

**Town of Gorham**  
**Minor Site Plan Review Meeting**  
**May 3, 2023**

Minor Site Plan Review: KR Commercial Properties, LLC – 2-unit residential – a request for minor site plan review of a 2-unit residential building with associated infrastructure at 346 South Street. Zoned Urban Residential Expansion (URExp), Map 23, Lot 15. The applicant is Ronald Greco and he is represented by Steven Blake, PE of BH2M.

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**PROJECT TRACKING**

<b>DESCRIPTION</b>	<b>COMMENTS</b>	<b>STATUS</b>
Minor Site Plan Review		<b>May 3, 2023</b>

## 1. OVERVIEW

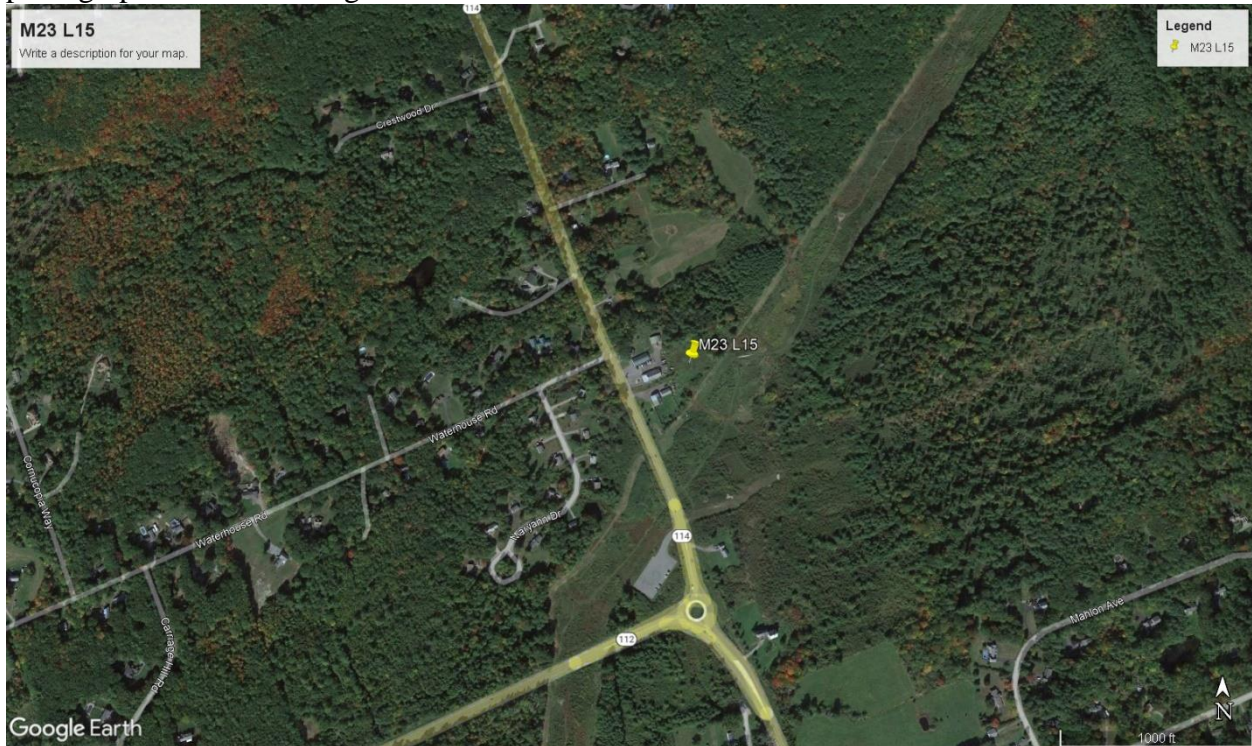
The applicant is requesting minor site plan review of a 2-unit residential building with associated infrastructure at 346 South Street.

The applicant is Ronald Greco and he is represented by Steven Blake PE of BH2M.

## 2. ITEMS OF NOTE

## 3. AERIAL PHOTOGRAPHS

Staff has included aerial photographs for the committee’s review of the project. The aerial photographs are from Google Earth.



KR Commercial Properties, LLC - Minor Site Plan Review  
346 South Street – 2-unit residential project  
M23 L15





#### 4. STAFF REVIEW

**Planning Department:** 04/19/2023

- The building coverage calculation needs to be shown on the site plan. The maximum allowed by ordinance is 25%.
- The signage should be relocated to the property and removed from the public right of way.
- Parking calculations are needed based on the mixed use developments standard.
- Information regarding septic system capacity needs to be provided for the 2-unit.
- Information showing locations and type of lighting needs to be submitted for review.
- Technical capacity has not been shown.
- Landscaping and curbing, as appropriate, needs to be installed along the frontage of the parcel to define street edges, break up parking areas, and soften the appearance of the development.
- The applicant needs to provide the name of the professional waste hauler service to be utilized for the residential units.

**Fire Department:** 04/18/2023

**I have revived the Plans dated April 5, 2023**

1. The building will meet all applicable sections of NFPA 1 *Fire Code* and NFPA 101 *Life Safety Code*.

2. **The building shall be protected under the Fire Suppression Systems Ordinance as applicable. The sprinkler plans shall be submitted to the Fire Department and the State Fire Marshal’s Office for review and permitting. The plans submitted to the Fire Department shall be submitted at least two weeks prior to the start of the installation of the system. Sprinkler test papers will be required to be submitted to the Fire Department at the time a CO is issued.**
3. **The buildings shall be properly numbered in accordance with E911 standards including height, color and location. Numbers that cant been seen from the street shall require additional numbers at the street.**
4. Propane? Will need gas detection if used.
5. The Sprinkler Room will have exterior Door and Labeled “Sprinkler Room”

**Code Department:** No comments

**Public Works Department:** No comments

**Abutter Comments:** No comments

**GORHAM SITE PLAN COMMITTEE  
MINOR SITE PLAN REVIEW  
FINDINGS OF FACT**

**For**

**346 SOUTH STREET – CONVERSION OF AN EXISTING BUILDING NOT A 2-UNIT  
RESIDENTIAL BUILDING AND ASSOCIATED INFRASTRUCTURE**

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**May 3, 2023**

Applicant(s)/Owner(s): KR Commercial Properties LLC, 43 Sturbridge Lane, Cumberland, ME, 04021

Property: The lot is identified as Tax Map 23, Lot 15 consists of approximately 4.75 acres and is located at 346 South Street.

Consultant(s): Steven Blake, PE of BH2M

Project Description: The applicant is seeking approval to convert an existing building to a 2-unit residential building with associated infrastructure.

Site Description: The site currently contains a single family dwelling, a 2 family dwelling, a multi-tenant building with car sales, auto repair, and storage as well as parking, driveways, canopy trees and understory scrub shrub.

Applicability: The applicant’s proposal requires site plan review because it involves conversion of an existing commercial facility into a residential facility.

Zoning: Urban Residential Expansion (UREXP) which allows 2-unit residential buildings.

Variance(s): Granted May 18, 2017 to convert one existing nonconforming use into another nonconforming use.

Waivers: None requested.

The project plans and other documents considered to be a part of the approval by the Site Plan Review Committee in this ruling consist of the following:

The plans (the plans), prepared by Steven Blake PE of BH2M consist of the following:

Sheet 2 - 2 <sup>nd</sup> Amended Site Plan – Dated, 1/2023; Revised through, 04/03/2023; Received, 04/05/2023
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Other documents submitted consist of the following:

Minor Site Plan Review Application – 03/22/2023, revised 04/04/2023

Site Plan – 03/22/2023, 04/05/2023

Financial Capacity – 03/22/2023

**Technical Capacity –**

Planning Department – 04/19/2023

Fire Department – 04/18/2023

Code Office – No comments

Public Works Department – No comments

Abutters Comments – No comments

**NOW THEREFORE**, based on the entire record before the Committee and pursuant to the applicable standards set out in the Land Use and Development Code of the Town of Gorham, the Committee makes the following factual findings.

## **FINDINGS OF FACT**

### **CHAPTER 4, SECTION 9 – Approval Criteria and Standards**

**Note: (This section is modified for brevity. See the current Land Use and Development Code for exact wording.)**

- A. Utilization of the Site** - The plan for the development will reflect the natural capabilities of the site to support development.

The applicant is proposing to convert an existing building with associated infrastructure. The lot is 4.75 acres with an existing single family dwelling, 2-family dwelling, car sales, auto repair, and storage as well as parking, driveways, canopy trees and understory scrub shrub.

Developed areas will be in areas void of wetland and other naturally sensitive areas.

*Finding: The plan for development reflects the natural capabilities of the site to support the development.*

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

The site is accessed from South Street, State Route 114, which is classified as a major collector road by the Maine Department of Transportation. It has the capacity to handle 62 entering and 62 exiting. The estimated number of vehicles entering and exiting the site during the busiest am hour is 7. The estimated number of vehicles entering and exiting during the busiest pm hour is 7.

*Finding: South Street has the capacity to accommodate the traffic generated by the development.*

**C. Access into the Site** – Vehicular access into the development will provide for safe and convenient access.

There are three (3) driveways accessing this site from South Street. The two smaller driveways are located on the northern end of the site near the single family unit. The large driveway is for the commercial uses and is located on the southern side of the site.

*Finding: The vehicular access into the development provides for safe and convenient access.*

**D. Internal Vehicular Circulation** – The layout of the site will provide for the safe movement of passenger, service and emergency vehicles through the site.

Access to the 2-family dwelling unit will be from South Street and between the existing building in the middle of the lot and the building to the south of the lot. The access is 25 feet wide between the two buildings.

*Finding: The layout of the site will provide for the safe movement of passenger, service and emergency vehicles through the site.*

**E. Pedestrian Circulation** - The development plan will provide for a system of pedestrian circulation within and to the development.

No change to pedestrian circulation externally or internally is proposed.

*Finding: This standard does not apply.*

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

Stormwater from the impervious areas sheet flow into existing vegetated areas. No new impervious areas are proposed and no changes to the site's stormwater management system is proposed.

*Finding: Adequate provisions are made for the disposal of all stormwater collected on the site through a stormwater drainage system which will not have an adverse impact on abutting or downstream properties.*

**G. Erosion Control** - For all projects, building and site designs and roadway layouts will fit and utilize existing topography and desirable natural surroundings to the fullest extent possible.

The project shall meet the standards identified in Maine Erosion and Sediment Control BMP's, Bureau of Land and Water Quality, Maine department of Environmental Protection. Any construction shall require erosion control devices before start of construction.



*Finding: The project will fit and utilize existing topography and desirable natural surroundings to the fullest extent possible.*

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

The site is currently supplied with private water supply wells. No changes to the site's water supply are proposed.

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

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

The site is currently served by individual septic systems.

*Finding: The development provides for adequate sewage disposal for the anticipated use of the site.*

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

The site is currently supplied with overhead utilities from the South Street right-of-way. No changes to the site's utilities is proposed..

*Finding: The development will be served with electrical and telephone service adequate to meet the anticipated use of the project.*

- K. Natural Features** - The landscape will be preserved in its natural state insofar as practical by minimizing tree removal, disturbance and compaction of soil, and by retaining existing vegetation insofar as practical during construction.

No disturbance is proposed to any natural areas.

Invasive species shall not be utilized on site.

*Finding: The landscape and natural features will be preserved in their natural state to the greatest extent possible.*

- L. Groundwater Protection** - The proposed site development and use will not adversely impact either the quality or quantity of groundwater available to abutting properties or public water supply systems.

The development will not be removing groundwater from the area nor is it proposing to utilize any adverse products that would contaminate the groundwater.

Any environmental or hazardous waste without proper containment is not allowed on site.

*Finding: The site development and use will not adversely impact either the quality or quantity of groundwater available to abutting properties or public water supply systems.*

- M. Exterior Lighting** - The proposed development will provide for adequate exterior lighting to provide for the safe use of the development in nighttime hours.

*Finding:*

- O. Waste Disposal** - The proposed development will provide for adequate disposal of solid wastes and hazardous wastes.

There will be no hazardous waste used or produced at this site.

*Finding:*

- P. Landscaping** - The development plan will provide for landscaping to define street edges, break up parking areas, soften the appearance of the development and protect abutting properties from adverse impacts of the development.

All previously approved landscape plantings are required to be shown on the site plan and installed. Invasive species shall not be utilized on site.

*Finding: The development plan provides for landscaping that will soften the appearance of the development and protect abutting properties from adverse impacts of development.*

- Q. Shoreland Relationship** - The development will not adversely affect the water quality or shoreline of any adjacent water body. The development plan will provide for access to abutting navigable water bodies for the use of occupants of the development.

The lot is not located in the Shoreland Overlay District.

*Finding: The development will not adversely affect the water quality or shoreline of any adjacent water body.*

- R. Technical and Financial Capacity** - The applicant has demonstrated that he has the financial and technical capacity to carry out the project in accordance with this Code and the approved plan.

A letter of financial capacity dated March 14, 2023 from Nick DiMatteo, Vice President of Machias Savings Bank has been submitted.

Technical capacity has not been shown.

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

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

The area that surrounds this parcel is residential in nature. Landscaping is proposed and shall be installed according to the site plan along the southern property line for buffering.

Landscaping shall be installed along the frontage of the parcel to define street edges, break up parking areas, and soften the appearance of the development.

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

- T. Noise** - The applicant has demonstrated that the development will comply with the noise regulations listed in Table 1 – *Sound Level Limits* and the associated ordinances.

The use of the site is required to meet the following required noise regulations:  
Daytime Levels of 60 dBA and 50 dBA nighttime as outlined under this section.

*Finding: The use of the site will comply with the noise regulations listed in Table 1 – Sound Level Limits and associated noise ordinances.*

## CHAPTER 2, General Standards of Performance

**Note: Only those sections that ARE NOT DUPLICATIVE OF SITE PLAN REVIEW STANDARDS are listed with findings below.**

### Section 2-1 Environmental

#### Floodplain Management

*Finding: This site is not located within a special flood hazard zone.*

### **Shoreland Area protection**

*Finding: This site is not located within a shoreland protection area.*

### **Air Pollution**

This project will not emit toxic, odoriferous emissions and shall comply with all State of Maine requirements.

*Finding: The project meets the requirements for the standards of this section.*

### **Section 2-2 Parking, Loading, and Traffic**

#### **A. Off-street parking standards**

Mixed use development...

*Finding:*

**NOW THEREFORE** on **xx of xx**, 2023, the Site Plan Review Committee adopts the Findings of Fact herein, and based on these Findings that the proposed project will have no significant detrimental impact. The Site Plan Committee hereby votes to grant Administrative Review approval to KR Commercial LLC.

### **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 Site Plan Review Committee, except for minor changes which the Town Planner may approve.
2. That prior to the commencement of construction of the site plan, the applicant is responsible for obtaining all required local, state and federal permits;
3. 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;
4. Any staff and peer review comments shall be addressed prior to the Chair signing the plans;

5. The map and lot numbers shall be listed in the bottom right corner of all pages of the plan set;
6. All previous applicable conditions of approval shall remain in effect;
7. That any proposed use on the site shall meet the sound level requirements outlined under Chapter 4, Section 9, T. Noise;
8. The applicant shall provide a performance guarantee for an amount adequate to cover 150% of the total construction costs of all required improvements located off private property and located on public property and/or rights-of-ways. Off-site improvements are required to have performance guarantees in place prior to the final plan or Decision Document being released for recording at the Registry of Deeds.
9. The applicant shall provide a performance guarantee for an amount adequate to cover 125% of the total construction costs of all remaining site improvements not completed prior to issuance of a temporary or final occupancy permit.
10. That prior to the commencement of any site improvements, the applicant and the design engineer shall arrange a pre-construction meeting with the Town's Review Engineer, Public Works Director, Fire Chief, Code Enforcement Officer and the Town Planner to review the proposed schedule of improvements, conditions of approval, and site construction requirements;
11. That all construction and site alterations shall be carried out in conformance with the "Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices," Cumberland County Soil and Water Conservation District, Maine Department of Environmental Protection, latest edition and in accordance with the erosion and sedimentation control information contained in the application;
12. That the Site Plan Review Committee Chair is authorized by the Site Plan Review Committee to sign the Findings of Fact on behalf of the entire Committee; and
13. That Decision Document shall be recorded at the Cumberland County Registry of Deeds within thirty (30) days of the date of written notice of approval by the Site Plan Review Committee, and a dated copy of the recorded Decision Document shall be returned to the Town Planner prior to the pre-construction meeting or issuance of building permit.

**SO APPROVED BY THE GORHAM SITE PLAN REVIEW COMMITTEE CHAIR ON  
THE XTH DAY OF X, 2023.**

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Carolyn Eyerman, Town Planner

**Proposed Motions:**

**SITE PLAN APPROVAL:**

**Move to grant minor site plan approval for a 2-unit residential building located at 346 South Street on Map 23 Lot 15 in the Urban Residential Expansion (URExp) zoning districts, based on the Findings of Fact as written by the Town Planner (and modified and conditioned by the Site Plan Review Committee).**

**TO POSTPONE APPROVAL:**

**Move to postpone further review of a 2-unit residential building located at 346 South Street on Map 23 Lot 15 in the Urban Residential Expansion (UREXP) zoning districts, request for site plan approval pending responses to remaining issues (and revisions to the plans).**