

**TOWN OF DURHAM  
PLANNING BOARD MEETING  
JULY 7, 2021  
AGENDA**

*The Durham Planning Board will meet at 6:30 p.m. on Wednesday, July 7, via Zoom. The meeting will be accessible at: <https://us02web.zoom.us/j/83092552291>. The meeting ID is: 830 9255 2291.*

1. Call to Order
2. Roll Call
3. Continuing Business
  - Board review of application for completeness:
    - Royalsborough Road Subdivision
    - Map 2 Lot 11
    - 1337 Royalsborough Road
  - If Planning Board deems above application complete,*
4. Public Hearing
  - Royalsborough Road Subdivision
5. Board Deliberation
6. Other Business
7. Adjourn

**Pineland**

Cumberland Hall  
41 Campus Drive, Suite 101  
New Gloucester, ME 04260

**Portland**

565 Congress Street, Suite 201  
Portland, ME 04101

June 22, 2021

Project #2081

Bob Forrest, Code Enforcement Officer  
630 Hallowell Road  
Durham, Maine 04222

**FINAL PLAN APPLICATION  
ROYALSBOROUGH ROAD SUBDIVISION**

Dear Bob:

**Terradyn Consultants, LLC** is pleased to submit the following supplemental information and response to preliminary approval conditions from the May 19, 2021 Preliminary Subdivision Approval Notice of Decision for the Royalsborough Road Subdivision. The proposed project is a 6-lot subdivision located on 15.97 acres located at 1334 Royalsborough Road in Durham. The applicant is John Weeks & Ronald Milley. The revised plan set is included with this letter. The final plan application and checklist is included in Attachment 1, which was previously submitted on May 7<sup>th</sup> but has a few updates. Below is a summary of the plan changes, information requested, and items required for the final plan submission.

**Plan Changes**

The following items were revised on the enclosed plans in response to planning board comments:

- An area for trash collection at the Royalsborough Road and Wingate Farms Road intersection has been added. Ditch grading and culvert length have been revised to accommodate the 20' by 8' paved area for trash totters.
- The abutting home and tree line have been added. The home is approximately 95' from the property line along the proposed roadway and there is a forested buffer of 65-70' on the abutter's property based on aerial imagery.
- New test pit location for septic on Lot 4 so the septic system is not directly off the end of the hammerhead.

**Response to Preliminary Approval Conditions:**

1. Applicant must reach out to the appropriate parties (MaineDOT, Town of Durham, CMP, etc.) to obtain permission to trim the branches in the Route 136 right of way where it borders the proposed subdivision to the north of the proposed entrance to the subdivision.

**Response:** we contacted DOT and Anthony Fontaine replied that DOT “does not issue ‘permission’ to clear the ROW in front of one’s property as it is assumed that the property owner will do so at their discretion. Trimming trees is no different than mowing one’s lawn up to the edge of the highway pavement and the property owner will decide for themselves whether they wish to do so or not. It is the property owner’s responsibility to maintain sight distance and if trees in front of their property interfere, then they are responsible for trimming. The department (DOT) does not trim trees/limbs/vegetation in the ROW unless there is a specific safety issue to the motoring public.”

The applicant is prepared to trim the necessary branches within the Route 136 ROW to the north of the proposed subdivision entrance as discussed on site.

2. Applicant must propose an area for trash collection for the subdivision on days where the Town of Durham will provide trash pickup. The design of the proposed area should take into consideration the safety of both the trash packer operators and other motorists; containment of the trash; and accessibility.

**Response:** an area for trash collection has been added to the plans. This area is a paved apron on the northern side of the Wingate Farms Road intersection with Route 136. The paved area is 20’ long and 8’ wide, which will provide plenty of room for 6 trash totters and for the trash truck to pull slightly out of the travel lane.

3. Applicant shall address the requirement of Section 5.14 of the Durham Land Use Ordinance, which requires a 25’ buffer to be maintained along the property line of any abutting historic property with respect to the abutting property to the south of the proposed location. That may involve requesting a variance or waiver from the ZBA or Planning Board; obtaining information that the structure is not protected by Section 5.14; providing for the 25’ buffer, or other solution.

**Response:** The applicant is requesting a waiver from the Planning Board from the 25’ buffer requirement of Section 5.14. Please see attached waiver request form. We have also reviewed the Town Ordinances with a lawyer and obtained a legal opinion that based on the ordinance definitions and Section 5.14 a road is not a structure. Please see attached letter. Additionally, we are now showing the abutting home and tree line on the plan. The home is approximately 100’ from the property line along the proposed ROW, and there is a forested buffer on the abutters lot approximately 65 to 70’ thick. In addition to this forested buffer on the abutting property, the edge of the proposed roadway is 15’ from the property line and 5’ lower in elevation. This 15’ buffer on site plus the 65’ buffer on the abutter’s property will provide ample protection of the existing quality or use of the abutting

property. We are also providing a 40' no clear buffer along the shared property boundary with Lot 6.

4. Applicant will provide draft articles of incorporation for the proposed Homeowners and/or Road Association in Accordance with Section 6.32(D)(2) of the Durham Land Use Ordinance.

**Response:** Draft Articles of Incorporation of the Homeowners Association are attached.

5. Applicant will provide draft Bylaws for the proposed Homeowners and/or Road Association in accordance with Section 6.32(d)(3) of the Durham Land Use Ordinance.

**Response:** Draft Bylaws for the Homeowners Association are attached.

6. Applicant will reach agreement with the Town of Durham for the form of a performance guarantee that meets all of the requirements of Section 6.34 of the Durham Land Use Ordinance, such that the only outstanding step to finalize the performance guarantee is to deposit the required cash.

**Response:** The applicant is proposing a cash deposit upon approval into an escrow account held by the Town in the amount specified on the engineer's construction cost estimate. This satisfies Section 6.34 of the Durham Land Use Ordinance, which states in B. "a performance guarantee may be tendered in the form of either a cash deposit held by the Town or an irrevocable letter of credit..." The Town Manager has provided a letter indicating the proposed cash deposit upon approval satisfies the performance guarantee requirements, see attached.

7. Applicant will research whether and when its DOT Driveway/Entrance Permit expires and will provide confirmation to the Planning Board of that date in writing.

**Response:** We reached out to DOT and Anthony Fontaine indicated that permits are valid for two years after which time they expire and must be renewed. If site conditions have not changed, DOT will issue a letter authorizing a one-year extension. The current permit #26555 dated June 13, 2019 was set to expire on June 13, 2021, however, DOT has issued an extension. Please see attached extension letter from DOT.

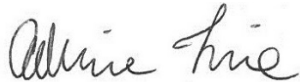
Additionally, there was a question about if there were more pages to the permit. Anthony Fontaine indicated that a copy of the Standard Conditions and Standard

Details may have originally been sent to the land owner. These are standard DOT documents that are attached here, and don't provide any additional information about this specific permit or location.

We also requested that DOT share their sight distance measurements for the permit, which are to the left (south) 593' and to the right (north) 913'. These measurements are more accurate and greater than the numbers previously provided to you by Terradyn Consultants.

We request to be added to the Planning Board's July 7<sup>th</sup> meeting agenda for Final approval review. You may contact me at 207-322-1223 or [adrienne@terradynconsultants.com](mailto:adrienne@terradynconsultants.com) if you require additional information.

Sincerely,  
**TERRADYN CONSULTANTS, LLC**



Adrienne Fine, P.E.  
Senior Project Engineer

Attachments:

1. Final Application Form & Checklist
2. Waiver Request Form from 25' Buffer
3. Attorney Letter on Structure
4. Draft Articles of Incorporation and Bylaws of the Homeowners Association
5. Town Manager Letter
6. DOT Extension Letter and Standard Conditions and Details

## **ATTACHMENT 1**

**Final Application Form & Checklist**

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**TOWN OF DURHAM+**  
**630 Hallowell Road**  
**Durham, Maine 04222**

**Office of Code Enforcement  
and Planning**

**Tel. (207) 376-6558**  
**Fax: (207) 353-5367**

## FINAL SUBDIVISION PLAN APPLICATION

Subdivision Name: Royalsborough Road Subdivision, Wingate Farms Road

Application Date: 6/21/21

Preliminary Approval Date: 4/7/21 found complete

### A. Owner & Developer

P&S and rights letter provided

Is applicant owner of the property? \_\_\_\_\_ YES  NO (If no, letter of owner authorization is required)

Property owner: Leigh Fisher Property developer: Ronald Milley & John Weeks

Address \_\_\_\_\_ Address: 55 Berkeley Street

\_\_\_\_\_ Portland, ME 04103

\_\_\_\_\_ Attn: John W. Weeks

Telephone number: \_\_\_\_\_ Telephone number: 207-650-3483

Email address: \_\_\_\_\_ Email address: jweeks@cscnewengland.com

### B. Project Designers

Surveyor: Wayne T. Wood & Company Engineer: Terradyn Consultants, LLC

Address: 20 Wood Drive Address: 41 Campus Drive, Suite 101

\_\_\_\_\_ Gray, Maine 04039 \_\_\_\_\_ New Gloucester, Maine 04260

\_\_\_\_\_ \_\_\_\_\_ Attn: Adrienne Fine

Telephone number: 207-657-3330 Telephone number: \_\_\_\_\_ 207-926-5111

Email address: wtwco1328@gmail.com Email address: \_\_\_\_\_ adrienne@terradyconsultants.com

Person to whom all correspondence on project should go: Adrienne @ Terradyn Consultants

Subdivision Name: Royalsborough Road Subdivision

**C. Status of Preliminary Plan Approval & Current Application**

Has it been more than 6 months since preliminary approval was granted? \_\_\_\_\_ YES  NO

Are changes required by preliminary approval reflected in the final plans?  YES \_\_\_\_\_ NO

Are all technical peer reviews required by the Board complete and attached?  YES \_\_\_\_\_ NO

Is there an engineer's construction cost estimate for required improvements?  YES \_\_\_\_\_ NO

Is there a bank commitment letter for the amount of the construction costs?  YES \_\_\_\_\_ NO

Will a bank letter of credit be submitted as a performance guarantee? \_\_\_\_\_ YES  NO

If yes, does the letter of credit follow the format approved by the Town Attorney? \_\_\_\_\_ YES \_\_\_\_\_ NO

If an alternative form of performance guarantee is to be requested, what form will it take:

Escrow account

Has that form been reviewed by the Town Attorney at the applicant's expense? \_\_\_\_\_ YES  NO

Have all State and other outside agency reviews been completed?  YES \_\_\_\_\_ NO

Are permits and/or letters from State and outside agencies attached?  YES \_\_\_\_\_ NO

Are their approval conditions incorporated into the final plans?  YES \_\_\_\_\_ NO

Did their approval conditions substantively change the preliminary plan? \_\_\_\_\_ YES  NO

Do the submissions include a declaration of covenants and homeowners' association framework for long-term ownership and maintenance of the project improvements?  YES \_\_\_\_\_ NO

Do those legal documents follow the Town Attorney's format?  YES \_\_\_\_\_ NO

If not, have they been reviewed by the Town Attorney at applicant's expense? \_\_\_\_\_ YES \_\_\_\_\_ NO N/A

**D. Required Public Notices**

Have all abutting property owners received notice per Section 6.6.E.?  YES \_\_\_\_\_ NO

Does this project abut or cross over into another Town? \_\_\_\_\_ YES  NO

Is this project within 1000 feet of the water wells of the Elementary School? \_\_\_\_\_ YES  NO



Subdivision Name: Royalsborough Road Subdivision

**E. Requested Waivers**

Does the applicant intend to request any waivers of the subdivision requirements? If yes, list them (Note: waivers from design standards will require technical analysis to demonstrate that the subdivision criteria will be met). **Provide a waiver request form for each waiver requested:**

- High Intensity Soil Survey requirement (Section 6.7 D.1)
- Hydrogeological Assessment requirement (Section 6.7 D.3)
- Traffic trip generation requirement (Section 6.7 D.4)
- Traffic impact study requirement (Section 6.7 D.5)
- 25' buffer requirement (Section 5.14 B.2)

Forms are attached

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Are the waivers of performance standards noted on the final plan per Section 6.35.C.4?

YES  NO

**F. Review Fees and Escrow**

Non-refundable application fee of \$300: \$ 300

Was the technical review escrow depleted to 25% of the original amount?  YES  NO

If yes, the escrow must be brought back up to the original amount of \$250 per lot: \$                     


Date review fees & escrow paid: 5/7/21

**G. Checklist and Required Submissions**

Are the completed final plan checklist and all submissions attached?  YES  NO

To the best of my knowledge, all of the above stated information submitted in this application is true and correct.

**H. Signature of Applicant**



June 21, 2021

Printed Name: John W. Weeks

Date



**TOWN OF DURHAM**  
**630 Hallowell Road**  
**Durham, Maine 04222**

**Office of Code Enforcement  
 and Planning**

**Tel. (207) 376-6558**  
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**SUBDIVISION PLAN REVIEW CHECKLIST**  
**SECTION 6.9 FINAL PLAN SUBMISSIONS**  
**SECTION 6.14 – PERFORMANCE STANDARDS**

Royalsborough Road Subdivision

**SUBDIVISION NAME** \_\_\_\_\_ **DATE** 6/21/21

This checklist has been prepared to assist applicants in developing their applications. It should be used as a guide. The checklist does not substitute for the statutory criteria or the requirements of Article 6 of the Land Use Ordinance. The Planning Board also will be using the checklist to make sure that your application is complete and meets all standards. **Fill out all shaded columns in the checklist by initialing a box in each row.** Indicate if the information has been submitted or if a waiver is requested. The perimeter survey, subdivision plan and general engineering plans may be contained on the same drawings for final plan approval. However, detailed engineering drawings such as road profiles, drainage swales and erosion/sedimentation plans should be presented on separate sheets from the recording plan, as should detailed contours that would obscure reading the plan for informational purposes.

<b>SUBDIVISION REGULATIONS</b>	<b>Submitted by Applicant</b>	<b>Waiver Requested (with waiver request form)</b>	<b>Received by Planning Board</b>	<b>Waiver Granted</b>
<b>6.6 D.&amp;E.</b> Required public notice sent to: 1) abutting property owners, 2) abutting town if project abuts or crosses boundary, and 3) Durham Elementary School if within well source water protection area (30-A MRSA §4403.3.A)				
<b>6.9 FINAL PLAN SUBMISSIONS REQUIRED FOR COMPLETENESS REVIEW (10 Copies of application form &amp; all materials)</b>				
A. Final plan meets specifications for recording at Registry of Deeds	AF	NOT WAIVABLE		NOT WAIVABLE
B.1 Completed application & checklist submitted	AF	NOT WAIVABLE		NOT WAIVABLE
B.2 Subdivision name, town, & map & lot no.	AF	NOT WAIVABLE		NOT WAIVABLE
B.3 No. of acres in subdivision, property lines, existing buildings, watercourses, & other site features depicted	AF			

<b>SUBDIVISION REGULATIONS</b>		<b>Submitted by Applicant</b>	<b>Waiver Requested (with waiver request form)</b>	<b>Received by Planning Board</b>	<b>Waiver Granted</b>
B.4	Plan for sewage disposal	AF	NOT WAIVABLE		NOT WAIVABLE
B.5	Plan for water system(s)	AF	NOT WAIVABLE		NOT WAIVABLE
B.6	Septic system locations with well exclusion zones	AF			
B. 6	Hydrogeological evaluation if preliminary plan approval condition		WAIVER		
B.7	Date of plan preparation with north point & graphic scale	AF	NOT WAIVABLE		NOT WAIVABLE
B.8	Names & addresses of owner, applicant, and plan preparer(s)	AF	NOT WAIVABLE		NOT WAIVABLE
B. 9	Zoning for subdivision & zoning boundaries	AF	NOT WAIVABLE		NOT WAIVABLE
B.10	Location of setbacks & buffers (w/o contours)	AF			
B.11	Deed restrictions & covenants in form approved by Town Attorney	AF			
B.12	Location & size of culverts, all drainageways indicated	AF			
B.13	Sealed survey plan with bearing and length of all property & street lines and monuments shown	AF	NOT WAIVABLE		NOT WAIVABLE
B.14	Street plans meeting Appendix 1 standards by engineer	AF			
B.15	Engineer's cost estimate for all required improvements	AF			
B.16	Proposed financial performance guarantee tied to engineer's cost estimate in form approved by Town Attorney (issued prior to mylar release)	AF - escrow account proposed in the amount of engineer's estimate, see letter from Town			

SUBDIVISION REGULATIONS		Submitted by Applicant	Waiver Requested (with waiver request form)	Received by Planning Board	Waiver Granted
B.17	Letter of commitment from a lending institution referencing engineer's cost estimate & willingness to provide a performance guarantee for the named applicant	AF			
B.18	All required legal documents for ownership and maintenance of streets & common land (if any)	AF			
B.19	Any flood areas and flood boundaries shown on plans	AF - NONE	NOT WAIVABLE		NOT WAIVABLE
B.20	Proposed locations & plan for stump & construction disposal (if on site)	AF			
B.21	Erosion & sedimentation control plan (per Appendix 2) unless no roads constructed & impervious surfaces less than 5% of site (calculations submitted) & not in Runaround Pond watershed	AF			
B.22	Stormwater management plan (per Appendix 3) unless no roads constructed & impervious surfaces less than 5% of site (calculations submitted) & not in Runaround Pond watershed	AF			
B.23	Phosphorus management plan (per Appendix 4) if in watershed of Runaround Pond	N/A			

Subdivision Name: Royalsborough Road Subdivision

SUBDIVISION REGULATIONS	Submitted by Applicant	Waiver Requested (with waiver request form)	Approved by Planning Board	Waiver Granted
6.6.I.1	<b>(THE APPLICANT HAS INCORPORATED REQUIRED CHANGES CONTAINED IN THE PRELIMINARY APPROVAL CONDITIONS)</b>			
6.8.A	<b>(THE APPLICANT HAS SUBMITTED THE FINAL PLAN APPLICATION WITHIN 6 MONTHS OF PRELIMINARY APPROVAL)</b>			
6.14	<b>REVIEW STANDARDS TO BE ADDRESSED BY THE APPLICANT'S SUBMISSIONS AFTER THE APPLICATION IS DEEMED COMPLETE BY THE PLANNING BOARD</b>			
6.15	<b>POLLUTION STANDARDS (addressed by compliance w/ 6.16, 6.17, 6.19, 6.24, 6.25 &amp; 6.28)</b>			
6.16	<b>SUFFICIENT WATER</b>			
A.	Note on plan prohibiting dug wells	AF	NOT WAIVABLE	NOT WAIVABLE
B.	Wells & septic in accordance with Maine rules	AF	NOT WAIVABLE	NOT WAIVABLE
C.	Proposed fire protection water supply	AF		
6.17	<b>EROSION &amp; SEDIMENTATION IMPACTS</b>			
A. & B.	Erosion & sedimentation plan to be submitted w/ final plans	AF		
C.	Areas intended for vegetation clearing shown on plans	AF		
C.	Required buffers along water bodies shown on plans and referenced in notes	AF - NONE		
D.	Statement of intent for topsoil removal or retention	AF		
6.18	<b>TRAFFIC CONDITIONS &amp; STREET STANDARDS</b>			
A.	Meets general standards for safety, congestion, level of traffic, and avoiding large cuts and/or fills	AF		
B.	Meets or will meet any MDOT permit requirements & does not drop service level of access roads (larger projects will require a traffic study)	AF		
C.1	Streets laid out for existing & future interconnections unless major cut-through traffic results	AF		

Subdivision Name: Royalsborough Road Subdivision

SUBDIVISION REGULATIONS		Submitted by Applicant	Waiver Requested (with waiver request form)	Approved by Planning Board	Waiver Granted
C.2	Street names meet addressing requirements	AF	NOT WAIVABLE		NOT WAIVABLE
C.3	Clearing in road rights of way limited and stump disposal areas (if any) noted on plans	AF			
D.	Final plans to contain engineered drawings of streets meeting all requirements of Appendix 1	AF			
<b>6.19</b>	<b>SEWAGE DISPOSAL STANDARDS</b>				
A.	Test pit logs by site evaluator indicate suitable site for septic system on each lot with no variance or easement required	AF			
<b>6.20</b>	<b>SOLID WASTE STANDARDS</b>				
	Level of waste generation within Town's capacity or alternative arrangement	AF			
<b>6.21</b>	<b>IMPACT ON NATURAL BEAUTY, AESTHETICS, HISTORIC SITES, WILDLIFE HABITAT, RARE NATURAL AREAS OR PUBLIC ACCESS TO THE SHORELINE STANDARDS</b>				
A.	Final plans to delineate & note limits of tree clearing & 50-ft buffer along existing roads	AF			
B.1	If any portion is in a designated unique natural area, appropriate preservation measures included in plans	AF			
B.2	If any portion in designated historic or archaeological area or site, appropriate preservation measures included in plans	AF	Waiver attached Road is not a structure letter attached		
B.3	Proposed open space (if any) suitable for intended purposes	AF - N/A			
B.4	Intent to transfer any open space to the Town stated if planned	AF - N/A			

Subdivision Name: Royalsborough Road Subdivision

SUBDIVISION REGULATIONS		Submitted by Applicant	Waiver Requested (with waiver request form)	Approved by Planning Board	Waiver Granted
C.	If any portion within 250 ft of endangered or threatened species habitat, no adverse impacts documented per:	AF			
C.1	75-ft buffer maintained along habitat (if along or within property)	AF			
C.2	Consultation with IF&W with written comments	AF			
C.3	If recommended by IF& W, wildlife biologist's report on potential impacts & recommended mitigation measures	AF			
D.1	Any existing public access to water bodies maintained with legal protections	AF - N/A			
D.2	Final plan notes and deeds to list restrictions on clearing within 100 ft of any resource protected under shoreland zoning	AF			
<b>6.22</b>	<b>CONFORMITY WITH LOCAL ORDINANCES AND PLANS STANDARDS</b>				
	All lots meet zoning dimensional standards & other Land Use Ordinance requirements	AF	NOT WAIVABLE		NOT WAIVABLE
<b>6.23</b>	<b>FINANCIAL AND TECHNICAL CAPACITY STANDARDS</b>				
A.	Bank letter of commitment or equivalent documentation to be provided with final plan (intent indicated)	AF			
B.	Applicant and consultants have documented experience to properly carry out project & no prior violations	AF			

SUBDIVISION REGULATIONS	Submitted by Applicant	Waiver Requested (with waiver request form)	Approved by Planning Board	Waiver Granted	
<b>6.24</b>	<b>IMPACT ON GROUND WATER QUALITY OR QUANTITY STANDARDS</b>				
A.	If required by vote of Planning Board, hydrogeological study to document project will meet safe drinking water standards		WAIVER		
B.	If required by vote of Planning Board, hydrogeological study to document project will have adequate water & not lower the water table		WAIVER		
<b>6.25</b>	<b>FLOODPLAIN MANAGEMENT STANDARDS</b> For projects with identified flood-prone areas:				
A.	Utilities located to avoid flood damage	AF	NOT WAIVABLE		NOT WAIVABLE
B.	Drainage provided to avoid flooding	AF	NOT WAIVABLE		NOT WAIVABLE
C.	Final plan to contain note prohibiting structures in floodplain	AF			
D.	Road crossings & driveways evaluated for emergency access & will withstand 100-year flood	AF			
E.	Project complies with Article 11 floodplain management regulations	AF	NOT WAIVABLE		NOT WAIVABLE
<b>6.26</b>	<b>IDENTIFICATION OF FRESHWATER WETLANDS, RIVERS, STREAMS, OR BROOKS STANDARDS</b>				
	All wetlands delineated by qualified professional & all streams within or abutting project mapped	AF	NOT WAIVABLE		NOT WAIVABLE
<b>6.27</b>	<b>IDENTIFICATION OF FARMLAND STANDARDS</b>				
	All active farmland or prime farmland soils of 5 or more acres mapped	AF - NONE			



Subdivision Name: Royalsborough Road Subdivision

SUBDIVISION REGULATIONS	Submitted by Applicant	Waiver Requested (with waiver request form)	Approved by Planning Board	Waiver Granted	
<b>6.28</b>	<b>STORMWATER MANAGEMENT STANDARDS</b>				
A.	If DEP Site Location Permit required, permits submitted with final plan	N/A	NOT WAIVABLE		NOT WAIVABLE
B.	If DEP Stormwater Permit required, permit & plans meeting Appendix 3 submitted with final plan	N/A	NOT WAIVABLE		NOT WAIVABLE
C.	Engineer's erosion & sedimentation control plan meeting Appendix 2 to be submitted with final plan	AF			
D.	Projects within watershed of Runaround Pond to submit phosphorus management plan meeting Appendix 4	N/A			
E.	If potential for downstream flooding, Board to vote on hydrologic analysis	N/A			
<b>6.29</b>	<b>SPAGHETTI-LOTS PROHIBITED STANDARDS</b>				
	No lots within shoreland zone have lot depth to shore frontage ratio in excess of 5 to 1	N/A			
<b>6.30</b>	<b>IMPACT ON ADJOINING MUNICIPALITIES STANDARDS</b>				
	If project crosses town boundary, no unreasonable traffic or unsafe conditions in adjoining community	N/A			
<b>6.31</b>	<b>COMPLIANCE WITH TIMBER HARVESTING RULES STANDARDS</b>				
A.	No liquidation harvesting on property in the past 5 years	N/A	NOT WAIVABLE		NOT WAIVABLE
B.	If question of violation, DACF to be consulted or applicant must submit a licensed forester's letter.	N/A			

<b>SUBDIVISION REGULATIONS</b>	<b>Submitted by Applicant</b>	<b>Waiver Requested (with waiver request form)</b>	<b>Approved by Planning Board</b>	<b>Waiver Granted</b>
<b>6.32</b>	<b>RESERVATION OR DEDICATION AND MAINTENANCE OF OPEN SPACE AND COMMON LAND, FACILITIES AND SERVICES</b>			
A.	Proposed ownership and maintenance of open space (if any)	N/A		
B.	Proposed use and restrictions on open space (if any) clearly stated	N/A		
C.	Terms of open space to be noted on final plans	N/A		
D.	Final plans to include draft covenants, articles of incorporation & bylaws for homeowners association using Town Attorney approved template (applicant may pay for review of proposed changes)	AF		
E.	Legal documents to adequately address legal responsibility & authority of association	AF		
<b>6.33</b>	<b>CLUSTER DEVELOPMENT ALTERNATIVE</b>			
A.	Planning Board reviewed and endorsed pursuing cluster development at sketch plan stage		N/A	
B.1	Site plan integrates home sites and open spaces for views and recreational opportunities of subdivision residents			
B.2	All cluster lots have at least 50% of required road frontage & lot size		NOT WAIVABLE	NOT WAIVABLE
B.3	Maximum number of lots established with net residential acreage calculations		NOT WAIVABLE	NOT WAIVABLE
B.4	Net residential acreage calculations deduct areas for roadways, flood areas, all non-buildable areas, and land in easements		NOT WAIVABLE	NOT WAIVABLE

Subdivision Name: \_\_\_\_\_

SUBDIVISION REGULATIONS		Submitted by Applicant	Waiver Requested (with waiver request form)	Approved by Planning Board	Waiver Granted
B.5	Open space at least 50% of parcel & no more than 50% wetland				
B.6	No reduction of shore frontage for lots in shoreland zone				
B.7	Shore frontage & access included in open space in shoreland zone				
B.8	Dry, suitable building sites provided that are relatively level and provide room to build outside required buffers		NOT WAIVABLE		NOT WAIVABLE
B.9	Common open space to be properly managed (see 6.32)				
<b>6.34</b>	<b>PERFORMANCE GUARANTEES</b>				
A.	Engineer's construction cost estimates for all improvements, stormwater & erosion controls to be submitted with final plan	AF			
B.	Performance guarantee in form of cash or bank letter of credit approved by Town attorney for all costs in 6.34.A to be submitted with final plan application, issued prior to release of recording plan	AF - escrow account proposed, see Town Manager letter			
C.	Conditional agreement restricting lot sales & building permits prior to completion of improvements proposed & approved by Planning Board with notes on plan & performance guarantee for site stabilization	AF			

Subdivision Name: Royalsborough Road Subdivision

SUBDIVISION REGULATIONS	Submitted by Applicant		Approved by Planning Board	Waiver Granted
6.35	<b>WAIVERS (Based on review of individual waiver requests)</b>			
A.	For submission waivers, applicant has demonstrated all performance standards have been met	(Attach waiver requests)	Waiver forms submitted	
B.	For procedural waivers, no streets proposed, no DEP permits required, no stormwater plan, & all preliminary & final plan submissions met	(Attach waiver requests)		
C.1	For waivers of performance standards, the applicant has provided sound engineering and/or environmental analysis to support the request	(Attach waiver requests)		
C.2	The waivers will not have the effect of nullifying any regulation	AF		
C.3	All performance standards are substantially met without application of the regulation waived	AF		
C.4	Any performance standard waivers are noted on the final plan	AF	NOT WAIVABLE	NOT WAIVABLE

**ATTACHMENT 2**  
**Waiver Request Form**

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**TOWN OF DURHAM**  
**630 Hallowell Road**  
**Durham, Maine 04222**

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and Planning**

**Tel. (207) 376-6558**  
**Fax: (207) 353-5367**

## **SUBDIVISION WAIVER REQUEST**

***A SEPARATE REQUEST FORM MUST BE SUBMITTED FOR EACH WAIVER REQUESTED***

Subdivision Name: Royalsborough Road Subdivision

Application Date: 6/15/21

### **A. Applicant Contact Information**

Applicant: Ron Milley & John Weeks Address: 55 Berkeley Street  
Telephone number: 207-650-3483 Portland, ME 04103  
Email address: jweeks@cscnewengland.com Attn: John W. Weeks

### **B. Identification of Waiver Request**

Waiver Type: Submissions  Procedures  Performance Standards

Land Use Ordinance Section Number: Section 5.14 Historic Resources B. 2. buffer strips of 25'

### **C. Explanation of Waiver Request**

Why is the waiver being requested by the applicant?

A waiver is being requested from the Land Use Ordinance Section 5.14 requirement to have a 25' buffer along the property line between the proposed Royalsborough Road Subdivision ROW and the property at 1394 Royalsborough Road (N/F Charles M. French 4356/240). The existing condition within 25' of the property line is a field with some trees, but the majority of the trees are located on the 1394 Royalsborough Road (1394) property itself. At least 65' of trees exist between the property line and extend southerly towards the home. The 1394 home is set back a substantial distance (~100') from the common boundaries with the project site, so there already exists ample protection of the "existing quality or use" of the 1394 property.

The proposed private road will be located 15' from the property line. The 15' buffer will include a vegetated slope that climbs from the road elevation up approximately 5' to the existing ground elevation on the 1394 property. This vertical grade break and 15' horizontal buffer in addition to the existing 65' of trees acts as a sufficient buffer for the 1394 property. In addition, the development site has a 40' wide buffer along the eastern common boundary so no clearing or construction can occur on the proposed residential lot 6 within 40' of the property line. The roadway location is fixed by a DOT entrance permit and sight distance so it is not possible to relocate the road.

Subdivision Name: Royalsborough Road Subdivision

**D. Justification of Waiver Request**

Why do you think that a waiver of the subdivision requirements is justified in this case?

1. The DOT entrance permit and sight distance do not allow the proposed roadway location to move.
2. The home on the 1394 property is approximately 100' from the northern property line with our project site, and there is a 65 to 70' buffer of trees on the property extending from the property line towards the house. This buffer is greater than the 25' required by the ordinance. We are also providing a 40' buffer along the eastern common boundary.
3. The proposed road, which is not classified as a structure per the Town's ordinance (see attorney letter), is located 15' from the property line. The roadway elevation is also approximately 5' below the ground elevation of the 1394 lot. This grade break and 15' distance that will include a vegetated slope acts as a buffer along the 1394 property line, in addition to the 65' of trees on the 1394 property itself.
4. The abutting 1394 property in question is not within a Town of Durham Historic District or currently listed on any publicly available Town maps as a historic property. Additionally, the property is not listed on the Maine Historic Preservation or National Register lists as a historic property and just in February it was

deemed to be "eligible for listing". We understand that being eligible does trigger Section 5.14, however we feel it is important to note the lack available information about this potentially historic site at the town, state and federal level.

**E. Supporting Documentation**

What supporting documentation for the waiver has been included with the subdivision application?

- Maine DOT entrance permit & permit extension.
- Attorney opinion letter that the road is not a structure per the ordinance.
- Plan set showing the roadway location, 5' elevation difference, 15' buffer between the roadway surface and the property line, the 65-70' of tree buffer on the 1394 lot and the home location, and the 40' buffer along the eastern common boundary. House location is ~100' from the property line.

Town correspondence with MHPC beginning in February 2021 with no official listing for 1394 property.

**F. Signature of Applicant**

To the best of my knowledge, all of the above stated information submitted in this application is true and correct.



\_\_\_\_\_

Date: June 21, 2021

Printed Name: John W. Weeks

**ATTACHMENT 3**

**Attorney Letter on Structure**

---





DAVID J. JONES  
F. BRUCE SLEEPER  
LESLIE E. LOWRY III  
MICHAEL J. QUINLAN  
NATALIE L. BURNS  
SALLY J. DAGGETT  
ROY T. PIERCE  
BRENDAN P. RIELLY  
NICHOLAS J. MORRILL

MARK A. BOWER  
CHARLES M. KATZ-LEAVY  
ALYSSA G. TIBBETS  
JEFFREY B. HERBERT  
ERICA M. JOHANSON  
TUDOR N. GOLDSMITH  
KATHERINE C. BAILEY  
BENJAMIN T. MCCALL  
SHARRA L. INGLIS

TEN FREE STREET  
P.O. BOX 4510  
PORTLAND, MAINE 04112-4510  
(207) 775-7271 (Phone)  
(207) 775-7935 (Fax)  
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JOSEPH G. CARLETON, JR.  
LAWRENCE C. CLOUGH  
KENNETH M. GOLE III  
PATRICIA M. DUNN  
FRANK H. FRYE  
R. LEE IVY  
DEBORAH M. MANN  
NICHOLAS S. NADZO  
RICHARD H. SPENCER, JR.

YORK COUNTY  
OFFICE  
11 MAIN STREET, SUITE 4  
KENNEBUNK, MAINE 04043  
(207) 985-4676 (Phone)  
(207) 985-4932 (Fax)

June 15, 2021

Adrienne Fine  
Terradyne Consultants  
41 Campus Drive  
New Gloucester, ME 04260

Re: Royalsborough Road Subdivision

Dear Adrienne:

I am writing to provide you our opinion with respect to a matter regarding the Royalsborough Road subdivision project.

I understand the Town has raised a question regarding whether the proposed "Wingate Farms Road" in the subdivision is a "structure" that is subject to the requirements of Section 5.14, Historic Resources, of the Durham Land Use Ordinance.

The relevant portion of Section 5.14 provides as follows:

"The design of any remodeled existing structure, or of any new structure to be constructed in any District or any new use in any District, which is to be located within fifteen hundred (1500') feet of all lot lines of, or which are visible from any portion of a public way adjacent to . . .(Historic Property)" . . . shall be compatible with such historic properties, in terms of mass, scale, design, building material, and height."

Article 19 of the Durham Ordinance defines a "structure" as follows:

"188. **STRUCTURE:** Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on or in the ground, excluding driveways, walkways, patios, and other paved surfaces, and fences, and stone or brick walls used for area separation and not as part of a building." (emphasis added).

Jensen Baird

June 15, 2021

Page 2

The Ordinance definition is consistent with other relevant and commonly used authorities. Black's Law Dictionary-5<sup>th</sup> Edition, provides the following definition: "Structure: A combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above, or below the surface of a parcel of land." Webster's Collegiate Dictionary defines structure as follows: "Structure. . . something (as a building) that is constructed ."

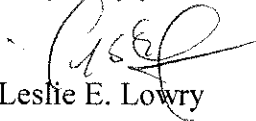
The proposed Wingate Farms Road is an improvement most like a "driveway . . . or other paved surface" and is clearly "not part of a building". Since a road is not for occupancy, is not part of a building, and is a paved surface, it should not be considered a structure subject to the requirement of section 5.14 of the Ordinance.

I would also note that subsection B.2 of Section 5.14 requires that any new structure "shall be compatible with such historic properties in terms of mass, scale, design, building material, and height." None of those factors or features of a "structure" is a feature or measurable factor of a road. We believe this further reinforces our opinion that the Ordinance provisions are relevant regulations/design criteria for new buildings or similar structures, and are not criteria applicable to a road such as Wingate Farms Road.

We understand that this letter may be presented to the Board as part of the planning submissions being made for the Subdivision.

Please let me know if you have any questions regarding this letter, or if you believe there is other matter relevant to this analysis.

Very truly yours,



Leslie E. Lowry

cc. John Weeks; Steve Milley

## **ATTACHMENT 4**

**Draft Articles of Incorporation and Bylaws of the Homeowners Association**

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Filing Fee \$40.00

**DOMESTIC  
NONPROFIT CORPORATION**

**STATE OF MAINE**

**ARTICLES OF INCORPORATION**

<p>_____</p> <p>Deputy Secretary of State</p> <hr/> <p><b>A True Copy When Attested By Signature</b></p> <hr/> <p>_____</p> <p>Deputy Secretary of State</p>
--

Pursuant to [13-B MRSA §403](#), the undersigned incorporator(s) execute(s) and deliver(s) the following Articles of Incorporation:

**FIRST:** The name of the corporation is \_\_\_\_\_.

**SECOND:** ("X" one box only. Attach additional page(s) if necessary.)

The corporation is organized as a public benefit corporation for the following purpose or purposes:

The corporation is organized as a mutual benefit corporation for all purposes permitted under [Title 13-B](#) or, if not for all such purposes, then for the following purpose or purposes:

**THIRD:** The Registered Agent is a: (select **either** a Commercial or Noncommercial Registered Agent)

Commercial Registered Agent CRA Public Number: \_\_\_\_\_

\_\_\_\_\_  
(name of commercial registered agent)

Noncommercial Registered Agent

\_\_\_\_\_  
(name of noncommercial registered agent)

\_\_\_\_\_  
(physical location, not P.O. Box – street, city, state and zip code)

\_\_\_\_\_  
(mailing address if different from above)

**FOURTH:** Pursuant to [5 MRSA §108.3](#), the new commercial registered agent as listed above has consented to serve as the registered agent for this nonprofit corporation.

**FIFTH:** The number of directors (not less than 3) constituting the initial board of directors of the corporation, if the number has been designated or if the initial directors have been chosen, is \_\_\_\_\_.

The minimum number of directors (not less than 3) shall be \_\_\_\_\_ and the maximum number of directors shall be \_\_\_\_\_.

**SIXTH:** Members: ("X" one box only.)

- There shall be no members.
- There shall be one or more classes of members and the information required by [13-B MRSA §402](#) is attached.

**SEVENTH:** (Optional)  (Check if this article is to apply.)

No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office.

**EIGHTH:** (Optional)  (Check if this article is to apply.)

Other provisions of these articles including provisions for the regulation of the internal affairs of the corporation, distribution of assets on dissolution or final liquidation and the requirements of the Internal Revenue Code section 501(c) are set out in Exhibit \_\_\_\_\_ attached hereto and made a part hereof.

---

**Incorporators**

**Dated** \_\_\_\_\_

\_\_\_\_\_  
(signature)

Street \_\_\_\_\_  
(address)

\_\_\_\_\_  
(type or print name)

\_\_\_\_\_  
(city, state and zip code)

\_\_\_\_\_  
(signature)

Street \_\_\_\_\_  
(address)

\_\_\_\_\_  
(type or print name)

\_\_\_\_\_  
(city, state and zip code)

\_\_\_\_\_  
(signature)

Street \_\_\_\_\_  
(address)

\_\_\_\_\_  
(type or print name)

\_\_\_\_\_  
(city, state and zip code)

**For Corporate Incorporators\***

Name of Corporate Incorporator \_\_\_\_\_

By \_\_\_\_\_  
(signature of officer)

Street \_\_\_\_\_  
(principal business location)

\_\_\_\_\_  
(type or print name and capacity)

\_\_\_\_\_  
(city, state and zip code)

Name of Corporate Incorporator \_\_\_\_\_

By \_\_\_\_\_  
(signature of officer)

Street \_\_\_\_\_  
(principal business location)

\_\_\_\_\_  
(type or print name and capacity)

\_\_\_\_\_  
(city, state and zip code)

---

**\*Articles are to be executed as follows:**

If a corporation is an incorporator ([13-B MRSA §401](#)), the name of the corporation should be typed or printed and signed on its behalf by an officer of the corporation. The articles of incorporation must be accompanied by a certificate of an appropriate officer of the corporation, not the person signing the articles, certifying that the person executing the articles on behalf of the corporation was duly authorized to do so.

Please remit your payment made payable to the Maine Secretary of State.

Submit completed form to:

**Secretary of State**  
**Division of Corporations, UCC and Commissions**  
**101 State House Station**  
**Augusta, ME 04333-0101**  
Telephone Inquiries: (207) 624-7752

Email Inquiries: [CEC.Corporations@Maine.gov](mailto:CEC.Corporations@Maine.gov)

## Filer Contact Cover Letter

To: Department of the Secretary of State  
Division of Corporations, UCC and Commissions  
101 State House Station  
Augusta, ME 04333-0101

Tel. (207) 624-7752

Name of Entity (s):

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List type of filing(s) enclosed (i.e. Articles of Incorporation, Articles of Merger, Articles of Amendment, Certificate of Correction, etc.) Attach additional pages as needed.

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Special handling request(s): (check all that apply)

- Hold for pick up
- Expedited filing - 24 hour service (\$50 additional filing fee per entity, per service)
- Expedited filing - Immediate service (\$100 additional filing fee per entity, per service)

Total filing fee(s) enclosed: \$ \_\_\_\_\_

**Contact Information – questions regarding the above filing(s), please call or email:** (failure to provide a contact name and telephone number or email address will result in the return of the erroneous filing (s) by the Secretary of State's office)

\_\_\_\_\_  
(Name of contact person) \_\_\_\_\_  
(Daytime telephone number)

\_\_\_\_\_  
(Email address)

The enclosed filing(s) and fee(s) are submitted for filing. Please return the attested copy to the following address:

\_\_\_\_\_  
(Name of attested recipient)

\_\_\_\_\_  
(Firm or Company)

\_\_\_\_\_  
(Mailing Address)

\_\_\_\_\_  
(City, State & Zip)

Attachment to Royalsborough Road Owners Association Articles of Incorporation.

**Title 13.B §402. Members.** The corporation has one class of members. Every member must be an owner of record (at the time of voting) by a deed or other valid transfer of fee title to a Lot in the Royalsborough Road Subdivision, Royalsborough Road, Durham, Maine. The owner or owners of a Lot are, collectively, entitled to one (1) vote for each Lot he, she or they own. If more than one person is the owner of a Lot, then all such owners must agree on how the Vote allocated to such Lot is determined and voted (i.e. no Vote may be split or divided).



## DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

For

### ROYALSBOROUGH ROAD SUBDIVISION

THIS DECLARATION dated this \_\_\_\_\_ day of June, 2021, by John Weeks and Ronald Milley, having a place of business in Portland, in the County of Cumberland, and State of Maine, hereinafter collectively referred to as the “Declarant.”

#### WITNESSETH:

WHEREAS, the Declarant owns certain lots or parcels of land in the Town of Durham, Maine, specifically described as Lots 1 through 6 inclusive (each a “Lot” or “lot”), as delineated on the Subdivision Plan of Royalsborough Road Subdivision, dated \_\_\_\_\_, 2021, and recorded in the Androscoggin County Registry of Deeds in Plan Book \_\_\_\_\_, Page \_\_\_\_\_ (herein, the “**Plan**”) which the Declarant proposes to develop and improve in accordance with said Plan; and

WHEREAS, the Declarant, being about to sell and convey lots from said Plan desires to assure to purchasers of such lots, and their respective heirs, successors, and assigns, for their use, benefit and enjoyment of said land in accordance with a harmonious plan, and to this end desires that their lands may be subjected to certain restrictions, reservations, servitudes, covenants, agreements and easements as hereinafter set forth.

NOW, THEREFORE, in consideration of these premises, the Declarant hereby declares that the Lots and property described and depicted on said Plan is and shall be held and shall be conveyed subject to the restrictions, reservations, covenants, conditions, servitudes and easements as set forth in the various clauses of this Declaration, which shall inure to the benefit of and be binding upon the Declarant, and the heirs, successors and assigns of Declarant, and shall also inure to the benefit of and be binding upon the several purchasers of Lots (sometimes called herein an “Owner”), their respective heirs, successors and assigns, and be binding upon all the land described on said Plan, to wit:

1. Residential Use: No Lot shall be improved or used except for single family residential purposes, with no more than one principal residence on any Lot. Each principal residence shall have a minimum heated first-floor area of \_\_\_\_\_ square feet, exclusive of open or screened-in porches and garages, as measured by the area above the continuous foundation. All houses shall be erected with a continuous foundation and shall include a heating system for year-round occupancy. No temporary structure or tent shall be used as a residence. No Lot shall be further subdivided without prior written approval of the Durham Planning Board and the Declarant.

2. Structures: No other buildings or structures of any nature or description shall be erected or maintained on a Lot; provided, however, that nothing in this paragraph shall be construed to prevent the construction of a garage for the owner's vehicle(s), barn, storage shed, fence or below-ground swimming pool; however, no above-ground pools shall be permitted. Fences may only be constructed in accordance with paragraph 14 below. Any detached structure built hereunder shall be constructed of materials similar to the principal dwelling and shall be of the same color as the principal dwelling. Building shape, rooflines, window treatment and site orientation of any detached structure shall be harmonious with the design of the principal dwelling, and the natural beauty of the immediate natural surroundings.

3. Maintenance: All lots and buildings thereon shall be maintained in a neat, attractive manner and kept in good repair.

4. Wood: Cut wood shall be stacked neatly behind or on the side of the residence.

5. Surface Water: No lot owner or his employees or agents shall alter the natural course of surface water on any lot in a way which would materially alter the natural flow of such water across any other lot unless such alteration is approved in writing by the owners of all lots affected and is done in accordance with any requirements shown on the Plan. Nothing in this paragraph shall be construed to prevent the proper maintenance of drainage easements as shown on the Plan.

6. Compliance with Ordinances: All construction activities, including the siting of buildings, shall be in accordance with all local and state laws, codes, ordinances and regulations.

7. Animals: The keeping of poultry, swine, dog kennels, horses, livestock or any wild animals shall not be permitted on any lot, except that \_\_\_\_\_.

8. Vehicles: No house trailer, business or commercial vehicle, or vehicles of a similar nature shall be brought upon, maintained or be permitted to remain on any lot, other than a business vehicle normally used by a lot owner in his or her occupation and provided such vehicle is parked in an enclosed garage. No unregistered vehicles may be kept upon any lot unless such vehicle is stored in a garage or other enclosed structure. No tractor trailers may be kept on any lot.

9. Siding: No dwelling or other building erected on any lot shall be covered with tar paper, asphalt siding, corrugated metal, aluminum or vinyl siding, but such dwelling and buildings shall be covered with a natural wood, stone or brick siding.

10. Trash; Trash Collection Facility: Trash, garbage and other waste shall be kept in sanitary containers. Such containers shall not be visible from the street or from any other lot, except for limited periods coincident with trash collection. Without limiting the foregoing, all trash which is eligible for collection by the Town of Durham (if such trash is being collected by the Town), shall be delivered to and stored in an Association-owned facility being provided for a single, common collection point for such trash, as depicted in the location on the Plan (herein, the "Collection Facility"). All Owners shall deliver their eligible trash to the Collection Facility on the customary or scheduled day for collection and pickup by the Town of Durham, or its contractors or agents. The Association shall be responsible to provide and maintain such Collection Facility (unless maintained by the Town). Each Owner shall be responsible for being knowledgeable of the applicable collection day and for delivery and proper storage at the Collection Facility, not sooner than 24 hours prior to such collection day.

11. Antennas: No satellite dishes or radio towers shall be allowed, except if (i) they are screened from view from the subdivision road and all other Lots and (ii) they are set back a distance of 100 feet or twice their height, whichever amount is greater, from all lot lines (front, rear and side).

12. Foundation: Each building and structure on the premises shall be supported by a solid masonry foundation or slab, except for small storage sheds or similar structures that are no larger than 100 sq. ft. of ground area.

13. Driveways: All driveways shall be paved with bituminous concrete or like material.

14. Fences: No boundary fences shall be allowed on any lot. Fences shall be permitted to (i) enclose a pool and/or an accompanying patio, or (ii) livestock where livestock is permitted by Paragraph 7, or (iii) areas of at least 5,000 square feet provided such area is in close proximity to the principal residence.

15. Chimneys: Any fireplace or chimney located on the exterior of the house shall be of brick or stone construction. No cinderblock or metal chimneys shall be allowed on the exterior of the house.

16. Professional Use: The lots shall be used only for residential purposes, except for limited professional use by the owner/occupant providing that such professional use does not create any traffic substantially greater than that of normal residential use.

17. Nuisances: No owner of a lot shall do or permit to be done any act upon the lot which is or may become a nuisance as defined by State or local law, ordinance or regulation.

18. Signs: No sign of any nature or description shall be displayed or placed upon any part of the premises except for (i) a "For Sale" sign referring to a lot or residence, (ii) a sign erected by Declarant to identify the subdivision, or (iii) a sign not exceeding one square foot erected by an owner to identify the owner's name.

19. Construction: When the construction of any building on a lot is once begun, work thereon must be prosecuted diligently and must be completed within a reasonable time. All disturbed areas which are not built upon or are not landscaped, shall be loamed and seeded at the completion of construction. No building shall be occupied during construction. The prohibitions contained herein shall not be construed to prevent the use of trailers, vehicles or temporary structures during the period of actual construction of the primary residence and used in connection with said construction.

20. Buffers; Refuse; Setbacks: No dead trees or other unsightly growths shall be permitted to remain on any part of a lot. No refuse pile or unsightly objects shall be allowed to be placed or permitted to remain on any part of the premises. All setback lines shown on the Plan shall be honored, meaning no buildings or other structures shall be located closer to the road or lot lines of adjacent Lots than such setback lines.

In addition and without limiting any other provisions herein, no trees, brush, or naturally occurring vegetation, nor any dirt, rocks or gravel, shall be removed from or within the areas designated as:

- (i) **"40' NO CLEAR BUFFER EASEMENT"** located on **Lot 6**; or
- (ii) **"40' FORESTED BUFFER 3"** located on **Lot 2 and Lot 3**; or
- (iii) **"50 MEADOW BUFFER 1 EASEMENT/50' NO CLEAR BUFFER ALONG EXISTING ROAD"** located on **Lot 1**.

21. Separate Provisions: Each and every provision contained herein shall be considered to be independent and separate, and in the event that any one or more shall for any reason be held to be invalid and unenforceable, all the remainder hereof shall remain in full force and effect.

22. Amendments: The provisions hereof may from time to time be amended by a vote or by written approval of the lot owners of lots to which seventy percent (70%) of the votes in the Association are allocated. Notwithstanding this provision, no amendment shall be effective without Declarant's approval so long as Declarant still owns at least one (1) lot, nor shall any amendment be effective if it is in violation of any term or condition of approval for the Plan made by the Town of Durham Planning Board.

23. Architectural Review: Prior to commencement of construction of any building, the lot owner shall submit to Declarant the following: (a) a site plan showing the location on the lot of the dwelling, the garage, the driveway and all walks, patios and landscaping and any proposed tree cutting, (b) floor plans for the dwelling and (c) elevation plans showing all facades of all buildings on the lot. Declarant shall approve such plans provided that they conform to this Declaration and the Declarant determines, in its sole discretion, that construction in accordance with such plans will not be detrimental to the development. The building on each lot shall be constructed only in conformity with such approved plans. Upon completion in accordance with the approved plans, all dwellings shall be deemed to have complied with this paragraph. This requirement shall be without force or effect after Declarant has sold all 6 lots.

24. Association Membership; Association Property: Every Owner of a lot shall be a member of the Royalsborough Road Lot Owners Association. Membership shall be appurtenant to and may not be separate from lot ownership. All Owners of a lot, collectively, shall be entitled to one (1) vote for each lot owned (e.g. if two people own Lot 1, they have the right to one (1) vote for such lot, and they may not cast different or fractional votes). The Association shall own and maintain the following: Wingate Farm Road as shown on the Plan, including the appurtenant Stormwater Easement located on Lot 1, the appurtenant Stormwater Easement located on Lots 2 and 3, and all areas within the road right of way designed for the collection and channeling of storm waters to provide for the proper functioning of such Road. The Declarant expects to execute and record a deed to the Association conveying such road and appurtenant easements on or before completion of the Road. Declarant shall reserve its rights to complete the Road and any appurtenant easements if such transfer is made prior to completion.

25. By-Laws: Prior to the date of this Declaration and the recording thereof, Royalsborough Road Lot Owners Association, a nonprofit and nonstock corporation, has been duly organized under the laws of the State of Maine (the "Association"). The Association shall be the governing body for all of the Lot owners with respect to the administration, maintenance, repair and replacement of the property as provided by this Declaration and the By-Laws of the Association; provided that the Declarant shall and hereby does reserve all of its rights with respect to approval of buildings and other related matters until not later than the time when 5 of the lots have been sold and conveyed to third parties.

26. Assessments: The Declarant, for each Lot it owns within the Subdivision, hereby covenants and agrees, and each Owner of any Lot by acceptance of a deed therefor (whether or not it shall be so expressed in such deed) is deemed to covenant and agree, to pay to the Association: (1) annual assessments or charges, and (2) special assessments for capital repairs of common improvements owned or operated by the Association. All such assessments are to be established and collected as hereinafter provided. Each Lot Owner shall pay annually to the Owners' Association, or its authorized representative, his proportionate share of the expenses of maintenance, repair and replacement (i) of Wingate Farm Road, including the stormwater easements and all other improvements, grades, swales and the like comprising the original design of said Wingate Farm Road or (ii) any other improvements which may be subsequently determined to be necessary or desirable for the functioning of such Road, including for drainage, and (iii) for the "Collection Facility" as defined herein. Such proportionate share of expenses shall be allocated equally for each Lot, and such share shall be the joint and several obligation of the owners of each Lot.

The annual budget shall be prepared by the Board of Directors and ratified by the Lot Owners in accordance with the By-Laws of Royalsborough Road Lot Owners Association. In addition to the annual assessments authorized above, the Association may levy, in any assessment year, a special assessment applicable to that year only for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of the Road, the landscaped and/or drainage areas as aforesaid, and the Collection Facility; provided that any such assessment shall have the assent of two-thirds of the votes of members who are voting in person or by proxy at a meeting duly called for this purpose.

27. Reserved Rights of Declarant: Declarant reserves the following rights, until the construction, marketing and sale of all Lots is completed, to:

(a) Change the size, number and location of Lots and other improvements, and the size, layout, and location of any Lot for which a purchase and sale agreement has not been executed by the Declarant or with respect to which the purchaser is in default. The change or changes shall be effective upon the recording of an amendment to this Declaration and/or the filing of modified subdivision plan, approved as may be required by the Town of Durham, indicating the changes made.

(b) Locate on the premises, even though not depicted on the Plan, and grant and reserve easements and rights of way for the installation, maintenance, repair, replacement and inspection of utility lines, wires, pipes, and conduits located on the property, and for construction and sales purposes, provided that the Declarant shall be responsible for the cost of service so used.

(c) Place "For Sale" signs or other signs to aid in the marketing of the Lots.

(d) Appoint and remove the officers of the Association and members of the Board of Directors, and to veto any action of the Association or the Board of Directors in accordance with the provisions of the By-Laws. The Declarant shall relinquish all special rights expressed or implied through which Declarant may directly or indirectly control, direct, modify or veto any action of the Association, its Board of Directors or the majority of Lot Owners, and control of the Association shall pass to the Owners of Lots within the project, not later than the earlier of the following: the date on which 2/3rds of the Lots have been conveyed to purchasers, or five (5) years from the date of conveyance of the first Lot to a purchaser. The requirements of this paragraph shall not affect the Declarant's rights, as a Lot Owner, to exercise the votes allocated to any Lot owned by the Declarant. This paragraph 27 shall not be amended without the consent of the Declarant.

IN WITNESS WHEREOF, John Weeks and Ronald Milley have each signed and sealed this Declaration, this        day of        , 2021.

Signed, Sealed and Delivered  
in the Presence of:

\_\_\_\_\_

\_\_\_\_\_  
John Weeks

\_\_\_\_\_

\_\_\_\_\_  
Ronald Milley

Draft: June 17, 2021

STATE OF MAINE  
, SS.

, 2021

Personally appeared the above-named John Weeks and Ronald Milley and acknowledged the foregoing instrument to be their free act and deed.

Before me,

\_\_\_\_\_  
Notary Public/Attorney-at-Law

**ROYALSBOROUGH ROAD LOT OWNERS ASSOCIATION  
BY-LAWS**

**ARTICLE I**

**Definitions**

Section 1. "Association" shall mean and refer to Royalsborough Road Lot Owners Association, a non-stock, non-profit corporation organized and existing under the laws of the State of Maine.

Section 2. "Royalsborough Road" shall mean and refer to a subdivision of land situated in Durham, County of Androscoggin and State of Maine and designated as those 21 lots shown on a plan entitled "Royalsborough Road Subdivision" in Durham, Maine, by Terradyn Consultants, LLC, dated -/-/2021, and recorded in the Androscoggin County Registry of Deeds in Plan Book \_\_\_\_, Page \_\_\_\_, and any additions thereto from other real estate described in SCHEDULE A attached to and made a part hereof.

Section 3. An "Owner of a Lot" shall mean and refer to each owner (whether an individual person, corporation, limited liability company, partnership or other legal entity) of record of said Lots as shown on said above described plan of "Royalsborough Road Subdivision", but shall not mean and refer to an owner of record, whose only interest in such lot or parcel of land is as mortgagee under a real estate mortgage as security for the performance of an obligation, until and unless such owner shall have commenced proceedings under the laws of the State of Maine to foreclose such mortgage and shall have delivered a certificate to this effect to the Secretary of the Association.

**ARTICLE II**

**Location**

Section 1. The initial principal office of the Association shall be located at Portland, in the County of Cumberland and State of Maine. Following turnover of the Association, the principal office shall be changed in accordance with the then-existing circumstances.

**ARTICLE III**

**Membership and Voting Rights**

Section 1. Each Owner of a Lot as designated in Article I, Section 3, shall be a Member of the Association.

Section 2. The Association shall have only one class of voting membership.

Section 3. The rights of membership are subject to the payment of assessments levied by the Association, the obligation of which assessments is imposed against each Owner of a Lot and becomes a lien upon the lot against which such assessments are made as provided by ARTICLE IV hereof.

**ARTICLE IV**

### **Financing of Association - Assessments**

Section 1. Assessment. The principal method of financing the operations of the Association shall be by assessment of Members. Each Member, by the acceptance of the deed for a lot designated on the recorded plan, shall be deemed to covenant and agree, whether or not it shall be expressed in such deed or in any other conveyance, to pay assessments to the Association with no profit to accrue to the Association.

Section 2. Purpose of Assessments. Assessments shall be used for the purpose of providing funds for the maintenance and improvement of Royalsborough Road, the drainage and buffer areas, and the common Collection Facility, as shown on said plan or in the Declaration, and such other common benefits on such terms as the Directors may determine from time to time.

Section 3. Method of Assessment. Each assessment shall be based on ownership of a lot designated on the recorded plan of "Royalsborough Road" with the determination of the Board of Directors as to the method to be used for each such assessment to be final and conclusive.

Section 4. Payment of Assessments. The Board of Directors shall determine from time to time the manner in which assessments shall be paid, whether annually or more frequently and whether in one sum or in installments.

Section 5. Failure to Pay Assessments. If any Member shall fail to pay any assessment levied by the Association within sixty (60) days from the due date specified by the Association, the Association shall, from and after the time a notice of such failure to pay is recorded in the office of the Register of Deeds for Androscoggin County, have a lien against the Member's lot or lots, as the case may be, for the amount due and not paid, plus interest at the rate of eighteen per centum (18%) per annum from the specified due date to the date of payment thereof and all costs and expenses of collection, including reasonable attorneys' fees. Such lien shall be at all times junior to any first mortgage to or owned by a financial institution and may be foreclosed by the Association in the same manner as residential real estate mortgages may be foreclosed under the laws of the State of Maine.

Section 6. Membership Rights. If any Member shall fail to pay any assessment levied by the Association within thirty (30) days from the due date specified by the Association, the membership rights and privileges of such Member may be suspended by the Board of Directors for such period during which any such assessment shall remain unpaid. Upon subsequent payment of such assessment, with interest (if any) as specified in Section 5 above, the membership rights and privileges of such Member shall be automatically restored.

## **ARTICLE V**

### **Board of Directors**

Section 1. The affairs of the Association shall be managed by a Board of no less than two (2) and no more than five (5) Directors. A Director need not be a member of the Association. All Directors shall



hold office until the election of their successors.

Section 2. Vacancies in the Board of Directors shall be filled by the majority of the remaining Directors. Any such appointed Director shall hold office until his successor is elected by the Members, who may make such election at the next annual meeting of the Members or at any special meeting duly called for that purpose.

## **ARTICLE VI**

### **Election of Directors**

Section 1. Directors shall be elected for terms of three years at the annual meeting of the Members, except that Directors elected at the first annual meeting shall be elected by lot for three one-year terms, two two-year terms, and two three-year terms. At such meeting, the Members or their proxies may cast, in respect of each vacancy, as many votes as they are entitled to exercise under the provisions of ARTICLE III hereof. The person receiving the largest number of votes shall be elected.

## **ARTICLE VII**

### **Powers and Duties of the Board of Directors**

Section 1. The Board of Directors shall have the power:

(a) To call special meetings of the Members whenever it deems necessary and it shall call a special meeting at any time upon written request of two-fifths (2/5) of the voting membership as provided in Section 2 of ARTICLE XIII hereof.

(b) To appoint and remove at pleasure all officers, agents and employees of the Association, prescribe their duties, fix their compensation and require of them such security or fidelity bond as it may deem expedient. Nothing contained in these By-Laws shall be construed to prohibit the employment of any Member, Officer or Director of the Association in any capacity whatsoever.

(c) To establish, levy and assess, and collect the assessments or charges referred to in ARTICLE IV hereof.

(d) To adopt and publish rules and regulations governing the use of the Common Properties and facilities and the personal conduct of the Members and their guests thereon.

(e) To exercise for the Association all powers, duties and authorities vested in or delegated to the Association, except those reserved to the Members.

(f) In the event that any Director of this Association shall be absent from three (3) consecutive regular meetings of the Board of Directors, the Board may, by action taken at the meeting during which such third absence occurs, declare the office of the said absent Director to be vacant.

Section 2. It shall be the duty of the Board of Directors:

(a) To cause to be kept a complete record of all its acts and corporate affairs and to present a

statement thereof to the Members at the annual meeting of the Members or at any special meeting when such is requested in writing by two-fifths (2/5) of the voting membership.

(b) To supervise all officers, agents and employees of the Association, and to see that their duties are properly performed.

(c) To maintain a list of each and every Owner of a Lot and of assessments applicable to each lot which shall be kept in the office of the Association and shall be open, during reasonable business hours, to inspection by any Member.

(d) To send written notice of each assessment to each Owner of a Lot subject thereto.

(e) To issue, or cause an appropriate officer to issue, upon demand by any Member a certificate setting forth whether any assessment has been paid.

## **ARTICLE VIII**

### **Directors' Meetings**

Section 1. The Board of Directors shall meet at such times and places as it may determine.

Section 2. Meetings of the Board of Directors shall be held when called by any officer of the Association or by any two Directors after not less than three (3) days' notice to each Director.

Section 3. The majority of the Board of Directors shall constitute a quorum thereof.

## **ARTICLE IX**

### **Other Committees**

Section 1. The Board of Directors may, by resolution or resolutions, passed by a majority of the whole Board, designate one or more other committees, each committee to consist of two or more of the Directors of the Association, which, to the extent provided in said resolution or resolutions or in these By-Laws, shall have and may exercise the powers of the Board of Directors in the management of the business and affairs of the Association, and may have power to authorize the seal of the Association to be affixed to all papers which may require it. Such committee or committees shall have such name or names as may be stated in these By-Laws or as may be determined from time to time by resolution adopted by the Board of Directors. The Board and Committees shall keep regular minutes of their proceedings.

## **ARTICLE X**

### **Officers**

Section 1. The officers of the Association shall be a President, a Secretary, a Treasurer and a Clerk. The President shall be a member of the Board of Directors.

Section 2. The officers shall be chosen by a majority vote of the Directors.

Section 3. All officers shall hold office during the pleasure of the Board of Directors.

Section 4. The President shall preside at all meetings of the Members and of the Board of Directors, shall see that orders and resolutions of the Board of Directors are carried out and shall sign all

notes, leases, mortgages, deeds and other written instruments (except checks for the disbursement of funds of the Association).

Section 5. The Secretary shall be ex officio the Secretary of the Board of Directors, shall record the votes and keep the minutes of all proceedings in a book to be kept for that purpose. He shall record in a book to be kept for that purpose the names of all Members of the Association together with their addresses as registered by such Members.

Section 6. The Treasurer shall receive and deposit in appropriate corporate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors. The Treasurer shall sign all notes and checks of the Association, provided that such notes shall also be signed by the President.

Section 7. The Treasurer shall keep proper books of account of all financial transactions of the Association. He shall prepare an annual budget and an annual balance sheet and operating statement and shall present the same to the membership at its regular annual meeting.

Section 8. The Clerk shall be present at all meetings of the Members of the Association and shall record the votes and keep the minutes of all proceedings in a book to be kept for that purpose. In the absence of the Clerk from any such meeting, a Clerk pro tempore shall be chosen, who shall record the votes and keep the minutes of all proceedings in the aforesaid book.

Section 9. The Board of Directors, at its discretion, may appoint such other officers or agents as it may deem advisable, and prescribe the powers and duties thereof.

## **ARTICLE XI**

### **Meetings of Members**

Section 1. The regular annual meeting of the Members shall be held on the Third Wednesday of June at 7 o'clock in the P.M., Eastern Daylight Time, in Durham, Maine.

Section 2. Special meetings of the Members for any purpose may be called at any time by the President, the Secretary or the Treasurer, or by the Board of Directors, or upon written request of the Members who have a right to vote two-fifths (2/5) of all of the votes of the entire membership.

Section 3. Notice of all meetings shall be given to the Members by the Clerk. Notice may be given to each Member either personally, or by sending a copy of the notice through the mail, postage thereon fully prepaid, to his address appearing on the books of the Association. Each Member shall register his address with the Secretary, and notices of meetings shall be mailed to him at such address. Notice of any regular or special meeting shall be mailed at least six (6) days in advance of the meeting and shall set forth the nature of the business to be transacted.

Section 4. Unless specific provision is made in these By-Laws for a different assent of the voting Members as a whole or by class, all matters coming before the membership at the annual meeting or at

special meetings shall be carried by the assent of a majority of the votes of all voting Members who are voting in person or by proxy.

Section 5. Unless specific provision is made in these By-Laws for a different quorum on special matters of the membership as a whole, the presence at any meeting of Members entitled to cast, or of proxies entitled to cast, in the aggregate three-fifths (3/5) of the total votes of the membership shall constitute a quorum for any action governed by these By-Laws.

Section 6. The act of the majority of Members present at any legal meeting at which a quorum is present shall constitute an act of the Association.

## **ARTICLE XII**

### **Proxies**

Section 1. At all meetings of Members, each Member may vote in person or by proxy.

Section 2. All proxies shall be in writing and filed with the Clerk. No proxy shall extend beyond a period of eleven (11) months, and every proxy shall automatically cease upon any Member ceasing to be the Owner of a Lot.

## **ARTICLE XIII**

### **Books and Papers**

Section 1. The books, records and papers of the Association shall at all times, during reasonable business hours, be open to the inspection of any Member.

## **ARTICLE XIV**

### **Corporate Seal**

Section 1. The Association shall have a seal in circular form having within its circumference the words "Royalsborough Road Lot Owners Association, Maine 2021".

## **ARTICLE XV**

### **Amendments**

Section 1. These By-Laws may be amended, at a regular or special meeting of the Members, by a vote of a majority of the Members present in person or by proxy, provided that those provisions of these By-Laws which are governed by the Articles of Incorporation of this Association may not be amended except as provided in the Articles of Incorporation or applicable law.

Section 2. In the case of any conflict between the Articles of Incorporation and these By-Laws, the Articles of Incorporation shall control.

**END OF BYLAWS.**

**ATTACHMENT 5**  
**Town Manager Letter**

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**TOWN OF DURHAM**  
**630 Hallowell Road**  
**Durham, Maine 04222**

**Tel. (207) 353-2561**  
**Fax: (207) 353-5367**

Date: June 18, 2021  
To: Planning Board  
From: Kathy Tombarelli, Town Manager  
RE: Royalsborough Road Submission  
Map 2, Lot 11

CC: CEO  
File

Upon final approval of the above referenced subdivision by the Town of Durham Planning Board, the receipt of a cash escrow in the amount of \$164,139.81 as shown on the cost estimate provided by Terradyn Consultants, LLC on 5/6/2021 does meet the Town's requirement for a performance guarantee per Section 6.34 of the Durham Land Use Ordinance.

Respectfully,

Kathy Tombarelli  
Town Manager

## **ATTACHMENT 6**

**DOT Extension Letter and Standard Conditions and Details**

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STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION  
REGION 1  
P.O. BOX 358  
SCARBOROUGH, MAINE 04070-0358

Janet T. Mills  
GOVERNOR

Bruce A. Van Note  
COMMISSIONER

June 3, 2021

Leigh Fisher  
58 Maplewood Lane  
Durham, ME 04222

RE: Driveway Permit # 26655  
Request for Permit Extension  
Route 136 / Royalsborough Road  
Durham, Maine

Dear Ms. Fisher:

The MaineDOT has reviewed and approved a request for a time extension for your driveway permit #26655, made on your behalf by Terradyn Consultants, LLC. This letter shall serve as approval of a 12 month extension from the date of the request; your permit will now expire June 3, 2022. Please note that as this is an extension of an existing permit, it will be valid for a period of 12 months only instead of the usual 24 during which time construction must commence.

If you have any questions or wish to discuss this in more detail, please do not hesitate to contact our office at either [region1permits@maine.gov](mailto:region1permits@maine.gov) or (207) 885-7000.

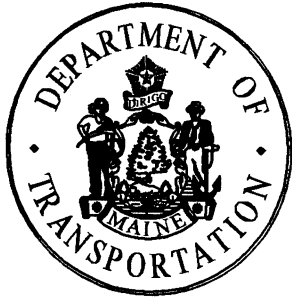
Sincerely,

Handwritten signature of Anthony Fontaine in cursive.

Anthony Fontaine  
MaineDOT Senior Technician

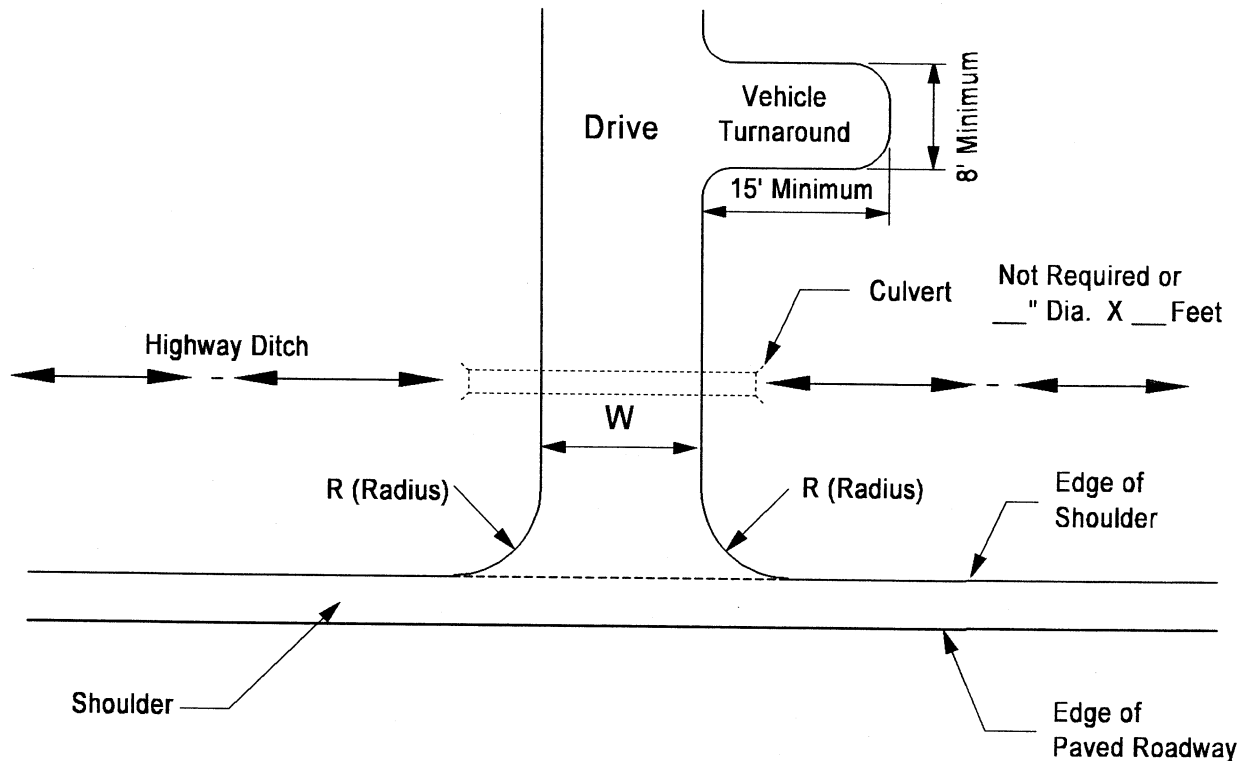
cc: Terradyn Consultants, LLC





State of Maine  
 Department of Transportation  
**Entrance / Driveway Details**

PLAN

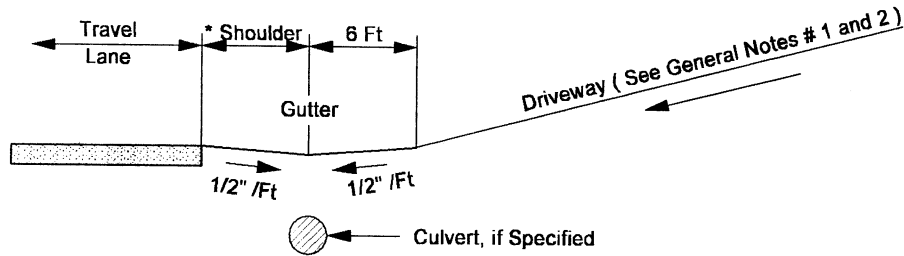


**GENERAL NOTES -**

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.

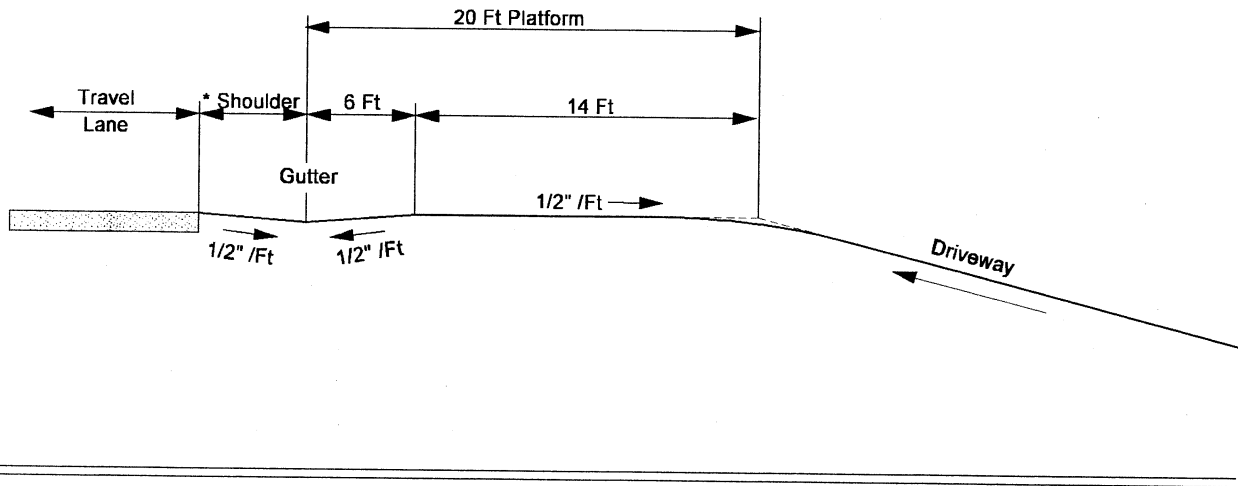
# MDOT Entrance / Driveway Details, Continued

## PROFILE Details

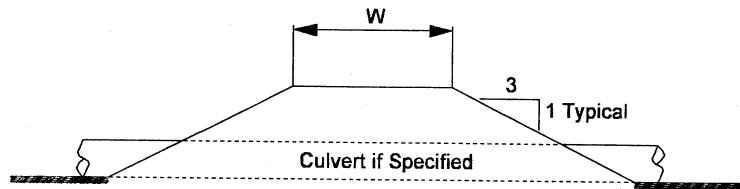


**NOTE :**

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



## **STANDARD CONDITIONS**

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. 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.

## **FURTHER CONDITION OF THE PERMIT:**

The owner shall assume, the defense of, and pay all damages, fines, and penalties for which he/she shall become liable, and shall indemnify and safe harmless said Department, its representatives, agents and employees from liability, actions against all suits, claims, damages for wrongful death, personal injuries or property damage suffered by any person or association which results from the willful or negligent action or inaction of the owner/applicant (agent) and in proceedings of every kind arising out of the construction and maintenance of said entrance(s), including snow removal.

Nothing herein shall, nor is intended to, waive any defense, immunity or limitation of liability which may be available to the MaineDOT, their officers, agents or employees under the Maine Tort Claims Act or any other privileges and/or immunities provided by law. It is a further condition that the owner will agree to keep the right of way inviolate for public highway purposes and no signs (other than traffic signs and signals), posters, billboards, roadside stands, culvert end walls or private installations shall be permitted within Right of Way limits.

# ROYALSBOROUGH ROAD SUBDIVISION

## DURHAM, MAINE

### PREPARED BY:

**CIVIL ENGINEER:**  
TERRADYN CONSULTANTS, LLC  
41 CAMPUS DR. SUITE 101  
NEW GLOUCESTER, MAINE 04260  
(207)926-5111

**SURVEYOR:**  
WAYNE T. WOOD & CO.  
20 WOOD DRIVE  
GRAY, MAINE 04039  
207-657-3330

**WETLANDS EVALUATION:**  
MARK CENCI GEOLOGIC INC.  
93 MILL ROAD  
YARMOUTH, MAINE 04097  
207-329-3524

### OWNER/APPLICANT:

RONALD MILLEY & JOHN WEEKS  
55 BERKELEY STREET  
PORTLAND, MAINE 04103

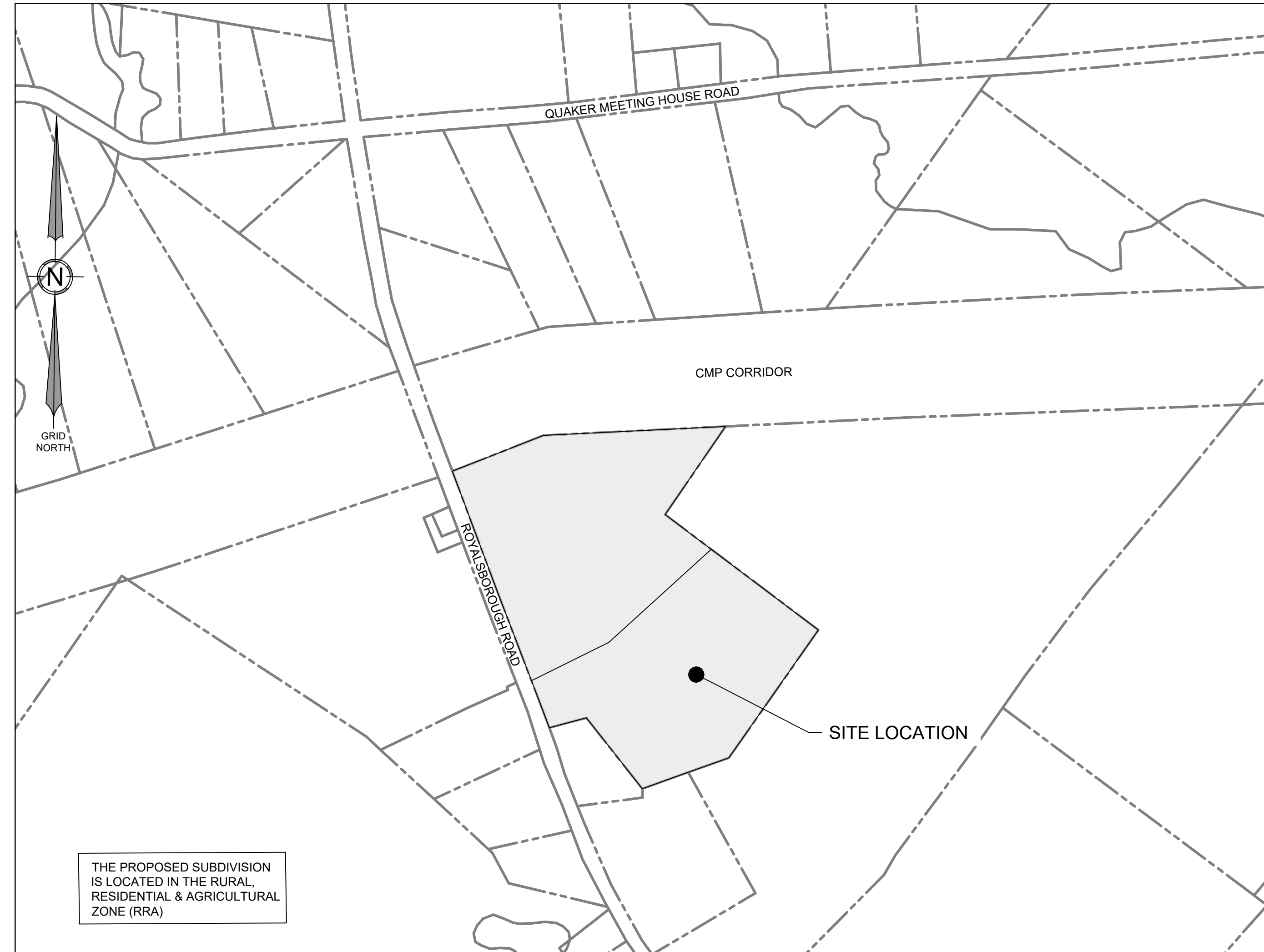
### PROJECT PARCEL SITE

TOWN OF DURHAM TAX ASSESSOR'S MAP & LOT NUMBERS

MAP 2 LOT 11

### SHEET INDEX

C-1.0	COVER SHEET & LOCATION MAP
S-1.0	BOUNDARY SURVEY
C-2.0	SUBDIVISION PLAN
C-3.0	PLAN & PROFILE
C-4.0	EROSION CONTROL DETAILS & NOTES
C-5.0	SITE DETAILS
C-5.1	STORMWATER DETAILS & NOTES



LOCATION MAP

1" = 400'

### LEGEND

---	EXISTING PROPERTY LINE
---	PROPOSED PROPERTY LINE
---	PROPOSED SETBACK LINE
---	EXISTING SETBACK LINE
---	EXISTING EASEMENT
---	PROPOSED EASEMENT
---	ROAD CENTERLINE
---	EXISTING MINOR CONTOUR
---	EXISTING MAJOR CONTOUR
---	PROPOSED CONTOUR
---	EXISTING STORMDRAIN
---	PROPOSED STORMDRAIN
---	EXISTING UNDERDRAIN
---	PROPOSED UNDERDRAIN
---	EXISTING OVERHEAD ELECTRIC & TELEPHONE
---	PROPOSED OVERHEAD ELECTRIC & TELEPHONE
---	EXISTING UNDERGROUND ELECTRIC & TELEPHONE
---	PROPOSED UNDERGROUND ELECTRIC & TELEPHONE
---	EXISTING EDGE OF PAVEMENT
---	PROPOSED EDGE OF PAVEMENT
---	EXISTING EDGE OF GRAVEL
---	PROPOSED EDGE OF GRAVEL
---	EXISTING CURB
---	PROPOSED CURB
---	EDGE OF WATER
---	EXISTING TREE LINE
---	PROPOSED TREE LINE
---	CHAIN LINK FENCE
---	PROPOSED FENCE
---	EXISTING GUARDRAIL
---	PROPOSED GUARDRAIL
---	SILT FENCE
---	EXISTING VALVE
---	PROPOSED VALVE
---	EXISTING HYDRANT
---	PROPOSED HYDRANT
---	EXISTING TRANSFORMER
---	PROPOSED TRANSFORMER
---	EXISTING LIGHT POLE
---	PROPOSED LIGHT POLE
---	EXISTING UTILITY POLE
---	PROPOSED UTILITY POLE
---	EXISTING SPOT GRADE
---	PROPOSED SPOT GRADE
---	EXISTING SIGN
---	PROPOSED SIGN
---	EXISTING BUILDING
---	PROPOSED BUILDING
---	PROPOSED PAVEMENT
---	RIPRAP
---	WETLAND AREA
---	PROPOSED "NO CLEAR" BUFFER
---	PROPOSED FORESTED BUFFER
---	WELL EXCLUSION AREA
---	STORMWATER EASEMENT

### GENERAL NOTES:

- THIS PROJECT WILL BE SUBJECT TO THE TERMS AND CONDITIONS OF ALL PERMITS ISSUED BY THE LOCAL UTILITY COMPANIES AND THE TOWN OF DURHAM.
- ALL REQUIRED AND NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR THE ELEVATION OF THE EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AND DIG SAFE (DIAL 811) AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
- ALL MATERIAL SCHEDULES SHOWN ON THE PLANS ARE FOR GENERAL INFORMATION ONLY. THE CONTRACTOR SHALL PREPARE HIS OWN MATERIAL SCHEDULES BASED UPON HIS PLAN REVIEW. ALL SCHEDULES SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO ORDERING MATERIALS OR PERFORMING WORK.
- ALL MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MAINE DEPARTMENT OF TRANSPORTATION SPECIFICATIONS, THE PROJECT SPECIFICATIONS, THE LOCAL UTILITY COMPANIES AND THE TOWN OF DURHAM REQUIREMENTS.
- TEST PITS SHALL BE CONDUCTED PRIOR TO ANY OTHER SITE WORK AND THE DEPTH OF EXISTING UTILITIES SHALL BE REPORTED TO THE ENGINEER. ADJUSTMENTS MAY BE MADE TO THE INVERTS SHOWN ON THE PLANS BASED ON THE TEST PIT INFORMATION.

### EROSION CONTROL NOTES:

- LAND DISTURBING ACTIVITIES SHALL BE ACCOMPLISHED IN A MANNER AND SEQUENCE THAT CAUSES THE LEAST PRACTICAL DISTURBANCE OF THE SITE.
- PRIOR TO BEGINNING ANY CLEARING/LAND DISTURBING ACTIVITIES, THE CONTRACTOR SHALL INSTALL SILTATION BARRIER AROUND THE PERIMETER OF DISTURBANCE AND SEDIMENT BARRIERS (SILT SACKS) IN CATCH BASINS RECEIVING RUNOFF FROM DISTURBED AREA.
- ALL GROUND AREAS DISTURBED DURING CONSTRUCTION SHALL BE GRADED, LOAMED AND SEEDED AS SOON AS POSSIBLE.

### GRADING & DRAINAGE NOTES:

- ALL STORM DRAIN PIPE SHALL BE SMOOTH BORE INTERIOR PROVIDING A MANNINGS ROUGHNESS COEFFICIENT OF  $n = 0.012$  OR LESS.
- THE LIMITS OF CLEARING AND THE PERMISSIBLE LIMITS OF DISTURBANCE ARE SHOWN ON THE GRADING PLANS AND ARE INTENDED TO BE THE GRADING LIMITS UNLESS OTHERWISE SHOWN. SILT BARRIER LINES APPROXIMATELY DEPICT THE WORK LIMITS.
- ELEVATIONS ARE REFERENCED TO NAVD 1988 DATUM.
- ALL WASTE SOIL MATERIAL EXCAVATED FROM THE PROJECT SITE SHALL BE DISPOSED OF IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL REGULATIONS.
- ALL LOAM SALVAGED FROM THE SITE DURING INITIAL SITE PREPARATION SHALL BE SCREENED AND STOCKPILED ON SITE. THE STOCKPILED LOAM SHALL BE USED TO RELOAM THE DISTURBED AREAS. SURPLUS LOAM SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE DISPOSED OF OFF SITE.

### LANDSCAPE NOTES:

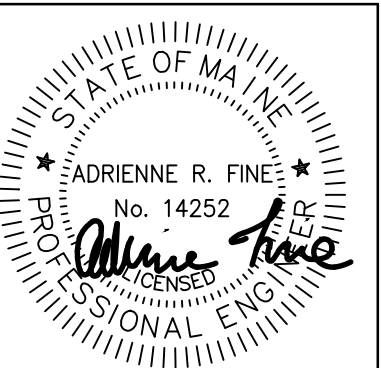
- LIMITS OF TREE AND SHRUB CLEARING TO BE FLAGGED BY THE SITE CONTRACTOR. THE LANDSCAPE ARCHITECT AND/OR THE OWNER'S REPRESENTATIVE SHALL APPROVE ALL CLEARING LIMITS AND SHALL FLAG AND MARK EXISTING TREES NEAR CLEARING LIMIT TO REMAIN. THIS LAYOUT AND OWNER'S REVIEW SHALL BE CONDUCTED PRIOR TO ANY TREE OR SHRUB CUTTING.
- ALL DISTURBED AREAS ARE TO RECEIVE A MINIMUM OF 4" OF TOPSOIL PRIOR TO PERMANENT SEEDING. ALL LANDSCAPE ISLANDS AND PLANTING BEDS SHALL HAVE 12" OF LOAM PRIOR TO PLANTING.

### SITE LAYOUT NOTES:

- ALL DIMENSIONING, UNLESS NOTED OTHERWISE, IS TO THE EDGE OF PAVEMENT.
- EXISTING CONDITION INFORMATION IS BASED ON BOUNDARY SURVEY PERFORMED BY WAYNE T. WOOD & CO. OF GRAY, MAINE.
- TOPOGRAPHIC INFORMATION IS BASED ON MAINE OFFICE OF GIS ELEVATION CONTOURS (2' INTERVAL FROM LIDAR) FOR THE TOWN OF DURHAM.

### UTILITY NOTES:

- THE CONTRACTOR SHALL COORDINATE THE INSTALLATION OF UNDERGROUND TELEPHONE WITH FAIRPOINT COMMUNICATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR EXCAVATION & BACKFILL OF TRENCH AND ANY UNDERGROUND CONDUITS.
- THE CONTRACTOR SHALL COORDINATE THE INSTALLATION OF UNDERGROUND ELECTRICAL SERVICE WITH CENTRAL MAINE POWER COMPANY. CONTRACTOR SHALL BE RESPONSIBLE FOR TOTAL INSTALLATION OF THE UNDERGROUND SERVICE INCLUDING, BUT NOT LIMITED TO, ALL TRENCHING, PRIMARY AND SECONDARY CABLES, TERMINATORS, CONNECTORS, PULL WIRES, ETC.



DATE: 06.21.2021  
P.E.: ADRIENNE R. FINE

NO.	DATE	REVISIONS
2	06/21/2021	REVISED PER PLANNING BOARD COMMENTS & RE-ISSUED FINAL PLAN
1	05/07/2021	REVISED PER PLANNING BOARD COMMENTS & ISSUED FINAL PLAN

41 CAMPUS DRIVE  
SUITE 101  
NEW GLOUCESTER, ME 04260  
OFFICE: (207) 926-5111 FAX: (207) 221-1317  
www.terradynconsultants.com



PERMIT DRAWING  
NOT FOR CONSTRUCTION

PROJECT: ROYALSBOROUGH ROAD SUBDIVISION  
1334 ROYALSBOROUGH ROAD, DURHAM, MAINE  
SHEET TITLE: COVER SHEET AND LOCATION MAP  
CLIENT: RONALD A. MILLEY & JOHN W. WEEKS  
55 BERKELEY STREET  
PORTLAND, MAINE 04103

DATE: 1/21/2021  
SCALE: AS NOTED  
DESIGNED: ARF  
JOB NO: 2081  
FILE: 2081 C.dwg  
SHEET C-1.0



NOTES

1. Owner of record is Leigh P. Fisher by warranty deed of Jean P. Beaulieu recorded in the Androscoggin County Registry of Deeds in Book 8074 on Page 31.
2. All bearings are referenced to Magnetic North of the Year 2018 per the plan referenced in Plan Reference #1 and are calculated from angles of an actual on the ground survey.
3. The subject parcel is shown on the Town of Durham, Maine Tax Map #2 as Lot #11.



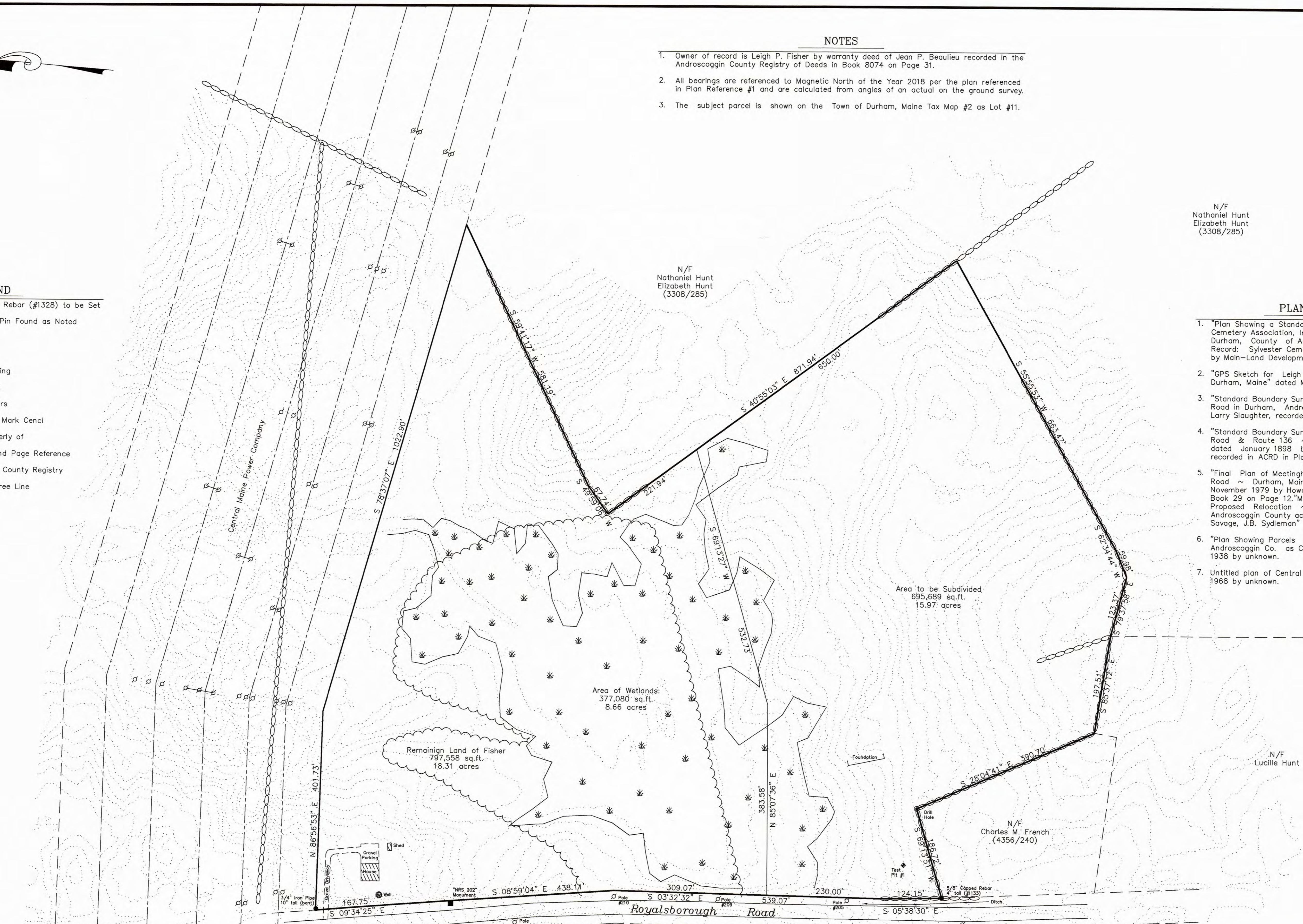
VICINITY MAP  
1" = 1 mile

N/F  
Nathaniel Hunt  
Elizabeth Hunt  
(3308/285)

PLAN REFERENCES

1. "Plan Showing a Standard Boundary Survey ~ Land of Sylvester Cemetery Association, Inc. ~ Royalsborough Road ~ Town of Durham, County of Androscoggin, State of Maine ~ Owner of Record: Sylvester Cemetery Association, Inc." dated June 2018 by Main-Land Development Consultants, Inc.
2. "GPS Sketch for Leigh Fisher ~ Royalsborough Road (Route 136) Durham, Maine" dated March 2019 by Riverside Survey, LLC.
3. "Standard Boundary Survey For: Lucille Hunt on Royalsborough Road in Durham, Androscoggin ss, ME" dated February 1998 by Larry Slaughter, recorded in ACRD in Plan Book 40 on Page 50.
4. "Standard Boundary Survey ~ Heirs of Leo Bouchard ~ Rabbit Road & Route 136 ~ Androscoggin County ~ Durham, Maine" dated January 1898 by A. L. & H. Surveyors & Engineers, Inc., recorded in ACRD in Plan Book 34 on Page 125.
5. "Final Plan of Meetinghouse Woods ~ Quaker Meeting House Road ~ Durham, Maine ~ Owner: Roderick J. Thorne" dated November 1979 by Howard F. Babbidge, recorded in ACRD in Plan Book 29 on Page 12. "Maine State Highway Commission ~ Plan of Proposed Relocation ~ State Aid Highway No. 2 ~ Durham Androscoggin County across land of Delmer R. Sylvester, Anne C. Savage, J.B. Sydeman" dated February 1936 Filed 6V-2, P-277.
6. "Plan Showing Parcels ~ Land of Anne C. Savage ~ Durham, Androscoggin Co. as Conveyed to State of Maine" dated March 1938 by unknown.
7. Untitled plan of Central Maine Power Company dated November 1968 by unknown.

- LEGEND**
- ⊙ 5/8" Capped Rebar (#1328) to be Set
  - Iron Pipe or Pin Found as Noted
  - ⊕ Stone Wall
  - ⊕ Utility Pole
  - ▨ Existing Building
  - ◆ Soils Test Pit
  - ⋈ LIDAR Contours
  - ⋈ Wetlands per Mark Cenci
  - N/F Now or Formerly of
  - (3620/160) Deed Book and Page Reference
  - ACRD Androscoggin County Registry
  - ⋈ Approximate Tree Line



Area to be Subdivided  
695,689 sq.ft.  
15.97 acres

Area of Wetlands:  
377,080 sq.ft.  
8.66 acres

Remainign Land of Fisher  
797,558 sq.ft.  
18.31 acres

N/F  
Charles M. French  
(4356/240)

N/F  
Lucille Hunt



ANDROSCOGGIN COUNTY REGISTRY OF DEEDS  
 Received \_\_\_\_\_ at \_\_\_\_\_ H \_\_\_\_\_ M \_\_\_\_\_  
 And recorded in Book \_\_\_\_\_ Page \_\_\_\_\_  
 ATTEST \_\_\_\_\_  
 Registrar

Plan of Land  
 On  
 Royalsborough Road  
 In  
 Durham, Maine  
 For  
 Leigh Fisher  
 53 Maplewood Dr. ~ Durham, ME 04222

WAYNE T. WOOD & CO.  
 Gray, Maine 04039  
 Drawn By: K/LW/W/TW  
 Scale: 1" = 100'  
 Checked By: W/TW  
 Field Crew: J/W/B/R

(207)657-3330  
 Date  
 December 2019  
 Job No.  
 219046

**GENERAL NOTES:**

- THE RECORD OWNER OF THE PARCEL IS NOW OR FORMERLY LEIGH P. FISHER BY DEED OF JEAN P. BEAULIEU RECORDED IN THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS IN BOOK 8074, PAGE 31.
- THE APPLICANT IS RONALD MILLEY & JOHN WEEKS, WHO HAVE A PURCHASE AND SALE AGREEMENT FOR THE 15.97 ACRE "SUBDIVISION LOT".
- THE PROPERTY IS SHOWN AS LOT 11 ON THE TOWN OF DURHAM TAX MAP 2 AND IS LOCATED IN THE RURAL DISTRICT.
- SPACE AND BULK CRITERIA:
 

GENERAL BUSINESS ZONE	
MIN. LOT SIZE:	90,000 SF
MIN. STREET FRONTAGE:	300 FT.
MIN. FRONT YARD:	50 FT.
MIN. SIDE YARD:	20 FT.
MIN. REAR YARD:	20 FT.
MIN. BUILDING ENVELOPE:	40,000 SF
- TOTAL AREA OF PARCEL: .34.30 Ac.
- TOTAL AREA TO BE SUBDIVIDED: .15.97 Ac.
- BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON A STANDARD BOUNDARY & TOPOGRAPHIC SURVEY BY WAYNE T. WOOD & CO. COMPLETED IN 2019.
- WETLAND AND STREAM INFORMATION SHOWN HEREON IS BASED UPON WETLAND DELINEATION PERFORMED BY MARK CENCI GEOLOGIC, INC. IN JUNE OF 2019.
- TEST PITS WERE COMPLETED BY MARK CENCI GEOLOGIC, INC. IN MARCH OF 2021.
- ALL HOMES BUILT WITHIN THIS SUBDIVISION SHALL HAVE A RESIDENTIAL SPRINKLER DESIGNED AND INSTALLED BY A STATE OF MAINE LICENSED SPRINKLER CONTRACTOR THAT MEETS THE STANDARDS OF NFPA 13D FOR ONE AND TWO FAMILY DWELLINGS AND MANUFACTURED HOMES. DEEDS SHALL REFLECT SPRINKLER REQUIREMENTS.
- THE ROAD WILL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION ACCORDING TO THE DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS FOR THE ROYALSBOROUGH ROAD SUBDIVISION. STORMWATER BUFFERS AND INFRASTRUCTURE SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION ACCORDING TO THE MAINTENANCE PLAN OF STORMWATER MANAGEMENT INFRASTRUCTURE, ATTACHED TO THE DECLARATION.
- ROADWAY ENTRANCE LOCATION IS SUBJECT TO DRIVEWAY/ENTRANCE PERMIT #26655 FROM MAINE DOT DATED JUNE 13, 2019 AND EXTENSION DATED JUNE 3, 2021.
- DUG WELLS ARE PROHIBITED.
- STRUCTURES ARE PROHIBITED IN ANY FLOODPLAIN. NO FLOODPLAINS ARE CURRENTLY MAPPED WITHIN THE PROJECT SITE.
- BUILDING PERMITS SHALL NOT BE ISSUED PRIOR TO COMPLETION OF IMPROVEMENTS PROPOSED ON THESE PLANS & APPROVED BY THE PLANNING BOARD.
- DEED RESTRICTIONS TO BE INCLUDED ON THE APPROPRIATE LOT DEEDS:
  - A. LOT 6: 40' NO CLEAR BUFFER EASEMENT - THERE SHALL BE NO CUTTING OF TREES OR CLEARING OF VEGETATION WITHIN THIS BUFFER EXCEPT TO REMOVE DEAD OR DISEASED TREES AS DETERMINED NECESSARY BY A LICENSED FORESTER OR ARBORIST. THIS BUFFER SHALL BE MAINTAINED BY THE OWNER OF LOT 6.
  - B. STORMWATER BUFFERS - THESE BUFFERS ARE SUBJECT TO THE DEED RESTRICTION LANGUAGE FROM DEP FOR MEADOW AND FORESTED BUFFERS. THERE SHALL BE NO CUTTING OF TREES OR CLEARING OF VEGETATION WITHIN THE STORMWATER BUFFERS EXCEPT TO REMOVE DEAD OR DISEASED TREES AS DETERMINED NECESSARY BY A LICENSED FORESTER OR ARBORIST. THE STORMWATER BUFFERS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION & ARE WITHIN EASEMENTS TO THE HOMEOWNERS ASSOCIATION.
  - C. STORMWATER EASEMENTS - THESE EASEMENTS SURROUND THE LEVEL LIP SPREADER STORMWATER FEATURES LOCATED ON THE LOTS THAT DIRECT STORMWATER TO THE BUFFERS AND THE BUFFERS. THE STORMWATER EASEMENTS ARE TO THE HOMEOWNERS ASSOCIATION AND MAINTENANCE WITHIN THE EASEMENTS IS THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.

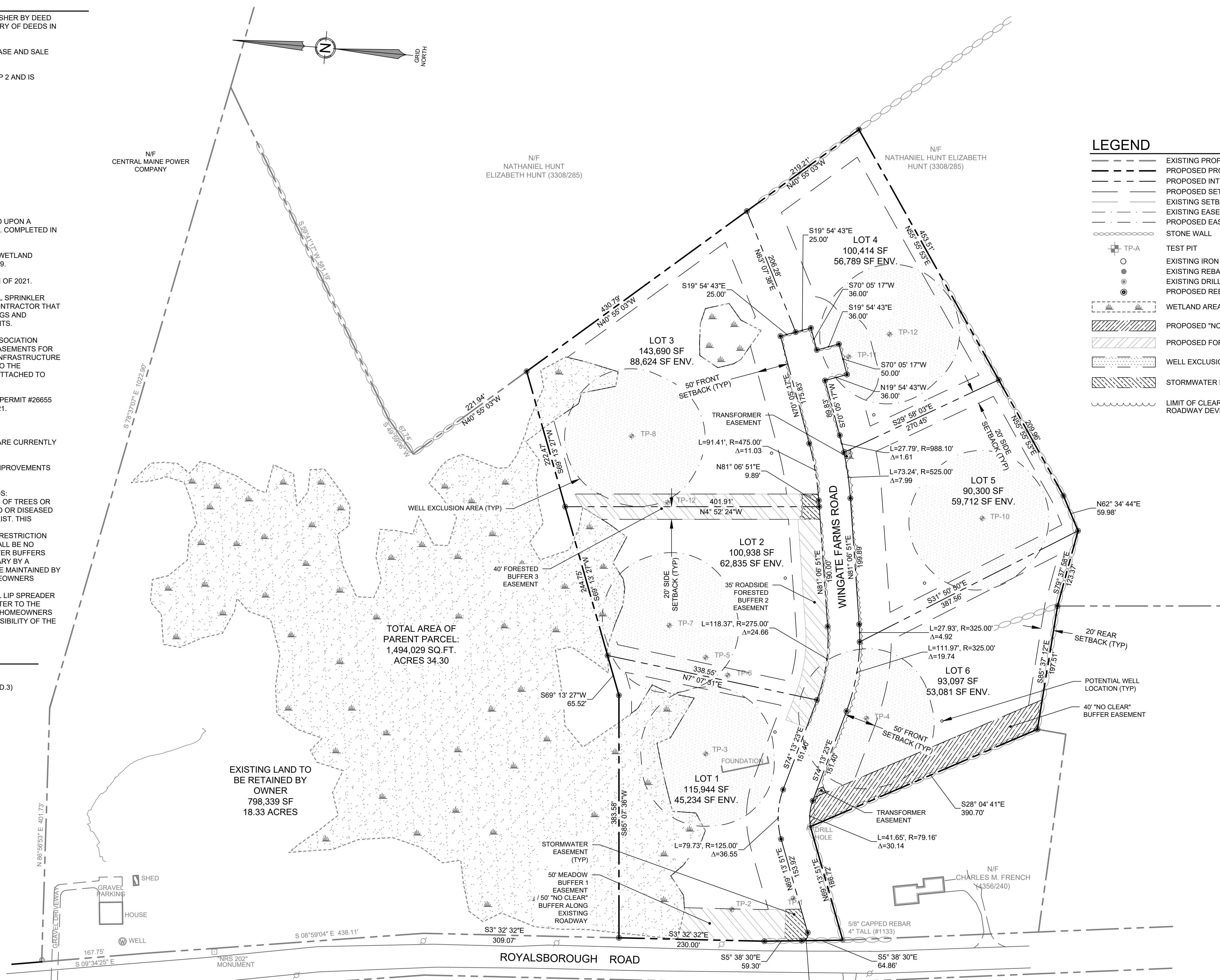
**WAIVERS:**

- HIGH INTENSITY SOIL SURVEY REQUIREMENT WAIVED (SECTION 6.7 D.1)
- HYDROGEOLOGICAL ASSESSMENT REQUIREMENT WAIVED (SECTION 6.7 D.3)
- TRAFFIC TRIP GENERATION REQUIREMENT WAIVED (SECTION 6.7 D.4)
- TRAFFIC IMPACT STUDY REQUIREMENT WAIVED (SECTION 6.7 D.5)
- 25' BUFFER REQUIREMENT WAIVED (SECTION 5.14 B.2)

Net Residential Area Calculations		
	acres	sf
Total Site Area	34.30	1,494,029
Retained by Owner	18.33	798,339
Remaining Site Area	15.97	695,690
Unusable Areas:		
Wetlands		60,271
Right-of-Way		63,199
Net Residential Area		572,220
Lot Size per Dwelling		90,000
Allowable Density	6.36	units
Proposed Density	6	units

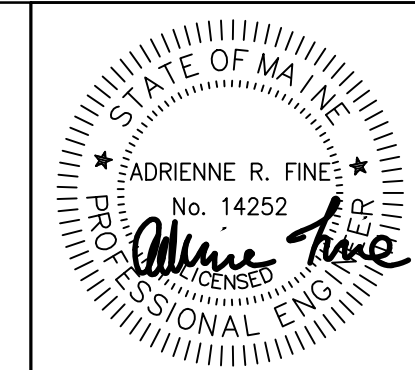
APPROVED: TOWN OF DURHAM  
PLANNING BOARD

DATE



**LEGEND**

- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- PROPOSED INTERIOR PROPERTY LINE
- PROPOSED SETBACK LINE
- EXISTING SETBACK LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- STONE WALL
- TP-A TEST PIT
- EXISTING IRON PIPE
- EXISTING REBAR
- EXISTING DRILL HOLE
- PROPOSED REBAR
- WETLAND AREA
- PROPOSED "NO CLEAR" BUFFER
- PROPOSED FORESTED BUFFER
- WELL EXCLUSION AREA
- STORMWATER EASEMENT
- LIMIT OF CLEARING FOR PROPOSED ROADWAY DEVELOPMENT



DATE: 06/21/2021  
PLS: WAYNE T. WOOD P.E. ADRIENNE R. FINE

NO.	DATE	REVISIONS
1	05/07/2021	REVISED PER PLANNING BOARD COMMENTS & ISSUED FINAL PLAN
2	06/21/2021	REVISED PER PLANNING BOARD COMMENTS & RE-ISSUED FINAL PLAN

565 CONGRESS STREET  
SUITE 201  
PORTLAND, ME 04102  
OFFICE: (207) 926-5111 FAX: (207) 221-1317  
www.terradynconsultants.com



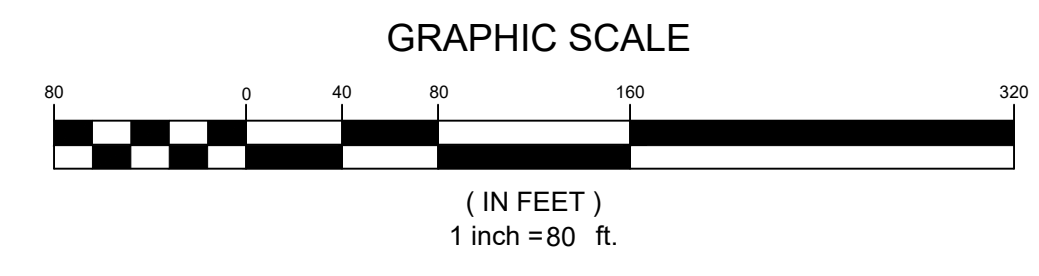
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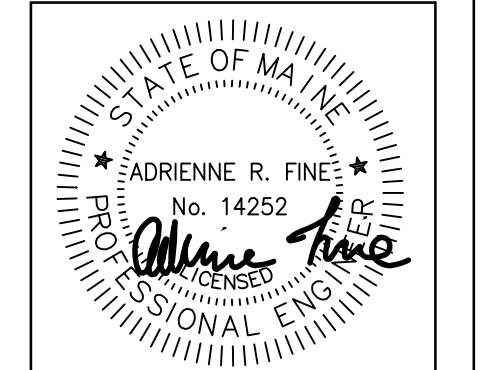
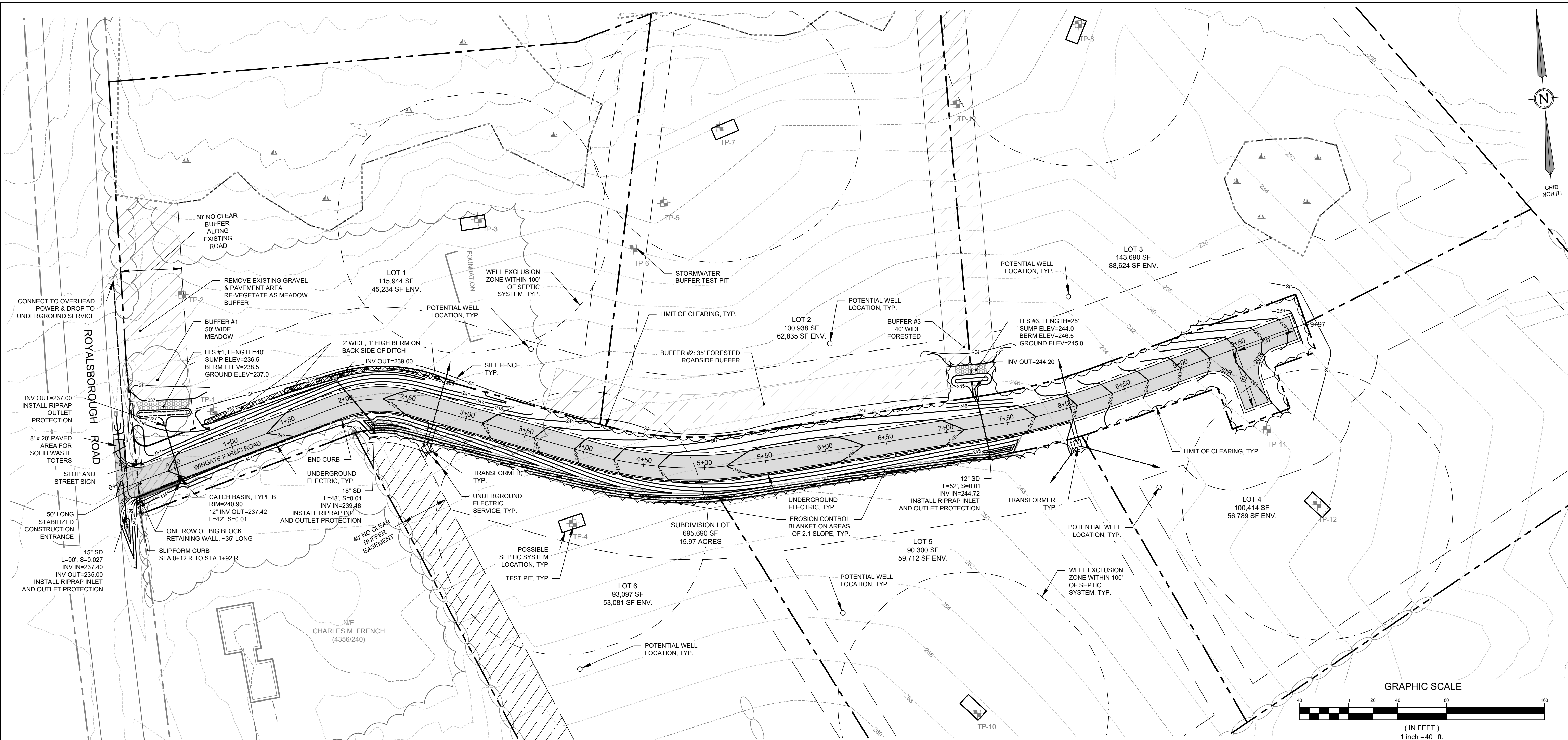
PROJECT: ROYALSBOROUGH ROAD SUBDIVISION  
1334 ROYALSBOROUGH ROAD, DURHAM, MAINE  
SHEET TITLE: SUBDIVISION PLAN  
CLIENT: RONALD A. MILLEY & JOHN W. WEEKS  
55 BERKELEY STREET  
PORTLAND, MAINE 04103

DATE: 1/21/2021  
SCALE: 1"=80'  
DESIGNED: ARF  
JOB NO: 2081  
FILE: 2081 B.DWG  
SHEET: C-2.0

**RECORDING BLOCK:**

STATE OF MAINE  
COUNTY SS REGISTRY OF DEEDS  
RECEIVED: 20  
AT h m M. AND RECORDED IN  
PLAN BOOK PAGE  
ATTEST \_\_\_\_\_ REGISTRAR





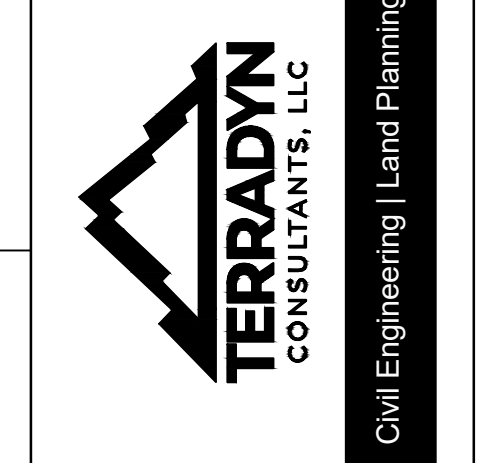
DATE: 06/21/2021  
P.E. ADRIENNE R. FINE

NO.	DATE	REVISIONS
1	05/07/2021	REVISED PER PLANNING BOARD COMMENTS & ISSUED FINAL PLAN
2	06/21/2021	REVISED PER PLANNING BOARD COMMENTS & RE-ISSUED FINAL PLAN

565 CONGRESS STREET  
SUITE 201  
PORTLAND, ME 04102

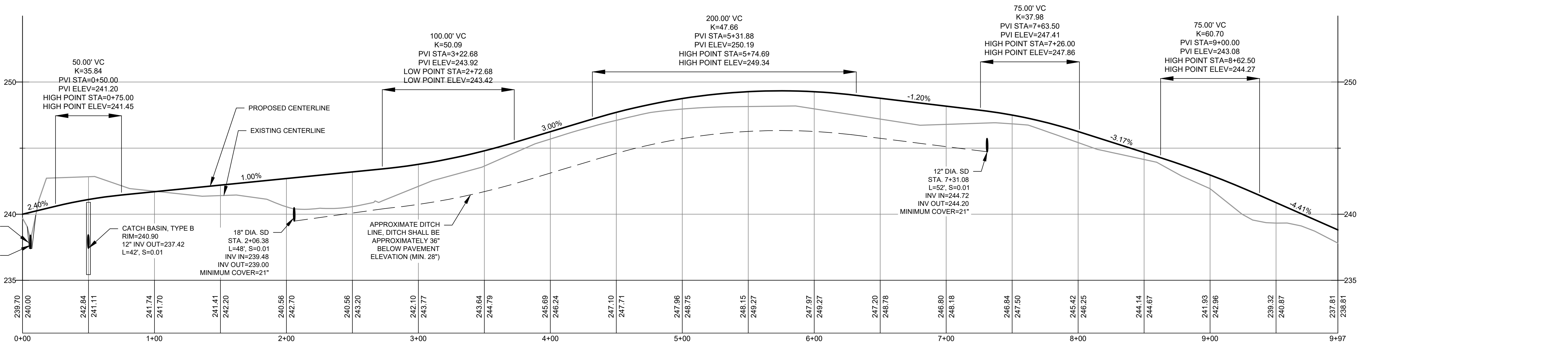
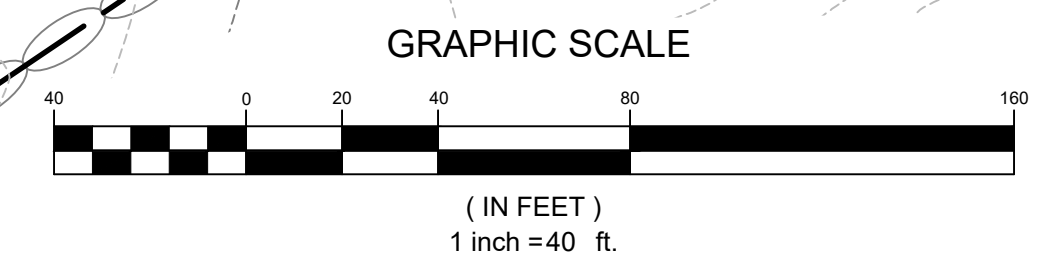
41 CAMPUS DRIVE  
SUITE 101  
NEW GLOUCESTER, ME 04260

OFFICE: (207) 926-5111 FAX: (207) 221-1317  
www.terradynconsultants.com



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NOT FOR CONSTRUCTION

PROJECT:	ROYALSBOROUGH ROAD SUBDIVISION
ADDRESS:	1334 ROYALSBOROUGH ROAD, DURHAM, MAINE
SHEET TITLE:	PLAN & PROFILE
CLIENT:	RONALD A. MILLEY & JOHN W. WEEKS
ADDRESS:	55 BERKELEY STREET PORTLAND, MAINE 04103
DATE:	1/21/2021
SCALE:	1"=40'
DESIGNED:	ARF
JOB NO.:	2081
FILE NO.:	2081 B.DWG
SHEET:	C-3.0



PROFILE OF WINGATE FARMS ROAD

SCALE: 1"=40' HORIZONTAL  
1"=4' VERTICAL



EROSION AND SEDIMENT CONTROL PLAN

PRE-CONSTRUCTION PHASE

A PERSON WHO CONDUCTS, OR CAUSES TO BE CONDUCTED, AN ACTIVITY THAT INVOLVES FILLING, DISPLACING OR EXPOSING SOIL OR OTHER EARTHEN MATERIALS SHALL TAKE MEASURES TO PREVENT UNREASONABLE EROSION OF SOIL OR SEDIMENT BEYOND THE PROJECT SITE OR INTO A PROTECTED NATURAL RESOURCE AS DEFINED IN 38 MRSA § 480-B. EROSION CONTROL MEASURES MUST BE IN PLACE BEFORE THE ACTIVITY BEGINS. MEASURES MUST REMAIN IN PLACE AND FUNCTIONAL UNTIL THE SITE IS PERMANENTLY STABILIZED. ADEQUATE AND TIMELY TEMPORARY AND PERMANENT STABILIZATION MEASURES MUST BE TAKEN. THE SITE MUST BE MAINTAINED TO PREVENT UNREASONABLE EROSION AND SEDIMENTATION. MINIMIZE DISTURBED AREAS AND PROTECT NATURAL DOWNGRADIENT BUFFER AREAS TO THE EXTENT PRACTICABLE.

BMP CONSTRUCTION PHASE

A. SEDIMENT BARRIERS. PRIOR TO THE BEGINNING OF ANY CONSTRUCTION, PROPERLY INSTALL SEDIMENT BARRIERS AT THE EDGE OF ANY DOWNGRADIENT DISTURBED AREA AND ADJACENT TO ANY DRAINAGE CHANNELS WITHIN THE PROPOSED DISTURBED AREA. MAINTAIN THE SEDIMENT BARRIERS UNTIL THE DISTURBED AREA IS PERMANENTLY STABILIZED.

B. CONSTRUCTION ENTRANCE. PRIOR TO ANY CLEARING OR GRUBBING, A CONSTRUCTION ENTRANCE SHALL BE CONSTRUCTED AT THE INTERSECTION WITH THE PROPOSED ACCESS DRIVE AND THE EXISTING ROADWAY TO AVOID TRACKING OF MUD, DUST AND DEBRIS FROM THE SITE.

C. RIPRAP. SINCE RIPRAP IS USED WHERE EROSION POTENTIAL IS HIGH, CONSTRUCTION MUST BE SEQUENCED SO THAT THE RIPRAP IS PUT IN PLACE WITH THE MINIMUM DELAY. DISTURBANCE OF AREAS WHERE RIPRAP IS TO BE PLACED SHOULD BE UNDERTAKEN ONLY WHEN FINAL PREPARATION AND PLACEMENT OF THE RIPRAP CAN FOLLOW IMMEDIATELY BEHIND THE INITIAL DISTURBANCE. WHERE RIPRAP IS USED FOR OUTLET PROTECTION, THE RIPRAP SHOULD BE PLACED BEFORE OR IN CONJUNCTION WITH THE CONSTRUCTION OF THE PIPE OR CHANNEL SO THAT IT IS IN PLACE WHEN THE PIPE OR CHANNEL BEGINS TO OPERATE. MAINTAIN TEMPORARY RIPRAP, SUCH AS TEMPORARY CHECK DAMS UNTIL THE DISTURBED AREA IS PERMANENTLY STABILIZED.

D. TEMPORARY STABILIZATION. STABILIZE WITH TEMPORARY SEEDING, MULCH, OR OTHER NON-ERODABLE COVER ANY EXPOSED SOILS THAT WILL REMAIN UNWORKED FOR MORE THAN 14 DAYS EXCEPT. STABILIZE AREAS WITHIN 100 FEET OF A WETLAND OR WATERBODY WITHIN 7 DAYS OR PRIOR TO A PREDICTED STORM EVENT, WHICHEVER COMES FIRST. IF HAY OR STRAW MULCH IS USED, THE APPLICATION RATE MUST BE 2 BALES (70-90 POUNDS) PER 100 SF OR 1.5 TO 2 TONS (90-100 TONS) PER ACRE TO COVER 75 TO 90% OF THE GROUND SURFACE. HAY MULCH MUST BE KEPT MOIST OR ANCHORED TO PREVENT WIND BLOWING. AN EROSION CONTROL BLANKET OR MAT SHALL BE USED AT THE BASE OF GRASSED WATERWAYS, STEEP SLOPES (15% OR GREATER) AND ON ANY DISTURBED SOIL WITHIN 100 FEET OF LAKES, STREAMS AND WETLANDS. GRADING SHALL BE PLANNED SO AS TO MINIMIZE THE LENGTH OF TIME BETWEEN INITIAL SOIL EXPOSURE AND FINAL GRADING. ON LARGE PROJECTS THIS SHOULD BE ACCOMPLISHED THROUGH THE OPERATION AND COMPLETING THE FIRST PHASE UP TO FINAL GRADING AND SEEDING BEFORE STARTING THE SECOND PHASE, AND SO ON.

E. VEGETATED WATERWAY. UPON FINAL GRADING, THE DISTURBED AREAS SHALL BE IMMEDIATELY SEEDED TO PERMANENT VEGETATION AND MULCHED AND WILL NOT BE USED AS OUTLETS UNTIL A DENSE, VIGOROUS VEGETATIVE COVER HAS BEEN OBTAINED. ONCE SOIL IS EXPOSED FOR WATERWAY CONSTRUCTION, IT SHOULD BE IMMEDIATELY SHAPED, GRADED AND STABILIZED. VEGETATED WATERWAYS NEED TO BE STABILIZED EARLY DURING THE GROWING SEASON (PRIOR TO SEPTEMBER 15); IF FINAL SEEDING OF WATERWAYS IS DELAYED PAST SEPTEMBER 15, EMERGENCY PROVISIONS SUCH AS SOD OR RIPRAP MAY BE REQUIRED TO STABILIZE THE CHANNEL. WATERWAYS SHOULD BE FULLY STABILIZED PRIOR TO DIRECTING RUNOFF TO THEM.

PERMANENT STABILIZATION DEFINED

A. SEEDED AREAS. FOR SEEDED AREAS, PERMANENT STABILIZATION MEANS AN 90% COVER OF THE DISTURBED AREA WITH MATURE, HEALTHY PLANTS WITH NO EVIDENCE OF WASHING OR RILLING OF THE TOPSOIL.

B. SODDED AREAS. FOR SODDED AREAS, PERMANENT STABILIZATION MEANS THE COMPLETE BINDING OF THE SOD ROOTS INTO THE UNDERLYING SOIL WITH NO SLUMPING OF THE SOD OR DIE-OFF.

C. PERMANENT MULCH. FOR MULCHED AREAS, PERMANENT MULCHING MEANS TOTAL COVERAGE OF THE EXPOSED AREA WITH AN APPROVED MULCH MATERIAL. EROSION CONTROL MIX MAY BE USED AS MULCH FOR PERMANENT STABILIZATION ACCORDING TO THE APPROVED APPLICATION RATES AND LIMITATIONS.

D. RIPRAP. FOR AREAS STABILIZED WITH RIPRAP, PERMANENT STABILIZATION MEANS THAT SLOPES STABILIZED WITH RIPRAP HAVE AN APPROPRIATE BACKING OF A WELL-GRADED GRAVEL OR APPROVED GEOTEXTILE TO PREVENT SOIL MOVEMENT FROM BEHIND THE RIPRAP. STONE MUST BE SIZED APPROPRIATELY. IT IS RECOMMENDED THAT ANGULAR STONE BE USED.

E. AGRICULTURAL USE. FOR CONSTRUCTION PROJECTS ON LAND USED FOR AGRICULTURAL PURPOSES (E.G., PIPELINES ACROSS CROP LAND), PERMANENT STABILIZATION MAY BE ACCOMPLISHED BY RETURNING THE DISTURBED LAND TO AGRICULTURAL USE.

F. PAVED AREAS. FOR PAVED AREAS, PERMANENT STABILIZATION MEANS THE PLACEMENT OF THE COMPACTED GRAVEL SUBBASE IS COMPLETED.

G. DITCHES, CHANNELS, AND SWALES. FOR OPEN CHANNELS, PERMANENT STABILIZATION MEANS THE CHANNEL IS STABILIZED WITH MATURE VEGETATION AT LEAST THREE INCHES IN HEIGHT, WITH WELL-GRADED RIPRAP, OR WITH ANOTHER NON-EROSIVE LINING CAPABLE OF WITHSTANDING THE ANTICIPATED FLOW VELOCITIES AND FLOW DEPTHS WITHOUT RELIANCE ON CHECK DAMS TO SLOW FLOW. THERE MUST BE NO EVIDENCE OF SLUMPING OF THE LINING, UNDERCUTTING OF THE BANKS, OR DOWN-CUTTING OF THE CHANNEL.

GENERAL CONSTRUCTION PHASE

THE FOLLOWING EROSION CONTROL MEASURES SHALL BE FOLLOWED BY THE CONTRACTOR THROUGHOUT CONSTRUCTION OF THIS PROJECT:

A. ALL TOPSOIL SHALL BE COLLECTED, STOCKPILED, SEEDED WITH RYE AT 3 POUNDS/1,000 SF AND MULCHED, AND REUSED AS REQUIRED. SILT FENCING SHALL BE PLACED DOWN GRADIENT FROM THE STOCKPILED LOAM. STOCKPILE TO BE LOCATED BY DESIGNATION OF THE OWNER AND INSPECTING ENGINEER.

B. THE INSPECTING ENGINEER AT HIS/HER DISCRETION, MAY REQUIRE ADDITIONAL EROSION CONTROL MEASURES AND/OR SUPPLEMENTAL VEGETATIVE PROVISIONS TO MAINTAIN STABILITY OF EARTHWORKS AND FINISH GRADED AREAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND INSTALLING ANY SUPPLEMENTAL MEASURES AS DIRECTED BY THE INSPECTING ENGINEER. FAILURE TO COMPLY WITH THE ENGINEER'S DIRECTIONS WILL RESULT IN DISCONTINUATION OF CONSTRUCTION ACTIVITIES.

C. EROSION CONTROL MESH SHALL BE APPLIED IN ACCORDANCE WITH THE PLANS OVER ALL FINISH SEEDED AREAS AS SPECIFIED ON THE DESIGN PLANS.

D. ALL GRADED OR DISTURBED AREAS INCLUDING SLOPES SHALL BE PROTECTED DURING CLEARING AND CONSTRUCTION IN ACCORDANCE WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN UNTIL THEY ARE ADEQUATELY STABILIZED.

E. ALL EROSION, AND SEDIMENT CONTROL PRACTICES AND MEASURES SHALL BE CONSTRUCTED, APPLIED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN.

F. AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED AND STRIPPED OF TOPSOIL TO REMOVE TREES, VEGETATION, ROOTS OR OTHER OBJECTIONABLE MATERIALS.

G. AREAS SHALL BE SCARIFIED TO A MINIMUM DEPTH OF 3 INCHES PRIOR TO PLACEMENT OF TOPSOIL.

H. ALL FILLS SHALL BE COMPACTED AS REQUIRED TO REDUCE EROSION, SLIPPAGE, SETTLEMENT, SUBSIDENCE OR OTHER RELATED PROBLEMS. FILL INTENDED TO SUPPORT BUILDINGS, STRUCTURES AND CONDUITS, ETC., SHALL BE COMPACTED IN ACCORDANCE WITH LOCAL REQUIREMENTS OR CODES.

I. ALL FILLS SHALL BE PLACED AND COMPACTED IN LAYERS NOT TO EXCEED 8 INCHES IN THICKNESS.

J. EXCEPT FOR APPROVED LANDFILLS OR NON-STRUCTURAL FILLS, FILL MATERIAL SHALL BE FREE OF BRUSH, RUBBISH, ROCKS, LOGS, STUMPS, BUILDING DEBRIS AND OTHER OBJECTIONABLE MATERIALS THAT WOULD INTERFERE WITH OR PREVENT CONSTRUCTION OF SATISFACTORY LIFTS.

K. FROZEN MATERIAL OR SOFT, MUCKY OR HIGHLY COMPRESSIBLE MATERIALS SHALL NOT BE INCORPORATED INTO FILL SLOPES OR STRUCTURAL FILLS.

L. FILL SHALL NOT BE PLACED ON A FROZEN FOUNDATION.

M. SEEPS OR SPRINGS ENCOUNTERED DURING CONSTRUCTION SHALL BE HANDLED APPROPRIATELY.

N. ALL GRADED AREAS SHALL BE PERMANENTLY STABILIZED IMMEDIATELY FOLLOWING FINISHED GRADING.

O. REMOVE ANY TEMPORARY CONTROL MEASURES, SUCH AS SILT FENCE, WITHIN 30 DAYS AFTER PERMANENT STABILIZATION IS ATTAINED. REMOVE ANY ACCUMULATED SEDIMENTS AND STABILIZE.

PERMANENT VEGETATION

PERMANENT VEGETATIVE COVER SHOULD BE ESTABLISHED ON DISTURBED AREAS WHERE PERMANENT, LONG LIVED VEGETATIVE COVER IS NEEDED TO STABILIZE THE SOIL, TO REDUCE DAMAGES FROM SEDIMENT AND RUNOFF, AND TO ENHANCE THE ENVIRONMENT.

SEEDBED PREPARATION

A. GRADE AS FEASIBLE TO PERMIT THE USE OF CONVENTIONAL EQUIPMENT FOR SEEDBED PREPARATION, SEEDING, MULCH APPLICATION AND ANCHORING, AND MAINTENANCE.

B. APPLY LIMESTONE AND FERTILIZER ACCORDING TO SOIL TESTS SUCH AS THOSE OFFERED BY THE UNIVERSITY OF MAINE SOIL TESTING LABORATORY. SOIL SAMPLE MAILERS ARE AVAILABLE FROM THE LOCAL COOPERATIVE EXTENSION SERVICE. IF SOIL TESTING IS NOT FEASIBLE ON SMALL OR VARIABLE SITES, OR WHERE TIMING IS CRITICAL, FERTILIZER MAY BE APPLIED AT THE RATE OF 800 POUNDS PER ACRE OR 18.4 POUNDS PER 1,000 SQUARE FEET USING 10-20-20 (N-P2O5-K2O) OR EQUIVALENT. APPLY GROUND LIMESTONE (EQUIVALENT TO 50% CALCIUM PLUS MAGNESIUM OXIDE) AT A RATE OF 3 TONS PER ACRE (138 LB. PER 1,000 SQ. FT).

C. WORK TIME AND FERTILIZER INTO THE SOIL AS NEARLY AS PRACTICAL TO A DEPTH OF 4 INCHES WITH A DISC, SPRING TOOTH HARROW OR OTHER SUITABLE EQUIPMENT. THE FINAL HARROWING OPERATION SHOULD BE ON THE GENERAL CONTOUR. CONTINUE TILLAGE UNTIL A REASONABLY UNIFORM, FINE SEEDBED IS PREPARED. ALL BUT CLAY OR SILTY SOILS AND COARSE SANDS SHOULD BE ROLLED TO FIRM THE SEEDBED WHEREVER FEASIBLE. D. REMOVE FROM THE SURFACE ALL STONES 2 INCHES OR LARGER IN ANY DIMENSION. REMOVE ALL OTHER DEBRIS, SUCH AS WIRE, CABLE, TREE ROOTS, CONCRETE, CLODS, LUMPS OR OTHER UNSUITABLE MATERIAL.

E. INSPECT SEEDBED JUST BEFORE SEEDING. IF TRAFFIC HAS LEFT THE SOIL COMPACTED, THE AREA MUST BE FILLED AND FIRMED AS ABOVE.

F. PERMANENT SEEDING SHOULD BE MADE 45 DAYS PRIOR TO THE FIRST KILLING FROST OR AS A DORMANT SEEDING WITH MULCH AFTER THE FIRST KILLING FROST AND BEFORE SNOWFALL. WHEN CROWN VETCH IS SEEDED IN LATER SUMMER, AT LEAST 35% OF THE SEED SHOULD BE HARD SEED (UNSCARIFIED). IF SEEDING CANNOT BE DONE WITHIN THE SEEDING DATES, MULCH ACCORDING TO THE TEMPORARY MULCHING BMP AND OVERWINTER STABILIZATION AND CONSTRUCTION TO PROTECT THE SITE AND DELAY SEEDING UNTIL THE NEXT RECOMMENDED SEEDING PERIOD.

G. FOLLOWING SEED BED PREPARATION, SWALE AREAS, FILL AREAS AND BACK SLOPES SHALL BE SEEDED AT A RATE OF 3 LBS./1,000 S.F. WITH A MIXTURE OF 35% CREEPING TURTLE, 14% FESCUE, 6% RED TOP, 24% KENTUCKY BLUEGRASS, 10% PERENNIAL RYEGRASS, 20% ANNUAL RYEGRASS AND 5% WHITE DUTCH CLOVER.

I. AREAS WHICH HAVE BEEN TEMPORARILY OR PERMANENTLY SEEDED SHALL BE MULCHED IMMEDIATELY FOLLOWING SEEDING.

J. AREAS WHICH CANNOT BE SEEDED WITHIN THE GROWING SEASON SHALL BE MULCHED FOR OVER-WINTER PROTECTION AND THE AREA SHOULD BE SEEDED AT THE BEGINNING OF THE GROWING SEASON.

WINTER CONSTRUCTION PHASE

IF AN AREA IS NOT STABILIZED WITH TEMPORARY OR PERMANENT MEASURES BY NOVEMBER 15, THEN THE SITE MUST BE PROTECTED WITH ADDITIONAL STABILIZATION MEASURES.

A. PERMANENT STABILIZATION CONSISTS OF AT LEAST 90% VEGETATION, PAVEMENT/GRAVEL BASE OR RIPRAP.

B. DO NOT EXPOSE SLOPES OR LEAVE SLOPES EXPOSED OVER THE WINTER OR FOR ANY OTHER EXTENDED TIME OF WORK SUSPENSION UNLESS FULLY PROTECTED WITH MULCH.

C. APPLY HAY MULCH AT TWICE THE STANDARD RATE (150 LBS. PER 1,000 SF). THE MULCH MUST BE THICK ENOUGH SUCH THAT THE GROUND SURFACE WILL NOT BE VISIBLE AND MUST BE ANCHORED.

D. USE MULCH AND MULCH NETTING OR AN EROSION CONTROL MULCH BLANKET OR ALL SLOPES GREATER THAN 8 % OR OTHER AREAS EXPOSED TO DIRECT WIND.

E. INSTALL AN EROSION CONTROL BLANKET IN ALL DRAINAGEWAYS (BOTTOM AND SIDES) WITH A SLOPE GREATER THAN 3 %.

F. SEE THE VEGETATION MEASURES FOR MORE INFORMATION ON SEEDING DATES AND TYPES.

G. WINTER EXCAVATION AND EARTHWORK SHALL BE COMPLETED SO THAT NO MORE THAN 1 ACRE OF THE SITE IS WITHOUT STABILIZATION AT ANY ONE TIME.

H. AN AREA WITHIN 100 FEET OF A PROTECTED NATURAL RESOURCE MUST BE PROTECTED WITH A DOUBLE ROW OF SEDIMENT BARRIER.

I. TEMPORARY MULCH MUST BE APPLIED WITHIN 7 DAYS OF SOIL EXPOSURE OR PRIOR TO ANY STORM EVENT, BUT AFTER EVERY WORKDAY IN AREAS WITHIN 100 FEET FROM A PROTECTED NATURAL RESOURCE.

J. AREAS THAT HAVE BEEN BROUGHT TO FINAL GRADE MUST BE PERMANENTLY MULCHED THAT SAME DAY.

K. IF SNOWFALL IS GREATER THAN 1 INCH (FRESH OR CUMULATIVE), THE SNOW SHALL BE REMOVED FROM THE AREAS DUE TO BE SEEDED AND MULCHED.

L. LOAM SHALL BE FREE OF FROZEN CLUMPS BEFORE IT IS APPLIED.

M. ALL VEGETATED DITCH LINES THAT HAVE NOT BEEN STABILIZED BY NOVEMBER 1, OR WILL BE WORKED DURING THE WINTER CONSTRUCTION PERIOD, MUST BE STABILIZED WITH AN APPROPRIATE STONE LINING BACKED BY AN APPROPRIATE GRAVEL BED OR GEOTEXTILE UNLESS SPECIFICALLY RELEASED FROM THIS STANDARD BY THE DEPARTMENT.

MAINTENANCE AND INSPECTION PHASE

A. MINIMUM EROSION CONTROL MEASURES WILL NEED TO BE IMPLEMENTED AND THE APPLICANT WILL BE RESPONSIBLE TO MAINTAIN ALL COMPONENTS OF THE EROSION CONTROL PLAN UNTIL THE SITE IS FULLY STABILIZED. HOWEVER, BASED ON SITE AND WEATHER CONDITIONS DURING CONSTRUCTION, ADDITIONAL EROSION CONTROL MEASURES MAY NEED TO BE IMPLEMENTED. ALL AREAS OF INSTABILITY AND EROSION MUST BE REPAIRED IMMEDIATELY DURING CONSTRUCTION AND NEED TO BE MAINTAINED UNTIL THE SITE IS FULLY STABILIZED OR VEGETATION IS ESTABLISHED. A CONSTRUCTION LOG MUST BE MAINTAINED FOR THE EROSION AND SEDIMENTATION CONTROL INSPECTIONS AND MAINTENANCE.

B. A LOG (REPORT) MUST BE KEPT SUMMARIZING THE SCOPE OF THE INSPECTION, NAME(S) AND QUALIFICATIONS OF THE PERSONNEL MAKING THE INSPECTION, THE DATE(S) OF THE INSPECTION, AND MAJOR OBSERVATIONS RELATING TO OPERATION OF EROSION AND SEDIMENTATION CONTROLS AND POLLUTION PREVENTION MEASURES. MAJOR OBSERVATIONS MUST INCLUDE: BMPs THAT NEED TO BE MAINTAINED; LOCATION(S) OF BMPs THAT FAILED TO OPERATE AS DESIGNED OR PROVED INADEQUATE FOR A PARTICULAR LOCATION; AND LOCATION(S) WHERE ADDITIONAL BMPs ARE NEEDED THAT DID NOT EXIST AT THE TIME OF INSPECTION. FOLLOW-UP TO CORRECT DEFICIENCIES OR ENHANCE CONTROLS MUST ALSO BE INDICATED IN THE LOG AND DATED, INCLUDING WHAT ACTION WAS TAKEN AND WHEN.

DEWATERING

A DEWATERING PLAN IS NEEDED TO ADDRESS EXCAVATION DE-WATERING FOLLOWING HEAVY RAINFALL EVENTS OR WHERE THE EXCAVATION MAY INTERCEPT THE GROUNDWATER TABLE DURING CONSTRUCTION. THE COLLECTED WATER NEEDS TREATMENT AND A DISCHARGE POINT THAT WILL NOT CAUSE DOWNGRADIENT EROSION AND OFFSITE SEDIMENTATION OR WITHIN A RESOURCE. PLEASE FOLLOW THE DETAILS OF SUCH A PLAN.

HOUSEKEEPING

1. SPILL PREVENTION. CONTROLS MUST BE USED TO PREVENT POLLUTANTS FROM CONSTRUCTION AND WASTE MATERIALS STORED ON SITE TO ENTER STORMWATER, WHICH INCLUDES STORAGE PRACTICES TO MINIMIZE EXPOSURE OF THE MATERIALS TO STORMWATER. THE SITE CONTRACTOR OR OPERATOR MUST DEVELOP, AND IMPLEMENT AS NECESSARY, APPROPRIATE SPILL PREVENTION, CONTAINMENT, AND RESPONSE PLANNING MEASURES.

NOTE: ANY SPILL OR RELEASE OF TOXIC OR HAZARDOUS SUBSTANCES MUST BE REPORTED TO THE DEPARTMENT. FOR OIL SPILLS, CALL 1-800-482-0777 WHICH IS AVAILABLE 24 HOURS A DAY. FOR SPILLS OF TOXIC OR HAZARDOUS MATERIAL, CALL 1-800-452-4664 WHICH IS AVAILABLE 24 HOURS A DAY. FOR MORE INFORMATION, VISIT THE DEPARTMENT'S WEBSITE AT : HTTP://WWW.MAINE.GOV/DEP/SPILLS/EMERGENSPILLRES/

2. GROUNDWATER PROTECTION. DURING CONSTRUCTION, LIQUID PETROLEUM PRODUCTS AND OTHER HAZARDOUS MATERIALS WITH THE POTENTIAL TO CONTAMINATE GROUNDWATER MAY NOT BE STORED OR HANDLED IN AREAS OF THE SITE DRAINING TO AN INFILTRATION AREA. AN "INFILTRATION AREA" IS ANY AREA OF THE SITE THAT BY DESIGN OR AS A RESULT OF SOILS, TOPOGRAPHY AND OTHER RELEVANT FACTORS ACCUMULATES RUNOFF THAT INFILTRATES INTO THE SOIL. DIKES, BERMS, SUMPS, AND OTHER FORMS OF SECONDARY CONTAINMENT THAT PREVENT DISCHARGE TO GROUNDWATER MAY BE USED TO ISOLATE PORTIONS OF THE SITE FOR THE PURPOSES OF STORAGE AND HANDLING OF THESE MATERIALS.

3. FUGITIVE SEDIMENT AND DUST. ACTIONS MUST BE TAKEN TO ENSURE THAT ACTIVITIES DO NOT RESULT IN NOTICEABLE EROSION OF SOILS OR FUGITIVE DUST EMISSIONS DURING OR AFTER CONSTRUCTION. OIL MAY NOT BE USED FOR DUST CONTROL, BUT OTHER WATER ADDITIVES MAY BE CONSIDERED AS NEEDED. A STABILIZED CONSTRUCTION ENTRANCE (SCE) SHOULD BE INCLUDED TO MINIMIZE TRACKING OF MUD AND SEDIMENT. IF OFF-SITE TRACKING OCCURS, PUBLIC ROADS SHOULD BE SWEEPED IMMEDIATELY AND NO LESS THAN ONCE A WEEK AND PRIOR TO SIGNIFICANT STORM EVENTS. OPERATIONS DURING DRY MONTHS, THAT EXPOSE FUGITIVE DUST PROBLEMS, SHOULD WET DOWN UNPAVED ACCESS ROADS ONCE A WEEK OR MORE FREQUENTLY AS NEEDED WITH A WATER ADDITIVE TO SUPPRESS FUGITIVE SEDIMENT AND DUST.

4. DEBRIS AND OTHER MATERIALS. MINIMIZE THE EXPOSURE OF CONSTRUCTION DEBRIS, BUILDING AND LANDSCAPING MATERIALS, TRASH, FERTILIZERS, PESTICIDES, HERBICIDES, DETERGENTS, SANITARY WASTE AND OTHER MATERIALS TO PRECIPITATION AND STORMWATER RUNOFF. THESE MATERIALS MUST BE PREVENTED FROM BECOMING A POLLUTANT SOURCE.

NOTE: TO PREVENT THESE MATERIALS FROM BECOMING A SOURCE OF POLLUTANTS, CONSTRUCTION AND POST-CONSTRUCTION ACTIVITIES RELATED TO A PROJECT MAY BE REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF RULES RELATED TO SOLID, UNIVERSAL, AND HAZARDOUS WASTE, INCLUDING, BUT NOT LIMITED TO, THE MAINE SOLID WASTE AND HAZARDOUS WASTE MANAGEMENT RULES; MAINE HAZARDOUS WASTE MANAGEMENT RULES; MAINE OIL CONVEYANCE AND STORAGE RULES; AND MAINE PESTICIDE REQUIREMENTS.

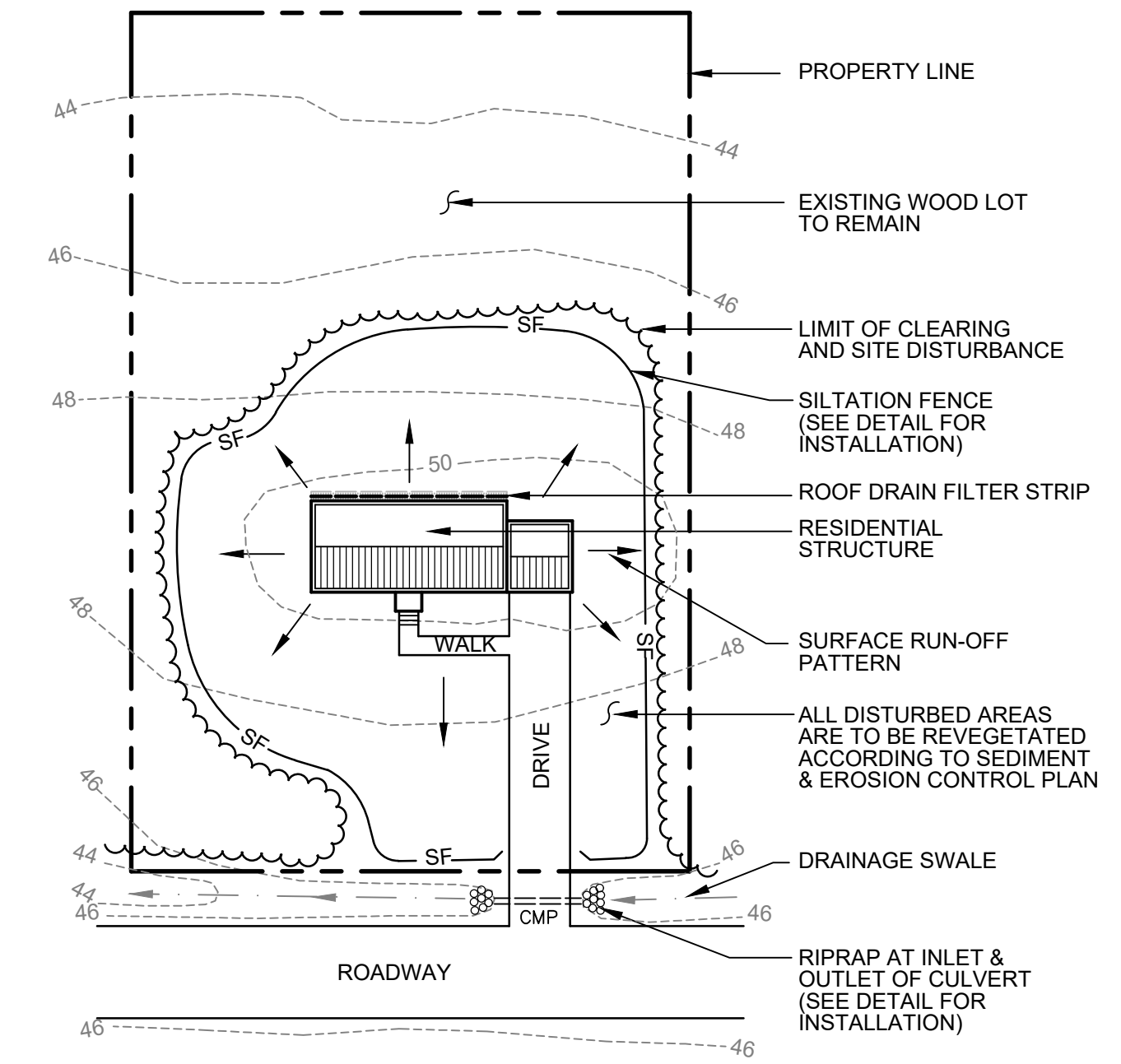
5. EXCAVATION DE-WATERING. EXCAVATION DE-WATERING IS THE REMOVAL OF WATER FROM TRENCHES, FOUNDATIONS, COFFER DAMS, PONDS, AND OTHER AREAS WITHIN THE CONSTRUCTION AREA THAT RETAIN WATER AFTER EXCAVATION. IN MOST CASES THE COLLECTED WATER IS HEAVILY SILTED AND HINDERS CORRECT AND SAFE CONSTRUCTION PRACTICES. THE COLLECTED WATER REMOVED FROM THE PONDED AREA, EITHER THROUGH GRAVITY OR PUMPING, MUST BE SPREAD THROUGH NATURAL WOODED BUFFERS OR REMOVED TO AREAS THAT ARE SPECIFICALLY DESIGNED TO COLLECT THE MAXIMUM AMOUNT OF SEDIMENT POSSIBLE, LIKE A COFFERDAM SEDIMENTATION BASIN. AVOID ALLOWING THE WATER TO FLOW OVER DISTURBED AREAS OF THE SITE. EQUIVALENT MEASURES MAY BE TAKEN IF APPROVED BY THE ENGINEER AND OWNER.

NOTE: DEWATERING CONTROLS ARE DISCUSSED IN THE "MAINE EROSION AND SEDIMENT CONTROL BMPs, MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION."

6. AUTHORIZED NON-STORMWATER DISCHARGES. IDENTIFY AND PREVENT CONTAMINATION BY NON-STORMWATER DISCHARGES WHERE ALLOWED NON-STORMWATER DISCHARGES EXIST. THEY MUST BE IDENTIFIED AND STEPS SHOULD BE TAKEN TO ENSURE THE IMPLEMENTATION OF APPROPRIATE POLLUTION PREVENTION MEASURES FOR THE NON-STORMWATER COMPONENT(S) OF THE DISCHARGE. AUTHORIZED NON-STORMWATER DISCHARGES ARE:

- (a) DISCHARGES FROM FIREFIGHTING ACTIVITY;
(b) FIRE HYDRANT FLUSHINGS;
(c) VEHICLE WASHWATER IF DETERGENTS ARE NOT USED AND WASHING IS LIMITED TO THE EXTERIOR OF VEHICLES (ENGINE, UNDERCARRIAGE AND TRANSMISSION WASHING IS PROHIBITED);
(d) DUST CONTROL RUNOFF IN ACCORDANCE WITH PERMIT CONDITIONS AND SECTION 3 ABOVE;
(e) ROUTINE EXTERNAL BUILDING WASHDOWN, NOT INCLUDING SURFACE PAINT REMOVAL, THAT DOES NOT INVOLVE DETERGENTS;
(f) PAVEMENT WASHWATER (WHERE SPILLS/LEAKS OF TOXIC OR HAZARDOUS MATERIALS HAVE NOT OCCURRED, UNLESS ALL SPILLED MATERIAL HAD BEEN REMOVED) IF DETERGENTS ARE NOT USED;
(g) UNCONTAMINATED AIR CONDITIONING OR COMPRESSOR CONDENSATE;
(h) UNCONTAMINATED GROUNDWATER OR SPRING WATER;
(i) FOUNDATION OR FOOTER DRAIN-WATER WHERE FLOWS ARE NOT CONTAMINATED;
(j) UNCONTAMINATED EXCAVATION DEWATERING (SEE REQUIREMENTS IN SECTION 5 ABOVE);
(k) POTABLE WATER SOURCES INCLUDING WATERLINE FLUSHINGS; AND
(l) LANDSCAPE IRRIGATION.

- 7. UNAUTHORIZED NON-STORMWATER DISCHARGES. THE FOLLOWING NON-STORMWATER DISCHARGES ARE PROHIBITED:
(a) WASTEWATER FROM THE WASHOUT OR CLEANOUT OF CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS OR OTHER CONSTRUCTION MATERIALS;
(b) FUELS, OILS OR OTHER POLLUTANTS USED IN VEHICLE AND EQUIPMENT OPERATION AND MAINTENANCE;
(c) SOAPS, SOLVENTS, OR DETERGENTS USED IN VEHICLE AND EQUIPMENT WASHING; AND
(d) TOXIC OR HAZARDOUS SUBSTANCES FROM A SPILL OR OTHER RELEASE.

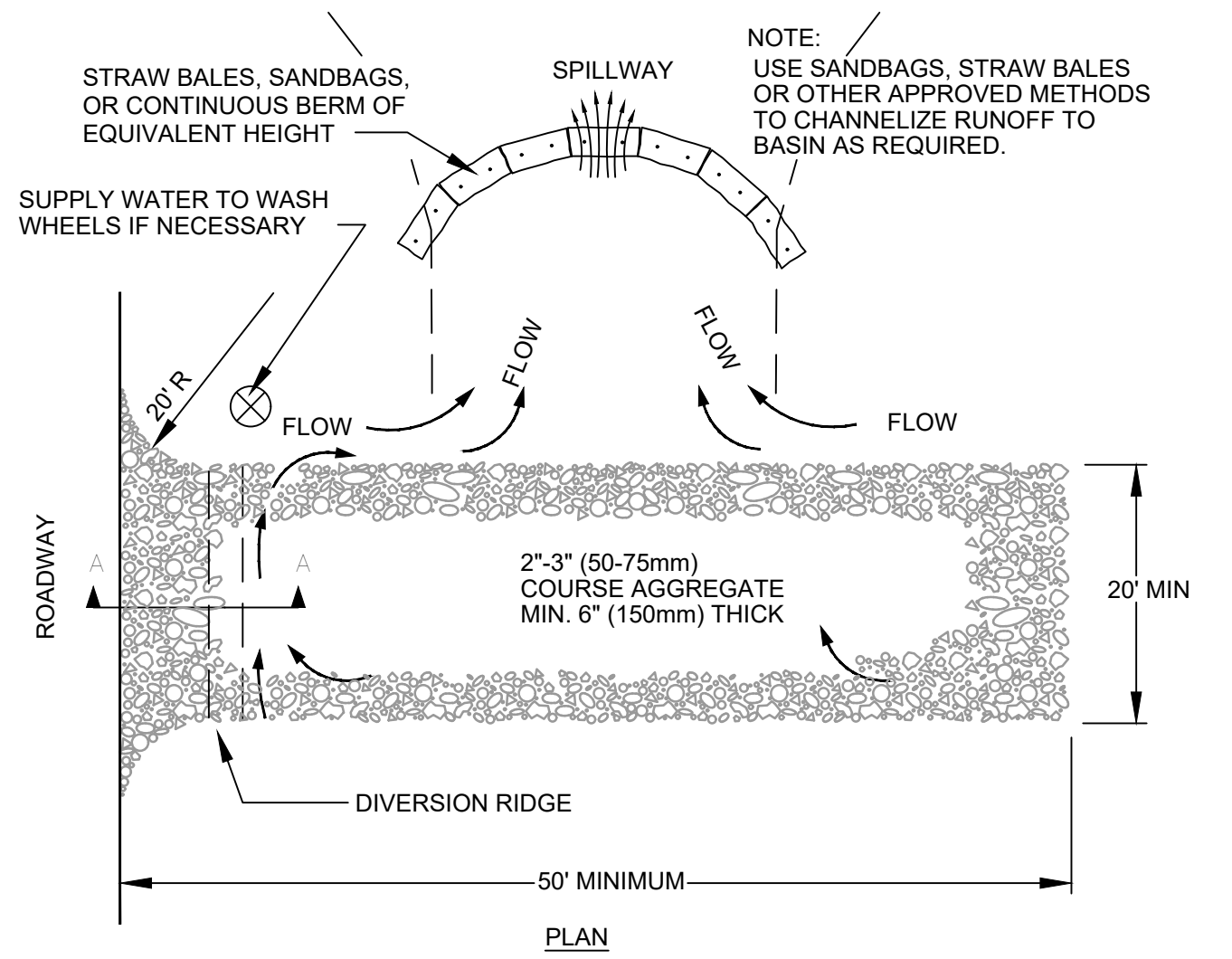
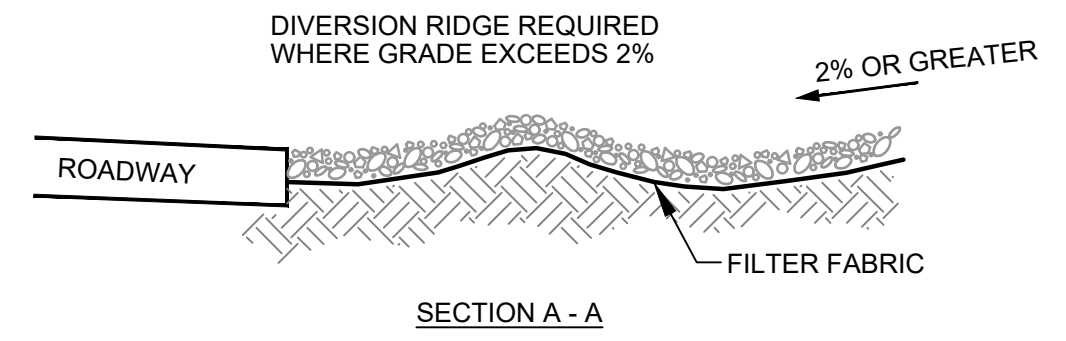


Inspection Notes for Lot Grading and Driveway location

Inspections by a professional engineer shall consist of a visit to the site prior to construction to consult with the earthwork contractor and a post construction meeting to confirm grading on lots and for all driveways to ensure runoff is directed according to plans and to oversee the re-stabilization of the lot into a vegetated cover.

TYPICAL EROSION CONTROL MEASURES FOR DWELLING UNITS

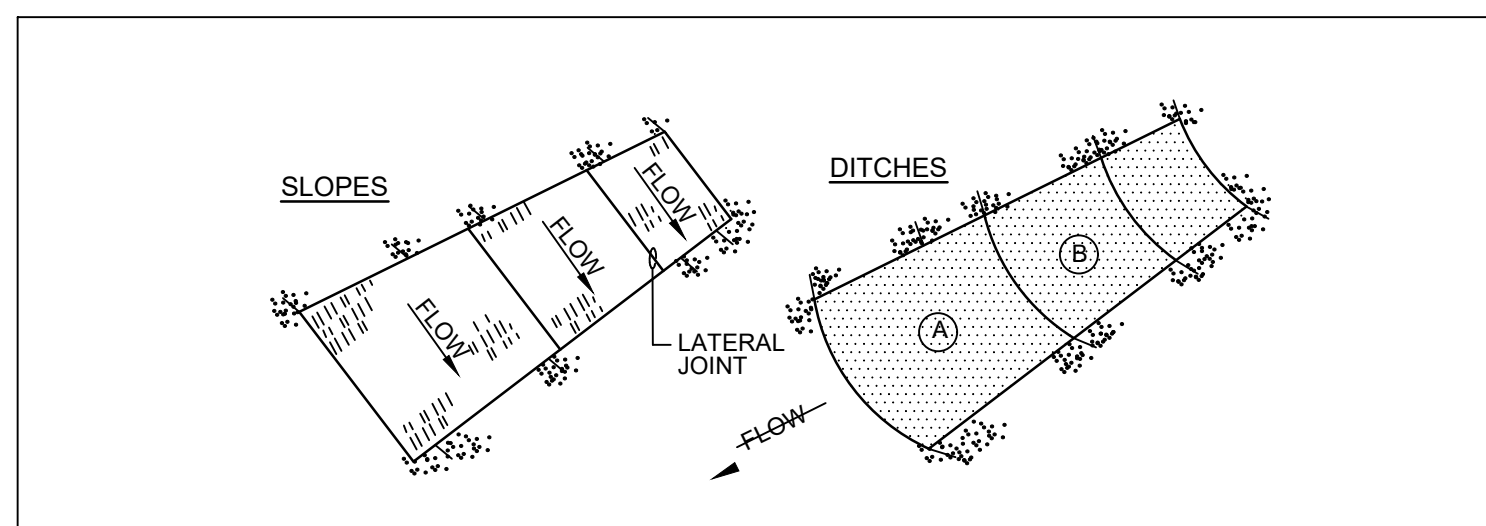
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- NOTES:
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEAN OUT OF ANY MEASURES USED TO TRAP SEDIMENT.
2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

STABILIZED CONSTRUCTION ENTRANCE

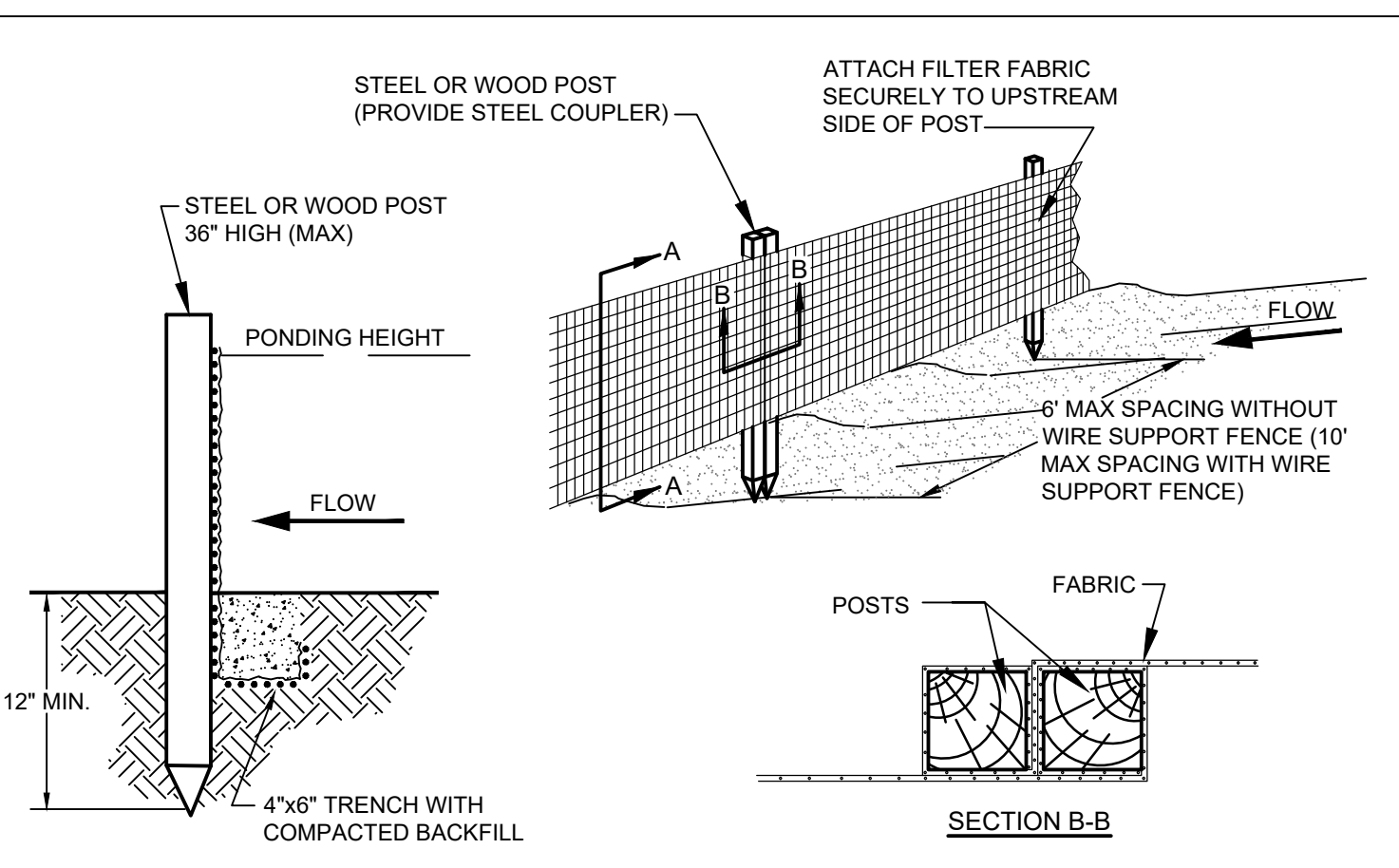
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- NOTES:
1. BURY THE TOP END OF THE MESH MATERIAL IN A 6" TRENCH AND BACKFILL AND TAMP TRENCHING SECURE END WITH STAPLES AT 6" SPACING, 4" DOWN FROM EXPOSED END.
2. FLOW DIRECTION JOINTS TO HAVE UPPER END OF LOWER STRIP BURIED WITH UPPER LAYERS OVERLAPPED 4" AND STAPLED. OVERLAP B OVER A.
3. LATERAL JOINTS TO HAVE 4" OVERLAP OF STRIPS. STAPLE 18" ON CENTER.
4. STAPLE OUTSIDE LATERAL EDGE 2" ON CENTER.
5. WIRE STAPLES TO BE MIN. OF #11 WIRE, 6" LONG & 1-1/2" WIDE.
6. USE NORTH AMERICAN GREEN DS 150 (OR APPROVED EQUAL) ON SLOPES BETWEEN 4:1-2:1. USE NORTH AMERICAN GREEN VMX SC250 PERMANENT TURF REINFORCEMENT MAT (OR APPROVED EQUAL) ON SLOPES 2:1 AND STEEPER..

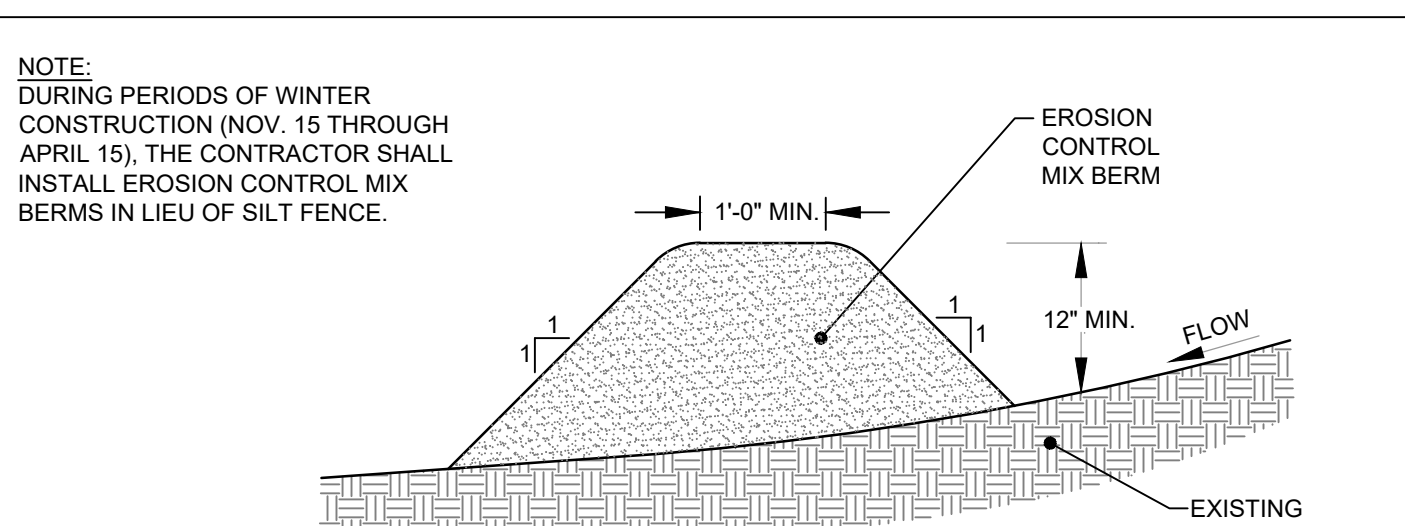
EROSION CONTROL BLANKET

NOT TO SCALE



SILT FENCE

NOT TO SCALE



EROSION CONTROL MIX BERM

NOT TO SCALE

- EROSION CONTROL MIX:
EROSION CONTROL MIX SHALL CONTAIN A WELL-GRADED MIXTURE OF PARTICLE SIZES & MAY CONTAIN ROCKS LESS THAN 4" IN DIAMETER. EROSION CONTROL MIX MUST BE FREE OF REFUSE, PHYSICAL CONTAMINANTS, AND MATERIAL TOXIC TO PLANT GROWTH. THE MIX COMPOSITION SHALL MEET THE FOLLOWING STANDARDS:
- THE ORGANIC MATTER CONTENT SHALL BE BETWEEN 80% - 100% DRY WEIGHT BASIS
- PARTICLE SIZE BY WEIGHT SHALL BE 100% PASSING A #5 SCREEN AND A MINIMUM OF 70%, MAXIMUM OF 85% PASSING A 0.75" SCREEN
- THE ORGANIC PORTION NEEDS TO BE FIBROUS AND ELONGATED
- LARGE PORTIONS OF SILTS, CLAYS OR FINE SANDS ARE NOT ACCEPTABLE IN THE MIX.
- SOLUBLE SALTS CONTENT SHALL BE < 4.0 mmhos/cm.
- pH SHALL FALL BETWEEN 5.0 - 8.0.

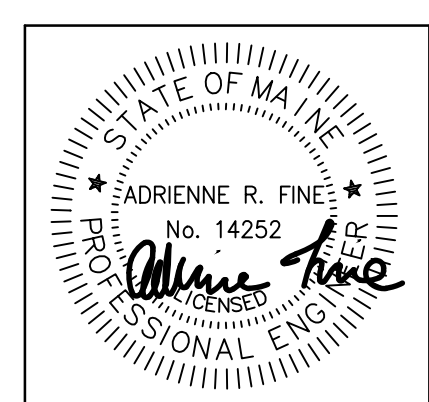
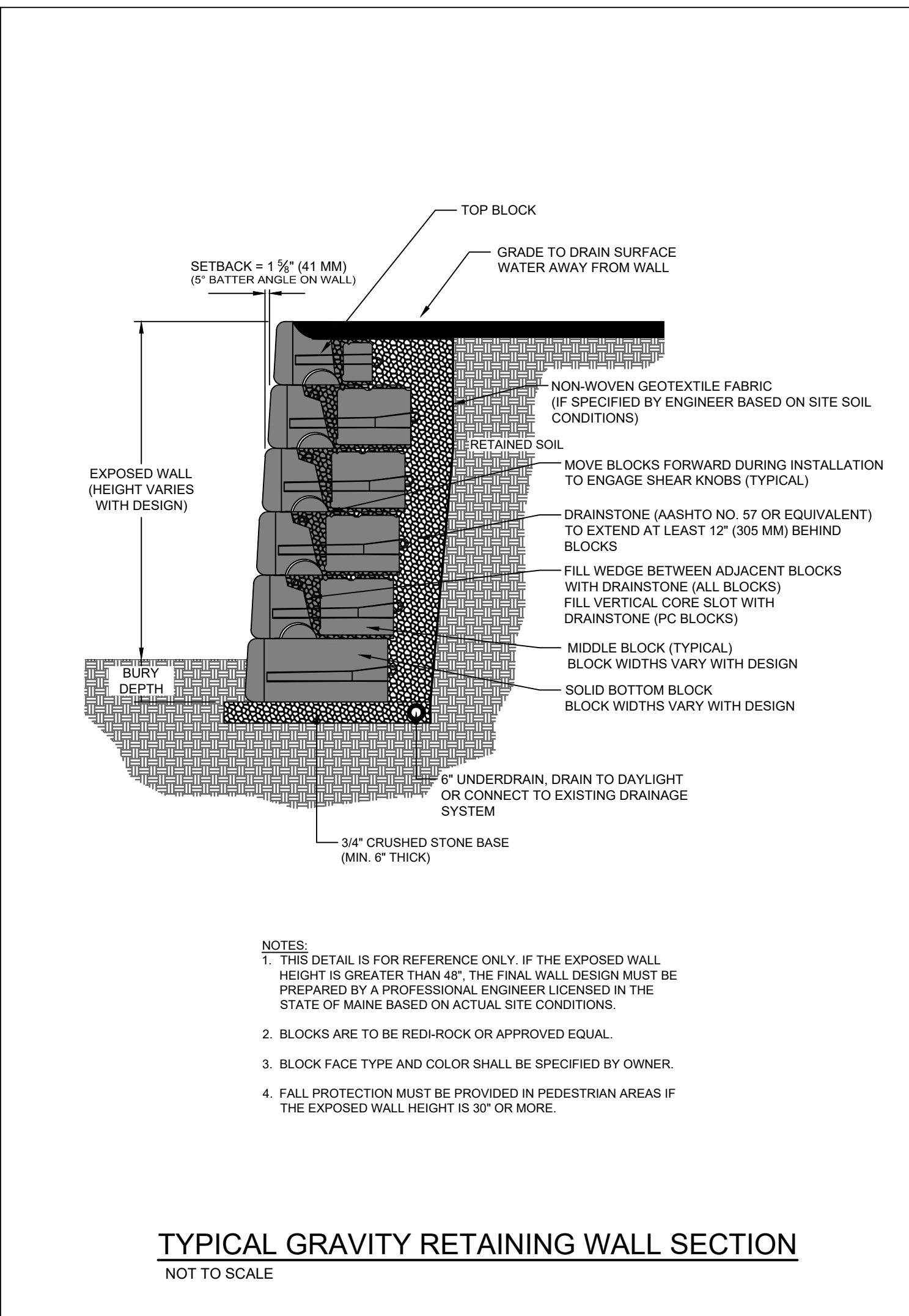
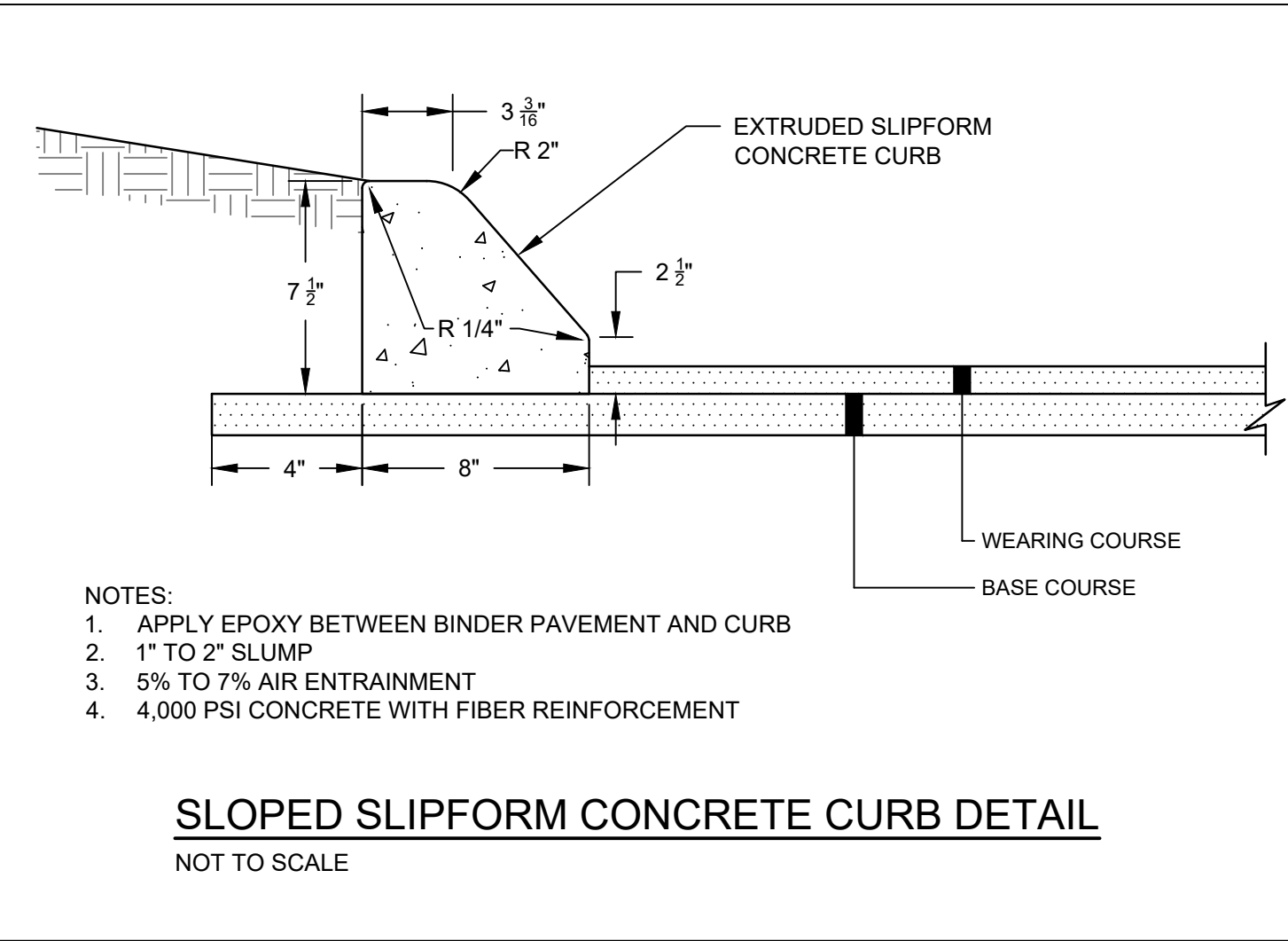
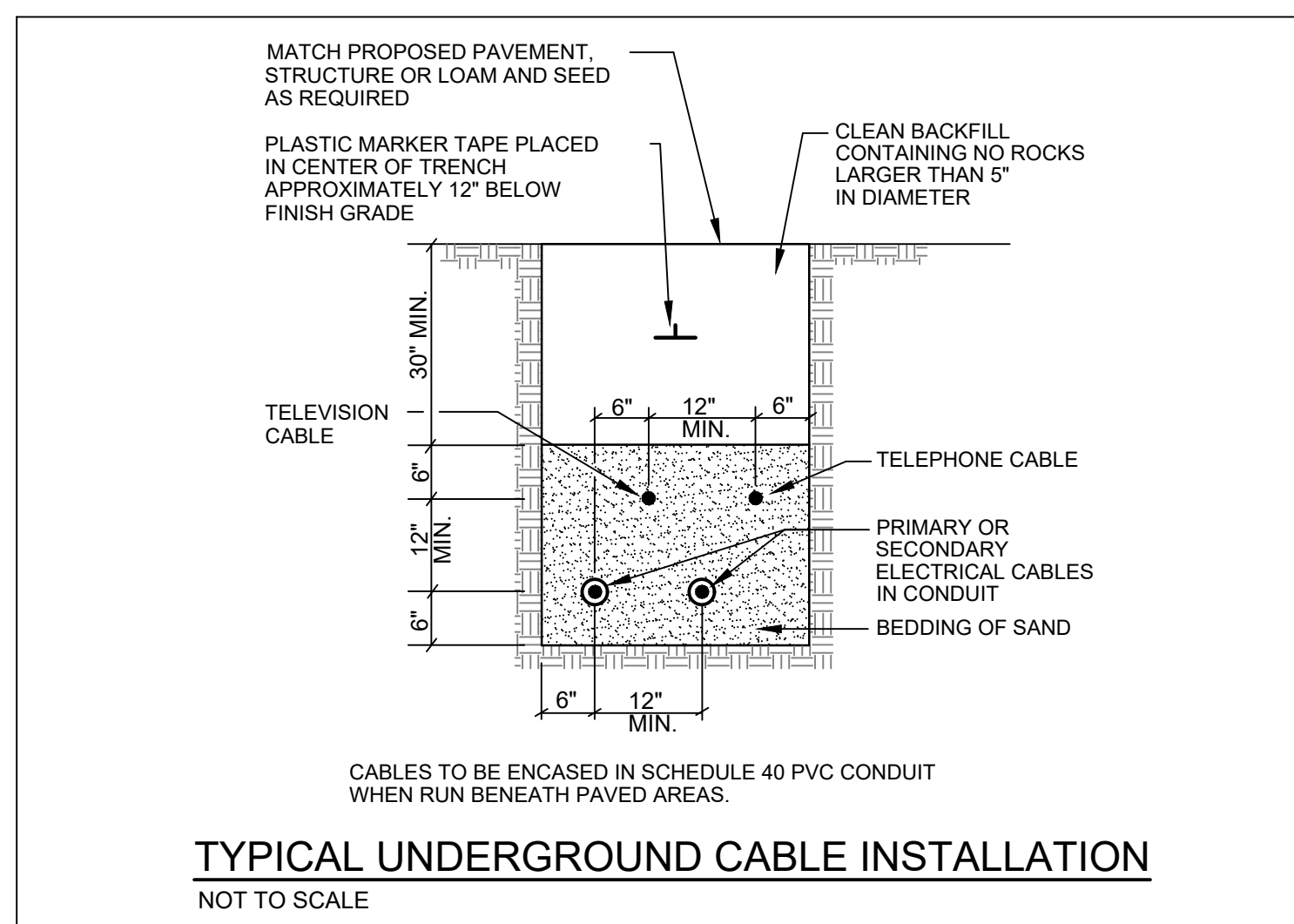
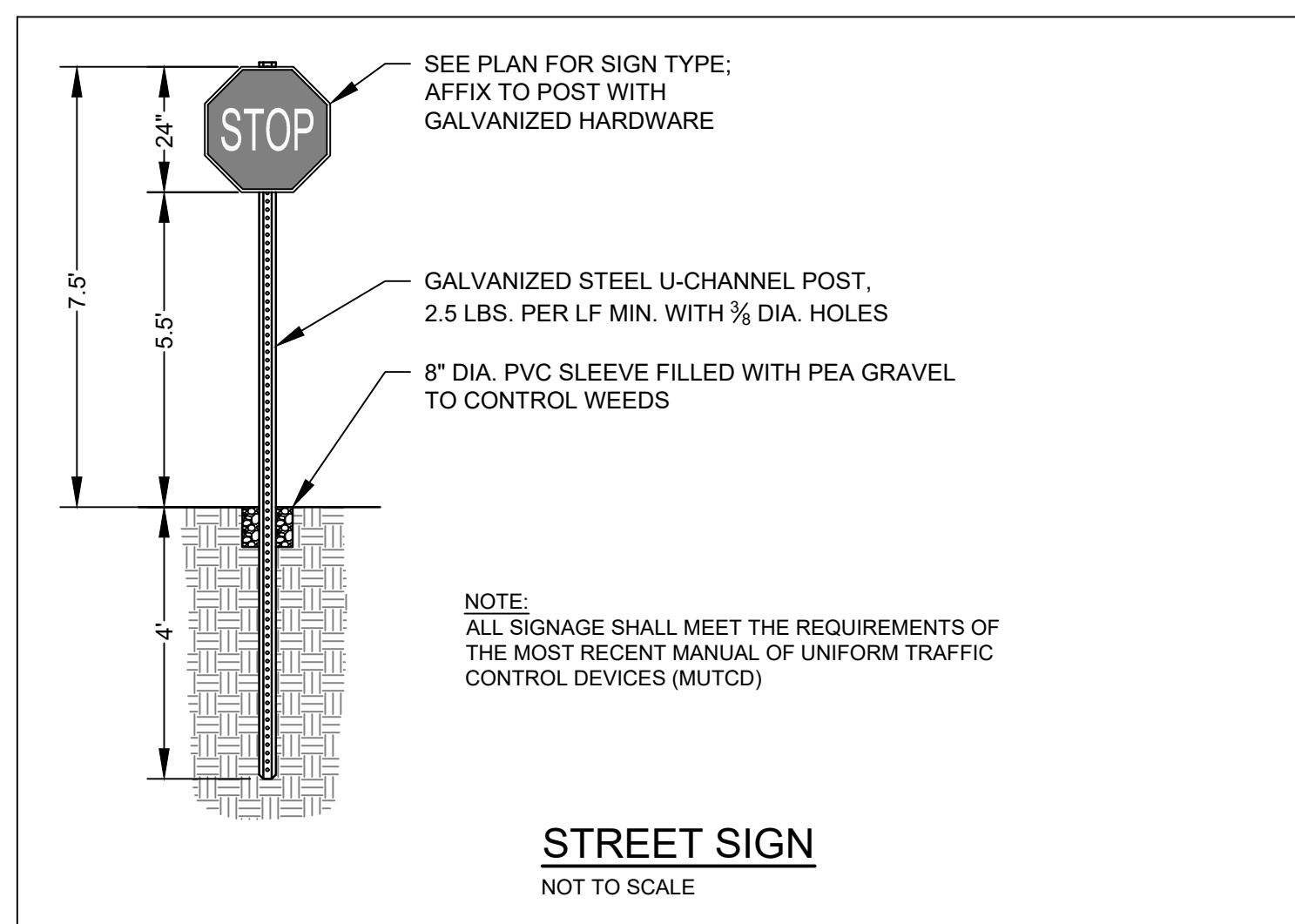
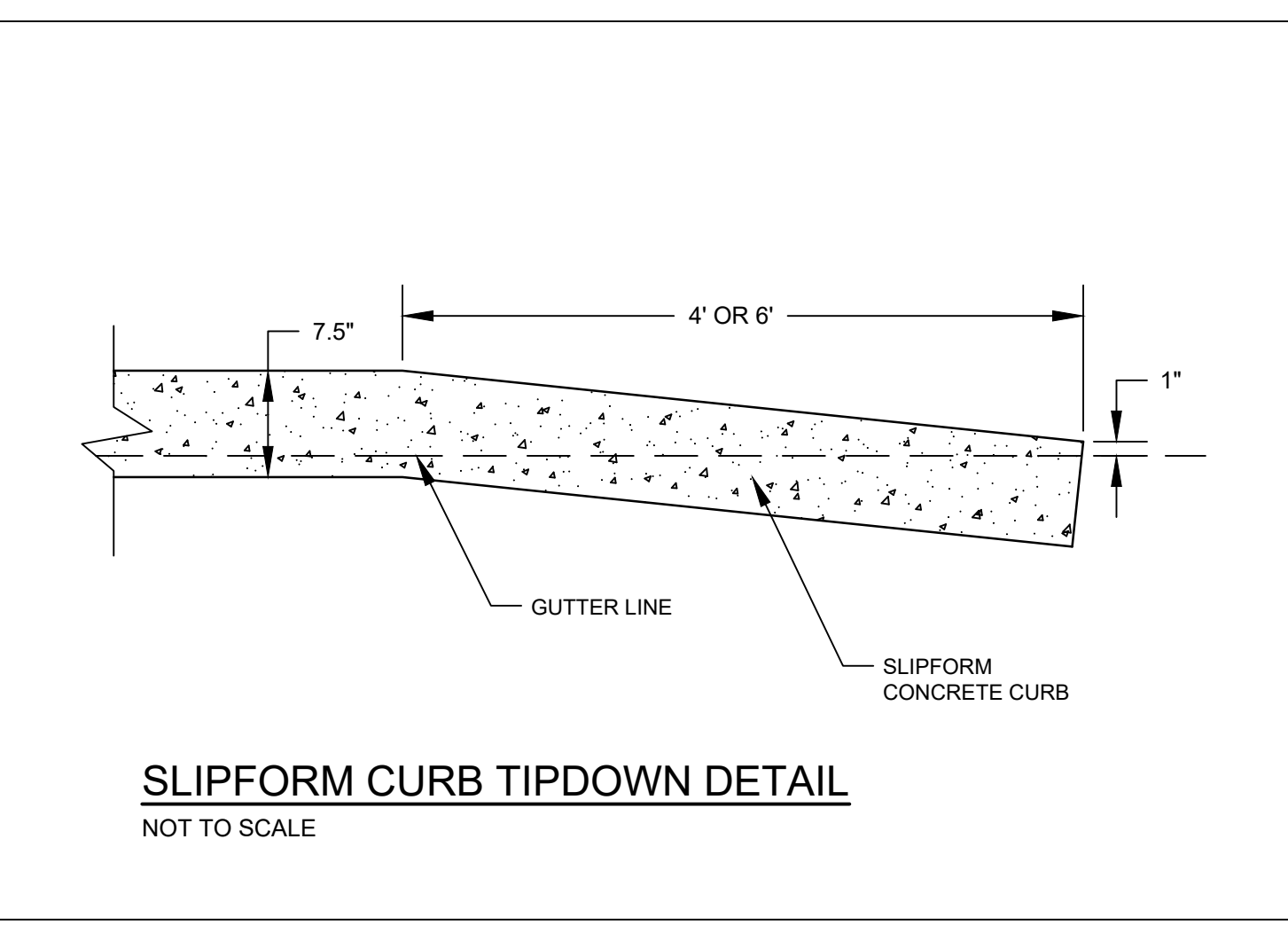
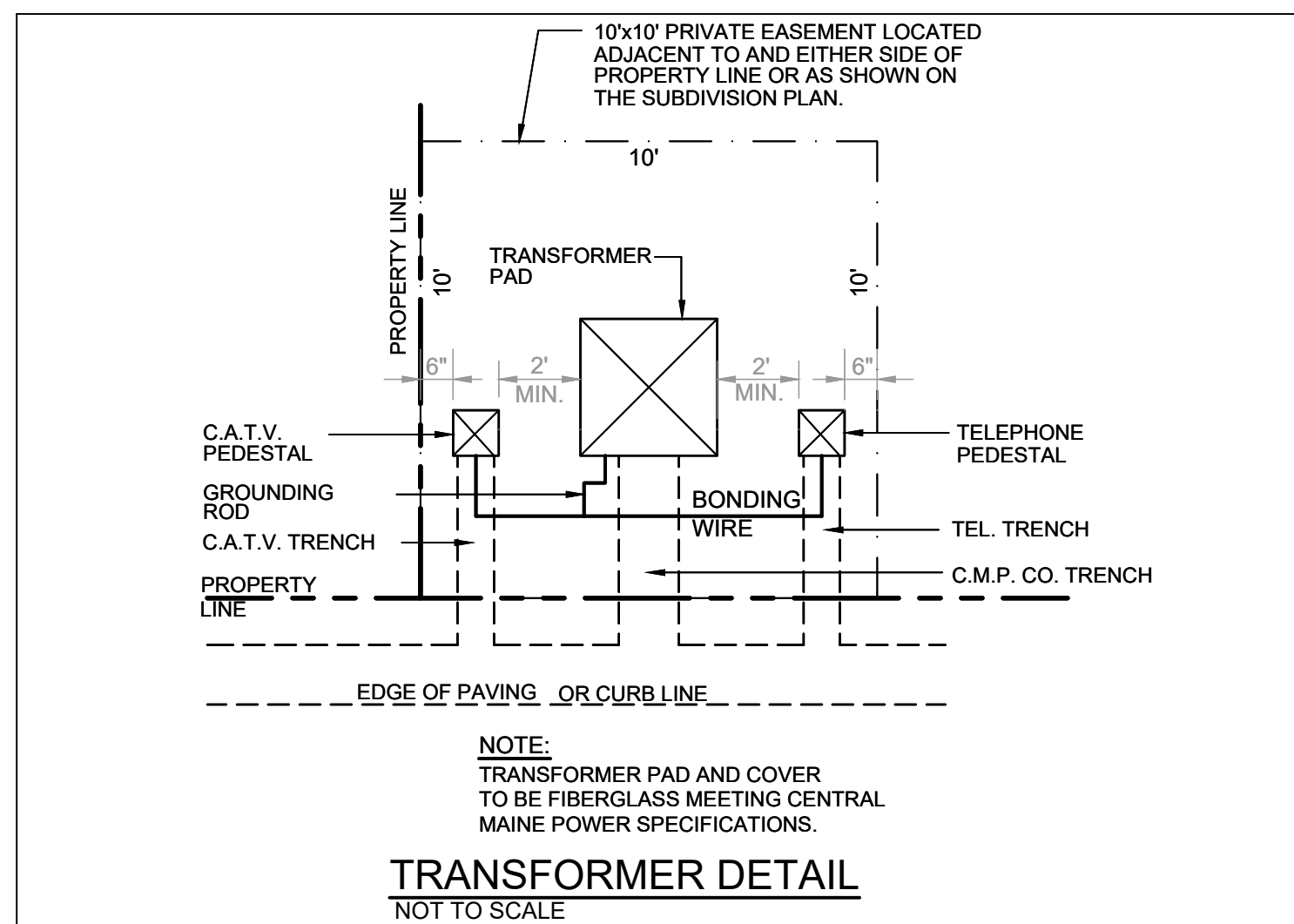
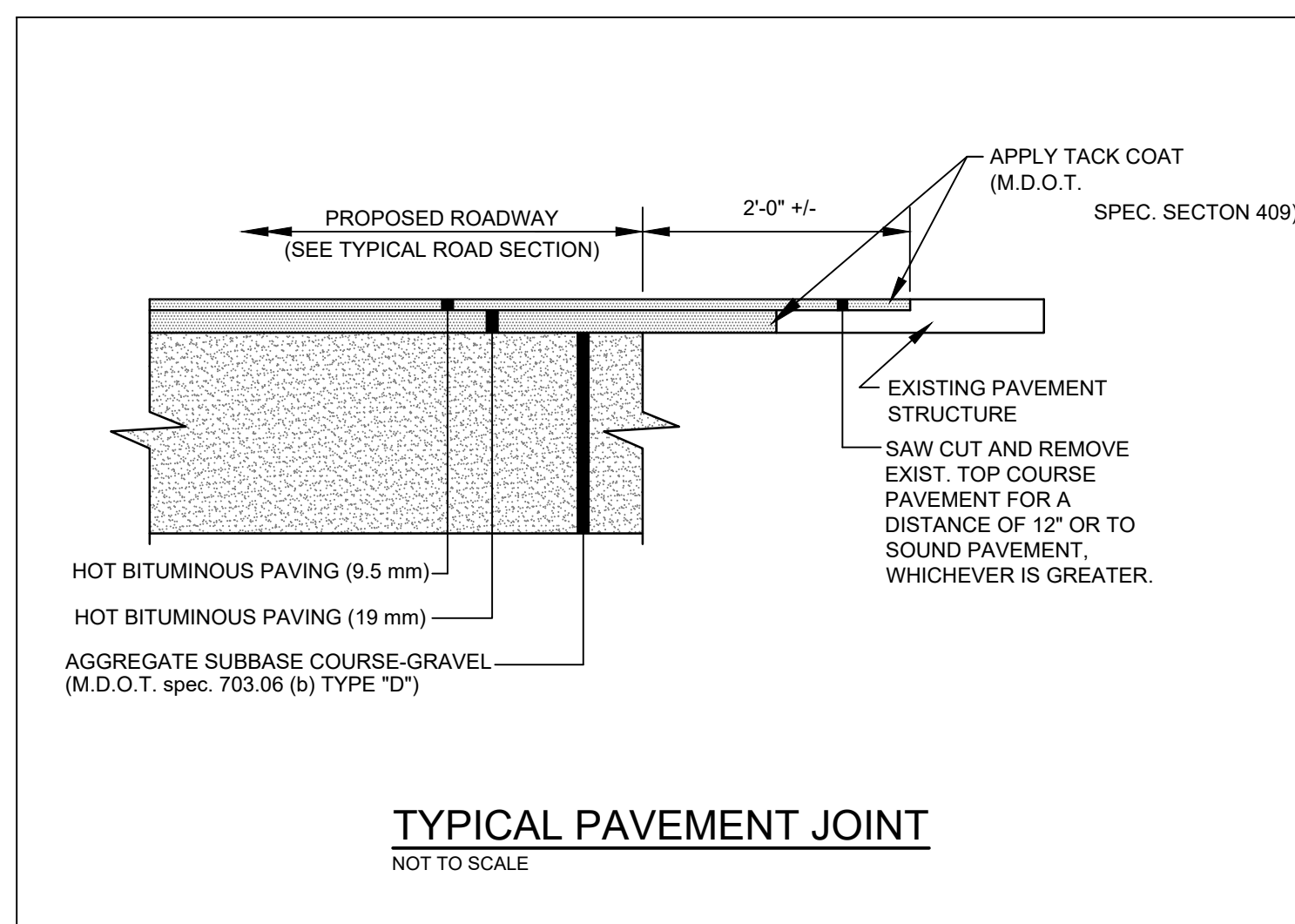
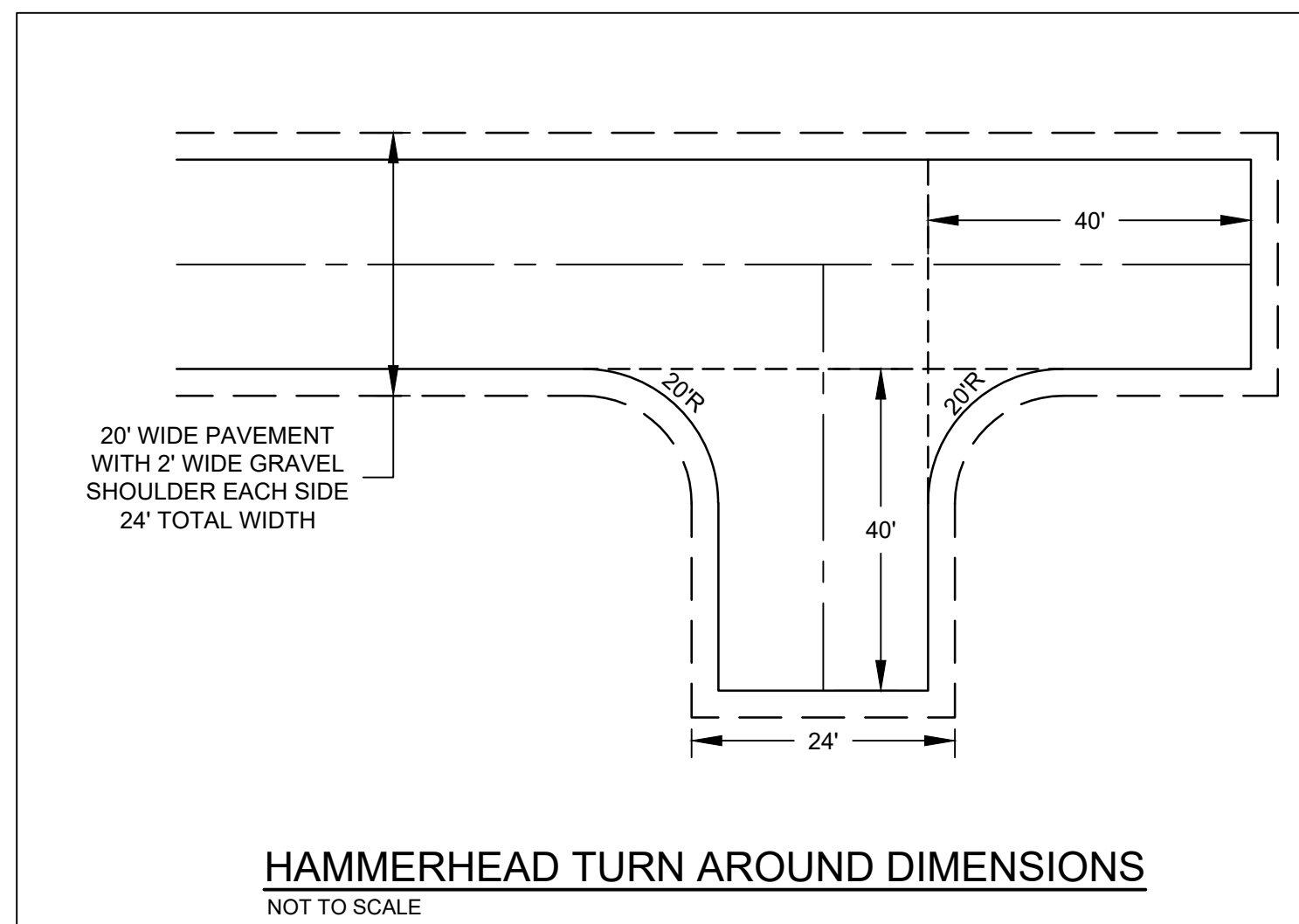
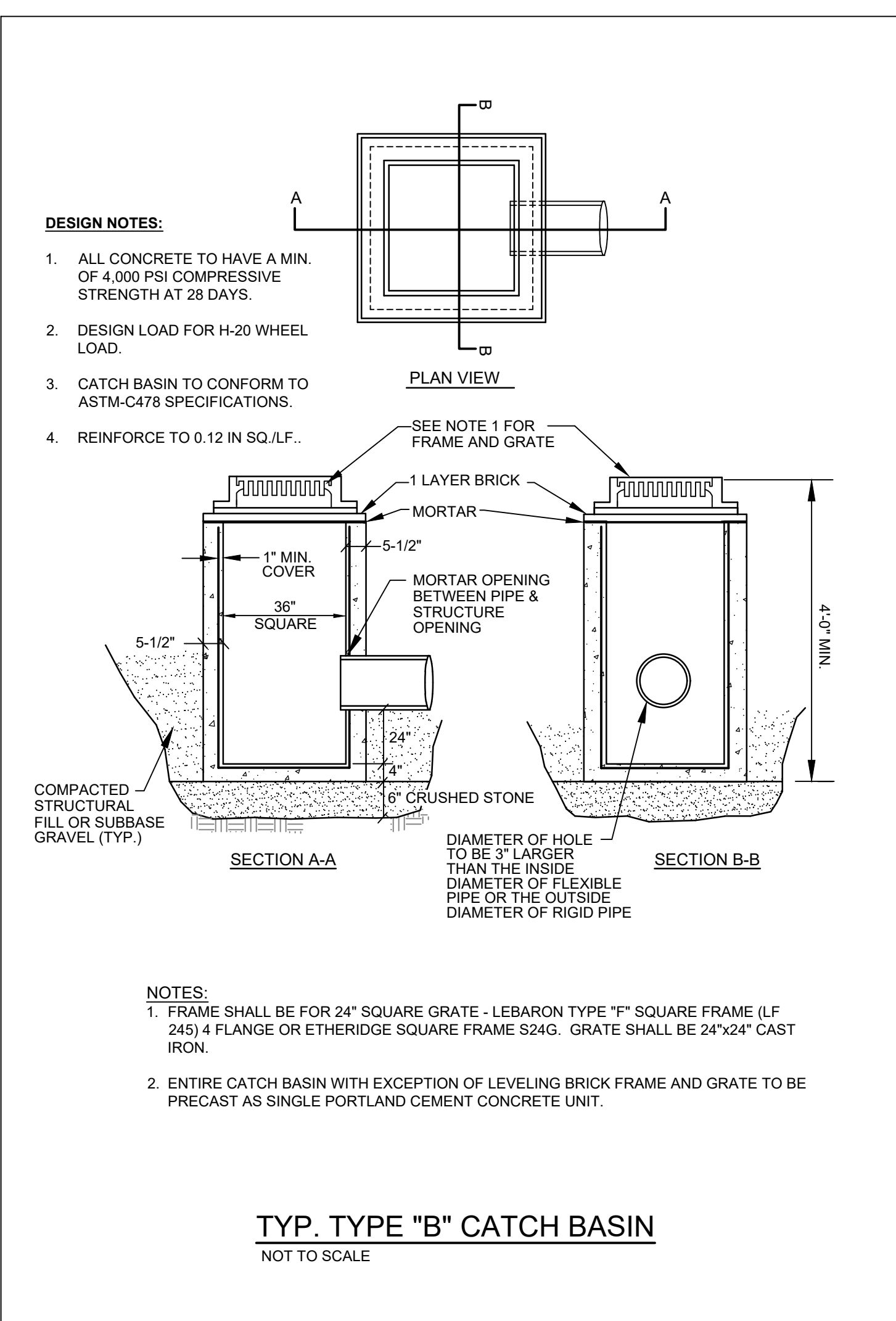
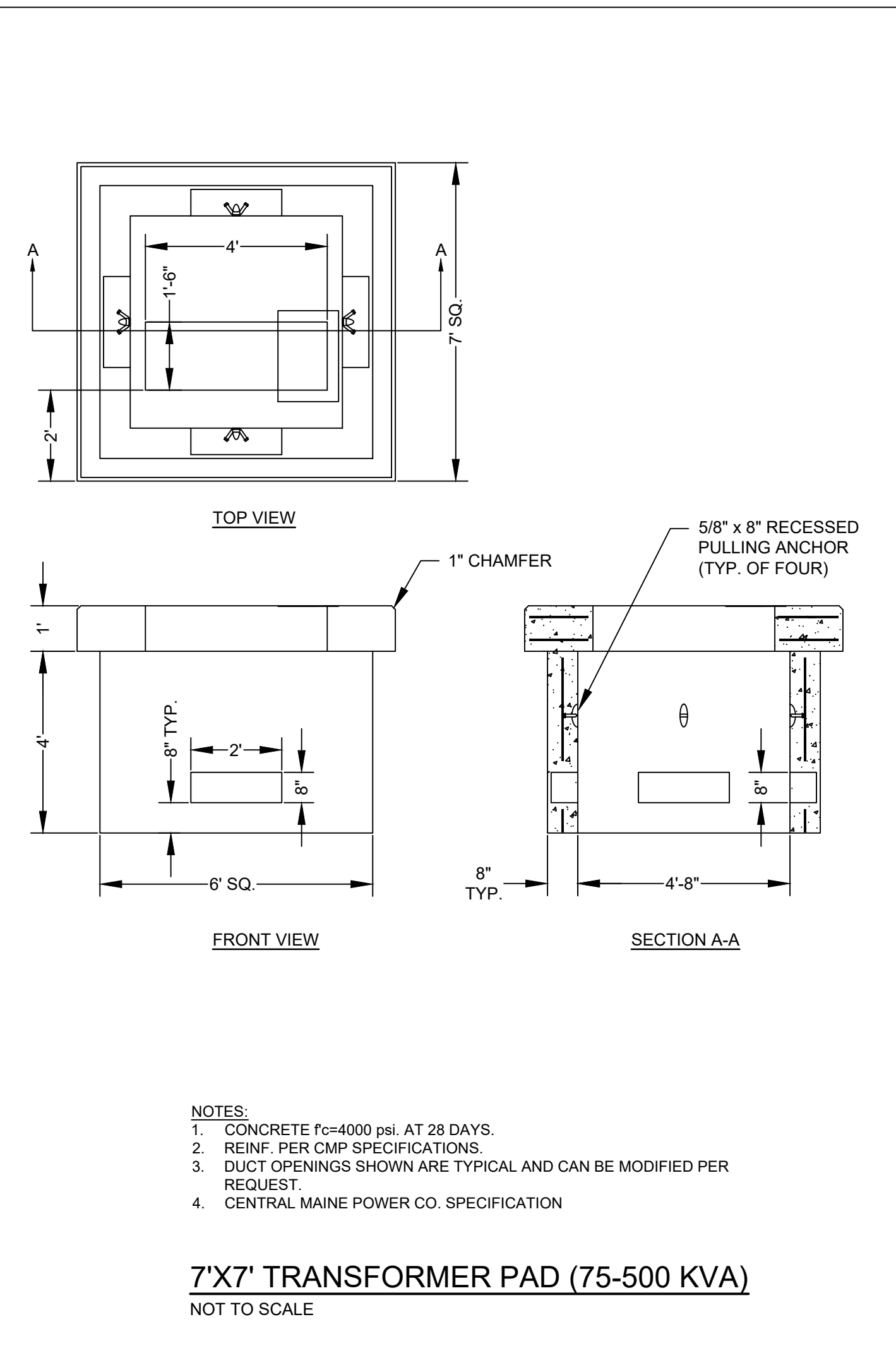
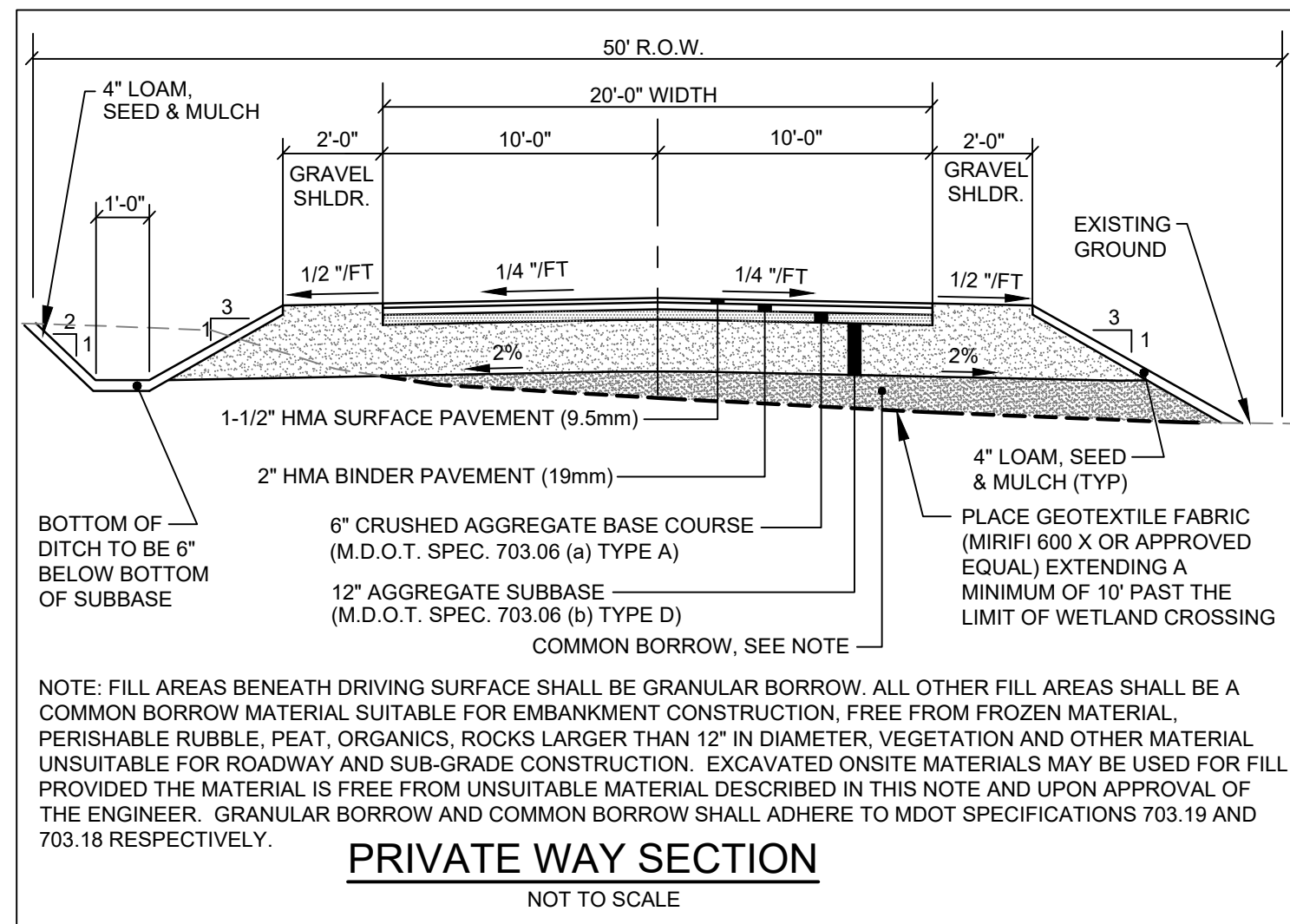


Table with columns for DATE, REVISIONS, and NO. containing project details and revision history.

Project information including address (565 CONGRESS STREET, SUITE 201, PORTLAND, ME 04102), contact details (41 CAMPUS DRIVE, SUITE 101, NEW GLOUCESTER, ME 04260), and company name (TERRADYN CONSULTANTS, LLC).

Permit drawing information table including project name (ROYALSBOROUGH ROAD SUBDIVISION), sheet title (EROSION CONTROL NOTES & DETAILS), client name (RONALD A. MILLEY & JOHN W. WEEKS), date (1/21/2021), scale (AS SHOWN), and sheet number (C-4.0).



DATE: 06.21.2021  
P.E.: ADRIENNE R. FINE

NO.	DATE	REVISIONS
1	05/07/2021	REVISED PER PLANNING BOARD COMMENTS & ISSUED FINAL PLAN
2	06/21/2021	REVISED PER PLANNING BOARD COMMENTS & RE-ISSUED FINAL PLAN

PROJECT: ROYALSBOROUGH ROAD SUBDIVISION  
1334 ROYALSBOROUGH ROAD, DURHAM, MAINE

SHEET TITLE: SITE DETAILS

CLIENT: RONALD A. MILLEY & JOHN W. WEEKS  
55 BERKELEY STREET  
PORTLAND, MAINE 04103

565 CONGRESS STREET  
SUITE 201  
PORTLAND, ME 04102

41 CAMPUS DRIVE  
SUITE 101  
NEW GLOUCESTER, ME 04260

OFFICE: (207) 926-5111 FAX: (207) 221-1317  
www.terradynconsultants.com

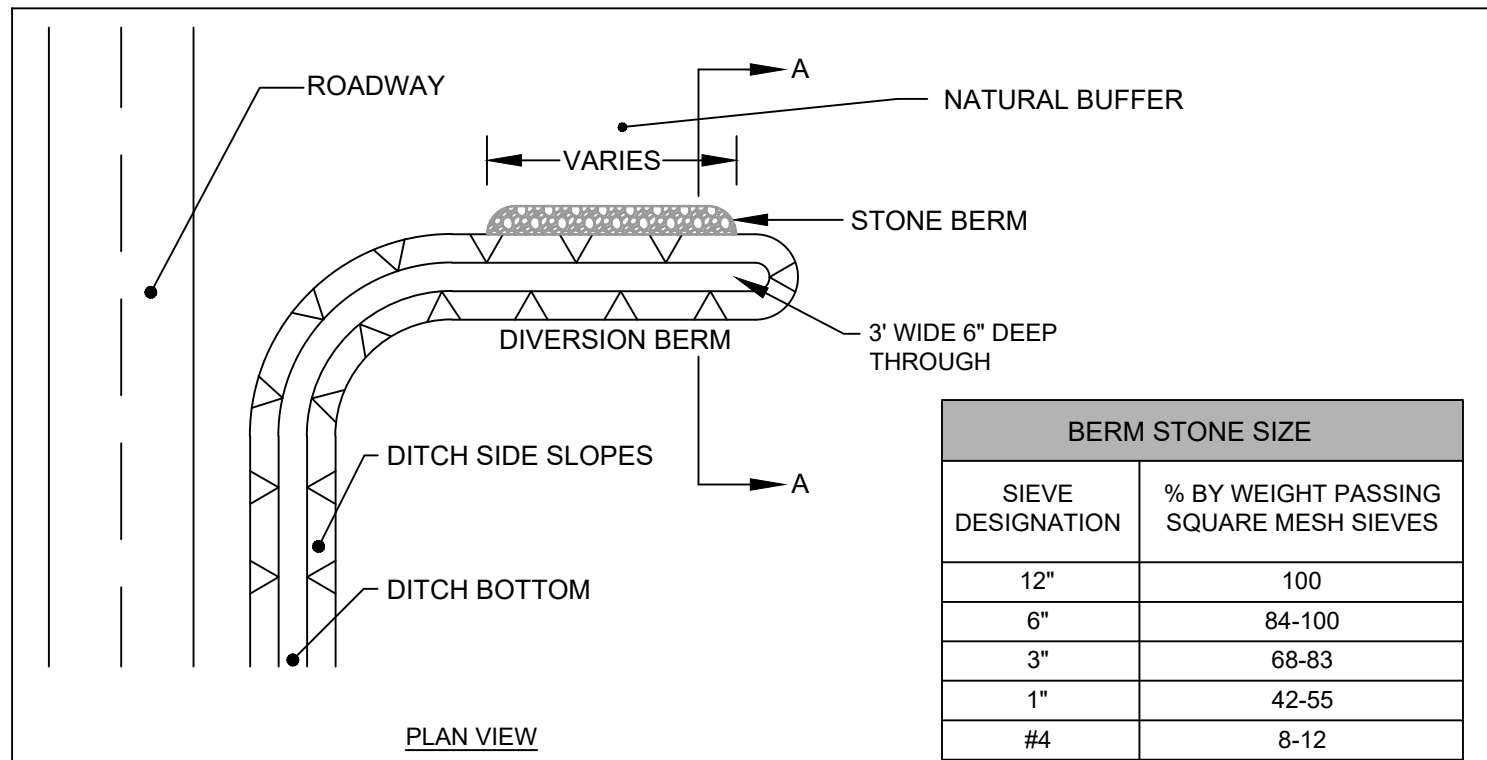
TERRADYN CONSULTANTS, LLC

Civil Engineering | Land Planning | Stormwater Design | Environmental Permitting

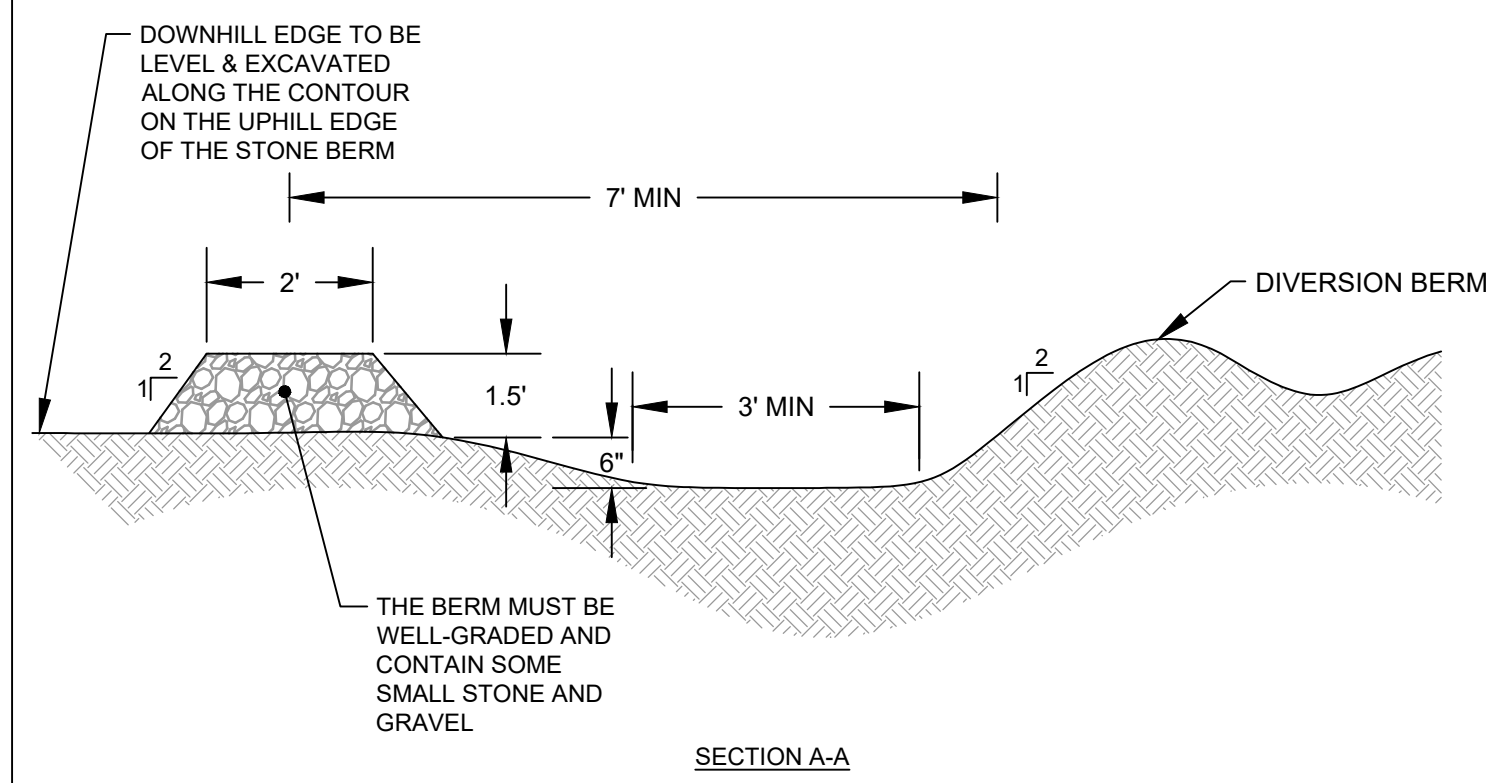
PERMIT DRAWING  
NOT FOR CONSTRUCTION

DATE: 1/21/2021  
SCALE: AS SHOWN  
DESIGNED: ARF  
JOB NO: 2081  
FILE: 2081-DETAILS.DWG

SHEET C-5.0



BERM STONE SIZE	
SIEVE DESIGNATION	% BY WEIGHT PASSING SQUARE MESH SIEVES
12"	100
6"	84-100
3"	68-83
1"	42-55
#4	8-12



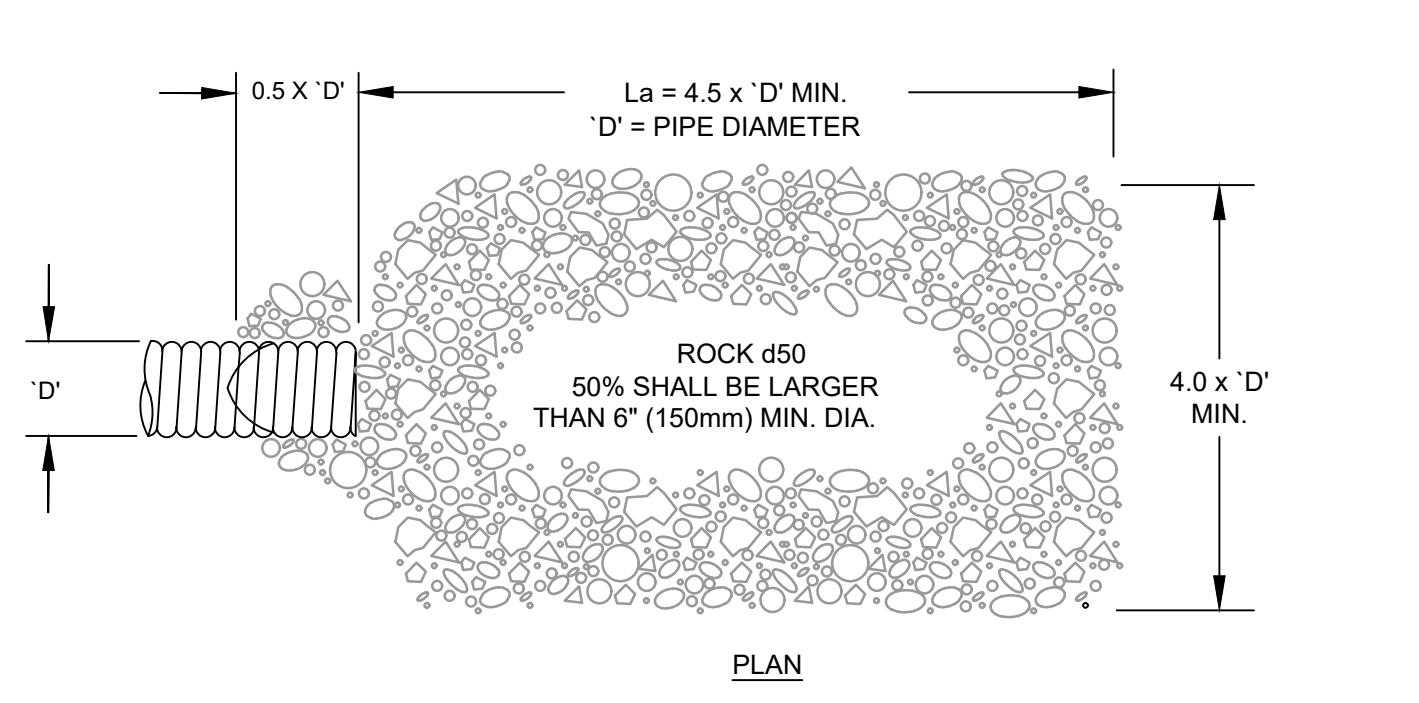
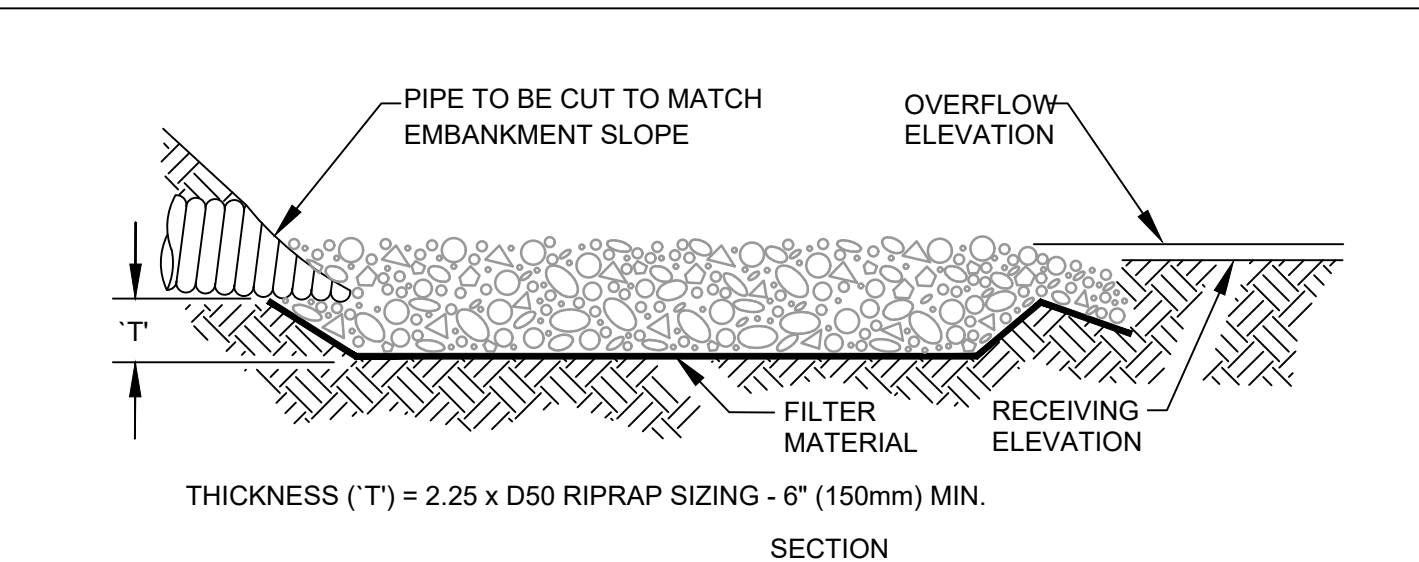
**CONSTRUCTION & POST-CONSTRUCTION PHASE NOTES:**  
**Buffers - General**  
 General forest use means that the land must be maintained with a forest cover and undisturbed soil, duff layer ground cover vegetation, and understory vegetation. Timber may be harvested on a selective basis provided that no more than 40% of the volume is harvested within any 10 year period.

**Stone Bermed Level Lip Spreader**  
 Inspections by a professional engineer shall consist of weekly visits to the site to inspect each level spreader construction, stone berm material and placement, setting basin from initial ground disturbance to final stabilization of the level spreader.

**Road Ditch Turnouts**  
 Inspections by a professional engineer shall consist of weekly visits to the site to inspect each turnout construction, turnout's stone berm material and placement, from initial ground disturbance to final stabilization of the level spreader.

**Construction**  
 1. Contractor shall field survey the existing ground elevations at proposed culvert inlet & outlet and level spreader locations and provide to engineer prior to construction. Contractor shall not proceed with culvert and level spreader installation until engineer confirms the elevations.  
 2. Contractor shall mark locations of all stormwater buffers prior to start of construction and shall protect these areas from disturbance.

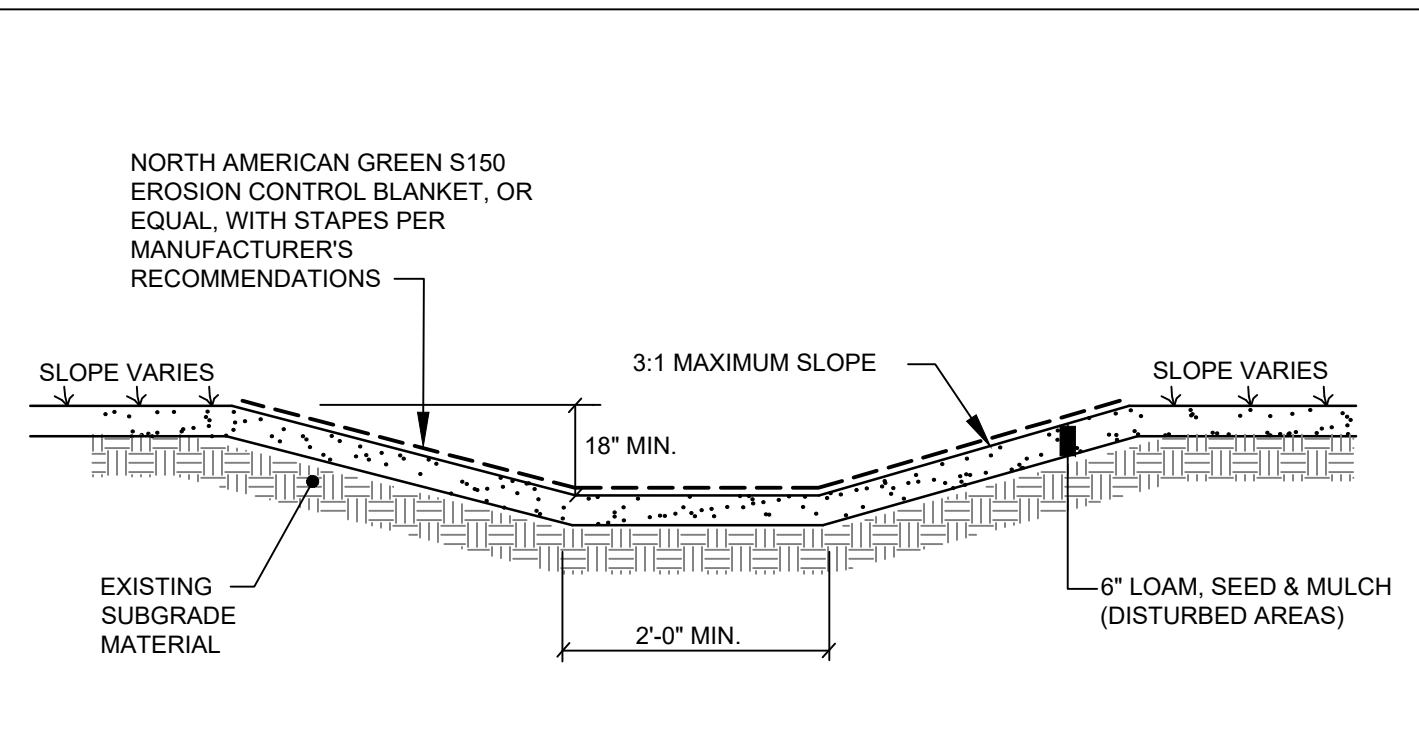
**TYPICAL STONE BERM LEVEL SPREADER**  
NOT TO SCALE



PIPE SIZE (IN)	RIP RAP SIZING (D50)	LENGTH (FT)	WIDTH (FT)
6	3	2.5	2.0
12	5	5.0	4.0
15	6	6.25	5.0
18	8	7.5	6.0
24	10	10.0	8.0
30	12	13.0	10.0
36	14	15.0	12.0

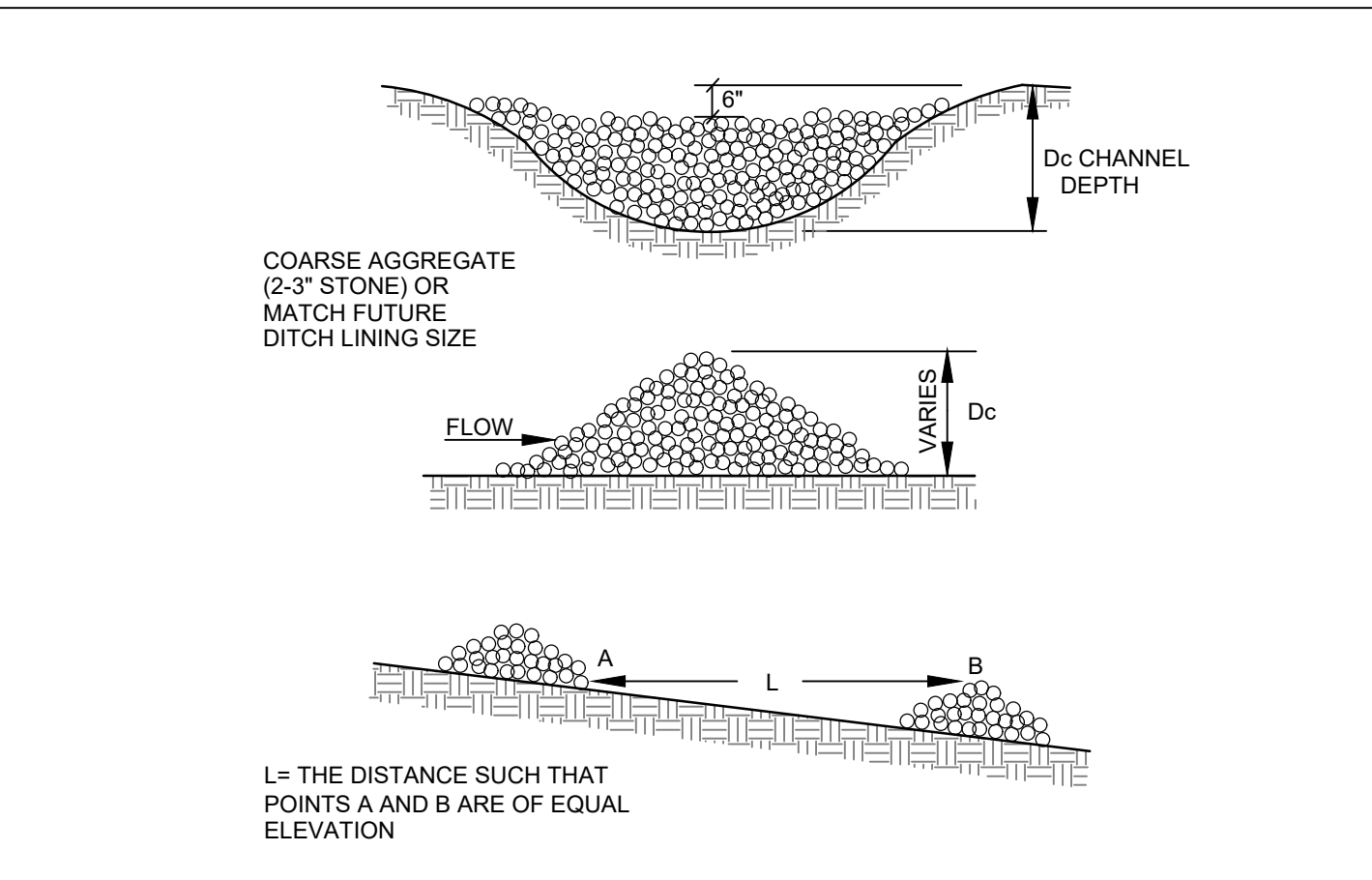
**NOTES:**  
 1. 'La' = LENGTH OF APRON. DISTANCE 'La' SHALL BE OF SUFFICIENT LENGTH TO DISSIPATE ENERGY.  
 2. APRON SHALL BE SET AT A ZERO GRADE AND ALIGNED STRAIGHT.  
 3. FILTER MATERIAL SHALL BE FILTER FABRIC (MIRAFI 600X OR APPROVED EQUAL) OR 6" (150mm) THICK MINIMUM GRADED GRAVEL LAYER.

**PIPE OUTLET PROTECTION**  
NOT TO SCALE

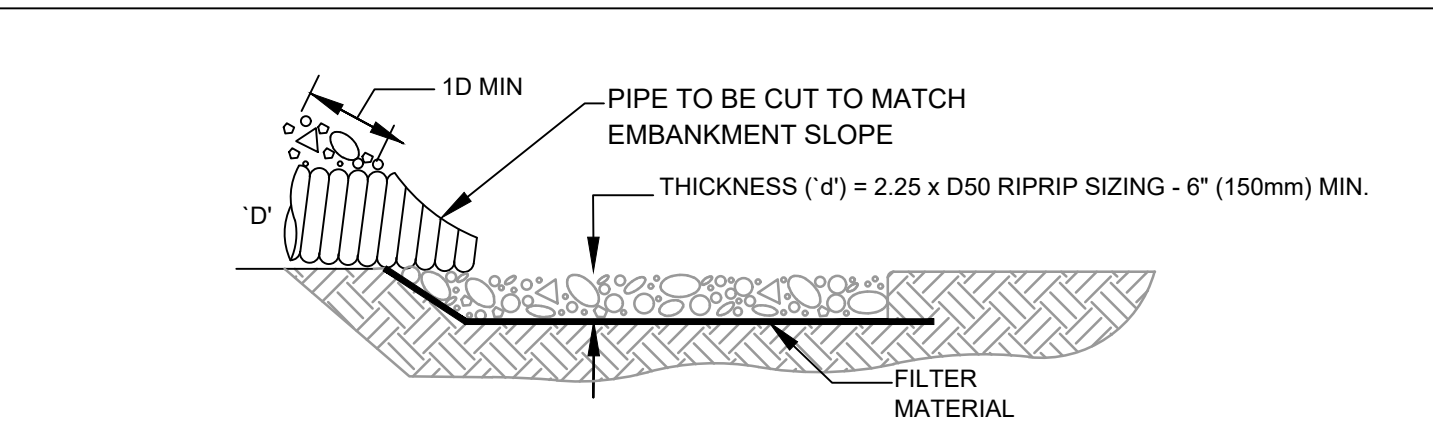


**NOTES:**  
 REFER TO GRADING PLAN FOR DITCH WIDTH AND SIDE SLOPES.  
 ROADSIDE DITCHES SHALL BE A MINIMUM OF 6" BELOW THE BOTTOM OF SUBBASE GRAVELS, AND SHALL HAVE A BOTTOM WIDTH OF 1' MIN.

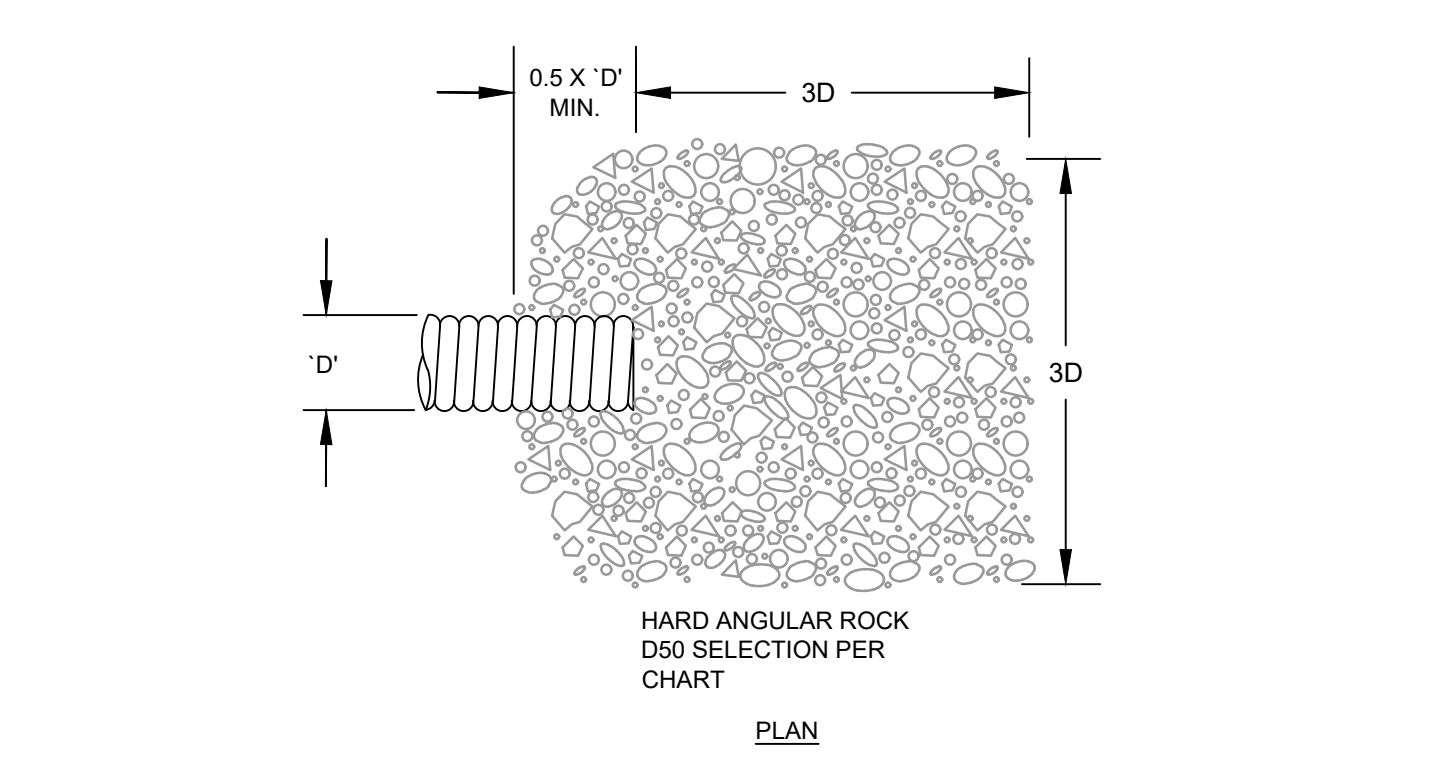
**GRASSED SWALE**  
NOT TO SCALE



**STONE CHECK DAM**  
NOT TO SCALE



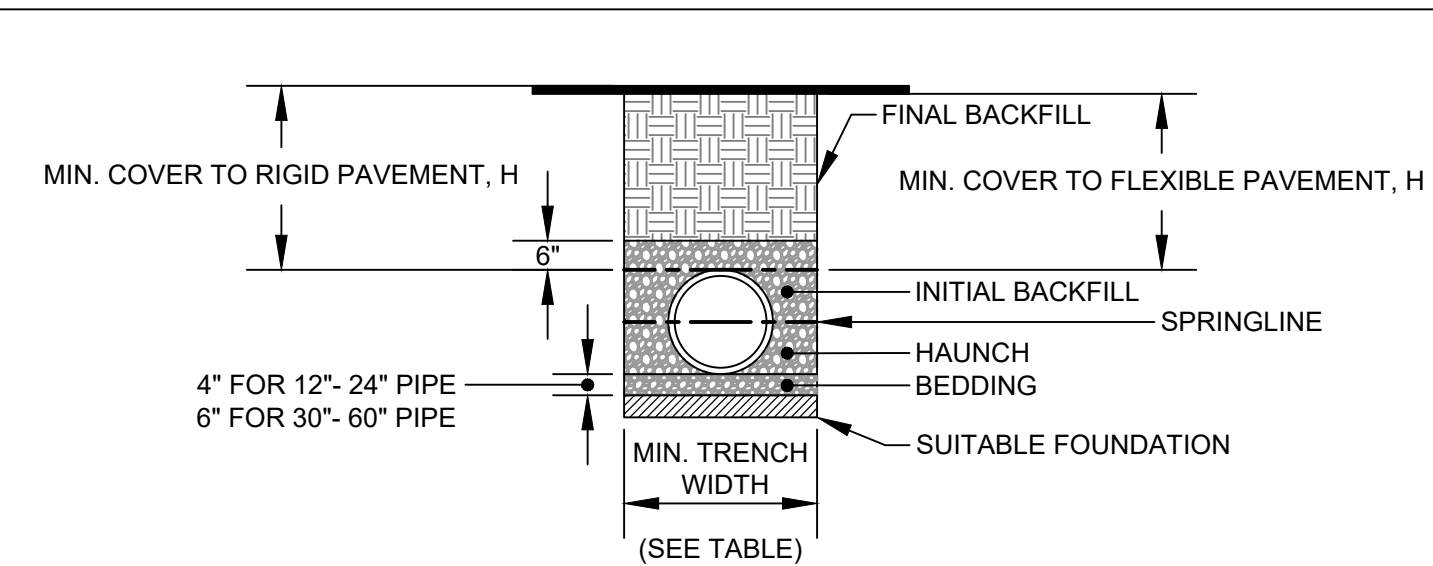
**NOTE:**  
 1. GEOTEXTILE FILTER FABRIC BENEATH STONE BASED ON UNDISTURBED SOILS, OR 6" OF 4" MINUS BAN RUN GRAVEL FREE OF FINES, CLAYS, SILTS.  
 2. GEOTEXTILE TO BE MIRAFI 600X OR APPROVED EQUAL.



PIPE SIZE (IN)	RIP RAP SIZING (D50)	LENGTH (FT)	WIDTH (FT)
6	3	2.0	1.5
12	5	3.5	3.0
15	6	4.5	3.75
18	8	5.25	4.5
24	10	7.0	6.0
30	12	8.75	7.5
36	14	10.5	9.0

**NOTES:**  
 1. IN DEFINED CHANNELS, APRON SHALL EXTEND FULL WIDTH OF BOTTOM AND ONE FOOT ABOVE MAX. HEADWATER OR UP TO BANK FULL, WHICHEVER IS LESS.

**PIPE INLET PROTECTION**  
NOT TO SCALE



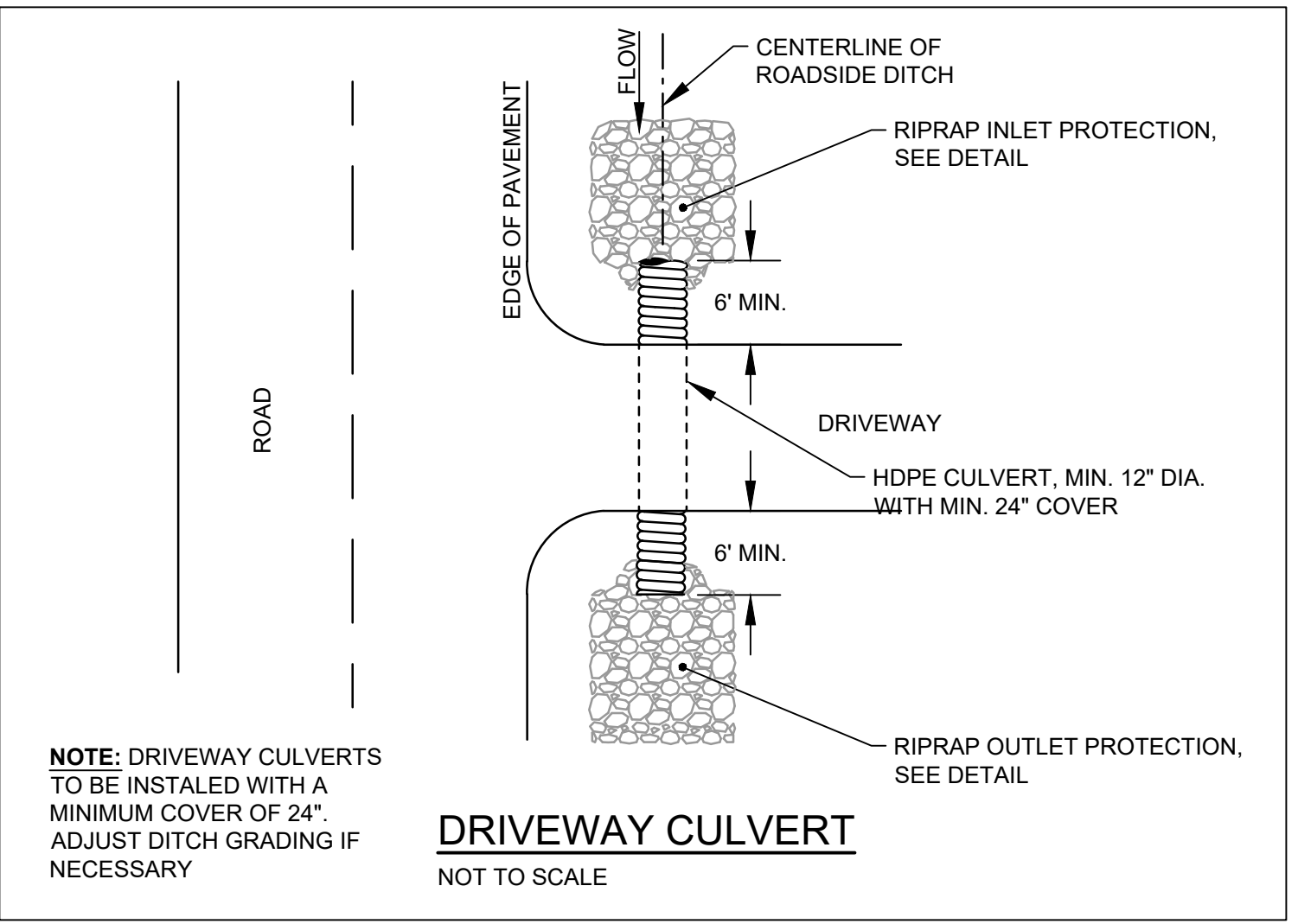
**NOTES:**  
 1. ALL PIPE SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH ASTM D2321. "STANDARD PRACTICE FOR UNDERGROUND INSTALLATION OF THERMOPLASTIC PIPE FOR SEWERS AND OTHER GRAVITY FLOW APPLICATIONS". LATEST ADDITION  
 2. MEASURES SHOULD BE TAKEN TO PREVENT MIGRATION OF NATIVE FINES INTO BACKFILL MATERIAL, WHEN REQUIRED.  
 3. FOUNDATION: WHERE THE TRENCH BOTTOM IS UNSTABLE, THE CONTRACTOR SHALL EXCAVATE TO A DEPTH REQUIRED BY THE ENGINEER AND REPLACE WITH SUITABLE MATERIAL AS SPECIFIED BY THE ENGINEER. AS AN ALTERNATIVE AND AT THE DISCRETION OF THE DESIGN ENGINEER, THE TRENCH BOTTOM MAY BE STABILIZED USING A GEOTEXTILE MATERIAL.  
 4. BEDDING: SUITABLE MATERIAL SHALL BE CLASS I, II OR III. THE CONTRACTOR SHALL PROVIDE DOCUMENTATION FOR MATERIAL SPECIFICATION TO ENGINEER, UNLESS OTHERWISE NOTED BY THE ENGINEER. MINIMUM BEDDING THICKNESS SHALL BE 4" (100mm) FOR 4"-24" (100mm-600mm); 6" (150mm) FOR 30"-60" (750mm-900mm).  
 5. INITIAL BACKFILL: SUITABLE MATERIAL SHALL BE CLASS I, II OR III IN THE PIPE ZONE EXTENDING NOT LESS THAN 6" ABOVE CROWN OF PIPE. THE CONTRACTOR SHALL PROVIDE DOCUMENTATION FOR MATERIAL SPECIFICATION TO ENGINEER. MATERIAL SHALL BE INSTALLED AS REQUIRED IN ASTM D2321, LATEST EDITION.  
 6. MINIMUM COVER: MINIMUM COVER, H, IN NON-TRAFFIC APPLICATIONS (GRASS OR LANDSCAPE AREAS) IS 12" FROM THE TOP OF PIPE TO GROUND SURFACE. ADDITIONAL COVER MAY BE REQUIRED TO PREVENT FLOATION. FOR TRAFFIC APPLICATIONS, MINIMUM COVER, H, IS 12" UP TO 48" DIAMETER PIPE AND 24" OF COVER FOR 54"-60" DIAMETER PIPE. MEASURED FROM TOP OF PIPE TO BOTTOM OF FLEXIBLE PAVEMENT OR TO TOP OF RIGID PAVEMENT.

PIPE DIAM.	MIN. TRENCH WIDTH
4"	21"
6"	23"
8"	26"
10"	28"
12"	30"
15"	34"
18"	39"
24"	48"
30"	56"
36"	64"
42"	72"
48"	80"
54"	88"
60"	96"

PIPE DIAM.	MINIMUM RECOMMENDED COVER BASED ON VEHICLE LOADING CONDITIONS	
	H-25 SURFACE LIVE LOADING CONDITION (75T AXLE LOAD) *	HEAVY CONSTRUCTION (75T AXLE LOAD) *
12" - 48"	12"	48"
54" - 60"	24"	60"

\* VEHICLES IN EXCESS OF 75T MAY REQUIRE ADDITIONAL COVER

**TYPICAL TRENCH DETAIL**  
NOT TO SCALE



**NOTE:** DRIVEWAY CULVERTS TO BE INSTALLED WITH A MINIMUM COVER OF 24". ADJUST DITCH GRADING IF NECESSARY.

1. ALL WORK SHALL CONFORM TO THE APPLICABLE CODES AND ORDINANCES.

2. CONTRACTOR SHALL VISIT THE SITE AND FAMILIARIZE HIM OR HERSELF WITH ALL CONDITIONS AFFECTING THE PROPOSED WORK AND SHALL MAKE PROVISIONS AS TO THE COST THEREOF. CONTRACTOR SHALL BE RESPONSIBLE FOR FAMILIARIZING HIM OR HERSELF WITH ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.

3. CONTRACTOR SHALL NOTIFY ENGINEER OF ALL PRODUCTS OR ITEMS NOTED AS "EXISTING" WHICH ARE NOT FOUND IN THE FIELD.

4. INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS AND OWNER'S REQUIREMENTS UNLESS SPECIFICALLY OTHERWISE INDICATED OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.

5. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD PRIOR TO FABRICATION AND ERECTION OF ANY MATERIAL. ANY UNUSUAL CONDITIONS SHALL BE REPORTED TO THE ATTENTION OF THE ENGINEER.

6. CONTRACTOR SHALL CLEAN AND REMOVE DEBRIS AND SEDIMENT DEPOSITED ON PUBLIC STREETS, SIDEWALKS, ADJACENT AREAS, OR OTHER PUBLIC WAYS DUE TO CONSTRUCTION.

7. CONTRACTOR SHALL INCORPORATE PROVISIONS AS NECESSARY IN CONSTRUCTION TO PROTECT EXISTING STRUCTURES, PHYSICAL FEATURES, AND MAINTAIN SITE STABILITY DURING CONSTRUCTION. CONTRACTOR SHALL RESTORE ALL AREAS TO ORIGINAL CONDITION AND AS DIRECTED BY DESIGN DRAWINGS.

8. SITE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS PRIOR TO CONSTRUCTION.

9. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH "MAINE EROSION AND SEDIMENTATION CONTROL BMP'S" PUBLISHED BY THE MAINE DEP IN 2003. A COPY OF THE MANUAL CAN BE FOUND AT [HTTP://MAINE.GOV/DEP/BLW/QDOC/STANDIESCBMPS/INDEX.HTM](http://maine.gov/dep/blw/qdoc/standies/bmps/index.htm). IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO POSSESS A COPY OF THE EROSION CONTROL PLAN AT ALL TIMES.

10. THE CONTRACTOR IS HEREBY CAUTIONED THAT ALL SITE FEATURES SHOWN HEREON ARE BASED ON FIELD OBSERVATIONS BY THE SURVEYOR AND BY INFORMATION PROVIDED BY UTILITY COMPANIES. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL CONTACT DIG SAFE (1-888-DIGSAFE) AT LEAST THREE (3) BUT NOT MORE THAN THIRTY (30) DAYS PRIOR TO COMMENCEMENT OF EXCAVATION OR DEMOLITION TO VERIFY HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES. CONTRACTOR SHALL BE AWARE THAT DIG SAFE ONLY NOTIFIES ITS "MEMBER" UTILITIES ABOUT THE DIG. WHEN NOTIFIED, DIG SAFE WILL ADVISE CONTRACTOR OF MEMBER UTILITIES IN THE AREA. CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING AND CONTACTING NON-MEMBER UTILITIES DIRECTLY. NON-MEMBER UTILITIES MAY INCLUDE TOWN OR CITY WATER AND SEWER DISTRICTS AND SMALL LOCAL UTILITIES, AS WELL AS USG PUBLIC WORKS SYSTEMS.

11. CONTRACTORS SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE REQUIREMENTS OF 23 MRSA 3360-A. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH THE APPROPRIATE UTILITIES TO OBTAIN AUTHORIZATION PRIOR TO RELOCATION OF ANY EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS. IF A UTILITY CONFLICT ARISES, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER, THE MUNICIPALITY AND APPROPRIATE UTILITY COMPANY PRIOR TO PROCEEDING WITH ANY RELOCATION.

12. ALL PAVEMENT MARKINGS AND DIRECTIONAL SIGNAGE SHOWN ON THE PLAN SHALL CONFORM TO THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) STANDARDS.

13. ALL PAVEMENT JOINTS SHALL BE SAWCUT PRIOR TO PAVING TO PROVIDE A DURABLE AND UNIFORM JOINT.

14. NO HOLES, TRENCHES OR STRUCTURES SHALL BE LEFT OPEN OVERNIGHT IN ANY EXCAVATION ACCESSIBLE TO THE PUBLIC OR IN PUBLIC RIGHTS-OF-WAY.

15. ALL WORK WITHIN THE PUBLIC RIGHT-OF-WAY SHALL REQUIRE A M.D.O.T. PERMIT AS WELL AS PERMITS FROM THE TOWN AS APPLICABLE.

16. THE PROPOSED LIMITS OF CLEARING SHOWN HEREON ARE APPROXIMATE BASED UPON THE PROPOSED LIMITS OF SITE GRADING. THE APPLICANT RESERVES THE RIGHT TO PERFORM NORMAL FOREST MANAGEMENT ACTIVITIES OUTSIDE OF THE CLEARING LIMIT AS SHOWN. TREE REMOVAL OUTSIDE OF THE LIMITS OF CLEARING MAY BE NECESSARY TO REMOVE DEAD OR DYING TREES OR TREE LIMBS. THIS REMOVAL IS DUE TO POTENTIAL SAFETY HAZARDS AND TO PROMOTE PROPER FOREST GROWTH.

17. IMMEDIATELY UPON COMPLETION OF CUTS/FILLS, THE CONTRACTOR SHALL STABILIZE DISTURBED AREAS IN ACCORDANCE WITH EROSION CONTROL NOTES AND AS SPECIFIED ON PLANS.  
 18. THE CONTRACTOR SHALL BE FULLY AND SOLELY RESPONSIBLE FOR THE REMOVAL, REPLACEMENT AND RECTIFICATION OF ALL DAMAGED AND DEFECTIVE MATERIAL AND WORKMANSHIP IN CONNECTION WITH THE CONTRACT WORK. THE CONTRACTOR SHALL REPLACE OR REPAIR AS DIRECTED BY THE OWNER ALL SUCH DAMAGED OR DEFECTIVE MATERIALS WHICH APPEAR WITHIN A PERIOD OF ONE YEAR FROM THE DATE OF SUBSTANTIAL COMPLETION.  
 19. ALL WORK PERFORMED BY THE GENERAL CONTRACTOR AND/OR TRADE SUBCONTRACTOR SHALL CONFORM TO THE REQUIREMENTS OF LOCAL, STATE OR FEDERAL LAWS, AS WELL AS ANY OTHER GOVERNING REQUIREMENTS, WHETHER OR NOT SPECIFIED ON THE DRAWINGS.  
 20. WHERE THE TERMS "APPROVED EQUAL", "OTHER APPROVED", "EQUAL TO", "ACCEPTABLE" OR OTHER GENERAL QUALIFYING TERMS ARE USED IN THESE NOTES, IT SHALL BE UNDERSTOOD THAT REFERENCE IS MADE TO THE RULING AND JUDGMENT OF TERRADYN CONSULTANTS, LLC.  
 21. THE GENERAL CONTRACTOR SHALL PROVIDE ALL NECESSARY PROTECTION FOR THE WORK UNTIL TURNED OVER TO THE OWNER. BEFORE THE FINAL ACCEPTANCE OF THE PROJECT, THE CONTRACTOR SHALL REMOVE ALL EQUIPMENT AND MATERIALS, REPAIR OR REPLACE PRIVATE OR PUBLIC PROPERTY WHICH MAY HAVE BEEN DAMAGED OR DESTROYED DURING CONSTRUCTION. CLEAN THE AREAS WITHIN AND ADJACENT TO THE PROJECT WHICH HAVE BEEN OBSTRUCTED BY HIS/HER OPERATIONS, AND LEAVE THE PROJECT AREA NEAT AND PRESENTABLE.  
 22. THE GENERAL CONTRACTOR SHALL MAINTAIN A CURRENT AND COMPLETE SET OF CONSTRUCTION DRAWINGS ON SITE DURING ALL PHASES OF CONSTRUCTION FOR USE OF ALL TRADES.  
 23. THE CONTRACTOR SHALL TAKE FULL RESPONSIBILITY FOR ANY CHANGES AND DEVIATION OF APPROVED PLANS NOT AUTHORIZED BY THE ARCHITECT/ENGINEER AND/OR CLIENT/OWNER.  
 24. DETAILS ARE INTENDED TO SHOW END RESULT OF DESIGN. ANY MODIFICATION TO SUIT FIELD DIMENSION AND CONDITION SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL PRIOR TO ANY WORK.  
 25. THE APPLICANT WILL RETAIN THE SERVICES OF A PROFESSIONAL ENGINEER TO INSPECT THE CONSTRUCTION AND STABILIZATION OF ALL STORMWATER MANAGEMENT STRUCTURES. IF NECESSARY, THE INSPECTING ENGINEER WILL INTERPRET THE POND'S CONSTRUCTION PLAN FOR THE CONTRACTOR. ONCE ALL STORMWATER MANAGEMENT STRUCTURES ARE CONSTRUCTED AND STABILIZED, THE INSPECTING ENGINEER WILL NOTIFY THE DEPARTMENT IN WRITING WITHIN 30 DAYS TO STATE THAT THE POND HAS BEEN COMPLETED. ACCOMPANYING THE ENGINEER'S NOTIFICATION MUST BE A LOG OF THE ENGINEER'S INSPECTIONS GIVING THE DATE OF EACH INSPECTION, THE TIME OF EACH INSPECTION, AND THE ITEMS INSPECTED ON EACH VISIT, AND INCLUDE ANY TESTING DATA OR SIEVE ANALYSIS DATA OF EVERY MINERAL SOIL AND SOIL MEDIA SPECIFIED IN THE PLANS AND USED ON SITE.

DATE: 06.21.2021  
 P.E. ADRIENNE R. FINE

NO.	DATE	REVISIONS
1	06/21/2021	REVISED PER PLANNING BOARD COMMENTS & ISSUED FINAL PLAN
2	05/07/2021	REVISED PER PLANNING BOARD COMMENTS & ISSUED FINAL PLAN

PROJECT: ROYALSBOROUGH ROAD SUBDIVISION  
 1334 ROYALSBOROUGH ROAD, DURHAM, MAINE

SHEET TITLE: STORMWATER DETAILS & NOTES

CLIENT: RONALD A. MILLEY & JOHN W. WEEKS  
 55 BERKELEY STREET  
 PORTLAND, MAINE 04103

565 CONGRESS STREET  
 SUITE 201  
 PORTLAND, ME 04102

41 CAMPUS DRIVE  
 SUITE 101  
 NEW GLOUCESTER, ME 04260

OFFICE: (207) 926-5111 FAX: (207) 221-1317  
[www.terraodynconsultants.com](http://www.terraodynconsultants.com)

PERMIT DRAWING  
NOT FOR CONSTRUCTION

DATE: 1/21/2021  
 SCALE: AS SHOWN  
 DESIGNED: ARF  
 JOB NO: 2081  
 FILE: 1818-DETAILS.DWG

SHEET C-5.1

**TOWN OF DURHAM  
PLANNING BOARD  
MEETING MINUTES  
MAY 19, 2021**

1. Call to Order/Roll Call
2. Continuing Business:  
Subdivision Application Preliminary Review  
Royalsborough Road Subdivision  
Map 2 Lot 11, 1337 Royalsborough Rd.  
**Anne Torregrossa Moves to find the Planning Board preliminarily approves the subdivision plan with the 7 (seven) outstanding issues identified, which must be addressed at the Final Plan stage, or the application will be denied. Allan Purinton Seconds. Motion Carries 5-0.**
3. Other Business:  
Anne Torregrossa announces the following upcoming dates:  
**Wednesday, June 2** – Regular Planning Board meeting, 6:30 p.m., via Zoom.
4. Adjourn:  
**Allan Purinton Moves to Adjourn. Ron Williams Seconds. Motion Carries 5-0.**

Respectfully submitted,  
Kathy Dion  
Planning Board Secretary

**TOWN OF DURHAM  
PLANNING BOARD  
MEETING MINUTES  
JUNE 2, 2021**

1. Call to Order/Roll Call
2. New Business:  
Conditional Use Permit  
Jeff Munn  
292 Brunswick Rd.  
**Anne Torregrossa Moves to approve the Conditional Use Permit.  
Allan Purinton Seconds. Motion Carries 5-0.**  
Conditonal Use Permit  
Anne Torregrossa and Benjamin Redmond  
39 Snow Rd.  
Anne Torregrossa recuses herself from this review; Juliet Caplinger leads.  
**Allan Purinton Moves to approve the Conditional Use Permit, with conditions stated. Wesley Grover Seconds. Motion Carries 5-0.**
3. Other Business:  
Anne Torregrossa announces the following upcoming dates:  
**Wednesday, June 16** – Site walk, 5:30 p.m., at Map 10 Lot 38, Bowie Hill Road subdivision; followed by public hearing, 6:30 p.m., via Zoom.  
**Wednesday, July 2** – Regular meeting, 6:30 p.m. (will check with Select Board on status of in-person vs. Zoom meetings)
4. Adjourn:  
**Juliet Caplinger Moves to Adjourn. Wesley Grover Seconds. Motion Carries 5-0.**

Respectfully submitted,  
Kathy Dion  
Planning Board Secretary

**TOWN OF DURHAM  
PLANNING BOARD  
SITE WALK/PUBLIC HEARING  
MINUTES  
JUNE 16, 2021**

1. Roll Call/Call to Order
2. New Business:  
Subdivision Application  
Map 10 Lot 38, Bowie Hill Road  
Following a Site Walk at the property, the Planning Board opens a Public Hearing on the project. The Board requests further information on this application.
3. Adjourn

Respectfully submitted,  
Kathy Dion  
Planning Board Secretary