



**TOWN OF FALMOUTH**  
**PLANNING BOARD**  
**2026.06.02 PLANNING BOARD PACKET**  
**06:30 PM**



TOWN OF FALMOUTH  
2026.06.02 PLANNING BOARD AGENDA  
06:30 PM

**Roll Call**

- 1. Item 1 - Approval of the minutes from May 5, 2026**  
Approval of the minutes from May 5, 2026

Attachment: [2026.05.05 Minutes - DRAFT.pdf](#)

**ADMINISTRATIVE ACTION ITEMS**

- 2. Item 2 - 160 Woodville Road -- Claudia A. King**  
160 Woodville Road -- Claudia A. King -- Request for Minor Subdivision Amendment to split 1 lot into 2 unbuildable lots. Map/lot R03-034-004; Zoned F, RCZO, SZ-SP.

Attachment: [160 Woodville Rd Plan 5.13.2026.pdf](#)

Attachment: [160 Woodville Rd Application 5.13.2026.pdf](#)

Attachment: [160 Woodville Rd Abutter List.pdf](#)

Attachment: [160Woodville\\_PlannerReview\\_6.26.pdf](#)

Attachment: [Olen Subdivision 2004\\_Recorded Plan.pdf](#)

**REGULAR AGENDA ITEMS**

- 3. Item 3 - Middle Road -- Brush & Hammer Builders, Inc. (applicant)**  
Middle Road -- Brush & Hammer Builders, Inc. (applicant) -- Request for Fill Permit Approval for 1922 SF of fill to allow for driveway construction. Map/lot U20-005-001; Zoned RBm, RCZO.

Attachment: [Middle Road Parcel 2 Plan Set 4-21-26.pdf](#)

Attachment: [Middle Road Parcel 2 Fill Permit Document Submission 4-21-26.pdf](#)

Attachment: [378\\_PlanningReview\\_6.26.pdf](#)

Attachment: [Middle Rd TownEngineer Comments.pdf](#)

Attachment: [Middle Road Fire-EMS Review Comments 05.22.2026.pdf](#)

Attachment: [Middle Road Abutters.pdf](#)

- 4. Item 4 - 78 Leighton Road -- Falmouth Dentistry**  
78 Leighton Road -- Falmouth Dentistry -- Request for Site Plan Amendment for changes to the August 2, 2022 Site Plan approval and subsequent May 7, 2024 Re-Approval. Map/lot U44-014; Zoned VMU, RT100CO.

Attachment: [78\\_Leighton\\_Site Plan Amendment Plan Set 5-6-26 .pdf](#)

Attachment: [78\\_Leighton\\_Site Plan Amendment Submission 5-6-26 .pdf](#)

Attachment: [78\\_Leighton Rd TownEngineerComments.pdf](#)

Attachment: [78Leighton\\_PlannerReview\\_6.26.pdf](#)

Attachment: [78\\_Leighton Rd Fire-EMS Review Comments 05.22.2026.pdf](#)

Attachment: [78\\_Leighton Rd Abutters.pdf](#)

**Adjourn**

**TOWN OF FALMOUTH  
PLANNING BOARD  
MAY 5, 2026  
MINUTES**

**MEMBERS PRESENT:** Karen Farber - Chair; Peter Kenlan – Vice Chair; David Sinnett; Bruce Hilfrank; Jamie Mason;

**MEMBERS ABSENT:** Eli Markham – Alternate; Alvaro Ortega Sebastian – Alternate

**STAFF PRESENT:** Nick King, Land Use Planner; Lisa Sangillo, Recording Secretary (remotely)

Chair Farber called the meeting to order at 6:30 p.m., and Mr. King called roll. There was a quorum.

**MINUTES:**

**Item 1** Approval of minutes from the April 7, 2026 Planning Board meeting.

Mr. Kenlan moved to approve the minutes from April 7, 2026 as presented. Chair Farber moved to amend the motion to correct a minor typographical error. Mr. Kenlan seconded. Motion to amend carried 5-0. Original motion carried 5-0.

**ADMINISTRATIVE ACTIONS:**

**Item 2** 17 Slocum Drive – Stavros Kombakis – Request for Minor Subdivision Amendment for a lot line adjustment. Map/lot R04-064-008; Zoned RA, RCZO.

**Item 3** 196 US Route 1 – Morong Falmouth – Request for Site Plan Reapproval of September 2024 Site Plan Approval. Map/lot U52-001-B; Zoned VC1, VC2.

Chair Farber asked if any member of the Board or any member of the Public wished to have either of these items moved to the regular agenda portion of the meeting. No one wished to have the items moved.

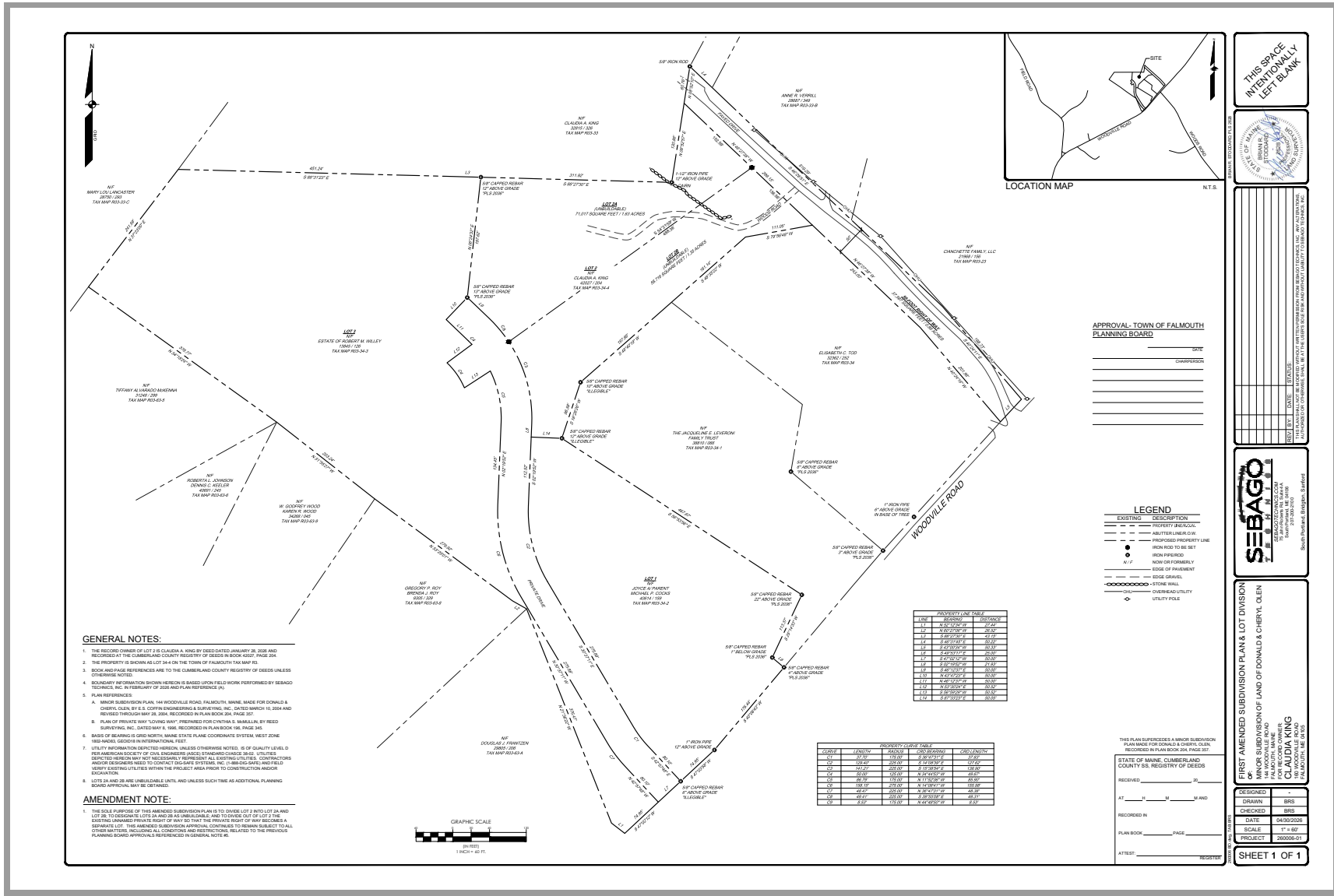
Mr. Sinnett moved to approve the administrative action items as presented. Mr. Hilfrank seconded. Motion carried 5-0.

**Adjourn**

Mr. Hilfrank moved to adjourn. Mr. Kenlan seconded. Motion carried 5-0.

Meeting was adjourned at 6:34 pm.

Recording Secretary,  
Lisa Sangillo



### FALMOUTH PLANNING BOARD REQUEST FOR HEARING

IN ADDITION TO THE SPECIFIED REVIEW FEES, APPLICATIONS SHALL BE ACCOMPANIED BY A \$125.00 FEE TO COVER THE COST OF NOTIFICATIONS AND PUBLISHING.

Name of Applicant: Claudia King Phone# 207-653-0318  
 Fax:                      E-Mail: claudiaking2@icloud.com Phone #                       
 Full Address: 160 Woodville Rd., Falmouth ME 04105  
 Address of Property to be Developed: (if different)                       
 Map: R3 Lot: 34-4 Zone: F+F  
 Property Owner (if other): Same as above  
 Full Address:                      Phone:                     

The undersigned requests that the Falmouth Planning Board consider the following application for:

- |   |  |
|---|--|
| <input type="checkbox"/> Pre-application Sketch Plan Review   | <input type="checkbox"/> Major Subdivision     |
| <input checked="" type="checkbox"/> Minor Subdivision   | <input type="checkbox"/> Site Plan Review      |
| <input type="checkbox"/> Private Way  | <input type="checkbox"/> Shoreland Zone Permit |
| <input type="checkbox"/> Sign Permit  | <input type="checkbox"/> Contract Zoning       |
| <input type="checkbox"/> Fill Permit  |  |
| <input checked="" type="checkbox"/> Other (specify) <u>Amendment subdivision plan + lot division in a minor subdivision</u> |  |

**Notes to the Applicant:**

1. A short description of the project must be attached to this form. This application must be filed at the Town Hall no later than twenty-eight (28) days prior to the regular meeting of the Board (1<sup>st</sup> Tuesday monthly). Applications shall be accompanied by all application fees and materials required by the applicable ordinance(s), checklists and fee schedule.
2. All applications shall include all materials and copies as specified on the submittal requirements form.
3. All materials in color shall be copied in color.

**Application Authorization**

I hereby make application to the Town of Falmouth for the above-referenced property(ies) and the development as described. To the best of my knowledge, the information provided herein is accurate and is in accordance with the Zoning and Subdivision Ordinances of the Town, except where waivers are requested. The Town of Falmouth Planning Board and/or town employees are authorized to enter the property(ies) for purposes of reviewing this proposal and for inspecting improvements as a result of an approval of this proposal. I understand that I am responsible for appearing, or having someone appear on my behalf, at all meetings before the Planning Board.

Unless the applicant has submitted notice to the Community Development Department as part of the initial and any subsequent submittals, no alteration of site conditions, including the existing landscape, structures and buildings, shall occur between the date of application submittal and the date the application has received final sign off from staff after Planning Board approval.

Signed: Claudia A. King Date: 5.13.26  
 Printed name: Claudia A. King

Please identify yourself (check one): Agent\*  Property Owner

\*(If you are an agent, written authorization from the property owner must be attached to this form.)

Woodland Preserve

Claudia King  
160 Woodville Road  
Falmouth

In January, 2026, I purchased lot 2 of the Minor Subdivision created by Don and Cheryl Olen in 2004. The lot has two features, a buildable portion and a ROW (running along one side of the buildable parcel). The ROW provides shared, deeded access to my property and two other properties. My primary purpose in purchasing lot 2 was to keep the buildable portion undeveloped as it is undisturbed property, being wooded with a stream running through it and contiguous to my property on one side.

The buildable portion of the lot is bordered by the ROW, my property, Don and Cheryl Olen's property, and Elizabeth and Rob Tod's property. Through conversation with the Tod's, I discovered that we shared a common interest in protecting the wooded parcel between our properties and in owning the ROW. The Tod's have agreed to share in rights to the ROW and to purchase half the wooded parcel after the Planning Board amends the Minor Subdivision Plan.

So, I come before you to request that the ROW be separated from Lot 2 to become its own lot. The Tod's and I will share fee interest in the ROW. I also request that the unbuildable portion of the lot be split into two small, unbuildable lots, in the manner described on the site plan, such that a portion is contiguous to the Tod's property and the other contiguous to mine. Our hope is that these little lots, too small to be built on, will be preserved as-is for buffering and passive recreational enjoyment.

Thank you.



Town of Falmouth  
 Planning Department  
 Subdivision Fee Calculation Sheet  
 Effective 05-11-2022

Name of Applicant Claudia King  
 Applicant Address 160 Woodville Rd. Falmouth.  
 Project Name \_\_\_\_\_  
 Address of Project Woodville Rd. >  
 # of Units or Lots None  
 Map-Lot # R3 34-4

<b><u>Publishing &amp; Notice</u></b>	\$125.00 flat fee	<u>125.00</u>
<b><u>Review Fees:</u></b>		
<u>Pre-application Sketch Plan</u>	\$500.00 flat fee	<u>          </u>
<b><u>Subdivision</u></b>		
First three lots/dwelling units	\$1500.00 flat fee	<u>          </u>
Each additional lot/dwelling unit	<input type="checkbox"/> x \$400.00	<u>          </u>
Final Approval	\$500.00	<u>          </u>
<b><u>Peer Review Escrow</u></b>		
Each Lot/Dwelling Unit	<input type="checkbox"/> x \$100.00	<u>          </u>
<b><u>Amendment</u></b>		
Revision (no new lots/units created)	\$500.00 flat fee	<u>500.00</u>
<b><u>Re-approval</u></b>	\$250.00 (with no changes)	<u>          </u>
<b><u>TOTAL FEES REQUIRED</u></b>		<u>625.00</u>

Note: If an application is subject to site plan review and subdivision review, the applicant shall pay the larger of the subdivision review fee or the site plan review fee. Both Fee Calculation Sheets must be completed.

Review fees are not typically refundable. If extenuating circumstances occur, the Department may consider a partial or full refund.

Staff Use Only:  
 Approved by \_\_\_\_\_ Date \_\_\_\_\_

Revised 5.12.2022

## MINOR SUBDIVISION CHECKLIST

Name: Claudia King Date: 5-13-26

Note: Please refer to separate "Submittal Requirements" form to determine the number of copies necessary for each submission.

( √ )

1. All applicable fees (see fee schedule)
2. Fee Calculation sheet
- NA 3. Review escrow account - \$100.00 per lot (returned to applicant at end of review process, unless outside consulting services are required to conduct review).
4. Appropriate number of plans at 1"=40' (max. 24" x 36" sheet), appropriate number of 11 x 17 copies (all plans in color shall be copied in color), and one electronic set of plans in pdf format. Each plan copy to include:
- a. Proposed name of subdivision and Town name.
  - b. Date of submission, north point, graphic map scale, name and address of owner and subdivider, and names of adjoining property owners.
  - c. Locations, widths, and names of existing streets, filed or proposed easements, and building lines.
  - d. Boundaries and designations of zoning districts, parks and other public spaces.
  - e. Certified field survey by licensed surveyor.
  - f. Dimensions and areas of proposed lots.
  - NA g. Surface drainage patterns and watersheds.
  - NA h. Five (5) foot contours based on USGS datum, referenced to mean sea level. Soil Conservation Service soil classification on plot plan.
  - NA i. On-site sewerage and water supply facilities.
  - NA j. Surface drainage plan.
  - NA k. Electrical facilities.
  - l. Statement prohibiting further lot divisions without Planning Board approval.
  - NA m. Three (3) different proposed names for private way (if applicable).
- NA 5. Proposed covenants or deed restrictions.
- NA 6. Where easements or open space are to be deeded to the Town:
- NA a. Written offers of cession to the municipality.
  - NA b. Written evidence that documents are acceptable.
- NA 7. Post-Construction Stormwater Management Plan per Section 19-72A Zoning and Site Plan Review Ordinance.
- NA 8. DEP Maine Construction General Permit (MCGP) (Required if total soil disturbance exceeds 1-acre).

Please include this completed checklist with your application materials.

Updated 07.26.18

DOC :4188 BK:42027 PG:204

MAINE REAL ESTATE TAX-Paid

QUITCLAIM DEED WITH COVENANT DLN: 3557793

DONALD E. OLEN, JR. and CHERYL L. OLEN, with an address of 142 Woodville Road, Falmouth, Maine 04105, for consideration paid, grants to CLAUDIA A. KING, with a mailing address of 160 Woodville Road, Falmouth, Maine 04105, with QUITCLAIM COVENANT, the following described real property in Falmouth, County of Cumberland, and State of Maine:

See Exhibit A attached hereto and made a part hereof

Also hereby conveying all rights, easements, privileges, and appurtenances belonging to the premises hereinabove described.

IN WITNESS our hands and seals this 28<sup>th</sup> day of January, 2026.

[Signature]
Witness

[Signature]
Donald E. Olen, Jr.

[Signature]
Witness

[Signature]
Cheryl L. Olen

State of FLORIDA
County of LEE

January 28<sup>th</sup>, 2026

Personally appeared before me Donald E. Olen, Jr. and Cheryl L. Olen and acknowledged the foregoing instrument to be their free act and deed

Before me,

[Signature]
Notary Public

Printed Name: MARIA MIRANDA
Commission Expires: 08/17/2026



MARIA MIRANDA
Notary Public
State of Florida
Comm# HH301705
Expires 8/17/2026

DOC :4188 BK:42027 PG:205

## EXHIBIT A

A certain lot or parcel of land, with any improvements located thereon, situated on the northwest side of Woodville Road in the Town of Falmouth, County of Cumberland, and State of Maine, and being more particularly bounded and described as follows:

Beginning at a 5/8" iron pipe with cap #1327 on the north side of said Woodville Road at the east corner of a land now or formerly of George Tod as described in a deed recorded in the Cumberland County Registry of Deeds ("CCRD") in Book 14360, Page 122;

Thence N 58° 55' 22" E along the northwest side of Woodville Road, a distance of fifty and thirty-three hundredths (50.33') feet to a 5/8" iron pipe with cap # 1327;

Thence N 24° 29' 23" W along the westerly side of land now or formerly of Horace Stephens as described in a deed recorded in the CCRD in Book 12509, Page 169, a distance of one-hundred ninety-eight and seventy-three hundredths (198.73') feet to a 5/8" iron pipe with cap # 1327;

Thence N 30° 32' 03" W along the westerly side of said land of Stephens, a distance of five-hundred nineteen and twenty-nine hundredths (519.29') feet to a 5/8" iron pipe with cap# 1327;

Thence N 30° 36' 57" W along the westerly side of said land of Stephens, a distance of fifty and twenty-two hundredths (50.22') feet to a 5/8" iron pipe with cap #1327 located at the easterly sideline of land now or formerly of Claudia King as described in a deed recorded in the CCRD in Book 14852, Page 182;

Thence S 24° 46' 58" W along the easterly side of said land of King, a distance of sixty and seventy-six hundredths feet (60.76') feet to a 5/8" iron pipe with cap #1327;

Thence S 24° 47' 46" W along the easterly side of said land of King, a distance of one-hundred thirty and eighty-six hundredths (130.86') feet to an iron pipe;

Thence N 72° 32' 42" W along the southerly side of said land of King, a distance of three-hundred eleven and ninety-two hundredths (311.92') feet to the of the north east corner of Lot 3 as depicted on the "Minor Subdivision Plan" made for Donald and Cheryl Olen by F.S. Coffin dated March 10, 2004, and recorded in the CCRD in Plan Book 204, Page 357 (the "Plan");

Thence S 22° 19' 50" W along the easterly side of said Lot 3, a distance of one-hundred ninety-seven and sixty-two hundredths (197.62') feet to the northeast terminus of the 50' wide private right of way as shown on the Plan;

Thence S 30° 17' 49" E along the easterly side of said 50' wide private right-of-way, a distance of fifty and zero hundredths (50.00') feet to a point;

Thence southerly along the easterly side of said 50' wide right of way along a curve to the right having a radius of 225.00', a tangent of 101.45 and a delta of 48° 32' 29", an arc distance of one hundred ninety and sixty-two hundredths (190.62) feet to a point;

Thence S 18° 14' 40" W along the easterly side of said 50' wide right-of-way, a distance of twenty-one and ninety-three hundredths (21.93') feet to a point;

Thence S 71° 38' 14" E along the northeasterly side of Lot 1 as depicted on the Plan, a distance of fifty and five-hundredths (50.05') feet to a 5/8" iron rebar at the westerly corner of land now or formerly of Christine Tenney as described in a deed recorded in the CCRD in Book 18396, Page 307;

Thence N 34° 21' 13" E along the northwesterly side said land of Christine Tenney, a distance of ninety-six and fifty-eight hundredths (96.58') feet to a point;

DOC :4188 BK:42027 PG:206  
RECEIVED - RECORDED, CUMBERLAND COUNTY REGISTER OF DEEDS  
02/02/2026, 10:30:06A  
Register of Deeds Jessica M. Spaulding E-RECORDED

Thence N 64° 35' 07" E along northerly side of said land of Tenney, a distance of one-hundred ninety-seven and eighty-six hundredths (197.86') feet to point;

Thence N 64° 30' 10" E along northerly side of said land of George Tod, a distance of one-hundred sixty-one and fourteen hundredths (161.14') feet to a point;

Thence S 84° 08' 24" E along northerly side of said land of Tod, a distance of one hundred eleven and five hundredths (111.05') to a 5/8" rebar;

Thence S 30° 32' 50" E along the easterly side of said land of Tod, a distance of five hundred thirty-two and fifteen hundredths (532.15') feet to a point;

Thence S 24° 29' 28" E along the easterly side of said land of Tod, a distance of two-hundred one and ninety-eight (201.98') to the point of beginning.

Being Lot 2 and the "Fee Ownership of Right of Way to be Retained by Olen" as depicted on the Plan.

Together with all rights and appurtenances and subject to all notes as depicted in the Plan.

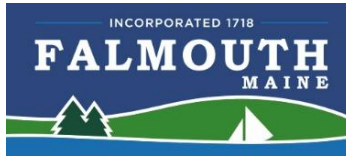
The above premises is conveyed subject to the restriction that Grantee and her successors and assigns, are prohibited from construction of any structures or cutting of trees or brush on the portion of the above-described property that lies westerly of the stream thereon, other than necessary removal of dead or structurally unsound trees that present a hazard of fire or other harm.

Subject to the rights of others in and to the right of way described in a deed from Scott G. McMullin, et al to Ronald T. Campo, et al, dated August 29, 1985 and recorded in the CCRD in Book 6886, Page 41.

Reference is made to a Plan of Private Way "Loving Way" made for Cynthia McMullin by Reed Surveying, Inc., dated May 8, 1996 and recorded in the CCRD in Plan Book 196, Page 345.

The Property is a portion of (1) the land conveyed to the Sellers by Corrective Quitclaim Deed of David R. Willey, Personal Representative of the Estate of Robert M. Willey, dated April 25, 2002 and recorded in the CCRD in Book 17611, Page 284 and (2) all of the land conveyed to the Sellers by Warranty Deed of Cynthia S. McMullin and Scott G. McMullin dated July 17, 1997 and recorded in the CCRD, Book 13208, Page 2.

MBLU	Location	Owner Name	Co-Owner Name	Address 1	City, State, Zip
R03/ 23/ / /	178 WOODVILLE RD	CIANCHETTE FAMILY LLC	C/O PERKINS OLSON PA	42 MARKET ST	PORTLAND, ME 04101
R03/ 33/ / /	160 WOODVILLE RD	KING CLAUDIA A		160 WOODVILLE RD	FALMOUTH, ME 04105
R03/ 33/ B/ /	158 WOODVILLE RD	VERRILL ANNE R		158 WOODVILLE RD	FALMOUTH, ME 04105
R03/ 33/ C/ /	162 WOODVILLE RD	LANCASTER MARY LOU		162 WOODVILLE RD	FALMOUTH, ME 04105
R03/ 34/ / /	156 WOODVILLE RD	TOD ELISABETH C		156 WOODVILLE RD	FALMOUTH, ME 04105
R03/ 34/ 1/ /	150 WOODVILLE RD	THE JACQUELINE E LEVERONI FAMILY TR	C/O LEVERONI JACQUELINE E TRUSTEE	150 WOODVILLE RD	FALMOUTH, ME 04105
R03/ 63/ 5/ /	9 LINCOLN FARMS RD	MCKENNA TIFFANY ALVARADO		9 LINCOLN FARM RD	FALMOUTH, ME 04105
R03/ 34/ 3/ /	142 WOODVILLE RD	OLEN CHERYL L &	OLEN DONALD E JR	142 WOODVILLE RD	FALMOUTH, ME 04105
R03/ 34/ 4/ /	WOODVILLE RD	OLEN CHERYL L &	OLEN DONALD E JR	142 WOODVILLE RD	FALMOUTH, ME 04105



**Planning Office Review Notes  
Planning Board Meeting – June 2, 2026**

<b>Site Address:</b> 160 Woodville Road <b>Agent:</b> Sebago Technics <b>Applicant/Property Owner:</b> Claudia King	<b>Map/Lot #:</b> R3-034-4 <b>Zoning District(s):</b> FF
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**Project Summary:**

This application is for a subdivision amendment to an existing Minor Subdivision off Woodville Road. The applicant is proposing to split up the buildable Lot C into two unbuildable lots and a third separate lot for the existing unnamed private right of way.

**Applicable Ordinance Sections:**

The following represent the primary applicable ordinance criteria for this application:

- Section 19-7 (Farm and Forest)
- CH. II-7 Subdivision

Staff support this item to be on the Administrative Action Item for the **June** Planning Board Meeting.

**Proposed Conditions of Approval**

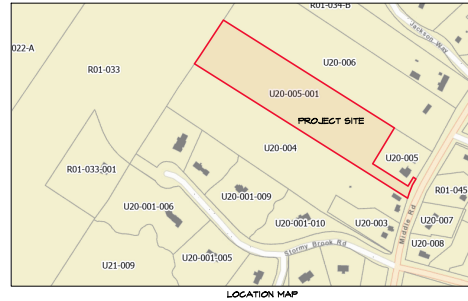
1. The development is to be constructed in accordance with the plans, maps, diagrams, specifications, textual submissions, and testimony presented by the applicant and approved by the Board.
2. The private way plan shall be recorded in the Registry of Deeds within 90 days of the date of the Planning Board approval or the approval shall be null and void.



## PROPOSED SINGLE FAMILY RESIDENTIAL HOME 378 MIDDLE ROAD, PARCEL TWO, FALMOUTH, MAINE

**PLAN LIST:**

- C-100 BOUNDARY SURVEY AND LOT DIVISION PLAN
- C-301 EXISTING CONDITIONS SURVEY
- C-301 GRADING, DRAINAGE AND EROSION CONTROL PLAN
- C-401 DRIVEWAY PLAN & PROFILE
- C-500 EROSION AND SEDIMENTATION CONTROL NOTES AND DETAILS
- C-501 CIVIL DETAILS



**APPLICANT & DESIGN TEAM:**

**APPLICANT:**  
BRUSH & HAMMER BUILDERS, INC.  
417 US-1, UNIT 3  
FALMOUTH, MAINE 04105

**SITE PLANNING & LANDSCAPE ARCHITECTURE:**  
LAND DESIGN SOLUTIONS  
1 FARADAY DRIVE, SUITE 7  
CUMBERLAND, ME 04021  
(207) 934-1717

**CIVIL ENGINEERING:**  
CANAVAN CIVIL CONSULTANTS  
814 SUMMIT STREET  
PORTLAND, ME 04103

**WETLAND DELINEATION:**  
MARK HAMPTON ASSOCIATES  
PORTLAND, ME 04103

**VERNAL POOL INVESTIGATION:**  
BLUE FLAG ENVIRONMENTAL  
304 SPRING WATER ROAD  
POLAND, ME 04274

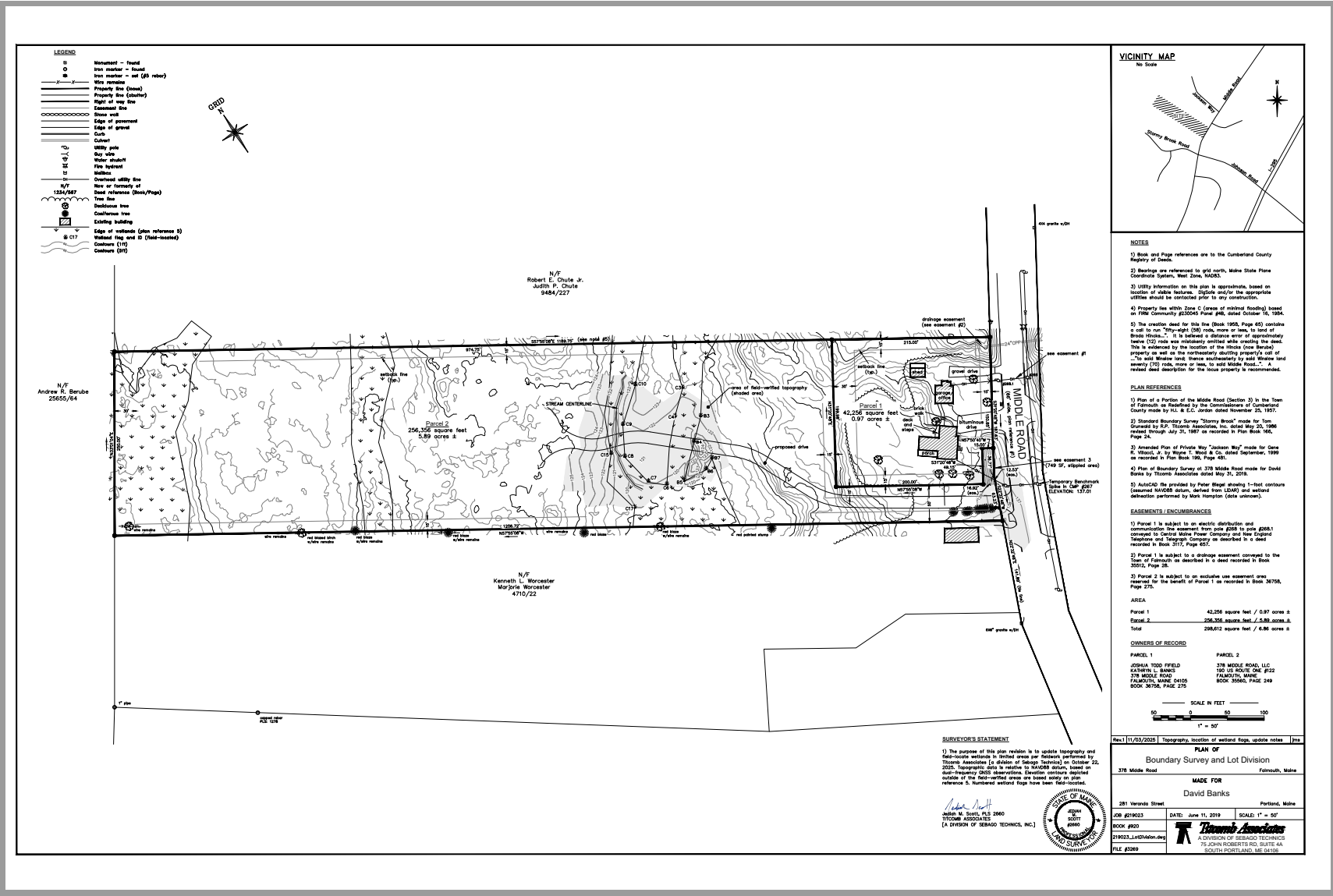
**SURVEYOR:**  
TITCOMB ASSOCIATES (SEBAGO TECHNICS)  
75 JOHN ROBERTS ROAD, SUITE 4A  
SOUTH PORTLAND, ME 04106

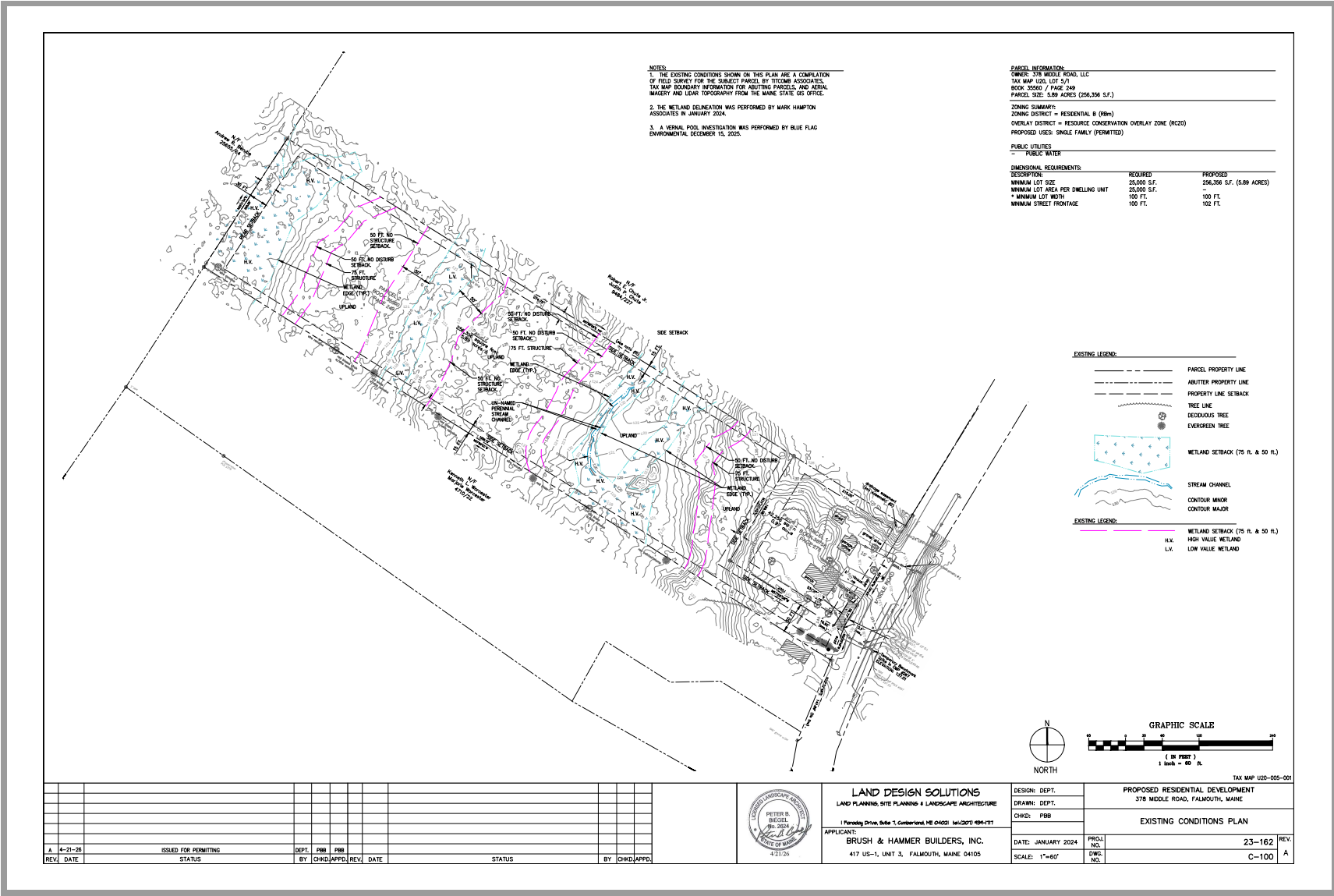
Issued To The Town of Falmouth For Fill Permit Review  
April 21, 2026

TAX MAP U20-005-001



										LAND DESIGN SOLUTIONS LAND PLANNING, SITE PLANNING & LANDSCAPE ARCHITECTURE 1 Faraday Drive, Suite 7, Cumberland, ME 04021   (207) 934-1717		DESIGN DEPT. DRAIN DEPT. CHKD: PFB		PROPOSED RESIDENTIAL DEVELOPMENT 378 MIDDLE ROAD, FALMOUTH, MAINE	
										APPLICANT: BRUSH & HAMMER BUILDERS, INC. 417 US-1, UNIT 3, FALMOUTH, MAINE 04105		DATE: JANUARY 2024 SCALE: AS NOTED		COVER SHEET	
												PROJ. NO. 23-162 Dwg. NO. -		REV. -	
REV.	DATE	STATUS		BY	CHKD	APPR	REV	DATE	STATUS		BY	CHKD	APPR		









**EROSION AND SEDIMENTATION CONTROL NOTES**

**1. INTRODUCTION**

The following plan for controlling sedimentation and erosion is based on construction practices found in the Maine Erosion & Sediment Control Manual, October 2008. The current revision, and Maine Erosion & Sediment Control Manual, February 2014, are available for purchase from the Maine Department of Environmental Protection, 150 State Street, Augusta, ME 04330. The project owner is responsible for obtaining the current version of the manual. The project owner is responsible for obtaining the current version of the manual. The project owner is responsible for obtaining the current version of the manual.

**2. GENERAL REQUIREMENTS**

- 2.1. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
- 2.2. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT EROSION AND SEDIMENTATION FROM THE CONSTRUCTION SITE.
- 2.3. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT EROSION AND SEDIMENTATION FROM THE CONSTRUCTION SITE.

**3. EROSION CONTROL MEASURES**

- 3.1. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
- 3.2. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT EROSION AND SEDIMENTATION FROM THE CONSTRUCTION SITE.
- 3.3. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT EROSION AND SEDIMENTATION FROM THE CONSTRUCTION SITE.

**4. SEDIMENTATION CONTROL MEASURES**

- 4.1. SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
- 4.2. SEDIMENTATION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT EROSION AND SEDIMENTATION FROM THE CONSTRUCTION SITE.
- 4.3. SEDIMENTATION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT EROSION AND SEDIMENTATION FROM THE CONSTRUCTION SITE.

**5. EROSION CONTROL MEASURES**

- 5.1. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
- 5.2. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT EROSION AND SEDIMENTATION FROM THE CONSTRUCTION SITE.
- 5.3. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT EROSION AND SEDIMENTATION FROM THE CONSTRUCTION SITE.

**6. SEDIMENTATION CONTROL MEASURES**

- 6.1. SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
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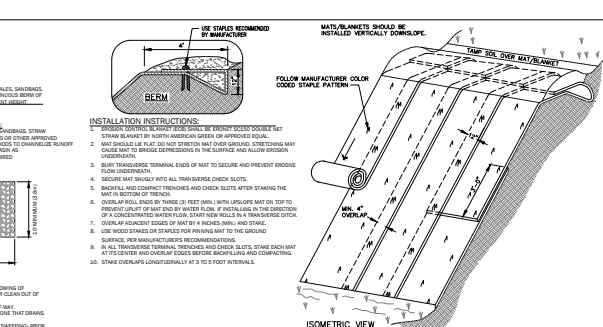
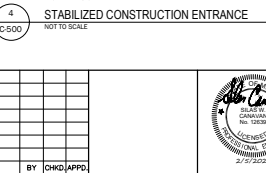
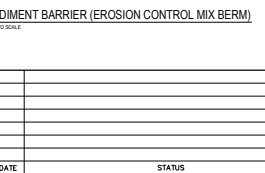
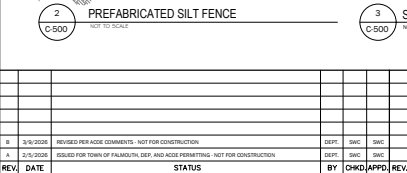
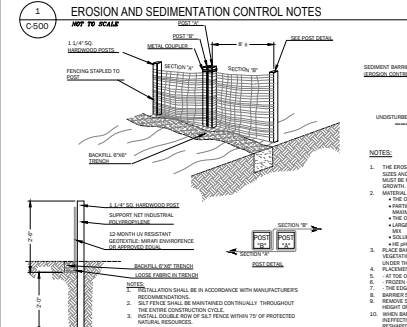
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REV	DATE	STATUS	BY	CHKD	APPD	REV	DATE	STATUS	BY	CHKD	APPD
1	3/31/2024	REVISED PER AECOM COMMENTS - NOT FOR CONSTRUCTION	DEP1	SWC	SWC						
2	3/31/2024	ISSUED FOR TOWN OF FALMOUTH, DEED AND ACCE PERMITTING - NOT FOR CONSTRUCTION	DEP1	SWC	SWC						



**LAND DESIGN SOLUTIONS**  
 LAYOUT, SITE PLANNING & LANDSCAPE ARCHITECTURE  
 1 Purdy Drive, Suite 1, Cumberland, ME 04022 | tel: (207) 404-7171

**BRUSH & HAMMER BUILDING, INC.**  
 417 US-1, UNIT 3, FALMOUTH, ME 04105

DESIGN: SWC  
 DRAWN: DEPT.  
 CHKD: SWC

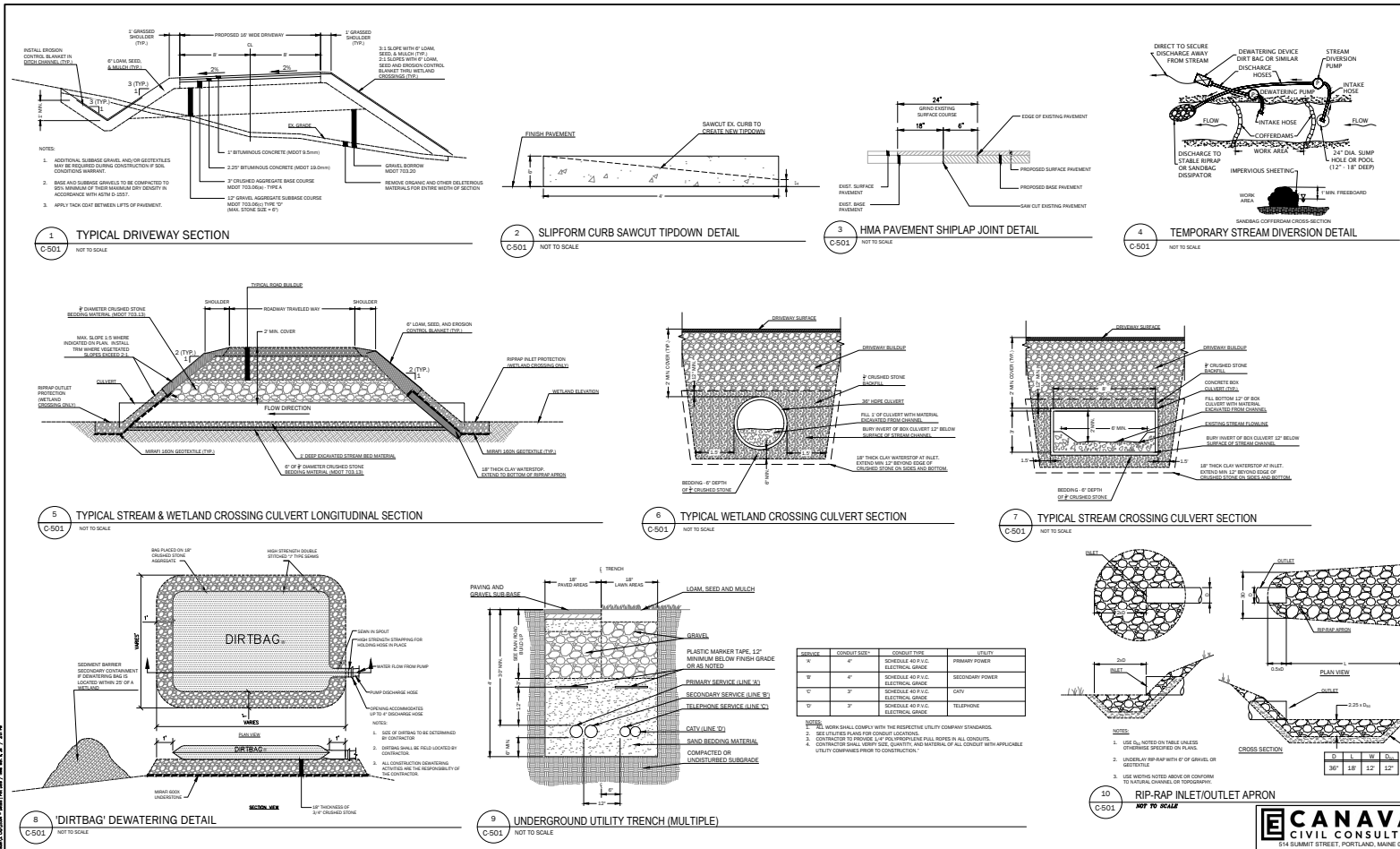
PROPOSED RESIDENTIAL DEVELOPMENT  
 378 MIDDLE ROAD, PARCEL 2, FALMOUTH, MAINE

EROSION & SEDIMENTATION CONTROL  
 NOTES & DETAILS

DATE: FEB. 5, 2028  
 SCALE: AS NOTED

PRJL NO.:  
 DWG. NO.:  
 SHEET NO.: C-500

REV. 23-162  
 B



REV	DATE	STATUS	BY	CHKD	APPD	REV	DATE	STATUS	BY	CHKD	APPD
B	3/3/2026	REVISED PER AISC COMMENTS - NOT FOR CONSTRUCTION	DEPT	SWC	SWC						
A	2/5/2026	ISSUED FOR TOWN OF FALMOUTH, DEER AND AISC PERMITTING - NOT FOR CONSTRUCTION	DEPT	SWC	SWC						



**LAND DESIGN SOLUTIONS**  
LAND PLANNING, SITE PLANNING & LANDSCAPE ARCHITECTURE  
1 Purdy Drive, Suite 1, Cumberland, ME 04022 | tel: (207) 494-7111

**APPLICANT:**  
BRUSH & HAMMER BUILDING, INC.  
417 US-1, UNIT 3, FALMOUTH, ME 04105

DESIGN: SWC	PROPOSED RESIDENTIAL DEVELOPMENT 378 MIDDLE ROAD, PARCEL 2, FALMOUTH, MAINE
DRAWN: DEPT.	CIVIL DETAILS
CHKD: SWC	
DATE: FEB. 5, 2026	PROJ. NO. 23-162
SCALE: AS NOTED	SHW. NO. C-501

**CANAVAN CIVIL CONSULTANTS**  
514 SUMMIT STREET, PORTLAND, MAINE 04103  
207-217-1200 | INFO@CANAVANCIVIL.COM

## Land Design Solutions

Land Planning, Site Planning and Landscape Architecture

April 21, 2026

Mr. Nick King, Land Use Planner  
Town of Falmouth  
271 Falmouth Road  
Falmouth, ME 04105

**RE: Fill Permit Application  
378 Middle Road, Parcel Two**

Dear Nick,

Land Design Solutions (LDS) has been retained by the Applicant, Brush and Hammer Builders, Inc. to assist with the design and permitting for a single family residential structure on a 5.89 acre parcel of land shown on Tax Map U20 / Lot 005-001.

The preferred building envelope on this site is an upland area approximately 1.7 acres in size which is setback approximately 565 feet off middle road. The building site is nicely wooded with suitable soils for a septic system. Unfortunately to get from Middle Road to the building site the driveway will need to cross a small wetland area and a seasonal stream.

The wetlands were delineated by Mark Hampton Associates in January 2024 and a vernal pool investigation was performed by Blue Flag Environmental in December of 2025. We contacted the Fire Department for driveway design concerns for a driveway of this length and have incorporated their feedback concerning driveway width (16 feet) and turnaround dimensions (ladder truck) into the plans.

The proposed driveway crossing the small wetland area and the perennial stream triggers Planning Board review under Section 19-67 Placement or Removal of Fill, (c) for fill placed within ten feet of a drainage way, stream or wetland area. The wetland and stream crossings have been designed to minimize the impacts to both the stream and the wetland areas and to be as environmentally sensitive as possible by utilizing a 3' diameter culvert with a live bottom for the wetland crossing and a box culvert with a live bottom for the stream crossing. The project proposes the following impacts:

Permanent wetland impact = 1,922 s.f.

Temporary wetland impact = 133 s.f.

Permanent stream impact = 190 s.f.

Temporary stream impact = 108 s.f.

1 Faraday Drive, Suite 7, Cumberland, ME 04021  
Tel: (207) 939-1717 Email: [pbiegel@landdesignsolutions.com](mailto:pbiegel@landdesignsolutions.com)

Fill Permit Application  
378 Middle Road  
Page 2 of 3

***Sec. 19-67 Placement or Removal of Fill Material [Adopted 7/22/91] [Amended 9/22/03]***

*Ordinance language is in italics and the design team response is bold.*

*Definition of Fill Material: Fill material shall mean clean soil material, rocks, bricks, and cured concrete, which are not mixed with other solid or liquid waste, and which are not derived from an ore mining activity.*

*The purpose of this provision is to control erosion, protect wetlands, minimize storm water runoff and minimize other nuisances associated with filling and other earth moving activities. It is intended that this provision shall apply to both approved construction for which a building permit has been issued, as well as activities that do not require a building permit. **Erosion and sedimentation control measures are shown on the plans.***

- a. *The following guidelines shall govern the placement or removal of fill material in all districts: [Amended, 5/28/96]*
  1. *Normal excavation or removal of fill for which a building permit has been issued, no permit required*
  2. *0 - 15 cubic yards, no permit required*
  3. *16 - 1000 cubic yards, CEO permit required*
  4. *over 1000 cubic yards, Planning Board permit required*
- b. *All activities regulated under this section shall implement erosion and sedimentation control measures as required in Section 19-72. [Amended 9/22/03]*
- c. *Fill shall not be placed within ten (10) feet of drainage ways, streams or wetland areas without approval by the Planning Board. **Agreed***
- d. *Roadways and other public areas shall be kept clean of mud, dirt, debris or other material that may constitute a hazard or nuisance to the public. **Agreed***
- e. *Adequate traffic control shall be provided on public roadways to ensure safe access and passage during construction activities. **Agreed***
- f. *Submissions of approved plans shall also meet the requirements of Section 19-128.a.5, Geographic Information System (GIS) Plan Submissions and Specifications. [Adopted 3/14/11] **A CAD file will be supplied to the Town's GIS consultant.***
- g. *Prior to commencement of site work associated with a Planning Board permit issued under this Sec.19-67, the applicant shall pay an inspection fee as described on a fee schedule approved by Town Council order. [Adopted 7/25/22] **Agreed***

The other ordinance section which applies to this project is:

***Sec. 19-71 Buffers and Setbacks Adjacent to Streams, Ponds and Wetlands.***

In response to the required buffering and setbacks the project plans show the following:

- 75 ft. structure setback from the edge of the stream and from the high value

1 Faraday Drive, Suite 7, Cumberland, ME 04021  
Tel: (207) 939-1717 Email: pbiegel@landdesignsolutions.com

Fill Permit Application  
378 Middle Road  
Page 3 of 3

- wetlands.
- 25 ft. no disturb setback from stream and high value wetlands.
  - 50 ft. structure setback from low value wetlands.

The project has received a Maine DEP Permit By Rule approval for a stream crossing. And an Army Corp of Engineers General Permit for wetland impacts. A copy of these approvals is included with this application.

The following documents are included with this submission:

1. Town of Falmouth request for hearing form
2. Letter of agent authorization
3. Purchase and sale agreement
4. Tax map
5. Town Mapping Context Image
6. Wetland Delineation Letter
7. Vernal Pool Investigation Letter
8. Maine DEP PBR Approval
9. Army Corps of Engineers General Permit Approval

Please find the following copies enclosed with this submission:

- Four application document packages bound and double sided.
- Three sets of full size plans, bound and folded.
- Six sets of 11"x17" plans three hole punched.
- Digital copy of the above documents & plans
- Application fee of \$425 (\$300 for Fill Permit & \$125 for public notice)

We request that the application be placed on the next available Planning Board agenda for discussion with the Planning Board. Please contact me with any comments, questions or should you require additional information.

Sincerely,



Peter B. Biegel, ASLA  
Maine Licensed Landscape Architect

1 Faraday Drive, Suite 7, Cumberland, ME 04021  
Tel: (207) 939-1717 Email: pbiegel@landdesignsolutions.com

### FALMOUTH PLANNING BOARD REQUEST FOR HEARING

**IN ADDITION TO THE SPECIFIED REVIEW FEES, APPLICATIONS SHALL BE ACCOMPANIED BY A \$125.00 FEE TO COVER THE COST OF NOTIFICATIONS AND PUBLISHING.**

Name of Applicant: \_\_\_\_\_ Phone# \_\_\_\_\_

Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_ Alt. Phone # \_\_\_\_\_

Full Address: \_\_\_\_\_

Address of Property to be Developed: (if different) \_\_\_\_\_

Map: \_\_\_\_\_ Lot: \_\_\_\_\_ Zone: \_\_\_\_\_

Property Owner (if other): \_\_\_\_\_

Full Address: \_\_\_\_\_ Phone: \_\_\_\_\_

The undersigned requests that the Falmouth Planning Board consider the following application for:

- Pre-application Sketch Plan Review**                       **Major Subdivision**
- Minor Subdivision**     **Site Plan Review**
- Private Way**     **Shoreland Zone Permit**
- Sign Permit**     **Contract Zoning**
- Fill Permit**
- Other (specify)** \_\_\_\_\_

**Notes to the Applicant:**

1. A short description of the project must be attached to this form. This application must be filed at the Town Hall no later than twenty-eight (28) days prior to the regular meeting of the Board (1<sup>st</sup> Tuesday monthly). Applications shall be accompanied by all application fees and materials required by the applicable ordinance(s), checklists and fee schedule.
2. All applications shall include all materials and copies as specified on the submittal requirements form.
3. All materials in color shall be copied in color.

**Application Authorization**

I hereby make application to the Town of Falmouth for the above-referenced property(ies) and the development as described. To the best of my knowledge, the information provided herein is accurate and is in accordance with the Zoning and Subdivision Ordinances of the Town, except where waivers are requested. The Town of Falmouth Planning Board and/or town employees are authorized to enter the property(ies) for purposes of reviewing this proposal and for inspecting improvements as a result of an approval of this proposal. I understand that I am responsible for appearing, or having someone appear on my behalf, at all meetings before the Planning Board.

Unless the applicant has submitted notice to the Community Development Department as part of the initial and any subsequent submittals, no alteration of site conditions, including the existing landscape, structures and buildings, shall occur between the date of application submittal and the date the application has received final sign off from staff after Planning Board approval.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed name: \_\_\_\_\_

Please identify yourself (check one): Agent\*  Property Owner

\*(If you are an agent, written authorization from the property owner must be attached to this form.)

Amended March 22, 2021

February 6, 2026

Anthony Requia  
Brush and Hammer Builders, Inc.  
417 US-1, Unit 3  
Falmouth, ME 04105

**RE: Letter of Agent Authorization  
378 Middle Road Parcel 2 Development**

To whom it may concern:

Please consider this letter as authorization for Land Design Solutions to act as the agent relative to local, state and federal permitting required for the referenced project.

Sincerely,

---

Anthony Requia  
Brush and Hammer Builders, Inc.

DocuSign Envelope ID: 8BFB96F7-02C3-43B6-98DD-31F2B8170A53

**PURCHASE AND SALE AGREEMENT - LAND ONLY**  
("days" means business days unless otherwise noted, see paragraph 20)

Offer Date April 21 2026 Effective Date 4/21/2026  
Effective Date is defined in Paragraph 20 of this Agreement.

1. PARTIES: This Agreement is made between Brush & Hammer Builders Inc. ("Buyer") and 378 Middle Road LLC ("Seller").

2. DESCRIPTION: Subject to the terms and conditions hereinafter set forth, Seller agrees to sell and Buyer agrees to buy  all  part of (if "part of" see para. 23 for explanation) the property situated in municipality of Falmouth, County of \_\_\_\_\_, State of Maine, located at U20/ 5/ 1, Middle Road, Zip Code 04105 and described in deed(s) recorded at said County's Registry of Deeds Book(s) 35560, Page(s) 249.

3. PURCHASE PRICE/EARNEST MONEY: For such Deed and conveyance Buyer agrees to pay the total purchase price of \_\_\_\_\_. Buyer  has delivered; or  will deliver to the Agency within n/a days of the Effective Date, a deposit of earnest money in the amount \$ n/a. Buyer agrees that an additional deposit of earnest money in the amount of \$ n/a will be delivered n/a. If Buyer fails to deliver the initial or additional deposit in compliance with the above terms Seller may terminate this Agreement. This right to terminate ends once Buyer has delivered said deposit (s). The remainder of the purchase price shall be paid by wire, certified, cashier's or trust account check upon delivery of the Deed.

This Purchase and Sale Agreement is subject to the following conditions:

4. ESCROW AGENT/ACCEPTANCE: RE/MAX By The Bay ("Agency") shall hold said earnest money and act as escrow agent until closing; this offer shall be valid until April 24, 2026 (date) 12:00  AM  PM Eastern Time; and, in the event of non-acceptance, this earnest money shall be returned promptly to Buyer.

5. TITLE AND CLOSING: A deed, conveying good and merchantable title in accordance with the Standards of Title adopted by the Maine Bar Association shall be delivered to Buyer and this transaction shall be closed and Buyer shall pay the balance due and execute all necessary papers on May 8, 2026 (closing date) or before, if agreed in writing by both parties. If Seller is unable to convey in accordance with the provisions of this paragraph, then Seller shall have a reasonable time period, not to exceed 30 calendar days, from the time Seller is notified of the defect, unless otherwise agreed to in writing by both Buyer and Seller, to remedy the title. Seller hereby agrees to make a good-faith effort to cure any title defect during such period. If, at the later of the closing date set forth above or the expiration of such reasonable time period, Seller is unable to remedy the title, Buyer may close and accept the deed with the title defect or may terminate this Agreement in which case the parties shall be relieved of any further obligations hereunder and any earnest money shall be returned to the Buyer.

6. DEED: The property shall be conveyed by a Warranty deed, and shall be free and clear of all encumbrances except covenants, conditions, easements and restrictions of record which do not materially and adversely affect the continued current use of the property.

7. POSSESSION: Possession of premises shall be given to Buyer immediately at closing unless otherwise agreed in writing.

8. RISK OF LOSS: Until the closing, the risk of loss or damage to said premises by fire or otherwise, is assumed by Seller. Buyer shall have the right to view the property within 24 hours prior to closing for the purpose of determining that the premises are in substantially the same condition as on the date of this Agreement.

9. PRORATIONS: The following items, where applicable, shall be prorated as of the date of closing: rent, association fees, (other) n/a. Real estate taxes shall be prorated as of the date of closing (based on municipality's fiscal year). Seller is responsible for any unpaid taxes for prior years. If the amount of said taxes is not known at the time of closing, they shall be apportioned on the basis of the taxes assessed for the preceding year with a reapportionment as soon as the new tax rate and valuation can be ascertained, which latter provision shall survive closing. Buyer and Seller will each pay their transfer tax as required by State of Maine.

10. DUE DILIGENCE: Buyer is encouraged to seek information from professionals regarding any specific issue or concern. Neither Seller nor Licensee makes any warranties regarding the condition, permitted use or value of Sellers' real property. This Agreement is subject to the following contingencies, with results being satisfactory to Buyer.

Page 1 of 5 Buyer(s) Initials AR Seller(s) Initials DS DMB

Docusign Envelope ID: 8BFB96F7-02C3-43B6-98DD-31F2B8170A53

CONTINGENCY	YES	NO	FULL RESOLUTION	OBTAINED BY	TO BE PAID FOR BY
1. SURVEY Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
2. SOILS TEST Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
3. SEPTIC SYSTEM DESIGN Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
4. LOCAL PERMITS Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
5. HAZARDOUS WASTE REPORTS Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
6. UTILITIES Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
7. WATER Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
8. SUB-DIVISION APPROVAL Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
9. DEP/LUPC/ACOE APPROVALS Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
10. ZONING VARIANCE Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
11. HABITAT REVIEW/WATERFOWL Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
12. REGISTERED FARMLAND Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
13. MDOT DRIVEWAY/ENTRANCE PERMIT Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
14. DEED RESTRICTION Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
15. TAX STATUS* Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
16. BUILD PACKAGE Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____
17. OTHER Purpose: _____	<input type="checkbox"/>	<input type="checkbox"/>	within _____ days	_____	_____

\* If the land is enrolled in the Maine Tree Growth Tax program, Seller agrees to provide Buyer with the current Forest Management and Harvest Plan within n/a days.  Yes  No

Further specifications regarding any of the above: n/a

Unless otherwise specified above, all of the above will be obtained and paid for by Buyer. Seller agrees to cooperate with Buyer and shall give Buyer and Buyer's agents and consultants reasonable access to the property in order to undertake the above investigations. Buyer agrees to take reasonable steps to return the property to its pre-inspection condition. If the result of any investigation or other condition specified herein is unsatisfactory to Buyer in Buyer's sole discretion, Buyer will declare the Agreement null and void by notifying Seller in writing within the specified number of days, and any earnest money shall be returned to Buyer. If the result of any investigation or other condition specified herein is unsatisfactory to Buyer, and Buyer wishes to pursue remedies other than voiding the Agreement, Buyer must do so to full resolution within the time period set forth above; otherwise this contingency is waived. If Buyer does not notify Seller that an investigation is unsatisfactory within the time period set forth above, or if any investigation under this paragraph is not performed or completed during the period specified in this paragraph, this contingency and the right to conduct an investigation are waived by Buyer. In the absence of inspection(s) mentioned above, Buyer is relying completely upon Buyer's own opinion as to the condition of the property.

Page 1 of 5

Buyer(s) Initials AR

Seller(s) Initials DS DMB

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12. FINANCING: Buyer's obligation to close:

Not Subject to Financing

[X] is not subject to a financing contingency. Buyer has provided Seller with acceptable proof of the funds.
[ ] is not subject to a financing contingency. Buyer shall provide proof of the funds acceptable to Seller within n/a days. If such proof is unacceptable to Seller, Seller may terminate this Agreement no later than n/a days from receipt. If proof of funds is not provided within such time period, Seller may terminate this Agreement which right shall end once such proof is received, however Seller retains the agreed upon time period to terminate if such proof is unacceptable. If Seller terminates in either case, the earnest money shall be returned to Buyer.

[ ] Buyer's ability to purchase [ ] is [X] is not subject to the sale of another property. See addendum [ ] Yes [X] No.

[ ] Seller agrees to pay up to \$ n/a toward Buyer's actual pre-pays and/or closing costs.

Subject to Financing

[ ] Buyer's obligation to close is subject to financing as follows:

- a. Buyer's obligation to close is subject to Buyer obtaining a n/a loan of n/a % of the purchase price, at an interest rate not to exceed n/a % and amortized over a period of n/a years. Buyer is under a good faith obligation to seek and obtain financing on these terms. If such financing is not available to Buyer as of the closing date, Buyer is not obligated to close and may terminate this Agreement in which case the earnest money shall be returned to Buyer.
b. Buyer to provide Seller with letter from lender showing that Buyer has made application for loan specified in (a) and, subject to verification of information, is qualified for the loan requested within n/a days from the Effective Date of the Agreement. If Buyer fails to provide Seller with such letter within said time period, Seller may terminate this Agreement and the earnest money shall be returned to Buyer. This right to terminate ends once Buyer's letter is received.
c. Buyer hereby authorizes, instructs and directs its lender to communicate the status of the Buyer's loan application to Seller, Seller's licensee and Buyer's licensee.
d. After (b) is met, if the lender notifies Buyer that it is unable or unwilling to provide said financing, Buyer is obligated to provide Seller with written documentation of the loan denial within two days of receipt. After notifying Seller, Buyer shall have n/a days to provide Seller with a letter from another lender showing that Buyer has made application for loan specified in (a) and, subject to verification of information, is qualified for the loan requested. If Buyer fails to provide Seller with such letter within said time period, Seller may terminate this Agreement and the earnest money shall be returned to Buyer. This right to terminate ends once Buyer's letter is received.
e. Buyer agrees to pay no more than n/a points. Seller agrees to pay up to \$n/a toward Buyer's actual pre-pays, points and/or closing costs, but no more than allowable by Buyer's lender.
f. Buyer's ability to obtain financing [ ] is [ ] is not subject to the sale of another property. See addendum [ ] Yes [ ] No.
g. Buyer may choose to pay cash instead of obtaining financing. If so, Buyer shall notify Seller in writing including providing proof of funds and the Agreement shall no longer be subject to financing, and Seller's right to terminate pursuant to the provisions of this paragraph shall be void and Seller's obligations pursuant to 11e shall remain in full force and effect.

13. BROKERAGE DISCLOSURE: Buyer and Seller acknowledge they have been advised of the following relationships:

David Banks ( 002090 ) of RE/MAX By The Bay ( 1150 )
Licensee MLS ID Agency MLS ID

is a [ ] Seller Agent [ ] Buyer Agent [ ] Disc Dual Agent [X] Transaction Broker

n/a ( n/a ) of n/a ( n/a )
Licensee MLS ID Agency MLS ID

is a [ ] Seller Agent [ ] Buyer Agent [ ] Disc Dual Agent [ ] Transaction Broker

If this transaction involves Disclosed Dual Agency, the Buyer and Seller acknowledge the limited fiduciary duties of the agents and hereby consent to this arrangement. In addition, the Buyer and Seller acknowledge prior receipt and signing of a Disclosed Dual Agency Consent Agreement.

14. PROPERTY DISCLOSURE FORM: Buyer acknowledges receipt of Property Disclosure Form.

15. DEFAULT/RETURN OF EARNEST MONEY: Buyer's failure to fulfill any of Buyer's obligations hereunder shall constitute a default and Seller may employ all legal and equitable remedies, including without limitation, termination of this Agreement and forfeiture by Buyer of the earnest money. Seller's failure to fulfill any of Seller's obligations hereunder shall constitute a default and Buyer may employ all legal and equitable remedies, including without limitation, termination of this Agreement and return to Buyer of the earnest money. Agency acting as escrow agent has the option to require written releases from both parties prior to disbursing the earnest money to either Buyer or Seller. In the event that the Agency is made a party to any lawsuit by virtue of acting as escrow agent, Agency shall be entitled to recover reasonable attorney's fees and costs which shall be assessed as court costs in favor of the prevailing party.

16. MEDIATION: Earnest money or other disputes within the jurisdictional limit of small claims court will be handled in that forum. All other disputes or claims arising out of or relating to this Agreement or the property addressed in this Agreement (other than requests for injunctive relief) shall be submitted to mediation in accordance with generally accepted mediation practices. Buyer and Seller are bound to mediate in good faith and to each pay half of the mediation fees. If a party fails to submit a dispute or claim to mediation prior to initiating litigation (other than requests for injunctive relief), then that party will be liable for the other party's legal fees in any subsequent litigation regarding that same matter in which the party who failed to first submit the dispute or claim to mediation loses in that subsequent litigation. This clause shall survive the closing of the transaction.

17. PRIOR STATEMENTS: Any representations, statements and agreements are not valid unless contained herein. This Agreement completely expresses the obligations of the parties and may only be amended in writing, signed by both parties.

Page 3 of 5

Buyer(s) Initials

Initial AR

Seller(s) Initials

DS DMB

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- 18. HEIRS/ASSIGNS: This Agreement shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of the Seller and the assigns of the Buyer.
- 19. COUNTERPARTS: This Agreement may be signed on any number of identical counterparts, such as a faxed copy, with the same binding effect as if the signatures were on one instrument. Original, faxed or other electronically transmitted signatures are binding.
- 20. NOTICE: Any notice, communication or document delivery requirements hereunder may be satisfied by providing the required notice, communication or documentation to or from the parties or their Licensee. Only withdrawals of offers and withdrawals of counteroffers will be effective upon communication, verbally or in writing.
- 21. EFFECTIVE DATE/BUSINESS DAYS: This Agreement is a binding contract when the last party signing has caused a paper or electronic copy of the fully executed agreement to be delivered to the other party which shall be the Effective Date. Licensee is authorized to fill in the Effective Date on Page 1 hereof. Except as expressly set forth to the contrary, the use of the term "days" in this Agreement, including all addenda made a part hereof, shall mean business days defined as excluding Saturdays, Sundays and any observed Maine State/Federal holidays. Deadlines in this Agreement, including all addenda, expressed as "within x days" shall be counted from the Effective Date, unless another starting date is expressly set forth, beginning with the first day after the Effective Date, or such other established starting date, and ending at 5:00 p.m. Eastern Time on the last day counted. Unless expressly stated to the contrary, deadlines in this Agreement, including all addenda, expressed as a specific date shall end at 5:00 p.m. Eastern Time on such date.
- 22. CONFIDENTIALITY: Buyer and Seller authorize the disclosure of the information herein to the real estate licensees, attorneys, lenders, appraisers, inspectors, investigators and others involved in the transaction necessary for the purpose of closing this transaction. Buyer and Seller authorize the lender and/or closing agent preparing the entire closing disclosure and/or settlement statement to release a copy of the closing disclosure and/or settlement statement to the parties and their licensees prior to, at and after the closing. Buyer is advised that Seller or Seller's agent may disclose the terms of this offer (if rejected), to others when it is used as a Competing Offer to accompany an Escalation Addendum.
- 23. OTHER CONDITIONS: n/a

24. GENERAL PROVISIONS:

- a. A copy of this Agreement is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, contact an attorney. This is a Maine contract and shall be construed according to the laws of Maine.
- b. Seller acknowledges that State of Maine law requires buyers of property owned by non-resident sellers to withhold a prepayment of capital gains tax unless a waiver has been obtained by Seller from the State of Maine Revenue Services.
- c. Buyer and Seller acknowledge that under Maine law payment of property taxes is the legal responsibility of the person who owns the property on April 1, even if the property is sold before payment is due. If any part of the taxes is not paid when due, the lien will be filed in the name of the owner as of April 1 which could have a negative impact on their credit rating. Buyer and Seller shall agree at closing on their respective obligations regarding actual payment of taxes after closing. Buyer and Seller should make sure they understand their obligations agreed to at closing and what may happen if taxes are not paid as agreed.
- d. Buyer acknowledges that Maine law requires continuing interest in the property and any back up offers to be communicated by the listing agent to the Seller.
- e. Whenever this Agreement provides for earnest money to be returned or released, agency acting as escrow agent must comply with Maine Real Estate Commission rules which may require written notices or obtaining written releases from both parties.

25. ADDENDA:  Yes  No Explain: \_\_\_\_\_

Page 4 of 5

Buyer(s) Initials

Initial  
AR

Seller(s) Initials

DS  
DMB

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- 26. ELECTRONIC SIGNATURES: Pursuant to the Maine Uniform Electronic Transactions Act and Digital Signature Act, the parties authorize and agree to the use of electronic signatures as a method of signing/initialing this Agreement, including all addenda. The parties hereby agree that either party may sign electronically by utilizing an electronic signature service.
- 27. Upon acceptance of the offer or counteroffer, Seller agrees to deliver the above-described property at the price and upon the terms and conditions set forth and agrees to pay agency a commission for services as specified in the listing agreement.

Buyer's mailing address is \_\_\_\_\_  
 \_\_\_\_\_ 4/21/2026  
 Anthony Regia  
 BUYER ~~Crane & Hammer Builders Inc.~~ DATE BUYER DATE

BUYER DATE BUYER DATE  
 Seller hereby accepts the offer set forth above.

Seller's mailing address is \_\_\_\_\_  
 \_\_\_\_\_ 4/21/2026  
 David M Banks  
 SELLER ~~Crane & Hammer Builders Inc.~~ DATE SELLER DATE

SELLER DATE SELLER DATE

**COUNTER-OFFER**

Seller agrees to sell on the terms and conditions as detailed herein with the following changes and/or conditions:

The parties acknowledge that until signed by Buyer, Seller's signature constitutes only an offer to sell on the above terms and the offer will expire unless accepted by Buyer's signature with communication of such signature to Seller by (date) \_\_\_\_\_ (time) \_\_\_\_\_  AM  PM Eastern Time.

SELLER DATE SELLER DATE  
 SELLER DATE SELLER DATE

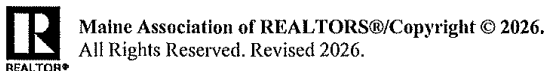
The Buyer hereby accepts the counter-offer set forth above.

BUYER DATE BUYER DATE  
 BUYER DATE BUYER DATE

**EXTENSION**

The closing date of this Agreement is extended until \_\_\_\_\_ DATE

SELLER DATE SELLER DATE  
 SELLER DATE SELLER DATE  
 BUYER DATE BUYER DATE  
 BUYER DATE BUYER DATE



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PROPERTY LOCATED AT: U20/ 5/ 1, Middle Road, Falmouth, ME 04105

**PROPERTY DISCLOSURE – LAND ONLY**

Under Maine Law, certain information must be made available to buyers prior to or during preparation of an offer. This statement has been prepared to assist prospective buyers in evaluating this property. This disclosure is not a warranty of the condition of the property and is not part of any contract between Seller and any Buyer. Seller authorizes the disclosure of the information in this statement to real estate licensees and to prospective buyers of this property. The Seller agrees to provide prompt notice of any changes in the information and this form will be appropriately changed with an amendment date. Inspections are highly recommended.

**DO NOT LEAVE ANY QUESTIONS BLANK. STRIKE, WRITE N/A OR UNKNOWN IF NEEDED.**

**SECTION I – HAZARDOUS MATERIAL**

The licensee is disclosing that the Seller is making representations contained herein.

A. UNDERGROUND STORAGE TANKS - Are there now, or have there ever been, any underground storage tanks on your property?  Yes  No  Unknown

If Yes: Are tanks in current use?  Yes  No  Unknown

If no longer in use, how long have they been out of service? n/a

If tanks are no longer in use, have tanks been abandoned according to DEP?.....  Yes  No  Unknown

Are tanks registered with DEP?.....  Yes  No  Unknown

Age of tank(s): n/a Size of tank(s): n/a

Location: n/a

What materials are, or were, stored in the tank(s): n/a

Have you experienced any problems such as leakage:  Yes  No  Unknown

Comments: No knowledge of underground tanks.

Source of information: Seller

B. OTHER HAZARDOUS MATERIALS - Current or previously existing:

TOXIC MATERIAL:  Yes  No  Unknown

LAND FILL:  Yes  No  Unknown

RADIOACTIVE MATERIAL:  Yes  No  Unknown

METHAMPHETAMINE:  Yes  No  Unknown

Comments: No knowledge of hazardous materials.

Source of information: Seller

**Buyers are encouraged to seek information from professionals regarding any specific issue or concern.**

Buyer Initials AR

Page 1 of 4

Seller Initials DMB

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PROPERTY LOCATED AT: U20/ 5/ 1, Middle Road, Falmouth, ME 04105

**SECTION II – ACCESS TO THE PROPERTY**

Is the property subject to or have the benefit of any encroachments, easements, rights-of-way, leases, rights of first refusal, life estates, private ways, trails, homeowner associations (including condominiums and PUD's) or restrictive covenants? .....  Yes  No  Unknown

If Yes, explain: None known

Source of information: Seller

Is access by means of a way owned and maintained by the State, a county, or a municipality over which the public has a right to pass?.....  Yes  No  Unknown

If No, who is responsible for maintenance? n/a

Road Association Name (if known): n/a

Source of information: Seller

**SECTION III – FLOOD HAZARD**

For the purposes of this section, Maine law defines "flood" as follows:

- (1) A general and temporary condition of partial or complete inundation of normally dry areas from:(a) The overflow of inland or tidal waters; or (b) The unusual and rapid accumulation or runoff of surface waters from any source; or
- (2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event that results in flooding as described in subparagraph (1), division (a).

For purposes of this section, Maine law defines "area of special flood hazard" as land in a floodplain having 1% or greater chance of flooding in any given year, as identified in the effective federal flood insurance study and corresponding flood insurance rate maps.

During the time the seller has owned the property:

Have any flood events affected the property? .....  Yes  No  Unknown

If Yes, explain: n/a

Have any flood events affected a structure on the property? .....  Yes  No  Unknown

If Yes, explain: n/a

Has any flood-related damage to a structure occurred on the property? .....  Yes  No  Unknown

If Yes, explain: n/a

Has there been any flood insurance claims filed for a structure on the property? .....  Yes  No  Unknown

If Yes, indicate the dates of each claim: n/a

Buyer Initials AR

Seller Initials DMB

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PROPERTY LOCATED AT: U20/ 5/ 1, Middle Road, Falmouth, ME 04105

Has there been any past disaster-related aid provided related to the property or a structure on the property from federal, state or local sources for purposes of flood recovery?  Yes  No  Unknown

If Yes, indicate the date of each payment: n/a

Is the property currently located wholly or partially within an area of special flood hazard mapped on the effective flood insurance rate map issued by the Federal Emergency Management Agency on or after March 4, 2002?  Yes  No  Unknown

If yes, what is the federally designated flood zone for the property indicated on that flood insurance rate map? n/a

Relevant Panel Number: n/a Year: n/a (Attach a copy)

Comments: **Not in flood zone**

Source of Section III information: Seller & FEMA Maps

**SECTION IV – GENERAL INFORMATION**

Are there any shoreland zoning, resource protection or other overlay zone requirements on the property?  Yes  No  Unknown

If Yes, explain: n/a

Source of information: Seller

Is the property the result of a division within the last 5 years (i.e. subdivision)?  Yes  No  Unknown

If Yes, explain: n/a

Source of information: Seller

Are there any tax exemptions or reductions for this property for any reason including but not limited to: Tree Growth, Open Space and Farmland, Blind, Working Waterfront?  Yes  No  Unknown

If Yes, explain: n/a

Is a Forest Management and Harvest Plan available?  Yes  No  Unknown

Has all or a portion of the property been surveyed?  Yes  No  Unknown

If Yes, is the survey available?  Yes  No  Unknown

Has the property ever been soil tested?  Yes  No  Unknown

If Yes, are the results available?  Yes  No  Unknown

Are mobile/manufactured homes allowed?  Yes  No  Unknown

Are modular homes allowed?  Yes  No  Unknown

Source of Section IV information: Seller

Additional Information: n/a

Buyer Initials AR

Seller Initials DS DMB

Docusign Envelope ID: 8BFB96F7-02C3-43B6-98DD-31F2B8170A53

PROPERTY LOCATED AT: U20/ 5/ 1, Middle Road, Falmouth, ME 04105

ATTACHMENTS CONTAINING ADDITIONAL INFORMATION:.....  Yes  No

Seller shall be responsible and liable for any failure to provide known information about property defects to Buyer. As Seller, I/we have provided the above information and represent that all information is correct.

DocuSigned by:  
David M Banks 4/21/2026  
SELLER DATE SELLER DATE  
378 Middle Road LLC

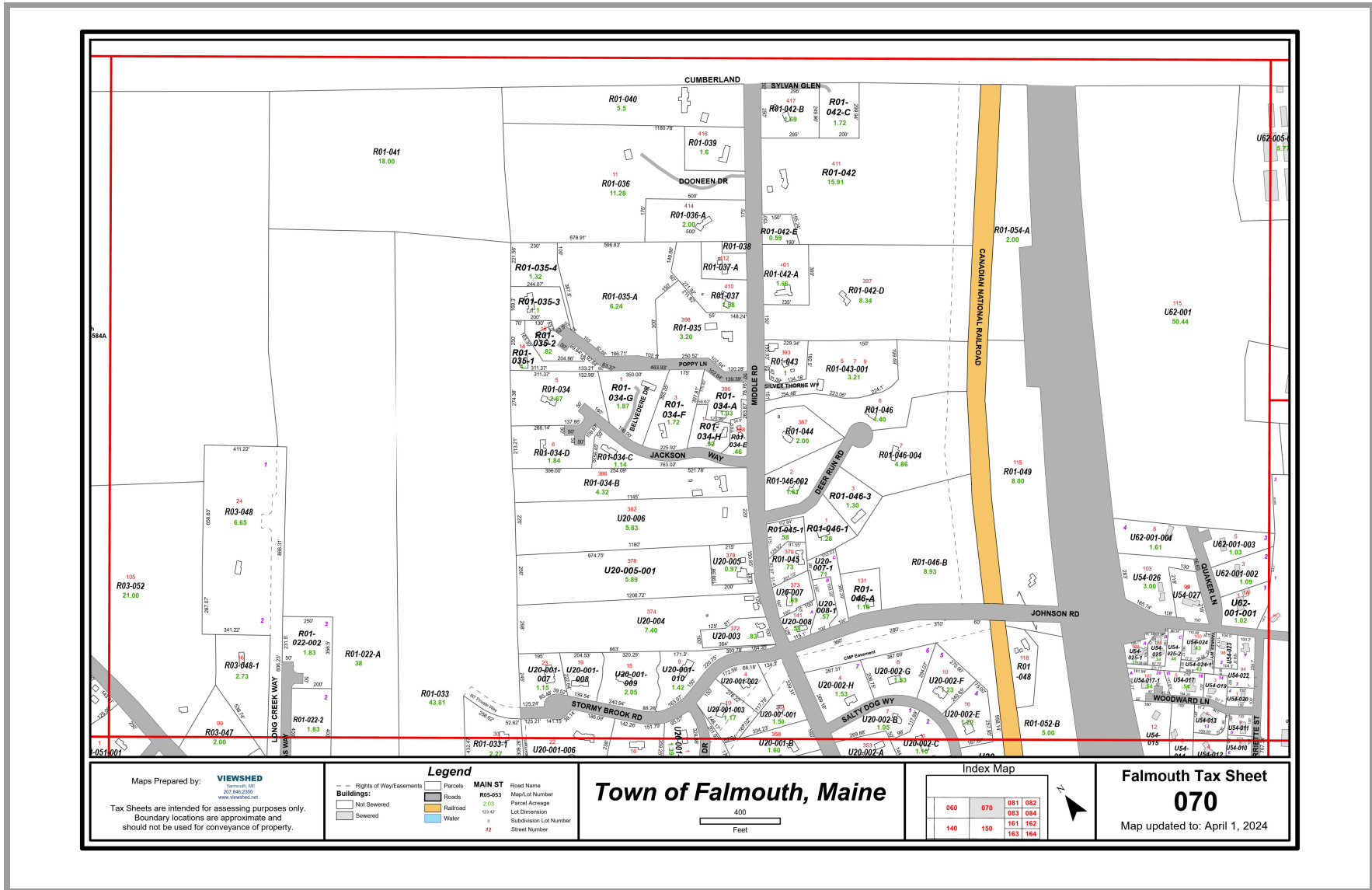
SELLER DATE SELLER DATE

I/We have read and received a copy of this disclosure and understand that I/we should seek information from qualified professionals if I/we have questions or concerns.

Signed by:  
Anthony Reguia 4/21/2026  
BUYER DATE BUYER DATE  
Brush & Hammer Builders Inc.

BUYER DATE BUYER DATE





### 378 Middle Road Parcel 2 Aerial



February 6, 2026



MARK HAMPTON ASSOCIATES, INC.

SOIL EVALUATION • WETLAND DELINEATIONS • SOIL SURVEYS • WETLAND PERMITTING

7753

January 2, 2024

Mr. Michael Banks  
Atlantic Properties LLC  
190 US Route 1 #122  
Falmouth, ME 04105

Re: Wetland Delineation, 6+ acre parcel 378 Middle Road Falmouth, ME

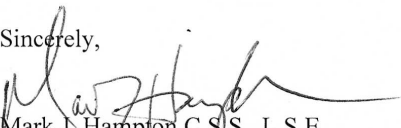
Dear Michael,

We have completed a delineation of wetlands on a 6+ acre parcel at 378 Middle Road Falmouth, Maine. The wetland delineation was completed in accordance with the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual for the Northcentral and Northeast Regions dated January 2012. These manuals require the presence of three parameters for a wetland to be present, wetland hydrology, hydrophytic vegetation, and hydric soils.

The wetlands we found on the parcel were flagged with yellow flagging. The flagging was labeled in an alphanumeric sequence. The wetland flags were located with GPS equipment. The wetlands on the parcel are forested wetlands. The wetlands found adjacent to the stream will meet the definition of wetland of special significance as defined by the Maine Department of Environmental Protection. Also the wetlands adjacent to the stream and at the rear of the parcel will meet the definition of high value wetlands for the Town of Falmouth, all other wetlands delineated on the parcel are low value wetlands.

If you have any questions or require additional information, please contact me.

Sincerely,



Mark J. Hampton C.S.S., L.S.E.  
Certified Soil Scientist #216  
Licensed Site Evaluator #263

P.O. BOX 1931 • PORTLAND, ME 04104-1931 • 207-756-2900 • mhamp1@maine.rr.com

*Quality services that meet your deadline*





Blue Flag Environmental  
384 Spring Water Road  
Poland, ME 04274  
[admin@blueflagenv.com](mailto:admin@blueflagenv.com)  
207- 860-0570

Date: December 15, 2025

To: Peter Biegel  
Land Design Solutions  
1 Faraday Drive, Suite 7  
Cumberland, ME 04021

Subject: Vernal Pool Habitat Review, 378 Middle Road, Falmouth

Dear Peter,

On December 12th, 2025, Blue Flag Environmental conducted a site visit to evaluate the above referenced property (Mblu: U20-005-001) for the presence of potential vernal pool habitat in accordance with the Maine Department of Environmental Protection's (MDEP) Natural Resources Protection Act (NRPA), Chapter 335. Jurisdictional wetlands on the property had previously been identified and delineated by another wetland professional.

The assessment included a review of mapped wetlands and field observations of morphology, hydrologic indicators, vegetation, and surrounding upland context to evaluate whether site conditions are suitable to support a vernal pool hydroperiod. Although the site visit occurred outside of the primary vernal pool assessment season, sufficient wetland characteristics were observable to evaluate hydroperiod and habitat suitability.

Based on site conditions observed, no wetlands or depressional areas on the property exhibit characteristics consistent with potential vernal pool habitat, as defined under NRPA Chapter 335. Therefore, no potential vernal pool habitats were identified on the project site.

Please contact me if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Lucien Langlois".

Lucien Langlois, LSE, PWS  
Principal  
Blue Flag Environmental



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM  
COMMISSIONER

Permit-by-Rule & Notice of Intent Acceptance Notice

**Applicant: BRUSH AND HAMMER BUILDERS, INC.      Town: Falmouth**  
**Project Address: 378 Middle Road                      Tax Map/Lot #: U20 - 5-1**  
**Permit Number: PBR\_ID-0101602                      Accepted Date: 3/2/2026**

NRPA

Stormwater

MCGP

NRPA PBR Sections – Ch. 305

- Sec. 2 Act. Adj. to Prot. Natural Res.       Sec. 9 Utility Crossing       Sec. 16 Coastal Sand Dune Project
- Sec. 3 Intake Pipes       Sec. 10 Stream Crossing       Sec. 16A Beach Nourishment and Restoration
- Sec. 4 Replacement of Structures       Sec. 11 State Transport. Facilities       Sec. 18 Maintenance Dredging
- Sec. 6 Movement of Rocks or Veg.       Sec. 12 Restoration Natural Areas       Sec. 19 Act. Near SVP Habitat
- Sec. 7 Outfall Pipes       Sec. 13 F&W Create/Water Quality Habitat       Sec. 20 Act. Near Waterfowl/Bird Habitat
- Sec. 8 Shoreline Stabilization       Sec. 15 Public Boat Ramps

**Project Description:**

379 Middle Road Parcel Two Development  
The construction of a driveway and single family residential structure which includes a stream crossing and a wetland crossing. Total wetland impact is 2,945 s.f. (forested wetland).

**Photographs showing the completed project and the affected area must be submitted within 20 days of the activity's completion.**

Sincerely,

Martha Harris  
Environmental Specialist III  
Bureau of Land Resources

**AUGUSTA**  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-7688 FAX: (207) 287-7826  
Website: [www.maine.gov/dep](http://www.maine.gov/dep)

**BANGOR**  
106 HOGAN ROAD, SUITE 6  
BANGOR, MAINE 04401  
(207) 941-4570 FAX: (207) 941-4584

**PORTLAND**  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 822-6300 FAX: (207) 822-6303

**PRESQUE ISLE**  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769  
(207) 764-0477 FAX: (207) 760-3143



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, NEW ENGLAND DISTRICT  
MAINE PROJECT OFFICE  
442 CIVIC CENTER DRIVE SUITE 350  
AUGUSTA ME 04330

April 6, 2026

Regulatory File No. NAE-2026-00245  
Regulatory Division

Anthony Requia  
Brush and Hammer Builders Inc.  
417 US-1, Unit 3  
Falmouth, ME 04105  
anthony@brushandhammerbuilders.com

Dear Anthony Requia,

The U.S. Army Corps of Engineers (Corps) has reviewed your request to discharge fill material associated with residential developments.

The proposed work is located in unnamed forested wetlands, at 378 Middle Road, Falmouth, Maine at latitude 43.745510° and longitude -70.229130°. The proposed regulated activities associated with this project are detailed on the attached drawings titled "378 Middle Road REVISED Plan Set 3-9-26" dated March 9, 2026, and are described below.

**Project Description**

The applicant proposes to permanently discharge fill material into approximately 1,922 square feet (SF) within forested wetlands for the purpose of construction of residential development access. This involves a stream crossing which will result in a discharge of fill material into approximately 190 SF below the Ordinary High-Water Mark (OHWM) of an unnamed tributary to Chenery Brook to install an 8 foot (ft.) x 3 ft. box culvert. To construct the project, the project will involve the temporary discharge of fill material into approximately 133 SF forested wetlands as well as the temporary discharge of fill material into approximately 108 SF below the OHWM of the unnamed tributary to Chenery Brook for the purpose of installation of a cofferdam.

Based on the information provided, the Corps has verified that the proposed actions are authorized under Nationwide Permit (NWP) 29, Residential Developments pursuant to authorities under Section 404 of the Clean Water Act (33 U.S.C. § 1344).

You must ensure the proposed work is performed in accordance with the enclosed applicable terms and conditions.

**Special Conditions**

In addition, this verification is subject to the following special conditions.

1. No tree clearing of trees 3 inches in diameter at breast height or greater shall occur between April 15 – September 30 in a given year.
2. The monarch butterfly (*Danaus plexippus*) is currently proposed for listing under the federal Endangered Species Act. If the authorized work is not completed before the monarch butterfly is uplisted from proposed threatened to threatened, you are required to contact us so that we can initiate Section 7 consultation with the U.S. Fish and Wildlife Service as needed. We will post information regarding the monarch butterfly uplisting and final rule on our website: <https://www.nae.usace.army.mil/Missions/Regulatory>. You can also find monarch butterfly information at <https://www.fws.gov/species/monarch-danaus-plexippus>.

You are also required to complete and return the enclosed Compliance Certification form within 30 days of completing your project. Please email the completed documents to the representative identified in the last paragraph of this letter.

A change in location or project plans may require re-evaluation of your project. Proposed changes should be coordinated with this office prior to construction. Failure to comply with all terms and conditions of these permits (NWP) invalidate this authorization and could result in a violation of Section 301 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. You must also obtain all local, state, Tribal, and other Federal permits that apply to this project.

#### **Permit Expiration**

The Corps' verification of this NWP authorization is valid until March 15, 2031, unless the NWP is modified, reissued, or revoked prior to that date. If the authorized work for the NWP authorization has not been completed by that date and you have commenced or are under contract to commence this activity before March 15, 2031, you will have until March 15, 2032, to complete the activity under the enclosed terms and conditions of this NWP.

**Contact Information**

If you have any questions, please contact Jeremy Lessard at 978-941-3914, or by email at [jeremy.s.lessard@usace.army.mil](mailto:jeremy.s.lessard@usace.army.mil).

In order to better serve you, please complete the Customer Service Survey located at: <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,

*Amanda Sayles*

For Peter Olmstead  
Chief, Maine Section

Enclosures:  
Project Plans, Compliance Certification, NWP 29, Residential Developments and  
General/Regional Conditions

cc (w/enclosures):  
Peter Biegel, Land Design Solutions, [pbiegel@landdesignsolutions.com](mailto:pbiegel@landdesignsolutions.com)

**Work-Start Notification Form**

**File Number: NAE-2026-00245                      State: Maine    County: Cumberland**

**Permittee: Brush and Hammer Builders Inc., Anthony Requia  
Date Verification Issued: 4/24/2026  
Project Manager: Jeremy Lessard**

At least two weeks prior to commencing the activity authorized by this permit, sign this certification and return it to the following address:

**US ARMY CORPS OF ENGINEERS  
New England District  
Attn: Jeremy Lessard  
442 Civic Center Drive Suite 350  
Augusta, ME 04330  
or  
jeremy.s.lessard@usace.army.mil  
978-941-3914**

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers (USACE) representative. Failure to comply with any terms or conditions of this authorization may result in the USACE suspending, modifying or revoking the authorization and/or issuing a Class I administrative penalty, or initiating other appropriate legal action.

**The people (e.g. contractor) listed below will do the work, and they understand the permit's conditions and limitations.**

**Contractor Name/Contractor Firm:** \_\_\_\_\_

**Business Address:** \_\_\_\_\_  
\_\_\_\_\_

**Contractor Phone and Email:** \_\_\_\_\_

**Proposed Construction Dates:    Start:** \_\_\_\_\_                      **Finish:** \_\_\_\_\_

\_\_\_\_\_  
**Signature of Permittee**

\_\_\_\_\_  
**Date**

<p>U.S. Army Corps of Engineers (USACE)</p> <p><b>CERTIFICATION OF COMPLIANCE WITH DEPARTMENT OF THE ARMY PERMIT</b></p> <p>For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act; the proponent agency is CECW-COR.</p>	<p><i>Form Approved -</i> <b>OMB No. 0710-0003</b></p> <p><i>Expires 2027-10-31</i></p>	
<p><b>The Agency Disclosure Notice (ADN)</b></p> <p>The Public reporting burden for this collection of information, 0710-0003, is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at <a href="mailto:whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil">whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil</a>. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.</p>		
<p><b>PURPOSE:</b> This form is used by recipients of U.S. Army Corps of Engineer Regulatory permits to certify compliance with the permit terms and conditions.</p> <p>Your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.</p>		
<p>Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the U.S. Army Corps of Engineers, New England District, Regulatory Office.</p> <p>The certification can be submitted by email at <a href="mailto:Jeremy.s.lessard@usace.army.mil">Jeremy.s.lessard@usace.army.mil</a> or by mail at the below address:</p> <p style="text-align: center;">                 U.S. Army Corps of Engineers                  New England District Office                  Street Address: 442 Civic Center Drive                  City: August                      State: Maine      Zip Code: 04330             </p>		
<p><b>COMPLETED BY THE CORPS</b></p>		
<p>Corps Action Number: <u>NAE-2026-00245</u></p> <p>Permit Type: <u>General Permit</u></p> <p>General Permit Number and Name (<i>if applicable</i>): <u>29-Residential Developments</u></p> <p>Name of Permittee: <u>Anthony Requia</u></p> <p>Project Name: <u>378 Middle Road Falmouth Maine Parcel Two, Stream and Wetland Crossing</u></p> <p>Project Location (<i>physical address</i>): <u>378 Middle Road</u> <u>Falmouth, Maine</u></p>		
<p><b>PERMITTEE'S CERTIFICATION</b></p>		
<p>Date Work Started: _____</p> <p>Date Work Completed: _____</p> <p>Enclose photographs showing the completed project (<i>if available</i>).</p> <p>I _____ hereby certify that the work authorized by the above referenced permit has been completed in accordance with all of the permit terms and conditions, and that any required compensatory mitigation has been completed in accordance with the permit conditions.</p>		
Name	Date	Signature

DOC :13627 BK:35560 PG:249

MAINE REAL ESTATE TAX-Paid

**WARRANTY DEED**  
Statutory Short Form

**DLN: 1001940053129**

KNOW ALL BY THESE PRESENTS, That **We, Axel Berg and Mary Berg** with a mailing address of **79 Applegate Lane, Falmouth, Cumberland County, State of Maine, 04105**, for consideration paid, grant to **378 Middle Road, LLC, a Maine Limited Liability Company** with a mailing address is **190 US Route One #122, Falmouth, Maine 04105**, with Warranty Covenants, the real property in the Town of **Falmouth**, County of **Cumberland** and State of **Maine**, more particularly described as follows:

**A certain lot or parcel of land with the buildings thereon located in the Town of Falmouth, Count of Cumberland and State of Maine, bounded and described as follows:**

**Beginning at the northwest side of the Middle Road at the most easterly corner of land formerly of John F. Williams, conveyed by Roger Williams to Leon Anderson; thence northeast by the Middle Road, 250.00' at right angles to the Middle Road, 58 rods, more or less, to land formerly of Broda Hincks; thence southwest by Hincks land, 250.00' more or less to the northwest corner of land conveyed to Cecelia Jackson by Jessie M. Russell by deed recorded in the Cumberland County Registry of Deeds in Book 1543, Page 394; thence southeasterly by the southwesterly line of land conveyed to Jackson by Russell and by said land now or formerly of Williams and Anderson, 70 rods, more or less, to the Middle Road and point of beginning.**

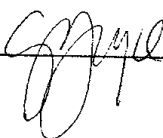
**Subject to utility easement granted to Central Maine Power Company and New England Telephone Company recorded in said Registry in Book 3117, Page 657.**


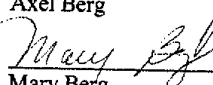
**Meaning and intending to convey and conveying the real property described in a deed to Axel Berg and Mary Berg dated May 14, 1982 and recorded in Book 4963, Page 37.**

**DOC :13627 BK:35560 PG:250**  
RECEIVED - RECORDED, CUMBERLAND COUNTY REGISTER OF DEEDS  
04/04/2019, 02:43:47P  
Register of Deeds Nancy A. Lane E-RECORDED

Witness my/our hand(s) and seal(s) this 4th day of April, 2019.

Witness:

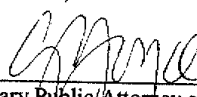
  
\_\_\_\_\_

  
\_\_\_\_\_  
Axel Berg  
  
\_\_\_\_\_  
Mary Berg

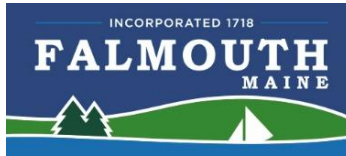
STATE OF MAINE  
COUNTY OF CUMBERLAND, ss. April 4, 2019

Personally appeared on the above date, the above-named **Axel Berg and Mary Berg** and acknowledged the foregoing instrument to their free act and deed.

Before me,

  
\_\_\_\_\_  
Notary Public/Attorney at Law  
Print name: \_\_\_\_\_  
Exp: \_\_\_\_\_

**Caryl S. Joyce**  
**State of Maine**  
**Attorney At Law**  
**Bar #9659**



**Planning Office Review Notes  
Planning Board Meeting – June 2, 2026**

<p><b>Site Address:</b> 378 Middle Road  <b>Agent:</b> Peter Biegel, Land Design Solutions  <b>Property Owner/Applicant:</b> Brush &amp; Hammer Builders, Inc.</p>	<p><b>Map/Lot #:</b> U20-005-001  <b>Zoning District(s):</b> RB</p>
--	---

**Project Summary:**

This application is for a Fill Permit for the associated work related to driveway construction requiring wetland and stream crossings for access to a desired building site in the rear of the property at 378 Middle Road. The applicant is seeking approval for the placement of fill within 10 feet of a stream and wetland areas. The project proposes a natural bottom 36" stream crossing culvert for the construction of the driveway. The project proposes to impact 1,922 SF of wetlands and 190 SF of a stream. The applicant has received both Maine DEP and ACOE approvals prior to applying to the Planning Board.

**Applicable Ordinance Sections:**

The following represent the primary applicable ordinance criteria for this application:

- **Section 19-67** (Placement or Removal of Fill Material)
- **Section 19.71** (Buffers and Setbacks Adjacent to Streams, Ponds, and Wetlands)
- **Section 19-72** (Erosion and Sedimentation Control)

*\*NOTE: In the review notes that follow, below, direct quotes from the Ordinances are italicized*

**Section 19-71.5.B: Exemptions**

**Section 19-71.5.B** outlines specific improvements that qualify for exemption from buffers and setbacks to wetlands and streams if the improvement meets the four criteria outlined in this provision (See below). The applicant did not address how the proposed improvement qualifies for the exemption in the application. The Planning Board should determine if the proposed design qualifies for the exemption per the ordinance criteria outlined in **Section 19.71.5.B**.

**Section 19.71.5.B:** *Subject to the following qualification, buffers and setbacks do not apply to the following improvements:*

1. *Stormwater management facilities;*
2. *Road crossings, bridges, culverts, and the installation of utilities needed to access property on the other side of wetlands and water bodies; and*
3. *Docks, boat ramps, and other structures necessary for direct access to water bodies.*

*In order to qualify for the exemptions in this paragraph B, the design and location of the improvements must:*

- 1. Be integrated with the natural topographic condition and minimize the need for cuts and fills;*
- 2. Minimize impacts on protected resources and their respective buffers and setbacks as defined in subsection 19-71.3;*
- 3. Incorporate accepted best management practices; and*
- 4. Be determined by the permitting authority to be the best alternative.*

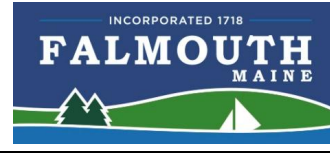
**Plan Buffer Labels:** There is a 25-foot designation on C-301 plan that is unlabeled, however, a 50-foot no disturbance buffer is required for high value wetlands and streams and is not shown on this plan. A 50-foot no disturbance buffer should be added to sheet C-301 for final plan submittal.

#### Proposed Conditions of Approval

Below, staff have drafted proposed conditions of approval for the Board's consideration in the event the Board determines that a conditional approval is warranted.

1. The development is to be constructed in accordance with the plans, maps, diagrams, specifications, textual submissions, and testimony presented by the applicant and approved by the Board.
2. Prior to commencement of site work, and prior to issuance of a building permit.
  - a. Erosion control measures shall be installed to the satisfaction of the Town Engineer.
  - b. Applicant should obtain all necessary approvals from outside regulatory authorities.
  - c. Applicant shall update plans to address staff comments.
  - d. The applicant shall obtain a stamped copy of final plans from the Planning Office.
  - e. Limits of clearing shall be marked in the field with snow fence or equivalent to the satisfaction of the Town Engineer.
  - f. Applicant shall pay inspection fee per **Section 19-67.g** (\$200)

Town of Falmouth  
Public Works Department  
101 Woods Road  
Falmouth, ME 04105



---

Date: May 27, 2026  
To: Nicholas King, Land Use Planner  
From: Justin Early, Assistant Director of Public Works/Town Engineer  
Re: Planning Board Review: 378 Middle Road Fill Permit Application

---

Public Works reviewed the subject application and have no comments.

May 22, 2026

Lisa,

The Fire Department offers the following responses to the item: Middle Road – Brush and Hammer Builders Inc.

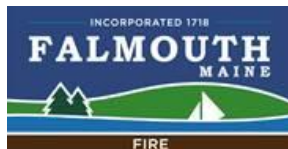
- Any driveway, bridge, culvert, or other structural component intended to provide required fire department access shall be designed to support imposed loads from fire apparatus with a gross vehicle weight of not less than 80,000 pounds.
- Due to the length of the proposed driveway, a fire apparatus turnaround is required.

If you have any questions or concerns, feel free to contact me.

*Nicholas J. Pelletier*

Assistant Fire Chief  
Falmouth Fire-EMS  
8 Bucknam Road  
Falmouth, ME 04105  
(207)781-2610 ext. 5251  
Fax (207)699-5268

Email: [npelletier@falmouthme.org](mailto:npelletier@falmouthme.org)



Under Maine's Freedom of Access ("Right to Know") law, all e-mail and e-mail attachments received or prepared for use in matters concerning Town business or containing information relating to Town business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law

MBLU	Location	Owner Name	Co-Owner Name	Address 1	City, State, Zip
R01/ 33/ / /	STORMY BROOK RD	BERUBE ANDREW R		2 LEDGE ROCK CIR	FALMOUTH, ME 04105
R01/ 45/ / /	379 MIDDLE RD	MERRILL ELIZABETH	RUDASILL LAWSON	379 MIDDLE RD	FALMOUTH, ME 04105
U20/ 4/ / /	374 MIDDLE RD	WORCESTER KENNETH L &	WORCESTER MARJORIE	374 MIDDLE RD	FALMOUTH, ME 04105
U20/ 5/ / /	378 MIDDLE RD	FIFIELD JOSHUA TODD	BANKS KATHRYN L	378 MIDDLE RD	FALMOUTH, ME 04105
U20/ 6/ / /	382 MIDDLE RD	CHUTE JUDITH P &	CHUTE ROBERT E JR	382 MIDDLE RD	FALMOUTH, ME 04105
U20/ 7/ / /	373 MIDDLE RD	ALBERETTI JAMES &	ALBERETTI MARIA O	373 MIDDLE RD	FALMOUTH, ME 04105
U20/ 5/ 1/ /	MIDDLE RD	378 MIDDLE ROAD LLC		190 US ROUTE 1 #122	FALMOUTH, ME 04105



**FALMOUTH  
DENTISTRY**

78 leighton road  
falmouth maine

- addition
- building revisions

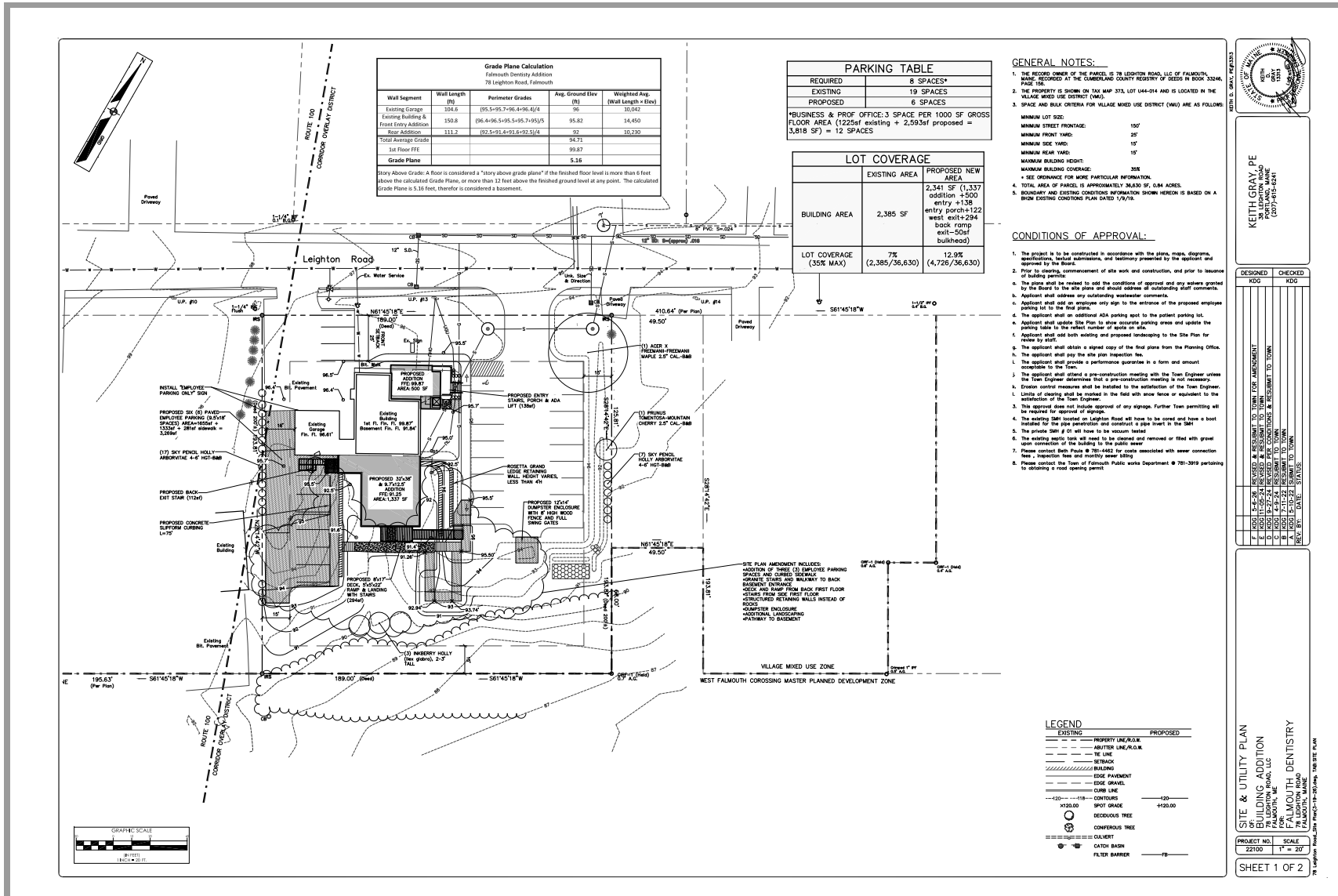


MARK  
MUELLER  
ARCHITECTS  
120 BARRINGTON STREET  
SUITE 205  
PORTLAND, MAINE  
04101  
207.774.9057

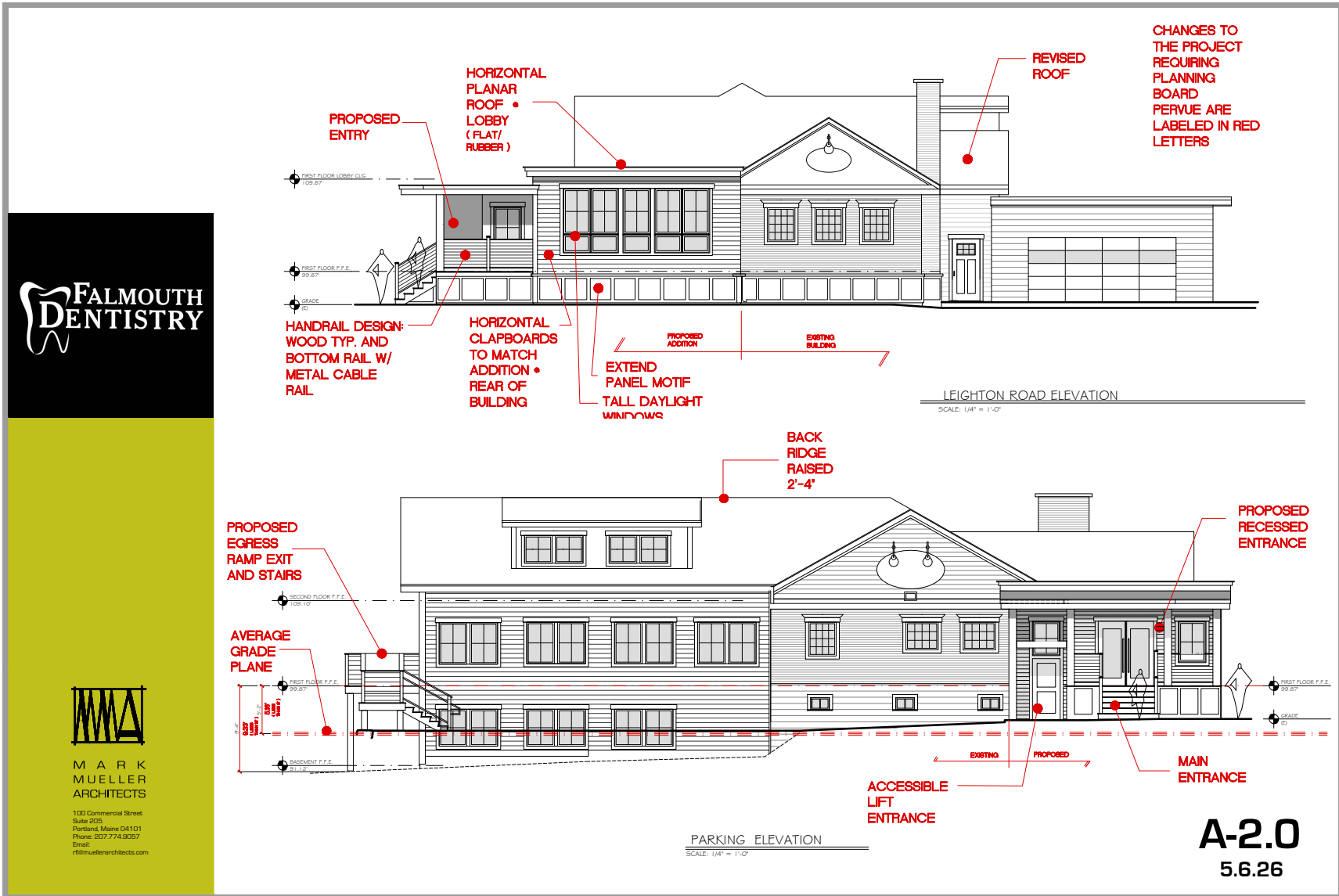
**amended site plan review**

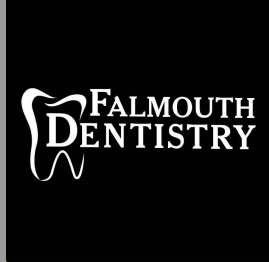
**MAY 6, 2026**

**MAP 373  
LOT U44-014**

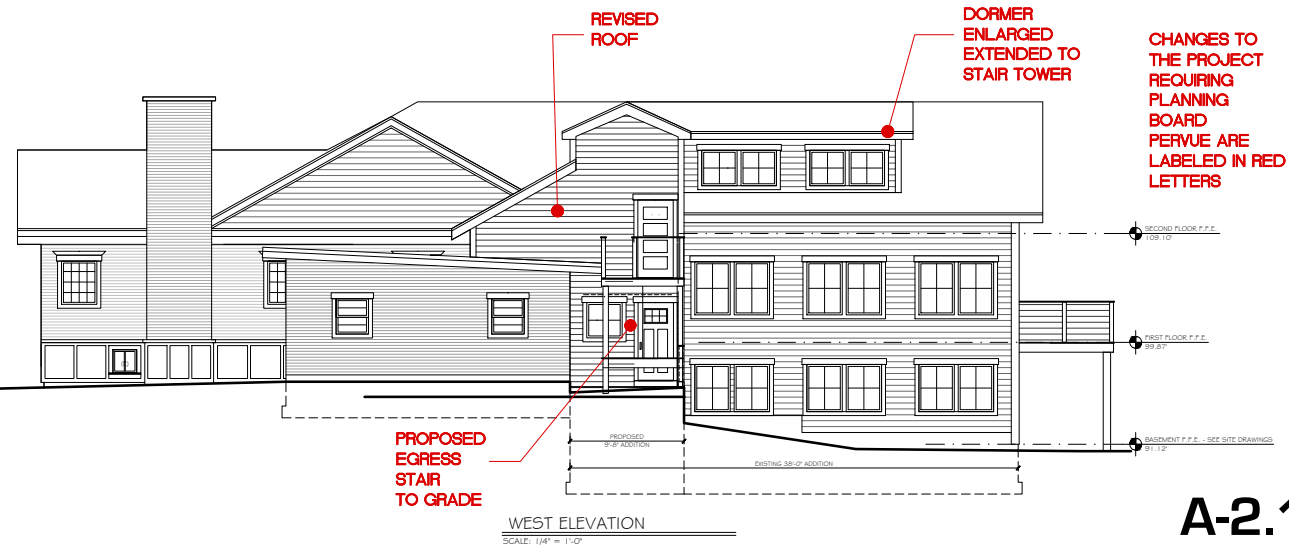
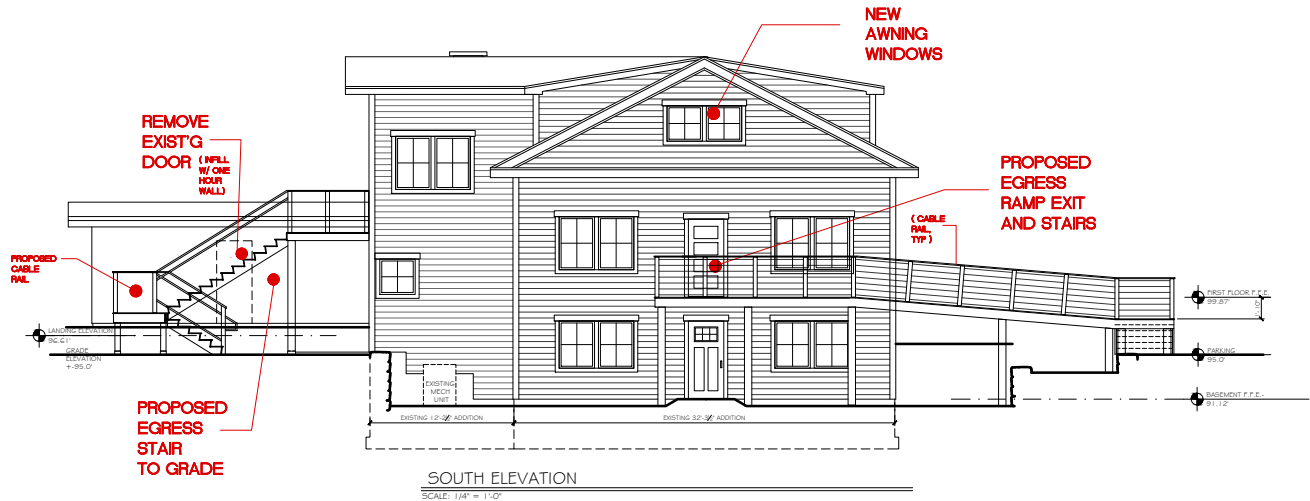








MARK MUELLER ARCHITECTS  
 100 Commercial Street  
 Suite 200  
 Portland, Maine 04101  
 Phone: 207.774.9057  
 Email: rfm@muellerarchitects.com



**A-2.1**  
**5.6.26**



M A R K  
M U E L L E R  
A R C H I T E C T S

May 6, 2026

Nick King  
Town of Falmouth Planning Department  
271 Falmouth Road  
Falmouth, Maine 04105

**RE: Falmouth Dentistry**  
78 Leighton Rd  
Falmouth, Maine

**Amended Site Plan Application**  
Map 373, Lot U44-014

On behalf of Falmouth Dentistry, our firm is submitting to update the Town of Falmouth for the design of the new building entrance and to update the board on field changes to the building that we made during construction.

Due to extenuating circumstances, our firm has been commissioned to complete the design process.

**Building Changes:**

- Ridge of the new addition was raised approximately 2'-4"
- Rear dormer West Elevation was elongated
- The roof covering behind the garage was modified

The ridge was raised to provide a minimum ceiling height per building codes in the upper level. The elongation of the dormer was meant to provide a more direct travel path to the upper exit.

The roof at the West stair was modified to allow more adequate roof water drainage



M A R K  
M U E L L E R  
A R C H I T E C T S

These amendments can be seen on the attached architectural drawings

### **Proposed Amendments to Existing Building**

- Add two exterior exit stairs to the rear of the building

This work is included for building code compliance to provide egress and exiting at the rear and upper level of the building

### **Proposed Work**

- Front entrance and lobby/ reception area

The proposed entry, lobby and reception area are a reintroduction to the project at this time. The work had been previously permitted through Grant Hays Associates.

The waiting area is a principle component to the project, the existing waiting is very small with only room for a few chairs. The new waiting room will provide comfortable space with adequate waiting and tall ceilings and windows for natural daylight. The lobby will also include an interior accessible wheelchair lift.

The exterior of the new addition will emulate the previously approved addition in space and bulk, and conform with the Town of Falmouth Exit 10 Architectural Design Guidelines.

The caveat is the new roof of the lobby addition will be a horizontal planar roof (flat), the design intent is to maintain the existing cross gable roofs as the dominate element of the exterior composition. Maintaining the previously approved flat roof will satisfy this design intent.

The skin of the addition will emulate building materials already used throughout the project.

The proposed lobby addition is 500 sq ft.

The proposed addition can also be seen on the attached architectural drawings.

100 COMMERCIAL ST.  
SUITE 205  
PORTLAND, ME 04101  
P: 207.774.9057  
F: 207.773.3851  
EMAIL:  
rfi@muellerarchitects.com  
MEMBER AIA



M A R K  
M U E L L E R  
A R C H I T E C T S

Thank you for your consideration,

Mark Mueller  
Mark Mueller Architects  
Maine RA

100 COMMERCIAL ST.  
SUITE 205  
PORTLAND, ME 04101  
P: 207.774.9057  
F: 207.773.3851  
EMAIL:  
rfi@muellerarchitects.com  
MEMBER AIA

Mr. Nicholas King  
Town of Falmouth Planning Department  
271 Falmouth Road  
Falmouth, Maine 04105

May 6, 2026

Re: Site Plan Amendment Submission  
78 Leighton Road Building Addition  
Tax Map 373, Lot U44-014

Dear Mr. King,

We appreciate the opportunity to bring forth this Amended Site Plan Application for review and consideration. The structure and site elements have progressed well and we are looking forward to completing both the back and front entry additions to support ongoing business functions.

Please find the attached sets of the following information in support of the Amended Site Plan Application:

- Planning Board Amendment Application
- Site Plan Amendment Fee Calculation Sheet
- Narrative of amendments
- Amended Site Plan and Architectural Plans (3 full & 6 reduced)

Site Plan Amendments include the following additions:

- Three (3) employee parking spaces, for a total of six (6) spaces
- Curbed sidewalk for the employee spaces
- Retaining walls in place of rebuilding boulder walls
- Granite stairs, paved ramp and concrete walkway to better access the basement level entrance
- Dumpster enclosure
- Additional landscaping
- West elevation exit stairway
- First floor exit stairway onto deck with ramp to parking lot

Please call with any questions regarding this application or if any additional information is needed for this submission.

Thank you,



Keith Gray, PE

207-615-6241

Keithgray207@gmail.com

### FALMOUTH PLANNING BOARD REQUEST FOR HEARING

**IN ADDITION TO THE SPECIFIED REVIEW FEES, APPLICATIONS SHALL BE ACCOMPANIED BY A \$125.00 FEE TO COVER THE COST OF NOTIFICATIONS AND PUBLISHING.**

Name of Applicant: 78 Leighton Road, LLC (Dr. Kyra Chadbourne) Phone# 207-939-7243  
 Fax: \_\_\_\_\_ E-Mail: kyra.chadbourne@gmail.com Alt. Phone # \_\_\_\_\_  
 Full Address: 78 Leighton Road, Falmouth ME  
 Address of Property to be Developed: (if different) \_\_\_\_\_  
 Map: 373 Lot: U44-014 Zone: Village Mixed Use  
 Property Owner (if other): 78 Leighton Road, LLC  
 Full Address: \_\_\_\_\_ Phone: \_\_\_\_\_

The undersigned requests that the Falmouth Planning Board consider the following application for:

- |   |   |
|---|---|
| <input type="checkbox"/> <b>Pre-application Sketch Plan Review</b>                    | <input type="checkbox"/> <b>Major Subdivision</b>           |
| <input type="checkbox"/> <b>Minor Subdivision</b>                                     | <input checked="" type="checkbox"/> <b>Site Plan Review</b> |
| <input type="checkbox"/> <b>Private Way</b>   | <input type="checkbox"/> <b>Shoreland Zone Permit</b>       |
| <input type="checkbox"/> <b>Sign Permit</b>   | <input type="checkbox"/> <b>Contract Zoning</b>             |
| <input type="checkbox"/> <b>Fill Permit</b>   |   |
| <input checked="" type="checkbox"/> <b>Other (specify) <u>Site Plan Amendment</u></b> |   |

**Notes to the Applicant:**

1. A short description of the project must be attached to this form. This application must be filed at the Town Hall no later than twenty-eight (28) days prior to the regular meeting of the Board (1<sup>st</sup> Tuesday monthly). Applications shall be accompanied by all application fees and materials required by the applicable ordinance(s), checklists and fee schedule.
2. All applications shall include all materials and copies as specified on the submittal requirements form.
3. All materials in color shall be copied in color.

**Application Authorization**

I hereby make application to the Town of Falmouth for the above-referenced property(ies) and the development as described. To the best of my knowledge, the information provided herein is accurate and is in accordance with the Zoning and Subdivision Ordinances of the Town, except where waivers are requested. The Town of Falmouth Planning Board and/or town employees are authorized to enter the property(ies) for purposes of reviewing this proposal and for inspecting improvements as a result of an approval of this proposal. I understand that I am responsible for appearing, or having someone appear on my behalf, at all meetings before the Planning Board.

Unless the applicant has submitted notice to the Community Development Department as part of the initial and any subsequent submittals, no alteration of site conditions, including the existing landscape, structures and buildings, shall occur between the date of application submittal and the date the application has received final sign off from staff after Planning Board approval.

Signed: *Kyra Chadbourne* Date: 5/6/26  
 Printed name: Dr. Kyra Chadbourne

Please identify yourself (check one): Agent\*  Property Owner

\*(If you are an agent, written authorization from the property owner must be attached to this form.)

Amended March 22, 2021





SPECIFICATION SHEET

Shop Now

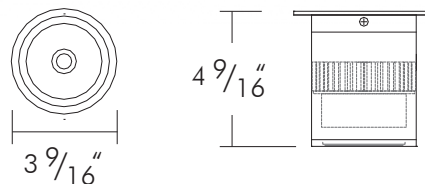
Project Name: \_\_\_\_\_ Type: \_\_\_\_\_ Quantity: \_\_\_\_\_

INTENDED USE

Our direct architectural ceiling downlight provides versatile, low-glare, cylindrical lighting. This product is for either indoor or outdoor commercial or retail use. The diecast aluminum fixture with tempered glass lens and silicone ring can be used to accent, enhance and improve area safety and security. Exclusively designed for downlighting.

PRODUCT FAMILY

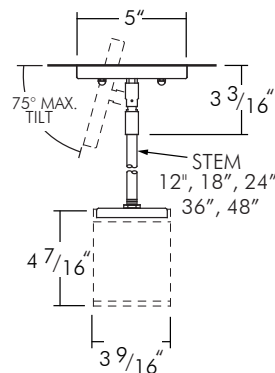
- 11235-ADJ Cylinder Adjustable
- 11235-DIR Cylinder Direct
- 11223-DIR Square Direct



FEATURES

- Construction:** Round one-piece high-grade aluminum extrusion with die-cast aluminum top plate, tamper-resistant
- Light Engine:** LED chip-on-board
- Lens:** Clear tempered glass and silicone o-ring
- Reflector:** Glare-free, one-piece, heavy gauge aluminum
- Mounting:** Includes bracket for installation directly to a 3-1/2" or 4" octagonal electrical junction-box
- Voltage:** 120V (120V-277V available for dimming)
- CRI:** 80
- Life:** L70 - 50,000 hours
- Emergency:** 90 minutes minimum, remote test switch, plate cover, junction box included
- Electrical:** Electronic direct current class 2 driver
- Warranty:** 5 years carefree for parts and components (labor not included). We recommend the use of surge protectors on the power entering LED Housings. Surge damage is not covered by warranty.
- Listing:** cETLus, cULus, Assembled in the US, IP65
- Compliance:** Dark Sky Compliant when fixture is pointing downward.

Stem Mount Option



ORDERING INFORMATION Example: [11235-DIR-S-L15-B60-UNI-40K-WH-EM](#)

Model	Mount	Lumen	Beam Spread	Dimming	Color Temp	Finish	Options
<b>11235-DIR</b> Pavo-Cylinder	<b>S</b> Surface	<b>L10</b> 1000 lm (10W)	<b>B2</b> 2° Narrow Spot	<b>ND</b> Non-Dimming (120V)	<b>27K</b> 2700K	<b>WH</b> White	<b>EM</b> Remote Emergency Backup Battery
	<b>ST12</b> 12" Stem Mount	<b>L15</b> 1500 lm (15W)	<b>B10</b> 10° Spot	<b>O10</b> 0-10V (120/277V)	<b>30K</b> 3000K	<b>BK</b> Black	
	<b>ST18</b> 18" Stem Mount		<b>B20</b> 20° Wide Spot	<b>TRI</b> Triac & ELV (120V)	<b>35K</b> 3500K	<b>SL</b> Silver	<b>JB</b> Integral Junction Box
	<b>ST24</b> 24" Stem Mount		<b>B45</b> 45° Flood	<b>UNI</b> Triac, ELV & 0-10V	<b>40K</b> 4000K		
	<b>ST36</b> 36" Stem Mount		<b>B60</b> 60° Wide Flood		<b>50K</b> 5000K		
	<b>ST48</b> 48" Stem Mount		<b>WW</b> Wall Wash				

Alcon 11235-DIR LED Cylinder Ceiling Light



Alcon 11235-DIR LED Cylinder Ceiling Light

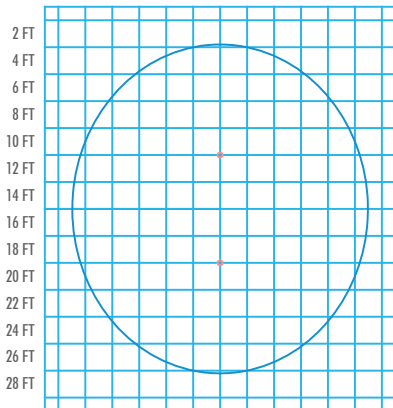
**ISO FOOTCANDLE PLOTS - Two Fixture**

11235-DIR-L10-B60-UNI-40K-BK

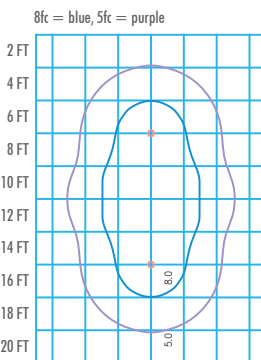
33 Ft Mtg Ht. 8 Ft O.C. Spacing

11235-DIR-L10-B60-UNI-40K-BK

10 Ft Mtg Ht. 8 Ft O.C. Spacing



1 Grid = 2 FT  
26 FT x 30 FT Surface Area to achieve  
(Avg) 1.1 FC  
80% Reflectance Value on Ceiling  
20% Reflectance Value on Surface



8fc = blue, 5fc = purple  
1 Grid = 2 FT  
14 FT x 20 FT Surface Area to achieve  
(Avg) 5.6 FC  
80% Reflectance Value on Ceiling  
20% Reflectance Value on Surface

**11235-DIR-L10-B60-UNI-40K-BK**

1000lm - Wide Flood - 4000K

**CANDELA TABULATION**

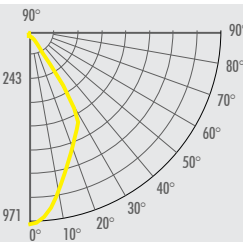
**FOOTCANDLE DISTRIBUTION**

System Power	:14.5W
Test Date	:11/15/2017
Beam Angle 50%	:62.7°
Field Angle 10%	:83.4°
Color Temperature	:3997K
CRI	:85.4
R9 Value	:28.5
Lumens Delivered	:863lm
CBCP	:971cd
Power Factor	:0.98

Multipliers	
5600K	1.40
5000K	1.25
3500K	0.87
3000K	0.75
2700K	0.67
2500K	0.62
1700K	0.42

CRI	
80CRI (Blank)	:0.94
90CRI (-C90)	:1.05
97CRI (-C97)	:1.14



Height	Beam Diameter	FC
8.0'	9.7'	15.2
12.0'	14.6'	6.7
14.0'	17.1'	5.0
16.0'	19.5'	3.8
18.0'	21.9'	3.0

**11235-DIR-L10-B10-UNI-40K-BK**

1000lm - Narrow Spot - 4000K

**CANDELA TABULATION**

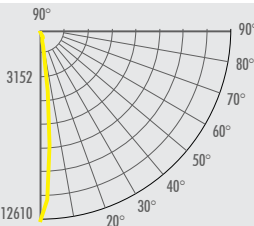
**FOOTCANDLE DISTRIBUTION**

System Power	:14.5W
Test Date	:11/15/2017
Beam Angle 50%	:11.7°
Field Angle 10%	:23.4°
Color Temperature	:4012K
CRI	:85.4
R9 Value	:28.7
Lumens Delivered	:1079lm
CBCP	:12610cd
Power Factor	:0.98

Multipliers	
5600K	1.37
5000K	1.23
3500K	0.86
3000K	0.73
2700K	0.66
2500K	0.61
1700K	0.42

CRI	
80CRI (Blank)	:0.94
90CRI (-C90)	:1.05
97CRI (-C97)	:1.14



Height	Beam Diameter	FC
10.0'	2.0'	126.1
20.0'	4.1'	31.5
30.0'	6.1'	14.0
40.0'	8.2'	7.9
50.0'	10.2'	5.0



Alcon 11235-DIR LED Cylinder Ceiling Light

**11235-DIR-L15-B45-UNI-40K-BK**      1000lm - Flood - 4000K      **CANDELA TABULATION**      **FOOTCANDLE DISTRIBUTION**

System Power	:14.5W	<b>Multipliers</b> 5600K : 1.37 5000K : 1.22 3500K : 0.85 3000K : 0.73 2700K : 0.66 2500K : 0.61 1700K : 0.42  <b>CRI</b> 80CRI (Blank) : 0.94 90CRI (-C90) : 1.05 97CRI (-C97) : 1.14		Height	<u>Beam Diameter</u>	FC
Test Date	:11/15/2017			8.0'	4.6'	40.1
Beam Angle 50%	:32.4°			12.0'	7.0'	17.8
Field Angle 10%	:68.7°			16.0'	9.3'	10.0
Color Temperature	:4016K			20.0'	11.6'	6.4
CRI	:85.4			25.0'	14.5'	4.1
R9 Value	:28.4					
Lumens Delivered	:1068lm					
CBCP	:2564cd					
Power Factor	:0.98					

**11235-DIR-L15-B45-UNI-40K-BK**      1500lm - Wide Flood - 4000K      **CANDELA TABULATION**      **FOOTCANDLE DISTRIBUTION**

System Power	:20.1W	<b>Multipliers</b> 5600K : 1.38 5000K : 1.23 3500K : 0.86 3000K : 0.74 2700K : 0.66 2500K : 0.62 1700K : 0.42  <b>CRI</b> 80CRI (Blank) : 0.94 90CRI (-C90) : 1.05 97CRI (-C97) : 1.14		Height	<u>Beam Diameter</u>	FC
Test Date	:11/15/2017			8.0'	9.0'	26.3
Beam Angle 50%	:58.5°			10.0'	13.4'	11.7
Field Angle 10%	:82.7°			20.0'	15.7'	8.6
Color Temperature	:4061K			40.0'	17.9'	6.6
CRI	:85.4			60.0'	20.2'	5.2
R9 Value	:24.8					
Lumens Delivered	:1418lm					
CBCP	:1685cd					
Power Factor	:1.00					

**11235-DIR-L15-B10-UNI-40K-BK**      1500lm - Narrow Spot - 4000K      **CANDELA TABULATION**      **FOOTCANDLE DISTRIBUTION**

System Power	:20.1W	<b>Multipliers</b> 5600K : 1.37 5000K : 1.23 3500K : 0.86 3000K : 0.73 2700K : 0.66 2500K : 0.61 1700K : 0.42  <b>CRI</b> 80CRI (Blank) : 0.94 90CRI (-C90) : 1.05 97CRI (-C97) : 1.14		Height	<u>Beam Diameter</u>	FC
Test Date	:11/15/2017			8.0'	1.6'	316.1
Beam Angle 50%	:11.7°			10.0'	2.0'	202.3
Field Angle 10%	:23.4°			20.0'	4.1'	50.6
Color Temperature	:4076K			40.0'	8.2'	12.6
CRI	:85.4			60.0'	12.3'	5.6
R9 Value	:28.7					
Lumens Delivered	:1730lm					
CBCP	:2022cd					
Power Factor	:1.00					

**11235-DIR-L15-B45-UNI-40K-BK**      1500lm - Flood - 4000K      **CANDELA TABULATION**      **FOOTCANDLE DISTRIBUTION**

System Power	:20.1W	<b>Multipliers</b> 5600K : 1.37 5000K : 1.22 3500K : 0.85 3000K : 0.73 2700K : 0.66 2500K : 0.61 1700K : 0.42  <b>CRI</b> 80CRI (Blank) : 0.94 90CRI (-C90) : 1.05 97CRI (-C97) : 1.14		Height	<u>Beam Diameter</u>	FC
Test Date	:11/15/2017			8.0'	4.6'	64.3
Beam Angle 50%	:32.4°			10.0'	7.0'	28.6
Field Angle 10%	:68.7°			20.0'	9.3'	16.1
Color Temperature	:4080K			40.0'	11.6'	10.3
CRI	:85.4			60.0'	14.5'	6.6
R9 Value	:28.4					
Lumens Delivered	:1714lm					
CBCP	:4115cd					
Power Factor	:1.00					

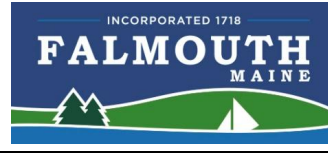


Alcon 11235-DIR LED Cylinder Ceiling Light

## COLOR TEMPERATURE GUIDE

2700K	3000K	3500K	4000K	5000K
<b>WARM WHITE</b>	<b>SOFT WHITE GLOW</b>	<b>NEUTRAL GLOW</b>	<b>DAYLIGHT GLOW</b>	<b>CRYSTAL WHITE GLOW</b>
friendly personal intimate	soft warm pleasing	sociable inviting non-threatening	neat clean efficient	bright cool alert
HOMES LIBRARIES RESTAURANTS	HOMES HOTEL ROOMS LOBBIES RETAIL STORES	EXECUTIVE OFFICES RECEPTION AREAS SUPERMARKETS	OFFICES CLASSROOMS MASS MERCHANDISERS SHOWROOMS	GRAPHICS INDUSTRY HOSPITALS GALLERIES BEAUTY SALONS
✓	✓	✓	✓	✓

Town of Falmouth  
Public Works Department  
101 Woods Road  
Falmouth, ME 04105



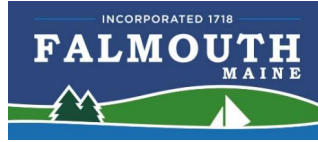
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Date: May 27, 2026  
To: Nicholas King, Land Use Planner  
From: Justin Early, Assistant Director of Public Works/Town Engineer  
Re: Planning Board Review: 78 Leighton Road Site Plan Approval Review

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Public Works has reviewed the subject application and has the following comment:

1. The Planning Board previously granted a waiver for the 16-foot drive aisle width, where it does not meet the 25-foot standard. At that time, the plan called for 3 parking spaces in total. The amended plan will add 3 parking spaces, for a total of 6 spaces, and a new walkway connecting the parking spaces to the building. The 16-foot drive aisle should be contemplated with the proposed expansion plan.



**Planning Office Staff Review for Planning Board Meeting of June 2, 2026**

<p><b>Site Address:</b> 78 Leighton Road  <b>Applicant/Agent:</b> Keith Gray  <b>Property owner(s):</b> 78 Leighton Road LLC</p>	<p><b>Map/Lot #:</b> U44-014  <b>Zoning District(s):</b> VMU, CO</p>
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**Project overview**

This application is for a site plan amendment for a dental office at 78 Leighton Road. The project originally received approval from the Planning Board in 2024 for the expansion of the building and site infrastructure. The applicant is now requesting a site plan amendment for a few architectural and site infrastructure improvements. These improvements include:

- Roofline and dormer changes to the previously approved addition.
- Addition of two exterior stairs to the rear of the building, including path and deck for ADA access.
- Changes to the front entrance and lobby/reception area.
- Addition of a dumpster and enclosure at the rear of the large parking lot.
- Additional parking spaces to the employee parking area in the rear of the building.

**Ordinance criteria**

- Section 19-14 Village Mixed Use District (VMU)
- Section 19-15 Route 100 Corridor Overlay District (CO)
- Div. II-19-1-9 Site Plan Review
- Exit 10 Design Guidelines

**Section 19-142 Driveway Dimensions:**

The applicant received approval for a small parking area for employees behind the existing garage at the previous Planning Board meeting. The driveway leading to the rear proposed parking area did not meet the ordinance required minimum for two-way operation of 25'. The applicant received a waiver from the Board at the 2024 Approval PB Meeting (4-1 Board member vote) which allowed the development of a driveway with a reduced width of 16-feet. The applicant is now proposing adding an additional 3 spaces to this back parking area for a total of six (6). This will require a waiver from the Planning Board to expand the previous waiver to allow more parking spaces than the previously approved three spaces. No waiver has been requested in the application.

Staff note in addition to the proposed additional parking spaces in this area, a new egress staircase has been added in the parking area which terminates at the blind corner of the waiver reduced parking entrance driveway. The Planning Board should consider this new site feature with the current parking proposal if a waiver is considered for the additional spaces.

**Conditions of Approval:**

1. The project is to be constructed in accordance with the plans, maps, diagrams, specifications, textual submissions, and testimony presented by the applicant and approved by the Board.
2. All Conditions of Approval from the September 2024 approval are still applicable to this approval.
3. Plans should be updated to add the additional Conditions of Approval and any addition waivers granted by the Planning Board prior to issuance of a Certificate of Occupancy.
4. This approval does not include approval of any signage. Further Town permitting will be required for approval of signage.

May 22, 2026

Lisa,

The Fire Department offers the following responses to the item: 78 Leighton Road – Falmouth Dentistry

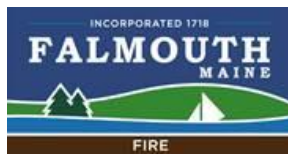
- No new comments
- Reiteration of previous comments:
- Construction will require a State Fire Marshall Permit
  - Knox box required
  - Alarm System required
  - All emergency exits and paths of egress lead to maintained walkways that lead to a public way.

If you have any questions or concerns, feel free to contact me.

*Nicholas J. Pelletier*

Assistant Fire Chief  
Falmouth Fire-EMS  
8 Bucknam Road  
Falmouth, ME 04105  
(207)781-2610 ext. 5251  
Fax (207)699-5268

Email: [npelletier@falmouthme.org](mailto:npelletier@falmouthme.org)



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MBLU	Location	Owner Name	Co-Owner Name	Address 1	City, State, Zip
R07/ 154/ / /	68 BROOK RD	68 BROOK RD LLC	C/O DANIEL J DIMATTEO	68 BROOK RD	FALMOUTH, ME 04105
U44/ 12/ A/ /	64 LEIGHTON RD	MCLEAN MICHELLE		64 LEIGHTON RD	FALMOUTH, ME 04105
U44/ 13/ / /	74 LEIGHTON RD	WILCOX AARON S		72 LEIGHTON ROAD	FALMOUTH, ME 04105
U44/ 13/ A/ /	72 LEIGHTON RD	WILCOX AARON S		72 LEIGHTON RD	FALMOUTH, ME 04105
U44/ 14/ / /	78 LEIGHTON RD	78 LEIGHTON ROAD LLC		78 LEIGHTON RD	FALMOUTH, ME 04105
U44/ 15/ / /	80 LEIGHTON RD	LEIGHTON FARM DEVELOPMENT LLC		80 LEIGHTON RD	FALMOUTH, ME 04105
U44/ 15/ A/ /	70 GRAY RD	ARC TDFMTME001 LLC	ATTN: PM DEPT #11478	11995 EL CAMINO REAL	SAN DIEGO , CA 92130-2539
U44/ 16/ / /	79 LEIGHTON RD	KAMPERMAN CHRISTOPHER W &	KAMPERMAN MELANIE A	79 LEIGHTON RD	FALMOUTH, ME 04105
U44/ 17/ / /	75 LEIGHTON RD	KTM LLC	C/O PORTER DAVID	PO BOX 171675	BOSTON, MA 02117
U44/ 18/ / /	71 LEIGHTON RD	GAUDET JOHN M &	GAUDET SUSAN B	71 LEIGHTON RD	FALMOUTH, ME 04105
U44/ 19/ / /	69 LEIGHTON RD	PUNSKY ZACHERY &	MARTIN MELISSA	69 LEIGHTON RD	FALMOUTH, ME 04105
U44/ 20/ / /	67 LEIGHTON RD	DOUGLASS SARAH E		67 LEIGHTON RD	FALMOUTH, ME 04105
U44/ 21/ / /	65 LEIGHTON RD	LINDAHL S THERESA		65 LEIGHTON RD	FALMOUTH, ME 04105
U44/ 28/ G/ /	5 ORIOLE ST	FITZPATRICK JOAN M	BUTLER REGINALD	5 ORIOLE ST	FALMOUTH, ME 04105
U44/ 28/ V/ /	6 ORIOLE ST	UNZEN MARGARET		6 ORIOLE ST	FALMOUTH, ME 04105
U45/ 46/ 1/ /	LEIGHTON RD	ELLIOTT RICHARD W		19 MCKOWN ST	BOOTHBAY HARBOR, ME 04538
U44/ 15/ B/ /	66 LEIGHTON RD	KARINDY HOLDINGS LLC		66 LEIGHTON RD	FALMOUTH, ME 04105
U44/ 12/ B/ /	72 GRAY RD	BAGSHAW REALTY LLC		71 CHETS WY	CUMBERLAND, ME 04021
U44/ 17/ 2/ /	75 LEIGHTON RD	THIBODEAU TRACY		38 LAKESIDE DRIVE	FALMOUTH, ME 04105
U44/ 17/ 1/ /	75 LEIGHTON RD	THOSE GIRLS LLC		3 COTTONWOOD LN	FALMOUTH, ME 04105
U44/ 15/ A1/ XXX/	GRAY RD	WEST FALMOUTH CROSSING II OWNERS ASSOC	C/O CT CORPORATION SYSTEM	128 STATE ST #3	AUGUSTA, ME 04330
U44/ 15/ A2/ XXX/	LEIGHTON RD	WEST FALMOUTH CROSSING II OWNERS ASSOC	C/O CT CORPORATION SYSTEM	128 STATE ST #3	AUGUSTA, ME 04330