

**PLANNING BOARD MEETING**

**June 4, 2018**

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

**Members Present**

**EDWARD L. ZELMANOW**  
**SCOTT HERRICK**  
**MOLLY BUTLER-BAILEY**  
**SCOTT FIRMIN**  
**GEORGE FOX (ARRIVED AT 7:10)**  
**LEE PRATT**  
**MICHAEL RICHMAN**

**Staff Present**

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

Edward Zelmanow called the meeting to order at 7:00 p.m. The Clerk called the roll, noting initially that George Fox was absent; however, Mr. Fox arrived at 7:10 p.m.

**APPROVAL OF THE MAY 7, 2018 MINUTES.**

**Scott Herrick MOVED and Lee Pratt SECONDED a motion to approve the April meeting minutes as distributed. Motion CARRIED, 5 ayes (Edward Zelmanow abstaining as not having been present at the meeting; George Fox not present).**

**REORGANIZATION OF THE BOARD**

**A. Election of Officers**

The Clerk opened the nominations for the position of Chairman. Scott Herrick nominated and Lee Pratt seconded Edward Zelmanow for the position of Chairman. There being no other nominations, the nomination of Edward Zelmanow as Chairman was voted and approved, 6 ayes (George Fox not present).

The Chairman opened the nominations for the position of Vice Chairman. Lee Pratt nominated and Molly Butler Bailey seconded Scott Herrick for the position of Vice Chairman. There being no other nominations, the nomination of Scott Herrick as Vice Chairman was voted and approved, 5 ayes (Scott Herrick abstaining, George Fox not present).

**B. Committee Appointments**

Committees are as follows:

Ordinance Review Subcommittee: Scott Herrick, Chair; Lee Pratt, Scott Firmin

Comprehensive Plan Implementation Committee: George Fox, Chair; Molly Butler Bailey, Michael Richman

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

**COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE** – Mr. Richman reported that the committee met before the May Planning Board meeting and heard comments from members of the public on the proposed Narragansett Development District.

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Mr. Fox arrived at the podium.

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**CHAIRMAN'S REPORT** – Mr. Zelmanow thanked Mr. Herrick and Mr. Fox for conducting the Board meetings during the past 5 months while he was attending the Fire Academy. He said that he has successfully passed all the testing and will graduate on June 15, 2018.

Mr. Zelmanow indicated that because of the July 4 holiday, the Board's July meeting will be on July 16, 2018.

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

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**ITEM 1      Public Hearing - Land Use and Development Code – Amendment** to Chapter 2, Section 2-3, to allow the utilization of sandwich board/A-frame signs.

Mr. Poirier explained that the Town Council forwarded the item to the Planning Board for a public hearing. The Planning Board forwarded the item to its Ordinance Review Subcommittee for review and discussion; the Subcommittee proposed certain changes to clarify the language, now before the Board for public hearing.

Mr. Zelmanow proposed the following changes to the language under 15. Performance Standards:

“In addition to the signs allowed under section G, Permitted Non-Residential Signs, ~~each business at~~ single occupant property is allowed one sandwich board sign...” In the next sentence in this section, Mr. Zelmanow suggested the following change: “~~Each~~ A multi-occupant property is allowed to have up to 3 sandwich board signs in use at one time...”

The Board concurred with Mr. Zelmanow's changes.

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

**Scott Herrick MOVED and George Fox SECONDED a motion to recommend adoption by the Town Council of the proposed ordinance amendment to Chapter 2, Section 2-3 to allow sandwich board/A- frame signs as amended by the Planning Board. Motion CARRIED, 7 ayes. [7:15 p.m.]**

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**ITEM 2      Public Hearing – Site Plan Review – Shaw Family Foundation** – a request for approval of a site plan to begin the initial earthwork at 600 Main Street, Map 32, Lot 12, Agricultural/Industrial zoning district.

Mr. Poirier advised the Board that the applicant is proposing a site plan amendment to bring some fill into the site, loam and seed it, with no changes to the permitted uses proposed for the site.

Jon Shaw, owner with his brother Dan of Shaw Brothers in Gorham, came to the podium and explained their commitment to this parcel of land, saying it took over 3 years to secure ownership. He said they have created a 501(c)(3) non-profit foundation known as the Shaw Brothers Family Foundation. Mr. Shaw said it is their hope that setting up this Foundation will be a way of giving back to the community by supporting recreational, agricultural and/or charitable causes; preserving farmland in Gorham; constructing and maintaining a community recreational park with trails for walking, riding and snowmobiling; operating an educational farm and providing land for a future farm market to sell local foods.

Mr. Shaw spoke about the Town's requirement that the four frontage lots are required to be for taxable buildings, the new Sebago Brew facility being the first one to lease one of these lots. He said that over a mile of trails have been built, they are working with St. Joseph's College needing a place to grow vegetables, and Pinelands as well being interested. Mr. Shaw said his wife is working with the Town on a "Gorham Days" project in 2019; he asked Cindy Hazelton to explain the project.

Cindy Hazelton, Town Recreation Director, came to the podium and explained that the Council has approved a community event every 5 years, we are now in year 4, and there is a committee of residents with Mike Phinney as the chairman to plan a community event such as what used to be called "Celebrate Gorham" during the 1970s and 1980s. This farm-related event will be held in September of 2019 and the home for it could be here on this property.

In reply to Mr. Zelmanow, Mr. Shaw that they will probably use the entrance next to Sebago Brew for a farmers' market. Mr. Fox asked Mr. Shaw if there would be conflict between traffic entering Sebago and the Nappi facility across the street and asked if there is an opportunity to do something different for access. Mr. Shaw said that one entrance going in is the CMP gravel right-of-way which will tie right into the Sebago entrance, and there is a back entrance for truck traffic. Parker Brown, Shaw Brothers, said the CMP entrance will be widened out and made more like the Sebago entrance. Mr. Pratt confirmed that the back entrance will come off Main Street on the CMP right-of-way and will turn to the right to go behind the buildings. There will be another road behind that one for parking for people who want to use the trails or go ice skating.

The Board agreed that no site walk is warranted for the purpose of this project.

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

Mr. Poirier confirmed that the Conditions of Approval have been shared with the applicant and Mr. Shaw indicated that they are satisfied with the Conditions.

**George Fox MOVED and Lee Pratt SECONDED a motion to grant Shaw Family Foundation's request for site plan approval to fill the southern end of the site, Map 32, Lot 12, in the Agricultural/Industrial zoning district with Findings of Fact and Conditions of Approval as written by the Town Planner. Motion CARRIED, 7 ayes. [7:50 p.m.]**

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**ITEM 3       Public Hearing – Site Plan Amendment - Mega Industries, LLC – request for approval of a site plan amendment at 28 Sanford Drive on property located in the Gorham Industrial Park, Map 12, Lot 33.014, Industrial zoning district.**

Mr. Poirier explained that this item was before the Board as a pre-application discussion on February 5, 2018. The applicant proposes to expand the existing building with a 7,242 expansion, revise the parking lot layout and add additional parking spaces along the front and sides of the building.

Patrick Coughlin, St. Germain Collins, appeared at the podium representing the applicant to provide the Board with a quick overview of the project. He said that Mega is a leading manufacturer of microwave transmission equipment and part of the manufacturing process involves longer areas which have not been accommodated in their existing layout. Therefore, Mega is looking to achieve more space to improve efficiency in their manufacturing; it does not necessarily add additional manufacturing capacity, but is to improve the current layout. No more employees are being added or more parking. A restriping of the existing lot has been done to allow for trucks turning around on site. In order to accommodate that shifting but to maintain the same number of spaces, some impervious area is being added to the site. The original DEP approval allows for up to 75% impervious design envelope for the site, they will stay below that number.

In reply to certain staff comments, the white pines along the front have been shifted to arborvitae, the existing parking spaces listing has been updated to show 58 spaces, an index sheet will be added to the plans, and the lights shown on the plans in some of the new parking areas will be removed. Notes will be placed on the plans to deal with the comments from the Town's review engineer dealing with drains and catch basin inlet protection. In addition the parking along the front will be shifted to 60 degree parking and reduced the number of spaces from 12 to 8 in that space. Typical parking stall dimensions have been placed on the plan.

Mr. Coughlin said that evidence of financial capacity has been provided.

Mr. Pratt advised the Board that his family's business is an abutter to this property, but he feels that he can be fair and unbiased in his participation in the discussions on this application.

**Scott Herrick MOVED and George Fox SECONDED a motion to allow Mr. Pratt to participate in the discussion on this item. Motion CARRIED, 6 ayes (Lee Pratt abstaining).**

The Board concurred that no site is necessary for this application.

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

The applicant concurred with the Conditions of Approval.

**Scott Herrick MOVED and Lee Pratt SECONDED a motion to grant Mega Industries LLC's request for site plan amendment approval to expand the existing building and parking lot on the site, Map 12, Lot 33.014, Industrial zoning district, with Findings of Fact and Conditions of Approval as written by the Town Planner. Motion CARRIED, 7 ayes. [7:50 p.m.]**

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**ITEM 4       Preliminary Subdivision Review – Design Dwellings – request for approval of Douglas Woods Subdivision, a 14-lot subdivision located on South Street, Map 22, Lot 17, Suburban Residential Zoning District.**

Mr. Poirier said that there are threshold items involved with this application that the Board needs to review and discuss this evening.

Mr. Zelmanow welcomed the applicant's engineer, Walter Pelkey, and said that before any presentation is made there is one threshold question that needs to be addressed, which is how does this application comport with the Town's Comprehensive Plan. Mr. Zelmanow said that the Comprehensive Plan does not want to see single family residences as are being proposed on this property, that allowed residential uses in the "South Gorham Crossroads Area" should be limited to multi-family residential and residential units in mixed-use buildings, and that single family and two-family dwellings should not be allowed.

Susan Duchaine came to the podium and told the Board that she did not know about the Comprehensive Plan's designation on her property or that the turnpike spur is slated to go through the property, although she has been in negotiations with Augusta. She said she does not believe that the Comp Plan has a defined area that encompasses her property and that following the Comp Plan's requirements about multi-family and mixed use in the South Gorham Crossroads Area will result in 12 to 15 units per acre. Ms. Duchaine said she wants to proceed with her subdivision application as it now is, for the 14 single family lots, and that the application meets the requirements of the Comp Plan as the South Gorham Crossroads Area doesn't have a defined area.

Mr. Poirier pointed out that the Comprehensive Plan at Figure 6.5, South Gorham, does show the parameters defining the South Gorham Crossroads Area. Mr. Zelmanow noted that it is not the Board's responsibility to inform the applicant about the proposed turnpike spur, that it is up to the applicant to do the due diligence involved in all aspects of her property. After lengthy discussion among Ms. Duchaine and the members of the Board, Mr. Zelmanow asked staff to have the Town's attorney weigh in on whether the Board can allow single family dwellings in the South Gorham Crossroads Area, whether the Board has the discretion to interpret "should be limited" and "should not be allowed" in a fashion which would permit this application to go forward.

Mr. Poirier suggested that the Board keep all of the review materials provided for this meeting, which would be augmented with another staff memo for another review once the Town Attorney's opinion has been received.

**George Fox MOVED and Lee Pratt SECONDED a motion to postpone further review of Design Dwellings' request for preliminary subdivision approval for Douglas Woods Subdivision pending responses to remaining issues. Motion CARRIED, 7 ayes. [8:20 p.m.]**

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**OTHER BUSINESS                      NONE**

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**ANNOUNCEMENTS                      The Board's July meeting will be July 16, 2018.**

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#### **ADJOURNMENT**

**Scott Herrick MOVED and Scott Firmin SECONDED a motion to adjourn. Motion CARRIED, 7 ayes. [8:22 p.m.]**

Respectfully submitted,

  
Barbara C. Skinner, Clerk of the Board  
June 4, 2018

## ITEM 2      SHAW FAMILY FOUNDATION

### **CHAPTER 4, SITE PLAN REVIEW, SECTION 9 – Approval Criteria and Standards**

The Planning Board, following review of the Site Plan Application, makes these findings based on the Site Plan Review criteria found in Chapter 4, Section 9 – Approval Criteria and Standards, of the Town of Gorham Land Use and Development Code.

#### **CHAPTER 4, Section 9 – Approval Criteria and Standards**

**A. Utilization of the Site: The plan for the development will reflect the natural capabilities of the site to support development.**

The applicant has provided the Planning Board with a site plan sheet set, site plan application, and accessory information showing that the lot can support the proposed fill material.

*Finding: The plan for the development reflects the natural capabilities of the site to support the development and the natural features and drainage ways are preserved to the greatest extent practical.*

**B. Access to the Site: Vehicular access to the site will be on roads which have adequate capacity to accommodate the additional traffic generated by the development.**

Access to the site is via Main Street, State Route 25. Main Street is classified as an Other Principal Arterial by the Maine Department of Transportation. Once the fill material has been brought into the site, only minor farm related trips are proposed for the site.

*Finding: Main Street, State Route 25 has adequate capacity to accommodate the traffic generated by the development.*

**C. Access into the Site: Vehicular access into the development will provide for safe and convenient access.**

The site is accessed from 2 existing driveways.

One of the locations is on the southwestern corner of the lot off Main Street. The driveway is gravel and its width fluctuates between 18-22' wide.

The other driveway is located in the center of the southern edge of the parcel off Main Street. The driveway is paved and 24' in width. The driveway is a shared entrance with Sebago Brewing, located on the site.

No additional driveways or changes to the existing driveways are proposed.

*Finding: The plans provide for safe and convenient vehicular access into the development.*

**D. Internal Vehicular Circulation: The layout of the site will provide for the safe movement of passenger, service and emergency vehicles through the site.**

Once the fill material has been brought in and leveled per the plan, the area will be loamed and seeded. The area will be utilized for agricultural fields and no additional trips are proposed to occur in the fill area.

*Finding: The layout of the site provides for the safe movement of passenger, service, and emergency vehicles through the site.*

E. Pedestrian Circulation: The development plan will provide for a system of pedestrian circulation within and to the development.

Once the fill material has been brought in and leveled per the plan, the area will be loamed and seeded. The area will be utilized for agricultural fields and no pedestrian access is proposed to occur in the fill area.

No sidewalks are located along Main Street and no sidewalks are proposed within the development.

Finding: *The plans provide a system of pedestrian circulation within the development.*

F. Storm water Management: Adequate provisions will be made for the disposal of all storm water collected on streets, parking areas, roofs or other impervious surfaces through a storm water drainage system and maintenance plan which will not have adverse impacts on abutting or downstream properties.

Once the fill material has been brought in and leveled per the plan, the area will be loamed and seeded. No new impervious areas are proposed as part of the site plan approval.

Stormwater from the site will be allowed to flow from the southern side of the property to the northern side of the property via a 24" storm drain in the middle of the fill area, along with a 12" culvert located on the northwestern corner of the fill area near the gravel driveway.

The applicant has received Maine Department of Environmental approval for the site.

The lot is located within the Town of Gorham's Urbanized Area and the proposal will disturb over an acre so the site is subject to the Town of Gorham's Post-Construction Stormwater Management Ordinance.

Finding: *The stormwater run-off will not have adverse impacts on abutting or downstream properties and the biological and chemical properties of the receiving waters downstream will not be degraded.*

G. Erosion Control: For all projects, building and site designs and roadway layouts will fit and utilize existing topography and desirable natural surroundings to the fullest extent possible.

The "Erosion & Sediment Control Plan – Fill Site" plan, sheet 3 of 6, shows the location of erosion control devices. The "Erosion Control Notes – Fill Site" plan, sheet 5 of 6, identifies parameters for erosion control and winter erosion control measures to be utilized on site. The "Details" plan, sheet 6 of 6, shows how erosion control devices need to be installed on the site.

The applicant will also comply with the "Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices," Maine Department of Environmental Practices.

Finding: *The plan utilizes existing topography and desirable natural surroundings to the fullest extent possible.*

H. Water Supply: The development will be provided with a system of water supply that provides each use with an adequate supply of water meeting the standards of the State of Maine for drinking water.

No water supply is proposed to be developed on site.

Finding: *The development provides a system of water supply that provides for an adequate supply of water meeting the standards of the State of Maine for drinking water.*

- I. Sewage Disposal: A sanitary sewer system will be installed at the expense of the developer if the project is located within a sewer service area as identified by the sewer user ordinance. The Site Plan Review Committee or Planning Board may allow individual subsurface waste disposal systems to be used where sewer service is not available.

No bathroom or sewage disposal system is proposed to be developed on the site.

Finding: *The development provides for sewage disposal for the anticipated use of the site.*

- J. Utilities: The development will be provided with electrical and telephone service adequate to meet the anticipated use of the project.

No utilities are proposed to developed on the site.

Finding: *The development will provide for adequate electrical and phone service to meet the anticipated use of the project.*

- K. Natural Features: The landscape will be preserved in its natural state insofar as practical by minimizing tree removal, disturbance and compaction of soil, and by retaining existing vegetation insofar as practical during construction.

Development of the site will be focused in the southern end of the lot in close proximity to Main Street. The proposal is to impact 14,905 square feet of wetlands located in a farm field. No other sensitive natural features are proposed to be impacted by the development on the site.

Finding: *The development of the site will preserve the existing vegetation to the greatest extent practical during construction.*

- L. Groundwater Protection: The proposed site development and use will not adversely impact either the quality or quantity of groundwater available to abutting properties or public water supply systems.

The applicant is required to utilize clean fill material on site. No impacts to the site's ground water are proposed.

Finding: *The proposed development will not adversely impact either the quality or quantity of the groundwater available to abutting properties or public water supply systems.*

- M. Exterior Lighting: The proposed development will provide for adequate exterior lighting to provide for the safe use of the development in nighttime hours.

No exterior lighting is proposed for the site.

Finding: *The proposed development provides for adequate exterior lighting to provide for the safe use of the development during nighttime hours.*

- O. Waste Disposal: The proposed development will provide for adequate disposal of solid wastes and hazardous wastes.

No waste disposal is proposed for the site and no storage of hazardous waste is proposed.

Finding: *The proposed development provides for adequate disposal of solid wastes and hazardous wastes.*



- P. Landscaping: The development plan will provide for landscaping to define street edges, break up parking areas, soften the appearance of the development and protect abutting properties from adverse impacts of the development.

Once the fill material has been brought in and leveled per the plan, the area will be loamed and seeded. No storage areas or commercial uses are proposed on the site.

*Finding: The proposed plan will provide landscaping to soften the appearance of the development.*

- Q. Shoreland Relationship: The development will not adversely affect the water quality or shoreline of any adjacent water body. The development plan will provide for access to abutting navigable water bodies for the use of occupants of the development.

The northern edge of the property is located within the North Branch Brook Stream Protection Area. The existing substation, located within the Stream Protection Area, is proposed to be removed and the area will be revegetated. No other impacts are proposed in the Stream Protection Area.

*Finding: The development will not adversely affect the water quality or shoreline of any adjacent body of water.*

- R. Technical and Financial Capacity: The applicant has demonstrated that he has the financial and technical capacity to carry out the project in accordance with this Code and the approved plan.

The applicant has provided a bank statement from Charles Schwab identifying that they have the financial capacity to complete the project. The applicant has provide information identifying that the owners of the trust have the experience to complete the project.

*Finding: The applicant has the financial and technical capacity to complete the project in accordance with Gorham's Land Use and Development Code and the approved plan.*

- S. Buffering: The development will provide for the buffering of adjacent uses where there is a transition from one type of use to another use and to screen service and storage areas. The buffer areas required by the district regulations will be improved and maintained.

Once the fill material has been brought and leveled per the plan, the area will be loamed and seeded. No storage areas or commercial uses are proposed on the site.

*Finding: The development provides buffering to screen service and storage areas.*

- T. Noise: The applicant has demonstrated that the development will comply with the noise regulations listed in Table 1 – Sound Level Limits and the associated ordinances.

The uses at the site are required to meet the A-weighted hourly equivalent sound level limits of 70 dBA daytime (7am-7pm) and 60 dBA nighttime (7pm-7am).

*Finding: The development will comply with the A-weighted hourly equivalent sound level limits of 70 dBA daytime (7am-7pm) and 60 dBA nighttime (7pm-7am).*

### **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 the applicant shall provide property line information and site information in auto-CAD format to the Town Planner prior to the pre-construction meeting;
4. That all relevant conditions of approval from past Site Plan approvals shall remain in effect;
5. That any proposed use on the site shall meet the sound level requirements outlined under Chapter 4, Section 4-9, T. Noise;
6. That the applicant shall make the final changes to the plan prior to the Planning Board's endorsement of the final plan;
7. That prior to the pre-construction meeting the applicant will establish the following: a performance guarantee totaling 125% of the costs to complete the construction and an escrow for field inspection meeting the approvals of Town Staff and the Town's Attorney;
8. That prior to the commencement of any site improvements, the applicant, their earthwork contractor, and the design engineer shall arrange a pre-construction meeting with the Town's Review Engineer, Public Works Director, Fire Chief, Code Enforcement Officer and the Town Planner to review the proposed schedule of improvements, conditions of approval, and site construction requirements;
9. That all site construction shall be carried out in conformance with the Maine Erosion and Sediment Control Best Management Practices, Maine Department of Environmental Protection, latest edition and in accordance with the erosion and sedimentation control information contained in the application;
10. That the owner of the site is responsible for compliance with the Town of Gorham Stormwater Ordinance, Chapter 2 - Post Construction Stormwater Management;
11. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and
12. That these conditions of approval must be added to the site plan and the site plan shall be 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 the pre-construction meeting.

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### **ITEM 3      MEGA INDUSTRIES, LLC**

#### **CHAPTER 4, SITE PLAN REVIEW, SECTION 9 – Approval Criteria and Standards**

The Planning Board, following review of the Site Plan Application Amendment, makes these findings based on the Site Plan Review criteria found in Chapter 4, Section 9 – Approval Criteria and Standards of the Town of Gorham Land Use and Development Code.

A. Utilization of the Site: The plan for the development will reflect the natural capabilities of the site to support development.

The site plan, site plan application, and accessory information provided show that the lot can support the proposed expansion to the existing building. No disturbance is proposed to any existing natural features.

*Finding: The plan for the development reflects the natural capabilities of the site to support the development and the natural features and drainage ways are preserved to the greatest extent practical.*

B. Access to the Site: Vehicular access to the site will be on roads which have adequate capacity to accommodate the additional traffic generated by the development.

Vehicular access to the site is along Sanford Drive which is accessed off Hutcherson Drive. The applicant does not estimate any new trips associated with the proposed building expansion.

*Finding: Sanford Drive and Hutcherson Drive have adequate capacity to accommodate the traffic generated by the development.*

C. Access into the Site: Vehicular access into the development will provide for safe and convenient access.

Entrance/exit to the site is through a 26' wide driveway located on the northwestern corner of the site. The existing driveway has adequate site distance and is located to avoid hazardous conflicts with exiting traffic on Sanford Drive. No changes are proposed for the existing access into the site.

*Finding: The plans provide for safe and convenient vehicular access into the development.*

D. Internal Vehicular Circulation: The layout of the site will provide for the safe movement of passenger, service and emergency vehicles through the site.

Three loading docks are to be constructed on the proposed addition and located so that trucks are allowed to turn around within the existing parking lot aisle and have the ability to back up to the loading dock.

The revised parking lot layout allows for 14 new parking spaces along the front and 4 new spaces in the front eastern corner of the building. The revised parking lot layout will also have a new 12' exit drive located along the outside of the parking lot for passenger vehicle use.

*Finding: The layout of the site provides for the safe movement of passenger, service, and emergency vehicles through the site.*

E. Pedestrian Circulation: The development plan will provide for a system of pedestrian circulation within and to the development.

New parking spaces are proposed to be located near the front door of the building. No other changes to the site's existing pedestrian circulation are proposed.

*Finding: The plans provide a system of pedestrian circulation within the development.*

F. Storm water Management: Adequate provisions will be made for the disposal of all storm water collected on streets, parking areas, roofs or other impervious surfaces through a storm water drainage system and maintenance plan which will not have adverse impacts on abutting or downstream properties.

The site is located within the Gorham Industrial Park which was approved with a comprehensive storm water plan.

The current site drainage allows storm water to sheet flow across the site to a vegetated ditch along the southern and southwestern property boundaries. No changes are proposed to the site's existing grades and storm water from the new proposed building is proposed to be directed to the ditches located along southern and southwestern property boundaries.

Finding: *The storm water run-off will not have adverse impacts on abutting or downstream properties and the biological and chemical properties of the receiving waters downstream will not be degraded.*

G. Erosion Control: For all projects, building and site designs and roadway layouts will fit and utilize existing topography and desirable natural surroundings to the fullest extent possible.

The "Proposed Site Plan", C-101, shows the location of erosion control devices. The "Erosion and Sediment Control Plan- Notes and Details," C-301, identifies parameters for erosion control and winter erosion control measures to be utilized on site and shows how erosion control devices need to be installed on the site.

The applicant will also comply with the "Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices," Maine Department of Environmental Practices.

Finding: *The plan utilizes existing topography and desirable natural surroundings to the fullest extent possible.*

H. Water Supply: The development will be provided with a system of water supply that provides each use with an adequate supply of water meeting the standards of the State of Maine for drinking water.

The site is served by public water from Sanford Drive. No changes to the water supply are proposed.

Finding: *The development provides a system of water supply that provides for adequate supply of water meeting the standards of the State of Maine for drinking water.*

I. Sewage Disposal: A sanitary sewer system will be installed at the expense of the developer if the project is located within a sewer service area as identified by the sewer user ordinance. The Site Plan Review Committee or Planning Board may allow individual subsurface waste disposal systems to be used where sewer service is not available.

The site is served by public sewer from Sanford Drive. No changes to the sewage disposal are proposed.

Finding: *The development provides for sewage disposal for the anticipated use of the site.*

J. Utilities: The development will be provided with electrical and telephone service adequate to meet the anticipated use of the project.

The lot is served by natural gas and overhead power, cable and phone from Sanford Drive. No changes to the existing utilities are proposed on the site.

Finding: *The development will provide for adequate electrical and phone service to meet the anticipated use of the project.*

K. Natural Features: The landscape will be preserved in its natural state insofar as practical by minimizing tree removal, disturbance and compaction of soil, and by retaining existing vegetation insofar as practical during construction.

The proposed site improvements are located on areas previously disturbed with the initial construction on the site. No trees, shrubs, or natural features will be disturbed with the proposed building expansion.

*Finding: The development of the site will preserve the existing vegetation to the greatest extent practical during construction.*

L. Groundwater Protection: The proposed site development and use will not adversely impact either the quality or quantity of groundwater available to abutting properties or public water supply systems.

The proposed building expansion construction and use of the site for manufacturing will not adversely impact the groundwater table on or off the site.

*Finding: The proposed development will not adversely impact either the quality or quantity of the groundwater available to abutting properties or public water supply systems.*

M. Exterior Lighting: The proposed development will provide for adequate exterior lighting to provide for the safe use of the development in nighttime hours.

Any lighting located along the existing building in the area of the expansion will be moved to the new proposed addition. The lighting is required to be full cut-off lighting.

*Finding: The proposed development provides for adequate exterior lighting to provide for the safe use of the development during nighttime hours.*

O. Waste Disposal: The proposed development will provide for adequate disposal of solid wastes and hazardous wastes.

The applicant is currently contracting waste disposal through a licensed trash hauler. No changes to the site's existing methods of waste disposal and no additional hazardous materials are proposed to be stored on the site.

*Finding: The proposed development provides for adequate disposal of solid wastes and hazardous wastes.*

P. Landscaping: The development plan will provide for landscaping to define street edges, break up parking areas, soften the appearance of the development and protect abutting properties from adverse impacts of the development.

The applicant is proposing to install 7 new evergreen trees between the parking lot driveway exit and Sanford Drive to break up the view of the development from the public street.

*Finding: The proposed landscaping will provide landscaping to soften the appearance of the development.*

Q. Shoreland Relationship: The development will not adversely affect the water quality or shoreline of any adjacent water body. The development plan will provide for access to abutting navigable water bodies for the use of occupants of the development.

The lot is not located in the Shoreland Overlay District.

Finding: *The development will not adversely affect the water quality or shoreline of any adjacent body of water.*

R. Technical and Financial Capacity: *The applicant has demonstrated that he has the financial and technical capacity to carry out the project in accordance with this Code and the approved plan.*

The applicant has provided a letter dated May 30, 2018, identifying their financial capacity to complete the project.

The applicant has also provided a letter dated May 30, 2018, identifying the company's technical capacity to complete the project.

Finding: *The applicant has the financial and technical capacity to complete the project in accordance with Gorham's Land Use and Development Code and the approved plan.*

S. Buffering: *The development will provide for the buffering of adjacent uses where there is a transition from one type of use to another use and to screen service and storage areas. The buffer areas required by the district regulations will be improved and maintained.*

The site currently has a 50' vegetated buffer along the southern property boundary serving to buffer the Rural-Manufactured Housing District from the Industrial District. No cutting or changes are being proposed to the 50' vegetated buffer area.

The proposal will add 7 new evergreen trees along the northern property line to buffer the parking lot from the public right-of-way.

Finding: *The development provides buffering to screen storage areas.*

T. Noise: *The applicant has demonstrated that the development will comply with the noise regulations listed in Table 1 – Sound Level Limits and the associated ordinances.*

The expanded use of the site for indoor manufacturing will comply with the A-weighted hourly equivalent sound level limits of 70 dBA daytime (7am-7pm) and 60 dBA nighttime (7pm- 7am) along the northern, eastern, and western property line. The expanded use of the site for indoor manufacturing will comply with the A-weighted hourly equivalent sound level limits of 60 dBA daytime (7am-7pm) and 50 dBA nighttime (7pm- 7am) along the southern property line.

Finding: *The development will comply with the A-weighted hourly equivalent sound level limits of 70 dBA daytime (7am-7pm) and 60 dBA nighttime (7pm- 7am).*

### **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, 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 the applicant shall provide property line information and site information in auto-cad format to the Town Planner prior to the pre-construction meeting;

4. That any proposed use on the site shall meet the sound level requirements outlined under Chapter 4, Section 9, T. Noise;
5. That the applicant shall have a professionally licensed surveyor mark the location of the foundation prior to building construction to ensure the building is located within the allowed building envelope;
6. That a complete set of building construction plans shall be provided to the Gorham Fire Department office for review and permitting at or before a building permit is issued;
7. That the building construction plans shall be reviewed and approved by the Gorham Fire Department;
8. That the building shall be completely sprinkled meeting all applicable sections of the Town of Gorham's Sprinkler Ordinance;
9. That the building shall meet all applicable sections of the NFPA 101 Life Safety Code and the NFPA Fire Prevention Code 1;
10. That sprinkler plans shall be submitted to the Gorham Fire Department and the State Fire Marshal's Office for review and permitting and the plans shall be submitted at least two weeks prior to the start of installation of the system;
11. That all natural gas or propane meters shall be protected by bollards and any propane tank shall be placed on a cement slab and protected by bollards;
12. That a complete listing of hazardous products and their MSDS sheets on a disk shall be supplied to the Gorham Fire Department;
13. That if a fire alarm system is required then the designer of the system shall meet with the Gorham Fire Department for review of the system;
14. That prior to the pre-construction meeting the applicant will establish the following: a performance guarantee totaling 125% of the costs to complete the construction and an escrow for field inspection meeting the approvals of Town Staff and the Town's Attorney;
15. That prior to the commencement of any site improvements, the applicant, their earthwork contractor, and the design engineer shall arrange a pre-construction meeting with the Town's Review Engineer, Public Works Director, Fire Chief, Code Enforcement Officer and the Town Planner to review the proposed schedule of improvements, conditions of approval, and site construction requirements;
16. That all site construction shall be carried out in conformance with the Maine Erosion and Sediment Control Best Management Practices, Maine Department of Environmental Protection, latest edition and in accordance with the erosion and sedimentation control information contained in the application;
17. That all relevant past conditions of approval shall remain in effect;
18. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and
19. That these conditions of approval must be added to the site plan and the site plan shall be 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 the pre-construction meeting.