

**Town of Gorham
 Planning Board Meeting
 April 4, 2022**

ITEM 2 – Public Hearing - Site Plan Amendment Review – Town of Gorham, Chick Property Skate Park – a request for approval of a 2 phase 10,000 sq. ft. community Skate Park located on the existing Chick Property, off Chick Drive at 284 Main Street. Zoned Urban Residential (UR) and Office Residential (OR). The lot is shown on Map 26, Lot 4. The applicant and property owner is the Town of Gorham. The applicant is represented by Owens McCullough, P.E. with Sebago Technics. Inc.

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PROJECT TRACKING

| DESCRIPTION | COMMENTS | STATUS |
|----------------------------|----------|-------------------------|
| Pre-Application (optional) | | December 6, 2021 |
| Public Hearing | | April 4, 2022 |

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.

Name, Chair, Gorham Planning Board

1. OVERVIEW

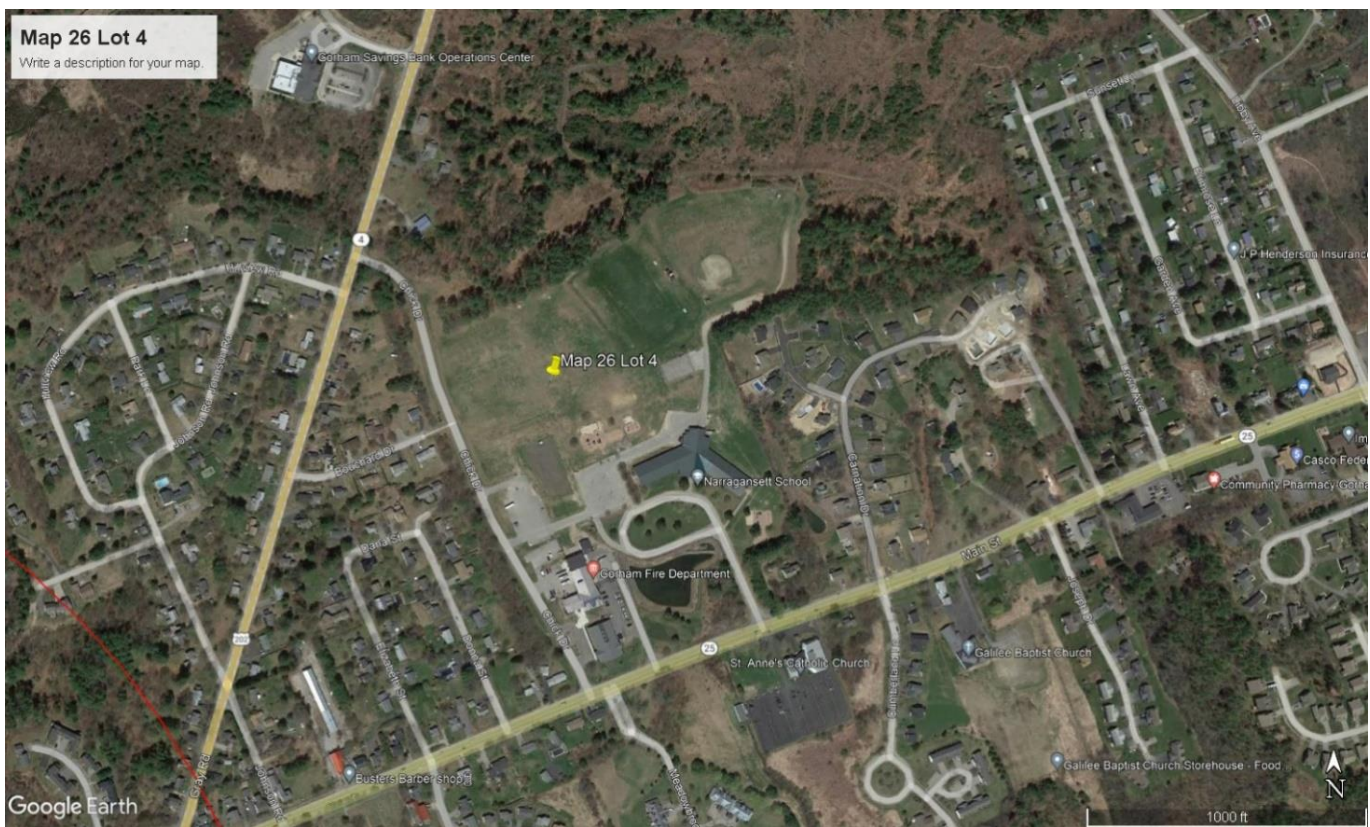
The applicant had a pre-application meeting with the Planning Board on December 6, 2021. This is the second time the item has come before the Planning Board.

As a reminder projects of this type are reviewed under Chapter 4: Site Plan Review. The Planning Board will need to include Findings of Fact for the review criteria. The item has been advertised as a public hearing.

The applicant is represented by Owens McCollough, PE of Sebago Technics.

2. AERIAL PHOTOGRAPH

Google earth image taken in May, 2018



Map 26 Lot 4 View looking south

Write a description for your map.



Map 26 Lot 4 View looking north

Write a description for your map.





3. ITEMS OF NOTE

- A. Public Hearing: This item is on for a public hearing, which will require the Planning Board to open the item for public comment.
- B. This is an amendment to a phased master plan that is currently being implemented over time.

4. STAFF REVIEWS

Assessing Department: No Comments Received

Code Department: No Comments Received

Fire Department: 11/09/2021, 03/17/2022

November 9, 2021

I have no Comments on this great project.

March 17, 2022

I have reviewed the Plans dated March 11, 2022 for the Skate Park.

1. No Comments to submit

Planning Division: 11/22/2021, 03/29/2022

November 22, 2021

- Zoning – Urban Residential (UR); public water and sewer
- Area is located in the MS4 ME DEP regulated urbanized area

March 29, 2022

- Bike racks should be added to the plan.
- Engineering peer review comments should be addressed prior to Board approval.

Police Department: No Comments Received

Public Works Department: 04/01/2022

April 1, 2022

I believe W&P may not be familiar with the history of the site. This being said I believe the current storm water pond took into consideration the master plan for this property and does have ample storage capacity for this project and most likely capacity or more impervious surface in the future. I do not believe any stormwater study needs to be done for the skate park. I see very little stormwater even generated from this project.

Town Attorney: No Comments Received

Wright Pierce: 03/25/2022

March 25, 2022

As requested, Wright-Pierce has reviewed the Amended Site Plan Application for the proposed skate park at the Narragansett School and Chick Property Campus. The project will be built in two phases with the Phase I occupying approximately 7,500 square feet and a full build-out of 10,000 square feet in Phase II. The skate park is expected to contain a bowl-shaped design with a variety of hardscape features to support skating interests.

Documents Reviewed by Wright-Pierce

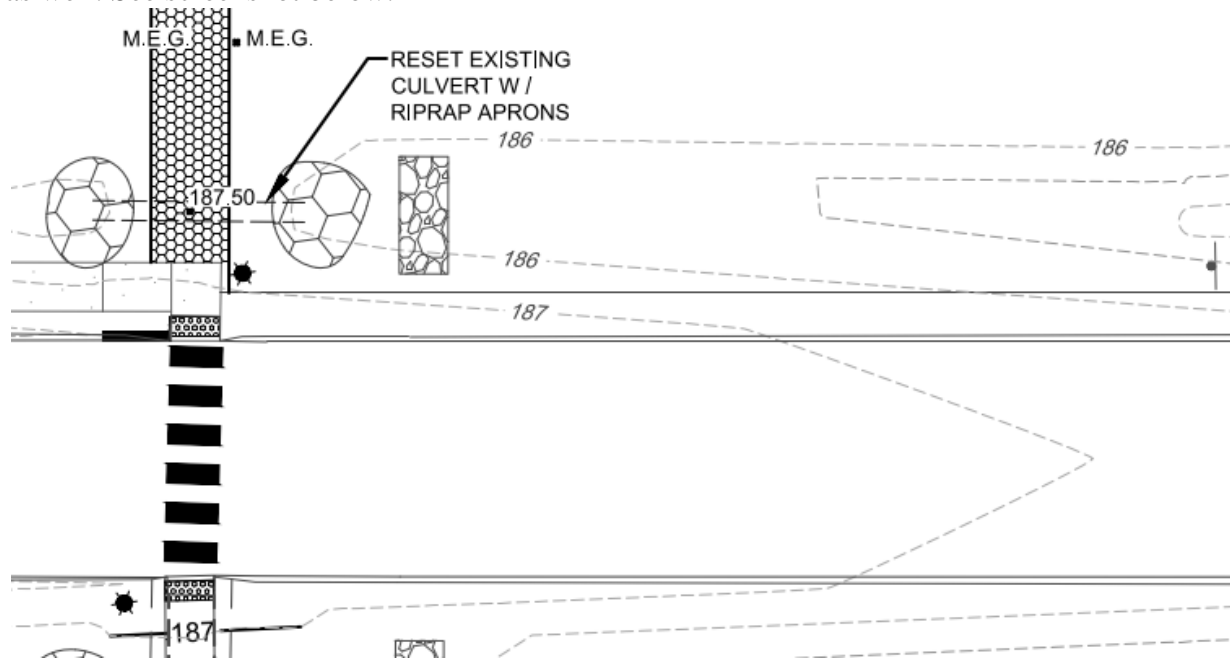
- Amended Site Plan Application Package - prepared by Sebago Technics (March 14, 2022)
- Skate Park - Narragansett School and Chick Property Campus Plan Set - prepared by Sebago Technics (March 14, 2022)

Review Comments

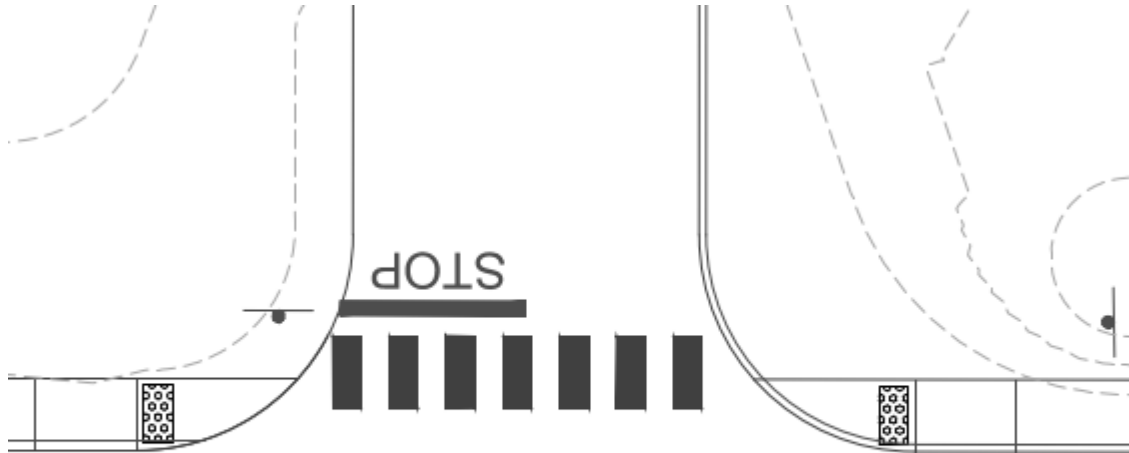
Applicant should provide written responses to the review comments recommending clarification or further information be provided by the Applicant.

General/Completeness

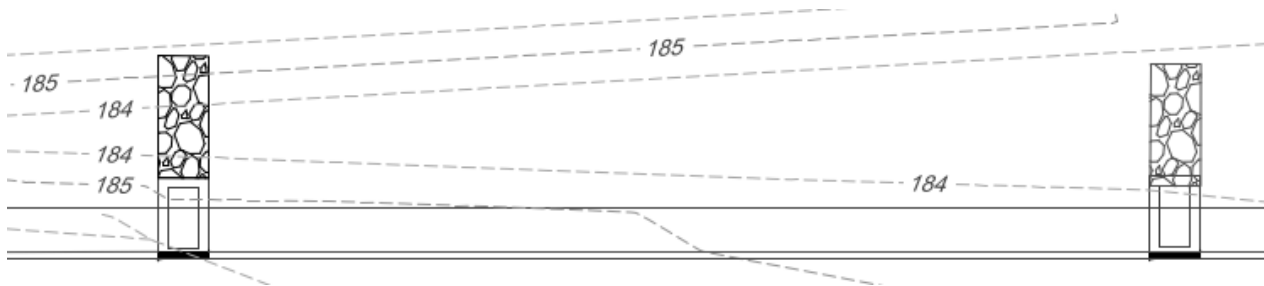
1. While future proposed work is also shown on the Overall Master Plan, this review focused on the currently proposed skate park.
2. Submit an anticipated construction schedule, which includes phases.
3. In general, it is difficult to tell what is proposed now, proposed in the future, or existing on the plans. We recommend adjusting line weights and including additional notation to clarify. See the following comments for some specific instances.
4. Note a minimum depth of cover for the proposed storm drain on the Typical Trench Section.
5. Note maximum cross slope on the Typical Concrete Sidewalk Section to ensure ADA compliance.
6. Label the invert at the cleanout of the 8" storm drain.
7. Are the signs, crosswalk, streetlights, and ramp with detectable warning device proposed as part of this project? At a minimum, the ramp and detectable warning device needs to be part of the project to create ADA compliant access to the park. Include spot grades on the ramp and sidewalks showing compliance with ADA requirements. Provide additional detail regarding the sign, if part of the project, as well. See screenshot below.



8. Are the signs and crosswalk shown in the screenshot below proposed as part of this project? If the signs are proposed as part of this project, provide additional detail. Please clarify what is proposed (and under what phase) on the plan.
9. Please clarify what are proposed along the existing sidewalk with associated riprap (see screenshot



below) and if they are part of the currently proposed project. Are these curb inlets which discharge to riprap within the ditch? If these are part of the project, they should be labeled, and include a detail.



General Standards of Performance

1. Environmental
 - a. Proposed work is not in the floodplain, shoreland zone, or protected natural resources.
 - b. The site is within the MS4 urbanized area; proposed disturbances are less than 1 acre.
2. Parking, Loading, and Traffic - What is the anticipated additional traffic to the site due to the addition of the skate park and will the adjacent existing parking have adequate capacity until the additional parking lot is constructed in the future?

Site Plan Requirements

3. Stormwater Management
 - a. Will the vertical cast iron drain and storm drain discharging to the existing swale be part of Phase I or Phase II?
 - b. Include a detail for the vertical cast iron drain.

- c. The application states that stormwater will flow to the existing wet pond on the property and that the pond has been oversized to accommodate the entire build-out of the campus; however, the majority of the campus master plan was never implemented. Is the rest of the master plan intended to be constructed or has the master plan changed?
 - d. While we understand that the campus has not been fully built out, compliance with Town and State stormwater management rules cannot be verified without a Stormwater Management Report reflecting the proposed changes to the site. This is particularly important since the site is within the MS4 urbanized area. Since the proposed amendment is creating additional impervious area and relying on existing stormwater infrastructure, it is recommended that the existing Stormwater Management Report, including stormwater calculations and plans be amended to demonstrate the existing stormwater infrastructure, including the pond, is capable of accepting the additional runoff created by the proposed skate park. Additionally, the Stormwater Management Report should be amended to add the proposed stormwater BMPs and/or facilities to the maintenance plan (refer to Chapter 2 Post-Construction Stormwater Management of the Town of Gorham's Stormwater Ordinance).
 - e. It appears the site has an existing Maine Department of Environmental Protection (DEP) Site Location of Development permit for the campus; however, an amendment is not required, since the proposed modification qualifies under an exemption for educational institutions. It appears this exemption was recently amended, and the thresholds in Title 38, MRSA §488-27 (Exemption for educational institutions) are higher than indicated in the application cover letter. The Town of Gorham, as the Applicant, is reminded to notify the Maine DEP as per the exemption.
4. Erosion Control
 - a. Continue the proposed filter barrier around the existing culvert and riprap aprons to be reset.
 - b. Extend the filter barrier around the proposed 8" storm drain and riprap outlet.
 5. Utilities - The site plan or a utility plan should show the proposed underground electrical conduits serving the proposed streetlights along Chick Drive.
 6. Exterior Lighting
 - a. The application states that although lighting will not be constructed under Phase I, the Planning Board previously approved lighting for this area as part of approval of the Chick Property Recreational Facility. The application further states that LED lamps and cut-off features will be used. Is the approved lighting for this area, that was previously approved, proposed to be constructed as part of Phase I?
 - b. Town to provide comment on whether addition of lighting in the future (a skate park-specific lighting plan) would require a separate review, at that time.
 7. Landscaping - Landscaping was not reviewed. Planning Board to notify Wright-Pierce if they would like landscaping to be reviewed by a Landscape Architect.

TOWN OF GORHAM PLANNING BOARD
SITE PLAN AMENDMENT REVIEW AND FINDINGS OF FACT
For
Chick Property, Skate Park

April 4, 2022

Applicant/Property Owner: The applicant/property owner is the Town of Gorham, 75 South Street, Suite 1, Gorham, Maine 04038

Property: The lot is identified as Tax Map 26, Lot 4 and located at 284 Main Street, Gorham, Maine 04038.

Consultant: Owens McCullough, P.E. of Sebago Technics, Inc.

Project Description: The applicant is proposing a 2 phase 10,000 sq. ft. community skate park

Site Description: The lot is approximately 85.38 acres with open fields, recreational fields and playgrounds, canopy trees, understory, trail networks, elementary school, parking lots, driveways, and public safety buildings.

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

Zoning: Urban Residential/Office Residential

Variances: None requested.

Waiver: None requested.

Pursuant to the Application:

The applicant was before the Board on December 6, 2021 for Pre-Application review. Site Plan Amendment review was held on April 4, 2022.

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

| |
|--|
| Sheet 1 of 7 – Cover Sheet – Dated, 02/10/2022; Revised through 03/14/2022; Received, 03/14/2022 |
| Sheet 2 of 7 – Overall Master Plan – Dated, 02/10/2022; Revised through 03/14/2022; Received, 03/14/2022 |
| Sheet 3 of 7 – Site Development Plan – Dated, 02/10/2022; Revised through 03/14/2022; Received, 03/14/2022 |

Sheet 4 of 7 – Grading Plan – Dated, 02/10/2022; Revised through 03/14/2022; Received, 03/14/2022
Sheet 5 of 7 – Grading Plan – Dated, 02/10/2022; Revised through 03/14/2022; Received, 03/14/2022
Sheet 6 of 7 – Erosion Control Notes and Details – Dated, 02/10/2022; Revised through 03/14/2022; Received, 03/14/2022
Sheet 7 of 7 – Details 1 – Dated, 02/10/2022; Revised through 03/14/2022; Received, 03/14/2022
Sheet 3 of 13 – Overall Site Plan – Dated, 06/27/2014; Revised through 02/24/2015; Signed, 03/02/2015; Received, 03/14/2022
Sheet 1 of 1 – Master Plan – Dated 08/03/2021; Revised through 08/03/2021; Received, 03/14/2022
Sheet 1 of 13 - AS-01 Cover Sheet– Dated, 02/25/2022; Received, 03/14/2022
Sheet 2 of 13 – AS-02 Master Plan – Dated, 02/25/2022; Received, 03/14/2022
Sheet 3 of 13 – AS-03 3 Dimensional Images – Dated, 02/25/2022; Received, 03/14/2022
Sheet 4 of 13 – AS-04 Rough Grading Plan – Dated, 02/25/2022; Received, 03/14/2022
Sheet 5 of 13 – AS-05 Layout Plan – Dated, 02/25/2022; Received, 03/14/2022
Sheet 6 of 13 – AS-06 Surface Grading & Drainage Plan – Dated, 02/25/2022; Received, 03/14/2022
Sheet 7 of 13 – AS-07 Coping Plan – Dated, 02/25/2022; Received, 03/14/2022
Sheet 8 of 13 – AS-08 Concrete Plan – Dated, 02/25/2022, Received, 03/14/2022
Sheet 9 of 13 – AS-09 Cross Sections – Dated, 02/25/2022; Received, 03/14/2022
Sheet 10 of 13 – AS-10 Cross Sections – Dated, 02/25/2022; Received, 03/14/2022
Sheet 11 of 13 – AS-11 Construction Details – Dated, 02/25/2022; Received, 03/14/2022
Sheet 12 of 13 – AS-12 Construction Details – Dated, 02/25/2022; Received, 03/14/2022
Sheet 13 of 13 – AS-13 Construction Details – Dated, 02/25/2022; Received, 03/14/2022
Existing Conditions Plan – Dated, 12/06/2000; Received, 03/14/2022
Existing Conditions Plan – Dated, 12/06/2000; Received, 03/14/2022

Other documents submitted consist of the following:

Sketch/Pre-Application Plan Application – 11/05/2021
Site Plan Application – 03/14/2022
Plans – Received; 11/05/2021, 03/14/2022
Community Support Letter – 11/05/2021
Gorham Town Planner Comments – 11/22/2021, 03/29/2022
Gorham Assessor Comments – No Comments Received
Gorham Fire Chief Comments – 11/09/2021, 03/17/2022
Gorham Code Enforcement Officer – No Comments Received
Gorham Police Chief – No Comments Received
Gorham Public Works Comments – 04/01/2022
Portland Water District Comments – No Comments Received
Wright Pierce Comments – 03/25/2022

CHAPTER 4, SITE PLAN REVIEW, SECTION 9 – Approval Criteria and Standards

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

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

The applicant is proposing to construct a 2 phase 10,000 square foot skate park with associated infrastructure on a site that is zoned Urban Residential and Office Commercial, which has been recommended with the town's Comprehensive Plan as a place appropriate for this type of construction.

The plans and written materials describe the location for construction as a location that is consistent with the general character of the area. The area is open field that is relatively flat.

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

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

Access to the site is via Chick Drive off Main Street. There will be limited vehicle trips per day proposed; it is anticipated that most of the users will arrive on foot or by bicycle. Both streets have the capacity to accommodate this level of increase in traffic.

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

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

Access to the site is via Chick Drive off Main Street, which has been designed with the current and future users in mind.

Finding: The plans provide for safe and convenient vehicular access into the development.

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

The current access is via Chick Drive and an existing parking lot near the proposed skate park. No new roads or access ways are anticipated with this phase.

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

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

As shown on Sheet 2 of 7, an existing system of sidewalks and trails provides adequate circulation to this phase of the master plan.

Finding: *The plans provide a system of pedestrian circulation within the development.*

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

Stormwater is currently collected via overland sheet flow, drainage swales, and closed drainage system and directed to the wet pond on the property. The proposed improvements will maintain the current system.

Finding: *The site has adequate provisions for the disposal of all storm water collected on streets, parking areas, roofs or other impervious surfaces through a stormwater drainage system and maintenance plan which does not have adverse impacts on abutting or downstream properties.*

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

Sheet 6 of 7 shows erosion control details that will include, but are not limited to, blankets, berms, catch basin protections, silt fencing, and hay bales.

Finding: *The plan utilizes existing topography and desirable natural surroundings to the fullest extent possible.*

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

This project phase does not require a water supply.

Finding: *This project phase does not require water. Therefore, this section does not apply.*

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

This project does not require sanitary sewer.

Finding: *This project phase does not require sanitary sewer. Therefore, this section does not apply.*

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

This phase does not anticipate the addition of electric or telephone service.

Finding: *This phase does not anticipate the addition of electric or telephone service. Therefore, this section does not apply.*

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

Grading and filling is kept to a minimum for this phase. Trees will not be disturbed since this is the open field portion of the property.

Finding: *The development of the site will preserve existing vegetation to the greatest extent practical during construction.*

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

Test pits found that no groundwater will be encountered and the soils are fine to coarse sand. The construction and the skate park itself should not adversely impact groundwater.

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

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

Lighting was previously approved for the current master plan. A new plan is proposed for a subsequent phase that will be submitted for review at that time.

Finding: *Lighting was previously approved and additional lighting is pending design. Therefore, this section does not apply at this time.*

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

No hazardous waste will be generated at this site. The site is considered a carry in- carry out facility for solid waste. However, Town staff will monitor the site for solid waste and remove it.

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

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

Canopy trees are proposed for the easterly side of the park for shading over time, appearance, and a separation between the park and the multi-purpose fields.

Finding: *The proposed plan will provide landscaping to soften the appearance of the development.*

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

This development is not located near the shoreline of a water body.

Finding: *This development is not located near the shoreline of a water body. Therefore, this section does not apply.*

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

The Town has procured the services of Sebago Technics for the technical expertise for site/civil engineering and permitting for the project and has been through the RFP process to select the design professional who is well versed in the creation of such parks nationwide.

The Town has budgeted for the project through capital improvement planning and recreational impact fees.

Finding: *The applicant has the financial and technical capacity to complete the project in accordance with Gorham's Land Use and Development Code and the approved plan.*

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

The uses in this area are compatible with each other inasmuch as this area is designed as a neighborhood that includes housing, schools, and recreational amenities that are purposefully positioned to be near and within walking distance of each other.

Finding: *The development provides buffering to screen service and storage areas.*

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

The project will not generate noise that exceeds the standards of this section.

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

Conditions of Approval

1. That this approval is dependent upon, and limited to, the proposals and plans contained in this application and supporting documents submitted and affirmed by the applicants and that any variation from the plans, proposals and supporting documents is subject to review and approval by the Planning Board or Site Plan Review Committee, except for minor changes which the Town Planner may approve.
2. That prior to the commencement of construction of the site plan, the applicant is responsible for obtaining all required local, state and federal permits;
3. 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 map and lot numbers shall be listed in the bottom right corner of all pages of the plan set;
5. That all staff and peer review comments will be addressed prior to the Planning Board's signature;
6. That all relevant conditions of approval from past Site Plan approvals shall remain in effect;
7. That any proposed use on the site shall meet the sound level requirements outlined under Chapter 4, Section 9, T. Noise;
8. That prior to the pre-construction meeting the applicant will establish the following: a performance guarantee totaling 125% of the costs to complete the construction and an escrow for field inspection meeting the approvals of Town Staff and the Town's Attorney;
9. That prior to the commencement of any site improvements, the applicant, its earthwork contractor, and the design engineer shall arrange a pre-construction meeting with the Town's Review Engineer, Public Works Director, Fire Chief, Code Enforcement Officer and the Town Planner to review the proposed schedule of improvements, conditions of approval, and site construction requirements;
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 Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and
12. That these conditions of approval must be added to the site plan and the site plan shall be recorded at the Cumberland County Registry of Deeds within thirty (30) days of the date of written notice of approval by the Planning Board, and a dated copy of the recorded site plan shall be returned to the Town Planner prior to the pre-construction meeting.

SUGGESTED MOTIONS:

FOR SITE PLAN APPROVAL:

Move to grant the Town of Gorham's request for site plan amendment approval to construct a 2 phase skate park located on Chick Drive off Main Street on Map 26 Lot 4 in the Urban Residential and Office Residential zoning district with Findings of Fact and Conditions of Approval as written by the Town Planner (and modified this evening by the Planning Board.)

TO PLACE THE ITEM ON THE CONSENT AGENDA:

Move to place the item on the consent agenda pending the submission of responses to remaining issues.