

**Town of Gorham
 Planning Board Meeting
 June 6, 2022**

ITEM 3 – Site Plan Review: Nouria Energy Corporation – Convenience Store and Gas Pumps– a request for approval to redevelop an existing convenience store, which would consist of a 6,000 sq. ft. convenience store and Amato’s restaurant, drive through, eight (8) gas pumps and two (2) diesel pumps and associated infrastructure, located at 435 Ossipee Trail. Zoned RC, Map 77, Lot 18.003. The applicant is represented by Norman G. Chamberlain II, P.E., of Walsh Engineering Associates.

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PROJECT TRACKING

DESCRIPTION	COMMENTS	STATUS
Site Plan Review		June 6, 2022

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.

James Anderson, Chair, Gorham Planning Board

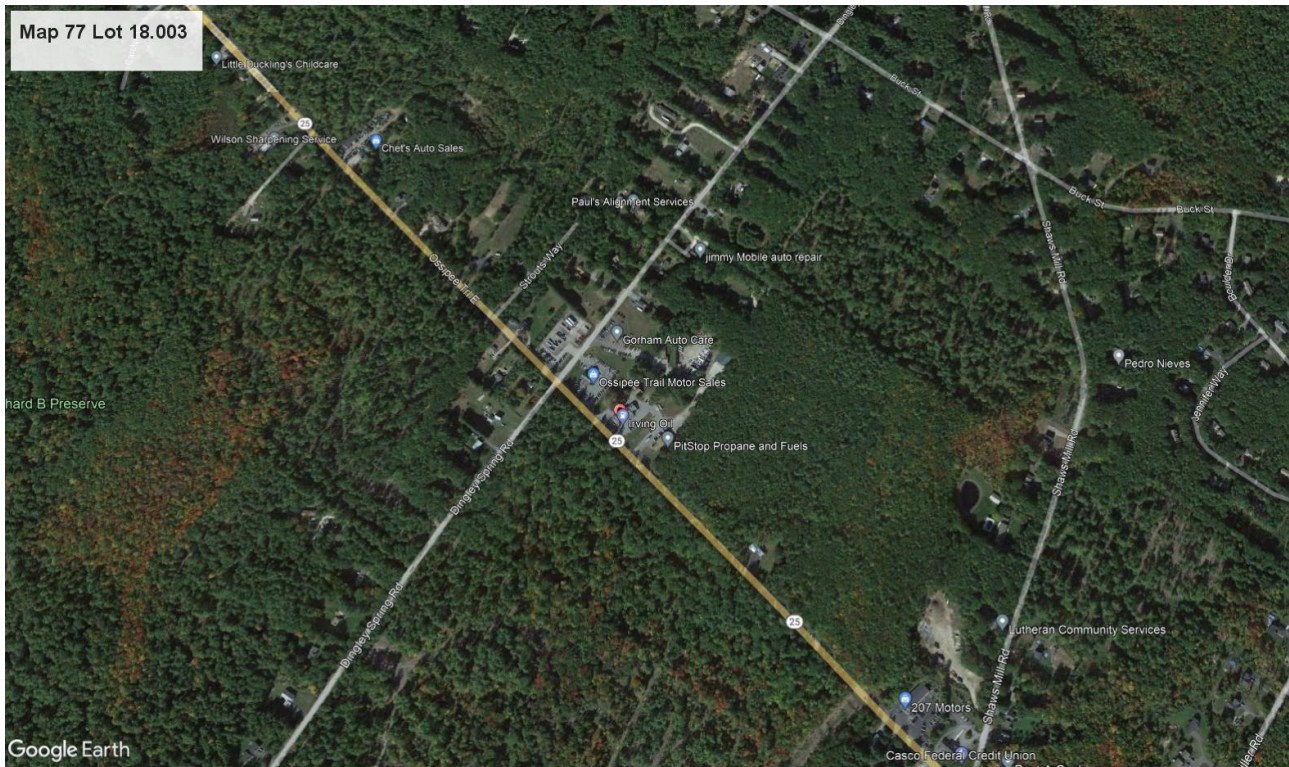
1. OVERVIEW

The applicant is requesting site plan review of demolition of a 3,300 sq. ft. gas station and convenience store and construction of a 6,000 sq. ft. convenience store, gas pumps and restaurant with associated infrastructure at 435 Ossipee Trail.

The applicant is represented by Norman G. Chamberlain II, P.E. with Walsh Engineering Associated.

2. ITEMS OF NOTE

1. Yellow highlighted items are still outstanding.
2. Staff has included photographs for the Planning Board's review of the project. The photographs are from Google.



**Nouria Energy Corporation
Site Plan Review
M77 L18-3**



3. WAIVER REQUEST

Calculations are needed to prove that waivers are necessary.

1. The applicant requests a waiver from Section 1-11, Section E (b.1) Utilities – from connecting to the public water main and public sewerage main.

SUGGESTED MOTION: Move to approve the requested waiver from Section 1-11, Section E (b.1) Utilities – from connecting to the public water main.
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2. The applicant requests a waiver from Section 1-11, Section E (b.1) Utilities – from connecting to the public sewerage main.

SUGGESTED MOTION: Move to approve the requested waiver from Section 1-11, Section E (b.1) Utilities – from connecting to the public sewerage main.

4. STAFF REVIEWS

Assessing Department: 05/19/2022

May 19, 2022

no comment

Code Department: No comments received

Fire Department: 05/24/2022

May 24, 2022

I have reviewed the Plans dated May 16, 2022

1. All buildings will meet all applicable sections of NFPA 1 *Fire Code* and NFPA 101 *Life Safety Code*. Building plans shall be submitted to the Fire Department for review before a Building permit is issued. Depending on Staffing issues with Gorham Fire Department we may not be able to accommodate the issuing a Construction Permit for this project. Options are a Construction Permit for the State of Maine, or at the Owner cost they hires a third party consultant to do the plans review for the project. Whatever way it goes Gorham Fire requires a stamped set of plans (Every Page) submitted to us before construction starts.
2. The project will need a Barrier Free Construction Permit from the State of Maine Fire Marshal's Office. I request a Stamped plans on what the State Approved.
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. Extinguishing system over the Pumps when installed, Gorham Fire request to be present for the “Blow” Testing of the System.
5. I suggests we look at turning lanes to be required by the Owner. This is a high traffic area with some crashes happening.
6. Will need further review of the layout and cooking appliances for the Amato’s part of the project.

As this works through the process I may have more requirements.

Planning Department: 5/31/2022

May 31, 2022

- A transient public water system application has been submitted to the Maine Drinking Water Program, since the Applicant proposes to drill a new well for water supply. Applicant should submit Maine Drinking Water Program approval prior to Town approval of the site plan.
- An HHE 200 Subsurface Wastewater Disposal System Application has been provided since the Applicant proposes a new septic system. The application is signed by a licensed Site Evaluator and includes a replacement septic system design. The existing system is proposed to be removed.
- A Traffic Movement Permit has been submitted to Maine DOT.
- The traffic study is under review by the peer review engineer.
- One of the deeds submitted is for a property on Tandberg Trail in Windham.
- Chapter 1 Section 1-11 E
 1. (c) 1. Requires a 25 ft. landscaped buffer. The buffer on the landscape plan L1.1 should be widened.
 2. (c) 2. Requires a 15 ft. landscaped buffer between a residential use. The property to the north contains a residential home.
 3. e) Access Management:
 - a. 1. Entrances and uses in this district shall be combined to the maximum extent possible. Developments must allow for pedestrian and vehicular access into the lot’s driveways, sidewalks, and/or parking lots from the abutting properties.
- The truck movement sheets show the path going through the same location as the tanks for kerosene, propane, etc. Please explain.
- The line of parking spaces on the southeast corner of the site is quite close to the entrance and may cause an issue with people backing out and others entering the site.
- There is more landscaping and buffering that is required. See Site Plan standards P and S.
- Financial capacity needs to be shown.
- Thirty parking spaces and two ADA parking spaces are required.

Police Department: No comments received

Public Works Department: No comments received

Barton & Loguidice: Traffic review pending

Wright Pierce: 05/26/2022

May 26, 2022

As requested by the Town of Gorham, Wright-Pierce has reviewed the Site Plan Application for the proposed Nouria Energy Convenience Store at 435 Ossipee Trail. The Applicant proposes to redevelop the existing convenience store site with a new 6,000 square foot (SF) store with an Amato's restaurant, drive through lane and fueling facilities for cars and trucks. The proposed project will increase existing impervious surface from 38,289 square feet to 75,147 square feet, for an increase of 36,858 square feet, or 0.85 acres. Aerial photography indicates that the development existed on May 5, 2003; the development will create less than one acre of new impervious surface.

Documents Reviewed by Wright-Pierce

- Site Plan Application and Attachments - prepared by Walsh Engineering Associates (May 16, 2022)
- Stormwater Management Report - prepared by Walsh Engineering Associates (May 13, 2022)
- Site Plan Set - prepared by Walsh Engineering Associates (May 13, 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. Site Plan Application was submitted and complete.
2. Agent authorization provided, as required.
3. Deed for the property was provided, as required.
4. Proof of financial capacity to complete the project was provided, as required.
5. Project is located in the Roadside Commercial district.
6. Site is served by on-site well and subsurface wastewater disposal system.
7. Site is also served by underground electric from Ossipee Trail East.
8. USGS map provided, as required.
9. 24"x36" plans submitted, as required.
10. Plans contain a title block with the following required information:
 - a. Applicant's name and address
 - b. Name of preparer of plans with professional information and professional seal
 - c. Parcel's tax map identification (map-lot).
 - d. Date of plan preparation

General Standards of Performance

1. Environmental
 - a. Silt fence is proposed as an erosion control around the entire perimeter of the proposed work.

- b. Construction entrances and catch basin inlet protection are properly proposed where applicable. We do not have concerns with the proposed erosion and sedimentation controls.
- c. According to the Town Shoreland Overlay District Map and FEMA Flood Insurance Maps, the project is not within the shoreland district or floodplain.
- d. The project is not located within the MS4 urbanized area and is therefore not subject to the Post-Construction Stormwater Ordinance.
- e. A transient public water system application has been submitted to the Maine Drinking Water Program, since the Applicant proposes to drill a new well for water supply. Applicant should submit Maine Drinking Water Program approval prior to Town approval of the site plan.
- f. An HHE 200 Subsurface Wastewater Disposal System Application has been provided since the Applicant proposes a new septic system. The application is signed by a licensed Site Evaluator and includes a replacement septic system design. The existing system is proposed to be removed.

2. Parking

- a. Retail Stores, such as the proposed redevelopment, are required to provide a minimum of 1 off-street parking space for each 200 SF of floor area. The proposed building is 6,000 SF, which requires a minimum of 30 standard parking spaces and two ADA parking spaces are also required. The plans show 28 standard car and 3 truck parking spaces, however the parking calculations on C1.1 state that 30 car and 3 truck parking spaces are provided. Two ADA parking spaces with accessible aisle are provided. Coordinate with the Town on whether truck parking spaces count towards the minimum number of parking spaces and make sure that the stated number of parking spaces matches what is shown on the plan.
- b. Traffic - Barton & Loguidice is currently performing a traffic review.

Site Plan Requirements

- 3. Access to the Site - Barton & Loguidice is currently performing a traffic review.
- 4. Pedestrian Circulation - Identify the building location entrances on the plans and show ADA compliant access to them.
- 5. Stormwater Management
 - a. Stormwater management for the site is relying on subsurface infiltration basins. No outlets are proposed on the infiltration basins. Emergency overflow outlets should be proposed to relieve flow under large storm events to avoid ponding in the parking lot. These should also be included in the HydroCAD model. Properly managing flooding during larger storm events is critical to maintaining a safe site.
 - b. Please model the infiltration practices during additional storm events for comparison of ponding within the parking lot. It will be helpful to understand if flooding is occurring during the storm events smaller than the submitted 25-year, 24-hour storm.
 - c. The plans show 132 chambers in Infiltration Basin #60, but the HydroCAD model includes 121 chambers. Please correct the discrepancy.
 - d. Submit test pit logs and information for review when available to confirm the modeled infiltration rates since infiltration practices are proposed. Infiltration rates of the soils below the infiltration practices are critical to the proper function of the practices. Even though a soil filter layer with infiltration rate of 2.41 inches per hour is proposed, the infiltration rate of the soil and groundwater conditions below it will control the release of the stormwater. Please show the test pit locations on the plan when resubmitting.

- e. The only HydroCAD information provided is of the proposed development in the 25-year, 24-hour storm. However, Drainage Area Plans for both the existing and proposed conditions were provided. A peak runoff rate analysis comparing the pre- and post-development site conditions in various recurrence intervals of 24-hour storm events shall also be provided to show the project will not result in increased runoff rates discharging off-site. This is required to show that the project will not have adverse impacts on abutting or downstream properties.
- f. The submitted HydroCAD report does not include all of the subcatchments shown on the Drainage Plans.
- 6. Water Supply - See previous comment regarding water supply.
- 7. Groundwater Protection - Please provide comment on how the Groundwater Protection standard is met, as outlined in Section 4-9 of the Gorham Land Use and Development Code.
- 8. Waste Disposal - See previous comment regarding subsurface wastewater disposal.
- 9. Waiver Request - A waiver has been requested to waive the requirement for connecting to public water main and public sewer main. The Applicant indicates the cost to connect the water exceeds unreasonable costs and the cost to connect the sewer would be greater than three times the cost to install an onsite system because of the proximity of both the public water main and sewer main from the property. We do not see an issue with granting this waiver as long as the application for transient public water supply is approved by the Maine Drinking Water Program.

Portland Water District: 05/19/2022

May 19, 2022

Thanks for giving PWD the opportunity to review. We do not have public water mains in this area. No further review from the District required.

**PLANNING BOARD
SITE PLAN REVIEW
AND FINDINGS OF FACT
For
NOURIA ENERGY CORPORATION – OSSIPEE TRAIL**

June 6, 2022

Applicant/ Property Owner: Nouria Energy Corporation, c/o Mike Durant, 326 Clark Street, Worcester, MA 01606

Property: The lot identified as Tax Map 77, Lot 18.003, and is located at 435 Ossipee Trail.

Consultants: Norman G. Chamberlain, II, P.E., # 7144, with Walsh Engineering Associates; Rex J. Croteau, P.L.S., # 2273, with Titcomb Associates; Peter B. Biegel, P.L.A., of Land Design Solutions

Project Description: The applicant is proposing to redevelop an existing convenience store, which would consist of a 5,000 sq. ft. convenience store and 1,000 sq. ft. Amato's restaurant, drive through, eight (8) gas pumps and two (2) diesel pumps.

Site Description: The lot is 2.1 acres in size.

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

Zoning: Roadside Commercial (RC)

Variances: None requested.

Waivers requested:

1. The applicant requests a waiver from Section 1-11, Section E (b.1) Utilities – from connecting to the public water main and public sewerage main.
 - The Planning Board may grant a waiver for public water main extension if the lot is located greater than 200' from the nearest watermain and the proposal meets the Determination of Unreasonable Costs under Chapter 2, Section 2-10 The Provisions of Public Water Supply. 61
 - The Planning Board may grant a waiver for public sewerage main extension if the lot is located greater than 200' and the costs to connect into the system is greater than 3 times the costs for an onsite sewerage disposal system as identified by the Planning Board."

Pursuant to the Application:

Site Plan Review was held on June 6, 2022.

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:

Norman G Chamberlain II, PE of Walsh Engineering Associates' Plans consist of the following:

Cover – Dated, 05/13/2022; Received, 05/16/2022
Sheet C1.1 – Site Plan: Dated, 05/13/2022; Received, 05/16/2022
Sheet C1.2 – Existing Conditions and Removals Plan: Dated, 05/13/2022; Received, 05/16/2022
Sheet C2.1 – Erosion Control Plan: Dated, 05/13/2016; Received, 05/16/2022
Sheet C2.2 – Grading and Utilities Plan: Dated, 05/13/2022; Received, 05/16/2022
Sheet C2.3 – Subsurface Infiltration Basin Plan: Dated, 05/13/2022; Received, 05/16/2022
Sheet T1 – Truck Movement WB-67: Dated, 05/13/2022; Received, 05/16/2022
Sheet T2 – Truck Movement TB-67: Dated, 05/13/2022; Received, 05/16/2022
Sheet C3.1 – Site Details: Dated, 05/13/2022; Received, 05/16/2022
Sheet C3.2 – Site Details: Dated, 05/13/2022; Received, 05/16/2022
Sheet C3.3 – Site Details: Dated, 05/13/2022; Received, 05/16/2022
Sheet C3.4 – Site Details: Dated, 05/13/2022; Received, 06/16/2022

Rex J, Criteau P.L.S., of Titcomb Associates' Plans consist of the following:

Existing Conditions – Dated, 07/10/2022; Received, 05/16/2022

Peter B. Biegel, P.L.A., of Land Design Solutions' Plans consist of the following:

Landscape Plan – Dated, 05/12/2022; Received, 05/16/2022
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Phase Zero Design's Plans consist of the following:

SP-01 – Signage Details: Dated, 05/09/2022; Received, 05/16/2022
A-203 – Fueling Canopy Elevations: Dated, 05/09/2022; Received, 05/16/2022
A-202 – Exterior Elevations: Dated, 05/09/2022; Received, 05/16/2022
A-201 – Exterior Elevations: Dated, 05/09/2022; Received, 05/16/2022
A-101 – Group Floor Plan: Dated, 05/09/2022; Received, 05/16/2022

Other documents submitted consist of the following:

Site Plan Review Application – 05/16/2022; revised copy received, 05/19/2022
Plans – received 05/16/2022
Waiver Request – received 05/16/2022
Master Sign Application – received 05/16/2022
Stormwater Management Report – received 05/16/2022
Letter of Financial Capacity –
Gorham Town Planner Comments – 05/31/2022
Gorham Assessor Comments – 05/19/2022

Gorham Fire Chief Comments – 05/24/2022
Gorham Public Works Director Comments – No comments received
Gorham Code Enforcement Officer – No comments received
Gorham Police Department – No comments received
Wright Pierce – 05/26/2022
Barton & Loguidice – Traffic review pending
Portland Water District – 05/19/2022

FINDINGS OF FACT

CHAPTER IV, SITE PLAN REVIEW, SECTION 9 – Approval Criteria and Standards

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 proposal is to construct a 5,000 sq. ft. convenience store/gas station, 1,000 sq. ft. Amato’s restaurant with drive through, eight (8) gas pumps and associated infrastructure on a site that is already developed as a gas station/convenience store. The edges of the lot will remain undisturbed.

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 off Ossipee Trail East/Route 25.

As indicated by the traffic study provided by Diane Morabito, PE #5077 of Sewall, the development is proposed to have more than 100 peak hour trips, so it will require a traffic movement permit from Maine DOT. The total number of vehicles trips entering will be 2,995 and 2,995 exiting. The total number of new daily trips is estimated to be 386 for the AM hour and 283 for the PM peak hour for the adjacent street system.

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 driveways have been designed to conform to Maine DOT standards as shown on Sheet C1.1.

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.

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.

Sidewalks are designed to connect the parking lot to the building. There are no sidewalks provided along Ossipee Trail East/Route 25.

Finding: The layout of the site provides for a system of pedestrian circulation within and to the development.

F. Stormwater 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 project will increase existing impervious surface from 38,289 sq. ft. to 75, 147 sq. ft. Stormwater management will be accomplished by underground infiltration systems.

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 silt fencing will be installed along the edge of the disturbed area, as shown on the Erosion Control Plan: Sheet C2.1. The erosion control measures will be installed and maintained as outlined on the Site Details, Sheet C3.1 – C3.3.

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.

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.

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.

As shown on the Grading and Utilities Plan, Sheet C2.2, the site will be served by existing overhead electrical power and telephone from Ossipee Trail East/Route 25 right-of-way. Underground utilities will be provided onsite.

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 will require clearing of most of the trees and understory to construct the building, parking, driveway, as well as the storm water infrastructure.

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.

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.

All exterior lighting will be shielded as shown in exhibit 9. It also shows no light emitted onto abutting properties.

Lights are provided at entrances to the building, entrances/driveways, and surrounding the site.

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.

Trash removal will be through a private waste hauler, Casella. Waste will be stored in a dumpster which will be on a pad to be screened through the use of a fence.

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 L1.1 shows maple, grasses, hydrangea, hosta, daylilies, juniper, and rhododendron to define the street edge.

None of the proposed species shall be invasive.

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.

The applicant is utilizing Walsh Engineering, RedLeonard Associates, Sewall, and Mark Cenci 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 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 odor will comply with State requirements.

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

Section 2-2 Parking, Loading, and Traffic

A. Off Street Parking Standards

There are seven parking spaces currently. Thirty parking spaces and two ADA parking spaces are required.

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.*

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. 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 and in accordance with the erosion and sedimentation control information contained in the application;
12. That the Planning Board Chairman 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.

SUGGESTED MOTIONS:

FOR SITE PLAN APPROVAL:

Move to grant Nouria Energy Corporation's request for site plan approval for 435 Ossipee Trail East, located on Map 77, Lot 18-3 in the Roadside Commercial zoning district, based on Findings of Fact and Conditions of Approval as written by the Town Planner (and amended by the Planning Board).

TO POSTPONE SITE PLAN APPROVAL:

Move to postpone further review of Nouria Energy Corporation's request for site plan approval pending responses to remaining issues (and finalizing revisions to the plan).

TO PLACE SITE PLAN APPROVAL ON CONSENT AGENDA OF JULY 11, 2022:

Move to place Nouria Energy Corporation's site plan approval request on the consent agenda for the July 11, 2022 meeting.