



January 11, 2024  
21483

Carol Eyerman, Town Planner  
Town of Gorham Planning Board  
Gorham Municipal Center  
75 South Street, Suite 1  
Gorham, Maine 04038

**Robie Street Subdivision - Plan Review December 4, 2023, Planning Board Response**

**Applicant: KV Enterprises, LLC**

**Assessor References: M 24/L 19, 20; M25/L 8; M27/L20**

Dear Carol, Chair Anderson, and Planning Board members:

This letter, attachments, and the enclosed revised plan set are provided to address Item 5-Preliminary Subdivision Plan-KV Enterprises, LLC staff and peer comments for the proposed Robie Street Subdivision project. This response addresses comments in the Town of Gorham Planning Board Staff Comments memo of December 4, 2023. We have organized the responses to restate each comment in italics, followed by our response in **bold** and newer responses **dated/bold**.

*1 - OVERVIEW – Robie Street Subdivision*

*The applicant submitted an initial proposal for pre-application review for the September 2022 Planning Board Meeting. The proposal before the Board at this time is for 43 single-family homes, the first phase of what is envisioned to be a larger project...The applicant is represented by Shawn M. Frank, P.E., with Sebago Technics.*

*2. ITEMS OF NOTE*

*The applicant has submitted a number of responses to comments received at the September 11, 2023 Planning Board meeting and included in staff notes prepared for that meeting. The remaining items of note reflect outstanding issues that remain that the Board will need to review with the applicant.*

- *Subdivision Review: Phase 1 - Subdivision Review: The Planning Board is reviewing the proposed subdivision to the standards in the Land Use and Development Code under Chapter 1: Section 1-18 Development Transfer Overlay District, Chapter 2: Section 2-5 Minimum Standards for the Design and Construction of Streets and Ways, and Chapter 3: Subdivision.*

*The Planning Board cannot review the 1st phase approval of the subdivision under the requirements of a contract zone currently under the review process. This is due to the fact that those requirements have yet to be adopted by the Town Council, and there is no assurance that they will be adopted by the elected officials.*

**1/2024 Response: Acknowledged**

- *Pedestrian Connections: Off-site sidewalk connections are required to serve the development. The applicant proposes to connect the sidewalks within the development to the existing sidewalk along Bramblewood Lane and to the existing sidewalk on Robie Street, which currently ends at the intersection with Lincoln Street. An existing conditions survey of Robie Street is being performed to allow for a meeting with Town Staff to discuss the most appropriate proposed location of the sidewalk along Robie Street such that a design plan of the sidewalk can be produced for review and comment.*

**Response:** The plan of the proposed sidewalk along Robie Road is now included in the plan set. In accordance with a meeting with Town Staff, catch basins are shown to be installed along Robie Street and connected to the drainage system proposed within the subdivision to limit the runoff to the Robie property through the existing storm drain outlet.

- *Open Space Requirements: Development Transfer Overlay Subdivisions are required to set aside a portion of the subdivision for open space both for passive and active recreational opportunities. This open space requirement is in addition to payment of the recreational and open space impact fee. The Planning Board should discuss the open space improvements proposed as part of phase 1 with the applicant. See below language for the specific open space requirements from the Development Transfer Overlay District.*

*"A portion of any new subdivision or project with more than ten lots or units must be set aside within the development and permanently protected as open space to serve the residents of the project. This requirement is in addition to any requirement for the payment of a recreational facilities or open space impact fee. The total combined area of the open space set aside within the subdivision shall be a minimum of ten percent (10%) of the gross area of the parcel. This open space must include an area of usable land as defined by the net acreage provision that is at least five percent (5%) of the total net acreage of the parcel (For example, if the net acreage of the parcel is twenty acres then at least 5% or one acre of the open space must be usable land).*

**Response:** As discussed with Town staff, the required open space is only 13.1 acres and the applicant is proposing to conserve 51.1 acres via conveyance to the Land Trust for trails. The required usable area is 1.8 acres.

*The required open space within the subdivision or project may be used for the following types of uses: - formal open spaces such as greens, commons, and parks - passive recreation areas - natural resource or conservation areas*

**Response:** The applicant is preparing an overall open space plan to be presented to the Board for discussion.

*At least fifty percent (50%) of the required usable land within the open space shall be developed for formal spaces or recreation facilities. The Planning Board may waive or reduce this requirement if it finds that, due to the scale of the development, compliance with this requirement will not result in usable open space.*

**Response:** The applicant is preparing an overall open space plan to be presented to the Board for discussion.

*The setting aside of less-than-lot-sized pieces of land for specific formal spaces or recreation facilities is only permitted in a Development Transfer Overlay District approved subdivision.*

*These areas can be aggregated to meet the 50% of the required usable open space and shall be developed for formal recreation facilities use. Formal recreation facilities shall include, but not be limited to, school bus stops with waiting shelters and/or benches or structures of any type, public monuments, small parks or gardens with structures such as benches or fountains, playground sets, basketball courts, trail heads with amenities, picnic tables, etc., and may occupy less than-lot sized areas within the development."*

**Response: The applicant is preparing an overall open space plan to be presented to the Board for discussion.**

- *Development Transfer Density - Density calculations have been provided by the applicant for the project as a whole as well as for the initial 43 single family dwelling units proposed in the initial phase. The net residential density is listed as 234 units under conventional zoning. Any dwelling units above 234 units the applicant will be required to pay the development transfer fee of \$16,500.00 per dwelling unit. Phase 1 is below the allowed density in the underlying zoning district so no payment of bonus units is required as part of the 1<sup>st</sup> phase approval.*

**1/2024 Response: Acknowledged**

#### 4. STAFF REVIEWS

*Assessing Department: No comments received*

**Applicant Response: Acknowledged**

*Code Department: No comments received*

**Applicant Response: Acknowledged**

*Fire Department: 08/23/2023*

*Please see the Applicant's Response to Comments submission regarding how these comments are being addressed.*

*MAP 24 Block Lot 19-20, MAP 25 Block Lot 8, MAP 27 Block Lot 20,*

*I have revived the Plans dated August 21, 2023*

1. *The hammerhead width needs to be 20' wide and 50' deep (Please Show on Plans the Measurements) I assume the hammerhead will go away in future phases of this project?*

**Applicant Response: The hammerhead originally proposed now consists of a connection to the existing terminus of White Borch Lane in accordance with the plan contained within the plan set.**

2. *Their shall be "No Parking - Tow Away Zone" or "No Parking - Fire Lane" signs added to the hammerhead. Please show on the Plans*

**Applicant Response: The hammerhead originally proposed now consists of a connection to the existing terminus of White Borch Lane in accordance with the plan contained within the plan set.**

3. *All buildings will meet all applicable sections of NFPA 1 Fire Code and NFPA 101 Life Safety Code. Building plans shall be submitted to the Fire Department for review.*

**Applicant Response: Acknowledged. Building plans will be submitted to the Fire Department for review to assure the homes will meet the applicable sections of NFPA 1 and 101.**

4. *The buildings shall be protected under the Fire Suppression Systems Ordinance as applicable. The sprinkler plans shall be submitted to the Fire Department and the State Fire Marshal's Office for review and permitting. The plans submitted to the Fire Department shall be submitted at least two weeks prior to the start of the installation of the system. Sprinkler test papers will be required to be submitted to the Fire Department at the time a CO is issued.*

**Applicant Response: General Note 14 on Sheet 4 states that the buildings shall be protected under the Fire Suppression Systems Ordinance as applicable. The sprinkler plans shall be submitted to the Fire Department and the State Fire Marshal's Office for review and permitting. The plans submitted to the Fire Department shall be submitted at least two weeks prior to the start of the installation of the system. Sprinkler test papers will be required to be submitted to the Fire Department at the time a CO is issued**

5. *The buildings shall be properly numbered in accordance with E911 standards including height, color and location. Numbers that cant been seen from the street shall require additional numbers at the street.*

**Applicant Response: General Note 15 has been added to the Subdivision Plan, Sheet 4, regarding street numbering.**

6. *We will require 3 Fire Hydrant installed in this project. (Subject to Add when next set of plans are submitted for future build out.)*

**Applicant Response: The three hydrants requested are depicted on the plan and profile sheets.**

7. *All gas meters (if any) shall be properly protected from vehicle impact.*

**Applicant Response: General Note 16 has been added to the Subdivision Plan, Shhet 4, regarding gas meters.**

8. *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 Subdivision completion. Occupancy whichever occurs first.*

**Applicant Response: General Note 17 has been added to Sheet 4 regarding the fire hydrant installation and maintenance.**

9. *It shall be the Owners responsibility to have a service winter Maintained contract on the new hydrant as it will be private hydrants, unless the town accepts the Streets.*

**Applicant Response: General Note 18 has been added to Sheet 4 regarding fire hydrant winter maintenance.**

10. *On Road Parking? Will need to discuss this, as the plans do not show the roads width's*

**Applicant Response: In coordination with Town Staff, the road width is 22 feet from curb to curb.**

*Fire Department may have more or less requirements as this progresses through the Planning Process.*

Planning Department: 09/06/2023; 11/28/2023

- Plan Review

- *A note has been added on the plan adjacent to Whispering Pines Lane is designated to be conveyed to Abutters Jock and Susan Robie.*
- *An updated boundary survey has been provided. It does not include a surveyor's stamp, although one was included on the previous version of the survey dated 8/10/22. The provided boundary survey does not show all lots. 2 lots are shown, 4 lots are indicated in the proposal narrative.*

**Response: The boundary survey provided includes all of the property to be obtained. The narrative references 4 lots on the Town tax mas which are different than the deeds.**

- Zoning – Urban Residential and Urban Residential Expansion

- *The applicant has provided net density calculations of the proposed development site under both conventional zoning and the Development Transfer Overlay provisions.*
- *Project is located within the Development Transfer Overlay District*
- *Chapter 1 Section 1-18 Development Transfer Overlay District requirements include: fee calculation, building design, lot design, access limitations, open space, and parking lot locations. As is required by "New buildings constructed in existing neighborhoods shall be located in such a manner as to maintain the established relationship of existing neighboring structures to the side setbacks. Where no such relationship exists, the minimum setback shall be identified per use type."*

**Applicant Response: Based upon zone requirements as discussed with Town staff, we understand that the front building setback will be between 15 and 25 feet.**

- *Under the Development Transfer Ordinance, Land Use Code Chapter 1, Section 1-18 the minimum acreage per dwelling unit is 5,000 sf*

**Applicant Response: A second set of net residential area calculations has been provided on the Subdivision Plan in coordination with Town staff based upon 5,000 sf per dwelling unit.**

- *The minimum lot size for single family dwelling is 8,500 sf.*

**Applicant Response: Lot size for the house lots are all a minimum of 8500 sf.**

- *The zoning district requires at least 60 feet of street frontage.*

**Applicant Response: Lot 25 is proposed with a street frontage of 63.81 feet due to the geometry of the property. The minimum frontage for all other lots is 78 feet.**

- Natural Resources

- *Site is within the Narragansett Game Preserve.*

**Applicant Response: Acknowledged**

- *The applicant has been working with the Presumpscot Regional Land Trust for the*

*preservation of open space. According to Chapter 1 Section 1-18 E 5, the minimum open space to be preserved is approximately 13 acres. The applicant is providing 51 acres.*

**Applicant Response: The 51 acres to be conveyed and conserved are shown on the plan; however, the timing of the conveyance will need to be coordinated.**

- Transportation

- *The Board should consider an additional right of way running to the parcel off Toppan Drive off New Portland Road.*

**Applicant Response: As discussed with the Board and Staff, Toppan Drive is a private way and the applicant has no access to the private way without crossing a private house lot. As such, a proposed right of way to Toppan Drive is not proposed.**

- *The Planning Board could discuss whether there are provisions that might reduce impacts due to construction traffic.*

**Applicant Response: A plan of the proposed roadway connection to White Birch Lane for construction access and to help diffuse the post-development traffic is included within the plan set.**

- *The Planning Board could discuss traffic calming measures for residential areas such as stop signs, bump-outs, and street trees.*

**Applicant Response: In accordance with a meeting with Town staff, no bump outs are proposed. The roadway width is proposed at 22 feet curb to curb and street trees will be installed.**

Police Department – No comments received

Public Works Department: 08/22/2023

*One comment I have is that from the start of this project I have been concerned with drainage from Spruce Ln, which does not show on these plans. The developer needs to deal with the storm water that has gone across this property for years or it will become an issue for both Spruce Ln and some houses on Robie St.*

**Applicant Response: The existing drainage from Spruce Lane and abutting off-site properties is proposed to be intercepted by two proposed storm drain inlets connected to the storm drain system within the roadway as shown on the plan and profile sheets.**

What is the status of Bramblewood Ln? It is currently private.

**Applicant Response: The proposed roadway connection to Bramblewood Lane occurs at the end of the existing public way and will be extended as a public way.**

Recreation Department: No comments received

Barton & Loguidice:

*We have reviewed the applicant's submission dated 8/8/23, from Sebago Technics and offer the following comments:*

1. Trip Generation - *We are in agreement with trip generation calculations and that the proposed 43 lot residential subdivision will not require a Maine DOT Traffic Movement Permit, as it does not generate the minimum of 100 new peak hour trips.*

**Applicant Response: Acknowledged**

2. Traffic Volumes and Trip Assignment – *It is still our opinion that trip distribution should be weighted more towards population centers and employment centers which tend to be east of Gorham with primary routes to/from the east via Main Street (Route 25/202) and to/from the South via South Street (Route 114). However, at the currently proposed trip generation level this does not significantly change actual trip assignment on the area roadway network. It is recommended that when the next phase of this project is proposed this topic be revisited and confirmed. No further action is required by Sebago Technics, at this time.*

**Applicant Response: Acknowledged.**

3. Crash Data Review - *We are in agreement with Sebago Technic's review of crash data in the vicinity of the project and have no further comments.*

**Applicant Response: Acknowledged.**

4. Sight Distance – *We agree with Sebago Technic's review of sight distances, however, after construction of proposed "Road A" we would request they review the sight distance again at its intersection with Bramblewood Lane and Whispering Pine's Lane to ensure there are no obstructions from trees and vegetation within the ROW.*

**Applicant Response: Acknowledged.**

5. Sidewalks - *Please confirm proposed sidewalks connections to existing nearby sidewalk networks and/or schools. Since the nearby Village School is a likely destination for children living in the proposed subdivision, what ADA-compliant pedestrian infrastructure is being proposed to connect "Road A" to Robie Street*

**Applicant Response: A sidewalk connection is proposed to Bramblewood Lane and will be extended along Robie Street to the intersection with Lincoln Street. The plan with the proposed sidewalk extension along Robie Street is included within the plan set.**

Portland Water District: 08/10/2023, 11/17/2023

08/10/2023

*After reviewing the request internally PWD does not see reducing the peaking factor as an option to reduce the size of the pump station.*

*There are two options as the 8" line in Robie Street is a known pinch point.*

1. *Upsize the roughly 200 feet of 8" main to match the 10" main on the other side.*
2. *Run the FM terminus to Manhole GOC-MNH01320*

**Applicant Response: The plans show the 8-inch line to be replaced by a 10-inch line in accordance with Option 1.**

Thanks,

Charlene

Wastewater Chief Operator – Systems

11/17/2023

*We are working with the development team on the water and sewer design. We have sent our first round of comments and are now waiting on a revised set of plans with comments incorporated.*

Thanks,  
ROBERT BARTELS  
Senior Project Engineer

Wright-Pierce: 08/23/2023, 08/31/2023, 11/22/2023

8/23/2023

Thank you for sending this along. A few initial comments:

- We had an existing Task Order for Robie Street Subdivision for Traffic Only (when Barton & Loguidice was a sub to us). Since B&L is no longer subbing to us, I will open a new Task Order for the subdivision peer review, which will not include review of traffic. I trust if you want traffic reviewed, you will coordinate directly with B&L.

**Applicant Response: No comment**

- For Stormwater (Exhibit 7), it indicates, "This section includes the stormwater report narrative. A complete copy of the Stormwater Permit application, including calculations, will be submitted to the Town for the public record when submitted to MDEP." I didn't see a narrative attached to Exhibit 7. Not sure if there is supposed to be more to Exhibit 7 other than the one paragraph included.

**Applicant Response: The initial stormwater design has been completed to size the storm drains in the roadway and the wet pond for treatment and detention. The design plan for roadway connection to White Birch Lane is now included in the plan set. The stormwater model and report have been updated to include this roadway and is submitted to the Town of Gorham for review as well as MDEP in association with a stormwater permit application.**

**1/2024 Response: The stormwater law application was submitted to Maine DEP in late December 2023. A hard copy and digital copy of the submittal was given to the Town, as required by Maine DEP.**

- We will include the Development Transfer Overlay Performance Standards in our review, assuming they are opting to design to these standards. I saw in their application (B.1 DTO Responses, E.1) they indicate, "the application is not proposing bonus units to be transferred". Doesn't the use of the DTO standards result in "bonus units"?

**Applicant Response: As this application is for 43 single-family house lots, which is far less than the number allowed by net residential area, bonus units are not required.**

Thank you, Christine

August 31, 2023

As requested, Wright-Pierce has reviewed the Preliminary Subdivision Application for the proposed Robie Street Subdivision project. The Applicant, KV Enterprises, LLC, is proposing a 43 single-family home residential subdivision accessed by two roads, which are proposed to connect to Robie Street and Bramblewood Lane. A contract zone is proposed for the development of the overall property, but the applicant is proceeding with permitting the first phase of development within the existing zoning rules.



*Documents Reviewed by Wright-Pierce*

- *Preliminary Robie Street Subdivision Application – Prepared by Sebago Technics (August 21, 2023)*
- *Robie Street Subdivision Plan Set – Prepared by Sebago Technics (August 21, 2023)*

Review Comments

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

**General/Completeness**

1. *A waiver of the requirement for a Class A soil survey in Chapter 3, Section 3-3, B(11) is requested. The current edition of the Land Use and Development Code (LUDC) no longer contains the statement that this may be waived for a Class B soil survey if there is a public water supply to serve the lots. Given past history, this waiver appears reasonable.*

**Applicant Response: The planning board has granted the requested waiver.**

2. *Please submit Financial Capacity information during final plan submission.*

**Applicant Response: A financial capacity letter is included with this response.**

3. *Please provide Maine Department of Environmental Protection (DEP) Stormwater Management Law, Natural Resources Protection Act (NRPA), and Army Corps of Engineers approval/permits to the Town when received.*

**Applicant Response: Maine DEP and USACE permits will be provided to the Town upon receipt. The applications can now be completed based upon the design of the proposed roadway connection to White Birch Lane.**

4. *Text overlaps on the overall subdivision plan making lot numbers and lengths illegible.*

**Applicant Response: The overall subdivision plan has been updated to more clearly depict the lot information. Detailed lot information is shown on Sheet 4.**

5. *As noted by the Applicant, the Portland Water District will review the proposed water and sewer design, including the proposed pump station; however, during our review we noticed the minimum cover of the gravity sewer was not indicated on the plans. Consider indicating the minimum cover for gravity sewer, and proposing and show insulation to be installed where there is less than the required minimum cover over sewer and water mains.*

**Applicant Response: Minimum cover is now noted on the plans.**

6. *It should be confirmed whether an easement for the drainage swale behind the lots is provided. EL58 is located in this area; however, no other easement lines or easement curves appear to be associated with the swale.*

**Applicant Response: An easement is proposed for the swale on the rear of the lots.**

7. *A detail is referenced on the plans for the wet pond maintenance access drive; however, it could not be located.*

**Applicant Response: The referenced detail has been added to the plan set.**

Development Transfer Overlay District Performance Standards

1. *Please confirm that the design meets the requirement for at least 80% of lots within the subdivision*

*to have an average lot depth at least 140% of the lot width. Refer to Chapter 1, Section 1-18, E(3) of the LUDC.*

**Applicant Response:** A table containing the lot dimensions has been added to the Subdivision Plan to confirm that the design meets the requirements of this section.

2. *Please provide an open space calculation to demonstrate the design meets the Open Space requirements of the Development Transfer Overlay District. Refer to Chapter 1, Section 1-18, E(5) of the LUDC.*

**Applicant Response:** In coordination with Town staff, the required open space has been calculated to be 13.1 acres with 1.8 acres of improvements for the total parcel of land. The applicant is preparing an overall open space plan to present and review with the Board.

### General Standards of Performance

3. *Environmental*

- a. *The project is not within the Shoreland Overlay District, FEMA floodplain, MS4 Urbanized Area, or other known regulated area.*

**Applicant Response:** Acknowledged.

- b. *A stabilized construction entrance at the Bramblewood Lane intersection in addition to the one proposed to/from Robie Street should be provided.*

**Applicant Response:** Acknowledged, the stabilized construction entrance has been added to the plans.

- c. *Filter barrier is proposed at the wet pond, but should also be proposed downslope of the rest of the disturbances. For example, filter barrier should be downslope of the proposed level spreaders discharging to the forested buffers while they are being constructed. It also appears runoff from the intersection at Station 213+41 and connected grassed access drive will leave the work area and flow northeast off-site without being interrupted by erosion and sedimentation controls. Filter barrier should also be on the eastern side of Robie Street (approximately as shown below) to contain sediment that would otherwise flow to the forested buffers and other off-site areas. This is not an all-inclusive list of areas needing erosion and sedimentation controls. Please review the site and propose controls downslope of all disturbances.*

**Applicant Response:** Additional erosion control measures will be added to the plans and we will continue to coordinate with MDEP and the Town.

- d. *Stone check dams should be constructed in the swales/ditches during construction since they will be transporting sediment from upslope disturbances.*

**Applicant Response:** Stone check dams will be noted in the drainage swale.

- e. *Erosion and sedimentation controls will be required for any construction on the individual lots, but are not necessary to be shown for subdivision approval.*

**Applicant Response:** A detail for typical erosion control associated with lot development will be included on the plans.

- f. *A double row of filter barrier should be proposed in areas within 75 feet of wetlands in preparation for Maine DEP over-winter protection requirements.*

**Applicant Response: The double row of erosion control will be noted within 75-feet of wetland limits.**

4. *Traffic*

- a. *Traffic was previously reviewed by Barton & Loguidice. Town to coordinate directly with Baton & Loguidice if there are traffic concerns.*

**Applicant Response: Acknowledged.**

Roadway Requirements

1. *The road is intended to meet the requirements of an urban subcollector roadway, except for the length of tangents between reverse curves. Please provide a tangent length table and justification for why this requirement cannot be met.*

**Applicant Response: The width of the travel way has been reduced to 22-feet and the centerline tangent length between reverse curves have been reduced in coordination with Town staff to be more in alignment with adjoining streets.**

2. *Center line radius CL5 is 32 feet, and the required minimum is 230 feet. This is the first curve entering Robie Street from Bramblewood Lane in the access easement from separate private property owner. It also appears that this intersection does not meet the requirement to have a minimum intersection angle of 70 degrees for 60 feet from the intersection. Please provide comment.*

**Applicant Response: The roadway construction to Bramblewood Lane has been modified in coordination with Town staff to provide a connection at the terminus of the existing public right of way. The centerline radius and tangent lengths have been reviewed and approved by the Town Engineer and Public Works Director.**

3. *The maximum grade at intersections within 60 feet of intersection per the Table 1 Street Classification & Design Standards in the LUDC is 2%; however, it appears that this maximum grade is exceeded for Road B on Sheet 9.*

**Applicant Response: The intersection grade has been modified to maintain the 2% grade.**

4. *Curb radii at intersections are not labeled. Please label curb radii.*

**Applicant Response: Curb radii at intersections are labeled.**

5. *The Urban Sub Collector Street Cross-Section appears to meet the intent of the Town's Urban Subcollector Standard typical section. It is assumed a 4-foot shoulder per the Town's Urban Subcollector Standard typical section is not necessary, since both sides of the road are curbed. Town to confirm.*

**Applicant Response: The proposed curb negates the necessity for the shoulder.**

6. *The curb with on the Urban Sub Collector Street Cross-Section detail should be updated to match the Slipform Curb-Section. Additionally, both the 9.5 mm and 19.0 mm pavement courses on the Urban Sub Collector Street Cross-Section detail are labeled as Surface Course.*

**Applicant Response: The detail has been modified accordingly.**

7. *The Pavement Joint detail shows pavement and aggregate depths and types that do not match*

*the Urban Sub Collector Street Cross-Section detail. The Pavement Joint detail should be updated.*  
**Applicant Response: The detail has been modified accordingly.**

#### Subdivision Requirements

1. *All monuments on a right-of-way should be 5-inch granite or concrete squares. See the Gorham Land Use and Development Code for more information. All other lot corners should be marked with iron pipe or rod not less than ¾-inch diameter and 36-inch-long set flush to finish grade.*

**Applicant Response: Acknowledged**

#### Stormwater Management

1. *Exhibit 7: Stormwater generally describes what stormwater practices are proposed, which includes catch basins, storm drain, wet pond, and forested buffers. The Exhibit states a stormwater report narrative is included in this section, but one could not be found. The Exhibit also states that the Stormwater Permit and application, including calculations, will be submitted to the Town when submitted to Maine DEP. Although design of the stormwater practices will ultimately be reviewed by Maine DEP, Wright-Pierce would like an opportunity to review as well to perform a cursory review of the design calculations and peak runoff rate calculations to check they meet Town requirements. An inspection and maintenance plan should be included as well.*

**Applicant Response: An inspection and maintenance plan will be provided.**

11/22/2023

*As requested, Wright-Pierce has reviewed the Preliminary Subdivision Application resubmission for the proposed Robie Street Subdivision project. The Applicant, KV Enterprises, LLC, is proposing a 43 single-family home residential subdivision accessed by two roads, which are proposed to connect to Robie Street and Bramblewood Lane. A contract zone is proposed for the development of the overall property, but the applicant is proceeding with permitting the first phase of development within the existing zoning rules.*

#### Documents Reviewed by Wright-Pierce

- *Comment Response Letter – Prepared by Sebago Technics (November 13, 2023)*
- *Robie Street Subdivision Plan Set – Prepared by Sebago Technics (Revised November 13, 2023)*

#### Review Comments

*Wright-Pierce's original comments are in standard text, followed by the applicant's response in italics, and our follow-up response in bold. Comments from the previous review memo that did not require a response or clarification or that were addressed are not listed. Applicant should provide written responses to the review comments recommending clarification or further information to be provided by the Applicant.*

#### General/Completeness

1. WP Original Comment 3: *Please provide Maine Department of Environmental Protection (DEP) Stormwater Management Law, Natural Resources Protection Act (NRPA), and Army Corps of*

*Engineers approval/permits to the Town when received.*

**Applicant Response: Maine DEP and USACE permits will be provided to the Town upon receipt. The applications are being finalized based upon the design of the proposed roadway connection to White Birch Lane.**

WP Follow Up Response: *Acknowledged. Submit approved permits when available.*

- 2. WP Original Comment 5: As noted by the Applicant, the Portland Water District will review the proposed water and sewer design, including the proposed pump station; however, during our review we noticed the minimum cover of the gravity sewer was not indicated on the plans. Consider indicating the minimum cover for gravity sewer, and proposing and show insulation to be installed where there is less than the required minimum cover over sewer and water mains.*

**Applicant Response: Minimum cover is now shown on the plans.**

WP Follow Up Response: *Plan view of the plan and profile sheets notes a minimum cover of 4 feet for sewer services; consider providing insulation over sewers with less than 5 feet of cover. We could not locate a note about the minimum cover of the gravity sewer main; however, it appears adequate cover is proposed based on a review of sewer inverts and rim elevations. Notes specifying minimum cover over the force main vary throughout the plan set. For example, the pressure sewer trench detail and various profile notes specify a minimum cover of 5.5 feet; however, the profile on Sheet 6 notes 5.0 feet of cover over the force main. Please revise to match.*

**Response: The plans have been updated for consistent notation regarding cover.**

- 3. WP New Comment: There is a reference to "Gravel Access to Treatment Pond" on Sheet 5, which should be revised accordingly. Also, consider clarifying the extent of the gravel access road to the pump station on the plan and profile sheets or adding the stationing to the gravel road section.*

**1/2024 Response:**

#### Development Transfer Overlay District Performance Standards

- 1. WP Original Comment 2: Please provide an open space calculation to demonstrate the design meets the Open Space requirements of the Development Transfer Overlay District. Refer to Chapter 1, Section 1-18, E(5) of the LUDC.*

**Applicant Response: The applicant and Town staff have agreed that the total parcel of land will require 13.1 acres of open space with 1.8 acres of improvements. An overall open space plan is being prepared by the applicant for presentation and discussion with the Board.**

WP Follow Up Response: *Town to confirm this is an acceptable approach.*

#### General Standards of Performance

*No further comment.*

#### Roadway Requirements

- 1. WP Original Comment 1: The road is intended to meet the requirements of an urban subcollector roadway, except for the length of tangents between reverse curves. Please provide a tangent length table and justification for why this requirement cannot be met.*

**Applicant Response:** The width of the travel way has been reduced to 22-feet and the centerline tangent length between reverse curves have been reduced in coordination with Town Staff to be more in alignment with adjoining streets.

*WP Follow Up Response:* Town to confirm the modifications to the road and variances from the urban subcollector standards are what was discussed and acceptable. Our understanding from other portions of the response letter is the tangents lengths and travel lane widths were reduced as speed-reducing measures. We concur that these variances would help reduce travel speed through the subdivision.

**Applicant Response:** The Town Engineer and Public Works Director were consulted for approval prior to adjusting the tangent lengths and pavement widths.

- WP Original Comment 2:* Center line radius CL5 is 32 feet, and the required minimum is 230 feet. This is the first curve entering Robie Street from Bramblewood Lane in the access easement from separate private property owner. It also appears that this intersection does not meet the requirement to have a minimum intersection angle of 70 degrees for 60 feet from the intersection. Please provide comment.

**Applicant Response:** The roadway connection to Bramblewood Lane has been modified in coordination with Town Staff to provide a connection at the terminus of the existing public right of way. The centerline radius and tangent length shown at this connection have been reviewed with the Town Engineer and Public Works Director.

*WP Follow Up Response:* The modification to the intersection appears to be an improvement to the safety of the intersection. CL5 has increased from 32 feet to 120 feet; however, this is still less than the 230 feet requirement. Town to confirm the modifications are what was discussed and acceptable.

**Applicant Response:** The centerline radius and tangent length shown at this connection have been reviewed with the Town Engineer and Public Works Director.

- WP Original Comment 4:* Curb radii at intersections are not labeled. Please label curb radii.

**Applicant Response:** Curb radii at intersections are labeled.

*WP Follow Up Response:* Radii at the intersection with Baxter Lane are 10 feet, which does not meet the standard. We recommend meeting or exceeding the required radii, especially since the intersection is a tight turn for someone turning right off of Baxter Lane onto the proposed road.

**Applicant Response:** The curb radii at Baxter Lane have been increased as requested.

#### Subdivision Requirements

- WP Original Comment 1:* All monuments on a right-of-way should be 5-inch granite or concrete squares. See the Gorham Land Use and Development Code for more information. All other lot corners should be marked with iron pipe or rod not less than ¾-inch diameter and 36-inch-long set flush to finish grade.

**Applicant Response:** Acknowledged.

*WP Follow Up Response: It does not appear that proposed monumentation is shown. Please show all monumentation and the applicable material per the Gorham Land Use and Development Code.*

**Response: All proposed monumentation will be clearly depicted on the final subdivision plan. The applicant has been revising road and lot layout in coordination with Town staff and the Board and will add the monumentation to the preliminary plan.**

*Stormwater Management*

1. *WP Original Comment 1: Exhibit 7: Stormwater generally describes what stormwater practices are proposed, which includes catch basins, storm drain, wet pond, and forested buffers. The Exhibit states a stormwater report narrative is included in this section, but one could not be found. The Exhibit also states that the Stormwater Permit and application, including calculations, will be submitted to the Town when submitted to Maine DEP. Although design of the stormwater practices will ultimately be reviewed by Maine DEP, Wright-Pierce would like an opportunity to review as well to perform a cursory review of the design calculations and peak runoff rate calculations to check they meet Town requirements. An inspection and maintenance plan should be included as well.*

**Applicant Response: An inspection and maintenance plan will be provided.**

*WP Follow Up Response: In response to WP initial comments provided to the Town via email on August 23, 2023, the Applicant has indicated a roadway connection to White Birch Lane is now being considered as a requirement for this development and will need to be included in the stormwater management of the project. Our original comment stands.*

**Applicant Response:**

Conservation Commission: 08/28/2023, 08/31/2023, 11/27/2023

8/28/2023 – 8:53pm

Hi Tom, Carol and Damon,

It's very encouraging to see that there could be a conservation easement for the parcel abutting New Portland Rd. However, even with Exhibit B in the Purchase and Sale Agreement and the Cover Map, it's hard to tell exactly what area the easement will cover. Do you have a better map showing what would be in that easement, or is that TBD later?

Thanks, Bill

8/28/2023 – 9:10pm

*Scratch that last email question about the easement. I found a better map in the initial project proposal:*

[https://drive.google.com/file/d/1PbcyU65BmxcqQrQiLtM9OUASuHRZNAuu/view?usp=drive\\_link](https://drive.google.com/file/d/1PbcyU65BmxcqQrQiLtM9OUASuHRZNAuu/view?usp=drive_link)

8/31/2023

Dear Carol and Planning Board Members,

*The Conservation Commission has reviewed the sketch plans for Robie Street forwarded to us on 23 August 2023. While many of our comments and questions from the original sketch plan remain, we do have additional feedback specific to this proposal:*

1. *Will subsequent phases match the scope of the original sketch plan or will building out in phases require changes to that plan as well?*

**Applicant Response: This initial phase of development is consistent with the overall development plan being coordinated with the Town.**

2. *While it is encouraging to see the project broken into smaller phases, could building in phases:*

- a. *Increase chances for potential negative impacts on the wetland areas?*

**Applicant Response: The proposed wetland impacts for the initial phase of development is consistent with the overall plan being coordinated with the Town and will not increase the impacts on the wetlands than as proposed with the overall development.**

- b. *Delay the construction of trails on the conserved land or access to it?*

**Applicant Response: The timing of the conveyance of the conserved land and the construction of trails on the land is to be determined.**

3. *Does the 51 acre conservation easement remain the same or change as part of the overall project?*

**Applicant Response: The area of conservation does not change, however, the time of the conveyance of the conserved land is to be determined.**

4. *Does the overall density of all phases when completed put the wetland area at greater risk for negative impacts?*

**Applicant Response: The overall project will include specific areas of impact to the wetlands, which will be finalized based upon the overall plan being coordinated with the Town.**

*We realize that this plan may be subject to revisions and we look forward to addressing any questions or comments you may have for us. Thank you for the opportunity to comment on this project.*

*On Behalf of the Commission, Bill Moreno  
Chair, Gorham Conservation Commission*

11/27/2023

*Dear Carol and Planning Board Members,*

*The Conservation Commission was asked to review an updated proposal regarding the development of 43 single-family units for the Robie Street Subdivision project. We do have additional feedback specific to this application. In particular:*

1. *Will a traffic study for just the 43-unit development be adequate or should the traffic study encompass the larger development and its phases to make sure roads are properly sized and designed?*

**Response: The traffic study prepared is specific to the 43-lot subdivision. The roadway design is sufficient for the full build-out of the project if approved.**



2. *Regarding access via White Birch Lane:*

- a. *Will this access be for construction access only initially or will this be built for permanent access?*

**Response: The applicant is proposing permanent access assuming the Town Council grants access.**

- b. *What will be done to ensure safe public access to and parking at the ball fields?*

**Response: The access road from White Birch lane will be separate from the ball field parking area and the driveway access to the parking will be relocated as shown.**

- c. *Will there be hours (or days) when construction vehicles will not be permitted to use this access point (or when the general public cannot use the access point)?*

**Response: Construction vehicle access will be permitted in accordance with Town requirements for hours of construction.**

- d. *How will dust be controlled?*

**Response: Water trucks can be utilized to control dust if needed.**

- e. *Will the developer help maintain/repair any damage to White Birch Lane caused by the increased construction traffic?*

**Response: The applicant will coordinate with Public Works regarding the existing condition of White Birch lane and any required post construction repair.**

- f. *Will the developer be required to build a sidewalk connection to New Portland Road?*

**Response: A sidewalk connection is shown from the development to the driveway access to the ball field parking area.**

3. *Will the sewage pump station be sized for just the 43 units or for the full development?*

- a. *If just sized for the 43 units, what are the potential impacts later on if/when more phases are added?*

**Response: The pump station will be designed in coordination with PWD for the entire potential build-out.**

4. *Conservation Easement*

- a. *While we understand its exact perimeter cannot be determined yet, it would be helpful to have it demarcated more clearly on the project maps.*

**Response: The line demarcating the open space is clearly shown on Sheet 3.**

- b. *Would like to see access points and parking to conserved land and trails marked on the map (even if approximations).*

**Response: Based upon our meeting with Town Staff and the Land Trust, it is our understanding that they will retain responsibility for the access points to the open space.**

- c. *What will the developer do (or contribute) to help design and create trails, especially where boardwalks and foot bridges may be needed?*

**Response: based upon our meeting with the Land Trust and Town Staff, it is our**

**understanding that the Land Trust will retain responsibility for all trail development.**

*5. Privacy for existing home abutters*

- a. Will a strip of the existing forest be left in place to provide a privacy screen between existing homes and the backs of the new lots being proposed?*

**Response: A specific tree buffer is not proposed along the rear of the lots.**

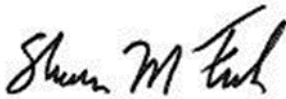
- b. If forest can't be left, or is already excessively thinned out, can a privacy screen of trees be planted along the back edge of the new lots?*

**Response: Typically, landscape buffers are requested between lots of different uses such as commercial and residential and not between residential lots.**

*On Behalf of the Commission, Bill Moreno  
Chair, Gorham Conservation Commission*

We are hopeful that this letter adequately addresses the outstanding review comments so that the project may receive subdivision plan review and approval. Upon your review of the enclosed information, however, please call with any questions or comments. We appreciate your consideration.

Sincerely,  
SEBAGO TECHNICS, INC.



Shawn M. Frank, P.E.  
Vice President, Commercial Development

SMF/skn

enc.

cc: KV Enterprises, LLC



December 8, 2023

RE: Vincent Maietta/Robie Street Subdivision

To Whom it May Concern:

Vincent Maietta has an established commercial banking relationship with Machias Savings Bank. We have been involved as a financing partner on past commercial purchases and construction projects with Vincent. I can confirm that Vincent Maietta is well known to the Bank and has handled all of his business with Machias Savings Bank as agreed. Pending full underwriting for the project, but based upon his known relationship with the Bank, we would look forward to the opportunity to work with Vincent on the development of a 43-lot subdivision (the Robie Street Subdivision) in Gorham, ME.

If I can be of further assistance, please do not hesitate to contact me.

Regards,

A handwritten signature in black ink that reads "Shawn R. Leger".

Shawn R. Leger  
VP, Commercial Lender  
(207) 561-3936