

**Town of Gorham
 Planning Board Meeting
 February 6, 2023**

CONSENT AGENDA A - Site Plan Amendment - COAH Building, LLC – ServPro Building Addition - a request for approval to construct a 4,500 s. f. building addition at 9 Hutcherson Drive. Zoned, I. Map 12, Lot 23-3. The applicant is represented by Craig Burgess, P.E., with Sebago Technics, Inc.

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PROJECT TRACKING

DESCRIPTION	COMMENTS	STATUS
Pre-Application/Sketch (optional)		NA
Site Walk		NA
Planning Board Public Hearing		January 9, 2023
Consent Agenda		February 6, 2023

The following staff notes are written to assist the Applicant with compliance to the Town of Gorham Land Use Development Code and may not be all inclusive of project requirements. Staff notes are review comments and recommendations prepared by the Town Planner and, if applicable, the Town’s peer review consultant, regarding applicability to The Gorham Land Use Development Code and standard engineering practices.

The Planning Board refers to staff notes during the review process; however it shall be noted that staff recommendations are non-committal and all final decisions are those of the Planning Board and not Town Staff.

Jim Anderson, Chair, Gorham Planning Board

1. OVERVIEW

This is the second time this application has come before the Planning Board. This item is on the consent agenda.

The applicant is represented by Craig Burgess, P.E., with Sebago Technics, Inc.

2. ITEMS OF NOTE

Below are topics the Planning Board may want to discuss with the applicant. The discussion topics are written as a guide for the Planning Board. It should be noted that the discussion topics are noncommittal and all decisions on relevant discussion topics are those of the Planning Board.

3. STAFF COMMENTS

Planning Division: 01/30/2023

- Existing condition site plan should be updated to include the previous addition.
- The Maine DEP 75% limit of impervious coverage needs to be verified as shown on Permit #L-000003-39-F-N and the original subdivision plan.

Assessing Department: No comments

Code Department: No comments

Fire Department: 01/30/2023

All my concerns are answered.

Police Department: No comments

Public Works Department: No comments

Wright-Pierce: 01/26/2023

As requested by the Town of Gorham, Wright-Pierce has reviewed the Major Site Plan Amendment resubmission for the proposed building expansion at 9 Hutcherson Drive in Gorham. The 1.4-acre parcel (Tax Map 12, Lot 23-3) is within the Industrial District in the Gorham Industrial Park.

Documents Reviewed by Wright-Pierce

- ServPro – Building Expansion Site Plan Set (Sheets 1 to 7) - prepared by Sebago Technics (Rev E dated January 24, 2023). [The Existing Condition Plan from 2016, Floor Plan, and Elevations included at the end of the submitted plan set were acknowledged as received, but not specifically reviewed].

Review Comments

Wright-Pierce’s original and previous comments are in standard text, followed by the applicant’s response in italics, and our follow-up response in bold. Comments from the previous review memo that did not require a response or clarification or that were addressed are not listed. Applicant should provide written responses to the review comments recommending clarification or further information to be provided by the Applicant.

General/Completeness

1. **WP New Comment:** Landscape islands were added to the Site Plan. The note on the plan refers to a “Tree Planting” detail. We were not provided with a full set of plans; however, the Tree Planting detail was not included on the detail sheet provided for our review. Will the landscape island be curbed or will it be flush with the surrounding pavement? If it is to be curbed, it should be detailed out on the plans.
2. **WP Follow Up Response:** No written response was provided by the Applicant; however, a Deciduous Tree planting detail was included on Sheet 6 of 7. Based on the plan view and detail, it appears the landscape island is not intended to be curbed. No further comment.

General Standards of Performance

3. **WP Original Comment 2a:** Two ADA parking spaces are required. It is clear that the proposed ADA space meets accessibility requirements; however, it is uncertain if the existing parking space noted with an ADA symbol is compliant. Please provide additional information so it can be confirmed that two ADA spaces will be provided. *Applicant Response: Spot grades from the survey surface were added at four corners of the existing ADA space and demonstrate that slopes do not exceed 2% in any direction. The Grading Plan (Sheet 4) was revised to depict the existing spot grades.*
WP Follow Up Response: Since the total proposed parking spaces will be between 26-50 parking spaces, two accessible spaces are required to meet ADA compliance, which are provided. It is clear the proposed van accessible space and aisle meet ADA requirement. It does not appear the regular accessible space has a 60-inch minimum access aisle, as required. The Parking Summary on Sheet 3 should be updated to reflect there will be one ADA van accessible space and one regular ADA accessible space and the applicable size.

Additionally, per ADA requirements, each ADA accessible space requires a sign with the international symbol of accessibility on it, and van accessible spaces require an additional sign indicating they are van accessible, this could be shown on the sign detail on Sheet 7. The sign detail should also be updated to include signage requirements and dimensions, especially the required mounting height off the ground (60”).

WP Follow Up Response: No written response from the applicant was provided; however, some updates to the site plan and details were made. To meet ADA compliance, the parking lot needs two ADA accessible spaces. It appears the applicant is proposing one new, van accessible space and one existing regular (car) accessible space to meet this requirement. Our previous comment was that the existing regular (car) accessible space needs a 60-inch minimum access aisle to meet ADA requirements. Additionally, each ADA accessible space requires a sign, and a van accessible space requires an additional sign indicating it is van accessible; therefore, we recommend:

- Update the existing regular (car) accessible space to have a minimum 60-inch aisle or consider reconfiguring the ADA accessible parking to have a car accessible space and van accessible space with a shared aisle.
- Update the Parking Summary on the Site Plan to indicate the size of the regular (car) accessible space (either on the plan or in a note) and update the note regarding the size of the van accessible space to match the plans (note indicates 60-inch aisle and the plans shows 7-foot aisle).
- Ensure each ADA accessible space has a sign in addition to the handicap pavement marking.
- Update the ADA Accessible Sign detail to indicate an additional “Van Accessible” sign for the van accessible parking space.

WP Follow Up Response: No written response from the applicant was provided; however, updates were made to the site plan and details. Our previous comments were addressed; however, the mounting height on the ADA Accessible Sign detail should be updated to be 60 inches to the bottom of the lowest sign.

Site Plan Requirements

1. WP Original Comment 1: Applicant states that 70% of the site will be impervious and the Maine Department of Environmental Protection (DEP) Site Law approval was for up to 75% impervious cover. Applicant to provide Maine DEP approval to verify this statement.

Applicant Response: Enclosed is the MDEP Site Law permit order for the Gorham Industrial Park (Permit #L-000003-39-F-N). The order does not specifically reference lot coverage thresholds, and instead references plan documents. Sebago Technics has contacted MDEP and Town Planning Department to obtain the original plans for the industrial park. Sebago has worked on a number of projects within Gorham Industrial Park, and it has been our understanding that the 75% impervious threshold applies to the ServPro site.

WP Follow Up Response: Please submit the approved plans and additional information supporting the 75% threshold. Previous correspondence with the Town or MDEP showing where the 75% threshold is coming from may be sufficient. There is not enough information in the submitted MDEP approval letter.

Applicant Response in submittal email: We are still working on the last comment, which entails gathering the original approved plans and stormwater report from around 1989.

WP Follow Up Response: We continue to recommend the applicant submit the approved plans and additional information supporting the 75% threshold, since there is not enough information in the MDEP approval letter to support this. Previous correspondence with the Town or MDEP showing where the 75% threshold is coming from may be sufficient.

Applicant Response in submittal 1/25/23 email: We are still working with Maine DEP on finding the original stormwater management report to show the 75% lot build-out minimum limits per water quality standards.

WP Follow Up Response: We continue to recommend the applicant submit the approved plans and additional information supporting the 75% threshold, since there is not enough information in the MDEP approval letter to support this. Previous correspondence with the Town or MDEP showing where the 75% threshold is coming from may be sufficient.

Stormwater Management Requirements

No further comment.

Conservation Commission: No comments

Abutters Comments: No comments

**TOWN OF GORHAM PLANNING BOARD
SITE PLAN AMENDMENT REVIEW AND
FINDINGS OF FACT
For
COAH Building, LLC – ServPro Building Expansion**

February 6, 2023

Applicant/Property Owner: The property owner/applicant is the COAH Building LLC, 9 Hutcherson Drive, Gorham, ME 04038.

Property: The lots are identified in the assessor database as Tax Map 12, Lot 23-3 and located at 9 Hutcherson Drive, Gorham, ME 04038.

Consultants: Craig Burgess, P.E., #12638, with Sebago Technics, Inc.; Patco, General Contractor, 1293 Main St, Sanford ME 04073.

Project Description: To construct a 4,500 sq. ft. addition, parking, and associated infrastructure.

Site Description: The site is 1.4 acres in size and is located at 9 Hutcherson Drive.

Applicability: The applicant’s proposal requires site plan review because it involves amendments to previously approved site plan.

Zoning: Industrial (I).

Variations: None Requested.

Waivers: None Requested.

Special Exception: Review Requested.

Pursuant to the Application:

Site Plan Amendment Review was held on January 9, 2023 and February 6, 2023.

The projects and plans and other documents, provided by the consultants, considered to be a part of the approval by the Planning Board in this ruling consist of the following:

Sheet 1 of 7 - Cover Sheet: Dated, 10/20/2022; Revised through, 01/24/2023; Received, 01/25/2023
Sheet 2 of 7 – Notes and Legend: Dated, 10/20/2022; Revised through, 01/24/2023; Received, 01/25/2023
Sheet 3 of 7 – Site Plan: Dated, 10/20/2022; Revised through, 01/24/2023; Received, 01/25/2023
Sheet 4 of 7 – Grading and Utility Plan: Dated, 10/20/2022; Revised through, 01/24/2023; Received, 01/25/2023

Sheet 5 of 7 – Erosion Control Notes: Dated, 10/20/2022; Revised through, 01/24/2023; Received, 01/25/2023
Sheet 6 of 7 – Details: Dated, 10/20/2022; Revised through, 01/24/2023; Received, 01/25/2023
Sheet 7 of 7 – Details: Dated, 10/20/2022; Revised through, 01/24/2023; Received, 01/25/2023
Sheet 2 of 6 – Existing Conditions Plan: Revised through, 06/13/2016; Received, 01/25/2023
Floor Plan – Dated, 08/11/2022; Received, 01/25/2023
Elevations – Dated, 08/11/2022; Received, 01/25/2023
Elevations – Dated, 2022; Received, 01/25/2023

Other documents submitted consist of the following:

Site Plan Application – 11/16/2022
Stormwater Management Report – 11/16/2022
Response to Comments – 01/03/2023, 01/19/2023
Plans – 11/16/2022; revised set received 01/03/2023, 01/19/2023; 01/25/2023
Financial Capacity – 11/16/2022
Gorham Town Planner Comments – 01/30/2023
Gorham Assessor Comments – No comments
Gorham Fire Chief Comments – 01/30/2023
Gorham Code Enforcement Officer – No comments
Gorham Police Chief – No comments
Gorham Public Works Director – No comments
Wright-Pierce Comments – 01/26/2023
Conservation Commission – No comments
Abutter Comments – No comments

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.

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 a 4,500 square foot addition to an existing building. The site is already developed. This area contains wetland, forest, grass and pavement.

This addition will disturb 1,600 sq. ft. of the forested wetland.

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 Hutcherson Drive which is off Main Street, State Route 25. Main Street is considered a principal arterial by the Maine Department of Transportation.

There is no change with vehicle trips proposed with this application.

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 existing paved driveway to this site is approximately 23 feet wide and is located on the southeast side of the lot.

The existing driveway connection to Hutcherson Drive is not proposed to be changed.

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.

As shown on Sheet 3 of 7, the layout of the site provides for a two-way vehicle access through the parking lot and around three sides the building.

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.

An existing paved parking lot is located in front and sides of the building which allows pedestrian access for use by employees and the general public. No changes are proposed to the existing pedestrian circulation.

There are no sidewalks along Hutcherson Drive or Main Street in this area.

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

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

The stormwater facilities are existing throughout the industrial park and permitted with a SLODA permit.

As shown on Sheets 3 and 4 of 7 and written into the application materials, the additional stormwater from the building addition will be collected using a roof drip edge, which is a low impact design technique.

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.

Any soil disturbance will require erosion and sedimentation controls that meet the Maine Erosion and Sediment Control Best Management Practices. Sheets 5 and 6 show multiple details for erosion control to be used onsite during construction.

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.

Sheet 4 of 7 shows a 12 inch water main exists in Hutcherson Drive and a 12 inch ductile iron water service was installed into the site in 1987. The existing building is serviced by a 1-inch domestic water service.

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

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

Sheet 4 of 7 shows the existing building served by a 4 inch sewer line running from the 12 inch sewer main located in Hutcherson Drive.

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

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

Sheet 4 of 7 shows that the site is served with overhead utilities.

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 site currently contains building, pavement, wetland, forest, and grass. The applicant proposes to remove 1,600 sq. ft. of wetland to accommodate building. The rest of the forested wetland to the north will be preserved in its natural state.

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

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

The proposed development will not add pollutants to the groundwater. It will not adversely affect the quantity of groundwater because the groundwater will not be removed from the area.

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 application states that new addition will have wall pack lights near entry ways. All exterior lighting is designed so that no light is emitted off the property.

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 application states that there is an existing dumpster near the rear of the property.

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

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 existing forested wetland is the only landscape feature shown on the site plan.

Additional landscaping islands have been added to break up the parking areas.

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.

Financial capacity is shown through a letter October 11, 2022 from Matthew Early, Senior Vice President, Gorham Savings Bank.

Technical capacity is demonstrated by the hiring of Sebago Technics for civil engineering and Patco for general contracting.

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.

No buffering is proposed because the site is surrounded by industrial type uses.

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 all relevant conditions of approval from past Site Plan approvals shall remain in effect;
4. Any staff and peer review comments shall be addressed prior to the Board signing the plans;
5. 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;
6. All waivers and variances will be listed on the plan prior to recording;
7. The owner of the lot is responsible for compliance with the Town of Gorham Stormwater Ordinance, Chapter 2 - Post Construction Stormwater Management;
8. That any proposed use on the site shall meet the sound level requirements outlined under Chapter IV, Section IX, T. Noise;
9. That prior to the pre-construction meeting, the applicant will establish the following: an escrow for field inspections meeting the approvals of Town Staff;
10. 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;
11. 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;
12. That the site plan amendment shall not be released for recording at the Registry of Deeds until the required inspection fee has been posted meeting the approval of Town Staff,
13. That the site plan is required to be recorded within one year of original approval or the approval becomes null and void;
14. That the Planning Board Chair is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and
15. That once the site plan amendment has been recorded at the Cumberland County Registry of Deeds, a dated copy of the recorded site plan shall be returned to the Town Planner prior to the pre-construction meeting.

SUGGESTED MOTIONS:

FOR SITE PLAN APPROVAL:

Move to grant COAH Building LLC request for site plan amendment approval to add a building addition for the property located at 9 Hutcherson on Map 12 Lot 23-3 in the Industrial zoning district with Findings of Fact and Conditions of Approval as written by the Town Planner and modified this evening by the Planning Board.