

**PLANNING BOARD MEETING  
October 17, 2016**

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

**Members Present**

**SCOTT HERRICK, Vice Chairman**  
**JAMES ANDERSON**  
**GEORGE FOX**  
**LEE PRATT**

**Members Absent**

**EDWARD ZELMANOW**  
**SCOTT FIRMIN**

**Staff Present**

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

Scott Herrick Vice Chairman, called the meeting to order at 7:00 p.m. The Clerk called the roll, noting that Edward Zelmanow and Scott Firmin were absent.

**APPROVAL OF THE SEPTEMBER 12, 2016 MEETING MINUTES**

**James Anderson MOVED and Lee Pratt SECONDED a motion to approve the September 12, 2016 meeting minutes as written and distributed. Motion CARRIED, 4 ayes (Edward Zelmanow and Scott Firmin absent).**

**APPROVAL OF THE OCTOBER 3, 2016 MEETING MINUTES**

**George Fox MOVED and Lee Pratt SECONDED a motion to approve the October 3, 2016 meeting minutes as written and distributed. Motion CARRIED, 3 ayes (Scott Herrick abstaining as not having been present at the meeting; Edward Zelmanow and Scott Firmin absent).**

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**ITEM 1      Public Hearing (Continued from the October 3, 2016 Meeting) – Subdivision/Site Plan Review – Susan Duchaine, Inc. – request for approval of Ward Hill Condominiums, a 14-unit condominium project located at 346 Main Street, Map 108, Lot 4, and a portion of Map 108, Lot 3, Office Residential/Urban Residential zoning districts.**

Mr. Poirier advised the Board that the item was last before the Board at its July 11, 2016 meeting; a sitewalk was held on April 20, 2016. Mr. Poirier noted that the applicant's request to waive the submission requirement for a high intensity soil survey was granted by the Board on July 11.

Andrew Morrell, BH2M Engineers, came to the podium and introduced the applicant, Susan Duchaine. He said the applicant is proposing 14 condominium units off Main Street. To begin, Mr. Morrell said he believes that the current density of the plans meets the zoning requirements in the OR/UR zoning district, or 1 dwelling unit per 10,000 square feet. Referring to a revised plan presented to the Board this evening, Mr. Morrell said that one of the units has been moved forward and the original retaining wall proposed along the driveway has been eliminated. One unit, which had been on top of the hill, has been moved down the hill and the retaining wall has been eliminated on that unit as well. A small turnaround has been added to units 6, 7 and 8 to turn around adequately. After conversations with the Fire Chief, the t-turnaround in front of units 5 through 8, which also serves unit 12 within the Snowbird Condos, has been designed to meet Town standards, 50 feet from the edge of pavement. There will be an easement over the Snowbird property to allow access on that portion of the driveway, which will be added to the plans.

Mr. Morrell said the revised plans show landscaping for abutters Gillman and Sargent. A series of changes has been made to the plans based on meetings with the Portland Water District, and they have been advised that an ability-to-serve letter will be forthcoming. Revised plans have been provided to the Maine DEP; Mr. Morrell said he believes they will receive that permit within the next couple of weeks. Updated financial

information was submitted last week. A driveway off Connor Drive has been added to the plan to the existing house on Snowbird's lot 12.

Mr. Anderson asked about the peer reviewer's question regarding test pits on the gravels under the existing road. Mr. Morrell replied that originally the gas line extension was to be down the middle of Steven Ward Drive; however, Portland Water wants the water main down the center of Steven Ward Drive. As a result there is going to be more excavation in the existing road than originally anticipated so there won't be much of the existing driveway being re-used as meeting the urban access standard. Mr. Anderson and Mr. Morrell discussed stormwater flows toward an existing low spot into a wetland abutting one parcel, along with a wetland in a corner of another abutting parcel, where runoff from this site is directed, as well as from the site above it. Mr. Morrell said that the intent of their stormwater design is to eliminate the runoff into the existing wetland abutting the one parcel and instead, with a vegetated soil filter field behind the first 5 units, direct runoff to the low spot in the second abutter's property, slightly increasing that runoff from the pre-development runoff. Mr. Morrell said that the DEP is supportive of the design. Mr. Morrell told Mr. Herrick that he didn't believe a drainage easement was needed from the abutter whose property is to receive more runoff.

Mr. Herrick confirmed with Mr. Morrell that runoff to one abutting parcel will go to zero, and the runoff to a second parcel would be increased. Mr. Herrick read from the Code that the rate of flow from the site will not exceed the pre-development rate and that discharge of additional stormwater caused by the development on to adjacent properties will be prohibited unless written easements are obtained from the owners of such adjacent properties. Mr. Herrick said that even though pre and post development rates are the same, if flow is increased on to an adjacent property, a drainage easement is necessary. Mr. Morrell said they can easily outlet to the one parcel and match the rate that exists now and have an outlet in both directions from the filter field, so that there is no increase at the property line of either of the two properties.

Mr. Anderson and Mr. Morrell discussed the grading for some of the buildings, showing a 12 foot drop from the finished floor to the grade behind the buildings. Mr. Morrell explained that those buildings would have walkout basements, so 10 feet or so below the finished floor elevation is the basement floor elevation at grade in the back of the building. Mr. Morrell said they would give the Board building elevations and cross sections of Steven Ward Drive.

Mr. Anderson asked about tree wells. Mr. Morrell said that with the proposed grading up Steven Ward Drive, a tree well would be 4 feet deep, but the applicant would like to see if that is feasible or if a tree in a well that deep would even survive. Mr. Morrell confirmed that the deck on unit 1 will be moved to provide better access to the 8 foot vegetated soil filter and adequate access could also be provided in other areas as well.

Mr. Pratt confirmed with Mr. Morrell that the size of the parcel is 3.23 acres or 140,000 square feet and is considered to be all one lot because the units are condominiums.

The Board discussed with Mr. Morrell and Susan Duchaine, the applicant, the requests for fencing from two of the abutters. Ms. Duchaine said she does not like fencing, at least one abutter has a fence now, and they won't take any existing trees. Mr. Fox suggested taller/larger trees to improve the landscaping; Mr. Morrell said they can take a look at that and at extending the landscaping further down toward Main Street. Ms. Duchaine told Mr. Pratt said they have added some trees for the two abutters who have contacted the Board about more screening, they don't intend to cut anything they don't have to cut, and they will show existing trees on the plan. Mr. Morrell said they can provide photos on the plans of the existing conditions along the abutting properties.

Mr. Morrell said they may be able to move the t-turnaround so that it doesn't go into the Snowbird parcel closer to Main Street. Mr. Anderson questioned how the storm drains between some of the buildings will be

maintained or replaced. Mr. Morrell said the storm drains can be moved out from the buildings to provide more accessibility. A culvert going under the proposed Steven Ward Drive will be replaced and made larger as part of the road improvements.

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

A lengthy discussion ensued about the proposed density. Mr. Poirier said that the project is the maximum density allowed in the Code, but even though 14 units may be allowed, that is not guaranteed because of the site constraints. Mr. Poirier suggested that the Board determine if the site constraints warrant that number of units, perhaps 14 single family homes will be too tight on the site, and the applicant could consider duplexes or need to reduce the number of units. Ms. Duchaine said the requirement in this zone is 10,000 square feet and the 14 units is what this site permits and it isn't up to the Board's discretion to decide. She also said that marketing today for units like these shows that duplexes will not sell as readily, and that single condo units sell better. Mr. Anderson asked Mr. Morrell to provide the density calculations on the plans. Mr. Herrick noted that it is not a question of the Board's discretion, the Board needs to make sure that the performance standards are being met in what is a challenging lot to determine if maximum density is warranted. He said that the Board is not questioning the maximum allowable density but whether conditions on the site merit something other than maximum density because any of those performance standards. Mr. Herrick advised Ms. Duchaine that while the Board understands the marketing reasons for the applicant's preference for single units, that is not what the Board is supposed to be considering, the Board has to consider the performance standards and the site specifics and whether or not the project is safe and viable for development within the maximum density criteria. Mr. Anderson commented that the Board's first item in the review criteria is the utilization of the site to support the development. Mr. Herrick particularly referenced the 4 unit cluster having 4 driveways and serving as the fire safety turnaround area as a challenge he believes poses safety issues.

Mr. Morrell asked what performance standards the Board feels they are not meeting. Mr. Herrick said some issues involve stormwater, which he applicant has indicated they will address; safety issues involving navigation, especially in the end cluster in the winter; DEP permit; landscaping; tightness of the access road toward Main Street. Ms. Duchaine said they will look at the configuration of units 5, 6, 7 and 8. Mr. Pratt said they would like to have the Fire Chief's comments. Also raised was the issue of snow plowing/storage and identifying an easement on the plan behind the retaining wall for unit 12 of Snowbird Condominiums. Mr. Poirier noted that the Board has made a number of comments regarding units 5, 6, 7 and 8, involving grading and accessibility and asked if the Board would liked to see a re-design. Ms. Duchaine said she has not liked that area anyway, so they will take a look at it. Mr. Fox said he does not object to the number of units, but would like to see a creative solution as to how they will work better, perhaps with the same number of units.

Regarding the applicant's request for preliminary approval this evening, the Board concurred that there are too many unresolved issues to warrant that approval.

**George Fox MOVED and Lee Pratt SECONDED a motion to postpone further review of Susan Duchaine's request for preliminary subdivision and site plan approvals pending responses to remaining issues. Motion CARRIED, 4 ayes (Edward Zelmanow and Scott Firmin absent). [8:00 p.m.]**

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**ITEM 2           Subdivision/Private Way Review – W.W. Wood Properties, LLC – request for approval of Norlek Heights Subdivision, an 11-lot subdivision and a single-lot private way (Sugar Way) located on Dingley Spring Road, Map 75, Lot 9, Suburban Residential/Manufactured Housing zoning districts.**

Mr. Poirier told the Board that preliminary subdivision review and approval was held on September 12, 2016. At that time the Board granted a high intensity soil survey waiver. He noted that an abutter comment was received on October 13, 2016 from Jonathan Jensen, who owns an abutting land-locked parcel on Map 75, Lot 12, and is asking for a 50-foot right-of-way.

Mark Carpenter, Nadeau Land Surveys, came to the podium and advised the Board that all of staff comments have been met; conditions of approval have been added to the subdivision and private way plans.

Mr. Poirier advised Mr. Anderson that there will be basement tanks to hold water for fire protection. Each house will be sprinkled.

**PUBLIC COMMENT PERIOD OPENED:** Jonathan Jensen explained that his 14 acre property, M75/L12, is a land-locked parcel with a buildable grandfathered lot of record and he is requesting a 50 foot right-of-way or an easement across the property owned by W.W. Wood Properties. Mr. Jensen said he needs to bring in tree cutting equipment, skidders, logging trucks and other equipment to access the tree farm on his property. Mr. Herrick advised Mr. Jensen that the Board does not have the ability to grant private rights to private citizens; rather, this is something that Mr. Jensen would have to ask for from the owner.

Mr. Fox asked if the private way being created would trigger providing access to the land-locked property. Mr. Poirier said that if a public road were being proposed, the Board could look at providing access, but not with a private way. Mark Bower, Town Attorney, said that if the subdivision created a land-locked parcel, there would have to be some sort of access provided; however, if it is an existing land-locked parcel, this subdivision is neither creating nor exacerbating the situation.

**PUBLIC COMMENT PERIOD ENDED.**

**George Fox MOVED and James Anderson SECONDED a motion to grant W.W. Wood Properties, LLC's request for final subdivision and private way approval for Norlek Heights Subdivision and private way on Dingley Spring Road, located on Map 75 Lot 9 in the Suburban Residential zoning district, based on Findings of Fact and Conditions of Approval as written by the Town Planner. Motion CARRIED, 4 ayes (Edward Zelmanow and Scott Firmin absent).**  
[8:14 p.m.]

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**OTHER BUSINESS:** None

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**ANNOUNCEMENTS:** None

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#### **ADJOURNMENT**

**James Anderson MOVED and George Fox SECONDED a motion to adjourn. Motion CARRIED, 4 ayes (Edward Zelmanow and Scott Firmin absent)..**[8:16 p.m.]

Respectfully submitted,

  
Barbara C. Skinner, Clerk of the Board  
October 17, 2016

**ITEM 2                    W.W. WOOD PROPERTIES, LLC – NORLEK HEIGHTS SUBDIVISION  
AND SUGAR WAY PRIVATE WAY**

**CHAPTER II, SECTION V, H., Standards for Private Ways**

**(This section is modified for brevity. See the current Land Use and Development Code for exact wording.)**

- 1) Each lot having access from an approved private way may be improved with no more than two dwelling units and related accessory buildings and uses.

The lot served by the private way is required to meet the requirements of the Suburban Residential zoning district. The lot served by the private way will be for a single-family dwelling. The maximum number of lot/dwelling unit allowed to be served by the private way is 1 lot/dwelling unit.

*Finding: The approved private way is designed to the 1 lot/dwelling unit private way standard and no more than one dwelling unit can be located on the lot served by the private way.*

- 2) A plan showing the private way shall be prepared by a registered land surveyor. The plan shall be drawn in permanent ink on permanent transparency material and shall be sealed by the registered professional engineer preparing the plan.

The applicant has hired Nadeau Land Surveys to prepare the private way plans which have been prepared by a registered land surveyor, James D. Nadeau, PLS#2124, and sealed by a registered professional engineer, Dustin Roma, PE, #12131

The Plan title block reads "Plan of a Private Way"

The Plan has an approval block that reads: "Private Way, Approved by the Town of Gorham Planning Board."

The approval block also has a line for the signatures of a legal majority of the Planning Board, and includes a line for the date of approval.

The Plan shows information sufficient to establish on the ground the exact location, direction, width and length of the private way.

The street plan and profile, and street cross sections are in accordance with Chapter II, Section V., E., 3.

The Plan has a note that reads, "The Town of Gorham shall not be responsible for the maintenance, repair, plowing, or similar services for the private way shown on this plan, and if the private way has not been built to public way standards, the Town Council will not accept it as a public way."

*Finding: The Plan of Private Way has been prepared by a registered land surveyor and sealed by a registered professional engineer meeting the requirement for private ways.*

- 3) If a private way provides access to 2 or more lots, a maintenance agreement shall be prepared for the lots accessed by any private way.

The proposal is for 1 lot/dwelling unit, so no maintenance agreement is required.

*Finding: Not applicable.*

- 4) Private ways shall have a minimum right-of-way width of 50 feet and a paved apron 20 feet in length commencing at the existing edge of pavement where it intersects with the private way.

The paved apron will be constructed to the following standards:

- a) 9" of MDOT Spec. 703.06 Type E;
- b) 12" of base gravel MDOT Spec. 703.06 Type D;
- c) 3" of 1 ½" crushed gravel, Type A or reclaimed;
- d) a minimum of 4" of paved surface, or greater as specified by the Town Engineer;
- e) a negative 2.0% grade from the existing edge of pavement to an appropriate drainage way, but in no case less than 5 feet from the travel surface of the public way it intersects;
- f) approach radius shall be specified by the Town Engineer.

Finding: *The right-of-way width for the private way is 50' and a paved apron will be designed to conform to the paved apron standards outlined in this section.*

- 5) Private ways shall be designed to conform to the standards presented in Tables 1 and 2 and the typical cross sections depicted in Figures 9 and 10.

The applicant is proposing to construct the 377' private way to the 1 lot/dwelling unit private way standard. The private way plan shows the required 1 lot/dwelling unit private way standard cross section. The private way will have the required turnaround located at station number 3+04.

Finding: *The private way meets all the criteria and design requirements presented in Tables 1 and 2 and the typical cross sections depicted in Figures 9 and 10 of the Gorham Land Use and Development Code.*

- 8) Notwithstanding other provisions of the Code to the contrary, no gravel surfaced private way shall provide access to or serve in any way to provide compliance with the requirements of the Code for more than the greater of six lots or six dwelling units; provided; however, nothing in this paragraph 8) shall serve to limit the use of such private way for occasional use by and for agricultural purposes.

The applicant is proposing a 1 lot/dwelling unit private way to serve a single lot with a single-family dwelling unit.

Finding: *The proposed private way will serve a maximum of 1 lot/ dwelling unit.*

- 9) The land area of the private way may not be used to satisfy the minimum lot area requirements for any lot (whether the lot(s) to be served or any front lot over which the private way runs).

The total lot area of the subdivision parcel is 48.48 acres. The right-of-way area is 0.46 acres, leaving the remaining lot with 48.02 acres. All the lots within the subdivision are proposed to retain the minimum lot size for the Suburban Residential District.

The ownership of the right-of-way for the private way will remain with subdivision lot 11 (Map 75, Lot 9.11).

Finding: *The land area of the private way is not being used to satisfy the minimum lot area requirements for the existing lot or any proposed future lot.*

- 10) The Planning Board shall have the ability to require improvements to both public roads and private ways serving any proposed private way to ensure off-site access is suitable to serve the proposed private way.

The private way is accessed from Dingley Spring Road, which is designed as a collector road by the Town of Gorham and is in a state to accommodate the traffic generated by the private way.

*Finding: The public road serving the proposed private way is suitable to serve the proposed private way.*

### **CHAPTER III - SUBDIVISION, SECTION III - PRELIMINARY PLAN**

The Planning Board, following review of the Preliminary Subdivision Application, makes these findings based on the Subdivision Review criteria found in Chapter III, Subdivision, Section III – C. Preliminary Plan Review.

#### **C. PRELIMINARY PLAN REVIEW**

- 2) The Planning Board shall include in its review the following general and specific requirements that the development has proposed for approval:
  - a) Shall be in conformance with the Comprehensive Plan of the Town, and with all pertinent State and local codes and ordinances, including the Performance Standards related to specific types of development which are stipulated in Chapter II.

The single-family lots range in size from 65,000 square feet to 982,780 square feet with street frontage for the lots ranging in size from 200 ft. to 243.49 ft.

The Comprehensive Plan identifies the future land use designation of this lot as in the Rural district.

*Finding: Norlek Heights Subdivision conforms with the Comprehensive Plan of the Town, and with all pertinent State and local codes and ordinances.*

- b) Will not cause congestion or unsafe conditions with respect to use of the highways or public roads, existing or proposed on or off the site.

Ten of the subdivision lots will have legal road frontage on Dingley Spring Road, with 1 lot having legal road frontage from a 1 lot private way. Dingley Spring Road is classified as a collector road by the Town of Gorham.

*Finding: Norlek Heights Subdivision will not cause congestion or unsafe conditions with respect to use of the highways or public roads, existing or proposed on or off the site.*

- c) Will not place an unreasonable burden by either direct cause or subsequent effect on the availability of the Town to provide municipal services including utilities, waste removal, adequate roads, fire and police protection, school facilities and transportation, recreational facilities, and others.

The single-family homes will be served by underground power, cable, and telephone lines from Dingley Springs Road. The Town's contracted waste disposal contractor will pick up trash and recyclables. The homes are required to have residential home sprinkler systems.

*Finding: Norlek Heights Subdivision will not place an unreasonable burden by either direct cause or subsequent effect on the availability of the Town to provide municipal services including utilities,*



*waste removal, adequate roads, fire and police protection, school facilities and transportation, recreational facilities, and others.*

- d) Has sufficient water supply available for present and future needs as reasonably foreseeable.

The subdivision lots will be served by individual water supply wells located up gradient of the wastewater disposal systems. Plan: Sheet 4 of 6: identifies the locations for the well exclusion zones as identified as part of the high intensity soil and Groundwater Impact Assessment of the proposed Norlek Heights Subdivision.

*Finding: Norlek Heights Subdivision provides for adequate water supply for present and future needs.*

- e) Will provide for adequate solid and sewage waste disposal for present and future needs as reasonably foreseeable.

The lots will have on-site subsurface disposal systems designed by a Maine Licensed Site Evaluator. All private septic systems must meet the requirements of the State of Maine Subsurface Wastewater Disposal Rules.

Plan depicting the results of a high intensity soil and nitrate study Plan: Sheet 4 of 6: identifies the locations for septic systems as well as the nitrate plume flows. Each lot will have its septic system located as shown on the plan, unless the applicant can provide the Code Enforcement Officer with a report from a licensed hydro-geologist stating that the new location will not impact any drinking supply wells or negatively impact the abutting lots' ability to locate drinking supply wells as shown on Sheet 4.

*Finding: Norlek Heights Subdivision provides for adequate solid and sewage waste disposal for present and future needs as reasonably foreseeable.*

- f) Will not result in undue pollution of air, or surficial or ground waters, either on or off the site.

Storm water from the house lots will be allowed to sheet flow into nearby wood areas. Sewage disposal from the site will be treated in subsurface disposal systems designed by a Maine Licensed Site Evaluator.

*Finding: Norlek Heights Subdivision will not result in undue pollution of air, or surficial or ground waters, either on or off the site.*

- g) Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result.

The lot area disturbed as part of construction activity will be loamed and seeded to prevent soil erosion. The majority of the storm water from the subdivision will be directed to the forested wetland area to the rear of the lot.

*Finding: Norlek Heights Subdivision will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result.*

- h) Will not affect the shoreline of any body of water in consideration of pollution, erosion, flooding, destruction of natural features and change of ground water table so that a dangerous or unhealthy condition may result.



A large forested wetland is located on the eastern half of the lot. The back portions of each lot will have wetlands located on them. No construction or wetland impacts are proposed as part of the development of the parcel.

Details: Sheet 2 of 2 identifies how erosion control measures will be implemented on the site.

*Finding: Norlek Heights Subdivision will not affect the shoreline of any body of water in consideration of pollution, erosion, flooding, destruction of natural features and change of ground water table so that a dangerous or unhealthy condition may result.*

- i) Will respect fully the scenic or natural beauty of the area, trees, vistas, topography, historic sites and rare or irreplaceable natural or manmade assets.

The residential subdivision is not proposed to impact any of the forested wetland area located on the eastern half of the site. No scenic vistas, historic sites or irreplaceable natural or manmade assets have been identified on the site.

*Finding: Norlek Heights Subdivision will respect fully the scenic or natural beauty of the area, trees, vistas, topography, historic sites and rare or irreplaceable natural or manmade assets.*

- j) Financial Capacity to meet Subdivision Regulations. The applicant must have adequate financial resources to construct the proposed improvements and meet the criteria standards of these regulations. The Board will not approve any plan if the applicant has not proven its financial capacity to undertake it.

The applicant has submitted a letter, dated August 8, 2016, from Duane Crawford, V.P., Senior Business Relationship Officer, First National Bank, regarding the applicant's ability to fund the project.

The applicant has completed a cost estimate for the proposed project improvements.

*Finding: The applicant has adequate financial resources to construct the proposed improvements and meet the criteria standards of these regulations.*

- 3) Every subdivision shall be responsible for providing open space and recreational land and facilities to the additional demand created by the residents of the subdivision. This requirement shall be met by the payment of a Recreational Facilities and Open Space Impact Fee in accordance with Chapter VIII.

The applicant will be required to pay the Recreational Facilities and Open Space Impact Fee prior to the issuance of building permits for the eleven (11) lots within the subdivision that will have new single-family homes constructed on them.

*Finding: Norlek Heights Subdivision is responsible for providing open space and recreational land and facilities to meet the additional demand created by residents of the subdivision.*

- 4) If an applicant chooses to create open space and/or recreational land and facilities within the subdivision in addition to paying the impact fee, the following applies:  
a) **Land Improvements:** The applicant shall improve the land according to the proposed use of the land and the requirements of the Planning Board.  
b) **Owners Association:** A homeowners' association shall be formed to provide for the perpetual care of commonly owned recreation land.

The applicant is not proposing any open space as part of the subdivision approval.

*Finding: Not applicable.*

### **CHAPTER III - SUBDIVISION, SECTION IV –FINAL PLAN REVIEW**

#### **D. FINAL PLAN REVIEW**

- 1) The Planning Board shall review the Final Plan of the proposed development as submitted. It shall examine any changes made subsequent to the Preliminary Plan for satisfactory correction.

The Planning Board granted preliminary approval on September 12, 2016. The applicant has submitted revised plans meeting the staff comments and addressing the Planning Board's concerns.

*Finding: The applicant has submitted the required subdivision plan and accessory documentation showing that the required changes requested by the Planning Board at Preliminary Subdivision approval have been completed.*

- 3) No Final Plan shall be approved by the Planning Board unless submitted by the developer or his authorized agent within 12 months from the issuance of Preliminary Approval.

The Planning Board granted preliminary approval on September 12, 2016.

*Finding: The plan is approved by the Planning Board within 12 months of Preliminary subdivision approval.*

#### **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 the applicant shall provide property line information and site information in auto-cad format to the Town Planner;
3. That the road shall be properly named and signed with a Town approved street sign with the road sign being installed as soon as the road is completed;
4. That the road name shall be approved by the Police and Fire Chiefs;
5. That the private way shall be maintained year around to allow access to emergency vehicles;
6. That the subsurface wastewater disposal systems for the lots will be located as shown on Plan Depicting the Results of a High Intensity Soil and Nitrate Study, Sheet 4 of 6 unless the applicant can provide the Code Enforcement Officer with a report from a certified Hydro-geologist stating that the new location will not impact any drinking supply wells or negatively impact any abutting lots' ability to locate drinking supply well in the approved acceptable well zone;
7. That the individual wells for lots will be located in the acceptable well zone as shown on Plan Depicting the Results of a High Intensity Soil and Nitrate Study, Sheet 4 of 6 and the wells shall be individual drilled bedrock wells unless the applicant can provide the Code Enforcement Officer with a report from a certified Hydro-Geologist stating that the new location and well installation is suitable for drinking water supply;

8. That all houses shall be sprinkled meeting all applicable sections of the Towns Sprinkler ordinance with the sprinkler plans being submitted at least two weeks prior to the start of installation of the system to the State Fire Marshal's Office and the Gorham Fire Department for review and permitting;
9. All houses shall be properly numbered with the numbers being visible from the street or private way year around.
10. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board;
11. That the private way plan(s) shall be recorded in the Cumberland County Registry of Deeds within 30 days of the establishment of the performance guarantee; if the plan is not recorded within this period, the approval of the Planning Board shall be void;
12. That the subdivision and private way plans shall not be released for recording at the Cumberland County Registry of Deeds until the required performance guarantee has been posted meeting the approval of Town Staff; and the subdivision plan is required to be recorded within one year of original approval or the approval becomes null and void; and
13. That once the subdivision and private way plans have been recorded at the Cumberland County Registry of Deeds, a dated mylar copy of the recorded subdivision and private way plans shall be returned to the Town Planner prior to a pre-construction meeting being held.