

PLANNING BOARD MEETING

April 11, 2016

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

Members Present

EDWARD ZELMANOW
GEORGE FOX
SCOTT HERRICK
LEE PRATT
RACHEL SUNNELL

Members Absent

JAMES ANDERSON
SCOTT FIRMIN

Staff Present

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

Edward Zelmanow, Chairman, called the meeting to order at 7:06 p.m. The Clerk called the roll, noting that James Anderson and Scott Firmin were absent.

CONTINUED FROM APRIL 4, 2016 MEETING

ITEM 6 PUBLIC HEARING – Subdivision and Site Plan – PTG Investment Trust – request for approval of 3 single-family condominium units and 2 commercial units with second floor apartments off Main Street and Garden Avenue, located on Map 109, Lot 11, Urban Residential and Office Residential zoning districts.

Mr. Poirier advised the Board that this item was last before the Board at its March 7, 2016 meeting as the second pre-application the applicant has had before the Board. The proposal changed between the two pre-application hearings from a single-family condominium unit development to a mixed use development of 3 single-family condominium units and 2 commercial units with second floor apartments. Mr. Poirier noted that the two commercial units will require a master sign plan to be reviewed and approved by the Board as part of its review. He said the applicant is requesting a waiver from the requirement to provide a high intensity soils survey. The Board should also determine if a site walk is warranted for the project.

Andrew Morrell, BH2M Engineers, appeared on behalf of the applicant, PTG Investment Trust, who is proposing Garden Place, 3 residential condo units on Garden Avenue with a shared driveway and utilities off Garden Avenue. In addition to the residential condo units, the front portion of the project will come off Main Street and consist of 2 commercial buildings approximately 1,650 square feet in size with a residential apartment on the second floor of each of those units, and with utilities coming off Main Street. Mr. Morrell said that an application for a master sign plan will be presented when the applicant comes forward for final approval, color and height of the buildings will also be provided, road names will be coordinated with the Fire Chief, financial information is being worked on, and a dumpster will be added and shown on the plans. Mr. Morrell also commented that information has been received from David Fogg about a possible storm drain crossing from his site to this parcel; they are working with Public Works to confirm the existence of that storm drain.

In reply to a question from Mr. Zelmanow, Mr. Morrell said he believes the comments from the review engineer are minor in nature involving minor changes to the plans, which will be added.

Mr. Herrick commented on the notation that there is a reservation of right to use the second floors of the commercial units as commercial as well, and asked if the proposed parking would be adequate should that happen. Mr. Morrell replied that the number of parking spaces shown on the plans reflect the zone requirements in place if two floor of commercial uses were to be used. Mr. Herrick asked about the portion of the parking on the residential side which is in the setback. Mr. Morrell said they will work with staff and tweak the parking to get it out of the setback if necessary.

Mr. Zelmanow asked that a cross walk be installed to connect the two commercial unit walkways. Mr. Morrell confirmed they will have a master sign plan for the Board to review at the time of final approval. Ms. Sunnell said she appreciates the landscape plan submittal, and asked that additional screening be added around the residential area, specifically to the east.

PUBLIC COMMENT PERIOD OPENED: David Arthur Fogg, residing at 208 Main Street and owner of 9 Lawn Avenue, now a rental, spoke about ten feet of unbuildable space which provides the drainage for Lawn Avenue getting across to a catch basin at the property of Jason Burks at 65 Garden Avenue. Mr. Fogg said he will provide copies to the Board of his deed mentioning the easement. Mr. Fogg said there is no record through the Town that this is a drainage system. Mr. Morrell confirmed to Mr. Zelmanow that he will track it down with Public Works and update Mr. Fogg.

Mr. Fogg spoke about maintaining a green space around the development.

Amber Burks, 65 Garden Avenue, confirmed the catch basin on her property, and asked that she and her husband also be advised when Mr. Morrell speaks to Mr. Fogg. Ms. Burks asked for some sort of privacy buffer for her property.

PUBLIC COMMENT PERIOD ENDED.

Mr. Zelmanow addressed the applicant's request to waive the submission requirement for a Class A High Intensity Soil survey, noting that the project will be served by public water and sewer.

George Fox MOVED and Rachel Sunnell SECONDED a motion to grant PTG Investment Trust's request to waive the submission requirement under Chapter III, Section III, B.11) for a Class A High Intensity Soil Survey. Motion CARRIED, 5 ayes (James Anderson and Scott Firmin absent). [7:15 p.m.]

Mr. Zelmanow noted that Finding of Fact "F" about storm water may need to be revised, based on the possible drainage issue; Ms. Sunnell agreed. Mr. Fox said that the applicant has addressed most of the original concerns of the Board, and if they can find a way to address the drainage concerns, he is comfortable with granting preliminary approval this evening. In reply to Mr. Zelmanow, Mr. Morrell said that receiving preliminary approval this evening would shorten the timing interval needed after having a site walk to come back before the Board. Mr. Zelmanow asked what changes might be needed on the plan in light of the drainage issue raised this evening. Mr. Poirier said that any change in the plans must be reviewed by the Town's review engineer for a peer review, but additional investigation will be required to determine what is private and what is public in the drainage infrastructure, what is maintained by Public Works and what is maintained by a private entity such as a homeowners' association. Mr. Poirier said that the Director of Public Works will make sure that if there is any storm water flowing into the Town's system, the system has the capacity to handle any additional flows.

Mr. Morrell said that they have been presented with potentially a storm drain that takes public infrastructure from Lawn Avenue, bisects the abutter's property and then this parcel of land, ultimately directing runoff to Garden Avenue. That needs to be researched, where that is, what that is, who has the right to maintain it, all those different issues. Moving forward, if this is something that needs to be re-routed, Mr. Morrell said that the storm system would be re-routed around this site with additional improvements made to deal with the issue.

Mr. Zelmanow referred once more to Finding of Fact "F" dealing with storm water, asking if that is sufficient to deal with this issue. Mr. Poirier said the Board can add a condition that the applicant will address storm water crossing the site to the satisfaction of the Public Works Director and the Town's review engineer, which has to be done before receiving final approval.

The Board concurred that staff should schedule a site walk.

Scott Herrick MOVED and George Fox SECONDED a motion to grant PTG Investment Trust's request for preliminary subdivision approval for Garden Place, a project with three single-family condominium units and two commercial units with second floor apartments, located on 1.35 acres between Garden Avenue and Main Street, Map 109, Lot 11, in the Urban Residential and Office Residential zoning districts with Findings of Fact as written by the Town Planner and amended this evening by the Planning Board. Motion CARRIED, 5 ayes (James Anderson and Scott Firmin absent). [7:32 p.m.]

ITEM 7 SUBDIVISION AND PRIVATE WAY REVIEW – Cole Family Subdivision and Private Way – Dean and Dale Cole request for approval for two additional lots to be created from Lot 1 and to upgrade the existing private way with an extension to meet current standards, located on Map 92, Lots 29.002-29.006, Suburban Residential zoning districts.

Mr. Poirier said this item is before the Board for the first time. This subdivision first received approval in 1978, with a right-of-way associated with the approval. At this time, the applicants are looking to serve two additional lots in the back with the private way. Because the old subdivision was grandfathered, the private way must be updated to meet the current 2 to 6 lot Code standards for any new lots now proposed.

Mr. Poirier said the Board may want to identify any waiver requirements the Board may wish to consider.

Charles Brown, Sebago Technics, appeared on behalf of the applicants Dale and Dean Cole, also present. Mr. Brown pointed out on the plans Lot 1, where the two lots now proposed are to be created. Lots 2, 3 and 4 are owned by David, Dean and Dale Cole, a family subdivision. There is a private way through the center of the property, which extended in the past to the White Rock Park development to the rear, which has since been blocked. Mr. Brown explained the lot line changes which have occurred in the past. In order to bring the private way up to current standards, a 50 by 50 foot hammerhead turnaround will be added in Lot 6 and improvements will be made to the road, which currently ranges from 13 to 15 feet in width. It is proposed to widen both sides of the existing paved road with a gravel shoulder and to reconstruct and bring up the rest to the standards for a gravel road. Mr. Brown discussed the shallow ditches on both sides of the existing private way which serve to channel storm water into a low point.

Mr. Zelmanow noted that there are no waiver requests as yet for some of the missing submission requirements for the proposed two lots, such as a high intensity soil survey and nitrate plume analysis, which would be needed for private water and sewer. Mr. Brown suggested that it might be better to schedule a site walk first and in the interim they could prepare responses to many of the review comments and prepare the appropriate waiver forms. Mr. Zelmanow said the peer review probably would need to see the existing and proposed topography in contours for two foot intervals. Mr. Poirier confirmed with Mr. Brown that the two foot contours have been done for the private way, but for the lots the applicant could probably get Lidar from the state and overlay it to give the Board a sense of what is out there.

Mr. Herrick confirmed with Dean Cole that the 50' foot right-of-way to the rear no longer exists because it is now someone's back yard. Mr. Cole spoke at length about the tax issues that have occurred over the years as a result of this family division of land being incorrectly classified for tax purposes.

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

Staff was directed to set up a site walk. In reply to Mr. Brown, Mr. Zelmanow said the Board would like to see the boundaries of the lots.

George Fox MOVED and Scott Herrick SECONDED a motion to postpone further review of Dean and Dale Cole's request for subdivision and private way amendment approval pending responses to remaining issues and finalizing revisions to the plan. Motion CARRIED, 5 ayes (James Anderson and Scott Firmin absent). [7:55 p.m.]

ITEM 8 SUBDIVISION REVIEW – Wilson Field Subdivision – Jim and Sharon Gregoire
request for approval of a 6-lot subdivision with access from Snowberry Drive and Brackett Road, located off Brackett Road, Map 28, Lots 7.001 and 7.002.

Mr. Poirier told the Board that the applicant was last before the Board as a pre-application review at the January 2016 meeting, at which time the project was more of a conventional plan and private way. The applicant has since revised the plan, which is now presented as a clustered residential subdivision. The applicant has also re-submitted the conventional plan so the Board has both the plans to review in order to determine which plan is the best form of development for the site.

Mr. Poirier said that the Provision of Public Water Supply requires subdivision with 6 or more lots and within 3,000 feet of public water to connect to public water. The water main is located just over 1,000 feet from this proposed development; if the applicant chooses not extend public water, he has to go through the calculations showing the costs. Mr. Poirier noted that the abutting subdivision, Peterson Fields, received a waiver from the requirement to extend public water. The Board may find that this project deserves the waiver as well, but the calculations have to be done.

The applicant is proposing trails on the site; that information will be provided to the Gorham Conservation Commission for their input, such as whether a public easement on the trails would be of benefit.

William Thompson, BH2M Engineers, appeared on behalf of the applicants, Mr. and Mrs. Gregoire, both present this evening. Mr. Thompson described the project as a 6-lot clustered subdivision, which will eliminate any new roadway and minimizes utilities. With the clustered plan, 5 of the 6 lots will have frontage on Snowberry Drive, already approved as a public Town road, and 1 on the Brackett Road which is the current frontage for the current 11.7 parcel. The existing house will be on lot 2 and the other lots will be sold to prospective buyers, as the Gregoires are not house builders. Lots 2 through 6 will have a minimum of 100 feet of frontage on Snowberry Drive, and all lots will be served by drilled wells and septic. Mr. Thompson said they will prepare the calculations for the comparison of extending public water to the cost of drilled wells, but as BH2M also prepared the calculations for the abutting Peterson Fields subdivision, which were not cost effective for the extension of public water, he believes that as this development is even further away from public water, the calculations will be the same.

Mr. Thompson said that a Class B high intensity soils survey has been done, but in light of the Planner's comments, the survey will be upgraded to a Class A. Overhead power from Brackett Road will be used to connect to lots 1 and 2, and the remaining 4 lots will come in off underground power in Snowberry Drive. There are no wetland impacts and everything drains from north to south. A trail system will be bush hogged and marked with trail signs, but there will be no earth moving or grade changes and the system will tie into the Peterson Fields Subdivision trail. There will be a 15 foot easement when the trail crosses a particular lot, and that information will be on the final plan and part of the deed for that lot. All the homes will be sprinkled.

Mr. Thompson asked the Board to consider a waiver of the nitrate plume analysis. Mr. Thompson pointed out where snow storage will occur. There will be a funding letter provided from a bank. They will talk to

the Post Office about adding a clustered mailbox to the one that is on Snowberry Drive. Homeowners' documents are being prepared dealing with lot development, open space and maintenance.

Mr. Fox said he probably would not be in favor of granting a waiver for the nitrate plume analysis requirement as the lots are relatively small and his recollection of Peterson Fields is that there are some soils that are not well drained. Ms. Sunnell asked if the existing house on lot 2 will have access off both roads; Mr. Thompson replied that the access off Brackett will be closed and it will only access off Snowberry. She and Mr. Thompson discussed a well location for lot 5, with Mr. Thompson pointing out on the plan where a well could be located. Mr. Thompson confirmed that for a nitrate plume analysis, neighbors' septic system information will also be evaluated.

Mr. Thompson replied to a question from Mr. Zelmanow that house designs will probably be similar to those in Peterson Fields. Mr. Pratt asked how power has been laid out; Mr. Gregoire, applicant, replied that he has paid more to have power laid out to the back lot. Mr. Gregoire said the possibility still exists that he will do away with the overhead lines and continue the underground power from lot 3 to 2 to 1.

Mr. Poirier asked the Board for their thoughts about the nitrate plume waiver request. Mr. Zelmanow replied that the waiver would not be necessary if it were public water, but he cannot recall a time when the Board has granted the waiver when it is private water and septic. The rest of the Board concurred.

Mr. Thompson said they are hopeful to receive preliminary approval this evening. Mr. Zelmanow noted that preliminary plan approval requirements d) regarding water supply, e) regarding sewage disposal, and f) regarding disposal remain unresolved and the findings cannot as yet be determined until those requirements have been addressed. Ms. Sunnell replied that she believes there is not enough information because what was presented this evening is not necessarily what was in the Board's packets for review, such as street trees, and there are still three major items missing for preliminary approval.

PUBLIC COMMENT PERIOD OPENED: Jim Gregoire, applicant, discussing the extension of public water, noted that there was a moratorium on Brackett Road when Peterson Fields subdivision was developed, which may still be in place. He asked if there is a moratorium on Snowberry Drive. He said if he has to increase the cost of the lots to include extending public water the project won't happen. Mr. Zelmanow commented that there are questions that need to be answered, but it may be possible for the Board to consider granting preliminary and final approval at the same meeting.

PUBLIC COMMENT PERIOD ENDED.

Mr. Fox asked about the applicant's ability to access Snowberry Drive in the conventional subdivision plan. Mr. Poirier replied that the conventional plan showed a private way running along the northern boundary with a section of open space in Peterson Fields; the section of open space could not be disturbed by the applicant and cannot be considered street frontage. So the street frontage for the lots in the conventional plan could only occur at the area of the shared property boundary with Peterson Fields.

Staff was directed to set up a site walk.

George Fox MOVED and Lee Pratt SECONDED a motion to postpone further review of James and Sharon Gregoire's request for preliminary subdivision approval pending responses to remaining issues and finalizing revisions to the plan. Motion CARRIED, 5 ayes (James Anderson and Scott Firmin absent). [8:29 p.m.]

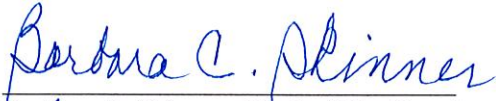
OTHER BUSINESS: NONE

ANNOUNCEMENTS: NONE

ADJOURNMENT:

Scott Herrick MOVED and Rachel Sunnell SECONDED a motion to adjourn. Motion CARRIED, 5 ayes (James Anderson and Scott Firmin absent). [8:30 p.m.]

Respectfully submitted,



Barbara C. Skinner, Clerk of the Board

April 11, 2016

ITEM 6 PUBLIC HEARING – Subdivision and Site Plan – PTG Investment Trust

CHAPTER III - SUBDIVISION, SECTION III - PRELIMINARY PLAN

The Planning Board, following review of the Subdivision Application, makes these findings based on the Subdivision Review criteria found in Chapter III, Subdivision, Section III – C. Preliminary Plan Review, and Section IV – 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 local, state, and federal permits required for the proposed development.

The Comprehensive Plan identifies this area as Village Residential. The plans meet the requirements of the Urban Residential zoning district for density.

Finding: Bramblewood Estates Condominiums conform 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 Bramblewood Estates Condominiums is via Bramblewood Lane, which was constructed to the Town's Urban Access road standard. Bramblewood Lane is a dead end road that exits onto South Street, State Route 114.

Bramblewood Estates Condominiums will be served by a private driveway designed to the Town's Urban Access road standard. The private driveway has been named Baxter Lane, which has been approved under E911 naming requirements.

Finding: Bramblewood Estates Condominiums will not cause congestion or unsafe conditions with respect to use of the highways or public roads, existing or proposed on or off the site.

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

The condominium units will be served by underground power, telephone, cable lines, and natural gas as shown on Utility Plan: Sheet 5 of 9.

Finding: *Bramblewood Estates Condominiums will not place an unreasonable burden by either direct cause or subsequent effect on the availability of the Town to provide municipal services including utilities, waste removal, adequate roads, fire and police protection, school facilities and transportation, recreational facilities, and others.*

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

The condominium units will be served by a 4" private water main extended from the Portland Water District's 8" water main located in the Bramblewood Lane right-of-way. The water main design and installation must meet the requirements of the Portland Water District.

The applicant has submitted an ability-to-serve letter from the Portland Water District dated December 19, 2015.

Finding: *Bramblewood Estates Condominiums provide for adequate water supply for present and future needs.*

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

The condominium units' sewage will flow by a gravity sewer main into two 1,500 gallon septic tanks. The sewage will be pumped via a private force main which will connect into the Portland Water District's force main in Bramblewood Lane.

The applicant has submitted an ability-to-serve letter from the Portland Water District dated December 19, 2015.

Maintenance of the sewer system located within the development shall be the responsibility of the Bramblewood Estates Condominium Association.

Finding: *Bramblewood Estates Condominiums provide 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.

The proposed condominium buildings will have two dwelling units per building. Storm water from the site will be treated in storm water infrastructure meeting the Maine Department of Environmental Protection's and the Town of Gorham's storm water requirements. The dwellings units' sewage disposal will be pumped into the public sewer system and treated by the Portland Water District.

Finding: *Bramblewood Estates 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 driveway will impact 7,209 sq.ft. of wetlands. The wetlands on the eastern third of the site will be located in common space and protected from development.

The project has received Maine Department of Environmental Protection for a Natural Resource Protection Permit – Tier 1, dated November 5, 2015, Permit number L-26688- TB-B-N.

The applicant is proposing to construct an 8-10' deep trench along the southern property line to lower the water table locally and give the storm water an opportunity to infiltrate into the ground.

Finding: Bramblewood Estates Condominiums 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.

Storm water maintenance has been designed in accordance with state, Federal, and local requirements prior to discharge into groundwater or into abutting wetlands.

Finding: Bramblewood Estates Condominiums 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 proposed revised layout of the buildings will impact 7,209 sq. ft. of wetlands located in the middle of the lot.

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

Finding: Bramblewood Estates Condominiums will respect fully the scenic or natural beauty of the area, trees, vistas, topography, historic sites and rare or irreplaceable natural or manmade assets.

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

The applicant has submitted a letter dated February 11, 2016 that identifies Milk Street Capital, LLC's intent to fund the project once approved.

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 VIII.

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

Finding: Bramblewood Estates Condominiums 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 is required to form a condominium association for the development. The condominium association will maintain the land located outside of the individual condominium units.

Finding: Bramblewood Estates Condominiums will have common space within the subdivision in accordance with the Planning Board requirements and the condominium association shall be required to provide for the perpetual care of commonly owned land.

CHAPTER IV, SITE PLAN REVIEW, SECTION IX – Approval Criteria and Standards

The Planning Board, following review of the Site Plan Application Amendment, makes these findings based on the Site Plan Review criteria found in Chapter 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 proposal is to construct five two-unit condominium buildings located on the southwestern half of the lot. The northeastern half of the lot is mostly wetland and is not proposed to be impacted.

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 will be on Bramblewood Lane, which is built to the Town's Urban Access road standard. Bramblewood Lane is a dead end road that exits onto South Street, State Route 114.

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

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

The proposed Baxter Lane is designed to the Town's Urban Access road standard. No changes are proposed to Bramblewood Lane.

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

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 southern side of Baxter Lane will have a hammerhead meeting the requirements of the Town.

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.

A privately maintained sidewalk will be located on the northern side of Baxter Lane. The sidewalk will connect to the existing sidewalk located along Bramblewood Lane.

No changes to the sidewalks along Bramblewood Lane are proposed.

Finding: The layout of the site provides for a system of pedestrian circulation within and to 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 applicant is proposing to construct an 8-10' deep trench along the southern property line to lower the water table locally and give the storm water an opportunity to infiltrate into the ground. Storm water from the site will be collected and discharged to 30' stormwater level spreader.

The applicant will address storm water crossing the site to the satisfaction of the Public Works Director and the Town's review engineer.

Finding: The site has adequate provisions for the disposal of all storm water collected on streets, parking areas, roofs or other impervious surfaces through a stormwater drainage system and maintenance plan which does not have adverse impacts on abutting or downstream properties.

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.

During construction a filter berm or silt fence will be installed along the edge of the disturbed area, as shown on the Grading Plan: Sheet 4 of 9. The applicant will also comply with the "Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices," Maine Department of Environmental Practices.

Finding: The project, building, and site designs and roadway layouts will fit and utilize 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 condominium units will be served by public water from the Portland Water District. A private 4' water main will be extended into the site from the existing 8" water main located in the Bramblewood Lane right-of-way. The water main design and installation are required to meet the requirements of the Portland Water District.

Finding: 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.

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 condominium units will be served by public sewer from the Portland Water District. A private gravity sewer system will collect sewerage from the 10 units into two septic tanks, and will then be pumped up through the low pressure sewer main located in the Bramblewood Lane right-of-way. The maintenance and operation costs of the sewer system located on the lot are the responsibility of the Bramblewood Estates Condominium Association.

Finding: The sanitary sewer system will be installed at the expense of the developer meeting the requirements of the sewer user ordinance.

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

The units will be served by underground power, cable, telephone, and natural gas.

Finding: *The development will be provided with electrical and telephone service adequate 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 proposal requires clearing of trees to construct units 7 through 10, the end of the proposed road, and stormwater infrastructure. The project will impact 7,209 sq.ft. of wetlands.

The trees and wetlands located on the northeastern half of the site will remain undisturbed.

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

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

The applicant is proposing to construct an 8-10' deep trench along the southern property line to lower the water table locally and give the storm water an opportunity to infiltrate into the ground. The condominium dwelling units will not utilize groundwater for use by the occupants of the units.

Finding: *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.*

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 applicant is proposing pole mounted lights and building lights of residential character.

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

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

Trash removal will be through the Town's solid waste provider.

Finding: *The development will provide for adequate disposal of solid wastes and hazardous wastes.*

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

The applicant has submitted a Landscaping Plan: Sheet 6 of 9 showing the location of trees along the western property line and along a portion of the southern property line. The applicant is also proposing to install seven trees along the edge of the drive.

Finding: *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.*

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 a Shoreland Overlay District.

Finding: *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.*

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

The applicant has identified that it has 39 years of experience in real estate sales and development and has completed several projects similar to the one proposed.

The applicant has submitted a letter from Steven D. Matthews, Vice President, Milk Street Capital, LLC, dated December 3, 2015.

Finding: *The applicant has demonstrated that it has the financial and technical capacity to carry out the project in accordance with this 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 proposal is to install five white spruce trees along the eastern property line. Another six white spruce trees are proposed to be installed along a portion of the southern property line.

Finding: *The development will provide for buffering of adjacent uses where there is a transition from one type of use to another use and 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 60 dBA daytime (7 a.m. – 7 p.m.) and 50 dBA nighttime (7 p.m. – 7 a.m.).*