



Mr. Michael Livingston, Town Engineer  
Town of Wells  
208 Sanford Road  
Wells, Maine 04090

October 24, 2022  
Project No.: C141-21

**RE: Subdivision Amendment Application #4  
Wire Road Subdivision  
Wire Road (Tax Map 75, Lot 1)**

Dear Mr. Livingston:

On behalf of Highpine Properties, LLC, I have enclosed a Final Subdivision (Amendment) Application and revised plan sheets 1.4 and 2.4 for the above referenced project.

Wire Road Subdivision is a previously approved, 40 lot, residential cluster subdivision on a 100 acre parcel on Wire Road.

The applicant is requesting approval to relocate the wooded stormwater treatment buffer and associated level spreader downstream of Pond 55. The Maine Department of Environmental Protection has approved this change and the corresponding permit is attached.

We look forward to discussing this project at the next available Planning Board meeting. If any additional information is required, please contact me. Thank you for your assistance.

Sincerely;

Lewis Chamberlain, PE

cc: Highpine Properties, LLC

C141-21\_Wells\_AMD4\_App\_Cover.doc



# TOWN OF WELLS, ME

208 Sanford Road, PO Box 398

Wells, Maine, 04090

Phone: 207-646-5187, Fax: 646-5188

Website: [www.wellstown.org](http://www.wellstown.org)

Amendment X  
(Revision involves only  
modifications to plan- no  
new lots or road proposed)

New \_\_\_\_\_

For Office Use Only

Fee Paid \_\_\_\_\_

## FINAL SUBDIVISION APPLICATION - §202-9

1. Project/Subdivision Name: Wire Road Subdivision
2. Property Owner: Highpine Properties, LLC  
Mailing Address: P.O. Box 339  
Wells, ME 04090  
Telephone: 207-703-5226 Fax: N/A  
Email Address: hhall@cottageadvisors.com
3. Applicant/Agent (if different from owner): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: \_\_\_\_\_
4. Engineer or Surveyor who prepared plan: Attar Engineering, Inc. / Lewis Chamberlain, P.E.  
Mailing Address: 1284 State Road  
Eliot, ME 03903  
Telephone: 207-439-6023 Fax: 207-439-2128  
Email Address: lew@attarengineering.com
5. All correspondence should be sent to:  
(specify one of the above) Attar Engineering, Inc. / Lewis Chamberlain, P. E.
6. Assessor's Tax Map Number: 75 Lot Number: 1 (of land to be divided)
7. Is applicant a Maine-licensed corporation? Yes No (if yes, attach copy of license)

8. What legal interest does the applicant have in the property to be developed (ownership, option, purchase & sales contract, etc.)?

Ownership

9. What interest does the applicant have in any abutting property?

Ownership of Approx. 500 acres to the Southwest.

10. Location of Property:

Street Address (approx.)

Book 15311 Page 360 (From County Registry of Deeds)

11. Current Zoning and Shoreland Overlay of property:

12. Is any portion of the property within 250 feet of the high water mark of a pond, river or salt-water body? Yes No

13. Total Acreage: 100 Acreage to be developed: Approx. 25

14. Indicate the nature of any restrictive covenants to be place in the deeds:

Home Owner's Association

15. Has this land been part of a prior approved subdivision? Yes No  
Or other divisions within the past 5 Years? Yes No  
If so, please describe and/or list the Map and Lot numbers of all 'out-sale' lots:

16. Identify existing use(s) of land, (farmland, woodlot, etc.)

Subdivision under construction.

17. Does the parcel include any water bodies? Yes No

18. Is any portion of the property within a special flood hazard area as idenitified by the Federal Emergency Management Agency? Yes No

19. Number of lots or dwelling units exisig: 40 (approved) and  
Number of lots or dwelling units proposed: 40.

20. Does this development require extension of public infrastructure? Yes No  
If yes, which type of structure?

roads

storm drainage

sidewalks

water lines

fire protection equipment

sewer

If other, please state

21. Estimated cost for infrastructure improvements: \$ N/A

22. Identify method of water supply to the proposed development:

individual wells

connection to public water system

central well w/ distribution lines

If other, please state alternative \_\_\_\_\_

23. Identify method of sewage disposal to the proposed development:

individual septic tanks

central on site disposal with distribution lines

connection to public sewer system

If other, please state alternative \_\_\_\_\_

24. Identify method of fire protection for the proposed development:

hydrants connected to the public water system

dry hydrants located on an existing pond or water body

existing fire pond

If other, please state alternative (for example, individual sprinklers) New Fire Pond with Dry Hydrant

25. Does the applicant intend to request waivers of any of the subdivision submission requirements? Yes No

If yes, list them and state the reasons for the request:

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**CERTIFICATION: To the best of my knowledge, all the information submitted on this subdivision plan and with my application is true and correct.**

**Lewis Chamberlain**

Digitally signed by Lewis Chamberlain  
DN: cn=Lewis Chamberlain, o=ou,  
email=lewis@attarengineering.com, c=US  
Date: 2022.10.24 09:17:43 -0400

\_\_\_\_\_  
Signature of Applicant

10/24/22

\_\_\_\_\_  
Date

- ◆ Please contact the Planning Department at (207) 646-5187 regarding the number of copies of materials to be submitted, in what format, and for other questions and information.
- ◆ The entire Wells Town Code is on the town website [www.wellstown.org](http://www.wellstown.org). Please follow the link to the 'Document Center' and then the 'Town Code'. The subdivision ordinance is Chapter 202. Other relevant sections include the Land Use Ordinance (Chapter 145), the Streets and Sidewalks Ordinance (Chapter 201), and the Residential Growth Management Ordinance (Chapter 175).

**THE APPLICANT MUST SUBMIT THE FOLLOWING MATERIALS AND INFORMATION TO THE PLANNING OFFICE WITH THE AMENDMENT FORM IN ORDER FOR THE SUBMISSION TO BE CONSIDERED.**

- ◆ To be submitted with a subdivision amendment application form (See §202-10)

| Submitted | Not Submitted | Subdivision Amendment form shall be accompanied by                                                                                                                                                                  |
|-----------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| x         |               | A copy of the approved plan, as well as 11 copies of the proposed revisions.                                                                                                                                        |
| x         |               | Supporting information to allow the Board to make a determination that the proposed revisions meet the standards of chapter 202 standards and criteria                                                              |
| x         |               | A revised plan indicating that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds. |
|           | x (na)        | Evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created                                                                             |



# TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090

Phone: (207) 646-5187, Fax: (207) 646-2935

Website: [www.wellstown.org](http://www.wellstown.org)

## FINAL SUBDIVISION/ AMENDMENT APPLICATION COMPLETENESS REVIEW CHECKLIST

*(This Checklist MUST be submitted)*

**Project Name:** Wire Road Subdivision **Applicant:** Highpine Properties, LLC

**Checklist Prepared By:** SR **Date:** 10/24/22

**Checklist Reviewed By:** Lewis Chamberlain, P.E. **Date:** 10/24/22

Please use this Checklist as a guide to prepare your Application. Check the appropriate blank boxes. Shaded boxes indicate the action in the heading cannot be taken. The Checklist does not substitute for the requirements for Subdivision Approval in Chapter 202 of the Subdivision of Land Ordinance.

### Response (Please check applicable box)

| Code Section | I. General                                                                                                                                                                         | Submitted By Applicant | To Be Submitted By Applicant | Not Applicable | Applicant Requests Waiver |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------|----------------|---------------------------|
| 202-9A.1     | An application for final approval has been submitted within 6 months after approval of the preliminary plan. The final plan approximates the layout shown on the preliminary plan. | X (na)                 |                              |                |                           |
| 202-9A.6.a   | Maine Department of Environmental Protection approval under the Site Location of Development Act and the Natural Resources of Protection Act                                       | X                      |                              |                |                           |
| 202-9A.6.b   | The KKWWD approval, if the district's water service is to be used                                                                                                                  |                        |                              | X              |                           |
| 202-9A.6.c   | Maine Department of Human Services approval, if the subdivider proposes to provide a central water supply system.                                                                  |                        |                              | X              |                           |
| 202-9A.6.d   | The Wells Sanitary District approval, if the public sewage disposal system is to be used.                                                                                          |                        |                              | X              |                           |
| 202-9A.6.e   | Maine Department of Human Services approval, if a centralized or shared subsurface sewage disposal system(s) is to be utilized.                                                    | X (prev)               |                              |                |                           |
| 202-9A.6.f   | An Army Corps of Engineers dredge and fill permit                                                                                                                                  |                        |                              | X              |                           |
| 202-9A.6.g   | NPDES permit for stormwater discharges                                                                                                                                             |                        |                              | X              |                           |

| <b>Code Section</b> | <b>II. Final Subdivision Submission Requirements</b>                                                                                                                                                                                                                                                                                                                                                                                        | Submitted By Applicant | To Be Submitted By Applicant | Not Applicable | Applicant Requests Waiver |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------|----------------|---------------------------|
| 202-9B.1            | Proposed name of subdivision and the name of the municipality in which it is located, plus the Tax Assessor's map and lot numbers.                                                                                                                                                                                                                                                                                                          | X                      |                              |                |                           |
| 202-9B.2            | An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each corner.                                                                                                           | X                      |                              |                |                           |
| 202-9B.3            | The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses and other essential existing physical features.                                                                                                                                                                                                                                                                           | X                      |                              |                |                           |
| 202-9B.4            | Indication of type of sewage disposal to be used in the subdivision. A written statement from Wells Sanitary District must be submitted indicating approval of the subdivider's sewage design.                                                                                                                                                                                                                                              | X                      |                              |                |                           |
| 202-9B.5.a          | A written statement from KKWWD shall be submitted indicating that the district has reviewed and approved the water system design.                                                                                                                                                                                                                                                                                                           |                        |                              | X              |                           |
| 202-9B.5.a          | A written statement shall be submitted from the Fire Chief approving all hydrant locations or other fire protection measures deemed necessary.                                                                                                                                                                                                                                                                                              | X                      |                              |                |                           |
| 202-9B.5.b.1        | When the subdivision is not served by KKWWD, evidence of adequate groundwater quality shall be required for proposed subdivisions in the vicinity of known sources of potential groundwater contamination. The results of primary inorganic water analysis performed upon a well on the parcel to be subdivided or from wells on adjacent parcels, between the parcel to be subdivided and the potential contamination, shall be submitted. | X                      |                              |                |                           |
| 202-9B.5.b.2        | When a proposed subdivision is to be served by a private central water system or contains structures other than one- or two- family dwellings, evidence of adequate groundwater quantity shall be required.                                                                                                                                                                                                                                 |                        |                              | X              |                           |
| 202-9B.6            | The date the plan was prepared                                                                                                                                                                                                                                                                                                                                                                                                              | X                      |                              |                |                           |
| 202-9B.6            | North Point (Identified or Magnetic or True)                                                                                                                                                                                                                                                                                                                                                                                                | X                      |                              |                |                           |
| 202-9B.6            | Graphic map scale                                                                                                                                                                                                                                                                                                                                                                                                                           | X                      |                              |                |                           |
| 202-9B.6            | Names and addresses of the record owner, subdivider and individual or company who or which prepared the plan                                                                                                                                                                                                                                                                                                                                | X                      |                              |                |                           |
| 202-9B.7            | The location of any zoning boundaries affecting the subdivision.                                                                                                                                                                                                                                                                                                                                                                            | X                      |                              |                |                           |
| 202-9B.8            | The location and size of existing and proposed sewers, water mains, culverts, and drainageways on or adjacent to the property to be subdivided.                                                                                                                                                                                                                                                                                             | X                      |                              |                |                           |

| <b>Code Section</b>      | <b>II. Final Subdivision Submission Requirements</b>                                                                                                                                                                                                                                                                                                                                                                                        | Submitted By Applicant | To Be Submitted By Applicant | Not Applicable | Applicant Requests Waiver |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------|----------------|---------------------------|
| 202-9B.9                 | The location, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision.                                                                                                                                                                                                                                                                | X                      |                              |                |                           |
| 202-9B.9                 | Plan shall contain sufficient data to allow the location, bearing and length of every street line, lot line and boundary line to be readily determined and be reproduced upon the ground.                                                                                                                                                                                                                                                   | X                      |                              |                |                           |
| 202-9B.9                 | The length of all straight lines, the deflection of angle radii, length of curves and central angles of curves, tangent distances and tangent bearings for each street shall be included.                                                                                                                                                                                                                                                   | X                      |                              |                |                           |
| 202-9B.10                | The width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.                                                                                                                                                                                                                                                                                        |                        |                              | X              |                           |
| 202-9B.11                | All parcels of land proposed to be dedicated to public use and the conditions of such dedication.                                                                                                                                                                                                                                                                                                                                           |                        |                              | X              |                           |
| 202-9B.11                | Written offers of cession to the municipality of all public open spaces shown on the plan and copies of agreements or other documents showing the manner in which open spaces to be retained by the developer or lot owners are to be maintained shall be submitted                                                                                                                                                                         | X (prev)               |                              |                |                           |
| 202-9B.11                | If land is to be offered to the municipality, written evidence that the municipal officers are satisfied with the legal sufficiency of the written offer of cession shall be included.                                                                                                                                                                                                                                                      |                        |                              | X              |                           |
| 202-9B.12                | A list of construction items with cost estimates that will be completed by the developer prior to the sale of lots and, for subdivisions containing more than 20 lots                                                                                                                                                                                                                                                                       | X (prev)               |                              |                |                           |
| 202-9B.12<br>202-9B.12.a | A separate list of construction and maintenance items, with both capital and annual operating cost estimates that must be financed by the municipality or quasi-municipal districts. These lists shall include but not be limited to: schools, including busing; street maintenance and snow removal; police and fire protection; solid waste disposal; recreation facilities; stormwater drainage; wastewater treatment; and water supply. | X (prev)               |                              |                |                           |
| 202-9B.12.b              | The developer shall provide an estimate of the net increase in taxable assessed valuation at the completion of the construction of the subdivision.                                                                                                                                                                                                                                                                                         | X (prev)               |                              |                |                           |
| 202-9B.13                | If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the one-hundred-year flood elevation shall be delineated on the plan.                                                                                                                                                                                                                                                              | X                      |                              |                |                           |



| <b>Code Section</b> | <b>II. Final Subdivision Submission Requirements</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Submitted By Applicant | To Be Submitted By Applicant | Not Applicable | Applicant Requests Waiver |
|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------|----------------|---------------------------|
| 202-9B.14           | A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991.                                                                                                                                                                                                                         | X (prev)               |                              |                |                           |
| 202-9B.15           | A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site.                                                                                                                                                            | X (prev)               |                              |                |                           |
| 202-9B.16           | If any portion of the proposed subdivision is located in the direct watershed of Ell Pond or within 500 feet of the upland edge of Hobbs Pond and meets the following criteria: 1.) five or more lots or dwelling units created within any five-year period; or 2.) any combination of 800 linear feet of new or upgraded driveways and/or streets, then the following shall be submitted or indicated on the plan:                                                                                                                      |                        |                              | X              |                           |
| 202-9B.16.a         | A phosphorus impact analysis and control plan conducted using the procedures set forth in MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006. The analysis and control plan shall include all worksheets, engineering calculations, and construction specifications and diagrams for control measures, as required by the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006 |                        |                              | X              |                           |
| 202-9B.16.b         | A long-term maintenance plan for all phosphorus control measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                        |                              | X              |                           |
| 202-9B.16.c         | The contour lines shown on the plan shall be at an interval of no less than five feet                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                        |                              | X              |                           |
| 202-9B.16.d         | Areas with sustained slopes greater than 25% covering more than one acre shall be delineated                                                                                                                                                                                                                                                                                                                                                                                                                                             |                        |                              | X              |                           |

## LISTING OF ABUTTERS TO A PROPOSED FINAL SUBDIVISION APPLICATION

Project Name: Wire Road Subdivision

Street Address of Project: Wire Road

Map/ Lot # of Project: Map 75 Lot 1

Final Subdivision applications are to be accompanied by a current list of names and addresses of abutters to the proposed project. Abutter information shall be obtained by the applicant from the Town Tax Assessor's records. [*Abutter is defined as "A person who owns adjacent land or land across a street right-of-way from the subject lot"*]

It is the responsibility of the Planning Office to notify abutters of a **NEW** Final subdivision application.

It is the responsibility of the applicant to notify abutters of a Final Subdivision **AMENDMENT** application.

### Names, Addresses, and Tax Map & Lot Numbers of Abutters to Proposed Project

| Name | Address          | Tax Map | Lot |
|------|------------------|---------|-----|
|      |                  |         |     |
|      |                  |         |     |
|      | " See Attached " |         |     |
|      |                  |         |     |
|      |                  |         |     |
|      |                  |         |     |
|      |                  |         |     |
|      |                  |         |     |
|      |                  |         |     |
|      |                  |         |     |
|      |                  |         |     |

**I hereby certify that this is a current and accurate listing of all abutters to this proposed subdivision.**

Lewis Chamberlain

Digitally signed by Lewis Chamberlain  
DN: cn=Lewis Chamberlain, o, ou,  
email=lewis@attarengineering.com, c=US  
Date: 2022.10.24 09:18:14 -04'00'

Signature of Applicant

10/24/22

Date

*Attach extra pages as necessary*



# TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090

Phone: (207) 646-5187, Fax: (207) 646-2935

Website: [www.wellstown.org](http://www.wellstown.org)

## FINAL SUBDIVISION AMENDMENT APPLICATION ABUTTER NOTIFICATION

*This Final Subdivision Amendment Application Notice to abutters is required to be **mailed by the applicant** to all abutters and to the Wells Planning Department at P.O. Box 398, Wells, ME 04090 per §202-6.*

### To Whom It May Concern:

A property owner adjacent to or across the street from your property has filed a Final Subdivision Amendment Application with the Town of Wells Planning Office. The Subdivision Application and proposed plans are currently available for public inspection at the Wells Planning Office. This abutter notification is required by the Wells Subdivision of Land Ordinance for all subdivision pre-applications and if new lots or dwellings units would be created through a subdivision amendment.

Planning Board meetings are open to the public for informational purposes. Only Planning Board **PUBLIC HEARINGS**, of which abutters are mailed certified mail notice, give the opportunity to concerned abutters/Wells residents to speak at a scheduled meeting about this application. Please feel free to mail or email your concerns in writing to the attention of the Planning Office at the address noted above. Copies of the written concerns will be provided to the Planning Board at a scheduled meeting.

For dates and times when this application will be discussed at a scheduled meeting, please call the Planning Office at (207) 646-5187 or visit [www.wellstown.org](http://www.wellstown.org) and click on the 'Meeting Calendar' to view the upcoming meeting agendas. "An aggrieved party may appeal any decision of the Board under [the regulations of chapter 202] to York County Superior Court." §202-15

Property Owner (of land to be divided): Highpine Properties, LLC

Owner's Mailing Address: P.O. Box 339, Wells, ME 04090

Applicant's Name: Highpine Properties, LLC

Applicant's Mailing Address: P.O. Box 339, Wells, ME 04090

Applicant's Signature: Lewis Chamberlain  
Digitally signed by Lewis Chamberlain  
DN: cn=Lewis Chamberlain, o=nu  
email=lew@attarengineering.com, c=US  
Date: 2022.10.24 09:18:34 -0400

Assessor's Tax Map Number: 75 Lot Number : 1 (of land to be divided)

Subdivision Location (street address): Wire Road

Acres to be subdivided: 100 Number of proposed lots or dwelling units: 40

Zoning District(s): Rural (R)

Description of Proposal: Revise stormwater treatment buffer and level spreader downstream of Pond 55.



# Assessors Office, Town of Wells

P.O. Box 398, Wells ME 04090-0398  
(207) 646-6081, Fax: (207) 646-2935

## ROAD NAME REQUEST FORM

In order to comply with the Enhanced E911 requirement that street names be as clear and distinct as possible for emergency dispatch, it is necessary to have new street names approved by the E911 Coordinator prior to subdivision approval. Extra steps and charges may be eliminated during the approval process if the street names don't have to be changed mid-stream.

Please use one form for each street under consideration, and allow a few days for this process. List at least three names to be considered. They should not look like or sound like existing street names. For the present time, the list of street names (actual and reserved) are available in the Assessor's Office. In the near future, we will have a list on our website for your convenience.  
[www.wellstown.org](http://www.wellstown.org)

NAME OF PROPOSED SUBDIVISION: Wire Road Subdivision

LOCATION OF PROPOSED SUBDIVISION : Wire Road

MAP(s)/LOT(s)#: 75/1

Desired Road Names to be Considered:

1. (Road names were previously approved and are depicted on the plans.)
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

Contact Name of Development: Howard Hall

Contact Phone: 207-703-5226 Email: jonarenhall@hotmail.com

---

### ***Office Use Only***

STREET NAME APPROVED: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Keeley Lambert, E911 Coordinator

**MAINE**

Department of the Secretary of State

Bureau of Corporations, Elections and Commissions

**Corporate Name Search**

## Information Summary

[Subscriber activity report](#)

This record contains information from the CEC database and is accurate as of: **Mon Oct 24 2022 09:37:36**. Please print or save for your records.

| Legal Name               | Charter Number | Filing Type                          | Status        |
|--------------------------|----------------|--------------------------------------|---------------|
| HIGHPINE PROPERTIES, LLC | 20071350DC     | LIMITED LIABILITY COMPANY (DOMESTIC) | GOOD STANDING |

| Filing Date | Expiration Date | Jurisdiction |
|-------------|-----------------|--------------|
| 11/20/2006  | N/A             | MAINE        |

**Other Names** (A=Assumed ; F=Former)

NONE

### Clerk/Registered Agent

JOSEPH G CARLETON  
P.O. BOX 689

KITTERY, ME 03904

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**Click on a link to obtain additional information.**

List of Filings

[View list of filings](#)

### Obtain additional information:

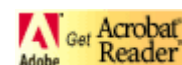
Additional Addresses

[Plain Copy](#)[Certified copy](#)

Certificate of Existence [\(more info\)](#)

[Short Form without  
amendments  
\(\\$30.00\)](#)[Long Form with  
amendments  
\(\\$30.00\)](#)

You will need Adobe Acrobat version 3.0 or higher in order to view PDF files.  
If you encounter problems, visit the [troubleshooting page](#).



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© Department of the Secretary of State

**WARRANTY DEED**

**DWIGHT E. GOODWIN and BARBARA SUE GOODWIN**, with a mailing address  
of PO Box 701286, St. Cloud, FL 34770, *for consideration paid, grant to* **HIGHPINE**  
**PROPERTIES, LLC**, whose mailing address is PO Box 339, Wells, ME 04090,  
with **WARRANTY COVENANTS**, the land in Wells, York County, Maine, more particularly  
described as follows:

See Schedule A Attached hereto and made a part hereof.

Witness, our hands and seals this 30 day of November, 2007.

Witness:

Rose Marie Vega  
Sarah Diane Barnes

Dwight E. Goodwin  
Dwight E. Goodwin

Barbara Sue Goodwin  
Barbara Sue Goodwin

State of Florida  
County of Osceola, ss.

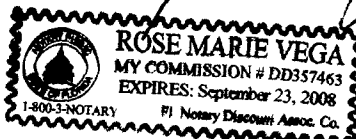
November 30, 2007.

Then personally appeared the above-named Dwight E. Goodwin, and acknowledged the  
foregoing instrument to be his free act and deed, before me,

(For Notaries) My Commission  
expires 9/23/08.

Rose Marie Vega  
Notary Public - Attorney At Law

PRINT NAME



MAINE R.E. TRANSFER TAX PAID

State of Florida  
County of Osceola, ss.

November 30, 2007.

Then personally appeared the above-named Barbara Sue Goodwin and acknowledged the foregoing instrument to be her free act and deed, before me.

(For Notaries) My Commission  
expires 2/18/2009.

Sarah Diane Barnes  
Notary Public  
Sarah Diane Barnes  
Print Name





Exhibit A  
Goodwin to Highpine Properties, LLC

A certain tract or parcel of land located on the southwesterly side of Wire Road in Wells, County of York and State of Maine, more particularly bounded and described as follows:

Beginning at a 1 ¼" iron pin on the southwesterly sideline of Wire Road at a corner of land now or formerly of John L. Welch and Peggy L. Gagne;

Thence running by land of said Welch and Gagne, and land now or formerly of Flintlock Village, Inc, S 53° 10' 40" W a distance of 400.97 feet to a stone bound and land now or formerly of Josephine Matthews;

Thence running S 52° 58' 56" W by land of said Matthews a distance of 841.42 feet to a stone bound and land of Highpine Properties, LLC;

Thence running N 34° 48' 24" W by land of said Highpine Properties, LLC a distance of 868.24 feet to a triangular stone bound;

Thence running N 39° 55' 25" W by land of said Highpine Properties, LLC a distance of 937.91 feet to a stone bound;

Thence running N 51° 24' 26" E by said Highpine Properties, LLC, a distance of 580.45 feet to a triangular field stone bound;

Thence running N 45° 46' 52" W by land of Highpine Properties, LLC a distance of 597.99 feet to a ¾" iron rod at land now or formerly of Tina Cole;

Thence running N 52° 36' 36" E, passing online at 1069.18 feet a found iron rod with Civil Consultants cap, and continuing the same course for a total of 1069.64 feet to land now or formerly of Daniel Fraser and Pamela Fraser;

Thence running S 46° 22' 26" E by land of said Fraser a distance of 300.13 feet to a point and land now or formerly of Warren P. Dewilt and Abigail L. Dewilt;

Thence running S 52° 37' 25" W by land of Dewilt, passing online at 11.52 feet a 5/8" iron rod carrying the ID of Civil Consultants and continuing the same course for a total distance of 165.00 feet to a point;

Thence running S 46° 22' 17" E by land of Dewilt a distance of 200.05 feet to a point;

Thence running N 52° 37' 25" E by land of said Dewilt a distance of 495.16 feet to a point at the southwesterly sideline of Wire Road;

Thence running S 46° 16' 23" E by the southwesterly sideline of Wire Road a distance of 60.73 feet to a 1 ¼ inch iron rod and land now or formerly of Brian D. Loucks and Connie D. Loucks;

Thence running N 52° 37' 25" E by land of said Loucks a distance of 505.31 feet to a 5/8" iron rod with PRS ID cap;

Thence running S 46° 16' 23" E by said Loucks land a distance of 200.50 feet to a 5/8" iron rod with PRS ID cap;

Thence running N 52° 37' 25" E by land of said Loucks a distance of 505.31 feet to the southwesterly sideline of Wire Road;

Thence running N 46° 21' 44" W by the southwesterly sideline of Wire Road a distance of 679.14 feet to a point;

Thence running N 45° 05' 37" W by the southwesterly sideline of Wire Road a distance of 628.94 feet to a point;

Thence running N 43° 50' 35" W by the southwesterly sideline of Wire road a distance of 383.58 feet to the point of beginning.

Containing 100.26 acres, more or less.

Meaning and intending to convey the same property described in deeds at 7687, page 92 and 7656, page 283.

**END OF DOCUMENT**

11  
4-10-90  
LAW OFFICES OF  
JOSEPH G. CARLETON, JR. ESQ.  
P.O. Box 389  
Wells, Maine 04090



# 10 foot Abutters List Report

Wells, ME  
October 24, 2022

## Subject Property:

### Abutters:

|                                                                                              |                                                                                                            |
|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| Parcel Number: 0068-002<br>CAMA Number: 68-002<br>Property Address: 0 WIRE RD                | Mailing Address: FLINTLOCK VILLAGE INC<br>ATTN CLIFF R ANTONELL 50<br>PARRAMATTA RD<br>BEVERLY, MA 01915   |
| Parcel Number: 0068-002-A<br>CAMA Number: 68-002-A<br>Property Address: 685 WIRE RD          | Mailing Address: SCRIVNER - TRUSTEES, SYLVIE M &<br>ERIC C<br>685 WIRE RD<br>WELLS, ME 04090               |
| Parcel Number: 0068-012<br>CAMA Number: 68-012<br>Property Address: 0 WIRE RD                | Mailing Address: HIGHPINE PROPERTIES LLC<br>PO BOX 339<br>WELLS, ME 04090                                  |
| Parcel Number: 0074-004-D<br>CAMA Number: 74-004-D<br>Property Address: 481 WIRE RD          | Mailing Address: GAUDET JR, ROGER J<br>ATTN MICHAEL & PAULA GOZA<br>GAETANO 481 WIRE RD<br>WELLS, ME 04090 |
| Parcel Number: 0074-006<br>CAMA Number: 74-006<br>Property Address: 503 WIRE RD              | Mailing Address: VO, VANY<br>503 WIRE RD<br>WELLS, ME 04090                                                |
| Parcel Number: 0075-001-1<br>CAMA Number: 75-001-1<br>Property Address: 517 WIRE RD          | Mailing Address: DYER, MARY L<br>517 WIRE RD<br>WELLS, ME 04090                                            |
| Parcel Number: 0075-001-2<br>CAMA Number: 75-001-2<br>Property Address: 537 WIRE RD          | Mailing Address: MUNDIGLER, RAYMOND<br>5614 ACADEMY TERRACE DR<br>W UNIVERSITY PLACE, WA 98467             |
| Parcel Number: 0075-001-A-1<br>CAMA Number: 75-001-A-1<br>Property Address: 26 CAMERONS LN   | Mailing Address: SHAW, BRENNEN<br>26 CAMERONS LN<br>WELLS, ME 04090                                        |
| Parcel Number: 0075-001-A-10<br>CAMA Number: 75-001-A-10<br>Property Address: 7 CAMERONS LN  | Mailing Address: PREBLE, LISA C<br>PO BOX 372<br>W KENNEBUNK, ME 04094                                     |
| Parcel Number: 0075-001-A-11<br>CAMA Number: 75-001-A-11<br>Property Address: 11 CAMERONS LN | Mailing Address: ALMY, JULIE M<br>11 CAMERONS LN<br>WELLS, ME 04090                                        |
| Parcel Number: 0075-001-A-12<br>CAMA Number: 75-001-A-12<br>Property Address: 17 CAMERONS LN | Mailing Address: SZMYT, CASEY MARIE<br>19 ST MARGARET DR<br>PELHAM, NH 03076                               |



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# 10 foot Abutters List Report

Wells, ME  
October 24, 2022

Parcel Number: 0075-001-A-13  
CAMA Number: 75-001-A-13  
Property Address: 29 CAMERONS LN

Mailing Address: OLSON, KAREN E  
29 CAMERONS LN  
WELLS, ME 04090

Parcel Number: 0075-001-A-14  
CAMA Number: 75-001-A-14  
Property Address: 33 CAMERONS LN

Mailing Address: ELLISON, JENNIFER H  
33 CAMERONS LN  
WELLS, ME 04090-0339

Parcel Number: 0075-001-A-15  
CAMA Number: 75-001-A-15  
Property Address: 41 CAMERONS LN

Mailing Address: CALICCHIA, DAVID JOHN  
41 CAMERONS LN  
WELLS, ME 04090

Parcel Number: 0075-001-A-16  
CAMA Number: 75-001-A-16  
Property Address: 53 CAMERONS LN

Mailing Address: HAMILTON - TRUSTEES, JAMES PAUL &  
COLLETTE THERESA  
53 CAMERONS LN  
WELLS, ME 04090

Parcel Number: 0075-001-A-17  
CAMA Number: 75-001-A-17  
Property Address: 59 CAMERONS LN

Mailing Address: WOLFERTZ, OWEN BRYCE  
59 CAMERONS LN  
WELLS, ME 04090

Parcel Number: 0075-001-A-18  
CAMA Number: 75-001-A-18  
Property Address: 71 CAMERONS LN

Mailing Address: HEYMAN, DAVID  
71 CAMERONS LN  
WELLS, ME 04090

Parcel Number: 0075-001-A-19  
CAMA Number: 75-001-A-19  
Property Address: 77 CAMERONS LN

Mailing Address: SMITH, DENISE A  
77 CAMERONS LN  
WELLS, ME 04090

Parcel Number: 0075-001-A-2  
CAMA Number: 75-001-A-2  
Property Address: 38 CAMERONS LN

Mailing Address: ROLLINS, WESLEY A  
38 CAMERONS LN  
WELLS, ME 04090

Parcel Number: 0075-001-A-20  
CAMA Number: 75-001-A-20  
Property Address: 89 CAMERONS LN

Mailing Address: STIVALETTA - TRUSTEE, JOSEPH  
209 GROVE ST  
LEXINGTON, MA 02420

Parcel Number: 0075-001-A-21  
CAMA Number: 75-001-A-21  
Property Address: 95 CAMERONS LN

Mailing Address: WILLIAMS, MICHAEL  
10 KIMBALL FARM LN  
YORK, ME 03909

Parcel Number: 0075-001-A-22  
CAMA Number: 75-001-A-22  
Property Address: 75 BRENDANS WAY

Mailing Address: PRIVE, MAKAYLA  
75 BRENDANS WAY  
WELLS, ME 04090

Parcel Number: 0075-001-A-23  
CAMA Number: 75-001-A-23  
Property Address: 79 BRENDANS WAY

Mailing Address: HARITOS, NICHOLAS C  
79 BRENDANS WAY  
WELLS, ME 04090



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# 10 foot Abutters List Report

Wells, ME  
October 24, 2022

Parcel Number: 0075-001-A-24  
CAMA Number: 75-001-A-24  
Property Address: 87 BRENDANS WAY

Mailing Address: EISENHAUR, TIMOTHY SCOTT  
87 BRENDANS WAY  
WELLS, ME 04090

Parcel Number: 0075-001-A-25  
CAMA Number: 75-001-A-25  
Property Address: 95 BRENDANS WAY

Mailing Address: VALERI, RICHARD PAUL  
90 FULLER POND RD  
MIDDLETON, MA 01949

Parcel Number: 0075-001-A-26  
CAMA Number: 75-001-A-26  
Property Address: 103 BRENDANS WAY

Mailing Address: JALBERT, PAUL  
103 BRENDANS WAY  
WELLS, ME 04090

Parcel Number: 0075-001-A-27  
CAMA Number: 75-001-A-27  
Property Address: 115 BRENDANS WAY

Mailing Address: KNAEPEN, SCOTT H  
115 BRENDANS WAY  
WELLS, ME 04090

Parcel Number: 0075-001-A-28  
CAMA Number: 75-001-A-28  
Property Address: 123 BRENDANS WAY

Mailing Address: GRANT III, DANIEL WESLEY  
123 BRENDANS WAY  
WELLS, ME 04090

Parcel Number: 0075-001-A-29  
CAMA Number: 75-001-A-29  
Property Address: 131 BRENDANS WAY

Mailing Address: SPARLING, CHRISTOPHER M  
88 FIELDSTONE LN  
SAUNDERSTOWN, RI 02874

Parcel Number: 0075-001-A-3  
CAMA Number: 75-001-A-3  
Property Address: 46 CAMERONS LN

Mailing Address: MAZIARZ - TRUSTEES, JOHN J JR &  
SENA BIGELOW  
46 CAMERONS LN  
WELLS, ME 04090

Parcel Number: 0075-001-A-30  
CAMA Number: 75-001-A-30  
Property Address: 137 BRENDANS WAY

Mailing Address: TENORE, KELSEY C  
137 BRENDANS WAY  
WELLS, ME 04090

Parcel Number: 0075-001-A-31  
CAMA Number: 75-001-A-31  
Property Address: 149 BRENDANS WAY

Mailing Address: REDDY, JUSTIN P  
75 HILLS BEACH RD  
BIDDEFORD, ME 04005

Parcel Number: 0075-001-A-32  
CAMA Number: 75-001-A-32  
Property Address: 155 BRENDANS WAY

Mailing Address: GRABOWICZ, JUDITH C  
155 BRENDANS WAY  
WELLS, ME 04090

Parcel Number: 0075-001-A-33  
CAMA Number: 75-001-A-33  
Property Address: 157 BRENDANS WAY

Mailing Address: HIGHPINE PROPERTIES LLC  
PO BOX 339  
WELLS, ME 04090-0339

Parcel Number: 0075-001-A-34  
CAMA Number: 75-001-A-34  
Property Address: 161 BRENDANS WAY

Mailing Address: HIGHPINE PROPERTIES LLC  
ATTN DEBRA CHADBOURNE 161  
BRENDANS WAY  
WELLS, ME 04090



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# 10 foot Abutters List Report

Wells, ME  
October 24, 2022

|                                                                                                |                                                                                                                       |
|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| Parcel Number: 0075-001-A-35<br>CAMA Number: 75-001-A-35<br>Property Address: 160 BRENDANS WAY | Mailing Address: HIGHPINE PROPERTIES LLC<br>ATTN GAY & ROBERT MAFERA 160<br>BRENDANS WAY<br>WELLS, ME 04090           |
| Parcel Number: 0075-001-A-36<br>CAMA Number: 75-001-A-36<br>Property Address: 158 BRENDANS WAY | Mailing Address: HIGHPINE PROPERTIES LLC<br>ATTN PAAL N & ELAINE L MOEN 6170<br>BLACKBURN CT<br>LEAGUE CITY, TX 77573 |
| Parcel Number: 0075-001-A-37<br>CAMA Number: 75-001-A-37<br>Property Address: 152 BRENDANS WAY | Mailing Address: SUDOL, PAUL M<br>152 BRENDANS WAY<br>WELLS, ME 04090                                                 |
| Parcel Number: 0075-001-A-38<br>CAMA Number: 75-001-A-38<br>Property Address: 144 BRENDANS WAY | Mailing Address: SMOLINSKY, CURT D<br>144 BRENDANS WAY<br>WELLS, ME 04090                                             |
| Parcel Number: 0075-001-A-39<br>CAMA Number: 75-001-A-39<br>Property Address: 136 BRENDANS WAY | Mailing Address: MORRILL, STEPHANIE J<br>30 BERRY ST #3207<br>NORTH ANDOVER, MA 01845                                 |
| Parcel Number: 0075-001-A-4<br>CAMA Number: 75-001-A-4<br>Property Address: 54 CAMERONS LN     | Mailing Address: ROBERTS, MARK F<br>54 CAMERONS WAY<br>WELLS, ME 04090                                                |
| Parcel Number: 0075-001-A-40<br>CAMA Number: 75-001-A-40<br>Property Address: 130 BRENDANS WAY | Mailing Address: GLAVIN, RICHARD J<br>130 BRENDANS WAY<br>WELLS, ME 04090                                             |
| Parcel Number: 0075-001-A-5<br>CAMA Number: 75-001-A-5<br>Property Address: 60 CAMERONS LN     | Mailing Address: BEAULIEU, JORDAN T<br>60 CAMERONS LN<br>WELLS, ME 04090                                              |
| Parcel Number: 0075-001-A-6<br>CAMA Number: 75-001-A-6<br>Property Address: 70 CAMERONS LN     | Mailing Address: MORRISSEY, THOMAS<br>70 CAMERONS LN<br>WELLS, ME 04090                                               |
| Parcel Number: 0075-001-A-7<br>CAMA Number: 75-001-A-7<br>Property Address: 76 CAMERONS LN     | Mailing Address: SWEATLAND - TRUSTEES, TIMOTHY G &<br>KIM L<br>290 NORTH GRAND ST<br>WEST SUFFIELD, CT 06093          |
| Parcel Number: 0075-001-A-8<br>CAMA Number: 75-001-A-8<br>Property Address: 88 CAMERONS LN     | Mailing Address: NOWELL IV, FREDERICK NICHOLS<br>88 CAMERONS LN<br>WELLS, ME 04090                                    |
| Parcel Number: 0075-001-A-9<br>CAMA Number: 75-001-A-9<br>Property Address: 94 CAMERONS LN     | Mailing Address: SPERLING, JUDITH B<br>94 CAMERONS LN<br>WELLS, ME 04090                                              |



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# 10 foot Abutters List Report

Wells, ME  
October 24, 2022

Parcel Number: 0075-002  
CAMA Number: 75-002  
Property Address: 0 WIRE RD

Mailing Address: WELLS BLUEBERRIES INC  
ATTN LEO ROY 60 CANTERBURY ST  
ANDOVER, MA 01810

Parcel Number: 0075-002-1  
CAMA Number: 75-002-1  
Property Address: 672 WIRE RD

Mailing Address: KINNEY, THOMAS J  
133 LEDGEWOOD LN  
WELLS, ME 04090

Parcel Number: 0075-002-A  
CAMA Number: 75-002-A  
Property Address: 514 WIRE RD

Mailing Address: NATURE CONSERVANCY, THE  
FORT ANDROSS 14 MAINE ST SUITE  
401  
BRUNSWICK, ME 04011

Parcel Number: 0075-002-B  
CAMA Number: 75-002-B  
Property Address: 0 WIRE RD

Mailing Address: WELLS BLUEBERRIES INC  
ATTN LEO ROY 60 CANTERBURY ST  
ANDOVER, MA 01810

Parcel Number: 0075-002-C  
CAMA Number: 75-002-C  
Property Address: 0 WIRE RD

Mailing Address: NATURE CONSERVANCY, THE  
FORT ANDROSS 14 MAINE ST SUITE  
401  
BRUNSWICK, ME 04011

Parcel Number: 0075-002-D-EXE  
CAMA Number: 75-002-D-EXE  
Property Address: 572 WIRE RD

Mailing Address: KK+W WATER DISTRICT  
PO BOX 88  
KENNEBUNK, ME 04043-0088

Parcel Number: 0075-003-1  
CAMA Number: 75-003-1  
Property Address: 698 WIRE RD

Mailing Address: BROWNELL, TIMOTHY A  
1084 MAIN ST  
SANFORD, ME 04073



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STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

IN THE MATTER OF

|                           |                                    |
|---------------------------|------------------------------------|
| HIGHPINE PROPERTIES, LLC  | ) SITE LOCATION OF DEVELOPMENT ACT |
| Wells, York County        | )                                  |
| RELOCATED BUFFER          | ) MINOR REVISION                   |
| L-26984-L3-E-M (approval) | ) FINDINGS OF FACT AND ORDER       |

Pursuant to the provisions of 38 M.R.S. §§ 481–489-E, the Department of Environmental Protection (Department) has considered the application of HIGHPINE PROPERTIES, LLC (applicant) with the supporting data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. History: In Department Order #L-26984-L3-A-N, dated August 12, 2016, the Department approved a 43-lot subdivision on a 100-acre parcel that also included a Natural Resources Protection Act (NRPA) Permit by Rule Notification Form (PBR #61320) for activities in significant vernal pool habitat. The project site is located on the south side of Wire Road in the Town of Wells. Subsequent minor modifications and conditions have been issued for the development.

B. Summary: The applicant is proposing to relocate and reorient the deed restricted, no-disturbance forested stormwater buffer further downslope from and at a lower elevation to Detention Pond 55. No other changes are proposed. The new location is shown on a set of plans entitled “Cluster Subdivision Plan (AMD #4), Wire Road Subdivision,” prepared by Attar Engineering, Inc. and dated October 28, 2021.

C. Current Use of Site: The site is currently under development. The parcel is identified as Lot 1 on Map 75 of the Town of Wells’ tax maps.

2. FINDING:

The new location proposed for the no-disturbance forested buffer is within the vicinity of the approved location but at a lower elevation. The new location was reviewed by the Bureau of Land Resources, who concluded this change does not alter the approved stormwater management plan. Prior to construction, the new location of the forested buffer will be marked on the ground and deed restricted as outlined in Department Order #L-26984-L3-A-N. The proposed project is a minor change and will not significantly affect any issues identified during previous Department reviews of the project site.



Based on its review of the application, the Department finds the requested minor revision to be in accordance with all relevant Departmental standards. All other findings of fact, conclusions and conditions remain as approved in Department Order #L-26984-L3-A-N, and subsequent Orders.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S. §§ 481–489-E:

- A. The applicant has provided adequate evidence of financial capacity and technical ability to develop the project in a manner consistent with state environmental standards.
- B. The applicant has made adequate provision for fitting the development harmoniously into the existing natural environment and the development will not adversely affect existing uses, scenic character, air quality, water quality or other natural resources in the municipality or in neighboring municipalities.
- C. The proposed development will be built on soil types which are suitable to the nature of the undertaking and will not cause unreasonable erosion of soil or sediment nor inhibit the natural transfer of soil.
- D. The proposed development meets the standards for storm water management in 38 M.R.S. § 420-D and the standard for erosion and sedimentation control in 38 M.R.S. § 420-C.
- E. The proposed development will not pose an unreasonable risk that a discharge to a significant groundwater aquifer will occur.
- F. The applicant has made adequate provision of utilities, including water supplies, sewerage facilities and solid waste disposal required for the development and the development will not have an unreasonable adverse effect on the existing or proposed utilities in the municipality or area served by those services.
- G. The activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties nor create an unreasonable flood hazard to any structure.

THEREFORE, the Department APPROVES the application of HIGHPINE PROPERTIES, LLC to relocate a forested stormwater buffer as described in Finding 1, SUBJECT TO THE FOLLOWING CONDITIONS and all applicable standards and regulations:

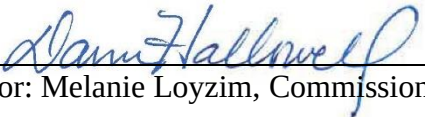
1. The Standard Conditions of Approval, a copy attached.
2. In addition to any specific erosion control measures described in this or previous orders, the applicant shall take all necessary actions to ensure that its activities or those of its agents do not result in noticeable erosion of soils or fugitive dust emissions on the site during the construction and operation of the project covered by this approval.

3. Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.
4. All other Findings of Fact, Conclusions and Conditions remain as approved in Department Order # L-26984-L3-A-N, and subsequent Orders, and are incorporated herein.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.

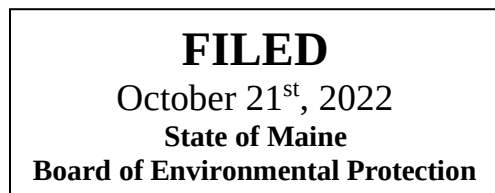
DONE AND DATED IN AUGUSTA, MAINE, THIS 21<sup>ST</sup> DAY OF OCTOBER, 2022.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:   
For: Melanie Loyzim, Commissioner

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

AJS/L26984EM /88337



**DEP SITE LOCATION OF DEVELOPMENT (SITE) STANDARD CONDITIONS  
STRICT CONFORMANCE WITH THE STANDARD AND SPECIAL CONDITIONS OF THIS APPROVAL  
IS NECESSARY FOR THE PROJECT TO MEET THE STATUTORY CRITERIA FOR APPROVAL.**

- A. Approval of Variations from Plans.** The granting of this approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation. Further subdivision of proposed lots by the applicant or future owners is specifically prohibited without prior approval of the Board, and the applicant shall include deed restrictions to that effect.
- B. Compliance with All Applicable Laws.** The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. Compliance with All Terms and Conditions of Approval.** The applicant shall submit all reports and information requested by the Board or the Department demonstrating that the applicant has complied or will comply with all preconstruction terms and conditions of this approval. All preconstruction terms and conditions must be met before construction begins.
- D. Advertising.** Advertising relating to matters included in this application shall refer to this approval only if it notes that the approval has been granted WITH CONDITIONS, and indicates where copies of those conditions may be obtained.
- E. Transfer of Development.** Unless otherwise provided in this approval, the applicant shall not sell, lease, assign or otherwise transfer the development or any portion thereof without prior written approval of the Board where the purpose or consequence of the transfer is to transfer any of the obligations of the developer as incorporated in this approval. Such approval shall be granted only if the applicant or transferee demonstrates to the Board that the transferee has the technical capacity and financial ability to comply with conditions of this approval and the proposals and plans contained in the application and supporting documents submitted by the applicant.
- F. Time frame for approvals.** If the construction or operation of the activity is not begun within four years, this approval shall lapse and the applicant shall reapply to the Board for a new approval. The applicant may not begin construction or operation of the development until a new approval is granted. A reapplication for approval may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.
- G. Approval Included in Contract Bids.** A copy of this approval must be included in or attached to all contract bid specifications for the development.
- H. Approval Shown to Contractors.** Work done by a contractor pursuant to this approval shall not begin before the contractor has been shown by the developer a copy of this approval.



## Natural Resource Protection Act (NRPA) Standard Conditions

---

THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCE PROTECTION ACT, TITLE 38, M.R.S.A. SECTION 480-A ET.SEQ. UNLESS OTHERWISE SPECIFICALLY STATED IN THE PERMIT.

- A. Approval of Variations From Plans. The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
- B. Compliance With All Applicable Laws. The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. Erosion Control. The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.
- D. Compliance With Conditions. Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other the specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.
- E. Time frame for approvals. If construction or operation of the activity is not begun within four years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.
- F. No Construction Equipment Below High Water. No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.
- G. Permit Included In Contract Bids. A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- H. Permit Shown To Contractor. Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.

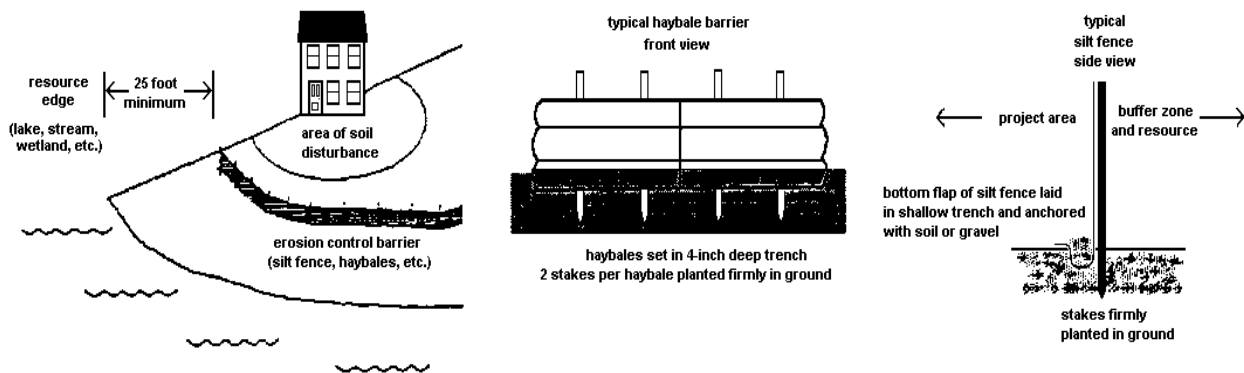


STATE OF MAINE  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
 17 STATE HOUSE STATION, AUGUSTA, MAINE 04333

### Erosion Control for Homeowners

#### Before Construction

1. If you have hired a contractor, make sure you discuss your permit with them. Talk about what measures they plan to take to control erosion. Everybody involved should understand what the resource is, and where it is located. Most people can identify the edge of a lake or river. However, the edges of wetlands are often not so obvious. Your contractor may be the person actually pushing dirt around, but you are both responsible for complying with the permit.
2. Call around to find where erosion control materials are available. Chances are your contractor has these materials already on hand. You probably will need silt fence, hay bales, wooden stakes, grass seed (or conservation mix), and perhaps filter fabric. Places to check for these items include farm & feed supply stores, garden & lawn suppliers, and landscaping companies. It is not always easy to find hay or straw during late winter and early spring. It also may be more expensive during those times of year. Plan ahead – buy a supply early and keep it under a tarp.
3. Before any soil is disturbed, make sure an erosion control barrier has been installed. The barrier can be either a silt fence, a row of staked hay bales, or both. Use the drawings below as a guide for correct installation and placement. The barrier should be placed as close as possible to the soil-disturbance activity.
4. If a contractor is installing the erosion control barrier, double check it as a precaution. Erosion control barriers should be installed "on the contour", meaning at the same level or elevation across the land slope, whenever possible. This keeps stormwater from flowing to the lowest point along the barrier where it can build up and overflow or destroy the barrier.



#### During Construction

1. Use lots of hay or straw mulch on disturbed soil. The idea behind mulch is to prevent rain from striking the soil directly. It is the force of raindrops hitting the bare ground that makes the soil begin to move downslope with the runoff water, and cause erosion. More than 90% of erosion is prevented by keeping the soil covered.
2. Inspect your erosion control barriers frequently. This is especially important after a rainfall. If there is muddy water leaving the project site, then your erosion controls are not working as intended. You or your contractor then need to figure out what can be done to prevent more soil from getting past the barrier.
3. Keep your erosion control barrier up and maintained until you get a good and healthy growth of grass and the area is permanently stabilized.

**After Construction**

1. After your project is finished, seed the area. Note that all ground covers are not equal. For example, a mix of creeping red fescue and Kentucky bluegrass is a good choice for lawns and other high-maintenance areas. But this same seed mix is a poor selection for stabilizing a road shoulder or a cut bank that you don't intend to mow. Your contractor may have experience with different seed mixes, or you might contact a seed supplier for advice.
2. Do not spread grass seed after September 15. There is the likelihood that germinating seedlings could be killed by a frost before they have a chance to become established. Instead, mulch the area with a thick layer of hay or straw. In the spring, rake off the mulch and then seed the area. Don't forget to mulch again to hold in moisture and prevent the seed from washing away or being eaten by birds or other animals.
3. Keep your erosion control barrier up and maintained until you get a good and healthy growth of grass and the area is permanently stabilized.

**Why Control Erosion?****To Protect Water Quality**

When soil erodes into protected resources such as streams, rivers, wetlands, and lakes, it has many bad effects. Eroding soil particles carry phosphorus to the water. An excess of phosphorus can lead to explosions of algae growth in lakes and ponds called blooms. The water will look green and can have green slime in it. If you are near a lake or pond, this is not pleasant for swimming, and when the soil settles out on the bottom, it smothers fish eggs and small animals eaten by fish. There many other effects as well, which are all bad.

**To Protect the Soil**

It has taken thousands of years for our soil to develop. Its usefulness is evident all around us, from sustaining forests and growing our garden vegetables, to even treating our septic wastewater! We cannot afford to waste this valuable resource.

**To Save Money (\$\$)**

Replacing topsoil or gravel washed off your property can be expensive. You end up paying twice because State and local governments wind up spending your tax dollars to dig out ditches and storm drains that have become choked with sediment from soil erosion.



# DEP INFORMATION SHEET

## Appealing a Department Licensing Decision

**Dated: August 2021**

**Contact: (207) 314-1458**

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### **SUMMARY**

This document provides information regarding a person's rights and obligations in filing an administrative or judicial appeal of a licensing decision made by the Department of Environmental Protection's (DEP) Commissioner.

Except as provided below, there are two methods available to an aggrieved person seeking to appeal a licensing decision made by the DEP Commissioner: (1) an administrative process before the Board of Environmental Protection (Board); or (2) a judicial process before Maine's Superior Court. An aggrieved person seeking review of a licensing decision over which the Board had original jurisdiction may seek judicial review in Maine's Superior Court.

A judicial appeal of final action by the Commissioner or the Board regarding an application for an expedited wind energy development ([35-A M.R.S. § 3451\(4\)](#)) or a general permit for an offshore wind energy demonstration project ([38 M.R.S. § 480-HH\(1\)](#)) or a general permit for a tidal energy demonstration project ([38 M.R.S. § 636-A](#)) must be taken to the Supreme Judicial Court sitting as the Law Court.

### **I. ADMINISTRATIVE APPEALS TO THE BOARD**

#### **LEGAL REFERENCES**

A person filing an appeal with the Board should review Organization and Powers, [38 M.R.S. §§ 341-D\(4\)](#) and [346](#); the Maine Administrative Procedure Act, 5 M.R.S. § [11001](#); and the DEP's [Rule Concerning the Processing of Applications and Other Administrative Matters \(Chapter 2\)](#), 06-096 C.M.R. ch. 2.

#### **DEADLINE TO SUBMIT AN APPEAL TO THE BOARD**

Not more than 30 days following the filing of a license decision by the Commissioner with the Board, an aggrieved person may appeal to the Board for review of the Commissioner's decision. The filing of an appeal with the Board, in care of the Board Clerk, is complete when the Board receives the submission by the close of business on the due date (5:00 p.m. on the 30<sup>th</sup> calendar day from which the Commissioner's decision was filed with the Board, as determined by the received time stamp on the document or electronic mail). Appeals filed after 5:00 p.m. on the 30<sup>th</sup> calendar day from which the Commissioner's decision was filed with the Board will be dismissed as untimely, absent a showing of good cause.

#### **HOW TO SUBMIT AN APPEAL TO THE BOARD**

An appeal to the Board may be submitted via postal mail or electronic mail and must contain all signatures and required appeal contents. An electronic filing must contain the scanned original signature of the appellant(s). The appeal documents must be sent to the following address.

Chair, Board of Environmental Protection  
c/o Board Clerk  
17 State House Station  
Augusta, ME 04333-0017  
[ruth.a.burke@maine.gov](mailto:ruth.a.burke@maine.gov)

The DEP may also request the submittal of the original signed paper appeal documents when the appeal is filed electronically. The risk of material not being received in a timely manner is on the sender, regardless of the method used.

At the time an appeal is filed with the Board, the appellant must send a copy of the appeal to: (1) the Commissioner of the DEP (Maine Department of Environmental Protection, 17 State House Station, Augusta, Maine 04333-0017); (2) the licensee; and if a hearing was held on the application, (3) any intervenors in that hearing proceeding. **Please contact the DEP at 207-287-7688 with questions or for contact information regarding a specific licensing decision.**

### REQUIRED APPEAL CONTENTS

A complete appeal must contain the following information at the time the appeal is submitted.

1. *Aggrieved status.* The appeal must explain how the appellant has standing to bring the appeal. This requires an explanation of how the appellant may suffer a particularized injury as a result of the Commissioner's decision.
2. *The findings, conclusions, or conditions objected to or believed to be in error.* The appeal must identify the specific findings of fact, conclusions of law, license conditions, or other aspects of the written license decision or of the license review process that the appellant objects to or believes to be in error.
3. *The basis of the objections or challenge.* For the objections identified in Item #2, the appeal must state why the appellant believes that the license decision is incorrect and should be modified or reversed. If possible, the appeal should cite specific evidence in the record or specific licensing criteria that the appellant believes were not properly considered or fully addressed.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license to changes in specific license conditions.
5. *All the matters to be contested.* The Board will limit its consideration to those matters specifically raised in the written notice of appeal.
6. *Request for hearing.* If the appellant wishes the Board to hold a public hearing on the appeal, a request for hearing must be filed as part of the notice of appeal, and it must include an offer of proof regarding the testimony and other evidence that would be presented at the hearing. The offer of proof must consist of a statement of the substance of the evidence, its relevance to the issues on appeal, and whether any witnesses would testify. The Board will hear the arguments in favor of and in opposition to a hearing on the appeal and the presentations on the merits of an appeal at a regularly scheduled meeting. If the Board decides to hold a public hearing on an appeal, that hearing will then be scheduled for a later date.
7. *New or additional evidence to be offered.* If an appellant wants to provide evidence not previously provided to DEP staff during the DEP's review of the application, the request and the proposed supplemental evidence must be submitted with the appeal. The Board may allow new or additional evidence to be considered in an appeal only under limited circumstances. The proposed supplemental evidence must be relevant and material, and (a) the person seeking to add information to the record must show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process; or (b) the evidence itself must be newly discovered and therefore unable to have been presented earlier in the process. Requirements for supplemental evidence are set forth in [Chapter 2 § 24](#).

### OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license application file is public information, subject to any applicable statutory exceptions, and is made accessible by the DEP. Upon request, the DEP will make application materials available to review and photocopy during normal working hours. There may be a charge for copies or copying services.



2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing the appeal.* DEP staff will provide this information upon request and answer general questions regarding the appeal process.
3. *The filing of an appeal does not operate as a stay to any decision.* If a license has been granted and it has been appealed, the license normally remains in effect pending the processing of the appeal. Unless a stay of the decision is requested and granted, a licensee may proceed with a project pending the outcome of an appeal, but the licensee runs the risk of the decision being reversed or modified as a result of the appeal.

### **WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD**

The Board will acknowledge receipt of an appeal, and it will provide the name of the DEP project manager assigned to the specific appeal. The notice of appeal, any materials admitted by the Board as supplementary evidence, any materials admitted in response to the appeal, relevant excerpts from the DEP's administrative record for the application, and the DEP staff's recommendation, in the form of a proposed Board Order, will be provided to Board members. The appellant, the licensee, and parties of record are notified in advance of the date set for the Board's consideration of an appeal or request for a hearing. The appellant and the licensee will have an opportunity to address the Board at the Board meeting. The Board will decide whether to hold a hearing on appeal when one is requested before deciding the merits of the appeal. The Board's decision on appeal may be to affirm all or part, affirm with conditions, order a hearing to be held as expeditiously as possible, reverse all or part of the decision of the Commissioner, or remand the matter to the Commissioner for further proceedings. The Board will notify the appellant, the licensee, and parties of record of its decision on appeal.

## **II. JUDICIAL APPEALS**

Maine law generally allows aggrieved persons to appeal final Commissioner or Board licensing decisions to Maine's Superior Court (see [38 M.R.S. § 346\(1\)](#); 06-096 C.M.R. ch. 2; [5 M.R.S. § 11001](#); and M.R. Civ. P. 80C). A party's appeal must be filed with the Superior Court within 30 days of receipt of notice of the Board's or the Commissioner's decision. For any other person, an appeal must be filed within 40 days of the date the decision was rendered. An appeal to court of a license decision regarding an expedited wind energy development, a general permit for an offshore wind energy demonstration project, or a general permit for a tidal energy demonstration project may only be taken directly to the Maine Supreme Judicial Court. See 38 M.R.S. § 346(4).

Maine's Administrative Procedure Act, DEP statutes governing a particular matter, and the Maine Rules of Civil Procedure must be consulted for the substantive and procedural details applicable to judicial appeals.

### **ADDITIONAL INFORMATION**

If you have questions or need additional information on the appeal process, for administrative appeals contact the Board Clerk at 207-287-2811 or the Board Executive Analyst at 207-314-1458 [bill.hinkel@maine.gov](mailto:bill.hinkel@maine.gov), or for judicial appeals contact the court clerk's office in which the appeal will be filed.

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**Note:** This information sheet, in conjunction with a review of the statutory and regulatory provisions referred to herein, is provided to help a person to understand their rights and obligations in filing an administrative or judicial appeal. The DEP provides this information sheet for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.

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