

**Town of Gorham  
Planning Board Meeting  
January 3, 2022**

**ITEM 4** – Public Hearing - Site Plan Amendment Review – Maide For You, Donna Foster - a request for approval to allow reconfiguration and separation of a 15,979 square foot gravel driveway and parking lot, addition of landscaping, and conversion of garage to a tanning salon. Zoned Narragansett Mixed Use Development District (NMUDD). The lot is shown on Map 39, Lot 9. The applicant is Donna Foster. The property owner is Big Real Estate, LLC. The applicant is represented by Andrew Morrell, P.E. of BH2M.

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**PROJECT TRACKING**

DESCRIPTION	COMMENTS	STATUS
Pre-Application (optional)		<b>September 13, 2021</b>
Public Hearing		<b>December 6, 2021</b>
Public Hearing		<b>January 3, 2022</b>

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, Chair, Gorham Planning Board*

**PLACE MAP AND LOT NUMBER IN 1/4" HIGH LETTERS AT LOWER RIGHT BORDER OF ALL PLAN SHEETS.**



**November 10, 2021**

Gorham Fire has no comments at this time.

**December 15, 2021**

It appears all our concerns have been addressed on both of these projects. We will follow-up with a formal reply next week.

Stay safe,

Charles Jarrett, Fire Inspector

**December 21, 2021**

On behalf of Chief Fickett,

We have no new comments on the following projects;

- Gorham Bike and Ski
- Maide for You

Charles Jarrett, Fire Inspector

**Planning Department:** 09/07/2021, 11/30/2021, 12/27/2021

**September 7, 2021**

- Zoning - NMuDD; public water and sewer in Narragansett St
- The impervious coverage should be calculated for the new impervious coverage.
- It appears that the parking on the northeastern side of the property encroaches on another property. Please explain, provide the easement for it, or move the parking.

**November 30, 2021**

- The developer needs to provide in writing a statement from the Portland Water District that the proposed water supply system will not result in an undue burden on the source or distribution system.
- Financial capacity needs to be shown.
- Pedestrian facilities should be reviewed that conform to the performance standards of the NMuDD.
- The impervious coverage calculations are different on the plans from what is stated in the application.

**December 27, 2021**

- Parking lot landscaping to the rear of the property. See Chapter 1 section 1-16 D 2 e.

**Police Department:**

No comments received.

**Portland Water District:** 12/14/2021

**December 14, 2021**

Mr. Anderson,

Based on the information provided, the existing **1-inch** domestic service with **5/8-inch** meter should be able to handle the water demand at the site. If you experience any water supply or pressure issues please contact PWD to increase the service size to the building. If you have any questions please feel free to reach out.

Due to the commercial use, a testable double check backflow preventer will be required to be installed the next time the meter is pulled off or at the request of PWD's water operations group in conformance with our cross connections control policy.

Christopher Kowash  
Associate Engineer  
Portland Water District

**Public Works Department:** 12/20/2021

**December 20, 2021**

Good morning the only comment on the current plan is I would like to see the landscape buffer outside of the ROW. These planting will become a Town maintenance issue if allowed in ROW.

Terry Deering  
Deputy Director

**Wright Pierce:** 11/29/2021, 12/16/2021

**November 29, 2021**

As requested by the Town of Gorham, Wright-Pierce has reviewed the Site Plan Application for the proposed Maide For You project. According to the submitted materials, a sketch plan meeting with the Planning Board occurred on September 13, 2021 and hopes to be eligible for the December 6, 2021 Board meeting.. The Applicant owns a 0.98-acre parcel at 222 Narragansett Street zoned Narragansett Development District (ND). A site plan approval was granted in 1986 and this application proposes to amend that. Maide For You is an existing business run out of this site. The Applicant is proposing to clean up the site and redevelop the site to improve the safety of the site and surrounding areas for vehicle and pedestrian traffic. The existing residence on site is being rented out by the Applicant. Proposed changes to the site include:

- Relocate residential driveway to separate residential and commercial traffic;

- Reduce the curb cut along Route 202;
- Convert the existing garage into a tanning salon;
- Renovate the existing Maide For You office building;
- Reconfigure site and parking layout to provide additional parking;
- Remove parking areas within the right of way of Route 202;
- Add a second story to the existing office building at a later date; and
- Relocate dumpster to behind the office building.

#### **Documents Reviewed by Wright-Pierce**

- Site Plan Application and Attachments - prepared by BH2M (November 2, 2021)
- Site Plan Set - prepared by BH2M (November 2, 2021)

#### **Review Comments**

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

#### **General/Completeness**

1. Site Plan Application was submitted and complete.
2. Agent authorization provided, as required.
3. Deed for the property was provided, as required.
4. The plans and application indicate an increase in building square footage (3,788 SF existing; 3,808 SF proposed). The applicant should provide clarification as to why there is a change in square footage, since only building renovations are proposed.
5. The application indicates a reduction in lot coverage (by buildings) from 55.9% to 49.2%; however, it appears these percentages are the lot coverage of impervious area (buildings and gravel/pavement). Additionally, the proposed percentage does not match the plans.
6. Project is not within the shoreland overlay district.
7. Project is not within an MS4 urbanized area and is under an acre so there are not MS4 requirements.
8. USGS map provided, as required.
9. USDA NRCS Web Soil Survey Map provided. Since existing septic is proposed to be used, we believe this level of detail is adequate.
10. 24"x36" plans submitted.
11. Plans contain a title block with the following required information:
  - a. Applicant's name and address
  - b. Name of preparer of plans with professional information and professional seal
  - c. Parcel's tax map identification (map-lot). General Note 2 should be updated with the correct Lot number.
  - d. Date of plan preparation
12. It is recommended that building square footages be added to the plans.

#### **General Standards of Performance**

1. Environmental
  - a. It is recommended the proposed silt fence be extended around more of the site. The eastern side of the site, adjacent to the proposed ditch, has nearly no proposed silt fence. Silt fence should also be extended farther at the rear of the site behind the existing septic system and gravel driveway proposed to be removed. Silt fence should also be extended along the western side of the proposed 12' paved drive to the rental building.

- b. A FEMA map was provided, which shows that the project is not within a floodplain.
  - c. According to the Town Shoreland Overlay District Map, the project is not within the shoreland district.
2. Buffer Area
- a. The plans indicate a 23' wide landscape buffer strip meeting the landscaping requirements of the Narragansett Development District; however, no details are provided as to how the buffer meets the requirements. A landscape plan should be provided meeting the requirements, including screening along public roadways and parking lot landscaping. The Planning Board should provide comment as to whether a separate landscape architect review is required, especially since it appears the Applicant is proposing an alternative buffer.
3. Parking
- a. The site should comply with parking requirements for Mixed-Use Developments, found in Section 2-2 (A) of the Gorham Land Use and Development Code.
    - i. Studio/1-bedroom residential buildings are required to have 1 parking space. Units with more bedrooms are required to have 0.5 parking spaces per additional bedroom. Commercial buildings must have 1 parking space per 250 square feet of gross floor area.
    - ii. 36 standard spaces and 2 ADA spaces are proposed. The total square footage of buildings on the property are included on the site plan, but not specific to the individual buildings. Architectural plans do not show dimensions or if more than one floor is proposed. Applicant should provide gross building square footages for each building on site (in their proposed condition), number of bedrooms in the residence, and calculations for how many parking spaces are required for each, based on their use. Please provide calculations for determining the number of ADA spaces required, as well.
  - b. Traffic - Applicant has stated in the Site Plan Application that 16 vehicle trips entering and exiting are expected per day and one delivery box truck per week. Applicant should provide a statement on how this compares to existing traffic.

#### **Site Plan Requirements**

- 1. Utilization of the Site - The proposed site will appropriately utilize the site. Existing buildings are being renovated instead of constructing new. The parking lot is being reconfigured in a more functional manner.
- 2. Access to the Site - Only 16 vehicle trips in and out of the site are expected per day, which appears consistent with the current use of the site. There are no concerns with access to the site.
- 3. Access Into the Site - Applicant to confirm the following requirements are met:
  - a. The proposed driveway entrance will be a -2.0% slope for a minimum of five feet from the existing pavement edge. See Section 4-9, Paragraph C(3) of the Gorham Land Use and Development Code.
  - b. From the above control point, a grade of not more than -3% shall be required for a minimum of two car lengths or 40 feet. See Section 4-9, Paragraph C(3) of the Gorham Land Use and Development Code.
- 4. Internal Vehicle Circulation - Applicant to confirm a WB-40 vehicle can maneuver through the site and that there is adequate internal vehicle circulation for emergency vehicles. See Section 4-9, Paragraph D of the Gorham Land Use and Development Code.
- 5. Stormwater Management
  - a. Applicant to provide information on how stormwater will be managed. Please provide a description of how the requirements of Section 4-9, Paragraph F of the Gorham Land Use and Development Code are met.

- b. Applicant has stated that impervious cover is reduced in the proposed condition and therefore there will be less stormwater runoff from the site. The proposed management of stormwater includes sheet flow off the parking lot as well as a concentrated flow (ditch) adjacent to the parking area on the eastern side of the site. Additionally, the impervious cover material is changing from predominately gravel to bituminous pavement, which can increase the amount of stormwater runoff as pavement allows for less infiltration than gravel. Since there is a change in impervious material type and a newly created concentrated discharge location, it is recommended that a stormwater analysis be performed and submitted for review satisfying the requirements of Section 4-9, Paragraph F and any other applicable standards of the Gorham Land Use and Development Code to demonstrate there will be no increase in stormwater runoff. . The proposed site must not generate more stormwater runoff than in its existing condition.
  - c. Figures or other means of showing the drainage areas analyzed and information relevant to the stormwater analysis calculations, such as areas of impervious cover, should be provided to support the stormwater analysis.
  - d. Applicant also states “...no adverse impacts will be created to any abutting lots or any downstream conditions associated with this project”. The stormwater analysis should clearly support this statement.
6. Water Supply - The proposed site will continue to use the existing public water supply. A letter from the Portland Water District (PWD) confirming there is adequate supply shall be submitted. It is our assumption that there would be more visitors and employees in the proposed condition, and therefore more water usage. A letter from the septic designer reference PWD records and stated an increase in water usage, and therefore increase in sewage disposal, is expected. It is necessary to confirm that there is adequate supply for this increase.
  7. Sewage Disposal - The project proposes to connect to existing septic. A letter from the septic system designer has been provided which states that the system was designed for 340 gallons per day of flow and Portland Water District records indicate the peak use during the last 18 months was 275 gallons per day, while the average water use was closer to 200 gallons per day. The letter also states that in his professional opinion the existing system has the capacity for the proposed project.
  8. Utilities - Existing overhead electric will continue to provide power to the site. It is assumed that there is adequate power supply for the proposed use.
  9. Waste Disposal - Construction and site debris disposal contract noted as “TBD” on the Site Plan Application. Please provide additional comment on how waste will be disposed of. See Section 4-9, Paragraph O of the Gorham Land Use and Development Code for waste disposal requirements.

## **December 16, 2021**

As requested by the Town of Gorham, Wright-Pierce has reviewed the Site Plan Application resubmission for the proposed Maide For You project. The Applicant owns a 0.98-acre parcel at 222 Narragansett Street zoned Narragansett Development District (ND). A site plan approval was granted in 1986 and this application proposes to amend that. Maide For You is an existing business run out of this site. The Applicant is proposing to clean up the site and redevelop the site to improve the safety of the site and surrounding areas for vehicle and pedestrian traffic. The existing residence on site is being rented out by the Applicant.

## **Documents Reviewed by Wright-Pierce**

- Site Plan Application Comment Response Letter - prepared by BH2M (December 13, 2021)

## Maide For You/Donna Foster – M39/L9 Site Plan Amendment

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- Site Plan Application and Attachments - prepared by BH2M (Revised December 13, 2021)
- Site Plan Set - prepared by BH2M (Revised December 13, 2021)
- Emergency Vehicle Turning Schematics - prepared by BH2M

### Review Comments

Applicant should provide written responses to the review comments recommending clarification or further information be provided by the applicant. Wright-Pierce's original comment is in standard text, while our follow up comment to BH2M's response is in bold. Comments fully addressed by the resubmission are not listed.

### General/Completeness

5. The application indicates a reduction in lot coverage (by buildings) from 55.9% to 49.2%; however, it appears these percentages are the lot coverage of impervious area (buildings and gravel/pavement). Additionally, the proposed percentage does not match the plans. **The existing square footages of the buildings shown on the plan (excluding the shed) total to 3,288 SF. The total proposed building square footage listed in Note 8 on Sheet 1 and Note 10 on Sheet 2 is 3,788 SF. The shed square footage is not shown, but it appears even when considering that, the total existing building square footage would not add up to 3,788 SF. Please comment on the 500-foot discrepancy between the building square footages shown on the plan and the existing building square footage listed in Note 8.**
12. It is recommended that building square footages be added to the plans. **See comment 5.**

### Site Plan Requirements

6. Water Supply - The proposed site will continue to use the existing public water supply. A letter from the Portland Water District (PWD) confirming there is adequate supply shall be submitted. It is our assumption that there would be more visitors and employees in the proposed condition, and therefore more water usage. A letter from the septic designer reference PWD records and stated an increase in water usage, and therefore increase in sewage disposal, is expected. It is necessary to confirm that there is adequate supply for this increase. **Applicant has stated that this will be provided prior to Planning Board endorsement of the plans. No further comment.**



**TOWN OF GORHAM PLANNING BOARD  
SITE PLAN AMENDMENT REVIEW AND FINDINGS OF FACT  
For  
222 NARRAGANSETT STREET**

**January 3, 2022**

Applicant: Maide for You, Donna Foster, 222 Narragansett St., Gorham, ME 04038

Property Owner: Big Real Estate, LLC, 188 Harding Bridge Rd, Gorham, ME 04038.

Property: The lot is identified in the assessor database as Tax Map 39, Lot 9, and located at 222 Narragansett Street, Gorham, ME 04038.

Consultant: Andrew Morrell, P.E. #13285 with BH2M

Project Description: This is a request for approval to amend the original site plan to reconfigure and separate a 15,979 square foot gravel driveway and parking lot, addition of landscaping, and conversion of garage to a tanning salon.

Site Description: The site is 0.979 acres in size and is located at 222 Narragansett Street, State Route 202/4. There are an office building, garage, and residential dwelling unit onsite.

Applicability: The applicant's proposal requires site plan review because it involves amendments to a previously approved site plan.

Zoning: Narragansett Mixed Use Development District (NMUDD)

Variances: None required at this time.

Waiver requested: Requests a waiver from Chapter 1, Sections D 2) b) for a 23 foot buffer rather than the required 40 foot buffer.

**Suggested Motion:**

**Move to grant a waiver from Chapter 1, Sections D 2) b) for a 23 foot buffer rather than the required 40 foot buffer.**

Pursuant to the Application:

Site Plan Amendment/Pre-Application/Sketch Plan Review was held on September 13, 2021 and Public Hearing held on December 6, 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:

Andrew Morrell P.E. of BH2M, consist of the following:

Sheet 1 – Site Plan dated October 2021 as revised through 12/13/2021; received 12/13/2021
Sheet 2 – Existing Conditions Plan dated October 2021 as revised through 12/13/2021; received 12/13/2021
Sheet 3 – Details dated October 2021 as revised through 12/13/2021; received 12/13/2021

Other documents submitted consist of the following:

Sketch/Pre-Application Plan Application – 08/23/2021  
Site Plan Application – 11/02/2021  
Plans – Received 11/02/2021, 12/13/2021  
Gorham Town Planner Comments – 09/07/2021; 11/30/2021; 12/27/2021  
Gorham Assessor Comments – 11/05/2021, 12/14/2021  
Gorham Fire Chief Comments – 11/10/2021, 12/15/2021, 12/21/2021  
Gorham Code Enforcement Officer – No comments  
Gorham Police Chief – No comments  
Gorham Public Works Comments – 12/20/2021  
Portland Water District Comments – 12/14/2021  
Wright Pierce Comments – 11/29/2021, 12/16/2021

**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 amend the original site plan to reconfiguration and separate the 15,979 square foot gravel driveway and parking lot, provide additional landscaping, and convert an existing office to a tanning salon.

*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 Narragansett Street, State Route 202/4. Narragansett Street is considered a principal arterial by the Maine Department of Transportation.

The number of vehicles entering and exiting will total 16. The peak number of trips in the morning will be 7 entering and 7 exiting. The peak number of trips in the pm hours will be 9 entering and 9 exiting. There will be one small box truck per week for deliveries.

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

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

The existing paved driveway is 138 feet wide and is located on the northern corner of the lot. The existing sight distance at the intersection with Narragansett Street, state Route 202/4 is 500 feet looking east and 500 feet looking west.

The existing driveway will be split into 2. One will be for the residential unit and will be 12 feet wide. The commercial entrance will be reduced to 24 feet wide.

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

Finding: *The 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 site provides for a two-way vehicle access through the parking lots. A 24 foot wide access drive allows access from the front parking area to the rear parking area.

The site will provide a clear route for delivery vehicles with appropriate geometric design to allow turning and backing for WB-40 vehicles.

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.

Sheet 1 of the site plan shows pedestrian walkways to the entrances from the parking lots. Since these are existing buildings, no sidewalks are required at this time.

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.

Adequate provisions for stormwater shall be provided.

Storm water runoff systems will detain or retain water falling on the site such that the rate of flow from the site does not exceed the predevelopment rate. Discharge of additional storm water caused by the development onto adjacent properties will be prohibited unless written easements are obtained from the owners of such adjacent properties.

If the post development runoff is greater than predevelopment runoff, the developer will demonstrate that downstream channel or system capacity is sufficient to carry the flow without adverse effects, or will be responsible for the improvements to provide the required increase in capacity.

All natural drainage ways will be preserved at their natural gradients and will not be filled or converted to a closed system except as approved by the Planning Board and appropriate state agencies.

The design of storm water drainage systems will be based upon a storm frequency established by the Town Engineer, consistent with the frequency that would otherwise be required under the Town's subdivision ordinance, and shall provide for the disposal of storm water without damage to streets, adjacent properties, or downstream properties.

The design of the storm drainage systems will be fully cognizant of upstream runoff which must pass over or through the site to be developed.

The biological and chemical properties of the receiving waters will not be degraded by the storm water runoff from the development site. The use of oil and grease traps in manholes, the use of on-site vegetated waterways, and the reduction in use of deicing salts and fertilizers may be required, especially where the development storm water discharges into a gravel aquifer area or other water supply source.

*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.

Any soil disturbance will require erosion and sedimentation controls that meet the Maine Erosion and Sediment Control Best Management Practices.

*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.

The existing buildings have public water running from the 12 inch line in Narragansett Street.

The developer has secured in writing a statement from the Portland Water District that the proposed water supply system will not result in an undue burden on the source or distribution system.

Finding: *The development provides a system of water supply that provides for an adequate supply of water meeting the standards of the State of Maine for drinking water.*

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

The buildings are served by an existing onsite septic system. The applicant has provided a letter from Mark Hampton Associates, Inc. dated November 27, 2021 stating that the current system is adequate to serve the proposed development.

Finding: *The development provides for sewage disposal for the anticipated use of the site.*

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

The site is served with above ground cable, telephone, and power. The overhead utilities extend from Narragansett Street to the office building and the residential dwelling unit.

Finding: *The development will provide for adequate electrical and phone service to meet the anticipated use of the project.*

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

Existing canopy trees and understory will be retained along the southern and western property lines. Sheet 1 shows additional landscaping that, with a waiver of the required width, meets the performance standards within the Narragansett Mixed Use Development District has been provided.

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.

The proposed development will not utilize or adversely impact the 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.

All exterior lighting will be designed and shielded to avoid undue adverse impact on neighboring properties and rights-of-way. Lighting shall be provided, at a minimum, in the following areas: a. Entrances to facilities and recreation areas; b. Street intersections; c. Pedestrian crossings; and d. Entrance roads.

Finding: *The proposed development provides for adequate exterior lighting to provide for the safe use of the development during nighttime hours.*

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

The applicant has a dumpster and dumpster pad in the rear of the buildings. A private waste hauler empties the dumpster on a regular basis.

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.

Existing canopy trees and understory will be retained along the southern and western property lines. Additional landscaping that meet the performance standards within the Narragansett Mixed Use Development District has been provided. The use of Invasive Terrestrial Plants is not allowed in any landscaping on the site per the standards and requirements under Chapter 2, Section 2-1, J. Invasive Terrestrial Plants

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.

The lot is not located in the Shoreland Overlay District.

Finding: *The development will not adversely affect the water quality or shoreline of any adjacent body of water.*

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.

Technical capacity is demonstrated by the hiring of Andrew Morrell, P.E., BH2M.

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.

Existing canopy trees and understory will be retained along the southern and western property lines. Additional landscaping that meet the performance standards within the Narragansett Mixed Use Development District has been provided. The use of Invasive Terrestrial Plants is not allowed in any landscaping on the site per the standards and requirements under Chapter 2, Section 2-1, J. Invasive Terrestrial Plants.

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

Finding: The development will comply with the A-weighted hourly equivalent sound level limits of 70 dBA daytime (7am-7pm) and 60 dBA nighttime (7pm-7am).

## **SECTION 1-16 – NARRAGANSETT MIXED-USE DEVELOPMENT DISTRICT**

### **D. PERFORMANCE STANDARDS**

The standards that are relevant and apply to this application are reviewed below.

#### 2) Buffer yards

- a) Screening of non-residential uses: Non-residential uses shall be screened from adjacent residential zoning districts and developments by a buffer yard of twenty (20) feet in width containing at least three (3) canopy trees, six (6) under-story trees and nine (9) shrubs per one hundred (100) feet of length along the perimeter of the lot line adjacent to the residential use.

Since this is an existing site, this section does not apply in its entirety. Sheet 1 shows existing buffer yard of 20 feet along the rear of property; an existing buffer of various width along the western property line; and no buffer along the eastern side property line.

b) Screening along public roadways: Development adjacent to public roadways shall be screened as follows:

1. Abutting Narragansett Street and Bernard Rines Bypass – a buffer yard forty (40) feet in width containing at least four (4) canopy trees, eight (8) under story trees, and twelve (12) shrubs per one hundred (100) feet of frontage.

Sheet 1 shows a 23 foot buffer along the front of the property. A waiver has been requested to allow this width.

*Finding: The development provides for a buffer yard along Narragansett Street.*

e) **Parking lot landscaping**: At least ten percent (10%) of the interior surface of any parking area containing twenty (20) or more parking spaces shall consist of landscaped islands which shall be composed of shrubs and trees and other landscaping materials. The interior surface of a parking area shall be derived by computing the area within the general perimeter of contiguous areas containing parking spaces, maneuvering areas behind the spaces and landscaping areas within such perimeter, except that required setback areas and buffers shall not be included in the interior area computation.

Sheet 1 shows a parking lot landscaping in the front of the property.

*Finding: The development provides for a parking lot landscaping along Narragansett Street.*

f) Screening of refuse collection facilities: Uses within the development shall provide secure, safe, and sanitary facilities for the storage and pickup of refuse. Such facilities shall be convenient to collection and shall be appropriate to the type and size of the use being served. All refuse storage facilities shall be screened by a solid wall, fence, tight evergreen hedge, or combination of the above. Such screening shall be of sufficient height and design to effectively screen the facility from the view from adjacent residential uses and streets and from adjacent properties.

Sheet 1 shows the dumpster pad to the rear of the buildings, which provide for screening form the neighbors and Narragansett Street.

*Finding: The development provides for a screening of refuse collection for the neighbors and from Narragansett Street.*

### 3) Parking Lot Standards

- a) Parking lots between the front wall of any building and the street shall be limited to one row of parking spaces, the access driveway, and walkway into the buildings.
- b) All other parking shall be located to the side and rear of the building.

Sheet 1 shows the parking lot shows one row of parking spaces, one access driveway to the commercial buildings and one access driveway to the residential building, and walkways into each building.

Finding: *The development limits parking between the street and the front wall of the building.*

### 4) Lot Access

- a) Entrances to uses in this district shall be combined to the maximum extent possible.



The applicant will provide 2 entrances that split up one large entrance that extends nearly the entire length of the parcel.

Finding: *The development limits the number of entrances along Narragansett Street.*

7) Bike paths/greenway systems – the applicant shall provide for convenient and safe pedestrian and bicycle access to and within the development.

Sheet 1 of the site plan shows pedestrian walkways to the entrances from the parking lots. Since these are existing buildings, no sidewalks are required at this time.

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

### **Conditions of Approval**

1. That this approval is dependent upon, and limited to, the proposals and plans contained in this application and supporting documents submitted and affirmed by the applicants and that any variation from the plans, proposals and supporting documents is subject to review and approval by the Planning Board or Site Plan Review Committee, except for minor changes which the Town Planner may approve.
2. That prior to the commencement of construction of the site plan, the applicant is responsible for obtaining all required local, state and federal permits;
3. 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 all waivers and variances will be listed on the plan prior to recording;
5. That the map and lot numbers shall be listed in the bottom right corner of all pages of the plan set;
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 Maide for You/Donna Foster’s request for site plan amendment approval to reconfiguration and separate 15,979 square foot gravel driveway and parking lot, addition of landscaping, and conversion of garage to a tanning salon for the property located at 222 Narragansett Street on Map 39 Lot 9 in the Narragansett Mixed Use Development 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.**