



September 10, 2020  
16031-01

Maureen O'Meara, Town Planner  
Town of Cape Elizabeth  
320 Ocean House Road  
P.O. Box 6260  
Cape Elizabeth, Maine 04107

Subject: Two Penguin Properties, 14 Hill Way, Cape Elizabeth, Maine  
Site Plan and Minor Subdivision Amendment

Dear Maureen:

We have received and reviewed a submission package dated August 26, 2020 for the subject project. The package included an August 26, 2020 cover letter prepared by Richard Dunton of Main-Land Development Consultants, supporting documentation, and a twenty-one (21) page plan set, prepared by Owen Haskell, Inc., Royal Oaks Design, and Main-Land Development Consultants. The plans prepared by Owen Haskell and Main-Land Development are revision dated August 26, 2020.

Sebago Technics previously reviewed the Amended Subdivision Plan by Owen Haskell, Inc., the civil site plans by Main-Land Development and the Stormwater Control Plan, and provided initial comments for the Town's consideration in an August 12, 2020 review comment letter. The revisions to the drawings and responses by the applicant and designer have addressed many of our previous concerns. Based on our review of the recently submitted material and the project's conformance to the technical requirements of Section 19-9 Site Plan Completeness and Sec. 16-2-5, Amendments to a Previously Approved Subdivision, we offer the following comments.

1. The project is located at 14 Hill Way in Cape Elizabeth which is shown as Lot 74-3 on the Town's Tax Map 022 and identified as Lot 3 on the submitted August 26, 2020 Amended Subdivision Plan prepared by Owen Haskell. Lot 3 is mostly undeveloped and grassed surfaced with a paved drive located partially on the lot. The applicant is proposing to construct a mixed-use building consisting of short-term rental units on the first floor (1,920 SF) and a single-family residential dwelling on the second and third floors. The Planning Board should note that the short-term rental unit use on the first floor was modified from "non-medical offices" indicated on the previous submittal. We recommend that the Planning Board receive confirmation from the applicant that the first floor shall not be utilized for any purposes other than short-term rental. Otherwise, additional zoning standards and ADA provisions may apply.
2. The proposed improvements include associated utility infrastructure, parking areas, walkways, retaining walls, and landscaping. The applicant is also proposing alterations to the northerly lot line of Lot 2 and is seeking an amendment to the previously approved subdivision plan.

### **General Engineering Comments**

1. The designer has added Portland Water District Conditions of Service to the utility plans. The note indicates that a backflow prevention device must be installed after the meter. The designer should indicate the location of the meter and backflow device on the utility plan.
2. The designer has noted that the project team has coordinated the proposed sanitary sewer design and connection with the Public Works Director, Jay Reynolds, and have provided an estimated daily flow of 600 gallons per day from the development based on Maine Subsurface Disposal Rules to Sebago Technics for review. Sebago is in the process of confirming with the Portland Water District who operates and maintains the Cape Elizabeth Treatment Plant that the plant has adequate capacity to handle the additional modest flow from the development for the purpose of providing a wastewater capacity letter for the project. It should be noted that similar past requests have revealed adequate capacity is available and we do not anticipate that there will be an issue with the current request.
3. The designer noted that the fire suppression system has been eliminated since the first floor has been redefined as a short-term rental. The Planning Board should determine if this is acceptable as we believe that the Fire Chief has recommended that a fire suppression system be installed in the new building. If the fire suppression system is determined to be necessary, a water suppression connection to the water main in Hill Way will need to be provided.

### **Existing Conditions and Demolition Plan Sheet (C1.1)**

1. As requested, the applicant has added notes which indicate that the pavement around the Scott Dyer Road catch basin cannot be disturbed and the removal of a concrete walk panel and coring of the underdrain connection into the catch basin should be done in a manner as to not impact the new surface pavement.
2. A note has been added to the plan indicating that utility work should be completed prior to Scott Dyer Road being repaved. If utility work cannot be completed prior to repaving Scott Dyer Road, the designer and contractor shall implement means and methods to not impact the newly resurfaced pavement.

### **Site Plan Comments (Sheet C2.1):**

1. The designer has noted that an accessible parking space is no longer required since the first floor has been redefined as a short-term rental. The Planning Board should determine if this situation is acceptable.
2. The designer has noted that the driveway and sidewalk along Scott Dyer Road can be utilized to access the front entrance. However, this does not meet applicable criteria for an accessible route. An accessible would not be required for short-term rentals, however should the use change in the future, an accessible route would be required.
3. The designer has noted that the driveway will only be used for residential and short-term rentals and was kept at a 9.8-foot width. As we noted in our earlier review comment letter, the proposed

width is a narrow width for one driveway serving a mixed-use building. The Planning Board should review this width with the applicant to ensure it will be appropriately sized.

4. The designer has stated that the parking configuration has been modified since the first-floor space has been redefined as a short-term rental and the conflict in front of the walkway has been resolved. Paint striping has been indicated on the site plan for these spaces.
5. Snow storage limits should not include rip rap area at the storm drain outlet on the northeast side of the site.

**Grading Comments (Sheet C2.2):**

1. Some spot grades were added, but we recommend additional spot grades near the building adjacent to Rain Garden #2 to illustrate positive drainage away from the building.
2. Spot grades were added in front of the north entry, but we recommend adding a spot grade along the front walkway to show that runoff can flow to Rain Garden #2.
3. A siltation barrier near the rip rap outlet to underdrain on Lot 2 should be adjusted to be down gradient of the rip rap.

**Utility Comments (Sheet C2.3):**

1. The designer has added invert elevations and pipe slopes for the underdrain connections. However, invert elevations at the Rain Gardens should also be added to the plans.
2. We recommend adjusting the slope of the underdrain from Rain Garden #1 so that there is a 0.10-foot drop at the existing catch basin connection. Currently, the inverts are the same at the connection (EL=98.12).
3. It does not appear that the drainage easements for the Town to access and maintain stormwater infrastructure were added to the Amended Subdivision Plan.
4. It does not appear that the drainage easements were added to the Amended Subdivision Plan to Lot 3 for the storm drain crossing on Lot 2 and on Lot 1 if a 50-foot right-of-way was to be established for Hill Way.
5. It does not appear that the drainage easements were added to the Amended Subdivision Plan for the underdrain pipe location and tie in on Lot 2.
6. In response to an earlier comment, the designer has noted that the inverts of the proposed sewer force main will be determined by the lift station manufacturer and contractor.

**Site Sections (Sheet C2.5):**

1. It appears that sheet C2.5 with the Site Sections is missing from the revised set. Please confirm that this was intentionally omitted.

**Detail Comments:**

1. The designer included several details into the plan set. The designer has chosen to have the cedar fence detail be provided by the contractor. Given that this fence is providing screening, we believe that a detail should be added so that the design considerations are clear with the caveat that the contractor make adjustments to the fence as long as the adjustments are approved by the engineer of record and it continues to meet the original design intent.
2. The designer should consider a pavement transition detail that would indicate a milled layer beyond the saw cut to provide a smoother transition from existing to new asphalt. While the driveway joint transitioning onto private property could remain a butt-joint, the trench repair sections in the relatively recently paved Hill Way should be milled.
3. The designer has indicated that additional notes have been added to the details for proposed bituminous pavement within the Town right of way, however, it is unclear where these notes exist. The designer should confirm the presence of these notes or add them.
4. Material specification for the gravel materials in the details have been designated per Maine Department of Transportation specifications. The designer should check the use of a Type C for subbase gravel as that material is typically specified as a Type D gravel.
5. In response to an earlier comment, the designer has noted that the pump details will be determined by the lift station manufacturer and contractor.
6. The site plan indicates that the retaining wall will be a gravity block retaining wall design, but the detail indicates a mechanically stabilized earth (MSE) retaining wall. This discrepancy should be clarified on the site plan.
7. It does not appear that Note #1 of the dripline filter details has been corrected. The note still indicates the reservoir course shall be at least 18-inches thick whereas the detail callouts indicate varying depths less than this thickness. The note or dimensions should be adjusted accordingly.

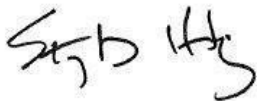
**Stormwater Comments**

1. The designer is proposing two rain gardens on the east and west sides of the site to detain and treat stormwater runoff that flows overland towards these BMPs. Additionally, dripline filters are proposed around the exterior of the building to treat roof runoff. Stormwater from the site is eventually conveyed overland off-site or via the Town's drainage system in fashions similar to the existing conditions.
2. The applicant has submitted a Stormwater Submission (Section 3), as part of the of application. Since the total impervious area for the 3 Lots remains under one (1) acre, the site's stormwater improvements are not subject to Maine DEP Stormwater Law. However, the project is required to meet the Town's Stormwater Ordinance (Chapter 25). We note that Section 25-5-5 indicates that MDEP Chapter 500 Quality standards also apply. Based on our review, we believe that if the comments in this section were addressed that the design approach would meet the quality and quantity standards.

3. The designer has noted that a Maine DEP Stormwater Permit-by-Rule application has been submitted by the applicant. The Town should receive a copy of that permit once it has been processed by the DEP.
4. We noted that the Pre-Development Stormwater Management Plan was not included in the revised set which we assume was done since there were no changes made to that plan. Future submissions should continue to include this plan so that the complete stormwater management approach can be fully depicted within the submission package.
5. Rain garden #1 is proposed to be located over the existing sewer force main. The applicant should verify the elevations of the existing sewer service line and the proposed underdrain/rain garden. The amount of cover material over the sewer service line should also be verified to ensure the necessary depth to provide freeze protection of the force main.
6. The designer should also consider modifying the alignment of the proposed sewer force main so that it is not located beneath Rain Garden #2. In addition, shifting Rain Garden 2 so that it located further away from Dripline Filter #2 should also be considered for constructability and to help prevent washout into the rain garden.
7. Please confirm the bottom of rain garden elevations listed on the grading plan. The grading plan indicates that the elevation listed is the filter media. However, The HydroCAD model indicates storage with 100-percent voids is located six-inches below the elevations listed on the grading plan. If the bottom of the rain garden elevation is lowered, then underdrain invert elevations should be adjusted accordingly.
8. A Post-Construction Stormwater Inspection and Maintenance Plan has been included within the Stormwater Control Plan. The Town's MS4 Stormwater Compliance Consultant, Kristie Rabasca of Integrated Environmental Engineering, should review this information for compliance with the Town's standards.

We trust that these comments will assist the Board during their deliberations on this project. Should there be any questions or comments regarding our review, please do not hesitate to contact us.

Sincerely,  
SEBAGO TECHNICS, INC.



Stephen D. Harding, P.E. - Town Engineer

SDH:sdh

cc: Richard Dunton, Main-Land Development Consultants  
Jay Reynolds, Public Works Director  
Kristie Rabasca of Integrated Environmental Engineering  
Cory Cormier, Sebago Technics