

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

Minor Site Plan Review: Central Maine Power Company (CMP) request for minor site plan review of transformer replacement and pad expansion project at an electrical substation at 412 Fort Hill Road. Zoned Rural (R), Map 65, Lot 10. The applicant is represented by Jack Wu and Jay Chase of CMP.

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PROJECT TRACKING

DESCRIPTION	COMMENTS	STATUS
Minor Site Plan Review		May 3, 2023

1. OVERVIEW

The applicant is requesting minor site plan review of a Central Maine Power Company (CMP) transformer replacement project and pad expansion at an electrical substation at 412 Fort Hill Road. The project is urgently needed due to the existing substation having reaching the end of its service life. CMP reports that if the project is not completed before peak summer electricity demand, electrical service for approximately 3500 Gorham customers may fail.

Proposed site work is to include an approximately 1,300 sf expansion of the existing substation in order to site a temporary transformer for use during work to install a new permanent transformer. The work will also include a 2,450 sf and separate 830 sf driveway expansion to provide access during the project and allow access for future maintenance.

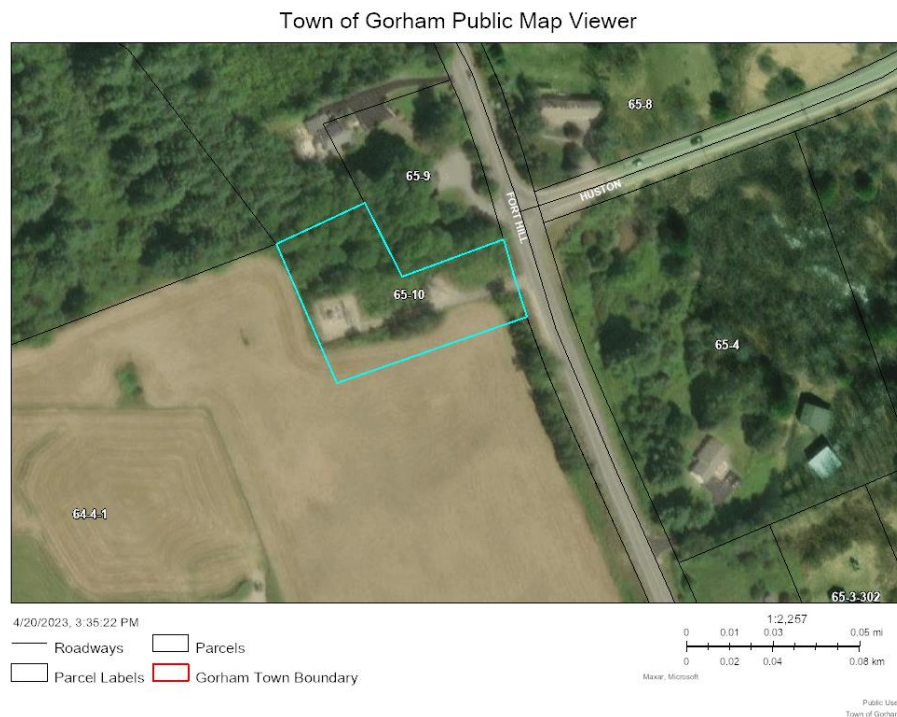
The applicant is CMP and is represented by Jack Wu and Jay Chase, both employees of CMP.

2. ITEMS OF NOTE

Given the time sensitive nature of the need for this infrastructure upgrade, CMP has expressed an interest in beginning construction work as soon as possible after appropriate approvals have been granted.

3. AERIAL PHOTOGRAPH

Staff has included an aerial photograph for the committee's review of the project. The aerial photograph is from the Town of Gorham GIS.



3. STAFF REVIEW

Planning Department: 04/26/2023

- Utility substations are an allowed use in the Rural district
- The project will make use of existing curb cuts
- The result of the project work will be that future transformer replacements will not require any expansion of the substation footprint
- Does the applicant intend to record this plan?
 - The “General Location and Fence Plan Fort Hill Road S/S” is a sketch plan overlaying an engineering plan from 1964. An engineering plan that meets the Site Plan ordinance requirements should be submitted showing the site work for construction. In order to be recorded, the plan needs to be in black and white and include an engineer’s seal.
- A letter explaining the technical capacity for engineering and construction, and financial capacity should be provided

Fire Department: 04/18/2023

I have reviewed the plans for CMP

No requirements at this time.

Code Department: No comment

Public Works Department: No comment

Abutter Comments: No comment

**GORHAM SITE PLAN COMMITTEE
MINOR SITE PLAN REVIEW
FINDINGS OF FACT
For
CMP TRANSFORMER REPLACEMENT PROJECT
412 FORT HILL ROAD**

May 3, 2023

Applicant(s)/Owner(s): Central Maine Power Company (CMP), 83 Edison Drive, Augusta, ME 04336

Property: The lot is identified as Tax Map 65, Lot 10, consists of approximately 1.27 acres, and is located at 412 Fort Hill Road.

Consultant(s): CMP, the applicant, is self-represented

Project Description: The applicant is seeking approval for a 4,580 square foot expansion to the substation site, including expansion of the transformer pad and access drive. The site improvements are necessary for the proposed transformer upgrade and are intended to be made permanent to facilitate future transformer replacements.

Site Description: The site currently contains an electrical substation, utility poles and wires, and an access drive with curb cuts on Fort Hill Road. The remainder of the site is forested.

Applicability: The applicant's proposal requires minor site plan review because it involves expansion of an existing non-residential site

Zoning: The site is located in the Rural district, which allows for "public and private utility facilities, including substations".

Variance(s): None requested.

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 Central Maine Power Engineering Department, consist of the following:

General Location and Fence Plan Fort Hill Road S/S – Dated, 04/26/2023; Received electronically, 4/26/2023 Foundation Plan and Details Transformer No. 1 – Dated, "XX/XX/2023"; Received, 4/10/2023

Other documents submitted consist of the following:

Minor Site Plan Review Application – 04/10/2023
Site Plan – 04/10/2023, revised, 04/26/2023
Financial and Technical Capacity -
Planning Department – 04/20/2023
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 upgrade and expand an existing substation. The lot is 1.27 acres with an existing substation, driveway, and associated electrical transmission infrastructure. The balance of the site is forested.

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 an existing driveway with a curb cut on Fort Hill Road which is proposed to be upgraded to facilitate the transformer replacement project.

During construction, it is anticipated that approximately 10 vehicle trips will be generated to the site on a daily basis.

Finding: Fort Hill Road has the capacity to accommodate the traffic generated by the construction on the site.

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

An existing driveway on the site will be expanded to provide improved access, both during the project and to support future maintenance activities.

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.

Vehicle access for construction and maintenance will be provided by an internal driveway.

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.

A need for pedestrian access within and to the site is not anticipated.

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 existing and proposed impervious areas can be adequately accommodated through 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.

No water supply is required for the proposed land use.

Finding: This standard does not apply.

- 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.

No sewage disposal is required for the proposed land use.

Finding: This standard does not apply.

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

The site is adequately supplied by electrical utilities. No telephone utilities are indicated on the plans provided.

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.

No lighting is proposed.

Finding: This standard does not apply.

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. There will be no solid waste other than during construction produced at this site.

Finding: This standard does not apply.

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.

Natural forested buffer is to remain in place on the 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.

See planner's notes – A letter needs to be provided.

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 rural and residential in nature. Existing forested areas will continue to provide adequate buffering on the site.

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.

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 Central Maine Power Company.

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 125% of the total construction costs of all remaining site improvements not completed prior to issuance of a temporary or final occupancy permit.
9. 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;
10. 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;
11. 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
12. 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.**

Carolyn Eyerman, Town Planner

Proposed Motions:

SITE PLAN APPROVAL:

Move to grant minor site plan approval for electric substation upgrades located at 412 Fort Hill Road on Map 65 Lot 10 in the Rural 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 electric substation upgrades located at 412 Fort Hill Road on Map 65 Lot 10 in the Rural zoning districts, request for site plan approval pending responses to remaining issues (and revisions to the plans).