

**PLANNING BOARD MEETING MINUTES
AUGUST 1, 2022**

MEMBERS PRESENT

**JAMES ANDERSON, CHAIRMAN
SUSAN DURST
RUSSELL FRANK
SEVEN SIEGEL**

STAFF PRESENT

**THOMAS POIRIER, DIRECTOR OF
COMMUNITY DEVELOPMENT
CAROL EYERMAN, TOWN PLANNER**

MEMBERS ABSENT

**DAVID BURROUGHS
VINCENT GRASSI, VICE CHAIRMAN
SCOTT HERRICK**

Chairman James Anderson called the meeting to order at 7:00 p.m. The roll was called, noting that David Burroughs, Vincent Grassi and Scott Herrick were absent, but the four members present constitute a quorum and the Board may proceed with this evening's agenda. Mr. Anderson noted that Item 2, Public Hearing for Nouria Energy and Item 4, Subdivision and Private Way, James Davenport, have been tabled.

APPROVAL OF THE JULY 11, 2022 MEETING MINUTES

Susan Durst MOVED and Russell Frank SECONDED a motion to approve the minutes of the July 1, 2022 meeting minutes. Motion CARRIED, 4 ayes (David Burroughs, Vincent Grassi and Scott Herrick absent).

COMMITTEE REPORTS

A. Ordinance Review Committee

Ms. Durst reported that this Committee had not met.

B. Comprehensive Plan Implementation Committee

Russell Frank reported that the Committee continued its discussion on the South Gorham Crossroads matter, with more workshops to be scheduled.

ADMINISTRATIVE REVIEW REPORT

Ms. Eyerman reported on the following projects:

Devine, Sonja and Tim – 135 Dingley Spring Road – a request for after-the-fact approval to add storage trailers and a Quonset Hut to store equipment on property located at 135 Dingle Spring Road, zoned SR, Map 76, Lot 35. This has been approved by the Site Plan Review committee.

Marland, Miranda and Michael – Minor Site Plan Review – a request for approval to

utilize the current use storage space in the basement of the residence for a dog play space for doggie daycare, located on New Portland Road and zoned R, Map 29, Lot 4.001.

This request is scheduled for review by the committee next week.

V&M Construction Services, Inc. – **Minor Site Plan** – a request for approval to add a materials stockpile area and boat and RV storage onsite at 520 Fort Hill Road, zoned I, Map 63, Lot 28. This application is also scheduled for review next week.

ITEM 1 Public Hearing – Zoning Map Amendment - a proposed Zoning Map Amendment to change the area in the vicinity of South Street to Brackett Road from Rural and Suburban Residential District to the Urban Expansion District and the area in the vicinity of New Portland Road and Lowell Road from the Rural District to the Suburban Residential District.

Mr. Poirier said that the Board had its public hearing on this amendment on June 6, 2022, and based on comments from the public, the Board had multiple questions regarding the Narragansett Wildlife Game Sanctuary and its effect on land use and other questions the Board wanted answered. The item was moved to the Board's Comprehensive Plan Implementation Committee for discussion on July 11, 2022, and the item is once again on for public hearing this evening.

As a reminder to the Board, Mr. Poirier noted that the Board's role on proposed amendments to the Land Use Code and zoning maps is to give the Council a recommendation on the proposal sent to the Board. The Board has in front of it a proposed zoning map amendment and it needs to determine if that zoning map amendment meets the intent of the Comprehensive Plan. The Board should open the public hearing and then decide what recommendation to make back to the Town Council. Also provided to the Board is a copy of the material reviewed at the CPIC workshop on July 11.

PUBLIC COMMENT PERIOD:

Richard Foley, 14 Newton Drive, referred to the infrastructure improvements and objectives that are required in the Comprehensive Plan which have not been done, so therefore a discussion on zoning changes is not appropriate until the infrastructure improvements have been accomplished.

Mr. Poirier commented that as the Town grows, it is trying to get sewer and water extensions to the growth areas. However, the Town cannot bear the costs of those improvements so it looks to partner with developers to do them. As part of the zoning, as there are provisions for public and private sewer, it is not inconsistent with the Comp Plan to try to move forward.

Kathleen Ashley, 76 Day Road, emphasized the strong opposition to the Town's plan to rezone their part of Gorham for urban development and referred the Board to the 160 signatures on a petition opposing the plan. She spoke of the need to protect Maine's natural resources from development in order to maintain clean drinking water, wetlands and wildlife habitats, saying that the area under consideration for a zoning change meets the requirements to protect those resources. She recommended a fresh analysis of the issues.

Donna Cassidy, 66 Day Road, spoke about Maine's Growth Management Act and the

requirement of a municipality's plan to include an inventory and analysis including a town's significant or critical natural resources including plant and wildlife habitats. Gorham's current Comprehensive Plan recommends growth in this area but fails to mention that this area is designated as the Narragansett Game Sanctuary, which is a serious error that must be corrected. She believes the Planning Board is obliged to discuss and correct the error, and that public comment could influence the Board's recommendations to the Town Council. The Board could recommend a delay until the public's issues have been addressed or it could propose giving more consideration to the impact on wildlife populations, such as creating an overlay zone.

Elizabeth Jamieson, 34 Harts Way, talked about the petition presented to the Board, which states "The undersigned all live and/or own property within the boundaries of the Narragansett Game Sanctuary and we are opposed to those rezoning proposals that would turn much of the Narragansett Game Sanctuary into an urban expansion district." She read the cover letters into the record that accompanied each segment of the petition, as follows:

"July 8, 2022 To the members of the Gorham Planning Board: attached please find a 120 signature petition expressing opposition to the proposed rezoning of a large part of the Narragansett Game Sanctuary. The signatures are all of people who reside and/or own property within the Narragansett Game Sanctuary and within or adjacent to the area of the proposed rezoning. There will be more signatures coming. Due to the overwhelming opposition of the residents of the area in question, we request that the rezoning proposal be tabled indefinitely, to be reviewed at the time of the next revision of the Comprehensive Plan, which is scheduled to be updated within the next 4 years. The logical path to this request is as follows: the State Growth Management Plan requires municipalities to inventory areas of significant wildlife habitat in their Comprehensive Plan. 'The inventory and analysis section must include significant or critical natural resources such as wetlands, wildlife and fishery habitats, significant plant habitats, coastal islands, sand dunes, scenic areas, shorelands, heritage coastal areas and unique natural areas.' (MRSA Title 3-A, Sec. 4326). Gorham's 2016 Comprehensive Plan, in which the proposed rezoning is recommended, is flawed in its omission of any reference to the Narragansett Game Sanctuary. The Narragansett Game Sanctuary was created by State legislation that was sponsored by Frederick Robie in 1927 and it is described and protected in the same statute that protects Merrimeeting Bay, the Gray Game Sanctuary and Baxter State Park. Failing to include it in the Comprehensive Plan inventory of 'significant or critical natural resources' is an error and is contrary to State law. Implementing the Comprehensive Plan recommendation that is based on an error would merely compound the error so after all, two wrongs do not make a right. The Comprehensive Plan is due to be updated no later than 2026, which will provide an opportunity for the error to be corrected. As stated in the Comprehensive Plan itself 'The vision and the entire Comprehensive Plan is not a static document. It is intended to evolve as the Town grows and changes.' The vision in the Comprehensive Plan is not a static document. It is intended to evolve the Town grows and changes; therefore, the vision and the policies of this Plan should be reviewed and updated every ten years.' (Gorham Comprehensive Plan, Chapter 4). "

"July 11, 2022: Attached please find four more pages of the petition expressing opposition to the proposed rezoning of a large part of the Narragansett Game Sanctuary, including the

twelve pages submitted last week. The total number of signatures on the petition is now 158. The signatures are all people aged 18 and older who live and/or own property within the Narragansett Game Sanctuary and within or adjacent to the proposed for rezoning to the Urban Expansion district.

Here are some notes regarding the methodologies of how the signatures were gathered. The main area that was canvassed includes Day Road and all of the streets off of Day Road, the south side of New Portland Road from Toppan Drive to Brackett Road, and the west side of Brackett Road from New Portland to Shirley Lane, including Black Brook Road, Jackie's Way, Newton Drive, Shirley Lane and Louise Street. These areas yielded 142 of the 158 signatures. The other 16 signatures were gathered along the east side of South Street between Park South and the pole line but the canvassing in these areas was not as thorough. A drive by count of the housing units within the main area of the canvassing came up with a total of 133 housing units, including two group homes and several houses that are vacant. On average, therefore, the 142 signatures represent way more than one signature per each housing unit. The canvassing within the main area was all done by knocking on doors, and the result of each door knock can be broken down into three categories: a yes, which indicates that signature was obtained; no, signature was refused; and no contact, no one was home or the person answering the door did not live there. Breaking the area into bite-sized pieces the results can be tabulated as follows: South side of New Portland Road from Toppan to Brackett including Elkins and Veranda Drive had 20 housing units – there were 13 yesses, 5 no's, and 2 no contact. West side of Brackett from New Portland Road to Shirley Lane, including Black Brook Road and Jackie's Way, 32 housing units: 21 yesses, 7 no's or no contact. Hale Development: 27 housing units, 19 yesses, 1 no, 7 no contact. Day Road had 28 housing units, 21 of which were yes, 1 no, 6 no contact. Maccoro Drive, Harts Way, and Coopers Way contain 12 homes and units, 11 yesses, 0 no's, 1 no contact. The Winterwood Subdivision had 14 housing units, 9 yesses, 1 no and 4 no contacts.

There was also some spotty canvassing on the east side of the South Street, the wildlife habitat quality of which is already compromised by development. From Day Road south to the power line, including Marston Drive but not Forest Bend Drive, which is included in the Winterwood Subdivision, only 2 signatures were gathered. The other 6 or 7 homes were attempted once each, the results all being either no or no contact. No doors were knocked on and contact was made only with people participating in outdoor yard sale activity. The trip yielded 14 signatures representing 11 of the 37 households within the subdivision. Only one person refused to sign, the rest were no contact.

Circling back to look back more closely at the numbers for the main area of the canvassing of Day Road, New Portland Road and Brackett Road corridors, that area contained 133 housing units, 24 of which fell in the no contact category. Of the 109 households that were actually contacted only 6 ended up saying no, and by far the majority of those households were not specifically opposed to the content of the petition, they just plain did not want to put their names on a piece of paper that might become public record. In Maine, after all, a "don't know" or "not sure" always ends up in the no column.

To the extent that people have talked to me about their reasons for signing the petition, their

love of the area was the primary motivator. They like the place the way it is now and they do not want to replace it with so-called urban expansion. If they wanted to live in an urban environment they would have invested in a home in Westbrook or Portland, but not Gorham. The people in the yes column are people who chose to live here where they live because they like where they live, meaning they like where they live the way it is right now, not the way it is envisioned by some outside bureaucrat or committee. They don't want change, they see no need for it. They understand that the way it is includes a provision for change, they don't change mind change to the extent that is currently allowed, they just don't want a complete transformation on the scale that has been proposed. And this resentment runs deep within the community."

Continuing, Ms. Jamison said that Roger Brown, a resident of Day Road, Gorham, circulated most of the petition but unfortunately he fell ill recently and is unable to attend tonight's meeting so she is speaking on his behalf. She said the petition was mentioned at the July 11 workshop but not discussed, the end of result of which appeared to be that regardless of any public input the Board had no choice but to recommend approval of the rezoning because "that's what the Comprehensive Plan recommends." She presented the Board with additional after-the-fact signatures.

Tom Pittman, 26 Shirley Lane, credited the existence of the Game Sanctuary as a reason for having purchased his home. Mr. Pittman read the definition of a sanctuary contained in Section 16A of the Wildlife Protection Act "... to constitute an area ... for the protection of wildlife." He believes the proposed rezoning will jeopardize the intended purpose of the Game Sanctuary.

Karen Brown, 38 Day Road, discussed the significant and critical habitat inventory she says is missing from the Comprehensive Plan and noted inconsistencies of certain sections dealing with high value plant species and high value animal species and essential habitats. She noted State comments about inaccuracies and inconsistencies in the Plan relating to tree growth and timber harvesting, high value plant species sections needing correction, and the need for the Town to include additional and more detailed discussion on wildlife and fisheries and their habitats. She believes none of these recommendations have ever been considered by the Town. Ms. Brown asks the Board to recommend that the Council table action on the proposed rezoning pending further investigation into the comments made today by the public and the recommendations made by the Department of Inland Fisheries and Wildlife.

John Hodgdon, 16 Louise Street, spoke about drainage issues in the Hale Development, lack of city water or sewer, impact of development on existing wells, and said he is impressed with the research that has been done by previous speakers. He is concerned about potential impact on wildlife habitat and opposes the zoning change.

Joseph Seale, 98 Day Road, commented that the "hart" in "Harts Way" is a deer.

Dale McGailey, 38 Day Road, asked when they will have some answers.

Mr. Anderson replied that the Board's recommendation will go to the Town Council, which will then act.

PUBLIC COMMENT PERIOD ENDED

In reply to Mr. Anderson and Mr. Siegel, Mr. Poirier explained the minimum lot size differences between the UR expansion with public sewer would be 20,000 square feet, in the SR district it is 30,000 square feet; with private sewer in the UR expansion it is 40,000 square feet and the SR district is 60,000 square feet. Mr. Poirier noted that state law has changed so that every lot in the state can now have two accessory dwellings.

In answer to Mr. Anderson, Mr. Poirier explained that the only restriction in the Narragansett Game Sanctuary language found by the Town Attorney deals with hunting; it allows trapping, expressly prohibits a land fill and is silent on all other land uses. The Game Sanctuary is proposed to be in this district and in the South Gorham Crossroads District. Mr. Siegel noted that trapping is allowed except for deer and moose.

Mr. Frank commented that the availability of public water and sewer service is proposed to be used a “tool.” Mr. Siegel said he is concerned about growth without expansion of the infrastructure. Mr. Anderson noted that the Comprehensive Plan calls for the extension of public water system to serve new development as long as the extension is considered feasible and economically viable.

Mr. Poirier said that a study of sewerage South Gorham showed that the costs would be more than the Town could bear to do the infrastructure improvements; however, the Town continues to look for grant funding as it might become available to do that sewer infrastructure. As different projects come forward extending sewer and water down South Street, there could be a relay for further sewer down South Street to serve the area under discussion, as well as extending public water and sidewalks. Further, Mr. Poirier commented that the Comprehensive Plan proposes more development incentives in those areas that are identified as growth areas. Development in the growth areas is an option but not an obligation.

In reply to Ms. Eyerman about the Comprehensive Plan’s natural resources inventory, Mr. Poirier said that he recalled discussions regarding wildlife habitat and trying to retain large blocks of undeveloped land in the rural district to protect wildlife corridors of species such as deer and turkeys, none of which are endangered. In reply to Ms. Durst, Mr. Poirier said he believes that the Town might own one lot in the proposed rezoning area.

Mr. Anderson said he does not believe there is a huge difference in the lot sizes in what is being proposed and believes the Board should make its recommendation to the Council this evening. Mr. Poirier confirmed that it will then be on one of the Council’s next available agendas.

Susan Durst MOVED and Seven Siegel SECONDED a motion to recommend adoption by the Town Council of the Zoning Map amendment to change the area in the vicinity of South Street to Brackett Road from Rural and Suburban Residential District to the Urban Expansion District and the area in the vicinity of New Portland Road and Lowell Road from Rural District to Suburban Residential District. Motion FAILED, 2 ayes, 2 nays (Russell Frank and Seven Siegel) (3 absent, David Burroughs, Vincent Grassi and Scott Herrick).

- ITEM 2 Public Hearing – Site Plan – Nouria Energy Corp.** – a request for approval to redevelop an existing convenience store which would consist of a 6,000 square foot convenience store and Amato’s restaurant, drive through, eight (8) gas pumps and two (2) diesel pumps, located at 435 Ossipee Trail, zoned RC, Map 77, Lt 18.003.

Mr. Anderson noted that the item has been tabled at the applicant’s request.

Seven Siegel MOVED and Susan Durst SECONDED a motion to table the public hearing on Nouria Energy Corp.’s site plan request. Motion CARRIED, 4 ayes (David Burroughs, Vincent Grassi and Scott Herrick absent).

- ITEM 3 Final Subdivision – Ricky Jones** – a request for final plan approval of a 4-lot conventional residential subdivision at 36 Middle Jam Road, zoned SR and Shoreland, Map 97, Lot 37.

Ms. Eyerman advised the Board that this application has been before the Board a number of times, and the items of note at this time involve water and sewer, ground water information, and nitrate plume analysis waiver. The Town’s peer review comments about the stormwater management plan have been addressed.

Jason Haskell, DM Roma Consulting Engineers, appeared on behalf of the applicants Fielding’s Oil and Ricky Jones. Mr. Haskell described the project as a 4 lot subdivision with onsite septic, private wells and overhead services to each lot. He said there will be no homeowners’ association put into place but there will be a shared access and maintenance easement agreement between lots 2 and 3, and some stormwater responsibilities will be shared among all 4 lot owners. Mr. Haskell asked the Board for a waiver of the requirement for a nitrate plume analysis based on the septic fields of lots 2, 3 and 4 being at least 250 feet away from the opposite property line. He said that the current septic system for the existing farmhouse was installed about 20 years as a replacement of the original, a stone bed system, but was not built with an HHE-200 design form. A new design will remove the existing stone and pipe, along with the bio mat created over use, and will be done prior to the occupation of the farm house. This new system will shorten the nitrate plume.

Regarding the public water calculations, Mr. Haskell said that as the site is in the SR zoning district and at 4,600 feet is over 3,000 feet away from the closest public water source, those calculations are not necessary and have not been provided. The site is also 33,000 feet away from the closest sewer system.

PUBLIC COMMENT PERIOD OPENED: Irwin Novack, 82 Middle Jam Road, asked how stormwater maintenance responsibilities will occur without a homeowners’ association, and expressed concern that the soils on this parcel are limited for septic systems and more test pits should have been required.

Jeanne Disciullo, 25 Middle Jam Road, asked how is a house size, its septic system and its

impact on drainage determined, because the bigger the house, the bigger the impact. She asked about the timing of repairs to Middle Jam Road and the timing of the sale of the lots.

Mary Snell, 82 Middle Jam Road, spoke about the character of the area and the environment and the need to protect the quality of the water of North Gorham Pond and suggested that any proposed duplex be limited to a single family home to avoid needing a larger or 2 septic systems, to reduce impact on the Pond and to avoid rentals, which would be a change to the neighborhood.

PUBLIC COMMENT PERIOD ENDED

Mr. Haskell said they are working with John Sawyer, Esquire, on the easements which will be required in order to finalize them for recording at the Registry of Deeds before any sales of lots are finalized. Ms. Eyerman said the documents would be submitted to the Town for review by the Town's Attorney.

Mr. Anderson said it will be the responsibility of a prospective homeowner to have a soils scientist determine a suitable location for a leach bed, depending on the size of the proposed dwelling size, which will then be approved by the Code Enforcement Officer. Ms. Eyerman commented that the difference between a single family house and a duplex would not necessarily cause issues with runoff or leach beds because they are all based on the number of bedrooms. A duplex could have 4 bedrooms total, and a single family home could have 4 bedrooms, total, with the effect being identical in terms of the septic system and runoff from it.

Ms. Durst asked if the replacement septic system for the existing farmhouse can be safely installed in the Shoreland zone. Mr. Haskell replied that it is already there now so a new system should improve the situation, but the licensed site evaluator has gone through and made the design and prepared the HHE-200 for it.

Mr. Siegel and Mr. Haskell discussed lot 1's legal role in the easement over the stormwater detention area to provide the rest of the development the right to send their stormwater to it and the right to access that section of lot 1 to perform maintenance.

Mr. Haskell replied to a question from Mr. Siegel that no homeowners' association will be formed as there are no roads associated with the development. Each deed will specify the responsibility of each homeowner. Mr. Siegel commented about possible future issues without having an association in place.

Referring to the applicant's waiver for the requirement to provide a nitrate plume analysis, Mr. Anderson said that typically on large lots such as these, if well exclusion lines are shown, defining where wells have to be placed, he is comfortable with waiving the nitrate plume analysis. Mr. Haskell showed on the plans where the exclusion zones are on the lots. Mr. Anderson said he would like to see notes on the 100 foot exclusion zones shown on the plans

Susan Durst MOVED and Russell Frank SECONDED a motion to approve the applicant's request for a waiver from the requirement of Chapter 3, Section 3-3, C.2 (f) to provide a nitrate plume analysis. Motion CARRIED, 4 ayes (David Burroughs,

Vincent Grassi and Scott Herrick absent).

Ms. Eyerman confirmed that the legal issues will be dealt with among the attorneys and staff. She noted that in lot 1, no structures are allowed in the Shoreland zone and asked Mr. Haskell to check with the Code Enforcement Officer about the septic system to see whether he considers that a structure or not.

Susan Durst MOVED and Russell Frank SECONDED a motion to grant Ricky Jones' request for preliminary and final plan approval of a 4-lot conventional subdivision at 36 Middle Jam Road, Map 97, Lot 37, Suburban Residential Zoning district, based on Findings of Fact and Conditions of Approval as written by the Town Planner. Motion CARRIED, 4 ayes (David Burroughs, Vincent Grassi and Scott Herrick absent).

ITEM 4 Subdivision and Private Way – James Davenport – a request for approval of a one-lot private way located within the Fort Hill Road Subdivision at 375 Fort Hill Road for Kirk Nadeau, zoned R, Map 65, Lot 3-1.

Mr. Anderson noted that this item has been tabled at the applicant's request.

Seven Siegel MOVED and Russell Frank SECONDED a motion to table James Davenport's request for approval of a one-lot private way located within the Fort Hill Road Subdivision. Motion CARRIED, 4 ayes (David Burroughs, Vincent Grassi and Scott Herrick absent).

ITEM 5 Discussion - Project Status Update – Chase Custom Homes – a status update on the request for approval of Sawyer Estates, a 119 lot residential subdivision on 103.59 acres, on property located off South Street, zoned S/SR, Map 21, Lot 10, 16, and 17.

Ms. Eyerman gave the Board an overview of the project, which is off South Street in the Heartwood neighborhood area. The project has been before the Board a number of times, most recently in January of 2021 and is before the Board this evening to provide a status update.

Andrew Morrell, BH2M Engineers, came to the podium and introduced the applicant John Chase. Mr. Morrell said the project, which began in 2001, has taken on many different forms over the years, a lot of it driven by sewer design. He said this 119 lot subdivision is proposed as a Development Transfer Overlay District subdivision, which means the applicant is able to purchase additional density. Under traditional zoning, this project can support 54 lots; the applicant is proposing 119 and is therefore purchasing 65 additional lots. Two entrances are proposed off Route 114, one on either side of the existing Crestwood Drive with a connection proposed to Crestwood. Also proposed is an entrance off Waterhouse Road and a connection to the Heartwood Subdivision off Starlit Way, currently a dead end.

Mr. Morrell said that the applicant is proposing two phases for the project, phase 1 would be the

back of the project to include Bill's Way, Chase's Way, Dominic's Way, Starlit and Josh's Way, for a total of 58 lots and the connections to Starlit Way and Waterhouse Drive. Phase 2 would be the South Street side of the project, the Route 114 and Crestwood Drive portions, resulting in Terina's Way and Crestwood Drive and a total of 61 lots.

Stormwater for the subdivision is proposed to be mostly handled in a closed drainage system, curbs, sidewalks, catch basins, directed to a series of 12 vegetated soil filter fields throughout the subdivision, one very large wet pond between lots R25 and R26, and 11 wooded stormwater buffers throughout the subdivision.

Utilities for the project will include public water extended from Weeks Road throughout the project. Underground electric will be brought into the site from South Street. Mr. Morrell commented that sewer has always been the main issue for this project, but an agreement has finally been reached with the Portland Water District. Sewer will be handled in 3 ways: phase 2 of the project, the South Street portion, will all be collected with a gravity sewer system with a pump station installed on the open space abutting lot R1 at the intersection with South Street. A force main will be installed on South Street all the way up to the existing sewer at Weeks Road where the gravity sewer will end. Phase 1 of the project, the Heartwood side, will again be a gravity sewer system that will all drain to the Heartwood pump station, which the Water District has augmented and feels that these additional lots can now be handled at that pump station. There are two portions of the project that will be handled with a pressure sewer system in phase 1, 5 lots at the end of Josh's Way and 15 lots on both Chase's Way and Bill's Way.

Internal sidewalks will be installed throughout the entire subdivision along all the roads, and sidewalks installed along South Street as well.

Mr. Morrell said they are working with consultants to deal with the items discussed with the Board in January. Mitchell and Associates from Portland is working on the landscape design to include street trees, lighting, subdivision entrances off South Street, and pocket parks. Open space improvements will be significant and will incorporate the existing pond on the southern portion of the parcel and safe walking paths connecting throughout the subdivision with the proposed sidewalk system.

A traffic study was done before the Board required a connection to Waterhouse Road, so VHB is completing a new study to accommodate that change. A pre-scoping meeting was held with Maine DOT to discuss the traffic movement permit this project will require; they will know more clearly in the near future what improvements DOT will require.

Champlin Associates is working through the design of the gravity sewer system using a pump station along Route 114 to the existing sewer at Weeks Road and the design of the pressure sewer systems throughout the project.

Mr. Morrell said that once these consultants are completed with these designs, it is their intention to revise their plans accordingly as well as to address any outstanding comments received to date and submit to the Town for consideration by the Planning Board for a preliminary subdivision approval. Once preliminary subdivision approval has been granted,

they will work with the Maine DEP on all the required permitting before returning to the Gorham Planning Board for all final subdivision approvals.

Mr. Morrell noted the discussions about rezoning of this area and noted they will keep in mind any possible changes impacting this project as a result of any rezoning as they move forward.

Mr. Burroughs noted some typographic errors on sheet 1 of the plans, as well as an incorrect date.

Ms. Durst confirmed with Ms. Eyerman that this is not a clustered subdivision. Ms. Eyerman said this is a different type of opportunity afford to applicants, called Development Transfer, wherein open space is actually purchased and funds provided to the Town to buy land within the rural area targeted to be preserved and preserve. Mr. Morrell said when the DTO was created, he believes the thought was to allow those portions that have public utilities where growth is desired to have that additional growth and use the funding obtained to protect other areas. Ms. Durst confirmed with Ms. Eyerman that the open space is first reviewed in a clustered subdivision but not in a DTO development. Ms. Eyerman said there is a section of requirements in the DTO which will apply. Mr. Morrell said that a certain percentage of the site is required to be open space, along with percentage requirements of the open space.

Mr. Morrell replied to a query from Mr. Siegel that that the DTO allows a reduction of the lots to a certain size, and some of the lots have been reduced to that minimum but most of the lots are slightly bigger than the minimum requirements. Mr. Morrell said the DTO allows a reduction to lot frontage of 75 feet. Mr. Siegel commented that the new multi-family housing ordinance changes could impact the number of units. Mr. Siegel commended the proposed street trees and pedestrian access to the Middle School and bike track. Mr. Morrell said they hope to incorporate some of the walking trails already on the site.

Mr. Morrell confirmed with Mr. Anderson that the landscape architect will be looking at open space and walkability, especially the improvements around the existing pond. Mr. Morrell said that the proposed sidewalks on South Street will connect to Weeks Road. Mr. Morrell replied to a question from Mr. Anderson that once a subdivision has more than 25 lots, an urban subcollector standard has to be met, which will include a loop on Terina's Way and the connection to Starlit Way. Some of the roads such as Bill's Way and Chase's Way will be 2 to 6 lot private ways so they may be a bit narrower with fewer houses.

Ms. Durst asked Ms. Eyerman how so many homes will impact the school system. Ms. Eyerman said there is an impact fee for the Middle School on each lot but nothing has been done regarding the high school because its future is still undetermined.

Ms. Eyerman said that since this project has been under substantive review for a number of years, it will not be reviewed under the phasing of developments recently adopted in the Code.

PUBLIC COMMENT PERIOD OPENED: Alan Potthoff, 17 Crestwood Drive, commented about the potential impact on schools and sewer, and the lack of recreation provided for the number of children that could be living in the development. He recommended the

addition of basketball, tennis and pickle ball courts. He said the current plans show no buffer for his front yard.

Mr. Morrell said they will look into Mr. Potthoff's concerns going forward. Mr. Anderson commented that the open space plan needs to be robust to handle a large amount of activity.

PUBLIC COMMENT PERIOD ENDED

OTHER BUSINESS **None**

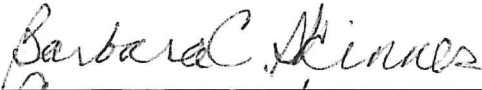
ANNOUNCEMENTS **None**

ADJOURNMENT

Seven Siegel MOVED and Susan Durst SECONDED a motion to adjourn. Motion CARRIED, 4 ayes (David Burroughs, Vincent Grassi and Scott Herrick absent). [9:40 p.m.]

Respectfully submitted,

Barbara C. Skinner, Clerk of the Planning Board


August 1, 2022