

PLANNING BOARD MEETING

January 14, 2019

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

Members Present

EDWARD ZELMANOW, CHAIRMAN
GEORGE FOX, VICE CHAIRMAN
MICHAEL RICHMAN
VINCENT GRASSI

Members Absent

MOLLY BUTLER-BAILEY
SCOTT FIRMIN
BRIAN PLOWMAN

Staff Present

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

Edward Zelmanow, Chairman, called the meeting to order at 7:00 p.m. The Clerk called the roll, noting that members Molly Butler-Bailey, Scott Firmin and Brian Plowman were absent.

CHAIRMAN'S REPORT – Mr. Zelmanow welcomed new Board member Vincent Grassi.

ITEM 1 Pre-Application Discussion (Carried over from January 7, 2019) - Harvey Performance Company – a request for sketch plan review for the construction of a two-phase manufacturing facility, with phase 1 consisting of a single story 76,887 square foot building, 1,300 foot access drive and 172 parking spaces, and phase 2 consisting of an additional 30,000 square feet to the building and 115 parking spaces. Zoned Narragansett Development district, Map 39, Lot 2.

Mr. Poirier reminded the Board that pre-application discussions are only between the applicant and the Board; none of the material has been submitted to staff for review. This is the first application that the Board has seen under the new Narragansett Mixed-Use Development district. Mr. Poirier said that the applicant is looking for guidance under the section involving Design Standards, in particular 7) a) 2., "At least three different building materials shall be used for the primary façade of the building facing the primary street the building accesses. The Planning Board may waive the building material to two different materials if it finds the building design has enough architectural detail to sufficiently break up the massing of the building. Glass for use in windows and doors shall not be considered one of the required building materials. All façades that have frontage on a street shall be considered a primary façade."

Shawn Frank, Sebago Technics, came to the podium and introduced Steve Vatcher, vice president of operations for Harvey Performance, and Adam Martin, the plant manager here. Mr. Frank spoke about Helical Solutions in the Gorham Industrial Park; Harvey Performance acquired Helical Solutions, which has basically outgrown the Gorham facility.

Mr. Vatcher came to the podium and told the Board that Harvey Performance is a manufacturer of high-performance machine tools, products used by any company that cuts metal, so aerospace companies are customers, as well as the automotive industry and medical device industry. Harvey has been operating in Gorham since 2003 as Helical Solutions, which was acquired by Harvey Performance in 2015, and currently about 80 people are employed in Gorham. The company is growing and needs a new facility, so the site under discussion was chosen so as to be close to the current location so undue hardships are not imposed on their work force. Mr. Vatcher said they believe they have had a mutually beneficial relationship and they look forward to continuing that.

Mr. Zelmanow confirmed with Mr. Frank that this will be a relocation of the company. Mr. Frank said that the current location on Sanford Drive is about 24,000 square feet, that facility would be vacated for a future user. The project site is basically the old race track on Narragansett Street, to use the existing entrance with a proposed 1,300 foot access road designed and constructed to Town standards for a commercial access road and Harvey Performance would become an anchor facility for the overall site. Phase 1 is proposed to be 76,887 square feet serviced by 172 parking spaces. Future growth is contemplated at 10 to 15 employees a year so phase 2 will add an additional 30,000 square feet with 115 more parking spaces. The entire site is some 50 acres, and Harvey is proposing to purchase 13 acres. Stormwater will be collected to a wet pond and treated to current standards as well as detaining it prior to outlet. Mr. Frank pointed out the location of a sewer manhole and said the Water District seems to favor a smaller pump station gravity system, with each additional lot owner tenant having and maintaining its own individual pump station, rather than one large pump station maintained by the Water District. There is a 12" water line on Narragansett Street to which an 8" line will be extended, and the building will be sprinkled. They have submitted to the DEP for their Site Location of Development and wetlands alterations permit. No traffic movement permit will be required from DOT, but something may be required when a second tenant goes into the site.

Mr. Frank spoke about the landscaping that will be required. He said there will be an architect but they are not contemplating "New England" style architecture, and asked if the long areas of glass that are not windows and doors, shown on the preliminary renderings, can be considered one of the three building materials required in the zoning district.

Adam Martin, plant manager, replied to Mr. Zelmanow that there are 4 shifts, including weekend shifts, 24 by 7. Peak time of usage would probably be the 2:00 to 2:30 time frame when the first shift is exiting and second shift is coming in. Mr. Frank said the typical truck traffic would probably be UPS and FedEx vehicles, and a full 18-wheeler would be rare. Mr. Zelmanow said that the Board might want to consider going out to the current operation on a site walk just for noise purposes. Mr. Poirier replied to Mr. Zelmanow that the access road will be designed to an industrial road standard. Mr. Frank said they have been in discussions with the Public Works Director about the construction of the road and sidewalk.

Mr. Frank told Mr. Zelmanow that they will have a building mounted sign and there will be some sort of sign at the entrance as well. Mr. Poirier, in reply to a question from Mr. Zelmanow, said there are specific landscape standards and staff has been meeting with Mr. Frank to identify those standards. Mr. Zelmanow said the landscape plan will probably be peer reviewed. Trash compactors will be in the back, oil recovery will be internal, and there will be no outside storage. The building will be one story, 22 feet in height.

Mr. Poirier reiterated that glass doesn't count as one of the 3 required materials. Mr. Fox said he believes the intent was to achieve a particular look, and he doesn't know if glass qualifies as one of the allowable materials. Mr. Richman confirmed that this building would not front on Narragansett Street and he believes that the standards that would apply are in 7, Narragansett Mixed-Use Development District. Mr. Richman thanked the applicant for staying in Gorham, and said his feedback is the requirement for visual interest, to be appropriate to the architectural style of the building, roof lines and roofs to project over the exterior wall of a building, enough to cast a shadow, overhanging eaves, no steep roofs, architectural methods to conceal flat roof tops. He said that the rendering is a crisp, clean box but the intent of this district is to make it a bit more than that, so he would ask the applicant's architect to read 6. Roof Design. Mr. Richman said that the rooftop mechanicals would need to be screened. Mr. Richman said that in his opinion, if this were presented with 2 materials plus the glass, it would not fulfill the intent of the ordinance. It needs some more details such as overhangs casting shadows, he would certainly entertain but this as presented does not meet the intent.

Mr. Fox asked about waste storage being stored inside and asked if there are hazardous materials used in the manufacturing process would they are also stored inside as well. Mr. Martin replied that their process is very clean, that they do contain oil within their facility in a contained system according to SPCC regulations and

this facility would actually be an upgrade from the current facility. Mr. Martin said the oil is used for cooling and lubricating. In addition Mr. Martin said that everything that is generated from the manufacturing process is actually recyclable and is not considered a waste, and there are no airborne emissions.

In reply to Mr. Zelmanow, Mr. Frank said that late spring or early summer is an appropriate anticipated start date.

PUBLIC COMMENT PERIOD: None offered.
PUBLIC COMMENT PERIOD ENDED.

ITEM 2 Pre-Application Discussion (Carried over from January 7, 2019) - STJ, Inc. – Tow Path Road Condominiums – a request for sketch plan review of a 4 duplex condominium development of 8 units and associated parking and infrastructure off Tow Path Road, Urban Residential-Manufactured Housing zoning district, Map 111, Lot 63-401.

Mr. Poirier explained that the proposal will be for both site plan and subdivision review for 4 duplex units. The applicant is proposing to serve the lot with a private way; however, the current private way standards allow private ways to only serve lots with 2 dwelling units. Therefore, as proposed, this would not be allowed unless it were 4 lots. Staff has had discussions with the Town Manager and the applicant and an ordinance amendment may be forthcoming to the private way standards. Mr. Poirier said this lot is located in the Urban Residential zoning district, so sidewalks are required within the development, as well as to the development. Currently Tow Path does not have a sidewalk, but Gray Road does.

Shawn Frank, Sebago Technics, appeared on behalf of the applicant and explained that the site was previously owned by the Portland Water District and actually has no frontage on Tow Path Road, it is a lot of record with an easement from Tow Path Road to serve the property. The proposal is to construct a private way to the hammerhead within the area of the easement that would provide access, that road would be built to urban access residential road standards, including curb and sidewalks. It is proposed that 4 duplexes are to be built, with 16 parking spaces and municipal water and sewer service, and underground electric. The buildings will be sprinkled. Lighting will probably be residential in nature. Mr. Frank said that the applicant, Mark Curtis, has started the process with the Town about revising the private way standard

Mr. Fox said that the unknown at this point appears to be dealing with the limitations of the private way, and asked if the applicant is prepared to let that play out and make decisions based on whatever the ordinances change s may or may not be.

Mark Curtis, STJ, came to the podium and told the Board that they are willing to take somewhat of a risk and continue down the current application path, while also moving forward with the Council for an ordinance change. Mr. Curtis said it is a lot of record, it meets the density, and was a lot that has existed since before zoning. He said they recognize that there was clearly a purpose for the private way standards as they were written at the time, they are not proposing the road as public road, and believes development should be encouraged on private ways whose maintenance is paid for by the residents or whoever owns the buildings. If the Board is ready to approve the application and the ordinance isn't changed, they will have to look at what happens then.

Mr. Frank explained the proposed parking for the units. Mr. Frank explained that there will be a hammerhead access drive and 2 parking spaces per unit. He said that guest parking could be accommodated on the drive. Mr. Zelmanow asked if a small guest parking lot, 4 parking spots, could be put on the plan. Mr. Frank said that the hammerhead is required for emergency vehicle turnaround. Mr. Poirier said that if

waste disposal will occur within the site, there will have to be a turnaround in further, perhaps by extending the snow storage area.

Mr. Curtis replied to a question from Mr. Zelmanow that they would like to install whatever the Postmaster would prefer, whether it is clustered mail boxes or mail boxes on the houses. Lighting will be residential lighting and landscaping will be shown on future plans. Mr. Poirier said retained vegetation should also be included on the plans. Mr. Richman said it appears the parking spaces are very close to the buildings and perhaps a bit of "breathing room" should be considered. In addition, Mr. Richman said he believes the hammerhead and its location would be awkward for everyday use.

Mr. Curtis asked if it is alright to proceed as is; Mr. Zelmanow said he sees no problem. Mr. Poirier said the first step is to get the Council to forward language changing the standard to the Planning Board for its recommendations. Mr. Poirier said he believes that the applicant is asking the Board if, without seeing any changed language, it would be favor of a private way that serves 8 units. Mr. Fox said he has no objection to the concept, but believes that the applicant will be challenged to come up with a design that serves all of the traffic needs in the development.

PUBLIC COMMENT PERIOD OPENED: None offered.
PUBLIC COMMENT PERIOD ENDED

ITEM 3 Pre-Application Discussion (Carried over from January 7, 2019) - Duchaine, Chris – Subdivision – a request for sketch plan review for Presumpscot Ridge Road subdivision, an 8-lot cluster subdivision at 207 North Gorham Road, and an upgrade to the existing private way, Suburban Residential-Manufactured Housing district, Map 96, Lot 11 and 11.001.

Mr. Poirier advised the Board that this pre-application was before the Board on November 5, 2018, with a site walk held on November 28. Since that time, the applicant has increased the size of the parcel from 9.64 acres with 5 lots to 13.20 acres with 8 lots. He said that the applicant has provided both a clustered and a conventional residential subdivision plan. In the Suburban Residential zoning district where water or sewer bonuses are not calculated, the number of lots allowed is based on the conventional subdivision, so the Board should review that subdivision plan and make sure that the lots have 200' of road frontage and a minimum of 60,000 square feet and are technically feasible to have a single family home, septic and well located within the lot boundaries. Once the Board determines that number of lots as shown on a conventional plan of development is adequate, then the Board can decide whether to move forward with either the clustered or the conventional form.

Andrew Morrell, BH2M, came to the podium and introduced the applicant, Chris Duchaine. He is said the applicant is tentatively working with the abutter to the north to purchase the rear portion of that lot, which would increase the proposal from 5 lots to 8. Mr. Morrell said that they would like guidance from the Board as to whether it prefers the clustered or conventional form of development. Mr. Morrell said that the applicant prefers the clustered layout, preservation of wetlands, the elimination of two private ways totally roughly 900 linear feet, with 9 ± acres of open space.

Chris Duchaine, applicant, told the Board why he prefers the clustered form of development because it preserves more wetland, and said he is willing to combine the two lots on North Gorham Road as conventional and have it be multi-family if clustered can be done in the back where it wouldn't be as visible. Mr. Fox said he believes that the conventional form meets the requirements, and said he is curious about lot 3, where the most wetlands exists. Mr. Morrell confirmed that lot 3 does have the majority of the wetlands on it, but in the northeasterly corner of that lot there is more than enough room to build a house and driveway, septic and well and probably not even impact the wetlands. Potentially 4300 square feet of wetlands could be impacted without any kind of permitting required, but there is enough room. The lot line

between lots 3 and 4 could be tweaked to the northeast, giving some additional review in that area. Mr. Morrell said access for lot 3 could come off the private way in the back.

Mr. Morrell confirmed with Mr. Richman the piece of land the applicant is looking to purchase. Mr. Richman said he believes a hybrid of the two forms of development would be the most beneficial, likes the clustered layout going down Presumpscot Ridge Road, but he would have a problem with the clustered lots 1 and 2 on North Gorham Road. Mr. Richman said he appreciates the applicant's willingness to combine them into one structure with 1 and 2 combined. Mr. Poirier said that even though one of the lots would be bigger than the others, it would still be considered a clustered subdivision.

Mr. Fox said he agrees that having lot 1 being a larger lot on North Gorham Road is a step in the right direction, but he still prefers the conventional layout in this area, which lends itself more to the conventional. Mr. Zelmanow said he still likes the conventional and thinks it looks like it fits better in this area. Mr. Grassi said he prefers the clustered form of development. Mr. Richman said he likes the single lot, not necessarily with a multi-family, on North Gorham and the rest clustered.

Mr. Poirier said among these 4 Board members, there is a 2 – 2 split; however, there are 3 other members who are not present so the applicant can come back before the Board for another pre-application discussion to secure their thoughts, but it is a tie now, and a tie motion would fail, so it would be conventional.

Mr. Duchaine said that he would like a decision tonight, he isn't trying to scare the Board, but he knows there is a big market for multi-family and if he can't do clustered, his next step would be to come back before the Board with multi-family.

Mr. Zelmanow asked how usable would the open space be in a clustered subdivision, and what would be proposed for recreational purposes under the standards, such as trails. Mr. Duchaine said he would be willing to do trails but the open space is to preserve it. Mr. Zelmanow said that it is also to help the residents because their lots would be smaller.

Mr. Poirier again reminded the applicant that the Board is tied at 2 – 2, and asked if the applicant wants to move forward knowing that he has the right to do duplexes in the zone, or does he want to move forward with the clustered, knowing that there are still three other members of the Board to be heard from. Mr. Duchaine said he wants a decision tonight, if the 2 -2 means conventional, he won't come back with a conventional, he will come back with duplexes. Mr. Richman said that the way this progressed, with the image of multi-family big duplex process, he would definitely change his vote and go with conventional.

Mr. Zelmanow said that now the consensus of the Board is 3 to 1 for the conventional, so that is the path we will head down. Mr. Duchaine suggested tabling the item and wait until the other 3 members weigh in. Mr. Morrell confirmed with Mr. Poirier that since Mr. Richman has changed his vote, it is now 3 – 1, then the applicant would need all 3 of the missing members to prefer the clustered. Mr. Fox reiterated that three of the members tonight prefer the conventional, so if the applicant prefers to continue along developing a clustered subdivision, you can bring that back and the Board will consider it during its review but there is some risk that when it comes time to do a formal vote, it will potentially come back as conventional again.

Mr. Zelmanow suggested that the applicant could combine lots 1 and 2 and make that a single lot with a conventional home, move the other lots around making them a little bigger, come up with ideas to make the open space more useable. Mr. Poirier said that the two plans now are two extremes, and perhaps there is a compromise of something between the clustered and the conventional subdivision, with a conventional lot in front and increasing the other lots on the side of the road and making them bigger. Mr. Morrell said he thinks the Board's concern lies with the size of the lots. Mr. Zelmanow said the size and that it doesn't look like it belongs in North Gorham. Mr. Fox said that a 100 foot frontage is small for that area, but he

appreciates the potential cost of developing the area, and perhaps there is some way to make this like a typical lot size in that area and still keep the cost down.

Mr. Zelmanow suggested that the applicant speak to the abutters to the property to check on water quality in the area.

ITEM 4 Public Hearing – Special Exception Use – RR AVE, LLC – Peanut Gallery Daycare, Inc. –
a request for special exception use approval for a daycare facility to accommodate up to 80 children at 17 Railroad Avenue, Unit D, Urban Commercial zoning district, Map 103, Lot 81.

Mr. Poirier reminded the Board that this proposed special exception use application was been before it on January 7, 2019 and was moved to tonight's meeting to allow the applicant to provide a revised plan for pedestrian safety and traffic circulation in front of the daycare's 17 Railroad Avenue building. The applicant has provided revised plans by Owens McCullough of Sebago Technics showing slanted painted parking spaces along the front of the building to allow a walkway along the front. No curbing or wheel stops are proposed. The applicant also provided a revised location for the outdoor fence almost the entire length of the eastern side of the building, a revised layout of the classrooms, and an operations plan.

Jon Smith came to the podium and said he would answer any questions.

Mr. Fox said the location of the walkway is an improvement and asked if there was any interest in adding curb stops. Mr. Smith said there is an elevation challenge in building a typical curb and sidewalk at that location if only from a clean-up standpoint, there is a dripline from that building right into the walkway area and it is important to maintain the ability to clean it up. Cars now will stop 6 feet back with a 12 inch wide stop line and parking will be on an angle.

Mr. Zelmanow asked the Board and Mr. Smith if Mr. Grassi can be permitted to participate in reviewing and voting on the application.

George Fox MOVED and Michael Fox SECONDED a motion to permit Mr. Grassi to participate in the discussion of the item. Motion CARRIED, 3 ayes (1 abstain, Vincent Grassi; Molly Butler-Bailey, Scott Firmin and Brian Plowman absent).

Mr. Smith said that a sign could be put on the building not to park on the walkway. Mr. Poirier replied to Mr. Zelmanow that the Town does not have an ADA parking space requirement, it would be whatever the State Fire Marshal would require. After discussion, it was agreed that the applicant should add a painted crosswalk on the entrance nearest the daycare; this will be added to Special Exception Standard 1. Mr. Poirier replied to a question to Mr. Zelmanow that the Board does not appear to have any issues with the peak trips.

Mr. Poirier said that in Special Exception Standard 6, the proposed fenced-in playground area will be located 80 feet from the edge of the stream.

Mr. Fox asked about the 80 children enrollment; Mr. Smith said that number has been approved by the State, even though there may not be that many children. In reply to Mr. Fox, Mr. Smith replied that the daycare will coordinate use of the neighboring schools' playgrounds.

Mr. Smith said he is comfortable with the Conditions of Approval.

PUBLIC COMMENT PERIOD OPENED: None offered
PUBLIC COMMENT PERIOD ENDED.

George Fox MOVED and Michael Richman SECONDED a motion to approve Jonathan Smith's Special Exception Use application for a 2,916 square foot daycare with up to 80 children, located on Map 103, Lot 81, Urban Commercial zoning district, based on Findings of Fact and Conditions of Approval as written by the Town Planner and amended by the Planning Board. Motion CARRIED, 4 ayes (Molly Butler-Bailey, Scott Firmin and Brian Plowman absent). [8:45 p.m.]

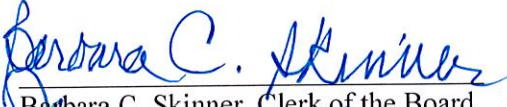
OTHER BUSINESS None

ANNOUNCEMENTS None

ADJOURNMENT

George Fox MOVED and Vincent Grassi SECONDED a motion to adjourn. Motion CARRIED, 4 ayes (Molly Butler-Bailey, Scott Firmin and Brian Plowman absent). [8:50 p.m.]

Respectfully submitted,


Barbara C. Skinner, Clerk of the Board
January 14, 2019

ITEM 4 RR AVE, LLC – PEANUT GALLERY DAYCARE, INC.

CHAPTER 1, SPECIAL EXCEPTION REVIEW, SECTION 1-4

E. SPECIAL EXCEPTION STANDARDS

The Planning Board shall have the power and duty to approve, deny, or approve with conditions special exceptions only as expressly provided in the applicable zoning districts. The applicant shall have the burden of proving that his/her application is in compliance with the following standards. After the submission of a complete application, the Planning Board shall approve a special exception application or approve it with conditions only if it makes a positive finding based on the information presented that the proposed use, with any conditions attached, meets the following standards:

1. The proposed use will not create or aggravate hazards to vehicular or pedestrian traffic on the roads and sidewalks, both off-site and on-site, serving the proposed use as determined by the size and condition of such roads and sidewalks, lighting, drainage, and the visibility afforded to pedestrians and the operators of motor vehicles on such roads;

Pedestrian and Vehicular access to the site are from both Railroad Avenue and Robie Street. The Town of Gorham classifies Railroad Avenue as a service road and Robie Street as an Urban Access street.

The uses are anticipated to generate 54 trips in the a.m. peak hour and 55 trips in the p.m. peak hour. The site has parking spaces for the use of a daycare center on the lot.

The applicant shall install a painted crosswalk on the entrance nearest to the daycare.

Finding: Peanut Gallery Daycare, Inc. will not will not create or aggravate hazards to vehicular or pedestrian traffic on the roads and sidewalks, both off-site and on-site, serving the proposed use as determined by the size and condition of such roads and sidewalks, lighting, drainage, and the visibility afforded to pedestrians and the operators of motor vehicles on such roads.

2. The proposed use will not cause water pollution, sedimentation, erosion, contaminate any water supply nor reduce the capacity of the land to hold water so that a dangerous or unhealthy condition results;

The building is served by public sewer and water from water and sewer mains located in the Railroad Avenue right-of-way. No earthwork construction is proposed for the site.

A fenced-in playground is proposed for the site over the existing lawn area along the eastern side of the 17 Railroad Avenue Building. The playground is proposed to be 15' by 65' and run along the eastern side of the building. The lawn is proposed to remain in the playground area.

Finding: Peanut Gallery Daycare, Inc. will not cause water pollution, sedimentation, erosion, contaminate any water supply nor reduce the capacity of the land to hold water so that a dangerous or unhealthy condition results.

3. The proposed use will not create unhealthful conditions because of smoke, dust, or other airborne contaminants;

The applicant is proposing to locate the daycare in a portion of the building at 17 Railroad Avenue. The applicant is proposing a 15' by 65' fenced-in area along the eastern side of the building for use of the daycare. No smoke, dust, or other airborne contaminants are proposed to be used on the site.

Finding: Peanut Gallery Daycare, Inc. will not result in undue pollution of air, or surficial or ground waters, either on or off the site.

4. The proposed use will not create nuisances to neighboring properties because of odors, fumes, glare, hours of operation, noise, vibration or fire hazard or unreasonably restrict access of light and air to neighboring properties;

The proposal is to operate a daycare/preschool with up to 80 children. The children would range in ages from 6 weeks to 12 years of age. Hours of operation will be Monday through Friday 7:00 a.m. to 5:30 pm.

The onsite outdoor playground hours of operation will be twice a day between 10:00 to 11:00 a.m. and 3:00 to 4:00 p.m.

Finding: Peanut Gallery Daycare, Inc. will not create nuisances to neighboring properties because of odors, fumes, glare, hours of operation, noise, vibration or fire hazard or unreasonably restrict access of light and air to neighboring properties.

5. The proposed waste disposal systems are adequate for all solid and liquid wastes generated by the use;

The building is served by public sewer and water from Railroad Avenue. The approved site plan shows the location of a dumpster pad located on the southeastern corner of 17 Railroad Avenue.

Finding: Peanut Gallery Daycare, Inc. waste disposal systems are adequate for all solid and liquid wastes generated by the use.

6. The proposed use will not result in damage to spawning grounds, fish, aquatic life, bird, or other wildlife habitat, and, if located in a shoreland zone, will conserve (a) shoreland vegetation; (b) visual points of access to waters as viewed from public facilities; (c) actual points of access to waters; and (d) natural beauty.

A brook is located along the southern edge of the lot. No improvements or clearing of vegetation are located near the brook. No other wildlife habitat or areas of natural beauty are located on the site.

The proposed fenced in playground area will be located 80' from the edge of the stream.

Finding: Peanut Gallery Daycare, Inc. will not result in damage to spawning grounds, fish, aquatic life, bird, or other wildlife habitat, and, if located in a shoreland zone, will conserve (a) shoreland vegetation; (b) visual points of access to waters as viewed from public facilities; (c) actual points of access to waters; and (d) natural beauty.

Conditions of Approval

1. That this approval is dependent upon, and limited to, the proposals and plans contained in this application and supporting documents submitted and affirmed by the applicants and that any variation from the plans, proposals and supporting documents is subject to review and approval by the Planning Board or Site Plan Review Committee, except for minor changes which the Town Planner may approve.

2. That prior to the commencement of construction of the site plan, the applicant is responsible for obtaining all required local, state and federal permits;
3. That all relevant conditions of approval from past site plan approvals shall remain in effect;
4. That any proposed use on the site shall meet the sound level requirements outlined under Chapter 4, Section 9, T. Noise;
5. That 17 Railroad Avenue building shall meet the requirements of NFPA 101 Life Safety Code;
6. That prior to the occupancy permit being issued for the site, the fenced-in playground area needs to be built and completed or a performance guarantee established meeting the Town's approval totaling 125% of the costs to install the fence;
7. That prior to the occupancy permit being issued for the site, the parking lot striping and improvements needs to be completed as shown on the approved plans;
8. That the daycare shall receive approval from the Town Manager and the School Superintendent prior to the daycare's use of the playgrounds and playing fields at Village and Narragansett Schools;
9. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and
10. That these conditions of approval must be added to the decision document and the decision document shall recorded at the Cumberland County Registry of Deeds within thirty (30) days of the date of written notice of approval by the Planning Board, and a dated mylar copy of the recorded site plan shall be returned to the Town Planner prior to a building permit being issued.