

**PLANNING BOARD MEETING  
August 6, 2018**

Municipal Center, Burleigh H. Loveitt Council Chambers  
75 South Street, Gorham, Maine

**Members Present**

**EDWARD L. ZELMANOW  
SCOTT HERRICK  
MOLLY BUTLER-BAILEY  
SCOTT FIRMIN  
GEORGE FOX  
LEE PRATT**

**Staff Present**

**THOMAS M. POIRIER, Town Planner  
BARBARA C. SKINNER, Clerk of the Board**

**Members Absent**

**MICHAEL RICHMAN**

Edward Zelmanow called the meeting to order at 7:00 p.m. The Clerk called the roll, noting that Michael Richman was absent.

**APPROVAL OF THE JULY 16, 2018 MINUTES.**

**George Fox MOVED and Scott Firmin SECONDED a motion to approve the July 16, 2018 meeting minutes as distributed. Motion CARRIED, 6 ayes (Michael Richman absent).**

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**COMMITTEE REPORTS** – Mr. Herrick reported that the Ordinance Subcommittee has not met since the last meeting.

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**COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE** – Mr. Fox reported that this Committee has not met since the last Planning Board meeting.

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**CHAIRMAN’S REPORT** – No report.

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**ADMINISTRATIVE REVIEW REPORT** – Mr. Poirier reported that there have been no new Administrative Review applications since the last Board meeting.

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**CONSENT AGENDA – Site Plan Amendment - Bramblewood, LLC** - request for a site plan amendment approval to Glenwater Subdivision to increase the number of dwelling units from 10 to 18 in Cottage Court on property located off Grove Street, Map 99 Lot 61 and Map 101 Lot 21, Urban Residential zoning district.

Mr. Zelmanow explained the consent agenda procedure, noting that items on the consent agenda are applications that have been before the Board which have had minor outstanding issues that staff feels have been satisfactorily addressed, and which are ready for Board approval. Such items are approved without discussion unless someone from the Board or the public wishes to take the item off the Consent Agenda.

No Board member wished to take the item off the Consent Agenda. However, Penny Howard, abutter to the project at 15 Grove Street, asked that the item be taken off the Consent Agenda and tabled because there had been insufficient notice provided to the project's abutters. She said the abutters have concerns and would like to have the item discussed further.

**Molly Butler-Bailey MOVED and Lee Pratt SECONDED a motion to take the item off the Consent Agenda for discussion. Motion CARRIED, 6 ayes (Michael Richman absent).**

**PUBLIC COMMENT PERIOD OPENED:** Joe Britton, 9 Grove Street, spoke about confusion as to the number of units and parking spaces proposed, safety concerns with increased traffic, and property value impact. He asked if any traffic studies have been performed to demonstrate that the streets involved have adequate capacity for this proposed additional traffic volume. Mr. Britton asked what type of ownership would be involved with the additional condo units and who would be responsible for maintenance and landscaping.

Benjamin Goudy, 30 Water Street, said he believes that the current proposal is unfair to the abutters from the point of view of traffic issues and unchecked growth in the Town.

Robert Berks, 14 Glenwood Avenue, asked if notifications were required for this project. Mr. Poirier replied that the Planning Department uses the Town's assessing data base, but unfortunately there is a lag in updating the data base due to sales and new subdivisions and sometimes some addresses are missed. In reply to Mr. Pratt Mr. Poirier said notification goes to direct abutters of a project, and he will look into the issue more fully.

Susan Duchaine said she approves of this type of development in this part of the Town and the abutters should have been notified.

Susan Haines, 11 Dogwood, said that this proposal is a huge change from what they were originally told would be 9 condominiums and they never received notification. She asked that the proposal be tabled.

Penny Howard, 15 Grove Street, said her house is the first one to have been built and no one on Grove Street received notification. She said that the current proposal is a misrepresentation of what was originally proposed by the developer and certain elements of phase 1 of the current development are still incomplete.

Svetlana Woodford, 12 Grove Street, third house in the subdivision, spoke about the amenities in the development which influenced their decision to buy their home. She said that when they purchased it was with an understanding about the development size, safety and traffic impact. Because the abutters were not notified she feels the application should be tabled. She said she believes that the neighborhood needs to seek counsel because they do not have the resources to understand the laws and policy which they need to review. **PUBLIC COMMENT PERIOD ENDED.**

Mr. Zelmanow asked what parking provisions had been contemplated for the original proposed development of ten units. Dustin Roma, DM Roma Consulting Engineers, approval had been granted for ten apartment/condo units, each of which would have had a 2-car garage and a driveway wide enough to accommodate 2 more vehicles, for a total of 40 off-street parking spaces in the original plan. In reply to Mr. Zelmanow, Mr. Roma said there wasn't any on-street dedicated parking spaces.

#### PAUSE IN PROCEEDINGS DUE TO GENERATOR/RECORDING ISSUES

Mr. Zelmanow said that before the interruption a discussion was ongoing with the applicant's engineer about one of the issues raised by an abutter involving safety concerns with additional traffic being proposed. Mr.

Zelmanow said that the original approval for 10 units would have provided for at least 2 vehicles, or a total of 20, while the current proposal for 18 units would mean 36 vehicles, or an additional 16 vehicles.

Mr. Zelmanow summarized some of the abutters' concerns as property values, safety and traffic, rentals versus ownership, phase 1 being incomplete, and wanting the opportunity to speak with legal counsel regarding this matter, and asked the Board to consider where the project might be if these concerns had been articulated earlier in the process.

Mr. Fox said there are two types of problems involved, one is clearly within the purview of the Board, such as traffic and road construction, but then there are other things outside the purview of the Board such as communications with the developer about what was going to be built in the future. He recommended that the Board consider those items clearly within the Board's purview, which are primarily traffic-related, to determine if they are significant enough to cause the Board to have acted differently than what has been decided up to this point.

Mr. Zelmanow noted that the Board cannot consider a potential decrease in property values because the Land Use Code does not specifically say that an application can be denied because there is the potential that property values may go down.

Mr. Pratt asked if phase 1 has to be complete before this phase can start. Mr. Poirier said there is nothing in the Land Use Code that requires phase 1 to be complete and there were no conditions placed on the approval requiring it. Mr. Poirier said that the applicant has his bonding in place so he has the ability to continue to move forward.

Mr. Zelmanow said that there have been instances in the past where there were legal disputes between a developer and abutters where legal counsel had to be sought, and again, that is not something that the Board takes into consideration, nor is it something that would allow the Board to hold up an application and prevent the Board from moving forward.

Mr. Zelmanow asked if the Board wanted to discuss safety and traffic issues or take up for discussion the abutters' request that the item be postponed for another month. Mr. Fox said he believes the issues that would cause the Board to postpone the item have to be those things within the Board's purview, primarily traffic and associated safety. Mr. Fox said that while the increase from 10 units to 18 units is percentage-wise a large increase, the amount of additional traffic due to that is relatively minor, and he doesn't believe there is enough to justify delaying the applicant's approval, the applicant is a landowner and has rights as well.

Ms. Butler-Bailey asked if a traffic study had been done when the original application was approved. Mr. Poirier replied that one had been done as part of the original submission, and as a result a second connection was provided into the development to alleviate some of the traffic concerns. Mr. Poirier said that a TOMAR system is being put in at the light on Route 25. Mr. Roma said the applicant is also going to put sidewalks all the way down Glenwood and partly down Water Street. Mr. Roma said they hired a traffic engineer who produced a traffic report and the Town sought a peer review of that report.

**PUBLIC COMMENT PERIOD RE-OPENED:** Ryan Woodford, 12 Grove Street, said that as a 20-year military veteran this is his first house and he hopes to live and die here. Mr. Woodford said that basically they are looking for 30 days to postpone the application so the abutters can review the Code to see what issues there might be, if any.

**PUBLIC COMMENT PERIOD ENDED.**

Ms. Butler-Bailey said she would like to see the traffic studies when this was proposed originally because additional traffic is being added now; she said she is not comfortable taking a vote on this now. Mr. Pratt

agreed. Mr. Poirier replied to Mr. Fox that the original traffic study was based on a single access road, and discussion revolved around the road standard to which the road would be built; that originally with the one-lane access it had to be built to an urban subcollector standards, but if the road was divided into two, it could be urban access standards. Under urban access each road could handle 250 trips, roughly 25 lots, so each road could support 25 single family houses; rental or condo units are generally lower trip generation figures. Mr. Roma said it would be about half of what a single family would generate. Mr. Fox said he is fairly confident the traffic study will support the additional units that are being proposed.

Mr. Zelmanow said that the Board would need one of two motions: one to table it for a month or a final motion on the application.

**Molly Butler-Bailey MOVED and Lee Pratt SECONDED a motion to table the item for at least until the next Board meeting.**

**Discussion:** Greg McCormack, Bramblewood, LLC, said he is frankly shocked that the neighbors who are here did not get adequate notification of what was being proposed and in reply to Mr. Zelmanow, said that as a property owner said he believes he has the right to change what had originally been proposed, but he is not opposed to tabling the item to the September meeting.

**MOTION CARRIED, 6 ayes.**

Mr. Poirier asked the Board if it wants traffic studies, does it want the old studies? Ms. Butler-Bailey and Mr. Pratt both said that they wanted to see the original studies. Mr. Poirier said he will research why notifications were not complete.

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**ITEM 1 Preliminary Subdivision Review (carried over from 7/16/18) – Robert Hamblen** – request for preliminary approval of Harrison Lane, a 6-lot residential subdivision on 10.10 acres on property located off Libby Avenue, Map 47, Lot 23, Suburban Residential zoning district.

Mr. Poirier advised the Board that the item was moved to this meeting from the July 16, 2018 meeting due to the 10:00 o'clock rule. He said the applicant is looking for preliminary subdivision approval and was before the Board as a sketch plan on June 5, 2017, as a preliminary review on May 7, 2018, with a site walk done as well on May 22, 2018. There is one waiver request to waive the submission requirement under Chapter 3 for a nitrate plume analysis.

Bob Hamblen, applicant, said that being proposed is a 600± foot dead-end street designed and built to Town road specifications. The so-called Harrison Lane would come off Libby Avenue toward the Route 202 end of Libby, and would provide access and frontage for 5 of the proposed lots. A sixth lot is proposed to come off a shared existing gravel driveway currently serving the property at 332 Libby Avenue. The shared driveway would become a named driveway. The lots would be served by public water, with the plans having been reviewed by the Portland Water District.

Mr. Zelmanow noted comments from the Town's engineer and planning staff requiring attention, one of the staff's questions being the plan and profile of Harrison Lane, whether it should be built to a rural access or urban access standard. Mr. Poirier explained that a rural access standard calls for open ditches and gravel shoulders; urban access is closed drainage and sidewalks, so the Board would need to determine if the area is more rural or more urban in nature. Mr. Poirier said in subdivisions in the Rural zoning district it would be rural access, while in Urban Residential it would be urban and in Suburban Residential the Board has required either one. In reply to Mr. Pratt, Mr. Poirier said that sidewalks are available roughly 2000 feet away for connecting in the Wagner Farms Subdivision; in addition, as part of the Chick development, there will be a second road with sidewalks lining up with the first phase of Wagner Farms.

Mr. Zelmanow asked for Board input on whether Harrison Lane standard should be rural, open ditches and no sidewalk, or urban, closed drainage and sidewalks. Mr. Pratt was advised that the road would be public. Mr. Zelmanow, Ms. Butler-Bailey and Mr. Pratt concurred that the road should be urban access. Mr. Hamblen asked if that decision was based on an opinion of the Board or if there are standards being applied to reach that decision. Mr. Zelmanow said it is up to the Board to decide, based upon the location of the development, whether it fits in with the surrounding area, which has more of an urban feel to it.

Mr. Firmin asked about the waiver for the nitrate plume analysis, whether the abutter's lot is currently served by public water or a well. Mr. Hamblen said it is the intention that all lots will be served by public water and he is not sure if the abutter is on public water or a well. Mr. Poirier said that could be researched prior to final approval, and the waiver could be taken up at the next meeting as part of final approval when the abutter's water status is determined.

PUBLIC COMMENT PERIOD OPENED: None offered.

**George Fox MOVED and Scott Herrick SECONDED a motion to grant Robert Hamblen's request for preliminary subdivision approval for Harrison Lane Subdivision off Libby Avenue, located on Map 47, Lot 23, Suburban Residential/Manufactured Housing zoning district based on Findings of Fact as written by the Town Planner. Motion CARRIED, 6 ayes (Michael Richman absent). [8:12]**

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**ITEM 2 Pre-Application Discussion (carried over from 7/16/18) – Plowman Development Group, LLC – request for sketch plan discussion of a 16-unit condominium development (Grady Farm Subdivision) on property located at 136 South Street, Map 108, Lot 78, Urban Residential zoning district.**

Mr. Poirier reminded the Board that a pre-application discussion is between the Board and the applicant and nothing has been circulated among staff.

Steve Blake, BH2M, described the project as being located at 136 South Street, and would be on public water and public sewer, as well as gas. The proposed road would be a private driveway but built to the Urban access standard, 22 foot wide with sidewalk and curb. The project itself includes 16 condominium units, each unit 1500 to 1700 square feet, have its own driveway with a 2-car garage. It is expected that this will trigger a stormwater permit with DEP; one of the items shown on the plan is a pond towards the back, which is why the site is graded the way it is, requiring fill for both stormwater and gravity sewer extended toward the back of the lot.

Mr. Zelmanow confirmed with Mr. Blake that this would be a private road and that a clustered mailbox would most likely be at the end of the road. Mr. Zelmanow asked about landscaping between the units and for screening behind the units from the abutters. Mr. Blake said there would be street trees along the street, either one or two trees depending on the requirements, and as far as screening the perimeter is concerned, there is a fair amount of tree growth along the north side and the limit of disturbance is between 40 and 70 feet from the abutting property line. He said there is no plan for development, it would just be open space for the development with no plan to clear existing trees there. On the south side there are a few trees along that southerly line, most of which he believes are on the abutting property, so they could look at doing some screening along that line as well but it is an open field right now.

Mr. Zelmanow asked if the property gets flooded in the spring. Mr. Blake replied that toward the back there is a delineated wetland, it is a low lying area, just the back 20 to 30 feet. He said the whole side grades from west to east. The wetland pocket limits are almost off the property. Mr. Zelmanow asked if the wet pond will hold water or if it will be draining off. Mr. Blake said the wetpond will hold about 5 feet of water,

depending on the design, and anything above that will be drained slowly through a gravel bench. Mr. Blake said there is about 8 feet of elevation change from South Street to the back.

In reply to Mr. Fox, Mr. Blake said the lot is almost 4 acres in size. Mr. Fox said it appears that there is considerable elevation change on the north side, and asked if there were any concerns about being able to grade that out and still maintain good buffering between the property and those on the north. Mr. Blake replied that even with the grading necessary, the closest they will get to that northerly property line is about 40 feet.

Mr. Herrick asked Mr. Blake to address parking on the site. Mr. Blake replied that each unit is planned to have a 2-car garage, and enough area in the driveway for an additional two vehicles. Mr. Zelmanow confirmed that the road will be 22 feet, curb to curb. Mr. Zelmanow said the Board will want to see a landscaping plan, and asked about any proposed lighting outside of the units or along the street. Mr. Blake said they might have 1 to 2 street lights, and perhaps wall packs above the garages or above the main entrances. Mr. Fox recommended that some effort be put into the landscaping plan, saying that his first reaction is seeing a lot of road and a lot of units and not much else. Mr. Pratt suggested that the plans indicate snow removal areas. Mr. Fox asked if any safety concerns have been addressed for the wetpond; Mr. Blake replied that there will likely be a fence around the perimeter of the pond or some heavy landscaping.

**PUBLIC COMMENT PERIOD OPENED:** Gina Marianacci, 144 South Street, said she has 600 feet of property abutting the proposed subdivision. Her primary concern is with a buffer, that are perhaps 5 trees and along the front the few buffer trees there will not stand the grading involved. She commented that there is standing water in their back field every spring. She would like a fence abutting her property. She expressed concern about water runoff from the development with the grade change proposed and traffic both vehicular and foot traffic already on South Street from existing streets.

Mr. Zelmanow suggested speaking to the applicant and their engineer about her concerns, and said once a plan has been submitted, there will be a site walk scheduled. He noted that at times a new development will actually benefit abutters because of stormwater treatment, and the Land Use Code says that stormwater treatment cannot make a situation worse for abutters.

Gary Dube, 155 South Street, says he works from home and is located directly across South Street from this proposed development, that his concerns deal with traffic, speed limit, lack of crosswalks. He said he voiced his concerns to the Chief of Police and said it is a good time for the Town to slow down the traffic on South Street.

Mr. Zelmanow recommended that Mr. Dube speak to the Town Council and the Town Manager, because the Planning Board can't do much to slow down traffic on South Street.

Carolyn Dahms, 17 Spruce Lane, spoke about concerns about water and traffic concerns, and asked when enough is enough on South Street. She commented about the presence of wild life in the area and expressed concern about the possibility of transients residing in the development.

Charlotte Hallsworth, 13 Spruce Lane, has concerns with disturbing the surrounding property, traffic, water issues and wetlands, need for adequate landscaping, and the impact of condominiums changing South Street.

Susan Duchaine said she supports this kind of development and commented about density requirements.  
**PUBLIC COMMENT PERIOD ENDED.**

10 MINUTE BREAK TO 8:55

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**ITEM 3 Pre-Application Discussion – Chase Custom Homes** – request for sketch plan discussion of Sawyer Estates sidewalk extension cost estimate for a 121-lot residential subdivision on 103.59 acres on property located off South Street, Map 21, Lots 10, 16 and 17.016, Rural and Suburban Residential zoning districts.

Mr. Poirier explained that this is a pre-application plan discussion of the costs for Sawyer Estates sidewalk extension on South Street. Mr. Poirier said that at the Board's May 7 meeting, the Board discussed with the applicant's representative the extension of sidewalks and asked that a cost estimate of the sidewalk construction costs be provided in order to determine if sidewalks would be required. Mr. Poirier said that the applicant's engineer submitted a preliminary estimate for sidewalks running from the end of Weeks Road to the entrance of Michelle Drive; however, the Board should discuss whether the sidewalk should be run to the applicant's southerly property line on South Street, or an additional 1,240 feet, from the first entrance of Michelle Drive. The Town's engineer has provided a review of the costs for sidewalks, and it appears that some of the costs identified are items that would be needed to repair South Street from the extension of sewer and water.

Heather McNally, Chase Custom Homes, came to the podium and said that in addition to the Board's direction about the sidewalk, she asked for clarification on the question of open space in the development for the residents' use.

Mr. Zelmanow asked where the Board would want to see the sidewalks extend down South Street, to end at the first entrance, the second entrance or at the applicant's southern property line. He said he prefers that the sidewalks go to the southern property line; Ms. Butler-Bailey agreed. Mr. Herrick confirmed with the applicant that it appears the total cost would be \$275,000 to get from Weeks Road to the southern property line, or about \$2,200 per lot. Mr. Pratt also agreed, saying that the development could add some 240 children to the school system, a lot of foot traffic coming in and out of the development. The Board favors extending the sidewalks from the end of Weeks Road to the southern property line.

Regarding the open space, Mr. Poirier said that the plans showed a lot of the open space being used as wetlands, and comments from the Board were that based on the size of the development, the Board recommended that the applicant re-think the options for open space to include some active areas for use and not use the wetland areas as open space. Mr. Zelmanow said the plan should include actual useable recreational facilities, such as bus stops, waiting shelters, small parks, small garden structures such as benches, playground sets, basketball courts, trailheads, and so forth.

**PUBLIC COMMENT PERIOD OPENED:** Susan Duchaine said that the Town was paid \$100,000 for sidewalks going to Heartwood because the Town does not own the right-of-way going to Heartwood. She said she doesn't know where the money went but the sidewalks never got built. Mr. Zelmanow said it would be looked into.

Gary Wane, 14 Crestwood Drive, said this is considered high density growth, but when they purchased they never were told about that. He asked how, as potential homeowners, they would have known this was in place. He spoke about the potential impact on schools which are already over capacity and asked who would do studies on something like this. Mr. Zelmanow said that anything dealing with policy is the Town Council's purview. Mr. Zelmanow said this proposal has been under discussion for 11 years ago but there are still no plans and the Comprehensive Plan has identified this area for high density growth by the Council, based on the infrastructure being available to support it.

Mr. Pratt said that every one of the Board members has children in the school system and can understand the concerns, but the Planning Board doesn't make the rules. The Town Council is having workshops on Town growth that the public should attend and suggested that the proper place to express these concerns is before the Town Council. In reply to Mr. Wane, Mr. Poirier said there are no school review requirements as part of subdivision reviews, those reviews are done by School Committee as part of projections for growth and to identify what resources are going to be needed.

Steve Lombard, 10 Crestwood Drive, said when he was house hunting he considered Heartwood Subdivision, but ended up buying on Crestwood and getting 50% more land that he would have gotten in Heartwood. He said he believes there is no comparison between Heartwood and this development because this will be much less appealing and said they are concerned they are island within the proposed development.

Eric Semle, 5 Crestwood Drive, said he is a runner and spoke about the traffic on South Street, safety and said that adequate lighting is important.

Mederick Black, 26 Mahlon Avenue, said he doesn't believe it is fair to require this developer to foot the bill for sidewalks all the way down to Weeks Road because the Heartwood developer got a waiver not to put the sidewalks in.

William Messer and Allyson Lowell, 6 Crestwood Drive, with regard to the sidewalk, commented that there is no lighting in the proposal and there is no budget line for provided for ledge removal which probably would be required. She provided the Board members with the following open letter:

“Dear Planning Committee & Town Council Members,

At a prior meeting the pre-application for Sawyer Estates was reviewed and during that meeting Vice Chair Scott Herrick made the comment that he was concerned by the potential impact that this would have specifically on Crestwood Drive and how much it would change the feel of our neighborhood. Thank you so much Vice Chair Herrick for that comment and consideration of how this will impact our Crestwood Community.

My name is Allyson Lowell and my husband is William Messer. We love on Crestwood Drive with our four children. We were drawn to Gorham because of the quality of the school system, the sense of community and because of the rural feel of the town. Obviously when we saw the proposal submitted by Chase Custom Homes we were both deeply concerned and alarmed by the amount of houses and layout of those houses and would like to take this opportunity to share those concerns with you.

**Quality of Life:** We love where we live. We are on a 9 home dead end street. We all know one another and get along. Our lots are private but close enough that we can look out for one another and know if a suspicious car comes down the road. Our lots are minimally 1.5 acres and wooded for ample privacy. Our family frequently enjoys walking, snowshoeing and skiing on the miles of paths that surround our neighborhood. While we understand that this land is not ours we have enjoyed the opportunities and natural resources it provides us.

**Impact on wildlife and natural resources:** The land proposed for development is home to many vernal pools and wetlands. Our children regularly catch and release frogs from the frog pond. Wildlife is plentiful with wintering deer, bobcats, coy wolves, owls and coyotes just to name a few.

**Water Table** – All of Crestwood Drive is on private water and sewer. This development does not include a plan to tie us in to the public lines. We believe construction and sewer and water design will have a negative impact on the quality of our water and our water table.

**Privacy** – While we understood there would be some housing going in behind us, the current proposal has 2-3 homes going in behind us and right up against our property line. The layout of the development proposal is not consistent with the look and feel of any of the surrounding neighborhoods.

**Safety** – We are currently a dead end street. Our children get the mail independently and ride on Crestwood with supervision. Increase in traffic for cutting through Crestwood from the new development would pose safety issues for our children. Right now turning in to Crestwood from South Street is treacherous. A turning lane and lowering of speed limit would be necessary given the volume of traffic that will result from the development.

**Lack of open spaces:** Adequate open space, which does not include protected vernal pools and wetlands is critical in order to support communal living and public safety. The current development sketch does not allow for adequate open spaces.

**Overburdened Schools** - Village school is overcapacity. This development will likely result in at least 200 more children being added to the district. Classroom sizes are already too big and the schools cannot afford an adequate number of student aides. Playgrounds and facilities are not large enough to handle the number of children that already exist in two of the three elementary schools. Each of the children added will result in \$13,000 in costs per year.  $200 \text{ children} \times \$13,500 = \$2,600,000$  for just one year of education. These additional homes will also impact our formula for State assistance, an impact that we struggled to afford without the 121 homes and 200 more children – that is just for this development alone.

**Taxes** – Such a large development, its impact on school formula, increased need for public safety and facilities, road repair and maintenance and general infrastructure will raise taxes beyond reach for many families and those on fixed incomes.

**Public Safety** – *Increased traffic, high density living with insufficient open spaces will contribute to public safety issues and need for Police, Fire and Rescue.*

**Inadequate Infrastructure** – Facilities, schools, the town center and general infrastructure cannot keep up with our current growth. 121 homes added to this will only make those issues worse.

What we are asking of you as Planning Committee members and what we will also be asking the Town Council tomorrow night, to be delivered through future Committee agendas and discussion is:

- Transfer district overlay funds – specific accounting and use
- Potential use of overlay funds to preserve walking paths/green belt in our neighborhood as other local communities have done in the last 10-15 years when steady growth was a concern.
- Based on this development an impact study on traffic
- Based on this development an impact study on schools
- Based on this development an impact study on taxes
- Based on this development an impact study on wildlife and natural resources – specifically water table and quality
- Articulation of a plan around how town business development will be encouraged
- Based on this development a proposal for a turning lane and reduction in speed limit for the area of South Street near the development
- Restriction of building permits
- A plan and schedule for the various town committee to work collaboratively to address the need for responsible growth

- Process for a citizen petition

What we ask of our local government is to be thoughtful and strategic around the kind and amount of growth we all want to see. We know that each committee exists within their role and purpose but an issue as critical as this is too important to not discuss and problem solve in an integrated matter and include stakeholder input. Our schools and our infrastructure is not prepared for the kind of growth Chase Custom Homes is proposing. Tax payers, especially those on fixed incomes, cannot afford the kind of tax increases this will create. Commuters are frustrated with their current delays and this proposal will add at least 200 more cars into that mix. Once this is approved there is no going back. The typical taxpayer will see very little benefit from the open space preserved by the one million in overlay fees we receive. Rather, the typical Gorham resident can expect overburdened schools for their children, increased infrastructure costs, significant increases in taxes, longer commutes and public safety issues for their families. Chase Custom Homes will connect millions on the backs of tax payers and current residents. A winning proposition for Chase Custom Homes but hardly for the constituents you serve.

Thank you for your time.

Sincerely,

/s/ William Messer & Allyson Lowell”

Ms. Lowell said that an organization called Gorham Residents for Responsible Growth has been formed to air concerns about the impact of rapid development in town, and they do plan to attend tomorrow’s Council meeting.

William Messer, 6 Crestwood Drive, said what is the Board’s strategic plan for dealing with this.

Mr. Fox said it is doing a disservice to let people talk about issues that they feel the Board will address which the Board will not address. The issues being discussed need to be taken up with Town Council, not the Planning Board, which cannot address those issues. To expect that the Board can deal with these issues when it cannot is disingenuous – the Board cannot address traffic on South Street, or school overcrowding, or what is done with Development Transfer Overlay funds, all of these things are out of the Board’s purview. The Board will listen but the issues need to be taken to the Town Council. He said that the Chairman has been generous in allowing these comments tonight, but the only thing before the Board this evening is a request for direction on sidewalks and a request for direction on open space and there is nothing for the Board to rule on this evening.

PUBLIC COMMENT PERIOD ENDED.

In reply to Mr. Zelmanow, the applicant indicated that nothing more was necessary from the Board this evening.

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**ITEM 4 Pre-Application Discussion – Dana Lampron** – request for sketch plan discussion of Douglas Woods II, a 14-lot subdivision on property located at 346 South Street, Map 22, Lot 17, Suburban Residential and Rural zoning districts.

Mr. Poirier said that this proposed lot is the other half of the lot currently undergoing subdivision review for Design Dwellings’ Douglas Woods Subdivision and currently does not have legal road frontage. Staff has provided information for the Board regarding the Comprehensive Plan, there have been discussions regarding the turnpike spur, there is a land locked parcel to the rear, and the extension of public water. Mr. Poirier noted that the proposed loop roads system of Douglas Woods Subdivision as well as Douglas Woods II Subdivision would exceed the 1,500’ dead end length requirement and therefore all houses in both

subdivisions would need to be sprinkled, regardless of whether public water is brought in to serve both developments.

Steve Blake, BH2M, came to the podium on behalf of the applicant and said this project is an extension of Douglas Woods Subdivision I. Mr. Blake said that analyses for the extension of public water have been done for a cluster development and for a conventional development, and both of those came back supporting a private water supply. He said that the dead end portion of the loop road would be about 1,000 feet from South Street.

Mr. Zelmanow said that because there is public water in the area on South Street it is important to connect to it wherever possible. Mr. Blake said he believes that public water is about 4,300 feet from the project and South Street is going to be shimmed and overlaid by DOT so there will be a moratorium on that as well, and their costs did not include any because of that moratorium. Mr. Poirier confirmed that if a moratorium road is going to be impacted within 5 years, the cost for repair for a trench on such a road will be greater.

Mr. Firmin noted that he does work for the Portland Water District and is the director of wastewater services, and has very little to do with water main extensions. Mr. Zelmanow said that as this is only a pre-app Mr. Firmin can discuss the item.

Mr. Herrick commented that there is an unapproved subdivision that this project abuts, and a proposed road off a road that also doesn't exist, and he asked how the Board can look at a road off a road that doesn't exist and hasn't been approved. Mr. Herrick asked what would happen if this project gets approved and the other one gets rejected, there would be an approved subdivision with an access way that doesn't exist over someone else's property.

Susan Duchaine came to the podium and asked if she could speak on the project. Mr. Zelmanow asked Ms. Duchaine if she is authorized to speak on this project and does she have it in writing. Ms. Duchaine confirmed that she did. Ms. Duchaine said she never anticipated that the first project wouldn't have been approved by now, and in the meantime, questioned whether the water analysis is required in this zone.

Mr. Poirier replied that the Board can always require the extension of public water when it believes that it is necessary for the orderly extension of public water, and the Board decided that this is one of those areas where the calculations need to be made. Mr. Fox asked what the cost of the water extension is; Mr. Blake said he believes it was around \$8,000 to \$9,000 per lot. Ms. Duchaine took issue with the numbers required in the on-line water calculation form.

Mr. Pratt asked if the Board is considering one or two projects at this point because they appear to be owned by two separate entities and need to be looked at one at a time. Mr. Zelmanow said that Douglas Woods II can't proceed unless Douglas Woods I gets approved. Mr. Firmin noted that there are requirements for frontage, and they will need some kind of access that either complies with the requirements or some sort of agreement in place that allows what is shown on the current plan at some point in the future.

Mr. Zelmanow confirmed that based upon the length of the road in Douglas Woods I, all houses have to be sprinkled. Mr. Poirier said that all the houses have to be sprinkled if the road is more than 1,500 feet, both public roads and private ways. Mr. Firmin said that right now the Board is talking about a sprinkler requirement on a road that can't exist so before the Board can talk about sprinklers on this project, there has to be a road to talk about that can be measured. Mr. Firmin said that without a road, there is no impact to the wetlands, so the major concern in this project right now is that there is no road, and he has a difficult time discussing this in concept when there is such a glaring issue with what is on this plan.

Ms. Duchaine said although they are working with Turnpike Authority and this may still be all a moot subject, they still want to move forward with approvals on both applications.

Mr. Blake asked at what point in the Douglas Woods I process would the Board feel comfortable in discussing this project. Mr. Zelmanow replied once there is an answer to the general overriding question of whether this is permissible under the Land Use and Comprehensive Plan. He said that if Douglas Woods I cannot move forward, then Douglas Woods II cannot move forward for the exact same reason. Mr. Herrick commented that if Douglas I isn't approved, there is no obligation to build this road and there is no way to review a proposal to build something off a road that hasn't been approved or exists.

Mr. Zelmanow said this proposal needs to be tabled until the issues involved with Douglas Woods I have been resolved. He that perhaps at that time the two projects can be combined as one.

PUBLIC COMMENT PERIOD OPENED:       None offered.

**Scott Firmin MOVED and Lee Pratt SECONDED a motion to table this item. Motion CARRIED, 6 ayes (Michael Richman absent).**

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**OTHER BUSINESS                    NONE**

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**ANNOUNCEMENTS**Mr. Zelmanow noted that the September meeting of the Board will be on September 17, 2018.

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**ADJOURNMENT**

**Lee Pratt MOVED and Scott Firmin SECONDED a motion to adjourn. Motion CARRIED, 6 ayes (Michael Richman absent). [19:02 p.m.]**

Respectfully submitted,

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Barbara C. Skinner, Clerk of the Board  
\_\_\_\_\_, 2018