

PRELIMINARY PLANNING BOARD APPLICATION PACKET

FOR

**SAND POND WOODS
SAND POND ROAD
BALDWIN, MAINE**

VAN HERTEL SR.

JULY 2020

Prepared By:

**Berry Huff McDonald Milligan, Inc.
Engineers Surveyors Planners
28 State Street
Gorham, ME 04038
207-839-2771
FAX 207-839-8250
wthompson@bh2m.com**

SAND POND WOODS
TABLE OF CONTENTS

1. COVER LETTER / NARRATIVE
2. APPLICATION
3. PARCEL DEED
4. USGS MAP
5. SAND & GRAVEL AQUIFER
6. WILDLIFE INVENTORY MAP
7. WETLAND REPORT
8. SOIL EVALUATION REPORT AND ASSOCIATED SOIL LOGS

COVER LETTER / NARRATIVE



BH2M

Berry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors

28 State Street, Gorham, Maine 04038
207 839-2771

WILLIAM A. THOMPSON
ROBERT C. LIBBY, Jr.
WALTER E. PELKEY
ANDREW S. MORRELL
STEVEN J. BLAKE

July 28, 2020

Wes Sunderland
Baldwin Code Enforcement
534 Pequawket Trail
Baldwin, Maine 04091

Re: Preliminary Plan
Sand Pond Woods

Dear Wes;

On behalf of the applicant, Van Hertel Sr., we are submitting our Preliminary Design for this 6-lot residential subdivision.

We introduced this project at the November 14, 2019 Planning Board meeting and the Planning Board conducted a site walk on December 7, 2019.

Based on comments from these two meetings, we have revised our design and this submission follows the requirements for Preliminary review for a major subdivision.

The following outlines our design elements:

1. Project has been reduced from 7 lots to 6 lots. No driveway access will be from Route 11 / East Sebago Road.
2. All minimum lot areas exceed the 2-acres required.
3. All lots have a minimum of 200-feet road frontage.
4. Subdivision plan includes ground topography, forested wetlands, stream with 75' foot setback and medium intensity soil mapping.
5. Soil test pits completed for each lot showing suitable area for a subsurface sewage disposal system.
6. We are proposing shared driveways to the extent possible. Lot 6 will access thru a 60-foot wide driveway easement from Sand Pond Road.
7. Trip generation numbers are shown on the plan.
8. This project does not fall in a lake watershed. All surface water is in Saco River Watershed.
9. There is no FEMA 100 year flood zone on this site.
10. Submission includes this site superimposed onto the USGS Map of this area.
11. Sand and Gravel Aquifer map showing this site.

12. Wildlife Habitat Map is attached.

13. Fire protection is addressed in three ways:

- a. Existing fire pond is located 2000' south of Sand Pond Road
- b. Existing dry hydrant system just east of the intersection of Sand Pond road along Route 113
- c. Existing fire department just west of Sand Pond Road along Route 113.

We look forward to presenting this project at the next available planning board meeting. Please find enclosed:

1. Two full size copies of the subdivision plan
2. Seven copies 11"x 17"
3. Application and supporting exhibits

Sincerely,



William A. Thompson
Project Manager

encl.

cc: V. Herfel Sr.

APPLICATION

Sand Pond Woods

Article 7 – Preliminary Plan for Major Subdivision

7.2 Submission

A. *Application Form*

Complete application attached.

B. *Location Map. The location map shall be drawn at a size adequate to show the relationship of the proposed subdivision to the adjacent properties, and to allow the Board to locate the subdivision within the municipality. The location map shall show:*

1. *Existing subdivisions in the proximity of the proposed subdivision.*
2. *Locations and names of existing and proposed streets.*
3. *Boundaries and designations of zoning districts.*
4. *An outline of the proposed subdivision and any remaining portion of the owner's property if the preliminary plan submitted covers only a portion of the owner's entire contiguous holding.*

Location Map shows the relationship with surrounding street, river and ponds.

1. Proposed subdivisions shown
2. Existing streets shown
3. Entire project area is in Rural District
4. The proposed subdivision outline is shown

C. *Preliminary Plan. The preliminary plan shall be submitted in three copies of one or more maps or drawings which may be printed or reproduced on paper, with all dimensions shown in feet or decimals of a foot. The preliminary plan shall be drawn to a scale of not more than one hundred feet to the inch. Plans for subdivisions containing more than one hundred acres may be drawn at a scale of not more than two hundred feet to the inch provided all necessary detail can easily be read. In addition, one copy of the plan(s) reduced to a size of 8 ½ by 11 inches or 11 by 17 inches, and all accompanying information shall be mailed to the town clerk for distribution to each of the Board members no less than 10 days prior to the meeting.*

Preliminary plan shown and dimensions in feet and decimals of a foot. Plan drawing at 30-feet to the inch

A plan reduced to 11"x 17" has been mailed and sent electronically to Town no less than 10 days prior to the meeting.

D. *Application Requirements. The application for preliminary plan approval shall include the following information. The Board may require additional information to be submitted, where it finds necessary in order to determine whether the criteria of Title 30 A.M.R.S.A., §4404 are met.*

Application Requirements. Application includes the following:

1. *Proposed name of the subdivision and the name of the municipality in which it is located, plus the Assessor's Map and Lot numbers.*
Proposed project name – Sand Pond Woods
Municipality – Baldwin
Assessors Map 1, Lot 94
2. *Verification of right, title or interest in the property*
Parcel Deed Book 35546, Page 194
3. *A standard boundary survey of the parcel, giving complete descriptive data by bearings and distances, made and certified by a professional land surveyor. The corners of the parcel shall be located on the ground and marked by monuments.*
Standard Boundary Survey completed and stamped
by Robert C. Libby Jr, PLS #2190
4. *A copy of the most recently recorded deed for the parcel. A copy of all deed restrictions, easements, right of way, or other encumbrances currently affecting the property.*
Recorded parcel deed Book 35546 Page 194 is attached to submission packet.
5. *A copy of any deed restrictions intended to cover all or part of the lots or dwellings in the subdivision.*
No deed restrictions are proposed at this time.
6. *An indication of the type of sewage disposal to be used in the subdivision.*
Sewage disposal shall include an individual system on each lot.
 - a. *When sewage disposal is to be accomplished by subsurface waste water disposal systems, test pit analyses, prepared by a Licensed Site Evaluator or Certified Soil Scientist shall be provided. A map showing the location of all test pits due on the site shall be submitted.*
Licensed Site Evaluator Alexander Finamore, LSE #391 conducted test pits. All test pits are shown on site plan.
7. *An indication of the type of water supply system(s) to be used in the subdivision.*
 - a. *When water is to be supplied by private wells, evidence of adequate ground water supply and quality shall be submitted by a well driller or a hydrogeologist familiar with the area.*
Drilled wells will be installed for each lot. A letter has been

requested from a well driller and will be submitted when received.

8. *The date the plan was prepared, north point, and graphic map scale.*
Plan shows date of preparation including all revision dates.
9. *The names and addresses of the record owner, applicant, and individual or company who prepared the plan and adjoining property owners.*
Plan includes record owner and applicant to be Van Hertel SR., BH2M Engineers as plan preparer and shows all adjoining property owners.
10. *A high intensity soil survey by a Certified Soil Scientist. Wetland areas shall be identified on the survey, regardless of size.*
We would request a waiver on completing a High Intensity Soil Survey based on the evidence of medium intensity soils showing all Windsor A & Augres A Soils (well drained). The only mapped wetland area is along the stream on of Lot 6 on the subject parcel.
11. *The number of acres within the proposed subdivision, location of property lines, existing buildings, vegetative cover type, and other essential existing physical features.*
Total acreage of proposed subdivision is 34.65 acres as noted in plan note 6. No existing buildings. Site is lightly wooded.
12. *The location of all rivers, streams and brooks within or adjacent to the proposed subdivision. If any of the proposed subdivision is located in the direct watershed of a great pond, the application shall indicate which great pond.*
All rivers, streams and brooks on and adjacent to project are shown on plans. This project is not in a watershed of a great pond. Project watershed is the Saco River.
13. *Contour lines at the interval specified by the Board, showing elevations in relation to Mean Sea Level.*
Contour interval is 2 feet. Site is flat with little grade change on all building areas.
14. *The zoning district in which the proposed subdivision is located and the location of any zoning boundaries affecting the subdivision.*
Project is in Rural Zone and is noted in plan note 7.
15. *The location and size of existing and proposed sewers, water mains, culverts, and drainage ways on or adjacent to the property to be subdivided.*
There are no existing or proposed sewers, watermains on this project. We have an existing stream shown running north/south thru Lot 6. All proposed driveways shall have a 15 inch culvert at the entrance.
16. *The location, names, and present widths of existing streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision.*

Names and width of all existing streets are shown on plan. There are no existing or proposed easements on this site.

17. *The width and location of any streets, public improvements or open space shown upon the official map and the comprehensive plan, if any, within the subdivision.*

No new streets or open space are proposed for this project.

18. *The proposed lot lines with approximate dimensions and lot areas.*

Proposed lot lines are shown with dimensions and lot areas.

19. *All parcels of land proposed to be dedicated to public use and the donations of such dedication.*

No land area is proposed to be dedicated to public use.

20. *The location of any open space to be preserved and a description of proposed ownership, improvement and management.*

No open space is proposed.

21. *The area on each lot where existing forest cover will be permitted to be removed and converted to lawn, structures or other cover and any proposed restrictions to be placed on clearing existing vegetation.*

No zoning restricts the amount of forest cover that each lot owner can convert to lawn. Generally, each lot owner will leave vegetation along side and rear lot lines.

22. *If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the 100 year flood elevation, as depicted on the municipality's Flood Insurance Rate Map, shall be delineated on the plan.*

No portion of this project falls within a 100 year flood zone. FEMA map is attached to application packet.

23. *A hydrogeologic assessment prepared by a Certified Geologist or Registered Professional Engineer, experienced in hydrogeology, when the subdivision is not served by public sewer and*

a. *Any part of the subdivision is located over a sand and gravel aquifer, as shown on a map entitled "Hydrogeologic Data for Significant Sand and Gravel Aquifers" by the Maine Geological Survey, 1985 or*

b. *The subdivision has an average density of more than one dwelling unit per 100,000 square feet.*

We are requesting a waiver from a hydrogeologic assessment.

a. We do fall within an aquifer mapped area however.

b. This subdivision has an average density as shown:

$$\frac{34.65 \text{ acres} \times 43,560 \text{ s.f.}}{7} = 215,622 \text{ sf/lot}$$

7

Density exceeds 100,000 s.f. per lot

In addition, there are no areas shallow to bedrock soils and this project is not a cluster subdivision. All lots exceed the minimum 2 acre zone. Lots 1 thru 6 are 90,509 s.f. to 484,781 s.f. Lot 7 is 12 acres in size.

24. *An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours. Trip generation rates used shall be taken from Trip Generation Manual 1991 edition, published by the Institute of Transportation Engineers. Trip generation rates from other sources may be used if the applicant demonstrates that these sources better reflect local conditions.*

Trip generation is 10 trips per day per lot.

7 lots x 10 trips = 70 trips per day

This is noted on plan note 12.

25. *For subdivision involving 40 or more parking spaces or projected to generate more than 400 vehicle trips per day, a traffic impact analysis, prepared by a Registered Professional Engineer with experience in traffic engineering, shall be submitted. The analysis shall indicate the expected average daily vehicular trips, peak-hour volumes, access conditions at the site, distribution of traffic, types of vehicles expected, effect upon the level of service of the street giving access to the site and neighboring streets which may be affected, and recommended improvements to maintain the desired level of service on the affected streets.*

This project will not involve 40 or more parking spaces generating 400 vehicle trips per day.

26. *Areas within or adjacent to the proposed subdivision which have been identified as high or moderate value wildlife habitat by the Maine Department of Inland Fisheries and Wildlife or within the comprehensive plan. If any portion of the subdivision is located within an area designated as a unique natural area by the comprehensive plan or the Maine Natural Areas Program the plan shall indicate appropriate measures for the preservation of the values which qualify the site for such designation.*

This project is not a high or moderate value wildlife habitat. We have resource map as part of this application packet.

27. *If the proposed subdivision is in the direct watershed of a great pond, and qualifies for the simplified review procedure for phosphorus control, the plan shall indicate the location and dimensions of vegetative buffer strips or infiltration systems and the application shall include a long-term maintenance plan for all phosphorus control measures.*

This project is not within a direct watershed of a great pond.

Marquis Well & Pump

The Water Specialists

(207) 490-5944 Cell 459-0720

Date: 7-28-20

Addressee: Van / Bill

Location: Sand Pond rd

Baldwin

Using the State of Maine online data bases there is adequate water via well points or drilled wells.

<https://www.maine.gov/dacf/mgs/pubs/digital/well.htm>

<https://www.maine.gov/dacf/mgs/pubs/digital/aquifers.htm>

Randy Marquis
Marquis Well & Pump
1 Alpine Drive
Sanford, ME 04073

For Town Use Only

Date Application Received _____

Received By: _____

Fee Paid: \$ _____

Town of Baldwin, Maine.
Application for Conditional Use Permit

The Land Use Ordinance of the Town of Baldwin allows the Planning Board to grant a Conditional Use Permit for those uses listed specifically as Conditional Uses in Article 6, District Regulations of the code. Before granting a permit, the Board must find that the standards contained in Article 8, Conditional Uses have been met. It is your obligation to submit the necessary materials to allow the Planning Board to determine if those standards have been met. Three copies of the complete application and supporting materials and the applicable fee shall be submitted to the Code Enforcement Officer.

Section A: Basic Information (to be completed by all applicants)

1. Applicant's Legal Name Van Houtel SR.
2. Applicant's Mailing Address P.O. Box 1602
Alton N.H.
03809
3. Phone number where applicant can be reached during business hours 603-651-8603
4. Are you the owner of record of the property for which the Conditional Use Permit sought?
☒ yes (provide copy of title and go to Question 8)
☐ no (answer Questions 5, 6, and 7)
5. To apply for a conditional Use Permit, you must have legal right, title, or interest in the property. Please indicate your interest in the property and attach written evidence of this interest.
Warranty Deed
BK 35546 Pg 194
6. Property Owner's Name Van Houtel SR.
7. Property Owner's Address Same as Applicant
8. Location of property for which the permit is sought SAND PENIT ROAD & RTE 11
9. Indicate the Map and Lot number for the property from the Town's assessment records
Map # 1 Lot # 94
10. Indicate Zoning District in which the property is located (check as many as apply)
☐ Natural Resource Protection
☐ Village Commercial
☒ Highlands
☒ Rural
11. List the use for which a Conditional Use Permit is being sought. Please refer to Article 6, District Regulations. The proposed use must be specifically listed as conditional use in the district in which it is located.
SUB-DIVISION

Town of Baldwin, Maine
Application for Conditional Use Permit
(continued – page #2)

12. Attach the following information to this application as outlined in Article 8 Conditional Uses. For each item, please indicate by checking that item that it has been included with your application.

- ☒ a. A location map showing the location of the property with respect to roadways and major natural features. This map should allow the Board to locate the parcel in the field and on the Town's zoning and tax maps.
- ☒ b. A written description of the proposed use of the property. This statement shall describe the exact nature of the proposed use.
- ☒ c. An accurate, scale drawing of the lot showing the location of any existing or proposed buildings, structures, and natural features, Driveways and parking areas.

Section B: Standards for a conditional Use Permit (the full text appears in Article 8.3)

1. The Planning Board shall consider impact:

- ☒ a. The size of the proposed use compared with surrounding uses.
- ☒ b. The intensity of the proposed use, including amount and type of traffic to be generated, hours of operation, expanse of pavement, and similar measures of intensity of use, compared with surrounding uses.
- ☐ c. The potential generation of noise, dust, odor, vibration, glare, smoke, litter and other nuisances.
- ☒ d. Unusual physical characteristics of the site, including size of the lot, shape of the lot, topography, and soils, which may tend to aggravate adverse impacts upon surrounding properties.
- ☐ e. The degree to which landscaping, fencing, and other design elements have been incorporated to mitigate adverse impacts on surrounding properties.

2. The Planning Board shall consider facilities:

- ☐ a. The ability of traffic to safely move into and out of the site at the proposed location.
- ☐ b. The presence of facilities to assure the safety of pedestrians passing by or through the site.
- ☐ c. The capacity of the street network to accommodate the proposed use.
- ☐ d. The capacity of the storm drainage system to accommodate the proposed use.
- ☐ e. the ability of the Town to provide necessary fire protection services to the site and development.

3. The Planning Board shall consider natural characteristics:

- ☒ a. The natural characteristics of the site, including topography, drainage, and relationship to ground and surface waters and flood plains, shall not be such that the proposed use when placed on the site will cause undue harm to the environment or to neighboring properties.

Section C: Shoreland Standards

Section to be completed only if any portion of the property is located within 250 feet of the normal high water mark of Ingalls Pond, Sand Pond, Southeast Pond, Adams Pond, or the Saco River or within 75 feet of any stream. For each standard, attach a written statement demonstrating how the proposed use complies with that standard. For each item, please indicate by checking that item that it has been included with your application. Each standard must be addressed in your submission.

- ☐ a. Will not result in unreasonable damage to spawning grounds, fish, aquatic life, birds and other wildlife habitat.
- ☐ b. Will reasonably conserve shoreland vegetation.
- ☐ c. Will reasonably conserve visual points of access to waters as viewed from public facilities.
- ☐ d. Will conserve actual points of public access to waters.
- ☐ e. Will reasonably conserve natural beauty.
- ☐ f. Will reasonably avoid problems associated with floodplain development or use.

Section D: (to be completed by applicant)

I/We Van Houtel SR, certify that I/We are the legal applicants for the conditional use permit by this application, that I/We are the owners of the property covered by this application or have the **property owner's consent** to the filing of this application and **have legal interest** in the property and that the information contained in this application and supporting materials is accurate and true.

I/We further certify that I/We have the standards for granting of Conditional Use Permits contained in Land Use Ordinance.

William A. Agnew For Van Houtel SR
Signature of Applicant

11-7-19
Date

Signature of Applicant

Date

Permit Fee: \$ 150.00
Signature of CEO

Date Received

Official Use: Planning Board.

Date Received by Planning Board: _____

Received By: _____

Date of Public Hearing: _____

Conditional Use Permit about: _____

PERMIT DENIED Date: _____ **Explanation:** _____

PERMIT APPROVED Date: _____ **Conditions of Permit (if any)** _____

Planning Board Signatures:

1. _____

2. _____ 3. _____

4. _____ 5. _____

PARCEL DEED

Sand Pond

WARRANTY DEED
Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS, that VAN E. HERTEL, JR., of 5 Shady Creek Lane, Scarborough, Maine, 04074, for consideration paid, grants to VAN E. HERTEL, SR., of 617 Four Bays Drive, Nokomis, Florida 34275, with WARRANTY COVENANTS, the land in the Town of Baldwin, County of Cumberland, and State of Maine, described as follows:

SEE EXHIBIT A, ATTACHED HERETO

IN WITNESS WHEREOF, Van E. Hertel, Jr. has caused this instrument to be executed and delivered this 21st day of March, 2019.

Signed, Sealed and Delivered in
the Presence of

Jane L. Frankland
Witness

Van E. Hertel, Jr.
Van E. Hertel, Jr.

State of Maine
County of York, SS.

March 21, 2019

Then personally appeared the above named Van E. Hertel, Jr. and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Jane L. Frankland
Notary Public/Attorney at Law

Printed name: Jane L. Frankland

My commission expires: 11-23-23



MAINE REAL ESTATE TAX PAID

EXHIBIT A.

A certain lot or parcel of land located on the easterly sideline of Sand Pond Road, so-called, and on the northwesterly sideline of Route 11, also known as East Sebago Road, in the Town of Baldwin, County of Cumberland and State of Maine; said parcel being more particularly described as follows:

Beginning at the intersection of the easterly sideline of said Sand Pond Road and the northwesterly sideline of said Route 11 as shown on aforesaid plan; thence N 00°-53'-32" W along the easterly sideline of said Sand Pond Road a distance of 339.43 feet to a point; thence N 05°-31'-22" W along the easterly sideline of said Sand Pond Road a distance of 197.15 feet to a point; thence N 15°-17'-00" W along the easterly sideline of said Sand Pond Road a distance of 272.14 feet to a point; thence N 38°-59'-59" W along the easterly sideline of said Sand Pond Road a distance of 276.11 feet to a point; thence N 34°-07'-58" W along the easterly sideline of said Sand Pond Road a distance of 114.91 feet to a point; thence N 15°-45'-22" W along the easterly sideline of said Sand Pond Road a distance of 46.09 feet to a point and land now or formerly of Mildred P. Jackson; thence N 71°-30'-03" E along the land of said Jackson a distance of 1597.66 feet to a capped iron rod found (PLS #1303); thence N 18°-32'-46" W along the land of said Jackson a distance of 1222.71 feet to a 1" iron pipe found and land now or formerly of Sand Pond Realty Trust; thence N 71°-28'-49" E along the land of said Sand Pond Realty Trust a distance of 222.10 feet to a point and remaining land of Van Hertel, Jr.; thence S 40°-42'-39" E along the remaining land of Van Hertel, Jr. a distance of 151.12 feet to a point; thence S 56°-51'-13" E along the remaining land of Van Hertel, Jr. a distance of 296.45 feet to a point; thence S 66°-37'-20" E along the remaining land of Van Hertel, Jr. a distance of 113.78 feet to a point; thence S 63°-41'-13" E along the remaining land of Van Hertel, Jr. a distance of 106.85 feet to a point; thence S 81°-35'-20" E along the remaining land of Van Hertel, Jr. a distance of 122.44 feet to a point and the northwesterly sideline of said Route 11; thence S 22°-22'-13" W along the northwesterly sideline of said Route 11 a distance of 271.52 feet to a point; thence S 26°-49'-35" W along the northwesterly sideline of said Route 11 a distance of 827.57 feet to a point; thence in a general southwesterly direction along the northwesterly sideline of said Route 11 and along a circular curve to the right, circumscribed by a radius of 1754.00 feet, an arc length of 415.44 feet to a point; said point being S 33°-36'-42" W a tie distance of 414.47 feet from said previous point; thence S 40°-23'-49" W along the northwesterly sideline of said Route 11 a distance of 756.40 feet to a point; thence S 38°-00'-01" W along the northwesterly sideline of said Route 11 a distance of 749.98 feet to the point of beginning.

The above described parcel contains 1,509,423 s.f. (34.65 acres). All bearings refer to magnetic north as observed in 2018.

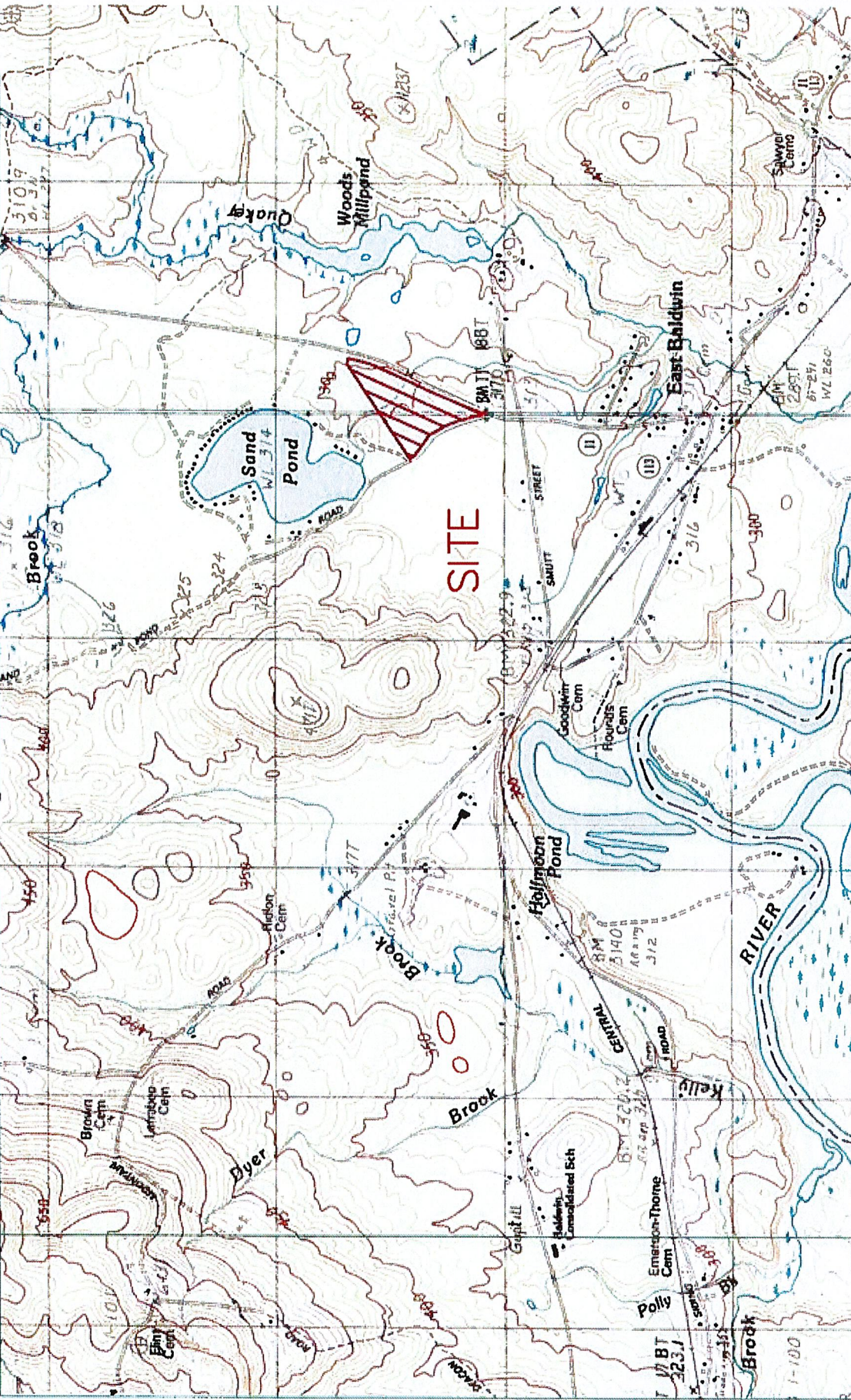
The above described parcel is subject to a certain 50-foot wide right of way known as Allaire Camp Road for ingress and egress and the installation of utilities located on the northwesterly

sideline of said Route 11 and along the northeasterly sideline of the above described parcel and shown on the aforesaid plan for a more particular description.

Meaning and intending to describe and convey a portion of the same premises conveyed to Van E. Hertel, Jr., by Warranty Deed of Jonathan Simonds, dated January 25, 2018, and recorded in the Cumberland County Registry of Deeds at Book 34619, Page 47.

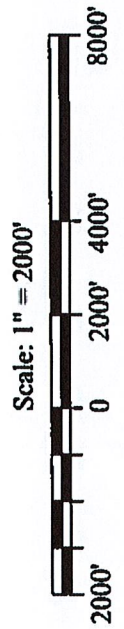
Received
Recorded Register of Deeds
Mar 29, 2019 11:34:58A
Cumberland County
Nancy A. Lane

USGS MAP



Berry, Huff, McDonald, Milligan Inc.
 Engineers, Surveyors
 28 State Street
 Gorham, Maine 04038
 Tel. (207) 839-2771
 www.bh2m.com

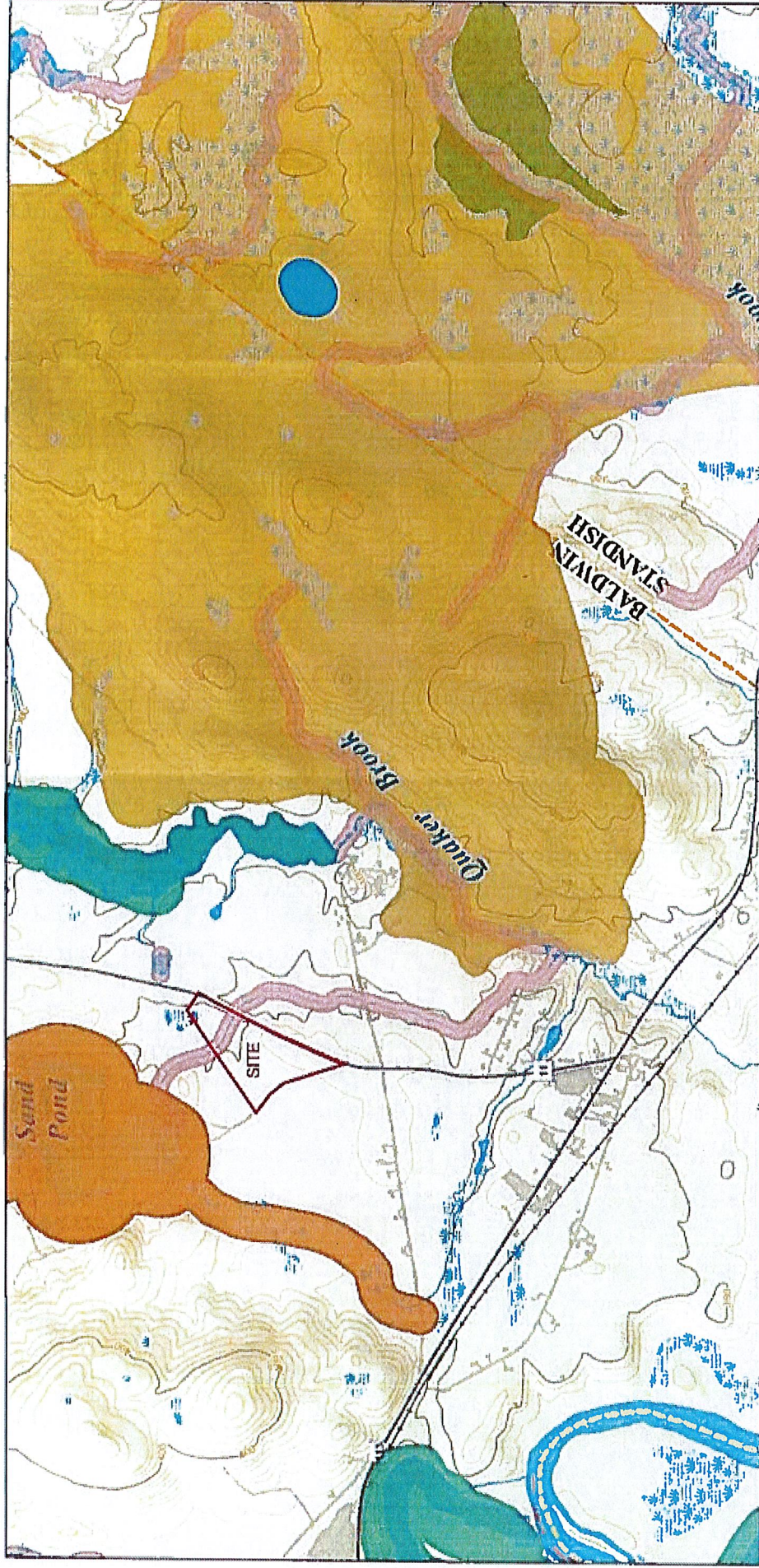
USGS MAP SITE LOCATION SAND POND WOODS



SAND & GRAVEL AQUIFER

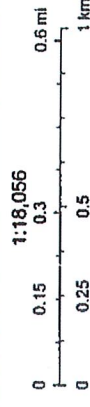
WILDLIFE INVENTORY MAP

Beginning With Habitat



January 23, 2020

- Significant Vernal Pools
- Deer Wintering Areas
- Natural Communities
- ETSC Animal Habitat Buffers
- Inland Wading Bird and Waterfowl Habitat
- sspawn
- srear
- bitrout



SAND POND WOODS

This map is intended for planning purposes and should not be used
Copyright 2016 Beginning With Habitat

WETLAND REPORT



To: Bill Thompson
BH2M, Inc.
28 State Street
Gorham, ME 04038

Date: October 2, 2018

From: Alexander A. Finamore, CWS, LSE
Mainely Soils, LLC

Re: Van Hertel Jr. Property, Baldwin, ME – Wetland Delineation
Memorandum

At the request of BH2M, Inc (the "Client"), Mainely Soils conducted on-site wetland and waterbody delineations and preliminary vernal pool surveys on three adjacent parcels, approximately 63, 51, and 35 acres in size located along Route 11 in Baldwin, Maine. The property owner proposes to subdivide the lots as allowed by town ordinance. These field investigations were performed to provide baseline environmental data to inform the proposed development of the site. The natural resources assessments described in this memorandum were completed in September 2018. In addition to describing the identified resources this report describes the existing conditions within the study area, and the methodologies employed for the assessments.

PROJECT DESCRIPTION

The project site is located within a zone of Residential development along the Route 11 and Freemont Avenue corridors in the Town of Baldwin. The proposed development site is currently undeveloped forested land that has been logged in the past 2 years. Surrounding land use of the site is residential. Access to the proposed subdivision is proposed to be from Freemont Avenue, Route 11, Sand Pond Road, and Fire Lane 11. In total, the wetland and waterbody delineation survey area encompassed approximately 149 acres, identified by the Town of Baldwin as Tax Map 1, LOTS 93 AND 94.

SITE DESCRIPTION

The Study Area occurs in the Sebago-Ossipee Hills & Plains biophysical region of Maine (Schlawin & Cutko, 2014). The Sebago-Ossipee Hills & Plains biophysical region is characterized by variable topography, ranging from plains to low hills of low relief along Atlantic coast. Interior areas are high hills to semi-mountainous, parts of which were glaciated. Vegetation is characterized by tall, cold-deciduous broadleaf forests that have a high proportion of mesophytic species. Bedrock geology is varied and complex, consisting of sedimentary, igneous, and metamorphic rocks. Forest vegetation includes oak-hickory, white-red-jack pine, maple-beech-birch, and aspen-birch cover types. The survey area is located within the Saco River watershed (Hydrologic Unit Classification (HUC) 8 identification 01060002).

The Natural Resource Conservation Service soil survey mapping identifies native soils at the site as being formed within very deep glaciofluvial materials on outwash terraces, outwash plains, outwash deltas, kames, kame terraces, and eskers (Windsor, Deerfield, and Au Gres series) (Web Soil Survey, 2018). The Windsor series is an excessively drained soil map unit, Deerfield is moderately well drained, Au Gres is somewhat poorly drained. Soils within the site are generally flat plains with a slight depressions associated with the floodplain of an unnamed perennial tributary to Quaker Brook.

Study Methodology

Mainely Soils conducted wetland delineation field work within the survey area in September, 2018. The boundary of wetlands were delineated in accordance with the Army Corps of Engineers 1987 Wetland Delineation Manual (1987

Manual) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0) (Regional Supplement, 2012). All wetland delineations were conducted using the Routine Determination Methods, which requires that a wetland contain a dominance of hydrophytic vegetation, hydric soils, and evidence of hydrology in order to be considered a wetland. Wetland boundaries were located and demarcated using pink day-glow flagging, with each flag labeled with the corresponding alphabetic wetland identification code and a flag number (i.e. A1-1). Wetland flag locations were recorded in the field using a Trimble® GPS unit capable of sub meter accuracy, post processed, and transferred and incorporated onto project mapping.

Six distinct wetland areas were delineated throughout the study area. Additional field notes were also taken to record the classification of each wetland in accordance with the Classification of Wetlands and Deepwater Habitats of the United States, general site characteristics, unique qualities observed during the site assessment, and other considerations relevant to investigation findings and the future completion of a wetlands functions and values assessment in accordance with the Highway Methodology Workbook: Supplement. Representative photographs of each wetland were taken, field sketches were labeled of the wetland boundary on an aerial photograph-based map, and notes were recorded on the flagging sequence for each wetland.

Mainly Soils also surveyed the site for streams, in accordance with the State of Maine Natural Resources Protection Act stream criteria and definitions. Two perennial streams were delineated on the study area that have also been mapped as blue lines on the Steep Falls USGS quadrangle.

Vernal pools are small (usually less than one acre), seasonal wetlands that lack perennial inlet or outlet streams and have no permanent fish populations (Calhoun and deMaynadier 2004). Vernal pools are valuable wetland wildlife habitat because of their potentially high biological productivity and use as breeding habitat by specialized animal communities. The characteristics of vernal pools including size, duration of flooding, substrate type and vegetative community are directly affected by a variety of factors such as landscape setting, surficial geology, soil type, and surrounding vegetation (Maine Audubon Society 1999).

As onsite investigations took place in August outside of the vernal pool indicator breeding season, a preliminary Vernal pool survey was conducted within the Study Area to identify and potential pool locations. Three potential pool locations were identified.

Study Results

Using the methodologies described above, a wetland delineation was performed in September 24, 25, and 27, 2018. A description of the identified resources follows. Supporting attachments include Representative Photographs (Attachment 1). Wetland Delineation Data Forms can be provided upon request.

Wetlands at the project site consisted of six distinct features. All six wetlands were palustrine forested seasonally saturated/flooded wetland dominated by deciduous trees (PFO1E)(Cowardin et al, 1979) located in a depressional landscape. Portions of Wetland A1 and A5 were located within floodplains of perennial streams S1 and S2 delineated onsite. Dominant wetland vegetation consists of red maple (*Acer rubrum*), yellow birch (*Betula alleghaniensis*), green ash (*Fraxinus pennsylvanica*), balsam fir (*Abies balsamea*), white pine (*Pinus strobus*), eastern hemlock (*Tsuga canadensis*), cinnamon fern (*Osmunda cinnamomea*), interrupted fern (*Osmunda claytoniana*), jewelweed (*Impatiens capensis*), sensitive fern (*Onoclea sensibilis*), fringed sedge (*Carex crinita*), and goldthread (*Coptis trifolia*). The soils within the wetland had a thick, mucky organic surface overlaying a depleted sandy substratum meeting hydric soil criteria A2: Histic Epipedon. Evidence of wetland hydrology included small pockets of water, water stained leaves, and saturation to the soil surface at the time of field investigations in September, 2018.

Two streams were delineated within the Study Area. Stream S1 was a perennial stream flowing in an easterly direction south of Freemont Avenue within Wetland A1. The stream was approximately 6–8 feet wide with approximately 8 inches of flowing water and a sandy substrate and 18 inch vertical banks. Stream S1 originated within Wetland A1 onsite and flowed off site into Quaker Brook. Stream S2 was a perennial stream flowing in a southeasterly direction approximately 4–6 feet wide with 6 inches of flowing water and a sandy substrate and 12 inch vertical banks. Stream S2 drained Sand Pond into Quaker Brook.

Three potential vernal pool locations were identified onsite during field investigations, however, it is recommended that a formal vernal pool survey be completed during the indicator species breeding season as several areas had the potential to contain standing water and support vernal pool species breeding.

Summary

The information contained in this memorandum was collected in order to provide detailed, on-site information regarding wetland and waterbody resources. This information is intended to be used for project planning purposes and to support permitting needs. Six forested wetlands were delineated on the site and were identified as Wetlands A1, A2, A3, A4, A5, and A6. The wetland features were located within sandy soils in slight depressional swales. The wetlands generally exhibited seasonally saturated/flooded hydroperiods, and provided groundwater discharge, floodflow alteration, wildlife habitat, and stormwater/water quality maintenance functions. Two perennial streams and were identified on the site. Three potential vernal pools were identified.

Wetlands are regulated by the U.S. Army Corps of Engineers under the federal Clean Water Act, and by the Maine Department of Environmental Protection under the Maine Natural Resources Protection Act (NRPA). The State of Maine further differentiates wetlands under NRPA by regulating certain wetlands as "wetlands of special significance" (WOSS). If the small pond is determined to be over 20,000 square feet in size, wetlands associated with it may be a WOSS along with those wetlands within 25 feet of the perennial stream under NRPA, although all wetlands are still subject to NRPA jurisdiction as non-WOSS wetlands. Impacts to wetlands resulting from proposed project development require that permits first be obtained from the MDEP and the USACE before proceeding with construction, and where applicable, municipal governing bodies. Consultation with these agencies early in the project design process is encouraged.

Wetlands within the survey area may be further regulated under municipal ordinances, such as Shoreland Zone, Site Plan Review, or other local ordinances. The Town of Baldwin shoreland zoning map identifies both streams delineated onsite as having a 75' Stream Protection Buffer measured from High Water Line. Additionally, the wetlands onsite were identified on the Shoreland Zone map with a 250' Resource Protection Buffer.

References:

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of Wetlands and Deepwater Habitat in the United States. U.S. Fish and Wildlife Service. FWS/OBD-79/31 103pp.

Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87, U.S. Army Engineer Waterways Experiment Station, Vicksburg, MS.

U.S. Army Corps of Engineers (USACE). 2012. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region. ERDC/EL TR-12-01. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

Van Hertel Jr. Property, Baldwin, ME – Wetland Delineation
Memorandum
Page 4 of 5
October 2, 2018

Schlawin, J. Cutko, A. Maine Natural Areas Program. 2014. A Conservation Vision for Maine
Using Ecological Systems.

Web Soil Survey. 2018. U.S. Department of Agriculture – Natural Resources Conservation Service.
<http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>

Attachments:

1. Representative Site Photographs

**SOIL EVALUATION REPORT
& ASSOCIATED SOIL LOGS**

November 14, 2019



Bill Thompson
BH2M, Inc
28 State Street
Gorham, ME 04038

RE: Soil Evaluation for Subsurface Wastewater Disposal Systems
Sand Pond Road Subdivision, Baldwin, Maine

Dear Mr. Thompson:

On November 8, 2019, fourteen test pits were dug and assessed on 14 proposed residential house lots within the proposed subdivisions located on the east and west sides of Sand Pond Road in Baldwin by Alexander Finamore, LSE #391. Each test pit was located by with a submeter accuracy Trimble Geo handheld GPS unit and marked in the field with an orange flag. The GPS data has provided to you by email for incorporation into project mapping. All of the test pits were located in deep sandy glacial outwash soils and contained suitable soils to support a 'First Time System' according to the Maine Subsurface Waste Water Disposal Rules. Please find the soil profile descriptions of the test pits attached.

If you have any questions, please feel free to email me at: mainelysoils@gmail.com or call 207-650-4313.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Fin", is located below the "Sincerely," text.

Alexander A. Finamore, LSE #391

Detailed Description of Subsurface Conditions at Project Sites			
Project Name:	Applicant Name:	Project Location (municipality):	
Sand Pond Road Subdivision	Van E. Hertel, Sr.	Baldwin	

[illegible]

		Profile	Soil Condition	
SOIL DESCRIPTION AND CLASSIFICATION				
Exploration Symbol		<u>TP-8</u>	<u>9</u>	Test Pit <input type="checkbox"/> Boring <input type="checkbox"/>
1' Depth of Organic Horizons Above Mineral Soil				
Texture	Consistency	Color	Mottling	
SANDY LOAM	FRIABLE	DARK BROWN	NONE OBSERVED	
MEDIUM SAND		BROWN		
		LIGHT YELLOWISH BROWN		
LOT 1				
LIMIT OF EXCAVATION = 4'				
* hydric * non-hydric	Elope % <u>0</u>	Limiting factor <u>+40"</u>	* ground water * restrictive layer * bedrock	
C&E#	Soil Series / phase name		Drainage Class	Hydrologic Group
L&E#	Soil Classification		<u>II</u>	<u>C</u>

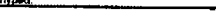
C.S.S.	signature	Date
	name printed/typed	Lic #
I.S.E.	signature <i>Alex F.</i>	Date
	name printed/typed Alexander A. Finamore	Lic # 391

11/8/19	
U.S.	391

Detailed Description of Subsurface Conditions at Project Sites			
Project Name:	Applicant Name:	Project Location (municipality):	
Send Pond Road Subdivision	Van E. Hartel, Sr.	Baldwin	

SOIL DESCRIPTION AND CLASSIFICATION				
Exploration Symbol	TP-10	<input checked="" type="checkbox"/> Test Pit	<input type="checkbox"/>	Boring
1." Depth of Original Hardpan Above Universal Bed				
Texture	Consistency	Color	Moisture	
SANDY LOAM	FRIABLE	DARK BROWN	NONE OBSERVED	
MEDIUM SAND		BROWN		
		LIGHT YELLOWISH BROWN		
LIMIT OF EXCAVATION = 36"				
LOT # 3				
hydra non-hydrate	Slope % 0	Limiting factor +36°	ground water restrictive layer	

G.S.R.	Soil Series / phase name:		Drainage Class	Hydrologic Group
L.R.R.	Soil Classification: <u>S</u>		<u>C</u>	
	Prefix: _____		Soil Condition: _____	
	SOIL DESCRIPTION AND CLASSIFICATION			
	Excavation Symbol: <u>TP-12</u> <input checked="" type="checkbox"/>		Test Pit <input type="checkbox"/>	Boring <input type="checkbox"/>
	* Depth of Organic Horizon Above Mineral Soil			
	Texture	Consistency	Color	Mottling
1	<u>SANDY LOAM</u>	<u>FRIZABLE</u>	<u>DARK BROWN</u>	<u>NONE</u>
2				<u>OBSERVED</u>
3				
4				
5				
6	<u>MEDIUM SAND</u>		<u>BROWN</u>	
7				
8				
9				
10				
11				
12				
13				
14				
15				
16		<u>LOOSE</u>		
17				
18				
19			<u>LIGHT YELLOWISH</u>	
20			<u>BROWN</u>	
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C.S.S.	signature	Date:
	name printed/typed:	Lic.#
L.A.E.	signature: 	Date: 11/8/19
	name printed/typed: Alexander A. Finamore	Lic.# 391

Detailed Description of Subsurface Conditions at Project Sites

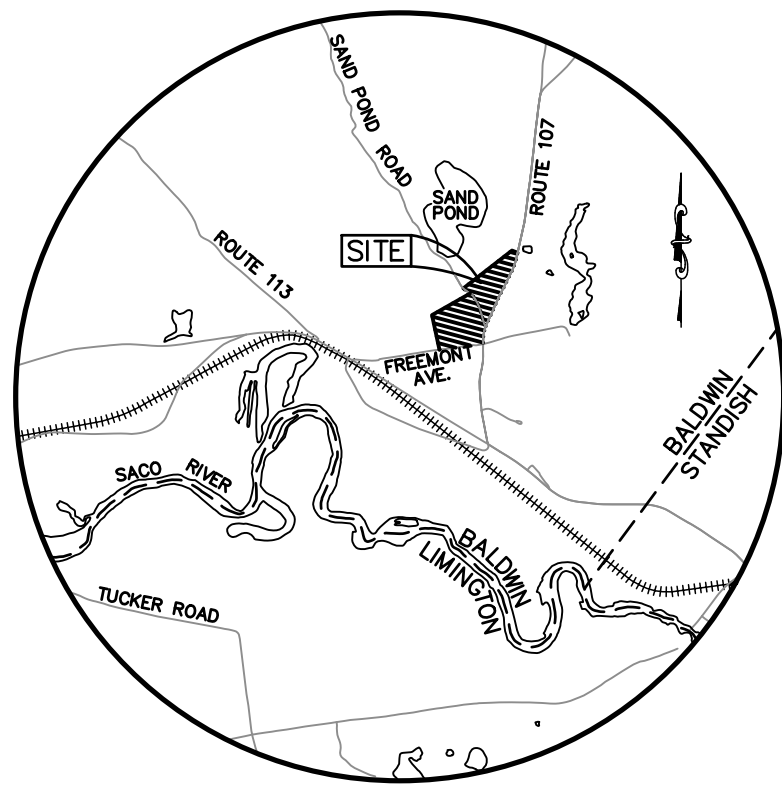
Project Name: Sand Pond Road Subdivision		Applicant Name: Van E. Hertel, Sr.		Project Location (Municipality): Baldwin	
--	--	--	--	--	--

SOIL DESCRIPTION AND CLASSIFICATION			
Exploration Symbol	TP-13 <input checked="" type="checkbox"/> Test Pit <input type="checkbox"/> Boring		
Texture	Consistency	Color	Mottling
SANDY LOAM	FIABLE	DARK BROWN	NONE OBSERVED
LOAMY SAND		YELLOWISH BROWN	
GRAVELLY MEDIUM SAND	LOOSE	LIGHT YELLOWISH BROWN	
LIMIT OF EXCAVATION - 40"			
hydro non-hydric Slope % <u>0</u> Limiting factor <u>>40"</u>		ground water restrictive layer bedrock	
C.B.S. Soil Series / phase name: _____ L.B.S. Soil Classification: <u>S</u> <u>C</u> Profile _____ Soil Condition _____			

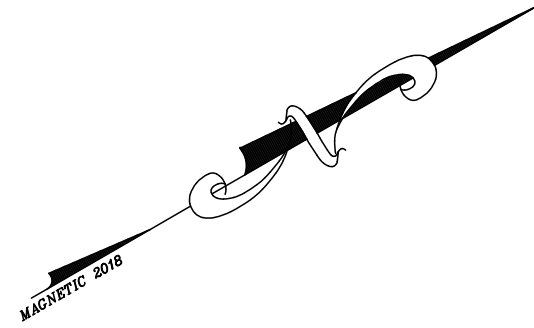
SOIL DESCRIPTION AND CLASSIFICATION			
Exploration Symbol	TP-14 <input checked="" type="checkbox"/> Test Pit <input type="checkbox"/> Boring		
Texture	Consistency	Color	Mottling
SANDY LOAM	FIABLE	DARK BROWN	NONE OBSERVED
LOAMY SAND		BROWN	
GRAVELLY MEDIUM SAND	LOOSE	LIGHT YELLOWISH BROWN	
		PALE BROWN	
LIMIT OF EXCAVATION - 36"			
hydro non-hydric Slope % <u>0</u> Limiting factor <u>>36"</u>		ground water restrictive layer bedrock	
C.B.S. Soil Series / phase name: _____ L.B.S. Soil Classification: <u>S</u> <u>C</u> Profile _____ Soil Condition _____			

Professional Endorsements (as applicable):

Signature: _____	Date: _____
Name (printed): _____	Lic. #: _____
Signature: <i>Alexander A. Finamore</i>	Date: 11/8/19
Name (printed): Alexander A. Finamore	Lic. #: 391



LOCATION MAP
SCALE 1"=5000'



LINE DATA		EASEMENT DATA	
L1	- S00°53'32"E, 339.43'	E1	- N81°35'20"W, 117.89'
L2	- S05°31'22"E, 197.15'	E2	- N63°41'13"E, 113.44'
L3	- S15°17'00"E, 272.14'	E3	- N66°37'20"W, 116.77'
L4	- S38°59'59"E, 276.11'	E4	- N56°51'13"W, 307.82'
L5	- S34°07'58"E, 114.91'	E5	- N40°42'39"W, 178.61'
L6	- S15°45'22"E, 46.09'		
L7	- N63°10'25"W, 77.90'		

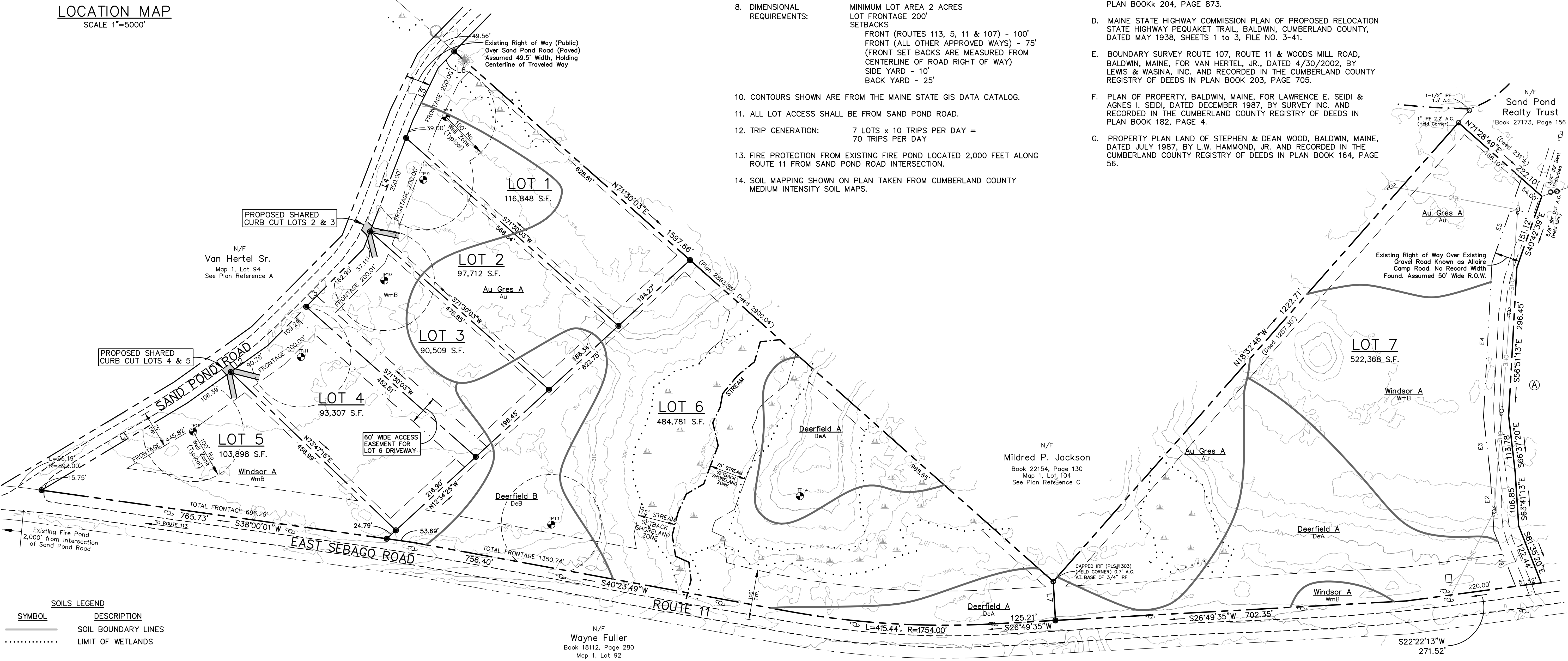
ABUTTERS LIST
A - REMAINING LAND OF VAN HERTEL, JR.
BOOK 34619, PAGE 47

NOTES:

- OWNER/APPLICANT: VAN HERTEL, Sr.
P.O. BOX 1602
ALTON, NEW HAMPSHIRE 03809
- SURVEYOR: ROBERT C. LIBBY, JR., PLS #2190
BH2M
28 STATE STREET
GORHAM, MAINE
- WETLANDS/TEST PITS: ALEXANDER A. FINAMORE, LSE #391
MAINLY SOILS, LLC
440 SWAMP ROAD
DURHAM, ME 04222
- DEED REFERENCE: BOOK 35546, PAGE 194
- TAX MAP REFERENCE: MAP 1, LOT 94
- TOTAL PARCEL AREA: 34.652 ACRES (LOTS 1-7)
- EXISTING ZONING: R - RURAL DISTRICT
- DIMENSIONAL REQUIREMENTS: MINIMUM LOT AREA 2 ACRES
LOT FRONTAGE 200'
SETBACKS
FRONT (ROUTES 113, 5, 11 & 107) - 100'
FRONT (ALL OTHER APPROVED WAYS) - 75'
(FRONT SET BACKS ARE MEASURED FROM CENTERLINE OF ROAD RIGHT OF WAY)
SIDE YARD - 10'
BACK YARD - 25'

- CONTOURS SHOWN ARE FROM THE MAINE STATE GIS DATA CATALOG.
- ALL LOT ACCESS SHALL BE FROM SAND POND ROAD.
- TRIP GENERATION: 7 LOTS x 10 TRIPS PER DAY = 70 TRIPS PER DAY
- FIRE PROTECTION FROM EXISTING FIRE POND LOCATED 2,000 FEET ALONG ROUTE 11 FROM SAND POND ROAD INTERSECTION.
- SOIL MAPPING SHOWN ON PLAN TAKEN FROM CUMBERLAND COUNTY MEDIUM INTENSITY SOIL MAPS.

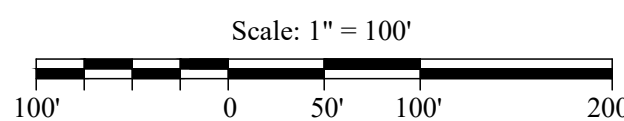
- PROJECT FALLS WITHIN THE SACO RIVER WATERSHED.
- ALL DRIVEWAY ENTRANCES SHALL INCLUDE A 15 INCH DIAMETER CULVERT.
- PROJECT DOES NOT FALL WITHIN ANY FEMA 100 YEAR FLOOD ZONE.
- PLAN REFERENCES:
 - "STANDARD BOUNDARY SURVEY, LAND OF VAN HERTEL, JR. ROUTE 113, ROUTE 11 & SMUT STREET, BALDWIN, MAINE" FOR VAN HERTEL, JR. DATED JULY 2018, BY BERRY, HUFF, McDONALD, MILLIGAN, INC.
 - "CONCEPT PLAN, SUBDIVISION, EAST SEBAGO ROAD & FREEMONT AVENUE, BALDWIN, MAINE" FOR VAN E. HERTEL, JR. DATED JUNE, 2019 BY BERRY, HUFF, McDONALD, MILLIGAN, INC.
 - BOUNDARY SURVEY MAP FOR THE ESTATE OF WAYNE L. JACKSON, OF THE "JACKSON FAMILY TRUST PARCEL", "HOUSE PARCEL" & "TRAILER PARCEL" LOCATED ALONG SAND POND ROAD & JACKSON LANE AND ALONG THE SOUTHERLY SHORE OF SAND POND, BALDWIN, MAINE, DATED 11/1/2004, BY MAINE BOUNDARY CONSULTANTS AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 204, PAGE 873.
 - MAINE STATE HIGHWAY COMMISSION PLAN OF PROPOSED RELOCATION STATE HIGHWAY PEQUAKET TRAIL, BALDWIN, CUMBERLAND COUNTY, DATED MAY 1938, SHEETS 1 to 3, FILE NO. 3-41.
 - BOUNDARY SURVEY ROUTE 107, ROUTE 11 & WOODS MILL ROAD, BALDWIN, MAINE, FOR VAN HERTEL, JR., DATED 4/30/2002, BY LEWIS & WASINA, INC. AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 203, PAGE 705.
 - PLAN OF PROPERTY, BALDWIN, MAINE, FOR LAWRENCE E. SEIDI & AGNES I. SEIDI, DATED DECEMBER 1987, BY SURVEY INC. AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 182, PAGE 4.
 - PROPERTY PLAN LAND OF STEPHEN & DEAN WOOD, BALDWIN, MAINE, DATED JULY 1987, BY L.W. HAMMOND, JR. AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 164, PAGE 56.



SOILS LEGEND	
SYMBOL	DESCRIPTION
---	SOIL BOUNDARY LINES
.....	LIMIT OF WETLANDS

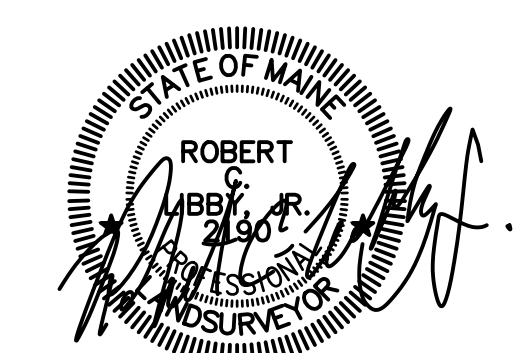
HYDROLOGIC SOIL GROUP		
SYMBOL	SOIL	SLOPE GROUP
DeB	Deerfield	B
WmB	Windsor	A
Au	Au Gres	A
DeA	Deerfield	A

LEGEND	
SYMBOL	DESCRIPTION
○ I/PF / I/PF	IRON PIPE/ROD FOUND
● 5/8" IRON ROD W/ CAP TO BE SET	5/8" IRON ROD W/ CAP TO BE SET
○ UTILITY POLE	UTILITY POLE
○ TEST PITS	TEST PITS
○ DECIDUOUS TREE	DECIDUOUS TREE
○ CONIFEROUS TREE	CONIFEROUS TREE
.....	WETLANDS
---	PROPERTY LINE
---	ABUTTER'S PROPERTY LINE
---	EDGE OF PAVEMENT
---	EXISTING CONTOUR
---	130
A.G.	ABOVE GROUND
N/F	NOW OR FORMERLY



I CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS TECHNICAL STANDARDS OF PRACTICE FOR A STANDARD BOUNDARY SURVEY WITH THE FOLLOWING EXCEPTIONS:

- NO SURVEYORS REPORT



ROBERT C. LIBBY JR. PLS #2190

THIS PLAN REVIEWED AND APPROVED BY THE TOWN OF BALDWIN PLANNING BOARD.

SHEET	
1	

REVISION	
NO.	DATE
1	11/25/19
2	1/28/20
3	7/21/20
4	7/28/20

DESCRIPTION	
Combined Proposed Lots 6 & 7	
Revised per Site Walk Comments	
Revised to Show Lot 7	
Submitted for Public Hearing	

BH2M
Barry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors
28 State Street
Gorham, Maine 04038
Tel: (207) 839-2771
Fax: (207) 839-8250

FOR
Van E. Hertel, Sr.
P.O. Box 1602
Alton, N.H. 03809

SAND POND WOODS
PRELIMINARY SUBDIVISION
EAST SEBAGO ROAD & SAND POND ROAD
BALDWIN, MAINE

DESIGNED	DATE
W. Thompson	Sept., 2019
DRAWN	SCALE
Dept.	1" = 100'
CHECKED	JOB. NO.
R. Libby Jr.	19138

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