

**PLANNING BOARD MEETING MINUTES
FEBRUARY 5, 2024**

MEMBERS PRESENT

**VINCENT GRASSI, CHAIR
WILLIAM BENSON, VICE CHAIR
ROBERT DELANY
DAVID WALSH
JAMES HAGER
RUSSELL FRANK
DAVID BURROWS, SEC.**

STAFF PRESENT

**CAROL EYERMAN, TOWN PLANNER
DAMON YAKOVLEFF, ASSISTANT
TOWN PLANNER
CHUCK NORTON, TOWN ENGINEER**

Chair Vincent Grassi called the meeting to order at 7:00 p.m.

The roll was called, with all 7 members present.

APPROVAL OF THE JANUARY 8, 2024 PLANNING BOARD MINUTES

Jim Hager MOVED and Vincent Grassi SECONDED to approve the January 8, 2024, Planning Board minutes. MOTION CARRIED, 7 AYES.

CHAIRMAN'S REPORT

The Chair did not have anything to report.

COMMITTEE REPORTS

A. Ordinance Review Committee

Committee Chair David Walsh reported that the Committee reviewed the proposed Aquifer Protection Ordinance with Director of Community Development Tom Poirier adding he would facilitate a meeting with a hydrologist for expertise.

B. Comprehensive Plan Implementation Committee

The Committee did not meet.

Administrative Review Report

The Committee did not have anything to report.

CONSENT AGENDA

- A. **Brickyard Quarry Expansion** – a request to extend the northernly property line buffer into acquired property and to excavate ledge within 150 ft where blasting was not previously permitted on Mosher Road. Zoned I. Map 31, Lot 15. Represented by Shawn Frank with Sebago Technics.

Town Planner Carol Eyerman stated the Board's previous recommendations were to merge the parcels together on the Site Plan. She explained that based on the previous report, there would be no indication of increased noise impacts. The only impactful change to note would be a switch from diesel engines to electric engines. She confirmed that the applicant will need to obtain an amendment to their DEP Site Law permit, there is no expected impact to groundwater and the 3-to-1 grading requirement will be restored. She explained that the applicant will be expanding their safety fence along the expansion area. The Town's third-party engineering review flagged hydrocolloid modelled area discrepancies, and an updated erosion and sedimentation control plan should be submitted.

Mr. Grassi questioned whether the hydro CAD issues needed to be discussed. Ms. Eyerman explained it would only be pertinent if they used it to update the stormwater report. Shawn Frank, P.E. of Sebago Technics and representative of Brickyard Quarry, addressed an updated Hydro CAD model which was reviewed by the third-party engineer. He added that the plan provided at the meeting had updated merged parcels.

Ms. Eyerman suggested removing the application from the consent agenda due to unanswered questions.

Vincent Grassi Moved and David Walsh SECONDED to remove the item from the Consent Agenda. MOTION CARRIED, 6 AYES, 1 ABSTAIN (David Burrows)

David Walsh urged the applicant to address the concerns of the property's abutters.

Committee Secretary David Burrows commented that the Code Enforcement Officer will address any outstanding violations that the applicant has had in the past.

Jim Hager MOVED and William Benson SECONDED to grant Shaw Brothers Construction Incorporated's request for a Major Site Plan Amendment and Special Exception approval for an expansion of an existing quarry located at 341 Mosher Road on Map 31 Lot 15 in the Industrial zoning district based on the Findings of Fact, as written by the Town Planner and modified and conditioned by the Planning Board. MOTION CARRIED, 7 AYES.

- ITEM 1** **Public Hearing – Land Use and Development Code Amendment** – proposed amendment to the Land Use and Development Code to add a new Pedestrian Overlay District and proposed amendments to existing ordinance sections to include pedestrian/sidewalk standards.

Town Planner Carol Eyerman introduced the item for the Board. She explained that the proposed amendment is to remove all sidewalk standards currently located in many different locations in the ordinance and package them into one section. That new section has been reworked as well to create an overlay zone where sidewalks will either be put in by the developer or pay a fee in lieu. This being in effort to make much more clear what the town is looking for with regard to pedestrian amenities.

Public Comment Opened:

Jack O'Brien of 114 South Street, expressed the need for a sidewalk on Roby Street towards South Street due to increased traffic and safety concerns, particularly for pedestrians and school children. O'Brien emphasized the importance of prioritizing safety and taking action to prevent potential injuries, citing snowbanks and narrow streets as major issues.

Public Comment was Closed.

Jim Hager opposed paying in lieu of building sidewalks, and would prefer them be built as development progresses. He expressed concern about developers paying a fee in lieu of building a sidewalk, citing examples of unbuilt sidewalks in the area.

Town Planner, Carol Eyerman explains that if a developer requests a waiver for a sidewalk, the planning board can either approve or deny the request, and if denied, the developer must build the sidewalk.

Committee Vice Chair William Benson asked for clarification regarding the methods used to track progress of sidewalk projects.

Ms. Eyerman expressed that she is unaware of a progress tracker at this time, but that the Director of Community Development, Town Engineer and Town Planner would likely have those answers due to their activity in the town's budget.

Mr. Benson suggested that the Board have updated information regarding these projects so they can help communicate their status to the public.

David Walsh requested clarification regarding whether the money a developer pays towards sidewalk construction gets placed in a non-earmarked sidewalk fund to potentially be used on another project or location. Ms. Eyerman clarified that indeed the funds go into a larger pool of sidewalk funding that can be used anywhere in Town, with preference given to locations closest to the project.

William Benson MOVED and David Walsh SECONDED to forward the Pedestrian Overlay Zone amendment to the Town Council with a recommendation for adoption. MOTION CARRIED, 6 AYES, 1 AGAINST (Hager).

ITEM 2 Discussion – Preliminary Subdivision Plan – KV Enterprises, LLC. – Robie Street – A request for approval to construct 43 single-family residential lots. M24/L20 and M25/L8. Zoned, UR/UREXP. The applicant is represented by Shawn M. Frank, P.E. of Sebago Technics.

Town Planner Carol Eyerman began by explaining the subdivision plan and open space requirements, suggesting the Board seek clarification from the applicant regarding these elements. She corrected the previous 43-unit calculation to now 44 units. She explained the difference between the contract zone and subdivision discussions.

Shawn Frank, of Sebago Technics, highlighted the changes made to the proposed plan sets. He began by discussing vehicular access now stemming from White Birch Lane. Pedestrian access to Ridgeway would now allow for one-way traffic into the development, specifying that appropriate signage will be provided. He stated that all roads will have sidewalks including the westerly side of Robie Street up to the intersection of Lincoln Avenue. He specified that 51 acres of open space, based on the request of the land owner, will be conveyed to the Land Trust, and that additional centralized open space will be designed into the development during the preliminary and final

stages. He explained that the original 30ft mid-block access between lots will now be 70ft to allow for pedestrian and bicycle access and to allow for other amenities such as benches. He clarified that due to adjusted lot lines, the expected number of lots will now be 44 instead of 43. He reported that there are no changes to the road network. He explained that an updated DEP Stormwater report must be submitted to include access roads. He mentioned the proposal of a ditch system with 2 inlets for drainage, along with new catch basins that would direct water into the development, decreasing the amount of runoff into Whispering Pines Lane.

David Walsh expressed surprise at Shawn Frank's proposal for one-way traffic on Ridgeway Road, seeking more information on the justification and impact on nearby residences. Additionally, Mr. Walsh inquired about the finish and width of the White Birch Lane access road as well as the impact a sidewalk along Robie Street would have on the residents. Shawn Frank explained that the request for Ridgeway extension to one-way traffic came directly from town staff and Public Works. He elaborated on the access road off White Birch Road, stating the road will be 22ft curb-to-curb with a sidewalk along one curblane. The sidewalk will be built along the street edge, with a five-foot bitumen surface and a proposed curb, while impact will be minimal.

Mr. Walsh directed a question towards Town Engineer Chuck Norton asking whether 22ft would be wide enough. Mr. Norton discussed the width of the access drive and the importance of keeping speeds low and consistency throughout the project.

Mr. Hager asked for clarification regarding future plans for the empty space between lots 27 and 28 as well as lots 30 and 31. Shawn Frank explained that these areas could potentially be used as future right of ways. Mr. Walsh questioned whether another traffic study would be needed. Ms. Eyerman clarified that although they provided a preliminary study early on in the process, they will need to provide an updated study once they enter phase 2 of the project.

Mr. Hager voiced his support for the White Birch Lane connection, suggesting the Board should share their support with the Town Council should the Board's opinion have influence over the Council's decision. Director of Community Development Tom Poirier suggested the Board may write a letter in support of a road connection. Mr. Walsh expressed hesitation to vote for the proposal without guarantee on Ridgeway Avenue one-way traffic.

Jim Hager MOVED and William Benson SECONDED to draft a letter to the Town Council requesting a road connection to White Birch Lane. 7 AYES

The Board discussed Preliminary Subdivision Approval based on most questions being answered over the course of previous meetings, with heavy consideration on the approval of the White Birch Lane connector road.

William Benson MOVED and David Walsh SECONDED to grant Preliminary Subdivision Approval for Robie Street subdivisions located on Map 24, Lots 19 and 20, Map 25 Lot 1-8, and Map 27 Lot 1-20 in the Urban Residential Expansion zoning districts based on Findings of Fact and Conditions of Approval, as written by the Town Planner. MOTION CARRIED, 7 AYES.

ITEM 3 Discussion - Private Way - Cummings, Dakota - 59 Wood Road – a request for a private way to serve a single-family house lot. M 54/L 16. Zoned R. The applicant is represented by Andrew Morrell, P.E., with BH2M.

Assistant Town Planner Damon Yakovleff presented the item. He explained that the applicant relocated a shed that was within the required 20ft setback, which was the primary issue, along with additional minor updates requested by staff including needing 2 more names on the approval form and a 50ft single-section culvert pipe requested by the Director of Public Works. Mr. Yakovleff also presented two new comments, one by an abutter who raised concerns regarding privacy and

visibility from his pool, and a concern as to the right, title and interest of the applicant noting a mortgage document that they found. The documents had not been reviewed before the meeting.

Andy Morrell with BH2M and representative of Dakota Cummings and Stax Builders, Inc., He elaborated on the proposed 446-foot long private way to make a buildable lot, with a 12-foot wide driveway serving a single-family house lot. He stated that the applicant would be happy to accommodate the 50ft culvert, along with landscape buffering for the abutter. He mentioned the distance from the road to the property line is approximately 22 feet, with an additional 24 feet to the pool fence.

Tim Zarillo of 17 Jordan Drive explained his concerns regarding the development of road cutting through woods adjacent to his property. He highlighted the importance of preserving the undisturbed woods and the impact the road would have on his quality of life. Mr. Zarillo suggested it may be possible to accommodate a 16-foot gravel road while still maintaining trees on either side but notes they have not measured the exact amount of wooded area involved.

The Board discussed moving the item to the next consent agenda in order to provide enough time for the right, title and interest to be confirmed, along with a proposed land development project, including buffer zones and culvert dimensions.

David Burrows MOVED and David Walsh SECONDED to move the review of Dakota Cummings request for approval for a 447 foot private way off Wood Road to future consent agenda, pending the submission of revised information addressing outstanding staff and Planning Board comments. MOTION CARRIED, 7 AYES.

ITEM 4 Discussion – Site Plan Amendment – Town of Gorham – Little League Field Lighting – a request for approval to add lighting to an existing baseball field. Map 52, Lot 12. Zoned UR-MH. The applicant is represented by Owens McCullough, P.E., with Sebago Technics.

Assistant Town Planner Damon Yakovleff introduced the item which was a proposal by the Town to seek approval for lighting at Little Falls recreation area so it could be constructed in conjunction with the lighting installation for the parking lot. Collaboratively, the Town's facilities manager and recreation department will work to determine controls in order to ensure lighting is off by 10pm.

Kate Thomas, of 68 Sydneys Way, owns 642 Gray Road which is an abutter property to the field. She shared concerns about the lighting at night.

Chair Vincent Grassi shared concerns about changes to the electrical capacity and impacts on the existing recreation building. Mr. McCullough explained that they will be inspecting the existing panel and will improve or modify it if needed with existing infrastructure being kept intact.

Mr. Burrows questioned whether the basketball court lighting could be tied into the baseball field lighting. Recreations Director Cindy Hazelton explained that the two lighting systems are different and the basketball court lighting would need to be upgraded to link them together.

David Burrows MOVED and Robert Delaney SECONDED to place the Town of Gorham's request of a Site Plan Amendment to install baseball field lighting in Little Falls Recreation Area. Map 52 Lot 12 in the Urban Residential zoning district on the agenda for the next available Planning Board meeting for a public hearing. MOTION CARRIED, 7 AYES.


OTHER BUSINESS

The Planning Board discussed drafting the letter to Town Council in greater detail, specifying the Board's endorsement of using White Birch Lane as an access road for the Robie Street Subdivision. There was further discussion of the upcoming meeting agenda, new employee, and meeting schedule.

ADJOURNMENT

David Burrows MOVED and Jim Hager SECONDED to adjourn at 8:56pm. MOTION CARRIED, 7 AYES.

Respectfully submitted,



Nina Yelisseyev, Committees Administrative Assistant
_____, 2024
March 4