

TOWN OF ELIOT, MAINE

PLANNING BOARD AGENDA

TYPE OF MEETING: IN PERSON WITH REMOTE OPTION
PLACE: TOWN HALL/ZOOM

DATE: Tuesday, February 21, 2023
TIME: 6:00 P.M.

PLEASE NOTE: IT IS THE POLICY OF THE PLANNING BOARD THAT THE APPLICANT OR AN AGENT OF THE APPLICANT MUST BE PRESENT IN ORDER FOR REVIEW OF THE APPLICATION TO TAKE PLACE.

All in-person attendees are asked to wear face masks

- 1) **ROLL CALL**
 - a) Quorum, Alternate Members, Conflicts of Interest
- 2) **PLEDGE OF ALLEGIANCE**
- 3) **MOMENT OF SILENCE**
- 4) **10-MINUTE PUBLIC INPUT SESSION**
- 5) **REVIEW AND APPROVE MINUTES**
 - a) September 20, 2022 to February 7, 2023 – if available
- 6) **NOTICE OF DECISION**
 - a) 290 & 291 Harold L. Dow Highway – if available
- 7) **PUBLIC HEARING**
 - a) 771 Main Street (Map 6/Lot 43), PID # 006-043-000: Demolition permit for barn structure – review under Section 45-136 – Demolition Delay for Historic Structures
 - b) 0 Bolt Hill Road (Map 17/Lot 29), PID #017-029-000, PB22-21: Subdivision Plan Amendment – Village at Great Brook (43 lots)
- NEW BUSINESS**
 - a) 17 Levesque Drive (Map 29/Lot 26) PID # 029-026-000, PB23-1: Site Plan Amendment/Review and Change of Use – Eliot Commons Car Wash – Sketch Plan Review
- 2) **OLD BUSINESS**
 - a) 771-787 Main Street – Clover Farm Subdivision (Map 6/ Lots 43, 44, 154) PID # 006-043-000, 006-044-000, 006-154-000, PB22-9: Request to amend preliminary plan approval to change performance guarantee option
- 3) **OTHER BUSINESS / CORRESPONDENCE**
 - a) Updates, if available: Ordinance Subcommittee, Comprehensive Plan, Town Planner, Board Members
- 4) **SET AGENDA AND DATE FOR NEXT MEETING**
 - a) March 7, 2023
- 12) **ADJOURN**

NOTE: All Planning Board Agenda Materials are available on the Planning Board/Planning Department webpages for viewing.

To view a live remote meeting: (Instructions can also be found on the Planning Board webpage)

- a) Go to www.eliotme.org
- b) Click on "Meeting Videos" – Located in the second column, on the left-hand side of the screen.
- c) Click on the meeting under "Live Events" – The broadcasting of the meeting will start at 6:00pm (Please note: streaming a remote meeting can be delayed up to a minute)

Instructions to join remote meeting:

- a) To participate please call into meeting 5 minutes in advance of meeting start time. Please note that Zoom does state that for some carriers this can be a toll call. You can verify by contacting your carrier.
- b) Please call **1-646-558-8656**
 1. When prompted enter meeting number ID: **839 1098 4094**
 2. When prompted to enter Attendee ID **press #**
 3. When prompted enter meeting password: **590856**
- c) Members of the Public calling in, will be first automatically be placed in a virtual waiting room until admitted by one of the members of the Planning Board. Members of the public will be unmuted one at a time to allow for input. Please remember to state your name and address for the record.
- d) Press *9 to raise your virtual hand to speak


Carmela Braun – Chair

NOTE: All attendees are asked to wear facial protective masks. No more than 50 attendees in the meeting room at any one time. The meeting agenda and information on how to join the remote Zoom meeting will be posted on the web page at eliotmaine.org/planning-board. Town Hall is accessible for persons with disabilities.

POSTED
2/14/23


ITEM 1 - ROLL CALL

Present: Carmela Braun – Chair, Christine Bennett – Secretary, and Jim Latter.

Excused absence: Jeff Leathe – Vice Chair.

Also Present: Jeff Brubaker, Town Planner.

Voting members: Carmela Braun, Christine Bennett, and Jim Latter.

ITEM 2 – PLEDGE OF ALLEGIANCE

ITEM 3 – MOMENT OF SILENCE

ITEM 4 – 10-MINUTE PUBLIC INPUT SESSION

There was no public input.

ITEM 5 – REVIEW AND APPROVE MINUTES

Mr. Latter moved, second by Ms. Bennett, to approve the minutes of July 26, 2022, as amended.

VOTE

3-0

Motion approved

ITEM 6 – NOTICE OF DECISION

There were none.

ITEM 7 – PUBLIC HEARING

A. 147 Beech Road (M29/L7) and 0 Harold L. Dow Highway (M36/L13), PB22-17: Shoreland Zoning Permit Application – Town of Eliot Route 236 Water-Sewer Project Pump Stations.

Note: Mr. Brubaker recused himself from this Public Hearing.

Ms. (Hannah) Bonine, SMPDC (Zoom) and Mr. (Cole) Melendy (Project Engineer, Underwood Engineers) were present for this Public Hearing.

6:31 PM Public Hearing opened.

Mr. Melendy said that we are here requesting Shoreland permits for two pumping stations because they are within the Town's Resource Protection Overlay Zone for Great Brook. They are classified as essential services to provide wastewater. The location is an

operational necessity based on topography, which we talked about at the last meeting. It flows downhill and the pumping station is in a low spot. It is not uncommon that pumping stations are near waterways because water flows downhill.

There was no public comment.

6:33 PM Public Hearing closed.

Ms. Braun asked if the PB was ready to approve this particular applicant.

Ms. Bennett moved, second by Mr. Latter, that the Planning Board approve PB22-16, based on a finding of the conditions outlined in the Shoreland Zoning Ordinance, Chapter 44, §44-44(d). Standard conditions will apply, in addition to §44-43(f) regarding pre-construction photos. This is for the application for 147 Beech Road (Map29/Lot 4) & 0 Harold L. Dow Highway (Map 36/Lot 13).

VOTE

3-0

Motion approved

Ms. Braun said that the application stands approved and there is a 30-day period from which the PB decision can be appealed by an aggrieved person or parties – move forward but move forward cautiously.

ITEM 8 – NEW BUSINESS

There was no new business.

ITEM 9 – OLD BUSINESS

A. 151 Beech Road (M29/L7), PB22-17: Site Plan Review (formerly Home Business) Application – In-home Childcare (Day Nursery).

Received: August 15, 2022

1st Heard: September 6, 2022 (sketch plan review/application change)

2nd Heard: September 20, 2022 (Site Plan Review for new application/completeness)

3rd Heard: _____, 2022 (continued review/Public Hearing)

Public Hearing: _____, 2022

Site Walk: September 19, 2022

Approval: _____, 2022

Ms. Garland was present for this application.

Ms. Braun asked Ms. Bennett to give a brief summary of the site walk for this application held September 19, 2022.

Ms. Bennett gave a summary of what was discussed:

- Applicants will convert detached garage, including 2nd floor ADU into a Day Nursery for up to 12 children.
- Removal of a shed.
- Construction of fence in back yard.
- Children cared for on ground level.
- Installation of heat pump for heating/cooling.
- Miscellaneous improvements to meet State licensing requirements.
- Inspection by Eliot Fire Department.
- Parking for up to four (4) cars.
- Future possibility to connect new parking area to second arm of circular driveway for additional egress.
- Applicants plan to purchase bottled water for day nursery consumption.
- Septic system recently pumped/visually inspected. Receipt/description of system submitted to Town Planner.
- Septic tank/leach field located in front yard.

Mr. Brubaker said that I have the receipt, here, for the septic inspection. Value Rooter said that the “tank looks good and is in good working order at proper level. No evidence of effluent surfacing in disposal area.”

Ms. Braun said that we have some waivers to address. The Chair will accept one motion with all the waivers included.

Ms. Bennett moved, second by Mr. Latter, that the Planning Board make the following waivers of site plan application content requirements of §33-127:

- (3) Names and addresses of all abutters and their present land use.**
- (4) Perimeter survey**
- (6) Contour lines**
- (8) Storm drainage**
- (9) Bridge/culvert design**
- (10) Location of all natural features or site elements to be preserved**
- (11) Erosion & sedimentation control plan**
- (12) High-intensity soils report**
- (13) Location and size of sewers and water mains**
- (15) Connection to sewerage system**
- (18) Construction drawings**

VOTE

3-0

Motion approved

Ms. Braun asked if we are ready to call this application complete and move forward.

Ms. Bennett moved, second by Mr. Latter, that the Planning Board find this application complete.

VOTE

3-0

Motion approved

The Public Hearing is scheduled for October 4, 2022.

B. 771/787 Main Street (M6/L43, 44, and 154), PB22-09: Clover Farm Subdivision (8 lots) – Preliminary Plan Review.

Received: April 12, 2022

1st Heard: May 17, 2022 (subdivision site plan review/sketch plan)

2nd Heard: June 21, 2022 (continued sketch plan review)

Public Hearing: _____, 2022

Site Walk: May 31, 2022

Approval: July 26, 2022 (Sketch Plan approval)

Mr. (Michael) Sudak, E.I.T. (Attar Engineering, Inc.), was present for this application.

Mr. Sudak said that, on July 26th we received all the waivers we asked for. Thank you very much. We received sketch plan approval so we proceeded into preliminary subdivision application and that is why we are here tonight. So, the first sheet of the plan set should look exactly the same as the last time I was before you. It's the same 8-lot conventional subdivision, same minor road, municipal utilities, sewer force main and water main extensions from Main Street. The additions since last time, probably the biggest one is the full build-out of the road plan, profile, and stormwater. Like we spoke about last time, stormwater is going to be handled by a series of roadside vegetative swales and driveway culvert crossings. Then a detention pond in the sideline between Lots 6 & 7. So basically, the south side of the road is going to be one long vegetative swale because there's really not a lot of curb cuts for driveways. There's one there for Lot 7 and one for Lot 8. The north side is going to be a bit more complicated because we have a sidewalk to negotiate but there's still driveway culverts underneath all of those proposed lots. We have culvert crossings under Lots 1, 2, 3, & 4 and then we have a culvert crossing that jumps into the middle of the cul-de-sac, which then jumps the cul-de-sac again and into that detention pond. That's the primary analysis point that treats the entirety of the road. So, we'll have a detention pond 'there' that daylight into a level spreader, which will re-introduce all that collected water into sheet flow, which allows it to slow down. There's a natural swale back there that we want to preserve and want to utilize before it gets down into the river. Pointing to the pertinent points on the plan, he said that that receives all the run-off naturally from the southern half of the property, anyway, and it also receives the rear yard flow from some of the Park Street residences. So, that's kind of a natural, forested swale that we wanted to utilize.

Ms. Bennett said that it looks relatively level and not too steep.

Mr. Sudak agreed it was nice and wide. We have a reduction in run-off in the developed condition across all storm events so any impervious cover that's generated through this

development isn't going to affect run-off that gets down to the water. We applied for a Stormwater PDR with the State, which was submitted a week ago today and is in your packet, so they have another week to submit comments to me. If they don't, the PDR is considered approved.

Ms. Bennett asked how the stormwater involved from Lots 5 & 6 are going to be handled.

Mr. Sudak, showing Sheet 8, explained that the solid, heavy lines are sub-catchment divides. So, for example, everything within 'this' shape contributes into this little ponded area, goes into 'this' culverted crossing, works down into the BMP. The structures, themselves, and a majority of the shared driveway for Lots 5 & 6 aren't incorporated into the BMP. The way a stormwater PBR works is that we are creating a small enough amount of impervious cover such that we don't have to satisfy quality and quantity standards with the State. It's just quantity. So, we have to demonstrate that we have a peak run-off reduction at all of the analysis points for this river. Even without incorporating that impervious into our model. because we're treating basically every other lot and the entirety of the road, the overall balance is still a reduction. Does that answer your question.

Ms. Bennett said that I guess it does. I'm still pondering the remainder of the proposed development. I know you already have an existing foundation and a foundation going in but those are outside the sub-catchment, asking if those are not considered with the PBR.

Mr. Sudak said that they are considered. I don't want to mince words around that. Of the impervious surface that's being generated by this development, the amount that's being treated through that BMP is the entirety of the road and Lots 1, 2, 3, 4, & 7 & 8. So, that volume of impervious and the attenuation that we're getting through that BMP – the detention pond and level spreader – outweighs the lack of treatment that's being provided on the driveway and structures of Lots 5 & 6 by such an amount that we're still having an enormous reduction in peak run-off at the analysis point towards the river. Say, if this development created in excess of an acre of impervious, or some larger amount, then I would have to treat quality and quantity, so, I would have to provide treatment for those on the order of something that would guarantee phosphate reduction, total suspended solids reduction, etc. This project just doesn't rise to the muster of that level.

Mr. Latter asked if I can paraphrase that back to you just so I understand it.

Mr. Sudak said yes, please do.

Mr. Latter said that, because the level of impervious surface doesn't reach certain thresholds, and because the amount of mitigation you're doing on those other lots is greater than the impact, you don't really have to worry about Lots 5&6, by rule.

Mr. Sudak said yes but the way that the State looks at it is where you choose to measure your analysis points. If I were to choose an analysis point being the back yard of Lot 5 or

the back yard of Lot 6 then, yes, there would probably be something additional that I would have to do.

Mr. Latter said that you're not compelled to do that.

Mr. Sudak said yes. The reasonable place to have an analysis point, at this point, is the Piscataqua River, as that's the way the entire site pitches and the State wanted me to consider the development, as a whole.

Mr. Latter said that the gist of it makes sense. I'm just trying to understand it at the level of specificity.

Ms. Braun agreed, saying that it does make sense now that now you've said it that way.

Mr. Brubaker pointed to the analysis point on the river.

Mr. Sudak said that that concluded my overview so we picked a good time to get into questions. There're a couple things from the memo that I'd be happy to go into or any other questions you might have.

Ms. Braun said that I read the Kittery Water District (KWD) Superintendent's letter. They're not going to have enough capacity for fire protection for you for quite a while. How is that going to impact you.

Mr. Sudak said yes, there was a memo on September 15th from Mike Rogers (KWD Superintendent). The existing municipal utility that's out in Main Street in this area, right now, is from the 1930's. It's a 6-inch cast iron line and the KWD is already having issues with it from its aged condition. So, what we're planning on doing as far as the development is concerned is, there was already a recent extension from the south that is as close to Park Street with their more current 12-inch water main. Mr. Rogers already stated that he is planning on having the 200-foot extension from where the main ends right now up to where our service will be, extending at the beginning of the 2023 construction season. That is the intent of the development as far as what it means for fire protection and, maybe, regarding the active building permits. I don't know if I can speak to that one.

Ms. Braun said that that would be a concern for any resident that would move in there, fire protection.

Mr. Sudak agreed. I don't think that timeline is of concern to this application, personally. But I think that's something that perhaps a conversation needs to be had. I don't even know who that would be – Public Works or Code Enforcement or just something for you to pursue regarding construction.

Mr. Brubaker said that that would be something between Mike Rogers, the Fire Chief, Public Works, and the Code Enforcement Officer, that they could talk about timing of that.

Mr. Brubaker said, just to clarify, your proposal for the subdivision, itself, is an 8-inch water main. Is that correct.

Mr. Sudak said that that's what we had sized. Both with water and with sewer, I'm intending on having continued conversations with KSD (Kittery Sewer District). Where the hydrant is located was based on discussions with Mike Rogers so, if he continues to have that 12-inch main come out and he thinks an 8-inch coming off that is reasonable, then an 8-inch is what it will be. That is based on prior conversation with Mike Rogers and may change. And, if you're going to ask sewer, what I'm showing right now is a 2-inch HTDP force main. I think you and I had a conversation about that last week. So, each lot will be serviced by a grinder, their own personal pump that will come out to the force main and, then, we'll likely have to site the pump station for the service for the development, itself, that goes out to the gravity system beneath Main Street. But, again, that will come with conversations with KSD.

Ms. Braun said that I would imagine that the pump station would have to be located within the development somewhere.

Mr. Sudak said yes, probably somewhere down by the cul-de-sac, just like the gentleman before said.

Mr. Brubaker said that I think there's a lot here. So, there are just some minor comments on street standards just ensuring that the sight distance triangles are in the plan, which would basically restrict any obstructions at the intersection. Ensuring that curb radius is matched, just clarifying how the curb would be designed once the street and sidewalk actually intersect with Main Street.

Mr. Sudak said that, if you don't mind me interrupting you, if you could go back to Sheet 3, I just have a question about how you would like me to craft this to display that. I believe I understand the request. I just want to make sure I'm showing the right thing. So, if I'm understanding correctly, we have an asphalt curb 'here' and, at the intersection with Main Street, there has to be a 20-foot radius on that curb as it intersects Main Street. I guess I just want to know how you would like me to show that because there isn't any existing sidewalk or curb there, so, I just want to know where to show it terminated. Am I showing an anticipatory sidewalk and curb in Main Street and having it dead-end there or am I actually having it connect with the existing edge of gravel to asphalt on Main Street.

Mr. Brubaker said that I don't know if it needs to go much further than the sidewalk but maybe there's some flexibility to discuss a slight continuation of the curb towards Main Street so that you get a nice definition of the driveway. But, it's flexible, it's a small detail.

Mr. Sudak said okay. The other one, which I believe is where your next comment is going to be about, is right-of-way radii. One of the other comments from Mr. Brubaker's memo is regarding your standard to have a 10-foot curb on your ROW radii as it intersects and escapes Main Street.

Mr. Brubaker said that I'm not even sure what the basis of that is. I just kind of mentioned it because it's in our code.

Mr. Sudak said that I have no problem including it but I believe the only place where it's relevant with this project is the southeast corner of Lot 1. The other end of the ROW is the property line and I'm not going to put a radius on that.

Mr. Brubaker said that that probably makes sense. Interpret how you will, as that seems like a very small detail.

Mr. Sudak said okay, no problem. And no problem with the sight distance triangle because it's already in the plan that will be before you guys next time.

Mr. Brubaker said that Mr. Sudak presented pretty thoroughly on stormwater on page 5 at the bottom of my staff report. Again, just to note, our standard review is the 50-year storm and he's showing a pretty substantial reduction in stormwater quantity for the 50-year storm. His numbers are shown on Sheet 5. I think a few other pieces of information to provide: at this time, I think the code specifies that you provide a statement about the performance guarantee that you would prefer to offer. There are two options for performance guarantees; that one is a promise not to sell any lots until the improvements, subject to the performance guarantee, have been implemented and the second one is to provide a bond sufficient for the Town to make the improvements, if they are not done. §33-132 is the section you will want to consult for that. Then, I think you were in the process of getting some more soil test pits.

Mr. Sudak said that those have been done. They have been located and I believe I have the logs and can provide them at the next meeting. They were medium intensity soils report and I had Mike Cuomo go out and dig them. It's just a tiny, 2-page report from him.

Mr. Brubaker said that, in general, where we are in the process is that the subdivision plan was received. Attar submitted it on August 24th and, then, we did notify abutters as the code specifies. The next step is for a completeness determination. My recommendation would be a motion to deem it incomplete; that it isn't something bad but where we're at now there's a few more pieces of information that need to be provided in your review and, then, seek that third-party review. That would be for the stormwater as well as the aforementioned payment-in-lieu objectively to determine a reasonable amount for the parks and recreation.

Mr. Sudak said that, if I'm reading the motion template correctly, it is the establishing of the third-party review of a portion of tonight's meeting. I understand that there are a

number of things I need to get back to you but I think that the bulk of the things owed to you would be the product of a third-party review for the in-lieu fee amount and if there's any comments on the stormwater analysis. Is that something that gets done at this time.

Mr. Brubaker said that, if the PB makes the motion for a third-party review, that would give me the green light to then seek those consultants. I would get quotes from them, come to you guys for the escrow payment and, then, go from there. This is hopefully something we'd then have prepared for the October 18th meeting.

Mr. Sudak said that all I wanted to say is that that is something we can work on in parallel with the few things I have to chase for you.

Mr. Brubaker said yes.

Mr. Latter moved, second by Ms. Bennett, that the Planning Board deem the preliminary plan application incomplete, per §41-141. Additional items to be provided are noted in the Town Planner's report, the applicant's submittal, and any review comments provided by the Planning Board. The following aspects shall be reviewed by a third-party technical consultant, per §41-142:

- 1. Proposed stormwater facilities, stormwater management plan, erosion & sedimentation control, and stormwater-related matters.**
- 2. Determination of a reasonable payment-in-lieu for parks/recreation.**

Review is scheduled to continue on October 18, 2022.

DISCUSSION

Mr. Sudak said that, if I may suggest an amendment to the motion, specifically section 1, just because it came up in Mr. Brubaker's memo and I forgot to bring it up. Where it says "erosion & sedimentation control and stormwater-related matters" *including the necessity of potential drainage easements*. There is a portion of some of the roadside swales, some of the pond, culvert crossings that extend outside of the ROW. In your opinion, if that falls under 'stormwater-related matters' then you can forget I said anything.

DISCUSSION ENDED

Mr. Latter amended his motion, second by Ms. Bennett:

Mr. Latter moved, second by Ms. Bennett, that the Planning Board deem the preliminary plan application incomplete, per §41-141. Additional items to be provided are noted in the Town Planner's report, the applicant's submittal, and any review comments provided by the Planning Board. The following aspects shall be reviewed by a third-party technical consultant, per §41-142:

- 1. Proposed stormwater facilities, stormwater management plan, erosion & sedimentation control, and stormwater-related matters, including the necessity of drainage easements.**
- 2. Determination of a reasonable payment-in-lieu for parks/recreation.**

Review is scheduled to continue on October 18, 2022.

VOTE

3-0

Motion approved

C. 143 Harold L. Dow Highway (M23/L25), PB22-13: Site Plan Review and Change of Use – Adult Use Marijuana Retail Store and Medical Marijuana Dispensary – Sketch Plan Review.

Received: June 3, 2022

1st Heard: August 2, 2022 (sketch plan review)

2nd Heard: September 20, 2022

Public Hearing: _____, 2022

Site Walk: _____, 2022

Approval: _____, 2022

Mr. (John) Chagnon, P.E. LLS, was present for this application. On Zoom, Michelle Delmar, representing Joshua Seymour, the applicant for the marijuana store. Phillip Giordano said that he would be listening in.

Ms. Braun said that the first order of business is to discuss the potential residency at 150 Harold L. Dow Highway. We have received an email from our attorney, Attorney Saucier. It came in late so we really haven't had a chance to digest it but I'm hopeful Board members have had a chance to read it. Board members did so Ms. Braun asked for a discussion.

Ms. Bennett said that I reviewed all the documents. I think our Planner did an excellent summary and rebuttal. And I'm pleased to see our attorney has weighed in, even if it was at the eleventh hour. As long as I've lived in this Town, which has now been ten years, I've always known the property at Harold Dow Highway to be a mixed use property. Every commercial venture that has taken place, and there have been a number of them. There was a daycare, there was a thrift store, there was a construction facility and all have taken place at the ground level and there always has been, in my mind, it has been a residential use. I cannot attest to whether it's been a continuous residential use but I believe that our lawyer that there isn't an obligation for us to do that. We have had laid out very well that the tax cards were never changed for this property and is still considered a mixed-use property. So, my opinion is that that is what it is and I have not been swayed into changing my mind about that.

Mr. Latter said that my opinion is two-fold. One is a plain understanding of the facts, as I know, and it's not like I've lived here this whole time, but, it's a residence. The people that were in the process of going through this whole deal were dealing with somebody who was a resident there. They were interacting with them. Legally, has it been a continuing residence, I haven't seen anything that definitively proves to me that it isn't.

457 So I'm going to go with my plain understanding of what the facility is and it's a
458 residence.

459
460 Ms. Braun said that I agree with both of you. In my mind, there has been nothing to sway
461 me that says it was not a continuous residence. It's always been living facilities upstairs
462 and any businesses that took place where in Suites A & B, I believe, downstairs. There
463 was no evidence, in my mind, that says it was discontinued. I have reviewed all of the
464 documentation and reviewed all of the information that our Planner got and it hasn't
465 swayed me to change my mind. It's still a residence to me. It's a mixed-use property,
466 with a residence upstairs and commercial ventures downstairs. We are all in agreement, I
467 believe, that it is a mixed-use residential property.

468
469 Mr. Giordano asked if the PB would permit me to respond because there are public
470 documents demonstrating termination of the continuing use. We only submitted it to Mr.
471 Brubaker a little bit late but it's been emailed to him and he has it. I urge the PB to
472 consider United States v. David Widi. As the PB may be aware, Mr. Widi was arrested on
473 November 28, 2008 and there are public records in the 1st Circuit Court of Appeals and
474 elsewhere regarding his residence at the time. Mr. Widi, himself, said that there were no
475 other residents at the time. The case docket # is 684 F.3d 216 (1st Cir.) (2012). We
476 attached it as a copy on our papers as Exhibit H. There were public articles reporting
477 what was going on at that time. It's also important to look at one of the transcripts that
478 Mr. Widi, himself, at the detention hearing (12/3/2008), said that there were no other
479 residents at the property. There was the daycare that had opened a month or two before
480 but that was obviously not a residence. Mr. Widi was ultimately convicted and sentenced
481 to nine years in jail. That clearly, as a matter of public record, demonstrates that there
482 was termination. These documents are only available on a public basis, that's how I
483 found them. So, that demonstrates that, even if someone has moved in there since, any
484 residential use terminated as a matter of public record and could not have been renewed
485 or revived. Again, I encourage the panel to look at the 12/3/2008 transcript attachment,
486 which is separate from all the other issues we've briefed. Any residential use was
487 terminated, as Mr. Widi, himself, was a resident out-of-state, obviously, as a result of his
488 conviction, and could not be any further residential. He (Mr. Widi) stated, himself, there
489 were no other resident persons living at the property. On that basis alone, I ask the PB to
490 reconsider based on public documents that are now before the PB and were emailed to
491 Mr. Brubaker before this hearing.

492
493 Mr. Brubaker said that I just want to state for the record that I did not get that email. My
494 email is timestamped at 6:56 PM for receipt of that so it was really not provided before
495 this meeting started and essentially provided as we were beginning this very item.
496 There's not been a chance to even review it.

497
498 Mr. Giordano said that, obviously, part of that reason was on the basis that we just
499 received the information from Mr. Brubaker and tried to scramble and respond. This
500 hearing on this matter just started a few moments ago and I think the timestamped record
501 will show that, even with a 6:56 timestamp, which is late or should be late, it should be

considered because it's a matter of public record. These are documents that anyone can pull up on the internet.

Ms. Bennett responded that your documents were received after the beginning of this meeting. None of us has had any time to actually look at them. We are not in receipt of them. The Planner is but we are not. So, we will not be considering those documents this evening.

Mr. Brubaker said that I would like to state that I believe my letter was provided last week. So, Mr. Giordano is incorrect in saying that, in _____, my letter was just sent out. I sent that out on Friday and that was included in your PB packets.

Ms. Bennett said it was dated September 15th, correct.

Mr. Brubaker said yes.

Mr. Giordano said that, even if that is the case, I think the PB should consider public documents regardless of whether or not they are considered.

Ms. Bennett said that we will consider them when we receive them in front of us.

Mr. Giordano said that I appreciate that. Thank you.

Ms. Braun asked if Mr. Widi wanted to say something.

Mr. (Bill) Widi, representing Nancy Shapleigh who owns the building, said that I am also the brother of David Widi. Since you're not considering the document, should I not respond and wait until a later date.

Mr. Latter said that I just have a simple, clarifying question. Did David own the property or did Nancy Shapleigh own the property.

Mr. Widi said that Nancy Shapleigh has owned the building.

Mr. Latter said thank you. That's all I need to know.

Mr. Widi said that David Widi was the sole occupant of that apartment. The Stone family lived in the other apartment. The old man Stone was dead but his son still works at Eliot Agway. Quite frankly, the fact that that came in so late, why did that have to come in late about something about David Widi that happened 14 years ago.

Mr. Latter said that Mr. Giordano quoted somebody who was not in control of the entire property. So, in my mind, he does not speak for what was going on at that entire property at the time. He was speaking for his life in front of a court about something that happened a long time ago and it's pretty irrelevant to me unless he was the property owner and had complete control of the whole situation. In my mind, he couldn't speak definitively to

what may, or may not, have been going on. I still move forward with the basic facts that it was a residence. Legally, even if I were to take what Mr. Giordano said to me at face value, and I have no reason not to because I'm sure what he says to me is what he thinks is information we should have, it still doesn't change my decision that this is a residence. And it has been a residence. And I haven't seen any proof to prove to me that I can consider this not a residence to move this application forward.

Ms. Braun agreed. I don't see the relevancy as to what happened many years ago with your brother. It was a residence and it's still a residence. It hasn't changed my mind. In my mind, this is a residence. It's a mixed-use property. And I don't believe we have the authority, at this moment, to determine what this property owner can do with this property. They have historically done this with the property. They never made an indication that they didn't want it to be a mixed-use property. I have not been convinced by any of the information before us that we have any basis to remove that use from this property. I agree it's a residence. As far as we are concerned, it's a mixed-use property. Residential use on top and commercial use on the bottom. Therefore, we cannot go forward with the current application. Is everyone in agreement on that.

Ms. Bennett said yes.

Mr. Latter asked if we need a motion on that.

Mr. Brubaker said that this is sketch plan review so it tends to be informal comments but I think you already, through your discussion, made your input and perspective clear to the applicant. It would then be up to the applicant to decide what they'd like to do next. But I think you've made your position and findings clear on that performance standard, §33-190 (5)b.

Ms. Braun said okay. Very good. Ms. Delmar, you heard our decision so you have to decide what you wish to do from this point forward.

Ms. Delmar said yes. Thank you.

ITEM 10 – OTHER BUSINESS/CORRESPONDENCE

A. Updates, if available: Ordinance Subcommittee, Comprehensive Plan, Town Planner.

Mr. Brubaker said that the Comp Plan is moving along well. Come see our table at Eliot Festival Day. We'll have an interactive input opportunity. It represents kind of a soft launch of our Comp Plan. The SB has been reviewing our committee assignments so I'm happy to note that those will be finalized on Thursday. We will recommend that the committee be formally launched. We've had a few more applications come in. The nice thing is that we've gotten another youth advisory group application and I'm expecting a possible fourth. I want to thank the school board for recruiting some additional members. We have two great candidates already. We did receive one request for our request for

594 proposals so we'll be reviewing that and providing a recommendation to the SB for
595 contracting with that consultant. Then, we're going to hope to launch the first big
596 committee meeting in October. Then the sub-groups will kind of take it from there.

597
598 Ms. Bennett asked him if he had a date for that first meeting of the Comprehensive Plan.

599
600 Mr. Brubaker said that I think we'll seek availability with folks to see what works best
601 and go from there. It will be done in here because it's good for hybrid meetings.

602
603 Ms. Braun asked if the Ordinance Subcommittee had anything.

604
605 Ms. Bennett said that the only thing I have to report is that I did update the task list for
606 the June ballot. Basically, I prioritized LD2003. I do believe I shared questions with you,
607 the Chair, and the Town Planner to reach out to the DECD (Department of Economic and
608 Community Development). We're still waiting on interim guidance on LD2003 and it's
609 supposed to be coming. I haven't talked to my committee member, Mr. Leathe, but I
610 wanted to talk with Mr. Brubaker about the possibility of the three of us sitting down and
611 just looking at our dimensional standards to take a look at the two things we know, that
612 we have, as far as addressing the density piece; that I think we can clear that one off.
613 There are some questions that I posed to the State about our growth management plan
614 and our growth management permit process; whether it's in compliance with this new
615 rule. I have yet to hear back about that. I'd like to move forward on it because we only
616 have five administrative meetings before we need to get to public hearing on some
617 significant legislation.

618
619 Mr. Brubaker said that I am open to that.

620
621 Ms. Bennett said that I will reach out to Mr. Leathe to find some time to do that. On
622 Thursday, I'll just report out that I'll be going up to Augusta to take part in the Maine
623 Municipal Association Legislative Policy Committee (MMALP) meeting and this will be
624 a platform agenda meeting. All the committee members were asked to submit proposed
625 legislation. I submitted two things – one related to asking for an extension of the time to
626 comply with LD2003. I believe there were numerous submissions to say repeal LD2003.
627 The MMA was in opposition to this legislation for a variety of reasons. So, I believe that
628 is going to be the top of the agenda for the MMA meeting. The other piece that I put in
629 but I believe I was not the only one because it ended up ranking around the 30% surveyed
630 felt that towns that are sending monies to the State for marijuana businesses, the State
631 should be sharing in some of the revenue back with the towns. So, I was pleased to see
632 out of all of that that I was not the only committee member to put that forward. That will
633 be discussed on Thursday, as well, as to whether we put that on the MMA platform. A lot
634 of what will be discussed has to do with tax structure and the relationship between the
635 State and the towns and revenue sharing.

636
637 Mr. Latter thanked her for doing that.

Ms. Braun added that you will have to summarize that. We need to know what's going on.

Mr. Latter said that this kind of stuff takes a lot of work and a lot of effort. The policy geek in me is actually jealous of you going up there to do that. But we don't all have the time to do that at the level you are getting involved in. I, for one, and I think the community, in general, should appreciate the effort you are putting forward.

Mr. Brubaker said that Ms. Bennett mentioned the talk of revenue sharing – marijuana tax revenue. There is a limited way in which the Town may be eligible to get reimbursed for some previous expenses from the marijuana tax revenues. That's a bill that allows for reimbursement for expenses related to actually crafting ordinances. Several Town staff are collaborating on a spreadsheet to put together our expenses for that and we will be submitting our request for reimbursement. That's up to only \$20,000 so we'll see what the number comes in as. It is very narrow – work associated.

Ms. Bennett said that it's unfortunate that we couldn't be getting some reimbursement for Code Enforcement. I was surprised, as it was never raised at the meetings when we were discussing the caps, that when we looked at how many different businesses have been permitted through our Board, only two have gone to seek their actual Town licenses. So, there's a gap there. They'll get through Planning and then they don't come back to get the license from the SB. So that's where I think the SB was blind to how much activity has been going on in this area.

Mr. Brubaker said right. Only two marijuana stores have gotten to the license part.

Ms. Bennett said that we know that that's yet another enforcement issue. In my understanding, they're really supposed to have this local license before they open their doors.

Mr. Brubaker said that we're not aware of any adult use stores that are operating without a license, just to be clear. There are several establishments of different types that have gotten PB approval or even have applied for the PB and appear to be stalled or slowing down for some reason.

Mr. Latter said that, as we sit, there are two retail licenses operating for business and those have all been permitted and everything.

Mr. Brubaker said yes. Adult use stores.

Mr. Widi said that I don't know if any of you have read the articles about the marijuana businesses. Portland Press herald does them pretty regularly. A year ago, there were only ten recreational stores, now there's like a hundred. I'm just doing evidence of me driving by but the marijuana store in front of Eliot Commons has very little, if any, traffic. So, I think some of the reason they are not fulfilling these, or going forward, is that they are probably realizing what everyone else knew, based on other states that have legalized,

that the market is going to start tanking. It already is and you are seeing it. One of the articles came out and talked about the flower price and how low it is, now, in comparison to what it was. So, I think some of it is handling itself.

Mr. Brubaker said that we are locked in with our Climate Resilience Project Public Workshop. Save the date. That will be Tuesday, October 25th from 4:30 to 6 PM at Green Acres. We are tentatively planning, for those that cannot make that workshop, a kind of backup, which would be a drop-in session on Saturday, October 22nd, in the afternoon. Details to be determined.

Ms. Bennett said that, on that note, there was a fabulous article in the Portsmouth Herald today by Hadley Barndollar, who is the local _____ journalist. She used to cover Kittery and now writes for USA Today. She really outlines the impacts of climate change across the eastern seaboard and how the eastern seaboard is really going to...it's really going to be head-on with climate change and that we need to adapt, and start adapting quickly to what is coming. I'll try to send it to you.

Mr. Latter said that I just want to say that we got notice that our colleague, Lissa Crichton, has moved on. I hope that she will at least give us the opportunity to thank her in person. I found her work to be passionate, did the hard work, and I really leaned on her for her level of expertise on some of those areas. I wish her the best and, like I said, I hope she gives us the opportunity to thank her in person.

Ms. Braun said that I agree. She will be missed.

There was complete agreement among all present.

ITEM 11 – SET AGENDA AND DATE FOR NEXT MEETING

Mr. Brubaker said that on the 4th and 5th of October, I will be going to the Northeast Transportation Safety Conference in Portland being help by AAA Northeast. A lot of Maine DOT safety folks will be there and the Police Chief will be going, as well, because there are a lot of safety-related things with law enforcement. I think I'll be back for the 4th meeting but there is a chance I may Zoom in to that meeting.

There will be at least one public hearing the night of the 4th

The next regular Planning Board Meeting is scheduled for October 4, 2022 at 7PM.

ITEM 13 – ADJOURN

The meeting adjourned unanimously at 7:41 PM.

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Christine Bennett, Secretary
Date approved: _____

Respectfully submitted,
Ellen Lemire, Recording Secretary



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

PUBLIC HEARING NOTICE

AUTHORITY: Eliot, Maine Planning Board
PLACE: Town Hall (1333 State Rd.) with Remote Option
DATE OF HEARING: February 21, 2023
TIME: 6:00PM

Notice is hereby given that the Planning Board of the Town of Eliot, Maine will hold a public hearing on Tuesday, February 21, 2023 at 6:00 PM for the following application:

- **0 Bolt Hill Road (Map 17/Lot 29), PID #017-029-000, PB22-21:** Village at Great Brook – Amendment to an Existing Subdivision Plan (43 lots)
 - Applicant: Equity Alliance, LLC / Village on Great Brook, LLC
 - Property owner: Village on Great Brook, LLC
- **771 Main Street (Map 6/Lot 43), PID # 006-043-000:** Demolition permit to deconstruct barn structure. Due to the structure's age, it is subject to Town Code Section 45-136 – Demolition Delay for Historic Structures.

Interested persons may be heard and written communication received regarding the proposed application at this public hearing. The application is on file and available for review in the Planning Office at Eliot Town Hall, 1333 State Road, Eliot, ME 03903. The meeting agenda and information on how join the remote Zoom meeting will be posted on the web page at eliotmaine.org/planning-board. Town Hall is accessible for persons with disabilities.

POSTED

FEB. 8, 2023

KRT

WS

~ Classifieds & Obituaries ~

LEGAL & PUBLIC NOTICES

BERWICK PLANNING BOARD
NOTICE OF PUBLIC HEARING

The Berwick Planning Board is considering amendments to the Land Use Ordinance submitted by the Community Development & Planning Department. All relevant supporting documentation will be available at the Town Hall from the Community Development and Planning Department. Please contact the Community Development and Planning Department with any questions at planning@berwickmaine.org or call (207) 698-1101 ext. 124.

Date: Thursday, February 16, 2023
Time: 6:30 p.m.

Location: Burgess Meeting Room – Berwick Town Hall



Town of Kittery: Notice of Public Hearing

Pursuant to M.R.S.A. Title 30-A, §4352 and §16.17 Amendments of the Town of Kittery Land Use Development Code, the Planning Board shall hold a public hearing on Thursday, February 23, 2023 beginning at 8 p.m., to amend §16.2 Administration and Enforcement, §16.3 Definitions, §16.5 General Performance Standards, §16.7 General Development Requirements, and §16.8 Subdivision Review to incorporate required updates under the 2022-2027 General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4 General Permit), or take any other action relative thereto.

A copy of the proposed amendments is on file with the Planning Department and may be viewed at Town Hall during normal business hours, at www.kitterymaine.gov, or by emailing kgarnham@kitterymaine.org. All interested persons are invited to attend the public hearing in person or remotely and will be given an opportunity to be heard at the hearing or submit public comments via email to kgarnham@kitterymaine.org in advance of the meeting or during the public hearing.

PUBLIC NOTICE:
NOTICE OF INTENT TO FILE

Please take notice that Cottage Builders LLC, 10 Bittersweet Lane, Wells, ME 04090, 207-546-5308, through his agent, Attar Engineering Inc., 1284 State Road, Eliot, ME 03903, is intending to file a Natural Resources Protection Act permit application with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. 481 through 490 on or about March 1, 2023.

The application is for soil disturbance within 25' of a protected resource at the location of 12 Lobster Lane, Wells, ME 04090.

A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over this application must be received by the Department in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. A public hearing may or may not be held at the discretion of the Commissioner or Board of Environmental Protection. Public comment on the application will be accepted throughout the processing of the application.

For Federally licensed, permitted, or funded activities in the Coastal Zone, review of this application shall also constitute the State's consistency review in accordance with the Maine Coastal Program pursuant to Section 307 of the federal Coastal Zone Management Act, 16 U.S.C. § 1456.

The application will be filed for public inspection at the Department of Environmental Protection's office in Portland, during normal working hours. A copy of the application may also be seen at the municipal offices in Wells, Maine.

Written public comments may be sent to the regional office in Portland where the application is filed for public inspection: MDEP, Southern Maine Regional Office, 312 Conco Road, Portland, ME 04103.

Town of Eliot
PUBLIC HEARING NOTICE

AUTHORITY: Eliot, Maine Planning Board
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... ELAINE from page 17

could also find them at Elaine's mother's home on Middle Branch Pond, where the family would gather for Gram's great cooking and for fun on the lake.

Elaine was predeceased by her husband of 55 years, Roger H. Needham; brother, Ronnie Sweeney of Springvale; brother Richard Sweeney of Springvale, and sister Pamela Sweeney of Manchester, NH. She is survived by her sister Faye Lowery of Farmington, NH; two sons, Scott R. Needham, Sr. and his companion, Pamela Cote, and Craig A. Needham and wife, Nancy Needham of Wells; grandchildren, Erin Needham of Rochester, NH, Andrea M. Needham and companion David Carigan of Londonderry, NH, Chad Needham of Alton, NH, Scott Needham, Jr. and wife Samantha of Lebanon, and Stephanie Needham of Marlborough, MA. She also has eight great-grandchildren: Haze, Hannah, Gabriel, Kyler, River, John

Henry, Wyatt, and Zoey.

A visitation for Elaine was held 2-4 p.m. on Wednesday, February 8, at Bibber Memorial Chapel, 111 Chapel Road, Wells, followed by a funeral service at 4 p.m. A graveside service will be held in the Spring at the Oakdale Cemetery in Sanford.

In lieu of flowers, the family kindly requests that a donation be made to Gosnell Memorial Hospice House, c/o Hospice of Southern Maine, 390 US Route 1, Scarborough, ME 04074, or to York Hospital, 3 Loving Kindness Way, York, ME 03909, in Elaine's memory.

To share a memory or to leave a message of condolence, visit Elaine's Book of Memories Page at www.bibberfuneral.com. Arrangements are in care of Bibber Memorial Chapel, 111 Chapel Road, Wells.



Carolyn Alice Mathews, 87

SOUTH BERWICK – Carolyn Alice Mathews passed away on Sunday, January 31, 2023, at her son's home in North Berwick. She was born to Ernest and Erna (Hamilton) Rhodes on May 21, 1935, in South Berwick.

Carolyn graduated from Wells High School in 1953. She played with the wood lathe, and enjoyed cutting things out of wood. She also enjoyed knitting and crocheting, and loved

making muffins every morning for the wildlife in her back yard.

She is predeceased by her parents, and siblings: Donald, Roland, Emerson Rhodes, Edith Allen, and Irene Goodrich.

She is survived by her sisters, Cynthia Lakin and Lucy Wyman; children, Wayne Mathews and his wife Lori, Linda Spring, Nelson Mathews and his wife Corrine, Donna Rand and her husband Scott, Laurie Profit and her husband Scott; eight grandchildren, Jeremy Mathews, Miranda Mathews and her fiancée Steve Mayo, Garret Mathews and his wife Eden, Jake Mathews and his wife Kelsey, Becky Dubay and her husband Joe, Brian Rand and his wife Carolyn, Amanda Macon and her husband David, and Matt Spring; and 13 great-grandchildren.

At Carolyn's request there will be no services. Arrangements are entrusted to the Johnson Funeral Home, 26 Market Street, North Berwick. Condolences may be expressed at www.johnsonfuneralhome.com.

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Sentinel Submission
Guidelines

We love to hear from you and you can help us share your news with our readers! Please keep sending us your press releases, calendar items, and story ideas.

The following deadlines and submission guidelines will help us get your news processed for publication as quickly as possible.

EDITORIAL DEADLINES:

• Press Releases and Calendar Items: Monday noon prior to the Friday publication.

• Story Ideas: The Friday before the following Friday publication.

• We are a weekly publication so submit time-related information in advance to assure coverage.

SUBMISSION GUIDELINES:

• Submit copy in an attached word or simple text format via email to: editor@theweeklysentry.com.

• Do not pre-format the document. You may write in the body of the email, but please attach your release and identify the topic.

• Identify the relevant address/town, date, and contact information.

• Include photos when possible, as an attachment that is clearly identified. Please do not put photos in the body of a document. Photo should be sent as a high resolution (300 DPI) JPG.

If you have any questions about submission, email editor@theweeklysentry.com.

Thank you for your cooperation!

ITEMS FOR SALE

BOOK FOR SALE

"Life on the Piscataqua 1630s"
A novella about my Piscataqua ancestors, by Lewis Brackett
<https://l630snovellas.com>

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Model 570ETS, excellent condition, 92 hours used, comes with a winch, 60" plow, chains, windshield, new battery, and 2" lift. \$7800. 207-337-3701

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500 feet Abutters List Report

Eliot, ME

February 14, 2023

Subject Properties:

Parcel Number: 017-029-000
CAMA Number: 017-029-000
Property Address: BOLT HILL RD

Mailing Address: VILLAGE ON GREAT BROOK LLC ATTN
ANNE MACKAY
50 NASHUA RD
LONDONDERRY, NH 03053

Parcel Number: 017-029-000
CAMA Number: 017-029-000-001
Property Address: 1 SAGAMORE LN

Mailing Address: MARTIN, GAY L
1 SAGAMORE LN
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-002
Property Address: 3 SAGAMORE LN

Mailing Address: GUARRERA TRUST STEPHEN V &
BEVERLY B
3 SAGAMORE LN 2
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-003
Property Address: 4 SAGAMORE LN

Mailing Address: FELIX, RONALD L FELIX, JUDY M
4 SAGAMORE LN
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-004
Property Address: 2 SAGAMORE LN

Mailing Address: BOARDMAN, LAUREN
2 SAGAMORE LN
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-005
Property Address: 1 ABENAKI TRAIL

Mailing Address: BRUNO, SHIRLEY C BRUNO, ARTHUR J
1 ABENAKI TRAIL
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-006
Property Address: 3 ABENAKI TRAIL

Mailing Address: KHOURI, ANTHONY J KHOURI,
MICHELLE A
3 ABENAKI TRAIL
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-007
Property Address: 5 ABENAKI TRAIL

Mailing Address: CASTELLAN, CAROL
5 ABENAKI TRAIL
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-008
Property Address: 7 ABENAKI TRAIL

Mailing Address: MORRIS, MICHAEL & KATHLEEN
REVOCABLE TRU KATHLEEN M MORRIS
TRUSTEES
7 ABENAKI TRAIL
ELIOT, ME 03903



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2/14/2023

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500 feet Abutters List Report

Eliot, ME
February 14, 2023

Parcel Number: 017-029-000
CAMA Number: 017-029-000-009
Property Address: 9 ABENAKI TRAIL

Mailing Address: GALENO FAMILY REVOCABLE TRUST,
THE ORAZIO AND CLAIRE M. GALENO,
TRUSTEES
9 ABENAKI TRAIL
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-010
Property Address: 37 VILLAGE DR

Mailing Address: DUGUAY, DENNIS N DUGUAY, LYNNE A
37 VILLAGE DR
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-011
Property Address: 39 VILLAGE DR

Mailing Address: MCDERMITH, SHAROLYN W TRUST
SHAROLYN W MCDERMITH TRUSTEE
39 VILLAGE DR
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-012
Property Address: 28 VILLAGE DR

Mailing Address: ZADORETZKY, HALYA S
28 VILLAGE DR
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-013
Property Address: 30 VILLAGE DR

Mailing Address: BRAUN FAMILY REVOCABLE TRUST
CARMELA M BRAUN TRUSTEE
30 VILLAGE DR
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-014
Property Address: 32 VILLAGE DR

Mailing Address: DEROCHE, JAMES J DEROCHE, CAROL
H
32 VILLAGE DR
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-015
Property Address: 34 VILLAGE DR

Mailing Address: MESSIER, EILEEN A
34 VILLAGE DR
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-016
Property Address: 36 VILLAGE DR

Mailing Address: DABROWSKI, STANLEY A REVOCABLE
TRUST STANLEY A DABROWSKI,
TRUSTEE
36 VILLAGE DR
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-017
Property Address: 38 VILLAGE DR

Mailing Address: ANTONELLIS, PAUL J ANTONELLIS,
ELIZABETH E
38 VILLAGE DR
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-018
Property Address: 40 VILLAGE DR

Mailing Address: HUNT, JOHN HUNT, MICHELLE
40 VILLAGE DR
ELIOT, ME 03903



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2/14/2023

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500 feet Abutters List Report

Eliot, ME
February 14, 2023

Parcel Number: 017-029-000
CAMA Number: 017-029-000-020
Property Address: 55 VILLAGE DR

Mailing Address: CANNAN, DAVID J CANNAN, SANDRA J
55 VILLAGE DR
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-021
Property Address: 57 VILLAGE DR

Mailing Address: SILVA, JOSEPH A SILVA, MARGUERITE
57 VILLAGE DR
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-022
Property Address: 62 VILLAGE DR

Mailing Address: POMERANTZ, PHYLLIS B
62 VILLAGE DR
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-023
Property Address: 64 VILLAGE DR

Mailing Address: KOSOWICZ, PATRICIA P REVOCABLET
TRUSTE
64 VILLAGE DR UNIT 23
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-024
Property Address: 4 PHEASANT LN

Mailing Address: ELLIOTT, LYNNE P
4 PHEASANT LANE
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-025
Property Address: 8 PHEASANT LN

Mailing Address: FRIEDMAN, DAVID S FRIEDMAN,
DEANNA D
8 PHEASANT LN
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-026
Property Address: 10 PHEASANT LN

Mailing Address: MCGREEVY, MARK
PO BOX 167
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-027
Property Address: 14 PHEASANT LN

Mailing Address: QUIGLEY, JAMES QUIGLEY, CAROL
14 PHEASANT LN
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-028
Property Address: 16 PHEASANT LN

Mailing Address: HAUPT, WENDY PARSLEY
PO BOX 252
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-031
Property Address: 30 PHEASANT LN

Mailing Address: BEANE, CONSTANCE L. BEANE, LEO F.,
JR (dcd)
30 PHEASANT LANE
ELIOT, ME 03903



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Parcel Number: 017-029-000
CAMA Number: 017-029-000-032
Property Address: 32 PHEASANT LN

Mailing Address: HANSEN, DOROTHY A. REVOCABLE
LIVING TRUST
32 PHEASANT LANE
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-033
Property Address: 34 PHEASANT LN

Mailing Address: PARENT, DEBORAH G. PARENT, JAMES
J.
34 PHEASANT LANE
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-034
Property Address: 36 PHEASANT LN

Mailing Address: JONES, CONSTANCE M.
36 PHEASANT LN
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-035
Property Address: 44 PHEASANT LN

Mailing Address: SWAN, CONNIE
44 PHEASANT LANE
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-036
Property Address: 45 PHEASANT LN

Mailing Address: GRACE MARIE OIROLFED REVOCABLE
TRUST JEANNE DEFLORIO, TRUSTEE
45 PHEASANT LANE
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-037
Property Address: 43 PHEASANT LN

Mailing Address: DAVIS, VICTORIA L.
43 PHEASANT LANE
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-038
Property Address: 27 PHEASANT LN

Mailing Address: HAMEL, JUNE A
27 PHEASANT LANE
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-039
Property Address: 25 PHEASANT LN

Mailing Address: ROBERTS, FREDERICK M., JR
ROBERTS, KATHY L
25 PHEASANT LANE
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-040
Property Address: 21 PHEASANT LN

Mailing Address: JOHN E SULLIVAN VICTORIA M
SULLIVAN
21 PHEASANT LANE
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-041
Property Address: 13 PHEASANT LN

Mailing Address: VILLAGE ON GREAT BROOK LLC
ATTN ANNE MACKAY 50 NASHUA ROAD
LONDONDERRY, NH 03053



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Parcel Number: 017-029-000
CAMA Number: 017-029-000-042
Property Address: 11 PHEASANT LN

Mailing Address: VILLAGE ON GREAT BROOK LLC
ATTN ANNE MACKAY 50 NASHUA ROAD
LONDONDERRY, NH 03053

Parcel Number: 017-029-000
CAMA Number: 017-029-000-043
Property Address: 9 PHEASANT LN

Mailing Address: ANDREW, MARK
9 PHEASANT LN
ELIOT, ME 03903

Parcel Number: 017-029-000
CAMA Number: 017-029-000-044
Property Address: 7 PHEASANT LN

Mailing Address: SHEPPARD, JOYCE C SHEPPARD,
SUZANNE G
7 PHEASANT LN
ELIOT, ME 03903

Abutters:

Parcel Number: 011-010-000
CAMA Number: 011-010-000
Property Address: 1134 STATE RD

Mailing Address: BROOKS MEMORIAL CEMETERY C/O
ROLAND FERNALD
1263 STATE RD
ELIOT, ME 03903

Parcel Number: 011-038-000
CAMA Number: 011-038-000
Property Address: 299 BOLT HILL RD

Mailing Address: PUBLIC SERVICE CO OF NH DBA
EVERSOURCE ENERGY
PO BOX 270
HARTFORD, CT 06141-0270

Parcel Number: 012-005-000
CAMA Number: 012-005-000
Property Address: 322 BOLT HILL RD

Mailing Address: HOYT, TRACY HOYT, MICHAEL
335 BOLT HILL RD
ELIOT, ME 03903

Parcel Number: 017-001-000
CAMA Number: 017-001-000
Property Address: 17 LANGLEY FARM RD

Mailing Address: LANGFORD, DAVID W LANGFORD,
MELISSA C
17 LANGLEY FARM RD
ELIOT, ME 03903

Parcel Number: 017-002-000
CAMA Number: 017-002-000
Property Address: 23 LANGLEY FARM RD

Mailing Address: MCCOY-SEEDNER, MEGHAN LEA
SEEDNER, JOHN D
23 LANGLEY FARM RD
ELIOT, ME 03903

Parcel Number: 017-003-000
CAMA Number: 017-003-000
Property Address: 22 LANGLEY FARM RD

Mailing Address: THOMPSON, KEVIN E THOMPSON, JO-
ANN I
22 LANGLEY FARM RD
ELIOT, ME 03903

Parcel Number: 017-005-000
CAMA Number: 017-005-000
Property Address: 325 BOLT HILL RD

Mailing Address: HOYT, TRACY
335 BOLT HILL RD
ELIOT, ME 03903

Parcel Number: 017-006-000
CAMA Number: 017-006-000
Property Address: 335 BOLT HILL RD

Mailing Address: HOYT, TRACY
335 BOLT HILL RD
ELIOT, ME 03903



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Parcel Number: 017-007-000
CAMA Number: 017-007-000
Property Address: 343 BOLT HILL RD

Mailing Address: MELLO, MARCO
343 BOLT HILL RD
ELIOT, ME 03903

Parcel Number: 017-008-000
CAMA Number: 017-008-000
Property Address: 347 BOLT HILL RD

Mailing Address: WALKER, MARK E WALKER, ROBIN L
347 BOLT HILL RD
ELIOT, ME 03903

Parcel Number: 017-009-000
CAMA Number: 017-009-000
Property Address: 351 BOLT HILL RD

Mailing Address: MCLEAN, ANN L
351 BOLT HILL RD
ELIOT, ME 03903

Parcel Number: 017-010-000
CAMA Number: 017-010-000
Property Address: 355 BOLT HILL RD

Mailing Address: SEARLES, MICHAEL R SEARLES,
AMANDA A
355 BOLT HILL RD
ELIOT, ME 03903

Parcel Number: 017-011-000
CAMA Number: 017-011-000
Property Address: 363 BOLT HILL RD

Mailing Address: CHICK, CHARLOTTE IRREVOCABLE
TRUST EDITH SIMONEAU
10307 SW Lettuce Lake Ave PM 9
Arcadia, FL 34269

Parcel Number: 017-012-000
CAMA Number: 017-012-000
Property Address: 367 BOLT HILL RD

Mailing Address: CARSON, BRIAN D., CARSON
REVOCABLE TRUST CARSON, BRIAN
D., TRUSTEE
1750 STATE ROAD
ELIOT, ME 03903

Parcel Number: 017-013-000
CAMA Number: 017-013-000
Property Address: 14 SUNRISE ST

Mailing Address: FETTEROLF, MICHAEL R FETTEROLF,
MELANIE L
14 SUNRISE ST
ELIOT, ME 03903

Parcel Number: 017-015-000
CAMA Number: 017-015-000
Property Address: 30 HAROLD L DOW HWY

Mailing Address: 236 MECHNY LLC
C/O BOULOS ASSET MANAGEMENT
ONE CANAL PLAZA STE 500
PORTLAND, ME 04101

Parcel Number: 017-019-000
CAMA Number: 017-019-000
Property Address: 2 HAROLD L DOW HWY

Mailing Address: LONSINGER, NANCY L REVOCABLE
TRUST NANCY L LONSINGER
TRUSTEES
27 TIMBER BROOK LN
DURHAM, NH 03824

Parcel Number: 017-020-000
CAMA Number: 017-020-000
Property Address: 1 HAROLD L DOW HWY

Mailing Address: MORGRIDGE, WILLIAM C AND RAYMAH
M REVOCA WILLIAM C AND RAYMAH M
MORGRIDGE TRUSTEE
PO BOX 23
SOUTH BERWICK, ME 03908

Parcel Number: 017-021-000
CAMA Number: 017-021-000
Property Address: 382 BOLT HILL RD

Mailing Address: ELIEN, KRISTEPHER M
382 BOLT HILL RD
ELIOT, ME 03903



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Parcel Number:	017-022-000	Mailing Address:	GOSSELIN, THOMAS/ROBERTA REV TRT THOMAS L/ROBERTA J GOSSELIN TRUSTEES 36 GOVERNOR HILL RD ELIOT, ME 03903
CAMA Number:	017-022-000		
Property Address:	BOLT HILL RD		
Parcel Number:	017-023-000	Mailing Address:	WIRTH, SANDRA M 352 BOLT HILL RD ELIOT, ME 03903
CAMA Number:	017-023-000		
Property Address:	352 BOLT HILL RD		
Parcel Number:	017-024-000	Mailing Address:	ENGLISH, WILLIAM E ENGLISH, GAIL A 344 BOLT HILL RD ELIOT, ME 03903
CAMA Number:	017-024-000		
Property Address:	344 BOLT HILL RD		
Parcel Number:	017-024-001	Mailing Address:	WIRTH, TODD A 360 BOLT HILL RD ELIOT, ME 03903
CAMA Number:	017-024-001		
Property Address:	360 BOLT HILL RD		
Parcel Number:	017-025-000	Mailing Address:	PUBLIC SERVICE CO OF NH DBA EVERSOURCE ENERGY PO BOX 270 HARTFORD, CT 06141-0270
CAMA Number:	017-025-000		
Property Address:	BOLT HILL RD		
Parcel Number:	017-026-000	Mailing Address:	DUGGAN, FRANK S DUGGAN, CHRISTINE L 334 BOLT HILL RD ELIOT, ME 03903
CAMA Number:	017-026-000		
Property Address:	334 BOLT HILL RD		
Parcel Number:	017-027-000	Mailing Address:	BROWN, SCOTT R 1 WILLOW LN ELIOT, ME 03903
CAMA Number:	017-027-000		
Property Address:	1 WILLOW LN		
Parcel Number:	017-028-000	Mailing Address:	ROGERS, RAYMOND E ROGERS, DIANNA L 5 WILLOW LN ELIOT, ME 03903
CAMA Number:	017-028-000		
Property Address:	5 WILLOW LN		
Parcel Number:	017-030-000	Mailing Address:	21 HAROLD L DOW HIGHWAY LLC 1293 MAIN ST SANFORD, ME 04073
CAMA Number:	017-030-000		
Property Address:	21 HAROLD L DOW HWY		
Parcel Number:	017-032-000	Mailing Address:	BANVILLE, JENNIFER SMITH, JEFFREY L 376 BOLT HILL RD ELIOT, ME 03903
CAMA Number:	017-032-000		
Property Address:	376 BOLT HILL RD		
Parcel Number:	017-033-000	Mailing Address:	CHLOE ALLEGRA HOLDINGS LLC 25 HAROLD L DOW HWY ELIOT, ME 03903
CAMA Number:	017-033-000		
Property Address:	25 HAROLD L DOW HWY		
Parcel Number:	023-001-000	Mailing Address:	BLAKESLEE MCELROY LLC 14 COVE RD ELIOT, ME 03903
CAMA Number:	023-001-000		
Property Address:	43 HAROLD L DOW HWY		



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Parcel Number: 023-002-000
CAMA Number: 023-002-000
Property Address: 5 SUNRISE ST

Mailing Address: DAMON, DAVID A
5 SUNRISE ST
ELIOT, ME 03903

Parcel Number: 023-003-000
CAMA Number: 023-003-000
Property Address: 6 SUNRISE ST

Mailing Address: FREEMAN, JENNIFER EHLE, BRIAN
6 SUNRISE ST
ELIOT, ME 03903

Parcel Number: 023-004-000
CAMA Number: 023-004-000
Property Address: 2 SUNRISE ST

Mailing Address: CHICK, TERRANCE E
2 SUNRISE ST
ELIOT, ME 03903

Parcel Number: 023-005-000
CAMA Number: 023-005-000
Property Address: HAROLD L DOW HWY

Mailing Address: LHB CRANE LLC
98 ROUTE 236
KITTERY, ME 03904

Parcel Number: 023-006-000
CAMA Number: 023-006-000
Property Address: 61 HAROLD L DOW HWY

Mailing Address: PRIME ELIOT MAINE LLC
83-85 RAILROAD PLACE
SARATOGA SPRINGS, NY 12866

Parcel Number: 023-008-000
CAMA Number: 023-008-000
Property Address: 135 HAROLD L DOW HWY

Mailing Address: PICKETT, TIM A
PO BOX 242
ELIOT, ME 03903

Parcel Number: 023-014-000
CAMA Number: 023-014-000
Property Address: 6 SANBORN LN

Mailing Address: AMARIAH PROPERTIES LLC
26 RIVERVIEW DR
ELIOT, ME 03903

Parcel Number: 023-014-000
CAMA Number: 023-014-000-001
Property Address: 7 SANBORN LN

Mailing Address: DOW HIGHWAY BUSINESS CONDO LLC
28 GATEHOUSE RD
SHAPLEIGH, ME 04076

Parcel Number: 023-015-000
CAMA Number: 023-015-000
Property Address: 72 HAROLD L DOW HWY

Mailing Address: RANDOLPH, PAUL D
165 HANSCOM RD
ELIOT, ME 03903

Parcel Number: 023-016-000
CAMA Number: 023-016-000
Property Address: 64 HAROLD L DOW HWY

Mailing Address: TIDE POOLS LEARNING CENTER LL
64 HAROLD L DOW HWY
ELIOT, ME 03903

Parcel Number: 023-017-000
CAMA Number: 023-017-000
Property Address: 7 SEELY LN

Mailing Address: GILMAN, BRYAN K GILMAN, IOLA M
7 SEELY LN
ELIOT, ME 03903

Parcel Number: 023-018-000
CAMA Number: 023-018-000
Property Address: 5 SEELY LN

Mailing Address: GILMAN, JEFFREY L
5 SEELY LN
ELIOT, ME 03903



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Parcel Number: 023-027-000
CAMA Number: 023-027-000
Property Address: 20 SHARON LN

Mailing Address: RANDOLPH, KENNETH, JOYCE FAMILY
REV TRT KENNETH E, JOYCE P
RANDOLPH TRUSTEES
20 SHARON LNB
ELIOT, ME 03903

Parcel Number: 023-030-000
CAMA Number: 023-030-000
Property Address: 165 HANSCOM RD

Mailing Address: RANDOLPH, PAUL D
165 HANSCOM RD
ELIOT, ME 03903

Parcel Number: 023-066-000
CAMA Number: 023-066-000
Property Address: 6 SEELY LN

Mailing Address: SEELEY LLC
6 SEELEY LN
ELIOT, ME 03903

Parcel Number: 023-068-000
CAMA Number: 023-068-000
Property Address: SEELY LN

Mailing Address: GILMAN, MYRON GILMAN, BEVERLY
HRS OR DEVS
17 SEELY LN
ELIOT, ME 03903



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Subject Property:

Parcel Number: 006-043-000
CAMA Number: 006-043-000
Property Address: 771 MAIN ST

Mailing Address: MCNALLY, MARK
1381 ELWYN RD
PORTSMOUTH, NH 03801

Abutters:

Parcel Number: 006-020-000
CAMA Number: 006-020-000
Property Address: 1 MARJORIE WAY

Mailing Address: SAKLAD, CYNTHIA L
1 MARJORIE WAY
ELIOT, ME 03903

Parcel Number: 006-022-000
CAMA Number: 006-022-000
Property Address: 717 MAIN ST

Mailing Address: FRISBEE FAMILY REVOCABLE TRUST
ROGER A & JEAN D FRISBEE TRUSTEES
717 MAIN ST
ELIOT, ME 03903

Parcel Number: 006-023-000
CAMA Number: 006-023-000
Property Address: 725 MAIN ST

Mailing Address: LEPERE, PAUL R
PO BOX 668
HAMPTON FALLS, NH 03844

Parcel Number: 006-024-000
CAMA Number: 006-024-000
Property Address: 1 PARK ST

Mailing Address: MCKENNA, ROBERT/DOWNEY, ANNE M
REV TRST ROBERT F MCKENNA/ANNE
M DOWNEY TRUSTEES
1 PARK ST
ELIOT, ME 03903

Parcel Number: 006-025-000
CAMA Number: 006-025-000
Property Address: 7 PARK ST

Mailing Address: POIRIER, CHRISTOPHER ALLAN
POIRIER, KELLY ANN
7 PARK ST
ELIOT, ME 03903

Parcel Number: 006-026-000
CAMA Number: 006-026-000
Property Address: 9 PARK ST

Mailing Address: ANDERSON, DOUGLAS A REVOCABLE
TRUST DOUGLAS A ANDERSON
TRUSTEE
224 PLEASANT ST
ELIOT, ME 03903

Parcel Number: 006-027-000
CAMA Number: 006-027-000
Property Address: 15 PARK ST

Mailing Address: JORDAN, HEIDE
15 PARK ST
ELIOT, ME 03903

Parcel Number: 006-028-000
CAMA Number: 006-028-000
Property Address: 19 PARK ST

Mailing Address: TALBOT, JOHN D
19 PARK ST
ELIOT, ME 03903

Parcel Number: 006-033-000
CAMA Number: 006-033-000
Property Address: 20 PARK ST

Mailing Address: MARSTON, JOHN E MARSTON, SIGRED
20 PARK ST
ELIOT, ME 03903



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Parcel Number: 006-034-000 CAMA Number: 006-034-000 Property Address: 18 PARK ST	Mailing Address: SIMPSON, ALLAN R SIMPSON, KATHY L 18 PARK ST ELIOT, ME 03903
Parcel Number: 006-035-000 CAMA Number: 006-035-000 Property Address: 16 PARK ST	Mailing Address: POISSON, NICHOLE M POISSON, FREDERICK L 16 PARK ST ELIOT, ME 03903
Parcel Number: 006-036-000 CAMA Number: 006-036-000 Property Address: 14 PARK ST	Mailing Address: NEWLAND, PAMELA M 14 PARK ST ELIOT, ME 03903
Parcel Number: 006-037-000 CAMA Number: 006-037-000 Property Address: 12 PARK ST	Mailing Address: CROSBY, ANITA J 12 PARK ST ELIOT, ME 03903
Parcel Number: 006-038-000 CAMA Number: 006-038-000 Property Address: 10 PARK ST	Mailing Address: FARNHAM, DEBRA A FARNHAM, STEVEN R 10 PARK ST ELIOT, ME 03903
Parcel Number: 006-039-000 CAMA Number: 006-039-000 Property Address: 6 PARK ST	Mailing Address: REED, CAITLIN M REED, MICHAEL R 6 PARK ST ELIOT, ME 03903
Parcel Number: 006-040-000 CAMA Number: 006-040-000 Property Address: 2 PARK ST	Mailing Address: MCELROY, MARC A BURVIKOVA, EKATERINA V 11 BAYVIEW LN KITTERY, ME 03904
Parcel Number: 006-041-000 CAMA Number: 006-041-000 Property Address: 751 MAIN ST	Mailing Address: GRANT, CRISPIN 751 MAIN ST ELIOT, ME 03903
Parcel Number: 006-042-000 CAMA Number: 006-042-000 Property Address: 767 MAIN ST	Mailing Address: RATCLIFF, WARDWELL 767 MAIN ST ELIOT, ME 03903
Parcel Number: 006-044-000 CAMA Number: 006-044-000 Property Address: 787 MAIN ST	Mailing Address: JESSE REALTY LLC 2552 LONGBOAT DR NAPLES, FL 34104
Parcel Number: 006-045-000 CAMA Number: 006-045-000 Property Address: 793 MAIN ST	Mailing Address: KINNETT, CHARLES P MCNAMARA, STEPHANIE 793 MAIN ST ELIOT, ME 03903
Parcel Number: 006-046-000 CAMA Number: 006-046-000 Property Address: 11 AQUA AVE	Mailing Address: HUTCHINSON FAMILY REVOCABLE TRUST FRANKLIN & CAROLYN B HUTCHINSON TRUSTEES 11 AQUA AVE ELIOT, ME 03903



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Parcel Number: 006-047-000
CAMA Number: 006-047-000
Property Address: 17 AQUA AVE

Mailing Address: SHEA, KATY
17 AQUA AVE
ELIOT, ME 03903

Parcel Number: 006-048-000
CAMA Number: 006-048-000
Property Address: 21 AQUA AVE

Mailing Address: CROSIER, DEBRA M & JOHN T
REVOCABLE TRUS DEBRA M & JOHN T
CROSIER TRUSTEES
21 AQUA AVE
ELIOT, ME 03903

Parcel Number: 006-050-000
CAMA Number: 006-050-000
Property Address: 24 SHEA DR

Mailing Address: SHEA, LEROY/KAREN REV TRUST
LEROY/KAREN SHEA TRUSTEES
24 SHEA DR
ELIOT, ME 03903

Parcel Number: 006-052-000
CAMA Number: 006-052-000
Property Address: 23 AQUA AVE

Mailing Address: MANERO, ANTHONY T MANERO,
CANDACE S
31 ANTHONYS LANDING
ELIOT, ME 03903

Parcel Number: 006-053-000
CAMA Number: 006-053-000
Property Address: 31 ANTHONYS LNDG

Mailing Address: MANERO, ANTHONY T MANERO,
CANDACE S
31 ANTHONYS LNDG
ELIOT, ME 03903

Parcel Number: 006-057-000
CAMA Number: 006-057-000
Property Address: 20 AQUA AVE

Mailing Address: HANNIGAN, ELINOR C
20 AQUA AVE
ELIOT, ME 03903

Parcel Number: 006-058-000
CAMA Number: 006-058-000
Property Address: 799 MAIN ST

Mailing Address: ROBINSON, ZAKARY
799 MAIN ST
ELIOT, ME 03903

Parcel Number: 006-059-000
CAMA Number: 006-059-000
Property Address: 803 MAIN ST

Mailing Address: WINTER, LOUIS G WINTER, ELIZABETH
A
803 MAIN ST
ELIOT, ME 03903

Parcel Number: 006-061-000
CAMA Number: 006-061-000
Property Address: 811 MAIN ST

Mailing Address: MANERO, STEPHEN M MANERO, BRITT
F
12 ANTHONY'S LANDING
ELIOT, ME 03903

Parcel Number: 006-068-000
CAMA Number: 006-068-000
Property Address: 816 MAIN ST

Mailing Address: DOHERTY, JAY MICHAEL
816 MAIN ST
ELIOT, ME 03903

Parcel Number: 006-069-000
CAMA Number: 006-069-000
Property Address: PATRIOTS LN

Mailing Address: PATRIOTS LANE MASTERCARD
PATRIOTS
ELIOT, ME 03903

Parcel Number: 006-069-000
CAMA Number: 006-069-000-001
Property Address: 11 PATRIOTS LN #1

Mailing Address: ORR, SHARON LYNNE
11 PATRIOTS LN UNIT 1
ELIOT, ME 03903



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Parcel Number: 006-069-000
CAMA Number: 006-069-000-002
Property Address: 11 PATRIOTS LN #2

Mailing Address: BUZZELL, RICHARD L
85 BARTLETT RD
KITTERY POINT, ME 03905

Parcel Number: 006-069-000
CAMA Number: 006-069-000-003
Property Address: 11 PATRIOTS LN #3

Mailing Address: MORIN, STEPHANIE L MORIN, DANIEL
11 PATRIOTS LN 3
ELIOT, ME 03903

Parcel Number: 006-069-000
CAMA Number: 006-069-000-004
Property Address: 11 PATRIOTS LN #4

Mailing Address: STRANGE, MALLORY
11 PATRIOTS LN 4
ELIOT, ME 03903

Parcel Number: 006-069-000
CAMA Number: 006-069-000-005
Property Address: 12 PATRIOTS LN #5

Mailing Address: FOYE, JAMES FOYE, JENNIFER
12 PATRIOTS LN
ELIOT, ME 03903

Parcel Number: 006-069-000
CAMA Number: 006-069-000-006
Property Address: 12 PATRIOTS LN #6

Mailing Address: VOLTAIRE, JOANNE
12 PATRIOTS LN UNIT 6
ELIOT, ME 03903

Parcel Number: 006-069-000
CAMA Number: 006-069-000-007
Property Address: 12 PATRIOTS LN #7

Mailing Address: HURLEY, LUCY A
12 PATRIOTS LN UNIT 7
ELIOT, ME 03903

Parcel Number: 006-070-000
CAMA Number: 006-070-000
Property Address: 806 MAIN ST

Mailing Address: DIXON, ROBERT A DIXON, LINDA E
806 MAIN ST
ELIOT, ME 03903

Parcel Number: 006-071-000
CAMA Number: 006-071-000
Property Address: 794 MAIN ST

Mailing Address: BICKFORD, JONATHAN BICKFORD,
THOMAS L
794 MAIN ST
ELIOT, ME 03903

Parcel Number: 006-071-002
CAMA Number: 006-071-002
Property Address: 16 CORBLY WAY

Mailing Address: MACDONALD FAMILY REVOCABLE
TRUST MACDONALD, CHARLES R AND
LUCIE F, TRUSTEES
16 CORBLY WAY
ELIOT, ME 03903

Parcel Number: 006-071-003
CAMA Number: 006-071-003
Property Address: 12 CORBLY WAY

Mailing Address: DEGRAPPO BUILDERS, LLC
24 EVERGREEN LANE
ELIOT, ME 03903

Parcel Number: 006-072-000
CAMA Number: 006-072-000
Property Address: 790 MAIN ST

Mailing Address: BEAGEN, BRIDGETTE R
790 MAIN ST
ELIOT, ME 03903

Parcel Number: 006-073-000
CAMA Number: 006-073-000
Property Address: 776 MAIN ST

Mailing Address: KELLY, DONNA L
776 MAIN ST
ELIOT, ME 03903



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2/14/2023

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500 feet Abutters List Report

Eliot, ME
February 14, 2023

Parcel Number: 006-074-000 CAMA Number: 006-074-000 Property Address: 768 MAIN ST	Mailing Address: KELSEY, KIM 768 MAIN ST ELIOT, ME 03903
Parcel Number: 006-075-000 CAMA Number: 006-075-000 Property Address: 756 MAIN ST	Mailing Address: TARR, STEPHANIE J TARR, JEFFREY T 756 MAIN ST ELIOT, ME 03903
Parcel Number: 006-076-000 CAMA Number: 006-076-000 Property Address: HIDDEN MEADOW LN	Mailing Address: ADAMS, RALPH ZIMMERMAN, B DIANE 10 STAPLES ST ELIOT, ME 03903
Parcel Number: 006-076-001 CAMA Number: 006-076-001 Property Address: OFF MAIN ST	Mailing Address: FONTAINE, NANCY FONTAINE, ROBERT J 144 BOLT HILL RD ELIOT, ME 03903
Parcel Number: 006-077-000 CAMA Number: 006-077-000 Property Address: 744 MAIN ST	Mailing Address: ROBINSON, MARK ROBINSON, LEIGH B 744 MAIN ST ELIOT, ME 03903
Parcel Number: 006-080-000 CAMA Number: 006-080-000 Property Address: 730 MAIN ST	Mailing Address: EMERY, JOYCE EMERY, CHRISTOPHER 730 MAIN ST ELIOT, ME 03903
Parcel Number: 006-081-000 CAMA Number: 006-081-000 Property Address: 722 MAIN ST	Mailing Address: LYTTLE, NATHANIEL H 722 MAIN ST ELIOT, ME 03903
Parcel Number: 006-154-000 CAMA Number: 006-154-000 Property Address: MAIN ST	Mailing Address: LJE PROPERTY DEVELOPMENT LLC 2 PUNKIN TOWN RD STE 340 SOUTH BERWICK, ME 03908
Parcel Number: 010-074-000 CAMA Number: 010-074-000 Property Address: 826 MAIN ST	Mailing Address: PRATT, CHARLES JR 826 MAIN ST ELIOT, ME 03903



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2/14/2023

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TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Planning Board
From: Jeff Brubaker, AICP, Town Planner
Cc: Kris Glidden, Applicant/Property Owner
Mike Sudak, EIT, Attar Engineering, Applicant's Representative for PB22-09
Eliot Historical Society
Maine State Historic Preservation Commission
Kim Tackett, Land Use Administrative Assistant
Shelly Bishop, Code Enforcement Officer
Date: February 15, 2023 (report date)
February 21, 2023 (meeting date)
Re: 771 Main St. (Map 6, Lot 43), PID # 006-043-000: Demolition permit subject to Section 45-136 – Demolition Delay for Historic Structures

Application Details/Checklist Documentation	
Address:	771 Main St.
Map/Lot:	6/43
Zoning District(s):	Village
Property Owner(s):	Kris Glidden
Applicant Name(s):	Kris Glidden
Proposed Activity:	From application: "Demolish approx...60x25 barn with [attachments]"
Complete permit application submitted	February 8, 2023
Public hearing fee	\$175 paid

This is the Planning Board's second review of a demolition permit application under Town Code section 45-136 – Demolition Delay for Historic Structures. It involves the same structure and property as your first review (June 2022): the barn at 771 Main St. (Map 6, Lot 43; historically known as Clover Farm), now owned by Mr. Glidden. As you know, the lot is one of the three lots under review in PB22-9: 771-787 Main St. – Clover Farm Subdivision, for which Mr. Glidden is an applicant. The barn is subject to Section 45-136 due to its presumptive age of 100+ years.

The previous review was for an application submitted by Michele Duval that generally proposed to move the barn in pieces to be reconstructed, or parts reused, on her property on Brixham Rd. That application had two parts: the "antique barn to be rebuilt" and the "Newer barn behind [the] antique barn to supply additional salvage". Since it proposed to mostly preserve the barn, both the Eliot Historical Society (EHS) and the Planning Board's advisory opinion supported the proposal. The Planning Board's motion (approved 5-0) was:

...that the Planning Board issue an advisory opinion supporting the proposal by Ms. Duval to

dismantle the barn and re-locate it on her property, including a recommendation that the 90-day delay period be waived if the Eliot Historical Society and/or the Maine Historic Preservation Commission also concurs.

The Code Enforcement Officer subsequently waived the delay period and issued the permit. However, the barn largely remains on the 771 Main St. site. As of this writing, Ms. Duval has been in correspondence with Town staff about her experience with the relocation and the status of her permit, relative to the current demolition permit application. I invited her to the meeting/public hearing and understand she plans to attend.

In discussing with the Code Enforcement Officer, in our preliminary opinion, it appears that the demolition permit application of Mr. Glidden, being the current property owner, is now active, and Ms. Duval's permit may have been superseded due to the time elapsed without work having commenced under the permit. Under this working assumption, but also considering that Mr. Glidden is seeking outright demolition under a new application, a new 90-day delay period is now in effect.

The Planning Board's role is to hold a public hearing and consider issuing an advisory opinion. As stated in 45-136(d)(2)-(3):

(2) Within 60 days of receipt of the complete application, the planning board shall hold a public hearing on the permit application for the purpose of discussing the historical and architectural significance of the building and inviting comment from abutting property owners, the public, and the applicant or property owner. Notice for a public hearing shall be given in compliance with section 33-130. Prior to the public hearing, the applicant shall pay the planning board public hearing fee specified in section 1-25.

(3) After the public hearing, the planning board, at its discretion, may issue an advisory opinion on the building's historical significance and possible alternatives to demolition.

Section 45-136 provides for the 90-day delay period to be lessened or waived by the Code Enforcement Officer after the receipt of the Board's advisory opinion and written opinions of either Eliot Historical Society (EHS) or the Maine Historic Preservation Commission (MHPC). The application has been shared with both entities, and Town staff has been in correspondence with EHS on the matter.

Recommendation

I understand that some potential alternatives to demolition are now being discussed by various parties, but that at this time, the current application is for outright demolition. Based on the information available at the time of this report, I recommend the Planning Board:

- Hold the public hearing and receive public input
- Ask for more details about the proposal from the applicant, as you feel are needed
- Subject to that input and information, issue an advisory opinion recommending that the 90-day delay period remain in place – that it not be waived or lessened – to allow more time for demolition alternatives to be discussed and encouraged.

Alternatives entertained in Section 45-136 include: preserving, rehabilitating, restoring, or moving the building. No proposal has been made to retain and restore the buildings at their present location.



Figure 1. Aerial view of 771 Main St. from Town GIS. Structures (in yellow box) proposed to be demolished. Other structures shown have since been demolished.

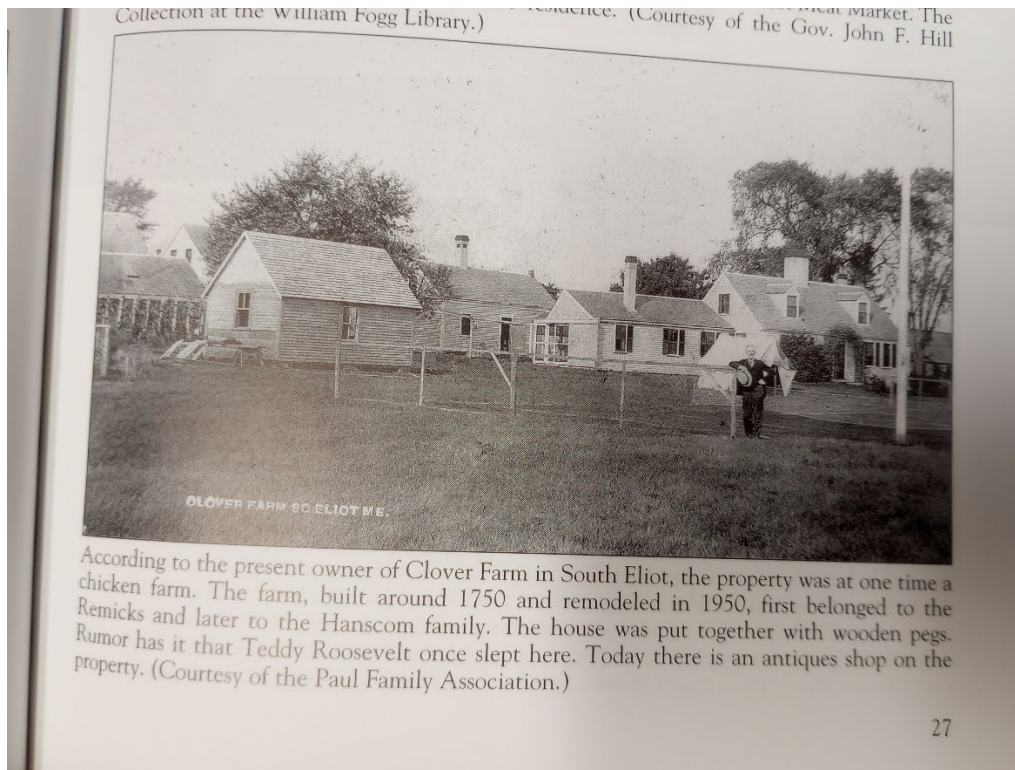


Figure 2. Clover Farm excerpt from Images of America: Eliot book (author: Margaret A. Elliott of the EHS)

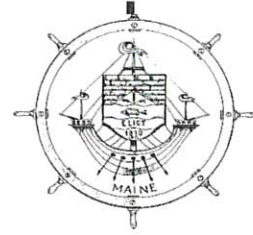
Building Permit

Town of Eliot

1333 State Road

Eliot, ME 03903

(207) 439-1813 Extension 110

Permit Number: 2300035

Job Location: 771 MAIN ST
City,State,Zip: ELIOT, ME 03903
APN: 006-043-000
Owner: Glidden, Kris
Address: 771 Main Street
City,State,Zip: Eliot, Maine 03903

Permit Type: Building - Residential Demolition
Permit #: 2300035
Permit Status: Demo delay review - PB
Use Type: [Use]
Res/Com:
Project Value: 2500

Job Description: Demolish approx60x25 barn with attachments

Applicant Name: kris glidden
Address: 771 Main street
City,State,Zip: eliot, me 03903
Phone: 603-674-8207
Email: krisglidden@gmail.com

Contractor: Howarth Builders
Address: 19 Lords Lane
City,State,Zip: South Berwick, Maine 03908
Phone:
Email:

INSPECTION INFORMATION**Pass/Fail****CONDITIONS**

Fee	Amount	Payment Date	Amount
Building Permits Demolition (of structures 8 x 8 or more)	\$25.00	02/08/2023	\$25.00
Total Fee: \$25.00		Total Paid: \$25.00	

This permit application is hereby approved based on the information submitted by the applicant/owner. Any changes to approved plans must be submitted to the Code Enforcement office for review and approval. As per the Municipal Code of Ordinances, start of construction, as defined in Chapter 1-2, must begin within 180 days of the date this permit is issued.

Code Enforcement Officer_____
Date

Permit #: 2300035
Permit Date: 02/07/23
Permit Type: Building - Residential Demolition
Application Type: Building
Issue Date:
Applicant Name: kris glidden
Applicant Address: 771 Main street
Applicant City, State, Zip: eliot, me 03903
Applicant Phone Number: 603-674-8207
Applicant Email: krisglidden@gmail.com
Description: Demolish approx60x25 barn with attachments
Project Value: 2500
Wastewater: Public
Growth #/ADU #:
Res/Com:
Existing Use:
Proposed Use:
Approved Allocation(GPD):
Allocation Approval Date:
Final Inspection Date:
KWD:
CO Issued:
Sewer Acct #:
Billing Begins:
Status: Demo delay review - PB
Assigned To:

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
006-043-000	771 MAIN ST		Glidden, Kris	603-674-8207	VD

Contractors

Contractor	Primary Contact	Phone	Address	Contractor Type	License	License #
Howarth Builders	Howarth Builders		19 Lords Lane			

Fees

Fee	Description	Notes	Amount
Building Permits Demolition (of structures 8 x 8 or more)	per Accessory Structure		\$25.00
Total			\$25.00

Attached Letters

Date	Letter	Description
02/08/2023	<u>Residential Building Permit</u>	
02/07/2023	<u>Web Form - Building Permit Application</u>	

Payments

Date	Paid By	Description	Payment Type	Accepted By	Amount
02/08/2023	Kris Glidden	Ck # 1078	1078	Shelly Bishop	\$25.00
Outstanding Balance					\$0.00

Uploaded Files

Date	File Name
02/08/2023	<u>14262582-Scanner_20230208_093845.pdf</u>

PB22-21: 0 Bolt Hill Road (Map 17/Lot 29), PID #017-029-000: Village at Great Brook –
Amendment to an Existing Subdivision Plan (43 lots)



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Planning Board
From: Jeff Brubaker, AICP, Town Planner
Cc: Kenneth A. Wood, PE, Attar Engineering, Applicant's Representative
Sandra L. Guay, Esq., Archipelago, Applicant's Representative
Shelly Bishop, Code Enforcement Officer
Date: February 16, 2023 (report date)
February 21, 2023 (meeting date)
Re: PB22-21: 0 Bolt Hill Road (Map 17/Lot 29), PID #017-029-000: Village at Great Brook –
Amendment to an Existing Subdivision Plan (43 lots)

Application Details/Checklist Documentation	
Address	0 Bolt Hill Rd.
Map/Lot	17/29
PB Case#	22-21
Zoning District(s)	Commercial/Industrial
Shoreland Zoning District(s)	Limited Residential
Property Owner(s)	Village on Great Brook, LLC
Applicant Name(s)	Equity Alliance c/o Chad Fitton; Village on Great Brook, LLC; agents: Attar Engineering, Archipelago Law (legal counsel)
Proposed Project	Subdivision amendment
Amendment application	
✓ Application Received by Staff	October 17, 2022
✓ Application Fee Paid and Date	\$8,600 October 17, 2022 Public hearing fee (\$175) – unclear if paid
✓ Application Sent to Staff Reviewers	October 25, 2022
✓ Application Reviewed By PB	November 15 and December 13 (review postponed at applicant's request), 2022; January 24 (postponed due to weather) and February 7 (scheduled), 2023
Site Walk	TBD
Site Walk Publication	TBD

Follow up to February 7, 2023, Meeting

The applicant has submitted a new planset (collectively referred to here as the “2/13 Site Plan”) and additional information in response to the February 7 meeting review and discussion. Following is an updated review of key topics and outstanding issues.

Setbacks, buffering, and reserved land behind Units 41-44

The 2/13 Site Plan modifies the “Land Retained by Owner” (LRO) lot line outward from Units 41-44. It appears that this has addressed rear lot line setbacks (45-405), provided a vegetative buffer and shade trees [41-215(b)], and provided a green strip to serve as a noise buffer from the LRO land [41-222(b)]. As stated in the 2/13 cover letter, “The LRO division line now provides roughly 65’ to contain both recreational area and any prospective plantings and vegetated screening.” See Sheet 5 for more details about this buffer area, plantings, and how the land is oriented with respect to the existing rip rap swale. Plantings include maple trees and arbor vitae. Additional review comments:

- Per 41-256(a), given the lot line at Village Dr./Quail Ln. it should be confirmed how the recreation area would be accessed by existing residents. There seems to be a pinch point between the lot line and Unit #44.

Ch. 37 street standards: Quail Ln.

The 2/13 Site Plan, Note 1 states:

When an application is prepared to develop the land retained by owner, the applicant shall reserve a right-of-way of a minimum width of 50’ for the travelway proposed to be developed (Village Drive/Quail Lane). Said right-of-way shall satisfy the standards outlined in Town of Eliot Code of Ordinances §37-70 “Street Design Standards”.

Note 2 states:

When an application is prepared to develop the land retained by owner, the applicant shall develop the proposed travelways (Village Drive/Quail Lane) to Town of Eliot collector street standards, having a minimum of 20 feet traveled way width and 3 foot shoulder widths. Until such time, a traveled way with a minimum width of 16 feet shall be maintained for emergency access/egress.

Additional review comments:

- A note on the plans or a drawn easement/dedication should reflect a legal right of passage by Village at Great Brook residents down Village Dr./Quail Ln. through the LRO, both as a gravel drive and when it is fully brought up to Town standards, from the proposed lot line to Route 236.
- Note 2 should be amended to reflect that Village Dr./Quail Ln. through the LRO shall be developed *at least* to collector street standards. A future development application on the LRO land, depending on the use proposed (e.g. a commercial use), may entail that C/I street standards be met for all or part of the length. With this contingency, the Town’s review should not be bound only to collector street standards.

- Note 2 should clarify that – for Village Dr./Quail Ln. on the LRO – the applicant relinquishes Ch. 37 waivers granted in the 2007 approval. The reason is because it is uncertain what a future proposed use will be on this lot. The same waivers granted for a senior housing community (e.g. max. grade, min. centerline of curves, etc.) may or may not be appropriate for whatever use is ultimately proposed on the LRO. To avoid confusion and to allow a future PB a “clean slate” for review, the relinquishment of these previous waivers should be confirmed in writing.

Reservation of future ROW to adjacent undeveloped parcel

41-221(b)(5) states that the PB “may require that a subdivider reserve sufficient land for future rights-of-way where a proposed subdivision abuts undeveloped property.” As stated in the previous review, the Town Attorney has confirmed this is a reasonable standard, noting that it is within the PB to require this, or not. I disagree with the applicant’s legal counsels’ contentions that this is an unusual provision for subdivision review. “Future street extension” provisions seem to be a common subdivision regulation; in fact, a similar provision as in Eliot’s subdivision chapter is recommended in the “Model Subdivision Regulations for Use by Maine Planning Boards”.¹

As you know, significant discussion occurred on this topic on Feb. 7, with the abutting property owner (Map 23, Lot 8), Mr. Pickett, explaining his interest and the applicants’ representatives expressing concern, should this requirement be activated. Since the Feb. 7 meeting, I have since spoken with a trustee of the Brooks Cemetery (Map 11, Lot 10), the rear of which property is on the other side of the utility corridor from the LRO. The trustee expressed an interest in some type of access to the rear of their property.

In trying to balance all views and come up with a reasonable application of 41-221(b)(5), I would like to suggest the following as draft language for the purpose of discussion:

- In accordance with Section 41-221(b)(5), the subdivider or future owner of the “land retained by owner” shown on the subdivision plan shall make a good faith offer to sell or donate a right-of-way, easement, or similar interest to allow for the construction of a street, town way, or private way, in accordance with the standards of Chapter 37 of the Town Code, or a driveway, to provide reasonable transportation and-or utility access to the following abutting properties:
 - For Map 23, Lot 8, the offered right-of-way, easement, or similar interest shall allow for the construction of a street, town way, or private way, in accordance with the standards of Chapter 37 of the Town Code, and shall either:
 - connect Village Dr./Quail Ln. in the land retained by owner (as shown on the subdivision plan) to Map 23, Lot 8, or,
 - be located in the upland portion shown in the northernmost corner of the subdivision plan, where it may connect two parts of the Map 23, Lot 8 lot line.
 - For Map 11, Lot 10, the offered right-of-way, easement, or similar interest shall allow for the construction of, at least, a private driveway from Village Dr./Quail Ln. in the land retained by owner (as shown on the subdivision plan) to Map 11, Lot 10, subject

1

[https://www.maine.gov/dacf/municipalplanning/docs/SMRPC%20\(SMPDC\)%20Model%20Subdivision%20Regulations%202006.pdf](https://www.maine.gov/dacf/municipalplanning/docs/SMRPC%20(SMPDC)%20Model%20Subdivision%20Regulations%202006.pdf)

to a similar right of access having been provided to Map 11, Lot 10, across the adjacent Public Service Company of New Hampshire/Eversource utility corridor.

- Each aforementioned good faith offer shall be made within six (6) months of a written letter of interest regarding such by the owners of the aforementioned abutting properties, or their authorized representatives.
- The subdivider or future owner of the “land retained by owner” shall engage in responsive, good faith negotiations regarding the above.

Buildability of the LRO parcel, street frontage, and Quail Ln. design standards

It bears reiterating here that, in order to be buildable, the LRO parcel must meet street frontage standards (45-405) for a “town way or a private way meeting the minimum standards of a town street” (1-2). The standard for the C/I district is 300 ft.

Performance guarantee

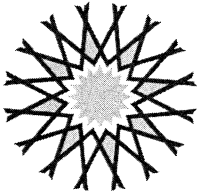
The applicant is in the process of furnishing a performance guarantee (Option 1, in the form of a bond for \$250,800) to be reviewed by the Select Board on February 23, 2023. The applicant’s correspondence and cost estimate are in your packet for reference.

To be provided subsequently or at the meeting

- DEP review history/summary
- Street construction standard information
- Other info as needed

Recommendation

Hold the public hearing and deliberate on the application, given the new information; further recommendation may be provided at the meeting.



ATTAR

ENGINEERING, INC

CIVIL • STRUCTURAL • MARINE

Mr. Michael Sullivan, Town Manager
Town of Eliot, Maine
1333 State Road
Eliot, Maine 03903

February 14th, 2023
Project No. C173-21

**RE: Request for Select Board Review
The Village at Great Brook (Tax Map 17, Lot 29)
Bolt Hill Road, Eliot, Maine**

Dear Mr. Sullivan:

In accordance with Town of Eliot Code of Ordinances §33-132.(b), Village on Great Brook, LLC. respectfully requests to be heard before the next-available Select Board meeting to discuss the performance guarantee associated with the Amendment to Existing Subdivision application that is currently before the Planning Board for hybrid review.

The Applicant has furnished a performance guarantee consistent with Option 1 of the above-mentioned Ordinance section which covers a list of outstanding construction and maintenance items enumerated in the attached Estimate of Cost. The guarantee will be in the form of a bond, and additional information on said bond will be provided prior to the Select Board meeting.

We look forward to discussing the project with the Select Board at the February 23rd Select Board meeting. Please contact me for any additional information or clarifications required.

Sincerely;

Michael J. Sudak, E.I.
Staff Engineer

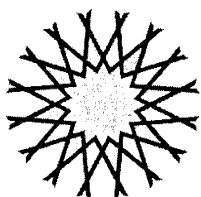
cc: Village on Great Brook, LLC.

Opinion of Cost - Villages at Great Brook (VGB)**Bolt Hill Road, Eliot, Maine****02/14/2023**

Estimate Line Item	Quantity	Unit	Unit Price	Price
Construction Items for Compliance				
Roadway Adjustment - Village Drive:	1	LS	\$15,000	\$15,000
<i>Lump Sum Includes: 150' Section of Village Drive, Stations 12+30 thru 13+80 Removal of Existing Asphalt within Section Extend Gravel Base for Shifted Asphalt Surface Fine-Grade Existing Gravel Base for Proper Drainage Roll & Compact Existing & Extended Gravel Base Pave 1-3/4" Base Course Asphalt</i>				
Paving: Travelways				
Village Drive:	1	LS	\$50,000	\$50,000
<i>Lump Sum Includes: Clean-Up of Existing Paved Surface (Base Course) Trimming of Back Edges Leveling of Depressions and Sinkholes Pave Surface Course Overlay of 1-1/2"</i>				
Pheasant Lane:	1	LS	\$32,000	\$32,000
<i>Lump Sum Includes: Clean-Up of Existing Paved Surface (Base Course) Trimming of Back Edges Leveling of Depressions and Sinkholes Pave Surface Course Overlay of 1-1/2"</i>				
Grading/Paving: Driveways				
Sagamore Lane (Driveways for All 4 Homes):	1	LS	\$11,000	\$11,000
<i>Lump Sum Includes: Remove all Asphalt to Correct Grading Issue Fine-Grade Existing Gravel Base for Proper Drainage Roll & Compact Existing Gravel Base Pave 2" Base Course Asphalt Pave Surface Course Overlay of 1"</i>				
Abenaki Trail (Driveways for All 5 Homes):	1	LS	\$10,000	\$10,000
<i>Lump Sum Includes: Clean-Up of Existing Paved Surface (Base Course) Trimming of Back Edges Leveling Depressions and Sinkholes Pave Surface Course Overlay of 1-1/2"</i>				
Village Drive (Driveways for All Homes):	1	LS	\$20,000	\$20,000
<i>Lump Sum Includes: Sawcut Elevated Asphalt Section near Garage of 28 & 30 Village Drive Clean-Up of Existing Paved Surface (Base Course) Trimming of Back Edges Levelling of Depressions and Sinkholes Pave Surface Course Overlay of 1-1/2"</i>				

Pheasant Lane (Driveways for All Homes):	1	LS	\$26,000	\$26,000
<i>Lump Sum Includes: Sawcut Elevated Asphalt Section near Garage of 30 & 32 Pheasant Lane Sawcut Elevated Asphalt Section near Garage of 43 & 45 Pheasant Lane Clean-Up of Existing Paved Surface (Base Course) Trimming of Back Edges Levelling of Depressions and Sinkholes Pave Surface Course Overlay of 1-1/2"</i>				
Landscaping & Transportation Safety				
Shade Tree Plantings - Pheasant Lane:	1	LS	\$4,000	\$4,000
<i>Lump Sum Includes: Excavation of Planting Trench behind 11 & 13 Pheasant Lane Placement of 3x Fireman's Maple Stabilization and Mulching of Excavated Site</i>				
Removal of Existing Fill Stockpile:	1	LS	\$10,000	\$10,000
<i>Lump Sum Includes: Excavation of Fill Stockpile and Trucking Off-Site Smoothing and Blending of Ground Surface to Surrounding Grade Seeding/Mulching of Disturbed Area (As Needed)</i>				
Ornamental Stone - Pheasant Lane Culverts:	1	LS	\$2,000	\$2,000
<i>Lump Sum Includes: Stabilization of Side Slopes at Driveway Culverts Removal of Debris from Culvert Forebays (As Needed) Repair of Exposed Geotextile (As Needed) Placement of Landscape Paper Bedding Placement of Ornamental Stone around Culvert Inlets</i>				
Boulder Barriers - Pheasant Lane:	1	LS	\$9,000	\$9,000
<i>Lump Sum Includes: Stabilization of Side Slopes within cul-de-sac Excavation for Boulder Placement (5' Separation Max.) Placement of 3' Boulder Barriers (4" Embedment Depth Min.) Seeding/Mulching of Disturbed Area (As Needed)</i>				
Emergency Access Gate (Quail Lane):	1	LS	\$5,000	\$5,000
<i>Lump Sum Includes: Excavation of Gate Post Foundations Installation of Emergency Access Gate Installation of Knox Box Keyed Entry Device</i>				
Post-Construction Maintenance				
Maintenance of Emergency Access Drive:	1	LS	\$25,000	\$25,000
<i>Lump Sum Includes: Fine-Grade Existing Gravel Surface for Proper Drainage Monitoring and Repairs of Channelized Flow across Gravel Surface Annual Snow Removal Contract (Salt/Sand, Plowing)</i>				

Inspection of Sewer Service Lines:	1	LS	\$9,000	\$9,000
<i>Lump Sum Includes: CCTV Inspection of All Unit Service Lines from Pump Station Jetting of Line to Clear Debris (As Needed) Removal of Septic via Trucking during Inspections Pavement Markings of Service Line Locations for Future Reference</i>				
Subtotal				\$228,000
Contingency (10% of Subtotal 1)				\$22,800
Total				\$250,800



ATTAR

ENGINEERING, INC

CIVIL · STRUCTURAL · MARINE

Mr. Jeffery Brubaker, AICP, Town Planner
Town of Eliot, Maine
1333 State Road
Eliot, Maine 03903

February 13th, 2023
Project No. C173-21

**RE: Amendment to Existing Subdivision Plan – Hybrid Review
The Village at Great Brook (Tax Map 17, Lot 29)
Bolt Hill Road, Eliot, Maine**

Dear Mr. Brubaker:

On behalf of Village on Great Brook, LLC., I have enclosed for your review and consideration an updated Plan Set and associated attachments for the above-referenced project. Revisions have been made to satisfy comments from the December 2022 and January 2023 Review Memos prepared by the Eliot Town Planner, as well as comments raised during discussion at the February 7th, 2023 Planning Board meeting.

- The proposed division line separating the existing development from the Land to be Retained by Owner (hereon LRO) has been adjusted further north to be located considerably more northerly from Units #41 thru #44 (7, 9, 11, & 13 Pheasant Lane). These adjustments provide greater than 30' of setback between the LRO division line and the northern corner of the listed units.
- Sheet 5 has been updated to provide significant detail to the rearyard of the above-mentioned units on Pheasant Lane, including the existing riprap swale behind Units #41 & #42 that runs easterly towards the adjacent wetlands. This Sheet also depicts the potential improvements in the space between this swale and the LRO division line, which has been a discussed area for recreational space for residents of the development. The LRO division line now provides roughly 65' to contain both recreational area and any prospective plantings and vegetated screening.
- A "Conditions of Approval" notes package has been added to Sheet 1, which includes the commitments highlighted in the Planner's January 2023 Review Memo presented as alternatives to waiver requests for Eliot Code of Ordinances §37-70 (Street Design Standards).
- Correspondence with the Eliot Fire Chief is attached, which requests the additional language on Knox gated access to the emergency gravel drive extending through the LRO as discussed at the February 7th Planning Board meeting. No response has been received as of the drafting of this letter, but the Town shall be kept up-to-date on all communications.
- Documentation of tests that were performed on the gravel base, gravel subbase, and asphalt base course of Village Drive and Pheasant Lane in 2019 by U.T.S. and John Turner Consulting (JTC) are attached. This information was provided to the Town on February 6th but was asked to be resubmitted with this package by the Planning Board

1284 State Road, Eliot, ME 03903 • tel (207) 439-6023 • fax (207) 439-2128

during their February 7th meeting.

- A detailed history of MDEP's involvement with the subject parcel after the original 2007 approval was requested by the Planning Board at the February 7th meeting. A compilation of emails is attached, and a summary of the content therein shall follow. Any attachments associated with these email threads can be provided to the Town or Planning Board upon request.
 - Email #1 (10/2013): Correspondence with Mark Patterson of PATCO Construction regarding Town of Eliot inspection requirements.
 - Email #2 (10/2013): Additional correspondence with Mark Patterson of PATCO Construction regarding Town of Eliot approvals and inspection requirements.
 - Email #3 (6/2016): Correspondence with Joel Moulton, then Public Works Director of Town of Eliot regarding the third-party review of the proposed sewer system design.
 - Email #4 (7/2016): Correspondence with Joel Moulton, then Public Works Director of Town of Eliot, and Underwood Engineers, third-party reviewer, providing response materials to the June 2016 memo.
 - Email #5 (7/2018): Correspondence with Alison Sirois, then Regional Licensing and Compliance Manager for MDEP, regarding a wetland setback compliance question.
 - Email #6 (8/2018): Additional correspondence with Alison Sirois, then Regional Licensing and Compliance Manager for MDEP, regarding a Minor Project Amendment subject to the wetland setback question from Email #5.
 - Email #7 (8/2018): MDEP Determination on Minor Project Amendment made by Alison Sirois, then Regional Licensing and Compliance Manager for MDEP.
 - Email #8 (4/2019): Correspondence with April Stehr, Environmental Specialist and Project Manager for MDEP, regarding an application transfer for the development. Discussion herein led to a MDEP site visit scheduled for 4/19/2019.
 - Email #9 (April thru July 2019): Notice of Violation (NOV) sent by MDEP after 4/19/2019 site visit as discussed in Email #8.
 - Email #10 (5/2019): Correspondence with April Stehr, Environmental Specialist and Project Manager for MDEP, and Aubrey Strause, then Stormwater Engineer for MDEP, regarding the findings of the 4/19/2019 site visit and discussion of timelines for addressing NOV items.
 - Email #11 (5/2019): Additional correspondence with Aubrey Strause, then Stormwater Engineer for MDEP, regarding the findings of the 4/19/2019 site visit and discussion of timelines for addressing NOV items.
 - Email #12 (5/2019): Additional correspondence with Aubrey Strause, then Stormwater Engineer for MDEP, regarding the findings of the 4/19/2019 site visit and discussion of timelines for addressing NOV items.

- Email #13 (5/2019): Additional correspondence with Aubrey Strause, then Stormwater Engineer for MDEP, regarding the findings of the 4/19/2019 site visit and discussion of timelines for addressing NOV items.
- Email #14 (9/2019): Correspondence with Aubrey Strause, then Stormwater Engineer for MDEP, regarding testing performed to existing stormwater BMPs to address NOV items.
- Email #15 (3/2020): Correspondence with Alison Sirois, then Regional Licensing and Compliance Manager for MDEP, regarding updated Plan Set and Stormwater analysis pursuant to MDEP amendment order filing.
- Email #16 (2/2021): Correspondence with Aubrey Strause, then Stormwater Engineer for MDEP, regarding the analysis of the proposed Phase IV buildout and updates since the original approvals.
- Email #17 (7/2021): Correspondence with Kristie Rabasca, Stormwater Engineering consultant for Integrated Environmental Engineering, Inc., regarding the findings of a 7/29/2021 site visit with the Town of Eliot Code Enforcement Officer and Attar Engineering, Inc.

We look forward to discussing the project with the Planning Board at the February 21st Public Hearing meeting. Please contact me for any additional information or clarifications required.

Sincerely;

A handwritten signature in black ink, appearing to read "Michael J. Sudak". The signature is fluid and cursive, with the first name "Michael" being more prominent.

Michael J. Sudak, E.I.
Staff Engineer

cc: Village on Great Brook, LLC.

From: [Mike Sudak](#)
To: [Jay Muzeroll](#)
Cc: [Ken Wood](#); [Sammie Rogers](#)
Subject: Village at Great Brook - Gated Knox Access for Emergency Gravel Drive
Date: Wednesday, February 8, 2023 12:46:00 PM
Attachments: [Re Villages - Fire Chief on Emerg Ent.msg](#)

Good Afternoon Chief Muzeroll,

I just left you a voicemail and am following up here.

The application to amend the Villages was before the Planning Board last night, during which a discussion was had regarding the 16' gravel road which is to be gated and maintained as an emergency access to the complex. The Association of residents of the development have requested that they also be provided keyed access to this gate to utilize the gravel road as necessary, and if you are in agreement I wanted to have a discussion with you on how you would like that information presented (note on the amended plan, letter from you, etc.).

I'm attaching your correspondence with Ken from this past October just for reference.

Please let me know if you have any questions/concerns.

Thanks and take care.

-Mike

Michael J. Sudak, E.I.
Civil Engineer
Attar Engineering, Inc.
1284 State Road
Eliot, Maine 03903
Ph: (207) 439-6023
Fax: (207) 439-2128
Cell: (978) 317-3398

From: [Chief Jay Muzeroll](#)
To: [Ken Wood](#); [Planner](#)
Subject: Re: Villages
Date: Monday, October 17, 2022 6:06:20 PM

Good Afternoon All,

I have looked at the plan as it pertains to Phase IV for the Village at Great Brook. If I understand our conversation the intent may be to break the Phase IV parcel away from the other phases.

The subject of an alternative emergency access road(s) for the initial phases and future use of Phase IV is what I am reviewing.

The previous approval shown on the plan includes a 20' paved roadway beginning at Pheasant Drive and winding through Village Drive, Village Circle and Quail Lane ending at Route 236.

My question to the applicant is, will the same route be utilized for the emergency secondary road request or is a more direct route being considered?

NFPA 1 Chapter 18.2.3.5 requires unobstructed roadways of not less than 20 feet, however it does allow the AHJ to reduce that width. Although I prefer a more direct route, I understand that may not be feasible. I have no objection to utilizing a 16" gravel road maintained year-round as shown on the plan with turning radius' constructed as shown on the plan. If future development of the area of Phase IV comes about, then it will need to be constructed as originally approved.

The use of keyed (KNOX) access gates will not be required but maybe used if the owner desires but shall be placed IAW NFPA 1 Chapter 18.2.4.2 and the Fire Chiefs approval and be freely operated year-round.

As this request for an amended use moves forward, I am more than willing to listen to comments.

Jay P. Muzeroll
Eliot Fire Chief

From: Ken Wood <Ken@attarengineering.com>
Sent: Thursday, October 13, 2022 05:09
To: Jay Muzeroll <eliotfirechief@hotmail.com>
Subject: Villages

Good Morning Jay. - I'd like to submit The Village's on Great Brook to the Planning Board next week. Have you been able to review the secondary emergency road item we net about - is a gated single lane gravel surface allowed? We will maintain it year round, thanks Jay. Best.

Ken

Sent from my T-Mobile 5G Device



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"The Construction Testing People"

-Page 1

5 Richardson Lane, Stoneham, MA 02180 781-438-7755 (Voice) 781-438-6216 (Fax)

Soil Testing Results - Transmittal Report

Distribution Copy

Report Date 07-31-2019
Report No. 1
Job Number 23606
Project The Village of Great Brook
Off Bolton Hill Road, Eliot, ME
Contractor SPL Development

Sample Submitted By

Sample No. 874

☒ Our Representative: Derek Hunter

Date Submitted: 7-23-19

☐ Other:

Source of Sample

☐ On-Site Existing @ location:

☒ Off-Site Borrow from: Rowley Redi Mix

Proposed Use: Subbase

Material Submitted As:

☐ Structural/Granular Fill:

☐ Ordinary Borrow: MHD M1.01.0 (Shall be approved by the Architect)

☐ Gravel Borrow: MHD M1.03.0 Type:

☐ Processed Gravel For Base Course: MHD M1.03.1

☐ Sand Borrow: MHD M1.04.0 Type:

☐ Reclaimed Pavement Borrow for Base Course: MHD M1.11.0

☐ Crushed Stone: MHD M2.01.0

☐ Dense Graded Crushed Stone for Base Course: MHD M2.01.7

☐ Common Borrow:

☐ Drainage Fill:

☒ Other: MDOT Type E

Requested Testing

☐ Atterberg Limits

☒ Gradation Analysis

☐ Hydrometer

☒ Modified Proctor

☐ Permeability

☒ Wash Sieve Analysis

☐ Other:

Material Classification: Gravel and sand

Project Specification Conformance Results

☒ Does conform: MDOT Type E Aggregate for Subbase.

☐ Does NOT conform:

☐ Marginally does not* conform...Basis:

☐ No Specifications provided to our office.

☐ Specifications provided to our office but sample not submitted to a specific use.

☐ Sample submitted without indication of intended use and without specifications.

GENERAL REMARKS:

REVIEWED BY: Geotechnical Department



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Page 2

5 Richardson Lane, Stoneham, MA 02180 781-438-7755 (Voice) 781-438-6216 (Fax)

Soil Testing Results - Transmittal Report

Distribution Copy

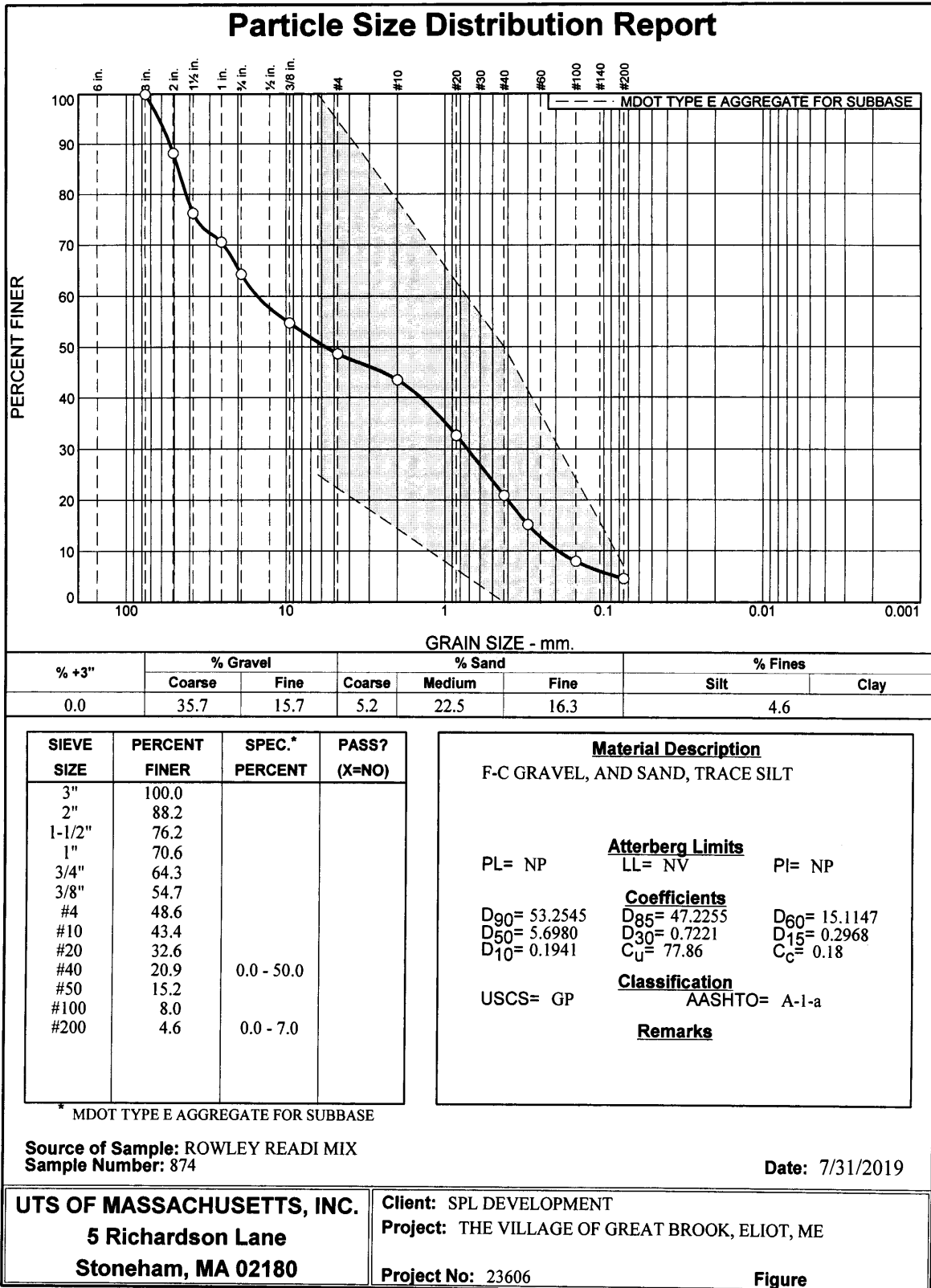
Report Date 07-31-2019
Report No. 1
Job Number 23606
Project The Village of Great Brook
Off Bolton Hill Road, Eliot, ME
Contractor SPL Development

CC: SPL Development
Unit Construction

Peter Lee
Tony Gobbi
Shawn Savage

Report Date 07-31-2019
 Report No. 1
 Job Number 23606
 Project The Village of Great Brook
 Off Bolton Hill Road, Eliot, ME

Attachment





RYE BEACH
LANDSCAPING LLC

Rye Beach Landscaping LLC

PO Box 200

Rye Beach, NH 03871

(603)964-6888

info@ryebeachlandscaping.com

www.RyeBeachLandscaping.com

Invoice

BILL TO

Anthony Gobbi
ARCS Property MGMT LLC
125 Saratoga Way
Portsmouth, NH 03801

INVOICE # 5050

DATE 08/16/2019

DUE DATE 08/16/2019

TERMS Due on receipt

DATE	ACTIVITY	QTY	RATE	AMOUNT
08/14/2019	Tri-Axle Hauling Hours: 9:30 AM - 1:30 PM Hauled 3" gravel from Milton to Rt 236, Eliot ME	4	85.00	340.00
08/15/2019	Tri-Axle Hauling Hours: 6:45 AM - 3:45 PM Hauled 3" gravel from Milton to Rt 236 Eliot, ME	9	85.00	765.00

Thank you for your business!

BALANCE DUE

\$1,105.00



RYE BEACH
LANDSCAPING

Rye Beach Landscaping LLC

PO Box 200

Rye Beach, NH 03871

(603)964-6888

info@ryebeachlandscaping.com

www.RyeBeachLandscaping.com

Invoice

BILL TO

Anthony Gobbi

ARCS Property MGMT LLC

125 Saratoga Way

Portsmouth, NH 03801

INVOICE # 5054

DATE 08/21/2019

DUE DATE 08/21/2019

TERMS Due on receipt

DATE	ACTIVITY	QTY	RATE	AMOUNT
08/19/2019	Tri-Axle Hauling Hours: 8:15 AM - 4:45 PM Transported gravel from Milton NH to Eliot ME	8.50	85.00	722.50
08/20/2019	Tri-Axle Hauling Hours: 6:45 AM - 3:45 PM Transported gravel from Milton NH to Eliot ME	9	85.00	765.00
08/21/2019	Tri-Axle Hauling Hours: 6:45 AM - 1:15 PM Transported gravel from Milton NH to Eliot ME	6.50	85.00	552.50

Thank you for your business!

BALANCE DUE

\$2,040.00



Of Massachusetts
"The Construction Testing People"

-Page 1

5 Richardson Lane, Stoneham, MA 02180 781-438-7755 (Voice) 781-438-6216 (Fax)

Soil Inspection Report

Distribution Copy

Report Date 08-08-2019
Report No. 2
Job Number 23606
Project The Village of Great Brook
Off Bolton Hill Road, Eliot, ME
Contractor SPL Development

WEATHER: Cloudy 75°

TIME: 7:00 AM

CONTACT: Tony Gobbi of SPL Development

PURPOSE: Observe earthwork construction and perform field density test

EQUIPMENT: 10 ton Vibratory Roller

TEST METHOD: ☒ Sand Cone ☐ Nuclear Densometer

TITLE: ☐ Inspector ☐ Staff Engineer ☐ Engineer

Test No.	Percent Moisture	Maximum Dry Density	Field Dry Density	Percent Compaction	Location	Elevation (Feet)
1	6.5	139.1	136.2	97.8	See Sketch	PSB
2	6.5	139.1	136.8	98.3	See Sketch	PSB
3	6.1	139.1	137.2	98.6	See Sketch	PSB
4	6.1	139.1	137.5	98.8	See Sketch	PSB
5	5.8	139.1	136.5	98.1	See Sketch	PSB

OBSERVATIONS:

This report follows a site visit to observe/test the earthwork for pavement subgrade. The writer observed the material was placed and compacted the previous day. Proof rolling was done with the vibratory roller, making 2-3 passes. Soil Description: F-C gravel and sand, trace silt. A total of 5 field density tests were performed using the ASTM D1556 Sand Cone method of testing. The earthwork observed/tested does conform to minimum requirements of 95% compaction. These observations/testing results were reported to Mr. Gobbi during this visit.

Inspector Name	Premium Time	Hours	Travel Time
Michael McDonald	No	Min Day	2 Hr(s)

REVIEWED BY: Chuck Fraser

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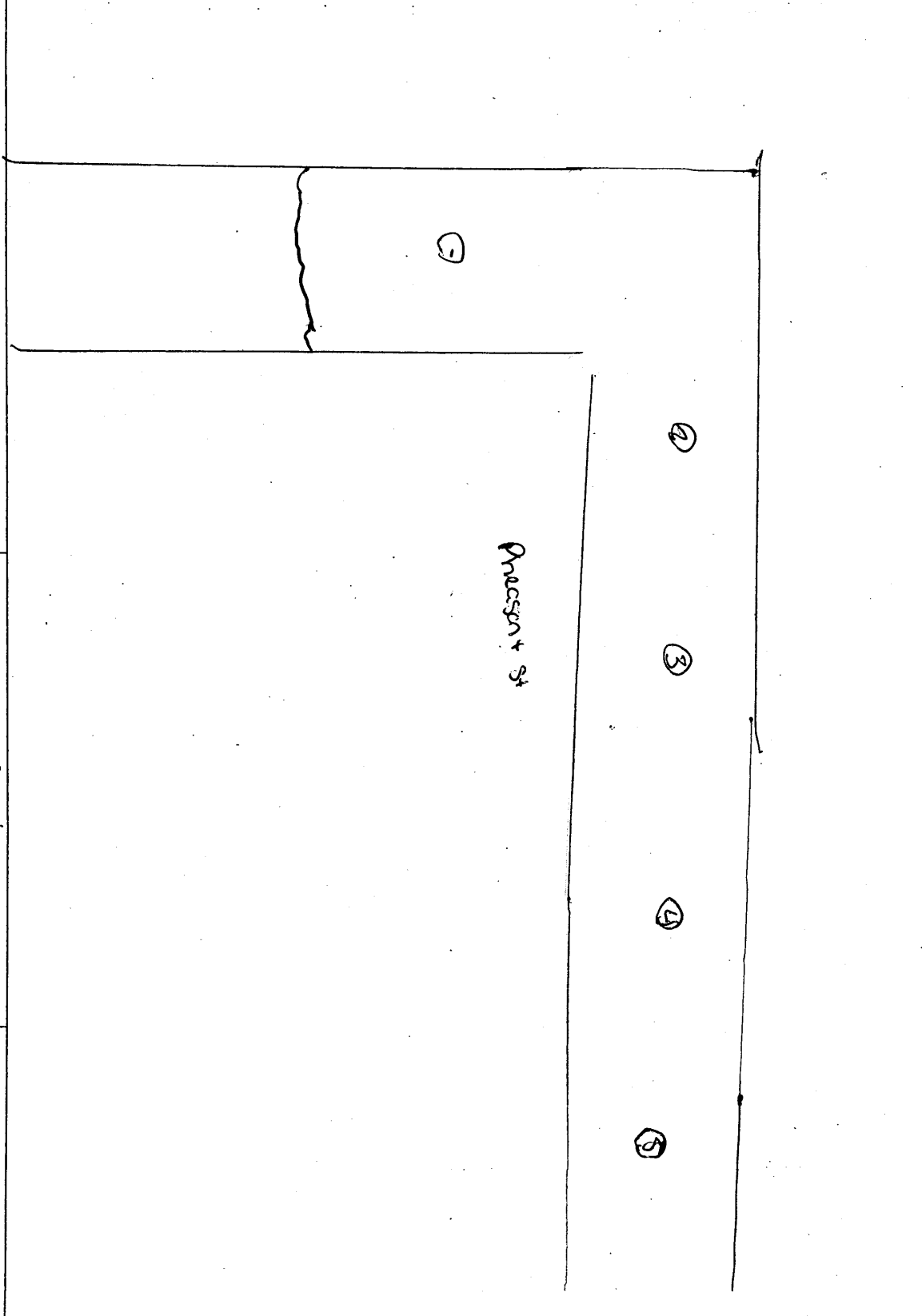
CC: SPL Development
Unit Construction

Peter Lee
Tony Gobbi
Shawn Savage

5 Richardson Lane, Stoneham, MA 02180 781-438-7755 (Voice) 781-438-6216 (Fax)

Report Date 08-08-2019
Report No. 2
Job Number 23606
Project The Village of Great Brook
Off Bolton Hill Road, Eliot, ME

Attachment

 <p>5 Richardson Lane Stoneham, Ma 02180 8/8/19 "The Construction Testing People"</p>	<p>JOB NAME: 383 Bolton Hill Rd Eliot ME PROJECT NO.: _____</p>	<p>FIELD SKETCH</p>
		



REPORT OF PAVEMENT AND GRAVEL OBSERVATIONS

CLIENT: Mr. Joel Kahn
Equity Alliance LLC
7 Rolling Woods Drive
Bedford, NH 03110
Ph: 603-472-3808
jkahn@equity-alliance.com

PROJECT: Village at Great Brook
Eliot, ME

DATE: September 14, 2019

REPORT #: 19-10-066-002

General Location: Roadways - Phase I (Sta. 10+75 & Sta. 15+50 to 18+00) and Phase 2 (Sta. 0+00 to 12+36)
Field Representatives: J. Turner, J. McCarthy, D. Grodan, & M. Bronstein
Air Temperature: 55°
Weather: Overcast

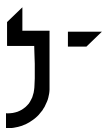
SUMMARY OF PAVEMENT AND BASE GRAVEL INVESTIGATION:

On Saturday, September 14th, 2019, representatives of John Turner Consulting performed an investigation of the existing pavement and base gravels for roadway sections of the Village at Great Brook development in Eliot, Maine. This investigation consisted of cutting cored specimens of the asphalt material and collecting and measuring the underlying base gravel materials. Separate asphalt core samples were also taken to determine compaction percentages and the exposed, in-place base gravel was tested for compaction, as well.

COMPACTION CORE SAMPLES

Six (6)-inch diameter core samples were taken at six (6) locations over the roadway area. These samples were tested/measured to determine their thickness and bulk specific gravity. Two (2) of these samples were then tested to obtain a Maximum Theoretical Value for the binder material. The results were then averaged and compared against the bulk specific gravity of the 6 cores to determine a compaction percentage.

Thicknesses of the six (6) cores ranged from 1.46" to 2.29", with an average of 1.94". Compaction percentages ranged from 85.6% to 91.7%, with an average of 89.0%. Typical roadway compaction specification is 92 to 97% of Maximum Theoretical Value. Refer to the 6" Core Compaction Table for testing details.

**Core Samples – (6" Diameter Cores)**

CORE ID	LOCATION	THICKNESS (inches)	BULK SPECIFIC GRAVITY	THEORETICAL MAX (Avg of C-2 & C-4)	PERCENT COMPACTION
C-1	Sta. 17+10, R 4'	1.46	2.273	2.480	91.7%
C-2	Sta. 2+11, L 3'	1.67	2.157	2.480	87.0%
C-3	Sta. 5+33, R 6.5'	2.12	2.188	2.480	88.2%
C-4	Sta. 7+44, L 5'	2.29	2.275	2.480	91.7%
C-5	Sta. 8+88, R 1'	1.94	2.123	2.480	85.6%
C-6	Sta. 11+13, R 7'	2.17	2.229	2.480	89.9%

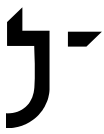
Thickness = Average of 3 Measurements

ROADWAY SOIL SAMPLES & COMPACTION TESTS

Nine (9) Locations were selected along the roadway sections for Phase 1 and Phase 2. Approximately 2'x2' sections of the asphalt binder were sawcut and removed from these areas. Once removed, in-place compaction tests were taken on the underlying base gravel. The areas were then hand-excavated to determine gravel thicknesses and obtain samples of the base material. The Driveway Cross Section and Cul-de-sac Cross Section details on Sheet 9 of the plans specify a 6" minimum layer of Crushed Gravel (MDOT Type A or B) for the paving base and a 15" minimum layer of Gravel Subbase (MDOT Type D or E). Moisture-Density relationships (Proctor values) were determined on 3 of the mainline roadway samples and 1 at the patch area at Sta. 10+75, which appeared to be a completely different sample than the others. The highest Proctor value was applied against the in-place density tests to obtain a compaction percentage. These are listed in the table below.

Two (2) separate samples (19-460, 19-461) were also collected of the gravel material along the roadway shoulders. These were compared against the MEDOT Type A & Type B specification, as well. The table below provides details on the samples collected.

Sample Number	Location	Base Layer Thickness	Moisture Content / Dry Density	Max. Dry Density	Percent Compaction	Notes
1) 19-460	Shoulder – Sta. 5+09, L	N/A	N/A	N/A	N/A	Does NOT meet MEDOT Type A or B
2) 19-461	Shoulder – Sta. 6+34, L	N/A	N/A	N/A	N/A	Does NOT meet MEDOT Type A or B
3) 19-484	Phase 1 – Sta. 17+02, L	22+"	2.0% / 129.7 pcf	133.9 pcf	96.9%	Does NOT meet MEDOT Type A or B
4) 19-485	Phase 1 – Sta. 17+86, R	21+"	2.5% / 133.3 pcf	133.9 pcf	99.6%	Does NOT meet MEDOT Type A or B
5) 19-486	Phase 2 – Sta. 2+50, R	21+"	2.4% / 133.4 pcf	133.9 pcf	99.6%	Does NOT meet MEDOT Type A or B
6) 19-487	Phase 2 – Sta. 4+25, R	21+"	2.9% / 136.1 pcf	133.9 pcf	+100%	Does NOT meet MEDOT Type A or B
7) 19-488	Phase 2 – Sta. 6+95, L	21+"	2.8% / 135.0 pcf	133.9 pcf	+100%	Does NOT meet MEDOT Type A or B



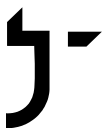
8) 19-489	Phase 2 – Sta. 7+25, R	21+”	2.6% / 132.7 pcf	133.9 pcf	99.1%	MEETS MEDOT Type B (Type A: 1.5% out on #40)
9) 19-490	Phase 2 – Sta. 10+60, R	21+”	2.1% / 132.8 pcf	133.9 pcf	99.2%	Does NOT meet MEDOT Type A or B
10) 19-491	Phase 2 – Sta. 11+50, L	22+”	2.6% / 131.6 pcf	133.9 pcf	98.3%	Does NOT meet MEDOT Type A or B
11) 19-492	Phase 1 – Sta. 10+75 (Patch Area)	22+”	5.6% / 132.6 pcf	142.4 pcf	93.1%	Does NOT meet MEDOT Type A or B

THICKNESS CORES

In order to determine asphalt binder thicknesses for the roadway, cores were cut every 100’ from Sta. 16+00 to 18+00 (Phase 1) and from 1+00 to 12+00 (Phase 2). 3 cores were taken at every location (1 at 24” off Right EOP, 1 at Centerline and 1 at 24” off Left EOP). The Driveway Cross Section and Cul-de-sac Cross Section details on Sheet 9 of the plans specify a thickness of 1 ¾” for the asphalt Base Course. Thickness core samples ranged from 1.52” to 4.44”, with an average thickness of 2.19”. Refer to the Core Thickness Table for individual measurements.

Thickness Core Samples (3” & 4” Diameter Cores)

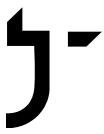
CORE ID	LOCATION	THICKNESS (inches)
1A	16+00, R	4.44
1B	16+00, CTR	2.56
1C	16+00, L	2.68
2A	17+00, R	2.03
2B	17+00, CTR	2.02
2C	17+00, L	2.00
3A	18+00, R	1.57
3B	18+00, CTR	1.92
3C	18+00, L	1.79
4A	1+00, R	1.82
4B	1+00, CTR	1.91
4C	1+00, L	1.97
5A	2+00, R	1.85
5B	2+00, CTR	2.04
5C	2+00, L	2.02
6A	3+00, R	1.62
6B	3+00, CTR	2.48
6C	3+00, L	2.29
7A	4+00, R	2.05



7B	4+00, CTR	2.26
7C	4+00, L	2.06
8A	5+00, R	2.16
8B	5+00, CTR	1.8
8C	5+00, L	1.72
9A	6+00, R	2.35
9B	6+00, CTR	1.93
9C	6+00, L	2.73
10A	7+00, R	2.15
10B	7+00, CTR	2.43
10C	7+00, L	1.91
11A	8+00, R	2.21
11B	8+00, CTR	2.48
11C	8+00, L	2.27
12A	9+00, R	2.58
12B	9+00, CTR	2.38
12C	9+00, L	1.60
13A	10+00, R	2.47
13B	10+00, CTR	4.02
13C	10+00, L	1.70
14A	11+00, R	2.78
14B	11+00, CTR	2.97
14C	11+00, L	1.60
15A	12+00, R	1.78
15B	12+00, CTR	1.52
15C	12+00, L	1.53

Right / Left (R / L) = 24" off the of Edge of Pavement (EOP)

Thickness = Average of 3 Measurements

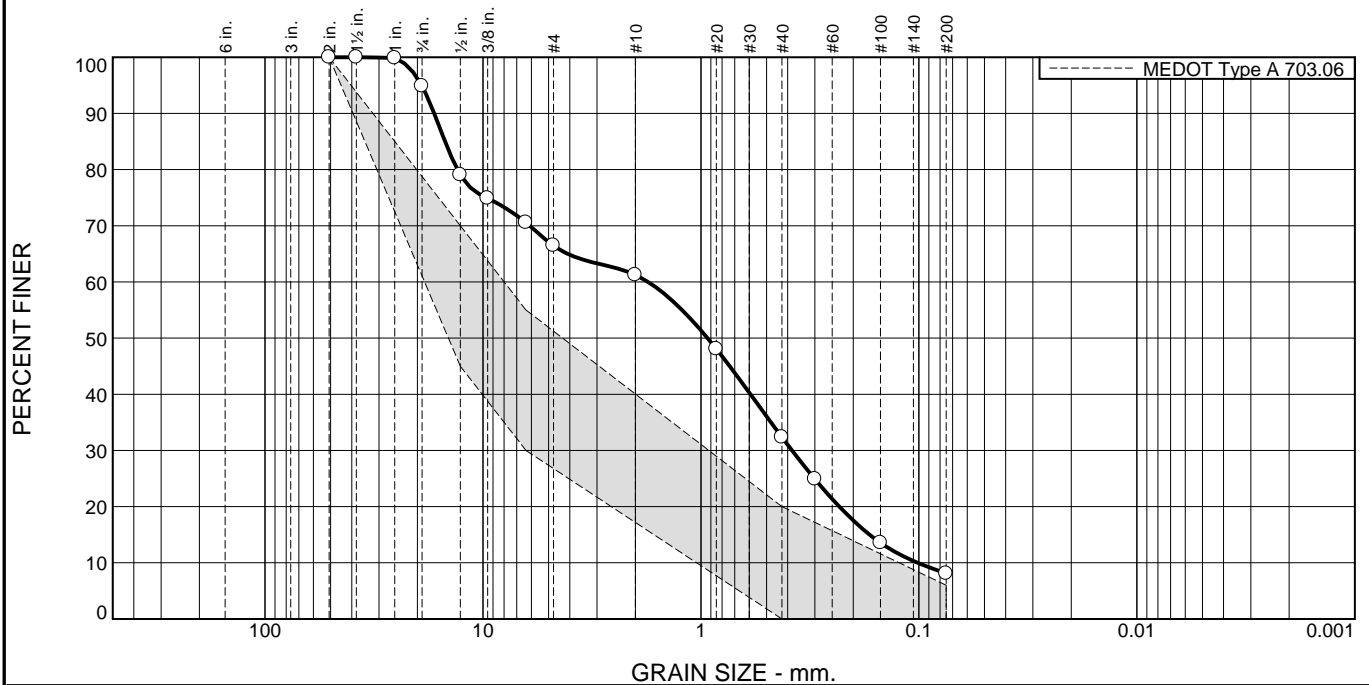


Observations/Conclusions

- *Pavement thickness:* Eight (8) of the 45 thickness core samples were less than the specified 1.75". Two (2) of the 6 bulk specific gravity cores were less than the specified 1.75".
- *Gravel thickness:* All of the excavated holes, except Phase I – Station 10 + 75, had greater than the specified 21 inches of gravel. The gravel at Station 10+75 was contaminated with clay/silt, debris and organics and thus does not meet the project specifications.
- *Gravel compaction:* All of the areas tested for gravel compaction exceeded the specification for a minimum of 95%.
- *Pavement compaction:* None of the six (6) samples tested for compaction achieved the minimum requirement of 92%. However, two cores were at 91.7 percent were close. The other four (4) cores were significantly below 92%.
- *Gravel gradation:* Ten (10) of the eleven (11) gravels samples failed to meet the project gradation requirement in the specification. However, with the exception of Phase I – Station 10+75, the gravels are generally close to the project specifications and did meet the Town of Eliot specifications. I would recommend approving the in-place gravels with the exception of Phase I – Station 10+75 area.
- *Station 10+75 area –* JTC recommends fully boxing this area out and removing the in-place pavement and gravels, installing a filter fabric and reconstructing gravels and pavements in accordance with the project specifications.
- *Driveways –* JTC did not perform any sampling or testing for any driveways as part of this evaluation. However, our visual observations were that the driveways have many structural defects, and surfaces are very rough which may be indicative to poor compaction which would be consistent with what was found for the road.
- *Roadway –* Due to poor asphalt compaction, deficient asphalt depth and general poor workmanship, JTC recommends either removing the entire pavement cross-section or reclaiming the in-place pavement for the length of the project. Then the road should be re-paved in accordance with the project specifications.

We trust this letter meets your needs at this time. Please feel free to contact us with any questions or comments.

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	5.1	28.4	5.3	28.8	24.3	8.1	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
2	100.0	100.0	
1 1/2	100.0		
1	99.9		
3/4	94.9		
1/2	79.1	45.0 - 70.0	X
3/8	74.9		
1/4	70.6	30.0 - 55.0	X
#4	66.5		
#10	61.2		
#20	48.1		
#40	32.4	0.0 - 20.0	X
#50	24.9		
#100	13.6		
#200	8.1	0.0 - 6.0	X

* MEDOT Type A 703.06

Material Description

Poorly Graded Sand with Silt and Gravel
(Brown Gravel)

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= AASHTO (M 145)= -

Coefficients

D₉₀= 16.7584 D₈₅= 14.9303 D₆₀= 1.7504
D₅₀= 0.9333 D₃₀= 0.3822 D₁₅= 0.1683
D₁₀= 0.1013 C_u= 17.28 C_c= 0.82

Remarks

Date Received: 9/12/19 Date Tested: 9/13/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Station 5+09
Sample Number: 19-460

Date Sampled: 9/12/19

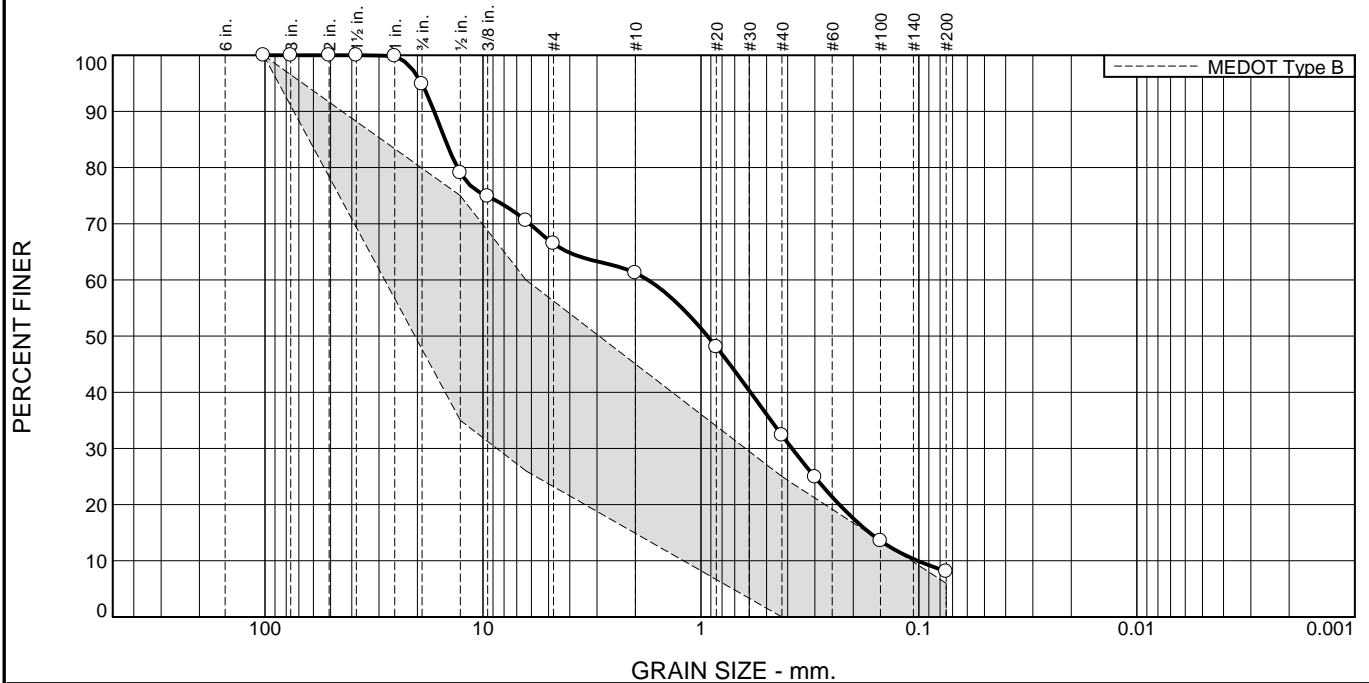


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 460A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	5.1	28.4	5.3	28.8	24.3	8.1	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
4	100.0	100.0	
3	100.0		
2	100.0		
1 1/2	100.0		
1	99.9		
3/4	94.9		
1/2	79.1	35.0 - 75.0	X
3/8	74.9		
1/4	70.6	26.0 - 60.0	X
#4	66.5		
#10	61.2		
#20	48.1		
#40	32.4	0.0 - 25.0	X
#50	24.9		
#100	13.6		
#200	8.1	0.0 - 6.0	X

* MEDOT Type B

Material Description Poorly Graded Sand with Silt and Gravel (Brown Gravel)		
Atterberg Limits (ASTM D 4318) PL= - LL= - PI= -		
Classification USCS (D 2487)= AASHTO (M 145)= -		
Coefficients D ₉₀ = 16.7586 D ₈₅ = 14.9304 D ₆₀ = 1.7504 D ₅₀ = 0.9333 D ₃₀ = 0.3822 D ₁₅ = 0.1683 D ₁₀ = 0.1013 C _u = 17.28 C _c = 0.82		
Remarks 		
Date Received: 9/12/19		Date Tested: 9/13/19
Tested By: Ted M.		
Checked By: Jeff Y.		
Title: Lab Manager		

Location: Station 5+09
Sample Number: 19-460

Date Sampled: 9/12/19

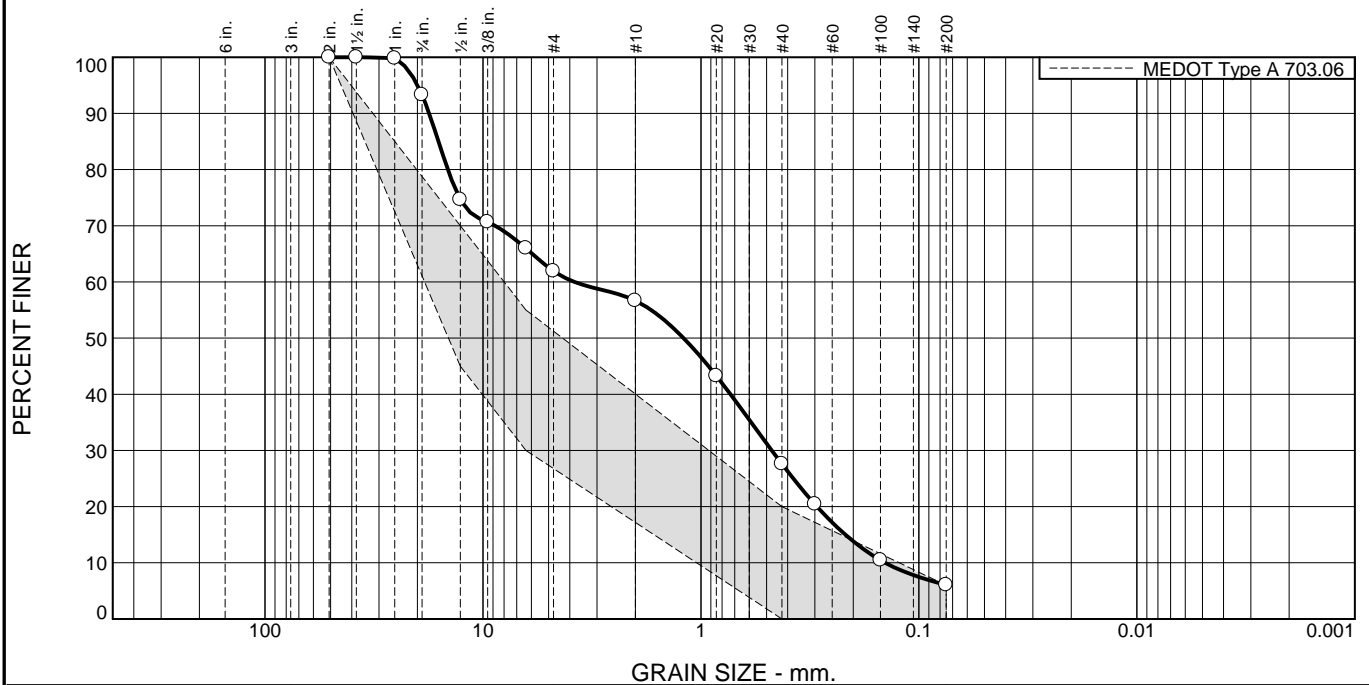


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 460A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	6.7	31.4	5.3	29.0	21.6	6.0	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
2	100.0	100.0	
1 1/2	100.0		
1	99.8		
3/4	93.3		
1/2	74.7	45.0 - 70.0	X
3/8	70.7		
1/4	66.0	30.0 - 55.0	X
#4	61.9		
#10	56.6		
#20	43.3		
#40	27.6	0.0 - 20.0	X
#50	20.4		
#100	10.5		
#200	6.0	0.0 - 6.0	

* MEDOT Type A 703.06

Material Description

Poorly Graded Sand with Silt and Gravel
(Brown Gravel)

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= AASHTO (M 145)= -

Coefficients

D₉₀= 17.6687 D₈₅= 16.0032 D₆₀= 3.8059
D₅₀= 1.2011 D₃₀= 0.4733 D₁₅= 0.2173
D₁₀= 0.1429 C_u= 26.63 C_c= 0.41

Remarks

Date Received: 9/12/19 Date Tested: 9/13/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Station 6+34
Sample Number: 19-461

Date Sampled: 9/12/19

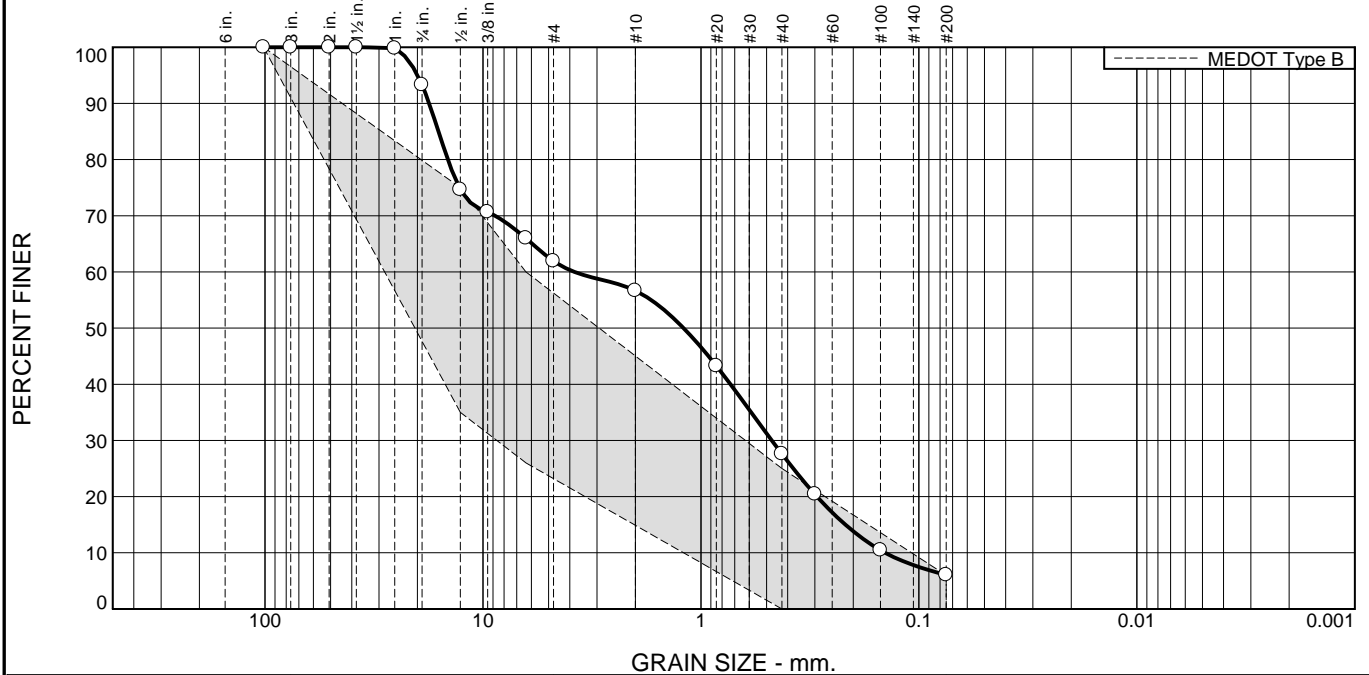


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 461A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	6.7	31.4	5.3	29.0	21.6	6.0	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
4	100.0	100.0	
3	100.0		
2	100.0		
1 1/2	100.0		
1	99.8		
3/4	93.3		
1/2	74.7	35.0 - 75.0	
3/8	70.7		
1/4	66.0	26.0 - 60.0	X
#4	61.9		
#10	56.6		
#20	43.3		
#40	27.6	0.0 - 25.0	X
#50	20.4		
#100	10.5		
#200	6.0	0.0 - 6.0	

* MEDOT Type B

Material Description		
Poorly Graded Sand with Silt and Gravel (Brown Gravel)		
Atterberg Limits (ASTM D 4318)		
PL= -	LL= -	PI= -
Classification		
USCS (D 2487)=	AASHTO (M 145)= -	
Coefficients		
D ₉₀ = 17.6688	D ₈₅ = 16.0034	D ₆₀ = 3.8059
D ₅₀ = 1.2011	D ₃₀ = 0.4733	D ₁₅ = 0.2173
D ₁₀ = 0.1429	C _u = 26.63	C _c = 0.41
Remarks		
Date Received: 9/12/19 Date Tested: 9/13/19		
Tested By: Ted M.		
Checked By: Jeff Y.		
Title: Lab Manager		

Location: Station 6+34
Sample Number: 19-461

Date Sampled: 9/12/19

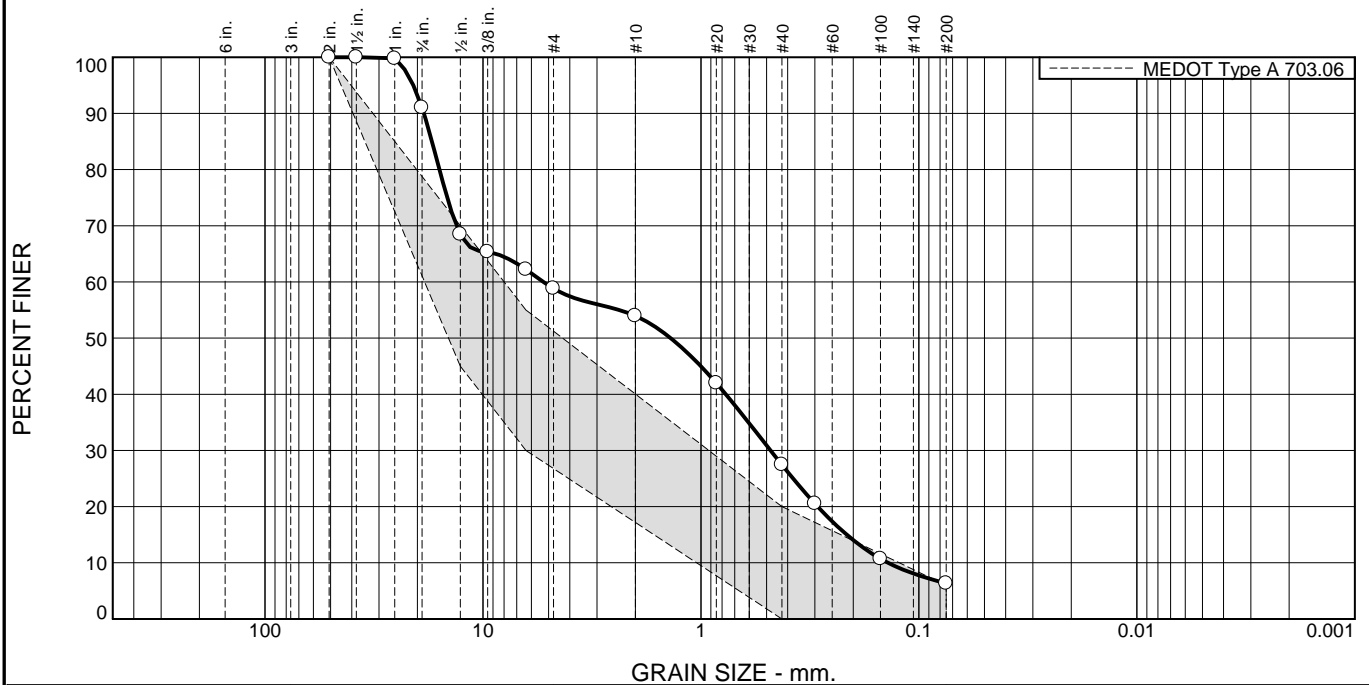


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 461A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	9.0	32.2	4.8	26.6	21.1	6.3	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
2	100.0	100.0	
1 1/2	100.0		
1	99.8		
3/4	91.0		
1/2	68.5	45.0 - 70.0	
3/8	65.3		
1/4	62.2	30.0 - 55.0	X
#4	58.8		
#10	54.0		
#20	42.0		
#40	27.4	0.0 - 20.0	X
#50	20.5		
#100	10.7		
#200	6.3	0.0 - 6.0	X

* MEDOT Type A 703.06

Material Description

Poorly Graded Sand with Silt and Gravel

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= AASHTO (M 145)= -

Coefficients

D₉₀= 18.6830 D₈₅= 17.1510 D₆₀= 5.2856
D₅₀= 1.3775 D₃₀= 0.4794 D₁₅= 0.2142
D₁₀= 0.1387 C_u= 38.10 C_c= 0.31

Remarks

Date Received: 9/16/19 Date Tested: 9/18/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 1 Station 17+02 L
Sample Number: 19-484

Date Sampled: 9/16/19

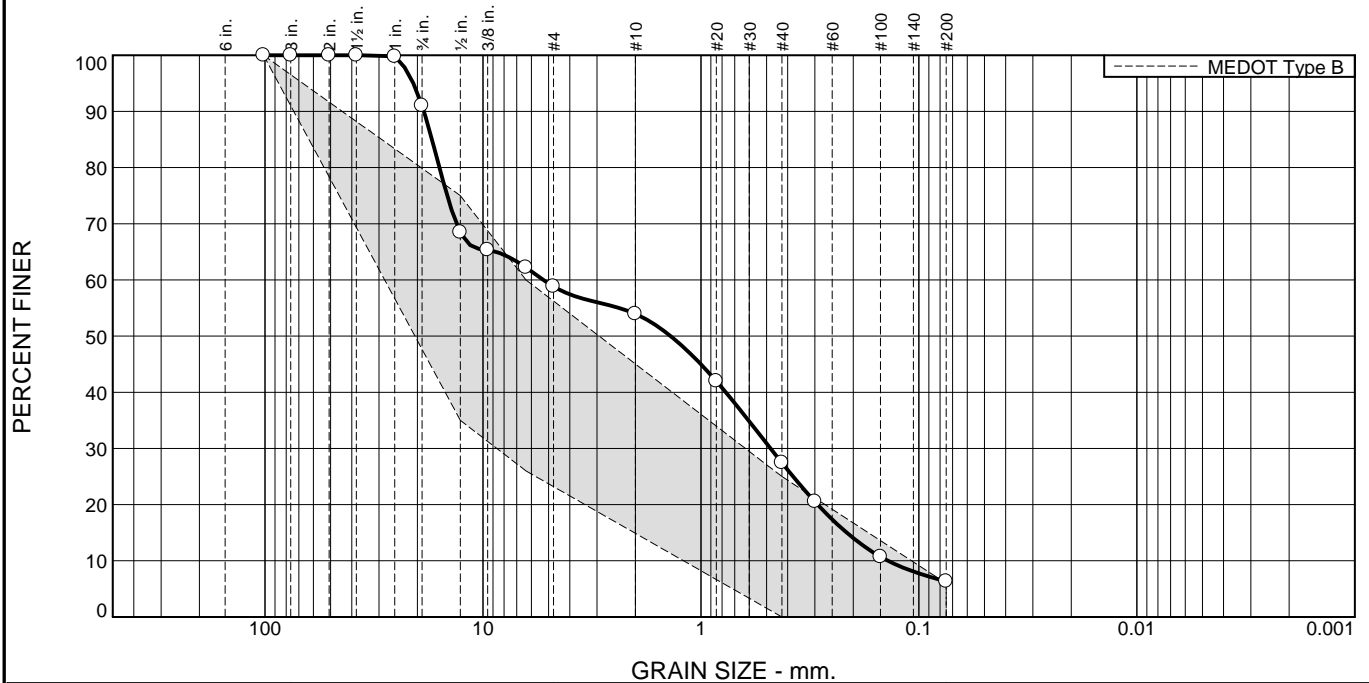


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 484A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	9.0	32.2	4.8	26.6	21.1	6.3	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
4	100.0	100.0	
3	100.0		
2	100.0		
1 1/2	100.0		
1	99.8		
3/4	91.0		
1/2	68.5	35.0 - 75.0	
3/8	65.3		
1/4	62.2	26.0 - 60.0	X
#4	58.8		
#10	54.0		
#20	42.0		
#40	27.4	0.0 - 25.0	X
#50	20.5		
#100	10.7		
#200	6.3	0.0 - 6.0	X

* MEDOT Type B

Material Description

Poorly Graded Sand with Silt and Gravel

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= AASHTO (M 145)= -

Coefficients

D₉₀= 18.6831 D₈₅= 17.1512 D₆₀= 5.2856
D₅₀= 1.3775 D₃₀= 0.4794 D₁₅= 0.2142
D₁₀= 0.1387 C_u= 38.10 C_c= 0.31

Remarks

Date Received: 9/16/19 Date Tested: 9/18/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 1 Station 17+02 L
Sample Number: 19-484

Date Sampled: 9/16/19

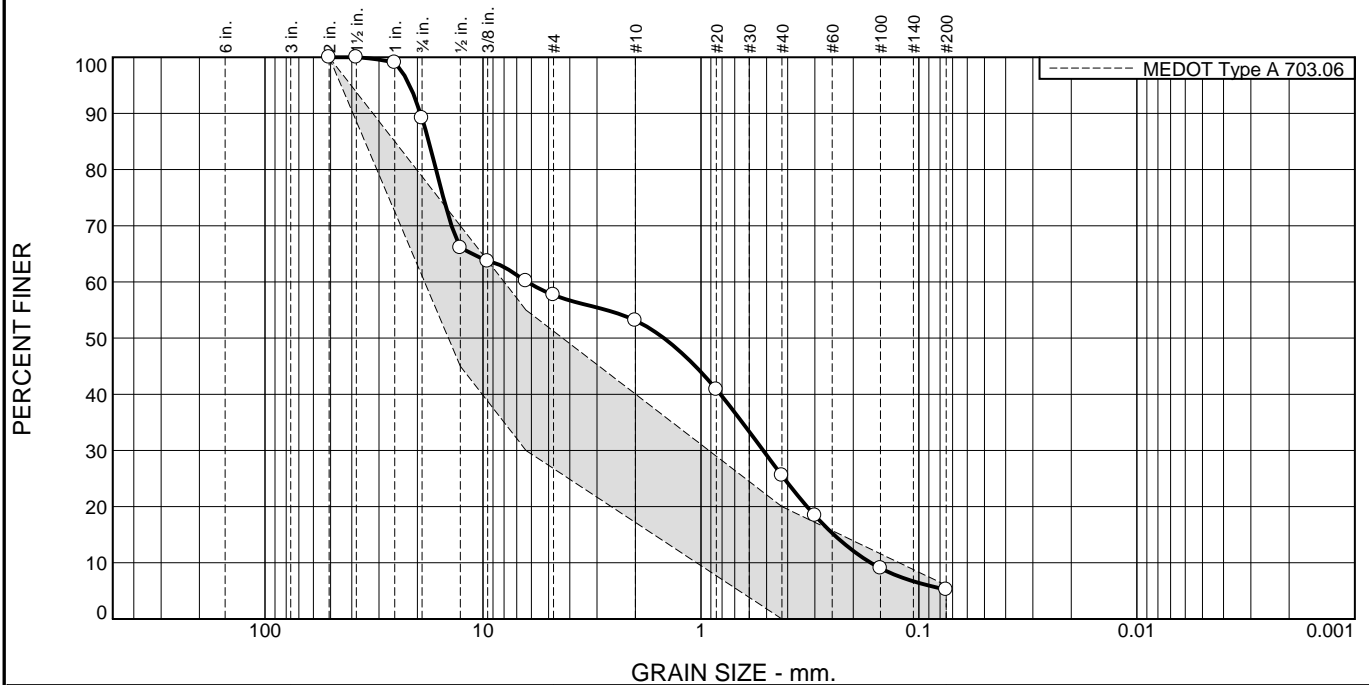


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 484A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	10.8	31.5	4.6	27.6	20.3	5.2	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
2	100.0	100.0	
1 1/2	100.0		
1	99.0		
3/4	89.2		
1/2	66.1	45.0 - 70.0	
3/8	63.7		
1/4	60.1	30.0 - 55.0	X
#4	57.7		
#10	53.1		
#20	40.9		
#40	25.5	0.0 - 20.0	X
#50	18.4		
#100	9.0		
#200	5.2	0.0 - 6.0	

* MEDOT Type A 703.06

Material Description

Poorly Graded Sand with Silt and Gravel

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= AASHTO (M 145)= -

Coefficients

D₉₀= 19.3438 D₈₅= 17.7444 D₆₀= 6.2622
D₅₀= 1.4803 D₃₀= 0.5183 D₁₅= 0.2454
D₁₀= 0.1664 C_u= 37.64 C_c= 0.26

Remarks

Date Received: 9/16/19 Date Tested: 9/18/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 1 Station 17+86 R
Sample Number: 19-485

Date Sampled: 9/16/19

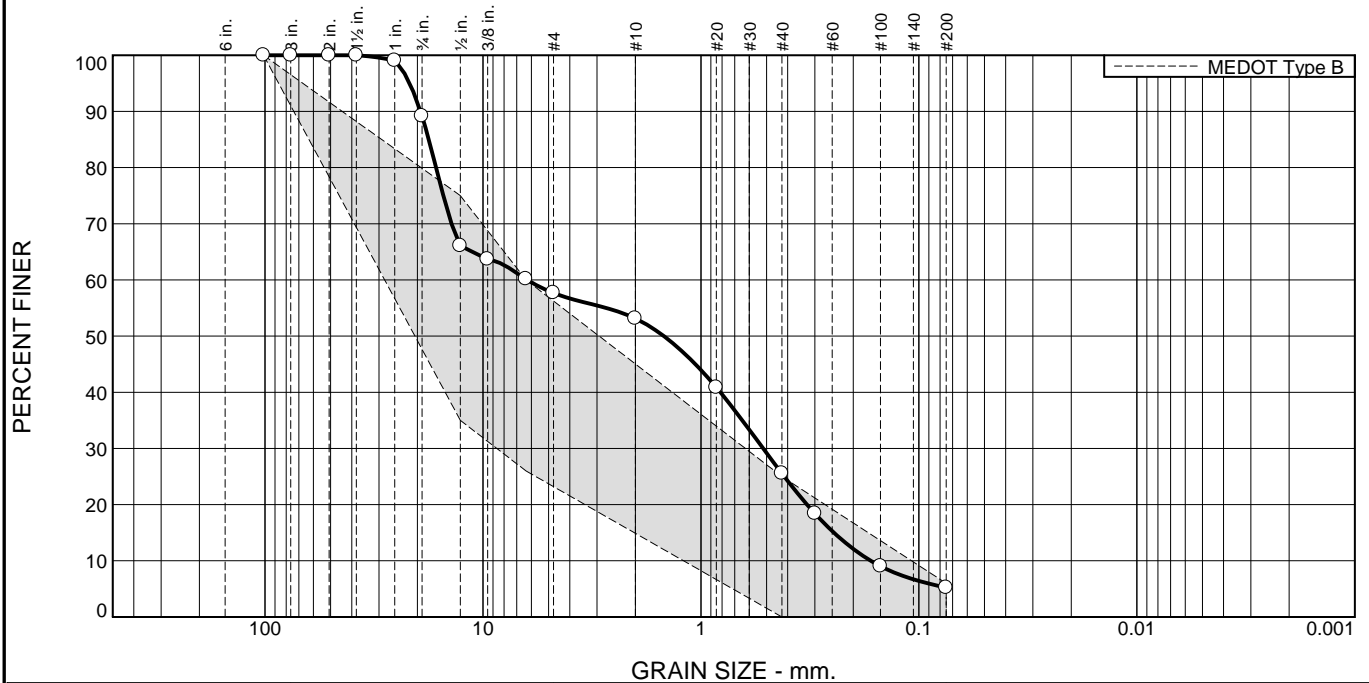


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 485A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	10.8	31.5	4.6	27.6	20.3	5.2	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
4	100.0	100.0	
3	100.0		
2	100.0		
1 1/2	100.0		
1	99.0		
3/4	89.2		
1/2	66.1	35.0 - 75.0	
3/8	63.7		
1/4	60.1	26.0 - 60.0	X
#4	57.7		
#10	53.1		
#20	40.9		
#40	25.5	0.0 - 25.0	X
#50	18.4		
#100	9.0		
#200	5.2	0.0 - 6.0	

* MEDOT Type B

Material Description

Poorly Graded Sand with Silt and Gravel

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= AASHTO (M 145)= -

Coefficients

D₉₀= 19.3437 D₈₅= 17.7445 D₆₀= 6.2622
D₅₀= 1.4803 D₃₀= 0.5183 D₁₅= 0.2454
D₁₀= 0.1664 C_u= 37.64 C_c= 0.26

Remarks

Date Received: 9/16/19 Date Tested: 9/18/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 1 Station 17+86 R
Sample Number: 19-485

Date Sampled: 9/16/19

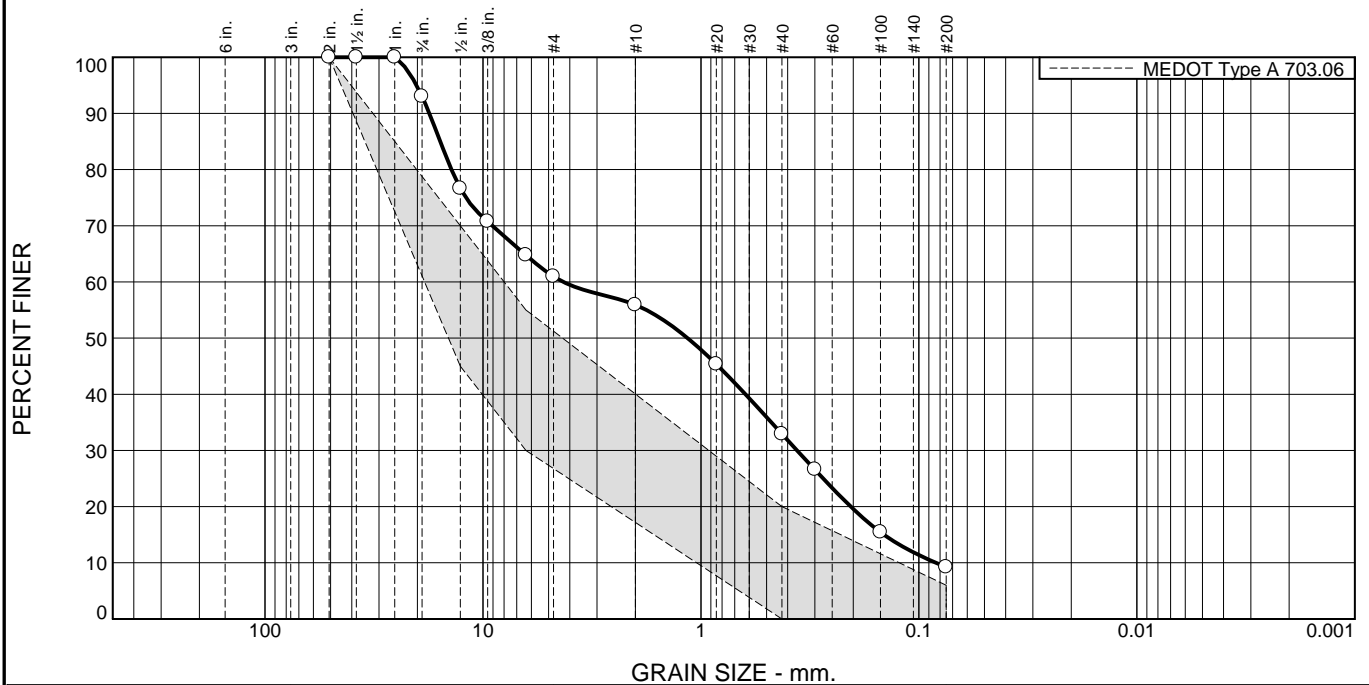


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 485A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	7.0	32.0	5.1	23.0	23.7	9.2	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
2	100.0	100.0	
1 1/2	100.0		
1	100.0		
3/4	93.0		
1/2	76.7	45.0 - 70.0	X
3/8	70.8		
1/4	64.8	30.0 - 55.0	X
#4	61.0		
#10	55.9		
#20	45.3		
#40	32.9	0.0 - 20.0	X
#50	26.6		
#100	15.4		
#200	9.2	0.0 - 6.0	X

* MEDOT Type A 703.06

Material Description

Poorly Graded Sand with Silt and Gravel

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= AASHTO (M 145)= -

Coefficients

D₉₀= 17.6359 D₈₅= 15.7107 D₆₀= 4.2774
D₅₀= 1.1516 D₃₀= 0.3623 D₁₅= 0.1447
D₁₀= 0.0836 C_u= 51.18 C_c= 0.37

Remarks

Date Received: 9/16/19 Date Tested: 9/18/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 2 Station 2+50 R
Sample Number: 19-486

Date Sampled: 9/16/19

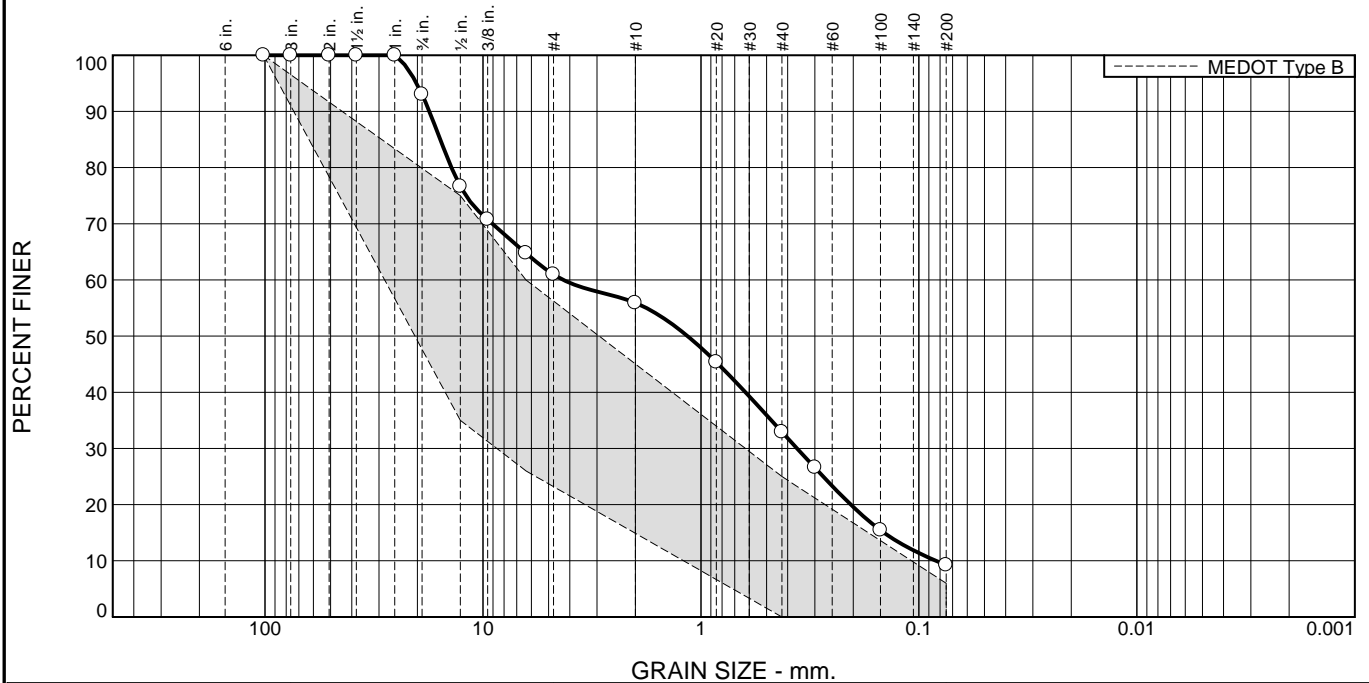


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 486A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	7.0	32.0	5.1	23.0	23.7	9.2	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
4	100.0	100.0	
3	100.0		
2	100.0		
1 1/2	100.0		
1	100.0		
3/4	93.0		
1/2	76.7	35.0 - 75.0	X
3/8	70.8		
1/4	64.8	26.0 - 60.0	X
#4	61.0		
#10	55.9		
#20	45.3		
#40	32.9	0.0 - 25.0	X
#50	26.6		
#100	15.4		
#200	9.2	0.0 - 6.0	X

* MEDOT Type B

Material Description

Poorly Graded Sand with Silt and Gravel

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= AASHTO (M 145)= -

Coefficients

D₉₀= 17.6362 D₈₅= 15.7110 D₆₀= 4.2774
D₅₀= 1.1516 D₃₀= 0.3623 D₁₅= 0.1447
D₁₀= 0.0836 C_u= 51.18 C_c= 0.37

Remarks

Date Received: 9/16/19 Date Tested: 9/18/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 2 Station 2+50 R
Sample Number: 19-486

Date Sampled: 9/16/19

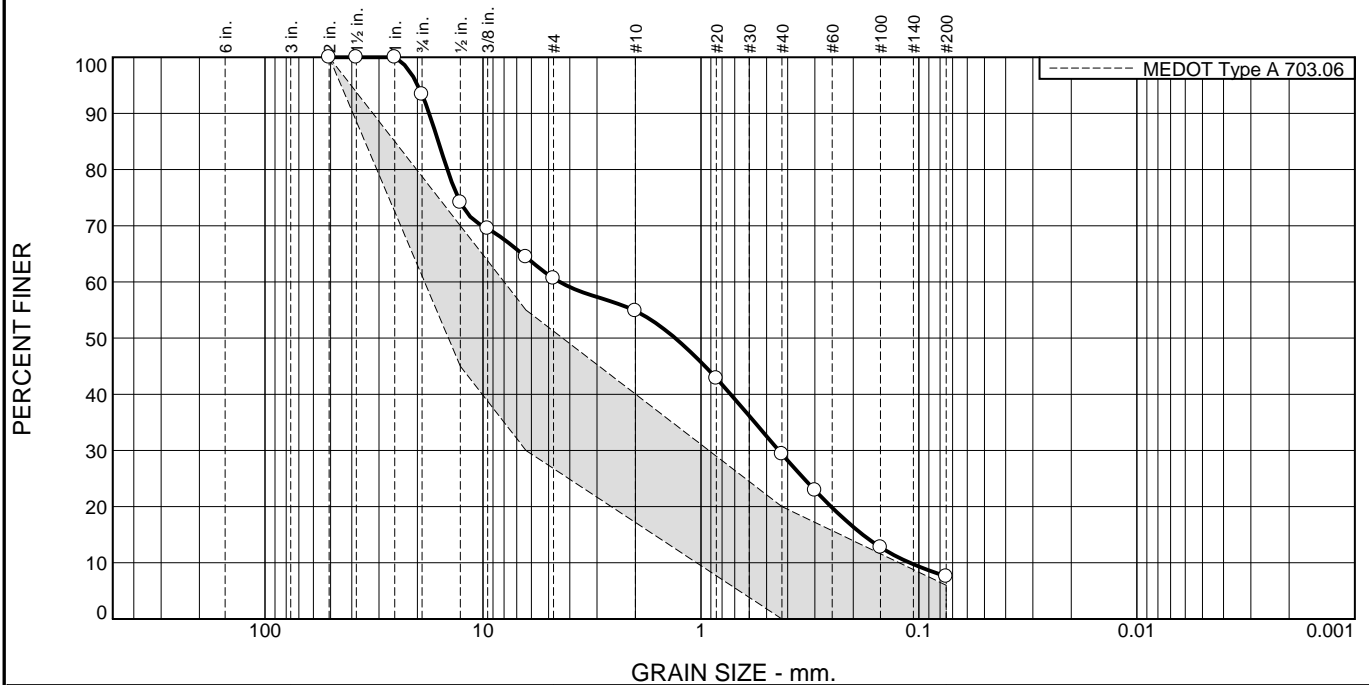


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 486A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	6.6	32.7	5.9	25.4	21.8	7.6	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
2	100.0	100.0	
1 1/2	100.0		
1	100.0		
3/4	93.4		
1/2	74.1	45.0 - 70.0	X
3/8	69.5		
1/4	64.4	30.0 - 55.0	X
#4	60.7		
#10	54.8		
#20	42.8		
#40	29.4	0.0 - 20.0	X
#50	22.9		
#100	12.8		
#200	7.6	0.0 - 6.0	X

* MEDOT Type A 703.06

Material Description		
Poorly Graded Sand with Silt and Gravel		
Atterberg Limits (ASTM D 4318)		
PL= -	LL= -	PI= -
Classification		
USCS (D 2487)=	AASHTO (M 145)= -	
Coefficients		
D ₉₀ = 17.6693	D ₈₅ = 16.0391	D ₆₀ = 4.4518
D ₅₀ = 1.3123	D ₃₀ = 0.4395	D ₁₅ = 0.1808
D ₁₀ = 0.1100	C _u = 40.48	C _c = 0.39
Remarks		
Date Received: 9/16/19 Date Tested: 9/18/19		
Tested By: Ted M.		
Checked By: Jeff Y.		
Title: Lab Manager		

Location: Phase 2 Station 4+25 R
Sample Number: 19-487

Date Sampled: 9/16/19

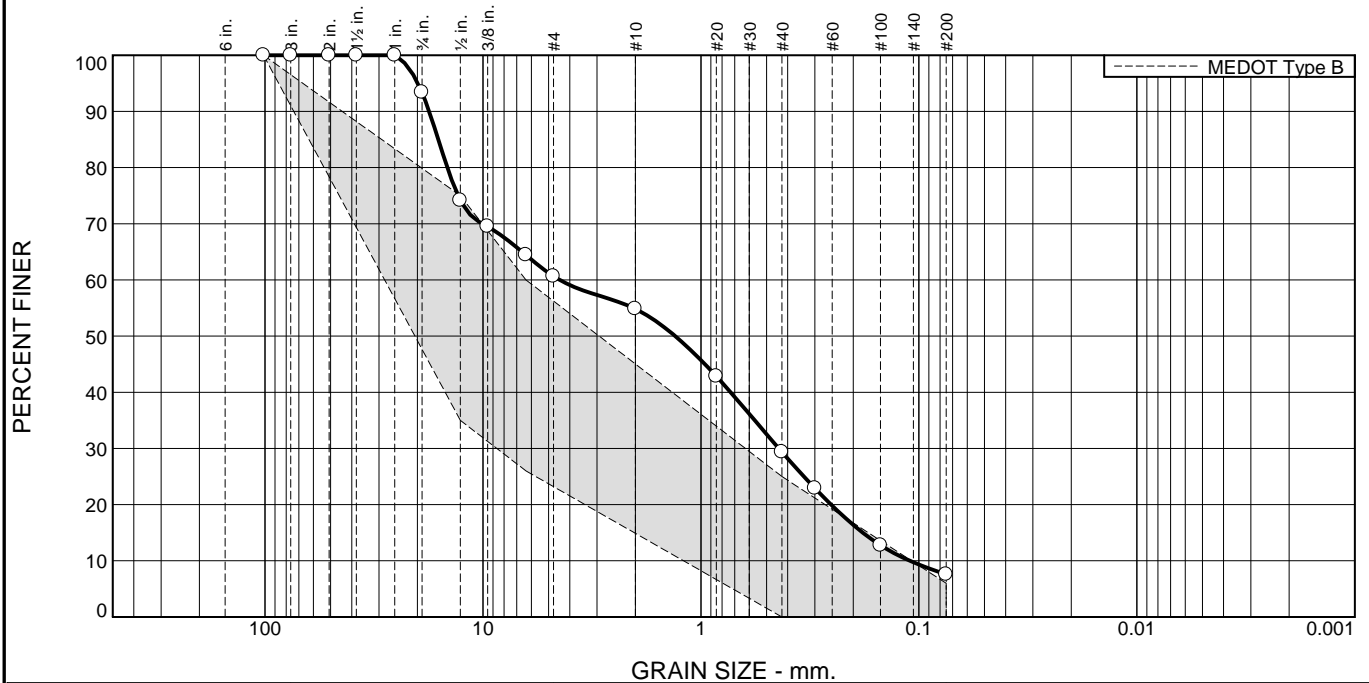


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 487A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	6.6	32.7	5.9	25.4	21.8	7.6	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
4	100.0	100.0	
3	100.0		
2	100.0		
1 1/2	100.0		
1	100.0		
3/4	93.4		
1/2	74.1	35.0 - 75.0	
3/8	69.5		
1/4	64.4	26.0 - 60.0	X
#4	60.7		
#10	54.8		
#20	42.8		
#40	29.4	0.0 - 25.0	X
#50	22.9		
#100	12.8		
#200	7.6	0.0 - 6.0	X

* MEDOT Type B

Material Description

Poorly Graded Sand with Silt and Gravel

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= AASHTO (M 145)= -

Coefficients

D₉₀= 17.6695 D₈₅= 16.0393 D₆₀= 4.4518
D₅₀= 1.3123 D₃₀= 0.4395 D₁₅= 0.1808
D₁₀= 0.1100 C_u= 40.48 C_c= 0.39

Remarks

Date Received: 9/16/19 Date Tested: 9/18/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 2 Station 4+25 R
Sample Number: 19-487

Date Sampled: 9/16/19

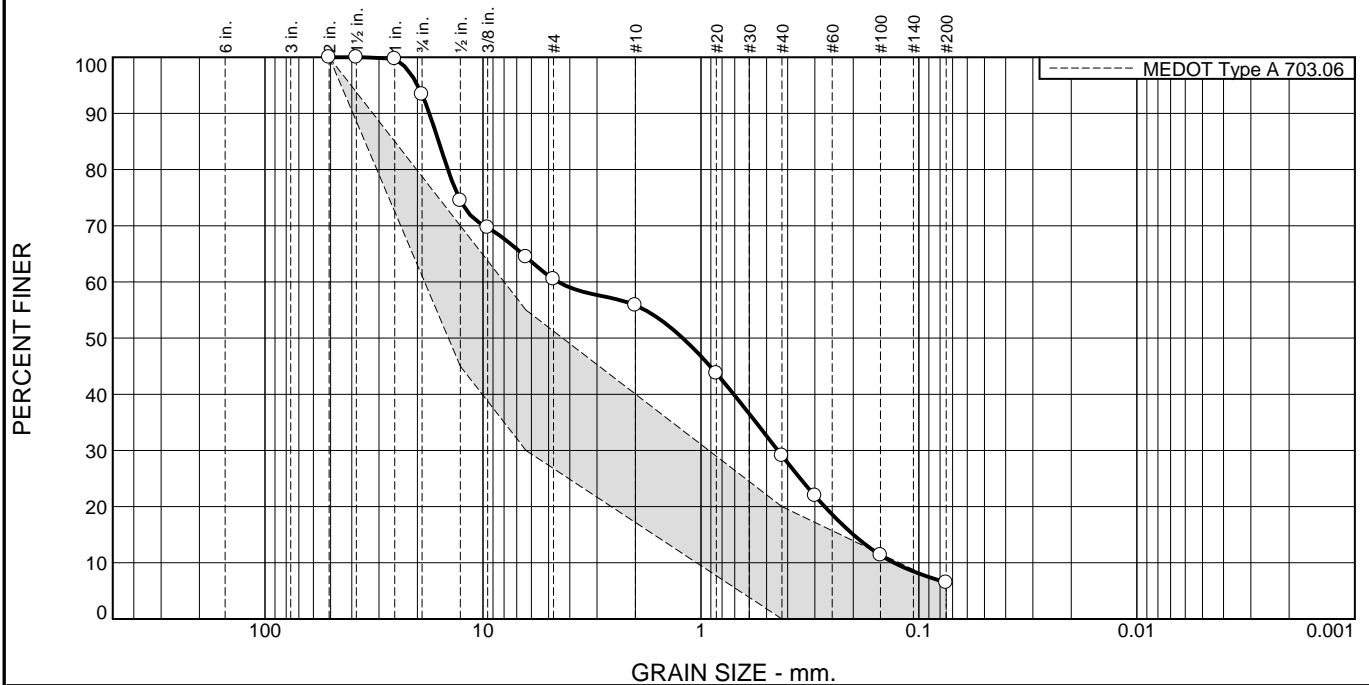


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 487A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	6.6	32.9	4.7	26.7	22.6	6.5	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
2	100.0	100.0	
1 1/2	100.0		
1	99.7		
3/4	93.4		
1/2	74.5	45.0 - 70.0	X
3/8	69.7		
1/4	64.5	30.0 - 55.0	X
#4	60.5		
#10	55.8		
#20	43.7		
#40	29.1	0.0 - 20.0	X
#50	21.9		
#100	11.4		
#200	6.5	0.0 - 6.0	X

* MEDOT Type A 703.06

Material Description

Poorly Graded Sand with Silt and Gravel

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= AASHTO (M 145)= -

Coefficients

D₉₀= 17.6318 D₈₅= 15.9740 D₆₀= 4.5165
D₅₀= 1.2115 D₃₀= 0.4439 D₁₅= 0.1998
D₁₀= 0.1301 C_u= 34.71 C_c= 0.34

Remarks

Date Received: 9/16/19 Date Tested: 9/18/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 2 Station 6+95 L
Sample Number: 19-488

Date Sampled: 9/16/19

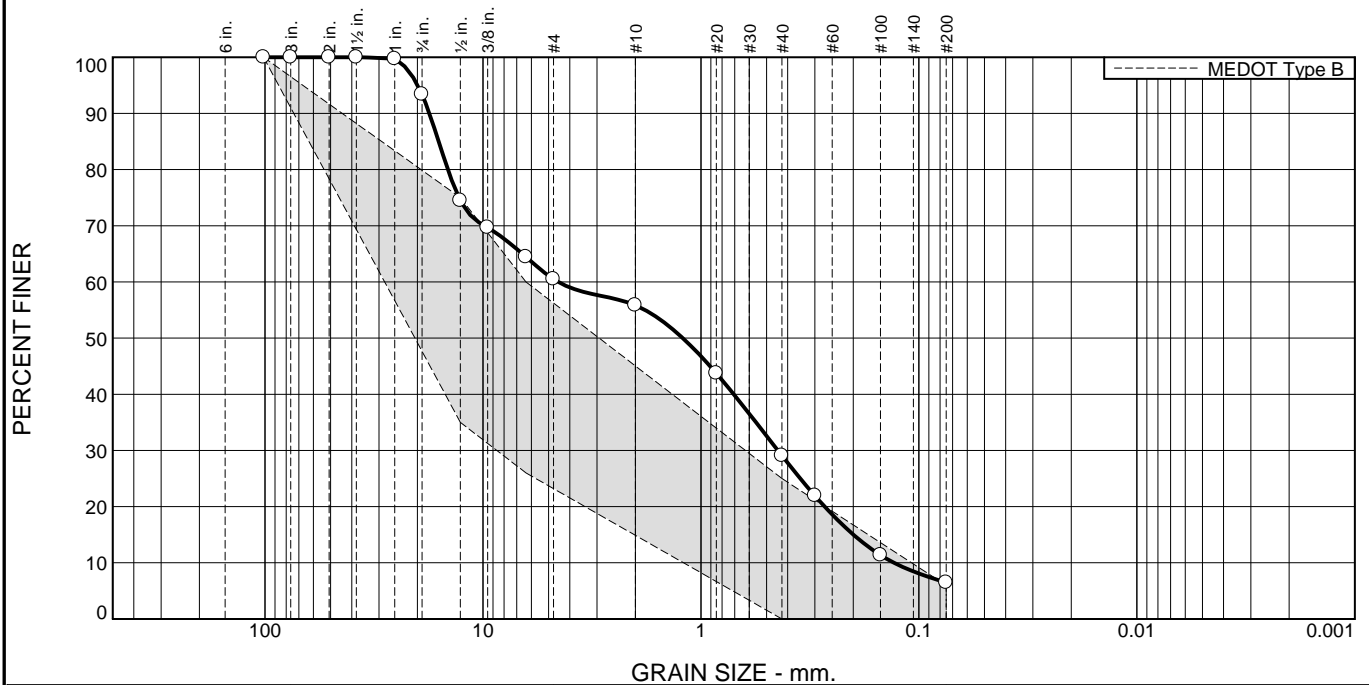


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 488A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	6.6	32.9	4.7	26.7	22.6	6.5	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
4	100.0	100.0	
3	100.0		
2	100.0		
1 1/2	100.0		
1	99.7		
3/4	93.4		
1/2	74.5	35.0 - 75.0	
3/8	69.7		
1/4	64.5	26.0 - 60.0	X
#4	60.5		
#10	55.8		
#20	43.7		
#40	29.1	0.0 - 25.0	X
#50	21.9		
#100	11.4		
#200	6.5	0.0 - 6.0	X

* MEDOT Type B

Material Description

Poorly Graded Sand with Silt and Gravel

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= AASHTO (M 145)= -

Coefficients

D₉₀= 17.6320 D₈₅= 15.9741 D₆₀= 4.5165
D₅₀= 1.2115 D₃₀= 0.4439 D₁₅= 0.1998
D₁₀= 0.1301 C_u= 34.71 C_c= 0.34

Remarks

Date Received: 9/16/19 Date Tested: 9/18/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 2 Station 6+95 L
Sample Number: 19-488

Date Sampled: 9/16/19

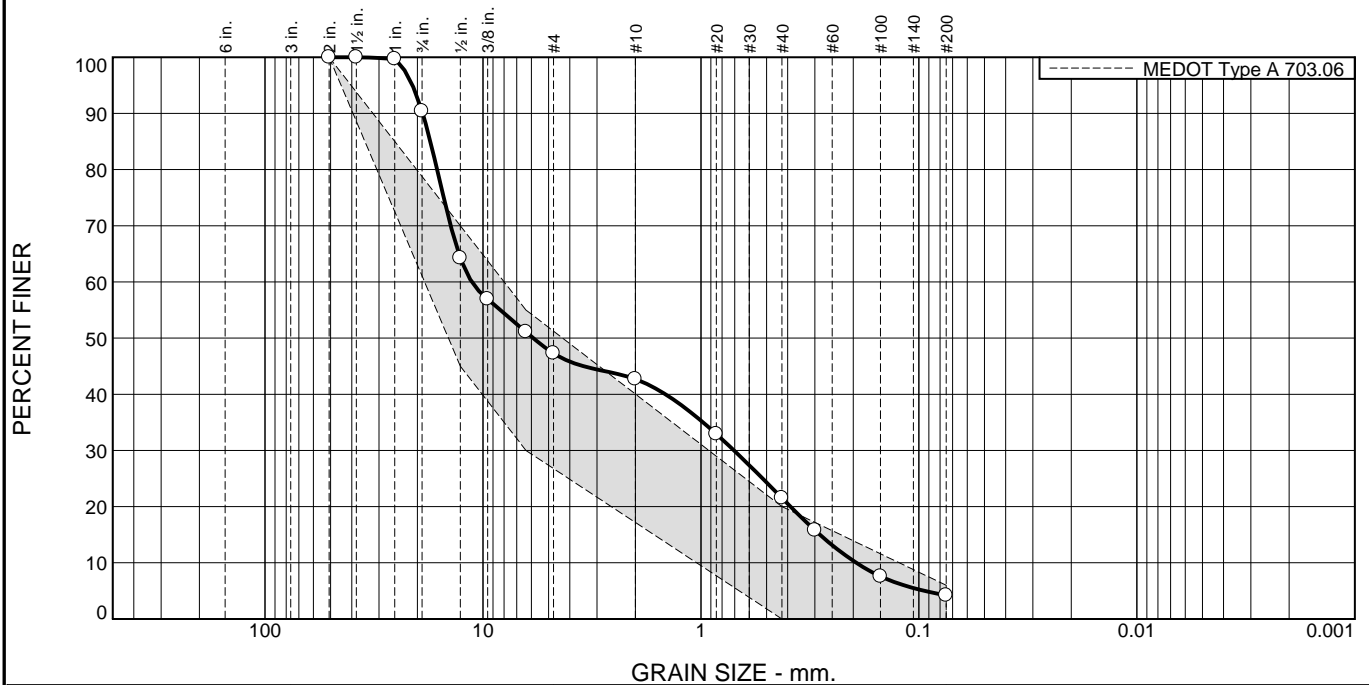


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 488A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	9.6	43.1	4.6	21.2	17.3	4.2	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
2	100.0	100.0	
1 1/2	100.0		
1	99.7		
3/4	90.4		
1/2	64.3	45.0 - 70.0	
3/8	56.9		
1/4	51.1	30.0 - 55.0	
#4	47.3		
#10	42.7		
#20	32.9		
#40	21.5	0.0 - 20.0	X
#50	15.8		
#100	7.6		
#200	4.2	0.0 - 6.0	

* MEDOT Type A 703.06

Material Description

Poorly Graded Gravel with Sand

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= GP AASHTO (M 145)= -

Coefficients

D₉₀= 18.9095 D₈₅= 17.4481 D₆₀= 11.2556
D₅₀= 5.8825 D₃₀= 0.7055 D₁₅= 0.2847
D₁₀= 0.1938 C_u= 58.07 C_c= 0.23

Remarks

Date Received: 9/16/19 Date Tested: 9/18/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 2 Station 7+25 R
Sample Number: 19-489

Date Sampled: 9/16/19

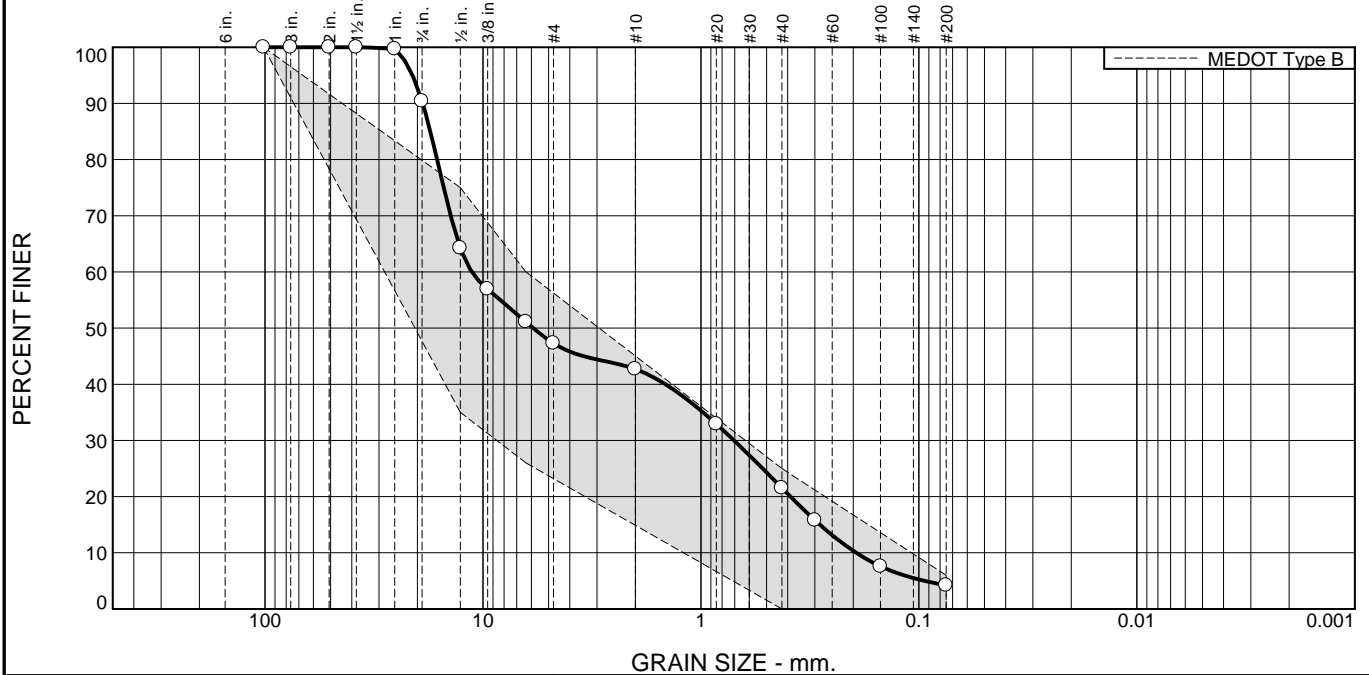


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 489A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	9.6	43.1	4.6	21.2	17.3	4.2	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
4	100.0	100.0	
3	100.0		
2	100.0		
1 1/2	100.0		
1	99.7		
3/4	90.4		
1/2	64.3	35.0 - 75.0	
3/8	56.9		
1/4	51.1	26.0 - 60.0	
#4	47.3		
#10	42.7		
#20	32.9		
#40	21.5	0.0 - 25.0	
#50	15.8		
#100	7.6		
#200	4.2	0.0 - 6.0	

* MEDOT Type B

Material Description

Poorly Graded Gravel with Sand

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= GP AASHTO (M 145)= -

Coefficients

D₉₀= 18.9096 D₈₅= 17.4482 D₆₀= 11.2556
D₅₀= 5.8825 D₃₀= 0.7055 D₁₅= 0.2847
D₁₀= 0.1938 C_u= 58.07 C_c= 0.23

Remarks

Date Received: 9/16/19 Date Tested: 9/18/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 2 Station 7+25 R
Sample Number: 19-489

Date Sampled: 9/16/19

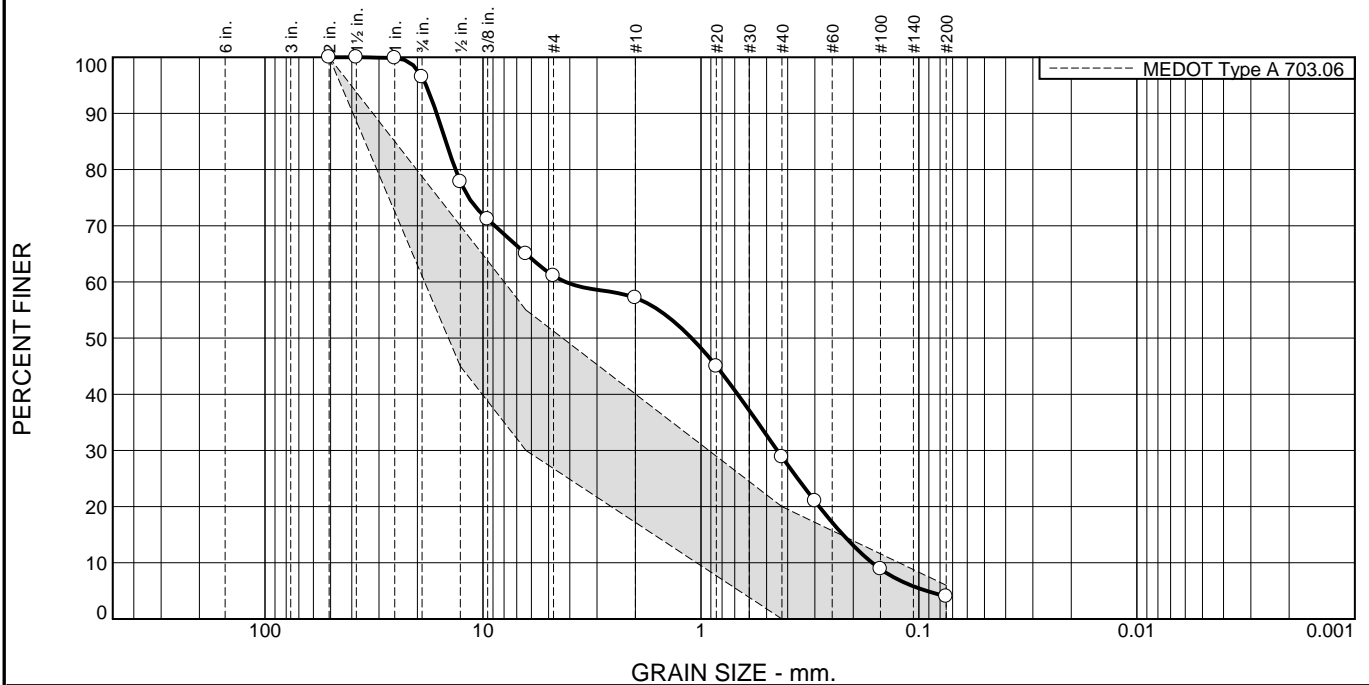


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 489A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	3.5	35.4	3.9	28.4	24.8	4.0	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
2	100.0	100.0	
1 1/2	100.0		
1	99.8		
3/4	96.5		
1/2	77.8	45.0 - 70.0	X
3/8	71.2		
1/4	65.0	30.0 - 55.0	X
#4	61.1		
#10	57.2		
#20	45.0		
#40	28.8	0.0 - 20.0	X
#50	21.0		
#100	8.9		
#200	4.0	0.0 - 6.0	

* MEDOT Type A 703.06

Material Description

Poorly Graded Sand with Gravel

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= SP AASHTO (M 145)= -

Coefficients

D₉₀= 16.3178 D₈₅= 14.8094 D₆₀= 4.1856
D₅₀= 1.1036 D₃₀= 0.4462 D₁₅= 0.2230
D₁₀= 0.1639 C_u= 25.54 C_c= 0.29

Remarks

Date Received: 9/16/19 Date Tested: 9/18/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 2 Station 10+60 R
Sample Number: 19-490

Date Sampled: 9/16/19

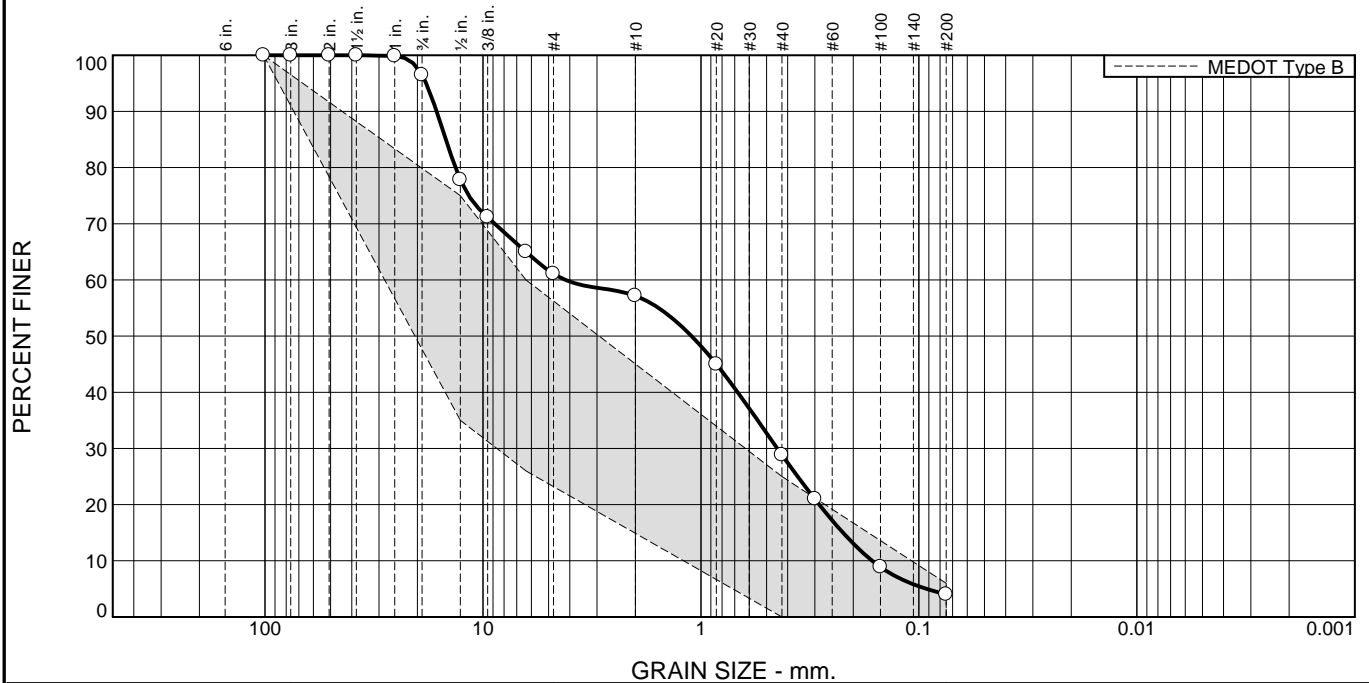


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 490A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	3.5	35.4	3.9	28.4	24.8	4.0	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
4	100.0	100.0	
3	100.0		
2	100.0		
1 1/2	100.0		
1	99.8		
3/4	96.5		
1/2	77.8	35.0 - 75.0	X
3/8	71.2		
1/4	65.0	26.0 - 60.0	X
#4	61.1		
#10	57.2		
#20	45.0		
#40	28.8	0.0 - 25.0	X
#50	21.0		
#100	8.9		
#200	4.0	0.0 - 6.0	

* MEDOT Type B

Material Description

Poorly Graded Sand with Gravel

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= SP AASHTO (M 145)= -

Coefficients

D₉₀= 16.3178 D₈₅= 14.8094 D₆₀= 4.1856
D₅₀= 1.1036 D₃₀= 0.4462 D₁₅= 0.2230
D₁₀= 0.1639 C_u= 25.54 C_c= 0.29

Remarks

Date Received: 9/16/19 Date Tested: 9/18/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 2 Station 10+60 R
Sample Number: 19-490

Date Sampled: 9/16/19

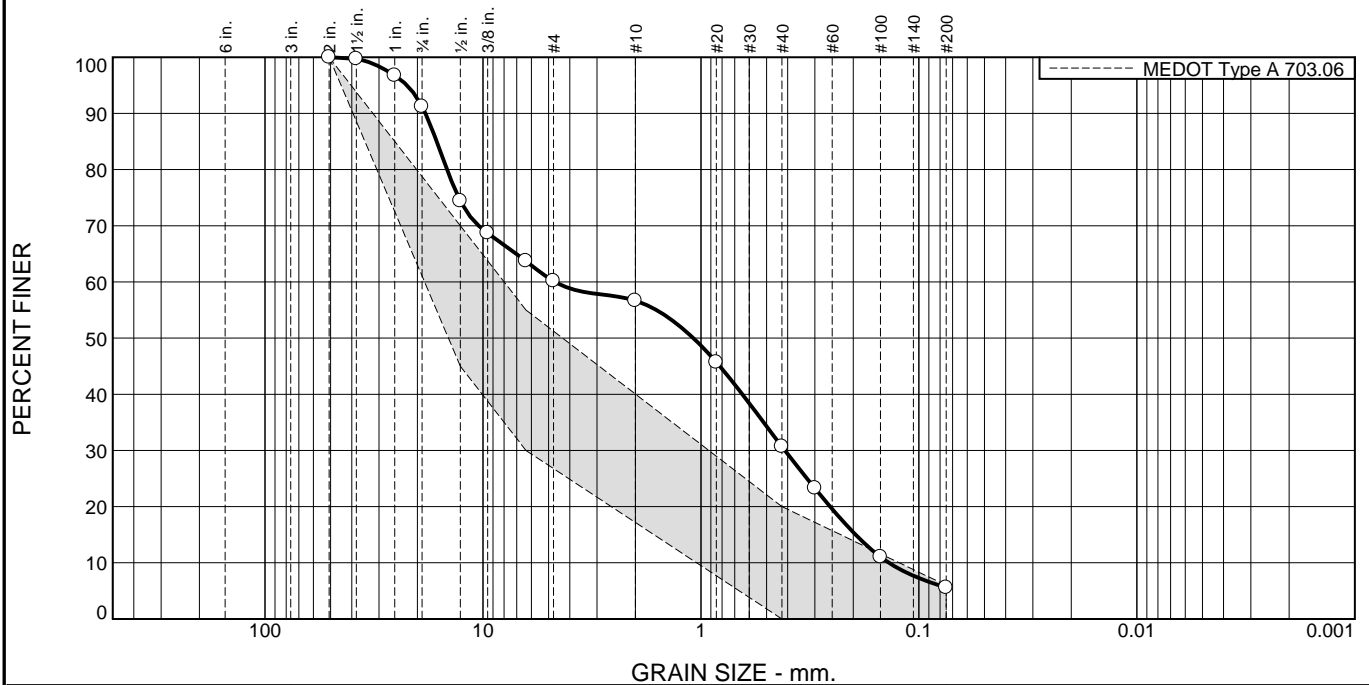


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 490A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	8.8	31.1	3.4	26.0	25.1	5.6	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
2	100.0	100.0	
1 1/2	99.7		
1	96.7		
3/4	91.2		
1/2	74.4	45.0 - 70.0	X
3/8	68.7		
1/4	63.7	30.0 - 55.0	X
#4	60.1		
#10	56.7		
#20	45.7		
#40	30.7	0.0 - 20.0	X
#50	23.3		
#100	11.0		
#200	5.6	0.0 - 6.0	

* MEDOT Type A 703.06

Material Description

Poorly Graded Sand with Silt and Gravel

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= AASHTO (M 145)= -

Coefficients

D₉₀= 18.3845 D₈₅= 16.3106 D₆₀= 4.6782
D₅₀= 1.0844 D₃₀= 0.4122 D₁₅= 0.1952
D₁₀= 0.1373 C_u= 34.08 C_c= 0.26

Remarks

Date Received: 9/16/19 Date Tested: 9/19/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 2 Station 11+50 L
Sample Number: 19-491

Date Sampled: 9/16/19

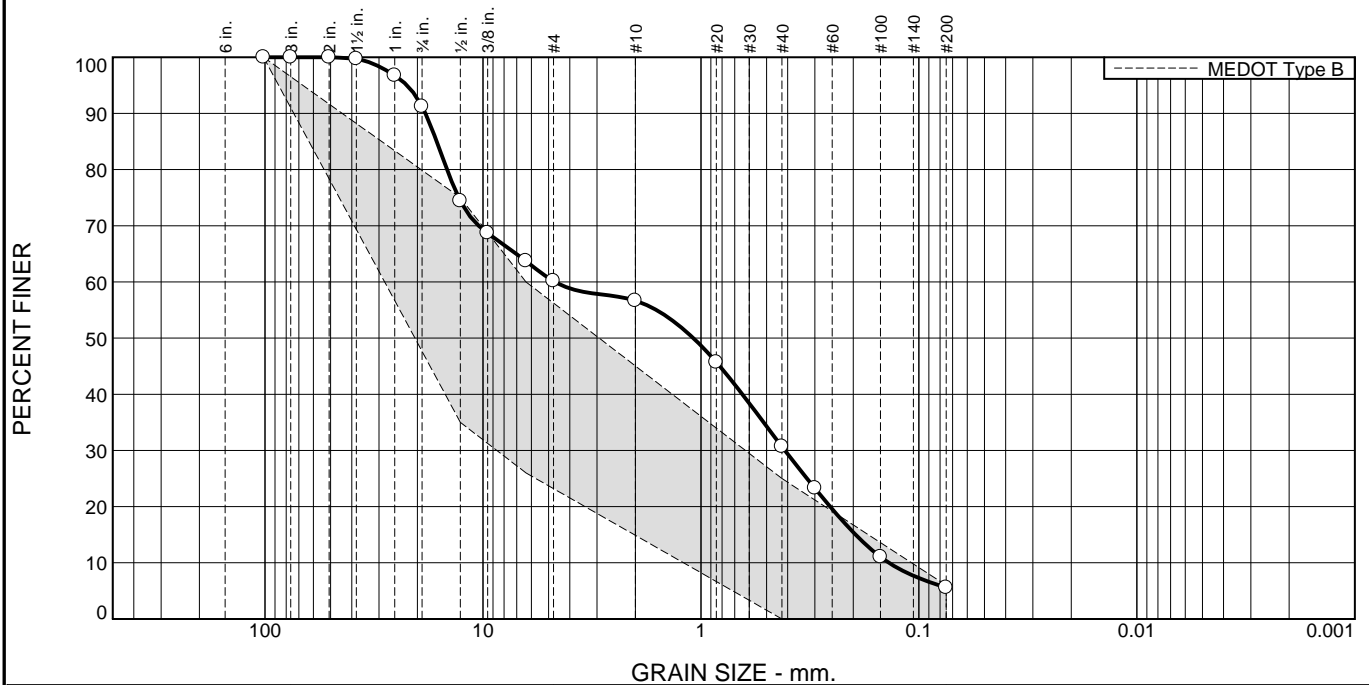


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 491A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	8.8	31.1	3.4	26.0	25.1	5.6	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
4	100.0	100.0	
3	100.0		
2	100.0		
1 1/2	99.7		
1	96.7		
3/4	91.2		
1/2	74.4	35.0 - 75.0	
3/8	68.7		
1/4	63.7	26.0 - 60.0	X
#4	60.1		
#10	56.7		
#20	45.7		
#40	30.7	0.0 - 25.0	X
#50	23.3		
#100	11.0		
#200	5.6	0.0 - 6.0	

* MEDOT Type B

Material Description

Poorly Graded Sand with Silt and Gravel

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= AASHTO (M 145)= -

Coefficients

D₉₀= 18.3845 D₈₅= 16.3106 D₆₀= 4.6782
D₅₀= 1.0844 D₃₀= 0.4122 D₁₅= 0.1952
D₁₀= 0.1373 C_u= 34.08 C_c= 0.26

Remarks

Date Received: 9/16/19 Date Tested: 9/19/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 2 Station 11+50 L
Sample Number: 19-491

Date Sampled: 9/16/19

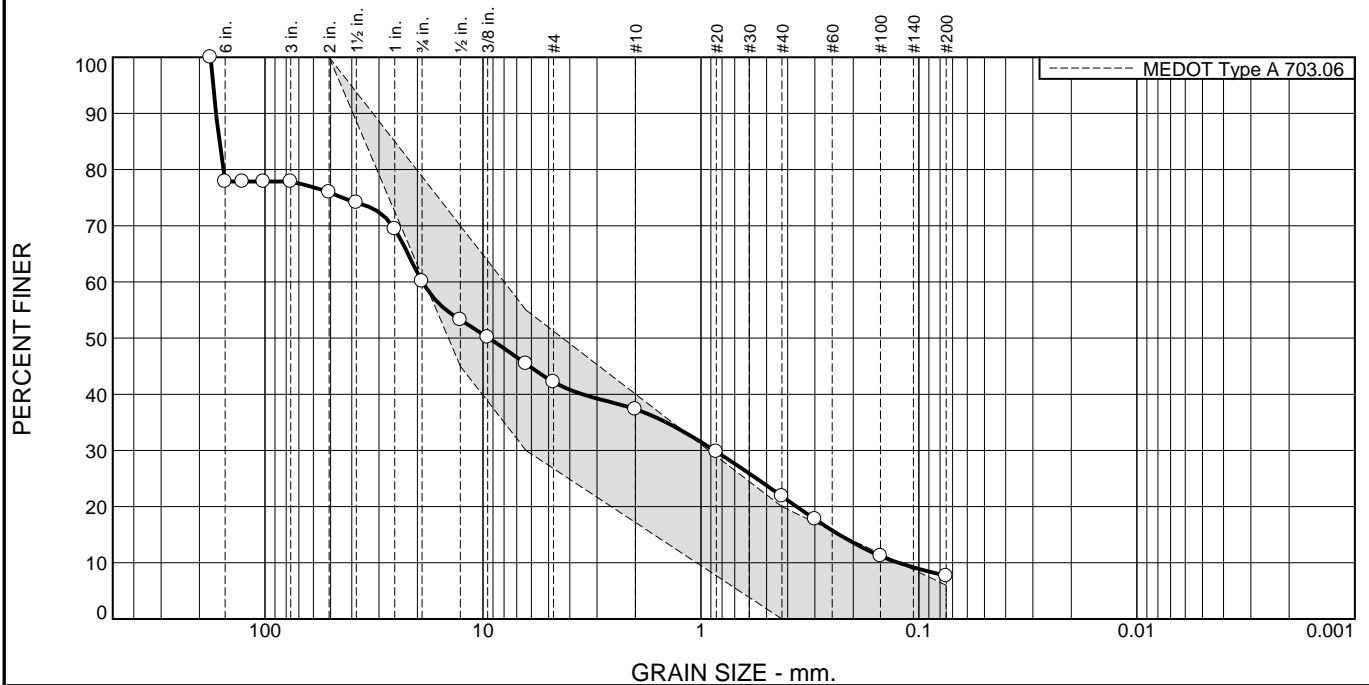


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 491A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
22.1	17.8	17.9	4.9	15.5	14.1	7.7	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
7	100.0	100.0	X
6	77.9		
5	77.9		
4	77.9		
3	77.9		
2	76.0	45.0 - 70.0	X
1 1/2	74.1		
1	69.4		
3/4	60.1		
1/2	53.3		
3/8	50.1	30.0 - 55.0	X
1/4	45.4		
#4	42.2		
#10	37.3		
#20	29.8		
#40	21.8	0.0 - 20.0	X
#50	17.8		
#100	11.2		
#200	7.7	0.0 - 6.0	X

* MEDOT Type A 703.06

Material Description

Poorly Graded Gravel with Silt and Sand

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= AASHTO (M 145)= -

Coefficients

D₉₀= 167.8634 D₈₅= 162.5093 D₆₀= 18.9779
D₅₀= 9.4085 D₃₀= 0.8673 D₁₅= 0.2320
D₁₀= 0.1240 C_u= 153.10 C_c= 0.32

Remarks

Date Received: 9/16/19 Date Tested: 9/19/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 2 Station 10+75 Patch Area
Sample Number: 19-492

Date Sampled: 9/16/19

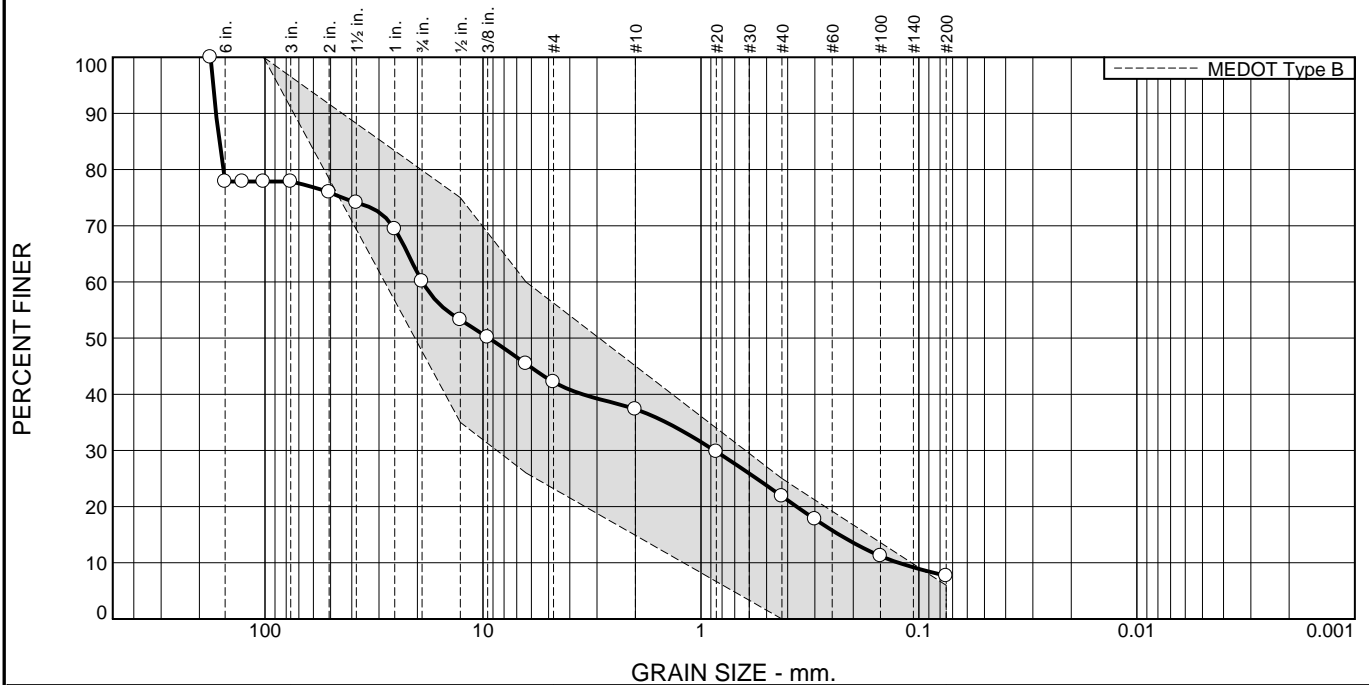


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 492A

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
22.1	17.8	17.9	4.9	15.5	14.1	7.7	

Test Results (ASTM D 422 & ASTM D 1140)			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
7	100.0	100.0	X
6	77.9		
5	77.9		
4	77.9		
3	77.9		
2	76.0	35.0 - 75.0	
1 1/2	74.1		
1	69.4		
3/4	60.1		
1/2	53.3		
3/8	50.1	26.0 - 60.0	
1/4	45.4		
#4	42.2		
#10	37.3		
#20	29.8		
#40	21.8	0.0 - 25.0	
#50	17.8		
#100	11.2		
#200	7.7		
		0.0 - 6.0	X

* MEDOT Type B

Material Description

Poorly Graded Gravel with Silt and Sand

Atterberg Limits (ASTM D 4318)

PL= - LL= - PI= -

Classification

USCS (D 2487)= AASHTO (M 145)= -

Coefficients

D₉₀= 167.8634 D₈₅= 162.5093 D₆₀= 18.9779
D₅₀= 9.4085 D₃₀= 0.8673 D₁₅= 0.2320
D₁₀= 0.1240 C_u= 153.10 C_c= 0.32

Remarks

Date Received: 9/16/19 Date Tested: 9/19/19

Tested By: Ted M.

Checked By: Jeff Y.

Title: Lab Manager

Location: Phase 2 Station 10+75 Patch Area
Sample Number: 19-492

Date Sampled: 9/16/19

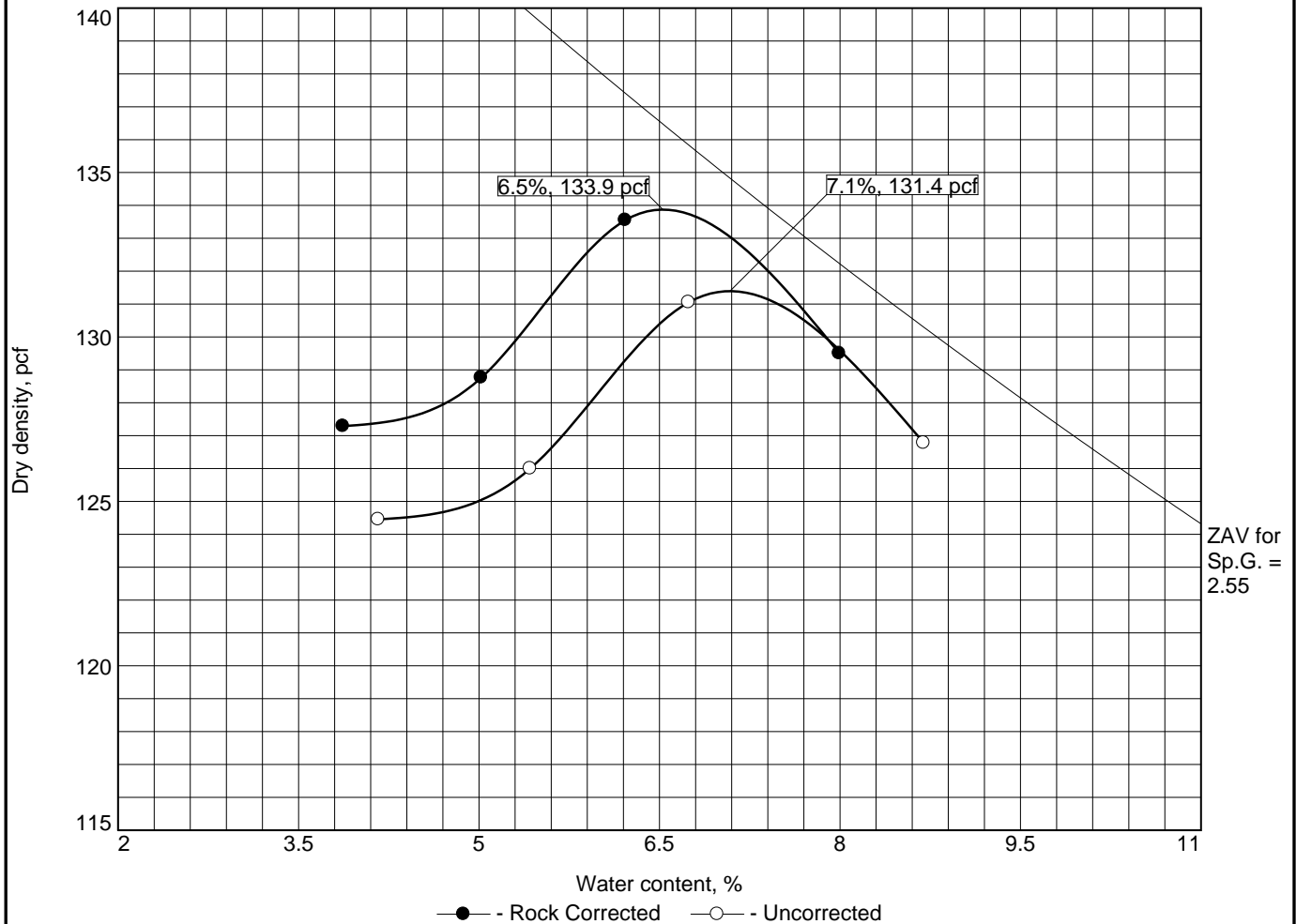


Client: Equity Alliance LLC
Project: Village at Greatbrook LLC-Bedford, NH

Project No: 19-10-066

Figure 492A

Moisture Density Report For Curve No. 19-484



Test specification: ASTM D 1557-00 Method C Modified
ASTM D4718-15 Oversize Corr. Applied to Each Test Point

Elev/ Depth	Classification		Nat. Moist.	Sp.G.	LL	PI	% > 3/4 in.	% < No.200
	USCS	AASHTO						
		-	-	2.65	-	-	9.0	6.3


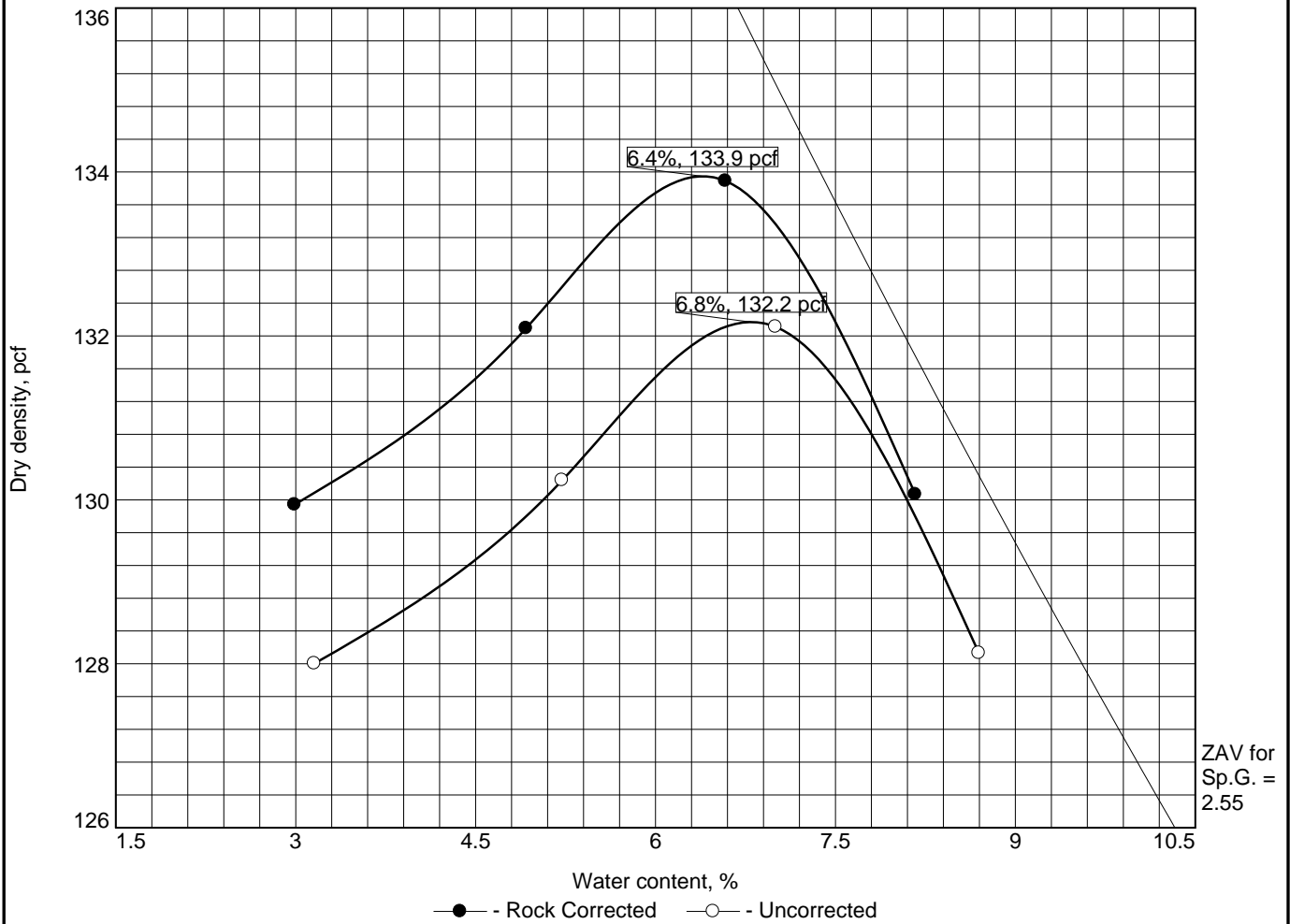
ROCK CORRECTED TEST RESULTS		UNCORRECTED	MATERIAL DESCRIPTION
Maximum dry density = 133.9 pcf		131.4 pcf	Poorly Graded Sand with Silt and Gravel
Optimum moisture = 6.5 %		7.1 %	
Project No. 19-10-066 Client: Equity Alliance LLC Project: Village at Greatbrook LLC-Bedford, NH <div>Date: 9/20/19</div> <div><input type="radio"/> Location: Phase 1 Station 17+02 L Sample Number: 19-484</div>			Remarks:
<div></div>			
			Figure 484B

Figure 484B

Tested By: Ted M. Checked By: Jeff Y.

Moisture Density Report For Curve No. 19-487



Test specification: ASTM D 1557-00 Method C Modified
ASTM D4718-15 Oversize Corr. Applied to Each Test Point

Elev/ Depth	Classification		Nat. Moist.	Sp.G.	LL	PI	% > 3/4 in.	% < No.200
	USCS	AASHTO						
		-	-	2.65	-	-	6.6	7.6


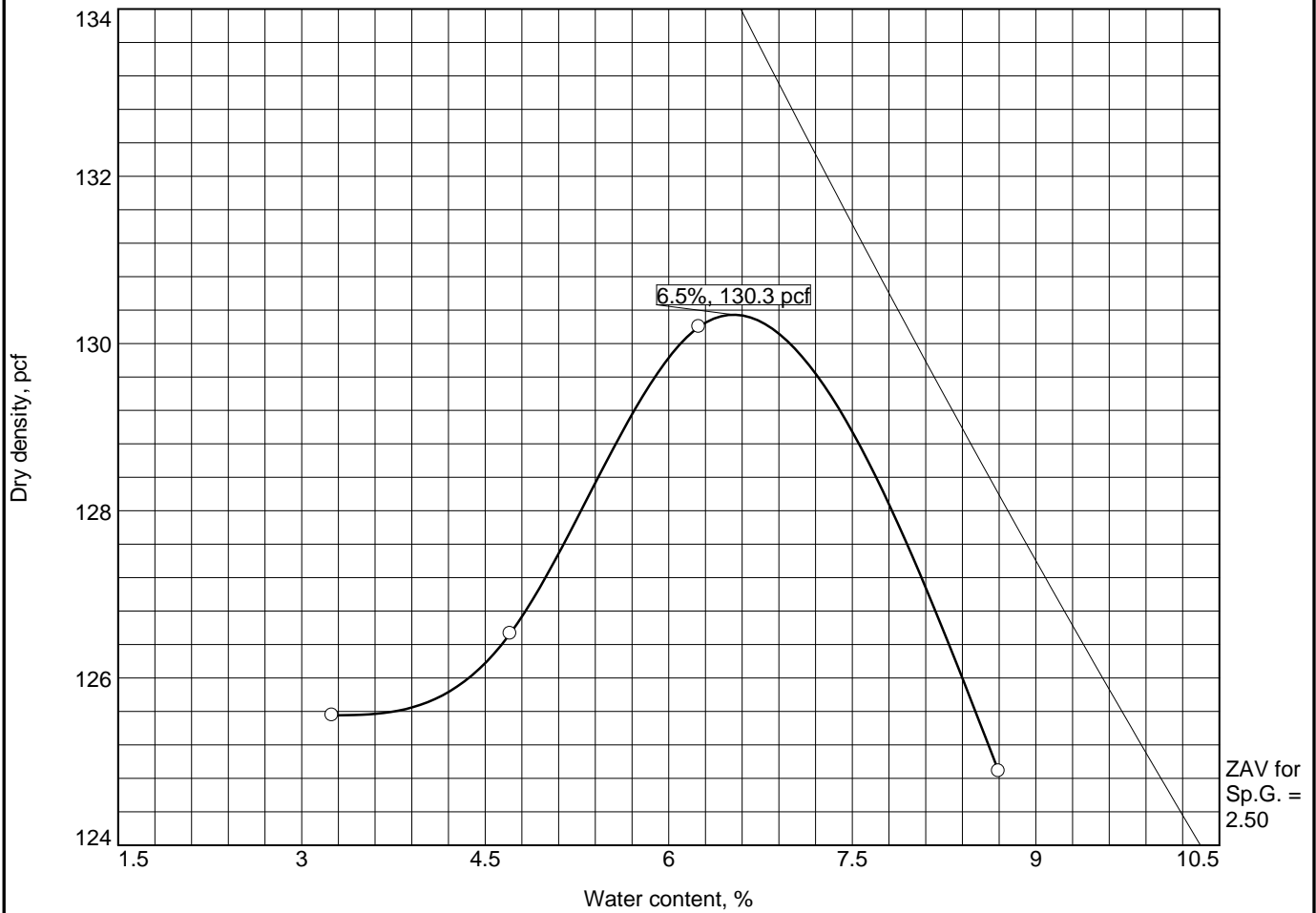
ROCK CORRECTED TEST RESULTS		UNCORRECTED	MATERIAL DESCRIPTION
Maximum dry density = 133.9 pcf		132.2 pcf	Poorly Graded Sand with Silt and Gravel
Optimum moisture = 6.4 %		6.8 %	
Project No. 19-10-066 Client: Equity Alliance LLC Project: Village at Greatbrook LLC-Bedford, NH Date: 9/20/19 <input type="radio"/> Location: Phase 2 Station 4+25 R Sample Number: 19-487			Remarks:
<div></div>			
			Figure 487B

Figure 487B

Tested By: Ted M. Checked By: Jeff Y.

Moisture Density Report For Curve No. 19-490



Test specification: ASTM D 1557-00 Method C Modified

Elev/ Depth	Classification		Nat. Moist.	Sp.G.	LL	PI	% > 3/4 in.	% < No.200
	USCS	AASHTO						
	SP	-		2.65	-	-	3.5	4.0


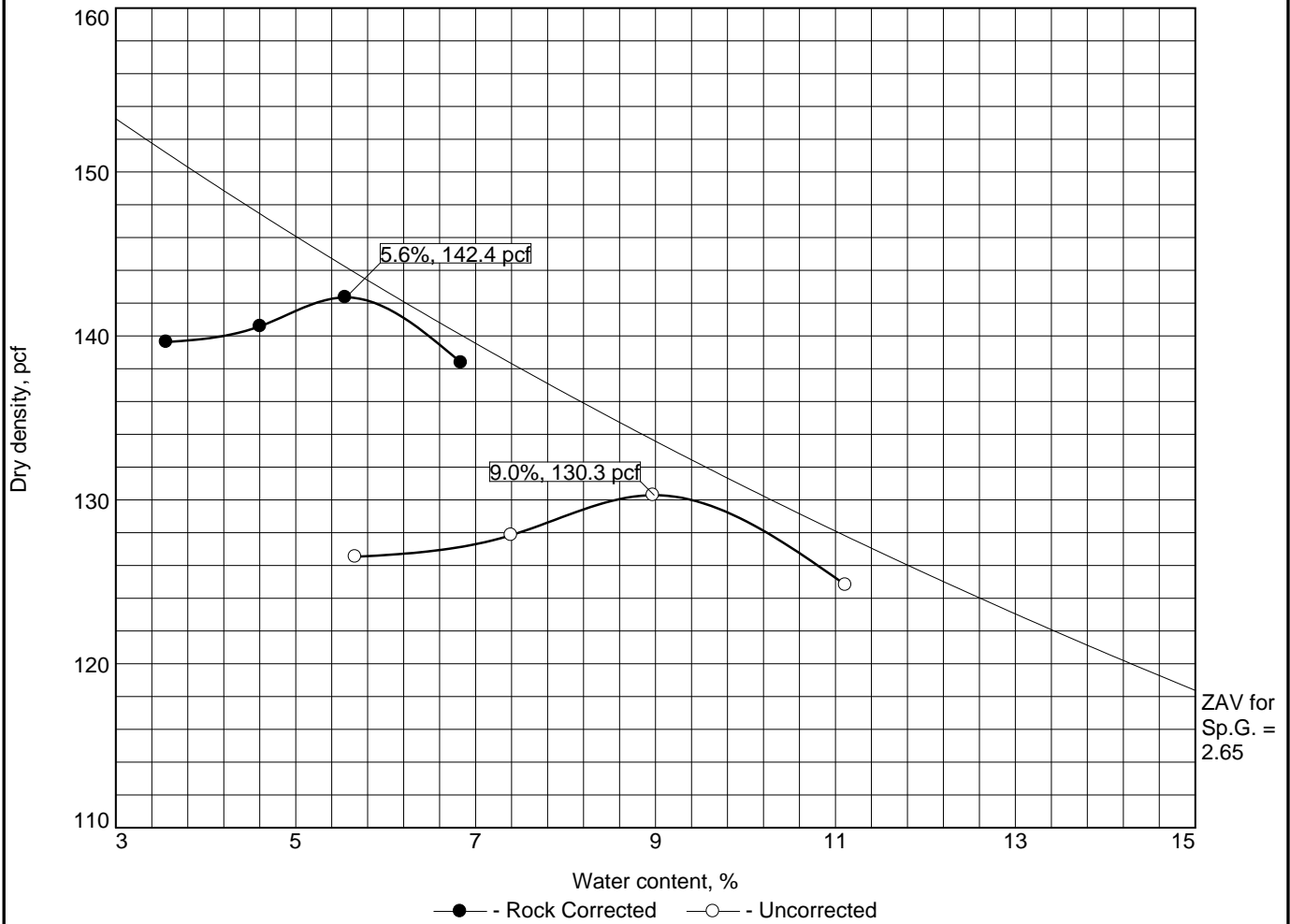
TEST RESULTS		MATERIAL DESCRIPTION	
Maximum dry density = 130.3 pcf Optimum moisture = 6.5 %		Poorly Graded Sand with Gravel	
Project No. 19-10-066 Client: Equity Alliance LLC Project: Village at Greatbrook LLC-Bedford, NH Date: 9/20/19 Location: Phase 2 Station 10+60 R Sample Number: 19-490			
<div></div>			
		Remarks:	

Figure 490A

Tested By: Ted M. Checked By: Jeff Y.

Moisture Density Report For Curve No. 19-492



Test specification: ASTM D 1557-00 Method C Modified
ASTM D4718-15 Oversize Corr. Applied to Each Test Point

Elev/ Depth	Classification		Nat. Moist.	Sp.G.	LL	PI	% > 3/4 in.	% < No.200
	USCS	AASHTO						
		-		2.65	-	-	39.9	7.7

ROCK CORRECTED TEST RESULTS		UNCORRECTED	MATERIAL DESCRIPTION
Maximum dry density = 142.4 pcf		130.3 pcf	Poorly Graded Gravel with Silt and Sand
Optimum moisture = 5.6 %		9.0 %	
<div><div><div><div><div>Project No.</div><div>19-10-066</div></div><div><div>Client:</div><div>Equity Alliance LLC</div></div></div><div><div>Project:</div><div>Village at Greatbrook LLC-Bedford, NH</div></div><div><div>Date:</div><div>9/20/19</div></div></div><div><div><div>Location:</div><div>Phase 1 Station 10+75 Patch Area</div></div><div><div>Sample Number:</div><div>19-492</div></div></div></div>			Remarks:
<div><div><div><div><div></div><div></div></div><div><div>JOHN TURNER</div><div>CONSULTING</div></div></div></div></div>			

Figure 492B

Tested By: Ted M. Checked By: Jeff Y.

HMA Theoretical Maximum Specific Gravity Test Report (T 209)

Date/Time: 9/14/2019	Lab/Location: John Turner Consulting - Dover, NH		
Weather: Overcast, 65	Date Rec'd #: 9/14/2019	Random Sample:	No <input type="checkbox"/>
Project: Village at Great Brook	Lab Login #:	Lot #:	
Contract #:	Material ID: Binder Course	Sublot #:	
Contractor:	Material #:	Sample Location:	
Pay Item #:	Sample #:	Station:	
Source:	Sample Type: Other <input type="checkbox"/>	Offset:	
Plant Type:	Sampled By/Cert. #: Dave Grodan #4352 & J. McCarthy #2988		

Maximum Specific Gravity of HMA (T 209)				
Specimen #:	C-2	C-4		
Mass of Dry Sample in Air (A):	1114.3	1901.9		
Mass of Pycnometer filled with Water (D): er at 25 +/- 1 °C)	1616.4	1616.4		
Mass of Pycnometer filled with Sample and Water (E): er at 25 +/- 1 °C)	2281.8	2750.4		
Theoretical Maximum Specific Gravity (Gmm): (A/(A+D-E))	2.482	2.477		
Unit Weight, Kg/m ³ : Gmm * 1000)	2482	2477		
Average Theoretical Maximum Specific Gravity (Gmm):	2.480			
Average Unit Weight, Kg/m ³ :	2480			

Comments:	
Tested by: John McCarthy	Reviewed by:
Certification #: 919m	Certification #:
Date: 9/19/2019	Date:
Results Within Specification Limits: <input type="checkbox"/>	Results Outside Specification Limits: <input type="checkbox"/>

New England Transportation Technician Certification Program
HMA Pavement Thickness and Compaction Test Report (D 3549, T 166, T 230, T 269)

Date/Time: 09/14/19	Lab/Location: John Turner Consulting - Dover, NH		
Weather: Overcast, 65	Date Rec'd #: 9/14/2019	Random Sample:	
Project: Village at Great Brook	Lab Login #:	Lot #:	
Contract #:	Material ID: Binder Course	Sublot #:	
Contractor:	Material #:	Sample Location:	
Pay Item #:	Sample #:	Station:	
Source:	Sample Type:	Offset:	
Plant Type:	Sampled By/Cert. #: D. Grodan #4352 / J. McCarthy #2988		

Core Identification Information				
Sample #:	C-1	C-2	C-3	
Lot #:				
Sublot #:				
Station:	17+10	2+11	5+33	
Offset:	R 4'	L 3'	R 6.5'	

Thickness Determination (D 3549)				
Measured Core Thickness, in:	1.46	1.67	2.12	
Target Thickness, in:	1.75	1.75	1.75	

Bulk Specific Gravity of Compacted HMA (T 166)				
Test Specimen Thickness, in:	1.00	1.25	1.75	
Mass of Dry Specimen in Air (A):	938.5	1120.8	1686.0	
Mass of Specimen at SSD (B):	943.5	1136.0	1696.2	
Mass of Specimen in Water (C): (@ 25 +/- 1 °C)	530.7	616.4	925.8	
Specimen Volume (V): (B-C)	412.8	519.6	770.4	
Core Bulk Specific Gravity (Gmbc): (A / (B - C))	2.273	2.157	2.188	
Unit Weight, Kg/m³: (Gmbc * 1000)	2273	2157	2188	

Percent Compaction and Percent Air Voids in HMA (T 230, T 269)				
theoretical Maximum Specific Gravity (Gmm): (From T 209)	2.480	2.480	2.480	
% Compaction of Gmm: (Gmbc / Gmm) * 100	91.65322581	86.9758065	88.2258065	
Percent Voids in Place (Pa): (100 * ((Gmm - Gmbc) / Gmm))	8.346774194	13.0241935	11.7741935	

Comments:	
Tested by: John McCarthy	Reviewed by:
Certification #: 919m	Certification #:
Date: 9/19/2019	Date:
Results Within Specification Limits: <input type="checkbox"/>	Results Outside Specification Limits: <input type="checkbox"/>

New England Transportation Technician Certification Program
HMA Pavement Thickness and Compaction Test Report (D 3549, T 166, T 230, T 269)

Date/Time: 09/14/19	Lab/Location: John Turner Consulting - Dover, NH	
Weather: Overcast, 65	Date Rec'd #: 9/14/2019	Random Sample:
Project: Village at Great Brook	Lab Login #:	Lot #:
Contract #:	Material ID: Binder Course	Sublot #:
Contractor:	Material #:	Sample Location:
Pay Item #:	Sample #:	Station:
Source:	Sample Type:	Offset:
Plant Type:	Sampled By/Cert. #: D. Grodan #4352 / J. McCarthy #2988	

Core Identification Information				
Sample #:	C-4	C-5	C-6	
Lot #:				
Sublot #:				
Station:	7+44	8+88	11+13	
Offset:	L 5'	R 1'	R 7'	

Thickness Determination (D 3549)				
Measured Core Thickness, in:	2.29	1.94	2.17	
Target Thickness, in:	1.75	1.75	1.75	

Bulk Specific Gravity of Compacted HMA (T 166)				
Test Specimen Thickness, in:	1.95	1.94	1.75	
Mass of Dry Specimen in Air (A):	1911.9	1512.3	1675.6	
Mass of Specimen at SSD (B):	1919.6	1547.4	1682.6	
Mass of Specimen in Water (C): (@ 25 +/- 1 °C)	1079.1	835.1	931.0	
Specimen Volume (V): (B-C)	840.5	712.3	751.6	
Core Bulk Specific Gravity (Gmbc): (A / (B - C))	2.275	2.123	2.229	
Unit Weight, Kg/m³: (Gmbc * 1000)	2275	2123	2229	

Percent Compaction and Percent Air Voids in HMA (T 230, T 269)				
theoretical Maximum Specific Gravity (Gmm): (From T 209)	2.480	2.480	2.480	
% Compaction of Gmm: (Gmbc / Gmm) * 100	91.73387097	85.6048387	89.8790323	
Percent Voids in Place (Pa): (100 * ((Gmm - Gmbc) / Gmm))	8.266129032	14.3951613	10.1209677	

Comments:	
Tested by: John McCarthy	Reviewed by:
Certification #: 919m	Certification #:
Date: 9/19/2019	Date:
Results Within Specification Limits: <input type="checkbox"/>	Results Outside Specification Limits: <input type="checkbox"/>

Attachment 1 - JTC Final Report:

JTC and UTS Reports and investigations address the roads which were constructed under the Equity Alliance portion of the project, including the final portion of Village Drive after Pond 2 where the road turns to the north and all of Pheasant Lane; the Road Stations apply to these same sections of road.

The only investigation accomplished on the section of road from Bolt Hill Rd to this portion was the area of Village Drive which exhibited deterioration in 2019 – at Station 10+75. For reference, Road Stations are shown on the Road Plan and Profiles in the plan set (a Station relates to a location on the road – a Station refers to a segment of road in 100' sections – Sta 1+00 is that section at 100' from the beginning for example). The area at Sta 10+75 (sheet 7 of the plans) was investigated and recommended for repair (this is a small portion of Village Drive just before the second wetland crossing) which was constructed by Blair Hodge. It exhibited potholes and settling and was repaired by Equity Alliance.

The other Stations refer to the locations on Village Drive (Sta's 15+50 – 18+00 – the intersection with Pheasant) and also all of Pheasant Ln (Sta's 0+00 – 12+30). The Report notes that most areas of the gravel base and gravel subbase are satisfactory with respect to material, depth and compaction. The Report also finds that the subbase "closely" meets the plan specification in the Cross-Section Detail (Sheet 9 of the plan set); however, it is important to note that the ATTAR plans specify the more widely used MDOT Specs while Eliot's road specifications are greatly more general – 15" of subbase with no stone size greater than 6" and 6" of gravel base with no stone size greater than 2". Thus the road meets and exceeds Eliot's requirements and only differ slightly from the MDOT Specs as noted by JTC's Report drafted by their President, John Turner, PE, Eric Botterman, PE (Millennium Engineering's President) and Ken Wood, PE of Attar Engineering, Inc. (3 engineers have weighed in). Three engineers arrived at the same conclusion and this should be satisfactory.

The one issue noted was pavement compaction with pavement thickness (1 ¾" base pavement) a lesser concern – as noted in the report (compaction wasn't achieved and in some areas pavement thickness was less than the 1.75" specified in the cross-section). Important to also note that Joel Kahn (Equity Alliance) and Ken Wood requested the investigation because Equity Alliance was in a contract dispute with both SPL (the Project Manager) and Unit Construction (the Site Contractor) – hence the report was drafted with this in mind. While the JTC results stand on their own merit, the pavement has been in-place for almost 4 years under very heavy construction equipment use (over 7 years on the remainder of Village Lane) and has held up well.

It would be reasonable to visually inspect the entire road network and replace any deteriorated base pavement areas – while acceptable areas would be shimmed, crowned and then receive a top course of pavement to achieve the specified thickness (3" compacted).

Attachments 2 and 3:

UTS test results of the gravel subbase and gravel base materials.

In addition:

The two initial sections of Village Drive were constructed by M.K. Murphy (Bill Cullen – the original developer) and Hodge & Co (Blair Hodge with Randy Spinney as Site Contractor). Both would have connected with the town's Road Commissioner and the Kittery Water District on road construction and installation of water and sewer utilities.

Again, the one area showing evidence of deterioration (Sta 10+75) was repaired by Equity Alliance even though it was constructed by Hodge & Co. and no other areas at that time were visually deteriorating. Joel Moulton (Eliot Public Work's Director) was involved and he also had the town's Sewer System Engineering Consultant, Underwood Engineering, review the proposed sewer design shown on the Attar plans and all items were resolved.

From: Ken Wood
To: "Mark Patterson"
Subject: RE: villages on great brook, bolt hill
Date: Monday, October 28, 2013 12:36:00 PM
Attachments: ACOE MDEPPermits.pdf

Hi Mark - Ben Walden who did that project is no longer with us so either Ed or I could answer your questions. I don't believe that Eliot requires either a 3rd party inspector or as-builts on this project and there doesn't seem to be any FOF's; we may want to verify with the Code Enforcement Officer. I also think it needs to be re-permitted with both the Town and MDEP and that the sewer capacity needs to be re-affirmed again. Stormwater BMP's probably need observation IAW the MDEP Site permit (Cond No. 10 - last page of attachment)

Can we just pin the building once - pin the corners with off-sets or shall we plan on -trips (once for excavation and a second time in the hole)?

Let me know - thks

Ken

-----Original Message-----

From: Mark Patterson [mailto:mark@patco.com]
Sent: Monday, October 28, 2013 11:10 AM
To: ken wood
Subject: villages on great brook, bolt hill

Hi ken,

Have you had a chance to come up with an estimate on what we have spend to finish bolt hill for surveying and engineering? I would need everything marked out for construction in each phase and then a price on pinning each building. Does eliot require as built's? Did not seen anything in their code. Will they require a 3 rd party inspect our work?

Finally, who is familiar with this project in your office? I have some questions on missing detail. Type of guardrail? "proposed blazed trail" in the landscaping plan. etc.

Thanks,
Mark

Mark I. Patterson

PATCO Construction, Inc.
1293 Main Street
Sanford, Maine 04073
Voice (207) 324-5574 ext 111
Fax (207) 324-1643

Visit our website www.patco.com for more information on our Women Centric Homes or give me a call

From: Mark Patterson
To: Ken Wood
Subject: RE: villages on great brook, bolt hill
Date: Monday, October 28, 2013 1:24:11 PM

I met with the planning assistant and she told me the approvals are still valid. On pinning once per building with offsets. Give me an option for in the hole if it is a tight one. If mdep needs to get re approved, give me a price on that too.

Mark I. Patterson

PATCO Construction, Inc.
1293 Main Street
Sanford, Maine 04073
Voice (207) 324-5574 ext 111
Fax (207) 324-1643

Visit our website www.patco.com for more information on our Women Centric Homes or give me a call

-----Original Message-----

From: Ken Wood [<mailto:ken@attarengineering.com>]
Sent: Monday, October 28, 2013 12:37 PM
To: 'Mark Patterson'
Subject: RE: villages on great brook, bolt hill

Hi Mark - Ben Walden who did that project is no longer with us so either Ed or I could answer your questions. I don't believe that Eliot requires either a 3rd party inspector or as-builts on this project and there doesn't seem to be any FOF's; we may want to verify with the Code Enforcement Officer. I also think it needs to be re-permitted with both the Town and MDEP and that the sewer capacity needs to be re-affirmed again. Stormwater BMP's probably need observation IAW the MDEP Site permit (Cond No. 10 - last page of attachment)

Can we just pin the building once - pin the corners with off-sets or shall we plan on -trips (once for excavation and a second time in the hole)?

Let me know - thks

Ken

-----Original Message-----

From: Mark Patterson [<mailto:mark@patco.com>]
Sent: Monday, October 28, 2013 11:10 AM
To: ken wood
Subject: villages on great brook, bolt hill

Hi ken,

Have you had a chance to come up with an estimate on what we have spend to finish bolt hill for surveying and engineering? I would need everything marked out for construction in each phase and then a price on pinning each building. Does eliot require as builts? Did not seen anything in their

code. Will they require a 3 rd party inspect our work?

Finally, who is familiar with this project in your office? I have some questions on missing detail. Type of guardrail? "proposed blazed trail" in the landscaping plan. etc.

Thanks,
Mark

Mark I. Patterson

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Voice (207) 324-5574 ext 111
Fax (207) 324-1643

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From: Ken Wood
To: Mike Sudak
Subject: FW: Proposed sewer system review
Date: Friday, June 17, 2016 1:43:09 PM
Attachments: Villages on Great Brook - UE Review Ltr.pdf

From: Joel Moulton [mailto:jmoulton@eliotme.org]
Sent: Friday, June 17, 2016 7:41 AM
To: Ken Wood <Ken@attarengineering.com>; Blair Hodge (kblairhodge@yahoo.com) <kblairhodge@yahoo.com>; phollisland@gmail.com
Cc: Kate Pelletier <kpelletier@eliotme.org>; Heather Ross <hross@eliotme.org>; 'Keith Pratt' <kpratt@underwoodengineers.com>
Subject: Proposed sewer system review

All,

Attached you will find a letter from Underwood Engineers that summarizes the review of the Villages on Great Brook proposed sewer system design that reflects the opinion of the Town from the requested consultant review. Please look to address all the comments noted in the letter and resubmit your design for an additional review as we look forward to completing the review process for your project.

Should you have a questions please feel free to contact me.

Regards,

Joel C. Moulton
Public Works Director
Town of Eliot

Under Maine's Freedom of Access ("Right to Know") law, all e-mail and e-mail attachments received or prepared for use in matters concerning Town business or containing information relating to Town business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law.

From: Mike Sudak
To: kpratt@underwoodengineers.com; jmoulton@eliotme.org
Cc: Blair Hodge; phollisland@gmail.com; Ken Wood
Subject: Villages Sewer Plan & Profile Drawing Package
Date: Tuesday, July 12, 2016 3:06:00 PM
Attachments: [SewerReview07122016.pdf](#)
[Villages Sewer P&P PKG 12Jul2016.pdf](#)

Good Afternoon Joel, Keith,

Attached you'll find the review letter and drawing package for the proposed sewer at the Villages on Great Brook. These attachments are meant to address concerns with the previous review letter, as well as to provide an updated and revised plan set.

Please let me know if you have any questions/concerns.

Thanks,

-Mike

Michael J. Sudak, EIT
 Civil Engineer
 Attar Engineering, Inc.
 1284 State Road
 Eliot, Maine 03903
 Ph: (207) 439-6023
 Fax: (207) 439-2128
 Cell: (978) 317-3398

From: [Ken Wood](#)
To: [Sirois, Alison](#)
Cc: [Mark Berube](#); [Nate Amsden](#)
Subject: Villages on Great Brook - UNIT 20
Date: Tuesday, July 31, 2018 11:04:57 AM
Attachments: [BOLTHILL CONDO 7-31-18.pdf](#)
[doc02003720180731103630.pdf](#)
[BOLTHILL unit 20 rear deck setback.pdf](#)

Good Morning Alison – I have attached a plan (1st attachment) which shows the location of recently constructed Unit 20 (highlighted in red in the lower 1/3 of the plan – left side) at the Villages On Great Brook.

Please note that the rear corner of the deck extends into the 25' wetland setback which we had noted on the approved plans. I don't believe this setback has been called out in the permit as a requirement or condition of approval (2nd attachment). The 3rd attachment is a blow-up of the deck detailing the actual encroachment into the setback.

Sorry for this issue but can you please let me know whether or not a Minor Project Amendment should be submitted?

Thank you for the consideration, Alison.

Best.

Ken

Kenneth A. Wood, P.E.

President

ATTAR

ENGINEERING, INC.

CIVIL ♦ STRUCTURAL ♦ MARINE

1284 State Road

Eliot, ME 03903

Phone: (207) 439-6023

Fax: (207) 439-2128

www.attarengineering.com

From: Ken Wood
To: Sirois, Alison
Cc: Mark Berube; Nate Amsden
Subject: RE: Villages on Great Brook - UNIT 20
Date: Monday, August 13, 2018 1:00:26 PM
Attachments: SW WorksheetCottage Villages.pdf

Hi Alison – Please see attached – the adjacent wetland was not considered part of the “wooded buffer” for treatment – the wooded buffer for this subcatchment (SC 1) is adjacent to the access road. I have attached a portion of the Post-developed Drainage Plan and the HydroCAD model routing sheet. Any questions; please call.

Thanks you Alison.

Best.

Ken

Kenneth A. Wood, P.E.

President

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Eliot, ME 03903

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Fax: (207) 439-2128

www.attarengineering.com

From: Sirois, Alison [mailto:Alison.Sirois@maine.gov]

Sent: Friday, August 03, 2018 2:48 PM

To: Ken Wood <Ken@attarengineering.com>

Cc: Mark Berube <mark@patriotadvisory.com>; Nate Amsden <Nate@attarengineering.com>

Subject: RE: Villages on Great Brook - UNIT 20

Hello Ken,

Could you send the post-development treatment/drainage plans? If this buffer is simply a 25' wetland setback then it would only require a Site Law minor revision. If it is part of a stormwater buffer then it would require Site Law minor amendment would need to be address this change.

Alison Sirois

Regional Licensing and Compliance Manager, Southern Maine

Bureau of Land Resources, Maine Department of Environmental Protection

Phone (207)699-7028 Office (207)822-6300

www.maine.gov/dep

From: Ken Wood [mailto:Ken@attarengineering.com]

Sent: Tuesday, July 31, 2018 11:05 AM

To: Sirois, Alison <Alison.Sirois@maine.gov>

Cc: Mark Berube <mark@patriotadvisory.com>; Nate Amsden <Nate@attarengineering.com>

Subject: Villages on Great Brook - UNIT 20

Good Morning Alison – I have attached a plan (1st attachment) which shows the location of recently constructed Unit 20 (highlighted in red in the lower 1/3 of the plan – left side) at the Villages On Great Brook.

Please note that the rear corner of the deck extends into the 25' wetland setback which we had

noted on the approved plans. I don't believe this setback has been called out in the permit as a requirement or condition of approval (2nd attachment). The 3rd attachment is a blow-up of the deck detailing the actual encroachment into the setback.

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Thank you for the consideration, Alison.

Best.

Ken

Kenneth A. Wood, P.E.

President

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Eliot, ME 03903

Phone: (207) 439-6023

Fax: (207) 439-2128

www.attarengineering.com

From: Ken Wood
To: Sirois, Alison
Cc: Mark Berube; Nate Amsden
Subject: Re: Villages on Great Brook - UNIT 20
Date: Tuesday, August 14, 2018 4:50:31 PM

Thank you Alison. I'll send it up. Thank you for the response.

Best.

Ken

Sent from my Sprint Samsung Galaxy S7.

----- Original message -----

From: "Sirois, Alison" <Alison.Sirois@maine.gov>
Date: 8/14/18 3:48 PM (GMT-05:00)
To: Ken Wood <Ken@attarengineering.com>
Cc: Mark Berube <mark@patriotadvisory.com>, Nate Amsden <Nate@attarengineering.com>
Subject: RE: Villages on Great Brook - UNIT 20

Hi Ken,

If this is not part of the "wooded buffer" for treatment then I would say this qualifies for a minor revision.

Alison Sirois

Regional Licensing and Compliance Manager, Southern Maine
Bureau of Land Resources, Maine Department of Environmental Protection
Phone (207)699-7028 Office (207)822-6300
www.maine.gov/dep

From: Ken Wood [mailto:Ken@attarengineering.com]
Sent: Monday, August 13, 2018 1:00 PM
To: Sirois, Alison <Alison.Sirois@maine.gov>
Cc: Mark Berube <mark@patriotadvisory.com>; Nate Amsden <Nate@attarengineering.com>
Subject: RE: Villages on Great Brook - UNIT 20

Hi Alison – Please see attached – the adjacent wetland was not considered part of the "wooded buffer" for treatment – the wooded buffer for this subcatchment (SC 1) is adjacent to the access road. I have attached a portion of the Post-developed Drainage Plan and the HydroCAD model routing sheet. Any questions; please call.

Thanks you Alison.

Best.

Ken

Kenneth A. Wood, P.E.
President

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Fax: (207) 439-2128

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From: Sirois, Alison [<mailto:Alison.Sirois@maine.gov>]

Sent: Friday, August 03, 2018 2:48 PM

To: Ken Wood <Ken@attarengineering.com>

Cc: Mark Berube <mark@patriotadvisory.com>; Nate Amsden <Nate@attarengineering.com>

Subject: RE: Villages on Great Brook - UNIT 20

Hello Ken,

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Alison Sirois

Regional Licensing and Compliance Manager, Southern Maine

Bureau of Land Resources, Maine Department of Environmental Protection

Phone (207)699-7028 Office (207)822-6300

www.maine.gov/dep

From: Ken Wood [<mailto:Ken@attarengineering.com>]

Sent: Tuesday, July 31, 2018 11:05 AM

To: Sirois, Alison <Alison.Sirois@maine.gov>

Cc: Mark Berube <mark@patriotadvisory.com>; Nate Amsden <Nate@attarengineering.com>

Subject: Villages on Great Brook - UNIT 20

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Please note that the rear corner of the deck extends into the 25' wetland setback which we had noted on the approved plans. I don't believe this setback has been called out in the permit as a requirement or condition of approval (2nd attachment). The 3rd attachment is a blow-up of the deck detailing the actual encroachment into the setback.

Sorry for this issue but can you please let me know whether or not a Minor Project Amendment should be submitted?

Thank you for the consideration, Alison.

Best,

Ken

Kenneth A. Wood, P.E.

President

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Eliot, ME 03903

Phone: (207) 439-6023
Fax: (207) 439-2128
www.attarengineering.com

From: [Stehr, April A](#)
To: [Ken Wood](#)
Cc: [Eric Botterman \(EBotterman@Mei-Ma.com\)](#); [Joel Kahn \(jkahn@equity-alliance.com\)](#); [Strause, Aubrey](#)
Subject: RE: Villages on Great Brook
Date: Wednesday, April 17, 2019 10:36:55 AM

Thanks Ken! This is very helpful. As of now, I don't think that it'll be necessary for you join us on Friday. Aubrey is going over the information you sent and may contact you directly, if she has any questions.

Thanks again,
 April

From: Ken Wood [<mailto:Ken@attarengineering.com>]

Sent: Wednesday, April 17, 2019 8:03 AM

To: Stehr, April A <April.A.Stehr@maine.gov>

Cc: Eric Botterman (EBotterman@Mei-Ma.com) <EBotterman@Mei-Ma.com>; Joel Kahn (jkahn@equity-alliance.com) <jkahn@equity-alliance.com>

Subject: RE: Villages on Great Brook

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

SW information – the HydroCAD analysis is voluminous but if you'd like it our office manager can scan the entire document (probably tomorrow as she's out today) and e-mail it to you. Let me know if you'd like me to attend your site walk – unfortunately I am only available until 11 on Friday.

Best.

Ken

Kenneth A. Wood, P.E.

President

ATTAR

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1284 State Road

Eliot, ME 03903

Phone: (207) 439-6023

Fax: (207) 439-2128

www.attarengineering.com

From: Stehr, April A [<mailto:April.A.Stehr@maine.gov>]

Sent: Tuesday, April 16, 2019 4:33 PM

To: Ken Wood <Ken@attarengineering.com>

Cc: Eric Botterman (EBotterman@Mei-Ma.com) <EBotterman@Mei-Ma.com>; Joel Kahn (jkahn@equity-alliance.com) <jkahn@equity-alliance.com>

Subject: RE: Villages on Great Brook

Ken,

Yes, the visit is for E&S and SW constructed to date. Can you provide the O&M Plan and Stormwater Plan for what's been approved to date?

Thanks,

April

From: Ken Wood [<mailto:Ken@attarengineering.com>]

Sent: Tuesday, April 16, 2019 4:27 PM

To: Stehr, April A <April.A.Stehr@maine.gov>

Cc: Eric Botterman (EBotterman@Mei-Ma.com) <EBotterman@Mei-Ma.com>; Joel Kahn (jkahn@equity-alliance.com) <jkahn@equity-alliance.com>

Subject: RE: Villages on Great Brook

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi April - I only have the original approved plans, SW Management Plan and O & M Plan, a previous developer had made some changes to that plan (with the consent of the Town); I had discussed these with MDEP as they resulted in less impervious area and no changes in sub-catchments or drainage. The new development team has been preparing As-Built Plans and also the design revisions; which, to date, have not resulted in revisions to the SW Management Plan; I wasn't involved during construction of the 3 UDSF ponds or contributing drainage culverts but ATTAR is currently working with Millennium Engineering on changes to date and any future project amendment applications.

Your compliance visit is for E & S and SW constructed to date?

Hope this helps.

Best.

Ken

Kenneth A. Wood, P.E.

President

ATTAR

ENGINEERING, INC.

CIVIL ♦ STRUCTURAL ♦ MARINE

1284 State Road

Elliot, ME 03903

Phone: (207) 439-6023

Fax: (207) 439-2128

www.attarengineering.com

From: Stehr, April A [<mailto:April.A.Stehr@maine.gov>]

Sent: Tuesday, April 16, 2019 4:13 PM

To: Ken Wood <Ken@attarengineering.com>

Subject: RE: Villages on Great Brook

Hello again Ken,

We have been asked by the Town to do a compliance check and we're planning to stop in on Friday, April 19th. Do you have a post construction O&M Plan that matches what was constructed?

Thanks,

April Stehr

From: Stehr, April A

Sent: Thursday, April 04, 2019 4:27 PM

To: 'ken@attarengineering.com' <ken@attarengineering.com>

Subject: Villages on Great Brook

Hi Ken,

I understand that you have been inquiring about the transfer application for Villages on Great Brook.

I have that application and intend to work on this shortly.

Sincerely,

April A Stehr

Environmental Specialist in the Bureau of Land Resources
Maine Department of Environmental Protection
(207) 446-6117
www.maine.gov/dep

From: Strause, Aubrey
To: Ken Wood
Cc: Langlois, Lucien; Stehr, April A
Subject: NOV for Village on Great Brook
Date: Wednesday, July 3, 2019 9:51:50 AM
Attachments: 20190626_VOGB_Full_NOV_Package.pdf

Ken-

As requested, see attached for the **Notice of Violation** we sent to Blair Hodge last week. This names Hodge and Company LLC as the licensee and Village on Great Brook, LLC (and "also known as" entities) as the landowner.

At the May 10, 2019 meeting at Town Hall, the Department stated that this NOV would be prepared, but that we would allow time for improvements and discussions.

We also stated at the May 10 meeting that an Amendment to the 2007 license was required because current construction does not match what the Department has approved: this NOV compels the permittee to come into the Department for that conversation.

We provided a copy to the Town.

Colin Greenan at ACOE has received a copy of this Notice of Violation for his files, since that permit has also expired.

Call me with questions,

-als

Aubrey L. Strause, P.E.

Stormwater Engineer, Southern Maine

Bureau of Land Resources, Maine Department of Environmental Protection

Office: (207) 822-6365

www.maine.gov/dep

From: Strause, Aubrey
To: Ken Wood
Cc: Stehr, April A
Subject: RE: Villages on Great Brook
Date: Wednesday, May 1, 2019 10:02:08 AM

Ken-

I had not heard that Doug was gone until you said so- thank you! With no Town Planner, Public Works Director, or CEO, we'll need to communicate directly with Dana Lee to figure out next steps. As I mentioned, there are some short-term and medium-term issues at VOGB. I summarize them as follows.

Short-Term

1. Get input on project wasn't constructed as licensed. More **below***. I don't know who did construction oversight, etc...
2. Temporary ESC: much of the area is open and unstabilized.
3. Catch basin inlet protection
4. Sweep the roadway
5. Construct Bioretention cell #2 or another BMP to serve as a sedimentation basin during construction: there has been a discharge of sediment to the environment.

Medium-Term

1. **UDSF #21**: replace CB grate with a stickup with a beehive inlet (no treatment is happening); replace gravel with a soil filter mix; re-seed with a conservation mix; adjust shoulder grading so road runoff goes into the BMP; build an emergency spillway; repair gulley on embankment.
2. **Bioretention cell #19**: replace CB grate with a stickup with a beehive inlet (no treatment is happening); adjust elevation at the end near Unit 5 so that the approved storage is provided; re-seed with a conservation mix;
3. Install permanent pavement at the constructed portion of the site: plants are open.
4. Get the slope at the CMP easement (station 15+50) stabilized.

Long-Term

1. Have a conversation with Millennium about phasing for additional work: we want to verify that treatment is provided for what's already been built before they start building more.

***Questions on as-builts**

1. Why were CB grates put into UDSF #21 and Bioretention cell #19 instead of having them hold the WQV and provide treatment?
2. Why wasn't Bioretention cell #2 built?
3. Why wasn't Bioretention cell #19 connected to UDSF #21?
4. Was Army Corps consulted on the crossing at Wetland Impact 2? No connection was provided.

-als

From: Ken Wood [mailto:Ken@attarengineering.com]

Sent: Monday, April 29, 2019 2:24 PM

To: Strause, Aubrey <Aubrey.Strause@maine.gov>

Cc: Stehr, April A <April.A.Stehr@maine.gov>

Subject: RE: Villages on Great Brook

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Thanks Aubrey – I'm not sure if you heard but Doug Greene is no Planner the planner in Eliot – If there's something we need to address is it possible to get a copy of the report issues for the Villages?

Thanks Aubrey.

Best.

Ken

Kenneth A. Wood, P.E.

President

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Eliot, ME 03903

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Fax: (207) 439-2128

www.attarengineering.com

From: Strause, Aubrey [<mailto:Aubrey.Strause@maine.gov>]

Sent: Tuesday, April 23, 2019 9:40 AM

To: Ken Wood <Ken@attarengineering.com>

Cc: Douglas Greene <dgreene@eliotme.org>; Stehr, April A <April.A.Stehr@maine.gov>

Subject: RE: Villages on Great Brook

Ken-

We had a brief but effective site visit, and were joined by Tony and Walt from Unit Construction, which was incredibly helpful.

Yes, I will be sending a site visit report and some recommendations to Doug Greene today to distribute as he finds appropriate.

The recommendations include:

- short-term: temporary erosion control; open unstabilized areas; road sweeping; silt sacks in catch basins.
- long-term: BMP retrofit (the two we looked at don't treat the WQV); wetland crossing between unit #47 and #49; timing of permanent pavement in the finished area.

I have meetings this morning but will wrap this report up this afternoon.

Thanks, again, for the materials you shared! Your responsiveness has really been helpful at helping us figure out what corrections have already been made and what other corrections are planned.

-als

From: Ken Wood [<mailto:Ken@attarengineering.com>]

Sent: Tuesday, April 23, 2019 9:24 AM

To: Stehr, April A <April.A.Stehr@maine.gov>

Cc: Eric Botterman (EBotterman@Mei-Ma.com) <EBotterman@Mei-Ma.com>; Joel Kahn (jkahn@equity-alliance.com) <jkahn@equity-alliance.com>; Strause, Aubrey <Aubrey.Strause@maine.gov>

Subject: RE: Villages on Great Brook

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning April – How did your site visit go last Friday – Anything we should be addressing?

Thank you for making the visit.

Best.
Ken
Kenneth A. Wood, P.E.
President

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From: Stehr, April A [<mailto:April.A.Stehr@maine.gov>]

Sent: Wednesday, April 17, 2019 10:37 AM

To: Ken Wood <Ken@attarengineering.com>

Cc: Eric Botterman (EBotterman@Mei-Ma.com) <EBotterman@Mei-Ma.com>; Joel Kahn (jkahn@equity-alliance.com) <jkahn@equity-alliance.com>; Strause, Aubrey <Aubrey.Strause@maine.gov>

Subject: RE: Villages on Great Brook

Thanks Ken! This is very helpful. As of now, I don't think that it'll be necessary for you join us on Friday. Aubrey is going over the information you sent and may contact you directly, if she has any questions.

Thanks again,

April

From: Ken Wood [<mailto:Ken@attarengineering.com>]

Sent: Wednesday, April 17, 2019 8:03 AM

To: Stehr, April A <April.A.Stehr@maine.gov>

Cc: Eric Botterman (EBotterman@Mei-Ma.com) <EBotterman@Mei-Ma.com>; Joel Kahn (jkahn@equity-alliance.com) <jkahn@equity-alliance.com>

Subject: RE: Villages on Great Brook

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SW information – the HydroCAD analysis is voluminous but if you'd like it our office manager can scan the entire document (probably tomorrow as she's out today) and e-mail it to you. Let me know if you'd like me to attend your site walk – unfortunately I am only available until 11 on Friday.

Best.

Ken
Kenneth A. Wood, P.E.
President

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Fax: (207) 439-2128

www.attarengineering.com

From: Stehr, April A [mailto:April.A.Stehr@maine.gov]

Sent: Tuesday, April 16, 2019 4:33 PM

To: Ken Wood <Ken@attarengineering.com>

Cc: Eric Botterman (EBotterman@Mei-Ma.com) <EBotterman@Mei-Ma.com>; Joel Kahn (jkahn@equity-alliance.com) <jkahn@equity-alliance.com>

Subject: RE: Villages on Great Brook

Ken,

Yes, the visit is for E&S and SW constructed to date. Can you provide the O&M Plan and Stormwater Plan for what's been approved to date?

Thanks,

April

From: Ken Wood [mailto:Ken@attarengineering.com]

Sent: Tuesday, April 16, 2019 4:27 PM

To: Stehr, April A <April.A.Stehr@maine.gov>

Cc: Eric Botterman (EBotterman@Mei-Ma.com) <EBotterman@Mei-Ma.com>; Joel Kahn (jkahn@equity-alliance.com) <jkahn@equity-alliance.com>

Subject: RE: Villages on Great Brook

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi April - I only have the original approved plans, SW Management Plan and O & M Plan, a previous developer had made some changes to that plan (with the consent of the Town); I had discussed these with MDEP as they resulted in less impervious area and no changes in sub-catchments or drainage. The new development team has been preparing As-Built Plans and also the design revisions; which, to date, have not resulted in revisions to the SW Management Plan; I wasn't involved during construction of the 3 UDSF ponds or contributing drainage culverts but ATTAR is currently working with Millennium Engineering on changes to date and any future project amendment applications.

Your compliance visit is for E & S and SW constructed to date?

Hope this helps.

Best.

Ken

Kenneth A. Wood, P.E.

President

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From: Stehr, April A [mailto:April.A.Stehr@maine.gov]

Sent: Tuesday, April 16, 2019 4:13 PM

To: Ken Wood <Ken@attarengineering.com>

Subject: RE: Villages on Great Brook

Hello again Ken,

We have been asked by the Town to do a compliance check and we're planning to stop in on Friday, April 19th. Do you have a post construction O&M Plan that matches what was constructed?

Thanks,

April Stehr

From: Stehr, April A

Sent: Thursday, April 04, 2019 4:27 PM

To: 'ken@attarengineering.com' <ken@attarengineering.com>

Subject: Villages on Great Brook

Hi Ken,

I understand that you have been inquiring about the transfer application for Villages on Great Brook.

I have that application and intend to work on this shortly.

Sincerely,

April A Stehr

Environmental Specialist in the Bureau of Land Resources

Maine Department of Environmental Protection

(207) 446-6117

www.maine.gov/dep

From: Strause, Aubrey
To: Ken Wood
Cc: Stehr, April A; Eric Botterman; Tony Gobbi (arcsmaintenance@gmail.com); Joel Kahn (jkahn@equity-alliance.com); Greenan, Colin M CIV (US) (Colin.M.Greenan@usace.army.mil); Steve Paquette (spaquette@spillic.com)
Subject: RE: Villages on Great Brook
Date: Monday, May 6, 2019 9:09:02 AM

Ken-

The Report is consistent with the list I emailed you on May 1, with the exception of the following:

- Erosion near Unit #21 has worsened, not improved, since DEP's April 19 visit (per photos from Friday). The dewatering wellpoint discharging to the 4-inch underdrain seems to be contributing to this.
- Stabilization of the slope between Station 15+50 and 18+00 has moved from a Medium-term to Short-Term item because of increased sediment discharges to wetland.
- Loam is now being spread, and without any stabilization, contributing to discharges of sediment to wetlands. Temporary stabilization to address the erosion is a **top priority**.
- Erosion control mix on site (photos from last Friday) is mostly just *branches* so we'll need some good stuff to be on site ASAP.
- While looking up approved plans, I saw that outlets from UDSF #21 and BRC #19 were not installed as designed (12" instead of 15"). I, personally, like this better, but we'll still need to document why that field change was made and get it into the amendment.

-als

From: Ken Wood [mailto:Ken@attarengineering.com]

Sent: Monday, May 6, 2019 8:39 AM

To: Strause, Aubrey <Aubrey.Strause@maine.gov>

Cc: Stehr, April A <April.A.Stehr@maine.gov>; Eric Botterman <EBotterman@Mei-Ma.com>; Tony Gobbi (arcsmaintenance@gmail.com) <arcsmaintenance@gmail.com>; Joel Kahn (jkahn@equity-alliance.com) <jkahn@equity-alliance.com>; Greenan, Colin M CIV (US) (Colin.M.Greenan@usace.army.mil) <Colin.M.Greenan@usace.army.mil>; Steve Paquette (spaquette@spillic.com) <spaquette@spillic.com>

Subject: RE: Villages on Great Brook

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks Aubrey – I'll assume that there's nothing noted in the report that wasn't in your e-mail to me re. the on-site issues; does that sound accurate?

The next 2 weeks are tight for me so hopefully the meeting will be scheduled for some time after the 23rd?

Anything else needed prior to the meeting – please let me know.

Best.

Ken

Kenneth A. Wood, P.E.

President

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From: Strause, Aubrey [<mailto:Aubrey.Strause@maine.gov>]

Sent: Monday, May 06, 2019 8:17 AM

To: Ken Wood <Ken@attarengineering.com>

Cc: Stehr, April A <April.A.Stehr@maine.gov>; Eric Botterman <EBotterman@Mei-Ma.com>; Tony Gobbi (arcsmaintenance@gmail.com) <arcsmaintenance@gmail.com>; Joel Kahn (jkahn@equity-alliance.com) <jkahn@equity-alliance.com>; Greenan, Colin M CIV (US) (Colin.M.Greenan@usace.army.mil) <Colin.M.Greenan@usace.army.mil>; Steve Paquette (spaquette@spillic.com) <spaquette@spillic.com>

Subject: RE: Villages on Great Brook

Ken-

Thank you. I sent our Site Visit Report to Dana Lee on Friday, leaving additional distribution at his discretion. Demonstrating that **soil media** meets Department spec, **correcting CB rim and berm elevations** in BRC #19 and UDSF #21, and **vegetating the BMPs** are three of the corrective actions I identified in that Site Visit Report. For convenience, I provided details from the approved plans (showing design elevations) in the Report and also listed some seed mixes that would be acceptable for both BMPs.

Please save the material you collected from the BMPs: I'll want to see it.

Dana and I will talk early this week to schedule a follow-up meeting with all parties- I suggest we discuss the report before jumping into fixing the BMPs. Getting the significant erosion on site under control, of course, is the **top priority** and I'd be rather see Tony & crew jump on that.

Dana or I will be in touch soon.

-als

From: Ken Wood [<mailto:Ken@attarengineering.com>]

Sent: Friday, May 3, 2019 4:35 PM

To: Strause, Aubrey <Aubrey.Strause@maine.gov>

Cc: Stehr, April A <April.A.Stehr@maine.gov>; Eric Botterman <EBotterman@Mei-Ma.com>; Tony Gobbi (arcsmaintenance@gmail.com) <arcsmaintenance@gmail.com>; Joel Kahn (jkahn@equity-alliance.com) <jkahn@equity-alliance.com>; Greenan, Colin M CIV (US) (Colin.M.Greenan@usace.army.mil) <Colin.M.Greenan@usace.army.mil>; Steve Paquette (spaquette@spillic.com) <spaquette@spillic.com>

Subject: FW: Villages on Great Brook

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Aubrey – Following up on my earlier e-mail – I took some small borings (hand-auger) of UDSF 21 (1st & 3rd photos) and BRC 19 (2nd photo) and it appears that the filter media meets the plan requirements (Mike Cuomo, CSS happened to be on our office so I solicited his opinion and he also agreed that the media mix was silty sand with some shredded wood fiber). My response for the outlet grate may have been confusing – I hadn't planned on replacing the flat grate but we will raise the grate elevations as required (BRC 19 should be 0.5' higher than bottom of pond) and UDSF 21 should be 1.0' higher than bottom of pond to allow for treatment and infiltration prior to discharge through the outlet structure. The Contractor will also regrade UDSF 21 so that the pond bottom is near level and also establish plant materials (BRC 19) and grass UDSF 21) in the ponds as required by

the plans.

Best.

Ken

Kenneth A. Wood, P.E.

President

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Phone: (207) 439-6023

Fax: (207) 439-2128

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Sent: Friday, May 03, 2019 8:54 AM

To: Strause, Aubrey <Aubrey.Strause@maine.gov>

Cc: Stehr, April A <April.A.Stehr@maine.gov>; Eric Botterman (EBotterman@Mei-Ma.com)

<EBotterman@Mei-Ma.com>; Tony Gobbi (arcsmaintenance@gmail.com)

<arcsmaintenance@gmail.com>; Joel Kahn (jkahn@equity-alliance.com) <[\[alliance.com\]\(mailto:alliance.com\)>; Steve Paquette \(\[spaquette@splllc.com\]\(mailto:spaquette@splllc.com\)\) <\[spaquette@splllc.com\]\(mailto:spaquette@splllc.com\)>; Greenan, Colin M](mailto:jkahn@equity-</p></div><div data-bbox=)

CIV (US) (Colin.M.Greenan@usace.army.mil) <Colin.M.Greenan@usace.army.mil>

Subject: RE: Villages on Great Brook

Hi Aubrey – Eric and I were on site yesterday – it appears that BRC 21 is connected to BRC 19 as the outlet structure for BRC 21 has an outlet and it is maintaining the discharge elevation at that level – I'll ask Tony to see if they can excavate the outlet from 21 (inlet to 19). I'll also auger the filter layer to determine whether or not the filter media was installed – if so I believe the outlet frames and grates should be able to remain as shown on the approved plans. We usually design bio-retention cells and UDSF ponds with flat gates instead of beehive grates as the storm elevation(s) should only reach the elevation of the grate in a 2-year or larger storm.

BRC 2 is scheduled to be constructed late this spring.

The ACOE was involved with the permitting as the project also has an ACOE permit; Colin Greenan was on-site with us this morning and viewed the crossing (Impact 2) – we discussed the issue of no connecting culvert which was intentional to minimize wetland impacts (which would have resulted from a higher road elevation with a culvert). I believe that Colin noted additional fill in this areas and he will be sending an e-mail with all of his observations.

Hope this info helps.

Best.

Ken

Kenneth A. Wood, P.E.

President

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www.attarengineering.com

From: Strause, Aubrey [<mailto:Aubrey.Strause@maine.gov>]

Sent: Thursday, May 02, 2019 1:49 PM

To: Ken Wood <Ken@attarengineering.com>

Cc: Stehr, April A <April.A.Stehr@maine.gov>; Eric Botterman (EBotterman@Mei-Ma.com) <EBotterman@Mei-Ma.com>

Subject: RE: Villages on Great Brook

Ken-

The file names on these drawings say 4-11-19 but the sheets are dated November 2018, and don't reflect some of the corrections: for example, Tony from UNIT construction told me that Bioretention Cell #19 **HAD** been connected to UDSF #21, but Sheet 2 still shows the outlet pipe from BRC #19 stubbed. Was the connection made or not?

So, let me know if Millennium is doing an updated version. If not, that's fine and I'll work from this one.

I do still want to get sheets for what changes have been proposed (or are being proposed) since DEP approved the license. Thanks!

-als

From: Ken Wood [<mailto:Ken@attarengineering.com>]

Sent: Thursday, May 2, 2019 1:24 PM

To: Strause, Aubrey <Aubrey.Strause@maine.gov>

Cc: Stehr, April A <April.A.Stehr@maine.gov>; Eric Botterman (EBotterman@Mei-Ma.com) <EBotterman@Mei-Ma.com>; Joel Kahn (jkahn@equity-alliance.com) <jkahn@equity-alliance.com>

Subject: RE: Villages on Great Brook

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Aubrey – Yes, please see attached. I realize that you are looking for responses to your other comments which I will get to you in the next few days – Eric and I are visiting the site today @ 3 to take a look at the areas of concern. The changes which I had initially proposed to the Town and Department (w/o additional permitting or amendments) were that the total number of units had decreased, as had the amount of impervious area and also that there would be no definitive changes in the stormwater management plan. Thanks Aubrey.

Best.

Ken

Kenneth A. Wood, P.E.

President

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From: Strause, Aubrey [<mailto:Aubrey.Strause@maine.gov>]

Sent: Thursday, May 02, 2019 12:34 PM

To: Ken Wood <Ken@attarengineering.com>

Cc: Stehr, April A <April.A.Stehr@maine.gov>

Subject: FW: Villages on Great Brook

Ken-

When April and I were on site on April 19, Tony from UNIT Construction mentioned that Millennium was expecting to have the revised set of **as-builts** and **revised proposed plans** done by April 26. Are those plans available yet? I'd like to get them **as soon as possible**. I am happy to contact Eric directly, if you prefer: just let me know.

You mentioned that you've had previous conversations with the Department about changes that the Town had agreed to. With many new entities involved, some corrective actions required, and new revisions proposed, I will talk to Dana about scheduling a meeting for the team to discuss the project, the request to Transfer the license, and the pending license Amendment application. This meeting will also give us a chance to get on the same page about ESC and construction oversight (i.e., build BMPs as shown on approved plans) to avoid a repeat of some of the issues I summarized yesterday.

Thanks, again, for your assistance.

-als

From: Ken Wood [mailto:Ken@attarengineering.com]

Sent: Tuesday, April 16, 2019 4:27 PM

To: Stehr, April A <April.A.Stehr@maine.gov>

Cc: Eric Botterman (EBotterman@Mei-Ma.com) <EBotterman@Mei-Ma.com>; Joel Kahn (jkahn@equity-alliance.com) <jkahn@equity-alliance.com>

Subject: RE: Villages on Great Brook

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Hi April - I only have the original approved plans, SW Management Plan and O & M Plan, a previous developer had made some changes to that plan (with the consent of the Town); I had discussed these with MDEP as they resulted in less impervious area and no changes in sub-catchments or drainage. The new development team has been preparing As-Built Plans and also the design revisions; which, to date, have not resulted in revisions to the SW Management Plan; I wasn't involved during construction of the 3 UDSF ponds or contributing drainage culverts but ATTAR is currently working with Millennium Engineering on changes to date and any future project amendment applications.

Your compliance visit is for E & S and SW constructed to date?

Hope this helps.

Best.

Ken

Kenneth A. Wood, P.E.

President

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Fax: (207) 439-2128

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From: Stehr, April A [mailto:April.A.Stehr@maine.gov]

Sent: Tuesday, April 16, 2019 4:13 PM

To: Ken Wood <Ken@attarengineering.com>

Subject: RE: Villages on Great Brook

Hello again Ken,

We have been asked by the Town to do a compliance check and we're planning to stop in on Friday, April 19th. Do you have a post construction O&M Plan that matches what was constructed?

Thanks,

April Stehr

From: Stehr, April A

Sent: Thursday, April 04, 2019 4:27 PM

To: 'ken@attarengineering.com' <ken@attarengineering.com>

Subject: Villages on Great Brook

Hi Ken,

I understand that you have been inquiring about the transfer application for Villages on Great Brook. I have that application and intend to work on this shortly.

Sincerely,

April A Stehr

Environmental Specialist in the Bureau of Land Resources

Maine Department of Environmental Protection

(207) 446-6117

www.maine.gov/dep

From: [Strause, Aubrey](#)
To: [Ken Wood](#)
Cc: [Stehr, April A](#)
Subject: RE: Villages at Great Brook Discussion
Date: Tuesday, May 7, 2019 9:47:42 AM

Ken-

Thanks. You've been very helpful. There's just no information in DEP files about construction inspections: it's a black hole!

I'll do some more research and reach out to Joel directly, and will also ask Mark Mitchell (CEO) if he has access to any inspections the Town may have done.

-als

From: Ken Wood [mailto:Ken@attarengineering.com]

Sent: Tuesday, May 7, 2019 9:44 AM

To: Strause, Aubrey <Aubrey.Strause@maine.gov>

Subject: RE: Villages at Great Brook Discussion

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Aubrey – Thanks – that's fine with me as long as the others from The Villages are OK with this. I really don't have anything else to offer as far as changes from what I have sent to you in past e-mails (History of the project as As-Builts to date). Eric Botterman and hopefully Joel Kahn can offer additional information on future changes to the design plans – if that's needed.

As far as Inspection and Construction reports – I haven't accomplished any as we weren't notified by previous developers. I believe I have summarized that some inspections were accomplished by Joel Moulton, Eliot's DPW Director, in the past (road and sewer observations) and also the Kittery Water District (water line ext.). I have asked for Joel's records but haven't received these yet and unfortunately Joel is on Administrative leave so he is unavailable.....

Hope this helps – If I am back in Town I'll stop in – Thanks for setting the meeting up to meet the deadlines – I know you have more than enough going on with project reviews.

Best,

Ken

Kenneth A. Wood, P.E.

President

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From: Strause, Aubrey [mailto:Aubrey.Strause@maine.gov]

Sent: Tuesday, May 07, 2019 9:35 AM

To: Ken Wood <Ken@attarengineering.com>

Subject: RE: Villages at Great Brook Discussion

Ken-

The priority for this meeting is the erosion issues at the site. The Army Corps deadline for corrective

actions is Monday, May 13, so next week would be too late. (You likely saw that Army Corps has prohibited new earthwork until everything is fully stabilized and all controls are in place.) DEP hasn't done any enforcement action yet, but there may be something to document the discharges to natural resources.

You, Eric, Colin, and I can always meet another time to talk about the design(s) for the next phases. However, if you could please share your emails and correspondence with the Department about changes since the last 2015 amendment, and copies of construction inspection reports since 2007 (whether by you or others), that would be helpful in helping us get a timeline about when work started on site.

Thanks,

-als

-----Original Appointment-----

From: Ken Wood [<mailto:Ken@attarengineering.com>]

Sent: Tuesday, May 7, 2019 9:13 AM

To: Strause, Aubrey

Subject: Declined: Villages at Great Brook Discussion

When: Friday, May 10, 2019 9:00 AM-11:00 AM (UTC-05:00) Eastern Time (US & Canada).

Where: Town Hall: 1333 State Road, Eliot, Maine 03903

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Unfortunately I may not be able to make this meeting – I'm out of town late Thursday and may not be back in town Friday a.m. – can we schedule to early next week?

Sorry.

Ken

Kenneth A. Wood, P.E.

President

ATTAR

ENGINEERING, INC.

CIVIL ♦ STRUCTURAL ♦ MARINE

1284 State Road

Eliot, ME 03903

Phone: (207) 439-6023

Fax: (207) 439-2128

www.attarengineering.com

From: [Strause, Aubrey](#)
To: [Joel Kahn](#)
Cc: [Stehr, April A](#); [Langlois, Lucien](#); chadfitton@comcast.net; [Mike Murray \(mike@middlestreetcapital.com\)](mailto:Mike Murray (mike@middlestreetcapital.com)); [Ken Wood](#)
Subject: RE: Eliot, Village on Great Brook: Main facility and phases
Date: Thursday, May 16, 2019 11:00:48 AM
Attachments: [VOGB Phases 2007 vs 2015.pdf](#)

Joel-

Thank you! That helps.

The attached show what we are trying to understand:

- Sheet 1: the project as approved in 2007.
 - Phases 1-4
 - Total 150 units including the 50-unit skilled unit facility.
 - Phase 1, yellow: 37 plus 50 = 87
 - Phase 2, green: 10
 - Phase 3, blue: 27
 - Phase 4, pink: 26
- Sheet 2: the amended project (2015).
 - Phase 1 (yellow) boundary was redrawn to include 24 units, which was then reduced to 18.
 - Other Phases are not shown- that's what DEP needs to understand ASAP, as we'll review the plan at the same time it goes to the Planning Board, or before then. I am sure Ken can help with that.

Thanks.

-als

From: Joel Kahn [mailto:jkahn@equity-alliance.com]

Sent: Thursday, May 16, 2019 10:55 AM

To: Strause, Aubrey <Aubrey.Strause@maine.gov>

Cc: Stehr, April A <April.A.Stehr@maine.gov>; Langlois, Lucien <Lucien.Langlois@maine.gov>; chadfitton@comcast.net; [Mike Murray \(mike@middlestreetcapital.com\)](mailto:Mike Murray (mike@middlestreetcapital.com) <mike@middlestreetcapital.com>); Ken Wood <Ken@attarengineering.com>

Subject: RE: Eliot, Village on Great Brook: Main facility and phases

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Aubrey:

See below.

Joel

Joel Kahn

Equity Alliance LLC

7 Rolling Woods Drive

Bedford, NH 03110

603-472-3808

603-661-0042 (cell)

603-816-9620 (fax)

jkahn@equity-alliance.com

www.equity-alliance.com

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From: Strause, Aubrey <Aubrey.Strause@maine.gov>

Sent: Thursday, May 16, 2019 9:50 AM

To: Joel Kahn <jkahn@equity-alliance.com>

Cc: Stehr, April A <April.A.Stehr@maine.gov>; Langlois, Lucien <Lucien.Langlois@maine.gov>; chadfitton@comcast.net; Mike Murray (mike@middlestreetcapital.com) <mike@middlestreetcapital.com>

Subject: RE: Eliot, Village on Great Brook: Main facility and phases

Thanks, Joel;

Follow up:

1. Is the skilled care facility with 50 units, parking, pool, and tennis courts still intended to be constructed, and, if so, when? We will not be constructing these units as the type of housing does not work well within an active over 55 community. We will be proposing a new site plan for this area of the project that will be based on adding some additional units to the condominium. By the time we are done, we believe that the final plan will contain a total of 93-units though that is subject to planning board approval and modifications to the condominium documents. This portion of the project is all uplands. We anticipate reducing the amount of impervious material being that we will not be constructing such a large building, as originally proposed.
2. We only have the original plan showing phases you attached, as well, which showed 37 units in Phase 1. The boundary of the Phases was changed in 2015, but we only have the revised Phase 1 boundary (showing 24 units [not 37], reduced to 18 units), which no longer included the skilled care facility. The boundaries of the full project weren't shown. Please send us a Plan that shows the current boundaries of the four phases. You'll likely need to get this from Ken. I have added Ken to this email with a request that he forward you the plan in question. Once we advance the revised plan we are proposing, we will share that with you.

April and I are both with Maine DEP: she is the licenser and I am the stormwater engineer.

Thank you,

-als

From: Joel Kahn [<mailto:jkahn@equity-alliance.com>]

Sent: Thursday, May 16, 2019 9:28 AM

To: Strause, Aubrey <Aubrey.Strause@maine.gov>

Cc: Stehr, April A <April.A.Stehr@maine.gov>; Langlois, Lucien <Lucien.Langlois@maine.gov>; chadfitton@comcast.net; Mike Murray (mike@middlestreetcapital.com) <mike@middlestreetcapital.com>

Subject: RE: Eliot, Village on Great Brook: Main facility and phases

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Aubrey:

I have tried my best to answer your questions below. As indicated, I only became involved in the project last fall. I do not have absolute knowledge of all aspects of the project prior my involvement. Please let me know if you need anything else and I will try to accommodate your

request.

As there were several agencies being represented when we last met, what is your role versus April? Thank you.

Joel

Joel Kahn

Equity Alliance LLC

7 Rolling Woods Drive

Bedford, NH 03110

603-472-3808

603-661-0042 (cell)

603-816-9620 (fax)

jkahn@equity-alliance.com

www.equity-alliance.com

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From: Strause, Aubrey <Aubrey.Strause@maine.gov>

Sent: Monday, May 13, 2019 4:54 PM

To: Joel Kahn <jkahn@equity-alliance.com>

Cc: Stehr, April A <April.A.Stehr@maine.gov>; Langlois, Lucien <Lucien.Langlois@maine.gov>

Subject: Eliot, Village on Great Brook: Main facility and phases

Joel-

We're looking at the license history for this project so we can discuss options for transfer/amendment with Bureau management.

We're hoping you can provide input on the following, although Ken's input may be required the second question:

1. Since the original February 2007 license, this project has always been described as a "Life-care facility", to result in 100 independent living units (duplex through fourplex) plus a main facility with 50 additional units, parking, pool, and tennis courts.
 - The Main Facility was shown in the area called "Phase A" in Sheet #1 from 2006.
 - The October 2018 License Transfer describes the project for the first time as a "150-unit elderly housing development".

Please clarify whether the main facility with 50 additional units, parking, pool, and tennis courts are still intended to be constructed, and, if so, when.

Section 1 of the original application describes the development as "a life-care facility consisting of 100 independent units and a skilled care facility consisting of 40 assisted and 10 dementia care units". The permit that was issued notes the same. We tried to find the pre-application notes but unfortunately, we cannot find a copy of them. The 2015 Minor Revision revised the 24 duplex and four-plex units to 18 single and duplex units.

2. The original February 2007 license didn't define the number of units in each phase, but I counted them off Sheet 1 (2006) as follows:
 - Phase 1(A): 37 units
 - Phase 2(B): 17 units
 - Phase 3(C): 20 units
 - Phase 4(D): 26 units (this includes Road B ["Pheasant Lane"], under construction now)

...for the total of 100 units, plus the main facility.

The December 2015 Minor Revision redrew the boundary of Phase 1. With this new boundary, Phase 1 contained 24 units instead of 37 units. Only the revised Phase 1 boundary was shown on 2015 sheets.

Please send me a Plan with the revised boundaries (2015) of all 4 Phases.

The original Life-Care facility (50 units) was part of Phase I as shown on the original plans. I have attached the only plans that are in my possession.

3. Facilities with both independent and assisted living, such as Piper Shores in Scarborough, are generally assigned Site Law code (type) 87 ("Multi-family or condominium development"). We aren't sure why this was assigned Site Law code 26 ("non-residential structure development") but are trying to figure that out so we can correct it, if needed. If you find any correspondence about this, please let us know.

Unfortunately, I do not have any paperwork. This is the first I have heard about this.

Thanks!

-als

Aubrey L. Strause, P.E.

Stormwater Engineer, Southern Maine

Bureau of Land Resources, Maine Department of Environmental Protection

Office: (207) 822-6365 | Cell: (207) 441-7618

www.maine.gov/dep

From: [Strause, Aubrey](#)
To: [Ken Wood](#)
Subject: RE: Villages On Great brook - #14 and #16
Date: Thursday, September 5, 2019 10:36:11 AM

I'm not the decision-maker, but I do my best to get information to Mark and Alison quickly so they can make these important decisions.

-als

From: Ken Wood <Ken@attarengineering.com>
Sent: Thursday, September 5, 2019 10:34 AM
To: Strause, Aubrey <Aubrey.Strause@maine.gov>
Subject: RE: Villages On Great brook - #14 and #16
 EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.
 Perfect – Thanks for helping out. I'll try him later.
 Ken

From: Strause, Aubrey [<mailto:Aubrey.Strause@maine.gov>]
Sent: Thursday, September 05, 2019 10:32 AM
To: Ken Wood <Ken@attarengineering.com>
Subject: RE: Villages On Great brook - #14 and #16
 Mark just stopped by- I told him you *may be* calling about closing on units #14 and #16, and briefly reminded him of your 8/21 question about that.
 He's doing interviews right now but will check in with me right after that.
 -als

From: Ken Wood <Ken@attarengineering.com>
Sent: Thursday, September 5, 2019 9:12 AM
To: Strause, Aubrey <Aubrey.Strause@maine.gov>
Cc: Stebbins, Mark N <Mark.N.Stebbins@maine.gov>; Eric Botterman (EBotterman@Mei-Ma.com) <EBotterman@Mei-Ma.com>; Joel Kahn <jkahn@equity-alliance.com>; Sirois, Alison <Alison.Sirois@maine.gov>
Subject: RE: Villages On Great brook - Filter Media Testing
 EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.
 Thanks Aubrey – I also have a few calls into mark – he's probably waiting for your comments? Also, do you happen to know the status of the XFER Application that Alison is handling? Thanks for getting back to me.
 Best.
 Ken

From: Strause, Aubrey [<mailto:Aubrey.Strause@maine.gov>]
Sent: Thursday, September 05, 2019 9:03 AM
To: Ken Wood <Ken@attarengineering.com>
Cc: Stebbins, Mark N <Mark.N.Stebbins@maine.gov>; Eric Botterman (EBotterman@Mei-Ma.com) <EBotterman@Mei-Ma.com>; Joel Kahn <jkahn@equity-alliance.com>
Subject: RE: Villages On Great brook - Filter Media Testing
 Ken-

I'm just back in the office and will review these today.

Thank you for providing this information.

-als

From: Ken Wood <Ken@attarengineering.com>

Sent: Tuesday, September 3, 2019 8:56 AM

To: Strause, Aubrey <Aubrey.Strause@maine.gov>

Cc: Stebbins, Mark N <Mark.N.Stebbins@maine.gov>; Eric Botterman (EBotterman@Mei-Ma.com) <EBotterman@Mei-Ma.com>; Joel Kahn <jkahn@equity-alliance.com>

Subject: Villages On Great brook - Filter Media Testing

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Aubrey – I hope you had an enjoyable Labor day weekend - I have enclosed the filter media testing results for BRC 19 and UDSF 21 (Attach 1 and 2) – realizing that the ponds were constructed years ago the media seems to reasonably meet the plan specifications (Attach 3). The photograph that I just took this morning also demonstrates the wood fiber/shredded bark.

Please comment as applicable.

Best and as always thank you for your assistance.

Ken

Kenneth A. Wood, P.E.

President

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From: Ken Wood
To: "Sirois, Alison"
Cc: Mike Sudak
Subject: RE: minor revision
Date: Monday, March 16, 2020 3:30:58 PM
Attachments: VGB-Sheet1-Reduced.pdf
VGB-Sheet2-Reduced.pdf

Thanks Alison – Total reduction in impervious area from the approved plan to the proposed submitted plan is 154 S.F. I believe we also submitted the attached 2 plans; I'd be happy to mail these also if you'd like. Hope you're remaining healthy.

Best.

Ken

Kenneth A. Wood, P.E.
President

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From: Sirois, Alison [mailto:Alison.Sirois@maine.gov]
Sent: Friday, March 13, 2020 4:21 PM
To: Ken Wood <Ken@attarengineering.com>
Subject: minor revision

Hi Ken

I am finalizing the draft order but have two requests

1. Can you send me an approximate reduction in impervious area (square feet) for the change on Village Drive (units 62 and 64) and Pheasant Lane (21 vs 26 units)
2. I don't have stamped/dated plans, which I have to reference for the permit. Did you send me a copy of the plans? I only have what you submitted with the application which are 8x10.

Alison Sirois
Regional Licensing and Compliance Manager, Southern Maine

Bureau of Land Resources, Maine Department of Environmental Protection
Phone (207)699-7028 Office (207)822-6300
www.maine.gov/dep

From: Strause, Aubrey
To: Mike Sudak; Ken Wood
Cc: Gray, Kayla; Sirols, Alison
Subject: RE: Eliot, VOGB Phase 4: stormwater request
Date: Friday, February 12, 2021 12:19:51 PM
Attachments: image001.png
 image002.jpg
 Village on Great Brook LLC L23147HM.pdf

As long as Phase 3 was/is being constructed as it was approved, then CORRECT, this application should just be Phase IV. I've attached the March 2020 Phase 3 approval, which was a Minor Revision not an Amendment. It says that there was a reduction in 154 SF of impervious area from what was previously approved, so we'll have to go back to previous licenses to figure out the original areas for Phases 1, 2, and 3 to do a "current" for the project.

Lastly: the Phase 3 BMPs approved in the March 2020 Minor Revision were BRC #2 and #18 and detention pond #30. You were calling these BRC #7 and #8 and detention pond #5 today. Please don't re-number BMPs that were already approved- it just complicates things for the Department engineer that is checking sizing calculations.

Thank you, thanks again for the WQC table before today's meeting, and have a great weekend!

-als

From: Mike Sudak <mike@attarengineering.com>

Sent: Friday, February 12, 2021 11:07 AM

To: Strause, Aubrey <Aubrey.Strause@maine.gov>; Ken Wood <Ken@attarengineering.com>

Cc: Gray, Kayla <Kayla.Gray@maine.gov>; Sirols, Alison <Alison.Sirols@maine.gov>

Subject: RE: Eliot, VOGB Phase 4: stormwater request

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All of that sound reasonable to me. There should be a clear separation of Phase III and Phase IV BMP's and contributing subcatchments, but I will notify you if that is not the case.

That should allow me to trim down the stormwater sheets to read significantly more clearly, and I'll get to work on all of your other recommended items.

Thank you,

-Mike

From: Strause, Aubrey <Aubrey.Strause@maine.gov>

Sent: Friday, February 12, 2021 10:55 AM

To: Mike Sudak <mike@attarengineering.com>; Ken Wood <Ken@attarengineering.com>

Cc: Gray, Kayla <Kayla.Gray@maine.gov>; Sirols, Alison <Alison.Sirols@maine.gov>

Subject: RE: Eliot, VOGB Phase 4: stormwater request

If those BMPs are in the Phase 3 area, and treating just Phase 3 impervious and landscaped, they don't need to be in this application. You would have had plans showing what was approved in the Phase 3 Amendment, and Phase 3 would have updated the total impervious and developed area for the project. (I'll look it up and let you know)

The Phase 3 BMPs have all been constructed, correct?

For this, I'm only looking at what's in Phase IV. I'll look at Phase IV areas (impervious and landscaped), what BMPs are treating those areas, and verify that those BMPs are sized correctly. I will add Phase IV areas onto what was approved in Phase 3.

If you DO end up sending Phase IV areas to BMPs that were approved in Phase 3, then you need to give me the sizing that was approved in Phase 3 so I can make sure the BMP can handle the increased area.

I'm not getting bogged down in what was approved in 2006 or whatever

-als

From: Mike Sudak <mike@attarengineering.com>

Sent: Friday, February 12, 2021 9:44 AM

To: Strause, Aubrey <Aubrey.Strause@maine.gov>; Ken Wood <Ken@attarengineering.com>

Cc: Gray, Kayla <Kayla.Gray@maine.gov>; Sirols, Alison <Alison.Sirols@maine.gov>

Subject: RE: Eliot, VOGB Phase 4: stormwater request

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Sure, happy to do so Aubrey,

Would the omission of these cells/ponds (and their contributing subcatchments) constitute a reduction in the areas that are shown in our existing conditions and developed conditions stormwater plans? I know it's a bit of an interesting case to grapple with what the actual 'existing condition' is for the project in its current Phase IV application state, so whatever insight you have in that regard would be greatly appreciated.

Thank you!

-Mike

From: Strause, Aubrey <Aubrey.Strause@maine.gov>

Sent: Friday, February 12, 2021 9:31 AM

To: Mike Sudak <mike@attarengineering.com>; Ken Wood <Ken@attarengineering.com>

Cc: Gray, Kayla <Kayla.Gray@maine.gov>; Sirols, Alison <Alison.Sirols@maine.gov>

Subject: RE: Eliot, VOGB Phase 4: stormwater request

Mike-

If BRC 7 and 8 or Detention Pond 6 are existing and won't be used to treat anything proposed in Phase IV, then please omit them from the Water Quality Calc table when you submit.

Thanks!

-als

From: Mike Sudak <mike@attarengineering.com>

Sent: Thursday, February 11, 2021 2:11 PM

To: Strause, Aubrey <Aubrey.Strause@maine.gov>; Ken Wood <Ken@attarengineering.com>

Cc: Gray, Kayla <Kayla.Gray@maine.gov>

Subject: RE: Eliot, VOGB Phase 4: stormwater request

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Good Afternoon Aubrey,

Thank you for the well-wishes, it was a nice long weekend and now we're right back to it

Attached is the requested calculation tables for the VGB project.

In regards to the "For the Application" items, I agree that some 'enhanced views' similar to what was created for the Fairway View Village project would be appropriate here – it's a large site and there are a lot of internal driveway culverts and crossings that would warrant the smaller drawing scale. I can begin working on portioning out those sheets in a similar manner to when we last worked together.

Let me know if there's anything else you need.

Thanks and take care,

-Mike

From: Strause, Aubrey <Aubrey.Strause@maine.gov>

Sent: Wednesday, February 10, 2021 8:46 AM

To: Mike Sudak <mike@attarengineering.com>; Ken Wood <Ken@attarengineering.com>

Cc: Gray, Kayla <Kayla.Gray@maine.gov>

Subject: RE: Eliot, VOGB Phase 4: stormwater request

Hello, Mike! I hope you're doing well and I'm GLAD you got a few days off.

Thanks for the response- again, I know it will be DRAFT but it will help give me the big picture.

Have a lovely day!

-als

From: Mike Sudak <mike@attarengineering.com>

Sent: Wednesday, February 10, 2021 8:15 AM

To: Strause, Aubrey <Aubrey.Strause@maine.gov>; Ken Wood <Ken@attarengineering.com>

Cc: Gray, Kayla <Kayla.Gray@maine.gov>

Subject: RE: Eliot, VOGB Phase 4: stormwater request

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Good Morning Aubrey – I hope you've been well.

Apologies for the delayed response, I took a few days off to start this work week.

I'll look into this today and will be in touch!

Thanks and take care,

-Mike

From: Strause, Aubrey <Aubrey.Strause@maine.gov>

Sent: Tuesday, February 9, 2021 4:04 PM

To: Ken Wood <Ken@attarengineering.com>; Mike Sudak <mike@attarengineering.com>

Cc: Gray, Kayla <Kayla.Gray@maine.gov>

Subject: RE: Eliot, VOGB Phase 4: stormwater request

Ken & Mike-

Just making sure I can see this before the Pre-App..... thanks!

-als

From: Strause, Aubrey

Sent: Friday, February 5, 2021 12:28 PM

To: Ken Wood <Ken@attarengineering.com>; Mike Sudak <mike@attarengineering.com>

Cc: Siros, Alison <Alison.Siros@maine.gov>; Gray, Kayla <Kayla.Gray@maine.gov>

Subject: Eliot, VOGB Phase 4: stormwater request

Ken (and Mike- hello!):

I looked through the submitted materials in preparation for the Pre-App- thanks for sending those!

Two requests

1. Before the Pre-App: could you please send me the Water Quality calculation table? I realize it will be **DRAFT** but it will help me get a sense of the areas going to each of the BMPs.
2. For the application: even plotted full-scale and zoomed in, I cannot see subcatchment lines on the Post-Development Watershed Plan.

To make the subcatchment lines visible, plan to:

- a. Submit that plan without the grading and wetland layers turned on;
- b. Break it up into multiple (8?) sheets or locus maps, like you did with Fairway View (York Design Center) in Wells- below; and/or
- c. Shade the subcatchments so I can verify treatment



-als

From: Ken Wood <Ken@attarengineering.com>

Sent: Wednesday, December 23, 2020 11:25 AM

To: Sirois, Alison <Alison.Sirois@maine.gov>; Stehr, April A <April.A.Stehr@maine.gov>; Strause, Aubrey <Aubrey.Strause@maine.gov>

Cc: Joel Kahn (jkahn@equity-alliance.com) <jkahn@equity-alliance.com>; Eric Botterman (EBotterman@Mei-Ma.com) <EBotterman@Mei-Ma.com>; Mike Sudak <mike@attarengineering.com>; Tony Gobbi (arcsmaintenance@gmail.com) <arcsmaintenance@gmail.com>

Subject: FW: Villages 1

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Good Morning Alison, April & Aubrey – I have attached a plan-set for The Villages – all remaining phases – for your information. We've also completed the stormwater analysis (forwarded separately) and the application.

Prior to making the formal submission, is it beneficial to have a pre-submittal meeting (remote, I assume)? If not we'd be happy to submit the required hard copies and answer any questions as they arise.

My best for the holiday season and a somewhat more normal 2021. Stay well.

Ken

Kenneth A. Wood, P.E.

President

ATTAR

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Eliot, ME 03903

Phone: (207) 439-6023

Fax: (207) 439-2128

www.attarengineering.com

From: Morgan Dion

Sent: Wednesday, December 9, 2020 11:33 AM

To: 'Joel Kahn (jkahn@equity-alliance.com)' <jkahn@equity-alliance.com>; Eric Botterman <ebotterman@mei-ma.com>; 'Tony Gobbi (arcsmaintenance@gmail.com)' <arcsmaintenance@gmail.com>

Cc: Mike Sudak <mike@attarengineering.com>; 'Ken Wood (Ken@attarengineering.com)' <Ken@attarengineering.com>

Subject: Villages 1

Good morning! I have attached the first part of the plan set for the Villages. It is too large to send in one email, so I will attach the rest in the next email. Please let me know if you have any questions.

Morgan Dion



1284 State Road
Eliot, ME 03903
Tel. 207-439-6023

From: [Kristie Rabasca](#)
To: [Ken Wood](#); [Mike Sudak](#)
Cc: [Shelly Bishop](#)
Subject: RE: Need drawings for Villages at Great Brook
Date: Friday, July 30, 2021 12:42:50 PM
Attachments: [image001.png](#)
[VGBConsInsp2021_07_29.pdf](#)

Ken and Mike,

Thank you for meeting with us onsite yesterday.

Attached is the inspection report with an out of date map showing the general areas. Please provide this to the contractor.

Shelly – if this also needs to be provided to the owners, I will leave that to you and Ken to work out.

Please let us know if you have any questions regarding this.

We are requesting addressing these areas by next Friday 8/6 and a photo log showing proof of addressing all items, or if that schedule is not attainable, please work with Shelly to develop an alternative schedule.

Kristie L. Rabasca, P.E
Integrated Environmental Engineering, Inc.
12 Farms Edge Road
Cape Elizabeth, ME 04170
207-415-5830

From: Kristie Rabasca
Sent: Friday, July 30, 2021 10:55 AM
To: ken@attarengineering.com; mike@attarengineering.com
Cc: Shelly Bishop <sbishop@eliotme.org>
Subject: Need drawings for Villages at Great Brook

Hi Ken or Mike,

Could you please provide the drawings for the Villages at Great Brook.

I would like:

1. The set was approved as part of the 2019 DEP amendment
2. The set you plan to have reviewed by the Planning Board in August

Thanks. I am finishing up my construction inspection report and decided I would provide a graphic, but need the drawings because all of mine are old. Thanks.



E N G I N E E R I N G

Kristie L. Rabasca, P.E

Integrated Environmental Engineering, Inc.

12 Farms Edge Road

Cape Elizabeth, ME 04170

207-415-5830



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Planning Board
From: Jeff Brubaker, AICP, Town Planner
Cc: Wyatt Page, Attar Engineering, Applicant's Representative
Shelly Bishop, Code Enforcement Officer
Kim Tackett, Land Use Administrative Assistant
Date: February 16, 2023 (report date)
February 21, 2023 (meeting date)
Re: PB23-1: 17 Levesque Dr. (Map 29/Lot 26): Site Plan Amendment/Review – Car Wash – Sketch Plan Review

Application Details/Checklist Documentation	
✓ Address:	17 Levesque Dr.
✓ Map/Lot:	29/26
✓ Zoning:	Commercial/Industrial (C/I)
✓ Shoreland Zoning:	None
✓ Owner Name:	Guys Realty, LLC, York Hospital, or Shawn Moore
✓ Applicant Name:	Shawn Moore; Agent: Attar Engineering, Inc.
✓ Proposed Project:	Car Wash Building
✓ Application Received by Staff:	January 3, 2023
Application Fee Paid and Date:	Not yet paid (sketch plan review)
Application Sent to Staff Reviewers:	Not yet sent
Application Heard by PB Found Complete by PB	February 21, 2023 (scheduled)
Site Walk	TBD
Site Walk Publication	TBD
Public Hearing	TBD
Public Hearing Publication	TBD
✓ Reason for PB Review:	Site Plan Amendment, Change of Use, SPR uses

Overview

Applicant seeks site plan review and approval to construct a 4-bay, 3,300 sq. ft. auto wash facility with 2 vacuum islands and associated parking at 17 Levesque Dr., within Eliot Commons. The cover letter describes the lot as a “1.1-acre parcel designated as Unit 4 within the larger 3.2-acre parcel”, which is “currently undeveloped aside from existing paved driveway and parking shared by the family dental and State Farm buildings”.

Type of review needed

Sketch plan review – as needed, ask questions of the applicant, seek more information, and comment on Town Code compliance

Use

Preliminarily, I recommend that this use be reviewed as a “use similar to” an auto repair garage, per the land use table (45-290), which would be an SPR use in the C/I district. Section 1-2 definition:

Auto repair garage means a place where, with or without the attendant sale of engine fuels, the following services may be carried out: general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles, collision service, such as body, frame, or fender straightening and repair, and overall painting and undercoating of automobiles.

Right, title, and interest (33-106)

Clarifications are needed from the applicant regarding lot lines and ownership, but Town records show an approximately 4.4-acre parcel (Map 29, Lot 26) running from Route 236 to the Post Office lot line, owned by Guys Realty LLC, which includes the bank, dental office, and State Farm building. The latter building also includes a marijuana/medical marijuana testing facility. The lot is part of Eliot Commons, which has condominium lot lines for various units within the overall parcel. That is reflected in the 2006 quitclaim deed to York Hospital included in the application package.

The package also includes a purchase agreement between York Hospital and the applicant (specifying the condo lot size as “approximately 1 ± acres”), with an extension clause based on the timing of the Town’s site plan and code review.

Dimensional requirements (45-405)

Dimension	Standard	Met?
Min lot size	3 acres	Met for Eliot Commons overall and Map 29, Lot 26.
Lot line setbacks (ft)	30/20/30 front/side/rear	Appears to be met
Building height (ft)	55	Presumed to be met and can be confirmed during full SPR
Lot coverage	50%	Appears to be met. Note 5 on sketch plan cites impervious surface rather than building footprint for the lot coverage calculation (49.76%); either way, compliance is apparent for building coverage.
Min street frontage (ft)	300	Met
Max sign area (sf)	Max. 50 sf for wall-mounted, 100 sf for common freestanding	TBD
Building separation (C/I district)	Min. 20 ft. for multiple principal structures on a single lot	N/A

Stormwater

The lot is currently vacant with grass cover. Note 5 reports a total proposed new impervious surface of 69,577 sq. ft. More information will be required, including a drainage plan, during full Site Plan Review. In the meantime, the PB may wish to ask more about the applicant's plans for stormwater management.

Wash water disposal is a consideration for commercial auto wash facilities. Chapter 31, regulating non-stormwater discharges, and Sections 45-419 and -420, prohibit or restrict treated or hazardous wastewater and wastes into surface waters, ground waters, or the Town's storm sewer system. Ch. 31 exempts only "individual residential car washing". It is recommended that the applicant provide more info to the PB on their plans for proper disposal of wash water.

Parking

Four diagonal employee spaces are provided in the front of the site, and four are provided at the vacuum islands. This part of the lot appears contiguous with the parking pool for the real estate/marijuana testing facility building and dental office, which accords with Note 6 reporting a total of 12 spaces on site. Note 6 estimates 2 employees at the largest shift.

Traffic (45-406)

A single driveway enters onto Levesque Dr., which is a private drive within Eliot Commons. A one-way loop of 12 ft. in width loops around to the wash bays, two with auto payment kiosks and two being self serve. There is also an auxiliary exit in the rear of the lot behind the back of the real estate/marijuana testing facility building.

Water and sewer

As noted in the cover letter, "The site is served by public water and private wastewater; however, the Town is extending municipal sewer to the area." The private Eliot Commons wastewater system pumps from an on-site pump station southeast down Route 236, and then southwest down Bolt Hill Rd., into the public sewer system. A sewer forcemain alignment along Levesque Dr. is shown on the sketch plan. The Town holds an easement for a future public gravity sewer line down Levesque Dr., with the approximate easement lines shown on the plan.

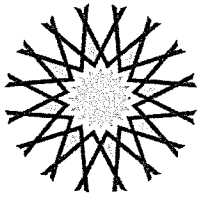
Waste

A concrete dumpster pad is shown in the rear of the lot.

* * *

Respectfully submitted,

Jeff Brubaker, AICP
Town Planner



ATTAR

ENGINEERING, INC

CIVIL • STRUCTURAL • MARINE

Mr. Jeffery Brubaker, AICP, Town Planner
Town of Eliot, Maine
1333 State Road
Eliot, Maine 03903

January 3rd, 2023
Project No. C381-22

**RE: Sketch Plan Application for Site Plan Amendment
Eliot Commons Car Wash (Tax Map 29, Lot 26)
17 Levesque Drive, Eliot, Maine**

Dear Mr. Brubaker:

On behalf of the lot owner/applicant, Shawn Moore, I have enclosed a Sketch Plan Application and supporting documents for your review and consideration.

The 1.1-acre parcel designated as Unit 4 within the larger 3.2-acre parcel located at 17 Levesque Drive, is currently undeveloped aside from existing paved driveway and parking shared by the family dental and State Farm buildings. The site is in the Commercial/Industrial zoning district. It is not located in a flood hazard zone.

The plan proposes to construct a 4-bay Auto Wash facility with a footprint of 3,300 S.F. along with two vacuum islands and associated parking. The project requires Site Plan approval from the Eliot Planning Board.

The site is served by public water and private wastewater; however, the Town is extending municipal sewer to the area.

We look forward to discussing this project with the Planning Board at their next available meeting. Please contact me for any additional information or clarifications required.

Sincerely;

Kenneth A. Wood, P.E.
President

Case No. _____
Site review? Yes No

**APPLICATION FOR SITE PLAN REVIEW
TOWN OF ELIOT PLANNING BOARD**

☒ **Step 1.** (Fill in all blocks below - See the Planning Assistant if you don't understand.)

Tax Map 029 Lot# 026 Lot Size 1.1 acres Zoning District: C/I

Your Name Kenneth A. Wood Your mailing address 1284 State Road

City/Town Eliot State: Maine Zip: 03903 Telephone: 207-439-6023

Who owns the property now? York Hospital

Address (Location) of the property 17 Levesque Drive

Property located in a flood zone? Yes ☒ No
(If yes, please complete the attached Flood Hazard Development Application and return it with your completed application)

☒ **Step 2** (establish your legal interest in the property)

Attach a copy of the Purchase and Sales Agreement, Deed, Tax records, Signed Lease, or other documents to the satisfaction of the Planning Assistant. If you are representing a corporation, provide documentation that you have authority to speak for the corporation.

☒ **Step 3** (Go to the Zoning Ordinance Section 45-290, Table of Land uses)

What SPECIFIC land use are you applying for? Auto service station
(You *MUST* make this selection from Section 45-290 of the Zoning Ordinance)

Having entered the SPECIFIC land use above now provide a more detailed description of what you want to do:

The plan proposes to add a 4 bay car wash building in Eliot Commons off of Levesque
drive along with two vacuum islands and associated parking.

Case No. _____
Site review? Yes No

- ☒ **Step 4** Attach ten (10) copies of a sketch plan, showing in approximate dimensions the following:
- ☒ All zoning districts
 - ☒ The location of all existing and/or proposed buildings
 - ☒ The setbacks of all existing and proposed structures or uses.

 - ☒ The location of proposed signs, their size, and direction of illumination.

 - ☒ The location of all existing and/or proposed entrances and exits.

 - ☒ All existing and/or proposed parking areas (parking is permitted in the front, rear and side of the premises, so long as it does not violate setback requirements.)

 - ☒ Plans of buildings, sewage disposal facilities, and location of water supply.
- ☒ **Step 5** Sign the application (both owner and applicant must sign and date the application) and submit fee with preliminary plans (\$100 per acre for first 5 acres and \$50 per acre after five plus \$150 for advertising and public hearing fees)

Applicant  Date 1/3/2023

Property Owner _____ Date _____

- ☐ **Step 6** Application received by Planning Assistant
- Date received by the PA _____ PA initials _____
- ☐ **Step 7** The Planning Assistant will review the application and if complete, will place your application on a future Planning Board agenda
- ☐ **Step 8** The applicant or representative of the applicant must attend the Planning Board meeting

PART 1 - THE PROCEDURE

Case No. _____

Site review? Yes No

(STEP 1) Meet with the Planning Assistant to assure that Site Review is required. Obtain application forms and assemble data for submission.

(STEP 2) ***Sketch Plan Stage*** Application submission. Include 10 copies of the sketch plan, survey map, location map, and affidavit of ownership or legal interest. (Section 33-63)

(STEP 3) Applicant attends first meeting with Planning Board, describes project, and answers questions (*Board may review checklist for the Site Plan at this time or act on waivers requested for submission of data*)

(STEP 4) Board sets up site visit with applicant (Section 33-64).

(STEP 5) Board visits site with applicant.

(STEP 6) Applicant attends succeeding meetings. Board does preliminary review of the Ordinance requirements for applicability to the Site Plan. Board and notifies applicant of changes required to Sketch Plan after site inspection (Section 33-103).

(STEP 7) Applicant revises the "Sketch Plan" as needed, submits the Site Plan, and pays non-refundable fees prior to the second Planning Board meeting. (Sections 33-126 & 33-128).

(STEP 8) ***Site Plan Stage*** Applicant attends succeeding meetings with Planning Board and discusses Site Plan (Section 33-129) until Board votes to accept the Site Plan (Section 33-126) *Board schedules public hearing for future meeting when all requirements have been or will be met.*

(STEP 9) Board conducts Public Hearing (Section 33-130).

(STEP 10) ***Approval stage*** Board approves / approves with conditions / disapproves applicants application within 30 days of the close of the final Public Hearing or 75 days from date Board accepted completed application and Site Plan (Section 33-131). If more than one public hearing is held, the 30-day period begins after the last public hearing.

(STEP 11) Board issues a Notice of Decision, which contains findings certifying compliance with ordinance, reasons for conditional approval or reasons for disapproval (Section 33-131). The Notice of decision and signing of the final plan is for documentation purposes and does not determine the beginning of the appeal period.

(STEP 12) ***Appeal Period*** A 30-day appeal period begins from the date the Board makes a decision on the application. (Section 45-50) The applicant may begin work on the project during this period, but does so at his or her own risk.

PART 2

Case No. _____

Site review? Yes No

DETAILED ORDINANCE REFERENCES FOR EACH SITE REVIEW EVENT

1. Submit application. (Section 33-63) Include 10 copies of all submissions that show:

- ☒ Sketch Plan- (See Section 33-105) showing:
 - ☒ All zoning districts
 - ☒ Existing and proposed structures
 - ☒ Existing and proposed parking areas (parking is permitted in the front, rear and side of the premises, so long as it does not violate setback requirements.)
 - ☒ Existing and proposed Streets and entrances
 - ☒ Existing and proposed setbacks
 - ☒ Other site dimensions and area
 - ☒ Site and public improvements and facilities
 - ☒ Areas of excavation and grading
 - ☒ Any other site changes
- ☒ Location Map-This is to be submitted along with or as part of the Sketch Plan (See Section 33-104) and includes:
 - ☒ Scale of 500 ft to the inch
 - ☒ Show all area within 2000 ft of property lines
 - ☒ All surrounding existing streets within 500 ft
 - ☒ Abutters lots and names within 500 ft of property boundary
 - ☒ Zoning districts within 500 ft
 - ☒ Outline of proposed development showing internal streets and entrances

2. Site inspection (Section 33-64) The Board and Applicant conduct site inspection. Applicant shall stake the lot corners, the location of all proposed structures, parking and the centerlines of all proposed streets and entrances in development. Verify that parking meets applicable setbacks

3. Board notifies applicant of changes required to Sketch Plan after site inspection such as contour interval, street classification, etc. (Section 33-103) and determines:

☐ If other Local, State or Federal agencies or officers (Section 33-102) should review Sketch Plan.

☐ If applicable, MaineDOT driveway permit is required prior to local approval for anyone installing, physically changing or changing the use of a driveway on state highway.

☐ If review by Eliot Fire Chief ____, Police Chief ____, or Road Commissioner ____ is required.

Case No. _____

Site review? Yes No

4. Applicant converts Sketch Plan into a "Site Plan" (Sections 33-126). The following requirements are considered by the Planning Board

Chapter 33 required information

☐ 4.1. Applicant shall provide one original and 10 copies of Site Plan drawn at a scale not smaller than 1-inch equals 20 feet showing the following information:

- ☐ 4.1.1. Development name, owner, developer, designer name and address and names and addresses of all abutters and abutters land use.
- ☐ 4.1.2. Certified perimeter survey showing a north arrow, graphic scale, corners of parcel, total acreage, etc. This means a survey of the property using the standards of practice established by the State of Maine Board of Licensure for Professional Land surveyors, MRSA Chapter 121.
- ☐ 4.1.3. Temporary markers.
- ☐ 4.1.4. Contour lines at 5-ft intervals or as Board decides.
- ☐ 4.1.5. A list of the provisions of Chapter 45 (Zoning) which are applicable to this area and identification of any zoning district boundaries affecting the development.
- ☐ 4.1.6. Storm water Drainage Plan. (50 year storm)
- ☐ 4.1.7. Required bridges or culverts.
- ☐ 4.1.8. Location of natural features or site elements to be preserved.
- ☐ 4.1.9. Soil Erosion and Sediment Control Plan.
- ☐ 4.1.10. High Intensity Soils Report.
- ☐ 4.1.11. Locations of sewers, water mains, culverts and drains.
- ☐ 4.1.12. Water supply information.
- ☐ 4.1.13. Sewerage System Plan.
- ☐ 4.1.14. Septic System Survey.
- ☐ 4.1.15. Estimated progress schedule.
- ☐ 4.1.16. Construction drawings for CEO which show floor areas, ground coverage, location of all structures, setbacks, lighting, signs, incineration devices, noise generating machinery likely to generate appreciable noise beyond the lot lines, waste materials, curbs, sidewalks, driveways, fences, retaining walls, etc.
- ☐ 4.1.17. Telecommunication tower details as required.

☐ 4.2. Additional requirements made by Board (Section 33-126).

Other Chapter 33 Site Review Ordinance Requirements.

- ☐ 4.4. Traffic data if applicable (Section 33-153)
- ☐ 4.5. Campground requirements if applicable (33-172)
- ☐ 4.6. Commercial Industrial requirements if applicable
 - ☐ 4.6.1. Landscaping (Section 33-175)

Case No. _____
Site review? Yes No

- ☐ 4.6.2. Vibration (33-176)
- ☐ 4.6.3. Site Improvements (33-177)
- ☐ 4.6.4. Electromagnetic Interference (33-178)
- ☐ 4.6.5. Parking and Loading Areas (33-179, 45-487, 45-495)
- ☐ 4.6.6. Glare (33-180)

- ☐ 4.7. Motel requirements if applicable (Section 33-182)
- ☐ 4.8. Multi-family dwelling requirements if applicable (Section 33-183)

Chapter 35 Post-Construction Stormwater Management

Disturbance of more than one acre of land or less than one acre if the development is part of a larger common plan for development must comply with Chapter 35 Post – Construction Stormwater Management.

Chapter 45 Zoning Ordinance Requirements. compliance includes the following Article VIII Performance Standards:

- ☐ 4.9. Dimensional Standards (Section 45-405)
- ☐ 4.10. Traffic (Section 45-406)
- ☐ 4.11. Noise (Section 45-407)
- ☐ 4.12. Dust, Fumes, Vapors and Gases (Section 45-408)
- ☐ 4.13. Odor (Section 45-409)
- ☐ 4.14. Glare (Section 45-410)
- ☐ 4.15. Storm-water run-off for a 50 year storm. (Section 45-411)
- ☐ 4.16. Erosion Control (Section 45-412)
- ☐ 4.18. Preservation of Landscape (Section 45-413)
- ☐ 4.19. Relation of Buildings to Environment (Section 45-414)
- ☐ 4.20. Soil Suitability for Construction (Section 45-415)
- ☐ 4.21. Sanitary Standards for Sewage (Section 45-416)
- ☐ 4.22. Buffers and Screening (Section 45-417)
- ☐ 4.23. Explosive Materials (Section 45-418)
- ☐ 4.24. Water Quality (Section 45-419)
- ☐ 4.25. Refuse Disposal (Section 45-421)
- ☐ 4.26. Specific Activities (Article IX) which include:
 - ☐ 4.26.1. Accessory Use or Structure (Section 45-452)
 - ☐ 4.26.2. Home Occupation (Section 45-455)
 - ☐ 4.26.3. Mobile Homes (Section 45-457)
 - ☐ 4.26.4. Off-street Parking and Loading (Article X)
 - ☐ 4.26.5. Signs (Article XI)
- ☐ 4.27. In addition the Board may make other conditions for approval that will insure such compliance and would mitigate any adverse affects on adjoining or neighboring properties which might otherwise result from any proposed use (Section 33-131).

Case No. _____

Site review? Yes No

5. Board discussion of Site Plan (Section 33-126).

☐ 5.1. Board discusses Site Plan with applicant.

6. Public Hearing (Section 33-129 & 130).

☐ 6.1. Conducted within 30 days of Boards acceptance of Site Plan.

☐ 6.2. Three notices posted 10 days prior to the Public Hearing.

☐ 6.3. Notices advertised in two newspapers 10 days prior to Public Hearing.

☐ 6.4. Other Towns notified 10 days prior to if within 500 feet of applicant's lot.

☐ 6.5. Abutters notified 10 days prior to by certified mail, return receipt requested. \$150.00 paid by applicant to cover the cost of advertising and abutter notification (Sec. 1-25)

☐ 6.6. Selectmen, CEO, and Board of Appeals shall be notified 10 days prior to the Public Hearing.

7. Board approves / approves with conditions / disapproves applicants Application within 30 days of Public Hearing or 75 days from date Board accepted completed Application and Site Plan (Section 33-131).

Note: Computation of time shall be in accordance with Section 1-2 as follows:
"In computing any period of time prescribed or allowed by this Code, the day of the act, event or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday, Sunday or legal holiday, in which event the period shall run until the end of the next day which is neither a Saturday, Sunday or legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation."

8. Notice of Decision issued which contains findings certifying compliance with ordinance, reasons for conditional approval or reasons for disapproval (Section 33-131).

Shawn R. Moore
28 Schooner Road
Scarborough, ME 04074

December 29th, 2022

Town of Eliot
Jeff Brubaker
1333 State Road
Eliot, ME 03903

Dear Mr. Brubaker:

Please be informed that personnel from Attar Engineering, Inc. (Kenneth Wood, P.E., or other Attar staff) will be acting as our agents for local permitting of our project on Levesque Drive, Eliot Maine 03903

Please contact me if I can provide any additional information.

Sincerely,

Shawn R. Moore

Shawn R. Moore

cc: Attar Engineering, Inc.

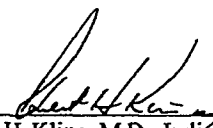
Doc# 2006004811
Bk 14739 Pg 0640 - 0643 5
Received York SS
01/26/2006 2:38PM
Debra L. Anderson
Register of Deeds

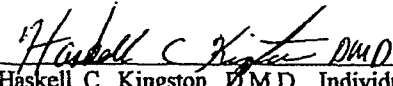
QUITCLAIM DEED WITH COVENANT

ROBERT H. KLINE, M.D. and HASKELL C. KINGSTON, D.M.D. being all of the partners of the Maine general partnership d/b/a **ELIOT COMMONS PROFESSIONAL PARK**, with a mailing address of 17 Levesque Drive, Eliot, ME 03903, as partners of said general partnership and for consideration paid, grant to **YORK HOSPITAL**, a Maine non-profit corporation with a mailing address of 15 Hospital Drive, York, ME 03909 ("Grantee"), with Quitclaim Covenant, certain real property more particularly described as follows:

SEE ATTACHED EXHIBIT A

IN WITNESS WHEREOF the undersigned have executed this instrument under seal as of this 26th day of January, 2006.


Robert H. Kline, M.D., Individually and as
General Partner of the Maine general
partnership d/b/a Eliot Commons
Professional Park



Haskell C. Kingston, D.M.D., Individually
and as General Partner of the Maine general
partnership d/b/a Eliot Commons Professional
Park

STATE OF MAINE
COUNTY OF YORK, ss.

January 26, 2006

Then personally appeared the above-named Haskell C. Kingston, D.M.D. individually and in his capacity as General Partner of the Maine general partnership d/b/a Eliot Commons Professional Park and acknowledged the foregoing instrument to be his free act and deed individually and in his said capacity and the free act and deed of said general partnership.

Before me,


Notary Public
My Commission Expires:

MICHAEL MOLONEY
Notary Public, Maine
My Commission Expires May 20, 2012

SEAL

R.E. TRANSFER TAX PAID

Bernstein Shur
PO BOX 9729
Portland ME 04104

Apr 8 -->

STATE OF MAINE
COUNTY OF Cumberland, ss.

January 26, 2005

Then personally appeared the above-named Robert H. Kline, M.D. individually and in his capacity as General Partner of the Maine general partnership d/b/a Eliot Commons Professional Park and acknowledged the foregoing instrument to be his free act and deed individually and in his said capacity and the free act and deed of said general partnership.

Before me,

Amanda A. Meador
~~Notary Public~~ Attorney at Law
~~My Commission Expires~~

F:\Client List\K\Kingston, Haskell (JLG)\Sale Of Unit 4, Eliot Commons Condo\Quitclaim Deed With Covenant.Doc

EXHIBIT A

Unit Four (the "Unit") of Eliot Commons Professional Park Condominium (hereinafter referred to as the "Condominium") situated at the address known as Eliot Commons on Route 236 in the Town of Eliot, County of York and State of Maine, as more particularly described in the Declaration of Eliot Commons Professional Park Condominium, dated September 27, 1996, and recorded in the York County Registry of Deeds in Book 8009, Page 168, as modified by Amendment to Declaration dated January __, 2006 and recorded in said Registry of Deeds in Book ~~1131~~ 1133, Page ~~133~~ 133, and as it may hereafter be further amended from time to time (the "Declaration"), and in the Plats incorporated into the Declaration and recorded in said Registry of Deeds in Condominium File 467, Page 1, as modified by Plat Plan - Eliot Commons, dated January ~~23~~ 23, 2006 and recorded in said Registry of Deeds in Condominium File ~~107~~ 107, Professional Park Condo Page 2, and as they may hereafter be further amended from time to time (hereinafter referred to as the "Plats"), in fee simple absolute according to the Declaration.

By recordation of this deed, Grantee affirms Grantee's acceptance hereof and agrees to assume the percentage of Allocated Interests in the Unit described above in accordance with the terms and conditions of the Declaration, the Maine Condominium Act, 33 M.R.S.A. § 1601-101 et seq. (the "Act"), and the Bylaws referred to in the Declaration (the "Bylaws"), all as amended from time to time, SUBJECT TO: (a) real estate taxes assessed to the Unit for the current year which are not yet due and payable, and all subsequent years, which the Grantee assumes and agrees to pay; and (b) the terms, conditions, covenants, agreements, easements and provisions of the Declaration, the Bylaws, and the Plats, as the same may be amended from time to time, which terms, conditions, covenants, agreements, easements and provisions, together with any amendments thereto, shall constitute covenants running with the land and shall bind the Grantee and any person having at any time any interest or estate in the Unit, as though such provisions were recited and stipulated at length herein.

The Grantee shall take the exclusive right of use and occupancy of said Unit, together with the right to use the Unit, its Limited Common Elements, the Common Elements, and the rights and easements appurtenant to such Unit, all in accordance with the Declaration.

TOGETHER WITH any and all Special Declarant Rights, as that term is defined in the Declaration and the Act, to the extent such Special Declarant Rights may be necessary for the purpose of constructing the improvements described in the Declaration and shown on the Plats as Unit Four, as approved by the Eliot Planning Board, and in accordance with plans reviewed and approved by Grantor. By execution and delivery of this Deed, Grantor acknowledges and affirms that it has and hereby does waive any further Special Declarant Rights and/or development rights related to improvements to be constructed on that portion of the Condominium Property defined as Limited Common Elements for the exclusive use of Unit Four.

TOGETHER WITH an undivided interest in the Common Elements, the liability for Common Expenses, and the Votes in the Association of Unit Owners allocated to the Unit pursuant to the Declaration.

TOGETHER WITH all rights, easements, rights-of-interests, Allocated Interests, privileges and appurtenances as more particularly described, located, defined, allocated, or referred to in the Declaration, the Plats, and the Bylaws, all of which are incorporated herein by reference thereto.

SUBJECT TO the matters affecting title described in the Declaration and the Plats.

Meaning and intending to convey a portion of the same premises conveyed to Robert H. Kline, M.D. and Haskell C. Kingston, D.M.D. as partners under a Maine general partnership d/b/a Eliot Commons Professional Park, from Robert P. Levesque, Sr. by deed dated January 14, 1985 and recorded in the York County Registry of Deeds in Book 3457, Page 108, as affected by corrective deeds dated March 30, 1988 and recorded in said Registry of Deeds in Book 4669, Page 324 and Book 4669, Page 328.

End of Document

CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE

RECEIVED from Shawn Moore and or assigns, whose mailing address is 28 Schooner Rd, Scarborough, ME 04074-8759 (hereinafter called "Purchaser"), this 3rd day of October, 2022, the sum of Twenty Thousand Dollars (\$20,000.00) as earnest money deposit toward purchase and sale of certain real estate owned by York Hospital (hereinafter called the "Seller") and located at 17 Levesque Dr in the city/town of Eliot, County of York, State of Maine, described as follows: Land of approximately 1 +/- acres listed as part of the Eliot Condo Complex at 17 Levesque Drive Eliot, Maine and being more fully more described at said County Registry of Deeds in Book 14739, Page 640, upon the terms and conditions indicated below.

1. PERSONAL PROPERTY: The following items of personal property are included in this sale (if applicable):
none
2. PURCHASE PRICE/EARNEST MONEY: In consideration for such deed and conveyance Purchaser agrees to pay the total purchase price of \$ 255,000.00. Purchaser ☐ has delivered; or ☒ will deliver to the [Agency] / [Escrow Agent] (~~cross out one~~) within 1 days of the Effective Date (as defined herein), a deposit of earnest money in the amount of \$ 20,000.00. Purchaser agrees that an additional deposit of earnest money in the amount of \$ [NONE IF BLANK] will be delivered. If purchaser fails to deliver the initial and/or additional deposit in compliance with the above terms, then Seller may terminate this Contract. This right to terminate ends once Purchaser has delivered said deposit(s). The remainder of the purchase price shall be paid by Purchaser in immediately available funds at closing.
3. EARNEST MONEY/ACCEPTANCE: F.O. Bailey Real Estate ("Escrow Agent") shall hold the earnest money in a non-interest bearing account and act as escrow agent until closing. This offer shall be valid until October 5, 2022 at 5 (☐ AM ☒ PM). In the event of Seller's non-acceptance of this offer, the earnest money shall be returned promptly to Purchaser.
4. TITLE: Within 30 days of Effective Date (the "Title Review Period"), Purchaser shall notify Seller in writing (the "Title Objection Notice") of any matters affecting title to the property that are objectionable to Purchaser in Purchaser's sole discretion ("Title Defects"). Purchaser shall be deemed to have waived the right to object to any matter affecting title as of the Effective Date, except for any mortgage, tax lien, mechanics' lien, judgment lien, or other liens encumbering the property (for which no objection is required), if Purchaser fails to specifically identify such matters in the Title Objection Notice (each matter not objected to being a "Permitted Encumbrance"). Within seven (7) days of Seller's receipt of the Title Objection Notice, Seller shall notify Purchaser in writing whether or not Seller elects to cure any of the matters identified in the Title Objection Notice. If Seller elects to cure certain Title Defects, Seller shall use good faith efforts to cure such Title Defects and shall have a period of not more than thirty (30) days after notice of Seller's election within which to cure any such Title Defects (the "Title Cure Period"), and the Closing Date shall be extended until five (5) days after the expiration of the Title Cure Period. Seller agrees that, after the Effective Date, it shall not permit or suffer encumbrance of the property with any liens, easements, leases or other encumbrances without Purchaser's prior written consent, except that Purchaser shall not unreasonably withhold or delay its consent to new leases. On or before the Closing Date, Seller shall remove at its sole cost any such matters affecting the title to the property suffered or created by or consented to by Seller after the Effective Date that are not approved in writing by Purchaser. If Seller elects not to cure any Title Defects or if Title Defects which Seller elects to cure are not cured within the Title Cure Period, then Purchaser shall elect, by written notice to Seller on or before the Closing Date, as the same may be extended, either (i) to accept title to the property, subject to such uncured Title Defects without reduction of the purchase price and without any liability on the part of Seller therefor, in which case such Title Defects shall be Permitted Encumbrances, or (ii) to terminate this Contract, whereupon the earnest money immediately shall be returned to Purchaser and neither party shall have any further obligations under this Contract.
5. DEED: In return for payment in full of the purchase price, Seller shall convey the property on _____ (the "Closing Date") to Purchaser by Maine Statutory Short-Form warranty Deed (the "Deed"), and the parties agree to execute and deliver on the Closing Date such other documents that are customary and/or reasonably necessary to complete the conveyance. It is a condition to Purchaser's obligations hereunder that title to the property shall be free and clear of all liens and encumbrances except for the following matters and otherwise in compliance with the requirements of this Contract: (i) zoning restrictions and land use laws and regulations and permits and approvals issued pursuant thereto; (ii) current taxes and assessments attributable to periods from and after the Closing, which Purchaser shall be liable to pay; (iii) leases and occupancies disclosed to Purchaser pursuant to Section 11 below; and (iv) any Permitted Encumbrance.

Page 1 of 5 Purchaser's Initials _____ Seller's Initials RS

6. **LEASES/TENANT SECURITY DEPOSITS:** Seller agrees at closing to transfer to Purchaser, by proper assignment thereof, all Seller's rights under the current leases to the property and any and all security deposits held by Seller pursuant to said leases.
7. **POSSESSION/OCCUPANCY:** Possession/occupancy of property shall be given to Purchaser on the Closing Date subject only to the leases and tenancies disclosed to Purchaser pursuant to Section 11 below, unless otherwise agreed by both parties in writing.
8. **RISK OF LOSS:** Until transfer of title, the risk of loss or damage to the property by fire or otherwise is assumed by Seller unless otherwise agreed in writing. The property shall be in substantially the same condition at closing as it was on the Effective Date, excepting reasonable use and wear. If the property is materially damaged or destroyed prior to closing, Purchaser may either terminate this Contract and be refunded the earnest money deposit, or close this transaction and accept the property in its as-is condition together with an assignment of the Seller's right to any insurance proceeds relating thereto.
9. **PRORATIONS:** The following items shall be prorated as of the date of closing:
 - a. Real Estate Taxes based on the municipality's tax year. Seller is responsible for any unpaid taxes for prior years;
 - b. Any other municipal fees, levies or liens;
 - c. Fuel;
 - d. Metered utilities, such as water and sewer, shall be paid by the Seller through the date of closing;
 - e. Purchaser and Seller shall each pay one-half of the transfer tax as required by the laws of the State of Maine;
 - f. Rents due by _____, actual and estimated monthly common area maintenance charges, actual and estimated monthly property tax payments, and all other additional revenue received by Seller pursuant to leases of the property, in each case whether such amounts have been received by Seller or are due and payable pursuant to the relevant agreement(s); and
 - g. _____.

10. **DUE DILIGENCE:** Purchaser is advised to seek information from professionals regarding any specific issue of concern. Purchaser acknowledges receipt of property disclosure form attached hereto. Neither Seller nor the Licensees identified below make any representations or warranties regarding the condition, permitted use or value of Seller's real or personal property. Purchaser's obligation to close under this Contract is conditioned upon Purchaser's satisfaction with its investigations of the property, which may without limitation include survey, environmental assessment, engineering studies, wetlands or soils studies, zoning compliance or feasibility, and code compliance, all within 90 days of Effective Date.

All investigations will be done by professionals chosen and paid for by Purchaser. If the result of any investigation is unsatisfactory to Purchaser, Purchaser may declare this Contract null and void by notifying Seller in writing within the specified number of days set forth above and the earnest money shall be returned to Purchaser. If Purchaser does not notify Seller that Purchaser's investigation(s) is unsatisfactory within the time period set forth above, this contingency is waived by Purchaser. In the absence of any investigations(s) mentioned above, Purchaser is relying completely upon Purchaser's own opinion as to the condition of the property. Purchaser agrees to restore any disturbance to the property caused by Purchaser's investigations, and Purchaser agrees to indemnify and hold Seller harmless for any claims, damages, losses or costs, including without limitation reasonable attorneys' fees incurred or suffered by Seller as a result of Purchaser's investigations of the property, which indemnification obligation shall survive termination or closing under this Contract.

11. ~~REVIEW OF LEASES AND INCOME AND EXPENSE INFORMATION:~~ Seller represents: (a) that below is a complete list of all tenants occupying the property under leases or other tenancy arrangements or agreements (the "Leases"), (b) that the Leases are in full force and effect, (c) that to Seller's knowledge, all tenants under the Leases are in full compliance therewith and (d) that Seller is not in violation of its obligations under the Leases. ~~Seller agrees to provide Purchaser within five (5) days of the Effective Date of this Contract complete copies of all leases, including any amendments, and income and expense information concerning the property. Purchaser shall have _____ days from the date Purchaser has been provided all Leases and income and expense information to review same, and if the result of the review is unsatisfactory to Purchaser, Purchaser may declare the Contract terminated and the earnest money shall be immediately refunded to Purchaser and thereafter neither party shall have any further obligation under this Contract. Seller represents and warrants that income and expense information provided to Purchaser will be true, accurate and complete in all material respects when given. Seller shall use reasonable efforts to obtain a tenant estoppel certificate and a subordination, non-disturbance and attornment agreement in form reasonably satisfactory to Purchaser and/or Purchaser's lender for each lease within _____ days from delivery of forms therefor. Purchaser shall also on a rolling basis have _____ days from date of actual receipt of fully executed written tenant estoppel certificates in which to terminate this Contract pursuant to this Section 11 due to unsatisfactory information contained therein and upon such termination the earnest money shall be immediately refunded to Purchaser and thereafter neither party shall have any further obligation under this Contract. Between the Effective Date and the closing, Seller shall not modify, voluntarily terminate or enter into new leases or tenancy arrangements or agreements and shall obtain Purchaser's written consent to any modification or termination of Leases and to any new lease that Seller proposes to enter into with respect to the property. Purchaser's consent not to be unreasonably withheld, conditioned or delayed. In the event that Seller modifies or terminates any Leases or enters into a new Lease without Purchaser's consent, Purchaser's sole remedy shall be to terminate this Contract and receive an immediate refund of the earnest~~

~~money and thereafter neither party shall have any further obligation under this Contract. Failure of Purchaser to timely notify Seller of its termination of the Contract pursuant to any of its foregoing rights to do so under this Section 11 shall be deemed a waiver of the applicable right under this Section 11 to terminate this Contract. At the closing, Seller shall deliver written notice to the tenants and occupants of the property of the transfer of the property, and of the tenants' security deposits, to Purchaser.~~

List tenants:
None

12. FINANCING: Notwithstanding anything to the contrary contained in this Contract, Purchaser's obligation to close hereunder is conditioned upon Purchaser's obtaining within _____ (_____) days from the Effective Date of this Contract (the "Commitment Date") a written commitment (the "Commitment") from a lender for a mortgage loan of not less than _____ % of the purchase price at an initial interest rate not to exceed _____ % per annum, amortized over a period of not less than _____ (_____) years and otherwise on terms reasonably acceptable to Purchaser. In the event the Purchaser is unable to obtain the Commitment and Purchaser notifies Seller thereof by the Commitment Date, then Escrow Agent shall immediately return the earnest money to Purchaser, this Contract shall terminate, and neither party shall be under any further obligation under this Contract. It shall be a further condition of Purchaser's obligation to close hereunder that the Commitment shall not lapse, be terminated and/or withdrawn prior to the Closing Date for any reason whatsoever, including but not limited to the property failing to appraise at or above the Purchase Price, or any such other level acceptable to Purchaser and Purchaser's lender sufficient to support the Commitment. In the event the Commitment shall lapse, be terminated and/or withdrawn by Purchaser's lender for any reason (other than at the request of Purchaser) at any time prior to the Closing Date, Purchaser shall, within _____ (_____) days of Purchaser's receipt of notice of lapse, termination and/or withdrawal, notify Seller of same, and upon such notification Purchaser may, at Purchaser's option, elect to terminate this Contract and thereafter the earnest money immediately shall be returned to Purchaser and neither party shall have any further obligation under this Contract. If Purchaser does not timely notify Seller that it has failed to obtain the Commitment or that the Commitment has lapsed, terminated and/or been withdrawn, then Purchaser shall be in default of this Contract at the election of Seller. This contingency benefits Purchaser only, and only Purchaser may waive it by providing written notice to Seller specifically waiving this condition and contingency or any part thereof.

13. BROKERAGE DISCLOSURE: Purchaser and Seller acknowledge they have been advised of the following relationships:

<u>Robert Baldacci</u>	of	<u>F.O. Bailey Real Estate</u>
Licensee		Agency
is a <input type="checkbox"/> Seller Agent <input checked="" type="checkbox"/> Purchaser Agent <input type="checkbox"/> Disc Dual Agent <input type="checkbox"/> Transaction Broker		
<u>Terry Freeman-Pirini</u>	of	<u>Century 21 Atlantic Realty</u>
Licensee		Agency
is a <input checked="" type="checkbox"/> Seller Agent <input type="checkbox"/> Purchaser Agent <input type="checkbox"/> Disc Dual Agent <input type="checkbox"/> Transaction Broker		

If this transaction involves Disclosed Dual Agency, the Purchaser and Seller acknowledge the limited fiduciary duties of the agents and hereby consent to this arrangement. In addition, the Purchaser and Seller acknowledge prior receipt and signing of a Disclosed Dual Agency Consent Agreement.

14. DEFAULT: If the sale of the property as contemplated hereunder is not consummated solely by reason of Purchaser's default hereunder, provided that Seller is then ready, willing and able to consummate the sale of the property as contemplated by this Contract and provided further that all conditions to Purchaser's obligation to consummate such purchase have been satisfied or waived by Purchaser, Seller shall be entitled to either (i) pursue any and all legal and/or equitable remedies; or (ii) terminate this Contract and receive the earnest money as full and complete liquidated damages for the breach of this Contract, it being agreed between the parties that the actual damages to Seller in the event of such breach are difficult to ascertain and/or prove and the earnest money is a reasonable estimate and forecast of such actual damages. The parties acknowledge that the payment of the earnest money is not intended as a forfeiture or penalty, but is intended to constitute liquidated damages to Seller. In the event of an undisputed default by either party, the Escrow Agent may return the earnest money to the party entitled to it under this Contract, with written notice to both parties pursuant to Maine Real Estate Commission regulations. If a dispute arises between Purchaser and Seller as of the existence of a default hereunder and said dispute is not resolved by the parties within thirty (30) days, the Escrow Agent may elect to file an action in interpleader and deposit the earnest money in the court to resolve said dispute, or otherwise disburse the earnest money pursuant to Maine Real Estate Commission regulations. Purchaser and Seller, jointly and severally, shall indemnify Escrow Agent for all costs, losses, expenses, and damages, including reasonable attorneys' fees, incurred by the Escrow Agent in connection with said action and/or in connection with any dispute relating to this Contract and/or the earnest money.

15. **MEDIATION:** Any dispute or claim arising out of or relating to this Contract or the property addressed in this Contract shall be submitted to mediation in accordance with the Maine Residential Real Estate Mediation Rules of the Maine Association of Dispute Resolution Professionals or its successor organization. This clause shall survive the closing of this transaction.
16. **PRIOR STATEMENTS:** This Contract sets forth the entire agreement between the parties, and there are no other representations, agreements or understandings with respect to the subject matter of this Contract. This Contract shall be construed according to the laws of the State of Maine.
17. **HEIRS/ASSIGNS:** This Contract shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of Seller and successors and assigns of Purchaser.
18. **COUNTERPARTS:** This Contract may be signed on any number of identical counterparts, including telefax copies and electronically transmitted copies with the same binding effect as if all of the signatures were on one instrument.
19. **EFFECTIVE DATE:** This Contract is a binding contract when signed by both Seller and Purchaser and when that fact has been communicated to all parties or to their agents. Time is of the essence of this Contract. Seller or Licensees are given permission by the parties to complete the Effective Date blank below with the date of the last signature of the parties, and that date shall be the Effective Date for all purposes under this Contract, and if that blank is not completed, then the Effective Date shall be the date of the last signature of the parties. Except as expressly set forth to the contrary, in this Contract, the use of the term "days" in this Contract, including all addenda made a part hereof, shall mean calendar days. Deadlines in this Contract, including all addenda, expressed as "within x days" or the like shall be counted from the Effective Date, unless another starting date is expressly set forth, beginning with the first day after the Effective Date, or such other established starting date, and ending at 5:00 pm, Eastern Time, on the last day counted.
20. **CONFIDENTIALITY:** Purchaser and Seller authorize the disclosure of the information herein to the Licensees, attorneys, lenders, appraisers, inspectors, investigators and others involved in the transaction necessary for the purpose of closing this transaction. Purchaser and Seller authorize the lender and/or closing agent preparing the closing statement to release a copy of the closing statement to the parties and their Licensees and attorneys prior to, at, and after the closing date.
21. A copy of this Contract is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, consult an attorney.
22. Seller acknowledges that the laws of the State of Maine provide that every buyer of real property located in Maine must withhold a withholding tax equal to 2 1/2 % of the consideration unless Seller furnishes to Purchaser a certificate by the Seller stating, under penalty of perjury, that Seller is a resident of the State of Maine or the transfer is otherwise exempt from withholding.
23. **ADDENDA:** This Contract has addenda containing additional terms and conditions. Yes X No ____ . Explain: This agreement provides for a 90 day due diligence period. In the event the Town of Eliot planning and code review process is delayed this agreement can be extended in 30 day increments. Buyer to confirm in writing any delay in the permitting process.
24. **OTHER PROVISIONS:**
This agreement is not subject to financing.

The parties agree that none of the above are collateral agreements. It is the intent of the parties that, except as expressly set forth in this Contract, all covenants, representations, statements and obligations of both parties herein shall not survive closing.

SIGNATURES APPEAR ON NEXT PAGE

DS
SM

BE

Shawn Moore and or assigns
Legal Name of Purchaser
By: Shawn Moon
Signature

Tax ID #

@
Legal Name of Purchaser

Name/Title, there unto duly authorized

By: _____
Signature

Tax ID #

Name/Title, there unto duly authorized

Seller accepts and agrees to the terms and conditions set forth in this Contract and agrees to pay the Licensees the commission for services according to the terms of the listing agreement or if there is no listing agreement, the sum of _____. In the event the earnest money is forfeited by Purchaser, it shall be evenly distributed between (1) Licensees and (2) Seller; provided, however, that the Licensees' portion shall not exceed the full amount of the commission specified.

Signed this 7th day of October, 2022.

York Hospital
Seller
By: [Signature]
Signature

01-0212444
Tax ID #
Robin LaBunt CFO
Name/Title, thereunto duly authorized

Seller
By: _____
Signature

Tax ID #

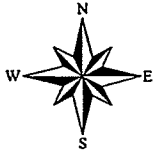
Name/Title, thereunto duly authorized

EFFECTIVE DATE OF THIS CONTRACT: October 5, 2022.

By signature hereof, Escrow Agent agrees to perform the obligations of Escrow Agent in accordance with applicable law, the applicable provisions of the rules of the Maine Real Estate Commission, and the terms and conditions set forth in this Contract.

F.O. Bailey Real Estate
Legal Name of Escrow Agent
By: _____
Signature

David Jones
Name/Title, thereunto duly authorized



Lot 29-26 Location Map

Town of Eliot, ME

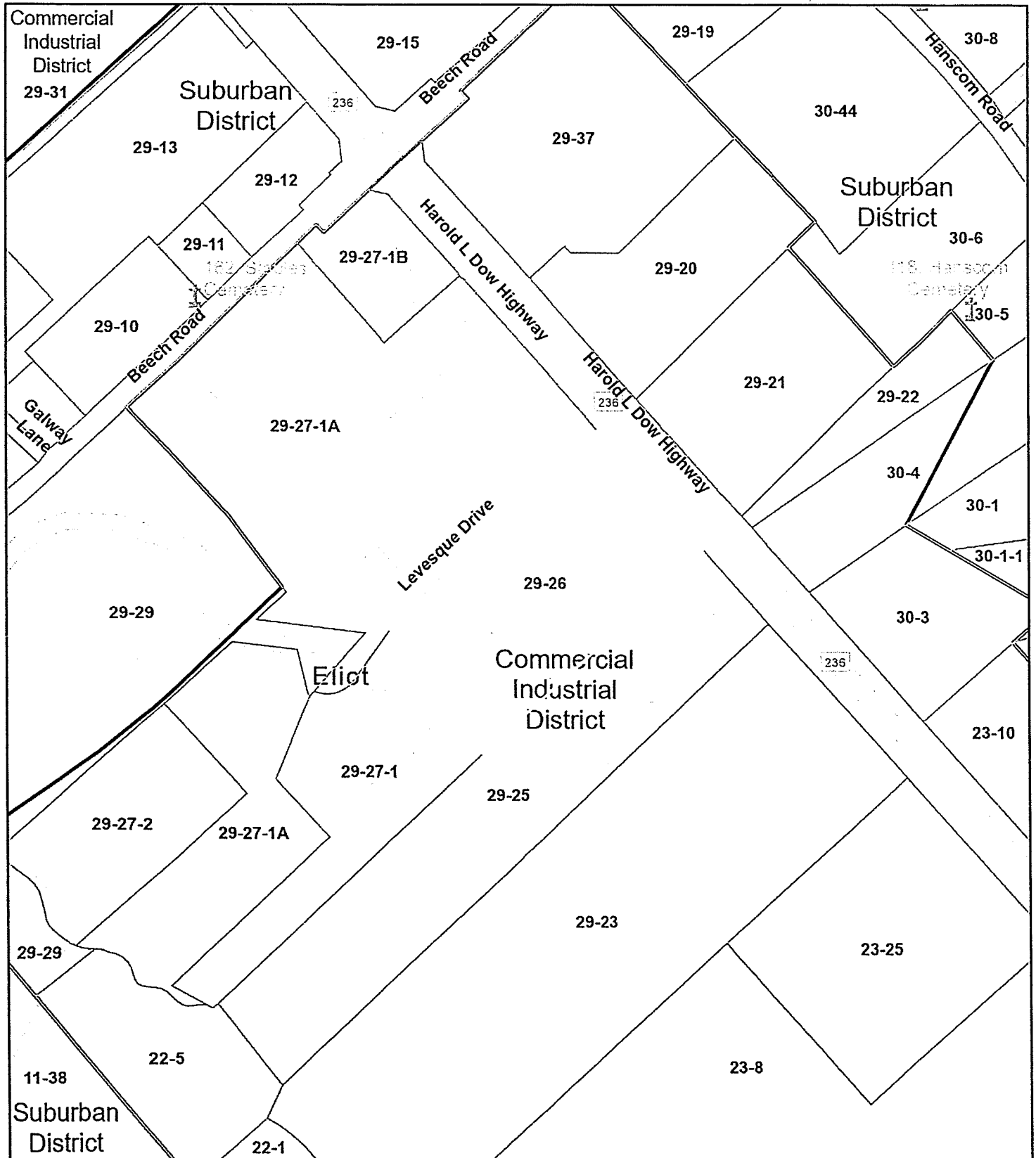
1 inch = 500 Feet



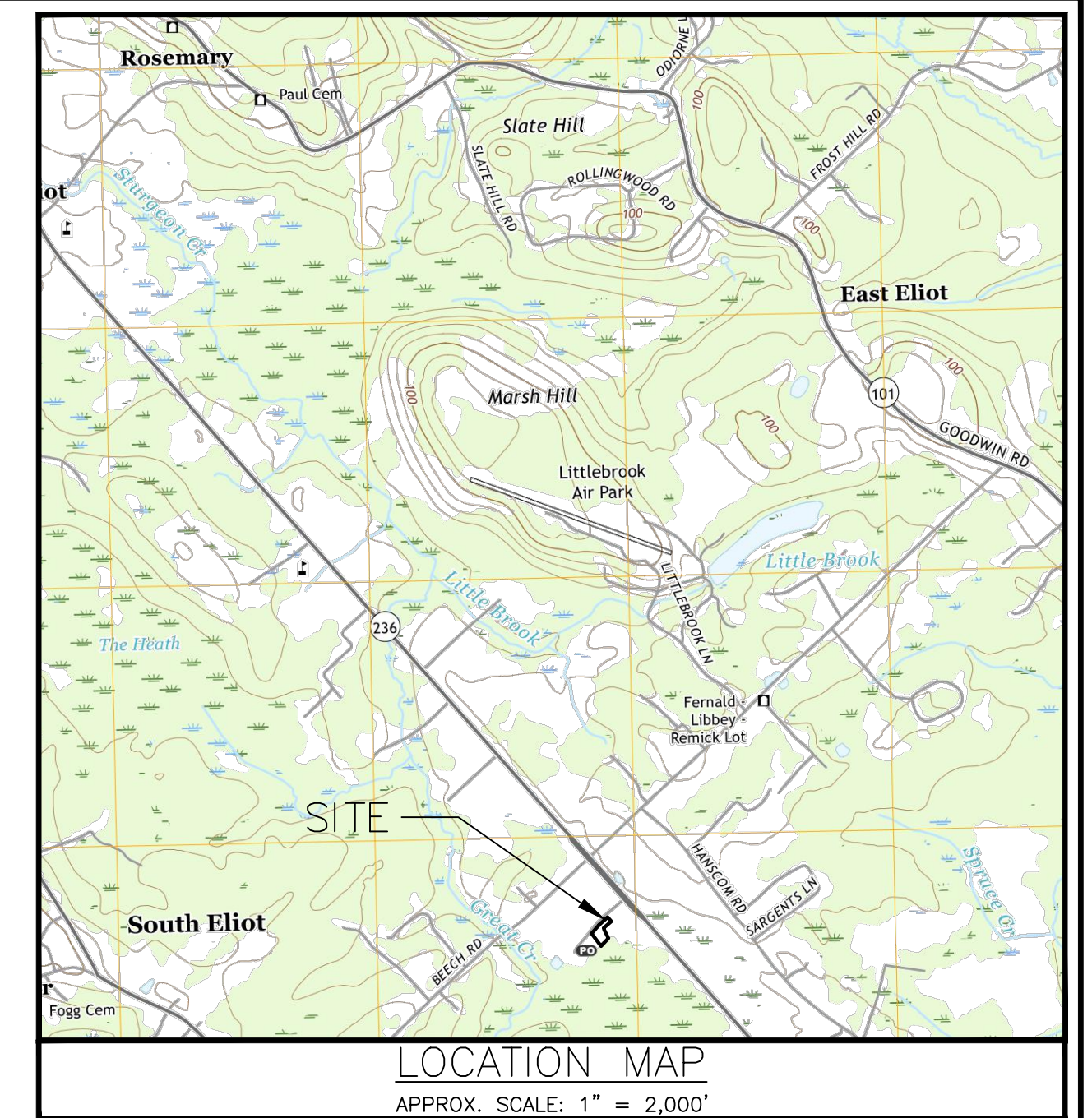
CAI Technologies
Precision Mapping. Geospatial Solutions.

www.cai-tech.com

December 23, 2022



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.



1. THIS PLAN PROVIDES SKETCH PLAN DETAILS FOR THE CONSTRUCTION OF A CAR WASH BUILDING TO BE ADDED TO THE ELIOT COMMONS LOT LOCATED AT 17 LEVESQUE DRIVE IN ELIOT, MAINE. THE PROPOSED PLAN INCLUDES 4 BAY AUTO WASH FACILITY, TWO VACUUM BAY ISLANDS, AND ASSOCIATED PARKING.
2. THE SITE IS IDENTIFIED ON THE TOWN OF ELIOT TAX ASSESSOR'S MAP 29 AS LOT 26 IN THE COMMERCIAL INDUSTRIAL DISTRICT AND MEASURES APPROXIMATELY 3.2 ACRES. THESE PLANS FOCUS ON A 1.1 ACRE PORTION LOCATED WITHIN THE LARGER PARCEL.
3. BOUNDARY LINES AND EXISTING CONDITIONS WERE PROVIDED BY REFERENCE 2.
4. DIMENSIONAL REQUIREMENTS
COMMERCIAL/INDUSTRIAL (C/I) DISTRICT AS PER §45-405

MINIMUM LOT SIZE	3 ACRES
FRONT YARD SETBACK	30 FEET
SIDE YARD SETBACK	20 FEET
REAR YARD SETBACK	20 FEET
MAXIMUM BUILDING HEIGHT	55 FEET
MAXIMUM LOT COVERAGE	50%
5. COVERAGE CALCULATIONS

TOTAL LOT SIZE:	139,800 S.F.
PROPOSED IMPERVIOUS COVERAGE:	69,577 S.F. -> $69,577/139,800 = 49.76\%$
	PROPOSED DESIGN MEETS THE LOT COVERAGE REQUIREMENTS

NOTE: ONLY 25,497 S.F. (0.58 AC) OF IMPERVIOUS AREA FALLS WITHIN THE 1.1 ACRE PARCEL
6. PARKING CALCS

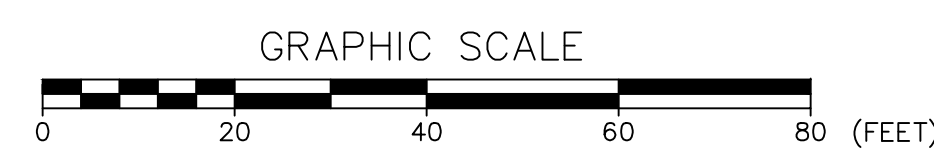
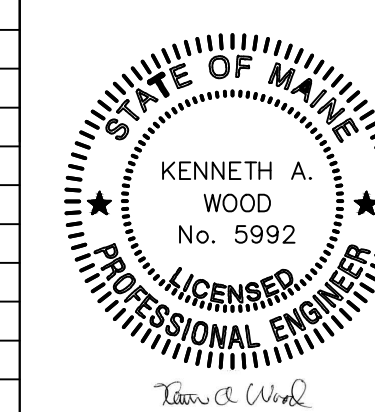
COMMERCIAL/INDUSTRIAL USES <u>§45-495(11)</u> :	(1 SPACE / EMPLOYEE) X 2 EMPLOYEES ON LARGEST SHIFT
	= 2 SPACES

TOTAL SPACES = 2 REQUIRED WITH 12 PROVIDED


1. "GENERIC 4 BAY DRAWING" FOR RC MOORE. PREPARED BY CAR WASH PROS.
2. "CONDOMINIUM PLAT - ELIOT COMMONS PROFESSIONAL PARK, LEVESQUE DRIVE, ELIOT, MAINE" PREPARED BY ATTAR ENGINEERING, INC. DATED 01/09/2019

[illegible]

STATE OF MAINE - YORK COUNTY
ss. REGISTRY OF DEEDS
RECEIVED _____, 20____
AT _____h, _____m, _____M, AND RECORDED IN
PLAN BOOK _____, PAGE _____
ATTEST _____ REGISTER

[illegible]

TAX MAP 029, LOT 26

SKETCH PLAN ELIOT COMMONS CAR WASH 17 LEVESQUE DRIVE, ELIOT, ME 03903			
FOR: SHAWN MOORE 28 SCHOONER RD SCARBOROUGH, ME 04074			
 ATTAR ENGINEERING, INC. CIVIL ♦ STRUCTURAL ♦ MARINE ♦ SURVEYING 1284 STATE ROAD - ELIOT, MAINE 03903 PHONE: (207)439-6023 FAX: (207)439-2128			
SCALE: 1" = 20' DATE: 1/3/2023		APPROVED BY: REVISION DATE: - : -	
JOB NO: C381-22		FILE: ELIOT COMMONS RC MOORE.DWG	
		SHEET: 1 OF 1	

PB22-9: 771 & 787 Main St. (Map 6, Lots 43, 44, & 154) – Clover Farm Subdivision (8 lots) –
Request to amend Preliminary Plan approval to change performance guarantee option



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Planning Board
From: Jeff Brubaker, AICP, Town Planner
Cc: Ken Wood, PE, Attar Engineering, Applicant's Representative
Mike Sudak, EI, Attar Engineering, Applicant's Representative
Shelly Bishop, Code Enforcement Officer
Date: February 16, 2023 (report date)
February 21, 2023 (meeting date)
Re: PB22-9: 771 & 787 Main St. (Map 6, Lots 43, 44, & 154) – Clover Farm Subdivision (8 lots) –
Request to amend Preliminary Plan approval to change performance guarantee option

Application Details/Checklist Documentation	
Address	771 & 787 Main St.
Map/Lot	6/ 43, 44, & 154
PB Case#	22-9
Zoning District(s)	Village
Shoreland Zoning District(s)	Limited Residential, Resource Protection
Property Owner(s)	Mark McNally, LJE Property Development LLC, Jesse Realty LLC
Applicant Name(s)	Mark McNally Building Maintenance, LLC, LJE Development LLC, Jesse Realty LLC Agent: Attar Engineering, Inc.
Proposed Project	8-lot conventional residential subdivision
Sketch Plan	
✓ Application Received by Staff	April 12, 2022
✓ Application Sent to Staff Reviewers	May 10, 2022
✓ Application Reviewed By PB	May 17, 2022; June 21, 2022; July 26, 2022 (scheduled)
✓ Site Walk	May 31, 2022
✓ Site Walk Publication	May 24, 2022 (Portsmouth Herald)
✓ Sketch Plan Approval	July 26, 2022
Preliminary Plan	
✓ Application Received by Staff	August 24, 2022
✓ Fee Paid and Date	\$1,775 (\$1,600 – subdivision preliminary plan application; \$175 – public hearing); August 24, 2022
✓ Application Sent to Staff Reviewers	August 31, 2022
✓ Notice Mailed to Abutters	September 6, 2022

✓ Application Reviewed by PB	September 20, October 18, November 15, December 13, 2022
✓ Application Found Complete by PB	October 18, 2022
✓ Public Hearing	November 15, 2022
✓ Public Hearing Publication	October 28 (first notice) and November 4 (second notice), 2022 (Weekly Sentinel) <i>*2 newspaper notices required by 30-A M.R.S.A 4403(4)</i>
✓ Preliminary Plan Approval	December 13, 2022
Final Plan	
✓ Application Received by Staff	January 9, 2023 – however, official receipt date and review are pending review of performance guarantee change request

Having received preliminary plan approval on December 13, 2022, the applicant submitted their final subdivision plan application package on January 9, 2023. In their 1/9/23 cover letter, the applicant requested a change to their performance guarantee type, from Option 2 to Option 1. Per 33-132, Option 2 involves deferring lot sales and building permits until streets and other required improvements are complete. Option 1 involves a financial guaranty, which, once accepted by the Select Board, allows the applicant to begin construction of the streets/other improvements, with review by Town staff and a third-party engineer.

In my opinion, given the timing of the request and the steps in the review process, I believe it is necessary for the PB to review the request now as an amendment to your preliminary approval, prior to SB review. Otherwise, the SB would be reviewing a performance guarantee that is inconsistent with the PB's approval. That means that this meeting's review is *not yet* a review of the final plan application, though the applicant's complete submittal package has been included for your reference. The performance guarantee matter needs to be resolved first. Included in the final plan package is a copy of an October 20, 2022, letter from Pallas Capital Advisors that the applicant has proposed to serve as the financial guarantee.

Condition 3a of the PB's preliminary plan approval, as laid out in the approval letter (approved January 10, 2023), states:

3. The following relate to improvements and guarantees that are a prerequisite of approval of the final plan:
 - a. The subdivider shall provide a performance guarantee by entering into a written agreement with the Select Board agreeing that no lots shall be sold and no building permits shall be issued until the proposed street, utilities, new plantings, and stormwater facilities are completed in accordance with the Planning Board's approval. The performance guarantee shall be consistent with Section 33-132 generally and subsection (b)(2) specifically, reflecting "Option 2".

Per 33-132(b), the applicant can choose Option 1 or Option 2. The issue here is that the applicant conveyed Option 2 during PB preliminary plan review, and only after PB approval elected to change to Option 1. The SB is empowered to review the adequacy of the Option 1 financial guarantee. Therefore, I see the PB's review task as memorializing the applicant's choice in an amended preliminary plan approval.

PB22-9: 771 & 787 Main St. (Map 6, Lots 43, 44, & 154) – Clover Farm Subdivision (8 lots) – Request to amend Preliminary Plan approval to change performance guarantee option

More information can be seen in the attached review correspondence between the applicant and me.

MaineDOT driveway permit

The applicant has received an updated driveway permit from MaineDOT, which is included in your packet. This appears to satisfy Condition 1b of preliminary plan approval. It is also apparent that the DEP Stormwater permit-by-rule (PBR) stands approved.

Recommendation

Approve the applicant's request to change the performance guarantee option from Option 2 to Option 1.

Motion templates

Approval (recommended)

Motion to amend the Planning Board's preliminary approval – granted December 13, 2022 – of the preliminary plan for PB22-9: 771-787 Main St. to replace the language in Condition 3a in the approval letter (approved January 10, 2023) with new language as follows:

The subdivider shall provide a performance guarantee by furnishing to the Select Board a financial guaranty in the form of cash, a certified check payable to the town, or an irrevocable letter of credit in a form and from an issuer acceptable to the board of selectmen, for the proposed street, utilities, new plantings, and stormwater facilities. The performance guarantee shall be consistent with Section 33-132 generally and subsection (b)(1) specifically, reflecting "Option 1".

Denial

Motion to maintain the Planning Board's preliminary approval – granted December 13, 2022 – of the preliminary plan for PB22-9: 771-787 Main St., as stated in the approval letter that the Planning Board approved on January 10, 2023.



TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Ken Wood, PE, Attar Engineering, Applicant's Representative
Mike Sudak, EIT, Attar Engineering, Applicant's Representative
From: Jeff Brubaker, AICP, Town Planner JSB
Cc: Planning Board
Michael Sullivan, Town Manager
Kim Tackett, Land Use Administrative Assistant
Shelly Bishop, Code Enforcement Officer
Date: January 10, 2023
Re: PB22-9: 771 & 787 Main St. (Map 6, Lots 43, 44, & 154) – Clover Farm Subdivision (8 lots) – Final Plan Submittal – **Review Letter 2**

I have the following comments on the subject application in the context of the Planning Board's (PB) review and information submitted to date. All numerical citations are to the Town Code, unless otherwise noted.

Application package

1. This is to confirm receipt of hard copies of the application package and plan set on January 9, 2023. Per 41-172, an official submittal date will be determined subject to the applicant providing the State of Maine and utility approvals referenced below, as well as the course of review of your request to change the type of performance guarantee.
2. To aid in Planning Office and Planning Board review, please email an electronic (PDF) copy of the submittal to Kim Tackett and myself.
3. The subdivision plan (Sheet 1) is still titled "Preliminary" and should reflect "Final".

Securing state, federal, etc., approvals (41-173)

4. Correspondence with MaineDOT included in your submittal is noted. Per 41-173 and PB preliminary plan approval, review of the final plan is pending receipt of the updated driveway/entrance permit related to the application you submitted to DOT on 1/4/23.
5. Correspondence with MaineDEP included in your submittal is noted. Per 41-173 and PB preliminary plan approval, review of the final plan is pending approval of the stormwater PBR, which I assume to be after 14 days from DEP acceptance on 1/5/23, assuming no other review needs from DEP.

Stormwater

6. Thank you for confirming that the "base elevation of the cul-de-sac detention area has been raised by 1', putting the finished grade well above the encountered SHWT".

Performance guarantee

7. Your request to change from Performance Guarantee Option 2 to Option 1 is noted. In consideration of PB preliminary plan approval (which relied in part on the applicant's stated preference for Option 2, e.g. in your 10/4/22 cover letter) and Section 33-132, it is recommended that the PB review this change for approval prior to engagement with the Select Board (SB). If the PB approves, Option 1 could then be brought to the SB for their review. Per 33-132(b)(1), the applicant will need to furnish an escrow amount to allow the SB to hire, at the applicant's expense, an independent, third party professional engineer, licensed in Maine, to confirm that the amount of the guaranty will be sufficient. This is likely to require more than one SB review meeting. Note also that the form of the irrevocable letter of credit (ILOC, if that is the selected guaranty instrument), and the issuer, need to be acceptable to the SB. While it is ultimately the SB's decision, preliminarily, I will note that the letter of credit provided in the 1/9/23 submittal does not appear to have certain typical characteristics that I understand an ILOC in this context should have, such as being from a federally-insured bank; establishing terms and conditions; and addressing the Town's interest.

Water system

8. Per 41-174, Kittery Water District (KWD) approval of the water system in the final plan shall be secured. While KWD's 9/15/22 letter referenced Main St. water main upgrade needs the district will address to allow for adequate fire protection for the subdivision, clear KWD written approval of the subdivision's proposed water system, as depicted in the final plan, is needed. Once a PDF is received, our office can share this with KWD to seek their review; however, you may wish to communicate directly with them and copy me.

Fee and third-party review escrow

9. I understand that the fee paid for submittal of the final plan was \$1,600. The fee for final plan submittal prescribed by 1-25 is \$50 total. If a higher payment has already been processed and a refund is due, please work with Kim Tackett on that.
10. As we work to process Sebago Technics' invoice for their second round of third-party review, it appears that there is a deficit of \$49.30 in the escrow account. I am hoping to confirm the balance this week, but this amount may be due from the applicant to fully cover Sebago's services.

Editorial comments

11. Sheet 1, Note 10:
 - a. 33-175 refers to buffering and landscaping requirements for commercial and industrial establishments. Vegetation and buffering for this proposal has primarily been reviewed under 41-215.
 - b. "Specific planing locations..." should be "Specific planting locations..."

From: [Planner](#)
To: [Kim Tackett](#)
Subject: FW: 771-787 Main St - CFS - Final Plan - Review Letter 2
Date: Thursday, February 16, 2023 10:45:58 AM

Kim,

For the PB packet, Old Business Item A.

Jeff

Jeff Brubaker, AICP
(207) 439-1813 x112

From: Mike Sudak <mike@attarengineering.com>
Sent: Tuesday, January 31, 2023 12:30 PM
To: Planner <jbrubaker@eliotme.org>
Cc: Kim Tackett <ktackett@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>; Ken Wood <Ken@attarengineering.com>; Shelly Bishop <sbishop@eliotme.org>; Michael Sullivan <msullivan@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>
Subject: RE: 771-787 Main St - CFS - Final Plan - Review Letter 2

Thank you Jeff, we will see you for this item on the 21st.

-Mike

From: Planner <jbrubaker@eliotme.org>
Sent: Tuesday, January 31, 2023 12:13 PM
To: Mike Sudak <mike@attarengineering.com>
Cc: Kim Tackett <ktackett@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>; Ken Wood <Ken@attarengineering.com>; Shelly Bishop <sbishop@eliotme.org>; Michael Sullivan <msullivan@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>
Subject: RE: 771-787 Main St - CFS - Final Plan - Review Letter 2

Mike,

I confirmed with the Chair that this review should be deferred to February 21.

Jeff

Jeff Brubaker, AICP
(207) 439-1813 x112

From: Mike Sudak <mike@attarengineering.com>
Sent: Tuesday, January 31, 2023 10:43 AM

To: Planner <jbrubaker@eliotme.org>

Cc: Kim Tackett <ktackett@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>; Ken Wood <Ken@attarengineering.com>; Shelly Bishop <sbishop@eliotme.org>; Michael Sullivan <msullivan@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>

Subject: RE: 771-787 Main St - CFS - Final Plan - Review Letter 2

Understood Jeff, I appreciate you asking at my request. We will proceed with whatever the Chair thinks is most appropriate.

Thanks,
-Mike

From: Planner <jbrubaker@eliotme.org>

Sent: Tuesday, January 31, 2023 10:41 AM

To: Mike Sudak <mike@attarengineering.com>

Cc: Kim Tackett <ktackett@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>; Ken Wood <Ken@attarengineering.com>; Shelly Bishop <sbishop@eliotme.org>; Michael Sullivan <msullivan@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>

Subject: RE: 771-787 Main St - CFS - Final Plan - Review Letter 2

Mike,

I have asked our Chair to decide on whether to try and fit it in on the 2/7 agenda or have it on the 2/21 agenda. My preference would be for the latter, given how full the 2/7 agenda is. I don't want to overwhelm PB members (especially a new member at their first meeting) with an overly packed agenda. The last time that happened (early 2021), I suspect it influenced a new member to resign.

That said, I think the SB review process could begin sooner if you elect to stay with Option 2 as that would be consistent with Preliminary Plan Approval.

Jeff

Jeff Brubaker, AICP
(207) 439-1813 x112

From: Mike Sudak <mike@attarengineering.com>

Sent: Tuesday, January 31, 2023 10:29 AM

To: Planner <jbrubaker@eliotme.org>

Cc: Kim Tackett <ktackett@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>; Ken Wood <Ken@attarengineering.com>; Shelly Bishop <sbishop@eliotme.org>; Michael Sullivan <msullivan@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>

Subject: RE: 771-787 Main St - CFS - Final Plan - Review Letter 2

Good Morning Jeff,

Thank you for the Review Letter. I offer the following comments in reply:

- Regarding the outstanding State/Federal approvals, I will keep the Town updated as I receive information from MDOT. Also, yes I am in agreement with your interpretation of the MDEP review timeline, and consider that Stormwater PBR approved at this point.
- Regarding the Performance Guarantee, I appreciate the breakdown that you provide on the process to complete this transition from Option 2 to Option 1, and am generally in agreement with all of the timelines presented. My only question would be if you feel the Planning Board would be willing to entertain this 'amendment to preliminary approval' at the February 7th meeting instead of February 21st. As you have outlined in the Review Letter, this would not be a substantive review of the application as there are still outstanding State approvals, but merely a declaration by the Planning Board that would allow the Select Board process to begin. My Clients would like to begin the Select Board process as quickly as possible so as to have those meetings occur in parallel with the Planning Board's review of the Final Subdivision Application.

Please let me know your thoughts. I understand that the 2/7 Agenda is already quite full with the postponement of the second meeting in January, but wanted to see if you thought this was small enough of a discussion point to potentially be included in the meeting.

I'm working from home today and am available by email – will be back in the office tomorrow.

Thanks Jeff, take care and talk soon.

-Mike

From: Planner <jbrubaker@eliotme.org>

Sent: Monday, January 30, 2023 10:46 AM

To: Mike Sudak <mike@attarengineering.com>

Cc: Kim Tackett <ktackett@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>; Ken Wood <Ken@attarengineering.com>; Shelly Bishop <sbishop@eliotme.org>; Michael Sullivan <msullivan@eliotme.org>

Subject: RE: 771-787 Main St - CFS - Final Plan - Review Letter 2

Good morning Mike,

I hope you had a nice weekend. Attached is my Review Letter 3 regarding our correspondence on the final plan status and performance guarantee. Let me know if you have any questions or would like to discuss further.

Jeff

Jeff Brubaker, AICP
(207) 439-1813 x112

From: Mike Sudak <mike@attarengineering.com>

Sent: Wednesday, January 11, 2023 1:46 PM

To: Planner <jbrubaker@eliotme.org>

Cc: Kim Tackett <ktackett@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>; Ken Wood <Ken@attarengineering.com>

Subject: RE: 771-787 Main St - CFS - Final Plan - Review Letter 2

Understood, thank you Jeff. We know you're just as busy as we are over there and appreciate your attention to this matter.

-Mike

From: Planner <jbrubaker@eliotme.org>

Sent: Wednesday, January 11, 2023 1:42 PM

To: Mike Sudak <mike@attarengineering.com>

Cc: Kim Tackett <ktackett@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>; Ken Wood <Ken@attarengineering.com>

Subject: RE: 771-787 Main St - CFS - Final Plan - Review Letter 2

Thanks, Mike.

I'll plan to review further and get back to you on this, particularly the performance guarantee process, but for now have to turn to other pressing application review and other tasks.

Jeff

Jeff Brubaker, AICP
(207) 439-1813 x112

From: Mike Sudak <mike@attarengineering.com>

Sent: Wednesday, January 11, 2023 12:12 PM

To: Planner <jbrubaker@eliotme.org>

Cc: Kim Tackett <ktackett@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>; Ken Wood <Ken@attarengineering.com>

Subject: RE: 771-787 Main St - CFS - Final Plan - Review Letter 2

Good Afternoon Jeff,

Following up on your letter from yesterday afternoon, I offer the following comments (hopefully in order):

Application Package:

1. I'll discuss my and my Applicants' thoughts on this at the end of the numbered list
2. Electronic copies sent yesterday afternoon – thank you for keeping me honest on that one.
3. Sheet 1 has been revised and attached to be titled Final.

State/Federal Approvals:

4. This comment on MDOT entrance permit is understood and the Town will be updated as soon as we receive signoff.
5. I believe your interpretation of the MDEP signoff window is correct. As shown in my correspondence with Anna Smith we had a rather lengthy back and forth on her comments, all of which have been satisfied so I do not anticipate that timeline being interrupted.

Stormwater

6. No comment needed.

Performance Guarantee

7. The breakdown you provided on the process of switching from Option 2 to Option 1 makes sense to me, thank you for that. Your personal comments on the ILOC are noted and have been forwarded to my Clients. The remainder of this section I'll discuss at the end of the numbered list to avoid duplication.

Water System

8. I've attached my most current correspondence with Mr. Mike Rogers regarding his plans to extend the municipal water system and the plans to service this development. As you'll see from the email exchange, it seems that at this point the signoff process is between KWD and MDOT and out of my hands.

Fee and Third-Party Review Escrow

9. Kim – it sounds like we are going to be working with you on a potential retrieval of the provided check (if not processed) or a refund of the check provided (if already processed). I've copied Sammie on this email chain, she would be the POC from our office to work with on that end. I apologize for the incorrect fee amount – I was working off of the prescribed amount indicated at the bottom of the application and checklist paperwork.
10. Please keep me/us posted on the findings from investigating the Sebago Technics escrow balance. Perhaps that can be incorporated into the refund and/or the proper fee that is due at this time.

Editorial Comments

11. The updated and attached Sheet 1 includes the requested revisions to General Note #11 – good catch.

Regarding Items #1, #4 (in part), and #7, I would like to pick your brain on how to best keep the approvals process moving forward. I understand the provisions within §41-173 requiring all State/Federal permits to be in-hand prior to the submission of the Final Subdivision application. Additionally I wanted to recall from above your breakdown of the Selectboard process for approving the method of Performance Guarantee, and how that process is not initiated until Option 1 receives Planning Board approval.

Given both of these elements, I am wondering if you think the Planning Board would be receptive to taking measures to allow these elements to occur in parallel. Having PB signoff on the Option 1 Performance Guarantee as soon as possible would allow the Selectboard process to begin and the third-party review of the sufficiency of the value of the guaranty to also begin. If the only barrier to

an official submittal date being granted (and therefore a scheduled date of the Planning Board hearing the application) is the signoff of MDOT and KWD – both of which are in process – would the Planning Board be receptive to having these items be conditioned to be provided at a point in time further along in the approvals process (prior to Final completeness or prior to Final approval)? This is not an uncommon element in other Towns that I work in, so I wanted to see what your thoughts were. You're welcome to call to discuss, and I'd be happy to provide a more formal letter/request to the Planning Board if that is the most appropriate avenue after discussion.

Thanks Jeff, talk soon.

-Mike

From: Planner <jbrubaker@eliotme.org>

Sent: Tuesday, January 10, 2023 3:48 PM

To: Mike Sudak <mike@attarengineering.com>

Cc: Kim Tackett <ktackett@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>; Ken Wood <Ken@attarengineering.com>

Subject: RE: 771-787 Main St - CFS - Final Plan - Review Letter 2

Great, thank you Mike.

Jeff Brubaker, AICP
(207) 439-1813 x112

From: Mike Sudak <mike@attarengineering.com>

Sent: Tuesday, January 10, 2023 3:15 PM

To: Planner <jbrubaker@eliotme.org>

Cc: Kim Tackett <ktackett@eliotme.org>; Sammie Rogers <sammie@attarengineering.com>; Ken Wood <Ken@attarengineering.com>

Subject: RE: 771-787 Main St - CFS - Final Plan - Review Letter 2

Thank you for the review letter Jeff. I'll take a thorough read-through and provide comment tomorrow morning, but I see in the first few lines that I neglected to send the electronic version of what was submitted yesterday afternoon. My apologies for that – I've attached the submission items here. It's a rather large combination of files so I believe I'll need two emails to cover it.

Please let me know how things go this evening with the PB consideration of our preliminary approval.

Talk soon,

-Mike

From: Planner <jbrubaker@eliotme.org>

Sent: Tuesday, January 10, 2023 12:40 PM

To: Mike Sudak <mike@attarengineering.com>; Ken Wood <Ken@attarengineering.com>

Cc: Kim Tackett <ktackett@eliotme.org>; Shelly Bishop <sbishop@eliotme.org>; Michael Sullivan

<msullivan@eliotme.org>

Subject: 771-787 Main St - CFS - Final Plan - Review Letter 2

Mike and Ken,

We received hard copies of your final plan submittal for the subject application yesterday – thank you.

Please see attached my review letter. Let me know if you have any questions or would like to discuss further.

As noted earlier, tonight the PB will consider approving a letter reflecting their 12/13/22 preliminary plan approval.

Jeff

Jeff Brubaker, AICP
Town Planner
Town of Eliot
(207) 439-1813 x112

Office Hours: Mon-Thurs, 7:00am-5:00pm by appointment

Under Maine's Freedom of Access ("Right to Know") law, all e-mail and e-mail attachments received or prepared for use in matters concerning Town business or containing information relating to Town business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law.

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TOWN OF ELIOT MAINE

PLANNING OFFICE

1333 State Road

Eliot ME, 03903

To: Ken Wood, PE, Attar Engineering, Applicant's Representative
Mike Sudak, EIT, Attar Engineering, Applicant's Representative
From: Jeff Brubaker, AICP, Town Planner JSB
Cc: Planning Board
Michael Sullivan, Town Manager
Kim Tackett, Land Use Administrative Assistant
Shelly Bishop, Code Enforcement Officer
Date: January 30, 2023
Re: PB22-9: 771 & 787 Main St. (Map 6, Lots 43, 44, & 154) – Clover Farm Subdivision (8 lots) – Final Plan Submittal – **Review Letter 3**

I have the following comments on the subject application in the context of the Planning Board's (PB) review and information submitted to date. All numerical citations are to the Town Code, unless otherwise noted.

Application package

1. Thank you for providing an updated plan and additional materials on January 11, 2023, in response to Review Letter 2. Per 41-172 and -173, an official submittal date is still to be determined pending outstanding approvals noted below.

Securing state, federal, etc., approvals (41-173)

2. Please keep me updated when MaineDOT decides on the updated driveway/entrance permit application you submitted on 1/4/23.
3. To my understanding, the MaineDEP stormwater PBR has completed its 14-day review period and stands approved as of 1/19/23. Please let me know if your understanding is different.

Performance guarantee

4. I would like to tentatively suggest that the PB review your request to change the performance guarantee option at their February 21 meeting, subject to the Chair's approval of the agenda. I will note that this could add significant time to the review process. It is reasonable that the PB would need to act first on the change request, because your preliminary plan application requested Option 2 and the PB's approval relied on that request. This would essentially be a request to amend their preliminary plan approval, including condition #3 noted in the PB Decision Letter dated 1/10/23. Per 33-132, I see the process working as follows:
 - a. PB review of performance guarantee change request as an amendment to their preliminary plan approval.

- b. If approved, applicant submits a financial guaranty consistent with 33-132(b)(1) for review by the Select Board (SB). Applicant also provides escrow payment to cover the cost of third-party professional engineering review (3PR) of the guaranty. To expand on my comment in Review Letter 2, I do not believe the letter you provided in your January 9, 2023, submittal (dated 10/20/22 from Pallas Capital Advisors) is consistent with 33-132(b)(1) and its stipulations for an irrevocable letter of credit (ILOC). Also, it mentions “utility installations and road construction” but not stormwater facilities. Please also note a new provision of 33-132 approved by voters in November 2022: “The Planning Board may require a performance guarantee for a period not to exceed two (2) years to ensure the replacement of any plantings shown on the landscaping plan that have failed to grow normally, are diseased, or have died.”
- c. SB initial review and approval of 3PR contract. Potentially concurrently, the PB could begin review the final plan submittal if other approvals noted in this letter have been received.
- d. The 3PR would conduct their review and issue their findings.
- e. The SB would review the 3PR findings and decide on guaranty acceptance.
- f. The PB would proceed to a decision on the final plan.
- g. If the approvals in (e) and (f) are granted, the applicant would then be able to take subsequent steps consistent with those approvals and with the land use regulations.

Kristan Glidden
2 Punkintown Road, Suite 340
South Berwick, ME 03908

February 13th, 2023
Project No.: C174-20

Jeff Brubaker, AICP
Town Planner
Town of Eliot
1333 State Road
Eliot, ME 03903

Dear Mr. Brubaker:

Please be informed that Kenneth A. Wood, P.E. and other assigned staff at Attar Engineering, Inc. will be acting as my agents for the applications and permitting of my project on Main Street in Eliot, Maine.

Please contact me if I can provide any additional information.

Sincerely,



Kristan Glidden

cc: Kenneth A. Wood, P.E Attar Engineering, Inc.



Maine Department of Transportation

Janet T. Mills
Governor

Driveway/Entrance Permit

Bruce A. Van Note
Commissioner

Permit Number: 36140 - Entrance ID: 1

OWNER
Name: Mark McNally
Address: 1381 Elwyn Road
Portsmouth, NH 03801
Telephone: (603)498-3837

Date Printed: February 09, 2023

LOCATION

Route: 0103X, Main Street
Municipality: Eliot
County: York
Tax Map: 6 Lot Number: 43
Culvert Size: 15 inches
Culvert Type: plastic
Culvert Length: 40 feet
Date of Permit: February 09, 2023
Approved Entrance Width: 28 feet

In accordance with rules promulgated under 23 M.R.S.A., Chapter 13, Subchapter I, Section 704, the Maine Department of Transportation (MaineDOT) approves a permit and grants permission to perform the necessary grading to construct, in accordance with sketch or attached plan, **an Entrance to Subdivision/Development** at a point **384 feet North** from **Park Street**, subject to the Chapter 299 Highway Driveway and Entrance Rules, standard conditions and special conditions (if any) listed below.

Conditions of Approval:

This Permittee acknowledges and agrees to comply with the Standard Conditions and Approval attached hereto and to any Specific Conditions of Approval shown here.

(G = GPS Location; W = Waiver; S = Special Condition)

G - THE ENTRANCE SHALL BE LOCATED AT GPS COORDINATES: 43.109624N, -70.784993W.

S - In the town of Eliot on the southwesterly side of Route 103/Main Street, the centerline being approximately 384 feet northwesterly of the centerline of Park Street and approximately 15 feet northwesterly of utility pole 64.

S - The culvert shall be HDPE smoothbore plastic pipe. The property owner must contact MaineDOT at (207) 676-9981 prior to culvert and entrance installation to review procedures and arrange an inspection.

S - This Permit supersedes the Permit #27599 issued December 19, 2019.

Approved by:

Date:

2-9-2023

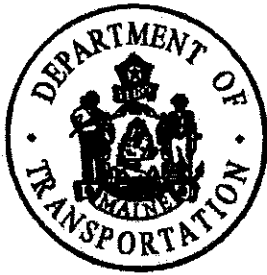
STANDARD CONDITIONS AND APPROVAL

1. Provide, erect and maintain all necessary barricades, lights, warning signs and other devices as directed by MaineDOT to properly safeguard traffic while the construction is in progress.
2. At no time cause the highway to be closed to traffic
3. Where the driveway is located within a curb, curb and gutter, and/or sidewalk section, completely remove the existing curb, curb and gutter, and/or sidewalk as may be required to create the driveway and restore drainage. All driveways abutting sidewalk sections shall meet the requirements set forth in the Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12131 et seq.
4. Obtain, have delivered to the site, and install any culverts and/or drainage structures which may be necessary for drainage, the size, type and length as called for in the permit pursuant to 23 M.R.S.A. Sec. 705. All culverts and/or drainage structures shall be new.
5. Start construction of the proposed driveway within twenty-four (24) months of the date of permit issuance and substantially complete construction of the proposed driveway within twelve months of commencement of construction.
6. Comply with all applicable federal, state and municipal regulations and ordinances.
7. Do not alter, without the express written consent of the MaineDOT, any culverts or drainage swales within the MaineDOT right of way.
8. File a copy of the approved driveway permit with the affected municipality or LURC, as appropriate within 5 business days of receiving the MaineDOT approval.
9. Construct and maintain the driveway side slopes to be no steeper than the adjacent roadway side slopes, but in no case to be steeper than 3 horizontal to 1 vertical, unless the side slope is behind existing roadway guardrail, in which case it shall be no steeper than 2 horizontal to 1 vertical.
10. Notify the MaineDOT of a proposed change of use served by the driveway when increase in traffic flow is expected to occur. This does not exempt the need for obtaining a Traffic Movement Permit (TMP) if trip generation meets or exceeds 100 passenger car equivalents (PCE) during the peak hour of the day.
11. Construct or implement and maintain erosion and sedimentation measures sufficient to protect MaineDOT facilities.
12. Driveways shall be designed such that all maneuvering and parking of any vehicles will take place outside the highway right-of-way and where vehicles will exit the premises without backing onto the highway traveled way or shoulders. All driveways will have a turnaround area to accommodate vehicles using the premises.
13. Closing any portion of a highway or roadway including lanes, shoulders, sidewalks, bike lanes, or ATV access routes is not permitted without MaineDOT approval.

FURTHER CONDITION OF THE PERMIT

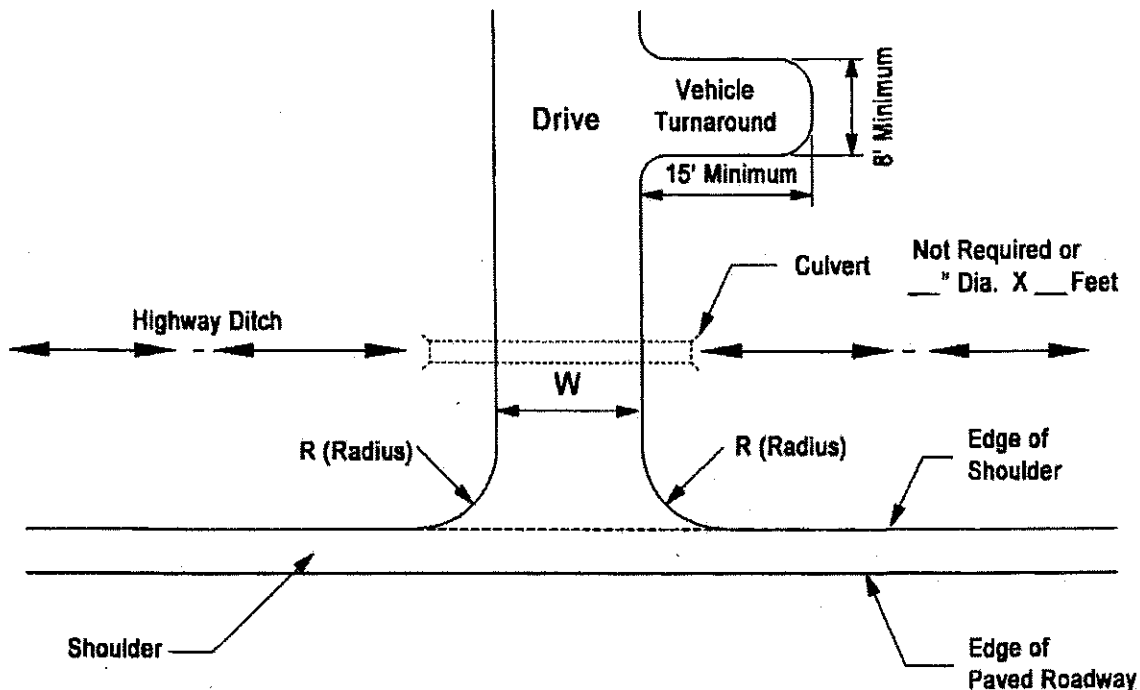
The owner shall assume, the defense of, and pay all damages, fines, and penalties for which he/she shall become liable, and shall indemnify and safe harmless said Department, its representatives, agents and employees from liability, actions against all suits, claims, damages for wrongful death, personal injuries or property damage suffered by any person or association which results from the willful or negligent action or inaction of the owner/applicant (agent) and in proceedings of every kind arising out of the construction and maintenance of said entrance(s), including snow removal.

Nothing herein shall, nor is intended to, waive any defense, immunity or limitation of liability which may be available to the MaineDOT, their officers, agents or employees under the Maine Tort Claims Act or any other privileges and/or immunities provided by law. It is a further condition that the owner will agree to keep the right of way inviolate for public highway purposes and no signs (other than traffic signs and signals), posters, billboards, roadside stands, culvert end walls or private installations shall be permitted within Right of Way limits.



State of Maine
Department of Transportation
Entrance / Driveway Details

PLAN

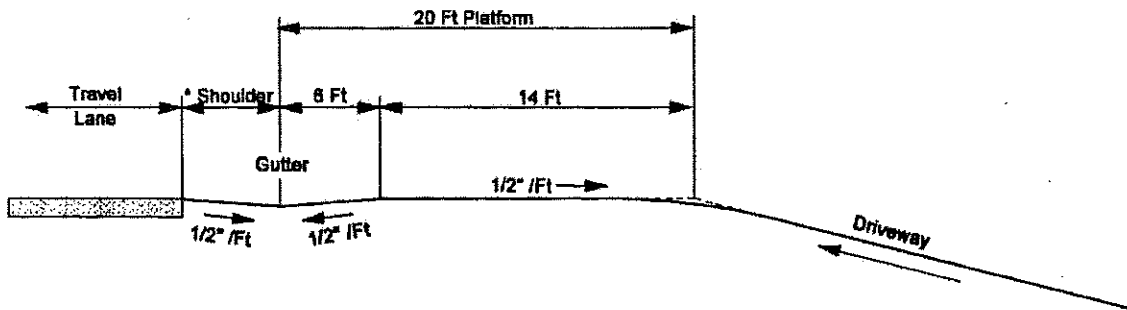
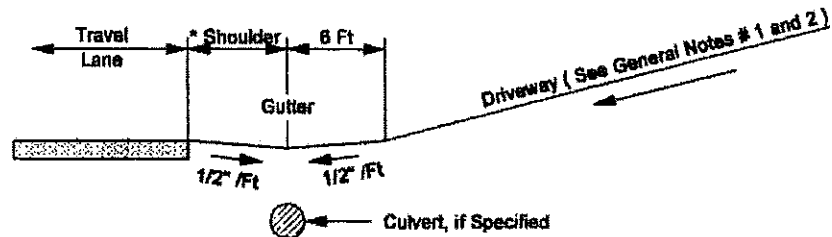


GENERAL NOTES -

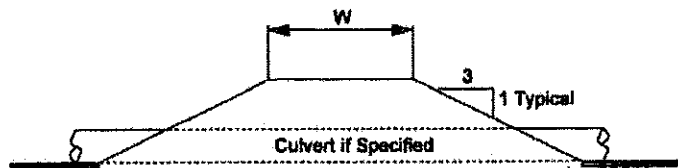
1. ALL RESIDENTAL OR COMMERCIAL DRIVES WITH 10% GRADE OR MORE SLOPING DOWN TOWARDS THE HIGHWAY SHALL BE PAVED TO THE RIGHT OF WAY LINE, AS A MINIMUM, INCLUDING SHOULDER, IF GRAVEL AND HAVE DITCHES TO CONTROL RUNOFF.
2. DRIVES SLOPING TO THE HIGHWAY SHALL BE CROWNED (1/2" PER FT. MINIMUM).
3. TO THE MAXIMUM EXTENT PRACTICAL, THE ENTRANCE MUST BE CONSTRUCTED PERPENDICULAR TO THE HIGHWAY AT THE POINT OF ACCESS. EXCEPT WHERE CURBING EXISTS OR IS PROPOSED, THE MINIMUM RADIUS ON THE EDGES OF THE ENTRANCE MUST BE 10 FEET OR AS OTHERWISE REQUIRED AS SHOWN.
4. ENTRANCES/DRIVEWAYS WILL BE BUILT WITH AN ADEQUATE TURN-AROUND AREA ON SITE TO ALLOW ALL VEHICLES TO MANUEVER AND PARK WITHOUT BACKING ONTO THE HIGHWAY. THIS TURN-AROUND SHALL BE AT LEAST 8 FEET WIDE BY 15 FEET LONG.
5. ENTRANCES/DRIVEWAYS AND OTHER ASSOCIATED SITE WORK WHICH DIRECTS WATER (RUNOFF) TOWARD THE HIGHWAY MUST BE CONSTRUCTED, CROWNED STABILIZED AND MAINTAINED WITH MATERIALS AND APPROPRIATE TEMPORARY/PERMANENT EROSION CONTROL MATERIALS IN ACCORDANCE WITH MDOT BEST MANAGEMENT PRACTICES.
6. THE PROFILE OF THE ENTRANCES MUST COMPLY WITH THE DETAILS SHOWN ON PAGE 2.

MDOT Entrance / Driveway Details, Continued

PROFILE Details



Driveway Cross Section



Maine Department of Transportation Driveway/Entrance Culvert Policy

I. Background:

Title 23§705 MRSA defines culvert responsibility with respect to driveway/entrance culverts. With consideration of this law and the various situations that have occurred around the state, this document has been prepared to more clearly define the specific responsibilities of Maine's taxpayers as a whole (through MaineDOT) and the individual highway abutters.

II. Policy:

A. Activities performed by MaineDOT crews with regard to driveway/entrance culverts located within the right-of-way of state or state-aid highways and outside of the state urban compact areas shall include the following:

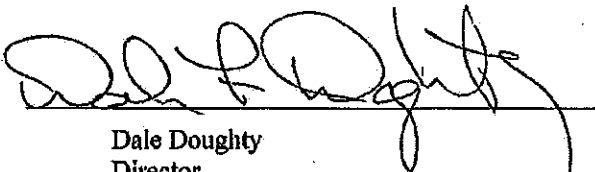
- 1) When MaineDOT undertakes a capital or ditching project that requires the replacement or relocation of driveway/entrance culverts, MaineDOT is responsible for such culvert replacement/relocation and driveway/entrance restoration.
- 2) When a natural event causes regional flooding and washouts, causing a culvert to fail and/or a driveway/entrance to washout, MaineDOT will reinstall or replace the culvert (at MaineDOT's option) to reestablish access to the abutting property.
- 3) When MaineDOT determines that a culvert can no longer effectively convey water and the stability of the public highway structure may be at risk, MaineDOT, in its sole discretion, may elect to either clear or replace the culvert as necessary.

In each of the above situations, MaineDOT's role shall be limited to the specific actions described and the abutter shall continue to retain responsibility for ongoing maintenance of the driveway/entrance and culvert.

B. Activities that are the responsibility of the owner/abutter, in accordance with Title 23§705 MRSA, shall include the following:

- 1) Culvert replacement not covered above.
- 2) Driveway repairs of any type. This includes such issues as bumps or depressions that may develop over a culvert (a common occurrence in Maine due to seasonal freeze/thaw cycles and the shallow depth of cover over many driveway/entrance culverts), erosion of the driveway/entrance side slopes, or potholes that may develop as the result of a pipe that has started to fail.
- 3) Restoring flow when the culvert is obstructed, either directly or indirectly, by the actions of the abutter or their agents (e.g. depositing leaves or other debris into a culvert or ditch line).

If an abutter fails to uphold their responsibilities and causes either damage to the highway corridor or preventative actions by MaineDOT or its contractor, MaineDOT may seek appropriate compensation as necessary.



Dale Doughty
Director
Bureau of Maintenance & Operations

8/7/2014
Date

As of the date indicated above, this policy shall supersede any policy or guidance that may have previously existed regarding this particular subject.

From: [Michael Rogers](#)
To: [Mike Sudak](#)
Cc: [Ken Wood](#)
Subject: Re: Clover Farm Subdivision
Date: Wednesday, December 28, 2022 2:29:45 PM

You're welcome Mike! I'll keep you posted on our progress, however you hit the nail on the head when you use the term "sluggish" in regards to getting permits. Thank you.
Mike

Michael S. Rogers, Superintendent
Kittery Water District
17 State Road
Kittery, ME 03904
TEL 207-439-1128
FAX 207-439-8549
CELL 207-451-8316
Email mrogerskwd@gmail.com
(please note, the mikerkwd@comcast.net email address is no longer in use)

On Wed, Dec 28, 2022 at 2:13 PM Mike Sudak <mike@attarengineering.com> wrote:

Thank you Mike, glad to have made your day.

Thank you for keeping me updated on the permit filing, MDOT and MDEP are indeed very sluggish these days, personnel shortages everywhere...

As for updates on my end, we received Preliminary Subdivision approval at the last Planning Board meeting in December, and intend on submitting the Final Subdivision application the middle of January. I'll include this correspondence in my package to the Town, and if you have any updates on the MDOT permits before the January 24th meeting you are welcome to send them to me to be included in the PB's packet.

Take care,

-Mike

From: Michael Rogers <mrogerskwd@gmail.com>
Sent: Wednesday, December 28, 2022 2:08 PM
To: Mike Sudak <mike@attarengineering.com>
Cc: Ken Wood <Ken@attarengineering.com>
Subject: Re: Clover Farm Subdivision

Hi Mike,

This makes perfect sense, thank you for making my day! I was hoping that the water main was not going to need to be extended to the temporary access road, as I had only budgeted to install 200 linear feet of 12" D.I.C.L. water main, which brings it to the roadway that is on the east side of the Clover Farm barn. I plan to apply for the MDOT Location and Opening permits as the State is not very quick at issuing these.

Thanks again.

Mike

Michael S. Rogers, Superintendent

Kittery Water District

17 State Road

Kittery, ME 03904

TEL 207-439-1128

FAX 207-439-8549

CELL 207-451-8316

Email mrogerskwd@gmail.com

(please note, the mikerkwd@comcast.net email address is no longer in use)

On Wed, Dec 28, 2022 at 2:00 PM Mike Sudak <mike@attarengineering.com> wrote:

Hi Mike, jumping in here on Ken's behalf.

The Plan Set has indeed been updated since August, though the proposed water main location should have remained the same since then. I've attached the most current set for reference.

The gravel roadway I am guessing you're referring to is the existing gravel drive that services TM/L 6/44, which is subject to a separate (and already granted) growth permit and building permit, and for which construction has already begun as you observed when in the field. The intent is to incorporate this dwelling into the proposed subdivision as Lot #6 should the development be approved. This existing gravel roadway is depicted on Sheet 2 of the attached Plan Set, and has been used as the construction access point for the activities of these already-granted permits. Should the subdivision be approved, this existing gravel drive would be abandoned and revegetated, and the proposed roadway constructed as depicted to the east of the Clover Farm Barn.

Let me know if all of this makes sense, and if you have any other questions.

Thanks,

-Mike

From: Ken Wood <Ken@attarengineering.com>
Sent: Wednesday, December 28, 2022 1:50 PM
To: Mike Sudak <mike@attarengineering.com>
Subject: FW: Clover Farm Subdivision

Sent from my T-Mobile 5G Device

----- Original message -----

From: Michael Rogers <mrogerskwd@gmail.com>

Date: 12/28/22 1:49 PM (GMT-05:00)

To: Ken Wood <Ken@attarengineering.com>

Subject: Clover Farm Subdivision

Hi Ken,

I was in the field today looking at the Clover Farm Subdivision plans and am confused. Have the plans been updated since 8/23/2022? Is the water main still being installed in the same location as shown on the plan, on the east side of the old Clover Hill Farm? What's confusing me is the location of the new gravel roadway which is closer to Aqua Avenue?

Thanks Ken.

Mike

Michael S. Rogers, Superintendent

Kittery Water District

17 State Road

Kittery, ME 03904

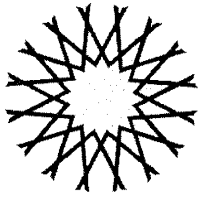
TEL 207-439-1128

FAX 207-439-8549

CELL 207-451-8316

Email mrogerskwd@gmail.com

| | (please note, the mikerkwd@comcast.net email address is no longer in use)



ATTAR

ENGINEERING, INC

CIVIL STRUCTURAL MARINE

Mr. Jeffery Brubaker, AICP, Town Planner
Town of Eliot, Maine
1333 State Road
Eliot, Maine 03903

January 9th, 2023
Project No. C174-21

**RE: Final Subdivision Application (Major Subdivision)
Clover Farm Subdivision (Tax Map 6, Lots 43, 44, & 154)
771 & 787 Main Street, Eliot, Maine**

Dear Mr. Brubaker:

On behalf of Mark McNally Building Maintenance, LLC., LJE Development, LLC., and Jesse Realty, LLC., I have enclosed for your review and consideration a Final Subdivision Application for Major Subdivision and associated attachments for the above-referenced project.

This application package includes all elements from the recently-approved Preliminary Subdivision Plan. The Applicants propose to develop the collected subject parcels into an 8-lot conventional residential subdivision. The development shall be serviced by municipal water, municipal sewer, and underground electrical utilities. A ~750 linear foot travelway designed to Minor Road standards is proposed to access all 8 lots, and said travelway includes an elevated asphalt sidewalk and asphalt curbing along the north side of the road, which shall be incorporated into other future pedestrianways in the growth area.

This development is subject to a Maine Department of Environmental Protection (MDEP) Stormwater Permit-by-Rule (PBR), for which the approval is attached. Additionally, the previously-granted Maine Department of Transportation Driveway/Entrance Permit for this development has expired, and the MDOT has been re-engaged to procure a new entrance permit – the correspondence for which is also attached.

Plan Set updates since receiving Preliminary Subdivision approval include:

- Sheet 2 (Existing Conditions Plan) has been revised to display all existing trees of 10" DBH (diameter at breast height) or greater. The Preliminary Plan Set depicted trees of 24" DBH or greater, with additional trees being located in December of 2022 at the request of the Planning Board.
- Multiple Plan Set sheets have been revised to display a minor adjustment to the roadway elevations of the proposed travelway. Stations 5+00 thru the end of the cul-de-sac has been slightly elevated by changing the roadway slope in this area from 1.25% to 1.00%. All surrounding design elements have been appropriately updated, including roadside swales, catch basin rim elevations, and culvert invert elevations and slopes. The goal of this change is to address a comment from the Third-Party Stormwater Review (Sebago Technics) regarding the potential for the bottom elevation of the detention area within the cul-de-sac to encounter the seasonal high water table identified in test pit data. The base elevation of the cul-de-sac detention area has been raised by 1', putting the finished grade well above the encountered SHWT.

Lastly, the Applicants would like to respectfully request that the elected option of Performance Guarantee for this subdivision be changed from Option 2 to Option 1 as per §33-132.(b).. The Preliminary Subdivision Plan was approved under the assumption that Option 2 was the decision that the development would be operating under. Since that point in time the Applicants have prepared a Letter of Credit sufficient of the terms outlined in §33-132.(b).(1).a. and would like to request that the necessary engagement with the Board of Selectmen take place to proceed with Option 1.

We look forward to discussing the project with the Planning board at their next available meeting. Please contact me for any additional information or clarifications required.

Sincerely;

A handwritten signature in black ink, appearing to read "Michael J. Sudak". The signature is fluid and cursive, with the first name "Michael" and last name "Sudak" clearly distinguishable.

Michael J. Sudak, E.I.
Staff Engineer

cc: Mark McNally Building Maintenance, LLC., LJE Development, LLC., Jesse Realty, LLC.
C174-21 Cover Final SDV 09Jan2023

CASE NO. _____

**TOWN OF ELIOT
PLANNING BOARD
SUBDIVISION APPLICATION**

This application shall conform in all respects to the Land Subdivision Standards of Chapter 41 of the Planning Board of the Town of Eliot code of ordinances. Ten (10) copies of application and sketch plan shall be submitted.

Application for () Sketch plan

() Preliminary plan for major subdivision

☒ Final plan for minor subdivision

1. Proposed name of subdivision Clover Farm Subdivision
2. Location of property 771 & 787 Main Street
3. Tax Map 6 Lot # 43, 44, & 154 Size (acres) 10.95 (combined)
4. Zoning District (circle one) Commercial/Industrial Rural Suburban Village
Mark McNally Building Maintenance, LLC.
Jesse Realty, LLC.
5. Name of record owner LJE Property Development, LLC.
Mailing address 1381 Elwyn Road, Portsmouth NH Phone # 603.498.3837
6. Name of applicant Attar Engineering, Inc.
Mailing address 1284 State Road, Eliot ME Phone # 207.439.6023
If corporation, name of agent Michael J. Sudak, E.I., Applicant's Agent/Engineer
7. A complete statement of any easements relating to the property is attached hereto
(if none, so state) Attached as requested in Cover Letter/Plan Set
8. Deed or deeds recorded at County Registry of Deeds
Date _____ Book # 18327 Page # 751
Date _____ Book # 17849 Page # 563
Date _____ Book # 18390 Page # 922

CASE NO. _____

9. Do the owner and/or applicant have an interest in an abutting property as stated on the attached sheet? No
10. Name, address and license # of Engineer, Land Surveyor, Architect, or Planner
Kenneth A. Wood, P.E. #5992, President of Attar Engineering, Inc.
11. Preliminary plan covers See Item #13
12. If applicable, has the owner and/or applicant been approved for a MaineDOT driveway permit for the installation, physical change or change of use a driveway located on a State highway? Update with Van Terrell response
13. Does owner propose to submit Final Subdivision Plan to cover the entire Preliminary Plan, or to file same in sections? Final Subdivision Plan to cover entire Preliminary Plan
If so, how many? _____
14. Does the preliminary plan cover the entire contiguous holdings of the applicant?
Yes
15. Entrances onto existing or proposed collector streets do not exceed a frequency of one per 400' of street frontage? Yes ☒ No See Approved Waiver on Site Plan
16. Entrances onto existing or proposed arterial streets do not exceed a frequency of one per 1000' of street frontage? Yes No N/A
17. A distance of at least 200' is maintained between centerlines of offset intersecting streets? ☒ Yes No
18. Does the applicant propose to dedicate to the public all streets, highways and parks shown on the plan? No, proposed street to remain Private

CASE NO. _____

19. Give the number of acres which the applicant proposes to dedicate to public to use for park, playground and/or other purposes None, payment in-lieu granted per Approved Waivers

20. If any waivers of requirements are to be requested, list them on a separate sheet, referencing the Sections in Chapter 41 and give reasons why such requirements should be waived .

21. Is the property located in a flood zone? No

If yes, please complete the attached Flood Hazard Development Application and return it with your application.

Subdivider shall submit fees as specified in Sections 1-25 in the amount of \$200/lot prior to the second meeting with the Planning Board. Fees are not refundable.

Applicant signature Michael J. Sudak Date 01/09/23
agent

Owner signature _____ Date _____

Planning Assistant _____ Date _____

FEES:	
Major subdivision	\$200 per lot
Minor subdivision	\$200 per lot

CASE NO. _____

Town of Eliot Planning Board
CHECKLIST FOR A SUBDIVISION APPLICATION
(All items will be reviewed unless otherwise noted or NA)

- ☒ The owner of the property is
Mark McNally Building Maintenance, LLC., Jesse Realty, LLC., & LJE Property Maintenance, LLC.
- ☒ The applicant is the Parcel Owners who has demonstrated a legal interest in the property by providing:
their Record Deeds
- ☒ Agents for the applicant are:
Michael J. Sudak, E.I. & Kenneth A. Wood, P.E. of Attar Engineering, Inc.
- ☒ The property is located at 771 & 787 Main Street, in the Village zoning district, identified as Assessor's Map 6, Lot , and containing acres
- ☒ Application is for establishment of (new) (modification to existing) Major/Minor Subdivision. Lots 43, 44, & 154 10.95 Acres
- ☐ Existing Subdivision was approved by the Planning Board on _____.
- ☒ The name of the proposed subdivision is Clover Farm SDV and it will contain 8 lots which range in size from 1.02 acres to 1.62 acres and are shown on Plan No. 1, dated 01/10/2023
- ☒ Easements and/or Rights of Way affected by or within the proposed subdivision are as follows:
- a. 20' access easement for Remick Cemetery
 - b. 5' easement for future pedestrianway improvements of Main Street R.O.W.
 - c. stormwater easements as depicted on the Final Subdivision Plan
- ☒ Entrances onto existing or proposed collector streets do not exceed a frequency of one per 400' of street frontage? Entrances onto existing or proposed arterial streets do not exceed a frequency of one per 1000' of street frontage? See Approved Wavier on Site Plan
- ☒ Owner/applicant has been approved for a driveway permit from MaineDOT for the installation, change or change of use on any State highway, if applicable?
- ☒ Lots within the proposed Subdivision will have (private) (public) water supply and (private) (public) (private central) sewage disposal systems.
- ☒ Sketch Plan was accepted by the Planning Board on 07/26/2022
- ☒ Preliminary Plan approved by Planning Board on 12/13/2022
- ☒ A Site visit was conducted on 05/31/2022
- ☒ A public hearing was held on 11/15/2022
- ☒ 07/26/22 abutters spoke or submitted written correspondence at the Public Hearing or submitted written correspondence by mail.
written letter from John & Debra Crosier, read into record at 07/26/22 Planning Board meeting

CASE NO. _____

☐ N/A members of the public spoke or submitted written correspondence at the Public Hearing or submitted written correspondence by mail.

☒ The application was discussed by the Planning Board on 05/17/22, 05/31/22, 06/21/22, 07/26/22, 09/20/22, 10/18/22, 11/15/22, & 12/13/22

☒ Plan for minimizing surface water drainage (Section 41-213) submitted: (Yes) (No) (Waiver requested).

☒ Soil Erosion and Sediment Control Plan (Section 41-214) submitted: (Yes) (No) (Waiver requested).

☒ (Optional for Minor Subdivision) Statement or plan showing effect upon air quality (Section 41-212) submitted: (Yes) (No) (Waiver requested).

☒ (Optional for Minor Subdivision) Soils Report and High Intensity Soils Survey [Section 41-150(11)] submitted: (Yes) (No) (Waiver requested) See Approved Waiver on Site Plan

☒ (Optional for Minor Subdivision) Location of all natural features or site elements to be preserved (Section 41-215) identified: (Yes) (No) (Waiver requested).

☒ (Optional for Minor Subdivision) Statement or plan concerning historical sites and land use patterns (Section 41-216) submitted: (Yes) (No) (Waiver requested).

☒ Means of providing water supply to the proposed subdivision (Section 41-217) identified: (Yes) (No) (Waiver requested).

☒ Sanitary sewerage system (Section 41-218) identified: (Yes) (No) (Waiver requested).

☒ (Optional for Minor Subdivision) Community services and impact statement (Section 41-220) submitted: (Yes) (No) (Waiver requested).

☒ (Optional for Minor Subdivision) Traffic congestion and safety plan (Section 41-221) submitted: (Yes) (No) (Waiver requested).

☒ (Optional for Minor Subdivision) Public health and safety statement (Section 41-222) submitted: (Yes) (No) (Waiver requested).

☒ Compliance with Federal, State, and Local land use laws (Section 41-223) demonstrated: (Yes) (No).

☒ (Optional for Minor Subdivision) Estimated Progress schedule [Section 41-150(21)] submitted: (Yes) (No) (Waiver requested).

☒ Adequate financing (Section 41-224) demonstrated: (Yes) (No) (Waiver requested).

☒ (Optional for Minor Subdivision) Water Department approval provided for public water service [Section 41-174 (1)]

☐ (Optional for Minor Subdivision) State of Maine, Department of Human Services approval for central water supply system provided [Section 41-174 (2)]

CASE NO. _____

☒ Soil Scientist approval for individual wells provided [Section 41-174 (3)]: (Yes) (No)

☒ Proposed subdivision Plan reviewed by the Department of Environmental Protection:
(Yes) (No) (Waiver requested).

☒ Proposed subdivision Plan reviewed by the Department of the Army, Corps of
Engineers: (Yes) (No) (Waiver requested).

☒ Proposed subdivision Plan reviewed by the York County Soil and Water
Conservation District: (Yes) (No) (Waiver requested).

☐ Other _____

Mark McNally Building Maintenance, LLC

1381 Elwyn Road
Portsmouth, NH 03801
603-275-6369

Jeff Brubaker, AICP
Town Planner
Town of Eliot
1333 State Road
Eliot, ME 03903

April 11th, 2022

Dear Mr. Brubaker,

Please be informed that Kenneth A. Wood, P.E. and Michael J. Sudak, E.I.T. of Attar Engineering, Inc. will be acting as my agent for the applications and permitting of my project on Main Street in Eliot, Maine.

Please contact me if I can provide any additional information.

Sincerely;

Mark McNally 
Mark McNally Building Maintenance, LLO.

cc: Kenneth A. Wood, P.E. Attar Engineering, Inc.

Jesse Realty, LLC
2552 Longboat Drive
Naples, FL 34104

Jeff Brubaker, AICP
Town Planner
Town of Eliot
1333 State Road
Eliot, ME 03903


April 11th, 2022

Dear Mr. Brubaker,

Please be informed that Kenneth Wood, P.E. and Michael J. Sudak, E.I.T. of Attar Engineering, Inc. will be acting as my agent for the applications and permitting of my project on Main Street in Eliot, Maine.

Please contact me if I can provide any additional information.

Sincerely;



Kris Glidden
Jesse Realty, LLC

cc: Kenneth Wood, P.E. Attar Engineering, Inc.

LJE Property Development, LLC
2 Punkin Town Road, Suite 340
South Berwick, ME 03908

Jeff Brubaker, AICP
Town Planner
Town of Eliot
1333 State Road
Eliot, ME 03903

April 11th, 2022

Dear Mr. Brubaker,

Please be informed that Kenneth Wood, P.E. and Michael J. Sudak, E.I.T. of Attar Engineering, Inc. will be acting as my agent for the applications and permitting of my project on Main Street in Eliot, Maine.

Please contact me if I can provide any additional information.

Sincerely;

A handwritten signature in black ink, appearing to read 'Thomas Howarth', with a stylized flourish at the end.

Thomas Howarth
LJE Property Development, LLC

cc: Kenneth Wood, P.E. Attar Engineering, Inc.

AGREEMENT

NOW COME Mark McNally of 1395 Elwyn Road, Portsmouth, New Hampshire 03801 (“McNally”); Tom Howarth, LJE Property Development, LLC (“LJE”) of South Berwick, Maine; and Kris Glidden, Jesse Realty, LLC (“Jesse”) of Dover, New Hampshire (collectively, the “Parties”) this 20th day of August, 2021 (“Effective date) and agree as follows:

RECITALS

WHEREAS, McNally is the owner of certain real property with any improvements thereon located at 771 Main Street, Eliot, Maine, identified as Tax Map 6, Lot 43 on a certain plan entitled Subdivision Plan, Clover Farms, Main Street, Eliot, Maine, for ARCS Property Maintenance, 771 Main St., Eliot, Maine, 03903, dated 6/22/21, by Attar engineering, Inc. (The “Plan”);

WHEREAS, LJE is the owner of certain real property with any improvements thereon located at 787 Main Street, Eliot, Maine, identified as Tax Map 6, Lot 154, reconfigured lot 1, LJE Property Development, LLC on the Plan;

WHEREAS, Jesse is the owner of certain real property with any improvements thereon located at 787 Main Street, Eliot, Maine, identified as Tax Map 6, Lot 44 reconfigured lot 2, Jesse Realty, LLC on the Plan¹;

WHEREAS, McNally and LJE/Jesse each intend to develop their respective lot(s);

WHEREAS, the proposed LJE development is located to the South/South-West and adjacent to the planned McNally development;

WHEREAS, the proposed Jesse development is located to the South/South-West and adjacent to the planned McNally development;

WHEREAS, LJE/Jesse desire an easement over the McNally property as depicted on the Plan to access and develop their property directly to the South/South-West and adjacent to McNally respectively.

WHEREAS, McNally desires additional land added to his as depicted on the Plan;


WHEREAS, pursuant to this agreement, the Parties desire to accommodate each other with respect to development of their respective lots;

¹ All addresses are subject to change by the Town of Eliot.

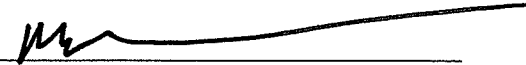
CONDITIONS

NOW, THEREFORE, in consideration of the above recitals, and the entire contents of this agreement, which each party hereto agrees and acknowledges constitutes adequate consideration, the parties agree as follows:

1. The Plan, which is to be recorded in the York County Registry of Deeds, is incorporated into this agreement as Exhibit 1.
2. At a closing date to be agreed upon by and between the parties, but no later than September 1st, 2021, McNally shall grant to LJE and Jesse a non-exclusive permanent easement over the entrance, driveway, or roadway or as it may be otherwise termed, running from Route 103 along the boundary of the McNally land as depicted on the Plan, running with the land, for pedestrian and vehicular access, ingress and egress, including, temporarily, construction vehicles to permit development of the LJE and Jesse lots as depicted upon the Plan.
3. The purpose of the easement is to connect the entrance, driveway, or roadway or as it may be otherwise termed, on the McNally parcel to the entrance, driveway, or roadway or as it may be otherwise termed to be built by LJE/Jesse on their respective parcels.
4. The driveway on the McNally parcel shall be constructed at McNally's sole expense. McNally shall also at his expense run utilities to the most southerly end of the entrance, driveway, or roadway or as it may be otherwise termed on his parcel, permitting LJE/Jesse to connect. Furthermore, The road materials existing within the current access drive, roadway to the respective LJE/Jesse parcels shall be moved and reinstalled on the LJE/Jesse parcels to extend the entrance, driveway, or roadway or as it may be otherwise termed.
5. At said closing, LJE/Jesse, shall deed to McNally via deed, the "L" shaped parcel bordering the approximate NW, and S/SW boundaries of the existing McNally parcel, Tax Map 6, Lot 43 as depicted on the Plan. Upon recording of the deed, exclusive use of said parcel shall be reserved to McNally and existing Tax Map 6 Lot 43.
6. In the event that one or more of the proposed developments are not approved, the easement(s) and deed contemplated herein shall survive.
7. This agreement is construed under the laws of the State of Maine. All parties agree to submit to the jurisdiction of Maine courts.
8. This document contains the entire agreement of the parties. Any previous discussions, written or oral or superseded and merged herein. No amendment to this agreement shall be effective unless in writing, executed by all parties hereto.
9. This agreement shall remain in full force and effect and shall survive any decision made, regardless of the outcome of permitting approval or decline by the town of South Berwick.



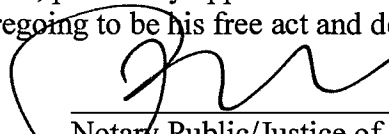
Witness

By: 

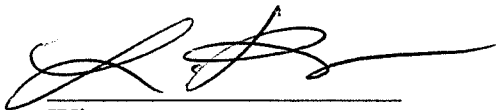
Mark McNally

STATE OF NEW HAMPSHIRE, COUNTY OF ROCKINGHAM

On this 15 day of August, 2021, personally appeared the above named Mark McNally, known to me and acknowledged the foregoing to be his free act and deed. Before me,



Notary Public/Justice of the Peace
Commission expires: 4/8/2025



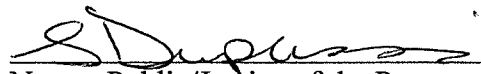
Witness

By: 

Tom Howarth, LJE Properties Development, LLC

STATE OF MAINE, COUNTY OF YORK

On this ____ day of August, 2021, personally appeared the above named Tom Howarth, on behalf of L JE Property Development, LLC, known to me and acknowledged the foregoing to be his free act and deed. Before me,




Notary Public/Justice of the Peace
Commission expires:

SARAH L. DUPLESSIS
NOTARY PUBLIC
State of Maine
My Commission Expires
January 23, 2022



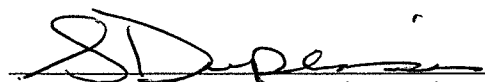
Witness

By: 

Kris Glidden, Jesse Realty, LLC

STATE OF MAINE, COUNTY OF YORK

On this 14 day of August, 2021, personally appeared the above named Kris Glidden, on behalf of Jesse Realty, LLC, known to me and acknowledged the foregoing to be his free act and deed. Before me,



Notary Public/Justice of the Peace
Commission expires:

SARAH L. DUPLESSIS
NOTARY PUBLIC
State of Maine
My Commission Expires
January 23, 2022

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS: That I, Valentina Hong Thanh Luong, Trustee of the **Michael Anthony Boccia and Valentina Hong Thanh Luong Trust**, (Loung was incorrectly spelled in prior deed) u/d/t dated February 21, 2013 with a mailing address of 246 Main Street, Eliot, York County ME 03903, for consideration paid grant(s) to **Mark McNally**, Married, of 1381 Elwyn Road, Portsmouth, Rockingham County NH 03801, with WARRANTY COVENANTS:

A certain lot or parcel of land, together with the buildings thereon, situated in the Town of Eliot, County of York and State of Maine, and bounded and described as follows:

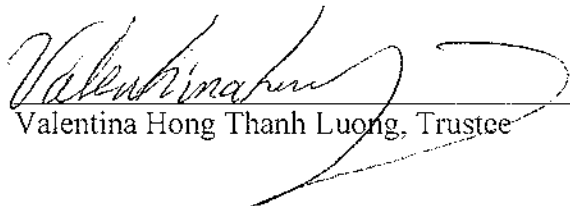
COMMENCING at the northerly corner of this parcel at a hub driven into the ground at the southwesterly sideline of Route #103 in said Eliot, which hub lies 75 feet southeasterly of the point of intersection of the fence marking the boundary line of property now or formerly of Hanscom heirs' and the southwesterly sideline of said Route #103; and running thence South 31-1/2° East for 218 feet to a hub driven into the ground at the southwesterly sideline of said Route #103 and at the easterly corner of the premises hereby conveyed; thence turning and running South 63° West for 318 feet to another hub driven into the ground designating the southerly corner of this parcel; thence turning and running North 28° West 258 feet to another hub driven into the ground designating the westerly corner of this parcel; thence turning and running North 70° East 305 feet to the first mentioned hub and place of beginning.

Meaning and intending to describe and convey the same premises conveyed to Michael A. Boccia, Trustee of the Michael Anthony Boccia and Valentina Hong Thanh Luong Trust from Fred F. King Jr Living Trust and the Beverly J. King Living Trust by virtue of a deed dated December 15, 2016 and recorded on December 16, 2015 in the York County Registry of Deeds at Book 17152, Page 537.

The property is not the residence of the grantor or the grantor's spouse and is not subject to homestead rights.

Executed this 3rd day of August, 2020.

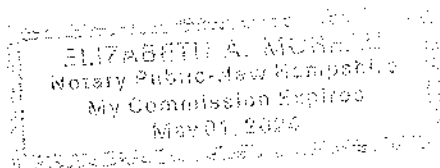
Michael Anthony Boccia and Valentina Hong Thanh Luong Trust



Valentina Hong Thanh Luong, Trustee

State of New Hampshire
County of Rockingham

August 3, 2020

Then personally appeared before me on this 3rd day of August, 2020, the said Valentina Hong Thanh Luong, Trustee of the Michael Anthony Boccia and Valentina Hong Thanh Luong Trust and acknowledged the foregoing to be her voluntary act and deed.




Notary Public/Justice of the Peace
Commission expiration: 5/1/2024

Please Return to:
CPN Realty
Po Box 657
Eliot, ME 03903

DEBRA L. ANDERSON, REGISTER OF DEEDS



Bk 17849 PG 563
Instr # 2018049422
11/26/2018 11:15:32 AM
Pages 5 YORK CO

WARRANTY DEED

DLN: 1001840044452

KNOW ALL PERSONS BY THESE PRESENTS that JESSE REALTY, LLC, a Florida Limited Liability Company, with an address of 2552 Longboat Drive, Naples, Florida (34104), and CPN REALTY, LLC, a New Hampshire limited liability company, with an address of 31 Clark Road, Eliot, Maine (03903), and a mailing address of PO Box 657, Eliot, Maine (03903), for consideration paid, grant to JESSE REALTY, LLC, a Florida Limited Liability Company, with an address of 2552 Longboat Drive, Naples, Florida (34104), with Warranty Covenants:

A certain unimproved parcel of land, situated in the Town of Eliot, County of York, State of Maine, located on the westerly side of Main Street, containing approximately 4.455 acres of upland, and the associated tidal flats in the Piscataqua River, being a portion of the land of the grantor described in a deed recorded at the York County Registry of Deeds in Book 17481, Page 446 and shown as **PROPOSED LOT 2** on a plan by CIVIL CONSULTANTS, dated November 6, 2018, entitled "PROPOSED DIVISION OF LAND OF HOME FIELD TRUST, ORLEY MAE WHITE, TRUSTEE, 787 MAIN ST., ELIOT, YORK COUNTY, ME" - project 16-166.00, to be recorded (the "Plan"),

(reference is also made to a plan by CIVIL CONSULTANTS, entitled "BOUNDARY PLAN PREPARED FOR JAMES D. & ORLEY MAE WHITE, Site Location: 139 Main Street, Eliot, Maine", project number 89-115.01, dated June 21, 2005, recorded at the York County Registry of Deeds in Plan Book 302, Page 6; bearings as shown on the first referenced plan are based on Grid North, Maine State Plane Coordinate System, West Zone, NAD 83; bearings as shown on the second referenced plan are based on magnetic north; the orientation difference is 14°28'49")

and being more particularly described as follows:

UPLAND PARCEL

BEGINNING at a 5/8" diameter iron rebar with a cap marked "PLS 1311" in the westerly line of Main Street which marks the northeasterly corner of land now or formerly of the Fred King, Jr. Living Trust and the Beverly J. King Living Trust as described in a deed recorded at the York

Maine R.E. Transfer Tax Paid

5p ↓
Red Door Title, LLC

County Registry of Deeds in Book 8105, Page 151 and the most easterly corner of the herein-described parcel;

thence S 54°21'53" W, along said King land, 305.00 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311";

thence S 42°17'19" E, along said King land, 258.00 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311";

thence N 46°46'42" E, along said King land, 18.00 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311";

thence S 45°22'40" E, along land now or formerly of Jason Scott King as described in a deed recorded at the York County Registry of Deeds in Book 15988, Page 824, 99.07 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311";

thence S 45°22'40" E, along land now or formerly of Kent W. and Deanna L. Davis as described in a deed recorded at the York County Registry of Deeds in Book 16208, Page 514, 99.07 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311" in a stone wall;

thence S 46°28'30" W, along said stone wall and land now or formerly of Jeanne A. Thorvaldsen and Kenneth Wyman as described in a deed recorded at the York County Registry of Deeds in Book 15863, Page 285, land now or formerly of Debra A. and Steven R. Farnham as described in a deed recorded at the York County Registry of Deeds in Book 9954, Page 245, and land now or formerly of Barbara F. Gauthier as described in a deed recorded at the York County Registry of Deeds in Book 2699, Page 10, 221.19 feet to a point at the end of said wall;

thence S 46°48'03" W, along land now or formerly of Clinton and Pamela M. Newland as described in a deed recorded at the York County Registry of Deeds in Book 2133, Page 887, land now or formerly of Nichole M. and Frederick L. Poisson as described in a deed recorded at the York County Registry of Deeds in Book 11980, Page 184, land now or formerly of Barbara B. Wilson and Katherine H. Morin as described in a deed recorded at the York County Registry of Deeds in Book 14551, Page 713, land now or formerly of John E. and Sigred Marston as described in a deed recorded at the York County Registry of Deeds in Book 1985, Page 249, and land now or formerly of Janet A. and Julia M. Saurman as described in a deed recorded at the York County Registry of Deeds in Book 15517, Page 54, 349.49 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1302";

thence S 46°45'56" W, along land now or formerly of Gregory J. and Andrea M. Power as described in a deed recorded at the York County Registry of Deeds in Book 8136, Page 264, 97.36 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1302";

thence S 46°45'56" W, along said land now or formerly of Gregory J. and Andrea M. Power, 97.36 feet to a 5/8" diameter iron rebar with a cap marked "PLS 2059";

thence S 46°45'56" W, along said land now or formerly of Gregory J. and Andrea M. Power, 52.70 feet to a point at normal high water line of the Piscataqua River;

thence northwesterly by the meanders of the normal high water line of said river, approximately 190 feet to a point at the westerly end of a new division line, said point being located at a tie course and distance of N 39°03'15" W, 188.09 feet from the last described point;

thence N 44°45'45" E, along a new division, 305.15 feet to a point;

thence N 41°35'50" E, along a new division, 294.40 feet to a point in the westerly line of a proposed 50-foot wide access way;

thence N 41°35'50" E, along a new division and the southerly terminus of said access way, 25.09 feet to a point;

thence generally northerly, following the arc of a circular curve concave to the northeast and along the centerline of said access way, an arc length of 207.31 feet to a point, said curve is additionally defined by the following elements: radius=200.00 feet, central angle=59°23'25", chord bearing=N 23°53'29" W, chord length=198.15 feet;

thence N 05°48'14" E, along the centerline of said access way, 77.39 feet to a point;

thence generally northeasterly, following the arc of a circular curve concave to the east and along the centerline of said access way, an arc length of 84.75 feet to a point, said curve is additionally defined by the following elements: radius=100.00 feet, central angle=48°33'40", chord bearing=N 30°05'04" E, chord length=82.24 feet;

thence N 54°21'53" E, along the centerline of said access way, 259.87 feet to a point in the westerly line of Main Street;

thence S 46°14'14" E, along Main Street, 37.50 feet to the POINT OF BEGINNING;

together with all of the appurtenant tidal lands in the Piscataqua River, and

together with easements of record benefitting the herein-described parcel as are identified on the herein-referenced plans, and subject to easements also as identified on said plans;

TOGETHER WITH an easement for the benefit of the owners of PROPOSED LOT 2, in common with the owners of PROPOSED LOT 1 shown on the Plan, and identified on the Plan as "Proposed Private 50' Access Way," to be used as a shared driveway for ingress and egress from and to Main Street, by foot and by vehicle, and for the construction and maintenance of above ground and below ground utilities;

TOGETHER WITH AND SUBJECT TO the obligation of current and future owners of PROPOSED LOT 1 and PROPOSED LOT 2 (the "Lot Owners") to maintain the Proposed Private 50' Access Way in a good and useful condition, under all traffic and weather conditions.


The Lot Owners shall equally share the cost of necessary maintenance and repairs, including but not limited to, snowplowing, snow removal, sanding and ice control, grading, installation and maintenance of ditches and culverts, cutting of brush and paving, all as applicable. This maintenance obligation shall be enforceable by either of the Lot Owners, their heirs, successors and assigns, and shall also be for the benefit of the mortgagees of the Lot Owners, such that any mortgagee of a mortgage of the premises referred to herein shall have the right to enforce this Agreement;

TOGETHER WITH an easement for the benefit of the owners of PROPOSED LOT 2, 10-feet in width, across PROPOSED LOT 1 shown on the Plan, in a mutually convenient location to allow for a connection to any existing or future waterlines constructed within the "30' Water Line Easement" shown on the Plan and described in deed recorded at the York County Registry of Deeds in Book 1985, Page 188;

MEANING AND INTENDING to describe and convey a portion of the premises conveyed by deed of Orley Mae White, Trustee of the Home Field Trust, said deed of near or even date and recorded herewith.


WITNESS my hand and seal on this 21 day of November, 2018.

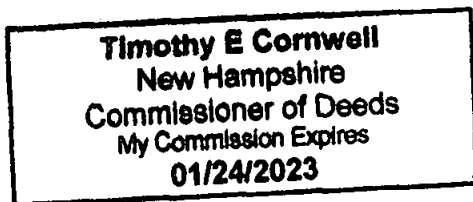
JESSE REALTY, LLC


By: Kris Glidden, Member

STATE OF New Hampshire
COUNTY OF Rockingham

Before me this 21 day of November, 2018, personally appeared the above-named Kris Glidden in the capacity as Member of Jesse Realty, LLC, and acknowledged the foregoing instrument to be her voluntary act and deed in said capacity.


Notary Public/Attorney at Law
My Comm. Expires: _____



WITNESS our hands and seals on this 21 day of November, 2018.

CPN REALTY, LLC

David L. Chase

By: David L. Chase, Member

Laurie A. Chase

By: Laurie A. Chase, Member

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

Before me this 21 day of November, 2018, personally appeared the above-named David L. Chase and Laurie A. Chase in their capacity as Members of CPN Realty, LLC, and acknowledged the foregoing instrument to be their voluntary act and deed in said capacity.

Timothy E. Cornwell
Notary Public/Attorney at Law
My Comm. Expires: _____

Timothy E Cornwell
New Hampshire
Commissioner of Deeds
My Commission Expires
01/24/2023

Return to:
LJE Property Development, LLC

DLN:1002040112472

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS: That **CPN Realty, LLC**, a New Hampshire Limited Liability Company, with a mailing address of P.O. Box 657, Eliot, ME 03903, for consideration paid grants to **LJE Property Development, LLC**, a Maine Limited Liability Company, with a mailing address of 2 Punkin Town Road, Suite 340, South Berwick, ME 03908, with WARRANTY COVENANTS:

A certain unimproved parcel of land, situated in the Town of Eliot, County of York, State of Maine, located on the westerly side of Main Street, containing approximately 4.115 acres of upland, more or less, and the associated tidal flats in the Piscataqua River, being a reconfiguration of two lots:

1) A portion of the lands of CPN Realty, LLC described in a deed recorded at the York County Registry of Deeds in Book 17849, Page 559 and shown as LOT 1 on a plan by CIVIL CONSULTANTS, dated November 6, 2018, entitled "PROPOSED DIVISION OF LAND OF HOME FIELD TRUST, ORLEY MAE WHITE, TRUSTEE, 787 MAIN ST., ELIOT, YORK COUNTY, ME" - project 16-166.00 (SHEET D1), and also as shown on a plan by CIVIL CONSULTANTS, dated December 12, 2018, entitled "PLAN OF LAND OF CPN REALTY, LLC æ" 787 MAIN STR., ELIOT, YORK COUNTY, ME" - project 16-166.00 (SHEET D2), recorded at the York County Registry of Deeds in Plan Book 399, Page 10, and

2) A portion of the lands of Jesse Realty, LLC described in a deed recorded at the York County Registry of Deeds in Book 17849, Page 563 and shown as LOT 2 on a plan by CIVIL CONSULTANTS, dated November 6, 2018, entitled "PROPOSED DIVISION OF LAND OF HOME FIELD TRUST, ORLEY MAE WHITE, TRUSTEE, 787 MAIN ST., ELIOT, YORK COUNTY, ME" - project 16-166.00, and also as shown on a plan by CIVIL CONSULTANTS, dated December 12, 2018, entitled "PLAN OF LAND OF JESSE REALTY, LLC - 787 MAIN STR., ELIOT, YORK COUNTY, ME" - project 16-166.00 (SHEET D3), recorded at the York County Registry of Deeds in Plan Book 399, Page 11.

(Reference is also made to a plan by CIVIL CONSULTANTS, entitled "BOUNDARY PLAN PREPARED FOR JAMES D. & ORLEY MAE WHITE, Site Location: 139 Main Street, Eliot, Maine", project number 89-115.01, dated June 21, 2005, recorded at the York County Registry of Deeds in Plan Book 302, Page 6; bearings as shown on the first three referenced plans are based on Grid North, Maine State Plane Coordinate System, West Zone, NAD 83; bearings as shown on the second referenced plan are based on magnetic north; the orientation difference is 14°28'49")

Maine R.E. Transfer Tax Paid

The reconfigured lot of 4.115 acres, more or less, is shown as "RECONFIGURED LOT 1" on a plan by CIVIL CONSULTANTS, dated February 5, 2020, entitled "PROPOSED LOT RECONFIGURATION OF LAND OF JESSE REALTY, LLC & CPN REALTY, LLC - 787 MAIN STR., ELIOT, YORK COUNTY, ME", project number 16-166.00 (SHEET D4), and is more particularly described as follows:

UPLAND PARCEL:

BEGINNING at the northeasterly corner of the herein described parcel, a point near the southerly common corner of land now or formerly of Franklin and Carolyn B. Hutchinson described in a deed recorded at the York County Registry of Deeds in Book 1888, Page 554 and land now or formerly of Christopher S. Hayden described in a deed recorded at the York County Registry of Deeds in Book 15753, Page 227, located at a tie course of S 54°21'53" W, 324.47 feet from a flat iron bar in the westerly line of Main Street which marks the southeasterly corner of land now or formerly of the June Remignanti Revocable Trust as described in a deed recorded at the York County Registry of Deeds in Book 15451, Page 115 and the most northeasterly corner of "RECONFIGURED LOT 2" shown on the last referenced plan (SHEET D4);

Thence S 59°55'20" E, along "RECONFIGURED LOT 2", 29.48 feet to a point;

Thence generally southerly, following the arc of a circular curve concave to the east and along "RECONFIGURED LOT 2", an arc length of 44.07 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS", said curve is additionally defined by the following elements: radius=125.00 feet, central angle=20°12'00", chord bearing=S 15°54'14" W, chord length=43.84 feet;

Thence S 05°48'14" W, along "RECONFIGURED LOT 2", 77.39 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS";

Thence S 05°48'14" W, along "RECONFIGURED LOT 2", 36.45 feet to a point;

Thence S 84°11'46" E, along "RECONFIGURED LOT 2", 50.00 feet to a point;

Thence generally southerly, following the arc of a circular curve concave to the east and along "RECONFIGURED LOT 2", an arc length of 25.99 feet to a point, said curve is additionally defined by the following elements: radius=75.00 feet, central angle=19°51'20", chord bearing=S 04°07'26" E, chord length=25.86 feet;

Thence S 14°03'06" E, along "RECONFIGURED LOT 2", 67.96 feet to a point;

Red Door Title □ **1 New Hampshire Avenue, Suite 320 Portsmouth NH 03801** □ **(207) 358-7500**

Thence S 19°06'22" E, along "RECONFIGURED LOT 2", 73.48 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS";

Thence S 41°35'50" W, along "RECONFIGURED LOT 2", 294.40 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS";

Thence S 44°45'45" W, along "RECONFIGURED LOT 2", 270.00 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS";

Thence S 44°45'45" W, along "RECONFIGURED LOT 2", 29.68 feet to a point marked by a 5/8" diameter rebar with a cap marked "PLS 1302 CIVIL CONSULTS";

Thence S 44°45'45" W, along "RECONFIGURED LOT 2", 5.47 feet to a point at normal high-water line of the Piscataqua River;

Thence northwesterly by the meanders of the normal high-water line of said river, approximately 190 feet to a point at the westerly end of a stone wall, said point being located at a tie course and distance of N 53°21'59" W, 188.06 feet from the last described point;

Thence N 30°44'22" E, along a stone wall and land now or formerly of Debra M. and John T. Croiser, trustees as described in a deed recorded at the York County Registry of Deeds in Book 16975, Page 166, 25.45 feet to the end of said wall;

Thence N 27°15'02" E, by said Crosier land, 44.22 feet to the end of another stone wall;

Thence N 31°53'32" E, along said Crosier land, 197.04 feet to a point in said wall and the northwesterly corner of the Remick Family Burial Ground;

Thence the following three courses and distances around said Burial Ground as defined by granite posts:

S 56°28'01" E, 66.91 feet;

N 32°41'05" E, 68.33 feet;

N 57°48'03" W, 67.82 feet to a point in the last prior-referenced stone wall and said land of Crosier;

Thence N 31°55'36" E, along said wall and land of Crosier, 20.04 feet to a 6" by 6", 4-foot-tall concrete post at the end of said wall;

Thence N 31°53'25" E, by said Crosier land, 180.28 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311";

Thence N 31°53'25" E, by said Crosier land, 150.00 feet to a 6" by 6", 5-foot tall concrete post;

Thence N 54°21'53" E, by land now or formerly of Christopher S. Hayden as described in a deed recorded at the York County Registry of Deeds in Book 15753, Page 227, 100.00 feet to a 5/8" diameter iron rebar with a cap marked "PLS 1311";

Thence N 54°21'53" E, by said Hayden land, 34.58 feet to the POINT OF BEGINNING;

Together with all of the appurtenant tidal lands in the Piscataqua River, the division line common to "RECONFIGURED LOT 2", across the tidal lands, to extend on a course of S 43°47'23" W from the southwesterly corner of the herein-described upland parcel;

Together with easements of record benefitting the herein-described parcel, but excepting those existing between the parties herein, which are intended to be terminated and replaced by those rights as described herein, and

Subject to easements of record burdening the herein-described parcel, but excepting those existing between the parties herein, which are intended to be terminated and replaced by those rights as described herein;

The subject parcel is conveyed together with an easement to use the "PROPOSED PRIVATE ACCESS WAY" depicted on the last referenced plan (SHEET D4), in common with the owners of "RECONFIGURED LOT 2" as shown on said plan, for a joint driveway, for ingress and egress from and to Main Street, by foot and by vehicle, and for the construction and maintenance of above ground and below ground utilities;

The subject parcel is burdened by an easement to benefit the owners of "RECONFIGURED LOT 2", 10-feet in width, in a mutually convenient location, to allow for a connection to any existing or future waterlines constructed within the 30-foot water line easement described in deed recorded at the York County Registry of Deeds in Book 1985, Page 188;

The subject parcel is subject to and benefitted by mutually beneficial rights to use, for ingress and egress, the existing gravel road which extends southerly into "RECONFIGURED LOT 1" and "RECONFIGURED LOT 2" beyond the southerly limit of the easement area of the "PROPOSED PRIVATE ACCESS WAY" depicted on the last referenced plan (SHEET D4), in common with owners "RECONFIGURED LOT 2".

Red Door Title ☐ 1 New Hampshire Avenue, Suite 320 Portsmouth NH 03801 ☐ (207) 358-7500

Meaning and intending to describe and convey the same premises conveyed to CPN Realty, LLC by virtue of a deed from CPN Realty, LLC and Jesse Realty, LLC dated February 24, 2020 and recorded in the York County Registry of Deeds at Book 18181, Page 913.

By executing this Deed, the undersigned further certify that they named in the Operating Agreement and Certificate of Formation as two of the persons authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property on behalf of the limited liability company and such authority has not been amended, modified or revoked; that the Operating Agreement authorizes them to take all steps necessary to convey the premises or interests described in the above deed on the terms and conditions contained herein; and that no member of the LLC has filed for bankruptcy protection.

Executed this 24 day of September, 2020.

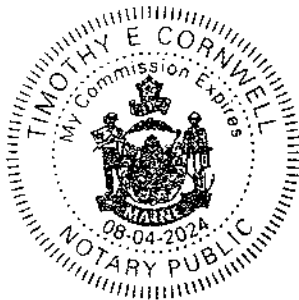
CPN Realty, LLC

By: Laurie A. Chase
Laurie A. Chase, Member

By: David L. Chase
David L. Chase, Member

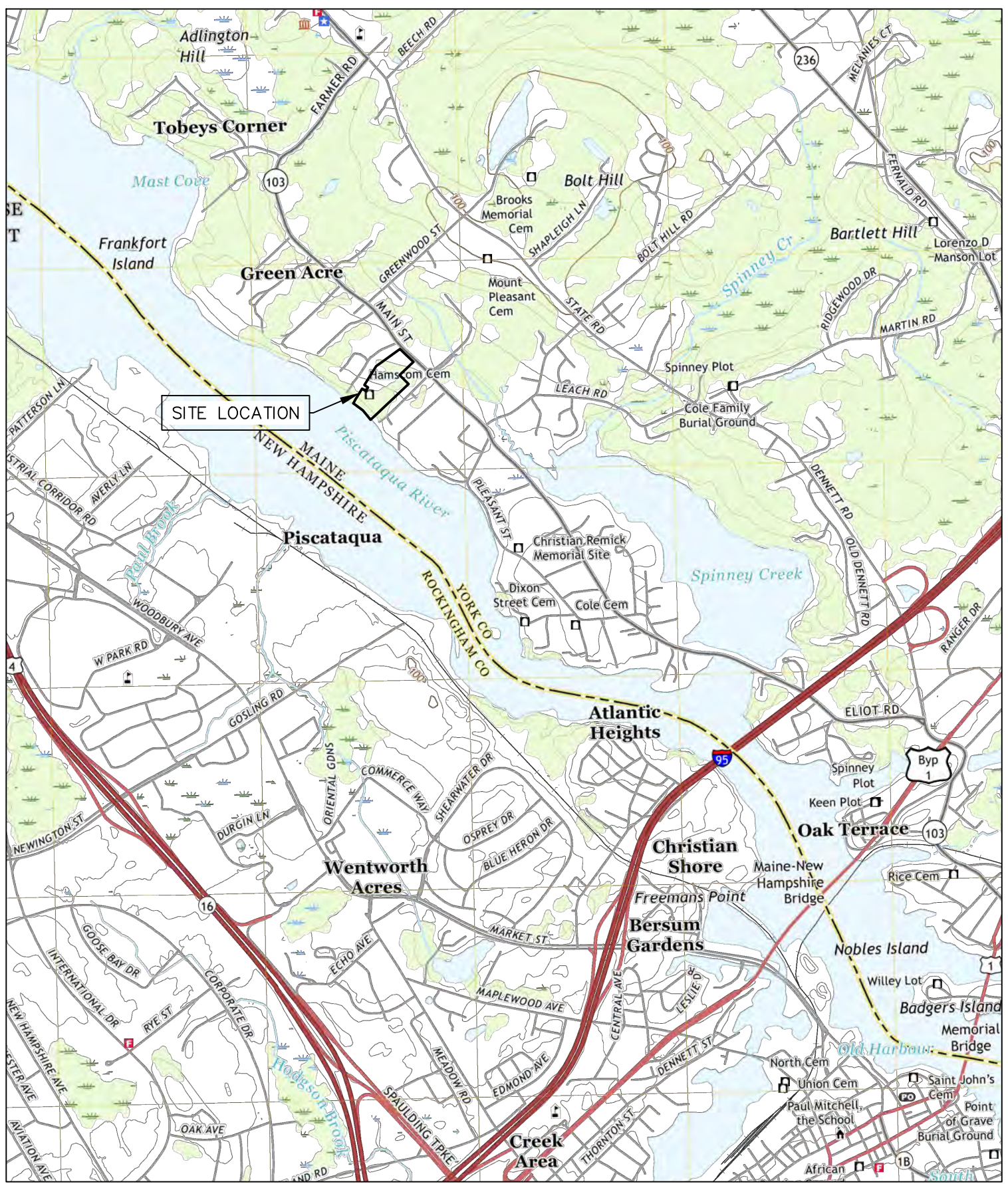
State of Maine
County of York


Then personally appeared before me on this 24 day of September, 2020 the said Laurie A. Chase, Member and David L. Chase, Member of CPN Realty, LLC and acknowledged the foregoing to be their voluntary act and deed in their said capacity.



Timothy E. Cornwell
Notary Public
Commission expiration: _____

Red Door Title ☐ 1 New Hampshire Avenue, Suite 320 Portsmouth NH 03801 ☐ (207) 358-7500



<div></div> <div>ATTAR ENGINEERING, INC. CIVIL ♦ STRUCTURAL ♦ MARINE ♦ SURVEYING 1284 STATE ROAD – ELIOT, MAINE 03903 PHONE: (207)439–6023 FAX: (207)439–2128</div>			LOCATION: CLOVER FARM SUBDIVISION 771 & 787 MAIN STREET, ELIOT ME TAX MAP 6, LOTS 43, 44, 154		<div>MARK MCNALLY, BUILDING MAINTENANCE, LLC. LJE DEVELOPMENT, LLC. JESSE REALTY, LLC.</div>
SCALE: 1" = 2,000'	APPROVED BY:	DRAWN BY: MJS	INFORMATION: USGS LOCATION MAP 7.5–MINUTE SERIES PORTSMOUTH QUADRANGLE		
DATE: 08/23/22		REVISION DATE: – : –			
JOB NO: C174–21	FILE: MAIN ST REV BASE.DWG	SHEET: 1			



60 feet Abutters List Report

Eliot, ME
August 19, 2022

Subject Properties:

Parcel Number: 006-043-000
CAMA Number: 006-043-000
Property Address: 771 MAIN ST

Mailing Address: MCNALLY, MARK
1381 ELWYN RD
PORTSMOUTH, NH 03801

Parcel Number: 006-044-000
CAMA Number: 006-044-000
Property Address: 787 MAIN ST

Mailing Address: JESSE REALTY LLC
2552 LONGBOAT DR
NAPLES, FL 34104

Parcel Number: 006-154-000
CAMA Number: 006-154-000
Property Address: MAIN ST

Mailing Address: LJE PROPERTY DEVELOPMENT LLC
2 PUNKIN TOWN RD STE 340
SOUTH BERWICK, ME 03908

Abutters:

Parcel Number: 006-031-000
CAMA Number: 006-031-000
Property Address: 24 PARK ST

Mailing Address: HINES, SUSAN N REVOCABLE TRUST
SUSAN N HINES TRUSTEE
24 PARK ST
ELIOT, ME 03903

Parcel Number: 006-032-000
CAMA Number: 006-032-000
Property Address: 22 PARK ST

Mailing Address: SAURMAN, JANET A SAURMAN, BRYAN
D & MCNEIL, EMILY L
22 PARK ST
ELIOT, ME 03903

Parcel Number: 006-033-000
CAMA Number: 006-033-000
Property Address: 20 PARK ST

Mailing Address: MARSTON, JOHN E MARSTON, SIGRED
20 PARK ST
ELIOT, ME 03903

Parcel Number: 006-034-000
CAMA Number: 006-034-000
Property Address: 18 PARK ST

Mailing Address: SIMPSON, ALLAN R SIMPSON, KATHY L
18 PARK ST
ELIOT, ME 03903

Parcel Number: 006-035-000
CAMA Number: 006-035-000
Property Address: 16 PARK ST

Mailing Address: POISSON, NICHOLE M POISSON,
FREDERICK L
16 PARK ST
ELIOT, ME 03903

Parcel Number: 006-036-000
CAMA Number: 006-036-000
Property Address: 14 PARK ST

Mailing Address: NEWLAND, PAMELA M
14 PARK ST
ELIOT, ME 03903

Parcel Number: 006-037-000
CAMA Number: 006-037-000
Property Address: 12 PARK ST

Mailing Address: CROSBY, ANITA J
12 PARK ST
ELIOT, ME 03903



www.cai-tech.com

This information is believed to be correct but is subject to change and is not warranted.



60 feet Abutters List Report

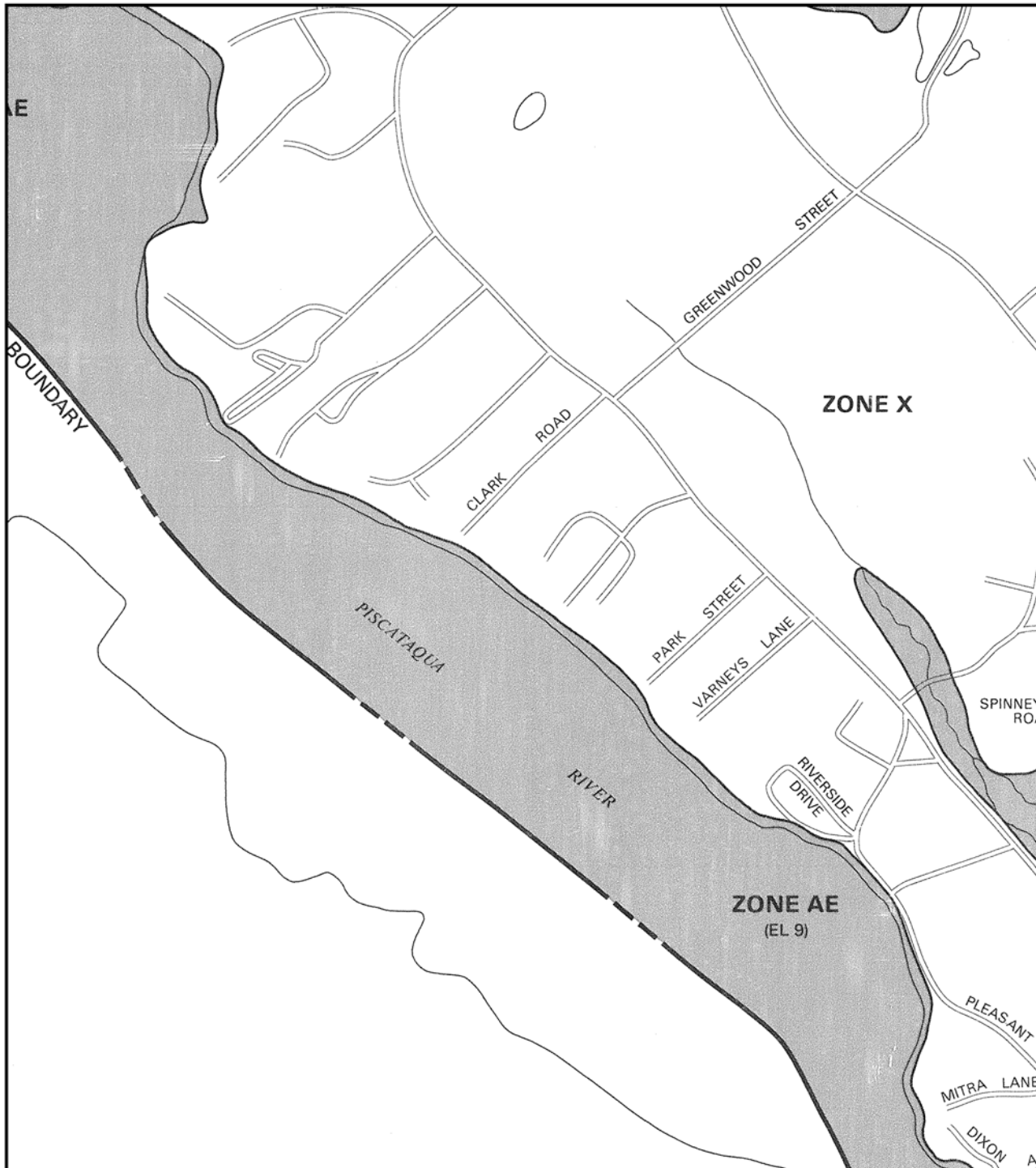
Eliot, ME
August 19, 2022

Parcel Number: 006-038-000 CAMA Number: 006-038-000 Property Address: 10 PARK ST	Mailing Address: FARNHAM, DEBRA A FARNHAM, STEVEN R 10 PARK ST ELIOT, ME 03903
Parcel Number: 006-039-000 CAMA Number: 006-039-000 Property Address: 6 PARK ST	Mailing Address: REED, CAITLIN M REED, MICHAEL R 6 PARK ST ELIOT, ME 03903
Parcel Number: 006-041-000 CAMA Number: 006-041-000 Property Address: 751 MAIN ST	Mailing Address: GRANT, CRISPIN 751 MAIN ST ELIOT, ME 03903
Parcel Number: 006-042-000 CAMA Number: 006-042-000 Property Address: 767 MAIN ST	Mailing Address: RATCLIFF, WARDWELL 767 MAIN ST ELIOT, ME 03903
Parcel Number: 006-045-000 CAMA Number: 006-045-000 Property Address: 793 MAIN ST	Mailing Address: KINNETT, CHARLES P MCNAMARA, STEPHANIE 793 MAIN ST ELIOT, ME 03903
Parcel Number: 006-046-000 CAMA Number: 006-046-000 Property Address: 11 AQUA AVE	Mailing Address: HUTCHINSON FAMILY REVOCABLE TRUST FRANKLIN & CAROLYN B HUTCHINSON TRUSTEES 11 AQUA AVE ELIOT, ME 03903
Parcel Number: 006-047-000 CAMA Number: 006-047-000 Property Address: 17 AQUA AVE	Mailing Address: SHEA, KATY 17 AQUA AVE ELIOT, ME 03903
Parcel Number: 006-048-000 CAMA Number: 006-048-000 Property Address: 21 AQUA AVE	Mailing Address: CROSIER, DEBRA M & JOHN T REVOCABLE TRUS DEBRA M & JOHN T CROSIER TRUSTEES 21 AQUA AVE ELIOT, ME 03903
Parcel Number: 006-072-000 CAMA Number: 006-072-000 Property Address: 790 MAIN ST	Mailing Address: BEAGEN, BRIDGETTE R 790 MAIN ST ELIOT, ME 03903
Parcel Number: 006-073-000 CAMA Number: 006-073-000 Property Address: 776 MAIN ST	Mailing Address: KELLY, DONNA L 776 MAIN ST ELIOT, ME 03903
Parcel Number: 006-074-000 CAMA Number: 006-074-000 Property Address: 768 MAIN ST	Mailing Address: KELSEY, KIM 768 MAIN ST ELIOT, ME 03903



www.cai-tech.com

This information is believed to be correct but is subject to change and is not warranted.



or depths have been established.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at (800) 638-6620.



APPROXIMATE SCALE

1000 0 1000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM FLOOD INSURANCE RATE MAP

**TOWN OF
ELIOT,
MAINE
YORK COUNTY**

PANEL 10 OF 10
(SEE MAP INDEX FOR PANELS NOT PRINTED)



PANEL LOCATION

COMMUNITY-PANEL NUMBER
230149 0010 B

EFFECTIVE DATE:
JUNE 5, 1989



Federal Emergency Management Agency

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.



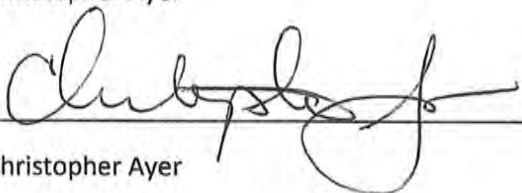
October 20, 2022

To whom it may concern:

I, Christopher Ayer, Senior Vice President – Wealth Management at Pallas Capital Advisors, attest that Kristan E. Glidden has a secured line of credit, in excess of \$500k, available as need for the utility installations and road construction at 787 Main Street in Eliot, Maine. Please feel free to reach out to me directly with questions. Thank you.

Best,

Christopher Ayer


Christopher Ayer

10/20/22
Date

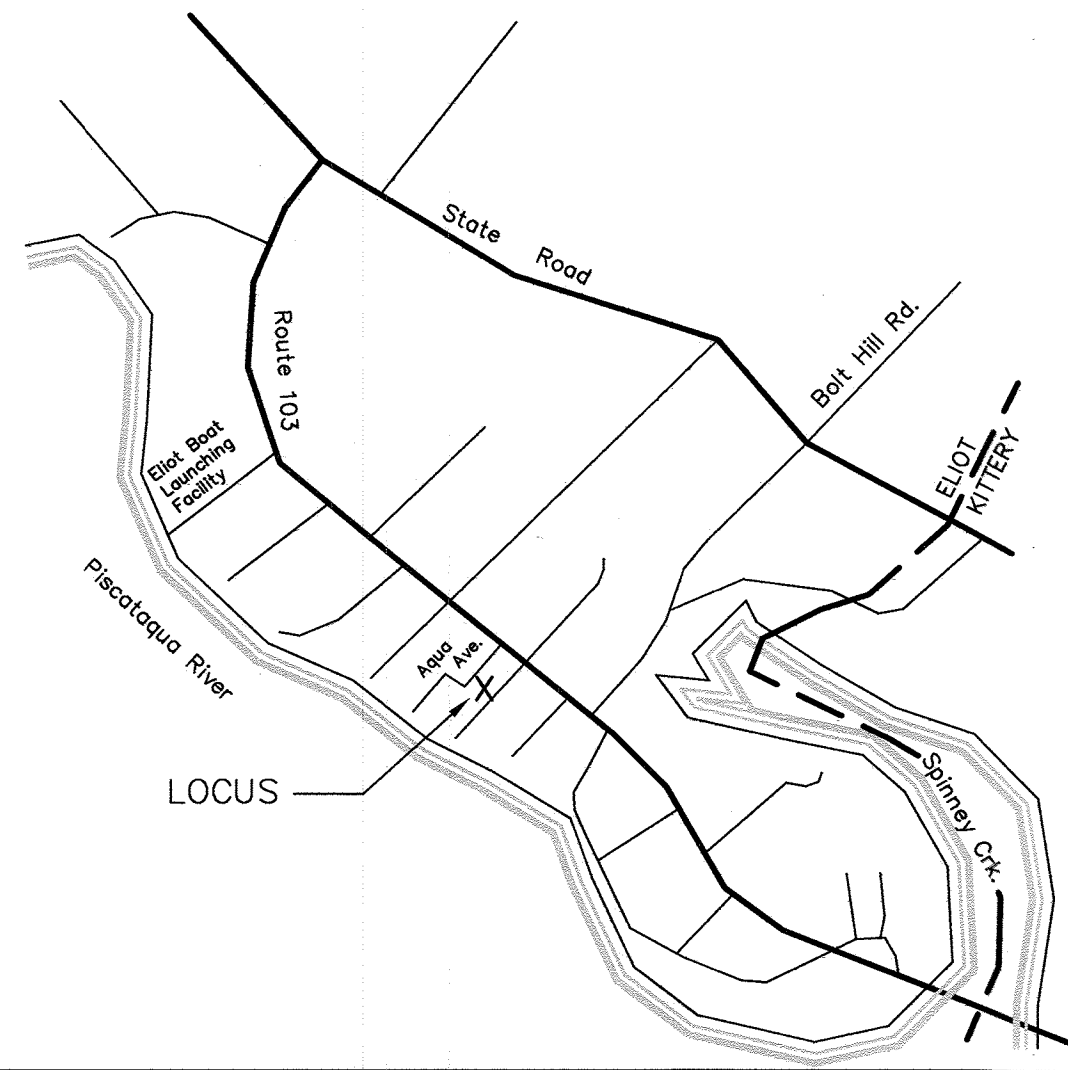
Christopher B. Ayer
Senior Vice President – Wealth Management

Pallas Capital Advisors
36 Maplewood Ave
Portsmouth, NH 03801
T: 603.292.3699 | C: 603.978.2133
Christopher@PallasCapitalAdvisors.com

MASSACHUSETTS | 45 Braintree Hill Office Park, Ste. 201 | Braintree, MA 02184 | T: 781.971.5052 | pallascapitaladvisors.com

NEW HAMPSHIRE | 36 Maplewood Avenue | Portsmouth, NH 03801 | T: 603.978.2133 | pallascapitaladvisors.com

Securities offered through Triad Advisors, LLC. Member FINRA/SIPC. Investment Advice offered through Pallas Capital Advisors, LLC, a registered investment advisor. Pallas Capital Advisors, LLC, is a separate entity from Triad Advisors, LLC.



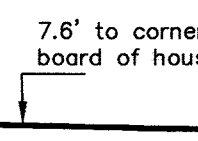
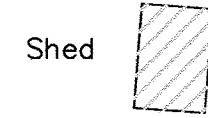
LOCATION PLAN
(nts)

RIVER

TIE-LINE,
NOT A PROPERTY LINE,
USED FOR BOUNDARY
CLOSURE PURPOSES ONLY

Approximate toe of
banking/high
water debris
line

Approximate break point of
banking



Set 5/8" Iron Rebar
w/L.D. Cap #2059
6" high

N/F
Power
8136/264
T.M. 6/31
See R.P. 4,5,6

Fnd. Iron Angle Post
-post has been disturbed-

Fnd. Iron Pipe
1 1/2" dia.
7" high

Fnd. Iron Pipe
1" dia.
-bent easterly-

Fnd. Iron Pipe
1 1/4" dia.
3" below grade

Fnd. Iron Pipe
1" dia.
4" below grade

Fnd. Conc. Mon.
w/drill hole
5"x5"
1" high

Fnd. Conc. Mon.
w/drill hole
4"x6"
4" high

Fnd. Conc. Mon.
w/drill hole
5"x5"
1" high

Fnd. Conc. Mon.
w/drill hole
4"x6"
4" high

Fnd. Conc. Mon.
w/drill hole
5"x5"
1" high

Fnd. Conc. Mon.
w/drill hole
4"x6"
4" high

Fnd. Conc. Mon.
w/drill hole
5"x5"
1" high

Fnd. Conc. Mon.
w/drill hole
4"x6"
4" high

Fnd. Conc. Mon.
w/drill hole
5"x5"
1" high

Fnd. Conc. Mon.
w/drill hole
4"x6"
4" high

PLAN NOTES:

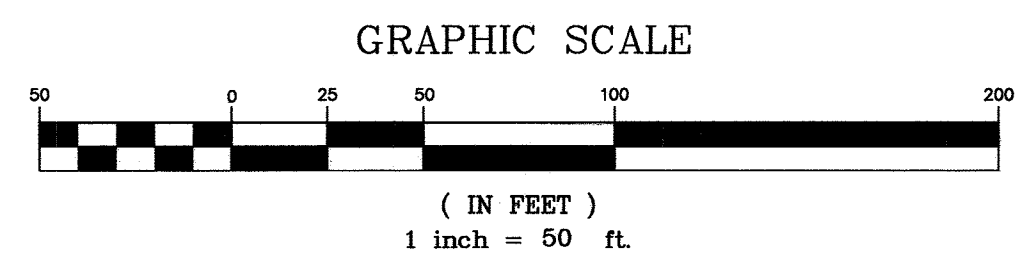
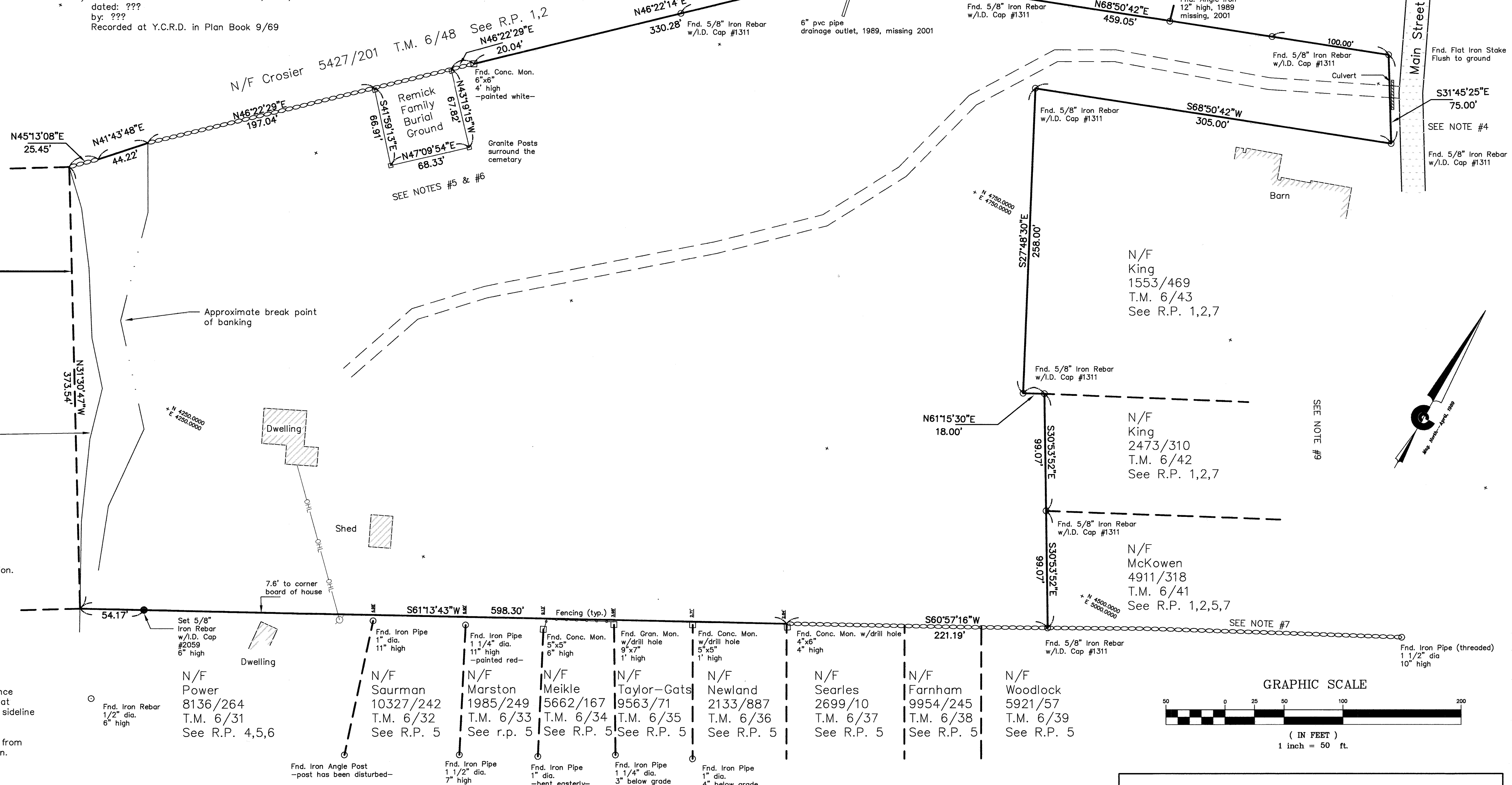
- 1) The field survey was performed during April, 1989 & October, 2001.
- 2) The locus parcel is shown on Eliot Tax Map 6, Lot 44.
- 3) The parcel area is 9.38 acres, excluding the burial ground.
- 4) The sideline of Route 103 (Main St.) was determined from the found monumentation.
- 5) The Remick Family burial ground is excluded out of the locus parcel and it's fee remains with the Remick heirs.
- 6) An easement by implication for the purposes of burial ground access may exist and be used by the heirs of the burial ground occupants.
- 7) There exists a five foot water supply easement along the southeasterly boundary line of Lot #41, see Y.C.R.D. Book 1571/442.
- 8) An easement "to erect and maintain a cold water line running from Aqua Avenue to" the locus parcel exists over the land N/F of Hayden as shown hereon, reference to Y.C.R.D. Book 1935/188. This deed apparently contains a scrivener error in that the location of said easement should read "15 equidistant from the northeasterly sideline of the premises of said David C. Wherren."
- 9) The northerly and the westerly boundary lines for Lots 41, 42 & 43 were created from the deeds of the original creation, Plan Reference 7 and the found monumentation.
- 10) Reference is made to a Survey Report prepared by CIVIL CONSULTANTS.
- 11) Areas of encroaching land use have not been depicted hereon per the request of James D. and Orley Mae White.

000233

STATE OF MAINE
YORK COUNTY ss. REGISTRY OF DEEDS
RECEIVED June 28, 2005
AT 2:36 p.m., AND RECORDED IN
PLAN BOOK 392, PAGE 6
ATTEST Debra A. Anderson REGISTER

REFERENCE PLANS:

- 1) "Plan Showing A Portion Of Land Of HANSCOM HEIRS, Prepared For MAJOR L. WHITE, Route 103, Eliot, Maine"
dated: 5/5/1989
by: CIVIL CONSULTANTS
Unrecorded
- 2) "Property Plan For MAJOR L. WHITE, et al, Eliot, York County, Me."
dated: Sept. 1961
by: C.S. Gerrish
Unrecorded
- 3) "Plan Of Property Of HARRY WILLIS, Jr., Town Of Eliot, York County, Me."
dated: 11/22/63
by: A.C. Willis
Recorded at Y.C.R.D. in Plan Book 37/32
- 4) "Plan Of Land For JOE FITZGERALD In Eliot, Me."
dated: July 23, 1986
by: Seacoast Eng. Assoc., Inc.
Recorded at Y.C.R.D. in Plan Book 150/20
- 5) "Plan Of Lots Of RANSOM M. DERICK, Eliot, Maine"
dated: ???
by: ???
Recorded at Y.C.R.D. in Plan Book 9/69
- 6) "Sketch Plan For Property At 24 Park Street, Eliot, York County, Maine
Owned By GREGORY J. & ANDRE M. POWER. 24 Park Street,
Eliot, Maine, 03903"
dated: 9/18/01
by: Easterly Surveying, Inc.
Unrecorded
- 7) "Plan Of Land Lot For HANSCOM HEIRS, In Eliot, York County, Me."
dated: Aug. 1962
by: C.S. Gerrish
Unrecorded



BOUNDARY PLAN

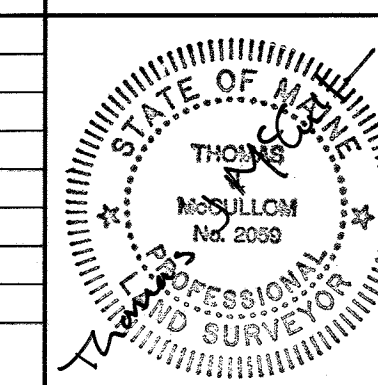
Prepared For

JAMES D. & ORLEY MAE WHITE

Site Location:
139 Main Street Eliot, Maine

Mailing Address:
HC 65 Box 40
Honesdale, PA 18431

NO. REVISIONS INT. DATE



DRAWN TJM	SCALE 1" = 50'	DATE 6/21/05
CALC. TJM/RDW	APPROVED	
N.B. # 225/359	SHEET 1 OF 1	#89-115.01

DC #91150251

CERTIFICATION:

THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH CHAPTER 90, PART 1 AND PART 2 OF THE STATE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS.

Thomas J. McCullom
Thomas J. McCullom, P.L.S. #2059
CIVIL CONSULTANTS
South Berwick, Maine

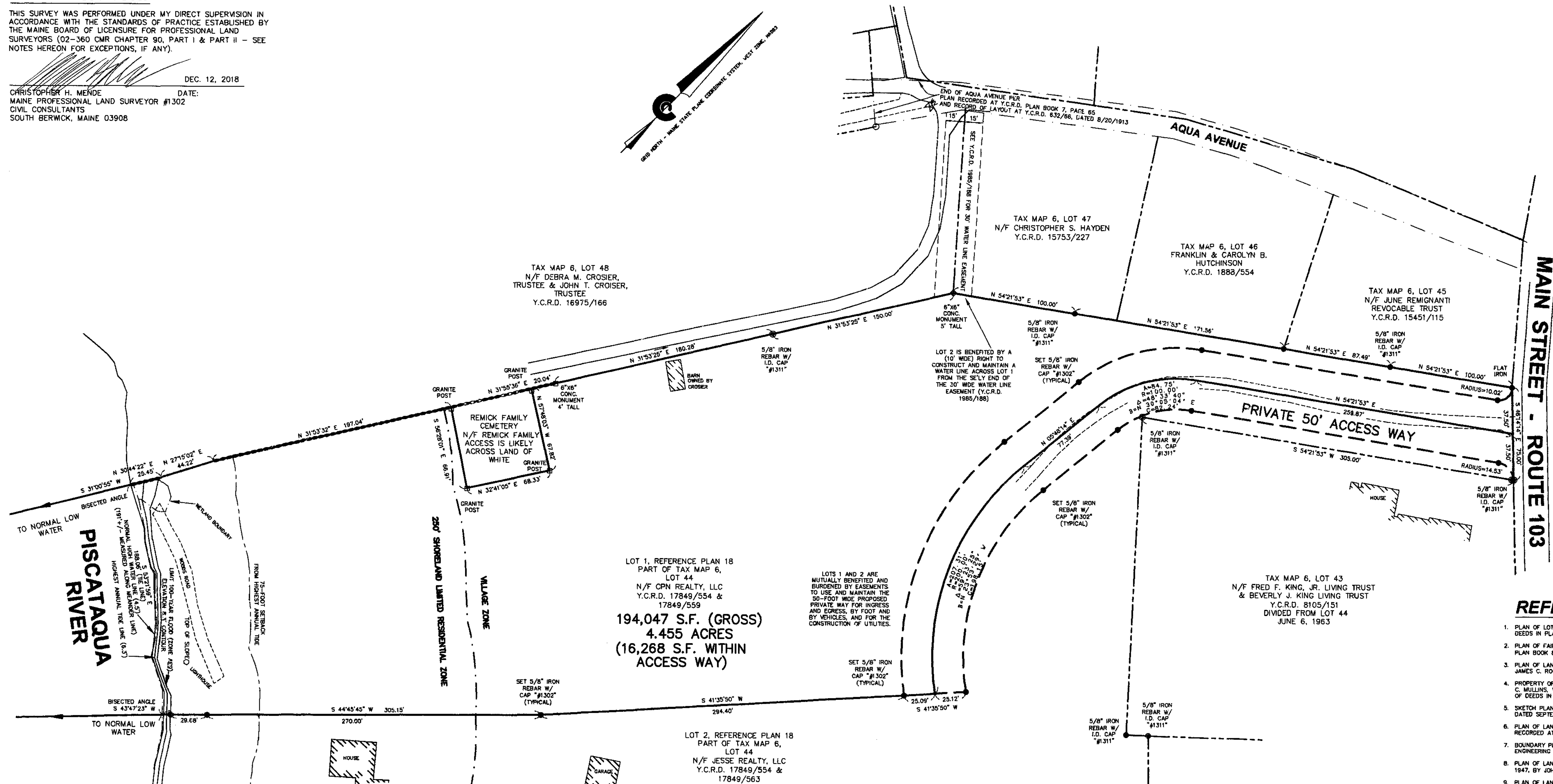
J:\aaa\1989\8911501\WHITE\dwg\WhiteBNDY.dwg 12/7/2004 3:39:04 PM EST

THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE STANDARDS OF PRACTICE ESTABLISHED BY THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS (02-360 CMR CHAPTER 90, PART I & PART II - SEE NOTES HEREON FOR EXCEPTIONS, IF ANY).

DEC. 12, 2018
CHRISTOPHER H. MENDE
MAINE PROFESSIONAL LAND SURVEYOR #1302
CIVIL CONSULTANTS
SOUTH BERWICK, MAINE 03908

DEC. 12, 2018

CHRISTOPHER H. MENDE
MAINE PROFESSIONAL LAND SURVEYOR #1302
CIVIL CONSULTANTS
SOUTH BERWICK, MAINE 03908



1. PLANIMETRIC DETAIL, DEPICTED HEREON IS THE RESULT OF AN ON-THE-GROUND FIELD SURVEY BY CIVIL CONSULTANTS IN JULY, 2016. WETLANDS AS SHOWN HEREON WERE DELINEATED BY JOSEPH NOEL, MAINE SOIL SCIENTIST IN FALL OF 2015.
2. NORTH AS DEPICTED HEREON IS REFERENCED TO GRID NORTH, NAD83, MAINE STATE PLANE COORDINATE SYSTEM, ZONE 18. COORDINATE VALUES AND ORIENTATION ARE DERIVED FROM A GPS SURVEY COMPUTED UTILIZING THE NOS OPUS ON-LINE PROCESSING SYSTEM. REFERENCE FRAME IS NAD83(11) EPOCH 2010.0000. THE SURVEY IS TIED TO CORS STATIONS GUNSTOCKNMW4200B CORS ARP (P776), GORHAM CORS ARP (MEG0) AND NHOOT CONCORD CORS ARP (NMCO). DISTANCES DEPICTED HEREON ARE GRID. TO CONVERT GRID DISTANCES TO MEAN SEA LEVEL DISTANCES, ADD 1.428490 (AVERAGE COMBINED EARTH TIDAL CORRECTION AND MEAN SEA LEVEL CORRECTION) TO GRID DISTANCES. ALL DISTANCES ARE ON SCALE FACTOR FOR THE SITE). ROTATION FROM MAGNETIC BEARINGS AS CONTAINED IN CURRENT DEED AND AS SHOWN ON PLAN 302/6 IS 14°28'49". ELEVATIONS AS SHOWN ARE BASED ON THE SAME GPS SURVEY AND NAVD83. TO CONVERT NAVD83 ELEVATIONS TO NGV029 ELEVATIONS, ADD 0.75 FEET.
3. UTILITY INFORMATION DEPICTED HEREON IS COMPILED USING PHYSICAL EVIDENCE LOCATED IN THE FIELD. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS NEED TO CONTACT THE UTILITY PROVIDER TO VERIFY EXISTING UTILITIES PRIOR TO CONSTRUCTION.
4. THE LOCUS PROPERTY IS IN THE VILLAGE ZONING DISTRICT. DIMENSIONAL REQUIREMENTS ARE AS FOLLOWS: MINIMUM LOT SIZE=1 ACRE, MINIMUM STREET FRONT SETBACK=20', MINIMUM SIDE STREET FRONT RIGHT-OF-WAY=30', MINIMUM SIDE SETBACK=20', MINIMUM REAR SETBACK=30', MINIMUM SETBACK FOR ACCESSORY BUILDING=10', MAXIMUM BUILDING HEIGHT=35', MAXIMUM LOT COVERAGE=35%. THE PORTION OF THE LOCUS PROPERTY THAT IS NOT COVERED BY THE NORMAL ZONING LINE OF THE PISCATAQUA RIVER IS IN THE LIMITED RESIDENTIAL ZONE. FOR COMPLETE ZONING INFORMATION REFER TO THE TOWN OF ELIOT MUNICIPAL CODE.
5. THE LOCUS PROPERTY IS LOCATED IN "ZONE X" AND "ZONE AEG" ON THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF ELIOT, MAINE, YORK COUNTY, COMMUNITY PLAN NUMBER 330448 0010 B, EFFECTIVE DATE JUNE 5, 1998. ZONE X IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 100-YEAR FLOOD PLAIN". ZONE AEG IS DEFINED AS SPECIAL FLOOD HAZARD AREA INUNDATED BY 100-YEAR FLOOD, BASE FLOOD ELEVATIONS DETERMINED.

6. THE HIGHEST ANNUAL TIDE LINE (H.A.T.) AS SHOWN IS BASED ON THE 6.3 FOOT CONTOUR (NAVD83). ELEVATION 6.3 IS SPECIFIED AS THE H.A.T. IN A PUBLICATION OF HIGHEST ANNUAL TIDES FOR THE YEAR 2014. PUBLISHED BY THE MAINE D.E.P.
7. EXPANDED DRIVEWAY USE MAY REQUIRE APPROVAL FROM MAINE DEPARTMENT OF TRANSPORTATION.
8. THE SUBJECT PROPERTY MAY BE SUBJECT TO AN EASEMENT FOR ACCESS TO THE REMICK FAMILY CEMETERY.
9. NO DETERMINATION WAS MADE WITH REGARD TO OWNERSHIP OF THE INTER-TIDAL ZONE ADJACENT TO THE SUBJECT UPLAND. THE PARCEL AREAS SHOWN HEREON ARE BASED ON THE NORMAL HIGH WATER LINE. THE PARCEL AREAS SHOWN WITHIN THE HIGH WATER LINE AND THE NORMAL LOW WATER LINE ARE BASED ON THE METHUEN METHOD PRESCRIBED BY THE ELOTJ MUNICIPAL CODE SECTION 41-35, PARAGRAPH 11, NOTES 3 AND 4 REGARDING THE POSITIONING OF PIERS AND DOCKS IN TIDAL WATERS.
10. TWO FOOT CONTOUR LINES ARE GENERATED FROM STATE OF MAINE, OFFICE OF GS, LIDAR FILES.

1. PLAN OF LOTS OF RANDOM M. DERICK, ELIOT, ME, DATED SEPTEMBER 19, 1924, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 9, PAGE 69.
2. PLAN OF FAIRFIELD PARK, SOUTH ELIOT, ME, DATED OCTOBER 18, 1921, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 8, PAGE 60. (PLANS 1 AND 2 ARE IDENTICAL WITH REGARD TO ROAD AND LOT GEOMETRY)
3. PLAN OF LAND OF ERNEST H. HOPKINS, 23 PARK STREET, ELIOT, MAINE, DATED NOV. 27, 1907, REVISED AUGUST 10, 1994, BY JAMES C. MULLINS, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 359, PAGE 10.
4. PROPERTY OF MARJORIE W. & ERNEST H. HOPKES OFF PARK STREET, ELIOT, MAINE, TO BE CONVEYED TO ROBERT W. & ELEANOR C. MULLINS, VARNEY LANE ELIOT, MAINE, DATED AUGUST 1979, BY JAMES C. ROGERS, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 349, PAGE 31.
5. SKETCH PLAN FOR PROPERTY AT 24 PARK STREET, ELIOT, YORK COUNTY, MAINE, OWNED BY GREGORY J. & ANDREA M. POWER, DATED SEPTEMBER 18, 1981, BY NORTH-EASTERN SURVEYING, INC. - UNRECORDED - COPY OBTAINED FROM SURVEYOR.
6. PLAN OF LAND FOR JOE FITZGERALD IN ELIOT, ME, DATED JULY 24, 1996, BY SEACAST ENGINEERING ASSOCIATES, INC., RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 352, PAGE 10.
7. BOUNDARY PLAN OF LAND - HERBERT F. & JESSE A. FALLON, ELIOT, MAINE, DATED FEBRUARY 23, 1951, BY MOLLATON ENGINEERING COMPANY, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 112, PAGE 45.
8. PLAN OF LAND - ELIOT, MAINE - GEORGE D. & RUTH VARNEY TO JAMES & ROSAMARY CHARLESTOWN TIMPSON, DATED MAY 1947, BY JOHN W. DUNGIN, FILE #1681, PLAN NO. 8210, COPY OBTAINED FROM JAMES VARA ASSOC. (PORTSMOUTH, NH).
9. PLAN OF LAND OF KENNETH ANDERSON, 23 PARK STREET, ELIOT, MAINE, PREPARED FOR SUSAN & STEVEN WORTHINGTON - DATED FEBRUARY 1978, BY NORTH-EASTERN SURVEYING, INC., RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 359, PAGE 10.
10. BOUNDARY PLAN PREPARED FOR JAMES D. & ORLEY MAE WHITE, SITE LOCATION: 133 MAIN STREET, ELIOT, MAINE, DATED JAN. 20, 2005, BY CIVIL CONSULTANTS, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 352, PAGE 10.
11. PROPERTY PLAN FOR MAJOR L. WHITE ET AL, ELIOT, YORK COUNTY, ME - DATED SEPTEMBER 1981, BY C.S. GERRISH.
12. PLAN OF LAND OF GREGORY J. & ANDREA M. POWER, 24 PARK STREET, ELIOT, YORK COUNTY, ME, DATED JANUARY 16, 2014, BY CIVIL CONSULTANTS, (PROJ. 14-104-00).
13. ELIOT SHORES PLANNED UNIT DEVELOPMENT FOR PROPERTY AT 185 MAIN STREET, ROUTE 103, YORK COUNTY, ELIOT, MAINE, OWNER: ELIOT SHORES, LLC, BY EASTLEY SURVEYING, INC., DATED JANUARY 25, 2005, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 361, PAGE 48.
14. PLAN OF ELIOT SHORES FOR PROPERTY AT MAIN STREET, ROUTE 103, YORK COUNTY, ELIOT, MAINE, OWNER: ELIOT SHORES, LLC, BY EASTLEY SURVEYING, INC., DATED JANUARY 30, 2013, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 361, PAGE 48.
15. PLAN OF PROPERTIES OF ALBERT F. CRESS AND ELENORA CRESS, AQUA AVENUE, ELIOT, MAINE, BY CIVIL CONSULTANTS (PROJ. 81-165), DATED DECEMBER 1981, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 184, PAGE 16.
16. PLAN OF PROPOSED PARTITIONING OF LAND OF ANTHONY K. & ANTHONY T. MANERO & MARGARET D. STAPLES, AQUA AVENUE, ELIOT, MAINE, BY CIVIL CONSULTANTS (PROJ. 80-100), RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 184, PAGE 17.
17. BOUNDARY PLAN FOR LAND OF THE ELIZABETH T. MANERO REVOCABLE TRUST OF 1992, 23 AQUA AVENUE, ELIOT, YORK COUNTY, MAINE, BY CIVIL CONSULTANTS (PROJ. 133-120-00), RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 360, PAGE 11.
18. PROPOSED DIVISION OF LAND OF HOME FIELD TRUST, ORLEY MAE WHITE, TRUSTEE, 787 MAIN STREET, ELIOT, YORK COUNTY, MAINE, BY CIVIL CONSULTANTS (PROJ. 166-166-00), DATED NOVEMBER 6, 2018.

PLAN OF LAND OF CPN REALTY, LLC
787 MAIN STR., ELIOT, YORK COUNTY, ME

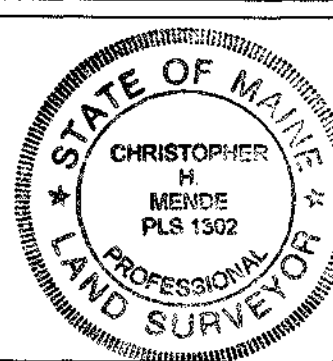
PREPARED FOR:
CPN REALTY, LLC
OWNER'S MAILING ADDRESS: P.O. BOX 657, ELIJOT, ME 03903-0657

SHEET NUMBER:

D2

SHEET 1 OF 1

PROJECT # 16-166.00



© CIVIL CONSULTANTS

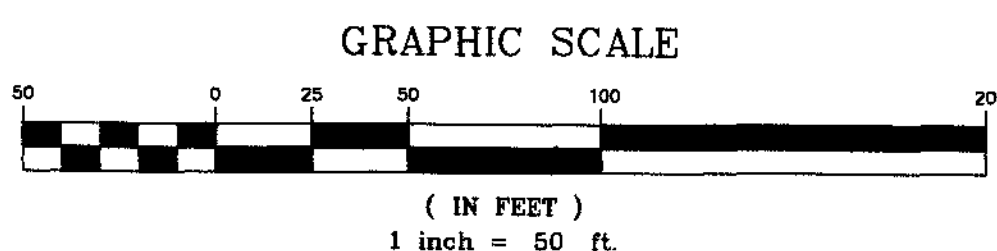


**CIVIL
CONSULTANTS**

*Engineers
Planners
Surveyors*

P.O. Box 100
South Berwick
Maine
03908
207-384-2550

civcon@civcon.com



8				DRAWN CHM	CALC. CHM
7					
6				DATE	DECEMBER 12, 2018
5				CHECKED	CBS
4				APPROVED	CHM
3				SCALE	1" = 50'
2					
1					
NO.	REVISIONS	INT.	DATE	FIELD BOOK	DATA COLLECTOR FILE

SHEET TITLE:

- **BOUNDARY**

DATE STAMP: DEC. 12, 2018/2:45 P.M. DRAWING LOCATION: J:\AAA\2016\16166\CARLSON\DRAWING\DIVISION-2018-LOT2-JESSE.DWG COORDINATE FILE: J:\AAA\2016\1616600\CARLSON\POINTS\MSPCS83W-NAVD88.CRD

April 12, 2022

Mr. Michael J. Sudak, EIT
Civil Engineer
Attar Engineering, Inc.
1284 State Road
Eliot, Maine 03903

RE: TRAFFIC IMPACT ASSESSMENT FOR CLOVER FARM SUBDIVISION IN ELIOT

INTRODUCTION

This memorandum summarizes trip generation and traffic impact assessment for local Town of Eliot approval of the proposed Clover Farm Subdivision. The subdivision is to be located on the westerly side of Main Street in Eliot, Maine. Access is proposed via a single access drive to Main Street, centered between the existing Aqua Avenue and Park Street intersections.

Based upon the "Sketch Residential Subdivision Plan, Clover Farm Subdivision, Main Street, Eliot, Maine", prepared by Attar Engineering, Inc. and dated 4/12/2022, the currently proposed subdivision will provide for eight (8) single-family house lots.

TRAFFIC VOLUMES

Existing average annual daily traffic (AADT) data for Main Street was obtained from "Traffic Volume Counts, 2019 Reports", published by MaineDOT. This data is summarized below:

<u>Location Description</u>	Average Annual Daily Traffic	
	<u>2016</u>	<u>2019</u>
Main Street, northwest of Bolt Hill Road	1,400	1,290
Main Street, southeast of Pleasant Street (n. junction)	1,520	1,340

TRIP GENERATION ANALYSIS

The number of trips to be generated by the currently proposed residential development was estimated utilizing the most recent Institute of Transportation Engineers (ITE) “Trip Generation”, 11th edition. Land use code (LUC) 210 – Single-Family Detached Housing was utilized on the basis of 8 dwelling units. The results are summarized below:

ITE Trip Generation (one-way trip-ends)	
<u>Time Period</u>	<u>Total Trips</u>
Weekday	76
AM Peak Hour	6
Entering	1
Exiting	5
PM Peak Hour	8
Entering	5
Exiting	3

Based upon the above analysis, the Clover Farm Subdivision will generate a limited number of new trips to Main Street. Six (6) one-way trips are projected for the AM peak with 8 during the PM peak hour. This is a reduction from the previously proposed subdivision, reviewed in my January 5, 2022 memorandum, which had 94 projected daily trips, 8 AM peak hour trips and 9 PM peak hour trips.

This level of traffic is not expected to have a significant impact on off-site traffic operations. Generally, a project will not have a significant impact unless it generates in excess of 25 new lane hour trips. The currently proposed single-family homes will generate a maximum of five (5) lane hour trips. Given this there would be no off-site impact on capacity. Additionally, given the daily volumes on Main Street there would be no existing capacity constraints. As a result, the remainder of this assessment will focus upon safety and standards.

SAFETY ANALYSES

ACCIDENT REVIEW

The Maine Department of Transportation (MaineDOT) uses two criteria to determine high crash locations (HCLs). The first is the critical rate factor (CRF), which is a measure of the accident rate. A CRF greater than one indicates a location which has a higher than expected accident rate. The expected rate is calculated as a statewide average of similar facilities.

The second criterion, which must also be met, is based upon the number of accidents that occur at a particular location. Eight or more accidents must also occur over the three-year study period for the location to be considered a high crash location.

Updated accident data was obtained from MaineDOT for the most recent three-year period (2019 – 2021) for Main Street (Route 103) within the vicinity of the site; along Main Street from Moses Gerrish Farmer Road to Pleasant Street for a distance of 1 ¼ miles. The updated data is attached to this memorandum and summarized as follows:

<u>Main Street Location Description</u>	<u># of Acc.</u>	<u>CRF</u>
Intersection of Clark Road	1	1.16
Between Greenwood Street and Aqua Avenue	2	1.32
Intersection of Aqua Avenue	1	1.13
Intersection of Pleasant Street	1	0.75
Between Pleasant Street and Pickering Drive	1	0.29
Intersection of Cross Street	1	0.95

As seen above, there are no high crash locations on Main Street (Route 103) in the vicinity of the site. A total of 7 crashes occurred along the study segment. Hence, no further accident review or evaluation is necessary. It is important to note that accidents have decreased from the previous 3-year period when there were 10.

DRIVEWAY SIGHT DISTANCE

One of the most important safety factors to consider for a project with limited trip generation is sight distance from the access drives. This sight distance is measured ten feet back from the edge of travel way at a driver's eye height of 3.5 feet to an object height of 4.25 feet. Sewall recommends a minimum of 300' of sight distance for the 30-mph posted speed limit on this section of Main Street.

MaineDOT Entrance Rules require a lesser minimum of 250'. Attar Engineering previously measured the drive sight distances and it is shown on the sketch plan. Based upon their measurements, sight distance will exceed 450' in both directions from the proposed drive so there are no sight distance concerns. It is important that no signage or landscaping be located in the driveway sight triangle which could obscure or limit the access drive sight distances in the future.

SITE PLAN REVIEW AND ACCESS MANAGEMENT

It is understood that the Town of Eliot has established an intersection spacing standard of 400' in their ordinance. The proposed access drive is located directly between Aqua Avenue and Park Street, maximizing spacing to both existing intersections. The plan provides approximately 350' of separation between the proposed access drive intersection to both Park Street and Aqua Avenue, nearly meeting the town spacing standard.

The proposed 350' intersection spacing was reviewed in regard to other Maine intersection and entrance spacing standards. Main Street in this area is classified by MaineDOT as a major collector roadway. MaineDOT intersection/drive spacing standards for higher level mobility arterials is 175' for 40 mph roadways. MaineDOT does not have a minimum spacing for 30 mph arterials. The proposed 350' far exceeds (is double) the MaineDOT standard for a higher level mobility arterial with higher speeds and higher volumes.

MaineDOT also has a corner clearance standard, applicable for driveway entrances in proximity to existing intersections. This minimum corner clearance is 125' for the highest level mobility arterial classification and only 75' for a drive adjacent to an unsignalized intersection, which is the case here. The proposed spacing to the access drive far exceeds these corner clearance standards.

The "Transportation Research Circular, Driveway and Street Intersection Spacing", published in 1996, discusses the following principles of access management:

- "Limit the number of conflicts
- Separate conflict areas
- Reduce interference with through traffic due to turns into or out of a site
- Provide sufficient spacing between at-grade intersection
- Maintain progressive speeds along arterial,
- Provide adequate on-site storage areas"

The resulting minimum intersection spacing guideline developed in this publication for a collector road with a 30-mph speed is 300'. Hence, the proposed 350' also exceeds this recommended standard.

SUMMARY

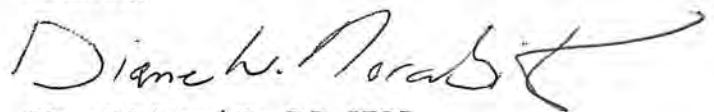
To summarize, the proposed Clover Farm Subdivision is expected to generate 6 one-way trips in the AM peak hour and 8 during the PM peak hour. This level of traffic will have no significant impact off-site beyond the access drive on capacity or traffic operations. Based upon the daily traffic volumes on Main Street in this area there are no existing capacity concerns. In terms of safety, there are no high crash locations within the vicinity of the site and sight distances from the proposed access drive will significantly exceed the recommended minimum.

The drive location has been centered to maximize spacing from both existing intersections, Aqua Avenue and Park Street. While the 350' spacing from each intersection does not meet the town intersection spacing of 400' it far exceeds MaineDOT spacing standards for higher volume, higher speed, and higher-level mobility arterials. Hence, it is my professional opinion that the spacing and offset from the adjacent intersections is more than adequate to provide for both safe and convenient site access.

As always, please do not hesitate to contact Sewall if you or the Town of Eliot have any questions or concerns regarding my findings or recommendations.



Sincerely,



Diane W. Morabito, P.E. PTOE
Vice President Traffic Engineering

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☒ Crash Summary I ☐ Section Detail ☒ Crash Summary II ☐ 1320 Public ☐ 1320 Private ☐ 1320 Summary

REPORT DESCRIPTION

Eliot
Rte. 103/Main St. from Moses Gerrish Farmer Rd. to Pleasant St.

REPORT PARAMETERS

Year 2019, Start Month 1 through Year 2021 End Month: 12

Route: 0103X

Start Node: 66293

Start Offset: 0

☐ Exclude First Node

End Node: 54444

End Offset: 0

☐ Exclude Last Node

Crash Summary I

Nodes															
Node	Route - MP	Node Description	U/R	Total Crashes	K	Injury A	Crashes B	Crashes C	PD	Percent Injury	Annual M Ent-Veh	Crash Rate	Critical Rate	CRF	
A51490	0103X - 4.61	Int of MAIN ST MAST COVE RD	1	0	0	0	0	0	0	0.0	0.000	0.00	0.00	0.00	
											Statewide Crash Rate:	0.16			
51458	0103X - 5.06	Int of CLARK RD MAIN ST	1	1	0	0	0	0	1	0.0	0.423	0.79	0.68	1.16	
											Statewide Crash Rate:	0.16			
51461	0103X - 5.31	Int of AQUA AV, MAIN ST	1	1	0	0	0	0	1	0.0	0.434	0.77	0.68	1.13	
											Statewide Crash Rate:	0.16			
51464	0103X - 5.67	Int of BOLT HILL RD MAIN ST	1	0	0	0	0	0	0	0.0	0.637	0.00	0.64	0.00	
											Statewide Crash Rate:	0.16			
51463	0103X - 4.85	Non Int MAIN ST	1	0	0	0	0	0	0	0.0	0.377	0.00	0.69	0.00	
											Statewide Crash Rate:	0.16			
51466	0103X - 5.70	Int of MAIN ST PLEASANT ST	1	0	0	0	0	0	0	0.0	0.626	0.00	0.65	0.00	
											Statewide Crash Rate:	0.16			
P54446	0103X - 5.16	Int of GREENWOOD ST MAIN ST	1	0	0	0	0	0	0	0.0	0.476	0.00	0.67	0.00	
											Statewide Crash Rate:	0.16			
57351	0103X - 4.71	Int of MAIN ST PARMLEY LN	1	0	0	0	0	0	0	0.0	0.379	0.00	0.69	0.00	
											Statewide Crash Rate:	0.16			
A51459	0103X - 5.15	Int of MAIN ST NNA	1	0	0	0	0	0	0	0.0	0.000	0.00	0.00	0.00	
											Statewide Crash Rate:	0.16			
54444	0103X - 6.36	Int of MAIN ST PLEASANT ST	1	1	0	0	0	0	1	0.0	0.714	0.47	0.63	0.00	0.75
											Statewide Crash Rate:	0.16			
51462	0103X - 5.44	Int of MAIN ST PARK ST	1	0	0	0	0	0	0	0.0	0.474	0.00	0.67	0.00	
											Statewide Crash Rate:	0.16			
P66293	0103X - 4.60	Int of MAIN ST MAST COVE RD MOSES GERRISH FARM	1	0	0	0	0	0	0	0.0	0.448	0.00	0.68	0.00	
											Statewide Crash Rate:	0.16			
60253	0103X - 6.07	Int of MAIN ST PICKERING DR	1	0	0	0	0	0	0	0.0	0.497	0.00	0.67	0.00	
											Statewide Crash Rate:	0.16			
51451	0103X - 6.16	Int of CROSS ST MAIN ST	1	1	0	0	0	1	0	100.0	0.527	0.63	0.66	0.00	0.95
											Statewide Crash Rate:	0.16			
Study Years: 3.00		NODE TOTALS:		4	0	0	0	1	3	25.0	6.012	0.22	0.37	0.59	

Crash Summary I

Sections																		
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section Length	U/R	Total Crashes	K	Injury A	Crashes B	Crashes C	PD	Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF	
51490	66293	3129136	0 - 0.01	0103X - 4.60	0.01	1	0	0	0	0	0	0	0.0	0.00004	0.00	-337.53	0.00	
Int of MAIN ST MAST COVE RD				ST RTE 103											Statewide Crash Rate: 214.77			
51490	57351	3113628	0 - 0.10	0103X - 4.61	0.10	1	0	0	0	0	0	0	0.0	0.00038	0.00	894.86	0.00	
Int of MAIN ST MAST COVE RD				ST RTE 103											Statewide Crash Rate: 214.77			
51463	57351	3113623	0 - 0.14	0103X - 4.71	0.14	1	0	0	0	0	0	0	0.0	0.00052	0.00	849.54	0.00	
Non Int MAIN ST				ST RTE 103											Statewide Crash Rate: 214.77			
51458	51463	3121231	0 - 0.21	0103X - 4.85	0.21	1	0	0	0	0	0	0	0.0	0.00080	0.00	776.98	0.00	
Int of CLARK RD MAIN ST				ST RTE 103											Statewide Crash Rate: 214.77			
51458	51459	3122761	0 - 0.09	0103X - 5.06	0.09	1	0	0	0	0	0	0	0.0	0.00037	0.00	897.56	0.00	
Int of CLARK RD MAIN ST				ST RTE 103											Statewide Crash Rate: 214.77			
51459	54446	3118773	0 - 0.01	0103X - 5.15	0.01	1	0	0	0	0	0	0	0.0	0.00004	0.00	-411.79	0.00	
Int of MAIN ST NNA				ST RTE 103											Statewide Crash Rate: 214.77			
51461	54446	3113621	0 - 0.15	0103X - 5.16	0.15	1	2	0	0	0	0	2	0.0	0.00061	1089.14	823.45	1.32	
Int of AQUA AV, MAIN ST				ST RTE 103											Statewide Crash Rate: 214.77			
51461	51462	3113620	0 - 0.13	0103X - 5.31	0.13	1	0	0	0	0	0	0	0.0	0.00056	0.00	839.60	0.00	
Int of AQUA AV, MAIN ST				ST RTE 103											Statewide Crash Rate: 214.77			
51462	51464	3113622	0 - 0.23	0103X - 5.44	0.23	1	0	0	0	0	0	0	0.0	0.00108	0.00	723.60	0.00	
Int of MAIN ST PARK ST				ST RTE 103											Statewide Crash Rate: 214.77			
51464	51466	3132357	0 - 0.03	0103X - 5.67	0.03	1	0	0	0	0	0	0	0.0	0.00018	0.00	914.82	0.00	
Int of BOLT HILL RD MAIN ST				ST RTE 103											Statewide Crash Rate: 214.77			
60253	51466	3115169	0 - 0.37	0103X - 5.70	0.37	1	1	0	0	0	0	1	0.0	0.00181	184.61	635.40	0.00	
Int of MAIN ST PICKERING DR				ST RTE 103											Statewide Crash Rate: 214.77			
51451	60253	3139076	0 - 0.09	0103X - 6.07	0.09	1	0	0	0	0	0	0	0.0	0.00045	0.00	872.58	0.00	
Int of CROSS ST MAIN ST				ST RTE 103											Statewide Crash Rate: 214.77			
51451	54444	3113619	0 - 0.20	0103X - 6.16	0.20	1	0	0	0	0	0	0	0.0	0.00105	0.00	728.47	0.00	
Int of CROSS ST MAIN ST				ST RTE 103											Statewide Crash Rate: 214.77			
Study Years: 3.00				Section Totals:			1.76	3	0	0	0	0	3	0.0	0.00789	126.76	439.04	0.29
				Grand Totals:			1.76	7	0	0	0	1	6	14.3	0.00789	295.78	485.37	0.61

0.29

Michael Cuomo, Soil Scientist
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TEST PIT DATA

Client: Attar Engineering, Inc.
Location Clover Farm Subdivision, Main Street, Eliot
Date: 2 September 2022

Test Pit Number: MC-1

<u>Depth</u>	<u>Description</u>
0-8"	Dark brown very fine sandy loam, granular, friable.
8-19"	Yellowish brown very fine sandy loam, blocky, friable.
19-53"	Light olive brown stratified fine sand and silt, massive, firm lenses, redox.

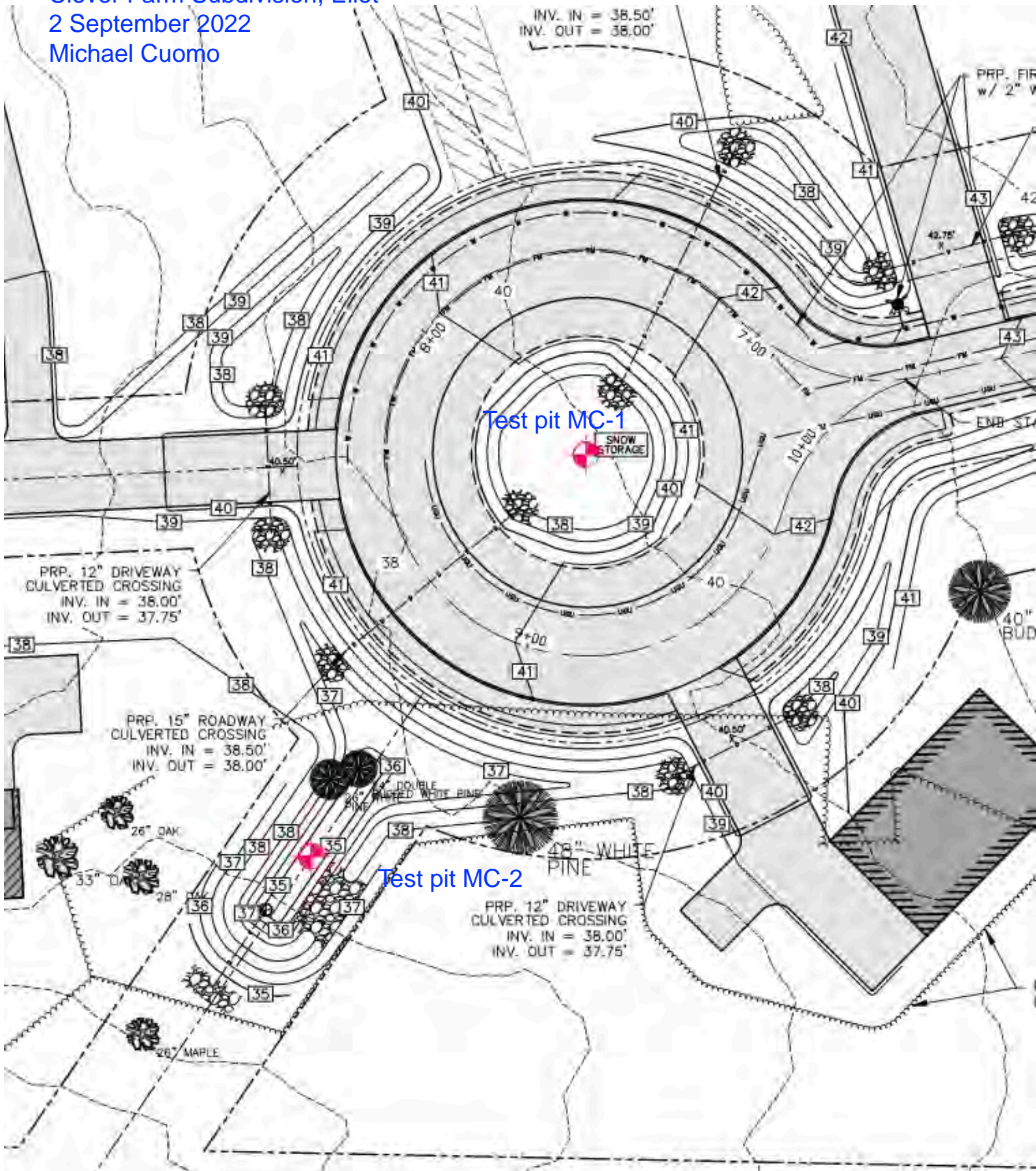
Soil Name: Nicholville
Hydrologic Soil Group: D
Drainage Class: Moderately well drained
Depth to Seasonal High Water Table: 19"
Depth to Bedrock: none

Test Pit Number: MC-2

<u>Depth</u>	<u>Description</u>
0-9"	Very dark brown very fine sandy loam, granular, friable.
9-17"	Yellowish brown very fine sandy loam, blocky, friable.
17-30"	Light olive brown very fine sandy loam, blocky, firm, redox.
30-57"	Olive brown fine sand, massive, friable, redox.

Soil Name: Nicholville
Hydrologic Soil Group: D
Drainage Class: Moderately well drained
Depth to Seasonal High Water Table: 17"
Depth to Bedrock: none

Test pit locations
Clover Farm Subdivision, Eliot
2 September 2022
Michael Cuomo





United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for York County, Maine



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

Custom Soil Resource Report

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map



Custom Soil Resource Report

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 1:20,000.

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: York County, Maine
Survey Area Data: Version 20, Aug 31, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Data not available.

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
AdB	Adams loamy sand, 0 to 8 percent slopes	5.6	14.9%
AlB	Allagash very fine sandy loam, 3 to 8 percent slopes	13.8	36.8%
MaB	Madawaska fine sandy loam, 0 to 8 percent slopes	8.8	23.4%
MrB	Marlow fine sandy loam, 3 to 8 percent slopes	0.5	1.3%
PeB	Peru fine sandy loam, 3 to 8 percent slopes	2.4	6.3%
Ra	Raynham silt loam	0.9	2.3%
Sc	Scantic silt loam, 0 to 3 percent slopes	1.4	3.8%
SeC	Scio silt loam, 8 to 15 percent slopes	1.7	4.6%
W	Water bodies	2.4	6.4%
Totals for Area of Interest		37.4	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas

are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

York County, Maine

AdB—Adams loamy sand, 0 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2wqn9

Elevation: 10 to 2,000 feet

Mean annual precipitation: 31 to 95 inches

Mean annual air temperature: 27 to 52 degrees F

Frost-free period: 90 to 160 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Adams and similar soils: 85 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Adams

Setting

Landform: Outwash terraces

Landform position (two-dimensional): Summit, backslope

Landform position (three-dimensional): Base slope

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Sandy glaciofluvial deposits

Typical profile

Ap - 0 to 7 inches: loamy sand

Bs - 7 to 21 inches: sand

BC - 21 to 27 inches: sand

C - 27 to 65 inches: sand

Properties and qualities

Slope: 0 to 8 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Somewhat excessively drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(1.42 to 14.17 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)

Available water supply, 0 to 60 inches: Low (about 3.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3s

Hydrologic Soil Group: A

Ecological site: F144BY601ME - Dry Sand

Hydric soil rating: No

AIB—Allagash very fine sandy loam, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 9k4r
Elevation: 20 to 2,000 feet
Mean annual precipitation: 34 to 48 inches
Mean annual air temperature: 37 to 46 degrees F
Frost-free period: 80 to 160 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Allagash and similar soils: 88 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Allagash

Setting

Landform: Stream terraces
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Coarse-loamy glaciofluvial deposits derived from slate

Typical profile

H1 - 0 to 6 inches: fine sandy loam
H2 - 6 to 23 inches: fine sandy loam
H3 - 23 to 65 inches: gravelly fine sand

Properties and qualities

Slope: 3 to 8 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Low (about 5.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2e
Hydrologic Soil Group: B
Hydric soil rating: No

MaB—Madawaska fine sandy loam, 0 to 8 percent slopes

Map Unit Setting

National map unit symbol: 9k60

Elevation: 20 to 2,000 feet

Mean annual precipitation: 34 to 48 inches

Mean annual air temperature: 37 to 46 degrees F

Frost-free period: 80 to 160 days

Farmland classification: All areas are prime farmland

Map Unit Composition

Madawaska and similar soils: 88 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Madawaska

Setting

Landform: Stream terraces

Landform position (two-dimensional): Summit

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Coarse-loamy glaciofluvial deposits derived from slate

Typical profile

H1 - 0 to 10 inches: fine sandy loam

H2 - 10 to 23 inches: fine sandy loam

H3 - 23 to 65 inches: fine sand

Properties and qualities

Slope: 0 to 8 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Moderately well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.60 to 2.00 in/hr)

Depth to water table: About 18 to 36 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Moderate (about 8.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 2w

Hydrologic Soil Group: B

Hydric soil rating: No

MrB—Marlow fine sandy loam, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2ty5d

Elevation: 0 to 690 feet

Mean annual precipitation: 36 to 65 inches

Mean annual air temperature: 36 to 52 degrees F

Frost-free period: 90 to 160 days

Farmland classification: All areas are prime farmland

Map Unit Composition

Marlow and similar soils: 87 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Marlow

Setting

Landform: Hills, mountains

Landform position (two-dimensional): Summit, shoulder, backslope

Landform position (three-dimensional): Mountainbase, interfluvium, nose slope, side slope

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Loamy lodgment till derived from granite and/or loamy lodgment till derived from mica schist and/or loamy lodgment till derived from phyllite

Typical profile

Ap - 0 to 4 inches: fine sandy loam

E - 4 to 6 inches: fine sandy loam

Bs1 - 6 to 10 inches: fine sandy loam

Bs2 - 10 to 15 inches: fine sandy loam

Bs3 - 15 to 20 inches: fine sandy loam

BC - 20 to 24 inches: fine sandy loam

Cd - 24 to 65 inches: fine sandy loam

Properties and qualities

Slope: 3 to 8 percent

Depth to restrictive feature: 20 to 39 inches to densic material

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.01 to 1.42 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)

Available water supply, 0 to 60 inches: Low (about 3.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 2e

Hydrologic Soil Group: C

Custom Soil Resource Report

Ecological site: F144BY501ME - Loamy Slope (Northern Hardwoods)

Hydric soil rating: No

PeB—Peru fine sandy loam, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2ty5x

Elevation: 0 to 720 feet

Mean annual precipitation: 36 to 65 inches

Mean annual air temperature: 36 to 52 degrees F

Frost-free period: 90 to 160 days

Farmland classification: All areas are prime farmland

Map Unit Composition

Peru and similar soils: 88 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Peru

Setting

Landform: Hills, mountains

Landform position (two-dimensional): Backslope, footslope

Landform position (three-dimensional): Mountainbase, interfluve

Down-slope shape: Convex

Across-slope shape: Linear

Parent material: Loamy lodgment till derived from granite and/or loamy lodgment till derived from mica schist and/or loamy lodgment till derived from phyllite

Typical profile

Ap - 0 to 6 inches: fine sandy loam

Bhs - 6 to 8 inches: fine sandy loam

Bs1 - 8 to 12 inches: fine sandy loam

Bs2 - 12 to 18 inches: fine sandy loam

Bs3 - 18 to 21 inches: fine sandy loam

BC - 21 to 24 inches: fine sandy loam

Cd - 24 to 65 inches: sandy loam

Properties and qualities

Slope: 3 to 8 percent

Depth to restrictive feature: 20 to 39 inches to densic material

Drainage class: Moderately well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.01 to 1.42 in/hr)

Depth to water table: About 16 to 30 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)

Available water supply, 0 to 60 inches: Low (about 3.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 2e

Custom Soil Resource Report

Hydrologic Soil Group: C/D

Ecological site: F144BY501ME - Loamy Slope (Northern Hardwoods)

Hydric soil rating: No

Ra—Raynham silt loam

Map Unit Setting

National map unit symbol: 9k6d

Elevation: 10 to 1,750 feet

Mean annual precipitation: 34 to 48 inches

Mean annual air temperature: 37 to 46 degrees F

Frost-free period: 80 to 160 days

Farmland classification: Not prime farmland

Map Unit Composition

Raynham and similar soils: 92 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Raynham

Setting

Landform: Lakebeds

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Coarse-silty glaciolacustrine deposits derived from sandstone and siltstone

Typical profile

H1 - 0 to 6 inches: silt loam

H2 - 6 to 36 inches: silt loam

H3 - 36 to 65 inches: silt loam

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Poorly drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.60 in/hr)

Depth to water table: About 0 to 18 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Very high (about 14.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 4w

Hydrologic Soil Group: C/D

Hydric soil rating: Yes

Sc—Scantic silt loam, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 2slv3

Elevation: 10 to 900 feet

Mean annual precipitation: 33 to 60 inches

Mean annual air temperature: 39 to 45 degrees F

Frost-free period: 90 to 160 days

Farmland classification: Not prime farmland

Map Unit Composition

Scantic and similar soils: 85 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Scantic

Setting

Landform: Marine terraces, river valleys

Landform position (three-dimensional): Talf

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Glaciomarine deposits

Typical profile

Ap - 0 to 9 inches: silt loam

Bg1 - 9 to 16 inches: silty clay loam

Bg2 - 16 to 29 inches: silty clay

Cg - 29 to 65 inches: silty clay

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Poorly drained

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)

Depth to water table: About 0 to 12 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Moderate (about 6.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 4w

Hydrologic Soil Group: D

Ecological site: F144BY304ME - Wet Clay Flat

Hydric soil rating: Yes

SeC—Scio silt loam, 8 to 15 percent slopes

Map Unit Setting

National map unit symbol: 9k6m

Elevation: 0 to 570 feet

Mean annual precipitation: 48 to 51 inches

Mean annual air temperature: 45 to 46 degrees F

Frost-free period: 145 to 160 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Scio and similar soils: 91 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Scio

Setting

Landform: Lakebeds

Landform position (two-dimensional): Backslope

Landform position (three-dimensional): Riser

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Very fine sand glaciolacustrine deposits

Typical profile

H1 - 0 to 7 inches: silt loam

H2 - 7 to 26 inches: silt loam

H3 - 26 to 36 inches: silt loam

H4 - 36 to 65 inches: very fine sandy loam

Properties and qualities

Slope: 8 to 15 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Moderately well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.60 to 2.00 in/hr)

Depth to water table: About 18 to 30 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: High (about 10.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: C

Hydric soil rating: No

W—Water bodies

Map Unit Composition

Water: 100 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Water

Setting

Landform: Hills

References

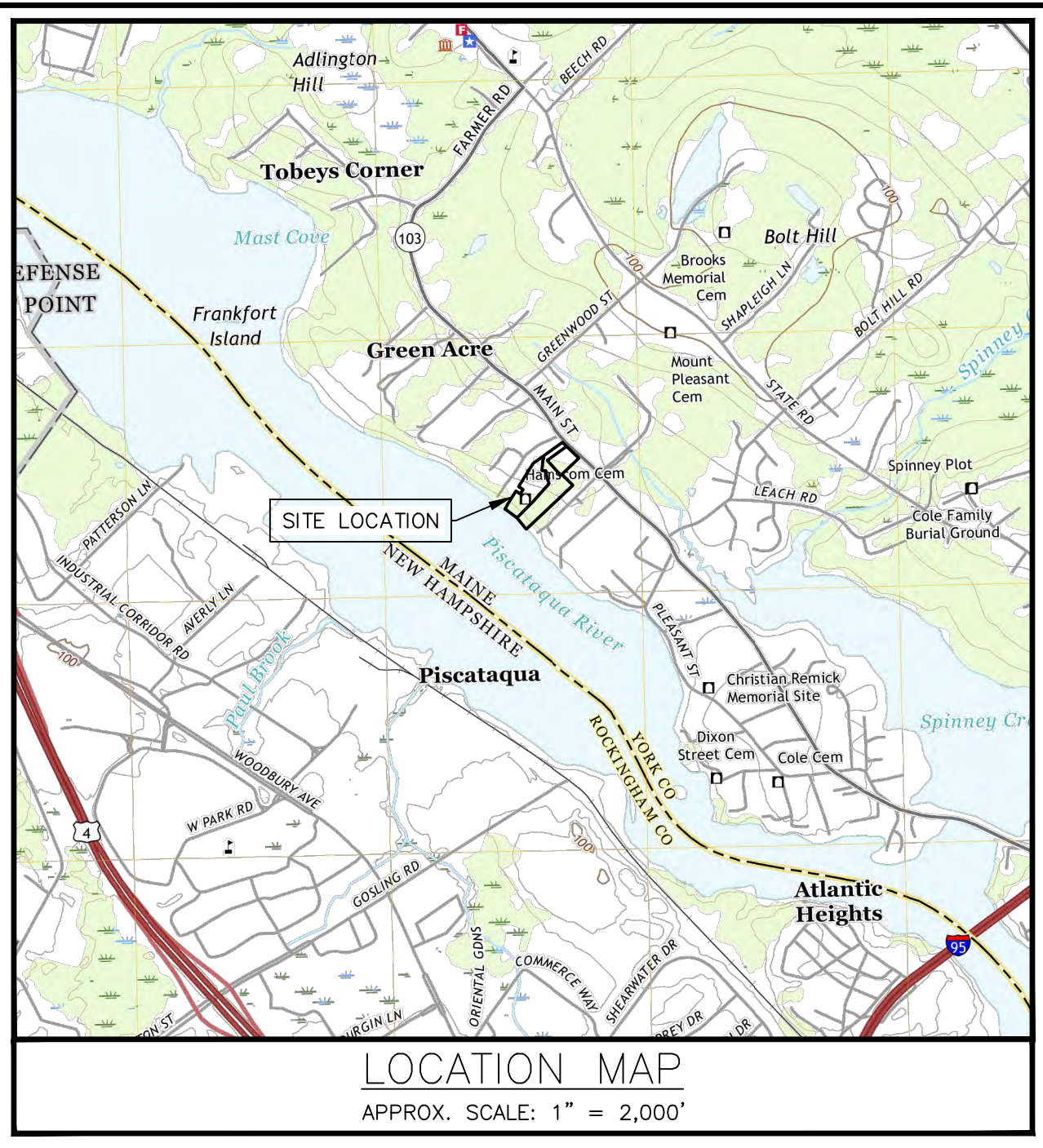
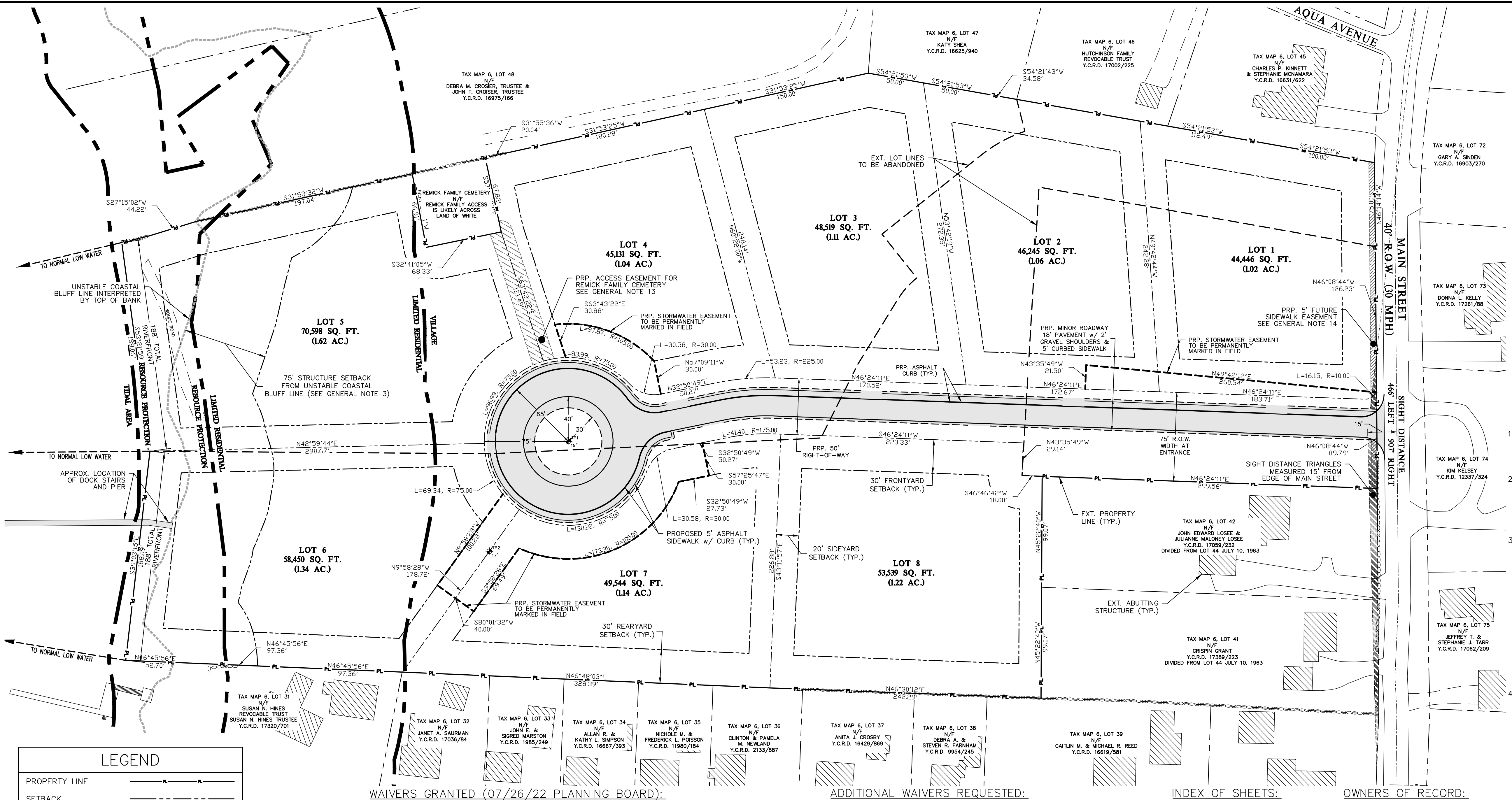
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- 1.) THIS PLAN DEPICTS THE DEVELOPMENT OF THE SUBJECT PARCELS INTO AN 8-LOT CONVENTIONAL RESIDENTIAL SUBDIVISION SERVICED BY A MINOR ROADWAY ENDING IN A CUL-DE-SAC. THE PROPOSED ROADWAY HAS BEEN DESIGNED IN ACCORDANCE WITH THE TOWN OF ELIOT §37-70(a): 'DESIGN STANDARDS FOR STREETS'.
- 2.) THE SUBJECT PARCELS, LOCATED OFF OF MAIN STREET, ARE IDENTIFIED AS LOTS 43, 44, AND 154 ON TAX MAP 6, CONSISTING OF 1.68 ACRES, 5.14 ACRES, AND 4.13 ACRES, RESPECTIVELY. EXISTING SIDELINES BETWEEN THESE SUBJECT PARCELS SHALL BE ABANDONED, CREATING AN OVERALL PARCEL AREA OF 10.95 ACRES. THE PROPOSED DEVELOPMENT IS LOCATED IN THE VILLAGE (V) BASE ZONE, AS WELL AS THE LIMITED RESIDENTIAL (LR) AND RESOURCE PROTECTION (RP) OVERLAY ZONING DISTRICTS.
- 3.) DIMENSIONAL REQUIREMENTS FOR THE 'V' ZONING DISTRICT AS PER §45-405:
- | | |
|--|--|
| MINIMUM LOT SIZE: | 43,560 SQ. FT. (1 ACRE) |
| MINIMUM SETBACKS: | 30' FRONTYARD
20' SIDEYARD
30' REARYARD
35'
20%
75' |
| MAXIMUM BUILDING HEIGHT: | 20% |
| MAXIMUM LOT COVERAGE: | 75' |
| MINIMUM SETBACK FROM NORMAL HIGH WATER MARK: | 100' |
| MINIMUM STREET FRONTAGE: | 50 SQ. FT.** |
| MINIMUM AREA OF SIGNAGE: | 5' |
- ** - AS PER §45-405(j): A SIGN SHALL NOT BE LOCATED NEARER THAN EIGHT (8) FEET FROM THE RIGHT-OF-WAY BOUNDARY OR NEARER THAN EIGHT (8) FEET FROM THE EDGE OF THE TRAVELED WAY.
- 4.) LAND USE STANDARDS FOR THE 'LR' SHORELAND DISTRICT AS PER §44-35:

PRINCIPAL AND ACCESSORY STRUCTURE SETBACKS:
75' FROM NORMAL HIGH-WATER LINE OF WATER BODY***
MAXIMUM LOT COVERAGE:
20% OF THE LOT PORTION THEREIN
MINIMUM SHORE FRONTAGE:
EQUAL TO OR GREATER THAN THE MINIMUM REQUIRED STREET FRONTAGE OF THE NEAREST ADJACENT NON-SHORELAND DISTRICT (VILLAGE = 100')
=> 188' FOR BOTH LOTS 5 & 6

*** - AS PER §44-35(b)(1)b: WATER AND WETLAND SETBACK MEASUREMENTS SHALL BE TAKEN FROM THE TOP OF A COASTAL BLUFF THAT HAS BEEN IDENTIFIED ON COASTAL BLUFF MAPS AS BEING "HIGHLY UNSTABLE" OR "UNSTABLE" BY THE MAINE GEOLOGICAL SURVEY PURSUANT TO ITS "CLASSIFICATION OF COASTAL BLUFFS" AND PUBLISHED ON THE MOST RECENT COASTAL BLUFF MAP.

- 5.) RESIDENTIAL DENSITY CALCULATION:
TOTAL PARCEL AREA (ALL SUBJECT PARCELS) = 477,177 SQ. FT. (10.95 AC)
LESS PROPOSED RIGHT-OF-WAY = 59,644 SQ. FT. (1.37 AC)
RESIDENTIAL ACREAGE REMAINING = 417,533 SQ. FT. (9.58 AC)
[417,533 / 43,560] = 9.58 => 9 LOTS ALLOWED (8 PROPOSED)
- 6.) ALL EXISTING BOUNDARY INFORMATION AND ON-SITE CONDITIONS ARE AS PER PLAN REFERENCES 1, 2, AND 3. EXISTING CONTOURS ARE DEPICTED FROM STATE LIDAR IMAGERY. EXISTING CONDITIONS OF ABUTTING PROPERTIES ARE APPROXIMATE.
- 7.) EXISTING IMPERVIOUS TO BE REMOVED/REVEGETATED = 17,816 SQ. FT.
PROPOSED IMPERVIOUS CREATED WITHIN RIGHT-OF-WAY (ASPHALT TRAVELWAY, GRAVEL SHOULDERS, AND ASPHALT SIDEWALK) = 5,949 SQ. FT. (0.136 AC)
PROPOSED IMPERVIOUS CREATED WITHIN LOTS (APPROXIMATE DRIVEWAY LOCATIONS AND BUILDING FOOTPRINTS AS DEPICTED ON SHEET 3) = 38,273 SQ. FT.
[5,949 + 9,412] / 105,097] = 14.6% < 20% => OKAY
- 9.) THE CONTRACTOR MUST CONTACT DIG SAFE AND ALL LOCAL UTILITIES PRIOR TO THE START OF CONSTRUCTION TO VERIFY THE LOCATION OF EXISTING SUBSURFACE UTILITIES AND CONDITIONS. LOCATING AND PROTECTING ANY UNDERGROUND OR ABOVE-GROUND UTILITY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

LEGEND	
PROPERTY LINE	---
SETBACK	---
EXT. ABUTTER LINE	---
PRP. LOT LINE	---
CENTERLINE OF ROAD	---
EXT. GRAVEL	---
EXT. PAVEMENT	---
PRP. GRAVEL	---
PRP. PAVEMENT	---
EXT. BUILDING	▨
EXT. STONEWALL	----
TOWN ZONING BOUNDARY	----
COASTAL BLUFF BANK	-----
EXT. HIGH TIDE OFFSET	-----

TOWN OF ELIOT PLANNING BOARD		DATE

STATE OF MAINE - YORK COUNTY
ss. REGISTRY OF DEEDS
RECEIVED _____, 20____
AT _____, M., AND RECORDED IN
PLAN BOOK _____, PAGE _____
ATTEST _____ REGISTER

§37-69(g): MINIMUM SEPARATION DISTANCE BETWEEN ENTRANCES ONTO AN EXISTING COLLECTOR STREET (MAIN STREET) SHALL BE NO LESS THAN 400 FEET.
DISTANCE FROM NORTHERLY AQUA AVENUE: 341 FEET
DISTANCE FROM SOUTHERLY PARK STREET: 371 FEET

§41-66 & §41-255(g): MINIMUM STREET FRONTAGE REDUCTION FOR LOTS FRONTING ON CULS-DE-SAC (DEFAULT MINIMUM OF 100' IN THE VILLAGE ZONE).
LOT 5 STREET FRONTAGE: 97 FEET
LOT 6 STREET FRONTAGE: 69 FEET

§41-66 & 41-256(c): PLANNING BOARD RIGHT TO WAIVE RESERVATION OF LAND REQUIREMENT WHERE DEEMED INAPPROPRIATE. THIS SUBDIVISION SHALL BE SUBJECT TO A CASH PAYMENT DEPOSIT IN LIEU OF LAND RESERVATION.

ADDITIONAL WAIVER & MODIFICATION (12/13/22 PLANNING BOARD):

§41-150(11): HIGH INTENSITY SOILS SURVEY. COMBINATION OF TEST PITS AND MEDIUM INTENSITY SOIL SURVEY PROVIDED IN LIEU.

§41-218(a): MODIFICATION TO MINIMUM REQUIRED DIAMETER OF SANITARY SEWER LINE, FROM NO LESS THAN 8" TO 2" FORCE MAIN WITH INDIVIDUAL LOTS BEING OUTFITTED WITH GRINDER PUMPS.

PLAN REFERENCES:

- 1.) "PLAN OF LAND OF C.P.N. REALTY, LLC., 787 MAIN STR., ELIOT, YORK COUNTY, ME" PREPARED FOR CPN REALTY, LLC. PREPARED BY CHRISTOPHER MENDE, PLS #1302 OF CIVIL CONSULTANTS. PLAN DATED 12/12/2018 AND RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 399, PAGE 10.
- 2.) "PLAN OF LAND OF JESSE REALTY, LLC., 787 MAIN STR., ELIOT, YORK COUNTY, ME" PREPARED FOR JESSE REALTY, LLC. PREPARED BY CHRISTOPHER MENDE, PLS #1302 OF CIVIL CONSULTANTS. PLAN DATED 12/12/2018 AND RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 399, PAGE 11.
- 3.) "PLAN OF LAND IN ELIOT, ME, SHOWING EXISTING CONDITIONS AT 771 MAIN STREET" PREPARED FOR ARCS PROPERTY MAINTENANCE, 125 SARATOGA WAY #1, PORTSMOUTH, NH. PREPARED BY JEFFREY HOFMANN, PLS #2309 OF MILLENNIUM ENGINEERING, INC. PLAN DATED 09/15/2020.
- 4.) "BOUNDARY PLAN PREPARED FOR JAMES D. & ORLEY MAE WHITE, SITE LOCATION: 139 MAIN STREET ELIOT, MAINE" PREPARED BY THOMAS J. MCCULLUM, PLS #2059 OF CIVIL CONSULTANTS. PLAN DATED 06/21/2005 AND RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 302, PAGE 6.

§41-150(11): HIGH INTENSITY SOIL SURVEY

PRELIMINARY MAJOR SUBDIVISION APPLICATION ITEMS:
PRP. SUBDIVISION PLAN REVIEWED BY DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS
PRP. SUBDIVISION PLAN REVIEWED BY THE YORK COUNTY SOIL AND WATER CONSERVATION DISTRICT

GENERAL NOTES (CONT.)

- 10.) PROPOSED VEGETATED SCREENING ALONG SOUTHERN PROPERTY LINE SHALL BE INSTALLED AS PER §41-215. PROPOSED PLANTINGS ARE DEPICTED ON THE PLAN SET. PROPOSED PLANTINGS ARE TO BE ARBORVITAE, 6'-HIGH AND SPACED AT 8' O.C. SELECTED ARBORVITAE SHALL BE OF A DEER-RESISTANT SUBSPECIES (THUJA - AMERICAN PILLAR OR APPROVED EQUAL). SPECIFIC PLANTING LOCATIONS SHALL BE DETERMINED IN A POST-CONSTRUCTION BUFFER SURVEY AND DEPICTED ON THE AS-BUILT SUBDIVISION PLAN AS PER §41-182.
- 11.) THE PROPOSED DEVELOPMENT SHALL BE SERVICED BY MUNICIPAL WATER AND MUNICIPAL SEWER. ALL UTILITY MATERIALS, SIZES, AND CONSTRUCTION PRACTICES SHALL BE IN ACCORDANCE WITH THE KITTERY SEWER DISTRICT (KSD) AND KITTERY WATER DISTRICT (KWD).
- 12.) THE PROPOSED DWELLING DEPICTED ON LOT 6 IS SUBJECT TO THE FOLLOWING PERMITS:
BUILDING PERMIT #21-155, GRANTED 09/08/21
GROWTH PERMIT #21-012, GRANTED 08/09/21
- 13.) ACCESS TO THE REMICK FAMILY CEMETERY HAS BEEN DETERMINED TO BE ASSOCIATED WITH THE SUBJECT PARCEL TM/L 6/154 AS PER PLAN REFERENCE #4. AS SUCH, A PROPOSED 20' EASEMENT SHALL EXTEND FROM THE PROPOSED CUL-DE-SAC RIGHT-OF-WAY AND RUN ALONG THE SIDELINE OF LOTS 4 & 5 TO MAINTAIN ACCESS TO THE CEMETERY. SHOULD THE PROPOSED TRAVELWAY BE MAINTAINED AS A PRIVATE ROAD, THIS ACCESS EASEMENT SHALL EXTEND ALONG THE PROPOSED TRAVELWAY OUT TO THE INTERSECTION WITH MAIN STREET.
- 14.) AS PER §41-221(a)(4), THE TOWN OF ELIOT COMPREHENSIVE PLAN REQUIRES THAT SIDEWALKS BE INSTALLED IN ALL GROWTH AREAS. PURSUANT TO THE COMPREHENSIVE PLAN OUTLINING FUTURE SIDEWALK IMPROVEMENTS IN TO TOWN RIGHTS-OF-WAY IN GROWTH AREAS (INCLUDING MAIN STREET), A 5' EASEMENT HAS BEEN DEICTED ALONG THE STREET FRONTAGE OF THIS DEVELOPMENT TO ALLOW FOR IMPROVED PEDESTRIAN EGRESS.
- 15.) THE PROPOSED DEVELOPMENT IS SUBJECT TO A MAINE DEPARTMENT OF TRANSPORTATION (MDOT) DRIVEWAY/ENTRANCE PERMIT, #27599, APPROVED ON 02/19/2019. ENTRANCE LOCATION SHALL BE UPDATED TO REFLECT THE APPROVED WAIVER OF §37-69(g) GRANTED ON 07/26/2022.
- 16.) THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE FOLLOWING STATE/FEDERAL PERMITS:
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION:
STORMWATER PERMIT-BY-RULE (PBR) FOR IMPERVIOUS SURFACES CREATED < 1 ACRE.
- 17.) NO TOPSOIL SHALL BE REMOVED FROM THE SITE EXCEPT FOR SURPLUS TOPSOIL FOR ROADS AND BUILDING EXCAVATIONS, AS OUTLINED IN §41-214(c)(9).
- 18.) PROPOSED STORMWATER DRAINAGE EASEMENTS ARE IDENTIFIED ON THE PLANS AND SHALL HAVE THEIR VERTICES PERMANENTLY MARKED IN THE FIELD BY CAPPED IRON RODS. THIS WORK SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF ANY LOT OCCUPANCY PERMIT.

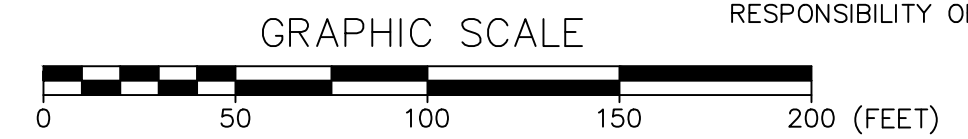
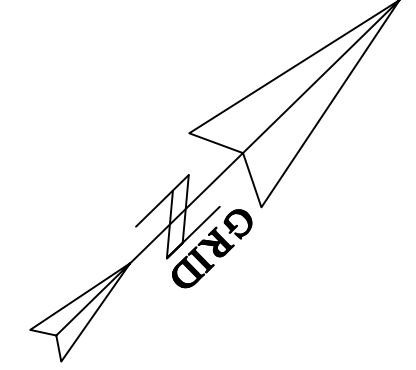
- 1.) PRELIMINARY SITE PLAN
2.) EXISTING CONDITIONS PLAN
3.) GRADING & UTILITIES PLAN
4.) ROADWAY PLAN & PROFILE
5.) SITE DETAILS
6.) SITE DETAILS
7.) STORMWATER: EXISTING CONDITIONS
8.) STORMWATER: DEVELOPED CONDITIONS

TAX MAP 6, LOT 43:
MARK McNALLY
1381 ELWYN ROAD
PORTSMOUTH, NH 03801
Y.C.R.D. DEED BOOK 18327, PAGE 751

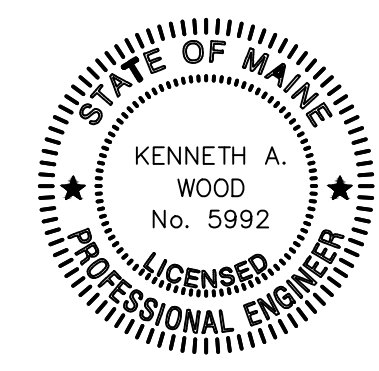
TAX MAP 6, LOT 44:
JESSE REALTY, LLC.
2552 LONGBOAT DRIVE
NAPLES, FL 34104
Y.C.R.D. DEED BOOK 17849, PAGE 563

TAX MAP 6, LOT 154:
L.J.E. PROPERTY DEVELOPMENT, LLC.
2 PUNKIN TOWN ROAD, SUITE 340
SOUTH BERWICK, ME 03908
Y.C.R.D. DEED BOOK 18390, PAGE 922

OWNERS OF RECORD:



H	FINAL PLAN SUBMISSION	01/09/23
G	THIRD PARTY REVIEW REVISIONS	12/06/22
F	THIRD PARTY REVIEW REVISIONS	11/01/22
E	PRELIMINARY REVIEW REVISIONS	10/04/22
D	PRELIMINARY PLAN SUBMISSION	08/23/22
C	TOWN PLANNER MEMO REVISIONS	07/19/22
B	TOWN PLANNER MEMO REVISIONS	06/16/22
A	SKETCH SITE WALK REVISIONS	06/14/22
NO.	DESCRIPTION	DATE
REVISIONS		



FINAL SUBDIVISION PLAN CLOVER FARM SUBDIVISION MAIN STREET, ELIOT, MAINE		
FOR: MARK MCNALLY BUILDING MAINTENANCE, LLC. 1381 ELWYN ROAD PORTSMOUTH, NH 03801		
ATTAR ENGINEERING, INC. CIVIL ♦ STRUCTURAL ♦ MARINE 1284 STATE ROAD - ELIOT, MAINE 03903 PHONE: (207)439-6023 FAX: (207)439-2128		
SCALE: 1" = 50'	APPROVED BY:	DRAWN BY: MJS
DATE: 04/12/22		REVISION DATE: H : 01/09/23
JOB NO: C174-21	FILE: MAIN STR REV BASE.DWG	SHEET: 1

memo

To: Eliot Planning Board
From: Christine Bennett
CC: Town Planner
Date: 02/10/2023
Re: Ordinance & Definition Review Workplan 2023-2024

Comments: I met with our Town Planner and Town Clerk on Wednesday, February 8th to discuss our proposed items for the June 2023 Ballot and deadlines for our Public Hearings.

The timeline for the June 2023 Warrant is as follows:

- The Select Board must finalize and sign the Warrant at its 4/13/2023 Meeting
- The Planner needs to provide the proposed ordinance along with rationale for the proposed changes in advance of this meeting. Ideally this would take place before the end of March. The last Select Board Meeting in March is scheduled for 3/23/23.
- State laws regarding ordinance amendments require that the Board post the public hearing 13 days ahead of time at the town hall and publish a hearing notice twice in a local paper. The date of the first publication must be within 12 days of the hearing and the date of the second publication must be no later than 7 days before the public hearing. [Title 30-A, §4352: Zoning ordinances \(maine.gov\)](#)

Given the state laws regarding notice and the fact that we have a very full agenda on 2/21 and a public hearing and other applications coming before us on 3/7, **I suggest we allocate a small amount of time at the beginning of our next meeting 2/21 to finalize the slate of ordinance changes we wish to put forward at a 3/21 public hearing.**

Depending on the outcome of the public hearing on 3/21, we may need to schedule a public hearing on 4/4, the date we have scheduled for a Planning Board retreat.

I have attached an updated Ordinance Workplan for the two succeeding warrant opportunities (November 2023 and June 2024).

I ask that the Board consider making Ordinance Review a standing Agenda item, like Minutes and Notice of Decision. This will help to ensure that this portion of our work does not get overlooked.

Respectfully yours,

Christine

For JUNE 2023 Ballot

Tiny Homes LD1530

- ✓ Change minimum dwelling unit size to conform to LD 2003
- ✓ Add Definition
- ✓ Update Table of Allowed Uses
- Add permit application and other requirements for CEO review

Short-term rentals

- ✓ Define
 - **Short-term rental means living quarters offered for rental through a transient rental platform. State law reference – 30-A M.R.S.A. 4364-C.**
 - **Transient rental platform means “transient rental platform” as defined by 36 MRSA 1752(20-C), as may be amended.**

Day Nursery – remove and add (to be consistent with State definitions and rules)

- ✓ Childcare Center
 - ✓ Nursery School
 - ✓ Small Child Care Facility
 - ✓ Family Child Care Provider
- ✓ Update Section 45-290

Accessory Dwelling Units (ADUs) – non LD 2003 requirements

- ✓ Require Fire Department review of proposed siting in permit process (*seeking FD input*)
 - ✓ Consider relaxation of setback requirements for conversion of existing structures to ADUs
 - ✓ Create setback requirements to allow the conversion of existing accessory structures to accessory dwelling units.
 -
-

Accessory Dwelling Units (ADUs) LD 2003

- ✓ REVISE/REVISIT ADU ordinance:
 - 45-459(c)(1): change "only 1 allowed" ADU provision
 - 45-459(c)(13): remove ADU parking space requirement
 - Revise minimum size to 190 square feet
 - Remove ADU growth cap

Marijuana

- Licensing
 - Clarify transfer of ownership
 - Overhaul application procedure (dual track PB/SB)
- Home Delivery
 - LD1827 allows limited home delivery & curbside pickup
 - Alter 33-190(9) and add to SPR and Licensing
- Performance Standards

- Sign content provisions
- Cultivation and 500' separation from sensitive uses
- Change of retail type

Chapter 31 – Non-Stormwater Discharge

- ✓ Minor change re: illegal connections

Mobile Vendor

- Create definition and allowed uses (in process – J. Brubaker)

November 2023 Ballot


- LD 2003 (remainder)
 - Affordable Housing Developments
 - Density Generally:
- Private Central Systems
 - Sewage (Wastewater)
 - Create definition
 - Require maintenance
 - Water
 - Create/update definition
 - Require routine quality tests
- MS4
 - LID Standards
- Event Centers

Definitions (changes & zones)

- (Defn complete/needs Zone consideration)
 - Home office / home occupation / home business
 - Eliminate home office, add to home occupation
 - Add Family Child Care Provider to home occupation
 - Adaptive Re-use
 - √Adult Day Care
 - √School
 - Public or Private
 - Commercial (added yoga studio in list of examples)
- Add Home Business to C/I Zone in Table of Land Uses?
- Elderly Housing
 - Use "62 and up" threshold for Fair Housing Act instead of 55
- Definitions needed:
 - Trucks
 - Equipment Storage

Wetland Protection

- Revise to include Forested Wetlands
- Return setback distance to pre-LePage distances
- Implement an impact fee similar to Kittery's

Consider  Kittery's Cottage Cluster Ordinance

Climate Resilience

- Create wetland setbacks that can accommodate 50 year's worth of climate change
- Modifying lot coverage standards to accommodate increasing stormwater needs and wetland expansion.

Wetland Protection

- Revise to include Forested Wetlands
- Return setback distance to pre-LePage distances
- Implement an impact fee similar to Kittery's

Subdivision

- Investigate whether it makes sense to bring back Minor Subdivisions - why was it removed before?
- Minor modification of subdivision; Add language about lot line adjustments
- Subdivision amendment fee (see P.Saucier email 01192023 re: PB 22-21 0 Bolt Hill)
- Consider *Kittery's Cottage Cluster Ordinance*
- Open Space Developments
 - Consider requiring the use of this development tool for lots serviced by sewer and water.
 - Consider using this development tool to promote Affordable Housing.
 - Consider modifying this development tool in the Critical Rural Overlay zone to ensure that reserved land has a robust set of ecological features (e.g.) not just wetlands or unbuildable/unsuitable land) and is situated adjacent to other undeveloped blocks of land. Also remove Developer and possibly the HOA as holder of the reserved/undeveloped land in this zone. Restrict ongoing ownership and maintenance to the Town of Eliot (if accepted) or a Qualified Conservation Holder.

Impact Fees

- Private Central Systems
- Wetland Impacts

Continuing Work

Short term Rentals

- Permitting
 - Add to Home Business or Home Occupation definition
 - Look at Lodging House definition and Table of Land Use for conflict
-

Affordable Housing Developments

- Questions/Concerns about Affordable Housing Developments
-

Frame: LD 2003 – requires that Affordable Housing Developments shall be allowed wherever multi-family dwellings are allowed (in Eliot = Village & Suburban zones) with a density at least 2.5 times the base density. In Eliot base density= Village (1DU/40,000 sq ft), Suburban (1DU/80,000 sq ft). While LD 2003 seems to prefer that these be sited in designated Growth Areas with public water & sewer systems, it allows for them outside such areas. The 2009 Comprehensive Plan set a goal for designating the Village District as a Growth Area when sewer became available. This was never implemented.

*(? By allowing ADU's in all residential zones, did we change the base density to 2DU/40,000 in the Village zone & 2DU/80,000 sq ft in the Suburban zone). *I don't believe so because our ADU allowance is for their addition to a lot with a Single Family Residence (SFR).* **This should be fact checked.**

*(? What is the 2.5 multiplier to base density applied to? Is it the DU density of the zone or the existing density allowed for multi-family units (8 max)). *I believe that it is the latter.* **This should be fact checked.**

Per 33-183

- Current allowable density for Multi-family dwellings = 8DU/unit.
- Units may not exceed 2 floors above grade and 35' in height
- Must be separated by 100'
- All multi-family units shall be connected to sewer, if available

Per 45-405

- Allowable Lot Coverage (Suburban) = 15%
- Allowable Lot Coverage (Village) = 20%

Affordable Housing Development Scenarios

Suburban

Village

Density as written * inclusive of ADU allowance	2/80,000 sq ft	2/40,000 sq ft
Multi-family as written	8/80,000 sq ft	8/40,000 sq ft
LD2003 Affordable HD's (2.5 times existing multifamily density)	20/80,000 sq ft	20/40,000 sq ft
Assume that the Economic Break-even (with reasonable profit margin for the investor) = 60-100 units	6-10 acre lot	3-5 acre lot

Concerns:

1. Life Safety =
 - a. Fire Suppression
 - i. Separation of Buildings (is 100' adequate?)
 - ii. Availability of water
 1. Current existing hydrant system is inadequate and is scheduled for upgrades by KWD beginning in 2023
 2. Areas without public water systems – should we require water detention ponds & if so how big?
 - b. Environmental Health
 - i. Water Quantity & Quality if serviced by wells
 1. Separation of wells
 2. Separation of wells from septic systems
 - ii. Design and Maintenance of septic systems
 1. Other communities have increased building separation for multi-family units beyond State minimum of 100' (Belfast)
 2. And required pumping & maintenance reports submitted to Town

Proposed next steps:

1. Answer questions about LD 2003 required density for Affordable Housing Developments (Phil Saucier or SMPDC)
2. Gather more technical information:
 - a. Re: Water Quantity & Quality measures
 - b. Re: Adequacy of our current ordinance Sec 41-218 "Sewage Disposal" – specifically "Private central systems" 10/21/2022 – *Propose a Technical Review by CMA Engineering* <http://cmaengineers.com/water-wastewater/>
(Bill Staub, the contracted Kittery PB Technical Review Engineer &/or Jack Kareckas, a South Berwick Town Councilor, former GWLT Board Chair and Field Inspector)
 - c. Fire Suppression (Chief Muzzerol)
3. Assess probability of an Affordable Housing Development in the Suburban & Village zones.

Event Center

- Draft ordinance from SMPDC reviewed 7/26/2022. Needs further review and refining.

For NOVEMBER 2022 Ballot

Erosion & Sedimentation Control - required for MS4 Permit Compliance – Jeff Brubaker

Event Centers – Jeff Brubaker

Site Plan Review - PB Subcommittee

- Performance guarantees (33-132)
 - Clarified to cover streets (public or private) & required improvements
 - Added the option of requiring one for landscape improvements
- Added Vesting to Section (33-59) Expiration of Site Plan approval
 - Rewrote to include process for permit extension and re-approval.
 - Added expiration for sketch plan
 - Clarified that PB will be allowed to consider any changes to the Ordinance since approval of the site plan or subdivision when considering an extension.
- Phasing (new section 33-133)
- Re-approval (new section 33-141)

Solar energy systems modifications – Jeff Brubaker

Adult Use Marijuana Facilities - Jeff Brubaker

- Propose a cap or non-binding question to the SB