

PLANNING BOARD MEETING

March 5, 2018

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

Members Present

EDWARD ZELMANOW, CHAIRMAN
MOLLY BUTLER-BAILEY
GEORGE FOX
LEE PRATT
MICHAEL RICHMAN

Members Absent

SCOTT FIRMIN
SCOTT HERRICK

Staff Present

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

Edward Zelmanow, Chairman, called the meeting to order at 7:13 p.m. The Clerk called the roll, noting that Scott Firmin and Scott Herrick were absent.

APPROVAL OF THE FEBRUARY 5, 2018 MINUTES

George Fox MOVED and Lee Pratt SECONDED a motion to approve the minutes of the February 5, 2018 meeting as written and distributed. Motion CARRIED, 4 ayes (Scott Firmin and Scott Herrick absent, Edward Zelmanow abstaining as not having been present at the meeting).

COMMITTEE REPORTS – There has been no Ordinance Subcommittee since the last Board meeting.

Mr. Fox reported that the Board's Comprehensive Plan Implementation Committee met to discuss space standards in the proposed mixed-use Narragansett Development zoning district.

CHAIRMAN'S REPORT – Mr. Zelmanow noted that he had missed the Board's January and February meetings because he is attending the Presumpscot Valley Fire Academy getting a fire fighter's license. He said he will miss April's and May's meetings as well, but will be back for the June meeting of the Board.

ADMINISTRATIVE REVIEW REPORT – Mr. Poirier reported that one Administrative Review application has been submitted for 4 additional parking spaces at a condominium development.

CONSENT AGENDA – **Site Plan Amendment Review** – **Goodwill Industries of Northern New England** request for approval to add 27 parking spaces to the existing parking lot on Hutcherson Drive, Gorham Industrial Park, Map 12, Lot 17.005, Industrial zoning district.

Mr. Zelmanow explained the consent agenda procedure, noting that items on the consent agenda are applications that have been before the Board which have had minor outstanding issues that staff feels have been satisfactorily addressed, and which are ready for Board approval. Such items are approved without discussion unless someone from the Board or the public wishes to take the item off the Consent Agenda.

There being no one from the Board or the public wishing to take the item off the Consent Agenda, and Mr. Zelmanow confirming that the Conditions of Approval are satisfactory to the applicant,

George Fox MOVED and Lee Pratt SECONDED a motion to approve the item on the Consent Agenda. Motion CARRIED, 4 ayes (Edward Zelmanow abstaining as not having been present for the discussion on the item; Scott Firmin and Scott Herrick absent). [7:25]

ITEM 1 Subdivision Amendment Review – PTG Investment Trust request for an amendment to the Garden Place Subdivision approval to rescind the previously approved plans for condominiums and to divide the property into three separate lots. The property is located on Main Street and Garden Avenue, Map 109, Lot 11, Office Residential-Urban Residential zoning districts.

Mr. Poirier explained that when this was originally approved, it was a condominium-mixed use subdivision, with the front portion of the lot as two commercial uses with two residences above, and the back portion being three single family condominium units. The applicant then secured an extension from the one –year performance guarantee requirement, but did not move forward with establishing the performance guarantee or getting the approved plan recorded. At this time the applicant would like to rescind that approval and change it to a three-lot subdivision, a single family to the rear and two duplexes or single family lots to the front. Mr. Poirier said the Board should consider whether it wants to add a requirement for a shared driveway for the two front lots. In addition, staff has not sent the application out for engineering peer review because it is just single family house lots, but if the Board feels that such a review is necessary, staff will forward it out.

Andrew Morrell, BH2M Engineers, came to the podium and introduced Paul Gore, the applicant. Mr. Morrell said the applicant would like to eliminate the commercial aspect of the project and to proceed with two single family or duplex lots off Main Street, Lots 2 and 3, and Lot 1, one single family lot on Garden Avenue. The applicant will sell the lots. The utilities for Lot 1 will be off Garden Avenue, and the utilities for the Main Street lots will come off Main Street. The applicant would prefer to have two driveways off Main Street for the Main Street lots; there is a driveway already off Main Street for the house which had been on the lot.

Mr. Pratt asked Mr. Morrell if the stormwater drainage for the original application will remain. Mr. Morrell confirmed that the infrastructure improvements put on the original plan remains on the current plan. In reply to Mr. Fox, Mr. Morrell said possible future legal issues involving easements and the maintenance of a shared driveway is one reason the applicant would prefer separate driveways. Mr. Morrell said there are no sight distance issues in either direction. Mr. Poirier confirmed that there is no limit on curb cuts on Main Street. After discussion, because this will not be a commercial development, the Board concurred that separate driveways would be allowed. Mr. Poirier recommended that Mr. Morrell show the existing curb cut and the proposed second curb cut on the plan view, along with a note.

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

Mr. Zelmanow confirmed with Mr. Morrell that the applicant is satisfied with the Conditions of Approval.

George Fox MOVED and Molly Butler Bailey SECONDED a motion to grant PTG Investment Trust's request for subdivision amendment approval to rescind the previously approved plans for condominium units and to divide the property into three separate lots on property located on Main Street and Garden Avenue, Map 109, Lot 11, Office Residential-Urban Residential zoning districts, based on Findings of Fact and Conditions of Approval as written by the Town Planner. Motion CARRIED, 5 ayes (Scott Firmin and Scott Herrick absent). [7:30]

ITEM 2 Subdivision Amendment Review – Kasprzak Homes, Inc. request for approval of Pheasant Knoll, Phase IV – Stonefield Condominiums – on property located at the end of Falcon Crest Drive, Map 46, Lot 11.004, Contract and Urban Residential zoning districts.

Mr. Poirier said this is the first time the applicant has completed a submission for subdivision and site plan review. He indicated that the Board should discuss whether a site walk is warranted for the project. Mr. Poirier suggested that the Board might want to suggest that the Gorham Conservation Commission take a look at the project to see if any trail connections are feasible with abutting properties. Mr. Poirier said the applicant will need to secure a Maine DEP permit for the project.

Bob Georgitis, vice president of Kasprzak Homes, Inc., introduced the Board to Phase 4 of the development known as Pheasant Knoll. Phases 5 and 6 will be presented at a later date, although the DEP permit mentioned by Mr. Poirier will encompass the entire property. Mr. Georgitis said that when the first three phases were completed, at that time, they were only required to do a Class B High Intensity Soils survey as the project does have public water and public sewer; therefore, a waiver for that requirement is now being requested. He said the condominiums are a continuation of the same style that have been done at Woods Edge, they will be duplex styles with 6 different floor plans being offered. In reply to a comment from the Town Planner, Mr. Georgitis showed the Board color samples of the proposed buildings. There will be 26 units in 13 buildings, with construction to begin next winter or the following spring, to take three years.

Mr. Georgitis explained the 10-year rolling DEP traffic movement permit for age-restricted developments. He said the development does not reach the threshold to trip a 100 year trips in a peak hour.

Owens McCullough, Sebago Technics, came to the podium and said that the project had obtained a Maine DEP Site Location of Development Permit for which they will be filing an amendment as part of this project. The project will include a stormwater plan that involves collecting all the surface drainage into an underground stormwater drainage system piped down to a wet pond meeting Chapter 500 Stormwater Management Regulations, treating 95% of the surface paved areas and 80% of the landscaped areas. All infrastructure will be sized for the future total of units allowed under the Contract Zone.

Mr. Georgitis returned to the podium to say that the original concept plan presented several months ago envisioned connecting Ridgefield Drive to Falcon Crest Drive. However, because of abutters' concerns, the original plan has been modified, and now Ridgefield will dead end at the new road, Midway Drive. In this plan, two stops signs and two right hand turns are being added to discourage traffic, but the radii will be left as planned.

Mr. Zelmanow said that the applicant will need to present a written waiver request for the Class A High Intensity Soil Survey. Mr. Zelmanow said he thinks the roadway is better designed to make cut-through traffic more difficult, and asked if additional parking for visitors is contemplated for units at the dead end of Ridgefield Drive. Mr. Georgitis pointed out the parking lots proposed to serve the clusters of buildings and the parking for Ridgefield, saying that there is adequate parking. Mr. Poirier concurred, saying that additional parking isn't necessary.

Mr. Georgitis, at Mr. Fox's request, explained the DEP 10-year window of what is being built during that time period for traffic trip movements. Mr. Georgitis said he could provide for something from DOT; Mr. Fox asked for numbers be provided to confirm what has happened in the past and what is anticipated for the future.

Mr. Fox brought up the issue of overlay paving request from Public Works for Falcon Crest Drive, asking if there is any alternative to deal with damage. Mr. Georgitis said there could be an agreement that if the street were damaged, they would be prepared to repair it. Mr. Zelmanow asked Mr. Poirier if the Public Works Director is looking ahead to perhaps evidence of damage in the future. Mr. Poirier said he said he believes

that the Public Works Director wants an estimate of cut and fill so he can get an idea of truck traffic, that is, how much fill is coming in and how much is going out to estimate the amount of dump traffic. Mr. Georgitis said he has given a preliminary estimate of 15,000 yards of material imported and 11,000 that might be exported, but that won't be definite until they actually get into the site, with the pond being the biggest earth moving activity. Mr. Poirier said that staff will share that information with the Public Works Director. Mr. Fox said that he would be interested in hearing Public Works' response to the applicant's offer to do some sort of agreement regarding post-project damage.

Regarding the interest of the Conservation Commission, Mr. Georgitis said that as it is a requirement of the Contract Zone that a connection be provided, he met with the chairman, Dr. Rob Lavoie, two years ago on site to discuss the trail connection being developed up to Pheasant Knoll's property line through the woods; the connection will be part of Phase 5 and does not apply to this phase.

Regarding the colors of the buildings, Mr. Poirier advised Mr. Zelmanow that site plan submission requirements call for a submission of building colors, so if the applicant provides a possible range of colors, that would meet the intent of the Ordinance. The Board agreed that the applicant could indicate that the colors would be consistent with the already existing buildings, which would be added to the Findings of Fact. Mr. Georgitis advised Mr. Richman that this development would be consistent with what has already been done, such as the spacing of street trees and lighting, and trees would be planted between this development and the Ridgefield units that abut for screening.

The Board's discussed the applicant's waiver request from the submission to map trees over 5 inches in diameter, noting that the applicant states it preserves all trees outside clearing limits for buildings, roads, and stormwater facilities unless they pose a significant hazard to residents, and that mapping trees of 5 inches+ would not provide relevant information. Mr. Georgitis said they could tree spade existing trees to serve as buffers.

George Fox MOVED and Lee Pratt SECONDED a motion to grant the applicant's request for a waiver of the submission requirement to map trees of over five inches in diameter. Motion CARRIED, 5 ayes (Scott Firmin and Scott Herrick absent).

Mr. Poirier said that the applicant's request for a reduction in the street esplanade is a design modification of the Urban Sub-collector street standards that staff will discuss with the Public Works Director, who will state whether he is in favor of supporting it or not. The Board will act on the Public Works' request.

Mr. Zelmanow noted that there are a number of issues still remaining to be addressed, such as comments from the Town's review engineer.

The Board concurred that staff be directed to set up a site walk. The applicant was asked to stake building corners, pond location, centerline of the road, lot boundaries and corners, and any points where there might be building proximity concerns, particularly the two units closest to the existing structures.

PUBLIC COMMENT PERIOD OPENED: Dick Caldwell, president of the Ridgefield Condominiums Homeowners' Association, said that the current changes to the roads in the development, bringing in Midway Drive, take care of the majority of the concerns of the Ridgefield residents, except they would very much like to see a gate at the end of Ridgefield between Ridgefield and Midway to deter cut-through traffic. He indicated that the gate would not even have to be lockable, and the fire department could open it for access if necessary. He said that the Ridgefield residents would like an assurance that there would be no construction traffic coming through Ridgefield Drive, to be mitigated with the addition of a gate being put up as soon as possible with the construction of Midway Drive. Mr. Caldwell also spoke about buffering between some of the present Ridgefield buildings and the new construction, saying that they would prefer that the buffer not be made up of pines from the fields, but some other type of evergreens. Mr. Zelmanow confirmed that the

possibility of additional parking discussed earlier would be for Ridgefield residents at the end of Ridgefield Drive.

Mr. Zelmanow said that the Board will take a look at the area on the site walk to consider the landscaping and the need to screen abutting Ridgefield residences and where a gate might possibly be added when Midway Drive is staked out. He said that the Board can restrict construction traffic on Ridgefield Drive, with a note to be included on the plans that there will be no construction traffic on Ridgefield Drive.

Arleen Wescott, 58 Ridgefield, said that as the closest homeowner to the proposed new roadway, she would appreciate trees planted to screen her property from the development. Mr. Zelmanow said that the Board will look at that area on the site walk and consider the landscaping plan.
PUBLIC COMMENT PERIOD ENDED.

George Fox MOVED and Michael Richman SECONDED a motion to postpone further review of Kasprzak Landholdings & Homes, Inc.'s request for preliminary subdivision and site plan approvals pending responses to remaining issues and finalizing revisions to the plan. [8:15 p.m.]

Break from 8:15 to 8:25

ITEM 3 Pre-Application Discussion – John Hilmer request for sketch plan review of an 11-lot subdivision off Great Falls Road on property located on Map 92, Lot 23, Suburban Residential-Manufactured Housing zoning districts.

Mr. Poirier introduced the item, advising the Board that this is a pre-application discussion and the item has not been sent out for review. He said that the applicant is proposing an 11 lot conventional subdivision off Great Falls Road in the Suburban Residential district. The applicant does not need to do a net acreage density calculation unless they are looking for a bonus under the SR provisions. Public water is located some distance away and the applicant will have to show the Board that the cost of providing public water is unreasonable.

Andrew Morrell, BH2M Engineers, came to the podium and told the Board that this parcel had been proposed for development in 2005 for a 12-lot subdivision but was withdrawn by the applicant prior to any approvals. The parcel has since been sold to the current applicant, with an outsale lot. The subdivision being proposed now is for an 11 lot conventional subdivision, with 1800 linear feet of road, subsurface waste water disposal, drilled wells and underground electric. Wetlands and soils information are outdated from 2005, and the applicant intends to have the wetlands re-delineated and have the soils redone. Mr. Morrell said that the water calculations will be run, but based on the distance away of public water, it is unlikely that public water would be extended. Mr. Morrell said that the sight distance along Great Falls Road will be checked. As the applicant is intending the road to be public, a future right-of-way will be provided to abutting undeveloped lands; the applicant's preference would be to provide that right-of-way to the south. Regarding some abutters' concerns, Mr. Morrell said that the applicant is not proposing a manufactured housing development, even though the parcel falls within the "Suburban Residential-Manufactured Housing" zoning district. All of the houses in this neighborhood will be stick built by the applicant.

Mr. Zelmanow suggested flipping the hammerhead so that the right-of-way could run between lots 4 and 5. Mr. Fox confirmed with Mr. Morrell that it is the applicant's intent to build out the homes. Mr. Zelmanow and Mr. Morrell discussed the width of the proposed road ; Mr. Poirier confirmed that a rural access road would require a minimum of 20 feet in width with 4 foot shoulders, and 24 is for a sub-collector. In reply to Mr. Richman, Mr. Morrell said there would probably not be any curbs, it would be with a closed drainage system of vegetated ditches. Mr. Morrell, in reply to Mr. Zelmanow, said he would envision a series of

stormwater facilities alongside the stream that bisects the site, either a vegetated soil filter or a vegetated buffer. Mr. Morrell said that some sort of driveway will have to cross the wetlands to access lots 7, 8, 9, 10 and 11, and it looks as though at least a Tier 1 wetland permit will be required from the DEP. Mr. Poirier said if the Board has concerns with building envelopes, it can request a build out for a lot showing contour lines and proposed locations for buildings. Mr. Morrell confirmed that the Board would want to see build outs for lots 7, 8, 9, 10, and 11. In reply to Mr. Richman, Mr. Morrell replied that the stream crossing would involve a 6 to 8 foot drop down to the stream and no sidewalks are proposed.

The Board discussed with Mr. Morrell whether a site walk can be scheduled in advance of the submittal of a formal application. Mr. Poirier suggested that it may be helpful for the applicant to come back with the new wetland data to talk about the lots in question to get the Board's input. Mr. Zelmanow suggested that it could even be workshopped should some wetland delineation changes occur; he also suggested including the possible right-of-way. Mr. Richman said he has an issue with the stream crossing with a 20 foot wide pinch point. Mr. Morrell asked if the applicant could pave 22 feet and have 2 foot shoulders; Mr. Poirier said he would prefer to have the Public Works Director's input on that. Mr. Fox, Mr. Pratt and Ms. Butler Bailey agreed that as long as there are 4 foot shoulders on each side, a 20 foot wide road would be adequate.

The Board agreed to wait for the revised wetland delineations before scheduling a site walk.

Mr. Poirier said that abutter comments provided information about a possible dump site on the lot; he advised Mr. Morrell to contact the DEP about an environmental assessment of the site.

PUBLIC COMMENT PERIOD OPENED: Karen Tucci, 60 Great Falls Road, said she was glad to see that manufactured homes will not happen. She said that Great Falls Road has a speed limit of 35 miles per hour. She expressed concerns about what drilled wells for these 11 house lots will do to her well, and commented about the wetlands on the site. She questioned allowing 11 lots which could bring children into an already overcrowded school system. Ms. Tucci also expressed concern about the previous use of the site as a shooting range and dump. She indicated concerns about the condition of Great Falls Road, that residents have complained about the condition of the road for some time without anything being done, and asked what is proposed to be done to the road to bring it up to rural standards. Ms. Tucci also expressed concern for the future of wildlife in the area.

Chad Perrault, 46 Great Falls Road, showed the Board a jar containing a sample of his well water from the well pump before it is treated. He said that treating his well water was very expensive, so if public water is not available to these lots, he suggested that consideration should be given on how potable water is to be supplied to the lots in this development. Mr. Perrault asked if there is any Town ordinance requiring that information about a previous use of the land be provided to possible buyers of a lot, as he was not aware of the history of his property before he bought it..

Mr. Zelmanow said that the applicant would have to show that it would be a financial hardship to run public water, but the water on site would have to be tested to show that it is potable. If it is not, then the Board can require public water be run in, despite the cost.

Eric Anderson, 34 Wight Lane, said his property abuts the back side of the property under consideration and is where the stream runs through, it is very wet, and asked what will happen to the stream. He said that the property was a dump and a shooting range, and throughout the woods are the plastic straw bales used for archery practice. He said Great Falls Road is in bad condition, and construction vehicles coming in and out can damage the road still further. He said he has quality issues with the mineral content of the water.

Vanessa Levesque, 64 Wight Lane, spoke about drainage issues with more water being directed on her property, poor water quality, the cost of treating the water to make it usable, the impact of adding more

children in the school system with more subdivisions having residents with children, and the poor condition of Great Falls Road.

Mr. Zelmanow said that the Board does not have the ability to prohibit building, only the Town Council has the authority to impose a moratorium on new construction. The Public Works Director will look at the condition of Great Falls Road, and the Town Council could as well provide some help.

Shelley Dolley, 38 Great Falls Road, spoke about the poor condition of Great Falls Road and the potential impact of this development on the road. She asked how many residences are required on a road to be able to access public water, because she was told that there were not enough people to do that. She spoke of the poor water quality containing arsenic, iron, manganese, requiring expensive treatment to make it usable. She also said that she had no idea of the former use of the property and notification about that to the owners moving into this development would be helpful.

Mr. Zelmanow said that if the applicant runs public water, perhaps the local residents can also join in and try to determine a cost. Mr. Poirier said the residents could also petition the Council about looking in to the feasibility of providing water shared between the lot owners. Mr. Zelmanow said that an assessment would be made for each property owner to share in the cost of providing public water, but that is done at the Town Council level.

Jocelia Hartwell, 19 North Gorham Road, said she also owns a farm at 443 Sebago Lake Road, 80 acres which abuts the applicant's parcel. She discussed the history of what was a Town dump along Great Falls Road, saying that her father would push the debris back on to the property, burying whatever had been dumped off, such as old cars, building debris, asphalt shingles, sheet rock and other items. She also spoke about the shooting range which had been on the site, with a club house where the water could not be used except for flushing toilets.

Mr. Zelmanow said that the applicant will have to contact DEP for an environmental assessment of the site.

Alicia Stone, 37 Great Falls Road, said she has had two filtration systems and still cannot drink the water. She confirmed with Mr. Zelmanow that an assessment will be done by DEP. She said her major concern is for the potential buyers of the lots in the development, who will spend a great deal of money for a house built on a dump with undrinkable water.

PUBLIC COMMENT PERIOD ENDED

Mr. Zelmanow said he hopes the residents of Great Falls Road can get some satisfaction from the Council and Public Works about improving the condition of the road, as well as resolving the issue of their water quality.

ITEM 4 Pre-Application Discussion – Town of Gorham request for sketch plan review for the addition of portable classrooms to Gorham High School on property located at 41 Morrill Avenue, Map 106, Lots 30 and 47, Urban Residential zoning district.

Mr. Poirier told the Board that the Town of Gorham is proposing to add two new portable buildings and a parking lot for 67 parking spaces at the Gorham High School. The Land Use Code does allow parking to be located in the front setback for uses other than commercial and industrial, but the parking spaces will still be required to be buffered from abutting uses.

Frank Crabtree, Harriman, appeared on behalf of the Town and the School Department and introduced Norm Justice, the School Department's Facilities Director. Mr. Crabtree said that the two new portable buildings will be placed adjacent to the existing modulars and are needed to relieve over-crowding of the existing high

school facilities, they are not designed for increased population. The modular will not be attached to the main building, but will be secured with existing fencing to be relocated. Also proposed is the addition of 67 paved parking spaces adjacent to Morrill Avenue on a former residential lot purchased by the Town. The spaces will be 90 degree parking, 24 foot wide aisles, comfortable and easy to maneuver. Mr. Crabtree pointed out the proposed raised islands and curb cut to direct flow into the parking. Mr. Crabtree said that along the street there will be a 15 foot strip of mature vegetation which will remain, and a timber guard rail along the street frontage with 4-foot high or higher, relatively dense line of shrubs to serve as a screen for the neighbors across the street. Mr. Crabtree said that the proposed stormwater will continue to flow to the northwest, with most of the stormwater from the parking lot going back to a shallow vegetated filter basin that will treat the stormwater, slow it down and filter it, before it goes into the system that is already there. Photometrics will be provided in the full package submission, the lighting will be LED sharp cut-off lights.

A discussion ensued among Board members, Mr. Crabtree and Mr. Justice about the purpose of the new parking lot. It was ultimately decided that the new lot should be designated for "Visitor and Staff Parking Only." Mr. Zelmanow asked if it is now time to discuss a traffic light at Morrill Avenue and South Street; Mr. Justice replied that a full traffic impact study will probably be done during the high school expansion project evaluation. Mr. Poirier replied to a query from Mr. Zelmanow about a traffic study that adding two modular classrooms does not necessarily add any significant traffic, and the new parking spaces are designed to accommodate overflow parking. Mr. Crabtree told Mr. Poirier that no traffic numbers have yet been run for the high school expansion. Mr. Crabtree asked about possibly staggering plantings in the strip in the right-of-way along Morrill Avenue and was advised to check with Public Works as they plow Morrill Avenue. Mr. Poirier suggested meeting with Public Works and someone from the Planning office to discuss a concept plan, as well as plowing the parking lot vs. plowing snow in the road.

The Board concurred that no site walk is warranted for the project.

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

Mr. Mr. Zelmanow announced that Items 5 and 6 will be heard together, as both are being presented by Mr. McCullough of Sebago Technics, who submitted the two projects as one application.

ITEM 5 Pre-Application Discussion – Town of Gorham request for sketch plan review for the addition of one portable building with four classrooms to the Narragansett School on property located at 284 Main Street, Map 26, Lot 4 and Map 30, Lot 17, Office Residential-Urban Residential zoning districts.

Owens McCullough, Sebago Technics, said he has combined his notes for these two items. He said that the portable buildings at Narragansett School are proposed to be positioned behind the school. The portables will be connected to the main classroom with a covered hallway and ramp meeting ADA access. Because the portables will be connected to the building, they will have to be sprinkled. The portables will be slab on grade, shingle roof, wood frame construction and about 36 inches above grade, requiring a level area of some 6 feet with a 1 in 12 ramp, 30 feet long. Should additional portables be needed in the future, bathrooms will be added. Mr. McCullough described the existing drainage and treatment pond. This site is under a Site Location of Development Act permit; however, an allowance of an addition has been provided, but the DEP will be notified nevertheless.

ITEM 6 Pre-Application Discussion – Town of Gorham request for sketch plan review for the addition of two portable buildings with four classrooms to the Great Falls School on property located at 73 Justice Way, Map 71, Lot 1.002, Rural/Suburban Residential zoning districts.

Mr. McCullough said this will be a larger project and showed the Board the proposed location for the portables, which will have to disrupt the looped access. This configuration will have hallways down the center of the buildings, two classrooms on each side for a total of four, and there will be another portable put perpendicular with an IT room and bathrooms, so water and sewer will need to be run to the portables. There will be a secondary means of egress, similar construction of slab on grade, water and sewer, and the buildings will have to be sprinkled. A small sidewalk will have to be added and there will be a 1 to 12 ramp, ADA accessible. He said that there is some landscaping along the adjacent property and questioned the need for more. The goal is to get the permitting done over the spring and get construction under way while school is out for the summer.

Mr. Zelmanow asked Mr. McCullough if any of the soccer field will be lost. Mr. McCullough said that the bathrooms and the IT room will be butting up right against it and a little bit of the field could be lost. Mr. Pratt said he doesn't see any need for additional landscaping; Mr. Zelmanow concurred. Mr. Richman asked how long the need for portables will be necessary; Mr. Justice said it will be at least five years out. In reply to Ms. Butler Bailey, Mr. Justice said that some portables have lasted 20 years. Mr. Richman asked if consideration has been given to building an addition to the building as opposed to the cost of the portables, with Mr. Justice saying that analysis has not been completed.

The Board concurred that no site walk will be necessary.

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

ITEM 7 Pre-Application Discussion – Maine Optometry request for sketch plan review for a subdivision and site plan amendment to Fairview Acres Subdivision on property located at the corner of Route 237 and Main Street, Map 32, Lot 24.001, Commercial Office zoning district.

Mr. Poirier advised the Board that this project was approved as "Vista Park," a two-lot condominium project with a shared driveway off Route 237. This parcel was approved for a general site layout for a 3,200 square foot building with a drive-through and parking areas. The applicant is now seeking an amendment to that site plan approval as well making some tweaks to the subdivision plan regarding easements.

Tom Perkins, Dirigo Architectural Engineering, and introduced Amy Landry, CEO of Maine Optometry. He noted that Andrew Morrell, BH2M, is working as the site engineer. Mr. Perkins said that being proposed is a two story medical office building tucked into a corner of the site. The first floor would be for Maine Optometry's practice, and the upper floor would be split into two similar medical practices. Mr. Perkins said that challenges to this site involve Portland Water easements, stormwater detention pond on the front of the parcel, and a significant wetland area. Mr. Morrell is working the prepare an amended stormwater permit with DEP, staying within the working limits originally established. The proposed building will be in accordance with the Gorham Village standards, with a daylight basement facing the intersection and two stories with false dormers on the attic space and a widow walk. No waivers are proposed at this time.

In reply to Mr. Zelmanow, Mr. Perkins said the main floor of the building will be all Maine Optometry, and there will be two separate medical offices on the second floor. Mr. Perkins said they believe parking will be adequate. Mr. Zelmanow told Mr. Perkins that the Board would prefer to schedule a site walk after a formal application has been received. Mr. Fox asked about the plan note referencing a land swap made from Martin to Duchaine; Mr. Morrell replied that is an artifact from the original 2009 plan for the lot. Mr. Zelmanow spoke about the proposed signs; Mr. Perkins said the sign in front was approved originally, and pointed out where other signs will go. Mr. Perkins said that the originally approved landscaping plan has been integrated into the new site plan. Mr. Zelmanow said he feels that the landscaping plan will need to go out for peer review because of the highly visible location of this site.

Amy Landry, CEO of Maine Optometry, came to the podium and commented that having a medical office at the gateway to Gorham is an improvement over a fast food restaurant. She said she believes this building will work well with Martin's Point across the street. Mr. Poirier said that the applicant will have to amend the master sign plan and because there are two lots, both will be allowed free standing signs, which will be reviewed on square footage and placement.

Mr. Zelmanow confirmed that normal business hours will prevail and that a dumpster location will be shown on the next plan. Mr. Perkins said there will be some light poles in the parking lot which will be full cut-off. Mr. Richman asked for clarification if a chain link fence continues across the property; Mr. Morrell replied that it is an erosion control measure. Mr. Morrell said he believes, however, that the intent is to put a chain link fence on top of a retaining wall. Mr. Morrell told Mr. Zelmanow that the islands inside the parking lot will be grassed.

In reply to Mr. Poirier, Mr. Perkins said that the applicant would like to start the site work as soon as possible, recognizing that the DEP permit process would take some time, and they would like to re-submit in time for the next Board meeting.

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

ITEM 8 Discussion – Land Use and Development Code amendment to allow businesses to utilize sandwich board signs.

Mr. Poirier advised Mr. Zelmanow that the Board's Ordinance Subcommittee has not yet reviewed this item.

George Fox MOVED and Molly Butler Bailey SECONDED a motion to send the item to the Board's Ordinance Subcommittee for review and recommendations. Motion CARRIED, 4 ayes, 1 nay (Lee Pratt) and 2 absent (Scott Firmin and Scott Herrick).


OTHER BUSINESS None

ANNOUNCEMENTS Mr. Poirier announced that he will be taking medical leave for surgery on Wednesday and will try to get the site walk scheduled if possible.

ADJOURNMENT

George Fox MOVED and Molly Butler Bailey SECONDED a motion to adjourn. Motion CARRIED, 5 ayes (Scott Firmin and Scott Herrick absent). (10:33 p.m.)

Respectfully submitted,


Barbara C. Skinner, Clerk of the Board
March 5, 2018

CONSENT AGENDA

GOODWILL INDUSTRIES OF NORTHERN NEW ENGLAND

FINDINGS OF FACT

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

The Planning Board, following review of the Site Plan Amendment 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.

Because this is an amendment to an approved site plan some of the Standards may not be applicable because they are not being impacted by the proposed amendment.

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

The applicant is proposing to construct additional parking spaces off existing internal access roads. 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 improvements for additional parking spaces.

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 through Sanford Drive and Hutcherson Drive. No new driveways are proposed.

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.

Currently all vehicles enter and exit the site from multiple access points. Two driveways are located on Sanford Drive and one driveway is located on Hutcherson Drive. The driveways vary in width from 24' to 30', are constructed of bituminous concrete, and are all interconnected to allow access throughout 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.

The proposed existing and the small portion of new access driveways for the new parking spaces is 24' wide. The driveway width is adequate to allow vehicles to back out of the parking spaces and to allow for two-way traffic and emergency vehicle access.

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.

The proposal is to remove 1 existing walkway in order to install 10 new parking spaces. The applicant is proposing to construct a new 5' wide sidewalk along the front of the 10 new parking spaces. The new sidewalk will interconnect to the internal sidewalk network.

No off-site sidewalks are existing or proposed.

Finding: *The plans provide for 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 stormwater plan. The storm water from the additional 7,774 sq.ft. of impervious area for the parking area will continue to drain as approved under the comprehensive storm water plan.

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 applicant will 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 and no increase in the amount of public water used on the site is anticipated. No changes to the water supply are proposed.

Finding: *Not applicable.*

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 and no increase in the amount of sewage disposed of on the site is anticipated. No changes to the sewage disposal are proposed.

Finding: *Not applicable.*

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: *Not applicable.*

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 construction will only disturb lawn area that was previously disturbed by past construction activity. No new natural features will be disturbed by the construction activity.

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 building and driveway expansion will not impact the groundwater table on the site. The applicant is proposing to allow stormwater to continue to flow and recharge the groundwater as was approved in the Gorham Industrial Park approvals.

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.

Existing pole mounted lights will provide the required illumination for the parking spaces. The applicant is proposing to install 1 new full cut-off light fixture on the eastern side of the parking lot expansion.

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 site is served by a concrete dumpster pad located in the northwestern corner of the lot. The pad is screened by a fence. No increase in the amount of waste material is anticipated and no changes to the site's waste disposal infrastructure are proposed.

Finding: *Not Applicable.*

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 proposes to add 6 new shrubs between the proposed new parking area and Hutcherson Drive. The proposal is also to maintain and supplement the existing landscaping near the site's business sign between the new parking area and Hutcherson Drive.

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 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.

In the applicant's submission letter dated December 1, 2017, the applicant has identified that the project has been designed by State of Maine licensed engineers. The December 1, 2017 submission letter also identifies that the money for the proposed improvements (\$33,000) shall come from Goodwill of Northern New England's capital improvements budget.

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 is currently buffered from Hutcherson Drive through existing trees, shrubs, and other vegetation and will be buffered with newly planted landscaping adjacent to the new parking areas. No existing trees are proposed to be removed as part of the site plan amendment.

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 9, T. Noise;
 6. 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;
 7. 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;
 8. 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;
 9. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and
 10. 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 1 PTG INVESTMENT TRUST SUBDIVISION AMENDMENT

FINDINGS OF FACT

CHAPTER 3 - SUBDIVISION, SECTION 3 - PRELIMINARY PLAN

The Planning Board, following review of the Subdivision Application, makes these findings based on the Subdivision Review criteria found in Chapter 3, Subdivision, Section 3 – C. Preliminary Plan Review, and Section 4 – D. Final 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 applicant is required to obtain all required local, state, and federal permits for the proposed development.

The Comprehensive Plan identifies this area as Village Residential. The plans meet the requirements of the Urban Residential and Office Residential zoning districts for residential and commercial density.

Finding: Garden Place 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.

Access to lot 1 will be via Garden Avenue, which is designated as an Urban Access road by the Town. Garden Avenue exits onto Libby Avenue and Lawn Avenue.

Access to lots 2 and 3 will be via Main Street, State Route 25, which is designated as an arterial road by the Town of Gorham.

Finding: Garden Place 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.

Lot 1 will be served by underground power, telephone, cable lines, and natural gas from the Garden Avenue right-of-way.

Lots 2 and 3 will be served by underground power, telephone, cable, and natural gas from the Main Street right-of-way.

Finding: Garden Place 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.

Lot 1 will be served by a 1" private water services extended from the Portland Water District's 8" water main located in the Garden Avenue right-of-way. The water main services and installation must meet the requirements of the Portland Water District.

Lots 2 and 3 will be served by two 1" private water services extended from the Portland Water District's 8" water main located in the Main Street right-of-way. The water main services and installation must meet the requirements of the Portland Water District.

Finding: Garden Place 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.

Lot 1 will be served by a 6" private gravity sewer services extended from the Portland Water District's 8" sewer main or sewer manhole located in the Garden Avenue right-of-way. The sewer services and installation must meet the requirements of the Portland Water District.

Lots 2 and 3 will be served by two 6" private sewer services extended from the Portland Water District's 8" sewer main located in the Main Street right-of-way. The sewer services and installation must meet the requirements of the Portland Water District.

Finding: Garden Place 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 site will be allowed to sheet flow across the lots into vegetated areas and towards the Town's stormwater road infrastructure. The proposed development will not disturb over an acre and is located within the Urbanized Area as defined in the Town's Storm Water Ordinance, Chapter 2, Post-Construction Storm Water Management.

The dwelling units' sewage disposal will be directed into the public sewer system and treated by the Portland Water District.

Finding: Garden Place Condominiums 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 proposed construction of the condominium units and private driveways will not impact any wetlands or waterbodies.

Finding: Garden Place 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.

The lot is not located in any of the Town's Shoreland Overlay Districts.

Finding: Garden Place 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 lot had been previously developed and the applicant is proposing to remove the existing trees located on the northern third of the site.

No historic site, rare or irreplaceable natural or manmade assets are located on the site.

Finding: Garden Place 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 of Intent to Fund dated April 28, 2016, from Jim Stone, President, with Casco Federal Credit Union. The applicant has also provided a cost estimate for the project from Woods Excavating, LLC.

No changes are proposed.

Finding: The applicant has adequate financial resources to construct the proposed improvements and meet the criteria standards for the development.

- 3) Every subdivision shall be responsible for providing open space and recreational land and facilities to meet 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 8.

The applicant will be required to pay the Recreational Facilities and Open Space Impact Fee prior to issuance of building permits.

Finding: Garden Place Subdivision will be 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 not proposing to create any open space or recreational land and facilities within the subdivision.

Finding: Not applicable.

CHAPTER 3 - SUBDIVISION, SECTION 4 – 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 proposal is for an amendment to a previously approved subdivision so preliminary and final approvals are not required.

Finding: Not applicable.

- 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 proposal is for an amendment to a previously approved subdivision so preliminary and final approvals are not required.

Finding: *Not applicable.*

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 houses shall be properly numbered with the numbers being visible from the street year around;
4. That the underground electric lines shall be inspected by the Code Enforcement Office prior to backfill;
5. That prior to the Planning Board's endorsement of the final plan the applicant will receive approval from the Portland Water District on the proposed water and sewer lines;
6. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board;
7. That the subdivision/site plan 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
8. That once the subdivision plan has been recorded at the Cumberland County Registry of Deeds, a dated mylar copy of the recorded subdivision plan shall be returned to the Town Planner prior to a pre-construction meeting being held.