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MEMORANDUM

TO: Naples Planning Board  
THRU: Renee Carter, Code Enforcement Officer

CC: Jediah Scott, Titcomb Associates

From: Ben Smith, AICP, Principal, North Star Planning *BSM*

RE: Knight Ficket Lot – 2<sup>nd</sup> Subdivision Amendment, Top Hill Road Subdivision  
Planning Board meeting – May 18, 2021

Date: May 17, 2021

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The following comments are based on the applicant's submission dated November 10, 2020 and supplemental information as noted. The contents of this submission include:

- Application form
  - Sketch Plan dated January 7, 2021
  - Approved Mountain View Condominiums, dated March 15, 1991
  - Approved Knight-Fickett Lot Subdivision, dated November 20, 1975
  - Letter dated April 22, 2021, stating the new road extension will be built to the Town standard
  - Report dated May 17, 2021, showing existing road gravel base depths and road widths at 4 locations on Top Hill Road.
- 

The Knight-Fickett Lot Subdivision was approved by the Planning Board on November 20, 1975. A condominium development was approved on the land labeled as Outlot on the original approval. This condominium development was for 40 dwelling units in 9 multiunit buildings, along with a pool and tennis courts, and was approved in 1991. Ultimately, only buildings 2 and 10 shown on that plan were constructed.

This amendment is for the division of the single condominium lot into 5 lots, with the 2 existing multifamily buildings shown on Lot B, and Lots A, C, D, and E proposed as lots for development of single-family residential homes.

**General Comments:**

At the Planning Board meeting on April 6, 2021, a public hearing was held for this project. Discussion focused on a few specific topics:

- Water table/drainage implications of the project
  - This project will lead to less intense development based on the plan approved by the Board in 1991, with less developed and impervious areas.
  - The proposed amendment will not change the characteristics of the current drainage patterns. Lots C, D, and E will drain toward Sebago Road and the developed area of Lot A will drain toward Top Hill Road.
  
- Open space considerations
  - The subdivision open space is shown as an easement over the land of Lot B, where the two existing condominium buildings are located.
  - This easement provides as 180- foot no-build buffer on Lot B to the property line with abutters to the east.
  - Proposed pedestrian easements over Lots D and E to benefit the owners of Lots C and D are shown on the plan dated January 7, 2021 to provide access to the subdivision open space on Lot B.
  
- Road construction and lot frontage requirements
  - In the attached letter from David Titcomb, PLS, dated April 22, 2021, the applicant clarifies that the existing portion of Top Hill Road is not proposed to be rebuilt or improved to a town standard, improvements to the existing road will be maintenance related only (new paving, and that the new portion of Top Hill Road required for access and to provide frontage for Lot A will be built to the town standard.
  - A follow up report on existing road conditions from Titcomb Associates dated May 17, 2021, shows four road core locations evenly spaced on the existing road to demonstrate that the existing road gravel depths and widths meet or exceed the current town standards.
  - Proposed Lots D and E will have direct driveway access onto Sebago Road, while Lots A and C will have new driveway access onto Top Hill Road.

**Suggested Condition of Approval:**

1. No building permit shall be issued for Lot A until the required extension of Top Hill Road is completed and built to the town's Minor Road standards.



May 17, 2021

Town of Naples Planning Board  
15 Village Green Lane  
Naples, Maine 04055

**Re: Plan of Amended Subdivision for Naples Mountainview Associates, Inc.  
Top Hill Road, Naples, Maine  
Tax Map R-5, Lot 14**

In order to demonstrate that Top Hill Road currently meets Town Standards for road base minimum (18") listed for Minor Streets in Naples Land Use Ordinance, Appendix A, find attached exhibits showing gravel depth at four evenly spaced locations along Top Hill Road excavated on May 15, 2021. As shown on the attached exhibits, each test pit has at least 20" of gravel at the date of excavation.

**Test Pit A**  
Station 1+75



Gravel Depth: 21"+  
Road Width: 23'±

**Test Pit B**  
Station 3+90



Gravel Depth: 20"+  
Road Width: 23'±

**Test Pit C**  
Station 5+40



Gravel Depth: 21"  
Road Width: 23'±

**Test Pit D**  
Station 6+90



Gravel Depth: 21"  
Road Width: 22'±



April 22, 2021

Town of Naples Planning Board  
15 Village Green Lane  
Naples, Maine 04055

**Re: Plan of Amended Subdivision for Naples Mountainview Associates, Inc.  
Top Hill Road, Naples, Maine  
Tax Map R-5, Lot 14**

During our previous meeting on April 6, 2021 regarding the application of Major Subdivision for Naples Mountainview Associates Inc., it was requested that we provide more information to the Planning Board concerning the construction of Top Hill Road.

Following approval of the Naples Mountainview Condominiums in 1991, a private road was constructed leading to 2 buildings containing 8 condominium units (the plan originally depicted 9 buildings containing 40 units). The road (Top Hill Road) has been in continuous use since this time. Over the past 30 years, the road base has remained intact without significant slumping or erosion. The paved surface has experienced some deterioration which is to be expected with little to no maintenance since the initial construction. Given the fact the road has not experienced significant degradation over this period of time, and is used daily by the condominium residents, provides evidence that the road base was constructed to the applicable standards. The applicant is proposing to upgrade the road to town standards by placement of two inches of asphalt pavement along the existing roadway and a minimum width of 18 feet.

We are proposing four additional single family lots, two of which will be accessed from Top Hill Road. This will have a negligible impact relative to its historical usage. We ask for approval of the Major Subdivision with the condition that prior to issuance of an occupancy permit for Lot A, the proposed extension of Top Hill Road (from Station 6+87 to 9+37, 250', providing access/frontage for proposed Lot A) will be constructed to meet Town standards according to Town of Naples Land Use Ordinance dated April 30, 2019 as amended through February 20, 2020. No additional construction is proposed on Top Hill Road as part of this application.

In summary,

- The existing Top Hill Road has been functioning for 30 years in a manner consistent with the design parameters and will receive maintenance in the form of pavement resurfacing in accordance with Town standards.
- The issuance of an occupancy permit for Lot A will be contingent upon the proper construction of the proposed road extension of Top Hill Road.
- The proposed subdivision will consist of 4 single family lots in addition to the existing 2-building 8-unit condominium, which is substantially less than the 9-building 40-unit project previously approved by the Town of Naples Planning Board.

Thank you for your consideration of this application. If you need additional information, or if you have any questions, please do not hesitate to call me.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Titcomb', written in a cursive style.

David E. Titcomb, PLS  
President, Titcomb Associates



From 4/6/21



*Titcomb Associates*

Land Surveying    Land Planning

133 Gray Road  
Falmouth, Maine 04105-2029  
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March 18, 2021

Town of Naples Planning Board  
15 Village Green Lane  
Naples, Maine 04055

**Re:    Plan of Amended Subdivision for Naples Mountainview Associates, Inc.  
      Top Hill Road, Naples, Maine  
      Tax Map R-5, Lot 14**

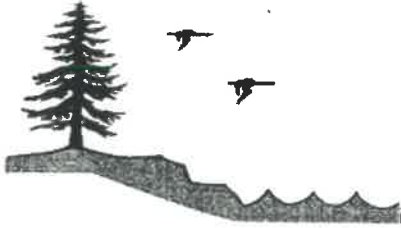
Our firm is submitting additional materials to satisfy requirements of Preliminary Plan Submissions for Major Subdivision. Enclosed, please find the following:

- Major Subdivision Application
- List of requested waivers

Thank you for your consideration of this application. If you need additional information, or if you have any questions, please do not hesitate to call me.

Sincerely,

David E. Titcomb, PLS  
President, Titcomb Associates



# TOWN OF NAPLES PLANNING BOARD APPLICATION

P.O. Box 1757, Naples, Maine 04055  
Phone: (207) 693-6364 / Fax: (207) 693-3667

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

## Major Subdivision Application

Date: 3/18/2021

Owner/Applicant Name: Naples Mountainview Associates, Inc. (c/o Titcomb Associates, agent)

Mailing Address: 133 Gray Road, Falmouth, Maine 04105

Telephone: (207) 797-9199 Email: jscott@titcombsurvey.com / dtitcomb@titcombsurvey.com

Property Owner: Naples Mountainview Associates, Inc.

Property Location: Top Hill Road, Naples Map & Lot: R05/14  
included in packet (3/16)

Any easements, covenants, or deed restrictions related to the property? and noted on plan

Zoning District: rural Waivers requested: see list attached  
A list must be submitted for waivers

Name, address, & phone # of applicants engineer, land surveyor or planner: \_\_\_\_\_  
David Titcomb, PLS  
133 Gray Road, Falmouth, Maine (207) 797-9199

The undersigned, being the applicant, owner or legally authorized representatives, states that all information contained in this application is true and correct to the best of his/her knowledge and hereby does submit the information for review by the Town and in accordance with applicable ordinances, statues, and regulation of the Town, State and Federal governments.

Date: March 18, 2021 Signature: 

### Fee Schedule:

Advertising: \$50.00

Fee per abutter: \$7.00

Residential Subdivision: \$500.00 + \$500 per proposed lot

Commercial Subdivision: \$750 + \$750.00 per proposed lot

Modification of approved plan: \$100.00 + \$500/\$750 per proposed lot

Commercial Initial permit: \$100.00

Applicants Total: \$ 2,220

**A preliminary plan must be submitted within six months of a sketch plan.**

**You must submit 9 copies of this application, the letter of intent, and all supporting documents 21 days prior to the meeting to be considered by the Planning Board.**

**TOWN OF NAPLES**  
**Checklist and Findings of Fact**  
**For**  
**Major Subdivision**

Name of Proposed Subdivision: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_ Owner: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

<b>Sketch Plan Submissions</b>		Submitted by Applicant	NA	Applicant Request to be waived	Rc vd. By PB	Waive
Required						
	Roads and lot layout on topo map					
	Existing site conditions (buildings, wetlands, perennial streams, etc.					
	Medium intensity soil survey including soil interpretation.					
	Available or proposed utilities.					
	Existing and proposed covenants or deed restrictions.					
	General information, regarding proposal as to typical lot size, price range, public access areas, or other pertinent information.					
<b>Preliminary Plan Submissions</b>		Submitted by Applicant	NA	Applicant Request to be waived	Rc vd. By PB	Waive
	1. Location Map (1 inch = 50 ft.) All areas within 2,000 ft. of property lines in subdivision.					
	2. Subdivision name/title and town on plan.					
	3. Name/address of record owner, sub divider and designer of plan.					
	4. Number of acres in subdivision, property lines, easements, buildings and watercourses.					
	5. Any subdivisions adjacent to property and owner of record of adjacent property.					
	6. Minimum guidelines of applicable zoning boundaries affecting subdivision.					
	7. Location and size of water mains, culverts and drains proposed or existing on property.					
	8. Names, locations and width of existing and proposed streets (including grades and profiles), highways, easements, parks and open spaces.					
	9. Contour lines; intervals to be determined by Planning Board.					
	10. Soils suitability reports for area in subdivision (total area and lot by lot).					
	11. Typical cross sections of the proposed grading for roadways.					
	12. Date, true north graphic scale.					
	13. Deed description and survey map certified by registered land surveyor.					

<b>Preliminary Plan Submissions</b>		Submitted by Applicant	NA	Applicant Request to be waived	Rc vd. By PB	Waive
	14. Water supply provisions.					
	15. Proposed sewage disposal systems.					
	16. If private sewage system, location and results of tests.					
	17. Drainage plan for collecting and discharging stormwater drainage.					
	18. Preliminary bridge or culvert designs.					
	19. Proposed lot lines with dimensions and approximate location of buildings.					
	20. Location of temporary markers as allow.					
	21. Land proposed for open space requirement					
	22. Location of all natural features to be reserved.					
	23. Soil erosion and sedimentation control plan composed by Cumberland County Soil & Water Conservation District (CCS & W).					

<b>Final Plan Submissions</b>		Submitted by Applicant	NA	Applicant Request to be waived	Rc vd. By PB	Waive
	1. All information presented on the Preliminary Plan and location map and any amendments required by Planning Board.					
	2. Official stamp of land surveyor, architect, engineer or consultant who prepared plan.					
	3. Street names, pedestrian ways, lots, easements and areas to be reserved for or dedicated to public use.					
	4. Engineered locations, bearings and lengths or streets, lot lines and boundary lines physically shown on ground.					
	5. Length of all straight lines, deflection angles, radii, length of curves and central angles of all curves, tangent distances and tangent bearings for each street.					
	6. Designated open space areas on plan; reference to title holder/holders.					
	7. Lots and blocks within subdivision numbered in accordance with local practice.					
	8. Permanent reference monuments according to specifications herein and locations referenced on Final Plan.					
	9. Open space title and deed documents.					
	10. Written approval of open space documents by municipal officers.					
	11. Performance bond to secure completion of all required improvements and written approval by municipal officers as to the sufficiency of said bond.					

All of the information has been submitted and \_\_\_\_\_ meets \_\_\_\_\_ does not meet all of the requirements of the Town of Naples subdivision ordinance. The Planning Board has approved the \_\_\_\_\_ sketch \_\_\_\_\_ preliminary \_\_\_\_\_ final with the following conditions and waivers:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Planning Board Chair                      Dated: \_\_\_\_\_



*Titcomb Associates*

**Land Surveying    Land Planning**

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March 18, 2021

Town of Naples Planning Board  
15 Village Green Lane  
Naples, Maine 04055

**Re:    Plan of Amended Subdivision for Naples Mountainview Associates, Inc.  
      Top Hill Road, Naples, Maine  
      Tax Map R-5, Lot 14**

Our firm would like to submit a request for waivers of items listed in the Preliminary Plan Submissions section of the Major Subdivision Application.

**Item 8**

Waiver requested for grades and profiles of existing and proposed streets.

**Item 11**

Waiver requested for typical cross sections of proposed roadways. (none proposed)

**Item 16**

Waiver requested for private septic tests.

**Item 17**

Waiver requested for drainage plan.

**Item 18**

Waiver requested for preliminary culvert designs.

**Item 19**

Waiver requested for proposed building locations. (none proposed, setbacks shown)

**Item 23**

Waiver requested for soil erosion and sedimentation control plan.



**Wetland Investigation and Soil Report  
Mountainview Condos Property  
Tophill Road, Naples**

**Date:** February 2, 2021

**To:** David Titcomb  
Titcomb Associates  
133 Gray Road  
Falmouth, ME 04105

**Wetlands Summary:**

Palustrine forested wetlands were found, flagged and delineated on the property. The drainage to the north of the condo driveway is a jurisdictional stream, according to Maine DEP. Wetlands within 25 feet of the stream are Wetlands of Special Significance (WOSS). All other wetlands found on the property are not WOSS and no buffers of no-disturbance apply. Direct filling or disturbance of any wetlands will require a Permit from Maine DEP. There are no potential vernal pools on the proposed lots.

**Soil and Wastewater Summary:**

Four suitable sites for residential dwelling wastewater disposal were found, described and located.

**Dates of Investigation:** January, 2021

**Location of the Investigation:**

The property investigated is located on the Mountainview Condos property, on Tophill Road, Naples.

### **Purposes of the Investigation:**

The purposes of the wetland investigation are to identify and describe wetlands on the property according to definitions in the Maine Natural Resources Protection Act (the *NRPA*) to determine if specific alteration and filling permits are required and if there are any setbacks required under the *NRPA*, to determine the Maine DEP jurisdictional status of any streams and to identify any potential vernal pools.

The purpose of the soil investigation is to identify, describe and locate representative suitable areas for wastewater disposal, according to the Maine Subsurface Wastewater Disposal Rules (the *Rules*), to accommodate single family homes on four proposed lots.

### **Methods of the Investigation:**

A literature search and on-site investigations were made. The investigations were performed following the guidelines described in the 1987 Corps of Engineers Delineation Manual and the 2009 Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region. This procedure uses a multiple parameter approach that requires the presence of three primary components for an area to be identified as a wetland: 1) hydric soils; 2) predominance of hydrophytic vegetation; and 3) wetland hydrology.

The *Naples Mountainview Condominiums Route 114, Naples* by Titcomb Associates, dated October 24, 1988 was used in the field during the investigation.

Wetland/upland boundary features were identified and flagged in the field and were located by a Trimble Geo-XT GPS device, capable of sub meter accuracy. Soil test pits dug by hand with a shovel and soil probe were done for the on-site wastewater disposal investigation and were flagged in the field and were also located by GPS.

The GPS data was post processed for accuracy and sent to Titcomb Associates as an AutoCAD file to be included as a layer on the site plan.

### **Site Location and Description:**

The property is located on the easterly and westerly facing slopes of a small knoll situated between Brandy Pond and Trickey Pond. Drainage is to Brandy Pond by way of wetland swales and an unnamed stream (see Figure 1).

The property is depicted as Hermon sandy loam on the *National Cooperative Soil Survey* (see Figure 2). There are no wetlands depicted on the property on the *National Wetlands Inventory*.

### **Results of the Wetlands Investigation:**

Wetlands were found, flagged and located in several areas. On the lower slopes of the hill fronting Route 11/114 there are wetlands developed in small swales. These are palustrine, forested wetlands and are not associated with jurisdictional stream drainages, according to Maine DEP. The wetlands are not Wetlands of Special Significance (WOSS), and there are no buffers of no-disturbance associated with these wetlands. Direct disturbance of the wetlands is regulated by the *NRPA*.

Wetlands of Special Significance are associated with the short section of the stream near Route 11/114 that flows northerly of the driveway. The stream is a jurisdictional stream according to the *NRPA* and wetlands within 25 feet are WOSS. No disturbance of these wetlands, or the stream, are required for the lots to be developed.

On the westerly portion of the property there is a palustrine forested wetland located in a swale flowing northerly. There is no jurisdictional stream in this wetland and the wetland is not a WOSS.

### **Results of the Soil and Wastewater Disposal Investigation:**

Soil test logs are attached. Four soil test holes for wastewater disposal were logged and located. The soils are sandy loam to loamy sand in texture and boulders prevented excavation to 48 inches. The sites are classified as Medium by the Rules for wastewater disposal sizing and are classified as 4C. Site reconnaissance indicates there are other suitable sites, not tested or located.

Typical three-bedroom disposal areas are stone beds, 20' x 40' in size. Other disposal system options are available that save space, including plastic chambers and Eljen Indrains. The proposed lots are also suitable for 4-bedroom homes.



Mark Cenci

Maine Licensed Geologist #467

Maine Licensed Site Evaluator #262

Figure 1.



2/2/2021 2:25:55 PM

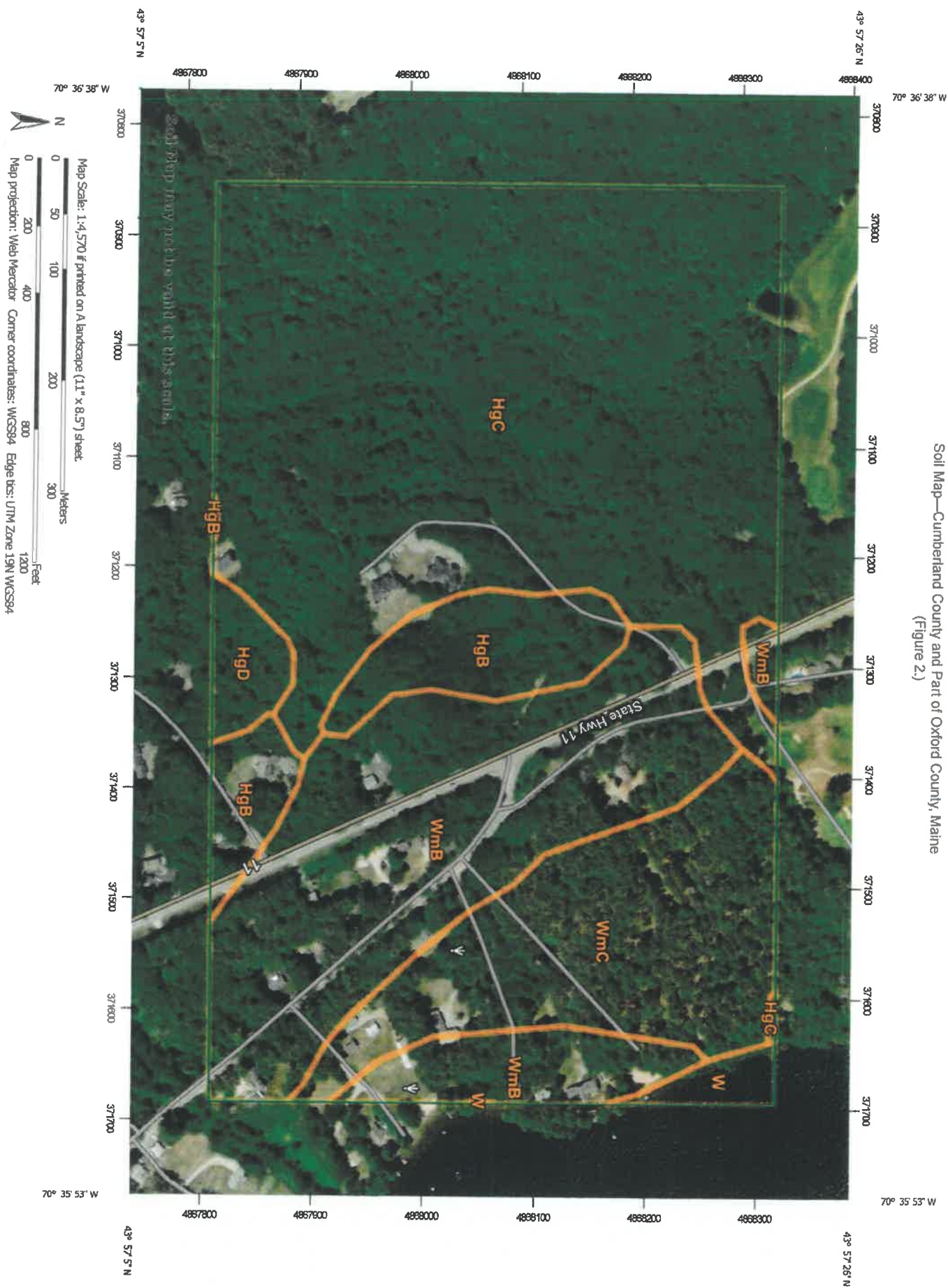
Normal Intermediate Contours

Normal Index Contours



Copyright © 2013 National Geographic Society, Inc. USGS The National

Soil Map—Cumberland County and Part of Oxford County, Maine  
(Figure 2.)



## MAP LEGEND

 Area of Interest (AOI)	 Spoil Area
 Soils	 Stony Spot
 Soil Map Unit Polygons	 Very Stony Spot
 Soil Map Unit Lines	 Wet Spot
 Soil Map Unit Points	 Other
 Special Point Features	 Special Line Features
 Blowout	 Water Features
 Borrow Pit	 Streams and Canals
 Clay Spot	 Transportation
 Closed Depression	 Rails
 Gravel Pit	 Interstate Highways
 Gravelly Spot	 US Routes
 Landfill	 Major Roads
 Lava Flow	 Local Roads
 Marsh or swamp	 Background
 Mine or Quarry	 Aerial Photography
 Miscellaneous Water	
 Perennial Water	
 Rock Outcrop	
 Saline Spot	
Sandy Spot	
Severely Eroded Spot	
Sinkhole	
Slide or Slip	
Sodic Spot	

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

**Warning:** Soil Map may not be valid at this scale. Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

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

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

Soil Survey Area: Cumberland County and Part of Oxford County, Maine  
Survey Area Data: Version 17, Jun 5, 2020

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

Date(s) aerial images were photographed: Sep 5, 2013—Oct 22, 2017

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

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HgB	Hermon sandy loam, 3 to 8 percent slopes	7.3	6.9%
HgC	Hermon sandy loam, 8 to 15 percent slopes	51.8	49.2%
HgD	Hermon sandy loam, 15 to 25 percent slopes	1.9	1.8%
W	Water	1.2	1.1%
WmB	Windsor loamy sand, 0 to 8 percent slopes	27.4	26.0%
WmC	Windsor loamy sand, 8 to 15 percent slopes	15.7	14.9%
<b>Totals for Area of Interest</b>		<b>105.1</b>	<b>100.0%</b>

