

**KV Enterprises, LLC. – Robie Street Subdivision  
Preliminary Subdivision Review  
M24 L 19, 20; M25 L8; M27 L20**

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**Town of Gorham  
Planning Board Meeting  
September 11, 2023**

**ITEM 6 – Preliminary Subdivision Plan – KV Enterprises, LLC. – Robie Street Subdivision -**  
A request for approval to create 43 single-family residential lots, accessed by proposed connection of Robie Street and Bramblewood Lane, as an initial subdivision phase with future potential to include both single family lots and multifamily developments based on a potential Contract Zone. M24/L19, 20 and M25/L8, M27/L20. Zoned, UR/UREXP. The applicant is represented by Shawn M. Frank, P.E. with Sebago Technics.

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**PROJECT TRACKING**

<b>DESCRIPTION</b>	<b>COMMENTS</b>	<b>STATUS</b>
<b>Pre-application Discussion</b>		<b>September 12, 2022</b>
<b>Preliminary Subdivision Review</b>		<b>September 11, 2023</b>

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.

*James Anderson, Chair, Gorham Planning Board*

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**1. OVERVIEW**

The applicant submitted an initial proposal for pre-application review for the September, 2022 Planning Board meeting. The proposal before the Board at this time is for 43 single family homes, the first phase of what is envisioned to be a larger proposal that would include a total of 96 single family homes and 295 multifamily units.

The applicant is working on a parallel effort to create a contract zone for the project area. The contract zone has been considered by the Town Council’s Ordinance Committee, which advanced recommendations to be considered by the full Council at its September 5<sup>th</sup> meeting. The Council at its September 5<sup>th</sup> meeting referred the Contract Zone to the Planning Board for review.

The applicant is represented by Shawn M. Frank, P.E. with Sebago Technics, Inc.

**2. ITEMS OF NOTE**

General Notes

- The Planning Board may want to consider scheduling a site walk for the project this fall, possibly in late September. The Planning Board should outline items they would like to see staked in the field for the site walk (i.e. centerline of roads, location for stormwater improvements, and outdoor amenities)
- The site plan and application materials refer to Suburban Residential zoning. The Suburban Residential zone in this location was changed to Urban Residential Expansion by the Town Council, in conformance with the Town’s Comprehensive Plan.
- The provided boundary survey does not show all lots. 2 lots are shown, 4 lots are indicated in the proposal narrative.
- Boundary survey Sheet 1 of 1 ownership is incorrect, lists “Optimum Construction”.
- The applicant should add legends to all plan sheets.
- The project will be served by extension of public water and sewer:
  - Gravity main is proposed for sewer and will include a pump station.
  - PWD ability to serve letter will be included in final subdivision application.
- The applicant answered “yes” to the question on the application about whether a variance from the Zoning Board of Appeals is required, but does not provide an explanation. Was the “yes” box checked in error?
- The applicant did not indicate, as required, on the Development Transfer Overlay application that they would include the specified notes in the Conditions of Approval.
- The Site Plan included as Exhibit A with the Purchase and Sale agreement (page 54 of the submitted application) is illegible.

**Waiver request - A waiver from Ch. 3 Section 3-3 Subsection B (11) is requested to allow a Class B soils survey instead of the required Class A soil survey.**

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- **Move to grant a waiver to allow submission of a Class B soils survey instead of the required Class A soil survey.**

Zoning and density

- Total development area is 133 acres
- The current Zoning Districts are Urban Residential and Urban Residential Expansion.
- Density calculations should be provided by the applicant for the project as a whole as well as for the initial 43 single family dwelling units proposed in the initial phase.
- The applicant is considering various options for density allowances, including the Development Transfer Overlay (DTO) zoning and contract zoning.
- Performance standards in the DTO provision will need to be met if it is utilized by the applicant. This includes requirements for building design and orientation, lot layout, and open space provision.
  - The single family lots are currently laid out at 80 feet wide by 107 feet long. The DTO standards call for length to be 140% of width, which would require an 80 foot wide lot to have 112 feet of depth.

Transportation

- The traffic assessment provided in the application materials as “Exhibit 5” includes an analysis for the proposed 43 single family units, and not the project as a whole.
- Road design is per the urban subcollector standard
- Off-site sidewalk connections will be needed.
- A north-south midblock bike and pedestrian path should be considered on the proposed single family residential streets.
- A traffic impact assessment is included
  - Additional assessments are needed to determine impacts on adjacent streets which are narrow in width
- A potential trail network is shown on the parcels to be conserved. The applicant should consider connecting the new trails to adjacent parcels, when possible.
- The applicant should provide information regarding mitigation of construction traffic impacts
- Connections to the following roadways are proposed under this project phase:
  - Bramblewood Lane / Baxter Lane
    - A copy of the development agreement with Jackson Brown, map 25 lot 7, to Baxter Lane needs to be provided. The Town will need to retain fee interest in any proposed road right-of-way in order for the connection to be proposed as a Town road.
    - J. Brown needs to complete a site plan amendment for the anticipated connection.
    - The connection to this street will need to take into account setback requirements to the existing buildings. This may require a waiver, or a property swap to connect directly to Bramblewood Ln.

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- Ridgeway Lane (Right of way only)
  - Additional information about this connection should be provided by the applicant. During the project review meeting on 8/30/23 it was stated that the connection would likely be one-way for vehicles, and full access for bicycles and pedestrians.
- An additional road connection is proposed in future project phases to White Birch Lane. Note that a turn-around should be provided at this location until such time as the connection is completed.
- Need a private way plan – page 6-13, with application, with standards shown such that roads can meet the standards to be accepted by the town as public roads.
- Elm Street/ Robie Street is not properly labeled in the diagrams in Exhibit 5: Traffic.
- The Town Council has requested connection to White Birch Lane during the Phase 1 development, so that construction traffic will be dispersed from the beginning of developing the project.
- The Board and applicant should review the Bicycle and Pedestrian Plan for improvements to the streets connected to this project...[https://www.gorham-me.org/sites/g/files/vyhlif4456/f/uploads/bicycle\\_pedestrian\\_plan\\_2017\\_final\\_report.pdf](https://www.gorham-me.org/sites/g/files/vyhlif4456/f/uploads/bicycle_pedestrian_plan_2017_final_report.pdf).

Natural Resources / Stormwater

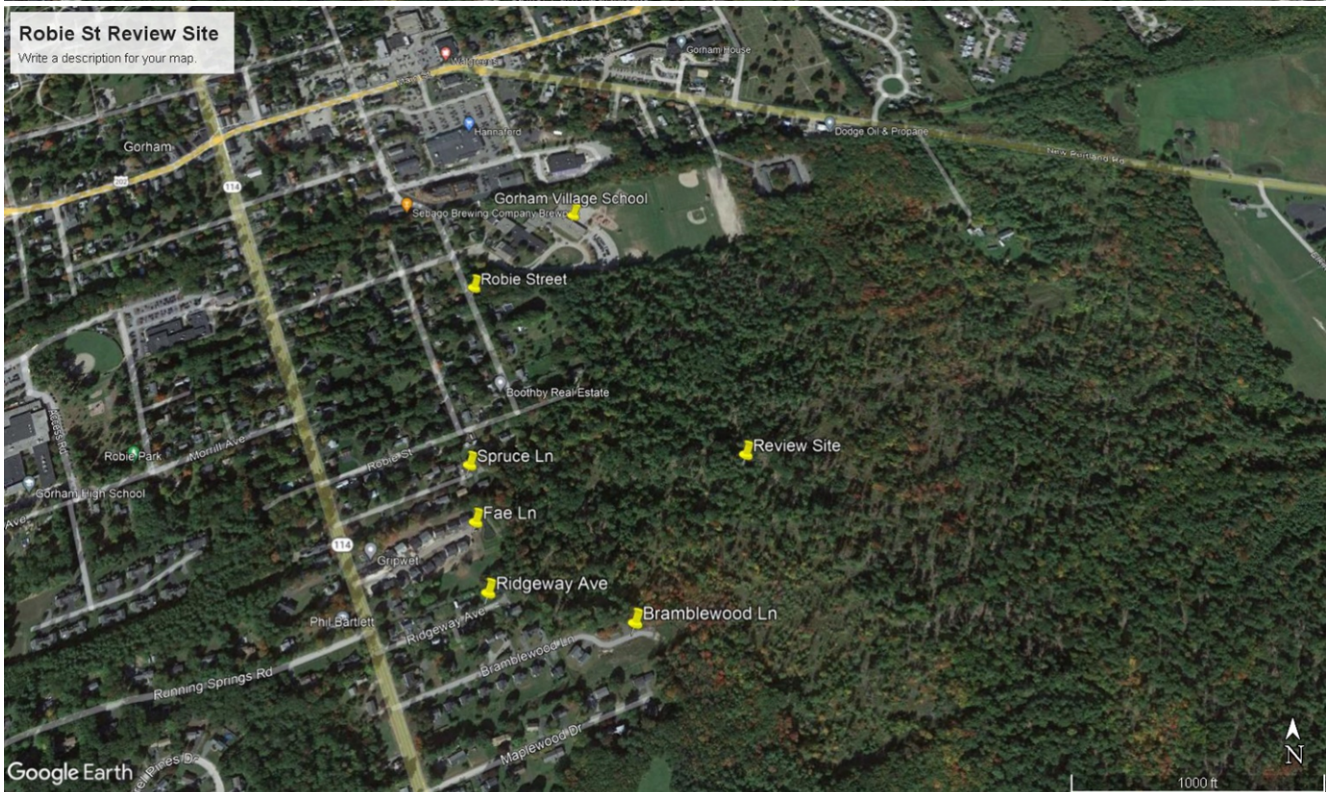
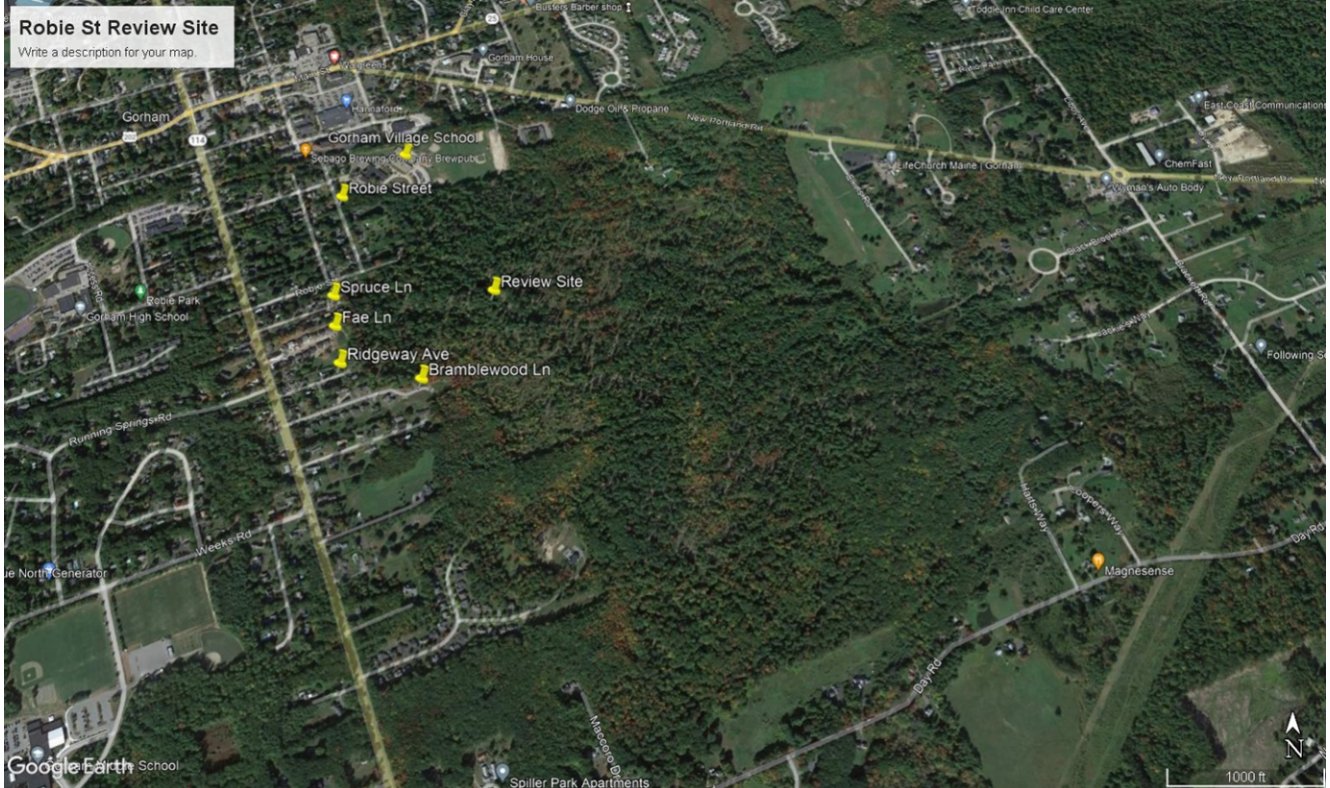
- The project site contains extensive wetlands on the southeastern side.
- The area may contain habitat for the northern long eared bat which could affect timelines for clearing vegetation.
- Staff recommends changing title of “area to be retained by developer” adjacent to Whispering Pines Lane to “forested buffer” and clearly describe its use, if that is the intent.
- Forested buffers are shown in a location where additional phases of development are planned, as per discussion at the project review meeting on 8/30/23. The applicant should clarify how stormwater managed by these buffers will continue to be appropriately managed after they are replaced by additional development.
- Project meets threshold to require a Stormwater Permit from the Maine Department of Environmental Protection.



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**3. PHOTOGRAPHS**

Google earth images





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**4. STAFF REVIEWS**

**Assessing Department:** No comments received

**Code Department:** No comments received

**Fire Department:** 08/23/2023

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

I have reviewed the Plans dated August 21, 2023

1. The hammer head width needs to be 20' wide and 50' deep (Please Show on Plans the Measurements) I assume the hammer head will go away in future phases of this project?
2. Their shall be "No Parking - Tow Away Zone" or "No Parking - Fire Lane" signs added to the hammer head. Please show on the Plans
3. All buildings will meet all applicable sections of NFPA 1 *Fire Code* and NFPA 101 *Life Safety Code*. Building plans shall be submitted to the Fire Department for review.
4. The buildings shall be protected under the Fire Suppression Systems Ordinance as applicable. The sprinkler plans shall be submitted to the Fire Department and the State Fire Marshal's Office for review and permitting. The plans submitted to the Fire Department shall be submitted at least two weeks prior to the start of the installation of the system. Sprinkler test papers will be required to be submitted to the Fire Department at the time a CO is issued.
5. The buildings shall be properly numbered in accordance with E911 standards including height, color and location. Numbers that cant been seen from the street shall require additional numbers at the street.
6. We will require 3 Fire Hydrant installed in this project. (Subject to Add when next set of plans are submitted for future build out.)
7. All Gas meters (if any) shall be properly protected from vehicle impact.
8. The fire hydrant(s) shall have a final height of not less than 2 inches and no greater than 4 inches from break away flange to grade and no obstruction shall be located within 10 feet of the perimeter. The initial installation of the fire hydrant(s) shall be inspected and accepted/ approved by the GFD AHJ. And the Portland Water District. The hydrant(s) shall be inspected for final compliance and flow tested by the Portland Water District prior to street acceptance by the town or prior to issuance of the final Certificate of Subdivision completion. Occupancy whichever occurs first.

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

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

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

**Planning Department: 09/06/2023**

- Zoning – Urban Residential and Urban Residential Expansion
  - The applicant should provide density calculations of the proposed development site as well as the neighborhood to determine the existing neighborhood characteristic for comparison.
  - Project is located within the Development Transfer Overlay District
  - Chapter 1 Section 1-18 Development Transfer Overlay District requirements include: fee calculation, building design, lot design, access limitations, open space, and parking lot locations. As is required by “New buildings constructed in existing neighborhoods shall be located in such a manner as to maintain the established relationship of existing neighboring structures to the side setbacks. Where no such relationship exists, the minimum setback shall be identified per use type.”
  - Under the Development Transfer Ordinance, Land Use Code Chapter 1, Section 1-18 the minimum acreage per dwelling unit is 5,000 sf.
  - Calculations for the development transfer overlay district fee are not included in the application. These need to be completed and submitted.
  - The minimum lot size for single family dwelling is 8,500 sf.
  - For multifamily dwellings the minimum lot size is 20,000 sf
  - The zoning district requires at least 60 feet of street frontage. 80 feet is provided
  - Density calculations should be provided for the project as a whole as well as for the initial project phase.
- Natural Resources
  - Site is within the Narragansett Game Preserve.
  - The applicant has been working with the Presumpscot Regional Land Trust for the preservation of open space. According to Chapter 1 Section 1-18 E 5, the minimum open space to be preserved is approximately 13 acres. The applicant is providing 51 acres.
- Site contains wetlands, aquifers and streams
- Project meets threshold to require a Stormwater Permit from the Maine Department of Environmental Protection.
  - A permit application is being submitted.
  - Design includes a wet pond and forested buffering
  - The project should utilize low impact development techniques for stormwater management wherever feasible. This should include management of runoff from single family homes, for example through use of drip-line trenches.
  - Stone berm level spreaders are shown as polygons, need a callout box on sheet 5
  - Access drive to stormwater pond shown as gravel on sheet 5 and grassed on sheet 14



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- Wetlands are located on site:
  - Wetland impacts: wetpond, 1,475+9,550+200 square feet
  - Wetland dead end pump station road is 8,365 square feet
- Please clarify dashed line on sheet 16 of 25. Is this a wetland?
- The project team must be Maine licensed in their particular profession.
- Transportation
  - Walkable block sizes are traditionally anywhere from 100 to 400 feet in length. The Board might think about creating a couple connections between the proposed streets of the project itself so that the people who live on them can walk. This parcel is already a half a mile from the “Square,” which means that many of the people who are furthest from Robie Street will chose to drive.
  - The Board should consider an additional right of way running to the parcel off Toppan Drive off New Portland Road.
  - Provisions should be made to reduce impacts due to construction traffic
  - Provisions should be made to reduce cut-through traffic, including traffic calming measure such as stop signs, bump-outs, street trees, and similar strategies consistent with complete streets policies developed by Maine DOT and the Greater Portland Council of Governments



Example of a bump-out in a residential area from Ludlow St. and Sonnet Ln. in Portland, Maine. Image from Google Street View.

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- Ordinances (and specific sections) that apply to this proposal:
  - Chapter 1 - Zoning District and Development Transfer Overlay District regulations
  - Chapter 2 - General Standards of Performance
  - Chapter 3 – Subdivision
  - Chapter 5 - Floodplain Management
  - Chapter 7 - Impact Fees = Recreational and Open Space and Middle School will apply.
  - Sidewalk Construction
  - Solid Waste Flow Control
  - Stormwater
  - Wastewater
  - Growth Management
  
- Additional Ordinance language that applies to this project:
  - Chapter 2 Section 2-5 C. ACCESS TO ADJOINING LAND
  - Chapter 2 SECTION 2-10B – THE PROVISION OF PUBLIC WATER\_SUPPLY
  - Sanitary Sewers: Sanitary sewers shall be required per the Town of Gorham Wastewater Ordinance and be designed and constructed to the requirements of the Superintendent of Sewers and the Portland Water District.

**Police Department** – No comments received

**Public Works Department:** 08/22/2023

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

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

**Recreation Department:** No comments received

**Barton & Loguidice:**

We have reviewed the Applicant’s submission dated 8/8/23, from Sebago Technics and offer the following comments:



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1. Trip Generation - We are in agreement with trip generation calculations and that the proposed 43 lot residential subdivision will not require a Maine DOT Traffic Movement Permit, as it does not generate the minimum of 100 new peak hour trips.
2. Traffic Volumes and Trip Assignment – It is still our opinion the that trip distribution should be weighted more towards population centers and employment centers which tend to be east of Gorham with primary routes to/from the east via Main Street (Route 25/202) and to/from the South via South Street (Route 114). However, at the currently proposed trip generation level this does not significantly change actual trip assignment on the area roadway network. It is recommended that when the next phase of this project is proposed this topic be revisited and confirmed. No further action is required by Sebago Technics, at this time.
3. Crash Data Review - We are in agreement with Sebago Technic’s review of crash data in the vicinity of the project, and have no further comment.
4. Sight Distance – We agree with Sebago Technic’s review of sight distances, however, after construction of proposed “Road A” we would request they review the sight distance again at its intersection with Bramblewood Lane and Whispering Pine’s Lane to ensure there are no obstructions from trees and vegetation within the R.O.W.
5. Sidewalks - Please confirm proposed sidewalks connections to existing nearby sidewalk networks and/or schools. Since the nearby Village School is a likely destination for children living in the proposed subdivision, what ADA compliant pedestrian infrastructure is being proposed to connect “Road A” to Robie Street.

**Portland Water District: 08/10/2023**

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

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

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

Thanks,  
Charlene  
Wastewater Chief Operator - Systems

**Wright-Pierce: 08/23/2023, 08/31/2023**

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August 23, 2023

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

- We had an existing Task Order for Robie Street Subdivision for Traffic Only (when Barton & Loguidice was a sub to us). Since B&L is no longer subbing to us, I will open a new Task Order for the subdivision peer review, which will not include review of traffic. I trust if you want traffic reviewed, you will coordinate directly with B&L.
- For Stormwater (Exhibit 7), it indicates, “This section includes the stormwater report narrative. A complete copy of the Stormwater Permit application, including calculations, will be submitted to the Town for the public record when submitted to MDEP.” I didn’t see a narrative attached to Exhibit 7. Not sure if there is supposed to more to Exhibit 7 other than the one paragraph included.
- We will include the Development Transfer Overlay Performance Standards in our review, assuming they are opting to design to these standards. I saw in their application (B.1 DTO Responses, E.1) they indicate, “the application is not proposing bonus units to be transferred”. Doesn’t the use of the DTO standards result in “bonus units”?

Thank you,  
Christine

August 31, 2023

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

**Documents Reviewed by Wright-Pierce**

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

**Review Comments**

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

**General/Completeness**

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

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2. Please submit Financial Capacity information during final plan submission.
3. Please provide Maine Department of Environmental Protection (DEP) Stormwater Management Law, Natural Resources Protection Act (NRPA), and Army Corps of Engineers approval/permits to the Town when received.
4. Text overlaps on the overall subdivision plan making lot numbers and lengths illegible.
5. As noted by the Applicant, the Portland Water District will review the proposed water and sewer design, including the proposed pump station; however, during our review we noticed the minimum cover of the gravity sewer was not indicated on the plans. Consider indicating the minimum cover for gravity sewer, and proposing and show insulation to be installed where there is less than the required minimum cover over sewer and water mains.
6. It should be confirmed whether an easement for the drainage swale behind the lots is provided. EL58 is located in this area; however, no other easement lines or easement curves appear to be associated with the swale.
7. A detail is referenced on the plans for the wet pond maintenance access drive; however, it could not be located.

**Development Transfer Overlay District Performance Standards**

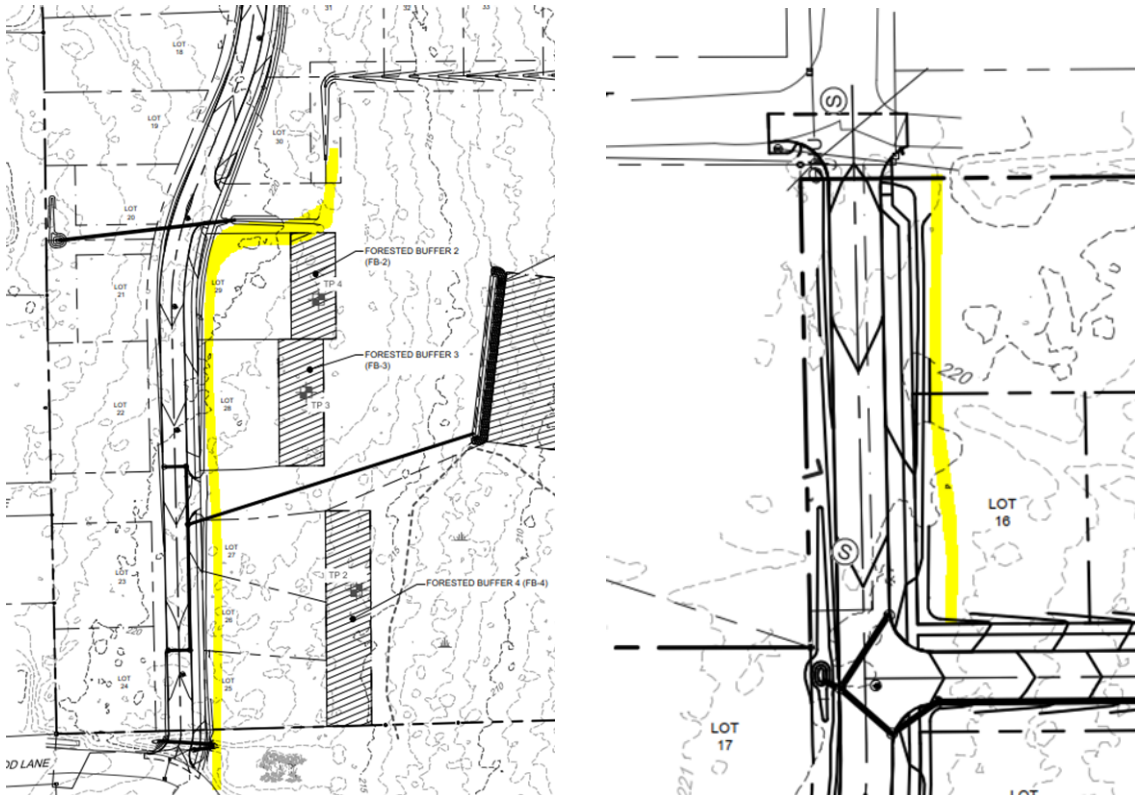
1. Please confirm that the design meets the requirement for at least 80% of lots within the subdivision to have an average lot depth at least 140% of the lot width. Refer to Chapter 1, Section 1-18, E(3) of the LUDC.
2. Please provide an open space calculation to demonstrate the design meets the Open Space requirements of the Development Transfer Overlay District. Refer to Chapter 1, Section 1-18, E(5) of the LUDC.

**General Standards of Performance**

3. Environmental
  - a. The project is not within the Shoreland Overlay District, FEMA floodplain, MS4 Urbanized Area, or other known regulated area.
  - b. A stabilized construction entrance at the Bramblewood Lane intersection in addition to the one proposed to/from Robie Street should be provided.
  - c. Filter barrier is proposed at the wet pond, but should also be proposed downslope of the rest of the disturbances. For example, filter barrier should be downslope of the proposed level spreaders discharging to the forested buffers while they are being constructed. It also appears runoff from the intersection at Station 213+41 and connected grassed access drive will leave the work area and flow northeast off-site without being interrupted by erosion and sedimentation controls. Filter barrier should also be on the eastern side of Robie Street (approximately as shown below) to contain sediment that would otherwise flow to the forested buffers and other off-site areas. This is not an all-inclusive list of areas needing erosion and sedimentation controls. Please review the site and propose controls downslope of all disturbances.

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- d. Stone check dams should be constructed in the swales/ditches during construction since they will be transporting sediment from upslope disturbances.
- e. Erosion and sedimentation controls will be required for any construction on the individual lots, but are not necessary to be shown for subdivision approval.
- f. A double row of filter barrier should be proposed in areas within 75 feet of wetlands in preparation for Maine DEP over-winter protection requirements.
- 4. Traffic
  - a. Traffic was previously reviewed by Barton & Loguidice. Town to coordinate directly with Baton & Loguidice if there are traffic concerns.

**Roadway Requirements**

- 1. The road is intended to meet the requirements of an urban subcollector roadway, except for the length of tangents between reverse curves. Please provide a tangent length table and justification for why this requirement cannot be met.
- 2. Center line radius CL5 is 32 feet, and the required minimum is 230 feet. This is the first curve entering Robie Street from Bramblewood Lane in the access easement from separate private

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property owner. It also appears that this intersection does not meet the requirement to have a minimum intersection angle of 70 degrees for 60 feet from the intersection. Please provide comment.

3. The maximum grade at intersections within 60 feet of intersection per the Table 1 Street Classification & Design Standards in the LUDC is 2%; however, it appears that this maximum grade is exceeded for Road B on Sheet 9.
4. Curb radii at intersections are not labeled. Please label curb radii.
5. The Urban Sub Collector Street Cross-Section appears to meet the intent of the Town's Urban Subcollector Standard typical section. It is assumed a 4-foot shoulder per the Town's Urban Subcollector Standard typical section is not necessary, since both sides of the road are curbed. Town to confirm.
6. The curb with on the Urban Sub Collector Street Cross-Section detail should be updated to match the Slipform Curb-Section. Additionally, both the 9.5 mm and 19.0 mm pavement courses on the Urban Sub Collector Street Cross-Section detail are labeled as Surface Course.
7. The Pavement Joint detail shows pavement and aggregate depths and types that do not match the Urban Sub Collector Street Cross-Section detail. The Pavement Joint detail should be updated.

**Subdivision Requirements**

1. All monuments on a right-of-way should be 5-inch granite or concrete squares. See the Gorham Land Use and Development Code for more information. All other lot corners should be marked with iron pipe or rod not less than 3/4-inch diameter and 36-inch-long set flush to finish grade.

**Stormwater Management**

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

**Conservation Commission: 08/28/2023, 08/31/2023**

August 28, 2023 – 8:53pm

Hi Tom, Carol and Damon,

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

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Thanks,  
Bill

August 28, 2023 – 9:10pm

Scratch that last email question about the easement.

I found a better map in the initial project proposal:

[https://drive.google.com/file/d/1PbcyU65BmxcgQrQiLtM9OUASuHRZNAuu/view?usp=drive\\_link](https://drive.google.com/file/d/1PbcyU65BmxcgQrQiLtM9OUASuHRZNAuu/view?usp=drive_link)

August 31, 2023

Dear Carol and Planning Board Members,

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

1. Will subsequent phases match the scope of the original sketch plan or will building out in phases require changes to that plan as well?
2. While it is encouraging to see the project broken into smaller phases, could building in phases:
  - a. Increase chances for potential negative impacts on the wetland areas?
  - b. Delay the construction of trails on the conserved land or access to it?
3. Does the 51 acre conservation easement remain the same or change as part of the overall project?
4. Does the overall density of all phases when completed put the wetland area at greater risk for negative impacts?

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

On Behalf of the Commission,

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Bill Moreno  
Chair, Gorham Conservation Commission

**Abutter Comments: 09/07/2023**

Comment 1

Susan Robie, 34 Robie Street

My husband and I are abutters on the North side of the proposed KVM development.

Approximately 2 years ago we were approached by Bruce Robie, a cousin, and KVM to request a right-of-way across the eastern part of our land to the Ball Field parking area. After a lot of deliberation, we accepted that the land would be developed, and this development would significantly affect the Robie Street neighborhood as the land in question was zoned for Village Growth as required by Gorham's Comprehensive Plan.

We agreed to trade an equal amount of buffer land along our private way for a 50 foot- right-of-way that could be used to create a new road to the New Portland Road and share the burden of traffic with Robie Street. At the time of agreement and today the only existing road into the development is Robie Street.

"The traffic" being that generated by those who ultimately live in the development and the construction traffic generated by development. It seems that there are ultimately going to be four roads all through long established neighborhoods that will be significantly impacted by this development. The traffic study that I have seen divides traffic among them to dilute impact, my request is the same should be considered for construction traffic.

As the comprehensive plan also requires "protection of existing neighborhoods" I am asking that the council include in the contract zone language that KVM will be permitted to use the 50 foot right-of-way across the eastern part of our land during the first phase of this development to share the burden of construction traffic. Thank you.

Comment 2

Hi Tom I tried to send the following to the town council members, but when I included it in the form on the town website there was no formatting so it was very hard to read. I did send it that way to Lee and also ended up sending it my individual email Seven Siegel and Lee Pratt. If you think it is worth while for them to see prior to the meeting could you send this to the remaining councilors or send it to someone who could. Thanks Sue

Hi Mr. Pratt

Just before the Holiday weekend I tried to reach out to you by phone unsuccessfully. So I wrote up my thoughts so that you might be able to review them before the contract zone vote on Tuesday.

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Susan Robie

(It is OK with me if you wish to share with fellow councilors, I am a novice at communicating with the Town Council.)

**KVM Contract Zone**

My husband and I are the major abutters on the North side of this development and have watched carefully all the changes and proposals associated with this development. When this project came before the planning board in September of 2022 I wrote a letter describing issues I had with the project. Most of the issues remain. After the first presentation to the planning board the Growth Management Ordinance intervened.

When the contract zone proposal came before the council I saw it as an opportunity for the town to have more control over some issues of concern that are in addition to the major stated issue of residential growth rate in Gorham and its impact on the town and on the school system .

**Issues**

- 1) Storm water management in a area with a great deal of wet land.
- 2) increased traffic volume through the existing neighborhoods,
- 3) Construction traffic and disruption through the existing neighborhoods,
- 4) Impact on the physical character of the existing neighborhoods by potential removal of the shade canopies by street widening and sidewalk installation and for the same reason--
- 5) Impact of reducing distance to the street for homes that already are very close to the street (because they predate zoning)
- 6) Cut through traffic driven by the current design.

The size of the development and its location conform with the rezoning driven by the comprehensive plan. I agree that the concept that high density near the center of the Village makes sense. Unfortunately, as it stands, the land in question is a "land block" with only one legal entrance and that is to Robie Street going north and west. Robie Street to the west is a two rod road, Robie Street to the north is a 3 rod road. This development, as currently designed, will inevitably impact four roads and neighborhoods: White Birch Lane, Robie Street, Ridgeway and Bramblewood. Some of these issues identified can be mitigated through the contract zone process.

The Comprehensive Plan has statements a variety of statements that support protection of the existing Village neighborhoods from the impacts of development. Many of these impacts can be considered in the contract zone process.

Currently KVM has a project on the planning board agenda of September 11 to develop a first portion of the development consisting of 43 single family homes. This project will be reviewed for storm water but is not big enough to trigger DEP review. I view this a large negative. A second phase would trigger DEP review. However, any finding of environmental issues at that point may have been comprised by first phase. Similarly the traffic issues may be addressed with the 43 homes not the impact of the whole project.

It seems that with or without the contract zone the intent is that the whole project will be built.



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I think it makes sense to address the whole project with the latitude conveyed by the contract zoning process rather than approving a partial project. The planning board has no latitude to reject a project if it meets existing ordinances.

Finally I believe that one of the driving forces for this development for the town was the construction of multi-family homes. There are no multi-family homes in the first phase.

Thanks for considering these points.  
Susan robie

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**PLANNING BOARD  
FINDINGS OF FACT  
For  
KV ENTERPRISES ROBIE STREET SUBDIVISION**

**September 11, 2023**

**WHEREAS, KV Enterprises LLC,** seeks approval of a 43 lot subdivision with associated infrastructure and opens space.

**Pursuant to the Application:**

A preliminary plan review was held on September 11, 2023.

**Property Description:** The applicant is proposing a 43 lot subdivision with associated infrastructure and open space. The units will be served by public water and sewer and underground utilities. The four total parcels combined are 133 acres in size with wetlands throughout. The vegetation on the parcel is a mix of canopy and understory trees as well as shrub type brush.

The lot is identified as Tax Map 25, Lot 8; Map 24 Lot 20; Map 27 Lot 20 and map 24 Lot 29, and is located along Robie Street.

**Consultants:** Shawn Frank, P.E., with Sebago Technics

**Applicability:** Subdivision Plan regulations identify the Planning Board as having review and approval authority.

**Current Zoning:** Urban Residential and Urban Residential Expansion District, B. Permitted Uses, 1) One or two-family dwellings

**Variances:** None requested.

**Waivers requested:** A waiver from Ch. 3 Section 3-3 Subsection B (11) is requested to allow a Class B soils survey instead of the required Class A soil survey.

**Pursuant to the Application:**

Preliminary Subdivision review was held on September 11, 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:

Sebago Technics Plans consist of the following:

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Sheet 1 of 25 – Cover Sheet: Dated, 05/31/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 2 of 25 – Notes & Legend; Dated, 05/31/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 1 of 1 – Boundary Survey; Dated, 05/31/2022; Revised through, 08/10/2022; Received, 08/21/2023  
Sheet 4 of 25 – Overall Preliminary Subdivision Plan; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 5 of 25 – Preliminary Subdivision Plan; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 6 of 25 – Plan & Profile Road A – STA 100+00 – 104+00; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 7 of 25 – Plan & Profile Road A – STA 104+00 – 108+00; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 8 of 25 – Plan & Profile Road A – STA 108+00-110+89; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 9 of 25 Plan & Profile Road B – STA 200+00 – 204+50; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 10 of 25 – Plan & Profile Road B – STA 204+50-209+00; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 11 of 25 – Plan & Profile Road B – STA 209+00 – 213+41; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 12 of 25 – Plan & Profile of STA 500+00 – 504+50; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 13 of 25 – Plan & Profile of STA 504+50 – 508+55; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 14 of 25 – Overall Grading Plan; Dated, 05/31/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 15 of 25 – Grading Plan 1; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 16 of 25 – Grading Plan 2; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 17 of 25 – Grading Plan 3; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 18 of 25 – BMP Plan 1 – Wet Pond; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 19 of 25 – Erosion Control Notes; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 20 of 25 – Details; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 21 of 25 – Details; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023  
Sheet 22 of 25 – Details; Dated, 07/13/2022; Revised through, 08/21/2023; Received, 08/21/2023

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Sheet 23 of 25 – Pump Station Details; Dated, 07/13/2022; Revised through, 08/21/2023;  
Received, 08/21/2023  
Sheet 24 of 25 – Pump Station Building Details; Dated, 07/13/2022; Revised through,  
08/21/2023; Received, 08/21/2023  
Sheet 25 of 25 – BMP Construction Details; Dated, 07/13/2022; Revised through, 08/21/2023;  
Received, 08/21/2023

Other documents submitted consist of the following:

Preliminary Subdivision Application – 08/21/2023  
Plans – 08/21/2023  
Waiver Requests for High Intensity Soil Survey – 08/21/2023  
**Letter of Financial Capacity -**  
Gorham Town Planner Comments – 08/06/2023  
Gorham Assessor Comments – No comment  
Gorham Fire Chief Comments – 08/23/2023  
Gorham Public Works Comments – 08/23/2023  
Gorham Code Enforcement Officer – No comment  
Gorham Recreation – No comment  
Wright Pierce – 08/23/2023, 08/31/2023

**NOW THEREFORE**, based on the entire record before the Board and pursuant to the applicable standards set out in the Land Use and Development Code of the Town of Gorham, the Board makes the following factual findings:

**CHAPTER 3 - SUBDIVISION, SECTION 3 - PRELIMINARY PLAN**

The Planning Board, following review of the Subdivision Application, makes these findings based on the Subdivision Review criteria found in Chapter 3, Subdivision, Section 3 – C. Preliminary Plan Review, and Section 4 – C. Final Plan Review.

**C. PRELIMINARY PLAN REVIEW**

- 2) The Planning Board shall include in its review the following general and specific requirements that the development has proposed for approval:
  - a) Shall be in conformance with the Comprehensive Plan of the Town, and with all pertinent State and local codes and ordinances, including the Performance Standards related to specific types of development which are stipulated in Chapter 2.

The applicant is required to obtain all local, state, and federal permits needed for the proposed development.

The Comprehensive Plan identifies this area as Village Residential and Village Expansion.

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**Finding: Robie Street subdivision ....**

- b) Will not cause congestion or unsafe conditions with respect to use of the highways or public roads, existing or proposed on or off the site.

Access to Robie Street subdivision is via Robie Street Ridgeway Lane, and Bramblewood Lane. The addition of one (1) additional lot should not cause congestion or an unsafe condition on Brackett Road.

**Finding: Robie Street subdivision ....**

- c) Will not place an unreasonable burden by either direct cause or subsequent effect on the availability of the Town to provide municipal services including utilities, waste removal, adequate roads, fire and police protection, school facilities and transportation, recreational facilities, and others.

The lots within this subdivision will be served by public water and sewer, as well as underground utilities. Waste removal will be provided by the town of Gorham. Recreation and school impact fees are required that offset the additional school and recreational needs created by a residential subdivision.

*Finding: Robie Street subdivision will not place an unreasonable burden by either direct cause or subsequent effect on the availability of the Town to provide municipal services including utilities, waste removal, adequate roads, fire and police protection, school facilities and transportation, recreational facilities, and others.*

- d) Has sufficient water supply available for present and future needs as reasonably foreseeable.

The subdivision will be served by public water.

*Finding: Robie Street subdivision shall provide for adequate water supply for present and future needs.*

- e) Will provide for adequate solid and sewage waste disposal for present and future needs as reasonably foreseeable.

The subdivision will be served by public sewer.

*Finding: Robie Street subdivision shall provide for adequate solid and sewage waste disposal for present and future needs as reasonably foreseeable.*

- f) Will not result in undue pollution of air, or surficial or ground waters, either on or off the site.

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As shown on Sheet 18 of 25 and described in the written materials exhibit 7, stormwater from the site will be treated in stormwater infrastructure meeting the Maine Department of Environmental Protection's and the Town of Gorham's stormwater requirements.

*Finding: Robie Street subdivision will not result in undue pollution of air, or surficial or ground waters, either on or off the site.*

- g) Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result.

As shown on Sheet 14, 15, 16, 17 and 19 of 25 and described in the written materials exhibit 7, erosion and sedimentation controls will be utilized meeting the Maine Department of Environmental Protection's and the Town of Gorham's requirements.

The proposed construction of the residential units will not impact wetlands or water bodies. There are some wetland impacts from construction of the wet pond and one street. The developer shall place erosion and sedimentation controls around the development site.

*Finding: Robie Street subdivision will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result.*

- h) Will not affect the shoreline of any body of water in consideration of pollution, erosion, flooding, destruction of natural features and change of ground water table so that a dangerous or unhealthy condition may result.

There are no water bodies, as defined in the Zoning Ordinance, on this property.

Stormwater maintenance shall be designed in accordance with State, Federal, and local requirements prior to discharging into groundwater or into abutting wetland.

*Finding: Robie Street subdivision will not affect the shoreline of any body of water in consideration of pollution, erosion, flooding, destruction of natural features and change of ground water table so that a dangerous or unhealthy condition may result.*

- i) Will respect fully the scenic or natural beauty of the area, trees, vistas, topography, historic sites and rare or irreplaceable natural or manmade assets.

The proposed construction of the streets for the residential units will impact a portion of the wetlands and no water bodies.

The applicant shall be preserving open space as part of another phase of total project.

According to the Comprehensive Plan, there are no known historic sites, rare or irreplaceable natural or manmade assets located on the site.

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Finding: *Robie Street subdivision shall respect the scenic or natural beauty of the area, trees, vistas, topography, historic sites and rare or irreplaceable natural or manmade assets.*

- j) Financial Capacity to meet Subdivision Regulations. The applicant must have adequate financial resources to construct the proposed improvements and meet the criteria standards of these regulations. The Board will not approve any plan if the applicant has not proven its financial capacity to undertake it.

The applicant has not submitted a letter from to determine financial capacity to construct the proposed improvements.

Finding:

- 3) Every subdivision shall be responsible for providing open space and recreational land and facilities to meet the additional demand created by the residents of the subdivision. This requirement shall be met by the payment of a Recreational Facilities and Open Space Impact Fee in accordance with Chapter 8.

The applicant shall provide open space as part of a phase of the total project.

The applicant will be required to pay the Recreational Facilities and Open Space Impact Fee prior to issuance of the building permits.

Finding: *The applicant of Robie Street subdivision will be responsible for providing open space and recreational land and facilities to meet the additional demand created by residents of the subdivision.*

- 4) If an applicant chooses to create open space and/or recreational land and facilities within the subdivision in addition to paying the impact fee, the following applies:
- a) Land Improvements: The applicant shall improve the land according to the proposed use of the land and the requirements of the Planning Board.
  - b) Owners Association: A homeowners' association shall be formed to provide for the perpetual care of commonly owned recreation land.

The applicant shall provide open space as part of another phase of the total project.

Finding: *The applicant shall provide open space as part of a phase of the total project, in addition to the impact fee.*

**NOW THEREFORE**, on September 11, 2023, the Gorham Planning Board adopts each of the foregoing Findings of Fact, and based on these Findings determines that KV Enterprises, LLC. request for approval of **Robie Street Subdivision** will have no significant detrimental impact, and

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the Gorham Planning Board hereby votes to grant preliminary approval to KV Enterprises, LLC. with the Conditions of Approval listed below.

**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, except for minor changes which the Town Planner may approve;
2. Any staff and peer review comments shall be addressed prior to the Board signing the plans;
3. That prior to the commencement of construction, the applicant is responsible for obtaining all required local, state and federal permits;
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. That the underground electric lines shall be inspected by the Code Enforcement Office prior to backfill;
6. All waivers and variances shall be listed on the plan prior to recording;
7. That the new street names shall be approved by the Town Planner, Police and Fire Chiefs;
8. The map and lot numbers shall be listed in the bottom right corner of all pages of the plan set;
9. Recreational and Middle School Impact fees shall be paid prior to receiving a building permit;
10. All other additional impact or growth permit fees shall be paid prior to receiving a building permit;
11. That the Robie Street Subdivision Homeowners' Association is responsible for maintenance and compliance of the stormwater infrastructure meeting the requirements of the Town of Gorham Stormwater Ordinance, Chapter 2 Post-Construction Stormwater Management;
12. That prior to the commencement of construction, the applicant, applicant's engineer and earthwork contractor shall have a pre-construction meeting with the Town's Engineer, Town Planner, Code Enforcement Officer, Public Works Director and Fire Chief;
13. 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;



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14. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board;
15. That the subdivision plans shall not be released for recording at the Cumberland County Registry of Deeds until the required performance guarantee has been posted meeting the approval of Town Staff; and the subdivision plan is required to be recorded within one year of original approval or the approval becomes null and void; and
16. That these conditions of approval must be added to the plan and the plan shall be recorded at the Cumberland County Registry of Deeds within one (1) year of the date of written notice of approval by the Planning Board, and a dated copy of the recorded plan shall be returned to the Town Planner prior to the pre-construction meeting.
17. If a plan has received phased approval, the first phase shall be recorded within one (1) year of the original approval and subsequent phases shall be recorded within five (5) years of the original approval. If a phased plan is not recorded within those time periods, the phases that have not been recorded shall become null and void.
18. A Growth Permit is required for each dwelling unit in a residential subdivision.

**FOR PRELIMINARY SUBDIVISION APPROVAL:**

**Move to grant preliminary subdivision approval for Robie Street Subdivision, located on M24/L19, 20 and M25/L8, M27/L20 in the Urban Residential and Urban Residential Expansion zoning districts, based on Findings of Fact and Conditions of Approval as written by the Town Planner (and amended by the Planning Board).**

**TO TABLE PRELIMINARY SUBDIVISION APPROVAL:**

**Move to table further review of Robie Street Subdivision request for preliminary subdivision approval pending responses to remaining issues (and finalizing revisions to the plan).**

**MINUTES OF SEPTEMBER 19, 2022**

**ITEM 3 Discussion – Site Plan and Subdivision Pre-Application – K/V Enterprises – Robie Street** – a request for approval of a site and subdivision plan which includes residential units, streets, open space, recreational facilities and trail network, zoned UR/SR, Map 24, Lots 19 and 20, Map 25, Lot 8, and Map 27, Lot 20.

Ms. Eyerman explained that this application is provided based on the Development Transfer Overlay section of the ordinance. Zoning is both Urban Residential and Suburban Residential, which allow for single family and multi-family units. The site contains wetlands, aquifers and

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streams and is located within the Narragansett Game Sanctuary. The applicant has been working with the Presumpscot Regional Land Trust for preservation of open space in the area, which in the ordinance is required to be a minimum of 13 acres, based on the site's acreage; however, the applicant is proposing 51 acres. The Development Transfer Overlay requires fee calculations, because for an increase in density, the applicant provides a fee to the Town, which is used by the Town to purchase open space in the Rural district. The section also requires building designs, lot designs, access limitations using internal roads and multiple connections. Ms. Eyerman commented that walkable areas are desired within the Village, and walkable block sizes are between 100 to 400 feet, so consideration could be given to shorter roads to provide pedestrian cut-throughs. An additional right of way may be able to be made off Toppan Drive. Specific parking lot locations are also required. Public water and sewer are located near this property.

Owens McCullough, Sebago Technics. Mr. McCullough introduced Kendrick Ballantyne and Vincent Maietta of K/V Enterprises, and Henry Hess and Kylie Mason, landscape architects from Sebago Technics. Mr. McCullough said proposed are up to 105 single family housing units, and 240 multi-family housing units, tailored to fit into a designated Town growth area. Lots will be around 8,500 square feet. The project will require a Maine DEP Site Location of Development act permit and an NRPA permit for some wetlands alterations, and a traffic movement permit will also be required from Maine DOT. A connection option could be to New Portland Road through the Village School, connection to Robie Street, and perhaps another connection to South Street. A future connection will also be provided on the south end of the property and up to the northern land. Mr. McCullough referred to the hunting restriction in the Narragansett Game Sanctuary.

Henry Hess came to the podium and told the Board this development is in close proximity to the schools here in Gorham with multiple points of access from Robie Street, as well as from Spruce and Bramblewood Lanes, as well as ultimately a connection to White Birch Lane. The parcel area, including the area to be preserved as conservation, is 133 acres in total. Of that the total development is proposed within approximately 82 acres, leaving 51 acres to be conserved. Preliminary conversations with Presumpscot Regional Land Trust have occurred and some of their suggestions have been shown on the plans. Mr. Hess spoke about the desirability of the development in providing a walkable neighborhood, as well as creating less of a strain on Town infrastructure due to the availability of sewer and water to the site and shorter roads. Mr. Hess anticipates at least a year of acquiring the various State and local permits that will be required.

Mr. Anderson asked about the construction timeline; Mr. Hess said this is going to be a phased project and will look to be around ten years. Mr. Hess confirmed that the proposed lot sizes are similar to those existing on the roads along South Street. Mr. Anderson noted the growth management ordinance recently passed by the Town Council which will impact the buildout of the project.

Ms. Durst and Mr. Hess discussed that the roadway connections to Ridgeway, Bramblewood and Spruce, providing multiple accesses. Mr. Hess replied to Ms. Durst that currently the multi-family units are proposed to be three story units. The availability of affordable housing units has not yet been determined. Mr. Grassi asked if any decision has been made about the phasing sequencing. Mr. Siegel confirmed with Mr. Hess that the new multi-family ordinance was not used in the

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density calculations, but it will be considered going forward. Senior housing can also be a consideration. Mr. Siegel recommended that the applicant talk to the Recreation Department about connecting with the cross-town trail which ends at New Portland Road. Mr. Hess advised Mr. Siegel that the applicant prefers mixed use housing, rather than all multi-family housing, and residential housing is preferred to a mix with commercial uses due to the proximity of the Village. Mr. Hess said two parking spaces per unit are presently proposed. Mr. Hess said a majority of the roads are proposed to be public roads, with potentially the multi-family drives remaining private.

Mr. Frank asked if construction will actually begin at Robie Street, or will approval for and construction of the other access roads be done first. Mr. Hess said that the phasing will be looked at going forward. Mr. Burrows asked if the development depends on the connection through White Birch Lane; Mr. Hess replied that it would be difficult to construct that without that access, given the points of access and connectability to the Village. This is something that will be discussed with the School Department. Mr. Burrows suggested lowering the number of houses and increasing the lot sizes to improve walkability and provide for more cross streets and more green space.

Mr. Anderson and Mr. Hess discussed shorter, walkable connections. Mr. Hess confirmed to Mr. Anderson that a traffic movement permit will be required, but no scoping meeting has been held yet with DOT.

Mr. Siegel commended the applicant for the size of the acreage being proposed for preservation.

Mr. Herrick asked if there is any additional plan or proposal to address walkability to Gorham center as opposed to within the subdivision, considering the relative narrowness of the roads to which the development is proposed to connect. Mr. Hess said that consideration of off-site improvements will be a part of the MDOT scoping discussion. Mr. Anderson noted that Robie Street does not have sidewalks until it nears the Village School.

Mr. Frank asked if there are current traffic numbers for Robie Street now. Mr. Hess said that at this time they do not have those count numbers, but going forward they will be doing those investigations and looking at those counts.

**PUBLIC COMMENT PERIOD OPENED:** Susan Robie, 34 Robie Street. Ms. Robie said they are direct abutters on the north, parties to a private way agreement for Whispering Pines Lane, and are committed to donate land at the east end of their property to the Presumpscot Regional Land Trust for the purpose of connecting land dedicated to conservation to the Village School. For the sole purpose of mitigating traffic on Robie Street if this development were to be approved, Ms. Robie and her husband agreed to trade a 50-foot right of way across part of their land to White Birch Lane. Her concerns are impact on the established neighborhood, especially as the Comprehensive Plan notes one of the goals of development being to minimize the impact of vehicular traffic on established residential neighborhoods. She spoke about construction disruption to Robie Street, noting the difficulty now to get large pieces of equipment into Robie Street from South Street. Other concerns involve traffic, traffic control, use of traffic calming methods, street trees on Robie and walkability. As part of the review for Station Square, a traffic study was done at the intersection of Robie and Lincoln Streets; those numbers are still available and should be used as a

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basis for the increase into this development. She suggested that the proposed right of way shown should connect to Day Road. Ms. Robie commented that the majority of stormwater now is sheet flow and noted that there is a drainage easement with the Town for stormwater from South Street into the woods on her property, but no more stormwater can be added to it from any source.

Phil Gagnon, Gordon Farms Road, commented on the potential creation of a cut-through based on the development's access points. He asked how this will impact the walkability pattern already in existence in the neighborhood.

Peggy Marchand, 150 South Street, at the corner of Ridgeway, spoke about the traffic buildup currently on South Street. She and her husband measured Ridgeway Street and said it is 19 feet by either 3 or 6 wide, and is not wide enough to accommodate two lanes of traffic. She said that school buses do not travel down Robie Street because it is too narrow. Ms. Marchand commented about development that has occurred, with resulting loss of open spaces and trees and the high water table in the area. She said she hopes the development will not come at the cost of her neighborhood.

Eric Burbank, 146 South Street, said he agrees with having density in the Village and hopes to see green space preserved. He commented that Ridgeway measures as narrow as 16 feet, it is currently a dead end with 8 houses, and using it as an access road will have an irreversible and detrimental effect on the neighborhood. He said he hopes the development can happen, but not at the expense of the Bramblewood, Ridgeway, Spruce and Robie neighborhoods.

Roger Brown, 52 Day Road, commended the applicant for the proposed large acreage to be put into conservation. Mr. Brown asked why the New Portland Road frontage of the site is not proposed to be used more for access instead of possibly destroying existing neighborhoods to access South Street. Mr. Day referred to the Comprehensive Plan's goal to protect the state's wildlife and fisheries habitats and a local goal to protect significant wildlife and fisheries habitat. He spoke about maintaining unfragmented habitat blocks and deer watering area to the south.  
PUBLIC COMMENT PERIOD ENDED.

Mr. Hess said stormwater management for the project will be under review with staff and low impact stormwater design will be sought, as well as working through the DEP process. Traffic impact will be reviewed with both the Town and DOT. Discussions have been held with staff to provide multiple points of access, hopefully creating less congestion on any one street. Connection to White Birch Lane was a request by staff. Access from New Portland Road is complicated by the presence of streams and tributaries, with areas more appropriate to be conserved and used for walkability and trails.

Mr. Anderson commented that this application will be before the Board again, and the public will receive notice of any future public hearings.

[Recording from September 19, 2022 Planning Board Meeting](#)