

**Town of Gorham
Planning Board Meeting
November 1, 2021**

ITEM 1 – Preliminary Subdivision Review -- a request for preliminary subdivision review of. A proposed industrial park. The parcels are currently zoned Industrial (I). The lots are shown on Map 29, Lot 1 and Map 30 Lot 1. The property totals approximately 136.8 acres and currently contains wetlands, streams, 100 year floodplain, vernal pools, open field, canopy trees and understory. The parcel under review in Phase 1 of the West Campus is 42.9 acres. The applicant is proposing to subdivide one (1) lot into four (4) lots to include roads, utilities, stormwater infrastructure and landscaping. Applicant/owner is the Town of Gorham. Applicant is represented by Michael Zarba, P.E. of SLR Consulting.

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PROJECT TRACKING

DESCRIPTION	COMMENTS	STATUS
Pre-Application/Sketch (optional)		February 1, 2021
Preliminary Plan Review	Landscaping reviewed, Class A soils waiver approved	April 12, 2021
Preliminary Plan Review		August 2, 2021
Preliminary Plan Review	Phase 1 of West Campus	November 1, 2021

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.

Molly Butler Bailey, Chairwoman, Gorham Planning Board

1. ITEMS OF NOTE

- a. **Waiver granted on August 12, 2021** - The Board granted a waiver from Chapter 3 Section 3-3, B.11 Class A Soil Survey because the entire subdivision will be served by public water and sewer. A note should be added to the plan that states all waivers or variances for these parcels to date.
- b. A Tier 2 NRPA Permit and a Site Location of Development Application will need to be submitted to Maine DEP for review.
- c. The applicant should utilize the subdivision application for further reviews.
- d. The landscaping plan, Sheets LA-1 to 3, shows three species of canopy trees along the proposed road. The Board should determine if this is adequate or if peer review is needed.
- e. Google earth image taken in May, 2018.



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

July 9, 2021

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

October 4, 2021

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

Code Department: No comments received

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

July 13, 2021

I have reviewed the plans for Gorham Industrial Park West.

1. The Hydrant located at station “27” needs to be relocated to station “28.5”
2. All Hydrants final location shall be reviewed and approved by the Fire Chief before Installation.
3. The hydrant at station “30.5” can be eliminated.
4. The fire hydrant(s) shall have a final height of not less than 2 inches and no greater than 4 inches from break away flange to grade and no obstruction shall be located within 10 feet of the perimeter. The initial installation of the fire hydrant(s) shall be inspected and accepted/ approved by the GFD AHJ. And the Portland Water District. The hydrant(s) shall be inspected for final compliance and flow tested by the Portland Water District prior to street acceptance by the town or prior to issuance of the final Certificate of Occupancy whichever occurs first. See Page 2 for a Diagram.
5. The current fire service stubs are 6”, they may not be adequate for a high demand fire suppression systems and /or if a private fire hydrants are required. The Fire service main size will not be determined until the building plans are submitted.
6. I will have more comments as this project goes forward.

October 5, 2021

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

1. All Hydrants final location shall be reviewed and approved by the Fire Chief before Installation.
2. The fire hydrant(s) shall have a final height of not less than 2 inches and no greater than 4 inches from break away flange to grade and no obstruction shall be located within 10 feet of the perimeter. The initial installation of the fire hydrant(s) shall be inspected and accepted/ approved by the GFD AHJ. And the Portland Water District. The hydrant(s) shall be inspected for final compliance and flow tested by the Portland Water District prior to street acceptance by the town or prior to issuance of the final Certificate of Occupancy whichever occurs first.
3. The current fire service stubs are 6”, they may not be adequate for a high demand fire suppression systems and /or if a private fire hydrants are required. The Fire service main size will not be determined until the building plans are submitted.
4. I will have more comments as this project goes forward.

Planning Department: 7/26/2021, 10/28/2021

July 26, 2021

1. The subdivision plan with responses to the subdivision requirements in Chapter 3 Section 3-3 B needs to be submitted for review.
2. A traffic impact study may be warranted; a peer review of the traffic impacts may be warranted.

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

October 28, 2021

1. Any waivers or variances that have ever been granted should be shown on the plan.
2. Map and Lot numbers should be shown on each sheet of the plan set.
3. Please clarify note 31 C on the Sheet SP.
4. Final plans need to be sealed by professional land surveyor and engineer.
5. Zoning data table should be shown on the subdivision plan.
6. The subdivision plan should have a signature block for the Planning Board.
7. Association document need to be submitted for legal review.
8. The parcel is located within the MS4 area and the association will be required to submit annual reports to the town. This should be a note on the plan.
9. Peer review of the traffic impact is warranted.
10. Low Impact Development (LID) techniques should be considered and if not utilized then a statement as to why they could not be used.

11. The applicant should provide a discussion of the history of the zoning of this area, since there is a cut-off date of November 30, 1998 for the 100 foot setback within Section 1-12 E Performance Standards.
12. The landscaping plan, Sheets LA-1 to 3, shows three species of canopy trees along the proposed road. The Board should discuss if this is adequate.
13. The applicant should discuss the connection to be made to the existing trail network.
14. A utility plan should be submitted that shows the location of the street trees to determine where conflicts may occur.

Police Department: No comments received.

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

July 14, 2021

- 1 cascade style grates on roadway catch basins
- A sign detail to match our current sign program
- Street trees to be outside ROW

January 27, 2021

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

Wright Pierce: 07/26/2021, 10/26/2021

July 26, 2021

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

Documents Reviewed by Wright-Pierce:

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

Comments:

- 1) Subdivision Review - Project is subject to subdivision review. It is our understanding a Site Plan Application has been submitted, but is requested to be reviewed against both the Subdivision and Site Plan Standards.
 - a. Pertinent information specific to subdivision ordinance should be provided in future submittals.
- 2) Site Plan Application Review
 - a. Town to confirm overall fee for this effort.
 - b. Maximum building height, number of stories, and volume of building space are marked as “n/a”. Parking calculations are based on 1 space per 1,000 SF. Parking spaces are typically use-dependent; please confirm how the applicant is meeting the required number of parking spaces.
 - i. Please provide a use-specific chart indicating current and proposed buildings, required parking spaces/building
 - c. New signage is proposed. Please provide a Sign Application Packet for this sign.
 - d. Property acreage in site description different from application (143.8 vs. 136.8 acres).
 - e. Applicant has provided a Class B soil survey. Town to confirm Class A soil survey waived, as stated.
 - f. Private trash hauler has not been identified. Please clarify.
 - g. Only a portion of vernal pool buffer is shown on Sheet LA-4. If the buffer continues as shown on a portion of the vernal pool, it appears the proposed roadway is would be constructed where the other half would be. Please clarify the intent of the vernal pool buffer.
 - h. Please confirm if the project been submitted for historic review to the appropriate agencies.
 - i. Business hour information is not completed on the application.
 - j. Pedestrian circulation information was not observed on the proposed plans. Please clarify the location of this information, or provide more complete information on pedestrian circulation in future submittals.
 - k. Evaluation of conformance to traffic standards to be performed in a later review.
 - l. Proposed industrial park is an approved use in the Industrial District.
 - m. According to the performance standards of the Gorham Land Use and Development Code, a 100-foot perimeter setback must be maintained where the industrial zoned land abuts non-industrial zoned land. A 50-foot setback from non-industrial zoned land is provided, as shown on Sheet IN in purple. Please revise or clarify the intent of the 50-foot setback.
 - n. A landscaped buffer prepared by a landscaped architect is required in the 100-foot perimeter setback. Applicant to clarify if this requirement has been met.
 - o. Plans are not stamped by a Professional Engineer licensed in Maine. Please provide stamped plans for future submittals.
 - p. According to Section 2-11 of the Gorham Land Use and Development Code, where a public water system and hydrants are available for fire protection, a developer shall install a fire protection water supply. Applicant to clarify how the requirements of this section are met. Approval from the Gorham Fire Chief is also required and has not been submitted.
- 3) State Permitting
 - a. Subject to Site Location and Development Application (SLODA) review by MEDEP.
 - b. Subject to Natural Resources Protection Act (NRPA) review by MEDEP.

- c. Traffic Movement Permit will be required from MDOT.
 - d. We recommend incorporating these approvals into the conditions of approval of this application.
 - e. Prior to construction, a Construction General Permit will also be required due to the disturbance exceeding one acre.
- 4) Stormwater Management Plan and Design
- a. Storm drain and catch basins are proposed to capture and convey stormwater to stormwater detention basins for peak flow attenuation. R-Tank stormwater management systems are also proposed.
 - b. The Stormwater Management Plan does not discuss how the project meets the standards set forth by the MEDEP's Chapter 500 Stormwater Management Rules. The Applicant should clearly state how the project is complying with the general, basic, phosphorus, discharge to wetlands, redistribution of concentrated flows, and/or flooding standards.
 - c. Town Post-Construction Stormwater Management Ordinance
 - i. Chapter 2 Post-Construction Stormwater Management of the Town's Stormwater Ordinance is applicable to this project, since the project will disturb greater than one acre and is located within the MS4 Urbanized Area. The submitted materials should reference this ordinance and indicate how its requirements are met.
 - ii. Approval of the Post-Construction Stormwater Management Plan is required. At a minimum, we recommend the Applicant add the following information to the Stormwater Management Plan or develop a stand-alone Post-Construction Stormwater Plan:
 - 1. Project contact information (project name, location, watershed, owner/developer, design engineer, responsible party for inspection and maintenance of stormwater BMPs/facilities, etc.)
 - 2. Description of project
 - 3. Stormwater management, including summary of required permits and summary of compliance with applicable stormwater standards (Chapter 500, Municipal, etc.)
 - 4. Description of stormwater facilities, including a listing of each stormwater facility and where it discharges (i.e. wetland, stream, MS4, buffer)
 - 5. Site specific inspection and maintenance for BMPs and stormwater facilities, including recommended maintenance procedures, schedule for maintenance, responsible party, etc.
 - 6. Reference to compliance (the requirement for annual inspection and certification of the stormwater management facilities as well as any corrective action to address deficiencies, Section 6 of Post-Construction Stormwater Management Ordinance).
 - iii. The ordinance requires the Applicant notify the Municipal Permitting Authority if its Post-Construction Stormwater Management Plan includes any BMP(s) that will discharge to the Municipality's MS4 and shall include in this notification a listing of which BMP(s) will so discharge. This information is not in the submitted application package.
 - d. HydroCAD Output Reports only show the WS1 and WS2 drainage areas. Each of these drainage area nodes are routed to one pond node with a level of storage that requires additional detailing. Detention ponds, R-Tanks, and other proposed practices were not

included in the model, according to these reports. Pre- and post-development models and reports should include each drainage area and accurately model the proposed stormwater practices. For example, the peak runoff rate from WS4 increases from 23.04 cfs to 46.02 cfs in the 25-year, 24-hour storm. We believe this does not meet the discharge to wetlands standard set forth in the MEDEP Chapter 500 rules, which states discharges into wetlands must not be altered significantly, must not change the function/value of wetlands, and provides specific limitations on the change in surface runoff to wetlands. New or increased flows to wetlands should also include a level of surface runoff treatment.

- e. Applicant to clarify if all catch basin manholes are to be Type F, including the proposed sump depth for structures. A standard catch basin manhole detail is not provided.
- f. Applicant to clarify the use of Manhole Top “D”, as detailed on Sheet SD-5.
- g. A level spreader detail has been provided but they are not identified on the plans.
- h. The Stormwater Management Plan indicates some increases in peak runoff rates in certain areas under reported interval storm events. This requirement should be reviewed and resubmitted, especially important considering the number of wetlands and natural resources on the site which may be impacted.
- i. Applicant should confirm infiltration rates and groundwater separation requirements for the proposed stormwater practices are met, as applicable.
- j. Please note that detention basins may be used for reducing peak discharge rates but are not considered to provide water quality treatment according to MEDEP. It is unclear if the proposed basins are intended for water quality treatment. Applicant should clarify the intended use of all proposed stormwater practices.
- k. Outlet protection, such as riprap aprons, should be used at stormwater discharge locations. Details on the plans show riprap is proposed for various uses, but site plans do not show the locations. Please provide additional clarification.
- l. The D_{50} size of proposed riprap is not provided, which should be shown on the plans. A basis of design for sizing the stone and dimensions of outlet protection should be provided by the Applicant.

5) Utility Layout and Design

- a. Sewer, storm, water, and underground electric/telecommunications are proposed throughout the site and to connect public utilities.
- b. Need written approval from the Portland Water District of use of the public water supply for connection to public water and sewer.
- c. The following details are recommended to be added to the plan:
 - i. Electrical conduit/bedding
 - ii. Water service
 - iii. Hydrant assembly
- d. Additional discussion as to how proposed underground infrastructure meets Town requirements is requested in future submittals.

6) Construction-Related Sedimentation and Erosion Controls

- a. An Erosion Control Plan has been provided.
- b. A construction entrance where the proposed roadway meets Main Street is proposed to minimize tracking of sediment outside of the project area.
- c. A combination of silt fence, temporary diversion berm, water bars, and staked hay bales are proposed downgradient of disturbed areas.
 - i. All locations where development is occurring up-slope of natural resources shall have a double-layer of perimeter erosion and sedimentation control.
- d. Silt fence and staked hay bales are proposed along the roadway corridor.

- e. Temporary diversion berms are proposed to divert stormwater runoff to temporary sediment basins for sediment removal before discharge.
- f. Erosion control matting is proposed along slopes at or exceeding 3:1 slopes for stabilization.
- g. We recommend that straw bales be used in place of hay to avoid the introduction of invasive species to the wetlands on site. Reed Canary Grass, an invasive species, was noted as dominating two of the wetlands in the submitted wetland delineation report.
 - i. We also recommend that notes be added to the plans specifying practices to minimize the spread of Reed Canary Grass and other invasive species to and throughout the site, particularly in respect to the wetlands.
- h. Temporary sediment basin locations are identified.
- i. Siltation fence is proposed downgradient of slopes and around stockpile locations to reduce sediment migration.
- j. Erosion control maintenance activities and intervals are provided on the plans.

October 26, 2021

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

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

Documents Reviewed by Wright-Pierce

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

Review Comments

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

General

1. Ensure all plans to be recorded in the registry of deeds are submitted in grayscale only, as colored plans cannot be recorded.

2. The Boundary & Existing Conditions Survey in the full set of plans differed from that in the separate file, including the number of existing condition sheets and the date of the drawings.
3. The required Planning Board signature block should be added to the subdivision plan.
4. Fee information is not completed on the application. Please contact the Town to determine and pay fee amounts.
5. Proposed project will be reviewed as a subdivision, per Town's instruction.
6. It is assumed that the rest of the phases of development will be submitted for separate approval at a future time.
7. The Construction Phasing Plan submitted, includes information regarding Phases 2 and 3 of work, which are not part of this review. Please provide more specific information about the sequencing of Phase 1.
8. Applicant has provided a Class B soil survey and requests a waiver of the Class A soil survey. Please provide an update on the status of this waiver.
9. Stormwater Modelling Reports (Existing Conditions and Proposed Conditions) are listed in the Table of Contents as Appendices; however, they were not included in the submission package.
10. Only a portion of vernal pool buffer (VP-2) is shown. If the buffer continues as shown on a portion of the vernal pool, it appears the proposed roadway would be constructed where the other half would be. Please clarify the intent of the vernal pool buffer.
11. State Permitting
 - a. Subject to Site Location and Development Application (SLODA) review by Maine DEP.
 - b. Subject to Natural Resources Protection Act (NRPA) review by Maine DEP.
 - c. Traffic Movement Permit will be required from Maine DOT.
 - d. We recommend incorporating these approvals into the conditions of approval of this application.
 - e. Prior to construction, a Construction General Permit will also be required due to the disturbance exceeding one acre.
12. Please respond to the following general comments from the previous review dated July 23, 2021:
 - a. Please confirm if the project has been submitted for historic review to the appropriate agencies.
 - b. Pedestrian circulation information was not observed on the proposed plans. Please clarify the location of this information or provide more complete information on pedestrian circulation in future submittals.
 - c. According to the performance standards of the Gorham Land Use and Development Code, a 100-foot perimeter setback must be maintained where the industrial zoned land abuts non-industrial zoned land. A 50-foot setback from non-industrial zoned land is provided, as shown on Sheet IN in purple. Please revise or clarify the intent of the 50-foot setback.
 - d. A landscaped buffer prepared by a landscaped architect is required in the 100-foot perimeter setback. Applicant to clarify if this requirement has been met.
 - e. Plans are not stamped by a Professional Engineer licensed in Maine. Please provide stamped plans for future submittals.
 - f. According to Section 2-11 of the Gorham Land Use and Development Code, where a public water system and hydrants are available for fire protection, a developer shall install a fire protection water supply. Applicant to clarify how the requirements of this section are met. Approval from the Gorham Fire Chief is also required and has not been submitted.

General Standards of Performance

1. Sediment and Erosion Control Plans are provided and appear to meet the minimum requirements of the Maine DEP Erosion and Sediment Control guidelines. The Stormwater Management Plan states that controls shall be in accordance with Maine DEP guidelines. Please provide comment

on compliance with the Cumberland County Soil and Water Conservation District Technical Guideline, as required by Section 2-1, Paragraph B.2.h of the Gorham Land Use and Development Code.

2. The proposed project is not within a floodplain as shown in the submitted FEMA FIRM maps.
3. The proposed project is not within a shoreland protection area.
4. It is assumed that the proposed parking lots are associated with the “future buildings” noted on the plans and have not been reviewed for compliance. When submitting for Site Plan approval, be sure to submit parking calculations based on site use and information on how the other parking standards of Section 2-2 of the Gorham Land Use and Development Code are met.
5. Applicant to provide stopping sight distances of curves and confirm they are applicable to the posted speed limit.
6. The typical roadway section on SD-4 only shows curbing on one side of the road. Applicant to clarify if curb is intended to be constructed on both sides of the road to adequately convey stormwater to catch basins.
7. Applicant to confirm street drainage infrastructure has been designed based on the 25-year, 24-hour storm event. Additionally, the Stormwater Management Plan indicates that future connection stubs are provided to allow for the potential future development to tie in. The applicant should demonstrate that the stormwater system, both street drainage and stormwater practices, is adequately sized for future development.
8. Sidewalk and curb materials are unclear on the plans. Sheet SD-4 has details for concrete and bituminous sidewalks. Please clarify curb and sidewalk types on the plans and confirm that they are compliant with curb and sidewalk requirements of Section 2-5 of the Gorham Land Use and Development Code. Only one typical section is shown which shows the esplanade on one side and 3:1 slope on the other. It is recommended that other section views with ranges of stationing be added to clarify what is proposed.
9. Proposed monuments, in accordance with Section 2-5 of the Gorham Land Use and Development Code, should be shown on the plans.

Subdivision Requirements

1. The traffic study performed by SLR and submitted with the application package states that the background level of service for the area is rated B. The study concludes that the project will generate 66 new vehicle trips during both the morning and afternoon peak hours, but the level of service will remain a B rating in the proposed condition. Planning Board to provide comment on whether they would like the traffic study reviewed by Barton & Loguidice, our subcontracted traffic engineering firm, to confirm congestion or unsafe conditions are not anticipated.
2. Applicant to provide a description and calculations showing how the treatment requirements of the Maine DEP Chapter 500 rules are being met. Stormwater basins are not considered to provide water quality treatment according to Maine DEP. Unless Chapter 500 rules are shown to be met, we cannot verify that the project will not result in undue pollution to surficial or ground waters, a requirement of Section 3-3 of the Gorham Land Use and Development Code.
3. As commented in the Stormwater Management and Design section of this review, the Stormwater Narrative shows an increase in peak runoff rates. Although, the overall combined peak runoff rate leaving the site is slightly lower in the proposed condition, runoff from several drainage areas within the site discharge to wetlands at a higher rate. We believe this does not comply with Maine DEP Chapter 500 rules. Increased runoff may also lead to increased soil erosion. It is a requirement of Section 3-3 of the Gorham Land Use and Development code that the project not cause unreasonable soil erosion.

4. Section 3-3 also requires that projects not cause an unreasonable reduction in the capacity of the land to hold water. Please comment on compliance with this rule and provide any necessary supporting information, such as the volume of runoff leaving the site in the existing and proposed conditions.
5. Outlet protection, such as riprap aprons, are not shown on the plans. All outlets should have outlet protection, which is especially crucial in limiting impacts to the wetlands and shorelines of watercourses on site.
6. Applicant to provide comment on whether consideration was given to avoiding wetlands and minimizing cut/fill to the maximum extent practicable. It appears areas, such as in the vicinity of STA 39+00 and STA 48+00, could be lowered to reduce the amount of fill.

Stormwater Management and Design

1. The Stormwater Management Plan states that the project meets the standards set forth by the Maine DEP's Chapter 500 Stormwater Management Rules but does not go into detail of how it meets the standards. The Applicant should clearly state how the project is complying with the general, basic, phosphorus, discharge to wetlands, redistribution of concentrated flows, and/or flooding standards. It is recommended that a Condition of Approval be Maine DEP SLODA approval.
2. Town Post-Construction Stormwater Management Ordinance
 - a. Chapter 2 Post-Construction Stormwater Management of the Town's Stormwater Ordinance is applicable to this project, since the project will disturb greater than one acre and is located within the MS4 Urbanized Area. The submitted materials should reference this ordinance and indicate how its requirements are met.
 - b. Approval of the Post-Construction Stormwater Management Plan is required. At a minimum, we recommend the Applicant add the following information to the Stormwater Management Plan or develop a stand-alone Post-Construction Stormwater Plan:
 - i. Project contact information (project name, location, watershed, owner/developer, design engineer, responsible party for inspection and maintenance of stormwater BMPs/facilities, etc.)
 - ii. Description of project
 - iii. Stormwater management, including summary of required permits and summary of compliance with applicable stormwater standards (Chapter 500, Municipal, etc.)
 - iv. Description of stormwater facilities, including a listing of each stormwater facility and where it discharges (i.e. wetland, stream, MS4, buffer)
 - v. Site specific inspection and maintenance for BMPs and stormwater facilities, including recommended maintenance procedures, schedule for maintenance, responsible party, etc.
 - vi. Reference to compliance (the requirement for annual inspection and certification of the stormwater management facilities as well as any corrective action to address deficiencies, Section 6 of Post-Construction Stormwater Management Ordinance).
 - c. The ordinance requires the Applicant notify the Municipal Permitting Authority if its Post-Construction Stormwater Management Plan includes any BMP(s) that will discharge to the Municipality's MS4 and shall include in this notification a listing of which BMP(s) will so discharge. This information is not in the submitted application package.
3. HydroCAD Output Reports were not included in the resubmittal; however, in the previous review it was found that they only showed the WS1 and WS2 drainage areas. Each of these drainage area nodes were routed to one pond node with a level of storage that requires additional detailing. Detention ponds, R-Tanks, and other proposed practices were not included in the model, according to these reports. Pre- and post-development models and reports should include

each drainage area and accurately model the proposed stormwater practices. For example, the peak runoff rate from WS5/6 increases from 88.01 cfs to 90.54 cfs in the 25-year, 24-hour storm. Although the peak flows leaving the overall site are slightly reduced, we believe this does not meet the discharge to wetlands standard set forth in the Maine DEP Chapter 500 rules, which states discharges into wetlands must not be altered significantly, must not change the function/value of wetlands, and provides specific limitations on the change in surface runoff to wetlands. New or increased flows to wetlands should also include a level of surface runoff treatment.

4. Applicant to clarify if all catch basin manholes are to be Type F, including the proposed sump depth for structures. A standard catch basin manhole detail is not provided.
5. Applicant to clarify the use of Manhole Top “D”, as detailed on Sheet SD-5.
6. A level spreader detail has been provided but they are not identified on the plans.
7. The Stormwater Management Plan indicates some increases in peak runoff rates in certain areas under reported interval storm events. This requirement should be reviewed and resubmitted, especially important considering the number of wetlands and natural resources on the site which may be impacted.
8. Applicant should confirm infiltration rates and groundwater separation requirements for the proposed stormwater practices are met, as applicable.
9. Please note that detention basins may be used for reducing peak discharge rates but are not considered to provide water quality treatment according to Maine DEP. It is unclear if the proposed basins are intended for water quality treatment. Applicant should clarify the intended use of all proposed stormwater practices. This should include how much area is being treated by each and how much of that is impervious versus developed to verify adequate treatment is provided. Treatment should be sized based on the future development.
10. Outlet protection, such as riprap aprons, should be used at stormwater discharge locations. Details on the plans show riprap is proposed for various uses, but site plans do not show the locations. Please provide additional clarification.
11. The D_{50} size of proposed riprap is not provided, which should be shown on the plans. A basis of design for sizing the stone and dimensions of outlet protection should be provided by the Applicant.
12. Include rainfall depth data in the Stormwater Management Plan.
13. Are the optional outlet pipes shown on the R-tank detail intended to be used? Please revise accordingly.
14. Will there be a liner under the R-tank systems, or will they be allowed to infiltrate? Infiltration testing should be performed to verify adequate infiltration, as well as probes or borings to determine adequate separation from ledge and groundwater is provided. Proposed infiltration practices need to meet the requirements of Appendix D of Chapter 500.

Utility Layout and Design

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

5. The following details are recommended to be added to the plan:
 - a. Electrical conduit/bedding
 - b. Water service
 - c. Hydrant assembly
 - d. Pipe Crossing

Construction-Related Sedimentation and Erosion Controls

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

Portland Water District: 10/01/2021

October 1, 2021

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

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

For

TOWN OF GORHAM – GORHAM INDUSTRIAL PARK – WEST CAMPUS

November 1, 2021

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

Property: The lot is identified as Tax Maps 29 and 30, Lot 1, and is located off Libby Avenue, New Portland Road, Cyr Drive, Jenna Drive, Hutcherson Drive and Main Street.

Consultants: Milone & MacBroom, 121 Market Street, 5th floor, Portland, ME 04101; SLR Consulting; 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: Phase 1 of West Campus contains 42.9 acres. The entire property totals approximately 136.8 acres and currently 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.

Waiver granted on August 2, 2021: from Chapter 3 Section 3-3, B.11 Class A Soil Survey because the entire subdivision will be served by public water and sewer.

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

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

SLR Plans consist of the following:

Design Plan Set:

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

Sheet 1 - Boundary & Existing Conditions Survey, dated 09/24/2021; received 09/29/2021

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 09/29/2021
Sheet 5 - Boundary & Existing Conditions Survey, dated 09/24/2021; received 09/29/2021
IN - Index Plan, dated 09/28/2021; received 09/29/2021
PH - Phasing Plan, dated 09/28/2021; received 09/29/2021
EX-1 - Existing Conditions, dated 09/28/2021; received 09/29/2021
EX-2 - Existing Conditions, dated 09/28/2021; received 09/29/2021
EX-3 - Existing Conditions, dated 09/28/2021; received 09/29/2021
EX-4 - Existing Conditions, dated 06/29/2021; received 06/29/2021
EX-5 - Existing Conditions, dated 06/29/2021; received 06/29/2021
EX-6 - Existing Conditions, dated 06/29/2021; received 06/29/2021
LA-1 - Site Plan - Layout Landscaping & Grading, dated 09/28/2021; received 09/29/2021
LA-2 - Site Plan - Layout Landscaping & Grading, dated 09/28/2021; received 09/29/2021
LA-3 - Site Plan - Layout Landscaping & Grading, dated 09/28/2021; received 09/29/2021
LA-4 - Site Plan - Layout Landscaping & Grading, dated 06/29/2020; received 06/29/2021
LA-5 - Site Plan - Layout Landscaping & Grading, dated 06/29/2020; received 06/29/2021
LA-6 - Site Plan - Layout Landscaping & Grading, dated 06/29/2020; received 06/29/2021
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 09/28/2021; received 09/29/2021
PR-1 - Roadway Plan and Profile, dated 09/28/2021; received 09/29/2021
PR-2 - Roadway Plan and Profile, dated 09/28/2021; received 09/29/2021
PR-3 - Roadway Plan and Profile, dated 09/28/2021; received 09/29/2021
PR-4 - Roadway Plan and Profile, dated 09/28/2021; received 09/29/2021
PR-5 - Roadway Plan and Profile, dated 06/29/2021; received 06/29/2021
PR-6 - Roadway Plan and Profile, dated 06/29/2021; received 06/29/2021
PR-7 - Roadway Plan and Profile, dated 06/29/2021; received 06/29/2021
SD-1 - Sediment and Erosion Control Details and Specifications, dated 09/28/2021;
received 09/29/2021
SD-2 - Site Details, dated 09/28/2021; received 09/29/2021
SD-3 - Site Details, dated 09/28/2021; received 09/29/2021
SD-4 - Site Details, dated 09/28/2021; received 09/29/2021
SD-5 - Site Details, dated 09/28/2021; received 09/29/2021
SD-6 - Site Details, dated 09/28/2021; received 09/29/2021
SD-7 - Site Details, dated 09/28/2021; received 09/29/2021
SD-8 - Site Details, dated 09/28/2021; received 09/29/2021
SW-1 - Existing Watersheds, dated 09/28/2021; received 09/29/2021
SW-2 - Proposed Watersheds, dated 09/28/2021; received 09/29/2021
Soil Survey:
001 - Class B High-Intensity Soil Survey North, dated 02/04/2021; received 06/29/2021
002 - Class B High-Intensity Soil Survey South, dated 02/04/2021; received 06/29/2021
SP - Subdivision Plan, dated 09/28/2021, received 09/29/2021

Other documents submitted consist of the following:

Plans – dated; 02/04/2021, 03/30/2021, 03/31/2021, 05/29/2020, 06/29/2021, 09/24/2021, 09/28/2021
Pre-Application – received 01/15/2021
Site Plan Review Application – received 06/29/2021
Site Plan Review Application – Phase 1 – received 09/29/2021
Request for Waiver – received 03/31/2021
Stormwater Modeling Reports, Existing Conditions - received 06/29/2021
Stormwater Modeling Reports, Proposed Conditions – received 06/29/2021
Stormwater Modeling Reports Phase I, Existing Conditions - received 09/29/2021
Stormwater Modeling Reports Phase I, Proposed Conditions – received 09/29/2021
Class B – High-Intensity Soil Survey – received 03/31/2021
Gorham Assessor Comments – 07/09/2021, 10/04/2021
Gorham Fire Chief Comments – 07/13/2021, 10/05/2021
Gorham Public Works Director Comments – 01/27/2021; 07/14/2021
Gorham Town Planner Comments - 7/26/2021, 10/28/2021
Wight Pierce – 07/26/2021, 10/26/2021
Portland Water District – 10/01/2021
Abutter Comments – 01/28/2021, B. Epperson; 01/28/2021, D. Burleigh; 01/28/2021, G. Pieri; 01/26/2021, A. Chadburn; 01/28/2021, T. Connolly; 01/27/2021, B. Deveau; 01/28/2021, A. Bilodeau

CHAPTER 3 - SUBDIVISION, SECTION 3 - PRELIMINARY PLAN

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

C. PRELIMINARY PLAN REVIEW

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

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

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

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

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

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

Peer review of the traffic impact is warranted based on the overall impact of the project.

Access to Industrial Park West Campus is via New Portland Road, Libby Avenue, and Main Street, which has been constructed to withstand the additional traffic proposed. Site distances along Main Street is 1,200 feet to the east and 1,700 feet to the west.

Access to Industrial Park West Campus Phase 1 is Cyr Drive. Phase 1 of 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.

A utilities plan should be submitted for review. Information needs to be submitted for review of the rest of the performance standards.

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

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

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

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

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

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

The written materials state that all utilities are proposed to be located underground and that they will connect. A utilities plan showing proposed locations needs to be submitted for review.

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

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

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

The written materials state that all utilities are proposed to be located underground. A utilities plan showing proposed locations needs to be submitted for review.

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

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

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

West Campus – Phase 1 proposed subdivision will have four (4) lots. Each lot will be reviewed separately as a site plan for undue pollution of air. Storm water from the site will be treated in storm water infrastructure meeting the Maine Department of Environmental Protection’s and the Town of Gorham’s storm water requirements. Each lot will be treated in the Portland Water District public sewer system.

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

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

The proposed construction will directly impact 21,625 sq. ft. of wetlands or waterbodies. The proposed construction will impact the setbacks of 52,320 sq. ft. of wetlands or waterbodies. The proposed construction will directly impact 215 linear feet of a water course. 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.

Eighteen wetlands, two vernal pools, and five streams were delineated on the property. Eight wetlands are significant due to their association with a river, stream or brook. One is significant due to the presence of significant wildlife habitat including a significant vernal pool, one contains a significant vernal pool and has 20,000 square feet or more of open water or emergent marsh. The proposed construction will directly impact 21,625 sq. ft. of wetlands or

waterbodies. The proposed construction will impact the setbacks of 52,320 sq. ft. of wetlands or waterbodies. The proposed construction will directly impact 215 linear feet of a water course. Proposed likely development has been depicted on the Index Sheet (IN) and all of the infrastructure including buildings are shown outside of required natural resource setbacks.

Any impacts will require permits from Maine Department of Environmental Protection or Army Corp. of Engineers.

The parcel is not located within the 100 year floodplain.

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

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

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

The applicant states that the topography of the site is relatively flat with minor undulation. A discussion of the existing scenic or natural beauty should be added to the application materials.

The applicant should discuss in the written materials if historic sites, rare or irreplaceable natural or manmade assets are located on the site. A review letter by the Fish and Wildlife Service dated August 17, 2020 states that “There are no critical habitats within you project area under this office’s jurisdiction.”

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

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

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

The applicant needs to provide proof of financial capacity.

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.

The applicant is required to pay the Recreational Facilities and Open Space Impact Fee.

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

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

The applicant has provided for open space and a trail within this development. The applicant should be clear about any association and the rights and responsibilities for payments for maintenance of the recreational opportunities.

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.

The applicant should provide a discussion of the history of the zoning of this area, since there is a cut-off date of November 30, 1998 for the 100 foot setback.

The abutting properties are within a separate phase of the overall development and the landscaping shall be discussed and reviewed during those submission reviews.

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.

This section does not apply because no abutting properties are residential for this particular phase of the overall development.

Finding: This section does not apply.

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

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

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

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

The applicant has provided a landscape plan that 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 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.

This section does not apply because no abutting properties are residential for this particular phase of the overall development.

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 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 for abutting residential properties

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

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

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

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

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

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

Conditions of Approval

1. That this approval is dependent upon, and limited to, the proposals and plans contained in this application and supporting documents submitted and affirmed by the applicants and that any variation from the plans, proposals and supporting documents is subject to review and approval by the Planning Board, except for minor changes which the Town Planner may approve;
2. That prior to the commencement of construction of the site plan, the applicant is responsible for obtaining all required local, state and federal permits;
3. 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. That the driveway name shall be approved by the Town Planner, Police and Fire Chiefs;
5. That the underground electric lines shall be inspected by the Code Enforcement Office prior to backfill;
6. All waivers and variances shall be listed on the plan prior to recording;
7. The map and lot numbers shall be listed in the bottom right corner of all pages of the plan set;
8. 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;
9. That the association is responsible for maintenance of the stormwater infrastructure including ditches per the Stormwater Management Report;
10. 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;
11. That the applicant is responsible for recording the approved Association documents within 90 days of the date of approval of the subdivision by the Planning Board and a recorded copy of the Association documents shall be returned to the Planning Department prior to a preconstruction meeting behind held;
12. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board;
13. 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

14. 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.
15. If a plan has received phased approval, the first phase shall be recorded within one (1) year of the original approval and subsequent phases shall be recorded within five (5) years of the original approval. If a phased plan is not recorded within those time periods, the phases that have not been recorded shall become null and void.

PRELIMINARY SUBDIVISION APPROVAL:

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

TO POSTPONE APPROVAL:

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

**August 2, 2021 Minutes
For reference only**

**PLANNING BOARD MEETING MINUTES
AUGUST 2, 2021**

ITEM 1 Preliminary Subdivision Review – Town of Gorham, Gorham Industrial Park – West Campus – request for preliminary subdivision approval of a proposed additional Industrial Park in the Town of Gorham and a review of the proposed landscaping features, zoned I, Map 30, Lot 1; Map 29, Lots 20 and 1.

Ms. Eyerman described the proposed project and noted that the Board had approved a waiver from the submission requirement of a Class A Soils Survey because the subdivision will be served by public water and sewer. A Class B Soils Survey has been submitted. Ms. Eyerman said that Maine DOT Traffic Movement, Site Location of Development and Natural Resource Protection Act permits will be required, along with peer reviews. She noted that lighting and landscaping plan peer reviews are recommended. Ms. Eyerman reviewed for the Board the outstanding issues of concern as presented in the staff notes for this evening’s meeting from the Fire and Planning Departments, as well as comments from Public Works. Review is pending by the Portland Water District, and there are outstanding comments from the Town’s peer review engineer, Wright Pierce

Mike Zarba, P.E., SLR Consulting, appeared on behalf of the applicant and gave the Board an overview of the project. He described the physical boundaries of the two parcels comprising the proposed additional industrial park, which will be subdivided into 16 lots, all zoned Industrial with some 6,000 feet of total roadway. He said the Town is looking at phasing the development for monetary reasons as it can only develop a certain amount of the roadway infrastructure needed at

any one time. Mr. Zarba said a phasing plan has been included with the Board's packet, but timing of that phasing plan is not specific as it is tied to the sale of individual lots.

PUBLIC COMMENT PERIOD OPENED: None offered
PUBLIC COMMENT PERIOD ENDED.

In reply to Ms. Butler-Bailey, Ms. Eyerman said that some traffic assessments have been done with some recorded vehicle trips, but she is suggesting that a peer review be done. Mr. Zarba said they are in the process of finalizing a traffic impact study, as well as an application package for the Transportation Movement Permit to the DOT. He said both items will be submitted to the Board as well. Ms. Eyerman asked if the Board would like that impact study peer reviewed.

Ms. Butler-Bailey asked if the utilities plans need to be submitted for review. Mr. Zarba replied that submissions have been made to the Water District and they are still coordinating finalizing review comments with them.

Ms. Butler-Bailey asked for the Board's consensus on the peer reviews that Planning is recommending for traffic and landscaping. Mr. Fox said in light of the size and scope of the project, it is worth the time, effort and cost associated to conduct those peer reviews. Mr. Grassi and Mr. Anderson agreed, with Mr. Anderson asking if some renderings can be provided showing Shamrock Drive and what the existing buffer looks like if someone decides to build a 30-foot building on an adjacent lot.

In response to Mr. Anderson's comments, Mr. Zarba said that the Town would like to make the proposed lots as saleable as practical in terms of permitting activities as gone through initially with Maine DOT SLODA permit, stormwater permit, and DOT traffic movement permit. Mr. Zarba said the Town still wants the Planning Board to go through its site plan review process on the individual lots as they get developed, so there is a two-fold approach to some of the activities that would normally be on the original subdivision plans. Mr. Zarba said that individual uses on the lots have not been identified, which dictate much of the traffic movement issues and many of the landscaping requirements. He said that they have put together what needs to be in place for phase 1, the infrastructure development portion, that would then be tagged upon by an individual site after that. It is acknowledged that landscaping is a significant item to be addressed, so what has been maintained is a minimum 50 foot buffer along Main Street and along Shamrock Drive. Mr. Zarba said their landscape architect has reviewed photographs, made site visits, to figure out what is best to do, and his determination is there is a lot of natural screening along the Shamrock Drive 50-foot zone, which is more appropriate to leaving in place to protect the residential zone and then adding additional buffering when the site development for those particular lots come before the Board. Mr. Zarba said that until the use has been determined, it is difficult to identify what the best landscaping plan would be.

Mr. Fox said that while he understands the difficulty of predicting what future needs will be, he is also hesitant to deal with the landscaping piece meal, and knowing that it may a number of years before all of these parcels get built out could be a recipe for inconsistency from application to application. He asked if there is an opportunity for a middle ground where there can be some definition around boundary landscaping and perhaps leaving interior lot landscaping for future owners when there are specific applications. Mr. Zarba said that there is not much they can do in the zones that lend themselves to landscaping currently without being too far into the lots. Mr. Fox said his preference is to establish some type of boundary buffering on a consistent basis in place for

the future. Ms. Eyerman asked if it is the intent of the Town to build into its contracts with each of the developers of each of the lots a description of how they are to landscape each lot. Mr. Zarba replied that they haven't gotten quite that far yet, but he believes that any restrictions or conditions of approval that go along with any of the approvals that are sought would tag to each particular lot on the sale.

Mr. Poirier told the Board that he believes the Board should be provided with the landscape architect materials that were previously submitted to show what is existing and what needs or does not need to be augmented. He noted that Shamrock Drive sits at quite a bit higher grade than a lot of the parcel, which is why the landscape architect recommended that where the buildings are is where the buffer is needed. Basically what is being recommended is a two-fold screen, one at the property boundary as a buffer looking out, and one down by the building to provide a second buffer. Mr. Poirier said that if the Board wants to add conditioning of these lots to include additional landscaping and peer review for landscaping, that will be part of the sale when the lots get sold.

Per Ms. Eyerman's request, Mr. Zarba described some of the landscaping that is on the plan, such as along the entry ways and along the new road.

The Board concurred that a peer review of the traffic study and landscape plan needs to be provided.

Mr. Fox confirmed that while a 3-phase buildout is proposed, the application will be for everything and all-encompassing. Mr. Zarba replied they are seeking all-encompassing subdivision approval, filed in the phases shown on the plan so that lots can then be sold only with that particular phase when that infrastructure is constructed. Mr. Poirier said that currently what is being proposed is one big project, all the phases at once, but based on the feasibility of that approach, the next time the project is before the Board it may be for one phase approval and not all of it. He said the lot function will remain the same. Mr. Zarba told Mr. Fox that all of the studies done so far have been for the entire site.

Mr. Firmin pointed out the landscaping section in Section E, Performance Standards, Section 1-12, Industrial District and asked for more information about how to "provide effective visual and auditory buffering from abutting residential properties..." Mr. Zarba said they will resubmit the information provided for the April Board meeting.

James Anderson MOVED and Vincent Grassi SECONDED a motion to postpone further review of the Town of Gorham's Gorham Industrial Park – West Campus request for preliminary subdivision and major site plan approval pending further review by peer reviewers, responses to remaining issues and revisions to the plans.

Discussion: Mr. Poirier asked the Board if there is any additional input on the road or the lot lines that the Board wishes to see changed in order to facilitate filing for DEP approval. Ms. Eyerman said it would be helpful for the Board to have the subdivision plan with the lot sizes in it and the lot frontages shown, along with metes and bounds and easements. She said comments on the lot layouts would be better handled if the Board has the actual subdivision plan.

Motion to postpone CARRIED, 7 ayes.