

**Town of Gorham
 Planning Board Meeting
 December 5, 2022**

ITEM 5 – Subdivision – Town of Gorham, Gorham Industrial Park – West Campus - a request for approval of a major subdivision for the Gorham Industrial Park. Zoned Industrial (I), Map 29, Lot 1. The applicant is represented by Mike Zarba, P.E., with SLR International Corp.

| INDEX OF PACKET ENCLOSURES | |
|---|-------------|
| DESCRIPTION | PAGE NUMBER |
| 1. Overview | 2 |
| 2. Items of Note | 2 |
| 3. Waivers Granted | 2 |
| 4. Aerial Photograph | 2 |
| 5. Staff Comments | 3-19 |
| 6. Findings of Fact & Conditions of Approval | 20-31 |
| 7. Proposed Motions | 31 |

PROJECT TRACKING

| DESCRIPTION | COMMENTS | STATUS |
|-----------------------------------|-------------------------------|-------------------------|
| Pre-Application/Sketch (optional) | | February 1, 2021 |
| Planning Board Review | Class A soils waiver approved | April 12, 2021 |
| Planning Board Review | | August 2, 2021 |
| Planning Board Review | Preliminary Approval Granted | November 1, 2021 |
| Planning Board Review | | December 5, 2022 |

The following staff notes are written to assist the Applicant with compliance to the Town of Gorham Land Use Development Code and may not be all inclusive of project requirements. Staff notes are review comments and recommendations prepared by the Town Planner and, if applicable, the Town’s peer review consultant, regarding applicability to The Gorham Land Use Development Code and standard engineering practices.

The Planning Board refers to staff notes during the review process; however it shall be noted that staff recommendations are non-committal and all final decisions are those of the Planning Board and not Town Staff.

Jim Anderson, Chair, Gorham Planning Board

1. OVERVIEW

This is the fifth time the application has come before the Planning Board. The Board granted preliminary approval at the November 1, 2021 meeting.

The applicant is represented by Michael Zarba, P.E., with SLR Consulting.

2. ITEMS OF NOTE

Below are topics the Planning Board may want to discuss with the applicant. The discussion topics are written as a guide for the Planning Board. It should be noted that the discussion topics are noncommittal and all decisions on relevant discussion topics are those of the Planning Board.

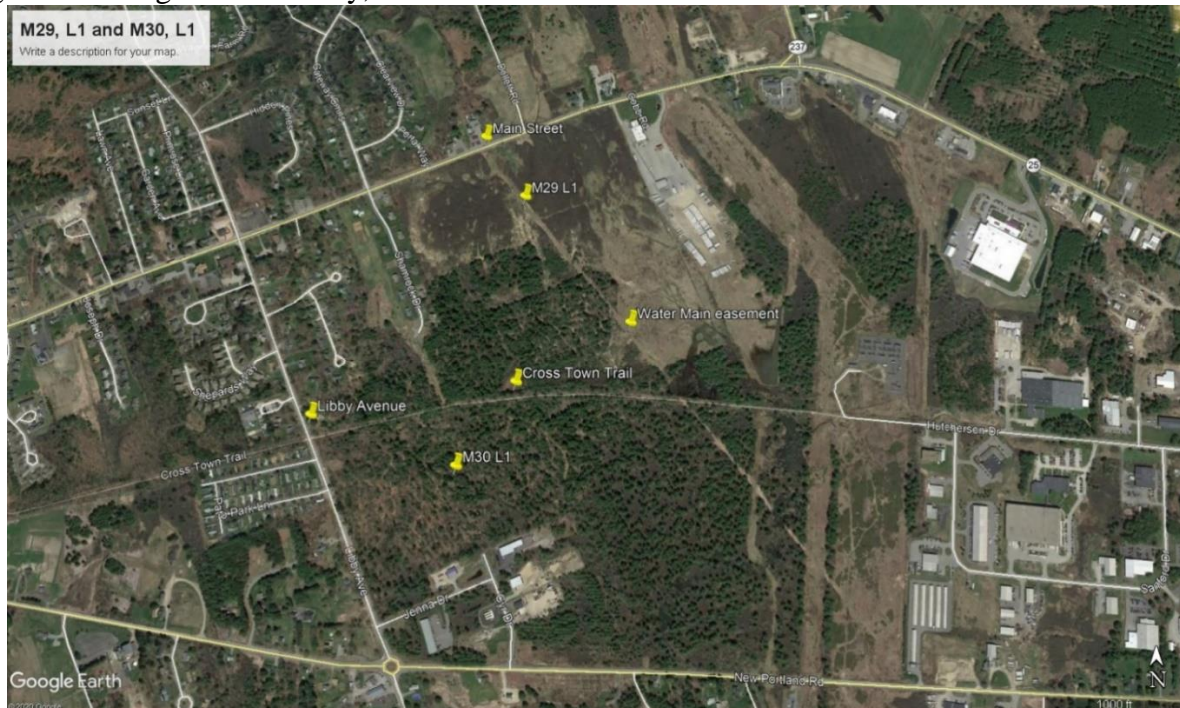
- a. A Tier 2 NRPA Permit and a Site Location of Development Application will need to be submitted to Maine DEP for review. The applicant should let the Board know where they are in that process.
- b. The zoning across Libby Avenue is residential. The zoning of this parcel prior to 1998 was residential. The perimeter setback along Libby Avenue should be 100 feet. The applicant should discuss a need for a reduction with the Planning Board.
- c. Landscaping, lighting, and traffic plan peer review will be provided once the applicant provides responses to the 12/21/2021 review comments.

3. WAIVERS GRANTED

- A waiver was granted from Chapter 3 Section 3-3, B.11 – to waive the requirement of a Class A Soil Survey.

4. AERIAL PHOTOGRAPH

Google earth image taken in May, 2018.



5. STAFF COMMENTS

Assessing Department: 07/09/2021, 10/04/2021

July 9, 2021

At some point I would need a more detailed plan of the individual lots. No other comment.

October 4, 2021

Is there a set of plans that just depicts the proposed lots without the topo and site data? Assessing would need a set that is not so busy.

Code Department: No comments received

Fire Department: 07/13/2021, 10/05/2021

July 13, 2021

I have reviewed the plans for Gorham Industrial Park West.

1. The Hydrant located at station “27” needs to be relocated to station “28.5”
2. All Hydrants final location shall be reviewed and approved by the Fire Chief before Installation.
3. The hydrant at station “30.5” can be eliminated.
4. 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. See Page 2 for a Diagram.
5. The current fire service stubs are 6”, they may not be adequate for a high demand fire suppression systems and /or if a private fire hydrants are required. The Fire service main size will not be determined until the building plans are submitted.
6. I will have more comments as this project goes forward.

October 5, 2021

I have reviewed the plans for Gorham Industrial Park West. Phase # 1 dated Sept. 29, 2021

1. All Hydrants final location shall be reviewed and approved by the Fire Chief before Installation.
2. 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.

- 3 The current fire service stubs are 6”, they may not be adequate for a high demand fire suppression systems and /or if a private fire hydrants are required. The Fire service main size will not be determined until the building plans are submitted.
- 4 I will have more comments as this project goes forward.

Planning Division: 7/26/2021, 10/28/2021, 11/29/2022

July 26, 2021

1. The subdivision plan with responses to the subdivision requirements in Chapter 3 Section 3-3 B needs to be submitted for review.
2. A traffic impact study may be warranted; a peer review of the traffic impacts may be warranted.
3. Site distances need to be shown on each main road including New Portland Road and Libby Road.
4. For the sake of closure or clarity, Cobb Road should be developed or extinguished by formal action.
5. The applicant is required to pay the Recreational Facilities and Open Space Impact Fee. The Board might consider a waiver from this requirement.
6. The following state permits are required: Site Location of Development, and Maine DOT Traffic Movement.
7. The final survey plans are required to be sealed by a registered surveyor or engineer.
8. The lot numbers do not make sense on sheet “PH.”
9. The planting schedule on sheet LA -3 should be checked for spelling.
10. The applicant does not discuss if historic sites, rare or irreplaceable natural or manmade assets are located on the site.
11. Covenants and restrictions for dedicated open space needs to be submitted for review.
12. The applicant has not provided a maintenance plan for the landscaping buffer area.
13. A utility plan with existing and proposed structures is required.
14. The applicant has provided for open space and a trail within this development. The applicant should be clear about any association and the rights and responsibilities for payments for maintenance of the recreational opportunities.
15. Proposed means of snow removal, garbage and trash collection, and facilities necessary is required.
16. Submissions for preliminary subdivision approval shall include evidence that affirmatively demonstrates that the developer has the financial capacity to undertake the proposed development that includes:
 - a. Accurate and complete cost estimates of the development;
 - b. Time schedule for construction;
 - c. One of the following three items: 1. A letter from a financial institution, governmental agency, or other funding agency indicating a commitment to provide a specified amount of funds and the purposes for which the funds may be utilized; or 2. In cases where funding is required but there can be no commitment of money until approvals are received, a letter of “intent to fund” from the appropriate funding institution indicating the amount of funds and their specified uses; or 3. Copies of bank statements or other evidence indicating availability of funds when the developer will personally finance the development.

October 28, 2021

1. Any waivers or variances that have ever been granted should be shown on the site plan.
2. Map and Lot numbers should be shown on each sheet of the plan set.
3. Please clarify note 31 C on the Sheet SP.
4. Final plans need to be sealed by professional land surveyor and engineer.
5. Zoning data table should be shown on the subdivision plan.
6. The subdivision plan should have a signature block for the Planning Board.
7. Association document need to be submitted for legal review.
8. The parcel is located within the MS4 area and the association will be required to submit annual reports to the town. This should be a note on the plan.
9. Peer review of the traffic impact is warranted.
10. Low Impact Development (LID) techniques should be considered and if not utilized then a statement as to why they could not be used.
11. The applicant should provide a discussion of the history of the zoning of this area, since there is a cut-off date of November 30, 1998 for the 100 foot setback within Section 1-12 E Performance Standards.
12. The landscaping plan, Sheets LA-1 to 3, shows three species of canopy trees along the proposed road. The Board should discuss if this is adequate.
13. The applicant should discuss the connection to be made to the existing trail network.
14. A utility plan should be submitted that shows the location of the street trees to determine where conflicts may occur.

November 29, 2022

1. A traffic impact analysis needs to be submitted.
2. An ability to serve letter for water and sewer from the Portland Water District needs to be provided.
3. Site distances along New Portland Road should be shown on the plans.
4. Except where it abuts existing industrial zoned land, all land zoned industrial after November 30, 1998 shall have a “perimeter setback” of one hundred feet (100’), which shall be subject to the restrictions set out below. The Planning Board may reduce the perimeter setback by up to 50% if it finds that doing so would result in a better plan of development for the project site.
5. The triangle shaped parcel to the north of Lot 4 should be combined into the open space parcel.
6. A temporary turn around should be provided at the end of Phases 1A and 1B.
7. A potential future Crosstown trail relocation area should be clearly shown on the landscaping or road way plans.

Police Department: No comments received.

Public Works Department/Stormwater Compliance: 01/27/2021, 07/14/2021

July 14, 2021

- 1 cascade style grates on roadway catch basins
- A sign detail to match our current sign program

- Street trees to be outside ROW

January 27, 2021

- The upper headwaters of Indian Camp Brook cross under the proposed access road off Hutcherson Dr. No sediment migration or erosion is permitted into the stream.
- A double row of sediment barriers is required if within 75' of a stream and 250' of a vernal pool.
- Extensive wetlands, vernal pools, and poorly drained soils will provide challenges for design parameters, grading, and BMP design.
- All BMP's need to be installed based on the site plans and the standards set in the Maine Erosion Control Manual.
- No sediment migration is permitted off-site and a stabilization construction entrance is required at the entrance/exits.

Wright Pierce: 07/26/2021, 10/26/2021, 11/28/2022

July 26, 2021

As requested, Wright-Pierce has reviewed the Site Plan Application for the proposed Gorham Industrial Park West Campus, which we understand is scheduled for review by the Planning Board on August 2, 2021. The Applicant, the Town of Gorham, is submitting for a site plan determination. The project proposes to subdivide 2 industrial zoned lots into 16 lots with a minimum lot size of 2.29 acres per lot. Approximately 420,000 SF of building square footage on these lots is proposed. The focus of the review for the initial submittal is related to general conformance, stormwater drainage, utility layout and design, and sedimentation and erosion controls.

Documents Reviewed by Wright-Pierce:

- Preliminary Site Plan Application Package - prepared by SLR International Corporation (June 29, 2021)

Comments:

- 1) Subdivision Review - Project is subject to subdivision review. It is our understanding a Site Plan Application has been submitted, but is requested to be reviewed against both the Subdivision and Site Plan Standards.
 - a. Pertinent information specific to subdivision ordinance should be provided in future submittals.
- 2) Site Plan Application Review
 - a. Town to confirm overall fee for this effort.
 - b. Maximum building height, number of stories, and volume of building space are marked as "n/a". Parking calculations are based on 1 space per 1,000 SF. Parking spaces are typically use-dependent; please confirm how the applicant is meeting the required number of parking spaces.
 - i. Please provide a use-specific chart indicating current and proposed buildings, required parking spaces/building
 - c. New signage is proposed. Please provide a Sign Application Packet for this sign.
 - d. Property acreage in site description different from application (143.8 vs. 136.8 acres).

- e. Applicant has provided a Class B soil survey. Town to confirm Class A soil survey waived, as stated.
 - f. Private trash hauler has not been identified. Please clarify.
 - g. Only a portion of vernal pool buffer is shown on Sheet LA-4. If the buffer continues as shown on a portion of the vernal pool, it appears the proposed roadway is would be constructed where the other half would be. Please clarify the intent of the vernal pool buffer.
 - h. Please confirm if the project been submitted for historic review to the appropriate agencies.
 - i. Business hour information is not completed on the application.
 - j. Pedestrian circulation information was not observed on the proposed plans. Please clarify the location of this information, or provide more complete information on pedestrian circulation in future submittals.
 - k. Evaluation of conformance to traffic standards to be performed in a later review.
 - l. Proposed industrial park is an approved use in the Industrial District.
 - m. According to the performance standards of the Gorham Land Use and Development Code, a 100-foot perimeter setback must be maintained where the industrial zoned land abuts non-industrial zoned land. A 50-foot setback from non-industrial zoned land is provided, as shown on Sheet IN in purple. Please revise or clarify the intent of the 50-foot setback.
 - n. A landscaped buffer prepared by a landscaped architect is required in the 100-foot perimeter setback. Applicant to clarify if this requirement has been met.
 - o. Plans are not stamped by a Professional Engineer licensed in Maine. Please provide stamped plans for future submittals.
 - p. According to Section 2-11 of the Gorham Land Use and Development Code, where a public water system and hydrants are available for fire protection, a developer shall install a fire protection water supply. Applicant to clarify how the requirements of this section are met. Approval from the Gorham Fire Chief is also required and has not been submitted.
- 3) State Permitting
- a. Subject to Site Location and Development Application (SLODA) review by MEDEP.
 - b. Subject to Natural Resources Protection Act (NRPA) review by MEDEP.
 - c. Traffic Movement Permit will be required from MDOT.
 - d. We recommend incorporating these approvals into the conditions of approval of this application.
 - e. Prior to construction, a Construction General Permit will also be required due to the disturbance exceeding one acre.
- 4) Stormwater Management Plan and Design
- a. Storm drain and catch basins are proposed to capture and convey stormwater to stormwater detention basins for peak flow attenuation. R-Tank stormwater management systems are also proposed.
 - b. The Stormwater Management Plan does not discuss how the project meets the standards set forth by the MEDEP’s Chapter 500 Stormwater Management Rules. The Applicant should clearly state how the project is complying with the general, basic, phosphorus, discharge to wetlands, redistribution of concentrated flows, and/or flooding standards.
 - c. Town Post-Construction Stormwater Management Ordinance
 - i. Chapter 2 Post-Construction Stormwater Management of the Town’s Stormwater Ordinance is applicable to this project, since the project will disturb greater than one acre and is located within the MS4 Urbanized Area. The submitted materials should reference this ordinance and indicate how its requirements are met.

- ii. Approval of the Post-Construction Stormwater Management Plan is required. At a minimum, we recommend the Applicant add the following information to the Stormwater Management Plan or develop a stand-alone Post-Construction Stormwater Plan:
 1. Project contact information (project name, location, watershed, owner/developer, design engineer, responsible party for inspection and maintenance of stormwater BMPs/facilities, etc.)
 2. Description of project
 3. Stormwater management, including summary of required permits and summary of compliance with applicable stormwater standards (Chapter 500, Municipal, etc.)
 4. Description of stormwater facilities, including a listing of each stormwater facility and where it discharges (i.e. wetland, stream, MS4, buffer)
 5. Site specific inspection and maintenance for BMPs and stormwater facilities, including recommended maintenance procedures, schedule for maintenance, responsible party, etc.
 6. Reference to compliance (the requirement for annual inspection and certification of the stormwater management facilities as well as any corrective action to address deficiencies, Section 6 of Post-Construction Stormwater Management Ordinance).
- iii. The ordinance requires the Applicant notify the Municipal Permitting Authority if its Post-Construction Stormwater Management Plan includes any BMP(s) that will discharge to the Municipality's MS4 and shall include in this notification a listing of which BMP(s) will so discharge. This information is not in the submitted application package.
- d. HydroCAD Output Reports only show the WS1 and WS2 drainage areas. Each of these drainage area nodes are routed to one pond node with a level of storage that requires additional detailing. Detention ponds, R-Tanks, and other proposed practices were not included in the model, according to these reports. Pre- and post-development models and reports should include each drainage area and accurately model the proposed stormwater practices. For example, the peak runoff rate from WS4 increases from 23.04 cfs to 46.02 cfs in the 25-year, 24-hour storm. We believe this does not meet the discharge to wetlands standard set forth in the MEDEP Chapter 500 rules, which states discharges into wetlands must not be altered significantly, must not change the function/value of wetlands, and provides specific limitations on the change in surface runoff to wetlands. New or increased flows to wetlands should also include a level of surface runoff treatment.
- e. Applicant to clarify if all catch basin manholes are to be Type F, including the proposed sump depth for structures. A standard catch basin manhole detail is not provided.
- f. Applicant to clarify the use of Manhole Top "D", as detailed on Sheet SD-5.
- g. A level spreader detail has been provided but they are not identified on the plans.
- h. The Stormwater Management Plan indicates some increases in peak runoff rates in certain areas under reported interval storm events. This requirement should be reviewed and resubmitted, especially important considering the number of wetlands and natural resources on the site which may be impacted.
- i. Applicant should confirm infiltration rates and groundwater separation requirements for the proposed stormwater practices are met, as applicable.
- j. Please note that detention basins may be used for reducing peak discharge rates but are not considered to provide water quality treatment according to MEDEP. It is unclear if the proposed basins are intended for water quality treatment. Applicant should clarify the intended use of all proposed stormwater practices.

- k. Outlet protection, such as riprap aprons, should be used at stormwater discharge locations. Details on the plans show riprap is proposed for various uses, but site plans do not show the locations. Please provide additional clarification.
 - l. The D₅₀ size of proposed riprap is not provided, which should be shown on the plans. A basis of design for sizing the stone and dimensions of outlet protection should be provided by the Applicant.
- 5) Utility Layout and Design
- a. Sewer, storm, water, and underground electric/telecommunications are proposed throughout the site and to connect public utilities.
 - b. Need written approval from the Portland Water District of use of the public water supply for connection to public water and sewer.
 - c. The following details are recommended to be added to the plan:
 - i. Electrical conduit/bedding
 - ii. Water service
 - iii. Hydrant assembly
 - d. Additional discussion as to how proposed underground infrastructure meets Town requirements is requested in future submittals.
- 6) Construction-Related Sedimentation and Erosion Controls
- a. An Erosion Control Plan has been provided.
 - b. A construction entrance where the proposed roadway meets Main Street is proposed to minimize tracking of sediment outside of the project area.
 - c. A combination of silt fence, temporary diversion berm, water bars, and staked hay bales are proposed downgradient of disturbed areas.
 - i. All locations where development is occurring up-slope of natural resources shall have a double-layer of perimeter erosion and sedimentation control.
 - d. Silt fence and staked hay bales are proposed along the roadway corridor.
 - e. Temporary diversion berms are proposed to divert stormwater runoff to temporary sediment basins for sediment removal before discharge.
 - f. Erosion control matting is proposed along slopes at or exceeding 3:1 slopes for stabilization.
 - g. We recommend that straw bales be used in place of hay to avoid the introduction of invasive species to the wetlands on site. Reed Canary Grass, an invasive species, was noted as dominating two of the wetlands in the submitted wetland delineation report.
 - i. We also recommend that notes be added to the plans specifying practices to minimize the spread of Reed Canary Grass and other invasive species to and throughout the site, particularly in respect to the wetlands.
 - h. Temporary sediment basin locations are identified.
 - i. Siltation fence is proposed downgradient of slopes and around stockpile locations to reduce sediment migration.
 - j. Erosion control maintenance activities and intervals are provided on the plans.

October 26, 2021

Wright-Pierce first reviewed the Site Plan Application for the proposed Gorham Industrial Park West Campus on July 23, 2021. The project was scheduled for review by the Planning Board on August 2, 2021. The Applicant, the Town of Gorham, was originally submitting for approval of subdividing two industrial zoned lots into 16 lots with a minimum lot size of 2.29 acres per lot, in four phases. Approximately 420,000 of building square footage on these lots were proposed. A second Site Plan Application package was submitted and provided to Wright-Pierce on October 13,

2021 (West Campus - Phase I). The application now only consists of Phase 1 (four lots with a proposed building area of 145,000 SF), and it is our understanding that the rest of the phases of development will be submitted for separate review in the future. Although a Site Plan Application has been submitted, the Town has instructed Wright-Pierce to conduct a Subdivision Review. Site Plan Applications will be required as the sites are ready to be developed.

The focus of the review submittal is related to general conformance, subdivision regulations, stormwater drainage, utility layout and design, and sedimentation and erosion controls.

Documents Reviewed by Wright-Pierce

- Preliminary Site Plan Review Application Cover Letter from SLR International Corporation (September 28, 2021)
- Preliminary Site Plan Application Package - prepared by SLR International Corporation (September 28, 2021)
- Gorham Industrial Park West Campus - Phase I Plan Set (September 28, 2021)
- Gorham Industrial Park West Campus - Phase I Subdivision Plan (September 28, 2021)
- Overall Boundary Plan and Boundary & Existing Conditions Survey (dated September 24, 2021)

Review Comments

Please provide written responses specifically addressing each of the following comments and questions.

General

1. Ensure all plans to be recorded in the registry of deeds are submitted in grayscale only, as colored plans cannot be recorded.
2. The Boundary & Existing Conditions Survey in the full set of plans differed from that in the separate file, including the number of existing condition sheets and the date of the drawings.
3. The required Planning Board signature block should be added to the subdivision plan.
4. Fee information is not completed on the application. Please contact the Town to determine and pay fee amounts.
5. Proposed project will be reviewed as a subdivision, per Town's instruction.
6. It is assumed that the rest of the phases of development will be submitted for separate approval at a future time.
7. The Construction Phasing Plan submitted, includes information regarding Phases 2 and 3 of work, which are not part of this review. Please provide more specific information about the sequencing of Phase 1.
8. Applicant has provided a Class B soil survey and requests a waiver of the Class A soil survey. Please provide an update on the status of this waiver.
9. Stormwater Modelling Reports (Existing Conditions and Proposed Conditions) are listed in the Table of Contents as Appendices; however, they were not included in the submission package.
10. Only a portion of vernal pool buffer (VP-2) is shown. If the buffer continues as shown on a portion of the vernal pool, it appears the proposed roadway would be constructed where the other half would be. Please clarify the intent of the vernal pool buffer.
11. State Permitting
 - a. Subject to Site Location and Development Application (SLODA) review by Maine DEP.
 - b. Subject to Natural Resources Protection Act (NRPA) review by Maine DEP.
 - c. Traffic Movement Permit will be required from Maine DOT.

- d. We recommend incorporating these approvals into the conditions of approval of this application.
 - e. Prior to construction, a Construction General Permit will also be required due to the disturbance exceeding one acre.
12. Please respond to the following general comments from the previous review dated July 23, 2021:
- a. Please confirm if the project has been submitted for historic review to the appropriate agencies.
 - b. Pedestrian circulation information was not observed on the proposed plans. Please clarify the location of this information or provide more complete information on pedestrian circulation in future submittals.
 - c. According to the performance standards of the Gorham Land Use and Development Code, a 100-foot perimeter setback must be maintained where the industrial zoned land abuts non-industrial zoned land. A 50-foot setback from non-industrial zoned land is provided, as shown on Sheet IN in purple. Please revise or clarify the intent of the 50-foot setback.
 - d. A landscaped buffer prepared by a landscaped architect is required in the 100-foot perimeter setback. Applicant to clarify if this requirement has been met.
 - e. Plans are not stamped by a Professional Engineer licensed in Maine. Please provide stamped plans for future submittals.
 - f. According to Section 2-11 of the Gorham Land Use and Development Code, where a public water system and hydrants are available for fire protection, a developer shall install a fire protection water supply. Applicant to clarify how the requirements of this section are met. Approval from the Gorham Fire Chief is also required and has not been submitted.

General Standards of Performance

1. Sediment and Erosion Control Plans are provided and appear to meet the minimum requirements of the Maine DEP Erosion and Sediment Control guidelines. The Stormwater Management Plan states that controls shall be in accordance with Maine DEP guidelines. Please provide comment on compliance with the Cumberland County Soil and Water Conservation District Technical Guideline, as required by Section 2-1, Paragraph B.2.h of the Gorham Land Use and Development Code.
2. The proposed project is not within a floodplain as shown in the submitted FEMA FIRM maps.
3. The proposed project is not within a shoreland protection area.
4. It is assumed that the proposed parking lots are associated with the “future buildings” noted on the plans and have not been reviewed for compliance. When submitting for Site Plan approval, be sure to submit parking calculations based on site use and information on how the other parking standards of Section 2-2 of the Gorham Land Use and Development Code are met.
5. Applicant to provide stopping sight distances of curves and confirm they are applicable to the posted speed limit.
6. The typical roadway section on SD-4 only shows curbing on one side of the road. Applicant to clarify if curb is intended to be constructed on both sides of the road to adequately convey stormwater to catch basins.
7. Applicant to confirm street drainage infrastructure has been designed based on the 25-year, 24-hour storm event. Additionally, the Stormwater Management Plan indicates that future connection stubs are provided to allow for the potential future development to tie in. The applicant should demonstrate that the stormwater system, both street drainage and stormwater practices, is adequately sized for future development.

8. Sidewalk and curb materials are unclear on the plans. Sheet SD-4 has details for concrete and bituminous sidewalks. Please clarify curb and sidewalk types on the plans and confirm that they are compliant with curb and sidewalk requirements of Section 2-5 of the Gorham Land Use and Development Code. Only one typical section is shown which shows the esplanade on one side and 3:1 slope on the other. It is recommended that other section views with ranges of stationing be added to clarify what is proposed.
9. Proposed monuments, in accordance with Section 2-5 of the Gorham Land Use and Development Code, should be shown on the plans.

Subdivision Requirements

1. The traffic study performed by SLR and submitted with the application package states that the background level of service for the area is rated B. The study concludes that the project will generate 66 new vehicle trips during both the morning and afternoon peak hours, but the level of service will remain a B rating in the proposed condition. Planning Board to provide comment on whether they would like the traffic study reviewed by Barton & Loguidice, our subcontracted traffic engineering firm, to confirm congestion or unsafe conditions are not anticipated.
2. Applicant to provide a description and calculations showing how the treatment requirements of the Maine DEP Chapter 500 rules are being met. Stormwater basins are not considered to provide water quality treatment according to Maine DEP. Unless Chapter 500 rules are shown to be met, we cannot verify that the project will not result in undue pollution to surficial or ground waters, a requirement of Section 3-3 of the Gorham Land Use and Development Code.
3. As commented in the Stormwater Management and Design section of this review, the Stormwater Narrative shows an increase in peak runoff rates. Although, the overall combined peak runoff rate leaving the site is slightly lower in the proposed condition, runoff from several drainage areas within the site discharge to wetlands at a higher rate. We believe this does not comply with Maine DEP Chapter 500 rules. Increased runoff may also lead to increased soil erosion. It is a requirement of Section 3-3 of the Gorham Land Use and Development code that the project not cause unreasonable soil erosion.
4. Section 3-3 also requires that projects not cause an unreasonable reduction in the capacity of the land to hold water. Please comment on compliance with this rule and provide any necessary supporting information, such as the volume of runoff leaving the site in the existing and proposed conditions.
5. Outlet protection, such as riprap aprons, are not shown on the plans. All outlets should have outlet protection, which is especially crucial in limiting impacts to the wetlands and shorelines of watercourses on site.
6. Applicant to provide comment on whether consideration was given to avoiding wetlands and minimizing cut/fill to the maximum extent practicable. It appears areas, such as in the vicinity of STA 39+00 and STA 48+00, could be lowered to reduce the amount of fill.

Stormwater Management and Design

1. The Stormwater Management Plan states that the project meets the standards set forth by the Maine DEP's Chapter 500 Stormwater Management Rules but does not go into detail of how it meets the standards. The Applicant should clearly state how the project is complying with the general, basic, phosphorus, discharge to wetlands, redistribution of concentrated flows, and/or flooding standards. It is recommended that a Condition of Approval be Maine DEP SLODA approval.
2. Town Post-Construction Stormwater Management Ordinance

- a. Chapter 2 Post-Construction Stormwater Management of the Town’s Stormwater Ordinance is applicable to this project, since the project will disturb greater than one acre and is located within the MS4 Urbanized Area. The submitted materials should reference this ordinance and indicate how its requirements are met.
 - b. Approval of the Post-Construction Stormwater Management Plan is required. At a minimum, we recommend the Applicant add the following information to the Stormwater Management Plan or develop a stand-alone Post-Construction Stormwater Plan:
 - i. Project contact information (project name, location, watershed, owner/developer, design engineer, responsible party for inspection and maintenance of stormwater BMPs/facilities, etc.)
 - ii. Description of project
 - iii. Stormwater management, including summary of required permits and summary of compliance with applicable stormwater standards (Chapter 500, Municipal, etc.)
 - iv. Description of stormwater facilities, including a listing of each stormwater facility and where it discharges (i.e. wetland, stream, MS4, buffer)
 - v. Site specific inspection and maintenance for BMPs and stormwater facilities, including recommended maintenance procedures, schedule for maintenance, responsible party, etc.
 - vi. Reference to compliance (the requirement for annual inspection and certification of the stormwater management facilities as well as any corrective action to address deficiencies, Section 6 of Post-Construction Stormwater Management Ordinance).
 - c. The ordinance requires the Applicant notify the Municipal Permitting Authority if its Post-Construction Stormwater Management Plan includes any BMP(s) that will discharge to the Municipality’s MS4 and shall include in this notification a listing of which BMP(s) will so discharge. This information is not in the submitted application package.
3. HydroCAD Output Reports were not included in the resubmittal; however, in the previous review it was found that they only showed the WS1 and WS2 drainage areas. Each of these drainage area nodes were routed to one pond node with a level of storage that requires additional detailing. Detention ponds, R-Tanks, and other proposed practices were not included in the model, according to these reports. Pre- and post-development models and reports should include each drainage area and accurately model the proposed stormwater practices. For example, the peak runoff rate from WS5/6 increases from 88.01 cfs to 90.54 cfs in the 25-year, 24-hour storm. Although the peak flows leaving the overall site are slightly reduced, we believe this does not meet the discharge to wetlands standard set forth in the Maine DEP Chapter 500 rules, which states discharges into wetlands must not be altered significantly, must not change the function/value of wetlands, and provides specific limitations on the change in surface runoff to wetlands. New or increased flows to wetlands should also include a level of surface runoff treatment.
 4. Applicant to clarify if all catch basin manholes are to be Type F, including the proposed sump depth for structures. A standard catch basin manhole detail is not provided.
 5. Applicant to clarify the use of Manhole Top “D”, as detailed on Sheet SD-5.
 6. A level spreader detail has been provided but they are not identified on the plans.
 7. The Stormwater Management Plan indicates some increases in peak runoff rates in certain areas under reported interval storm events. This requirement should be reviewed and resubmitted, especially important considering the number of wetlands and natural resources on the site which may be impacted.
 8. Applicant should confirm infiltration rates and groundwater separation requirements for the proposed stormwater practices are met, as applicable.

9. Please note that detention basins may be used for reducing peak discharge rates but are not considered to provide water quality treatment according to Maine DEP. It is unclear if the proposed basins are intended for water quality treatment. Applicant should clarify the intended use of all proposed stormwater practices. This should include how much area is being treated by each and how much of that is impervious versus developed to verify adequate treatment is provided. Treatment should be sized based on the future development.
10. Outlet protection, such as riprap aprons, should be used at stormwater discharge locations. Details on the plans show riprap is proposed for various uses, but site plans do not show the locations. Please provide additional clarification.
11. The D_{50} size of proposed riprap is not provided, which should be shown on the plans. A basis of design for sizing the stone and dimensions of outlet protection should be provided by the Applicant.
12. Include rainfall depth data in the Stormwater Management Plan.
13. Are the optional outlet pipes shown on the R-tank detail intended to be used? Please revise accordingly.
14. Will there be a liner under the R-tank systems, or will they be allowed to infiltrate? Infiltration testing should be performed to verify adequate infiltration, as well as probes or borings to determine adequate separation from ledge and groundwater is provided. Proposed infiltration practices need to meet the requirements of Appendix D of Chapter 500.

Utility Layout and Design

1. Need written approval from the Portland Water District of use of the public water supply for connection to public water and sewer. Please provide evidence of approval.
2. Minimum cover depths in the form of notes and/or details should be included on the plans for each proposed utility (sewer, storm, water, etc.).
3. Please comment on to how proposed underground infrastructure meets Town requirements is requested in future submittals.
4. It does not appear that there is a detail showing pipe crossings and minimum vertical separations. For example, it is typical that water mains have a minimum vertical separation of 18" from a sewer main. Since multiple utilities are proposed, this is recommended.
5. The following details are recommended to be added to the plan:
 - a. Electrical conduit/bedding
 - b. Water service
 - c. Hydrant assembly
 - d. Pipe Crossing

Construction-Related Sedimentation and Erosion Controls

1. We recommend that straw bales be used in place of hay to avoid the introduction of invasive species to the wetlands on site.
2. We also recommend that notes be added to the plans specifying practices to minimize the spread of Reed Canary Grass and other invasive species to and throughout the site, particularly in respect to the wetlands. Reed Canary Grass, an invasive species, was noted as dominating two of the wetlands in the submitted wetland delineation report.

November 28, 2022

Wright-Pierce first reviewed the Site Plan Application for the proposed Gorham Industrial Park West Campus on July 23, 2021. The project was scheduled for review by the Planning Board on August 2, 2021. The Applicant, the Town of Gorham, was originally submitting for approval of subdividing two industrial zoned lots into 16 lots with a minimum lot size of 2.29 acres per lot, in four phases. Approximately 420,000 of building square footage on these lots were proposed. A second Site Plan Application package was submitted and provided to Wright-Pierce on October 13, 2021. The application was revised by this second submission to only consist of Phase 1 (four lots with a proposed building area of 145,000 SF), and it is our understanding that the rest of the phases of development will be submitted for separate review in the future. Although a Site Plan Application has been submitted, the Town instructed Wright-Pierce to conduct a Subdivision Review. A Subdivision Application package was then submitted on November 16, 2022 and a follow-up response letter was submitted on November 18, 2022. Site Plan Applications will be required as the sites are ready to be developed.

The focus of the review submittal is related to general conformance, subdivision regulations, stormwater drainage, utility layout and design, and sedimentation and erosion controls.

Documents Reviewed by Wright-Pierce

- Gorham Industrial Park West Campus Plan Set - prepared by SLR International Corporation (November 4, 2022)
- Final Subdivision Application - prepared by SLR International Corporation (November 7, 2022)
- Comment Responses - prepared by SLR International Corporation on previous WP memo (November 16, 2022)
- NRPA Tier 1 Application and Attachments - prepared by SLR International Corporation (April 2022)
- NRPA PBR Notification - prepared by SLR International Corporation (April 11, 2022)
- Site Law of Development Application and Attachments- prepared by SLR International Corporation (April 2022)
- Site Law of Development Application Comment Responses - prepared by SLR International Corporation (July 7, 2022)

Review Comments

Wright-Pierce's original comments are in standard text, followed by the applicant's response in italics, and our follow up responses in bold. Comments from the original review letter that did not require a response or clarification are not listed. Applicant should provide written responses to the review comments recommending clarification or further information to be provided by the Applicant.

General

1. WP Original Comment 12: Please respond to the following general comments from the previous review dated July 23, 2021:
 - a. WP Original Comment 12b: Pedestrian circulation information was not observed on the proposed plans. Please clarify the location of this information or provide more complete information on pedestrian circulation in future submittals.
Applicant Response: S/W are shown on LA and PR sheets on the west/north side of new road connecting to the Crosstown trail.

WP Follow Up Response: Sidewalks and their widths should be labeled in plan view. Location of Accessible Drop Ramps should also be labeled in plan view.

- b. WP Original Comment 12c: According to the performance standards of the Gorham Land Use and Development Code, a 100-foot perimeter setback must be maintained where the industrial zoned land abuts non-industrial zoned land. A 50-foot setback from non-industrial zoned land is provided, as shown on Sheet IN in purple. Please revise or clarify the intent of the 50-foot setback.

Applicant Response: This is a pre-existing lot to November 30, 1998 and therefore not subject to the 100' buffer requirement. Further, buffers and landscaping of such were discussed at length with the Planning Board at its April 12, 2021 meeting and determined a 50' buffer will be shown for subdivision, while buffers and landscaping for screening will be required at time of site plan application for individual lots.

WP Follow Up Response: Town to confirm this is accurate.

- c. WP Original Comment 12d: A landscaped buffer prepared by a landscaped architect is required in the 100-foot perimeter setback. Applicant to clarify if this requirement has been met.

Applicant Response: See 12 c. above.

WP Follow Up Response: Town to confirm the Applicant's response to 12 c. is accurate.

2. **New Comment 1: The project requires a Site Law of Development (Site Law) Permit, which includes stormwater management. The application has been submitted to Maine DEP for review; however, the status of the permit was not indicated. If not already received, it is recommended the Maine DEP Site Law approval be a Condition of Approval. Assuming the project receives Maine DEP Site Law approval, the proposed stormwater management should be adequate. Therefore, most previous comments in this review memorandum regarding stormwater management that will be reviewed by Maine DEP have been removed. A few stormwater management comments of particular concern remain.**
3. **New Comment 2: Previous comments regarding traffic have been removed since a traffic review is being conducted by Barton & Loguidice.**
4. **New Comment 3: Applicant to submit the Natural Resources Protection Act (NRPA) permit when approved.**
5. **New Comment 4: A retaining wall is labeled in plan view but there is no detail and limited information regarding its design shown. The retaining wall should be designed by a licensed structural engineer. Additional information should be shown including, but not limited to, material, top of wall elevations, bottom of wall elevation, etc.**
6. **New Comment 5: For clarity, it is suggested that miscellaneous details not proposed on the project be removed from the plan set (for instance the curb detail), and details that apply to the project should be called out/referenced accordingly in plan view.**

General Standards of Performance

1. WP Original Comment 6: The typical roadway section on SD-4 only shows curbing on one side of the road. Applicant to clarify if curb is intended to be constructed on both sides of the road to adequately convey stormwater to catch basins.

Applicant Response: All curbing has been removed from this project. See Typical Sections on sheet SD-04.

WP Follow Up Response: Please clarify how runoff will be effectively conveyed to the catch basins if curbing is not proposed. Additionally, the sidewalk and road appear to slope towards each other (Typical Roadway Section Industrial/Commercial STA. 49+26.1 – 49+46.8), which without a curb will allow runoff to spread into the sidewalk and is a pedestrian safety concern. All typical roadway sections should also show road and shoulder cross slopes and widths compliant with the Town Code for industrial/commercial roads. One of the sections notes the sidewalk width varies, however it is not clear why. Clarify why sidewalk widths vary and verify that all sidewalks are at least 5 feet wide.

2. WP Original Comment 7: Applicant to confirm street drainage infrastructure has been designed based on the 25-year, 24-hour storm event. Additionally, the Stormwater Management Plan indicates that future connection stubs are provided to allow for the potential future development to tie in. The applicant should demonstrate that the stormwater system, both street drainage and stormwater practices, is adequately sized for future development.

Applicant Response: Confirmed and the infrastructure has been sized for the potential development areas as shown on the plans. Also refer to Attachment 8 – Proposed Conditions - of the submittal for discussion on design considerations.

WP Follow Up Response: The submitted attachments do not include an analysis showing the proposed storm drains conveying stormwater to the treatment systems have been sized to the 25-year, 24-hour design storm.

3. WP Original Comment 9: Sidewalk and curb materials are unclear on the plans. Sheet SD-4 has details for concrete and bituminous sidewalks. Please clarify curb and sidewalk types on the plans and confirm that they are compliant with curb and sidewalk requirements of Section 2-5 of the Gorham Land Use and Development Code. Only one typical section is shown which shows the esplanade on one side and 3:1 slope on the other. It is recommended that other section views with ranges of stationing be added to clarify what is proposed.

Applicant Response: All curbing has been removed from this project. See Typical Sections on sheet SD-04.

WP Follow Up Response: See response to original comment 6.

4. Proposed monuments, in accordance with Section 2-5 of the Gorham Land Use and Development Code, should be shown on the plans.

Applicant Response: All existing and proposed monuments have been added to the Overall Plan on sheet SP.

WP Follow Up Response: Monuments are shown but the size, type, and material are not specified. Refer to Chapter 2, Section 2-5 G.7 of Gorham Land Use and Development Code for requirements.

Subdivision Requirements

No further comment.

Stormwater Management and Design

5. WP Original Comment 2a: Town Post-Construction Stormwater Management Ordinance
- a. Chapter 2 Post-Construction Stormwater Management of the Town’s Stormwater Ordinance is applicable to this project, since the project will disturb greater than one acre and is located within the MS4 Urbanized Area. The submitted materials should reference this ordinance and indicate how its requirements are met.

Applicant Response: This is addressed in Attachment 8 under Proposed Conditions, but we will refer to the Ordinance for clarity.

WP Follow Up Response: See WP Follow Up Response 5b below.

- b. Approval of the Post-Construction Stormwater Management Plan is required. At a minimum, we recommend the Applicant add the following information to the Stormwater Management Plan or develop a stand-alone Post-Construction Stormwater Plan:
 - i. Project contact information (project name, location, watershed, owner/developer, design engineer, responsible party for inspection and maintenance of stormwater BMPs/facilities, etc.)
 - ii. Description of project
 - iii. Stormwater management, including summary of required permits and summary of compliance with applicable stormwater standards (Chapter 500, Municipal, etc.)
 - iv. Description of stormwater facilities, including a listing of each stormwater facility and where it discharges (i.e., wetland, stream, MS4, buffer)
 - v. Site specific inspection and maintenance for BMPs and stormwater facilities, including recommended maintenance procedures, schedule for maintenance, responsible party, etc.
 - vi. Reference to compliance (the requirement for annual inspection and certification of the stormwater management facilities as well as any corrective action to address deficiencies, Section 6 of Post-Construction Stormwater Management Ordinance).

Applicant Response: All information has been addressed in submitted DEP permits.

WP Follow Up Response: An Operation, Inspection, Maintenance & Housekeeping Plan was submitted to Maine DEP as part of SLR Responses to Comments associated with the Site Location of Development application (dated 7/7/2022). The Operation, Inspection, Maintenance & Housekeeping Plan should be updated to include reference to Chapter 2 Post-Construction Stormwater Management of the Town’s Stormwater Ordinance. The Plan should address both Town requirements from the Town’s Post-Construction Stormwater Management ordinance and DEP Chapter 500 inspection and maintenance requirements. Although, the Plan does include inspection and maintenance tasks for stormwater management measures, it should be updated to include project contact information, a description of the project and how stormwater is being managed, including a listing of each stormwater management measure, where it is located, and where it discharges (i.e., wetland, stream, buffer), and specifically who is responsible for conducting inspections and maintenance. The Plan should also include a reference to compliance (the need for annual versus five-year inspection and certification) and associated certification forms. The 7/7/2022 Plan includes “Filtration and Infiltration Basins” as a stormwater management measure under “After Construction”; however, none are proposed on the plans. The Plan should be updated to only include site-specific stormwater management measures. In addition, if inspection and maintenance of the proprietary R-Tank System is to be conducted under a contract with a qualified professional covering the proprietary system, this should be indicated in the plan.

6. WP Original Comment 4: Applicant to clarify if all catch basin manholes are to be Type F, including the proposed sump depth for structures. A standard catch basin manhole detail is not provided.

Applicant Response: Type F detail removed as we are not using.

WP Response: Details for both Type F and Standard Catch Basins are still provided. It is still unclear their locations on the plans. The plans label the proposed basins as either “CCB” or “Deep Sump CB”.

7. WP Original Comment 5: Applicant to clarify the use of Manhole Top “D”, as detailed on Sheet SD-5.
Applicant Response: Manhole Top “D” is to be used for the proposed storm system for manholes MH-3, Diversion MH-6, Diversion MH-12, Diversion MH-18 and MH-19.
WP Follow Up Response: Locations of these Type D tops are not noted on the plans.
8. WP Original Comment 6: A level spreader detail has been provided but they are not identified on the plans.
Applicant Response: Detail removed as we are not using.
WP Follow Up Response: Level spreaders are still shown in plan view – for example, at the outlet of Stormwater Basin 8C.
9. WP New Comment 1: All storm drain slopes should be reviewed to make sure they are 0.5% or greater as the slope between CCB 14 and Deep Sump CB 17 is shown as 0.39%.

Utility Layout and Design

1. WP Original Comment 1: Need written approval from the Portland Water District of use of the public water supply for connection to public water and sewer. Please provide evidence of approval.
Applicant Response: PWD has provided an Ability to Serve letter.
WP Follow Up Response: Town to confirm this has been provided since it has not been submitted for our review.
2. WP Original Comment 2: Minimum cover depths in the form of notes and/or details should be included on the plans for each proposed utility (sewer, storm, water, etc.).
Applicant Response: Details have been added to plans.
WP Follow Up Response: Minimum cover for the proposed water main is noted on the profiles. Minimum cover over sewer or storm drain could not be found in the submitted plan set.

Construction-Related Sedimentation and Erosion Controls

1. WP Original Comment 1: We recommend that straw bales be used in place of hay to avoid the introduction of invasive species to the wetlands on site
Applicant Response: Details have been updated accordingly.
WP Follow Up Response: Haybales are still noted on Sheet SD-01.

Portland Water District: 10/01/2021

October 1, 2021

This project has not received an Ability to Serve determination letter from the District yet. PWD is waiting for updated plans from the engineer for review and approval.

Conservation Commission: Comments Pending

**TOWN OF GORHAM PLANNING BOARD
SUBDIVISION REVIEW
AND FINDINGS OF FACT**

For

TOWN OF GORHAM – GORHAM INDUSTRIAL PARK – WEST CAMPUS

December 5, 2022

Applicant/ Property Owner: The property owner is the Town of Gorham, 75 South Street, Gorham ME 04038.

Property: The lot is identified as Tax Map 29 Lot 1, and is located off Libby Avenue, New Portland Road, Cyr Drive, Jenna Drive, and Hutcherson Drive.

Consultants: Michael Zarba, SLR, 2 Market Street, 5th floor, Portland, ME 04101; Sean Pierce, Northern Survey Engineering, 22 Parkers Way, Brunswick, ME 04011; Mainely Soils, LLC, 440 Swamp Road, Durham, ME 04222

Project Description: The applicant is proposing to subdivide one (1) lot into four (4) lots to include roads, utilities, stormwater infrastructure and landscaping.

Site Description: West Campus contains 42.9 acres. The property contains wetlands, streams, 100 year floodplain, vernal pools, open field, canopy trees and understory.

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

Zoning: Industrial (I) District.

Variances: None requested.

Waivers Granted:

- A waiver was granted from Chapter 3 Section 3-3, B.11 – to waive the requirement of a Class A Soil Survey.

Pursuant to the Application:

A Sketch Plan application discussion was held on February 1, 2021.

Preliminary Subdivision Plan Review was held on April 12, 2021, August 2, 2021, and November 1, 2021. Preliminary approval granted, November 1, 2021.

Final Subdivision Plan Review was held on December 5, 2022.

The projects and plans and other documents considered to be a part of the approval by the Planning Board in this ruling consist of the following:

SLR Plans consist of the following:

Design Plan Set:

Title, dated 9/28/2021; received 9/29/2021

Sheet 1 - Boundary & Existing Conditions Survey, dated 09/24/2021; received 11/10/2022

Sheet 2 - Boundary & Existing Conditions Survey, dated 09/24/2021; received 09/29/2021

Sheet 3 - Boundary & Existing Conditions Survey, dated 09/24/2021; received 06/29/2021

Sheet 4 - Boundary & Existing Conditions Survey, dated 09/24/2021; received 11/10/2022

Sheet 5 - Boundary & Existing Conditions Survey, dated 09/24/2021; received 11/10/2022

PLN – Overall Plan, dated 11/04/2022; received 11/10/2022

IN - Index Plan, dated 11/04/2022; received 11/10/2022

PH - Phasing Plan, dated 11/04/2022; received 11/10/2022

EX-1 - Existing Conditions, dated 11/04/2022; received 11/10/2022

EX-2 - Existing Conditions, dated 11/04/2022; received 11/10/2022

EX-3 - Existing Conditions, dated 11/04/2022; received 11/10/2022

EX-4 - Existing Conditions, dated 11/04/2022; received 11/10/2022

EX-5 - Existing Conditions, dated 06/29/2021; received 06/29/2021

EX-6 - Existing Conditions, dated 06/29/2021; received 06/29/2021

LA-1 - Site Plan - Layout Landscaping & Grading, dated 09/28/2021; received 09/29/2021

LA-2 - Site Plan - Layout Landscaping & Grading, dated 11/04/2022; received 11/10/2022

LA-3 - Site Plan - Layout Landscaping & Grading, dated 11/04/2022; received 11/10/2022

LA-4 - Site Plan - Layout Landscaping & Grading, dated 06/29/2020; received 06/29/2021

LA-5 - Site Plan - Layout Landscaping & Grading, dated 06/29/2020; received 06/29/2021

LA-6 - Site Plan - Layout Landscaping & Grading, dated 06/29/2020; received 06/29/2021

SEC-01 – Sediment and Erosion Control Plan, dated 11/04/2022; received 11/10/2022

SEC-02 – Sediment and Erosion Control Plan, dated 11/04/2022; received 11/10/2022

SEC-03 – Sediment and Erosion Control Plan, dated 11/04/2022; received 11/10/2022

SE-1 - Sediment and Erosion Control Plan, dated 09/28/2021; received 09/29/2021

SE-2 - Sediment and Erosion Control Plan, dated 09/28/2021; received 09/29/2021

SE-3 - Sediment and Erosion Control Plan, dated 09/28/2021; received 09/29/2021

SE-4 - Sediment and Erosion Control Plan, dated 06/29/2021; received 06/29/2021

SE-5 - Sediment and Erosion Control Plan, dated 06/29/2021; received 06/29/2021

SE-6 - Sediment and Erosion Control Plan, dated 06/29/2021; received 06/29/2021

PR - Roadway Plan and Profile - Index, dated 11/04/2022; received 11/10/2022

PRO-01 – Roadway Plan and Profile, dated 11/04/2022; received 11/10/2022

PRO-02 - Roadway Plan and Profile, dated 11/04/2022; received 11/10/2022

PRO-03 - Roadway Plan and Profile, dated 11/04/2022; received 11/10/2022

PRO-04 - Roadway Plan and Profile, dated 11/04/2022; received 11/10/2022

UT-01 – Utility Plan, dated 11/04/2022; received 11/10/2022

UT-02 – Utility Plan, dated 11/04/2022; received 11/10/2022

UT-03 – Utility Plan, dated 11/04/2022; received 11/10/2022

PR-1 - Roadway Plan and Profile, dated 09/28/2021; received 09/29/2021

PR-2 - Roadway Plan and Profile, dated 09/28/2021; received 09/29/2021

PR-3 - Roadway Plan and Profile, dated 09/28/2021; received 09/29/2021

PR-4 - Roadway Plan and Profile, dated 09/28/2021; received 09/29/2021

PR-5 - Roadway Plan and Profile, dated 06/29/2021; received 06/29/2021

PR-6 - Roadway Plan and Profile, dated 06/29/2021; received 06/29/2021

PR-7 - Roadway Plan and Profile, dated 06/29/2021; received 06/29/2021

SD-01 – Sediment and Erosion Control Details and Specifications, dated 11/04/2022; received 11/10/2022
SD-02 – Sediment and Erosion Control Details and Specifications, dated 11/04/2022; received 11/10/2022
SD-03 – Site Details, dated 11/04/2022; received 11/10/2022
SD-04 – Site Details, dated 11/04/2022; received 11/10/2022
SD-05 – Site Details, dated 11/04/2022; received 11/10/2022
SD-06 – Site Details, dated 11/04/2022; received 11/10/2022
SD-07 – Site Details, dated 11/04/2022; received 11/10/2022
SD-08 – Site Details, dated 11/04/2022; received 11/10/2022
SD-09 – Site Details, dated 11/04/2022; received 11/10/2022
SD-10 – Site Details, dated 11/04/2022; received 11/10/2022
SD-11 – Site Details, dated 11/04/2022; received 11/10/2022
SD-12 – Site Details, dated 11/04/2022; received 11/10/2022
SD-13 – Site Details, dated 11/04/2022; received 11/10/2022
XSC-01 – Cross Sections, dated, 11/04/2022; received 11/10/2022
XSC-02 – Cross Sections, dated, 11/04/2022; received 11/10/2022
XSC-03 – Cross Sections, dated, 11/04/2022; received 11/10/2022
XSC-04 – Cross Sections, dated, 11/04/2022; received 11/10/2022
XSC-05 – Cross Sections, dated, 11/04/2022; received 11/10/2022
XSC-06 – Cross Sections, dated, 11/04/2022; received 11/10/2022
XSC-07 – Cross Sections, dated, 11/04/2022; received 11/10/2022
XSC-08 – Cross Sections, dated, 11/04/2022; received 11/10/2022
XSC-09 – Cross Sections, dated, 11/04/2022; received 11/10/2022
XSC-10 – Cross Sections, dated, 11/04/2022; received 11/10/2022
XSC-11 – Cross Sections, dated, 11/04/2022; received 11/10/2022
XSC-12 – Cross Sections, dated, 11/04/2022; received 11/10/2022
XSC-13 – Cross Sections, dated, 11/04/2022; received 11/10/2022
XSC-14 – Cross Sections, dated, 11/04/2022; received 11/10/2022
SD-1 - Sediment and Erosion Control Details and Specifications, dated 09/28/2021; received 09/29/2021
SD-2 - Site Details, dated 09/28/2021; received 09/29/2021
SD-3 - Site Details, dated 09/28/2021; received 09/29/2021
SD-4 - Site Details, dated 09/28/2021; received 09/29/2021
SD-5 - Site Details, dated 09/28/2021; received 09/29/2021
SD-6 - Site Details, dated 09/28/2021; received 09/29/2021
SD-7 - Site Details, dated 09/28/2021; received 09/29/2021
SD-8 - Site Details, dated 09/28/2021; received 09/29/2021
SW-01 – Existing Watersheds, dated 11/04/2022; received 11/10/2022
SW-02 – Proposed Watersheds, dated 11/04/2022; received 11/10/2022
SW-1 - Existing Watersheds, dated 09/28/2021; received 09/29/2021
SW-2 - Proposed Watersheds, dated 09/28/2021; received 09/29/2021
Soil Survey:
001 - Class B High-Intensity Soil Survey North, dated 02/04/2021; received 06/29/2021
002 - Class B High-Intensity Soil Survey South, dated 02/04/2021; received 06/29/2021
SP - Subdivision Plan, dated 09/28/2021, received 09/29/2021

Other documents submitted consist of the following:

Plans – dated; 02/04/2021, 03/30/2021, 03/31/2021, 05/29/2020, 06/29/2021, 09/24/2021, 09/28/2021, 11/10/2022
Pre-Application – received 01/15/2021
Site Plan Review Application – received 06/29/2021
Site Plan Review Application – Phase 1 – received 09/29/2021
Subdivision Application – 11/10/2022
Legal Documents – 11/10/2022
Request for Waiver – received 03/31/2021
Army Corps of Engineers, General Permit #NAE-2020-02456 – Signed 10/17/2022
SLODA – 11/10/2022
NRPA Permit – 11/10/2022
Stormwater Modeling Reports, Existing Conditions - received 06/29/2021
Stormwater Modeling Reports, Proposed Conditions – received 06/29/2021
Stormwater Modeling Reports Phase I, Existing Conditions - received 09/29/2021
Stormwater Modeling Reports Phase I, Proposed Conditions – received 09/29/2021
Class B – High-Intensity Soil Survey – received 03/31/2021
Gorham Assessor Comments – 07/09/2021, 10/04/2021
Gorham Fire Chief Comments – 07/13/2021, 10/05/2021
Gorham Public Works Director Comments – 01/27/2021; 07/14/2021
Gorham Town Planner Comments - 7/26/2021, 10/28/2021, 11/29/2022
Wight Pierce – 07/26/2021, 10/26/2021, 11/28/2022
Portland Water District – 10/01/2021
Conservation Commission – Comments Pending
Abutter Comments – 01/28/2021, B. Epperson; 01/28/2021, D. Burleigh; 01/28/2021, G. Pieri; 01/26/2021, A. Chadburn; 01/28/2021, T. Connolly; 01/27/2021, B. Deveau; 01/28/2021, A. Bilodeau

CHAPTER 3 - SUBDIVISION, SECTION 3 - PRELIMINARY PLAN

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

C. PRELIMINARY PLAN REVIEW

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

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

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

The Comprehensive Plan identifies this area as Industrial. The subdivision and individual lots shall meet the requirements of the Industrial zoning district.

Finding: *Industrial Park West Campus conform to the Comprehensive Plan of the Town, and with all pertinent State and local codes and ordinances.*

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

A traffic impact analysis need to be submitted. Peer review of the traffic impact is warranted based on the overall impact of the project.

Access to Industrial Park West Campus is via New Portland Road, Libby Avenue, and Hutcherson Road, which may have been constructed to withstand the additional traffic proposed. This needs to be confirmed through an analysis.

Site distances along New Portland Road should be shown on the plans.

Access to Industrial Park West Campus Phase 1 is Cyr Drive. The West Campus is the subject of this review. The estimated number of vehicle trips entering the site is 1139. The estimated number of vehicle trips exiting the site is 1139. The busiest am hour is between 7:00am and 8am and is estimated to produce 47 entering and 11 exiting. The busiest pm hour is between 4:15pm and 5:15pm and is estimated to produce 12 entering and 46 exiting

Finding: *Industrial Park West Campus will not cause congestion or unsafe conditions with respect to use of the highways or public roads, existing or proposed on or off the site.*

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

Sheets UT – 1 through 3 shows the location of electric, gas, water, and sewer.

Public sewer and water is proposed to be provided. Ability to serve letter is pending from the Portland Water District.

The roads shall be constructed utilizing the standards within Section 2-5 for Industrial or Commercial Street Design.

Waste removal shall be provided by a professional hauling company for each business located within the subdivision.

The Comprehensive Plan recommends this area be zoned for Industrial use and has determined that fire and police protection, recreational facilities and other Town services will not be unreasonably burdened by this development.

This development will not impact the schools.

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

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

The written materials state that all utilities are proposed to be located underground and that they will connect.

An ability-to-serve letter from Portland Water District needs to be submitted.

Finding: *Industrial Park West Campus provide for adequate water supply for present and future needs.*

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

The written materials state that all utilities are proposed to be located underground.

An ability-to-serve letter from Portland Water District needs to be submitted.

Finding: *Industrial Park West Campus provide for adequate solid and sewage waste disposal for present and future needs as reasonably foreseeable.*

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

West Campus subdivision will have four (4) lots. Each lot will be reviewed separately as a site plan for undue pollution of air. Storm water from the site will be treated in storm water infrastructure meeting the Maine Department of Environmental Protection's and the Town of Gorham's storm water requirements. Each lot will be treated in the Portland Water District public sewer system.

Finding: *Industrial Park West Campus will not result in undue pollution of air, or surficial or ground waters, either on or off the site.*

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

The proposed construction will directly impact 14,737 sq. ft. of wetlands or waterbodies. The proposed construction will permanently impact 11,078 sq. ft. of wetlands or waterbodies. The erosion control plan shall meet the Maine Department of Environmental Protection's and the Town of Gorham's erosion control requirements.

Finding: *Industrial Park West Campus will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result.*

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

There are nine (9) wetlands, three (3) of special significance; two (2) MDEP defined streams and a buffer area of a vernal pool are located on this parcel.

Any impacts to natural features require permits from Maine Department of Environmental Protection or Army Corp. of Engineers.

The parcel is not located within the 100 year floodplain.

There will be no change to the groundwater table associated with this subdivision.

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

Finding: Industrial Park West Campus will not affect the shoreline of any body of water in consideration of pollution, erosion, flooding, destruction of natural features and change of ground water table so that a dangerous or unhealthy condition may result.

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

The applicant states that the topography of the site is relatively flat with minor undulation.

Discussion of the scenic and natural beauty is found in the application for Site Location of Development Section 6. It states that a 50 foot forested buffer will remain to limit the reduction of the scenic and natural beauty on abutting neighbors.

Discussion of the historic resources is found in the application for Site Location of Development Section 8. It states that a letter from Kirk Mahoney of the Maine Historical Preservation Commission states that there are two potential properties of historical, architectural or archaeological significance on the property. The applicant states that a Phase 1 study was performed and confirmed potential resources on the northern portion of the original overall site. This parcel has been removed from this requested review.

A review letter by the Fish and Wildlife Service dated August 17, 2020 states that “There are no critical habitats within you project area under this office’s jurisdiction.”

The landscaping plan, Sheets LA-1 to 3, shows three species of canopy trees along the proposed road.

Finding: Gorham Industrial Park – West Campus will respect fully the scenic or natural beauty of the area, trees, vistas, topography, historic sites and rare or irreplaceable natural or manmade assets.

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

A financial capacity letter dated February 10, 2021 from Thomas Poirier has been provided in the Site Location of Development submission.

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

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

Since the applicant is the town itself, the impact fee does not apply.

Finding: Industrial Park West Campus will be responsible for providing open space and recreational land and facilities to meet the additional demand created by residents of the subdivision.

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

The applicant has provided for open space and a trail within this development.

Finding: Industrial Park West Campus will have common space within the subdivision in accordance with the Planning Board requirements and the condominium association shall be required to provide for the perpetual care of commonly owned land.

SECTION 1-12- INDUSTRIAL DISTRICT

E. PERFORMANCE STANDARDS

2) Except where it abuts existing industrial zoned land, all land zoned industrial after November 30, 1998 shall have a “perimeter setback” of one hundred feet (100’), which shall be subject to the restrictions set out below. The Planning Board may reduce the perimeter setback by up to 50% if it finds that doing so would result in a better plan of development for the project site.

- a) No portion of the “perimeter setback” shall be used for storage of equipment or inventory, service and loading, parking or any buildings or structures. Subject to

Paragraph 1) above, access roads and utilities may cross the “perimeter setback” to provide access to and from a street but shall be designed to minimize the disruption of the “perimeter setback.” No direct access to parking stalls shall be provided from an access road located within the “perimeter setback.”

b) A landscaped buffer area, as provided in Subparagraph 2) c) below, shall be designed and maintained within the “perimeter setback.”

c) A detailed landscaping plan, prepared by a landscape architect, shall be prepared for the landscaped buffer area and submitted as part of Site Plan Review, for all lots, with a perimeter setback." The landscaped buffer area shall be designed to provide effective visual and auditory buffering from abutting residential properties, create an attractive appearance for the proposed new development and maintain an attractive gateway to Gorham consistent with the goals and objectives of the Town of Gorham Comprehensive Plan. Existing natural features and vegetation may be incorporated into the plan for the buffer area if they are found to create an effective visual and auditory buffer by the Planning Board. All such buffer areas shall be maintained for the life of the project. 3) Fencing, screening, landscaped berms, natural features, or combination thereof, shall be utilized to shield from the view of abutting residential properties and public ways, along the perimeter setback of the Industrial District, all loading and unloading operations, storage and repair work areas, commercial vehicle parking, and waste disposal and collection areas.

Finding: The development will provide for buffering of adjacent uses where there is a transition from one type of use to another use and to screen service and storage areas.

Chapter 2: General Standards of Performance

Section 2-1 Environmental

Note: Sections that do not apply or are not redundant or duplicate those same requirements in the subdivision ordinance standards are listed below.

I. BUFFER AREAS

1) Any non-residential yard space abutting a residential area shall be maintained as a buffer strip by the developer. Such buffer area shall be for the purpose of eliminating any adverse effects upon the environmental or aesthetic qualities of abutting properties or any type of nuisance affecting the health, safety, welfare and property values of the residents of Gorham.

Finding: This section does not apply.

2) Natural features shall be maintained wherever possible to provide a break between the proposed development and abutting properties.

The proposal will require clearing of trees to construct the proposed road and storm water infrastructure during this phase of the overall development.

Finding: *The applicant has provided a plan that shows the existing natural features that will be maintained.*

3) When natural features such as topography, gullies, stands of trees, shrubbery, rock outcrops do not exist or are insufficient to provide a buffer, the developer shall landscape or otherwise provide fencing or screening.

The applicant has provided a landscape plan that would preserve the existing tree line along Libby Avenue.

Finding: *The applicant shall provide a landscape plan that provides for a buffer.*

4) Fencing, screening or natural features, or combination thereof, shall be sufficient to shield from the view of abutting residential properties, and otherwise prevent any kind of nuisance: all loading and unloading operations, storage areas, commercial vehicle parking, waste disposal and collection areas.

The applicant has provided a landscape plan that would preserve the existing tree line along Libby Avenue.

Finding: *This section does not apply.*

5) Fencing and screening shall be durable and properly maintained at all times by the owner.

The applicant has provided a landscape plan that would preserve the existing tree line along Libby Avenue.

Finding: *The applicant has provided a landscape plan that provides for a buffer for abutting residential properties*

6) Fencing and screening shall be so located within the developer's property line to allow access for maintenance on both sides without intruding upon abutting properties.

The applicant has provided a landscape plan that recommends that landscaping be reviewed as each building is proposed, which may soften the appearance of the project when construction of the buildings occur.

Finding: *The applicant has provided a landscape plan that provides for a buffer that is within the developer's property line.*

7) All buffer areas shall be maintained in a tidy and sanitary condition by the owner.

The applicant has provided a landscape plan that recommends that landscaping be reviewed as each building is proposed, which may soften the appearance of the project when construction of the buildings occur.

Finding: *The applicant has provided a landscape plan that discusses maintenance.*

Conditions of Approval

1. That this approval is dependent upon, and limited to, the proposals and plans contained in this application and supporting documents submitted and affirmed by the applicants and that any variation from the plans, proposals and supporting documents is subject to review and approval by the Planning Board, except for minor changes which the Town Planner may approve;
2. That prior to the commencement of construction of the site plan, the applicant is responsible for obtaining all required local, state and federal permits;
3. Any staff and peer review comments shall be addressed prior to the Board signing the plans;
4. That the applicant shall provide property line information and site information in auto-CAD format to the Town Planner prior to the pre-construction meeting;
5. That the driveway name shall be approved by the Town Planner, Police and Fire Chiefs;
6. That the underground electric lines shall be inspected by the Code Enforcement Office prior to backfill;
7. All waivers and variances shall be listed on the plan prior to recording;
8. The map and lot numbers shall be listed in the bottom right corner of all pages of the plan set;
9. That the _____ Subdivision Homeowners' Association is responsible for maintenance and compliance of the stormwater infrastructure meeting the requirements of the Town of Gorham Stormwater Ordinance, Chapter 2 Post-Construction Stormwater Management;
10. That prior to the commencement of construction, the applicant, applicant's engineer and earthwork contractor shall have a pre-construction meeting with the Town's Engineer, Town Planner, Code Enforcement Officer, Public Works Director and Fire Chief;
11. That the association is responsible for maintenance of the stormwater infrastructure including ditches per the Stormwater Management Report;
12. That all site construction shall be carried out in conformance with the Maine Erosion and Sediment Control Best Management Practices, Maine Department of Environmental Protection, latest edition and in accordance with the erosion and sedimentation control information contained in the application;
13. That the applicant is responsible for recording the approved Association documents within 90 days of the date of approval of the subdivision by the Planning Board and a recorded copy of the

Association documents shall be returned to the Planning Division prior to a preconstruction meeting behind held;

14. That the Planning Board Chair is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board;
15. That the subdivision plans shall not be released for recording at the Cumberland County Registry of Deeds until the required performance guarantee has been posted meeting the approval of Town Staff; and the subdivision plan is required to be recorded within one year of original approval or the approval becomes null and void; and
16. That these conditions of approval must be added to the plan and the plan shall be recorded at the Cumberland County Registry of Deeds within one (1) year of the date of written notice of approval by the Planning Board, and a dated copy of the recorded plan shall be returned to the Town Planner prior to the pre-construction meeting.

FINAL SUBDIVISION APPROVAL:

Move to grant final subdivision plan approval for Gorham Industrial Park – West Campus Phase 1 located off New Portland Road, Libby Avenue and Cyr Drive on Map 29 Lot 1 in the Industrial (I) zoning district, based on the Findings of Fact as written by the Town Planner (and modified and conditioned by the Planning Board).

TO POSTPONE APPROVAL:

Move to postpone further review of Gorham Industrial Park – West Campus' Phase 1 request for final subdivision plan approval pending further review by peer reviewers and responses to remaining issues (and revisions to the plans).