

PEER REVIEW
LETTER

April 21, 2023

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

Application: Bristol Pointe Phase 2 — Jefferson Homes, Inc.
294 York Street (Tax Map 115 Lot 233)

Site Plan and Subdivision Review

Review Status: Revised Final Plan Application

Revisions and new comment in red.

Board members and Mr. Brown,

The following information has been provided for final plan review:

1. Application form dated 1/30/2023
2. Submittal Packet: *Final Plan Application "294 York Street" – York Maine, Prepared for Jefferson Homes, Inc.... January 2023 [REV APRIL]*. Prepared by Weger Associates Architects. (Includes architectural plans and elevations (Issue date 1/30/2023), property deed; master plan/landscape and lighting, checklist, traffic assessment, requested waivers, correspondence with districts and departments, condo documents, etc..)
3. Stormwater: *Site Plan Application Stormwater Management Plan; Jefferson Homes, Inc.... January 2023...* Prepared by Civil Consultants. (Included in item #2 above)
4. Response to Comments: Includes three memorandums dated 1/5/2023 responding to comments from Long Meadow Planning & Landscape Architecture, Gorrill Palmer and Integrated Environmental Engineering, Inc.
5. Engineering Plans: *Existing Conditions Plan and Proposed Conditions Plan, Bristol Pointe #2 Tax Map 115 Lot 233, 294 York Street, York Maine. Prepared for Bristol Pointe, LLC.* Prepared by Civil Consultants. Date 8/24/2022 (No REV dates). (Includes existing conditions, proposed site and subdivision plan (Rev Date: 1/31/23), construction details/plan notes (Rev Date: 1/31/23), sewer details, and maintenance plan) (Included in item #2 above).
6. Survey: *Boundary and Existing Conditions Survey, Map 50, Parcel 122, 294 York Street, York Maine.* Prepared by Kimball Survey & Design, Inc. Date 9/10/2022.
7. Response to Comments: Memorandums dated 3/20/2023 (Weger) and 3/22/2023 (Civil) responding to comments from Long Meadow Planning & Landscape Architecture.

8. Addendum Package, Bristol Ponte 2: 4/7/23 Final Plan Submission. Includes building colors, materials and typical roof shapes, materials and carpentry in the area. Also includes Project Staging & Timeline exhibit and narrative. (located at the end of the submittal)

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 0.54-acre project site is located next door to the Bristol Pointe mixed-use building (#298) that the Planning Board approved in July of 2021. A similar proposal, with the aim to demolish the existing single-family residence and construct a three-story (over garage) building to accommodate 8 residential dwelling units and approximately 3,100 SF of nonresidential space on the first floor. Proposed parking spaces are planned as structured parking under the proposed building with a 24-foot-wide driveway access from York Street. The site is located in the York Village Center-1 (YVC-1) zoning district, with access to public water and sewer and a wetland located at the rear of the property.

REVIEW SUMMARY/HIGHLIGHTS

The application is before the Planning Board as required by the Zoning Ordinance (Sec. 4.3 and Sec. 18.15) for review of non-residential development (site plan) and review of the creation of three or more dwelling units (subdivision). The following is a summary of the review comments:

1. This application is a redesign of the proposal that was denied by the Planning Board earlier last year. The site design locates the proposed smaller building closer to the westerly property line affording space for a driveway that conforms to code.
2. The preliminary application was approved in December of last year.
3. The final plan application appears to be substantially complete.
4. The proposed parking design has been revised to accommodate two ADA spaces for the two dedicated uses (non-residential space and an ADA accessible dwelling unit) and eliminating the need to share a single ADA parking space.

COMPLETENESS REVIEW

The applicant has submitted an application for Preliminary (6.4) review and appears to include all of the required submittal requirements, with the exception of those that are part of requested waivers and the following:

1. 6.4.3 The water supply system design contained in the Site Plan or Subdivision Plan shall be approved in writing by the appropriate agency or individual, and shall be submitted with the Final Plan. No approval has been submitted. Letter dated 3/21/23 has been submitted.
2. Section 6.4.4 The sewage disposal system design contained in the Site Plan or Subdivision Plan shall be properly endorsed and approved in writing by the appropriate agency.

Although an email with review comments has been provided, no approval has been submitted. **Letter dated 3/20/23 has been submitted.**

COMPLIANCE WITH THE TOWN'S ORDINANCES

ZONING ORDINANCE

1. Section 4.1.2 Business, Village and General Districts. The proposed uses, commercial, office and residential, are subject to this section and specific requirements, that includes having no greater than 50% of a residential use on the street level of a mixed-use building; no greater than 50% of office space on the same level and not occupy more 50% of the front half of the building; and commercial retail is no greater than 2,500 SF. The proposed development appears to conform to this.
2. Non-residential Performance Standards (Sec. 6.1). The applicant has provided information as to the conformance to these standards (Memorandum prepared by Civil Consultants). . The Board may want the applicant to elaborate on specific items for its consideration, as well as the following:
 - a. Sec. 6.1.12.1 requires the Board to consider how the proposed building enhances and compliments the York Village Center character by means of its architectural design. Though the response-to-comment memorandum references this comment to be addressed by the Architect, nothing specific was found in the submittal. The Board may want the applicant to elaborate on:
 - i. How the proposed building conforms to this provision; and **The Applicant references the same impact statement from the previous submission. There is additional images submitted for the Board's consideration.**
 - ii. Confirm that the following materials are not used: *vinyl siding, aluminum siding, Exterior Insulation and Finishing System ("EIFS"), foam or PVC materials.* **The has implied these materials will not be used.**
 - b. Sec. 6.1.9 Explosive Materials does not appear to allow for the propane tanks at the proposed location, 10 feet from the property line. This provision calls for a 75-foot setback from property lines to above ground tanks that hold highly flammable or explosive materials and 40 feet for underground tanks.
 - i. The applicant has submitted information related to the NFPA required setbacks, however, the Town may very well have a more stringent requirement than the NFPA. The Code Enforcement Office should provide an interpretation as to the applicability of Sec. 6.1.9 and 1,000 gallon propane tanks. **Code Enforcement Office has commented, and this issue has been addressed.**

- ii. Further consideration should be made to the location of the proposed fire pit as it relates to its proximity to the propane tanks. If the required setback should be confirmed and shown on the Site Plan along with the proposed fire pit as well. **The plans have been revised.**
 - c. View from the Street. It appears the garage entry is open to view from the street; with an atypically wide breach. At the last meeting with the Board, it appeared members were not concerned. This should be confirmed. **This was confirmed at the last meeting.**
3. Wetland impacts. It has been made clearer on Sheet L3 (Wetland Restoration/Sewer connection Plan) that the proposed impact(s) are required by the sewer line connections, which are permitted per Sec. 11.3.2 of the Zoning Ordinance.
 - a. Sheet L1 should be revised to remove the label that directs the replacement of the sewer lines in the wetland where the applicant has stated this work has been done already as part of Bristol Pointe 1. **The plans have been revised.**
 - b. Any impacts associated with the construction of the retaining wall and/or the stormwater features/riprap are not permitted. Prior to final approval the applicant should demonstrate that the conditions per Sec. 11.4 will be met. **Applicant declined to include any additional information.**
 - c. Other than in the vicinity of the proposed impact, the new sewer line connection from SMH#2 that is in the wetland, should the proposed erosion control berm be located in the wetland? **It's not appropriate to have the silt fence installed in the wetland unless there is construction located in the wetland. The silt fence should be installed on the upland edge of the wetland with the exception of the small area that is being disturbed to install a sewer connection to the existing sewer manhole. This should be depicted on the plan along with the impact delineated with area quantified.**
 - d. It should be clear that the construction related to the retaining wall and stormwater outlets is not permitted to disturb the existing wetlands. The limit of work line should reflect this, currently this line is not clear on the plans. **No Limit of Work/Disturbance Line shown on the plan.**
4. ADA Parking Requirements. The proposed development plans provide for two van accessible spaces to accommodate the commercial/office space and the proposed ADA residential dwelling unit.
5. Parking Calculations. The plans have been revised to include information on the number of parking spaces required, how the values are arrived at and how the reductions are permitted under Sec. 15.2 in the Zoning Ordinance. The Site and Subdivision Plan has been revised to include this information as well.

SITE PLAN AND SUBDIVISION REGULATIONS AND OTHER COMMENTS

6. Stormwater and Engineering-Peer Review. Gorrill Palmer prepared a review of the final plan submittal, and is attached. Integrated Environmental Engineering has some follow-up comments which are also attached. **There are still some items that remain outstanding. See attached comments.**
7. Retaining Wall. The top and bottom of wall elevations have been added to the site plan and a railing is depicted.
8. Utility Easements. All areas where it is necessary to access/cross the abutting property (Bristol Pointe 1) for utility connections (e.g. electrical, sewer, storm drain, etc....) should be depicted on the plans as proposed easements. **The plans have not been revised.**
9. Lighting. The submittal does not include any specific details on proposed fixtures that informs if the applicable codes are being met (Art. 10-H) , including mitigating glare and light trespassing from the garage. The image of the proposed fixture for above the garage entrances appears to have the bulb exposed and not a cut-off. **No catalog cuts/metrics of the specific proposed fixtures has been provided. Photographs of the planned fixture for above the garage has been submitted, and appears that it may be complaint. The Board should determine if it has sufficient information.**
10. Gross Floor Area limitation: The architect's Master Plan and the engineer's Site and Subdivision Plan have a discrepancy with regard to the how this requirement under Article 4 (see comment #1 above) is reflected on the plans.
 - a. Plan note #29 should be referencing (Article 4 Permitted Uses in YVC) no that more than 50% of the proposed office space occupies the front half of the first floor and residential not occupying more than 50% of the street level floor of the mixed-use building. The note should be revised to provide more clarity. These percentages are based on gross floor area, not street frontage. **The note has been revised.**
 - b. The Master Plan depicts a dimension line measuring the building's 'commercial frontage'. It's not apparent from the provisions under Article 4 that this is a requirement. The applicant should elaborate. **References to frontage remain. Applicant should explain.**
11. Traffic. The Public Works Director has concurred with the traffic impact/trips assessment prepared by the applicant and will not require a traffic study.
12. Landscaping Plan. Proposed vegetation for the area behind the building to be regraded should be reflected on the plan. It's currently labeled as natural vegetation. **No details to the type and method of revegetating this area has been provided with the exception of native grass. More information is necessary to ensure a successful outcome. Is the proposed native grass established by seed or by plants? If seed, what is the mix and**

manufacture, this would include the specie breakdown of seed and details on installation, method and time of year and best practices on establishment? If by plant, what is the species, size of pot/plug and quantity, and a detail on how that is planted and established.

WAIVER REQUESTS

The applicant is requesting the following waivers: (see Memorandums from Civil Consultants and Weger Architects) **(Items 1-3 have been granted at preliminary approval)**

1. Section 6.3.3.A.2 – (Existing Conditions Plan) elevation contours at 2' intervals referenced to NGVD of 1929. Requesting to reference the NAVD 1988 instead.
2. Section 6.3.3.A.7 – Depicting areas of a high or seasonal high-water table on the existing conditions plan. [The submitted checklist states there is not high-water table, if this is the case, then this is not applicable, and no waiver is necessary].
3. Section 6.3.32 – High Intensity Soil Survey.
4. Section 6.4.1.7 – (hydrogeological assessment)

CONCLUSION

The final application submitted, with the exception of written final approval by the water and sewer districts, appears to be substantially complete, with consideration of the requested waiver. In addition to the comments above, there are a few of comments from Gorrill Palmer and Integrated Environmental Engineering that will need to be addressed. The Board should determine if it wants to have an opportunity to see revised plans prior to considering final approval. **The Board should review and determine if the additional information requested meets its expectations.**

Feel free to contact me with questions.

Best regards,



Christopher Di Matteo
Licensed Landscape Architect

Subject: 3281.36 Bristol Pointe 2
Date: Friday, April 14, 2023 at 10:18:35 AM Eastern Daylight Time
From: James Attianese <jattianese@gorrillpalmer.com>
To: Christopher DiMatteo <cdimatteo@longmeadowpla.com>, DeCarlo Brown <dbrown@yorkmaine.org>
CC: William C Haskell <whaskell@gorrillpalmer.com>
Attachments: image001.png

Chris and DeCarlo,

We reviewed the following submitted by the Applicant. We assume you will forward our comments to the Design Engineer/Applicant.

- Bristol Pointe 2 – Final Plan Submission, submitted by Weger/Banow Architects, dated 4/7/23
- Response Memo – DiMatteo, submitted by Civil Consultants, dated 3/22/23
- Bristol Pointe 2 – Weger Architects Peer Review Response, submitted by Weger Architects, dated 3-20-23

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. Light spillover from Bristol Pointe 2 to Bristol Pointe 1 should be addressed. The plans show up to 6.5 foot candles at the property line.
2. A construction entrance should be shown on the plans.

Thanks

James Attianese | Project Engineer



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Mr. DeCarlo Brown
York Land Use Planner
Provided via email 8/19/2022
dbrown@yorkmaine.org

4/19/2023

Subject: Third Review of Post Construction Stormwater Inspection & Maintenance Plan for the Bristol Pointe 2 proposed for 294 York Street, Map 50 & Lot 122 (New map lot 115/233)

Dear Mr. Brown:

This letter provides a third review of the Bristol Pointe 2 Application with a focus on the stormwater system maintenance requirements. Our review included the following elements of the submittal:

- Stormwater Maintenance/Inspection Plan dated March 2023
- Sheets L1 Proposed Site and Subdivision Plan, L2 Construction Details and Plan notes, and L4 Maintenance Plan dated April 7, 2023

We note that this site is located inside the Town's Urbanized Area, but will not disturb more than one acre of land.

The applicant addressed all of our November 2022 comments in their January submission.

Our review of January submission contained only one comment after consultation with the York Public Works Director to move proposed catch basin CB3 (located on the northwest side of the proposed building) to be closer to York Street to allow annual catch basin cleaning. This comment has not been addressed.

The CB3 current location would not allow a vector truck to access the structure without destroying proposed vegetation (plants and grass) in the alley way. The catch basin should be located on the York Street side of the building that is on the adjacent parcel Map 115 Parcel 231, but still within the 10-foot wide drainage easement.

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.