

**Town of Gorham
 Planning Board Meeting
 July 11, 2022**

Consent Agenda B – Site Plan Review - Leaf Labs LLC – Marijuana Grow and Distribution Facility – a request for site plan review of a 40, 900 sq. ft. industrial building with associated infrastructure on 65 Olde Canal Way. Zoned OCI, Map 34, Lot 3-3. The applicant is represented by Craig Burgess, P.E., of Sebago Technics, Inc.

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PROJECT TRACKING

DESCRIPTION	COMMENTS	STATUS
Site Plan Review		June 6, 2022
Consent Agenda		July 11, 2022

The following staff notes are written to assist the Applicant with compliance to the Town of Gorham Land Use Development Code and are not necessarily inclusive of all project requirements. Staff notes contain review comments and recommendations from Town Staff and may include comments from any of the Town’s peer review consultants, regarding applicability to the Gorham Land Use and Development Code and standard engineering practices.

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

James Anderson, Chair, Gorham Planning Board

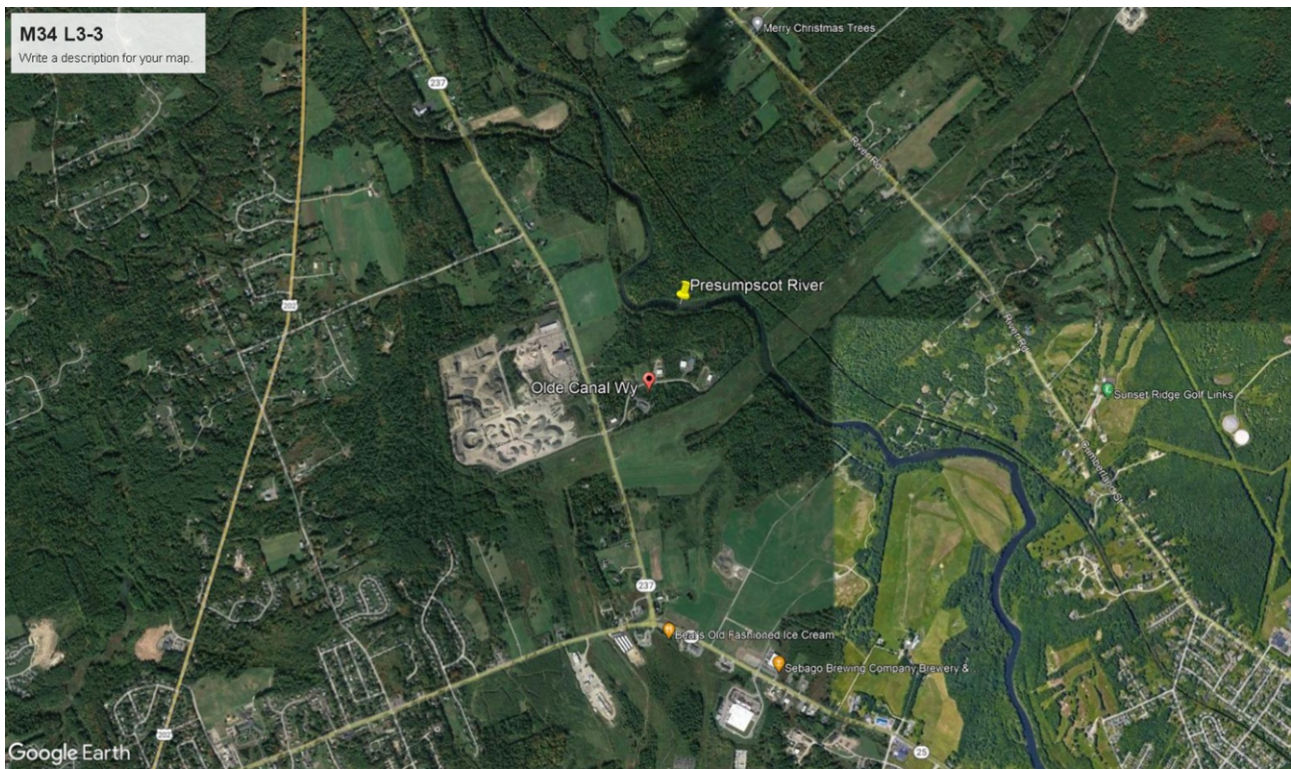
1. OVERVIEW

The applicant is requesting site plan approval for a 40, 900 sq. ft. industrial building with associated infrastructure on Olde Canal Way. Olde Canal Way is an industrial park located off Mosher Road. The park as a whole was approved in 2007.

The applicant is represented by Craig Burgess, P.E., with Sebago Technics.

2. ITEMS OF NOTE

- a.** Staff has included an aerial photographs for the Planning Board’s review of the project. The aerial photograph is from Google Earth.



3. STAFF REVIEWS

Assessing Department: No comments received

Code Department: No comments received

Fire Department: 05/26/2022, 06/23/2022

May 26, 2022

I have reviewed the Plans dated May 11, 2022

1. All buildings will meet all applicable sections of NFPA 1 *Fire Code* and NFPA 101 *Life Safety Code*. Building plans shall be submitted to the Fire Department for review before a Building permit is issued. Depending on Staffing issues with Gorham Fire Department we may not be able to accommodate the issuing a Construction Permit for this project. Options are a Construction Permit for the State of Maine, or at the Owner cost they hires a third party consultant to do the plans review for the project. Whatever way it goes Gorham Fire requires a stamped set of plans (Every Page) submitted to us before construction starts.
2. The buildings shall be protected under the Fire Suppression Systems Ordinance as applicable. The sprinkler plans shall be submitted to the Fire Department and the State Fire Marshal's Office for review and permitting. The plans submitted to the Fire Department shall be submitted at least two weeks prior to the start of the installation of the system. Sprinkler test papers will be required to be submitted to the Fire Department at the time a CO is issued.
3. The buildings shall be properly numbered in accordance with E911 standards including height, color and location. Numbers that cant been seen from the street shall require additional numbers at the street.
4. Natural Gas meter shall be protected with Ballads.
5. Fire Alarm System Control Panel shall be in the Sprinkler Room/ or an announcer panel in the Sprinkler riser Room.
6. Fire Alarm proposed plans shall be submitted to the Fire Department for review at least 2 weeks before installing of system for approval.
7. Fire Department Lock Box installed by Sprinkler Room Door with Master Key's to all doors.
8. Their shall be an Exterior Door to the Sprinkler Room, and signage on the Door "Sprinkler Room"
9. The rear of the Building shows a "Hammer Head" turn around. This needs to be 50 feet long and min. 20 feet wide for Fire Apparatus turn around. "No Parking" signs also.
10. Utility Notes:
 - # 10 the size of the Fire Service needs to be sized with the Sprinkler Contractor before installed.
 - # 9 we have no riverside Street to cut the fire service main into.

June 23, 2022

I have revived the Plans dated June 23, 2022

1. The size of the Fire Service needs to be sized with the Sprinkler Contractor before installed.

2. The plans show the Fire Service entering front of building and the riser location 175' from the front door. Please refer to NFPA 13 before installing the underground piping for the fire service. 13.6.4.3 and 16.4.3.1

May have more comments as this progress in the planning process.

Planning Department: 05/26/2022, 06/30/2022

May 26, 2022

1. The applicant is proposing to follow the existing stormwater plan to the “greatest extent practicable.” The email from David Cherry, Environmental Specialist, Maine DEP, dated May 8, 2017 states that their approval “Order” states that there is supposed to be a forested buffer used for stormwater treatment on Lot 3.” The applicant should double check this buffer requirement.
2. This lot is located with the MS4 area and will require yearly inspection reports to the town.
3. Please check the Utility Plan Sheet 4 of 11 note #9. There is no Riverside Street here.

June 30, 2022

No further comments

Police Department: No comments received

Public Works Department: No comments received

Wright Pierce: 05/26/2022, 06/30/2022

May 26, 2022

As requested by the Town of Gorham, Wright-Pierce has reviewed the Major Development Site Plan Application for the proposed Leaf Labs, LLC project at 65 Olde Canal Way. The existing site is undeveloped forest. The Applicant proposes to build a 40,900 square feet (SF) warehouse for growing, processing, storing, and distributing marijuana products. This development will result in 1.85 acres of total impervious area, 3.11 acres of developed area, and 2,628 SF of wetland impacts.

Documents Reviewed by Wright-Pierce

- Site Plan Application and Attachments - prepared by Sebago Technics (May 5, 2022)
- Site Plan Set - prepared by Sebago Technics (May 5, 2022)
- Agent Authorization (May 6, 2022)
- Financial Capacity Letter (May 17, 2022)

Review Comments

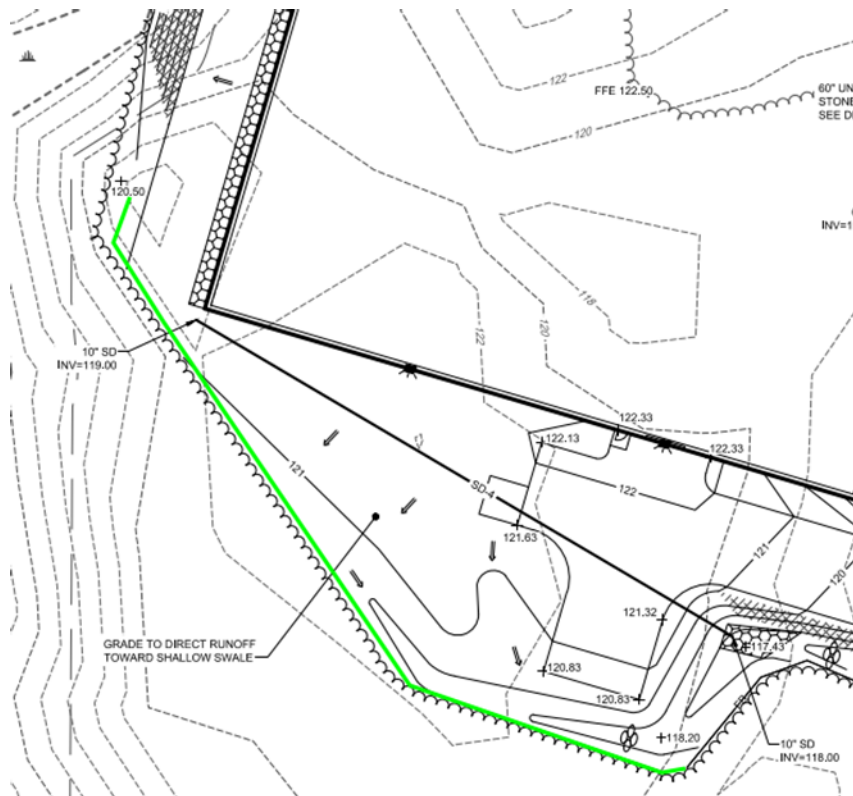
Applicant should provide written responses to the review comments recommending clarification or further information to be provided by the Applicant.

General/Completeness

1. Site Plan Application was submitted and complete.
2. Agent authorization provided, as required.
3. Deed for the property was provided, as required.
4. Proof of financial capacity to complete the project was provided, as required.
5. Project is located in the Olde Canal Industrial district.
6. Site is served by public water and sewer from Olde Canal Way. An Ability to Serve Determination from the Portland Water District has been provided showing adequate supply.
7. Site is served by private gas and underground electric from Olde Canal Way.
8. USGS map provided, as required.
9. 24"x36" plans submitted, as required.
10. Plans contain a title block with the following required information:
 - a. Applicant's name and address
 - b. Name of preparer of plans with professional information and professional seal
 - c. Parcel's tax map identification (map-lot). General Note 2 should be updated with the correct Lot number.
 - d. Date of plan preparation
11. Pavement Joint Detail – Update the pavement joint detail for pavement restoration in Olde Canal Way, which is an industrial roadway. Coordinate with Gorham Public Works Director on requirements.

General Standards of Performance

1. Environmental
 - a. Filter berm is proposed as a perimeter erosion control. The southerly filter berm should be extended to tie into the westerly mound for additional erosion and sedimentation



protection. Soil disturbances for grading of the shallow swale and trenching for storm drain (SD-4) would likely result in sediment transport off-site as currently proposed. See sketch of approximate location with the extension shown in green.

- b. A construction entrance, stone check dams in ditches/swales, riprap outlet protection, and erosion control blankets are properly proposed where applicable.
 - c. According to the Town Shoreland Overlay District Map and FEMA Flood Insurance Maps, the project is not within the shoreland district or floodplain.
 - d. The project is subject to MS4 requirements since it is within the MS4 urbanized area and proposes more than one acre of disturbances. Compliance with Chapter 2 of Gorham's Stormwater Ordinance (Post-Construction Stormwater Management) is required. See comments under Site Plan Requirements in regard to the post-construction stormwater management plan.
 - e. Since the proposed facility will connect to existing public sewer on Olde Canal Way, soil suitability for subsurface wastewater disposal is not a concern.
 - f. Wetland impacts are proposed. Correspondence with regulatory bodies, showing conformance with the regulations, has been provided.
 - g. We recommend showing the no-disturb buffer areas on the plans in addition to incorporating them by reference to ensure they are followed by contractor.
2. Parking – Industry, manufacturing, and businesses are required to provide a minimum of 1 off-street parking space for each 1,000 SF of floor area. The proposed building is 40,900 SF, which requires a minimum of 41 standard parking spaces. 2 ADA parking spaces are also required. The Applicant proposes 41 standard parking spaces (9'x18') and two ADA parking spaces (11'x18') with accessible aisle, which meets the requirements.
 3. Traffic – The Applicant provided a traffic impact assessment, which demonstrated adequate sight distances and that a traffic impact analysis is not required as the proposed development and the development to date of Olde Canal Way are estimated to generate less than 100 trips during peak AM and PM peak hour and the number of proposed parking spaces is less than 50 vehicles.

Site Plan Requirements

1. Access Into the Site - It does not appear that the following requirements are met:
 - a. The proposed driveway entrance will be a -2.0% slope for a minimum of five feet from the existing pavement edge. See Section 4-9, Paragraph C(3) of the Gorham Land Use and Development Code.
 - b. From the above control point, a grade of not more than -3% shall be required for a minimum of two car lengths or 40 feet. See Section 4-9, Paragraph C(3) of the Gorham Land Use and Development Code.
2. Stormwater Management
 - a. The stormwater narrative states that up to 2.71 acres of impervious area have been permitted, which is greater than the 1.85 acres of impervious area stated to be proposed. However, the HydroCAD report shows that only 1.52 acres of impervious cover was modeled. The total drainage area modeled is 2.14 acres, which is smaller than the parcel. Please clarify the discrepancy in areas.
 - b. Applicant should provide a HydroCAD node routing diagram to assist in review of the stormwater analysis.

- c. Figures or other means of showing the drainage areas analyzed and information relevant to the stormwater analysis calculations, such as areas of impervious cover, should be provided to support the stormwater analysis.
 - d. Applicant should provide clarification on the use of SD-4 or update plan accordingly. Is it supposed to connect to the underdrained stone shoulder?
 - e. It is our understanding that the proposed development is subject to the Post-Construction Stormwater Management Ordinance. Although there is an exception in the Post-Construction Stormwater Management Ordinance for development of lots part of an approved subdivision, the approved subdivision would need to have an approved Post-Construction Stormwater Management Plan. Since the subdivision was approved in 2007, prior to the adoption of the Town's Post-Construction Stormwater Management Ordinance, the subdivision would not have an approved Post-Construction Stormwater Management Plan. As such, the Applicant should provide a narrative describing how the project complies with the Post-Construction Stormwater Management Ordinance and all supporting information required therein. This includes, but is not limited to, developing a Post-Construction Stormwater Management Plan outlining the proposed best management practices and/or stormwater management facilities, whether stormwater management facilities discharge to the Town's municipal separate storm sewer system (MS4), and the maintenance and inspection requirements, including the need to hire a Qualified Post Construction Stormwater Inspector to annually inspect the stormwater facilities.
3. Water Supply - The proposed site will continue to use the existing public water supply. A letter from the Portland Water District (PWD) confirming there is adequate supply has been submitted.
 4. Exterior Lighting - Please confirm that all exterior light fixtures are dark sky compliant.

June 30, 2022

As requested by the Town of Gorham, Wright-Pierce has reviewed the resubmission of the Major Development Site Plan Application for the proposed Leaf Labs, LLC project at 65 Olde Canal Way. The existing site is undeveloped forest. The Applicant proposes to build a 40,900 square feet (SF) warehouse for growing, processing, storing, and distributing marijuana products. This development will result in 1.85 acres of total impervious area, 3.11 acres of developed area, and 2,628 square feet of wetland impacts.

Documents Reviewed by Wright-Pierce

- Response to Staff Comments Letter - prepared by Sebago Technics (June 16, 2022)
- Site Plan Set of 65 Olde Canal Way Cannabis Facility - prepared by Sebago Technics (Revised June 16, 2022)
- Financial Capacity Letter (June 16, 2022)
- Stormwater Narrative (June 16, 2022)
- Army Corps of Engineers General Permit Letter (April 22, 2022)

Documents Not Reviewed by Wright-Pierce

- HVAC Equipment Narrative - prepared by Sebago Technics (June 9, 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.

General/Completeness

No further comment.

General Standards of Performance

No further comment.

Site Plan Requirements

1. WP Original Comment 2a: The stormwater narrative states that up to 2.71 acres of impervious area have been permitted, which is greater than the 1.85 acres of impervious area stated to be proposed. However, the HydroCAD report shows that only 1.52 acres of impervious cover was modeled. The total drainage area modeled is 2.14 acres, which is smaller than the parcel. Please clarify the discrepancy in areas.
Applicant Response: The previously submitted HydroCAD model was created specifically for modeling the proposed stormwater drainage pipes to ensure that the pipes were large enough for the 25-year, 24-hour storm. Runoff from areas that flowed directly off-site were not modelled. Given the proposed site includes less developed and impervious area than originally anticipated at this lot, we do not believe a full stormwater analysis is necessary.
WP Follow Up Response: After further clarification, we believe this is appropriate. It appears that this proposed development meets the intent of the previously approved subdivision. Correspondence with Maine DEP states that additional permitting is not necessary as long as 2.71 acres of impervious area is not exceeded on this lot.
2. WP Original Comment 2b: Applicant should provide a HydroCAD node routing diagram to assist in review of the stormwater analysis.
Applicant Response: A HydroCAD model for the new proposed stormwater infrastructure was provided to model pipe capacity for up to a 25-year, 24-hour storm. Because the wet pond was sized for more developed area and impervious than is proposed, we do not believe further stormwater modelling is necessary.
WP Follow Up Response: After further clarification, we believe this is appropriate. The subdivision's previously approved stormwater practices were designed and permitted for up to 2.71 acres of impervious area on this lot and 1.85 acres are proposed.
3. WP Original Comment 2e: It is our understanding that the proposed development is subject to the Post-Construction Stormwater Management Ordinance. Although there is an exception in the Post-Construction Stormwater Management Ordinance for development of lots part of an approved subdivision, the approved subdivision would need to have an approved Post-Construction Stormwater Management Plan. Since the subdivision was approved in 2007, prior to the adoption of the Town's Post-Construction Stormwater Management Ordinance, the subdivision would not have an approved Post-Construction Stormwater Management Plan. As such, the Applicant should provide a narrative describing how the project complies with the Post-Construction Stormwater Management Ordinance and all supporting information required therein. This includes, but is not limited to, developing a Post-Construction Stormwater Management Plan outlining the proposed best

management practices and/or stormwater management facilities, whether stormwater management facilities discharge to the Town's municipal separate storm sewer system (MS4), and the maintenance and inspection requirements, including the need to hire a Qualified Post Construction Stormwater Inspector to annually inspect the stormwater facilities.

Applicant Response: A Post-Construction Stormwater Management Plan has been included in in the

Inspection, Maintenance and Housekeeping Plan.

WP Follow Up Response: The roof drip edge and underdrain should also be included on the table on page 1 of Attachment 1 – Maintenance Log in the Post-Construction Stormwater Management Plan.

Portland Water District: 05/23/2022

May 23, 2022

This project has already received an approval from the District. No further comments.

**PLANNING BOARD
SITE PLAN REVIEW
AND FINDINGS OF FACT
For
LEAF LABS, LLC**

July 11, 2022

Applicant/ Property Owner: The applicant/property owner is Leaf Labs, LLC, 72 Emery St. Sanford, ME 04073.

Property: The lot is identified as Tax Map 34, Lot 3-3, and is located at 65 Olde Canal Way.

Consultants: Craig Burgess, P.E., # 12638, with Sebago Technics, Inc.

Project Description: The applicant is proposing a marijuana grow and distribution facility with associated infrastructure.

The development will be served by the existing underground utilities within Olde Canal Way. All utilities are proposed to go underground on the site.

Site Description: The lot is 6.53 acres in size with a narrow wetland located on the east side of the parcel. The vegetation on the lot is a mix of canopy trees and understory.

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

Zoning: Olde Canal Industrial District, B. Permitted Uses, 1) Manufacturing, processing and treatment.

Variances: None requested.

Waivers: None requested.

Pursuant to the Application:

Site Plan Review was held on June 6, 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:

Craig Burgess, PE of Sebago Technic’s Plans consist of the following:

Sheet 1: Cover Sheet – Dated, 06/16/2022; Revised through 06/16/2022; Received, 06/16/2022 Sheet 2: Site Plan – Dated, 06/16/2022; Revised through 06/16/2022; Received, 06/16/2022
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Sheet 3: Grading Plan – Dated, 06/16/2022; Revised through 06/16/2022; Received, 06/16/2022
Sheet 4: Utility Plan – Dated, 06/16/2022; Revised through 06/16/2022; Received, 06/16/2022
Sheet 5: Landscape Plan – Dated, 06/16/2022; Revised through 06/16/2022; Received, 06/16/2022
Sheet 6: Erosion Control Notes – Dated, 06/16/2022; Revised through 06/16/2022; Received, 06/16/2022
Sheet 7: Details – Dated, 06/16/2022; Revised through 06/16/2022; Received, 06/16/2022
Sheet 8: Details – Dated, 06/16/2022; Revised through 06/16/2022; Received, 06/16/2022
Sheet 9: Details – Dated, 06/16/2022; Revised through 06/16/2022; Received, 06/16/2022
Sheet 10: Details – Dated, 06/16/2022; Revised through 06/16/2022; Received, 06/16/2022
Sheet 11: Fire Access Plan – Dated, 06/16/2022; Revised through 06/16/2022; Received, 06/16/2022
Sheet 1: Stormwater Management Plan – Dated, 06/16/2022; Revised through 06/16/2022; Received, 06/16/2022
A1: Floor Plan – Dated, 06/02/2022; Received, 06/16/2022
A2: Elevations – Dated, 06/02/2022; Received, 06/16/2022
1 of 1 Lighting Plan: Dated, 04/12/2022; Received, 05/11/2022

Other documents submitted consist of the following:

Site Plan Review Application – 05/11/2022
Response to Comments – 06/16/2022
ACOE Letter – 06/16/2022
Stormwater Narrative – 06/16/2022
Plans – Received, 05/11/2022, 06/16/2022
Letter of Financial Capacity – dated, 04/07/2022; received, 05/11/2022; received, 05/17/2022
Trip Generation Memorandum – dated, 11/05/2021; received, 05/11/2022
Gorham Town Planner Comments – 05/26/2022, 06/30/2022
Gorham Assessor Comments – No comments received
Gorham Fire Chief Comments – 05/26/2022, 06/23/2022
Gorham Public Works Director Comments – No comments received
Gorham Code Division Comments – No comments received
Wright Pierce – 05/26/2022, 06/30/2022
Portland Water District – 05/23/2022

4. FINDINGS OF FACT

CHAPTER IV, SITE PLAN REVIEW, SECTION 9 – Approval Criteria and Standards

The Planning Board, following review of the Site Plan Application Amendment, makes these findings based on the Site Plan Review criteria found in Chapter 4, Section 9 – Approval Criteria and Standards, of the Town of Gorham Land Use and Development Code.

CHAPTER 4, Section 9 – Approval Criteria and Standards

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

The proposal is to construct a 40,900 sq. ft. marijuana grow and distribution facility and associated infrastructure in the area of the lot that contains the least amount of wetland. The edges of the lot will remain undisturbed.

Finding: The plan for the development reflects the natural capabilities of the site to support the development and the natural features and drainage ways are preserved to the greatest extent practical.

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.

Vehicular access to the site will be on Olde Canal Way off of Mosher Road, which was constructed to the Town's paved private way standard. Olde Canal Way is a dead end road that exits onto Mosher Road.

The development is proposed to have less than 100 peak hour trips; 97 daily trips with 51 trips entering and 46 trips exiting the site. The busiest a.m. time will be from 7 to 9 a.m. and produce 47 trips. The busiest p.m. time will be from 4 to 6 p.m. and produce 43 trips.

Randy Illian, PE, Region 1 Traffic Engineer for the Maine DOT has determined in a letter dated November 5, 2021, that this development does not trigger the need for a new traffic movement permit (TMP).

Finding: Vehicular access to the site will be on roads which have adequate capacity to accommodate the additional traffic generated by the development.

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

The driveway has been designed to conform to Maine DOT standards as shown on Sheet 2 of 11 and described on page 4 of exhibit 12.

The grade of the proposed drive or street shall be a -2.0% for a minimum of five (5) feet from the existing pavement edge or to the centerline of the existing drainage swale. From the above control point, a grade of not more than -3% shall be required for a minimum of two (2) car lengths or forty (40) feet.

Finding: The vehicular access into the development will provide 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.

Sheet 11 of 11 shows adequate routes for both WB 40 vehicles as well as a fire truck. The parking lot is located such that vehicles do not need to back into a street and provides for safe circulation.

Finding: *The layout of the site provides 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.

Sidewalks are designed to connect the parking lot to the building. There are no sidewalks provided along Olde Canal Way for connections to be made.

Finding: *The layout of the site provides for a system of pedestrian circulation within and to the development.*

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.

The applicant is proposing to follow the existing stormwater plan to the greatest extent practicable. This lot is located with the MS4 area and will require yearly inspection reports to the town.

Finding: *The site has adequate provisions 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.*

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.

Natural vegetation will be preserved in all areas not developed.

Prior to and during construction an erosion control blanket will be installed along the edge of the disturbed area, as shown on the Grading Plan: Sheet 3 of 11. The erosion control measures will be installed and maintained as outlined on the Erosion Control Notes: Sheets 6 and 7.

The applicant will also comply with the “Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices,” Maine Department of Environmental.

Finding: *The project, building, and site designs and roadway layouts 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 will be served by public water from the Portland Water District. A 2” domestic water service line and an 8” fire protection water line will be extended into the site from the existing 8” water main located in the Olde Canal Way right-of-way. The water line design and installation must meet the requirements of the Portland Water District.

A letter of capacity to serve from the Portland Water District has been submitted as Exhibit 11.

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 will be served by public sewer from the Portland Water District. The existing sewer system will collect sewage through an 8” sewer pipe located within the existing right of way of Olde Canal Way.

A letter of capacity to serve from the Portland Water District has been submitted as Exhibit 11.

Finding: *The sanitary sewer system will be installed at the expense of the developer meeting the requirements of the sewer user ordinance.*

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

The site will be served by existing overhead electrical power and telephone from Olde Canal Way right-of-way. The lot itself will be served by underground electrical power and telephone run from the pole within the Olde Canal Way right-of-way as shown on the Utility Plan, Sheet 4 of 11.

Finding: *The development will be provided 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.

The proposed development of the site will require some clearing of trees and understory to construct the building, parking, driveway, as well as some of the storm water infrastructure.

2,628 sq. ft. of wetland impacts are proposed.

The trees and wetlands located on the eastern and southern part of the site will remain undisturbed.

Finding: *The landscape will be preserved in its natural state insofar as practical by minimizing tree removal, disturbance and compaction of soil, and existing vegetation will be retained insofar as practical during construction.*

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.

There is no onsite septic or expected contaminants that would affect the groundwater proposed.

Finding: 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.

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

All exterior lighting will be shielded as shown in Exhibit 9. Sheet 1 of 1 Lighting Plan shows no light emitted onto abutting properties.

Lights are provided at entrances to the building.

Finding: The proposed development will provide for adequate exterior lighting to provide for the safe use of the development in nighttime hours.

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

Trash removal will be through a private waste hauler, Casella. Waste will be stored in a dumpster which will be on a pad to be screened through the use of a fence.

Finding: The development will provide for adequate disposal of solid wastes and hazardous wastes.

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.

The landscaping plan, Sheet 5 of 11 shows fir, male, dogwood and sumac to define the street edge. None of the proposed species are invasive.

Finding: 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.

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 a Shoreland Overlay District.

Finding: *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.*

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

The applicant has submitted letters from Henry V. Hayes, Jr, Senior Vice President of Peoples United, dated May 17, 2022 and June 16, 2022 which identifies there is financial capacity to complete the project.

The applicant is utilizing Sebago Technics, Inc., Patco Construction, Swaney Lighting, and Hubbell Lighting Inc. to provide technical capacity to complete the project.

Finding: *The applicant has demonstrated that it has the financial and technical capacity to carry out the project in accordance with this 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 applicant is proposing to leave a majority of the existing trees located around the perimeter of the lot to break up the development from the abutters. The applicant is also proposing landscaping at the street edge.

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.*

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 uses at the site are required to meet the A-weighted hourly equivalent sound level limits of 70 dBA daytime (7 a.m. - 7 p.m.) and 60 dBA nighttime (7 p.m. - 7 a.m.).

Finding: *The development will comply with the A-weighted hourly equivalent sound level limits of 60 dBA daytime (7 a.m. – 7 p.m.) and 50 dBA nighttime (7 p.m. – 7 a.m.).*

CHAPTER 2: GENERAL STANDARDS OF PERFORMANCE

Those standards sections that are not repeats from above or apply to this development are listed below.

Section 2-1 Environmental G. Air Pollution

Dust and dirt shall not exceed 0.3 grains per cubic foot and will not be produced after construction of the building. Post construction, the air will be treated in all rooms with carbon filters and will not produce odor that leaves the building.

Finding: *No air pollution will be created by this development.*

Section 2-2 Parking, Loading, and Traffic

A. Off Street Parking Standards

Forty three parking spaces are shown on the lot on Sheet 2 of 11.

Where artificial lighting is provided, it shall be shaded or screened so that no light source shall be visible from outside the area and its access driveways.

Finding: *The development provides for sufficient parking and the lighting is shaded and not visible from outside the area.*

B. Off-street Loading Standards

The proper number of bays is shown on Sheet 2 of 11. No bay is located so that they need to back into a street.

Finding: *Off street loading is provided for by this development.*

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 or 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. 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. All waivers and variances will be listed on the plan prior to recording;
6. The owner of the lot (Map 34, Lot 3-3) is responsible for compliance with the Town of Gorham Stormwater Ordinance, Chapter 2 - Post Construction Stormwater Management, MS4 provisions;
7. The map and lot numbers shall be listed in the bottom right corner of all pages of the plan set;

8. That all relevant conditions of approval from past Site Plan approvals shall remain in effect;
9. That any proposed use on the site shall meet the sound level requirements outlined under Chapter 4, Section 9, T. Noise;
10. That prior to the pre-construction meeting the applicant will establish the following: a performance guarantee totaling 125% of the costs to complete the construction and an escrow for field inspection meeting the approvals of Town Staff and the Town's Attorney;
11. That prior to the commencement of any site improvements, the applicant, its earthwork contractor, 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;
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 Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and
14. That these conditions of approval must be added to the site plan and the site plan shall be recorded at the Cumberland County Registry of Deeds within thirty (30) days of the date of written notice of approval by the Planning Board, and a dated copy of the recorded site plan shall be returned to the Town Planner prior to the pre-construction meeting.

SUGGESTED MOTIONS:

FOR SITE PLAN APPROVAL:

Move to grant Leaf Labs LLC request for site plan approval for 65 Olde Canal Way, located on Map 34, Lot 3-3 in the Olde Canal Industrial zoning district, based on Findings of Fact and Conditions of Approval as written by the Town Planner (and amended by the Planning Board).

OR

TO PLACE SITE PLAN APPROVAL ON CONSENT AGENDA OF AUGUST 1, 2022:

Move to place site plan approval on the August 1, 2022 meeting consent agenda.