

**8 College Avenue Apartments
Preliminary Subdivision/Site Plan Review**

**Town of Gorham
Planning Board Meeting
March 1, 2021**

ITEM 5 – Preliminary Subdivision and Site Plan Review: Earle Enterprises, LLC – 8 College Avenue Apartments – a request for preliminary approval of an 8 unit apartment building and associated parking and infrastructure at 8 College Avenue. Zoned: UR, Historic Overlay, Map 102, Lot 5. The applicant is represented by Charlie Burnham, P.E. of Atlantic Resource Consultants.

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PROJECT TRACKING

DESCRIPTION	COMMENTS	STATUS
Pre-application Discussion		None
Preliminary Subdivision and Site Plan Review		March 1, 2021

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.

George H. Fox, Chairman, Gorham Planning Board

PLACE MAP AND LOT NUMBER IN 1/4" HIGH LETTERS AT LOWER RIGHT BORDER OF ALL PLAN SHEETS.

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1. OVERVIEW

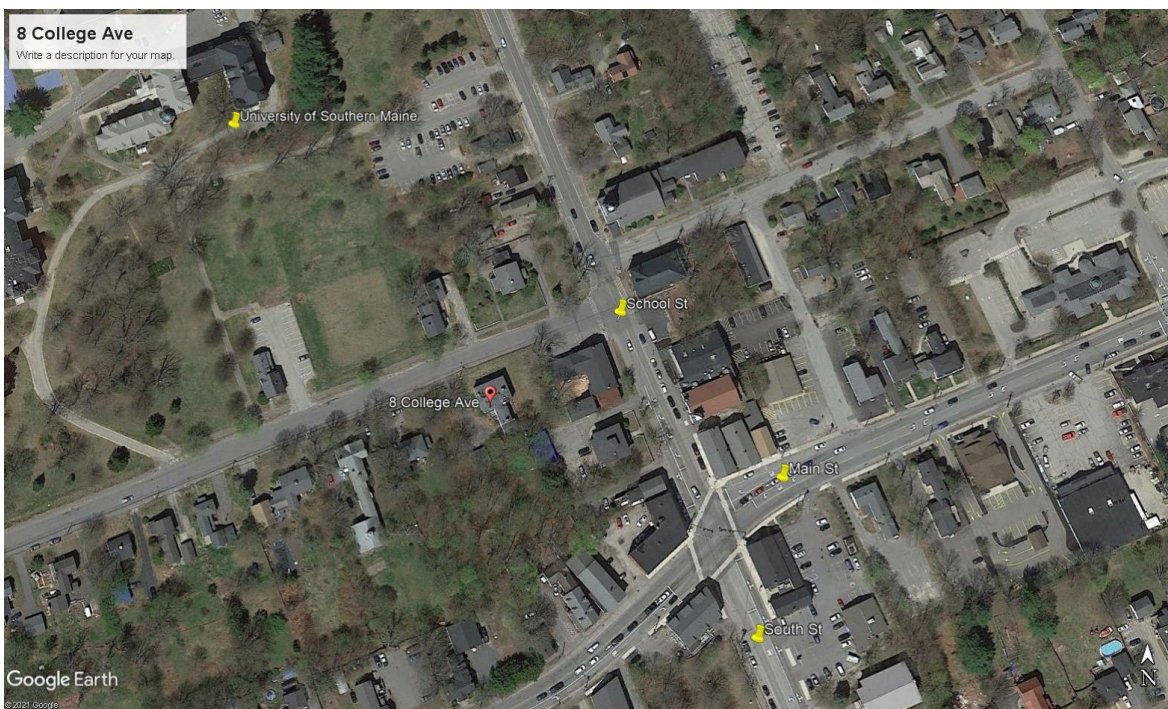
This is the first time the project has come before the Planning Board with an application for preliminary subdivision and site plan review.

As a reminder apartment projects are reviewed under Chapter 3: Subdivision and Chapter 4: Site Plan Review. The Planning Board will need to include Findings of Fact for both review criteria. The item will need to be advertised as a public hearing before final subdivision approval can be granted.

The applicant is represented by Charlie Burnham, P.E., of Atlantic Resource Consultants.

1. ITEMS OF NOTE

Staff has included aerial photographs for the Planning Board's review of the project. The aerial photographs are from Google Earth and was taken in May of 2018.



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4. STAFF REVIEWS

Assessing Department: No Comments

Code Department: No Comments

Fire Department: February 4, 2021

1. The building will meet all applicable sections of NFPA 1 Fire Code and NFPA Life Safety Code.
2. The building shall be compliant with the Fire Suppression Systems Ordinance including an acceptable Fire Alarm system and Fire Department Lock Box. To the extent possible, there shall be an exterior access to the sprinkler room and the door shall be marked "Sprinkler Room Access." Sprinkler and Fire Alarm plans must be submitted 2 weeks prior to start of work for review and approval.
3. The building shall be properly numbered in accordance with E911 standards including height, color and location. Individual units shall also be properly labeled.
4. Any Gas Meters will require protection. Proposed protection must be submitted to the Fire Department for approval prior to installing

Planning Department: February 23, 2021

1. Maine State Law allows for review of single building multi-unit review utilizing one type of review; Site Plan, two, Site Plan and Subdivision. However, the Planning Board must determine whether the site plan review ordinance meets the requirements and then vote to approve the use of that one ordinance. (See separate Ordinance Utilization Review memo dated January 26, 2021 in shared google drive for discussion and review).
2. The applicant should indicate which section of the ordinance it is utilizing. Is it Section 1-23 Small Dwelling Overlay District OR Section 2-4 Residential B. Performance Standards for Multi-Family Housing? The Board's review would be based on one of those 2 sections and the criteria of one of them.
3. An itemized schedule of values for the site work on the site should be submitted at final approval stage.
4. Recreation Impact Fee should be submitted at building permit application stage.
5. Proposed construction schedule is due at preliminary stage of review.
6. Sheet C-101
 - a. The existing utilities running to the building should be shown on the plans.
 - b. Check the name of the town on the plans under 8 College Avenue. It should be Gorham.
 - c. Check the address of the applicant. The application has one address and the plan set states a different address.
 - d. The plan notes show Great Falls Builders, Inc. as the owner of record, but the application states that Earle Enterprises LLC is the owner.
7. All the final plan pages are required to be prepared and sealed by a registered surveyor, engineer, or architect.
8. The applicant should provide proof of review and approval by the Historic Preservation Commission.
9. The applicant needs to provide the times of the busiest a.m. and p.m. trips.
10. The walkway from the driveway to the doors should be shown on the plan.

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11. The proposed development will provide for adequate exterior lighting to provide for the safe use of the development in nighttime hours. No lighting is shown on the plans.
12. Trash removal will be through a private waste hauler, who shall be identified. Waste will be stored in a dumpster which will be on a pad to be screened. This should be located on the plan.
13. The plan needs to 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.

Police Department: No Comments

Public Works Department: February 10, 2021

Matt LaCroix

- Check drainage flow for snow storage area to see if it can tie into the infiltration trenches around the proposed parking area.
- Good erosion/sedimentation control measures in the plan. Make sure inlet protection is used for catch basins (located on College Ave).
- All BMP's need to be installed based on the site plans, and the standards set in the Maine Erosion Control Manual.

I am available for any questions or concerns regarding the stormwater plan/BMP's for this project.

Woodard & Curran – February 19, 2021

Woodard & Curran has reviewed the application materials for the 8 College Avenue Subdivision located on College Avenue in Gorham, Maine. We have reviewed the project for compliance with the applicable Town of Gorham Land Use and Development Codes and General Engineering practices. The proposed development will consist of renovation of the existing building on the property and expansion of the off-street parking available, with a net increase in impervious area of approximately 4,000 SF. The following documents were reviewed:

- Preliminary Subdivision Application and attachments, dated January 27, 2021, prepared by Atlantic Resource Consultants, LLC., on behalf of Earle Enterprises, LLC.
- Preliminary Site Plan and Erosion Control Details, Sheets C-101 and C-300, undated, prepared by Atlantic Resource Consultants, LLC., on behalf of Earle Enterprises, LLC.
- Architectural Plans, Sheets A1 through A1-03, dated October 20, 2017, prepared by Studio E.

We provide the following comments:

General Civil Engineering

- The Applicant indicates that net increase in impervious area is approximately 4,000 SF, however, based on the plans, it appears that the project will create closer to 4,500 SF of new impervious area. Please review and revise accordingly.

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- Perimeter controls should be shown around all proposed sitework. The Applicant should revise the plans to show silt fence downgradient of work along the eastern property boundary to prevent off-site migration of construction sediment onto the neighboring property.
- The plans should specify that inlet protection be provided in any catchbasins within College Avenue downgradient of proposed work. From street views there appears to be an existing catch basin that will be located within the expanded driveway apron. Please review and revise accordingly.
- The Applicant submitted a letter to Portland Water District to request utility ability to serve documentation for the proposed project. Response letters confirming ability to serve the proposed development and adequacy of the existing water service should be submitted to the Town upon receipt.
- Please provide existing and proposed grading.

Chapter 2 – General Standards of Performance

Section 2-2 – Parking, Loading and Traffic

- Per Section 2-2.A.2), the minimum off-street parking requirement for dwellings is 2 parking spaces per dwelling unit. For the proposed 8-unit use, the required off-street parking would be 16 spaces. The Applicant should review off-street parking requirements and revise the plans as needed.

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Chapter 4 – Site Plan Review

Section 4-8 – Procedures for Major Developments

- In accordance with Section 4-8, in the final application additional materials required will include, but are not limited to, the following:
 - A construction schedule including anticipated beginning and completion dates.
 - Zoning classification(s) of the property and zoning district boundaries.
 - Existing and proposed topography of the site shown in two-foot interval contours.
 - Existing and proposed utility locations.
 -

Section 4-9 – Approval Criteria and Standards

- The Applicant is proposing an infiltration trench for runoff management. The following comments should be addressed regarding Stormwater Management (Section 4.9 F):
 - The Applicant should demonstrate that post-development runoff flows are less than pre-development runoff flows. The provided HydroCAD model appears to be limited to the area draining to the infiltration trench, and this area is not inclusive of all proposed additional impervious area. A HydroCAD model of all pre- and post-development site conditions should be provided for review.
 - The Applicant has not provided a pre-treatment system. Per the Maine DEP Stormwater BMP Manual, pretreatment devices such as grassed swales, underdrained swales, filter strips and sediment traps should be provided to minimize discharge of sediment into infiltration systems. Additionally, pre-treatment for infiltration systems receiving runoff from asphalt or concrete paved areas should include devices to remove petroleum products. The plans should be revised to provide appropriate pre-treatment for runoff from the parking lot.
 - Subsurface explorations are recommended within the infiltration trench area to verify that the proposed infiltrations system will have sufficient separation from seasonal high groundwater.

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Additionally, the permeability of the soil at the depth of the base of the proposed infiltration trench should be determined and verified to be no less than 0.5 and no greater than 2.41 inches per hour.

- Snowmelt runoff from parking areas should not be directed to infiltration areas because of the high concentrations of salts; the Applicant should clarify what provisions will be made to protect the trench from snowmelt from the parking area. Existing and proposed elevations should be provided to for clarity about the direction of snowmelt runoff from the proposed snow storage area.
- Per the Maine DEP BMP Manual, infiltration trenches should be located at least 20 feet from a building foundation and at least 100 feet from buildings downslope from the device. The proposed trench is approximately 8 feet away from the onsite building at the closest. Additionally, the trench is approximately 71 feet from the building on Lot 102/24; without existing contours, it is unclear if this building is downgradient of the trench. The plans should be revised to provide appropriate infiltration setbacks from adjacent buildings.
- The HydroCAD model indicates that 3,298 SF of impervious area, and no pervious area, is flowing to the infiltration trench. The Applicant should provide stormwater figures with elevation contours and subcatchment delineations to clarify what area is flowing to the infiltration trench. The infiltration trench should be sized for all area draining to it; curbing or grading may be required to ensure that the modeled drainage area is accurate.

Please contact our office if you have any questions

Portland Water District: No Comments

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**PLANNING BOARD
PRELIMINARY SUBDIVISION AND SITE PLAN REVIEW
AND FINDINGS OF FACT
For
EARLE ENTERPRISES LLC – 8 COLLEGE AVENUE APARTMENTS**

March 1, 2021

Applicant/ Property Owner: The applicant/property owner is Earle Enterprises LLC, 68 Evans Ridge Road, Windham, ME 04062.

Property: The lot is identified as Tax Map 102, Lot 5, and is located at 8 College Avenue.

Consultants: Charlie Burnham, P.E. with Atlantic Resource Consultants; MacLeod, Structural Engineers, PA; and Eugene Schleh, Land Surveyor #2063.

Project Description: The applicant is proposing an 8-unit apartment building located at 8 College Avenue.

The units will be served by the existing utilities along and within the public road.

Site Description: The lot is 26,840 square feet in size with an existing building and driveway. The vegetation on the lot is a mix of deciduous trees and understory.

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

Zoning: Urban Residential District, B. Permitted Uses, 9) Rooming Houses, apartment buildings, and multifamily housing, except fraternity houses.

Variances: None required.

Waivers: None requested.

Pursuant to the Application:

Preliminary Subdivision and Major Site Plan Reviews were held on March 1, 2021.

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:

Atlantic Resource Consultants Plans consist of the following:

Sheet C-101 – Site Plan Sheet – 01/29/21
Sheet C-300 – Erosion and Sedimentation Control Notes – 01/29/21
Sheet C-301 – Erosion and Sedimentation Control Notes – 01/29/21
Sheet A-1 – McLellan House – Proposed Elevations – 01/29/21

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Sheet A1-01 – First Floor Proposed Layout – 01/29/21
Sheet A1-02 – Second Floor Proposed Layout – 01/29/21
Sheet A1-03 – Third Floor Proposed Layout – 01/29/21

Other documents submitted consist of the following:

- Subdivision Application – 01/25/21
- Letter of Financial Capacity - John Chamberlain, Vice President of The Whitman Group – 01/25/21

CHAPTER 3 - SUBDIVISION, SECTION 3 - PRELIMINARY PLAN

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

C. PRELIMINARY PLAN REVIEW

2) The Planning Board shall include in its review the following general and specific requirements that the development has proposed for approval:

- a) Shall be in conformance with the Comprehensive Plan of the Town, and with all pertinent State and local codes and ordinances, including the Performance Standards related to specific types of development which are stipulated in Chapter 2.

The applicant is required to obtain all local, state, and federal permits needed for the proposed development.

The Comprehensive Plan identifies this area as Village Expansion.

Finding: 8 College Avenue apartments conform to the Comprehensive Plan of the Town, and with all pertinent State and local codes and ordinances.

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

Access to 8 College Avenue apartments is off College Avenue, which is a public road and has the capacity for the additional 7 dwelling units.

Finding: 8 College Avenue apartments will not cause congestion or unsafe conditions with respect to use of the highways or public roads, existing or proposed on or off the site.

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

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The additional dwelling units will be served by existing overhead and electrical power, telephone, and cable lines.

Finding: 8 College Avenue apartments will not place an unreasonable burden by either direct cause or subsequent effect on the availability of the Town to provide municipal services including utilities, waste removal, adequate roads, fire and police protection, school facilities and transportation, recreational facilities, and others.

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

The dwelling units will be served by a water main located in the College Avenue right-of-way. Any updates to water and sewer lines must meet the requirements of the Portland Water District.

The applicant has requested an ability-to-serve letter from Portland Water District

Finding: 8 College Avenue apartments provide for adequate water supply for present and future needs.

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

The 8 apartment units will be served by a public sewer located in College Avenue. The applicant has requested an ability-to-serve letter from Portland Water District.

Finding: 8 College Avenue apartments provide for adequate solid and sewage waste disposal for present and future needs as reasonably foreseeable.

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

Storm water from the site will be treated in storm water infrastructure meeting the Maine Department of Environmental Protection's and the Town of Gorham's storm water requirements. The dwellings units' sewage disposal will be treated in the Portland Water District public sewer system.

Finding: 8 College Avenue apartments will not result in undue pollution of air, or surficial or ground waters, either on or off the site.

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

The proposed conversion with associated parking will be developed in such a way as to control erosion and sedimentation. The method of controls are discussed on Sheet C-300 and shown on Sheet C-301.

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Finding: *8 College Avenue apartments will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result.*

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

There are no waterbodies located on this property.

Storm water maintenance has been designed in accordance with state, Federal, and local requirements prior to discharging into groundwater.

Finding: *8 College Avenue apartments will not affect the shoreline of any body of water in consideration of pollution, erosion, flooding, destruction of natural features and change of ground water table so that a dangerous or unhealthy condition may result.*

- i) Will respect fully the scenic or natural beauty of the area, trees, vistas, topography, historic sites and rare or irreplaceable natural or manmade assets.

The existing house is known as the Alexander McLellan House and is located within the National Register Historic District. According to the National Register Registration Form, Alexander McLellan was a member of one of Gorham’s most prominent and earliest families. The house is circa 1803. It is a 2-story, five bay Federal period style. It is sheathed in weatherboards and supported by a dressed granite block foundation. The building is covered by a low hip roof punctuated by 2 brick chimneys. Two over two windows flank the entry and similar units are located on the 2nd floor. Each side elevation has 3 bays. A 2 story shed roofed ell extends across most of the rear elevation.

The Historic Preservation Commission reviewed the proposed addition of a 3rd story and approved it on _____.

Finding: *8 College Avenue apartments will respect fully the scenic or natural beauty of the area, trees, vistas, topography, historic sites and rare or irreplaceable natural or manmade assets.*

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

The applicant is has submitted a letter from John Chamberlain, Vice President of The Whitman Group dated January 22, 2021, which identifies a \$700,000 line of credit.

Finding: *The applicant has adequate financial resources to construct the proposed improvements and meet the criteria standards for the development.*

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

The applicant will be required to pay the Recreational Facilities and Open Space Impact Fee prior to issuance of building permits.

Finding: 8 College Avenue apartments will be responsible for providing open space and recreational land and facilities to meet the additional demand created by residents of the subdivision.

- 4) If an applicant chooses to create open space and/or recreational land and facilities within the subdivision in addition to paying the impact fee, the following applies:
- a) **Land Improvements:** The applicant shall improve the land according to the proposed use of the land and the requirements of the Planning Board.
 - b) **Owners Association:** A homeowners' association shall be formed to provide for the perpetual care of commonly owned recreation land.

The applicant is not creating open space.

Finding: 8 College Avenue apartments is not creating additional open space or recreational land, so this section does not apply.

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 convert an existing single family residential dwelling unit into an 8 unit apartment building with associated infrastructure including parking.

Finding: The plan for the development reflects the natural capabilities of the site to support the development and the natural features and drainage ways are preserved to the greatest extent practical.

B. Access to the Site: Vehicular access to the site will be on roads which have adequate capacity to accommodate the additional traffic generated by the development.

Vehicular access to the site will be on College Avenue which is a public road. The apartment is proposed to have 32 daily trips with 16 trips entering and 16 trips exiting the site. **The busiest a.m.**

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time will be from __ to __ am and produce 16 trips, 8 entering and 8 exiting trips. The busiest p.m. time will be from __ to __ p.m. and produce 16 trips, 8 entering and 8 exiting trips.

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 entrance into the site is proposed to be expanded to 24 feet. The site distance is at least 200 feet in both directions.

The grade of the driveway will be -2.0% for a minimum of 5 feet from the existing edge of pavement

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.

The driveway and parking lot will have sufficient width to provide enough space to turn around without the need to back into the road.

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.

A sidewalk is located on the northern side of College Avenue. A walkway will be provided from the driveway to the doors.

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

F. Storm water Management: Adequate provisions will be made for the disposal of all storm water collected on streets, parking areas, roofs or other impervious surfaces through a storm water drainage system and maintenance plan which will not have adverse impacts on abutting or downstream properties.

The applicant is proposing to construct a 2 foot by 2 foot stone trench, which will capture and infiltrate the runoff.

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.*

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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.

The applicant will also comply with the “Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices,” Maine Department of Environmental Practices. The method of controls is discussed on Sheet C-300 and shown on Sheet C-301.

Finding: The project, building, and site designs and roadway layouts will fit and utilize existing topography and desirable natural surroundings to the fullest extent possible.

H. Water Supply: The development will be provided with a system of water supply that provides each use with an adequate supply of water meeting the standards of the State of Maine for drinking water.

The apartment building will be served by public water from the Portland Water District. The ability-to-serve letter is pending.

Finding: The development will be provided with a system of water supply that provides each use with an adequate supply of water meeting the standards of the State of Maine for drinking water.

I. Sewage Disposal: A sanitary sewer system will be installed at the expense of the developer if the project is located within a sewer service area as identified by the sewer user ordinance. The Site Plan Review Committee or Planning Board may allow individual subsurface waste disposal systems to be used where sewer service is not available.

The apartment building will be served by public sewer from the Portland Water District. The ability-to-serve letter is pending.

Finding: The sanitary sewer system will be installed at the expense of the developer meeting the requirements of the sewer user ordinance.

J. Utilities: The development will be provided with electrical and telephone service adequate to meet the anticipated use of the project.

The apartments will be served by existing overhead power, cable, and telephone from College Avenue right-of-way.

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 proposal requires no clearing of trees or understory to construct the apartment building, driveway expansion or parking area.

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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.

The applicant is proposing to construct a 2 foot by 2 foot stone trench, which will capture and infiltrate the runoff.

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.

No exterior lighting is shown on the plans.

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. Waste will be stored in a dumpster which will be on a pad to be screened.

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.

Landscaping is not shown on the plan.

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, nor near navigable waters.

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Finding: *The lot is not located in a Shoreland Overlay District, nor near navigable waters. Therefore, this section does not apply.*

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 has submitted a letter from John Chamberlain, Vice President of The Whitman Group dated January 22, 2021, which identifies a \$700,000 line of credit.

The applicant is utilizing Charlie Burnham, P.E. with Atlantic Resource Consultants; MacLeod, Structural Engineers, PA; and Eugene Schleh, Land Surveyor #2063.

Finding: *The applicant has demonstrated that it has the financial and technical capacity to carry out the project in accordance with this Code and the approved plan.*

S. Buffering: The development will provide for the buffering of adjacent uses where there is a transition from one type of use to another use and to screen service and storage areas. The buffer areas required by the district regulations will be improved and maintained.

The applicant is proposing to leave the existing trees located around the perimeter of the lot to break up the development from the abutters.

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 60 dBA daytime (7 a.m. - 7 p.m.) and 50 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.).*

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, except for minor changes which the Town Planner may approve;
2. That the applicant shall provide property line information and site information in auto-cad format to the Town Planner;
3. That 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.

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4. That the building shall be compliant with the Fire Suppression Systems Ordinance including an acceptable Fire Alarm system and Fire Department Lock Box. To the extent possible, there shall be an exterior access to the sprinkler room and the door shall be marked "Sprinkler Room Access". Sprinkler and Fire Alarm plans must be submitted 2 weeks prior to start of work for review and approval.
5. That the building shall be properly numbered in accordance with E911 standards including height, color and location. Individual units shall also be properly labeled;
6. That any Gas Meters will require protection. Proposed protection must be submitted to the Fire Department for approval prior to installing.
7. That prior to the commencement of construction, the applicant, applicant's engineer and earthwork contractor shall have a pre-construction meeting with the Town's Engineer, Town Planner, Code Enforcement Officer, Public Works Director and Fire Chief;
8. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board;
9. That the subdivision/site plans shall not be released for recording at the Cumberland County Registry of Deeds until the required performance guarantee has been posted meeting the approval of Town Staff;
10. That the subdivision plan is required to be recorded within one year of original approval or the approval becomes null and void; and
11. That once the subdivision plans have been recorded at the Cumberland County Registry of Deeds, a dated copy of the recorded subdivision plan shall be returned to the Town Planner prior to a pre-construction meeting being held.

SUGGESTED MOTIONS:

PRELIMINARY SUBDIVISION PLAN APPROVAL:

Move to grant preliminary subdivision approval for an 8-unit apartment project located at 8 College Avenue on Map 102 Lot 5 in the Urban Residential (UR) and Historic Overlay zoning districts, based on the Findings of Fact and Conditions of Approval as written by the Town Planner (and modified and conditioned by the Planning Board).

TO POSTPONE APPROVAL:

Move to postpone further review of Earle Enterprises LLC's request for preliminary subdivision and major site plan approval pending responses to remaining issues (and revisions to the plans).