

**Town of Gorham
 Planning Board Meeting
 March 26, 2024**

Item 5 - Discussion – Subdivision Pre-Application – JDP, LLC. – North Gorham Road Subdivision – a request for approval to construct a 6-lot single family subdivision. Map 92, Lot 25. Zoned SR. The applicant is represented by Owens McCullough, P.E., of Sebago Technics.

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PROJECT TRACKING

DESCRIPTION	COMMENTS	STATUS
Pre-Application/Sketch (optional)		March 4, 2024; March 26, 2024

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.

Vincent Grassi, Chair, Gorham Planning Board

1. OVERVIEW

This is the first time this application has come before the Planning Board. The applicant proposes to create a 6-lot residential subdivision to create 5 new buildable lots for single family homes.

The applicant is represented by Owens McCullough, P.E. with Sebago Technics, Inc.

This item was originally scheduled to appear on the agenda for the March 4, 2024 Planning Board meeting but was not taken up due to the lateness rule. This memo has been updated to reflect the rescheduled meeting date of March 26, 2024.

2. ITEMS OF NOTE

Below are topics the Planning Board may want to discuss with the applicant. The discussion topics are written as a guide for the Planning Board. It should be noted that the discussion topics are noncommittal and all decisions on relevant discussion topics are those of the Planning Board.

Comprehensive Plan

- The suburban residential zoning is proposed to remain in this area.
- The uses allowed are proposed to include different housing options including single family.
- The Future Land Use Plan states “The development standards in the Suburban Residential Area should allow for moderate-density residential development with somewhat higher densities for residential developments that utilize public water and/or public sewerage. The base density for residential development should be set at one unit per net acre. This should increase to 1.5 units per net acre with public water and two units per net acre with public sewerage. The development standards should provide a density bonus of 10 to 15% for subdivisions that are developed as conservation or open space subdivisions that preserve a portion of the site as permanent open space.”

Zoning and Subdivision

- The zoning is currently Suburban Residential (SR), which allows for single family residential.
- Clustered residential development is allowed in this zoning district and shall follow the standards in Chapter 2 Section 2-4 General Performance Standards.
- Conventional subdivisions are allowed in this zoning district.
- The parcel is partially located within the Shoreland Zoning Overlay.
- The parcel is located within the Manufactured Housing Overlay Zone.
- The total area of the entire 6-lot subdivision is shown on the site plan as 17.68 acres, but the area listed in the application is 9.205 acres. The applicant has provided clarification regarding the total area of the area to be subdivided is in fact 9.205 acres. The 8.37-acre area shown as “Lot 5” is an “outsale” area, an existing lot of record sold off prior to submitting for Sketch Plan Review. According to Maine Subdivision Statute (MRSA 30-A 4401), an out-sale lot

accomplished before a subdivision must be considered as part of subdivision review but not numbered or reviewed for impacts.

Natural Resources/Conservation

- The Town of Gorham GIS map and the State Beginning with Habit maps both show that the site does not contain any rare wildlife, plant communities, or other critical habitat. The site contains mapped wetlands, impacts on which will need to be avoided or mitigated in accordance with permit requirements.
- The applicant is not proposing any wetland alterations for this development.
- The project does not involve creation of any roads or related infrastructure and therefore does not require any Maine DEP stormwater permits.

Utilities

- The applicant is proposing that the lots be served by private on-site water and sewer.
- The nearest public sewer is approximately 20,000 feet from the project site.
- The nearest public water is located 4,700 feet away from the project site.
 - The applicant has provided calculations showing that the cost to provide private water is \$33,680, and public water \$146,640 per unit.
 - This calculation was made for 5 units, not the maximum build-out for the site, which is 10 units (400,981 sf / 40,000 sf per unit). Note that this calculation should not include the out-sale lot.
- The applicant understands that underground utilities are required for this project.

Waivers

- The applicant is requesting a waiver from the requirement to provide a Class A High Intensity Soil Survey. The zoning ordinance, in Section 3-3, allows for the Planning Board to provide a waiver for subdivisions that are not required under Chapter 1 to provide a net acreage calculation. The subdivision does not require a net acreage calculation.
- The applicant is requesting a waiver from the requirement to conduct a hydrogeological study.

Waiver Language (if necessary): **Move to grant a waiver to JDP, LLC to allow submission of a Class B soils survey instead of the required Class A soil survey for the proposed 5-lot subdivision at Map 92 Lot 25.**

Historic Preservation

Figure 1.4 Known Archaeological Sites in the Comprehensive Plan does not show this as a sensitive site. This site does not contain known historical resources.

3. AERIAL PHOTOGRAPH

The following image is from the Town of Gorham’s online GIS site.

Town of Gorham Public Map Viewer



4. STAFF COMMENTS

Assessing Department: No comments

Code Division: 02/21/2024

Moving forward with subdivisions, it will be beneficial for the applicant to understand the implications of any future changes in the subdivision regarding expansion, including accessory dwelling units, road requirements, and other future developments which may affect the original approved site plans. We are also currently dealing with a last minute ADU on 4 JDP Drive where there are certain septic requirements on a septic design for a single family with an ADU.

Fire Department: No comments

Planning Division: 2/26/2024

- The applicant should provide public vs. private water supply calculations using the full build out potential for the site, not the number of units planned for the proposed project. This should therefore be 10 units, not 5.
- There is a discrepancy between the area listed for the subdivision in the application (9.205 acres for 5 lots) and 17.58 acres for the entire 6-lot subdivision area. The applicant has provided clarification that “Lot 5” is an “out sale” lot, an existing lot of record, 8.37 acres in size with an existing house which is not proposed to be further developed at this time.
- The applicant has calculated that, of the total 17.58 acres, a net acreage of 8.87 acres is buildable or 9 lots. According to Maine Subdivision Statute (MRSA 30-A 4401, an out-sale lot accomplished before a subdivision must be considered as part of subdivision review but not numbered or reviewed for impacts. Therefore, the applicant should re-run its calculation of the total buildable area using only the 9.205-acre area for the 5 lots intended to be part of the subdivision.
- The Planning Board should discuss access management and preferred driveway locations with the applicant. All lots are proposed to be accessed through existing Town roads.

Police Department: No comments received

Public Works Department: 02/20/2024

Not sure e

how to do it but we just rebuilt Great Falls rd and would like some type of road impact fee as the construction of the lots will impact the longevity of the road .

Town Engineer: 02/20/2024

No comments from Engineering.

Thank You,

Chuck

Stormwater Compliance: 02/21/2024

Stormwater comments for this project are as follows:

1. While not a requirement, the Town would like the applicant to consider utilizing Low Impact Development techniques. If the applicant chooses not to implement LID practices, please show why this is not feasible for this project.
2. A reminder that the Winter Construction season has begun, **and runs through May 1st.** Winter Construction erosion and sedimentation controls / BMP's have a different set of standards than the rest of the year. Please refer to the Maine DEP's Erosion and Sediment Control Practices Field Guide for Contractors for specific requirements during winter construction.

3. While not a Maine DEP requirement, the applicant should consider alternate plans which maintain the existing vernal pools in the parcels.

Thank you,

Ethan Moskowitz
Stormwater Compliance Officer/ GIS Technician

Recreation Department: No comments received