

**Town of Gorham
 Planning Board Meeting
 January 9, 2023**

ITEM 2 - Public Hearing – 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.

INDEX OF PACKET ENCLOSURES	
DESCRIPTION	PAGE NUMBER
1. Overview	2
2. Items of Note	2
3. Staff Comments	2-5
4. Findings of Fact	6-11
5. Conditions of Approval & Motions	11-13

PROJECT TRACKING

DESCRIPTION	COMMENTS	STATUS
Pre-Application/Sketch (optional)		
Site Walk		
Planning Board Public Hearing		January 9, 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 first time this application has come before the Planning Board. This item is on the agenda for public hearing.

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: 01/04/2023

- An Army Corp permit is needed for wetland disturbance.
- Existing condition site plan should be updated to include the previous addition.
- The parking areas are required to be broken up with landscaping.
- In her review dated November 10, 2022, Becca Settele, Wildlife Biologist from Maine Inland Fisheries and Wildlife, recommends a vernal pool delineation be conducted for this area.
- Revised plans were submitted on January 3, 2023 in response to comments provided by Wright Pierce, peer review engineer. Staff sent the plan response back to them for review. As of this writing, staff has not received comments back from the peer reviewer.

Assessing Department: No comments received.

Code Department: No comments received.

Fire Department: 12/08/2022

December 8, 2022

I have reviewed the Plans for Servpro Addition.

1. No State Construction Permit needed.
2. Please forward Gorham Fire a PDF of the Building Plans set and Approved for Construction.
3. Sprinkler Plans submitted to State and Gorham Fire at least 2 weeks before starting work for plans review and approval.
4. Fire Alarm added to the addition per NFPA 72. Added alarm system plans submitted to Gorham Fire for Approval.
5. Emergency Lighting per NFPA 101 and NFPA 1
6. If rack storage is being used, the sprinkler system needs to be designed to accommodate that rack storage.

7. Hazardous Chemicals? Storage?
8. Vehicles stored in the Building?

May have others as this works through the process.

Police Department: No comments received.

Public Works Department: No comments received.

Wright-Pierce: 12/19/2022

December 19, 2022

As requested by the Town of Gorham, Wright-Pierce has reviewed the Major Site Plan Amendment submission 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

- Site Plan Amendment Permit Application Package for ServPro Building Addition - prepared by Sebago Technics (November 15, 2022)
- ServPro – Building Expansion Site Plan, Sheets 1-7 - prepared by Sebago Technics (November 16, 2022) and Existing Conditions Plan (page 8 of the plan set PDF) - prepared by Sebago Technics (June 13, 2016) and Building Floor Plan and Elevations (pages 9-11 of the plan set PDF) – prepared by PATCO Construction Inc. (August 11, 2022).

Review Comments

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

General/Completeness

1. We recommend including a concrete pad detail for the pads on the northern and southern sides of the building.

General Standards of Performance

1. Environmental
 - a. Filter barrier is proposed along the inner side of the western swale. Filter barrier should be proposed on the outer edge/downslope of the swale and wetland disturbance to fully protect the undisturbed wetlands and off-site areas.
 - b. Grading for the extension of the parking spaces on the northern side of the site is proposed but no erosion controls are shown here.
 - c. We recommend specifying that a double row of filter barrier be used in all areas within 75 feet of the wetlands.
 - d. Please confirm that southern side of the site where work is proposed is lower in elevation than the abutting southerly property to confirm that perimeter erosion and sedimentation controls are not required on this side.
2. Parking, Loading, and Traffic

- a. 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.
- b. The Applicant states that the proposed addition will not result in additional traffic. However, 24 additional parking spaces are proposed. If additional parking is added, it is likely traffic will increase as well. Applicant should provide a realistic assessment of the change in traffic conditions. Additionally, the proposed and existing parking shown on the Site Plan does not match the narrative for Parking/Traffic in the Site Plan Amendment Application cover letter. The site plan should be updated accordingly to reflect the actual proposed and existing conditions for parking.

Site Plan Requirements

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.
2. While no new water or sewer connections are proposed. Please provide comment on whether an increase in sewer and water usages are anticipated. If increases are anticipated, it should be confirmed with the Portland Water District that there is adequate capacity.
3. Applicant states that exterior lights have been designed so that light levels will be zero at the edge of the property, however information showing this has not been provided. Town to determine whether a lighting review is required.

Stormwater Management Requirements

1. The Stormwater Management Report makes several references to the drip edge filter along the roofline of the building expansion to help treat and detain stormwater onsite prior to draining to the offsite wet pond. While the roof drip edge will provide storage of runoff in the reservoir and drainage layers, the detail provided does not include a filter layer for treatment. If the roof drip edge filter is intended to provide treatment, a filter layer should be specified.
2. Although the proposed work is located within the Town's MS4 Urbanized Area, it is not required to comply with Chapter 2 of the Town's Stormwater Ordinance (Post-Construction Stormwater Management) because the construction activity results in less than one acre of disturbed area. The submitted Inspection, Maintenance, and Housekeeping Plan includes the proposed stormwater management practices. The Stormwater Management Report submitted by the Applicant indicates the site is not subject to the Town of Gorham Code Ordinance Requirements for a Post-Construction Stormwater Management Plan; however, it also indicates the Inspection, Maintenance, and Housekeeping Plan has been prepared to address the requirements of the Town Ordinance. If the intention is for the Inspection, Maintenance, and Housekeeping Plan to meet the requirements of Chapter 2 of the Town's Stormwater Ordinance (Post-Construction Stormwater Management), references to "Department of Public Services" and "DPS" should be updated to the proper Gorham Enforcement Authority and the date the completed and signed certification is due should be updated to May 1 (rather than June 30), otherwise these references should be removed. Any specific stormwater inspection and maintenance requirements as related to the Site Location of Development Permit should also be referenced.

Conservation Commission: 12/27/2022

December 27, 2022

Thank you for sharing the plans for the ServPro building expansion at 9 Hutcherson Drive.

The Conservation Commission has reviewed and discussed the project. Our only concern is that the project will conform to all local and state regulations regarding the expansion's impact on the wetlands on the property.

Best Regards,

Gorham Conservation Commission

Abutters Comments: No comments received.

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

January 9, 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.

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, 01/03/2023; Received, 01/03/2023
Sheet 2 of 7 – Notes and Legend: Dated, 10/20/2022; Revised through, 01/03/2023; Received, 01/03/2023
Sheet 3 of 7 – Site Plan: Dated, 10/20/2022; Revised through, 01/03/2023; Received, 01/03/2023
Sheet 4 of 7 – Grading and Utility Plan: Dated, 10/20/2022; Revised through, 01/03/2023; Received, 01/03/2023

Sheet 5 of 7 – Erosion Control Notes: Dated, 10/20/2022; Revised through, 01/03/2023; Received, 01/03/2023
Sheet 6 of 7 – Details: Dated, 10/20/2022; Revised through, 01/03/2023; Received, 01/03/2023
Sheet 7 of 7 – Details: Dated, 10/20/2022; Revised through, 01/03/2023; Received, 01/03/2023
Sheet 2 of 6 – Existing Conditions Plan: Revised through, 06/13/2022; Received, 11/16/2022
Floor Plan – Dated, 08/11/2022; Received, 11/16/2022
Elevations – Dated, 08/11/2022; Received, 11/16/2022

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
- Plans – 11/16/2022; revised set received 01/03/2023
- Financial Capacity – 11/16/2022
- Gorham Town Planner Comments – 01/04/2023
- Gorham Assessor Comments – No comments received.
- Gorham Fire Chief Comments – 12/08/2022
- Gorham Code Enforcement Officer – No comments received.
- Gorham Police Chief – No comments received.
- Gorham Public Works Director – No comments received.
- Wright-Pierce Comments – 12/19/2022
- Conservation Commission – 12/27/2022
- Abutter Comments – No comments received.

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. A permit will be necessary for the wetland disturbance.

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 is required 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 amendment plan 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 amendment plan 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.

TO TABLE SITE PLAN APPROVAL:

Move to table further review of COAH Building LLC request for site plan amendment approval pending responses to remaining issues (and finalizing revisions to the plan).

TO PLACE SITE PLAN APPROVAL ON CONSENT AGENDA OF FEBRUARY 6, 2023:

Move to place site plan approval on the February 6, 2023 meeting consent agenda.