



October 14, 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 October 1, 2020 for the subject project. The package included an October 1, 2020 cover letter prepared by Richard Dunton of Main-Land Development Consultants, and a thirteen (13) page plan set, prepared by Main-Land Development Consultants. The plans prepared by Main-Land Development are revision dated September 30, 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 on August 12, 2020 and follow-up comments on September 10, 2020. 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 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 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.
2. The Planning Board should review the proposed short-term rental unit use on the first floor with the applicant, which was modified from "non-medical offices" indicated on a prior 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.

General Engineering Comments:

1. The designer has previously provided an estimated daily flow of 600 gallons per day from the development based on Maine Subsurface Disposal Rules to Sebago Technics for review. We have reviewed this estimated flow and believe that it is a reasonable projection of the anticipated sanitary flow from the proposed development. Sebago has received confirmation from 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 proposed development project. Attached is our October 14, 2020 ability to serve letter for the Town to convey and treat the anticipated wastewater flow from this project.
2. The designer noted that the fire suppression system has been eliminated since the first floor has been redefined as a short-term rental. We understand that as long as the short-term rental use is being proposed, the Fire Chief will not require that a fire suppression system is installed in the new building. If the fire suppression system is determined to be necessary at some point, a water suppression connection to the water main in Hill Way will need to be provided.

Existing Conditions and Demo Plan Comments (Sheet C1.1):

1. As a point of clarification, Note #4 indicates that all work associated with Scott Dyer Road must be completed prior to the paving of Scott Dyer Road or not impact that roadway. As the paving work has now been completed on Scott Dyer Road, this note can be simplified to reflect that the work will not impact Scott Dyer Road.

Site Plan Comments (Sheet C2.1):

1. The designer has noted that an accessible parking space is not required since the first floor has been redefined as a short-term rental. The Planning Board should determine if this situation is acceptable based on the outcome of the short-term rental use discussion.
2. The designer has noted that the driveway and sidewalk along Scott Dyer Road can be utilized to access the front entrance. However, this approach does not meet applicable criteria for an ADA compliant accessible route. Such an accessible route would not be required for short-term rentals, however should the use change in the future, an accessible route would be required. The Planning Board should also determine if this situation is acceptable based on the outcome of the short-term rental use discussion.
3. The designer has noted that the driveway will only be used for residential and short-term rentals and remains at a 9.8-foot width. As we noted in a previous review comment letter, the proposed width is a narrow width for a single driveway serving a mixed-use building. Again, the Planning Board should determine if this situation is acceptable based on the outcome of the short-term rental use discussion.
4. The designer has added notes relevant to easements being conveyed to the Town and the adjacent lots (Notes #3 and #4 on Sheet C2.1). We suggest that the applicant provide draft easements for review by the Town's attorney. The Town's attorney should also review the easement plan notes to determine if these notes are specifically worded in an acceptable manner. Typically, past drainage easements have allowed the Town to enter the property to conduct maintenance if the property owner has been negligent and then recover the costs

associated with any maintenance that has been performed. The presence and intent of these easement notes should also be added to the Amended Subdivision Plan.

Utility Comments (Sheet C2.3):

1. As a minor comment, the designer has modified the alignment of the storm drain connection from Rain Garden #2 to the Hill Way connection. However, the new alignment shows a storm drain conflicting with an existing tree on the property corner. The designer should modify the alignment to avoid the apparent tree conflict.

Detail Comments:

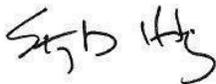
1. In response to previous comments, the designer has made several revisions to the plan details which included the addition of a cedar fence detail. It appears that all of our other details related comments presented in our last review comment letter have been addressed.

Stormwater Comments:

1. Only one remaining comment remains applicable from the previous submission review. The stormwater management report and calculations were not included with this submission so we are unable to verify if any changes were made that would address this comment. The designer should confirm that the bottom of rain garden elevations listed on the grading plan are accurately modeled in HydroCAD. The grading plan indicates that the bottom elevation listed is the filter media elevation. However, the HydroCAD model indicates open storage (100% voids) located six-inches below the elevations listed on the grading plan. If the bottom of rain garden elevation is lowered to account for this storage, then the underdrain invert elevations should be adjusted accordingly.
2. A Post-Construction Stormwater Inspection and Maintenance Plan was previously 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:cac

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



October 14, 2020
16031

Richard Dunton, P.E.
Main-Land Development Consultants
P.O. Box
Livermore Falls, ME 04554

Subject: 14 Hill Way Site Development Review – Sanitary Sewer Capacity

Dear Rick:

We have received your co-worker Emily Carrier's request to provide written confirmation of the Town of Cape Elizabeth public infrastructure's capacity to convey and treat the anticipated wastewater flow to be generated from the proposed subject project facility as presented in her attached August 25, 2020 email addressed to me. We understand that based on projections using the Maine Subsurface Wastewater Disposal Rules, an estimated flow of 600 gallons per day (gpd) has been calculated for the proposed facility.

We have reviewed this request with the Portland Water District and have confirmed that the capacity of the treatment plant is ample to receive the modest flow from the new development. Based on this communication and our understanding of the proposed 14 Hill Way Site Development project scope, the Town does have capacity to convey and treat the estimated 600 gpd of new wastewater flow to be generated from the proposed development.

Please do not hesitate to contact me directly should there be any questions or comments regarding our review of this request.

Sincerely,

SEBAGO TECHNICS, INC.

A handwritten signature in black ink, appearing to read "SDH" followed by a stylized flourish.

Stephen D. Harding, P.E.
Town Engineer

SDH:sdh

Enclosure

cc: Scott Firmin, Portland Water District
Adam Sellick, Portland Water District
Ben McDougal, CE Code Enforcement Officer
Maureen O'Meara, CE Town Planner
Jay Reynolds, CE Public Works Director
Emily Carrier, Main-Land Development Consultants

From: Emily Carrier <emily@main-landdci.com>
Sent: Tuesday, August 25, 2020 6:46 AM
To: Steve Harding
Cc: Rick
Subject: RE: 14-Hill Way Sewer Service

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Steve!

Thanks for coordinating with Jay on this and responding to my questions last week. I'm playing a little catch up and will be finishing your comments today.

Included in that was touching base regarding the Maine State Plumbing Code. I had sent Jay a rough GPD based on the Maine Subsurface Wastewater Disposal Rules earlier in this email chain. Which has changed since then because the applicant has decided to go back to a Short Term Rental. I estimate it to be 480 GPD (4 Bedrooms * 90 GPD/Bedroom + 1 Attached 1 Bedroom Unit * 120 GPD/Attached 1 Bedroom Unit). I'm still fairly new to this, so I've never utilized the Maine State Plumbing Code before. Does that differ from the Maine Subsurface Wastewater Disposal Rules? If so, do you mind pointing me in the right direction to find it? I did a google search and didn't come up with it quickly.

Thanks for the help and have a great day!
Emily

Main-Land Development Consultants, Inc.

Emily Carrier

Staff Engineer

Tel: 207-897-6752

Cell: 207-462-6444

*Main-Land helps people add value to their land:
to understand it, develop it, and protect it.*

