



M E M O R A N D U M

ADMINISTRATION DEPARTMENT
TOWN OF CUMBERLAND, MAINE

Date: January 30, 2020
To: Cumberland Planning Board
From: Carla Nixon, Town Planner
Subject: **Jordan Farm Subdivision Revision**

This is a subdivision amendment to relocate a single home water service line. The applicant has received a Permit by Rule from MDEP for the crossing of a wetland that is required.

I had Dan Diffin review the plan also to ensure there would be no effect on the Town's water connection within the subdivision. He is fine with the change.

Date January 29, 2020
To Town of Cumberland Planning Board
From Carla Nixon, Town Planner
Subject **Major Subdivision Revision- Jordan Farms**

I. REQUEST/OVERVIEW:

The Applicant is Michael Nelson. Mr. Nelson is the owner of the property 98 Chet's Way, Lot 4. The Applicant has purchased Lot 4 to construct a new home. The request to amend the subdivision plan is the result of the requirement to change the location of the public water service to serve Lot 4.

The existing subdivision is located off Tuttle Road. The affected lot is shown on Tax Assessor Map R 03 -Lot 43F.

Bob Metcalf, Maine Licensed Landscape Architect and Principle at Mitchell & Associates, has prepared the revised plan and the application.

II. PROJECT HISTORY:

Major Subdivision approval by Planning Board on 6/23/03.

Amendment approved by Planning Board: 3/18/10.

Amendment approved by Planning Board: 6/22/11.

III. REVIEW COMMENTS:

DEPARTMENT HEAD REVIEWS:

William Longley, CEO: No comments.

Police Chief Charles Rumsey: No concerns.

Fire Chief Small: No comments.

IV. TOWN ENGINEER'S REVIEW: No review requested.

V. TOWN PLANNER COMMENTS: None.

VI. OUTSIDE AGENCY APPROVALS:

- Maine Department of Environmental Protection: Permit by Rule for wetland disturbance for utility crossing.
- Army Corp of Engineers: ACE has confirmed that the original General Permit issued for the subdivision is valid and no further action is required.

VII. REQUESTED WAIVERS:

See

VIII. 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:

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

- (1) The elevation of the land above sea level and its relation to the flood plains;
- (2) The nature of soils and subsoil and their ability to adequately support waste disposal;
- (3) The slope of the land and its effect on effluents;
- (4) The availability of streams for disposal of effluents; and
- (5) The applicable state and local health and water resource rules and regulations;

The relocation of the public water line will not result in undue water or air pollution.

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

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

This amendment is to provide a water line to the new home to be built.

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

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

The entire subdivision was approved for water service through the PWD. This is just to relocate the water line.

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

- D. 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;

There will be minimal soil disturbance associated with this water line relocation.

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

- E. 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 new lots are being created.

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

- F. 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;

No new lots are being created.

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

- G. 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;

No new lots are being created.

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

- H. 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;

No new lots are being created

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

- I. 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 and approved by the town planner and town department heads. The relocation of the water line is consistent with all local ordinances and plans.***

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

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

Technical capacity: Evidenced by the use of a licensed landscape architect.

Financial capacity: There are no public improvements proposed.

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

- K. 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;

No new lots are being created.

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

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

No new lots are being created.

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

- M. 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;

No new lots or improvements are being made.

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

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

No new lots are being created.

Based on the information provided, 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.

No new lots are being created, however the water line relocation did necessitate an amendment to the project's DEP permit.

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]

No new lots are being created.

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.

SECTION 250-20. Times for commencement and completion of construction; preconstruction conference.

All improvements required by § 250-25 and any other improvements required by the Planning Board for approval of the plans shall be completed no later than three years after approval of the final plan. The applicant may, prior to the expiration of approval, request a one-year extension from the Planning Board for good cause shown. Subdivisions that are proposed to be built out in phases shall meet the three year limit for each phase of the subdivision. Where a project requires both subdivision and site plan approval under Chapter 229, the improvements must be completed within the time periods established by this section rather than those established by § 229-11.

VII. RECOMMENDED CONDITIONS FOR FINAL PLAN APPROVAL:

1. A copy of the recorded plan shall be provided to the Town Planner within 90 days of approval.
2. Approval of any subdivision plan not filed for recording within 90 days after the final plan approval shall become null and void. A note referencing this time provision shall be placed upon the final plan.

January 28, 2020

Ms. Carla Nixon, Town Planner
and Planning Board Members
Town of Cumberland 290 Tuttle Road
Cumberland, ME 04021

**RE: Amended Subdivision Plan
Jordan Farm Estates Lot 4**

Dear Ms. Nixon and Board Members:

On behalf of Mr. Michael Nelson, applicant and Owner of the property 98 Chet's Way, Lot 4, we are pleased to submit the following application and supporting documentation to amend the Jordan Farm Estates subdivision plan. The applicant has purchased Lot 4 to construct a new home. The request to amend the subdivision plan is the result of the requirement to change the location of the public water service to serve Lot 4. Services for lots 3 and 4 were intended to come in along the shared common drive. Unfortunately the water shut off and service stub to serve lot 4 was located on the cul du sac road frontage for Lot 4. The water line installed in the existing shared driveway is only sized to serve one residence. The proposed location of the new service will have a temporary wetland impact of 450 SF associated with the installation of the public water service for the new house. The Plat Plans have been revised to address the changes associated with the new water service location. Wetland soil will be saved during excavation for the water service and reused to reestablish wetland vegetation, a note has been added to the plan accordingly.

The applicant has obtained an NRPA Permit by Rule from MDEP for wetland disturbance for utility crossing and ACOE confirmation that the original General Permit issued for the subdivision is valid and no further action is required.

M
&A

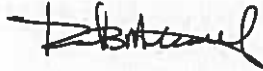
The applicant is requesting waivers for sixteen (16) of the submission requirements associated with a new subdivision application, refer to attached subdivision checklist. Many are requirements to address improvements that have been constructed, such as road construction, grading and drainage, stormwater, easements, deeds and HOA documents. The proposed amendment is only to update the plan to address water service location and temporary wetland impact.

Submitted for your consideration is the following:

- Major Subdivision Application and Checklist
- Application Fee
- Letter of Authorization
- MDEP Permit By Rule
- ACOE Permit – Letter regarding permit status.
- Copy of Amended Subdivision Plat Sheet 1 & 2

Should you have any questions or comments, please do not hesitate to contact me. The Applicant looks forward to the opportunity to meet with you and the planning board members, at your next available meeting, to discuss the application. Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,
Mitchell & Associates



Robert B. Metcalf, Principle.
Maine Licensed Landscape Architect

Enclosure

cc: Michael Nelson

APPENDIX B

APPLICATION FOR MAJOR OR MINOR SUBDIVISIONS

Applicant's Contact Information

Name: MICHAEL NELSON
Mailing Address: 53 CHARTER WAY AUBURN ME 04021
Email Address: mike@quidline.com
Phone#: Office: _____ Cell: 207-754-8028 Fax: _____
Interest in property: OWNER
Interest in abutting properties, if any: NONE

Property Owner's Contact Information

Name: SAME
Mailing Address: _____
Email Address: _____
Phone#: Office: _____ Cell: _____ Fax: _____

Applicant's Architect, Landscape Architect, Engineer, Planner or Surveyor Contact Information (If more than one, please attach contact info for each one.)

Name: ROBERT METCALF, LANDSCAPE ARCHITECT - AGENT
Mailing Address: MITCHELL & ASSOCIATES 70 CENTER ST. PORTLAND, ME 04101
Email Address: rmcalf@emitchellassociates.biz
Phone#: Office: 207-774-4427 Cell: _____ Fax: _____

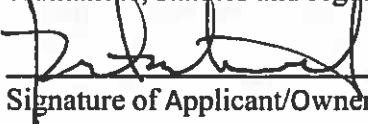
Project Information

Name of Project: JORDAN FARM ESTATES
Address of site: 98 CHET'S WAY LOT 4 - SUBDIVISION PLAN
CCRD Book/Page #: BK 211 PG 102 Tax Map/Lot #: R03 LOT 43F
Zoning District: RURAL RESIDENTIAL Overlay District (If any): _____
Site size (acres): 10.46 AC # of Lots: _____ # Buildings: _____ # Dwellings: _____
____ Minor Subdivision ____ Major Subdivision ____ Conservation Subdivision

OTHER INFORMATION

1. Is Board of Adjustment and Appeals approval required? NO
2. Are any ordinance waivers requested? ____ Yes ☒ No (If yes, attach a list of waivers requested and reason for the request.)
3. Application fee per Town ordinance: \$ 250⁰⁰
4. This application form and all accompanying materials must be submitted to the Town Planner at least 21 days prior to the meeting at which it is to be considered by the Planning Board.

The undersigned, being the applicant, owner or legally authorized representative, states that all information contained in this application is true and correct to the best of his/her knowledge and hereby does submit the information for review by the Town and in accordance with applicable ordinances, statutes and regulations of the Town, state and federal governments.

 AGENT
Signature of Applicant/Owner/Representative

JANUARY 28, 2020
Date

8. By proper designation, all public open space for which offers of cession are made by the subdivider and those spaces to which the title is reserved by him.
 9. Lots and blocks within the subdivision numbered in accordance with local practice.
 10. Proposed homeowners' covenants and restrictions.
 11. Required MDEP stormwater maintenance documents.
- D. There shall be submitted to the Board with final plan:
1. Copies of declarations, agreements or other documents showing the manner in which open space or easements are to be held and maintained.
 2. Where conveyance of public open space or easements to the Town is contemplated, a written offer to make such conveyance to the Town and written evidence that the municipal officers are willing to accept such conveyances and are satisfied with the terms and conditions of the proposed conveyance and with the legal sufficiency of the proposed transfer documents. Such written evidence shall not constitute an acceptance by the municipality of any such public open space.

COMPLETION CHECKLIST FOR MAJOR 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?
General Submissions:			
15 copies of plans and materials. All sheet sized to be 24" x 36"	✓	ELECTRONIC SUBMISSION	
1"=100' scale for general plan	✓		
1"=40' scale for construction of required improvements	NA		
Traffic Info?	NA		
Capacity to Serve letters?	NA		
Financial and Technical Capacity (Sec.14)	NA		
Sewer user permits required? Status?	NA		
Deed restrictions, if any, describe on separate sheet			✓
Cover Sheet:			
Proposed subdivision name	✓	PLAT PLANS	

	Check if provided	Location of information in packet, e.g. plan #, page #	Waiver Request
Name & address of record owner, subdivider, and designer of preliminary plan	✓	PLAT PLANS	
Location Map:			
Scale 1"=1000'	✓	PLAT PLANS	
Shows area 1000' from property lines			✓
All existing subdivisions			✓
Approximate tract lines of adjacent parcels	✓	PLAT PLANS	
Approximate tract lines of parcels directly across street			✓
Location of existing & proposed streets, easements, lot lines & bldg. lines of proposed subdivision & adjacent properties.	✓	PLAT PLANS	
Existing Conditions Plan:			
Existing buildings			✓
Watercourses	✓	PLAT PLANS	
Legend	✓	PLAT PLANS	
Wetlands	✓	PLAT PLANS	
Existing physical features (trees 10" diameter or more. Stone walls			✓
Trail System?	✓	PLAT PLANS	
Subdivision Plan:			
Date of plan submission, true north & graphic scale	✓	PLAT PLANS	
Net residential acreage calculations	✓	PLAT PLANS	
Legend	✓	PLAT PLANS	
Trail (connecting?)	✓	PLAT PLANS	
Widths of existing/proposed streets, easements & bldg. lines	✓	PLAT PLANS	
Names of existing/ proposed streets, easements & bldg. lines	✓	PLAT PLANS	
Boundaries & designations of zoning districts, parks, public spaces	NA		
Outline of proposed subdivision w/ street system	✓	PLAT PLANS	
Future probable street system of remaining portion of tract.	NA		

	Check if provided	Location of information in packet, e.g. plan #, page #	Waiver Request
Opportunities for Connecting Road(s) (13.2D)	✓	PLAT PLANS	
Space and Setback of district	✓	PLAT PLANS	
Classification of road	NA		
Width of road(s)	NA		
Drainage type (open, closed, mix)			✓
Type of byway provided (8.4D)	NA		
Names of adjacent subdivisions			✓
Names of owners of record of adjacent acreage			✓
Any zoning district boundaries affecting subdivision	NA		
Location & size of existing or proposed sewers, water mains, culverts, hydrants and drains on property			✓
Connections w/existing sewer or water systems	✓	PLAT PLANS (PARTIAL)	
Private water supply shown	NA		
Private septic shown	✓	PLAT PLANS	
Hydro-geologic study (option for Board)	NA		
Test pit locations	✓	PLAT PLANS	
Well locations	NA		
Signature & lic. # of site evaluator			✓
Existing streets: location, name(s), widths w/in and abutting	✓	PLAT PLANS	
Proposed streets: location, name(s), widths w/in and abutting	NA		
The above for any highways, easements, bldg. lines, alleys, parks, other open spaces w/in and abutting	NA		
Grades & street profiles of all streets, sidewalks or other public ways proposed			✓
2' contour lines			✓
High intensity soil survey by cert. soil scientist	NA		-
Soil boundaries & names superimposed on plot plan	NA		
Deed reference & map of survey of tract boundary by reg. land surveyor tied to established reference points	NA	PLAT PLANS	

	Check if provided	Location of information in packet, e.g. plan #, page #	Waiver Request
Surface drainage or stormwater mgmt plan w/profiles & cross sections by a P.E. showing prelim. design and conveyances			✓
Proposed lot lines w/ dimensions and suggested bldg. locations.	✓	PLAT PLANS	
Location of temp. markers in field	NA		
All parcels proposed to be dedicated to public use and conditions of such.	NA		
Location of all natural features or site elements to be preserved	✓		
Street lighting details	NA		
Landscaping and grading plan including natural features to be preserved	NA		
Survey stamped by P.E. (SURVEYOR)	✓		
Soil surveys w/# of soil scientist	NA		
Septic plan w/ # of prof. site evaluator			✓
Geological evals w/ reg. geologists number	NA		
Architect's seal	NA		
For Rt. One: 75' undisturbed buffer applicable to all buildings, structures, parking areas, drainage facilities and uses.	NA		
Open Space?	✓	PLAT PLANS	
Any part of parcel in a shoreland zone?	NA		
Flood Map Number and rating?	NA		
Stormwater Report?	NA		
Rivers, ponds, wetlands?	✓	PLAT PLANS	
Historic, archeological features?	NA		
Solid waste disposal?	NA		
Required Notes on Plan:			
Fire Department notes	NA		
Clearing limits note			
Re: approval limit of 90 days before recording or null p. 10	NA		
Actual field survey of boundary lines w/ monumentation shown	✓	PLAT PLANS	
Assessor's approval of street names and assignment of lot numbers.	NA	EXISTING STREET	

	Check if provided	Location of information in packet, e.g. plan #, page #	Waiver Request
Designation of all open spaces w/ notes on ownership	✓	PLAT PLANS	
Copies of declarations, agreements or other documents showing the manner in which open space or easements are to			✓
Written offer for any conveyance to the Town of open space or easements along with written evidence that the Council is willing to accept such offer	NA		
Evidence of Outside Agency Approvals	✓	ATTACHED MOEP-NRPA/ACOE	

As per Section 7.2 - REVIEW AND APPROVAL BY OTHER AGENCIES:

E. Where review and approval of any subdivisions or site plan by any other governmental agency is required, such approval shall be submitted to the Planning Board in writing prior to the submission of the Final Plan.

Please list below all outside agency approvals that are required for this subdivision.

- **Maine Department of Environmental Protection:** *List type of permit(s) required (e.g., SLODA, NRPA (tier type?), Maine Construction General Permit, etc.)*
- **US Army Corps of Engineers**
- **Maine Department of Transportation:** *List type of permit(s) required.*
- **Maine Department of Inland Fisheries and Wildlife**
- **Cumberland County Soils and Water Conservation Service:** Required by Town.

Other: (Please List): _____


Letter of Authorization

January 27, 2020

Ms. Carla Nixon and Board Members
Town of Cumberland
290 Tuttle Road
Cumberland, Maine 04021

Please be advised that this letter authorizes Mitchell & Associates to act as agents on behalf of (Michael Nelson) in submissions to the Town in regards to any and all application materials and public meetings that relate to our proposed development at (98 Chets Way)

Sincerely,


(Michael Nelson)

04/06/2017

DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT BY RULE NOTIFICATION FORM
 (For use with DEP Regulation, Natural Resources Protection Act- Permit by Rule Standards, Chapter 305)
 PLEASE TYPE OR PRINT IN BLACK INK ONLY

APPLICANT INFORMATION (Owner)		AGENT INFORMATION (If Applying on Behalf of Owner)	
Name:		Name:	Jake Atherton
Mailing Address:		Mailing Address:	35 Markerlyn St.
Town:		Town:	Auburn
State and Zip Code:		State and Zip Code:	MAINE 04210
Daytime Phone #:		Daytime Phone #:	207-318-5742 (cell)
Email Address:		Email Address:	jakea@fortinconstruction.com
PROJECT INFORMATION			
Part of a larger project? (check one):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	After the Fact? (check one):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Project Town:	Cumberland	Project Location (Address):	48 Chet's Way
Brief Project Description:	TO run city water line to new construction home through wetland. no standing water / stream crossing.		
Brief Directions to Site:	Take Chet's way off Tuttle Road. Drive to end of cul-de-sac and look for 48 Chet's Way.		

PERMIT BY RULE (PBR) SECTIONS (Check at least one): I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Rules, Chapter 305. I and my agents, if any, have read and will comply with all of the standards in the Sections checked below.

- | | | |
|---|---|--|
| <input type="checkbox"/> Sec. (2) Act. Adj. to Protected Natural Res. | <input type="checkbox"/> Sec. (10) Stream Crossing | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (11) State Transportation Facil. | <input type="checkbox"/> Sec. (18) Maintenance Dredging |
| <input type="checkbox"/> Sec. (4) Replacement of Structures | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas | <input type="checkbox"/> Sec. (19) Activities in/on/over significant vernal pool habitat |
| <input type="checkbox"/> Sec. (5) REPEALED | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement | <input type="checkbox"/> Sec. (20) Activities located in/on/over high or moderate value inland waterfowl & wading bird habitat or shorebird feeding & roosting areas |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation | <input type="checkbox"/> Sec. (14) REPEALED | |
| <input type="checkbox"/> Sec. (7) Outfall Pipes | <input type="checkbox"/> Sec. (15) Public Boat Ramps | |
| <input checked="" type="checkbox"/> Sec. (8) Shoreline stabilization | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects | |
| <input checked="" type="checkbox"/> Sec. (9) Utility Crossing | | |

NOTE: Municipal permits may also be required. Contact your local code enforcement office for more information. Federal permits may be required for stream crossings and for projects involving wetland fill. Contact the Army Corps of Engineers at the Maine Project Office for more information.

NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS

- ☒ **Attach** all required submissions for the PBR Section(s) checked above. The required submissions for each PBR Section are outlined in Chapter 305 and may differ depending on the Section you are submitting under.
- ☒ **Attach** a check for the correct fee made payable to: "Treasurer, State of Maine". The current fee for NRPA PBR Notifications can be found at the Department's website: <http://www.maine.gov/dep/feeschedule.pdf>
- ☒ **Attach** a location map that clearly identifies the site (U.S.G.S. topo map, Maine Atlas & Gazetteer, or similar).
- ☒ **Attach** Proof of Legal Name if applicant is a corporation, LLC, or other legal entity. Provide a copy of Secretary of State's registration information (available at <http://licrs.informe.org/nei-sos-licrs/ICRS?MainPage=x>) Individuals and municipalities are not required to provide any proof of identity.

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules.

I also understand that this PBR becomes effective 14 calendar days after receipt by the Department unless the Department approves or denies the PBR prior to that date.

By signing this Notification Form, I represent that the project meets all applicability requirements and standards in the rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.

Signature of Agent or Applicant:	Date: 10/18/2019
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Keep a copy as a record of permit. Send the form with attachments via certified mail or hand deliver to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. Work carried out in violation of any standard is subject to enforcement action.

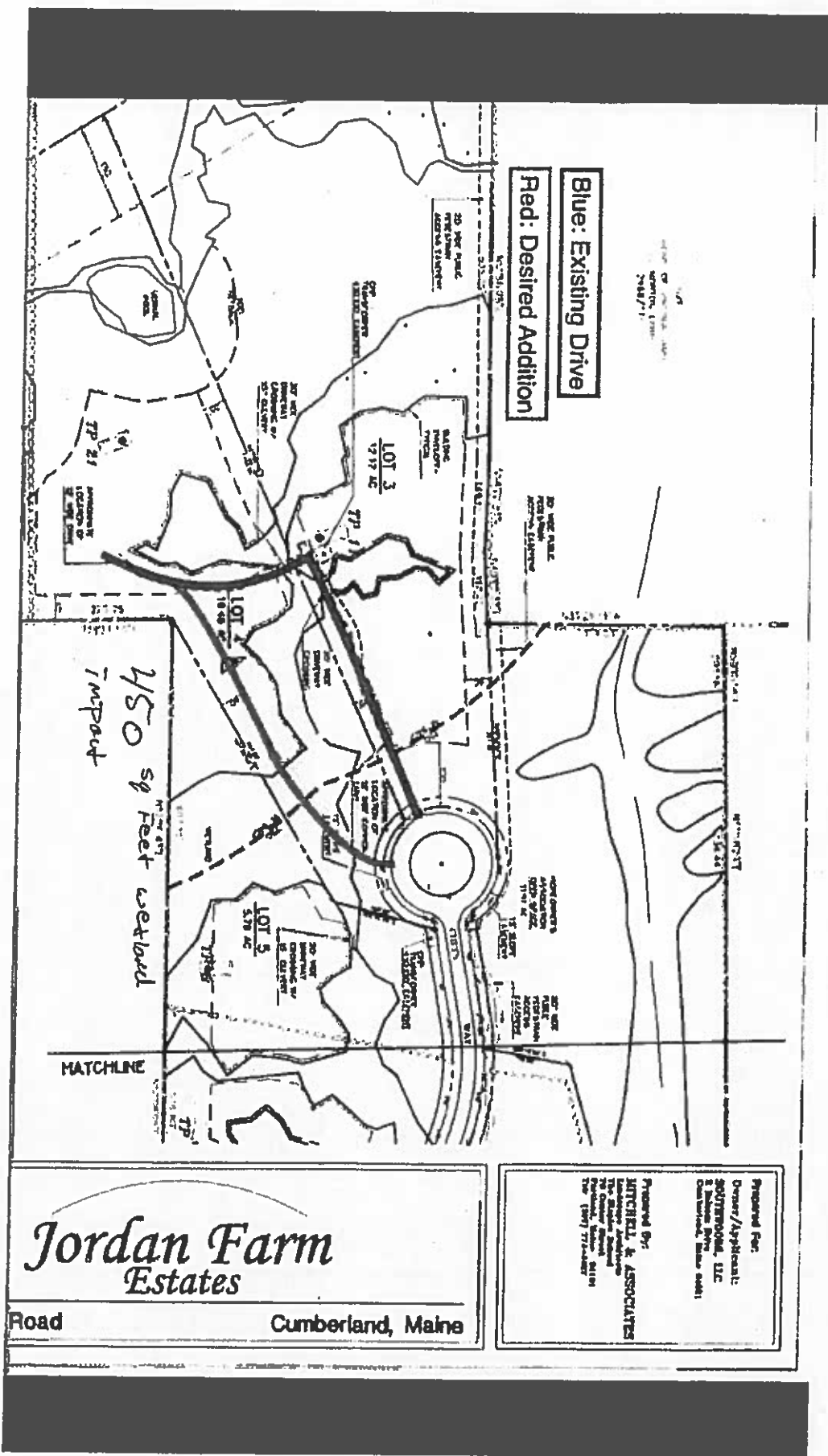
OFFICE USE ONLY	Ck.# 29874	Staff 22	Staff
PBR # 108932	FP 80.00	Acc. Date 10/22/19	Def. Date
		Date 10/18/2019	After Photos

AUGUSTA DEP
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017
(207) 287-7688

PORTLAND DEP
312 CANCO ROAD
PORTLAND, ME 04103
(207) 822-8300

BANGOR DEP
106 HOGAN ROAD
BANGOR, ME 04401
(207) 941-4570

PRESQUE ISLE DEP
1235 CENTRAL DRIVE
PRESQUE ISLE, ME 04768
(207) 764-0477





REPLY TO
ATTENTION OF

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

November 27, 2019

Regulatory Division
CENAE-RDC
CORPS PERMIT#: NAE-2019-02876

Michael Nelson
53 Charter Way
Auburn, Maine 04210

Dear Mr. Nelson:

We recently reviewed your proposal to fill wetlands for the of a city water line off 98 Chet's Way, Jordan Farm Estates at Cumberland, Maine shown on the attached plans.

On October 12, 2015, we issued a Maine General Permit that, subject to our discretion, eliminates the need for individual Department of the Army permits for certain work that is regulated by the State of Maine.

Your project as proposed and as shown on the plans received by the Corps qualifies for a general permit under Category 1. No further action is necessary from the Corps on this project.

Please note that all work is subject to the conditions contained in the general permit. No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. If any change in the plans or construction methods is found necessary, please contact us immediately to discuss modification of your permit. Any change must be approved before it is undertaken.

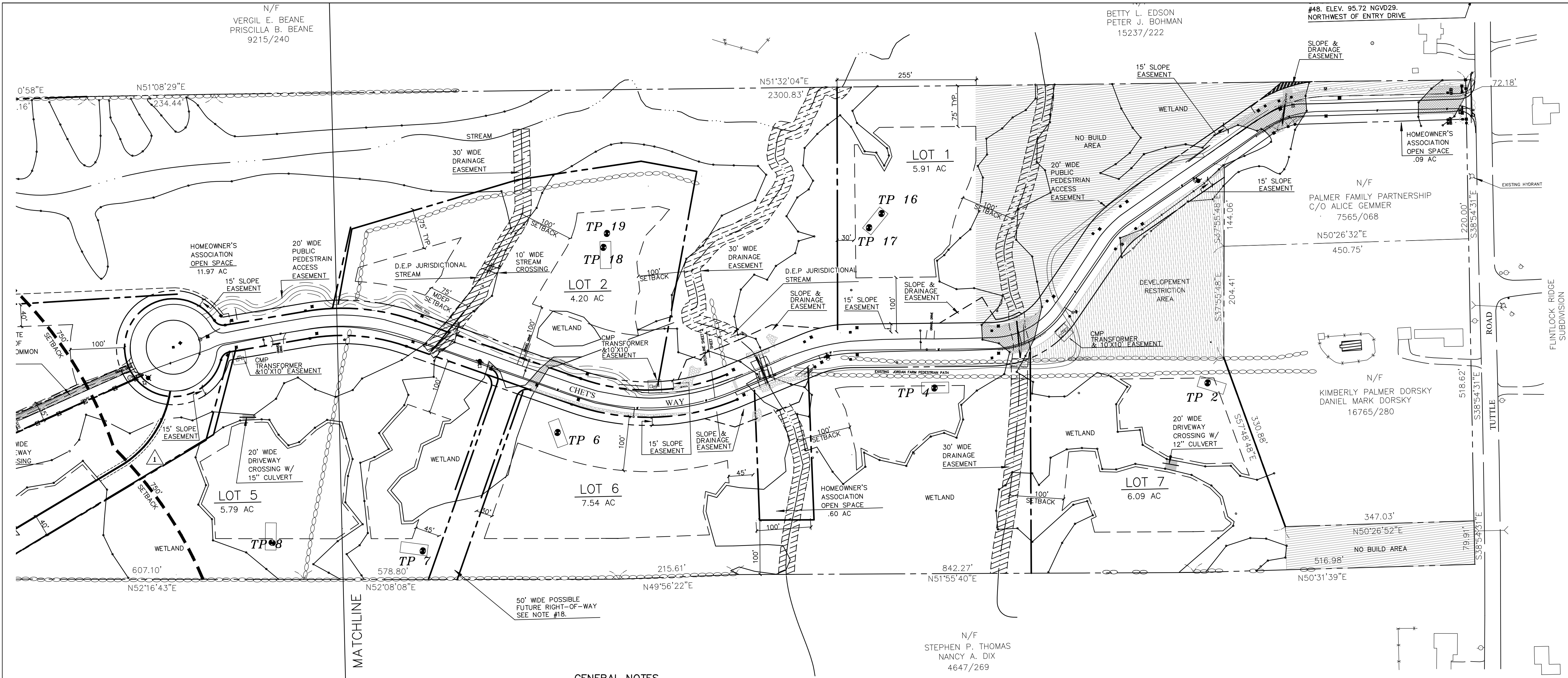
Please refer to identification number NAE-2019-02704 in any correspondence concerning this project. If you have any questions on this matter, please contact Colin Greenan of my staff at 978-318-8676 or colin.m.greenan@usace.army.mil at our Augusta, Maine Project Office.

Good luck with your project.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Del Giudice", is located below the "Sincerely," text.

For Frank J. Del Giudice
Chief, Permits & Enforcement Branch
Regulatory Division



SIDELINE CURVE DATA

LOT #	CURVE #	RADIUS	LENGTH	CHORD
1	C1	6.92	10.94	9.84
—	C2	6.92	10.94	9.84
1	C3	225.00	23.55	23.54
—	C4	175.00	13.34	13.34
1	C5	195.00	71.47	71.07
7	C6	145.00	53.15	52.85
1	C7	125.00	119.99	115.44
7	C8	175.00	96.66	95.44
6	C9	175.00	71.33	70.83
1	C10	225.00	18.46	18.45
—	C11	225.00	67.94	67.68
6	C12	175.00	67.20	66.78
—	C13	375.00	139.89	139.08
2	C14	375.00	135.00	134.27
6	C15	425.00	311.54	304.61
6	C16	20.00	31.42	28.28
5	C17	20.00	31.42	28.28
2	C18	405.00	154.99	154.04
5	C19	355.00	179.68	177.77
—	C20	405.00	50.00	49.97
4	C21	20.00	22.99	21.74
—	C22	20.00	22.99	21.74
—	C23	90.00	91.87	87.93
3	C24	90.00	200.00	161.32
4	C25	90.00	197.75	160.30

SIDELINE TANGENT DATA

LOT #	TANGENT #	LENGTH	BEARING
1	T1	314.40	N50°26'32"E
—	T2	308.04	N50°26'32"E
1	T3	26.92	N32°20'41"E
—	T4	20.42	S32°20'41"W
—	T5	121.37	N17°30'56"E
1	T6	323.91	N17°30'56"E
7	T7	196.03	S17°30'56"W
1	T8	150.00	S03°29'04"E
7	T9	150.00	N03°29'04"W
1	T10	260.00	N51°30'56"E
6	T11	260.00	S51°30'56"W
—	T12	155.00	S29°30'56"W
6	T13	29.52	S29°30'56"W
—	T14	105.00	S29°30'56"W
6	T15	20.00	S29°30'56"W
6	T16	80.00	S71°30'56"W
—	T17	90.00	N71°30'56"E
5	T18	152.00	S71°30'56"W
2	T19	322.00	N71°30'56"E
—	T20	150.00	N42°30'56"E
5	T21	150.00	S42°30'56"W

GENERAL NOTES

- TOTAL SITE AREA: 74.64 ACRES
- ZONING DISTRICT: RURAL RESIDENTIAL DISTRICT 2 (RR2)
- MAP: R-3, LOTS 43 AND 43A
- SPACE AND BULK REQUIREMENTS:
MINIMUM LOT AREA: 2 ACRES
MINIMUM STREET FRONTAGE: 200 FEET
MINIMUM FRONT YARD: 50 FEET
MINIMUM SIDE YARD: 30 FEET*
MINIMUM REAR YARD: 75 FEET
* COMBINED WIDTH OF AT LEAST 75 FEET
- OWNER OF PROPERTY: SOUTHWOODS, LLC.
2 BALSAM DRIVE
CUMBERLAND, MAINE 04021
- BOUNDARY LINE AND TOPOGRAPHIC INFORMATION:
GROUND CONTROL BY LAND SERVICES INC., RAYMOND, MAINE
AERIAL PHOTOGRAPHY BY AERIAL SURVEY & PHOTO, INC., NORRIDGEWOOD, MAINE
PROPERTY LINE BY OWEN HASKELL, INC., PORTLAND, MAINE
CONTOUR INTERVAL: 2'
VERTICAL DATUM: N.G.V.D. 1929
HORIZONTAL DATUM: ASSUMED
DATE OF PHOTOGRAPHY: 11-13-01
DATE MAPPING COMPLETED: 12-05-01
THE LOCATION OF THE LINE ALONG CENTRAL MAINE POWER CO. IS BASED ON A BEST FIT OF POLES AS LOCATED.
THE SIDELINE OF TUTTLE ROAD IS ASSUMED HOLDING THE IRON PIPES FOUND (AND HELD).
- BEARINGS ARE GRID NORTH BASED ON CONTROL LOCATED FOR AERIAL MAPPING BY LAND SERVICES, INC.
- BENCHMARK: 60 PENNEY SPIKE SET TWO (2) FEET ABOVE GRADE IN UTILITY POLE # 48, NORTHWEST OF PROPOSED ENTRY DRIVE. ELEVATION 95.72' NGVD29
- WETLAND DELINEATION WAS PERFORMED ON DECEMBER 27, 2001 BY ALBERT FRICK ASSOCIATES, INC. GORHAM, MAINE.
- THE TOTAL WETLAND DISTURBANCE IS 18,414.89 SQUARE FEET.
- WETLAND IMPACTS ASSOCIATED WITH THE TWO D.E.P. JURISDICTIONAL STREAM CROSSINGS WILL BE PERMITTED UNDER PERMIT BY RULE FOR STREAM CROSSINGS AND ARE NOT INCLUDED IN THE TOTAL IMPACT AREA TO BE PERMITTED UNDER NRPA WETLANDS ALTERATION.
- NO DISTURBANCE OF WETLAND, OTHER THAN SHOWN ON THE SUBDIVISION PLAN AND PLAT PLAN, IS PERMITTED WITHOUT D.E.P. AND ARMY CORPS OF ENGINEERS APPROVAL.
- ALL LOT OWNERS SHALL BE REQUIRED TO PAVE DRIVEWAYS FROM THE EDGE OF PAVEMENT OF CHET'S WAY, TO A MINIMUM OF FOUR (4) FEET BEYOND THE RIGHT-OF-WAY LINE.
- ALL LOT OWNERS SHALL BE REQUIRED TO PAVE DRIVEWAYS FROM THE EDGE OF PAVEMENT OF CHET'S WAY, TO A MINIMUM OF FOUR (4) FEET BEYOND THE RIGHT-OF-WAY LINE.
- ALL SLOPE AND DRAINAGE EASEMENTS AS SHOWN ON THESE PLANS (SHEETS 1 & 2) SHALL BE DEDICATED TO THE TOWN OF CUMBERLAND AT THE SAME TIME AS THE PROPOSED ROAD (CHET'S WAY) IS ACCEPTED BY THE TOWN OF CUMBERLAND.
- THE 20 FOOT WIDE PUBLIC PEDESTRIAN ACCESS EASEMENT AS SHOWN ON THESE PLANS (SHEETS 1 & 2) SHALL BE DEDICATED TO THE TOWN OF CUMBERLAND AT THE SAME TIME AS THE PROPOSED ROAD (CHET'S WAY) IS ACCEPTED BY THE TOWN OF CUMBERLAND.
- THE AREA IN WHICH HORSES MAY BE ALLOWED TO GRAZE ON LOTS 3 & 4 IS LIMITED TO THE ACTUAL BUILDING WINDOWS, AS SHOWN ON THIS PLAN.
- THE TOWN OF CUMBERLAND HAS NO MAINTENANCE OR LIABILITY RESPONSIBILITY FOR THE SIDEWALKS, PEDESTRIAN ACCESS EASEMENTS AND STONEWALL ENTRY FEATURE.
- THE FUTURE ROAD EXTENSION AREA IS CREATED FOR POTENTIAL FUTURE USE BY THE TOWN OF CUMBERLAND AS A CONNECTION BETWEEN THE PROPOSED STREET AND THE ADJOINING PROPERTIES OR STREETS. THIS AREA WILL NOT BE UTILIZED FOR CONSTRUCTION OR DRAINAGE PURPOSES AND NO FILL SHALL BE PLACED WITHOUT PRIOR TOWN APPROVAL. THE AREA IS NOT TO BE USED AS A SOLE SOURCE OF ACCESS/EGRESS TO THE ADJUTING PROPERTY. THE RECORDING OF THIS PLAT PLAN WILL BE DEEMED A DEDICATION TO THE TOWN OF CUMBERLAND.
- THIS PLAN SUPERCEDES THE PREVIOUSLY APPROVED AMENDED SUBDIVISION PLAN DATED MAY 20, 2011, RECORDED IN THE C.C.R.D. PLAN BOOK 211, PAGE 162 ON JUNE 22, 2011.

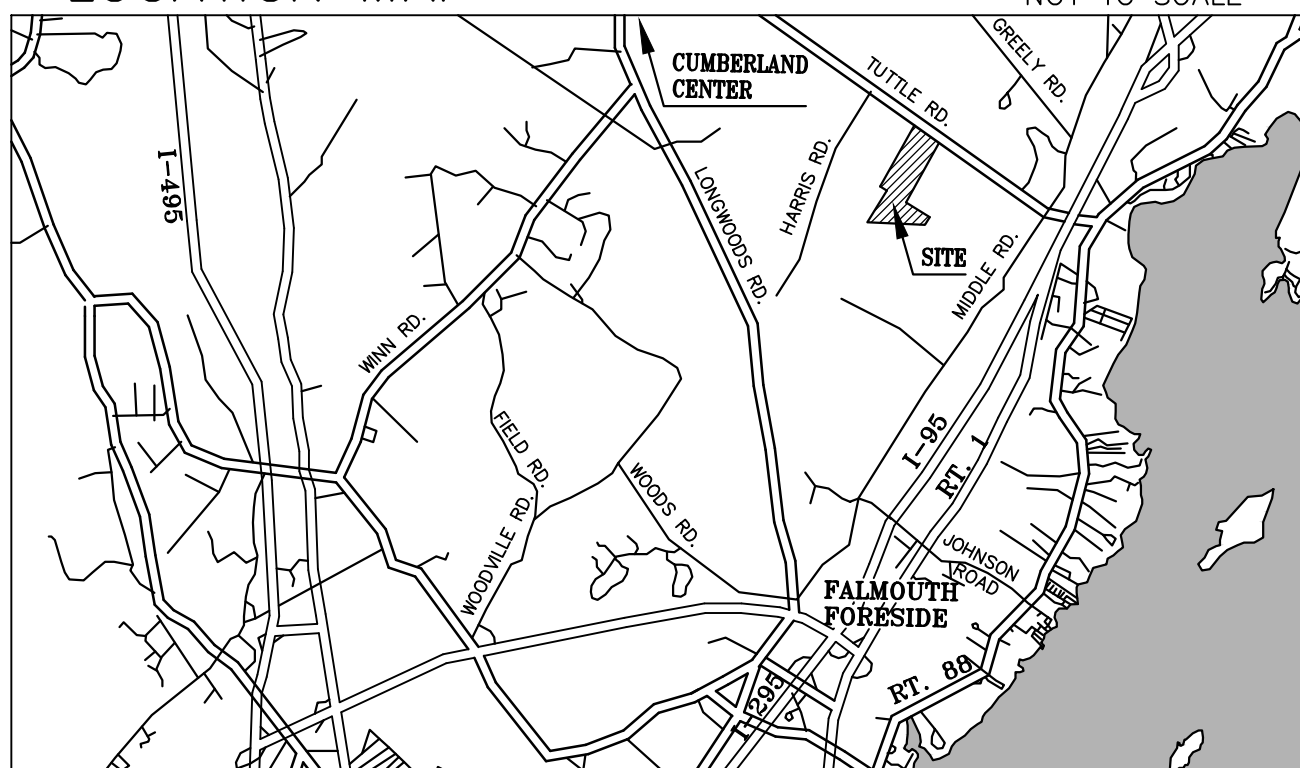
LEGEND

	EXISTING	PROPOSED
PROPERTY LINE		
HYDRANT		
UTILITY POLE		
LIMIT OF VEGETATION		
LIGHT FIXTURE		
CATCH BASIN		
SETBACK LINE		
WETLAND LIMIT		
STREAM		
WETLAND IMPACT		
DEVELOPMENT RESTRICTION		
NO BUILD AREA		
DRAINAGE EASEMENT		
TEST PIT		
SUITABLE SEPTIC		
STONE WALL		
GRANITE MOMUMENTS		

NET RESIDENTIAL ACREAGE

TOTAL SITE AREA	74.64 ACRES
ROADS (15% x 74.64)	11.20 ACRES
STEEP (>20% SLOPES)	3.70 ACRES
STREAMS AND WETLANDS	20.20 ACRES
TOTAL UNSUITABLE LAND	35.10 ACRES
TOTAL SUITABLE LAND	39.54 ACRES
THUS, THE NUMBER OF ALLOWABLE LOTS IS 39.54 ACRES DIVIDED BY 2' ACRES PER LOT= 19 LOTS.	

LOCATION MAP



Prepared For:

Owner Applicant:

MIKE NELSON
53 Charter Way
Auburn, Maine 04021
Tel: (207) 764-8828

Prepared By:

MITCHELL & ASSOCIATES
Landscape Architects
The Staples School
70 Center Street
Portland, Maine 04101
Tel: (207) 774-4427

Jordan Farm Estates
Cumberland, Maine
130 Tuttle Road

Approved:
Town of Cumberland Planning Board

Date: _____
Chairman, _____

Board Members, _____

Date: _____
JANUARY 27, 2020

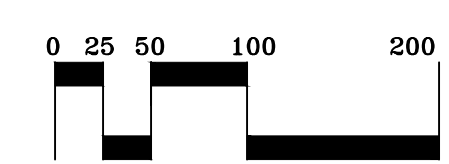
Revisions:

1. AMEND LOT 4 TO PROVIDE
NEW WATER SERVICE;
WETLAND IMPACT FOR
NEW WATER SERVICE

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Title: _____
AMENDED
PLAT PLAN

Scale: 1"=100'



North: _____

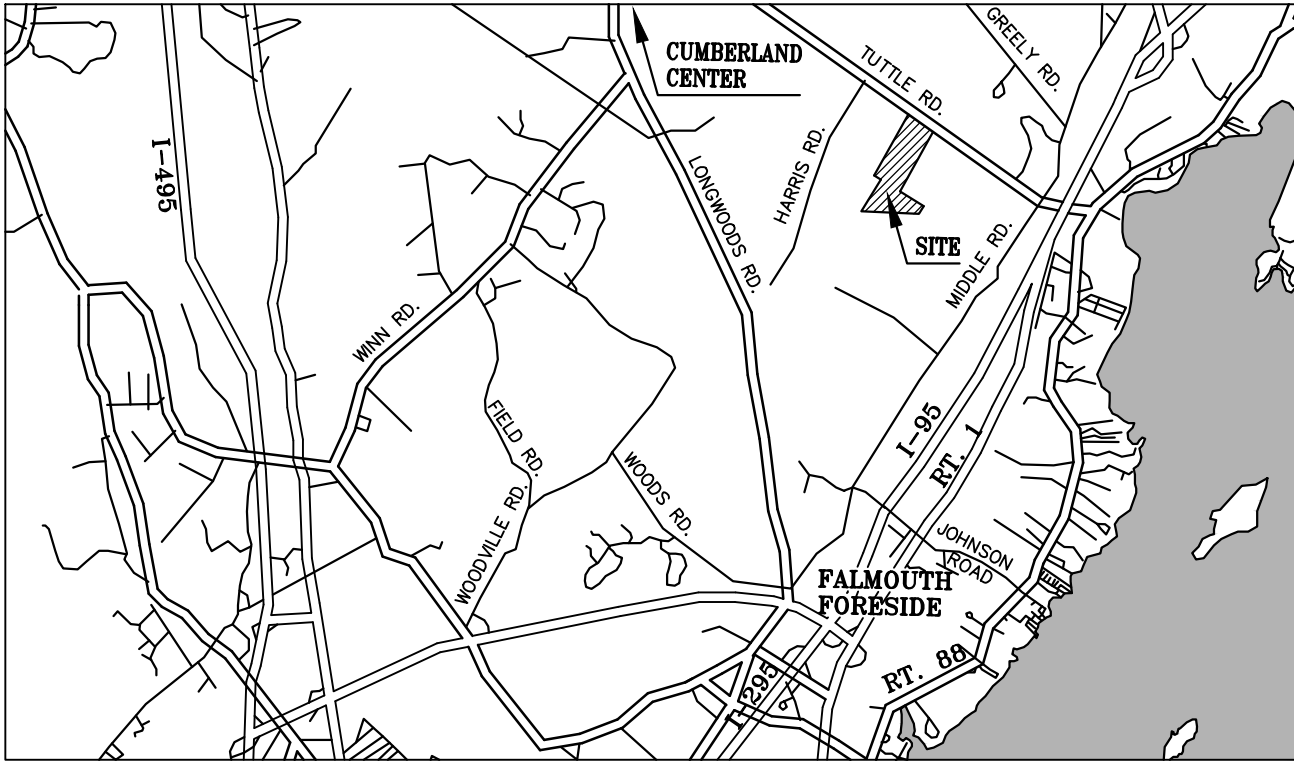
Sheet No.: _____

1

LEGEND

	EXISTING	PROPOSED
PROPERTY LINE		
HYDRANT		
UTILITY POLE		
LIMIT OF VEGETATION		
LIGHT FIXTURE		
CATCH BASIN		
SETBACK LINE		
WETLAND LIMIT		
STREAM		
WETLAND IMPACT		
DEVELOPMENT RESTRICTION		
NO BUILD AREA		
DRAINAGE EASEMENT		
TEST PIT		
SUITABLE SEPTIC		
STONE WALL		
GRANITE MOMUMENTS		

LOCATION MAP



Approved: _____
Town of Cumberland Planning Board

Date: _____
Chairman,

Board Members,

STATE OF MAINE

CUMBERLAND COUNTY REGISTRY OF DEEDS

RECEIVED: _____

AT _____ HOUR _____ MIN. _____ M

RECORDED IN BOOK _____ PAGE _____

ATTEST: _____ REGISTRAR

Prepared For:

Owner Applicant:

MIKE NELSON
53 Charter Way
Auburn, Maine 04021
Tel: (207) 764-8828

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Title: _____
AMENDED
PLAT PLAN

Scale: 1"=100'

0 25 50 100 200 FT

North:

Sheet No.: _____
2