

MEMORANDUM

TO: North Yarmouth Planning Board

CC: Stephen Roberge P.E. SJR Engineering Inc.

From: Sam Peikes, Associate Planner, North Star Planning *SP*

RE: Village Green Estates Apartments Amended Subdivision Plan –
Planning Board meeting November 9, 2022

Date: October 27, 2022

Overview

The applicant is proposing to develop Lot 23 of the previously approved Phase 2 Village Center Estates Subdivision. The amended subdivision will consist of four (4) commercial residential units for “over 55 senior housing”. Three (3) of the units have frontage along Walnut Hill Road and the other has frontage on Village View Lane. Each of the units will have decks, garages, covered porches, and separate driveways and will utilize underground electricity, cable communications, and telephone. Lot lines have been added for each unit to meet setback standards.

The application was last brought to the Planning Board on October 11 for a Public Hearing. At that meeting, the Board voted on the application for completeness, but tabled the final review for additional comments from the Yarmouth Water District. Since that meeting the applicant has submitted an updated plan showing a revised sidewalk location and property lines for Lots 1, 2, and 3, a revised hydrogeologic study, and an updated letter from the Yarmouth Water District.

Applicant: Ben Grover, Construction Aggregate Inc.

Owner: same as the applicant

Location: 464 Walnut Hill Road

Zoning: Village Center and Groundwater Overlay

Tax Map Number: Tax Map 7 Lot 34-15

Existing Land Use: subdivision

Proposed Land Use: amended subdivision

Acreage: 2.34 acres

Waivers: The applicant is not requesting any waivers.

Site Walk: A site walk for this project has not been scheduled.

Public Hearing: A public hearing for this project occurred October 11, 2022.

Completeness Review: At the meeting on October 11, 2022 the Board determined that the application is complete per the submission requirements.

Findings of Fact and Conclusions:

To **[approve/approve with condition(s)/deny]** the Village Green Estates Amended Subdivision Plan based on the Findings and Conclusions from the Planner memo dated October 27, 2022

Subdivision Review - Findings of Fact

1. General Layout: Lots, Blocks, Utilities, Monuments, and Back Lots
 - The amended subdivision consists of four (4) lots.
 - Lot lines have been added for each unit to meet the setback standards.
 - The property lines and homes for Lots 1, 2, and 3 have been relocated to minimize potential tree root conflicts during construction (see Subdivision Plan dated September 25, 2022).
 - Stone post monuments are located at the edge of the northern property boundary (see site plan).
 - All of the units will utilize underground electricity, cable, and telephone.
2. Erosion and Sedimentation Control
 - Minimal grading will occur for the new stormwater filter basin shown on the Topographic Site Plan dated September 25, 2022.
 - The project will meet erosion control best management practices for grading and construction purposes.
 - The applicant has provided an erosion control narrative in Section 8 of the application and has provided erosion control details on sheet 3. Erosion control measures will consist of silt fences, erosion control berms, hay mulch, and silt sacks.
3. Financial and Technical Capacity
 - The applicant has attached a sample financial letter of credit to be signed upon final approval and has provided construction cost estimates for the project.
4. Floodplain Management
 - The development is not located within the 100-year flood plain.
5. Historic and Archaeological Sites

- No historic or archaeological sites are located within the project area.

6. Sewage and Solid Waste Disposal

- All of the units will rely on public water supply and septic for wastewater disposal.
- All wastewater will flow from a Fugi-Clean septic system to septic disposal areas. Wastewater from Units 1-3 will discharge to a 30 by 20-foot septic disposal area and wastewater from Unit 4 will discharge to a 25 by 15-foot septic disposal area (see topographic site plan).
- The operations and maintenance manual of the Fugi-Clean septic system are provided in Attachment 7 of the application.
- The applicant has submitted a revised hydrogeologic assessment from Marcotte Environmental dated October 13, 2022. The subsurface wastewater disposal system will not result in an increase in nitrate-nitrogen levels above 5 mg/L in groundwater at the property boundary. Nitrate plumes are shown on Attachment 2 pg. 2.

7. Soil Suitability

- The applicant has submitted a Subsurface Wastewater Disposal System application from Mark Hampton Associates Inc. dated September 17, 2022.
- The soils are adequate to support subsurface wastewater disposal.

8. Recreation and Open Space Land Development

- The subdivision will not include any public open space or recreation.

9. Water Supply

- The subdivision will connect to a public water supply.
- An existing fire hydrant is located along Walnut Hill Road and is less than 500 feet from all of the units.
- The applicant has attached a new letter from the Yarmouth Water District dated October 17, 2022 regarding the revised plans and hydrogeologic study.

- The applicant will comply with the comments addressed in the letter.

10. Water Quality

- No adverse impact on water quality will result from the project.

11. Subdivision Street Connectivity

- Vehicular access to Units 1-3 will come from the private driveway off Walnut Hill Road. Vehicular access to Unit 4 will come from the 13-foot driveway off Village View Lane.
- A 6-foot-wide sidewalk and 4-foot-wide walkways will encourage pedestrian access to and from the units. The sidewalk has been relocated to the other side of Walnut Hill Road (see Subdivision Plan dated September 25, 2022).
- The applicant has attached a letter from the Fire Chief dated September 26, 2022. The Fire Chief determined that the turnaround shown behind Lots 2 and 3 is adequate for emergency vehicle access.
- The subdivision is anticipated to generate 30 trips per day for Units 1-3 off Walnut Hill Road and 10 trips per day for Unit 4 off Village View Lane.

Subdivision - Conclusions of Law:

1. The proposed subdivision **will not** result in undue water or air pollution.
2. The proposed subdivision **will** have sufficient water available for the reasonably foreseeable needs of the subdivision.
3. The proposed subdivision **will not** cause an unreasonable burden on an existing water supply.
4. The proposed subdivision **will not** cause unreasonable soil erosion or reduction in the capacity of the land to hold water.
5. The proposed subdivision **will not** cause unreasonable highway or public road congestion or unsafe conditions.
6. The proposed subdivision **will** provide for adequate solid and sewage waste disposal.
7. The proposed subdivision **will not** cause an unreasonable burden on the ability of a municipality to dispose of solid waste and sewage.
8. The proposed subdivision **will not** place unreasonable burden on the ability of the local governments to provide municipal or governmental services.
9. The proposed subdivision **will not** have an undue adverse effect on the scenic or natural beauty of the area.
10. The proposed subdivision **will** be in conformance with a duly adopted subdivision regulation or ordinance.
11. The subdivider **will** have adequate financial and technical capacity to meet the standards.
12. Whenever situated, in whole or in part, within 250 feet of any pond, lake, river or tidal waters, the proposed subdivision **will not** adversely affect the quality of such body of water.
13. ~~The 100-year flood boundary~~ **is/is not** shown on the plan. **(N/A)**
14. All freshwater wetlands **have** been identified on maps submitted as part of the application.
15. ~~All farmland within the proposed subdivision~~ **has/has not** been identified on maps submitted as part of the application. **(N/A)**
16. Any rivers, streams, or brooks within or abutting the proposed subdivision **have** been identified on maps submitted as part of the application.

17. The proposed subdivision **will** provide for adequate storm water management.
18. ~~Any lots in the proposed subdivision with frontage on a river, stream, brook, or great pond **have/do not have** a lot depth to shore frontage ratio greater than 5 to 1. **(N/A)**~~
19. ~~The long term cumulative effects of the proposed subdivision **will/will not** unreasonably increase the great pond's phosphorus concentration during the construction phase and life of the proposed subdivision. **(N/A)**~~
20. ~~If the subdivision crosses municipal boundaries, the proposed subdivision **will/will not** cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality. **(N/A)**~~
21. ~~Timber on the parcel **has/has not** been harvested in violation of liquidation harvesting statutes and rules. **(N/A)**~~