

1 KITTERY ECONOMIC DEVELOPMENT COMMITTEE – **UNAPPROVED MINUTES**

2 **March 17, 2021**

3 **Regular Meeting 4:00PM**

Virtual via Zoom

4 1. *Call to Order*

5
6 Chairperson Dow called the meeting to order at 4:08pm.

7
8 2. *Roll Call.*

9
10 Members present: Chair George Dow, Jeff Clifford, Drew Fitch, Stephen Kosacz.

11
12 Staff present: Planning Director Adam Causey, Town Planner Bart McDonough

13
14 3. *Agenda Amendment/Adoption.*

15
16 Chairperson Dow cast one vote for acceptance of the Agenda as presented.

17
18 4. *Acceptance of Previous Minutes: February 24, 2021*

19
20 **Motion by George Dow to approve the February 24, 2021 minutes as presented, second by**
21 **Drew Fitch. Motion passes 4-0.**

22
23 5. *All items involving visitors / requested officials: None*

24
25 6. *Committee Reports: None*

26
27 7. *Unfinished Business:*

28
29 a. *Old Post Road small area planning*

30
31 The EDC continued discussion on the intersection of Old Post Road and Dennett Road
32 Adam Causey and Bart McDonough presented further analysis and recommended the EDC
33 support unifying the B-L zoning district on those properties that are currently split-zoned. Mr.
34 Causey also stated that the Phase II environmental site assessment was not yet complete on
35 the Town-owned properties and that would be a critical piece of determining appropriate
36 redevelopment there. EDC members expressed support for a plan that addressed the
37 zoning, residential density suitable for affordable housing, and uses that did not adversely
38 impact Legion Pond or that were complimentary to commercial and residential uses near it
39 (like a warming hut or other passive recreation uses). Mr. Causey stated that staff would
40 return at the next meeting with more detailed information and an update on the Phase II.

41
42 8. *New Business. None.*

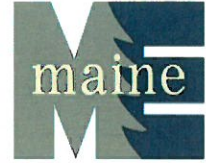
43
44 9. *Committee Member Issues or Comments. None.*

45
46 10. *Meeting Schedule & Adjournment.*

47
48 **Motion to adjourn by George Dow at 5:01pm, seconded by Jeff Clifford. Motion passes 4-0.**



STATE OF MAINE
DEPARTMENT OF ECONOMIC
AND COMMUNITY DEVELOPMENT



JANET T. MILLS
GOVERNOR

HEATHER JOHNSON
COMMISSIONER

March 15, 2021

Kendra Amaral, Manager
Town of Kittery
200 Rogers Road
Kittery, ME 03904

Dear Ms. Amaral:

The Office of Community Development (OCD) has reviewed the Letter-of-Intent to apply submitted for the 2021 Community Development Block Grant (CDBG) Economic Development Program (EDP). Our review showed that the Town of Kittery, on behalf of Good To-Go LLC, has met the requirements established by Title I of the Housing and Community Development Act of 1973, as amended and the State of Maine CDBG program.

Please note the following items that the EDP application and supporting documentation **must** include, in order to be eligible to be reviewed and scored:

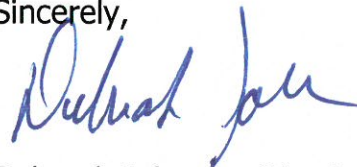
- Municipal legislative body approval
- Redefined budget and description of how CDBG funds will be used based on 2021 program statement and eligible activities – working capital, capital equipment, inventory. **NOTE** – renovation costs and construction cannot be paid using CDBG funds, but may be part of defined grant project using matching funds, pending appropriate environmental review and clearance date
- Documented commitment letters for **all matching funds required to complete the project**
- Identified sources from which resources were sought and why they are not being utilized as part of this development project demonstrating a gap exists in the project
- Tax return for **2020** for the applicant business and/or for any entity or individual with a 20% or more interest in the business

March 15, 2021
Town of Kittery
Page 2

If the application and financial documentation package, **as identified in the EDP application checklist**, does not contain all the required items, it will be deemed incomplete and **will not** be scored.

Please remember that eligibility to submit a final application does not imply final project approval or funding. Further, no matching funds or CDBG funds can be obligated or expended prior to the project receiving Environmental Clearance from the Office of Community Development.

Sincerely,



Deborah Johnson, Director
Office of Community Development

State of Maine
Community Development
Block Grant Program



**2021 Economic Development Program
Letter of Intent to Apply
Due Friday March 5, 2021 by 4:00 p.m.**

Letters of Intent must be submitted via email to: ocd.loi@maine.gov
Please enter "EDP LOI" in the subject line.

All communities wishing to apply for assistance under the 2021 Economic Development Program must use this Letter of Intent to document compliance with requirements established by Title I of the Housing and Community Development Act of 1974, as amended and the State of Maine CDBG program. Applicants who submit a completed Letter of Intent deemed to be fully compliant will be notified by OCD that they are eligible to submit a final application. Eligibility to submit a final application does not imply final project approval or funding. **Funds will not be available until after July 1, 2021.**

EDP PROJECT PARTICIPANTS

Legal Applicant (Community):

Applicant:	Town of Kittery	Phone:	207-475-1307
Address:	200 Rogers Road	Fax:	207-439-6806
City, ZIP+4:	Kittery, ME 03904	E-Mail:	Adam Causey, Planning Director: acausey@kitteryme.org
Contact:	Kendra Amaral, Town Manager: kamaral@kitteryme.org		
DUNS #:	Applicant DUNS (Dunn & Bradstreet) #: 09-362-9822 (visit http://fedgov.dnb.com/webform if applicant needs to obtain a number)		
OCD Staff Consultation (Name and Date of Consultation Required): Tammy Knight, Development Program Manager, 02/26/2021			

Business to be assisted:

Business	Good To-Go LLC	Phone:	207.451.9060
Address:	484 US Route 1	Fax:	207.703.2357
City, ZIP:	Kittery, 03904	E-Mail:	jennifer@goodto-go.com
Contact:	Jennifer Scism	Title	CEO
DUNS #:	Applicant Business DUNS (Dunn & Bradstreet) #: 080241239 (visit http://fedgov.dnb.com/webform if business needs to obtain a number)		

If applicable, is business to be assisted Retail Start-up

EDP ELIGIBLE ACTIVITY CATEGORY

	Grants to Municipalities for Direct Business Support: for capital and non-capital equipment, \$250,000* job training and working capital in support of an identified business. Acquisition is not an allowable activity under this group. *Start-up businesses are limited to a maximum grant award of \$100,000

ECONOMIC DEVELOPMENT PROGRAM FUNDS CANNOT BE USED TO REFINANCE EXISTING DEBT

PROJECT INFORMATION

Using the space provided please provide a clear, concise description of the proposed development project. Be sure to clearly explain how EDP funds will be utilized, the financing gap that exists to do the project and the timeline in which the CDBG-EDP funds will be expended and information relative to jobs being created and/or retained.

Good To-Go has been in business for 7 years. We are food processors manufacturing all-natural shelf stable dehydrated meals. The meals are sold in individual pouches that boiling water is added to, the diner only needs to wait a few minutes and the meals are ready to eat. We execute every step of the process in our facility from receiving the raw materials to cooking, drying, packaging, and shipping, selling either to B2B or directly to our customers through our website. We have been growing on average 39% annually and have reached the point of maximum production capacity at our current location. Good To-Go will be moving all our operations to a larger facility in Kittery in the next 10 to 15 months to continue our rapid growth. The 20,000 sq ft manufacturing plant will allow the company to expand its production capacity 4 times as well as increase our product line. We will be purchasing (2) 200-gallon steam kettles for cooking the meals and (2) FD-145 commercial dehydrators build and manufactured by Nyle Systems in Brewer Maine. The driers are paramount to our production capacity. Each drier takes 18 hours to fully process the cook batch, making it impossible to be used in a second shift. At the present time we have (1) smaller drier, capable of drying up to 5000 servings a day. Two new larger driers will expand our daily production up to 20,000 servings a day. In order for us to process at this level we will need to increase our production staff at a minimum of 6 people. The jobs created will be in the departments of shipping, sanitation and cooking. These are entry level jobs that we will fully train on site. Individuals are not required to have previous experience, special degrees or technical skills, only a will to work and good attitude are necessary. With the larger facility we have determined that we will need between \$1.75 million and \$2 million to be used for leasehold improvements to the building as well as capital expenditures for manufacturing equipment. To fund the project Good To-Go will raise money through sale of company equity. It is our hope to be able to raise \$1.5 million in the next 4 to 6 months. Bank financing was considered for the 250K gap in funds needed but leveraging that amount of money would negatively affect the company's profit and loss statement pushing profitability back until 2024 or later.

Occupation/Job Title	# of Jobs	Work Location	Hire Date	Hourly Salary	Job Class #
Picker Packer	2	Kittery	By 6/30/2022	17.50 + benefits	Laborers
Dishwasher	2	Kittery	By 6/30/2022	17.00+ benefits	Laborers
Production Asst	2	Kittery	By 6/30/2022	17.50 + benefits	Operatives
VP of Sales	1	Kittery	By 1/1/2022	TBD	Manager
Controller	1	Kittery	By 6/30/2022	TBD	Professional
Marketing Asst	1	Kittery	By 1/1/2022	TBD	Office and Clerical

In determining CDBG National Objective compliance with job creation only **Permanent** jobs may be counted; temporary jobs may not. Full time jobs require a worker to work at least 1750 hours per year. Part time jobs require a worker to work at least 875 hours but less than 1750 hours per year. Part-time jobs **must** be converted to Full Time Equivalentents (FTE). An FTE is defined as two part time jobs. **Seasonal** jobs may count only if the seasonal job lasts long enough and provides sufficient income to be considered the employee's principal occupation. (Contact OCD prior to counting seasonal jobs towards LMI benefit.) **All** permanent jobs created by the project must be counted, regardless of funding source(s). Jobs indirectly created by the project (i.e., remote location, "trickle down" jobs) do not count.

**STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT
ECONOMIC DEVELOPMENT PROGRAM LETTER OF INTENT**

GRANTEE/BUSINESS ASSURANCES

JOB CREATION

The Business Good To-Go LLC (as identified below), having applied for funding from the Town of Kittery (as identified below) through the Maine Department of Economic and Community Development, assures that it has discussed CDBG job creation project goals and requirements with the municipality. The Municipality is assured that 9 jobs will be created. The Business (as identified below) assures that these jobs will be created and that timely and completed documentation will be provided to the Municipality necessary to verify job creation achievements. Both the Municipality and the Business assure that low and moderate-income persons will take at least 51% of the jobs created.

In determining CDBG National Objective compliance with job creation only **Permanent** jobs may be counted; temporary jobs may not. Full time jobs require a worker to work at least 1750 hours per year. Part time jobs require a worker to work at least 875 hours but less than 1750 hours per year. Part-time jobs **must** be converted to Full Time Equivalents (FTE). An FTE is defined as two, part time jobs. **Seasonal** jobs may count only if the seasonal job lasts long enough and provides sufficient income to be considered the employee's principal occupation. (Contact OCD prior to counting seasonal jobs towards LMI benefit.) **All** permanent jobs created by the project must be counted, regardless of funding source(s). Jobs indirectly created by the project (i.e., remote location, "trickle down" jobs) do not count.

All job creation information reported on this form will be reviewed by OCD.

Town of Kittery
Municipality



Signature of Municipal CEO

3/3/21

Date

Good To-Go LLC
Business



Signature of Business CEO

03/02/2021

Date

G. COST ESTIMATES & PROJECT FUNDING

Provide the estimated project cost, amount of CDBG funds to be requested and sources, amounts and dates secured for all anticipated cash matching funds.

Applicants for Economic Development Program funds must certify and provide documentation, at time of application, that there is a 50% cash match of the total EDP award. Matching funds must be directly related to the activities undertaken with EDP funding and must be firm commitments from non-CDBG funds and documented by binding commitment letters submitted with the final application. Matching funds cannot be committed or expended prior to the project receiving Environmental Review Clearance from the Office of Community Development. Prior commitments and in-kind contributions are not considered as match. Project must demonstrate that there is a gap between sources and uses and that CDBG funds are needed to fill that gap.

If the business that is requesting CDBG funds has previously been assisted, you must get permission from the Director of OCD.

Please note projects with a total cost exceeding \$3,000,000 are not eligible for EDP assistance. The minimum request for EDP assistance is \$100,000*.



Total Estimated Project Cost:	\$2,000,000	CDBG Request:	\$250,000
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Funding Source	Amount	Date Secured
Funds Secured through Equity Raise	\$1,750,000	By mid May 2021
TOTAL:	\$1,750,000	

Applicant & Business Certifications

As an authorized official of the applicant community and/or business, I certify under the penalties of perjury that:

1. To the best of my knowledge and belief, all information contained in this Letter of Intent and all attached documentation is true and correct and current as of the date signed below;
2. This Letter of Intent complies with all applicable State and federal laws and regulations;
3. All parties signing this Letter of Intent are cognizant of the requirements that should the intended Job Creation/Retention National Objective of the CDBG program not be met all CDBG funds must be repaid to the State of Maine CDBG program; that DECD may elect to secure such requirement/repayment with assets of the Applicant Business for a term of up to five years should this project be approved for funding; and that DECD may deduct from the amount of any Grant the cost of legal fees associated with the review, underwriting and securing of collateral should this project be approved for funding.
4. There are no actions, suits or proceedings pending or, to the knowledge of the borrower, threatened against or affecting the applicant and/or business at law or in equity before any court or administrative officer or agency which might result in any material adverse change in the business or financial condition of the borrower. The borrower is not in default (a) in the payment of any taxes levied or assessed against it or any of its assets or (b) under an applicable statute, rule, order, decree, writ, injunction or regulation of any governmental body (including any court).
5. With the exception of administrative or personnel costs, verify that no person who is an employee, agent, consultant, officer, or elected official or appointed official of state or local government or of any designated public agencies, or subrecipients which are receiving CDBG funding may obtain a financial interest or benefit, have an interest in or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect to CDBG activities, per 24 CFR Part 570.611.
6. Approval of this Letter of Intent by OCD to submit a final application does not imply final project approval or funding.

Signature of Chief Executive Officer: 	Printed or Typed Name: Kendra Amaral, Town Manager
Name of Applicant Community : Town of Kittery, Maine	Date: 3/3/21
Signature of Chief Executive Officer: 	Printed or Typed Name: Jennifer Scism
Name of Applicant Business : Good To-Go LLC	Date: 03/02/2021

JOB CATEGORY DEFINITIONS AND CLASS NUMBERS

1. **Officials and Managers** – Occupants requiring administrative personnel who set broad policies, exercise overall responsibility of execution of these policies, and individual departments or special phases of a firm's operations. This includes: Officials, Executives, middle management, plant managers and superintendents, salaried supervisors who are members of management, purchasing agents and buyers, and kindred workers.
2. **Professional** – Occupants requiring either college graduation or experience of such kind and amount as to provide a comparable background includes: accountants and auditors, airplane pilots and navigators, architects, artists, chemists, designers, dietitians, editors, engineers, lawyers, librarians, mathematicians, natural scientists, registered professional nurses, professional and labor relations workers, physical scientists, physicians, social scientists, teachers, and kindred workers.
3. **Technicians** – Occupants requiring a combination of basic scientific knowledge and manual skill which can be obtained through about 2 years of post-high school education such as is offered in many technical institutions and junior colleges, or through equivalent on the job training. This includes: computer programmers and operators, drafters, engineering aides, junior engineers, mathematic aides, licensed practical or vocational nurses, photographers, radio operators, scientific assistants, surveyors, technical illustrators, technicians (medical, dental, electronic, physical science) and kindred workers.
4. **Sales** – Occupants engaging wholly or primarily in direct selling. This includes: advertising agenda and sales workers; insurance agents and brokers; real estate agents and brokers; sales workers, demonstrators and retail sales workers; and sales clerks, grocery clerks and cashiers; and kindred workers.
5. **Office and Clerical** – Includes all clerical-type work regardless of level of difficulty, where the activities are predominantly non-manual though some manual work not directly involved with altering or transporting the products is included. This includes: bookkeepers, cashiers, collectors (bills and accounts), messengers and office helpers, office machine operators, shipping and receiving clerks, stenographers, typists, and secretaries, telegraph and telephone operators, and kindred workers.
6. **Craft Worker (skilled)** – Manual workers of relatively high-level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training. This includes: the building trades, hourly paid supervisors and lead operators (who are not members of management), mechanic and repairers, skilled machining occupations, composers and typesetters, electricians, engravers, job setters (metal), motion picture projectionists, pattern and model makers, stationary engineers, tailors, and kindred workers.

JOB CATEGORY DEFINITIONS AND CLASS NUMBERS (continued)

7. **Operatives (semi-skilled)** – Workers who operate machines or other equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training. This includes: apprentices (auto mechanics, plumbers, electricians, machinists, mechanics, building trades, metal working trades, printing trades, etc.), operatives, attendants (auto service and parking), blasters, chauffeurs, delivery workers, dress makers and sewers (except factory), dryer's furnaces workers, heaters (metal), laundry and dry cleaning operatives, milliners, mine operatives and laborers, motor operators, oilers and greasers (except auto), painters (except construction and maintenance), photographic process workers, boiler tenders, truck and tractor drivers, weavers (textile), welders and flame metals workers, and kindred workers.

8. **Laborers (unskilled)** – Workers in manual occupations which generally require no special training perform elementary duties that may be learned in a few days and require the application of little or no independent judgment. This includes garage laborers; car washers and greasers; gardeners (except farm) and ground keepers; stevedores; wood choppers; laborers performing lifting, digging, mixing loading, and pulling operations; and kindred workers.

9. **Service workers** – Workers in both protective and non-protective service occupations. This includes attendants (hospital and other institutions, professional and personal service, including nurses' aides and orderlies), barbers, chair workers and cleaners, cooks (except household), counter and fountain workers, elevator operators, firefighters and fire protection guards, door keepers, stewards, janitors, police officers and detectives, porters, waiters and waitresses, and kindred workers.

PHASE II ENVIRONMENTAL SITE ASSESSMENT

Old Post Road Parcels
42 & 44 Old Post Road
Kittery, Maine 03904

April 2, 2021

325859.1.10

Prepared For:

Town of Kittery
200 Rogers Road
Kittery, Maine 03904

On Behalf Of:

Southern Maine Planning and Development
Commission
110 Main Street, Suite 1400
Saco, Maine 04072

Prepared By:

TRC Environmental Corporation
6 Ashley Drive
Scarborough, Maine 04074

Prepared by:
Joel Prellwitz, PG
Task Manager

Reviewed and Approved by:
Charles Springer, CG, CHMM
Brownfields Program Manager



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TABLES

Table 1: Soil Sample Screening and Analytical Summary

Table 2: Summary of Analytical Results for Soil Samples – January 2021

Table 3: Summary of Analytical Results for Groundwater Samples – February 2021

FIGURES

Figure 1: Site Location Map

Figure 2: Site Layout Plan

Figure 3: Groundwater Contour Plan

APPENDICES

Appendix A – Photographic Log

Appendix B – Soil Boring and Monitoring Well Construction Logs

Appendix C – Groundwater Sampling Forms and Well Development Forms

Appendix D – Laboratory Analytical Reports

Appendix E – Data Usability Assessment

Executive Summary

TRC Environmental Corporation (TRC) conducted a Phase II Environmental Site Assessment (ESA) at the Old Post Road parcels located at 42 and 44 Old Post Road in the Town of Kittery, Maine (the “Site”), in January and February 2021. This Phase II ESA was performed for the the Town of Kittery on behalf of Southern Maine Planning and Development Commission (SMPDC) under their Brownfields Assessment Grant funded by the United States Environmental Protection Agency.

The Site is described by the York County tax assessor as Tax Map 8, Lots 23 and 24 for 42 and 44 Old Post Road, respectively. The Site is in a residential/urban zoned area, consists of approximately 0.28 and 0.34 acres (42 and 44 Old Post Road, respectively), and is currently owned by the Town of Kittery. See **Figure 1** for a Site Location Map.

The Site parcels each have one structure, and both are currently vacant. The 44 Old Post Road property was formerly a residence and the 42 Old Post Road property formerly operated as a garage and exterior storage area for coach buses, other broken-down buses, automobiles, and automobile parts (tires, etc.). See **Figure 2** for a Site Layout Plan.

The Town of Kittery and SMPDC have agreed to work together to assess redevelopment options for the Site. TRC conducted this Phase II ESA to assess subsurface media at the Site in consideration of potential future redevelopment.

The following conclusions are based on the results of TRC’s Phase II ESA:

- **Geophysical Survey Results** – Based on the geophysical survey and markings placed by DigSafe and Geosearch GPR Services, there are utilities are present within the project area, which include municipal sewer and water service lines.
- **Site Geology** – The Site surfaces currently consist of landscaped areas and a paved driveway in front of the garage building and a partially paved/gravel driveway between the two parcels. Subsurface media at the Site was observed to consist of layers of fine to medium sand with silt and gravel (fill material). Local geologic maps indicate that the native material in the region consists of a silty sandy loam. Bedrock is mapped by the Maine Geological Survey as Silurian-aged calcareous feldspathic sandstone. Bedrock was not encountered during investigative activities; however, auger refusal (presumably on weathered bedrock or gravel/cobble materials) occurred at all drilling locations between 11 feet and 13 feet below ground surface (bgs).
- **Groundwater Flow Direction and Depth** – Groundwater was encountered at depths ranging between 2.92 feet and 4.44 feet bgs in the monitoring wells. Shallow groundwater flows southeasterly toward Legion Pond.
- **Soil-Screening Results** – Soil samples were screened in the field for the presence of volatile organic compounds (VOCs) during soil sampling using the Maine Department of Environmental Protection (MEDEP) bag headspace method with a photoionization detector (PID) and oleophilic dye testing. PID screening results associated with the soil boring soils ranged from below the instrument detection limit to 2.2 parts per million (ppm)

in SB-02 (at approximately 3 feet bgs). No odors were observed in soil samples. Oleophilic dye testing did not indicate the presence of petroleum-related impacts.

- **Soil Analytical Results** – The analytical results for soil samples collected from the five soil boring samples were compared to the MEDEP RAGs for the Residential, Park User, Commercial Worker, and Construction Worker Scenarios. Benzo(a)pyrene concentrations exceed the Residential Scenario MEDEP Remedial Action Guidelines (RAGs) in the soil sample collected from SB-04 (1-foot bgs), located within the driveway area. Chromium (total) concentrations exceed the Residential Scenario and Park User Scenario MEDEP RAGs for hexavalent chromium in soil samples from locations SB-01 (5 feet bgs), SB-02 (5 feet bgs), SB-03 (6 feet bgs), and SB-05 (4 feet bgs), and additionally, exceed the Construction Worker Scenario MEDEP RAGs for hexavalent chromium in the soil sample from SB-04 (1-foot bgs). Concentrations of chromium were conservatively compared to the MEDEP RAG for hexavalent chromium, as no standard for total chromium has been established. Concentrations of arsenic exceed the Residential Scenario MEDEP RAGs in soil samples from locations SB-01 (5 feet bgs), SB-03 (6 feet bgs), and SB-05 (4 feet bgs).
- **Groundwater Analytical Results** – The analytical results for groundwater samples collected from the three groundwater monitoring wells were compared to the MEDEP RAGs for the Residential and Construction Worker Scenarios. Lead (total) concentrations exceed the Residential Scenario MEDEP RAGs in groundwater samples from MW-03 and MW-02. Chromium (total) concentrations exceed the Residential Scenario MEDEP RAGs for hexavalent chromium in groundwater samples from locations MW-01 through MW-03. Concentrations of chromium were compared to the MEDEP RAG for hexavalent chromium, as no standard for total chromium has been established. Concentrations of arsenic exceed the Residential Scenario MEDEP RAGs in groundwater samples from locations MW-01 through MW-03.

Based on the findings presented in this Phase II ESA and the potential for redevelopment and/or reuse of the Site, TRC recommends the following:

- **Notify MEDEP of Soil and Groundwater RAG Exceedances** – TRC recommends that a copy of this report be provided to MEDEP to disclose the RAG exceedances in soil and groundwater at the Site.
- **Supplemental Soil Assessment** – Once redevelopment/reuse plans for the Site are determined, further assessment and delineation of impacted soils is recommended. The supplemental assessment should be targeted to those areas subject to construction and redevelopment activities. The additional investigation will serve to 1) further delineate the extent of polycyclic aromatic hydrocarbons and metal impacts in Site soils, 2) determine the type of chromium present in Site soils (trivalent vs hexavalent), and 3) characterize Site soils to support soil management and/or off-Site disposal during construction.
- **Consider Voluntary Remedial Action Program (VRAP)** – The current or prospective Site owner should consider applying to the Maine VRAP prior to undertaking redevelopment activities or transferring of the Site if the owner or prospective owner wishes to receive state liability protections. Application to the VRAP is not required but may provide certain environmental liability protections.



1.0 INTRODUCTION

TRC Environmental Corporation (TRC) conducted a Phase II Environmental Site Assessment (ESA) for the Town of Kittery on behalf of the Southern Maine Planning and Development Commission (SMPDC). The ESA was performed for the parcels located at 42 and 44 Old Post Road in the Town of Kittery, Maine 03904 at (herein referred to as the “Site”). A Site location map is included as **Figure 1**.

This Phase II ESA was performed using SMPDC’s Brownfields Assessment Grant award (BF 00A00458) funded by the United States Environmental Protection Agency (EPA).

1.1 Objectives

The objective of this Phase II ESA was to assess subsurface conditions at the Site relative to historical Site use as an auto and auto parts storage and repair property and the Recognized Environmental Conditions (RECs) identified in TRC’s December 11, 2020 Phase I ESA (TRC, 2020). This Phase II ESA included completion of soil borings, installation of monitoring wells, sampling of subsurface soils, and sampling of groundwater at the Site. Further information about the previous assessments at the Site is available in **Section 2.2**.

The specific objectives of this Phase II ESA are included in the Maine Department of Environmental Protection (MEDEP) and EPA-approved (on January 14, 2021) Brownfields Program Quality Assurance Project Plan (QAPP) Addendum (SMPDC-C), Old Post Road Parcels, 42 & 44 Old Post Road, Kittery, Maine (TRC, 2021).

1.2 Site Location and Description

The Site is described by the York County tax assessor as Tax Map 8, Lots 23 and 24 for 42 and 44 Old Post Road, respectively. The Site is in a residential/urban zoned area, consists of approximately 0.28 and 0.34 acres (42 and 44 Old Post Road, respectively), and is currently owned by the Town of Kittery. The Site parcels each have one structure, and both are currently vacant. The 44 Old Post Road property was formerly a residence and the 42 Old Post Road property formerly operated as a garage and exterior storage area for coach buses, other broken-down buses, automobiles, and automobile parts (tires, etc.). Additional information pertaining to Site history is presented in **Section 2.1**.

The Town of Kittery and SMPDC have agreed to work together to assess redevelopment options for the Site. TRC conducted this Phase II ESA to assess subsurface media at the Site in consideration of potential future redevelopment.

A Site Location Map identifying the general Site vicinity is provided as **Figure 1**. A Site Layout Plan illustrating the general features and layout of the Site and surrounding vicinity is provided as **Figure 2**. A Photographic Log is included in **Appendix A**.

1.3 Surrounding Area Description

The Site is located immediately west of Legion Pond and east of Old Post Road and its intersection with Dennett Road. Commercial properties are located west across Old Post Road and residential properties are north-adjacent to the Site. South of the Site is Legion Pond and a currently undeveloped parcel that was formerly Mary's Store, which was demolished in 2017.

1.4 Geologic and Hydrologic Conditions

Topographic Conditions

According to the United States Geological Survey 2012 *7.5-Minute Topographic Map for Portsmouth, NH (5645139)*, the Site is located directly west Legion Pond, the Site topographic elevation is approximately 24 feet above mean sea level, and local topography slopes to the south. The topographic downward slope observed at the Site during the Site reconnaissance is generally flat or toward the south.

Mapped Geologic Conditions

According to the EDR Report for the Site included with TRC's 2020 Phase I ESA, the mapped soil composition at the Site is summarized below:

Soil Map ID 1:

Hydric Status:	Not hydric
Soil Surface Texture:	Variable
Soil Component Name:	Urban Land
Deeper Soil Types:	Not reported

Soil Map ID 2:

Hydric Status:	Not hydric
Soil Surface Texture:	Fine loamy sand
Soil Component Name:	Lyman
Deeper Soil Types:	Gravelly fine sandy loam over unweathered bedrock within 2 feet of surface

Bedrock is mapped by the Maine Geological Survey as Silurian-aged calcareous feldspathic sandstone.

Observed Geologic Conditions

The Site surfaces currently consist of landscaped areas and a paved driveway in front of the garage building and a partially paved/gravel driveway between the two parcels. Based on TRC's observations made during soil boring advancement, subsurface media at the Site consists of layers of fine to medium sand with silt and gravel (apparent fill material). Based on local geologic maps, native material consists of a silty sandy loam. Bedrock was not observed during investigative activities; however, auger refusal was met at depths of 11 to 13 feet below ground surface (bgs), presumably on weathered bedrock or gravel/cobble materials. Soil boring and monitoring well construction logs are provided in **Appendix B**.

Hydrogeologic Conditions

During drilling, groundwater was generally observed at approximately 5 feet bgs. During groundwater gauging and sampling, groundwater was encountered at depths ranging between 2.92 feet and 4.44 feet bgs in the monitoring wells. Groundwater flow direction was interpreted to be to the southeast toward Legion Pond, as depicted on **Figure 3**. Monitoring well gauging information is provided in **Appendix B**.

2.0 SITE HISTORY

2.1 Historical Site Use

The Site currently has a single-family home on the 44 Old Post Road property and a single-story garage structure on the 42 Old Post Road property. The Town of Kittery acquired the parcels in 2020. File review and historical information indicate that the 42 Old Post Road property was a former bus coach business and storage area/junkyard for out-of-service automobiles and buses. This bus and auto storage area has a history that includes numerous reported small oil spills, larger spills that occurred during the towing of run-down buses and during a fire in one of the buses, and one of the buses was discovered as a drug lab after a spill report was filed indicating the presence of products consistent with the manufacture of methamphetamine in 2015.

During TRC's October 2020 Phase I ESA Site reconnaissance (summarized in Section 2.2.1 below), TRC observed several minor oil stains on the driveway on the north side of the garage and various potential hazardous building materials in the existing buildings on both properties.

2.2 Previous Environmental Site Investigations

TRC completed a Phase I ESA for the Site in October 2020, as summarized below.

2.2.1 TRC – Phase I ESA, Old Post Road Parcels, 42 & 44 Old Post Road, Kittery, Maine 03904, December 11, 2020

Four noteworthy findings were observed during the Phase I ESA. Two of these four findings were considered Recognized Environmental Conditions (RECs) that relate to potential for impacts to the Site subsurface. The other two findings relate to potential for hazardous building materials, which are not part of the scope of this assessment. Findings Nos. 2 and 3 are also RECs and are directly quoted from the Phase I ESA below in *italics*.

REC No. 1: Historical Use as an Automotive Storage Yard, Repair Garage, and Drug Lab

File review and historical information indicate that the 42 Old Post Road property was a former bus coach business and storage area/junkyard for out-of-service automobiles and buses. According to files obtained from the Town of Kittery, as well as spill reports in the EDR, the garage and surrounding exterior areas have a long history of being used to store decrepit vehicles, automobile parts, and there have been numerous cases of small oil spills. Additionally, the Fire Department reported larger spills that occurred during the towing of run-down buses and during a fire in one of the buses. During the Site reconnaissance, TRC observed several minor oil stains on the driveway on the north side of the garage. Additionally, a 2015 spill report indicated that products consistent with the manufacture of methamphetamine were recovered from a bread truck parked on the property at 44 Old Post Road. While the drug products were properly disposed of, the property is identified in the US Clandestine Drug Laboratory database as a drug lab site.

The potential exists for contamination to be present in the subsurface from former Site usage. Therefore, this finding is considered a REC associated with this Site.

REC No. 2: Petroleum Containers, Paints, and Other Chemicals Stored in the Garage

During the Site reconnaissance, TRC observed a large amount of old and possibly expired cans of paint, as well as other sealants, crack fillers, etc. Additionally, several containers of oily liquids were observed. While some of these were stored in containers in relatively good condition, many were in poor condition and stored loosely on the concrete flooring of the garage. The method of storage and the potential of deteriorating conditions of the old containers constitutes a potential material threat of release, particularly in areas where storage is over a cracked cement floor. Therefore, this finding is considered a REC associated with this Site.

As such, TRC recommended that additional assessment activities be conducted to further evaluate the RECs described above.

3.0 SITE INVESTIGATION

The following sections summarize activities performed as part of TRC's Phase II ESA conducted at the Site in January and February 2021. The objective was to assess subsurface conditions at the Site relative to the identified RECs.

The specific investigation tasks were as follows:

- Prepare a site-specific Health and Safety Plan (HASP);
- Conduct a geophysical survey to clear proposed soil boring locations, locate potential existing utilities on Site, and assess if other subsurface piping/structures are present;
- Complete five soil borings and collect soil samples from each boring to assess subsurface soil conditions;
- Install three monitoring wells at specified soil boring locations and collect groundwater samples from each well to assess groundwater conditions; and
- Survey and gauge monitoring well locations to assess the groundwater flow direction.

A Site Layout Plan depicting the location of the on-Site structures, subsurface soil sampling locations, and monitoring well installations is provided as **Figure 2**. Groundwater elevations and flow contours are depicted on **Figure 3**.

3.1 Technical Approach

The Phase II ESA technical approach was outlined in an approved Site-Specific QAPP Addendum SMPDC-C, dated January 2021. It should be noted that some minor deviations from the approved QAPP scope of work occurred during the Phase II activities, as follows:

- The QAPP outlined sampling of soil and groundwater that included analysis of select metals (lead, chromium, cadmium, and mercury). However, the samples submitted for laboratory analysis were inadvertently analyzed for the full suite of Resource Conservation and Recovery Act (RCRA) 8 metals (arsenic, barium, cadmium, chromium, lead, mercury, selenium, and silver). TRC discussed this deviation with the MEDEP on February 24, 2021 and all parties agreed that the full RCRA 8 metals list would be reported in this Phase II ESA.
- Dissolved metals groundwater samples were submitted to the analytical laboratory but were not analyzed. The Site is on the municipal water and sewer system. TRC discussed the analytical results with the MEDEP on February 24, 2021 and this approach was agreed upon at that time.

3.2 Site-Specific Health and Safety Plan

Prior to initiating subsurface assessment fieldwork, TRC prepared a Site-specific HASP to ensure the safety of TRC employees performing environmental investigation activities on Site. The HASP was developed in accordance with the requirements set forth in 29 Code of Federal Regulations 1910.120, Hazardous Waste Operations and Emergency Response. Specifically, the HASP identified and detailed potential Site hazards, appropriate action limits for each hazard, required task-specific personal protective equipment, decontamination procedures, and proper protocols for emergency events if encountered. The HASP also included appropriate precautions related to

COVID-19. The HASP was provided to project personnel and adhered to during on-Site investigation activities. A copy of the HASP was kept on Site during investigation activities.

Prior to the initiation of field work, TRC reviewed available Site plans and contacted Dig Safe to identify subsurface utilities at the Site.

3.3 Geophysical Survey

On January 28, 2021, Geosearch GPR Services conducted a geophysical survey to clear soil boring locations for drilling and identify potential existing on-Site utilities and assess if other subsurface piping/structures were present. The geophysical survey was conducted using ground-penetrating radar with a 350 Hyper-Stacking antenna, 2000-megahertz Palm antenna, TX-5 Transmitter (Radio Locator), and SIR 4000 3-wheel cart. Existing utilities were identified on Site in areas near the pre-marked locations of proposed subsurface soil borings. Boring locations were screened and marked as being clear of utilities in accordance with the work plan.

3.4 Soil Boring Advancement, Soil Sampling, and Soil Screening

On January 28, 2021, Geosearch Inc. (Geosearch) advanced five soil borings (SB-01 through SB-05) via direct-push Geoprobe methods and/or solid stem auger (as needed) at the locations depicted on **Figure 2**. During drilling activities, soil samples were collected continuously from the ground surface to the bottom of each boring (11 feet to 13 feet bgs). During drilling, groundwater was generally observed at approximately 5 feet bgs. The observed subsurface soils generally consisted of up to 1 foot of either asphalt or topsoil materials, underlain by layers of fine to medium sand with silt and gravel (consistent with fill materials). Due to gravel and cobble content, augers were used to advance the borings at depth, and auger refusal was generally encountered between 11 feet to 13 feet bgs.

Soils were evaluated for physical characteristics and inspected for visual and/or olfactory evidence of contamination prior to the selection of the sample. Samples were screened in the field for the presence of volatile organic compounds (VOCs) using a photoionization detector (PID) via the MEDEP bag headspace method and oleophilic dye testing, per the MEDEP standard operating procedure TS004.

One soil sample was collected from each soil boring for analysis at the depth interval exhibiting the greatest evidence of impacts (either visual/olfactory, or from screening methods) or from immediately above the observed groundwater table if multiple depth intervals exhibited evidence of contamination. Following completion of drilling activities, soil borings SB-01 through SB-03 were completed as monitoring wells and remaining soil borings were backfilled with cuttings from the borehole supplemented with #2 sand.

Soil samples collected were analyzed for extractable petroleum hydrocarbons (EPH) plus target polycyclic aromatic hydrocarbons (PAHs), volatile petroleum hydrocarbons (VPH) ranges (no target analytes), VOCs, and RCRA 8 metals. While the QAPP outlined sampling of soils that included analysis of select RCRA 8 metals (lead, chromium, cadmium, and mercury), the actual samples submitted for laboratory analysis were inadvertently analyzed for the full suite of RCRA 8 metals (arsenic, barium, cadmium, chromium, lead, mercury, selenium, and silver), which represents a deviation from the QAPP scope of work.

Samples were selected for volatile analyses based on visual and/or screening indications of contamination. The soil submitted for non-volatile analyses was placed into stainless-steel bowls using stainless-steel spoons (this equipment was decontaminated properly prior to use) and subsequently homogenized. These homogenized samples were transferred to appropriate sample containers with a stainless-steel spoon for each depth interval, and immediately placed on ice. Results of the soil sampling and soil screening are discussed in Section 4.0. Soil field screening data is summarized in **Table 1**. Soil boring and monitoring well construction logs can be found in **Appendix B**.

3.5 Monitoring Well Installation, Development, Gauging, and Groundwater Sampling

On January 28, 2021, three of the five soil borings (SB-01 through SB-03) were completed as groundwater monitoring wells as depicted on **Figure 3** (MW-01 through MW-03).

Each well was constructed of 2-inch-diameter schedule 40 polyvinyl chloride. Well depths ranged between approximately 12 feet and 13 feet bgs. Groundwater was generally encountered at approximately 5 feet bgs during soil boring advancement, and well depths were selected to be screened across the water table. The pipe sections were threaded-screw type, eliminating the need for solvent-based glue. Each well was screened with 10-slot (0.010-inch machine-slotted) screen, situated from approximately 2 feet to 3 feet bgs to the bottom of each well. A sand pack was placed around the screen extending to a level approximately 1 foot above the top of the screen. A bentonite seal approximately 1 foot thick was placed above the sand pack to seal off the screened portion of the well from the overlying strata. The remainder of the well annulus was filled with #2 sand or backfilled to ground surface and sealed with Quickcrete®. A locking-steel protective cover was installed over the top of the wells and the caps were flush with the ground surface.

On January 28, 2021, the newly installed monitoring wells were developed by pumping with a peristaltic pump or whale pump until three well volumes were removed, or the well was fully purged twice. Headspace measurements of VOCs were made on purged groundwater using a PID. The headspace VOC readings were less than 50 ppm, and the water was slowly discharged on Site in accordance with the QAPP. After development, the monitoring wells stabilized for a period of 7 calendar days prior to sampling.

On February 4, 2021, depth to groundwater was gauged for the on-Site groundwater wells prior to sampling. Groundwater was encountered at depths ranging between 2.92 feet bgs in MW-01 and 4.44 feet bgs in MW-02. No Light Non-Aqueous Phase Liquid was detected in the wells. Following gauging activities, TRC collected groundwater samples for laboratory analysis. Samples were obtained using low-flow sampling techniques with an adjustable-rate peristaltic pump. Results of the groundwater sampling are discussed in Section 4.0.

On February 4, 2021, TRC conducted a relative elevation survey of the top of the riser at each well location and measured distances to field-determined reference points to accurately show monitoring well locations on Site plans. The survey included the newly installed wells and the existing wells selected for sampling. The depth to water data, the elevation data, and the well location information were used together to refine the direction of groundwater flow beneath the Site. Based on the data, groundwater at the Site is estimated to flow in a southeasterly direction toward Legion Pond, as depicted on **Figure 3**.

Monitoring well sampling forms and well development forms are provided in **Appendix C**.

4.0 RESULTS

A summary of the soil field screening and the laboratory analytical results associated with the soil samples collected from the Site are provided in the attached tables. The laboratory analytical reports are provided in **Appendix D**, and a data usability assessment is provided in **Appendix E**.

4.1 Applicable Regulatory Categories

Results of the soil and groundwater samples are compared to the following criteria to evaluate contaminant conditions, evaluate locations for potential additional sampling, and evaluate remedial options, if necessary. Redevelopment/reuse options are not yet known.

Maine RAGs (Revised; October 19, 2018)

Maine RAGs for the Soil Exposure Pathway:

- Commercial Worker Scenario,
- Construction Worker Scenario,
- Residential Scenario, and
- Park User Scenario.

Maine RAGs for the Groundwater Exposure Pathway:

- Residential Scenario, and
- Construction Worker Scenario.

4.2 Soil Field Screening Results

Continuous soil samples were collected during sampling activities at each location. Each soil sample was evaluated for physical characteristics and inspected for visual and/or olfactory evidence of contamination prior to the selection of the sample. Samples were field screened for the presence of VOCs using a PID via the MEDEP bag headspace method. Oleophilic dye testing was also performed. The dye tests did not indicate the presence of petroleum-related impacts.

PID-screening results associated with the soil boring soils ranged from below the instrument detection limit to 2.2 ppm in SB-02 (at approximately 3 feet bgs). No odors were observed in soil samples. As elevated PID readings were not observed, samples were collected at the depth interval exhibiting the greatest evidence of contamination, or from immediately above the observed groundwater table if multiple depth intervals exhibited evidence of contamination.

Soil boring and monitoring well construction logs are provided in **Appendix B**. A summary of the soil screening results is included in **Table 1**.

4.3 Soil Analytical Results

Laboratory analytical results of soil samples collected from the Site were compared to the MEDEP RAGs for the Soil Exposure Pathway for the Park User Scenario, Residential Scenario, Commercial Worker Scenario, and Construction Worker Scenario. Soil samples were submitted for analysis of VOCs, VPH ranges, EPH plus target PAHs, and RCRA 8 metals. A summary of the soil analytical results is presented in **Table 2**.

4.3.1 VOCs

Several VOC analytes were detected above the laboratory detection limits but below the applicable MEDEP RAGs at SB-01. Detected analytes included ethylbenzene, p/m-xylenes, o-xylenes, and acetone. Acetone is a common laboratory contaminant; therefore, the low-level concentration in this sample may not be representative of Site conditions. The remainder of the soil samples contained no detections.

4.3.2 VPH Ranges

There were no detections of VPH range analytes above the laboratory detection limit in soil samples from the Site.

4.3.3 EPH Ranges Plus Target PAHs

EPH ranges and target PAHs were detected above the laboratory detection limits and below the applicable MEDEP RAGs in the majority of the soil samples collected as part of this investigation (all samples except SB-03). One PAH was detected above the Residential Scenario RAG.

- SB-04 (1'): Benzo(a)pyrene - 2.65 milligrams per kilogram (mg/kg).

Nearly all the PAH analytes and/or EPH ranges were detected in the soil samples, but below applicable MEDEP RAGs.

4.3.4 RCRA 8 Metals

Metals were detected above the laboratory detection limits in the soil samples. Concentrations of metals exceed the applicable RAGs in certain samples as follows:

- Arsenic was detected above the Residential Scenario RAG in the following samples:
 - SB-01 (5'): Arsenic - 13.7 mg/kg;
 - FD (field duplicate of SB-01 (5')): Arsenic - 11.9 mg/kg;
 - SB-03 (6'): Arsenic - 15.8 mg/kg; and
 - SB-05 (4'): Arsenic - 13.6 mg/kg.
- Chromium (total) was detected above the Residential Scenario and the Park User Scenario RAGs in the collected soil samples. One soil sample (SB-04) also exceeded the Construction Worker Scenario RAG. Concentrations of chromium were compared to the

MEDEP RAG for hexavalent chromium, as no standard for total chromium has been established.

- SB-01 (5'): Chromium - 33.2 mg/kg;
 - FD (field duplicate of SB-01 (5')) - Chromium - 34.6 mg/kg;
 - SB-02 (5'): Chromium - 21.5 mg/kg;
 - SB-03 (6'): Chromium - 31.4 mg/kg;
 - SB-04 (1'): Chromium - 50.1 mg/kg; and
 - SB-05 (4'): Chromium - 43.8 mg/kg.
- Cadmium was detected in the collected soil samples above laboratory reporting limits, but below applicable MEDEP RAGs.
 - Lead was detected in the collected soil samples above laboratory reporting limits, but below applicable MEDEP RAGs.

4.4 Groundwater Analytical Results

Laboratory analytical results of groundwater samples collected from the Site were compared to the MEDEP RAGs for the Groundwater Exposure Pathway for the Residential Scenario and the Construction Worker Scenario. Groundwater samples were submitted for analysis of VOCs, VPH ranges, EPH plus target PAHs, and total RCRA 8 metals. Dissolved RCRA 8 metals were submitted to the laboratory but were not analyzed as part of this assessment. A summary of the groundwater analytical results is presented in **Table 3**.

4.4.1 VOCs

Several VOC analytes were detected above the laboratory detection limits but below the applicable MEDEP RAGs in each groundwater sample. Detected analytes included tetrachloroethene, 1,2-dichloroethane, benzene, toluene, chloromethane, bromomethane, acetone, 2-butanone, 1,2,4-trimethylbenzene, and isopropyl ether.

4.4.2 VPH Ranges

There were no detections of VPH range analytes above the laboratory detection limit in groundwater samples from the Site.

4.4.3 EPH Ranges Plus Target PAHs

There were no detections of EPH ranges above the laboratory detection limit in groundwater samples from the Site.

Target PAHs were detected above the laboratory detection limits and below the applicable MEDEP RAGs in each of the groundwater samples collected as part of this investigation. Detected analytes included naphthalene, 2-methylnaphthalene, acenaphthylene, fluorene, phenanthrene, fluoranthene, pyrene, benzo(a)anthracene, chrysene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(a)pyrene, idнено(1,2,3-cd)pyrene, and benzo(ghi)perylene.

4.4.4 RCRA 8 Metals

Total RCRA 8 metal analytes were detected above the laboratory detection limits in the collected groundwater samples. Concentrations of total metals exceeded the Residential Scenario RAGs in certain samples as follows:

- Arsenic:
 - MW-01: Arsenic - 6.15 micrograms per liter (ug/l);
 - MW-02: Arsenic - 0.70 ug/l;
 - FD (field duplicate of MW-02): Arsenic - 3.71 ug/l; and
 - MW-03: Arsenic - 10.21 ug/l.
- Chromium:
 - MW-01: Chromium - 4.96 ug/l;
 - MW-02: Chromium - 0.61 ug/l;
 - FD: Chromium - 8.89 ug/l; and
 - MW-03: Chromium - 13.80 ug/l.
- Lead:
 - FD: Lead - 7.79 ug/l; and
 - MW-03: Lead - 7.46 ug/l.

Concentrations of chromium were compared to the MEDEP RAG for hexavalent chromium, as no standard for total chromium has been established. Cadmium and barium were also detected above laboratory reporting limits, but below applicable MEDEP RAGs in the groundwater samples.

4.5 Data Usability Assessment

The data associated with soil samples collected on January 28, 2021, and groundwater samples collected on February 4, 2021, were reviewed. In general, data are usable for project decisions based on a review of accuracy, precision, and sensitivity of the data. The data are valid as reported and may be used for decision-making purposes with the following caution.

- Caution should be used with the results for arsenic, chromium, and lead in groundwater samples MW-02 and FD due to field duplicate variability. The results for arsenic, chromium, and lead in the field duplicate sample are significantly higher than the original sample. To remain conservative, the results from the field duplicate analysis of this location should be used for project objectives.

The data usability assessment is provided as **Appendix E**.

5.0 CONCEPTUAL SITE MODEL

The following section provides a current Conceptual Site Model (CSM) for the Site. This CSM represents TRC's current Site understanding based on existing data. The CSM may evolve over time as additional information becomes available.

5.1 Historical Information

Based on TRC's records reviews as part of the December 2020 Phase I ESA, the Site structures have existed since at least 1952 and have remained more or less in their current configuration to present.

42 Old Post Road has been used as a garage and the exterior areas have been used for storage of coach buses that were used for the Dineen Bus business and storage of broken-down buses and other automobiles and automobile parts (tires, etc.). The exterior storage of buses and other parts extended onto the properties at 44 Old Post Road (to the north) and 40 Old Post Road (to the south).

44 Old Post Road has been used as a residential property and the exterior areas have partially been used for additional storage of coach buses for the Dineen Bus business.

The Town has a history of court actions against the former owner(s) of the Site properties for their use as a vehicle junkyard and the general decrepit condition of the structures.

5.2 Current Site Use

The Site is currently vacant. The Town of Kittery took ownership in July 2020 and access is partially restricted via fencing and a gate across the driveway.

5.3 Anticipated Future Site Use

TRC understands that the redevelopment and/or sale options for the Site have not yet been determined.

5.4 Geologic and Hydrogeologic Conditions

The Site surfaces currently consist of landscaped areas and a paved driveway in front of the garage building and a partially paved/gravel driveway between the two parcels. The Site is located directly west of Legion Pond, and local topography slopes gently to the south. Subsurface media at the Site consists of layers of fine to medium sand with silt and gravel (consistent with fill materials) that overlie a silty-sand loam native material (based on regional geologic maps). Bedrock is mapped by the Maine Geological Survey as Silurian-aged calcareous feldspathic sandstone.

Soil borings SB-01 through SB-05 were advanced during this investigation to depths of approximately 11 feet to 13 feet bgs. Groundwater was encountered at depths ranging between 2.92 feet and 4.44 feet bgs in the soil borings completed as monitoring wells (MW-01 through MW-03). Shallow groundwater flows in a southeasterly direction toward Legion Pond.

5.5 Nature and Extent of Impacts

Based on this assessment, PAH impacts (benzo(a)pyrene) above the applicable RAGs are present in surficial Site soil (1-foot bgs) in the unpaved driveway near SB-04. Arsenic and chromium impacts are present in surficial soil and fill soils at depth (1-foot bgs to 6 feet bgs) throughout the majority of the Site.

Total arsenic and chromium impacts above the applicable RAGs are present in groundwater collected from MW-01 through MW-03. Total lead impacts above the applicable RAGs were detected in groundwater collected from MW-02 and MW-03.

Concentrations of benzo(a)pyrene slightly exceed the MEDEP RAG for the Residential Scenario in fill soils sampled just below the driveway materials at location SB-04.

Chromium (total) concentrations exceed the Residential Scenario and Park User Scenario MEDEP RAGs for hexavalent chromium in soil samples from locations SB-01 through SB-03 and SB-05, and additionally exceed the Construction Worker Scenario MEDEP RAGs for hexavalent chromium in the soil sample from SB-04. Chromium (total) concentrations exceed the Residential Scenario MEDEP RAGs for hexavalent chromium in groundwater samples from locations MW-01 through MW-03. This is not uncommon in fill in the State of Maine. Further assessment would be necessary to determine the speciation between hexavalent chromium (a known carcinogen) and trivalent chromium (which has a lower human health impact).

Concentrations of arsenic exceed the Residential Scenario MEDEP RAGs in soil samples from locations SB-01, SB-03, and SB-05 and in groundwater samples from locations MW-01 through MW-03. Similarly, this is not uncommon in the State of Maine and TRC has observed similar concentrations in background samples collected from other sites. However, further assessment would likely be necessary to confirm these concentrations are at background levels.

Lead (total) concentrations exceed the Residential Scenario MEDEP RAGs in groundwater samples from locations MW-03 and the field duplicate sample from MW-02.

Both total and dissolved (field-filtered) groundwater samples were submitted to the analytical laboratory for RCRA 8 metals analysis. Although total metals were detected above the applicable RAGs, groundwater is not expected to be considered an exposure risk to human health as the Site is serviced by municipal water. Therefore, dissolved metals analysis was not completed. TRC discussed the analytical results with the MEDEP on February 24, 2021 and this approach was agreed upon at that time.

5.6 Potential Sources of Impacts

TRC believes there is not enough information to conclusively determine the sources of contamination at this time. Potential sources of PAH and metals impacts to Site soil and groundwater include:

- Historical fill material used during construction of the Site and of indeterminate origin and integrity;
- Historical Site operations as a vehicle (bus) storage and maintenance space;

- Natural background conditions; and
- Atmospheric deposition.

Benzo(a)pyrene (and many PAHs, in general) is common in soils adjacent to pavement (asphalt) or other petroleum-based materials and also may be present in anthropogenic fill materials. Metals (in the case of this Site; arsenic, chromium, and lead) are often found as contaminants at automobile sites but may also be found in fill material. Naturally-occurring metals can be associated with background conditions related to the geologic setting and/or atmospheric deposition into undisturbed, natural soil media. Based on the analytical results of this Phase II ESA, exceedances of PAHs and metals are barely above the applicable RAGs; therefore, it is likely that the observed impacts are due to natural (background-level) processes or from the fill material. However, impacts due to historical Site use cannot be ruled out, based on the known history of the Site and its past operations as a vehicle (bus) storage and maintenance space.

6.0 CONCLUSIONS

The following conclusions are based on the results of TRC's Phase II ESA:

- **Geophysical Survey Results** – Based on the geophysical survey and markings placed by DigSafe and Geosearch GPR Services, there are utilities present within the project area, which include municipal sewer and water service lines.
- **Site Geology** – The Site surfaces currently consist of landscaped areas and a paved driveway in front of the garage building and a partially paved/gravel driveway between the two parcels. Subsurface media at the Site was observed to consist of layers of fine to medium sand with silt and gravel (fill material). Local geologic maps indicate that the native material in the region consists of a silty sandy loam. Bedrock is mapped by the Maine Geological Survey as Silurian-aged calcareous feldspathic sandstone. Bedrock was not encountered during investigative activities; however, auger refusal (presumably on weathered bedrock or gravel/cobble materials) occurred at all drilling locations between 11 feet and 13 feet bgs.
- **Groundwater Flow Direction and Depth** – Groundwater was encountered at depths ranging between 2.92 feet and 4.44 feet bgs in the monitoring wells. Shallow groundwater flows southeasterly toward Legion Pond.
- **Soil-Screening Results** – Soil samples were screened in the field for the presence of VOCs during soil sampling using the MEDEP bag headspace method with a PID and oleophilic dye testing. PID screening results associated with the soil boring soils ranged from below the instrument detection limit to 2.2 ppm in SB-02 (at approximately 3 feet bgs). No odors were observed in soil samples. Oleophilic dye testing did not indicate the presence of petroleum-related impacts.
- **Soil Analytical Results** – The analytical results for soil samples collected from the five soil boring samples were compared to the MEDEP RAGs for the Residential, Park User, Commercial Worker, and Construction Worker Scenarios. Benzo(a)pyrene concentrations exceed the Residential Scenario MEDEP RAGs in the soil sample collected from SB-04 (1-foot bgs), located within the driveway area. Chromium (total) concentrations exceed the Residential Scenario and Park User Scenario MEDEP RAGs for hexavalent chromium in soil samples from locations SB-01 (5 feet bgs), SB-02 (5 feet bgs), SB-03 (6 feet bgs), and SB-05 (4 feet bgs), and additionally, exceed the Construction Worker Scenario MEDEP RAGs for hexavalent chromium in the soil sample from SB-04 (1-foot bgs). Concentrations of chromium were compared to the MEDEP RAG for hexavalent chromium, as no standard for total chromium has been established. Concentrations of arsenic exceed the Residential Scenario MEDEP RAGs in soil samples from locations SB-01 (5 feet bgs), SB-03 (6 feet bgs), and SB-05 (4 feet bgs).
- **Groundwater Analytical Results** – The analytical results for groundwater samples collected from the three groundwater monitoring wells were compared to the MEDEP RAGs for the Residential and Construction Worker Scenarios. Lead (total) concentrations exceed the Residential Scenario MEDEP RAGs in groundwater samples from MW-03 and MW-02. Chromium (total) concentrations exceed the Residential Scenario MEDEP RAGs

for hexavalent chromium in groundwater samples from locations MW-01 through MW-03. Concentrations of chromium were conservatively compared to the MEDEP RAG for hexavalent chromium, as no standard for total chromium has been established. Concentrations of arsenic exceed the Residential Scenario MEDEP RAGs in groundwater samples from locations MW-01 through MW-03.

7.0 RECOMMENDATIONS

Based on the findings presented in this Phase II ESA and the potential for redevelopment and/or reuse of the Site, TRC recommends the following:

- **Notify MEDEP of Soil and Groundwater RAG Exceedances** – TRC recommends that a copy of this report be provided to MEDEP to disclose the RAG exceedances in soil and groundwater at the Site.
- **Supplemental Soil Assessment** – Once redevelopment/reuse plans for the Site are determined, further assessment and delineation of impacted soils is recommended. The supplemental assessment should be targeted to those areas subject to construction and redevelopment activities. The additional investigation will serve to 1) further delineate the extent of PAH and metal impacts in Site soils, 2) determine the type of chromium present in Site soils (trivalent vs hexavalent), and 3) characterize Site soils to support soil management and/or off-Site disposal during construction.
- **Consider Voluntary Remedial Action Program (VRAP)** – The current or prospective Site owner should consider applying to the Maine VRAP prior to undertaking redevelopment activities or transferring of the Site if the owner or prospective owner wishes to receive state liability protections. Application to the VRAP is not required but may provide certain environmental liability protections.

8.0 LIMITATIONS

1. TRC's study was performed in accordance with generally accepted practices of other consultants undertaking similar studies at the same time and in the same geographical area, and TRC observed that the degree of care and skill was generally exercised by other consultants under similar circumstances and conditions. TRC's findings and conclusions must be considered not as scientific certainties, but rather as a professional opinion concerning the significance of the limited data gathered during the course of the study. No other warranty, express or implied, is made. Specifically, TRC does not and cannot represent that the subject property contains no hazardous material, oil, or other latent condition beyond that observed by TRC during its study. Additionally, TRC makes no warranty that any response action or recommended action will achieve all of its objectives or that the findings of this study will be upheld by an MEDEP audit.
2. This study and report have been prepared on behalf of and for the exclusive use of the Client, solely for use in a Phase II ESA for the Old Post Road parcels located at 42 and 44 Old Post Road in the Town of Kittery, Maine (subject property). This submittal and the findings contained herein shall not, in whole or in part, be disseminated or conveyed to any other party, nor used by any other party in whole or in part, without the prior written consent of TRC or the Client.
3. The observations described in this report were made under the conditions stated therein. The conclusions presented in the report were based solely upon the services described therein, and not on scientific tasks or procedures beyond the scope of described services or the time and budgetary constraints imposed by Client. The work described in this report was carried out in accordance with the Terms and Conditions referenced in our proposal to the Client.
4. In the event that the Client or others authorized to use this report obtain information on environmental or hazardous waste issues at the subject property not contained in this report, such information shall be brought to TRC's attention forthwith. TRC will evaluate such information and, on the basis of this evaluation, may modify the conclusions stated in this report.
5. No specific attempt was made to check on the compliance of present or past owners or operators of the Site with federal, state, or local laws and regulations, environmental or otherwise.

9.0 REFERENCES

- TRC, 2020 TRC, *Phase I Environmental Site Assessment, Old Post Road Parcels, 42 & 44 Old Post Road, Kittery, Maine*, dated December 11, 2020.
- TRC, 2021 TRC, *Brownfields Program Quality Assurance Project Plan SMPDC-C (Revision 0), Old Post Road Parcels, 42 & 44 Old Post Road, Kittery, Maine*, dated January 14, 2021.
- ASTM, 2011 ASTM E 1903-11, *Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process*, updated July 2011.



TOWN OF KITTERY
Economic Development Committee
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1307 Fax: 207-439-6806

April 15, 2021

Congresswoman Pingree
2 Portland Fish Pier, Suite 304
Portland, ME 04101

Re: Community Project Funding Letter of Support

Dear Honorable Congresswoman Pingree,

I write to you on the behalf of the Kittery Economic Development Committee (EDC) in support for Fair Tide's application for Community Project Funding. The EDC provides input and guidance to the Town on opportunities, challenges, and impacts of economic development within Kittery.

For over 23 years, Fair Tide has provided safe housing and support services to Kittery and the Seacoast community. It is increasingly difficult for people to find safe, clean, and affordable housing in this market. Without quality housing, everything from employment to education becomes difficult to sustain and limits the community's ability to compete for investment and jobs.

Fair Tide's project to create a community resource hub and affordable housing units is sorely needed. This proposed hub would bring several social service nonprofits under one roof to improve the systems through which people access assistance, offering efficiencies to the agencies that support them. Fair Tide understands that a fundamental aspect of thriving in our society is stable housing and they provide critical services that people need to become contributing members of the community. With this proposal, not only will some of the affordable housing needs be met, but the delivery of needed services to help folks get back on their feet will be much more efficient and effective.

Kittery's Economic Development Committee stands ready to partner with and support Fair Tide's mission and encourages your approval of their application.

Sincerely,

George Dow

George Dow, Chairman
Kittery Economic Development Committee

Seacoastonline

LOCAL

Jamaican grocery Island Spice Corner brings Caribbean flavor back to York

By **Dan Bancroft** The York Weekly

Published 5:01 a.m. ET Apr. 12, 2021

YORK, Maine — Drive by the Meadowbrook Plaza these days with the windows open or the top down and you may catch a whiff of Caribbean spice in the air.

Thanks to York resident Oneil Clarke and his life and business partner, Avenique White, the town can once again add Jamaican cooking to the international flavor offerings available locally.

Clarke and White opened their shop, Island Spice Corner, in December. (A previous Caribbean market, Jamaican Jerk Center, which had been operated in Cape Neddick by other people, closed down in 2018.)

Clarke, who has lived in York for the past eight years, has cooked in a number of area restaurants, including Robert's Maine Grill in Kittery. After closing time, he would often cook his hometown specialties for staff.

"This store gives me the chance to fulfill a vision I've had for a long time," he said.

The store has a host of items you would expect to find at a grocery and convenience store, in addition to an ever-widening menu of prepared foods. Specialties range from jerk chicken and pork, to curry goat, tripe and beans, and oxtail.

When asked about what brought him to Maine from the warm waters and tropical breezes of Jamaica, Clarke smiled and said, "There are no hurricanes in Maine."

Supporting Black-owned business

Island Spice Corner is not the only minority-owned business in town, but it is the only Black-owned business in York that's listed in the Black Business Guide directory at blackownedmaine.com.

Rose Barboza, founder and co-director of Black Owned Maine, came up with the idea of the online business directory in May, after the death of George Floyd in the custody of Minneapolis police sparked nationwide and international calls for justice.

"Economic justice is the pillar of racial justice," Barboza said. "One way to stand up for Black people is to spend money with them."

More: Directory aims to help Black businesses thrive in nation's whitest state

York Board of Selectmen member Marilyn McLaughlin, who was born in Jamaica, celebrated the opening of Island Spice Corner.

"It's great to have the diversity," McLaughlin said.

"Being away from your native home and being able to obtain ingredients for an authentic Jamaican meal makes having this new addition to the town extra special," she added.

Part of the community

Clarke said he has always felt welcome in this community.

Clarke was quick to point out that York has a tradition of offering international flavors, and that has attracted other minority-owned restaurants. Longstanding favorites alongside Clarke's store in the Meadowbrook Plaza offer Thai and Chinese menus.

Clarke is looking forward to the warmer weather and the reopening of all of York's hospitality businesses.

"Before the pandemic, 700 or more Caribbean workers, many from Jamaica, would come to the (Seacoast) area each summer to work in the restaurants and landscape businesses," said Clarke, who also owns a landscaping business.

"I want all of them to stop here for breakfast," he grinned.

Island Spice Corner is located at 647 U.S. Route 1 in York and is open Monday through Saturday from 7 a.m. to 10 p.m., and Sundays from 8 a.m. to 9 p.m.

Editor's note: This story is part of a "Familiar Faces" series, an introduction to some of the lesser-known but familiar faces of York. To let us know who you think we should feature next, send an email to yorkweekly@seacoastonline.com with "Familiar Faces" in the subject line.