

PEER REVIEW
LETTER

January 20, 2021

York Planning Board
Dylan Smith, Planning Director
Town of York
186 York Street
York, Maine 03909

Application: Employee Housing— Michael Ramsey
1963 US Route 1 (Tax Map 1 Lot 4)

Site Plan Review

Review Status: Final Plan Review

Board members and Mr. Smith,

The following information has been provided for final plan review:

1. Engineering Plan set entitled: *Seasonal Employee Housing 'Pine Ledge Motel', 1963 U.S. Route 1, York, Maine. Owner/Applicant Michael R. Ramsey.* Prepared by Northeast Civil Solutions, Inc., REV date 1/10/2022. (Includes drawings: Boundary Survey, Existing Conditions & Topographic Survey, Site Layout & Utility Plan, Grading & Drainage, Erosion Control, Site/ Stormwater Details, Pre-development Hydrology Plan and Post-development Hydrology Plan)
2. Response-to-comment dated 1/10/2022, prepared by Northeast Civil Solutions, Inc.

With review of the above information and the Town's Zoning ordinance and the Site Plan and Subdivision regulations, and in collaboration with civil engineers Gorrill Palmer, I offer the following comments on compliance with the Town's ordinances.

PROJECT DESCRIPTION

The project site is located along U.S. Route 1 with access off Bluff Road, within the RT 1-6 Zoning District and abuts the RES-2 Zoning District to the north and east. The site is currently developed with an existing motel that has been used for housing seasonal employees. The proposal is to construct an approximately 85' x 143' (10,955± SF footprint) new building and demolish the existing building once occupied.

REVIEW SUMMARY/HIGHLIGHTS

The application is before the Planning Board as required by the Zoning Ordinance (Sec. 18.15.B.1.A) where the construction of a non-residential building with 5,000 SF or more of gross floor area is to be reviewed and approved as a Site Plan by the Planning Board. With the site located in the Route One District, the applicant will need the Board to approve a Route One Use permit. The following is a summary of the review comments:

1. Other than the revised drawings no new information has been submitted, addressing outstanding items is being requested as a condition of approval.
2. The applicant is seeking final plan review and approval, preliminary approval was granted at the 12/23/2021 meeting.
3. The site design has been revised to remove the existing driveway out of the bufferyard and provided for a more compact parking area in the future, if needed.

COMPLETENESS REVIEW

The preliminary plan application was accepted on October 28, 2021. The applicant has addressed in writing each of the outstanding plan submittal requirements of Section 6.3 (preliminary) and Section 6.4 (Final). Waivers have been requested in writing, in the previous submission, see under *WAIVERS* for a list. **The following are outstanding Final Plan submittal requirements that the applicant requests are addressed as part of a condition of approval:**

1. 6.4.3.1 Public Water Supply - The servicing Water District must approve in writing all specifications for water supply system that appear on the plan. The applicant has received a capacity letter from the Water District, as required for Preliminary Plan, but no approval of the proposed water system. The letter dated 8/25/21 requests more information. The superintendent followed up with an email (attached) with comments. The applicant plans to address with revised plans.
2. 6.4.5 anticipates dated evidence that the applicant has submitted the application to various Town departments. It is not clear if the Police department has been contacted for comment or a response received.

COMPLIANCE WITH THE TOWN'S ORDINANCES

ZONING ORDINANCE

1. 4.1.4 Use Regulations / Route One Districts. While Motels/Hotels are permitted in the RT 1-6 zoning district with a Route One Use Permit from the Planning Board, housing specifically for employees does not exist as a use in the Zoning Ordinance. Though assessed by the Town's Tax Assessor as a motel, the property has been used for housing seasonal employees. The Code Enforcement Officer has determined that the use is legally nonconforming (see attached

letter), so the use can be maintained but not expanded. The maximum number of rooms permitted is 28. **A condition of approval requiring a yearly affidavit on the use being exclusively for employee housing is recommended by Code Enforcement.**

2. 6.3 Performance Standards Applicable to all Non-Residential and Multi-family uses in the Route One-Zoning Districts. As noted above, the use for the proposed development is a nonconforming use to house seasonal employees. This use is more akin to boarding and motel/hotel use than it is to traditional residential housing. It is assumed for this review that the use is a nonresidential use and would be required to conform to applicable standards. The applicant has addressed conformance to these performance standards in the submitted narrative. The following are comments where there is a need for clarification and/or there may be an issue with conformance to some of the standards :

- a) Bufferyards (6.3.9): The rear yard setback in the vicinity of the existing and proposed building should be developed to maintain existing vegetation and/or establish a vegetated buffer as required by this provision. The width of the bufferyard in the Route One-6 subdistrict is 20 feet for the side and rear. The current site design includes pavement in this area and there are no proposed plantings reflected on the Landscape Plan. The applicant is proposing to maintain the extents of the existing drive (that goes around the current building to be removed) that is as close at 6 feet to the property line. Though there is vegetation on the abutting property's side, the provision anticipates the bufferyard to be maintained on the applicant's property. The existing building is being removed from the bufferyard; its associated access pavement should also be removed. **The site design has been revised and addresses this comment.**
- b) Utilities (6.3.12.3): specifies that all electric, telephone, television, etc. are to be underground. There is an existing overhead line that services the property and existing building. The applicant is proposing to maintain the overhead electric utility and connection to the new building. The Board will need to determine if this is appropriate. Perhaps, at a minimum, the new service from the existing pole to the new building should be underground. **The applicant states that due to ledge constraints the existing overhead lines and new service to the building cannot be placed underground. The Planning Board should confirm, per Sec. 6.3.12.3 (YZO) that it has determined it is cost prohibited to place the lines underground.**
- c) Open Space (6.3.18): designation of open space is at the discretion of the Planning Board. Does the Board want to consider the reservation of open space on the property? **No interest was expressed by the Board.**

SITE PLAN AND SUBDIVISION REGULATIONS

Engineering Peer-review.

3. Gorrill Palmer has reviewed the plans and have no further comments. (See attached email)

General Comments:

Comments from the previous review letter have been addressed. The following are new:

4. The applicant states there are no changes proposed to the existing sign located at Route 1, however, with formalizing the use to seasonal employee housing and no longer as a motel, the current sign is not appropriate nor allowed per the Zoning Ordinance. In consultation with Code Enforcement, and considering the likelihood that the sign no longer is compliant (Use, setback and maybe size), the expectation is that the sign will be reviewed for compliance as part of the building permit review.
5. A conservation/wildflower seed mix suitable for the stormwater basin area and some portion of the slopes adjacent to the new building may want to be considered in lieu of lawn.
6. Landscape planting details should be added to the plan set.
7. All sheets not signed by the full board are to have a signatory block for Planning Board Chair.

WAIVERS

The following waivers from provisions in the Site Plan and Subdivision Regulations have been requested:

1. Section 6.4.20. To waive the standard for NGVD of the 1929 datum for the use of the NAVD 1988 datum.
2. Section 6.4.17.4. To waive the groundwater testing requirement.

CONCLUSION

The revised plans and response-to-comments largely addresses outstanding comments. The Planning Board should determine if those submittal items still outstanding and requested to be addressed as part of conditions of approval is appropriate. With this, public testimony and additional comments, the Board may want to consider conditional approval.

Feel free to contact me with questions.

Best regards,



Christopher Di Matteo
Licensed Landscape Architect
cdimatteo@longmeadowpla.com
207.604.4245

Subject: 3281.21 Ramsey Employee Housing - Peer Review
Date: Thursday, January 20, 2022 at 8:38:49 AM Eastern Standard Time
From: Will Haskell
To: Dylan Smith, DeCarlo Brown, Christopher DiMatteo
CC: James Attianese
Attachments: image001.png

Good Morning Dylan, DeCarlo and Chris,

We reviewed the following materials that were downloaded from the Applicant.

- 1963 Route 1 Employee Housing Plan set, prepared by Northeast Civil Solutions, dated 1/10/22
- Planning Board Comments, prepared by Northeast Civil Solutions, dated 1/10/22

We have reviewed the materials for conformance with the technical engineering portions of the Town of York Ordinance and generally accepted civil engineering standards and offer the following comments:

1. Our previous comments have been addressed. We have no further comments.

Thank you,

William C. Haskell | Principal



707 Sable Oaks Drive, Suite 30 | South Portland, ME 04106
207.772.2515 x235 (office) | 207.318.7052 (mobile)
www.gorrillpalmer.com

Subject: RE: 1963 US Route One, Seasonal Employee Housing Project
Date: Thursday, January 20, 2022 at 3:11:15 PM Eastern Standard Time
From: Don Neumann
To: Todd Hill, Bill Gerrish
CC: Jim Fisher, Brandon Binette, Christopher DiMatteo
Attachments: image001.jpg

Chris
Fyi

YWD has the ability to serve this Seasonal Employee Housing Project. We are happy to learn this is not a Workforce Housing Project as different metering policies would apply. We are working with Bill Gerrish. His group will design a water system to meet our design standards and specifications. **If this property ever becomes anything but what is proposed individual metering may be required!!** Bill's group will be required to complete a fire flow test to properly design a proposed fire service for the new building. As soon as we have the next draft utility plan, we can specify valve and service requirements. The new water main must be installed by a pre-qualified contractor.

Any fire hydrants not in a public right of way are considered private and annual charges will apply for each fire hydrant. Please be aware, we charge an annual fee for the fire service that enters the building. This charge is based on the size of pipe.

(If you enter the foundation with a 6" pipe and you only need a 4" fire service you are charged for a 6" fire service forever. Please design properly)

Please contact me directly with any questions

Respectfully

Don



Don Neumann
[York Water District](#)
Superintendent
(207) 363-2265 Office
(207) 451-8106 Cell
dneumann@yorkwaterdistrict.org
86 Woodbridge Road
York, ME 03909

From: Todd Hill <thill@yorkwaterdistrict.org>
Sent: Thursday, January 20, 2022 2:29 PM
To: Don Neumann <dneumann@yorkwaterdistrict.org>; Bill Gerrish <Bill.Gerrish@northeastcivilsolutions.com>
Cc: Jim Fisher <jim.fisher@northeastcivilsolutions.com>; Brandon Binette <brandon.binette@northeastcivilsolutions.com>; Christopher Di Matteo <cdimatteo@longmeadowpla.com>

Subject: RE: 1963 US Route One, Seasonal Employee Housing Project

Bill,

I have attached the PDF versions of the Districts detail sheet and special provisions.

If you need any else let us know.

See attached.

Thanks,

Todd T. Hill
Utility Services Coordinator
[York Water District](#)
86 Woodbridge Road
York, ME 03909
Tel: 207-363-2265 Ext:111
Fax: 207-363-7338

From: Don Neumann <dneumann@yorkwaterdistrict.org>
Sent: Wednesday, January 19, 2022 12:51 PM
To: Bill Gerrish <Bill.Gerrish@northeastcivilsolutions.com>; Todd Hill <thill@yorkwaterdistrict.org>
Cc: Jim Fisher <jim.fisher@northeastcivilsolutions.com>; Brandon Binette <brandon.binette@northeastcivilsolutions.com>; Christopher Di Matteo <cdimatteo@longmeadowpla.com>
Subject: RE: 1963 US Route One, Seasonal Employee Housing Project

Bill

With the revision stating seasonal employee housing I feel we can accommodate a single water meter. I will try to work on a letter in the morning. In the event of a future change, we may require individual water meters in the future. (hotel/motel is the exception.)

Do you have a plan available that would show our existing water main on US Route One? We will need that to explain the connection detail. As for use of the existing trench. We will need the new water main to meet our specifications with 5' of cover. 6" of sand under the pipe (in ledge 12" of sand under the pipe and 12" of sand over top of pipe.

Do you plan to do a fire flow test so you can design the proper size of fire service needed? We will need a 25' wide easement from US Route One to the fire service and domestic valves. This will be owned and maintained by YWD. Any fire hydrant on private property remain private there are annual fees.

Todd

Can you forward Bill our detail sheet and a copy of the special provisions?

As mentioned, I will try to prepare a letter tomorrow to sum this up.

Don



Don Neumann

[York Water District](#)

Superintendent

(207) 363-2265 Office

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dneumann@yorkwaterdistrict.org

86 Woodbridge Road

York, ME 03909

From: Bill Gerrish <Bill.Gerrish@northeastcivilsolutions.com>

Sent: Wednesday, January 19, 2022 8:09 AM

To: Todd Hill <thill@yorkwaterdistrict.org>

Cc: Don Neumann <dneumann@yorkwaterdistrict.org>; Jim Fisher <jim.fisher@northeastcivilsolutions.com>;

Brandon Binette <brandon.binette@northeastcivilsolutions.com>

Subject: RE: 1963 US Route One, Seasonal Employee Housing Project

Good morning Todd and Don,

Thanks again for meeting with me earlier this month on the Ramsey project. We have a few follow-up items to review with you:

1. We again discussed the requirement to meter each unit with Mr. Ramsey. He again confirmed that the use of the facility will be the same (seasonal employee housing) and that he will continue to pay the water bill for the entire facility. In fact, as a condition of Planning Board approval Mr. Ramsey will be required to provide a yearly affidavit to the Code office confirming that the facility is being used for employee housing (see attached memo). Based on this information we request that you reconsider your position on the individual metering requirement. Should the owner and/or use of the facility change in the future, the metering standards could be reassessed at that time.
2. Mr. Ramsey also clarified that the existing 2" water service line was installed below the frost line and is not just a shallow bury as you had suggested in our meeting. He also explained that the existing water service is active throughout the year although the water use during the winter months is very limited. He further explained that a significant amount of rock excavation was required to install the existing service line to the required depth. Therefore, we propose to install the new water service main in the same trench as the existing 2" line to minimize the expense of additional rock excavation.
3. You had mentioned that you would provide us with a copy of your standard details and red line/mark-ups on our proposed site plan so that we can make sure that the design of new water service meets the York Water District standards. Please provide those documents to us at your earliest convenience.
4. Ultimately we will need your approval on the site plan (copy attached) in order to meet the Planning Board requirements. Therefore, we would like to make any required plan revisions as soon as possible so we can receive your approval.

Again we appreciate your attention to this matter and please call if you have any questions or if you feel that another meeting is necessary.