

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

Discussion – Project Status Update – Chase Custom Homes – a status update on the request for approval of Sawyer Estates, a 118 lot residential subdivision on 103.59 acres, on property located off South Street. Zoned R/ SR, Map 21, Lot 10, 16 and 17.16. The applicant is represented by Andrew Morrell, P.E., with BH2M.

INDEX OF PACKET ENCLOSURES	
DESCRIPTION	PAGE NUMBER
1. Overview	2
2. Waiver Request	2
3. Items of Note	2-3
4. Staff Comments	3-14
5. Findings of Fact	15-26
6. Planning Board Minutes of January 4, 2021 and January 11, 2021	27-36

PROJECT TRACKING

DESCRIPTION	COMMENTS	STATUS
Pre-application Discussion		May 7, 2018 August 6, 2018
Preliminary Subdivision and Private Way Plan Review		June 3, 2019 January 4, 2021 January 11, 2021
Planning Board Discussion	Project Status Update	August 1, 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.

Jim Anderson, Chair, Gorham Planning Board

1. OVERVIEW

The applicant was last before the Planning Board on January 4, 2021 and January 11, 2021 for preliminary review; a copy of the minutes from both meetings are attached.

At this time, staff has put the item on the agenda, not for approvals, but for a project status update and bring the new members who were not on the Planning Board during the pre-application and previous preliminary review current with the project.

2. WAIVER REQUEST

At this point no waiver is requested.

3. ITEMS OF NOTE

- A. Site Walk: The Planning Board should discuss whether a site walk for the project is warranted.
- B. Peer Reviews: Staff will send out the revised traffic study once it has been completed. Planning Staff is also recommending that the landscape design be assessed and peer reviewed by the peer review Landscape Architect to assist the Planning Board in determining how to better incorporate the open space into the design of the subdivision, as well as to ensure the appropriate plant species, sizes, and numbers are utilized as well as recreational opportunities.
- C. Zoning: A portion of the site is within the 100 year floodplain. Development Transfer Overlay Subdivision Standards: The applicant has chosen the option to develop the subdivision with sewer and water utilizing the Town's Development Transfer Overlay Standards.
- D. Subdivision Phasing: One item that will need to be reviewed with the applicant is how the project is anticipated to be phased with the least amount of impact to the proposed occupants in the subdivision lots as well as to abutting lot owners. Traffic flows and construction traffic will need to be factored in on how to best phase the development.
- E. Findings of Fact: Due to the size of the project and split presentations, planning staff has roughed out draft findings of fact for the Planning Board's reference, but they are not complete and in some instance left blank on purpose.
- F. Abutter Comments:
William Messer & Allyson Lowell, August 6, 2018
Leslie Dupuis, May 30, 2019
Alan Potthoff, October 30, 2020
- G. Below is a map taken from Google Earth showing in red the location of the subdivision parcels. The aerial photograph was taken in May of 2018.

Fire Department: 05/07/2019, 12/15/2020, 07/20/2022

May 7, 2019

MAP 21 LOTS 10, 16, 17.16

I have reviewed the submitted plan for a proposed 118 lot subdivision by Chase Homes off South Street and have the following requirements.

1. The streets shall be properly named and signed with a Town approved street sign. The names to be approved by the Police and Fire Chiefs. Street signs to be put in place as soon as the streets are constructed.
2. All houses to be properly numbered with the numbers being visible from the street year around.
3. There will eight (8) new hydrants required throughout the subdivision while we now allow 1500 feet between hydrants there are some that are spaced less than that due to the road layouts. We have afforded them the 1500 feet where ever it is possible. Hydrants shall be located at: South and Terina, South and Crestwood, South and the second entrance to Terina, Terina and Ciarra's Way, Josh's Way at lot R63, Ciarra's Way at lot S26, Chases Way and Bill's Way, and Waterhouse and Josh's Way. The cost of installation and the hydrants shall be the developer's responsibility. The actual hydrant locations shall be determined by the Fire Chief at the time of installation. Hydrants will remain private hydrants until streets are accepted by the Town Council as public streets.
4. All homes will be sprinkled meeting all applicable sections of the Towns Fire Suppression Ordinance. Sprinkler plans for each system shall be submitted at least two weeks prior to the start of installation for permitting and review.
5. I would strongly encourage the Planning Board to require Josh's Way be continued through to Waterhouse Road

December 15, 2020

MAP LOT

I have reviewed the submitted plans for Sawyer Estates Subdivision and have the following requirements or Questions:

1. On the plans with the hammer head's on, the road width needs to be 20' wide and 50' long.
2. A "No Parking - Tow Away Zone" or "No Parking - Fire Lane" sign should be added to both of the hammer head.
3. No driveway shall begin at or access any of the hammer head's

4. The buildings will meet all applicable sections of the NFPA 101 Life Safety Code and the NFPA Fire Prevention Code I. All buildings shall be properly numbered in accordance with E9 I 1 standards including height, color and location.
5. All 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.
6. The approved fire hydrant layout is based upon all new dwellings being protected by fire sprinklers, in the event that the dwellings are not protected by fire sprinklers the hydrant layout shall be modified to reduce the distance between hydrants and dwellings.
7. The fire hydrant layout shall be modified in accordance with the attached document. See Attachment's labeled # 1 and # 2
8. All Gas meters shall be properly protected from vehicle impact.
9. The fire hydrant(s) shall have a final height of not less than 2 inches and no greater than 4 inches from break away flange to grade and no obstruction shall be located within 10 feet of the perimeter. The initial installation of the fire hydrant(s) shall be inspected and accepted/ approved by the GFD AHJ. And the Portland Water District. The hydrant(s) shall be inspected for final compliance and flow tested by the Portland Water District prior to street acceptance by the town or prior to issuance of the final Certificate of Occupancy whichever occurs first.
10. 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.

This is all the Requirements at this time for Plans Received and stamped Dec. 01, 2022

July 20, 2022

I have revived the Plans dated July 15, 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 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.

I may have further comments as this progresses through the Planning Board.

Director of Community Development: 12/18/2019

December 18, 2019

The Town and the PWD district have agreed to allow 15 low pressure sewers and have no interest in accepting more lots with low pressure sewers that would have to be maintained as public sewer. Now as we discussed in the meeting with the Town, PWD, and applicants' representative; the PWD and the Town are open to listen about whether some of the other low pressure sewer systems could be converted to a private system then could these 5 be added as public low pressure sewer systems. Believe that is a conversation that should be held between the design engineer and the developer about whether that is something that is worth pursuing and design. Then the District and the Town would be willing to sit down and review the proposal. Thanks and contact me if you have any questions.

Planning Department: 12/18/2020

December 18, 2020

1. Check lot frontages 11, 18, and 67.
2. 95 lots need to meet depth to width (140%) – Please check your lots to make sure there are sufficient numbers that comply.
3. Define what t a “no cut buffer” means in notes.
4. Address orientation and disposition of building standards.
5. Neighborhood Association documents should be submitted during final plan stage.
6. Check plan reference dates, specifically “Pine Gree Acres.”
7. A sidewalk connection through to Starlit Way should be made. Staff is also recommending as part of phase 1 an off-site sidewalk to include the section from Weeks Road to Quincy Drive.
8. Chase Way – What standard is this road proposed to be constructed to? Whatever standard, the road will need to handle traffic for at least 14 single-family dwellings. Currently the private way standards are not adequate to handle the traffic for all the development on this dead end portion of the road. The Town is in the process of updating the Land Use Code to add a new standard to handle traffic for 25 dwelling units.
9. Unclear what standards each road is proposed to be constructed to. It would be help to outline on Sheet 35. Each road detail should identify the road names that will be constructed to that standard.

10. Private Ways – the road profiles for these private ways will need to be amended to a private way plan as required by the ordinance with all the required plan notes and signature block typically required for a private way.
11. Drainage Easements should clearly identify who the easement will be granted to. Any easement outside of the Right-of-Way should be dedicated to the Homeowners' Association.
12. The development is required to be served by gang mailboxes the locations should be shown on the plans along with the required detail for a gang mailbox.
13. The sidewalk should extend all the way down to the end of Josh's Way.

Police Department:

No comments received.

Public Works Department: 12/14/2020

December 14, 2020

My comments on Sawyer estates:

There will need to be off site improvements to Waterhouse road after construction, TBD

No trees in ROW Please

Cluster mail boxes should be required

Clarify drainage on Terinas way. Appears to be a gap in drainage.

While we understand the planning board is requiring a sidewalk on South st, pedestrian flow from Starlit to Middle and high school should be improved.

Will this project require the town to add more winter sidewalk maintenance

Stormwater Compliance Officer, Matt LaCroix: 12/09/2020

December 9, 2020

Hi Carol - I wanted to provide my stormwater/erosion comments for Sawyer Estates.

-28,822 sf of forested wetlands and vernal pools will be impacted. These are not considered significant wetlands, and the vernal pools are mostly minor.

-A DEP permit will be needed for the site, since it meets both the size criteria and exceeds 4,300 sf of wetlands impacted.

-Drainage for the site generally flows to the SW for the western portion into Gully Brook, and SE from a small pond on the eastern side. *The outlet for the pond may need upgrades. No outfalls are impacted by the project and the gradient is mostly gradual or flat.

-Special care should be taken for construction around sensitive areas, such as the small pond, and identified wetlands/vernal pools. Filtration barrier BMP's should be in place at all times during construction until the site is fully stabilized. No sediment migration is permitted off-site.

-The area is very poorly drained and will require all BMP's shown on plans to be implemented correctly as shown to avoid erosion/pooling of water.

-Recreational trails should be created in the open space to connect to existing trails near Weeks Rd. Along with the additional sidewalks, this could be a nice network for walking. *Great idea about the benches near the pond!

Thanks, let me know if you have any questions.

Woodard & Curran: 08/02/2018, 05/22/2019, 12/22/2020

August 2, 2018

Woodard & Curran has reviewed the Sidewalk Extension Cost Estimate prepared as part of the pre-application submission for the proposed Sawyer Estates Subdivision in Gorham, Maine. The following documents were reviewed:

- Sidewalk Estimate, Pre-Application Submission, prepared by BH2M, dated July 23, 2018, on behalf of Chase Custom Homes.

We provide the following comments:

General Engineering Comments

1. The estimate assumes the construction of 3,200 linear feet of new sidewalk along South Street, which would extend from the intersection of Weeks Road to the most northern entrance of the proposed Sawyer Estates Subdivision (Michelle Drive).
2. We take no exception to the items and unit costs utilized in the Sidewalk Extension Cost Estimate.
3. It is our understanding that public sewer and water will be extended along South Street from the intersection of Weeks Road to the proposed subdivision as part of the project. It should be noted that several of the cost items in the Sidewalk Extension Cost Estimate may be duplicating work that will need to be completed as part of the sewer and water installation, including:
 - Saw cutting of Pavement (\$ 6,408)
 - Traffic Control (\$ 10,000)
 - Roadway Surface and Base Pavement Patch (\$ 6,750)
 - Roadway Type A Gravels (\$ 2,400)

Please contact our office if you have any questions.

May 22, 2019

Woodard & Curran reviewed the Preliminary Subdivision Application for the Sawyer Estates development to be located off South Street in Gorham, Maine. The proposed project consists of a 118-lot residential subdivision, six new roads, underground utilities, and stormwater management infrastructure. We reviewed the project for compliance with the applicable Town of Gorham Land Use and Development Codes and General Engineering practices. The following documents were reviewed:

- Preliminary Subdivision Application and attachments, dated May 3, 2019, prepared by BH2M, on behalf of Chase Custom Homes.
- Engineering Plans, Sheets 1-32, dated May 2, 2019, prepared by BH2M, on behalf of Chase Custom Homes.
- Stormwater Management Report and appendices, dated May 3, 2019, prepared by BH2M, on behalf of Chase Custom Homes.

We understand this application is preliminary and will provide further review of the project upon submission of the final subdivision application. At this time, we offer the following comments:

General Civil Engineering

- The Applicant has noted the project is subject to MaineDEP review for a Site Location of Development Permit and NRPA permits for wetland impacts and work adjacent to a stream. All approvals shall be forwarded to the Town upon receipt.
- The Applicant shall provide letters from utilities confirming their ability to serve the project to the Town upon receipt.
- Please provide a typical driveway apron detail that includes culvert minimum cover, pipe size and minimum pipe slope to ensure positive drainage.
- Several of the plan sheets do not include vertical curve data (Sheets 15, 18 and 20).

Section 1-18 – Development Transfer Overlay District

- The project is located within the Development Transfer Overlay District and the Applicant has elected to develop in accordance with the provisions of this overlay district. The Applicant has provided net residential density calculations to determine the maximum number of dwelling units allowed for the underlying zones. Including the water and sewer bonus, the maximum number of dwelling units allowed for the project, without considering the “bonus units” allowed under this overlay district, is 54 lots. It is our understanding that the number of “bonus units” allowed and the development transfer fee to be paid by the Applicant is based solely on the determination of the Planning Board.

Section 2-5 – Minimum Standards for the Design and Construction of Streets and Ways

- The Applicant has noted Terina’s Way and Ciarra’s Way are designed to meet the standards of an Urban Subcollector road. Per Section 2.5.F.1. (see Table 1), the minimum centerline radius allowed for an Urban Subcollector is 230 feet. Curves C3, C4, C5, C6, C8, C9, C10, C11, and C12 of Terina’s Way and Ciarra’s Way have centerline radii less than 230 feet; please revise to meet the roadway design standards.

- Please note that K Factors for a crest vertical curve on Urban Subcollector roads shall not be less than 30 and K Factors for a sag vertical curve shall not be less than 40 during revisions to the roadway design (see Table 1).
- Urban Subcollector and Urban Access roads shall be designed with a 4-foot gravel shoulder and sidewalks paved with HMA Type D (see Figures 3 and 5). The Applicant shall revise the roadway details on Sheet 25 accordingly.
- The Urban Access detail provided on Sheet 25 specifies a 24' wide travel way. The proposed plan sheet specified a 22' wide travel way for all Urban Access roads. Please update the detail to match the plan sheets.
- Storm Drainage System Design:
 - Per Section 2-5 G. 3) d) open storm water shall not surface run more than 250 feet along any street gutter. No storm water shall drain across a street or intersection. There appears to be several areas where catch basins (or high points) are spaced greater than 250 feet, including but not limited to:
 - Terina's Way: Station 6+64 (HP) to Station 9+85 (CB#7) – 321 feet
 - Terina's Way: Station 27+53 (HP) to Station 24+25 (CB#20) – 328 feet
 - Ciarra's Way: Station 10+00 (CB#32) to Station 7+00 (CB#33) – 300 feet
 - Ciarra's Way: Station 15+50 (CB#27) to Station 12+40 (CB#30) – 310 feet
 - Ciarra's Way: Station 18+81 (HP) to Station 15+50 (CB#25) – 331 feet
 - Josh's Way: Station 4+50 (HP) to Station 1+50 (CD48) - 300 feetApplicant shall review and revise the proposed storm drainage system for conformance with Chapter 2 of the Town of Gorham Land Use and Development Code,
 - Per Section 2-5 G. 3) d) no storm water shall drain across a street or intersection. No stormwater infrastructure is currently proposed to prevent stormwater from draining across several intersections including:
 - Intersection of Crestwood Drive with Terina's Way
 - Intersection of Dominic's Way with Ciarra's WayApplicant shall review and revise the proposed storm drainage system for conformance with Chapter 2 of the Town of Gorham Land Use and Development Code,
 - Several of the proposed catch basins are not located in the low station of the proposed roadway, including:
 - CB #35 at Station 3+40 (low point at Station 3+30)
 - CB #41 at Station 8+11 (low point at Station 7+99)Applicant shall review and revise the proposed storm drainage system to ensure stormwater is collected at the proposed low points.
 - Final subdivision plans shall identify access locations to all proposed stormwater treatment BMPS.

Section 4-9 – Approval Criteria and Standards

- Please note the following regarding Stormwater Management (Section 4.9 F):
 - The Applicant has demonstrated post-development peak flow rates are less than or equal to the pre-development peak flow rates for all storm events, with the exception at AP #1 for the

2-, 10-, and 25-year storm events. The Applicant should either demonstrate peak flow rates are reduced for all design storm events, or provide written easements from the owners of the adjacent properties for the discharge of additional stormwater caused by the development.

- In the post-development HydroCAD model provided, the primary outflows of the proposed vegetated soil filter fields are modeled as a 1.2” vertical orifice/grate leading to a 6.0” round culvert. A 2” ball valve is proposed along the 6” outlet pipe for each VUSFF. Please provide more information on the 2” ball valves, including locations on each VUSFF, a detail and pipe fitting information for connections to and from the 6” PVC pipe.
- Please provide pipe connection/fitting details for the various storm drain connections in the VUSFF (4” underdrain pipe to 6” PVC collection pipe, 6” PVC collection pipe to 6” PVC outlet pipe, etc.). Please indicate how sharp corners in the storm drain network will be maintained.

Please contact our office if you have any questions.

December 22, 2020

Woodard & Curran reviewed the revised draft set of plans for the Sawyer Estates development to be located off South Street in Gorham, Maine. The proposed project consists of a 119-lot residential subdivision, seven new roads, underground utilities, and stormwater management infrastructure. We reviewed the project for compliance with the applicable Town of Gorham Land Use and Development Codes and General Engineering practices. The following documents were reviewed:

- Cover letter, dated December 1, 2020, prepared by BH2M, on behalf of Chase Custom Homes.
- Engineering Plans, Sheets 1-37, dated December 1, 2020, prepared by BH2M, on behalf of Chase Custom Homes.

We understand this submittal is preliminary and will provide further review of the project upon submission of the final subdivision application. At this time, we offer the following comments. *Please note that comments from prior memorandums are in italics.*

General Civil Engineering

- *The Applicant has noted the project is subject to MaineDEP review for a Site Location of Development Permit and NRPA permits for wetland impacts and work adjacent to a stream. All approvals shall be forwarded to the Town upon receipt.*
- *The Applicant shall provide letters from utilities confirming their ability to serve the project to the Town upon receipt.*
- *Please provide a typical driveway apron detail that includes culvert minimum cover, pipe size and minimum pipe slope to ensure positive drainage.*
- The storm drain exiting DMH #11 on Josh’s Way, the storm drain exiting CB #66 on Dominic’s Way, and several proposed pipes on South Street are not shown with riprap outlet protection; please review and revise the plans to ensure that all drain pipes are provided with inlet and outlet protection as needed.

Section 1-18 – Development Transfer Overlay District

- *The project is located within the Development Transfer Overlay District and the Applicant has elected to develop in accordance with the provisions of this overlay district. The Applicant has provided net residential density calculations to determine the maximum number of dwelling units allowed for the underlying zones. Including the water and sewer bonus, the maximum number of dwelling units allowed for the project, without considering the “bonus units” allowed under this overlay district, is 54 lots. It is our understanding that the number of “bonus units” allowed and the development transfer fee to be paid by the Applicant is based solely on the determination of the Planning Board.*

Section 2-5 – Minimum Standards for the Design and Construction of Streets and Ways

- *Urban Subcollector and Urban Access roads shall be designed with a 4-foot gravel shoulder and sidewalks paved with HMA Type D (see Figures 3 and 5). The Applicant shall revise the roadway details on Sheet 35 accordingly.*
- *The Urban Access detail provided on Sheet 25 specifies a 24’ wide travel way. The proposed plan sheet specified a 22’ wide travel way for all Urban Access roads. Please update the detail to match the plan sheets.*
- **Storm Drainage System Design:**
 - *Per Section 2-5 G. 3) d) open storm water shall not surface run more than 250 feet along any street gutter. No storm water shall drain across a street or intersection. There appears to be several areas where catch basins (or high points) are spaced greater than 250 feet, including but not limited to:*
 - *Terina’s Way: Station 6+52 (HP) to Station 9+50 (CB#8) – 298 feet*
 - *Terina’s Way: Station 27+28 (HP) to Station 24+05 (CB#19) – 323 feet*
 - *Josh’s Way: Station 6+50 (CB#47) to Station 3+50 (CB#44) – 300 feet*
 - *Josh’s Way: Station 8+36 (HP) to Station 11+91 (CB#48) – 355 feet*
 - *Josh’s Way: Station 19+23 (HP) to Station 16+00 (CB#52) – 323 feet*
 - *Chase’s Way: Station 0+00 (HP) to Station 2+95 (CB#55) – 295 feet*
 - *South Street: Station 4+72 (CB#67) to Station 7+72 (CB#68) – 300 feet*
 - *South Street: Station 7+72 (CB#68) to Station 10+72 (CB#69) – 300 feet*

Applicant shall review and revise the proposed storm drainage system for conformance with Chapter 2 of the Town of Gorham Land Use and Development Code.

- *Proposed CB #69 on South Street does not appear to be in the existing low point of the roadway. The Applicant should review and revise the proposed storm drainage system to ensure stormwater is collected at low points.*
- *Final subdivision plans shall identify access locations to all proposed stormwater treatment BMPs.*

Section 4-9 – Approval Criteria and Standards

- *The Applicant indicated that revisions to the Stormwater Management Plan and attachments are in progress in association with the Maine DEP permitting for the site and will be submitted to the Town at a later date. We will review and provide comments on the updated stormwater management documents upon submittal.*

Please contact our office if you have any questions.

Portland Water District: 05/23/2019, 07/26/2019, 12/16/2019

May 23, 2019

PWD has received the preliminary plans for Sawyer Estates dated 5/2/19. PWD does not accept the sewer system as proposed. The proposed sewer system does not reflect the concept created by the District and the Town and submitted to the developer in July 2018. Please let me know if you have any questions.

Thanks,

Robert Bartels, PE

July 26, 2019

Andy,

Thank you for reaching out to the District. Coincidentally, we have just completed our review and offer the following comments:

- Your analysis of gravity sewer has the proposed subdivision connecting to manhole MNH03321 in Starlit Way. You cite a rim elevation of 197.61 and an invert elevation of 192.67, the determinant factor for additional fill on site to achieve a gravity sewer system. This manhole is not the only terminus point that would support a gravity sewer system on site. Per our records, the invert elevation of the wet well is 183.50 (to be verified). PWD requests that you use the invert elevation at the wet well to design a gravity sewer system through the site. This may require you to cross the Town of Gorham property behind 7 and 11 Starlit Way. It may require you to reinstall a portion of the existing sewer system in Starlit Way or Caitlin Drive if that is a more cost effective solution. The District believes you can achieve gravity sewer on site without adding significant fill beyond what is already proposed. Do you know what elevation you need to hit at terminus to achieve gravity sewer based on the current site design?
- The District does not support placing 50+ lots on private low-pressure sewer systems.

December 16, 2019

PWD is not in support of adding any additional customers on a low-pressure sewer system at the end of Josh's Way. The project as proposed is already at 15 low-pressure systems, which has been the agreement since 2018. Per the meeting on 11/8/19, BH2M was tasked to evaluate whether the additional lots at the end of Josh's way could be reconfigured to allow for gravity sewer to Heartwood. I believe PWD is in agreement with the Town of Gorham on the path forward.

Conservation Commission: 12/11/2020, 12/16/2020

December 11, 2020

Could we work in a pedestrian multi-use trail? Given proximity to Weeks trails neighborhood could potentially have a “lollipop” trail to connect to Starlit for access. No parking spaces.

Bill Moreno

December 16, 2020

Hi Carol,

We discussed this development during the Dec 14 Conservation Commission meeting.

Because of the development's proximity to the existing trail network off of Weeks, we would be interested in a pedestrian/non-motorized trail easement here that would allow for the connection to the existing network.

We will be happy to work with the developer to help define the location of this easement.

Will this email suffice for communicating this to the planning board?

Thanks,
Bill

**PLANNING BOARD
SUBDIVISION REVIEW
FINDINGS OF FACT**

**For
CHASE CUSTOM HOMES –SAWYER ESTATES SUBDIVISION**

August 1, 2022

Applicant/ Property Owner: The property owner/applicant is John Chase, Chase Custom Homes, 290 Bridgton Road, #1, Westbrook, Maine 041092.

Property: The lots are identified as Tax Map 21, Lots 10, 16 and 17-6, and located off South Street, Gorham, Maine 04038.

Consultant: Andrew Morrell, P.E., Licensed Engineer, with BH2M; Robert C. Libby, Jr., State of Maine Land Surveyor #2190; Mitchell & Associates, Licensed Landscape Architect #?

Project Description: The proposal is to construct a 119 lot development transfer overlay subdivision off South Street.

Site Description: The site is 103.59 acres in size and has road frontage along South Street. The lot will be served by public water and sewer, underground utilities, and natural gas.

Applicability: The applicant’s proposal requires subdivision review under the development transfer overlay standards Section 1-18 in the Zoning Ordinance and the subdivision standards.

Zoning: The lot is located in the Rural (R) and Suburban Residential (SR) zoning districts.

Variances: None requested.

Waivers: None requested.

Pursuant to the Application:

A Pre-application discussion was held on May 7, 2018 and August 6, 2018. A preliminary plan review was held on June 3, 2019, January 4, 2021 and January 11, 2022.

BH2M’s Plans consist of the following (most current plan set is **bolded**):

Sheet 1 – Sketch Plan: Dated, 09/2017; Revised through 04/25/2018; Received, 04/25/2018
Sheet 2 – Sketch Plan: Dated, 09/2017; Revised through 04/25/2018; Received, 04/25/2018
Sheet 3 – Net Residential Density Calculations: Dated, 09/2017; Revised through 04/25/2018; Received, 04/25/2018
Cover: Received, 05/03/2019

Sheet 1 – Preliminary Plan: Dated, 01/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 2 – Preliminary Plan: Dated, 01/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 3 – Standard Boundary & Existing Conditions: Dated, 01/2006; Revised through 05/02/2019; Received, 05/03/2019
Sheet 4 – Standard Boundary & Existing Conditions: Dated, 01/2006; Revised through 05/02/2019; Received, 05/03/2019
Sheet 5 – Roadway Profile, Terina’s Way: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 6 – Roadway Profile, Terina’s Way: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 7 – Roadway Profile, Terina’s Way: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 8 – Roadway Profile, Terina’s Way: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 9 – Roadway Profile, Terina’s Way: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 10 – Roadway Profile, Terina’s Way: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 11 – Roadway Profile, Crestwood Drive: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 11 – Roadway Profile, Ciarra’s Way: Dated, 03/2019; Revised through 05/02/2019; Received, 05/03/2019
Sheet 12 – Roadway Profile, Ciarra’s Way: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 13 – Roadway Profile, Ciarra’s Way: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 14 – Roadway Profile, Ciarra’s Way: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 14 – Roadway Profile, Josh’s Way: Dated, 03/2019; Revised through 05/02/2019; Received, 05/03/2019
Sheet 15 – Roadway Profile, Josh’s Way: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 16 – Roadway Profile, Josh’s Way: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 16 - Roadway Profile, Dominic’s Way: Dated, 03/2019; Revised through 05/02/2019; Received, 05/03/2019
Sheet 17 – Roadway Profile, Chase’s Way: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 17 – Roadway Profile, Crestwood Drive: Dated, 03/2019; Revised through 05/02/2019; Received, 05/03/2019
Sheet 18 – Roadway Profile, Chase’s Way: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 19 – Roadway Profile, Bill’s Way: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019

Sheet 19 – Roadway Profile, Chase’s Way: Dated, 03/2019; Revised through 05/02/2019; Received, 05/03/2019
Sheet 20 – Roadway Profile, Dominic’s Way: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 20 – Roadway Profile, Bill’s Way: Dated, 03/2019; Revised through 05/02/2019; Received, 05/03/2019
Sheet 21 – Cross Country Sewer: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 21 – Pond Details: Dated, 03/2019; Revised through 05/02/2019; Received, 05/03/2019
Sheet 22 – Cross Country Sewer: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 22 – Vegetated Underdrain Soil Filters A, B & C Details: Dated, 03/2019; Revised through 05/02/2019; Received, 05/03/2019
Sheet 23 – Cross Country Sewer: Dated, 03/2019; Revised through 10/26/2019; Received 09/26/2019
Sheet 23 – Vegetated Underdrain Soil Filters D, E, F & G Details: Dated, 03/2019; Revised through 05/02/2019; Received, 05/03/2019
Sheet 24 – Roadway Profile, South Street: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 24 – Standard Details: Dated, 03/2019; Revised through 05/02/2019; Received, 05/03/2019
Sheet 25 – Roadway Profile, South Street: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 25 – Roadway Details: Dated, 03/2019; Revised through 05/02/2019; Received, 05/03/2019
Sheet 26 – Roadway Profile, South Street: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 26 - Erosion Control Details: Dated, 03/2019; Revised through 05/02/2019; Received, 05/03/2019
Sheet 27 – Roadway Profile, South Street: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 27 – Erosion Control Details: Dated, 03/2019; Revised through 05/02/2019; Received, 05/03/2019
Sheet 28 – Roadway Profile, South Street: Dated, 03/2019; Revised through 05/02/2019; Received, 09/26/2019
Sheet 28 – Sewer and Water Details: Dated, 03/2019; Revised through 05/02/2019; Received, 05/03/2019
Sheet 29 – Roadway Profile, South Street: Dated, 03/2019; Revised through 05/02/2019; Received, 09/26/2019
Sheet 30 – Roadway Profile, South Street: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019
Sheet 31 – Sewer Profile: Dated, 03/2019; Revised through 10/26/2019; Received, 09/26/2019

Other documents submitted consist of the following:

Pre-Application – 04/25/2018

Preliminary Subdivision Application – 05/03/2019
Stormwater Management Report – 05/03/2019
Street Name Approval Application -
Plans – Received 04/25/2018, 05/03/2019, 09/26/2019
Letter of Financial Capacity – 05/03/2019
Gorham Town Planner Comments – 12/18/2020
Gorham Assessor Comments – 05/09/2019, 07/16/2019, 07/20/2022
Gorham Fire Chief Comments – 05/07/2019, 12/15/2020, 07/20/2022
Director of Community Development – 12/18/2019
Gorham Public Works Comments – 12/14/2020
Stormwater Compliance Officer – 12/09/2020
Gorham Code Enforcement Officer – No comments received.
Gorham Police Department – No comments received.
Woodard and Curran – 08/02/2018, 05/22/2019, 12/22/2020
Portland Water District – 05/23/2019, 07/26/2019, 12/16/2019
Conservation Commission – 12/11/2020, 12/16/2020
Abutter Comments – W. Messer and A. Lowell, 08/06/2018; L. Dupuis, 05/30/2019; A. Potthoff, 10/30/2020

FINDINGS OF FACT

CHAPTER 3 - SUBDIVISION, SECTION 3 - PRELIMINARY PLAN

The Planning Board, following review of the Preliminary Subdivision Application, makes these findings based on the Subdivision Review criteria found in Chapter 3, Subdivision, Section 3-3 C. Preliminary 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 lots are located with the Rural and Suburban Residential zoning districts which the Future Land Use Plan in the Comprehensive Plan recommends to be Village Residential and Village Expansion areas, which recommend moderate density and higher density through the development transfer provisions.

Finding: The Sawyer Estates subdivision conforms 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.

There are several connections to existing roads or streets...

Finding:

- 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.

Finding:

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

Finding:

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

Finding:

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

Finding:

- 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.

Finding:

- 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.

Finding:

- 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.

Finding:

- 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.

Finding:

- 3) Every subdivision shall be responsible for providing open space and recreational land and facilities to 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.

Finding:

- 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.

Finding:

SECTION 1-18 DEVELOPMENT TRANSFER OVERLAY DISTRICT

SPACE STANDARDS

The following space standards apply to the subdivision or project and to the lots within the subdivision based upon the underlying zoning district.

<u>Standard</u>	<u>If the underlying zone is any district other than Rural</u>	<u>If the underlying zone is Rural</u>
Minimum net acreage per dwelling unit	6,000 sq. ft.	9,000 sq. ft.
Minimum lot size:		
One-family dwelling	8,500 sq. ft.	12,750 sq. ft.
Minimum street frontage:		
One-family dwelling	75 feet	75 feet

Minimum front yard for one and two-family dwellings:		
Access or sub-collector street or private way	15 feet	15 feet
Collector street or service road	30 feet	30 feet
Arterial street	70 feet	70 feet

Maximum front yard for one and two-family dwellings:		
Access or sub-collector street or private way	25 feet*	25 feet*
Collector street or service road	none	none
Arterial street	none	none

Minimum side and rear yards:		
One-family dwelling	10 feet	10 feet

Maximum building height	None	None
-------------------------	------	------

* Not more than ten percent (10%) of single and two-family dwellings within a subdivision may have a front yard or setback of more than twenty-five (25) feet provided that:

- 1) any lot with a front yard greater than twenty-five (25) feet may not abut another lot with a front setback of more than twenty-five feet, and
- 2) any lot with a front yard greater than twenty-five feet must be identified on the approved subdivision plan and the maximum front yard for the lot specified on the plan.

Notwithstanding the provisions of this subsection D, an auxiliary public utility structure is exempt from the minimum lot size and street frontage requirements of this district. Structures must meet setback requirements. Additional screening and buffering can be requested by the Planning Board.

Finding:

E. PERFORMANCE STANDARDS

In addition to the performance standards of Chapter 2, all new subdivisions and developments that are approved in accordance with the provisions of the Development

Transfer Overlay District must conform to the following performance standards. If these standards conflict with the performance standards of the underlying zone, these standards apply.

1. Development Transfer Fee and Calculations

- a) Calculation of the Fee – The development transfer fee that must be paid by a subdivision or development shall be based upon the number of “bonus units” included in the approved subdivision or development plan. “Bonus units” are approved dwelling units in excess of the number of dwelling units that could be built on the site in accordance with the provisions of the underlying zone.

The number of “bonus units” shall be determined by the Planning Board as part of the approval of the subdivision or site plan. The number of bonus units shall be calculated by determining the maximum number of dwelling units that could be developed on the site based on the underlying zoning, site conditions, and allowable density bonuses and subtracting those units from the number of approved dwelling units.

The maximum number of dwelling units allowed in the underlying zone shall be calculated as follows:

- 1) If the underlying zone has a maximum density provision based upon net residential density or net acreage per dwelling unit, the maximum number of units allowed under the underlying zoning shall be calculated based upon this requirement and calculated by dividing the net acreage of the area proposed to be subdivided by the per unit factor, plus any additional units allowed in the underlying district for the use of public sewerage and/or public water.
- 2) If the underlying zone does not have a maximum density requirement based upon net residential density or net acreage per dwelling unit, the maximum number of units allowed under the underlying zoning shall be determined by multiplying the gross acreage of the area proposed to be subdivided by sixty-five percent (65%) to allow for access and unusable land and then dividing the resulting net area by the minimum lot size for one family dwellings or the minimum lot area per dwelling unit for two-family dwellings or multifamily housing plus any additional units allowed in the underlying district for the use of public sewerage and/or public water.

The total development transfer fee for a subdivision or project shall be calculated by multiplying the number of “bonus units” determined by the Planning Board times the per unit Development Transfer Fee established by the Town Council.

- b) Payment of the Fee – The total development transfer fee for the subdivision or project shall be divided by the total number of approved dwelling units in the subdivision or project to determine the development transfer fee for each dwelling unit. The per dwelling unit development transfer fee shall be paid to Town at the time of the issuance of the building permit for each dwelling unit in the project.
- c) Use of the Fee – Development transfer fees collected by the Town shall be deposited into a separate account and must be used only for acquiring the fee in or conservation easements on potentially developable land in areas where the Town desires to discourage growth in accordance with the priorities set forth below.

Any land acquired with development transfer fees must be permanently restricted from development and be used for conservation, passive and/or active recreation, and open space purposes. Development transfer fee revenue may be used in conjunction with other Town funds, impact fee revenue, or other private or government funding to acquire land or easements provided that the intent of this section is met.

The Town Council shall be guided by the following priorities in acquiring land or development rights/conservation easements with the development transfer fees:

- land that is adjacent to Town-owned recreational facilities or open space that is consistent with that use
- land that is adjacent to the Presumpscot or Little Rivers
- land that is currently in agricultural or silvicultural use and will remain in agricultural or silvicultural use
- land that is adjacent to land that is in agricultural or silvicultural use and that is permanently protected from development
- land with significant historical or archeological value
- land that has significant natural resource value but that is developable
- land within the viewshed from the top of Fort Hill toward Mount Washington with a priority for those parcels closest to the top of the hill
- land adjacent to or visible from arterial and rural collector roads in areas that are zoned Rural or a future low-density equivalent
- land that maintains the integrity of unfragmented habitat blocks
- other land that is identified as open space or conservation land in the Town’s Comprehensive Plan including land adjacent to the principal approaches to Gorham

Finding:

2. Design Standards

All subdivisions and other developments are subject to the provisions of A. 6) of Chapter 2. Section 2-4 – Residential and the plan shall show how these criteria will be addressed.

Section 2-4 Residential A. Clustered Residential Development

6. a) Orientation -

Finding:

b) Streets

Finding:

c) *Drainage*

Finding:

d) *Sewage*

Finding:

e) *Water Supply*

Finding:

f) *Utilities*

Finding:

g) *Recreation*

Finding:

h) *Buffering*

Finding:

i) *Disposition of Buildings*

Finding:

3. Additional Standard for One and Two-Family Lots

If a subdivision approved in accordance with these overlay provisions contains individual lots that will be developed with one or two-family dwellings, the layout of those lots should be deeper than they are wide to provide a suitable, private rear yard. At least eighty percent (80%) of lots within the subdivision that will contain single-family or two-family dwellings must have an average lot depth that is at least one hundred forty percent (140%) of the lot width as measured between the side lot lines of the lot at the rear of the required minimum front yard.

Finding:

4. Access Limitations

Access to subdivisions or developments shall be designed to minimize the number of entrances onto arterial or collector roads. Direct vehicular access to individual lots or uses from existing roads classified as arterials, collectors or sub-collectors shall not be allowed unless the Planning Board finds that there is no reasonable alternative access.

The applicant proposes two entrances onto South Street; South Street is a collector road. There is one entrance proposed onto Waterhouse Road.

Finding:

5. Open Space

A portion of any new subdivision or project with more than ten lots or units must be set aside within the development and permanently protected as open space to serve the residents of the project. This requirement is in addition to any requirement for the payment of a recreational facilities or open space impact fee. The total combined area of the open space set aside within the subdivision shall be a minimum of ten percent (10%) of the gross area of the parcel. This open space must include an area of usable land as defined by the net acreage provision that is at least five percent (5%) of the total net acreage of the parcel (For example, if the net acreage of the parcel is twenty acres then at least 5% or one acre of the open space must be usable land).

The required open space within the subdivision or project may be used for the following types of uses:

- formal open spaces such as greens, commons, and parks

- passive recreation areas
- natural resource or conservation areas

At least fifty percent (50%) of the required usable land within the open space shall be developed for formal spaces or recreation facilities. The Planning Board may waive or reduce this requirement if it finds that, due to the scale of the development, compliance with this requirement will not result in usable open space.

The setting aside of less-than-lot-sized pieces of land for specific formal spaces or recreation facilities is only permitted in a Development Transfer Overlay District approved subdivision. These areas can be aggregated to meet the 50% of the required usable open space and shall be developed for formal recreation facilities use. Formal recreation facilities shall include, but not be limited to, school bus stops with waiting shelters and/or benches or structures of any type, public monuments, small parks or gardens with structures such as benches or fountains, playground sets, basketball courts, trail heads with amenities, picnic tables, etc., and may occupy less-than-lot sized areas within the development.

Where appropriate the Planning Board may require buffering or screening from adjoining residential properties.

No parcels less than required lot size may be set aside for any other open space requirements prescribed in the Development Transfer Overlay District standards such as passive recreation areas, or natural resource or conservation areas.

6. Parking Lot Locations

Parking lots for five or more vehicles to serve multi-family housing, apartments, and non-residential uses shall be located to the side or rear of the building where feasible. No parking lots for these uses shall be permitted in the required front yard area.

**TOWN OF GORHAM
PLANNING BOARD MINUTES OF JANUARY 4, 2021**

APPROVED – For Reference Only

ITEM 7 Preliminary Subdivision — Sawyer Estates — a request for approval of Sawyer Estates, a 119 lot residential subdivision on 103.59 acres on property located off South Street, R/SR zoning district, Map 21, Lot 10, 16, and 17.16.

Mr. Firmin advised the Board that he works for the Portland Water District and has had some input with this project. He asked to be permitted to recuse himself.

Molly Butler-Bailey MOVED and Vincent Grassi SECONDED a motion to allow Mr. Firmin to recuse himself from participating in the discussions on this item. Motion CARRIED, 6 ayes (Scott Firmin recused).

Ms. Eyerman gave the Board an overview of this project, which has come before the Board a number of times in different formats. The current proposal have been under review for about two years. The project, by Chase Custom Homes, is for 119 houses off South Street, taking access from 3 different points: an access off South Street, an access off Starlit Way in the Heartwood Subdivision, and an entry point from Waterhouse Road. A great deal of work has been done with the Water District on the sewer issues of the project. The applicant proposes to use the Development Transfer Overlay zoning for the area.

Andrew Morrell, BH2M, explained to the Board that work on the project began in 2003, and its major hurdle has been the sewer system design to accommodate the requirements of the Portland Water District, the Town and the applicant. Major design changes to the sewer system include eliminating a cross country sewer previously proposed on some of the lots; roadway grades have been elevated in order to provide gravity sewer access to the Heartwood pump station; and a private low pressure sewer system has been added for certain lots along what is to be known as Josh's Way, which will be maintained by homeowners of those lots. These changes have affected a large portion of the site, specifically the grading along a number of the lots and the stormwater design previously proposed.

In addition, Mr. Morrell explained that a connection to Waterhouse Road will be made through Josh's Way, the connection being a critical point of emphasis from the Planning Board impacting the phasing of the project work. This connection will be the main access for Phase 1 of the project, which will consist of 58 lots. Phase 2 will consist of 61 lots.

Mr. Morrell summarized the project's roads as follows: Terina's Way, urban sub-collector; Crestwood Drive, urban access; Starlit Way, urban sub-collector; Dominic's Way, private; Chase's Way, urban access; Bill's Way, private; and Josh's Way, urban access.

Mr. Morrell told the Board that the stormwater design had to be revised because of the sewer and roadway changes and will now be treated with 12 vegetated underdrain soil filters, 1 wet pond, and 11 stormwater wooded buffers.

Mr. Morrell said that sidewalks have been added along South Street. He said the applicant is working with the Fire Department on the locations of the hydrants proposed for the development. Homeowners' documents will be submitted at final approval. Ability-to-serve letters will also be provided as the project moves forward. They will work with Woodard & Curran to address those comments. Following tonight's discussion, Mr. Morrell said they would like to return for the February 1, 2021 meeting to discuss additional points. After that meeting, all the Town comments would be taken under consideration and necessary revisions made, and they would work with Peter Burke Design on landscaping, work to complete a traffic analysis, work with Weco-Group to complete the sewer design, and have a pre-application meeting with the Maine DEP to discuss permitting for the project.

As part of the Board's review and for the benefit of the public, Mr. Morrell gave a summary of the issues they would like to discuss this evening as follows:

- Utilities
- Roadways
- Lots
- Landscape design
- Open spaces (pocket parks)
- Lighting
- Fire Protection

Issues proposed to be discussed at the Board's February meeting are:

- Stormwater
- Traffic
- Phasing
- Wetlands
- Soils
- Development Transfer Overlay Standards
- DEP permitting
- Other

Mr. Fox noted therefore that there is still work remaining on this project and some answers may not be available this evening.

PUBLIC COMMENT PERIOD OPENED: Allyson Lowell, 6 Crestwood Drive, asked when comments can be made for items proposed to be discussed at the February meeting. Mr. Fox said the Board will try to focus on specific items in Mr. Morrell's list this evening, and if an abutter wishes to speak on something else, those concerns will be captured but it may not be possible to respond to those concerns this evening. Ms. Lowell said that Crestwood has no lighting at this time and has concerns about what lighting is proposed for Crestwood. She has concerns about

fitting two lanes of traffic on Crestwood when it is an access road for the development, quality of life for the neighbors, impacts on nature, screening and buffering. She also has infrastructure comments which she will address to the Town Council.

Janet Rodgers, 33 Waterhouse Road, seconded Ms. Lowell's concerns, and expressed concerns about wildlife and traffic.

Eric Semle, 5 Crestwood, asked about building designs for the lots.

Allan Potthoff, 17 Crestwood, asked for a definition of the buffers in the plan — does it refer to a "no cut" buffer or a "no build" buffer but which can be made into a back yard. He spoke about the lack of buffering for his lot and said buffering should be all around any existing lot perimeter.

Dale Rodgers, 33 Waterhouse Road, asked if Waterhouse Road is to be widened as it is now busy and narrow. He also asked whether there will be lighting on Waterhouse Road.

Ian O'Hora, 327 South Street, asked how far sewer and water will extend down South Street.
PUBLIC COMMENT PERIOD ENDED.

Mr. Fox said that some of the abutter comments will be addressed this evening as they pertain to Mr. Morrell's list of discussion items.

1. Utilities. Sewer and water will be extended down to South Street to the southern most entrance of Terina's Way. In response to Mr. Anderson, Mr. Morrell said there will be no sewer up Crestwood Drive.
2. Roadways. Sheet 1, note 23, contains a list of the roadways proposed for the roads in the project. All the major roads that are serving more than 25 lots will be built to the Urban Subcollector standard, all the others will be built to the Urban Access standards, and there are two short dead ends that serve less than 6 lots that will be built to the private way standards. Almost the entire subdivision will be built with a curbed closed drainage system and sidewalks. In reply to a question from Mr. Fox, Mr. Morrell said that the major radii curbing will be vertical granite, and the majority of the curbing will be concrete slip form.

Regarding Waterhouse Road, Mr. Morrell said originally there was no connection proposed to Waterhouse, but the Board was anxious that the connection be made. As a result of that connection, there could be some improvements needed to Waterhouse after construction. In reply to Mr. Anderson, Mr. Morrell said the original plan was to dead end at Waterhouse, but the Board required that the applicant connect to Waterhouse. Mr. Poirier said it was a Board requirement when it considered the number of lots that were proposed for that dead end road and the connectivity throughout the area. Mr. Poirier said if it is to be accepted as a Town road, it has to be connected. Mr. Poirier said that the Fire Chief also weighed in on the need for a connection to Waterhouse. Mr. Morrell said that a traffic study was done before the Waterhouse connection, now that study will need to be updated to see what impact traffic will have on Waterhouse.

Mr. Morrell said that the small connection to Crestwood Drive will be built to the Urban Access standard, 24 foot wide.

In reply to Mr. Hughes, Mr. Morrell said the Board required the applicant to connect to the closest existing sidewalk, which is the sidewalk at Weeks Road, extending from the proposed entrance at Terina's Way. Mr. Hughes commented that installing sidewalks along South Street from Waterhouse Road to Weeks Road could be problematic, based on past problems involving proposed sidewalks on South Street. Mr. Morrell said the sidewalk design will be something that will be peer reviewed as the application goes through the process.

3. Lots. Mr. Morrell said that a majority of the lots shown on the plan are Development Transfer Overlay lots; DTO standards contain specific requirements on the size and shape of the lots. He said that 95 of the lots will be 140% longer than they are wide, encouraging deeper and narrow lots. Notes on the plans will be provided going forward which show which lots are designed to the DTO standards. Buffering is shown on the rear of many of the lots proposed as wooded buffers, varying in depth from 50 feet to 75 feet wide. These buffers will be two-fold: they will restrict the ability to develop in those areas and they will also limit the disturbance in those areas. As part of the DEP process, these buffers will be considered stormwater buffers, and to meet those requirements, they need to be classified as either a limited disturbance buffer or a no disturbance buffer. A homeowner will not be permitted to clear cut the buffers and eliminate them completely, but perhaps a dead or diseased tree might be cut down. Mr. Fox noted that some of the lots on the outside of the development do not have the restricted buffer area. Mr. Morrell said that a buffer can be added on some of those lots.
- 4 and 5. Open space/landscaping. Mr. Morrell said that they will work with Peter Burke in the design of 3 or 4 pocket parks and community gardens. Street trees will be provided per the requirements of the DTO district. There will be detailed landscaping areas at the South Street entrances. Mr. Morrell pointed out 4 areas along South Street left as open space. One of the areas will accommodate the pump station, one will have the stormwater facility, and the other two will be pocket parks. Mr. Morrell pointed out the existing pond, with some kind of connection from Terina's Way for a trail to be constructed, with perhaps a parking area and some bike racks. Benches are also envisioned around the existing pond. He said there are a number of trails already on the site to which some kind of connection could be made, and they will work with the Conservation Commission to maintain those trails.

Mr. Fox commented that because of the size of the development, it is important that there are really good uses of the open space and encouraged the applicant to invest in the open spaces so they are useful for the residents of the development. Mr. Anderson recommended that a serious effort be put into the design of the open space.

Replying to someone's comments, Mr. Morrell said he does not know what types of homes would be built. Mr. Fox said that replying to that question should be postponed to a subsequent meeting.

Mr. Morrell responded to a query that the open space would belong to the homeowners and it would be up to the homeowners' association to decide who would be allowed to access the amenities of the open space. Mr. Poirier clarified that in the ordinance, the Town has the option of whether to adopt the open space or not. The applicant proposes the open space, and then it is up to the Town Council to decide whether to accept the open space as a public open space, or leaving it to remain private with the homeowners' association maintaining it.

6. Lighting. Mr. Morrell said the lighting for the subdivision would involve a pole light at each proposed intersection. Mr. Fox confirmed that the applicant is not proposing to install lights for the sidewalks, but installing lights strictly for traffic safety at the intersections.

7. Fire. Mr. Morrell said all the houses would be sprinkled per Town ordinance. They will discuss with the Fire Chief the recommendation to relocate some of the fire hydrants.

Ms. Eyerman said that because of time constraints this evening there will have to be another Planning Board meeting on January 11, 2021 to hear Item 8, she asked if Mr. Morrell would want to come back at that time with the second half of his presentation instead of waiting until the February meeting. Mr. Morrell said they are ready and would appreciate coming back next week.

**TOWN OF GORHAM
PLANNING BOARD MINUTES OF JANUARY 11, 2021**

APPROVED – For Reference Only

ITEM 2 Preliminary Subdivision – Sawyer Estates – a request for approval of Sawyer Estates, a 119 lot residential subdivision on 103.59 acres, on property located off South Street, zoned R/SR, Map 21, Lots 10, 16, and 17.16

Ms. Eyerman told the Board that the Board and the applicant discussed the first half of this project at its January 4, 2021 meeting, involving utilities, roadways, lots, landscape design, open spaces, lighting and fire protection. This evening the applicant will make a presentation and would like Board input on stormwater, traffic, phasing, wetlands, soils, Development Transfer Overlay standards, DEP permitting, and other.

Andrew Morrell, BH2M, presented the following information for the Board.

1. Stormwater. Mr. Morrell described the stormwater system as closed drainage, with curbing and catch basin, including one large wet pond, 12 vegetated soil filters and 11 wooded buffers. The applicant will need a DEP Site Location of Development Permit. The current design meets all applicable current Town and DEP standards.

2. Traffic. Mr. Morrell said that Milone & MacBroom had done a traffic study initially but they are unable now to continue to work on this project. The applicant will hire Traffic Solutions to bring the

traffic study up to date, as the traffic study will need to be revised now that Josh's Way is proposed to be extended to Waterhouse Road. Mr. Fox asked if the change in the traffic engineering firm will make any changes to the plans that the Board is considering this evening. Mr. Morrell does not see a problem and said it should be a smooth transition with no large scale changes.

3. Phasing. Mr. Morrell said the applicant proposes to build the project in two phases. Phase 1 will consist of 58 lots, Bill's Way, Chase's Way, Dominic's Way, Starlit Way, and Josh's Way. Phase 2 will be the South Street end of the project, 61 lots, Terina's Way and the connection to Crestwood. The phasing being done in this way is driven by the sewer systems.

4. Wetlands. Mr. Morrell said the wetlands were originally delineated by Tooth & Associates in 2005. Since that time the applicant has hired Mark Hampton Associates to re-do the wetlands, which was done in 2020. The updated wetlands are shown on the plans before the Board. The design was completed to try to minimize the impact on the wetlands. The project will require a Tier 2 Wetland Alteration permit with the Maine DEP.

5. Soils. High intensity soils for the project were completed by Tooth & Associates as shown on sheets 3 and 4 of the plans. As part of the DEP permitting that will be undertaken, there will be test pits completed in all of the stormwater facilities throughout the site. The plans also call out standard erosion control practices and techniques to be used to make sure there is no erosion or sediment transport on the site.

6. Development Transfer Overlay Standards. Mr. Morrell said there have only been a handful of DTO subdivisions done over the years,. The concept is these areas are in portions of the Town where the Town feels growth and expansion of the Town are warranted and it allows an applicant to pay a fee for more lots. Traditional zoning on this parcel would accommodate 54 units, based on density calculations, shown on sheet 2. The applicant is proposing 119 lots in the DTO and the applicant would pay for the additional lots under those standards. The DTO standards have other requirements, such as some of the lots needing to be deeper than they are wide. He said that DTO standards for open space require that 10% of the site is required to be open space, so this parcel would be required to have 10.36 acres of open space; the applicant is proposing 52.94 acres of open space, 51% of the total area of the parcel. Continuing, Mr. Morrell said that of the proposed open space, 5% must be useable open space, which means 5.18 acres of this parcel's open space needs to be useable. The applicant is proposing 22.68 acres of useable open space. Mr. Morrell said the applicant will work with landscape architect Peter Burke to come up with a detailed plan for the open space. Another requirement of the open space in the DTO is 50% of the useable must be developed as part of the project, which is also something they will work on with Peter Burke.

7. DEP permitting. Mr. Morrell said this project will require a Site Location Permit, an NRPA Tier 2 wetland alteration permit, an NRPA Permit by Rule permit, and a Maine demo permit from the Army Corps of Engineers. After these two meetings with the Board, it is the applicant's intent that the design will be finished and to move forward with the DEP permitting.

8. Other. Mr. Morrell said this item is to deal with any issues that the Board may have that may not have been addressed.

Mr. Fox opened the public comment period and asked that the “chat” feature of the zoom meeting not be used as those comments are not part of the public record and will not be addressed.

PUBLIC COMMENT PERIOD OPENED: Alan Potthoff, 17 Crestwood Drive, said that development is anticipated on the south, west and north sides of his lot. He said there are no buffers anticipated on those sides of his lot, but it appears that there will be 9 to 13 units to be built around his lot. He said he met with John Chase to talk about the lack of outdoor recreation and entertainment for this development, and said he is asking for a buffer. He said he is willing to put in money to develop recreation amenities that have to include Crestwood Drive.

Eric Semle, 5 Crestwood Drive, expressed concerns about the wetlands and drainage, and asked if the wetland study done last year took into account the drought conditions. He asked if the traffic study will take into account the impact of Covid 19 on driving patterns. He also said that there is plastic coming out of the ground after a heavy rain, and wonders if there was a dump on the site. He asked about what kind of houses will be built, traffic issues, traffic lighting, routing for school busses, open space, and homeowners’ association rules.

Andrew Fickett, 41 Waterhouse Road, spoke about wetland issues in his yard and the impact of the development on the wetlands, blasting, whether Waterhouse Road will be widened and if there will be sidewalks. He spoke about the impact of this development on the school system.

Allyson Lowell, 6 Crestwood, expressed concerns about development of Crestwood road, drainage, blasting, water quality, lighting, impact on wildlife, would like to see more details about the open space, and asked that the permits required be explained. She said she believes there is an old dump on the property. She commented about the “Q & A” process on a webinar.

Ian O’Hora, 327 South Street, expressed concerns about blasting, but said he believes the project will be of benefit to the Town with sidewalks and infrastructure.

PUBLIC COMMENT PERIOD ENDED.

Mr. Anderson and Mr. Morrell discussed the stormwater elevations and grades of the proposed lots versus existing elevations on the houses on Crestwood Drive. Mr. Morrell said not a significant amount of cutting is anticipated on this site and all of the proposed lots and roadways have been graded out on the profile sheets. Almost all of the roadways and most of the lots are higher in grade than they exist today. In reply to Mr. Fox’s question about elevation changes, Mr. Morrell replied that this is a relatively flat site.

Mr. Anderson asked about the buffers on the lots at the rear of Crestwood, if the intent is to allow those buffers to treat stormwater. Mr. Morrell replied that for the majority in the front section of the site, there is a large wet pond to collect stormwater and there also are vegetated soil filters. Everything from the

peaks of the roofs of the lots in phase 2 flows back to the roadway, to be collected in the closed drainage system and then diverted to the stormwater treatment facility.

Mr. Anderson and Mr. Morrell discussed construction traffic for phase 1, will it come through Waterhouse Road. Mr. Morrell said he guesses it will come in off Waterhouse, but that is a discussion they need to have with Public Works. Public Works had significant concerns with the original concept of using Heartwood and Starlit Way. Mr. Fox asked if there any plans being discussed to making any modifications to Waterhouse Road. Mr. Morrell replied he does not know, but Public Works has stated that they want to do some inspection of Waterhouse Road and look at its condition now, vis-à-vis what its condition would be after construction.

Mr. Anderson asked Mr. Morrell what the time line of construction for the project, a ballpark estimate for the beginning of phase 1 and phase 2. Mr. Morrell said that DEP permitting can take 6 to 7 months, they need to get preliminary and final approvals with the Town, so there are quite a few hurdles concerning the permitting before they can move forward.

Mr. Anderson noted that the speed limit on South Street is 50 miles per hour, and asked Mr. Morrell if a turning lane is envisioned. Mr. Morrell said the discussion of a turning lane into Terina's Way occurred previously with the DOT for traffic traveling down 114 into Gorham; however this is something that will be addressed by the traffic study. Mr. Fox referred to an abutter's comment about the traffic study being impacted by Covid 19. He asked Mr. Morrell for confirmation that the traffic study is not a physical count of traffic taking place now, but is instead a design-based study taking into account projected vehicle trips generated by the construction and will not be artificially impacted by pandemic conditions. Mr. Anderson asked how far on South Street does the traffic study cover. Mr. Morrell said the Town's ordinance does not dictate a requirement on how far to consider when doing a traffic study. However, if the Board had certain intersections in mind that they would like the applicant to consider, they would make sure that information is included in the traffic study. Mr. Morrell said he believes that the last traffic study went up South Street past Weeks Road and in the other direction went as far as the intersection with Route 22.

Mr. Hughes spoke about the problems of installing a side walk along South Street, noting that sidewalks all the way from Waterhouse to Weeks Road will take up a lot of space and would have people walking right against a 50 mile an hour zone, and wonders what safeguards will be in place, especially for people turning into Crestwood. Mr. Hughes asked for more detail about the wet pond, such as where does it drain and how big is it. Mr. Morrell agreed that the sidewalk issue is complicated, and said they will work with DOT on the details. Mr. Morrell pointed out on the plan an existing pond, whether man made or natural he is not sure, but he said they have been asked to inspect the outfall for that pond to see if improvements need to be made. He said that stormwater from site is not being directed to the existing pond, but will go instead to a new stormwater pond.

At Mr. Fox's request, Mr. Morrell summarized the DEP permitting process as follows: the Site Location of Development permit is the highest level of permitting required by the DEP, it is the permit that will take 6 to 7 months. That permit is very detailed involving all kinds of aspects of the project, such as trash collection, utilities, lighting, noise, covering 29 different sections that the State requires be

considered. At the request of Town Planner Carol Eyerman, Mr. Morrell explained that as part of the Site Location permit, they will need to do some studies about the wildlife and habitats that exist on the parcel, a portion of the review that the DEP takes very seriously. The permits will be available for review by the public. The project will also require a Natural Resource Protection Act permit, a permit for the impact to the wetlands, a Tier 2 wetlands permit. There will be a series of Permit by Rule applications required, mostly for stormwater outfall. A permit will also be required by the Army Corps of Engineers.

Mr. Morrell said the applicant has not yet made any decisions on house styles. Bill Noon, Chase Custom Homes, said the kind of homes haven't been decided on yet, but they will try to help the value of homes, but whether a ranch, colonial or cape style has not been decided yet.

Mr. Fox confirmed with Mr. Morrell that the only lighting anticipated will be at intersections.

Mr. Fox asked Mr. Morrell about whether public access to the open space will be permitted. Mr. Morrell said that Homeowners' Association by-laws have not yet been determined, but typically ownership and maintenance of the open space is handled by the homeowners. However, he reminded the Board that Tom Poirier, Director of Community Development, had advised at the last discussion on January 4 that the Town Council can accept the open space and make it available to the public. Mr. Morrell said they have not yet had that conversation with the Town but will consider that going forward.

Referring to Mr. Morrell's figure on how much of the site will be open space, Mr. Fox said he assumes that wetland conditions are driving a lot of that. Mr. Morrell agreed, saying that a lot of the layout is driven by the wetlands and sewer. Mr. Morrell said that sheet 2 of the plans outlines a summary of the open space requirements and what is being proposed. Once a more detailed design of the open space is done, the numbers will be updated. Mr. Fox urged the applicant to make sure there is some good, useable, accessible, high quality open space due to the size of the development. Mr. Fox asked if the 50% open space development requirement is 50% of the minimum useable or the actual useable open space. Mr. Morrell said he believes it is 50% of the minimum, 5.18 acres of useable open space, so 50% of that would be required to be useable open space. Mr. Fox said he personally would prefer that it be 50% of the actual.

Mr. Grassi commented about stormwater control, encouraged a variety in the appearance of the houses that will be built, and asked about a third party landscape architect's review of the landscape plan. Mr. Morrell said the landscape plan will be peer reviewed when it has been submitted. He commented that the traffic study will also be peer reviewed by the Town.

Mr. Morrell said they will take the Board's and abutters' comments into consideration as they move forward to work on the traffic study, landscape plan, DEP permitting and other issues that need to be addressed. He said that they would like to move forward jointly on their DEP permitting approval and municipal preliminary approval.

James Anderson MOVED and Thomas Hughes SECONDED a motion to adjourn. Motion CARRIED, 5 ayes (Molly Butler-Bailey and Scott Firmin absent). [8:35 p.m.]

