



Town of Windham  
Council  
Windham, Maine 04062

August 31, 2017

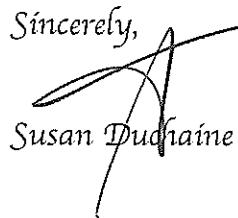
Re: Twoey Drive

Dear Councilors,

We have completed the above named road a couple of months ago, we have supplied the town with as-builts and received/satisfied all inspections as well as supplied the Towns attorney with a proposed deed. I have also pledged a maintenance bond for 1 year and the letter of credit was removed at the same time. I have also participated with Dana Lampron in providing Mr Plant with the money to over-lay Barnes Road, as required by both subdivisions, Valley View and Mystic Woods.

I would request that this road be taken over by the Town of Windham at its next available meeting as a Town Road.

Should there be any outstanding issue please advise me and I will take care of it and if there are any changes to the deed we supplied a month or so ago

Sincerely,  
  
Susan Dufaine

166 Narragansett St Gorham Maine 04038 PH:207-839-2631 Fax: 207-839-4509 [www.ddihomes.com](http://www.ddihomes.com)

Design Dwellings Inc

DDI Earthworks

DDI Construction

**WARRANTY DEED**  
Maine Statutory short form

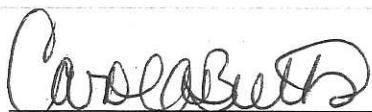
Design Dwellings, Inc. a corporation organized and existing under the laws of the State of Maine and Susan Duchaine LLC a Maine limited liability company, both with a place of business in the Town of Gorham, County of Cumberland and State of Maine, for consideration paid, grant to the Town of Windham a municipality duly organized and existing under the laws of the State of Maine, its mailing address being 8 School Road, Windham, Maine, 04062 with Warranty Covenants, the following described property:

A certain lot or parcel of land located, with the improvements located thereon, in the Town of Windham, County of Cumberland and State of Maine, being more particularly described as follows:

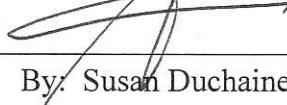
Being Twoey Drive and the "Future R.O.W.", shown on a certain set of plans entitled **Valley View Subdivision, Barnes Road, Windham, Maine, Sheets 1 and 2**, prepared by Pinkham & Greer for Susan Duchaine, LLC, dated October 11, 2010, revised through June 2, 2011, approved by the Town of Windham Planning Board on July 11, 2013, and recorded in the Cumberland County Registry of Deeds in Plan Book 213, Pages 422 and 423.

IN WITNESS WHEREOF, Design Dwellings, Inc. and Susan Duchaine, LLC by and through its authorized representatives, have hereunto set its hand and seal this 25 day of Sept, 2017.

DESIGN DWELLINGS, INC.



Witness

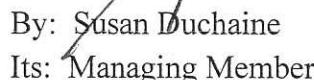


By: Susan Duchaine, President



Witness

SUSAN DUCHAINE LLC



By: Susan Duchaine  
Its: Managing Member

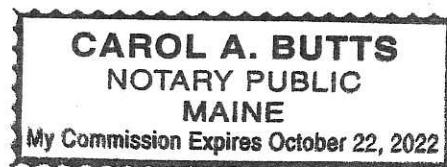
State of Maine  
County of Cumberland

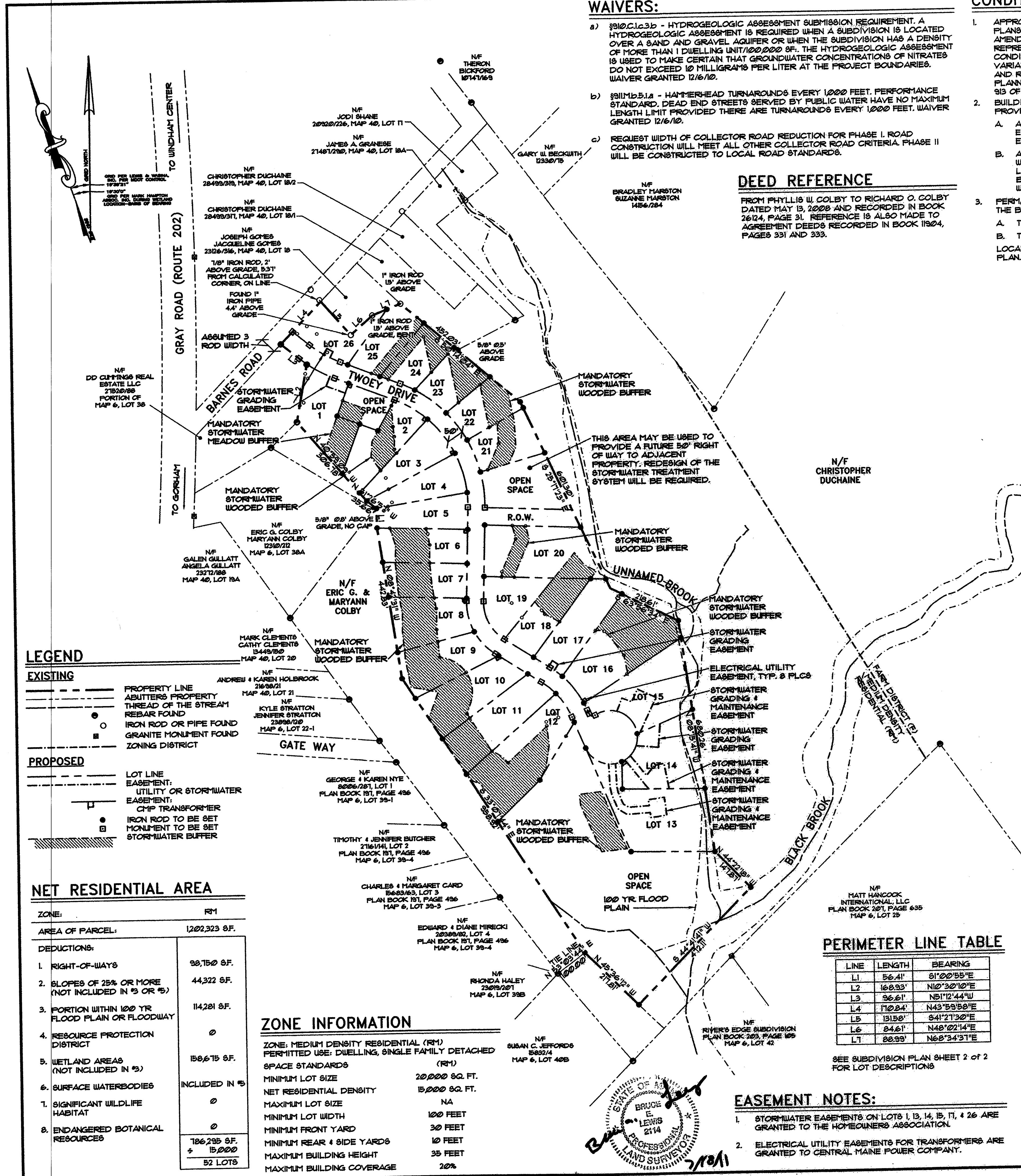
Sept 25 2017

Then personally appeared the above named Susan Duchaine and acknowledged the foregoing to be her free act and deed in her capacities as Managing Member of Susan Duchaine LLC and as President of Design Dwellings, Inc. and the free act and deed of said limited liability company and said corporation.

Before me,

Carol A. Butts  
\_\_\_\_\_  
Notary Public/Attorney at Law





## AIVERS:

1. §910.C.1.c3b - HYDROGEOLOGIC ASSESSMENT SUBMISSION REQUIREMENT. A HYDROGEOLOGIC ASSESSMENT IS REQUIRED WHEN A SUBDIVISION IS LOCATED OVER A SAND AND GRAVEL AQUIFER OR WHEN THE SUBDIVISION HAS A DENSITY OF MORE THAN 1 DWELLING UNIT/100,000 SF. THE HYDROGEOLOGIC ASSESSMENT IS USED TO MAKE CERTAIN THAT GROUNDWATER CONCENTRATIONS OF NITRATES DO NOT EXCEED 10 MILLIGRAMS PER LITER AT THE PROJECT BOUNDARIES.  
WAIVER GRANTED 12/6/10.
2. §911MB.5.1.a - HAMMERHEAD TURNAROUNDS EVERY 1,000 FEET. PERFORMANCE STANDARD. DEAD END STREETS SERVED BY PUBLIC WATER HAVE NO MAXIMUM LENGTH LIMIT PROVIDED THERE ARE TURNAROUNDS EVERY 1,000 FEET. WAIVER GRANTED 12/6/10.
3. REQUEST WIDTH OF COLLECTOR ROAD REDUCTION FOR PHASE I. ROAD CONSTRUCTION WILL MEET ALL OTHER COLLECTOR ROAD CRITERIA. PHASE II WILL BE CONSTRUCTED TO LOCAL ROAD STANDARDS.

## NEED REFERENCE

FROM PHYLLIS W. COLBY TO RICHARD O. COLBY  
DATED MAY 13, 2008 AND RECORDED IN BOOK  
6124, PAGE 31. REFERENCE IS ALSO MADE TO  
AGREEMENT DEEDS RECORDED IN BOOK 11904,  
PAGES 331 AND 333.

## **CONDITIONS OF APPROVAL:**

APPROVAL IS DEPENDANT UPON, AND LIMITED TO, THE PROPOSALS AND PLANS CONTAINED IN THE APPLICATION DATED AUGUST 30, 2010, AS AMENDED JUNE 28, 2011, AND SUPPORTING DOCUMENTS AND ORAL REPRESENTATIONS SUBMITTED AND AFFIRMED BY THE APPLICANT, AND CONDITIONS, IF ANY, IMPOSED BY THE PLANNING BOARD, AND ANY VARIATION FROM SUCH PLANS, PROPOSALS AND SUPPORTING DOCUMENTS AND REPRESENTATIONS ARE SUBJECT TO REVIEW AND APPROVAL BY THE PLANNING BOARD OR THE TOWN PLANNER IN ACCORDANCE WITH SECTION 913 OF THE SUBDIVISION ORDINANCE.

BUILDINGS WITHIN THE SUBDIVISION SHALL BE CONSTRUCTED WITH PROVISIONS FOR EITHER OF THE FOLLOWING:

- A. A POSITIVE FREE OUTLET FOUNDATION DRAIN, WHEREBY THE FOOTING ELEVATIONS SHOULD BE SET AS ESTABLISHED BY THE BUILDER OR ENGINEER
- B. ANY OTHER FOUNDATION DRAINAGE SYSTEM, SUCH AS A SUMP HOLE, WHEREBY THE BOTTOM OF THE FOOTING ELEVATION SHALL BE AT LEAST 12" ABOVE THE LIMITING GROUNDWATER LEVEL AS DETERMINED BY A LICENSED SITE EVALUATOR AND APPROVED BY THE TOWN OF WINDHAM CODE ENFORCEMENT OFFICER

PERMANENT MARKERS, WITH APPROPRIATE CAPS, SHALL BE SET AT ALONG THE BOUNDARIES OF BOTH:

- A. THE WETLAND BOUNDARIES ON LOTS 1-10, 12, 18-22, & 26, AND
- B. THE BOUNDARY OF THE STORMWATER BUFFERS.

LOCATIONS OF THE PERMANENT MARKERS SHALL BE SHOWN ON THE FINAL PLAN.

NF  
FRED STAPLES  
DORIS STAPLES  
1224/284  
MAP 6, LOT 31C

NF  
FRED A. STAPLES  
20161/230  
MAP 6, LOT 30A

NF  
FRED A. STAPLES  
20161/228  
PLAN BOOK 116, PAGE 42  
MAP 6, LOT 29

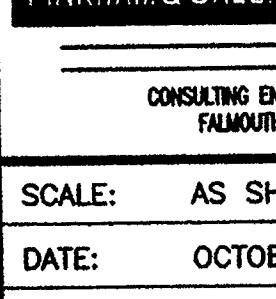
GRAPHIC SCALE

( IN FEET )

1 inch = 150 ft.

1. DEVELOPER: SUSAN DUCHAINE, LLC, PO BOX 369, GORHAM, MAINE
2. OWNER: PHYLLIS W. COLBY, LIFE ESTATE, C/O RICHARD COLBY, CHARLOTTE, VT. CUMBERLAND COUNTY REGISTRY OF DEEDS BK 26124, PG. 31, DATED APRIL 13, 2008.
3. ENGINEER: PINKHAM & GREER CONSULTING ENGINEERS, FALMOUTH, MAINE.
4. BOUNDARY INFORMATION BY LEWIS & WASINA, INC., GORHAM, MAINE.
5. TOPOGRAPHIC INFORMATION BY AERIAL SURVEY & PHOTO, INC., NORRIDGEWOCK, MAINE, GROUND CONTROL BY LEWIS & WASINA, INC., GORHAM, ME, DATE OF PHOTOGRAPHY: 11-22-2009, DATE MAPPING COMPLETED: 01-08-2010. ADDITIONAL GROUND SURVEY BY LEWIS & WASINA, INC. CONTROL: VERTICAL DATUM: N.A.V.D. 1988, HORIZONTAL DATUM: ASSUMED MAGNETIC 88. BASIS OF BEARING: THE BASIS OF BEARING IS GRID NORTH PER GPS WETLAND LOCATION DATA PROVIDED BY MARK HAMPTON ASSOCIATES, INC. SEE NORTH ARROW FOR ADDITIONAL INFORMATION REGARDING GRID NORTH PER SURVEYOR DATA. SURVEYOR DATA BASED ON TRADITIONAL METHODS BY LOCATING MDOT CONTROL POINTS 4-1(13)-10 AND 11219-31.
6. WETLAND AND SOIL INFORMATION PROVIDED BY MARK HAMPTON ASSOCIATES, INC., PORTLAND, MAINE, MARK HAMPTON, CSE #216, LSE #263.
7. ZONE: MEDIUM DENSITY RESIDENTIAL (RM) AND STREAM PROTECTION (SP) PROPOSED USE: DWELLING: SINGLE FAMILY, DETACHED
8. TAX MAP REFERENCE: MAP 6 / LOT 38.
9. TOTAL PARCEL = 21.6 acres. LOTS AND ROAD = 20.6 acres, OPEN SPACE = 1.0 acres.
10. HOUSE LOCATIONS TO BE WITHIN THE SETBACK LINES SHOWN ON SHEET C02.
11. ALL HOUSES SHALL HAVE A NUMBER CLEARLY VISIBLE FROM THE ROAD.
12. OPEN SPACE IS INCLUDED IN THIS SUBDIVISION.
13. ALL CONSTRUCTION AND SITE ALTERATIONS SHALL BE DONE IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL BMPs" PUBLISHED BY THE BUREAU OF LAND AND WATER QUALITY, MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION, MARCH 2003.
14. IRON RODS TO BE SET AT ALL CORNERS OF LOTS, GRANITE MONUMENTS TO BE SET AS SHOWN ON THESE PLANS BY THE DEVELOPER.
15. STREET NAME: TO BE DETERMINED.
16. NO CONSTRUCTION OR FILLING OF WETLANDS OTHER THAN THAT SHOWN ON THESE PLANS ARE ALLOWED. LOT OWNERS WILL NEED TO OBTAIN AN NRPA PERMIT FOR ACTIVITIES WITHIN 75' OF A PROTECTED NATURAL RESOURCE.
17. ALL DRIVEWAY ACCESS WILL BE FROM WITHIN THE SUBDIVISION.
18. CLEARING OF TREES IN AREAS WHERE TREE COVER IS DEPICTED ON THESE PLANS IS PROHIBITED FOR A PERIOD OF FIVE (5) YEARS FROM THE DATE OF PLANNING BOARD APPROVAL UNLESS A REVISED PLAN IS APPROVED BY THE BOARD.
19. MANDATORY BUFFERS FOR STORMWATER DEPICTED ON THE PLAN SHALL NOT BE CLEARED OF VEGETATION UNLESS THE PLANNING BOARD GRANTS AN AMENDMENT TO THE SUBDIVISION OR FOR MAINTENANCE THAT DOES NOT ALTER THE PURPOSE FOR WHICH THE BUFFER WAS REQUIRED. MODIFICATION OF STORMWATER BUFFER AREAS WILL REQUIRE DEP APPROVAL.
20. COMMON LAND OR OPEN SPACE SHALL NOT BE DIVIDED INTO LOTS AND NO DWELLING UNITS SHALL BE ALLOWED IN THESE AREAS. CONSTRUCTION AND IMPROVEMENTS IN THESE AREAS SHALL BE LIMITED TO STRUCTURES AND BUILDINGS ACCESSORY TO NON-COMMERCIAL RECREATIONAL OR CONSERVATION USES AND THE INSTALLATION OF UNDERGROUND UTILITIES.
21. THE APPLICANT IS RESPONSIBLE FOR SUBDIVISION INFRASTRUCTURE UNTIL IT IS TRANSFERRED TO EITHER THE HOMEOWNERS ASSOCIATION OR THE TOWN. THE ROADS MAY BE OFFERED FOR ACCEPTANCE BY THE TOWN COUNCIL AS TOWN STREETS AFTER A DETERMINATION BY THE TOWN THAT ALL APPLICABLE STREET CONSTRUCTION STANDARDS HAVE BEEN MET.
22. APPROVAL BY THE PLANNING BOARD OF THIS SUBDIVISION PLAN SHALL NOT BE DEEMED TO CONSTITUTE OR BE EVIDENCE OF ANY ACCEPTANCE BY THE TOWN OF WINDHAM OF ANY STREET, EASEMENT, OPEN SPACE, PARKS, PLAYGROUNDS, OR OTHER RECREATION AREAS SHOWN ON THIS PLAN.
23. WETLANDS IN OPEN SPACE = 3.1± AC, TOTAL OPEN SPACE = 1.0 AC. WETLAND % IN OPEN SPACE = 44% (3.1 AC. / 7.0 AC.) SEE SHEET C12 FOR WETLAND LIMITS.
24. BUILDINGS WITHIN THE SUBDIVISION SHALL BE CONSTRUCTED WITH PROVISIONS FOR EITHER OF THE FOLLOWING:
  - A. A POSITIVE FREE OUTLET FOUNDATION DRAIN, WHEREBY THE FOOTING ELEVATIONS SHOULD BE SET AS ESTABLISHED BY THE BUILDER OR ENGINEER.
  - B. ANY OTHER FOUNDATION DRAINAGE SYSTEM, SUCH AS A SUMP HOLE, WHEREBY THE BOTTOM OF THE FOOTING ELEVATION SHALL BE AT LEAST 12" ABOVE THE LIMITING GROUNDWATER LEVEL AS DETERMINED BY A LICENSED SITE EVALUATOR AND APPROVED BY THE TOWN OF WINDHAM CODE ENFORCEMENT OFFICER
25. NO FURTHER SUBDIVISION OF LOTS SHALL OCCUR WITHOUT APPROVAL OF THE MAINE DEP AND THE TOWN OF WINDHAM.
26. WHEREAS THIS SITE HAS A STORMWATER PERMIT ANY MODIFICATIONS TO THESE PLANS WILL NEED TO BE APPROVED BY THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION.

## GENERAL NOTES:

1.	DEVELOPER: SUSAN DUCHAINE, LLC, PO BOX 369, GORHAM, MAINE	
2.	OWNER: PHYLLIS W. COLBY, LIFE ESTATE, C/O RICHARD COLBY, CHARLOTTE, VT. CUMBERLAND COUNTY REGISTRY OF DEEDS BK. 26124, PG. 31, DATED APRIL 13, 2008.	
3.	ENGINEER: PINKHAM & GREER CONSULTING ENGINEERS, FALMOUTH, MAINE.	
4.	BOUNDARY INFORMATION BY LEWIS & WASINA, INC., GORHAM, MAINE.	
5.	TOPOGRAPHIC INFORMATION BY AERIAL SURVEY & PHOTO, INC., NORRIDGEWOCK, MAINE, GROUND CONTROL BY LEWIS & WASINA, INC., GORHAM, ME, DATE OF PHOTOGRAPHY: 11-22-2009, DATE MAPPING COMPLETED: 01-08-2010. ADDITIONAL GROUND SURVEY BY LEWIS & WASINA, INC. CONTROL: VERTICAL DATUM: N.A.V.D. 1988, HORIZONTAL DATUM: ASSUMED MAGNETIC 88. BASIS OF BEARING: THE BASIS OF BEARING IS GRID NORTH PER GPS WETLAND LOCATION DATA PROVIDED BY MARK HAMPTON ASSOCIATES, INC. SEE NORTH ARROW FOR ADDITIONAL INFORMATION REGARDING GRID NORTH PER SURVEYOR DATA. SURVEYOR DATA BASED ON TRADITIONAL METHODS BY LOCATING MDOT CONTROL POINTS 4-K(13)-10 AND 11219-31.	
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9.	TOTAL PARCEL = 21.6 acres. LOTS AND ROAD = 20.6 acres, OPEN SPACE = 1.0 acres.	
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18.	CLEARING OF TREES IN AREAS WHERE TREE COVER IS DEPICTED ON THESE PLANS IS PROHIBITED FOR A PERIOD OF FIVE (5) YEARS FROM THE DATE OF PLANNING BOARD APPROVAL UNLESS A REVISED PLAN IS APPROVED BY THE BOARD.	
19.	MANDATORY BUFFERS FOR STORMWATER DEPICTED ON THE PLAN SHALL NOT BE CLEARED OF VEGETATION UNLESS THE PLANNING BOARD GRANTS AN AMENDMENT TO THE SUBDIVISION OR FOR MAINTENANCE THAT DOES NOT ALTER THE PURPOSE FOR WHICH THE BUFFER WAS REQUIRED. MODIFICATION OF STORMWATER BUFFER AREAS WILL REQUIRE DEP APPROVAL.	
20.	COMMON LAND OR OPEN SPACE SHALL NOT BE DIVIDED INTO LOTS AND NO DWELLING UNITS SHALL BE ALLOWED IN THESE AREAS. CONSTRUCTION AND IMPROVEMENTS IN THESE AREAS SHALL BE LIMITED TO STRUCTURES AND BUILDINGS ACCESSORY TO NON-COMMERCIAL RECREATIONAL OR CONSERVATION USES AND THE INSTALLATION OF UNDERGROUND UTILITIES.	
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25.	NO FURTHER SUBDIVISION OF LOTS SHALL OCCUR WITHOUT APPROVAL OF THE MAINE DEP AND THE TOWN OF WINDHAM.	
26.	WHEREAS THIS SITE HAS A STORMWATER PERMIT ANY MODIFICATIONS TO THESE PLANS WILL NEED TO BE APPROVED BY THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION.	
6.	6/2/11 ADDED TRANSFEREES	
5.	3/17/11 REV'D PER TOWN COMMENTS	
4.	2/16/11 REV'D PER SURVEYOR COMMENTS	
3.	12/28/10 REMOVED PHASE LINE	
2.	12/17/10 REV'D PER STAFF REVIEW	
1.	11/16/10 REVISED NOTE 16	
REV.	DATE	DESCRIPTION
		SUSAN DUCHAINE, LLC PO BOX 369, GORHAM, MAINE 04038 RECORD OWNER: RICHARD COLBY, PO BOX 14, CHARLOTTE, VT 05445 <b>VALLEY VIEW SUBDIVISION</b> BARNES ROAD, WINDHAM, MAINE <b>SUBDIVISION PLAN</b> <b>SHEET 1 of 2</b>
SCALE:	AS SHOWN	DRN BY: CAB/JDC
DATE:	OCTOBER 11, 2010	DESg BY: TSG
PROJECT:	09151	CHK BY: TSG



