

**DURHAM PLANNING BOARD
REGULAR MEETING AGENDA
Durham Town Offices, 6:30 p.m.
February 7, 2024**

NOTE: No public comment will be taken on individual applications at the meeting unless the Board schedules a formal public hearing with required notice posted. Comments on applications can be submitted in writing to the Town Planner and will be forwarded to the Planning Board and the applicants.

1. Roll Call & Determination of a Quorum
2. Amendments to the Agenda
3. Acceptance of the Minutes of Prior Meetings (January 3, 2023)
4. Informational Exchange on Non-Agenda Items:
 - a) Town Officials
 - b) Residents (Public comment will be taken)
 - c) Non-Residents (Public comment will be taken)
5. Continuing Business:
 - a) Completeness Review of Site Plan Review Application for Expansion of the Leisure Campground for 40 RV sites, Map 2, Lot 13 (Public comment will not be taken)
 - b) Substantive Review of Site Plan Review Application for Expansion of the Leisure Campground for 40 RV sites, Map 2, Lot 13 (Public comment will not be taken)

3. Acceptance of the Minutes of Prior Meetings (January 3, 2024)

1. Roll Call & Determination of a Quorum

In attendance: John Talbot (Chair), Juliet Caplinger (Vice Chair), Allan Purinton, Tyler Hutchison, Brian Lanoie, and George Thebarga (Town Planner).

Guest(s): Alan Plummer (Code Enforcement Officer), Jess Costa (Chair, Conservation Commission) and Michael Friendly (Conservation Commission Member).

Absent: Anne Torregrossa

2. Annual Election of Chairman and Vice Chairman

Allan Purinton moved to nominate John Talbot as Chairperson. **Brian Lanoie** seconded the motion. John Talbot abstained; vote carried **4 – 0 – 1 abstention**.

John Talbot moved to nominate Juliet Caplinger as Vice Chairperson. **Allan Purinton** seconded the motion. Motion carried 5 – 0.

3. Amendments to the Agenda

4. Acceptance of the Minutes of prior meeting (December 6, 2023)

Allan Purinton moved to accept the December 6th, 2023 meeting minutes, **Juliet Caplinger** seconded, motion carried **5 – 0**.

5. Informational Exchange on Non-Agenda Items:

a.) Town Officials:

George Thebarga

- Code Enforcement Officer's report for the end of the year indicated there were 20 new single-family housing starts in the 2023 calendar year.
- Met with the Town Manager, Code Officer, John Talbot and the consultant proposing the digital codification of the Land Use Ordinance and all the ordinances of the Town. This will create a digital code parallel to the tax maps that we digitized a couple of years ago.
- Language Scrub and Legal Scrub – the digital codification will help to flag everything that is not consistent with state law, scrubbing the language, showing simple wording changes to get consistency.

b.) Residents

- Nate Ledger – Expressed dissatisfaction that the Planning Board had not given him full opportunity to speak and ask questions at the Public Informational Meeting on housing policy in November 2023.

c.) Non-residents – None**6. New Business: No new or continuing applications****7. Other Business:****a.) Board Review of Draft Land Use Ordinance Amendments for Housing Diversity & Density (Public comment will not be taken)**

- On November 15, the Planning Board conducted a public information meeting on the draft housing density amendments.
- On December 6, the Planning Board voted to proceed with the proposed draft of amendments to implement recommendations of the Comprehensive Plan for housing diversity and comply with State requirements for housing density.
- Based on public input, the Board approved a change to clarify the density provisions as they apply to nonconforming lots.
- The draft warrant article for Part 1 of the Land Use Ordinance amendments were included in the packet along with the final draft of amendments.
- Board members reviewed the drafts for accuracy and the wording of summaries and explanations to ensure objectivity.
- No further action on the draft amendments was taken.

b.) Board Review & Discussion of Draft Land Use Ordinance Amendments for Solar Energy Systems (Public comment will not be taken)

- In June of 2023, the Planning Board delegated to the Conservation Commission the task of preparing amendments to address solar energy systems.
- On December 7, the Conservation Commission conducted a public information meeting on the draft solar energy systems amendments.
- On December 20, the Commission voted to proceed with the proposed draft amendments to add provisions to classify solar energy systems, adopt submission requirements, and establish performance standards to address potential impacts.
- Based on public input, the Commission voted to change the threshold for “medium scale” systems from 2000 sq. ft. of surface area to 8000 sq. ft.
- Large-scale systems (> 20,000 sq. ft./half-acre) go through both conditional use review and site plan review, while medium-scale (8000 sq. ft. to 20,000 sq. ft.) projects only need site plan approval.
- Small-scale systems (<8000 sq. ft.) are intended to serve individual homes, subdivisions, and businesses and will be reviewed by the Code Officer for compliance with building and electrical codes.

- Medium-scale systems are intended for connection and generation for the electrical grid and will be reviewed by the Planning Board for safety, visual impacts, and decommissioning plans.
- Large-scale systems are also intended for commercial generation of electricity and will have an additional conditional use review to determine if the proposed size and intensity of the project is compatible with surrounding uses.

Jess Costa and Michael Friendly - Conservation Commission

- The process of developing the draft ordinance was approximately six (6) months, where we did some initial research and reviewed other ordinances from other towns in Maine.
- Reviewed the Maine Audubon Guidance for the best practices for Solar Development.
- Met with representatives from the Topsham Conservation Commission and the Topsham Energy Commission to learn about their experience developing the Topsham Solar Ordinance.
- The Commission discussed other issues that they decided to table until the following year:
 - Mitigation fee - based on, if large solar arrays are put on land that has conservation issues.
 - Encourage solar arrays not to be put on prime farmland.
- The Planning Board reviewed and discussed the draft ordinance for solar energy and made some updates to the draft.

John Talbot moved to change the definition of solar energy system surface area to be the total surface area of all solar energy panels. **Allan Purinton seconded** for discussion. Motion carried **4 – 1**.

John Talbot moved that paragraph 11 will say, all noise generating equipment must be at least 400 feet from any residence within a 400-foot radius indicator from the noise generating equipment shown on the site plan. **Juliet Caplinger seconded**. Motion carried **5 – 0**.

Tyler Hutchison moved to change the definition of solar energy system roof mounted or building integrated to remove “toward the south at an optimal angle” from the first sentence. **Allan Purinton seconded**. Motion carried **5 – 0**.

Juliet Caplinger moved to change C1 to say all solar equipment shall be placed at least 100 feet from any property line. **Tyler Hutchison seconded**. Motion carried **5 – 0**.

John Talbot moved to add under line 44 of land uses in Column RRA add an ampersand and site plan review (SPR) and on the table define SPR means Planning Board Site Plan Review. **Tyler Hutchison seconded**. Motion carried **5 – 0**.

John Talbot moved to recommend to the Select Board to approve the solar draft amendment as presented with the Planning Board changes for consideration at the April Town Meeting. Tyler Hutchison seconded. Motion carried **5 – 0**.

c.) Board Review & Discussion of Draft Land Use Ordinance Amendments for Codification of New Fees (Public comment will be taken)

- In April of 2022, voters approved delegation of authority for setting fee to the Select Board.
- The Town Attorney has advised that enactment of new fees must still be approved by the Town Meeting before the Select Board can set the fee for that service.
- The draft amendments will list all fees in Article 18 for which fees can be collected and add the following new fees to those previously approved by the voters at Town Meeting:
 - Occupancy permits
 - After the fact permits
 - Subdivision sketch plan
 - Amended subdivision
 - Shoreland zoning permits
 - Solar energy systems
 - Entrance/driveway permits
 - E-911 addressing permits
- The Board discussed whether the fees should be contained in a single list in Article 18 or scattered throughout the Ordinance in the applicable individual articles and sections.

Allan Purinton moved that the Planning Board accept 18.4 permit application submission requirements as presented. **Juliet Caplinger seconded**. Motion carried **5 – 0**.

8. Adjourn

Tyler Hutchison moved to adjourn the meeting. **Brian Lanoie seconded**, motion carried **5 – 0**. Meeting adjourned at 8:49 pm.

6. Continuing Business:

a) **Completeness Review of Site Plan Review Application for Expansion of the Leisure Campground for 40 RV sites, Map 2, Lot 13 (Public comment will not be taken)**

- On December 6, 2023, the Planning Board determined that the application was incomplete and sent a letter dated December 12 identifying thirteen deficiencies in meeting the submission requirements for site plan review:

a. Section 8.5.C – 10 copies of full-sized site plan (Submit copies or request a waiver)

The applicant has submitted full-sized copies of an “Existing Conditions Plan” dated 8-15-2023 revised 12-28-2023 by Main-Land Development Consultants, Inc. of Livermore Falls. Note 16 of the existing conditions plan states that *“The purpose of this plan is to show a partial existing conditions survey and campground expansion concept of Durham Leisure Campground. No Ordinance review, engineering design, or permitting was completed by Main-Land.”*

b. Section 8.5.C.6 – Copy of septic system test pit logs (Submit logs by qualified professional)

The applicant has resubmitted preliminary soil evaluation test pit logs dated 6-21-2023 prepared by Licensed Site Evaluator Bonnie Stewart-Cobb that were provided for conditional use review.

c. Section 8.5.C.11 – Indication of zoning district (Add to the plan)

The applicant has stated that the zoning district has been added as a note (#13) on the site plan.

d. Section 8.5.C.12 – Drainage ways and culverts (Submit stormwater plan or a waiver request)

The applicant has requested a waiver of the requirement for a stormwater plan and stated he will put culverts where they are needed during construction.

e. Section 8.5.C.14 – Main traffic entrance sight distances (Provide qualified professional’s measurements on the plan)

The applicant has stated that “It’s on print out...” The applicant submitted a graphic diagram titled “DURHAM LEISURE CAMPGROUND” dated 12-12-2023 with a note at the bottom that reads as follows: *“The Maine Department of Transportation provides this publication for information only. Reliance upon this information is at user risk. It is subject to revision and may be incomplete depending on changing conditions. The Department assumes no liability if injuries or damages result from this information. This map does not support emergency dispatch.”* There is no indication on the diagram indicating the project location, entrance location, or available sight distances along Route 136 at the project entrance. The applicant has

not submitted measurements by a qualified professional (surveyor or engineer) to verify that the project entrance has safe sight distances on Route 136 for the 50 mph posted speed limit.

f. Section 8.5.C.16 – Waste disposal types & facilities (Submit qualified professional’s HHE200 & system design)

The applicant is requesting a waiver of the requirement to submit engineering plans for the semi-public wastewater treatment system that will serve 40 RV sites. He has submitted an engineering proposal for design and permitting of a new leachfield with a capacity of 5000 gallons per day by Main-Land Camp Solutions, Engineers, Surveyors, Scientists of Livermore Falls dated December 21, 2023.

The proposal states that the consultant will *“conduct machine-excavated test pits in the concept leachfield areas to characterize subsurface conditions and gather representative soil samples for laboratory testing.”* The unsigned engineering services proposal further agrees to *“provide an engineered system design for serving the proposed 40 new sites per current subsurface wastewater rules.”* No qualified professional’s HHE 200 or system design have been submitted by the applicant.

The Board should also note that the project goals on Page 2 of the proposal indicate that the wastewater system will be designed per the applicant’s plan to *“expand the existing campground by 40 ‘model trailer’ sites which will have sanitary septic service for each site.”* The Board should clarify whether the project is being designed for seasonal occupancy by RVs or year-round occupancy by “park model trailers,” or both.

g. Section 8.5.C.18 – Proposed landscaping & buffering (Request a waiver)

The applicant is proposing that the existing treed condition of the campground will provide adequate landscaping and buffering.

h. Section 8.5.C.20 – Locations & details of signage (Provide detailed signage plan)

The applicant stated that “locations of signage and speed signs on print out. Details are on legend.” The Existing Conditions Plan (Sheet S2.1) shows a stop sign at the project entrance on Route 136 and 3 internal stop signs at internal intersections. That plan also shows four 5mph speed limit signs on the internal driveway system. The applicant has submitted an updated campsite numbering diagram showing Site 66 next to Site 8, which is across the road from Site 16. The Planning Board should ask for comments from the Fire Chief as to the need for a logical numbering and campsite signage sequence to locate sites quickly in emergencies.

i. Section 8.5.C.21 – Location & type of area lighting (Request a waiver)

The applicant stated that the “location of lighting is on the print out.” The legend on the Existing Conditions Plan contains symbols for utility poles and overhead and underground electrical lines. There are no symbols for light fixtures and none could be located on the plan. A single label at the campground parking area identifies a “light pole.” No specifications for any light fixtures with illumination levels have been provided. The applicant stated that “We run a dark sky campground. All kids are on site after dark. From mid-July to mid-September, we try to have minimal lighting for dark sky to deter brown tail moths from coming to the area.” The applicant submitted information sheets about brown tail moth mitigation measures. The standards for lighting in commercial projects are found in Section 8.6.G.

j. Section 8.5.C.26 – Letter from MIF&W on wildlife habitat review (Provide letter from State agency)

The applicant submitted a letter dated January 16, 2024 from John Perry of the Maine Department of Inland Fisheries and Wildlife stating that his department has not mapped any Essential Habitats that would be directly affected by the project.

k. Section 8.5.C.27 – Letter from MHPC on historic & archaeological resources review (Provide letter from State agency)

The applicant submitted a copy of an email received by State Historic Preservation Officer Kirk Mahoney receipt dated 12/28/23 informing the State Commission of the proposed campground expansion. The applicant also submitted an email from Maine Historic Preservation Commission Review & Compliance Coordinator Megan Rideout indicating that the applicant will be notified by postal mail the results of the Commission’s review along with what appears to be a cut sheet with submission requirements for State historic preservation reviews.

Section 8.5.C.28 – Erosion & sedimentation plan (Submit plan by qualified professional or request a waiver with calculations per the Ordinance)

The applicant is requesting a waiver from the requirements for erosion and sedimentation controls. The applicant stated that the project is not in the Runaround Pond watershed. He further stated that he is not changing drainage patterns or installing pervious surfaces.

m. Section 8.5.C.29 – Stormwater plan (Submit plan by qualified professional or request a waiver with calculations per the Ordinance)

The applicant is requesting a waiver of the requirements for a stormwater management plan on the same grounds.

- The applicant has submitted a request for waiver asking the Planning Board to waive the submission requirements for Sections 8.5.C.12 (drainageways), 16 (waste facilities), 26 (MIF&W letter), 28 (erosion & sedimentation controls), and 29 (stormwater plan).
- The waiver form contains the criteria the Board must consider in granting waivers with sample motions for Board determinations of whether the applicant has met the burden of satisfying the criteria for granting a waiver.
- Based on the conceptual campground expansion plan submitted by the applicant, the expanded road network serving the campground will develop a ground area of approximately 32,000 square feet. The applicant has stated that each campsite will develop 1000 square feet per site, which adds another 40,000 square feet of development, for a total of approximately 72,000 square feet, or 1.65 acres.
- According to the Maine DEP website, Maine's Stormwater Management Law lists stormwater standards for projects that propose more than one acre of disturbed area. The website states that "disturbed area generally includes areas that are stripped, graded, excavated, or filled during construction." Development of 40 RV/camp model trailer sites and the road network serving them would clearly meet the definition of disturbed areas.
- Before making its decision on whether to grant the applicant's requested waivers, the Planning Board may want to consider seeking a peer review opinion at the applicant's expense from Gorrill Palmer Associates as to whether this project is subject to State stormwater management and erosion control rules (Durham uses those same standards for subdivision & site plan review).
- The Board may want to further ask the Town's consulting engineer whether the proposal to construct the infrastructure serving a 40-site RV/model trailer park expansion, including a semi-public water and sewer system, electrical grid, and road network should require an engineered site plan for review and approval by the Planning Board.
- The Board could also request that Gorrill Palmer utilize the peer review escrow fund to cover the cost of determining the safe-stopping sight distances at the project entrance on Route 136.
- The packet contains a draft updated incomplete letter for review and processing by the Planning Board along with a draft complete letter (if the Board grants the requested waivers).

Section 8.5C: 10 copies of full prints delivered to the office.

Section 8.5C: 6 Copies of septic system test pit logs. Test pit 12 is where the system is going. Provided by Bonnie Cobb. Bonnie is not engineering the system HHE 200. I have an engineered system that is inspected and permitted by the state to be approved by Maine Land Camp Solutions by late January.

Section 8.5C 11: Indication of zoning map. On print #13 in the note section.

Section 8.5C 12: (Request Waiver) Drainage ways. Plenty of natural drainage on the property. No slope greater than 5%. This is not a fly by night operation. If we need a culvert here or there in the construction phase, we will put one in.

Section 8.5C 14: Main traffic entrance sight distances. It's on print out...

Section 8.5C 16: (Request Waiver) This goes along with (8.5C 6). Main Land Camp Solutions is engineering a system that they will inspect and it will be a stamped septic system permitted by the state of Maine.

Section 8.5C 18: Proposed landscaping & buffering. The campground is all treed as shown on the site walk. We will leave as much natural landscape as possible per town ordinances (500 ft from nearest house over 100 feet from side lines).

Section 8.5C 20: Location and detail of signage; locations of signage & speed signs are on print out. Details are on legend.

Section 8.5C 21: Location of lighting is on print out. All LED lighting. We run a dark sky campground. All kids are on site after dark. From mid-July to mid-September, we try to have minimal lighting for a dark sky to deter brown tail moths from coming to the area.

Section 8.5C 26: Maine Inland Fisheries & Wildlife. Review letter dated 1/16/2024 by John Perry.

Section 8.5C 27: Letter received 12/28/23 from MHPC. In packet...

Section 8.5C 28 (Request Waiver) Erosion sedimentation plan: We are not in runaround pond watershed. We are not changing drainage patterns; we are not installing pervious surfaces.

Section 8.5C 29 (Request Waiver) Storm Water plan: We are not in the watershed of runaround pond. We are not changing drainage patterns; we are installing pervious surfaces. Even with RVs parked we don't meet the 5% of impervious surfaces.

PLAN REFERENCES

1. "STANDARD BOUNDARY SURVEY LAND OF HAROLD H. COCHRANE ESTATE", DATED MAY 12, 2010, MADE FOR ESTATE OF HAROLD H. COCHRANE, SURVEYED BY BRIAN SMITH SURVEYING, INC., AND RECORDED IN PLAN BOOK 51, PAGE 86 ON MARCH 4, 2016.
2. "MAINE STATE HIGHWAY COMMISSION PLAN OF PROPOSED RELOCATION STATE AID HIGHWAY NO. 2", DATED APRIL 1937, AND RECORDED IN PLAN BOOK 6, PAGE 302 ON JANUARY 5, 1938.

NOTES

1. ALL BEARINGS ARE REFERENCED TO MAINE STATE GRID, WEST ZONE, NAD83 AND BASED ON GPS OBSERVATIONS NEAR THE SURVEYED PARCEL.
2. TOWN OF DURHAM: TAX MAP 2, LOT 13 & LOT 14.
3. OWNER OF RECORD AT TIME OF SURVEY: DURHAM LEISURE HOLDINGS, LLC. BOOK 9385, PAGE 95, BOOK 10045, PAGE 350, AND BOOK 9892, PAGE 184.
4. AREA SUMMARY:
 EXISTING HOUSE LOT 3.3 ACRES, MORE OR LESS.
 EXISTING CAMPGROUND 15.8 ACRES, MORE OR LESS.
 CAMPGROUND EXPANSION 18.0 ACRES, MORE OR LESS.
 REMAINING LAND 48.5 ACRES, MORE OR LESS.
 TOTAL AREA 85.6 ACRES, MORE OR LESS.
5. ALL BOOK AND PAGES REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS.
6. TREELINES SHOWN ARE APPROXIMATE AND WERE DIGITIZED FROM GOOGLE EARTH AERIAL PHOTOGRAPHY.
7. NO APPARENT ENCROACHMENTS WERE OBSERVED AT TIME OF SURVEY.
8. BOUNDARY LINES SHOWN ARE BASED ON PLAN REFERENCE 1. NO DEED RESEARCH WAS COMPLETED TO VERIFY THESE BOUNDARY LINES. THE PURPOSE OF THIS PLAN IS TO SHOW A PARTIAL EXISTING CONDITIONS SURVEY FOR DESIGN AND PLANNING AND TO SHOW POTENTIAL NEW SITES.
9. CONTOURS SHOWN ARE BASED ON STATE OF MAINE LIDAR DATA AND WERE DOWNLOADED FROM [HTTPS://COAST.NOAA.GOV](https://coast.noaa.gov) WITH A CONTOUR INTERVAL OF 2-FOOT. THE VERTICAL DATUM IS NAVD88.
10. THE LOCATION OF UNDERGROUND UTILITIES WAS NOT PERFORMED AS PART OF THIS SURVEY. MAIN-LAND RECOMMENDS THE USE OF DIG SAFE OR OTHER ENTITIES TO MARK ANY UNDERGROUND UTILITIES PRIOR TO THE BEGINNING OF ANY CONSTRUCTION.
11. NO RESEARCH WAS COMPLETED TO DETERMINE THE STATUS OF SCHOOL HOUSE ROAD. IT IS ASSUMED TO BE ABANDONED OR DISCONTINUED AND OWNERSHIP MAY EXTEND TO CENTERLINE. MAIN-LAND RECOMMENDS CONSULTING WITH AN ATTORNEY ON WHAT RIGHTS, IF ANY, MAY EXIST TO THIS AREA.
12. THE SURVEYED PARCEL IS NOT LOCATED IN THE FLOOD ZONE AS SHOWN ON FEMA FIRM 23001C0461E.
13. THE SURVEYED PARCEL IS ZONED RURAL, RESIDENTIAL, & AGRICULTURAL (RRA). SEE TOWN OF DURHAM, MAINE LAND USE ORDINANCE, DATED APRIL 2, 2022 FOR ADDITIONAL INFORMATION.
14. WETLAND DELINEATION OF THE EXISTING CAMPGROUND AND THE EXPANSION COMPLETED BY MAIN-LAND DEVELOPMENT CONSULTANTS, INC. ON MAY 25, 2022.
15. SUMMARY OF SITES:
 CAMPGROUND (EXISTING): 36 SITES
 CAMPGROUND (NEW): 40 SITES
 TOTAL 76 SITES
16. THE PURPOSE OF THIS PLAN IS TO SHOW A PARTIAL EXISTING CONDITIONS SURVEY AND CAMPGROUND EXPANSION CONCEPT OF DURHAM LEISURE CAMPGROUND. NO ORDINANCE REVIEW, ENGINEERING DESIGN, OR PERMITTING WAS COMPLETED BY MAIN-LAND.
17. THE PROJECT SITE APPEARS TO BE OUTSIDE THE RUNAROUND POND WATERSHED.



MAIN-LAND DEVELOPMENT CONSULTANTS, INC.

69 MAIN ST. LIVERMORE FALLS, MAINE 04343
367 US ROUTE 1 FALMOUTH, MAINE 04841
PH: (207) 897-6752 FAX: (207) 897-5404
WWW.MAIN-LANDDC.COM

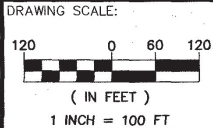
PLAN SHOWING A PARTIAL BOUNDARY & EXISTING CONDITIONS SURVEY & PROPOSED EXPANSION
DURHAM LEISURE CAMPGROUND
ROUTE 136, TOWN OF DURHAM, COUNTY OF ANDROSCOGGIN, STATE OF MAINE

OWNER OF RECORD
DURHAM LEISURE HOLDINGS, LLC

C/O KEN HUOT,
24 LEISURE LANE,
DURHAM, MAINE 04222

MADE FOR
DURHAM LEISURE CAMPGROUND

C/O KEN HUOT,
24 LEISURE LANE,
DURHAM, MAINE 04222



SUBMISSION NOTES:
SUBMISSION 1: 2023-05-08 CLB CLIENT REVIEW
SUBMISSION 2: 2023-05-23 CLB CLIENT REVIEW
SUBMISSION 3: 2023-06-12 CLB TOWN REQUEST - BOUNDARY
SUBMISSION 4: 2023-08-15 CLB CLIENT REQUEST
SUBMISSION 5: 2023-08-29 CLB REVISE CAMPGROUND EXPANSION SIZE
SUBMISSION 6: 2023-09-25 CLB SITE PLAN REVIEW CHECKLIST
SUBMISSION 7: 2023-10-25 CLB CLIENT REQUESTED CHANGES & UTILITIES
SUBMISSION 8: 2023-12-28 CLB CLIENT REQUESTED CHANGES & SIGNS

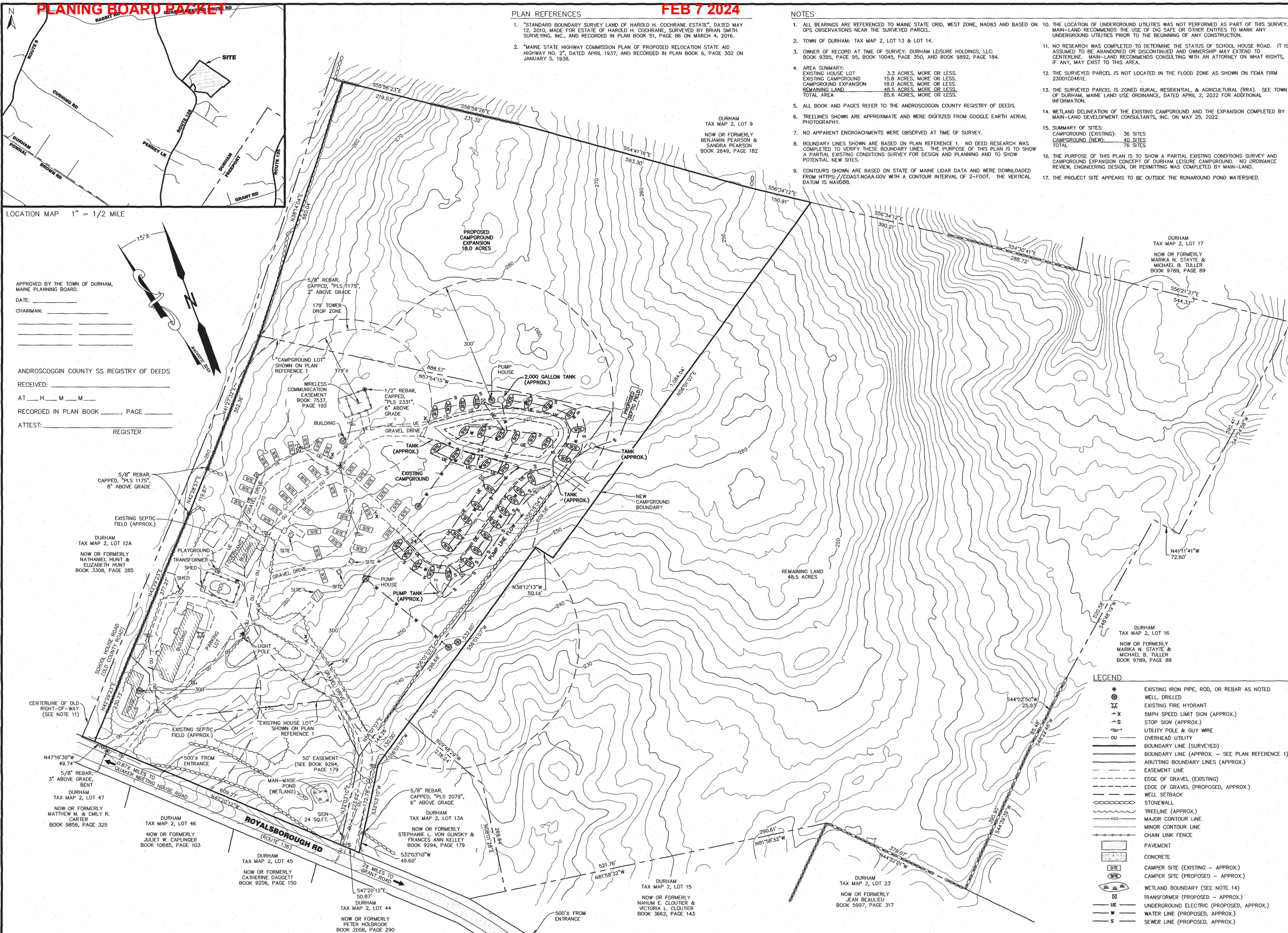
PROJ. MGR: ERTW
DRAWN BY: CLB
CHECKED BY: TJB
SUBMISSION NO. 8
SURVEY DATE: 2022-06-02
2023-04-17
SUBMISSION DATE: 2023-08-15
SUBMITTED FOR: FINAL

EXISTING CONDITIONS PLAN

SEAL: **DRAFT**

CHARLES L. BUKER PLS #2397
DRAWING NO.

S2.1
MLDC NO. 22-139 -1 OF 1



SOIL PROFILE CLASSIFICATION INFORMATION

Project Name: Durham Leisure Campground | Applicant Name: Durham Leisure Holdings, LLC (c/o Ken Huot) | Project Location (municipality): Durham
 Detailed Description of Subdivision Conditions at Project Site
 Leisure Lane

SOIL DESCRIPTION AND CLASSIFICATION

Exploration Symbol: TP-10 | Test Pit | Boring

1-2: Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Moisture
FINE SANDY LOAM	FRIBLE	BROWN	
		DARK YELLOWISH BROWN	
		YELLOWISH BROWN	
GRAVELLY SANDY LOAM	FIRM	LIGHT OLIVE BROWN	COMMON & DISTINCT

DEPTH BELOW MINERAL SOIL SURFACE (INCHES)

LIMIT OF EXCAVATION = 36"

Hydric: non-hydric | Slope %: 3-8 | Limiting factor: 22" | ground water: none

Soil Series / phase name: | Drainage Class: C | Hydrologic Group: | Profile: | Design Class: |

SOIL DESCRIPTION AND CLASSIFICATION

Exploration Symbol: TP-11 | Test Pit | Boring

1-2: Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Moisture
FINE SANDY LOAM	FRIBLE	BROWN	
		YELLOWISH BROWN	
GRAVELLY SANDY LOAM	FIRM	LIGHT OLIVE BROWN	COMMON & DISTINCT

DEPTH BELOW MINERAL SOIL SURFACE (INCHES)

POSSIBLE LEDGE @ 28" (POTENTIALLY LARGE ROCKS)

Hydric: non-hydric | Slope %: 3-8 | Limiting factor: 26" | ground water: none

Soil Series / phase name: | Drainage Class: C/AH | Hydrologic Group: | Profile: | Design Class: |

SOIL DESCRIPTION AND CLASSIFICATION

Exploration Symbol: TP-12 | Test Pit | Boring

1-2: Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Moisture
FINE SANDY LOAM	FRIBLE	BROWN	
		YELLOWISH BROWN	
GRAVELLY SANDY LOAM	FIRM	LIGHT OLIVE BROWN	COMMON & DISTINCT

DEPTH BELOW MINERAL SOIL SURFACE (INCHES)

LIMIT OF EXCAVATION = 36"

Hydric: non-hydric | Slope %: 0-3 | Limiting factor: 16" | ground water: none

Soil Series / phase name: | Drainage Class: C/AH | Hydrologic Group: | Profile: | Design Class: |

SOIL DESCRIPTION AND CLASSIFICATION

Exploration Symbol: | Test Pit | Boring

1-2: Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Moisture

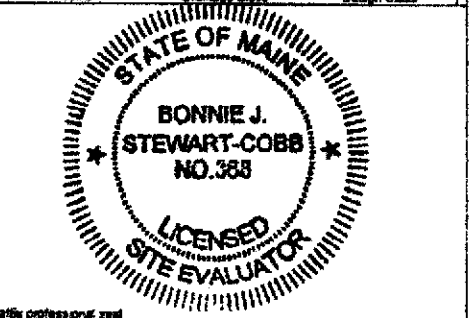
DEPTH BELOW MINERAL SOIL SURFACE (INCHES)

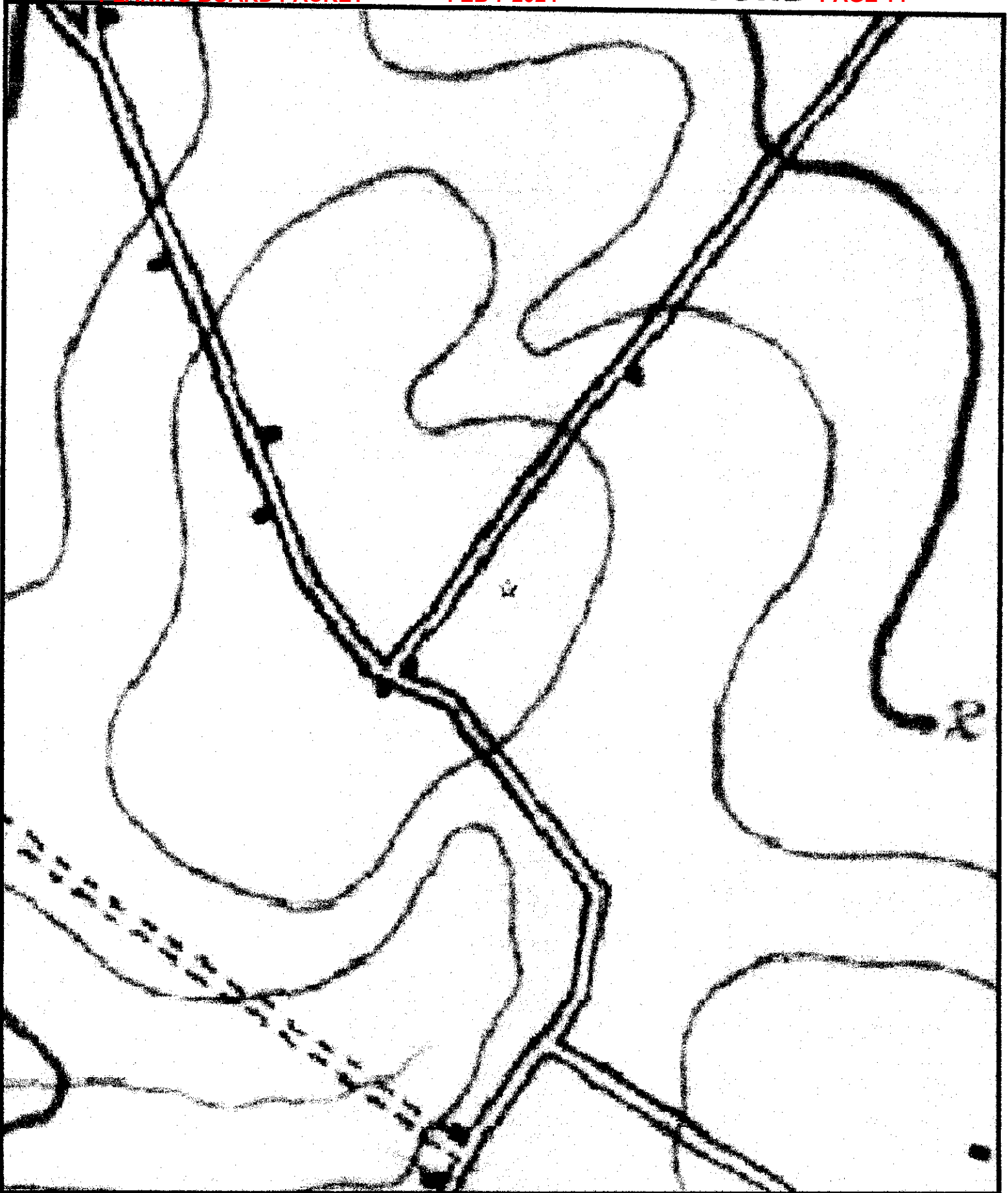
Hydric: non-hydric | Slope %: | Limiting factor: | ground water: none

Soil Series / phase name: | Drainage Class: | Hydrologic Group: | Profile: | Design Class: |

Professional Endorsements (as applicable)

C.S.B. signature: | Date: |
 name printed/typed: | Lic.#: |
 L.S.G. signature: *Bonnie J. Cobb* | Date: 6/21/23 |
 name printed/typed: Bonnie J.S. Cobb | Lic.#: 388 |





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0.15
Miles
1 inch = 0.17 miles

Date: 12/12/2023
Time: 2:14:17 PM



MAIN-LAND
CAMP SOLUTIONS

ENGINEERS, SURVEYORS, SCIENTISTS

P.O. BOX Q LIVERMORE FALLS, ME 04254
TEL: (207) 897-6752/FAX: (207) 897-5404
WWW.MAIN-LANDDCI.COM

December 21, 2023

Durham Leisure Holdings, LLC
c/o Ken Huot
24 Leisure Lane
Durham, ME 04222

SUBJECT: Agreement for Engineered Wastewater Disposal Design Services
Serving 40 New Sites of the Durham Leisure Campground
Durham, Maine

Dear Ken,

Based on our recent telephone discussions, Main-Land Development Consultants Inc. (Main-Land) is pleased to provide this proposal for the subject project. Main-Land has experience in engineered septic system design (for example: Franklin County Jail, Farmington, Maine and Fryeburg Academy, Fryeburg, Maine), and we are in a good position to offer Durham Leisure Campground design services on this project.

We are pleased to present this proposed Agreement for your consideration.

PARTIES:

For clarity and your convenience, we offer the following preliminary list of people, titles, and companies that are or might become part of the design team or otherwise involved in this project.

Client:

Durham Leisure Holdings, LLC (hereinafter called Client)
Contact: Ken Huot, Owner
Address: 24 Leisure Lane
Durham, Maine 04222
Tel: (267) 229-6132
Email: khuot10@gmail.com

Consultant:

Main-Land Development Consultants, Inc. (hereinafter called Main-Land)
Contact: Robert (Bob) Berry III, P.E. President/CEO
Richard (Rick) Dunton, P.E. Chief Engineer
Charles (Chuck) L. Buker, P.L.S. Chief Surveyor
Scott R. Dixon, P.E., C.G., L.S.E. Senior Chief Scientist
Address: PO Box Q
Livermore Falls, ME 04254
Tel: (207) 897-6752
Fax: (207) 897-5404
Email: scott@main-landdci.com

A change to the Parties might cause a change to scope and cost.

PROJECT GOALS:

MAIN-LAND has worked for you on creating an Existing Conditions Plan of the campground as well as input on expansion permitting. It is understood that you plan to expand the existing campground by 40 "model trailer" sites which will have sanitary septic service for each site. At a Code value of 125 gpd/site, a new leachfield will need to have capacity for approximately 5,000 gpd of wastewater. This new leachfield will be located on open land owned by you either north or east of the existing campground. Main-Land will provide an engineered system design for serving the proposed 40 new sites per current subsurface wastewater codes.

SCOPE OF SERVICES:

Main-Land has and will perform the following work, broken down into task groups.

Base Map, Initial Field Visit and Test Pits

MAIN-LAND has gathered data of existing conditions and compiled a base map of the project site. This existing conditions map includes:

- Property boundaries from available tax map information
- Topographical data (contours at 2-foot intervals) obtained from available Lidar information
- Meter accuracy location of existing visible (above ground) site features pertinent to the proposed leachfield, such as drilled well and pump station locations, will be collected via Trimble GeoXH GPS
- Aerial imagery

The above existing conditions plan will be used during Main-Land's initial site visit to assess concept leachfield options with you. We propose to conduct machine-excavated test pits in the concept leachfield areas to characterize subsurface conditions and to gather representative soil samples for laboratory testing. It is assumed that your excavator will be available to perform these test pits.

Meetings: Beyond the one planned initial field visit, we will be available to meet with you at your convenience and direction as additional work.

Engineered Subsurface Wastewater Disposal Design and Permitting

Once the final leachfield location has been selected, MAIN-LAND will return to the site to perform hand-dug test boring explorations at the chosen leachfield footprint to supplement test pit data. Main-Land's Licensed Site Evaluator (L.S.E.) will log the soil and groundwater conditions exposed at the test borings. This second field visit will follow client approval of design option to perform test borings and to layout the leachfield.

In support of hydrogeological aspects of site soils, Main-Land will perform up to two laboratory grain size analyses on selected test pit and boring samples. These samples will support required mounding and transmissivity analyses. These analyses will be performed at Main-Land's soil testing lab at our Livermore Falls office.

MAIN-LAND will submit a set of engineered leachfield design drawings for review and approval by the Client. The approved drawings will be suitable for State DHHS, Division of Environmental Health



DURHAM LEISURE CAMPGROUND, DURHAM, MAINE

(DEH) permit applications, and will be stamped by a Main-Land P.E. Main-Land will provide an Operations and Maintenance manual as required by the *Rules*.

Meetings: One regulatory meeting is proposed in this task, which is a required pre-application meeting with DEH staff for review of engineered system concept and approach (Note: this meeting is planned as a video conference with screen share). No additional client or regulatory meetings are planned, though we will be available to meet with you at your convenience and direction as additional work.

Construction Inspections and Report

MAIN-LAND can perform DHHS:DEH mandated leachfield inspections (minimum two site visits), and a final Engineer's statement of compliance report, as required by the *Rules*, but such is not proposed at this time. Main-Land can provide a time and expense estimate based on current billing rates once the system is approved and construction timeframe is known.

Excluded Services

MAIN-LAND endeavors to serve you with all of your site development consulting needs. But we also need to be clear what services are not included with this proposal so that you can anticipate other costs. For your convenience, we have summarized some of these items here:

- Construction.
- Site civil design (though we can perform these services in house should they become necessary)
- Soil laboratory testing and analysis for construction quality control.
- Permit appeals or court cases.
- Any other service not detailed in the Scope of Services is excluded.

SUB-CONTRACTED SERVICES:

Main-Land does not anticipate subcontracted work in this Scope of Services.

ASSUMPTIONS

MAIN-LAND has made assumptions in the preparation of this proposal. The Client will notify Main-Land if assumptions are in error prior to the start of our work. An incorrect assumption may change the project scope and cost.

- The Project Goals outlined above. Significant changes to the project goals and/or work scope will change our costs and the terms of this proposal. Changes to the design will necessitate extra work on our part which will in turn affect our cost.
- Coordination. This proposal assumes that the design team, which includes: the Client and other County and Local entities will work in a well-directed and coordinated manner.
- Design Team Meetings. This proposal assumes that coordination will happen from time to time as noted above. Scheduled routine design team meetings, whether on-site or off-site, are not included but can be performed as additional work at the Client's request.
- The Campground will provide the excavator to perform test pits planned during the initial field visit phase.



OPINION OF PROBABLE COST:

The cost estimate for Main-Land to complete the project as defined in the Scope of Services, above, is as follows:

<u>Task</u>	<u>Cost</u>	<u>Type</u>
Base Map, Initial Field Visit and TP's	\$3,000 to \$4,000	Time & Expense
Engineered System Design and Permitting	<u>\$9,000 to \$11,000</u>	Time & Expense
Total:	\$12,000 to \$15,000	T&E

Retainer: \$1,500

Main-Land works on a Time & Expense basis on tasks that we cannot adequately predict, as outlined above. The opinion of probable cost provided is not a contract price, but an opinion of the costs based upon projects of similar size and scope. If these project tasks go better than expected, then the project will realize these savings. If we run into any problems that may cause us to exceed the estimate, then we will notify you as soon as possible.

Potential permitting costs are itemized below. These are approximate and subject to interpretation by the governing regulatory authority. The Owner is responsible for permit application fees, and Main-Land can facilitate with their payment to the State.

<u>Application</u>	<u>Cost</u>
Maine DHHS: DEH	\$100
Municipal LPI	\$400

SCHEDULE:

MAIN-LAND anticipates being able to perform the initial site visit within two to three weeks of authorization to proceed. Our base map and options discussion will be available within one to two weeks of the initial site visit. Subsequent work schedules will be based on the above options discussion and your direction. We anticipate submitting the application to the State by early February 2024.

PERMISSIONS AND RESTRICTIONS

CLIENT hereby grants permission to MAIN-LAND to perform services described above, including permission to enter the premises, perform hand-dug test borings, and to document our findings. Documentation includes but is not limited to: survey data gathering; field notes and sketches; photographs; and video recording. Excepting in cases of imminent hazard to the public safety, Main-Land's findings, documentation, and other information is strictly confidential.

MAIN-LAND agrees not to unreasonably damage the property, but it is understood that the proposed hand-dug test borings might damage turf in the small area investigated.



CONCLUSION OF PROPOSAL AGREEMENT:

This Agreement, along with attachments hereto constitutes the entire agreement between parties pertaining to the subject project and it supersedes all prior or contemporaneous agreements, representations, and understandings.

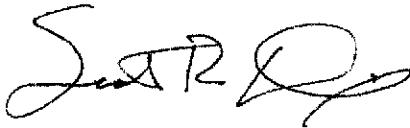
Client has read and agrees to the Standard Conditions sheet attached to this proposal, which Standard Conditions are incorporated herein and are a part of this Agreement. If that sheet is missing, please do not sign this proposal and contact Main-Land.

Main-Land generally requires a 10% retainer pre-payment prior to the start of work, as noted above. Should you wish to pay by credit card or ACH (eCheck), please go to www.main-landdci.com, click on PAY NOW and follow the easy steps.

If this proposal meets with your satisfaction, please sign in the space provided and return a copy, with the retainer, to Main-Land, PO Box Q, Livermore Falls, ME 04254. If you have any questions, comments or concerns with this proposal please do not hesitate to call or email at any time. We appreciate the opportunity and look forward to working with you on this project.

Sincerely,

Main-Land Development Consultants, Inc.



Scott R. Dixon, P.E., C.G., L.S.E.
Senior Chief Scientist

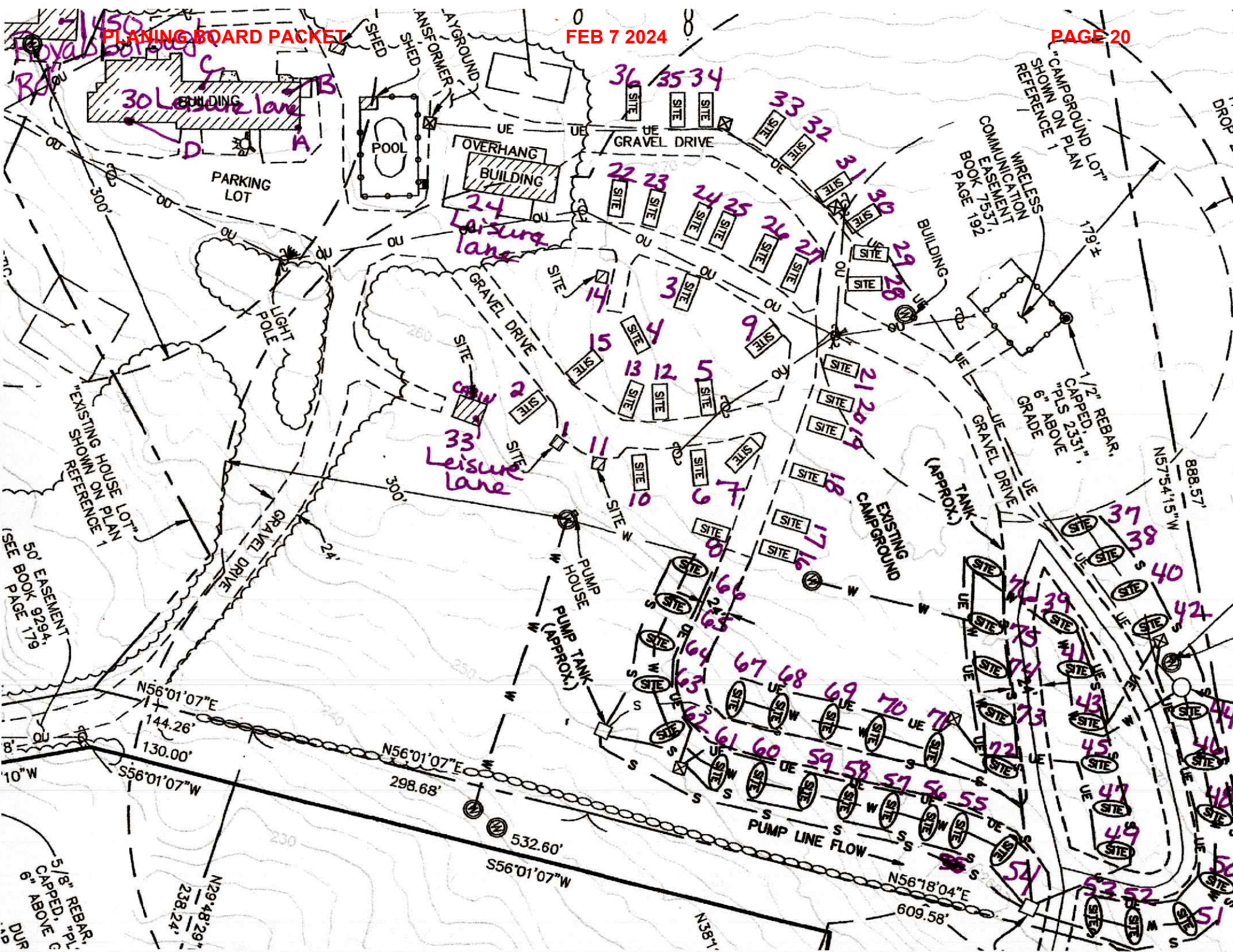
By signing below, the Client states that:

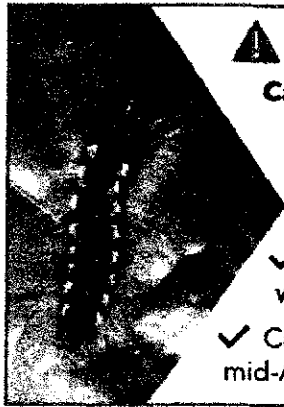
1. Client understands Main-Land's proposal,
2. Client agrees to the statements and stipulations therein,
3. Client agrees to pay Main-Land's fees in a timely manner.

Client: _____ Date: _____

Attachment: Standard Conditions








⚠ CAUTION!
 Caterpillar hairs may cause skin rash or respiratory irritation

- ✓ Dark brown and hairy
- ✓ Two red spots on back with broken white stripes
- ✓ Caterpillars are active from mid-April until early October

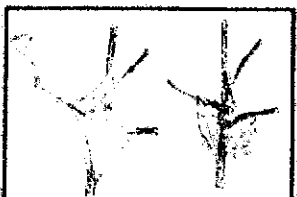
Reach Out About Browntail Winter Webs:

Let your neighbors and town officials know about browntail webs or caterpillars you find. The more people that respond to the problem, the better the results of web and caterpillar removal.




Mistaken for Browntail Webs:

Eastern tent caterpillars:
 Build large tents on inner branch crotches of apple, cherry, and other fruit trees in the spring.



Spring Fall/Winter


Fall webworm:
 Build large tents that are loosely attached to inner branch crotches of ash, and other hardwoods in late summer.



Fall/Winter

Source: Maine Forest Service

Recognize Browntail Winter Webs:



Tips of small branches

Found on the branch tips (not crotch) of host trees which most often include: red oak, apple, cherry, crabapple, elm, birch, poplar, shadbush and rugosa rose.

Palm-sized webs

Webs are typically 2-5 inches long and consist of a leaf or a few leaves in a tree or shrub. These webs contain 25 to 400 caterpillars during the winter.

White silk

Check for webs on sunny days! You can stand with your back to the sun and the white silk in the webs will reflect back at you.

Source: Maine Forest Service

Recruit Professionals When You Can't Remove Webs:


- Licensed professional arborists offer web removal for larger trees and shrubs.
- Some FAA-certified commercial remote pilots offer web clipping using unmanned aerial vehicles.
- In trees where the caterpillars' hairs cause a nuisance and where it is not practical to remove the webs, licensed pesticide applicators may be able to use insecticides in early spring to manage the caterpillars.

We strongly recommend recruiting a licensed pesticide applicator if you plan to use insecticides. If you decide to do it yourself, choose a product that is registered for use in Maine, labeled for the site of application, and effective against caterpillars. Apply consistent with the label so it **will take effect before the end of May.**


Remove Browntail Winter Webs:

Wear gloves and use an extendable pole pruner or hand snips to cut out winter webs within reach from the ground. Take precautions during removal to avoid contact with hazards, such as powerlines, and exposure to the toxic hairs.

After removal:



OR



Place webs into a large bucket filled with soapy water for several days, then dispose of webs in the trash.

Obtain a free burn permit from the State of Maine and destroy webs by burning them in a contained fire.

PLANNING BOARD PACKET KNOCK OUT BROWNTAIL

Help Reduce the Itch and
Save Your Skin!



KNOCK OUT BROWNTAIL with the Four Rs plus two more tips!

1. **Recognize** webs during the **winter season** when they are easiest to see.
 2. **Remove** winter webs with hand snips or an extendable pole pruner **before April**. Destroy webs by soaking them in soapy water or burn them safely and legally.
 3. **Recruit** professional help to treat or remove webs you can't reach in areas of high human use such as your dooryard.
 4. **Reach Out** and let your neighbors and town officials know if you find browntail caterpillars or webs in your neighborhood.
- Check for and remove caterpillars from your car in **May and June** before leaving your parking spot to prevent the spread of these pests.
 - Turn off outdoor lights during peak moth activity in **July** to reduce the moth attraction to your property. Yellow-colored lighting may also limit moth attraction.

How can I protect myself from the toxic hairs?

- Follow the Four Rs that knock out browntail moths!
- If you can't avoid areas with lots of browntail caterpillar activity, protect your eyes, skin, and airway when:
 - Mowing, raking, weed-whacking, leaf-blowing or other activities that may stir up toxic hairs.
 - Removing webs in winter to prevent contact with previous seasons' hairs.
- Take a cool shower after working in infested areas to wash away irritating hairs.
- Hose down caterpillars on hard surfaces with water and remove using a wet-dry vacuum with a HEPA filter and some soapy water in the bottom.

Help! I'm already itchy from the toxic hairs!

- Take a cool bath with baking soda or an oatmeal solution.
- Apply hydrocortisone cream or other calming lotions to itchy areas.
- Use OTC allergy products for mild respiratory symptoms.
- Consult your doctor if you develop a severe reaction. If you have difficulty breathing, swelling of the mouth, tongue, or throat, call 911.



Actual size
in June

211

Maine

For More Information:

Dial: 211 or 866-811-5695
Text: Zip Code to 898-211
Email: info@211maine.org

Maine State Government is an equal opportunity provider and employer.

Browntail Moth



Why are they a problem?

Browntail caterpillars (*Euproctis chrysorrhoea*) have tiny toxic hairs that readily break off of their bodies and can **stay toxic in the environment for up to three years**. In sensitive individuals, these hairs can cause **skin irritation** similar to poison ivy and in some cases **difficulty breathing and other symptoms**.

Browntail moth caterpillars also feed on the leaves of broad-leaved trees and shrubs. **Repeated seasons of feeding can lead to tree damage**. Every year since 1994, Maine has noted pockets of high populations of this non-native pest and damage amounting to at least 400 acres. In 2015, browntail moth populations entered an outbreak phase, defoliating tens of thousands of acres annually. We cannot eradicate browntail moths, instead, management should focus on reducing impacts to people through targeted reduction of their populations.

Stay Updated on Browntail Moth:
maine.gov/dacf/knockoutbtm

JANET T. MILLS
GOVERNORSTATE OF MAINE
DEPARTMENT OF
INLAND FISHERIES & WILDLIFE
353 WATER STREET
41 STATE HOUSE STATION
AUGUSTA ME 04333-0041JUDITH CAMUSO
COMMISSIONER

January 16, 2024

Ken Huot
Durham Leisure Holdings LLC**RE: Information Request – 24 Leisure Lane Campground Expansion Project, Durham (ER#7337)**

Dear Ken:

Per your request, we have reviewed current Maine Department of Inland Fisheries and Wildlife (MDIFW) information sources for known locations of Endangered, Threatened, and Special Concern (Rare) species; designated Essential and Significant Wildlife Habitats; inland fisheries and aquatic habitats; and other Protected Natural Resources concerns within the vicinity of the *24 Leisure Lane Campground Expansion Project* in Durham. Please note that as project details are limited, our comments should be considered preliminary.

Our Department has not mapped any Essential Habitats that would be directly affected by your project.

Endangered, Threatened, and Special Concern Species

Bat Species – Of the eight species of bats that occur in Maine, four species are afforded protection under Maine's Endangered Species Act (MESA, 12 M.R.S §12801 et. seq.): little brown bat (State Endangered), northern long-eared bat (State Endangered), eastern small-footed bat (State Threatened), and tri-colored bat (State Threatened). The four remaining bat species are designated as Species of Special Concern: big brown bat, red bat, hoary bat, and silver-haired bat. While a comprehensive statewide inventory for bats has not been completed, based on historical evidence, it is likely that several of these species occur within the project area during spring/fall migration, the summer breeding season, and/or for overwintering. However, our Agency does not anticipate significant impacts to any of the bat species as a result of this project.

Significant Wildlife Habitat

Significant Vernal Pools - At this time MDIFW Significant Wildlife Habitat (SWH) maps indicate no known presence of Significant Vernal Pools (SVPs) in the project search area. However, a comprehensive statewide inventory for Significant Vernal Pools has not been completed. SVPs are not included on MDIFW maps until project areas have been surveyed using approved methods and the survey results confirmed. Thus, their absence from resource maps is not necessarily indicative of an absence on the ground. Therefore, we recommend that surveys for vernal pools be conducted within the project boundary by qualified wetland scientists prior to final project design to determine whether there are Significant Vernal Pools present in the area. These surveys should extend up to 250 feet beyond the anticipated project footprint because of potential performance standard requirements for off-site Significant Vernal Pools, assuming such pools are located on land owned or controlled by the applicant. Once surveys are completed, survey forms should be submitted to our Agency for review well before the

Letter to Ken Huot, Durham Leisure Holdings LLC
Comments RE: 24 Leisure Lane Campground Expansion Project, Durham (ER#7337)
January 16, 2024

submission of any necessary permits. Our Department will need to review and verify any vernal pool data prior to final determination of significance.

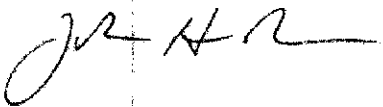
Aquatic Resources

We recommend that 100-foot undisturbed vegetated buffers be maintained along streams. Buffers should be measured from the edge of stream or associated fringe and floodplain wetlands. Maintaining and enhancing buffers along streams is critical to the protection of water temperatures, water quality, natural inputs of coarse woody debris, and various forms of aquatic life necessary to support conditions required by many fish species. Stream crossings should be avoided, but if a stream crossing is necessary, or an existing crossing needs to be modified, it should be designed to provide full fish passage. Small streams, including intermittent streams, can provide crucial rearing habitat, cold water for thermal refugia, and abundant food for juvenile salmonids on a seasonal basis and undersized crossings may inhibit these functions. Generally, MDIFW recommends that all new, modified, and replacement stream crossings be sized to span at least 1.2 times the bankfull width of the stream. In addition, we generally recommend that stream crossings be open bottomed (i.e., natural bottom), although embedded structures which are backfilled with representative streambed material have been shown to be effective in not only providing habitat connectivity for fish but also for other aquatic organisms. Construction Best Management Practices should be closely followed to avoid erosion, sedimentation, alteration of stream flow, and other impacts as eroding soils from construction activities can travel significant distances as well as transport other pollutants resulting in direct impacts to fisheries and aquatic habitat. In addition, we recommend that any necessary instream work occur between July 15 and October 1.

This consultation review has been conducted specifically for known MDIFW jurisdictional features and should not be interpreted as a comprehensive review for the presence of other regulated features that may occur in this area. Prior to the start of any future site disturbance, we recommend additional consultation with the municipality, and other state resource and regulatory agencies including the Maine Natural Areas Program and Maine Department of Environmental Protection in order to avoid unintended protected resource disturbance.

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

Best regards,

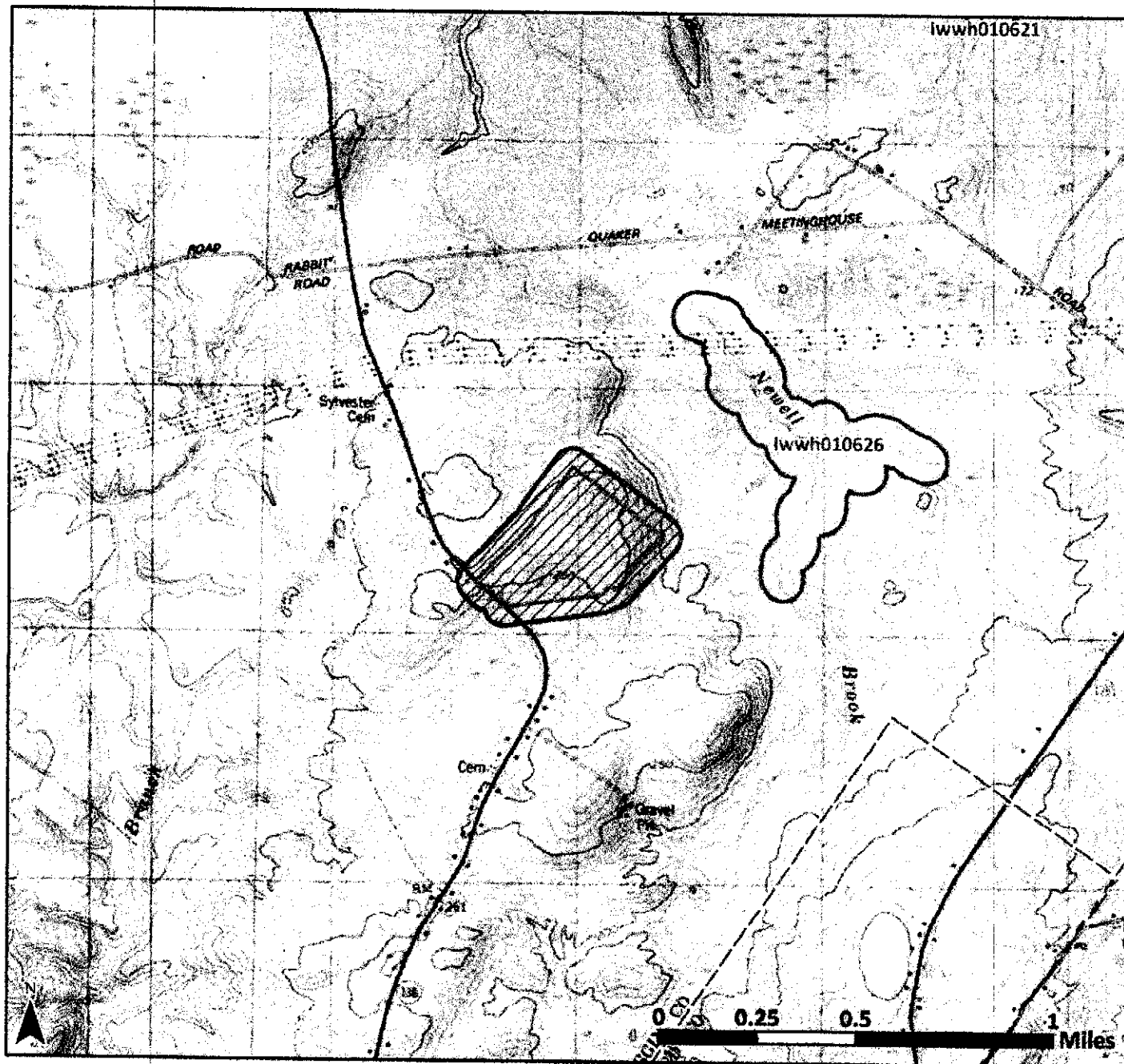


John Perry
Environmental Review Coordinator



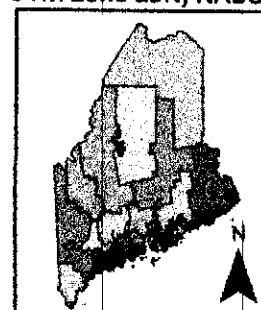
Maine Department of Inland Fisheries and Wildlife
Project Area Review of Fish and Wildlife Observations and Priority Habitats

24 Leisure Lane, Durham



- County Boundary
- Township Boundary
- Project Footprint
- Search Area
- Inland Waterfowl/Wading Bird

Date: 1/11/2024
 Projection:
 UTM Zone 19N, NAD83

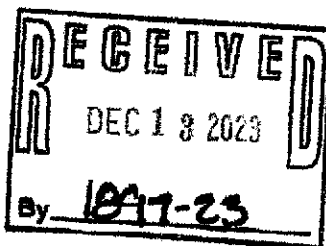


Legend only lists resources visible in the map; see response letter for all resources that were evaluated.

Durham Leisure Campground

24 Leisure Ln

Durham ME 04222



We are expanding our RV sites. Putting 40 more in to make a total of 76. We are in the site plan review process needing a letter from MHPC on historic & archaeological resources. For Town Permit. We Also have state campground permitting to go. No federal monies involved. USGS topographic quad map (see attached). There are no structures that are 50 years old that will be directly impacted by the expansion. No stone walls can be relocated by town ordinance. As seen in print attached.

Based on the information submitted, I have concluded that there will be no historic properties affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act. Consequently, pursuant to 36 CFR 800.4(d)(1), no further Section 106 consultation is required unless additional resources are discovered during project implementation pursuant to 36 CFR 800.13.

Kirk F. Mohney

 Kirk F. Mohney,
 State Historic Preservation Officer
 Maine Historic Preservation Commission

12/28/23

 Date



MHPC. For Durham Leisure Campground.

1 message

Rideout, Megan M <Megan.M.Rideout@maine.gov>
To: Gwenn Huot <dlcampground@gmail.com>

Thu, Dec 28, 2023 at 1:50 PM

Good Afternoon Ken,

We are in process of reviewing the submission and will provide a response via postal mail once our review is complete.

Best,

Megan M. Rideout

Review & Compliance/CLG Coordinator

Maine Historic Preservation Commission

55 Capitol Street

65 State House Station

Augusta, Maine 04333

207.287.2992

From: Gwenn Huot <dlcampground@gmail.com>

Sent: Thursday, December 28, 2023 1:41 PM

To: Rideout, Megan M <Megan.M.Rideout@maine.gov>

Subject: MHPC. For Durham Leisure Campground.

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

[Quoted text hidden]

Housing Rehabilitation/Restoration

1. A cover letter describing the project and type of permitting needed (local, state or federal) or if there are federal monies involved (HUD, USDA RD, etc.); and
2. A 7.5' USGS topographic quad map and/or tax map with the subject property clearly and accurately indicated; and
3. Clear, unobstructed photos of the subject building or site, photos of any buildings over fifty years of age that are adjacent to or across the street from the project site, as well as photos of the streetscape in the immediate vicinity of the project site. All photos should be keyed to a USGS topographic quad map, tax map or a site plan. If no buildings over fifty years of age exist in the vicinity, please indicate this in writing; and
4. Specifications, plans, concept sketches and/or drawings should be submitted if available.

For a project with multiple buildings, please submit a cover letter, map and photographs for each individual building.

Road & Trail Construction/Restoration/ Water Crossings (culverts, bridges, etc)

1. A cover letter describing the project and type of permitting needed (local, state or federal) or if there are federal monies involved; and
2. A USGS topographic quad map with the project corridor, or project sites along the corridor, clearly and accurately located; and
3. Clear, unobstructed photos of river or stream shorelines.
4. Photos of any structures that will be directly impacted (stone walls, bridges, culverts, buildings, etc.) by the project, as well as photos of any buildings over fifty years of age that will have a view of the project. All photos of buildings should be keyed to the USGS topographic quad map, tax map or a site plan. If no buildings over fifty years of age exist in the vicinity, please indicate this in writing.
5. Specifications, plans, concept sketches and/or drawings should be submitted if available.

Small Scale Ground Mounted Solar Arrays

1. A cover letter describing the project and type of permitting needed (local, state or federal) or if there are federal monies involved; and
2. A 7.5' USGS topographic quad map with the project boundaries clearly and accurately delineated; and
3. Clear, unobstructed photos of any buildings over fifty years of age that are on, adjacent to, or across the street from the project site and any associated access roads. All photos should be keyed to a map. If no such buildings exist, please indicate this in writing; and
4. Preliminary site plans, concept sketches and/or drawings should be submitted if available.



TOWN OF DURHAM
630 Hallowell Road
Durham, Maine 04222

Office of Code Enforcement
and Planning

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

SITE PLAN REVIEW WAIVER REQUEST

A SEPARATE REQUEST FORM MUST BE SUBMITTED FOR EACH WAIVER REQUESTED

Project Name: Durham Leisure Expansion

Application Date: 12/15/23

A. Applicant Contact Information

Applicant: Ken & Gwenn Huot

Address: 24 Leisure Ln Apt 2

Telephone number: 2073535535

Durham ME 04222

Email address: dlcampground@gmail.com

B. Identification of Waiver Request

Waiver Type: Submissions X

Performance Standards 8.5 C

Land Use Ordinance Section Number: 8.5C C12, C16, C26, C28, C29,

C. Explanation of Waiver Request

Why is the waiver being requested by the applicant?

I would like to request a waiver on multiple sections on the same waiver request form due to the scope of work already approved by conditional use application. Section 8.5C C12, C16, C26, C28, C29.

Project Name: Durham Leisure Expansion

D. Justification of Waiver Request

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

Due to the RV park previously being aproved for conditional use expansion, sections can be waived due to findings from conditional use process.

E. Supporting Documentation

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

see page attached.

F. Signature of Applicant

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

Printed Name: Ken Huot

12/15/23
Date

Project Name: _____

SITE PLAN REVIEW WAIVER REQUEST FINDINGS OF FACT

Section 6.35 WAIVERS

A. Waivers of Certain Submission Requirements: Where the Board makes written findings of fact that there are special circumstances of a particular site, or that the application is simple and minor in nature, it may waive portions of the submission requirements, unless prohibited by these regulations or Maine statutes, provided the applicant has demonstrated that the criteria and performance standards of these regulations have been or will be met, the public health, safety, and welfare are protected, and provided the waivers do not have the effect of nullifying the intent and purpose of the comprehensive plan, the zoning regulations, or these subdivision regulations.

Motion made by _____: The special circumstances of the particular tract proposed for development and the simple nature of the application indicate that the following submission item is unnecessary to verify compliance with the site plan review criteria and standards and would not nullify the intent and purpose of the comprehensive plan, zoning regulations, or these site plan regulations:

Motion seconded by _____:

Votes to approve: _____ Votes to deny: _____

B. Waivers of Performance Standards: Where the Board makes written findings of fact that due to special circumstances of a particular site proposed to be developed, the provision of certain required improvements is not requisite to provide for the public health, safety or welfare, or an alternative design is equal to or better in meeting the site plan review criteria, it may waive the design standards, subject the following criteria:

1. The applicant has provided the Planning Board with a factual basis for granting the waiver that is supported by sound engineering and/or environmental analysis (cost considerations are not justification);
2. The waiver(s) do not have the effect of nullifying the intent and purpose of the zoning regulations or these subdivision regulations;
3. The criteria of these site plan review regulations have been or will be substantially met by the proposed site plan; and,
4. The requested performance standard waivers are noted on the recorded subdivision plan (submission waivers are not noted on the plan).

Motion made by _____: The applicant has provided documentation based on sound engineering and/or environmental analysis that the following standard can be waived for the proposed site plan and is not requisite to provide for the public health, safety, and welfare subject to the proposed conditions of site plan approval:

Motion seconded by _____:

Votes to approve: _____ Votes to deny: _____



TOWN OF DURHAM
630 Hallowell Road
Durham, Maine 04222

*Office of Code Enforcement
and Planning*

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

NOTICE OF INCOMPLETE APPLICATION

Date: February 7, 2024

Name: Ken Huot

Address: 24 Leisure Lane. Durham, Maine 04222

Mr. Huot:

The Planning Board of the Town of Durham has reviewed your application for site review of a project on Leisure Lane (Map 2, Lot 13). In accordance with Section 8.4.H., the Board has determined that your application is incomplete, and the Board cannot begin a formal review of your application until all information stated in the application checklist is submitted.

For your application to be considered complete and adequate for review by the Planning Board, the following materials must be submitted:

- a. Section 8.5.C – 10 copies of full-sized site plan (Submit copies or request waiver)
- b. Section 8.5.C.12 – Drainage ways and culverts (Submit stormwater plan or request waiver)
- c. Section 8.5.C.14 – Main traffic entrance sight distances (Provide qualified professional's measurements on the plan)
- d. Section 8.5.C.16 – Waste disposal types & facilities (Submit qualified professional's HHE200 & system design)
- e. Section 8.5.C.21 – Location & type of area lighting (Request waiver)
- f. Section 8.5.C.27 – Letter from MHPC on historic & archaeological resources review (Provide letter from State agency)
- g. Section 8.5.C.28 – Erosion & sedimentation plan (Submit plan by qualified professional or request waiver with calculations per the Ordinance)
- h. Section 8.5.C.29 – Stormwater plan (Submit plan by qualified professional or request waiver with calculations per the Ordinance)

Respectfully,

George Theborge, Town Planner



TOWN OF DURHAM
630 Hallowell Road
Durham, Maine 04222

*Office of Code Enforcement
and Planning*

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

NOTICE OF COMPLETE APPLICATION

Date: February 7, 2024

Name: Ken Huot

Address: 24 Leisure Lane. Durham, Maine 04222

Mr. Huot:

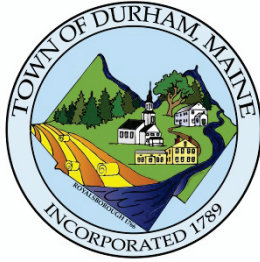
The Planning Board of the Town of Durham has reviewed your application for site review of a project on Leisure Lane (Map 2, Lot 13). In accordance with Section 8.4.H., the Board has determined that your application is complete, and the Board will begin a substantive review of the application against the site plan review criteria and standards of Article 8.

Respectfully,

George Theborge, Town Planner

6. Continuing Business:**b) Substantive Review of Site Plan Review Application for Expansion of the Leisure Campground for 40 RV sites, Map 2, Lot 13 (Public comment will not be taken)**

- If the Board grants the requested waivers and/or determines that the applicant has submitted a completed application sufficient for the Board to render a decision, the packet contains a site plan review checklist addressing compliance of the application with the site plan review standards.
- The checklist was filled out by the Town Planner based on the current state of the applicant's submissions.
- If the Board grants any waivers of submissions or performance standards, those waivers will be noted on the checklist form.
- If the Board votes to proceed with a vote in favor of site plan approval based on the Ordinance criteria and standards, the Town Planner will prepare draft findings of fact documenting the Board's review of the applicant's submissions.
- If the Board votes to proceed with a vote of denial of site plan approval due to insufficient submissions and/or failure to meet the site plan review design standards, the Town Planner will prepare draft findings of fact for all points where the applicant has failed to meet Ordinance requirements as determined by majority vote of the Planning Board.



TOWN OF DURHAM
630 Hallowell Road
Durham, Maine 04222

*Office of Code Enforcement
 and Planning*

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

SITE PLAN REVIEW CHECKLIST
SECTION 8.5 SITE PLAN REVIEW SUBMISSIONS SECTION 8.6 –
PERFORMANCE STANDARDS

PROJECT NAME Leisure (STAFF REVIEW)) **DATE** Feb 2 2024

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 site plan review criteria or the requirements of Article 8 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 application need not contain separate plans as implied below. The perimeter survey, site plan and general engineering plans may be contained on the same drawing for site plan approval. However, detailed engineering drawings such as grading plans, utility plans, stormwater plans, and erosion/sedimentation plans should be presented on separate sheets.

SITE PLAN REVIEW REGULATIONS	Submitted by Applicant	Waiver Requested (with waiver request form)	Received by Planning Board	Waiver Granted
8.4 D.	Required public notice sent to abutting property owners			
8.5	SITE PLAN REVIEW SUBMISSIONS REQUIRED FOR COMPLETENESS REVIEW (10 Copies of application form & all materials)			
A.	Completed application form	YES	NOT WAIVABLE	NOT WAIVABLE
B.	Location map w/ required information	YES	NOT WAIVABLE	NOT WAIVABLE
C.	Site plan at readable scale (1"=100' maximum)	NO	NOT WAIVABLE	NOT WAIVABLE
C.1	Proposed project name, Town, & Map & Lot #s	YES	NOT WAIVABLE	NOT WAIVABLE
C.2	Names of owner, applicant, plan preparer & abutters	YES	NOT WAIVABLE	NOT WAIVABLE

SITE PLAN REVIEW REGULATIONS		Submitted by Applicant	Waiver Requested (with waiver request form)	Received by Planning Board	Waiver Granted
C.3	Documentation of legal rights to develop property	YES	NOT WAIVABLE		NOT WAIVABLE
C.4	Standard boundary survey	YES	NOT WAIVABLE		NOT WAIVABLE
C.5	Copy of most recent deed w/ any encumbrances	YES	NOT WAIVABLE		NOT WAIVABLE
C.6	All septic system test pit logs	YES			
C.7	Proposed water supplies for domestic & firefighting purposes	YES			
C.8	All wetlands mapped	YES			
C.9	Location of any water features & indication of location in or out of Runaround Pond watershed	YES			
C.10	Topography at 5 ft. & 2 ft. contours (for areas where construction will occur)	YES			
C.11	Zoning district and any district boundaries	YES	NOT WAIVABLE		NOT WAIVABLE
C.12	Location (w/ size) of existing & proposed culverts & drainage ways shown	NO	YES		
C.13	Existing streets, easements, buildings, parks, & deeded open spaces (on or adjacent)	YES			
C.14	Traffic entrance(s) sight distances external & internal roads	NO	NO		
C.15	Location & width of existing & proposed access drives	YES			
C.16	Proposed waste disposal types & facilities	NO	YES		
C.17	Proposed driveways, parking & loading areas, walkways, & circulation	YES			
C.18	Proposed landscaping & buffering	YES			

SITE PLAN REVIEW REGULATIONS		Submitted by Applicant	Waiver Requested (with waiver request form)	Approved by Planning Board	Waiver Granted
C.19	Location, dimensions, ground floor elevation of all buildings & expansions	N/A	NOT WAIVABLE		NOT WAIVABLE
C.20	Location and details of all signage	YES			
C.21	Location & type of exterior lighting	NO	NO		
C.22	Location of all utilities, including fire protection systems	YES			
C.23	General description of proposed use or activity	YES			
C.24	Signature block for Planning Board Chair	YES			
C.25	Flood mapping if in FEMA flood area	YES			
C.26	Wildlife habitat identified per MIF&W mapped or confirmed absent	YES			
C.27	Historic & archaeological resources identified per MHPC or confirmed absent	NO	NO		
C.28	Erosion & Sediment Plan	NO	YES		
C.29	Stormwater Plan	NO	YES		
C.30	Phosphorus Plan (if in watershed of Runaround Pond)	N/A			
D.	ADDITIONAL STUDIES THAT MAY BE REQUIRED BY THE BOARD (Based on project type & size, site issues, or issues that come up during review)				
D.1	High intensity soil survey				
D.2	Hydrogeological assessment for groundwater withdrawal				
D.3	Traffic trip generation (required for larger projects)				
D.4	Traffic impact study (required for larger projects or if safety issues are identified)				
E.	Additional information required by Planning Board to verify compliance with standards (requires vote of the Board)				

SITE PLAN REVIEW REGULATIONS	Submitted by Applicant	Waiver Requested (with waiver request form)	Approved by Planning Board	Waiver Granted
8.6 REVIEW STANDARDS TO BE ADDRESSED BY THE APPLICANT'S SUBMISSIONS AFTER THE APPLICATION IS DEEMED COMPLETE BY THE PLANNING BOARD				
8.6.A Utilization of the Site				
Plan reflects natural capabilities of site to support the development	YES			
Buildings & parking located on suitable land	YES			
Environmentally sensitive portions of site avoided & protected	YES			
Natural drainage maintained to maximum extent practical	UNKNOWN	YES		
8.6.B Adequacy of Road System				
Access road(s) have capacity to take the added traffic proposed	YES			
Traffic analysis for projects with more than 100 peak hour trips	N/A			
8.6.C Vehicular Access into the Site				
C.1 Meets entrance sight distances per Appendix 1, Section 1.4	UNKOWN	NO		
C.2 Access onto road(s) within steepness limits (3% for two car lengths)	YES			
C.3 Access off secondary road if more than one frontage	N/A			
C.4 Off-site traffic improvements required per traffic study	N/A			
C.5 Entrance designed to avoid queuing in lanes of road giving access to the site	YES			
C.6.a Only 1 driveway entrance if less than 100 daily trips & less than 30 feet wide	YES			
C.6.b No more than 2 entrances if 100 daily trips or more	YES			
C.6.c Entrance(s) at least 50 ft from any intersection	YES			
C.6.d Entrances at least 75 ft apart	YES			

SITE PLAN REVIEW REGULATIONS		Submitted by Applicant	Waiver Requested (with waiver request form)	Approved by Planning Board	Waiver Granted
8.6.D	Internal Vehicular Circulation				
D.1	Site plan minimizes cut & fill alterations and provides adequate room for safe operations	YES			
D.2	If large delivery vehicles will need access, entrance & circulation designed for WB-40 vehicles	YES			
D.3	Fire lanes around building(s) adequate & clearly marked	YES			
8.6.E	Parking Layout and Design				
E.1	No backing into road for parking required	YES			
E.2	Parking set back from side & rear property lines by 15 ft. unless buffering requires more distance	YES			
E.2	Parking set back from front property line by 25 ft. unless buffering requires more distance	YES			
E.3	Parking spaces and access aisles meet dimensional requirements	YES			
E.4	Signs adequate for one-way circulation if proposed	YES			
E.5	No double stacking of parking spaces	YES			
E.6	Vehicles prevented from overhanging walks & drives or damaging landscaping & lighting	YES			
E.7	Safe pedestrian circulation from buildings to parking	YES			
8.6.F	Utilities				
	Adequate utilities provided and underground or adequately screened	UNKNOWN	YES		

SITE PLAN REVIEW REGULATIONS	Submitted by Applicant	Waiver Requested (with waiver request form)	Approved by Planning Board	Waiver Granted	
8.6.G	Lighting Design Standards – Lighting plan submitted showing:				
G.1	Max. height of light poles 25 ft. or height of building, whichever is less	UNKNOWN	NO		
G.2	Max. apex of illumination from fixtures upward is 150 degrees max.	UNKNOWN	NO		
G.3	No building spotlights used for illumination	UNKNOWN	NO		
G.4	Light poles protected from vehicular damage	UNKNOWN	NO		
G.5	Building & light pole fixtures shielded to avoid nuisance glare & no string lights	UNKNOWN	NO		
G.6.a	Parking lot average illumination level of 1.5 fc	UNKNOWN	NO		
G.6.b	Intersection illumination level of 3 fc	UNKNOWN	NO		
G.6.c	Max. illumination at property lines of 1 fc	UNKNOWN	NO		
G.7.a	Auto service station fueling canopies have less than 20 fc average & 30 fc maximum with 1.25 uniformity ratio (max to min)	N/A			
G.7.b	Fueling canopies light fixtures recessed or flush with max upward apex of illumination of 85 degrees	N/A			
G.7.c	No light fixtures on fueling canopy except to illuminate approved signs	N/A			
8.6.H	Signage				
	All signs meet the requirements of Section 5.24	YES	NOT WAIVABLE		NOT WAIVABLE
8.6.I	Fire Protection				
	The water supply will sustain fire suppression requirements of NFPA 1142, Water Supplies for Suburban & Rural Fire Fighting	YES			

SITE PLAN REVIEW REGULATIONS		Submitted by Applicant	Waiver Requested (with waiver request form)	Approved by Planning Board	Waiver Granted
8.6.J	General Buffering Standards – Landscaping Plan showing the following:				
J.1	Evergreen buffers consist of 6-8 ft trees planted in alternate pattern 5 ft apart	YES			
J.2.a	Buffers along property lines to shield uses from abutting property	YES			
J.2.b	Garbage areas, utilities, service equipment, and outdoor storage totally screened	YES			
J.2.c	Parking areas & other vehicle storage screened but traffic visibility at entrance(s) not obstructed	YES			
J.3	Existing vegetation & landscape features provide adequate screening in lieu of installed buffers	YES			
J.4	Existing and proposed buffers are adequate to shield structures & uses from non-compatible properties & public roadways	YES			
J.5	Fencing & screening is durable and will be properly maintained by the owner	YES			
J.6	Fencing & screening located within the property to allow access for maintenance on both sides	YES			
J.7	Management system will be in place to ensure long-term maintenance of buffering	YES			
8.6.K	Historic & Archaeological Resources				
	Applicant has confirmed with MHPC that no historic or archaeological resources are present or measures are included in the site plan to protect those resources.	NO	NO		
8.6.L	Financial Capacity				
	The applicant has adequate financial resources to construct improvements in keeping with the standards	YES			

SITE PLAN REVIEW REGULATIONS	Submitted by Applicant	Waiver Requested (with waiver request form)	Approved by Planning Board	Waiver Granted	
8.6.M	Technical Ability				
	Applicant has experience with site development and/or has retained qualified consultants & contractors to complete the project in keeping with the standards	UNKNOWN	NO		
8.7	WAIVERS (Based on review of individual waiver requests)				
A.	For submission waivers, applicant has demonstrated all performance standards have been met	(Attach waiver requests)			
B.1	For waivers of performance standards, the applicant has provided sound engineering and/or environmental analysis to support the request	(Attach waiver requests)			
B.2	The waivers will not have the effect of nullifying any regulation				
B.3	The site plan review criteria are substantially met by the proposed design				
B.4	Any performance standard waivers are noted on the approved site plan		NOT WAIVABLE		NOT WAIVABLE