

AGENDA NOTES

Gorham Town Council Regular Meeting

April 3, 2018 – 6:30pm

Burleigh H. Loveitt Council Chambers

1. Public Hearing # 1

Public hearing regarding removing easement restrictions on Robie Park to accommodate expansion of the Gorham High School. (Admin. Spon.)

In early 2017, the Town Council directed the former Town Manager to start the process of removing easement restrictions from the now defunct Gorham Village Corporation on Robie Park for the purposes of a possible high school expansion.

A memo from Town Attorney, Mark Bower, is attached outlining actions that have been made on removing the easements to date, as well as a recommended course of action. The Town has advertised locally for information from anyone who may have been on the Gorham Village Corporation, or knows of someone who was involved with the organization and is still alive. To date no one has brought forward any useful information. The second step of the recommended process is for the Town Council to hold this public hearing to let the public or anyone with vested interest weigh in on the plans to remove the easements and also to bring attention to the project.

2. Item # 9322

Action to consider Board and Committee appointments. (Appointments Committee Spon.)

Recommendations from the Appointments Committee are attached.

3. Item # 9323

Action to consider appointing election workers for a two-year term 2018-2020. (Admin. Spon.)

Election workers are appointed for a two year term and a list of the proposed election workers from each party is included in the agenda.

4. Item # 9324

Action to consider appropriating up to \$10,000 from the Open Space Impact Fee Fund to cover closing costs, stewardship fees and stewardship support for the Presumpscot Regional Land Trust's acquisition of a 37-acre parcel located off Flaggy Meadow Road for permanent conservation. (Admin. Sponsored)

The Presumpscot Regional Land Trust is moving forward with a conservation project of 37 acres off of Flaggy Meadow Road in Gorham. The project proposes to permanently attach a public open space easement to the property while the land itself will be transferred from the current property owners to the land trust. They are asking for a \$10,000 contribution from the Town of Gorham to help offset closing costs, stewardship fees and general stewardship support as part of the projects overall \$72,200 cost.

A proposal packet with letters of support is attached.

5. Item # 9325

Action to consider the recommendation of the Ordinance Committee that no action be taken with regards to amendments to the sprinkler ordinance. (Admin spon.)

In 2017, the Council's Ordinance Committee recommended to the Town Council that no action be taken to amend the Town's ordinances regarding sprinkler systems after reviewing the Town's ordinances. Upon receiving this recommendation, the Council requested the opportunity to have a workshop on the topic with the fire department prior to voting on this recommendation.

Should the Town Council wish to have the Ordinance Committee look at alternatives again after receiving information at the workshop, I would recommend that you amend the order at your meeting to send it back to the Ordinance Committee with general instructions on what you would like to see changed in the Town's ordinances pertaining to sprinkler systems.

6. Item # 9326

Action to consider reviewing the Town's Senior Property Tax Relief Ordinance to better evaluate financial eligibility requirements of the ordinance. (Councilor Smith Spon.)

A copy of the Senior Property Tax Ordinance that was approved in January of 2018 is attached. Councilor Smith has asked that if this ordinance is referred back to the Ordinance Committee that Town staff prepare information on what income ranges we expect to be eligible for the ordinance's rebate program as it may be allowing seniors with much higher incomes than anticipated to participate in the program and may need to be reduced.

7. Item # 9327

Action to consider adding water testing requirements in the Land Use & Development Code for new development. (Councilor Stelk Spon.)

Sponsored item by Councilor Stelk to direct the Ordinance Committee to review adding language to the Land Use and Development Code that would require water testing for new developments in certain situations.

8. Item # 9328

Action to consider accepting Carnation Drive, in the Allen Acres Subdivision, as a Public Road. (Admin. Spon.)

Acceptance of Carnation Drive as a public road. Carnation Drive is located on Main Street across from Cumberland Lane and next to the Narragansett Elementary School. All requirements to accept the roadway as a public road have been met.

9. Item # 9329

Action to consider accepting Geranium Drive, in the Allen Acres Subdivision, as a Public Road. (Admin. Spon.)

Acceptance of Geranium Drive as a public road. Geranium Drive is located off of Carnation Drive. All requirements to accept the roadway as a public road have been met.



MEMORANDUM

TO: Ephrem Paraschak
FROM: Mark A. Bower, Esq.
RE: Robie Park Deed Restriction
DATE: February 6, 2018

The purpose of this memorandum is to provide an overview of the status of the Robie Park real estate title issue and to propose a “plan of attack” to go forward with the removal of the use restriction (“to be maintained as a Playground”) in the source deed.

First, by way of background, a July 28, 1958 deed from the Gorham Village Corporation (GVC) conveyed the Robie Park parcel to the Inhabitants of the Town of Gorham, subject to the following restriction:

“provided, however, the [Town of Gorham] herein by acceptance of this deed agrees that the following described portion of the premises herein conveyed shall, pursuant to an affirmative vote upon Article 11 of the Warrant for a Special Town Meeting of the Town of Gorham, Maine duly called and held on May 17, 1958, be maintained as a Playground, all as more fully and particularly set out in said Article 11 [metes and bounds description omitted].”

Therefore, of the total parcel, roughly 7 acres are unrestricted (that portion closer to the existing high school), while roughly 5 acres (that portion closer to the Baxter Library) are restricted to be used as a playground. The minutes from the May 17, 1958 Special Town Meeting provide the following for Article 11:

“Upon a motion, duly made and seconded, it was VOTED – To accept from the Village Corporation the Martha Robie Park land, consisting of fourteen (14) acres, more or less; subject to these provisions: That a portion of said land shall be maintained as a Playground and operated by the Martha Robie Park Commission.”

The question becomes how to remove this deed restriction if the Town wants to use the westerly portion for the high school expansion. As we have discussed previously, the most straightforward way to do this would be to call a meeting of the GVC and have voters authorize the conveyance of a release deed to the Town of Gorham that removes the restrictive covenant. This has proven difficult, however, as we have had difficulty locating anybody who was formerly associated with the GVC and who would be duly authorized to call a meeting of the GVC.

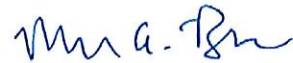
The other option would be to file a civil action for a “declaratory judgment” in Superior Court against the GVC and the Attorney General (Janet Mills), who has oversight over public charities. *See* 5 M.R.S.A. § 194. In a declaratory judgment or “DJ” action, the plaintiff (here, the Town) asks the court to declare the rights of the parties under a particular set of facts. As Bill Dale previously mentioned to you, he and I recently met with Linda Conti, the Assistant Attorney General who handles these types of cases. She indicated a willingness to cooperate with the Town in this endeavor, and mentioned that she was involved in a similar situation with the City of Caribou when it needed to build a new school. We would probably also ask the Superior Court for permission to “serve” the GVC by publication, meaning running an ad in a newspaper of general circulation for three weeks in a row, such as either the Gorham Times or the Portland Press Herald.

The following are the steps that we would recommend taking:

1. Run an advertisement in the Gorham Times and/or the Portland Press Herald to solicit information about the GVC/Robie Park Commission from the general public. There may be people out there who were involved in the GVC or Robie Park Commission, or have records that we have been unable to locate. If we get lucky, the first option described above could still be used.
2. Have the Town Council notice and hold a public hearing to discuss the Robie Park deed restriction and the idea of removing it. This will give the general public the opportunity to voice any concerns that they might have about the idea of removing the deed restriction, and will allow the Town Council to “take the temperature” of the populace about the plan.
3. Try to locate another parcel in town to “swap” with the Robie Park parcel so that there is no net loss of recreation space in the Town. According to the Assistant AG, this would be helpful in the civil action to show that the public interest has been protected by setting aside park land elsewhere. In this regard, we should get in touch with Cindy Hazelton to find out who or what organization runs the baseball program on that field to get his, her or its reaction(s).
4. File a complaint in Superior Court that outlines the above actions taken by the Town and that also lays out the reasons why the proposed location is the preferred alternative. Along with the Complaint, we would also file a proposed order,

which would be agreed to ahead of time by the Assistant AG—so no need for “formal” litigation. Once the Superior Court order is issued, the Town would have clear title to the Robie Park parcel without the deed restriction quoted above. Presumably, the parcel would then be available for the high school expansion project.

Finally, and as a practical matter, we could segregate our legal expenses by setting up a separate matter number, and then roll them into the larger expenses for the school expansion project (maybe for a replacement baseball field as well).



2018 BOARD AND COMMITTEE APPOINTMENTS

PLANNING BOARD

LEE PRATT
ED ZELMANOW

BOARD OF APPEALS

ANTHONY BUTTS
KARI BEAULIEU
MARK JONES

ECONOMIC DEVELOPMENT CORP

SARAH JACKSON
KATHY GARARD
CHRIS KELLEY

CONSERVATION COMMISSION

ERNIE WELLS
STEPHANIE STRAZALKOWSKA

FAIR HEARING BOARD

BARBARA MCLEAN

BOARD OF TRUSTEES- BAXTER LIBRARY

LINDA FRINSKO
NANCY KENTY

HISTORIC PRESERVATION COMMISSION

MARSHA WEEKS TRAIL
DAWNA LAMSON

February 2018

To: Gorham Town Council
 From: Rachelle Curran Apse, Executive Director
 Re: Nelson parcel open space proposal

The Presumpscot Regional Land Trust engages with communities to conserve, steward, and provide access to local lands and clean water for current and future generations to enjoy. We are a community based nonprofit primarily serving Gorham, Gray, Standish, Westbrook, and Windham. We hold 1,600 acres of conserved lands with 14 free public access preserves that include trails and water access. We are the water stewards of the Presumpscot River watershed and we coordinate the Sebago to the Sea Trail, a 28-mile trail from Standish through Gorham to Portland.

As a regional land trust, our goal is to collaborate with the Town of Gorham and the other municipalities in our region in order to grow conservation and outdoor recreation.

Thank you for your collaboration over the last year to help support the merger of Gorham Trails within our land trust. The result is that our land trust is now the one nonprofit organization holding conserved lands that include trails and water access within Gorham.

We are also glad to be collaborating with the Gorham Recreation Department and the Gorham Conservation Commission to create a *Trails in Gorham* map that hundreds of Gorham residents have picked up from Baxter Memorial Library, the Gorham Town Clerks Office, and the Gorham Recreation Department since it was first published this past fall.

Below is a description of the Nelson parcel open space proposal, a new conservation and public access project we are proposing for the coming year, that we hope you are interested in collaborating on and helping to support.

Board of Directors

Joanne Chessey
 Sebago

Matt Craig
 Cape Elizabeth

Richard Curtis
 Gorham

Valerie DeVuyst
 Windham

Fred Dillon
 Portland

Melissa Hamlin
 Westbrook

Ben Lord
 Gorham

Michael Parker
 Windham

Priscilla Payne
 Windham

Tamara Lee Pinard
 Gray

Tom Pitman
 Gorham

June Sleeper
 Windham

Matt Streater
 Portland

Glenice Stover
 Windham

Executive Director

Rachelle Curran Apse

Contact

info@prlt.org

P.O. Box 33
 Gorham, ME 04038

Nelson Parcel Open Space Project Budget

This project is an opportunity for the Town of Gorham to use impact fee funds to add conserved lands and public access in an area of town on the edge of the rural zone that has no other open space in the area. This project is also an opportunity for the town to pay just 13% of the total project cost to ensure increased open space and public access that will benefit the whole Town of Gorham.

<u>PROJECT COSTS</u>	
Nelson parcel of land = 37 acres	\$62,200
Closing Costs (legal, recording, title)	\$2,000
Stewardship Fund Land trusts are required to invest at least \$5,000 for every new conservation parcel to ensure the land trust has the ability to steward the conserved land in perpetuity, which is part of accreditation by the Land Trust Alliance	\$5,000
Stewardship Support Trailhead Signage, Maps, Conservation Management Plan	\$3,000
Public Access Trail Project management, trail design, trail materials, trail building, and volunteer coordination for a two-person wide social trail that is welcoming to all	\$5,000
TOTAL COSTS	\$77,200
<u>PROJECTED FUNDS</u>	
Gifts of Land	\$62,200
Land Trust Public Fundraising Campaign	\$5,000
Town of Gorham funds request to fund: Closing costs, Stewardship Fee, and Stewardship Support	\$10,000
TOTAL FUNDS NEEDED	\$77,200

Nelson Parcel - Aerial

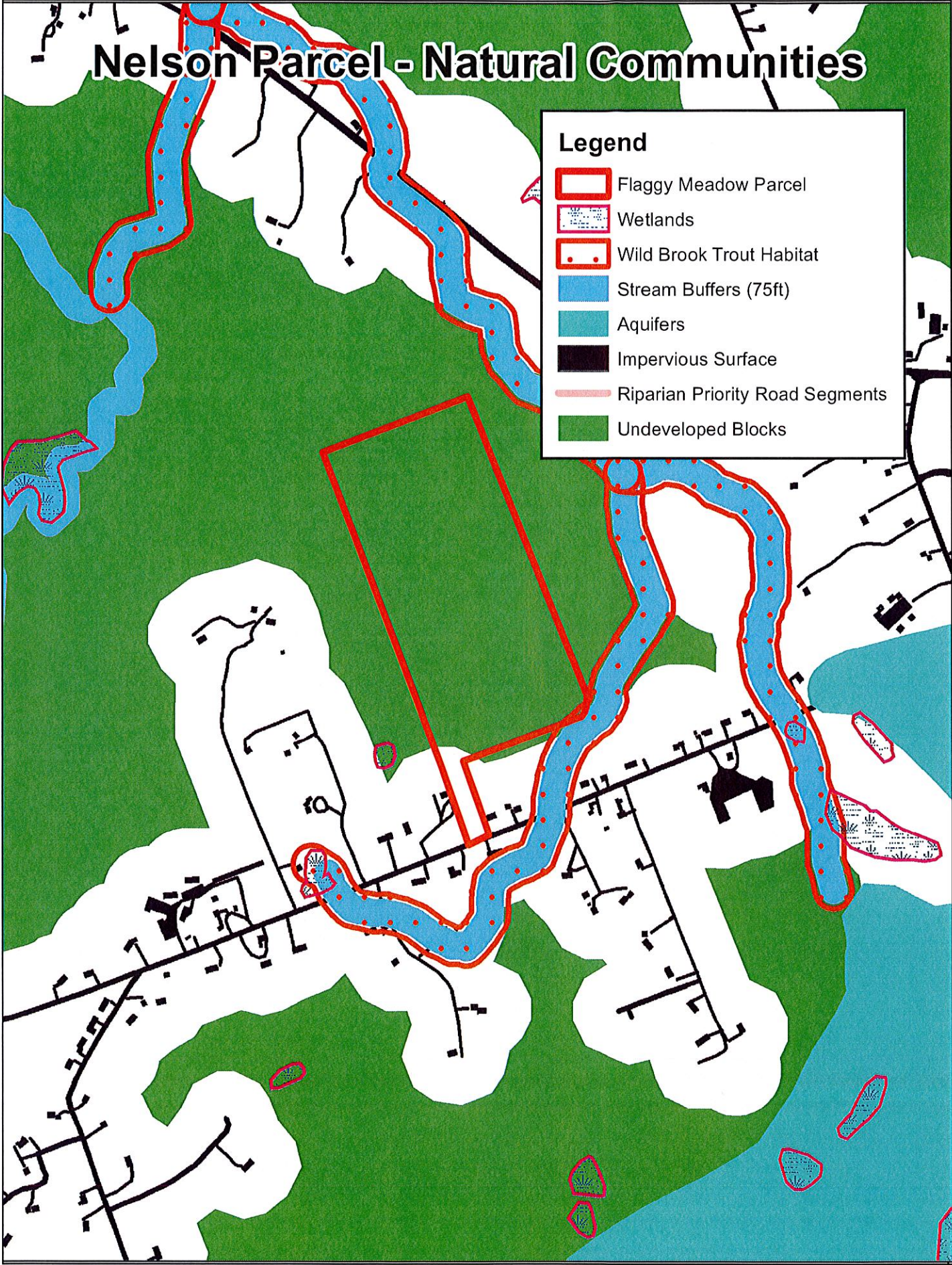


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Nelson Parcel - Natural Communities

Legend

- Flaggy Meadow Parcel
- Wetlands
- Wild Brook Trout Habitat
- Stream Buffers (75ft)
- Aquifers
- Impervious Surface
- Riparian Priority Road Segments
- Undeveloped Blocks



Nelson Parcel - Potential Trail

Loop Trail = 0.9 miles

TRAILHEAD
- Currently parking for 3 cars on side of road

March 30, 2018

To whom it may concern:

We, the undersigned, are abutters and neighbors of the 37 acre property formerly owned by Jane Nelson.

We support and look forward to the donation of this property to the Presumpscot Regional Land Trust.

We feel it is important for the public to have access to open space for low impact recreation in Gorham, and encourage the Town of Gorham to support the land trust with open space funds.

Name

Address

Deborah Lindway

188 Flagg Meadow Rd -
Gorham, Maine 04038.

Tom TALBOTT

203 Flagg Meadow Rd.
Gorham, ME 04038

Julia Berry
Jim Berry

195 Flagg Meadow Rd
Gorham, ME 04038

Thomas P. Johnson
Jane Collier Johnson

187 Flagg Meadow Rd.
Gorham, ME 04038



75 South Street, c/o Planning Department, Suite 1, Gorham, ME 04038
Info@gorhamconservation.org • www.gorhamconservation.org

Gorham Town Council
Ephrem Paraschak, Town Manager
75 South St. Suite 1
Gorham, ME 04038

March 1,, 2018

RE: PRLT, Nelson Parcel Conservation Project

Council and Manager,

The Conservation Commission works closely with the Presumpscot Regional Land Trust to ensure Gorham protects its natural resources and provides recreational opportunities for its growing population

The land trust has been offered a 37 acre parcel off of Flaggy Meadow Road for conservation and public access. This was the result of a very generous donation by the Nelson family of Gorham.

We are asking that you collaborate and financially support the land trust and this project. It would provide the town with a protected forest in which the entire community can enjoy for many years to come.

Best Regards,

Robert Lavoie

Chair, Gorham Conservation Commission



All ages. All Seasons.

March 1, 2018

Gorham Town Council
Ephram Paraschak, Town Manager

RE: Presumpscot Regional Land Trust – Nelson Parcel Conservation Project
Dear Council Members,

It is with ease and enthusiasm that I write to you to discuss the proposed Nelson Parcel Conservation Project presented to you by the Presumpscot Regional Land Trust.

The proposed forested walking trail to be developed as a result of this gift will create a great place to take a walk so you not only can get active, you can enjoy the benefits of being outdoors too. According to research, short but frequent walks in nature may improve mental health, lower depression and reduce stress. Walking isn't just for adults—even children and adolescents can benefit from walking. It can help young people achieve the recommended 60-minutes of daily physical activity they need but in today's world they are just not getting.

The location of this proposed gift of land is primed to allow for public access into a 37 acre forested area with room for a one-mile loop trail for walking through the forest. This location will also provide for public access in a region of Gorham that currently has none.

The proposed Nelson Parcel would add to our community's list of places to walk and our support of active, healthy lifestyles for "All ages. All seasons."

Sincerely,

Cindy Hazelton, CPRP, Director
Gorham Parks and Recreation Department
chazelton@gorham.me.us



TOWN OF GORHAM
SENIOR PROPERTY TAX
ASSISTANCE ORDINANCE

Adopted January 2, 2018

ARTICLE I

Property Tax Assistance

Purpose

The purpose of this article is to establish a program to provide property tax assistance to persons 65 years of age and over who reside in the Town of Gorham. Under this program, the Town of Gorham will provide refund payments to those individuals who maintain a homestead in the Town of Gorham and meet the criteria established by this article.

ARTICLE II

Definitions.

As used in this article, the following terms shall have the meanings indicated:

A. BENEFIT BASE — Property taxes paid by a qualifying applicant during the tax

year on the qualifying applicant's homestead or rent constituting property taxes paid by the resident individual during the tax year on a homestead.

B. HOMESTEAD — For purposes of this article, "homestead" shall have the same meaning as defined in 36 M.R.S.A. § 5219-KK(1)(C). Generally, a homestead is

a dwelling owned or rented by the person seeking tax assistance under this article

or held in a revocable living trust for the benefit of that person. The person must reside in the homestead at least 9 months of the calendar year.

C. INCOME — Total household income as determined by the total (gross) income

reported on the applicant's most recent federal income tax return (line 22 of Form 1040; line 15 of Form 1040A; line four of Form 1040EZ), plus the total (gross) income reported on the most recent federal income tax return of each additional member of the household if filing separately. If the applicant and/or any member of the household do not file a federal income tax return, income shall be the cumulative amount of all income received by the applicant and each additional member of the household from whatever source derived, including, but not limited to the following:

- i. Compensation for services, including wages, salaries, tips, fees, commissions, fringe benefits and similar items;
- ii. Gross income derived from business;
- iii. Gains derived from dealings in property (capital or other);
- iv. Interest;
- v. Rents from real estate;
- vi. Royalties;
- vii. Dividends;
- viii. Alimony and separate maintenance payments received;
- ix. Annuities;
- x. Pensions;
- xi. Income from discharge of indebtedness;
- xii. Distributive share of partnership gross income;
- xiii. Income from an interest in an estate or trust;
- xiv. IRA distributions;
- xv. Unemployment compensation; and
- xvi. Social security benefits.

D. QUALIFYING APPLICANT — A person who is determined by the Town Clerk or her designee, after review of a complete application under Article 2 of this ordinance, to be eligible for a refund payment under the terms of this article.

E. RENT CONSTITUTING PROPERTY TAX — Fifteen percent of the gross rent actually paid in cash or its equivalent during the tax year solely for the right of occupancy of a homestead. For the purposes of this article, "gross rent" means rent paid at arm's length solely for the right of occupancy of a homestead, exclusive of charges for any utilities, services, furniture, furnishings or personal property appliances furnished by the landlord as part of the rental agreement, whether or not expressly set out in the rental agreement.

In order to participate in the property tax assistance program, an applicant shall demonstrate all of the following:

- i. The applicant shall be 65 years of age or more at the time of application.
- ii. The applicant shall have a homestead in the Town of Gorham at the time of the application and for the entire year prior to the date of application.
- iii. The applicant has been a resident of the Town of Gorham for at least five years immediately preceding the date of application for participation in the program.
- iv. The applicant shall meet the application and eligibility criteria set forth in Section A and Section B of this article.

ARTICLE III

Application and payment procedures.

Persons seeking to participate in the property tax assistance program shall submit an application to the Town Clerk no later than August 1 of the year for which the refund is requested. Applications are required for every year the applicant seeks to participate in this program. The application form for the program shall be made available upon request in the Town Clerk's office and shall include, at a minimum, the applicant's name, homestead address and contact information. Attached to all applications shall be proof of household income.

Applicants shall also submit proof of property taxes paid or rent constituting property taxes paid during the tax year on the individual's homestead in the Town of Gorham.

The Town Clerk or a designee shall review and determine if the application is complete and accurate and if the applicant is otherwise eligible to participate in the program. The Town Clerk or the designee shall notify an applicant if an

application is determined to be incomplete within 2 weeks of the application being submitted. The Town Clerk's or the designee's decision on eligibility to participate and benefit base amount in the program shall be final. Appeals to the Town Clerk's or the designee's determinations are to be submitted in writing to the Town Council within 14 days of Town Clerk's or the designee's determinations. The Town Council will then review and make a determination within 30 days of receipt of an appeal.

Determination of eligibility and amount.

A. Eligibility under this article is designed to provide greater benefits proportionally to applicants with lower income in relation to their benefit base. Applicants with income greater than an amount equal to 90% of the current United States Department of Housing and Urban Development metropolitan area median family income shall not be eligible for benefits under this article. Eligible applicants will receive a benefit totaling the amounts set forth in Subsection A(1) and (2) as follows, provided that the cumulative maximum benefit allowed shall be \$500:

The total amount of any increase to the applicant's benefit base from the most recent tax year to the current tax year; and

Benefits based on a calculation of the applicant's benefit base as a percentage of their income [(Benefit/Income) x 100 = Benefit base as percent of income.]

If the benefit base as a percent of income is greater than 10%, the applicant will receive \$500;

If the benefit base as a percent of income is 8% to 10% of income, the applicant will receive \$350;

If the benefit base as a percent of income is 5% to 7% of income, the applicant will receive \$200;

ARTICLE IV

Limitations on payments.

The Town Manager shall report to the Town Council for its approval at its September meeting each year the projected payments and number of eligible applicants requesting assistance from the program fund.

Payments under this article shall be conditioned upon the existence of sufficient monies in the program fund for the year in which participation is sought. If there are not sufficient monies in the program fund to pay all qualifying applicants under this article per the calculations set forth in Section II (E), payments shall be limited to the amounts available in the fund and may be prorated accordingly. In the event that a lack of funding results in no payment or less than the full payment to a qualifying applicant, the request and/or unpaid balance will not carry over to the next year.

ARTICLE V

Creation of program fund.

The program fund from which payments shall be made under the terms of this article shall be created as follows:

As funds are available, the Town Council shall annually appropriate monies from the general fund or other sources to support this program.

Any surplus monies available after all payments have been made shall be carried forward within the fund to the next fiscal year.

ARTICLE VI

Timing of payments.

A person who qualifies for payment under this program shall be mailed a check for the benefit amount for which he/she is eligible under Section II (E) no later than 30 days from the date of Council approval of the applications for the year in which participation is sought.

ARTICLE VII

One applicant per household.

Only one qualifying applicant per household shall be entitled to payment under this program each year. Eligibility shall be determined based on total household income. The right to file an application under this article is personal to the applicant and does not survive the applicant's death, but the right may be exercised on behalf of an applicant by the applicant's legal guardian or attorney in fact. If an applicant dies after having filed a timely complete application that results in a determination of qualification, the amount determined by the Assessor shall be disbursed to another member of the household as determined by the Assessor. If the applicant was the only member of a household, then no payment shall be made under this article.

Street Acceptance Report

Carnation Drive
Allen Acres Subdivision
Susan Duchaine LLC.

March 30, 2018

Request: The applicant, Susan Duchaine LLC is requesting street acceptance of Carnation Drive in the Allen Acres Subdivision located off Main Street.

Street Classification: Urban Access **Length:** 1,000 feet (0.189 miles)

Description: The Allen Acres Subdivision was initially approved by the Gorham Planning Board on October 3, 2011. The subdivision was approved under the Town's Urban Residential (UR) District standards. The subdivision was approved with twenty-four (24) single-family house lots that will all be accessed via Main Street. Two roads serve this subdivision namely Carnation Drive and Geranium Drive and both are seeking street acceptance at this time. Twenty four (24) single-family house lots are planned for this development and twenty two (22) have been constructed and issued Certificates of Occupancy. The remaining two (2) units are currently under construction and Staff estimates that they will be issued Certificates of Occupancy within the next month or two. The surface paving has been completed and the applicant is requesting final street acceptance.

Utilities: The subdivision is served by public water, public sewer, underground utilities, and natural gas. The subdivision will be served by a clustered mailbox which is located on the eastern side of Carnation Drive adjacent to lot # 24.

Fire Protection: Two new fire hydrants have been installed within the Allen Acres Subdivision. One of the hydrants is located at the intersection of Main Street and Carnation Drive and the other is located at the east side of the intersection of Carnation Drive and Geranium Drive meeting the requirements of the Gorham Fire Chief.

Inspections, Engineering Certification and Record Drawings: The Town contracted with Woodard and Curran for inspection services, while Pinkham and Greer, provided construction services to the developer. The applicant's engineer has certified the road has been constructed according to the approved plans and has provided the required test results, documents and record drawings. The Director of Public Works has reviewed these documents and as-built drawings and found them to be acceptable for street acceptance.

Legal Documents: The offer of cession for the roadway, the proposed roadway deed, appropriate drainage and utility easements, and the required transfer tax form have been reviewed by legal counsel and are in order for acceptance.

Performance & Road Maintenance Guarantees: The amount of the one-year maintenance guarantee has been set at \$5,000.00 by the Public Works Director and the Town has received the required guarantee.

PUBLIC WORKS DEPARTMENT STREET ACCEPTANCE CHECKLIST

(To be completed by Director of Public Works)

Street Name: CARNATION DRIVE & GERANIUM DRIVE

Subdivision/Project Name ALLEN ACRES

OWNER/Developer DDI - SUSAN DUCHAINE

Final Inspection by BOB BURNS Date 11-1-17

Please mark each of the following items Yes, No or NA (Not applicable)

1. N/A Road Deed and Easement Deeds reviewed by the Public Works Director. — PLANNING
2. N/A Easement Deeds reviewed by the Public Works Director. — PLANNING
3. Roadway and shoulders constructed per plans.
4. Drainage installed per plans.
5. Curbing installed per plans.
6. Sidewalks installed per plans.
7. Roadway monumentation installed per plans.
8. Catch basins cleaned.
9. Detention ponds constructed per plans. SEE ENGINEER'S REPORT
10. N/A Fire ponds constructed per plans.
11. N/A Fire ponds inspected, tested and approved by the Gorham Fire Department.
12. Hydrants inspected, tested and approved by the Gorham Fire Department.
13. No. of new hydrants 2.
15. Paved driveway aprons.
16. Mailbox locations per plans.
17. Street trees and landscaping completed per plans.
18. Street signs and traffic control signs installed per plans.
19. Loaming and seeding completed per plans.
20. Permanent erosion control installed per plans.
21. Water mains inspected and approved by Portland Water District.
Final inspection report received.
22. Sewer mains and pump stations inspected and approved by Portland Water District.
Final inspection report received.
23. Final clean up completed.
24. Core Sample(s) measured and meet the Town's minimum standards.

Note any incomplete items or compliance issues: MINOR LOAM & SEED WILL BE NEEDED
IN SPRING. STREET LIGHTS WERE NOT INSTALLED AS OF
THIS DATE. RETENTION POND SHOULD BE ASSESSED BY
INSPECTING ENGINEER.

PLANNING DEPARTMENT STREET ACCEPTANCE CHECKLIST

(To be completed by the Town Planner)

Street Name: Carnation Drive

Subdivision/Project Name Allen Acres Subdivision

OWNER/Developer: Susan Duchaine LLC

Street Classification Urban Access Street Length 1,000 feet

Type of Approval: Final Acceptance Prior to Final Paving

Verification of occupancy permits for 50% of the housing units in the subdivision, if there are more than 20 lots in the subdivision or 50% of the approved construction phase. N/A

Total number of lots 24

Number of occupancy permits issued 22

Number of lots in phase 24

Number of occupancy permits issued 22 / 91%.

Please mark each of the following items Yes, No or NA (Not applicable)

- 1. Letter of Cession.
- 2. Road Deed (includes center of turning circle).
- 3. Transfer Tax Form.
- 4. Easement deeds for road drainage.
- 5. n/a Other documents

- 6. Reviewed by Town Attorney and approved on 1-28-18

- 7. n/a Fire pond/dry hydrant installations reviewed & approved by Fire Chief.
- 8. PWD: Water/Final Inspection Report received.
- 9. PWD: Sewer/Final Inspection Report received.
- 10. As-Built drawings delivered to: Engineer Public Works Planner & Zoning Administrator.
- 11. Maintenance Guarantee Acct.: Amount \$5,000.00 Type LOC Date 10-30-17.
- 12. Road Improvement Acct.: _____ Date Established _____

- 13. Legal Documents & Plan ROW provided to Town Clerk. Date 3-28-18

- 14. Public Works Director's Final Report.

Note any incomplete items or compliance issues: None

Street Acceptance Report

Geranium Drive
Allen Acres Subdivision
Susan Duchaine LLC.

March 30, 2018

Request: The applicant, Susan Duchaine LLC is requesting street acceptance of Geranium Drive in the Allen Acres Subdivision located off Main Street.

Street Classification: Urban Access **Length:** 500 feet (0.095 miles)

Description: The Allen Acres Subdivision was initially approved by the Gorham Planning Board on October 3, 2011. The subdivision was approved under the Town's Urban Residential (UR) District standards. The subdivision was approved with twenty-four (24) single-family house lots that will all be accessed via Main Street. Two roads serve this subdivision namely Carnation Drive and Geranium Drive which are both are seeking street acceptance at this time. Twenty four (24) single-family house lots are planned for this development and twenty two (22) have been constructed and issued Certificates of Occupancy. The remaining two (2) units are currently under construction and Staff estimates that they will be issued Certificates of Occupancy within the next month or two. The surface paving has been completed and the applicant is requesting final street acceptance.

Utilities: The subdivision is served by public water, public sewer, underground utilities, and natural gas. The subdivision will be served by a clustered mailbox which is located on the eastern side of Carnation Drive adjacent to lot # 24.

Fire Protection: Two new fire hydrants have been installed within the Allen Acres Subdivision. One of the hydrants is located at the intersection of Main Street and Carnation Drive and the other is located at the east side of the intersection of Carnation Drive and Geranium Drive meeting the requirements of the Gorham Fire Chief.

Inspections, Engineering Certification and Record Drawings: The Town contracted with Woodard and Curran for inspection services, while Pinkham and Greer, provided construction services to the developer. The applicant's engineer has certified the road has been constructed according to the approved plans and has provided the required test results, documents and record drawings. The Director of Public Works has reviewed these documents and as-built drawings and found them to be acceptable for street acceptance.

Legal Documents: The offer of cession for the roadway, the proposed roadway deed, appropriate drainage and utility easements, and the required transfer tax form have been reviewed by legal counsel and are in order for acceptance.

Performance & Road Maintenance Guarantees: The amount of the one-year maintenance guarantee has been set at \$5,000.00 by the Public Works Director and the Town has received the required guarantee.

PUBLIC WORKS DEPARTMENT STREET ACCEPTANCE CHECKLIST

(To be completed by Director of Public Works)

Street Name: CARNATION DRIVE & GERANIUM DRIVE

Subdivision/Project Name ALLEN ACRES

OWNER/Developer DDI - SUSAN DUCHAINE

Final Inspection by BOB BURNS Date 11-1-17

Please mark each of the following items Yes, No or NA (Not applicable)

1. N/A Road Deed and Easement Deeds reviewed by the Public Works Director. — PLANNING
2. N/A Easement Deeds reviewed by the Public Works Director. — PLANNING
3. Roadway and shoulders constructed per plans.
4. Drainage installed per plans.
5. Curbing installed per plans.
6. Sidewalks installed per plans.
7. Roadway monumentation installed per plans.
8. Catch basins cleaned.
9. Detention ponds constructed per plans. SEE ENGINEER'S REPORT
10. N/A Fire ponds constructed per plans.
11. N/A Fire ponds inspected, tested and approved by the Gorham Fire Department.
12. Hydrants inspected, tested and approved by the Gorham Fire Department.
13. No. of new hydrants 2.
15. Paved driveway aprons.
16. Mailbox locations per plans.
17. Street trees and landscaping completed per plans.
18. Street signs and traffic control signs installed per plans.
19. Loaming and seeding completed per plans.
20. Permanent erosion control installed per plans.
21. Water mains inspected and approved by Portland Water District.
Final inspection report received.
22. Sewer mains and pump stations inspected and approved by Portland Water District.
Final inspection report received.
23. Final clean up completed.
24. Core Sample(s) measured and meet the Town's minimum standards.

Note any incomplete items or compliance issues: MINOR LOAM & SEED WILL BE NEEDED
IN SPRING. STREET LIGHTS WERE NOT INSTALLED AS OF
THIS DATE. RETENTION POND SHOULD BE ASSESSED BY
INSPECTING ENGINEER.

PLANNING DEPARTMENT STREET ACCEPTANCE CHECKLIST

(To be completed by the Town Planner)

Street Name: Geranium Drive

Subdivision/Project Name Allen Acres Subdivision

OWNER/Developer: Susan Duchaine LLC

Street Classification Urban Access Street Length 500 feet

Type of Approval: X Final Acceptance Prior to Final Paving

Verification of occupancy permits for 50% of the housing units in the subdivision, if there are more than 20 lots in the subdivision or 50% of the approved construction phase. N/A

Total number of lots 24

Number of occupancy permits issued 22

Number of lots in phase 24

Number of occupancy permits issued 22 / 91%.

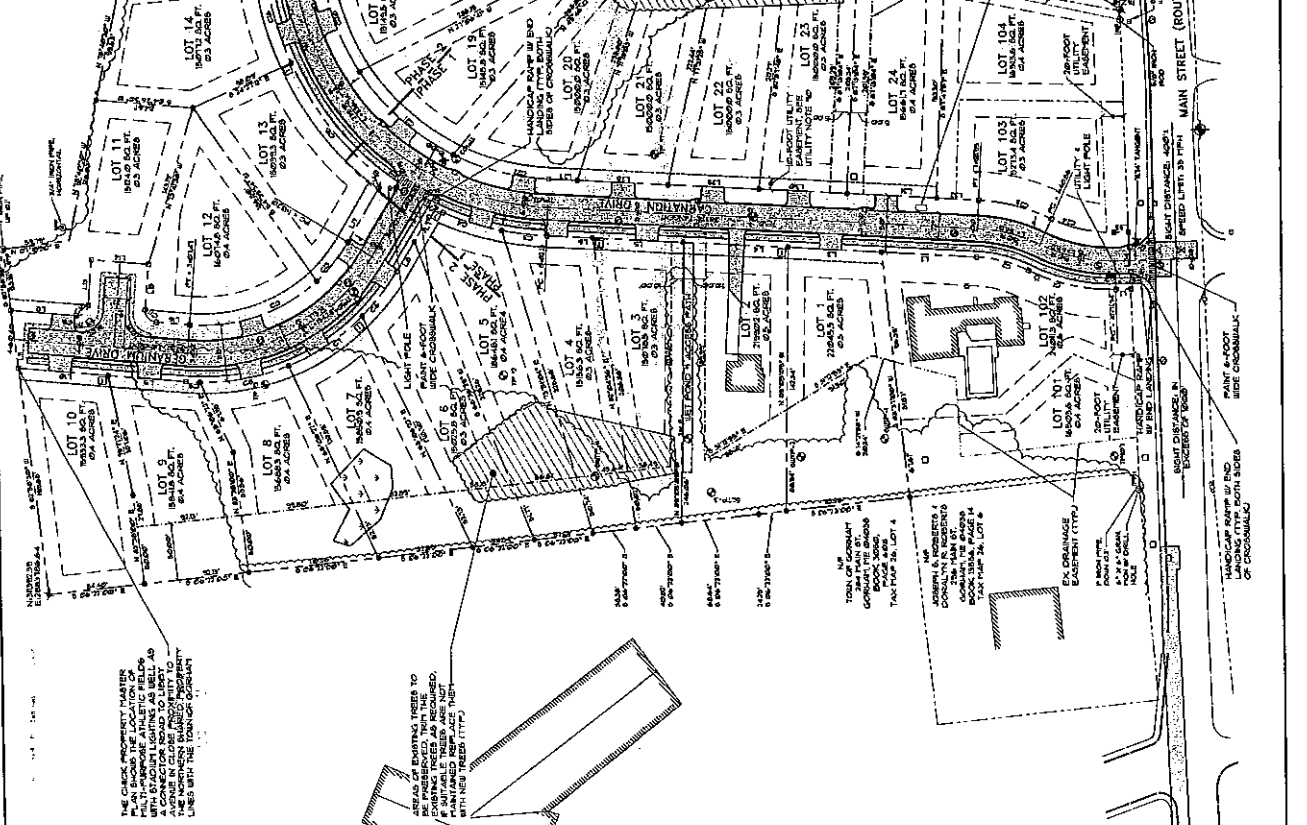
Please mark each of the following items Yes, No or NA (Not applicable)

- 1. X Letter of Cession.
2. X Road Deed (includes center of turning circle).
3. X Transfer Tax Form.
4. X Easement deeds for road drainage.
5. n/a Other documents
6. X Reviewed by Town Attorney and approved on 1-28-18
7. n/a Fire pond/dry hydrant installations reviewed & approved by Fire Chief.
8. X PWD: Water/Final Inspection Report received.
9. X PWD: Sewer/Final Inspection Report received.
10. X As-Built drawings delivered to: X Engineer X Public Works X Planner & Zoning Administrator.
11. X Maintenance Guarantee Acct.: Amount \$5,000.00 Type LOC Date 10-30-17
12. X Road Improvement Acct.: Date Established
13. X Legal Documents & Plan ROW provided to Town Clerk. Date 3-28-18
14. X Public Works Director's Final Report.

Note any incomplete items or compliance issues: None

LAWN AVENUE

EASEMENT NOTES:
1. THE TOWN OF CORHAM GRANTS TO THE PROPERTY OWNERS ASSOCIATION, THE DRAINAGE ACCESS AND EASEMENT TO THE COMMON PROPERTY OF THE ASSOCIATION. THE DRAINAGE ACCESS AND EASEMENT ON LOT 25 IS GRANTED TO THE COMMON PROPERTY OF THE ASSOCIATION.
2. THE 8" FOOT UTILITY EASEMENT ON LOTS 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, AND 25 IS GRANTED TO THE COMMON PROPERTY OF THE ASSOCIATION.
3. THE 8" FOOT UTILITY EASEMENT ON LOTS 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, AND 25 IS GRANTED TO THE COMMON PROPERTY OF THE ASSOCIATION.



R.O.W. DESCRIPTIONS

LINE TABLE

LINE NO.	BEARING	LENGTH	CURVE DATA
1	N 89° 58' 30" W	10.00	10.00
2	N 89° 58' 30" W	10.00	10.00
3	N 89° 58' 30" W	10.00	10.00
4	N 89° 58' 30" W	10.00	10.00
5	N 89° 58' 30" W	10.00	10.00
6	N 89° 58' 30" W	10.00	10.00
7	N 89° 58' 30" W	10.00	10.00
8	N 89° 58' 30" W	10.00	10.00
9	N 89° 58' 30" W	10.00	10.00
10	N 89° 58' 30" W	10.00	10.00
11	N 89° 58' 30" W	10.00	10.00
12	N 89° 58' 30" W	10.00	10.00
13	N 89° 58' 30" W	10.00	10.00
14	N 89° 58' 30" W	10.00	10.00
15	N 89° 58' 30" W	10.00	10.00
16	N 89° 58' 30" W	10.00	10.00
17	N 89° 58' 30" W	10.00	10.00
18	N 89° 58' 30" W	10.00	10.00
19	N 89° 58' 30" W	10.00	10.00
20	N 89° 58' 30" W	10.00	10.00
21	N 89° 58' 30" W	10.00	10.00
22	N 89° 58' 30" W	10.00	10.00
23	N 89° 58' 30" W	10.00	10.00
24	N 89° 58' 30" W	10.00	10.00
25	N 89° 58' 30" W	10.00	10.00

LEGEND

EXISTING	PROPOSED
Property Line	Property Line
Easement	Easement
Drainage	Drainage
Utility	Utility
Water	Water
Sewer	Sewer
Gas	Gas
Electric	Electric
Telephone	Telephone
Other	Other

SUBDIVISION PLAN, APPROVED BY THE TOWN OF CORHAM PLANNING BOARD
[Signatures]
DATE: 10/12/11

LOT INFORMATION

LOT #	AREA	PERCENT	PROPERTY #	ASSESSMENT #	ASSESSMENT DATE
1	10.00	100%	1	1	10/12/11
2	10.00	100%	2	2	10/12/11
3	10.00	100%	3	3	10/12/11
4	10.00	100%	4	4	10/12/11
5	10.00	100%	5	5	10/12/11
6	10.00	100%	6	6	10/12/11
7	10.00	100%	7	7	10/12/11
8	10.00	100%	8	8	10/12/11
9	10.00	100%	9	9	10/12/11
10	10.00	100%	10	10	10/12/11
11	10.00	100%	11	11	10/12/11
12	10.00	100%	12	12	10/12/11
13	10.00	100%	13	13	10/12/11
14	10.00	100%	14	14	10/12/11
15	10.00	100%	15	15	10/12/11
16	10.00	100%	16	16	10/12/11
17	10.00	100%	17	17	10/12/11
18	10.00	100%	18	18	10/12/11
19	10.00	100%	19	19	10/12/11
20	10.00	100%	20	20	10/12/11
21	10.00	100%	21	21	10/12/11
22	10.00	100%	22	22	10/12/11
23	10.00	100%	23	23	10/12/11
24	10.00	100%	24	24	10/12/11
25	10.00	100%	25	25	10/12/11

DESIGN OVERLAYS INC.
P.O. BOX 369, CORHAM, ME
ALLEN ACRES
MAIN STREET, ROUTE 25, CORHAM, ME

SUBDIVISION PLAN

DATE: APRIL 14, 2011
SCALE: 1"=50'
PROJECT: 10180
DRA BY: CMJ
ISS BY: CMJ/TSE
CHK BY: TSE

C1.1

