLOWS THE BROOK AND APPARENTLY CROSSES THE BROOK. OLD WIRE WAS FOUND ON BOTH SIDES OF THE BROOK. PLAN REFERENCE 3 SHOWS THE LOTS OF PATTERSON AND WALLACE CROSSING THE BROOK TO THE WIRE FENCE ON THE EAST SIDE OF THE BROOK. A BOUNDARY AGREEMENT WITH THE ABUTTERS WOULD RESOLVE ANY AMBIGUITY.
7. THE LINES ALONG RILEY AND BARRETT ARE TAKEN FROM SURVEY DATA FROM DIRIGO LAND SERVICES, INC.
8. THE LINES ALONG PATTERSON AND WALLACE WERE TAKEN FROM PLAN REFERENCE 3 AS BASED ON IRONS FOUND AT LABBE. THE LINE ALONG RILEY WAS TAKEN FROM PLAN REFERENCE 4.
9. THE LINE ALONG BARRETT WAS ESTABLISHED BY DEED ANGLE FROM LINE BETWEEN BARRETT AND RILEY ON PLAN REFERENCE 4. A BOUNDARY AGREEMENT IS RECOMMENDED WITH BARRETT.
10. PRIOR DEED OF JOHN'S POINT ASSOCIATION LAND CALLS FOR SIMPSON POINT ROAD AS INCLUDED IN THE PARCEL, WITH PROPERTY LINE ON EAST SIDE OF ROAD.
11. TRAILS SHOWN WERE FOR THE MOST PART FIELD SURVEYED. IN AREAS WHERE TRAIL CONNECTIONS WERE NOT OBVIOUS TO SURVEYOR DUE TO SNOW COVER, CONNECTIONS WERE MADE BASED ON SKETCH PROVIDED BY ROBERT KING.

PLAN REFERENCES:

1. "AMENDED SUBDIVISION PLAN OF JOHN'S POINT SIMPSON POINT ROAD, BRUNSWICK, ME. MARCH 04, 1999 OWEN HASKELL, INC."
2. "STANDARD BOUNDARY SURVEY FOR THE ESTATE OF ELIZABETH S. WILLIAMS MERE POINT ROAD BRUNSWICK, MAINE FEB. 24, 1997 PREPARED BY DIRIGO LAND SERVICES, INC." RECORDED IN PLAN BOOK 197 PAGE 539.
3. "PROPERTY SURVEY AND DIVISION OF LOUIS LABBE FARM MERE POINT ROAD BRUNSWICK, MAINE NOVEMBER 1982 FOR ANN WILSON BY BRIAN B. SMITH" RECORDED IN PLAN BOOK 138 PAGE 24.
4. "STANDARD PROPERTY SURVEY AND DIVISION OF LAND OF THOMAS P. RILEY FOR R. C. THEBERGE, INC. MERE POINT ROAD BRUNSWICK, MAINE DECEMBER 18, 1997 PREPARED BY: DIRIGO LAND SERVICES, INC.
5. "PLAN AND PROFILE OF SIMPSONS POINT ROAD BRUNSWICK, MAINE MADE FOR TOWN OF BRUNSWICK PUBLIC WORKS DEPT. NOVEMBER 1997 ROYAL RIVER SURVEY CO."
6. "PLAN OF JOHN'S POINT SIMPSON'S POINT ROAD BRUNSWICK, MAINE OWNED BY JOHN'S POINT ASS'N OCT. 11, 1971 – TRACED AUG. 27, 1976 BY HOWARD F. BABBIDGE" RECORDED IN PLAN BOOK 116, PAGE 21.

GRAPHIC SCALE

0 100' 200' 400' 800'

LEGEND:

- ● IRON PIPE OR ROD FOUND
- ○ HB IRON SHOWN ON PLAN REF. 6
- ○ 5/8" IRON ROD TO BE SET
- ■ MONUMENT FOUND
- EXISTING WOODS ROAD
- EXISTING TRAIL
- BROOK OR CHANNEL

CERTIFICATION:

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS STANDARDS FOR A CATEGORY 1, CONDITION III, SURVEY WITH THE FOLLOWING EXCEPTIONS:

NO DEED DESCRIPTION; NO REPORT; NO IRONS SET

2-22-2000
DATE

JOHN C. SCHWANDA, PLS #1252

STATE OF MAINE
JOHN C. SCHWANDA
NO. 1252
PROFESSIONAL LAND SURVEYOR

REV. 3	2-16-00	PLAN REF. 6, REVISE NOTE 11, TRAILS
REV. 2	2-07-00	ADD NOTE 11, TRAILS
REV. 1	1-26-00	ADD TRAILS, PONDS

STANDARD BOUNDARY SURVEY

OF

MILLER POINT AND JOHN'S POINT
MERE POINT ROAD & SIMPSON POINT ROAD
BRUNSWICK, MAINE

MADE FOR

ROBERT C. KING, JR. & NANCY P. KING
14 KNOLLWOOD ROAD, SHORT HILLS, NH 07078

OWEN HASKELL, INC.
16 CASCO ST., PORTLAND, ME 04101 (207)774-0424
PROFESSIONAL LAND SURVEYORS

Drwn By	JCS	Date	Job No.
Trace By	JLW	JAN. 6, 2000	98314BK
Check By	JCS	Scale	Drwg. No.
Book No.	871	1" = 200'	1

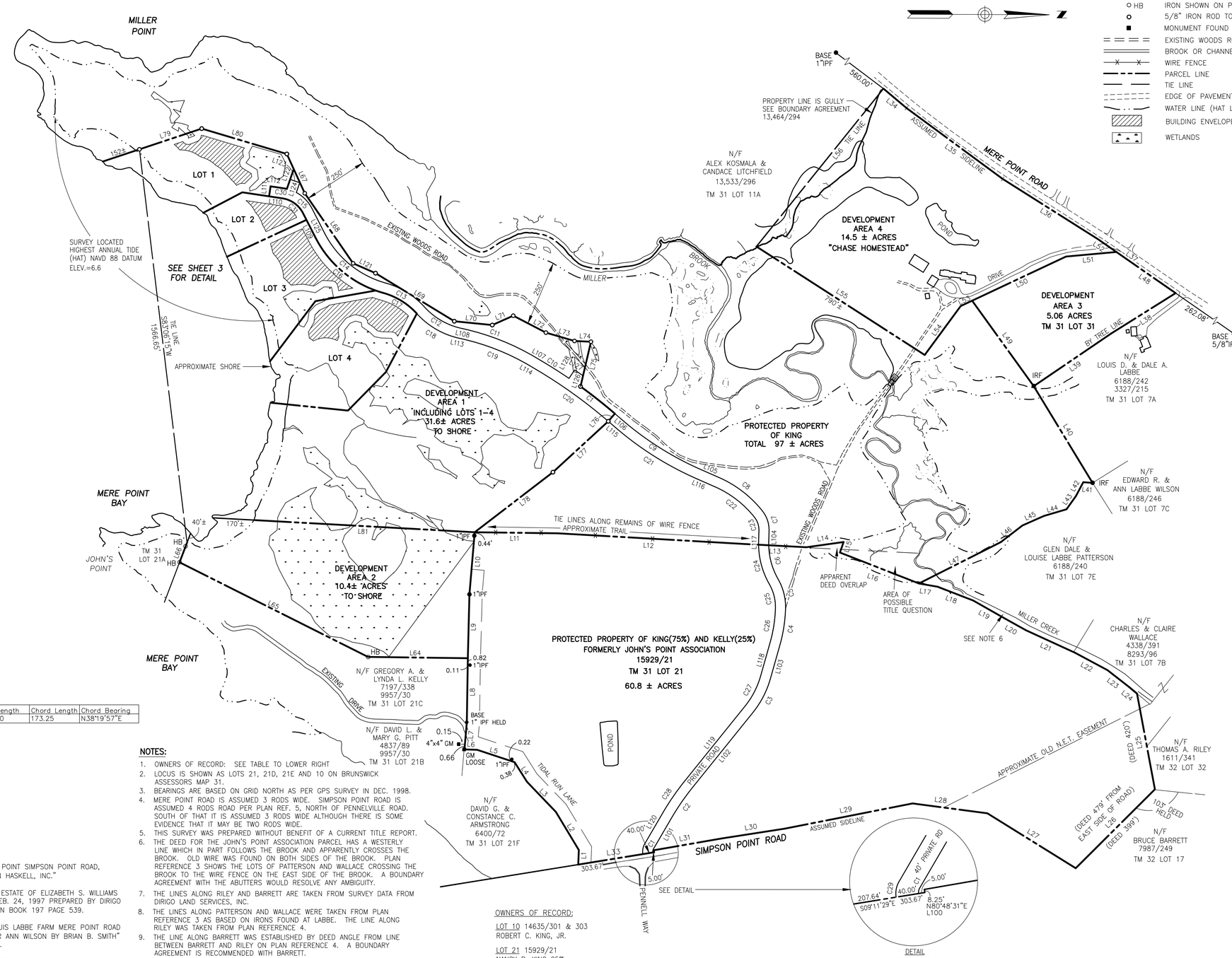
Tue Feb 22 08:25:08 2000

as recorded CCRD 200/150

PROPERTY BOUNDARIES
LINE TABLE

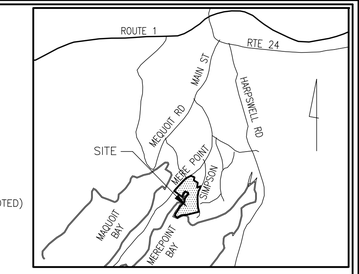
No.	Bearing	Distance
L1	N87°41'03"W	57.54'
L2	S58°56'57"W	175.91'
L3	S46°11'57"W	165.03'
L4	S57°43'57"W	91.57'
L5	S18°18'57"W	156.04'
L6	S04°58'57"W	50.00'
L7	N85°01'03"W	104.66'
L8	N89°05'03"W	253.58'
L9	N88°35'03"W	252.23'
L10	N85°09'33"W	246.88'
L11	N00°44'13"E	327.09'
L12	N03°16'28"E	742.29'
L13	N03°00'17"E	243.06'
L14	N07°59'43"W	148.50'
L15	S70°59'43"E	44.00'
L16	N21°24'31"E	335.13'
L17	N09°55'40"E	75.36'
L18	N21°12'00"E	150.94'
L19	N29°37'55"E	144.41'
L20	N29°06'10"E	94.86'
L21	N24°38'10"E	212.80'
L22	N28°13'50"E	145.96'
L23	N37°57'10"E	107.30'
L24	N39°41'50"E	41.48'
L25	N79°25'00"E	385.15'
L26	S44°54'00"E	441.83'
L27	S31°52'05"W	411.12'
L28	S07°30'53"W	298.12'
L29	S11°09'55"E	515.63'
L30	S08°50'08"E	250.06'
L31	S09°50'04"E	273.92'
L32	N80°48'31"E	8.25'
L33	S09°11'29"E	303.67'
L34	N40°07'38"E	119.04'
L35	N36°24'30"E	472.14'
L36	N32°18'50"E	446.87'
L37	N34°48'43"E	372.66'
L38	S32°04'51"E	300.00'
L39	S34°13'31"E	370.72'
L40	N58°42'10"E	447.70'
L41	S04°23'10"W	36.82'
L42	S62°06'20"E	61.52'
L43	S54°33'20"E	64.82'
L44	S16°26'50"E	93.00'
L45	S23°52'50"E	92.78'
L46	S37°33'50"E	108.27'
L47	S26°48'10"E	362.36'
L48	N34°48'43"E	285.00'
L49	S54°13'50"W	416.54'
L50	N25°11'17"W	410.00'
L51	N05°11'17"W	200.00'
L52	N34°48'43"E	87.66'
L53	S25°11'17"E	50.00'
L54	S53°41'17"E	240.00'
L55	S32°48'43"W	790.00'
L56	N51°12'30"W	800.98'
L64	S00°44'57"W	394.62'
L65	S26°39'57"W	833.42'
L66	N69°11'03"W	83.14'
L67	N65°29'33"E	170.77'
L68	N55°24'45"E	239.58'
L69	N31°24'25"E	364.81'
L70	N05°42'38"E	150.75'
L71	N24°01'35"W	90.87'
L72	N27°26'47"E	145.36'
L73	N16°16'47"E	117.72'
L74	N02°38'33"E	65.07'
L75	S76°51'58"E	181.60'
L76	S49°12'35"E	40.00'
L77	S42°36'36"E	297.08'
L78	S37°31'03"E	390.00'
L79	N18°23'45"W	259.42'
L80	N16°36'15"E	351.10'
L81	S03°08'57"W	869.44'

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	04°54'56"	2020.00	173.30	173.25	N38°19'57"E



LEGEND:

- IRON PIPE OR ROD FOUND
- HB IRON SHOWN ON PLAN REF. 6
- 5/8" IRON ROD TO BE SET
- MONUMENT FOUND
- EXISTING WOODS ROAD
- BROOK OR CHANNEL
- WIRE FENCE
- PARCEL LINE
- TIE LINE
- EDGE OF PAVEMENT
- WATER LINE (HAT LINE WHERE NOTED)
- BUILDING ENVELOPE
- WETLANDS



ROAD TABLE

No.	Bearing	Distance
L100	N80°48'31"E	8.25'
L101	N59°45'40"W	140.94'
L102	N51°09'43"W	381.62'
L103	N74°11'29"W	140.64'
L104	N88°07'54"W	41.90'
L105	S23°47'25"W	81.95'
L106	S40°47'25"W	39.15'
L107	S30°39'08"W	28.46'
L108	S12°36'31"W	10.75'
L109	S62°57'31"W	109.11'
L110	S08°31'27"W	53.07'
L111	181°28'33"W	40.00'
L112	N08°31'27"E	53.07'
L113	N12°36'31"E	10.75'
L114	N30°39'08"E	28.46'
L115	N40°47'25"E	39.15'
L116	N23°47'25"E	81.95'
L117	S88°07'54"E	41.90'
L118	S74°11'29"E	140.64'
L119	S51°09'43"E	381.62'
L120	S59°45'40"E	140.94'
L121	N39°33'32"E	186.31'
L122	N70°57'41"W	39.77'
L123	N19°02'19"E	40.00'
L124	N70°57'41"W	41.00'
L125	N62°57'31"E	109.11'
L126	N76°51'58"W	43.78'
L127	S34°12'43"W	40.00'
L128	S55°42'30"E	40.00'

ROAD TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	39°25'49"	21.94	15.10	14.80	N79°28'35"W
C2	08°35'58"	980.00	147.09	146.95	N55°27'41"W
C3	23°01'46"	370.00	148.72	147.72	N62°40'36"W
C4	14°13'11"	588.79	146.12	145.75	N81°18'04"W
C5	31°35'21"	218.20	120.30	118.78	S75°47'40"W
C6	31°52'06"	280.00	155.74	153.74	S75°56'03"W
C7	40°12'15"	120.00	84.20	82.49	S71°45'59"W
C8	27°52'27"	450.12	218.98	216.83	S37°43'38"W
C9	17°00'00"	1230.00	364.95	363.61	S32°17'25"W
C10	03°38'22"	2020.00	128.31	128.29	S32°28'19"W
C11	18°02'37"	970.00	305.47	304.21	S21°37'49"W
C12	35°16'04"	278.04	171.15	168.46	S30°14'33"W
C13	32°25'18"	320.00	181.08	178.67	S31°39'56"W
C14	47°30'15"	387.92	321.63	321.49	N39°12'24"E
C15	34°29'05"	150.00	90.28'	88.92	S45°42'58"W
C16	47°30'15"	427.92	354.79	344.71	S39°12'24"W
C17	32°25'19"	280.00	158.44	156.34	N31°39'56"E
C18	35°16'04"	318.04	195.77	192.69	N30°14'33"E
C19	18°02'37"	930.00	292.88	291.67	N21°37'49"E
C20	10°08'17"	1980.00	350.34	349.89	N35°43'16"E
C21	17°00'00"	1270.00	376.82	375.44	N32°17'25"E
C22	27°52'27"	410.12	199.52	197.56	N37°43'38"E
C23	40°12'15"	80.00	56.14	54.99	N71°45'59"E
C24	31°52'06"	320.00	177.99	175.70	N75°56'03"E
C25	31°35'21"	178.20	98.25	97.01	N75°47'40"E
C26	14°13'11"	548.79	136.20	135.85	S81°18'04"E
C27	23°01'46"	330.00	132.64	131.75	S62°40'36"E
C28	08°35'58"	1020.00	153.09	152.95	S55°27'41"E
C29	39°25'49"	61.94	42.62	41.79	S79°28'35"E
C30	04°37'04"	150.00	12.09	12.09	S10°49'59"W
C31	54°26'03"	110.00	104.51	100.62	N35°44'29"E

NOTES:

1. OWNERS OF RECORD: SEE TABLE TO LOWER RIGHT
2. LOCUS IS SHOWN AS LOTS 21, 21D, 21E AND 10 ON BRUNSWICK ASSESSORS MAP 31.
3. BEARINGS ARE BASED ON GRID NORTH AS PER GPS SURVEY IN DEC. 1998.
4. MERE POINT ROAD IS ASSUMED 3 RODS WIDE. SIMPSON POINT ROAD IS ASSUMED 4 RODS ROAD PER PLAN REF. 5, NORTH OF PENNELVILLE ROAD. SOUTH OF THAT IT IS ASSUMED 3 RODS WIDE ALTHOUGH THERE IS SOME EVIDENCE THAT IT MAY BE TWO RODS WIDE.
5. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A CURRENT TITLE REPORT.
6. THE DEED FOR THE JOHN'S POINT ASSOCIATION PARCEL HAS A WESTERLY LINE WHICH IN PART FOLLOWS THE BROOK AND APPARENTLY CROSSES THE BROOK. OLD WIRE WAS FOUND ON BOTH SIDES OF THE BROOK. PLAN REFERENCE 3 SHOWS THE LOTS OF PATTERSON AND WALLACE CROSSING THE BROOK TO THE WIRE FENCE ON THE EAST SIDE OF THE BROOK. A BOUNDARY AGREEMENT WITH THE ABUTTERS WOULD RESOLVE ANY AMBIGUITY.
7. THE LINES ALONG RILEY AND BARRETT ARE TAKEN FROM SURVEY DATA FROM DIRIGO LAND SERVICES, INC.
8. THE LINES ALONG PATTERSON AND WALLACE WERE TAKEN FROM PLAN REFERENCE 3 AS BASED ON IRONS FOUND AT LABBE. THE LINE ALONG RILEY WAS TAKEN FROM PLAN REFERENCE 4.
9. THE LINE ALONG BARRETT WAS ESTABLISHED BY DEED ANGLE FROM LINE BETWEEN BARRETT AND RILEY ON PLAN REFERENCE 4. A BOUNDARY AGREEMENT IS RECOMMENDED WITH BARRETT.
10. PRIOR DEED OF JOHN'S POINT ASSOCIATION LAND CALLS FOR SIMPSON POINT ROAD AS INCLUDED IN THE PARCEL, WITH PROPERTY LINE ON EAST SIDE OF ROAD.
11. SEE CONSERVATION EASEMENT DEED AND INDENTURE MILLER POINT RECORDED IN BOOK 15378 PAGE 259 AND AMENDMENT AND RESTATEMENT OF SAME TO BE RECORDED.
12. SEE CONSERVATION EASEMENT DEED AND INDENTURE JOHNS POINT RECORDED IN BOOK 15929 PAGE 25 AND AMENDMENT AND RESTATEMENT OF SAME TO BE RECORDED.
13. ROBERT AND NANCY KING TO RELEASE THEIR RIGHTS IN TIDAL RUN LANE. OTHERS WITH RIGHTS IN THIS ROAD WOULD NEED TO RELEASE THEIR RIGHTS IN ORDER TO ELIMINATE A PORTION OF THE ROAD (PORTIONS ALONG L8, L9, 10).
14. SHORELINE TAKEN FROM AERIAL PHOTOGRAPHY BY COL-EAST, INC. IN 1999 AND PARTLY FIELD VERIFIED IN 2015.
15. DEVELOPMENT AREAS ARE OVERLAY DISTRICTS ON THE PROTECTED PROPERTY.
16. DEVELOPMENT AREA 1 EXTENDS TO SEASONAL LOW WATER OF MERE POINT BAY.
17. WETLANDS SHOWN WERE PROVIDED BY STANTEC AND ARE ONLY SHOWN ON DEVELOPMENT AREA 1.
18. FOR EASE OF VIEWING TRAILS ARE NOT SHOWN, SEE SHEETS 2 & 3 FOR TRAIL LOCATIONS.

PLAN REFERENCES:

1. "AMENDED SUBDIVISION PLAN OF JOHN'S POINT SIMPSON POINT ROAD, BRUNSWICK, ME. MARCH 04, 1999 OWEN HASKELL, INC."
2. "STANDARD BOUNDARY SURVEY FOR THE ESTATE OF ELIZABETH S. WILLIAMS MERE POINT ROAD BRUNSWICK, MAINE FEB. 24, 1997 PREPARED BY DIRIGO LAND SERVICES, INC." RECORDED IN PLAN BOOK 197 PAGE 539.
3. "PROPERTY SURVEY AND DIVISION OF LOUIS LABBE FARM MERE POINT ROAD BRUNSWICK, MAINE NOVEMBER 1982 FOR ANN WILSON BY BRIAN B. SMITH" RECORDED IN PLAN BOOK 138 PAGE 24.
4. "STANDARD PROPERTY SURVEY AND DIVISION OF LAND OF THOMAS P. RILEY FOR R. C. THEBERGE, INC. MERE POINT ROAD BRUNSWICK, MAINE DECEMBER 18, 1997 PREPARED BY: DIRIGO LAND SERVICES, INC.
5. "PLAN AND PROFILE OF SIMPSONS POINT ROAD BRUNSWICK, MAINE MADE FOR TOWN OF BRUNSWICK PUBLIC WORKS DEPT. NOVEMBER 1997 ROYAL RIVER SURVEY CO."
6. "PLAN OF JOHN'S POINT SIMPSON'S POINT ROAD BRUNSWICK, MAINE OWNED BY JOHN'S POINT ASS'N OCT. 11, 1971 – TRACED AUG. 27, 1976 BY HOWARD F. BABBIDGE" RECORDED IN PLAN BOOK 116, PAGE 21.

GRAPHIC SCALE
0 100' 200' 400' 800'

OWNERS OF RECORD:

LOT 10 14635/301 & 303
ROBERT C. KING, JR.

LOT 21 15929/21
NANCY P. KING 25%
ROBERT C. KING, JR. 25%
ROBERT C. & NANCY P. KING 25%
GREGORY AND LYNDA P. KELLY 25%

LOT 31 15471/188
ROBERT C. KING, JR. AND NANCY P. KING

LOT 29, 30, 32 AND 33 ARE ALL IN 31962/229
NANCY P. KING AND ROBERT C. KING, JR.

NOTE:
DEVELOPMENT AREA 1 IS PART OF FORMER LOTS 30, 32 AND 33

DEVELOPMENT AREA 3 IS PART OF LOT 10

PROTECTED PROPERTY INCLUDES LOTS 29, 10, 30 32 AND 33

NOTICE OF NON-DEDICATION:

AS PERMITTED BY 23 M.R.S. § 3031(3), THE PUBLIC SHALL ACQUIRE NO RIGHTS OF INCIPIENT DEDICATION TO PUBLIC USE OF THE WAYS LAID OUT ON THIS PLAN BY VIRTUE OF THE RECORDING OF THIS PLAN, NO PERSON ACQUIRING TITLE TO ANY LAND SHOWN ON THIS PLAN SHALL ACQUIRE A PRIVATE RIGHT OF WAY OVER THE WAYS LAID OUT ON THIS PLAN BY VIRTUE OF THE RECORDING OF THIS PLAN, AND NEITHER THE PUBLIC NOR ANY PERSON SHALL ACQUIRE ANY RIGHTS OF ANY NATURE IN OR TO ANY WAYS, AREAS, OR FACILITIES SHOWN ON THIS PLAN, WHETHER BY IMPLICATION OF LAW OR ANY OTHER PRINCIPLE, OR BY VIRTUE OF THE PREPARATION OR RECORDING OF THIS PLAN. ANY SUCH RIGHTS, PUBLIC OR PRIVATE, SHALL BE CREATED ONLY BY WRITTEN INSTRUMENTS SPECIFICALLY GRANTING THE SAME.

CERTIFICATION:

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

11/14/2019
DATE

RANDY R. LOUBIER, PLS #2407

STATE OF MAINE
RANDY R. LOUBIER 2407
PROFESSIONAL LAND SURVEYOR

ZONING

THE SURVEYED PROPERTY IS LOCATED IN THE RURAL PROTECTION DISTRICT (RP1), RESOURCE PROTECTION SUBDISTRICT – WETLAND HIGH TO MODERATE VALUE (SPO-RP), STREAM PROTECTION SUBDISTRICT (SPO-SP) AND THE SHORELAND PROTECTION OVERLAY DISTRICT (SPO).

RP1 DIMENSIONAL AND DENSITY STANDARDS

MINIMUM LOT AREA	20,000 S.F.
MINIMUM LOT WIDTH	125 FEET
FRONT SETBACK	30 FEET
SIDE SETBACK	25 FEET
REAR SETBACK	30 FEET

REV. 2	11-14-19	REVISE LOT 3 AND 4 TIE LINE
REV. 1	11-13-19	REVISE LOT 3 AND 4 AND PRIVATE ROAD

BOUNDARY SURVEY & LOT DIVISION

OF

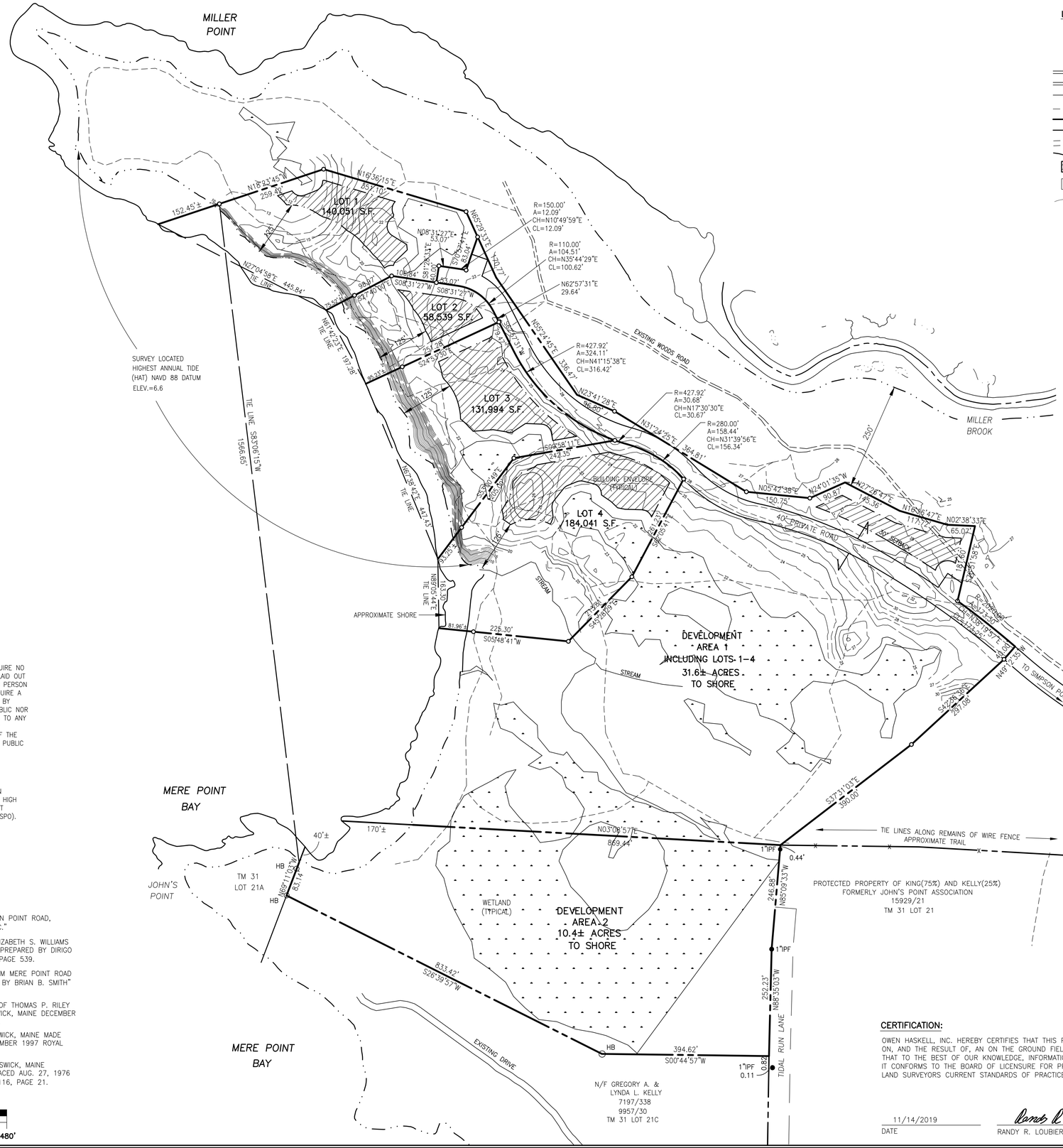
MILLER POINT AND JOHN'S POINT
MERE POINT ROAD & SIMPSON POINT ROAD
BRUNSWICK, MAINE
MADE FOR

ROBERT C. KING, JR. & NANCY P. KING

553 MERE POINT ROAD, BRUNSWICK, ME 04011

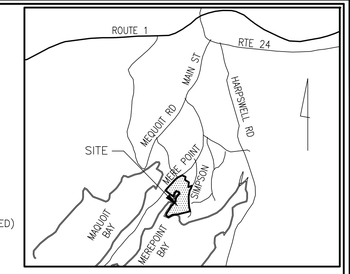
OWEN HASKELL, INC.
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207)774-0424
PROFESSIONAL LAND SURVEYORS

Drwn By	JCS	Date	Job No.
Trace By	JLW	OCTOBER 18, 2019	98314BK
Check By	RRL	Scale	Drwg. No.
Book No.	871	1" = 200'	1 OF 3



LEGEND:

- ● IRON PIPE OR ROD FOUND
- ○ HB IRON SHOWN ON PLAN REF. 6
- ○ 5/8" IRON ROD TO BE SET
- ■ MONUMENT FOUND
- EXISTING WOODS ROAD
- BROOK OR CHANNEL
- WIRE FENCE
- TRAIL
- PARCEL LINE
- TIE LINE
- EDGE OF PAVEMENT
- WATER LINE (HAT LINE WHERE NOTED)
- BUILDING ENVELOPE
- WETLANDS
- 15 1' CONTOUR



NOTES:

1. OWNERS OF RECORD: SEE TABLE TO LOWER RIGHT
2. LOCUS IS SHOWN AS LOTS 21, 21D, 21E AND 10 ON BRUNSWICK ASSESSORS MAP 31.
3. BEARINGS ARE BASED ON GRID NORTH AS PER GPS SURVEY IN DEC. 1998.
4. MERE POINT ROAD IS ASSUMED 3 RODS WIDE. SIMPSON POINT ROAD IS ASSUMED 4 RODS ROAD PER PLAN REF. 5, NORTH OF PENNELVILLE ROAD. SOUTH OF THAT IT IS ASSUMED 3 RODS WIDE ALTHOUGH THERE IS SOME EVIDENCE THAT IT MAY BE TWO RODS WIDE.
5. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A CURRENT TITLE REPORT.
6. THE DEED FOR THE JOHN'S POINT ASSOCIATION PARCEL HAS A WESTERLY LINE WHICH IN PART FOLLOWS THE BROOK AND APPARENTLY CROSSES THE BROOK. OLD WIRE WAS FOUND ON BOTH SIDES OF THE BROOK. PLAN REFERENCE 3 SHOWS THE LOTS OF PATTERSON AND WALLACE CROSSING THE BROOK TO THE WIRE FENCE ON THE EAST SIDE OF THE BROOK. A BOUNDARY AGREEMENT WITH THE ABUTTERS WOULD RESOLVE ANY AMBIGUITY.
7. THE LINES ALONG RILEY AND BARRETT ARE TAKEN FROM SURVEY DATA FROM DIRIGO LAND SERVICES, INC.
8. THE LINES ALONG PATTERSON AND WALLACE WERE TAKEN FROM PLAN REFERENCE 3 AS BASED ON IRONS FOUND AT LABBE. THE LINE ALONG RILEY WAS TAKEN FROM PLAN REFERENCE 4.
9. THE LINE ALONG BARRETT WAS ESTABLISHED BY DEED ANGLE FROM LINE BETWEEN BARRETT AND RILEY ON PLAN REFERENCE 4. A BOUNDARY AGREEMENT IS RECOMMENDED WITH BARRETT.
10. PRIOR DEED OF JOHN'S POINT ASSOCIATION LAND CALLS FOR SIMPSON POINT ROAD AS INCLUDED IN THE PARCEL, WITH PROPERTY LINE ON EAST SIDE OF ROAD.
11. SEE CONSERVATION EASEMENT DEED AND INDENTURE MILLER POINT RECORDED IN BOOK 15378 PAGE 259 AND AMENDMENT AND RESTATEMENT OF SAME TO BE RECORDED.
12. SEE CONSERVATION EASEMENT DEED AND INDENTURE JOHNS POINT RECORDED IN BOOK 15929 PAGE 25 AND AMENDMENT AND RESTATEMENT OF SAME TO BE RECORDED.
13. ROBERT AND NANCY KING TO RELEASE THEIR RIGHTS IN TIDAL RUN LANE. OTHERS WITH RIGHTS IN THIS ROAD WOULD NEED TO RELEASE THEIR RIGHTS IN ORDER TO ELIMINATE A PORTION OF THE ROAD (PORTIONS ALONG L8, L9, 10).
14. SHORELINE TAKEN FROM AERIAL PHOTOGRAPHY BY COL-EAST, INC. IN 1999 AND PARTLY FIELD VERIFIED IN 2015.
15. DEVELOPMENT AREAS ARE OVERLAY DISTRICTS ON THE PROTECTED PROPERTY.
16. DEVELOPMENT AREA 1 EXTENDS TO SEASONAL LOW WATER OF MERE POINT BAY.
17. WETLANDS SHOWN WERE PROVIDED BY STANTEC AND ARE ONLY SHOWN ON DEVELOPMENT AREA 1.

NOTICE OF NON-DEDICATION:

AS PERMITTED BY 23 M.R.S. § 3031(3), THE PUBLIC SHALL ACQUIRE NO RIGHTS OF INCIPIENT DEDICATION TO PUBLIC USE OF THE WAYS LAID OUT ON THIS PLAN BY VIRTUE OF THE RECORDING OF THIS PLAN, NO PERSON ACQUIRING TITLE TO ANY LAND SHOWN ON THIS PLAN SHALL ACQUIRE A PRIVATE RIGHT OF WAY OVER THE WAYS LAID OUT ON THIS PLAN BY VIRTUE OF THE RECORDING OF THIS PLAN, AND NEITHER THE PUBLIC NOR ANY PERSON SHALL ACQUIRE ANY RIGHTS OF ANY NATURE IN OR TO ANY WAYS, AREAS, OR FACILITIES SHOWN ON THIS PLAN, WHETHER BY IMPLICATION OF LAW OR ANY OTHER PRINCIPLE, OR BY VIRTUE OF THE PREPARATION OR RECORDING OF THIS PLAN. ANY SUCH RIGHTS, PUBLIC OR PRIVATE, SHALL BE CREATED ONLY BY WRITTEN INSTRUMENTS SPECIFICALLY GRANTING THE SAME.

ZONING

THE SURVEYED PROPERTY IS LOCATED IN THE RURAL PROTECTION DISTRICT (RP1), RESOURCE PROTECTION SUBDISTRICT – WETLAND HIGH TO MODERATE VALUE (SPO-RP), STREAM PROTECTION SUBDISTRICT (SPO-SP) AND THE SHORELAND PROTECTION OVERLAY DISTRICT (SPO).

RP1 DIMENSIONAL AND DENSITY STANDARDS

MINIMUM LOT AREA	20,000 S.F.
MINIMUM LOT WIDTH	125 FEET
FRONT SETBACK	30 FEET
SIDE SETBACK	25 FEET
REAR SETBACK	30 FEET

PLAN REFERENCES:

1. "AMENDED SUBDIVISION PLAN OF JOHN'S POINT SIMPSON POINT ROAD, BRUNSWICK, ME. MARCH 04, 1999 OWEN HASKELL, INC."
2. "STANDARD BOUNDARY SURVEY FOR THE ESTATE OF ELIZABETH S. WILLIAMS MERE POINT ROAD BRUNSWICK, MAINE FEB. 24, 1997 PREPARED BY DIRIGO LAND SERVICES, INC." RECORDED IN PLAN BOOK 197 PAGE 539.
3. "PROPERTY SURVEY AND DIVISION OF LOUIS LABBE FARM MERE POINT ROAD BRUNSWICK, MAINE NOVEMBER 1982 FOR ANN WILSON BY BRIAN B. SMITH" RECORDED IN PLAN BOOK 138 PAGE 24.
4. "STANDARD PROPERTY SURVEY AND DIVISION OF LAND OF THOMAS P. RILEY FOR R. C. THEBERGE, INC. MERE POINT ROAD BRUNSWICK, MAINE DECEMBER 18, 1997 PREPARED BY: DIRIGO LAND SERVICES, INC.
5. "PLAN AND PROFILE OF SIMPSONS POINT ROAD BRUNSWICK, MAINE MADE FOR TOWN OF BRUNSWICK PUBLIC WORKS DEPT. NOVEMBER 1997 ROYAL RIVER SURVEY CO."
6. "PLAN OF JOHN'S POINT SIMPSON'S POINT ROAD BRUNSWICK, MAINE OWNED BY JOHN'S POINT ASS'N OCT. 11, 1971 – TRACED AUG. 27, 1976 BY HOWARD F. BABBIDGE" RECORDED IN PLAN BOOK 116, PAGE 21.

GRAPHIC SCALE

0 60' 120' 240' 480'

OWNERS OF RECORD:

LOT 10 14635/301 & 303
ROBERT C. KING, JR.

LOT 21 15929/21
NANCY P. KING 25%
ROBERT C. KING, JR. 25%
ROBERT C. & NANCY P. KING 25%
GREGORY AND LYNDA P. KELLY 25%

LOT 31 15471/188
ROBERT C. KING, JR. AND NANCY P. KING

LOT 29, 30, 32 AND 33 ARE ALL IN 31962/229
NANCY P. KING AND ROBERT C. KING, JR.

NOTE:
DEVELOPMENT AREA 1 IS PART OF FORMER LOTS 30, 32 AND 33
DEVELOPMENT AREA 3 IS PART OF LOT 10
PROTECTED PROPERTY INCLUDES LOTS 29, 10, 30 32 AND 33

CERTIFICATION:

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

11/14/2019
DATE

RANDY R. LOUBIER, PLS #2407

STATE OF MAINE
RANDY R. LOUBIER 2407
PROFESSIONAL LAND SURVEYOR

REV.		
REV. 2	11-14-19	REVISE LOT 3 AND 4 AND TIE LINES
REV. 1	11-13-19	REVISE LOT 3 AND 4 AND PRIVATE ROAD

BOUNDARY SURVEY & LOT DIVISION

OF

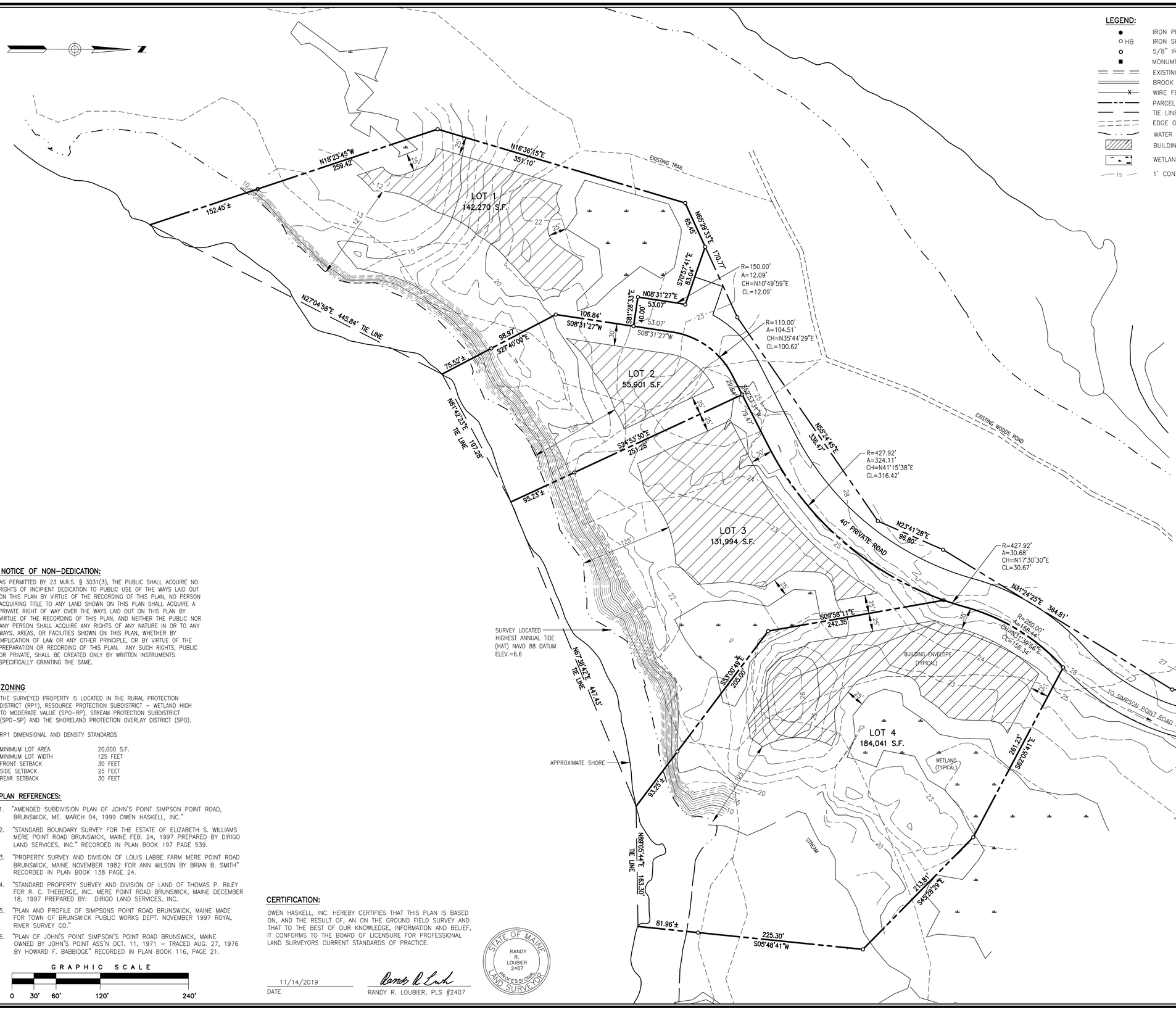
MILLER POINT AND JOHN'S POINT
MERE POINT ROAD & SIMPSON POINT ROAD
BRUNSWICK, MAINE

MADE FOR

ROBERT C. KING, JR. & NANCY P. KING
553 MERE POINT ROAD, BRUNSWICK, ME 04011

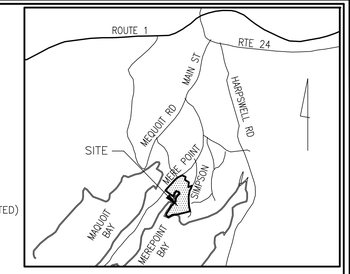
OWEN HASKELL, INC.
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207) 774-0424
PROFESSIONAL LAND SURVEYORS

Drwn By	JCS	Date	Job No.
Trace By	JLW	OCTOBER 18, 2019	98314BK
Check By	JCS	Scale	Drwg. No.
Book No.	871	1" = 120'	2 OF 3



LEGEND:

- IRON PIPE OR ROD FOUND
- HB IRON SHOWN ON PLAN REF. 6
- 5/8" IRON ROD TO BE SET
- MONUMENT FOUND
- EXISTING WOODS ROAD
- BROOK OR CHANNEL
- WIRE FENCE
- PARCEL LINE
- TIE LINE
- EDGE OF PAVEMENT
- WATER LINE (HAT LINE WHERE NOTED)
- BUILDING ENVELOPE
- WETLANDS
- 15 1' CONTOUR



NOTES:

1. OWNERS OF RECORD: SEE TABLE TO LOWER RIGHT
2. LOCUS IS SHOWN AS LOTS 21, 21D, 21E AND 10 ON BRUNSWICK ASSESSORS MAP 31.
3. BEARINGS ARE BASED ON GRID NORTH AS PER GPS SURVEY IN DEC. 1998.
4. MERE POINT ROAD IS ASSUMED 3 RODS WIDE. SIMPSON POINT ROAD IS ASSUMED 4 RODS ROAD PER PLAN REF. 5, NORTH OF PENNELVILLE ROAD. SOUTH OF THAT IT IS ASSUMED 3 RODS WIDE ALTHOUGH THERE IS SOME EVIDENCE THAT IT MAY BE TWO RODS WIDE.
5. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A CURRENT TITLE REPORT.
6. THE DEED FOR THE JOHN'S POINT ASSOCIATION PARCEL HAS A WESTERLY LINE WHICH IN PART FOLLOWS THE BROOK AND APPARENTLY CROSSES THE BROOK. OLD WIRE WAS FOUND ON BOTH SIDES OF THE BROOK. PLAN REFERENCE 3 SHOWS THE LOTS OF PATTERSON AND WALLACE CROSSING THE BROOK TO THE WIRE FENCE ON THE EAST SIDE OF THE BROOK. A BOUNDARY AGREEMENT WITH THE ABUTTERS WOULD RESOLVE ANY AMBIGUITY.
7. THE LINES ALONG RILEY AND BARRETT ARE TAKEN FROM SURVEY DATA FROM DIRIGO LAND SERVICES, INC.
8. THE LINES ALONG PATTERSON AND WALLACE WERE TAKEN FROM PLAN REFERENCE 3 AS BASED ON IRONS FOUND AT LABBE. THE LINE ALONG RILEY WAS TAKEN FROM PLAN REFERENCE 4.
9. THE LINE ALONG BARRETT WAS ESTABLISHED BY DEED ANGLE FROM LINE BETWEEN BARRETT AND RILEY ON PLAN REFERENCE 4. A BOUNDARY AGREEMENT IS RECOMMENDED WITH BARRETT.
10. PRIOR DEED OF JOHN'S POINT ASSOCIATION LAND CALLS FOR SIMPSON POINT ROAD AS INCLUDED IN THE PARCEL, WITH PROPERTY LINE ON EAST SIDE OF ROAD.
11. SEE CONSERVATION EASEMENT DEED AND INDENTURE MILLER POINT RECORDED IN BOOK 15378 PAGE 259 AND AMENDMENT AND RESTATEMENT OF SAME TO BE RECORDED.
12. SEE CONSERVATION EASEMENT DEED AND INDENTURE JOHNS POINT RECORDED IN BOOK 15929 PAGE 25 AND AMENDMENT AND RESTATEMENT OF SAME TO BE RECORDED.
13. ROBERT AND NANCY KING TO RELEASE THEIR RIGHTS IN TIDAL RUN LANE. OTHERS WITH RIGHTS IN THIS ROAD WOULD NEED TO RELEASE THEIR RIGHTS IN ORDER TO ELIMINATE A PORTION OF THE ROAD (PORTIONS ALONG L8, L9, 10).
14. SHORELINE TAKEN FROM AERIAL PHOTOGRAPHY BY COL-EAST, INC. IN 1999 AND PARTLY FIELD VERIFIED IN 2015.
15. DEVELOPMENT AREAS ARE OVERLAY DISTRICTS ON THE PROTECTED PROPERTY.
16. DEVELOPMENT AREA 1 EXTENDS TO SEASONAL LOW WATER OF MERE POINT BAY.
17. WETLANDS SHOWN WERE PROVIDED BY STANTEC AND ARE ONLY SHOWN ON DEVELOPMENT AREA 1.

NOTICE OF NON-DEDICATION:

AS PERMITTED BY 23 M.R.S. § 3031(3), THE PUBLIC SHALL ACQUIRE NO RIGHTS OF INCIPIENT DEDICATION TO PUBLIC USE OF THE WAYS LAID OUT ON THIS PLAN BY VIRTUE OF THE RECORDING OF THIS PLAN, NO PERSON ACQUIRING TITLE TO ANY LAND SHOWN ON THIS PLAN SHALL ACQUIRE A PRIVATE RIGHT OF WAY OVER THE WAYS LAID OUT ON THIS PLAN BY VIRTUE OF THE RECORDING OF THIS PLAN, AND NEITHER THE PUBLIC NOR ANY PERSON SHALL ACQUIRE ANY RIGHTS OF ANY NATURE IN OR TO ANY WAYS, AREAS, OR FACILITIES SHOWN ON THIS PLAN, WHETHER BY IMPLICATION OF LAW OR ANY OTHER PRINCIPLE, OR BY VIRTUE OF THE PREPARATION OR RECORDING OF THIS PLAN. ANY SUCH RIGHTS, PUBLIC OR PRIVATE, SHALL BE CREATED ONLY BY WRITTEN INSTRUMENTS SPECIFICALLY GRANTING THE SAME.

ZONING

THE SURVEYED PROPERTY IS LOCATED IN THE RURAL PROTECTION DISTRICT (RP1), RESOURCE PROTECTION SUBDISTRICT – WETLAND HIGH TO MODERATE VALUE (SPO-RP), STREAM PROTECTION SUBDISTRICT (SPO-SP) AND THE SHORELAND PROTECTION OVERLAY DISTRICT (SPO).

RP1 DIMENSIONAL AND DENSITY STANDARDS

MINIMUM LOT AREA	20,000 S.F.
MINIMUM LOT WIDTH	125 FEET
FRONT SETBACK	30 FEET
SIDE SETBACK	25 FEET
REAR SETBACK	30 FEET

PLAN REFERENCES:

1. "AMENDED SUBDIVISION PLAN OF JOHN'S POINT SIMPSON POINT ROAD, BRUNSWICK, ME. MARCH 04, 1999 OWEN HASKELL, INC."
2. "STANDARD BOUNDARY SURVEY FOR THE ESTATE OF ELIZABETH S. WILLIAMS MERE POINT ROAD BRUNSWICK, MAINE FEB. 24, 1997 PREPARED BY DIRIGO LAND SERVICES, INC." RECORDED IN PLAN BOOK 197 PAGE 539.
3. "PROPERTY SURVEY AND DIVISION OF LOUIS LABBE FARM MERE POINT ROAD BRUNSWICK, MAINE NOVEMBER 1982 FOR ANN WILSON BY BRIAN B. SMITH" RECORDED IN PLAN BOOK 138 PAGE 24.
4. "STANDARD PROPERTY SURVEY AND DIVISION OF LAND OF THOMAS P. RILEY FOR R. C. THEBERGE, INC. MERE POINT ROAD BRUNSWICK, MAINE DECEMBER 18, 1997 PREPARED BY: DIRIGO LAND SERVICES, INC.
5. "PLAN AND PROFILE OF SIMPSONS POINT ROAD BRUNSWICK, MAINE MADE FOR TOWN OF BRUNSWICK PUBLIC WORKS DEPT. NOVEMBER 1997 ROYAL RIVER SURVEY CO."
6. "PLAN OF JOHN'S POINT SIMPSON'S POINT ROAD BRUNSWICK, MAINE OWNED BY JOHN'S POINT ASS'N OCT. 11, 1971 – TRACED AUG. 27, 1976 BY HOWARD F. BABBIDGE" RECORDED IN PLAN BOOK 116, PAGE 21.

GRAPHIC SCALE

0 30' 60' 120' 240'

CERTIFICATION:

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

11/14/2019
DATE

RANDY R. LOUBIER, PLS #2407

STATE OF MAINE
RANDY R. LOUBIER 2407
PROFESSIONAL LAND SURVEYOR

OWNERS OF RECORD:

LOT 10 14635/301 & 303
ROBERT C. KING, JR.

LOT 21 15929/21
NANCY P. KING 25%
ROBERT C. KING, JR. 25%
ROBERT C. & NANCY P. KING 25%
GREGORY AND LYNDA P. KELLY 25%

LOT 31 15471/188
ROBERT C. KING, JR. AND NANCY P. KING

LOT 29, 30, 32 AND 33 ARE ALL IN 31962/229
NANCY P. KING AND ROBERT C. KING, JR.

NOTE:
DEVELOPMENT AREA 1 IS PART OF FORMER LOTS 30, 32 AND 33
DEVELOPMENT AREA 3 IS PART OF LOT 10
PROTECTED PROPERTY INCLUDES LOTS 29, 10, 30 32 AND 33

REV. 2	11-14-19	REVISE LOT 3 AND 4 AND TIE LINES
REV. 1	11-13-19	REVISE LOT 3 AND 4

BOUNDARY SURVEY & LOT DIVISION

OF

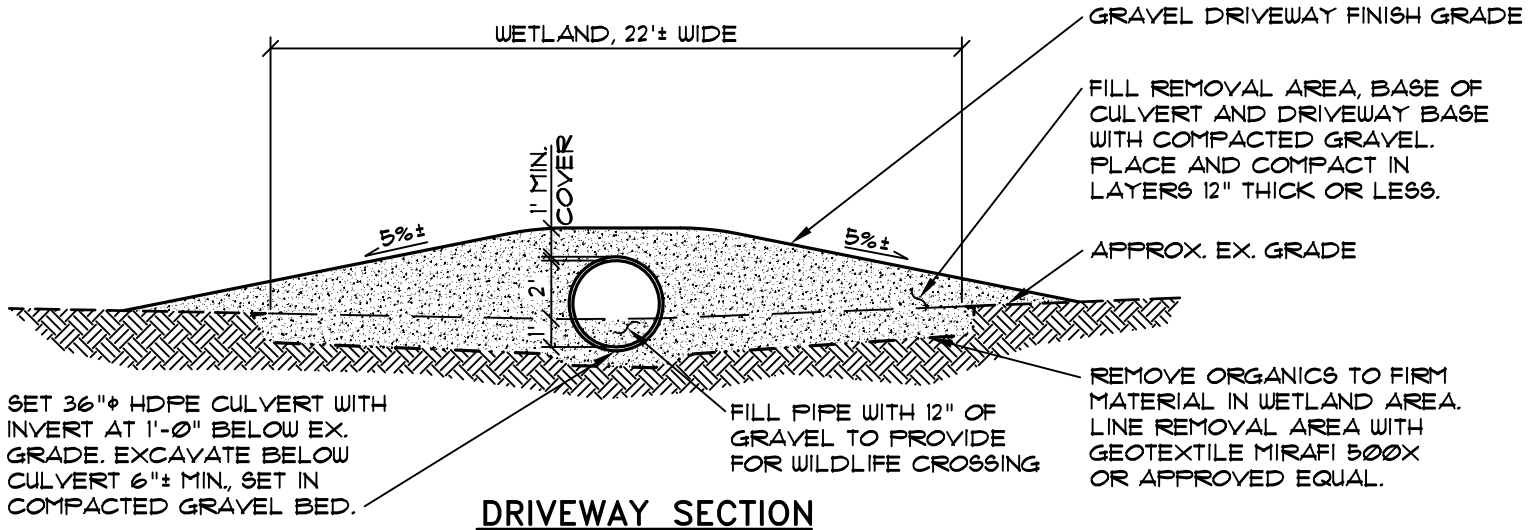
MILLER POINT AND JOHN'S POINT
MERE POINT ROAD & SIMPSON POINT ROAD
BRUNSWICK, MAINE

MADE FOR

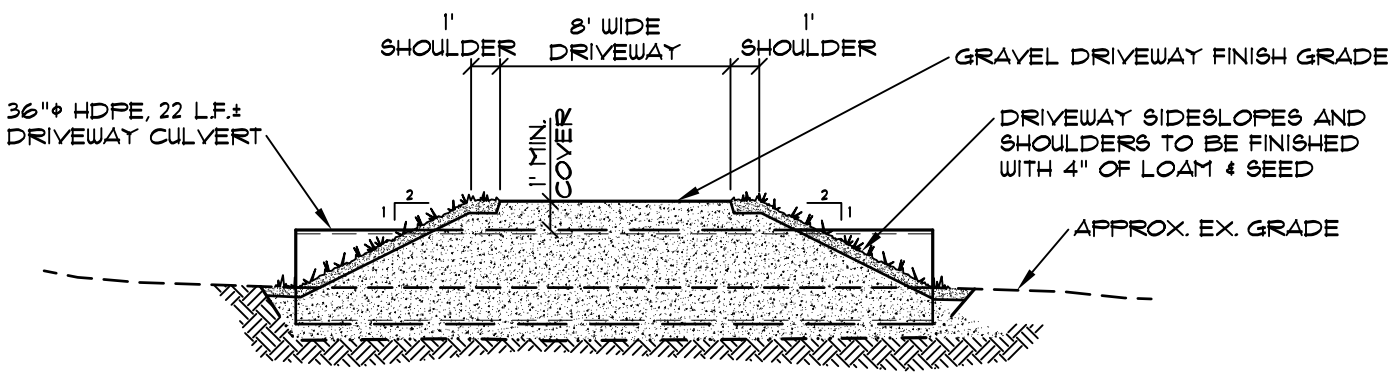
ROBERT C. KING, JR. & NANCY P. KING
553 MERE POINT ROAD, BRUNSWICK, ME 04011

OWEN HASKELL, INC.
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207)774-0424
PROFESSIONAL LAND SURVEYORS

Drwn By	JCS	Date	Job No.
Trace By	JLW	OCTOBER 18, 2019	98314BK
Check By	RRL	Scale	Drwg. No.
Book No.	871	1" = 60'	3 OF 3



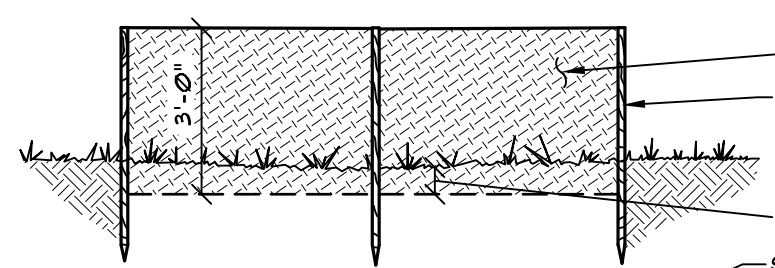
DRIVEWAY SECTION

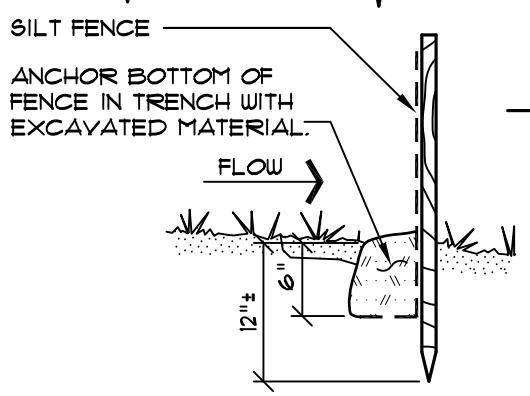


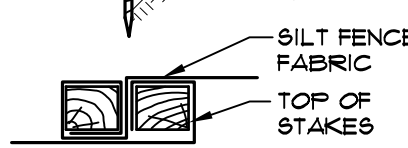
DRIVEWAY CROSS-SECTION

DRIVEWAY CULVERT AT WETLAND CROSSING SECTIONS

NOT TO SCALE







OVERLAP JOINTS

NOTES:

1. SILT FENCE TO BE USED TO CONTROL SHEET FLOW IN AREAS LESS THAN 1/2 ACRE.
2. REMOVE PROTECTION WITHIN 30 DAYS OF THE SITE BEING STABLE. REMOVE ANY ACCUMULATED SEDIMENT.

SILT FENCE DETAILS

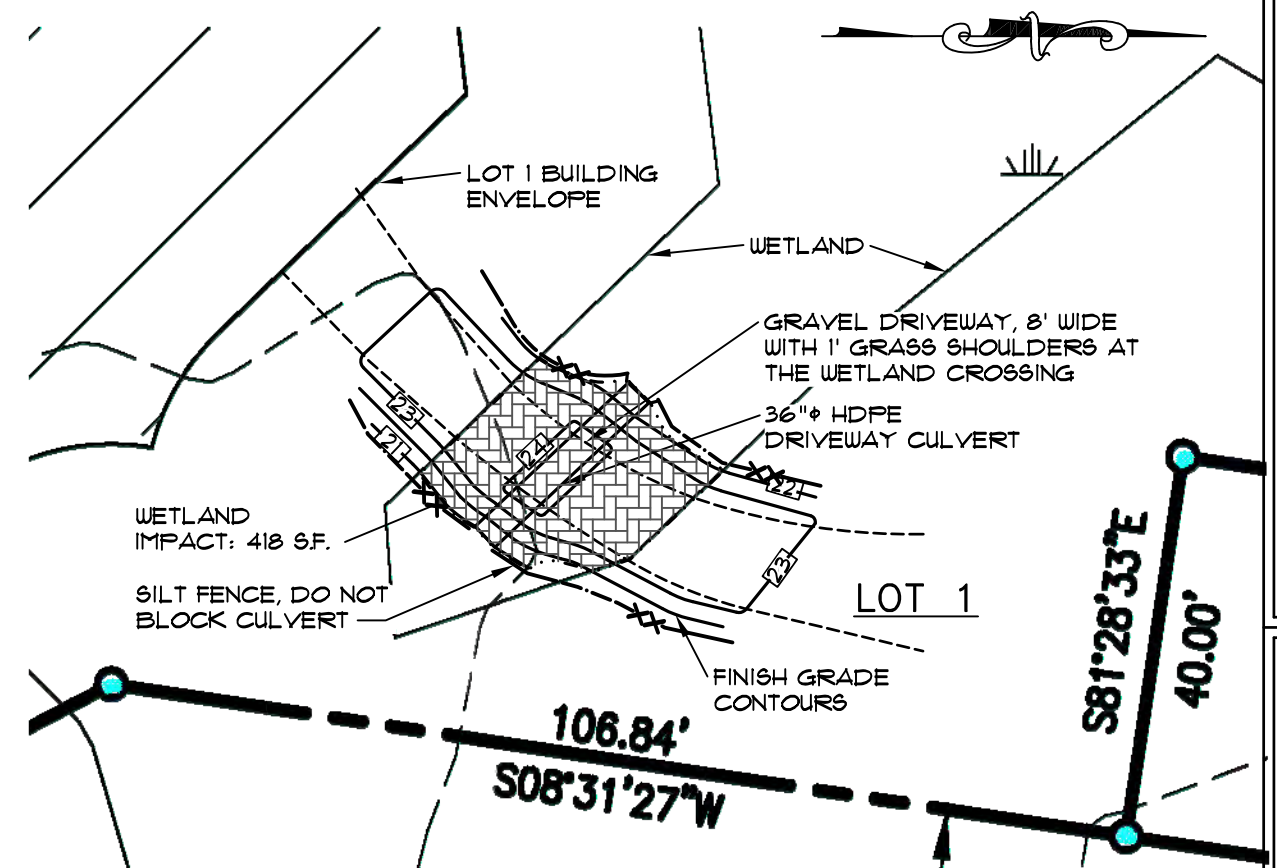
NOT TO SCALE

INSTALLATION AND EROSION CONTROL NARRATIVE:

- PRIOR TO CUTTING TREES AND EARTHWORK INSTALL SILT FENCE ACROSS THE WETLAND ON BOTH SIDES OF THE DRIVEWAY.
- LEAVE GAPS IN THE SILT FENCE AT THE CULVERT INLET AND OUTLET LOCATIONS.
- REMOVE SILT FENCE ONCE THE DRIVEWAY IS STABLE.

SCHEDULE:

1. LOCATE DRIVEWAY CROSSING AND STAKE OUT CHANNEL LOCATION.
2. INSTALL SILT FENCE.
3. CLEAR TREES AND GRUB THE AREA OF THE CROSSING.
4. INSTALL GEOTEXTILE.
5. PREPARE BASE FOR CULVERT AND INSTALL CULVERT.
6. COMPLETE CONSTRUCTION OF DRIVEWAY.
7. LOAM AND SEED SIDE SLOPES.
8. REMOVE SILT FENCE WHEN SIDE SLOPES ARE FULLY VEGETATED.



20 FT 0 10 FT 20 FT 40 FT

GRAPHIC SCALE 1 inch = 20 ft.

WETLAND CROSSING IMPACT PLAN

SCALE: 1"=20'

STATE OF MAINE
THOMAS S. GREER
No. 4206
LICENSED PROFESSIONAL ENGINEER
9/18/2019

Sheet Number: WC-1

Sheet Title: LOT 1 WETLAND CROSSING

Job No.:	16123
Date:	AUG. 9, 2019
Scale:	AS SHOWN
Drawn:	JDC
Checked:	TSG

WETLAND CROSSING

KING PROPERTY
LOT 1, MILLER POINT

REV. 1, PER DEP REVIEW, 9/18/19

WALSH
ENGINEERING ASSOCIATES, INC.
One Karen Dr., Suite 2A | Westbrook, Maine 04092
ph: 207.553.9898 | www.walsh-eng.com

Copyright © 2019

N:\2016\16123-LINKEL SHORELAND REVIEW, BRUNSWICK\DWG\16123 BASE FOR GRAPHICS, PRESENTATION 2018.dwg plot date: 9/18/2019 10:38 AM

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services
Div of Environmental Health , 11 SHS
(207) 287-2070 FAX (207) 287-4172

PROPERTY LOCATION

City, Town, or Plantation	BRUNSWICK
Street or Road	R.O.W off SIMPSON POINT ROAD
Subdivision, Lot #	

>>CAUTION: LPI APPROVAL REQUIRED<<

Town/City _____ Permit # _____

Date Permit Issued __/__/__ Fee $ _____ Double Fee Charged [ ]

_____ L.P.I.# _____
Local Plumbing Inspector Signature

Fee $ _____ State Fee Fee $ _____ Locally Adopted Fee
Copy: [ ] Owner [ ] Town [ ] State

The Subsurface Wastewater Disposal System shall not be installed until a Permit is issued by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.

Municipal Tax Map # 31 Lot # 29

OWNER/APPLICANT INFORMATION

Name (last, first, MI)	KING ROBERT ■ Owner ☐ Applicant
Mailing Address of Owner/Applicant	c/o KEITH SMITH 553 MERE POINT ROAD BRUNSWICK, ME 04011
Daytime Tel. #	318-7714

OWNER OR APPLICANT STATEMENT

I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a permit.

Signature of Owner/Applicant _____ Date _____

CAUTION: INSPECTION REQUIRED

I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application.

(1st) Date Approved _____

Local Plumbing Inspector Signature _____ (2nd) Date Approved _____

PERMIT INFORMATION

TYPE OF APPLICATION

- ■ 1. First Time System
- ☐ 2. Replacement System
  - Type Replaced: _____
  - Year Installed: _____
- ☐ 3. Expanded System
  - ☐ a. <25% Expansion
  - ☐ b. >25% Expansion
- ☐ 4. Experimental System
- ☐ 5. Seasonal Conversion

THIS APPLICATION REQUIRES

- ■ 1.No Rule Variance
- ☐ 2.First Time System Variance
  - ☐ a. Local Plumbing Inspector Approval
  - ☐ b. State & Local Plumbing Inspector Approval
- ☐ 3.Replacement System Variance
  - ☐ a. Local Plumbing Inspector Approval
  - ☐ b. State & Local Plumbing Inspector Approval
- ☐ 4.Minimum Lot Size Variance
- ☐ 5.Seasonal Conversion Permit

DISPOSAL SYSTEM COMPONENTS

- ■ 1. Complete Non-Engineered System
- ☐ 2. Primitive System(graywater & alt toilet)
- ☐ 3. Alternative Toilet, specify: _____
- ☐ 4. Non-Engineered Treatment Tank (only)
- ☐ 5. Holding Tank, _____ gallons
- ☐ 6. Non-Engineered Disposal Field (only)
- ☐ 7. Separated Laundry System
- ☐ 8. Complete Engineered System(2000gpd+)
- ☐ 9. Engineered Treatment Tank (only)
- ☐ 10. Engineered Disposal Field (only)
- ☐ 11. Pre-treatment, specify: _____
- ☐ 12. Miscellaneous components

SIZE OF PROPERTY

80 +/- ☐ SQ. FT. ■ ACRES

DISPOSAL SYSTEM TO SERVE

- ☐ 1. Single Family Dwelling Unit, No. of Bedrooms: ____
- ■ 2. Multiple Family Dwelling, No of Units: 5
- ☐ 3. Other: _____ (specify)

Current Use ☐ Seasonal ☐ Year Round ■ Undeveloped

SHORELAND ZONING

☐ Yes DISPOSAL AREA ■ No

PROPOSED TYPE OF WATER SUPPLY

■ 1. Drilled Well ☐ 2. Dug Well ☐ 3. Private
☐ 4. Public ☐ 5. Other:

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)

10 TREATMENT TANKS

ASSURE WATERTIGHTNESS

- ■ 1. Concrete
  - ■ a. Regular
  - ☐ b. Low Profile
- ☐ 2. Plastic
- ☐ 3. Other: _____

CAPACITY: (10) 1000's GAL.
SEE NOTE ON PAGE 3

DISPOSAL FIELD TYPE & SIZE

- ☐ 1. Stone Bed ☐ 2. Stone Trench
- ■ 3. Proprietary Device
  - ☐ a. Cluster array ■ c. Linear
  - ■ b. Regular ☐ d. H-20 loaded
- ☐ 4. Other: _____

SIZE: 7056 ■ sq. ft. ☐ lin. ft.
147 ELJEN GSF UNITS

GARBAGE DISPOSAL UNIT

■ 1. No ☐ 2. Yes ☐ 3. Maybe

If Yes or Maybe, specify one below:

- ☐ a. Multi-compartment tank
- ☐ b. _____ tanks in series
- ☐ c. Increase in tank capacity
- ☐ d. Filter on tank outlet

DESIGN FLOW

1350 gallons per day

BASED ON:

- ■ 1. Table 4A (dwelling unit(s))
- ☐ 2. Table 4C (other facilities)

SHOW CALCULATIONS for other facilities
(1) 4 BEDROOM DWELLING AT 90 GALLONS PER DAY EACH BEDROOM = 360 GPD
AND
(3) 3 BEDROOMS DWELLINGS AT 90 GALLONS PER DAY EACH BEDROOM= 12 x 90 = 810 GPD
AND
(1) UP TO 2 BEDROOM BARN/CARETAKER UNIT AT 90 GALLONS PER DAY EACH BEDROOM = 2 x 90 = 180 GPD

☐ 3. Section 4G (meter readings)
ATTACH WATER-METER DATA

SOIL DATA & DESIGN CLASS

PROFILE 9 / CONDITION D

at Observation Hole # TP 14
Depth 11 "
of Most Limiting Soil Factor

DISPOSAL FIELD SIZING

- ☐ 1. Medium - 2.6 sq.ft./gpd
- ☐ 2. Medium-Large - 3.3 sq.ft./gpd
- ☐ 3. Large - 4.1 sq.ft./gpd
- ■ 4. Extra-Large - 5.0 sq.ft./gpd

EFFLUENT/EJECTOR PUMP

ASSURE WATERTIGHTNESS

- ☐ 1. Not required
- ☐ 2. May be required
- ■ 3. Required 5 PUMP STATIONS

Specify only for engineered systems:
SEE NOTE ON PAGE 3
DOSE: _____ gallons

LATITUDE AND LONGITUDE

at center of disposal area

Lat. N43 d 51 m 23.99 s
Lon. W69 d 58 m 42.89 s
if g.p.s., state margin of error _____

SITE EVALUATOR STATEMENT

I certify that on 9/11/19 (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed sytem is in compliance with the Subsurface Wastewater Disposal Rules (10-144A CMR 241).

BRA

Site Evaluator Signature _____ SE # 352 Date 10/15/19

BRADY A. FRICK
Site Evaluator Name Printed

(207) 839-5563
Telephone Number

BRADY@ALBERTFRICK.COM
E-mail Address

ALBERT FRICK ASSOCIATES - 380B MAIN STREET, GORHAM, MAINE 04038 - (207) 839-5563
Note: Changes to or deviations from the design should be confirmed with the Site Evaluator

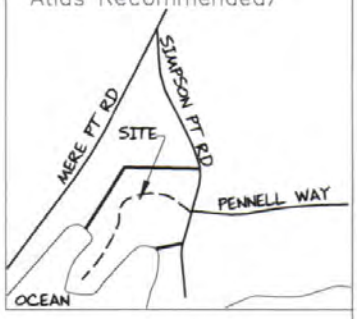
SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Health and Human Services
Division of Environmental Health
(207) 287-2070 FAX (207) 287-4172

Town, City, Plantation	Street, Road Subdivision	Owner's Name
BRUNSWICK	R.O.W off SIMPSON POINT ROAD	ROBERT KING

SITE PLAN — Scale 1" = _____ Ft. or as shown

SITE LOCATION PLAN (Attach Map from Maine Atlas Recommended)



SEE SITE PLAN ATTACHED

SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole TP 8 ■ Test Pit ☐ Boring
_____" Depth of Organic Horizon Above Mineral Soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0	VERY FINE SANDY LOAM AND SILT LOAM	FRIABLE	DARK BROWN	
10			YELLOWISH BROWN	
			LIGHT OLIVE BROWN	FEW, FAINT
20	SILTY CLAY	FIRM	OLIVE	COMMON, DISTINCT
30				
40				
50				

Soil Classification		Slope	Limiting Factor	
8/9	D	0-3 %	12"	■ Ground Water ☐ Restrictive Layer ☐ Bedrock ☐ Pit Depth
Profile	Condition			

Observation Hole TP 11 ■ Test Pit ☐ Boring
_____" Depth of Organic Horizon Above Mineral Soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0	SILT LOAM	FRIABLE	DARK BROWN	
10			YELLOWISH BROWN	
			OLIVE BROWN	FEW, DISTINCT
20	SILTY CLAY	FIRM	OLIVE	COMMON, DISTINCT
30				
40				
50				

Soil Classification		Slope	Limiting Factor	
9	D	0-3 %	11"	■ Ground Water ☐ Restrictive Layer ☐ Bedrock ☐ Pit Depth
Profile	Condition			

BA 21
Site Evaluator Signature

352
SE #

10/15/19
Date

ALBERT FRICK ASSOCIATES – 380B MAIN STREET GORHAM, MAINE 04038 – (207) 839-5563

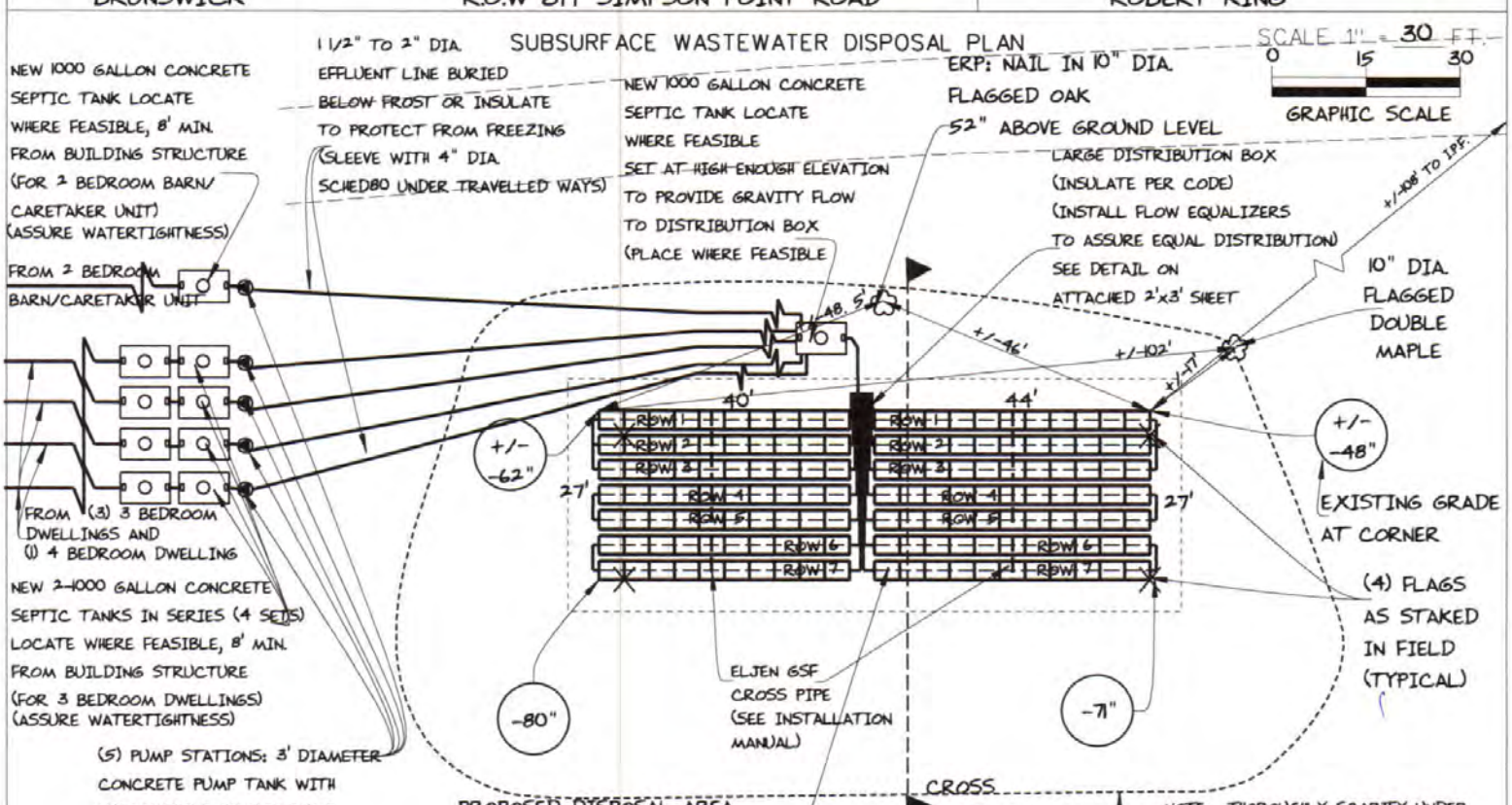
SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Health and Human Services
Division of Environmental Health
(207) 287-2070 FAX (207) 287-4172

Town, City, Plantation	Street, Road, Subdivision	Owner's Name
BRUNSWICK	R.O.W off SIMPSON POINT ROAD	ROBERT KING

SUBSURFACE WASTEWATER DISPOSAL PLAN

SCALE 1" = 30 FT.
0 15 30
GRAPHIC SCALE



FILL REQUIREMENTS

Depth of Fill (Upslope) : 36" - 50"
Depth of Fill (Downslope) : 43" - 52"
DEPTHS AT CROSS-SECTION (shown below)

CONSTRUCTION ELEVATIONS

Finished Grade Elevation
Top of Distribution Pipe or Proprietary Device
Bottom of Disposal Area

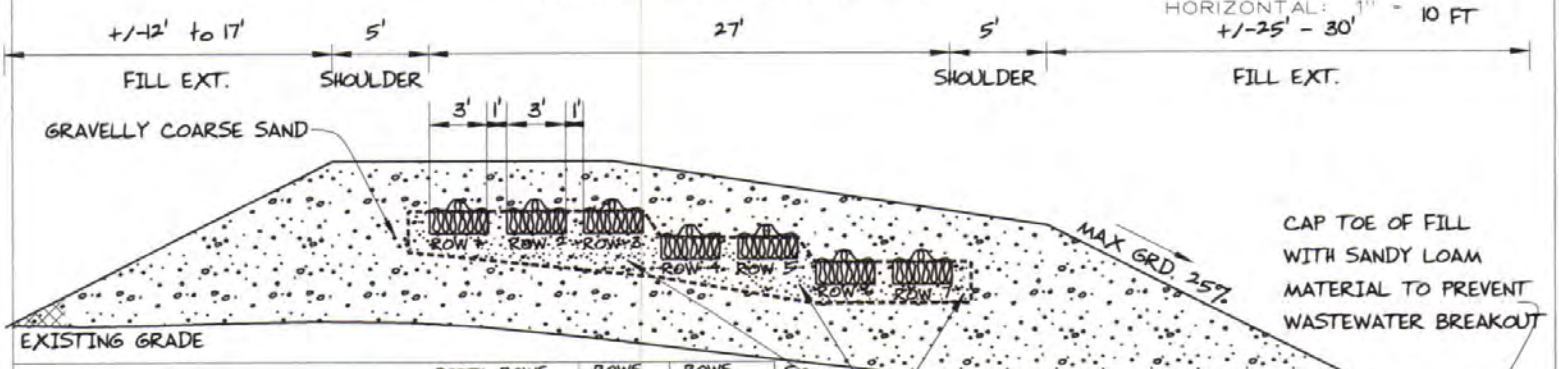
SEE DETAIL BELOW

ELEVATION REFERENCE POINT

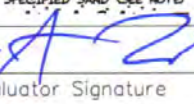
Location & Description 10" DIA. FLAGGED OAK, NAIL 52" ABOVE BASE
Reference Elevation is: 0.0" or _____

DISPOSAL AREA CROSS SECTION

SCALE:
VERTICAL: 1" = 5 FT
HORIZONTAL: 1" = 10 FT



DEPTH BELOW ERP	ROWS 1, 2 & 3	ROWS 4 & 5	ROWS 6 & 7
	-12"	-20"	-28"
	-24"	-32"	-40"
	-28"	-36"	-44"
	-35"	-43"	-51"
	-41"	-49"	-57"



NOTE: SPECIFIED SAND: ASTM SPECS, WITH LESS THAN 10% PASSING A #100 SIEVE AND LESS THAN 5% PASSING A #200 SIEVE (THE SAND 6" UNDER, BETWEEN ROWS AND 1' AROUND THE PERIMETER OF THE GSF UNITS)

B-A-21 — Site Evaluator Signature
352 — SE #
10/15/19 — Date

ALBERT FRICK ASSOCIATES - 380B MAIN STREET; GORHAM, MAINE 04038 - (207) 839-5563

PROPOSED (2) 1,000 GALLON CONCRETE SEPTIC TANKS IN SERIES AND PUMP STATION (SEE HHE-200 FOR NOTES)

PROPOSED (2) 1,000 GALLON CONCRETE SEPTIC TANKS IN SERIES AND PUMP STATION (SEE HHE-200 FOR NOTES)

APPROXIMATE POTENTIAL 4 BEDROOM DWELLING

APPROXIMATE POTENTIAL 3 BEDROOM DWELLING

APPROXIMATE POTENTIAL 3 BEDROOM DWELLING

APPROXIMATE POTENTIAL 3 BEDROOM DWELLING

PROPOSED (2) 1,000 GALLON CONCRETE SEPTIC TANKS IN SERIES AND PUMP STATION (SEE HHE-200 FOR NOTES)

1 ½" to 2" DIA. EFFLUENT LINE BURIED BELOW FROST TO PROTECT FROM FREEZING (SLEEVE WITH 4" DIA. SCHED80 UNDER ANY TRAVELLED WAYS)

PROPOSED (2) 1,000 GALLON CONCRETE SEPTIC TANKS IN SERIES AND PUMP STATION (SEE HHE-200 FOR NOTES)

PROPOSED 1,000 GALLON CONCRETE SEPTIC TANK AND PUMP STATION (SEE HHE-200 FOR NOTES)

APPROXIMATE POTENTIAL 2 BEDROOM BARN/CARETAKER UNIT

PROPOSED 1,000 GALLON CONCRETE SEPTIC TANK TO GRAVITY FLOW INTO DISTRIBUTION BOX (SEE HHE-200 FOR NOTES)

(ERP) 10" DIA. FLAGGED OAK

10" DIA. FLAGGED DOUBLE OAK

SEE DETAIL FOR PROPOSED DISTRIBUTION

PROPOSED MULTI-USER DISPOSAL AREA (2 PODS OF ELJEN GSF UNITS WITH 7 ROWS EACH. POD A HAS 70 ELJEN GSF UNITS. POD B HAS 77 ELJEN GSF UNITS. 147 TOTAL ELJEN GSF UNITS) SEE HHE-200 BY ALBERT FRICK ASSOCIATES

MILLER BROOK

LOT 4 184,041 S.F. TO SHORE LINE

INCLUDING LOTS 1-4 42.2± ACRES TO SHORE

CONSERVATION AREA WITHIN DEVELOPMENT AREA 1 30.3± ACRES

LARGE DISTRIBUTION BOX

ROW 1
ROW 2
ROW 3
ROW 4
ROW 5
ROW 6
ROW 7

DISTRIBUTION DETAIL
(NOT TO SCALE)

NOTES:

1. PROPOSED DISPOSAL AREA IS A MULTI-USER SYSTEM. SEE ATTACHED SECTION OF MAINE SUBSURFACE WASTEWATER DISPOSAL RULES (SECTION 10.C) REGARDING OWNERSHIP, INSTALLATION AND INSPECTIONS
2. SEPTIC TANKS TO BE INSPECTED AND SERVICED EVERY 3 YEARS
3. DISPOSAL AREA IS NOT DESIGNED TO ACCOMMODATED WELL WATER TREATMENT SYSTEMS, SUCH AS WATER SOFTENERS OR REVERSE OSMOSIS SYSTEMS, DISCHARGE OF WATER TREATMENT BACKWASH IS PROHIBITED INTO THE SEPTIC SYSTEM

GRAPHIC SCALE
60 0 30 60 120
(IN FEET)
1 inch = 60 ft.

DATE:	REVISIONS:
11/13/19	UPDATED SITE PLAN
11/18/19	UPDATED SITE PLAN

SEPTIC SYSTEM SITE PLAN
PREPARED FOR
ROBERT KING
RIGHT OF WAY OFF
SIMPSON POINT ROAD
(MAP 31, LOT 29)
BRUNSWICK, MAINE

Albert Frick Associates, Inc.
Environmental Consultants
Gorham, Maine

Drawn By: B.J. | Checked By: B.F.
Date: 8/21/19 | Scale: 1" = 60'

Albert Frick Associates, Inc.
Soil Scientists & Site Evaluators
380-B Main Street Gorham, Maine 04038
(207) 839-5563

BRUNSWICK	R.O.W off SIMPSON POINT ROAD	ROBERT KING
TOWN	LOCATION	APPLICANT'S NAME

1) The Plumbing and Subsurface Wastewater Disposal Rules adopted by the State of Maine, Division of Health and Human Services pursuant to 22 M.R.S.A. § 42 (the "Rules") are incorporated herein by reference and made a part of this application and shall be consulted by the owner/applicant, the system installer and/or building contractor for further construction details and material specifications. The system Installer should contact Albert Frick Associates, Inc. 839-5563, if there are any questions concerning materials, procedures or designs. The system installer and/or building contractor installing the system shall be solely responsible for compliance with the Rules and with all state and municipal laws and ordinances pertaining to the permitting, inspection and construction of subsurface wastewater disposal systems.

2) This application is intended to represent facts pertinent to the Rules only. It shall be the responsibility of the owner/applicant, system Installer and/or building contractor to determine compliance with and to obtain permits under all applicable local, state and/or federal laws and regulations (including, without limitation, Natural Resources Protection Act, wetland regulations, zoning ordinances, subdivision regulations, Site Location of Development Act and Minimum Lot Size law) before installing this system or considering the property on which the system is to be installed a "buildable" lot. It is recommended that a wetland scientist be consulted regarding wetland regulations. Prior to the commencement of construction/installation, the local plumbing inspector or Code Enforcement Officer shall inform the owner/applicant and Albert Frick Associates, Inc of any local ordinances which are more restrictive than the Rules in order that the design may be amended. All designs are subject to review by local, state and/or federal authorities. Albert Frick Associates, Inc.'s liability shall be limited to revisions required by regulatory agencies pursuant to laws or regulations in effect at the time of preparation of this application.

3) All information shown on this application relating to property lines, well locations, subsurface structures and underground facilities (such as utility lines, drains, septic systems, water lines, etc.) are based upon information provided by the owner/applicant and has been relied upon by Albert Frick Associates, Inc. in preparing this application. The owner/applicant shall review this application prior to the start of construction and confirm this information. Well locations on abutting properties but not readily visible above grade should be confirmed by the owner/applicant prior to system installation to assure minimum setbacks.

4) Installation of a garbage (grinder) disposal is not recommended. If one is installed, an additional 1000 gallon septic tank or a septic tank filter shall be connected in series to the proposed septic tank. Risers and covers should be installed over the septic tank outlet per the "Rules" to allow for easy maintenance of filter.

5) The septic tank should be pumped within two years of installation and subsequently as recommended by the pump service, but in no event should the septic tank be pumped less often than every three years.

The system user shall avoid introducing kitchen grease or fats into this system. Chemicals such as septic tank cleaners and/or chlorine (such as from water treatment units) and controlled or hazardous substances shall not be disposed of in this system. Additives such as yeast or enzymes are discouraged, since they have not been proven to extend system life.

6) All septic tanks, pump stations and additional treatment tanks shall be installed to prevent ground water and surface water infiltration. Risers and covers should be properly installed to provide access while preventing surface water intrusion to within 6" of a finished ground surface.

Vehicular traffic over disposal system is prohibited unless specifically designed with H-20 rated components.

ATTACHMENT TO SUBSURFACE WASTEWATER DISPOSAL APPLICATION

BRUNSWICK	R.O.W off SIMPSON POINT ROAD	ROBERT KING
TOWN	LOCATION	APPLICANT'S NAME

7) The actual waste water flow or number of bedrooms shall not exceed the design criteria indicated on this application without a re-evaluation of the system as proposed

8) The general minimum setbacks between a well (public or private) and septic system serving a single family residence is 100-300 feet, unless the local municipality has a more stringent requirement. A well installed by an abutter within the minimum setback distances prior to the issuance of a permit for the proposed disposal system may void this design.

9) When a gravity system is proposed: BEFORE CONSTRUCTION/INSTALLATION BEGINS, the system installer or building contractor shall review the elevations of all points given in this application and the elevation of the existing and/or proposed building drain and septic tank inverts for compatibility to minimum pitch requirements. In gravity systems, the invert of the septic tank(s) outlet(s) should be at least 4 inches above the invert of the distribution box outlet at the disposal area.

10) When an effluent pump is required: Pump stations should be sized per manufacturer's specifications to meet lift requirements and friction loss. Provisions shall be made to make certain that surface and ground water does not enter the septic tank or pump station, by sealing/grouting all seams and connections, and by placement of a riser and lid at or above grade. An alarm device warning of a pump failure shall be installed. Also, when pumping is required of a chamber system, install a ' T' connection in the distribution box and place 3 inches of stone or a splash plate in the first chamber. Insulate gravity pipes, pump lines and the distribution box as necessary to prevent freezing.

11) On all systems, remove the vegetation, organic duff and old fill material from under the disposal area and any fill extension. Additional fill beyond indicated on plan may be necessary to replace organic matter. On sites where the proposed system is to be installed in natural soil, scarify the bottom and sides of the excavated disposal area with a rake. Do not use wheeled equipment on the scarified soil surface. For systems installed in fill, scarify the native soil by roto-tilling or scarifying with teeth of backhoe to a depth of at least 8 inches over the entire disposal and fill extension area to prevent glazing and to promote fill bonding. Place fill in loose layers no deeper than 8 inches and compact before placing more fill (this ensures that voids and loose pockets are eliminated to minimize the chance of leakage or differential settling). Do not use wheeled equipment on the scarified soil area until after 12 inches of fill is in place. Keep equipment off proprietary devices. Divert the surface water away from the disposal area by ditching or shallow landscape swales.

12) Unless noted otherwise, fill shall be gravelly coarse sand, which contains no more that 5% fines (silt and clay). Crushed stone shall be clean and free of any rock dust from the crushing process.

13) Do not install systems on loamy, silty, or clayey soils during wet periods since soil smearing/glazing may seal off the soil interface.

14) Seed all filled and disturbed surfaces with perennial grass seed, with 4" min. soil or soil amendment mix suitable for growing, then mulch with hay or equivalent material to prevent erosion. Alternatively, bark or permanent landscape mulch may be used to cover system. Woody trees or shrubs are not permitted on the disposal area or fill extensions.

15) If an advanced wastewater treatment unit is part of the design, the system shall be operated and maintained per manufacturer's specifications.

Albert Frick Associates, Inc.
Soil Scientists & Site Evaluators
380B Main Street Gorham, Maine 04038
(207) 839-5563

than a semi-annual basis. Existing data from other jurisdictions may be submitted, if available. If such data are satisfactory, the applicant may bypass Provisional approval and proceed to General Use status.

(c) General Use: To receive General Use approval for an experimental system, the applicant shall demonstrate that the 50 systems installed under Provisional approval have operated as designed and intended. Upon such demonstration, the provisionally approved new or experimental technology under consideration must be granted written General Use status approval for use in Maine, and shall be included in the next revision of the Rules.

(d) Failure to Perform: In the event that an experimental system fails to perform, as claimed by the applicant, use of the experimental system in Maine, including all installations pursuant to these Rules, must cease. Use of the experimental systems must not resume until the applicant and the Department have reached a mutually acceptable agreement for resolving the failure to perform as claimed, or the back-up reserve replacement system must be installed.

C. MULTI-USER DISPOSAL SYSTEMS

1. Scope: This Section governs a multi-user (common) system designed to serve three or more parcels with structures under individual and separate ownerships, and when the disposal system is not owned entirely by one of the parties.

2. Intent: A multi-user system has unique problems, including the determination of the responsible parties for repairs and other costs. Therefore, this Section sets forth requirements for a multi-user system in response to these problems.

3. Ownership:

   a. General: Ownership of all parts of the multi-user system beyond the building sewer must be vested in a single and independent, legally established entity under Maine law.

   b. Maintenance fees: The entity may charge a maintenance or other fee to assure sufficient capitalization to meet its responsibility to maintain the multi-user system.

   c. Maintenance: The entity shall be liable for the operation, maintenance, repair, or replacement of all parts of the system beyond the individual building sewers. It shall keep the system free of any nuisance or threat to public health or contamination of the environment.

   d. Right of entry: The entity shall have the right by easement to enter upon properties that are tied to the system for the purpose of servicing, maintaining, repairing, or replacing all parts of the common system.

   e. Authority to maintain system: The entity shall also have an access easement recorded against the properties associated with, or necessary for, the system. This easement must provide for servicing, repairing, or replacing all parts of the common system. The easement must also provide the authority to enter upon the area of the system and to enlarge or replace the system, should such enlargement or replacement be deemed necessary, or if the LPI orders such action for the purpose of abating a public nuisance.

4. Installation and Inspection:

   a. Multi-user disposal system permit issuance: The LPI may not issue a permit for a multi-user disposal system without first receiving a letter of approval from the Department.

   b. Construction inspections: The LPI must inspect the multi-user disposal system in accordance with Section 11. In addition, the entity must retain the site evaluator or professional engineer to inspect

the construction of the system. The inspection must be sufficient for the site evaluator or professional engineer to determine that the system was installed as designed.

c. Inspectors Statement of Compliance: The Department will provide the LPI with a form to be given to the entity which owns the multi-user system, at the time of issuing the permit. This form may be used by the owner or owner's agent to obtain a written statement from the installer or the designer, if supervising the installation, that the system was installed in compliance with e these Rules and the conditions of the permlt. If used, a signed copy of the completed form must be submitted to the municipality.

D. PEAT DISPOSAL SYSTEMS

1. Scope: This Section governs the design and installation of peat disposal systems and filters. The following sections give specifications for site-built peat systems.

2. General: The complexity of site-built peat systems require that analysis, design construction, operation, and maintenance be undertaken at a level that is higher than the minimum requirements for small residential systems.

3. Suitable sites: Suitable sites for installing peat disposal fields are the same as for other types of disposal fields. See Chapters 4, 8, and 9.

4. Site preparation: Site preparation for peat disposal fields must be the same as it is for any disposal field authorized under this Code. See Chapter 11.

5. Peat disposal field design and installation requirements.

   a. Weather: Peat disposal fields must not be installed when the ground or the peat material is frozen.

   b. Low pressure distribution: Low pressure distribution is not allowed in peat disposal fields.

   c. Minimum width: The minimum width of a peat disposal field is 5 feet.

   d. Maximum width: The maximum width of a peat disposal field is 20 feet.

   e. Maximum length: The maximum length of a peat disposal field is 50 feet with end manifold and 100 feet with central manifold.

   f. Distribution pipe sizing: Gravity dosed distribution pipes must consist of 4 inch diameter perforated pipe.

   g. Distribution pipe placement and bedding: The distribution pipes and bedding in peat disposal fields must meet the following requirements:

      i. Distance from outer limits: The distribution pipes must be installed 2.5 feet from the outer limits of the peat disposal field;

      ii. Distance center-to-center: The distribution pipes must be 2.5 feet on center;

      iii. Connecting the ends of each distribution pipe: The distribution pipes must be connected at each end with solid piping;

   h. Distribution box: If a distribution box is used it must be located outside the limits of the peat and meet the requirements of Section 6(O);

   i. Stone beneath and on the sides of the distribution piping: The distribution pipes must be installed over the center line of a 10-inch wide and 4-inch deep layer of 3/8-inch washed crushed rock. Additional 3/8-inch washed stone must be placed on either side of the pipe to a 3-inch width. All stone must be washed

PLANNING BOARD
Major Development Review
DRAFT Findings of Fact
Review Date: January 28, 2020

Project Name:	Hunt Subdivision Amendment
Project Location:	Casco Road
Tax Map:	Map 21, Lot 19 & 44
Zoning District:	RP1
Overlay:	WPO-Corridor, SPO, RPSMO
Case Number:	19-056
Applicant:	Michael J. & Rebecca P. Samson 46 Casco Road Brunswic, ME 04011
Authorized Representative:	Sitlines PA, Attn: Kevin Clark, PLS 119 Purinton Road, Suite A Brunswick, ME 04011

Staff reviewed the application and has determined it is complete.

DRAFT Motion 1: That the Amended Site Plan is deemed complete.

PROJECT SUMMARY
The Hunt Subdivision was created in 1984, and amended with Planning Board approval in 1986. Subsequently, the subdivision was further divided by the applicant in 2012. An indenture was provided for that division and approved by the Code Enforcement Officer. The indenture is recorded at the Cumberland County Registry of Deeds. The existing lot split in 2012 was not approved by the Planning Board and is proposed for after-the-fact approval. The after-the-fact lot contains an existing house and associated development. Additionally, the applicant proposes a new lot for a future dwelling unit on Pleasant Hill Road and an indenture on Casco Road.

Notes from the Staff Review Committee (SRC) meeting on January 15, 2020 are included in the packet.

Review Standards from Section 4.2 of the Town of Brunswick Zoning Ordinance

4.1 Applicability of Property Development Standards
The subject property is located within the RP1 Zoning District and contains the Shoreland Protection Overlay (SPO) and mapped subdistricts and the Rural Protection Stormwater Management Overlay (RPSMO) and the Wildlife Protection Overlay (WPO). No development is proposed within the RPSMO, WPO, or SPO.
The Board finds that the provisions of Section 4.1 are satisfied.

4.2 Dimensional and Density Standards
The applicant provided a description of the proposed lot dimensions and a dimensional and density table on the plans. The proposed site plans indicate compliance with the minimum dimensional and density standards for RP1. *The Board finds that the provisions of Section 4.2 are satisfied.*

4.3 Natural and Historic Areas
Based on a public inquiry, staff reviewed the available records of historic areas on the subject parcel. The subject parcel does not appear on the 2008 Comprehensive Plan inventory nor the 2015 State Historic Preservation Office map. Staff note the subject parcel on both Casco Road and Pleasant Hill Road is considered scenic in Brunswick's 2002 Parks, Recreation and Open Space plan. In accordance with section 4.3.3.B(1), disturbance to the existing vegetated buffer within 25 feet of Pleasant Hill Road and Casco Road must be limited to the driveway entrance. A driveway is anticipated for the development of a residence on the proposed lot on Pleasant Hill Road.

Based on the available information, the proposed development will not result in undue water or air pollution; significant plant and animal habitat; steep slopes; erosion and sedimentation; groundwater; surface waters, wetlands, and marine resources; and historic and archaeological resources in accordance with Section 4.3.2. - 4.3.9., respectively. *The Board finds that the provisions of Section 4.3 are satisfied.*

4.4 Flood Hazard Areas
The subject parcel is not within a Flood Protection Overlay (FPO) District or Flood Hazard Area. *The Board finds subsection 4.4 is not applicable to the proposed development.*

4.5 Basic Municipal Services
Minimal changes are proposed or anticipated to Solid Waste Disposal. No impact to the public storm drain system from stormwater management is proposed in accordance with Section 4.5.3 and 4.5.4, respectively. *The Board finds that the provisions of Section 4.5 are satisfied.*

4.6 Landscaping
The proposed activity is the division of land for residential use with existing public road access on Pleasant Hill Road and Casco Road. No landscaping is proposed for the creation of house lots. *The Board finds that the provisions of Section 4.6 is not applicable to the proposed development.*

4.7 Residential Recreation Requirements
The future houses are required to pay recreational impact fees for residential development at the time of building permit review. Staff note the applicant did not submit a house plan and recreation impacts cannot be determined at this time. *The Board finds that the provisions of Section 4.7 conditionally satisfied upon payment of impact fees at the time of building permit review.*

4.8 Circulation and Access
A minor increase in vehicle trips is anticipated for access to the one (1) future residence. The after-the-fact lot is currently occupied and no issues of circulation and access were revealed. The Town Engineer advised a driveway entrance on Pleasant Hill Road is acceptable. *The Board finds that the provisions of Section 4.8 are satisfied.*

4.9 Parking and Loading
No changes are proposed to parking area on Pleasant Hill Road or Casco Road; and loading is not applicable. Parking is anticipated to be contained within the proposed lot on Pleasant Street and is already contained with the after-the-fact proposed lot on Casco Road. *The Board finds that the provisions of Section 4.9 are satisfied.*

4.10 Lighting
No new lighting is proposed. *The Board finds that the provisions of Section 4.10 are not applicable to the proposed development.*

4.11 Architectural Compatibility
Except for the construction of a private driveway, no development is proposed prior to the issuance of a building permit for single dwelling unit homes. Therefore, architectural compatibility standards are not applicable to the proposed development. *The Board finds that the provisions of Section 4.11 are not applicable to the proposed development.*

4.12 Neighborhood Protection Standards
The neighborhood protection standards are not applicable. *The Board finds that the provisions of Section 4.12 are not applicable to the proposed development.*

4.13 Signs
No signs are proposed at this time. *The Board finds that the provisions of Section 4.13 are not applicable to the proposed development.*

4.14 Performance Standards
Except for the anticipated construction of a private driveway, no development is proposed prior to the issuance of a building permit. No exceedance in Section 4.14 standards is anticipated. *The Board finds that the provisions of Section 4.14 are satisfied.*

4.15 Site Feature Maintenance
Except for the construction of a private driveway no further development is proposed. *The Board finds that the provisions of Section 4.15 is not applicable to the proposed development.*

4.16 Financial and Technical Capacity

The applicant owns the subject parcel and except for the construction of a private driveway no further development is proposed. The applicant sufficiently demonstrates adequate financial and technical capacity to meet the standards of the proposed development. *The Board finds that the provisions of Section 4.16 are satisfied.*

4.17 Administrative Adjustments / Alternative Equivalent Compliance
No administrative adjustment / alternative equivalent compliance is requested. *The Board finds that the provisions of Section 4.17 are not applicable to the proposed development.*

DRAFT MOTIONS
CASE #19-056

Motion 2: That the Final Plan is approved with the following conditions:

1. That the Board's review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, his representatives, reviewing officials, and members of the public as reflected in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification shall require a review and approval in accordance with the Brunswick Zoning Ordinance.

2. <u>Prior to issuance of a building permit</u>, the standard recreational impact fees shall be paid at the time of building permit review.

MAJOR DEVELOPMENT REVIEW
FINAL APPLICATION

SUBDIVISION AMENDMENT

RICHARD H. HUNT SUBDIVISION – LOTS 1, 4, & 5
46 & 74 CASCO ROAD
BRUNSWICK, MAINE

December 20, 2019

Prepared For

MICHAEL J. & REBECCA P. SAMSON
46 Casco Road
Brunswick, Maine 04011

Prepared By

SITELINES
Civil Engineers • Land Surveyors

119 Purinton Road, Suite A, Brunswick Landing, Brunswick, ME 04011
207-725-1200 ▪ www.sitelinespa.com

Table of Contents

Cover Letter	
Attachment A	Application Form & Checklists
Attachment B	Right, Title, & Interest
Attachment C	Abutting Property Owners
Attachment D	Supporting Documents
Attachment E	Supporting Graphics
Attachment F	Amended Subdivision Plan

December 20, 2019

3882-7

Jared Woolston, Planner
Town of Brunswick
85 Union Street
Brunswick, Maine 04011

RE: Major Development Review Final Application
Richard H. Hunt Subdivision Amendment – Lots 1, 4, & 5
Tax Map 21, Lots 19 and 44

Dear Jared:

On behalf of Michael J. and Rebecca P. Samson, Sitelines, PA is pleased to submit the enclosed Major Development Review Final Application, drawing, and supporting materials for a Subdivision Amendment to the Richard H. Hunt Subdivision, Lots 1, 4, & 5.

PROPERTY

Michael J. and Rebecca P. Samson own the parcel of land at 46 Casco Road (Tax Map 21, Lot 19), known as Lot 1 of the Richard H. Hunt Subdivision. Donald V. Hales owns the parcel of land at 74 Casco Road (Tax Map 21, Lot 44) The properties encompass 20.89± acres. Lot 1 contains 16.71± acres and has frontage on Casco Road and Pleasant Hill Road. Lot 1 of the Richard H. Hunt Subdivision was created in 1984 and subsequently amended in 1986. In the existing condition, Lot 1 contains a residential dwelling, a barn, a shed, driveway, lawn area, wooded area, and field/meadow. The parcel is encumbered by an existing 3.0± acre indenture area for Lot 4. Lot 4 contains 2.0± acres and has frontage on Casco Road. In the existing condition, Lot 4 contains a residential dwelling, driveway, lawn area, wooded area, and field/meadow. Lot 4 was split from Lot 1 in 2012; although the creation of this lot should have received approval as an amendment to a previously approved subdivision, it did not occur at that time. The creation of the 2.0± acre lot and the 3.0± acre indenture were reviewed by the Code Enforcement Officer. One goal of this application is to receive after-the-fact approval for Lot 4.

The parcels are located in the Rural Protection 1 (RP1) zone in which "Dwelling, 1- or 2-family" is a permitted use. In the RP1 zone, the maximum density is 1 dwelling unit per 4 acres for developments subject to Development Review. A portion of the site is in the Wildlife Habitat Corridor of the Wildlife Protection Overlay (WPO). Additional Overlay Zones on the site include the Rural Protection Stormwater Management Overlay (RPSMO) and the Shoreland protection Overlay – Stream Protection Subdistrict (SPO-SP).

SITE DESIGN

The proposed subdivision amendment includes obtaining after-the-fact approval for existing Lot 4 that was split from Lot 1 in 2012. The proposed subdivision amendment consists of further dividing the existing Lot 1 into two (2) residential lots; Lot 1 and Lot 5.

Lot 4 includes area in the SPO-SP and Wildlife Corridor of the WPO. The existing improvements were constructed outside of the SPO-SP Overlay District and in a cleared area of the WPO. The RPSMO encompasses the extents of Lot 4, but the developments were completed in 2012 before the RPSMO requirements of the Brunswick Zoning Ordinance became effective.

Proposed Lot 5 is located to be outside of the SPO-SP, RPSMO, and WPO, with frontage on Pleasant Hill Road. The new lot will be served by an individual private well and private subsurface wastewater disposal system. A new driveway extension, electric service, and data services will be extended from Pleasant Hill Road and will be the responsibility of the future landowner. Wetlands have been identified and mapped by Atlantic Environmental. Proposed Lot 5 encompasses 2.21 acres that is entirely open field.

WAIVERS

Based on the specifics of the project, the applicant will request waivers for the following application items:

- Profile, cross-section dimensions, curve radii of existing streets. No changes are proposed to the existing roads.
- Profiles of underground facilities.
- Location of all existing trees over 10-inches in diameter. Existing trees will be preserved as possible outside of the existing and proposed clearing limits.

REVIEW STANDARDS

To facilitate your review of our proposal, the following issues are summarized in accordance with *CHAPTER 4 - PROPERTY DEVELOPMENT STANDARDS* of the Ordinance:

4.1 APPLICABILITY OF PROPERTY DEVELOPMENT STANDARDS

The proposed subdivision is in compliance with the standards set forth in Chapter 4 – Property Development Standards.

4.2 DIMENSIONAL AND DENSITY STANDARDS

The proposed subdivision is in the Rural Protection 1 (RP1) Zoning district and complies with the Dimensional and Density Standards for Rural Zoning Districts. The Growth Area Dimensional and Density Standards to not apply.

The density of the proposed subdivision is within the maximum lot density of 1 dwelling unit per 4 acres for developments subject to Development Review. The net site area, as calculated in accordance with 4.2.5.A, is the full area of land minus the steep slopes and wetlands. The property has no water bodies; existing or proposed street rights-of-way, endangered or threatened species

habitat; rare and endangered natural communities; waterfowl and wading bird habitat; shorebird nesting, feeding, and staging areas; significant vernal pool habitat; or seabird nesting islands as determined by resources in the Maine GIS Data Catalog and Maine DEP GIS website, and the Beginning With Habitat maps. The density calculations allow for the creation of the new lot in the Richard H. Hunt Subdivision. This proposed subdivision amendment looks to obtain Planning Board approval for Lot 4, which previously had only Codes Enforcement Office approval, and creates Lot 5, the fifth lot of the Richard H. Hunt Subdivision.

The RP1 Zone has a 20,000 s.f. minimum lot area standard for Residential lots and a 10,000 s.f. maximum building footprint per structure standard, both of which will be met. Lot 1 includes a deeded indenture area for Lot 4, and is proposed to included a deeded indenture area for proposed Lot 5 to maintain the maximum density of one (1) dwelling unit per four (4) acres.

The RP1 Zone has a maximum impervious surface coverage standard of the lesser of 35% or 10,890 s.f. for lots less than 2.5 acres. The 2.0±-acre Lot 4 has an existing impervious surface coverage of 6,000 s.f., or 7% Any proposed improvements for proposed 2.21-acre Lot 5 will be within the lesser of 35% or 10,890 s.f. maximum impervious area limit.

4.3 NATURAL AND HISTORIC AREAS

4.3.1 The parcels include areas that are field, lawn, wooded, and wetland. The wetlands were field delineated in November 2019 by Atlantic Environmental, LLC. The proposed subdivision amendment will have no adverse impacts to the areas of natural character to the Town. There are no known existing features that would be considered of scenic or historic character.

4.3.2 The proposed residential subdivision will not result in undue water or air pollution.

4.3.3 The project is located within a Scenic Area as identified within the Parks, Recreation Open Space Plan 2002. The subdivision is located at the corner of Pleasant Hill Road and Casco Road, portions of which are identified as scenic in the Southwest Brunswick subarea of the Scenic Inventory of the Open Space Plan.

Proposed Lot 5 has been sited outside of the SPO-SP, RPSMO, and WPO to avoid impact to the respective resources each Overlay Zone protects. Lot 5 encompasses a 2.21-acre area that is entirely open field. No improvements are proposed to Lot 5 at this time, but potential improvements by the future landowner will be sited in open field for the benefit of other protected natural resources.

Portions of Lot 4 are within the SPO-SP and WPO. The improvements to Lot 4, constructed in 2012, were sited to be outside of the SPO-SP and in an open area of the Wildlife Habitat Corridor of the WPO that required no removal of woody vegetation.

The proposed subdivision amendment protects the land not suitable for development and does not have an adverse effect on the natural landscape features and scenic beauty.

4.3.4 A portion of the parcels is within the Wildlife Habitat Corridor as mapped on Town GIS. Proposed Lot 5 is not within a Wildlife Protection Overlay, but subject parcels existing Lot 1 and Lot 4 include an area of Wildlife Habitat Corridor.

Lot 4 was created and developed in 2012 from the extents of Lot 1. In accordance with the Brunswick Zoning Ordinance Subsection 2.3.5. Wildlife Protection Overlay (WPO) District, the original parcel of Lot 1 as of April 5, 2006 encompassed 20.92± acres, of which 4.03± acres is within the limits of the Wildlife Corridor, or 19%. The only development or disturbed area within the limits of the Wildlife Corridor of the original parcel is the existing structure on Lot 4. The existing structure on Lot 4 was constructed in 2012 in an open area of the lot within the Corridor. Construction of the existing 2,800± s.f. of structure within the Wildlife Corridor may have disturbed up to 14,500 s.f. at the time, but did not require the clearing or removal of woody vegetation. Per Table 2.3.5.E of the Brunswick Zoning Ordinance, 0% to 15% disturbance requires no habitat mitigation and allows for no density bonus.

The proposed subdivision amendment will have no adverse impacts to areas of significant plant or animal habitat located on the parcel.

4.3.5 There are some area of steep slopes or embankments greater than 25%, as defined by the ordinance, located on the property. The area of steep slopes is shown on the Amended Subdivision Plan and reflected in the density calculations. The mapped steep slopes are within the limits of Lot 1 and are not in the area of proposed Lot 5 or Lot 4.

4.3.6 The disturbed areas of the site will be isolated through the use of silt fence and other measures to minimize the transport of sediment from the site. The project has been designed to incorporate Best Management Practices as outlined in the Maine Erosion and Sediment Control BMPs as published by the Maine Department of Environmental Control, current edition. Specific provisions for permanent and temporary erosion control features have been provided in the construction drawings. The contractor will be bound to meet the performance standards of the BMPs including erosion control, stabilization, maintenance, and inspection requirements.

4.3.7 The project will not extract groundwater for operations. The new site will be serviced by a private well and private subsurface wastewater disposal system. Providing that the septic system is installed and maintained as designed, no undue adverse effect on the quality or quantity of groundwater will occur as a result of this project.

4.3.8 The site primarily drains via overland flow toward the southwest. Drainage boundaries will remain as in the existing condition. Any potential site improvements to Lot 5 will be done in accordance with the limitations of the zone and the Zoning Ordinance, including the maximum impervious surface coverage limit. The proposed residential Lot 5 will have no adverse impact on the water quality or functional integrity of the watershed.

The wetland delineation was completed for Lot 1 and proposed Lot 5 in November 2019. This proposed subdivision amendment will not have any undue adverse impact on the existing wetland.

4.3.9 There are no historic or archeological resources associated with this project.

4.4 FLOOD HAZARD AREAS

The development is not in the Flood Protection Overlay (FPO) District. The project area is in Zone C (Areas of Minimal Flooding) of the Flood Insurance Rate Maps (FIRMs) for Cumberland County, Maine. The project area is located on Panel 26 of 35 (Community Panel 230042-0026-B, Effective January 3, 1986) and Panel 15 of 35 (Community Panel 230042-0015-B, Effective January 3, 1986). Excerpts of the applicable FIRMs are enclosed.

4.5 BASIC AND MUNICIPAL SERVICES

4.5.1 Public sewer is not available. The proposed lot will be serviced by an individual subsurface wastewater disposal system. Two passing test pits were observed on the lot by Stephen P. Robbins (Test Pit Logs attached).

4.5.2 Public water is not available. The proposed lot will be serviced by private well. After reviewing the Maine Well Database, there appears to be adequate groundwater available in the surrounding area. As shown on the enclosed map, there are existing wells in the surrounding area that provide flow rates ranging from 1.5 gpm to 20 gpm. As is typical in most areas, well flow rates can vary greatly, and are not typically impacted by surrounding development unless density is increased substantially over a long period of time. The proposed development is meeting the density requirements of the Zoning District and is not anticipated to adversely impact the existing groundwater in the surrounding areas.

4.5.3 Solid waste shall be collected by curbside pickup, consistent with the existing housing. Solid Waste Impact Fee is calculated at a rate of $258.56 (based on 1 ton/year/unit) for each of the new residential lot, which we request be paid prior to the issuance of building permits.

4.5.4 The site primarily drains via overland flow to the southwest. No improvements are proposed at this time.

4.6 LANDSCAPING REQUIREMENTS

No improvements are proposed at this time, but potential improvements for proposed Lot 5 by the future landowner will be subject to the limitations imposed by the Zoning Ordinance for the RP1 Zone. Much of the site is existing field/meadow. Lots 1 and 4 are already developed.

4.7 RESIDENTIAL RECREATION REQUIREMENTS

The landowner will pay the recreation impact fees as required for Lot 5, which we request be paid prior to the issuance of building permits, based on the number of bedrooms for any housing proposed. Lots 1 and 4 are already developed.

4.8 CIRCULATION AND ACCESS

4.8.1 The proposed residential subdivision amendment will not cause unreasonable congestion or unsafe conditions on highways or public roads, either existing or proposed, and the traffic associated with the development shall maintain the existing Level of Service on any public road within 200 feet of any existing or proposed curb-cut.

4.8.2 The proposed Lot 5 will utilize a new curb cut of Pleasant Hill Road. There is adequate sight distance along the frontage to site a new curb cut, and a driveway entrance permit from the Town will be required prior to construction.

4.8.3 The pedestrian and bicycle access is ample in this existing rural residential subdivision.

4.9 PARKING AND LOADING

4.9.1 Parking will be provided at each house in accordance with the minimums required by the Zoning Ordinance.

4.9.2 This standard is not applicable as there are no parking areas of 10 or more spaces.

4.9.3 Parking is provided at each lot. No common parking areas are proposed.

4.9.4 No parking alternatives are proposed.

4.9.5 Off-street loading is not applicable for this residential development.

4.10 LIGHTING

New lighting is not proposed at this time. It is anticipated that the new building will have residential scale lighting at garages and driveways. The lighting will not adversely impact road safety or adjacent properties and uses

4.11 ARCHITECTURAL COMPATIBILITY

The subdivision and new residential buildings will be compatible with its architectural surroundings.

4.12 NEIGHBORHOOD PROTECTION STANDARDS

As the project is not located within a Growth Mixed Use zoning district, this section is not applicable. In any event, the new lot will be compatible with neighboring residential areas.

4.13 SIGNS

No signage is proposed.

4.14 PERFORMANCE STANDARDS

4.14.1.B Any construction activities will occur between the hours of 7 am and 7 pm.

4.14.1.C No activities will be conducted that exceed the Maximum Equivalent Sound Level (50 dBA day and 40 dBA night in Rural Area districts).

4.14.1.D No activities will be conducted that generate smoke, dust or particulate emissions.

4.14.1.E No activities will be conducted that generate dust, fly ash, dirt, fumes, vapors or gasses that could cause injury to human, animal or vegetable health.

4.14.1.F No activities will be conducted that generate odors.

4.14.1.G No activities will be conducted that generate heat or recurring vibrations.

4.14.1.H No more than two unregistered or unlicensed motor vehicles will be stored outside.

4.14.1.I No motor vehicles or watercraft will be stored within the required setbacks.

4.14.1.J All existing and new outdoor residential lighting will be in compliance of Section 4.10.

4.15 SITE MAINTENANCE
Site maintenance will be managed by the lot owners in compliance with the Brunswick Zoning Ordinance standards.

4.16 FINANCIAL AND TECHNICAL CAPACITY
Michael J. & Rebecca P. Samson own the parcel and buildings located thereon. Site improvements will be constructed by lot owners.

The design team, led by Sitelines, PA, has extensive experience (since 1989) planning, designing, and gaining approvals for residential and commercial development projects throughout the state, including multiple projects located in the Town of Brunswick.

4.17 ADMINISTRATIVE ADJUSTMENTS / ALTERNATIVE EQUIVALENT COMPLIANCE
The project has been designed in accordance with the Town of Brunswick Zoning Ordinance to the greatest extent practicable. No Administrative Adjustments are requested, other than those waivers requested elsewhere in this letter.

We look forward to presenting the project to the Planning Board at their January 14, 2020 meeting to review and approval. Should you have any questions, please call or contact me at kclark@sitelinespa.com.

Very truly yours,

Kevin P. Clark

Kevin P. Clark, PLS
President

Enclosures

cc: Michael J. & Rebecca P. Samson
Donald V. Hale

SITELINES
Civil Engineers • Land Surveyors

Attachment A
Application Form & Checklists

A completed copy of the Major Development Review Final Application Form and the Checklist are enclosed.

DEVELOPMENT REVIEW APPLICATION

1. Development Review application type (refer to **Appendix D**):

   - [ ] **Minor Development Review**
   - [ ] Major Development Review: **Sketch Plan**
   - [x] Major Development Review: **Final Plan**
   - [ ] Major Development Review: **Streamlined Final Plan**

2. Project Name: Richard H. Hunt Subdivision Amendment - Lots 1, 4, & 5

3. Project Applicant
   - Name: Michael J. & Rebecca P. Samson
   - Address: 46 Casco Road
     Brunswick, Maine 04011
   - Phone Number: 207-751-6065
   - Email: 46SAMS46@gmail.com

4. Project Owner (if different than applicant)
   - Name: <same>
   - Address:
   - Phone Number:
   - Email:

5. Authorized Representative
   - Name: Sitelines PA, Attn: Kevin Clark, PLS
   - Address: 119 Purinton Road, Suite A
     Brunswick, ME 04011
   - Phone Number: 207-725-1200 ext. 14
   - Email: kclark@sitelinespa.com

6. List of Design Consultants. Indicate the registration number, address and phone number, email for any additional project engineers, surveyors, architects, landscape architects or planners:

   1. Sitelines PA
   2.
   3.

7. Physical location of property: 46 & 74 Casco Road

8. Lot Size: 20.89 acres

9. Zoning District: Rural Protection 1 (RP1)

10. Overlay Zoning District(s): WPO Wildlife Habitat Corridor, SPO-SP, RPSMO

11. Indicate the interest of the applicant in the property and abutting property. For example, is the applicant the owner of the property and abutting property? If not, who owns the property subject to this application?

Owner

12. Assessor's Tax Map 21 Lot Number 19 & 44 of subject property.

13. Brief description of proposed use/subdivision: _____

Refer to Cover Letter

14. Describe specific physical improvements to be done: _____

Refer to Cover Letter

Owner Signature:

_____

Applicant Signature (*if different*):

(AGENT)

DEVELOPMENT REVIEW APPLICATION REQUIREMENTS

The submission requirements contained in **Appendix D** of the Brunswick Zoning Ordinance (attached in checklist format for each application category) shall apply to all Minor Development, Major Development, and Streamlined Major Development Review unless a waiver is granted. Proposed development applications shall be submitted to the Director of Planning and Development.

For each item listed in Appendix D the applicant shall either submit the requested information or request a waiver from the information requirement pursuant to Subsection 5.2.9.M of the Zoning Ordinance.

	REQUIREMENTS FOR FINAL PLAN, STREAMLINED REVIEW & MINOR REVIEW APPLICATION SUBMITTAL Please mark box with one of the following: "W" (Waiver); "P" (Pending); "X" (Submitted) or "N/A" (Not applicable)	Final Plan	Streamlined	Minor
General	Application form and fee	X	--	--
	Name of development	X	--	--
	Existing zoning district and overlay designations	X	--	--
	Location map	X	--	--
	Names of current owner(s) of subject parcel and abutting parcels	X	--	--
	Names of engineer and surveyor; and professional registration numbers of those who prepared the plan	X	--	--
	Location of features, natural and artificial, such as water bodies, wetlands, streams, important habitats, vegetation, railroads, ditches and buildings	X	--	--
	Documentation of Right, Title and Interest	X	--	--
	Drafts of legal documents appropriate to the application, including: deeds, easements, conservation easements, deed restrictions or covenants, home/property owners association declarations and by-laws, and such other agreements or documents as are necessary to show the manner in which common areas will be owned, maintained, and protected	X	--	--
	Draft performance guarantee or conditional agreement	X	--	--
Survey, Topography, & Existing Conditions	Scale, date, north point, and area	X	--	--
	A survey submitted (stamped for final plan submittal) by a professional surveyor with a current license by the State of Maine Board of Licensure for Professional Surveyors	X	--	--
	Boundaries of all lots and tracts with accurate distances and bearings, locations of all permanent monuments property identified as existing or proposed	X	--	--
	Existing easements associated with the development	X	--	--
	Location of existing utilities; water, sewer, electrical lines, and profiles of underground facilities	W	--	--
Survey, Topography, & Existing Conditions	Existing location, size, profile and cross section of sanitary sewers; description, plan and location of other means of sewage disposal with evidence of soil suitability	X	--	--
	Topography with contour intervals of not more than two (2) feet	X	--	--
	A Medium Intensity Soil Survey, available from the Cumberland County Soil and water Conservation District,. The Planning Board may require a Class A (high intensity) Soil Survey, prepared in accordance with the standards of the Maine Association of Professional Soil Scientists, if issues of water quality, wetlands or other natural constraints are noted.	X	--	--
	Existing locations of sidewalks	X	--	--
	A delineation of wetlands, floodplains, important habitats, and other environmentally sensitive areas	X	--	--
	Approximate locations of dedicated public open space, areas protected by conservation easements and recreation areas	X	--	--

	REQUIREMENTS FOR FINAL PLAN, STREAMLINED REVIEW & MINOR REVIEW APPLICATION SUBMITTAL Please mark box with one of the following: "W" (Waiver); "P" (Pending); "X" (Submitted) or "N/A" (Not applicable)	Final Plan	Streamlined	Minor
Infrastructure - Proposed	Name, location, width of paving and rights-of-way, profile, cross-section dimensions, curve radii of existing and proposed streets; profiles of center-lines of proposed streets, at a horizontal scale of one (1) inch = 50 feet and vertical scale of one (1) = five (5) feet, with all evaluations referred to in U.S.G.S. datum	W	--	--
	Proposed easements associated with the development	X	--	--
	Kind, location, profile and cross-section of all proposed drainage facilities, both within and connections to the proposed development, and a storm-water management plan in accordance with Section	X	--	--
	Location of proposed utilities; water, sewer, electrical lines, and profiles of underground facilities. Tentative locations of private wells.	X	--	--
	Proposed location, size, profile and cross section of sanitary sewers; description, plan and location of other means of sewage disposal with evidence of soil suitability	X	--	--
	Proposed locations, widths and profiles of sidewalks	X	--	--
	Locations and dimensions of proposed vehicular and bicycle parking areas, including proposed shared parking arrangement if applicable.	X	--	--
Infrastructure - Proposed	Grading, erosion control, and landscaping plan; proposed finished grades, slopes, swells, and ground cover or other means of stabilization	X	--	--
	Storm water management plan for the proposed project prepared by a professional engineer	X	--	--
	The size and proposed location of water supply and sewage disposal systems	X	--	--
	Where a septic system is to be used, evidence of soil suitability	X	--	--
	A statement from the General Manager of the Brunswick Sewer District as to conditions under which the Sewer District will provide public sewer and approval of the proposed sanitary sewer infrastructure	X	--	--
	A statement from the Fire Chief recommending the number, size and location of hydrants, available pressure levels, road layout and street and project name, and any other fire protection measures to be taken	X	--	--
	A statement from the General Manager of the Brunswick and Topsham Water District as to conditions under which public water will be provided and approval of the proposed water distribution infrastructure	X	--	--
Proposed Development Plan	Lighting plan showing details of all proposed lighting and the location of that lighting in relation to the site	X	--	--
	Reference to special conditions stipulated by the Review Authority	X	--	--
	Proposed ownership and approximate location and dimensions of open spaces for conservation and recreation. Dedicated public open specs, areas protected by conservation easements, and existing and proposed open spaces or recreation areas and potential connectivity to adjoining open space.	X	--	--
	When applicable, a table indicating the maximum number of lots permitted based upon the applicable dimensional requirements, the number of lots proposed, and the number of lots permitted to be further subdivided.	X	--	--
	Building envelopes showing acceptable locations for principal and accessory structures, setbacks and impervious coverage	X	--	--

REQUIREMENTS FOR FINAL PLAN, STREAMLINED REVIEW & MINOR REVIEW APPLICATION SUBMITTAL Please mark box with one of the following: "W" (Waiver); "P" (Pending); "X" (Submitted) or "N/A" (Not applicable)		Final Plan	Streamlined	Minor
Proposed Development Plan	Disclosure of any required permits or, if a permit has already been granted, a copy of that permit	X	--	--
	A statement from the General Manager of the Brunswick and Topsham Water District regarding the proposed development if located within an Aquifer Protection Zone	X	--	--
	A plan of all new construction, expansion and/or redevelopment of existing facilities, including type, size, footprint, floor layout, setback, elevation of first floor slab, storage and loading areas	X	--	--
	An elevation view of all sides of each building proposed indicating height, color, bulk, surface treatment, signage and other features as may be required by specific design standards	X	--	--
	A circulation plan describing all pedestrian and vehicle traffic flow on surrounding road systems	X	--	--
	A site landscaping plan indicating grade change, vegetation to be preserved, new plantings used to stabilize areas of cut and fill, screening, the size, locations and purpose and type of vegetation	X	--	--
	Number of lots if a subdivision	X	--	--
	A plan showing all ten (10) inch caliper trees to be removed as a result of the development proposal	X	--	--
	All applicable materials necessary for the Review Authority to review the proposal in accordance with the criteria of Chapter 5.	X	--	--
	Any additional studies required by the Review Authority	X	--	--

SITELINES
Civil Engineers • Land Surveyors

November 15, 2019

3882

Michael Samson
46 Casco Road
Brunswick, ME 04011

Re: Designation of Agent Authorization
Subdivision Amendment – 46 & 74 Casco Road
Brunswick, Maine

Dear Michael:

As required by various approval agencies, please indicate by signing below that Sitelines, PA is authorized to act as agent for Michael & Rebecca Samson, for the specific purpose of preparation and submission of local and state permitting applications on your behalf for the proposed Subdivision Amendment for property located on the Casco Road in Brunswick, Maine.

Sincerely,

Kevin P. Clark

Kevin P. Clark, PLS
President

The undersigned hereby gives Sitelines, PA the authority to act as agent for Michael & Rebecca Samson for the specific purpose of preparation and submission of local and state permitting applications for the project specifically identified above.

Michael J Samson, Rebecca Samson 12/18/2019

Michael & Rebecca Samson — Date

SITELINES
Civil Engineers • Land Surveyors

November 15, 2019

3882

Donald & Shirley Hale
74 Casco Road
Brunswick, ME 04011

Re: Designation of Agent Authorization
Subdivision Amendment – 46 & 74 Casco Road
Brunswick, Maine

Dear Donald & Shirley:

As required by various approval agencies, please indicate by signing below that Sitelines, PA is authorized to act as agent for Donald & Shirley Hale, for the specific purpose of preparation and submission of local and state permitting applications on your behalf for the proposed Subdivision Amendment for property located on the Casco Road in Brunswick, Maine.

Sincerely,

Kevin P. Clark

Kevin P. Clark, PLS
President

The undersigned hereby gives Sitelines, PA the authority to act as agent for Donald & Shirley Hale for the specific purpose of preparation and submission of local and state permitting applications for the project specifically identified above.

Donald V. Hale Shirley E. Hale 11/16/19

Donald & Shirley Hale Date

Attachment B
Right, Title, & Interest

Copies of the current deeds are included with this attachment.

0050788

BK 15701 PG 275

WARRANTY DEED
Joint Tenants
(Maine Statutory Short Form)

Gregory L. Gimbel and Karen L. Gimbel, of Brunswick, Maine, for valuable consideration, grant to **Michael J. Samson and Rebecca P. Samson**, as joint tenants, with a mailing address of 4798 Black Hollow Road, Dublin, Virginia 24084, with Warranty Covenants, the following described real property situated at 46 Casco Road, Brunswick, Cumberland County, Maine:

A certain lot or parcel of land with the buildings thereon, situated in said Brunswick, and being more particularly described on Exhibit A attached hereto and made a part hereof.

Meaning and intending to convey the same premises described in a deed from Gregory L. Gimbel and Karen L. Gimbel to Grantors dated August 14, 1990, and recorded in the Cumberland County Registry of Deeds in Book 9281, Page 290. Reference is also made to deeds dated December 15, 1983, recorded in Book 6350, Page 222; dated August 14, 1986, recorded in Book 7322, Page 240; and dated October 30, 1987, recorded in Book 8047, Page 307.

MAINE REAL ESTATE TAX PAID

Witness our hands this 31st day of August, 2000.

Witness — Gregory L. Gimbel

Witness — Karen L. Gimbel

STATE OF MAINE
CUMBERLAND, ss

August 31, 2000

Personally appeared the above named Gregory L. Gimbel and Karen L. Gimbel, and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Attorney ~~at Law/Notary~~ Public

KENNETH E. SHITGER
MAINE ATTORNEY AT LAW

Printed Name

CL-13805

EXHIBIT A

A certain lot or parcel of land, with the buildings thereon, situated in the Town of Brunswick, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at a point which marks to intersection of the southerly side of the Pleasant Hill Road and the northwesterly side of the Casco Road; thence N 87° 17' W along the southerly side of the Pleasant Hill Road 507.6 feet to a point; thence N 83° 03' W along the southerly side of the Pleasant Hill Road a distance of 403 feet to an iron pin; thence S 56° 11' W 582.3 feet to an iron pin; thence N 75° 37' W 288.2 feet to an iron pin; thence S 50° 34' W along land now or formerly of Charles M. Morse, et al a distance of 529.5 feet to an iron pin; thence S 75° 49' E along land of said Morse a distance of 64.5 feet to a white birch; thence S 5° 06' 40" W along land of said Morse 73.7 feet to an iron pin; thence S 56° 32' E a distance of 185 feet, more or less to the center of a stream; thence in a general southerly, easterly and southerly direction along the center of said stream 670 feet, more or less to the northwesterly side of the Casco Road; thence N 50° 49' E along the northwesterly side of the Casco Road 455 feet to an iron pin; thence N 52° 08' 10" E along said Casco Road a distance of 388.5 feet to an iron pin; thence N 55° 52' E along said Casco Road a distance of 749.1 feet to a point; thence N 62° 36' E along said Casco Road a distance of 184.7 feet to a point; thence N 72° 40' E along said Casco Road to the point of beginning.

RECEIVED
RECORDED REGISTRY OF DEEDS
2000 SEP -1 PM 1:28
CUMBERLAND COUNTY
John B O'Brien

(2)

DLN 1001840039235

Doc#: 49344 Bk:35171 Pg: 161

MAINE REAL ESTATE TAX PAID

WARRANTY DEED

Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS, That **Rebecca P. Samson and Michael J. Samson and Virginia M. Plummer** of Brunswick in the County of Cumberland and State of Maine, for consideration paid, grant to **Donald V. Hale and Shirley E. Hale,** whose mailing address is 157 North End Road, Westport Island, ME 04578, with **WARRANTY COVENANTS as Joint Tenants**, the real property situated in **Brunswick**, County of **Cumberland** and **State of Maine** more particularly described in Exhibit A attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, this instrument has been executed this 24th day of September, 2018.

Witness to all

Rebecca P. Samson

Michael J. Samson

Virginia M. Plummer, by Rebecca A. Plummer n/k/a Rebecca P. Samson, Attorney in Fact

Rebecca P Samson Attorney in fact

State of Maine
County of Sagadahoc, ss.

September 24, 2018

Personally appeared before me the above named **Rebecca P. Samson f/k/a Rebecca A. Plummer, individually and as Attorney in Fact for Virginia M. Plummer, and Michael J. Samson** and acknowledged the foregoing instrument to be their free act and deed.

Notary Public/Attorney at Law

SUSAN GAGE KNEDLER
Notary Public Maine
My Commission Expires November 22 2018

File Number 2018-1254

EXHIBIT A
(DEED)

A certain piece or parcel of land, together with the buildings and improvements thereon, situated on the northwesterly side of the Casco Road, in the Town of Brunswick, County of Cumberland and State of Maine, being bounded and described as follows:

COMMENCING at a point on the northwesterly side of the Casco Road at the southeast corner of land now or formerly of Robert and Betsy Elder recorded in Book 19897, Page 275, being the center of a brook;

thence northerly along the center of said brook and the easterly line of said Elder a distance of 398.6 feet, more or less, to the intersection of a second brook at the northeast corner of said Elder;

thence easterly along the center of the second brook and the southerly line of remaining land of Michael and Rebecca Samson recorded in Book 15701, Page 275, a distance of 619.8 feet, more or less, to the northerly side of the Casco Road;

thence South 48° 47' 41" West along the northwesterly side of the Casco Road a distance of 434.93 feet to the point of beginning.

Bearings referenced to magnetic North 2011.

Reference is made to a Plan entitled, "Site Plan Showing Proposed conveyance and Area SUBJECT TO Indenture prepared for Michael J. and Rebecca P. Samson, Casco Road Brunswick, Maine" by Colby and Associates dated December 30, 2011.

Meaning to convey and hereby conveying all and the same premises as conveyed to John T. Plummer and Virginia M. Plummer, and Michael J. Samson and Rebecca P. Samson by deed of Michael J. Samson and Rebecca P. Samson dated February 8, 2012 and recorded in the Cumberland County Registry of Deeds in Book 29350, Page 126. The said John T. Plummer deceased February 14, 2018 leaving Virginia M. Plummer, Michael J. Samson and Rebecca P. Samson as the surviving joint tenants.

Received
Recorded Register of Deeds
Sep 26,2018 10:19:49A
Cumberland County
Nancy A. Lane

INDENTURE FOR DIVISION OF LAND IN COASTAL PROTECTION 1 (CP-1) ZONE

This Indenture is entered into this 8th day of February 2012 by and between the Town of Brunswick (hereinafter the "Town") and Michael J. Samson and Rebecca P. Samson of Brunswick, Maine, with a mailing address of 46 Casco Road, Brunswick, Maine 04011 (hereinafter the "Divider").

WITNESSETH

WHEREAS, the Divider is desirous of creating one (1) new residential lot from Divider's parcel in Brunswick, Maine shown on Town of Brunswick Tax Map 21 Lot 19, acquired by instrument dated August 31, 2000 and recorded in the Cumberland County Registry of Deeds in Book 15701, Page 275; and

WHEREAS, Divider will continue to live on the balance of said property; and

WHEREAS, Section 209.2 of the Town of Brunswick Zoning Ordinance allows for the creation of such new lot, but requires a maximum density of 5 acres/unit for projects that are not subject to development review; and

WHEREAS, the proposed residential lot is 2.04 acres in area and is described on the attached Exhibit A; and

WHEREAS, residential dwelling units (except accessory apartments under section 306.1B) may not be located in the land area set aside for density purposes. All other uses permitted within the Coastal Protection 1 (CP1) zone or allowed pursuant to section 701 of the Town of Brunswick Zoning Ordinance, Special Permits for Unclassified and Omitted Uses, may be located in the land area set aside for density purposes, provided they meet all other provisions of the Town of Brunswick Zoning Ordinance; and

WHEREAS, the Town requires the Divider to execute a recordable document acknowledging that if the reduced lot area provisions are utilized, additional land area must be set aside from the parcel for density purposes;

NOW THEREFORE, in consideration of the above and the covenants and agreements contained herein, the receipt and sufficiency of which are acknowledged, the Town and the Divider agree as follows:

1. The Divider acknowledges receipt of a copy of Section 209.2 of the Town of Brunswick Zoning Ordinance and designates the portion of the parcel shown as Exhibit A for density purposes pursuant to the terms of said Section 209.2. That portion of the parcel set aside for density purposes is shown as "Land to be Retained Subject to Indenture 3.00 Acres ±" on plan entitled "Site Plan Showing Proposed conveyance and area subject to Indenture prepared for Michael J. and Rebecca P. Samson, Casco Road Brunswick, Maine" by

Colby and Associates dated December 30, 2011 to be recorded herewith (hereinafter the "Plan") and is described on the attached Exhibit B.

2. The Town, through its Codes Enforcement Officer, acknowledges that upon receipt of an executed copy of this Indenture, the Town will recognize the validity of the 2.04 acre lot and will issue a certificate of occupancy for same.

WITNESS

TOWN OF BRUNSWICK

by: Jeffrey B. Hutchinson
its: Codes Enforcement Officer

STATE OF MAINE
CUMBERLAND, ss.

Then on this 9th day of February 2012 personally appeared the above named **JEFFREY B. HUTCHINSON** and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Notary Public
My Commission expires: JULIE A. GILL
Notary Public, Maine
My Commission Expires July 17 2017

WITNESS

DIVIDERS

Michael J. Samson

Rebecca P. Samson

STATE OF MAINE
~~CUMBERLAND~~, ss.
Sagadahoc

Then on this ~~10th~~ 8th day of February 2012 personally appeared the above named **MICHAEL J. SAMSON** and **REBECCA P. SAMSON** and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Notary Public
My Commission expires:

JULIE A. GILL
Notary Public, Maine
My Commission Expires July 17 2017

EXHIBIT A

Lot to be conveyed by Michael J. Samson and Rebecca P. Samson:

A certain piece or parcel of land together with the buildings and improvements thereon, situated on the northwesterly side of the Casco Road, in the Town of Brunswick, County of Cumberland and State of Maine, being bounded and described as follows:

COMMENCING at a point on the northwesterly side of the Casco Road at the southeast corner of land now or formerly of Robert and Betsy Elder recorded in Book 19897, Page 275, being the center of a brook; thence northerly along the center of said brook and the easterly line of said Elder a distance of 398.6 feet, more or less, to the intersection of a second brook at the northeast corner of said Elder; thence easterly along the center of the second brook and the southerly line of remaining land of Michael and Rebecca Samson recorded in Book 15701, Page 275, a distance of 619.8 feet, more or less, to the northerly side of the Casco Road; thence South 48° 47' 41" West along the northwesterly side of the Casco Road a distance of 434.93 feet to the point of beginning.

Said parcel to contain 2.04 acres, more or less. Bearings referenced to magnetic North 2011.

Being a portion of those premises conveyed by instrument from Gregory L. Gimbel and Karen L. Gimbel to Michael J. Samson and Rebecca P. Samson dated August 31, 2000 and recorded in the Cumberland County Registry of Deeds in Book 15701, Page 275.

Reference is made to a Plan entitled, "Site Plan Showing Proposed conveyance and area subject to Indenture prepared for Michael J. and Rebecca P. Samson, Casco Road Brunswick, Maine" by Colby and Associates dated December 30, 2011 to be recorded in the Cumberland County Registry of Deeds.

EXHIBIT B

Land of Michael J. Samson and Rebecca P. Samson to be subject to Indenture:

A certain piece or parcel of land situated on the northwesterly side of the Casco Road and the southerly side of the Pleasant Hill Road in the Town of Brunswick, County of Cumberland and State of Maine, being bounded and described as follows:

COMMENCING at a point at the intersection of the northwesterly side of the Casco Road and the southerly side of the Pleasant Hill Road; thence North 88° 16' 36" West along the southerly side of the Pleasant Hill Road a distance of four hundred seventy-five (475) feet to a 5/8" diameter iron rod set at remaining land of Michael J. Samson and Rebecca P. Samson recorded in Book 15701, Page 275; thence South 46° 46' 30" West along the easterly line of remaining land of said Samson a distance of five hundred nine and ninety four hundredths (509.94) feet to a 5/8" diameter iron rod set; thence South 38° 11' 57" East along the line of remaining land of said Samson a distance of one hundred fifty (150) feet to a 5/8" diameter iron rod set on the northwesterly side of the Casco Road; thence northeasterly along the northwesterly side of the Casco Road a distance of eighty three and sixty-five hundredths (83.65) feet, more or less, to the intersection of the Pleasant Hill Road at the point of beginning.

Said parcel to contain 3.00 acres, more or less. Bearings referenced to magnetic North 2011.

Reference is made to a Plan entitled, "Site Plan Showing Proposed conveyance and area subject to Indenture prepared for Michael J. and Rebecca P. Samson, Casco Road Brunswick, Maine" by Colby and Associates dated December 30, 2011 to be recorded in the Cumberland County Registry of Deeds.

Received
Recorded Register of Deeds
Feb 14,2012 03:10:18P
Cumberland County
Pamela E. Lovley

Attachment C
Abutting Property Owners

A copy of the abutters map and a list of abutting property owners are included in this attachment for reference.

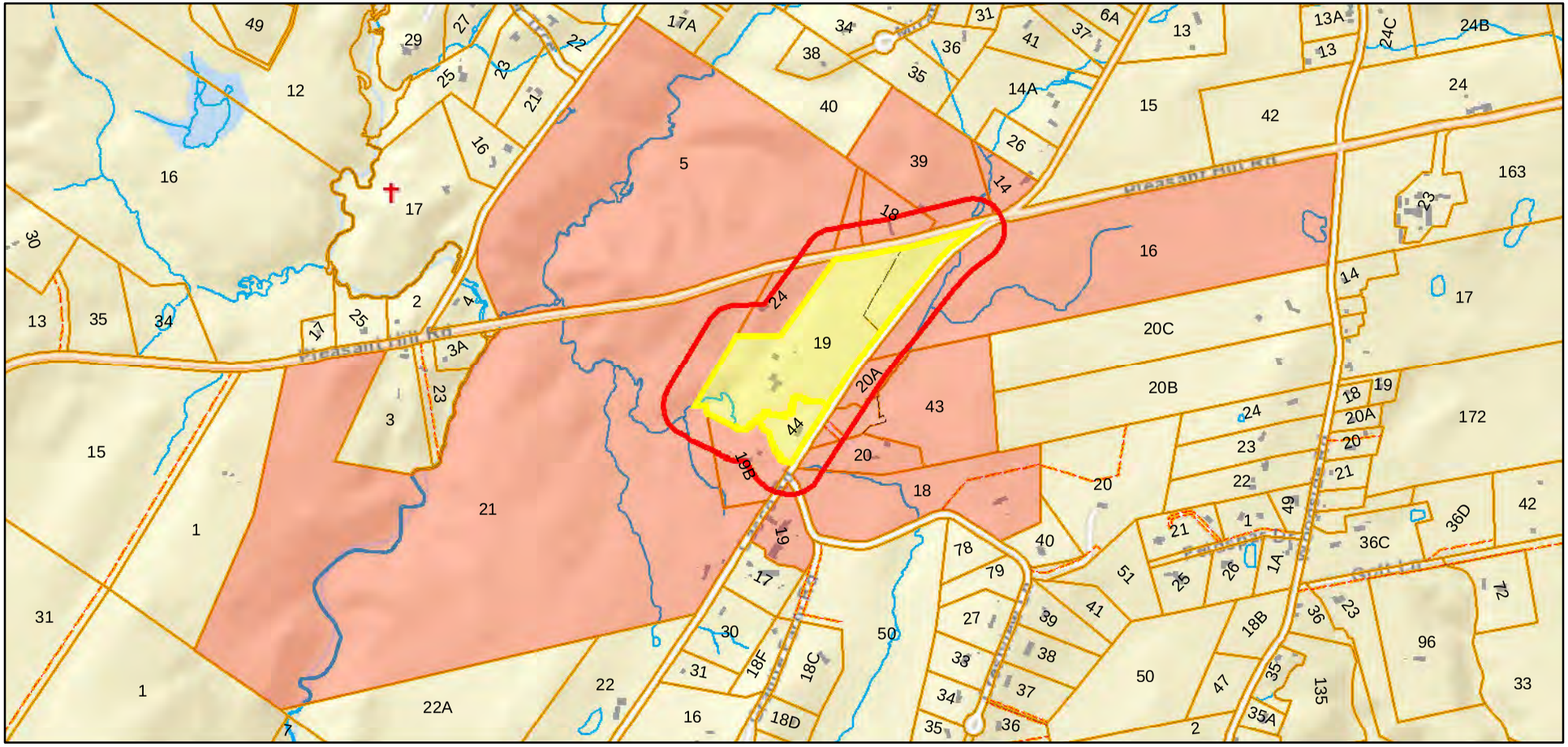
200-ft Abutter Map

Brunswick, ME

1 inch = 1000 Feet

0 1000 2000 3000

November 15, 2019



ROW Property Access	Other Lot Boundary	Buildings
Other Lot Boundary	Parcels_Lines	
Parcels_Lines	Cemeteries - MEGIS	
ROW Property Access	Hydrography Line	

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

200 foot Abutters List Report

Brunswick, ME
November 15, 2019

Subject Properties:

Parcel Number:	21-19	Mailing Address:	SAMSON, MICHAEL J & REBECCA P JT
CAMA Number:	21-19		46 CASCO RD
Property Address:	46 CASCO RD		BRUNSWICK, ME 04011
Parcel Number:	21-44	Mailing Address:	HALE, DONALD V
CAMA Number:	21-44		74 CASCO RD
Property Address:	74 CASCO RD		BRUNSWICK, ME 04011

Abutters:

Parcel Number:	21-14	Mailing Address:	COMPAGNA, PETER G & LISA J JT
CAMA Number:	21-14		386 CHURCH RD
Property Address:	386 CHURCH RD		BRUNSWICK, ME 04011
Parcel Number:	21-16	Mailing Address:	BRUNSWICK-TOPSHAM LAND TRUST INC
CAMA Number:	21-16-1		56 MAINE ST
Property Address:	0 CASCO RD		BRUNSWICK, ME 04011
Parcel Number:	21-16	Mailing Address:	BRUNSWICK-TOPSHAM LAND TRUST INC
CAMA Number:	21-16-2		44 THOMPSON ST
Property Address:	0 PLEASANT HILL RD		BRUNSWICK, ME 04011
Parcel Number:	21-18	Mailing Address:	ENGLER, GAVIN L & DUDA, SONIA JT
CAMA Number:	21-18		420 PLEASANT HILL RD
Property Address:	420 PLEASANT HILL RD		BRUNSWICK, ME 04011
Parcel Number:	21-19B	Mailing Address:	ELDER, ROBERT D & BETSY K JT
CAMA Number:	21-19B		82 CASCO RD
Property Address:	82 CASCO RD		BRUNSWICK, ME 04011
Parcel Number:	21-20	Mailing Address:	ANDERSON, GREGORY A & IVY, LISA JT
CAMA Number:	21-20		
Property Address:	10 ROUND HILL LN		10 ROUND HILL LN
			BRUNSWICK, ME 04011
Parcel Number:	21-20A	Mailing Address:	KESLAKE, ALEX B
CAMA Number:	21-20A		371 LUNENBURG ST
Property Address:	0 CASCO RD		FITCHBURG, MA 01420
Parcel Number:	21-21	Mailing Address:	MORSE, CAROLYN B
CAMA Number:	21-21		PO BOX 265
Property Address:	108 CASCO RD		BRUNSWICK, ME 04011
Parcel Number:	21-24	Mailing Address:	PERLESS, SUSAN
CAMA Number:	21-24		439 PLEASANT HILL RD
Property Address:	439 PLEASANT HILL RD		BRUNSWICK, ME 04011

CAI Technologies
www.cai-tech.com
Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

200 foot Abutters List Report

Brunswick, ME
November 15, 2019

Parcel Number:	21-39	Mailing Address:	FRANKLIN, EVAN J & DACYCZYN, JAMIE JT 400 PLEASANT HILL RD BRUNSWICK, ME 04011
CAMA Number:	21-39		
Property Address:	400 PLEASANT HILL RD		
Parcel Number:	21-43	Mailing Address:	MILLER, ADELE KANALEY 3314 F 5/8 ROAD CLIFTON, CO 81520
CAMA Number:	21-43		
Property Address:	5 ROUND HILL LN		
Parcel Number:	21-45	Mailing Address:	GALLOUPE, ANN H TRUSTEE 55 WILLOW GROVE RD BRUNSWICK, ME 04011
CAMA Number:	21-45		
Property Address:	0 PLEASANT HILL RD		
Parcel Number:	21-5	Mailing Address:	MORSE, CAROLYN E & PO BOX 265 BRUNSWICK, ME 04011
CAMA Number:	21-5		
Property Address:	0 PLEASANT HILL RD		
Parcel Number:	27-18	Mailing Address:	YOUNG, BENJAMIN T & WHEELER, MARGARET C 35 CRESTVIEW LN BRUNSWICK, ME 04011
CAMA Number:	27-18		
Property Address:	35 CRESTVIEW LN		
Parcel Number:	27-19	Mailing Address:	SCOTT, DEBBIE 93 CASCO RD BRUNSWICK, ME 04011
CAMA Number:	27-19		
Property Address:	93 CASCO RD		

Attachment D
Supporting Documents

Copies of relevant correspondence and documents pertaining to the project are enclosed.

Stephen P. Robbins

P.O. Box 271 East Winthrop, ME 04343 (207) 377-6707 Fax (207) 377-6707 E-MAIL narrowspd@aol.com

3 December 2019

Rebecca Sampson
C/o Kevin Clark
SiteLines
119 Purinton Road
Brunswick Landing
Brunswick, ME 04011

Re: Results of Preliminary Soils Investigation – Proposed lot, Casco Road, Brunswick

Dear Ms. Sampson:

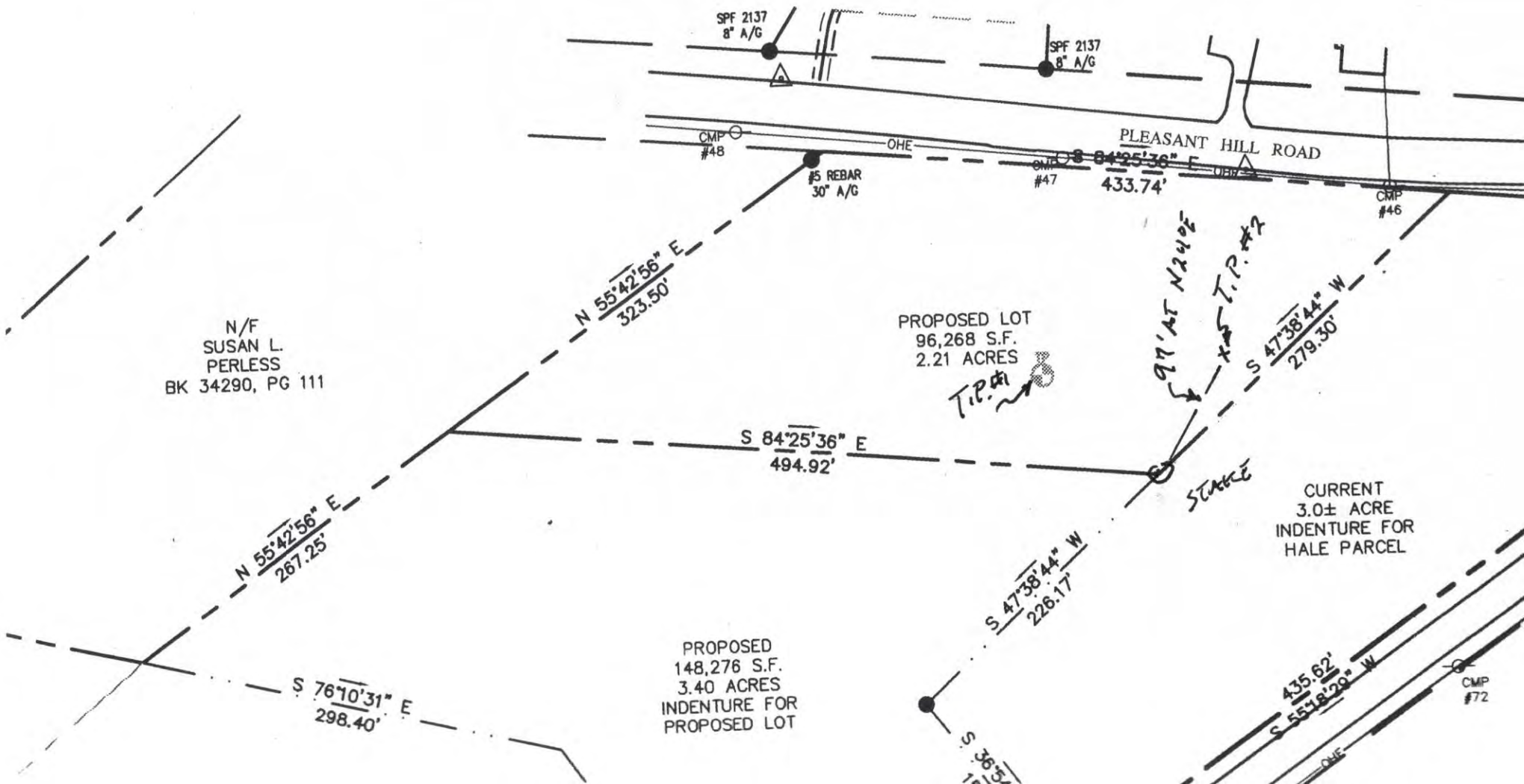
As requested, I have examined soil conditions at a land parcel located at Casco Road, Brunswick. The 2.21-acre parcel was identified on local Tax Map #21, part of Lot #19, and a "Boundary Survey and Division of Land Plan' completed by SiteLines. The purpose of this investigation was to locate and identify two areas of soils suitable for onsite subsurface wastewater disposal. The soils were examined at hand dug test pits to depths enough to determine suitability according to the standards of the Maine Subsurface Waste-Water Disposal Rules. The sites examined were located by a Garmin GPS and marked on the lot with flagged wooden stakes.

TEST PIT	SOIL CLASS	DEPTH TO LIMITING FACTOR	GRID COORDINATES
#1	8-D	12" (Seasonal water table)	N 43 53 311 W 70 00 619
#2	8-C	15" (Restrictive layer)	N 43 53 320 W 70 00 592

These classifications represent soils that are suitable for installation of new septic systems outside the shore-land zone. All slopes were easily within standards, and no wells were located within 100' of each site. There is enough area at both sites for the installation of systems capable of treating waste-water flow from at least a four-bedroom home. Please contact me if I can assist you further.

Sincerely,

Stephen P. Robbins
Site Evaluator #301


SPF 2137
8" A/G
SPF 2137
8" A/G
CMP
#48
OHE
#5 REBAR
30" A/G
CMP
#47
S 84°25'36" E
433.74'
PLEASANT HILL ROAD
CMP
#46
N/F
SUSAN L.
PERLESS
BK 34290, PG 111
N 55°42'56" E
323.50'
PROPOSED LOT
96,268 S.F.
2.21 ACRES
T.P.#1
97'AT N24°E
T.P.#2
S 47°38'44" W
279.30'
S 84°25'36" E
494.92'
STAKE
CURRENT
3.0± ACRE
INDENTURE FOR
HALE PARCEL
N 55°42'56" E
267.25'
S 47°38'44" W
226.17'
PROPOSED
148,276 S.F.
3.40 ACRES
INDENTURE FOR
PROPOSED LOT
S 76°10'31" E
298.40'
435.62'
S 55°18'29" W
CMP
#72
OHE

State of Maine, Cumberland ss.
Registry of Deeds
Received April 11, 1984
at 3 h 00 m P.M and recorded in
Plan Book 141 Page 73
Attest: Joan G. Walsh
Register

Subdivision for: Richard H. Hunt
situate at: Casco Road
in: Brunswick, Cumberland ss, Maine
scale: 1" = 100'
date: 3/19/84
by: Larry Slaughter
PO Box 535
Brunswick, ME 04011

Planning Board 4-5-84

Title to premises surveyed found in book 3776, page 96.
Zoning is R5

Title to premises surveyed found in book 3776, page 96
and book 6405, page 98.
Zoning is R-5.

Planning Board 10-14-86
Yvette S. Houser
Frank Russo
Anne Farrar
[illegible]
Robert B. Stewart

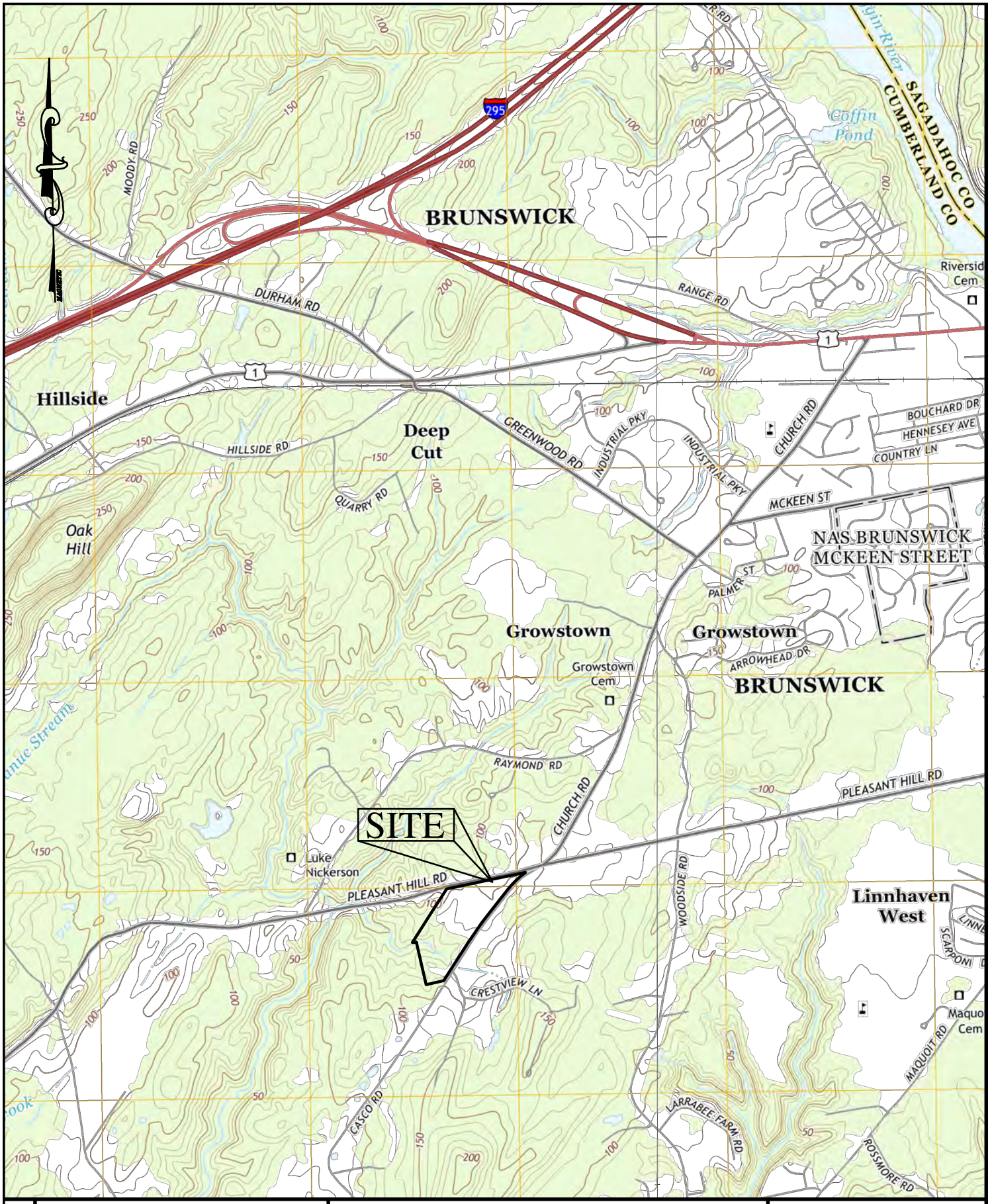
State of Maine, Cumberland ss.
Registry of Deeds
Received October 23, 1986
at 3 h. 25 m. P.M. and recorded in
Plan Book 158 Page 46
Attest: [illegible] Walsh
Register

Re-Subdivision for: Richard H. Hunt
at: Casco Road
in: Brunswick, Cumberland ss, Maine
scale: 1" = 100'
date: 6/6/86
by: Larry Slaughter
PO Box 535
Brunswick, ME 04011

158/46

Attachment E
Supporting Graphics

This attachment includes supporting materials and graphics for the application. This includes an excerpt of the FEMA flood rate insurance map (FIRM) and reduced size copies of the zoning map and tax maps. An excerpt of the applicable USGS 7.5 minute quadrangle map is provided for reference.



SHEET: 1 OF 1

SITELINES

119 PURINTON ROAD, SUITE A
BRUNSWICK, ME 04011
207.725.1200

CIVIL ENGINEERS ▪ LAND SURVEYORS

USGS LOCATION MAP

RICHARD H. HUNT SUBDIVISION AMENDMENT

MICHAEL J. & REBECCA P. SAMSON

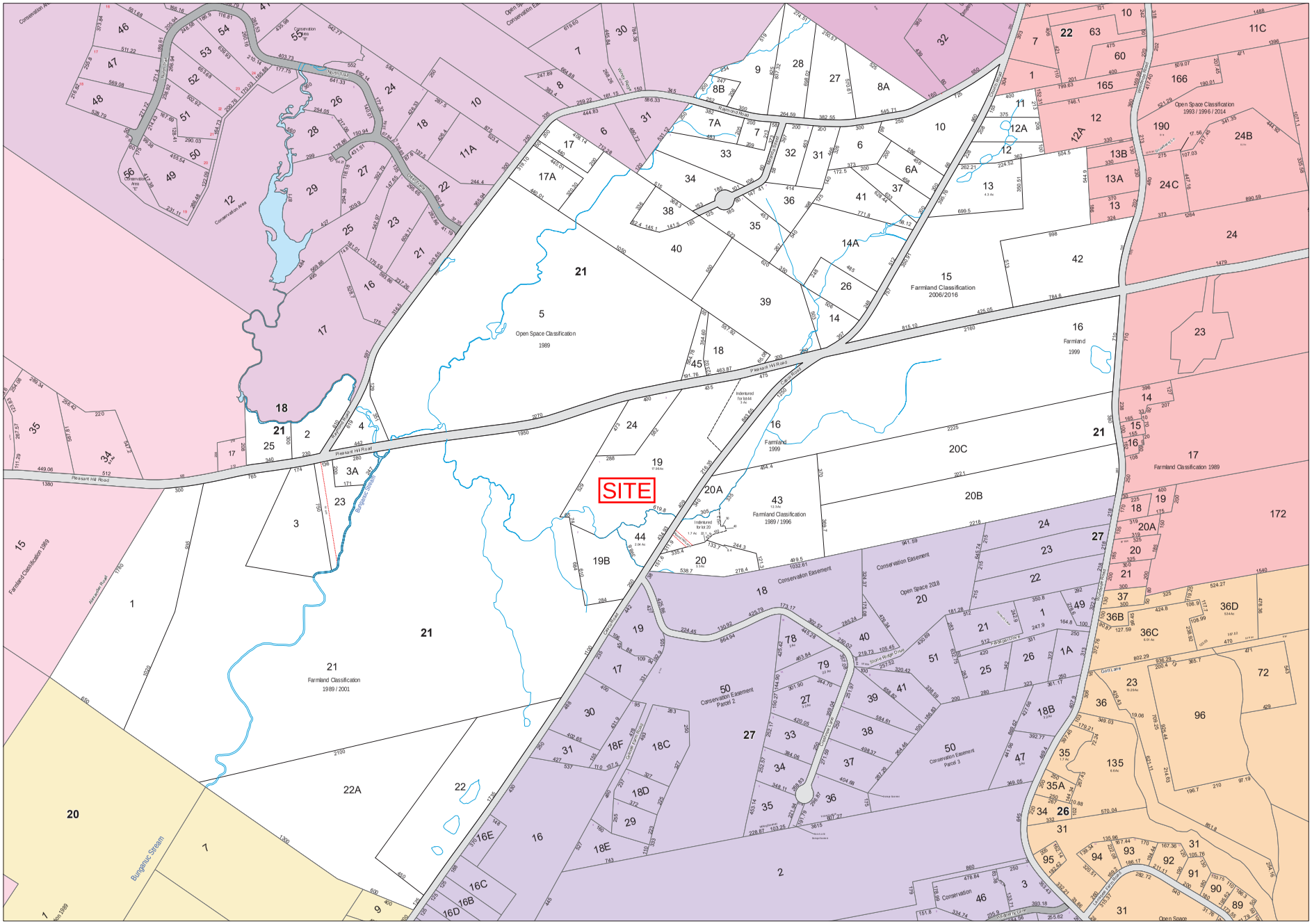
CASCO ROAD, BRUNSWICK MAINE

DATE: 12–10–19

SCALE: 1" = 2000'

JOB: 3882

FILE: 3882 USGS



Town of
BRUNSWICK
Maine

Legend

- Lines_Other
- Other Road
- Hydrography Line
- ROW Property Access
- Town Boundary
- Other Lot Boundary
- Parcels_Lines
- Public Road
- Private Road
- ROW
- Water

Disclaimer:
The information is provided as a reasonably accurate point of reference, but is not guaranteed and is not to be used for conveyances.
The Town of Brunswick shall not be held responsible for the accuracy or misuse of this data.
Copyright Town of Brunswick.

N

1 inch = 300 feet

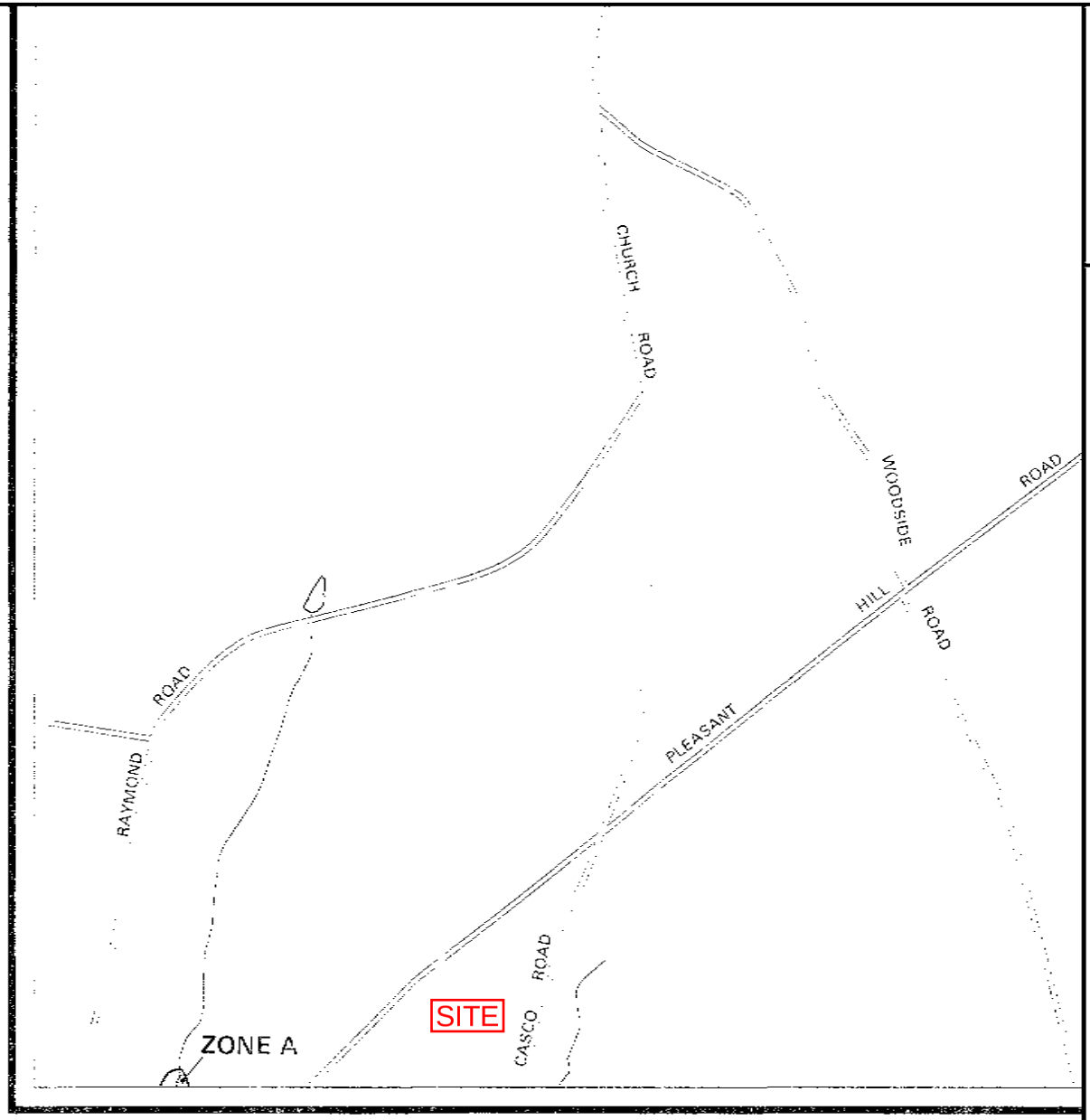
Revised To: April 1, 2019

Maps Prepared by:
Town of Brunswick

Revised and Reprinted By:

CAI Technologies

MAP 21



APPROXIMATE SCALE

1000 0 1000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM

FLOOD INSURANCE RATE MAP

TOWN OF

BRUNSWICK, MAINE

CUMBERLAND COUNTY

PANEL 15 OF 35

(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER

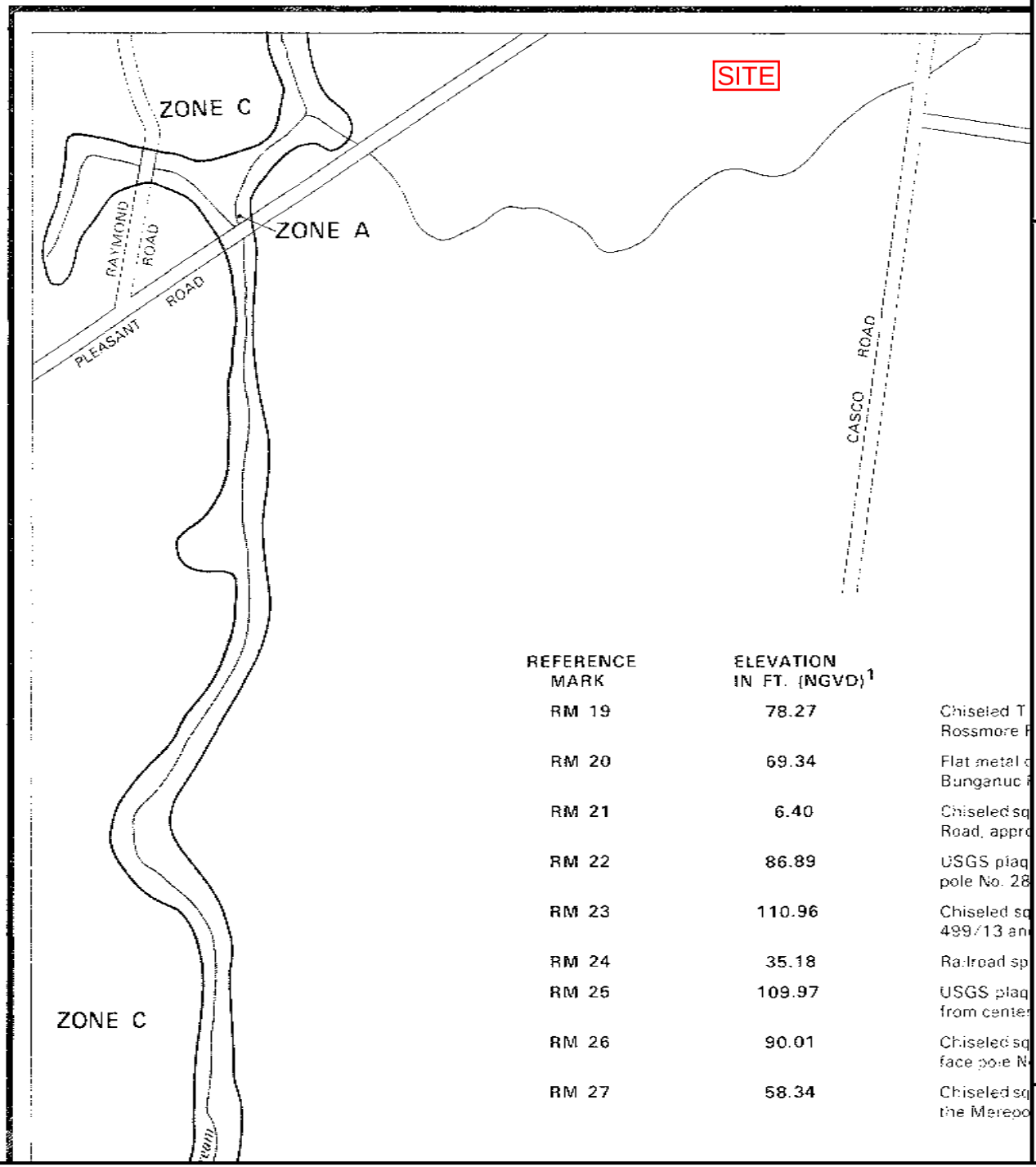
230042 0015 B

EFFECTIVE DATE:

JANUARY 3, 1986

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



REFERENCE MARK	ELEVATION IN FT. (NGVD)[1]	
RM 19	78.27	Chiseled T Rossmore F
RM 20	69.34	Flat metal c Bunganuc F
RM 21	6.40	Chiseled sq Road, appro
RM 22	86.89	USGS plaq pole No. 28
RM 23	110.96	Chiseled sq 499/13 an
RM 24	35.18	Railroad sp
RM 25	109.97	USGS plaq from cente
RM 26	90.01	Chiseled sq face pole N
RM 27	58.34	Chiseled sq the Merepo

APPROXIMATE SCALE

500 0 500 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

TOWN OF
BRUNSWICK, MAINE
CUMBERLAND COUNTY

PANEL 26 OF 35
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
230042 0026 B

EFFECTIVE DATE:
JANUARY 3, 1986

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

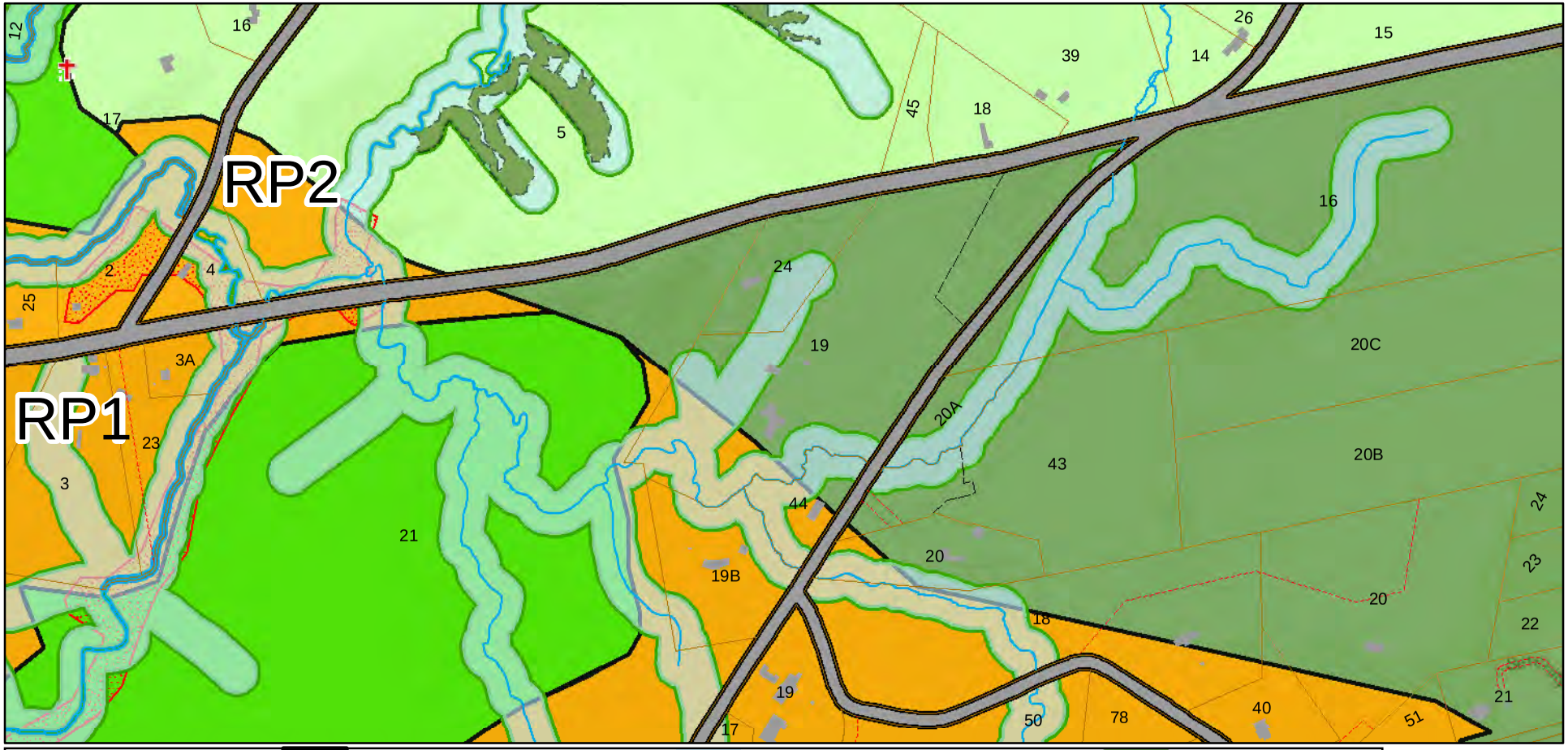
Zoning Map

46 & 74 Casco Road, Brunswick, ME

1 inch = 543 Feet

0 543 1086 1629

December 6, 2019



ROW Property Access	Public Road	SPO-SP (Stream Protection Subdistrict)	Rural Protection 1, RP1
Other Lot Boundary	Water	SPO (Shoreland Protection Overlay)	Rural Protection 2, RP2
Parcels_Lines	Buildings	Special Flood Hazard Area (FEMA)	
Cemeteries - MEGIS	RoadPolygons	Wildlife Habitat Corridor	
Hydrography Line	SPO-RP (2 Acre, 20% Steep Slope)	Wildlife Habitat Block	

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

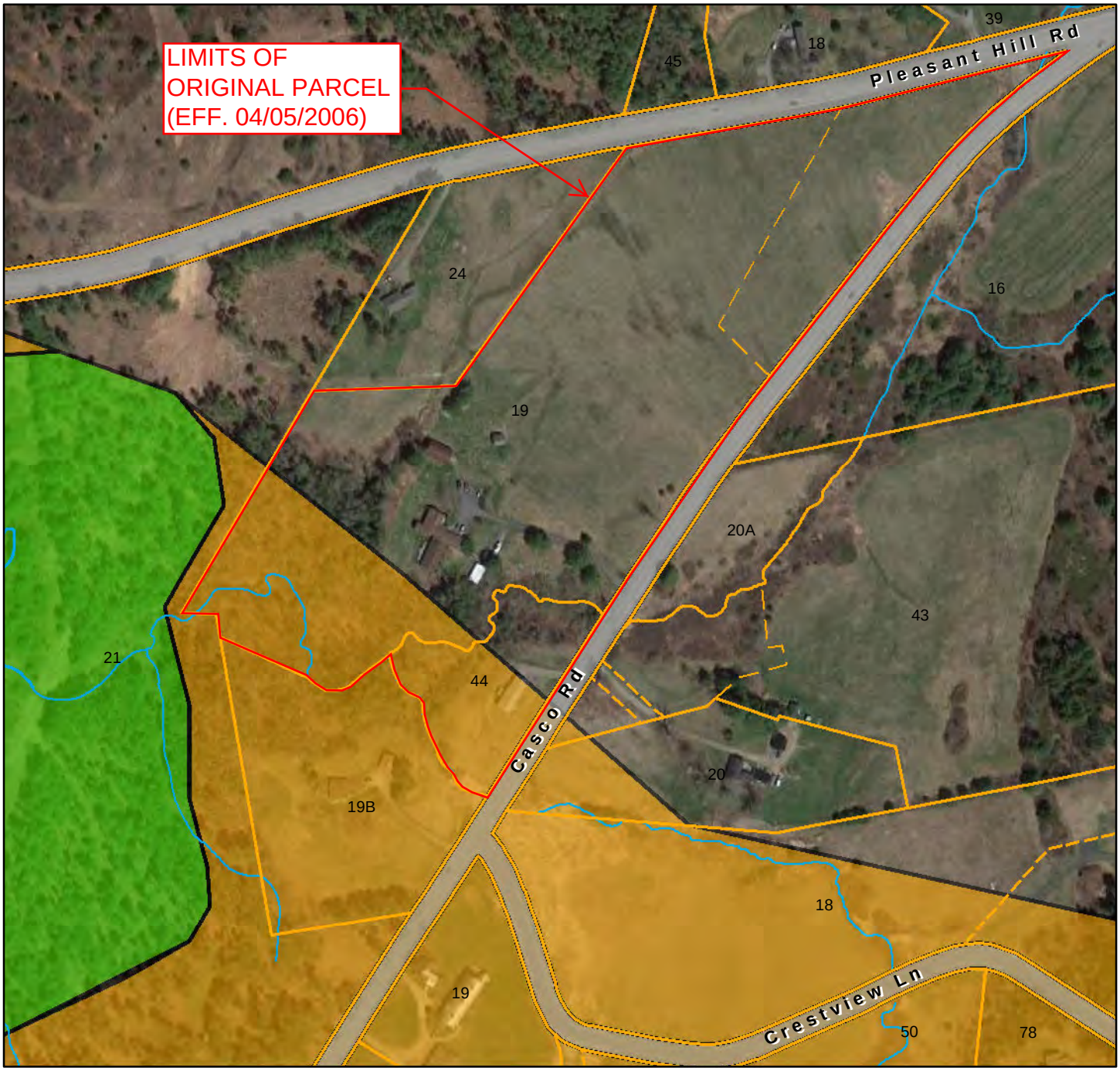
Wildlife Protection Overlay

46 & 74 Casco Road, Brunswick, Maine

1 inch = 300 Feet

0 300 600 900

December 12, 2019



Street Names	Hydrography Line	Wildlife Habitat Block
ROW Property Access	Public Road	
Other Lot Boundary	RoadPolygons	
Parcels_Lines	Wildlife Habitat Corridor	

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

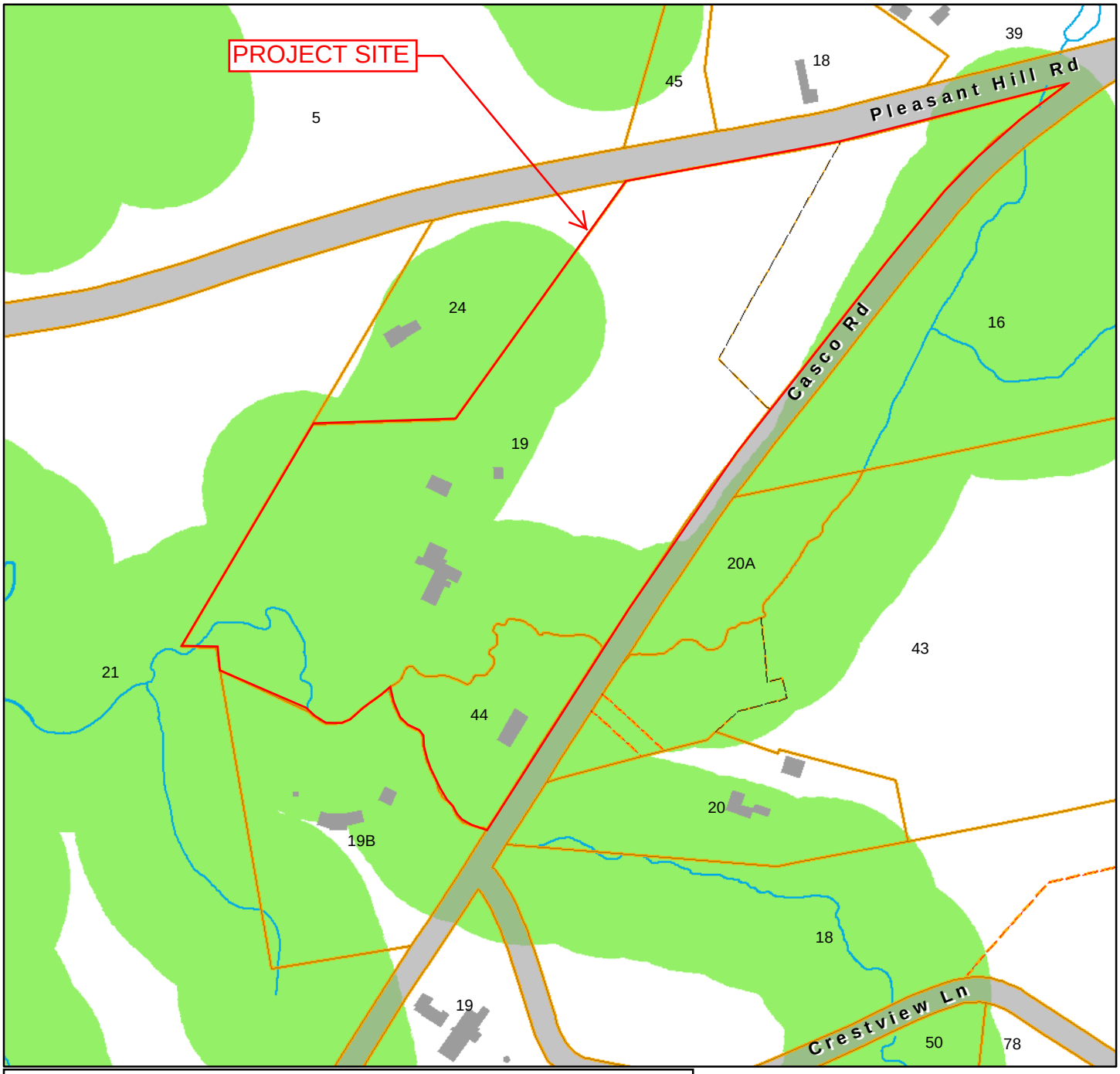
RPSMO District

46 & 74 Casco Road, Brunswick, Maine

1 inch = 300 Feet

0 300 600 900

December 12, 2019



Street Names	Parcels_Lines
ROW Property Access	Hydrography Line
Other Lot Boundary	Buildings
Parcels_Lines	RoadPolygons
ROW Property Access	Rural Protection Stormwater Management Overlay (RPSMO)
Other Lot Boundary	

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

Soil Map—Cumberland County and Part of Oxford County, Maine

Map Scale: 1:4,520 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 200 400 800 1200

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features

- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cumberland County and Part of Oxford County, Maine
Survey Area Data: Version 16, Sep 16, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

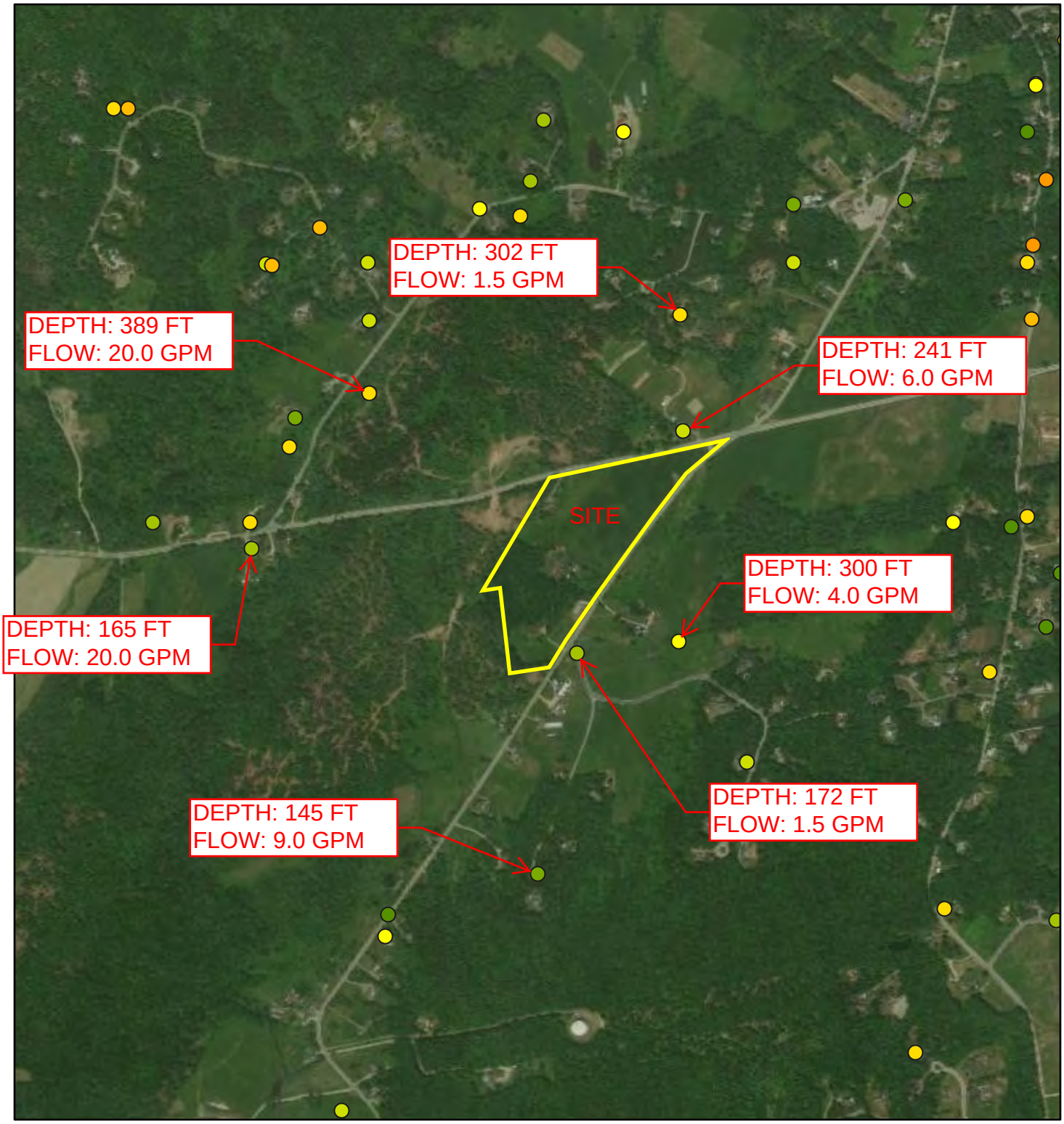
Date(s) aerial images were photographed: Jun 7, 2019—Jul 2, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BgC2	Nicholville very fine sandy loam, 8 to 15 percent slopes	2.6	8.4%
BuB	Lamoine silt loam, 3 to 8 percent slopes	17.8	57.0%
BuC2	Buxton silt loam, 8 to 15 percent slopes	1.1	3.6%
HfC2	Hartland very fine sandy loam, 8 to 15 percent slopes, eroded	7.1	22.6%
Sn	Scantic silt loam, 0 to 3 percent slopes	1.8	5.8%
SuD2	Suffield silt loam, 15 to 25 percent slopes, eroded	0.8	2.7%
Totals for Area of Interest		**31.3**	**100.0%**

Maine Well Database



12/6/2019, 1:36:06 PM

1:18,056

0 0.1 0.2 0.4 mi

0 0.17 0.35 0.7 km

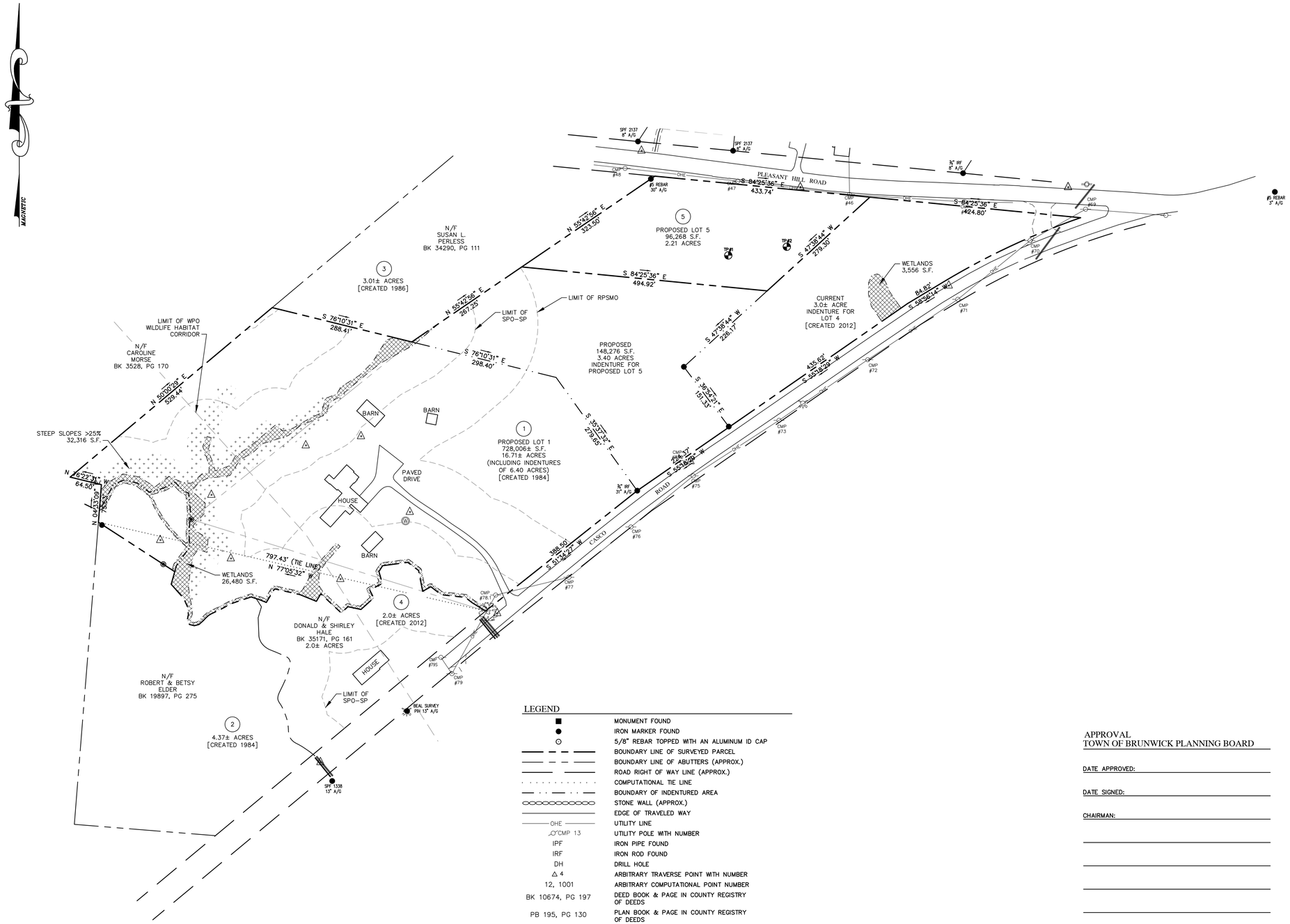
Well Depth (ft)

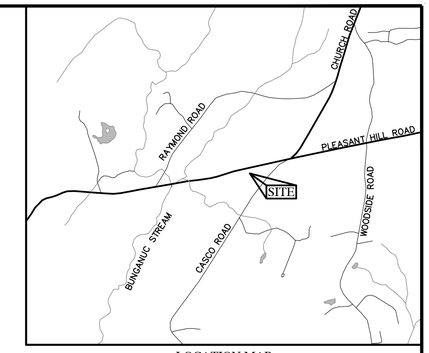
- 50.1 - 100
- 100.1 - 150
- 150.1 - 200
- 200.1 - 250
- 250.1 - 300
- 300.1 - 400
- 400.1 - 500
- 500.1 - 600

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Attachment F
Amended Subdivision Plan

The amended subdivision plan is included for review as a separate full-size document.





LOCATION MAP
NOT TO SCALE

NOTES:

1. TITLE REFERENCE FOR SURVEYED PARCEL:

BK 15701, PG 275

2. PLAN REFERENCE(S):

a) PLAN ENTITLED, "PLAN OF PROPOSED RELOCATION – THIRD CLASS HIGHWAY No. 2", DATED FEB., 1935, BY MAINE STATE HIGHWAY COMMISSION, RECORDED IN PB 23, PG 7.
b) PLAN ENTITLED, "SURVEY FOR: RICHARD H. HUNT", DATED 09–07–1983, BY LARRY SLAUGHTER, RECORDED IN PB 140, PG 31.
c) PLAN ENTITLED, "SUBDIVISION FOR: RICHARD H. HUNT", DATED 03–19–1984, BY LARRY SLAUGHTER, RECORDED IN PB 141, PG 73.
d) PLAN ENTITLED, "RE–SUBDIVISION FOR: RICHARD H. HUNT", DATED 06–06–1986, BY LARRY SLAUGHTER, RECORDED IN PB 158, PG 46.
e) PLAN ENTITLED, "STANDARD BOUNDARY SURVEY – JAMES K. RIDLEY AND ADELE M. RIDLEY PROPERTY", DATED JUNE 23, 1988, BY SAGADAHOC LAND SURVEYING SERVICE, RECORDED IN PB 171, PG 67.
f) PLAN ENTITLED, "BOUNDARY SURVEY OF THE DONNA L DIONNE 'MELCHER LOT'", DATED JANUARY 21, 2004, BY MANN ASSOCIATES, INC., RECORDED IN PB 204, PG 206.
g) PLAN ENTITLED, "BOUNDARY SURVEY & DIVISION OF LAND OF GALLOUPE", DATED 05–19–2014, BY THIS PREPARER.

3. AREA INFORMATION:

NEW LOT 5:	2.21 AC.
NEW LOT 5 INDENTURE:	3.40 AC. (PORTION OF LOT 1)
LOT 4:	2.0± AC. (NOT SURVEYED)
LOT 4 INDENTURE:	3.0± AC. (PORTION OF LOT 1)
LOT 1:	16.71± AC. (INCLUDING INDENTURES)
TOTAL	20.92± AC.

4. TAX MAP REFERENCE:

TAX MAP 21, LOTS 19 & 44

5. BASIS OF BEARINGS:

BEARINGS ARE MAGNETIC AND ARE BASED ON HAND COMPASS BEARINGS ALONG RANDOM TRAVERSE LINES.

6. ROAD INFORMATION:

PLEASANT HILL ROAD WIDTH IS 4 RODS (66') PER PLANS REFERENCED IN NOTE 2(a) THROUGH 2(d) ABOVE. LOCATION IS BASED ON EVIDENCE FOUND.

7. ZONING:

THE SUBJECT PARCELS ARE LOCATED IN THE RURAL PROTECTION 1 (RP1) ZONE.

8. WETLANDS:

WETLANDS FIELD DELINEATED NOVEMBER 2019 BY ATLANTIC ENVIRONMENTAL, LLC.

ZONING:

RURAL PROPTECTION 1 (RP1)

MIN. LOT AREA	20,000 S.F.
MAX. DENSITY	1 DU PER 4 AC. (WITH DEV. REVIEW)
MIN. LOT WIDTH	125 FEET
MIN. FRONT SETBACK	30 FEET
MIN. SIDE SETBACK	30 FEET
MIN. REAR SETBACK	25 FEET
MAX. IMPERVIOUS	35% OR 21,780 S.F.
MAX. BUILDING HEIGHT	40 FEET

DENSITY CALCULATIONS:

PROPOSED DIVISION (LOT 4 HALE PROPERTY WAS PREVIOUSLY DIVIDED):

LOT 1:	728,006± S.F.	16.71± AC. (INCLUDING INDENTURES)
NEW LOT:	96,268 S.F.	2.21 AC.
TOTAL	824,274± S.F.	18.92± AC.
SUBTRACTIONS:		
WETLANDS	30,036 S.F.	0.69 AC.
INDENTURES	278,785± S.F.	6.40± AC.
STEEP SLOPES >25%	32,316± S.F.	0.74± AC.
NET SITE AREA:	483,137± S.F.	11.09± AC.
MAX. LOTS:	11.09± AC. / 4.0 AC./LOT = 2.77 LOTS	

LEGEND

■	MONUMENT FOUND
●	IRON MARKER FOUND
⊙	5/8" REBAR TOPPED WITH AN ALUMINUM ID CAP
	BOUNDARY LINE OF SURVEYED PARCEL
	BOUNDARY LINE OF ABUTTERS (APPROX.)
	ROAD RIGHT OF WAY LINE (APPROX.)
	COMPUTATIONAL TIE LINE
	BOUNDARY OF INDENTURED AREA
	STONE WALL (APPROX.)
	EDGE OF TRAVELED WAY
OHE	UTILITY LINE
CMP 13	UTILITY POLE WITH NUMBER
IPF	IRON PIPE FOUND
IRF	IRON ROD FOUND
DH	DRILL HOLE
△ 4	ARBITRARY TRAVERSE POINT WITH NUMBER
12, 1001	ARBITRARY COMPUTATIONAL POINT NUMBER
BK 10674, PG 197	DEED BOOK & PAGE IN COUNTY REGISTRY OF DEEDS
PB 195, PG 130	PLAN BOOK & PAGE IN COUNTY REGISTRY OF DEEDS
R/W	RIGHT OF WAY
N/F	NOW OR FORMERLY HELD BY
AC.	ACRES
±	MORE OR LESS
	SEWER MANHOLE
	LIGHT POLE
	CATCH BASIN
	WATER SHUT OFF
	HYDRANT
	SIGN
	WATER VALVE
TBM	ELEVATION TEMPORARY BENCH MARK
	TEST PIT
	STEEP SLOPES
	FIELD–LOCATED WETLANDS

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

APPROVAL
TOWN OF BRUNWICK PLANNING BOARD

DATE APPROVED: _____

DATE SIGNED: _____

CHAIRMAN: _____

_____

_____

_____

_____

SURVEYOR'S CERTIFICATION:

THE PREPARER HEREBY CERTIFIES THAT THIS SURVEY HAS BEEN UNDERTAKEN IN CONFORMANCE WITH THE RULES SET FORTH BY THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, DATED APRIL 1, 2001, FOR A BOUNDARY SURVEY.

STATE OF MAINE
BRUCE W. MARTINSON
#2137
PROFESSIONAL LAND SURVEYOR

DATE *PRELIMINARY*

BRUCE W. MARTINSON, PLS #2137

NOT VALID UNLESS EMBOSSED HERE

CUMBERLAND COUNTY REGISTRY OF DEEDS:

RECEIVED_____

AT _____ HRS _____ MIN ___ M, AND

FILED IN PLAN BOOK _____ PAGE _____.

ATTESTED: _____, REGISTER

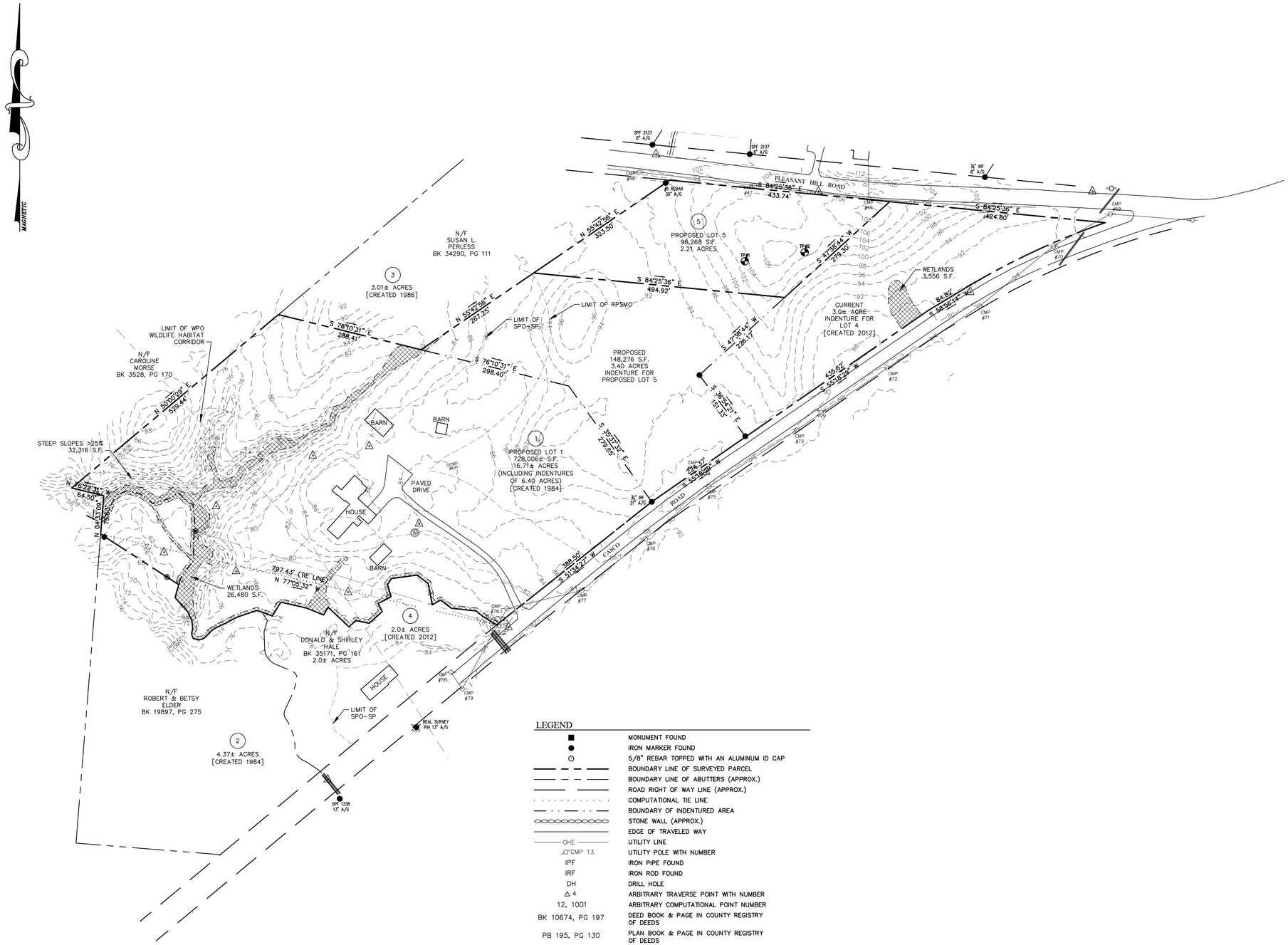
BOUNDARY SURVEY & DIVISION OF LAND OF MICHAEL & REBECCA SAMSON

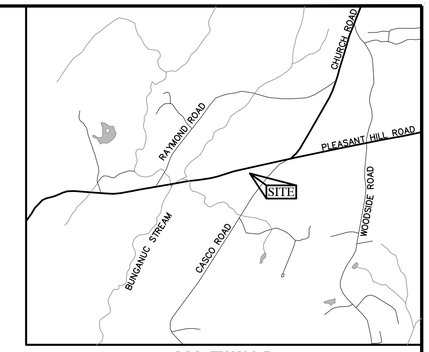
46 CASCO ROAD
BRUNSWICK, MAINE

CUMBERLAND COUNTY
(RECORD OWNERS)

SITELINES
119 PURINTON ROAD, SUITE A
BRUNSWICK, MAINE 04011
207.725.1200
CIVIL ENGINEERS ▪ PLANNERS ▪ LAND SURVEYORS

FIELD WK: MJC,CCR,CJH	SCALE: 1" = 100'	SHEET: 1
DRN BY: BWM	JOB #: 3882	
CH'D BY: BWM	MAP/LOT: 21 / 19 & 44	
DATE: 07-08-2019	FILE: 3882 SITE	





LOCATION MAP
NOT TO SCALE

LEGEND

■	MONUMENT FOUND
●	IRON MARKER FOUND
⊙	5/8" REBAR TOPPED WITH AN ALUMINUM ID CAP
	BOUNDARY LINE OF SURVEYED PARCEL
	BOUNDARY LINE OF ABUTTERS (APPROX.)
	ROAD RIGHT OF WAY LINE (APPROX.)
	COMPUTATIONAL TIE LINE
	BOUNDARY OF INDENTURED AREA
	STONE WALL (APPROX.)
	EDGE OF TRAVELED WAY
OHE	UTILITY LINE
CMP 13	UTILITY POLE WITH NUMBER
IPF	IRON PIPE FOUND
IRF	IRON ROD FOUND
DH	DRILL HOLE
△ 4	ARBITRARY TRAVERSE POINT WITH NUMBER
12, 1001	ARBITRARY COMPUTATIONAL POINT NUMBER
BK 10674, PG 197	DEED BOOK & PAGE IN COUNTY REGISTRY OF DEEDS
PB 195, PG 130	PLAN BOOK & PAGE IN COUNTY REGISTRY OF DEEDS
R/W	RIGHT OF WAY
N/F	NOW OR FORMERLY HELD BY
AC.	ACRES
±	MORE OR LESS
Ⓢ	SEWER MANHOLE
☼	LIGHT POLE
▦	CATCH BASIN
	WATER SHUT OFF
	HYDRANT
	SIGN
WV	WATER VALVE
ETBM 24	ELEVATION TEMPORARY BENCH MARK
	TEST PIT
	STEEP SLOPES
	FIELD-LOCATED WETLANDS

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

PRELIMINARY

TOPOGRAPHIC PLAN

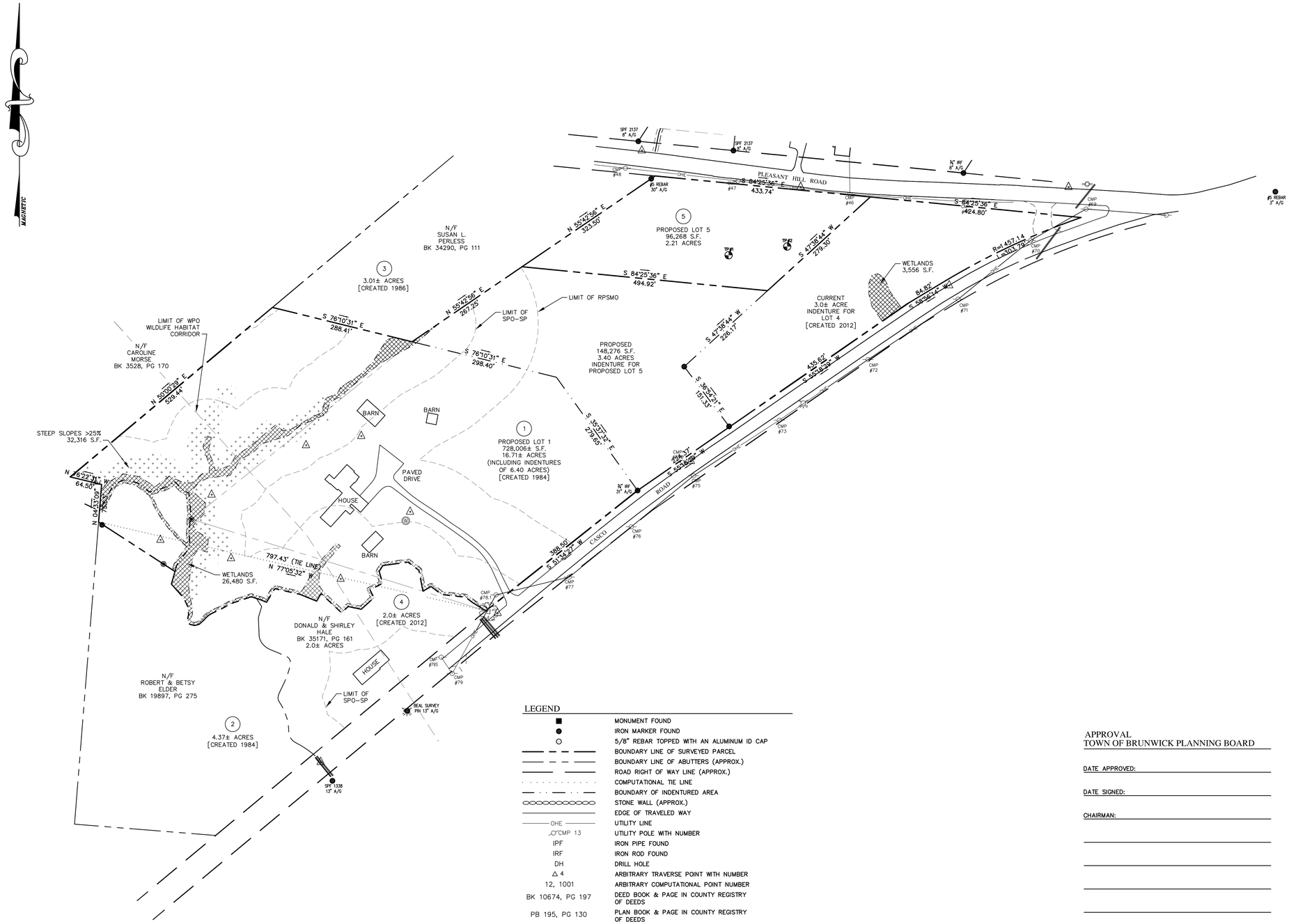
BOUNDARY SURVEY & DIVISION OF LAND OF MICHAEL & REBECCA SAMSON

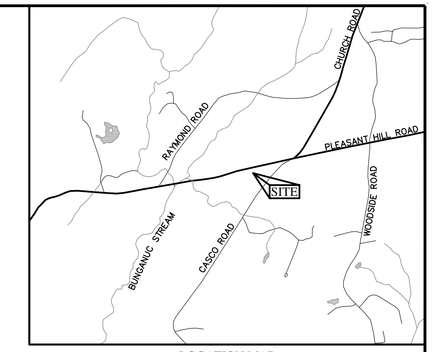
46 CASCO ROAD
BRUNSWICK, MAINE

CUMBERLAND COUNTY
(RECORD OWNERS)

SITELINES
119 PURINTON ROAD, SUITE A
BRUNSWICK, MAINE 04011
207.725.1200
CIVIL ENGINEERS ▪ PLANNERS ▪ LAND SURVEYORS

FIELD WK: MJC,CCR,CJH	SCALE: 1" = 100'	SHEET: 2
DRN BY: BWM	JOB #: 3882	
CH'D BY: BWM	MAP/LOT: 21 / 19 & 44	
DATE: 07-08-2019	FILE: 3882 SITE	





LOCATION MAP
NOT TO SCALE

NOTES:

1. TITLE REFERENCE FOR SURVEYED PARCEL:

BK 15701, PG 275

2. PLAN REFERENCE(S):

a) PLAN ENTITLED, "PLAN OF PROPOSED RELOCATION – THIRD CLASS HIGHWAY No. 2", DATED FEB., 1935, BY MAINE STATE HIGHWAY COMMISSION, RECORDED IN PB 23, PG 7.
b) PLAN ENTITLED, "SURVEY FOR: RICHARD H. HUNT", DATED 09–07–1983, BY LARRY SLAUGHTER, RECORDED IN PB 140, PG 31.
c) PLAN ENTITLED, "SUBDIVISION FOR: RICHARD H. HUNT", DATED 03–19–1984, BY LARRY SLAUGHTER, RECORDED IN PB 141, PG 73.
d) PLAN ENTITLED, "RE–SUBDIVISION FOR: RICHARD H. HUNT", DATED 06–06–1986, BY LARRY SLAUGHTER, RECORDED IN PB 158, PG 46.
e) PLAN ENTITLED, "STANDARD BOUNDARY SURVEY – JAMES K. RIDLEY AND ADELE M. RIDLEY PROPERTY", DATED JUNE 23, 1988, BY SAGADAHOC LAND SURVEYING SERVICE, RECORDED IN PB 171, PG 67.
f) PLAN ENTITLED, "BOUNDARY SURVEY OF THE DONNA L DIONNE 'MELCHER LOT'", DATED JANUARY 21, 2004, BY MANN ASSOCIATES, INC., RECORDED IN PB 204, PG 206.
g) PLAN ENTITLED, "BOUNDARY SURVEY & DIVISION OF LAND OF GALLOUPE", DATED 05–19–2014, BY THIS PREPARER.

3. AREA INFORMATION:

NEW LOT 5:	2.21 AC.
NEW LOT 5 INDENTURE:	3.40 AC. (PORTION OF LOT 1)
LOT 4:	2.0± AC. (NOT SURVEYED)
LOT 4 INDENTURE:	3.0± AC. (PORTION OF LOT 1)
LOT 1:	16.71± AC. (INCLUDING INDENTURES)
TOTAL	20.92± AC.

4. TAX MAP REFERENCE:

TAX MAP 21, LOTS 19 & 44

5. BASIS OF BEARINGS:

BEARINGS ARE MAGNETIC AND ARE BASED ON HAND COMPASS BEARINGS ALONG RANDOM TRAVERSE LINES.

6. ROAD INFORMATION:

PLEASANT HILL ROAD WIDTH IS 4 RODS (66') PER PLANS REFERENCED IN NOTE 2(a) THROUGH 2(d) ABOVE. LOCATION IS BASED ON EVIDENCE FOUND.

7. ZONING:

THE SUBJECT PARCELS ARE LOCATED IN THE RURAL PROTECTION 1 (RP1) ZONE.

8. WETLANS:

WETLANDS FIELD DELINEATED NOVEMBER 2019 BY ATLANTIC ENVIRONMENTAL, LLC.

9. PRIOR APPROVALS:

SEE PLAN REFERENCE 2(C) & 2(D) FOR PREVIOUS SUBDIVISION APPROVALS RELATED TO THE SAMSON AND PROPERTIES.

ZONING:

RURAL PROPTECTION 1 (RP1)

MIN. LOT AREA	20,000 S.F.
MAX. DENSITY	1 DU PER 4 AC. (WITH DEV. REVIEW)
MIN. LOT WIDTH	125 FEET
MIN. FRONT SETBACK	30 FEET
MIN. SIDE SETBACK	30 FEET
MIN. REAR SETBACK	25 FEET
MAX. IMPERVIOUS	35% OR 21,780 S.F.
MAX. BUILDING HEIGHT	40 FEET

DENSITY CALCULATIONS:

PROPOSED DIVISION (LOT 4 HALE PROPERTY WAS PREVIOUSLY DIVIDED):

LOT 1:	728,006± S.F.	16.71± AC. (INCLUDING INDENTURES)
NEW LOT:	96,268 S.F.	2.21 AC.
TOTAL	824,274± S.F.	18.92± AC.

SUBTRACTIONS:

WETLANDS	30,036 S.F.	0.69 AC.
INDENTURES	278,785± S.F.	6.40± AC.
STEEP SLOPES >25%	32,316± S.F.	0.74± AC.
NET SITE AREA:	483,137± S.F.	11.09± AC.
MAX. LOTS:	11.09± AC. / 4.0 AC./LOT = 2.77 LOTS	

LEGEND

■	MONUMENT FOUND
●	IRON MARKER FOUND
○	5/8" REBAR TOPPED WITH AN ALUMINUM ID CAP
	BOUNDARY LINE OF SURVEYED PARCEL
	BOUNDARY LINE OF ABUTTERS (APPROX.)
	ROAD RIGHT OF WAY LINE (APPROX.)
	COMPUTATIONAL TIE LINE
	BOUNDARY OF INDENTURED AREA
	STONE WALL (APPROX.)
	EDGE OF TRAVELED WAY
OHE	UTILITY LINE
CMP 13	UTILITY POLE WITH NUMBER
IPF	IRON PIPE FOUND
IRF	IRON ROD FOUND
DH	DRILL HOLE
△ 4	ARBITRARY TRAVERSE POINT WITH NUMBER
12, 1001	ARBITRARY COMPUTATIONAL POINT NUMBER
BK 10674, PG 197	DEED BOOK & PAGE IN COUNTY REGISTRY OF DEEDS
PB 195, PG 130	PLAN BOOK & PAGE IN COUNTY REGISTRY OF DEEDS
R/W	RIGHT OF WAY
N/F	NOW OR FORMERLY HELD BY
AC.	ACRES
±	MORE OR LESS
Ⓢ	SEWER MANHOLE
☼	LIGHT POLE
▤	CATCH BASIN
	WATER SHUT OFF
	HYDRANT
	SIGN
WV	WATER VALVE
ETBM	ELEVATION TEMPORARY BENCH MARK
TP	TEST PIT
	STEEP SLOPES
	FIELD–LOCATED WETLANDS

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

APPROVAL
TOWN OF BRUNWICK PLANNING BOARD

DATE APPROVED: _____

DATE SIGNED: _____

CHAIRMAN: _____

_____

_____

_____

_____

CUMBERLAND COUNTY REGISTRY OF DEEDS:

RECEIVED_____

AT _____ HRS _____ MIN ___ M, AND

FILED IN PLAN BOOK _____ PAGE _____.

ATTESTED: _____, REGISTER

SURVEYOR'S CERTIFICATION:

THE PREPARER HEREBY CERTIFIES THAT THIS SURVEY HAS BEEN UNDERTAKEN IN CONFORMANCE WITH THE RULES SET FORTH BY THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, DATED APRIL 1, 2001, FOR A BOUNDARY SURVEY.

STATE OF MAINE
BRUCE W. MARTINSON
#2137
PROFESSIONAL LAND SURVEYOR

DATE *PRELIMINARY*

BRUCE W. MARTINSON, PLS #2137

NOT VALID UNLESS EMBOSSED HERE

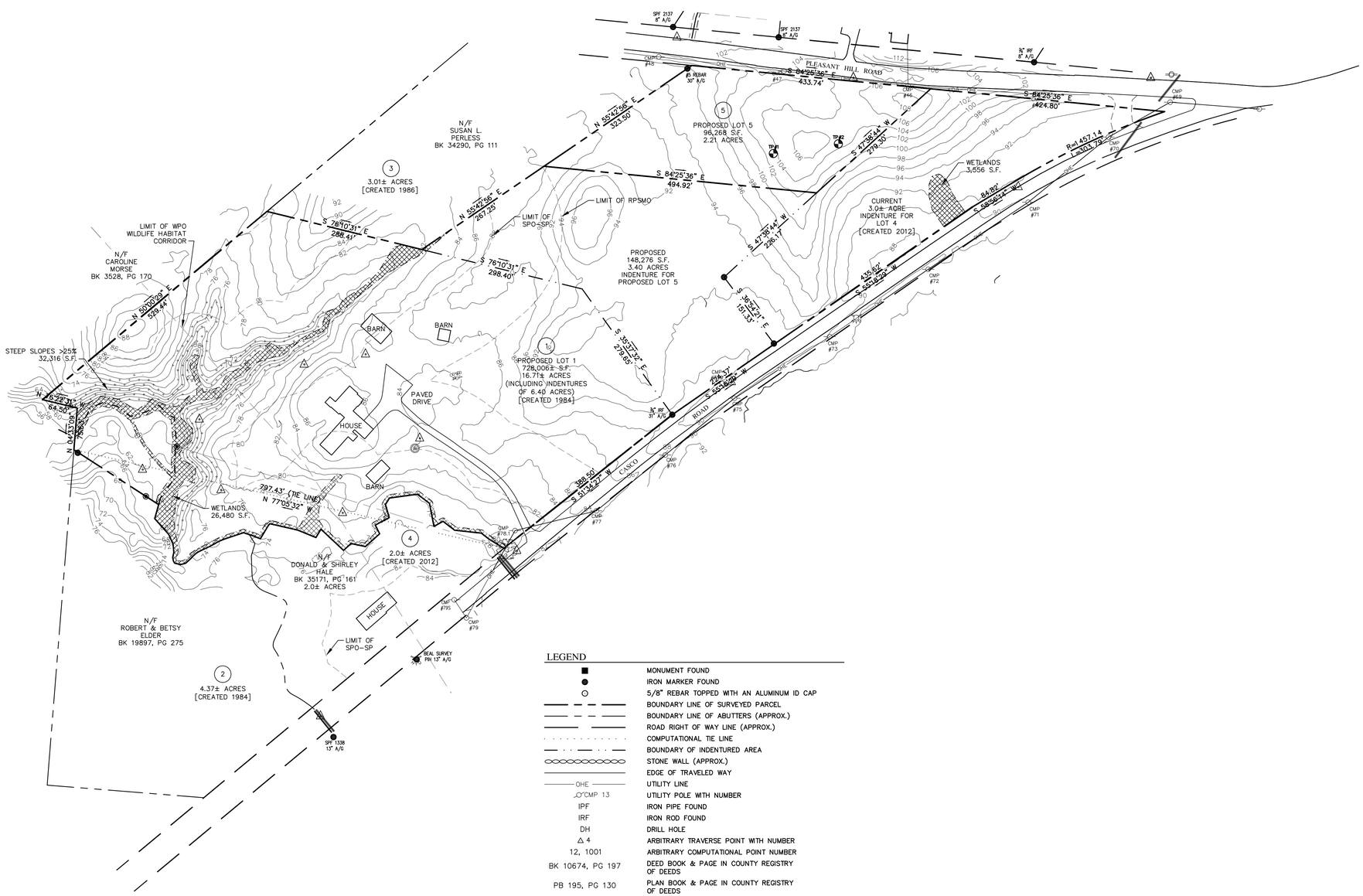
BOUNDARY SURVEY & DIVISION OF LAND OF MICHAEL & REBECCA SAMSON

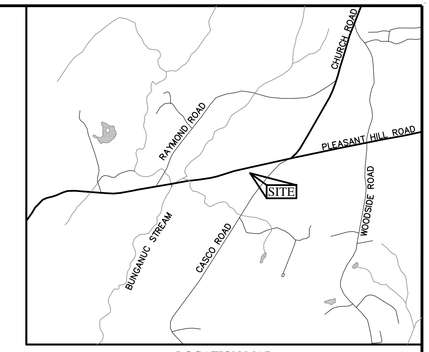
46 CASCO ROAD
BRUNSWICK, MAINE

CUMBERLAND COUNTY
(RECORD OWNERS)

SITELINES
119 PURINTON ROAD, SUITE A
BRUNSWICK, MAINE 04011
207.725.1200
CIVIL ENGINEERS ▪ PLANNERS ▪ LAND SURVEYORS

FIELD WK: MJC,CCR,CJH	SCALE: 1" = 100'	SHEET: 1
DRN BY: BWM	JOB #: 3882	
CH'D BY: BWM	MAP/LOT: 21 / 19 & 44	
DATE: 07-08-2019	FILE: 3882 SITE	





LOCATION MAP
NOT TO SCALE

LEGEND

■	MONUMENT FOUND
●	IRON MARKER FOUND
○	5/8" REBAR TOPPED WITH AN ALUMINUM ID CAP
	BOUNDARY LINE OF SURVEYED PARCEL
	BOUNDARY LINE OF ABUTTERS (APPROX.)
	ROAD RIGHT OF WAY LINE (APPROX.)
	COMPUTATIONAL TIE LINE
	BOUNDARY OF INDENTURED AREA
	STONE WALL (APPROX.)
	EDGE OF TRAVELED WAY
OHE	UTILITY LINE
CMP 13	UTILITY POLE WITH NUMBER
IPF	IRON PIPE FOUND
IRF	IRON ROD FOUND
DH	DRILL HOLE
△ 4	ARBITRARY TRAVERSE POINT WITH NUMBER
12, 1001	ARBITRARY COMPUTATIONAL POINT NUMBER
BK 10674, PG 197	DEED BOOK & PAGE IN COUNTY REGISTRY OF DEEDS
PB 195, PG 130	PLAN BOOK & PAGE IN COUNTY REGISTRY OF DEEDS
R/W	RIGHT OF WAY
N/F	NOW OR FORMERLY HELD BY
AC.	ACRES
±	MORE OR LESS
Ⓢ	SEWER MANHOLE
	LIGHT POLE
	CATCH BASIN
	WATER SHUT OFF
	HYDRANT
	SIGN
	WATER VALVE
TBM	ELEVATION TEMPORARY BENCH MARK
	TEST PIT
	STEEP SLOPES
	FIELD-LOCATED WETLANDS

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

PRELIMINARY

TOPOGRAPHIC PLAN

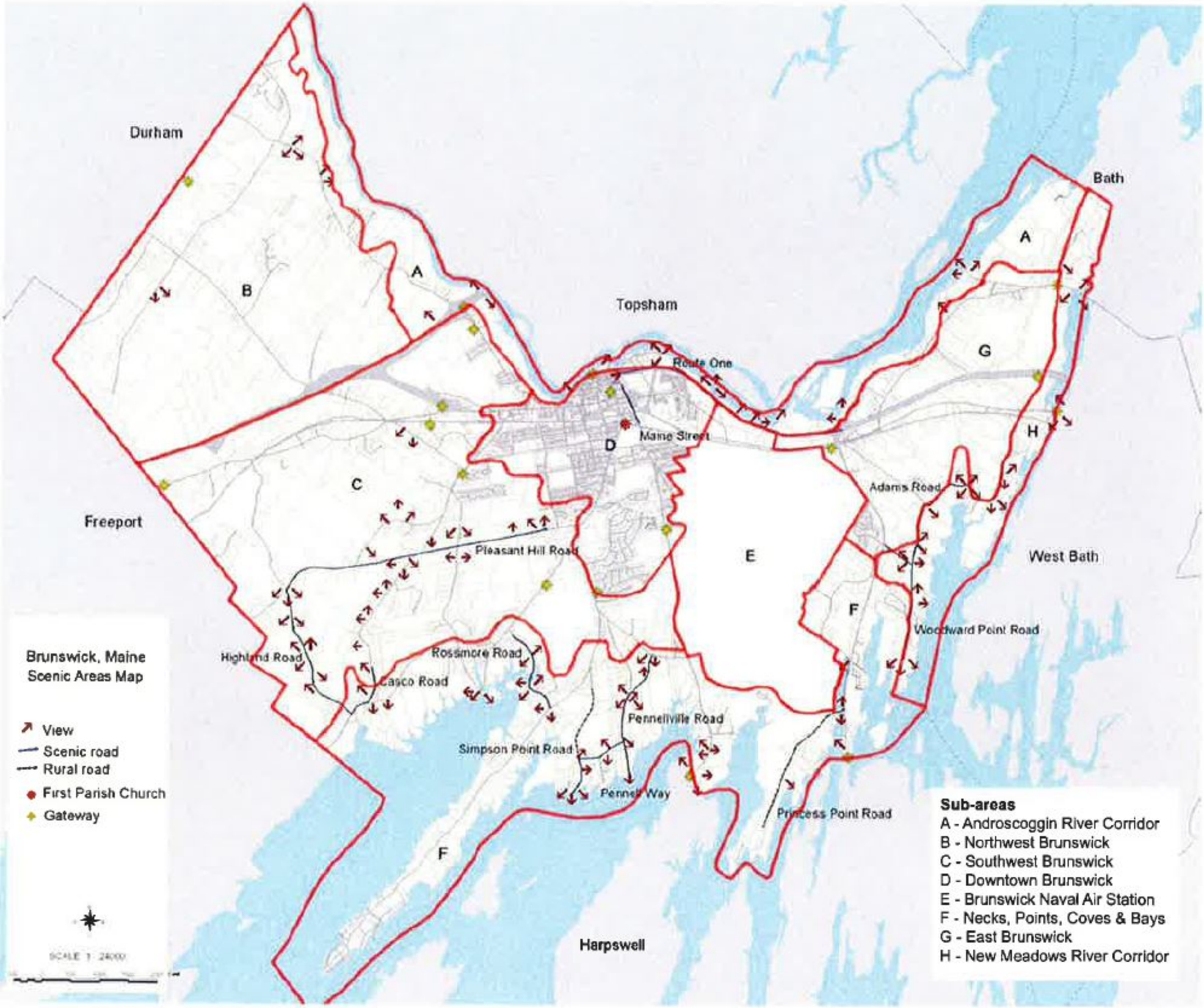
BOUNDARY SURVEY & DIVISION OF
LAND OF MICHAEL & REBECCA SAMSON

46 CASCO ROAD
BRUNSWICK, MAINE

CUMBERLAND COUNTY
(RECORD OWNERS)

SITELINES
119 PURINTON ROAD, SUITE A
BRUNSWICK, MAINE 04011
207.725.1200
CIVIL ENGINEERS ▪ PLANNERS ▪ LAND SURVEYORS

FIELD WK: MJC,CCR,CJH	SCALE: 1" = 100'	SHEET: 2
DRN BY: BWM	JOB #: 3882	
CH'D BY: BWM	MAP/LOT: 21 / 19 & 44	
DATE: 07-08-2019	FILE: 3882 SITE	



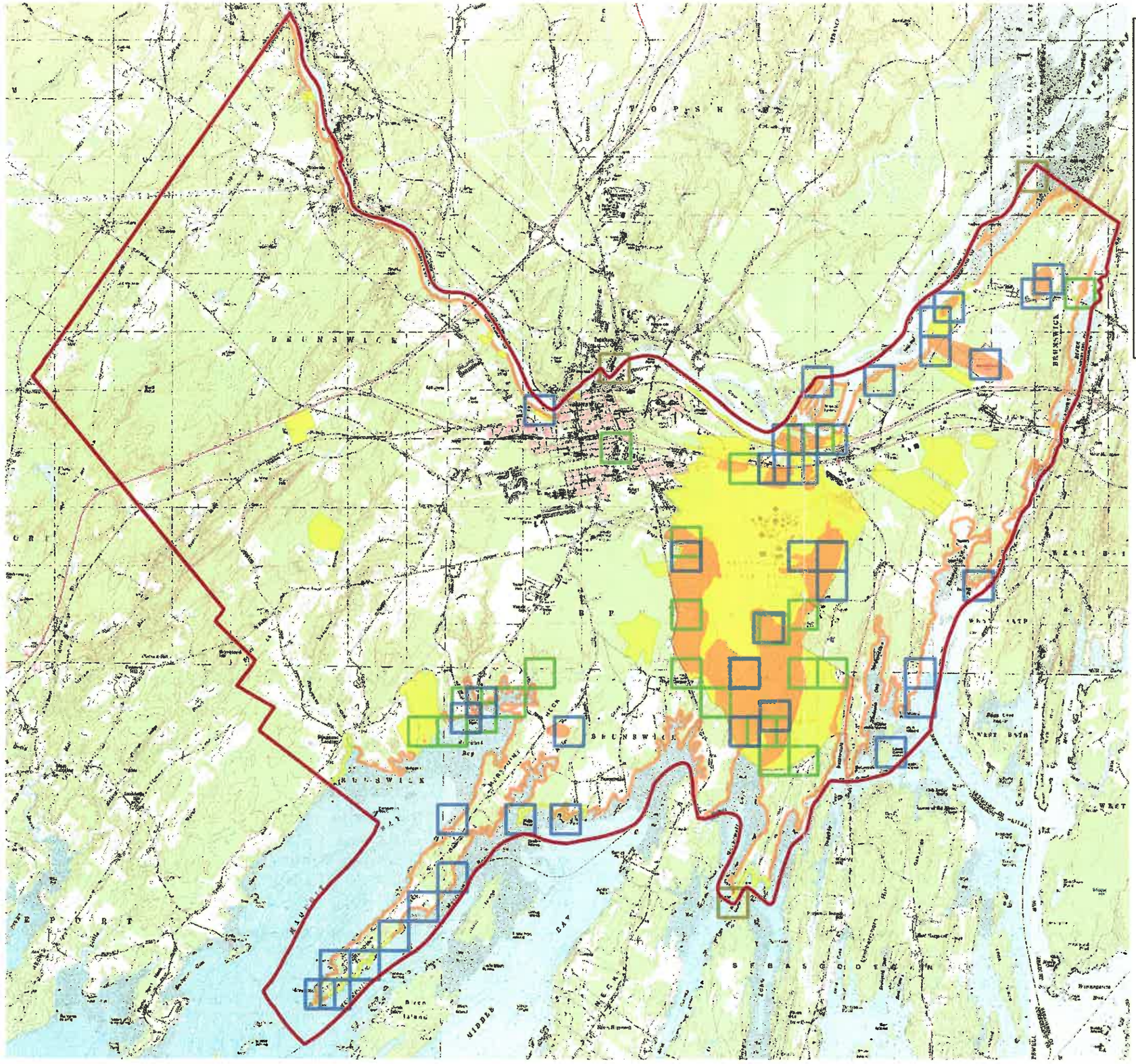
SCENIC RESOURCES

Known Archaeological Sites* and Areas Sensitive for Native American Archaeology* in

Brunswick

information provided by Maine Historic Preservation Commission January 2015

*dated material subject to future revision



Areas sensitive for Native American, pre-Europen, archaeology

1/2 k square intersecting a known Native American archaeological site.

1/2 k square intersecting a known historic archaeological site.

1/2 k square intersecting a known historic archaeological site with a good estimated location.

BRUNSWICK PLANNING BOARD/TOWN COUNCIL
JOINT WORKSHOP REGARDING TEDFORD SHELTER
MEETING MINUTES
OCTOBER 25, 2018

TOWN COUNCIL MEMBERS PRESENT: Town Council Chair John Perreault, James Mason, Alison Harris, Kathy E Wilson, Suzan Wilson, Steve Walker, Jane Millett, David Watson.

TOWN COUNCIL MEMBERS ABSENT: Christopher Watkinson

PLANNING BOARD MEMBERS PRESENT: Chair Charlie Frizzle, Robert Burgess, Jane Arbuckle and Sande Updegraph.

PLANNING BOARD MEMBERS ABSENT: M Kelly Matzen, Bill Dana and Gary Ballerini

STAFF PRESENT: Director of Planning and Development, Matt Panfil and Town Manager, John Eldridge

A workshop of the Brunswick Planning Board and Town Council was held on Thursday, October 25, 2018, in Council Chambers, 85 Union Street. Chair John Perreault called the meeting to order at 7:00 P.M.

1. Tedford Shelter: Matt Panfil reviewed the timeline of events regarding pre-application meetings between Tedford Housing and town staff. No official application was submitted but there was discussion about the type of use it is. On March 14, 2018, the Town attorney advised the Code Enforcement Officer that there are two types of homeless shelters considered, apartment style/ family unit, and non-apartment style, barracks type of housing. The attorney advised that an apartment style shelter could be classified as a multifamily dwelling but there was no existing use that would be analogous to the barracks style apartment. The previous term they had been operating under was assisted congregate living facility. The attorney recommended that the best approach would be to request an amendment to the zoning ordinance to establish regulations for shelters specifically. On March 15, 2018, the Code Enforcement Officer provided the attorney's recommendation to the Tedford Housing Group. On April 2, 2018, a 50-day emergency moratorium was passed followed by a 180-day moratorium on April 17, 2018, which was retroactive to March 29, 2018; the expiration date was September 25, 2018. That evening a shelter taskforce was established consisting of Councilors Mason, Harris, Wilson as well as Panfil and Eldridge. At that point there were a series of meetings through April and May. There was a site visit in June to the Waterville shelter and then more meetings through June to the end of August. On August 31, 2018, the moratorium was extended for a maximum of six months with a timeline identified hoping to get it resolved within three to four months. October 1, 2018 was the first meeting of the Shelter Taskforce at which it was decided that we have the joint workshop tonight.

James Mason reviewed the role and progress of the taskforce. He stated they started with definitions of the different types of uses and the different shelter configurations; there was a discussion that Social Services would need to be incorporated for assistance such as case management, job training, etc. as well as discussion about how to move forward. Mason stated the specifics of disagreements were regarding the designation conditional use and the difference

between having staff make recommendations as opposed to the Planning Board. There was also discussion regarding number of beds and if there should be a standard followed or if it should be on a case by case basis. There was also discussion of management or licensing restrictions and the length of the time the license would be in effect and the taskforce agreed that they did not want overly burdensome regulations on applicants, which resulted in a management plan as part of the application to outline expectations for review. Kathy Wilson stated she was the member who disagreed the most. Kathy stated she was not clear on whether the word would be "shelter" and whether it covers other entities such as a halfway house or shelter for unwed mothers or a rehab shelter or just for homeless shelters. Alison Harris stated her understanding was that it was only for homeless shelters. Kathy requested further clarification and stated she thought the definition should be narrowed to the point where it was strictly for the homeless or should be broadened for other uses.

John Perreault requested Matt Panfil review the zones, permissions, etc. John Eldridge stated that the task force report is on the Town's website for review by the public. He specifically discussed Amendment 1 regarding definitions; to add the definitions of: homeless shelter apartment style, homeless shelter non-apartment style and homeless shelter resource center. Eldridge then introduced Amendment 2, which is regarding the zones for usage, all of which are in the growth area. Eldridge also introduced Amendment 3; performance standards regarding calculation of density, parking, and the conditional use application. The task force also recommended segregation between adults and minors.

Steve Walker asked Matt Panfil if he would summarize what goes into a Conditional Use Permit, which Matt Panfil went on to clarify and then reviewed the taskforce report. Alison Harris asked for clarification regarding uses acceptable to certain zones. Panfil then reviewed recommendations for zoning districts by the taskforce, all within the Growth Boundary, using a projected graphic of the Zoning Map for reference. James Mason requested clarification regarding density in each district, which Matt reviewed on the Zoning map. Walker requested clarification of the decision not to make the three uses conditional. Panfil clarified. Jane Millett asked for clarification of Growth Residential Zone GR6 where all three types of shelters are allowed when none of the other Residential zones allow all three, which Panfil clarified. John Perreault stated that was why it would go to the Planning Board to discuss and have public hearings before being sent back to the Town Council for discussion and that the zones may change. Mason stated he thought other residential zones should be labeled with more of these uses. Millett asked about land availability for in-town areas particularly and that it needed to be taken into consideration. John Perreault asked about the difference between the apartment style and non-apartment style and why some were allowed in certain zones and not in others. Mason clarified that it was based on density levels. Suzan Wilson reviewed the intentions of having a joint workshop, which was to facilitate better communication and understanding between the Town Council and the Planning Board.

Sande Updegraph asked if the primary considerations for conditional use involved density and other uses in the area or if they considered transportation and other services that might be needed (parking availability, etc.). Matt Panfil stated that density was just part of it; a big component was overall neighborhood character. Panfil stated they spent a lot of time talking about proximity to services and what they realized was that a lot of the services in town are spread out with a concentration within the downtown area such as social services. Panfil also stated they looked at transportation and they thought the transportation routes could change. He noted we do not have

as well-established fixed routes at this point and he believed that if there was a concentration of need then maybe the routes would be flexible enough to serve the area. Jane Arbuckle asked if the task force considered the possibility that this need does not fit into our current zoning and wondered if it was a different enough use that it would not work and we would need to think more broadly and creatively about how to serve this need in the town and that alternative options for shelters may not fit this criteria. She asked for clarification of the density and if it would restrict Tedford too much in terms of size of a facility. Kathy Wilson stated it may be something we would want to restrict.. Arbuckle stated she understood and that in general she would like everything to be smaller but sometimes the economic model does not work if it is smaller. Mason stated that if you look at Tedford's current property in GR6, they would not be able to do what they are doing now but they are grandfathered. Eldridge stated the numbers line up with our existing zoning.

James Mason stated that density was also subject to discussion. Panfil stated there was a general consensus that in some way the amount of occupants has to be regulated and that there are three ways to do that, to let the building envelope and building codes allow for whatever can fit; establish a hard cap like Waterville; or through density. He added that one of the things they looked at was beds per square foot but that it gets somewhat complicated and less predictable. Panfil then reviewed all of the various numbers they had discussed. Alison Harris stated that one of the things they discussed other than transportation and services was the proximity to employment centers, and that if they are near employment centers then perhaps the transportation issue is less critical. They then identified the locations of employment opportunities. Mason stated that they arrived at a half a mile for proximity to services but beyond that it gets more difficult for people to access. If there isn't close proximity then transportation needs to be discussed more in depth. Arbuckle asked about homeless recommendations from other towns and why they were not very extensive, if they do not have shelters or do not regulate them. Mason stated he looked at the various regulations and that there was nothing we would want to pattern after because they weren't very good. Panfil stated it was specifically the zoning ordinances that did not have regulations concerning shelters. Arbuckle wondered if there are issues that shelters consistently have that would affect where they are located other than accessibility to services and if there are issues with people in town not wanting to be close them or that there are too many people around the shelter waiting for it to open, etc. Kathy Wilson stated they did look at those things. She mentioned that she lived next to Tedford for two years and learned a lot during that time and that there were issues that nobody wants to talk about but should be talked about.

John Perreault stated he has a friend in Portland who had a shelter move in next door and according to them it was the worst thing to happen to them. He acknowledged that residential neighbors cause problems too, not just homeless shelters. He stated that he has not heard a lot of complaints concerning the Tedford Shelter because they run a very good program, but there may be new groups who come into town that are not run well that would have issues.

James Mason stated they talked about if they should require a specific smoking area, regulations regarding queuing times if it is not a 24-hour shelter, security level, lighting and many other issues and they did not come to a consensus on how to ask an applicant to address them that they discussed if they should go back into the licensing structure. Mason stated the real question is if this is to be addressed, what is the mechanism to do so? They chose to not go the licensing route because there was no consensus. Suzan Wilson stated that Planning Board needs to wrestle with

the concept, not specifically a particular provider but providers in the future. Wilson added that the Conditional Use Permit was the mechanism and that each application would be treated individually so that the requirements for each entity would only be related to the space in which they are asking to go. Mason stated it would be making the distinction between an applicant and an operator and questioned whether the restrictions and controls would be on the applicant or on the operation of the facility for a conditional use permit. Steve Walker asked that once the applicant submitted the plans for a new shelter and it was permitted, is it enforceable? Charlie answered yes and that they would have to consider for each item listed what the appropriate enforcement action would be and who enforcement would fall to. Alison Harris stated that when they discussed the concept of management plans and asking applicants to submit at the time of the application, they did struggle with the enforcement structure, knowing how thin Town staff was. What concerned several members of the task force was the risk of losing a license if they had to come back every two years because of the complexity of starting up and running such a facility both to the operators and to the community. They then looked at the management plan and discussed whether applicants would have to provide updates every two to three years, so the Town would know if they were abiding by the terms agreed upon. Charlie stated it would be something they could consider when they hold the public hearing and that typically they do not require applicants to submit anything stating that they are obeying the law, but it is something that could be done if warranted.

Robert Burgess acknowledged that returning frequently imposes a burden on the administrative body and asked if there is some sort of performance standard that could be reevaluated periodically. John Perreault stated that everything that is approved takes up staff time and Board time. Jane Arbuckle stated she thought they should be careful not to try to control too much and put a burden on this particular use that is not on any other use. James Mason stated they agreed that it was not an effort to single out this use but came about because they had a hole in the zoning ordinance that didn't cover it.

Matt Panfil said that it was stated at several task force meetings that this was an amendment to the zoning ordinance, which focuses on land use and not on behavior of individuals. Panfil noted that was not something a zoning ordinance normally addressed and that it should be administrable and enforceable and that was where staff had to take a look at it. He added that it was suggested that smoking should not be allowed whatsoever and that we could not have our Code Enforcement Officer sitting out there making sure that doesn't happen, so there were some limiting factors in what they could recommend. Jane Millett hoped that all would look at the descriptions of each neighborhood in the zoning ordinance, what it says and how it jives with what they think each neighborhood is and that they might want to look at availability or prospects of property acquisition because it is important in this town. Sande Updegraph thanked Millett for bringing that up and stated that the summaries in the task force report were very helpful and that it was a critical issue and we would need to move forward. Updegraph stated that it could serve as a model, as we look at other situations not specifically addressed in the new zoning ordinance, specifically short-term rentals. Sande added that they are establishing a model for moving forward involving both boards and the public.

John Perreault then opened the meeting to the public for questions but clarified that the Town Council and Planning Board will be taking public comments at public hearings and that there was no way to tell how many meetings there would be.

Jane Millett stated she wanted to remind the public about the Affordable Housing Community Conversations at the library that will be held on October 30, 2018.

Courtney Neff, Northwest Brunswick Neighborhood Association, stated that the task force looked at zoning ordinances from several towns, but specifically Portland, which the public can access on the website. He said he had sent a letter to the task force back in May pointing out that there was not a single homeless shelter in a residential neighborhood in any of the towns they were looking at. He added that they have a list provided by the State of Maine of all homeless shelters in the entire state and there is not one non-apartment style or resource center in a residential neighborhood in the state, and he would like clarification about why one residential neighborhood should be singled out over another in the town as a potential for all types of homeless shelters. Neff stated that Charlie Frizzle, in an early meeting, suggested permitting them in the Growth Mixed Use areas and making them conditional in the residential areas.

Matt Panfil stated that the Waterville ordinance says that shelters are discouraged from single family neighborhoods and in his reading of that it does not prohibit them or denser multifamily units. John Perreault stated the public would have a chance to speak again at the public hearings.

Jim Bridge, Pasture Way in Brunswick, stated he had many comments that he would send in writing. He asked for the Planning Board's benefit, that the Pleasant Hill Coalition members at the meeting raise their hands to let the Board know they are very interested in not just their neighborhood but the whole town.

Lynne Holland, resident of GR6 stated she would be speaking for herself, not as a member of the Northwest Neighborhood Association and wanted to discuss the homeless statistics in Maine and that the numbers seen in the news media could skew public thought. Lynne stated that the September 6, 2018 Times Record published that Tedford had turned away 300 families and 280 individuals, which according to the State of Maine numbers would be a quarter of the homeless people in the whole state. She thought that they would really need to pay attention to the numbers and possibly have a vision of what Brunswick could afford to do.. Lynne stated that in order to do our part we would be talking about housing 100 people, but if there were no shelters in the towns around us, we would become the regional shelter and that we could end up with a 300-bed shelter, so she wanted to make sure they really looked at the numbers as well the people.

Craig Phillips, Executive Director with Tedford Housing stated that they appreciated the opportunity to provide input to the zoning ordinance amendment process and that they recognize the amendment is being considered for all possible applicants, not solely Tedford, and he trusted that their contributions and expertise had been constructive and helpful. Phillips stated all were to be commended for the respectful nature of the conversations, the willingness of all to listen and learn and most of all to understand the circumstances of persons of Brunswick and the region who are temporarily without a home and how an entire community and region can and must partner on solutions. Phillips also noted most participants he had spoken to had acknowledged the need and responsibility to support people trying to get back to a home. He referenced the Task Force report and said that from Tedford's perspective they agreed with some of the language in the report but other findings warranted a pause to seek further clarification. He added that they believe the report has set an appropriate tone and direction for the next phase of work.

John Perreault asked if there was anyone else who wished to speak and clarified that there will be an opportunity for everyone to speak for five minutes at the public hearing. Perreault asked if

there were any more questions from the Planning Board or Town Council members. Jane Millett stated she hoped everyone would start thinking about Jane Arbuckle's vision of the farm as a shelter with opportunities to work on the farm. Perreault agreed it was a great discussion to start at the Planning Board.

2. Adjourn

This meeting was adjourned at 8:48 P.M.

Respectfully Submitted,

Lee Ann Ellis

Lee Ann Ellis

Recording Secretary

BRUNSWICK PLANNING BOARD
MEETING MINUTES
MAY 28, 2019

MEMBERS PRESENT: Chair Charlie Frizzle, Vice Chair Bill Dana, Jane Arbuckle, Robert Burgess, Kelly Matzen and Sande Updegraph

MEMBERS ABSENT: No members were absent from this meeting.

STAFF PRESENT: Matt Panfil, Director of Planning and Development; Jared Woolston, Town Planner

A meeting of the Brunswick Planning Board was held on Tuesday, May 28, 2019, in Council Chambers, 85 Union Street. Chair Charlie Frizzle called the meeting to order at 7:00 P.M.

1. Case #19-011 U-Haul Driveway and Parking Lot Expansion: The Planning Board will review and take action on a Final Plan Major Development Review application submitted by Walsh Engineering on behalf of AMERCO Real Estate Company to install 23,050 additional square feet of driveway and parking lot at 1 Cressey Road. The subject lots (Map U07, Lot 48 & 68) are within the GM3 (Growth Mixed Use 3) Zoning District and contains the SPO-SP (Shoreland Protection Zone Stream Protection Subdistrict).

Jared Woolston introduced the application.

MOTION BY JANE ARBUCKLE TO DEEM THE FINAL SITE PLAN COMPLETE. MOTION SECONDED BY SANDE UPDEGRAPH, APPROVED UNANIMOUSLY.

Applicant representative, Silas Canavan of Walsh Engineering, reviewed the tax map parcels, lot layout, stormwater management, landscaping, snow storage, and noted that there is no new lighting or utilities. He stated that the DEP permit is in the process and they were notified today that they have approval from MDOT. Sande Updegraph pointed out that the plan lists the project at 22,850 square foot and the Findings of Fact list the project as 23,050 and asked which one was correct. Silas replied that the number in the findings may have been a carry over from the original plan, but that they have reworked the parking area to reduce the square footage. Kelly Matzen asked for the relationship between the owner of the real estate and the entity that gave him authority to come before the Board. Silas replied that AMERCO's is the property holdings company for U Haul International; AMERCO holds all the property, but U Haul operates on the property. Matthew Hines stated that he works for both. He is here on behalf of AMERCO, and is also the project manager for U Haul Maine.

Chair Charlie Frizzle opened the meeting to public comment. No comments made and the public comment period was closed.

Members reviewed the Findings of Fact and suggested changes.

MOTION BY BILL DANA THAT THE FINAL PLAN IS APPROVED WITH THE FOLLOWING CONDITIONS:

1. That the Board's review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, his representatives, reviewing officials, and members of the public as reflected

in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification shall require a review and approval in accordance with the Brunswick Zoning Ordinance.

2. Prior to starting construction, stormwater management plans shall be approved by the Maine DEP and provided to the Director of Planning and Development.

MOTION SECONDED BY SANDE UPDEGRAPH, APPROVED UNANIMOUSLY.

2. Case #19-014 Brunswick Landing Lot 14 Special Permit: The Planning Board will hold a PUBLIC HEARING and take action on a Special Permit application submitted by Sitelines, PA on behalf of 14 Willey Road LLC for the expansion of a Marijuana Cultivation Facility, a legal nonconforming use of the property. The subject lot (Map 40, Lot 103) is within the GM7 (Growth Mixed Use 7) Zoning District.

Jared Woolston introduced the application.

MOTION BY BILL DANA THAT THE BOARD DEEMS THE SPECIAL PERMIT APPLICATION COMPLETE. MOTION SECONDED BY SANDE UPDEGRAPH, APPROVED UNANIMOUSLY.

Kelly Matzen asked for procedural guidance. Matt Panfil stated that he does not think that this application is as complicated as it seems on paper and explained that it is similar to a Starbucks and a Dunkin Donuts occupying the same lot; they do not have any prohibition as long as they meet all the dimensional and density requirements. Matt explained that this is a non-conforming use and noted that the zoning ordinance allows for further additional expansion of a non-conforming use may be allowed through the approval of a Special Permit. When looking at the review standards they say to look at the Conditional Use Requirements. Charlie Frizzle and Matt Panfil explained the Special Use Permit process. Jane Arbuckle asked if all non-conforming uses have to come before the Board. Charlie replied that those applications over 1,000 square feet do and it is meant to restrict expansion of non-conforming uses. Matt added that this does not necessarily have to do with marijuana because these were approved before the zoning ordinance standards and is what makes them non-conforming uses. The applicant is asking to legally expand an already established non-conforming use.

Kurt Neufeld on behalf of Sitelines, PA., presented a PowerPoint and reviewed the special permit application and project location. Rob Burgess asked if this could be converted to recreational use. Matt Panfil replied that this is not an allowed use in GM7 without a further text amendment to the ordinance. Matt noted that the town does have a 500 square foot separation from schools. Charlie Frizzle asked for status of the draft performance guarantee and the Fire Chief's recommended location and size of hydrants. Kurt replied that the Fire Chief statement was settled at the SRC meeting; there are two hydrants in close proximity. With regards to the performance guarantee, they will be tying into the existing eight-inch pipe. Matt noted that 145 Alligash cannot be converted to another marijuana use but will be used for a Martin's Point project. If that falls through it will be used for cold storage for MRRA or large-scale office use.

Sande Updegraph asked if they should include the word medical into the application. Matt Panfil replied that they can add a condition to stipulate that, but the applicant would have to file a Change of Use application to do anything other then what they are now. Kelly Matzen pointed

out that they do have language now and this is a Special Permit that is being requested and asked why they are not using todays language if they know it fits into one of todays categories. Matt replied that it is a legal non-conforming use and when it was approved it was allowed to stay indefinitely. There is no sunset clause on a legal non-conforming use. Matt asked why the ordinance allows for such a non-conforming use. Kelly suggested that if in the future there is a change within the use will the non-conforming use still apply. Matt replied that what language applies is what the use was originally approved under until a full redevelopment of the site occurs. Expansion would be allowed. Kurt Neufeld stated that he did not see the term medical use applied specifically. Matt replied that medical is specifically applied to the storefront. Kurt noted that they will not be having a storefront and will be cultivated wholesale. Kurt pointed out that the building will have limited lighting and they will have access to cameras. Rob Burgess said that he still has concerns about the fact that they can sell to a buyer for resale. Matt replied that he does not know how they would control that. Kelly stated that the problem is that this can be done. Charlie clarified by saying "if a customer should come to them and say I have a need for x amount of wholesale product, do they have to demand that that customer only use it for medical purposes?" Matt replied that this should be how it operates, but again if they do something else then that would be a violation. Matt pointed out that the applicant will have to apply for a license and a violation of a license would ultimately result in loss of their license not the ordinance. Matt reviewed the ordinance language. Kurt noted that the owner only sells to medical facilities and they are not looking to change that operation that is already established.

Chair Charlie Frizzle opened the meeting to public comment. Hearing none, the public comment period was closed.

Members reviewed and made changes to the Findings of Fact.

MOTION BY KELLY MATZEN THAT THE SPECIAL PERMIT IS APPROVED WITH THE FOLLOWING CONDITIONS:

1. That the Board's review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, his representatives, reviewing officials, and members of the public as reflected in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification shall require a review and approval in accordance with the Brunswick Zoning Ordinance.

MOTION SECONDED BY BILL DANA APPROVED UNANIMOUSLY.

Charlie Frizzle noted that this does not take effect until 30 days after tonight. In addition, the Town Council has 30 days to take action if they so choose.

Case #19-015 Brunswick Landing Lot 14 Marijuana Cultivation Facility: The Planning Board will review and take action on a Final Plan Minor Development Review application submitted by Sitelines, PA on behalf of 14 Willey Road LLC for the construction of a 3,200 square foot building, expanding upon the property's current use as a Marijuana Cultivation Facility. The subject lot (Map 40, Lot 103) is within the GM7 (Growth Mixed Use 7) Zoning District.

Jared Woolston introduced the application. Jared pointed out that missing in the application is Section 4.10, Lighting Plan and he defers to the Planning Board. It was discussed at the Staff Review meeting.

MOTION BY SANDE UPDEGRAPH TO DEEM THE APPLICATION COMPLETE. MOTION SECONDED BY ROB BURGESS, APPROVED UNANIMOUSLY.

Kurt Neufeld of Sitelines, PA, presented a PowerPoint presentation and reviewed the development overview, project location, site layout, site plan, grading plan, landscape plan, building elevations, and architectural rendering. Kurt noted that they will not be putting up pole lights, but will have motion activated lighting and given the fact that there are no neighbors. Jane Arbuckle asked at what distance the lights will be activated because as people drive by it will be activated. Kurt replied that they will adjust the lights accordingly. They will also have cameras. Matt Panfil added that this will also be part of the permitting process. Sande Updegraph asked if the Police or another party will be notified if someone is walking around the building. Derek Brodersen, owner of All-Natural Technologies, replied that the police are called first and then he is notified if the alarm goes off. He can also view the cameras from his phone. Bill Dana asked why the rooms we assigned. Derek replied that he uses mainly seed and he needs to be able to tell which plants are male or female or both. Hermaphrodite pants have to be destroyed. The different rooms allow him to have different plants at different stages. Jane asked if he has considered a greenhouse type roof. Derek replied that it is something that he might pursue if he had a massive scale, but he is limited to medical use. Kelly Matzen pointed out that the applicant has good reason for wanting the rooms to be sealed. Derek added that if the dehumidifiers were to shut down, there would be puddles on the floor because they are sealed so tightly. There is a vapor barrier on the walls and there is no exchange of air. Kelly asked if they have gotten around the issue of needing an engineer to sign off. Kurt replied that the engineer is part of the State permitting process and considering this space is so tightly sealed there shouldn't be any issue. Matt added that the HVAC engineer is needed more for buildings with existing ventilation. Kurt reviewed the State licensing requirements. Rob Burgess stated that there is a discrepancy in the application between a shut off luminaire that would shine down and a Home Depot flood light and asked which one they plan to use as part of this application. Kurt replied that he believed that the residential style of lighting would be acceptable, but he can draw up new cut sheets for approval by staff and have the Police Chief weigh in.

Chair Charlie Frizzle opened the meeting to public comment. No commenters were made and the public comment period was closed.

MOTION BY KELLY MATZEN TO APPROVE REQUESTED WAIVERS FOR PROFILES OF EXISTING UTILITIES, AND PROFILE, AND CROSS SECTION OF SANITARY SEWERS. MOTION SECONDED BY BILL DANA, APPROVED UNANIMOUSLY.

MOTION BY SANDE UPDEGRAPH TO APPROVE THE FINAL PLAN MINOR DEVELOPMENT REVIEW APPLICATION WITH THE FOLLOWING CONDITIONS:

1. That the Board's review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, his representatives, reviewing officials, and members of the public as reflected

in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification shall require a review and approval in accordance with the Brunswick Zoning Ordinance.

2. Prior to issuance of a building permit, the applicant shall pay solid waste impact fees to the satisfaction of the Town Engineer and Director of Planning and Development.
3. Prior to issuance of a building permit, lighting plans that demonstrate compliance with Section 4.10 shall be reviewed and approved by the Director of Planning and Development.
4. Prior to the start of construction, the applicant shall provide soil test pit results for the proposed infiltration areas to demonstrate sufficient depth to limiting factors in accordance with Maine DEP Best Management practices and/or to the satisfaction of the Director of Planning and Development.

MOTION SECONDED BY ROB BURGESS, APPROVED UNANIMOUSLY.

4. Case #18-050 – Zoning Ordinance Amendment – GM8: The Planning Board will hold a PUBLIC HEARING to review and provide a recommendation to the Town Council on Zoning Ordinance Text Amendments to the following sections of the 2017 Brunswick Zoning Ordinance: 1.6.3 Nonconforming Uses; 1.7.1 and 1.7.2 Definitions; 5.2.9 Development Review; and Appendix B Private Street Standards.

Matt Panfil noted that there have been no changes since the last meeting. Jane Arbuckle asked about the language for private street standards. Charlie Frizzle explained the reasoning behind the change. Jane expressed her concern that the Fire Department will not have guidance should they need it. Jared Woolston suggested that they put their concerns in the Memo to the Town Council. Bill Dana suggested that they make the definition of what constitutes a driveway versus a street clearer. Jane said that her impression is that the Fire Department may simply be using different words to describe the same thing. Matt to draft a memo to the Town Council to be forwarded to members for review and to speak with the Fire Chief for clarification.

Chair Charlie Frizzle opened the meeting to Public. No public was present and the public comment period was closed.

MOTION BY BILL DANA TO APPROVE THE ZONING ORDINANCE LANGUAGE AS AMENDED AND TO BE FORWARDED TO TOWN COUNCIL. MOTION SECONDED BY ROB BURGESS, APPROVED UNANIMOUSLY.

5. Other Business: No other business.

6. Approval of Minutes. No minutes were reviewed at this meeting.

7. Adjourn

This meeting was adjourned at 9:04 P.M.

Respectfully Submitted,

Tonya Jenusaitis

Recording Secretary

BRUNSWICK PLANNING BOARD
MEETING MINUTES
OCTOBER 8, 2019

MEMBERS PRESENT: Chair Charlie Frizzle, Vice Chair Bill Dana, Rob Burgess, Alison Harris and Kelly Matzen

MEMBERS ABSENT: Jane Arbuckle and Sande Updegraph

STAFF PRESENT: Matt Panfil, Director of Planning and Development

A meeting of the Brunswick Planning Board was held on Tuesday, October 8, 2019, in Council Chambers, 85 Union Street. Chair Charlie Frizzle called the meeting to order at 7:00 P.M.

1. Case #19-039 Bowdoin College: Barry Mills Hall & the Center for Arctic Studies: The Planning Board will review and take action on a Sketch Plan Major Development Review application submitted by Sebago Technics on behalf of Bowdoin College to construct two new academic buildings with 44,515 square feet of floor area and redevelop the adjacent parking lot resulting in an increase of 9,300 square feet of impervious surface. The subject lot (Map U35, Lot A) is within the GC1 (Growth College 1) Zoning District and the APO3 (Aquifer Protection Overlay 3) District.

Matt Panfil introduced and reviewed the application.

MOTION BY ALISON HARRIS TO DEEM THE SKETCH PLAN COMPLETE. MOTION SECONDED BY BILL DANA, APPROVED UNANIMOUSLY.

Matt Orlando, Senior Vice President for Finance and Administration & Treasure at Bowdoin College, stated that Bowdoin does not have many classrooms that can fit 40-60 students at a time or that are amply sized to allow for active learning. This project will address this. The construction will also allow for swing space during the renovation of Sills Hall. Once Barry Mills Hall is constructed, they can take another intensively used hall offline and renovate that as well.

Matt Orlando stated that the Center for Arts and Studies will hold the Peary-McMillan Arctic Museum as well as research labs for archeologists. The Peary-McMillan Museum is currently located at Hubbard Hall where it is not climate controlled, there is not much storage and it is not museum quality space. The Center for Artic Studies will stand with the Roux Center for the Environment and the Schiller Center for Costal Studies and provide a unique education learning space in the studies for the environment.

Kylie Mason of Sebgo Technics, gave a PowerPoint presentation and reviewed the location of the proposed project, tree removal and provided an overview of the stormwater management plan. Kylie noted that they are asking for a waiver in regards to the size of the proposed parking aisle and parking spaces a reduction in the standard parking aisle space from 26’ to 24’ and a reduction of the standard parking space size of 18’5” to 18’. Additionally, the applicant wishes to request a waiver of the opaque landscape buffer standard.

Charlie Frizzle stated that at the Staff Review Committee meeting of September 25, 2019 there was a lot of discussion regarding a sidewalk on the north side of the parking lot from the

entrance on Sills Drive to the area of the chiller pad and asked if the sidewalk is currently shown on the plan. Kylie Mason replied that the sidewalk is on the plan and directed members to its location.

Rob Burgess asked if the replacement trees will be all the same height of growth or if there will be some staggering. Kylie Mason replied that the trees will be of varied height and species.

Alison Harris asked what they mean by detectable warning fields. Kylie Mason replied that they can be found at every flush transition between pedestrian and vehicular traffic. They are the bumpy steel matts that provide another level of warning that there is a change in traffic.

Charlie Frizzle stated that for Final Plan, they may not want to be quite as specific in the exact number of trees that they are planting and stick with the ratio.

Rebecca Celis of HGA pointed out that although this is only a sketch plan, they have included the elevations and briefly reviewed them. She stated that they are pursuing a mass timber construction for the type of construction for the structure and pointed out that Bowdoin College has been awarded a grant from the Forestry Department who will assist in development of the structures. This type of construction will allow for peaked roof forms and they will be able to express this feature inside the vaulted space of the museum; they are very excited about this. She added that the two buildings are connected underground so that they can share utilities.

Kylie Mason asked the Board members to review the requested waivers and provide feedback prior to submission of the Final Plan. Members were in agreement that they had no concerns with the waivers being requested.

Chair Charlie Frizzle noted that there were no members of the public present and no public comments were made.

MOTION BY BILL DANA TO APPROVE THE SKETCH PLAN. MOTION SECONDED BY ALISON HARRIS, APPROVED UNANIMOUSLY.

Matt Panfil to set a site visit prior to submission of the final plan.

3. Approval of Minutes

MOTION BY KELLY TO APPROVE THE MINUTES OF JUNE 11, 2018 AS AMENDED. MOTION SECONDED BY ROB, APPROVED UNANIMOUSLY AMONG THOSE PRESENT.

MOTION BY KELLY MATZEN TO APPROVE THE MINUTES OF AUGUST 7, 2018. MOTION SECONDED BY ROB BURGESS, APPROVED UNANIMOUSLY AMONG THOSE PRESENT.

MOTION BY BILL DANA TO APPROVE THE MINUTES OF SEPTEMBER 11, 2018. MOTION SECONDED BY KELLY MATZEN, APPROVED UNANIMOUSLY AMONG THOSE PRESENT.

4. Other Business:

- Matt Panfil stated that the text amendments for stormwater overlay improvements has been accepted by the Town Council.

- Matt Panfil stated that the Mere Brook watershed plan has the final signatures.
- Matt Panfil stated that the Brunswick Comprehensive Plan Committee will have a launch party in the Brunswick Jr. High gymnasium on election day.
- Matt Panfil stated that the Town of Brunswick website is in the process of being updated and provided a brief summary of some of the new features.

This meeting was adjourned at 7:45 P.M.

Respectfully Submitted,

Tonya Jenusaitis

Recording Secretary

BRUNSWICK PLANNING BOARD
MEETING MINUTES
OCTOBER 22, 2019

MEMBERS PRESENT: Chair Charlie Frizzle, Vice Chair Bill Dana, Jane Arbuckle, Rob Burgess, Alison Harris, Kelly Matzen and Sande Updegraph

MEMBERS ABSENT: No members were absent at this meeting.

STAFF PRESENT: Matt Panfil, Director of Planning and Development; Jared Woolston, Town Planner

A meeting of the Brunswick Planning Board was held on Tuesday, October 22, 2019, in Council Chambers, 85 Union Street. Chair Charlie Frizzle called the meeting to order at 7:00 P.M.

1. **Case #19-040 Brunswick Landing Subdivision Amendment, Lot 17:** The Planning Board will review and take action on a Final Plan Major Development Review application submitted by Wright-Pierce on behalf of TBW, LLC to amend the Brunswick Landing Subdivision (Case #12031) to create an additional 1.69 acre lot for the proposed Wild Oats Bakery/Restaurant. The subject lot (Map 40, Lot 223) is located within the GI (Growth Industrial) Zoning District.

Jared Woolston introduced and provided a summary of the application.

Charlie Frizzle asked that the applicant fill in all the checkboxes on the application even if they are not applicable. If the Board is going to ask others to fill in all the blanks then they need to be consistent.

MOTION BY KELLY MATZEN THAT THE SUBDIVISION AMENDMENT APPLICATION IS DEEMED COMPLETE. MOTION SECONDED BY SANDE UPDEGRAPH, APPROVED UNANIMOUSLY.

Applicant representative, Jan Weigman of Wright-Pierce gave a PowerPoint presentation and reviewed the reason for the amendment to the subdivision, lot proposal and space and bulk.

Charlie Frizzle asked about the steam lines that run underground. Jan Weigman replied that there are remnant steam lines that are left over from a steam plant that was located where the Molnycke building is now that supplied heat to a good portion of the former Navy base. The lines are roughly seven to eight feet down, encased in concrete and will remain.

Robert Burgess asked why the setbacks on the plan are listed as n/a. Jan Weigman replied that they did that because they didn't want to represent it as if it were a proposed development. There is no structure on the lot now so it is shown as 15B for reference. The setbacks can be found on the Wild Oats application.

MOTION BY BILL DANA THAT ALL APPLICABLE PRIOR CONDITIONS RELATING TO THIS AMENDMENT REMAIN IN EFFECT, IN ADDITION TO ANY NEW CONDITIONS CONTAINED HEREIN. MOTION SECONDED BY KELLY MATZEN, APPROVED UNANIMOUSLY.

MOTION BY SANDE UPDEGRAPH THAT THE AMENDED SITE PLAN APPLICATION IS APPROVED WITH THE FOLLOWING CONDITION ADDED TO PRIOR CONDITIONS CURRENTLY IN PLACE:

1. That the Board's review and approval does hereby refer to the plans and materials submitted by the applicant and the written and oral comments of the applicant's representatives, reviewing officials and members of the public as reflected in the public record and that any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification shall require review and approval in accordance with the Brunswick Zoning Ordinance.

MOTION SECONDED BY JANE ARBUCKLE.

Chair Charlie Frizzle opened the meeting to public comment. No comments were made and the public comment period was closed.

MOTION APPROVED UNANIMOUSLY.

2. **Case #19-037 Zoning Ordinance Amendment – Marijuana Definitions:** The Planning Board will hold a PUBLIC HEARING and take action on a proposed Zoning Ordinance Amendment, forwarded by the Town Council, to amend the following four (4) existing marijuana use definitions to keep the Brunswick Zoning Ordinance current with State legislation: marijuana cultivation facility, marijuana products manufacturing facility, marijuana storefront, medical, and marijuana testing facility.

Matt Panfil introduced the application for the zoning ordinance amendment and reviewed his memo to the Board dated October 22, 2019. Matt stated that they are trying to make the amendments consistent with the State.

Chair Charlie Frizzle noted that there was no public present for public comment.

MOTION BY ROB BURGESS TO FORWARD THE PROPOSED AMENDMENT TO TOWN COUNCIL FOR APPROVAL AND ADOPTION. MOTION SECONDED BY SANDE UPDEGRAPH, APPROVED UNANIMOUSLY.

3. Village Review Board (VRB) Design Guidelines Update:

Matt Panfil stated that the Village Review Board has been in the process of updating their design guidelines since April of 2018. He pointed out that there are no text amendments to the ordinance because of these changes and there is no action that the Board needs to make. Matt reviewed the proposed changes.

Charlie Frizzle asked that staff add this item to the next agenda to allow Board members to review the proposed changes.

4. Other Business

- Matt Panfil stated that the Comprehensive Plan Committee will have a launch party in the Brunswick Junior High gymnasium on election Day.
- Matt Panfil stated that staff will add lighting to the next agenda to begin discussions.

5. Approval of Minutes

MOTION BY BILL DANA TO APPROVE THE MINUTES OF SEPTEMBER 25, 2018. MOTION SECONDED BY ROB BURGESS. MOTION APPROVED BY CHARLIE FRIZZLE, BILL DANA, JANE ARBUCKLE, ROB BURGESS, KELLY MATZEN AND SANDE UPDEGRAPH. ALISON HARRIS ABSTAINED.

MOTION BY KELLY MATZEN TO APPROVE THE MINUTES OF JULY 23, 2019 AS AMENDED. MOTION SECONDED BY ROB BURGESS, APPROVED UNANIMOUSLY AMONG THOSE PRESENT.

6. Adjourn

This meeting was adjourned at 7:38 P.M.

Respectfully Submitted,

Tonya Jenusaitis

Recording Secretary