



February 12, 2020  
17213-01

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

Subject: 287 Ocean House Road Site Plan Review

Dear Maureen:

We have received and reviewed a submission package dated January 31, 2020 for the subject project. The package included a January 31, 2020 cover letter from Travis Letellier of Northeast Civil Solutions, a five (5) drawing plan set with most of the drawings dated January 31, 2020 as prepared by Northeast Civil Solutions, and supporting documentation. The "Boundary and Existing Conditions Survey" drawing within the submitted set is dated March 30, 2017. Based on our review of the submitted material and the project's conformance to the technical requirements of Section 19-9 Site Plan Completeness, we offer the following comments:

1. The applicant is proposing to develop a 0.93-acre parcel in the Town Center that formerly was a site for a convenience store/gas station. The applicant is proposing to rehabilitate the existing structure on the site to create a hardware/lumber retail facility with office space and an area for classes. A 260 square foot storage container is proposed to be added to the west (i.e., behind) the existing structure and a 208 square foot covered outdoor material storage rack is proposed to be added to the north of the main structure. A food truck is also proposed to be included in the site plan and there are references in the submitted materials for a farmers' market that would operate once a week for a period of 3 hours and for potential concerts to be held at the site.

The former gas station canopy has been removed from the site and the applicant proposes to regrade and resurface a portion of the former impervious pavement footprint on the site to create 22 parking spaces to serve the various proposed uses. The result will be a reduction in the impervious surface on the site.

2. We understand that the Board will be conducting a completeness review for this project at their upcoming meeting. Many of our following comments should be considered beyond the completeness level and have been provided here to facilitate future submissions and reviews of the project. It should be noted that additional submitted information may result in additional review comments.

3. The proposed development will require that a letter of sanitary sewer capacity be received from the Town Engineer in order to confirm that the Town's collection and treatment system has capacity to receive and properly treat the additional sanitary sewer flow from this new development. We have been coordinating with the applicant's designer and attached is a February 10, 2020 letter from Northeast Civil Solutions' Brandon Binette which describes the proposed uses and the estimated daily flow to be generated from the development based on the flow rates established from the Maine Subsurface Wastewater Disposal Rules. Using this letter, we will coordinate with the Portland Water District (PWD) to request a capacity determination of the treatment plant.

In past requests, the PWD has indicated that there is ample capacity at the treatment plant to treat additional flow and, given the modest flow anticipated to be generated from this development, we anticipate that the PWD will again indicate that the treatment plant has capacity to treat the additional flow projected to be generated from this development. We will provide a confirmation letter to the Town upon receipt of the PWD's determination.

4. The February 10, 2020 letter discussing the anticipated sanitary sewer flow from the development indicates that the food trucks will be entirely self-contained and require no other utilities or a connection to the public sewer. Therefore, no grease trap provisions are required. A note summarizing that situation should be added to the Site & Layout Plan to document those conditions in the Planning Board's approval of this project
5. In follow up email correspondence on February 11<sup>th</sup> with Brandon Binette of Northeast Civil Solutions, it was discussed that sanitary facilities for the concert events would be arranged beforehand and that it is assumed that restroom facilities would be addressed by either a restroom trailer or portable toilets and that the public would not have access to the hardware/lumber store restroom during these events. The Planning Board should review with the applicant the process for how concerts would be allowed on site and notes should be added to the Site & Layout Plan regarding those stipulations along with how sanitary sewer services would be provided including the restriction on the use of the public sanitary system by the public during concert events.
6. The submitted Boundary and Existing Conditions Survey plan does not reflect changes that the Town has undertaken since the plan was prepared. Specifically, the Town has replaced a section of bituminous walk with a new concrete sidewalk and added an area of patio pavers northwesterly of the Scott Dyer Road intersection with Ocean House Road (Route 77) as well as installed granite curb along Scott Dyer Road. The existing conditions plan should be updated to reflect the current conditions. The Town should also receive a pedestrian easement for the section of the sidewalk along Scott Dyer Road that is currently located on the applicant's property. This easement would formally allow the public to utilize the walk and give the Town the rights to maintain and improve the sidewalk. The limits of the easement should be added to the Site & Layout Plan for future reference.
7. There is a "unknown" manhole to the north of the main building labeled on the Site & Layout Plan and a 4-inch steel pipe that connects the building to the manhole. The specific use of the pipe and the manhole should be identified to determine if these items serve a useful purpose or if the manhole and pipe should be abandoned or removed as part of the site plan approval process.

8. The Site & Layout Plan indicates that a new and existing stockade fence and gated area will be established to the northwest of the main building for trash and recycle trailers. As this area is relatively large and connects to the proposed storage area, the Planning Board should review with the applicant as to the planned operations and sizes of the trash and recycle containers as it does not appear that the gate opening would allow for mechanical equipment access to the entire area. The proposed fence should be extended to fully enclose these operations.

The gate opening on the Site & Layout Plan should also be dimensioned and coordinated with the Gate detail on the Construction Details drawing to indicate whether a double or single gate is proposed for the trash and recycle materials enclosure area.

9. There is an area shown for the approximate location of the proposed food truck within the former footprint of the gas station pump circulation area. This area and the surrounding paved areas formerly used to access the gas station facilities will be loamed and seeded for grass growth. A detail or note as to the depth of the loam and the proposed seed mix should be added to the plans.

It also appears that the food truck and perhaps the farmer's market vehicles are proposed to drive over the curb and park on the grassed surface which under wet conditions will not support the vehicular use resulting in rutting and poor grass conditions. The Site & Layout Plan should indicate a pad area for the food truck to park on and hard surface paths for the food truck customers to access the food truck area which will not damage the proposed grass surfaces. The Planning Board should also review with the applicant the proposed farmers' market operations so that parking spaces proposed for other on-site uses are not compromised. Notes regarding the farmers' market operations should also be added to the Site & Layout Plan.

10. The cover letter submitted with the package indicates that lighting around the parking area is proposed in addition to new wall pack mounted lighting on the building. The location and description of the parking lot lighting should be added to the plan set as well as details for light pole bases and trenching for electrical conduits.
11. The submission package includes a February 22, 2016 letter to Jim Hwang from the Maine Department of Environmental Protection (DEP) with regards to the property's involvement in the DEP's Voluntary Response Action Program (VRAP) and stipulations for future development on the site. The package also included emails between the applicant and the DEP that indicate that "provided that no soils are disturbed or removed from the site, you would not be required to conduct a Phase II ESA at this time". It does appear that some soil disturbance will occur with the proposed site activities, however, so it would seem prudent for the applicant to provide the DEP with the proposed plan and confirm that no further steps are required to remain in compliance with the VRAP approval which is a significant benefit to the applicant from a liability perspective.
12. The Site & Layout Plan and the Construction Details drawing should indicate if the Cape Cod berm-style curb will consist of Hot Mix Asphalt or slip form concrete.
13. The Site & Layout Plan and the Erosion Control Notes and Construction Details drawing indicate that five Hedge Maple trees are proposed to be planted along the Ocean House Road and Scott Dyer Road intersection frontage. In our coordination on other Town projects with the Town of

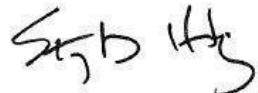
Cape Elizabeth Tree Warden, Todd Robbins, the Hedge Maple species was not included on the list of currently permissible street trees. The designer should coordinate with the Tree Warden to determine if Hedge Maple trees are allowed to be used and, if not, work with the Tree Warden to select a tree species that would be acceptable.

14. The designer has indicated that the impervious surfaces of the site will be reduced by approximately 8,900 square feet from the former 25,100+/- square foot coverage on the site which represents a 35 percent decrease in impervious surface area on the site. No stormwater calculations have been provided as the surface runoff from the site will be reduced along with the reduction in impervious surfaces. Technically, the applicant is still required by the ordinance to incorporate a Low Impact Development (LID) practice into the Site Plan for the project. It would seem that the LID requirement could be met by altering the proposed grading of the pavement surface in the northerly portion of the developed area to promote sheet flow into the undeveloped natural buffer area in the northern area of the property rather than directly toward Ocean House Road through the paved driveway connection.

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

enclosure

SDH:sdh

cc: Brandon Binette, Northeast Civil Solutions  
Ben McDougal, Cape Elizabeth Code Enforcement Officer  
Bob Malley, Cape Elizabeth Public Works Director



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# *Northeast Civil Solutions*

IN CORPORATED

[www.northeastcivilsolutions.com](http://www.northeastcivilsolutions.com)

40399.02  
February 10, 2020

Stephen D. Harding  
Sebago Technics  
75 John Roberts Road, Suite 4A  
South Portland, ME 04106

**RE: Capacity to Serve Letter Request:  
Yam Yams LLC – 287 Ocean House Road, Cape Elizabeth, ME 04107**

Dear Stephen;

On behalf of Yam Yams LLC, Northeast Civil Solutions (NCS), is please to request an ability to serve letter for the parcel located at 287 Ocean House Road in Cape Elizabeth. The project site currently sits on a 0.93-acre lot, identified on the Town of Cape Elizabeth's Tax Assessor Map U22, lot 76 within the Town Center (TC) District.

The focus of the project is to convert an existing gas station into a retail lumber store (Village Retail Shop/retail sales) including a business office and a workshop space for DIY classes (Personal Services) and small-scale Cottage Industry Manufacturing. The site would also like to incorporate a food truck service (restaurant/eating place) along with a once weekly farmers market (Village Retail Shop/Farm and Fish market) and potentially live music (Temporary Activities and Events).

The food trucks on site will be completely self-sufficient and will not require any grease components. The food trucks are designed to drive up, park and have full capability to be self-sufficient. The food trucks will not require any sort of hookups to water or any other utilities on site. No electric, sewer, grease or water hooks are required. The bathroom inside the hardware store is not expected to be used by food truck workers, though in the off chance additional flow predictions have been taken into consideration. The public will not have access to the hardware store bathroom during food truck, farmers market and any other events.

### **Predicted Flows**

#### **Considerations:**

- Bathroom is for Public Use
- Use during classes
- Use during weekly farmers market/ food truck service

#### **Calculations:**

Employees (12 GPD): 4 \* Hardware store employees

Employees (12 GPD): 2 \*anticipated use by workers at the farmers market/food truck events

Toilets (325 GPD): 1 \*for public use

$$(325 \times 1) + (12 \times 6) = 397 \text{ GPD}$$

**Total: 397 GPD**

If you have any questions or comments regarding this request, please feel free to contact me anytime.

Sincerely,  
Northeast Civil Solutions Inc.



Brandon Binette  
Project Engineer