

February 12, 2024 21678

Ms. Carol Eyerman, Town Planner Town of Gorham Municipal Offices 75 South Street, Suite 1 Gorham, ME 04038

Request for Pre-Application Subdivision Plan Review; North Gorham Road Subdivision, Gorham, Maine JDP, LLC

Dear Ms. Eyerman:

On behalf of JDP, LLC, we have assembled the following Pre-Application Subdivision submittal for a proposed 6-lot residential subdivision to be located off North Gorham Road. The proposed subdivision is comprised of 5 new lots and one existing lot of record (which had been sold in the last 5 years). In support of our application, we have assembled the following for consideration.

- Completed Pre-Application form
- 2. Agent Authorization
- 3. Assessor Property Information
- 4. Deed
- 5. Test Pit Data
- 6. Town GIS Aerial Map/locus map
- 7. PWD map and public/private water calculations
- 8. Subdivision Plan and Site Survey Plan

15 Copies of materials (7 full size sets and 8 11x17 sets)

**Project Site:** This property is an approximately 9.21-acre of undeveloped land that is owned by JDP, LLC. The project site is located at the intersection of West Gorham Road and Great Falls Road. The overall parcel was originally 17.58 acres. There is an existing 8.37-acre lot of record that was sold within the last 5 years. The remaining 9.21-acre parcel is proposed to be subdivided into 5 new lots.

**Zoning:** The proposed subdivision site is located in the Suburban Residential (SR) Zone. The minimum lot area (for density purposes) is 60,000 square feet and the physical lot areas need to be at least 40,000 square feet with 200 feet for road frontage.



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**Water and Wastewater:** The project area is not serviced by public water and sewer. The individual lots will include onsite well and subsurface wastewater systems. We have evaluated the cost of bringing public water to the site following the public/private water calculations described in *Chapter 2 – General Standards of Performance*. The calculations are attached along with a figure from the Town GIS showing the closest water line. The results of the cost analysis determined the cost of public water exceeds private water using the town calculations. The applicant therefore requests an exemption to provide public water.

The nearest public sewer is at the White Rock Elementary School which is connected to the Little Falls Sanitary Sewer system. This is approximately 20,000 feet (3.8 miles) from the project site and is therefore not feasible.

**Waiver Request:** We would request the Planning Board's consideration granting a waiver for the requirement of a high intensity soil survey under Section 3-3 – Preliminary Plan, subsection B (11) which reads from a Class A to Class B soils survey.

"The requirement for a Class A survey may be waived to a Class B survey by the Planning Board for subdivisions and subdivision amendments not required to provide the net acreage calculation required under Chapter 1 and/or where public water supply is available to serve the lots."

The current zoning of the subdivision does not require net residential density calculations. The applicant has included field mapping of on-site wetlands and has completed field test pitting for each lot to assess soil suitability for onsite septic systems. The lots are also larger than the zoning minimum requirements, providing ample opportunity for siting a residential house. In addition, the project is very small in nature (5 new lots and one lot of record that is built upon). Given the limited amount of wetlands on the site, size of the lots, and test pitting that will be completed as part of the preliminary plan design, we see no practical benefit for Class A high-intensity soils survey and would request the Planning Board consider granting a waiver from a Class A survey to a Class B survey. In the same fashion we would request a waiver from providing a hydrogeological study.

**Project Permitting:** On the local level, we understand this project will require Subdivision approval and have initiated this process through pre-application. The project will not alter wetlands and is of a size that no permitting through the Maine DEP is anticipated.

**Stormwater Management and Erosion Control:** The project is limited to the creation of single-family residential house lots and no roads or related infrastructure. The proposed project is such that no Maine DEP Stormwater permitting is required.

**Anticipated Project Schedule:** JDP, LLC is proposing to complete the permitting this spring to allow for a late summer sale of the lots.

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*Utilities:* The project will have individual onsite wastewater disposal systems and private wells. Underground electric and communications services will be extended from the overhead services at North Gorham Road and Great Falls Road.

**Closure:** We look forward to working with the Town to permit this project. As you consider the application, please contact us if you have any questions.

Sincerely, SEBAGO TECHNICS, INC.

Owens A. McCullough, P.E., LEED-AP

Vice President, Engineering/Project Development

Cc: JDP, LLC – Micheal Phinney



# Community Development Planning Division

Thomas M. Poirier, Director of Community Development tpoirier@gorham.me.us
Carol Eyerman, Town Planner
ceverman@gorham.me.us

GORHAM MUNICIPAL CENTER, 75 South Street, Gorham, ME 04038 Tel: 207-222-1620

PRE-APP / SKETCH PLAN APPLICATION											
☐ SITE PLAN	☐ SITE PLAN ☑ SUBDIVISION ☐ GRAVEL PIT ☐ ZONING ☐ PRIVATE WAY										
FEE FOR PLAN REVIEW			Note: \$3	S300.00  Note: \$300 review fee will be credited towards subsequent application for the same proposed project  Amount Paid:  S  Date:					Paid:		
PROPERTY Parcel ID DESCRIPTION		Map(s)	92	Lot(s)	25	Zoni Distr		SR	Total Land Area (sq. ft.)	9.21	
		Physical Address/ Location	North (	Gorham	Road						
PROPERTY OW	NER'S	Name(s)	JDP, LL	.C		Mailing		16 Apple La			
INFORMATION		Phone	207-838-8966		Address		Gorham, M		1E 04038		
		Email	mphinne@gmail.com		E-48				<u>.</u> <u></u>		
APPLICANT'S INFORMATION	IF	Name(s)	JDP, LLC c/o Michael Phinney		Name of Business		JDP, LLC				
DIFFERENT FRO	OM	Phone	207-839-3336		Mailing Address		16 Apple Lane Gorham, ME 04038				
		Email	mphinne@gmail.com								
APPLICANT'S AGENT		Name	Owens	McCul	lough	Name of Business	boodgo roommos, mo.				
INFORMATION		Phone	207-200-2100			Mailing 75 John Roberts Road, S		<b>,</b>			
		Email	omccullough@sebagotechnics.com				South Portland, ME 04106				
PROJECT Existing Land Use: Va			ecant		<u> </u>					94	
	Develo	rovide a narrative description of the Proposed Project: evelopment of a 6-lot single family subdivision. One of the lots is a lot of record ut sale within the past 5-years).									
Provide a narrative etc.) None not			scription o	f construct	ion consti	raints (wetla	nds, sh	norelan	d zone, flo	od plain, non-ce	onformance,

	MINIMUM SKETCH PLAN REQUIREMENTS				
Ø	One (1) signed original, one (1) full size plan set (24x3 entire packet	i6), seven (7) reduced size plan sets (11x17), and one (1) electronic copy of the			
A) Paper s B) Plan Sc	Under 10 acres no greater than 1" = 30' 10 + acres 1" = 50'	C) Title block  Applicant's name and address  Name of preparer of plans with professional information  Parcel's tax map identification (map and lot) in bottom right corner of map			
	APPLICANT'S CHECKLIST	FOR SKETCH PLAN REQUIREMENTS			
SUFFICII SCHEDU The follow developme and, due t	rals that the town planner deems ently lacking in content will not be led for planning board review.  ving checklists includes items generally required for ent by the GORHAM LAND USE ORDINANCES to project specifics, are required to provide a and accurate set of plans, reports and supporting ation.  Current Deed, contract to purchase or lease, or other form of right, title or interest Zoning district Topographic map (optional) Wetlands and floodplains Water bodies and water courses Parcel area Lot dimensions Utilities (Sewer/septic, water, electric, phone) Streets, driveways and rights-of-way Structures	IT IS THE RESPONSIBILITY OF THE APPLICANT TO PRESENT A CLEAR UNDERSTANDING OF THE PROJECT.  Proposed. (Plans must show the lightened existing topography under the proposed plan for comparison.)  Recreation areas and open space.  Number of lots and lot areas.  Setback lines and building envelopes.  Lot dimensions.  Utilities (Sewer/septic, water, electric, phone.)  Streets, driveways and rights-of-way.  Structures.  Distance to.  Nearest driveways and intersections.  Nearest fire hydrant.  Nearest significant water body.  NOTE TO APPLICANT: PRIOR TO THE SITE WALK, TEMPORARY MARKERS MUST BE ADEQUATELY PLACED THAT ENABLE THE PLANNING BOARD TO READILY LOCATE AND APPRAISE THE LAYOUT OF DEVELOPMENT.			
	ТҮРЕ С	DF DEVELOPMENT			
	Development Transfer Overlay (Chapter 1) Small Dwelling Overlay (Chapter 1)	Clustered Residential Development (Chapter 2) Planned Unit Development			
	Agent Authorization Form (Completed and Signed				
ADDITIO	ONAL COMMENTS:				
The under foregoing APPLIC	refer to cover letter with detailed project  rsigned hereby makes application to the Town to be true and accurate to the best of his/her he  ANT OR AGENT'S SIGNATURE  TYPE OR PRINT NAME	of Gorham for approval of the proposed project and declares the knowledge  2 > 2 - 2 - ( DATE			

PROPERTY	PHYSICAL	North Gorham Road		MAP(S)	92
DESCRIPTION	ADDRESS/ LOCATION	North Comain Road		LOT(S)	25
APPLICANT(S) INFORMATION	NAME(S)	JDP, LLC - c/o Michael Phinney		16 Apple Lane Gorham, ME 04038	
	PHONE	207-838-8966	MAILING ADDRESS		
	EMAIL	mphinne@gmail.co	om		
	NAME(S)	JDP, LLC c/o Michael P	hinney		16 Apple Lane
OWNER(S) INFORMATION	PHONE	207-839-3336		MAILING ADDRESS	Gorham, ME 04038
	EMAIL	mphinne@@gmail.c	om		
APPLICANT'S	NAME	Owens McCullough, P.E	BUSINESS NAME	Sebago Tec	hnies, Inc
AGENT	PHONE	207-200-2100		75 John Roberts Road, Sui 4a, South Portland, ME	
NFORMATION	The state of the s	72	ADDRESS		
Said agent(s) ma	y represent m	omccullough@sebagotechnics.com			
*	y represent mappete the app	ne/us before Gorham Town of the proposed development of th	officers and the G	Gorham Plai urcel.	

## **GREAT FALLS ROAD**

Location GREAT FALLS ROAD Mblu 92/25///

Acct# P1710R Owner JDP LLC

**Assessment** \$145,700 **Appraisal** \$145,700

PID 4007 Building Count 1

#### **Current Value**

Appraisal					
Valuation Year	Improvements	Land	Total		
2023	\$0	\$145,700	\$145,700		
	Assessment				
Valuation Year	Improvements	Land	Total		
2023	\$0	\$145,700	\$145,700		

#### **Owner of Record**

Owner JDP LLC Sale Price \$0

Co-Owner Certificate

 Address
 16 APPLE LANE
 Book & Page
 39054/ 101

 GORHAM, ME 04038
 Sale Date
 12/31/2021

Instrument 03

## **Ownership History**

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
JDP LLC	\$0		39054/ 101	03	12/31/2021
PHINNEY, ROSAMOND J	\$0		39053/ 227	DP	12/31/2021
PHINNEY JOHN D	\$0		6436/ 150		

#### **Building Information**

#### **Building 1: Section 1**

Year Built:

Living Area: 0
Replacement Cost: \$0

## Building Percent Good: Replacement Cost

Less Depreciation: \$0	)					
Building Attributes						
Field	Description					
Style	Vacant Land					
Model						
Grade:						
Stories:						
Occupancy						
Exterior Wall 1						
Exterior Wall 2						
Roof Structure:						
Roof Cover						
Interior Wall 1						
Interior Wall 2						
Interior Flr 1						
Interior Flr 2						
Heat Fuel						
Heat Type:						
AC Type:						
Total Bedrooms:						
Total Bthrms:						
Total Half Baths:						
Total Xtra Fixtrs:						
Total Rooms:						
Bath Style:						
Kitchen Style:						
ADU						

#### **Building Photo**



(https://images.vgsi.com/photos/GorhamMEPhotos//default.jpg)

#### **Building Layout**

(https://images.vgsi.com/photos/GorhamMEPhotos//Sketches/4007\_4007\_j

Building Sub-Areas (sq ft)	<u>Legend</u>
No Data for Building Sub-Areas	

#### **Extra Features**

Extra Features	<u>Legend</u>
No Data for Extra Features	

## Land

Land Use		Land Line Valua	tion
Use Code	1300	Size (Acres)	9.21
Description	UNDEV LOT	Frontage	0
Zone	SR	Depth	0
Neighborhood	NH3	Assessed Value	\$145,700

## Outbuildings

Outbuildings	Legend
No Data for Outbuildings	

## **Valuation History**

Appraisal					
Valuation Year	Improvements	Land	Total		
2023	\$0	\$145,700	\$145,700		
2022	\$0	\$152,800	\$152,800		
2021	\$0	\$81,200	\$81,200		

Assessment					
Valuation Year	Improvements	Land	Total		
2023	\$0	\$145,700	\$145,700		
2022	\$0	\$152,800	\$152,800		
2021	\$0	\$81,200	\$81,200		

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#### DOC:367 BK:39054 PG:101

RECEIVED - RECORDED, CUMBERLAND COUNTY REGISTER OF DEEDS 01/04/2022, 08:46:13A

Register of Deeds Jessica M. Spaulding E-RECORDED

DLN: 1002240178579

#### WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that I, ROSAMOND J. PHINNEY, whose mailing address is 16 Overlook Road, Gorham, Maine 04038, do hereby gift and otherwise grant to JDP LLC, a Maine limited liability company with a mailing address of 16 Apple Lane, Gorham, Maine 04038, with WARRANTY COVENANTS, the real property in the Town of Gorham, County of Cumberland, and State of Maine, described as follows:

A certain lot or parcel of land situated in the Town of Gorham, County of Cumberland and State of Maine, lying on the road leading from White Rock, so-called, to the village of Great Falls, so-called, and bounded as follows, viz:

Westerly by land now or formerly of Robert Shackford, northerly by said Town road, easterly by said road and southerly by land now or formerly of Caleb Murch, said lot contains nineteen (19) acres, more or less.

Being the same premises conveyed to Rosamond J. Phinney by Personal Representative's Deed of Distribution from Rosamond J. Phinney, Personal Representative of the Estate of John D. Phinney, dated of even or similar date herewith and recorded prior hereto in the Cumberland County Registry of Deeds.

IN WITNESS WHEREOF, I, Rosamond J. Phinney have hereunto set my hand and seal this 31 day of December, 2021.

WITNESS;

Rosamond J. Phinney

STATE OF MAINE COUNTY OF CUMBERLAND, ss.

December 3, 2021

Then personally appeared before me the above-named Rossimond J. Phinney, and acknowledged the foregoing instrument to be her free act and deed.

Notary Public/Maine Attorney at Law

Commission Expirations





## **Wetland Delineation and Vernal Pool Survey Report**

To: Owens McCullough, PE, LEED-AP

From: Anna K. Biddle, LSS, LSE

Date: June 8, 2022

**Project:** 21678 – North Gorham Road, Gorham

As you have requested, wetland boundaries and vernal pools have been delineated on the approximately 17-acre parcel in Gorham (the "Site"), located at the intersection of North Gorham Road and Great Falls Road. The Site is undeveloped and generally forested, although most of the timber has been recently harvested. The position of the wetland boundaries and vernal pools is depicted on the attached map (Figure 1) of the Site for consideration during preparation of potential development plans for the property.

The Federal Emergency Management Agency (FEMA) has prepared Flood Insurance Rate Maps (FIRM) for this part of Gorham (Community Panel Number 230047 0010 B, effective date 10/15/1981). No part of the Site occurs in a FEMA designated 100-year floodplain (Zone A). The Town of Gorham Zoning Map (updated in 2022) identifies the area including the Site as Suburban Residential (SR). No part of the Site is designated as being subject to the Town's Shoreland Zoning Ordinance.

#### Wetland and Vernal Pool Delineation:

Wetland boundaries at the Site were delineated on March 23, 2022 with sequentially numbered pink flagging located with a sub-meter accuracy global position system (GPS) unit. Vernal pools are recognized as important wetland habitat for a unique assemblage of amphibians and turtles. Vernal pool surveys were conducted at the Site on April 12 and 25, 2022. Edges of the vernal pools were marked by blue flagging and also located with GPS. Characteristics of wetlands delineated at the Site and results of vernal pool surveys are described below.

#### Wetlands:

Evidence indicative of wetland from three parameters – vegetation, soils and hydrology – was used to identify and delineate the wetlands in accordance with the 1987 *US Army Corps of Engineers Wetland Delineation Manual* and the subsequent *Regional Supplement to the US Army Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region* (January 2012). With the exception of unusual or atypical situations, evidence of wetland must be exhibited by all three parameters for an area or position to be designated as wetland.



The freshwater wetland community on the Site is dominated by trees and shrubs that include: red maple (*Acer rubrum*), blackgum (*Nyssa sylvatica*), balsam fir (*Abies balsamea*), speckled alder (*Alnus incana*), and highbush blueberry (*Vaccinium corymbosum*). In open areas the herbaceous understory is: soft rush (*Juncus effusus*), sensitive, cinnamon and royal ferns (*Onoclea sensibilis, Osmunda, cinnamomea, O. regalis*), pitcher plant (*Sarracenia purperea*), and red peat (*Sphagnum* spp.). All of these plants are identified as "Obligate" (OBL), "Facultative Wetland" (FACW) or "Facultative" (FAC) indicators of wetland by the 2016, *State of Maine National Wetland Plant List* prepared by the US Army Corps of Engineers and are therefore hydrophytes.

Dominant vegetation found throughout upland areas of the Site consists of: northern red oak (*Quercus rubra*), white pine (*Pinus strobus*), American beech (*Fagus grandifolia*), eastern hemlock (*Tsuga canadense*), Canada mayflower (*Maianthemum canadense*), Princess-pine (*Dendrolycopodium obscurum*), teaberry (*Gaultheria procumbens*), and wild sarsaparilla (*Aralea nudicaulis*). All of these plants are classified as "Facultative Upland" (FACU) or are not indicative of wetland, and when occurring in predominance, are indicative of upland.

The medium intensity soil survey prepared by the USDA Natural Resource Conservation Service (NRCS) indicates soils of the Scantic silt loam (Sn), and Walpole fine sandy loam (Wa) series occur beneath wetland areas at the Site. Both series are poorly drained (PD) and classified by the NRCS as hydric soils. In the shrub-scrub area where more acidic vegetation was found, the soils are mapped as Sebago mucky peat (Sp), which is very poorly drained (VPD) organic soil. Soils were also examined directly with a hand auger. At sampling locations in areas dominated by hydrophytes, poorly drained soils were observed. The characteristics were representative of hydric soil indicator criteria A11: Depleted below dark surface.

Hydrology is considered to be the "driving force" of wetlands (Mitch and Gosselink, 1986) and inherently is responsible for the adaptation of certain vegetation (hydrophytes) and the development of specific soil characteristics (hydric) indicative of wetlands. At the time of the survey, evidence of wetland hydrology observed at the Site included: soils saturated within 12-inches of the surface, small localized areas of surface water, water-stained leaves and drainage patterns indicative of wetlands.

The National Wetland Inventory (NWI) makes use of *Classification of Wetlands and Deepwater Habitats of the United States* (Cowardin et. al, 1979) to differentiate types of wetlands. With this system, freshwater wetlands are classified based on dominant plant type as: Palustrine Forested (**PFO**), Palustrine Scrub-Shrub (**PSS**), Palustrine Emergent (**PEM**), Palustrine Open Water (**POW**), or Palustrine Unconsolidated Bottom (**PUB**). Wetlands classified by this system as PFO or PSS are more commonly known of as swamps whereas PEM typically represent marshes or meadows. POW and PUB generally lack vegetation and correspond to pond.

Wetlands cover approximately one-third of the Site and are chiefly represented by deciduous PFO (Photo 1). Along the southerly side of the Site, the deciduous shrub dominated wetlands would be designated as PSS (Photo 2).

#### **Vernal Pools:**

Vernal pools (VPs) are defined by the Maine Department of Environmental Protection (MDEP) as: "a natural, temporary to semi-permanent body of water occurring in a shallow depression that typically fills during the spring or fall and may dry during the summer. Vernal pools have no permanent inlet or outlet and no viable populations of predatory fish" (Chapter 335 §9). "Significant vernal pools" (SVPs) are recognized by the presence of fairy shrimp (Eubrandhipus spp.), or more than 40 wood frog (Rana sylvatica) egg masses or at least 10 blue spotted salamander (Ambystoma laterale) or 20 spotted salamander (A. maculatum) egg masses. VPs documented to be used by state-listed rare, endangered or threatened species such as Blanding's turtles (Emydoidea blanddingii), spotted turtles (Clemmys guttata), ringed boghaunter dragonflies (Williamsoni linterni), Eastern ribbon snakes (Thamnophis sauritus), wood turtles (Clemmys insculpta), four-toed salamanders (Hemidactylium scutalum), swamp darner dragonflies (Epiaeschna heros), and comet darner dragonflies (Anax longipes), are also considered to be SVPs (Ch 335 §9B 1-4).

Under the provisions of Section 404 of the federal Clean Water Act, the US Army Corps of Engineers (USACE) regulates activities in "waters of the United States" including VPs, which are defined by the USACE New England District in the State of Maine General Permit (GP, reissued on October 14, 2020). The NED definition, while very similar to MDEP's, does not reference "natural" and does not recognize or differentiate SVPs based on number of indicator species egg masses. Instead, the GP definition states: "VPs are depressional wetland basins that typically go dry in most years and may contain inlets or outlets, typically of intermittent flow. Vernal pools range in both size and depth depending on landscape position and parent material(s). In most years, VPs support one or more of the following obligate species: wood frog (Rana sylvatica), spotted salamander (Ambystoma maculatum), blue spotted salamander (A. laterale) fairy shrimp (Eubrandhipus spp.). However, they should preclude sustainable populations of predatory fish."

#### **Survey Method:**

West of Penobscot Bay and south from Fryberg to Augusta, the Maine Department of Inland Fisheries and Wildlife (MDIFW) recommends evidence of VP indicator species egg masses be observed on separate dates during periods established for wood frogs (April 10<sup>th</sup> to April 25<sup>th</sup>) and spotted salamanders (April 20<sup>th</sup> to May 10<sup>th</sup>). Potential vernal pools (**PVP**s) can be identified outside (before/after) the recommended survey period, but are not necessarily indicative of regulatory jurisdiction. During the recommended survey periods; however, VP and SVP characteristics are to be documented on MDIFW data forms and located with submeter accuracy GPS in order to identify the portion of Critical Terrestrial Habitat (**CTH**) within 250 feet around an SVP referred to as *Significant Vernal Pool Habitat* (**SVPH** Ch 335 §9A (7)).



#### **Results of Vernal Pool Surveys:**

One VP (Photo 3) was identified during the 2022 site surveys specifically conducted for vernal pools (Figure 1). VP-1 occurs near the central/north area of the Site, east of Great Falls Road. During the two survey dates in April, it contained wood frog and spotted salamander egg masses, but they were not abundant enough to be designated an SVP (Photo 4, Photo 5).

#### **Regulatory Assessment:**

Activities in and adjacent to wetlands at the Site are regulated by the MDEP under the provisions of the Natural Resources Protection Act (NRPA) and associated Permit by Rule (Chapter 305), Wetland and Waterbodies Protection (Chapter 310) and Significant Wildlife Habitat (Chapter 335) Rules. Certain characteristics are relevant to whether a wetland is regulated as a "freshwater wetland of special significance" (Ch 310 §4A 1-8). Wetlands at the Site:

- do not contain a "critically imperiled (S1)" (Ch 310 §3F) or an "imperiled (S2)" (Ch 310 §3L) community as defined by the Natural Areas Program;
- are not located within 250 feet of a "coastal wetland" (38 MRSA §480-B (2));
- are not located within 250 feet of a "great pond" (38 MRSA §465-A);
- do not contain more than 20,000 square feet of open water or aquatic or emergent marsh vegetation;
- do not occur in a 100-year floodplain mapped by the Federal Emergency Management Agency (FEMA) (38 MRSA §480-B(2-D));
- are not a "peatland" (Ch 310 §3P); and
- with no streams occurring at the Site, do not occur within 25 feet of the channel of a "river, stream or brook" (38 MRSA §480-B (9)).

Therefore, the wetlands at the Site are not "wetlands of special significance" (WOSS- Ch 310 §4A (1-8)).

Activities requiring alteration of wetland at the Site covering less than 15,000 square feet would be eligible for Tier 1 permit under the NRPA. A Tier 2 permit would be necessary for impacts in excess of this and up to an acre (43,560 square feet). Excluding specific activities authorized by Permit by Rule (PBR - Chapter 305) provisions of the NRPA, activities exceeding one acre would require a Tier 3 permit.

Wetlands at the Site are also regulated by the USACE as "waters of the United States" under the provisions of Section 404 of the Clean Water Act. To authorize minimal-impact activities in wetlands, including placement of fill, the Corps makes use of a General Permit (GP) for the State of Maine. Such impacts to wetlands are broken down into two permit categories under the GP



based on the following area thresholds: Category 1-less than 15,000 square feet and Category 2-15,000 square feet to three acres. Activities eligible for Category 1 activities can be authorized a Self-Verification Notification (SVN) Form submitted to the Corps. Category 2 activities reviewed as applicable in conjunction with the US Fish and Wildlife Service, and the US Environmental Protection Agency and as appropriate the National Marine Fisheries Services, and require an application and written approval from the USACE. Do not hesitate to contact me at your earliest convenience at with questions or comments regarding the information presented above.

Sincerely,

SEBAGO TECHNICS, INC.

A K Rille

Anna K. Biddle, LSS, LSE

**Environmental Scientist / Permitting Specialist** 

Enc.



**Photograph 1** View of forested PFO1/4 wetland near the center of the Site.



Photograph 2 View of the scrub shrub PSS-1 wetland near the southerly property line of the Site.



Photograph 3 View of VP-1.



Photograph 4 Wood frog egg masses in VP-1 on April 12, 2022.



**Photograph 5** Spotted salamander egg masses in VP-1 on April 25, 2022.





## **Maine State Vernal Pool Assessment Form**



## **INSTRUCTIONS:**

- Complete all 3 pages of form thoroughly. Most fields are required for pool registration.
- <u>Clear photographs</u> of a) the pool AND b) the indicators (one example of each species egg mass) are <u>required</u> for all observers.

Observer's Pool ID: VP-1 AT 21678 N. GORE	HAM RD MDIFW Pool ID: _	
1. PRIMARY OBSERVER INFORMATION a. Observer name: COLE PETERS		
b. Contact and credentials previously provi	ded? O No (submit Addendum 1)	<b>⊙</b> Yes
2. PROJECT CONTACT INFORMATION		
a. Contact name:	other	
b. Contact and credentials previously provi	ded?  ONo (submit Addendum 1)	<b>⊙</b> Yes
c. Project Name: NORTH GORHAM ROAD	- PHINNEY	
3. LANDOWNER CONTACT INFORMATION		
a. Are you the landowner? OYes ONo	If no, was landowner permission ol	otained for survey? •Yes •No
b. Landowner's contact information (require	ed)	
Name: MICHAEL PHINNEY	Phone: 207-839-3336	E-mail: MPHINNE@GMAIL.COM
Street Address: 519 FORT HILL ROAD		
c.   Large Projects: check if separate projects:	ject landowner data file submitted	
The Maine Department of Environmental Protect Please check these data for completeness and a notification; please provide e-mail addresses for A. VERNAL POOL LOCATION INFORMATION.	accuracy to prevent delay in mailings. the project contact and the landowner	E-mail is the preferred method of
a. Location Township: GORHAM		
Brief site directions to the pool (using ma	pped landmarks):	
FROM THE INTERSECTION OF ME-35 A MILES. TURN LEFT ON GREAT FALLS I FROM ROAD AND ARRIVE AT VP-1.		
b. Mapping Requirements		
i. USGS topographic map OR aerial pho	tograph with pool clearly marked.	
ii. GPS location of vernal pool (use Da	•	
Longitude/Easting: 70* 28' 41.1" W	Latitude/Northing: 43* 46' 25.5"	N
Coordinate system: 1983 STATE PLAN	NE_	
Check one: OGIS shapefile (Best)		
	MDIFW@maine.gov; observer has rev	·
<del>-</del> , ,	delineated by multiple GPS points.	(Excellent)
- Include map or spread		
• The above GPS point	is at the center of the pool. (Good)	



## **Maine State Vernal Pool Assessment Form**



/ERNAL POOL HABITAT INFORMATION	
a. Habitat survey date ( <u>only if different</u> from indicator	r survey dates on page 3):
o. Wetland habitat characterization	
<ul> <li>Choose the best descriptor for the landscape setting:</li> <li>⊙ Isolated depression</li> <li>⊙ Pool as</li> <li>⊙ Floodplain depression</li> <li>○ Other:</li> </ul>	sociated with larger wetland complex
<ul> <li>Check all wetland types that best apply to this pool:</li> <li>✓ Forested swamp</li></ul>	☐ Slow stream ☐ Dug pond or borrow pit  age ☐ Mostly unvegetated pool ☐ Roadside ditch ☐ ATV or skidder rut ☐ Other:
c. Vernal pool status under the Natural Resources P	rotection Act (NRPA)
i. Pool Origin: ○ Natural ○ Natural-Modified ○ U  If modified, unnatural or unknown, describe any mod  RECENT SKIDDER RUTS.	Innatural OUnknown  dern or historic human impacts to the pool ( <b>required</b> ):
ii. Pool Hydrology  ■ Select the pool's <u>estimated</u> hydroperiod AND <u>provided</u> O Permanent O Semi-permanent (drying partially in all years and completely in drought years)  Explain:	<ul><li>Ephemeral</li><li>Unknown</li><li>(drying out completely</li></ul>
<ul> <li>■ Maximum depth at survey: ○ 0-12" (0-1 ft.) ○ 12</li> <li>■ Approximate size of pool (at spring highwater): Wide</li> <li>■ Predominate substrate in order of increasing hydrogen</li> </ul>	dth: <u>40</u>
<ul> <li>Mineral soil (bare, leaf-litter bottom, or upland mosses present)</li> <li>Mineral soil (sphagnum moss present)</li> </ul>	<ul> <li>Organic matter (peat/muck) shallow or restricted to deepest portion</li> <li>Organic matter (peat/muck) deep and widespread</li> </ul>
■ Pool vegetation indicators in order of increasing hyd	
☐ Terrestrial nonvascular spp. (e.g. haircap	☐ Wet site ferns (e.g. royal fern, marsh fern)
moss, lycopodium spp.)  Dry site ferns (e.g. spinulose wood fern, lady fern, bracken fern)	<ul> <li>✓ Wet site shrubs (e.g. highbush blueberry, maleberry winterberry, mountain holly)</li> </ul>
<ul> <li>Moist site ferns (e.g. sensitive fern, cinnamon fern, interrupted fern, New York fern)</li> </ul>	<ul> <li>Wet site graminoids (e.g. blue-joint grass, tussock sedge, cattail, bulrushes)</li> <li>Aquatic vascular spp. (e.g. pickerelweed, arrowhead</li> </ul>
<ul><li>Moist site vasculars (e.g. skunk cabbage, jewelweed, blue flag iris, swamp candle)</li><li>Sphagnum moss (anchored or suspended)</li></ul>	<ul> <li>☐ Floating or submerged aquatics (e.g. water lily, water shield, pond weed, bladderwort)</li> <li>☐ No vegetation in pool</li> </ul>
■ Faunal indicators (check all that apply):  ☐ Fish ☐ Bullfrog or Green Frog tadpoles	Other:
iii. Inlet/Outlet Flow Permanency Type of inlet or outlet (a seasonal or permanent cha  No inlet or outlet Permanent inlet or outlet Other or Unknown (export outlet)	et (channel with well-defined banks and permanent flow)



## **Maine State Vernal Pool Assessment Form**



. VEI	VERNAL POOL INDICATOR INFORMATION															
a. I	a. Indicator survey dates: 4/12/22, 4/25/22															
b. I	b. Indicator abundance criteria and pool survey effort															
•	Is pool depress Was the entire For each indicated determination,	pool sur ator spec	veyed fo	or egg cate t	masse he exa	es?	Yes( er of e	ÒNo; ∖ gg mas	what % sses, c	onfider	re poo ice leve	el fo	r spe	cies	_	
	INDICATOR	<u> </u>		Egg	Masse	s (or ad	ult Fairy	Shrim	p)				Tadp	oles/La	ırvae <sup>4</sup>	
	INDICATOR SPECIES	Visit #1	Visi #2		Visit #3	Conf	idence l	_evel <sup>1</sup>	Egg N	lass Ma	aturity <sup>2</sup>	Ok	serve	ed Co	nfide Level	
	Wood Frog	9	6			3	3		F	A				3	3	
	Spotted Salamander	0	18			3	3			M				3	3	
	Blue-spotted Salamander	0	0			3	3									
	Fairy Shrimp <sup>3</sup>	0	0			3	3									
	Hatching 3-Fairy shrimp: X = present 4-Tadpoles/larvae: X = present  c. Rarity criteria  ■ Note any rare species associated with vernal pools. Observations should be accompanied by photographs.															
	eprojee	Method	of Verifica	tion*	CL**	CDECIE	· C				Me	thod	of Ver	ification*	CL*	**
	SPECIES	P		s		SPECIE						<b>-</b>	Н	s		
	Blanding's Turtle					Wood T							<u> </u>			_
	Spotted Turtle			<u> </u>		Ribbon S Other:	ъпаке ———						<u>-</u>			_
Ĺ	Ringed Boghaunter *Method of verific	ation: P =			H = Ha		: = Soor				L					
d. C	**CL - Confidence level in species determination: 1= <60%, 2= 60-95%, 3= >95%  d. Optional observer recommendation:  ☐ SVP ☐ Potential SVP ☑ Non Significant VP ☐ Indicator Breeding Area															
N	MUCH OF POTENTIAL CRITICAL TERRESTRIAL HABITAT HAS BEEN HARVESTED RECENTLY. ON 4/25 - LOTS OF GREEN ALGAE ON WOOD FROG EGG MASSES.							-								
Se	nd completed	form a	nd sup	porti	ng do	cumer	ntation	to: V	ernal	Pool.N	//DIFV	٧@	maiı	ne.go	<b>/</b>	
NOTE: Digital submissions are preferred but if not possible, please mail to:  Maine Department of Inland Fisheries and Wildlife Attn: Vernal Pools 106 Hogan Road, Suite 1 Bangor, ME 04401																
	ol is: Significar		y MDIFW otentially ut lacking	Signif	icant	lı □ Not S	nitials: ignificar	t due to	~	s not me	_					

sol	L PROFILE	/CLASS	IFICATION	V INFORM	ATION	SUBSUF	DETAILED D	ESCRIPTION (	OF JECT SITES
Proje	ct Name:		Appli	cant Name:			roject Location		
1-2	oration Symbo " Organic horizon Texture		Test Pit Ground surface Color	☐ Boring elev	1-2-0		n thickness (	1 1010 101 111	☐ Boring elev
Depth below mineral soil surface (inches)	FSL SANOT LOPM		10187/ 1018 1/3 251/4 251/4	C/M/D	Depth below mineral soil surface (inches)  12  18  18  19  19  19	Show the same of t	From S	10482/10113/4 10113/4 254-4	ivolung
soil data by S.E. soil data by S.S.	Soil Classifi Profile Cond Soil series/phase	ition Percent	Limiting Factor Depth Hydric Non-hydric	Restrictive Layer  Bedrock  Hydrologic  Soil Group	soil data by S.E.	<u> </u>	dication Slope Percent e name:	Depth  Hydric Non-hydric	Groundwater  Groundwater  Bestrictive Layer  Bedrock  Hydrologic  Soil Group
l —	ration Symbols Organic horizon Texture	thickness Gr Consistency	Color 1072-3/2	Mottling 74	outh below mineral soil surface (inches)	on Symbol ganic horizon Texture	10	Test Pit round surface el Color ZSY7/	Boring ev Mottling
soil data by S.E. soil data by S.S.		eation Slope 2-9 tion Percent name:	Limiting Factor  Depth  Hydric Non-hydric	Groundwater O Pleatrictive Layer D Bedrock Hydrologic Soil Group	S.E. F soil data by S.S.	Soil Classifi Profile Cond oil series/phase	ition Percent	26.	Groundwater Bestrictive Layer Bedrock Hydrologic Soil Group
Name P		ed Site Evalu	ator	□ Certi	Cert/Lic/I			affix profess	ional seal

affix professional seal

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S	01	L PROFILE	/CLASS	IFICATIO	V INFORM	IOITA	SUBSU	DETAILED	DÉSCRIPTION	OF
Pi	roje	ct Name:		Appli	icant Name:		3333	Project Location	on (municipal	ity):
E	kplc	oration Symbo	ol: 10-5	☐ Test Pit	□ Boring	Exp	loration Symb	ol: TR-6	Y	□ Boring
3-	4	" Organic horizo	n thickness C	Ground surface	_		_ " Organic horiz		Ground surface	9
W	0	Texture	Consistency	Color	Mottling		0 Texture	Consistency		Mottling
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l soil sur	24			2.595/		I soil sur	10104		2545	G/110
Depth below mineral soil surface (inches)	30 36 36		FIRM	2.545/4 2.545/3	t, 1, 10, 0	Depth below mineral soil surface (inches)	6	FIRM	25y 5/3	7/4
	48	G-7 Olsself	106	<u> </u>		48				36
S. soil	E. data	Soil Classif  Profile Conc Soil series/phase	dition 3-8	Limiting Factor Depth Hydric Non-hydric	Bedrock Hydrologic Soil Group	S.E. soil data by S.S.	Profile Cor	idition Slope Percent se name:	Depth.  Hydric Non-hydric	Restrictive Layer Bedrock Hydrologic Soil Group
-		ation Symbol Organic horizon	, , ,	Test Pit	☐ Boring		oration Symbo	14	Test Pit	□ Boring
	0	Texture	Consistency	Color	Mottling	/	Texture	Consistency	round surface e	Mottling
(inches)	6	S/ 6/	5P	1841/2 254-12	C .	(inches)	St	f.	16/183/2	
Depth below mineral soil surface (inches)	18			34	C/M,0	Depth below mineral soil surface	Fift		5/%	(,40
low minera	30		FIRM		MA	low minera				
Depth be	36 42 48		E	<i>3/3</i> 30''		Depth be		#1/M	5/3	
Soil d S.E Soil d by	ata ata	Soil Classific Profile Condi Soil series/phase	tion Percent	Limiting Factor Depth Hydric Non-hydric	Groundwater  Restrictive Layer  Bedrock  Hydrologic  Soil Group	soil data by S.E. soil data by S.S.	Soil Classi	dition Percent	Limiting Factor  Depth  Hydric Non-hydric	Groundwater  Restrictive Layer Bedrock Hydrologic
		li,	IVESTIGATO	R INFORMA	TION AND S		RE		The state of the s	Soil Group
ign	atur	e:				Date:				Albert

Signature:

Name Printed/typed:

Cert/Lic/Reg. #

Title:

Certified Soil Scientist

Certified Geologist

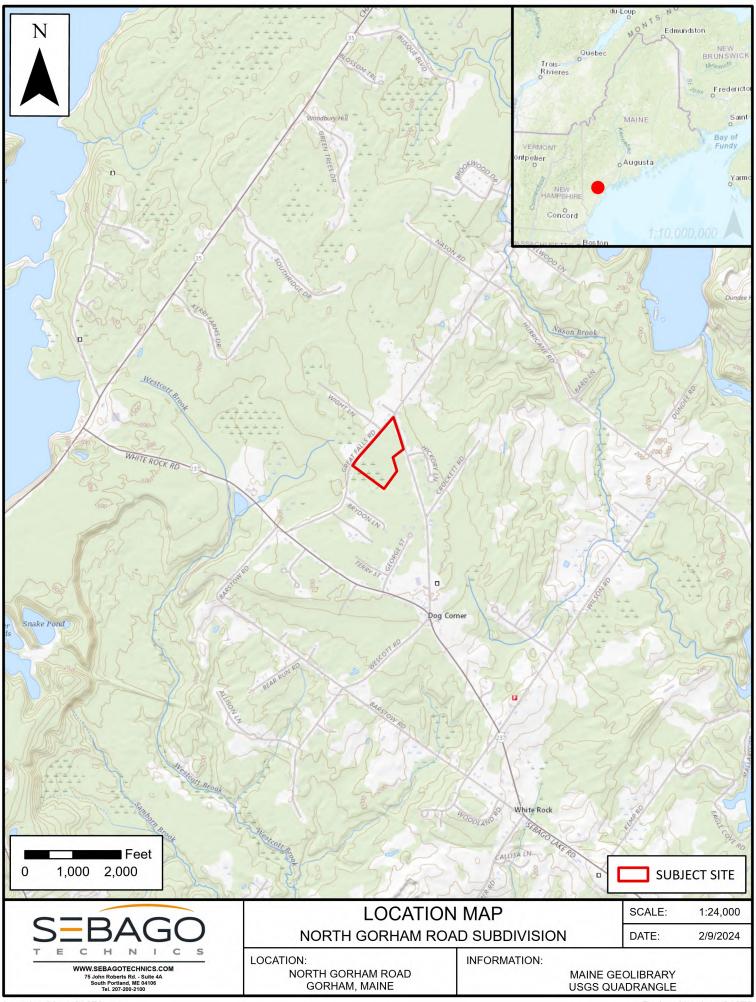
Other:

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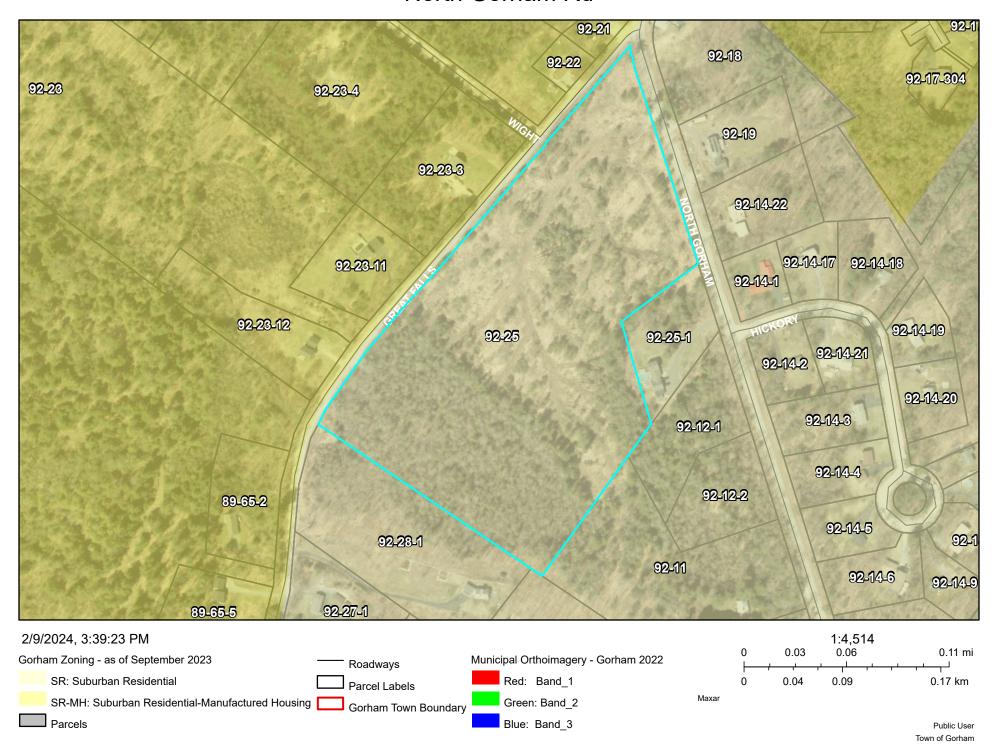
so	IL PROFILI	E/CLASS	IFICATIO	N INFORM	ATION	SUBSUR	DETAILED E	DESCRIPTION TIONS AT PRO	OF
Proj	ect Name:		Appl	icant Name:	A	P	roject Location	on (municipalit	y):
	oration Symbo			☐ Boring elev	Explora	tion Symbo Organic horizor Texture	1: TP-16	Test Pit Ground surface	☐ Boring elev
Depth below mineral soil surface (in	54 Starte		107/2 107/2 25 4 25 4 25 4 25 4 25 7	C.M.P.	Depth below mineral soil surface (inches)  18  18  42  45	10 M		3-34	A.W.
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ace (inches)					6 (inches)				
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itle:		sed Site Evalued Geologist	atór	☐ Certi	ified Soil Scie	entist		affix profess	ional seal

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DEP Form F Rev. 1/01



## North Gorham Rd



## **Gorham Public Water Calculations**

#### Step 1 - Public Water Cost Per Unit (PWCU)

Variable	Input
SL	4700
NL	0
UN	5
CCIF	1.913663647
CCIF	7064
CCIF	13518
Ledge	O
LDG	O
EX	45000

SL = Lineal feet of new water main in an existing street

NL = Lineal feet of new water main in a proposed street or ROW

UN= Number of Units in the development to be served

Calculated CCIF= Construction Cost Inflation Factor Current divided by base CCIF

CCIF= Construction Cost Inflation Factor - May of 2004

CCIF= Construction Cost Inflation Factor - Current Month

Estimated # of feed of ledge trench, used to calculated LDG

\*do not input- calculated from Ledge\* LDG= Estimated current cost for ledge trench at (\$20/lineal foot) \* (the estimated number of feet of ledge trench), or other removal cost approved by the PB based upon field knowledge/documentation provided by the EX= Estimated current cost for any extraordinary costs for the water service, ex. Bridge crossings

 $PWCU = (((((SL X $75) + (NL X $40))/UN) + $1,425) \times CCIF) + (((LDG)X CCIF) + EX)/UN)$ 

EX - Culvert crossing required shoring, bracing and /or directional drilling to cross under structure.

**Step 2- Maximum Private Water Cost Per Unit (MPWCU)** 

MPWCU	\$33,680.48
	755,000.10

MPWCU =  $(((\$5,500 \times 2) + \$5,000) \times 1.1) \times CCIF$ 

CCIF= ENR CCI Current/ENR CCI 5-04 where ENR CCI Current is the ENR Construction Cost Index for the month in which the calculation is made as published in ENR (Engineering News-Record) magazine and ENR CCI 5-04 is the ENR Construction Cost Indexi for May 2004

## North Gorham Rd

