

**Town of Gorham  
 Planning Board Meeting  
 September 11, 2023**

**ITEM 5 – Pre-Application Subdivision / Sketch Plan Review- Maka Builders, LLC. – Newton Shirley 55+ Community** – a request for approval to construct a 63 unit condominium community for residents 55 and older. Map 8, Lot 10. Zoned UREXP. The applicant is represented by Andrew Morrell, P.E., with BH2M.

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**PROJECT TRACKING**

<b>DESCRIPTION</b>	<b>COMMENTS</b>	<b>STATUS</b>
<b>Pre-application Discussion</b>		<b>September 11, 2023</b>

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 proposing the addition of 62 duplexes and 1 single family style condominium units on an approximately 40 acre parcel to be a deed-restricted 55+ community. The applicant has provided a proposed layout for the Board review which connects the end of Shirley Lane with Newton Drive and adds two cul-de-sacs. The development is proposed to include public water and subsurface septic systems.

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.

## **2. ITEMS OF NOTE**

### Zoning and Subdivision

- The zoning is currently Urban Residential Expansion (UREXP), which allows for single and two family residential as well as multi-family housing. This is consistent with the Comprehensive Plan.
- Conventional subdivision is allowed in this zoning district.
- The parcel is located outside of the Development Transfer Overlay District.
- No provisions for density bonus are available for the parcel in the land use ordinance.
  - The Suburban Residential zoning district has a provision to allow for a bonus of 1 unit per 3 acres where public water is supplied but public sewer is not available. The UREXP zoning may be revised in the future to include this provision.
- There are specific performance standards in Chapter 1 Section 1-24 subsection E for street layout, underground utilities, and architecture.

### Density Calculation Review

- The applicant should provide the net residential density calculation used to determine the number of allowed units. The net residential density identified under Section 1-5, Definitions, shall be used to calculate the maximum number of dwelling units that can be placed on a parcel. Each lot in a subdivision shall have the minimum area per dwelling unit for the number of dwelling units proposed to be on a given lot.
- The minimum area per dwelling unit, unsewered, is 40,000 square feet (20,000 square feet if sewerred)
- The basic zoning standard calculation yields, given a total of 1,779,325 square feet divided by 40,000 square feet per dwelling unit (unsewered), approximately 44 units maximum using traditional subdivision design
- Building coverage calculations should be provided – the maximum for the lot is 25%.

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Performance standard review (Land Use and Development Code Chapter 2)

- Sidewalks would be required whether the street is public or private.
  - As specified in Section 2-5, F, 11: Sidewalks shall be provided.
  - See Figure 5 urban access or Figure 10a 25 lots urban paved private way
- A Plan of Private Way needs to be submitted.
- Section 2-5, C – Access to adjoining land is to be provided, with a 50 foot ROW to be dedicated. The applicant proposes 3 connections to adjacent parcels. The Board should consider requesting a 4<sup>th</sup> adjoining the Austin parcel to the north.
- Section 2-10, Provision of Public Water
  - The applicant provided water supply cost calculations for public vs. private provision of water with the following results:
    - Public water: \$25,819 / unit
    - Private water: \$33,562 / unit
    - Conclusion: Public water should be supplied to the site
  - Community Development staff recommend the water be provided via Bracket Road due to planned supply upgrades to water mains in that area as a result of development at the Town’s industrial park.
  - The applicant should work with Portland Water District regarding provision of public water.

Other Items of note:

- Wastewater Ordinance provisions
  - Calculations should be included, using formula in the sewer ordinance (located within 500 ft. of existing sewer or can be connected without undue hardship as determined by the planning board. See Wastewater Ordinance Article IX, Section 1
- The applicant should provide information about planned improvements to the existing built sections of Shirley Lane and Newton Drive. Even if no improvements are planned, any damage to these public roads resulting from construction would need to be repaired, at minimum requiring a pavement overlay.

Historic Preservation

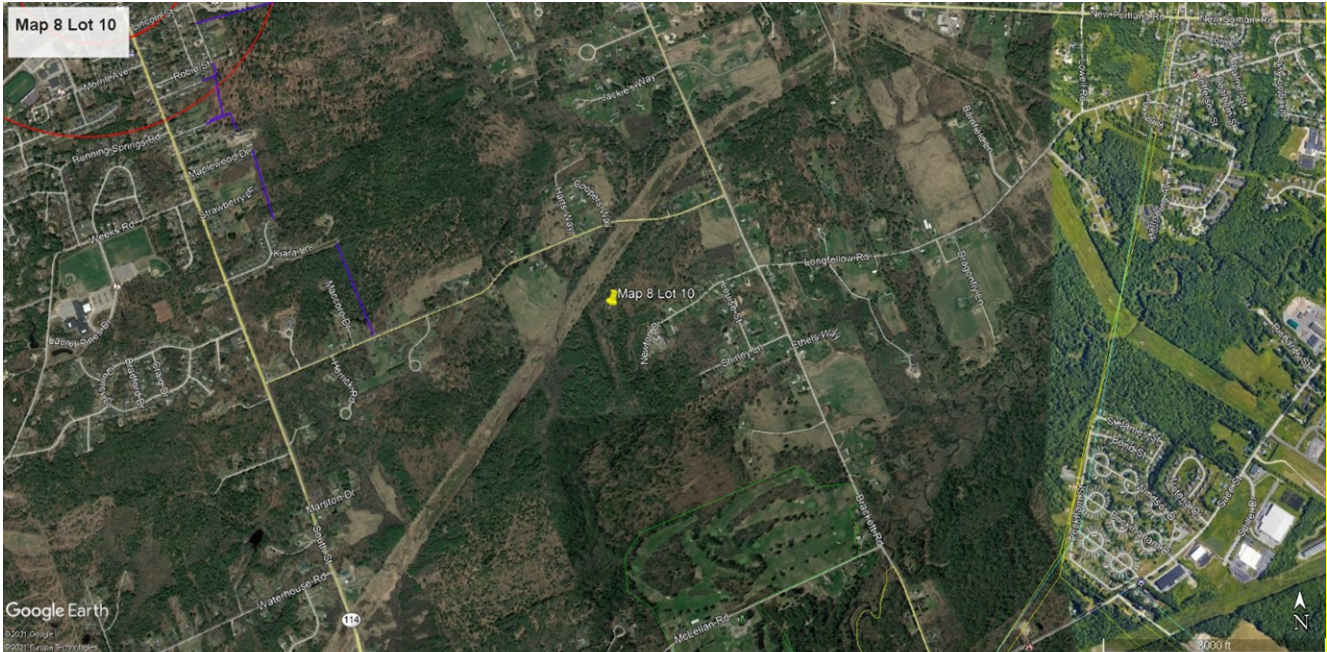
The known archaeological sites map and historic resources inventory in the Comprehensive Plan does not show or list any of this property as a historic, archaeological, or significant site.

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**3. AERIAL PHOTOGRAPH**

Google earth image taken in May, 2018.



**4. STAFF REVIEWS**

**Assessing Department:** No comments received

**Code Department:** No comments received

**Fire Department:** 08/23/2023

August 23, 2023

MAP 8 Block Lot 10

I have reviewed the Plans dated August 21, 2023

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.

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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. The Paper work submitted states owner would like to have Public water to this project. The cost figures included to the submission is ok, I would also like the developer to include in the costs of the water main to the savings to the cost of the buildings from having a water storage tank and necessary pumps for the Systems. This should be savings benefit for Public Water.
5. If Public Water we will need to discuss # of Fire Hydrant's and Locations, Winter Maintained Winterizing, and up keep through the HOA.
6. Propane / Natural Gas. Protection of tanks and or Piping
7. The Radius of the 2 circles need to accommodate my largest Fire apparatus for turning. Please provide more details.
8. Plowing in the winter – This may be a concern – Needs addressing on the approval.
9. Fire Department may have more or less requirements as this progresses through the Planning Process.

**Planning Department: 8/30/2023**

- There are specific performance standards in Chapter 1 Section 1-24 subsection E for street layout, underground utilities, and architecture.
  - Buildings and structures need to be of traditional New England design and compatible with existing Village architecture
  - Street network should be a grid style
  - The end of Shirley Lane and Newton Drive extensions should be clearly defined. Ideally one road would end at an intersection with what are currently shown as cul-de-sacs at a “t” type intersection.
  - All utilities are required to be underground
- A Plan of Private Way needs to be submitted
  - A 25 lot paved urban private way is required in conformance with figure 10a, which includes a paved sidewalk on one side

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- Town standards for acceptance of private ways as public streets require two points of connection. Therefore, as proposed only the section of new roadway connecting the end of Shirley Lane and Newton Drive would be a candidate for acceptance. The cul-de-sac sections would need to be private ways.
- If the applicant does not plan for public street acceptance, then turn-arounds need to be provided at the end of the public jurisdiction of Shirley Lane and Newton Drive.
- The applicant will need to complete a traffic analysis to determine street construction standards that need to be met.
- The applicant should identify locations for the new ends of the named streets “Newton Drive” and “Shirley Lane”. The ideal location for a change of street name would be at an intersection, such as one of those formed with the proposed cul-de-sacs.

**Police Department:** No comments received

**Public Works Department:** No comments received

**Recreation Department:** No comments received

**Conservation Commission:** 08/31/2023

August 31, 2023

Dear Carol and Planning Board Members,

The Conservation Commission has reviewed the sketch plans for Shirley Newton 55+ Community forwarded to us on 23 August 2023. Here are our initial comments and questions:

1. Some of the units appear very close to the wetland boundaries which raises concerns about runoff during, and after, construction negatively impacting the wetlands.
2. How will water draining from abutting and nearby wetlands be managed without causing any negative impacts?
3. Could a public trail easement be created to provide a loop trail in the development that could potentially be used to provide future access to the existing informal trail network in the area and/or the snowmobile trail that traverses the power line corridor? This would provide an opportunity for walkers, runners, snowshoers, cross country skiers, etc.

We realize that this is just a sketch plan which will be subject to revisions and we look forward to addressing any questions or comments you may have for us. Thank you for the opportunity to comment on this project.

On Behalf of the Commission,

Bill Moreno  
Chair, Gorham Conservation Commission

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**Barton & Loguidice:** 08/31/2023

August 31, 2023

We have reviewed the Applicant's submission dated 8/18/23, from BH2M Civil Engineering & Surveying (BH2M), and offer the following comments:

1. Trip generation calculations need to be provided by BH2M for the 63 unit 55 and older condominium development utilizing the latest ITE Trip Generation Manual (11<sup>th</sup> Edition).
2. Crash data from Maine DOT for the latest available three-year period should be reviewed and submitted by BH2M for the following intersections:
  - ♣ Brackett Street at Newton Drive
  - ♣ Bracket Street at Shirley Lane
  - ♣ Louise Street at Newton Drive
  - ♣ Louise Street at Shirley Lane
3. Intersection Sight Distances should be field measured and confirmed by BH2M for 1.) Newton Drive looking left and right onto Bracket Street, and 2.) Shirley Lane looking left and right onto Bracket Street.
4. Please confirm if sidewalks are being provided within the project extents?

**Department of Forestry:** 03/03/2023

March 3, 2023

Damon and all,

We have identified Forest Operations Notification #542531, received on 10/13/2020 as pertaining to the location you've identified.

Under Liquidation Harvesting Chapter 23 Rules, a harvest is exempt if the statewide forest ownership is less than 100 acres. The notification indicates that PTG Investment Trust owns less than 100 acres statewide. A brief search of the registries for all surrounding counties in southern Maine found no other properties owned by PTG Investment Trust.

For your reference the relevant rules are found at [https://www.maine.gov/dacf/mfs/rules\\_and\\_regulations.html](https://www.maine.gov/dacf/mfs/rules_and_regulations.html), under Liquidation Harvesting. The specific exemption identified is Chapter 23, Section 5(E):

E. Where the landowner owns less than 100 acres of forest land statewide;

Please let me know if you have further questions.

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Thanks,

Morten

Morten Moesswilde, Acting Division Director  
Forest Policy & Management Division, Maine Forest Service  
2870 North Belfast Avenue, Augusta, Maine 04330  
M: 207.592.2239

BH2M's Plans consist of the following:

Sheet 1 – Sketch Plan; Dated, 06/2023; Revised through, 08/18/2023; Received, 08/21/2023
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Other documents submitted consist of the following:

Plans - 08/21/2023

Gorham Town Planner Comments – 08/30/2023

Gorham Assessor Comments – No comments received

Gorham Fire Chief Comments – 08/23/2023

Gorham Public Works Comments – No comments received

Gorham Code Enforcement Officer – No comments received

Gorham Recreation – No comments received

Department of Forestry – 03/03/2023