

**Town of Gorham**  
**Planning Board Meeting**  
**October 2, 2023**

**ITEM 4 – Public Hearing – Site Plan - Patriot Holdings, LLC – Self Storage and Contractor Flex Space** - a request for approval to construct self-storage buildings, a contractor flex building and associated infrastructure. Map 77, Lot 5. Zoned RC. The applicant is represented by Chris Taylor, P.E. at Sebago Technics.

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**PROJECT TRACKING**

<b>DESCRIPTION</b>	<b>COMMENTS</b>	<b>STATUS</b>
Sketch Plan Review	Discussed by Planning Board	January 9, 2023
Site Plan Review		July 10, 2023
Public Hearing		October 2, 2023

The following staff notes are written to assist the Applicant with compliance to the Town of Gorham Land Use Development Code and are not necessarily inclusive of all project requirements. Staff notes contain review comments and recommendations from Town Staff and may include comments from any of the Town’s peer review consultants, regarding applicability to the Gorham Land Use and 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 noncommittal and all final decisions are those of the Planning Board and not Town Staff.

*Vincent Grassi, Chair Pro Tem, Gorham Planning Board*

## **1. OVERVIEW**

The applicant is requesting site plan review of a proposal to construct eight 6,900 sq ft self-storage buildings, a 9,900 sq ft contractor flex building, and associated infrastructure on a parcel located on the southeast corner of the intersection of Ossipee Trail and Dingley Springs Road.

The applicant is represented by Chris Taylor, P.E. with Sebago Technics.

## **2. ITEMS OF NOTE**

### Zoning and Subdivision

- The applicant has applied for DEP Site Law and Natural Resource Protection Act (NRPA) permits as of June, 2023, which are still under review.
- The zoning is currently Roadside Commercial (RC), which allows for a “self-service storage facility.” It also permits use for an “Office of Contractor or Tradesman”.
- The current zoning is consistent with the Future Land Use Plan in the Town’s Comprehensive Plan.
- The applicant has revised its plan to only include an entrance off Dingley Springs Road and not Ossipee Trail, which is consistent with Land Use Code requirements.
- American’s with Disabilities Act (ADA) accessible parking spaces are now included in the plan.
- Pedestrian accommodations are now made through a 4 ft. wide gravel shoulder transitioning to a paved shoulder from the entrance on Dingley Springs Road to the parking lot adjacent to the contractor flex space, where a crosswalk is shown. An additional pedestrian connection is provided to Ossipee Trail, along a preexisting snowmobile trail that is being slightly relocated and retained by the developer. The Planning Board needs to weigh in to determine if this accommodation is adequate to meet the ordinance requirements.
- Updated water supply calculations have been provided showing costs for a full build-out of the parcel have been provided, with a conclusion that providing a private on-site water supply is significantly more economical.
- The applicant is proposing to split off the lot on the northwestern corner of the parcel for future development. The Stormwater system serving the self-storage facility and contractor flex space is sized to accommodate future development on this corner lot.
- There are inconsistencies between the total impervious area included in the HydroCAD model and the Stormwater Management Plan Narrative that should be addressed, as per the comment from 3<sup>rd</sup> Party Engineer review by Wright Pierce. This should be clarified by the applicant. Several other stormwater-related comments in the Wright Pierce memo should be addressed.
- Neither a fire lane nor a “fire lane - no parking” sign is proposed, as required. The Planning Board should require this be added to the Site Plan.

### Historic Preservation/Natural Resources

Patriot Holdings – Self Storage and Contractor Flex Space  
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M77 L5 - Ossipee Trail Rd

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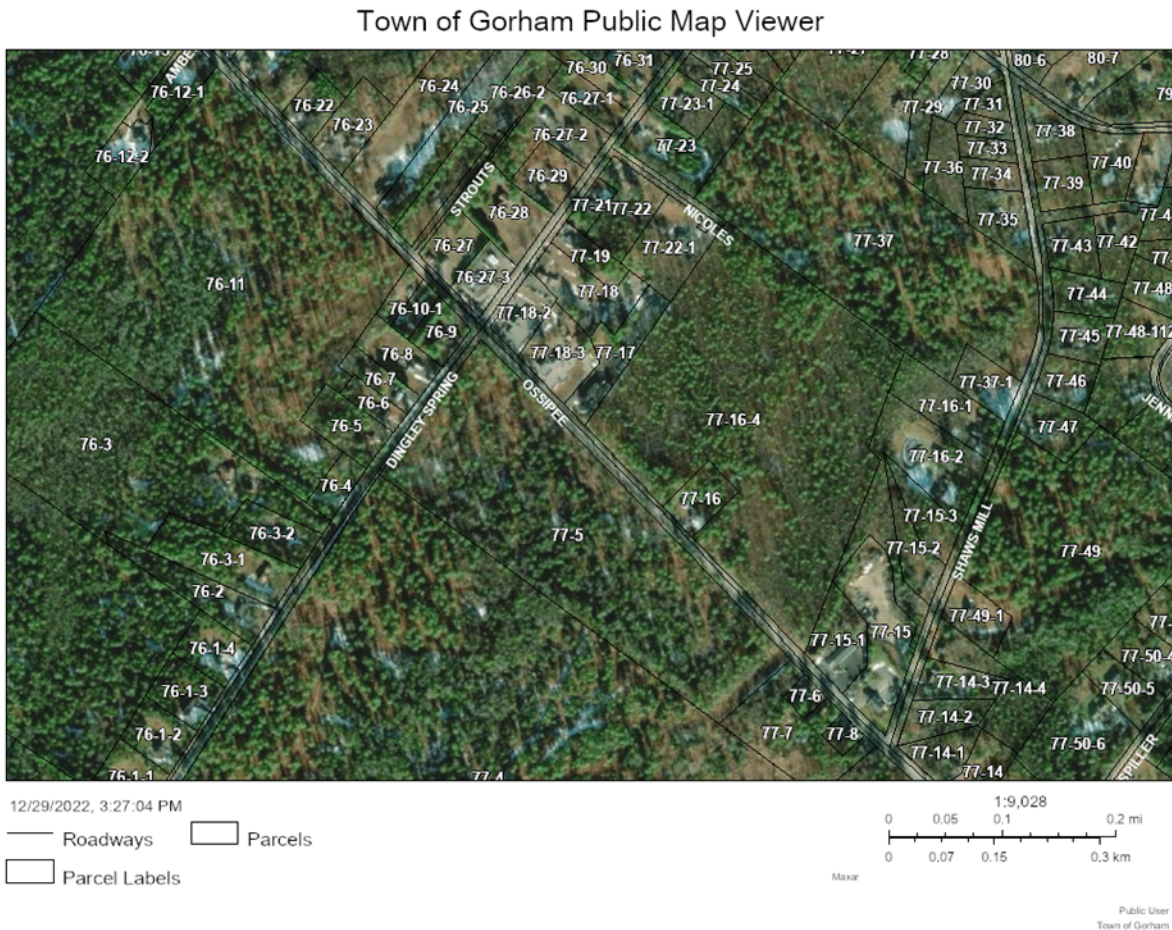
Wetlands are shown on the site in the Gorham GIS inventory, on the Beginning with Habitat maps provided by Maine Inland Forestry and Wildlife, as well as on the sketch plan provided with the submission. No critical wildlife habitat was shown on the site in data inventories.

The site is shown as part of the 10-50 gallons per minute aquifer area.

It doesn't appear that historic resources are on this site.

**3. AERIAL PHOTOGRAPH**

- a. Staff has included an aerial photograph for the Planning Board's review of the project. The aerial photograph is from the Town of Gorham Public Map Viewer.



**4. STAFF REVIEWS**

**Assessing Department:** No Comments.

**Code Department:** No Comments.

**Fire Department:** 06/09/2023

MAP 77 Lot 5

I have reviewed the submitted plans for Storage Facility / Commercial Building and have the following requirements or Questions Plans stamped date of June 2, 2023

1. The buildings will meet all applicable sections of the NFPA 101 Life Safety Code and the NFPA Fire Prevention Code 1. All buildings shall be properly numbered in accordance with E911 standards including height, color and location. The plans show total of 12 Storage Buildings and 1 Commercial Building.
2. Gate. Access gate shall have a Lock Box attached to the gate and a key in the box for Fire Department access to the site. Cost of lock box \$ 90.00 +/- app.
3. All the Gas Meters and or Propane Tanks will require protection. Please provide what the plan is for AHJ prior approval before installing.
4. The commercial Building (s) needs to have State Building Permit from the State of Maine. A stamped approved set of plans (All Pages Stamped approved) submitted to the Fire Chief's Office prior to start of Construction.
5. The commercial Building needs to have Sprinkler Systems under Gorham's Fire Protection Ordinance. A NFPA 13 System is required. Plans submitted to State and GFD at least 2 week prior to start of work for approval. NOT NEEDED AS THIS PLAN SHOWS IT UNDER 10,000 SQUARE FEET. If it has 3 tenants renting then it will need to be done.
6. If required by NFPA 72 Compliant Fire Alarm System in Commercial Building. Plans submitted to GFD for approval 2 weeks before start of work on the system.
7. The commercial Building does not state what is happening in that building, when we know this other requirements may be needed.
8. Plans show traffic flows. Currently the project is not requiring any traffic signals. If there are adding traffic signals at 25 and Dingley Springs Road, I will require a Tomar traffic emitting devices installed in the intersection.

No other requirements at this time.

**Planning Department:** 9/26/2023

1. The applicant applied for a NRPA Tier 1 Wetland Alteration Permit with the Maine Department of Environmental Protection, as well as a Site Location of Development Permit (SLODA) on 6/23/2023. These applications are under review at this time.
2. This lot is not located with the MS4 area.
3. The applicant's plan calls for an entrance off Dingley Springs Road, with no entrance on Ossipee Trail. This is consistent with the Town's Land Use Code, Chapter 1 Section 1-11, E, 2, e states "For lots with frontage on Main Street, Ossipee Trail, and another street the access drives shall be located off the street of lower classification unless the Planning Board finds that no safe alternative exists." A previous plan submission included access on Ossipee Trail.
4. Building renderings have been included with the updated submission that show an addition of architectural details (windows, dormers, cupolas, and mix of building materials) on buildings facing both road frontages in order to satisfy ordinance requirements as specified in Land Use

Code Chapter 1 Section 1-11, E, 2, d. They anticipate the use of prefabricated metal buildings. There does not appear to be three (3) different materials proposed on the primary front façade.

5. Pedestrian accommodations are now made through a 4 ft. wide gravel shoulder transitioning to a paved shoulder from the entrance on Dingley Springs Road to the parking lot adjacent to the contractor flex space, where a crosswalk is shown. An additional pedestrian connection is provided to Ossipee Trail, along a preexisting snowmobile trail that is being slightly relocated and retained by the developer. The Planning Board needs to weigh in to determine if this accommodation is adequate to meet the ordinance requirements.
6. The applicant has stated during the project review meeting on 6/14/23 that they are considering a phased approach for construction of the self-storage buildings, first constructing the 3 westernmost units shown on the site plan and then the remaining 5. The phases are shown on the site plan.
7. The applicant has stated that they plan to build out all stormwater infrastructure included in the site plan regardless of phasing of building construction.
8. The minimum setback requirement of 25' from Ossipee Trail is met.
9. The plans show a 35' native forest buffer, which meets screening requirements.
10. The landscape buffer area will require a plan, prepared by a registered landscape architect or qualified landscaping firm, meeting standards outlined in Chapter 4.
11. Parking requirements
  - a. Chapter 2, Section 2-2 of the Land Use Code requires 1 parking space for every 1000 sq. ft. of gross floor area for "Industry, manufacturing and business" use, which is the best-fit category for the contractor flex space. The proposed 9,900 sq. ft. building would require 10 parking spaces. 12 parking spaces are provided adjacent to this proposed use, one of which is an Americans with Disabilities Act (ADA) compliant space, which satisfies the requirement of at least 1 ADA space per 25 parking spaces.
  - b. No specific requirements are listed for self-service storage facilities. The closest match appears to be "Industry, manufacturing and business", with requirements of 1 space per 1000 sf. The proposed self-storage area is 59,200 sf, therefore it appears that an additional 60 spaces is required for this use.
    - i. This requirement can be waived by the Planning Board "Where it is clearly demonstrated that the parking demand will be lower than that established by this section and that the reduction will not detract from neighborhood property values, inconvenience the public, or increase congestion on adjacent streets"
    - ii. The applicant has stated that adequate parking is accessible for self-storage users on paved areas and access ways adjacent to storage units.
  - c. The plans do not show detailed traffic flows on internal drives, and whether any temporary parking spaces are going to be established for loading/unloading into self-service storage units. These provisions will have a bearing on the overall parking requirements for the site.
    - i. At the Jan. 4, 2023 pre-application Planning Board presentation, the applicant's representatives stated that parking needs for self-storage units are sporadic in nature and can be safely met on an informal basis using paved areas of the access driveways adjacent to individual storage units.

12. Updated water supply calculations have been provided showing costs for a full build-out of the parcel have been provided, with a conclusion that providing a private on-site water supply is more economical.

**Police Department:** No comments

**Public Works Department:** No comments

**Barton & Loguidice:** 07/06/2023, 09/25/2023

**07/06/2023**

Barton & Loguidice (B&L) has completed its review of the proposed project, including the Applicant's submitted traffic assessment and performed a field review, our traffic comments are listed below.

1. Trip Generation – We are in agreement with the Applicant's estimate of expected trip generation of 30 weekday am peak hour trips and 32 weekday pm peak hour trips, based on 55,200 sf of self-storage and 9,900 sf of Contracting Flex space uses. This is below the Maine DOT TMP threshold of 100 peak hour trips. Lot 1 is undeveloped at this time but will need to be added to this trip generation when it is developed in the future.
2. Crash Data – we are in agreement with the Applicant's review and findings that there are no high crash locations as defined by Maine DOT in the immediate vicinity of the proposed development.
3. Sight Distance – we are in agreement with the findings but would add the following condition:
  - a. Dingley Spring Road Sight Distance – The Applicant should be required to trim back brush and vegetation within the existing ROW to optimize and maintain the sight distance looking both left and right out of the proposed Dingley Spring Road entrance.
4. Site Access – The Town of Gorham Land Use Code, Section 2-5, Part F, Part 6 Driveways, states, "Driveways to corner lots shall gain access from the street of lower classification when a corner lot is bounded by streets of two different classification." In this case Route 25 is classified as a minor arterial by Maine DOT and Dingley Spring Road is a local road, which is a lower classification. Therefore, the proposed development should be served by a single entrance located on Dingley Spring Road and not have direct access to Route 25.

**09/25/2023**

Barton & Loguidice (B&L) has completed its review of the Site Plan Review Comment Responses provided by Sebago Technics in their letter and design plans dated September 11, 2023. Our traffic comments are listed below.

1. Design Vehicle: The Applicant has provided turning templates for the Town of Gorham emergency vehicle using an SU-40 single unit truck. Did the applicant verify that this models the largest emergency vehicle that the Town would typically use? If not, please

confirm the largest typical emergency vehicle the Town would use and show the turning templates for it. In addition, the applicant should show the typical largest non-emergency vehicle that would access the site and confirm that it can enter and exit the site without encroaching over the centerline of Dingley Spring Road and the site driveway.

**Wright Pierce:** 07/05/2023, 09/25/2023

**07/05/2023**

As requested by the Town of Gorham, Wright-Pierce has reviewed the Major Non-Residential Site Plan Application submission for the proposed Self-Storage Facility and Contractor Flex Space on Dingley Spring Road in Gorham. The 6.5-acre parcel (Tax Map 77, Lot 5) is within the Roadside Commercial District and currently undeveloped and vegetated.

**Documents Reviewed by Wright-Pierce**

- Site Plan Permit Application Package - prepared by Sebago Technics (May 2023)
- Gorham Self-Storage Site Plan (Sheets 1-13), Pre- and Post-Development Watershed Plans, Class B High Intensity Soil Survey, Boundary Survey, and Lighting Plan - prepared by Sebago Technics (November 16, 2022) and Existing Conditions Plan (page 8 of the plan set PDF) - prepared by Sebago Technics (Revised May 29, 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. Please provide Maine Department of Environmental Protection (DEP) Site Law and Natural Resources Protection Act (NRPA) permits to the Town when approved.

**General Standards of Performance**

1. Environmental
  - a. The proposed project is not located within the 100-year floodplain, shoreland overlay district, or Municipal Separate Storm Sewer System (MS4) urbanized area.
  - b. The project proposes to impact wetlands in order to construct the embankments of the proposed stormwater wet ponds and provide an effective discharge point for the pond outlets. It appears that the selected location is the only feasible location for the practices since it is the most downgradient point of the site. It also appears that disturbances to the wetland have been minimized to the greatest extent practicable.
  - c. Proposed erosion controls appear adequate and undue environmental impacts are not anticipated. Filter barrier is proposed along the southerly side of the site downgradient of all proposed disturbances. Stone check dams are proposed in ditches and catch basin inlet protection are proposed in catch basins. A stabilized construction entrance is proposed off Dingley Spring Road and Ossipee Trail.
  - d. Clarify note regarding installation of a double row of filter barrier to include all areas within 75 feet of the wetlands. At a minimum, this is required for over-winter protection, per the Maine DEP Erosion and Sediment Control Best Management Practices (BMP) Manual for Designers and Engineers.

2. Parking, Loading, and Traffic
  - a. Parking calculations were not provided. Please submit parking calculations showing that enough parking spaces are provided for the given use of the site. Consult with the Town to determine if the building area of the self-storage units needs to be included in the parking calculation or just the contractor flex space building.
  - b. ADA accessible parking spaces are not proposed. The appropriate number of ADA spaces for the given number of total standard parking spaces proposed should be shown on the plan. The ADA space(s) should include an access aisle, signage, pavement markings, and all other ADA requirements.
  - c. Submit a vehicle turning analysis showing that emergency vehicles can properly access the site.
  - d. It is our understanding that Barton & Loguidice is reviewing the traffic assessment for this project.

### **Site Plan Requirements**

1. It does not appear that there is a -2.0% slope for a minimum of 5 feet at the entrances of the site. Show spot grades showing the entrances are compliant with Section 4-9, Paragraph C.3 of the LUDC.
2. Neither a fire lane nor a “fire lane - no parking” sign is proposed, as required. Consult with the Town Fire Department to meet their requirements.
3. Town to determine if a lighting analysis is required. A cursory review of the lighting specifications and lighting plan shows that adequate lighting is proposed and will not create adverse effects for the neighbors.
4. The HydroCAD model of the proposed conditions includes 6.468 acres of impervious area, and the existing conditions model includes 0.847 acres of impervious area. However, the Stormwater Management Plan narrative states that the project proposes 4.43 acres of new impervious area. The site plan application letter states that the project will create 5.6 acres of non-vegetated area. Please clarify the proposed changes in land cover and revise the applicable documents and model to match for review.
5. The “Re-Certification” subsection under “Post-Construction” in the “Inspection, Maintenance, and Housekeeping Plan”, should clarify “Department” is referring to the Maine Department of Environmental Protection.
6. Town to determine if a landscaping review is required.

**09/25/2023**

As requested by the Town of Gorham, Wright-Pierce has reviewed the Major Non-Residential Site Plan Application resubmission for the proposed Self-Storage Facility and Contractor Flex Space on Dingley Spring Road in Gorham. The 6.5-acre parcel (Tax Map 77, Lot 5) is within the Roadside Commercial District and currently undeveloped and vegetated.

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

- Comment Response Letter - prepared by Sebago Technics (September 11, 2023)
- Gorham Self-Storage Site Plan (Sheets 1-13, Revised September 11, 2023), Pre- and Post-Development Watershed Plans (Revised August 18, 2023), Class B High Intensity Soil Survey (issued for review March 31, 2023), , and Truck Access Plan (revised September 11, 2023) -



prepared by Sebago Technics; Boundary Survey (May 19, 2023) - prepared by Titcomb Associated, and Lighting Plan (Revised July 24, 2023) - prepared by Current.

- Public Water Capacity Calculations - prepared by Sebago Technics (Undated)
- Stormwater Management Report - prepared by Sebago Technics (Revised August 18, 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**

7. WP Original Comment 1: Please provide Maine Department of Environmental Protection (DEP) Site Law and Natural Resources Protection Act (NRPA) permits to the Town when approved.

*Applicant Response: Acknowledged. The previously submitted DEP Site Law and NRPA permit orders will*

*be forwarded upon receipt to the Town of Gorham.*

**WP Follow Up Response: No further comment. Town to ensure permits are obtained prior to final approval.**

### **General Standards of Performance**

8. WP Original Comment 2a: Parking calculations were not provided. Please submit parking calculations showing that enough parking spaces are provided for the given use of the site. Consult with the Town to determine if the building area of the self-storage units needs to be included in the parking calculation or just the contractor flex space building.

*Applicant Response: A parking calculation has been added to the revised site plan for the proposed commercial contractor flex space building. The applicant is seeking a waiver of the parking requirements for the self-storage buildings due to the nature of individual storage units only requiring space for temporary loading and unloading of items.*

**WP Follow Up Response: Parking calculations showing how the provided 11 parking spaces were calculated could not be located on the site plans. We concur with the justification for the waiver of parking requirements at the individual storage units. There is 25-feet between each storage building which should be sufficient for temporary loading.**

### **Site Plan Requirements**

9. WP Original Comment 2: Neither a fire lane nor a “fire lane - no parking” sign is proposed, as required. Consult with the Town Fire Department to meet their requirements.

*Applicant Response: The Fire Department has reviewed and commented on the proposed project and did not request any no parking signs for fire lanes. These will be incorporated into the design if required by the Fire Department.*

**WP Follow Up Response: Town to request a fire lane or sign if desired.**

10. WP Original Comment 4: The HydroCAD model of the proposed conditions includes 6.468 acres of impervious area, and the existing conditions model includes 0.847 acres of impervious area. However, the Stormwater Management Plan narrative states that the project proposes 4.43 acres of new impervious area. The site plan application letter states that the project will create 5.6

acres of non-vegetated area. Please clarify the proposed changes in land cover and revise the applicable documents and model to match for review.

*Applicant Response:* The proposed wet ponds and stormwater management were designed for future development at the corner of Ossipee Trail and Dingley Springs Road. The total new impervious area proposed for the entire parcel is 5.62 acres. This includes the future development of the lot in the northern corner. The HydroCAD model includes 0.85 acres of existing impervious that represent portions of Dingley Spring Road and Ossipee Trail that contribute runoff to the point of analysis. Subtracting the 0.85 acres from the 6.47 acres of impervious listed in the HydroCAD proposed conditions model nets 5.62 acres of proposed impervious. The 4.43 acres of new impervious area cited in the Stormwater Management Plan excludes the future development lot and represents the amount of impervious proposed in the creation of the contractor flex space, self-storage units, and access road. The numbers referenced above have changed with the updating of the Site Plan to feature a single access driveway off Dingley Springs Road. The Stormwater Management Report and HydroCAD models have been updated to reflect this change. The Stormwater Management Report has also been reworded so that the numbers are presented more clearly.

**WP Follow Up Response:** Thank you for the clarification. We have reviewed the updated report and model. Wet Pond 2 appears to be modeled as described in the Proposed Site Improvements section of the Stormwater Management Report and shown in the corresponding water quality calculation worksheet. However, we request clarification on the modeling of Wet Pond 1. Subcatchment 1S, which is routed to Wet Pond 1, correctly contains 125,287 SF of impervious area (2.88 acres). Subcatchment 1S also includes 94,912 SF (2.18 acres) of pervious landscaped area, which totals 220,199 SF (5.06 acres) of developed area. The water quality calculation worksheet states that Wet Pond 1 treats 79,293 SF (1.82 acres) of pervious landscaped area, totaling 204,580 SF (4.7 acres). The pervious area between the model and the water quality calculation worksheet do not appear to match.

11. **WP Original Comment 5:** The “Re-Certification” subsection under “Post-Construction” in the “Inspection, Maintenance, and Housekeeping Plan”, should clarify “Department” is referring to the Maine Department of Environmental Protection.

*Applicant Response:* The IM&H plan now references “MDEP” in lieu of the term “Department” when referring to the Maine Department of Environmental Protection.

**WP Follow Up Response:** This update does not appear to have been made. There are still references to “Department” under the “Re-Certification” subsection under “Post-Construction”.

12. **WP New Comment 1:** A catch basin detail should be added to the plans.

13. **WP New Comment 2:** The rim and inverts on the storm drain structure data on Sheets 7 and 8 for OCS-1 and OCS-2 should be coordinated with the details for OCS-1 and OCS-2 to match.

14. **WP New Comment 3:** It is recommended that storm drain pipe have a minimum of 0.5% slope. SD-9 has a slope of 0.33%. Additionally, the length for UD-1 is listed as 1 foot on the Storm Drain Pipe Data table, which appears shorter than shown on the plans.

**Conservation Commission:** 06/09/2023, 07/01/2023, 09/25/2023

Patriot Holdings – Self Storage and Contractor Flex Space  
Site Plan Review  
M77 L5 - Ossipee Trail Rd

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**06/09/2023**

Team,

The lawyer for this company contacted me approximately 18 months ago in regards to the snowmobile trail that runs through the property. He asked for the landowner permission form and more information on the liability coverage through the State of Maine, both of which I provided to him.

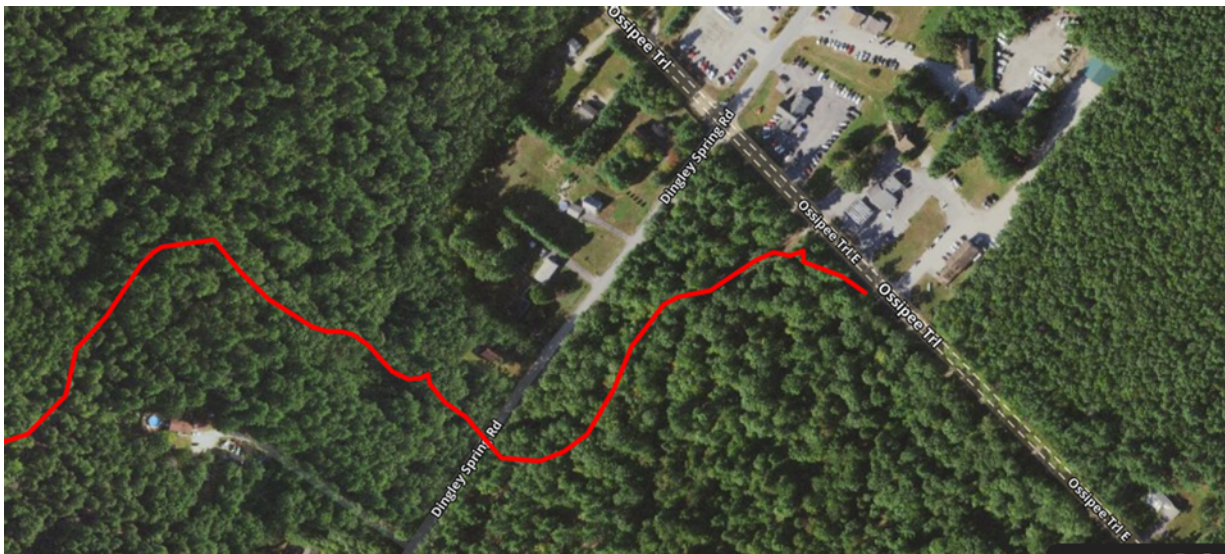
For reference, the existing snowmobile trail crosses directly between Pit Stop Fuel and the Irving station and acts as a connector to the Standish trail system. We will be sure to GPS this shortly to ensure that we are all on the same page.

Thanks.

Tom

**06/09/2023**

Update, we did GPS the area last year, here is a screenshot:



**07/01/2023**

Dear Planning Department and Planning Board Members,

The Conservation Commission has reviewed the plans and documents from Patriot Holdings for the proposed self-storage facility and contractor flex space on Ossipee Trail.

Our initial concern with this project was the preservation of the existing snowmobile access using a trail on that property. Because a reroute of the snowmobile trail is included on the submitted

Patriot Holdings – Self Storage and Contractor Flex Space

Site Plan Review

M77 L5 - Ossipee Trail Rd

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plans we have no additional comments on this project as long as that trail access remains and the project adheres to all applicable town and state requirements,

Thank you for your time and for considering these comments. Please let us know if you have any questions or would like more information from us.

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

**09/25/2023**

We have no further comments regarding this project other than we are happy to see a pedestrian trail in the plan.

Thank you,  
Bill

**PLANNING BOARD**  
**SITE PLAN REVIEW**  
**AND FINDINGS OF FACT**  
**For**  
**PATRIOT HOLDINGS, LLC**

**October 2, 2023**

Applicant/ Property Owner: The applicant/property owner is Patriot Holdings, LLC of 4007 Dean Martin Drive, Las Vegas, NV 89103.

Property: The lot is identified as Tax Map 77, Lot 5, and is located at the southeast corner of the intersection of Dingley Springs Road and Ossipee Trail.

Consultants: Chris Taylor, P.E., # 16677, with Sebago Technics.

Project Description: The applicant is proposing a construction of an 8-building 55,200 sq. ft. self-storage facility, an 9,900 sq. ft. contractor flex space, and associated infrastructure.

Site Description: The lot is 26.5 acres in size and is forested, with wetlands located on the southern portion.

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

Zoning: Roadside Commercial, B. Permitted Uses, “Self-service Storage Facility.”, and “Office of Contractor or Tradesman”.

Variances: None requested.

Waivers: None requested.

Pursuant to the Application:

Site Plan Review was held on July 10, 2023, with the item tabled pending further review. The Planning Board is reviewing a revised submission on October 2, 2023.

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

Chris Taylor, PE of Sebago Technic’s Plans consist of the following:

Sheet 1 – Cover Sheet, Dated 3/2/2023; Revised through 9/11/2023; Received 9/11/2023  
Sheet 2 – Notes and Legend, Dated 3/2/2023; Revised through 9/11/2023; Received 9/11/2023  
Sheet 3 – Overall Site Plan, Dated 3/2/2023; Revised through 9/11/2023; Received 9/11/2023  
Sheet 4 – Site Plan 1, Dated 3/2/2023; Revised through 9/11/2023; Received 9/11/2023  
Sheet 5 – Site Plan 2, Dated 3/2/2023; Revised through 9/11/2023; Received 9/11/2023  
Sheet 6 – Overall Grading Plan, Dated 3/2/2023; Revised through 9/11/2023; Received 9/11/2023  
Sheet 7 – Grading & Utility Plan 1, Dated 3/2/2023; Revised through 9/11/2023; Received 9/11/2023  
Sheet 8 – Grading & Utility Plan 2, Dated 3/2/2023; Revised through 9/11/2023; Received 9/11/2023  
Sheet 9 – Landscape Plan, Dated 3/2/2023; Revised through 9/11/2023; Received 9/11/2023  
Sheet 10 – Erosion Control Notes, Dated 3/2/2023; Revised through 9/11/2023; Received 9/11/2023  
Sheet 11 – Details 1, Dated 3/2/2023; Revised through 9/11/2023; Received 9/11/2023  
Sheet 12 – Details 2, Dated 3/2/2023; Revised through 9/11/2023; Received 9/11/2023  
Sheet 13 – Details 3, Dated 3/2/2023; Revised through 9/11/2023; Received 9/11/2023  
Existing Conditions Stormwater Plan – Sheet 1, Dated 3/2/2023; Revised through 8/18/2023; Received 9/11/2023  
Post Development Watershed Plan – Sheet 2, Dated 3/2/2023; Revised through 8/18/2023; Received 9/11/2023  
Class ‘B’ High Intensity Soil Map, Dated 3/2/2023; Revised through 3/31/2023; Received 9/11/2023  
Existing Conditions and Boundary Survey, Dated 5/19/2023; Revised through 5/19/23; Received 9/11/2023  
Site Photometric Plan, Dated 5/15/2023; Revised through 7/24/2023; Received 9/11/2023  
Truck Access Plan, Dated 03/02/2023; Revised through 09/11/2023; Received 9/11/2023

Other documents submitted consist of the following:

Site Plan Review Application – 6/2/2023  
Agent Authorization – 12/15/2022  
Contract for Sale of Commercial Property – 5/17/2023; 6/02/23  
Letter of Financial Capacity – 5/31/23  
Water and Sewer Utility Cost Calculations – 6/02/23  
Trip Generation Memorandum – 5/22/2023; 6/02/23  
Class ‘B’ High Intensity Soil Survey Report – 3/31/2023; 6/02/23  
Town Planner Comments – 7/7/2023; 9/26/2023  
Lighting Report and Photometric Plan (11”x17”) 5/15/2023; 6/2/2023

Stormwater Management Report – May, 2023; 6/2/23  
Architectural designs – 5/30/2023; 6/2/23  
Historic Preservation Review – 4/23/2023; 6/2/23  
Gorham Assessor Comments – No comment  
Gorham Fire Chief Comments – 6/9/2023  
Gorham Public Works Director Comments – No comment  
Gorham Code Enforcement Officer – No comment  
Barton & Loguidice – 7/06/2023, 09/25/2023  
Wright Pierce – 7/03/2023, 09/25/2023  
Conservation Commission Comments – 6/9/2023, 07/01/2023, 09/25/2023

#### **CHAPTER IV, SITE PLAN REVIEW, SECTION 9 – Approval Criteria and Standards**

The Planning Board, following review of the Site Plan Application Amendment, 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.

##### CHAPTER 4, Section 9 – Approval Criteria and Standards

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

The applicant states in the document “Chapter 4 Site Plan Review - Standards – Responses” that the proposed development utilizes the natural capabilities of the site to the extent practicable and has been designed to maintain and preserve natural landscape.

As shown on the Site Plan, Sheets 4, 5, and 6, the site is relatively flat with wetlands to the rear of the parcel. The canopy trees and understory will be removed in the areas of construction only. The environmentally sensitive areas will not be disturbed to great extent.

*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.

In their document “Chapter 4 Site Plan Review - Standards – Responses”, the applicant states that the proposed development is anticipated to generate less than 100 peak hour trips, and the proposed vehicular access point on Dingley Springs Road will not reduce the current levels of service. Their original Site Plan Application, Section 6, Traffic shows that the maximum additional AM peak hour trips generated is 30, and 32 for the PM peak hour.

As stated in Site Plan Application, Section 6, Traffic, the total AM peak hour traffic is estimated to be 30 vehicle trips and the total PM peak hour traffic is estimated to be 32 vehicle trips.

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.

- 1) Any exit driveway or proposed street will be so designed as to provide the minimum sight distance to meet the Maine Department of Transportation standards.
  - a. Proposed vehicular access points on Dingley Springs Road, shown on Sheet 3 of 13, have been designed in accordance with applicable Maine Department of Transportation standards. An evaluation of sight distances is included in Site Plan Application, Section 6, Traffic.
- 2) Points of access will be located to avoid hazardous conflicts with existing turning movements and traffic flows.
  - a. Information regarding the proposed vehicular access points on Dingley Springs Road is included in the Site Plan Application, Section 6, Traffic.
- 3) The grade of any proposed drive or street 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.
  - a. Grading and Utility Plan 1 shows grades at the driveway entrance off Dingley Spring Road. The revised grading is compliant with Section 4-9, Paragraph C.3 of the Land Use Development Code.
- 4) The intersection of any access drive or proposed street will function at a Level of Service of C following development if the project will generate an ADT of one thousand (1,000) or more vehicle trips, or at a level which will allow safe access into and out of the project if less than one thousand (1,000) trips are generated.
  - a. According to information provided in Site Plan Application, Section 6, Traffic, the proposed vehicular access points will allow for safe access into and out of the project site.
- 5) Projects generating an ADT of one thousand (1,000) or more vehicle trips will provide two (2) or more separate points of vehicular access into and out of the site.
  - a. This requirement is not applicable.

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

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 applicant states in the document “Chapter 4 Site Plan Review - Standards – Responses” that the proposed internal drive aisles are designed to a width of 25 feet or 35 feet to provide maneuverability, temporary parking for loading/unloading, and access for emergency vehicles in accordance with subsections 1-4 below. These dimensional configurations are shown on the Site Plan, Sheets 4 and 5.



The applicant does not provide any dedicated parking for the self-storage facility. The Planning Board may make a finding to allow reduced parking amounts, as per Land Use Code Section 2-2 A 8.

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.

On Site Plan 1, Sheet 4 of the project Plan Set, pedestrian accommodations are shown as a 4 foot wide gravel shoulder transitioning to a paved shoulder with a painted crosswalk connecting the contractor flex space with Dingley Springs Road. An additional pedestrian pathway is provide to connect to Ossipee Trail along a pre-existing snowmobile trail that is being retained by the developer.

Finding: *The layout of the site provides for a system of pedestrian circulation within and to the development.*

F. Storm water 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.

There are inconsistencies between the total impervious area included in the HydroCAD model and the Stormwater Management Plan Narrative that should be addressed.

The Applicant has shown that the proposed development adequately provides for all anticipated storm water concerns. This is demonstrated in the Site Plan Application, Section 9 Stormwater, and on sheets 7 and 8 and 10-13.

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 storm water drainage system and maintenance plan which will 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.

The proposed project has been designed to utilize existing topography and natural areas to control erosion. This is demonstrated in Site Plan Application, Exhibit 9 Stormwater and on Sheets 10-13.

Finding: *The project, building, and site designs and roadway layouts will fit and utilize 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 applicant plans to provide potable water for the development through the drilling of an on-site well located southwest of the proposed contractor building.

The applicant has provided an updated water estimator calculation showing the full potential build-out of the site, clearly demonstrating provision of public water supply is uneconomical.

*Finding: 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.*

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 proposed on-site septic system has been designed in compliance with applicable code sections within the Waste Water Ordinance and Land Use Ordinances, as shown in Site Plan Application Exhibit 5, Utilities and on Sheet 7.

*Finding: The sanitary sewer system will be installed at the expense of the developer meeting the requirements of the sewer user ordinance.*

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

As shown on Sheets, 7 and 8, the proposed development will receive electrical power through underground connection with existing infrastructure that is located in Ossipee Trail right of way.

*Finding: The development will be provided with electrical and telephone service adequate 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.

The applicant has shown on Sheet 9 that the natural landscape of the project site will be maintained wherever practicable to avoid extensive grading and filling. The plan avoids cutting of trees on the northerly borders of the development to the extent possible to retain a natural wind buffer.

*Finding: The landscape will be preserved in its natural state insofar as practical by minimizing tree removal, disturbance and compaction of soil, and existing vegetation will be retained insofar as 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 applicant has shown in the Site Plan application, Exhibit 5 Utilities and Exhibit 9, Stormwater that the proposed development will not adversely affect public groundwater.

Finding: *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.*

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

A photometric lighting plan, Sheet 1 of 1, has been provided to demonstrate that this requirement has been met.

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

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

The applicant has stated in “Chapter 4 Site Plan Review - Standards – Responses” that solid waste will be picked up by a licensed private hauler. Services will most likely be carried out by Troiano Waste Services.

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

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.

The applicant has met the performance standards required in the Land Use Ordinance by including a 35’ native forest buffer, which meets screening requirements. The proposed development will provide landscaping around vehicular access points to soften the appearance of the development. A Landscape Plan is included as Sheet 9.

Finding: *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.*

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 standard is not applicable because the development will not abut any navigable water bodies.

Finding: *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.*

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

A letter dated 5/31/23 from Alec Neesham, Principal, of Atlas Real Estate Capital states that the applicant has financial capacity.

Technical capacity has been demonstrated by the hiring of Engineering Firm Sebago Technics.

Finding: *The applicant has demonstrated that it has the financial and technical capacity to carry out the project in accordance with this 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.

Landscape buffering to other uses is demonstrated on Sheet 9, Landscape Plan.

Finding: *The development will provide for buffering of adjacent uses where there is a transition from one type of use to another use and to screen service and storage areas.*

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 applicant shall meet the requirements of this section.

The applicant has stated in “Chapter 4 Site Plan Review - Standards – Responses” that the proposed development is not anticipated to generate repetitive sounds and will generate hourly equivalent sound levels well below the limits for daytime and nighttime use for industrial/ commercial districts in accordance with applicable subsections.

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

## **CHAPTER 2: GENERAL STANDARDS OF PERFORMANCE**

Those standards sections that are not repeats from above or apply to this development are listed below.

### Section 2-1 Environmental G. Air Pollution

Dust and dirt shall not exceed 0.3 grains per cubic foot and will not be produced after construction of the building. Post construction, the air will be treated in all rooms with carbon filters and will not produce odor that leaves the building.

Finding: *No air pollution will be created by this development.*

### Section 2-2 Parking, Loading, and Traffic

#### A. Off Street Parking Standards

12 parking spaces are shown on the Site Plan (Sheet 4) adjacent to the contractor flex space. One American's with Disabilities Act space is provided. This use requires 10 spaces per the land use code standards. No dedicated parking spaces are provided for the self-storage buildings, which require 60 spaces per the land use code standards. This requirement may be waived by the Planning Board.

Where artificial lighting is provided, it shall be shaded or screened so that no light source shall be visible from outside the area and its access driveways.

Finding: *The development provides for sufficient parking and the lighting is shaded and not visible from outside the area.*

#### B. Off-street Loading Standards

The proper number of bays is shown on Sheet 2 of 11. No bay is located so that they need to back into a street.

Finding: *Off street loading is provided for by this 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 Minor 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. Any staff and peer review comments shall be addressed prior to the Board signing the plans.
4. That the applicant shall provide property line information and site information in auto-CAD format to the Town Planner prior to the pre-construction meeting;

5. All waivers and variances shall be listed on the plan prior to recording;
6. The map and lot numbers shall be listed in the bottom right corner of all pages of the plan set;
7. That all relevant conditions of approval from past Site Plan approvals shall remain in effect;
8. That any proposed use on the site shall meet the sound level requirements outlined under Chapter 4, Section 9, T. Noise;
9. That no approved site plan or Decision Document shall be released for recording at the Registry of Deeds until the required performance guarantee has been posted for offsite public improvements; prior to the pre-construction meeting the applicant will establish the following: a performance guarantee totaling 150% of the costs to complete any off – site construction and an escrow for field inspection meeting the approvals of Town Staff and the Town’s Attorney;
10. The applicant shall provide a performance guarantee for an amount adequate to cover 125% of the total construction costs of all remaining site improvements not completed prior to issuance of a temporary or final occupancy permit. The applicant shall complete all required improvements as soon as possible but the remaining improvements are required to be completed within a year from issuance of the temporary occupancy permit.
11. 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;
12. 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;
13. That the Planning Board Chair is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and
14. 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.
15. If the approved plan or Decision Document is not recorded in the Registry of Deeds within one (1) year of the original approval, it shall be come null and void.

**SUGGESTED MOTIONS:**

**FOR SITE PLAN APPROVAL:**

**Move to grant Patriot Holdings, LLC request for site plan approval for a self-storage facility and contractor flex space, located on Map 77, Lot 5 in the Roadside Commercial zoning district, based on Findings of Fact and Conditions of Approval as written by the Town Planner (and amended by the Planning Board).**

**TO PLACE SITE PLAN APPROVAL ON CONSENT AGENDA OF NEXT PLANNING BOARD MEETING:**

**Move to place site plan approval on the November 5, 2023 meeting consent agenda to allow additional information submission and review.**