

**Land Use and Development Code Amendment: Hans Hansen Contract Zone Amendment**

**Town of Gorham  
Planning Board Workshop  
May 18, 2020**

**ITEM 2 - Land Use and Development Code:** Discussion - proposed amendment to the Hans Hansen Contract Zone to allow age-restricted dwelling units and to a portion of the lots located in Stargazer Subdivision. Zoned R/SR, Map 3, Lots 22.502-507 and 22.403. The applicant is represented by Bill Walsh, P.E., with Walsh Engineering.

<b>INDEX OF PACKET ENCLOSURES</b>	
<b>DESCRIPTION</b>	<b>PAGE NUMBER</b>
1. Overview and Staff Comments	1-8
2. April 13, 2020 Workshop Notes	9-14

**AMENDMENT TRACKING**

<b>DESCRIPTION</b>	<b>COMMENTS</b>	<b>STATUS</b>
<b>Town Council Meeting</b>	The Town Council forwarded the item to the Planning Board for a public hearing and recommendations (6 ayes).	_____
<b>Planning Board - Discussion</b>	The Planning Board moved the item to full Planning Board Workshop.	<b>March 2, 2020</b>
<b>Planning Board Workshop- Discussion</b>	The Planning Board held a workshop on the item: The Planning Board discussed a number of items: traffic concerns with the drive through, landscaping and visual impacts from County Road and abutters, Blue Ledge Road standards, integrating the plan so that the lots have a campus type feel with amenities.	<b>April 13, 2020</b>
<b>Planning Board Workshop</b>		<b>May 18, 2020</b>

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.

# Land Use and Development Code Amendment: Hans Hansen Contract Zone Amendment

## 1. Overview

This item is on for further discussion of the applicant's proposed amendment to the existing Contract Zone. The Planning Board held a workshop in April to discuss the proposed amendment; the Board requested a number of items be provided to assist it in further reviewing and making recommended changes to the contract zone. The notes from that workshop are located on pages 9-14

The contract zone amendment has been reviewed by Town staff and comments have been provided for the Planning Board's review and consideration. The Town has also received a number of abutter comments on the proposed contract zone amendment; the comments have been saved to the Google Drive.

## STAFF REVIEWS

### **Community Development Planning Division: May 14, 2020**

1. The Planning Board asked at the last meeting for a proposed landscape rendering of what the abutters could expect to see and a more formal use of the open space. The plans show the sidewalks as requested but nothing detailing the use of the open space near the pond.
2. Contract Zone Language: The contract zone language does not identify the requirement for landscaping along County Road or the abutting residential property to buffer the drive-through unit's impacts. The contract zone should identify when sidewalks will be completed as well as any other improvements to Blue Ledge Road.
3. Contract Zone 2) Sewer impact fees shall be \$10,000.00 for lots 2, 3, 6, and 7. All other lots and condominium units shall be required to pay sewer fees as identified in the original contract zone.
4. Contract Zone 3) Number 3 shall be revised to reflect the amount of traffic able to be served by the development and what improvements will be required by the Town of Gorham including any off-site contributions. This should also identify a time line for the completion of the road and sidewalk improvements.
5. Contract Zone 4) Needs to identify that only a financial institution is allowed to have the drive-through aisle between the building and County Road. The parking in the front setback is only allowed if deemed necessary by the Planning Board and under no circumstances is to be located between the front of the building and South Gorham Crossing driveway.
6. South Gorham Crossing: Sheet C1
  - a. Lots 4 and 5: Shows the building driveways located within the wetland setback. Will intrusions in the wetland setback be allowed under the DEP permit for the subdivision? Staff does not believe the design of the mixed use shown on lot 4 meets the requirements of the original contract zone. Is the applicant requesting this lot also be amended? If not, staff recommends showing a layout that conforms to the original contract language context of a village/campus design.

## Land Use and Development Code Amendment: Hans Hansen Contract Zone Amendment

- b. Would a sidewalk be allowed between the parking area and the landscaping shown on the plan to better facility pedestrian mobility across the site?
- c. Is the applicant proposing to install all the landscaping shown on the approved concept plan for South Gorham Crossing?
- d. Recommend the sidewalk on South Gorham Crossing and the east side of Blue Ledge Road extend to County Road, State Route 22, similar to that of the sidewalk shown on the west side of Blue Ledge Road.

### 7. South Gorham Crossing Credit Union: Sheet C1.0

- a. What is the number of cars that would be allowed to cue in the financial institutions drive through aisle? Below are the requirements from the Land Use Code. Will the drive through meet all these requirements?

**Drive –through Service:** A retail or service activity in which the customer the customer does not Service leave his/her motor vehicle to complete the transaction, and which complies with the following requirements:

- 1) A separate, defined stacking lane is provided which will accommodate a minimum of five vehicles.
- 2) The transaction occurs at a defined service window or terminal.
- 3) The service window or terminal is located a minimum of sixty (60) feet, with the maximum to be established at Site Plan Review, from the point of egress onto the nearest street right-of way.
- 4) The architectural design of the service window or terminal shall be compatible with the principal use.

### **Public Works: May 14, 2020**

Tom,

I've looked over the various documents and plans and have the following comments:

### **Roadway and pavement**

I agree with the widening proposed. The existing pavement on Blue Ledge Road is now over ten years old. Pavement degrades with age even without traffic. I think an inch of new additional pavement will work from the end of the road to the Cumberland Farms entrance, but it should be a full two inch add of new pavement from that Cumberland Farms entrance out to Route 22 to make up for the age of the base pavement and the lack of gravel base when compared to the subcollector standard.

## Land Use and Development Code Amendment: Hans Hansen Contract Zone Amendment

### Traffic Signal Improvements

The Route 22 corridor from this location easterly into North Scarborough and the traffic signals at Route 22 and Route 114 are all being looked at for synchronization and improvements to maximize the flow of traffic as efficiently as possible. The Town of Scarborough has started a design phase and PACTS has this area selected for RTMS (Regional Traffic Management System) improvements. Some form of assistance with this should come from this development.

### Sidewalk

With open section ditches, how is a sidewalk going to be built as shown within the existing ROW? Is it to be constructed behind the ditch outside the ROW in an easement or are you looking at a closed drainage system?

Please contact me with any questions. Thank you,

Bob Burns, PE  
Public Works Director

### Town Attorney: Pending

*The contract zone language has been forwarded to the Town Attorney and staff will forward comments and proposed revisions to the contract zone as soon as they are received.*

### **Below is information provided to the Planning Board in past staff comments and might be helpful to the Planning Board during their review.**

As a reminder, the applicant is looking for a number of amendments to the approved Contract Zone for the parcels. The amendments include allowing aged-restricted residential uses, mixed-use buildings, exempting road standards from the requirements of the Land Use and Development Code standards, removing the New England Architecture requirement, and allowing a drive-through between the building on lot 3 and the front of the building.

In addition to any other recommendations proposed by the Planning Board as part of the contract zone amendment, planning staff recommends the following amendment regarding the contract zone:

Contract Zone Density: The parcel density shall be 2 units per net acre for any lots with residential units. Density language will be added to the contract zone. This density is the amount set in the Comprehensive Plan.

Mixed-Use: The Planning Board should discuss whether the lots with residential units should be limited to the rear and side of the Mercy Quick Care Facility, due to potential sound impacts of the Quick Care emergency vehicles on residential units.

Drive-Through: The applicant would like to have the ability to put pavement between the

## Land Use and Development Code Amendment: Hans Hansen Contract Zone Amendment

building and County Road for a drive-through. Staff recommends that should the Planning Board allow the change, the proposed pavement be limited to the front parcel and shall be no closer than the paved area of Cumberland Farms. The landscaping between the pavement and County Road shall also meet the requirements of Cumberland Farms. Planning staff does not recommend removing New England Architecture standards from the contract zone.

### Road Standard:

The applicant would like to have the ability to increase the amount of traffic allowed on Blue Ledge Road from the minimum amount of 250 ADT. Planning Staff discussed this with the Public Works/Town Engineer and he recommends the applicant identify a proposed ADT and any proposed road modifications to handle any increased ADT. Unfortunately the Public Works Director has a meeting conflict and cannot attend the meeting.

### Sewer Impact Fees:

The sewer impact fees for residential lots shall be \$10,000.00 per lot. The sewer impacts fees for commercial and mixed-use parcels shall remain the same.

### Lots:

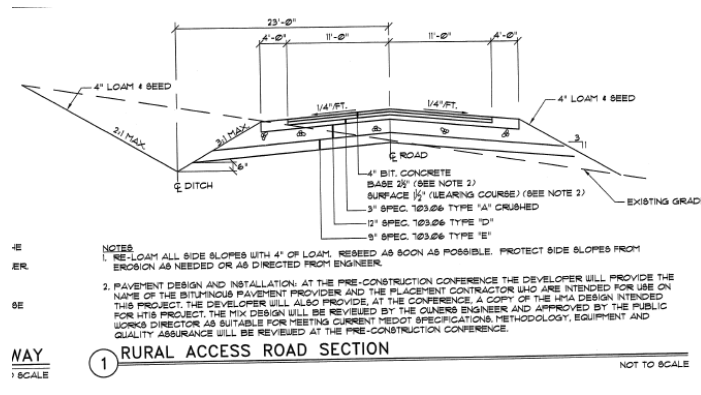
The Contract Zone shall clearly identify which lots are proposed for residential units and which ones will be commercial/ mixed-use. Any lots strictly with residential units shall be further limited to housing units for senior living per the federal Department of Housing and Urban Development.

Below information in italics is information provided at the previous Planning Board meeting.

*As a reminder to the Planning Board any proposed changes regarding residential density and building designs need to be found consistent with the Future Land Use Planning in the Town's Comprehensive Plan. The Future Land Use Plan identifies these lots to be located in the South Gorham Commercial Center District. See description and Future Land Use Map for South Gorham on pages 3 and 4.*

*The Stargazer subdivision lots are served by Blue Ledge Road which was designed to the Town's Rural Access Standard. From a search of Community Development files it looks like South Gorham Crossing driveway was also designed to the Town's Rural Access Road gravel and asphalt pavement sections. Rural Access Road Standards are identified in the Ordinance to handle up to 250 Average Daily Trips. The applicant would like a waiver to allow the road to handle more than 250 Average Daily Trips. Typically roads that handle higher volumes are required to have deeper depths of gravel and asphalt as well as wider travel lanes.*

# Land Use and Development Code Amendment: Hans Hansen Contract Zone Amendment



As a reminder to the Planning Board, Cumberland Farms went through an extensive landscape review in order to allow parking and drive aisles to be located between the front of the building and County Road. Staff recommends that the Planning Board review the Cumberland Farms Contract Zone requirement as part of the review of Unit 3’s amendment to allow a drive-through aisle between the building and County Road. This will ensure consistency for the lots fronting on County Road and to better form a campus style development pattern as identified in the Comprehensive Plan.

The Planning Board should also identify any additional material, information, or peer reviews they would like the applicant or staff to provide as the Contract Zone amendment proceeds to the next meeting to discuss the proposed amendments.

- **South Gorham Commercial Center Area**

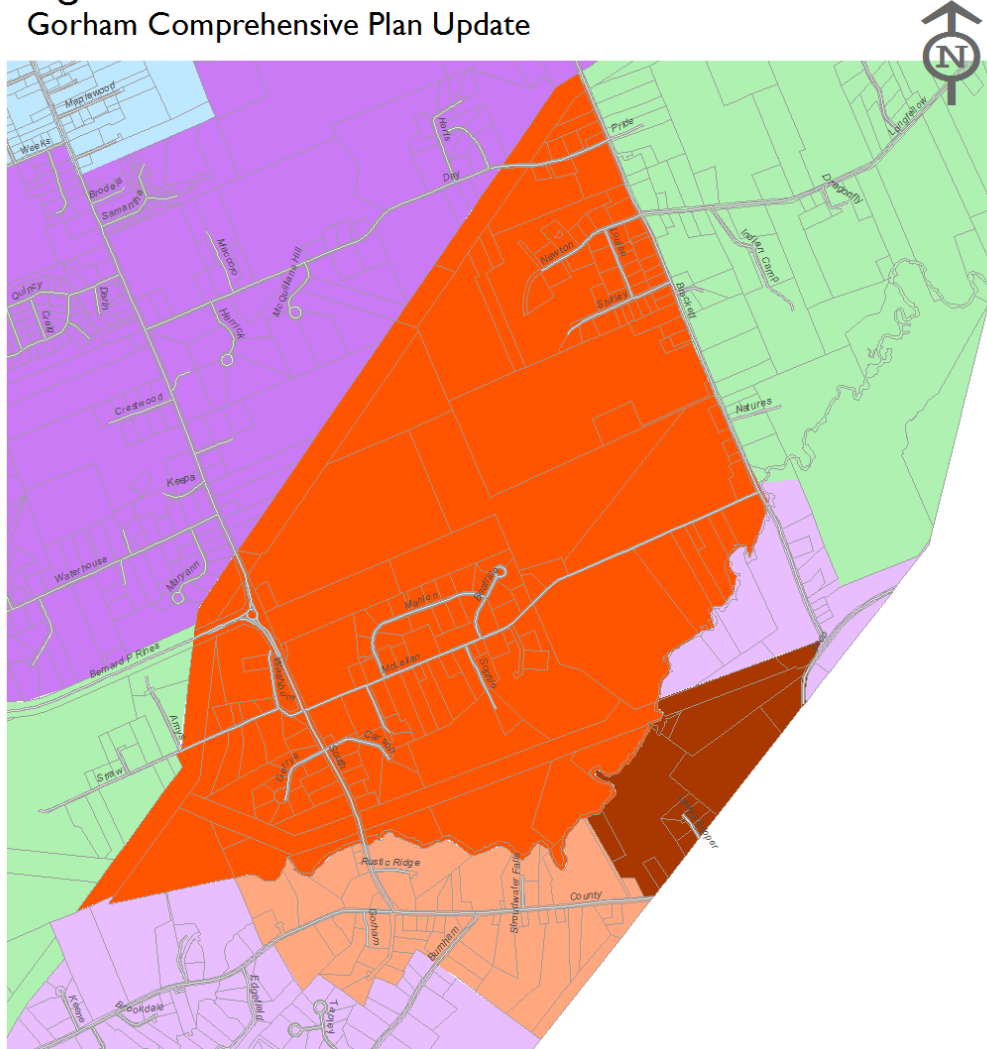
- **Location** – The South Gorham Commercial Center Area designation includes the land on both sides of the County Road in the vicinity of the intersection with South Street (see Figure 6.5). This designation includes the parcels that have been “contract zoned” thereby creating a consistent pattern for this area of the community.
- **Allowed Uses** – In the longer-term, the land use regulations in this area should be based on a Master Plan for South Gorham and North Scarborough developed jointly with the Town of Scarborough. In the near-term, the zoning should incorporate the provisions of the existing contract zones that have been established within this area. The allowed uses in this designation should include a range of residential uses including eldercare facilities together with a wide-range of smaller-scale non-residential uses including business and professional offices, personal and business services, restaurants, retail uses, B&Bs, and community uses. Most non-residential uses should be limited to a maximum of 5,000 to 7,500 square feet of floor area. Larger uses such as retail uses with up to 15,000 square feet of floor area may be allowed on “back lots” away from County Road provided that their access is from internal streets and the frontage along County Road is developed with smaller-scale buildings.
- **Development Standards** – As noted above, the land use regulations for this area should evolve as a Master Plan for South Gorham and North Scarborough is developed and adopted. As a general guiding principle, a higher density of activity should be allowed within approximately one thousand five hundred (1,500) feet of the intersection of County Road and South Street with lower density activity in the remainder of the area. Residential uses should be allowed at a density of up to two units per net acre with

## **Land Use and Development Code Amendment: Hans Hansen Contract Zone Amendment**

*on-site sewage disposal and four units per acre with public sewerage throughout the area with higher density allowed with public sewerage near the South Street intersection. The basic minimum lot size should be 20,000 square feet that can be reduced to 10,000 square feet or less with public sewerage. The variable density provisions for small units should apply in this designation if public sewerage is utilized.*

*The development standards should promote a campus style development pattern in the area near the South Street intersection with more of a village character in the remainder of the area. The standards should require that new buildings have a traditional character and scale and be limited to a maximum of two stories except in the area around the South Street intersection if public sewerage becomes available in the future. Buildings should be located on access drives or new streets where feasible to minimize curb cuts on County Road. The creation of an interconnected street network should be required where feasible. New buildings directly fronting on County Road with access from that street should not be allowed unless there is no alternative. Buildings should be located in proximity to the street or access road with a setback of no more than fifty feet along the County Road and 35 feet on other streets or drives.*

Figure 6.5: South Gorham  
Gorham Comprehensive Plan Update



- |                                |   |
|--------------------------------|---|
| <b>Residential Growth Area</b> | <b>Nonresidential Growth Areas</b>      |
| Suburban Residential           | Corridor Commercial                     |
| Village Expansion              | Industrial                              |
| <b>Mixed-Use Growth Area</b>   | Mosher Corner Planned Dev               |
| Gorham Village Center          | University Institutional                |
| Little Falls Village Center    | <b>Mixed-Use Limited Growth Areas</b>   |
| Mosher Corner Mixed Use        | Village Office-Residential              |
| Narragansett Mixed-Use Dev.    | White Rock Mixed-Use                    |
| South Gorham Commercial Center | <b>Residential Limited Growth Areas</b> |
| South Gorham Crossroads        | Village Residential                     |
| Village Approach               |   |
| Village Commercial             | <b>Rural Areas</b>                      |
|                                | Rural                                   |

0 0.5 1 Miles

Prepared by Gorham Planning Office 6/10/2016



## Land Use and Development Code Amendment: Hans Hansen Contract Zone Amendment

PLANNING BOARD WORKSHOP NOTES

APRIL 13, 2020

1. Land Use and Development Code - proposed amendment to the Hans Hansen Contract Zone to allow age-restricted dwelling units and amendments to a portion of the lots located in Stargazer Subdivision. Zoned R/SR, Map 3, Lots 22.502-507 and 22.403.

Mr. Fox explained that this is the first full Planning Board zoom workshop to discuss the proposed amendment to the Hans Hansen Contract Zone to allow age-restricted residential uses, mixed-use buildings, exempting road standards from the requirements of the Land Use and Development Code standards, removing the New England architectural requirements of the zone, and allowing a drive-through between the building on lot 3 and the front of the building.

The Clerk called the roll of the Board alphabetically, noting that Scott Firmin was absent.

Mr. Poirier opened the workshop discussion and told the Board that he has provided it with copies of the Hansen Contract Zone as well as the Cumberland Farms Contract Zone amendment as reference material going forward. Mr. Poirier said that the Hansen Contract Zone was approved in 2011 in an area that formerly was zoned Rural/Suburban Residential, in order to allow certain commercial uses in that district, provided certain performance standards were met based on the Comprehensive Plan at that time. The Town Council removed the residential portion of that zoning, so it went from residential zoning to commercial zoning. Cumberland Farms amended the Contract Zone to allow a drive-through in front of their building and went through specific design performance standards and landscape review.

Mr. Poirier said that at this time Mr. Hansen is asking to amend the Contract Zone as outlined in the Board's review memo provided for this evening's workshop. He said that Mr. Walsh and Mr. Greer will discuss the specifics of each proposed amendment in more detail. However, one of the proposed amendments is to allow a residential use, and a review of the Comprehensive Plan indicates that it calls for two units per net acre for residential use. If the Board wants to allow residential uses, that use would default back to the Comprehensive Plan and identify a residential density meeting the Comprehensive Plan standard. Another item under discussion is which lots should be permitted to be residential and which should be mixed-use. A question to consider is whether the frequent use by ambulances at the Mercy Quick Care facility would have a negative impact on residential uses in close proximity to that facility. Mr. Poirier also referred to the applicant's request to have a drive-through, currently not allowed, between a proposed use and County Road, saying that if the Board is comfortable with that change, it should be consistent with the adjacent Cumberland Farms and have landscaping that mirrors it. Mr. Poirier said that the applicant would like the flexibility to increase the amount of traffic allowed on Blue Ledge Road, which currently is built to the Rural Access road standard, based on the original Rural zone approval. Mr. Poirier said that he has spoken with the Public Works Director about this request, and Mr. Burns' recommendation is that the applicant identify what is being proposed for ADT for the buildout of the full subdivision, at which time road modifications can be better reviewed. Mr. Poirier noted that there are sewer impact fees as part of the Contract Zone to help pay for sewer extensions to serve the lots: residential lots' impact fees shall be \$10,000 per lot and the fees for commercial and mixed-use parcels shall remain the same. Mr. Poirier said that the lots proposed to have residential dwellings on them would be developed under Federal standards for senior living facilities.

Mr. Fox then turned the proceedings over to Mr. Greer and Mr. Walsh. Mr. Greer said they agree with everything brought up by Mr. Poirier and they hope the Contract Zone can be amended to meet the applicant's needs as well as the requirements outlined by Mr. Poirier. Mr. Greer noted that commercial development has been slow in the Contract Zone and the applicant is anxious to make some changes that would be economically more attractive. Mr. Greer confirmed that they are requesting changes for two items: one is the residential housing for over 55, in accordance with housing standards mentioned by Mr. Poirier, and the second change is to allow the drive-through toward Route 22 with some parking spaces out front for which they would like to get

## **Land Use and Development Code Amendment: Hans Hansen Contract Zone Amendment**

a waiver as well, for a total of 20 parking spaces. He said that the drive-through is only for a financial institution and they do not envision any type of fast food restaurant in that location.

The Board was then shown a series of slides outlining the applicant's proposed changes, including depictions showing the proposed location for a financial institution with the proposed drive-through, and 4 lots for the residential components separated by two lots designated for commercial use. Mr. Greer said that his belief is that "mixed use" refers to the entire site, not necessarily having both residential and commercial in one building.

Mr. Greer said that the Council wants to limit the houses to 2 bedrooms only for over 55 housing, no children allowed, and no one under the age of 18 would live there for more than 60 days. One home owner has to be over 55 in order to buy a property. He said he believes that the change in traffic as a result of the residential lots would be minor in comparison with the development of the lots as originally planned as commercial. He said the project requires Planning Board approval for site plan and subdivision amendments, and as well as amending the DEP Site Location of Development permit.

One of the slides showed the proposed financial institution, with 3 additional parking spaces for a total of 20 parking spaces, a stone wall across the front of drive-through along County Road, and the proposed landscaping to mimic that of Cumberland Farms.

Mr. Greer said they believe they are proposing a project they think is mixed use, in conformance with the future zoning as noted in the staff memorandum. Referring to the comments in that memorandum, he believes they can comply with the 2 units per net acre density requirement. He said they comply with the mixed use requirement by putting residential use next to the Mercy Quick Care because the two uses of over 55 housing and the Quick Care match up well. Mr. Greer said that the drive-through aspect for a financial institution is the highest and best use for that lot in terms of storm water management, and septic and water supply. He reiterated that the amount of projected road traffic is very minor and they will have a traffic engineer put together the differences in uses and trip generations. He said he believes that the trip generation for the commercial uses is probably equal to what it would be for the residential uses. He said they believe they can change the Contract Zone regarding sewer impact fees so that they would pay the \$10,000 fee for the six lots being developed, for a total of \$60,000. This would break down to \$20,000 for the first two residential lots, \$10,000 for each of the commercial ones, and \$20,000 again for the back commercial lots. He said that the uses for the lots would be as follows: lots 2 and 3, residential; lots 3 and 4, commercial with mixed use residential; lots 4 and 5, commercial; and lots 6 and 7 in the back residential.

Mr. Fox commended Mr. Greer and Mr. Walsh on a thorough presentation. He said he believes that this Contract Zone was the first one in this area, and subsequent ones followed the structure, requirements and restrictions of this one. He said he does wonder about changing the Contract Zone requirements here, and what the ripple effect may be for the other properties in the area that also received Contract Zone approval modeled after this one.

Mr. Fox asked Mr. Poirier about the history of the other lots in that area that went through the Contract Zone process and if there would be consistency with those other lots. Mr. Poirier replied that this was the first of the Contract Zones, and when the others came forward this one was used as a template to roll the other ones out. Mr. Poirier said if the Board finds that what is being proposed here is consistent with the Comprehensive Plan, that would be looked to if someone else wanted to amend his Contract Zone, rolling that change out to the rest of the Contract Zones in the area. He recommended that the Board be comfortable with anything approved here being consistent with the Comprehensive Plan, as well as any other Contract Zone for this area.

Mr. Poirier commented that Mr. Greer said the road standard was looked as part of the Comprehensive Plan but the Contract Zone for that lot does not say there is a waiver from the road standards. Mr. Poirier said he would check with the Town Attorney but he believes traffic on Blue Ledge Road will have to be considered.

## **Land Use and Development Code Amendment: Hans Hansen Contract Zone Amendment**

Mr. Anderson asked Mr. Poirier for an overview of what the applicant is looking for that is changing from what was approved in the original Contract Zone. Mr. Poirier said that adding residential use is a change to the original Contract Zone, which was strictly commercial, with the addition of an interpretation of mixed use as having some of the lots being residential and some being commercial. Mr. Poirier said that originally under the Contract Zone the area was to be developed with a basic New England character, because the Council did not want to see a strip mall type of development. Instead the Council wanted something where the buildings were in the front and parking was in the back. The applicant also wants the flexibility on the front lot to do away with the New England character performance standard by the addition of a drive-through, which is not allowed in the New England character standard.

In reply to Mr. Anderson, Mr. Greer said they are not sure if the proposed trip generation numbers will be greater or less than that currently allowed on Blue Ledge Road. A discussion ensued about cut-through traffic, with Mr. Greer saying that the proposed financial institution entrance will probably be the most heavily used, with some of those customers making a loop around to come back out at the light. Also discussed was the current level of traffic backup at commuter times.

Mr. Greer said that without the Contract Zone, residential units would be allowed, and said he believes that the Comprehensive Plan encourages high density residential within 1500 feet of the intersection. Mr. Greer told Mr. Anderson that proposed are single family homes, 1200 to 1500 square feet, 2 bedrooms, single story with 1 or 2 car garages.

Mr. Anderson and Mr. Greer discussed the proposed stone wall by the financial institution site, as well as landscaping near Route 22 and the stone wall, and the location of the detention pond.

Mr. Greer confirmed to Mr. Hughes that there will be commercial development on Blue Ledge Road, two commercial buildings, one about 5,000 square feet and the other about 7,000 square feet. Mr. Hughes asked if there would be trucks coming in that way. Mr. Greer replied that would depend on what the uses were, that those buildings would more likely be office space rather than commercial uses requiring truck deliveries, but certainly there would be UPS and FedEx type trucks but not heavy duty commercial. Mr. Hughes asked if Blue Ledge would be able to handle that type of traffic. Mr. Greer said he believes it will. Mr. Hughes also mentioned the impact of rush hour traffic of parents dropping off and picking up their children at the daycare, combined with a drive-through of a financial institution.

Mr. Fox noted that the commercial use of the proposed drive-through lot is permitted already, so the question is will the approval of a drive-through use going to significantly worsen the traffic situation. Mr. Greer said they would have to come back before the Planning Board for site plan approval, and as part of that a traffic study would be provided dealing with those questions. Ms. Butler-Bailey said she believes that the added residences would be more concerning because the traffic coming and going from them would be at rush hours when the intersection is at its worse. Mr. Greer said that he believes traffic from the 55 and over housing would be later in the morning and earlier in the afternoon and the overall count will be off peak.

Mr. Fox brought up what constitutes “mixed use” between residential and commercial, mixed by lot or not within the lot, and asked how that aligns with the Comprehensive Plan. Mr. Poirier referred the Board to the section of staff’s memorandum, taken directly from the Comprehensive Plan, dealing with uses and development standards for this area. He read the following from the Comprehensive Plan:

“Residential uses should be allowed at a density of up to two units per net acre with on-site disposal and four units per acre with public sewerage through the area...” However, he noted that there is no public sewer in the area.

Mr. Poirier quoted “The development standards should promote a campus style development pattern in the area near the South Street intersection with more of a village character in the remainder of the area. The standards

## **Land Use and Development Code Amendment: Hans Hansen Contract Zone Amendment**

should require that new buildings have a traditional character and scale and be limited to a maximum of two stories except in the area around the South Street intersection if public sewerage becomes available in the future. Buildings should be located on access drives or new streets where feasible to minimize curb cuts on County Road. The creation of an interconnected street network should be required where feasible. New buildings directly fronting County Road with access from that street should not be allowed unless there is no alternative. Buildings should be located in proximity to the street or access road with a setback of no more than fifty feet along County Road and 35 street on other streets or drives.”

Mr. Poirier then read the allowed uses portion of the Comprehensive Plan:

“In the longer-term the land use regulations in this area should be based on a Master Plan for South Gorham and North Scarborough developed jointly with the Town of Scarborough. In the near-term the zoning should incorporate the provisions of the existing contract zones that have been established within this area. The allowed uses in this designation should include a range of residential uses including elderly care facilities together with a wide range of smaller-scale non-residential uses including business and professional offices, personal and business services, restaurants, retail uses, B&Bs, and community uses. Most non-residential uses should be limited to a maximum of 5,000 to 7,500 square feet of floor area. Larger uses such as retail uses with up to 15,000 square feet may be allowed on ‘back lots’ away from County Road provided that their access is from internal streets and the frontage along County Road is developed with smaller-scale buildings.”

Mr. Poirier said he does not believe the Comprehensive Plan is clear whether mixed use and residential use can be considered as part of an overall subdivision and he does not remember any level of specific discussion about mixed use in this zone. He said he believes the Board can allow some flexibility in its interpretation in this regard.

Ms. Eyerman referred to the language of “traditional village style,” and asked if this would look like Robie Street, Elm Street and the area up near the square, or would it be different. Mr. Poirier replied that this was the area for the “campus” style development in the original Contract Zone with everything facing Blue Ledge Road, as well as in the Comprehensive Plan and the South Gorham/North Scarborough land use plan.

Ms. Eyerman asked for a visual. Mr. Greer replied that their first slide gives an aerial photograph giving the “campus” view of the project: two entrances that come back in and loop around and come back out, and residential and commercial buildings alike, with an ability to walk from one to another all the way around. Mr. Greer said they believe they have the campus style and by putting in the mixed use the rest of the campus has been created. In reply to Ms. Butler-Bailey, Mr. Greer replied that there will be sidewalks. A discussion ensued about the importance of walkability throughout the site in a campus setting. Mr. Greer said they will work with Mercy to get something in place in that direction. Mr. Poirier said that the four commercial lots in the front are all one condominium lot and perhaps it would be possible to look at the easement provisions to see if a sidewalk could be created in one of the easement areas.

Ms. Butler-Bailey asked about creating green space such as a park with benches. Hans Hansen, applicant, said there is a green space down toward the pond of about one acre that the day care children use which is kept mowed and behind Mercy at the end of the hammerhead is another green space. Mr. Greer said they will work on that.

In reply to Mr. Fox, Ms. Durst said her concerns have been addressed about whether the residential units would be condominiums or house-o-miniums, green space and walking paths.

Mr. Anderson asked Mr. Poirier if the Cumberland Farms and Mercy lots are private lots and can they limit access to their space for vehicular and pedestrian traffic. Mr. Poirier replied that Cumberland Farms, the day care, Mercy Quick Care and the other undeveloped lot in the front are basically one big condominium unit, with

## **Land Use and Development Code Amendment: Hans Hansen Contract Zone Amendment**

each unit having a certain amount of that lot for its development. It is one lot with 4 sub areas in it and there are back and forth easements to allow traffic and other movement all through that site and any of those units can use South Gorham Crossing and Blue Ledge Road. Mr. Anderson confirmed with Mr. Poirier that if Mercy gets a lot of traffic through their parking lot due to new development, they can't shut that off.

Mr. Hughes asked if these would be residential homes or condominiums. Mr. Greer replied they will be single family homes and the lot would a condominium similar to the front lot, with a condominium with two sub condominiums, one for each lot, and each one would have its own association.

Mr. Greer asked for confirmation that it seems they need to put something together on the campus feel aspect of the development, see if something can be worked out with Mercy, and change the text in the proposed Contract Zone amendment. He asked if that change is something they will do or if the Town staff will do that. He asked when they will be back in front of the Board for a vote.

Mr. Poirier said that it appears that the Board is OK with residential units being proposed for lots 2 and 3 and 6 and 7, and lots 4 and 5 being mixed use. The applicant would then go to his attorney to get a draft Contract Zone amendment basically detailing that. Mr. Poirier said that it also seems that the Board is alright with the drive-through being part of the building, but the landscape needs to be nailed down. When the attorney has provided that draft language, staff and the Board can review it to make sure it is comfortable with the landscape detail. The areas in which the Board is not yet sure and for which the applicant needs to provide more information are the campus style, interconnected walkways and how better to make that connection. The applicant also needs to provide traffic counts for Blue Ledge Road so that staff and the Board can see what the buildout will do to the traffic on Blue Ledge. Mr. Poirier advised the Board that this site has a Traffic Movement Permit, so each one of these developments may trip a DOT review. He said he believes that the day care used up all of the trips that were allowed as part of the last Traffic Movement Permit, so that any of the lots that are developed next will more than likely trip the DOT review of traffic movement for the entire development.

Ms. Butler-Bailey feels there needs to be more discussion about the drive-through in order to determine if it should be permitted. Mr. Anderson said he would like to see a comparison of trips between a financial institution and another commercial use such as Dunkin' Donuts. Mr. Greer said that from what Mr. Poirier said, it appears they will have to do a full traffic study and making that part of the Contract Zone, and he feels the Board would be agreeable to a drive-through if they can answer those questions. Mr. Fox said that the proposed language would be consistent with a financial institution drive-through, not some other type of commercial establishment drive-through. Mr. Greer told Mr. Fox that there would probably be two stations, with possibly a by-pass lane or not, with a single lane across the front and possibly 3 lanes around the corner. Ms. Eyerman recommended reviewing the Gorham Savings Bank site on Main Street as a good example of a drive-through and landscaping model.

Mr. Anderson asked for some renderings showing what abutters would see and proposed screening for those abutters.

After discussion, a consensus of the Board revealed that a majority of the members feel that another full Board workshop should occur before the proposed Contract Zone change goes before the Board for public hearing. Mr. Greer said they have an issue on the timing of a traffic study. Mr. Poirier said the traffic study is not a Town requirement, it is per the DOT and was identified as being needed when the day care went through the approval process. Mr. Poirier said it does not need to be done for the Contract Zone amendment, the traffic movement piece gets done as part of site plan review. Mr. Greer said they can provide the numbers between a bank and a Dunkin' Donuts in the form of a traffic letter, giving the overall feel for it, based on what they know for information right now.

## **Land Use and Development Code Amendment: Hans Hansen Contract Zone Amendment**

Mr. Poirier suggested that a meeting be held among himself, Ms. Eyerman, Mr. Walsh and Mr. Greer to walk through the check list of the information the Board needs before another workshop is scheduled.

Mr. Fox adjourned the workshop at 8:37 p.m.