

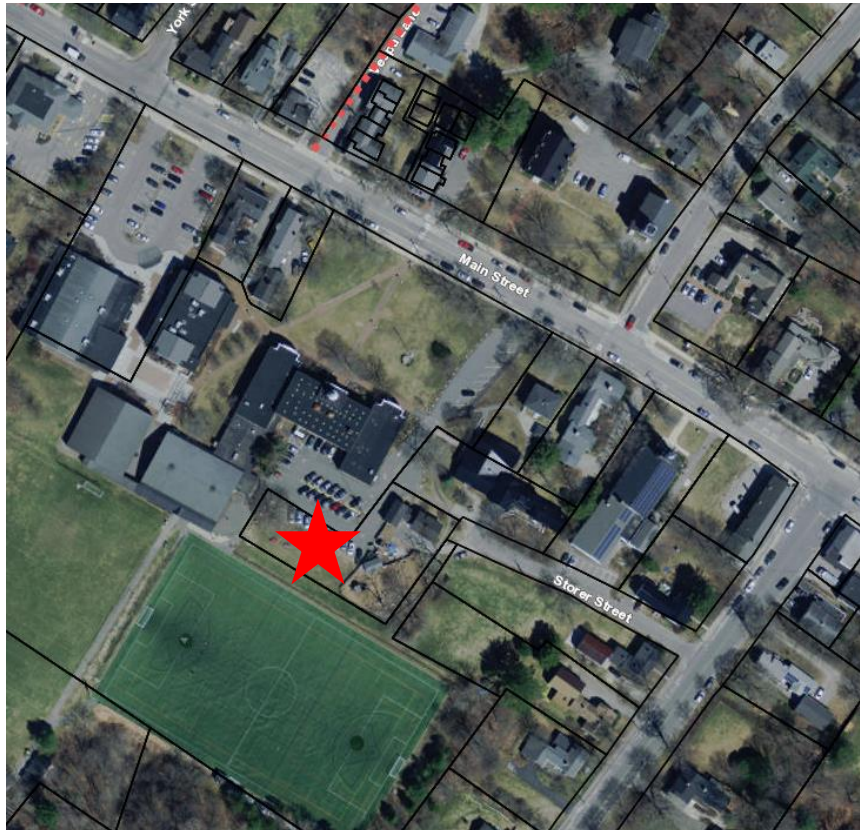


TOWN OF YARMOUTH
200 Main Street, Yarmouth, Maine 04096
www.yarmouth.me.us

**Planning Board Report
Modular Classroom
Final Building & Lot Plan and Major Site Plan
North Yarmouth Academy, Applicant
Map 32 Lot 111; SD1, NYA Campus Special District
Prepared by Erin Zwirko, Director of Planning and Development
Report Date: June 8, 2023; Planning Board Date: June 14, 2023**

I. Project Description

North Yarmouth Academy (NYA) proposes to lease, install, and use a portable classroom building on their main campus. The building is approximately 1,821 square feet (66 feet long by 27.58 feet wide) to accommodate additional lower school students on a temporary basis. The additional student capacity is approximately 27 students. The modular classroom is proposed to be located near the Toddler House and behind the Curtis Building and Safford Hall. The building will also have an accessible ramp and stairs to access the main entry door. Water, sewer, electric and communications utilities will be extended to the building from nearby existing utilities.



Aerial photo of NYA Campus; Proposed Modular Classroom location highlighted

The modular classroom will be sited at a distance from Main Street and obscured behind existing buildings. Below are photos of the campus:

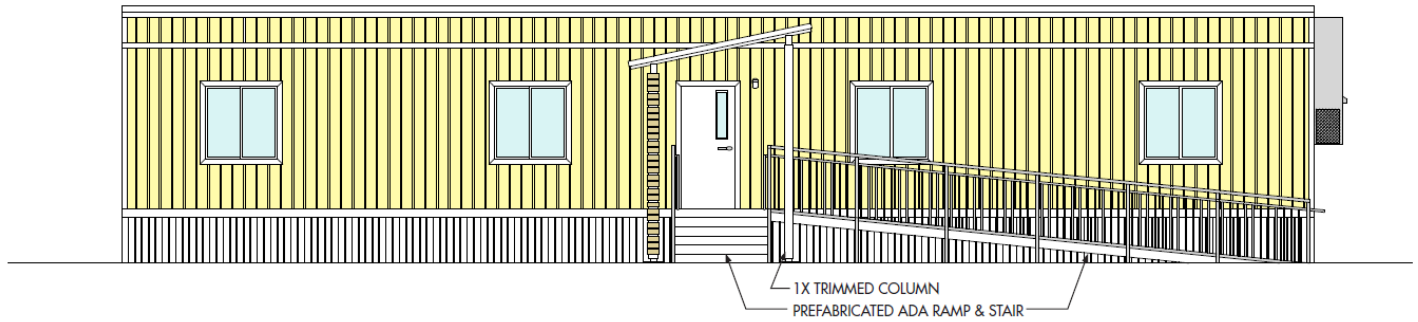


Photo from Main Street; Modular Classroom will be sited beyond the parked vehicles and the last utility pole

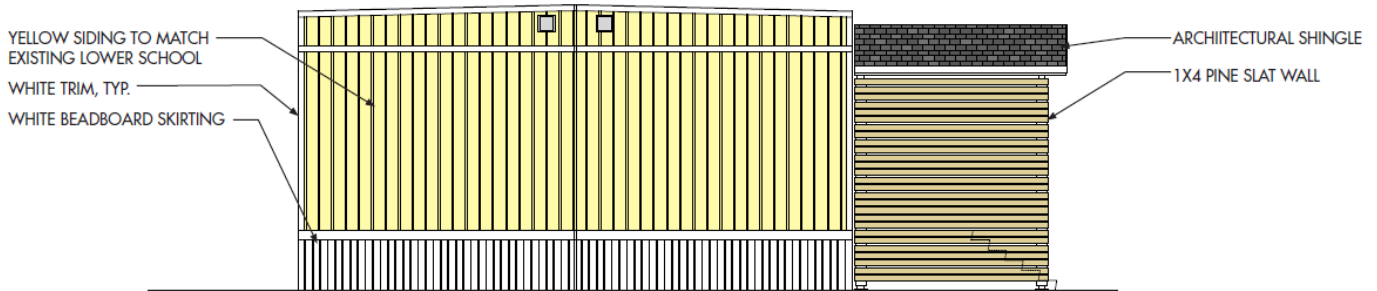


View from Parking Lot behind Safford Hall; Classroom will be sited in the area of the picnic tables

The modular classroom is a manufactured product, so there is little room for customization:



Front Elevation



Side Elevation

II. Project Review Process and Timeline

The application materials presented are the final plan. The Planning Board is being asked to review the proposal pursuant to the following ordinances:

- CH. 703 Character Based Development Code (CBDC) Building and Lot Plan, SD1, NYA Campus Special District,
- CH. 702, Major Site Plan, and
- CH. 701, Article X, Historic Preservation Advisory Ordinance for new construction in the Lower Village Historic District.

On May 22, 2023, the Historic Preservation Committee met with the applicant and their representatives to review the project under Chapter 701, Article X, relative to new construction within the Lower Village Historic District. The advisory recommendation from the Historic Preservation Committee is referenced in this staff report and is attached.

III. Public Notice and Comment

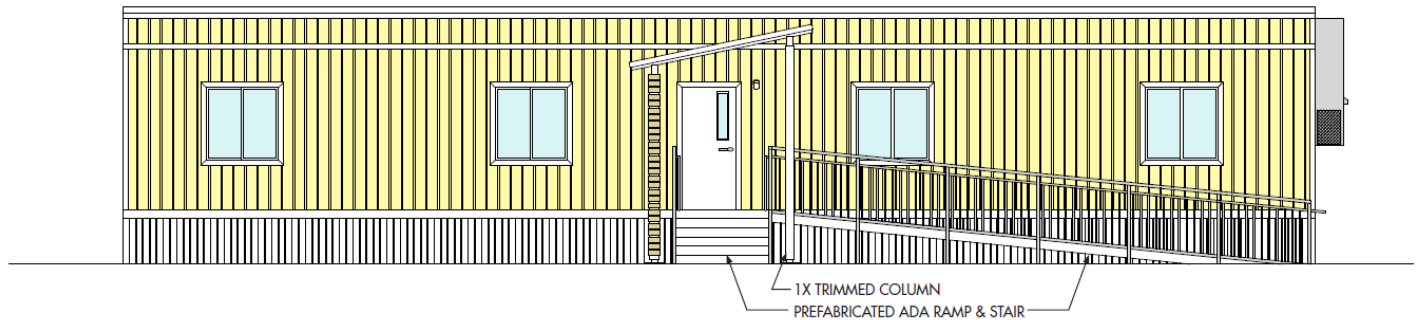
Notices were sent to 45 property owners within the vicinity (within 500 feet) of the proposed development for the June 14, 2023 meeting. As of the writing of this staff report, we have received no comments.

The proposed modular classroom is located within the NYA campus. **Uses in Vicinity:** The surrounding neighborhood consists of: **west of property:** commercial office, single family homes, restaurant/office (Gather building), Key Bank, Log Cabin; **east of property:** commercial office building, single family, First Universalist Church, Fiore Home and Runge Oriental Rugs; **across street:** Shepley-Weld Townhomes, Yarmouth Falls apartments, additional NYA campus buildings, commercial offices, First Universalist Church; and **rear of the property:** NYA campus buildings.

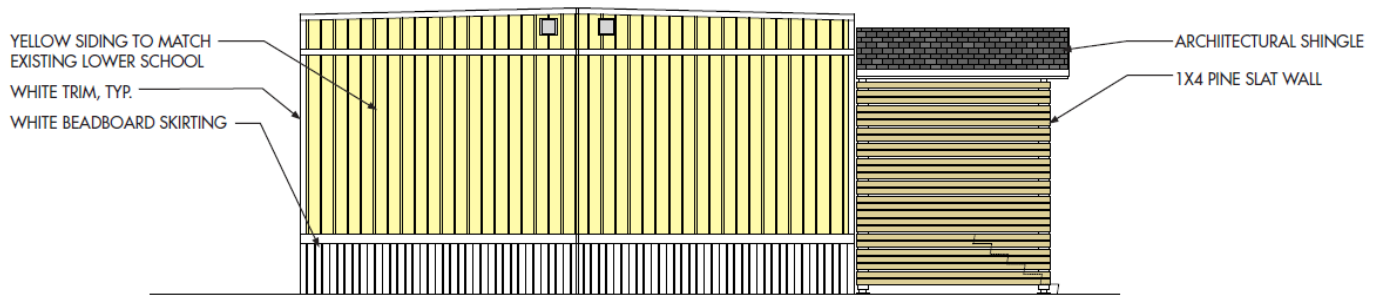
IV. Character Based Development Code Review

The NYA Campus is in the NYA Campus Special District (SD-1). Chapter 703 states, *“This Special District is for educational institutions in a traditional historic campus setting, with Frontages along public Thoroughfares, being consistent with the Adjacent Character District and other boundaries Adjacent to Character Districts being buffered.”*

The proposed modular classroom is a temporary building providing additional capacity for NYA in the short-term. The modular classroom is a manufactured product, so there is little room for customization, although the school is proposing to match the siding color to the Lower School buildings:



Front Elevation



Side Elevation

NYA Campus Special District Standards (Article 4.D.2)

Due to the developed nature of the NYA campus, many of these standards are not applicable as it is geared to the development of a Special District without any pre-existing buildings or features.

1. **Development within this Special District shall comply with this Article 4.D, Articles 5.N, 5.O, 6.D.5, 6.G.3, and 6.G.5 and the standards and requirements of Table 4.C (Special District Standards).**

An assessment per each section identified in the standard follows.

2. **Except as expressly provided in this Article 4.D, no other setbacks, buffer or screening requirements are provided for in this Chapter.**

No further comments.

3. **Lots and Buildings on Lots Adjacent to any Character District shall follow, to the extent practical, the Building Placement, Building Form, Architectural, Landscaping, Yard Type, Building Type, Private Frontage, Public Frontage, Setback, and Lot Occupation standards of such adjacent District. If Adjacent to more than one Character District, the less restrictive standards shall apply.**

The proposed project is the siting of a modular classroom within the NYA Campus. Per this standard, it is appropriate to follow the CD4, Village Center, requirements.

The proposal is required to follow the architectural standards of the CD4 District to the extent practicable. As noted elsewhere in this staff report, certain elements of the addition are not consistent with the Article 5.M Architectural Standards. Unless the Planning Board identifies elements that still need improvement at this final review, the proposal is consistent with these requirements.

- 4. Except for such Adjacent Character District Standards, Development within the NYA Campus Special District shall otherwise comply with all standards and requirements applicable to such Special District, the applicable Building and Lot Principal Use standards of Table 5.J.1 (Building & Lot Principal Use). All points of Adjacency of such Special District with any public Thoroughfare shall include a minimum 6-foot-wide sidewalk.**

Primary and secondary education are allowed uses in the SD-1 District.

- 5. Any part of a Lot Adjacent to a Thoroughfare shall be considered a Frontage. With respect to Lots Adjacent to more than one Thoroughfare, the Principal Frontage shall be indicated by the Applicant in the Special District Plan and all other Frontages of such Lot shall be considered Secondary Frontages.**

There is no frontage in this case, as the modular classroom is located at the rear of the Principal Buildings.

- 6. A Lot may contain any number of Principal Buildings and any number of Outbuildings. Outbuildings shall be located in the Third Lot Layer or 20 feet from any external property boundary.**

The modular classroom could be considered an outbuilding. It is located at a distance of more than 20 feet from the external property boundary.

- 7. All non-Building components shall be located in the Second Lot Layer or Third Lot Layer, or 20 feet from any external property boundary, including but not limited to outdoor bleachers and ball fields, and shall be screened from the Frontage of any public Thoroughfare by Building, Streetscreen, decorative fence, or landscape screen.**

The modular classroom is primarily screened by the Curtis Building and Safford Hall.

- 8. All loading and storage for Buildings shall be located along a side Elevation or at the rear Elevation. When located along a side Elevation, loading and storage areas shall be located in the Third Lot Layer and screened from the Frontage of any public Thoroughfare by a Building, Streetscreen, decorative fence, or landscape screen.**

No additional loading or storage is necessary for the modular classroom.

- 9. Parking for Buildings and Lots shall be provided in accordance with Tables 5.K.1 and 5.K.2 (Parking Requirements and Shared Parking Factor) as if the NYA Campus Special District were in Character District CD4-C.**

No additional parking is proposed as part of the project; however, the ramp to the modular classroom empties into a parking space as noted with the Peer Reviewer and the DPW Director. In the response to the Traffic Peer Reviewer, the applicant shall indicate how they plan to prevent vehicles parking in this space and confirm that the access/egress into the modular classroom and through the parking lot to the other campus buildings is accessible.

- 10. Parking Lots and Parking Areas shall be landscaped and designed in accordance with Article 5.N.2.gg.**

The existing parking lot will not be altered.

- 11. Access Driveways shall be 24 feet maximum width at the Frontage and through the depth of the First Lot Layer.**

The existing parking lot will not be altered.

12. Parking shall be located in the Second and/or Third Lot Layers.

The parking lot predates the creation of the SD-1 District.

13. The Uses allowed within the NYA Campus Special District shall be the Principal Uses set forth in Table 5.J.1 (Building & Lot Principal Use).

Primary and secondary education are allowed uses in the SD-1 District.

CD4, Village Center Review (Table 5.F.2A)

As noted above, buildings and lots located within a Special District, but adjacent to a Character District shall follow, to the extent practical, the standards of those districts. Therefore, in the tables that follow reference the CD4 standards for the proposed modular classroom, which is the adjacent Character District.

**Table 5.F.2A Character District Standards
Village Center Applicable to the SD-1 District**

Building Placement- Principal Building	Required	Proposed	Finding
Front Setback Principal Frontage	0' Min - 16' Max	n/a	The modular classroom will be set back behind the principal buildings on the campus.
Front Setback Secondary Frontage	2' Min; 12' Max	n/a	There is no secondary frontage.
Side Setback	0' Min	n/a	The modular classroom is located at a distance from the principal frontage.
Rear Setback	3' Min 15' from CL of alley	15 feet	OK
Yard Type	Edge, Side or Rear Yard	n/a	The proposed classroom does not closely follow these requirements; however, appears to be closely related to an edge yard.

Lot Occupation			
Lot width	18' Min; 200' Max	n/a	The lot is an existing lot within the SD-1.
Lot Coverage (Building & Pavement)	85% Max	16%	OK
Frontage Buildout	50% Min	n/a	The modular classroom is located at a distance from the principal frontage.

Building Form			
Building Height	35' and 3 Stories Max	11.25 feet	OK
First Story Height	10' Min, 25' Max	11.25 feet	OK

Upper Story Height	10' Min, 15' Max	n/a	n/a
Façade Glazing	20% Min, 70% Max Shopfront: 70% Min	10.3%	Although the applicant did not request a waiver, it appears that a waiver is needed for the modular classroom.
Roof Type	Flat, Hip, Gambrel, Gable or Mansard	Flat	Ok.
Roof Slope	8:12 – 14:12 (.67 – 1.16), if any	Slight pitch	Ok.

Building Placement-Outbuilding	Required	Proposed	Finding
Front Setback	Principal Bldg + 20'	N/A	n/a
Side Setback	5' Min	N/A	n/a
Rear Setback	3' Min	20'	n/a

Parking			
Third Lot Layer (5.F.1)	Principal Bldg + 20'	The parking lot predates the creation of the SD-1 District.	Ok.
Parking (5.K.1)	3 per 1,000 sf or as per use Parking Analysis	NYA is not proposing the construction of any new parking spaces. One existing space in front of the temporary building will be eliminated to provide access to the front entrance to the building.	Ok.
Parking (5.K.1.e)	For every 30 parking spaces, one electrical vehicle charging station, (level 2 or equivalent or better), shall be provided.	As noted, this is a temporary building and NYA is not proposing any new parking spaces, therefore, they are not proposing any new EV charging stations.	Ok.

Parking (5.K.1.f)	One bicycle rack (capacity for 2 bikes) for every 20 parking spaces	NYA is not proposing any new parking spaces. There is an existing bike rack near the Middle School with a capacity of 5. There is a new bike rack at Travis Roy Arena with a capacity of 11. It is rare that students ride their bikes to the school, especially at the Lower School which is the intended use for the portable classroom.	Ok.
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Encroachments of Building Elements	Required	Proposed	Finding
Front Setback, Principal Frontage	10' Max	None proposed	OK
Front Setback, Secondary Frontage	10' Max	None proposed	OK
Rear Setback	5' Max	None proposed	OK

CD4 Architectural Standards Review (Article 5.M)

The proposal is required to follow the Architectural Standards of the CD4 District to the “extent practicable,” as described in CH. 703 Article 4.D.2.c.i. of the CBDC:

“Lots and Buildings on Lots Adjacent to any Character District shall follow, to the extent practical, the Building Placement, Building Form, Architectural, Landscaping, Yard Type, Building Type, Private Frontage, Public Frontage, Setback, and Lot Occupation standards of such adjacent District. If Adjacent to more than one Character District, the less restrictive standards shall apply.”

This ‘extent practical’ applies to all the relevant standards including the Architectural Standards described in Article 5.M. As noted below, much of the modular classroom is not consistent with the Article 5.M Architectural Standards, and the Planning Board may want to consider whether the temporary nature of the classroom calls for consistency.

Composition	This single-story, manufactured modular classroom is generally not contemplated by the architectural standards. Its composition provides function and utility as a temporary structure. It is set at a distance from Main Street and is generally obscured by the surrounding campus buildings.
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Walls	This single-story, manufactured modular classroom is generally not contemplated by the architectural standards. Its composition provides function and utility as a temporary structure, although is proposed to match the existing lower school by using yellow siding.
Attachments & Elements	The covered entry provides protection from the elements.
Roofs	A flat roof is allowed.
Openings Windows, & Doors	This single-story, manufactured modular classroom is generally not contemplated by the architectural standards. Its composition provides function and utility as a temporary structure.
Shopfront	This architectural standard group is not applicable.
Miscellaneous	It appears that the proposal is in compliance with this architectural standard group.

Private Lot Landscape Standards (Article 5.N)

Landscape	Required	Proposed	Finding
5.N.s Trees Required	1 tree per 30' frontage	There are existing mature street trees along Main Street. No new street trees are proposed.	Ok.
5.N.u Minimum Landscape	30% landscape in 1 st Lot Layer; 20% landscape overall	The existing area along the Main Street frontage is well landscaped with mature trees and plantings. NYA is not proposing any new landscaping as part of this project.	Ok. Additional vegetation around the base of the modular classroom is a condition of approval.
5.N.ee.i Parking Lots	1 island per 20 spaces	NYA is not proposing any new parking spaces in the vicinity of the temporary building, therefore, no landscaped islands are proposed.	Ok.
5.N.ee.ii Parking Lots	1 tree per 2,000 s.f.	NYA is not proposing any new parking lot area, therefore, they are not proposing any new trees to be planted.	Ok.
5.N.2.ii	Pedestrian walkway of at least 5 feet through parking lot	n/a	n/a

Lighting Standards (Article 5.P)

The applicant has not submitted a photometric plan that indicates the proposed lighting is in conformance with the Town standards. A recommended condition of approval is to submit a lighting plan prior to the issuance of a building permit in order to confirm there is adequate existing lighting in the area for the new classrooms.

V. SITE PLAN STANDARDS REVIEW (CHAPTER 702)

Chapter 703 Article 1 Section C.3:

b. The Town Municipal Code (collectively, the “Existing Local Codes”), including without limitation Chapters 601 (Subdivision), 701 (Zoning) and 702 (Site Plan Review) thereof, shall continue to be applicable to matters not covered by this Chapter, except where the Existing Local Codes would be in conflict with this Chapter and except as may otherwise be provided in Section 1.C.3.c.i.

1. Conformance with Comprehensive Plan: The proposed development is located and designed in such a way as to be in conformance with the Town’s Comprehensive Plan.

Applicant Response:

The proposed expansion of the temporary classroom is in conformance with the SD1 Character Based District which to our knowledge complies with the Town’s Comprehensive Plan.

Staff Comments:

The Comprehensive Plan does not specifically address student capacity at North Yarmouth Academy. References to NYA are related to the shared use of athletic facilities between the school, the Yarmouth School District, and the community. By expanding the capacity of NYA, the choice of education is expanded for some.

As noted by the applicant, the proposed project complies with the SD1 requirements, and thus, complies with the Comprehensive Plan.

2. Traffic: The proposed development will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways, public road or pedestrian walkways existing or proposed. The Planning Board may require mitigation when the proposed development is anticipated to result in a decline in service, below level of service “c”, of nearby roadways of intersections. Levels of service are defined by the 1985 Highway Capacity manual published by the Highway Research Board.

Applicant Response:

The proposed temporary classroom is anticipated to increase traffic to the facility by approximately 27 AM and 16 PM weekday peak hour trip ends and does not require a MaineDOT Traffic Movement Permit. In addition, based on MaineDOT crash history, no high crash locations were identified within the immediate area along the site frontage. Based on a field review and sight distance evaluation, the existing site access exceeds required town sight distances.

Staff Comments:

The applicant provided a traffic evaluation that was reviewed by the Town’s traffic peer reviewer, Tom Errico of TY Lin. The proposed development is forecast to generate a high of 27 trip ends during the AM peak hours. This level of traffic generation is not expected to create safety or mobility deficiencies. Further, a MaineDOT Traffic Movement Permit is not required. The traffic evaluation indicates that the estimated trip generation may be conservatively high, since it assumes that all 27 students are new to the school and a sibling is not already being driven to the school.

Although the DPW Director points out a clarification with the required sight distance, the Director, Town Engineer, and Peer Reviewer believe that the traffic evaluation is adequate and that it is unlikely that there is any impact on mobility or safety. As conditions of approval, it is recommended that the applicant provide a response to the Peer Reviewer’s letter and monitor Storer Street for any congestion associated with the addition of the modular classroom.

3. Parking and Vehicle Circulation: The proposed plan provides for adequate parking and vehicle circulation. The amount of dedicated parking provided on-site or within a reasonable walking distance from the site meets the requirements of ARTICLE II.H of the Zoning Ordinance (Off Street Parking and Loading), the size of the parking

spaces, vehicle aisle dimensions and access points are in conformance with the Technical Standards of Section J of this document.

Applicant Response:

The existing parking lot at the project site provides 34 parking spaces. One parking space will be removed to accommodate an accessible ramp to the temporary classroom, resulting in a total of 33 parking spaces. Additionally, there are other parking areas located across the NYA campus and public parking along adjacent roads that can be used during peak usage. Based on a campus-wide parking count in 2020, there are approximately 179 parking spaces on the campus. Additionally, NYA has an agreement with the abutting property (south of the ice arena) to use up to 34 parking spaces.

Staff Comments:

No additional parking is proposed as part of the project; however, the ramp to the modular classroom empties into a parking space as noted with the Peer Reviewer and the DPW Director. In the response to the Traffic Peer Reviewer, the applicant shall indicate how they plan to prevent vehicles parking in this space and confirm that the access/egress into the modular classroom and through the parking lot to the other campus buildings is accessible.

The applicant represents that the school population does not typically ride bikes to the school due to the students coming from the region rather than primarily from Yarmouth. As a result, no additional bike racks are proposed. It does not appear that there is a significant need for additional bike racks at the school campus at this time.

- 4. Sanitary Sewerage: The proposed development will not cause an unreasonable adverse effect to the Municipal sewerage treatment facilities and will not aggravate an existing unhealthy situation such as the bypassing of untreated sewerage into Casco Bay, the Royal River, or its tributaries. If a subsurface wastewater disposal system is to be used, the system conforms to the requirements of the State Plumbing Code.**

Applicant Response:

We are proposing a 4" sanitary sewer service to an existing sewer manhole in the parking lot. A request for an ability to serve letter has been sent to the Town Engineer.

Staff Comments:

The Town Engineer finds that the proposed sewer service connection to an existing sewer manhole located on the NYA campus that connects to the public sewer in Storer Street is acceptable. Additionally, the Town Engineer notes:

- There is adequate capacity in the Town sewer system to accept sewage flow from the project.
- A sewer connection permit application and fee for the building will be required before the issuance of the building permit.
- It should be noted that during construction of all sewer infrastructure, all work must be inspected by Town staff prior to backfilling and all sewer work shall be constructed per Yarmouth Town Standards.

The Town Engineer has a number of plan review comments as outlined in his review memorandum attached to this staff report.

Addressing these requirements are recommended as conditions of approval.

- 5. Water: The proposed development will not cause the depletion of local water resources or be inconsistent with the service plan of the Yarmouth Water District.**

Applicant Response:

We are proposing a 1" water service from the nearby Toddler House. A request for an ability to serve letter has been sent to the Yarmouth Water District.

Staff Comments:

The applicant has been coordinating with the Yarmouth Water District, although a capacity to serve letter has not been received. Providing evidence of the Water District's approval of the water infrastructure design and layout is recommended as a condition of approval prior to the issuance of a building permit.

The Water District has found that the service line and meter is sufficient for the Toddler House and modular classroom for domestic use only. The unknown need is whether there are any fire system requirements. Separate fire and domestic services can be installed from the water main on Main Street. If the applicant prefers to obtain service from Portland Street, the water main on Storer Street would need to be upgraded.

A recommended condition of approval is to submit a capacity to serve letter from the Yarmouth Water District prior to the issuance of the building permit.

- 6. Fire Safety: The proposed development is located and designed in such a way as to provide adequate access and response time for emergency vehicles or mitigates inadequate access or response time by providing adequate fire safety features such as but not limited to fire lanes, smoke and fire alarms and sprinkler systems, as part of the proposed development.**

Applicant Response:

The proposed expansion provides adequate access for emergency vehicles. A 20-footwide fire truck access aisle has been provided at the eastern end of the proposed expansion. The expansion will conform with applicable fire safety requirements.

Staff Comments:

The applicant shall confirm whether a fire sprinkler system is needed as part of the water service design. Further, generally on the topic of safety and code compliance, the Code Enforcement Officer has identified items related to code compliance that must be addressed during the building permit review.

- 7. Buffering: The proposal provides for adequate on-site buffering in the vicinity of property boundaries, when required by this subsection. On-site buffering is required wherever commercial, industrial or mixed use developments are proposed adjacent to or across a street from residential districts or agricultural uses, where multi-family buildings are to be located adjacent to single family uses or districts, and when required by ARTICLE IV.S.3 of the Yarmouth Zoning Ordinance (Mobile Home Park Performance Standards). Buffer areas shall consist of an area ranging from a minimum of five feet to a maximum of twenty-five feet in width, adjacent to the property boundary, in which no paving, parking or structures may be located. The Planning Board may allow a buffer area of less width when site conditions, such a natural features, vegetation, topography, or site improvements, such as additional landscaping, beaming, fencing or low walls, make a lesser area adequate to achieve the purposes of this Section. Landscaping and screening, such as plantings, fences or hedges, are to be located in buffer areas to minimize the adverse impacts on neighboring properties from parking and vehicle circulation areas, outdoor storage areas, exterior lighting and buildings.**

This Standard is superseded by the Character Based Development Code as per Article 1.c.3.

Applicant Response:

No buffering or landscaping is proposed as the building is surrounded by existing buildings with the same use.

Staff Comments:

The applicant shall provide screening vegetation around the base of the modular classroom. This is recommended as a condition of approval.

- 8. Natural Areas: The proposal does not cause significant adverse impacts to natural resources or areas such as wetlands, significant geographic features, significant wildlife and marine habitats and natural fisheries. The proposal is consistent with the recommendations of the Maine Department of Inland Fisheries and Wildlife as**

found in the document titled “The Identification and Management of Significant Fish and Wildlife Resources in Southern Coastal Maine,” February 1988.

Applicant Response:

There are no wetlands or significant natural features that will be impacted by the proposed expansion. The expansion remains within the previously developed area.

Staff Comments:

No further comments.

- 9. Lighting: The proposal shall provide exterior lighting sufficient for the safety and welfare of the general public while not creating an unsafe situation or nuisance to neighboring properties or motorists traveling nearby roadways.**

Applicant Response:

No additional outdoor lighting is proposed for the building. The building will utilize existing lighting adjacent to the building location.

Staff Comments:

The applicant has not submitted a photometric plan that indicates the proposed lighting is in conformance with the Town standards. A recommended condition of approval is to submit a lighting plan prior to the issuance of a building permit in order to confirm there is adequate existing lighting in the area for the new classrooms.

- 10. Storm Water Management: The plan provides for adequate storm water management facilities so that the post development runoff rate will be no greater than the predevelopment rate or that there is no adverse downstream impact. Proposed storm water detention facilities shall provide for the control of two year and twenty-five year storm frequency rates. The design, construction and maintenance of private facilities are maintenance of private storm water management facilities.**

Applicant Response:

Stormwater from the project site will be directed to a drip strip filter on the southerly side of the building. This filter, which is located at the top of the existing slope, will collect runoff from the temporary building roof, gravel pad and a portion of the existing parking area. Runoff will flow through a filter layer which will slow down the runoff and provide water quality treatment before discharging to the storm drain system adjacent to the turf field. The existing enclosed drainage system discharges to the Town skating pond and eventually flows to the Royal River.

Staff Comments:

The Town Engineer writes, “The applicant has provided an acceptable stormwater analysis and will provide both runoff volume control and treatment through the use of Low Impact Development (BMPs), in this case, a drip edge filter, to offset the area of the new structure impervious area. This is very much appreciated. I do have several technical comments on the drawings as noted below that should be addressed as a condition of approval.” As a condition of approval, the applicant shall address the plan review comments from the Town Engineer.

Additionally, the applicant submitted an Operations & Maintenance (O&M) Manual for the site BMPs. The Town Engineer accepts the O&M Manual.

All storm drain infrastructure must conform to Yarmouth Town Standards. Additionally, all connections to Town infrastructure shall be per Town requirements.

Finally, the applicant shall identify snow storage areas on the final site plan as it appears that the modular classroom will occupy existing storage areas.

- 11. Erosion and Sedimentation Control: The proposed development includes adequate measures to control erosion and sedimentation and will not contribute to the degradation of nearby streams, watercourses or coastal**

lowlands by virtue of soil erosion or sedimentation. The erosion control measures are to be in conformance with the most current edition of the “Environmental Quality handbook, Erosion and Sedimentation Control”, prepared by the Maine Soil and Water Conservation Commission.

Applicant Response:

An Erosion and Sedimentation control plan for the project is provided.

Staff Comments:

The required erosion and sedimentation control (ESC) Best Management Practices for the project have been noted on the site plan and meets Maine Department of Environmental Protection standards. Additionally, the applicant has submitted an ESC plan for the project construction.

The Town expects that during construction the applicant and their construction manager/contractor perform the required inspections and enforcement of the ESC plan per MDEP requirements, including weekly inspections and documentation of all inspection work as outlined in the Plan. In addition, the Town will be performing site inspections and will be reviewing the inspection records per the Town’s NPDES MS4 General Permit. It is also especially important that the BMPs be installed prior to the disturbance of site soils and vegetation. It should be noted that if disturbance exceeds one (1) acre then the project will require coverage under the Maine Construction General Permit, although that is unlikely in the case of this project.

The applicant requested a waiver from the site plan review standards to waive the requirement for a high intensity soils report. The Town Engineer recommends granting this waiver due to the scope of project.

- 12. Buildings: The bulk, location and height of proposed buildings or structures will not cause health or safety problems to existing uses in the neighborhood, including without limitation those resulting from any substantial reduction to light and air or any significant wind impact. To preserve the scale, character, and economy of the Town in accordance with the Comprehensive Plan no Individual Retail use with a Footprint greater than 55,000 square feet shall be permitted. Structures defined as Shopping Centers shall be limited to a Footprint of 75,000 square feet. When necessary to accommodate larger projects, several Individual Retail Structures with Footprints of not more than 55,000 square feet each may be placed on the same lot, provided that all other standards are met. No less than 40 feet shall be allowed as separation distance between buildings. Efforts to save and plant native trees between and among structures shall be encouraged.**

Applicant Response:

Refer to architectural portions of this narrative.

Staff Comments:

The applicant provided renderings of the proposed modular classroom. The structure is intended to be temporary and is generally obscured from view from Main Street, being located behind the Curtis Building and Safford Hall, at a distance from Main Street. The modular classroom is surrounded by buildings of architectural and historical significance in the Lower Village Historic District. Adding screening vegetation around the base of the modular classroom will support the relationship between the classroom and the historic buildings located on the campus.

- 13. Existing Landscape: The site plan minimizes to the extent feasible any disturbance or destruction of significant existing vegetation, including mature trees over four (4) inches in diameter and significant vegetation buffers.**

This Standard is superseded by the Character Based Development Code as per Article 1.c.3.

Applicant Response:

The plan minimizes the disturbance of existing landscaping.

Staff Comments:

No further comments.

- 14. Infrastructure:** The proposed development is designed so as to be consistent with off premises infrastructure, such as but not limited to sanitary and storm sewers, waste water treatment facilities, roadways, sidewalks, trail systems and street lights, existing or planned by the Town.

Applicant Response:

The expansion will not have an impact on offsite infrastructure. Ability to serve letters have been sent to the Yarmouth Water District and the Sewer and Engineering Department.

Staff Comments:

Comments regarding the proposed infrastructure are included elsewhere in this staff report.

- 15. Advertising Features:** The size, location, design, color, texture, material and lighting of all permanent signs and outdoor lighting fixtures are provided with a common design theme and will not detract from the design of proposed buildings or neighboring properties.

This Standard is superseded by the Character Based Development Code as per Article 1.c.3.

Applicant Response:

Any new advertising signage would be submitted to the Town for approval.

Staff Comments:

No further comments.

- 16. Design Relationship to Site and Surrounding Properties:** The proposed development provides a reasonably unified response to the design constraints of the site and is sensitive to nearby developments by virtue of the location, size, design, and landscaping of buildings, driveways, parking areas, storm water management facilities, utilities storage areas and advertising features.

Applicant Response:

The proposed expansion is relatively small compared to the scale of the existing lot area and development. It will be partially visible from Route 1 but is not anticipated to have any negative impacts.

Staff Comments:

The applicant provided renderings of the proposed modular classroom. The structure is intended to be temporary and is generally obscured from view from Main Street, being located behind the Curtis Building and Safford Hall, at a distance from Main Street. The modular classroom is surrounded by buildings of architectural and historical significance in the Lower Village Historic District. Adding screening vegetation around the base of the modular classroom will support the relationship between the classroom and the historic buildings located on the campus.

- 17. Scenic Vistas and Areas:** The proposed development will not result in the loss of scenic vistas or visual connection to scenic areas as identified in the Town's Comprehensive Plan.

Applicant Response:

No scenic vistas are affected by this project.

Staff Comments:

No further comments.

- 18. Utilities:** Utilities such as electric, telephone and cable TV services to proposed buildings are located underground except when extraordinary circumstances warrant overhead service. Propane or natural gas tanks are located in safe and accessible areas, which are properly screened.

Applicant Response:

We are proposing a new 1" water service and a new 4" sanitary sewer service. Details are included in our plan set.

Staff Comments:

Comments regarding the proposed infrastructure are included elsewhere in this staff report.

19. Technical Standards: The proposed development meets the requirements of ARTICLE I.J (Technical Standards) of this Ordinance, except as waived by the Planning Board.

Applicant Response:

The technical standards of Article 1.J will be met.

Staff Comments:

The applicant requested a waiver from the site plan review standards to waive the requirement for a high intensity soils report. The Town Engineer recommends granting this waiver due to the scope of project.

20. Route One Corridor Design Guidelines: Notwithstanding the technical standards of this ordinance and the requirements of Article II, General provisions of the Zoning Ordinance, development and redevelopment within the "C", Commercial and "C-III", Commercial II districts shall be consistent with the Route One Corridor Design Guidelines, as approved August 19, 1999.

This Standard is superseded by the Character Based Development Code as per Article 1.c.3.

21. Right, Title and Interest: The applicant has sufficient right, title or interest in the site of the proposed use to be able to carry out the proposed use.

Applicant Response:

The application materials contain evidence of right, title, and interest.

Staff Comments:

No further comments.

22. Technical and Financial Capacity: The applicant has the technical and financial ability to meet the standards of this Section and to comply with any conditions imposed by the Board pursuant to ARTICLE I.I

Applicant Response:

The application materials contain financial capacity information and the consultants for this project.

Staff Comments:

No further comments.

23. Special Exception Standards:

- a. The proposed use will not create unsanitary or unhealthful conditions by reason of emissions to the air, or other aspects of its design or operation.
- b. The proposed use will not create public safety problems which would be substantially different from those created by existing uses in the neighborhood or require a substantially greater degree of municipal police protection than existing uses in the neighborhood.
- c. The proposed use will be compatible with existing uses in the neighborhood, with respect to visual impact, intensity of use, proximity to other structures and density of development.
- d. If located in a Resource Protection District or Shoreland Overlay Zone, the proposed use (1) will conserve visual points or access to water as viewed from public facilities; (2) will conserve natural beauty; and (3) will comply with performance standards of Article II of Chapter 701, Zoning Ordinance.

This Standard is superseded by the Character Based Development Code as per Article 1.c.3.

VI. Waivers and Motion – Major Site Plan and Building and Lot Plan

The proposed modular classroom is ready for approval. Two waivers have been identified.

A. WAIVER – HIGH INTENSITY SOILS REPORT

Based on the application, plans, reports and other information submitted by the applicant, information from the public hearing, information and the findings and recommendations contained in Planning Board Report dated June 8, 2023 for a Building and Lot Plan and Major Site Plan, North Yarmouth Academy, Applicant; 148 Main Street, Map 32 Lot 111, regarding the compliance with the applicable regulations of Chapter 702, Site Plan, the Planning Board hereby finds and concludes that the waiver of the requirement to submit a high intensity soils report **[is/is not]** consistent with the Site Plan Review Ordinance and is therefore **[approved/not approved]**.

Such motion moved by _____, seconded by _____, and voted ____ in favor, ____ opposed, _____.

(note members voting in opposition, abstained, recused, or absent, if any)

B. WAIVER – FAÇADE GLAZING

Based on the application, plans, reports and other information submitted by the applicant, information from the public hearing, information and the findings and recommendations contained in Planning Board Report dated June 8, 2023 for a Building and Lot Plan and Major Site Plan, North Yarmouth Academy, Applicant; 148 Main Street, Map 32 Lot 111, regarding the compliance with the applicable regulations of Chapter 703, Character Based Development Code, the Planning Board hereby finds and concludes that the waiver to allow less than the required façade glazing **[is/is not]** consistent with the Character Based Development Code and is therefore **[approved/not approved]**.

Such motion moved by _____, seconded by _____, and voted ____ in favor, ____ opposed, _____.

(note members voting in opposition, abstained, recused, or absent, if any)

C. BUILDING AND LOT PLAN AND MAJOR SITE PLAN

Based on the application, plans, reports and other information submitted by the applicant, information from the public hearing, information and the findings and recommendations contained in Planning Board Report dated June 8, 2023 for a Building and Lot Plan and Major Site Plan, North Yarmouth Academy, Applicant; 148 Main Street, Map 32 Lot 111, regarding the compliance with the applicable regulations and standards of Chapter 703, Character Based Development Code, and the applicable regulations and standards of Chapter 702, Site Plan Review, the Planning Board hereby finds and concludes that the Building and Lot Plan and Major Site Plan **[meets/does not meet]** the required standards and is therefore **[approved/not approved]** subject to the following conditions of approval.

Such motion moved by _____, seconded by _____, and voted ____ in favor, ____ opposed, _____.

(note members voting in opposition, abstained, recused, or absent, if any)

CONDITIONS OF APPROVAL

1. Prior to the issuance of any building permit, the applicant shall submit a response to the Traffic Peer Reviewers comments for review and approval by the Town Engineer and the Director of Planning & Development.
2. Prior to the issuance of any building permit, the applicant shall address the plan review comments of the Town Engineer outlined in his memorandum dated June 5, 2023, and receive approval from the Town Engineer.
3. Prior to the issuance of any building permit, the applicant shall submit a capacity to serve letter from the Yarmouth Water District and submit a utility plan that meets the requirements of the Yarmouth Water District to the Town Engineer and the Director of Planning & Development.
4. Prior to the issuance of any building permit, the applicant shall submit a landscaping plan that provides screening around the base of the modular classroom to the Town Engineer and the Director of Planning & Development for review and approval.

5. Prior to the issuance of any building permit, the applicant shall submit a snow storage plan to the Town Engineer and the Director of Planning & Development for review and approval.
6. Prior to the issuance of any building permit, the applicant shall submit a photometric plan to confirm adequate existing lighting in the area of the modular classroom to the Town Engineer and the Director of Planning & Development for review and approval. If the existing lighting is found to inadequate, additional fixtures may be required to be installed by the applicant.
7. Prior to the commencement of any soil disturbance the contractor shall install and maintain all appropriate soil erosion and sedimentation Best Management Practices (BMPs) per Maine Department of Environmental Protection latest standards. The Town will be performing site inspections and reviewing the inspection records per the Town's NPDES MS4 General Permit. BMPs must be installed prior to the disturbance of site soils and vegetation. If the disturbance exceeds one (1) acre, then the project will require coverage under the Maine Construction General Permit.
8. A sewer connection permit application and fee for the modular classroom shall be required prior to the issuance of any building permit. During construction of all sewer infrastructure, all work must be inspected by Town staff prior to backfilling and all sewer work shall be constructed per Yarmouth Town Standards. All sewer infrastructure to be abandoned all be as directed by the Town Engineer.
9. During construction of all sewer infrastructure, all work must be inspected by Town staff prior to backfilling and all sewer work shall be constructed per Yarmouth Town Standards.
10. All storm drainage infrastructure must conform to Yarmouth Town Standards and all connections to Town infrastructure shall be per Town requirements.
11. Prior to issuance of building permits or the commencement of work, the applicant and their selected construction contractor shall attend a pre-construction conference with Town staff at a mutually agreeable date and time. Also, prior to issuance of building permits, the applicant shall satisfy all Town concerns and provide updated drawings as required. All other permit applications and fees will be required prior to the release of a building permit.

STANDARD CONDITIONS OF APPROVAL

Please note the following standards conditions of approval and requirements for all approved site plans:

1. Develop Site According to Plan: The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel shall require the prior approval of a revised site plan by the Planning Board or the Planning Authority.
2. Separate Building Permits Are Required: This approval does not constitute approval of building plans, which must be reviewed and approved by Yarmouth Code Enforcement Officer.
3. Site Plan Expiration: The site plan approval will be deemed to have expired unless work has commenced within one year of the approval or within a time period up to two years from the approval date if approved by the Planning Board or Planning Director as applicable. Requests to extend approvals must be received before the one year expiration date.
4. Preconstruction Meeting: Prior to the release of a building permit or site construction, a preconstruction meeting shall be held at the project site, Town Hall or other mutually agreeable location. This meeting will be held with the contractor, Town Engineer, Code Enforcement Officer and Director of Public Works representative and owner to review the construction schedule and critical aspects of the site work. The site/building contractor shall provide three copies of a detailed construction schedule to the attending Town's representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
5. Town Record Copies: One mylar copy and three paper copies of the plat showing book and page and date of recording must be submitted to the Town Engineer as well as a plat submitted digitally to the Town Engineer, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
6. Landscaping: All required landscaping shall be guaranteed for a 2-year period.

Attachments:

1. Steve Johnson, Town Engineer – Memo 6/5/2023
2. Erik Street, DPW Director – Memo 6/5/2023
3. Eric Gagnon, Yarmouth Water District Superintendent – Email 6/5/2023
4. Tom Errico, TY Lin, Traffic Peer Reviewer – Memo 6/1/2023
5. Nick Ciarimboli, Code Enforcement Officer – Memo 6/6/2023
6. Historic Preservation Committee Recommendation 6/5/2023

Memo

To: Erin Zwirko, AICP, Director of Planning and Development
From: Steven Johnson, P.E., Town Engineer
CC: Erik Street, Nick Ciarimboli, Chris Cline, Wendy Simmons, Karen Stover
Date: June 5, 2023
Re: Major Site Plan Application: NYA Temporary Classroom, 148 Main Street

Erin:

I have reviewed the subject application from Will Haskell, P.E., of Gorrill-Palmer on behalf of North Yarmouth Academy (NYA) for development at 148 Main Street dated May 17, 2023.

I have the following technical comments on the application:

1. General: The applicant is proposing to install an 1,821 square foot modular classroom trailer on the westerly end of the parcel addressed at 24 Storer Street (Map 32, Lot 111), but accessed via 148 Main Street (Map 32 Lot 118). The proposed structure is anticipated to be temporary and will provide two classrooms, two bathrooms and will be ADA accessible. The existing lot is located in the NYA Campus Special District. The project is not located in a flood zone.
2. Rights, Title: The applicant has submitted adequate evidence of right, title, and interest in the property.
3. Solid Waste: The Applicant has indicated that solid waste and recyclable material will be managed on the site via a commercial hauler. Please note that collection of dumpster waste should not occur before 5:00 AM or after 10:00 PM, per Chapter 306 Solid Waste Ordinance.
4. Water: Domestic water service for the new structure is proposed to be served via a new 1" service from an existing water service in an adjacent NYA building, the Toddler House. The applicant has requested and must submit evidence of the capacity to serve from the Yarmouth Water District (District) prior to issuance of the building permit. This should be a condition of approval. Also, the Applicant shall confirm that the structure will not require sprinklers per the ordinance.
5. Traffic\Parking: The applicant has submitted a traffic evaluated performed by Gorrill-Palmer and the report has been peer reviewed by Thomas Errico, P.E. of TY Lin on behalf of the Town. Both the applicant and Tom Errico concur that the project will likely generate 27 AM peak hour trips and 16 PM peak hour trips and this minor increase should not have an impact on mobility or safety. Additionally, there is adequate sight

distance and there are no High Crash Locations (HCL's) in the vicinity. However, the applicant shall provide response to several comments provided by Mr. Errico in his June 1st, 2023, letter to me. This should be a condition of approval.

The applicant is not proposing additional parking as part of this project.

6. Sewers: The applicant has indicated that the addition will be served by a new sanitary sewer service connection to an existing sewer manhole located on the NYA campus immediately west of the existing building that connects to the public sewer in Storer Street. This is acceptable.
 - A. The applicant has indicated that the wastewater flow is estimated to be 304 gallons per day. The system currently has the capacity to convey and treat this flow.
 - B. A sewer connection permit application and fee will be required.
 - C. It should be noted that during construction of the sewer infrastructure, all work must be inspected by Town staff prior to backfilling and all sewer work shall be constructed per Yarmouth Town Standards.
7. Storm Drains: All storm drain infrastructure must conform to Yarmouth Town Standards. Additionally, all connections to Town infrastructure shall be per Town requirements.
8. Drainage, Stormwater Management:
 - A. The applicant has provided an acceptable stormwater analysis and will provide both runoff volume control and treatment through the use of Low Impact Development (BMP's), in this case, a drip edge filter, to offset the area of the new structure impervious area. This is very much appreciated. I do have several technical comments on the drawings as noted below that should be addressed as a condition of approval.
 - B. The applicant has submitted an excellent site-specific Operations and Maintenance Manual (O&M Manual) for the LID BMPs used on this project.
9. Erosion and Sediment Control: The required ESC Best Management Practices for the project have been noted on the site plan and meet MDEP standards. Additionally, the applicant has submitted an excellent ESC plan (Plan) for the project construction. The Town expects that during construction the applicant and their construction manager/contractor perform the required inspections and enforcement of the ESC plan per MDEP requirements, including weekly inspections and documentation of all inspection work as outlined in the Plan. In addition, the Town will be performing site inspections and will be reviewing the inspection records per the Town's NPDES MS4 General Permit. It is also especially important that the BMP's be installed prior to the disturbance of site soils and vegetation. It should be noted that if disturbance exceeds one (1) acre then the project will require coverage under the Maine Construction General Permit, although that is unlikely in the case of this project.
10. Soils: The applicant has provided medium intensity soil report and generally the site soils are cut/fill land and made land. I would anticipate that the existing soil is adequate to support this temporary structure. Also, the applicant has requested a waiver to

providing a high intensity soils report and I would support the granting of this waiver given the proposed small building impact.

11. Site Plan/Ordinance Requirements: From my perspective, the applicant has adequately addressed the Review Criteria of Chapter 702 Site Plan Review Ordinance Section H. Review Criteria. However, the applicant has indicated that the students using this new structure will likely not bike to school and that there is adequate bike rack infrastructure on the campus and is not proposing new bike racks. I will leave it to your judgement regarding whether to require additional bike racks as part of this project.
12. Lighting: The applicant has not submitted a photometric plan that indicates the proposed lighting is in conformance with the Town standards. I recommend that a lighting plan be submitted to confirm there is adequate existing lighting in the area for the new classrooms.
13. Waivers: The applicant has requested the following waivers:
 - A. Article I.G.3.h High Intensity Soils Report: The applicant has requested a waiver to the requirement for the submission of a high intensity soils report. Given the project size and location, I concur with the applicant and recommend that a waiver be granted.
14. Off-site Improvements: The applicant is not proposing any offsite improvements.
15. Plan Review Comments:
 - A. C101 Site Layout and Utility Plan: The proposed sewer service connection shall be made to the existing sewer manhole via a Kor-N-Seal elastomeric boot and double stainless-steel bands per Yarmouth's standard details. A note to this effect shall be included in the connection note.
 - B. C102 Grading, Drainage, and Erosion Control Plan: The drip edge filter is noted to be only 6" deep and is constructed on the top of the embankment. There is a possibility the shallow filter will allow short circuiting of the flow path through the stone to the embankment. That said, the drip edge filter shall be constructed per the standard detail shown on Sheet C301 Site and Utility Details, Detail Roof Drip Strip, including the 4" underdrain. The underdrain may require direct connection to the existing storm drain catch basin and if so, shall be via a Kor-N-Seal elastomeric boot with double bands per Town Standards. This shall be a condition of approval.
 - C. C103 Sanitary Sewer Plan and Profile:
 1. It appears that the profile scale noted as 1"=5' Vertical is incorrect. I believe it is 1"=2'. It does appear that the profile is drawn correctly.
 2. A note should be added to state required pipe material as 4" diameter SDR35 PVC.
 3. Invert elevations at the cleanout and plumbing drop should be added.
 4. The existing sewer manhole is noted to have all inverts, in and out, at the same elevation. If this is true, then the invert shall be reconstructed to provide a tenth of a foot drop across the structure to allow the conveyance of the sewer flow across the channel and avoid backups. This shall be a condition of approval.
 - D. C301 Site and Utility Details: the 4'-0" Precast Sewer Manhole and Drain Manhole detail shall be updated to include the pipe connection as a Kor-N-Seal Elastomeric Boot with double stainless-steel bands or approved equal.

1.3


16. An irrevocable letter of credit or cash escrow and a non-refundable (2%) inspection fee will **NOT** be required for this project. Also, prior to issuance of building permits or the commencement of work, the applicant and their selected construction contractor shall attend a pre-construction conference with Town staff at a mutually agreeable date and time. Attendance at the pre-construction conference should be a condition of approval. Also, prior to issuance of building permits, the applicant shall satisfy all Town concerns and provided updated drawings as required. All other permit applications and fees will be required prior to the release of a building permit.

Town of Yarmouth ME

Director of Public Works

MEMORANDUM

To: Erin Zwirko -AICP, LEED AP - Director of Planning & Development

From: Erik S. Street, Director of Public Works 

CC: Steve Johnson, PE, Town Engineer, Wendy Simmons, Karen Stover

Date: 6/5/23

Re: NYA Major Site Plan – Portable Classroom

-
1. **General:** Applicant is proposing to install a portable classroom, measuring 28' x 66', along with a gravel pad and associated utilities (power, water & sewer)
 2. **Rights, Title:** No Concerns
 3. **Easements:** No Concerns
 4. **Homeowner Associations / Road Maintenance Agreements.** N/A – Falls under school campus.
 5. **Financial Capacity:** No Concerns.
 6. **Technical Ability:** No Concerns.
 7. **Solid Waste:** School is private and is serviced by a licensed hauler under a commercial account.
 8. **Water:** No Concerns.
 9. **Traffic / Parking:** The traffic & parking has been reviewed by our third-party reviewer. Here are my comments. The required sight distance listed on pg. 2 of the GP Traffic Evaluation is incorrect. The sight distance for a 25MPH road is 200 feet, not 160 feet – Has no bearing on the project -just a correction.

The handicap ramp to the new building ends at a parking stall. Will the applicant be eliminating one of the parking spaces to accommodate ramp traffic?

While the majority of traffic will use the Main Street access point, I think there is a small potential some traffic may find its way to Storer Street to bypass the congestion. The school may want to monitor Storer Street and watch for potential problems.

10. **Storm Drains:** Any down stream stormwater systems must be protected during construction. Stormwater BMP and applicable inspections will be required throughout the project.
11. **Drainage, Stormwater Management.** It appears the building area will be taking up some of the snow storage area. How will snow storage now be managed for this area to ensure all parking and access routes remain accessible?
12. **Sewers:** No Concerns.
13. **Erosion and Sediment Control:** Construction BMP's must be in place prior to construction. The gravel pad under the portable must not be susceptible to erosion from the parking lot.
14. **Soils:** No Concerns.
15. **Site Plan / Ordinance Requirements:** What is the designated walking route for the kids? How will they get from the main buildings to the portable classroom?
16. **Lighting:** No Concerns.
17. **Waivers:** No concerns.
18. **Off-Site Improvements:** Components of the Main Street Master Plan if applicable.
19. **Site Plan Drawing:** No Concerns.

If you have any questions, please let me know.

Attachment 3

From: [Eric Gagnon](#)
To: [Will Haskell](#); [Erin Zwirko](#)
Cc: [Tim Herrick](#)
Subject: Re: NYA Portable Classroom - Water ability to serve
Date: Monday, June 5, 2023 2:30:24 PM
Attachments: [image001.png](#)

Hi Will,

I am copying Erin with the Town so she is in the loop regarding the water service configuration. This is a short summary of our discussion points.

Thanks for sending over the fixture count. After plugging the units in, the TOTAL flow requirements for the Toddler House and the Portable are less than 20 GPM. The existing service line and meter will be sufficient for domestic use only.

We need to know what the fire system requirements are in order to determine the proper service configuration.

Separate fire and domestic services can be installed from the water main on Main Street.

In order to obtain service from Portland Street the water main on Storer would need to be upgraded. Typically new water main sizes are no less than 8" especially if there will be fire service taken off of them. The existing services on Storer would need to be connected to the new water main as well and YWD would cover those connection costs.

Eric Gagnon
Superintendent
Yarmouth Water District

Our current work schedule is Monday through Thursday 7 am to 5 pm and I typically do not check my emails regularly outside of those hours.

207.846.5821 phone

207.846.1240 fax

<http://YarmouthWaterDistrict.org/>

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June 1, 2023

Steven Johnson, P.E.
Town Engineer
Town of Yarmouth
200 Main Street
Yarmouth, Maine 04096

Subject: NYA Lower School Portable Classroom – Traffic Peer Review

Hi Steve:

Per your request, T.Y. Lin International (TYLin) is pleased to provide the following traffic peer review comments for the above noted project. Our review was based upon the Site Plan Review Application and Site Plan prepared by Gorrill-Palmer dated May 17, 2023.

- The applicant has conducted a trip generation estimate based upon ITE methods. I find the estimate to be reasonable. I would not expect the noted increase of 27 AM peak hour trips and 16 PM peak hour trips to have a significant impact on traffic mobility or safety. The applicant should note if there have been any previous projects on the campus that should be accounted for in conjunction with assessing the need for a MaineDOT Traffic Movement Permit.
- The applicant performed a review of safety conditions and determined that there are no High Crash Locations in the vicinity of the site.
- As noted by the applicant, acceptable sight distance is provided from the NYA driveway onto Main Street. While on-street parked vehicles may obstruct sight lines, the safety data did not identify an issue and accordingly, I find conditions to be acceptable.
- The applicant should provide dimensions for the parking spaces abutting the site area if changes are proposed.
- It is my understanding the westernmost parking space abutting the site will be eliminated and that space will be used for access to the classroom building. I would suggest the space be delineated such that it is clear vehicles should not park in that area. The applicant shall also confirm that access/egress to the building will be ADA compliant.

Please contact me if you have any questions.

Best regards,

T.Y. LIN INTERNATIONAL

A handwritten signature in black ink that reads "Thomas A. Errico". The signature is written in a cursive style with a large, stylized 'T' and 'E'.

Thomas A. Errico, PE
Senior Associate / NE Traffic Engineering Director



Nicholas Ciarimboli
Code Enforcement Officer
E-mail: nciarimboli@yarmouth.me.us

Tel: 207-846-2401
Fax: 207-846-2438

TOWN OF YARMOUTH
200 Main Street, Yarmouth, Maine 04096
www.yarmouth.me.us

MEMORANDUM

To: Erin Zwirko, Planning Director
CC: Wendy Simmons
Date: June 6, 2023
Re: **148 Main St. – Site Plan – NYA Modular Classroom**

The following comments are based on my initial review of the submitted documents and do not constitute an exhaustive building code review which will occur in conjunction with the Building Permit Application. All items shall be addressed with the Building Permit submission.

- 1.) The applicant shall provide a final set of drawings stamped by a State of Maine licensed design professional (Architect or Engineer) to accompany the Building Permit application.
- 2.) The applicant shall provide foundation and anchoring details for the structure.
- 3.) The applicant shall provide COMChecks or equivalent to verify compliance with 2015 International Energy Conservation Code.
- 4.) Based on the number of exits from the story, it would appear that the maximum occupant load of the building would be 49 people per 2015 International Building Code (IBC)/ Table 1006.3.2(2).
- 5.) The outdoor conditions for the ramp shall comply with 2015 IBC/ 1012.7.2.
- 6.) The exterior exit stairway and ramp may need to comply with 2015 IBC/ 1027
- 7.) The applicant shall verify maneuvering clearances at all doors in accordance with ICC A117.1-2009/ 404.2.3.
- 8.) A Sewer Connection Permit will be required in conjunction with the Building Permit
- 9.) All plumbing shall be protected from freezing in accordance with 2021 Uniform Plumbing Code (UPC)/ 312.6.

TOWN OF YARMOUTH
HISTORIC PRESERVATION COMMITTEE
Findings of Fact, Conclusions and Recommendation to Planning Board
**Proposed New Construction on Site adjacent to 148 Main Street, Curtis Bldg.,
North Yarmouth Academy
June 5, 2023**

1. The Committee finds that the proposed New Construction will be situated in the Lower Village Historic District in the NYA Campus Special District SD1 of the CBDC and will be surrounded by Buildings of Architectural and Historical Significance;
2. The Committee accepts the representations of the Applicant that:
 - a. The New Construction is a temporary measure, part of the Academy's plan for a permanent expansion to the campus for the Lower and Middle Schools, ultimately to be an addition to the existing wood frame/clapboard Lower School Building, which will be architecturally compatible with that building.
 - b. Pending construction of such permanent addition (which is not part of this application) the New Construction will be:
 - (i) a temporary modular classroom to provide two interim classrooms,
 - ii) to be leased from a vendor for a term of three years,
 - iii) placed adjacent to the playing fields, and to the rear of the Lower School and the Curtis Building and Safford Hall, as viewed from Main Street,
 - (iv) while the New Construction will face Main Street it will be set back a considerable distance from Main Street, and will be visible from Main Street only through a limited and narrow view corridor,
 - (v) will have screening vegetation planted along the foundation, and
 - (vi) will be removed when the new addition is complete, with assurances from NYA that this will take place within the three year lease term.
3. Based upon the foregoing;
 - a. the Committee concludes that the proposed New Construction should be permitted to go forward in accordance with the plans and specifications filed by Applicant, subject to performance of the representations of applicant set forth above being made conditions of approval; and
 - b. Recommends to the Planning Board that:
 - i. the Planning Board adopt the findings of fact and acceptance of Applicant's representations by the Committee set forth in Sections 1 and 2 above, and
 - ii. the application be approved, subject to the incorporation of the representations of Applicant as set forth in Section 2 above as Conditions of Approval.

Historic Preservation Committee
By Bruce B. Butler, ChairPerson
Architect, AIA/LEEDAP