



**Town of Gorham  
SEPTEMBER 19, 2005  
PLANNING BOARD MINUTES**

ALOCATION: Gorham High School Auditorium, 41 Morrill Avenue, Gorham, Maine

**Members Present:**

**HAROLD GRANT, CHAIRMAN  
DOUGLAS BOYCE, VICE-CHAIR.  
THOMAS HUGHES  
CLARK NEILY  
MICHAEL PARKER  
SUSAN ROBIE  
MARK STELMACK**

**Staff Present:**

**DEBORAH FOSSUM, Dir. of Planning & Zoning  
AARON D. SHIELDS, Assistant Planner  
NATALIE BURNS, ESQ., Town Attorney  
BARBARA C. SKINNER, Clerk of the Board**

The Chairman opened the meeting at 7:00 p.m. and read the Agenda. The Clerk called the role, noting that all members were present.

**1. APPROVAL OF MINUTES: SEPTEMBER 12, 2005**

**Clark Neily MOVED and Susan Robie SECONDED a motion that approval of the minutes of September 12, 2005 be postponed until they are ready for action to be taken. Motion CARRIED, 7 ayes. [7:01 p.m.]**

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**2. AMENDMENT TO THE LAND USE & DEVELOPMENT CODE – “COMPLETION OF REQUIRED IMPROVEMENTS”**

**PUBLIC HEARING.** Discussion of a proposed amendment to the Land Use and Development Code, Chapter III, Subdivision, adding a new Section V, Improvements, requiring the completion of all required public improvements by the time 50% of lots or units are developed. Referred to the Planning Board by the Town Council on March 1, 2005.

Ms. Fossum explained the amendment, saying that it was proposed by Town Council members, and addresses the issue of completion of off-site public improvements and would prohibit the issuance of any building permits for more than 50% of the lots or units within a development until all required off-site improvements have been completed. She said that the amendment also addresses the fact that there could be extenuating and unusual circumstances that might affect the completion of off-site improvements.

**PUBLIC COMMENT PERIOD ENDED**

**PUBLIC COMMENT PERIOD OPENED:** None offered.

Mr. Stelmack inquired about recommending that the amendment also be applied to Chapter IV, Site Plans. Ms. Burns noted that this amendment is tied to the issuance of permits for individual lots, and on a site plan, perhaps only one or two building permits would be issued. Ms. Fossum said that in some cases residential subdivisions are subject to both site plan and subdivision review, so subdivision review would apply.

**Douglas Boyce MOVED and Thomas Hughes SECONDED a motion to recommend adoption of the proposed amendment to the Land Use and Development Code relative to requiring the completion of all required public improvements by the time 50% of lots or units are developed, with the revisions suggested by the Town Attorney. Motion CARRIED, 7 ayes. [7:10 p.m.]**

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**3. AMENDMENT TO THE LAND USE & DEVELOPMENT CODE – “LIMITED RURAL ENTREPRENEURIAL ACTIVITIES”**

**PUBLIC HEARING:** Discussion of proposed amendments to the Land Use and Development Code, Chapter 1, Sections, V, VII, and VIII, by allowing Limited Rural Entrepreneurial Activities in the Suburban Residential and Rural Districts. Referred to the Planning Board by the Town Council on May 3, 2005.

Mark Eyerman, Planning Decisions, Inc., explained that this is an historical amendment because it was included in the 1993 Comprehensive Plan to try to provide rural outlying property owners with more options for the use of their land rather than simply turn it into residential subdivisions. The proposed amendment creates two new categories of uses, the reuse of existing agricultural buildings and low growth, non-residential uses with good buffering and reasonable operating hours, adding those uses as permitted uses in both the suburban residential and the rural district, and establishing performance standards which those uses would have to meet, such as lot sizes, the relationship of the size of the building and the size of the lot, provisions for vehicular access, the amount of traffic to be generated, the kinds of uses that would occur, hours of operation and maintenance of the neighborhood through architectural controls.

**PUBLIC COMMENT PERIOD OPENED:** None offered.  
**PUBLIC COMMENT PERIOD ENDED.**

Mr. Neily pointed out a typographic error in the paragraph (e) where the wording should read “...shall not be allowed as a Rural Entrepreneurial Use *or* the Reuse *of* an Existing Agricultural Building...”

Ms. Burns indicated that she has no problem with Mr. Eyerman’s suggested language dealing with special exception performance standards; the Board concurred.

**Douglas Boyce MOVED and Susan Robie SECONDED a motion to recommend adoption of the proposed amendment to the Land Use and Development Code Chapter 1, Sections, V, VII, and VIII, allowing Rural Entrepreneurial Activities Including the Reuse of Existing Agricultural Buildings in the Suburban Residential and Rural Districts, with the proposed revisions suggested by the Town Attorney and furthered amended by Mr. Eyerman’s suggestions and included in the Agenda Memo dated September 19, 2005. Motion CARRIED, 7 ayes. [7:19 p.m.]**

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**4. SITE PLAN – INDUSTRIAL FACILITY - 17 GORHAM INDUSTRIAL PARKWAY - by BLC FLEX REALTY, LLC, MICHAEL COOPER, KENNETH LEFEBVRE & DAVID GRAY, MEMBERS**

**PUBLIC HEARING:** Request for approval of a proposed 14,250 SF industrial building in the Grondin Commercial Subdivision. Zoned I; Map12/Lot26.003.

Andrew Johnson, St. Germain & Associates, appeared on behalf of the applicant and described the project. He said the site is being raised so that it drains toward a drainage ditch, there will be two entrances with one-way traffic circulation, and there will be 15 parking spaces, one for the office and the remaining 14 for the industrial building. Ken Lefebvre said that there will be two tenants and their business will be warehousing and distribution.

Mr. Shields said that staff’s concerns have been addressed, and that a condition of approval has been crafted stating that the revised engineering details and plans shall be reviewed and approved by the Town’s consulting engineer prior to the endorsement of the mylar by the Board.

PUBLIC COMMENT PERIOD OPENED: None offered.  
PUBLIC COMMENT PERIOD ENDED.

Mr. Parker asked if there might be a problem if later in time one of the two businesses were not present in the building's office. Mr. Lefebvre replied that the administration of both businesses will be done from a separate location, and this site is simply to accept and to re-distribute materials. Mr. Neily expressed the hope that the site will be made attractive in appearance. Mr. Boyce asked about the gravel area behind the building; Mr. Johnson said that it is being leveled off for possible future use and enables emergency access to the rear of the building. Ms. Robie said that the area was discussed during the site walk, and it was pointed out that any outside storage in that area would be subject to Code and be a code enforcement issue. Ms. Fossum said that Mr. Cooper indicated at the site walk that in the future there might be some sort of trailer placed in the area and used for storage, which, if it were a structure, would be an amendment to this site plan. She said that the Board has allowed fenced gravel storage areas in the past. Mr. Neily indicated that the Planning Board members present at the site walk saw no problem with putting gravel behind the building.

**Michael Parker MOVED and Clark Neily SECONDED a motion to grant BLC FLEX REALTY, LLC's request for approval of a proposed 14,250 SF building and associated site improvements on Lot # 3 of the Grondin Commercial Subdivision off the Gorham Industrial Parkway with conditions of approval as posted prior to the meeting and discussed with the applicant. Motion CARRIED, 7 ayes. [7:35 p.m.]**

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**5. SITE PLAN – “KING PINE MOBILE HOME PARK” – 180 NARRAGANSETT STREET – by DAVID S. KEENE**

PUBLIC HEARING: Request for approval for the redevelopment of an existing mobile home park with 18 new mobile homes. Zoned ND; Map39/Lot27.

Andy Morrell, BH2M Engineers, described the project, saying that as the site exists today, there are 11 nonconforming structures on the site, and the applicant has received Zoning Board of Appeals approval for the replacement of nonconforming structures with larger units. He said the applicant is proposing to install 18 new trailers with 2 curb cuts along Route 202 as opposed to the 4 that exist today. The existing house will remain and the detached garage on site will be relocated and reconstructed. Mr. Morrell said that all the trailers will be served by underground utilities, public sewer and public water, there will be a 25-foot grass buffer with some landscaping and a six foot stockade fence along the entire front of the project along Route 202. He said that the project is subject to both site plan and subdivision review, and asked for both preliminary and final approval.

Mr. Grant confirmed with Mr. Shields that the request for preliminary and final approval was for subdivision review.

Mr. Shields gave the staff comments, saying the project is subject to site plan and subdivision review, but is not subject to Manufactured Housing Park Overlay District regulations as it was never included as a mapped Overlay District. He said that the plans have been revised to the satisfaction of staff and recommend preliminary and final approval for subdivision and site plan.

PUBLIC COMMENT PERIOD OPENED: None offered.  
PUBLIC COMMENT PERIOD ENDED.

Mr. Neily expressed his enthusiasm for the improvement in the appearance as proposed for this site, as well as providing much-needed lower priced housing in the area. Mr. Parker asked Mr. Morrell about internal circulation in the site. Mr. Stelmack asked why the site was non-conforming and asked if the Zoning Board of Appeals was needed because larger units are being proposed; Ms. Burns confirmed that the site was non-conforming because the setbacks could not be met, and that the ZBA approval was required because of the larger units being proposed. In response to a comment from Mr. Grant about adding structures such as storage sheds, Mr. Shields commented that any change to the site plan would need to be brought back before the Board, and Mr. Morrell noted that each trailer is proposed to have an 8 by 8 storage shed. Ms. Robie brought up the importance of the grass area to the stormwater retention issues, and asked if the Board was interested in a condition of approval dealing with those areas. Ms. Burns suggested a new condition of approval #9, with which the Board and the applicant concurred, to read: "That areas established for grass coverage on the site plan shall become well established and shall remain as grassed areas permanently in order to ensure proper function of the stormwater management system."

**Susan Robie MOVED and Michael Parker SECONDED a motion that the Board waive the rules leading up to final approval and grant preliminary and final approval at one meeting. Motion CARRIED, 7 ayes. [7:30 p.m.]**

**Clark Neily MOVED and Michael Parker SECONDED a motion to grant preliminary and final subdivision approval and site plan approval of David Keene's request for a proposed 19 – Unit mobile home park on 1.72 - acres off Narragansett Street, zoned Narragansett Development District; Map 39 / Lot 27; with conditions of approval as posted prior to the meeting, discussed within this meeting and discussed with the applicant. Motion CARRIED, 7 ayes. [7:51 p.m.]**

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**6. SITE PLAN & FINAL SUBDIVISION – “GORHAM LANDING CONDOMINIUMS” – off 180 MAIN STREET – by CERTAINTECH BUILDERS, INC., RICHARD REISS, PRINCIPAL PUBLIC HEARING:** Request for final approval for an 8-unit condominium development. Zoned OR/UR; Map100/Lot6.

Les Berry, BH2M Engineers, discussed the letter written on September 16, 2005, by the Town's Attorney, Natalie Burns, Esquire, which indicates that the private driveway proposed by the applicant is acceptable. Mr. Berry said that the Town's traffic review engineer concurred with the report prepared with the applicant's traffic engineer, with the only concern being the potential for traffic delays caused by left hand turns into the project which could be revisited should there be any problems in the future. Mr. Berry discussed the proposed hammerhead, saying they believe it is adequate as it is presently configured. Mr. Berry said the plans have been revised to show no parking on the side of the road exiting the project in order to comply with the Fire Chief's request. Mr. Berry indicated their net residential calculations adequately deal with the issue of steep slopes. He discussed the condominium documents which include a maintenance agreement referring back to the subdivision plans which will show all the easements properly identified. Mr. Berry indicated that no additional lighting is proposed as each house will have its own outside exterior light. He said that they have met with the Towles to discuss the issue of their driveway, and it is understood that the applicant will work with the Towles to assure that they are satisfied.

Ms. Fossum gave the staff comments, noting that there are several key items which have not been fully addressed to the satisfaction of the Town's review engineer. She also commented that the developer will need to seek a waiver from the Town Manager from the 5-year no-cut moratorium imposed by the State on Route 25. She said that the letter from the Town Attorney provides an opinion on how access drives such as the one contemplated in this application can be approved in condominium developments, and she

distributed to the Board a compilation summarizing a number of condominium projects approved in the past two years showing where access drives have been utilized, rather than public roads, so long as these drives meet the requirements for safe ingress and egress and can support public safety vehicles. She said that in this case the developer is proposing a road which will meet urban access roadway standards. Ms. Fossum said staff believes the hammerhead issue is one of safety, that the developer has been asked to meet the minimum standards under the ordinance, which means that the proposed road beyond the turnaround needs to be extended another 10 feet. She said that there should be a written deed for the drainage easement to the Town, even though it is shown in the subdivision plan. Ms. Fossum noted that a street light was to be provided on the driveway access road or at the entrance to the parking lot, either on the Brown apartment project or on this one, but it does not appear on the plans. She explained that the applicant is proposing to use his funds to construct the project and is requesting approval of a conditional agreement in lieu of a performance guarantee.

**PUBLIC COMMENT PERIOD OPENED:**

Ardene Towle, 192 Main Street, said she and her husband have met with Mr. Berry, and based on their discussions, many of their prior issues have been resolved. She said the driveway issue is one they can work through. She asked what alternative plan is contemplated should left turns prove to be an issue. She asked if the utilities are to be underground.

**PUBLIC COMMENT PERIOD ENDED.**

Mr. Hughes reiterated his concerns about safety of the access road, and asked for clarification about the driveways. Mr. Berry explained that there are two separate driveways, the Towle driveway being totally separate from the project's driveway.

Mr. Grant expressed his concern about the proposed access driveway and the need for a 50-foot right of way, and quoted the following paragraph from the Town Attorney's letter of September 16, 2005:

"The Ordinance establishes a somewhat different requirement for multi-family housing, which is defined as a building with three or more separate dwelling units in it. The street standard for this development, which is found in Chapter II, Section IV. B.9, states that public roads have to meet the public roads standards and private roads have to meet the private road standards. The language in the Ordinance refers to the street standards 'in the subdivision regulations.' However, the street standards are not in the subdivision regulations any longer. Instead, they are in Article II. The language of this section may mandate a different result from the language in the clustered development section, as discussed above."

Mr. Grant also read from the multi-family standards as follows:

"The construction of any new multi-family dwelling or the conversion of an existing single-family or two-family dwelling into a multi-family dwelling shall be done in accordance with the following standards:

\* \* \*

B.5 All private access roads shall be located within a 50 foot dedicated right-of-way. No off-street parking shall be located within this right-of-way."

Mr. Grant also quoted from the standards for private ways, page 153, Item H.4):

“\* \* \*

H.5 Private ways shall have a minimum right-of-way width of 50 feet and a paved apron 20 feet in length commencing at the existing edge of pavement where it intersects with the private way.”

Mr. Grant quoted as well from the report made by the Town's Engineer, Casey & Godfrey: "Given the projected traffic volumes the drive will be classified as an entrance by MDOT. It is understood that under

Gorham's street classification and design standards, it is an access road since it will serve more than ten dwelling units."

In response to a question from Mr. Parker, Ms. Burns stated that there is not a road standard established for a condominium development as there is for a traditional subdivision or for multi-family housing. She said there is only the generic site plan condition discussed in the last paragraph of her letter. The Board then discussed at length the safety aspects of the proposed access drive, that a 24-foot roadway is more important than a 50-foot right-of-way, and the need to create in the future a specific road standard for condominiums. Mr. Grant polled the Board, asking how many members were in favor of the plan as it is now: Mr. Stelmack, Ms. Robie, Mr. Neily, Mr. Boyce and Mr. Parker were in favor; Mr. Grant and Mr. Hughes were not in favor. Mr. Grant asked that a plan note be added to indicate that the road will be 24 feet of pavement but the subgrades will be in accordance with the specifications of urban access.

Ms. Burns said she believes that an easement should be granted for the portion of the Towles' driveway to the extent that it is on this development's parcel.

Ms. Robie said that she believes that the development is consistent with the concept of high density growth in the Village area, that the developer has come up with the best possible entrance, given the street trees, abutters issues and distance from the intersection with Route 202, and because there is nothing in the Code that prohibits it, it is in the best interest of the Town that it be approved the way it is. Mr. Neily and Mr. Hughes concurred with Ms. Robie. Ms. Robie said she would like ask the developer to make the hammerhead turn comply and to make it 50 feet in both directions. Mr. Grant polled the Board and the majority concurred that the hammerhead should meet the standards.

Mr. Boyce expressed concern about existing on-street parking on the opposite side of Main Street which could cause traffic travelling easterly on Main Street to be stopped behind left turning traffic into the project. Mr. Parker asked that a plan note be added that trash should be privately removed. Mr. Parker also suggested to the abutters that whatever issues remain should be clarified and made part of the plan before final approval is granted.

Mr. Stelmack asked the applicant to explain why the project meets the Site Plan Approval Criteria for Erosion Control and Natural Features. Mr. Stelmack suggested that in the future the review engineers give more specifics on whether a project meets these criteria.

Mr. Berry asked for the Board's guidance on the lighting issue. Mr. Boyce asked that a total cutoff luminaire be installed; the Board concurred.

With regard to the Route 25 moratorium, Mr. Berry said that the water is across the street and that they will contact the Town Manager about securing a waiver.

**Douglas Boyce MOVED and Michael Parker SECONDED a motion to postpone until the developer to ready to bring the application back before the Board. Motion CARRIED, 7 ayes.**  
[8:50 p.m.]

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*Stretch Break to 9:00 p.m.*

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**7. SITE PLAN AMENDMENT – “180 MAIN APARTMENTS” – 180 MAIN STREET –  
by DAVID R. BROWN**

PUBLIC HEARING: Request for final approval of a 6-unit apartment building with eight additional boarding rooms. Zoned OR/UR; Map100/Lot6.

Mr. Grant pointed out that many of the issues involved in this item are identical with those of the previous item as the two are interrelated.

Mr. Berry referred to the Fire Chief’s requirement that there be a 12 foot sidewalk for the use of fire trucks, which Mr. Berry explained to the Chief would be like a parallel road. Mr. Berry said that the Fire Chief indicated he would be satisfied with a 5-foot sidewalk made of turf stones, concrete pavers that can be placed on gravel which have holes in them for grass to grow up through and which can support a fire truck. The Board concurred that it would be satisfied with whatever the Fire Chief agrees to.

Ms. Fossum gave the staff comments, noting that cross easements or agreements covering the maintenance of the stormwater detention pond because both Lot 1 and Lot 2 will utilize the same detention area.

The Board agreed that other relevant items for discussion had been covered during the discussion held on Item 6.

PUBLIC COMMENT PERIOD OPENED:       None offered.  
PUBLIC COMMENT PERIOD ENDED.

**Michael Parker MOVED and Douglas Boyce SECONDED a motion to postpone the item.  
Motion CARRIED, 7 ayes. [9:12 p.m.]**

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**8. SITE PLAN & PRELIMINARY SUBDIVISION – “VILLAGE GREEN CONDOMINIUMS –  
off LIBBY AVENUE – by GORHAM VILLAGE GREEN, LLC, LESTER S. BERRY & JOHN  
LaPOINTE, MEMBERS**

Request for preliminary subdivision approval and site plan discussion of a proposed 10-unit residential condominium development. Zoned OR; M109/Lot 10.005 & 10.001.

Lester Berry, BH2M Engineers, described the project, and said that a new plan has been submitted which now proposes a public street and 50 foot right of way. He noted, however, that the new plan present several issues that deal with ownership, maintenance and design. He said that the plan for landscaped open space is in the middle of a cul de sac which was to be owned and maintained by the Home Owners Association would not be permitted and would have to be removed. Secondly, after the project is completed the road would be offered to the Town for acceptance, and upon acceptance the Town would be responsible for roadway maintenance and infrastructure. Mr. Berry pointed out that in the new plan there would be sidewalks, landscaping and other improvements which would be located partially inside and partially outside the right of way.

Ms. Burns said that anything that is within the boundaries of the road right of way, if it is a public street, is going to have to be owned by the Town, and if the cul de sac is not part of the road, it has to be a lot, which it is not. She said that if it is a public road, the cul de sac would have to be included in what is decided to the Town. Ms. Burns referred Mr. Grant to page 143 of the Ordinance, “Acceptance of Streets and Ways,” and the language of 1) “The owner(s) shall give the town a deed to the property within the

boundaries of the street...” saying that the entire width of the street, including the cul de sac, would have to be deeded to the Town. Ms. Fossum pointed out that the project’s frontage comes off Route 25, and every single unit owner owns the land in common, including the land that the access drive or road is constructed on; however, the standard private way is a separate segment of road or 50 foot right of way that is either owned by one person or owned in common, a number of lots front on it, each of those lots is in a different ownership, and each of those different owners have deeded rights to cross the private way. To determine to what standard a private access road should be constructed, Ms. Fossum quoted from the specific road criteria in Chapter IV under site plan for safety standards, and said that then a classification is derived from the number of trips to be generated by the number of proposed units and a reasonable standard is then obtained, which is why most of these access drives are urban access. After considerable discussion, five Board members (Susan Robie, Clark Neily, Thomas Hughes, Michael Parker and Mark Stelmack) agreed that there need not be a 50-foot right of way, returning to the original plan proposal of a private condominium access drive built to urban access standards, 24 feet wide. The Board concluded that the Town Council should be asked to consider the issue of 50 foot rights of way. Ms. Burns said that the Board could grant preliminary approval with a condition that plans showing a revised access drive design will be submitted for final approval.

**Michael Parker MOVED and Douglas Boyce SECONDED a motion to grant the request by Gorham Village Green LLC, for preliminary subdivision plan approval for the Village Green Condominiums, a proposed 10-unit condominium development on 5.77 acres of Libby Avenue, zoned Office Residential, as discussed without a 50 foot right of way but meeting road construction standards as set forth on the plan. Motion CARRIED, 6 ayes (1 nay, Harold Grant). [9:54 p.m.]**

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## 9. ADJOURNMENT

**Michael Parker MOVED and Douglas Boyce SECONDED a motion to adjourn. Motion CARRIED, 7 ayes. [9:55 p.m.]**

Respectfully submitted,

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Barbara C. Skinner, Clerk of the Board  
\_\_\_\_\_, 2005



**4. SITE PLAN – INDUSTRIAL FACILITY - 17 GORHAM INDUSTRIAL PARKWAY - BLC FLEX REALTY, LLC, MICHAEL COOPER, KENNETH LEFEBVRE & DAVID GRAY, MEMBERS**

**Approved 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 applicant and that any variation from the plans, proposals and supporting documents is subject to review and approval by the Planning Board, except for de minimis changes which the Director of Planning may approve;
2. That the applicant is responsible for obtaining all local, state and federal permits required for the development of this project;
3. That all construction and site alterations shall be done in accordance with the “Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices,” Cumberland County Soil and Water Conservation District, Department of Environmental Protection, dated 2003;
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 building shall meet all applicable sections of the NFPA 101 Life Safety Code, and the NFPA Fire Prevention Code 1;
6. That the building shall be completely sprinkled, and shall meet all applicable sections of the Town of Gorham’s Sprinkler Ordinance. The sprinkler plans shall be submitted to the State Fire Marshal’s Office and the Gorham Fire Department for review and permitting. The plans shall be submitted at least two weeks prior to the start of installation of the system;
7. That a complete set of building construction plans shall be submitted to the State Fire Marshal’s Office and the Gorham Fire Department for review and permitting. The plans for the Fire Department will be provided on the day the building permit is issued;
8. That a complete listing of any hazardous materials and their safety data sheets shall be provided to the Fire Department. This list shall be supplied on a CD ROM;
9. That prior to a foundation inspection, a Licensed Surveyor provide the Code Enforcement Officer with a survey plan certifying that the required setbacks for the structure have been met;
10. That the revised engineering details and plans shall be reviewed and approved by the Town’s consulting engineer prior to the endorsement of the mylar by the Planning Board;
11. That prior to the commencement of any site improvements and/or earth-moving activities associated within the approved subdivision, the applicant shall arrange pre-construction meetings with the selected Review Engineer, Public Works Director, Fire Chief, Code Enforcement Officer and the Planning Director to review the proposed schedule of improvements, conditions of approval, and site construction requirements;
12. That the site improvements shall be completed as shown on the approved plans prior to request for either temporary or final occupancy permits for the building; or a performance guarantee, covering the remaining site improvements shall be established through the Planning Department; and
13. That the conditions of approval shall be recorded at the Cumberland County Registry of Deeds within thirty (30) days of the date of written notice of approval by the Planning Board and a dated copy of the recorded Decision Document shall be returned to the Town Planner prior to the issuance of any building permits or commencement of any improvements on the site.

**5. SITE PLAN – “KING PINE MOBILE HOME PARK” – 180 NARRAGANSETT STREET – by DAVID S. KEENE**

**Approved 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 applicant and that any variation from the plans, proposals and supporting documents is subject to review and approval by the Planning Board, except for de minimis changes which the Director of Planning may approve;
2. That the applicant is responsible for obtaining all local, state and federal permits required for the development of this project prior to the commencement of any site improvements;
3. That all construction and site alterations shall be done in accordance with the “Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices,” Cumberland County Soil and Water Conservation District, Department of Environmental Protection, dated 2003;
4. That prior to the commencement of any site improvements and/or earth-moving activities associated within the approved subdivision, the applicant shall arrange pre-construction meetings with the selected Review Engineer, Public Works Director, Fire Chief, Code Enforcement Officer and the Planning Director to review the proposed schedule of improvements, conditions of approval, and site construction requirements;
5. That all houses are to be properly numbered with the numbers being visible from the street year around;
6. That the site improvements shall be completed as shown on the approved plans prior to request for either temporary or final occupancy permits for the building; or a performance guarantee, covering the remaining site improvements shall be established through the Planning Department;
7. That the applicant shall be responsible for the cost and installation of all required street signs to be placed in locations approved by the Fire Chief and Police Chief;
8. That the applicant shall provide property line information and site information in auto-cad format to the Town of Gorham Tax Assessor prior to the pre-construction meeting with staff;
9. That areas established for grass coverage on the site plan shall become well established and shall remain as grassed areas permanently in order to ensure proper function of the stormwater management system;
10. That these conditions of approval and the final plans shall be recorded at the Cumberland County Registry of Deeds within thirty (30) days of the date of written notice of approval by the Planning Board, and a dated copy of the recorded Decision Document shall be returned to the Town Planner prior to the issuance of any building permits or commencement of any site improvements within the development.