

Tier 1 Wetland Alteration Application Highland Views 19 Roosevelt Trail, Windham, Maine

Narrative

On behalf of Chase Custom Homes & Finance, we are pleased to submit the attached Tier 1 Wetland Alteration Permit Application for the proposed Highland Views project site.

The development parcel is located on the north side of Route 302 at 19 Roosevelt Trail, just west of the Town of Windham/Town of Falmouth & Town of Windham/City of Westbrook town lines. The property is shown as lots #63 & 66 on the Town of Windham Tax Map #7. The 38.3 acre property contains an old camp ground. The site has a series of internal access roads & RV camp sites. The internal road system leads to the shore Highland Lake. The former owner of the campground created a series of drainage ditches that channel stormwater runoff through the development site. One of those drainage swales is classified as a seasonal stream. The site drains to the southeast, toward Highland Lake. The site generally slopes between 3%-8%.

The applicant intends to develop a 24 unit manufactured housing park in the area encompassed by the existing campground and a 10 unit mixed-use development (self-storage units with apartments above) adjacent to Route 302.

Mark Cenci of Mark Cenci Geologic performed a wetland delineation in the fall of 2016 and then again in June of 2017. We propose to alter 9,483 SF of forested wetlands. A copy of the U.S.G.S. Quadrangle Map is attached.

Alteration Areas

There are several small areas of proposed wetland alteration. They are described below:

Alteration Area 'A' is located along the rear of the developable area of MHP Area #23. This area includes 1,814 SF of alteration and is proposed to provide a reasonable building window for the area as well as to provide a means for the sewer forcemain for MHP Area #24 to reach the septic system.

Alteration Area 'B' is located along the easterly side of MHP Area #22. It includes 529 SF of alteration and is proposed to provide a reasonable building window for the Area as well as provide a means for the sewer force mains from MHP Areas 23 & 24 to reach the septic system.

Alteration Area 'C' is located near the proposed intersection of McDermott's Trail & Bailey's Way. It includes 1,985 SF of alteration.

Alteration Area 'D' is located on the southerly side of MHP Area 11. It contains 576 SF of alteration and is proposed to provide a reasonable building window on the Area as well as provide a means for the sewer lines from MHP Areas 3 & 4 to cross to their septic system area.

Alteration Area 'E' is located near the back of MHP Area 6. It contains 1,511 SF of alteration and is proposed to provide a reasonable building window for the Area and it provides a means for the sewer lines for MHP Areas 1,2 & 5 to cross the lot and reach the septic system.

Alteration Area 'F' is a drainage channel located in the area of the gravel wetland stormwater facility. The channel flows to the large wetland area that is located between the downgradient end of the campground & Highland Lake. The channel with flow into the gravel wetland and then on to the large wetland.

Alteration Area 'G' is located within MHP Area 15. It provides a reasonable building window for the Area.

Alteration Area 'H" is located at the end of McDermott's Trail. It was formed by an improperly placed culvert beneath one of the existing camp roads.

We have attempted to minimize the wetland impacts by locating the development away from the wetter portions of the site and proposing our utility crossings over narrow portions of wetland. The lot development areas have also been limited to reduce the potential impacts.

Wetland Connectivity

The site drains toward Highland Lake through a series of drainage channels. We have preserved the existing flow patterns within the wetland system.

The following items are attached to this application:

- Tier 1 Application Form
- U.S.G.S. Quadrangle Map
- Statement of Avoidance & Minimization
- Photos of Area with Key Map
- Property Deed
- Copy of Cover Letter to MPHC
- 11x17 plans



APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

→ PLEASE TYPE OR PRINT IN BLACK INK ONLY

1. Name of Applicant:	Chase Custom Homes & Finance					5.Name of Agent:			Т	Terradyn Consultants, LLC						
2. Applicant's Mailing Address:	290 Bridgton Road Westbrook, ME 04092					6. Agent's Mailing Address:				P.O. Box 339 New Gloucester, ME 04260						
3. Applicant's Daytime Phone #: (207) 892-2700							7. Agent's Daytime Phone #:			((207) 926-5111					
4. Applicant's Email Address: Required from either applicant or agent:				e@cchfi.com			8.Agent's E-mail Address:			j	jeff@terradynconsultants.com					
9. Location of Activity: (Nearest Road, Street, Rt.#) 18 Roosevel				: Trail			10. Town:	Wind	Windham			11. County: Cum			ıber	land
12. Type of Resource: (Check all that apply) □ River, stream or b □ Great Pond □ Coastal Wetland							13. Name of Resource:				Un-named Stream & Wetlands				nds	
☑ Freshwater Wetlan ☐ Wetland Special S ☐ Significant Wildlife ☐ Fragile Mountain			Special Si ant Wildlife	ignificance			14. Amount of Impact: (Sq.Ft.)			act:	- /			3 SF eg Removal/Other:		
15. Type of Wetland:	☑ For						FO	R FRI	ESHV	VATE	R W	ETLA	NDS			
(Check all that apply)	□ Scr	erge	nt			Tier 1	Tier 2					Tier 3				
	☐ Wet Meadow ☐ Peatland ☐ Open Water ☐ Other				X 5	0 - 4,999 s 5,000-9,99 10,000-14	99 sq ft			- 43,56	60 so		□ > 43,560 sq. ft. or □ smaller than 43,560 sq. ft., not eligible for Tier 1			
16. Brief Activity Description	16. Brief Activity 24 Unit manufactured housing park with 10 mixed use units located adjacent to Route 302.															
17. Size of Lot or Parc & UTM Locations:	17. Size of Lot or Parcel & UTM Locations: Square feet, or 38.3 acres UTM Northing: UTM Easting:															
18. Title, Right or Inter	rest:	⊠ ov		□ lea	ase	□ purch	nase opti			ten ag						
	19. Deed Reference Numbers: Book#: 16440 Page: 279 20. Map and Lot Numbers: Map #: 7 Lot #: 63 &															
Contacted:			David Ch				22. Part of a larger project:							ne- ☐ Yes ☑ No		
23. Resubmission of Application?	☐ Ye: ☑ No		If yes, prapplication		S					vious p nager:	roje	ct				
24. Written Notice of Violation?			If yes, na enforcem	me of					11101	<u>lagori</u>	25.		ious W	etlan		☐ Yes ☑ No
26. Detailed Directions	19	9 Roc	sevelt Tra	il. Site	is lo	cated on t	he north	side o	f Rout	te 302	in Wi	indhai	m, just	over	the	
to the Project Site: Windham/Westbrook line.																
27. TIER	1						TIER	2/3 AN	D IND	IVIDU	AL P	ERMI	TS			
 ☒ Title, right or interest documentation ☒ Topographic Map ☒ Narrative Project Description ☒ Plan or Drawing (8 1/2" x 11") ☒ Photos of Area 				☐ Title, right or intere ☐ Topographic Map ☐ Copy of Public Not Information Meeting ☐ ☐ Wetlands Delineati (Attachment 1) that co			tice/Public Documentation ion Report			☐ Fun if requi ☐ Con require	☐ Erosion Control/Construction Plan ☐ Functional Assessment (Attachment 3), f required ☐ Compensation Plan (Attachment 4), if equired ☐ Appendix A and others, if required					
Statement of Avoidance & Minimization Statement/Copy of cover letter to MHPC				Information listed und ☐ Alternatives Analys including description of impacts were Avoided			der Site Conditions sis (Attachment 2) of how wetland			☐ Stat ☐ Des Peatla	Statement/Copy of cover letter to MHPC Description of Previously Mined eatland, required					
28. FEES Amount En	closed	:														
CER	TIFI	CA	TIONS	AN	D S	IGNA	TURE	SLC	DCA	TEC	0	N P	AGE	2		

<u>IMPORTANT</u>: IF THE SIGNATURE BELOW IS NOT THE APPLICANT'S SIGNATURE, ATTACH LETTER OF AGENT AUTHORIZATION SIGNED BY THE APPLICANT.

By signing below the applicant (or authorized agent), certifies that he or she has read and understood the following:

DEP SIGNATORY REQUIREMENT

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor a permit be issued.

CORPS SIGNATORY REQUIREMENT

USC Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry shall be fines not more than \$10,000 or imprisoned not more than five years or both. I authorize the Corps to enter the property that is subject to this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein.

DEP SIGNATORY REQUIREMENT

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Further, I hereby authorize the DEP to send me an electronically signed decision on the license I am applying for with this application by emailing the decision to the address located on the front page of this application (see #4 for the applicant and #8 for the agent)."

SIGNATURE OF AGENT/APPLICANT

Date: 7/3/2017

Signature of Agent Date: 7/3/2017

NOTE: Any changes in activity plans must be submitted to the DEP and the Corps in writing and must be approved by both agencies prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.

(yellow)

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DEP SIGNATORY REQUIREMENT

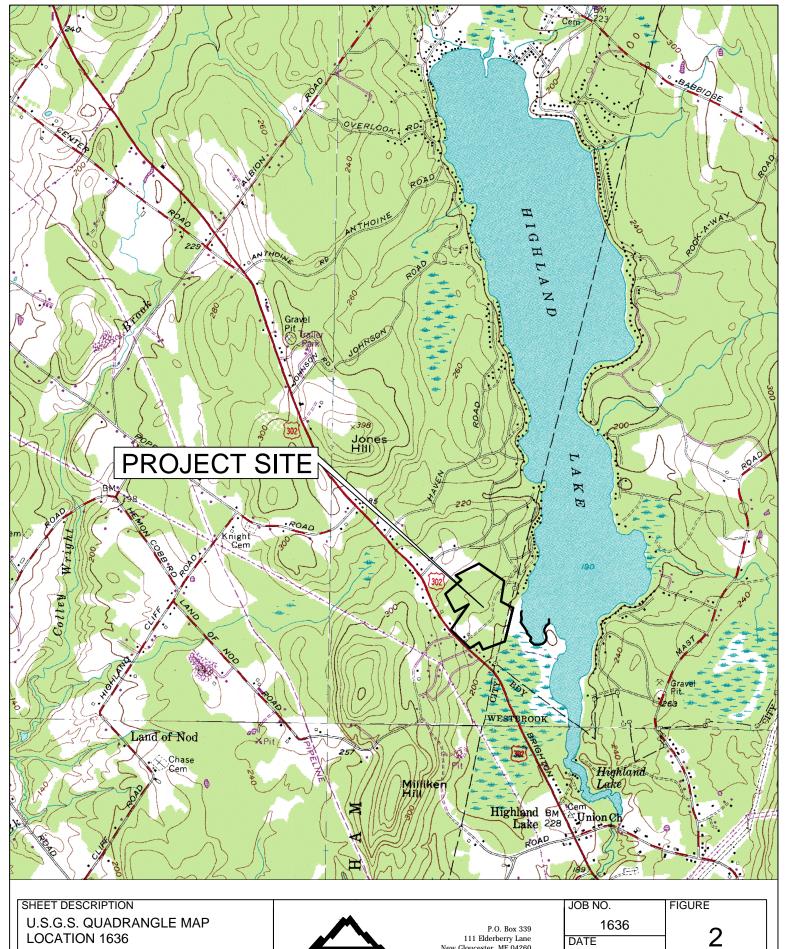
"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Further, I hereby authorize the DEP to send me an electronically signed decision on the license I am applying for with this application by emailing the decision to the address located on the front page of this application (see #4 for the applicant and #8 for the agent)."

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PREPARED FOR

CHASE CUSTOM HOME AND FINANCE 19 ROOSEVELT TRAIL WINDHAM, ME 04062



111 Elderberry Lane New Gloucester, ME 04260 Office: (207) 926-5111 Fax: (207) 221-1317 www.terradvnconsultants.com

Civil Engineering - Land Planning - Stormwater Design - Environmental Permitting

OF

9/10/16 SCALE 5 1"=2000'



Avoidance & Minimization Statement

We have attempted to minimize the total impact to the wetland system and avoided unnecessary alterations through careful planning & design. The final design calls for approximately 9,483 SF of total wetland fill.

There are eight locations of wetland alterations: A, B, C, D, E, F, G & H. The alteration areas are described within the project summary.

Our design went through a series of iterations before being reduced to this total.

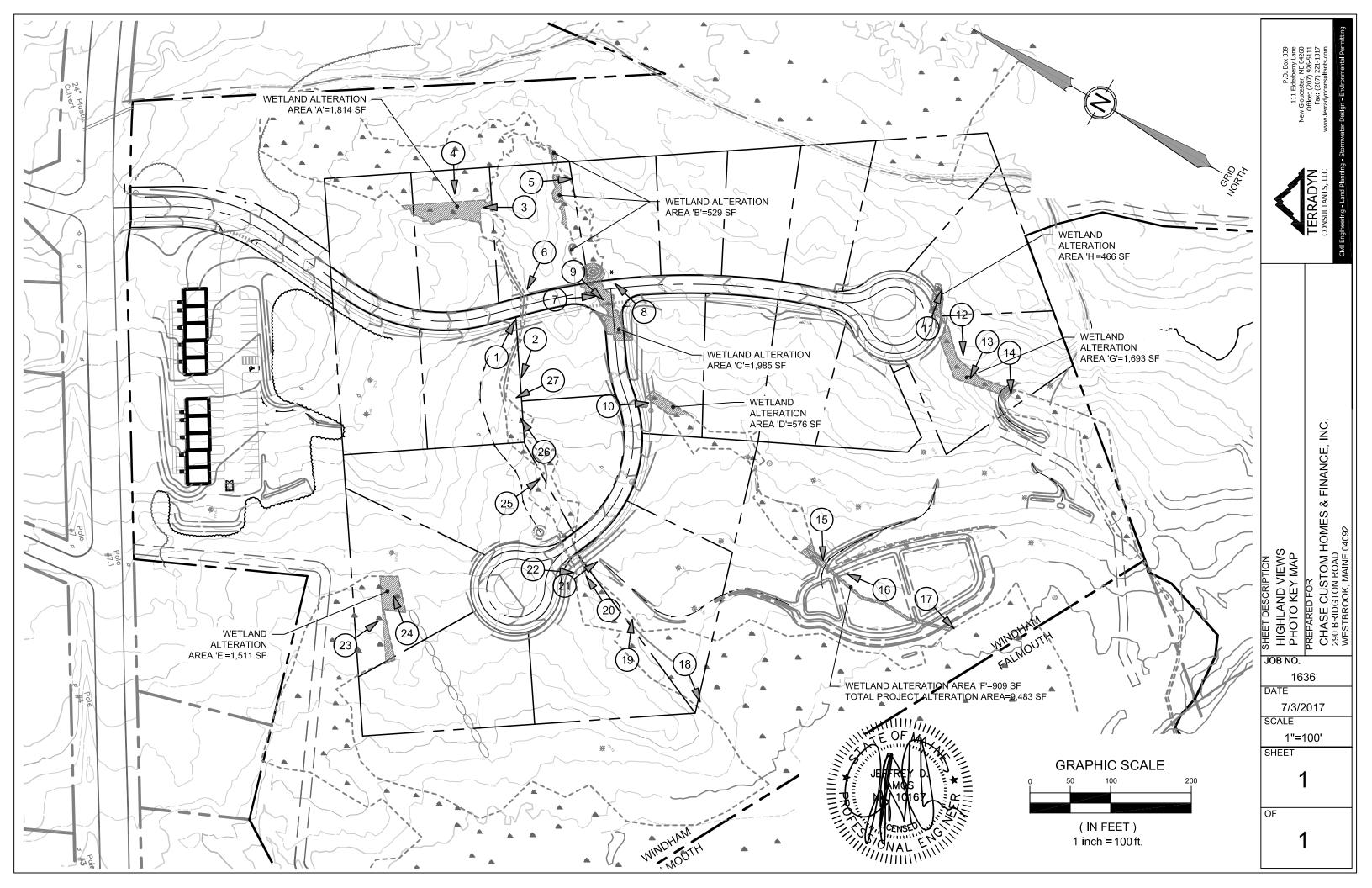
- The project was originally designed based upon a wetland delineation that was performed
 in the fall of 2016. This spring, additional wetland areas & a stream channel were
 discovered and the project was revised. Bailey's Way was moved approximately 100'
 eastward to reduce impacts to the stream.
- The manufactured housing park development areas drain to a series of septic systems. We have carefully proposed utility easements in areas that reduce wetland alterations.
- The proposed McDermott's Trail crosses the stream at a nearly 90 degree angle to minimize impacts.
- The rear setback for MHP Areas 5, 6 & 7 has been increased from 15' to 45' to minimize wetland fills for both the MHP Area 6 & the utility easements that serves MHP Areas 1, 2 & 5.
- The rear setbacks for MHP Areas 11-13 has been increased from 15' to 30' to avoid a wetland area.
- The alteration area for MHP Area 15 has been stopped at the rear setback line instead of the property line. We believe that there is a reasonable building window on this lot without additional fills.
- We are proposing small areas of fill on MHP Areas 22 & 23 to allow for a reasonable building window on those Areas while avoiding the area closest to the stream channel.
- We have maintained the existing flow pattern in the onsite wetland system and maintained connectivity from pre-development to post-development.

Summary

We believe that we have minimized the impacts to the wetlands as follows:

- The layout has been revised to avoid the stream.
- The building areas have been limited to stay away from the stream.
- The building areas have been limited to reduce wetland impacts.
- Utility easements have been provided to control wetland impacts.
- The existing flow pattern within the wetland system has been preserved.







Highland Views: Color Photos

The following pictures show the Highland Views project area. See attached Photo Key Map for location and orientation of pictures. Pictures were taken in July of 2017.



Photo #1



Photo #2



Photo #3



Photo #4



Photo #5



Photo #6



Photo #7



Photo #8



Photo #9



Photo #10



Photo #11



Photo #12



Photo #13



Photo #14



Photo #15



Photo #16



Photo #17



Photo #18



Photo #19



Photo #20



Photo #21



Photo #22



Photo #23



Photo #24



Photo #25



Photo #26



Photo #27

State of Maine



Department of the Secretary of State

I, the Secretary of State of Maine, certify that according to the provisions of the Constitution and Laws of the State of Maine, the Department of the Secretary of State is the legal custodian of the Great Seal of the State of Maine which is hereunto affixed and that the paper to which this is attached is a true copy from the records of this Department.



In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta, Maine, this nineteenth day of December 2016.

Matthew Dunlap Secretary of State

Additional Addresses

Legal Name	Title	Name	Charter #	Status		
CHASE CUSTOM HOMES &	Clerk		19962102 D	GOOD STANDING		
FINANCE, INC.						
Home Office Address (of foreign er	tity) Other	Mailing Address	Address in Maine			

QUITCLAIM DEED WITH COVENANT

DLN: 1001640008338

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS, that ARTHUR P. MCDERMOTT, with a mailing address at c/o Claire Langlois, 85 Mast Road, Falmouth, Maine 04105, for consideration paid, grants to CHASE CUSTOM HOMES AND FINANCE, INC., with a mailing address of P.O. Box 897, Westbrook, Maine 04098, with QUITCLAIM COVENANTS, the following described real estate:

See Exhibit A attached hereto and incorporated herein.

Reference is made to a Warranty Deed from Percival O. Bailey and Avis L. Bailey to Patricia K. McDermott and Arthur P. McDermott dated October 31, 1964 and recorded in Cumberland County Registry of Deeds in Book 2862, Page 62. Arthur P. McDermott is the sole surviving joint tenant since the death of Patricia K. McDermott of Falmouth, Maine on September 5, 2015.

IN WITNESS WHEREOF, the said Arthur P. McDermott has caused this instrument to be signed and sealed by Claire Langlois, Attorney in Fact for Arthur P. McDermott, this 24th day of June, 2016.

WITNESS:

STATE OF MAINE CUMBERLAND, SS. Power of Attorney dated November 17, 2011

Claire Langlois, Attorney in Fact under

June 24, 2016

Personally appeared the above-named Claire Langlois, Attorney in Fact for Arthur P. McDermott, and acknowledged the foregoing to be her free act and seed in her said capacity.

Matthew J. McDonald

Notary Public/Attorney at Law

Maine Attorney at Law Printed Name,

EXHIBIT A

A certain lot or parcel of land, with the buildings thereon, situated on the northeasterly side of the Bridgton Road, in the Town of Windham, County of Cumberland and State of Maine, bounded and described as follows:

Beginning on the northeasterly side line of the Bridgton Road at the southerly corner of land conveyed by Ione F. Cobb to Sarah M. Cobb, by deed recorded in Cumberland County Registry of Deeds in Book 1671, Page 25; thence southeasterly by the Bridgton Road five hundred (500) feet to an iron pipe; thence northeasterly parallel with said Cobb land forty-five (45) rods to an iron pipe; thence northwesterly parallel with the Bridgton Road five hundred (500) feet, more or less, to an iron pipe at the southeasterly side line of said Cobb land; thence southwesterly by said Cobb land forty-five (45) rods, more or less, to the point of beginning. Containing eight and one-half (8 ½) acres, more or less.

Excepting, however, so much of the premises above-described as was conveyed by Percival O. Bailey and Avis L. Bailey to Henry L. Foster, et al. by deed dated November 4, 1932, and recorded in said Registry of Deeds in Book 1409, Page 385, and by deed dated November 24, 1941, and recorded in said Registry of Deeds in Book 1649, Page 411, and so much of the said premises as is conveyed by Percival O. Bailey, et al. to Robert H. Bailey et al. by deed dated June 12, 1947, and recorded in said Registry of Deeds in Book 1876, Page 40.

Subject to a drainage easement and plunge pool and vegetated buffer easement granted to the State of Maine Department of Transportation as set forth in a Notice of Layout and Taking dated April 9, 2003 and recorded in the Cumberland County Registry of Deeds in Book 19354, Page 256 as shown and depicted on s State of Maine Department of Transportation Right of Way May for State Highway "14" (U.S. Route 302) as Federal Aid Project No. F-NH-014(58)E Part II dated July of 2002 and recorded in the Cumberland County Registry of Deeds in Book on October 4, 2007 in Plan Book 207, Page 587.

Also another certain lot or parcel of land, with any buildings thereon, situated on the northeasterly side of the Bridgton Road in said Town of Windham, and in the Town of Falmouth, in said County and State, bounded and described as follows:

Beginning at an iron pipe on the northeasterly side line of the Bridgton Road at the southerly corner of the first parcel of land herein described;

Thence southeasterly by the Bridgton Road to an iron stake at the westerly corner of land conveyed by Ione F. Cobb to Donald H. Mears by deed dated July 17, 1946, and recorded in said Registry of Deeds in Book 1833, Page 373;

Thence northeasterly by said Mears land to the northerly corner thereof;

Thence southeasterly by said Mears Land to the westerly corner of land conveyed by Avis L. Bailey to Amos A. Hawkes by deed dated Sept. 1, 1937, and recorded in said Registry of Deeds in Book 1533, Page 251;

Thence northeasterly by said Hawkes land to a stake at the southerly end of a small sandy beach on the shore of Highland Lake;

Thence northerly by the shore of Highland Lake to the southerly corner of land conveyed by Avis L. Bailey et al, to Sadie C. Dow, by deed dated September 16, 1944, and recorded in said Registry of Deeds in Book 1847, Page 461;

Thence northwesterly by said Dow land Four Hundred (400) feet, more or less, to a stake in the southeasterly side of a right of way;

Thence southwesterly by the edge of said right of way to the northeasterly side line of the first parcel of land herein described;

Thence southeasterly by said first parcel to the easterly corner thereof;

Thence southwesterly by said first parcel to the point of beginning.

Excepting, however, so much of said premises as was conveyed by Avis L. Bailey to Anna Mae Southard et al, by deed dated June 24, 1954, and recorded in said Registry of Deeds in Book 2181, Page 311.

This conveyance is made subject, however, to the rights and privileges conveyed by Avis H. Bailey, et als, to Cumberland County Power and Light Company by deed dated July 2, 1931, and recorded in said Registry of Deeds in Book 1378, Page 56.

This conveyance is made together with and subject to all easements, rights of way, appurtenances, conditions, and encumbrances of record to the extent still in full force and effect.

Also RELEASING all of Grantor's interest in the following described premises:

A certain lot or parcel of land, with the buildings thereon, situated on the Northeasterly side of Roosevelt Trail in the Town of Windham, County of Cumberland and State of Maine being more particularly described as follows:

Beginning at a 5/8" capped rebar (#1328) set in the ground on the Northeasterly side line of Roosevelt Trail at the Westerly corner of land now or formerly of Esad & Hajrija Tikvesa (21,759/158);

Thence N 65°33'50" E along land of the said Tikvesa 216.05 feet to an iron pin found set in the Northerly corner of land of the said Tikvesa and the Westerly corner of land of the Patricia K. McDermott Revocable Living Trust (27,721/92);

Thence N 78°27'09" E along land of the said Trust 134.66 feet to the end of a stone wall;

Thence S 57°43'03" E continuing along land of the said Trust 917.23 feet to a 5/8" capped rebar (#1328) set in the ground at the Westerly corner of land now or formerly of Alerton H. Hawkes (15,152/263);

Thence N 32°16'57" E along land of the said Hawkes 332 feet more or less, passing through an iron pipe found set in the ground at the shore of Highland Lake;

Thence Northerly by the shore of Highland Lake 582 feet more or less to a small stream and the Southerly corner of land now or formerly of John A. & Katheryn G. Dow (20,634/27);

Thence Northerly along the center of the said stream and land of the said Dow 280 feet more or less to a point;

Thence N 50°15'56'W continuing along land of the said Dow, passing through a 5/8" capped rebar (#2273), a distance of 433.23' to a 5/8" capped rebar (#2273) found set in the ground at the Westerly corner of land of the said Dow;

Thence N 39°33'00" E continuing along land of the said Dow 41.33 feet to a 5/8" capped rebar (#2273) found set in the ground;

Thence N 45°43'30" E continuing along land of the said Dow 59.04 feet to a 5/8" capped rebar (#2273) found set in the ground;

Thence N 72°54'38" E continuing along land of the said Dow 76.96 feet to a 5/8" capped rebar found set in the ground;

Thence N 63°11'42" E continuing along land of the said Dow 145.80 feet to a point;

Thence N 43°36'52" E continuing along land of the said Dow 125.32 feet to a stone wall on the Southwesterly side line of land now or formerly of Kirkpatrick (31,652/273);

Thence N 36°38'37" W along land of the said Kirkpatrick, crossing Dow Road 21.08 feet to a 5/8" capped rebar (#2080) found set in a stone wall corner marking the Easterly corner of land now or formerly of Patricia K. McDermott Revocable Living Trust (27,721/90);

Thence S 59°40'35" W along the said stone wall and land of the said Trust 446.86 feet to a point;

Thence S 66°14'37" W continuing along the said stone wall and land of the said Trust 137.59 feet to the end of the said stone wall;

Thence S 83°19'01" W continuing along land of the said Trust 323.27 feet to land now or formerly of Daniel A. Liberty, Jr. (13,238/300);

Thence S 57°03'50" W along land of the said Liberty 660.53to a point on the said side line of Roosevelt Trail;

RECEIVED - RECORDED, CUMBERLAND COUNTY REGISTER OF DEEDS 06/27/2016, 03:09:21P

Register of Deeds Nancy A. Lane E-RECORDED

Thence Southeasterly along the said side line of Roosevelt Trail following a curve to the left having a radius of 1929.11 feet a distance of 147.70 feet to a point;

Thence S 22°29'24" E continuing along the said side line of Roosevelt Trail 41.24 feet to a point;

Thence S 31°22'28" E continuing along the said side line of Roosevelt Trail 378.94 feet to the point of beginning.

All bearings are Magnetic of the year 1966.

This conveyance is made subject to the rights of others in and to the said Dow Road as it crosses the above described lot.

This conveyance is made subject to a drainage easement granted to the State of Maine. See Notice of Layout and Taking recorded in the Cumberland County Registry of Deeds in book 19,354 page 256.

This conveyance is made together with and subject to all easements, rights of way, appurtenances, conditions, and encumbrances of record to the extent still in full force and effect.

Reference is herein made to a plan entitled "Plan of Land On Dow Lane & Roosevelt Trail In Windham & Falmouth, Maine For Claire Langlois" prepared by Wayne Wood & Co. dated _______, 2016 and recorded on even date herewith.

P:\CKL\McDermott, Patricia (Estate of)\Deed book 2862.docx

Transmittal Letter

To:	Maine Historic Preservation Commission 55 Capitol Street State House Station 65 Augusta, ME 04333	From:	Terradyn Consultants L.L.C. P.O. Box 339 New Gloucester, ME 04260 (207) 926-5111
Attn:	To Whom It May Concern:		info@terradynconsultants.com
Re:	Highland Views – Tier 1	Date:	July 10, 2017

Quantity	Description
1	Copy of Tier 1 Application

To Whom It May Concern:,

Attached is a copy of the Tier 1 wetland alteration permit application for the Highland Views Subdivision. The development parcel is located on the northerly side of Route 302 in Windham.

Let me know if you have any questions.

Thank you,

Jeffrey D. Amos, P.E.

