



THOMAS FOWLER, P.E. LLC

CIVIL ENGINEER: DESIGN AND PERMITTING SERVICES

March 4, 2024

To: Planning Board Member
c/o City of Belfast Code & Planning Office
131 Church Street
Belfast, ME 04915

Subject: Proposed Sanderson 7-Lot Subdivision
161 Congress St. (Tax Map 34 Lot 33)
Belfast, Maine 04915

Dear Planning Board Member:

On behalf of Arthur (Bill) and Sylvia (Kym) Sanderson, I am writing to submit an updated Preliminary Subdivision Plan application for a proposed 7-lot residential subdivision of their property at Congress St. and Priscilla Lane, at Tax Map 34 Lot 33, in the Residential 2 Zoning District.

This proposed modest development fits with the character of the existing neighborhood, with lots ranging in size from 0.5 acres to 8.6 acres. Public water is available to these lots, and they are also all large enough for private wells; there is as yet no public sewer available, so all lots are planned for subsurface wastewater disposal (septic). A lot summary is provided below:

Lot 1 contains the Sanderson's home and nearby outbuildings, with existing access from Priscilla Lane. The total lot area is 1.16 acres.

Lot 2 is an undeveloped lot with open area and woods. The lot was sold to and is currently owned by Aimee Moffitt-Mercer, but it is still part of the subdivision because it was transferred in 2021, less than 5 years before this application. This lot has frontage, water and utility access on Priscilla Lane, and the total lot area is 0.5 acres.

Lot 3 is an undeveloped wooded parcel in the northeast portion of the property with approximately 303 feet of frontage on Congress Street. Access via a driveway off Congress Street to the upland portion of the property will require crossing a stream crossing, for which we have applied for an NRPA Permit-By-Rule (Section 10) with Maine DEP. A copy of this PBR is enclosed in Attachment 8. Water and electric/communications utilities can be connected from Congress Street. The size of this lot is large enough (8.6 acres) to accommodate a private well and septic system.

Lot 4 is currently a mixture of fields and woods with an existing barn and paddock on the north side of Priscilla Lane. Lot 4 is accessed from Priscilla Lane, where water and utilities are also available. The size of this lot is large enough to accommodate a private well and septic system. The total lot area is 5.55 acres.

Lot 5 is an undeveloped wooded lot in the northwest corner of the property contiguous to Lots 4 and 6. Access is from an easement and right of way off the end of School Street Extension through the Belfast Birches Association and across the northeast corner of Lot 6. The easement from Belfast Birches Association, in a deed in Attachment 4, limits use of the easement to two single-family residential dwellings, one of which would be on Lot 5. Water and utilities could be taken from School Street Extension. The size of this lot is also large enough to accommodate a private well and septic system. The total lot area is 0.81 acres.

Lot 6 is an undeveloped wooded lot in the northwest corner of the property. Access is from an easement and right of way off the end of School Street Extension through the Belfast Birches Association. The easement from Belfast Birches Association, in a deed in Attachment 4, limits use of the easement to two single-family residential dwellings, one of which would be on Lot 6. Water and utilities could be taken from School Street Extension. The size of this lot is also large enough to accommodate a private well and septic system. The total lot area is 0.70 acres. The easement on the lot that provides access to Lot 5 encompasses 0.11 acres.

Lot 7 is an undeveloped open area in the southwest corner of the property. This lot has access from the end of the proposed large vehicle turnaround on Priscilla Lane. Water and utilities could be taken from Priscilla Lane. The size of this lot is large enough to accommodate a private well and septic system. The total lot area is 6.76 acres.

All lots will be served by public water supply or private wells and all lots are planned to utilize subsurface wastewater disposal (septic) systems at this time. Test pits showing the location of viable septic sites on the proposed lots are shown on the Preliminary Subdivision Plan. These soil evaluations are documented in Attachment 6.

Prior to submittal of this subdivision Preliminary Subdivision Plan, the owners, TFPE and the City of Belfast staff and Council held various discussions regarding the road width of Priscilla Lane and its right-of-way. Currently, Priscilla Lane is maintained by the City as a 20'-wide paved road. However, deeds indicate that the City only owns a 1-rod (16.5' wide) piece of land. After discussion with City staff and Council, a 16.5' wide strip on the north side of Priscilla Lane will be conveyed to the City of Belfast, as well as an area for a formalized large vehicle turnaround. This will yield the City a clear title to a 33'-wide road right of way and turnaround, as shown on the Preliminary Plan in Attachment 1.

The City has agreed in principle to construct and maintain a new T-turnaround at the end of Priscilla Lane, and will continue to maintain Priscilla Lane as a paved public way. (See the Preliminary Plan and turnaround exhibits in Attachment 1.) In addition to these conveyances to the City of Belfast, the Sandersons and Nancy Ann Bubar will exchange land to clarify previous handshake agreements between family members and add a 10' wide strip to the west side of the Bubar property as shown on the Preliminary Plan.

To aid in your review of this application, we have listed the submission requirements for the Preliminary Subdivision Plan in Section VI of the City of Belfast Subdivision Ordinance, with an explanation/summary of how the information is presented within the application, or on the plan.

1. *Soil information on the property to be subdivided;*

Existing soils on site, derived from the medium intensity Soil Survey for Waldo County, are described in a note and shown on the Preliminary Subdivision Plan in Attachment 1.

2. *U.S. Geological contour map for the property to be subdivided;*

The applicable section of the USGS Quadrangle for Belfast is shown in the upper left corner of the Preliminary Subdivision Plan in Attachment 1.

3. *Soil test information for each proposed lot, for sub-surface wastewater disposal system unless not required by the Board;*

Septic test pit locations on Lots 2-7 are shown on the Preliminary Subdivision Plan and test pit data is found in Attachment 6 to this document.

4. *List of all abutters with mailing address;*

A list of abutters with mailing addresses is provided in Attachment 2 to this document.

5. *A statement from the Water District as to availability of municipal water, if municipal water is to be used;*

A statement from the Belfast Water District describing adequate availability of water is provided in Attachment 3 to this document.

6. *Copy of letter to M.S.A.D. 34 notifying them of the number of units in the proposed subdivision;*

A letter to Superintendent Mary Alice McLean at RSU 71 is included in Attachment 3 to this document.

7. *Letter from Sewerage Treatment Plant regarding "capacity" if City sewer is to be used;*

All lots proposed in this Preliminary Subdivision Plan will utilize individual subsurface wastewater disposal systems; this requirement is not applicable.

8. *Letter from Highway Supt. regarding availability of sewer lines to tie into, if applicable;*

All lots proposed in this Preliminary Subdivision Plan will utilize individual subsurface wastewater disposal systems at this time; this requirement is not applicable.

9. *Copy of drafts of Proposed Covenants and Restrictions to be placed upon the subdivision, if any. Copy of existing covenants, restrictions or easements on land to be subdivided;*

The applicant does not desire to include any Covenants or Restrictions, however there will be an easement and shared driveway maintenance agreement established between proposed Lots 5 and 6. Proposed agreement language is included as Attachment 7.

10. *Plan shall include:*

a. Proposed lots.

The seven (7) proposed lots are clearly labeled on the Preliminary Plan.

b. Proposed lots are to be numbered and lot dimensions and area to be noted.

The seven (7) proposed lots are numbered, lot dimensions are shown along each proposed lot line, and the total lot areas, as defined in the Subdivision Ordinance, are shown with each lot label and in a summary table on the plan.

c. Name of subdivision, file # (which will be assigned when application is determined to be complete & fee has been paid)

The name of the subdivision is listed on the title block of the Preliminary Subdivision Plan. A file number has not yet been assigned.

d. Owner of subdivision.

Owner data is included at the bottom right corner of the Preliminary Subdivision Plan.

e. Boundary survey, of the proposed subdivision and the parcel from which the subdivision is created if created by deed within two years prior to the application.

Boundary survey, performed by Michael J. Cummons, License #2074, is shown on the Preliminary Subdivision Plan (see Plan Note #5).

f. Location of existing structures.

Existing structures, on Lots 1 & 4, are shown on the Preliminary Subdivision Plan. Lot 1 contains an existing house, gazebo and sheds. Lot 4 contains a horse barn.

g. Location of any ponds, stream, wetlands, freshwater wetland & flood hazard areas (if applicable).

As noted in the Protected Natural Resources Report prepared by Burman Land & Tree, LLC, provided in Attachment 5 to this document, there are areas of this subdivision that contain streams and wetlands. In addition, there is an area that is within the 100 year FEMA flood zone. These areas are shown on the Preliminary Subdivision Plan in Attachment 1.

h. Location of shoreland zone limit (if applicable).

No portion of the proposed subdivision is within the Shoreland Zone.

i. Map and Lot number from Assessor's Tax Map.

The map and lot of the subject property is Tax Map 34 Lot 33, which is indicated at the bottom left side of the Preliminary Subdivision Plan in Attachment 1.

j. Names of all abutters noted on the Plan.

All abutting property and current ownership is shown on the Preliminary Subdivision Plan. Abutters are also listed in Attachment 2 to this document.

k. Book & Page number (Waldo County Registry of Deeds) of the property to be subdivided.

The book and page numbers in the Waldo County Registry of Deeds are Book 1443 Page 53 and Book 1753 Page 37. These are shown in the bottom left side of the Preliminary Subdivision Plan.

11. A copy of current deed and evidence of legal standing.

The applicants' deeds, which document title, right and interest to the property, are enclosed in Attachment 4 to this document.

To further aid in the review of this application, we have listed the Review Criteria in Section VII of the City of Belfast Subdivision Ordinance, with an explanation/summary of how we believe these performance standards are met.

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

A. The elevation of land above sea level and its relation to the flood plains;

A portion of Lot 3 is in a FEMA 100-year Zone A floodplain adjacent to the stream that flows from roughly northwest to southeast before crossing under Congress Street. Residential development is not planned in this zone and a driveway crossing of the stream is possible with a minor floodplain permit, which is administered locally. We have also applied for an NRPA Permit-By-Rule (Section 10) for a driveway crossing of the stream with Maine DEP. The purpose of this PBR is to confirm that access via Congress Street will be permitted from a natural resources perspective. A copy of the PBR is enclosed in Attachment 8.

B. The nature of soils and subsoils and their ability to adequately support waste disposal;

According to the medium intensity soil survey data, there are three soil types on the property, Brayton fine sandy loam (BtB), Brayton fine sandy loam (very stony) (BvB), and Peru fine sandy loam (PbB). These soil types are typical of other residential areas in Belfast. Documentation of the soils' suitability for wastewater disposal is provided in Attachment 6 of this document.

C. The slope of the land and its effect on effluents;

No above-ground effluents are proposed and subsurface wastewater will be adequately disposed of on-site via individual subsurface wastewater septic systems.

D. The availability of streams for disposal of effluents; and

There are no plans for disposal of effluents by this proposed development.

E. The applicable state and local health and water resource rules and regulations;

The proposed subdivision will follow the Maine Subsurface Wastewater Disposal Rules. A PBR application has been filed to cross the stream on Lot 3. Besides the stream crossing, development of the seven lots can be accomplished with no further impact to freshwater wetlands on the property.

2. *Sufficient water. The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the subdivision;*

The proposed subdivision will utilize either the municipal water supply, private wells, or some combination of both. This is typical of existing residences in this area. The Belfast Water District has indicated the adequacy of the public supply (in Attachment 3) and groundwater is typically plentiful in this area if planned for private wells.

3. *Municipal water supply. The proposed subdivision will not cause an unreasonable burden on an existing water supply, if one is to be used;*

The proposed subdivision will, in part, utilize public water. Based on the Belfast Water District's reply to our inquiry (Attachment 3 to this document), the proposed subdivision will not cause an unreasonable burden on the existing municipal water supply.

4. *Erosion. The proposed subdivision will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results;*

The property being subdivided features gently sloping topography on which low intensity development is planned. This use will not cause unreasonable soil erosion nor a reduction in the land's capacity to hold water.

5. *Traffic. The proposed subdivision will not create unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed;*

This project proposes low intensity development: 7 lots on an approximately 24-acre parcel. If approved, this subdivision, without any further review by the planning board, would yield the following: Up to 2 new dwellings on Lot 2, up to 2 new dwellings on Lot 3, up to 2 new dwellings on Lot 4, 1 new dwelling on Lot 5, 1 new dwelling on Lot 6, and up to 2 new dwellings on Lot 7. This totals up to 10 new dwelling units that would be permissible solely via building permits from the Code Enforcement Officer. It is possible based on the size of the lots that a future owner may propose more intensive development on any of the lots (with the exception of Lots 5 and 6), but since that would be subject to further review by the planning board, we are considering only the level of development that could be permitted at the time of approval of this subdivision. The *Institute of Traffic Engineers Trip Generation Manual, 11th Edition*, identifies a trip

generation rate of 9.43 daily trips for single-family detached housing. Based on 10 new dwellings and rounding up, this would yield roughly 95 new daily trips. This will be distributed among School Street Extension, Priscilla Lane, and Congress Street. The proposed entrances to the subdivision from Priscilla Lane and School Street Extension are both low speed, dead end roads and will be therefore largely restricted to local, as opposed to through traffic. The proposed entrance from Lot 3 to Congress Street offers very good sight distance in both directions onto a 25 mph speed zone. The low traffic volume utilizing both entrances is not expected to present unsafe conditions. The proposed subdivision will not create an unreasonable burden on the public ways or cause unsafe conditions.

6. Sewage Disposal. *The proposed subdivision will provide for adequate sewage disposal and will not cause an unreasonable burden on municipal services if they are utilized;*
The proposed subdivision plans to use individual wastewater disposal systems (Attachment 6) and therefore will not burden municipal sewer services.

7. Municipal solid waste and sewage disposal. *The proposed subdivision will not cause an unreasonable burden on the municipality's ability to dispose of solid waste and sewage, if municipal services are to be utilized.*

Residential solid waste will be disposed at the municipal transfer station, or other off-site facility, either of which are paid for by disposal fees. This amount of waste is not expected to cause a burden on the municipality's ability to dispose of solid waste.

8. Aesthetic, cultural, and natural values. *The proposed subdivision will not have an undue adverse effect of the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;*

The subdivision is not in the vicinity of any known historic sites, rare natural areas, or shoreline access. Setback and permitting requirements will be followed for the wetland areas. The proposed development is in character with the existing development pattern in the neighborhood with a combination of lot sizes. Based on these facts, we believe there will be no undue adverse impact.

9. Conformity with local ordinances and plans. *The proposed subdivision conforms with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan or land use plan, if any. In making this determination, the Planning Board may interpret these ordinances and plans.*

The lot sizes proposed are in conformance with the Land Use Ordinance requirements for the Residential 2 District and the Comprehensive Plan, both of which allow and encourage residential development in this part of Belfast.

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

The applicant already owns the property proposed for development and is not planning any new infrastructure development as part of this project. Therefore, the financial commitment to complete the development is limited to planning and permitting costs. The applicant has hired a Maine Licensed Professional Engineer with a Maine Professional Land Surveyor subcontractor, both of whom have successfully completed many subdivisions in midcoast Maine. Based on the limited development costs and the consultants' technical experience, we believe this standard is met.

11. Surface waters: outstanding river segments. *Whenever situated entirely or partially within the watershed of any pond or lake or within 250 feet of wetland, freshwater wetland, great pond or river as defined in Title 38, Chapter 3, Subchapter 1, Article 2-B, the proposed subdivision will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.*

This project is not in the watershed of an outstanding river segment. However, development in portions of this property that are within 250 feet of the identified wetlands will follow the required natural resource protection setbacks and permitting and therefore we believe that the subdivision will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.

A. *When lots in a subdivision have frontage on an outstanding river segment, the proposed subdivision plan must require principal structures to have a combined lot shore frontage and setback from the normal high-water mark of 500 feet.*

This property does not have frontage on an outstanding river segment.

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

Based on the low intensity use, and the plan for newly designed septic systems that will be required and inspected to meet the Maine Subsurface Wastewater Disposal rules, we believe the impact to groundwater in this subdivision will be negligible. All lots are eligible to derive domestic water from Belfast Water District, but groundwater is plentiful in this area, as evidenced by surrounding freshwater wetlands, and no impacts to groundwater quantity are anticipated.

13. Flood areas. *Based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant, whether the subdivision is in a flood-prone area...*

As shown on the Preliminary Subdivision Plan, a portion of Lot 3 is in a FEMA 100-year Zone A floodplain adjacent to the stream that flows from roughly northwest to southeast before crossing under Congress Street. Zone A floodplains do not have an elevation established. Residential development is not planned in this zone and a driveway crossing of the stream is possible with a minor floodplain permit, which is administered locally. We confirmed with Sue Baker, the Program Coordinator of the Maine Floodplain Management Program that a driveway crossing of a Zone A floodplain can be permitted by the Code Enforcement Officer so long as the culvert is designed to pass a 100-year

storm event. This would be confirmed via local permitting at the time of building permit review. No other crossing or impact to the Zone A Floodplain is planned.

14. Storm Water. The proposed subdivision will provide for adequate storm water management.

Stormwater from this property drains in three directions, a portion of Lots 5 and 6 to the north toward School Street Extension, a portion of Lot 4 and all of Lot 7 to the south to a drainage way through the VOA housing property, and the remainder to the east toward Congress Street. Lot 1, the Sanderson's home, is a previously developed gently sloping lot that drains east directly towards the existing drainage swale in the City's Congress Street right-of-way. Lot 2 is similarly sloped and drains towards Lot 1 and the existing drainage swale in the City's Congress Street right-of-way. Lot 3 is gently sloped from west to east and drains to a freshwater wetland and stream that flows to the southeast to a culvert beneath Congress Street. Lot 4 is also gently sloping and drains both to the east toward Lot 3 and to the south to an existing wetland drainage way through Lot 7. Lots 5 and 6 drain both to the north towards School Street Extension and to the south and east through Lot 4. Lot 7 drains south into the wetland drainage way that runs N-S through the center of the lot, and then south towards the Volunteers of America property, eventually reaching the existing drainage facilities in Congress Street. No changes in drainage flow patterns are proposed as part of this project.

Similar to the traffic discussion in Item 5 above, development of the lots without further review by the planning board could entail up to 10 new dwelling units. Although we don't know how new lot owners will choose to configure their residences, based on typical single and two-family dwelling sizes, including driveways and garages, new impervious area on the lots could total roughly 0.7 acres on this 24.25 acre property, which is 2.9% of the property area. Based on the large amount of open space remaining, the upland and wetland buffer areas available to moderate new runoff, we believe this amount of new impervious area would represent a negligible impact to stormwater. We also believe this development pattern would be less impactful than other ongoing single family lot development that is currently happening on lots across Belfast. More intensive development is possible on some of these lots due to them being above the minimum lots size. If more intensive development through multi-family or flex housing is proposed, these developments can be evaluated by the planning board on their own merits at that time.

Lastly, this project falls below the State of Maine thresholds for Stormwater Management and therefore has not prepared stormwater design nor applications. Based on the planned low-intensity development of this property, the fact that runoff from the property is split in three directions, and that new impervious area would be less than 3% of the total property area with large areas of open forest, field, and wetlands remaining for stormwater attenuation, we believe that the proposed subdivision has provided for adequate stormwater management.

15. River, stream or brook. Any river, stream or brook within or abutting the proposed subdivision shall be identified on any maps submitted as part of the application. For purposes of this section, "river, stream or brook" has the same meaning as in Title 38, Section 480-B, Subsection 9.

A stream, located on Lot 3 in the northeast corner of the property, is shown on the Preliminary Subdivision Plan in Attachment 1.

16. Freshwater wetlands. All freshwater wetlands/wetlands within 250ft. of the proposed subdivision shall be identified on any maps submitted as part of the application, regardless of the size of these wetlands.

The freshwater wetlands identified by Watershed Resource Consultants are provided in Attachment 5 to this document and shown in the Preliminary Subdivision Plan in Attachment 1.

17. Spaghetti-lots. Spaghetti lots as defined in 30_A MRSA Section 4404 (17) or subsequent amendment shall be prohibited. No lot in a subdivision may have a spaghetti lot unless the Planning Board shall specifically find there is a necessity to create said lot based upon historical lot orientation.

None of the seven (7) proposed lots is a spaghetti lot, therefore this item is not applicable.

18. The subdivision must comply with the general standards of Chapter Two through Five of the Subdivision Ordinance.

Based on our review of Chapters Two through Five of the Subdivision Ordinance, we believe these general standards, where applicable, are met.

In addition to these standards, we met with Belfast Fire Chief Patrick Richards, and Belfast Public Works Director Bob Richards about the plan for widening the Priscilla Lane right of way and the large vehicle turnaround for emergency vehicles and snow plow use. Each concurred with the plan (see Attachment 3).

I look forward to reviewing this project with you at your next scheduled meeting. If you have any questions please call me at (207) 322-5827 or email at tom@thomasfowlerpe.com.

Sincerely,

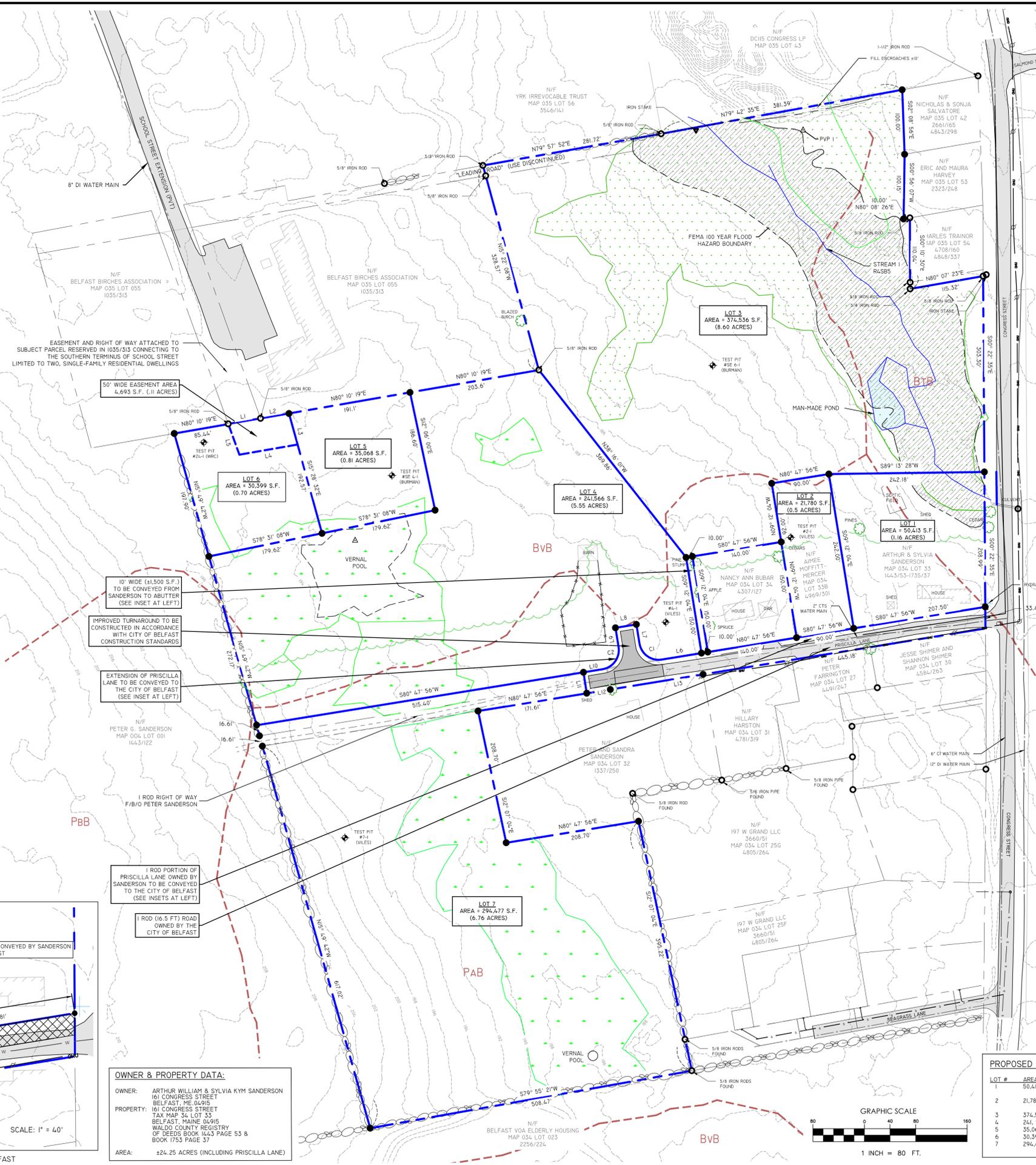
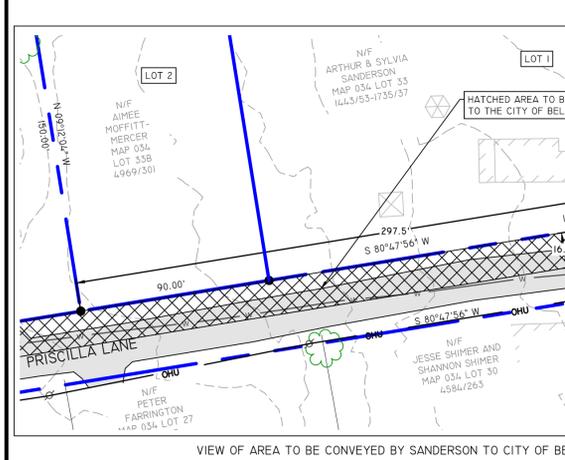
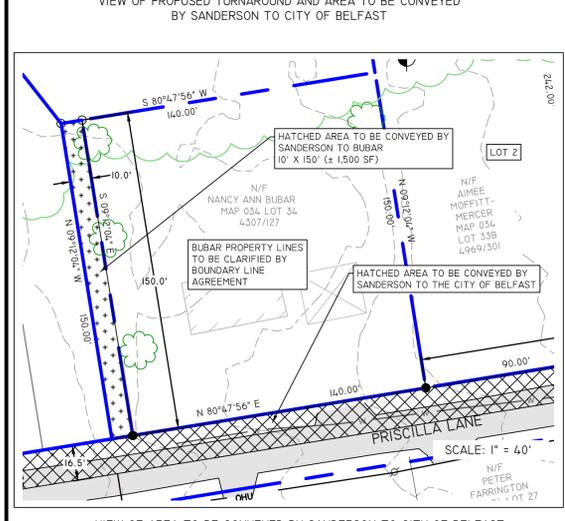
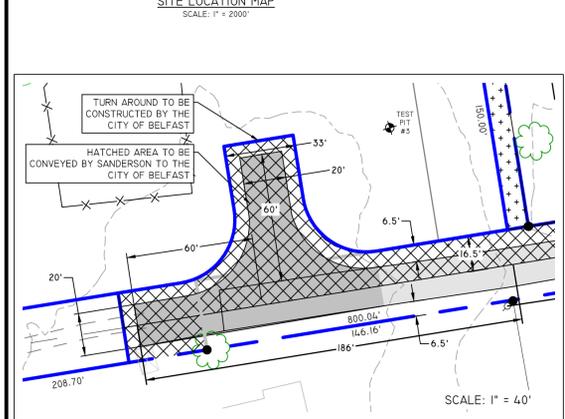
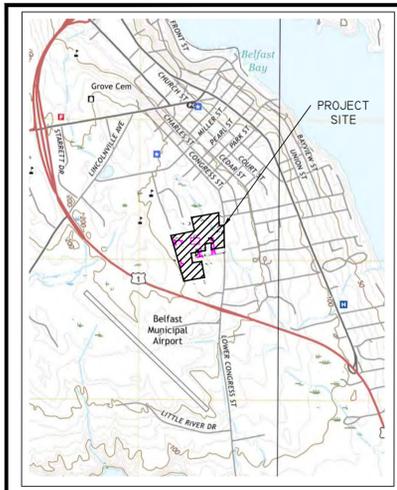


Thomas A. Fowler, P.E.

Cc: Bill and Kym Sanderson

ATTACHMENT 1

**Preliminary Subdivision Plan
Large Vehicle Turnaround Plan and Section Exhibits**



LEGEND

	PERIMETER PROPERTY LINE
	PROPOSED INTERIOR LOT LINE
	ABUTTING PARCEL/TAX MAP LINE
	IRON PIN OR PIPE FOUND
	IRON PIN SET OR TO BE SET (M.C. 2074)
	FENCE
	TREE (SEE LABEL)
	TREELINE (DERIVED FROM ARIEL PHOTOGRAPHY)
	SOILS BOUNDARY
	SOIL TYPE LABEL
	EXISTING OVERHEAD UTILITIES
	UTILITY POLE
	SEWER MANHOLE
	SEPTIC TEST PIT
	WATER MAIN
	SEWER LINE
	STONE WALL
	EXISTING LIDAR CONTOUR (2' INTERVAL)
	STREAM SEGMENT
	EXISTING PAVEMENT
	PROPOSED NEW PAVEMENT
	OPEN WATER
	FRESHWATER WETLAND
	FRESHWATER WETLAND OF SPECIAL SIGNIFICANCE
	FEMA 100 YR FLOOD ZONE

- PLAN NOTES:**
- THIS IS A PROPOSED 7-LOT SUBDIVISION OF THE SANDERSON PROPERTY ON CONGRESS STREET AND PRISCILLA LANE (A PORTION OF TAX MAP 34 LOT 33) IN BELFAST, MAINE. THIS PARCEL IS DESCRIBED AND RECORDED IN BOOK 1443 PAGE 53 AND BOOK 1754 PAGE 57 AT THE WALDO COUNTY REGISTRY OF DEEDS.
 - THE SUBJECT PARCEL IS IN THE RESIDENTIAL Z-2 ZONE OF THE CITY OF BELFAST, WHICH ALLOWS RESIDENTIAL SUBDIVISIONS. THE MINIMUM LOT SIZE IS 20,000 SQUARE FEET AND THE MINIMUM STREET FRONTAGE IS 60 FEET.
 - THE SUBDIVISION IS INTENDED TO BE SERVED BY A COMBINATION OF PUBLIC AND PRIVATE WATER AND PRIVATE WASTEWATER.
 - ELECTRICAL AND COMMUNICATIONS UTILITIES WILL BE PROVIDED FROM EXISTING AERIAL UTILITIES ON ABUTTING STREETS.
 - ALL PERIMETER PROPERTY LINES, ROADWAYS, AND THE FOOTPRINT OF THE EXISTING STRUCTURES, DRIVEWAYS, AND ROADS WERE LOCATED BY MICHAEL CUMMONS PROFESSIONAL LAND SURVEYOR (PLS 2074), ON A PLAN ENTITLED "BOUNDARY SURVEY LAND OF ARTHUR W. SANDERSON & SYLVIA K. SANDERSON, 161 CONGRESS STREET, BELFAST, MAINE," DATED DECEMBER 27, 2019 AND REVISED FEBRUARY 17, 2021.
 - TOPOGRAPHIC DATA IS LIDAR OBTAINED FROM THE MAINE GEOGRAPHICAL INFORMATION SERVICES DATABASE. CONTOURS ARE AT 2 FOOT INTERVALS.
 - NATURAL RESOURCES, INCLUDING FRESHWATER WETLANDS, STREAMS AND POTENTIAL VERNAL POOLS WERE DELINEATED BY WATERSHED RESOURCE CONSULTANTS, FORMERLY BURMAN LAND & TREE COMPANY OF ORRINGTON, MAINE. THE DELINEATION REPORT IS SUBMITTED WITH THE PRELIMINARY SUBDIVISION APPLICATION MATERIALS.
 - ABUTTING PROPERTY OWNER INFORMATION WAS OBTAINED FROM A BOUNDARY SURVEY ENTITLED "BOUNDARY SURVEY LAND OF ARTHUR W. SANDERSON & SYLVIA K. SANDERSON, 161 CONGRESS STREET, BELFAST, MAINE," PREPARED BY MICHAEL CUMMONS AND DATED DECEMBER 27, 2019 REVISED FEBRUARY 17, 2021. ADDITIONAL INFORMATION DERIVED FROM THE CITY OF BELFAST'S ASSESSING RECORDS.
 - SOILS INFORMATION IS BASED ON THE USDA MEDIUM INTENSITY SOIL SURVEY FOR WALDO COUNTY. THERE ARE THREE PREDOMINANT SOIL TYPES ON THIS PROPERTY:
B1B-BRAYTON FINE SANDY LOAM, 0-8 PERCENT SLOPES
PAB-PERU FINE SANDY LOAM, 0-8 PERCENT SLOPES, VERY STONY
PAB-PERU FINE SANDY LOAM, 3-8 PERCENT SLOPES

- PLAN REFERENCES:**
- SITE PLAN OF BELFAST HOUSING FOR THE ELDERLY REVISED APRIL 1978 PREPARED BY WILLIAM SEPE AND APPROVED BY THE BELFAST PLANNING BOARD APRIL 26, 1978 AND RECORDED IN THE WALDO COUNTY REGISTRY OF DEEDS IN PLAN BOOK 1, PAGE 11.
 - PLAN ENTITLED "PLANNED UNIT DEVELOPMENT - BELFAST BIRCHES ELDERLY HOUSING" FOR BELFAST BIRCHES ASSOCIATES PREPARED BY GOOD DEEDS, INC. BELFAST MAINE DATED APRIL 25, 1988.
 - SITE PLAN FOR CHRISTINE LEGORE SUBDIVISION, SCHOOL STREET, BELFAST MAINE DATED MARCH 22, 1991 PREPARED BY EDWARD S. COFFIN APPROVED BY THE CITY OF BELFAST PLANNING BOARD APRIL 24, 1991 AND RECORDED IN THE WALDO COUNTY REGISTRY OF DEEDS IN PLAN BOOK 16, PAGE 27.
 - BOUNDARY SURVEY FOR MARGARET CUNNINGHAM, CONGRESS STREET, BELFAST MAINE PREPARED BY DANIEL I. SMALL, JR. BELFAST, MAINE (MAY, 2015)
 - SEAGRASS FARM SUBDIVISION AMENDMENT FOR MEGAN AND DANIEL BRITTON DATED SEPTEMBER 13, 2017 BY THOMAS FOWLER, P.E., LLC, BELFAST, MAINE APPROVED BY THE CITY OF BELFAST PLANNING BOARD ON SEPTEMBER 13, 2017 AND RECORDED IN THE WALDO COUNTY REGISTRY OF DEEDS IN PLAN BOOK 23, PAGE 168.
- SURVEY NOTES:**
- PRISCILLA LANE WAS FORMERLY KNOWN AS CONGRESS STREET EXTENSION. NAME WAS CHANGED IN 1995.
 - ALL IRON RODS SET ARE REBAR WITH YELLOW PLASTIC SURVEYOR CAPS STAMPED "CUMMONS 2074."

PROPOSED SUBDIVISION LOT PLAN:

LOT #	AREA	CURRENT USE
1	50,413 SF (1.16 AC.)	SANDERSON HOUSE AND OUTBUILDINGS
2	21,780 SF (0.50 AC.)	UNDEVELOPED OWNED BY MERCER
3	374,536 SF (8.60 AC.)	UNDEVELOPED
4	241,566 SF (5.55 AC.)	UNDEVELOPED
5	35,068 SF (0.81 AC.)	UNDEVELOPED
6	30,399 SF (0.70 AC.)	UNDEVELOPED
7	294,477 SF (6.76 AC.)	UNDEVELOPED

LINE	LENGTH	BEARING
L1	50.95'	N80° 10' 19"E
L2	44.89'	N80° 10' 19"E
L3	50.24'	S12° 06' 00"E
L4	91.89'	N80° 10' 19"E
L5	50.78'	N19° 54' 46"W
L6	62.80'	N80° 47' 56"E
L7	30.00'	N09° 12' 04"W
L8	33.00'	S80° 47' 56"W
L9	30.00'	S09° 12' 04"E
L10	30.25'	S80° 47' 56"W
L11	33.00'	N09° 12' 04"E
L12	37.09'	S80° 47' 56"E
L13	146.16'	N80° 47' 56"E

CURVE	LENGTH	RADIUS
C1	47.12'	30'
C2	47.12'	30'

OWNER & PROPERTY DATA:

OWNER: ARTHUR WILLIAM & SYLVIA KYM SANDERSON
161 CONGRESS STREET
BELFAST, MAINE 04915

PROPERTY: 161 CONGRESS STREET
TAX MAP 34, LOT 33
BELFAST, MAINE 04915
WALDO COUNTY REGISTRY OF DEEDS BOOK 1443 PAGE 53 & BOOK 1754 PAGE 57

AREA: 124.25 ACRES (INCLUDING PRISCILLA LANE)

THOMAS FOWLER, P.E., LLC
CIVIL ENGINEER, DESIGN AND PERMITTING SERVICES
P.O. BOX 117, 48-4, MARSHALL WHARF
BELFAST, ME 04915
207-322-5827
WWW.THOMASFOWLERPE.COM

MICHAEL J. CUMMONS
PROFESSIONAL LAND SURVEYOR, ME. LICENSE NO. 2074
305 HOPE ROAD, LINCOLNVILLE, MAINE 04849
mjcummons@me.com
207-763-2728

PRELIMINARY SUBDIVISION PLAN
SANDERSON SUBDIVISION
CONGRESS STREET, PRISCILLA LANE & SCHOOL STREET EXT. (MAP 34, LOT 33)
BELFAST, MAINE 04915
ARTHUR AND SYLVIA SANDERSON
161 CONGRESS STREET,
BELFAST, MAINE 04915

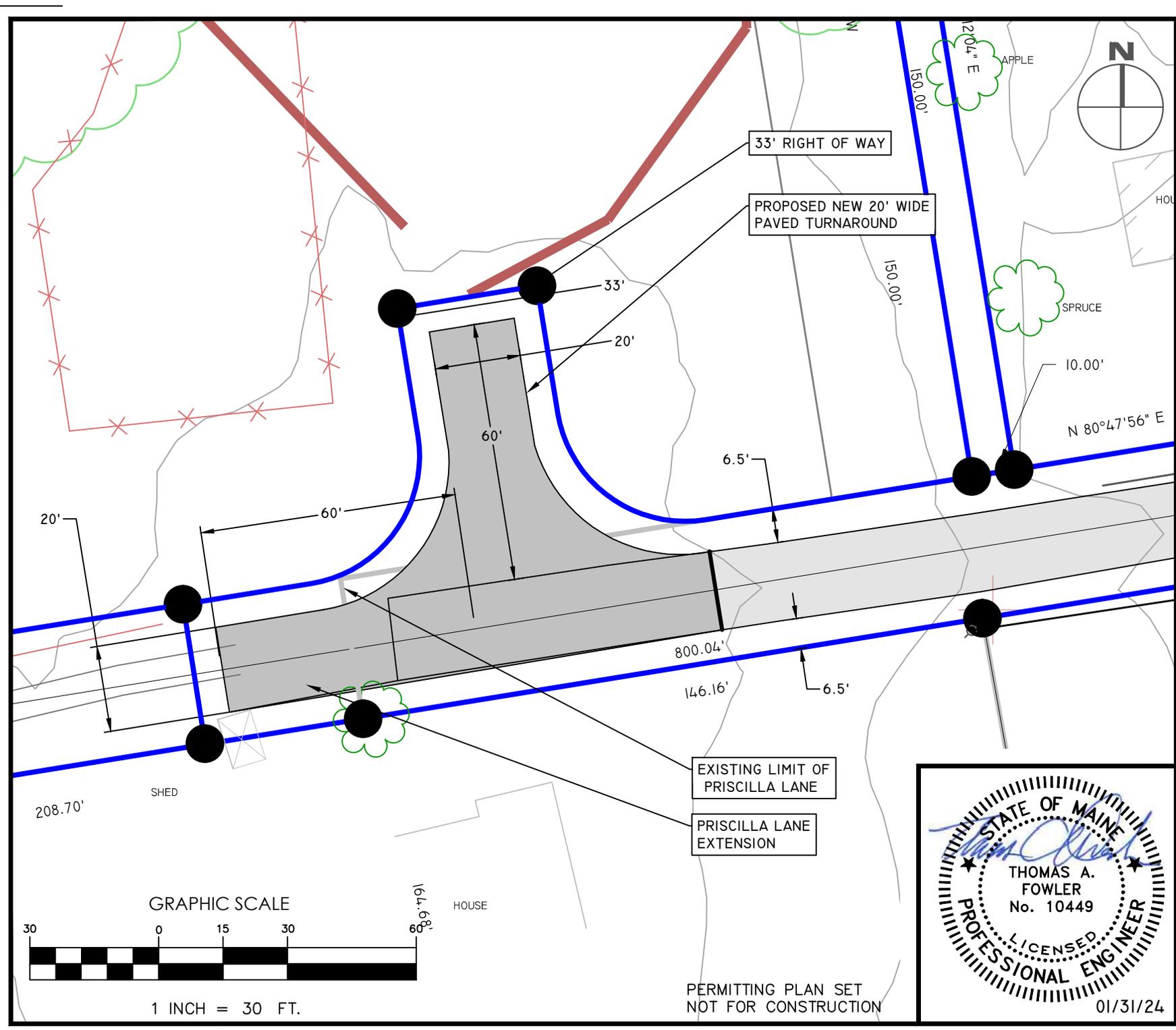
PLAN TITLE:
ADDRESS:
OWNER:

DRAWING SCALE:
1" = 80'

PLAN DATE:
MARCH 4, 2024

PROJECT NUMBER:
20-016

SHEET NUMBER:
SUB-1



EMERGENCY VEHICLE TURNAROUND PLAN
PROPOSED SANDERSON SUBDIVISION
CONGRESS ST., PRISCILLA LANE, AND SCHOOL ST. EXT.
(MAP 34 LOT 33), BELFAST, MAINE 04915

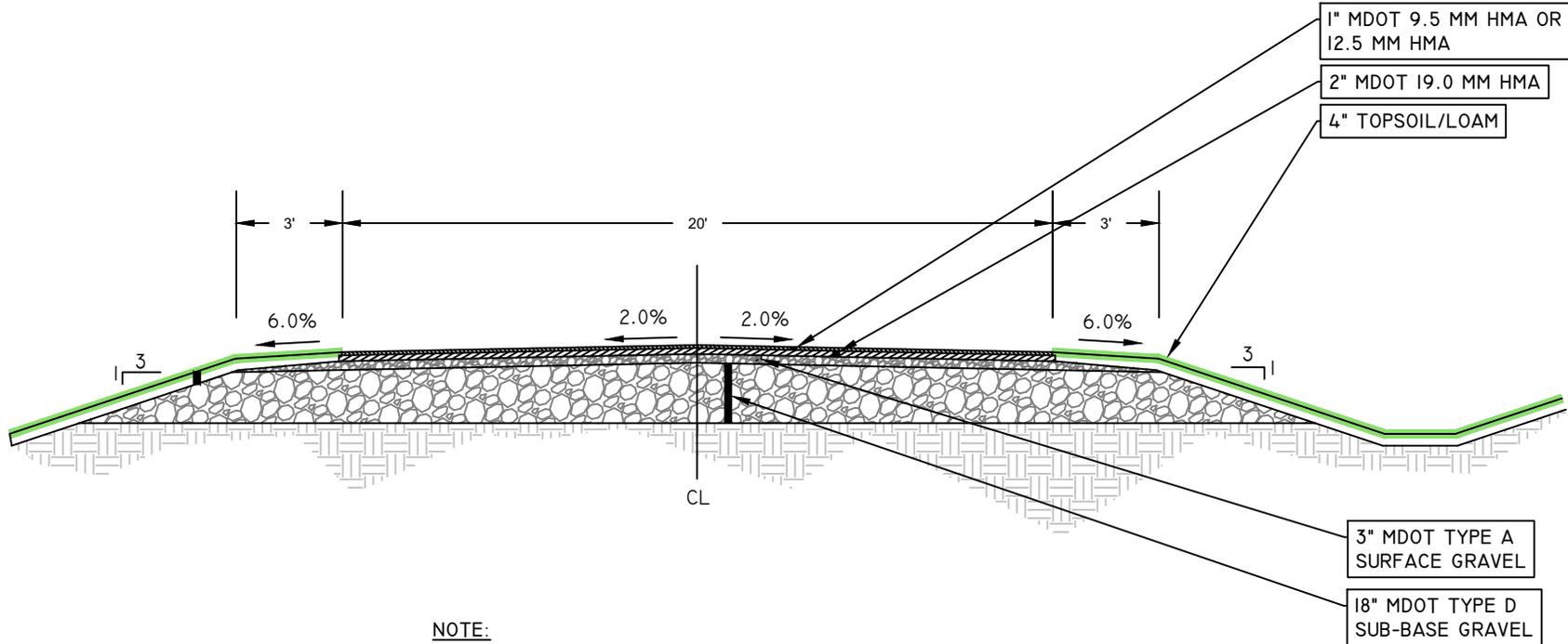
THOMAS FOWLER, P.E., LLC
 CIVIL ENGINEER: DESIGN AND PERMITTING SERVICES
 P.O. Box 117, 48-4, MARSHALL WHARF
 BELFAST, ME 04915
 207-322-5827
 WWW.THOMASFOWLERPE.COM

DATE 01-31-2024

SCALE: 1" = 30'

STATE OF MAINE
 THOMAS A. FOWLER
 No. 10449
 LICENSED PROFESSIONAL ENGINEER
 01/31/24

TYPICAL PAVED ROAD SECTION



NOTE:

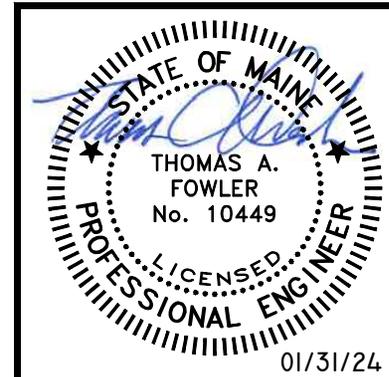
- I. THIS TYPICAL ROAD SECTION APPLIES TO THE PRISCILLA LANE TURNAROUND IN THE 33' RIGHT-OF-WAY IN THE CENTER OF THE PROPOSED SUBDIVISION.

GRAPHIC SCALE



1 INCH = 5 FT.

PERMITTING PLAN SET
NOT FOR CONSTRUCTION



THOMAS FOWLER, P.E., LLC
 CIVIL ENGINEER: DESIGN AND PERMITTING SERVICES
 P.O. Box 117, 48-4, MARSHALL WHARF
 BELFAST, ME 04915
 207-322-5827
 WWW.THOMASFOWLERPE.COM



TYPICAL 20' PAVED ROAD SECTION
 PROPOSED SANDERSON SUBDIVISION
 CONGRESS ST., PRISCILLA LANE, AND SCHOOL ST. EXT.
 (MAP 34 LOT 33), BELFAST, MAINE 04915

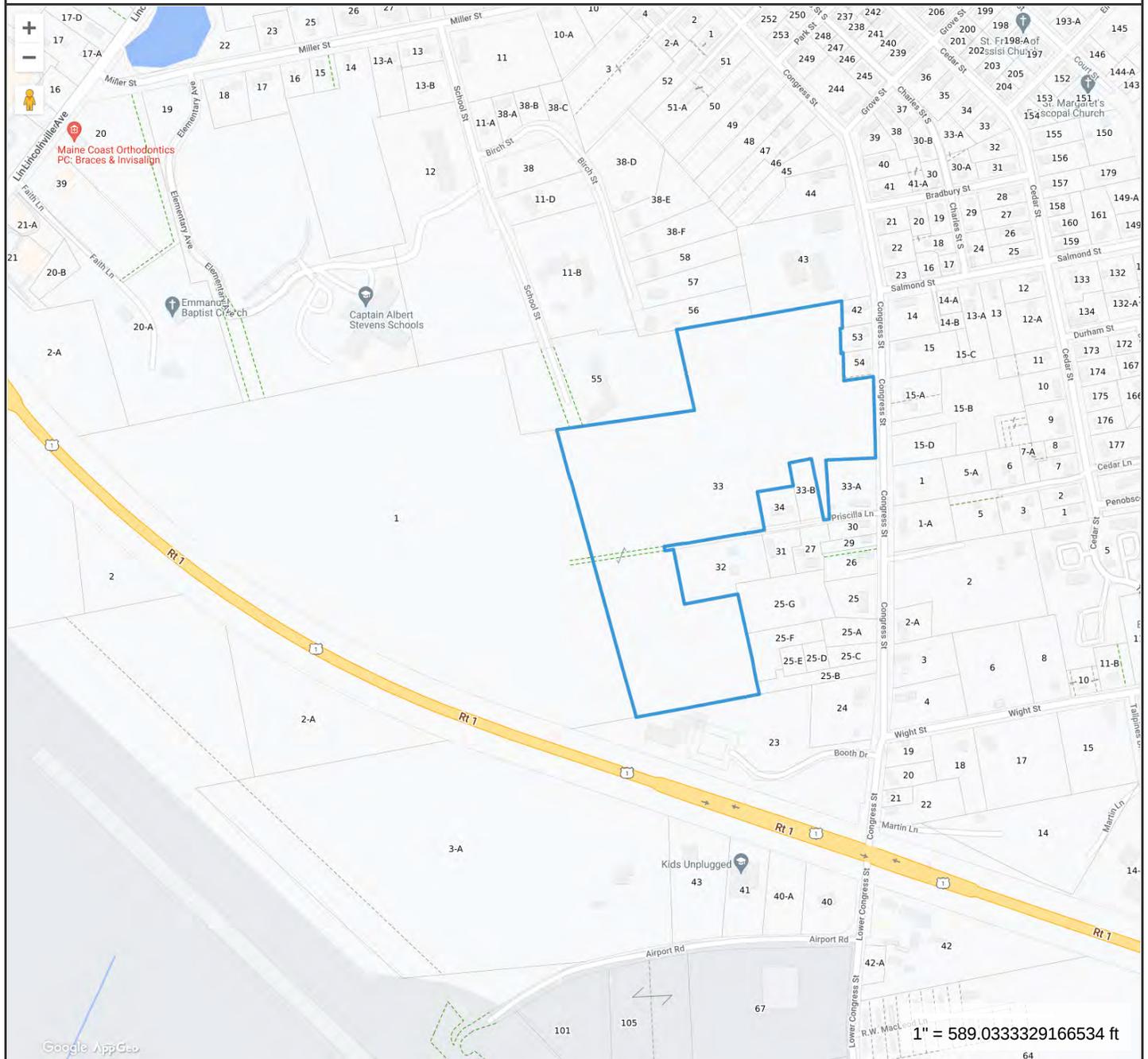
DATE 01-31-2024

SCALE: 1" = 5'

**ATTACHMENT 2
TABLE OF ABUTTING PROPERTIES**

MAP-LOT	Site Address	Owner Name	Owner Address	Owner City	State	Zip
004-001	ROUTE 1	SANDERSON, PETER G	26 PRISCILLA LANE	BELFAST	ME	04915
034-001	160 CONGRESS ST	STEINFELDT, BRUCE G.	160 CONGRESS ST	BELFAST	ME	04915
034-001-A	166 CONGRESS ST	WATKINS, JAMES H.	166 CONGRESS ST.	BELFAST	ME	04915
034-023	33 BOOTH DRIVE	BELFAST VOA ELDERLY HOUSING INC, C/O VOLUNTEERS OF AMERICA INC	1660 DUKE STREET	ALEXANDRIA	VA	22314
034-025-B	175 CONGRESS ST	197 W. GRAND LLC	5623 DESERT VIEW DRIVE	LA JOLLA	CA	92037
034-025-F	175 CONGRESS ST	197 W. GRAND LLC	5623 DESERT VIEW DRIVE	LA JOLLA	CA	92037
034-025-G	175 CONGRESS ST	197 W. GRAND LLC	5623 DESERT VIEW DRIVE	LA JOLLA	CA	92037
034-027	12 PRISCILLA LANE	FARRINGTON, PETER	7 PINE STREET	ANDOVER	ME	4216
034-029	167 CONGRESS ST	GREEN, KATY	167 CONGRESS STREET	BELFAST	ME	04915
034-030	165 CONGRESS ST	SHIMER, JESSE	165 CONGRESS STREET	BELFAST	ME	04915
034-031	20 PRISCILLA LANE	HARSTON, HILLARY	20 PRISCILLA LANE	BELFAST	ME	4915
034-032	26 PRISCILLA LANE	SANDERSON, PETER G.	26 PRISCILLA LANE	BELFAST	ME	04915
034-033-B	11 PRISCILLA LANE	MOFFITT-MERCER, AIMEE	38 ROBBINS ROAD	BELFAST	ME	04915
034-034	17 PRISCILLA LANE	BUBAR, NANCY	17 PRISCILLA LANE	BELFAST	ME	04915
035-015	138 CONGRESS ST	CULLEN, MEGAN	138 CONGRESS STREET	BELFAST	ME	04915
035-015-A	146 CONGRESS ST	KNIGHT, SHELBY K	146 CONGRESS STREET	BELFAST	ME	04915
035-015-B	154 CONGRESS ST	KNIGHT, HARVEY S.	146 CONGRESS STREET	BELFAST	ME	04915
035-042	131 CONGRESS ST	SALVATORE, NICHOLAS	26 CENTER ST	MORRILL	ME	04952
035-043	115 CONGRESS ST	DC115 CONGRESS LP	115 CONGRESS ST	BELFAST	ME	04915
035-053	135 CONGRESS ST	HARVEY, ERIC	PO BOX 491	BELFAST	ME	04915
035-054	139 CONGRESS ST	CHARLES TRAINOR	P.O. BOX 962	NOME	AK	99762
035-055	32 SCHOOL ST	BELFAST BIRCHES ASSOCIATES, C/O REALTY RESOURCES MANAGEMENT	247 COMMERCIAL STREET	ROCKPORT	ME	04856
035-056	24 BIRCH STREET	KOLMENT, YOLANDE, CO-TRUSTEE	24 BIRCH STREET	BELFAST	ME	04915
035-15D	CONGRESS ST	CCRB PROPERTIES LLC	2418 E WESCOTT DR	PHOENIX	AZ	85050

Sanderson Proposed Subdivision Abutters



Property Information

Property ID 034-033
 Location 157 CONGRESS ST
 Owner SANDERSON, ARTHUR W



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

City of Belfast, ME makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated September 15, 2020
 Data updated September 15, 2020

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

ATTACHMENT 3

LETTERS OF CORRESPONDENCE:

RSU# 71 Letter

Belfast Water District Letter

Belfast Fire Department Letter

Belfast Public Works Department Letter



Thomas Fowler <tom@thomasfowlerpe.com>

Sanderson Subdivision, Belfast

1 message

Thomas Fowler <tom@thomasfowlerpe.com>
To: mamclean@rsu71.org
Cc: Jim Clark <jim@thomasfowlerpe.com>

Mon, Jan 22, 2024 at 10:41 AM

To: Mary Alice McLean, Superintendent
Regional School Unit 71
P.O. Box 325
Belfast, ME 04915

Re: Proposed Priscilla Lane/Congress St./School St. Extension
7-Lot Subdivision
161 Congress St. (Tax Map 34 Lot 33)
Belfast, Maine

Dear Superintendent McLean:

On behalf of Arthur and Sylvia Sanderson and in accordance with the City of Belfast subdivision ordinance, I am writing to notify you of a proposed residential subdivision on Congress St./Priscilla Lane/School Street Extension, Tax Map 34 Lot 33, in Belfast. The preliminary subdivision plan proposes 7 lots, which may yield up to 10 new residences.

Please do not hesitate to contact me with any questions or concerns about this project. If I don't hear from you within two (2) weeks, I will assume that you have no concerns with this proposed project. Please do not hesitate to contact me at tom@thomasfowlerpe.com or (207) 322-5827 or with any questions or comments about this request for review. Thank you for your attention to this matter.

Best,
Tom Fowler
Thomas Fowler, P.E., LLC
(207) 322-5827



Thomas Fowler, P.E., LLC
P.O. Box 117
48-4 Marshall Wharf
Belfast, Maine
thomasfowlerpe.com
207-322-5827



Thomas Fowler <tom@thomasfowlerpe.com>

Sanderson Subdivision, Priscilla Lane, Congress St, & School St Extension

Thomas Fowler <tom@thomasfowlerpe.com>

Mon, Jan 22, 2024 at 10:59 AM

To: Frank Short <frank@belfastwater.org>, tammy@belfastwater.org

Cc: Jim Clark <jim@thomasfowlerpe.com>

Hi Frank and Tammy

On behalf of Arthur and Sylvia Sanderson and in accordance with the City of Belfast Subdivision Ordinance, I'm writing to confirm Belfast Water District's ability to serve the Sanderson's proposed subdivision at Congress Street/Priscilla Lane/School Street Extension. I previously corresponded with Keith Pooler about this, but it has been over two years since that correspondence, Keith has retired, and the lot configuration has changed slightly, so I thought it best to update this request. Please see the attached draft Preliminary Subdivision Plan for reference.

Lot 1 - already served.

Lot 2 - from existing CTS in Priscilla Lane

Lot 3 - from existing main(s) in Congress Street

Lot 4 - from existing CTS in Priscilla Lane

Lot 5 - from existing main in School Street Extension (lot is limited to one single family residence)

Lot 6 - from existing main in School Street Extension (lot is limited to one single family residence)

Lot 7 - from existing CTS in Priscilla Lane

As laid out, in accordance with the City of Belfast dimensional standards, each of these lots could have up to two (2) dwelling units on them, with the exception of Lots 5 and 6, which are limited by a deed restriction from the Birches on School Street Extension. I also believe that based on the lot sizes, these lots may be able to drill private wells for water service if desired. Please confirm BWD's ability to serve at your earliest convenience.

Thanks much,

Tom Fowler

----- Forwarded message -----

From: **Keith Pooler** <keith@belfastwater.org>

Date: Mon, Nov 29, 2021 at 1:31 PM

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

Lot 2 - from existing CTS in Priscilla Lane

Lot 3 - from existing CTS in Priscilla Lane

Lot 4 - from existing main in School Street Extension

Lot 5 - from existing main in Priscilla Lane

Lot 6 - from existing main(s) in Congress Street

--



Thomas Fowler <tom@thomasfowlerpe.com>

Sanderson Subdivision, Priscilla Lane, Congress St, & School St Extension

Frank Short <frank@belfastwater.org>
To: Thomas Fowler <tom@thomasfowlerpe.com>
Cc: "tammy belfastwater.org" <tammy@belfastwater.org>

Tue, Jan 23, 2024 at 8:08 AM

Good morning, Thomas

The Belfast Water District has the capacity to serve each lot with the water mains located for the lots as listed in the Sanderson Preliminary Plan.

Thank You

Frank Short

Frank D. Short, Superintendent

Belfast Water District

[41 Wight Street](#)

PO Box 506

Belfast, ME 04915

207-338-1200 Tel.

207-338-0444 Fax

[Quoted text hidden]



Thomas Fowler <tom@thomasfowlerpe.com>

Sanderson Subdivision

2 messages

Thomas Fowler <tom@thomasfowlerpe.com>
To: Patrick Richards <firechief@cityofbelfast.org>
Cc: Jim Clark <jim@thomasfowlerpe.com>

Thu, Jan 18, 2024 at 10:01 AM

Hi Patrick

Thank you for meeting with me on Tuesday, January 16, to review the draft plan for the 7-lot Sanderson Subdivision on Priscilla Lane, Congress Street, and School Street Extension. We reviewed the plan for widening Priscilla Lane, access to Lots 1, 2, 4, and 7 via Priscilla Lane, access to Lot 3 via Congress Street, and access to Lots 5 and 6 via a private right of way from School Street Extension. Lastly, we reviewed the planned large vehicle turnaround at the end of Priscilla Lane for emergency and maintenance vehicle access and turnaround. Please let me know at your earliest convenience if you concur with this plan as presented or have any further comments.

Thank you for your attention to this matter,
Tom Fowler

--



Thomas Fowler, P.E., LLC
P.O. Box 117
48-4 Marshall Wharf
Belfast, Maine
thomasfowlerpe.com
207-322-5827

Patrick Richards <firechief@cityofbelfast.org>
To: Thomas Fowler <tom@thomasfowlerpe.com>
Cc: Jim Clark <jim@thomasfowlerpe.com>

Mon, Jan 22, 2024 at 10:39 AM

Hi Tom,

As long as the plan is the same as reviewed when we met, I am fine with that.

Thanks,
Patrick

Patrick Richards
Fire Chief/Ambulance Director
City of Belfast, ME
(207)338 3362

From: Thomas Fowler <tom@thomasfowlerpe.com>
Sent: Thursday, January 18, 2024 10:01 AM
To: Patrick Richards <firechief@cityofbelfast.org>
Cc: Jim Clark <jim@thomasfowlerpe.com>
Subject: Sanderson Subdivision

[Quoted text hidden]



Thomas Fowler <tom@thomasfowlerpe.com>

Sanderson Subdivision

2 messages

Thomas Fowler <tom@thomasfowlerpe.com>
To: Bob Richards <publicworks@cityofbelfast.org>
Cc: Jim Clark <jim@thomasfowlerpe.com>

Thu, Jan 18, 2024 at 10:01 AM

Hi Bob

Thank you for meeting with me on Tuesday, January 16, to review the draft plan for the 7-lot Sanderson Subdivision on Priscilla Lane, Congress Street, and School Street Extension. We reviewed the plan for widening Priscilla Lane, access to Lots 1, 2, 4, and 7 via Priscilla Lane, access to Lot 3 via Congress Street, and access to Lots 5 and 6 via a private right of way from School Street Extension. Lastly, we reviewed the planned large vehicle turnaround at the end of Priscilla Lane for emergency and maintenance vehicle access and turnaround. Please let me know at your earliest convenience if you concur with this plan as presented or have any further comments.

Thank you for your attention to this matter,
Tom Fowler

--



Thomas Fowler, P.E., LLC
P.O. Box 117
48-4 Marshall Wharf
Belfast, Maine
thomasfowlerpe.com
207-322-5827

Bob Richards <publicworks@cityofbelfast.org>
To: Thomas Fowler <tom@thomasfowlerpe.com>
Cc: Jim Clark <jim@thomasfowlerpe.com>

Thu, Jan 18, 2024 at 12:30 PM

Tom, what you presented to me the other day with the maintenance vehicle access and turnaround on Priscilla Lane is sufficient enough for our purposes at this me.

Thanks.

Bob Richards

From: Thomas Fowler <tom@thomasfowlerpe.com>
Sent: Thursday, January 18, 2024 10:01 AM
To: Bob Richards <publicworks@cityofbelfast.org>
Cc: Jim Clark <jim@thomasfowlerpe.com>
Subject: Sanderson Subdivision

[Quoted text hidden]

ATTACHMENT 4

DEEDS

Arthur (Bill) And Silvia (Kym) Sanderson Deed, Book 1443 Page 53
Arthur (Bill) And Silvia (Kym) Sanderson Deed, Book 1753 Page 37
Belfast Birches Associates Deed and Easement, Book 1035 Page 313
Aimee Moffitt-Mercer Deed, Book 4969 Page 301

02156

BK 1443 PG 053

RELEASE DEED

I, PRISCILLA S. SANDERSON of Belfast in the County of Waldo and State of Maine and, for consideration paid, *releases to* ARTHUR WILLIAM SANDERSON and SYLVIA KYM SANDERSON of Belfast in the County of Waldo and State of Maine and whose mailing address is 83 Congress Street, Belfast, Maine 04915, as joint tenants, *all my right, title and interest in and to* the land in BELFAST in the County of Waldo and State of Maine and more particularly bounded and described as follows, to wit:

A certain lot or parcel of land, situated in Belfast and bounded and described as follows, to wit:- Beginning on Congress Street at the northeasterly corner of land formerly of Walter W. Stimpson, deceased; thence westerly on said Stimpson's northerly line, eleven hundred and forty-eight rods to land formerly of Capt. R. W. Warren; thence northerly on the easterly line of land of said Warren, seven hundred and six rods to a stake and stones; thence easterly, thirteen hundred and fifty-seven rods to said Congress Street, at the southeasterly corner of land of the City of Belfast; thence southerly on said Congress Street, six hundred and sixty-two rods to the place of beginning, containing about twenty acres, more or less, and being the same premises conveyed to Walter W. Stimpson by Caroline E. White, by her deed of warranty, dated January 20, 1914, recorded in Waldo Registry of Deeds, Book 314, Page 338.

ALSO, another certain lot or parcel of land, situated on Congress Street, with the buildings thereon, containing eleven acres and one hundred and three rods, more or less, and being the same premises conveyed to Clarence M. Knowlton by Alice R. Stimpson, by her warranty deed, dated January 9, 1917, recorded in Waldo County Registry of Deeds, Book 323, Page 354.

Both of the above parcels being the same which were conveyed to Melvin C. Adams by Clarence M. Knowlton, by his warranty deed, dated August 20, 1923, and recorded in Waldo County Registry of Deeds, Book 349, Page 563.

The said Grantor hereby excepts and reserves to him self and his heirs a right of way from the end of the Town Road passing from Congress Street westerly by the buildings of the above described property. Said right of way to be one rod wide and to continue from the end of said road in a direct line with said road to the property known as the Warren Pasture.

Being the same premises described in a deed from Vance Norton Adams to Arthur W. Sanderson dated October 3, 1936 and recorded in the Waldo County Registry of Deeds in Book 402, Page 187.

EXCEPTING and RESERVING, however, a portion of the property as described in a deed from Arthur W. Sanderson to Winfield S. Lincoln and Virginia R. Lincoln dated April 16, 1956 and recorded in the Waldo County Registry of Deeds in Book 533, Page 515.

EXCEPTING and RESERVING, however, a portion of the property described in a deed from Arthur W. Sanderson to Robert D. Stover dated July 28, 1958 and recorded in the Waldo County Registry of Deeds in Book 555, Page 473.

EXCEPTING and RESERVING, however, a portion of the property as described in a deed from Arthur W. Sanderson to Dana M. Gibson and Jeanne M. Gibson dated July 15, 1959 and recorded in the Waldo County Registry of Deeds in Book 566, Page 483.

EXCEPTING and RESERVING, however, a portion of the property as described in a deed to State of Maine by Arthur W. Sanderson, by Taking dated July 19, 1961, recorded in said Registry of Deeds, Book 590, Page 114, and confirmed February 16, 1962 as recorded in Book 597, Page 430.

EXCEPTING and RESERVING, however, a portion of the property as described in a deed from Priscilla S. Sanderson to Peter G. Sanderson dated March 29, 1977 and recorded in the Waldo County Registry of Deeds in Book 739, Page 969.

EXCEPTING and RESERVING, however, a portion of the property as described in a deed from Priscilla S. Sanderson to Gerak N. Bubar and Susan M. Bubar dated July 1, 1977 and recorded in the Waldo County Registry of Deeds in Book 743, Page 822.

EXCEPTING and RESERVING, however, a portion of the property as described in a deed from Priscilla S. Sanderson to Belfast Birches Associates dated June 17, 1938 and recorded in the Waldo County Registry of Deeds in Book 1035, Page 313.

No Transfer Tax Paid

BK 1443 P0054

A SOURCE of Title of the Grantor, Priscilla S. Sanderson, is as widow and devisee under the Will of Arthur W. Sanderson; see Docket #20395 in the Waldo County Registry of Probate relative to the Estate of Arthur W. Sanderson.

EXCEPTING and RESERVING, however, the right retained by the grantor to occupy said premises for life.

ARTHUR WILLIAM SANDERSON is a son of Priscilla S. Sanderson.

Also hereby releasing all rights, easements, privileges and appurtenances belonging to the premises hereinabove described.

WITNESS my hand and seal this 15th day of March, 1994

Priscilla S. Sanderson
PRISCILLA S. SANDERSON

THE STATE OF MAINE
COUNTY OF WALDO, SS

March 15, 1994

Then personally appeared the above-named Priscilla S. Sanderson and acknowledged the foregoing instrument to be her free act and deed.

Affix Notary Seal

Before me,

Margie Rae Nickerson
Notary Public

Margie Rae Nickerson, Notary Public
State of Maine

Type/print name of official: _____ My Commission Expires 4/27/99



RECEIVED WALDO SS.
1994 MAR 16 PH 2:50

ATTEST: *Deloris Page*
REGISTER OF DEEDS

00123

RELEASE DEED

PRISCILLA S. SANDERSON, of Belfast in the County of Waldo and State of Maine, for consideration paid, releases to ARTHUR WILLIAM SANDERSON AND SYLVIA KYM SANDERSON, husband and wife, both of Belfast in the County of Waldo and State of Maine and whose mailing address is 161 Congress Street, Belfast, ME 04915, as Joint Tenants, all of my right, title and interest in and to the land in BELFAST in the County of Waldo and State of Maine and more particularly bounded and described as follows, to wit:

A certain lot or parcel of land, together with any buildings thereon, situated in BELFAST in the County of Waldo and State of Maine and more particularly bounded and described as follows, to wit:

BEGINNING at a point marked by the intersection of the westerly bound of Congress Street with the northerly bound of Congress Street Extension, so-called; thence northerly on the westerly bound of said Congress Street a distance of one hundred fifty (150) feet, more or less, to a point; thence westerly on a line dividing the herein described premises from other land of the grantor, said line being parallel with said Congress Street Extension, a distance of two hundred (200) feet, more or less, to a point; thence generally southerly on a line also dividing the herein described premises from other land of the grantor, said line being parallel to said Congress Street a distance of one hundred fifty (150) feet, more or less, to a point on the northerly bound of said Congress Street Extension; thence generally easterly along said Congress Street Extension a distance of two hundred (200) feet, more or less, to the point of beginning.

BEING a portion of the same premises described in a deed from Priscilla S. Sanderson to Arthur William Sanderson and Sylvia Kym Sanderson dated March 15, 1994 and recorded in the Waldo County Registry of Deeds in Book 1443, Page 53.

The purpose of this deed is to relinquish the grantor's right to occupy for life that portion, and only that portion, of the grantees' premises which is described above. See the exception and reservation of said right of occupancy for life contained in the afore-referenced deed from Priscilla S. Sanderson to Arthur William Sanderson and Sylvia Kym Sanderson.

Also hereby releasing all rights, easements, privileges and appurtenances belonging to the premises hereinabove described.

WITNESS my hand and seal this 9 day of October, 1996.

Margaret L. Oyer
Witness

Priscilla S. Sanderson
Arthur W. Sanderson

Priscilla S. Sanderson by Arthur William Sanderson under Power of Attorney to be recorded in the Waldo County Registry of Deeds.

THE STATE OF MAINE

Law Offices of
F. FREDERICK ROMANOW, JR., P.A.
11 Market Street, Belfast, ME 04915

No Transfer Tax Paid

BK.1753 PG038

COUNTY OF WALDO, SS

October 9, 1996

Then personally appeared the above-named Arthur William Sanderson who signed the foregoing instrument as the attorney of the above-named Priscilla S. Sanderson and acknowledged the same to be his free act and deed.

Before me,

Affix Notary Seal

Margaret L. Dyer
Notary Public ~~Attorney at Law~~

Type/print name of official: Margaret L. Dyer



RECEIVED WALDO SS.

1998 JUN -7 AM 9:38

ATTEST: Deloris Page
REGISTER OF DEEDS

Law Offices of
F. FREDERICK ROMANOW, JR., P.A.
11 Market Street, Belfast, ME 04915

04549

DEED

I, PRISCILLA S. SANDERSON, of Belfast, Waldo County, Maine, (being unmarried), for consideration paid

grant to BELFAST BIRCHES ASSOCIATES, a Limited Partnership organized and existing under the laws of the State of Maine, with a place of business at Bayview Street, Camden, Knox County, Maine,

with WARRANTY COVENANTS a certain lot or parcel of land situated in Belfast, Waldo County, Maine, and being bounded and described as follows, to wit:

FIRST PARCEL: BEGINNING at an iron rod set in a stone wall marking the southerly boundary of the "Leading Road" or "Old Road", so called, said iron rod being South 4 degrees 45 minutes 0 seconds West and 33.11 feet from an iron rod in the southerly boundary of land of M.S.A.D. #34 as noted in the Waldo County Registry of Deeds at Book 628, Page 608; thence South 4 degrees 45 minutes 0 seconds West and along other land of this Grantor, Priscilla S. Sanderson, 312 feet to an iron rod; thence South 79 degrees 40 minutes 39 seconds East and still along other land of this Grantor, Priscilla S. Sanderson, 708.38 feet to an iron rod; thence North 4 degrees 45 minutes 0 seconds East and along other land of this Grantor, Priscilla S. Sanderson, 312 feet to an iron rod in the southerly boundary of the "Leading Road," so called; thence North 79 degrees 40 minutes 39 seconds West and along the southerly boundary of the "Leading Road," so called, and partially by a stone wall, 708.38 feet to the place of beginning, containing approximately 5.06 acres.

SECOND PARCEL: Also another certain lot or parcel of land situated in Belfast, Waldo County, Maine,

with QUIT CLAIM COVENANTS and being bounded and described as follows, to wit:

Beginning at an iron rod in a stone wall on the southerly side of the "Leading Road" so called, and marking the northwesterly corner of the First Parcel hereinabove described; thence North 4 degrees 45 minutes 0 seconds East 33.11 feet to an iron rod in a stone wall in the southerly boundary of land of M.S.A.D. #34, as noted in the Waldo County Registry of Deeds at Book 628, Page 608; thence South 80 degrees 29 minutes 0 seconds East and along said stone wall and said land of M.S.A.D. #34, 156.80 feet to an iron rod marking the southeasterly corner of said land of M.S.A.D. #34; thence continuing the same course and along the southerly boundary of land of Joseph M. Cloutier, et al, as noted in the Waldo County Registry of Deeds at Book 752, Page 960, 246.00 feet to a corner; thence South 11 degrees 40 minutes 30 seconds West and still along said land of Joseph M. Cloutier, et al, 24.12 feet to a corner; thence South 80 degrees 2 minutes 52 seconds East and still along said land of Joseph M. Cloutier, et al, and along a stone wall, 153 feet to an iron rod; thence continuing the same course and along land now or formerly of Christine L. LeGore as noted in the Waldo County Registry of Deeds at Book 989, Page 86, and by said stone wall, 156.80 feet to an iron rod; thence South 4 degrees 45 minutes 0 seconds West 16.57 feet to an iron rod marking the northeasterly corner of land described in Parcel First above; thence North 79 degrees 40 minutes 39 seconds West and along the northerly boundary of said land described in Parcel First above, 708.38 feet to the place of beginning.

RESERVING, HOWEVER, to Grantor, her heirs, personal representatives and assigns, an easement and right-of-way for ingress, egress and regress for pedestrian and vehicular traffic over and across the above referenced parcels. Said easement and right-of-way being a strip of land approximately 50 feet in width, representing the extension of School Street and an extension thereof as laid out on survey plan entitled "Belfast Birches Elderly Housing, Priscilla S. Sanderson Property to be conveyed to Belfast Birches Associates" by Gusta Ronson, to be recorded in the Waldo County Registry of Deeds. Said easement and right-of-way is limited to access to and shall be appurtenant to other land of Grantor, situated southerly of the above referenced property and to serve only two single-family residential dwellings on said abutting property of Grantor. Said easement shall include the right for Grantor, her heirs, personal representatives and assigns to place, install and maintain underground conduits or other necessary underground transmission lines for utility services for two single-family residential dwellings on said abutting property. Said utility installation and costs of restoration to the area affected shall be at seller's expense.

"Maine Real Estate Transfer Tax Paid"

Said descriptions being in accordance with survey and plan entitled "Belfast Birches Elderly Housing, Priscilla S. Sanderson Property to be conveyed to Belfast Birches Associates" by Gusta Ronson, to be recorded in the Waldo County Registry of Deeds.

Reference may be had to deed of Vance Norton Adams to Arthur W. Sanderson, dated October 3, 1936 and recorded in the Waldo County Registry of Deeds at Book 402, Page 187; deed of Ernest Bryant to Arthur Sanderson dated March 18, 1947 and recorded in the Waldo County Registry of Deeds at Book 456, Page 397; and to deed of Vance Norton Adams to this Grantor, dated April 30, 1940 and recorded in the Waldo County Registry of Deeds at Book 430, Page 122.

Further reference may be had to Estate of Arthur W. Sanderson, Docket Number 20396 in the Waldo County Probate Court.

Witness my hand and seal this 17th day of June, 1988.

Priscilla Sanderson
Priscilla S. Sanderson

THE STATE OF MAINE

KNOX, SS.

June 17, 1988

Then personally appeared the above named Priscilla S. Sanderson and acknowledge the foregoing instrument to be her free act and deed.

Bruce A. Jordan
Notary Public, Attorney at Law

Bruce A. Jordan
Printed Name

Commission Expires:

RECEIVED
WALDO COUNTY
REGISTER OF DEEDS
1988 JUN 20 AM 8:46
BK 1035 PG 313
ATTEST: Dalno Page
REGISTER

ATTEST: Stacy L Grant, Waldo Co Registry of Deeds

Warranty Deed

I, **Randy Vogel Mercer** of 38 Robbins Road, Belfast, Maine 04915, for consideration paid, grant to **Aimee Moffitt-Mercer** with a mailing address of 384 Cape Jellison Road, Stockton Springs, Maine 04981, **with Warranty Covenants**, a certain lot or parcel of land, together with any improvements thereon, situated at 11 Priscilla Lane, in Belfast, Waldo County, Maine, and depicted as Map 34, Lot 33B on the tax maps of City of Belfast, more particularly bounded and described as follows, to wit:

Beginning at a 5/8" iron rod on the northerly side of Priscilla Lane, so-called, said iron rod being located S. 80° 47' 56" W. along the northerly side of Priscilla Lane a distance of 207.50 feet from a 5/8" iron rod marking the intersection of the westerly side of Congress Street with the northerly side of Priscilla Lane; thence S. 80° 47' 56" W. along the northerly side of Priscilla Lane a distance of 90 feet to a 5/8" iron rod at land now or formerly of Ann Bubar as described at Book 4307, Page 127 of the Waldo County Registry of Deeds; thence N. 9° 12' 04" W. along land of Bubar a distance of 150 feet to a 5/8" iron rod; thence N. 9° 12' 04" a distance of 92 feet to a 5/8" rod; thence N. 80° 47' 56" E. a distance of 90 feet to a 5/8" rod; thence S. 9° 12' 04" E. a distance of 242 feet to the point of beginning. Containing an area of .50 acres.

All bearings referenced to the Maine State Plane Coordinate System (East Zone). Description prepared by Michael J. Cummons, Professional Land Surveyor in February, 2021.

For further reference see "Boundary Survey – Land of Arthur W. Sanderson & Sylvia K. Sanderson. 161 Congress Street, City of Belfast, Waldo County, Maine" dated December 27, 2019 prepared by Michael J. Cummons, P.L.S., Lincolnville, Maine.

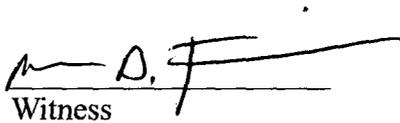
"MAINE REAL ESTATE
TRANSFER TAX PAID"

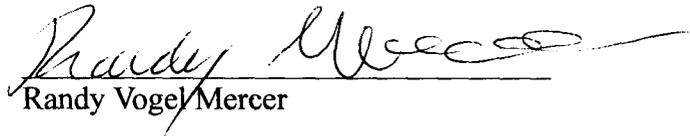
The premises are conveyed subject to any easements and restrictions of record, and this deed includes all rights, easements, privileges and appurtenances belonging to the premises herein above described.

MEANING AND INTENDING TO DESCRIBE AND CONVEY AND HEREBY CONVEYING all those same premises conveyed from the Grantee herein to the Grantor herein by deed dated September 27, 2021, as recorded at Book 4749, Page 295 of the Waldo County Registry of Deeds.

WITNESS my hand and seal this 17th day of January 2024.

Signed, Sealed and Delivered
in the presence of:


Witness

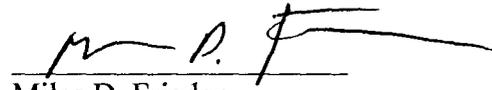

Randy Vogel Mercer

STATE OF MAINE
COUNTY OF WALDO

January 17, 2024

Then personally appeared the above-named **Randy Vogel Mercer** who acknowledged the foregoing instrument to be his free act and deed.

Before me,


Miles D. Frieden
Attorney at Law
Bar No. 003385

ATTACHMENT 5

PROTECTED NATURAL RESOURCES REPORT

Protected Natural Resources Report

Sanderson Property
Pricilla Lane, Map 34 Lot 33
Belfast, Maine

September 27, 2021



Prepared For:

Thomas Fowler, PE, LLC
28 Spring Street
P.O. Box 117
Belfast, Maine 04915

Prepared By:

Burman Land & Tree, LLC
P.O. Box 145
Orrington, ME 04474

BLT #21538



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2.1 Fieldwork	1
2.2 Published Mapping Review	3
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3.0 GENERAL PERMITTING INFORMATION	6
4.0 FINDINGS AND RECOMMENDATIONS	7
5.0 CLOSING.....	9

Appendix A Limitations

Appendix B Protected Natural Resources Plan

Appendix C Color Photographs

Appendix D Agency Letters and Published Mapping



1.0 INTRODUCTION

This Report presents the findings of protected natural resource services conducted by Burman Land & Tree, LLC (BLT) for a proposed subdivision on the approximately 24-acre Sanderson property on Pricilla Lane in Belfast, Maine. The purpose of the services was to identify and delineate Maine Department of Environmental Protection (MDEP) and U.S. Army Corps of Engineers (Corps) defined Protected Natural Resources on the site. The limit of services for the identification and delineation services was outlined on a plan sent to us by Thomas Fowler, PE, LLC on March 22, 2021. BLT understands a residential subdivision is proposed on the property.

This report is subject to the Limitations in Appendix A.

1.1 Site Location and Description

The approximately 24-acre property (i.e. the “site”) is located at the end of Pricilla Lane in Belfast, Maine. It is described by the City of Belfast as Tax Map 34, Lot 33. It is in the Belfast Bay watershed.

The site is a mix of active horse pasture and mature forest. There is a small horse barn, shed, and electrified fences located on the western side of the site. A narrow gravel road continues west from the end of Pricilla Lane through the site. The western portion of the site slopes to the southwest, while the eastern portion slopes to the northeast. The site is bordered by Congress Street and residential properties to the east, undeveloped forested land to the west, assisted living developments to the north and south, and residential lots to the south.

2.0 PROTECTED NATURAL RESOURCE SERVICES

2.1 Fieldwork

Burman Land & Tree, LLC (BLT) visited the site on August 6th, 2021 to identify and delineate field-observable Protected Natural Resources. Protected Natural Resources were identified as defined by the Maine Department of Environmental Protection¹ (MDEP) and U.S. Army Corps of Engineers² (Corps). Wetland delineation was

¹ State of Maine, Department of Environmental Protection, Natural Resources Protection Act Statute, 38 M.R.S.A. §480-A to 480-HH, DEPLW284-W2010, Revised August 12, 2011.

² United States Department of the Army, General Permit, State of Maine, Effective: October 14, 2020 to October 14, 2025.



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conducted using the 1987 Corps Wetland Delineation Manual³ and Northeast Regional Supplement⁴. Stream identification was conducted using the MDEP Natural Resources Protection Act Statute and the Corps General Permit. Potential vernal pool identification was conducted using MDEP Chapter 335⁵, the 2014 Maine Association of Wetlands Scientists (MAWS) Vernal Pool Survey Protocol, and the Corps General Permit.

Four freshwater wetland areas, labeled as Wetlands 1 through 4, one stream, labeled Stream 1, and two potential vernal pools, labeled PVPs 1 and 2, were identified on the site.

Wetland 1 was an emergent marsh (active pasture) wetland located in the southern portion of the site. Wetland 1 was dominated by hydrophytic vegetation including necklace sedge (*Carex projecta*), sensitive fern (*Onoclea sensibilis*), common soft rush (*Juncus effusus*), Bebb's willow (*Salix bebbiana*), mosquito bulrush (*Scirpus hattorianus*), meadowsweet (*Spiraea alba*), and purple loosestrife (*Lythrum salicaria*). Observed soils in the wetland were hydric, meeting hydric soil indicators F3 – Depleted Matrix and F6 – Redox Dark Surface. Primary hydrology indicators observed included A3 – Saturation, B10 – Drainage Patterns, and D2 – Geomorphic Position.

Wetland 2 was a forested wetland with scrub-shrub and emergent marsh inclusions located in the eastern portion of the site. Wetland 2 was dominated by hydrophytic vegetation including red maple (*Acer rubrum*), northern white cedar (*Thuja occidentalis*), balsam fir (*Abies balsamea*), green ash (*Fraxinus pennsylvanica*), speckled alder (*Alnus incana*), multiflora rose (*Rosa multiflora*), interrupted fern (*Osmunda claytoniana*), sensitive fern, and spotted jewelweed. Observed soils in the wetland were hydric, meeting hydric soil indicators A11 – Depleted Below Dark Surface, F6 – Redox Dark Surface and F3 – Depleted Matrix. Primary hydrology indicators observed included A2 – High Water Table, A3 – Saturation, and B9 – Water-Stained Leaves.

³ Environmental Laboratory. 1987. "Corps of Engineers Wetland Delineation Manual", Technical Report Y-87-1, U.S. Army Engineers Waterways Experiment Station, Vicksburg, Miss.

⁴ U.S. Army Corps of Engineers. 2011. Regional Supplement to the Corps of Engineers Wetland Delineation Manual:Northcentral and Northeast Region (Version 2.0), ed. J. S. Wakeley, R. W. Lichvar, C. V. Noble, and J. F. Berkowitz. ERDC/EL TR-12-1. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

⁵ State of Maine, Department of Environmental Protection, Chapter 335 Significant Wildlife Habitat, amended January 7, 2014.



Wetland 3 was a small, isolated, forested wetland located in the north-central portion of the site. Wetland 3 was dominated by hydrophytic vegetation including red maple, northern white cedar, glossy false buckthorn (*Frangula alnus*), sensitive fern, and interrupted fern. Observed soils in the wetland were hydric, meeting hydric soil indicators A2 – Histic Epipedon, A3 – Black Histic, and A11 – Depleted Below Dark Surface. Primary hydrology indicators observed included A3 – Saturation, and B9 – Water-Stained Leaves.

Wetland 4 was a forested and emergent marsh (active pasture) wetland located in the western portion of the site. Wetland 4 flowed southerly into Wetland 1 through a culvert under a gravel road that ran east to west through the parcel. Wetland 4 was dominated by hydrophytic vegetation including red maple, balsam fir, northern white cedar, glossy false buckthorn, and the same vegetation as observed in Wetland 1 in the emergent marsh areas of the wetland. Observed soils in the wetland were hydric, meeting soil indicator F3 – Depleted Matrix. Primary hydrology indicators observed included A1 – Surface Water, A2 – High Water Table, and A3 – Saturation.

Stream 1 was an intermittent stream that flowed through Wetland 2. Bank to bank width of the stream was approximately two feet with depths up to eight inches, and the substrate was comprised of mud. A man-made pond was observed in Wetland 2, to the west of, and connected via ditches to, Stream 1.

Two potential vernal pools were observed on the site. PVP 1 is a large natural-modified pool located in the emergent marsh section of Wetland 2. PVP 2 is a natural chain of pools located in the forested areas of Wetland 4, north of the horse pastures.

Wetland delineation flagging was located by Burman Land & Tree, LLC using a mapping grade GPS receiver. The GPS data was overlaid onto a tax map and aerial photograph (accessed via MeGIS) and the overlay used to make the Protected Natural Resources Plan.

2.2 Published Mapping Review

BLT contacted and/or accessed the databases of natural resource agencies to identify if there are Threatened, Endangered, Significant or Essential species and/or habitats



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mapped on the site. Agencies contacted included the U.S. Fish and Wildlife Service (US FWS), Maine Department of Inland Fisheries and Wildlife (IF&W), and Maine Natural Areas Program (MNAP).

According to the IF&W response letter and map, dated August 24, 2021, IF&W maps the site as within the habitat range of three species of bats that are protected under the Maine Endangered Species Act, and within the habitat range of five species of bats that are listed as species of Special Concern in Maine. According to the letter *“based on historical evidence it is likely that several of these species occur within the project area during migration and/or the breeding season. However, our Agency does not anticipate significant impacts to any of the bat species as a result of this project.”*

The IF&W response letter recommends that Significant Vernal Pools be mapped. IF&W also recommends that *“100-foot undisturbed vegetated buffers be maintained along streams”* with buffers measured *“from the edge of stream or associated fringe and floodplain wetlands”*. IF&W recommends that stream crossings be designed for full fish passage and any in-stream work be conducted between July 15 and October 1. In the response letter, IF&W makes recommendations for stream crossing design.

The MNAP response letter dated August 03, 2021 states that *“According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area.”* The MNAP database is not a site-specific field survey.

The US FWS database, accessed on September 07, 2021, indicates that two federally listed species should be considered as part of an effect analysis for the project: the Endangered Atlantic salmon, and the Threatened northern long-eared bat. The database also lists the monarch butterfly as a Candidate Species. If the project will require a federal permit or will use federal funding, the federal action agency will determine if there are concerns regarding the project affecting this mapped habitat. Generally, Atlantic salmon are a concern if streams or near-stream areas are to be disturbed. Generally, bats are a concern if the site is near a known hibernacula or brooding tree, or if trees will be cut between about April 1 to October 31. Generally,



monarch butterflies are a concern if there is milkweed (obligate host plant) growing on a site.

BLT also reviewed available published mapping for the site including U.S. Fish and Wildlife National Wetland Inventory (NWI), U.S. Natural Resources Conservation Service (NRCS) soil mapping, U.S. Geological Survey (USGS) topographic mapping, and Federal Emergency Management Agency (FEMA) Flood Zone mapping, as available, to provide an indication of potential areas of protected natural resources on the property, and to help with determination of wetland classifications.

The NWI maps a stream, a small freshwater pond, and a forested wetland, all in the eastern portion of the site. The NRCS Soil Survey maps Brayton and Peru soils on the site. Brayton soils are classified as hydric soils, which are a component of wetlands. The USGS topographic map shows a stream in the eastern portion of the site. The FEMA maps the stream and adjacent areas in the eastern portion of the site as within the 100-year flood zone, and the remainder of the site as outside of the 100-year flood zone.

2.3 Classification

Based on the Cowardin Classification system⁶, we classified the freshwater wetlands on the site as PFO1/4E or B (palustrine, forested, broad-leaved deciduous and needle-leaved coniferous wetlands with a seasonally flooded/saturated or saturated water regime), and PEM1E (palustrine, emergent marsh, persistent wetlands with a seasonally flooded/saturated water regime). We classified the stream as R4SB5 (riverine, intermittent, streambed, mud bottom).

Based on MDEP Natural Resources Protection Act definitions, the wetlands and stream identified on the site are Protected Natural Resources, and the potential vernal pools are potentially Protected Natural Resources. Wetland 2 meets MDEP classification as “Wetlands of Special Significance” (WOSS) due to it’s containing greater than 20,000 SF of open water or emergent marsh vegetation. The portions of Wetland 2 that are

⁶ Cowardin, et al. 1979. United States, Fish and Wildlife Service, “Classification of Wetlands and Deepwater Habitats of the United States”. Biological services program; FWS/OBS-79/31) FWS/OBS-79/31. QH76.U54a 79/31 [QH104] 574.5'0973s [574.5'2632] 79-607795



within the FEMA 100-year flood plain and/or are within 25 feet of Stream 1 also trigger WOSS classification in those areas. Wetlands 1 and 3 meet MDEP classification as “Wetlands Not of Special Significance” (WNSS). Wetland 4 preliminarily meets MDEP classification as WNSS pending springtime vernal pool documentation. If potential vernal pools in Wetlands 2 or 4 meet MDEP criteria to be classified as Significant Vernal Pools (SVPs), then Wetland 4 would meet classification as a WOSS, and the SVP would be an additional WOSS trigger for Wetland 2.

3.0 GENERAL PERMITTING INFORMATION

Jurisdictional wetlands, streams and vernal pools are protected by the MDEP and the Corps. Alterations to jurisdictional wetlands, streams and/or vernal pools require a permit from these agencies, the type of permit dependent on the amount and type of alteration.

In general, wetland alterations of between 1 and 4,300 square feet of “Wetlands Not of Special Significance” require filing of a Corps Self-Verification Form to the Corps. Wetland alterations of between 4,300 and 15,000 square feet of “Wetlands Not of Special Significance” require filing of a MDEP Natural Resources Protection Act (NRPA) Tier 1 Permit Application to the MDEP and the Corps. Wetland alterations of greater than 15,000 square feet of “Wetlands Not of Special Significance”, or of any alteration of “Wetlands of Special Significance” require filing of a MDEP NRPA Tier 2, Tier 3, or Individual Permit Application to the Corps and MDEP, depending on the amount and type of alteration. These higher threshold permits generally require further submissions such as wetland data forms and a functional assessment and generally include a wetland compensation component. Please note that past alterations are considered cumulatively with proposed alterations for permitting purposes.

A MDEP NRPA Permit-By-Rule (PBR) Notification is required for a stream crossing or for soil/vegetation disturbance at between 25 feet and 75 feet of a stream. A MDEP NRPA Individual Permit is required for direct stream alterations and for soil/vegetation disturbance within 25 feet of a stream. The Individual permit application generally requires further submissions such as a functional assessment and a wetland compensation plan. A Corps permit is required for direct alterations to a stream.



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A MDEP NRPA Permit-By-Rule (PBR) Notification is required for soil/vegetation disturbance at between 25 feet and 75 feet of a Wetland of Special Significance that contains greater than 20,000SF of open water or emergent marsh vegetation (Wetland 2 on this site). A MDEP NRPA Individual Permit is required for soil/vegetation disturbance within 25 feet this type of wetland. The Individual permit application generally requires further submissions such as a functional assessment and a wetland compensation plan. A Corps permit is required for direct alterations to a stream.

A MDEP NRPA Permit-By-Rule Notification is required for alterations of less than 25% of the forested habitat within 250-feet of a Significant Vernal Pool (not inclusive). A MDEP NRPA Individual Permit is required for direct Significant Vernal Pool alterations or alterations that do not meet Permit-By-Rule standards. A Corps permit is required for direct alterations to vernal pools if Corps jurisdiction is triggered by wetland alteration.

If wetland, stream and/or vernal pool alteration occurs for the project, the Corps licensing process includes review for impacts to wetlands, streams, vernal pools, bat habitat, and/or Atlantic salmon habitat.

If the project will trigger MDEP Site Location of Development Act permitting, other setbacks may apply to wetlands and further botanical and/or wildlife studies may be required.

4.0 FINDINGS AND RECOMMENDATIONS

Burman Land & Tree, LLC (BLT) conducted Protected Natural Resources identification and delineation services for a proposed subdivision on the approximately 24-acre Sanderson property on Priscilla Lane in Belfast, Maine.

Four freshwater wetland areas, one stream, and two potential vernal pools were identified on the site. A man-made pond was identified in the wetland to the west of, and connected to, the stream. The freshwater wetlands identified on the site were forested, scrub-shrub, and emergent marsh wetlands. Wetland 2, the easternmost delineated wetland, is classified as a "Wetlands of Special Significance" due to its containing >20,000 SF of emergent marsh vegetation or open water. Wetlands 1 and 3 are classified as "Wetlands Not of Special Significance". Wetland 4 is preliminarily



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classified as a “Wetlands Not of Special Significance” pending springtime vernal pool documentation.

IF&W maps the site as within the habitat range of three species of bats that are protected under the Maine Endangered Species Act, and within the habitat range of five species of bats that are listed as species of Special Concern in Maine. According to the letter *“based on historical evidence it is likely that several of these species occur within the project area during migration and/or the breeding season. However, our Agency does not anticipate significant impacts to any of the bat species as a result of this project.”*

The US FWS maps two federally-listed species that should be considered as part of an effect analysis for the project: the Endangered Atlantic salmon, and the Threatened northern long-eared bat. The database also lists the monarch butterfly as a Candidate Species. If the project will require a federal permit or will use federal funding, the federal action agency will determine if there are concerns regarding the project affecting this mapped habitat. Generally, Atlantic salmon are a concern if streams or near-stream areas are to be disturbed. Generally, bats are a concern if the site is near a known hibernacula or brooding tree, or if trees will be cut between about April 1 to October 31. Generally, monarch butterflies are a concern if there is milkweed (obligate host plant) growing on a site.

If jurisdictional wetland alteration occurs for the project, the Corps licensing process includes review for impacts to wetlands, the stream, vernal pools, northern long-eared bat habitat, and Atlantic salmon habitat.

BLT recommends that potential vernal pools be documented in the spring. BLT also recommends that alterations to Protected Natural Resources be avoided and minimized to the greatest extent practicable. If alterations to Protected Natural Resources are proposed, we recommend a pre-application meeting with the MDEP and Corps to discuss permitting requirements.



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We did not review City of Belfast ordinances regarding alterations to natural resources. We recommend that the City of Belfast be contacted during the planning process for the project if natural resources are proposed to be altered.

5.0 CLOSING

We appreciate the opportunity to assist you during this phase of the project. If you have any questions, please contact us.

Sincerely,

Burman Land & Tree, LLC

Jeanna Leclerc, Wetland Scientist

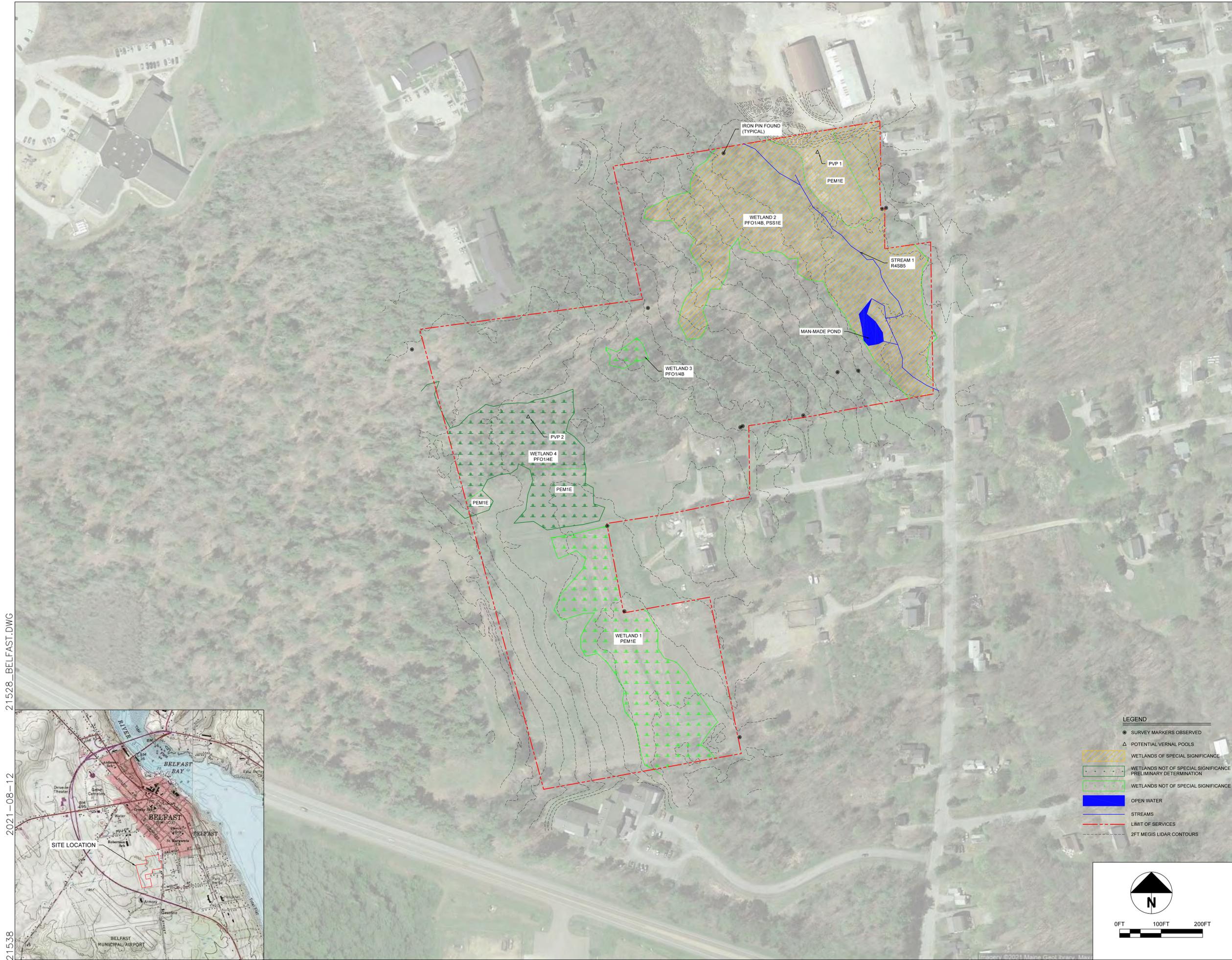
Aleita M. Burman, C.W.S., C.S.S.
Soil and Wetland Scientist
blburman@gmail.com

Appendix A
Limitations

Appendix A – Limitations

The scope of Burman Land & Tree, LLC services has been limited to Protected Natural Resources identification and delineation services for a proposed subdivision on the approximately 24-acre Sanderson property on Priscilla Lane in Belfast, Maine, identified as Lot 33 of Map 34 on City of Belfast municipal tax maps. This Report has been prepared for the exclusive use of Thomas Fowler, P.E., LLC. No warranty, expressed or implied, is made. The conclusions made in this report are based on the data obtained from the areas explored at the time of services.

Appendix B
Protected Natural Resources Plan



General Notes

Notes

1. This Protected Natural Resources Plan details the findings of Protected Natural Resources identification and delineation services conducted by Burman Land & Tree, LLC on the approximately 24-acre Sanderson property on Priscilla Lane in Belfast, Maine. Protected Natural Resources field delineation services were conducted on August 06, 2021.
2. Protected Natural Resources were field delineated in general accordance with the Maine Department of Environmental Protection Natural Resources Protection Act definitions; the United States Department of the Army State of Maine General Permit (October 2020-2025), the U.S. Army Corps of Engineers Wetland Delineation Manual (1987), the U.S. Army Corps of Engineers Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (2012), and the MDEP Chapter 335: Significant Wildlife Habitat Rules.
3. Resource features were located by Burman Land & Tree, LLC using a mapping grade GPS receiver. The GPS data was overlaid onto a MeGIS tax map and aerial photo, and the overlay used to make this Plan.
4. This Plan is for planning and resource alteration permitting purposes only. It is not a survey.

Cowardin Legend

PFO14E	Palustrine, Forested, Broad-Leaved Deciduous and Needle-Leaved Evergreen Wetland with a Flooded/Saturated Water Regime
PFO14B	Palustrine, Forested, Broad-Leaved Deciduous and Needle-Leaved Evergreen Wetland with a Saturated Water Regime
PSS1E	Palustrine, Scrub-Shrub, Broad-Leaved Deciduous Wetland with a Flooded/Saturated Water Regime
PEM1E	Palustrine, Emergent Marsh, Persistent Herbaceous Vegetation with a Seasonally Flooded/Saturated Water Regime
R4S85	Riverine, Intermittent, Streambed, Mud Bottom Stream

No.	Revision/Issue	Date

Firm Name and Address



BURMAN
LAND & TREE COMPANY, LLC

BURMAN LAND AND TREE, LLC.
P.O. BOX 145
ORRINGTON, ME
207-825-4050

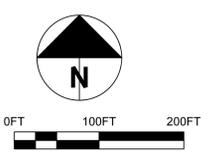
Project Name and Address

PROTECTED NATURAL RESOURCES PLAN FOR TOM FOWLER, P.E., LLC
PRICILLA LANE, BELFAST, MAINE

Project	21538	Sheet	1
Date	2021-09-27		
Scale	As Noted		

LEGEND

- SURVEY MARKERS OBSERVED
- △ POTENTIAL VERNAL POOLS
- WETLANDS OF SPECIAL SIGNIFICANCE
- WETLANDS NOT OF SPECIAL SIGNIFICANCE PRELIMINARY DETERMINATION
- WETLANDS NOT OF SPECIAL SIGNIFICANCE
- OPEN WATER
- STREAMS
- LIMIT OF SERVICES
- 2FT MEGIS LIDAR CONTOURS



21528_BELFAST.DWG

2021-08-12

21538

Appendix C
Color Photographs



Photo 1: Wetland 1: PEM1E (typical). Photograph taken August 6, 2021.



Photo 2: Wetland 2: PFO1/4B (typical). Photograph taken August 6, 2021.



Photo 3: Wetland 2: PEM1E (typical). Photograph taken August 6, 2021.



Photo 4: Wetland 3: PFO1/4B (typical). Photograph taken August 6, 2021.



Photo 5: Wetland 4: PFO1/4E (typical). Photograph taken August 6, 2021.

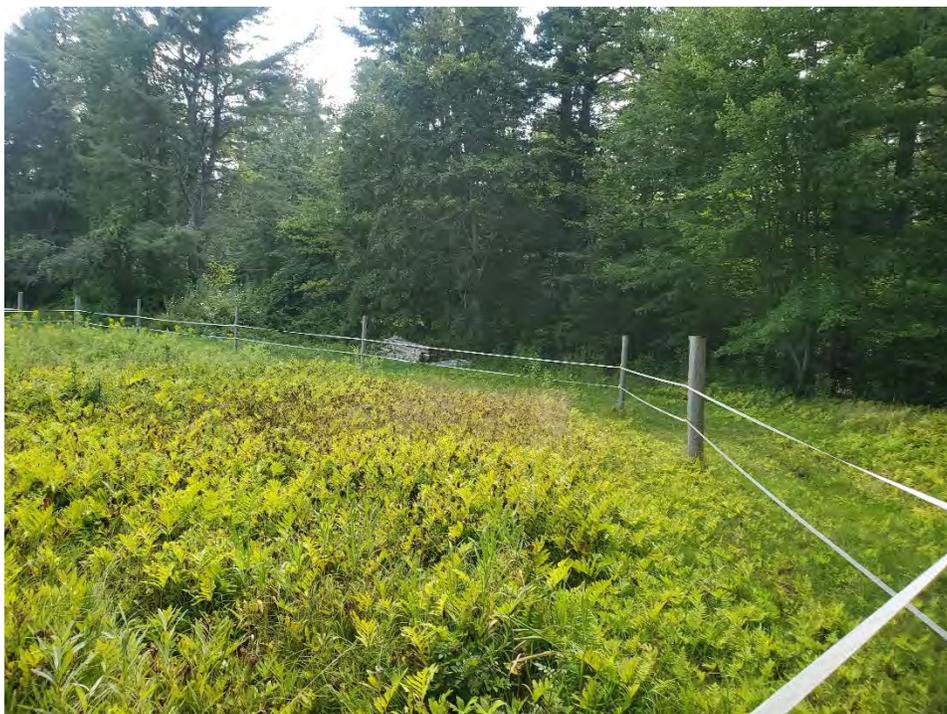


Photo 6: Wetland 4: PEM1E (typical). Photograph taken August 6, 2021.



Photo 7: Stream 1: R4SB5 (typical). Photograph taken August 6, 2021.



Photo 8: PVP 1. Photograph taken August 6, 2021.



Photo 9: PVP 2. Photograph taken August 6, 2021.

Appendix D
Agency Letters and Published Mapping



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF
INLAND FISHERIES & WILDLIFE
284 STATE STREET
41 STATE HOUSE STATION
AUGUSTA ME 04333-0041



JUDITH CAMUSO
COMMISSIONER

August 24, 2021

Aleita Burman
Burman Land and Tree Company, LLC
PO Box 145
Orrington, ME 04474

RE: Information Request – Congress Street Project, Belfast

Dear Lee:

Per your request received on August 02, 2021, we have reviewed current Maine Department of Inland Fisheries and Wildlife (MDIFW) information for known locations of Endangered, Threatened, and Special Concern species; designated Essential and Significant Wildlife Habitats; and inland fisheries habitat concerns within the vicinity of the *Congress Street* project in Belfast.

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, the three *Myotis* species are protected under Maine's Endangered Species Act (MESA) and are afforded special protection under 12 M.R.S §12801 - §12810. The three *Myotis* species include little brown bat (State Endangered), northern long-eared bat (State Endangered), and eastern small-footed bat (State Threatened). The five remaining bat species are listed as Special Concern: big brown bat, red bat, hoary bat, silver-haired bat, and tri-colored 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 migration and/or the breeding season. 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 SWHs subject to protection under the Natural Resources Protection Act (NRPA) within the project area, which include Waterfowl and Wading Bird Habitats, Seabird Nesting Islands, Shorebird Areas, and Significant Vernal Pools. However, a comprehensive statewide inventory for Significant Vernal Pools has not been completed. 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 submission of any necessary permits. Our Department will need to review and verify any vernal pool data prior to final determination of significance.

Fisheries Habitat

We generally 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 that support coldwater fisheries 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 agencies including the Maine Natural Areas Program, Maine Department of Marine Resources, 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,



Becca Settele
Wildlife Biologist



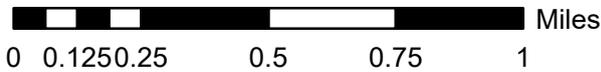
Environmental Review of Fish and Wildlife Observations and Priority Habitats

Project Name:

Congress Street, Belfast
(Version 1)



Maine Department of
Inland Fisheries and Wildlife



Projection: UTM, NAD83, Zone 19N

Date: 8/4/2021

- | | | |
|-----------------------------------|----------------------------------|---|
| ProjectSearchAreas - All Versions | Deer Winter Area | Roseate Tern |
| Maine Cliff and Talus Areas | LUPC p-fw | Piping Plover and Least Tern |
| Cooperative DWAs | Seabird Nesting Islands | Aquatic ETSc - 2.5 mi review |
| Shorebird Areas | Inland Waterfowl and Wading Bird | Rare Mussels - 5 mi review |
| 2008 lwwh - Shoreland Zoning | Tidal Waterfowl and Wading Bird | Maine Heritage Fish Waters |
| Significant Vernal Pools | Environmental Review Polygons | Arctic Charr Habitat |
| | | Redfin Pickerel and Swamp Darter Habitats - buffer100ft |
| | | Special Concern occupied habitats - 100ft buffer |
| | | Wild Lake Trout Habitats |





STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY

177 STATE HOUSE STATION
AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

August 3, 2021

Aleita Burman
Burman Land & Tree
PO Box 145
Orrington, ME04474

Via email: blburman@gmail.com

Re: Rare and exemplary botanical features in proximity to: #21538, Residential Development, Congress Street, Belfast, Maine

Dear Ms. Burman:

I have searched the Maine Natural Areas Program's Biological and Conservation Data System files in response to your request received July 31, 2021 for information on the presence of rare or unique botanical features documented from the vicinity of the project in Belfast, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. This lack of data may indicate minimal survey efforts rather than confirm the absence of rare botanical features. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

If a field survey of the project area is conducted, please refer to the enclosed supplemental information regarding rare and exemplary botanical features documented to occur in the vicinity of the project site. The list may include information on features that have been known to occur historically in the area as well as recently field-verified information. While historic records have not been documented in several years, they may persist in the area if suitable habitat exists. The enclosed list identifies features with potential to occur in the area, and it should be considered if you choose to conduct field surveys.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

MOLLY DOCHERTY, DIRECTOR
MAINE NATURAL AREAS PROGRAM
BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-804490
WWW.MAINE.GOV/DACF/MNAP

Letter to Burman
Comments RE: Congress Street, Belfast
August 3, 2021
Page 2 of 2

The Maine Natural Areas Program (MNAP) is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. MNAP welcomes coordination with individuals or organizations proposing environmental alteration or conducting environmental assessments. If, however, data provided by MNAP are to be published in any form, the Program should be informed at the outset and credited as the source.

The Maine Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$150.00 for two hours of our services.

Thank you for using MNAP in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,

Lisa St. Hilaire

Lisa St. Hilaire | Information Manager | Maine Natural Areas Program
207-287-8044 | lisa.st.hilaire@maine.gov

Rare and Exemplary Botanical Features within 4 miles of
 Project: #21538, Congress Street Residential Development, Belfast, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
American Chestnut	SC	S4	G3	2001-02-13	3	Hardwood to mixed forest (forest, upland)
Bog Bedstraw	SC	S2	G5	1940-07-23	3	Conifer forest (forest, upland)

Conservation Status Ranks

State and Global Ranks: This ranking system facilitates a quick assessment of a species' or habitat type's rarity and is the primary tool used to develop conservation, protection, and restoration priorities for individual species and natural habitat types. Each species or habitat is assigned both a state (S) and global (G) rank on a scale of 1 to 5. Factors such as range extent, the number of occurrences, intensity of threats, etc., contribute to the assignment of state and global ranks. The definitions for state and global ranks are comparable but applied at different geographic scales; something that is state imperiled may be globally secure.

The information supporting these ranks is developed and maintained by the Maine Natural Areas Program (state ranks) and NatureServe (global ranks).

Rank	Definition
S1 G1	Critically Imperiled – At very high risk of extinction or elimination due to very restricted range, very few populations or occurrences, very steep declines, very severe threats, or other factors.
S2 G2	Imperiled – At high risk of extinction or elimination due to restricted range, few populations or occurrences, steep declines, severe threats, or other factors.
S3 G3	Vulnerable – At moderate risk of extinction or elimination due to a fairly restricted range, relatively few populations or occurrences, recent and widespread declines, threats, or other factors.
S4 G4	Apparently Secure – At fairly low risk of extinction or elimination due to an extensive range and/or many populations or occurrences, but with possible cause for some concern as a result of local recent declines, threats, or other factors.
S5 G5	Secure – At very low risk of extinction or elimination due to a very extensive range, abundant populations or occurrences, and little to no concern from declines or threats.
SX GX	Presumed Extinct – Not located despite intensive searches and virtually no likelihood of rediscovery.
SH GH	Possibly Extinct – Known from only historical occurrences but still some hope of rediscovery.
S#S# G#G#	Range Rank – A numeric range rank (e.g., S2S3 or S1S3) is used to indicate any range of uncertainty about the status of the species or ecosystem.
SU GU	Unrankable – Currently unrankable due to lack of information or due to substantially conflicting information about status or trends.
GNR SNR	Unranked – Global or subnational conservation status not yet assessed.
SNA GNA	Not Applicable – A conservation status rank is not applicable because the species or ecosystem is not a suitable target for conservation activities (e.g., non-native species or ecosystems).
Qualifier	Definition
S#? G#?	Inexact Numeric Rank – Denotes inexact numeric rank.
Q	Questionable taxonomy that may reduce conservation priority – Distinctiveness of this entity as a taxon or ecosystem type at the current level is questionable. The “Q” modifier is only used at a global level.
T#	Intraspecific Taxon (trinomial) – The status of intraspecific taxa (subspecies or varieties) are indicated by a "T-rank" following the species' global rank.

State Status: Endangered and Threatened are legal status designations authorized by statute. Please refer to MRSA Title 12, §544 and §544-B.

Status	Definition
E	Endangered – Any native plant species in danger of extinction throughout all or a significant portion of its range within the State or Federally listed as Endangered.
T	Threatened – Any native plant species likely to become endangered within the foreseeable future throughout all or a significant portion of its range in the State or Federally listed as Threatened.
SC	Special Concern – A native plant species that is rare in the State, but not rare enough to be considered Threatened or Endangered.
PE	Potentially Extirpated – A native plant species that has not been documented in the State in over 20 years, or loss of the last known occurrence.

Element Occurrence (EO) Ranks: Quality assessments that designate viability of a population or integrity of habitat. These ranks are based on size, condition, and landscape context. Range ranks (e.g., AB, BC) and uncertainty ranks (e.g., B?) are allowed. The Maine Natural Areas Program tracks all occurrences of rare plants and natural communities/ecosystems (S1-S3) as well as exemplary common natural community types (S4-S5 with EO ranks A/B).

Rank	Definition
A	Excellent – Excellent estimated viability/ecological integrity.
B	Good – Good estimated viability/ecological integrity.
C	Fair – Fair estimated viability/ecological integrity.
D	Poor – Poor estimated viability/ecological integrity.
E	Extant – Verified extant, but viability/ecological integrity not assessed.
H	Historical – Lack of field information within past 20 years verifying continued existence of the occurrence, but not enough to document extirpation.
X	Extirpated – Documented loss of population/destruction of habitat.
U	Unrankable – Occurrence unable to be ranked due to lack of sufficient information (e.g., possible mistaken identification).
NR	Not Ranked – An occurrence rank has not been assigned.

Visit the Maine Natural Areas Program website for more information
<http://www.maine.gov/dacf/mnap>





United States Department of the Interior



FISH AND WILDLIFE SERVICE

Maine Ecological Services Field Office

P. O. Box A

East Orland, ME 04431

Phone: (207) 469-7300 Fax: (207) 902-1588

<http://www.fws.gov/mainefieldoffice/index.html>

In Reply Refer To:

September 07, 2021

Consultation Code: 05E1ME00-2021-SLI-1700

Event Code: 05E1ME00-2021-E-05305

Project Name: BLT #2138 - Pricilla Lane, Belfast

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies the threatened, endangered, candidate, and proposed species and designated or proposed critical habitat that may occur within the boundary of your proposed project or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC Web site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the Endangered Species Consultation Handbook at: <http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

This species list also identifies candidate species under review for listing and those species that the Service considers species of concern. Candidate species have no protection under the Act but are included for consideration because they could be listed prior to completion of your project. Species of concern are those taxa whose conservation status is of concern to the Service (i.e., species previously known as Category 2 candidates), but for which further information is needed.

If a proposed project may affect only candidate species or species of concern, you are not required to prepare a Biological Assessment or biological evaluation or to consult with the Service. However, the Service recommends minimizing effects to these species to prevent future conflicts. Therefore, if early evaluation indicates that a project will affect a candidate species or species of concern, you may wish to request technical assistance from this office to identify appropriate minimization measures.

Please be aware that bald and golden eagles are not protected under the Endangered Species Act but are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.). Projects affecting these species may require development of an eagle conservation plan: http://www.fws.gov/windenergy/eagle_guidance.html Information on the location of bald eagle nests in Maine can be found on the Maine Field Office Web site: <http://www.fws.gov/mainefieldoffice/Project%20review4.html>

Additionally, wind energy projects should follow the wind energy guidelines: <http://www.fws.gov/windenergy/> for minimizing impacts to migratory birds and bats. Projects may require development of an avian and bat protection plan.

Migratory birds are also a Service trust resource. Under the Migratory Bird Treaty Act, construction activities in grassland, wetland, stream, woodland, and other habitats that would result in the take of migratory birds, eggs, young, or active nests should be avoided. Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm> and at:

<http://www.towerkill.com>; and at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Maine Ecological Services Field Office

P. O. Box A

East Orland, ME 04431

(207) 469-7300

Project Summary

Consultation Code: 05E1ME00-2021-SLI-1700

Event Code: Some(05E1ME00-2021-E-05305)

Project Name: BLT #2138 - Pricilla Lane, Belfast

Project Type: DEVELOPMENT

Project Description: Potential 24 acre residential development.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.41581575,-69.00816751027953,14z>



Counties: Waldo County, Maine

Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Fishes

NAME	STATUS
Atlantic Salmon <i>Salmo salar</i> Population: Gulf of Maine DPS There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/2097	Endangered

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Maine Ecological Services Field Office

P. O. Box A

East Orland, ME 04431

Phone: (207) 469-7300 Fax: (207) 902-1588

<http://www.fws.gov/mainefieldoffice/index.html>

In Reply Refer To:

September 07, 2021

Consultation code: 05E1ME00-2021-TA-1700

Event Code: 05E1ME00-2021-E-05306

Project Name: BLT #2138 - Pricilla Lane, Belfast

Subject: Verification letter for the 'BLT #2138 - Pricilla Lane, Belfast' project under the January 5, 2016, Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-eared Bat and Activities Excepted from Take Prohibitions.

Dear Jeanna Leclerc:

The U.S. Fish and Wildlife Service (Service) received on September 07, 2021 your effects determination for the 'BLT #2138 - Pricilla Lane, Belfast' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. This IPaC key assists users in determining whether a Federal action is consistent with the activities analyzed in the Service's January 5, 2016, Programmatic Biological Opinion (PBO). The PBO addresses activities excepted from "take"^[1] prohibitions applicable to the northern long-eared bat under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, the Action is consistent with activities analyzed in the PBO. The Action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the PBO satisfies and concludes your responsibilities for this Action under ESA Section 7(a)(2) with respect to the northern long-eared bat.

Please report to our office any changes to the information about the Action that you submitted in IPaC, the results of any bat surveys conducted in the Action area, and any dead, injured, or sick northern long-eared bats that are found during Action implementation. If the Action is not completed within one year of the date of this letter, you must update and resubmit the information required in the IPaC key.

This IPaC-assisted determination allows you to rely on the PBO for compliance with ESA Section 7(a)(2) only for the northern long-eared bat. It **does not** apply to the following ESA-protected species that also may occur in the Action area:

- Atlantic Salmon *Salmo salar* Endangered
- Monarch Butterfly *Danaus plexippus* Candidate

If the Action may affect other federally listed species besides the northern long-eared bat, a proposed species, and/or designated critical habitat, additional consultation between you and this Service office is required. If the Action may disturb bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act is recommended.

[1]Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct [ESA Section 3(19)].

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

BLT #2138 - Pricilla Lane, Belfast

2. Description

The following description was provided for the project 'BLT #2138 - Pricilla Lane, Belfast':

Potential 24 acre residential development.

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.41581575,-69.00816751027953,14z>



Determination Key Result

This Federal Action may affect the northern long-eared bat in a manner consistent with the description of activities addressed by the Service's PBO dated January 5, 2016. Any taking that may occur incidental to this Action is not prohibited under the final 4(d) rule at 50 CFR §17.40(o). Therefore, the PBO satisfies your responsibilities for this Action under ESA Section 7(a)(2) relative to the northern long-eared bat.

Determination Key Description: Northern Long-eared Bat 4(d) Rule

This key was last updated in IPaC on May 15, 2017. Keys are subject to periodic revision.

This key is intended for actions that may affect the threatened northern long-eared bat.

The purpose of the key for Federal actions is to assist determinations as to whether proposed actions are consistent with those analyzed in the Service's PBO dated January 5, 2016.

Federal actions that may cause prohibited take of northern long-eared bats, affect ESA-listed species other than the northern long-eared bat, or affect any designated critical habitat, require ESA Section 7(a)(2) consultation in addition to the use of this key. Federal actions that may

affect species proposed for listing or critical habitat proposed for designation may require a conference under ESA Section 7(a)(4).

Determination Key Result

This project may affect the threatened Northern long-eared bat; therefore, consultation with the Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.) is required. However, based on the information you provided, this project may rely on the Service's January 5, 2016, *Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions* to fulfill its Section 7(a)(2) consultation obligation.

Qualification Interview

1. Is the action authorized, funded, or being carried out by a Federal agency?

Yes

2. Have you determined that the proposed action will have "no effect" on the northern long-eared bat? (If you are unsure select "No")

No

3. Will your activity purposefully **Take** northern long-eared bats?

No

4. [Semantic] Is the project action area located wholly outside the White-nose Syndrome Zone?

Automatically answered

No

5. [Semantic] Is the project action area located within 0.25 miles of a known northern long-eared bat hibernaculum?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency

Automatically answered

No

6. [Semantic] Is the project action area located within 150 feet of a known occupied northern long-eared bat maternity roost tree?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency

Automatically answered

No

Project Questionnaire

If the project includes forest conversion, report the appropriate acreages below. Otherwise, type '0' in questions 1-3.

1. Estimated total acres of forest conversion:

10

2. If known, estimated acres of forest conversion from April 1 to October 31

0

3. If known, estimated acres of forest conversion from June 1 to July 31

0

If the project includes timber harvest, report the appropriate acreages below. Otherwise, type '0' in questions 4-6.

4. Estimated total acres of timber harvest

10

5. If known, estimated acres of timber harvest from April 1 to October 31

0

6. If known, estimated acres of timber harvest from June 1 to July 31

0

If the project includes prescribed fire, report the appropriate acreages below. Otherwise, type '0' in questions 7-9.

7. Estimated total acres of prescribed fire

0

8. If known, estimated acres of prescribed fire from April 1 to October 31

0

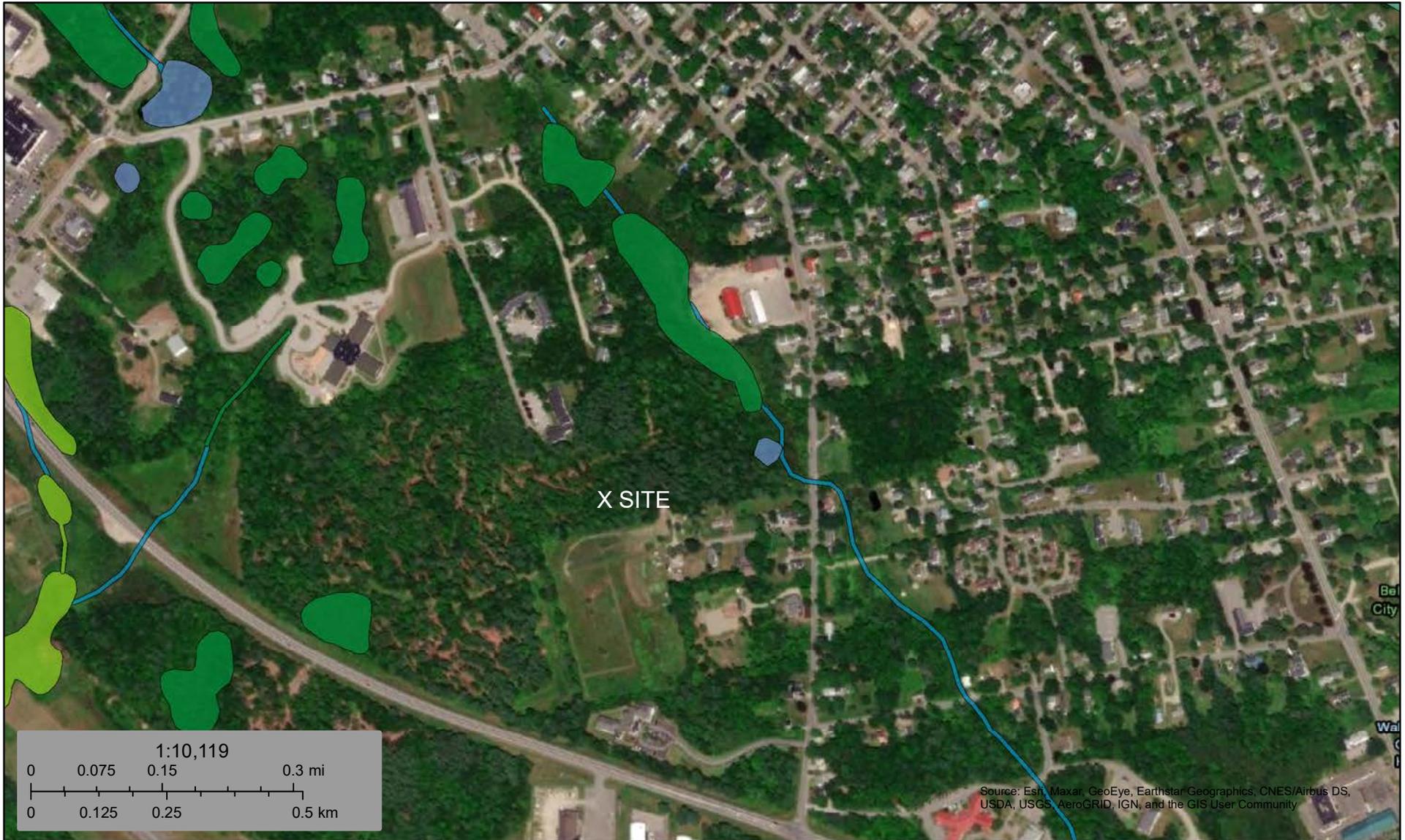
9. If known, estimated acres of prescribed fire from June 1 to July 31

0

If the project includes new wind turbines, report the megawatts of wind capacity below. Otherwise, type '0' in question 10.

10. What is the estimated wind capacity (in megawatts) of the new turbine(s)?

0



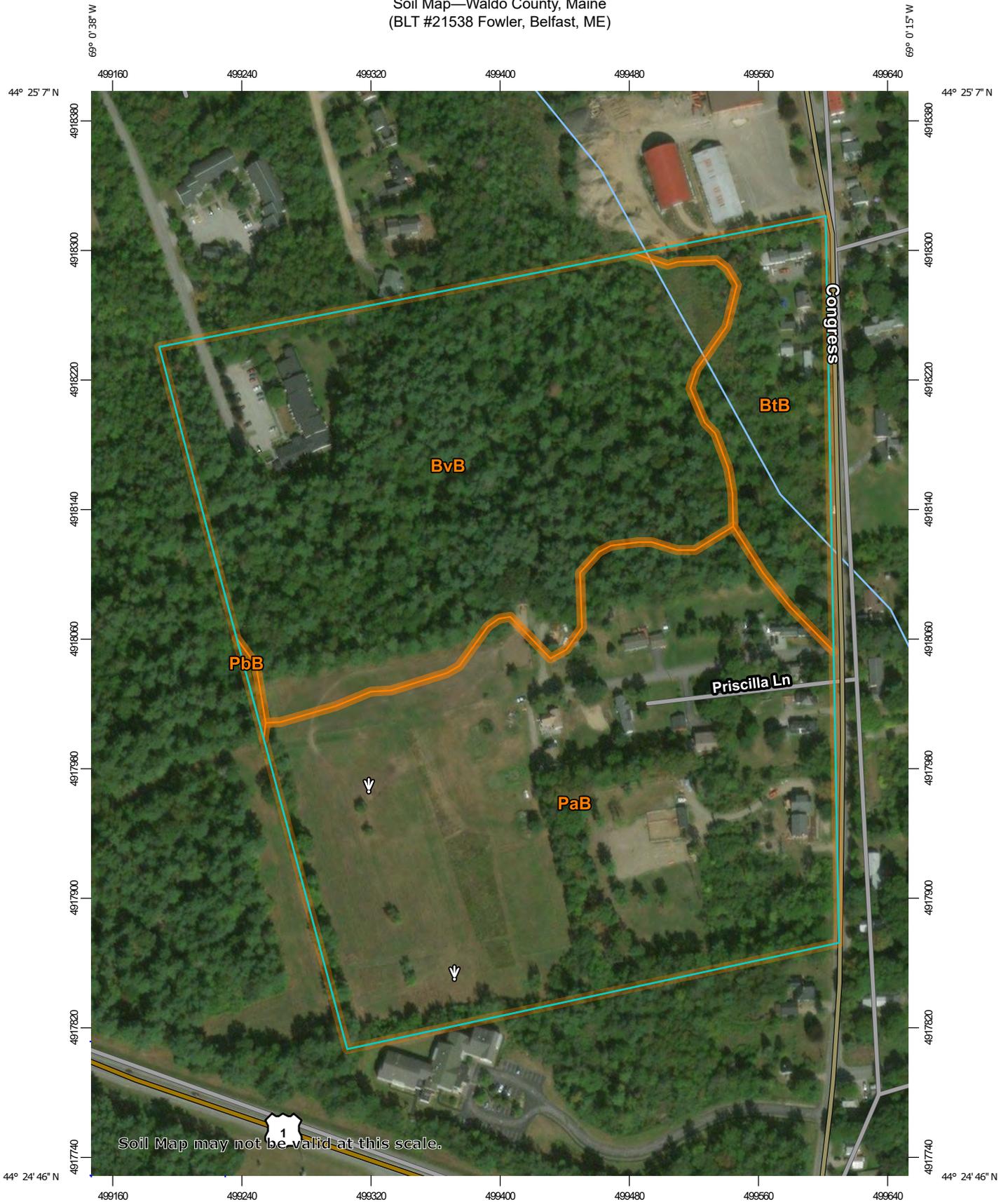
September 8, 2021

Wetlands

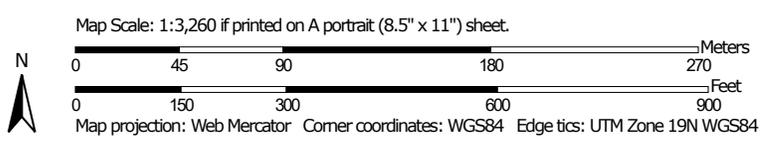
- | | | |
|--|---|--|
|  Estuarine and Marine Deepwater |  Freshwater Emergent Wetland |  Lake |
|  Estuarine and Marine Wetland |  Freshwater Forested/Shrub Wetland |  Other |
| |  Freshwater Pond |  Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Soil Map—Waldo County, Maine
(BLT #21538 Fowler, Belfast, ME)



Soil Map may not be valid at this scale.



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Waldo County, Maine

Survey Area Data: Version 20, May 29, 2020

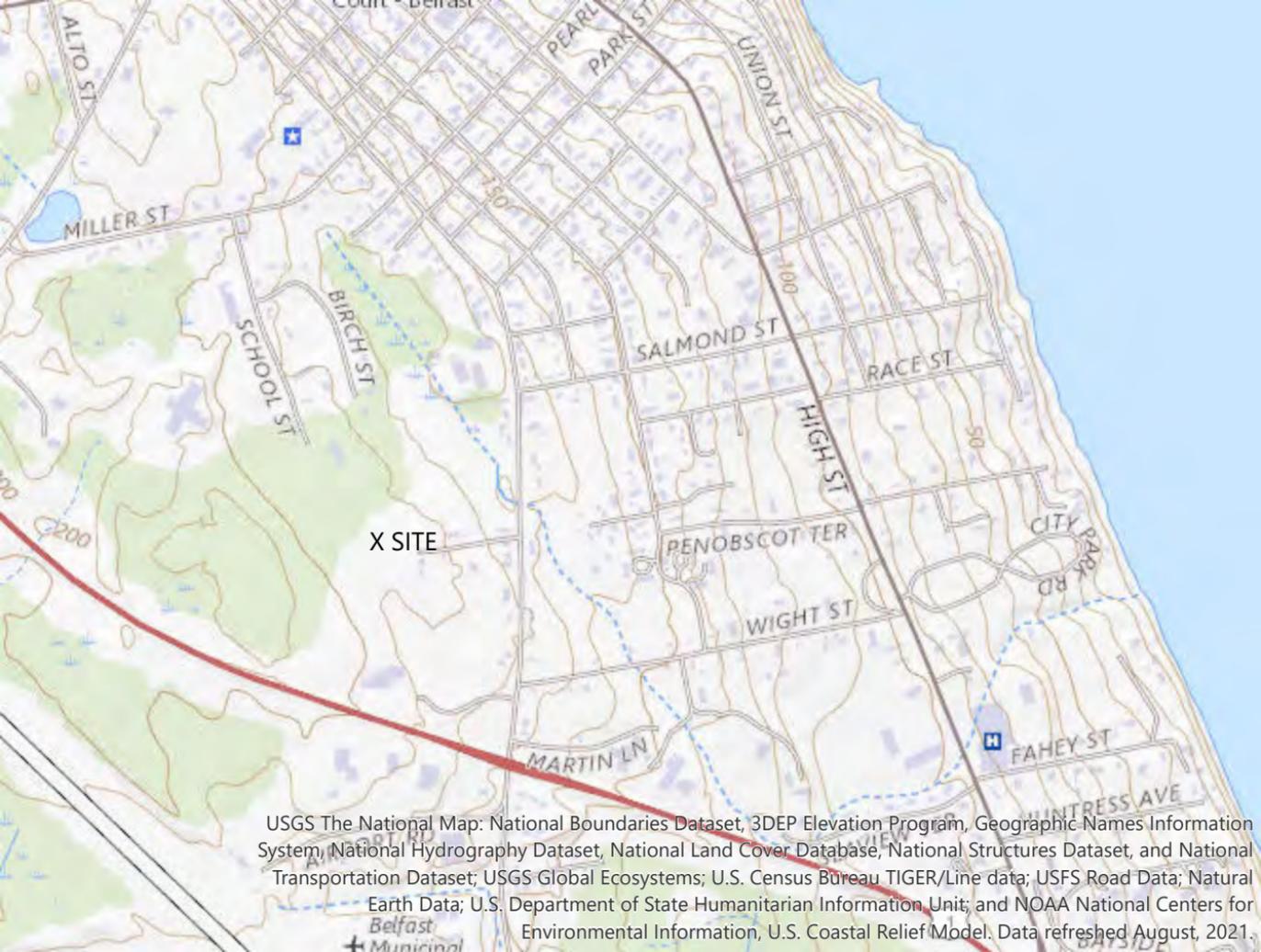
Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Nov 1, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BtB	Brayton fine sandy loam, 0 to 8 percent slopes	3.9	9.6%
BvB	Brayton fine sandy loam, 0 to 8 percent slopes, very stony	17.2	42.5%
PaB	Peru fine sandy loam, 3 to 8 percent slopes	19.3	47.7%
PbB	Peru fine sandy loam, 0 to 8 percent slopes, very stony	0.1	0.2%
Totals for Area of Interest		40.4	100.0%

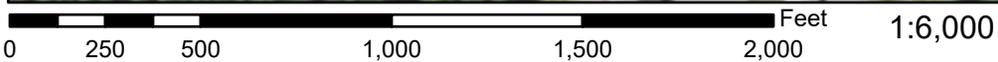
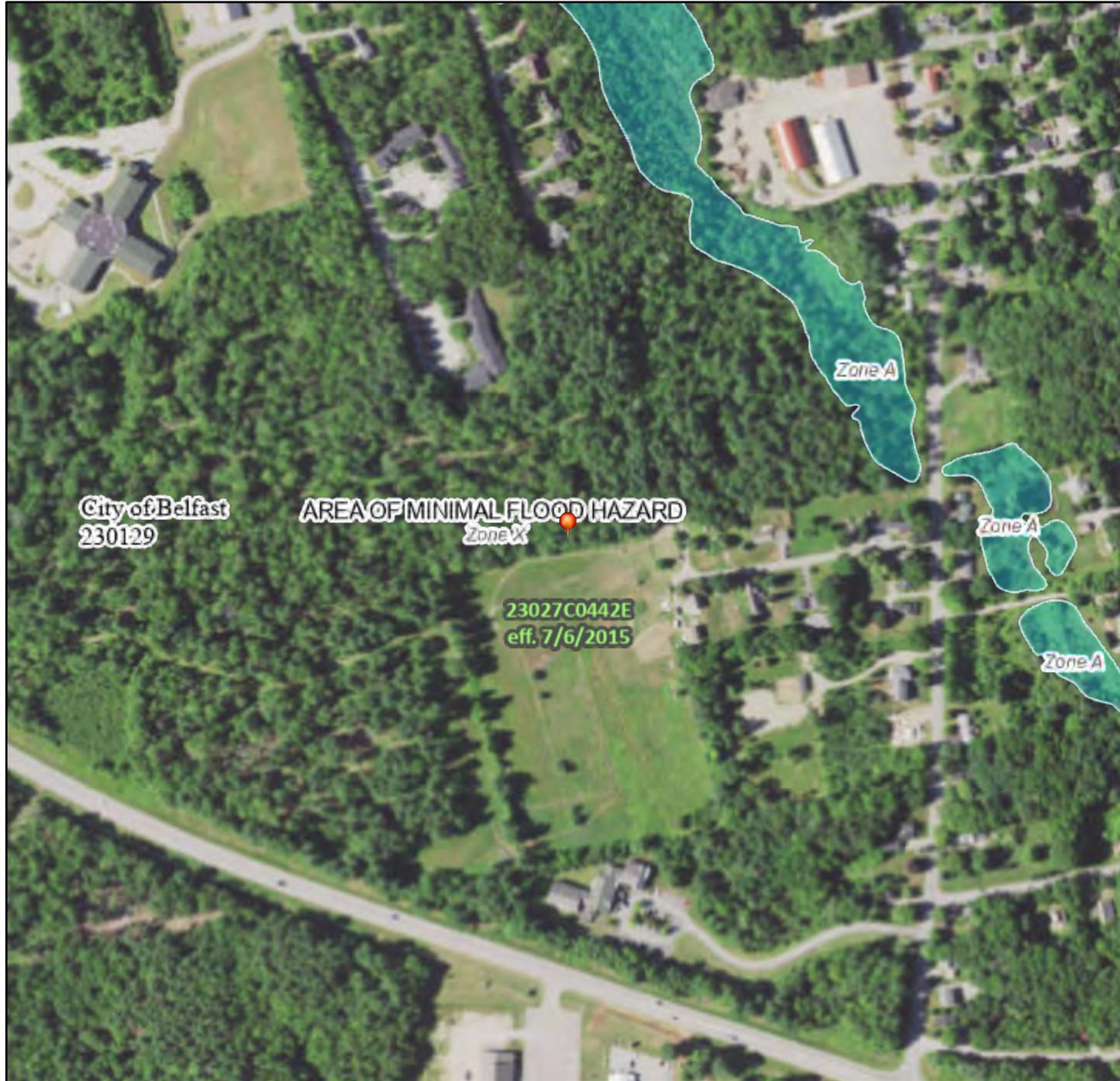


USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed August, 2021.

National Flood Hazard Layer FIRMMette



69°0'48"W 44°25'10"N



Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

69°0'11"W 44°24'44"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D

OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall

OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature

MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **9/26/2021 at 11:52 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

WATERSHED RESOURCE CONSULTANTS, LLC

NATURAL RESOURCE AND SOIL SCIENCE CONSULTING

21538

July 09, 2022

Thomas Fowler, PE, LLC
28 Spring Street
P.O. Box 117
Belfast, Maine 04915

Subject: Protected Natural Resources Report Addendum
Sanderson Property, Map 34 Lot 33
Priscilla Lane
Belfast, Maine

Dear Tom,

This Addendum presents the findings of additional services conducted by Watershed Resource Consultants, LLC¹ (WRC) on the approximately 24-acre Sanderson property (Tax Map 34, Lot 33) located on Priscilla Lane in Belfast, Maine. The initial services included identification and delineation of field-observable protected natural resources within the property, as reported in the BLT Protected Natural Resources Report dated September 27, 2021. The purpose of this Addendum is to present a revised Protected Natural Resources Plan based on vernal pool documentation that occurred on the site in the spring of 2022, as well as to present a MDEP Vernal Pool Determination Letter and Forms for documented vernal pools on the site.

WRC conducted vernal pool documentation services on the property on May 13, 2022 and identified three potential vernal pools, labeled PVP/NSVP-JL2, IBA/NVP-JL3, and IBA JL-4. MSVPA Forms, which contain data taken during the site visit, and required attachments, were provided previously.

Based on information presented in the MSVPA Forms, IF&W has determined that the features are “Not Significant”. WRC recommends that these features be avoided during project design and development.

¹ Watershed Resource Consultants, LLC (WRC) is the result of a consolidation of the natural resource service areas of Burman Land & Tree, LLC (Aleita Burman) and Atlantic Resource Co, LLC (Roger St.Amand). The official start of business date for WRC was April 17, 2022. Reference to WRC in this report includes information gathered and/or reported prior to April 17, 2022 by Burman Land & Tree, LLC.

William H. Burman
Licensed Professional Forester
Master Arborist
Master Pesticide Applicator

Aleita M. Burman
Certified Wetland Scientist
Certified Soil Scientist
Licensed Site Evaluator

A revised Protected Natural Resources Plan showing the location of the Vernal Pools is attached to the end of this Addendum.

We appreciate the opportunity to assist you on this project. If you have any questions, please contact us.

Sincerely,

Watershed Resource Consultants, LLC



Jeanna Leclerc, Project Scientist
jleclerc@wrcmaine.com

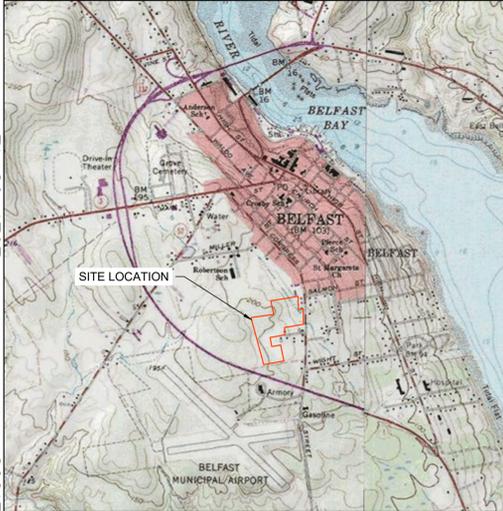


Aleita M. Burman, C.W.S, C.S.S., L.S.E.
Principal and Member | Watershed Resource Consultants, LLC
lburman@wrcmaine.com

21528_BELFAST.DWG

2021-08-12

21538



General Notes

- Notes**
1. This Protected Natural Resources Plan details the findings of Protected Natural Resources identification and delineation services conducted by Burman Land & Tree, LLC and Watershed Resource Consultants, LLC on the approximately 24-acre Sanderson property on Priscilla Lane in Belfast, Maine. Protected Natural Resources field delineation services were conducted on August 06, 2021 and May 13, 2022.
 2. Protected Natural Resources were field delineated in general accordance with the Maine Department of Environmental Protection Natural Resources Protection Act definitions; the United States Department of the Army State of Maine General Permit (October 2020-2025), the U.S. Army Corps of Engineers Wetland Delineation Manual (1987), the U.S. Army Corps of Engineers Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (2012), and the MDEP Chapter 335: Significant Wildlife Habitat Rules.
 3. Resource features were located by Burman Land & Tree, LLC and Watershed Resource Consultants, LLC using a mapping grade GPS receiver. The GPS data was overlaid onto a MeGIS tax map and aerial photo, and the overlay used to make this Plan.
 4. This Plan is for planning and resource alteration permitting purposes only, it is not a survey.

Cowardin Legend

PFO14E	Palustrine, Forested, Broad-Leaved Deciduous and Needle-Leaved Evergreen Wetland with a Flooded/Saturated Water Regime
PFO14B	Palustrine, Forested, Broad-Leaved Deciduous and Needle-Leaved Evergreen Wetland with a Saturated Water Regime
PSS1E	Palustrine, Scrub-Shrub, Broad-Leaved Deciduous Wetland with a Flooded/Saturated Water Regime
PEM1E	Palustrine, Emergent Marsh, Persistent Herbaceous Vegetation with a Seasonally Flooded/Saturated Water Regime
R4SB5	Riverine, Intermittent, Streambed, Mud Bottom Stream

No.	Revision/Issue	Date

Firm Name and Address

Watershed Resource Consultants, LLC.
 1366 State Hwy 102 PO Box 145
 #6 Bar Harbor, ME 04609 Orrington, ME 025-4050
 (207) 944-7288 (207) 825-4050
 rslamand@wrcmaine.com lburman@wrcmaine.com

Project Name and Address

PROTECTED NATURAL RESOURCES PLAN FOR TOM FOWLER, P.E., LLC PRICILLA LANE, BELFAST, MAINE

Project	21538	Sheet	1
Date	2022-05-25		
Scale	As Noted		



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

July 5, 2022

Aleita Burman
Watershed Resource Consultants, LLC
P.O. Box 145
Orrington, ME 04474

Re: Vernal Pool Significance Determination, Pool ID #s 4832, 4831, 4833–Belfast

Dear Aleita Burman:

Vernal pools are temporary to semi-permanent wetlands occurring in shallow depressions that typically fill during the spring and dry during the summer or in drought years. They provide important breeding and foraging habitat for a wide variety of specialized wildlife species including several rare, threatened, and endangered species.

Based on your field surveys, it has been determined that the vernal pools identified above on the property of Arthur and Sylvia Sanderson are NOT SIGNIFICANT because either: 1. the features do not meet the definition of a vernal pool under the Significant Wildlife Habitat rules, 06-096 CMR 335(9) or 2. the vernal pools do not meet the biological standards for exceptional wildlife use of the Significant Wildlife Habitat rules, 06-096 CMR 335(9)(B). Therefore, activities within 250 feet of the pools are not regulated under the Natural Resources Protection Act (NRPA) unless there are other protected natural resources nearby such as streams or freshwater wetlands. I have attached a copy of the database printout that verifies the State's findings with respect to your surveys.

I want to also advise you that the pool areas on the property can be considered freshwater wetlands and therefore direct pool alterations may require permitting under the NRPA.

The Department will notify the landowner of the pool status under separate cover. If you have any questions or need further clarification, please contact Mark Stebbins at 207-592-4810 or email at: Mark.N.Stebbins@maine.gov

Sincerely,

Nicholas D. Livesay, Director
Bureau of Land Resources

cc. town file

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
207-941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

IFW Recommendations for Significant Vernal Pool Determinations

The following is a list of pools and IFW's recommendations for whether or not they qualify as Significant Vernal Pools, one of Maine's Significant Wildlife Habitats.

Data current as of: Tuesday, July 05, 2022

IFW's Pool ID: 4831 Twp: Belfast

Observer's ID: IBA-JL4

Landowner: Arthur and Sylvia Sanderson

161 Congress Street

Belfast, ME 04915

(207) 338-3765 ksandersonrental@gmail.com

UTM Coordinates of Pool Center: 499553 E, 4918153 N

ProjectType: Sanderson Lot, Belfast

Contact: Aleita Burman - Watershed Resource Consultants, LLC

P.O. Box 145

Orrington, ME 04474

(207) 385-6056 lburman@wrcmaine.com

Survey Date: 5/13/2022

IFW's Recommendation: RED: NOT SIGNIFICANT, does not meet the vernal pool definition

IFW Comments: Pool provides significant breeding habitat for spotted salamanders and some habitat for wood frogs; however, pool appears to be unnatural in origin (dug pond with berms) and does not meet MDEP vernal pool criteria.

IFW's Pool ID: 4832 Twp: Belfast

Observer's ID: PVP/NSVP-JL2

Landowner: Arthur and Sylvia Sanderson

161 Congress Street

Belfast, ME 04915

(207) 338-3765 ksandersonrental@gmail.com

UTM Coordinates of Pool Center: 499305 E, 4918073 N

ProjectType: Sanderson Lot, Belfast

Contact: Aleita Burman - Watershed Resource Consultants, LLC

P.O. Box 145

Orrington, ME 04474

(207) 385-6056 lburman@wrcmaine.com

Survey Date: 5/13/2022

IFW's Recommendation: RED: NOT SIGNIFICANT, does not meet the biological criteria

IFW Comments: No egg masses observed. Pool surveyed a bit late for both wood frog and spotted salamander breeding windows, however, egg masses present in other pools in this set at this time of survey show survey timing ok.

IFW's Pool ID: 4833 Twp: Belfast

Observer's ID: IBA/NVP-JL3

Landowner: Arthur and Sylvia Sanderson

161 Congress Street

Belfast, ME 04915

(207) 338-3765 ksandersonrental@gmail.com

UTM Coordinates of Pool Center: 499417 E, 4917845 N

ProjectType: Sanderson Lot, Belfast

Contact: Aleita Burman - Watershed Resource Consultants, LLC

P.O. Box 145

Orrington, ME 04474

(207) 385-6056 lburman@wrcmaine.com

Survey Date: 5/13/2022

IFW's Recommendation: RED: NOT SIGNIFICANT, does not meet the vernal pool definition

IFW Comments: No egg masses observed. Pool surveyed a bit late for both wood frog and spotted salamander breeding windows, however, egg masses present in other pools in this set at this time of survey show survey timing ok. Pool also appears to be unnatural in origin (tractor ruts through field and does not meet MDEP vernal pool criteria.

ATTACHMENT 6

SITE EVALUATION REPORTS (SEPTIC TEST PITS):
Robert Vile Soil Evaluation Report (Test Pits 2-1, 4-1, and 7-1)
Burman Land and Tree (Test Pits SE 4-1 and SE 6-1)
Watershed Resource Consultants Reports (Test Pit 24-1)

Robert Vile
Licensed Site Evaluator
Certified Soil Scientist

P.O. Box 114, Cates Rd.
Dixmont, Maine 04932

Telephone:
(207)234-2451

PRELIMINARY SOIL INVESTIGATION REPORT

Date: June 21, 2020

Applicant: Arthur + Sylvia Sanderson
161 Congress Street
Belfast, Me. 04915

Land Description: Pasture Lot
Size of Lot ± 8 Acs. Road Priscilla Ln.
Owner Sanderson Town Belfast

Purpose: To identify soils on the property as defined by the State of Maine Subsurface Wastewater Disposal Rules.

Date of investigation: 6-19-20

Method of investigation:
() Hand Auger Test Pit

Method of ground control: Hand compass + Tape measure.

Findings:

- 1) Suitable Soils () No Suitable Soils
- 2) Soils Identified 3C - 18" limiting Factor
- 3) Location of Soil Test- See attached sketch

Recommended disposal area for a three bedroom home: 20' x 45' Stone Bed.

All permits and or notifications required prior to construction are the responsibility of the owner. If I can assist in the septic system design or you have any other questions regarding the investigation please feel free to contact me at the above number.

Robert G. Vile jr. Lic. #S204
Robert G. Vile jr.

6-21-20
Date

PRELIMINARY SOIL TEST

Town, City, Plantation
Belfast

Street, Road, Subdivision
Priscilla Lane

Owner's Name
Arthur + Sylvia Sanderson

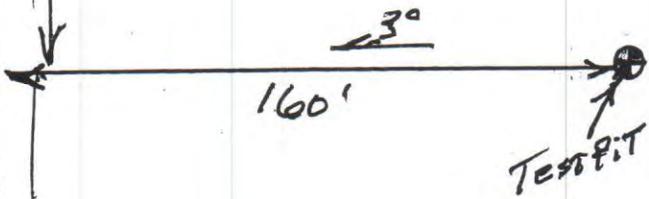
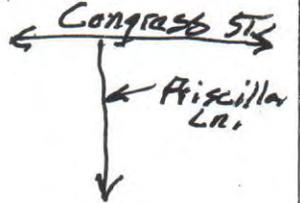
SITE PLAN

Scale 1" = 50 Ft.

Pasture Lot

SITE LOCATION PLAN
(Map from Maine Atlas recommended)

(Test Pit 5 on plan)



Observation Hole # 1 Test Pit Boring

1 " Depth of Organic Horizon Above Mineral Soil

DEPTH BELOW MINERAL SOIL SURFACE (inches)	Texture	Consistency	Color	Mottling
0-10	Fine	Friable	Dark yellowish BROWN	NONE
10-20	SANDY LOAM		Yellowish BROWN	
20-30		Firm	Light olive BROWN	Common Distinct
30-40				
40-50				

Soil Classification <u>S</u> <u>C</u> Profile Condition	Slope <u>6</u>	Limiting Factor <u>18</u>	<input type="checkbox"/> Ground Water <input type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock <input type="checkbox"/> PR Depth
---	-------------------	------------------------------	--

Robert [Signature]
Site Evaluator Signature

204
S.E. #

6-21-20
Date

Robert Vile
Licensed Site Evaluator
Certified Soil Scientist

P.O. Box 114, Cates Rd.
Dixmont, Maine 04932

Telephone:
(207)234-2451

PRELIMINARY SOIL INVESTIGATION REPORT

Date: June 21, 2020

Applicant: Arthur + Sylvia Sanderson
161 Congress Street
Belfast, Me. 04915

Land Description: Pear Tree Lot
Size of Lot 1/2 acre Road Priscilla Ln.
Owner Sanderson Town Belfast

Purpose: To identify soils on the property as defined by the State of Maine Subsurface Wastewater Disposal Rules.

Date of investigation: 6-19-20

Method of investigation:

Hand Auger Test Pit

Method of ground control: Hand compass + Tape measure.

Findings:

- 1) Suitable Soils No Suitable Soils
- 2) Soils Identified 3C - 16" limiting Factor.
- 3) Location of Soil Test- See attached sketch

Recommended disposal area for a three bedroom home: 20' x 45' Stone Bed.

All permits and or notifications required prior to construction are the responsibility of the owner. If I can assist in the septic system design or you have any other questions regarding the investigation please feel free to contact me at the above number.

Robert G. Vile jr. Lic. #S204

6-21-20
Date

PRELIMINARY SOIL TEST

Town, City, Plantation
Belfast

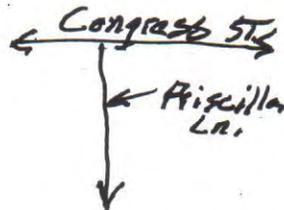
Street, Road, Subdivision
Priscilla Lane

Owner's Name
Arthur + Sylvia Sanderson

SITE PLAN
Pear Tree Lot

Scale 1" = 50 FL

SITE LOCATION PLAN
(Map from Maine Atlas recommended)

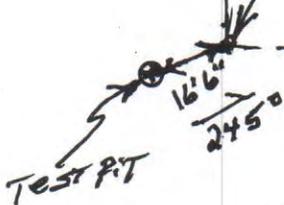


Priscilla Lane

(Lot 2, sold to Aimee Moffit-Mercer)

Abutting House Lot

Abutters N.E Lot Corner P.I.N



Observation Hole # 1 Test Pit Boring

1 " Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Mottling
10 Fine	Friable	DARK Yellowish BROWN	NONE
20 Sandy LOAM		Yellowish BROWN	
30	Firm	Light Olive BROWN	COMMENT Distinct
40			
50			

Soil Classification Profile <u>3</u> Condition <u>C</u>	Slope <u>4</u>	Limiting Factor <u>16"</u>	<input type="checkbox"/> Ground Water <input type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock <input type="checkbox"/> Pit Depth
--	-------------------	-------------------------------	---

Ronald A. Kelly
Site Evaluator Signature

204
S.E. #

6-21-20
Date

Robert Vile
Licensed Site Evaluator
Certified Soil Scientist

P.O. Box 114, Cates Rd.
Dixmont, Maine 04932

Telephone:
(207)234-2451

PRELIMINARY SOIL INVESTIGATION REPORT

Date: June 21, 2020

Applicant: Arthur + Sylvia Sanderson
161 Congress Street
Belfast, Me. 04915

Land Description: Trailer Lot
Size of Lot ± 1/2 Acre Road Priscilla Ln.
Owner Sanderson Town Belfast

Purpose: To identify soils on the property as defined by the State of Maine Subsurface Wastewater Disposal Rules.

Date of investigation: 6-19-20

Method of investigation:

Hand Auger Test Pit

Method of ground control: Hand compass + Tape measure.

Findings:

- 1) Suitable Soils No Suitable Soils
- 2) Soils Identified 3 CLASS-24" limiting Factor
- 3) Location of Soil Test- See attached sketch

Recommended disposal area for a three bedroom home: 20' x 45' Stone Bed.

All permits and or notifications required prior to construction are the responsibility of the owner. If I can assist in the septic system design or you have any other questions regarding the investigation please feel free to contact me at the above number.

Robert G. Vile jr. Lic. #S204

6-21-20
Date



P.O. Box 145, Orrington, ME 04474 (207) 825-4050

21538
January 03, 2022

Thomas Fowler, P.E., LLC
Attention: Thomas Fowler
26 Spring Street, Units 1 & 2
P.O. Box 117
Belfast, Maine 04915

Subject: Soil Site Evaluation Report
Proposed Residential Subdivision
Sanderson Property
Priscilla Lane
Belfast, Maine

Dear Tom,

We are pleased to present the findings of our soil site evaluation services for two lots within the proposed Sanderson subdivision on Priscilla Lane in Belfast, Maine. The purpose of the services was to assess the potential for location of a subsurface wastewater disposal system within Lots 4 and 6, as shown on plans provided by your office. Our services were conducted generally following the Maine Subsurface Wastewater Disposal Rules¹ (the "Wastewater Rules"). This Report is subject to the Limitations attached in Appendix A.

Burman Land & Tree Company, LLC visited the site on December 17, 2021 and documented two hand dug test pits, labeled test pits (TP's) SE 4-1 and SE 6-1, on Lots 4 and 6 respectively. We used a mapping grade Trimble GPS receiver to locate the test pits and overlaid the data onto the base map provided by your office. Test pit logs and a Soil Site Evaluation Plan are attached to the end of this Report.

¹ Maine. Department of Health and Human Services, *State of Maine Subsurface Wastewater Disposal Rules, Chapter 241*. Augusta, Maine (11 State House Station, Augusta, Maine 04333): Department of Health and Human Services, Maine Center for Disease Control and Prevention, Division of Environmental Health, August 3, 2015. Print.

William H. Burman
Licensed Professional Forester
Master Arborist
Master Pesticide Applicator

Aleita M. Burman
Certified Wetland Scientist
Certified Soil Scientist
Licensed Site Evaluator



21538
January 03, 2022

The soils at TP's SE 4-1 and 6-1 were gravelly fine sandy loam textured with observed seasonal water table at 15"-16" below the soil surface. Because the test pits were hand-dug, BLT's observance of the soil profile was limited due to large boulders/stones at 18"-20" depth. According to NRCS Soil Survey mapping, soils on the site are glacial till in origin with a hydraulically restrictive horizon and no ledge (to within the depth of soil or ~80"). Using the on-site soils data collected by BLT, NRCS mapping, and the Wastewater Rules, BLT classified the soils as "3C" soils which are suitable for subsurface wastewater disposal at the locations indicated.

We observed at least 900 square feet of suitable soil in the vicinity of each test pit, which would accommodate the required 270 gallons per day (GPD) design flow for a typical 3-bedroom residential dwelling.

TP's SE 4-1 and 6-1 appear to meet applicable setbacks from known features such as private wells and property lines. Based on our review of the Maine Department of Environmental Protection's Public Drinking Water Program website, it does not appear that any public water supply wells are within 300 feet of the test pits.

The information presented in this Report is for preliminary planning purposes only. To install a subsurface wastewater disposal system on the property, a Subsurface Wastewater Disposal System design prepared by a Maine Licensed Soil Site Evaluator and a Plumbing Permit from the City of Belfast will be required.

We appreciate the opportunity to assist you with this phase of your project. If you have any questions, please contact us.

Sincerely,

Burman Land & Tree Company, LLC

A handwritten signature in cursive script that reads "Aleita M. Burman".

Aleita M. Burman, C.W.S., C.S.S., L.S.E. #S344
Soil and Wetland Scientist

Appendix A Limitations

Appendix A – Limitations

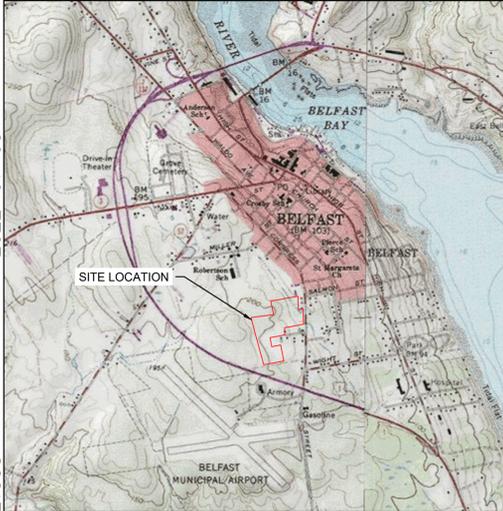
The scope of Burman Land & Tree Company, LLC services has been limited to Preliminary Soil Site Evaluation for two lots within the proposed Sanderson subdivision on Priscilla Lane in Belfast, Maine. This Report has been prepared for the exclusive use of Thomas Fowler, PE, Inc. No warranty, expressed or implied, is made. The conclusions made in this report are based on the data obtained from the areas explored at the time of services.

Appendix B
Soil Site Evaluation Plan
Test Pit Logs

21528_BELFAST20220103.DWG

2022-01-03

21538



NOTE:
 THIS PLAN IS TO BE USED IN CONJUNCTION WITH BURMAN LAND & TREE, LLC's
 SOILS SITE EVALUATION REPORT DATED 1/3/22.

LEGEND

- SURVEY MARKERS OBSERVED
- TP SE 4-1 SOIL TEST PIT LOCATION
- LIMIT OF SERVICES
- - - 2FT MEGIS LIDAR CONTOURS

LEGEND

- SURVEY MARKERS OBSERVED
- TP SE 4-1 SOIL TEST PIT LOCATION
- LIMIT OF SERVICES
- - - 2FT MEGIS LIDAR CONTOURS

0FT 100FT 200FT

General Notes

No.	Revision/Issue	Date

Firm Name and Address

BURMAN LAND AND TREE, LLC.
 P.O. BOX 145
 ORRINGTON, ME
 207-625-4050

Project Name and Address

SOIL SITE EVALUATION PLAN
 SANDERSON LOTS 4 AND 6
 PREPARED FOR TOM FOWLER, P.E.
 PRICILLA LANE, BELFAST, MAINE

Project 21538	Sheet 1
Date 2022-01-03	
Scale 1" = 100'	

SOIL PROFILE / CLASSIFICATION INFORMATION

DETAILED DESCRIPTION OF SUBSURFACE CONDITIONS AT PROJECT SITES

Project Name: Residential Subdivision Applicant Name: Sanderson Project Location (municipality): Belfast

Exploration Symbol # TP SE 4-1 Test Pit Boring Probe
5 " Organic horizon thickness Ground surface elev. _____
20 " Depth of exploration or to refusal

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Redox Features
0			10YR 3/1	
Bs1	gravelly fine	friable	10YR 3/6	none observed
Bs2	sandy loam		10YR 4/3	
BC			10YR 4/3	cm 2.5Y 4/2 cm 10YR 3/6
20	Refusal at 20" - large boulder or ledge (not likely ledge)			
30	Restrictive horizon anticipated below 20"			
40				
50				
60				

Soil Details by S.E. Soil Classification: 3 C Slope: 3% Limiting Factor: 16 Groundwater
 Restrictive Layer
 Bedrock
S.S. Soil Series/Phase Name: Hydric Hydrologic
 Non-hydric Soil Group

Exploration Symbol # TP SE 6-1 Test Pit Boring Probe
4 " Organic horizon thickness Ground surface elev. _____
18 " Depth of exploration or to refusal

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Redox Features
0			10YR 3/2	
Ap	gravelly fine	friable	10YR 3/1	none observed
Bs1	sandy loam		10YR 4/3	
B			2.5Y 4/3	
BC			2.5Y 4/3	cm 10YR4/6 cm 5Y 5/2
20	Refusal at 18" - large boulder or ledge (not likely ledge)			
30	Restrictive horizon anticipated below 18"			
40				
50				
60				

Soil Details by S.E. Soil Classification: 3 C Slope: 5% Limiting Factor: 15 Groundwater
 Restrictive Layer
 Bedrock
S.S. Soil Series/Phase Name: Hydric Hydrologic
 Non-hydric Soil Group

Exploration Symbol # _____ Test Pit Boring Probe
_____ " Organic horizon thickness Ground surface elev. _____
_____ " Depth of exploration or to refusal

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Redox Features
0				
10				
20				
30				
40				
50				
60				

Soil Details by S.E. Soil Classification: Slope: Limiting Factor: Groundwater
 Restrictive Layer
 Bedrock
S.S. Soil Series/Phase Name: Hydric Hydrologic
 Non-hydric Soil Group

Exploration Symbol # _____ Test Pit Boring Probe
_____ " Organic horizon thickness Ground surface elev. _____
_____ " Depth of exploration or to refusal

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Redox Features
0				
10				
20				
30				
40				
50				
60				

Soil Details by S.E. Soil Classification: Slope: Limiting Factor: Groundwater
 Restrictive Layer
 Bedrock
S.S. Soil Series/Phase Name: Hydric Hydrologic
 Non-hydric Soil Group

INVESTIGATOR INFORMATION AND SIGNATURE

Signature: *Aleita M. Burman* Date: 12/17/21
Name Printed: Aleita M. Burman Cert/Lic/Reg. # SE244
Title: Licensed Site Evaluator Certified Soil Scientist Certified Geologist Professional Engineer





WATERSHED RESOURCE CONSULTANTS, LLC
NATURAL RESOURCE AND SOIL SCIENCE CONSULTING

January 4, 2024
#21538

Thomas Fowler, P.E., LLC
Attention: Thomas Fowler, P.E.
48-4 Marshall Wharf
P.O. Box 117
Belfast, ME 04915
Via email: tom@thomasfowlerpe.com

Subject: Preliminary Soil Test Report for Sanderson Parcel, Belfast, Maine

Dear Tom,

As requested, Watershed Resource Consultants, LLC (WRC) has completed a preliminary soil test at a parcel shown as Map 34, Lot 33 on Congress Street, Pricilla Lane and School Street Extension, in Belfast, Maine. The soil investigation was to determine if a proposed lot, identified as Lot 4 on TFPE's "Preliminary Subdivision Plan – Sanderson Subdivision" dated 12/7/2023 has a suitable area for subsurface wastewater disposal. WRC conducted the soil evaluation services on January 3, 2024. Site evaluation services were conducted generally following minimum soil and setback standards as written in the Maine Subsurface Wastewater Disposal Rules¹ (the "Rules"). The lot is undeveloped and mostly forested with the exception of a small, cleared area near the end of School Street Extension. Approximate property lines were identified by you during the site visit.

A potential suitable area, in the vicinity of TP24-1 and AB24-2, was identified in the northwestern corner of the proposed lot, as located by your office. Test pit explorations were completed using hand tools. Based on the Rules, the test pits observed are classified as Profile 3D, with evidence of seasonal groundwater between 10 and 12 inches. Refusal was encountered at between 24 and 26 inches which was likely due to stones or boulders. These soils meet the minimum soil requirements for onsite wastewater disposal. The test pits indicate a suitable area for wastewater disposal for a typical 3-bedroom residence and appear to meet the minimum setbacks of 10' from exterior property lines, 100' from a major water body, 50' from a minor water body and 100' from existing potable water supply wells, based on information provided. Please see the attached test pit logs for additional information.

¹ State of Maine, Department of Health & Human Services, Maine Center for Disease Control and Prevention, Division of Environmental Health. Subsurface Wastewater Disposal Rules. Effective September 23, 2023. 10-144 CMR241.



WRC#21538
January 4, 2024

A typical wastewater disposal system could consist of a 1,000-gallon septic tank and a 11' x 28' disposal field of 21 Eljen Type B GSF modules. Other design configurations are possible. Other potentially suitable areas and additional capacity may be available but was not assessed at this time. Property line setbacks should be reviewed and confirmed prior to construction.

WRC appreciates the opportunity to assist you during this phase of the project. If you have any questions, or need further assistance, please contact us.

Sincerely,

Watershed Resource Consultants, LLC

Timothy J. Hodgins, LSE #375

Senior Project Scientist | Watershed Resource Consultants, LLC
thodgins@wrcmaine.com

SOIL PROFILE / CLASSIFICATION INFORMATION

DETAILED DESCRIPTION OF SUBSURFACE CONDITIONS AT PROJECT SITES

Project Name: SANDERSON SUBDIVISION Applicant Name: SANDERSON Project Location (municipality): BELFAST

Exploration Symbol # TP24-1 Test Pit Boring Probe
21 " Organic horizon thickness Ground surface elev. _____
26 " Depth: of exploration, or to refusal

Depth below mineral soil surface (inches)	Texture	Consistence	Color	Redox Features
0			10YR 4/3	NONE
	GRAVELLY			OBSERVED
10	FINE		10YR 3/6	
	SANDY	FRIBLE	2.5Y 4/3	CP 10YR 4/3 + 2.5Y 5/1
	LOAM		2.5Y 4/4	MP
20			5Y 4/4	2.5Y 4/3 + 5Y 6/3
30	LLI = 26" REFUSAL (STONES/BOWLERS PRESUMED)			

Soil Classification: 3 0 Slope: 2 Limiting Factor: 10 " Groundwater
 Profile Condition Percent Depth Restrictive Layer Bedrock
 Soil Series/Phase Name: Hydric Non-hydric Hydrologic Soil Group

Exploration Symbol # AB24-2 Test Pit Boring Probe
3 " Organic horizon thickness Ground surface elev. _____
24 " Depth: of exploration, or to refusal

Depth below mineral soil surface (inches)	Texture	Consistence	Color	Redox Features
0			10YR 4/3	NONE
	GRAVELLY			OBSERVED
10	FINE	FRIBLE	10YR 4/6	
	SANDY			CP
	LOAM		2.5Y 4/4	2.5Y 4/6
30	LLI = 24" REFUSAL (STONES/BOWLERS PRESUMED)			

Soil Classification: 3 0 Slope: 2 Limiting Factor: 12 " Groundwater
 Profile Condition Percent Depth Restrictive Layer Bedrock
 Soil Series/Phase Name: Hydric Non-hydric Hydrologic Soil Group

Exploration Symbol # _____ Test Pit Boring Probe
 _____ " Organic horizon thickness Ground surface elev. _____
 _____ " Depth: of exploration, or to refusal

Depth below mineral soil surface (inches)	Texture	Consistence	Color	Redox Features
0	/			
10	/			
20	/			
30	/			
40	/			
50	/			
60	/			

Soil Classification: _____ Slope: _____ Limiting Factor: _____ " Groundwater
 Profile Condition Percent Depth Restrictive Layer Bedrock
 Soil Series/Phase Name: Hydric Non-hydric Hydrologic Soil Group

Exploration Symbol # _____ Test Pit Boring Probe
 _____ " Organic horizon thickness Ground surface elev. _____
 _____ " Depth: of exploration, or to refusal

Depth below mineral soil surface (inches)	Texture	Consistence	Color	Redox Features
0	/			
10	/			
20	/			
30	/			
40	/			
50	/			
60	/			

Soil Classification: _____ Slope: _____ Limiting Factor: _____ " Groundwater
 Profile Condition Percent Depth Restrictive Layer Bedrock
 Soil Series/Phase Name: Hydric Non-hydric Hydrologic Soil Group

INVESTIGATOR INFORMATION AND SIGNATURE

Timothy J. Hodgins
 Signature
Timothy J. Hodgins
 Name Printed

- Site Evaluator
 Soil Scientist
 Geologist
 Professional Engineer

1/4/2024
 Date
5375
 License No.



ATTACHMENT 7

SHARED DRIVEWAY MAINTENANCE AGREEMENT (DRAFT)

Shared Driveway Maintenance Agreement Sanderson Subdivision

This Shared Driveway Maintenance Agreement is made [date], between [name and address of first party] ("Party A"), and [name and address of second party] ("Party B"), for the purpose of governing the maintenance, improvement, and repair the driveway shared by their 2 adjoining parcels in the Sanderson Subdivision in Belfast, Maine.

1. **Property affected.** Party A is the owner of Lot 5, which is described as [legal description of Lot 1], and Party B is the owner of Lot 6, which is described as [legal description of Lot 2].

2. **Driveway description.** Lot 5 and Lot 6 share a driveway from School Street Extension, which is depicted in the Final Plan for the Sanderson Subdivision. The shared driveway is described as [legal description of the shared driveway, 50' wide right-of-way].

3. **Purpose of this agreement.** Party A and Party B have entered into this agreement to govern the maintenance, improvement, and repair of the shared driveway. This agreement will schedule the maintenance, improvement, or repair of the driveway.

4. **Sharing of costs for maintenance, improvement, repair, and removal of snow and ice.** Party A and Party B agree to each be responsible for 50% of the cost of maintenance of the Shared Driveway, including without limitation, maintenance, improvement or repair of the driveway surface and snow and ice removal.

5. **Creation of the right to a lien for nonpayment.** Party A and Party B agree that the other party shall have the right to place a lien against the property of the other for the other party's nonpayment of 50% of the costs of maintenance, improvement, or repair of the shared driveway or removal of snow and ice.

7. **Other Improvements and Repairs.** Party A and Party B agree to meet at least once annually to discuss and agree upon any necessary improvements and repairs to the driveway. To the extent that the parties are unable to agree on the scope of improvements and repairs, the parties agree to first try to resolve the dispute with the help of a mutually agreed-upon mediator.

8. **Transferees, Successors and Assigns.** Party A and Party B intend this agreement to bind and benefit the owners and occupiers of both parcels and their transferees, successors, and assigns.

STATE OF MAINE
WALDO COUNTY, ss.

[Name of Party A]

Personally appeared the above named [Party A] and acknowledged the foregoing instrument to be his/her free act and deed.

Before me,

Notary Public

(Typed or Printed Name)

My Commission Expires:_____

STATE OF MAINE
WALDO COUNTY, ss.

[Name of Party B]

Personally appeared the above named [Party B] and acknowledged the foregoing instrument to be his/her free act and deed.

Before me,

Notary Public

(Typed or Printed Name)

My Commission Expires:_____

ATTACHMENT 8

NRPA PERMIT-BY-RULE FOR STREAM CROSSING (SECTION 10)

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT BY RULE NOTIFICATION FORM**

(For use with DEP Regulation, Natural Resources Protection Act - Permit by Rule Standards, Chapter 305)

APPLICANT INFORMATION (Owner)				AGENT INFORMATION (If Applying on Behalf of Owner)			
Name:				Name:			
Mailing Address:				Mailing Address:			
Mailing Address:				Mailing Address:			
Town/State/Zip:				Town/State/Zip:			
Daytime Phone #:	Ext:			Daytime Phone #:	Ext:		
Email Address:				Email Address:			
PROJECT INFORMATION							
Part of a larger project? (check 1):	<input type="checkbox"/> Yes <input type="checkbox"/> No	After the Fact? (check 1):	<input type="checkbox"/> Yes <input type="checkbox"/> No	Project involves work below mean low water? (check 1):	<input type="checkbox"/> Yes <input type="checkbox"/> No	Name of waterbody:	
Project Town:			Town Email Address:			Map and Lot Number:	
Brief Project Description:							
Project Location & Brief Directions to Site:							

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

- | | | |
|---|--|---|
| <input type="checkbox"/> Sec. (2) Act. Adj. to Prot. Natural Res. | <input type="checkbox"/> Sec. (9) Utility Crossing | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (10) Stream Crossing | <input type="checkbox"/> Sec. (16-A) Beach Nourishment |
| <input type="checkbox"/> Sec. (4) Replacement of Structures | <input type="checkbox"/> Sec. (11) State Transportation Facilities | <input type="checkbox"/> Sec. (17) Transfer/Permit Extension |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Veg. | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas | <input type="checkbox"/> Sec. (18) Maintenance Dredging |
| <input type="checkbox"/> Sec. (7) Outfall Pipes | <input type="checkbox"/> Sec. (13) F&W Creat./Water Qual. Improv. | <input type="checkbox"/> Sec. (19) Act. Near SVP Habitat |
| <input type="checkbox"/> Sec. (8) Shoreline Stabilization | <input type="checkbox"/> Sec. (15) Public Boat Ramps | <input type="checkbox"/> Sec. (20) Act. Near Waterfowl/Bird Habitat |

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

NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS AND FEE

- Attach** all required submissions for the PBR Section(s) checked above. The required submissions for each PBR Section are outlined in Chapter 305 and may differ depending on the Section you are submitting under.
- Attach** a location map that clearly identifies the site (U.S.G.S. topo map, Maine Atlas & Gazetteer, or similar).
- Attach Proof of Legal Name** if applicant is a corporation, LLC, or other legal entity. Provide a copy of Secretary of State's registration information (available at <http://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>). Individuals and municipalities are not required to provide any proof of identity.

FEE: Pay by credit card at the [Payment Portal](#). The Permit-by-Rule fee may be found here <https://www.maine.gov/dep/feeschedule.pdf> and is currently \$307.

- Attach** payment confirmation from the Payment Portal when filing this notification form.

Signature & Certification:

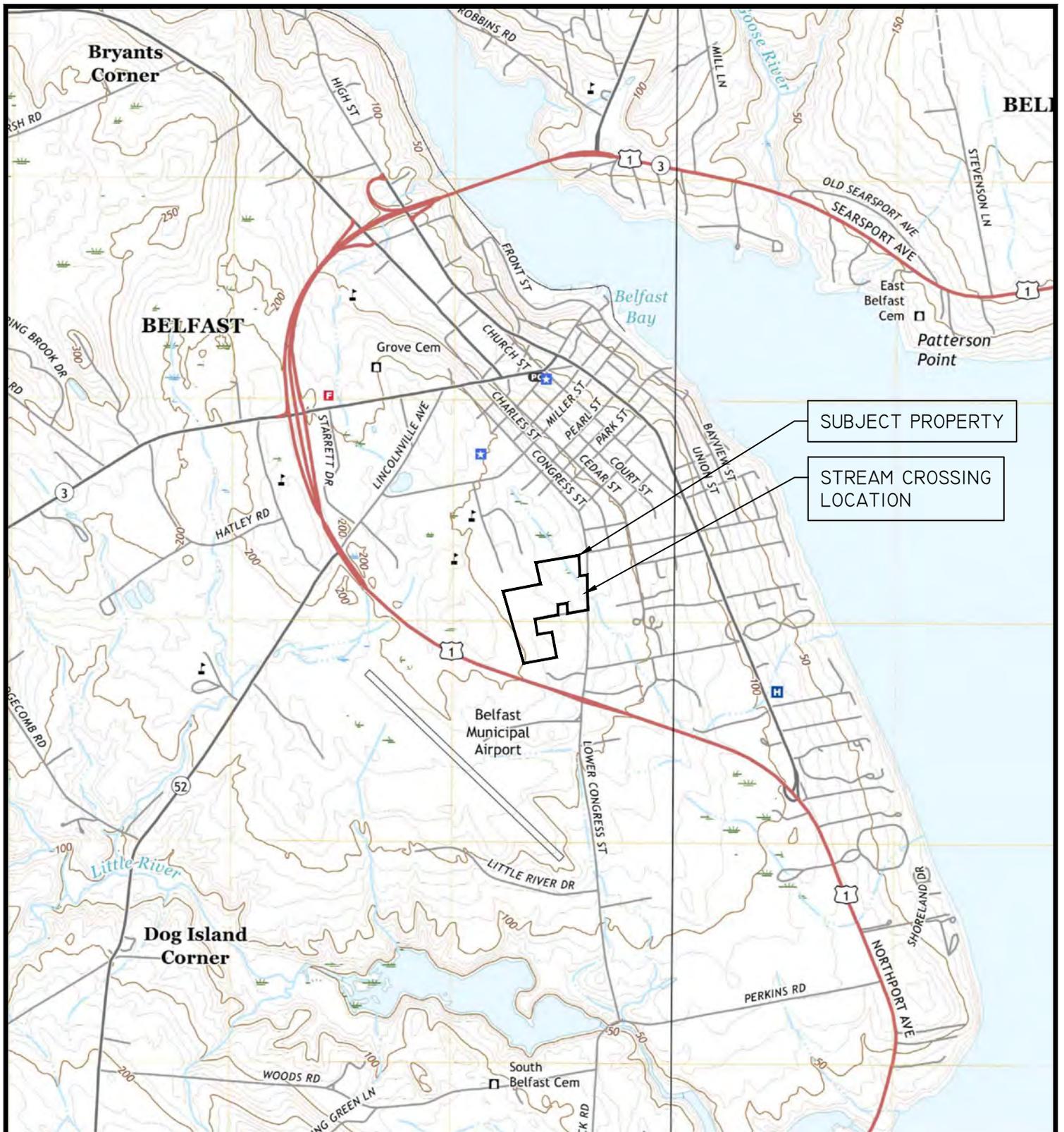
- I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules.
- I understand that this PBR becomes effective 14 calendar days after receipt by the Department of this completed form, the required submissions, and fee, *unless the Department approves or denies the PBR prior to that date.*

By signing this Notification Form, I represent that the project meets all applicability requirements and standards in Chapter 305 rule and that the applic: _____ **right, or interest in the property where the activity takes place.**

Signature of Agent or Applicant (may be typed):

Date:

Keep a copy as a record of permit. Email this completed form with attachments to DEP at: DEP.PBRNotification@maine.gov. DEP will send a copy to the Town Office as evidence of DEP's receipt of notification. No further authorization will be issued by DEP after receipt of notice. A PBR is valid for two years, except Section 4, "Replacement of Structures," are valid for three years. **Work carried out in violation of the Natural Resources Protection Act or any provision in Chapter 305 is subject to enforcement.**



NOTE: PLAN BASE DERIVED FROM THE USGS 7.5 MINUTE QUADRANGLES FOR BELFAST AND SEARSPORT, MAINE



THOMAS FOWLER, P.E., LLC
 CIVIL ENGINEER: DESIGN AND PERMITTING SERVICES
 P.O. BOX 117, 48-4 MARSHALL WHARF
 BELFAST, ME 04915
 207-322-5827
 WWW.THOMASFOWLERPE.COM

SITE LOCATION ON USGS MAP
 ARTHUR AND SYLVIA SANDERSON
 161 CONGRESS STREET
 BELFAST, MAINE 04915

DATE 3/4/24

SCALE: 1"=2,000'



Photo 1: Stream crossing, Congress Street in background, facing E



Photo 2: Stream crossing close up, Congress Street in background, facing E

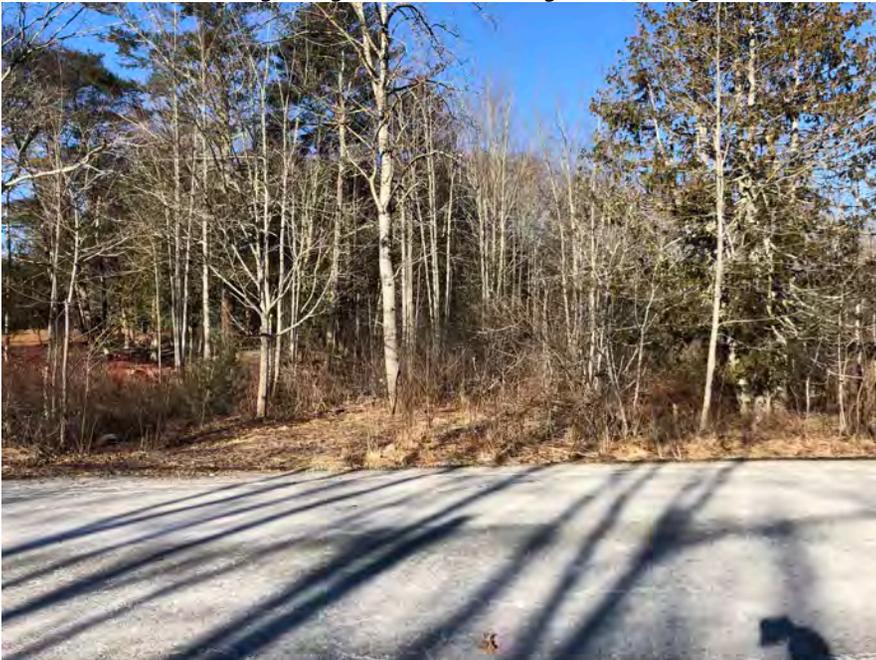


Photo 3: Entrance location from Congress Street to upland adjacent to stream, facing W



Photo 4: Stream crossing, facing W

State of Maine DEP Payment Receipt

Contact Information: Sylvia Sanderson - 161 Congress St., Belfast, ME, 04915
(207) 323-3168
ksandersonrental@gmail.com

Product	Reference Number	Customer Number	Payment Amount	Comments
Natural Resources Protection Act (Individual Permit)	New Application		\$307.00	

Receipt ID: 3897

Transaction Date: 3/4/2024 11:10:16 AM

Transaction Summary

Payment	\$307.00
Service Fee	\$2.00
Total	\$309.00

Thank you for your successful transaction.

If you have questions or concerns, please call (207) 287-7688

or Email: Payments.DEP@maine.gov

Print