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Subdivision Plat

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## 

That DEWITT<sub>F</sub>CORPORATION, a Maine corporation with its principal place of business in Durham, County of Androscoggin and State of Maine, grants to:

#### **DEAN SMITH**

whose mailing address is 34 Pleasant View Farm Road, Durham, ME 04222, with WARRANTY COVENANTS, a certain lot or parcel of land, together with any improvements thereon, situated in the Town of Durham, County of Androscoggin and State of Maine, more particularly described in the Exhibit A attached hereto and made a part hereof.

In Witness hereof DeWitt Corporation has caused this instrument to be singed in its corporate name by Roy DeWitt, its President, thereunto duly authorized on this 10<sup>th</sup> day of June, 2016.

Signed, Sealed and Delivered in the presence of

DeWitt Corporation,

Karın Li Zogers

By: Roy DeWitt
Its: President

STATE OF MAINE Cumberland, ss.

June 10, 2016

Then personally appeared before me the above named Roy DeWitt, President of DeWitt Corporation, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and to be the free act and deed of DeWitt Corporation.

Notary Public

Printed Name:..

......KAREN L. ROGERS .
NOTARY PUBLIC
CUMBERLAND COUNTY
MAINE
MY COMMI**56**(ON EXPIRES MAY 28, 2020

$$\begin{array}{ccc}
N & O & T \\
A & N
\end{array}$$
**EXHIBIT A**

$$\begin{array}{ccc}
N & O & T \\
A & N
\end{array}$$

All and the same premises described in a deed from George A. Leger and Matilda F. Leger to DeWitt Corporation dated October 2, 1986 and recorded in the Androscoggin County Registry of Deeds in Book 2004, Page 35.

NOT NOT

Excepting and reserving the following lots or parcels of land. NOFFICIAL OFFICIAL

- Lots 1-9 shown on a plan titled "Final Plan Revised Timber Oaks", by Brian Smith Surveying, Inc. dated July 25, 1988 and recorded in the Androscoggin County Registry of Deeds in Plan Book 34, Page 32;
- 2. Timber Oak Drive and cul-de-sac as shown on the aforesaid Plan;
- 3. The lot shown on the aforesaid Plan labeled "George & Matilda Leger to DeWitt Corporation, Book 2004, Page 35, 10-2-1986, 344,926 Sq. Ft."; and
- 4. The premises described in a deed from of DeWitt Corporation to DeWitt Builders, Inc. dated August 24, 2001 and recorded in the Androscoggin County Registry of Deeds at Book 4759, Page 66, and by a Corrective Deed of even or near date which Corrective Deed also conveys an access easement.

The premises conveyed herein is more particular described as bounded on the north by land now or formerly of Sandra and Quincy Herling, land now or formerly of Joanne Simonelli, and land now or formerly of Robert Marstaller, on the east by land now or formerly of Parker Morse and Cheryl Morse, on the south by land now or formerly of Robert and Nikki Boucher, land now or formerly of DeWitt Builders and Hallowell Road, so-called, and on the west by land shown on a plan titled "Final Plan – Revised Timber Oaks", by Brian Smith Surveying, Inc. dated July 25, 1988 and recorded in the Androscoggin County Registry of Deeds in Plan Book 34, Page 32, the lot shown on the aforesaid Plan labeled "George & Matilda Leger to DeWitt Corporation, Book 2004, Page 35, 10-2-1986, 344,926 Sq. Ft.", and land now or formerly of Seth Pruzansky.



ISSUED BY

**First American Title Insurance Company** 

## Commitment

#### COMMITMENT FOR TITLE INSURANCE

#### **Issued By**

#### FIRST AMERICAN TITLE INSURANCE COMPANY

#### NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

#### COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, *First American Title Insurance Company*, a Nebraska Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

First American Title Insurance Company

Dennis J. Gilmore, President

Jeffrey S. Robinson, Secretary

If this jacket was created electronically, it constitutes an original document

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#### COMMITMENT CONDITIONS

#### 1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.
- 2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
- 3. The Company's liability and obligation is limited by and this Commitment is not valid without:
  - (a) the Notice:
  - (b) the Commitment to Issue Policy;
  - (c) the Commitment Conditions;
  - (d) Schedule A;
  - (e) Schedule B, Part I-Requirements;
  - (f) Schedule B, Part II—Exceptions; and
  - (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

#### 4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

#### 5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
  - (i) comply with the Schedule B, Part I—Requirements;
  - (ii) eliminate, with the Company's written consent, any Schedule B, Part II-Exceptions; or
  - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.

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Form 5030000 (1-31-17)

Page 2 of 3

- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any,
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

#### 6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

#### 7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

#### PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

#### 9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <a href="https://www.alta.org/arbitration">https://www.alta.org/arbitration</a>.

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## First American Title™

#### ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

# Schedule A

Transaction Identification Data for reference only:

Issuing Agent:

Issuing Office's ALTA® Registry ID: 1064048

Commitment No.:

Property Address: Hallowell Road, Maine

Revision No.:

Issuing Office: Royall Title Company

Loan ID No.:

Issuing Office File No.: 3951-T

SCHEDULE A

Commitment Date: 06/14/22 @ 8:00AM

Policy to be issued:

(a) ALTA® Owner's Policy of Title Insurance (6-17-06)

Proposed Insured: Jack Doughty Proposed Policy Amount: \$200,000.00

(b) ALTA® Loan Policy of Title Insurance (6-17-06)

Proposed Insured: \*NONE\*

Proposed Policy Amount: \* NONE \*

(c)

Policy

Proposed Insured:

Proposed Policy Amount: \$

- The estate or interest in the Land described or referred to in this Commitment is Fee Simple.
- The Title is, at the Commitment Date, vested in: Dean Smith
- The Land is described as follows: Hallowell Road, in the City/Town of, County of, and State of ME. See Exhibit "A" attached hereto and made a part hereof.

FIRST AMERICAN TITUE INSURANCE COMPANY

Authorized Signatory

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Maine-Schedule A



#### **EXHIBIT A**

All and the same premises described in a deed from George A. Leger and Matilda F. Leger to DeWitt Corporation dated October 2, 1986 and recorded in the Androscoggin County Registry of Deeds in Book 2004, Page 35.

Excepting and reserving the following lots or parcels of land:

- 1. Lots 1-9 shown on a plan titled "Final Plan Revised Timber Oaks", by Brian Smith Surveying, Inc. dated July 25, 1988 and recorded in the Androscoggin County Registry of Deeds in Plan Book 34, Page 32;
- 2. Timber Oak Drive and cul-de-sac as shown on the aforesaid Plan;
- 3. The lot shown on the aforesaid Plan labeled "George & Matilda Leger to DeWitt Corporation, Book 2004, Page 35, 10-2-1986, 344,926 Sq. Ft."; and
- 4. The premises described in a deed from of DeWitt Corporation to DeWitt Builders, Inc. dated August 24, 2001 and recorded in the Androscoggin County Registry of Deeds at Book 4759, Page 66, and by a Corrective Deed of even or near date which Corrective Deed also conveys an access easement.

The premises conveyed herein is more particular described as bounded on the north by land now or formerly of Sandra and Quincy Herling, land now or formerly of Joanne Simonelli, and land now or formerly of Robert Marstaller, on the east by land now or formerly of Parker Morse and Cheryl Morse, on the south by land now or formerly of Robert and Nikki Boucher, land now or formerly of DeWitt Builders and Hallowell Road, so-called, and on the west by land shown on a plan titled "Final Plan – Revised Timber Oaks", by Brian Smith Surveying, Inc. dated July 25, 1988 and recorded in the Androscoggin County Registry of Deeds in Plan Book 34, Page 32, the lot shown on the aforesaid Plan labeled "George & Matilda Leger to DeWitt Corporation, Book 2004, Page 35, 10-2-1986, 344,926 Sq. Ft.", and land now or formerly of Seth Pruzansky.



ISSUED BY

First American Title Insurance Company

## Schedule BI & BII

Commitment No.:

#### SCHEDULE B, PART I

#### Requirements

All of the following Requirements must be met:

- 1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
- 2. Pay the agreed amount for the estate or interest to be insured.
- 3. Pay the premiums, fees, and charges for the Policy to the Company.
- 4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

Duly executed and recorded deed from Dean Smith vesting fee simple title to Jack Doughty.

5. Discharge and/or termination of the following liens or encumbrances:

Duly executed and recorded Discharge of Mortgage from DeWitt Corporation to Dean Smith discharging mortgage recorded in the Androscoggin County Registry of Deeds in Book 9388, Page 327.

Payment of all outstanding real estate taxes and municipal charges at or prior to closing.

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Form 5030023 (5-17-17)

Page 1 of 2

Maine-Schedule BI & BII



ISSUED BY

First American Title Insurance Company

## Schedule BI & BII (Cont.)

Commitment No.:

#### SCHEDULE B, PART II

#### Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

- 1. Any facts, rights, interests, or claims that are not shown in the Public Records but that could be ascertained by an inspection of the Land or by making inquiry of persons in possession of the Land.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title, including discrepancies. conflicts in boundary lines, shortages in area, or any other facts that would be disclosed by an accurate and complete land survey of the Land, and that are not shown in the Public Records.
- Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown in the Public Records.
- Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
- Real estate taxes and municipal charges as follows: Real estate taxes in the amount of for are paid through. The next tax due date is.
- IFTHE INSURED PREMISES IS A CONDOMINIUM UNIT: Covenants, conditions, restrictions, reservations, easements, liens for assessments, options, powers of attorney, and limitations on title, created by the laws of the State of the insured premises or set forth in the Master Deed or Declaration of Condominium, in the related By-Laws, in the Declaration of Trust, or Site Plans and Floor Plans as duly recorded in the appropriate land records office and as the same may have been lawfully amended, and in any instrument creating the estate or interest insured by this policy.
- ⊠ See attached Schedule B Part II Continuation Sheet for additional Exceptions.

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ISSUED BY

**First American Title Insurance Company** 

## Schedule BI & BII (Cont.)

Commitment No.:

#### SCHEDULE B, PART II

**Exceptions (Continued)** 

- 7. Outstanding mortgage from Dean Smith to DeWitt Corporation dated June 10, 2016 and recorded in the Androscoggin County Registry of Deeds in Book 9388, Page 327.
- 8. Rights and easement granted by DeWitt Corporation to Central Maine Power Company and New England Telephone and Telegraph Company by instrument dated November 6, 1987 and recorded in the Androscoggin County Registry of Deeds in Book 2196, Page 240, as such may affect the insured premises.
- 9. Boundary Line Agreement by and between Dean Smith and Dean Smith, Inc. dated May 8, 2018 and recorded in the Androscoggin County Registry of Deeds in Book 9835, Page 157.
- 10. Any exception, reservation, restriction, easement or condition as set out in the attached Exhibit A.
- 11. The exact acreage or contents measurements of the premises will not be insured.
- 12. Title to and rights of the public and others entitled thereto in and to those portions of the insured premises lying within the bounds of adjacent streets, roads and ways or any portion of the premises lying beyond the high water mark of any abutting body of water.

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#### MARCOTTE ENVIRONMENTAL

Wastewater ◆ Groundwater ◆ Wetlands ◆ Environmental Compliance

June 11, 2022

PN: #22020

Jack Doughty 231 Flying Point Road Freeport, ME 04032

**REFERENCE:** Preliminary Septic System Investigation

Deer Creek Crossing - Map 7 / Lot 32A - Durham, Maine

Dear Jack:

I completed a Preliminary Septic System Investigation at the above referenced property ("the site") on June 5, 2022, for a proposed 13-lot residential subdivision. The investigation was performed to evaluate soil and site conditions for proposed septic system suitability in accordance with the State of Maine Subsurface Wastewater Disposal Rules (August 3, 2015) for first-time systems.

#### **FIELD INVESTIGATION**

Soil explorations were performed at (12) locations with a hand auger, shovel, and tile probe. Explorations were logged as TP-1 through TP-12. Soils and site conditions at all tested locations met first-time conditions for a 3- or 4-bedroom home. Refer to Attachment 1 for soil logs.

Soil explorations were located with handheld GPS to an accuracy of approximately 20 feet. Refer to Attachment 2 for a Soil Test Location Map.

#### **SOILS DESCRIPTION**

Soils at the tested locations consisted predominantly of loamy fine sand to loamy sand overlying a denser and finer textured hydraulically restrictive horizon (Mixed Geological Origins – Soil Profile 7). Evidence of seasonally perched water table above the hydraulically restrict horizon was observed in lower areas of the site near mapped wetlands. In topographically higher areas the depth of sand in places exceeds 4 feet (TP-3, Outwash Sands - Soil Profile 5). Soils on the northeastern side of the property observed at TP-1 consisted of 24 inches of loamy sand cover over a gravelly / rocky horizon which is likely till.

The stone bed square foot equivalent gallon per day per square foot (GPD/SF) loading rate is 2.6 square foot per gallon per day (SF/GPD) for Soil Profile 5, and 3.3 GPD/SF for Soil Profile 7.

#### PROPOSED DISPOSAL FIELDS

Stone bed disposal fields should be suitable at most locations for a 3- to 4-bedroom home. In the event a smaller disposal area footprint is needed then propriety devices such as plastic chambers, or Eljen Geotextile Sand Filters can be used to reduce the disposal field footprint by 50% or more.

A tabular summary of typical disposal field footprints for 3- and 4-bedroom home on each lot is provided below.

Lot #	Test Pit	Soil Profile (Classification)	I Stone Red		
1	TP-1	Profile 7 Mixed Origins	20 ft v 45 ft	20 ft x 55 ft	
2	TP-2	Profile 7 - Mixed Origins	20 ft x 45 ft		
3	TP-3	Profile 5 – Outwash Sand	20 ft x 35 ft	20 ft x 45 ft	
4	TP-4				
5	TP-5		20 ft x 45 ft	20 ft x 55 ft	
6	TP-6				
7	TP-7				
8	TP-8	Profile 7 - Mixed Origins			
9	TP-9				
10	TP-10				
11	TP-11				
12	TP-12				
13	TP-13	Profile 5 – Outwash Sand	20 ft x 35 ft	20 ft x 45 ft	

#### **CLOSURE**

Soils and site conditions at the tested locations meet the State of Maine Subsurface Wastewater Disposal Rules (August 3, 2015) criteria for first-time systems. Note that a complete HHE-200 application for each proposed subsurface wastewater disposal system must be prepared by a Licensed Site Evaluator and approved by the Local Plumbing Inspector prior to installation.

If you have any questions concerning this letter, please feel free to contact me.

Sincerely yours,

Marcotte Environmental

Stephen B. Marcotte, CG, LSE

Principal

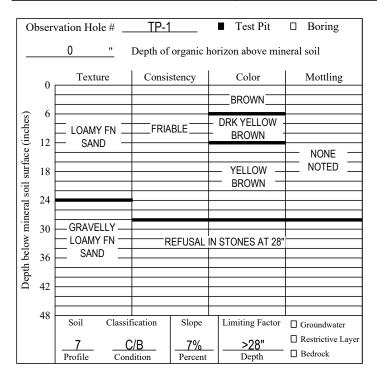
# **ATTACHMENT 1**

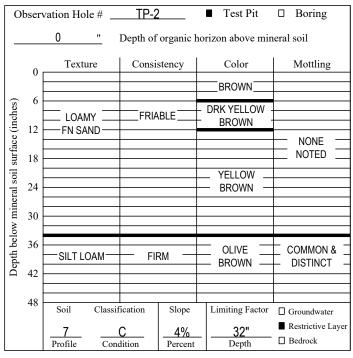
Soil Test Logs

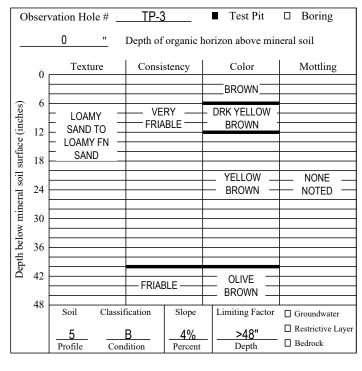
#### SOIL PROFILE / CLASSIFICATION INFORMATION

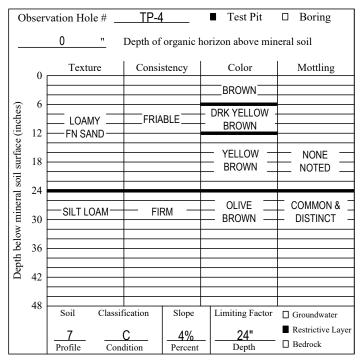
DETAILED DESCRIPTION OF SUBSURFACE CONDITIONS AT PROJECT SITES

Project Name:
Hallowell Road Property
Applicant Name:
Jack Doughty
Project Location (municipality):
Durham









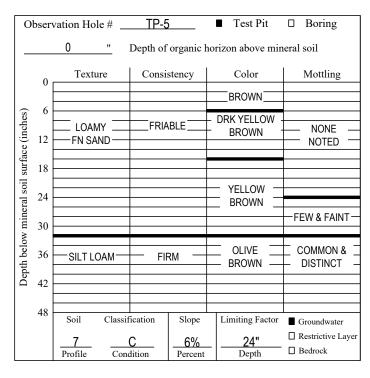
INVESTIGATOR INFORMATION AND SIGNATURE							
Signature: Stare Mapate	Date: 6/5/2022						
Name Printed/typed: Stephen B. Marcotte	Cert/Lic/Reg.# SE387						
110101	Certified Soil Scientist Other:						

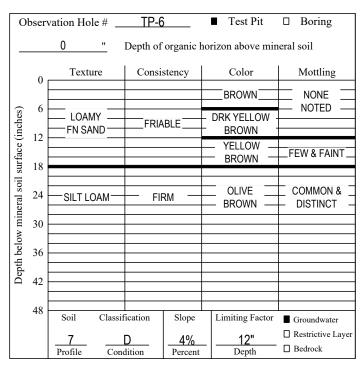


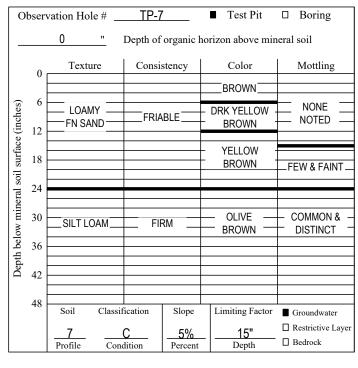
### SOIL PROFILE / CLASSIFICATION INFORMATION

DETAILED DESCRIPTION OF SUBSURFACE CONDITIONS AT PROJECT SITES

Project Name: Applicant Name: Project Location (municipality):
Hallowell Road Property Jack Doughty Durham





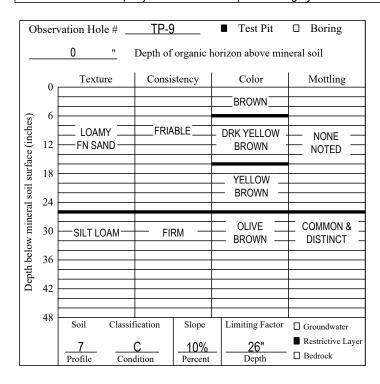


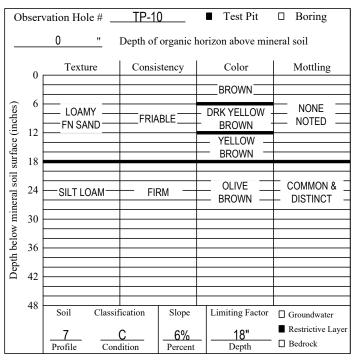
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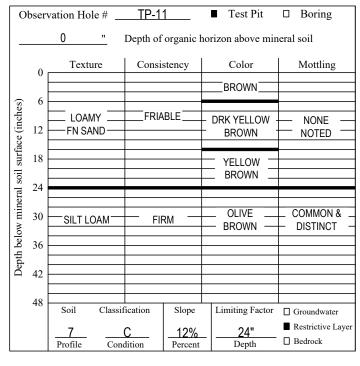
INVESTIGATOR INFORMATION AND SIGNATURE							
Signature: Steve Marcolles	Date: 6/5/2022						
Name Printed/typed: Stephen B. Marcotte	Cert/Lic/Reg.# SE387						
Title: ■ Licensed Site Evaluator □ Ce □ Certified Geologist □ Otl	rtified Soil Scientist ner:						

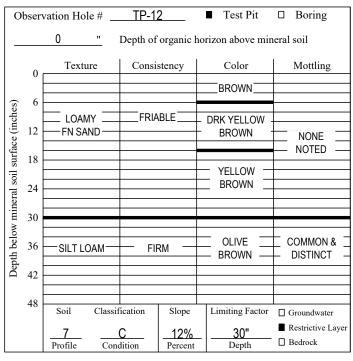


# SOIL PROFILE / CLASSIFICATION INFORMATION DETAILED DESCRIPTION OF SUBSURFACE CONDITIONS AT PROJECT SITES Project Name: Hallowell Road Property Applicant Name: Jack Doughty Project Location (municipality): Durham









INVESTIGATOR INFORMATION AND SIGNATURE							
Signature: Steve Mazates	Date: 6/5/2022						
Name Printed/typed: Stephen B. Marcotte	Cert/Lic/Reg.# SE387						
11tic.	rtified Soil Scientist						
☐ Certified Geologist ☐ Ot	her:						



#### PAGE 3 OF 4 DETAILED DESCRIPTION OF SUBSURFACE SOIL PROFILE / CLASSIFICATION INFORMATION CONDITIONS AT PROJECT SITES Applicant Name: Project Name: Project Location (municipality): Hallowell Road Property Jack Doughty Durham Observation Hole # TP-13 Test Pit Observation Hole # □ Test Pit □ Boring Depth of organic horizon above mineral soil Depth of organic horizon above mineral soil Mottling Mottling Texture Consistency Color Texture Consistency Color **BROWN** 6 Depth below mineral soil surface (inches) Depth below mineral soil surface (inches) VERY DRK YELLOW LOAMY **FRIABLE BROWN** SAND TO 12 12 LOAMY FN SAND 18 18 YELLOW NONE 24 **BROWN** NOTED 24 30 30 36 36 42 42 OLIVE FRIABLE **BROWN** 48 48 Slope Soil Classification Limiting Factor ☐ Groundwater Soil Classification Slope Limiting Factor ☐ Groundwater ☐ Restrictive Layer ☐ Restrictive Layer 4% >48" В ☐ Bedrock ☐ Bedrock Profile Profile Condition Percent Depth Condition Percent Depth Observation Hole # □ Test Pit □ Boring

_			"	Depth of	organic l	norizon above m	ineral soil
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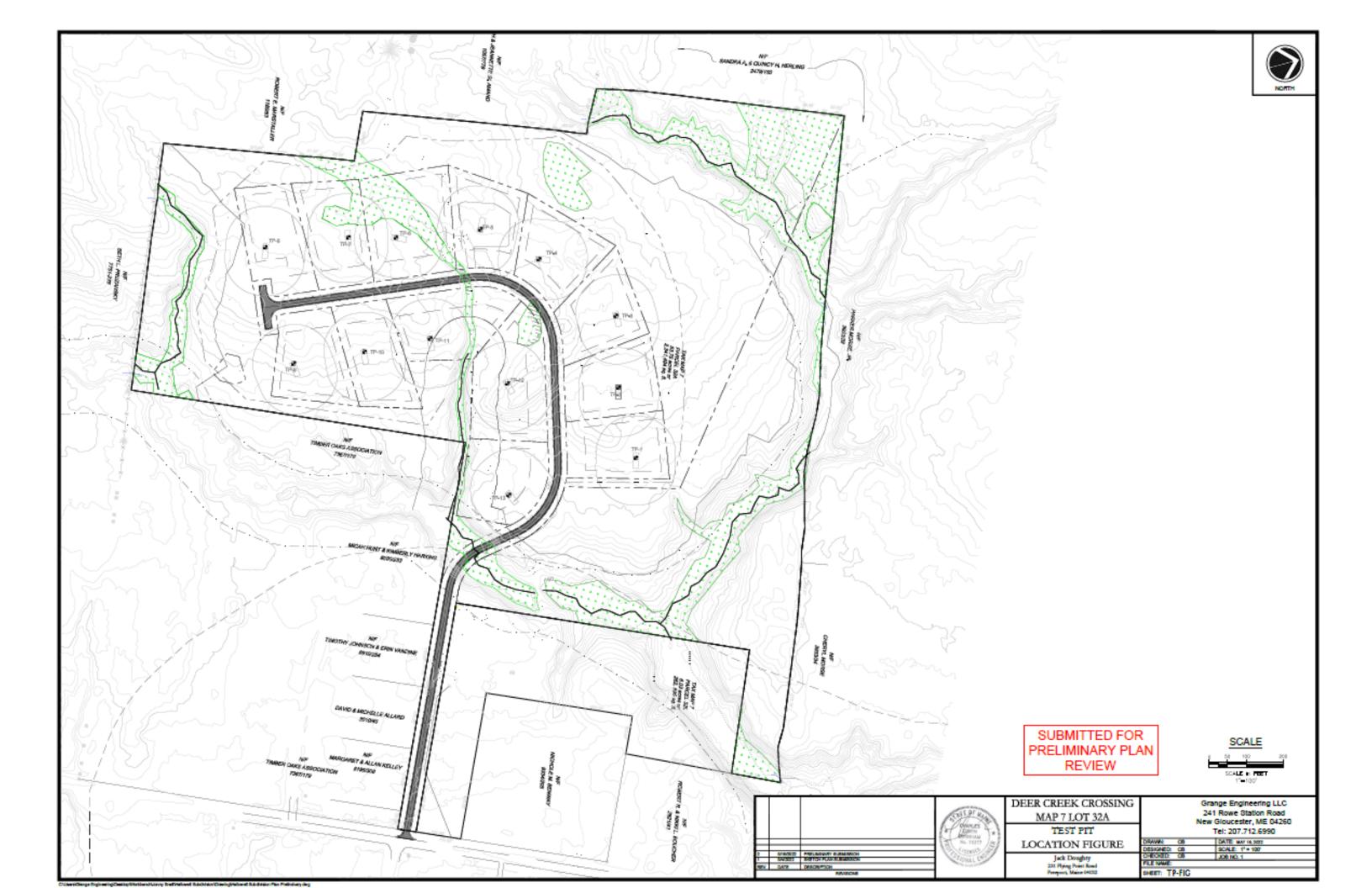
Observation Hole #						☐ Test Pit ☐ Boring			
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	48	Soil	Classif	ication	Slope	Lim	niting Factor	Groundwater	
		Profile	Cond	lition	Percent	_	Depth	☐ Restrictive Layer ☐ Bedrock	

INVESTIGATOR INFORMATION AND SIGNATURE							
Signature: Steve Massattes	Date: 6/5/2022						
Name Printed/typed: Stephen B. Marcotte	Cert/Lic/Reg.# SE387						
1100.	ertified Soil Scientist ther:						



# **ATTACHMENT 2**

Soil Test Location Map



WELL LOCATION ADDRESS	TAX MAP NO	TAX LOT NO	WELL USE	WELL TYPE	CASING LENGTH FT	WELL DEPTH FT	WELL YIELD GPM
DAVIS RD	7	10	DOMESTIC	BEDROCK		183	12
			DOMESTIC	OVERBURDEN	90	95	40
RTE 136			DOMESTIC	BEDROCK		73	30
SOUTHWEST BEND	7	36	DOMESTIC	BEDROCK	137	300	0.5
	6	132	INSTITUTIONAL	BEDROCK	91	220	60
	7	4	DOMESTIC	GRAVEL PACKED		68	15
			DOMESTIC	OVERBURDEN		22	
DURHAM, PLUMMER'S MILL	6	115	DOMESTIC	BEDROCK	60	380	1.5
29 TIMBER OAKS DRIVE (LOT 6)	7	32 G	DOMESTIC	BEDROCK	80	320	10
16 TIMBER OAKS DRIVE (LOT 2)	7	32 C	DOMESTIC	BEDROCK	105	500	1
81 OLD BRUNSWICK ROAD	7	98A	DOMESTIC	BEDROCK	70	255	10
99 OLD BRUNSWICK RD.	7	97	DOMESTIC	BEDROCK	94	205	15
80 PINE KNOLL DRIVE	7	281	DOMESTIC	BEDROCK	35	530	6
SAME	6	113-F	DOMESTIC	BEDROCK	60	400	1.5
103 OLD BRUNSWICK ROAD	6	114A	DOMESTIC	BEDROCK	160	540	30
DAVIS RD	11	01C	DOMESTIC	GRAVEL	100	110	100
621 HALLOWELL ROAD	6	13	DOMESTIC	BEDROCK	95	224	20
735 HALLOWELL ROAD	7	32A	DOMESTIC	BEDROCK	100	445	1
788 HALLOWELL ROAD	7	46	DOMESTIC	BEDROCK	75	400	3.5
706 HALLOWELL ROAD	7	35	DOMESTIC	BEDROCK	140	325	20
206 DAVIS ROAD	7	7	DOMESTIC	BEDROCK	30	555	10
SAND HILL DR			DOMESTIC	BEDROCK	20	275	2
730 HALLOWELL RD	7	37	DOMESTIC	BEDROCK	140	200	60
94 SAND HILL DR			DOMESTIC	BEDROCK	40	140	30
15 SAND HILL DR			DOMESTIC	BEDROCK	20	430	2
812 HALLOWELL ROAD	7	48	DOMESTIC	BEDROCK	121	180	8
12 HEMLOCK LN			DOMESTIC	BEDROCK	40	380	3

Average (GPM)	18.9



To: Stonex Landscaping & Excavation

768 Newell Brook Rd Durham, ME 04222 Date: March 14, 2022

From: Alexander A. Finamore, CWS, LSE

Mainely Soils, LLC

Re: Route 9 - Map 7, Lot 32A, Durham, ME - Wetland Delineation,

Memorandum

At the request of Stonex Landscaping & Excavation (the "Client"), Mainely Soils conducted on-site wetland and waterbody delineations, preliminary vernal pool surveys, and septic suitability test pits on a parcel, approximately 53.75 acres in size located on the north side of Route 9 in Durham, Maine. These field investigations were performed to provide baseline environmental data to inform the client of potential development/use of the site. The natural resources assessments described in this memorandum were completed in March of 2022. In addition to describing the identified resources this report describes the existing conditions within the study area, and the methodologies employed for the assessments.

#### PROJECT DESCRIPTION

The project site is located within the Rural, Residential & Agricultural District along the Route 9 corridor in the Town of Durham. The site is currently vacant forested land that has been logged in the past 10 years. Surrounding land use of the site is residential to the south, east and west, and vacant forested land to the north. Proposed use of the site is to develop residential houselots. Access to the site is currently from Route 9 to the south. In total, the wetland and waterbody delineation survey area encompassed approximately 53.75 acres, identified by the Town of Durham as Tax Map 7, Lot 32A.

#### SITE DESCRIPTION

The Study Area occurs in the Southern Coastal biophysical region of Maine (McMahon, 1990). The Southern Coastal biophysical region is characterized by relatively flat terrain, with elevations generally ranging up to 100 feet above sea level. Bedrock is frequently exposed and covered by thin glacial deposits. Along the immediate coast, soils are generally deep sands (where beaches occur) or shallow sandy loams that are well to excessively drained. Extensive coarse-grained glaciomarine deposits occur in the central portion of the South Coastal Region and along its western margin. The survey area is located within the Lower Androscoggin watershed (Hydrologic Unit Classification (HUC) 8 identification 01040002).

The Natural Resource Conservation Service soil survey mapping identifies native soils at the site as being formed in glacial-fluvial or glacio-lacustrine sand on outwash plains, deltas, lake plains, moraines, terraces, and eskers (Ninigret and Adams series) (Web Soil Survey, 2022). The Adams series is a somewhat excessively drained map unit while the Ninigret series is a moderately drained soil.

#### Study Methodology

Mainely Soils conducted wetland delineation field work within the survey area in March 2022. The boundary of wetlands were delineated in accordance with the Army Corps of Engineers 1987 Wetland Delineation Manual (1987 Manual) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version

Route 9 - Map 7, Lot 32A, Durham, ME - Wetland Delineation Memorandum Page 2 of 5 March 14, 2022

2.0) (Regional Supplement, 2012). All wetland delineations were conducted using the Routine Determination Methods, which requires that a wetland contain a dominance of hydrophytic vegetation, hydric soils, and evidence of hydrology in order to be considered a wetland. Wetland boundaries were located and recorded in the field using a Trimble® GPS unit capable of sub meter accuracy, post processed, and transferred and incorporated onto project mapping.

Four distinct wetland areas were delineated throughout the study area. Additional field notes were also taken to record the classification of each wetland in accordance with the Classification of Wetlands and Deepwater Habitats of the United States, general site characteristics, unique qualities observed during the site assessment, and other considerations relevant to investigation findings and the future completion of a wetlands functions and values assessment in accordance with the Highway Methodology Workbook: Supplement. Representative photographs of each wetland were taken, field sketches were labeled of the wetland boundary on an aerial photograph-based map, and notes were recorded on the flagging sequence for each wetland.

Mainely Soils also surveyed the site for streams, in accordance with the State of Maine Natural Resources Protection Act stream criteria and definitions. Three streams were delineated within the study area.

Vernal pools are small (usually less than one acre), seasonal wetlands that lack perennial inlet or outlet streams and have no permanent fish populations (Calhoun and deMaynadier 2004). Vernal pools are valuable wetland wildlife habitat because of their potentially high biological productivity and use as breeding habitat by specialized animal communities. The characteristics of vernal pools including size, duration of flooding, substrate type and vegetative community are directly affected by a variety of factors such as landscape setting, surficial geology, soil type, and surrounding vegetation (Maine Audubon Society 1999).

Onsite investigations took place outside of the vernal pool indicator species peak breeding season. However, no depressions holding water with the potential to contain vernal pool species were identified anywhere within the Study Area.

#### **Study Results**

Using the methodologies described above, a wetland delineation was performed on March 9, 2022. A description of the identified resources follows. Supporting attachments include Representative Photographs (Attachment 1). Wetland Delineation Data Forms can be provided upon request.

Wetlands at the project site consisted of four distinct features. All four features were seasonally saturated palustrine forested wetlands found in depressional seeps in sandy outwash that drained into narrow drainages associated with perennial streams. Dominant wetland vegetation within the consisted of red maple (*Acer rubrum*), yellow birch (*Betula alleghaniensis*), balsam fir (*Abies balsamea*), white pine (*Pinus strobus*), cinnamon fern (*Osmunda cinnamomea*), royal fern (*Osmunda regalis*), jewelweed (*Impatiens capensis*), sensitive fern (*Onoclea sensibilis*), fringed sedge (*Carex crinita*), and goldthread (*Coptis trifolia*). The soils within the wetland generally had a thin, dark mucky surface overlaying a depleted sandy loam substratum meeting hydric soil criteria A1: Depleted Below Dark Surface. Evidence of wetland hydrology included saturation to the mineral soil surface, water stained leaves, drainage patterns, and buttressed tree roots at the time of field investigations.

Wetland A1 was a larger wetland complex associated with streams S1, S2, and S3. Overland drainage was generally in a northeasterly direction. Wetland A4 was associated with streams S1 and S4 and of similar nature of Wetland A1, but located in the southwestern extent of the Study Area. Wetland A2 was a wetland seep in the north central portion of the

Route 9 - Map 7, Lot 32A, Durham, ME - Wetland Delineation Memorandum Page 3 of 5 March 14, 2022

site that drained northerly into Wetland A1 through an unjurdistional ephemeral drainage. Wetland A3 was a small isolated wetland seep located in the central portion of the study area.

Four perennial streams were delineated within the Study Area. Stream S1 was identified as a perennial tributary to Dyer Brook on the USGS Freeport Topoquad. It flowed in a northeasterly direction and was approximately 6 feet wide with approximately 8 inches of flowing water on a sandy substrate with 2 foot vertical banks.

Stream S2 was approximately 2 feet wide with approximately 2 inches of flowing water and a silt/sand substrate and 1 foot inch vertical banks. Stream S2 originated within Wetland A1 in the central portion of the site and flowed southerly into Stream S1.

Stream S3 was approximately flowing in a southerly direction, approximately 4 feet wide with 4 inches of flowing water, a sandy substrate and 12 inch vertical banks. Stream S2 originated offsite to the north and flowed southerly into Stream S1.

Stream S4 was located in the southwest extent of the Study area, was approximately 2 feet wide with approximately 2 inches of flowing water and a silt/sand substrate and 1 foot inch vertical banks. Stream S2 originated within Wetland A4 flowed southerly into Stream S1.

No potential vernal pool locations were identified onsite during field investigations.

#### Summary

The information contained in this memorandum was collected in order to provide detailed, on-site information regarding wetland and waterbody resources. This information is intended to be used for project planning purposes and to support permitting needs. Four wetlands were delineated on the site and were identified as Wetlands A1 – A4. The wetland features were located within sandy loam soils in depressional swales. The wetlands generally exhibited seasonally saturated/flooded hydroperiods, and provided groundwater discharge, floodflow alteration, wildlife habitat, and stormwater/water quality maintenance functions. Four perennial streams were identified on the site. No potential vernal pool locations were observed.

Wetlands are regulated by the U.S. Army Corps of Engineers under the federal Clean Water Act, and by the Maine Department of Environmental Protection under the Maine Natural Resources Protection Act (NRPA). The State of Maine further differentiates wetlands under NRPA by regulating certain wetlands as "wetlands of special significance" (WOSS). Wetlands within 25 feet of the streams onsite may be considered WOSS's. Impacts to wetlands resulting from proposed project development require that permits first be obtained from the MDEP and the USACE before proceeding with construction, and where applicable, municipal governing bodies. Consultation with these agencies early in the project design process is encouraged.

Wetlands within the survey area may be further regulated under municipal ordinances, such as Shoreland Zone, Site Plan Review, or other local ordinances. Wetlands associated with Stream S1 and S3 were shown on the Town of Durham zoning map as being with the Resource Protection District.

Route 9 - Map 7, Lot 32A, Durham, ME - Wetland Delineation Memorandum Page 4 of 5 March 14, 2022

#### References:

- Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe.1979. Classification of Wetlands and Deepwater Habitat in the United States. U.S. Fish and Wildlife Service. FWS/OBD-79/31103pp.
- Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87, U.S. Army Engineer Waterways Experiment Station, Vicksburg, MS.
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  - Schlawin, J. Cutko, A. Maine Natural Areas Program. 2014. A Conservation Vision for Maine Using Ecological Systems.
- Web Soil Survey. 2022. U.S. Department of Agriculture Natural Resources Conservation Service. http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm

#### Attachments:

1. Representative Site Photographs

Route 9 - Map 7, Lot 32A, Durham, ME - Wetland Delineation Memorandum Page 5 of 5 March 14, 2022

## Attachment 1

Representative Site Photographs



**Photo 1:** View looking southeasterly across Wetland A from Flag 10 Photo Taken 1/26/2022



**Photo 2:** View looking downstream along Stream S1 near the existing culvert crossing Photo Taken 1/26/2022



**Photo 3:** View looking westerly across Wetland A near Flag 1 Photo Taken 1/26/2022



**Photo 4:** View looking downstream along Stream S2 within Wetland A Photo Taken 3/9/2022



**Photo 5:** View of the commencement point of Stream S2 Photo Taken 3/9/2022



**Photo 6:** View looking northerly across Wetland A near flag 122 Photo Taken 3/9/2022



**Photo 7:** View looking easterly across Wetland B near flag 1 Photo Taken 3/9/2022



**Photo 8:** View looking westerly across Wetland B near flag 8 Photo Taken 3/9/2022



**Photo 9:** View looking northerly across Wetland C near flag 1 Photo Taken 3/9/2022



**Photo 9:** View looking southerly across Wetland C near flag 5 Photo Taken 3/9/2022