

**STREET CONSTRUCTION APPLICATION
TO TOWN OF RAYMOND**

FOR

MILA'S WOODS ROAD

**LOCATED OFF ROOSEVELT TRAIL
RAYMOND, MAINE**

PREPARED FOR

NICOLAS CUMMINGS

**PO BOX 1855
WINDHAM, MAINE 04062**

PREPARED BY

DM ROMA
CONSULTING ENGINEERS

**P.O. BOX 1116
WINDHAM, MAINE 04062**

MARCH 13, 2024



ATTACHMENT 1 – LOCATION MAP

See attached vicinity map.

ATTACHMENT 2 – ROADWAY CONSTRUCTION PLANS

See attached Roadway Plan & Profile and Construction Details prepared by DM Roma Consulting Engineers. Property boundary information was obtained from Wayne Wood & Company Land Surveyors.

PROPOSED USE NARRATIVE

This property received subdivision approval from the Town of Raymond under the name “Painted Ridge Subdivision” but the project was never built. The applicant has constructed a shared driveway in the general location of “Bridle Path” and “Equine Lane” as shown on the Painted Ridge Subdivision Plan that serves two new single-family dwellings that are currently under construction on two adjacent lots. The driveway is shared for the first 100 feet, and then it extends an additional 1,400 feet to the second dwelling unit. The proposal is to improve the shared driveway to meet the standards for a private road serving up to a maximum of 10 dwellings. The proposed roadway plans also include a hammerhead turn-around to be constructed in conformance with the Town’s construction standards for dead-end streets.

RIGHT, TITLE AND INTEREST OF APPLICANT

The applicant owns fee interest in the land to be dedicated as a private Right-of-way.

UTILITIES

Overhead power was installed along the driveway to provide electrical and cable utilities to the new home that is being built on the property. There are no proposed modifications to the overhead utilities that have been installed. There is no sewer or water infrastructure available for extension. Lots served by the private way will require private on-site wells and subsurface wastewater disposal systems.

SOILS AND WETLANDS

The enclosed medium intensity soils map indicates that soils in the vicinity of the proposed road construction activities consist of Hermon sandy loam, having a hydrologic soil group classification of “A” and Woodbridge very stony fine sandy loam, having a hydrologic soil group classification of “C”. There is a small existing pond located to the right-hand side (west) of STA 3+50 that is man-made by a previous lot



CONSULTING ENGINEERS

owner and controlled by an existing culvert. It will be necessary to fill into this pond and extend the culvert, however it is our understanding that this pond is a man-made impoundment and not a jurisdictional wetland and does not require permitting.

ROADWAY DESIGN STANDARD

The roadway has been designed based on the Town's design standards for a Private Way that will serve up to 10 lots, which consists of a 16-foot travel way with a 3-foot shoulder on each side.

ANTICIPATED CONSTRUCTION SCHEDULE

The proposed roadway improvements are expected to begin upon receipt of approvals from the Town of Raymond, and would be expected to be completed within 4 to 6 weeks.

ROADWAY MAINTENANCE AGREEMENT

A roadway maintenance agreement will need to be prepared and filed with the Cumberland County Registry of Deeds indicating that the road will remain private and must be maintained by the property owners having rights to utilize the road. We request that the recording of a Road Maintenance Agreement be made a condition of approval.

STORMWATER MANAGEMENT

Ditches will be maintained and improved where necessary adjacent to the roadway shoulders to provide adequate conveyance of stormwater runoff and erosion control. Culverts have been installed in several locations where necessary, and riprap will be installed at the inlets and outlets of these culverts to provide scour protection. There are no additional proposed culverts associated with this roadway construction.

Town of Raymond Planning Board

Application for Subdivision and Site Review

rev 1-25-17

Office Use Only

Filing Fee\$_____ Abutter notices \$_____

Legal ad fee\$_____ Fire Department\$_____

Escrow \$_____ Total fees \$_____

Fees will be calculated after application is submitted prior to being scheduled for hearing.

Property InformationMap 4 Lot 15 BZoning District LRR2Street Address: Mila's Woods Road

Deed Reference

Book 39319 Page 327Parcel Size 62 Acres +/-**Applicant Information**Name: Nicolas CummingsTelephone: 310 - 8507Address: PO Box 1855

Fax: _____

Windham, ME 04062email: cummingspropertyservices@yahoo.com

Note: Attach permission from owner if application not signed by owner.

Agent InformationX check here if correspondence should be directed to agentName: Dustin Roma, DM Roma Consulting EngineersTelephone: 310 - 0506Address: PO Box 1116, Windham, ME 04062

Fax: _____

email: Dustin@dmroma.com**Owner Information:**Name: Same as Applicant

Telephone: _____

Address: _____

Fax: _____

email: _____

Proposed Development (check all that apply) Subdivision Site Plan Pre-Application Conference Preliminary Plan Review Final Plan Review X Other: Road Construction Permit**Project Type:** Single Family Subdivision Multi-family Development Commercial Industrial X Other: Road Construction Permit

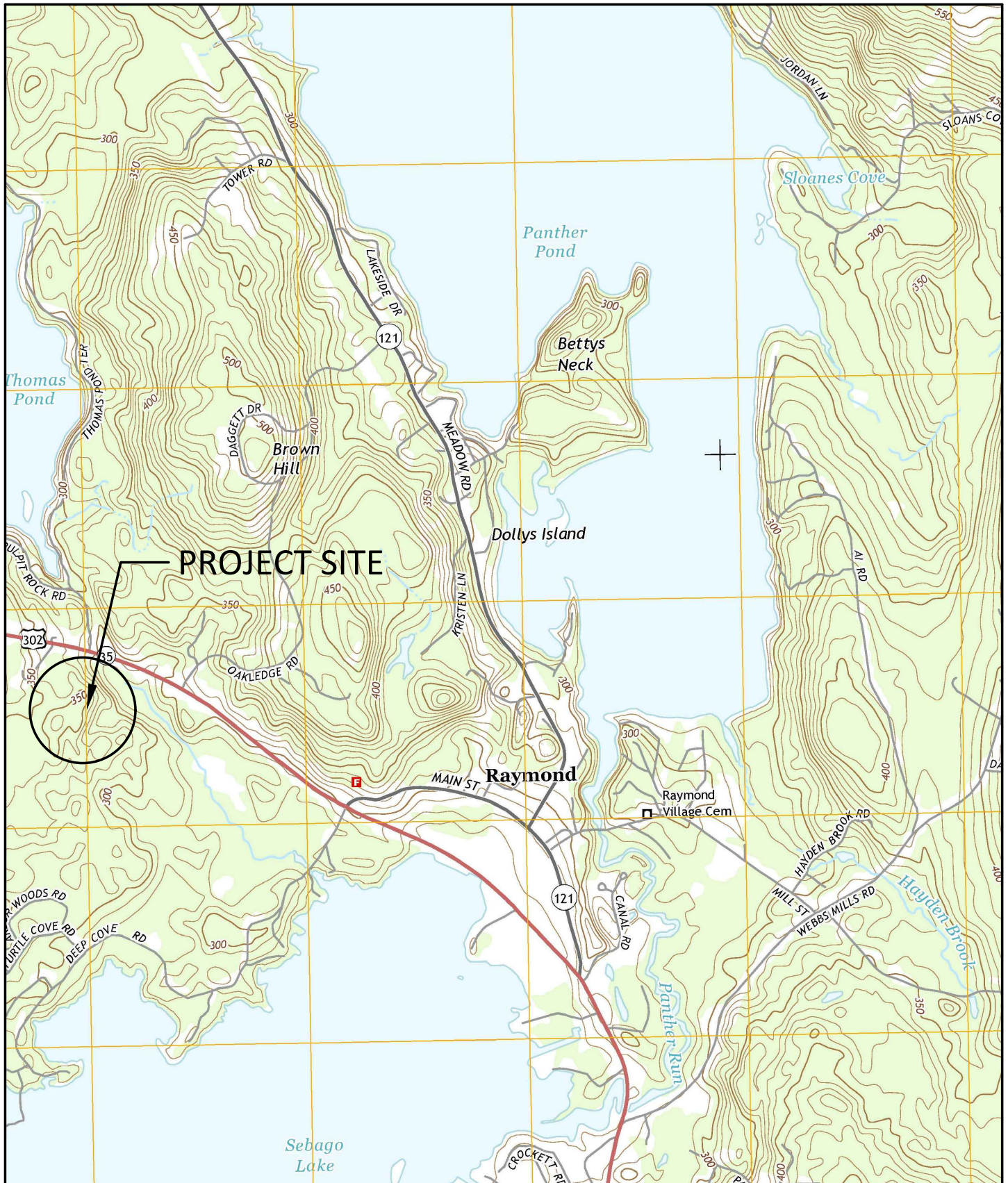
_____ Number of Lots
 _____ Number of Units
 _____ **Total Square Footage of Comm./Ind. Bldgs.**

Mila's Woods Road (existing named shared driveway)

_____ Zoning Board of Appeals: ___ Variance ___ Special Exception
_____ ME Dept. of Environmental Protection

The undersigned, by their signature below authorizes any member of or authorized agent of the Town of Raymond or other review agency to enter the property for the purposes of review of this application.

Signature of Owner's Agent 3-13-2024
Date



SITE LOCATION MAP

MILA'S WOODS ROAD
RAYMOND, MAINE

SCALE: 1"=2,000'
DATE: 3-13-2024
JOB NUMBER: 23003

DM ROMA

CONSULTING ENGINEERS

P.O. BOX 1116
WINDHAM, ME 04062
(207) 591-5055

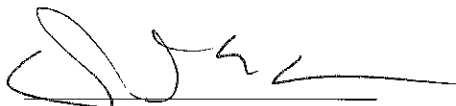
QUITCLAIM DEED
With Covenant

DLN: 1002240188777

JAMES E. CUMMINGS, an individual residing in Windham, Maine, with a mailing address of P.O. Box 957, Windham, ME 04062, for consideration paid, grants to **NICOLAS A. CUMMINGS**, an individual residing in Windham, Maine, with a mailing address of 7 Cliff Drive, Windham, ME 04062, with quitclaim covenant, a certain lot or parcel of land situated in Raymond, County of Cumberland and State of Maine, more particularly described on Exhibit A attached hereto.

Meaning and intending to convey and hereby conveying a portion of the property that the Grantor acquired in two deeds, the first from Edward G. Bennett, et al., which deed was dated September 19, 2003, and recorded in the Cumberland County Registry of Deeds in Book 20301, Page 83, and the second from Mark D. Floor, which deed is dated July 24, 2013, and recorded in said Registry of Deeds in Book 30893, Page 296.

IN WITNESS WHEREOF the undersigned has executed this instrument on this 7th day of March, 2022.

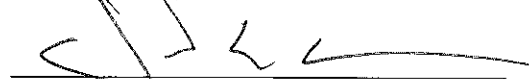

Witness


James E. Cummings

STATE OF MAINE
COUNTY OF CUMBERLAND, SS

Then personally appeared on this 7th day of March, 2022, the above named James E. Cummings, and acknowledged the forgoing instrument to be his free act and deed.

Before me.


Notary Public

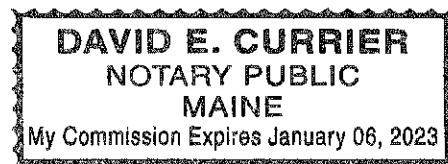


Exhibit A

James E. Cummings to Nicolas A. Cummings

Page 1 of 4

A certain lot or parcel of land, together with all appurtenances belonging thereon, situated in Raymond, Cumberland County, State of Maine, lying on the Southwesterly side of the current location of the main highway leading from Casco to Windham, commonly known as Route No. 302, and more particularly bounded and described as follows:

Beginning at a 5/8" diameter rebar with cap no. 1057 driven into the ground at the Southwesterly edge of the assumed road line of said highway at land now or formerly of the heirs of Stanley Leach; thence run South 54°02'35" West by land of said Leach heirs, a total distance of 2,724.61 feet, more or less, to a 5/8" diameter rebar with cap No. 1057 driven into the ground at land now or formerly of Bruce Saunders; thence run South 36°17'31" East by land of said Saunders, a distance of 941.57 feet, more or less, to a 1" diameter iron pipe in stones, being the common corner of lands now or formerly of said Saunders, Millikin and Gaudin; thence run South 36°38'02" East by land of said Gaudin, a distance of 271.12 feet, more or less, to a 5/8" diameter rebar with cap No. 1057 driven into the ground for a corner at land now or formerly of Shivley Laboratories; thence run North 54°02'35" East by land of said Shivley Laboratories, a distance of 1,245.21 feet, more or less, to a 5/8" diameter rebar with cap No. 1057 driven into the ground at land conveyed by Edward G. Bennett, et al., to John M. Bennett by deed dated September 9, 2003, recorded in the Cumberland County Registry of Deeds in Book 20301, Page 75; thence run North 35°57'25" East, a distance of 612.74 feet, more or less, to a 5/8" diameter rebar with cap No. 1057 driven into the ground for a corner; thence run North 54°02'35" East a distance of 712.00 feet, more or less, to a 5/8" diameter rebar with a cap No. 1057 driven into the ground for a corner; thence run South 35°57'25" East a distance of 562.75 feet, more or less, to a point; thence run North 54°02'35" East a distance of 552.03 feet, more or less, to a point; thence run North 35°57'25" West a distance of 250.00 feet, more or less, to a point; thence run North 54°02'35" East a distance of 450.00 feet, more or less, to a point on the Southwesterly boundary line of land now or formerly of Helen J. Brown (the last six courses all run by land conveyed by Edward G. Bennett, et al., to John M. Bennett by said deed dated September 9, 2003); thence run North 35°57'25" West by land of Helen J. Brown a distance of 200.01 feet, more or less, to a 5/8" diameter rebar with cap No. 1057 driven into the ground at the Southwesterly edge of the assumed road line of said main highway; thence run Northwesterly by said main highway, as it trends, a total distance of 878.98 feet, more or less, to the 5/8" diameter rebar with cap No. 1057 driven into the ground, being the bound begun at. Said parcel is supposed to contain 66.93 acres, more or less. The foregoing parcel is depicted as "Parcel 3" on a survey plan, entitled "Property Plan Lot Division, Route 302, Raymond, Maine, made for John M. Bennett" by John D. Palmiter, PLS No. 1057, dated February 20, 1997, the same having been recorded in said Registry of Deeds, Plan Book 203, Page 401. The basis of bearings is Magnetic North 1996.

Exhibit A

James E. Cummings to Nicolas A. Cummings

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Excepting and reserving the parcel that James E. Cummings conveyed to Jonathan R. Wood, et al., by deed dated July 20, 2018, recorded in said Registry of Deeds in Book 35006, Page 324.

The Grantor makes this conveyance subject to a Recreational Easement Deed granted by James E. Cummings, et al., to The Inhabitants of the Town of Raymond, which deed is dated September 11, 2007, recorded in said Registry of Deeds in Book 25460, Page 212.

Saving, excepting and reserving also, however, appurtenant to that contiguous parcel of real estate conveyed by Edward G. Bennett, et al., to John M. Bennett, by deed dated September 19, 2003, and recorded in said Registry of Deeds in Book 20301, Page 75, a right of way for all purposes, including installation of all manner of above-ground or subterranean utilities leading over a strip of land, being 100 feet in width throughout its entire length, the same to be used and enjoyed in common with Edward G. Bennett, et ux., and the said John M. Bennett, their respective heirs and assigns. The portion of the above-described parcel over which the right of way is located is more particularly described in accordance with said survey plan as follows:

Beginning at a point which is located 25.38 feet, more or less, Southeasterly as measured along the Southwesterly edge of the assumed road line of said highway from the Northerly-most corner thereof of the above described parcel of land; thence run South $31^{\circ}55'15''$ West a distance of 229.84 feet, more or less; thence run Southwesterly on an arc defined by an Easterly radius of 450 feet, a distance of 225.05 feet, more or less; thence run South $03^{\circ}16'02''$ West, a distance of 166.42 feet, more or less; thence run Southwesterly on an arc defined by a Westerly radius of 350 feet, a distance of 310.17 feet, more or less; thence run South $54^{\circ}02'35''$ West a distance of 712.00 feet, more or less, to a point; thence run South $35^{\circ}57'25''$ East a distance of 100.00 feet to the 5/8" diameter rebar with cap No. 1057 driven into the ground which represents the Westerly-most corner of that parcel conveyed by deed from Edward G. Bennett, et al., to John M. Bennett; thence run North $54^{\circ}02'35''$ East, by said land conveyed to John M. Bennett, a distance of 712.00 feet, more or less, to a 5/8" diameter rebar with cap No. 1057 driven into the ground; thence run Northeasterly on an arc defined by a Westerly radius of 450 feet, a distance of 398.79 feet, more or less; thence run North $03^{\circ}16'02''$ East a distance of 166.42 feet, more or less; thence run Northeasterly on an arc defined by an Easterly radius of 350 feet, a distance of 175.04 feet, more or less; thence run North $31^{\circ}55'15''$ East a distance of 229.46 feet, more or less, to the Southwesterly edge of the assumed road line of said highway; thence run Northwesterly by said highway, as it trends, a distance of 100 feet to the point of beginning.

The foregoing easement is subject to the following provisions and all references herein to the land owner(s), Grantor and or Grantee shall be deemed to include their respective successors, heirs and assigns:

Exhibit A

James E. Cummings to Nicolas A. Cummings

Page 3 of 4

1. Neither the Grantor nor the Grantee shall be obligated to construct a roadway over the course of the above described right of way,
2. Any landowner having common rights in said roadway may initiate construction of a roadway over the course of the above described right of way.
3. The land owner who initiates the construction of a roadway over the course of the above described right of way shall be responsible of the entire cost of such construction, including installation of any culverts or other drainage that may be necessary, without contribution from the other land owner(s) having common rights therein. The legal owner who has initiated the construction of the roadway shall be responsible for, and shall pay any costs of snow plowing, snow removal, maintenance and repair that may be necessary prior to use thereof by the other land owner(s) having common rights therein.
4. If and whenever the land owner who did not bear the cost of initial construction desires to make affirmative use of said roadway for the benefit of his land, he shall pay to the landowner who dd bore the cost of initial construction his proportionate share of cost of construction, prior to his use thereof. The proportionate share shall be allocated as follows: The owner of parcel 3 depicted on the aforesaid plan shall pay 82 percent of the cost of initial construction; the owner of Parcel 4 depicted on said plan shall pay 18 percent of the cost of initial construction.

For the purposes of this sub-paragraph, the terms "roadway" and "affirmative use" shall have the following meanings, namely: "roadway" shall mean a roadway constructed in a manner which meets the minimum requirements of the Town of Raymond subdivision ordinance for buildable lot frontage or access to buildable lot frontage, whichever is more restrictive; "affirmative use" shall mean actual use of the subject roadway in connection with (a) construction of improvements on a lot, (b) accessing an improved lot, (c) accessing a lot for storage of personal property thereon, (d) accessing a lot for any commercial campsite or other commercial use thereof, and/or (e) any other use requiring access to the lot serviced thereby, except access for farming or timber removal operations. In the case of actual use of the subject roadway in connection with farming or timber removal operations, the party exercising such operations would be responsible for actual damage to the roadway that may result therefrom. In addition, since both the parcel benefited by this easement and the parcel burdened by it have been conveyed to persons unrelated to Edward G. Bennett, both parcels shall be considered to have made "affirmative use" of the "roadway" within the meaning of this sub-paragraph.

After the owners of any portion of parcel 3 and any portion of parcel 4 are making affirmative use

Exhibit A

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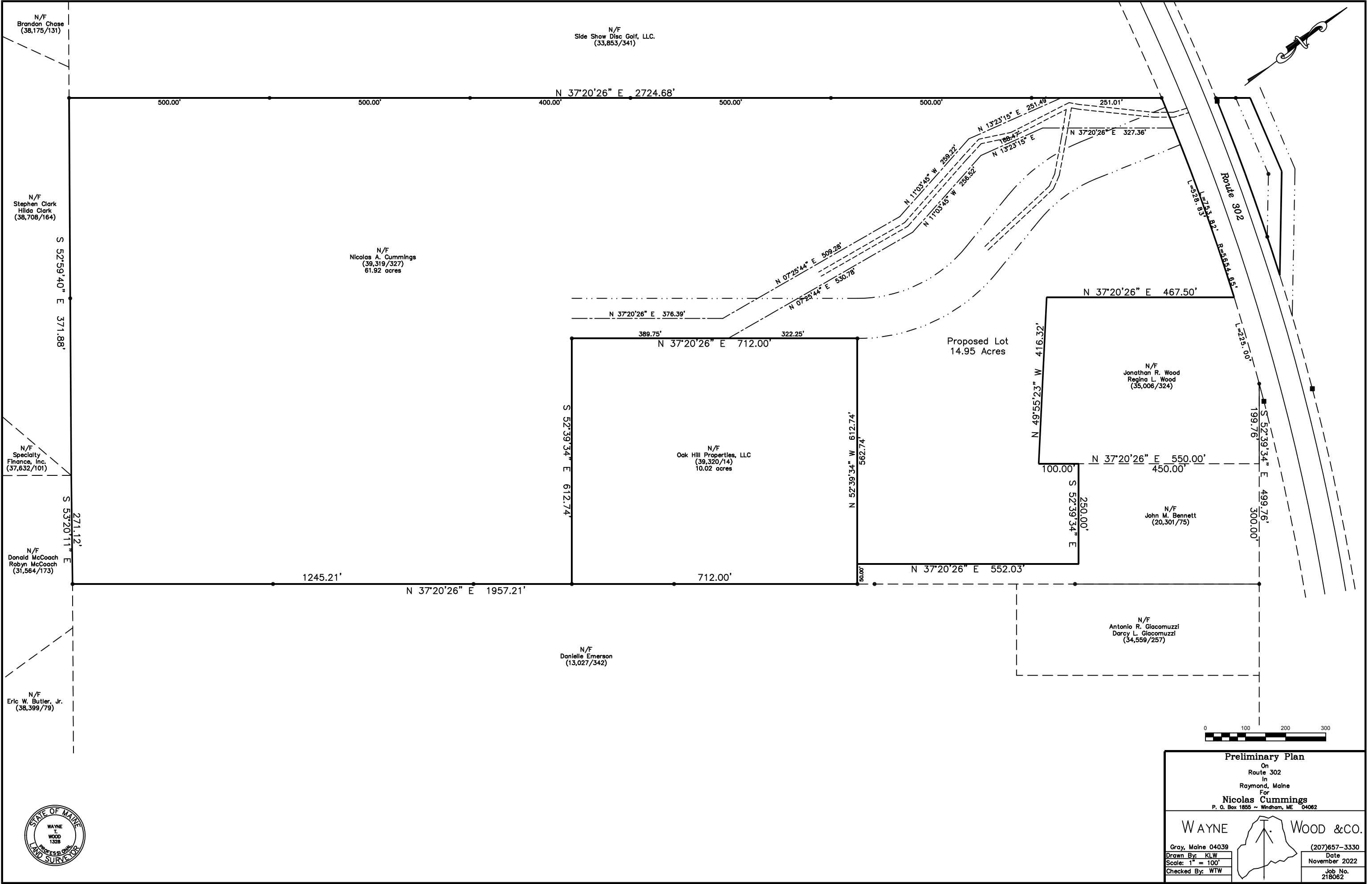
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the subject roadway as previously defined, any costs of snow-plowing, snow-removal, maintenance and repair shall be shared by dividing those costs by the number of lots making actual affirmative use of said roadway for the benefit of said lot(s).

5. Any entrance onto the Grantee's land from said right of way shall be constructed and maintained by the Grantee, and if in the construction of any such entrance, or if after initial construction, if the maintenance of such entrance (in the opinion of the Grantor) shall interfere with surface drainage along said roadway, then the Grantee shall install an adequate culvert to accommodate surface water run-off so as to avoid damage to the road bed.

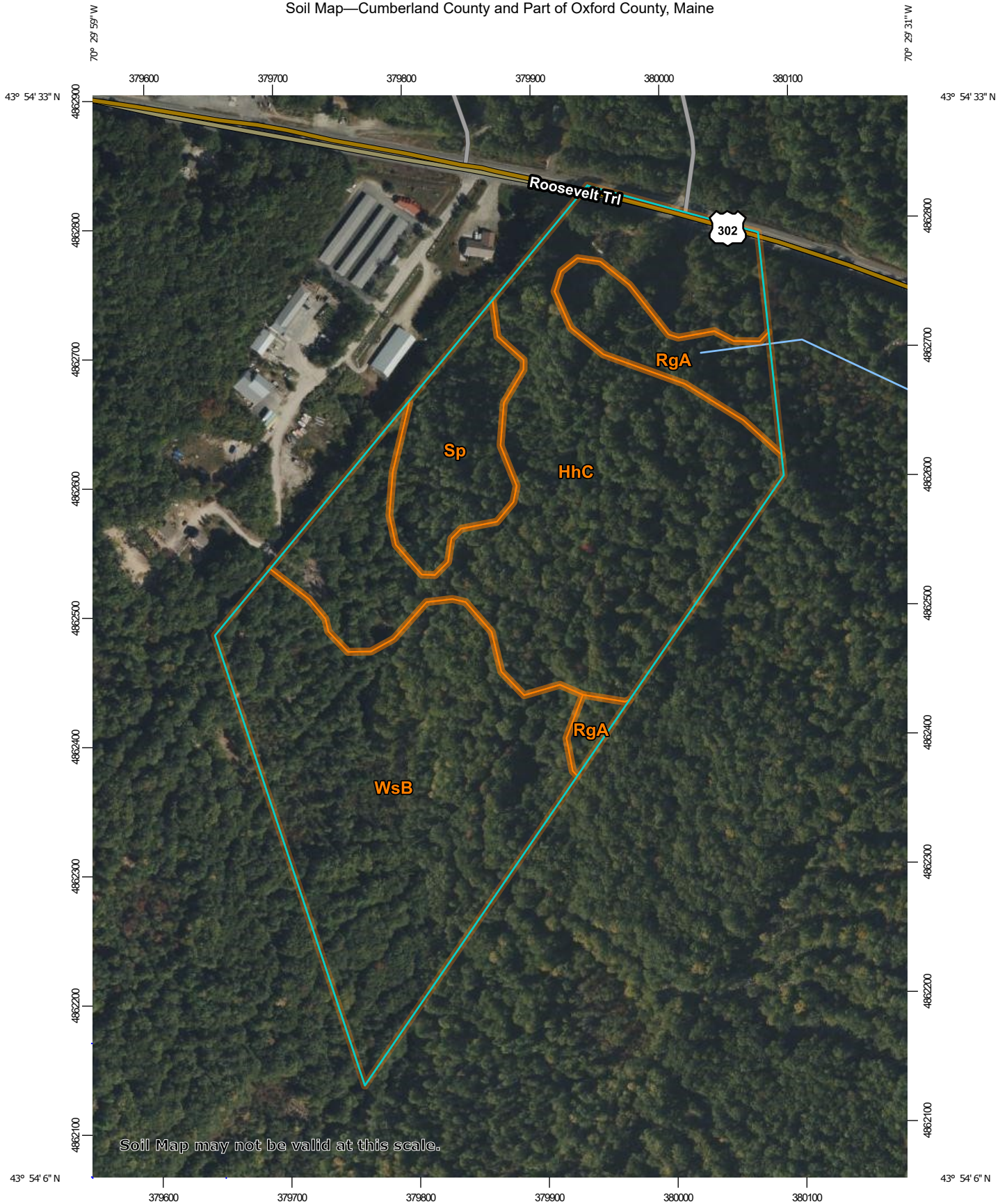
6. For the safety of the surrounding community and the common users of said roadway, and protection for the common roadway, the Grantor and Grantee mutually agree for themselves, and their respective heirs, assigns, licensees and invites, to exercise discretion in use of the common roadway, and to observe all reasonable regulations as determined by the Grantor herein and designated by appropriate signs, including reasonable seasonal regulations limiting wight and/or speed of vehicular traffic, and otherwise regulating vehicular traffic.

7. As a condition of their respective use of said common roadway, the Grantor and Grantee mutually agree that their use thereof, shall be at their sole risk, and further each party agrees to hold the other(s) harmless for any injury, damage, loss or liability for same arising out of their exercise of common rights there over, sustained by the Grantor and/or the Grantee, and their respective heirs, assigns, guest, invites and licensees.

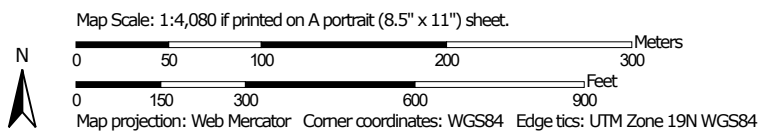


Preliminary Plan	
On Route 302 In Raymond, Maine For Nicolas Cummings P. O. Box 1855 ~ Windham, ME 04062	
WAYNE T. WOOD & CO.	
Gray, Maine 04039 Drawn By: KIW Scale: 1" = 100' Checked By: WTW	(207)657-3330 Date November 2022 Job No. 218062

Soil Map—Cumberland County and Part of Oxford County, Maine



Soil Map may not be valid at this scale.



**Natural Resources
Conservation Service**

Web Soil Survey
National Cooperative Soil Survey

3/13/2024
Page 1 of 3

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

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

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 20, Sep 5, 2023

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

Date(s) aerial images were photographed: Jun 19, 2020—Sep 20, 2020

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
HhC	Hermon sandy loam, 8 to 15 percent slopes, very stony	18.0	46.8%
RgA	Ridgebury very stony fine sandy loam, 0 to 3 percent slopes	2.7	6.9%
Sp	Sebago mucky peat	3.2	8.4%
WsB	Woodbridge very stony fine sandy loam, 0 to 8 percent slopes	14.6	37.9%
Totals for Area of Interest		38.5	100.0%

Cumberland County and Part of Oxford County, Maine

HhC—Hermon sandy loam, 8 to 15 percent slopes, very stony

Map Unit Setting

National map unit symbol: 2w9rd

Elevation: 0 to 1,080 feet

Mean annual precipitation: 31 to 65 inches

Mean annual air temperature: 36 to 52 degrees F

Frost-free period: 90 to 160 days

Farmland classification: Not prime farmland

Map Unit Composition

Hermon, very stony, and similar soils: 85 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hermon, Very Stony

Setting

Landform: Mountains, hills

Landform position (two-dimensional): Summit, shoulder, backslope

Landform position (three-dimensional): Mountainbase, mountainflank, side slope, nose slope, interfluvium

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Sandy and gravelly supraglacial meltout till derived from granite and gneiss

Typical profile

Oa - 0 to 2 inches: highly decomposed plant material

E - 2 to 3 inches: sandy loam

Bhs - 3 to 9 inches: sandy loam

Bs1 - 9 to 16 inches: very gravelly sandy loam

Bs2 - 16 to 32 inches: extremely gravelly loamy sand

C - 32 to 65 inches: very gravelly coarse sand

Properties and qualities

Slope: 8 to 15 percent

Surface area covered with cobbles, stones or boulders: 1.1 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Somewhat excessively drained

Capacity of the most limiting layer to transmit water

(Ksat): Moderately high to high (1.42 to 14.03 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)

Available water supply, 0 to 60 inches: Low (about 4.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 6s

Hydrologic Soil Group: A

Ecological site: F144BY601ME - Dry Sand

Hydric soil rating: No

Data Source Information

Soil Survey Area: Cumberland County and Part of Oxford County, Maine

Survey Area Data: Version 20, Sep 5, 2023

Cumberland County and Part of Oxford County, Maine

WsB—Woodbridge very stony fine sandy loam, 0 to 8 percent slopes

Map Unit Setting

National map unit symbol: blkh

Elevation: 20 to 920 feet

Mean annual precipitation: 49 to 49 inches

Mean annual air temperature: 45 degrees F

Frost-free period: 145 to 155 days

Farmland classification: Not prime farmland

Map Unit Composition

Woodbridge and similar soils: 85 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Woodbridge

Setting

Landform: Till plains

Landform position (two-dimensional): Shoulder, backslope

Landform position (three-dimensional): Side slope, crest

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Coarse-loamy lodgment till derived from mica schist

Typical profile

Oa - 0 to 2 inches: highly decomposed plant material

H1 - 2 to 5 inches: fine sandy loam

H2 - 5 to 22 inches: fine sandy loam

H3 - 22 to 65 inches: fine sandy loam

Properties and qualities

Slope: 0 to 8 percent

Surface area covered with cobbles, stones or boulders: 1.6 percent

Depth to restrictive feature: 16 to 36 inches to densic material

Drainage class: Moderately well drained

Capacity of the most limiting layer to transmit water

(Ksat): Moderately low to moderately high (0.06 to 0.60 in/hr)

Depth to water table: About 18 to 30 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Low (about 3.5 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 6s

Hydrologic Soil Group: C

Ecological site: F144BY501ME - Loamy Slope (Northern
Hardwoods)

Hydric soil rating: No

Data Source Information

Soil Survey Area: Cumberland County and Part of Oxford County, Maine

Survey Area Data: Version 20, Sep 5, 2023