SMPDC
SOUTHERN MAINE PLANNING & DEVELOPMENT COMMISSION

To: York Planning Board

From: Lee Jay Feldman, Director of Planning

Date: 7/6/2017

Re: **Completeness & Preliminary Review-Parkway Project**

I. Proposal

The applicant is also proposing to construct a new connector road from Ridge Road through to U.S. Route 1 with access just north of the structure formerly owned by Blinn. The purpose of this memo is to address the Completeness review and Preliminary review of the proposed parkway.

To achieve this, a roughly 4,800 LF connecting road between these two points will be constructed within a new Right-Of-Way established during a previous review in 2013. The road has been designed to meet Town of York Collector Street standards, the road will have a paved width of 24 feet with 3 reinforced shoulders at each side. Turning lanes will be provided at the intersection with Route 1, with two outward lanes extending approximately 200-feet onto the site. In addition, a six-foot wide paved shoulder is provided at the intersection approach, and a further three feet of unpaved reinforced edge. This will allow additional space for emergency vehicles to pass when the road is congested. The road structure will be typical bituminous pavement, with a section of 21" aggregate subbase, 3" crushed aggregate base and a total of 4" of hot bituminous pavement (1½" and 2½"). No curbing is proposed. Crossing culverts will be constructed at locations where the new road crosses the existing drainage features on the property. Where culvert crossings are located on delineated streams, the culverts will be oversized. An 8ft wide multi-use trail will be constructed along the new road alignment, connecting Ridge Road to the police station site. The sidewalk will be constructed with a minimum of 10" of crushed aggregate base and 2" of hot bituminous pavement. A stone dust pedestrian/bicycle path will be constructed through the remainder of the property, connecting the police station to US Route 1. Stormwater treatment for runoff from the road is provided through the use of LID Best Management Practices (BMPs), including stormwater buffers, filter strips and bio retention cells. The

roadway corridor includes an eight-foot wide multi-use trail that is separated from the vehicular roadway by a five foot wide grass esplanade. The multi-use trail will be paved from Ridge Road to the Police Station site to facilitate year-round pedestrian and bicycle access. From the police station to Route 1 the trail will be stone dust and will be suitable for the expected seasonal use of this connection.

It is important for the planning board to remember that this project was previously in front of the board and received approvals to not only construct the Parkway but to also repair environmental damages created by the previous contractor as well as construct the Police station which has now relocated elsewhere in town. The environmental impacts have been addressed and all that is left to do is now construct the Parkway.

Traffic Impacts

The Maine DOT is providing a grant through the Kittery Area Comprehensive Transportation Study group (KACTS) to pay for the cost of signalizing the entrance with Route 1. MDOT recognizes the importance of this intersection and new roadway as an access point more direct to the beaches than what currently exists. The applicant has provided the study previously completed by Gorrill Palmer Consultants and is attached for your consideration.

Sewer

Sewer service will be provided by York Sewer District. A new gravity sewer extension will be constructed as part of this project. The new sewer will connect to the existing system in Caddy's Way, across land recent purchased by York Sewer District. It will extend into the site, and continue up the Parkway Road to provide potential future sewer access to abutting property owners

Water

Water service to the site will be provided by the York Water District. A new 8" Ductile Iron diameter water main will be constructed between Ridge Road and Route 1 to provide future fire and domestic supply. York Water District has also indicated that a loop to the end of the main in Caddy's Way may be beneficial to overall system performance, and that consideration should be given to sizing the new main for expected future growth in the area. Domestic and fire services will be tapped off the new service main.

Stormwater

Stormwater from the newly developed areas of the site and roadway will be captured and treated in accordance with the State of Maine Chapter 500 Stormwater Law. Small Bio retention cells and vegetated buffers will be used to treat runoff from the new roadway. Filtering drip strips and bio retention cells in and adjacent to parking lots and around the building will treat runoff from these areas. In addition, a number of areas alongside the road are proposed to be utilized

as Stormwater Buffers. These areas will be deed restricted. The stormwater management BMPs are primarily designed to treat runoff from developed areas for water quality. However, in addition to this primary function, they are also designed to slow and detain runoff so that flows to downstream resources are not increased. The proposed Connector Road will cross several drainage ways that convey runoff from upstream areas to the west of the site, across the property in a generally easterly direction. Surface flows in these drainage ways will be conveyed under the new road in a series of culvert crossings. The culverts will be sized to convey the peak design 100-year flood flow at each location. At two locations, the crossings are defined as natural streams. In these cases the culvert crossings will be oversized and constructed with a natural "bed" within the pipe to maintain the hydraulic conditions at either side of the crossing.

The town currently has Maine DEP and NRPA permits previously approved for the construction of the Parkway, both of which are still valid and in place. Construction was required to start with 4 years of the issuance of those permits and the applicant is still within the window of that time frame to start construction of the project.

This project is located in 3 zones, the Res-7, Gen-3 and the Route one-4 zones. As part of this process the Code Enforcement Officer will be required to sign off on that portion of the project located in the Route one-4 zone.

SUBMISSIONS FOR PRELIMINARY PLAN

A complete Preliminary Plan shall include the following:

6.3.1 Reserved.

6.3.2 A boundary survey of the entire property. The boundary survey shall indicate the following information:

A. distances, deflection angles, curve radii, arc lengths, control angles, monument locations and other necessary survey data;

B. the names of all abutters, including map and lot numbers;

C. roads, rights-of-way, and intersections within 50' of the lot;

D. location and nature of easements of record, deed restrictions, and covenants;

E. references to deeds, earlier surveys, prior approvals, and other pertinent information as determined by the surveyor; and

F. locus map sufficient to orient the Board as to the location of the property within the Town.

SUBMITTED

6.3.3 An existing conditions plan depicting conditions on the property in its pre-application condition, and at a minimum shall include the following information in plan view:

A. Physical environment on the property, including:

1. size and road frontage of the property;

2. elevation contours at 2' intervals referenced to NGVD of 1929;

3. surface waters and wetlands;
4. vegetation in general, specifically noting any trees larger than 24" in diameter at breast height;
5. ledge outcroppings;
6. land deemed not suitable for development per §7.4.1; and
7. areas with a high water table or seasonal high water table as defined in §7.4.2.
8. a description of stormwater effecting the property that originates from abutting properties and by what means the stormwater is conveyed, whether by streams, swales, culverts or other sources.
9. a description of existing drainage conditions on abutting downstream lots.

B. Existing development and improvements on the property, including buildings, wells, septic systems, water lines, sewer lines, drainage facilities, utilities, driveways, parking lots, sidewalks, stone walls, fences, cemeteries, and other such improvements, with description of uses and sizes as applicable.

C. The approximate location of property boundaries, buildings, wells, septic systems, wetlands, surface waters, driveways, roads and intersections within 100' of the property.

D. Regulatory constraints affecting the property, including:
1. Town boundaries;
2. base zoning districts, and boundaries if applicable;
3. overlay zoning districts and boundaries, as applicable;
4. regulatory boundaries from other Town, state or federal laws, including but not limited to the Floodplain Management Ordinance, Well Ordinance, and Wireless Communications Facilities Ordinance; and
5. setback requirements applicable to the property.

SUBMITTED

6.3.4 The location of all natural features or site elements to be preserved shall be depicted on the plan.

SUBMITTED

6.3.5 Impact Statements - The developer shall submit an impact statement which describes the impact of the proposed development on the community as a whole, and specifically on the following areas:
a. water supply for domestic consumption;
b. water supply for fire protection;
c. wastewater treatment and disposal;
d. police, fire and ambulance services;
e. stormwater management, with particular attention to watersheds that experience flooding at this time, with reference to culverts, streets, swales and retention areas;
f. transportation systems, focusing especially on anticipated traffic impacts on the

street network near the project;
g. on-site parking, and potential for off-site parking impacts;
h. water quality;
i. environmental quality;
j. historic and archeological resources;
k. anticipated fiscal impacts on the Town and district capital and operating budgets;
l. scale of the project in terms of the expected number of residents, number of employees, size of buildings, and amount of impervious surface;
m. for applications with residential uses, address impacts on public school enrollment and bussing; and
n. for applications with residential uses, address impacts on public recreation facilities and services. The information provided shall be utilized by the Board to evaluate the need for off-site
improvements and impact mitigation by the applicant.
SUBMITTED

6.3.6 A plan showing the proposed development, showing the general arrangement of streets, lots, parking lots, buildings, storm water drainage systems, utilities and similar features.
SUBMITTED

6.3.7 A grading and landscape design plan which meets the requirements of §7.3.
SUBMITTED

6.3.8 A copy of the Initial Assessment of traffic impacts, where required per Zoning Article 15-A, and documentation this has been submitted to the Public Works Director for review.
SUBMITTED

6.3.9 A copy of the most recent deed for the property, and the source deed if the current deed differs from the source deed.
SUBMITTED

6.3.10 Proof of ownership or if the developer is not the owner of the property, evidence of the developer's right, title or interest to the property shall be submitted.
SUBMITTED

6.3.11 A copy of all easements, rights-of-way, or other encumbrances currently affecting the property shall be submitted.
SUBMITTED

6.3.12 Phosphorous Pollution. Where a proposed development is located within the watershed of a great pond, the applicant shall provide information required to assess compliance with §1.2.18 and §7.27.
N/A

6.3.13 Scenic Resources. Provide information to identify any scenic resources identified and recommended for protection in the Comprehensive Plan, as addressed in §1.2.8 and §7.28.
N/A

6.3.14 Regarding historic and archaeological resources, the following information shall be provided:
A. The applicant shall identify any of the following on the property or within 500' of the property:
1. Local Historic Districts or Landmarks;
2. National Historic Districts;
3. Properties listed on the National Register of Historic Places; and
4. Cemeteries or family burial plots.
B. The application shall include written documentation from the York Historic District Commission (HDC) regarding the presence of any known or suspected historic resources on the property, and on the potential impact of this project on any resources identified in §6.3.14.A (above). The application shall include written documentation from the Maine Historic Preservation Commission (MHPC) regarding the presence of any known or suspected archaeological resources on the property, and on the potential impact of this project on any resources identified in §6.3.14.A (above). In the event historic or archaeological resources are or may be located on the property, the application shall be accompanied by an analysis from a qualified expert that describes the resources, outlines the significance of the resources, and provides options for the conservation of the resources.
SUBMITTED

6.3.15 Provide a map of sufficient scale to identify the location of the applicant's property with respect to watersheds in the Town. A map of the 8 major watersheds is found in the Natural Resources Chapter of the Inventory & Analysis Section of the Comprehensive Plan, and this may be used as a base.
SUBMITTED

6.3.16 Identify the location of the applicant's property with respect to Undeveloped Habitat Blocks, High Value Plant and Animal Habitats, and Focus Areas of Ecological Significance as mapped by the Maine Department of Inland Fisheries and Wildlife's Beginning With Habitat program. Where the property is found to be located within an Undeveloped Habitat Block of 500+ acres, coincides with any habitat identified on the High Value Plant and Animal Habitats map, or falls within the Mount Agamenticus or Greater Brave Boat Harbor/Gerrish Island focus areas, the application shall include an analysis of the property and the proposed development. This shall be prepared by a wildlife biologist with work experience in this region. The analysis shall be based on research of existing data and site visits made during the appropriate season(s). The report shall include recommendations with respect to the design of the development proposal in order to

maximize the habitat values following development. This may include alteration of the onsite design to minimize off-site habitat impacts, such as but not limited to protecting a corridor which allows wildlife passage between undeveloped habitat blocks.
SUBMITTED

6.3.17 The locations, widths and names of any existing, filed or proposed streets or rights-of-way which are adjacent to the parcel or will be used as access to/from the development shall appear on the plan. There should also be a notation on the plan as to the status (i.e., Town road, private road, paper road) of every street that will be a regular travel way for traffic to/from the proposed development.
SUBMITTED

6.3.18 Reserved.

6.3.19 The proposed lot lines with approximate dimensions and approximate area of net developable acreage shall appear on the plan.
N/A

6.3.20 All parcels of land proposed to be dedicated to public use shall be depicted on the plan. An outline of the conditions of such dedication and provisions for maintenance and/or management must also be submitted.
SUBMITTED

6.3.21 Reserved.

6.3.22 If any portion of the Site Plan or Subdivision Plan is in a flood-prone area, the boundaries of any flood hazard areas and the 100-year flood elevation shall be delineated on the plan as determined through hydrological determinations. Determinations of flood-prone or flood hazard areas shall be in accordance with information provided by the Federal Emergency Management Agency.
FLOODPLAIN INFORMATION NOT SHOWN ON THE PLAN

6.3.23 Reserved

6.3.24 Indication of the type of sewage disposal to be used in the subdivision shall appear on the plan.
SUBMITTED

6.3.24.1 *Public Sewage Disposal* - When sewage disposal is to be accomplished by connection to the public sewer, a written statement from the Sewer District stating that the District has the capability to collect and treat the wastewater shall be submitted.
SUBMITTED

6.3.24.2 *Private Sewage Disposal* - When sewage disposal is to be accomplished by subsurface wastewater disposal systems, test pit analyses, prepared by a Licensed Site Evaluator shall be provided. The location of all test pits dug on the site (whether passing or not) shall be shown on the Site Plan or Subdivision Plan. The developer must submit evidence that the Local Plumbing Inspector has reviewed and approved the test pit log sheets (State of Maine form HHE-200) and septic system design for compliance with the State of Maine Subsurface Wastewater Disposal Rules (Chapter 241) and any local plumbing or subsurface wastewater disposal ordinance of the Town.
N/A

6.3.24.3 For subdivisions, a minimum of one acceptable test pit must be shown on each proposed lot, and two may be required per Article 7.9.2.1.
6.3.25 Indication of the type of water supply system(s) to be used in the proposed development shall appear on the plan.
N/A

6.3.25.1 *Public Water* - When water is to be supplied by public water supply, a written statement from the servicing water district shall be submitted indicating that there will be adequate supply and pressure for the subdivision for domestic purposes.
SUBMITTED

6.3.25.2 *Wells* – The required protective radius shall be delineated around each well.
N/A

6.3.26 A letter from the Fire Chief is required. This letter shall indicate the fire safety concerns that the applicant must address prior to acceptance of the Final Plan. The Chief shall have broad latitude to address issues, including but not limited to provision of infrastructure (hydrants, fire ponds, etc.) design of the site (fire lanes, etc.), or sufficiency of existing department equipment to protect public safety.
SUBMITTED NEW LETTER WILL BE COMING

6.3.27 A sketch and narrative description prepared by a professional engineer, of the proposed stormwater drainage plan shall be submitted. This discussion shall contain a description of the measures to be taken to control stormwater leaving the property and a description of the expected total run-off being detained and leaving the site. This submission shall also indicate whether the drainage system will be underground or above ground, and shall include an indication of any swales, underground piping, detention structures, etc. proposed to be used to contain or direct stormwater. The capacity of abutting downstream properties to manage a 100 year storm shall be addressed by the applicant.
N/A PREVIOUSLY REVIEWED AND APPROVED

6.3.28 The location and size of existing and proposed sewers and water mains, culverts, bridges and drainage ways on or adjacent to the property to be developed shall appear on the plan.
SUBMITTED

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.
SUBMITTED

6.3.30 Sight distances for all new streets including driveways for commercial establishments shall be depicted on the plan. Whenever there is potential for an insufficient sight distance for a single-family residential driveway, the location of the driveway and the sight distance must appear on the plan.
SUBMITTED

6.3.31 Reserved.

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. This report must meet the Maine Association of Professional Soil Scientists Standards for Soil Surveys for a Class A Soil Survey (04/04/89 and as amended). The HISS plan shall indicate areas subject to the requirements of Article 7.4.2.
A WAIVER REQUEST HAS BEEN SUBMITTED

6.3.33 For Site Plans or Subdivision Plans involving 40 or more parking spaces or projected to generate more than 400 vehicle trips per day, a traffic impact analysis, prepared by a Registered Professional Engineer with at least 3 years experience in traffic engineering, shall be submitted. The analysis shall indicate the expected average daily vehicular trips, peak hour volumes, access conditions at the site, distribution of traffic, types of vehicles expected, effect upon the level of service of the street giving access to the site and neighboring streets which may be affected, and recommended improvements to maintain the required level of service on the affected streets. Trip generation rates used shall be the mean value reported in Table 3 of Development and Application of Trip Generation Rates, Kellerco, Inc. published by the Federal Highway Administration, January, 1985. (MAJOR)
SUBMITTED

6.3.34 All requests for waivers from strict compliance with any of these regulations shall be submitted in writing. All such waiver requests must refer to the section of these regulations for which the waiver is being requested, and an explanation of the reasons such waiver is considered necessary.
SUBMITTED

6.3.35 The Planning Board review fee, based on the fee schedule in Section 2.3.1 shall be submitted.
N/A

Waiver Request

The applicant has made several waiver requests which are as follows:

1. **Section 6.4.14.2 requires street cross sections every fifty feet along the entire street proposed in the development.** The applicant requests a waiver from this provision on the following grounds. The proposed street cross section is relatively uniform throughout the length and has only three different section configurations. These are clearly shown on the site plan and details. In our opinion this information, along with the detailed road profile information clearly shows the alignment, elevations and sections required for accurate construction of the road. Adding repeated similar cross sections along the length of the road would be redundant.
This is a submission requirement for Final Application however; determining the waiver request now makes perfect sense. Since this is not an Maine DOT funded project, a grading plan and layout plan along with the 3 typical sections are adequate for review and design on this project

2. **Section 6.3.32 requires that a High Intensity Soil Survey be submitted indicating the suitability of the soil conditions for the uses proposed.** The applicant requests a waiver from this requirement on the grounds that a high intensity soil survey is neither warranted nor appropriate for this type of development. Maine DEP requires Class A High Intensity Soil Surveys for only two classes of projects. The first is for a specific area of land that is to be used for wastewater disposal, or disposal of other wastes. The second is for residential and commercial subdivisions that utilize on-site wastewater disposal and have lot areas of less than two acres. The primary reason for undertaking a High Intensity Soil Survey is to determine the capability of surficial soils to accept, treat and disperse relatively high intensity waste disposal functions. The proposed project will be connected to municipal sewer and will not include any on-site disposal of waste materials. Therefore, this information will not be helpful or relevant to the development. A geotechnical investigation has been undertaken to determine depth to bedrock, soil bearing capacity and other physical parameters for use in the design of the building foundation and pavement sections.
Typically if the project has more than 3 acres of impervious area, a High Intensity Soil Survey should be required. The Planning Board should request the applicant to obtain a written determination from the Maine DEP that this is not required for this project.

3. **Section 9.5.9 of the Town of York Site Plan and Subdivision Regulations states that the maximum centerline grade of a road shall be 2% within 75 feet of an**

intersection. The applicant requests a waiver from the is standard on the grounds that the intersection approach grade is not critical at signalized intersections, and that the proposed design grades meet the standard of good engineering practice. As noted during the engineering review of this project, the design road grade at the approach to the Route 1 intersection exceeds the standard in Section 9.5.9 of the Town of York**.** The American Association of State Highway and Transportation Officials (AASHTO) design manual - A policy on Geometric Design of Highways and Streets (AASHTO 2004) recommends a maximum grade of **3%** in the vicinity of intersections where this is practical. The manual goes on to state that "Where existing conditions make such designs too expensive, grade should not exceed 6% at the intersection approach." The reasoning behind these criteria is that the accelerating and stopping distances for vehicles on a grade of **3%** differ little from the corresponding distances on the level. This standard is applied for two reasons. Firstly, to ensure that decelerating vehicles approaching an un-signalized intersection have sufficient distance to safely stop. Secondly, and more relevant in this case, that accelerating vehicles leaving the stopped position are not unduly delayed by a significant rising grade – this could potentially increase conflicts with vehicles travelling on the intersecting roadway. The design grade at the approach to the signalized US Route 1 intersection is 2% for a distance of forty feet from the intersection. The profile then enters and vertical curve, with the grade increasing to a maximum of 3.8% at a distance of seventy-five feet from the intersection. The design falls well within the parameters recommended in the referenced AASHTO guide.

At this time the applicant has not provided any documentation to indicate that a regarding of the intersection approach is cost prohibitive. Additional regarding of the approach will allow the 2% grade to occur as required.

4. **Section 7.18.6 requires that proper and complete monumentation shall be installed prior to final approval of the application.** The applicant requests a waiver from this provision on the grounds that monumentation of the new road right-of-way will be subject to possible damage by construction traffic and earth moving operations. Some of the proposed monuments are located in areas where significant grade change is proposed. It is proposed that monumentation be installed in these areas as soon as earthwork is complete.

This is not an unreasonable request, provided the planning board place a condition of approval on the final plan review that "required monumentation be established and in place prior to the final construction inspection"

Recommendation

At this time, I would suggest that the Planning Board could do the following:

1. Find the application complete
2. Approve the waivers as requested
3. Set a date for a site walk and public hearing