

**TOWN OF RYE – PLANNING BOARD  
SITE WALK**

**Thursday, April 21, 2021  
4:00 p.m. – via ZOOM**

***Members Present:*** Chair Patricia Losik, Vice-Chair JM Lord, Clerk Steve Carter, Jim Finn, Katy Sherman, Selectmen’s Rep Bill Epperson, Alternates Jeff Quinn, Bill MacLeod and Kathryn Garcia

***Present on behalf of the Town:*** Planning/Zoning Administrator Kimberly Reed, and Conservation Commission Members Suzanne McFarland, Mike Garvan, Susan Shepcaro and Danna Truslow (also of Truslow Resource Consulting)

***Present on behalf of the applicant:*** Property owner Howard (last name inaudible), Project Manager Richard Berriman, Paul Dobberstein and John Chagnon from Ambit Engineering.

***Members of the public:*** Joe Cummins and Nina Cummins

**The Planning Board conducted a site walk at 150 Layette Road to review the proposal for the following application before the Board:**

- **Minor Non-Residential Site Development** application by Rye Place Realty, LLC for property at 150 Lafayette Road, Tax Map 10, Lot 14 to convert gravel unstriped parking are to paved parking are with striping per Section 202-2.1.B(1)(b) and Section 202-2.1.B(2)(c). Property is in the Commercial District and Aquifer Protection District. **Case #06-2021.**

Chair Losik called the site walk to order at 4:00 p.m. She summarized the highlights and concerns from the Planning Board meeting:

- The encroachment of pavement over the boundary to the lot;
- The location of the current septic;
- Location of the 100ft buffer;
- Location of the proposed septic and those assets;
- Edge of parking; lighting; stormwater management.
- Is variance relief needed for the septic and parking?
- Sebago Technics to review plans.

Planning Administrator Kim Reed noted that John Chagnon has mailed the septic plans to Attorney Donovan for review.

The site walk was turned over to Paul Dobberstein from Ambit Engineering. He led the group to stakes (pink) marking the 100ft wetland buffer. He also pointed out the stakes (white) marking

the proposed edge of pavement through the buffer. He noted that they focused on staking the areas of encroachment on the setback. Stakes also mark the 100ft wetland buffer relative to the proposed location for the new leachfield. (He reviewed the group's current location on the site plan.) Mr. Dobberstein also pointed out the stake (orange) marking the stormwater treatment feature.

Planning Administrator Reed asked the percentage of pavement that is going to be within the buffer.

Mr. Dobberstein noted the impervious area that will be within the 100ft buffer is just over 1300sf. The vegetative area that will remain in the buffer is 14,500sf.

The existing drainage pipe that runs under the building from the front parking lot was located on the site. The pipe is currently functional and is connected to a catch basin in the front of the property to catch the runoff from the paved parking area.

**Note:** *John Chagnon, Ambit Engineering, joined the site walk.*

Mr. Chagnon reviewed the drainage flow on the site plan for the group. He explained that the existing drainage that comes through the drainage pipe will continue to run through the pipe. The pipe will be cut back and all the water will be fed into the proposed level lip spreader.

Selectmen's Rep Epperson asked about the existing swale in that location and asked why they would not take the opportunity to fix that situation.

Mr. Chagnon replied that the swale will be going away. He explained that the grade at the building will be set by the access to the building. The pavement will slope, so the water will flow away from the building. (He reviewed the flow pattern on the site plan.)

Selectmen's Rep Epperson asked about vegetation.

Mr. Chagnon explained that the area above the level lip spreader will be vegetated with a weedy undergrowth. The level spreader is a stone berm, about 1.5ft tall, which pools the water behind it and deconcentrates it. Right now, there is a drainage pipe that exits, so it is a point drain. The level lip spreader takes the point drain, when the pipe is cut back, and spreads it out over a wider area.

Selectmen's Rep Epperson asked if there has been some thought to creating a barrier or fence in that area, so it does not become an attractive nuisance.

Mr. Chagnon replied that he is not sure it is an attractive nuisance. It is not a detention pond and it is only a 1ft drop.

Alternate MacLeod asked if the amount of parking is being driven by zoning requirement or the actual need for parking.

Mr. Chagnon replied it is the need for parking. Right now, the site has just as much parking as what is being proposed. Part of the need, is to replace the septic system, which started the whole conversation. The owner is wanting to invest the money to put in a new system. The current system is lower to the water table and doesn't meet the sizing requirements in today's regulatory environment. The proposed location for the new system will allow for an efficient parking layout. Right now, there is parking over the current system because it is lower. In raising up the new system, cars will not be able to park on it, so that space will be lost. They are balancing the efficiency of the parking layout with replacing the septic.

Alternate MacLeod asked if the parking is needed in the real world for the site's use.

Mr. Chagnon confirmed.

Howard, property owner, stated that if all 27 rooms are full, they could conceivably have 1.5 cars per room, which would be a major increase from what has been happening on the site. He further explained that cars have been parking all over with no organization. The intent is to have organized parking, so there will be a nice flow and the site will be family oriented. He wants it to be safe for everyone. He continued that more and more, especially now with Covid, people are talking about motels with open space. Elevators are forbidden. Common areas are less friendly for people to congregate. People are looking for open space. He pointed out that each motel room door is individually accessed, so people do not have to go through the front desk area.

Referring to the calculations of the runoff, Member Finn stated that the area is being replaced with impervious pavement. It was suggested that the area is currently impervious as well. He pointed out that it is pervious, or at least partially pervious. To him, impervious is concrete. Pervious is gravel, even if it is hard gravel like this. He asked if this is the right approach for the calculations.

Mr. Chagnon explained the packed gravel runs off at a 96 curve. Pavement runs off at 98, so they are essentially the same. That was taken into account for the drainage analysis. When there is gravel, which has been compacted by vehicles and parking vehicles, it is essentially impervious and that is how it is counted.

Referring to the site plan C-5, Chair Losik pointed out there is a table that shows the preconstruction impervious. The gravel of which composes over 25,000sf is considered impervious.

Member Carter commented that this will be reviewed by Sebago.

Alternate MacLeod stated that the curve number might not be 96 and could be 80. It is not a bad idea to pave because the pavement will provide parking lines and a safer, more efficient parking area. It's just that the drainage facilities might have to be larger to accommodate the difference in the curve numbers.

Mr. Chagnon pointed out that the Board will have engineering review by Sebago who can opine on the curve numbers.

Alternate Garcia stated that it seems the plantings provide a soft barrier for children running out into the parking lot/passage way. She asked if there are other barriers that would prevent children from doing that. She also asked what is in the play area.

Howard replied it is just open space.

Mr. Chagnon pointed out that the plantings are going to be on a grade change and it will be flatter as it goes uphill. It connects nicely with the end of the building and the narrow part of the pavement.

Alternate MacLeod asked if the septic field is vented.

Mr. Chagnon confirmed. It is vented at the field.

Alternate MacLeod pointed out that is in the middle of the play area.

Mr. Chagnon noted the play area is right over the septic system.

Alternate MacLeod stated that it could be brought to the outer parameter of the play area and still function.

Mr. Chagnon explained it is denser at the edge of the field. Where the field starts to transition into the side slope, that is where the vents are located. The system is pumped, so the field itself is not going to be vented back to the building. The tanks are vented back to the building up to the tank that pumps it. The field itself is not connected to the tank in that way.

Selectmen's Rep Epperson asked if it is vented to the atmosphere.

Mr. Chagnon confirmed.

Selectmen's Rep Epperson asked about the smell.

Mr. Chagnon explained that a system that gets the right amount of oxygen will not have a smell. He agreed to give consideration to the location of the vents.

Referring to the FocalPoint Biofiltration System, Chair Losik noted that in the first year, it requires quarterly inspections and then it is once per year. It seems that the system is multi-layered and doesn't cover a wide area, but it must be functioning properly. She asked where else they could see these systems in operation.

Mr. Chagnon replied that Bluebird Storage in Greenland has the system. He can also come up with some other examples for the Board. He pointed out that they are in the process of getting the bid. They may want to change it to more of an underdrain filter basin. They may not use the

FocalPoint, as it seems there may be things about the technology that aren't in concert with the pricing.

The group continued their site walk to the proposed stormwater treatment area. Mr. Chagnon reviewed the water flow.

Mr. Chagnon explained that the purpose of the system is to provide treatment for the first flush. If it hasn't rained for a couple of weeks, there are things that drip out of cars and stay on the surface. The first flush is the first rain that flushes that material down to the drainage system. The idea is that this system is a flat area, where the water is forced to go vertically through soil and plant material. In the bottom, is an outlet for pre-draining. In this case, it is a plastic grid that connects to an exit point. When there is a storm that is higher and reaches that first flush volume, the water will flow around the side over the spillway where it is forced to spread out into the level spreader.

Pointing to the last three stakes on the property, Chair Losik asked if that is the location for a swale.

Mr. Chagnon explained the swale is actually going to go kiddy-corner to the stakes. He continued that the system requires some head. He explained there is a fixed point at the building. There has to be a filter media that has a certain thickness, which determines the elevation for the outlet. That elevation has to be dragged down to get to free draining. The swale is about 50ft to 75ft long.

Member Sherman asked if the water just pools in this area now.

Mr. Chagnon replied that right now, there is no formal treatment. The water just runs off and is filtered by the buffer to the wetland.

Chair Losik clarified the bioretention is not a function of the design of the system.

Mr. Chagnon explained that because it is a "sandwich" of treatment, it is down below the grade. That grade has to drain. It is not a design element. It is simply a matter of grade.

Suzanne McFarland, Rye Conservation Commission, asked if the entire system is in the wetland buffer.

Mr. Chagnon replied it is not entirely in the buffer. He pointed out the stakes marking the buffer and the separate markers showing the system.

Vice-Chair Lord commented that the end of the swale is about 100ft in.

Mr. Chagnon noted the swale goes to almost the edge of the wetlands.

Selectmen's Rep Epperson asked if it is possible the wetlands were created from the building being on the site since the 50's.

Mr. Chagnon replied it is possible.

Referring to Mr. Epperson's questions, Danna Truslow, RCC and Truslow Resource Consulting, stated there may have been some enhancement; however, the soils have to be right. If it is saturated most of the time, it is a wetland whether or not it has been enhanced by the discharge from the facility.

Referring to the distance from the end of the swale to the edge of the wetland, Alternate MacLeod pointed out it is between 25ft and 30ft.

Planning Administrator Reed asked how many trees will be cut down that are greater than 4.5 inches.

Mr. Chagnon commented that is a number that will take some effort to come up with.

It was noted that the number of trees being removed is needed for the Conservation Commission.

Ms. McFarland asked if the calculations would change if the pavement was to be pervious. She asked if it would help in the runoff flow and volume that needs to be spread out.

Mr. Chagnon replied that this is not a site that is going to work well with porous pavement because of the water table. Porous pavement works well where there are well drained soils. If there is pavement that delivers the runoff to the treatment area, that is better than having the contaminants go right into the water table.

The group continued on the site walk to review the proposed location for the new septic system.

Mr. Chagnon pointed out the locations of the individual septic tanks. He noted that the tanks flow to a point that serves as a leaching basin. He also noted that the average daily flow is 4,019 gallons based on water meter readings. Book value flows are upwards of 9,000 gallons per day. The septic replacement design was based on water meter readings.

Vice-Chair Lord asked the occupancy of the units that gave those readings.

Mr. Chagnon replied that this is listed on the septic pages. There is a varied list of occupancies; 54 seat restaurant, salon, retail, office space, and a 27-unit motel with an apartment.

Vice-Chair Lord commented the question is how many units were rented because what is being built looks like most units will be rented. There may be a greater flow than what it has been in the past.

Mr. Chagnon pointed out the flow goes back before the pandemic.

Howard stated that there are 13-units that have families in them, who live there year-round. The 27-units are going to be used seasonally, so that is about half the use.

Mr. Chagnon stated the flow goes back over a period time. There is a file that takes up a whole box at town hall for this property. All the uses have been approved over the years through building permit applications. There is a thick folder about the septic system that goes back to a lot of complaints in the 80's from the tenants. There is a 1984 plan to fix the system, which was approved by DES. However, he does not think it was ever constructed because there is no operational approval. The current system is woefully inadequate. The flow that was shown to in the 1984 design was shown to be over 3,000 gallons a day.

Vice-Chair Lord asked if low flush toilets will be used.

Mr. Chagnon noted that the owner will put in low flow toilets. He also keeps a good data and maintenance on his tanks.

Member Sherman asked if there is laundry onsite.

Howard explained they are putting in guest laundry. They will be putting in two washers and two dryers.

Alternate MacLeod asked if there is a grease trap for the kitchen.

Mr. Chagnon replied that grease traps are not needed for residential. Both restaurants have interior grease traps. He led the group to the location for the new septic. He pointed out the stake marking the edge of pavement. He pointed out the corner of the system and pointed out the location of the 100ft buffer. He noted that the edge meets the 75ft setback; However, Berry's Brook requires a 100ft buffer. He explained the system will be raised up out of the water table to give better treatment. The area over the system will turn back to grass. The finished top of the system is around elevation 80. He noted that the existing tanks for the hotel will be replaced with three larger tanks. The gallonage meets all the criteria for the required gallonage for the 27 motel units. The tanks for the remainder of the property will stay in place with what is there now. The volume of that tankage is sufficient to treat the flow, which is based off the book value. He pointed out it is a two-pump system.

The group discussed the details for the proposed septic system.

Before continuing on, Mr. Chagnon noted that the six existing pole lights are going to be moved to new locations, which are shown on the plan. The group continued the site walk to review the proposal for the parking. They also reviewed the location of the access easement.

Mr. Chagnon explained that back in 2001, there was an application for Airfield Drive and they did some lot line relocation. He thinks this was after the easement was in place. What is there now, is what was there when the Planning Board approved the plan for the lot line relocation.

The group concluded their review of the boundary lines.

**Motion by Steve Carter to adjourn at 5:10 p.m. Seconded by Bill Epperson.  
All in favor.**

Respectfully Submitted, Dyana F. Ledger