

PEER REVIEW  
LETTER

January 19, 2023

York Planning Board  
DeCarlo Brown, Land Use Planner  
Town of York  
186 York Street  
York, Maine 03909

Application: Wiggly Bridge Distillery Barrell Houses— Woods Family Inc.  
441 & 445 Us Route 1 (Tax Map 54 Lots 10B & 10C)

**Amended Site Plan Review – Preliminary and Final**

Review Status: Revised Application

(comments provided in the 10/22 letter in red, most recent comments in **bold red**)

Board members and Mr. Brown,

The following information has been provided for preliminary and final plan review:

1. Application form dated 7/27/2022
2. Project Narrative and associated application information entitled: *Planning Board Permit Application, Wiggly Bridge Distillery, 441 U.S. Route 1, York, Maine 03909, Applicant Woods Family Inc...* dated July 27, 2022 and includes; location, soils and FEMA maps, copy of the boundary survey, previously approved plan, deeds, abutter's list, check lists, agency and department head letters, stormwater management report, architectural drawings, and waiver requests. Prepared by Fuss & O'Neill.
3. Engineering Plan set entitled: *Wiggly Bridge Distillery, 441 U.S. Route 1, York, Maine, Site Plans, July 27, 2022*. Prepared by Fuss & O'Neill. **(Rev. plans dated December 20, 2022 and January 9, 2023).**
4. Response to Comments: *RE: Wiggly Bridge Distillery Barrell Houses, 441 & 445 U.S. Route 1 (Tax Map 54 Lots 10B & 10C), York, Maine, Fuss & O'Neill Reference No. 20210083.A10* dated September 26, 2022. **(Dated December 20, 2022 and supplemental updated comments dated January 9, 2023)**

5. Compliance Narrative for Section 6.3. Non-Residential Performance Standards prepared by Fuss & O'Neill dated September 26, 2022.
6. Stormwater Management Report prepared by Fuss & O'Neill dated September 26, 2022. **(Rev. December 20, 2022)**

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 and Integrated Environmental Engineering, Inc. for post-construction stormwater regulations, I offer the following comments on compliance with the Town's ordinances.

### **PROJECT DESCRIPTION**

The site is located in the Route One -3 (RT 1-3) zoning district and consists of two separate lots. The Wiggly Bridge Distilleries, LLC lot, 441 Route 1, includes the main building where the applicant is requesting to construct a 1,685 SF addition at the rear and easterly side of the building. The abutting lot to the south, owned David and Judy Brown, 445 Route 1, where the applicant is requesting to construct two barrel houses totaling 5,662 SF in building footprint. The gravel access driveway is planned to be extended to service the new buildings, no proposed connections to utilities is proposed.

### **REVIEW SUMMARY/HIGHLIGHTS**

The application is before the Planning Board as required by the Zoning Ordinance (Sec. 18.15) for review of non-residential development (site plan) and amended previously approved plan. The following is a summary of the review comments:

1. The application appears to be substantially complete with consideration of waivers and with the exception of the items noted below. ~~Board reviewed as a Sketch Plan to discuss the waiver requests.~~ **Board accepted the application for preliminary review at the 9/8/22 meeting.**
2. The proposed addition to the principal Wiggly Bridge Distillery building is located within the rear and side setbacks. No rationale has been provided. It does not appear to be conforming, regardless that the building is a legally nonconforming building. **Additional information has been provided with revised plans; however, the principal building is still encroaching on the required setback. The applicant is seeking a variance from the BOA at their 1/25/23 meeting.**
3. Lot coverage shown on the plan is combined for both lots and calculations that support the narrative related to impervious area is not provided nor depicted on the plans. This is especially important for the main building's lot since development appears to exceed the maximum impervious surface area for the base zone. **The Plan has been revised.**

4. The proposed development is located adjacent to existing residential uses to the west. No bufferyard is proposed. **It is staff's understanding from the Board's comments at the Site Walk that the existing vegetation within the bufferyard will not perform as a year-round screen/buffer of the proposed non-residential development. The revised plan includes three evergreen trees proposed (3 feet tall at the time of installation).**
5. Existing Conditions Plan does not reflect current conditions. **A new existing conditions plan has been submitted.**

### **COMPLETENESS REVIEW**

The applicant has submitted checklists for submittal information required by Preliminary and final Plan Review; sections 6.3 & 6.4 (Site/Subd Regs). The following is the status of information that has not been submitted or in need of clarification: **The application was accepted at the 9/8/22 meeting for preliminary review (Sec. 6.3). With the exception of a landscaping plan per Sec. 6.4.6 , the final plan application appears to be complete.**

1. 6.3.2 A boundary survey of the entire property. The boundary survey shall indicate the following information:.... There is missing information from the existing boundary survey that is shown on the existing conditions plan. Applicant is requesting for a **waiver**.
2. 6.3.3 A.2 contours referenced to NGVD 1929. A **waiver** has been requested. (Sec. 6.4.20 with a similar requirement is also requested to be waived)
3. 6.3.3 A.7 areas with a high water table or seasonal high water table as defined in §7.4.2. A **waiver** has been requested.
4. 6.3.7 A grading and landscape design plan which meets the requirements of §7.3. A **waiver** has been requested concerning information related to Sec. 7.3.1.A (the net volume of all materials in cuts and fills...).
5. 6.3.8 A copy of the Initial Assessment of traffic impacts.... A **waiver** is requested. Correspondence to the Public Works Director has been submitted.
6. 6.3.14 Regarding historic and archaeological resources.... A **waiver** is requested related to the information required from the Historic District Commission and Maine Historic Preservation Commission. Correspondence to these commissions has been submitted.
7. 6.3.25 Indication of the type of water supply system(s) to be used in the proposed development shall appear on the plan.... A **waiver** is requested however, it is not clear why if the new buildings are cold storage and are not proposed to be connected to public sewer and water.
8. 6.3.29 Temporary markers adequate to enable staff or the Board to locate readily and appraise the basic layout in the field shall be placed on the site. A **waiver** has been requested, however, if the Board intends to visit the site this information would be pertinent.
9. 6.3.32 A high intensity soil survey signed and sealed by a Maine Certified Soil Scientist, indicting the suitability of soil conditions for the uses proposed shall be submitted. The applicant requesting a **waiver**.

10. 6.4.17.1 A high intensity soil survey map meeting the standards of Article 6.3.32. The applicant is requesting a **waiver**.
11. 6.4.18 A list of construction items with cost estimates for all public improvements proposed by the developer shall be submitted. An Engineers estimate **has not been submitted.** **This was received via email on 9/6/22.**
12. 6.4.25 Identification of the type and amount of the required performance guarantee. **Not identified. A waiver requested in a revised waivers request dated 8/5/2022.**
13. 6.4.27 Findings of Fact, Conclusions of Law, and Decisions. A draft has **not been submitted.** **This was received via email on 9/6/22.**
14. 6.4.6 A landscaping plan meeting the standards of Section 7.17. **Waiver not requested.**

## **COMPLIANCE WITH THE TOWN'S ORDINANCES**

### **ZONING ORDINANCE**

1. Route One District -3 (Sec. 4.1.4). In 2014 it appears from the previously approved plans submitted; the main building (441 US Route 1) was approved for a change of use from a hardware store to a distillery. In 2017 it appears from the other previously approved plan submitted that a storage building (the existing barrel house) within a lease area on the abutting lot (behind the main building) was approved.
  - a) In 2014 the primary use category used was *Manufacturing* under Industrial and *Store for Sale of Merchandise* and *Restaurants* under Commercial. Since then the Ordinance has been amended to add *Artisanal Food and/or Beverage Facility* to the commercial use categories, which includes distilleries. The use category in the RT 1-3 district cannot exceed 2,500 SF of gross floor area for the retail component. The plan should be updated to reflect this more applicable category use. The applicant should clarify if the 500 SF for the retail component reflected on the 2014 approved plan remains unchanged. **The applicant confirms that the retail component remains at 500 SF. In consultation with Code Enforcement, it is anticipated that the final plans will include an updated use category (*Artisanal Food and/or Beverage Facility*) for the existing building located on Lot 10-B. **The applicant does not agree that the use for the property should be revised to adhere to the current zoning and states since the use is not changing the previously approved uses of *Manufacturing and Retail Store and Tasting Room*. The proposed addition is an expansion of use, as defined in Article Two – Definitions. The expansion is in part what triggers a Route One Use Permit, Sec. 18.1.1. The review is based on the current ordinance which includes a use****

**category (*Artisanal Food and/or Beverage Facility*) that was created for uses such as what is currently established on the lot. It is not clear why the Board would not have the plans and ultimate approval reflect the current ordinance.**

- b) There is no use category specified on the 2017 approved plan, other than the proposed building on the abutting leased property is labeled as 'storage building'. With an understanding that this previously constructed building along with the proposed buildings are to store barrels, the proposed amended plan should reflect the Use Category *Warehouse* under Industrial for the buildings on the adjacent lot. It should also be clear on the plan that this is a principal use for these buildings since they are not located on the same lot as the main distillery building, they cannot be accessory structures as defined in the Zoning Ordinance. **The response to comments states this comment has been addressed, however, it is not evident from the revised plans that it has. The Plan (Sheet CS-101) has been revised to reflect the change.**

2. Impervious Surface Ratio. Existing and proposed coverage calculations do not appear to have been submitted or provided on the plans that support the value provided in note 2F on Sheet CN-001. Nor net buildable area that reflects deductions outlined under Sec. 6.3.25 of the Zoning Ordinance. This needs to be addressed for both lots, separately, not combined as reflected on Sheet CN-001. This information along with other zoning requirements is best placed on the site plan. **The site plan (CS-101) has been revised to include separate proposed coverage values for each lot. Existing coverage values are not included on the existing conditions plan and calculations (information on how the values are arrived at) has not been provided to demonstrate conformance.**

**In addition, 90.43% coverage is noted on the site plan as having been previously approved, however, the submitted reduced copy of the previously approved (2014) site plan approval existing conditions plan denotes a coverage of 80%. This is likely due to the difference in using the total lot area vs. using the net developable area as required by the ordinance. Regardless, it is confusing to state on the lot coverage table (provided on CS-100) as previously approved and proposed coverages as more than 100%.**

**Furthermore it is not evident from the 2014 plans that 14,238 SF of coverage was approved when it clearly states that 12,601 SF was the total impervious area in 2104 for Lot 10-B. The plans should be revised and supporting calculations provided. See attached email from Code Enforcement concerning what is and is not considered in determining impervious surface area. The plans have been revised; however, more information is necessary to determine conformance. See New Comments below.**

### 3. Setbacks

- a) The setbacks are depicted on the plan for the main building lot that results in a building envelope which is encroached in some areas by the existing building; this appears to be a legally nonconforming condition. The proposed building addition, however, encroaches the setbacks where the existing building does not and exceeds the existing building's location past the setback, creating a nonconforming condition or making a nonconforming condition more nonconforming. This needs to be addressed. **From the revised plans the applicant's rationale for the building addition on Lot 10-B is better understood; the zone allows for reduced setbacks for legally nonconforming lots, which this is. So the rear and side setbacks are reduced in half; 30 and 15 feet respectively. The site plan, however, depicts the rear portion of the proposed addition encroaching into the reduced rear setback. The applicant may have the understanding that the other structures on site (accessory structures that exist or formerly existed) can contribute to determining the extent of the proposed addition. There does not appear to be any support for this rationale in the ordinance and that other nonconforming structures on site are not part of the calculation in determining the nonconforming status and expansion possibility for a principal nonconforming building. Furthermore it is not evident that this is a nonconforming structure since it currently conforms to the reduced setbacks. The plans should be revised to depict the proposed addition within the reduced setbacks. **The applicant has applied to the BOA for a 'minor dimensional' variance at its 1/25 meeting.****
- b) The setbacks shown on the plan related to the larger lot are confusing and should be reviewed. The 30-foot setback should not deviate from the side property line as it is depicted on the plan, encompassing the proposed lease area. If the applicant desires to have setbacks from the lease area, they should be clearly labeled as such. Currently the side setback is missing along the portion of the property line west of the proposed buildings. This should be revised. **This has been addressed.**

4. Non-residential Performance Standards (Sec. 6.3). The applicant has not prepared a narrative for the Board to consider standards are addressed. It would be helpful for the applicant to review the standards and determine how the proposed development conforms and provide waiver requests for those provisions the application and plans do not meet. The following are pertinent provisions that appear to be applicable:

- a) Sec. 6.3.6 Glare/Lighting. No land use or establishment shall be permitted to produce a strong, dazzling light or reflection of that light beyond its lot lines onto neighboring properties, or onto any town way so as to impair the vision of the driver of any vehicle upon that town way. No fixture catalog cuts or photometrics plan

reflecting all light fixtures has been submitted along with how the proposed light conforms to Article 10-H Outdoor Lighting. **The applicant states that there is no exterior lighting proposed for the barrel houses and any lighting for the addition will not create glare. A note to this effect should be provided on the final plans. This has been addressed (See notes on Sheet CS-100).**

- b) 6.3.9 Bufferyards. The proposed development and property is subject to establishing and maintaining bufferyards within the yard setbacks at specific depths outlined in Sec. 6.3.9.2. It does not appear from the application or plans that these buffers are anticipated. Considering the proximity to residential uses along Pheasant Court and condominium behind Ruby's restaurant, the existing vegetation and bufferyard should be delineated on the plan consideration should be made as to the effectiveness of the existing buffer and if it needs to be augmented. **The bufferyard has been denoted on the revised plan. No existing vegetation line is shown, perhaps this will be part of the updated existing conditions survey that is stated is forthcoming. It is Staff's understanding from the site walk that the existing vegetation would need to be augmented with additional plantings for the bufferyard to be effective as a year-round screen and buffer. The Board should discuss and provide direction to the applicant. The applicant is proposing three evergreen trees (3 feet tall at the time of installation). The proposed trees are spaced at approximately 25 feet apart while the species' mature width is only 15 feet. When considering the Town's GIS website, the gap in existing tree vegetation may be as much as 80 feet. This together with the size and spacing of the proposed trees, the proposed addition to the vegetated buffer appears to be in adequate. It is not clear why the applicant is submitting photographs of the site when the Board held a site visit. Attached is an annotated copy of the 2019 GIS aerial with additional comments on existing vegetation that is not shown on the plans and likely should since they contribute to the screening of the nonresidential use.**
- c) 6.3.21 Performance Guarantee for Required Improvements. The applicant has not addressed this provision that appears to be applicable to the proposed development. **The applicant states that a waiver has been requested, however, it is not evident from review of the submittal information. The applicant has requested a waiver from Site/Sub regs Sec. 6.4.25, not from any of the performance standards under the Zoning Ordinance's Sec. 6.3.**
- d) 6.3.25 Calculations of Net Buildable Site Acreage. This provision should be reviewed and be reflected in a coverage table on the Amended Site Plan. **The applicant needs to submit calculations to demonstrate how the values are arrived at. The summary provided on Sheet CN-100 appears to assume 25% of the (very poorly drained) soils**

is deducted, however, the zoning ordinance (Sec. 6.3.25) anticipates deducting 75%. **The plan (CN-001) includes calculations; however, the following should be considered: The breakdown should reflect Sec. 6.3.25, e.g. wetlands is not included in the Net Buildable Site Acreage. In addition, the soils should be specific with type/symbol and reference to the soil information submitted. A reference to the Notes Sheet as to the location of this information should be provided on the site plans where calculations for impervious surface ratio is demonstrated.**

5. Parking (Sec.15). The applicant has provided no required parking calculations on the Site Plan. The 2014 approved plan includes the following:

-2,800 SF Industrial (Manufacturing)	– 2 employees x 0.06 = 1.2 spaces
-500 SF Retail (Retail Sales of Merchandise)	500/200 SF per space = 2.5 spaces
-500 SF Restaurant (Tasting Area)	– 25 seats/3 = 8.3 spaces
Total required spaces = 12	

The applicant should confirm that this information is current and will not change with the proposed development (including the 2017 storage building). Also, the proposed plan only depicts 8 of the 12 required spaces. **The applicant states that the 2014 parking calculations remain current and are unchanged. If this is the case the breakdown should be provided on the final site plan. In addition, with the proposed barrel houses located on a separate lot than the primary facility, the Board should consider approving off-site parking as outlined under Sec. 15.1.1.6 since there is no parking proposed for Lot 10-C. The information has been provided on Sheet CS-101. See New Comments for additional comments.**

#### SITE PLAN AND SUBDIVISION REGULATIONS

6. An engineering peer review by Gorrill Palmer, and by Integrated Environmental Engineering, Inc. for post-construction stormwater compliance, has been prepared and attached. **The applicant has responded to the peer-review comments. Attached are new comments from Gorrill Palmer and Integrated Environmental Engineering. Gorrill Palmer and Environmental Engineering, Inc. had comments that the applicant satisfactorily addressed. (see attached emails)**
7. Existing Vegetation. The Town’s ordinances indicate that screening parking and mitigating the effects of exterior lighting are important objectives, especially in non-residential development. It is not clear from the Existing Conditions plan and survey as to the extent of the vegetation that can be preserved for this objective. A clear existing and proposed vegetation/tree line should be shown on the plans. It appears some of the proposed grading is within the bufferyard and unless it is determined necessary, it should be redesigned. **The applicant has revised the plan and no longer proposes grading within the setback, sliding the**



planned development east, away from the side property line. The final plans should show proposed grades for the new driveway proposed and finish floor elevations. In addition, clear limits of disturbance around the large tree that is intended for preserving should be depicted on the plan. **The plans have been revised, however, clearing limits and veg lines are still somewhat unclear. Perhaps the legend should be updated to include the veg line for "brush line". A note that the large canopy tree intended to remain is to be protected, would, along with a clear limit-of-disturbance in this vicinity, help during earthmoving activities.**

8. The Existing Conditions Plan does not reflect current conditions. The 'framed structure' depicted on the plan east of the main distillery building is no longer there. The property lines are referenced as that is referred to as approximate and makes reference to a plan, presumably a survey, that is not provided. The Boundary Survey that has been submitted is from 1979. The Board should determine if the applicant should provide more information as to the boundary of the subject lot(s) to ensure the proposed development conforms to regulatory requirements. At a minimum, the boundary in close proximity of the proposed development should be certified by a Profession Land Surveyor. **The applicant states that a new existing conditions plan (assuming a survey) will be prepared to reflect the current conditions. Concerning the boundary, Lot 10-C may not necessarily warrant an updated survey if the Board wanted to consider a waiver, since the development proposed is located at a considerable distance to the regulatory setbacks. As for Lot 10-B, however, the proposed addition is located a foot from the side setbacks and is currently depicted past the rear setback. It would be prudent to have the applicant demonstrate the location of the property boundaries with an updated survey considering the proximity of the proposed development to the regulatory setbacks. The applicant's new existing conditions survey is limited in scope and does not include verification of the boundary/property lines and the vegetation along the westerly portion of the property, where a vegetated buffer is pertinent, by a Land Surveyor. The applicant states the 1979 survey prepared by Frank Emery for Ralph Woods is satisfactory. The Board should determine if it concurs.**
9. The applicant states there will be no connections to sewer and water for the proposed barrel houses. It is assumed that electricity will be required, however, it is not evident on the plans. **The applicant has confirmed there are no plans to connect the proposed buildings to electrical service. Are there no need for lights inside the building? The plans have been revised to state that there is no proposed lighting for the barrel houses. This comment has been addressed.**
10. Does the storage of distilled beverages require any special consideration from public safety or the state Fire Marshall? The Code Enforcement Office should determine of Section 6.3.14 Explosive Materials under the zoning ordinance applies, since it may require a change to the

location of the barrel houses. The Fire Chief has reviewed the plans and the revised location of the proposed buildings place them 75 feet from the property line which would address Sec. 6.3.14, if it was found applicable.

11. Architectural drawings have been submitted for the addition to the main building but not the barrel houses. The applicant infers there is no need for drawings since the intentions are to have the proposed buildings design similar to the existing barrel house's architecture. The Board should determine if it concurs. **It is assumed for the Board to determine compliance with Sec. 6.3.13 of the Zoning Ordinance that drawings of the proposed buildings would be required. The applicant states the Board has not requested them. The Board should determine if building elevations will be required.**

#### NEW COMMENTS

12. The Code Enforcement Office plans to investigate potential issues related to mold growing on existing structures that may have implications on the proposed buildings conformance to Section 6.3.4 of the Zoning Ordinance related to dust, fumes, vapors and gases. The Board should determine if a mold and fungus expert should be engaged by the Town for this purpose. See attached email dated 9/28/2022 from Amber Harrison. **The Code Enforcement Office has indicated with the receipt of the testing by Absolute Resources Associates that there are no longer any issues related to mold.**

#### NEW COMMENTS (1/19/2023)

13. Additional comments regarding the Impervious Surface Ratio:
  - a) The calculations provided on Sheet CS-101 should only include proposed impervious area and the existing impervious area calculations should be on the existing conditions plan, that is certified by the project Land Surveyor.
  - b) The calculations should provide more detail so one can follow the math and understand how the total areas are determined. For example, for Lot 10-B areas such as: bituminous pavement; gravel pavement; shipping containers, building, etc.....should be broken out. For Lot 10-C the areas associated for the development located at 445 US RT 1 should be broken out from the total so there is the existing area for the Barrel House and the existing area for the 445 US RT 1.
  - c) The exhibit provided to demonstrate coverage and impervious area includes a parking space at the rear of the property to include some pervious area. This is not possible from a regulatory perspective since, per the definition of Impervious Surface, parking is considered coverage and impervious. Calculations should be revised.

14. Number of employees. The applicant has stated that the total number of employees has not changed since the original site plan approval in 2014; two (2) employees. Information on the web seems to indicate there are more than just the co-founders/distillers; e.g. mixologists/bartenders, tasting room manager, brand ambassador.... The total net number of employees may be closer to two perhaps considering part-time employees, however, the applicant should provide information as to how the total number of employees is arrived at, which is pertinent since parking regulations for the property is in part based on total number of employees.
15. Architectural plans for the renovations to the 'Barn' include square footages and areas that do not coincide with those areas reflected as part of the permitted uses/activities for required parking, Sheet CS101.
  - a) The floor plans depict areas for 'dining areas', assuming associated with the 'tasting area', that results in almost twice the 500 SF referenced on the plans and approved for in 2014.
  - b) The plans also depict sales area, presumably for the 'retail store' use, that results in more than three times the 500 SF referenced on the plans and approved for in 2014.

The applicant should elaborate on these discrepancies which effect the total amount of parking required.

16. Parking lease on Lot 10-Z (YCRD BK 9801 PG 267). The lease specifies that parking is to be ancillary only to Lot 10-B. The notes referencing the leased parking on sheets CS-100 and CS-101 should reflect this. The deed for Lot 10-Z should also be referenced since it actually contains the updated lease (since both original parties were no longer current).
17. The temporary structure shown on Sheet CS 100 as 'to be removed' is in actuality already removed. The plan should be revised.
18. A plan note should be provided that makes it clear that the lease line setbacks are not regulated by the Town.
19. It is not clear that the new existing conditions survey information is use in all the plans.
20. Revise outfall in the vicinity of rain garden so gravel and silt fence are not located in the wetland.
21. Is there any plans for outdoor seating? If so, this needs to be identified on the plan and demonstrated that there is adequate parking.
22. The rain garden plant palette symbols are not referenced to symbols and quantities on the extent of the rain garden shown on the plan. There is no planting design.

23. Are there town approvals associated with 'existing' propane tanks and shipping container shown along the westerly property line for Lot 10-C (barrel houses)? They do not appear on the previously approved plan. They are shown in the setback, and they should be relocated.
24. Are the propane tanks to provide gas to Lot 10-B (main building)? If so there needs to be an easement and gas line shown. If not, the proposed tanks for Lot 10-B should be identified on the plan.
25. Architectural plans regarding the front of the building differ from proposed plans. This needs to correspond. This would include the proposed landscape and ramp, and a better representation of the new stairs.

## **WAIVER REQUESTS**

Waivers for the following provisions (Site and Subdivision Regulations) are requested. The Board should review the application for the rationale provided for each request. (list reflects the updated requests dated 8/5/2022)

1. 6.3.2 A Boundary survey of the entire property... Items B through F.
2. 6.3.3 A.2 elevation contours at 2' intervals referenced to NGVD of 1929. (the reference to NGVD 1929)
3. 6.3.7 A grading and landscape design plan which meets the requirements of §7.3.
4. 6.3.8 Initial Assessment of Traffic Impacts.
5. 6.3.14.B Letters from York Historic District Commission and Maine Historic Preservation Commission.
6. 6.3.25.1 Written statement from the York Water District.
7. 6.3.29 Temporary Markers of site layout.
8. 6.3.32 A high intensity soil survey signed and sealed by a Maine Certified Soil Scientist, indicting the suitability of soil conditions for the uses proposed shall be submitted.
9. 6.4.17.1 A high intensity soil survey map meeting the standards of Article 6.3.32.
10. 6.4.20 The Final Plan shall show 2 foot contour lines of both existing and proposed topography in relation to the NGVD of 1929. (the reference to NGVD 1929)
11. 6.4.25 Identification of the type and amount of performance guarantee.
12. 6.4.28 Financial Capacity.

## **CONCLUSION**

The application submitted is substantially complete with consideration of the waiver requests. If it's considered complete the Board should ~~determine if a site walk will be required~~ and hold a public hearing. The Board should review application and determine conformance with ordinances and if it concurs with the review comments made, and determine if any changes will be required prior to

considering approval. There still remains some outstanding items that, if the Board concurs, would require revisions to the plans. The Board may want to consider review and comments from Code Enforcement Office prior to a final decision.

Feel free to contact me with questions.

Best regards,



Christopher Di Matteo  
cdimatteo@longmeadowpla.com



**Subject:** RE: 3821.32 Wiggly Bridge Revised Comments  
**Date:** Thursday, January 12, 2023 at 1:24:36 PM Eastern Standard Time  
**From:** Will Haskell <whaskell@gorrillpalmer.com>  
**To:** James Lowery <jlowery@fando.com>, Christopher DiMatteo <cdimatteo@longmeadowpla.com>  
**CC:** James Attianese <jattianese@gorrillpalmer.com>, DeCarlo Brown <dbrown@yorkmaine.org>, Kristie Rabasca <krabasca@integratedenv.com>, James Andretta <JAndretta@fando.com>  
**Attachments:** image002.png, image003.png

Good Afternoon,

We do not have any further comments.

Thank you,

William C. Haskell | Principal



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**From:** James Lowery <jlowery@fando.com>  
**Sent:** Thursday, January 12, 2023 10:12 AM  
**To:** Christopher DiMatteo <cdimatteo@longmeadowpla.com>; Will Haskell <whaskell@gorrillpalmer.com>  
**Cc:** James Attianese <jattianese@gorrillpalmer.com>; DeCarlo Brown <dbrown@yorkmaine.org>; Kristie Rabasca <krabasca@integratedenv.com>; James Andretta <JAndretta@fando.com>  
**Subject:** RE: 3821.32 Wiggly Bridge Revised Comments

Good Morning,

We have revised the HydroCAD modeling of the rain garden as suggested by Gorrill-Palmer. The invert of the soil filter has been raised to be consistent with the underdrain elevation and the 4-in culvert has been removed from the model. I wanted to clarify that the 12-in pipe is a vertical standpipe (with a horizontal opening) that would have a 4-inch outlet. We have not modified the diameter of the outlet pipe. An updated Stormwater Report is attached.

With regard to the FFE elevation of the rickhouse, the floors of these buildings are constructed of a stone base with the intent to absorb moisture and increase the relative humidity within the rickhouse. The increased humidity reduces evaporation from the barrels stored within the rickhouses. As such, any stormwater that may drain back toward the rickhouse from the access drive will seep into the stone base and help to provide the additional moisture that is desired.

Please let me know if anyone has additional questions or comments.

Jamie

James Lowery, PE  
Senior Project Manager  
Fuss & O'Neill, Inc. | [jlowery@fando.com](mailto:jlowery@fando.com)

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**From:** Christopher DiMatteo <[cdimatteo@longmeadowpla.com](mailto:cdimatteo@longmeadowpla.com)>  
**Sent:** Wednesday, January 11, 2023 10:46 AM  
**To:** William C Haskell <[whaskell@gorrillpalmer.com](mailto:whaskell@gorrillpalmer.com)>; James Lowery <[jlowery@fando.com](mailto:jlowery@fando.com)>  
**Cc:** James Attianese <[jattianese@gorrillpalmer.com](mailto:jattianese@gorrillpalmer.com)>; Kristie L. Rabasca ([krabasca@integratedenv.com](mailto:krabasca@integratedenv.com)) <[krabasca@integratedenv.com](mailto:krabasca@integratedenv.com)>; DeCarlo Brown <[dbrown@yorkmaine.org](mailto:dbrown@yorkmaine.org)>  
**Subject:** Re: 3821.32 Wiggly Bridge Revised Comments

Thanks Will.  
Jamie, please see Gorrill Palmer's latest comments.  
Let us know if you concur or not.  
I don't believe at this point we are looking for any revised plans.  
Thanks,  
Chris

Christopher Di Matteo  
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**From:** Will Haskell <[whaskell@gorrillpalmer.com](mailto:whaskell@gorrillpalmer.com)>  
**Date:** Wednesday, January 11, 2023 at 10:29 AM  
**To:** DeCarlo Brown <[dbrown@yorkmaine.org](mailto:dbrown@yorkmaine.org)>, Christopher Di Matteo <[cdimatteo@longmeadowpla.com](mailto:cdimatteo@longmeadowpla.com)>  
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**Subject:** 3821.32 Wiggly Bridge Revised Comments

Hi DeCarlo and Chris,

We reviewed the following submitted by the Applicant. These are revised comments based on the new information we received from Chris on Monday, 1/9. We assume you will forward our comments to the design engineer/applicant or incorporate them into your comment letter.

- Wiggly Bridge Peer Review response, prepared by Fuss & O'Neill, dated 12/20/ 2022
- Wiggly Bridge Plans, prepared by Fuss & O'Neill, dated 12/20/ 2022
- Wiggly Bridge Plans, prepared by Fuss & O'Neill, dated 1/9/ 2023
- Wiggly Bridge Letter & Photos, prepared by Fuss & O'Neill, dated 1/9/ 2023

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. The FFE of the northerly barrel house is a low point of 37.0 with the access drive of 37.5 draining towards the barrel house entrance.
2. The HydroCAD modeling of the rain garden needs to be revised. The model is showing no outflow from the filter, with the only outflow from the overflow pipe for the larger storms. The soil filter invert is shown below the underdrain invert. The 4" vertical orifice should be removed. The soil invert should be the soil surface. The soil filter should connect to the 4" round culvert, and the 12" overflow should connect to the 4" round culvert. The 12" overflow is oversized connected to the 4" outlet pipe. Consider changing the outlet pipe to 12".

Thank you,

William C. Haskell | Principal



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