



March 9, 2020
17320-01

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

**Subject: Edgcomb Way at 75 Ocean House Road Improvements
Private Road and Resource Protection Permit Review**

Dear Maureen:

We have received and reviewed a submission package dated February 14, 2020 for the subject project. The package included a February 14, 2020 cover letter from applicant Jay Cox, three (3) revised drawings (L-1, L-2, and L-4) prepared by the firm of Land Design Solutions and dated February 14, 2020, and a February 13, 2020 Stormwater Management Report prepared by Tom Saucier, P.E. of Site Design Associates, Inc. The revised plans and the preparation of the Stormwater Management Report has addressed many of our previous review comments as presented in our initial January 15, 2020 review letter. Based on our review of the submitted material and the project's conformance to the technical requirements of Section 19-7-9 Private Road and Sec. 19-8-3, Resource Protection Permit, we offer the following comments:

1. The applicant is continuing with the request for a review of an extension to a previously approved proposed private road and private accessway, Edgcomb Way, to create future frontage for a possible lot building area which would be located on the westerly portion of the previously approved Lot 2 land area that was part of the Planning Board's approval of the 75 Ocean House Road Private Accessway/Private Road. The separation of Lot 2 to create a new lot is not being formally proposed at this time nor are two potential additional lots that could be created on the north side of the private road extension on land that is owned by an abutter, however, future utility service provisions to these potential lots are being proposed at this time.

In addition to the road extension request, the applicant is also requesting the approval of a Resource Protection permit which would allow for an RP-2 wetland impact fill of 3,988 square feet as a result of the roadway extension. A new "T-style" turnaround would be created at the end of the roadway extension. This turnaround replaces a previously proposed turnaround near the easterly building envelop of Lot which was included in the original Private Accessway/Private Road approval.

2. In our January 15th review comment letter, we questioned the possible completeness of the project's submission at that time as the utilities for the project were shown connected to the existing utilities in Ocean House Road and then truncated in Edgcomb Way and not shown entirely throughout the footprint of the roadway extension. The project team has since coordinated with the respective utility companies and the extension of new water services for the future potential lots and the underground utilities of electrical, cable television, telephone,

and data are now shown on the Utility Plan, Drawing L-4, with their associated ancillary features in the roadway as extensions to the connections to existing utilities in Ocean House Road (Route 77).

3. The applicant is requesting the waivers listed below. As we noted in our January 15th review comment letter, we have historically not supported right of way reduction or alteration requests nor have we supported road width reduction requests. We do understand, however, that the Planning Board as the decision-making body has the prerogative to approve of these waivers on a case-by-case basis and that similar past requests have been granted.
 - a. For the Private Road requirement of a 50-foot right-of-way, the applicant is proposing a 35-foot wide right of way to match the previous approval's 35-foot wide right-of-way. The applicant has submitted a legal opinion and draft easement agreements to be entered in with two abutters which would allow for the construction of the road in the proposed right of way.
 - b. For an additional component of the right of way waiver as the proposed T-style turnaround right of way depicted on the Amended Plan of Edgcomb Way drawing varies from the Chapter 16 Appendix D - Alternate 2 turnaround right of way dimensions. Specifically, it appears that a 45-foot side width right of way on the plan would not meet the 50-foot dimension of the Alternate 2 turnaround and the 120-foot end width right of way dimension of Alternate 2 is being met in total length, but is proposed to be offset rather than centered on the road centerline extension.
 - c. For the Private Road requirement of a 22-foot wide road, the applicant is proposing to provide an 18-foot wide paved travel way to match the width of the previous approval's roadway width.
4. In our January 15th letter, we questioned the adequacy of the proposed water service design which indicates that a 2-inch water line will be extended from Route 77 to serve the potential for four future lots along the roadway. We understand that the applicant has been working with the Portland Water District (PWD) which has confirmed that the 2-inch diameter pipe size as the suitably sized water pipe diameter to serve the potential future lots' needs. While the design to provide four separate services from Ocean House Road to each lot is somewhat unique, the PWD would prefer this configuration as opposed to a larger main with services stubbed to each lot. As the applicant will have the final design of the water system approved by the PWD and that no fire suppression provisions will need to be provided by the water extension into the project area, we agree with the water service design approach being proposed.
5. The 3,988 square feet of proposed wetland impact is below the Maine Department of Environmental Protection's 4,300 square foot exemption for Natural Resource Protection Act (NRPA) permitting. As we noted in our last review comment letter, the U.S. Army Corps of Engineers also regulates wetland impacts and does not use the 4,300 square foot exemption standard. Therefore, a permit from the U.S. Army Corps of Engineers will be required for this project. We understand that the applicant has engaged the Army Corps into this process.

6. The stormwater design features cross sloping the extended roadway surface toward the south to promote sheet flow from the roadway surface into an existing receiving wetland area which will then drain the runoff to a proposed culvert under the turnaround area and then off-site into a receiving swale. As the project is a new private road and the disturbance of the project area will exceed 10,000 square feet, the project must meet the Chapter 25 Stormwater - Section 25-1-4. Storm Water Runoff System Design, Review Standard c.4 for Downstream Impacts which requires that *"when post-development flows exceed pre-development flows, the development shall demonstrate that either (1) storm water runoff will be stored on-site and released at a rate not to exceed pre-development flows or (2) that the storm water runoff system has sufficient capacity to carry the increased flow without adverse impacts"*.

The Stormwater Management Report evaluated the on-site runoff conditions and determined a 0.2 to 0.3 cubic feet per second increase in the estimated peak rate of runoff for the 2-, 25-, and 100-year storm events. Rather than store and attenuate the release of the rate of runoff to pre-development flows, the stormwater report assessed the downstream capacity of the existing 24-inch culvert at Purpoodock Drive which is the only culvert within the area between the site and a culvert at Spurwink Avenue which had previously been determined to have ample capacity to absorb an increase in projected flow from the proposed Edgecomb Way roadway. Based on our review of the Stormwater Management Report, we concur with the findings of the report which indicate that the 24-inch Purpoodock Drive culvert will be minimally impacted by the slight increase in the peak rate of runoff from the Edgecomb Way roadway and, provided that the culvert is properly maintained, the Purpoodock Drive culvert will have ample capacity to convey the projected surface water flow from the drainage area after development of the Edgecomb Way project.

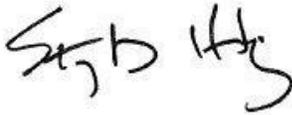
7. The Stormwater Management Report included a Stormwater Inspection and Maintenance Plan to comply with the Town's Chapter 25 Post Construction Stormwater Management Plan requirements. While we believe that the proposed Inspection and Maintenance Plan will be sufficient to address the needs of the project, the I&M Plan should be reviewed by Town's Stormwater Compliance Consultant, Kristie Rabasca of Integrated Environmental Engineering, to determine compliance with the Town's Post Construction Stormwater Management Plan program.
8. The submitted Stormwater Management Report included a discussion that the proposed project would result in approximately 9,800 square feet of new impervious surface area and 8,000 square feet of lawn/vegetated areas. We believe that as part of the Post Construction Stormwater Management Plan that the project's proposed impervious surface area should also be included on the plans as well as notes regarding annual reporting responsibilities. Again, Kristie Rabasca should be consulted to clarify any such requirements.
9. In response to an earlier review comment, the designer has added rip rap outlet and inlet treatments to minimize the potential for erosion and to minimize vegetation growth immediately adjacent to the culvert's ends which could adversely impact that capacity of the culvert. As a minor comment, details of these rip rap features should be added to the plans so that the contractor will be able to construct these improvements to the desired design level.

10. Note 12 has been added to Drawing L-1 indicating that the actual number and locations of new granite monuments and iron pins will be installed at the direction of the Public Works Director. This note addresses one of our previous comments.
11. Site Plan, L-1, labels two new lots as "Lot 1" and "Lot 2" which were created as part of the original approval process. The Utility Plan, L-4, has labeled the residential lots as "Lot 1", "Potential Lot 2", "Potential Lot 3", and "Potential Lot 4". Lot 2 on Drawing L-1 is labeled Lot 1 on Drawing L-4 which we believe should be consistently indicated as Lot 2 with the Potential Lots being labeled #3, #4, and #5. The applicant should review the lot numbering and clarify this issue as it will continue to cause confusion if not rectified.

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: Jay Cox, Applicant
Bob Malley, Public Works Cape Elizabeth Director
Peter Gleeson, Cape Elizabeth Fire Chief
Kristie Rabasca, Integrated Environmental Engineering