

PLANNING BOARD MEETING

June 6, 2016

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

Members Present

EDWARD ZELMANOW, Chairman
JAMES ANDERSON
GEORGE FOX
LEE PRATT
RACHEL SUNNELL

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 7:00 p.m. The Clerk called the roll, noting that Scott Firmin and Scott Herrick were absent.

APPROVAL OF THE MAY 2, 2016 MINUTES

Rachel Sunnell **MOVED** and Lee Pratt **SECONDED** a motion to approve the minutes of May 2, 2016 as written and distributed. Motion **CARRIED**, 4 ayes (Scott Firmin and Scott Herrick absent; James Anderson abstaining as not having been present at the meeting).

COMMITTEE REPORTS

A. Ordinance Review Committee – Mr. Zelmanow noted that there has been no meeting of this committee.

B. Streets and Ways Subcommittee – Mr. Zelmanow reported that this committee has not met.

CHAIRMAN'S REPORT – Mr. Zelmanow said there is no Chairman's report this evening.

ADMINISTRATIVE REVIEW REPORT – Mr. Poirier reported that staff is working on Steven Bibula's farm stand approval documents and the plans will be signed in the next week.

CONSENT AGENDA

Site Plan Review: 17 Laurence LLC – request for approval to add two commercial use buildings (8,970 sf and 8,190 sf) and associated parking at 17 Laurence Drive, Lot O of the Gorham Industrial Park, located on Map 12, Lot 18.001, Industrial zoning district.

Gravel Pit Amendment: Shaw Brothers – request for approval to split land out of the existing gravel pit lot and site plan approval to expand the aggregate handling area, stockyard and

laydown areas, located at 351, 355, 359 and 363 Mosher Road, Map 31, Lot 9 through 15, and Map 34, Lots 9 and 15.001, Industrial zoning district.

Mr. Zelmanow explained that neither item on the Consent Agenda will be discussed unless a Board member or a member of the public wishes to remove an item from the agenda.

Rachel Sunnell MOVED and Edward Zelmanow SECONDED a motion to take 17 Laurence LLC off the Consent Agenda. Motion CARRIED, 5 ayes. (Scott Firmin and Scott Herrick absent).

Discussion regarding 17 Laurence LLC: Ms. Sunnell said that there are no plant sizes on the landscape plan and there is no photometrics plan. Shawn Frank, the applicant's engineer, said that a photometrics plan will be submitted. Mr. Frank, Dylan Lippold, applicant, and Ms. Sunnell discussed exactly what should be shown on the plans, such as stating the caliper of a proposed tree. Mr. Frank said he would modify the plans per this evening's discussion.

James Anderson MOVED and Rachel Sunnell SECONDED a motion to postpone 17 Laurence site plan review to the Planning Board's June 20, 2016 Consent Agenda. Motion CARRIED, 5 ayes (Scott Firmin and Scott Herrick absent). [7:25 p.m.]

Edward Zelmanow MOVED and Rachel Sunnell SECONDED a motion take the Shaw Brothers gravel pit amendment off the Consent Agenda. (Scott Firmin and Scott Herrick absent).

Discussion regarding the Shaw Brothers Consent Agenda item: Mr. Zelmanow advised that the applicant has not yet received its Army Corps of Engineers' permit. The Board concurred that the item could be postponed to the Board's June 20, 2016 Consent Agenda., pending receipt of that permit.

George Fox MOVED and James Anderson SECONDED a motion to postpone Shaw Brothers gravel pit amendment to the Planning Board's June 20, 2016 Consent Agenda. Motion CARRIED, 5 ayes (Scott Firmin and Scott Herrick absent). [7:30 p.m.]

ITEM 1 PUBLIC HEARING (CONTINUED) – WIRELESS TELECOMMUNICATIONS REVIEW – Portland Cellular Partnership d/b/a Verizon Wireless – request for approval of a wireless telecommunications facility and equipment shelter located off New Portland Road, Map 29, Lot 11, Industrial zoning district.

Mr. Poirier told the Board that the applicant is asking for a waiver from the boundary survey requirement which the Board can grant if it feels that enough information has been provided to ensure that the required setback of 110% of the height of the tower has been met from all property liens.

Josh Lanzetta, McLane Middleton, introduced Chip Fredette from Verizon Wireless. Mr. Lanzetta explained that a re-evaluation of the site shows that the south boundary is actually 233 feet and the

east boundary to the property is 210 feet. At Mr. Zelmanow's request, Mr. Fredette explained how the measurements were achieved, noting that the easterly side line in particular is defined by a certain distance from the relocated position of the paper road called Cobb Road.

Mr. Lanzetta said they are willing to abide by all the conditions of approval, including putting a note on the plans to address the Fire Department's concern about having a repeater installed on the tower.

Mr. Poirier said that there does not need to be a written waiver for the boundary survey if the Board is satisfied with the current setback numbers. Mr. Fredette replied that there is a plan stamped by a professional surveyor in the State of Maine showing 233 feet to the easterly sideline, 210 feet to the public way, 618 feet to the westerly sideline, and 1,354 feet to the rear lot line. In reply to Mr. Pratt, Mr. Fredette said that a boundary survey on the entire parcel would cost \$20,000 to \$25,000. Mr. Anderson said he is satisfied with the revised boundary lines if they are as presented this evening and verified by a surveyor; Mr. Zelmanow concurred.

George Fox MOVED and James Anderson SECONDED a motion to grant Verizon Wireless' waiver request from the requirement to provide a boundary survey. Motion CARRIED, 5 ayes (Scott Firmin and Scott Herrick absent). [7:37]

Ms. Sunnell confirmed that a photo rendering of the proposed tower has been submitted. In reply to Mr. Zelmanow about landscaping, Mr. Lanzetta said that they are proposing only a minimum of vegetation and the lot is heavily wooded and abuts a substantial line of transmission towers. Mr. Fredette said that the road leading to the tower is sharply curved to the left to prevent a bore sight view.

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

Mr. Poirier noted that Finding of Fact "E, Setbacks" needs to be revised to read: *The two closest property lines to the tower are 210' from the southern property line and 233' from the eastern property line.*"

Mr. Lanzetta confirmed that the applicant is agreeable to the conditions of approval.

George Fox MOVED and James Anderson SECONDED a motion to grant Portland Cellular Partnership's request for a Wireless Telecommunication Facility approved for a 120' tower located on 64.6 acres off New Portland Road on Map 29 Lot 11 in the Industrial zoning district, based on Findings of Fact and Conditions of Approval as written by the Town Planner and modified this evening by the Planning Board. Motion CARRIED, 5 ayes (Scott Firmin and Scott Herrick absent). [7:35 p.m.]

ITEM 2 PUBLIC HEARING – SITE PLAN AMENDMENT – Foreside Enterprises and Development, LLC's request for approval of construction a 5,200 square foot one-story building addition for service equipment and supplies at the existing ServPro facility, located at 9 Hutcherson Drive, Map 12, Lot 23.003, Industrial zoning district.

Mr. Poirier told the Board that this application is for a site plan amendment for the existing company, ServPro, located at the site. He said that the Board will, as part of site circulation, also review the parking spaces located on the eastern property line that were not included as part of the original site plan approval.

Shawn Frank, Sebago Technics, introduced Dennis Waters, PATCO Construction, who will be constructing the proposed addition. Mr. Frank said this location is 9 Hutcherson Drive and is a 9,000 square foot building approved and constructed in 1989, and is currently occupied by the local ServPro franchise. This proposal is to add 5,200 square feet for service equipment vehicles and storage of materials. All utilities are available and serve the site, with a 50 foot right-of-way having a water line and sewer line extended into the building for both fire and domestic use, as well as for sewer service. Underground electric will be extended from the existing building to the addition. Mr. Frank noted the presence of a hydrant.

Mr. Frank pointed out the parking spaces not originally approved. Mr. Frank showed the direction of stormwater flow and said there will probably be about 1,200 to 1,300 square feet of wetlands impact. He said they would like to work with the Assessor regarding his recommendation that the driveway serving the ServPro facility be named. Lighting will be 4 wall-pack units over the doors, which will be added to the plans, along with the dumpster and propane tank locations.

Mr. Anderson asked if a sidewalk will be extended to the door in the rear of the building. Mr. Frank replied that only a pad is proposed at the door, which is designed for fire access. In reply to Mr. Fox, Mr. Frank said that snow removal will be done to make sure that door is accessible. Mr. Frank told Mr. Fox that there will be no change in use for the new addition. Mr. Zelmanow asked what the largest size truck will be and if there is enough turning radius. Mr. Frank replied that it is basically box trucks, service master van size, using the site. Ms. Sunnell asked if the landscaping shown on the plan is actually there. Mr. Frank confirmed that came from the existing conditions plan received from the surveyor just completed and existing vegetation will be retained and disturbed areas will be loamed and seeded.

Mr. Anderson asked about Woodard & Curran's comment that the proposed new culvert proposes to discharge stormwater to the boundary line of the abutting property. Mr. Frank said there is a well-defined drainage area to accommodate the flow. Ms. Sunnell asked about the awkward layout of the parking layout; Mr. Frank said they can grind out the first two spaces. In reply to Mr. Fox, Mr. Frank said that some time ago, the parking spaces on the eastern were added to the site, which will now be reviewed by the Board. Mr. Frank said he will check the plan to determine if a handicapped parking space is provided.

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

The Board concurred that no site walk will be required.

George Fox MOVED and Rachel Sunnell SECONDED a motion to postpone further review of Foreside Enterprises and Development, LLC's request for site plan amendment pending responses to remaining issues and finalizing revisions to the plan. Motion CARRIED, 5 ayes (Scott Firmin and Scott Herrick absent). [7:52 p.m.]

ITEM 3 PUBLIC HEARING – SITE PLAN AMENDMENT – Shawn Moody – request for approval of a building addition at 200 Narragansett Street, located on Map 39, Lot 22, Narragansett Development District zoning district.

Mr. Poirier said that the proposed building expansion is located in an area which is already disturbed so the net area calculation is not affected. The use of the site is not a permitted use in the Narragansett Development District, so the applicant had to receive approval from the Zoning Board of Appeals to expand/enlarge a legally non-conforming use. The appeal was granted on May 19, 2016.

Shawn Moody, applicant, explained his proposal as adding 2,668 square foot building area which encapsulates an existing equipment room, so the actual increase in square footage is about 2,000 square feet. Mr. Moody said a new process has been implemented called ‘blueprinting,’ where a vehicle is disassembled to the point where damage estimating can be done and the various necessary parts and pieces can be secured to facilitate repair in a more timely fashion. This new process however requires two new bays just for estimating and blueprinting and an additional storage area for “parts carts.”

Mr. Zelmanow commented that it appears that five parking spaces will be lost, which Mr. Moody confirmed. Mr. Moody also confirmed that there is one handicapped parking space out back and two out front. Mr. Fox confirmed that the existing equipment room has been previously approved.

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

Mr. Moody said he is satisfied with the conditions of approval.

George Fox MOVED and James Anderson SECONDED a motion to grant Shawn Moody’s request for site plan amendment approval to construct a 2,668 square foot addition off the back of the building at the property located at 200 Narragansett Street on Map 39 Lot 22, and Map 39, Lot 28, in the Narragansett Development zoning district with Findings of Fact and Conditions of Approval as written by the Town Planner. Motion CARRIED, 5 ayes (Scott Firmin and Scott Herrick absent). [8:02 p.m.]

Ten Minute Break

ITEM 4 PRIVATE WAY REVIEW – Freeman and Sharlene Richardson – request for approval of a private way to serve two new lots and the existing family home at 220 Burnham Road, located on Map 1, Lot 1, in the Rural and Manufactured Housing zoning districts.

Mr. Poirier explained that the proposal is for a private way designed to the 2 to 6 lot private way standard for two family lot splits to be done in the future. Mr. Poirier said that the applicant has asked for three waivers: one to scale the drawings at 1”-50 and 1”-5, instead of the required horizontal scale of 1” – 40 and 1” - 4; one from a soils survey, which private ways do not require, and one from a stormwater plan, which private ways do not require. Mr. Poirier said the Public

Works Director had no concerns about the existing scale as drawn on the plans but deferred to the Board's determination that the scale is adequate. Mr. Poirier said that the applicant's requested name of "Gatchell Way" has been approved for 911 purposes. The Board should also determine if a site walk is required.

Thomas Greer, Pinkham & Greer, appeared on behalf of the applicants and explained that there is a large lot that has been in the family for over 100 years and it is the applicants' intention to create a family compound, with one child building on a lot fairly soon and another one possibly building in the future. Mr. Greer said the reason for the scale waiver request is that it keeps the plan all on one sheet and is therefore easier to review. The private way will come off Burnham about 1,000 feet with a hammerhead turnaround and follows the existing driveway to the existing home on the lot. The driveway will be upgraded to meet current private way standards. Mr. Pinkham described how stormwater infiltrates into the front of the lot, which are A soils. There is adequate site distance at Burnham Road and a 20-foot apron will be constructed in accordance with Town standards.

Mr. Fox confirmed again with Mr. Pinkham about the scale of the drawings being changed to keep the plans on one sheet. Mr. Zelmanow said he does not believe that the change in scale is a problem, but asked that the Public Works Director submit something in writing that he has no problem with the difference in the scale so that it will be in the file as he has to approve the change anyway.

Ms. Sunnell confirmed that this application is for a private way only and not a subdivision, asked if the applicants can build on it without subdivision approval. Mr. Poirier said that is a family lot split and if the splits are to the family members and they hold the lots for 5 years, they will not trigger subdivision review.

Mr. Anderson asked if a wetlands delineation is required for a private way. Mr. Zelmanow said that it is not required and if the Board doesn't ask for one, it does not have to be provided.

The Board concurred that no site walk is necessary.

PUBLIC COMMENT PERIOD OPENED: Greg Beal, 218 Burnham Road, asked Mr. Greer to explain exactly what is required to bring the driveway up to private way standards. Mr. Greer explained that there has to be a paved apron 20 feet wide out front at Burnham Road to meet Town standards, the driveway needs to be about 2 to 3 feet wider, the grade will be raised 6 to 8 inches. **PUBLIC COMMENT PERIOD ENDED.**

In response to Mr. Zelmanow, Mr. Poirier said that once the items having to do with private way performance standards are addressed, the item could go on to the Board's consent agenda.

George Fox MOVED and Rachel Sunnell SECONDED a motion to table further review of Freeman and Sharlene Richardson's request for private way approval to a future Planning Board consent agenda pending the submission of revised information addressing outstanding staff and Planning comments. Motion CARRIED, 5 ayes (Scott Firmin and Scott Herrick absent) [8:22 p.m.]

ITEM 5 PRE-APPLICATION DISCUSSION – SITE PLAN – Sebago Brewing Company – request for approval of a facility to accommodate a brewery, restaurant, event function center, manufacturing, warehousing and corporate offices on a 4.45 acre parcel of the ecomaine parcel, Route 25, Map 32, Lot 12, Industrial zoning district.

Mr. Poirier reminded that the Board that pre-application discussions are just between the Board and an applicant to discuss a proposal. This proposal is for a “destination” brewery facility to accommodate a brewery, restaurant, event function center, manufacturing warehousing and corporate offices.

Andrew Morrell, BH2M Engineers, appeared on behalf of the applicant and introduced Kai Adams of Sebago Brewing. He said that Sebago Brew, currently in the Industrial Park, is looking to relocate their entire operation to a “destination facility.” A 4.45 acre parcel will be leased from the Shaw Brothers Family Foundation, the former ecomaine site. Being proposed is a 21,000 square foot building, with an 8,400 square foot expansion in the back that has been added to the plans; Mr. Morrell gave the Board revised plans showing the expansion. 138 parking spaces are proposed in front of the building along Main Street, with 2 curb cuts. All utilities will be public from Main Street, Route 25.

Kai Adams, Sebago Brewing, explained to the Board that when they were last before the Board a contract zone was being proposed, but that is no longer in consideration. He said that the company is experiencing major growth, up about 52%, an unheard-of growth in craft beer, and as a result they need to increase the brewery footprint with a larger production facility. There is an increased growth in “beer tourism,” so they are proposing not a full scale restaurant, but more of a tasting room where people can come take a tour of the brewery and then partake of some small plates, using local foods. The large amount of parking will be for folks who will use the trails, etc., proposed on the Shaw Family land and then return to Sebago to take a tour, grab a salad and have a beer.

Mr. Adams said they need to grow the brewery, which is why there is an expansion at the back of the building to accommodate anticipated additional growth in three to five years. Two curb cuts will allow a right turn into the site from people from Portland.

Ms. Sunnell said she would like to see the parking lot look like a gateway to Gorham, so adding proper sized landscape islands to allow trees to root. Mr. Adams said the building is set back far on the parcel and the parking lot will be tiered down and not look like a massive Maine Mall parking lot. Ms. Sunnell said that tiers, which are perfect spots for landscaping, need to be shown and drawn on the plans. Ms. Sunnell recommended creating green space around the building wherever the public is, not necessarily where the buses or trucks are, but where the public is going to be. Mr. Fox asked if consideration can be given for screening for safety reasons between the parking lot and Main Street, to make sure that headlights will not shine out directly into traffic going by. Mr. Fox said that is it might be better to have parking on the side and in the back, commenting that the big lot in front would be very commanding. Mr. Zelmanow noted that is a requirement in the Code as well, that parking be screened from the street.

Mr. Zelmanow asked if there are going to be steps in the parking tiers to allow someone to get from the lot to the building. Mr. Morrell said that they haven’t gotten too far into the design of the

grading, but they are envisioning some kind of retaining wall on the Main Street side of the lot, so the lot will be lower than the road, and they could potentially have two tiered parking lots with some stairs in between them. In reply to Mr. Fox, Mr. Morrell said that the building will be some 14 feet below street level. Mr. Zelmanow recommending giving thought to the location of handicapped parking spots.

Mr. Zelmanow asked about lighting on the building and in the parking lot, especially on the landscape islands. Mr. Zelmanow asked about hours of operation; Mr. Adams replied that they will be 11:00 a.m. to 11:00 p.m. Mr. Zelmanow asked about signage, whether there will be a building sign or a free-standing sign by the road, how many signs, and their appearance. Mr. Adams told Mr. Zelmanow that there will silos on site on the production side of the site. Employee parking locations should be shown on the plan, as well as dumpster locations. Loading docks will be located on the east side of the building, and turning radii will be provided.

Mr. Fox asked whether the building will be single story or something taller. Mr. Adams replied that it will be 28 feet, but it will be set down from the street. Mr. Adams said they need one floor for the brewery, but the tasting room will be in the front of the building and the corporate offices will be upstairs. There will be a couple of man doors where the trucks come in and a central entrance.

Mr. Zelmanow asked if any improvements will be needed to be made on Main Street, such as a dedicated turning lane. Mr. Morrell replied that John Adams of Milone and McBroom; who has done the Martin's Point traffic study and some work for Nappi Distributors, is part of the team to look at traffic impacts this site would have on Main Street and based on his findings, they will look at anything that might be needed on Main Street. Mr. Zelmanow recommended including the Public Works Director in any traffic discussions.

Mr. Adams replied to Mr. Zelmanow that the site will be on natural gas.

Mr. Adams said they hope to start and get permitted out through September/October. Mr. Morrell said that permits required will be from DEP for stormwater and an entrance permit from the DOT. Mr. Morrell said they hope to submit for the August Board meeting and to the DEP at the same time.

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

ITEM 6 DISCUSSION – LAND USE AND DEVELOPMENT CODE – Definitions -
Amendment to Chapter I to revise the requirements of home occupations.

Mr. Poirier explained that this item has been referred to the Planning Board by the Town Council. The Council is proposing to allow farm stands, plumbers, electricians and builders as home occupation uses, which will have additional requirements that will need to be met.

After discussion, the Board concurred that the item should be forwarded to the Board's ordinance committee for review and recommendations.

PUBLIC COMMENT PERIOD OPENED: None offered.

PUBLIC COMMENT PERIOD ENDED.

George Fox MOVED and James Anderson SECONDED a motion to send the proposed zoning amendment to the definition of home occupation to the Planning Board's ordinance committee for review and recommendations. Motion CARRIED, 5 ayes (Scott Firmin and Scott Herrick absent). [8:55]

ITEM 7 DISCUSSION – LAND USE AND DEVELOPMENT CODE – Amendment to Chapter I: Rural District – Permitted Uses and Performance Standards regarding landscape companies and contractors' yards.

The Board concurred that this item as well should be forwarded to the Board's ordinance committee for review and recommendations.

PUBLIC COMMENT PERIOD: Mike Means, 19 Chadwick Drive, said he has a small landscape company out of his home and asked what he would need to do to satisfy any requirements the Board may have about screening from neighbors or anything else the Board may ask for, Mr. Zelmanow replied that this is what the ordinance committee will try to work out; Mr. Means is welcome to attend such a workshop to discuss his concerns and/or suggestions. Mr. Means should provide staff with his full address so that he can be notified.
PUBLIC COMMENT PERIOD ENDED.

George Fox MOVED and Rachel Sunnell SECONDED a motion to send the proposed zoning amendment to the definition of home occupation to the Planning Board's ordinance committee for review and recommendations. Motion CARRIED, 5 ayes (Scott Firmin and Scott Herrick absent). [8:55]

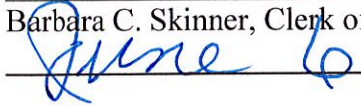
OTHER BUSINESS NONE

ANNOUNCEMENTS NONE

ADJOURNMENT

James Anderson MOVED and Rachel Sunnell SECONDED a motion to adjourn. Motion CARRIED, 5 ayes (Scott Firmin and Scott Herrick absent). [8:59 p.m.]

Respectfully submitted,

Barbara C. Skinner, Clerk of the Board
 , 2016

ITEM 1 PORTLAND CELLULAR PARTNERSHIP D/B/A VERIZON WIRELESS

CHAPTER VI, WIRELESS TELECOMMUNICATIONS FACILITIES

SECTION 6 STANDARDS OF REVIEW

The Planning Board, following review of the Site Plan Amendment Application, makes these findings based on the Wireless Telecommunication Facilities criteria found in Chapter VI, Section 6 –Standards of Review, of the Town of Gorham Land Use and Development Code.

- A. Priority of Locations. New wireless telecommunications facilities must be located according to the priorities below, with 1 as the highest priority, 2 the next highest priority, etc. The applicant must first demonstrate that a facility of a higher priority cannot reasonably accommodate the applicant's proposed facility before approval of a new facility will be permitted.
- 1) Co-location on an existing wireless telecommunications facility or other existing alternative support structure as defined in Section 15.
 - 2) New facility on public or private property in an Industrial District.
 - 3) New facility on public or private property in a Roadside Commercial District or Narragansett Development District.
 - 4) New facility on public or private property in a Rural District.
 - 5) Any other location allowed by this ordinance.

Finding: The ability to co-locate on an existing wireless telecommunication tower is not possible because no tower is located within the desired coverage area. The proposal is to locate the wireless telecommunication tower on private property located in the Industrial District.

- B. Siting on Municipal Property. If an applicant proposes to locate a new wireless telecommunications facility, or expand an existing facility on municipal property, the applicant must show the following:
- 1) The proposed location complies with applicable municipal policies and ordinances.
 - 2) The proposed facility will not interfere with the intended purpose of the property.
 - 3) The applicant has a lease agreement with the municipality that includes reasonable compensation for the use of the property and other provisions to safeguard the public rights and interests in the property.
 - 4) The applicant has adequate liability insurance of a minimum of \$1,000,000 coverage and has named the Town of Gorham as an additional insured. The

Town may require higher limits of coverage where circumstances require more coverage to protect the community.

Finding: *Not applicable.*

- C. Design for Co-location. A new wireless telecommunications facility and related equipment must be designed and constructed to accommodate future co-location of at least two additional wireless telecommunications facilities or providers.

Finding: *The tower is designed to hold equipment for three additional providers and will comply with the request from Gorham Public Safety to locate a radio system repeater at the facility.*

- D. Height. A new wireless telecommunications facility must not exceed the following maximum height standards.

2a. Rural District	Maximum height shall
b. Roadside Commercial District	be 150 feet, except
c. Industrial District	where there is evidence
	of acceptable design, an
	additional 20 feet of
	height for each additional user is
	permitted, up to a maximum
	height of one hundred ninety
	(190) feet.

Finding: *The proposal is to locate a 120' high monopole tower with an optional 5' air terminal antenna making the total height of the facility 125'.*

- E. Setbacks. A new or expanded wireless telecommunications facility must comply with the set back requirements for the zoning district in which it is located, or be set back one hundred ten percent (110%) of its height from all property lines, whichever is greater; provided, however, these setback requirements shall not apply to co-location on structures that exist as of the date of adoption of this ordinance.

In the districts where such towers are allowed, the setback may be satisfied by including the areas outside the property boundaries if secured by an easement. However, the setback may not be reduced to less than the standard setback for such districts in any case.

Finding: *The two closest property lines to the tower are 210' from the southern property line and 233' from the eastern property line.*

- F. Landscaping. A new wireless telecommunications facility and related equipment must be screened with plants from view by abutting properties, to the maximum extent practicable. Existing plants and natural land forms on the site shall also be preserved to the maximum extent practicable.

Finding: *The proposal is to utilize existing trees and slopes on the site to screen the telecommunication facility. Clearing on the site is limited to the minimum amount needed to construct the wireless telecommunication facility and access driveway.*

- G. Fencing. A new wireless telecommunications facility must be fenced to discourage trespass on the facility and to discourage climbing on any structure by trespassers.

Finding: *The telecommunication facility is proposed to be fenced with an 8' chain link fence with three strands of barbed wire located on the top.*

- H. Lighting. A new wireless telecommunications facility must be illuminated only as necessary to comply with FAA or other applicable state and federal requirements. If lighting is required, the Planning Board shall review the available lighting options and approve the design option that would cause the least disturbance to surrounding properties and views. Security lighting may be approved as long as it is shielded to retain light within the boundaries of the site, to the maximum extent practicable, by using down-directional, sharp cutoff luminaries so that there is a minimum of spillage of illumination off-site.

Finding: *The tower is not proposed to be illuminated to meet FAA standards and the applicant is not proposing any type of illumination for the fenced-in compound area.*

- I. Color and Materials. A new wireless telecommunications facility must be constructed with materials and colors that match or blend with the surrounding natural or built environment, and incorporate stealth design to the maximum extent practicable. Unless otherwise required, muted colors, earth tones, and subdued hues shall be used.

Finding: *The monopole is proposed to be galvanized steel with a dull gray finish.*

- J. Structural Standards. A structural engineer, licensed in the State of Maine, must certify in writing that a new wireless telecommunications facility complies with the current Electronic Industries Association/Telecommunications Industries Association (EIA/TIA) 222 Revision Standard entitled "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures."

Finding: *The structural plans for the wireless telecommunication facility sheets, Details D-1 and Details D-3, have been designed and stamped by State of Maine Professional Engineer Thomas E. Johnson # 10915. The foundation plan for the wireless telecommunication will be designed by a licensed Professional Engineer once the geotechnical exploration of the site has occurred.*

- K. Underground Utilities and Access Road. Except for new facilities that are attached to an alternate support structure, all wireless telecommunications facilities must be serviced by underground utilities and by an access road that provides space for at least one (1) vehicular parking space on site and is secured by a gate. Lots that have Wireless Telecommunications facilities do not have to meet the frontage requirements of Chapter I of the Land Use and Development Code.

The access road shall be constructed to the following minimum standards:

Minimum Required Right of Way Width	30 feet
Minimum Travel Way Width	12 feet
Paved Apron, at Intersection with Paved Public Way	20 feet in length
Maximum Grade at Street Intersection	5%
Minimum Pavement Radii at Street Intersection	15 feet
Minimum Centerline Radius	60 feet
Minimum Grade	0.7%
Depth and Type of Gravel Base Required	12" Type D
Depth and Type of Surface Gravel Required	3" Type A or equal
Maximum Grade for gravel	6%
for grades less than 6.0%	Gravel
for grades steeper than 6.0%	3" bituminous
Storm Water Drainage	per Town Engineer

Terminus: A suitable turn around shall be located outside any fenced area and at the end of the access road.

Finding: *The wireless telecommunication facility will be served by underground utilities. The facility will have the required access road with the ability to park one vehicle.*

- L. Noise. Except during construction, repair, or replacement, operation of a back-up power generator at any time during a power failure, and testing of a back-up generator between 8 a.m. and 9 p.m. are exempt from noise standards.

Finding: *The facility is proposed to have a back-up generator which produces 45 db at 30' and will be tested every Wednesday at 10:00 a.m..*

- M. Advertising. No advertising or signage is allowed on wireless telecommunication facilities.

Finding: *The applicant is not proposing any signage advertising the name of the company or product.*

- N. Historic & Archaeological Properties. The proposed facility, to the greatest degree practicable, must have no unreasonable adverse impact upon a historic district, site or structure which is currently listed or eligible for listing on the National Register of Historic Places.

Finding: *The facility has no adverse impact on the Stephen Longfellow House and the galvanized monopole tower blends in with the existing transmission towners directly abutting the parcel.*

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 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;
4. That any proposed use on the site shall meet the sound level requirements outlined under Chapter IV, Section IX, T. Noise;
5. That the applicant shall comply with the request to allow Gorham public safety to locate a radio system repeater at the facility;
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, its 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 the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and
9. 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.

ITEM 3

SHAWN MOODY – SITE PLAN AMENDMENT

CHAPTER IV, SITE PLAN REVIEW, SECTION IX – 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 IV, Section IX – Approval Criteria and Standards, of the Town of Gorham Land Use and Development Code.

CHAPTER IV, Section IX – Approval Criteria and Standards

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

The applicant is proposing to construct 2,668 square feet of new commercial space located to the rear of the building.

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

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

Access to the site is via Narragansett Street, State Route 202/4. Narragansett Street is considered a principal arterial by the Maine Department of Transportation.

No increases in vehicle trips are proposed with the building addition.

Finding: Narragansett Street, State Route 202/4, has adequate capacity to accommodate the traffic generated by the development.

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

The existing paved driveway is 15' wide and shared with the Insurance Auto Auction use. No changes are proposed to the existing driveway entrance from Narragansett Street, State Route 202/4.

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 site provides for two-way vehicle access circulation around the building and through the parking lot. The proposed addition in the rear parking area will continue to allow two-way circulation around the building and through the parking areas.

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.

Parking areas are located near the building and no changes are proposed to the existing pedestrian circulation within the development.

No sidewalks are proposed along Narragansett Street, State Route 202/4.

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 proposed building addition is located on bituminous area. No increase in the amount of impervious area is proposed as part of the building addition. Stormwater flows and directions are proposed to remain unchanged.

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 building construction contractor is required to install erosion control devices meeting the requirements of the Maine Erosion and Sediment Control Best Management Practices, Bureau of Land and Water Quality, Maine Department of Environmental Protection.

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 existing building has two water stubs into the building: the domestic water stub, which is a 1-1/2" diameter service line; and a 6" diameter fire service which supplies the building's sprinkler system.

No changes to the site's existing water supply are proposed.

Finding: *The proposed development provides sufficient water supply available for present and future needs as reasonably foreseeable.*

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 existing site is served by an existing septic system. No changes to the site's existing septic system are proposed.

Finding: *The proposed development provides for adequate solid and sewage waste disposal for present and future needs as reasonably foreseeable.*

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

The existing building is served by underground cable, telephone, and power. No changes to the site's existing utilities are proposed.

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

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

The proposed improvements to the site are on areas previously disturbed as part of previous site plan construction. No natural features or open space are proposed to be developed as part of the site plan approval.

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 expansion will not impact the groundwater table on the site.

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

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

The perimeter of the pavement has ten pole mounted full cut-off lights to illuminate the parking areas and access drives. There are seven full cut-off wall packs located on the building to illuminate entrances and walking areas.

One wall-mounted light will be relocated as part of the building construction.

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.

Currently the site has a screened dumpster/propane storage pad located on the eastern corner of the existing parking area. No changes are proposed to the existing waste disposal on site.

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

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

The site has existing landscaping located between the street right-of-way and the existing pavement access driveway. The building also has foundation landscaping with trees located near the front of the building.

No impacts are proposed to any existing landscaping on the site.

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

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

The lot is not located in the Shoreland Overlay District.

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

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

The applicant has provided a letter dated May 27, 2016, from Richard R. Flagg, Vice President, Commercial Lending, Norway Savings Bank, regarding the applicant's financial capacity.

The applicant has been in auto body repair for 38 years and has general contracted 11 buildings in Gorham, as well as a number of commercial expansions located on the lot.

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 landscaped along the property line on Narragansett Street, State Route 202/4. The rear of the parcel is extensively wooded with a mix of deciduous and evergreen trees.

No changes are proposed to any open space or landscape buffering.

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 60 dBA daytime (7 a.m. - 7 p.m.) and 50 dBA nighttime (7 p.m. - 7 a.m.).

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