

**GORHAM PLANNING BOARD ZOOM MEETING
January 11, 2021**

MEMBERS PRESENT

**GEORGE FOX, CHAIRMAN
JAMES ANDERSON
SUSAN DURST
VINCENT GRASSI
THOMAS HUGHES**

STAFF PRESENT

**CAROL EYERMAN, TOWN PLANNER
BARBARA SKINNER, CLERK OF THE
BOARD**

MEMBERS ABSENT

**MOLLY BUTLER-BAILEY
SCOTT FIRMIN**

George Fox, Chairman, called the zoom meeting to order at 7:00 p.m. The Clerk of the Board called the roll, noting that Molly Butler-Bailey and Scott Firmin were absent.

APPROVAL OF THE JANUARY 4 MEETING MINUTES – The Chairman was advised that the minutes of the January 4, 2021 meeting are not yet available.

ITEM 1 Private Way Amendment – Plowman Road – (Continued from January 4, 2021 meeting) - a request for approval to extend Plowman Road approximately 950 feet and widen the existing drive to the current 2-6 lot private way standard, Rural zoning district, Map 4-102.

Ms. Eyerman told the Board that the applicants are asking for an approximate 950 foot extension of a private way that has already been approved. It is proposed to be constructed to the 2-6 lot private way standards. Ms. Eyerman said this may be a subdivision, so the Town Attorney's input will be solicited.

Andrew Morrell, BH2M Engineers, advised the Board that the applicant does not expect that there will be more than 2 to 6 lots on this private way, but what he has chosen to do is build the road base to the 7 to 10 lot private standards, a 24 foot wide road, and leave it as a gravel private road for the time being. If at some point down the road, 6 lots were to be exceeded on this private way, the applicant would pave the road to the 7 to 10 lot private way standard. Mr. Morrell said the applicant has provided a building permit for a structure on the western end of the parcel. The plans submitted did not show the south western corner property line the way it exists today, and there is no intention to cut off a lot in the south western corner of the parcel. The plans will be revised.

The applicant will seek Permit by Rule applications with the DEP to cross the stream.

Ms. Eyerman asked Mr. Morrell to show the plan on the screen for the benefit of people watching on zoom. Mr. Fox cautioned viewers not to use the "chat" feature of the zoom meeting to ask questions or to make comments, as anything done through the chat feature is not part of

the public record. The way to ask questions or make comments is through the public hearing feature of the Board meeting.

PUBLIC COMMENT PERIOD OPENED: Cheryl Begin, 36 Mountview Drive, speaking on behalf of other residents, asked about the widening of the road, saying it appears that the road is almost completed, so what are they are asking for now. She also asked what is proposed to be built.

Kevin Plowman, applicant, said that the road has been in existence since the early 60s, a Permit by Rule was granted in the early 90s for a culvert to the river, some fill was brought in a couple of years ago. Mr. Fox confirmed with Mr. Plowman that the section the Board is looking at this evening is not built. Mr. Plowman said that the majority of the road under consideration has not been built, that it is family land and is intended to stay that way. Mr. Fox confirmed that there are no plans at this time for a non-family subdivision.

PUBLIC COMMENT PERIOD ENDED.

Mr. Anderson asked what is already built and existing. Mr. Morrell explained there are two houses existing on this parcel, one on what is called lot 2, and another home on lot 1. Lot 1 is technically all contiguous so the land is proposed to be divided around one of the houses. Mr. Plowman pointed out the river as the boundary for the two lots that have frontage on County Road. Mr. Morrell said the road base will be to the 7 to 10 private way lot standards, and said that the culvert system that was put across the stream in 1996 needs to be upgraded as part of this project. In order to assure down the road if there were ever to be more than 6 lots, the applicant wants to be sure that the road base is adequate. In reply to Mr. Anderson, Mr. Morrell said if a lot were cut out in the future, the applicant would have to hire a surveyor, do a description of the lot, get a deed set up, and set the pins for the boundaries.

Mr. Morrell confirmed with Mr. Fox that a Permit by Rule will be needed to cross the stream and make the improvements to the culvert system.

Ms. Eyerman said that right-of-way issues need to be reviewed by the Town Attorney. Mr. Fox suggested tabling the item until the Town Attorney's review has been done.

James Anderson MOVED and Vincent Grassi SECONDED a motion to table further review of Michael and Kevin Plowman's request for private way approval pending responses to remaining issues and input from the Town Attorney. Motion CARRIED, 5 ayes (Molly Butler-Bailey and Scott Firmin absent).

ITEM 2 Preliminary Subdivision – Sawyer Estates – a request for approval of Sawyer Estates, a 119 lot residential subdivision on 103.59 acres, on property located off South Street, zoned R/SR, Map 21, Lots 10, 16, and 17.16

Ms. Eyerman told the Board that the Board and the applicant discussed the first half of this project at its January 4, 2021 meeting, involving utilities, roadways, lots, landscape design, open spaces, lighting and fire protection. This evening the applicant will make a presentation and

would like Board input on stormwater, traffic, phasing, wetlands, soils, Development Transfer Overlay standards, DEP permitting, and other.

Andrew Morrell, BH2M, presented the following information for the Board.

1. Stormwater. Mr. Morrell described the stormwater system as closed drainage, with curbing and catch basin, including one large wet pond, 12 vegetated soil filters and 11 wooded buffers. The applicant will need a DEP Site Location of Development Permit. The current design meets all applicable current Town and DEP standards.
2. Traffic. Mr. Morrell said that Milone & MacBroom had done a traffic study initially but they are unable now to continue to work on this project. The applicant will hire Traffic Solutions to bring the traffic study up to date, as the traffic study will need to be revised now that Josh's Way is proposed to be extended to Waterhouse Road. Mr. Fox asked if the change in the traffic engineering firm will make any changes to the plans that the Board is considering this evening. Mr. Morrell does not see a problem and said it should be a smooth transition with no large scale changes.
3. Phasing. Mr. Morrell said the applicant proposes to build the project in two phases. Phase 1 will consist of 58 lots, Bill's Way, Chase's Way, Dominic's Way, Starlit Way, and Josh's Way. Phase 2 will be the South Street end of the project, 61 lots, Terina's Way and the connection to Crestwood. The phasing being done in this way is driven by the sewer systems.
4. Wetlands. Mr. Morrell said the wetlands were originally delineated by Tooth & Associates in 2005. Since that time the applicant has hired Mark Hampton Associates to re-do the wetlands, which was done in 2020. The updated wetlands are shown on the plans before the Board. The design was completed to try to minimize the impact on the wetlands. The project will require a Tier 2 Wetland Alteration permit with the Maine DEP.
5. Soils. High intensity soils for the project were completed by Tooth & Associates as shown on sheets 3 and 4 of the plans. As part of the DEP permitting that will be undertaken, there will be test pits completed in all of the stormwater facilities throughout the site. The plans also call out standard erosion control practices and techniques to be used to make sure there is no erosion or sediment transport on the site.
6. Development Transfer Overlay Standards. Mr. Morrell said there have only been a handful of DTO subdivisions done over the years,. The concept is these areas are in portions of the Town where the Town feels growth and expansion of the Town are warranted and it allows an applicant to pay a fee for more lots. Traditional zoning on this parcel would accommodate 54 units, based on density calculations, shown on sheet 2. The applicant is proposing 119 lots in the DTO and the applicant would pay for the additional lots under those standards. The DTO standards have other requirements, such as some of the lots needing to be deeper than they are wide. He said that DTO standards for open space require that 10% of the site is required to be open space, so this parcel would be required to have 10.36 acres of open space; the applicant is proposing 52.94 acres of open space, 51% of the total area of the parcel. Continuing, Mr. Morrell said that of the proposed open space, 5% must be useable open space, which means 5.18

acres of this parcel's open space needs to be useable. The applicant is proposing 22.68 acres of useable open space. Mr. Morrell said the applicant will work with landscape architect Peter Burke to come up with a detailed plan for the open space. Another requirement of the open space in the DTO is 50% of the useable must be developed as part of the project, which is also something they will work on with Peter Burke.

7. DEP permitting. Mr. Morrell said this project will require a Site Location Permit, an NRPA Tier 2 wetland alteration permit, an NRPA Permit by Rule permit, and a Maine demo permit from the Army Corps of Engineers. After these two meetings with the Board, it is the applicant's intent that the design will be finished and to move forward with the DEP permitting.

8. Other. Mr. Morrell said this item is to deal with any issues that the Board may have that may not have been addressed.

Mr. Fox opened the public comment period and asked that the "chat" feature of the zoom meeting not be used as those comments are not part of the public record and will not be addressed.

PUBLIC COMMENT PERIOD OPENED: Alan Potthoff, 17 Crestwood Drive, said that development is anticipated on the south, west and north sides of his lot. He said there are no buffers anticipated on those sides of his lot, but it appears that there will be 9 to 13 units to be built around his lot. He said he met with John Chase to talk about the lack of outdoor recreation and entertainment for this development, and said he is asking for a buffer. He said he is willing to put in money to develop recreation amenities that have to include Crestwood Drive.

Eric Semle, 5 Crestwood Drive, expressed concerns about the wetlands and drainage, and asked if the wetland study done last year took into account the drought conditions. He asked if the traffic study will take into account the impact of Covid 19 on driving patterns. He also said that there is plastic coming out of the ground after a heavy rain, and wonders if there was a dump on the site. He asked about what kind of houses will be built, traffic issues, traffic lighting, routing for school busses, open space, and homeowners' association rules.

Andrew Fickett, 41 Waterhouse Road, spoke about wetland issues in his yard and the impact of the development on the wetlands, blasting, whether Waterhouse Road will be widened and if there will be sidewalks. He spoke about the impact of this development on the school system.

Allyson Lowell, 6 Crestwood, expressed concerns about development of Crestwood road, drainage, blasting, water quality, lighting, impact on wildlife, would like to see more details about the open space, and asked that the permits required be explained. She said she believes there is an old dump on the property. She commented about the "Q & A" process on a webinar.

Ian O'Hora, 327 South Street, expressed concerns about blasting, but said he believes the project will be of benefit to the Town with sidewalks and infrastructure.

PUBLIC COMMENT PERIOD ENDED.

Mr. Anderson and Mr. Morrell discussed the stormwater elevations and grades of the proposed lots versus existing elevations on the houses on Crestwood Drive. Mr. Morrell said not a significant amount of cutting is anticipated on this site and all of the proposed lots and roadways have been graded out on the profile sheets. Almost all of the roadways and most of the lots are higher in grade than they exist today. In reply to Mr. Fox's question about elevation changes, Mr. Morrell replied that this is a relatively flat site.

Mr. Anderson asked about the buffers on the lots at the rear of Crestwood, if the intent is to allow those buffers to treat stormwater. Mr. Morrell replied that for the majority in the front section of the site, there is a large wet pond to collect stormwater and there also are vegetated soil filters. Everything from the peaks of the roofs of the lots in phase 2 flows back to the roadway, to be collected in the closed drainage system and then diverted to the stormwater treatment facility.

Mr. Anderson and Mr. Morrell discussed construction traffic for phase 1, will it come through Waterhouse Road. Mr. Morrell said he guesses it will come in off Waterhouse, but that is a discussion they need to have with Public Works. Public Works had significant concerns with the original concept of using Heartwood and Starlit Way. Mr. Fox asked if there any plans being discussed to making any modifications to Waterhouse Road. Mr. Morrell replied he does not know, but Public Works has stated that they want to do some inspection of Waterhouse Road and look at its condition now, vis-à-vis what its condition would be after construction.

Mr. Anderson asked Mr. Morrell what the time line of construction for the project, a ballpark estimate for the beginning of phase 1 and phase 2. Mr. Morrell said that DEP permitting can take 6 to 7 months, they need to get preliminary and final approvals with the Town, so there are quite a few hurdles concerning the permitting before they can move forward.

Mr. Anderson noted that the speed limit on South Street is 50 miles per hour, and asked Mr. Morrell if a turning lane is envisioned. Mr. Morrell said the discussion of a turning lane into Terina's Way occurred previously with the DOT for traffic traveling down 114 into Gorham; however this is something that will be addressed by the traffic study. Mr. Fox referred to an abutter's comment about the traffic study being impacted by Covid 19. He asked Mr. Morrell for confirmation that the traffic study is not a physical count of traffic taking place now, but is instead a design-based study taking into account projected vehicle trips generated by the construction and will not be artificially impacted by pandemic conditions. Mr. Anderson asked how far on South Street does the traffic study cover. Mr. Morrell said the Town's ordinance does not dictate a requirement on how far to consider when doing a traffic study. However, if the Board had certain intersections in mind that they would like the applicant to consider, they would make sure that information is included in the traffic study. Mr. Morrell said he believes that the last traffic study went up South Street past Weeks Road and in the other direction went as far as the intersection with Route 22.

Mr. Hughes spoke about the problems of installing a side walk along South Street, noting that sidewalks all the way from Waterhouse to Weeks Road will take up a lot of space and would have people walking right against a 50 mile an hour zone, and wonders what safeguards will be in place, especially for people turning into Crestwood. Mr. Hughes asked for more detail about

the wet pond, such as where does it drain and how big is it. Mr. Morrell agreed that the sidewalk issue is complicated, and said they will work with DOT on the details. Mr. Morrell pointed out on the plan an existing pond, whether man made or natural he is not sure, but he said they have been asked to inspect the outfall for that pond to see if improvements need to be made. He said that stormwater from site is not being directed to the existing pond, but will go instead to a new stormwater pond.

At Mr. Fox's request, Mr. Morrell summarized the DEP permitting process as follows: the Site Location of Development permit is the highest level of permitting required by the DEP, it is the permit that will take 6 to 7 months. That permit is very detailed involving all kinds of aspects of the project, such as trash collection, utilities, lighting, noise, covering 29 different sections that the State requires be considered. At the request of Town Planner Carol Eyerman, Mr. Morrell explained that as part of the Site Location permit, they will need to do some studies about the wildlife and habitats that exist on the parcel, a portion of the review that the DEP takes very seriously. The permits will be available for review by the public. The project will also require a Natural Resource Protection Act permit, a permit for the impact to the wetlands, a Tier 2 wetlands permit. There will be a series of Permit by Rule applications required, mostly for stormwater outfall. A permit will also be required by the Army Corps of Engineers.

Mr. Morrell said the applicant has not yet made any decisions on house styles. Bill Noon, Chase Custom Homes, said the kind of homes haven't been decided on yet, but they will try to help the value of homes, but whether a ranch, colonial or cape style has not been decided yet.

Mr. Fox confirmed with Mr. Morrell that the only lighting anticipated will be at intersections.

Mr. Fox asked Mr. Morrell about whether public access to the open space will be permitted. Mr. Morrell said that Homeowners' Association by-laws have not yet been determined, but typically ownership and maintenance of the open space is handled by the homeowners. However, he reminded the Board that Tom Poirier, Director of Community Development, had advised at the last discussion on January 4 that the Town Council can accept the open space and make it available to the public. Mr. Morrell said they have not yet had that conversation with the Town but will consider that going forward.

Referring to Mr. Morrell's figure on how much of the site will be open space, Mr. Fox said he assumes that wetland conditions are driving a lot of that. Mr. Morrell agreed, saying that a lot of the layout is driven by the wetlands and sewer. Mr. Morrell said that sheet 2 of the plans outlines a summary of the open space requirements and what is being proposed. Once a more detailed design of the open space is done, the numbers will be updated. Mr. Fox urged the applicant to make sure there is some good, useable, accessible, high quality open space due to the size of the development. Mr. Fox asked if the 50% open space development requirement is 50% of the minimum useable or the actual useable open space. Mr. Morrell said he believes it is 50% of the minimum, 5.18 acres of useable open space, so 50% of that would be required to be useable open space. Mr. Fox said he personally would prefer that it be 50% of the actual.

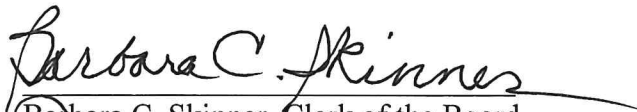
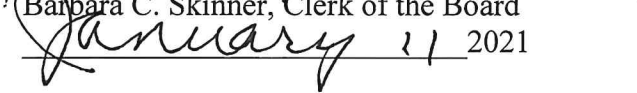
Mr. Grassi commented about stormwater control, encouraged a variety in the appearance of the houses that will be built, and asked about a third party landscape architect's review of the

landscape plan. Mr. Morrell said the landscape plan will be peer reviewed when it has been submitted. He commented that the traffic study will also be peer reviewed by the Town.

Mr. Morrell said they will take the Board's and abutters' comments into consideration as they move forward to work on the traffic study, landscape plan, DEP permitting and other issues that need to be addressed. He said that they would like to move forward jointly on their DEP permitting approval and municipal preliminary approval.

**James Anderson MOVED and Thomas Hughes SECONDED a motion to adjourn.
Motion CARRIED, 5 ayes (Molly Butler-Bailey and Scott Firmin absent). [8:35 p.m.]**

Respectfully submitted,


Barbara C. Skinner, Clerk of the Board

January 11 2021