



MEMORANDUM

TO: Naples Planning Board
Allison Desrochers, Assistant to Code Enforcement Officer

CC: George Sawyer Sebago Technics Inc.

From: Sam Peikes, Associate Planner, North Star Planning *SP*

RE: Swaim Amended Subdivision
Planning Board Meeting– December 6, 2022

Date: November 29, 2022

Overview

The applicant is proposing to make amendments to the existing Lambs Mill Estates Subdivision that was approved in 1989. The proposed change involves combining the three lots into two new lots with one large 4.5-acre lot for the existing barn buildings and a 2.4 acre lot for the existing house. The large barns will remain unchanged and the smaller barn will be renovated from its current use as an office into a three-unit apartment building. The subdivision is located in the Rural District at Tax Map R04 Lots 23-4, 23-5, and 23-6.

The application was last brought to the Planning Board for the meeting on October 4. The plan showed two lots; one large 5.79 acre lot and a 1.1 acre back lot. A back lot is not allowed in a subdivision approved after 1986 and may only be created on a lot in existence as of June 8, 2001. At that meeting, the Board advised the applicant to change the lot lines so that there would be no back lot. Since that meeting, the applicant has submitted an updated plan showing two lots; a 4.5 acre lot and a 2.4 acre lot. Both lots have at least 100 feet of road frontage on Lambs Mill Road.

Applicant: Karen Swaim

Owner: Same as applicant

Location: 185 Lambs Mill Road

Zoning: Rural

Tax Map Number: Map R04 Lots 23-4, 23-5, 23-6

Existing Land Use: 3-lot subdivision with existing barns and house

Proposed Land Use: amended subdivision

Acreage: 6.9 acres

Waivers: The applicant is requesting a waiver from Section 1005 2bb. A soil erosion and sediment control plan.

Site Walk: The Board should decide if a site walk is necessary for this project.

Public Hearing: A public hearing is not required for an amended subdivision. The Board should decide if a public hearing is necessary.

Completeness Review: A completeness review is not applicable for amended subdivisions.

Suggested Motion: To **[approve/approve with condition(s)/deny]** the Swaim Amended Subdivision Plan located at Tax Map R04 Lots 23-4, 23-5, and 23-6 based on the Findings of Fact and Conclusions from the Planner memo dated November 29, 2022.

Subdivision Review

FINDINGS OF FACT

1. Water & Air Pollution

- The proposed subdivision amendment will not result in water or air pollution.

2. Water Supply & Sewage Waste Disposal

- The subdivision will utilize the existing well for water supply and septic for sewage disposal.
- No change to water supply is proposed.
- The existing septic system located in Lot B will be replaced by a larger system.
- The applicant has attached a subsurface wastewater disposal system application dated May 31, 2022 and has provided a septic disposal design certified by Harris Septic Solutions Inc.

3. Soil Erosion & Storm Water

- Surface drainage on site generally flows north away from Lambs Mill Road.
- No grading within the subdivision is proposed.
- The subdivision amendments will not alter existing stormwater drainage patterns.
- The applicant is requesting a waiver from Section 1005 2bb. A soil erosion and sediment control plan. There will be no soil disturbance on site other than for the placement of the new septic system.
- The subdivision amendments will not cause soil erosion.

4. Wetlands & Floodplains

- No wetlands were identified within the subdivision.
- The subdivision is not located within the 100-year floodplain.

5. Vehicular & Pedestrian Access

- Access to the subdivision is from the existing gravel drive off Lambs Mill Road.

- An access easement will be provided for Lot B for use of the existing gravel drive. The new easement should be recorded in the deed.
- The subdivision amendments will not increase vehicular traffic.

6. Municipal Services

- No negative adverse impact on municipal services will result from the subdivision amendments.

7. Environmental and Scenic

- No significant wildlife, natural areas, or scenic resources were identified within the subdivision.

8. Financial & Technical Capacity

- The applicant has retained the services of George Sawyer of Sebago Technics Inc. to survey lot lines and provide a plan of the site.
- No changes to the existing site infrastructure is proposed, therefore a letter of financial capacity from a bank or financial institution is not applicable for this project.

CONCLUSIONS:

1. The proposed subdivision **will not** result in undue water or air pollution.
2. The proposed subdivision **will** have sufficient water available for the reasonably foreseeable needs of the subdivision.
3. The proposed subdivision **will not** cause an unreasonable burden on an existing water supply.
4. The proposed subdivision **will not** cause unreasonable soil erosion or reduction in the capacity of the land to hold water.
5. The proposed subdivision **will not** cause unreasonable highway or public road congestion or unsafe conditions.
6. The proposed subdivision **will** provide for adequate solid and sewage waste disposal.
7. The proposed subdivision **will not** cause an unreasonable burden on the ability of a municipality to dispose of solid waste and sewage.
8. The proposed subdivision **will not** place unreasonable burden on the ability of the local governments to provide municipal or governmental services.
9. The proposed subdivision **will not** have an undue adverse effect on the scenic or natural beauty of the area.
10. The proposed subdivision **will** be in conformance with a duly adopted subdivision regulation or ordinance.
11. The subdivider ~~**will/will not**~~ have adequate financial and technical capacity to meet the standards. **(N/A)**
12. ~~Whenever situated, in whole or in part, within 250 feet of any pond, lake, river or tidal waters, the proposed subdivision **will/will not** adversely affect the quality of such body of water. **(N/A)**~~
13. ~~The 100-year flood boundary **is/is not** shown on the plan. **(N/A)**~~
14. ~~All freshwater wetlands **have/have not** been identified on maps submitted as part of the application. **(N/A)**~~
15. ~~All farmland within the proposed subdivision **has/has not** been identified on maps submitted as part of the application. **(N/A)**~~
16. ~~Any rivers, streams, or brooks within or abutting the proposed subdivision **have not** been identified on maps submitted as part of the application. **(N/A)**~~

17. The proposed subdivision **will** provide for adequate storm water management.
18. ~~Any lots in the proposed subdivision with frontage on a river, stream, brook, or great pond~~ **have/do not have** a lot depth to shore frontage ratio greater than 5 to 1. **(N/A)**
19. ~~The long term cumulative effects of the proposed subdivision~~ **will/will not** unreasonably increase the great pond's phosphorus concentration during the construction phase and life of the proposed subdivision. **(N/A)**
20. ~~If the subdivision crosses municipal boundaries, the proposed subdivision~~ **will/will not** cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality. **(N/A)**
21. ~~Timber on the parcel~~ **has/has not** been harvested in violation of liquidation harvesting statutes and rules. **(N/A)**