

COMPLIANCE
REVIEW LETTER

April 21, 2023

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

Application: Jewett Farms & Co. — New Building Addition
55 Witchtrot Road (Tax Map 89 Lot 43-A)

Amended Site Plan Review

Review Status: New Application

Board members and Mr. Brown,

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

1. Application form dated 3/29/2023.
2. Submission entitled *Site Plan Amendment – Jewett Farms & Co. / Witchtrot Holdings, LLC, 55 Witchtrot Road, Tax Map 89 Lot 43-A*, dated March 29, 2023; includes cover letter, Project Data Summary and Project Description narrative, traffic memo, correspondences, plans, and etc., prepared by Altus Engineering, Inc.
3. Plan set entitled: *Jewett Farms & Co., 55 Witchtrot Road, York, Maine, 03909* ... prepared by Altus Engineering, Inc. Date 3/29/2023. [Includes cover sheet, existing conditions, boundary survey, site plan, grading plan, and details]

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

PROJECT DESCRIPTION

The applicant is seeking approval to construct a new 8,000 ± square-foot single story building (9,600 sf gross floor area with mezzanine) and a 4,500 ± square-foot addition at the rear of the existing premises where Jewett Farms & Co, manufactures cabinets. The existing gravel

parking/loading area is to be expanded to accommodate the addition. This amendment is to the previously approved 1998 site plan. The site is located in the General Business-1 zoning district with residential lots to the west and south.

REVIEW SUMMARY/HIGHLIGHTS

The application is before the Planning Board as required by the York Zoning Ordinance (YZO) (Sec. 18.15.B.1.A and D) for review of non-residential building with 5k or more of gross floor area and any change that amends a site plan previously approved by the Planning Board. The following is a summary of the review comments:

1. The existing conditions plan in regard to existing vegetation line (tree line) does not appear to be accurate/up-to-date when compared with current aerials.
2. Existing tree line along front setback seems somewhat sparse and is unlikely to provide adequate buffering of proposed building and expanded parking.
3. The proposed grading for the new building is steeper than the allowed 20% (proposed at 3:1) slope. The applicant is requesting a waiver from Sec. 7.3.1.D New Slopes in the Site Plan / Subdivision Regs.
4. No previously approved plan set has been submitted, as required by Sec. 5.6 of the Site Plan and Subdivision Regs. This should be submitted.
5. The proposed impervious surface ratio/coverage is close to the maximum allowed. It is difficult to determine compliance with the current calculations without more specificity.
6. The proposed expanded use (manufacturing) is permitted in the GEN-1.

COMPLETENESS REVIEW

The applicant has provided a checklist of required submittal items for preliminary (6.3) and final (6.4) review. The following are submittal requirements that have not been submitted and not included among the waiver requests:

1. 5.6.2 A copy of the previously approved plan to be amended. This has not been submitted.
2. 6.4.6 Landscaping Plan. This has not been submitted or requested to be waived. Landscaping for screening is required by non-residential performance standards (6.1 YZO) unless waived.

COMPLIANCE WITH THE TOWN'S ORDINANCES

ZONING ORDINANCE

1. Article 4 Use Regulations, Section 4.1.4. The proposed use appears to be manufacturing in nature and is permitted in the GEN-1 zoning district under Industrial Use Category.

2. Impervious Surface Ratio/Coverage Calculations. Per Article Five in the zoning ordinance the maximum coverage in the GEN-1 district is 25%, 24.13% is proposed. It is not clear if all of the impervious surface areas are accounted for, and it would be helpful if a more detailed breakdown by type is provided in the calculations (plan note #11 on the Site Plan). With the values so close to the maximum, it may be prudent to have the peer-review engineer check confirm the areas.
3. Screening. The Nonresidential Performance standards in the Zoning Ordinance anticipate parking to be screen from the public way. The existing trees along the road are somewhat thin (see attached street-view images) and likely would need additional evergreens and shrubs to provide for a more year-round effective screen of the development. Perhaps a landscape plan should be required.
4. Article 15 Parking. As stated on the plans the parking required for the proposed and existing manufacturing use is 0.6 parking space per 1 employee. Since the number of employees is the basis for the minimum off-street parking regulations, the applicant should confirm the total number of employees for the site.
5. ADA accessible parking. The plan depicts a single space with a 5-wide aisle, when a van accessible space is required.
6. Electrical service. Service for the new building appears to be overhead. If the Board concurs a waiver is needed from Sec. 7.7.2.

SITE PLAN AND SUBDIVISION REGULATIONS

7. Engineering-Peer Review. Gorrill Palmer reviewed the application their comments are attached. Post-construction stormwater requirements have also been reviewed by Integrated Environmental Engineering, and those comments are also attached.
8. Section 7.3 Preservation of Natural and Historic Features. As a result of the location of the proposed building, proposed slopes of greater than 20% is incurred by the site design. The applicant has requested a waiver (from Sec. 7.3.1.D) to exceed the maximum slope. Sec. 7.3.1.F requires and an alternative grading plan that preserves the natural landform. The applicant may need a waiver from this as well if the Board concurs.
9. The proposed plan should be titled 'Amended Site Plan'. And other plans should reflect the amendment as well.
10. The Boundary Plan should be revised to reflect the total acreage of the lot.
11. The Existing Conditions Plan:
 - a. Plan should be stamped/certified by a Professional Land Surveyor.
 - b. It should include the existing impervious surface/coverage areas calculated for the site.
 - c. The existing vegetation/tree line should be revised to reflect the current conditions.

WAIVER REQUESTS

The applicant has requested the following waivers (see applicant's submittal for rationale):

Site Plan and Subdivision Regulations.

1. Section 6.3.32 - A high intensity soil survey signed and sealed by a Maine Certified Soil Scientist.
2. Section 7.3.1.D –New slopes established by re-grading a site shall not exceed 20%, except for the allowed 33% shoulder slope along proposed roads.
3. Section 6.2.3- The developer of a Minor Site Plan or Minor Subdivision application may elect to submit the Preliminary and Final Plans simultaneously. All major plans must go through the twostep process.

CONCLUSION

The application submitted to amend the previously approved plan appears to have some issues that need to be addressed, however, generally seems straightforward with consideration of the comments above. Perhaps, rather than reviewing the application as a combined preliminary and final review, a preliminary review may be more reasonable. With other comments and questions from Board members and the applicant and public testimony, the Board may want to consider conditional preliminary approval, providing expectations and direction for the final plan.

Feel free to contact me with questions.

Best regards,



Christopher Di Matteo

Subject: 3281.40 Jewett Farms Peer Review

Date: Tuesday, April 18, 2023 at 7:36:56 AM Eastern Daylight Time

From: James Attianese <jattianese@gorrillpalmer.com>

To: DeCarlo Brown <dbrown@yorkmaine.org>, Christopher DiMatteo <cdimatteo@longmeadowpla.com>

CC: William C Haskell <whaskell@gorrillpalmer.com>

DeCarlo/Chris

The following is a review of the Jewett Farms submission, We assume that you will forward the comments to the Applicant.

We reviewed the following submitted by the Applicant.

- Jewett Farms Plan Set, prepared by Attar Engineering, Inc., dated 3-29-23
- Site Plan Amendment Application, prepared by Attar Engineering, dated March 29, 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 limit of disturbance shown on the plans is greater than one acre, therefore at a minimum a MDEP stormwater permit-by-rule will be required for the proposed construction. The Applicant needs to verify from MDEP whether the total constructed and proposed impervious area since 1997 of 1.91 acres requires a stormwater law permit. It is our understanding that MDEP considers impervious area created after July 1, 1997 when determining jurisdictional thresholds for Stormwater Law projects. The existing gravel pit prior to the site construction in 1998-1999 would likely be considered developed area but not impervious area.
2. The Stormwater Management Plan presents peak flow for the 2, 10, and 50-year storms. The Town of York requires an analysis of the 2-year and 100-year storms as required by Section 9.8.2 of the Site Plan and Subdivision regulations. Provide an analysis for the 100-year storm.
3. Provide an impermeable barrier at the invert elevation within the rip-rap of the detention pond's emergency spillway to prevent flow through the rip rap below the invert elevation.
4. Show the location of the construction entrance on the plans.
5. Show silt fence downgradient of the subsurface wastewater disposal system and the berm of the detention pond.
6. The top of the berm at the detention pond should be 4' wide for a berm height less than 6 feet.
7. Depict grading at the accessible parking spaces to show a maximum slope of 2% in any direction.
8. Provide signs for the accessible spaces with at least one van accessible space.
9. We recommend paving the accessible spaces to provide a stable surface in accordance with ADA requirements, and to be able to delineate the spaces with striping.
10. We have reviewed the submitted "Trip Generation Analysis for Proposed Expansion of Jewett Farms Manufacturing Facility in York" completed by Sewall (Diane Morabito, PE, PTOE) dated March 23, 2023 and concur with her calculations, findings, and conclusions.



Mr. DeCarlo Brown
York Land Use Planner
Provided via email
dbrown@yorkmaine.org

4/20/2023

**Subject: Post Construction Stormwater Inspection & Maintenance Plan for the Jewett Farms and Co.
Application proposed for 55 Witchtrot Road, Map 89 Lot 43-A**

Dear Mr. Brown:

This letter provides a review of the Jewett Farms and Co. Application with a focus on the stormwater system maintenance requirements. Our review included the following elements of the submittal:

- Operation and Maintenance Plan for Stormwater Management BMPs dated March 3, 2023
- Proposed Site Plan drawings and Details dated March 29, 2023

We note that this site is located outside the Town's Urbanized Area, but the application does not identify if it will disturb more than one acre of land.

Our comments on this project are as follows:

- This reviewer re-iterates the comment by Gorrill Palmer regarding the area disturbed. This site will likely require conformance with the Post Construction Stormwater Management Ordinance because it will disturb more than one acre of land.
- The applicant states the site will use vegetated swales and roof drip edges for Low Impact Development practices. Roof drip edges are called out for the new building, but not the addition. Swales to be inspected are not called out, but appear only to be located near the addition. Please call out all LID practices on all drawings.
- It is notable that catch basin CB1 on the existing plan is not shown as connected to any other catch basins, is identified on the table as "clogged", and has not been included in the Hydrocad® modelling. The catch basin continues to appear on the proposed development sheets, indicating it will remain. The applicant should identify if this catch basin will be removed or maintained and used. If it will be maintained and used, the Hydrocad® modelling should be revised to include it, and if it will not be used, the applicant should provide a rationale should be provided as to why it is not going to be used.

If you have any questions about this information, please call me at 207-415-5830 or email krabasca@integratedenv.com.

Sincerely,
Integrated Environmental Engineering, Inc.

A handwritten signature in black ink that reads 'Kristie L. Rabasca'.

Kristie L. Rabasca, P.E.