



November 19, 2018

Amanda Lessard, Town Planner
Town of Windham
8 School Road
Windham, ME 04062

**Re: Sketch Minor Subdivision Review
293 Falmouth Road Subdivision
William Desmond - Applicant**

Dear Amanda:

On behalf of William Desmond we have prepared the enclosed application and plan for Sketch Minor Subdivision Review of a proposed 4-lot cluster subdivision on 6.6 acres in the Farm Zone. The subject property is located at 293 Falmouth Road and currently contains an existing dwelling located on 5.7 acres. The applicant resides on the abutting property and intends to convey approximately 0.9 acres to be added to the open space to meet the minimum gross land area requirement to be able to develop 4 lots. The project will require the construction of a 490-foot roadway meeting the Town's standards for a Minor Local Street. We are requesting a waiver from the requirements to install a cul-de-sac and to install a widened shoulder for pedestrian travel due to the short length of road and number of lots to be served.

It is our understanding that Public Water does not exist in Falmouth Road between Varney Mill Road and Albion Road, so the closest water main is located approximately 1.6 miles away. Each lot will require a private well and private on-site wastewater disposal system. Electrical and data service will be installed underground from Falmouth Road.

We are currently in the process of completing a boundary survey and wetland delineation on the property, and will include this information in our Final Plans, along with provisions for stormwater management and erosion control.

Upon your review of this information, please let us know if you have any questions or require any additional information.

Sincerely,

DM ROMA CONSULTING ENGINEERS

Dustin Roma

Dustin M. Roma, P.E.
President

Sketch Plan - Minor & Major Subdivision

Project Name: 293 FALMOUTH ROAD SUBDIVISION

Tax Map: 16B Lot: 18

Number of lots/dwelling units: 4 LOTS Estimated road length: 490 FEET

Is the total disturbance proposed > 1 acre? ☐ Yes ☒ No

Contact Information

1. Applicant

Name: WILLIAM DESMOND

Mailing Address: 174 FALMOUTH ROAD, WINDHAM, ME 04062

Telephone: _____ Fax: _____ E-mail: _____

2. Record owner of property

_____ (Check here if same as applicant)

Name: AMY DESMOND

Mailing Address: 174 FALMOUTH ROAD, WINDHAM, ME 04062

Telephone: _____ Fax: _____ Email: _____

3. Contact Person/Agent (if completed and signed by applicant's agent, provide written documentation of authority to act on behalf of applicant)

Name: DUSTIN ROMA

Company Name: DM ROMA CONSULTING ENGINEERS

Mailing Address: PO BOX 1116, WINDHAM, ME 04062

Telephone: 310 - 0506 Fax: _____ E-mail: DUSTIN@DMROMA.COM

I certify all the information in this application form and accompanying materials is true and accurate to the best of my knowledge.

Dustin Roma

Signature

11-19-18

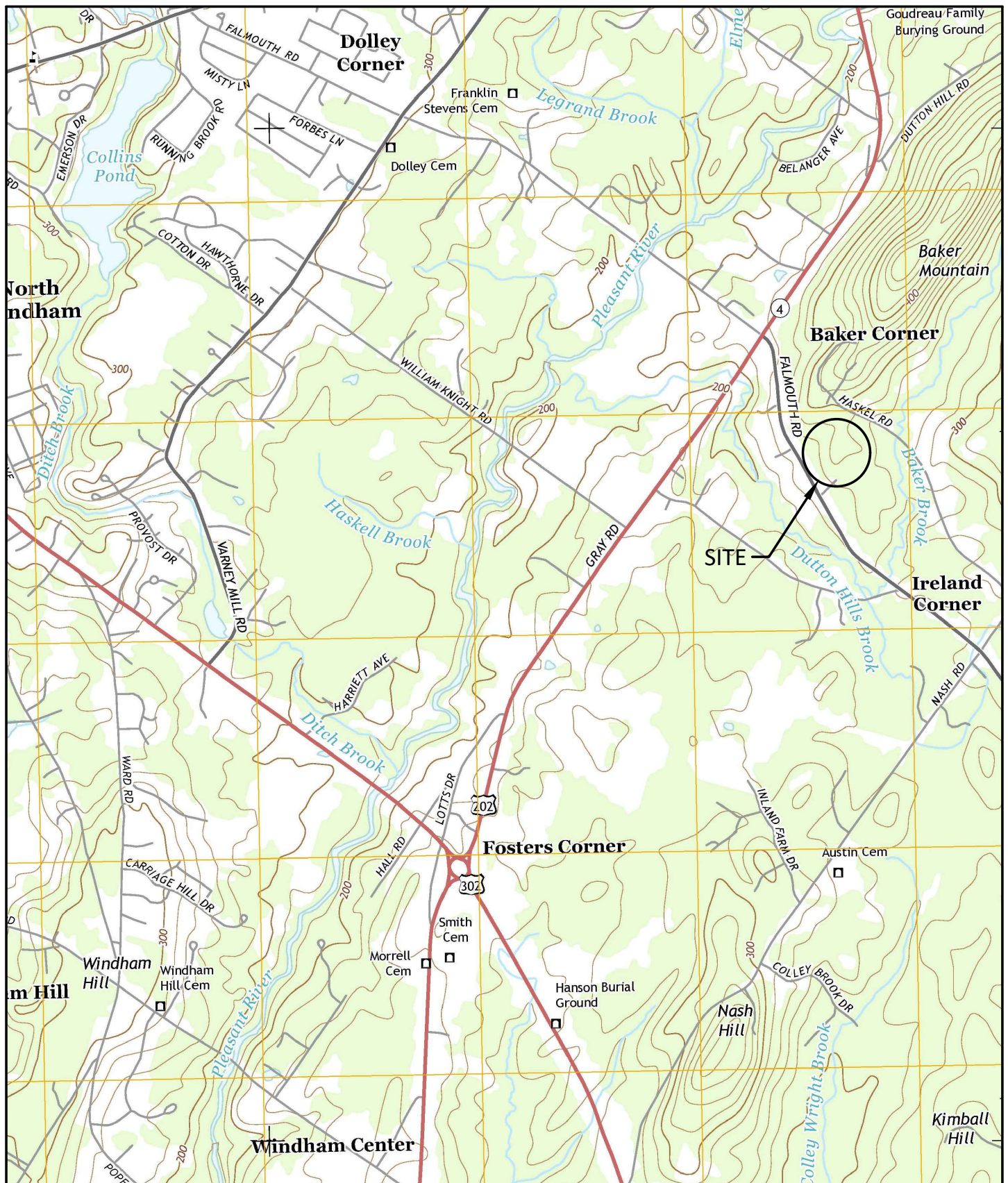
Date

Sketch Plan - Minor & Major Subdivisions: Submission Requirements

Applicant

Staff

a.	Complete Sketch Plan Application form	X	
b.	Project Narrative	X	
	conditions of the site	X	
	number of lots	X	
	constraints/opportunities of site	X	
	Outline any of the following studies that will be completed at a future stage:	X	
	traffic study	X	
	utility study	X	
	market study	X	
c.	Name, address, phone for record owner and applicant	X	
d.	Names and addresses of all consultants working on the project	X	
e.	Evidence of right, title, or interest in the property	X	
f.	Evidence of payment of Sketch Plan fees and escrow deposit	X	
g.	Any anticipated waiver requests (Section 908)	X	
	Waivers from Submission Criteria. Will the applicant be requesting waivers from the "Submission information for which a Waiver May be Granted"?	X	
	If yes, submit letter with the waivers being requested, along with reasons for each waiver request.	X	
	Waivers from Subdivision Performance Standards. Will the applicant be requesting waivers from any of the performance and design standards detailed in Section 911 of the Land Use Ordinance?	X	
	If yes, submit letter with the waivers being requested, along with a completed "Performance and Design Standards Waiver Request" form.	X	
h.	Copy of portion of the USGS topographic map of the area, showing the boundaries of the proposed subdivision.	X	
i.	Copy of that portion of the Cumberland County Medium Intensity Soil Survey covering the proposed subdivision, showing the boundaries of the proposed subdivision.	X	
	Submit initialed form regarding additional fees, from applicant intro packet	X	
j.	Plan Requirements		
1	Name of subdivision, north arrow, date and scale	X	
2	Boundary and lot lines of the subdivision	X	
3	Approximate location, width, and purpose of easements or restrictions	X	
4	Streets on and adjacent to the tract.	X	
5	Approximate location and size of existing utilities on and adjacent to the tract, including utility poles and hydrants (if none, so state).	X	
6	Existing buildings, structures, or other improvements on the site	X	
7	Major natural features of the site, approximated by the applicant including wetlands, streams and ponds, floodplains, groundwater aquifers, treelines, significant wildlife habitat and fisheries, and any other important features.	X	
Electronic Submission		X	



VICINITY MAP

293 FALMOUTH ROAD SUBDIVISION
WINDHAM, MAINE

FOR:
WILLIAM DESMOND

SCALE: 1"=2000'
DATE: 11-19-2018
JOB NUMBER: 18017

DM ROMA

CONSULTING ENGINEERS

PO BOX 1116
WINDHAM, ME 04062
(207) 310 - 0506

After recording return to:
Bergen & Parkinson, LLC
144 Main Street
Saco, ME 04072

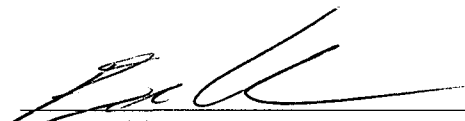
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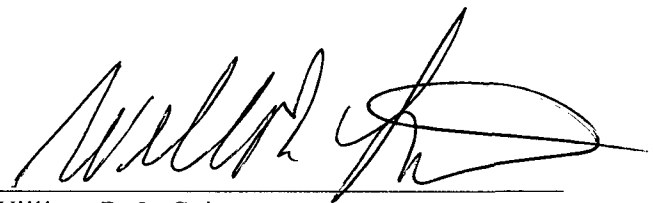
WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **WILLIAM R. LOSCIUTO** of 46 Watson Mill Rd., Saco, ME, 04072, FOR CONSIDERATION PAID, hereby grants to **AMY K. DESMOND**, whose mailing address is 174 Falmouth Rd., Windham, ME, 04062, with Warranty Covenants, a certain lot or parcel of land, together with any improvements thereon and all rights appurtenant thereto, commonly known and designated as 293 Falmouth Road, Windham, Maine; being more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND
INCORPORATED HEREIN BY REFERENCE

IN WITNESS WHEREOF, William R. LoSciuto has hereunder set his hand and seal as of this 31st day of March, 2017.


WITNESS

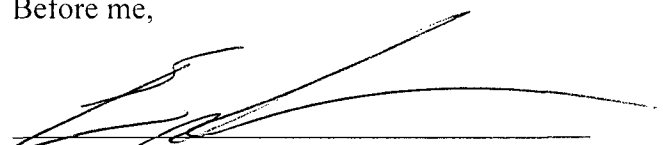

William R. LoSciuto

STATE OF MAINE
York, ss.

March 31, 2017

Personally appeared the above-named William R. LoSciuto and acknowledged the foregoing instrument to be his free act and deed.

Before me,


Attorney at Law/Notary Public

Erin K. Kalakowsky
ATTORNEY AT LAW

MAINE REAL ESTATE TAX PAID

EXHIBIT A

PARCEL I

A certain lot or parcel of land together with the buildings thereon situated on the Northeasterly side of the Falmouth Road (also formerly known as the highway leading from Baker's corner to North Falmouth), in said Windham and being bounded and described as follows:

BEGINNING at an iron set in the ground at or near the Northeasterly side line of the said Falmouth Road at an old stone wall and which said point also marks the Southerly corner of land now or formerly of Everett G. Varney; thence in a Northeasterly direction along land of said Varney and along the said old stone wall for a distance of Eleven Hundred Forty (1140) feet, more or less, to an iron set in the ground at or near the Southwesterly side line of on old discontinued road known as the Haskell Road; thence in a Southeasterly direction along the said Southwesterly side line of the Haskell Road for a distance of Seven Hundred Seventeen (717) feet, more or less, to an iron; thence in a Southerly direction along land of Scott C. LoSciuto for a distance of Four Hundred Fifty (450) feet, more or less, to an iron; thence in a Northwesterly direction along land of the said Scott C. LoSciuto for a distance of Six Hundred (600) feet, more or less, to an iron; thence in a Southwesterly direction along land of the said Scott C. LoSciuto for a distance of Two Hundred Sixty (260) feet, more or less, to an iron, and which said point also marks the Northerly corner of land of Charles V. LoSciuto, et al.; thence in a Southwesterly direction along land of the said Charles V. LoSciuto, et al.; for a distance of Seven Hundred Thirty-Five (735) feet, more or less, to an iron set in the ground at or near the said Northeasterly side line of the Falmouth Road and which said point also marks the Westerly corner of land of the said Charles V. LoSciuto, et al.; thence in a Northwesterly direction along the said Northeasterly side line of the Falmouth Road for a distance of Two Hundred Fifty (250) feet, more or less, to the point of beginning.

Being the same premises conveyed to William R. LoSciuto and Janet E. LoSciuto by deed of Mary G. Morse dated May 9, 1985 and recorded in the Cumberland County Registry of Deeds in Book 6802, Page 316.

PARCEL II

A certain lot or parcel of land situated off but not adjacent to the Northeasterly side of the Falmouth Road in Windham, County of Cumberland, State of Maine and bounded and described as follows:

BEGINNING at the most northerly corner of that certain lot or parcel of land of Charles V. LoSciuto, et al., as described in a deed recorded in the Cumberland County Registry of Deeds in Book 3208, Page 206; thence, in a northeasterly direction along land of William R. LoSciuto, et al. (Book 6802, Page 316) for a distance of Two Hundred Sixty (260) feet, more or less, to an iron; thence, in a southeasterly direction along land of William R. LoSciuto, et al. (Book 6802, Page 316) to the northerly corner of land of Stephen J. Quinlan (Book 9156, Page 222); thence South 57° 58' 00" West along Quinlan's northwesterly sideline a distance of Two Hundred Sixty Two (262) feet to land of Charles V. LoSciuto, et al. (Book 3208, Page 206); thence, in a north

westerly direction along land of the said Charles V. LoSciuto, et al. (Book 3208, Page 206) to the POINT OF BEGINNING.

Being the same premises conveyed to William R. LoSciuto and Janet E. LoSciuto by deed of Scott C. LoSciuto dated September 1, 1993 and recorded in the Cumberland County Registry of Deeds in Book 10943, Page 221.

Parcel I and Parcel II being also the same premises conveyed to William R. LoSciuto by deed from said Janet E. LoSciuto dated May 28, 1998 and recorded at said Registry of Deeds in Book 13901, Page 168.

EXCEPTING AND RESERVING FROM THE AFOREMENTIONED PARCELS THE FOLLOWING:

1. A certain lot or parcel of land conveyed from William R. LoSciuto to Stephen J. Quinlan by deed dated November 9, 1998 and recorded at said Registry of Deeds in Book 14295, Page 294.
2. A certain lot or parcel of land conveyed from William R. LoSciuto to Peter Weare and Linda S. Weare by deed dated November 9, 1998 and recorded at said Registry of Deeds in Book 14295, Page 296.
3. A certain lot or parcel of land conveyed from William R. LoSciuto to Peter Weare and Linda S. Weare by deed dated July 11, 2000 and recorded at said Registry of Deeds in Book 15594, Page 174.

The above described parcels of land are alternatively described as follows:

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

Beginning at a 30" Ash tree on the assumed Northeasterly side line of Falmouth Road at the Southerly corner of land now or formerly of Kathleen I. Varney (7981/67);

Thence N 56°34'19" E along land of the said Varney 200.00 feet to the Easterly corner of land of the said Kathleen Varney and the Southerly corner of land now or formerly of Everett G. Varney, Jr. (7062/240 & 15,359/141);

Thence N 52°17'53" E along land of the said Everett Varney, Jr. marked in part by a stone wall 564.23 feet to the Westerly corner of land now or formerly of Scott A. Blake and Wayne S. Sprague (29,178/245);

Thence S 33°11'34" E along land of the said Blake and Sprague and also land now or formerly of Peter and Linda S. Weare (15,594/174) and land now or formerly of Kevin P. Foley

(17,942/117) a total distance of 564.14 feet to land now or formerly of Stephen Quinlan (9156/222 & 14,295/294);

Thence S 57°37'26" W along land of the said Quinlan 262.00 feet to the Westerly corner of land of the said Quinlan on the Northeasterly boundary of land now or formerly of William Desmond (32,562/87);

Thence N 32°49'34" W along land of the said Desmond and also along land now or formerly of John R. and Nancy Hill Ward (23,775/303) a total distance of 278.94 feet to the Northerly corner of land of the said Ward;

Thence S 57°10'26" W continuing along land of the said Ward 594.21 feet to the Westerly corner of land of the said Ward on the assumed Northeasterly side line of the said Falmouth Road;

Thence N 11°37'19" W following a stone wall along the assumed Northeasterly side line of the said Falmouth Road 250.00 feet to the point of beginning. Containing 6.35 acres.

All bearings are Magnetic of the Year 1950.

Meaning and intending to convey a portion of the premises conveyed to William Losciuto by a deed recorded in the Cumberland County Registry of Deeds in Book 6802, Page 316.

Received
Recorded Register of Deeds
Apr 05, 2017 10:56:58A
Cumberland County
Nancy A. Lane

After Recording Return To:

William Desmond
650 Bridgton Road
Westbrook, ME 04092

DLN# 1001540004294

QUITCLAIM DEED WITH COVENANT

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, whose mailing address is **1400 E. Newport Center Drive, Deerfield Beach, FL 33442**, hereinafter Grantor, for **\$123,375.00**, in consideration paid, grants with quitclaim covenant to **WILLIAM DESMOND, A MARRIED MAN**, hereinafter Grantee, whose mailing address is **650 Bridgton Road, Westbrook, ME 04092**, all right, title, interest and claim to the land and real property described on Exhibit A.

Grantor makes no representations or warranties, of any kind or nature whatsoever, other than those set out above, whether expressed, implied, implied by law, or otherwise, concerning the condition of the title of the property prior to the date the Grantor acquired title.

This conveyance is made subject to all matters set forth on Exhibit B.


TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title interest, lien equity and claim whatsoever of the said Grantor, either in law or equity, to the only proper use, benefit and behalf of the Grantee forever.

Prior instrument reference: INSTRUMENT NO. 62938, Recorded December 31, 2014.

Executed by the undersigned on August 31, 2015:

GRANTOR:



JPMORGAN CHASE BANK, NATIONAL ASSOCIATION

By: 
Name: **Kapaldeo Bhagwandin**
Title: **Vice President**

STATE OF **Florida**
COUNTY OF **Broward**

Then personally appeared the above named **Kapaldeo Bhagwandin** its **Vice President** on behalf of **JPMORGAN CHASE BANK, NATIONAL ASSOCIATION** and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation.

Before me,

 **CRAIG R. MIREK**
MY COMMISSION #FF901919
EXPIRES: JUL 21, 2019
Bonded through 1st State Insurance

Notary Public **Craig R. Mirek**

No title search was performed on the subject property by the preparer. The preparer of this deed makes neither representation as to the status of the title nor property use or any zoning regulations concerning described property herein conveyed nor any matter except the validity of the form of this instrument. Information herein was provided to preparer by Grantor/Grantee and/or their agents; no boundary survey was made at the time of this conveyance.

Exhibit "A"
Legal Description

A CERTAIN LOT OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON, SITUATED IN THE TOWN OF WINDHAM, COUNTY OF CUMBERLAND AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY SIDE LINE OF THE FALMOUTH ROAD AT THE WESTERLY CORNER OF LAND CONVEYED TO MORRIS A. ROWE, ET AL, BY DEED DATED OCTOBER 7, 1965, SAID DEED BEING RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 2930, PAGE 357; THENCE NORTHEASTERLY ALONG THE WESTERLY SIDE LINE OF SAID LAND CONVEYED TO SAID MORRIS A. ROWE, TWO HUNDRED AND TEN (210) FEET, MORE OR LESS, TO A STAKE AND LAND NOW OR FORMERLY OF LLOYD E. MORSE AND MARY G. MORSE; THENCE CONTINUING NORTHEASTERLY ON THE SAME COURSE ON A PROLONGATION OF THE SAID WESTERLY LINE OF SAID LAND CONVEYED TO SAID MORRIS A. ROWE, FIVE HUNDRED AND TWENTY-FIVE (525) FEET, MORE OR LESS, TO AN IRON STAKE AND LAND NOW OR FORMERLY OF LLOYD E. MORSE AND MARY G. MORSE; THENCE AT A RIGHT ANGLE NORTHWESTERLY, THREE HUNDRED AND FIFTY (350) FEET TO AN IRON POST AND LAND NOW OR FORMERLY OF LLOYD E. MORSE AND MARY G. MORSE; THENCE SOUTHWESTERLY ON A LINE PARALLEL TO THE FIRST COURSE AND MAINTAINING A WIDTH OF THREE HUNDRED AND FIFTY (350) FEET FROM THE FIRST COURSE, SEVEN HUNDRED AND THIRTY-FIVE (735) FEET, MORE OR LESS, TO AN IRON STAKE ON THE SAID NORTHEASTERLY SIDE LINE OF SAID FALMOUTH ROAD; THENCE SOUTHWESTERLY ALONG THE NORTHEASTERLY SIDE LINE OF SAID FALMOUTH ROAD, THREE HUNDRED AND FIFTY (350) FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THIS CONVEYANCE IS SUBJECT TO A 25' WIDE EASMENT OR RIGHT OF WAY GRANTED TO SCOTT C. LOSCIUTO BY DEED OF CHARLES V. LOSCIUTO AND JEANETTE E. LOSCIUTO DATED JUNE 10, 1985 AND RECORDED AT SAID RESGISRTY IN BOOK 6802, PAGE 314.

EXCEPTING FROM THE ABOVE DESCRIBED PREMISES TWO (2) CERTAIN LOTS OR PARCELS OF LAND SITUATED ON THE EASTERLY SIDE OF THE FALMOUTH ROAD, TOGETHER WITH A 50' WIDE RIGHT OF WAY, ALL AS MORE FULLY SET FORTH IN WARRANTY DEEDS FROM JEANETTE E. LOSCIUTO TO TERRY SAUNDERS DATED AUGUST 8, 2002 AND RECORDED AT SAID REGISTRY IN BOOK 18006, PAGE 237, AND BOOK 18052, PAGE 275.

PARCEL ID #16B/18/B



③

Exhibit B
Permitted Encumbrances

1. The lien of taxes and assessments for the current year and subsequent years;
2. Matters that would be shown by an accurate survey and inspection of the property;
3. All covenants, restrictions, conditions, easements, reservations, rights-of-way, and other matters of record, to the extent valid, subsisting and enforceable;
4. Zoning requirements, statutes, rules, orders, restrictions, regulations and ordinances of governmental agencies or their instrumentalities relating to the property, the buildings located thereon, their construction and uses, in force on the date hereof (if any such exist);
5. All roads and legal highways;
6. Rights of parties in possession; and
7. Any licenses, permits, authorizations or similar items (if any) in connection with the conduct of any activity upon the property.

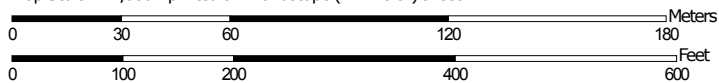


Soil Map—Cumberland County and Part of Oxford County, Maine
(18019- 293 Falmouth Road)



Soil Map may not be valid at this scale.

Map Scale: 1:2,080 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84



Natural Resources
Conservation Service


Web Soil Survey
National Cooperative Soil Survey

3/21/2018
Page 1 of 3

Soil Map—Cumberland County and Part of Oxford County, Maine
(18019- 293 Falmouth Road)


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 13, Sep 11, 2017

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

Date(s) aerial images were photographed: Apr 29, 2012—Jun 26, 2016

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
BuB	Lamoine silt loam, 3 to 8 percent slopes	0.0	0.0%
HrC	Lyman-Tunbridge complex, 8 to 15 percent slopes, rocky	1.9	28.4%
HrD	Lyman-Tunbridge complex, 15 to 35 percent slopes, rocky	0.4	6.2%
Sn	Scantic silt loam, 0 to 3 percent slopes	0.4	6.2%
WrB	Woodbridge fine sandy loam, 0 to 8 percent slopes	3.9	59.2%
Totals for Area of Interest		6.6	100.0%