



August 06, 2024

Proj. 11.025

Jamel Torres, Planner
Town of Arundel
468 Limerick Road
Arundel, Maine 04046

**Bentley's Campground, 1601 Portland Road, Arundel – Proposed Campground Expansion
Conditional Use Permit Application -7 Year Re-Application Submission
(Map 30 Parcel 24)**

Dear Jamel:

On behalf of Bentley W. Warren, III (d.b.a. BW Campground Realty, LLC), our design team is pleased to submit the attached materials in support of a Conditional Use Permit application for the Bentley's Campground Expansion Phases 3-7. Enclosed for your review are 10 copies of the following materials:

- Cover Letter, Narrative and Waiver Request
- Planning Board Conditional Use Application Form
- Conditional Use Application Checklist
- Abutters List
- Exhibit 1 – LUO Section 10.6.4 Standards Review
- Exhibit 2 – USGS Locus Map
- Exhibit 3 – Assessors Map
- Exhibit 4.1, 4.2 – 2017 and 2024 Master Plans
- Exhibit 5.1, 5.2 – Aerial Plans
- Exhibit 6 - Zoning Map
- Exhibit 7 – Right, Title and Interest – Deed
- Exhibit 8.1, 8.2 - Water Usage & Wastewater Flow Tables
- Exhibit 9– Stormwater Management Report – Narrative Only
- Exhibit 10 – FEMA-FIRM Map
- Site Plans entitled "*Bentley's Campground Expansion -Town CUP Re-Submission Post 2024 Phases 3-7*", prepared by Belanger Engineering and Licht Environmental Design, LLC dated August 05, 2024.
- Stormwater Management Report, Bentley's Campground Expansion dated February, 2024 - complete with hydrologic data and maintenance plan. Bound Separately. (1 Copy.)

A filing fee for a Major Conditional Use Application and abutter notices accompanies this application.

1. INTRODUCTION and BACKGROUND:

Bentley's Campground, located at 1601 Portland Road (U.S. Route One) received a Conditional Use Permit from the Town of Arundel in June, 2017 for an expansion of Bentley's Campground Phases 2-7 for an additional 132 RV Sites, utilities and amenities, bringing the total campground up to 185 approved sites. The RV campground was first approved with 38 sites and a bath house and

amenities in 2006. An additional 15 sites were approved in 2012 as Phase 1A creating a total of 53 approved sites prior to 2017.

Department of Environmental Protection Permits were issued in 2006 for the original campground and later in 2012 for the complete masterplan of Phases 1-7. However, due to a change in the zoning which had to be overcome, Bentley Warren was only able to approve Phase 1A (15 additional sites) in 2012 and the remaining Phases 2-7 were tabled with the Planning Board until the zoning was changed and subsequently the full master plan build-out was permitted under a new Conditional Use Permit (CUP) in June, 2017. The project also received a Traffic Movement Permit from the Maine Department of Environmental Protection.

To date Phases 2 and 3 of the 2017 Approved Expansion Plans have been constructed. Portions of infrastructure supporting Phases 4-7 have also been completed (Tree cutting, road construction, etc.) however RV sites are not completed within Phases 4-7. Additionally, this application is proposing minor changes to the Phase 3 layout and stormwater management as described further herein.

Condition 12 of the 2017 CUP Permit required that any improvements not installed by June 8, 2024 would require re-approval from the Town Planning Board. Accordingly, this application seeks re-approval for Bentley's Campground Expansion - Phases 4-7 and revisions to Phase 3 layout. **This new application includes changes including a reduction of total number of RV sites from 185 to 151 or a reduction of 34 sites or over 18%, changes to the stormwater management system and other associated minor adjustments in layout. In general the area of development remains approximately the same as the 2017 approved plans.**

Refer to Section 4 Below for a full description of the proposed Phases 3-7 Expansion and Changes. **Please note that in comparing the approved 2017 Site Masterplan to the current plans, Phases 4-7 have been re-numbered to better align with the expected build-out timeline. This application refers to the new phasing numbers unless otherwise noted.**

(Please note that for convenience and efficiency some prior submitted information such as Boundary Survey, MDIF&W and MHPC letters, etc. have been omitted from this updated application as such data remains unchanged and is on file with the Planning Department.)

2. PROJECT TEAM:

The applicant, Bentley W Warren, III has retained a team of seasoned professionals to design and permit the project. The design team includes the following firms:

Licht Environmental Design, LLC: Engineering and Permitting
Belanger Engineering: Engineering and Stormwater Management
Albert Frick Associates: Wastewater and Natural Resource Inventory
Barton & Loguidice -Traffic Assessment

3. EXISTING CONDITIONS:

a. General Site Conditions: The proposed campground expansion Phases 4-7 is located on Map 30 Parcel 24C (approximately 48.3 acres). Refer to *Exhibits 2 and 3*.

Topography in the proposed expansion area is predominated by a slight rise of approximately 14-16 feet in elevation from the wetland to the height of land with subtle variations in the micro topography . The development area is forested with a mix of white and red pine, oak, maple and birch. Phases 1, 2, 3 and 4 are located on the west/north side of a small brook and culvert crossing in the western portion of the site and Phases 5-7 are located in the central and eastern portion of the lot. (Refer to the original 2017 Master Plan *Exhibit 4.1* and the 2024 proposed Master Plan, *Exhibit 4.2.*)

The campground is accessed from Route One (Portland Road) via a 24 - foot paved access drive which also has a connection to the adjacent Bentley's Saloon property on Route One. Within the existing campground area, access drives are approximately 18 - 20 feet in width. Sight distances at Route One are 800+ feet to the north and 600+ feet to the South, exceeding MDOT and Town requirements for access within the current 40 mph zone.

The property is ideal for use as a campground due to the vast amount of undeveloped lands surrounding the property. (Refer to the current and 2012 site aerial maps *Exhibits 5.1 and 5.2.*)

b. Zoning: The property is located in the Downtown Business-2 (DB-2) Zoning District. Campgrounds are permitted as a Conditional Use as specified in Section 6.5.2 of the Land Use Ordinance. Adjacent districts include the DB-1 District along Route One to the west and R2 to the east along Old Post Road. The project meets the Conditional Use standards of Section 9.3.10 – Campgrounds and Tenting Grounds. Refer to *Exhibit 6* for a copy of the Zoning Map.

c. Right, Title and Interest: The campground property is under ownership of BW Campground Realty, LLC of which Bentley Warren is a principal owner. Refer to *Exhibit 7* for a copy of the deed.

d. Soils and Wetlands: Wetlands on site were mapped by Albert Frick Associates In the fall of 2011 and updated in 2024. As discussed above, the site contains several isolated wetland pockets and a narrow drainage and segments of a DEP stream which flows from the southwest portion of the site northerly and easterly discharging via the farm pond on Bentley Warren's personal lot (Map 30 Lot 24) and further northeast to a culvert in Old Post Road.

A significant vernal pool has been mapped circa 2012 by Albert Frick Associates, near the southern site boundary. A 250- foot buffer is provided including a small area of revegetation to a disturbed area. Refer to the Existing Conditions Site Plan Sheet C-100 and Proposed Wetland Impact Plan.

Soils are generally shallow to bedrock loam to sandy loam glacial tills. Refer to the Albert Frick Associates Class C - Soils Map in the Site Plan set. Test Pit logs can be provided if requested.

e. Utilities and Wastewater Disposal: The campground is serviced by underground electric / telephone and cable utilities and an on-site well and storage tank. The well (Located in the original 38-site Phase 1) has been permitted through the Department of Human Services as a Transient – Non Community Public Water System Well which services the campground. An on-site propane tank is used for providing heat and hot water to the existing campground restroom facility.

The site is serviced with an on-site subsurface wastewater disposal system. An approved septage dumping station is located on the existing campground for disposal of RV wastewater tanks.

f. Surface Drainage: The existing and proposed campground areas are located within the Goff Mill Brook watershed (draining to the east of the project). The site generally drains through several swales and drainages to the east either and north towards Log Cabin Road and Old Post Road. Refer to the accompanying Stormwater Management Report, *Exhibit 9* for additional watershed information.

g. FEMA Flood Plain: The project does not lie in a Zone A Flood Plan as shown on the FEMA -FIRM map, *Exhibit 10- # 230192 0010 C* of the project area.

4. PROPOSED DEVELOPMENT:

a. Revised Layout and Sites: As noted above the general layout of the main roads and sites is similar to the 2017 approved plans with a few exceptions including removing the prior Phase 4 southern “loop” road and associated sites. (Refer to *Exhibits 4.1 and 4.2* for a visual comparison of the 2017 and 2024 reduced Master Plans and Site Plan Sheet C-101).

Changes to the 2017 approved plans include:

1. **Reduction of total campground number of RV sites from 185 to 151** – a reduction of 34 sites and associated impervious and developed areas.
2. Minor changes in internal drive layouts, elimination of some sites in Phase 4. The internal drive network remains more or less as previously approved.
3. Re-labeling of phases 4-7 to more accurately line up with anticipated order of phased campground development.
4. Stormwater Management System Revisions: (All changes are in the watersheds draining to POA #3 (Point of Analysis). Refer to *Drainage Plans D100 – D102.*)
 - a. Revise stormwater management system to remove use of the existing farm pond for meeting DEP Chapter 500 General Standards on the private lot of Bentley Warren (Map 030 Lot 24C). That pond was previously designed and approved to be reconstructed as a DEP Wet Pond to treat much of the campground development. That existing pond is still used to meet the C. 500 Flooding Standards.
 - b. Add new under drained soil filters (USF's) 3P, 4P, 5P, 6P and 7P to allow each phase of the campground to be developed and meet stormwater C. 500 standards individually.
5. Minor adjustments and locations in the subsurface wastewater leach fields.
6. Re-vegetation of a small disturbed area within the 250-foot critical terrestrial habitat of significant vernal pool SVP-B2012, (SVP-1) located near the southern lot line. A NRPA Permit

by Rule #19 was previously approved for SVP-1. This area was inadvertently disturbed during site operations.

Campsites have been laid out to provide for a 10 foot wide vehicle pad, a picnic table, fire ring and ample allowance for maintaining wooded internal buffers where grading permits. All sites provide a minimum of 30 feet between parking areas. Utility (Water and Electric) are via site utility pedestals and separate sewer connections.

The total project campsite count upon approval would be:

• 2006 Original Phase Constructed	38 sites
• 2012 Permitted/Constructed	13 sites ¹
• 2017 – 2024 Permitted/Constructed Sites Phase 2	29 sites ²
• <u>Post 2024 Proposed Sites Phases 3-7</u>	<u>71 sites</u>
Total Approved and Proposed Sites:	151 sites

b. Traffic: The Maine Department of Transportation (MDOT) issued a Traffic Movement Permit (TMP) on March 03, 2011 for the combined traffic of the Saloon operation on the adjacent lot (Map 30 Parcel 32A) and a very conservative total of 270 campsites of which only 185-190 were approved. Additionally the 2017 CUP Permit Condition 10 required an update on traffic conditions at the end of each 3 constructed phases or 3 years. An updated assessment including summer trip counts, was prepared by Bill Bray, PE in January 2023 and presented to the Planning Board in February, 2023. That study concluded that the current traffic volumes were well within the limits projected in the original 2011-12 traffic study and TMP. With a reduction in the total number of approved sites the expectation is that the project will continue to operate within the limits of the TMP permit.

c. Utilities: Development Phases 3-7 proposes to extend water and underground electric/communications lines from existing services located within the current campground. (Utilities are installed in Phase 3 currently.) Both water and electric services will be provided to a standard pedestal located at each RV site as is currently done in the existing campground.

d. Wastewater Disposal: The existing permitted campground Phases 1, 1A and 2 are served by several subsurface wastewater disposal beds (B,C, & F), tanks and both gravity flow and force mains/pumps. The proposed expansion will utilize additional proposed leach beds H, I, K and L and a portion of Phase 3 will also flow via gravity to Leachbed F. (Refer to the Wastewater Disposal Masterplan in the drawing set.) Each system as they are developed will require an approved HHE-200 Subsurface Wastewater Disposal Form be submitted for approval to the Code Enforcement Officer. (HHE-200's can be provided upon request if required.)

Exhibit 8.1 provides a summary of water usage data and *Exhibit 8.2* provides a table of the existing and proposed leachbeds, which sites are proposed to connect to each leachbed and proposed design flows.

¹ Phase 1A approved for 15 sites. 13 were constructed with the additional 2 to be added at Phase 3 construction.

² The Phase 2 -29 sites included 4 sites added to the original 38 site northern portion of the campground.

- The required flows from the 151 site campground are estimated at **9,211 gpd**.
- The available wastewater disposal capacity within the various leachfields is **10,550 gpd**.

Refer to the Wastewater Disposal Master Plan in the drawing set for system locations.

Typically all RV units are equipped with a portable wastewater tank (which can be emptied at the dumping station at the existing campground) and a direct wastewater hook-up to connect directly to the individual site sewer connection while the vehicle is at the campsite. The existing bathroom and shower facility is also available to both tenting and RV campers at the proposed expansion.

e. Solid Waste: Bentley's Campground is currently under contract with Oceanside Rubbish of Wells to haul refuse and recyclable cardboard from the Campground (and Saloon). The current campground contains one (1) - 8 cubic yard dumpster which is emptied approximately weekly and taken to the Eco-Maine facility in Portland. The expansion anticipates use of the same dumpster and will increase the frequency of pick up if the need arises.

f. Lighting: The existing campground contains wall mounted fixtures on the restroom building and campground office/administration building. No new lighting is proposed for the Phases 3-7 campground expansion except on any future bath house facility.

g. Landscaping and Buffers: The development plan strives to retain clusters of trees within the camping area to provide shade and privacy on the sites. Re-graded areas will receive loam and seed for lawns where grading prevents retention of trees. The camp sites will also be buffered by the required Ordinance Section 8.3.A.1 perimeter buffer providing a wooded character to the facility – which has been well received by campers at the existing campground. It should be noted that there are no direct residential homes along the entire southern boundary and in fact the closest abutter is Arundel Ford which is well to the west of the site area and a heavy commercialized development. Although no formal landscaping areas are proposed - the overall effect is to develop the Phases 3-7 expansion with a similar grassed and wooded character to the existing campground.

The existing campground is also surrounded by a wooded buffer and includes a constructed vegetated berm to the north to provide additional screening and buffers to the adjacent properties to the north as required by the 2017 approvals.

h. Stormwater Management and Erosion Control: An excerpted stormwater management report, prepared by Licht Environmental Design, LLC and Belanger Engineering is attached as *Exhibit 9* with the full report bound separately due to the size of the document and hydrologic data. The report and hydrologic model address all of the standards required by Chapter 500 Stormwater Management Rules and Town of Arundel Stormwater Standards including the project description, pre and post drainage areas and watersheds descriptions, hydrologic calculations and data, time of concentration calculations, (Flooding Standard), General Standards calculations and treatment tables and mitigation BMP's including the use of forested buffers and additional under drained soil filters (USF's) 3P, 4P, 5P, 6P and 7P. The existing farm pond (located on the adjacent private lot of Bentley Warren) is modelled in the pre and post development analysis to meet Flooding standards for the 2, 10 and 25 year storm events.

The project drains to Goff Mill Brook and does not lie within the watershed of a lake or classified water body therefore Phosphorus removal standards of Chapter 500 are not applicable to this site.

Pre and Post development drainage plans are included in the plan set along with a post development treatment plan. (Plan sheets D-100, D-101 and D-102, respectively). A USGS overall watershed exhibit and USDA Soils Map Exhibit are also included.

A stormwater maintenance plan is included for maintaining all components of the site stormwater management system by the applicant. The Campground is supported by year-round maintenance staff to perform these inspections on a regular basis. All components of the stormwater management system will be private and maintained by Bentley's Campground.

An Erosion and Sedimentation Plan and Details are contained within the Site Plan set as sheets C-300 and C-301

5. CONSTRUCTION PHASING :

Bentley's Campground operates from April to October typically. Construction of campground Phases 3-7, pending approvals, is anticipated at approximately one phase per year subject to market conditions and occupancy of the campground during summer months which limits the amount of earthwork which can occur during weekday hours. Expected completion is within 5-7 years.

Construction will generally follow the following sequence:

- Layout and buffer marking & limited remaining tree cutting.
- Erosion Control Installation
- Stumping and grubbing
- Rough earthwork drives and sites and stormwater filter basins
- Utility installation (Elec/tele., water, subsurface wastewater system)
- Finish grading, loaming, seeding, landscaping and finish gravels.
- Removal of Erosion Controls.

Construction will be completed by the applicant's own construction group – Andy's Mini Excavating who have performed all prior construction on the site.

Phases 3-7 site construction costs are estimated at \$300,000.

6. DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMITTING:

The applicant has submitted an updated Site Location of Development Application (SLODA) to the DEP which is under review. The project previously received a SLODA and Natural Resources Act (NRPA) Tier 1 Permit in 2012. No additional wetland impacts are proposed with the revised Phases 3-7 layout and design.

7. WAIVER REQUEST – ORDINANCE SECTION 9.7.E CONDITIONAL USE PERMITS:

Ordinance Section 10.5.3 provides that the Board may grant waivers of the Conditional Use/Site Plan submission requirements Sections 10.5.1 and 10.5.2 if the Board (reviewing authority) finds

that the information would not yield any useful information given the nature or scope of the activity or the existing character of the site.

The following waiver request is not a request for relief from a performance standard of Section 10 but rather a request for a waiver of a “submission requirement” of the Section 10 Site Plan Checklist Item 10 – written copies of all state and federal permits be submitted with the initial Site Plan application.

Ordinance Section being requested for a Waiver: LUO Section 10.5.3: *“Written copies of all required state and federal approvals. Relevant state and federal laws include but are not limited to: Site Location of Development Act, Natural Resources Protection Act and Sec.404 Clean Water Act (federal).*

Rational for Request: Section 10.5.3 requires that an applicant secure applicable state and federal permits *PRIOR* to the Board making a finding of completeness for a Conditional Use Permit application.

The project has an existing DEP Site Location of Development (SLODA) and NRPA permit as referenced herein. This application requires submission of a new SLODA application which was done in February, 2024.

Typically these state permits are reviewed in approximately a parallel track with the Planning Board process and should issue of said permits not be obtained by the time of local Planning Board approvals, many towns simply place a condition on the final Planning Board permit subject to final state or federal permits be issued. For a developer to go completely through the DEP or US Army Corps of Engineers review processes, expending considerable expense with the potential risk of being denied at the local review level, this places unreasonable risk on any project.

Secondly securing state or federal permits and only then submitting a Conditional Use Application would add an estimated 3-4 months to the permitting process. Having both reviews going on essentially simultaneously avoids this pitfall.

And Third, there is minimal risk to the Town to accept a Conditional Use Permit application as complete and follow through to potential approvals conditioned upon receipt of state and federal permits since the applicant cannot commence with substantial work until all such permits are issued.

We believe the Board can find that the granting of the waiver for submission of DEP permits to meet completeness requirements and or approval can be mitigated by conditionally approving the CUP Application subject to submitting any such permits to the Planning staff when received.

For these stated reasons we respectfully request that the Planning Board grant a waiver of Section 10.5.3 and not require state and federal permits be obtained prior to the Board making a finding of application completeness. The final Conditional Use Permit approval could be conditioned upon receipt of required state and federal permits.



In summary, we trust this application will be found to be complete and ready for processing with the Planning Board, However, in the meantime should you have any questions please do not hesitate to contact me. We look forward to presenting the project at the August 20th Planning Board meeting.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rick Licht', written in a cursive style.

Frederic (Rick) Licht, PE, LSE
Principal

Encl: As Noted

Cc: Bentley W. Warren III
Brady Frick, Albert Frick Assoc.
Chris Belanger, Belanger Engineering
Andy Kaski, Kaski Mini Excavating