

**Town of Gorham
 Planning Board Meeting
 June 5, 2023**

ITEM 3 - Discussion - Private Way - Cummings, Dakota - 59 Wood Road – a request for a private way to serve a single family house lot. M54 L16. Zoned R. The applicant is represented by Andrew Morrell, P.E., with BH2M.

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PROJECT TRACKING

DESCRIPTION	COMMENTS	STATUS
Pre-Application/Sketch (optional)		June 5, 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

OVERVIEW

This is the first time this application has come before the Planning Board.

The applicant is represented by Andrew Morrell, P.E. with BH2M.

The applicant proposes the construction of a one-lot private way in order to create a buildable lot for a single family home at the rear of Map 54 Lot 16. Map 54 Lot 16 currently has a single family home with 2 outbuildings.

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.

Site Conditions

- An existing shed is located approximately 5 feet from the right-of-way boundary for the proposed private way, which is less than the allowed 20 foot side setback.
 - The town’s zoning provisions, under “Section 1-5 – Definitions” allows for a one-time exemption from this requirement for a shed provided that several conditions are met, allowing the setback to be reduced to 5 feet. The requirements are “If a shed is less than 150 square feet in total area and has a height of less than 15 feet, the shed need only meet a 5 foot side and/or rear yard setback requirement. Only one shed per lot shall be allowed to have the reduced setback. Additional sheds on the lot must meet the otherwise applicable setbacks for the zoning district in which they are located.”
 - The applicant should demonstrate that it has met the requirements under this provision and that at least 5 feet of setback is provided. Dimensional details regarding the existing outbuildings should be added to the site plan.

Zoning

- The site is zoned as Rural, and this zoning is consistent with the future land use plan from the town’s Comprehensive Plan
- The zoning allows for single family residential development.
- The proposed private way and lot split create the necessary frontage and allows for the proposed lot to meet standards for the rural zoning district.
- Chapter 2: General Standards of Performance, Section 2-5 “Minimum Standards for the Design and Construction of Streets and Ways” will apply.

Historic Preservation & Natural Resource Protection

The Town of Gorham GIS map and the State Beginning with Habitat maps both show that the site does not contain any rare wildlife, plant communities, or other critical habitat. They also do not indicate the presence of wetlands or vernal pools.

AERIAL PHOTOGRAPH

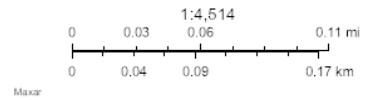
Town of Gorham GIS Imagery

Town of Gorham Public Map Viewer



5/30/2023, 1:43:53 PM

- Roadways
- ▭ Parcels
- ▭ Parcel Labels
- ▭ Gorham Town Boundary



Public User
Town of Gorham

STAFF COMMENTS

Assessing Department: No comments.

Code Division: No comments.

Director of Community Development: No comments.

Economic Development Division: No comments.

Fire Department: 05/19/2023

59 Wood Road Private way Dakota Cummings

I have reviewed the plans (May 15, 2023) and have the list of comments below

1. The building will meet all applicable sections of NFPA 1 *Fire Code* and NFPA 101 *Life Safety Code*. Building plans shall be submitted to the Fire Inspector for review.
2. The buildings shall be protected under the Fire Suppression Systems Ordinance as applicable. The sprinkler plans shall be submitted to the Fire Department and the State Fire Marshal's Office for review and permitting. The plans submitted to the Fire Department shall be submitted at least two weeks prior to the start of the installation of the system. Sprinkler test papers will be required to be submitted to the Fire Department at the time a CO is issued.
3. The buildings shall be properly numbered in accordance with E911 standards including height, color and location. Numbers that cant been seen from the street shall require additional numbers at the street.
4. **Past history has repeatedly shown that private ways/drives are very poorly maintained, and wintertime poses a very serious issue of emergency vehicle access, with very little enforcement available to the Town. I would state for the record and make notice that the Fire Department cannot and will not be held responsible for incidents where we cannot gain access to buildings or incidents on these private ways/drives that are not properly maintained.**

Planning Division: 05/26/2023

- The applicant should be advised that the private way standards are based on the number of dwelling units. Therefore, the one-lot standard would not permit future development of an accessory dwelling unit on the parcel to be created.
- The site plan shows a fence-like structure on the western side of the proposed right-of-way. It is requested that the applicant clarify what this structure is and include dimensional details on the site plan.

Police Department: No comments.

Public Works Department: No comments.

Recreation Department: No comments.

Abutter Comments: No comments.