



M E M O R A N D U M

P L A N N I N G D E P A R T M E N T
T O W N O F C U M B E R L A N D , M A I N E

Date: October 15, 2020
To: Cumberland Planning Board
From: Carla Nixon, Planning Director
Subject: Agenda Item # 1: Copp Commercial Subdivison

This will be the second review and public hearing for a proposed four lot commercial subdivision on Gray Road. The application was tabled at the September 15th meeting because additional information was required.

The Planning Board is being asked to approve the layout of the lots without information on the developments that will be proposed for each lot. This information will be required when site plan applications are submitted for each of the lots. There are two conditions of approval that address the key issues of stormwater and septic plumes.

Date October 15, 2020
To Town of Cumberland Planning Board
From Carla Nixon, Town Planner
Subject **Minor Subdivision Plan Review – 4 Lot Minor (commercial)
Subdivision. Copp Family – 166 Gray Road**

I. REQUEST/OVERVIEW:

The Applicant is Ronald Copp, Sr. of 187 Gray Road. Mr. Copp is a one-third share co-owner of a 7.87 parcel of land located at 166 Gray Road as shown on Tax Assessor Map U19 Lot 08. Mr. Ronald Copp is acting as agent for his two brothers, Jerald Copp and Howell Copp who are the other shared owners of the parcel. The lot is located in the Village Center Commercial (VCC) zoning district on the westerly side of Route 100. There is 803 feet of frontage on Route 100. The proposal is to subdivide the lot into four separate lots which will be used for commercial purposes.

David St. Clair, Professional Land Surveyor, of St. Clair Associates prepared the application and will represent the Applicant before the Planning Board.

II. PROJECT HISTORY: 9/15/20: Minor Subdivision Review/PH: Tabled

III. DESCRIPTION:

Parcel size: 7.87 acres

Number of lots: 4

Zoning District: Village Center Commercial (VCC)

Development Type: Traditional Style Commercial Subdivision

Min. Lot Size: 20,000 sf

Lot frontage: 75'

Setbacks: Front: 45', Rear: 50', Side: 15'

Water: Public Water

Sewer: Septic

Open Space: 0 acres

Wetlands: None

Trails: None Proposed

Utilities: Natural gas, underground electric, telephone, and cable from Route 100. Public water. Private septic.

Easements: 25' Landscape Easement to Town of Cumberland.

Access: Existing Private Way.

Sidewalks: None proposed internally. A 25' Easement will be given to the Town for a future sidewalk connection along Route 100.

Owners Association: None Proposed

Right, Title and Interest: Quitclaim Deed with Covenant

Waivers Requested:

1. Stormwater Management
2. Hydrogeological Study

Outside Agency Approvals Required:

Agency	Type of Permit	Status
Maine Inland Fisheries & Wildlife	Habitat Review	Outstanding
MDOT	Entrance Permit	#28323
Maine Historic Preservation Commission	Historic Survey	Outstanding
Maine Natural Areas Program	Rare & Exemplary Botanical Features. None documented.	Letter dated 9/16/20
Portland Water District	Statement of Availability & Capacity	Letter dated 9/17/20

IV. REVIEW COMMENTS:

DEPARTMENT HEAD REVIEWS:

William Longley, CEO: No comments.

Police Chief Charles Rumsey: No concerns.

Fire Chief Small: No concerns.

IV. FINAL MAJOR SUBDIVISION REVIEW:

PROPOSED FINDINGS OF FACT - Chapter 250 - Subdivision of Land

The purpose of these standards shall be to assure the comfort, convenience, safety, health and welfare of the people, to protect the environment and to promote the development of an economically sound and stable community. To this end, in approving subdivisions within the Town of Cumberland, Maine, the Board shall consider the following criteria and before granting approval shall determine that the proposed subdivision:

1. **Pollution.** The proposed subdivision will not result in undue water or air pollution. In making this determination, it shall at least consider:
 - A. The elevation of the land above sea level and its relation to the flood plains;
 - B. The nature of soils and subsoil and their ability to adequately support waste disposal;
 - C. The slope of the land and its effect on effluents;
 - D. The availability of streams for disposal of effluents; and
 - E. The applicable state and local health and water resource rules and regulations;

The 4 lot commercial subdivision will be served by public water and private septic. There are no streams on site. A medium intensity soils survey was submitted as was a FEMA floodplain map that show the proposed subdivision will not result in undue water or air pollution. While test pit locations were not provided at this time, they will be provided when each of the site plans for specific developments are provided. Based on the information provided, the standards of this section have been met.

2. **Sufficient Water.** The proposed subdivision has sufficient water available for the reasonable foreseeable needs of the subdivision;

The lots will be served by public water. A letter dated 9/17/20 is on file from the Portland Water District indicating there is a sufficient and healthful water supply available for the future development of the four lots.

Based on the information provided, the standards of this section have been met.

3. Municipal Water Supply. The proposed subdivision will not cause an unreasonable burden on an existing water supply, if one is to be used;

The lots will be served by public water. A letter dated 9/17/20 is on file from the Portland Water District indicating there is a sufficient and healthful water supply available for the future development of the four lots.

Based on the information provided, the standards of this section have been met.

4. Erosion. The proposed subdivision will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results;

This application is for the division of the parcel into four lots. Information regarding specific erosion control measures will be provided as each lot is reviewed under the Site Plan Ordinance.

Based on the information provided, the standards of this section have NOT been met.

5. Traffic. The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed;

No traffic information was provided as there are no specific uses proposed for the lots at this time. There is one existing access point that could serve the four lots and there is also an MDOT permit on file for a new entrance, if desired, from Route 100.

Based on the information provided, the standards of this section have been met.

6. Sewage disposal. The proposed subdivision will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services, if they are utilized;

The project will utilize private septic. Additional information on test pit locations and HHE 200s will be required during site plan review for each lot. A hydro-geologic investigation will be required at that time to ensure that no effluent will

*traverse individual lot lines or the lines of the subdivision. **This is a proposed condition of approval.***

Based on the information provided and the proposed condition of approval, the standards of this section have been met.

7. Municipal solid waste disposal. The proposed subdivision will not cause an unreasonable burden on the municipality's ability to dispose of solid waste, if municipal services are to be utilized;

The 4 lot commercial subdivision will need to contract for private waste disposal service once site plans are approved for each lot.

Based on the information provided, the standards of this section have been met.

8. Aesthetic, cultural and natural values. The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;

There is letters on file from the Maine Natural Areas Program indicating there are no rare or unique botanical features on the site. Letters have been submitted to the Maine Historic Preservation Commission and MDIFW. As there are no structures of streams on the site, it is not anticipated that there will be any concerns expressed by those agencies when they respond.

Based on the information provided, the standards of this section have been met.

9. Conformity with local ordinances and plans. The proposed subdivision conforms to a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan or land use plan, if any. In making this determination, the municipal reviewing authority may interpret these ordinances and plans;

The plans have been reviewed by the town planner, town engineer and town department heads. All ordinances and plans have been met.

Based on the information provided, the standards of this section have been met.

10. Financial and technical capacity. The subdivider has adequate financial and technical capacity to meet the standards of this section;

Technical capacity is evidenced by the use of professional land surveyor.

A statement of values and evidence of financial capacity have not been provided as there are no specific developments proposed for the lots. This information will be submitted during site plan review for each of the lots, as required.

Based on the information provided, the standards of this section have been met.

11. Surface waters; outstanding river segments. Whenever situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38 chapter 3, subchapter I, article 2-B, the proposed subdivision will not adversely affect the quality of that body of water or unreasonably affect the shoreline of the body of water;

There are no surface waters on site.

Based on the information provided, the standards of this section have been met.

12. Ground water. The proposed subdivision will not alone, or in conjunction with, existing activities, adversely affect the quality or quantity of ground water;

The 4 lot residential subdivision will be served by public water. Soils information and HHE-200 designs will be submitted when site plan applications are submitted for the four lots.

Based on the information provided, the standards of this section have been met.

13. Flood areas. Based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant whether the subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area, the subdivider shall determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan must include a condition of plan approval requiring that principal structures in the subdivision will be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation;

The parcel is shown on FEMA Floodplain Map #230162 0015B as being in Zone C - Area of Minimal Flooding.

Based on the information provided, the standards of this section have been met.

14. Storm water. The proposed subdivision will provide for adequate storm water management;

No stormwater plan was provided as there are no specific plans for the four lots. This is a proposed condition of approval for the subdivision that a stormwater plan be submitted for each lot as it is proposed for development and reviewed under the Site Plan Ordinance.

Based on the information provided, and the proposed condition of approval, the standards of this section have been met.

15. Freshwater wetlands. All potential freshwater wetlands, as defined in 30-A M.R.S.A. §4401 (2-A), within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these

wetlands. Any mapping of freshwater wetlands may be done with the help of the local soil and water conservation district.

The site is flat and well-drained. The Applicant's representative and surveyer states that the property was visited on 2017 and in 2019 and that there was no evidence of wetlands found on the site.

Based on the information provided, the standards of this section have been met.

16. River, stream or brook... Any river, stream, or brook within or abutting the proposed subdivision has been identified on any map submitted as a part of the application. For purposes of this section, "river, stream or brook" has the same meaning as in Title 38, Section 480-B, Subsection 9. [Amended; Effective. 11/27/89]

There is no river, stream or brook on the parcel.

Based on the information provided, the standards of this section have been met.

V. STANDARD CONDITIONS OF APPROVAL

This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted by the applicant. Any variation from the plans, proposals and supporting documents, except de minimus changes as so determined by the Town Planner which do not affect approval standards, is subject to review and approval of the Planning Board prior to implementation.

VI. LIMITATION OF APPROVAL

Construction of the improvements covered by any site plan approval must be substantially commenced within twelve (12) months of the date upon which the approval was granted. If construction has not been substantially commenced and substantially completed within the specified period, the approval shall be null and void. The applicant may request an extension of the approval deadline prior to expiration of the period. Such request must be in writing and must be made to the Planning Board. The Planning Board may grant up to two (2) 1 year extensions to the periods if the approved plan conforms to the ordinances in effect at the time the extension is granted and any and all federal and state approvals and permits are current.

VII. PROPOSED CONDITIONS OF APPROVAL

1. Future development on the individual lots will require a Hydrogeological Study be performed to confirm that there will be no impacts at the property line for each lot, not at the exterior boundaries of the Subdivision.
2. Future development of individual lots shall provide drainage easements for stormwater flow from adjacent properties in the subdivision.
3. The individual lot owners will be required to submit evidence of financial capacity for any public improvements proposed during site plan review of the lots.



17013

September 28, 2020

Carla Nixon, Town Planner
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Minor Subdivision Application
166 Gray Road
Ronald Copp Sr.
Response to Comments Sent to Planning Board

Dear Carla,

We have prepared the enclosed updated materials in response to your memoranda regarding the proposed subdivision of land at 166 Gray Road.

We have prepared the enclosed updated information in response to the memoranda sent by your office to the Planning Board on September 9, 2020. With the submittal of this information, the Applicant is hereby requesting that this material be included with the Application materials already submitted for this site.

We are hopeful that this response and the material provided directly by the Applicant will aid in the overall review process with the Planning Board.

Responses to Comments

This letter outlines our responses to the specific comments in the memoranda sent to the Planning Board on September 9, 2020. It is intended to update and accompany our original application materials.

For ease of review, we have listed the comments contained in the memoranda sent to the Planning Board on September 9, 2020 in *italics* below, along with our responses.

1. Pollution. The proposed subdivision will not result in undue water or air pollution. In making this determination, it shall at least consider:

A. The elevation of the land above sea level and its relation to the flood plains;

B. The nature of soils and subsoil and their ability to adequately support waste disposal;

C. The slope of the land and its effect on effluents;

D. The availability of streams for disposal of effluents; and

E. The applicable state and local health and water resource rules and regulations;

The 4 lot residential subdivision will be served by public water and private septic. Information on soils has not been provided..

Based on the information provided, the standards of this section have NOT been met.

Please see the enclosed Medium Intensity Soils Survey, Fema Flood Map Firmette, and Portland Water District Letter. These documents, coupled with the Applicants request for a waiver on soils test pits is intended to provide evidence that the site can support the proposed 4 lot subdivision, particularly in the case that there are no physical site improvements proposed at this time.

2. Sufficient Water. The proposed subdivision has sufficient water available for the reasonable foreseeable needs of the subdivision;

The lots will be served by public water. A letter from the Portland Water District indicating capacity to serve is required.

Based on the information provided, the standards of this section have been met.

As we noted in our response to peer review comments, in order to issue an official Ability to Serve Letter, the Portland Water District requires calculations specific to anticipated lot uses. However, our office did reach out to the PWD to discuss the

availability of public water at this site. Please see the enclosed letter and Infrastructure Map from the PWD as evidence of available public water supply in the area.

3. Municipal Water Supply. The proposed subdivision will not cause an unreasonable burden on an existing water supply, if one is to be used;

The subdivision will utilize public water. A letter from the Portland Water District indicating capacity is required.

Based on the information provided, the standards of this section have NOT been met.

Please see response above.

4. Erosion. The proposed subdivision will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results;

No Erosion and Sedimentation plan was provided.

Based on the information provided, the standards of this section have NOT been met.

As previously noted in the response to Peer Review comments prepared by our office and as discussed at the Planning Board Meeting on September 15, 2020, the Applicant is not proposing any physical site improvements with this subdivision request. As such, the requirement for an Erosion and Sedimentation plan is not necessary.

5. Traffic. The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed;

No traffic information was provided.

Based on the information provided, the standards of this section have NOT been met.

As discussed with the Planning Board at the September 15, 2020 meeting, the Applicant is not proposing any specific land uses for which trip generation information could be quantified. The Applicant has obtained an MDOT Highway Entrance Permit (a copy of which has been provided to your office). This permit provides evidence of the Applicants ability to construct a shared driveway in the location shown on the plans

previously submitted to your office. This driveway permit identifies the maximum allowable number of vehicle trips (without further permitting) at 99 one-way passenger car trips in the peak hour.

6.Sewage disposal. The proposed subdivision will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services, if they are utilized;

The project will utilize private septic. Additional information on soils and an HHE 200 is required.

Based on the information provided, the standards of this section have NOT been met.

As part of our response to the peer review comments by SME, the Medium Intensity Soil Survey has been submitted for review. As each lot owner decides what they wish to do with their land, subsurface disposal will be addressed through the local approval process. This includes test pits and soils data to demonstrate that there is sufficient land area available within the parcels to provide for on-site septic disposal appropriate to the specific land use proposed at the time. As noted in our cover letter, dated August 28, 2020 and included in our application, the Applicant is requesting a waiver on soils testing at this time.

7.Municipal solid waste disposal. The proposed subdivision will not cause an unreasonable burden on the municipality's ability to dispose of solid waste, if municipal services are to be utilized;

The 4 lot commercial subdivision will need to contract for private waste disposal service once site plans are approved for each lot.

Based on the information provided, the standards of this section have NOT been met.

In compliance with this requirement it is understood that any future site plan review for commercial uses on this property will require that the Applicant secure a contract with a commercial waste hauler. This requirement will be met as part of site plan review process as is required with any commercial property within the community. At this time there are no site plan approvals being sought.

8. Aesthetic, cultural and natural values. The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;

There are no letters from state agencies on file stating that the subdivision will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat or rare and irreplaceable natural areas.

Based on the information provided, the standards of this section have NOT been met.

Our office has filed a request for information from the following three agencies:

- Maine Natural Areas Program – To date, MNAP has responded to our request and a copy of their correspondence is included in this packet.
- Maine Historical Preservation Commission
- Maine Department of Inland Fisheries and Wildlife

9. Conformity with local ordinances and plans. The proposed subdivision conforms to a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan or land use plan, if any. In making this determination, the municipal reviewing authority may interpret these ordinances and plans;

The plans have been reviewed by the town planner, town engineer and town department heads. There are outstanding issues that need to be addressed.

Based on the information provided, the standards of this section have NOT been met.

The parcel is located in the VCC zone. The proposed lot dimensions meet the space and bulk criteria in the VCC district. It is understood that any proposed use of the lots must meet the standard set forth in the ordinance for permitted uses and/or special exception. Specific uses and additional details of any proposed lot development will be addressed at the time of application for site plan approval. No site improvements are proposed at this time.

10. Financial and technical capacity. The subdivider has adequate financial and technical capacity to meet the standards of this section;

Technical capacity is evidenced by the use of professional land surveyor.

A statement of values and evidence of financial capacity have not been provided.

Based on the information provided, the standards of this section have NOT been met.

The Applicant and his siblings currently own the property and have owned it for decades. The purpose of the proposed subdivision is to allow each sibling to have a portion of the property. As previously stated there are no physical improvements proposed in association with this project. As such there are no land acquisition costs, no construction costs, and no other substantive costs related to this subdivision for which a demonstration of financial capacity would be necessary. Any application review fees and permitting fees will be self-funded by the Applicant.

13.Flood areas. Based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant whether the subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area, the subdivider shall determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan must include a condition of plan approval requiring that principal structures in the subdivision will be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation;

The parcel is shown on FEMA Floodplain Map # _____ as being in Zone C (area of minimal flooding).

Based on the information provided, the standards of this section have NOT been met.

As the attached FEMA Firmette indicates, the proposed subdivision is not located in a mapped Floodplain.

14. Storm water. The proposed subdivision will provide for adequate storm water management;

No stormwater plan was provided.

Based on the information provided, the standards of this section have NOT been met.

As previously stated, no physical improvements are proposed with this subdivision. As such no Stormwater plan is required.

15.Freshwater wetlands. All potential freshwater wetlands, as defined in 30-A M.R.S.A. §4401 (2-A), within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these wetlands. Any mapping of freshwater wetlands may be done with the help of the local soil and water conservation district.

Wetland information was not provided.

Based on the information provided, the standards of this section have NOT been met.

As noted in our response to peer review comments, St.Clair Associates completed a Boundary Survey of the property in 2017 and revisited the site to mark the property limits in 2019. During both site visits, our office did not observe evidence of wetland areas on the property.

Closure

With the submittal of this response letter and updated application materials, we look forward to the opportunity to present this project to the Planning Board and hope that this response will aid in that process.

Please contact our office if you have any additional questions. We look forward to hearing from you.

Sincerely,

ST.CLAIR ASSOCIATES

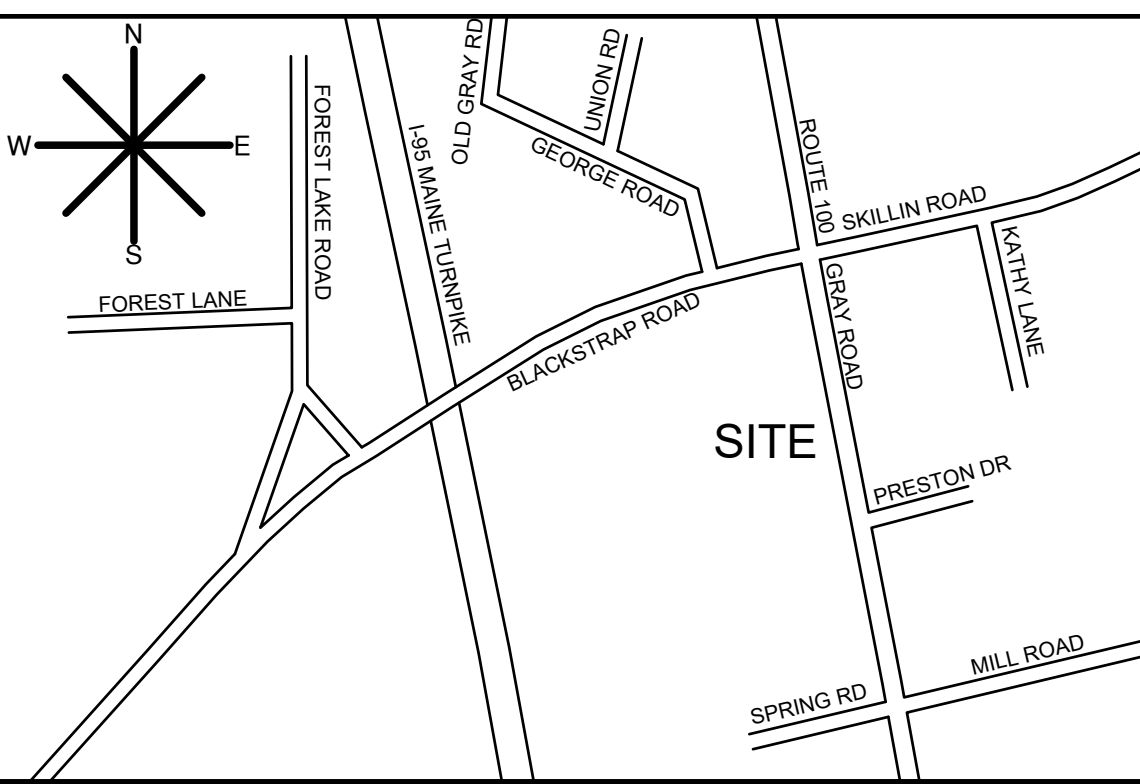
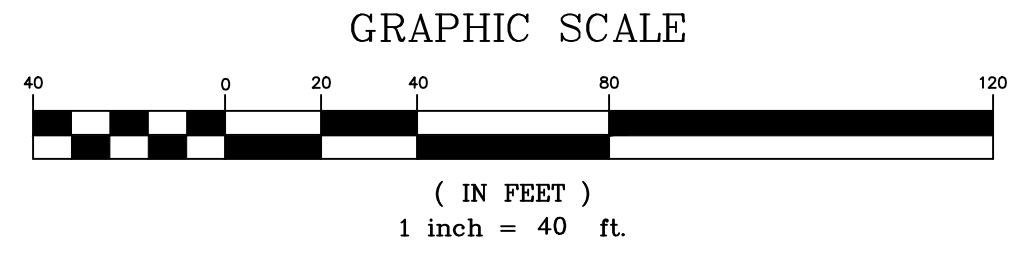
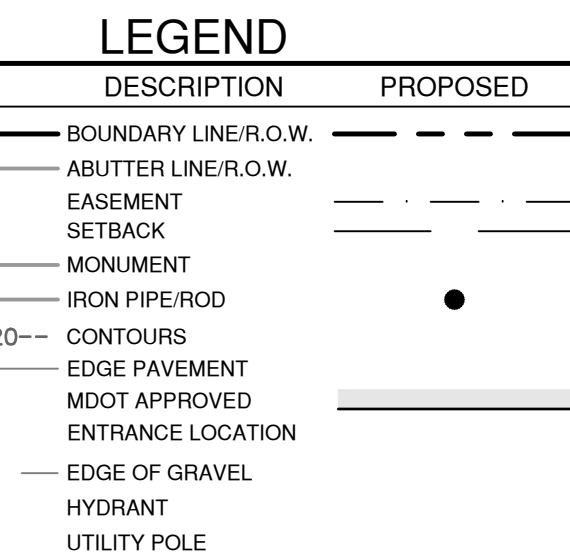
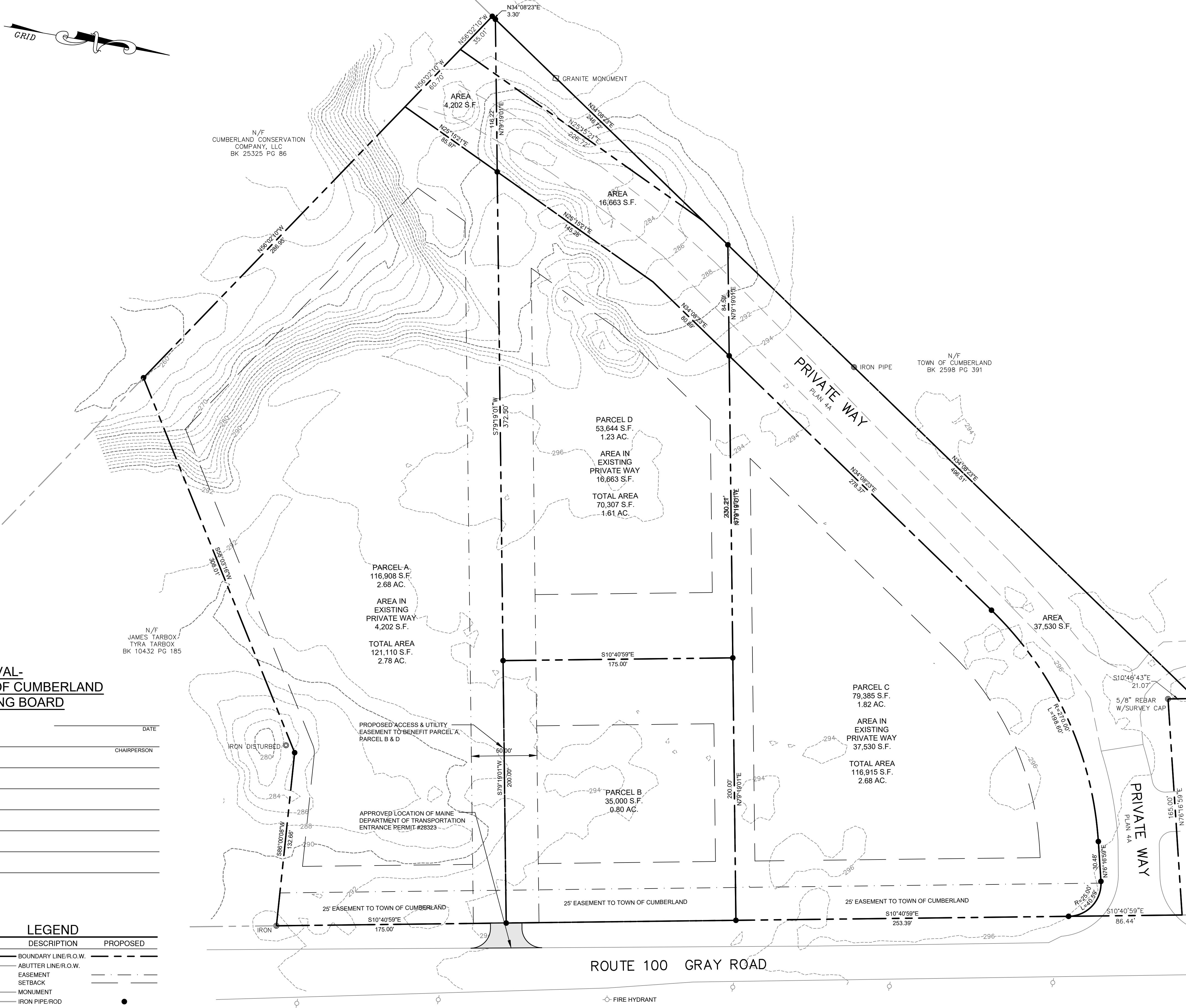
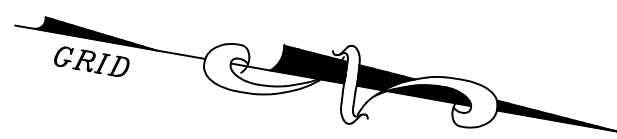


David St.Clair Jr. PLS

President

DCS:dcs

C: Ronald Copp Sr.



GENERAL NOTES

GENERAL NOTES

- THE RECORD OWNERS OF THE PROPERTY ARE RONALD COPP SR., HOWELL COPP AND JERALD COPP, JR. AS DESCRIBED IN A DEED RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 36440 PAGE 209.
- THE PROPERTY IS LOCATED ON THE TOWN OF CUMBERLAND TAX MAP U19 BEING DEPICTED AS LOT 8.
- THE BEARINGS AND NORTH ORIENTATION SHOWN HEREON IS BASED UPON GRID NORTH, NORTH AMERICAN DATUM OF 1983 MAINE WEST ZONE. CONTOURS AND ELEVATIONS SHOWN HEREON ARE BASED UPON LIDAR AERIAL PHOTOGRAPHY REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988. LIDAR CONTOURS ARE BASED UPON THE LATEST AVAILABLE DATA AND MAY NOT ACCURATELY REPRESENT CURRENT CONDITIONS.
- 1) PLAN REFERENCES:
- 1) PLAN OF PRIVATE WAY FOR ACCESS BY THE TOWN OF CUMBERLAND AND OTHERS DATED JULY 7, 2007 BY BOUNDARY POINTS PROFESSIONAL LAND SURVEYORS, AND RECORDED IN BOOK 211 PAGE 199.
- 2) BOUNDARY SURVEY LAND OWNED BY MARY PAT WARMING DATED APRIL 9, 2005 BY R.W. EATON ASSOCIATES AND RECORDED IN PLAN BOOK 207 PAGE 178.
- 3) PLAN OF LAND FROM TOWN 100 IN CUMBERLAND, MAINE FOR MICHAEL WILSON, ESTATE OF JAMES WILSON DATED MAY 25, 1988 BY D.T.C. LAPOINT, AND RECORDED IN PLAN BOOK 172 PAGE 47.
- 4) THE PROPERTY SHOWN HEREON IS SUBJECT TO AND BENEFITED BY ALL MATTERS OF RECORD ON FILE AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
- THIS PLAN IS BASED UPON A BOUNDARY SURVEY PERFORMED IN ACCORDANCE WITH THE STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS STANDARDS OF PRACTICE WITH THE EXCEPTION THAT NO NEW LEGAL DESCRIPTION HAS BEEN PREPARED, AND NO REPORT OF SURVEY HAS BEEN PREPARED.
- THE PROPERTY IS LOCATED IN THE TOWN OF CUMBERLAND VILLAGE CENTER COMMERCIAL (VCC) ZONING DISTRICT. THE SPACE & BULK REQUIREMENTS FOR THIS ZONING DISTRICT ARE AS FOLLOWS

MINIMUM LOT SIZE:	20,000 SQUARE FEET
MINIMUM STREET FRONTAGE:	75 FEET
MINIMUM FRONT YARD:	45 FEET
MINIMUM REAR YARD:	50 FEET
MINIMUM SIDE YARD:	15 FEET

NOTE: THE FRONT SETBACK FOR LOTS WITH FRONTAGE ON ROUTE 100 IN THIS DISTRICT SHALL INCLUDE THE REQUIRED TWENTY-FIVE-FOOT LANDSCAPE EASEMENT TO THE TOWN OF CUMBERLAND.

NOTE: WHERE A PROPOSED NONRESIDENTIAL USE WILL ABUT AN EXISTING RESIDENTIAL ZONE, THERE SHALL BE A TWENTY-FIVE-FOOT LANDSCAPE BUFFER WITHIN THE REQUIRED SETBACK.

REFER TO THE TOWN OF CUMBERLAND ZONING ORDINANCE FOR ADDITIONAL DETAILED INFORMATION REGARDING ZONING AND USES IN THE VCC ZONING DISTRICT.

THE PROPERTY IS LOCATED IN THE VCC ZONING DISTRICT. THE NET DENSITY FOR THE VCC ZONING DISTRICT IS AS FOLLOWS:

THE TOTAL AREA OF THE PROPERTY IS:	7.88 AC.	343,335 S.F.
DESCRIPTION	AREA	NET AREA
A) AREA FOR ROADS & PARKING:	83,099 S.F.	260,236 S.F.
B) LAND CUT OFF FROM MAIN PARCEL	3,923 S.F.	256,313 S.F.
C) AREAS UNDESIRABLE FOR DEVELOPMENT IN THEIR NATURAL STATE (SLOPES)	0	256,313 S.F.
D) AREAS UNSUITABLE FOR DEVELOPMENT IN THEIR NATURAL STATE (WETLANDS)	0	256,313 S.F.
E) AREAS UNSUITABLE FOR DEVELOPMENT IN THEIR NATURAL STATE (100 YEAR FLOOD)	0	256,313 S.F.
F) AREAS SUBJECT TO RIGHTS OF WAY OR EASEMENTS:	0	256,313 S.F.
G) AREAS WITHIN RP, EXCEPT LAND ABOVE THE UPLAND EDGE OF WETLANDS	0	256,313 S.F.
NET RESIDENTIAL AREA		256,313 S.F.
ZONING DISTRICT (VCC)		
NUMBER OF LOTS ALLOWED		12.82
PER NET RESIDENTIAL ACRES (256,313/20,000)		
D) THE NEAREST FIRE HYDRANT IS LOCATED ON THE EASTERLY SIDE OF GRAY ROAD (STATE ROUTE 100) OPPOSITE PARCEL B SHOWN HEREON.		

- 0) THE PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED ON THE FIRM FLOOD HAZARD MAP COMMUNITY PANEL NO. 230162 0015 B HAVING AN EFFECTIVE DATE OF MAY 19, 1981.

N/F
WSAH PROPERTY LLC
BK 24333 PG 340

STATE OF MAINE

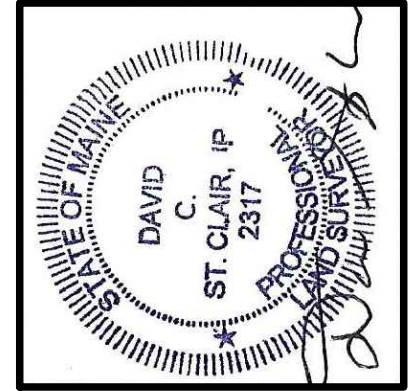

____ COUNTY
REGISTRY OF DEEDS RECEIVED

_____, 20__ AT __h

_____m _____M. AND RECORDED

IN PLAN BOOK _____ PAGE_____

ATTEST _____
REGISTER

[illegible]

17013	ELECT	FIELD BOOK	DESIGN	CHKD	DRAWN
				DCS	DCS

SUBDIVISION PLAN
OF:
GRAY ROAD PROPERTY
166 GRAY ROAD
CUMBERLAND, MAINE
FOR RECORD OWNER:
RONALD W. COPP
187 GRAY ROAD
CUMBERLAND, ME 04021

DATE	SCALE
8-11-20	1"=40'

SHEET 1

17013S

From: [Robert Bartels](#) on behalf of [AMaP MEANS](#)
To: ["David St.Clair"](#)
Cc: [Nancy St. Clair P. E.](#); coppmotors@aol.com; [AMaP MEANS](#)
Subject: RE: Gray Road Property Cumberland
Date: Thursday, September 17, 2020 4:40:29 PM
Attachments: [CU - 166 Gray Rd - Infrastructure Map - 2020.pdf](#)

Hello Mr. St. Clair,

While I can't provide an Ability to Serve determination letter at this stage of development, I can provide the following statement:

Attached is a copy of PWD's infrastructure map noting the location, type, and size of the public water infrastructure near your site, demonstrating a sufficient- and healthful water supply exists. Based on the demand provided by the applicant, the district has sufficient supply to serve the proposed project, as long as the project is designed and installed in accordance with PWD standards. This email shall serve as PWD's acknowledgement of the project and the start of design coordination with the development team; In no way shall this information be interpreted as a determination of PWD's ability to serve the project at this time as this is only a determination of the capacity of the existing system based on the proposed development. As your project progresses, we require that you submit design plans to MEANS for review of the proposed water improvements. An Ability to Serve Determination letter is required from the District in order to receive final approval from the District and the municipality having jurisdiction.

Please let me know if you have any questions.

Thanks,

From: David St.Clair <david@stclairassociatesmaine.com>
Sent: Tuesday, September 15, 2020 10:57 AM
To: Robert Bartels <rbartels@pwd.org>; AMaP MEANS <means@pwd.org>
Cc: Nancy St. Clair P. E. <Nancy@stclairassociatesmaine.com>; coppmotors@aol.com
Subject: Gray Road Property Cumberland

ATTENTION: This email did NOT originate from Portland Water District. This email is from an external source outside of the District. Exercise EXTREME caution when opening external attachments or links from unknown senders.

Hi Robert & Means Department,

Our office is working Ronald Copp Sr. to further subdivide a parcel of land owned by him and his brothers located at 166 Gray Road in Cumberland. I have attached a copy of the proposed Subdivision Plan for your reference. It is our understanding that, at the time of construction of the water main in Gray Road, a water service stub was provided to the overall parcel.

At this time, their intent is to only divide the property as they are not actively pursuing further development on the property.

The Town of Cumberland Planning Department is asking us to get a letter from the Portland Water District generally indicating that the PWD has the ability to serve the property for future development.

Our office does understand that these types of letters are issued as part of a formal PWD review of the proposed development on the property. At this time there are no plans in the works.

Can you provide our office with a letter that we can provide to the Town of Cumberland. The letter may be able to indicate that public water is available in Gray Road. Something similar may satisfy the Town's request.

Thanks,

David St.Clair Jr PLS
President

St.Clair Associates
34 Forest Lane
Cumberland, ME 04021

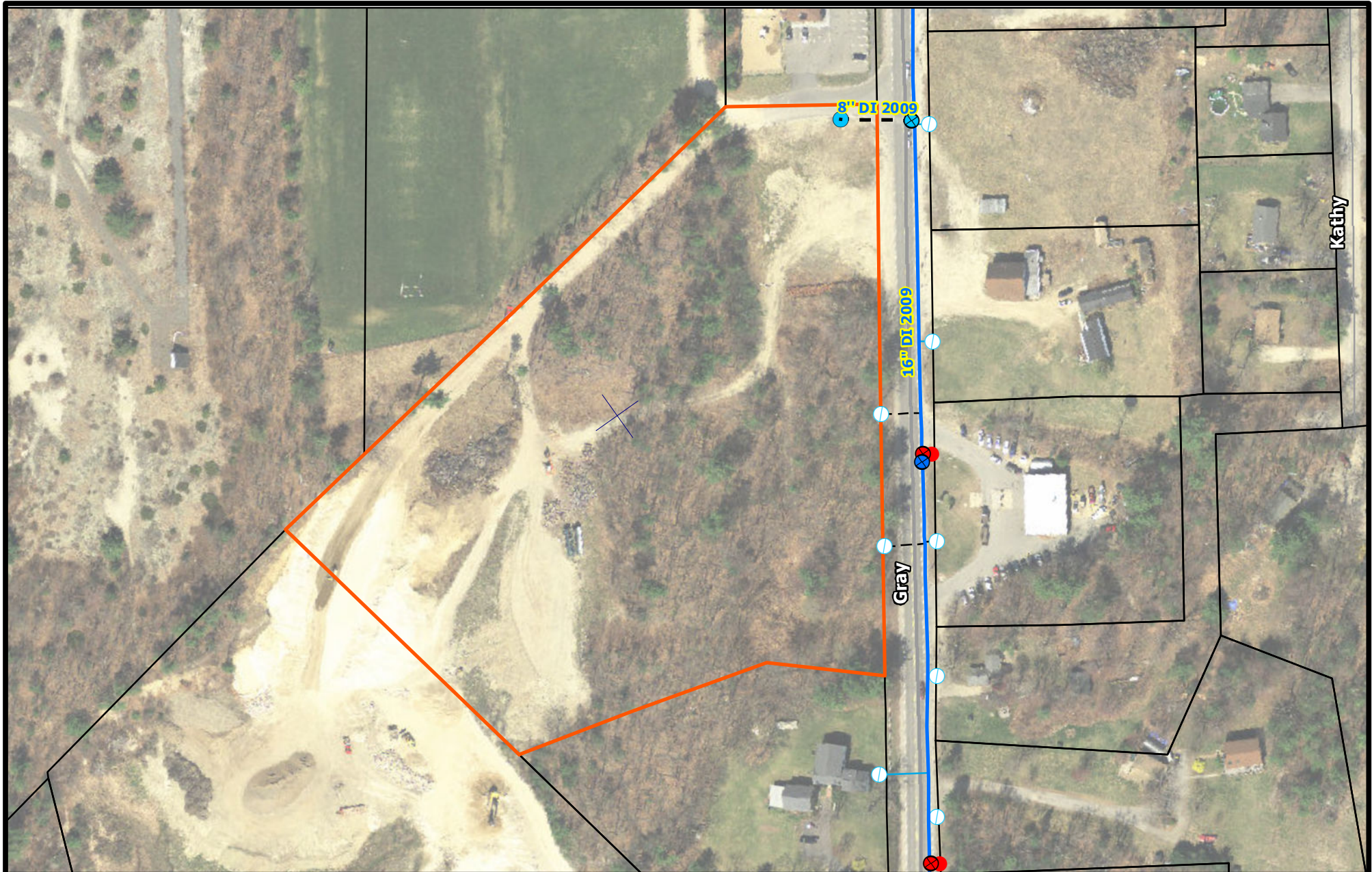
Office (207) 829-5558
Cell (207) 415-5553

Robert Bartels
Senior Project Engineer
Portland Water District
Phone: 207-774-5961
E-mail: rbartels@pwd.org
<http://www.pwd.org>

Portland Water District NOTICE & DISCLAIMER Confidentiality Notice:

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. Please notify the sender if you have received this message in error. Recipients should be aware that replies to this message may not be considered confidential under the Maine Freedom of Access law, 1 M.R.S.A. §402, and may therefore be subject to public disclosure upon request.

 Please consider the environment before printing this email



166 Gray Rd.

Cumberland



PORTLAND WATER DISTRICT
225 Douglass Street
Portland, ME 04104

Scale 0 37.5 75 150 225 300 Feet 1 inch = 150 feet

Legend

- | | | |
|----------------|----------------------|-----------------------|
| ● Connection | ⊕ Combined Service | ● Private Hydrants |
| ● Air Valve | ⊕ Domestic Service | → Gravity |
| ● Blow Off | ⊕ Fire Service | → Force |
| ● By Pass | ▲ Reducer | ● Manhole |
| ● Distribution | ▲ Hydrant | ● CSO |
| ● Transmission | ⊕ Meter Pits | — Proposed Water Main |
| | — Shallow Water Main | |
| | — Deep Water Main | |



Disclaimer: This map is suitable for preliminary study and analysis and is based on PWD record information. PWD is not liable for any damages whatsoever resulting from inaccurate data or from errors made in the location and marking of its infrastructure.

Drawn By: KAR

Infrastructure Map

Scale: As Noted

Date: September 17, 2020



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
177 STATE HOUSE STATION
AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

September 16, 2020

Nathaniel Tillson
St. Clair Associates
34 Forest Lane
Cumberland, ME 04021

Via email: nat@stclairassociatesmaine.com

Re: Rare and exemplary botanical features in proximity to: #17013, Copp Subdivision, 166 Gray Road, Cumberland, Maine

Dear Mr. Tillson:

I have searched the Maine Natural Areas Program's Biological and Conservation Data System files in response to your request received September 14, 2020 for information on the presence of rare or unique botanical features documented from the vicinity of the project in Cumberland, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. This lack of data may indicate minimal survey efforts rather than confirm the absence of rare botanical features. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

If a field survey of the project area is conducted, please refer to the enclosed supplemental information regarding rare and exemplary botanical features documented to occur in the vicinity of the project site. The list may include information on features that have been known to occur historically in the area as well as recently field-verified information. While historic records have not been documented in several years, they may persist in the area if suitable habitat exists. The enclosed list identifies features with potential to occur in the area, and it should be considered if you choose to conduct field surveys.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

MOLLY DOCHERTY, DIRECTOR
MAINE NATURAL AREAS PROGRAM
BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-804490
WWW.MAINE.GOV/DACF/MNAP

The Maine Natural Areas Program (MNAP) is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. MNAP welcomes coordination with individuals or organizations proposing environmental alteration or conducting environmental assessments. If, however, data provided by MNAP are to be published in any form, the Program should be informed at the outset and credited as the source.

The Maine Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$150.00 for two hours of our services.

Thank you for using MNAP in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,

A handwritten signature in cursive script, appearing to read "Krist Puryear".

Kristen Puryear | Ecologist | Maine Natural Areas Program
207-287-8043 | kristen.puryear@maine.gov

Rare and Exemplary Botanical Features within 4 miles of Project: #17013, Copp Subdivision, 166 Gray Road, Cumberland, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
Broad Beech Fern						
	SC	S2	G5	2016-09-04	28	Hardwood to mixed forest (forest, upland)
Engelmann's Spikerush						
	PE	SH	G4G5	1916-08-31	2	Open wetland, not coastal nor rivershore (non-forested, wetland)
Enriched Northern Hardwoods Forest						
	<null>	S3	GNR	2001-08-28	34	Hardwood to mixed forest (forest, upland)
Fern-leaved False Foxglove						
	SC	S3	G5	1902-09-02	13	Dry barrens (partly forested, upland),Hardwood to mixed forest (forest, upland)
Great Blue Lobelia						
	PE	SX	G5	1905-09	3	Forested wetland,Non-tidal rivershore (non-forested, seasonally wet)
Horned Pondweed						
	SC	S2	G5	1913-09-13	9	Tidal wetland (non-forested, wetland)
Marsh Milkwort						
	PE	SH	G5T4	1903-08-18	1	Dry barrens (partly forested, upland),Open wetland, not coastal nor rivershore (non-forested, wetland)
Oak - Hickory Forest						
	<null>	S1	G4G5	2014-08-21	5	Hardwood to mixed forest (forest, upland)
Pocket Swamp						
	<null>	S2	G5	2017-07-27	24	Forested wetland,Hardwood to mixed forest (forest, upland)
Rattlesnake Hawkweed						
	E	S1	G5T4Q	1909-07	1	Dry barrens (partly forested, upland)
Smooth Winterberry Holly						
	SC	S3	G5	2017-08-23	45	Forested wetland
Spotted Pondweed						

Rare and Exemplary Botanical Features within 4 miles of
Project: #17013, Copp Subdivision, 166 Gray Road, Cumberland, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
Spotted Wintergreen	T	S1	G5	1995-10-01	3	Open water (non-forested, wetland)
Water-plantain Spearwort	T	S2	G5	2009-07-26	30	Conifer forest (forest, upland),Hardwood to mixed forest (forest, upland)
	PE	SH	G4	1903-07-29	2	Open water (non-forested, wetland)

STATE RARITY RANKS

- S1** Critically imperiled in Maine because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extirpation from the State of Maine.
- S2** Imperiled in Maine because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
- S3** Rare in Maine (20-100 occurrences).
- S4** Apparently secure in Maine.
- S5** Demonstrably secure in Maine.
- SU** Under consideration for assigning rarity status; more information needed on threats or distribution.
- SNR** Not yet ranked.
- SNA** Rank not applicable.
- S#?** Current occurrence data suggests assigned rank, but lack of survey effort along with amount of potential habitat create uncertainty (e.g. S3?).

Note: **State Rarity Ranks** are determined by the Maine Natural Areas Program for rare plants and rare and exemplary natural communities and ecosystems. The Maine Department of Inland Fisheries and Wildlife determines State Rarity Ranks for animals.

GLOBAL RARITY RANKS

- G1** Critically imperiled globally because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extinction.
- G2** Globally imperiled because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
- G3** Globally rare (20-100 occurrences).
- G4** Apparently secure globally.
- G5** Demonstrably secure globally.
- GNR** Not yet ranked.

Note: **Global Ranks** are determined by NatureServe.

STATE LEGAL STATUS

Note: State legal status is according to 5 M.R.S.A. § 13076-13079, which mandates the Department of Conservation to produce and biennially update the official list of Maine's **Endangered** and **Threatened** plants. The list is derived by a technical advisory committee of botanists who use data in the Natural Areas Program's database to recommend status changes to the Department of Conservation.

- E** ENDANGERED; Rare and in danger of being lost from the state in the foreseeable future; or federally listed as Endangered.
- T** THREATENED; Rare and, with further decline, could become endangered; or federally listed as Threatened.

NON-LEGAL STATUS

- SC** SPECIAL CONCERN; Rare in Maine, based on available information, but not sufficiently rare to be considered Threatened or Endangered.
- PE** Potentially Extirpated; Species has not been documented in Maine in past 20 years or loss of last known occurrence has been documented.

ELEMENT OCCURRENCE RANKS - EO RANKS

Element Occurrence ranks are used to describe the quality of a rare plant population or natural community based on three factors:

- **Size**: Size of community or population relative to other known examples in Maine. Community or population's viability, capability to maintain itself.
- **Condition**: For communities, condition includes presence of representative species, maturity of species, and evidence of human-caused disturbance. For plants, factors include species vigor and evidence of human-caused disturbance.
- **Landscape context**: Land uses and/or condition of natural communities surrounding the observed area. Ability of the observed community or population to be protected from effects of adjacent land uses.

These three factors are combined into an overall ranking of the feature of **A**, **B**, **C**, or **D**, where **A** indicates an **excellent** example of the community or population and **D** indicates a **poor** example of the community or population. A rank of **E** indicates that the community or population is **extant** but there is not enough data to assign a quality rank. The Maine Natural Areas Program tracks all occurrences of rare (S1-S3) plants and natural communities as well as A and B ranked common (S4-S5) natural communities.

Note: **Element Occurrence Ranks** are determined by the Maine Natural Areas Program for rare plants and rare and exemplary natural communities and ecosystems. The Maine Department of Inland Fisheries and Wildlife determines Element Occurrence ranks for animals.

Visit our website for more information on rare, threatened, and endangered species!
<http://www.maine.gov/dacf/mnap>



17013

September 14, 2020

Carla Nixon, Town Planner
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Minor Subdivision Application
166 Gray Road
Ronald Copp Sr.
Response to Third Party Review

Dear Carla,

We have prepared the enclosed updated materials in response to review comments regarding the proposed subdivision of land at 166 Gray Road.

We have prepared the enclosed updated information in response to the comments received on September 8, 2020. With the submittal of this information, the Applicant is hereby requesting that this material be included with the Application materials already submitted for this site.

Please note that the Applicant has also provided additional supporting materials directly to your office which are not included in this package. This information includes the submittal of a letter identifying Ronald Copp Sr. as agent on behalf of the landowners, which include Mr. Copp and his siblings. Upon Subdivision Approval, Parcels A and C will be conveyed to Mr. Copp's siblings, such that each owner will have a separate parcel. With the proposed Subdivision Approval, the land to be owned by Mr. Copp is being divided into Parcels B and D. It is our understanding that this letter will serve as sufficient evidence of Right, Title and Interest to allow Mr. Copp to file these materials and to seek Planning Board approval of the proposed division of land.

We are hopeful that this response and the material provided directly by the Applicant will aid in the overall review process with the Planning Board.

Proposed Subdivision

Prior to addressing the review comments specifically, we would like to reiterate and clarify the proposed request which triggers review by the Planning Board. As the enclosed Subdivision Plan shows, the applicant is proposing to divide his family land to create lots for individual ownership by each sibling.

Parcels A and C will be conveyed separately to each of his siblings which currently share an ownership of the overall parcel. Mr. Copp is proposing that, as part of this subdivision approval, his portion of the family land will be further split to create Lots B and D as shown on the enclosed Plan.

As the plan also shows, there is an existing Private Way which extends from Route 100 (Gray Road), in a generally arc shape, over the northerly edge of the Applicant's land. This existing Private Way was approved by the Town in July of 2007 and its Plan is recorded at the Cumberland County Registry of Deeds in Plan Book 211, Page 199. It is our understanding that the Private Way was established over the Applicant's land to allow the Town and others to cross the Applicant's property for access to land to the south and west of their site. This Private Way was constructed and is actively used.

Parcel D gains its frontage from the existing Private Way described above. Parcels A, B and C all have existing frontage along Route 100.

No new Private Way is proposed as part of this subdivision.

Given the location of the site frontages along Route 100, the Maine Department of Transportation has issued an Entrance Permit (Permit # 28323), to allow a new shared access point off the State Road. A copy of this MDOT Entrance Permit has been previously filed with your office.

In order to consolidate the points of access onto Route 100, Parcels A, B and D will share a proposed 50' wide access and utility easement that spans their common lot lines. This proposed Access and Utility Easement is shown on the Subdivision Plan. This easement is proposed to facilitate shared use of the approved MDOT entrance location and to allow connection to existing utilities in Route 100.

As the Subdivision Plan shows, the shared access and utility easement is located along the northerly lot line of Parcel A, and along the southerly lot lines of Parcels B and D. Parcel C will be able to gain its access from the existing Private Way. Parcel D will have its choice of access (i.e. either from the existing Private Way or via the proposed access and utility easement to Route 100) depending on its proposed site layout.

This 50' wide easement is being proposed simply to allow shared access and utilities, and is not necessary to create any frontage for any lot, as all lots have sufficient frontage either along the existing Route 100 corridor or along the existing Private Way described above, we apologize if this was not stated properly in our prior application materials.

As stated previously, the Applicants are not proposing any construction of any new improvements at this time. They are simply proposing to divide their land using existing frontage, and to identify a proposed shared access utility and corridor that complies with their MDOT Entrance Permit.

With the approval of the proposed Subdivision Lots, Parcels A-D can then come forward independently for Site Plan review and approval, as needed, based on the local Ordinance criteria. No physical improvements are proposed as part of this Subdivision Application.

Responses to Comments

This letter outlines our responses to the specific comments in the memoranda received from Sevee & Maher Engineers, Inc. It is intended to update and accompany our original application materials.

For ease of review, we have listed the comments contained in SME's September 8, 2020 email in *italics* below, along with our responses.

September 8, 2020 E-mail Comments from SME

We offer the following in response to comments from SME

Section 250-4(N) – Stormwater

- 1. Please provide construction details and stormwater management calculations for the drainage associated with the proposed Private Way.*

As noted above, the applicant is proposing a subdivision of land only. The Private Way shown on the Plan and described above exists, and was previously approved by the

Town in 2007. The Private Way was constructed a number of years ago and is actively used. No modifications are proposed as part of this application.

The proposed 50' wide shared access and utility easement is simply an easement area that is proposed to facilitate a common access point on Route 100. The construction of any improvements within this easement area will be addressed as part of any individual local approvals of development on Parcels A, B and D, as appropriate.

Since there are no construction improvements proposed at this time, there is no need to provide any stormwater calculations or construction details. It is understood that, as each lot comes forward for its local approvals, these items will need to be addressed.

Section 250-4(L) – Groundwater

1. *Please provide information on how the subdivision will protect groundwater.*

Similar to our response above, this item will be addressed as part of any local review process to seek approvals for specific construction of improvements on an individual lot. At that time, provisions to protect groundwater will be evaluated in accordance with the local Ordinance requirements, as appropriate, based on the type and extent of development proposed on the lot.

Section 250-4(O) – Freshwater Wetlands

2. *Have the wetlands on the parcel been delineated?*

St.Clair Associates completed a Boundary Survey of the property in 2017 and revisited the site to mark the property limits in 2019. During both site visits, our office did not observe evidence of wetland areas on the property.

Section 250-29 – Review and approval by other agencies.

3. *Please provide a copy of the MDOT Entrance Permit for the new Private Drive location will be provided for Final Plan Review.*

A copy of the MDOT Entrance Permit is attached with this response letter. Please note that (as discussed above) the Applicants are not proposing construction of a new Private Way, but simply a proposed shared access and utility easement to consolidate access for Lots A, B and D to the entrance approved by the MDOT. A copy of the Permit was previously provided to the Planning Office on August 31, 2020.

Section 250-33 – Utilities

4. *Please provide information on existing utilities mentioned in the cover letter. The Applicant has not demonstrated how the Parcels will be serviced.*

The parcels shall be serviced by a combination of existing overhead and underground utilities available in Route 100. Overhead power, phone and cable TV services are available in Gray Road and shall be extended to each lot, as needed, at the time of development. Public water and natural gas lines also exist along Route 100. At the time each lot come forward for development, specific utility service design layouts for each lot shall be presented as part of the local application review materials for each lot. No utility services are proposed at this time.

Section 250-34 – Water supply.

5. *Please provide evidence of adequate capacity to serve the new subdivision and details on water supply provided to individual parcels.*

It is anticipated that each lot can be served by the Portland Water District, as there is public water supply available in Gray Road. Our office has contacted the Portland Water District to request a letter indicating Public Water is available to serve the proposed lots. At this time, the individual development needs for each lot are unknown. As part of an Ability to Serve request, the Portland Water District requires review of the anticipated development and water demands. Since this information is not known at present, a formal Ability to Serve letter is not available. As each lot comes forward to seek its own local approvals, a site-specific Ability to Serve letter can be requested from the Portland Water District. This information will be required to be submitted for PWD consideration at the time each lot comes forward with a request for local approval.

Section 250-35 – Sewage disposal.

6. *Please clarify if the intent of this subdivision is to market these lots as commercial or residential. If residential, SME recommends that test pits for subsurface wastewater disposal systems be provided indicating the soils are suitable for this type of development.*

At this time, the specific uses of each lot are not defined, but would obviously need to be consistent with permitted (or special exception) uses within the Village Center Commercial District (VCC), and any applicable overlay districts.

The purpose of this Subdivision is to divide the shared family land to create lots for individual ownership by each sibling.

Mr. Copp's portion of the family land is proposed to be split to create Lots B and D as shown on the enclosed Plan. Parcels A and C will be owned individually by the other siblings which currently share ownership of the overall parcel.

As each lot owner decides what they wish to do with their land, subsurface disposal will be addressed through the local approval process. This includes test pits and soils data to demonstrate that there is sufficient land area available within the parcels to provide for on-site septic disposal appropriate to the specific land use proposed at the time.

Please note that based on a review of the Natural Resource Conservation Service's (NRCS') Web Soil Survey (WSS), the entire parcel area is mapped as a Hinckley Loamy Sand (3 to 8% slopes). A copy of the soils map is included as part of this package.

7. *If the lots are intended to be commercial, SME recommends a Condition of Approval be added that requires a hydrogeological study for each commercial development prior to approval of individual subsurface wastewater disposal systems.*

While SME's recommendation for a hydrogeological study may be warranted in certain cases, depending on the proposed individual site use, this condition may not be an appropriate burden to place on each lot as a condition of the approval of this proposed Subdivision. Since the local approval process of an individual Site Plan allows the Planning Board or reviewing Staff the authority to impose this condition as well, it is respectfully requested that the appropriateness of this requirement be considered at the time that the proposed site use is identified and the details of any site development can be reviewed.

Section 250-38 – Design and construction standards.

8. *There is a discrepancy in the means of access to Parcels A, B, and C between the letter and the Subdivision Plan. The Plan calls out an access easement but also calls out "AREA IN PRIVATE WAY". Similarly, the letter appears to indicate both. SME would recommend that access for the lots be provided as a Private Way.*

We hope that the prior discussion within this letter with the heading of "Proposed Subdivision" has helped to clarify the Applicant's program with regard to the Existing Private Way and the proposed shared access and utility easement.

As stated previously, no new Private Way is proposed. Since the existing Private Way crosses over portions of Parcels A, C and D, the portions of these lots that are encumbered by the existing Private Way are identified. As you will see on the Subdivision Plan, there is no such note on Parcel B.

The underlying fee ownership of the Private Way currently is held by the landowners (i.e. Mr. Copp and his brothers). With the approval of the proposed Subdivision, ownership of the existing Private Way will be divided amongst each lot owner based on which parcel they own (i.e. Parcels A, C or D). The rights of others in the existing Private Way are not affected by the proposed division of the fee ownership of the land within the existing Private Way.

- 9. Please provide construction details for the proposed Private Way serving Parcels A, B, and C. Please confirm that they are in conformance with the Street Design and Construction Standards in Article X of the Subdivision of Land Ordinance.*

As noted, no new Private Way is proposed, thus no construction details are necessary. The existing Private Way was constructed a number of years ago and is actively used. The proposed shared access and utility easement will be designed and improved at the time of individual site development. The details of these improvements can be evaluated by the Town as part of the local review process for the development of each individual lot which proposes to exercise the use of this shared access and utility easement.

Section 250-41 – Soil erosion.

- 10. Please provide details for erosion control associated with construction of the proposed Private Way.*

At the time each lot comes forward for development, Erosion Control associated with the development can be detailed on the individual Site Plan and an Erosion Control narrative and details can be provided which is specific to the individual lot development.

No construction is proposed at this time.

Section 250-45– Waivers and modifications.

Waiver Request 1 – Stormwater Management – SME recommends that the Applicant provide details for the construction of drainage associated with the proposed Private Way and a narrative and calculations on the impact to drainage at the site.

As noted, the existing Private Way was approved by the Town in 2007, and was constructed years ago. No new Private Way is proposed.

Waiver Request 2 – Hydrogeological Study – SME recommends approval of this waiver. However, SME also recommends that a condition be added that for any development of the lots separate from a single-family residential use, a Hydrogeological Study be completed to determine impacts to the abutting properties and the underlying Aquifer. This should be noted on the Subdivision Plan.

It is understood that depending on the site uses proposed as each lot comes forward, the need for a Hydrogeological Study may be warranted.

The existing Ordinance provisions for Site Plan review (major or minor) already give the Town the right to require this type of a study, if warranted. This process also gives an Applicant the right to seek a waiver, if appropriate.

Placing a blanket requirement for a Hydrogeological Study as a Condition of Approval on the Subdivision itself (without knowledge of whether the type and extent of proposed site use would justify such an evaluation), would appear to unintentionally eliminate the right of a future applicant to seek a waiver on this item as part of their own approval of an individual site, since the granting of a waiver regarding a Hydrogeological Study at the Site Plan level could violate the Subdivision's Conditions of Approval.

Since the Ordinance already provides the Town the right to require this type of study as part of its review at the Site Plan level, we respectfully request that the need for a Hydrogeological Study be evaluated individually as the lots come forth for development, and that it not be required as part of a Condition of Approval for the proposed Subdivision.

Waiver Request 3 – Soils Investigation – See response to Waiver Request 2 and comment provided under Section 250-35.

Please see our responses above as well.

Waiver Request 4 – Soils Report – See response to Waiver Request 2 and comment provided under Section 250-35.

Please see our discussions above that further address this item as well.

Waiver Request 5 – CCSWCD Submission – SME recommends approval of this waiver.

We appreciate the concurrence with our request on this item.

Chapter 315: Zoning

SME has reviewed the applicable sections of Chapter 315 and provided comments for those sections not found to be addressed by the Application. The remaining sections have been reviewed and found to comply with Chapter 315 requirements.

Article V – Aquifer Protection

- 11. Please note that the subject parcel appears to be in the area designated as Aquifer Protection. SME recommends that this be noted on the Subdivision Plan and that the note include language that “any development proposed on these parcels will be required to meet the requirements of Article V of Chapter 315 Zoning of the Town Ordinances.”*

This note can be added to the Subdivision Plan.

General Comments

12. Net Density Calculations

- a. Are the slopes shown on the south portion of Parcel A steep enough to be excluded from the Net Residential Area?*

Our office has reviewed the topography on the parcel and determined that the area of sustained slopes on the property in excess of 20% is less than the 30,000 square feet threshold for which any Net Residential Acreage deductions would apply.

Please note that based on our review of the Ordinance criteria for the Village Center Commercial (VCC) District, the permitted (and Special Exception) uses in the VCC District do not include single-family residential housing. Thus a calculation of Net Residential Area would not apply.

In addition, the Ordinance criteria for the VCC Multiplex Overlay District sets forth a specific minimum lot size of 5 acres and a minimum lot area per dwelling unit of not less than 8,000 sf per bedroom. Net residential acreage calculations are not required for projects in the VCC Multiplex Overlay District.

With the proposed division of the land into the lots as shown on the proposed Subdivision Plan, no individual lot would be of sufficient size (i.e. greater than 5 acres) to proceed with a multiplex housing option.

b. Please confirm there are no wetlands.

Based upon our observation of the property, there does not appear any wetland areas located on the property.

c. Please provide Firmette to demonstrate that there are no areas of the site within the 100-year floodplain.

A copy of the FEMA Firmette has been provided. As the Map demonstrates, the site is not within a mapped 100-year floodplain.

Closure

With the submittal of this response letter and updated plan materials, we look forward to the opportunity to present this project to the Planning Board and hope that this response will aid in that process.

Please contact our office if you have any additional questions. We look forward to hearing from you.

Sincerely,

ST.CLAIR ASSOCIATES

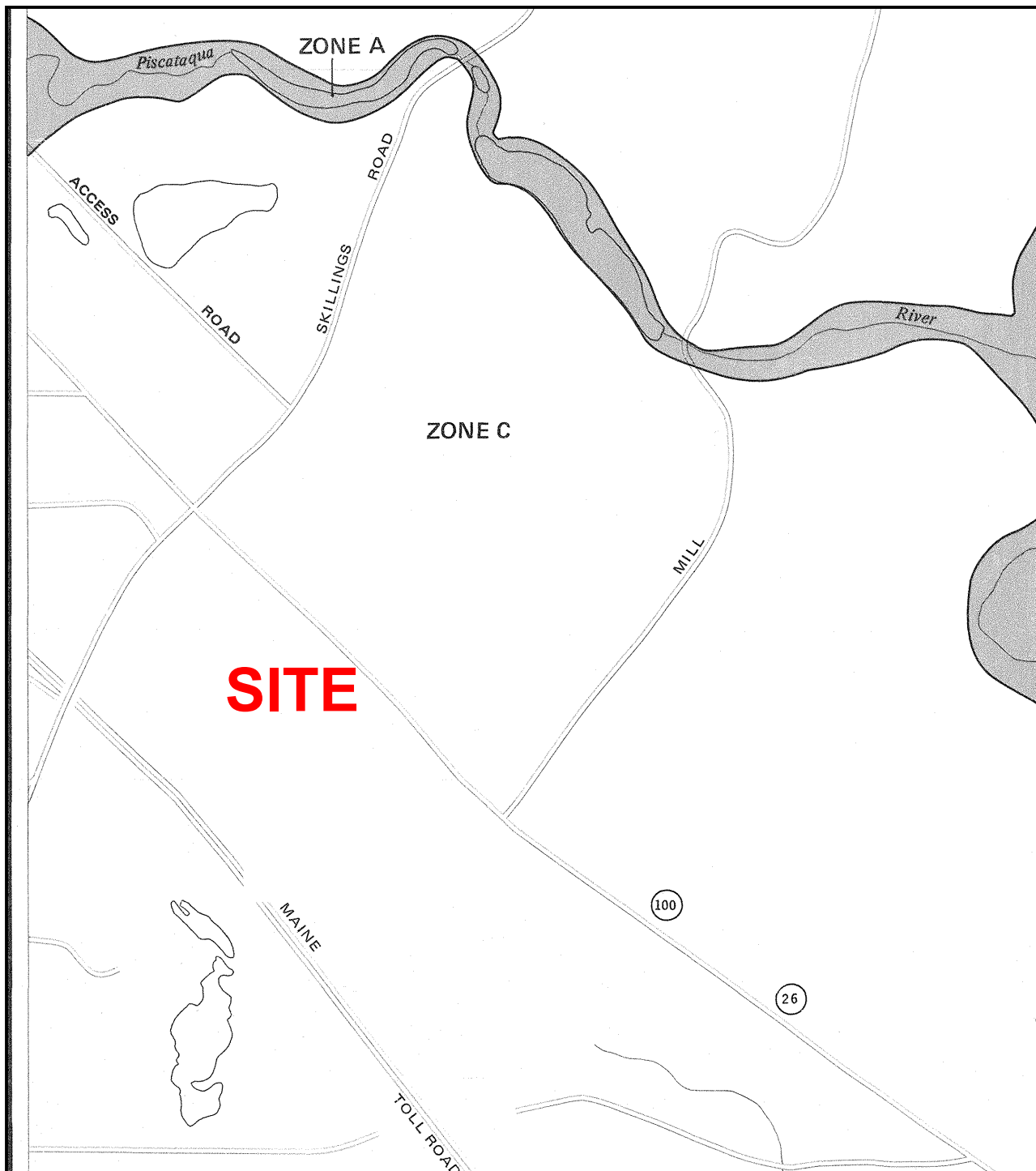


David St.Clair Jr. PLS

President

DCS:dcs

C: Ronald Copp Sr.



APPROXIMATE SCALE

800 0 800 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

TOWN OF
CUMBERLAND, MAINE
CUMBERLAND COUNTY

PANEL 15 OF 25
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
230162 0015 B

EFFECTIVE DATE:
MAY 19, 1981



federal emergency management agency
federal insurance administration

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Soil Map—Cumberland County and Part of Oxford County, Maine
(166 Gray Road Cumberland ME)



Soil Map—Cumberland County and Part of Oxford County, Maine
(166 Gray Road Cumberland ME)

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cumberland County and Part of Oxford County, Maine

Survey Area Data: Version 17, Jun 5, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 7, 2019—Jul 2, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HIB	Hinckley loamy sand, 3 to 8 percent slopes	7.1	100.0%
Totals for Area of Interest		7.1	100.0%



17013

September 14, 2020

Maine Natural Areas Program
93 State House Station
Augusta, ME 04333-0093

Copp Minor Subdivision

166 Gray Road Cumberland, ME 04021

Cumberland Assessor's Map U19, Lot 8

Ron Copp Sr.

On behalf of Ron Copp Sr., we are writing to seek information from your records regarding an approximately 7.87 acre parcel located at 166 Gray Road in Cumberland, Maine.

The Applicant and his siblings own this parcel of land. It is the intent of the Applicants to divide the parcel into 4 lots. No new road or subdivision improvements are proposed at this time. The Applicants are proceeding with the local review process with the Town of Cumberland and would appreciate any information from your files that may affect this property.

Parcel Description

This parcel is currently undeveloped and is located along the westerly side of Route 100 in Cumberland. The property is shown on Cumberland Assessor's Map U19 as Lot 8. The parcel is located in Cumberland's VCC Zoning District.

The approximately 7.87-acre parcel has approximately 803 feet of frontage on Route 100. The land area is generally open and is undeveloped with no apparent wetlands identified on the property.

Proposed Project

As the enclosed plans demonstrate, the Applicants are proposing to divide the approximately 7.87-acre site into four lots, three of which will have frontage on 100. The fourth lot will gain its frontage from an existing private way to the north of the property.

Site Access, Layout and Parking

Site Access for Parcel A, Parcel B & Parcel D is provided using the Proposed Shared Access & Utility Easement that is located along the common boundary line between the parcels. The MDOT has issued an Entrance Permit for this access location to Route 100. Access to Parcel C (and possibly A and D) is provided using the existing Private Way located at the northerly limits of the property.

Review Materials and Fees

In addition to this cover letter, we have enclosed the USGS Quad Map showing the Site, as well as the Subdivision Plan for your review.

We are aware of the review fee of \$75.00 per hour and ask that your invoice address the Applicant, Ron Copp Sr., directly. You can send it to our mailing address, and we will forward it for payment by the Applicants.

Closure

With the submittal of the enclosed materials, we would appreciate your review of the site and the area to determine the project's potential effect on any rare and exemplary botanical features in the project area. Your response will be included as part of our submittal to the Town of Cumberland as part of the local application review process.

Please contact me if you have any questions, or require any additional information. We look forward to hearing from you.

Sincerely,

ST.CLAIR ASSOCIATES

A handwritten signature in black ink, appearing to read 'Nathaniel Tillson', with a stylized flourish at the end.

Nathaniel Tillson

Staff Technician

NST:nst

c: Ronald Copp Sr.



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
177 STATE HOUSE STATION
AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

September 16, 2020

Nathaniel Tillson
St. Clair Associates
34 Forest Lane
Cumberland, ME 04021

Via email: nat@stclairassociatesmaine.com

Re: Rare and exemplary botanical features in proximity to: #17013, Copp Subdivision, 166 Gray Road, Cumberland, Maine

Dear Mr. Tillson:

I have searched the Maine Natural Areas Program's Biological and Conservation Data System files in response to your request received September 14, 2020 for information on the presence of rare or unique botanical features documented from the vicinity of the project in Cumberland, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. This lack of data may indicate minimal survey efforts rather than confirm the absence of rare botanical features. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

If a field survey of the project area is conducted, please refer to the enclosed supplemental information regarding rare and exemplary botanical features documented to occur in the vicinity of the project site. The list may include information on features that have been known to occur historically in the area as well as recently field-verified information. While historic records have not been documented in several years, they may persist in the area if suitable habitat exists. The enclosed list identifies features with potential to occur in the area, and it should be considered if you choose to conduct field surveys.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

MOLLY DOCHERTY, DIRECTOR
MAINE NATURAL AREAS PROGRAM
BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-804490
WWW.MAINE.GOV/DACF/MNAP

The Maine Natural Areas Program (MNAP) is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. MNAP welcomes coordination with individuals or organizations proposing environmental alteration or conducting environmental assessments. If, however, data provided by MNAP are to be published in any form, the Program should be informed at the outset and credited as the source.

The Maine Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$150.00 for two hours of our services.

Thank you for using MNAP in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,

A handwritten signature in cursive script, appearing to read "Krist Puryear".

Kristen Puryear | Ecologist | Maine Natural Areas Program
207-287-8043 | kristen.puryear@maine.gov

Rare and Exemplary Botanical Features within 4 miles of Project: #17013, Copp Subdivision, 166 Gray Road, Cumberland, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
Broad Beech Fern						
	SC	S2	G5	2016-09-04	28	Hardwood to mixed forest (forest, upland)
Engelmann's Spikerush						
	PE	SH	G4G5	1916-08-31	2	Open wetland, not coastal nor rivershore (non-forested, wetland)
Enriched Northern Hardwoods Forest						
	<null>	S3	GNR	2001-08-28	34	Hardwood to mixed forest (forest, upland)
Fern-leaved False Foxglove						
	SC	S3	G5	1902-09-02	13	Dry barrens (partly forested, upland),Hardwood to mixed forest (forest, upland)
Great Blue Lobelia						
	PE	SX	G5	1905-09	3	Forested wetland,Non-tidal rivershore (non-forested, seasonally wet)
Horned Pondweed						
	SC	S2	G5	1913-09-13	9	Tidal wetland (non-forested, wetland)
Marsh Milkwort						
	PE	SH	G5T4	1903-08-18	1	Dry barrens (partly forested, upland),Open wetland, not coastal nor rivershore (non-forested, wetland)
Oak - Hickory Forest						
	<null>	S1	G4G5	2014-08-21	5	Hardwood to mixed forest (forest, upland)
Pocket Swamp						
	<null>	S2	G5	2017-07-27	24	Forested wetland,Hardwood to mixed forest (forest, upland)
Rattlesnake Hawkweed						
	E	S1	G5T4Q	1909-07	1	Dry barrens (partly forested, upland)
Smooth Winterberry Holly						
	SC	S3	G5	2017-08-23	45	Forested wetland
Spotted Pondweed						

Rare and Exemplary Botanical Features within 4 miles of
Project: #17013, Copp Subdivision, 166 Gray Road, Cumberland, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
Spotted Wintergreen	T	S1	G5	1995-10-01	3	Open water (non-forested, wetland)
Water-plantain Spearwort	T	S2	G5	2009-07-26	30	Conifer forest (forest, upland),Hardwood to mixed forest (forest, upland)
	PE	SH	G4	1903-07-29	2	Open water (non-forested, wetland)

STATE RARITY RANKS

- S1** Critically imperiled in Maine because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extirpation from the State of Maine.
- S2** Imperiled in Maine because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
- S3** Rare in Maine (20-100 occurrences).
- S4** Apparently secure in Maine.
- S5** Demonstrably secure in Maine.
- SU** Under consideration for assigning rarity status; more information needed on threats or distribution.
- SNR** Not yet ranked.
- SNA** Rank not applicable.
- S#?** Current occurrence data suggests assigned rank, but lack of survey effort along with amount of potential habitat create uncertainty (e.g. S3?).

Note: **State Rarity Ranks** are determined by the Maine Natural Areas Program for rare plants and rare and exemplary natural communities and ecosystems. The Maine Department of Inland Fisheries and Wildlife determines State Rarity Ranks for animals.

GLOBAL RARITY RANKS

- G1** Critically imperiled globally because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extinction.
- G2** Globally imperiled because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
- G3** Globally rare (20-100 occurrences).
- G4** Apparently secure globally.
- G5** Demonstrably secure globally.
- GNR** Not yet ranked.

Note: **Global Ranks** are determined by NatureServe.

STATE LEGAL STATUS

Note: State legal status is according to 5 M.R.S.A. § 13076-13079, which mandates the Department of Conservation to produce and biennially update the official list of Maine's **Endangered** and **Threatened** plants. The list is derived by a technical advisory committee of botanists who use data in the Natural Areas Program's database to recommend status changes to the Department of Conservation.

- E** ENDANGERED; Rare and in danger of being lost from the state in the foreseeable future; or federally listed as Endangered.
- T** THREATENED; Rare and, with further decline, could become endangered; or federally listed as Threatened.

NON-LEGAL STATUS

- SC** SPECIAL CONCERN; Rare in Maine, based on available information, but not sufficiently rare to be considered Threatened or Endangered.
- PE** Potentially Extirpated; Species has not been documented in Maine in past 20 years or loss of last known occurrence has been documented.

ELEMENT OCCURRENCE RANKS - EO RANKS

Element Occurrence ranks are used to describe the quality of a rare plant population or natural community based on three factors:

- **Size**: Size of community or population relative to other known examples in Maine. Community or population's viability, capability to maintain itself.
- **Condition**: For communities, condition includes presence of representative species, maturity of species, and evidence of human-caused disturbance. For plants, factors include species vigor and evidence of human-caused disturbance.
- **Landscape context**: Land uses and/or condition of natural communities surrounding the observed area. Ability of the observed community or population to be protected from effects of adjacent land uses.

These three factors are combined into an overall ranking of the feature of **A**, **B**, **C**, or **D**, where **A** indicates an **excellent** example of the community or population and **D** indicates a **poor** example of the community or population. A rank of **E** indicates that the community or population is **extant** but there is not enough data to assign a quality rank. The Maine Natural Areas Program tracks all occurrences of rare (S1-S3) plants and natural communities as well as A and B ranked common (S4-S5) natural communities.

Note: **Element Occurrence Ranks** are determined by the Maine Natural Areas Program for rare plants and rare and exemplary natural communities and ecosystems. The Maine Department of Inland Fisheries and Wildlife determines Element Occurrence ranks for animals.

Visit our website for more information on rare, threatened, and endangered species!
<http://www.maine.gov/dacf/mnap>



17013

September 14, 2020

John Perry, Environmental Review Coordinator
Maine Department of Inland Fisheries and Wildlife
41 State House Station
Augusta, ME 04333-0041

Copp Minor Subdivision

Cumberland Assessor's Map U19, Lot 8

Ron Copp Sr.

Dear John,

On behalf of Ron Copp Sr., we are writing to seek information from your records regarding an approximately 7.87 acre parcel located at 166 Gray Road in Cumberland, Maine.

The Applicant and his siblings own this parcel and are proposing to divide this parcel into 4 lots. No new road or subdivision improvements are proposed at this time. The Applicant is proceeding with the local review process and would appreciate any information from your files that affect this property.

Parcel Description

This parcel is currently undeveloped and is located along the westerly side of Route 100 in Cumberland. The property is shown on Cumberland Assessor's Map U19 as Lot 8. The parcel is located in Cumberland's VCC Zoning District.

The approximately 7.87 parcel has approximately 803 feet of frontage on Route 100. The land area is generally open and is primarily undeveloped with no apparent wetlands identified on the property.

Proposed Project

As the enclosed plans demonstrate, the Applicants are proposing to divide the approximately 7.87-acre site into four lots, three of which will have frontage on 100. The fourth lot will gain its frontage from an existing private way to the north of the property.

Site Access, Layout and Parking

Site Access for Parcel A, Parcel B & Parcel D is provided using the Proposed Shared Access & Utility Easement that is located along the common boundary line between the parcels. The MDOT has issued an Entrance Permit for this access location to Route 100. Access to Parcel C (and possibly A and D) is provided using the existing Private Way located at the northerly limits of the property.

Closure

With the submittal of the enclosed USGS Quad map and Subdivision , we would appreciate your review of the site and the area to determine the project's potential effect on any wildlife and fisheries habitat on the site or in the project area. Your response will be included as part of our submittal to the Town of Cumberland as part of the local application review process.

Please contact me if you have any questions, or require any additional information. We look forward to hearing from you.

Sincerely,

ST.CLAIR ASSOCIATES



Nathaniel Tillson
Staff Technician
NST:nst

c: Ronald Copp Sr.



STATE OF MAINE
DEPARTMENT OF
INLAND FISHERIES & WILDLIFE
284 STATE STREET
41 STATE HOUSE STATION
AUGUSTA ME 04333-0041



October 8, 2020

Nathaniel Tillson
St. Clair Associates
34 Forest Lane
Cumberland, ME 04021

RE: Information Request – Gray Road Parcel Subdivision, Cumberland

Dear Nathaniel:

Per your request received on September 15, 2020, we have reviewed current Maine Department of Inland Fisheries and Wildlife (MDIFW) information for known locations of Endangered, Threatened, and Special Concern species; designated Essential and Significant Wildlife Habitats; and inland fisheries habitat concerns within the vicinity of the *Gray Road Parcel Subdivision* in Cumberland.

Our Department has not mapped any Essential Habitats or inland fisheries habitats in the area.

Endangered, Threatened, and Special Concern Species

MDIFW databases do not indicate the presence of State-listed Endangered, Threatened, or Special Concern Species in the parcel area; however, to our knowledge no formal surveys have been conducted. That said, it is likely that several rare species may be resident or transient at the parcel based on location, habitats present, and life history requirements including one or more species of bats (all eight species of bats in Maine are listed as Endangered, Threatened, or Special Concern). It is also possible that one or more rare species of migratory birds may be found in the area during spring and fall migrations.

Significant Wildlife Habitat

Significant Vernal Pools - At this time MDIFW Significant Wildlife Habitat (SWH) maps indicate no known presence of SWHs subject to protection under the Natural Resources Protection Act (NRPA) within the project area, which include Waterfowl and Wading Bird Habitats, Seabird Nesting Islands, Shorebird Areas, and Significant Vernal Pools. However, a comprehensive statewide inventory for Significant Vernal Pools has not been completed. Therefore, we recommend that surveys for vernal pools be conducted within the project boundary by qualified wetland scientists prior to final project design to determine whether there are Significant Vernal Pools present in the area. These surveys should extend up to 250 feet beyond the anticipated project footprint because of potential performance standard requirements for off-site Significant Vernal Pools, assuming such pools are located on land owned or controlled by the applicant. Once surveys are completed, survey forms should be submitted to our Agency for review well before the submission of any necessary permits. Our Department will need to review and verify any vernal pool data prior to final determination of significance.

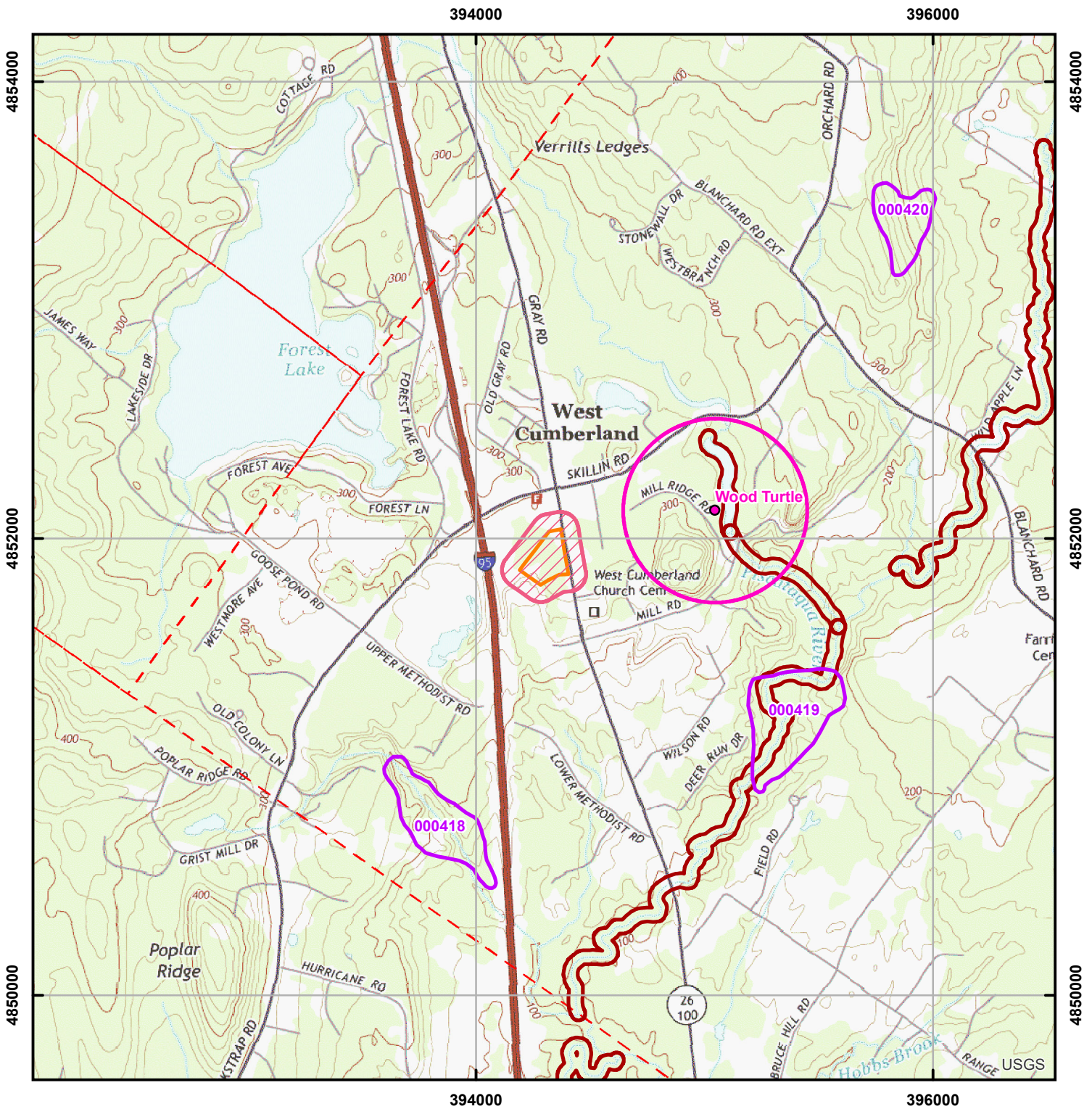
Letter to Nathaniel Tillson, St. Clair Associates
Comments RE: Gray Road Subdivision, Cumberland
October 8, 2020

Please feel free to contact my office if you have any questions regarding this information, or if I can be of any further assistance.

Best regards,

A handwritten signature in black ink, appearing to read 'BS' or 'Becca Settele', with a stylized flourish at the end.

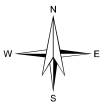
Becca Settele
Wildlife Biologist



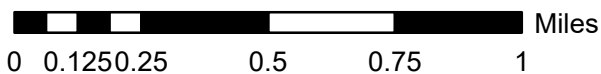
Environmental Review of Fish and Wildlife Observations and Priority Habitats

Project Name:

Gray Road Subdivision, Cumberland
(Version 1)



Maine Department of
Inland Fisheries and Wildlife



Projection: UTM, NAD83, Zone 19N

Date: 9/15/2020

- | | | |
|-----------------------------|----------------------------------|---|
| ProjectPoints | Deer Winter Area | Roseate Tern |
| ProjectLines | LUPC p-fw | Piping Plover and Least Tern |
| ProjectPolys | Cooperative DWAs | Aquatic ETSc - 2.5 mi review |
| ProjectSearchAreas | Seabird Nesting Islands | Rare Mussels - 5 mi review |
| Maine Cliff and Talus Areas | Shorebird Areas | Maine Heritage Fish Waters |
| | Inland Waterfowl and Wading Bird | Arctic Charr Habitat |
| | 2008 lwhw - Shoreland Zoning | Redfin Pickerel and Swamp Darter Habitats - buffer100ft |
| | Tidal Waterfowl and Wading Bird | Special Concern occupied habitats - 100ft buffer |
| | Significant Vernal Pools | Wild Lake Trout Habitats |
| | Environmental Review Polygons | |





17013

September 14, 2020

Kirk Mohny
State Historic Preservation Officer
55 Capitol Street
65 State House Station
Augusta, ME 04333-0065

Copp Minor Subdivision
166 Gray Road Cumberland, ME 04021
Cumberland Assessor's Map U19, Lot 8
Ron Copp Sr.

Dear Mr. Mohny,

On behalf of Ron Copp Sr., we are writing to seek information from your records regarding an approximately 7.87 acre parcel located at 166 Gray Road in Cumberland, Maine.

As the enclosed Plans demonstrate, the Applicants are proposing a 4 lot subdivision on this parcel. The Applicants are proceeding with the local review process in Cumberland and would appreciate any information from your files that affect this property.

The site is currently undeveloped and is located off the westerly side of Gray Road (Route 100). The property is shown on Cumberland Assessor's Map U19 as Lot 8. The parcel is located in Cumberland's VCC Zoning District.

The parcel has approximately 803 feet of frontage on Route 100.

Proposed Project

As the enclosed plans demonstrate, the Applicants are proposing to divide the approximately 7.87-acre site into four lots, three of which (Parcels A B & C) will have frontage off Route 100. The fourth lot (Parcel D) will gain its frontage from an existing Private Way that is located on the north end of the property.

Site Access, Layout and Parking

Site Access for Parcel A, Parcel B & Parcel D is provided using the Proposed Shared Access & Utility Easement that is located along the common boundary line between the parcels. The MDOT has issued an Entrance Permit for this access location to Route 100. Access to Parcel C (and potentially Parcels A & D) is provided using the existing Private Way located at the northerly limits of the property.

Enclosed Materials

In addition to this cover letter we have enclosed the following for your review:

- USGS Quad Map showing Site
- Subdivision Plan

Closure

With the submittal of the enclosed materials, we would appreciate your review of the site and the area to determine the project's potential effect on known historic sites, or historic structures or archaeological sites. Your response will be included as part of our submittal to the Town of Cumberland as part of the local application review process.

Please contact me if you have any questions, or require any additional information. We look forward to hearing from you.

Mr. Mohney

~ 3 ~

September 14, 2020

Sincerely,

ST.CLAIR ASSOCIATES

A handwritten signature in black ink, appearing to read 'Nathaniel Tillson', written over the company name.

Nathaniel Tillson

Staff Technician

NST:nst

c: Ron Copp Sr.



MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

JANET T. MILLS
GOVERNOR

KIRK F. MOHNEY
DIRECTOR

September 28, 2020

Mr. Nathaniel Tillson
St. Clair Associates
34 Forest Lane
Cumberland, ME 04021

Project: MHPC# 1431-20 Copp; 166 Gray Road
4 Lot Subdivision
Town: Cumberland, ME

Dear Mr. Tillson:

In response to your recent request, I have reviewed the information received September 15, 2020 to initiate consultation on the above referenced project.

Based on the information provided, I have concluded that there are no National Register eligible properties on or adjacent to the parcels. In addition, the project area is not considered sensitive for archaeological resources.

Please contact Megan M. Rideout of our staff, at megan.m.rideout@maine.gov or 207-287-2992, if we can be of further assistance in this matter.

Sincerely,

Kirk F. Mohney
State Historic Preservation Officer



Janet T. Mills
Governor

Maine Department of Transportation

Driveway/Entrance Permit

Bruce A. Van Note
Commissioner

Permit Number: 28323 - Entrance ID: 1

OWNER

Name: Ronald Copp, Sr & Jerald Copp, Jr
Address: 187 Gray Road
Cumberland, ME 04021
Telephone: (207)776-3707

Date Printed: July 27, 2020

LOCATION

Route: 0100X, Gray Road
Municipality: Cumberland
County: Cumberland
Tax Map: U19 Lot Number: 8
Culvert Size: inches
Culvert Type: N/R
Culvert Length: feet
Date of Permit: July 27, 2020
Approved Entrance Width: 24 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 Commercial/industrial/business park** at a point **1069 feet South** from **Skillin Road**, 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: 43.812620N, -70.312980W.

S - In the town of Cumberland on the westerly side of Route 100 / Gray Road, the centerline being approximately 1069 feet southerly of the centerline of Skillin Road and approximately 54 feet northerly of utility pole 9.

S - The entrance shall be paved prior to being put into use for its intended purpose of serving a commercial/industrial facility or business park. Pavement shall, at a minimum, extend from the edge of the highway pavement to the edge of the highway right-of-way.

S - This permit approves the entrance for up to 99 one-way passenger car trips in the peak hour. When a change of use occurs, the Property Owner will be required to gain the approval of the MaineDOT so as to evaluate the one-way vehicle trips in the peak hour. If at any time it is determined that the change of use results in one-way vehicle trips in the peak hour exceeding the 99 trip threshold, the MaineDOT may require the owner to apply for a Traffic Movement Permit.

Approved by: Anthony Fontaine Date: 7-27-2020

7/27/2020

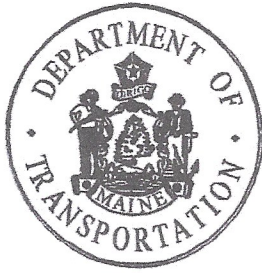
STANDARD CONDITIONS AND APPROVAL

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

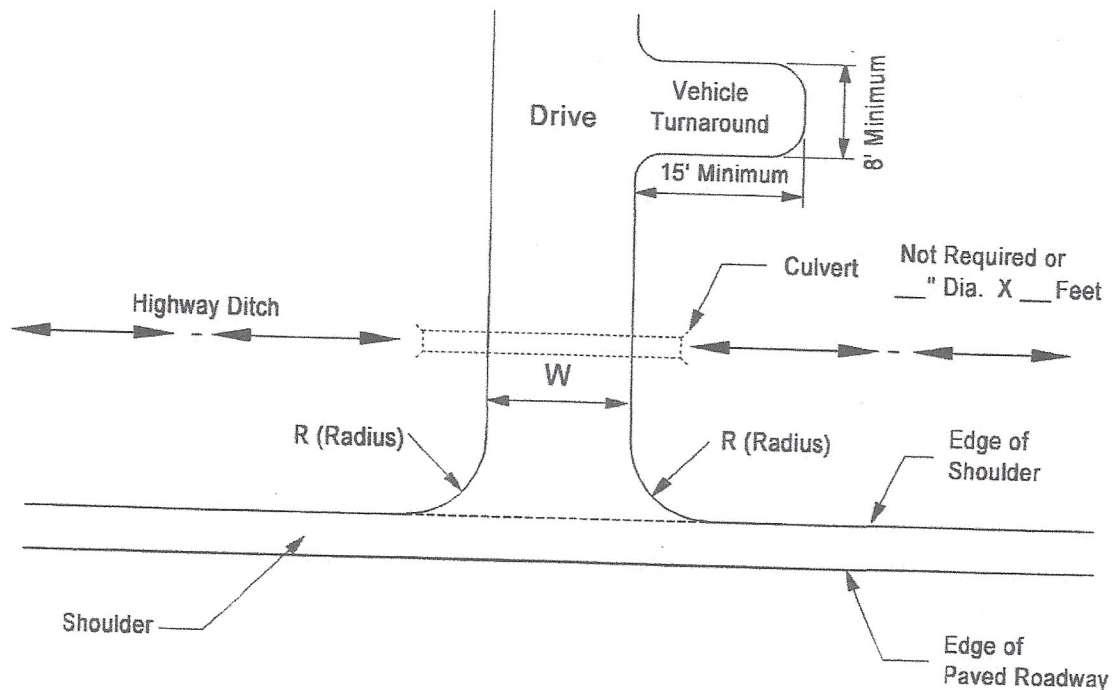
The owner shall assume, the defense of, and pay all damages, fines, and penalties for which he/she shall become liable, and shall indemnify and save harmless said Department, its representatives, agents and employees from liability, actions against all suits, claims, damages for wrongful death, personal 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

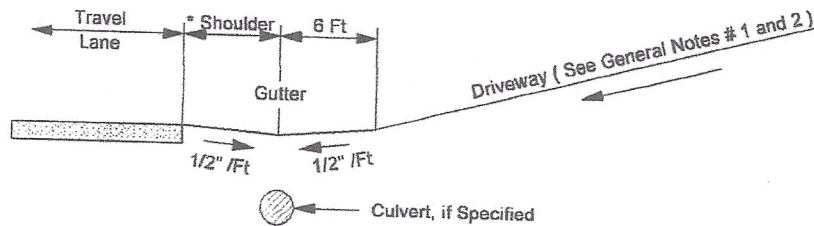


GENERAL NOTES -

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.

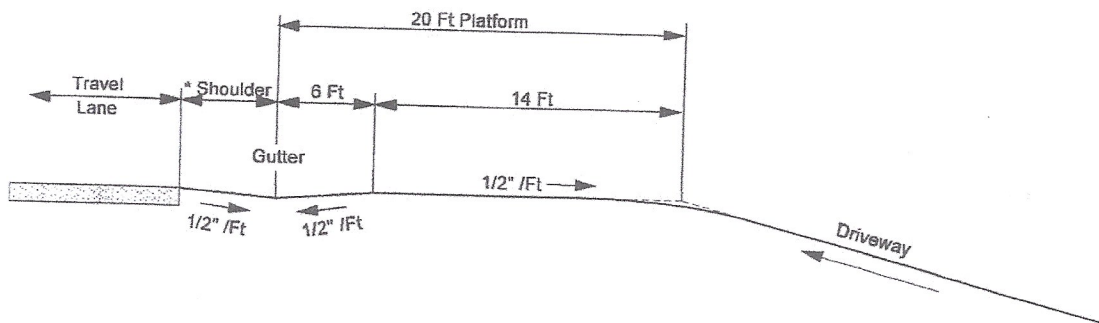
MDOT Entrance / Driveway Details, Continued

PROFILE Details

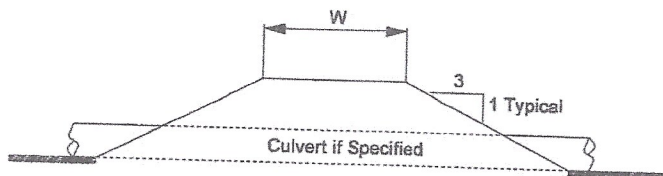


NOTE :

Grade of Existing Shoulder Should Be Maintained To Create A Gutter With a Minimum Of Three Inches Below The Edge Of Traveled Way.
* Distance Of The Gutter From The Edge Of Traveled Way Should Be The Same As Existing Shoulder Or A Minimum Of 4 Feet.



Driveway Cross Section





Carla Nixon, AICP
Planning Director
Planning Department
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

August 28, 2020

Minor Subdivision
166 Gray Road
Cumberland, Maine
Cumberland Assessor's Map U19 Lot 8
Ron Copp Sr., Howell Copp, and Jerald Copp Jr.

Dear Carla,

On behalf of Ronald Copp Sr, we are submitting 2 copies of the enclosed application materials in support of a Subdivision Plan review for a Minor Subdivision located at 166 Gray Road. As you know, Mr. Copp has met with you previously to outline his program to divide the family property in 4 new lots.

As the enclosed Plans and Application materials demonstrate, the Applicants are proposing an undeveloped 4 lot subdivision of their approximately 7.87-acre property located at 166 Gray Road.

We have provided additional supporting materials and documents beyond the typical Sketch level submission in order to facilitate detailed staff discussions and peer reviews at the onset of the process.

We are hopeful that this approach will also aid in the overall review process with the Planning Board.

Overview

The site is located off Gray Road (Route 100). The property is shown on Cumberland Assessor's Map U19 as Lot 8. The parcel is located in the VCC Zoning District, on the westerly side of Route 100.

The approximately 7.87-acre parcel has approximately 803 feet of frontage on Route 100.

Existing Conditions

A Boundary Survey was completed by St.Clair Associates in 2017 and recently updated as part of the Subdivision Plan submission application. Existing contour information shown on the plan is based upon the latest available LiDAR Aerial Topographic contour information available on the State of Maine online database.

Proposed Site Improvements

As the enclosed plans demonstrate, the Applicants are proposing to divide the approximately 7.87-acre site into four lots, three of which will have frontage on a proposed 50' wide Private Way off Route 100. The fourth lot will gain its access from an existing private way to the north of the property.

Site Access, Layout and Parking

Site Access for Parcel A, Parcel B & Parcel D is provided using the Proposed Shared Access & Utility Easement that is located along the common boundary line between the parcels. The MDOT has issued an Entrance Permit for this access location to Route 100. Access to Parcel C is provided using the existing Private Way located at the northerly limits of the property.

Utilities, Solid Waste Disposal and Snow Storage

The proposed development further divided the parcel into 2 new parcels. Existing utilities including public water, overhead electric, phone, cable tv and underground natural gas is available in Gray Road.

As individual Site Plans for the proposed parcels are presented to the Town for review, these plans will include detailed information for utility connections, onsite waste water disposal location, solid waste disposal and snow storage.

Stormwater and Erosion and Sediment Control-Waiver Request

Waivers on a Hydrogeological Study, Soils Investigation and Soils Report are being requested since no lot improvements are currently proposed.

The applicant is formally requesting waiver of Stormwater review as the current application is to simply divide the property and no physical improvements are proposed. At this time no new internal roads are proposed.

In addition, since no physical improvements are currently proposed, the Applicant is hereby requesting a waiver of a review by the Cumberland County Soil & Water Conservation District (CCSWCD).

Existing Conditions

The site is primarily open field area with some low shrubbery and tall grasses.

Consultants

The applicants have retained St.Clair Associates to assist them in the design and permitting for their project. As you know, our staff includes a Maine licensed Land Surveyor and a Maine Professional Civil Engineer as well as technical and support staff.

Supporting Materials

In addition to this Cover letter, we have enclosed the Planning Board Site Plan Review Application Form, along with copies of the following:

- Copy of Deed for Property
- Plan Set including:
 - Subdivision Plan

A copy of the municipal checklist for all projects is enclosed as part of this application package and items are provided as applicable for this stage in the review process. Items for which a waiver is being requested are noted in the following section.

Requested Waivers

As the enclosed Checklist demonstrates, the applicant is requesting waivers of the following items (please note, the narratives included herein provide further discussions relative to these waivers):

- Stormwater Management
- Hydrogeological Study
- Soils Investigation
- Soils Report
- CCSWCD Submission

Closure

With the submittal of the information contained herein, we respectfully request your review of this material for placement on the upcoming Planning Board's agenda for Sketch Plan/Preliminary review.

On behalf of Ronald Copp Sr., we look forward to the opportunity to discuss this matter with you and the other municipal staff members and peer reviewers as you conduct your review.

In the interim, if you have any questions or comments, or require any additional information, please do not hesitate to contact me.

We look forward to hearing from you.

Sincerely,

ST.CLAIR ASSOCIATES



David St.Clair Jr. PLS,

President

NJS/njs

Encl.

C: Ron Copp Sr.

MAINE SHORT FORM QUITCLAIM DEED WITH COVENANT

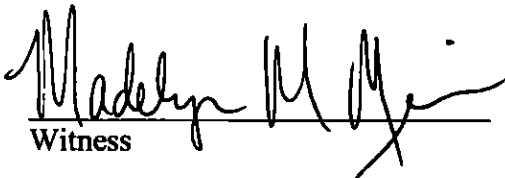
KNOW ALL MEN BY THESE PRESENTS that **COPP BROTHERS REAL ESTATE**, a Maine corporation with a principal place of business in Cumberland, Cumberland County, Maine for consideration paid, hereby grants to **RONALD COPP, SR., HOWELL COPP, and JERALD COPP, JR.**, individuals with a mailing address of 187 Gray Road, Cumberland, Maine 04021, as tenants in common, with QUITCLAIM COVENANT, those certain lots or parcel of land situated in **Cumberland**, Cumberland County, Maine, being more particularly described ion the following deeds:

1. Deed from Eleanor M. Copp and Ronald W. Copp to Copp Brothers Real Estate recorded in the Cumberland County Registry of Deeds on January 27, 2005, in Book 22269, Page 349 (Wilson Lot)
2. Deed from Eleanor M. Copp and Ronald W. Copp to Copp Brothers Real Estate recorded in the Cumberland County Registry of Deeds on January 25, 2005, in Book 22270, Page 4 (Log Cabin).

The premises are conveyed subject to any easements and restrictions of record and include all rights, easements, and privileges pertaining thereto.

IN WITNESS whereof, Copp Brothers Real Estate has caused this instrument to be signed and sealed by Christopher J. Copp, its President, there unto duly authorized this 27th day of ~~December, 2017.~~

January 2018


Witness

COPP BROTHERS REAL ESTATE

By 
Christopher J. Copp, President

SEAL

STATE OF MAINE
COUNTY OF CUMBERLAND, SS.

Personally appeared before me this ____ day of December, 2017, the above-named Christopher J. Copp, President of Copp Brothers Real Estate and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of Copp Brothers Real Estate.

Notary Public/Maine Attorney-at-Law

Type or Print Name

My commission expires: _____

TITLE NOT SEARCHED.

H:\DOCS\RATTEY\Copp Brothers 33404\MSFQCCDEED-R-H-J.docx

STATE OF MAINE - COUNTY OF Cumberland
Subscribed and sworn (or affirmed) before me this
this 23rd day of January, 20 18
by Christopher Copp
Personally Known _____ OR Produced Identification ☒
Type of Identification Driver's License
[Signature]
NOLAN J. LOVELL, Notary Public
My Commission Expires May 8, 2024

Received
Recorded Register of Deeds
Feb 06, 2018 01:37:23P
Cumberland County
Nancy A. Lane

APPENDIX C

MINOR TRADITIONAL OR CLUSTERED SUBDIVISION SUBMISSION REQUIREMENTS AND CHECKLIST

The subdivision plan for a minor Traditional or Clustered subdivision shall consist of an electronic submission and two (2) paper copies of all required application materials.

- 1.** Proposed name of the subdivision or identifying title and the name of the municipality in which it is located.
- 2.** The date of submission, North point, graphic map scale, name and address of record owner and subdivider, and names of adjoining property owners.
- 3.** Locations, widths and names of existing, filed or proposed streets, easements, and building lines pertaining to the proposed subdivision and to the adjacent properties.
- 4.** The boundaries and designations of zoning districts, parks and other public spaces.
- 5.** An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments as herein required and shall be referenced as shown on the plan. The survey plan shall show dimensions and areas of each proposed lot.
- 6.** Sufficient data to readily determine location, bearing and length of every lot line and boundary line and to reproduce such lines upon the ground. Where practical these should be tied to reference points previously established.
- 7.** The survey of the outside boundaries of the tract and the computation of the lot lines shall be performed to an accuracy of one foot in 5,000 feet. If requested by the Planning Board, the surveyor shall furnish copies of computation sheets for outside boundaries showing:
 - a. Sketch of traverse lines;
 - b. Closures;
 - c. Adjustments;
 - d. Coordinates; and
 - e. Computation of outside boundaries.
- 8.** Contour lines at intervals of two feet or at such intervals as the Planning Board may require, based on United States Geological Survey datum, referenced to mean sea level. Surface drainage patterns, including drainage channels and watershed areas, shall be shown.
- 9.** A soils report identifying the soils boundaries and names in the proposed development with the soils information superimposed upon the plot plan in accord with the United States Department of Agriculture Natural Resources Conservation Service National Cooperative Soil Classification. The Planning Board may request that the applicant submit the soils report to the Cumberland County Soil and Water Conservation District for a written review.
- 10.** All on-site public or communal sewerage and water supply facilities shall be shown, both horizontally and vertically, and designed to meet the minimum specifications of these

standards and all pertinent state and local ordinances. Compliance shall be stated on the plan and signed by a licensed site evaluator. If on-site groundwater wells are proposed, the effect of withdrawal of groundwater may be required by the Board as set forth in this chapter. If a cluster system or collective private sewage disposal system(s) is (are) proposed, a hydrogeologic investigation shall be submitted meeting the sewage disposal standards as set forth in this chapter. A hydrogeologic investigation may be required by the Board for individual sewage disposal systems as set forth in this chapter.

- 11.** A surface drainage plan or stormwater management plan, with profiles and cross sections drawn by a professional engineer registered in the State of Maine, showing preliminary design of all facilities and conveyances necessary to meet the stormwater management standards as set forth in this chapter. The Planning Board may request that the applicant obtain the endorsement in writing of the stormwater management plan by the Cumberland County Soil and Water Conservation District.
- 12.** Electrical facilities.
- 13.** A copy of such covenants or deed restrictions as are intended to cover all or part of the tract.
- 14.** Any other data as determined by the Planning Board to ascertain compliance with this chapter.
- 15.** There shall be submitted to the Board with final plan:
 - a.** Written offers of cession to the municipality of all easements and public open space shown on the plan and copies of agreements or other documents showing the manner in which spaces, title to which is reserved by the subdivider, are to be maintained.
 - b.** Written evidence that the municipal officers or their appointed agent are satisfied with the legal sufficiency of the documents referred to in Paragraph 15a above. Such written evidence shall not constitute an acceptance by the municipality of any public open space referred to in this appendix.

COMPLETION CHECKLIST FOR MINOR TRADITIONAL OR CLUSTERED SUBDIVISION SUBMISSION REQUIREMENTS

Waivers: Please make a check in the *Waiver Request* column for any requested waivers. Attach a separate sheet citing the Subdivision Ordinance section number, description, and reason for the waiver request.

	Check if provided	Location of information in packet, e.g. plan #, page #	Waiver Request?
Scale 1"=40'	✓		
Proposed name of subdivision			
Date of submission, north point, graphic map scale	✓		
Names & address of record owner and subdivider	✓		
Names of adjoining property owners	✓		
Names of existing/proposed streets, easements & bldg. lines		N/A	
Boundaries & designations of zoning districts, parks, public spaces	✓		
Field survey with bearings and distances certified by LLS with monuments shown.	✓		
Dimensions & areas of each proposed lot	✓		
Location, dimension, bearing of every lot line.	✓		
Survey to an accuracy of 1' to 5,000'	✓		
2' contours	✓		
Surface drainage patterns, channels and watershed areas.	✓		
Soils report w/boundaries superimposed on the plan			✓
Plan submitted to CCSWCS			✓
On-site public sewer and water shown horizontally and vertically			✓
Hydrogeological study			✓
Surface drainage plan or stormwater management plan			✓
Electrical facilities	✓		
Covenants restrictions or deed restrictions		N/A	

