

PEER REVIEW
LETTER

February 12, 2026

York Planning Board
Brendan Summerville, Town Planner
Town of York
186 York Street
York, Maine 03909

Application: 2-Lot Subdivision — Christopher D. Mendoza
16 Fall Mill Road Extension (Tax Map 90 Lot 64A)

Amendment to An Approved Plan / Subdivision- Preliminary/Final Review

Review Status: New Application
Board members and Mr. Summerville,

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

1. Application form dated 02/02/2026.
2. Application Submittal and Cover letter entitled *Preliminary/Final Submission for Amendment to Subdivision, Assessor's Map 90. Lot 64A, 16 Fall Mill Road Extension, York Maine...February 2, 2026* and includes application, deed, agent authorization , engineering, soils and environmental information...prepared by Altus Engineering.
3. Previously Approved Plan: *Subdivision Plan Property of Dennis R. Brown...approved 10/16/1975*
4. Boundary Survey & Existing Conditions, Subdivision Amendment, dated 1/29/2026 and prepared by Kimball Survey & Design, Inc.
5. Proposed Driveway Access Plan, dated 1/29/2026 and prepared by Altus Engineering.

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

PROJECT DESCRIPTION

The applicant is seeking approval for the creation of one additional residential dwelling unit and conveyance of land to the abutter, Kittery Water District, for purposes of conservation and open space, for a total of 2 house lots on a single undeveloped 11± acre parcel. The site is located in the GEN-2 zoning district, with portions of the property within the Watershed Protection Overlay zone.

REVIEW SUMMARY/HIGHLIGHTS

The application is on the agenda as an *Amendment to an Approved Plan* as required by the York Site Plan and Subdivision Regulations (YSP&SR) Sec. 5.6. Revisions to Approved Plans; to amend a 1975 Subdivision Plan previously approved by Planning Board.

The following is a summary of the review comments:

1. The scope of changes to the plan per Sec. 5.6.3 appears only to be: 1) the lot line changes to create an additional house lot and convey land, (deed restricted?) as conservation land, to the abutter, Kittery Water District; 2) the creation of a street ROW and 3) the removal of the plan note on the 1975 plan that required the lots not be further subdivided.
2. Only one of the proposed house lots conforms to the frontage zoning requirements of the GEN-2 District; where there is a minimum of 200 feet of Street Frontage per lot. The applicant is proposing a '50' wide Right-Of-Way for Lot 2' (presumably a *street* ROW) to obtain the minimum 200 feet of frontage. The applicant, however, is not proposing a street, only a driveway, with no waiver requests submitted.
3. The 1985 previously approved plan does not appear to be applicable since it does not include the subject parcel. It is referenced on the current survey likely because of boundary information. Reviewing the town's tax map will show that the subject parcel (Map 90, Lot 64A) is located to the north and is 'lot 3' as denoted on the 1975 approved plan.
4. A conservation lot is proposed to be conveyed to the abutting Kittery Water District. This portion of the site includes a significant vernal pool, however, about 40% of the significant habitat lies outside of the proposed lot. There does not appear to be any proposed conservation easements proposed on the two house lots to preserve and protect the critical terrestrial habitat.

COMPLETENESS REVIEW

As for reviewing the application as a revision to a previously approved plan, the amount of application information required is related to the scope of the amendment. It appears that sufficient information has been provided to help determine what the previously approved plan was (1975 Subdivision Plan), what existing conditions are (Boundary Survey and Existing Conditions Plan) and what's being proposed as the amendment. The Planning Board, however, should review the list of waiver requests and determine if any of that information is pertinent to the application.

COMPLIANCE WITH THE TOWN'S ORDINANCES

1. Section 5.2.2 Schedule of Dimensional Regulations, Other Districts (YZO). The minimum lot sizes are provided for. GEN 2 District, however, requires a minimum of 200 feet of street frontage. The applicant is proposing a street ROW that would provide for the additional

frontage needed, however, the applicant is not planning to construct a street but only a driveway. There is only one dwelling and there doesn't appear to be the possibility of any future dwellings using the proposed street. If a street is not required can the Board approve a Street ROW to afford only the minimum street frontage?

2. Section 5.5 Right of Way Standards in the YZO don't appear to apply to new lots, only lots that are exempt from subdivision.
3. The applicant should review waiver requirements for the Site Plan and Subdivision Regulations (SPSR) and provide a waiver request and basis for the Board's consideration as to not constructing a street that conforms to Article 9.
4. Article 9 (SPSR) includes specific construction pavement and gravel depths, min. travel way width of 18 feet and a hammer head turn-a-round.
5. Section 7.3.4 (SPSR) looks for habitat on the property to be maximized. Does the plan provide this without conservation easements on the house lots?
6. See attached reports from peer-review engineers.

WAIVERS

The applicant has requested many waivers, see cover letter for the list (page 3), however, as stated above, these waiver requests are under the premise that this is a subdivision, and it's not clear that is applicable.

CONCLUSION

The Planning Board will need to determine if the application conforms to and is consistent with the applicable ordinances. The Board should determine what submittal waivers are applicable and if they should be granted prior to accepting the application and beginning its review. As stated above, it appears there are design and construction street standards that need to be addressed on the plan and/or waiver requests that need to be submitted.

Feel free to contact me with questions.

Best regards,



Christopher Di Matteo
Principal

Engineering Review Memorandum

To: Brendan Summerville, Town Planner
From: Will Haskell, PE, Gorrill Palmer
Date: February 11, 2026
Subject: Preliminary and Final Site Plan Review Application
Project: Amendment to Fall Mill Road Subdivision (GP JN 132800)
Location: 16 Fall Mill Road, York, ME
Applicant: Christopher D. Mendoza

Brendan,

Gorrill Palmer reviewed the following materials that were downloaded from the Applicant. We assume that you will forward our comments to the Applicant/Design Engineer or incorporate into your review comments.

1. Preliminary/Final Submission for Amendment to Fall Mill Road Subdivision, dated February 2, 2026, prepared by Altus Engineering and Kimball Survey & Desing, Inc.
2. Subdivision Amendment Plans, dated January 29, 2026, prepared by Altus Engineering and Kimball Survey & Desing, Inc.

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. We have reviewed the waiver requests of the Site Plan and Subdivision Ordinance listed in the Application and provided comment on waiver requests of civil infrastructure standards. Final approval of all waiver requests shall be made by the Planning Board.

Stormwater:

1. The Applicant is requesting a waiver of Sections 6.3.27 – Sketch and narrative of proposed stormwater drainage, and Section 6.4.16 – Stormwater Management Plan. Based on the scope of the development involving one single family home, we have no technical concerns with waiving the stormwater management standards of Sections 6.3.27 and 6.4.16 of the Ordinance.
2. Based on the existing contours, it appears that there is a ditch along Fall Mill Road Ext. which the driveway will intersect with. We recommend a driveway culvert be proposed to maintain the natural ditch flow. A note on the Subdivision Amendment Plan requiring a driveway culvert (and size) would also be satisfactory.
3. The Application states that a stone drip edge would be constructed below the drip edge of the house roof. We recommend adding a note to the Subdivision Amendment Plan requiring the stone drip edge be constructed.

Post-Construction Stormwater Management:

4. The project is not located within the Urbanized Area. It is not clear if the project will disturb one or more acres of land, therefore it is not possible to determine if the Post Construction Stormwater Ordinance will apply. As previously requested by Kristie Rabasca of Integrated Environmental Engineering, Inc., disclose the total area that will be disturbed for this project,



and identify if a Maine DEP Chapter 500 permit-by-rule, or Maine Construction General permit will be needed.

5. Provide a note on the Subdivision Amendment Plan (Sheet 2) stating, "The standards of the Town Of York Post Construction Stormwater Ordinance shall apply if greater than one acre of land is disturbed by the development", or something similar.

Utilities:

6. The Applicant is requesting a waiver of Section 6.3.32 – High Intensity Soil Survey. A test pit was conducted at the site by a Certified Soil Scientist of Mainely Soils, LLC. Submitted test pit data indicates that the site has suitable soils for subsurface wastewater disposal. We concur that a high intensity soil survey is not needed for a single family home.

General:

7. The Applicant is requesting a waiver of Section 6.4.15 – Soil Erosion and Sedimentation Control Plan. It is our understanding that erosion and sedimentation control for the single family home would fall under Code Enforcement's review of the project during the construction process. We have no technical concerns with waiving the standards of 6.4.15 of the Ordinance.
8. We have no technical concerns with the remaining waiver requests. As stated above, the Planning Board shall make the final approval of all waiver requests.

Please let us know if you want to review and discuss any of the comments.

Sincerely,

Gorrill-Palmer



Will Haskell, PE
Municipal Operations Leader, New England



Ben Nault, EI
Design Engineer