

#### **MEMORANDUM**

TO: North Yarmouth Planning Board

Through Ben Scipione, Code Enforcement Officer

CC: Ryan Russell, Land Plans Inc.

Daniel Sheehan, Sheebeo Excavating

From: Kate Burch, Planner, North Star Planning

RE: 42 Walnut Hill Parkway Site Plan Amendment – Planning Board

meeting April 12, 2023

Date: March 31, 2023

#### Overview

The applicant proposes to amend a previously approved site plan at 42 Walnut Hill Parkway. The site is currently used for equipment storage and business operations for Sheebeo, Inc., an excavating company. The previous approval was based on *Site Development Plan – Lot 5* prepared by SYTDesign Consultants, 6/29/01. The property lies within an existing subdivision on Walnut Hill Parkway and is shown as Lot 5. The approved site plan and commercial subdivision plan are attached.

The applicant proposes to construct an additional 40'x75' building to be used for equipment storage and business operations.

The original site plan consisted of one 30'x100' building and a proposed driveway. The amended site plan shows the existing building, which was constructed at 40'x75', as well as an additional 40'x75' building. The applicant also proposes to amend the plan to keep the existing two driveways, instead of constructing the single driveway from the original approved plan.

Existing outdoor storage containers will be removed or relocated for the construction. The existing gravel area will remain, and no paving is proposed. No trees or vegetation will be removed for construction. No additional landscaping is proposed. The property is abutted by other similar commercial uses.

No additional traffic will be generated as part of this proposed project. The applicant will use existing utilities, and the new building will be connected to the existing well and subsurface wastewater system. The subsurface wastewater system is adequate to serve up to 10 employees. The business currently has 3 employees.

A staff review meeting was held on March 30, 2023 with input from the Code Enforcement Officer, Fire Chief, and Public Works Director. The Code Enforcement Officer visited the site to confirm that no disturbance has taken place in the area of the plan marked as wetlands.

**Applicant:** Daniel Sheehan

Owner: same as the applicant

**Location:** 42 Walnut Hill Parkway

**Zoning:** Village Center, Groundwater Protection Overlay

Tax Map Number: Map 10 Lot 161

**Existing Land Use:** site excavation company

Proposed Land Use: same as above

Acreage: 3.1 acres

Waivers: The applicant has not requested any waivers.

Site Walk: A site walk has not been scheduled.

Public Hearing: A public hearing has not been scheduled.

**Completeness Review:** A completeness review is not required for a site plan amendment.

**Suggested Motion:** To approve the 42 Walnut Hill Parkway site plan amendment as submitted pursuant to the Findings of Fact in the memo dated March 31, 2023.

# **Site Plan Review - Findings of Fact:**

- 1. Utilization of the Site
- The project is located in the Village Center Zone and is abutted by other commercial/industrial properties.
- The applicant proposes to add a second 40'x75' building, 26' tall, to the site.
- The applicant proposes to amend the driveway from the approved site plan to keep the existing driveways.
- No existing trees or vegetation will be removed for the construction of the new building.
- Existing concrete storage bins will either be removed or placed on a different location on the property.

## 2. Utilities

- The applicant will use existing utilities.
- The applicant will add water and sewer line connections to serve the additional building.
- The subsurface wastewater disposal system was designed for 10 employees. The facility currently has 3 employees and will not exceed 10 employees.

## 3. Building Standards

- The applicant proposes to construct a second 40'x75' building.
- The building aligns with the requirements of #13 Fabrication Building as per Section 10.4 of the LUO.

- 4. Impact on Community Facilities
- No negative impact on community facilities will result from this project.
- 5. Hazardous Materials and Emissions
- No hazardous materials, bulk fuel, chemicals, or pesticides are currently or proposed to be stored on site.
- 6. Exterior Lighting
- Downward-facing lighting fixtures will be mounted to the building exterior.
- A cut sheet for the proposed lighting is included in the application.
- 7. Financial and Technical Capacity
- The applicant owns and operates the business.
- The applicant has secured a \$100,000 line of credit through his bank to finance the project.
- No public improvements are required as part of this site plan amendment.
- 8. Landscaping, Buffers and Screening
- No new landscaping or buffering is proposed for this project.
- Neighboring properties are all similar industrial uses.
- No trees or vegetation will be removed to construct the proposed building.
- 9. Noise
- No noise levels in excess of the town standards will result from the project.
- 10. Signs
- No changes to signs are proposed.

# 11. Storage of Materials

- Existing concrete storage bins will be removed or relocated on the property.
- There are no abutting residential uses.
- Locations of relocated storage bins will meet setback requirements.

#### 12. Stormwater Control

- A stormwater management plan is not required as less than 20,000 SF of land will be disturbed.
- There will be no expansion of the previously approved gravel yard, and no new paving is proposed.
- The applicant owns an experienced site excavation company, and will use proper erosion and sedimentation control practices throughout the project.

# 13. Protection of Significant Wildlife Habitat

• The wetlands delineated on the original site plan will not be impacted by the additional construction.

# 14. Access Management and Vehicular Circulation

- The applicant will continue to use the existing driveways.
- The site plan amendment will replace the proposed driveway from the original site plan that was never constructed, with the two existing driveways.
- No increase in traffic will be generated by this project.

# 15. Pedestrian Ways and Bicycle Access

 No changes to sidewalks or other surrounding pedestrian areas are proposed.

# 16. Off-Street Parking and Loading

• No changes to off-street parking and loading are proposed.

#### **Conclusions of Law:**

- 1. The development **will** reflect the natural capabilities of the site to support development.
- 2.—Utilities serving developments in the Village Center District and Village Residential District will/will not be installed underground. (N/A)
- 3. The proposed development **will not** result in a negative impact to the environment or to the community facilities or services.
- 4. The development **will not** contribute emission of dust, ash, smoke or other particular matter.
- 5. The proposed development **will** have adequate exterior lighting to provide for its safe use during nighttime hours.
- 6. The landscape **will** be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, retaining existing vegetation where desirable, and keeping any grade changes in character with the general appearance of neighboring areas.
- 7. The development **will** control noise levels such that it **will not** create a nuisance for neighboring properties.
- 8. The size, location, design, color, texture, lighting and materials of all exterior signs **will not** detract from the design of proposed buildings and structures.
- 9. Exposed non-residential storage areas, exposed machinery, and areas used for storage **will** have sufficient setbacks and screening.
- 10. Adequate provisions **will** be made for the collection and disposal of all storm water that runs off proposed roads, parking areas, roofs and other surfaces.
- 11. Developments **will** be designed to protect and conserve important wildlife habitat to the greatest extent feasible.
- 12. The layout of the site **will** provide for the safe movement of passenger, service, and emergency vehicles throughout the site.
- 13. The site plan **will** provide for a system of pedestrian ways within the development appropriate to the type and scale of development.
- 14. Parking areas **will** be constructed to protect the natural environment and visual character of the community, improve pedestrian safety and accessibility, and promote the quality of life in developed areas.



# **Site Plan Amendment Application**

March 20, 2023

North Yarmouth Town Office Code Enforcement – (CEO) Ben Scipione 10 Village Square Road North Yarmouth, ME 04097

### Site Plan Amendment – 42 Walnut Hill Parkway

Please accept this document and attachments as an application for an amendment to a previously approved Site Plan as described within the Land Use Ordinance - Section IV – Site Plan Review and Conditional Use Procedures and under subsection 4.4 – G Amendments.

The applicant and property owner is Daniel Sheehan. The property appears on North Yarmouth Tax Map 10 and lot 161. The property is within the Village Center District and Groundwater Protection District overlay. The previously approval was based on <u>Site Development Plan – Lot 5</u> prepared by SYTDesign Consultants, revised 6-29-01 - Submitted to the Zoning Board of Approvals. This plan is included as an attachment for reference.

Based on a prior discussion with the Code Enforcement Officer, we were directed to pursue an amendment to the existing Site Plan, provide this cover letter, applicable attachments and <a href="Proposed Amended Site Plan">Proposed Amended Site Plan</a>. Based on the information provided, it is our hope to be placed on the April 11<sup>th</sup> Planning Board Agenda for review and approval. This information is dated and submitted prior to the 14-day submission period prior to the scheduled Planning Board meeting.

#### **Project Description**

(See attached Proposed Amended Site Plan depicting the proposed improvements described below)

## 1. Proposed Building

The project is proposing to build a 40'x75' steel building on the northwestern portion of the property that will match the existing building on site. The building will be used by Sheebeo Inc. as storage for the company's equipment and other business uses. The building is proposed within the previously approved building envelope and adheres to the setbacks of the overlying Zoning districts, which are labeled and depicted on the <u>Proposed Amended Site Plan</u>. Other pertinent Zoning information is provided on a table on the Plan.

### 2. Proposed Sewer & Water Line & Connection

The proposed building will include a bathroom. The project proposes to connect to the existing leach field located in the southern corner of the property and shown on the Plan. The <u>Subsurface Wastewater Disposal System Application</u> that was designed for the previously approved Site Plan. The designed flow is 150 gallons per day and identifies 10 employees at 15 GPD. Sheebeo Inc. currently employs 3 employees and will not exceed the number of employees or use to exceed the design capacity.

A sewer line and pump are proposed with the new building. The line will extend out of the proposed building, extend across the gravel yard/parking area and connect to the existing system. An existing well is shown on the plan and a water line connection will be made as required by code.

### 3. Current Site Conditions

The approved <u>Site Development Plan – Lot 5</u> depicted one entrance off of Walnut Hill Parkway. Currently there is a primary entrance entering the site generally in the center of the frontage. A secondary exists towards the northwestern property line allows that convenient truck/equipment circulation. Additionally, the previously approved plan depicted a 30' x 100' building. The existing building is 40 'x 75', which is the same sizes as what is proposed. Lastly, concrete storage bins exist in the vicinity of the proposed building, which will be either be removed from the property or relocated.

#### **Attachments**

- 1. Proposed Amended Site Plan Prepared by Land Plans, Inc. and dated March 20, 2023
- Subsurface Wastewater Disposal System Application Prepared by Albert Frick Associates and dated 8/23/2001.
- 3. <u>Site Development Plan Lot 5</u> prepared by SYTDesign Consultants and revised through 6-29-01.

Thank you for your time in reviewing this application. Any filing fees will be paid as determined and required. Don't hesitate to contact us with any questions.

### Regards,

Ryan Russell
Maine Licensed Landscape Architect
Land Plans, Inc.

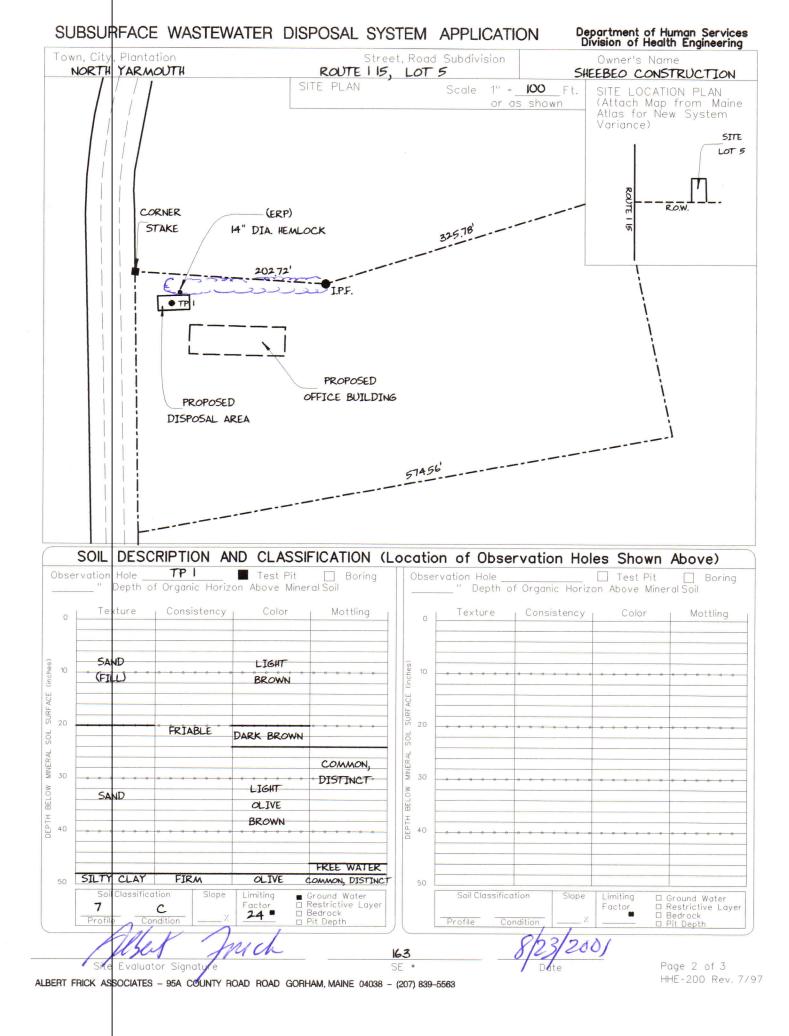
# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services Division of Health Engineering, Station 10 (207) 287-872 FAX (2017) 287-4172

	TII TOL WHOTE	2777 TELL DIOI CONE				(207) 287-5672 FAX (207) 287-4172	
City, Town,	PROPERTY LOCATION		*****	>> Caution: Permit R	equired - Att	ach In Space Below <<	
or Plantation	NORTH YAR	MOUTH					
Street or Road	ROUTE 1 15						
Subdivision, Lot			The Subsurface Wastewater Disposal System <i>shall not</i> be installed until a Permit is attached HERE by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance				
Name (last, fir		Owner				rface Wastewater Disposal Rules.	
SHEEBE	o CONSTRUCTIO	Applicant Applicant					
Mailing Address of	DAN SHEEAN						
Owner Applicant Daytime Tel. #	242 SLIGO ROI YARMOUTH, ME	OAD 5 04096					
Day time Tel.			Municip	pal Tax Map #	Lot *		
	Owner or Applicant Statement		Caution: Inspections Required				
knowledge and	e information submitted is correct to the best of my understand that any falsification is reason for the d/or LocalPlumbing Inspector to deny a permit.		I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application.				
						(1st) Date Approved	
Signat	ire of Owner/Applicant	Date		Local Plumbing Inspector Signo	oture	(2nd) Date Approved	
		PERM	IT INFO	RMATION			
TYPE	OF APPLICATION	THIS APPLIC	CATION F	ATION REQUIRES DI		OSAL SYSTEM COMPONENT(S)	
1. <b>I</b> Fir	st Time System	1. ■ No Rule Variance			1. ■ Complete Non-Engineered System		
2. 🗆 Rep	placement System	2. 🗆 First Time System		2. ☐ Primitive System(graywater & alt toilet)			
	iced:	a. ☐ Local Plumbing				native Toilet, specify:	
	led: anded System	3. Replacement System		4. Non-Engineered Treatment Tank (only 5. Holding Tank, Gallons			
	ne-time exempted	a. 🗌 Local Plumbing			Engineered DisposalField (only)		
	on exempted	b. ☐ State & Local					
	perimental System asonal Conversion	4. Minimum Lot Size Variance			8.   Complete Engineered System(2000gpd+)  9.   Engineered Treatment Tank (only)		
		5. Seasonal Conversion Approval			10. ☐ Engineered Disposal field (only)		
SIZE	OF PROPERTY	DISPOSAL SY	O SERVE	11. ☐ Pre-treatment, specify:			
3,0	7 □ sq. f ■ acre	1. Li Single Fulliny Dwel		g offit, No. of Bear ooffis		llaneous components	
SHO	2. Multiple Family Dwe 3. Other: OFFICE		elling, No	lling, No of Units:		TYPE OF WATER SUPPLY	
31101	ILLAND ZONING	0. <b>-</b> 0 more <b>-</b> 0,,,,,,	1. ■ Drilled Well 2. □ Dug Well 3. □ Private				
☐ Yes	■ No	4. □ Public 5. □ Other:					
	DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)						
TREA	MENT TANK	DISPOSAL FIELD TYPE & S	FIELD TYPE & SIZE GARBAGE DISPOSA			L UNIT DESIGN FLOW	
1. 🔳 Con	crete	1. ■ Stone Bed 2. Stone Tr	ench	1. ■ No 3. ☐ May	be	150 gallons per day	
a. <b></b> R		3. ☐ Proprietary Device		2. ☐ Yes >> Specify		BASED ON: 1. ■ Table 501.1 (dwelling unit(s))	
b.∐ L 2. ☐ Plas	ow Profile	a.□Cluster array c.□Linea b.□Regular d.□H-20		a.□ Multi-compartm b.□ Tank in series	ent tank	2. Table 501.2 (other facilities)	
3. □ Oth		4. □ Other:	,0000	c.□ Increase in tan	k capacity	SHOW CALCULATIONS	
CAPACI	Y 1000 gallons	SIZE <b>495</b> ■ sq. ft. [	☐ lin. ft.	d.□ Filter on tank (	outlet	- for other facilities -	
SOIL DATA	& DESIGN CLASS					10 EMPLOYEES	
	ONDITION DESIGN	DISPOSAL FIELD SIZING		PUMPING		@ 15 GPD	
		1. ☐ Small - 2.0 sq.ft./gpd	d	1. Not required			
/	<u> </u>	2. ☐ Medium - 2.6 sq.ft./gpc 3. ■ Medium-Large - 3.3 sq.f					
AT Observati	n Hole # <b>TP I</b> 4. ☐ Large - 4.1 sq.ft./gpd			engineered or experimental systems:		3.□ Section 503.0 (meter readings)	
Depth	Elevation <u>−30</u> 5. Extra-Large = 5.0 sq.ft.			/ 000		ATTACH WATER-METER DATA	
OF MOST LIN	TING SOIL FACTOR						
10-116 11-1	SITE EVALUATOR STATEMENT  not on 8/22/200 date) I completed a site evaluation on this property and state that the data reported is accurate and that the						
proposed syt	tem is in compliance with the Subsurface Wastewater Disposal Rules (10-144A CMR 241).						
	70/ V	mi-		0	12/2/	14/	

ALBERT FRICK ASSOCIATES - 95A COUNTY ROAD ROAD GORHAM, MAINE 04038 - (207) 839-5563

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#### Department of Human Services Division of Health Engineering SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION Street,Road,Subdivision Town, City, Plantation Owner's Name NORTH YARMOUTH ROUTE 1 15, LOT 5 SHEEBEO CONSTRUCTION STAKED SCALE 1" = 20 FT. SUBSURFACE WASTEWATER DISPOSAL PLAN CORNER ERP: HAIL IN 14" DIA. HEMLOCK PROPERTY LINE TO BE VERIFIED 12" BELOW PAINTED"X" -30 00 11/2" TO 2" DIA. (D. 10' DISTRIBUTION 23 EFFLUENT LINE BURIED BOX BELOW FROST OR INSULATED TO PROTECT FROM FREEZING 15 PUMP STATION 5' SHOULDER 33' TV 0 1000 GALLON CONCRETE SEPTIC TANK LOCATE CROSS WHERE FEASIBLE, B' MIN. SECTION FROM BUILDING STRUCTURE EXISTING GRADE AT CORNER. APPROX. PROPOSED APPROXIMATE OFFICE BUILDING TOE OF FILL FILL REQUIREMENTS CONSTRUCTION ELEVATIONS **ELEVATION REFERENCE POINT** Location & Description4" DIA HEMLOCK NAIL 12" BELOW PAINTED "X" Finished Grade Elevation ± 0"- 16" Depth of Fill (Upslope) Top of Distribution Pipe or Proprietary Device DETAIL Depth of Fill (Downslope) ± 16" Bottom of Disposal Area BELOW Reference Elevation 00" DISPOSAL AREA CROSS SECTION VERTICAL: 5 FT HORIZONTAL: 1" = 5 FT 15' +1-5' - 7' SHOULDER SHOULDER FILL EXT. 5' GRAVELLY COARSE SAND EXISTING GRADE MAX GRD. 25% EXISTING GRADE -48" 4" PERFORATED CLEAN FILL HAY (2"layer) or GEOTEXTILE FABRIC (4 mil) CAP TOE OF FILL -60" PVC PIPE WITH SANDY LOAM -72" CLEAN STONE MATERIAL TO PREVENT dia. perforated dia + 1/2 INCH CLEAN CRUSHED STONE WASTEWATER BREAKOUT BED DETAIL

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2001

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Evaluator

Signature



# Albert Frick Associates, Inc.

Soil Scientists & Site Evaluators 95A County Road Gorham, Maine 04038 (207) 839-5563

North Yarmouth

Route 115

Sheet o Construction
APPLICANT'S NAME

- The Plumbing and Subsurface Wastewater Disposal Rules adopted by the State of Maine, Department of Human Services pursuant to 22 M.R.S.A. § 42 (the "Rules") are incorporated herein by reference and made a part of this application and shall be consulted by the owner/applicant, the system installer and/or building contractor for further construction details and material specifications. The system installer should contact Albert Frick Associates, Inc. 839-5563, if there are any questions concerning materials, procedures or designs. The system installer and/or building contractor installing the system shall be solely responsible for compliance with the Rules and with all state and municipal laws and ordinances pertaining to the permitting, inspection and construction of subsurface wastewater disposal systems.
- This application is intended to represent facts pertinent to the Rules only. It shall be the responsibility of the owner/applicant, system installer and/or building contractor to determine compliance with and to obtain permits under all applicable local, state and/or federal laws and regulations (including, without limitation, Natural Resources Protection Act, wetland regulations, zoning ordinances, subdivision regulations, Site Location of Development Act and minimum lot size laws) before installing this system or considering the property on which the system is to be installed a "buildable" lot. It is recommended that a wetland scientist be consulted regarding wetland regulations.

Prior to the commencement of construction/installation, the local plumbing inspector shall inform the owner/applicant and Albert Frick Associates, Inc. of any local ordinances which are more restrictive than the Rules in order that the design may be amended. All designs are subject to review by local, state and/or federal authorities. Albert Frick Associates, Inc.'s liability shall be limited to revisions required by regulatory agencies pursuant to laws or regulations in effect at the time of preparation of this application.

- All information shown on this application relating to property lines, well locations, subsurface structures and underground facilities (such as, utility lines, drains, septic systems, water lines, etc.) are based solely upon information provided by the owner/applicant and has been relied upon by Albert Frick Associates, Inc. in preparing this application. The owner/applicant shall review this application prior to the start of construction and confirm this information.
- Installation of a garbage (grinder) disposal is not recommended. If one is installed, an additional gallon septic tank or a septic tank filter should be connected in series to the proposed septic tank.
- The system user shall avoid introducing kitchen grease or fats into this system. Chemicals such as septic tank cleaners and/or chlorine (such as from water treatment) and controlled or hazardous substances shall not be disposed of in this system.

### ATTACHMENT TO SUBSURFACE WASTEWATER DISPOSAL APPLICATION

North Yarmouth	Route 115	Sheebo Construction
TOWN	LOCATION	APPLICANT'S NAME

- 6) The septic tank should be pumped within two years of installation and subsequently as recommended by the pump service, but in no event should the septic tank be pumped less often than once every three years.
- The actual water flow or number of bedrooms shall not exceed the design criteria indicated on this application without a re-evaluation of the system as proposed. If the system is supplied by public water or a private service with a water meter, the water consumption per period should be divided by the number of days to calculate the average daily water consumption (water usage (cu.ft.) x 7.48 cu.ft.(gallons per cu.ft.) + # of days in period).
- 8) The general minimum setbacks between a well and septic system serving a single family residence is 100-300 feet, unless the local municipality has a more stringent requirement. A well installed by an abutter within the minimum setback distances prior to the issuance of a permit for the proposed disposal system may void this design.
- When a gravity system is proposed: <u>BEFORE CONSTRUCTION/INSTALLATION BEGINS</u>, the system installer or building contractor shall review the elevations of all points given in this application and the elevation of the existing and/or proposed building drain and septic tank inverts for compatibility to minimum slope requirements. In gravity systems, the invert of the septic tank(s) outlet(s) shall be at least 4 inches above the invert of the distribution box outlet at the disposal area. When an effluent pump is required, provisions shall be made to make certain that surface ground water does not enter the septic tank or pump station. An alarm device warning of a pump failure shall be installed. Also, when pumping is required to a chamber system, install a "T" connection in the distribution box and place 3 inches of stone or a splash plate in the first chamber. Insulate gravity pipes, pump lines and the distribution box as necessary to prevent freezing.
- On all systems, remove the vegetation, organic duff and old fill material from under the disposal area and any fill extension. On sites where the proposed system is to be installed in natural soil, scarify the bottom and sides of the excavated disposal area with a rake. Do not use wheeled equipment on the scarified soil surface. For systems installed in fill, scarify the native soil by roto-tilling to a depth of at least 8 inches over the entire disposal and fill extension area to prevent glazing and to promote fill bonding. Place fill in loose layers no deeper than 8 inches and compact thoroughly before placing more fill (this ensures that voids and loose pockets are eliminated to minimize the chance of leakage). Do not use wheeled equipment on the scarified soil area until after 12 inches of fill is in place. Keep equipment off the chambers. Divert the surface water away from the disposal area by ditching or shallow swales.
- 11) Unless noted otherwise, fill shall be gravelly coarse sand which contains no more than 5% fines (silt and clay).
- Do not install systems on loamy, silty, or clayey soils during wet periods since soil smearing/glazing may scal off the soil interface.
- Seed all filled and disturbed surfaces with perennial grass seed, then mulch with hay or equivalent material to prevent erosion.



