



ENVIRONMENTAL PERMITTING SPECIALISTS

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November 28, 2023

Mr. Michael Tadema-Wielandt, PE  
Terradyn Consultants, LLC  
565 Congress St, Ste 201  
Portland, ME 04101

Re: Beachwood Development, Wildes District Road Subdivision, Kennebunkport

Dear Mike,

I am in receipt of peer review comments made to the Kennebunkport Planning Board regarding the wetlands we delineated in September of 2022 at the above reference property. At the time of our work, no wetland report was requested by our client. In his email to you dated November 20, 2023, Mr. Burgess, the review engineer, questions if Chapter 310.4 (5) applies to this project. This section defining a Maine Department of Environmental Protection (MDEP) *Wetland of Special Significance* (WOSS) includes the words “*under normal circumstances at least 20,000 ft.<sup>2</sup> of aquatic vegetation emergent marsh vegetation or open water*” for a wetland or waterbody to be defined as a WOSS.

This property contains wetlands that are predominantly forested freshwater wetlands that have little or no emergent or aquatic vegetation. The pond on site is man-made, with no obvious inlet, or even an apparent culvert under Wildes District Road draining to this area. No obvious outlet or drainage channel is evident. Chapter 310 *Wetlands and Water Bodies Protection Rules* (Chapter 310 section 4.8.5) further refines the definition of *Wetlands of Special Significance* as having under normal circumstances at least 20,000 sq. ft. of aquatic vegetation, emergent marsh vegetation or open water, *unless the 20,000 or more square feet is the result of artificial ponds or impoundment*. The balance of this wetland is dominated by *scrub-shrub* vegetation, which is excluded from the definition cited above.

Other portions of the wetlands we identified include small areas of standing water hydrology that may be included for consideration as vernal pool habitat. These, in our opinion, are neither deep enough, nor have hydrology of sufficient duration to meet criteria for inclusion as *significant* vernal pools, per MDEP definitions.

I trust you will find this helpful in addressing any questions regarding the wetlands on this project site.

Sincerely,

James Logan  
Longview Partners, LLC  
Licensed Soil Scientist  
Licensed Site Evaluator  
Professional Wetland Scientist