

**Town of Gorham
 Planning Board Meeting
 February 6, 2023**

Consent Agenda B - Subdivision - Town of Gorham, Gorham Industrial Park - West Campus – a request for approval of a subdivision for the Industrial Park. Zoned, I. Map 30, Lot 1, Map 29, Lots 1 and 20. The applicant is represented by Mike Zarba, P.E., with SLR International Corp.

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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 January 9, 2023 February 6, 2023

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 seventh 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. Responses to previous remaining comments and issues by Town Planner, peer reviewers and other staff comments should be provided, which include, but are not limited to, the following:
 - i. Legal documents = Bylaws and Declaration
 - ii. Stormwater Management Plan
 - iii. Covenants and restrictions for the open space.
 - iv. Maintenance plan for landscaping buffer
- b. A traffic impact analysis was completed and reviewed by Barton & Loguidice. The results show estimated trip generations with estimated building sizes and uses. The recommendations is that each use generate their own trip calculations as reviewed and commensurate adjustments made to infrastructure as needed and advised at time of review.
- c. The plans show the industrial road being built in phases (Phase 1a & Phase 1b). Phase 1a should include a turn-around left or right of approx. station 37+50. This will accommodate emergency and snow removal equipment prior to phase 1b being built. Since there is a permanent turn-around proposed in Phase 1b, the turnaround in Phase 1a can be temporary.

3. WAIVER GRANTED

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

4. STAFF COMMENTS

Assessing Department: No comments

Code Department: No comments

Fire Department: 02/02/2023

Gorham Fire Department

Ken Fickett, Fire Chief
Telephone (207) 222-1643

Central Station, 270 Main Street, Gorham, ME 04038-1382
Fax (207) 839-7753

MEMO

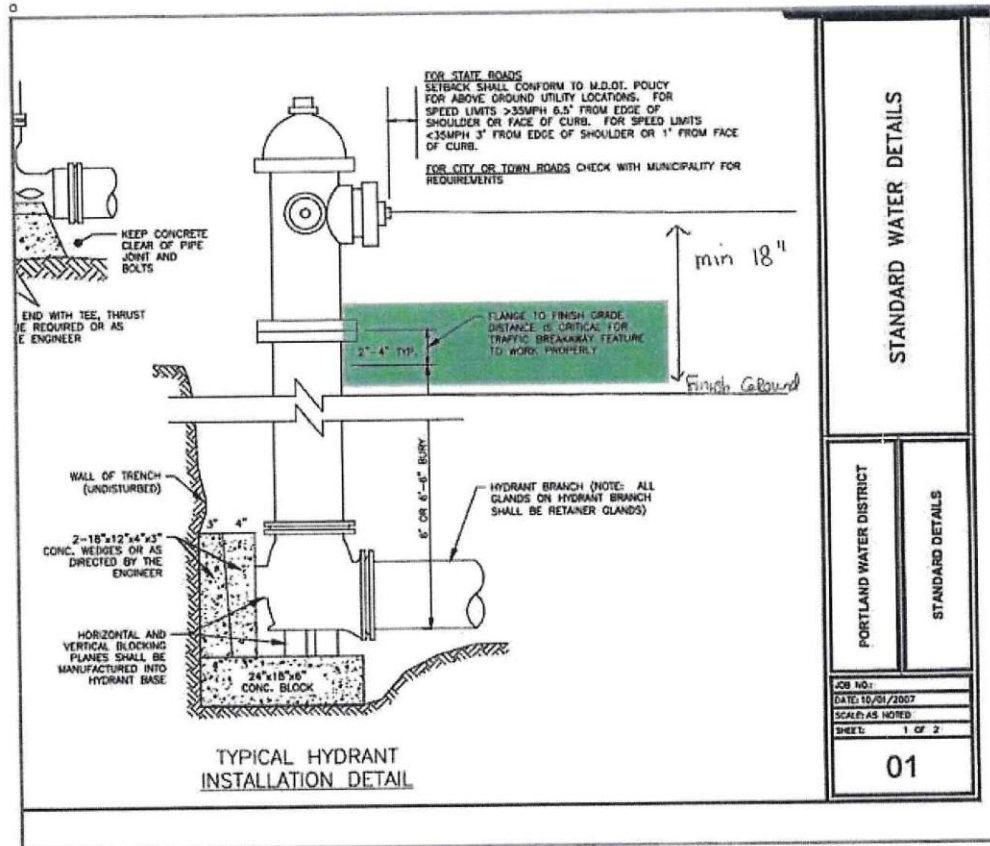
Date: **2-2-2023**
To: **CAROL EYERMAN TOWN PLANNER**
Cc: **Breanna Freeman**
From: **Chief Fickett**
RE: **Map 29 Lot 1**

I have revived the Plans dated Jan. 13, 2023

Private hydrants

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 installation of the fire hydrant(s) shall be inspected and accepted/ approved by the GFD and the Portland Water District. The hydrant(s) shall be inspected for compliance and flow tested by an authority acceptable to the Portland Water District prior to issuance of the final Certificate of Occupancy. The fire hydrant(s) shall be maintained in accordance with NFPA 1 and NFPA 24 by the developer, Homeowners Association or Condominium Association as applicable, this will include checking and clearing of snow during the winter.

See page 2 Also Attached.



- NFPA 24 Hydrant Installation Standards

- o Focus is usability by Fire Service
- o May well be what Gorhams Ordinances are based on.
- o Can be impacted by changes in grade over time due to road and drainage work. I am pretty sure we have worked with the Fire Department to adjust a number of them over time.

7.3 Installation.

7.3.1* Hydrants shall be installed on flat stones, concrete slabs or other approved materials.

7.3.2 Small stones or an approved equivalent shall be provided about the drain.

7.3.2.1 Where soil is such that the hydrants will not drain properly with the arrangement specified in 7.3.2, or where groundwater stands at levels above that of the drain, the hydrant drain shall be plugged before installation.

7.3.2.1.1* Hydrants with drain plugs shall be marked to indicate the need for pumping out after usage.

7.3.3* The center of a hose outlet shall be no less than 18 in. (450 mm) above final grade.

7.3.3.1 The center of a hose outlet shall not be more than 36 in. (900 mm) above final grade.

7.3.3.2 The center of a hose outlet located in a hose house shall not be less than 12 in. (300 mm) above the floor.

7.3.4 Hydrants shall be restrained in accordance with the requirements of Chapter 10.

7.3.5 Hydrants shall be protected if subject to mechanical damage, in accordance with the requirements of Chapter 10.



Gorham Fire Department

Occupancy: **Northland Enterprises LLC.**
 Occupancy ID: **1001398**
 Address: **Cyr DR**
Gorham ME 04038

Inspection Type: **Plan Review**
 Inspection Date: **2/2/2023** By: Fickett, Kenneth A. (000400)
 Time In: **14:00** Time Out: **14:44**
 Authorized Date: **02/02/2023** By: Fickett, Kenneth A. (000400)
 Next Inspection Date: **No Inspection Scheduled**

Form: No Form, see notes

Inspection Topics:

Additional Time Spent on Inspection:

Category	Start Date / Time	End Date / Time
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Notes: No Additional time recorded

Total Additional Time: 0 minutes
Inspection Time: 44 minutes
Total Time: 44 minutes

Summary:

Overall Result: Passed with Comments
Inspector Notes: 1. Send them the Hydrant install paper work.

Planning Division: 02/01/2023

- General Note #17 on PLN sheet should refer to 100 feet rather than 50 feet.

Police Department: No comments

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

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.

Town of Gorham Engineer: 02/02/2023

The plans show the industrial road being built in phases (Phase 1a & Phase 1b). Phase 1a should include a turn-around left or right of approx. station 37+50. This will accommodate emergency and snow removal equipment prior to phase 1b being built. Since there is a permanent turn-around proposed in Phase 1b, the turn around in Phase 1a can be temporary.

Legal – No comments

Wright Pierce: 02/03/2023

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. Resubmissions of the Subdivision Application package were submitted on December 22, 2022 and January 31, 2023. Site Plan Applications will be required at the time 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 (Select plan sheets have been revised with a revision date of January 30, 2023; but overall, the plans are still dated November 4, 2022)
- Response to Wright-Pierce Comments from December 29, 2022 review memo - prepared by SLR International Corporation (SLR Response dated January 30, 2023)

Review Comments

Wright-Pierce's original or previous comments are in standard text, followed by the applicant's response in italics, and our follow up responses in bold. Comments from prior review memos that were addressed 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 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.
Applicant Response 2: No response provided.
WP Follow Up Response 2: It is assumed that the Town has confirmed this is accurate.
Applicant Response 3: A 100' Buffer is now shown adjacent to Libby Ave as discussed at the January 9th meeting.
WP Follow Up Response 3: There are still references to a 50' buffer in the plan set. For example, on Sheet UT-01 and W&S-01. Revise accordingly.

General Standards of Performance

No further comment.

Subdivision Requirements

No further comment.

Stormwater Management and Design

1. **WP Original Comment 2b:** 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.

Applicant Response 2: Please refer to the updated Project Details and Description and Stormwater Management Plan, Sections 2 & 8 respectively, for the information requested regarding reference to the Stormwater Management Plan, responsibilities during and post-construction, and the requirement for engaging qualified professionals. Also please note that water quality basin 6A and 8C are filtration systems (i.e. grassed underdrained soil filters) so the maintenance notes for “Filtration and Infiltration” apply to those two BMP’s.

WP Follow Up Response 2: Some of this information was found in the Project Details and Description (Attachment 2), Stormwater Management Plan (Attachment 8), including the Operation, Inspection, Maintenance & Housekeeping Plan and Declaration of Gorham Industrial Park-West Owners Association with Covenants, Restrictions, and Conditions. Ideally the Post-Construction Stormwater Management Plan should be a comprehensive, stand-alone document for the Owners to refer to and the Owners Association document should reference the Plan. The alternative is to have the individual documents collectively make up the Post-Construction Stormwater Management Plan; however, these documents should reference each other and be kept together for future reference. Refer to the Stormwater Ordinance and previous comments to ensure the Plan includes all of the recommended information, in particular:

- A description of how stormwater is specifically being managed , including a listing of each stormwater management measure, where it is located, and where it discharges (i.e., wetland, stream, buffer, etc.). This will help distinguish between the water quality basins (i.e., grassed underdrain soil filters) and detention basins that comprise Stormwater Basins 6A and 8C.
- The Post-Construction Stormwater Management Plan or, at a minimum, the Operation, Maintenance & Housekeeping Plan should reference who is responsible for inspection and maintenance, including whether or not the R-Tank System is to be conducted under a contract with a qualified professional covering the proprietary system. This information appeared to be loosely referenced, but was buried in other documents.

Applicant Response 3: There are 4 separate documents include in Attachment 8 – although they were combined into one PDF for ease of PB submission. We are happy to work with the Town staff further to label and coordinate text and documents as required.

WP Follow Up Response 3: The Town to determine whether they are amendable having the various individual documents collectively make up the Post-Construction Stormwater Management Plan. If the Town is amenable to this, we still recommend the individual documents collectively making up the Post-Construction Stormwater Management Plan be updated to ensure the Plan includes the recommended information from our previous comments, including the two bullets listed in WP Follow Up Response 2 above. The individual documents collectively making up the Post-Construction Stormwater Management Plan should be kept together for future reference.

Utility Layout and Design

No further comment.

Construction-Related Sedimentation and Erosion Controls

No further comment.

Portland Water District: No comments

Conservation Commission: No comments

Barton & Loguidice: 02/03/2023

Barton & Loguidice has reviewed the Landscaping, Lighting and Traffic information provided by SLR in their Response to Comments dated 1-30-23. In general we are in agreement with their responses to the 16 comments and do not require any further information. Let us know if you have any questions or needs to discuss this further.

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; 01/03/2023, M. Eyerman

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

For

TOWN OF GORHAM – GORHAM INDUSTRIAL PARK – WEST CAMPUS

February 6, 2023

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, January 9, 2023, and February 6, 2023.

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 11/04/2022; received 01/31/2023

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

Sheet 1 – Overall Boundary Plan, dated, 09/24/2021; received 01/31/2023

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 01/31/2023

Sheet 5 - Boundary & Existing Conditions Survey, dated 09/24/2021; received 01/31/2023

PLN – Overall Plan, dated 11/04/2022; revised through 01/30/2023; received 01/31/2023

IN - Index Plan, dated 11/04/2022; received 01/31/2023

PH - Phasing Plan, dated 11/04/2022; revised through 12/19/2022; received 12/19/2022

PH – Construction Sequencing Plan, dated 11/04/2022; revised through 12/19/2022; received 01/31/2023

EX-1 - Existing Conditions, dated 11/04/2022; received 12/19/2022

EX-01 - Existing Conditions, dated 11/04/2022; received 01/31/2023

EX-2 - Existing Conditions, dated 11/04/2022; received 12/19/2022

EX-02 - Existing Conditions, dated 11/04/2022; received 01/31/2023

EX-3 - Existing Conditions, dated 11/04/2022; received 12/19/2022

EX-03 - Existing Conditions, dated 11/04/2022; received 01/31/2023

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-01 - Site Plan - Layout Landscaping & Grading, dated 11/04/2022; received 01/31/2023

LA-02 - Site Plan - Layout Landscaping & Grading, dated 11/04/2022; received 01/31/2023

LA-03 - Site Plan - Layout Landscaping & Grading, dated 11/04/2022; received 01/31/2023

LA-04 - Site Plan - Layout Landscaping & Grading, dated 06/29/2020; received 06/29/2021

LA-05 - Site Plan - Layout Landscaping & Grading, dated 06/29/2020; received 06/29/2021

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

SEC-01 – Sediment and Erosion Control Plan, dated 11/04/2022; revised through 01/30/2023; received 01/31/2023

SEC-02 – Sediment and Erosion Control Plan, dated 11/04/2022; revised through 01/30/2023; received 01/31/2023

SEC-03 – Sediment and Erosion Control Plan, dated 11/04/2022; revised through 09/21/2022; received 01/31/2023

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 01/31/2023

PRO-01 – Roadway Plan and Profile, dated 11/04/2022; revised through 12/19/2022; received 01/31/2023

PRO-02 - Roadway Plan and Profile, dated 11/04/2022; revised through 12/19/2022; received 01/31/2023

PRO-03 - Roadway Plan and Profile, dated 11/04/2022; revised through 09/20/2022; received 01/31/2023

PRO-04 - Roadway Plan and Profile, dated 11/04/2022; revised through 09/07/2022; received 01/31/2023

UT-01 – Utility Plan, dated 11/04/2022; received 01/31/2023

UT-02 – Utility Plan, dated 11/04/2022; received 01/31/2023

UT-03 – Utility Plan, dated 11/04/2022; received 01/31/2023

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

W&S-01 – Water and Sewer Plan, dated, 11/04/2022; received, 01/31/2023

W&S-02 – Water and Sewer Plan, dated, 11/04/2022; received, 01/31/2023

W&S-03 – Water and Sewer Plan, dated, 11/04/2022; received, 01/31/2023

SD-01 – Sediment and Erosion Control Details and Specifications, dated 11/04/2022; revised through 12/19/2022, received 01/31/2023

SD-02 – Sediment and Erosion Control Details and Specifications, dated 11/04/2022; revised through 12/19/2022, received 01/31/2023

SD-03 – Site Details, dated 11/04/2022; revised through 12/19/2022; received 01/31/2023

SD-04 – Site Details, dated 11/04/2022; revised through 12/19/2022; received 01/31/2023

SD-05 – Site Details, dated 11/04/2022; revised through 01/30/2023; received 01/31/2023

SD-06 – Site Details, dated 11/04/2022; revised through 12/19/2022; received 01/31/2023

SD-07 – Site Details, dated 11/04/2022; revised through 12/19/2022; received 01/31/2023

SD-08 – Site Details, dated 11/04/2022; revised through 12/19/2022; received 01/31/2023

SD-09 – Site Details, dated 11/04/2022; revised through 12/19/2022; 01/31/2023

SD-10 – Site Details, dated 11/04/2022; revised through 01/30/2023; received 01/31/2023

SD-11 – Site Details, dated 11/04/2022; revised through 01/30/2023; received 01/31/2023

SD-12 – Site Details, dated 11/04/2022; revised through 12/19/2022; received 01/31/2023

SD-13 – Site Details, dated 11/04/2022; revised through 12/19/2022; received 01/31/2023

XSC-01 – Cross Sections, dated, 11/04/2022; received 01/31/2023

XSC-02 – Cross Sections, dated, 11/04/2022; received 01/31/2023

XSC-03 – Cross Sections, dated, 11/04/2022; received 01/31/2023

XSC-04 – Cross Sections, dated, 11/04/2022; revised through 05/11/2022; received 01/31/2023

XSC-05 – Cross Sections, dated, 11/04/2022; revised through 05/11/2022; received 01/31/2023

XSC-06 – Cross Sections, dated, 11/04/2022; revised through 05/11/2022; received 01/31/2023

XSC-07 – Cross Sections, dated, 11/04/2022; revised through 05/11/2022; received 01/31/2023

XSC-08 – Cross Sections, dated, 11/04/2022; received 01/31/2023

XSC-09 – Cross Sections, dated, 11/04/2022; received 01/31/2023

XSC-10 – Cross Sections, dated, 11/04/2022; received 01/31/2023

XSC-11 – Cross Sections, dated, 11/04/2022; received 01/31/2023

XSC-12 – Cross Sections, dated, 11/04/2022; received 01/31/2023

XSC-13 – Cross Sections, dated, 11/04/2022; received 01/31/2023

XSC-14 – Cross Sections, dated, 11/04/2022; received 01/31/2023

SW-01 – Existing Watersheds, dated, 11/04/2022; received 01/31/2023

SW-02 – Proposed Watersheds, dated, 11/04/2022; received 01/31/2023

<p>SD-1 - Sediment and Erosion Control Details and Specifications, dated 09/28/2021; received 09/29/2021</p> <p>SD-2 - Site Details, dated 09/28/2021; received 09/29/2021</p> <p>SD-3 - Site Details, dated 09/28/2021; received 09/29/2021</p> <p>SD-4 - Site Details, dated 09/28/2021; received 09/29/2021</p> <p>SD-5 - Site Details, dated 09/28/2021; received 09/29/2021</p> <p>SD-6 - Site Details, dated 09/28/2021; received 09/29/2021</p> <p>SD-7 - Site Details, dated 09/28/2021; received 09/29/2021</p> <p>SD-8 - Site Details, dated 09/28/2021; received 09/29/2021</p> <p>SW-01 – Existing Watersheds, dated 11/04/2022; received 12/19/2022</p> <p>SW-02 – Proposed Watersheds, dated 11/04/2022; received 12/19/2022</p> <p>SW-1 - Existing Watersheds, dated 09/28/2021; received 09/29/2021</p> <p>SW-2 - Proposed Watersheds, dated 09/28/2021; received 09/29/2021</p> <p>Soil Survey:</p> <p>001 - Class B High-Intensity Soil Survey North, dated 02/04/2021; received 06/29/2021</p> <p>002 - Class B High-Intensity Soil Survey South, dated 02/04/2021; received 06/29/2021</p> <p>SP - Subdivision Plan, dated 09/28/2021, received 09/29/2021</p>
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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, 12/19/2022, 01/31/2023

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

Revisions – 12/19/2022

Portland Water District Capacity Email – 01/19/2023

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, 12/23/2022, 02/02/2023

Gorham Public Works Director Comments – 01/27/2021; 07/14/2021

Town of Gorham Engineer – 02/02/2023

Gorham Town Planner Comments - 7/26/2021, 10/28/2021, 11/29/2022, 12/29/2022, 02/01/2023

Wight Pierce – 07/26/2021, 10/26/2021, 11/28/2022, 12/30/2022, 01/31/2023

Barton & Loguidice Comments – 12/01/2021, 01/10/2023, 02/03/2023

Portland Water District – 10/01/2021

Conservation Commission – 10/29/2021; 12/02/2022

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; 01/03/2023, M. Eyerman

FINDINGS OF FACT

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 was completed and reviewed by Barton & Loguidice. The results show estimated trip generations with estimated building sizes and uses. The recommendations is that each use generate their own trip calculations as reviewed and commensurate adjustments made to infrastructure as needed and advised at time of review.

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.

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. An ability-to-serve email dated February 9, 2022 from Robert Bartels of the Portland Water District was submitted as part of the Maine DEP Site Location Permit.

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.

An ability-to-serve email dated February 9, 2022 from Robert Bartels of the Portland Water District was submitted as part of the Maine DEP Site Location Permit.

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 email dated February 9, 2022 from Robert Bartels of the Portland Water District was submitted as part of the Maine DEP Site Location Permit.

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.

Section 15 of the Maine DEP Site Location of Development permit states that "no groundwater will be used. No wastewater, solid waste, hazardous materials, fuel, solvents, or other chemicals will be permanently handled, stored or disposed of onsite."

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 as shown on FIRM Panels #230047 and 230047 0030B dated October 15, 1981.

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.

Section 15 of the Maine DEP Site Location of Development permit states that “no groundwater will be used.”

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 Phase 1 Reconnaissance Survey was performed and confirmed potential resources on the northern portion of the original overall site along Main Street. The Morrill and R. Mosher farmsteads are determined to be potential archaeological sites. This particular project parcel is not part of this subdivision.

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

A review letter dated October 29, 2020 from Kristin Puryear, Ecologist, Maine Natural Areas Program, states that the site might be surveyed to ensure no undocumented rare features are inadvertently harmed.

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 connection 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.

Sheet PLN shows a 100 foot landscaped buffer. The buffer consists of the existing canopy trees and understory. Landscaping plans will be submitted by the developer of the individual lots.

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.

The applicant shows a one hundred (100) foot landscaped buffer abutting the residential area across Libby Avenue.

Finding: The non-residential yard space abutting the residential area shall be maintained as a buffer strip by the developer.

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, including, but not limited to, Maine DEP, Army Corp. of Engineers, MHPC, Maine DOT;
3. Any outstanding or pending 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. The developer of the individual lots within the subdivision shall submit landscaping plans for their site plan review;
10. The development review of each lot within the subdivision will require separate traffic generation analysis such that if the trip generation reaches one hundred (100) or more vehicles, then offsite improvements may be warranted;
11. 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;
12. That the association is responsible for maintenance of the stormwater infrastructure including ditches per the Stormwater Management Plan;
13. 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;
14. 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;

15. That the applicant is responsible for recording the approved Association documents within ninety (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 being held;
16. That the Planning Board Chair is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board;
17. 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
18. 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.
19. That at 100% buildout of the industrial park the applicant shall perform a left run lane warrant analysis to determine if a left turn lane is warranted. Should it be warranted the left turn lane shall meet the requirements and approval of the Town of Gorham and the Maine Department of Transportation.

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 PLACE SITE PLAN APPROVAL ON CONSENT AGENDA OF MARCH 6, 2023:

Move to place site plan approval on the March 6, 2023 meeting consent agenda.