

**Moody's Co-Worker Owned – Moody's Truck Center
Site Plan & Subdivision Amendment
M39 L2-3**

**Town of Gorham
Planning Board Meeting
March 4, 2024**

ITEM 1 – Public Hearing - Site Plan & Subdivision Amendment – Moody's Co-Worker Owned, Inc. – Moody's Truck Center – a request for approval to divide Lot 3 on Raceway Drive into Lots 3 and 4, and to develop Lot 4 into a 27,600-sf truck repair facility. Map 39, Lot 2.003. Zoned NMUD. The applicant is represented by Shawn Frank, P.E., of Sebago Technics.

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PROJECT TRACKING

DESCRIPTION	COMMENTS	STATUS
Site Plan & Subdivision Amendment Review – Public Hearing		March 4, 2024

The following staff notes are written to assist the Applicant with compliance to the Town of Gorham Land Use Development Code and are not necessarily inclusive of all project requirements. Staff notes contain review comments and recommendations from Town Staff and may include comments from any of the Town's peer review consultants, regarding applicability to the Gorham Land Use and 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 noncommittal and all final decisions are those of the Planning Board and not Town Staff.

Vincent Grassi, Chair, Gorham Planning Board

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1. OVERVIEW

The applicant is requesting a Major Site Plan and Subdivision Amendment to divide a 22.07 acre lot in an existing commercial subdivision off Narragansett Street into two new lots, one of which is to be developed with a 27,600 square foot truck and automobile repair building with associated infrastructure. The original subdivision was approved in 2016.

The applicant is represented by Shawn Frank, P.E. with Sebago Technics.

2. ITEMS OF NOTE

Outstanding Items

- The applicant has not provided a photometric plan
- Portland Water District Ability to Serve letters are pending
- Maine DEP Stormwater permit is pending
- Vehicle turning diagram (requested)
- Trip generation for the subdivision as a whole should be provided

Comprehensive Plan, Zoning, and Subdivision

- The proposed development site is located in the Narragansett Mixed Use District. The Comprehensive Plan calls for this zoning to remain in place.
- The existing zoning allows for “Automotive Repair”, which is compatible with the proposed land use.

Conservation

- The proposal does not call for any additional wetland impacts according to the applicant. The Town’s GIS does show an area of freshwater emergent wetland in close proximity to the proposed development location.
- The State’s Beginning with Habitat viewer does not show any impacts to wildlife habitat, plant and natural communities, or other natural features on the site.
- The Maine Department of Inland Fisheries and Wildlife identified the site as potential habitat for three species of bats protected under the Endangered Species Act and recommended that the applicant contact the U.S. Fish and Wildlife Service- Maine Fish and Wildlife Complex for further guidance.
- The applicant has provided information from the Maine Department of Inland Fisheries and Wildlife and the Maine Natural Areas Program stating that no other impacts on essential wildlife habitat or botanical areas is expected by the proposed development.
- The site plans show a proposed 10-foot-wide gravel bicycle/pedestrian access trail along the southern boundary of the proposed split between “lot 3” and “lot 4”. The applicant should provide clarification about whether this will be established via an easement, and that a call out box on the plans identify this if so.

Historic Preservation

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The applicant states in its project narrative that the Maine Historic Preservation Commission identified no historic properties affected by the proposed development.

Stormwater

- Runoff from the newly developed site is proposed to be conveyed into a wet pond at the rear of the site.
- The applicant's engineer has stated that they will ensure that the design does not cause water discharging from the wet pond to be conveyed to the wet pond at the adjacent development site.
- The applicant has submitted a Stormwater Permit to the Maine Department of Environmental Protection for review.
- The Site Plan shows a stormwater pipe passing through the right of way at the end of Raceway Drive, currently privately owned but which may be a candidate for acceptance as a public street. The applicant's engineer has stated that they will reroute this pipe so that it does not travel through the Raceway Drive right of way so that this would not pose a conflict for acceptance as a public street by the Town.

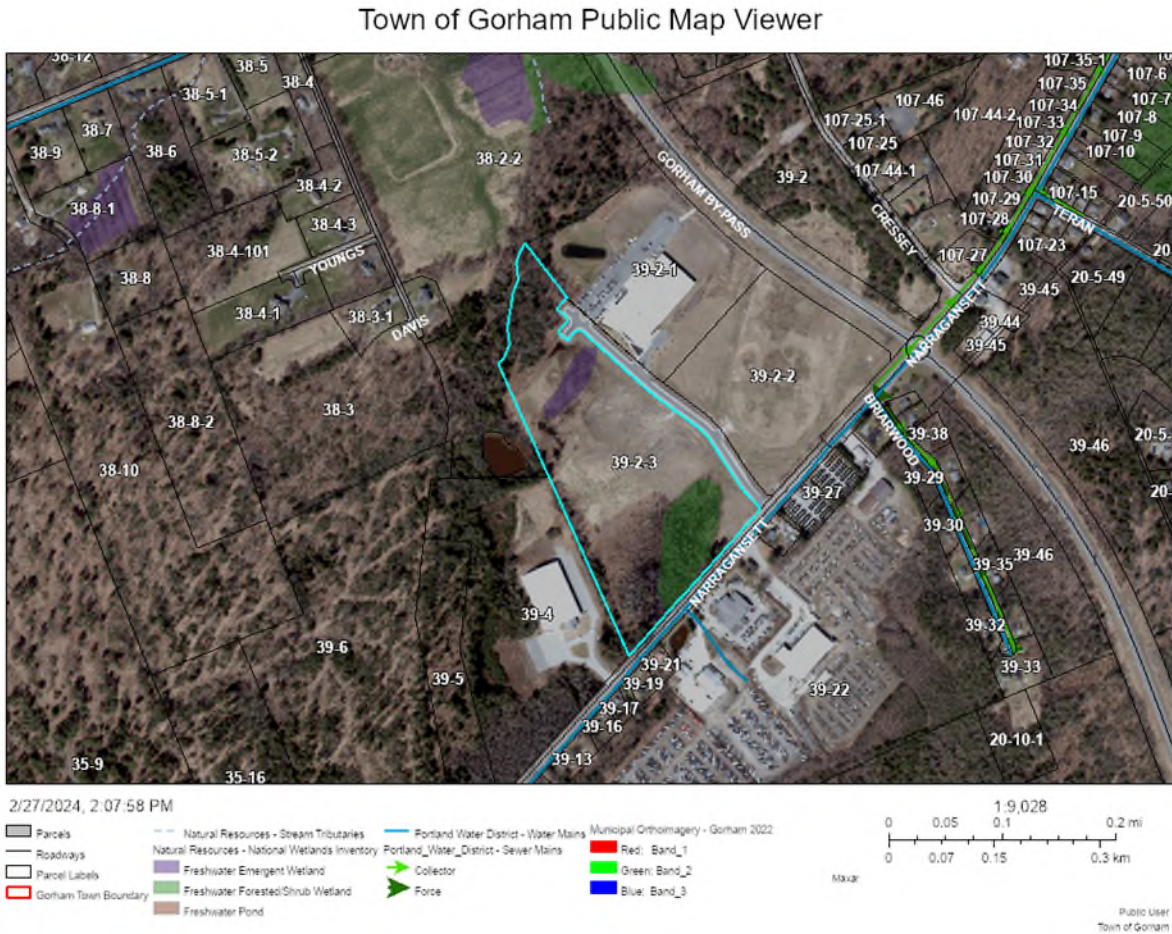
Utilities

- Ability to serve letters from Portland Water District for public water and sewer are pending
- All utilities will be underground.
- A new electric line with 3-phase power will be installed to connect to Narragansett St.

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3. AERIAL PHOTOGRAPHY

The following image is sourced from the Town of Gorham's online GIS website:



4. STAFF REVIEWS

Assessing Department: No comments

Code Department: 02/21/2024

No concerns at this time.

Fire Department: 02/21/2024

Map 39 Lots 2 & 3 Moody's

I have reviewed the submitted plans for Moody's Truck Repair Center **and** have the following requirements or Questions

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1. The building needs a NFPA 13 Sprinkler System, The Main Sprinkler Room shall have an exterior door leading in the space. Label on door "Sprinkler Room."
2. The building will have a NFPA 72 Addressable Fire Alarm system. Plans submitted to the Fire Chief's office 2 weeks before starting the system.
3. The Building needs to have State Building Permit from the State of Maine. A stamped approved set of plans (All Pages Stamped approved) submitted to the Fire Chief's Office prior to start of Construction.
4. Fire Alarm System – Shall have 2 annunciators for Fire Use.1 in the Sprinkler Room and 1 at the Main entrance to the building.
5. The Spray Booth needs to meet NFPA 33 and NFPA 1 Chapter 43
6. Storage of Flammable and/or combustibile products stored in proper approved cabinets per NFPA 30
7. Lock box installed by Sprinkler Door.
8. Gas Meter needs protection
9. Sand Blasting area – Exhaust system needs to meets NFPA 91
10. Electrical – State of Maine Permit.

May have more requirements as this moves through the progress

Planning Department: 2/28/2024

- The project includes a sidewalk to provide pedestrian access between several parking spaces and the building entrance. However, sidewalks are lacking to connect to the 6 parking spaces on the east side of the building, and no pedestrian connection is proposed to the existing sidewalk on Raceway Drive. A safe pedestrian connection to this existing sidewalk should be provided.
 - During a review meeting with the applicant on 2/28/2024, the applicant's engineer stated that a crossing could be provided which connects the development site to the existing sidewalk at the location of the proposed 10 foot wide bike/ped trail, with tip downs and curb cuts as appropriate.
- 28 parking spaces are proposed for the development. According to the Land Use and Development Code, Chapter 2, Section 2-2 Off street parking standards for "Industry, Manufacturing, and Business" require 1 parking space per 1000 square feet of floor area. As such, the 27,600 square foot proposed facility requires 28 parking spaces. The applicant meets this requirement, however 1 additional ADA parking space is required.

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Police Department: No Comments

Public Works Department: 02/16/2024

No concerns

Stormwater Compliance: 02/21/2024

Stormwater comments for this project are as follows:

1. While not a requirement, the Town would like the applicant to consider utilizing Low Impact Development techniques. If the applicant chooses not to implement LID practices, please show why this is not feasible for this project.
2. A reminder that the Winter Construction season has begun and **runs through May 1st**. Winter Construction erosion and sedimentation controls / BMP's have a different set of standards than the rest of the year. Please refer to the Maine DEP's Erosion and Sediment Control Practices Field Guide for Contractors for specific requirements during winter construction.
3. This project is not inside of the Maine Department of Environmental Protection's MS4 Regulated Urbanized Area, but the east side of the proposed site is the border of the MS4 area. Extra erosion control and precautions should be taken to contain all sediment on this side.

Thank you,
Ethan Moskowitz
Stormwater Compliance Officer/ GIS Technician

Town Engineer: 02/22/2024

The following are my comments on this project:

- 1) Please explain the need for multiple entrances into this site. Additionally, one of the entrances is very large (120' Wide) which can cause ambiguity for drivers as well as potential drainage issues. Please be prepared to discuss at the next presentation to Town staff.
- 2) This site is adjacent to the Town's MS4 area and the pond seems to be discharging adjacent to a property that is within the MS4 and has annual reporting requirements. Please be prepared to discuss at the next presentation to Town staff.

Thank You!

Chuck

Wright Pierce: 02/23/2024

As requested by the Town of Gorham, Wright-Pierce has reviewed the Major Non-Residential Site Plan and Subdivision Amendment Application submission for the proposed 27,600 SF

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Moody's Truck Repair building on undeveloped Lot 3 (Tax Map 39, Block 2) within the Raceway Innovation Campus on Raceway Drive. Existing Lot 3 is proposed to be subdivided into Lot 3 and 4 and the proposed building would be built on Lot 3. The lot is located within the Narragansett Mixed Use Development District. The building will consist of office and shop areas. Paved areas are proposed around three sides of the building for vehicle maneuvering and temporary vehicle storage.

Documents Reviewed by Wright-Pierce

- Site Plan Review & Amended Subdivision Application Package – prepared by Sebago Technics, Inc. (February 2024)
- Lot 3, Raceway Innovation Campus Plan Set – prepared by Sebago Technics, Inc. (February 12, 2024)

Review Comments

Applicant should provide written responses to the review comments recommending clarification or further information to be provided by the Applicant.

General/Completeness

A detail should be included in the plans for the truncated dome (a.k.a, detectable warning plate).

General Standards of Performance

Environmental

The proposed project is not located within the 100-year floodplain, shoreland overlay district, or MS4 urbanized area.

Wetlands are located on the site but have been avoided.

A double row of filter barrier within 75 feet of wetlands is recommended.

The project proposes over one acre of disturbance and will require a Maine Construction General Permit.

Parking, Loading, and Traffic

At least one of the accessible parking spaces should be van accessible. The reserved parking sign should also contain a second sign indicating it is van accessible, per ADA requirements.

One accessible parking space has been provided. Two accessible parking spaces should be provided since there are 28 proposed standard parking spaces. ADA requires 2 accessible parking spaces if 26-50 total parking spaces are proposed.

A Trip Generation Assessment Memo was submitted, which indicated a total of 32 PCEs and 29 PCEs in the AM and PM peak hours of the generator, respectively. A MaineDOT traffic movement permit is required for a project generating 100 or more passenger car equivalents (PCE) trips during peak hour of traffic generation. The Planning Board should determine whether any further traffic study is desired or whether they would like the Trip Generation Assessment reviewed by Barton & Loguidice.

Subdivision Requirements

No comments.

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Site Plan Requirements

Internal Vehicle Circulation

Please provide a vehicle turning diagram to verify large vehicles such as fire trucks and tractor trailers can circulate through the site.

It is recommended the Fire Department confirm there is adequate access to all sides of the proposed building.

Access to the Site – see 2.c above.

Stormwater Management

Stormwater runoff from the parking lot overland flows to proposed swales to a sediment forebay and wet pond for stormwater treatment and management. Stormwater runoff from the roof of the proposed building is conveyed by roof drains to the swale as well. Culverts convey stormwater across the driveway entrances.

The proposed wet pond treats runoff from 96.59% of the new impervious area and 90.62% of the new developed area, which exceeds the Maine DEP requirements.

The proposed wet pond attenuates peak flows, resulting in a reduction in peak runoff rate from the site, as required.

Cover over culvert SD-2 is less than 12". At least 12" of cover should be provided.

Submit the 100-year storm model run to verify that the wet pond does not overtop.

The Wetpond Section detail states the outlet control structure is 5' diameter but the Outlet Control Structure detail shows it is 6' in diameter. It appears it is intended to be 6' since that is what was modeled for a weir width in HydroCAD. Review and revise for consistency between the plans and model.

The 4'x6" rectangular vertical orifice at elevation 241.30' in the outlet control structure was not modeled.

It is unclear what the top of the outlet control structure is. Is there an open grate or solid cover?

The section view in the detail for the structure appears to show a frame but no information about the grate/cover.

Submit the Maine DEP Stormwater Law permit approval when available.

Post-Construction Stormwater Management

The project is not located within the MS4 Urbanized Area; therefore, the project is not subject to the Post-Construction Stormwater Management Ordinance. Section 8. Stormwater Management, Town of Gorham of the Stormwater Management Report should be updated to reflect this. Currently, it reads, "The project site disturbs more than one acre and is not located within the Town of Gorham's Municipal Separated Stormwater System (MS4) area. As such, it is subject to the Town of Gorham Code of Ordinances requirements for a Post-Construction Stormwater Management Plan."

The Inspection, Maintenance, and Housekeeping Plan, Post-Construction, 3. Documentation should also be updated to reflect the requirements for the Maine DEP 5-year certification. Certifications to the Town are not required since the project is not subject to the Post-Construction Stormwater Management Ordinance.

Water Supply – Submit the Portland Water District's letter of serviceability when available.

Sewage Disposal

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As indicated by the Applicant, the sewer design is currently being coordinated with the Portland Water District. As such, the Pump Station detail was not reviewed.

Submit the Portland Water District's letter of serviceability when available.

The invert elevations in and out of the proposed pump station should be labeled.

Exterior Lighting – Submit a photometric plan for review.

Landscaping – a Landscape Plan was included in the plan set; however, it was not reviewed.

The plan can be reviewed by our Landscape Architect upon request from the Planning Board.

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**PLANNING BOARD
SITE PLAN REVIEW
AND FINDINGS OF FACT
For
MOODY'S CO-WORKER OWNED, LLC**

March 4, 2024

Applicant/ Property Owner: The applicant/property owner is Moody's Co-worker Owned, Inc, 200 Narragansett Street, Gorham ME 04039

Property: The lot is identified as Tax Map 39, Lot 2-3, and is located on Raceway Drive.

Consultants: Shawn Frank, P.E., with Sebago Technics.

Project Description: The applicant is proposing to subdivide a 22.07 acre lot in a commercial subdivision into 2 new lots, one 14.3 acres and one 7.78 acres and to construct a 27,600 square foot truck repair facility on the 7.78 acre lot.

The development will be served by the underground utilities. All utilities are proposed to go underground on the site.

Site Description: The overall site to be subdivided is 22.07 acres in size and is a mixture of undeveloped fields and forestland.

Applicability: Major Site Plan and Subdivision regulations identify the Planning Board as having review and approval authority.

Zoning: Narragansett Mixed-Use Development District, B. Permitted Uses, 1) Commercial Uses, n) Automotive repair

Variances: None requested.

Waivers: None requested.

Pursuant to the Application:

Site Plan Review was held on March 4, 2024.

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

Shawn Frank, PE of Sebago Technic's Plans consist of the following:

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Sheet 1 of 11 – Cover Sheet – Dated: 09/27/2023; Revised through: 02/12/2024; Received: 02/12/2024
Sheet 2 of 11 – Notes & Legend – Dated: 09/27/2023; Revised through: 02/12/2024; Received: 02/12/2024
Sheet 3 of 11 – Overall Site Plan – Dated: 09/27/2023; Revised through: 02/12/2024; Received: 02/12/2024
Sheet 4 of 11 – Site Plan – Dated: 09/27/2023; Revised through: 02/12/2024; Received: 02/12/2024
Sheet 5 of 11 – Grading & Utility Plan 1 – Dated: 09/27/2023; Revised through: 02/12/2024; Received: 02/12/2024
Sheet 6 of 11 – Grading & Utility Plan 2 – Dated: 09/27/2023; Revised through: 02/12/2024; Received: 02/12/2024
Sheet 7 of 11 – Landscape Plan – Dated: 09/27/2023; Revised through: 02/12/2024; Received: 02/12/2024
Sheet 8 of 11 – Erosion Control Notes – Dated: 09/27/2023; Revised through: 02/12/2024; Received: 02/12/2024
Sheet 9 of 11 – Details 1 – Dated: 09/27/2023; Revised through: 02/12/2024; Received: 02/12/2024
Sheet 10 of 11 – Details 2 – Dated: 09/27/2023; Revised through: 02/12/2024; Received: 02/12/2024
Sheet 11 of 11 – Details 3 – Dated: 09/27/2023; Revised through: 02/12/2024; Received: 02/12/2024
Sheet 1 of 1 – Amended Subdivision Plan – Dated: 02/12/2024; Revised through: 02/12/2024; Received: 02/12/2024
A1 - Lot 3, Floor Plan – Dated: 12/20/2023; Revised through: 12/20/2023; Received: 02/12/2024
A2 – Elevations – Dated: 12/20/2023; Revised through: 12/20/2023; Received: 02/12/2024

Other documents submitted consist of the following:

Site Plan Review Application – 02/12/2024
Plans – 02/12/2024
Letter of Financial Capacity – Norway Savings Bank, 01/19/2024
Trip Generation Memorandum –
Gorham Town Planner Comments – 2/28/2024
Gorham Assessor Comments – No comments
Gorham Fire Chief Comments – 02/21/2024
Gorham Public Works Director Comments – 02/16/2024
Gorham Code Enforcement Officer – 02/21/2024
Gorham Stormwater Compliance – 02/21/2024
Gorham Town Engineer – 02/22/2024
Wright Pierce – 02/23/2024

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

CHAPTER 4, Section 9 – 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 subdivide a 22.07 acre lot in a commercial subdivision into 2 new lots, one 14.3 acres and one 7.78 acres and to construct a 27,600 square foot truck repair facility on the 7.78 acre lot. with no significant impacts to wetlands.

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 Raceway Drive off of Narragansett Street, which was constructed to the Town's paved private way standard Raceway Drive is a dead end road that exits onto Narragansett Street.

The development is proposed to have less than 100 peak hour trips; according to Section 5, Traffic of the Project Narrative proposed project is anticipated to generate 30 trips and 28 trips during the AM and PM peak hours of the generator, respectively.

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 Gorham Town Engineer has inquired about why there is a need for two entrances to the site, and why one of the entrances appears to be excessively wide at 120 feet.

The grade of the proposed drive or street shall be a -2.0% for a minimum of five (5) feet from the existing pavement edge or to the centerline of the existing drainage swale. From the above control point, a grade of not more than -3% shall be required for a minimum of two (2) car lengths or forty (40) feet.

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.

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The project Site Plan, Sheet 4 of 14, shows that adequate clearances are provided for emergency vehicle and large trucks to safely maneuver on site.

Finding: The layout of the site provides for the safe movement of passenger, service, and emergency vehicles through the site.

E. Pedestrian Circulation: The development plan will provide for a system of pedestrian circulation within and to the development.

The site does not include sidewalk connections to the sidewalk along Raceway Drive.

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 demonstrates in its provided Stormwater Management Report that over 95% of new impervious and developed area will receive treatment, exceeding state Chapter 500 standards.

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 storm water drainage system and maintenance plan which will 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.

Natural vegetation will be preserved in all areas not developed.

Prior to and during construction an erosion control blanket will be installed along the edge of the disturbed area, as shown on the Erosion Control Notes, Sheet 8 of 14.

The applicant will also comply with the “Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices,” Maine Department of Environmental.

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 site will be served by public water from the Portland Water District. An 8” water service line will be extended into the site from the existing 8” water main located in the Raceway Drive right-

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of-way. The water line design and installation must meet the requirements of the Portland Water District.

A letter of capacity to serve from the Portland Water District is pending.

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 site will be served by public sewer from the Portland Water District. A connection to the existing sewer main on Narragansett Street is proposed.

A letter of capacity to serve from the Portland Water District is pending.

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 site will be served by existing overhead electrical power and telephone from Narragansett Street right-of-way. The lot itself will be served by underground electrical power and telephone run from the pole within the Raceway Drive right-of-way as shown on the Grading and Utility Plan, Sheet 6 of 14. The applicant is proposing an extension of natural gas service, which is not currently shown on the plans.

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 proposed development of the site is designed to minimize impacts on natural features, including existing trees and wetlands.

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.

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There is no onsite septic or expected contaminants that would affect the groundwater proposed.

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 has not provided a photometric plan.

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.

The project proposes includes one (1) trash and recycling pad located on the southwest side of the facility . Trash removal will be through a private waste hauler, the identity of which has not been determined.

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 landscaping plan, Sheet 7 of 14 shows and adequate buffer and planting plan to screen the development from Raceway 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.

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The applicant has submitted a letter from Larissa Darcy, Vice President of Commercial Lending at Norway Savings Bank, dated January 19, 2024 which identifies there is financial capacity to complete the project.

The applicant is utilizing Sebago Technics to provide technical capacity to complete the project.

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 applicant is proposing to leave a majority of the existing trees located around the perimeter of the lot to break up the development from the abutters. The applicant is also proposing landscaping at the street edge.

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 70 dBA daytime (7 a.m. - 7 p.m.) and 60 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.).*

CHAPTER 2: GENERAL STANDARDS OF PERFORMANCE

Those standards sections that are not repeats from above or apply to this development are listed below.

Section 2-1 Environmental G. Air Pollution

Dust and dirt shall not exceed 0.3 grains per cubic foot and will not be produced after construction of the building. Post construction, the air will be treated in all rooms with carbon filters and will not produce odor that leaves the building.

Finding: *No air pollution will be created by this development.*

Section 2-2 Parking, Loading, and Traffic

A. Off Street Parking Standards

28 parking spaces are shown on the lot on Sheet 4 of 14.

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Where artificial lighting is provided, it shall be shaded or screened so that no light source shall be visible from outside the area and its access driveways.

Finding: *The development provides for sufficient parking and the lighting is shaded and not visible from outside the area.*

B. Off-street Loading Standards

Sheet 4 of 14 shows that no bay is located so that they need to back into a street.

Finding: *Off street loading is provided for by this development.*

CHAPTER 3 - SUBDIVISION, SECTION 3 - PRELIMINARY PLAN

The Planning Board, following review of the Subdivision Amendment Application, makes these findings based on the Subdivision Amendment Review criteria found in Chapter 3, Subdivision, Section 3 – C. Preliminary Plan Review, and Section 4 – D. Final Plan Review.

Because this is an amendment, some of the Subdivision and Site Plan Review standards are not applicable, as indicated below.

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 Innovative Campus at Raceway Drive subdivision will meet the requirements of the Narragansett Mixed-Use District. The applicant is required to get all required local, state, and federal permits required for the proposed development.

The Comprehensive Plan identifies this area as Narragansett Mixed-Use District. The plans meet the lot size criteria requirements of the Narragansett Mixed-Use zoning district.

Finding: *The subdivision approval for Innovative Campus at Raceway Drive subdivision conforms with the Comprehensive Plan of the Town, and with all pertinent State and local codes and ordinances.*

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

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Access to Innovative Campus at Raceway Drive Subdivision is via Raceway Drive, which has been designed under the Town's Industrial/ Commercial road standard. Lot access for the Innovative Campus at Raceway Drive Subdivision is limited to Raceway Drive and any future internal roads, private ways, and driveways located off Raceway Drive.

The applicant should provide information showing the traffic generation for the site as a whole resulting from the proposed development at Lot 3.

The subdivision development is accessed from Narragansett Street, State Route 202, and is designated as another principal arterial road by the Maine Department of Transportation.

Finding: The subdivision approval for Innovative Campus at Raceway Drive Subdivision will not cause congestion or unsafe conditions with respect to use of the highways or public roads, existing or proposed on or off the site.

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

The subdivision lots will be served by public water, public sewer, underground power, telephone, and cable lines from either the Raceway Drive right-of-way or Narragansett Street right-of-way. No changes are proposed to the utilities serving the sight.

Finding: The subdivision approval for Innovative Campus at Raceway Drive Subdivision will not place an unreasonable burden by either direct cause or subsequent effect on the availability of the Town to provide municipal services including utilities, waste removal, adequate roads, fire and police protection, school facilities and transportation, recreational facilities, and others.

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

The subdivision lots will continue to be served by public water from the Portland Water District. The 8" water mains located in Raceway Drive right-of-way will serve the subdivision. The water main design and installation are required to meet the requirements of the Portland Water District.

Lot 3 will be served by an extension of the 8" water main in Raceway Drive.

Finding: The subdivision approval for Innovative Campus at Raceway Drive Subdivision provides for adequate water supply for present and future needs.

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

The subdivision lots will continue to be served by public sewer from the Portland Water District. Lots 1 and 3 will be served by the 8" gravity sewer main in Raceway Drive to

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station number 2+28, then to 3" private force mains located outside each side of the road in a utility easement.

Lot 2 and Lot 4 will be served by the 10" gravity sewer main located in the Narragansett Street right-of-way.

Finding: The subdivision approval for Innovative Campus at Raceway Drive Subdivision provides for adequate solid and sewage waste disposal for present and future needs as reasonably foreseeable.

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

Stormwater from the site will be treated in stormwater infrastructure meeting the Maine Department of Environmental Protection's and the Town of Gorham's stormwater requirements. The dwellings units' sewage disposal will be via the public sewer maintained and treated by the Portland Water District.

Finding: The subdivision approval for Innovative Campus at Raceway Drive Subdivision will not result in undue pollution of air, or surficial or ground waters, either on or off the site.

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

Lot 1 has an approved site plan meeting the requirements of Chapters 2 and 4 of the Land Use and Development Code. The proposed development of the parcel at Lot 3 is designed to meet applicable erosion control standards as demonstrated by Plan Sheet 8 of 14.

Each lot shall be responsible for maintenance of the stormwater infrastructure on its lot as well as the appropriate shared stormwater pond(s).

Finding: The subdivision approval for Innovative Campus at Raceway Drive Subdivision will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result

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

No wetlands, vernal pools, or other natural resources are proposed to be impacted on Lot 3, the site of the proposed Truck Repair Center. Lot 1 has an approved site plan which limits the amount of impacts that are allowed on the site.

Finding: The subdivision approval for Innovative Campus at Raceway Drive Subdivision will not affect the shoreline of any body of water in consideration of pollution, erosion, flooding, destruction of natural features and change of ground water table so that a dangerous or unhealthy condition may result.

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- 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.

No new improvements are proposed with the subdivision plan. No wetlands, vernal pools, or other natural resources are proposed to be impacted on Lot 3, the site of the proposed Truck Repair Center. Lot 1 has an approved site plan which limits the amount of impacts that are allowed on the site.

No scenic vistas, historic sites or irreplaceable natural or manmade assets have been identified on the site.

Finding: The subdivision approval for Innovative Campus at Raceway Drive Subdivision will respect fully the scenic or natural beauty of the area, trees, vistas, topography, historic sites and rare or irreplaceable natural or manmade assets.

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

The applicant has submitted a letter from Larissa Darcy, Vice President of Commercial Lending at Norway Savings Bank, dated January 19, 2024 which identifies there is financial capacity to complete the project.

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

- 3) Every subdivision shall be responsible for providing open space and recreational land and facilities to meet the additional demand created by the residents of the subdivision. This requirement shall be met by the payment of a Recreational Facilities and Open Space Impact Fee in accordance with Chapter 8.

The subdivision and development of any mixed-use lots will be required to pay the Recreational Facilities and Open Space Impact Fee prior to issuance of the building permits for the residential units proposed on a lot.

Finding: The subdivision approval for Innovative Campus at Raceway Drive Subdivision is responsible for providing open space and recreational land and facilities to meet the additional demand created by residents of the subdivision.

- 4) If an applicant chooses to create open space and/or recreational land and facilities within the subdivision in addition to paying the impact fee, the following applies:

a) **Land Improvements:** The applicant shall improve the land according to the proposed use of the land and the requirements of the Planning Board.

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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 condominium associations for the subdivision for maintenance of any infrastructure located outside of the right-of-way and also to maintain the road should the Town not accept the road.

Finding: Innovative Campus at Raceway Drive Subdivision shall be required to maintain the stormwater ponds as well as any infrastructure located outside of the road right-of-way as well as the road should the Town not accept it as a Town way.

CHAPTER 3 - SUBDIVISION, SECTION 3-4C– FINAL PLAN REVIEW

D. FINAL PLAN REVIEW

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

The applicant has submitted all information required of preliminary plan. The plan shows all existing and proposed monuments and pins. The plan shows sufficient information to locate streets, easements, and property lines.

Finding: The applicant has met the standards of this section for final plan approval.

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

The applicant is requesting a waiver from the Planning Board's requirement to grant preliminary and final subdivision approval at separate meeting.

Finding: The applicant has met the standards of this section for final plan approval.

CHAPTER 7 SECTION 7-2 MIDDLE SCHOOL IMPACT FEE #1

Any residential development activity anywhere in Gorham that may potentially have school aged children living in the units will be subject to the impact fee.

The applicant will be required to pay the Middle School Impact Fee #1 prior to the issuance of any residential building permits for any mixed-use lots within the subdivision.

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

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- 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. Any staff and peer review comments shall be addressed prior to the Board signing the plans.
 4. 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.
 5. All waivers and variances will be listed on the plan prior to recording.
 6. The map and lot numbers shall be listed in the bottom right corner of all pages of the plan set.
 7. That all relevant conditions of approval from past Site Plan approvals shall remain in effect.
 8. That any proposed use on the site shall meet the sound level requirements outlined under Chapter 4, Section 9, T. Noise.
 9. 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.
 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 in accordance with the erosion and sedimentation control information contained in the application.
 12. That the Planning Board Chair is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and
 13. 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 copy of the recorded site plan shall be returned to the Town Planner prior to the pre-construction meeting.

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14. The subdivision plan is required to be recorded within one year of original approval or the approval becomes null and void.

SUGGESTED MOTIONS:

FOR SITE PLAN APPROVAL:

Move to grant Leaf Labs LLC request for site plan approval for Moody's Co-Worker Owned, Inc. truck repair facility, located on Map 39, Lot 2-3 in the Narragansett Mixed-Use Development district, based on Findings of Fact and Conditions of Approval as written by the Town Planner (and amended by the Planning Board).

TO PLACE SITE PLAN APPROVAL ON CONSENT AGENDA OF APRIL 1, 2024:

Move to place site plan approval on the April 1, 2024 meeting consent agenda.