

August 8, 2017

Mr. Dylan Smith  
Planning Director  
Town of York  
186 York Street  
York, Maine 03909

Re: David Woods  
Wiggly Bridge Distillery, Storage Building 0054-0010-C, Garage Replacement 0054-0010-B,  
Planner Review Comments Response  
Reference No. 17-0142

Dear Mr. Smith,

The following letter is a response to the comments of *Section 4. Decision*, you provided in your letter on July 10, 2017. The original comment from the July 10, 2017 letter is in ***bold italicized*** font. The response to the comments will be preceded by an “a.” and be in standard font.

***4. Decision: I do not recommend approval until the above information is clarified. The board also must consider the following before voting on this application:***

- ***The board must approve the exterior building materials***
  - a. The building plans have been provided to the Planning Board. The building is a purpose built structure and requires the materials be the ones proposed in order to facilitate the process the building is intended to satisfy.
- ***The following waivers must be submitted and granted:***
  - ***Site and Subdivision:***
    - ***§6.3.27 Drainage plan***
    - ***§6.3.32 Soil survey***
    - ***§6.4.6 Submission of landscaping plan***
    - ***§6.4.15 Erosion control***
    - ***§6.4.28 Financial Capacity***
  - ***Zoning:***
    - ***§6.3.7 Stormwater Plan***
    - ***§6.3.10 Landscaping of Bufferyards***
    - ***§6.3.13 Elevation drawings***
    - ***§6.3.21 Performance Guarantee***
- a. The waivers above have been requested in the attached letter.
  - ***Many of these waivers are redundant requirements between Zoning and the Site/Subdivision regulations. An Erosion Control waiver should be***

*paired with a condition that the code office review proposed erosion control methods for compliance before a building permit is issued.*

- a. A condition of this type is satisfactory to the applicant.
- ***Condition any approval such that a note requiring that all lighting be in compliance with §6.3.6 is added to the plans and or down shielded. However, I do think it important that any lights not negatively impact the abutting property.***
- a. A condition of this type is satisfactory to the applicant. A note has been added to the plan to this effect (see the upper right hand corner of the plan).

Very truly yours,



Richard R. Lundborn, P.E.  
Branch Manager

Enclosures

cc w/encls.: File

August 8, 2017

Mr. Dylan Smith  
Planning Director  
Town of York  
186 York Street  
York, Maine 03909

Re: David Woods  
Wiggly Bridge Distillery, Storage Building 0054-0010-C, Garage Replacement 0054-0010-B,  
Waiver Requests  
Reference No. 17-0142

Dear Mr. Smith,

CLD | Fuss & O'Neill would like to request the following waivers on behalf of our client David Woods and Wiggly Bridge Distillery:

- ***Site and Subdivision:***
  - ***§6.3.27 Drainage plan***
  - ***§6.3.32 Soil survey***
  - ***§6.4.6 Submission of landscaping plan***
  - ***§6.4.15 Erosion control***
  - ***§6.4.28 Financial Capacity***
- ***Zoning:***
  - ***§6.3.7 Stormwater Plan***
  - ***§6.3.10 Landscaping of Bufferyards***
  - ***§6.3.13 Elevation drawings***
  - ***§6.3.21 Performance Guarantee***

The above waivers are being requested for this project due to its very minor in scope. The proposal before the board on parcel 0054-0010-C is to construct a pole barn (Morton building) for the purpose of barrel aging spirits. The proposal before the board on parcel 0054-0010-B is the replacement of two storage containers with a garage.

In addition to the waivers that you had called out as necessary in the Review Letter of July 10, 2017, the applicant would like to request waivers to the following as well:

- ***Financial Capacity:***

***Information is required to be submitted in regards to a performance guarantee for site stabilization as required per:***

  - ***Zoning §6.3.21 and,***
  - ***Site/Sub §6.4.25, or financial capacity as required by,***
  - ***Site/Sub §6.4.28.***

The applicant has already purchased the building that will be placed on parcel 0054-0010-C, very minimal Site disturbance is required for its construction.

The garage that is proposed to replace the shipping containers will be small, and cut into a small knoll. The site disturbance will be very small and the cost will not be substantial.

Mr. Woods has developed a number of projects throughout greater York County and has demonstrated many times that he has the financial capacity to complete the projects he sets out to undertake.

o ***Historic and Archeological Resources:***

***The applicant has not submitted letters from the York Historic District Commission or the Maine Historic Preservation Commission as required by:***

***§6.3.14.B of the Site and Subdivision Regulations.***

As discussed in the previous Planning Board Meeting and corroborated by the Wetland Evaluation by Michael Cuomo, the area that of parcel 0054-0010-C where the pole barn is proposed has been extensively worked and disturbed throughout time. Mr. Woods has attested to the removal of a substantial amount of topsoil in the 1980's it is highly unlikely that any Historic Resources exist today. The garage proposed on parcel 0054-0010-B is in the same location as two existing storage containers in a previously developed portion of the parcel.

Due to the above and the small size of the project overall we are requesting that this requirement be waived.

If you or any member of the Planning Board has a question regarding these waiver requests please feel free to contact me at 207-363-0669 or by email at [rickl@cldengineers.com](mailto:rickl@cldengineers.com)

Very truly yours,



Richard R. Lundborn, P.E.  
Branch Manager

RRL:rl

cc: File