

(workshop  
item 1)

Attach ment M  
data info.

**Jean Fraser - RE: 1062 Ocean Avenue (Ledgewood Drive) Subdivision - Old Barn Estates**

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**From:** "Peter Biegel" <pbiegel@landdesignsolutions.com>  
**To:** "Jean Fraser" <JF@portlandmaine.gov>  
**Date:** 1/21/2013 2:45 PM  
**Subject:** RE: 1062 Ocean Avenue (Ledgewood Drive) Subdivision - Old Barn Estates  
**CC:** "Tim O'Donovan" <ocpminc@maine.rr.com>

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Hi Jean,

Thank you for the PB memo and agenda.

I apologize for not submitting a project Data sheet, I missed it. I have provided the missing information below:

- Area of wetland to be filled = 1,220 +/- due to the installation of a culvert for the driveway stream crossing for lot 2.
- Existing Impervious = if you counted the existing house and driveway on lot 13 it = 3,350 +/- s.f.
- Proposed Impervious = 33,240 s.f. +/- (proposed street, proposed sidewalk, proposed driveway for lot 2). This figure does not include any impervious area associated with the future homes or driveways.

Thank you,  
Peter

Peter Biegel, ASLA, LEED AP  
Maine Licensed Landscape Architect  
Land Design Solutions  
P.O. Box 316  
160 Longwoods Road  
Cumberland, ME 04021

tel: (207) 939-1717  
email: pbiegel@landdesignsolutions.com

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**From:** Jean Fraser [mailto:JF@portlandmaine.gov]  
**Sent:** Friday, January 18, 2013 4:43 PM  
**To:** Peter Biegel  
**Cc:** 'Tim O'Donovan'  
**Subject:** RE: 1062 Ocean Avenue (Ledgewood Drive) Subdivision - Old Barn Estates

Peter

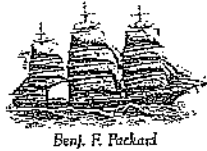
Please find attached the final PB memo as went out today.

It is also on the City's website at: [http://www.portlandmaine.gov/planning.htm#Current Backup Material](http://www.portlandmaine.gov/planning.htm#Current_Backup_Material)



(workshop item 1)

Attachment N



**Bath Savings Institution**  
Since 1852

January 11, 2013

Re: Old Barn Subdivision, Ice Pond Drive, Portland, Maine

To Whom It May Concern:

Bath Savings Institution has worked with Timothy O'Donovan for nearly 20 years and we welcome the opportunity to work with him on the 12 lot subdivision known as Old Barn Subdivision near the intersection of Ledgewood Road and Ocean Avenue in Portland.

It is the opinion of Bath Savings Institution that TPO Properties, LLC which is planning to develop the 12 lot subdivision has the financial capacity to put in the necessary road and utilities (estimated cost \$300,000) into the project. We stand ready to assist Timothy in this endeavour.

Please feel free to call me if you have any questions regarding the contents of this letter.

Sincerely,

Geoff Gattis  
EVP/Commercial Lending  
Bath Savings Institution



workshop item 1



Attachment 0.1

**Portland Water District**  
FROM SEBAGO LAKE TO CASCO BAY

January 17, 2013

Land Design Solutions  
160 Longwoods Road  
Cumberland, ME 04021

Attn: Peter Biegel, P.E.  
Re: Ledgewood Drive Subdivision, Portland/Falmouth  
Ability to Serve with PWD Water

Dear Mr. Biegel:

The Portland Water District has received your request for an Ability to Serve determination for the noted site submitted on December 20, 2012. Based on the information provided, we can confirm that the District will be able to serve the proposed project as further described in this letter.

Please note that this letter does not constitute approval of this project from the District. Please review this letter for any special conditions specified by the District and to determine the appropriate next steps to take to move your project through the submittal and approval process.

Existing Site Service

According to District records, the project site does currently have existing water service. An 8-inch diameter ductile iron water main, located as shown on the attached infrastructure map, was extended last year into the frontage of the site to provide water service for this subdivision.

Water System Characteristics

According to District records, there is a 12-inch diameter ductile iron water main on the south side of Ledgewood Drive and a public fire hydrant located approximately 400 feet easterly of the site.

The current data from the nearest hydrant with pressure information is as follows:

Hydrant Location: Slocum Drive, FA  
Hydrant Number: FAD-HYD00314  
Last Tested: 2/19/2003  
Static Pressure: 80 psi  
Residual Pressure: Not Tested  
Flow: Not Tested



0.2

Public Fire Protection

You have indicated that this project will include the installation of new public hydrants to be accepted into the District water system. The decision to require new hydrants and to determine their locations is solely that of the local fire department. It is your responsibility to contact the Portland Fire Department to ensure that this project is adequately served by existing and/or proposed hydrants.

Domestic Water Needs

The data noted above indicates there should be adequate pressure and volume of water to serve the domestic water needs of your proposed project.

Private Fire Protection Water Needs

You have indicated that this project will require water service to provide private fire protection to the site in the form of NFPA 13D life safety residential sprinkler systems. Please note that per PWD Terms and Conditions, the District does not guarantee any quantity of water or pressure through a fire protection service. Please share these results with your sprinkler system designer so that they can ensure that their design of the fire protection systems can best fit the noted conditions. If the data is out of date or insufficient for their needs, please contact the MEANS Division to request a hydrant flow test and we will work with you to get more complete data.

Conditions of Service

In order to serve the proposed houses, an 8-inch ductile iron water main will be required to extend through the proposed subdivision with dedicated water services installed to each lot. It will be necessary to submit design plans to the District for review as this project progresses.

If the District can be of further assistance in this matter, please let us know.

Sincerely,  
Portland Water District



Rico Spugnardi, P.E.  
Business Development Engineer

workshop item 1

Attachment P. 1

**D R A F T**

**OLD BARN ESTATES**

**HOMEOWNERS ASSOCIATION**

**BYLAWS**

**ARTICLE I**

Section 1. "Association" shall mean and refer to Old Barn Estates Homeowners Association, a non-stock, nonprofit corporation organized and existing under the laws of the State of Maine.

Section 2. "Old Barn Estates" shall mean and refer to a subdivision of land in the City of Portland and Town of Falmouth, County of Cumberland and State of Maine and described in a plan entitled \_\_\_\_\_ to be recorded in the Cumberland County Registry of Deeds (hereinafter referred to as "the Plan").

Section 3. "Member" shall mean and refer to each owner (whether an individual person, corporation, partnership or other legal entity) of record of said lots as shown on the aforesaid Plan, but shall not mean and refer to an owner of record whose only interest in such lot or parcel of land is as mortgagee under a real estate mortgage as security for the performance of an obligation, until and unless such owner shall have commenced proceedings under the laws of the State of Maine to foreclose such mortgage and shall have delivered a certificate to the office of the Secretary of the Association.

**ARTICLE II**

Location

The principal office of the Association shall be located in the City of Portland, in the County of Cumberland and the State of Maine.

**ARTICLE III**

Membership and Voting Rights

Each owner of a lot as designated in Article I, Section 3 shall be a Member of the Association. However, each lot is allocated only one (1) vote regardless of whether the owner of the lot is one or more individuals, a corporation, partnership or other legal entity.

**ARTICLE IV**

Purpose and Financing of Association

Section 1. Purpose: The Association shall be responsible for the following:

- a. the care, control and maintenance of all common areas,
- b. the maintenance of all stormwater system components according to the "Inspection and Maintenance Plan for Stormwater Management Facilities", as approved by the respective Planning Boards for the City of Portland and Town of Falmouth, a copy of said Plan is attached hereto and incorporated by reference, and shall include those components situated on Lots 2, 8, and 9 and depicted on the Plan.
- c. care, maintenance and necessary replacement of the trees along Ice Pond Drive.
- d. care, maintenance and necessary replacement of buffer trees situated on Lots 2, 9 and Open Space (Lot \_\_\_\_).

Section 2. Financing: Each Member is obligated to pay to the Association, annual and special assessments. Assessments are personal obligations of the members and may be secured by liens against the land of each lot owner. If the assessments are not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the rate of twelve (12%) percent per annum, and the Association may bring an action at law against the member personally obligated to pay the same and shall be entitled to recover interest, costs and reasonable attorney's fees.

**ARTICLE V**

Members

Section 1. Annual Meetings: The first annual meeting of the Members shall be held within one (1) year from the date of the sale of the first lot in the Old Barn Estates Subdivision. The Members shall at that meeting select a date and time for the second and subsequent annual meetings.

Section 2. Parliamentary Procedure: At all meetings of the Members or of the Board of Directors, Roberts' Rule of Order, as then amended, shall be followed, except in the event of conflict in which case these Bylaws shall prevail.

Section 3. Proxies: Votes may be cast in person or by proxy. Proxies must be filed with the Secretary at or before the time of each meeting. A Member or Director may designate any person who need not be an owner to act as proxy. The designation of any such proxy shall be made in writing, signed by the Member or Director and shall be revocable at any time by written notice to the Secretary by the person designating the proxy.



Section 4. Special Meetings: Special meetings of the Members may be called at any time by the President, the Board of Directors or upon the written request of at least three (3) members who are entitled to vote.

Section 5. Notice of Meetings: Written notice of each meeting of the Members shall be given by, or at the direction of, the secretary or person duly authorized to call the meeting, by mailing a copy of such notice postage prepaid or by facsimile or electronic mail at least ten (10) days before such meeting to each Member entitled to vote there at, addressed to the Member's address last appearing on the books of the Association or supplied by such Member to the Association for the purpose of notice. Such notice shall specify the place, date and hour of the meeting and in the case of a special meeting, the purpose of the meeting.

Section 6. Quorum: The presence at the meeting of Members entitled to vote or proxies equal to seven (7) votes of the membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation or these Bylaws. If however, such quorum shall not be present or represented at any meeting, the Members entitled to vote thereat shall have the power to adjourn the meeting from time to time without notice, other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented.

## ARTICLE VI

### Board of Directors

Section 1. Board of Directors: The affairs of the Association shall be governed by a Board of Directors consisting of three (3) Directors who need not be Members of the Association and who shall hold office until the election of their successors.

Section 2. Term of Office: At the first annual meeting, the Members shall elect one (1) Director for a term of one (1) year, one (1) Director for a term of two (2) years and one (1) Director for a term of three (3) years. At each annual meeting thereafter, the Members shall elect those Directors whose terms are expiring for a term of two (2) years.

Section 3. Resignation: In the event of the death, resignation or removal of a Director, his successor shall be elected by the remaining Directors and shall serve the unexpired term of his predecessor. Any Director may be removed from the Board, with or without cause, by a majority vote of the Members of the Association.

Section 4. Quorum: A majority of the Directors shall constitute a quorum for the transaction of business. Every action or decision made by a majority of the Board of Directors present at a duly held meeting in which a quorum is present shall be regarded as the act of the Board.

Section 5. Powers and Duties: The Board of Directors shall have the powers and duties necessary for the administration of the affairs of the Association and shall do all such acts and things except those which by law or by these Bylaws may not be delegated to the Board of

Directors by the Members. Such powers and duties of the Board of Directors shall include, but shall not be limited to, the following:

- a. Management, maintenance and control all common areas,
- b. Maintenance of all stormwater system components according to the "Inspection and Maintenance Plan for Stormwater Management Facilities", as approved by the respective Planning Boards for the City of Portland and Town of Falmouth, a copy of said Plan is attached hereto and incorporated by reference, and shall include those components situated on Lots 2, 8, and 9 and depicted on the Plan.
- c. The care, maintenance and necessary replacement of the trees along Ice Pond Drive.
- d. The care, maintenance and necessary replacement of buffer trees situated on Lots 2, 9 and Open Space (Lot\_\_\_).
- e. Adoption and amendment of reasonable rules and regulations governing the use of the common areas.
- f. Opening of bank accounts on behalf of the Association and designating the signatories required therefor.
- g. Suspend the voting rights of any member during any period in which such Member shall be in default in the payment of any assessment levied by the Association. Default shall be defined as that period commencing thirty (30) days following the date on which the assessment is due.
- h. To enforce covenants, conditions and restrictions stated in the Declaration of Restrictions and Covenants of the Old Barn Estates Subdivision recorded in the Cumberland County Registry of Deeds in Book \_\_\_\_, Page \_\_\_\_ and any amendments thereto.
- i. Declare the office of a Director to be vacant in the event that such Director shall be absent from three (3) consecutive regular meetings of the Board of Directors.
- j. To maintain an adequate liability insurance policy to protect the various lot owners and Association from liability in an amount not less than One Million Dollars (\$1,000,000.00).
- k. Cause to be kept a complete record of all acts of the Board of Directors and to present a statement thereof to the Members at the annual meeting of Members, or at any special meeting requested in writing by five (5) of the Members who are entitled to vote.
- l. To fix the amount of the annual assessment against each lot at least thirty (30)

days in advance of each annual assessment and to send written notice of such assessment to every owner thirty (30) days in advance of the date by which such assessment is due and payable.

m. To file a lien with the Cumberland County Registry of Deeds against the land of any Member whose assessment has not been paid within forty-five (45) days of the date such assessment or special assessment is due.

n. To bring an action at law against the owner personally obligated to pay the assessment and to collect the assessment or special assessment, costs of collection, interest and reasonable attorney's fees.

o. Unless sooner transferred by the Declarant/Developer, upon the sale of the last lot in the subdivision by the Declarant/Developer, the Association shall assume all of the duties set forth above within the Old Barn Estates Subdivision. The Association further recognizes that the Declarant shall thereafter be under no obligation to assert any rights or have any duties or obligations assigned, transferred, or conveyed to the Association.

p. Upon request by the Code Enforcement Officer, Plumbing Inspector, or Town Engineer, the Old Barn Estates Homeowners Association shall produce for inspection and copying at the Falmouth Town Hall, or the City of Portland as the case may be, or permit the inspection and copying at its own office of any or all of its corporate, financial, operating, inspection, and maintenance records, reports, contracts, budgets and other papers, for the purpose of determining its performance of any compliance with the requirements Stormwater Plan and Tree Maintenance and Buffering Plan.

The Code Enforcement Officer, the Plumbing Inspector, or his authorized representative, or the Town Engineer, and other duly authorized employees of the City/Town bearing proper credentials or identification, shall be permitted to enter at all reasonable times, upon all real or personal property of the Association necessary to the verification of compliance with the Association's responsibilities.

Section 6. Regular Meetings: Regular meetings of the Board of Directors may be held at such time and place as shall be determined from time to time by a majority of the Members of the Board of Directors, but at least one (1) such meeting shall be held during each fiscal year to elect the offices of the Association and to transact such other business as may be necessary. Notice of regular meetings of the Board of Directors shall be given to each Member of the Board of Directors, by mail, telephone, facsimile, or electronic mail, at least five (5) business days prior to the day stated for such meeting.

Section 7. Special Meetings: Special meetings of the Board of Directors may be called by the President on three (3) business days notice to each Member of the Board of Directors given by telephone, facsimile, or electronic mail, or on five (5) business days notice given by ordinary first-class mail, which notice shall state the time, place and purpose of the meeting. Special meetings of the Board of Directors shall be called by the President or Secretary

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in like manner and on like notice on the written request of at least two (2) Members of the Board of Directors.

Section 8. Waiver of Notice: Any Member of the Board of Directors may at any time waive notice of any meeting of the Board of Directors in writing, and such waiver shall be deemed equivalent to the giving of such notice. Attendance by a Member of the Board of Directors at any meeting of the Board shall constitute a waiver of notice by him of the time and the place thereof. If all the Members of the Board of Directors are present at any meeting of the Board, no notice shall be required and any business may be transacted at such meeting.

Section 9. Informal Action by Board of Directors: Any action required to be taken at a meeting of the Board of Directors or any other action which may be taken at a meeting of the board of Directors, may be taken without a meeting if a consent in writing setting forth the action so taken shall be signed by all of the Members of the Board of Directors entitled to vote with respect to the subject matter thereof.

Section 10. Compensation: No Member of the Board of Directors shall receive any compensation from the Association for acting as a Director, except that Members of the Board of Directors may be reimbursed for expenses they incur in connection with their services of Directors, as the Board may from time to time determine.

Section 11. Fiscal Year: The fiscal year for the Association shall be the calendar year.

## ARTICLE VII

### Officers

Section 1. Designation: The principal officers of the Association shall be the President, the Secretary/Clerk and the Treasurer, all of whom shall be elected by the Board of Directors. The Board of Directors may appoint such other officers as in its judgment may be necessary.

Section 2. Election of Officers: The offices of the Association shall be elected annually by the Board of Directors at the annual meeting of the Board of Directors and shall hold office at the pleasure of the Board of Directors.

Section 3. Removal of Officers: Upon the affirmative vote of a majority of the Members of the Board of Directors, any officer may be removed, either with or without cause, and his or her successor may be elected at any regular meeting of the Board of Directors or any special meeting of the Board of Directors called for that purpose.

Section 4. President: The President shall be the chief executive officer of the Association. He shall preside at all meetings of the Members and the Board of Directors. He shall have all of the general powers and duties which are incident to the office of the President of a non-profit corporation organized under the laws of the State of Maine, including, but not

limited to the power to appoint committees from among the Members and, from time to time as he may, in his discretion, decide is appropriate to assist in the conduct of the affairs of the Association.

Section 5. Secretary/Clerk (Registered Agent): The Secretary/Clerk (Registered Agent) shall keep the minutes of all meetings of the Members and of the Board of Directors; he shall have charge of such books and papers as the Board of Directors may direct; and he shall, in general, perform all the duties incident to the office of Secretary/Clerk as a non-profit corporation organized under the laws of the State of Maine.

Section 6. Treasurer: The Treasurer shall have the responsibility for Association funds and securities and shall be responsible for keeping full and accurate financial records and books of accounts showing all receipts and disbursements and for the preparation of all required financial data. He shall be responsible for the deposit of all monies and other valuable effects in the name of the Association, in such depositories as may from time to time be designated by the Board of Directors, and he shall in general, perform all the duties incident to the Office of Treasurer of a non-profit corporation organized under the laws of the State of Maine.

Section 7. Agreements, Contracts, Checks, etc.: All agreements, contracts, checks and other instruments of the Association shall be executed by two officers of the Association or by such other person or persons as may be designated by the Board of Directors.

Section 8. Compensation of Officers: No officer shall receive any compensation from the Association for acting as such, except that officers may be reimbursed for expenses incurred by them for their services as officers of the Association, as the Board of Directors may from time to time determine.

**ARTICLE VIII**

Records

Section 1. Records and Audits: The Board of Directors or its agent shall keep detailed records of the actions of the Board of Directors and its agents, minutes of the meeting of the Board of Directors and financial records and books of accounts for the Association.

Section 2. Statement: A written report summarizing all receipts and expenditures of the Association shall be rendered by the Board of Directors to all Members at least annually.

**ARTICLE IX**

Miscellaneous

Section 1. Notices: All notices hereunder shall be sent registered or certified mail to the Board of Directors, in care of the President, to the office of the Board of Directors or to such other address as the Board of Directors may hereafter designate from time to time by notice in writing to all Members. All notices to any lot owner shall be sent by ordinary prepaid mail to the

address or to such other address as may have been designated by them from time to time, in writing to the Board of Directors. All notices shall be deemed to have been given when mailed, except notices of change of address which shall be deemed to have been given when received.

**ARTICLE X**

Amendments to Bylaws

These Bylaws may be altered, amended or added to, at any duly called meeting of Members provided: (1) that the notice of the meeting shall contain a full statement of the proposed amendments; and (2) that the amendment shall be approved by at least eight (8) of the total votes of the Association. However, so long as the Association remains responsible for the operation and maintenance of the drainage systems and devices, common areas and tree buffers of Old Barn Estates, Subdivision, no action shall be taken by the Members to dissolve this Association.

DATE:

Attachment Q

Conserve. Explore. Enjoy.



[www.falmouthlandtrust.org](http://www.falmouthlandtrust.org)

January 4, 2013

Peter Biegel  
Land Design Solutions  
160 Longwoods Rd  
Cumberland, ME 04021  
VIA EMAIL

Peter,  
Thanks for reaching out to the Falmouth Land Trust regarding the new project you are working on off of Ledgewood Rd in Falmouth.

Based on the information provided and attached here as Exhibit A, the Trust is very supportive of Tim O'Donovan making a trail connection from the proposed development to the Ocean Ave dog park via the property owned by the Falmouth Land Trust in The Elms subdivision. We hope that the connection will encourage further use of the Elm's trail network as well as the Trust's holdings in Pleasant Woods. As you and I discussed the trail would be constructed to the usual high standards that we have experienced on your other projects. Also, the developer will make a one-time stewardship donation of \$1,000 to the Trust for the ongoing maintenance of the new trail.

On behalf of the Trust thanks for including us in this project and please don't hesitate to contact me if I can be of further assistance.

Sincerely yours,

Jed Harris  
President





## Land Design Solutions

Site Planning Land Planning Landscape Architecture

January 22, 2013

Ms. Jean Fraser, Planner  
Portland Planning Department  
Planning Division  
389 Congress Street  
Portland, ME 04101

RE: 1062 Ocean Avenue (Ledgewood Drive), Subdivision  
Planning Board Memo Response

Dear Jean,

We have reviewed the Planning Board Memo dated January 18, 2013 which was prepared for the January 22<sup>nd</sup> Planning Board workshop, and have responded to the items below. There are a few items such as the stormwater which will take more time and input from City Staff and the City Reviewers to finalize.

### VI. Staff Review

#### A. Zoning Assessment

**Ice Pond Drive Extension:** In our initial discussions concerning the project layout City Staff suggested that we look at not extending the pavement of the proposed street all the way across the end lots frontage in order to minimize impervious area. The comment was made that as long as the R.O.W. extended across the frontage the pavement only needed to go far enough to provide the required street frontage (50 ft.), turn around and driveway access. That being said if this is an ordinance requirement we would like to request a waiver not to extend the pavement based on the following:

- The land abutting our development was given to the Falmouth Land Trust to be left as open space in perpetuity so there will be no future road connection.
- The majority of the pavement extension is within the 75' wetland setback.
- We would be adding impervious street area and infrastructure which the City will need to maintain for no benefit to anyone or any entity.

#### B. Subdivision Standards

- 14-496 Subdivision Plat Requirements: All required notes will be added to the Plat plan to clarify the status of the new street and ownership.
- Lot #14: Notes will be added to the plat plan showing the requirements for lot 14.

- **Water, Air Pollution and Soil Erosion:** the Portland Water District has confirmed in writing that there is an adequate water supply for the proposed development. Their letter will be forwarded under separate cover.
- **Traffic Subdivision Street (curb radii):** The proposed curb radii where the new subdivision street joins Ledgewood Drive is 30' which is the curb radii required for a local road at a 60-90 degree intersection by the Town of Falmouth Land Subdivision Ordinance, Appendix 5. We are glad to use whatever size curb radii the City and their consultants recommend.
- **Traffic Subdivision Street (street & sidewalk extension):** We have no issue paving the proposed gravel walk section which connects the proposed sidewalk to the open space trail. The gravel surface was proposed as a material more in keeping with an environmentally friendly surface as the walk transitions from the asphalt sidewalk to woods trail.
- **Connectivity:** We have walked the site with a representative from Portland Trails and a representative from the Falmouth Land Trust and discussed a connection trail. A letter from the Falmouth Land Trust confirming that we have walked the site and discussed the trail connection with them and have made a verbal commitment to a financial contribution towards the trails stewardship and construction will be forwarded under separate cover.
- **Connectivity (crosswalk):** We have no issue installing crosswalk warning signs on Ledgewood Drive provided that the Town of Falmouth has no objections.
- **Sanitary Sewer/Soils (system encroachment into the stream/wetland setback):** According to Chapter 241 State of Maine Subsurface Wastewater Disposal Rules "The installation or repair of a system does not require a NRPA permit from the MDEP, provided all Sections of these Rules are met. The requirements contained in these Rules are designed to meet the same requirements contained in MDEP's Permit by Rule program for soil disturbance adjacent to or within a protected natural resource associated with a wetland and/or other MDEP regulated NRPA natural resources". Minimum standards for work adjacent to minor water bodies/courses: All ground disturbance or clearing of woody vegetation necessary for the installation of a subsurface wastewater disposal system that occurs within 100 feet of the normal high water mark of a minor water body/course must maintain a **minimum setback of 25 feet from the normal high water mark of the minor water body / course.**
- **Stormwater:** We will address all stormwater concerns with City Staff and their consultants.
- **Scenic Beauty (plant list):** Plans will be revised using the trees recommended by the City Arborist.

- Scenic Beauty (treesaves): Notes designating treesave areas as no disturb will be added to the plan. However, as requested in our submission letter the developer and subsequent lot/home owners will need the ability to remove tree hazards & invasive species in these areas as they develop.
- Scenic Beauty (buffer planting): We will review the proposed no disturb stormwater buffer versus additional tree planting with City Staff and revise plans accordingly.
- Vegetated Buffers and Wetland Buffers: Leach fields within the stormwater buffer will be addressed with the stormwater revisions.
- Open Space: Draft Homeowners Association Documents have been prepared and will be forwarded under separate cover.
- Financial Capacity: A letter from Bath Savings Institution will be forwarded under separate cover.
- Wetlands: A Natural Resource Protection Act Permit by Rule Notification for the stream crossing associated with the Lot 2 driveway and the work associated with the construction of the stormwater BMP on lot 9 shall be submitted to the Maine DEP and forwarded to the City.
- Wetlands (demarcation): Plans will be revised to include the installation of markers delineating wetland setback, treesave areas and stormwater no disturb buffers.

#### 14-498 Technical and Design Standards

- Underground Utilities: Plans will be revised to clarify that all utilities will be underground.

Land Design Solutions



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Peter B. Biegel, ASLA, LEED AP  
Maine Licensed Landscape Architect