



Town of Gorham
APRIL 3, 2006
PLANNING BOARD MINUTES

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

Members Present:

DOUGLAS BOYCE, Vice-Chair
THOMAS FICKETT
THOMAS HUGHES
MICHAEL PARKER
SUSAN ROBIE
MARK STELMACK
EDWARD ZELMANOW

Staff Present:

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

Douglas Boyce, Vice Chairman, called the meeting to order at 7:01 p.m. and read the agenda, noting that there is a request to add an 8th item to the agenda. The Clerk called the roll, reporting that everyone was present. Mr. Boyce read an e-mail message from Harold Grant, past chairman.

1. BOARD REORGANIZATION

A. INTRODUCTION OF NEW MEMBERS:

Mr. Boyce introduced Thomas Fickett and Edward Zelmanow, who have been appointed to replace Harold Grant and Clark Neily on the Board.

B. ELECTION OF OFFICERS

The Clerk called for nominations for the position of Chairman:

Douglas Boyce NOMINATED and Michael Parker SECONDED Susan Robie for the position of Chairman. Thomas Hughes MOVED and Michael Parker SECONDED a motion that the nominations be closed. Motion CARRIED, 7 ayes.

The nomination of Susan Robie as Chairperson CARRIED, 6-ayes, 1 abstention (Ms. Robie).

The Chairperson called for nominations for the position of Vice Chairman:

Thomas Hughes NOMINATED and Michael Parker SECONDED Douglas Boyce for the position of Vice-Chairman. Mark Stelmack MOVED and Edward Zelmanow SECONDED a motion that the nominations be closed (7 ayes).

The nomination of DOUGLAS BOYCE as Vice Chairman CARRIED, 6 ayes, 1 abstention (Mr. Boyce).

C. COMMITTEE APPOINTMENTS

Douglas Boyce MOVED and Michael Parker SECONDED a motion to postpone action on the committee appointments until the Board has met in workshop to determine how the committees will function. Motion CARRIED, 7 ayes. [7:05 p.m.]

Ms. Fossum said that the Board would discuss the committees in a workshop before the regularly scheduled Planning Board meeting on April 10, 2006, and vote on the appointments at the meeting after that.

2. APPROVAL OF MINUTES: MARCH 6, 2006

Michael Parker MOVED and Thomas Hughes SECONDED a motion to accept the minutes of March 6, 2006, as written and distributed.

Discussion: Mr. Parker commended the Clerk of the Board on her fine work on the preparation of the minutes. Mr. Boyce seconded Mr. Parker's comments.

Motion CARRIED, 5 ayes, two abstentions (Thomas Fickett and Edward Zelmanow). [7:06 p.m.]

Douglas Boyce MOVED and Mark Stelmack SECONDED a motion to add an additional item to the Agenda as requested for Moody's Collision Center as Item #8. Motion CARRIED, 7 ayes. [7:07]

3. FINAL SUBDIVISION - "FAIRFIELD WOODS" – off 229 BUCK STREET – by BENJAMIN P. & SANDRA J. SMITH

Request for final plan approval of a 4-lot residential subdivision with 3 new lots on 72.57 acres. Zoned R/SR-SZ; M79/L3 & M62/L21.

Mr. Fickett asked to be excused from participation in the discussion on this item because of a prior business relationship with the applicant.

Douglas Boyce MOVED and Mark Stelmack SECONDED a motion to excuse Mr. Fickett from participation in the discussion on this item. Motion CARRIED, 6 ayes (Thomas Fickett excused). [7:09 p.m.]

Jeff Read, Pinkham & Greer, appeared on behalf of the applicants and gave an overview of the history of the project. He said that he believes all issues have been addressed and asked for final approval.

Mr. Shields gave the staff comments, indicating the project involves three new lots and one legal outsale, and inasmuch as the project will have no roadway system or requirement for an association, there are no legal documents involved. He said the plans have been revised to the satisfaction of staff and engineering, and said that staff recommends final approval.

Mr. Shields replied to a question from Ms. Robie that all DEP permits have been received. Mr. Shields told Mr. Hughes that there is one driveway which will impact the wetlands, requiring a wetland fill permit.

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

Douglas Boyce MOVED and Thomas Hughes SECONDED a motion to grant Benjamin and Sandra Smith's request for final subdivision plan approval of the proposed "Fairfield Woods Subdivision," a 3-lot residential subdivision off Buck Street, with conditions of approval as posted prior to the meeting and discussed with the applicant.

DISCUSSION: Mr. Zelmanow noted that he has familiarized himself with the subject matter and feels confident that he can cast an informed vote at this time.

Motion CARRIED, 6 ayes, (Thomas Fickett excused). [7:15 p.m.]

Mr. Fickett rejoined the Board.

4. FINAL SUBDIVISION – "HARDING BRIDGE FARMS-PHASE II" / "STAGECOACH LANE" - off HARDING BRIDGE ROAD – by LITTLE RIVER PROPERTIES, LLC [KENNETH & CAROLYN M. GRONDIN, MEMBERS]

Request for final plan approval of a 13-lot residential subdivision and a one-lot private way on 36.70+/- acres. Zoned R/SZ; M50/L13.

Owens McCullough appeared on behalf of the applicants and gave an overview of the project. He said the MDEP Site Location Permit has been secured and the site will be served by public water and individual on-site septic systems. Mr. McCullough discussed the creation of a small private way to be called Stagecoach Lane that will provide access for Lot 21 and also provides access to the abutting property of Althea Irish, which had been landlocked when the Town discontinued a portion of Harding Bridge Road. Mr. McCullough noted that the Irish parcel is a challenging piece of land but does have the potential of yielding a few developable lots. As a result of discussions and an agreement with the Irishes, Mr. McCullough said that the private way will be constructed so that the width is slightly larger than that required in the ordinance for one lot and so that at some time it may provide access for the Irishes to their parcel. He said that Little River Properties wants to retain the right of way under its ownership, the reason being that the Grondins are considering moving to Gorham on one of the lots and want to have control over how the road is cared for and used over time. Therefore, the applicants are asking to keep ownership of the private way until such time in the future when they may want to convey the rights to it; however, there is a public easement established over it to the Town of Gorham.

Mr. McCullough said that when the Harding Bridge Road was abandoned ownership reverted back to the center of the old right of way on each side; however, there is a public easement that is retained over it. Mr. McCullough said the applicants were asked to create an easement to maintain pedestrian access down to the bridge, which has been done, as well as widening the easement somewhat at the river. He said that the road will be constructed this summer to the rural road standards of 20 feet of pavement with 4 foot shoulders on each side, with the goal to ultimately turn it over to the Town. He said that once the road is constructed, the hammerheads that had been constructed would be removed and reverted back to the lot owners.

Mr. McCullough said that the legal documents were being worked on. Ms. Burns noted that the Offer of Cession needs to be revised.

Mr. Shields gave the staff comments, commenting that there are changes to certain plan notes; the first one being plan note #29, which will be revised to read that "ownership of Stagecoach Lane shall remain with Little River Properties until such time Little River Properties conveys out the fee ownership. The Town of Gorham shall be granted a perpetual access and utility easement over that right of way." Mr. Shields said that the last line of the plan note reading "The right of way shall be restricted to allow access to no more than 6 residential house lots" should be deleted. He said that in this way, the private way is not limited to the number of lots it can serve but is allowed to be developed in the future as access to the abutting property. He said a note has been added to the plan specifically saying that the developer shall be responsible for the construction of the private way and for all associated improvements that are shown on the private way plan. Mr. Shields noted that some plan notes have also been changed correspondingly on the private way plan, with a new #15 saying that "The fee interest in the private way shall be retained by Little River Properties and is subject to an easement to the Town of Gorham."

Mr. Shields said that the applicants have shown financial and technical capacity, there is a condition of approval requiring that the Mylar be held until the legal documents are properly revised, and staff finds that the plan is consistent with the requirements of the ordinance.

Mr. Stelmack, Mr. McCullough and Mr. Shields discussed the engineering review comments. Mr. Zelmanow asked about the use of booster pumps as per a recommendation from the Portland Water District; Mr. Grondin replied that no booster pumps were used in phase 1. Mr. Shields confirmed to Mr. Parker that the granite monuments will be 4 feet long, 5 inch by 5 inch. Mr. Fickett asked if the private way would be constructed to the Irish property line. Mr. McCullough replied that it will end within 40 feet or 50 feet of the Irish property. Mr. Hughes asked if there were ever a chance that a discontinued road would be used again. Ms. Burns said that when the Town Council voted to discontinue it, it did so pursuant to the statute which says that if the fee ownership was with the Town, it reverted back to the

abutting property owners, but it did remain subject to a public easement being automatically retained, unless the discontinuance order says otherwise. She said that if the Town wanted to in the future it could lay it out, take it and recreate it. Ms. Robie asked about a note on the plan relating to the extinguishment of a pedestrian access. Ms. Robie suggested that the plan note be removed because the easement will remain regardless. Mr. McCullough agreed to note that although it is discontinued, there is a public easement that remains over it. Mr. Shields suggested removing the last sentence referring to “upon formal execution.”

Mr. Boyce commended the applicants, their engineer and staff for their hard work, and asked staff for information about the status of Harding Bridge Road. Mr. Shields said that in phase 1 the applicants were required to make the necessary improvements per an agreement with the Public Works Department and the Town for most of the entire length of Harding Bridge Road, and it was decided that the improvements would be better off not made until near the end of completion of phase 2, in order that all the construction traffic would not impact a newly constructed road. He said that Mr. Grondin has posted a bond to make the improvements. Insofar as the abutting project is concerned, Mr. Shields said that project is still in limbo, and Mr. Grondin has to bear the entire cost of the improvements. Hopefully, the abutting developer will cooperate with Mr. Grondin and contribute some of the cost of the improvements.

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

Michael Parker MOVED and Douglas Boyce SECONDED a motion to grant final subdivision approval of Little River Properties’ request for Harding Bridge Farms II Subdivision, a proposed 13-lot residential subdivision on 36.70 acres off Harding Bridge Road and to grant a Private Way approval for Stagecoach Lane, a one lot private way, with conditions of approval as posted prior to the meeting and discussed tonight and elsewhere with the applicant.

Discussion: Mr. Boyce asked about the phrase “a one lot private way” and asked if it should be re-worded. Mr. Hughes suggested eliminating the phrase “one-lot,” Ms. Fossum said it would require whoever proposes to add additional lots to come before the Board to amend the private way approval, so it is alright to remove the phrase “one-lot.”

Michael Parker MOVED and Douglas Boyce SECONDED a motion to amend the original motion by removing the phrase “one-lot.” Motion CARRIED, 7 ayes. [7:42 p.m.]

Mr. Zelmanow noted that he has familiarized himself with the background of this application and is confident that he can make an informed decision. Mr. Fickett said he too has gone over the background material and feels that he can make an informed decision.

Original Motion as amended CARRIED, 7 ayes. [7:44 p.m.]

5. PRELIMINARY – “GERRY’S WAY SUBDIVISION” & “GERRY’S WAY” – off 423 SOUTH STREET – by LEO J. KILEY

Request for preliminary approval of an 11-lot residential, cluster subdivision with 10 new lots and a 900’ rural access road on 26 acres, on land of Gerry. Zoned R; M5/L21

Walter Stinson, Sebago Technics, appeared on behalf of the applicant and explained the proposal. He said that ten additional lots, in addition to the homestead, would be developed on 26 acres, with a 900 foot rural access road to known as Gerry’s Way. He said that the road will be 20 feet of pavement with 4 foot shoulders on each side. Mr. Stinson noted that the project will be served by on-site sewage disposal systems and individual wells. The road will be constructed to the rural access standards. He said that the project is proposed as a clustered residential subdivision, with 25 to 30% of the site at the rear to be retained as open space. Mr. Stinson said the lots will range in size from 46,000 square feet to about 105,000 square feet, which is the homestead lot. He said that using the cluster proposal there would be minimal impact on the wetlands, with one minor impact where the road crosses of less than 1500 feet.

Mr. Stinson mentioned a landscape plan which would include street trees and foundation plantings for the homes to be constructed as additional amenities under the cluster provisions of the ordinance.

Mr. Shields made the staff comments, noting an aerial photograph which could be useful in the Board's consideration of waiving the requirement for access to abutting properties, as the applicant has requested. Mr. Shields also remarked about the changed net residential calculations dealing with isolated land, which, however, still permit the 11 units requested by the applicant. Mr. Shields said that a traditional plan was provided during sketch plan discussions and the Board indicated that a cluster plan seemed the better way to go, but noted that this is an open field and landscaping and tree planting is important. He said that if the Board asks the developer to provide additional features in return for cluster approval, they may want to make that clear tonight either as a condition of preliminary approval or prior to granting preliminary approval.

Mr. Parker asked about well casements having to be grouted down to bedrock. Mr. Shields said that this is not unusual and is to seal the case to prevent seepage. Mr. Stinson said he did not believe this particular piece of property required the grouting anymore than any other piece of land. Mr. Parker asked about the road construction; Mr. Stinson said the road will be 20 foot of pavement with a 4 foot shoulder on each side, with road ditches for drainage and the road sloped to drain at its lowest point. Mr. Parker asked about the drive to lot 7. Ms. Fossum said that at the site walk there was discussion about combining the driveway entrances for lots 10 and 11 to eliminate a new entrance on Route 114. Ms. Robie said that was her recollection as well, and expressed surprised to see that it is not addressed in this plan. Mr. Stinson said the developer's preference would be to have the individual driveway on Route 114, but if the Board feels strongly about not having another entrance on Route 114, they could combine the drives for lots 10 and 11 rather than going through lot 7 out back. Ms. Robie polled the board on this issue: Mr. Stelmack said he thought it was the most logical solution. Mr. Boyce said he was in support of combing access wherever possible to minimize curb cuts, and wanted to insure that lots having dual access take their access only from the private way. Mr. Hughes concurred, as did Mr. Parker, Mr. Zelmanow, Mr. Fickett and Ms. Robie.

Mr. Stelmack discussed whether the drainage has been designed under the new DEP regulations. Mr. Shields said this will be an on-going item of discussion with outside review engineers, and some modifications to be the code may be necessary in the future, but the way the drainage has been designed is adequate and it does not have to be permitted by DEP. Mr. Shields said there is no detention pond because of the way the stormwater is being handled through riprap swales and level spreaders.

Mr. Hughes noted that the under the cluster provisions of the code, permanent open space should be set aside to be owned and maintained by the property owners and which should be accessible to the residents of the project, and, at a minimum, the use of this open space should include various passive recreation uses such walking, picnicking, fishing, etc. He asked if the area proposed as open space in this space can be used for recreation purposes, or is it simply land that cannot be built on anyway. Mr. Stinson replied that the while the land does include certain deductible features from the overall calculations, it is suitable for passive recreation and access is provided to it for all potential residents of the development. Ms. Robie asked about access to the open space; Mr. Stinson replied that 4 of the 11 lots would have direct access out their back yards, and the remaining people would have a good access. Ms. Robie said that within the Board's purview of cluster requirements, she would like to see a 20 foot wide stretch between Lots 4 and 5 to serve as a pedestrian way for people in the development to be able to access what appears to be the flattest usable portion of the set aside land. Mr. Stinson said he would look at that possibility.

At Ms. Robie's request, Mr. Stinson described the proposed landscaping as two trees per lot with foundation plantings on the properties. Mr. Shields confirmed that the trees would not be inside the public right of way.

The Board then discussed at length the issue of access to adjoining land, particularly the issue of the ownership of certain abutting properties. It was ultimately decided that staff and the applicant's engineer will work to clarify ownership and demonstrate the topography of adjoining properties, and that the Board would not make a determination on a waiver of the access requirement until more information is available. Mr. Shields said that prior to final approval the property ownership issue will be clarified and it will be determined if access is feasible or possible. Ms. Fossum pointed out the major transmission lines in CMP-owned property abutting this applicant's parcel.

Ms. Robie confirmed with Ms. Fossum that the Board does not need to make specific findings on each element of the cluster provisions of the ordinance, and that the Board needs to make a determination that the cluster plan is the better plan of development. Mr. Stelmack indicated that he does not see any problem with the applicant's ability to meet any of the provisions; Mr. Hughes, Mr. Parker, Mr. Boyce, Mr. Fickett and Mr. Zelmanow all concurred. Ms. Robie concurred as well, provided the applicant agrees to investigate the access issue.

Mr. Shields responded to a query from Mr. Stelmack that a conventional subdivision plan was presented to the Board at the time of sketch plan deliberation. Ms. Fossum asked if the Board wanted to see the conventional plan again; no one said that they did.

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

Douglas Boyce MOVED and Thomas Fickett SECONDED a motion to grant preliminary approval of Leo J. Kiley's request for the Gerry Subdivision, a proposed 11-lot cluster subdivision on 26 +/- acres off South Street, zoned Rural, Map 5, Lot 21 with the condition that the applicant give further consideration to the road extension requirement of the ordinance. Motion CARRIED, 7 ayes. [8:45 p.m.]

Ten Minute Stretch Break to 8:55 p.m.

6. PRE-APPLICATION CONFERENCE: SUBDIVISION PLAN – “VILLAGE WALK CONDO” – off 162 SOUTH STREET – by KATHLEEN & TODD D. MORRISSETTE

Discussion of a proposal for an 8-unit residential condominium project off 162 South Street on 4.73 acres. Zoned UR; M25/L7.001.

Ms. Robie asked to be recused from participation in this item as she is related to an abutter to the project and is involved in a private way development with that abutter.

Douglas Boyce MOVED and Michael Parker SECONDED a motion to recuse Ms. Robie from participation in this item. Motion CARRIED, 6 ayes (Susan Robie recused). [8:56 p.m.]

Mr. Boyce assumed the chair.

Jon Whitten, Terradyn Consultants, appeared on behalf of the applicants and introduced the project. He explained that the land involved was split off another parcel to have 80 feet of frontage along South Street by way of a 50 foot stretch of land about 645 feet into the property, which then opened up to about 150 feet wide. The proposed roadway would be a private road, 20 feet wide with a 4 foot shoulder on the right with a sidewalk directly abutting a curbed section on the left. The private way would end in a hammerhead. It is anticipated that each of the 8 units would have a single car garage and room to park

two cars in their driveways with an additional 8 spaces for visitors. There is public water and sewer in South Street to serve the development, with a pump station behind Unit 7. Mr. Whitten discussed a depression area or man-made pond which will be eliminated and a plan to convey storm water through an existing culvert. He said that DEP wetland permitting is not anticipated, but some level of stormwater permitting will be required. Mr. Whitten said that the 50 stretch of land into the property some 645 feet carries access and utility rights for Joseph Key at 162 South Street which will be maintained. Finally, Mr. Whitten said they will seek a waiver of the 200 foot distance separation requirement of the entrance from Maplewood Drive, which is only 86 feet away.

Mr. Shields indicated that staff has no comments at this time.

Mr. Parker asked about the road standard proposed; Mr. Whitten said it would be proposed as a paved private way. He confirmed to Mr. Hughes that there would be a 4 foot gravel shoulder with ditch on the south side and curbed on the north side. Mr. Stelmack noted that in addition to a waiver of the separation distance from Maplewood, they might need a similar waiver from Bramblewood as well. Mr. Whitten said they would talk to staff about that before coming before the Board again. Mr. Hughes commented that Maplewood Drive has had significant drainage and water problems in the past, and hopefully the drainage plan for this project would not exacerbate that problem. Mr. Whitten discussed the proposed drainage for certain of the units with Mr. Parker. Mr. Hughes asked about any kind of proposed buffering and/or landscaping plans. In response to Mr. Boyce, Mr. Whitten said he is delineating a 35x45 foot building window, and the applicants are also considering a 28x42 foot unit. Mr. Boyce asked for a reference if possible to a similar type of development that the Board has considered. Mr. Whitten told Mr. Stelmack that the wetlands have been flagged; Mr. Stelmack asked to see some type of report from Sebago Technics about the wetlands delineation. Mr. Parker and Mr. Whitten discussed the hammerhead.

PUBLIC COMMENT PERIOD OPENED: Joseph Key, 162 South Street, commented that the pond was used for ice skating when he was young. He asked about getting access off the private way and using the right of way to develop his own land. Mr. Boyce said the Board will have to decide if it will grant waivers to allow this project's access to be less than the required 200 feet from Maplewood and perhaps Bramblewood as well. He suggested that Mr. Key talk to staff about using this proposed private way to develop his land. Mr. Parker suggested that Mr. Key talk to the developer of this property to see if easements can be included for however many lots Mr. Key would like to develop.
PUBLIC COMMENT PERIOD ENDED.

In response to a query from Mr. Fickett, Mr. Shields noted that the pump station will be private.

Mr. Boyce directed that a sitewalk be scheduled. [9:20 p.m.]

Ms. Robie rejoined the Board.

7. PRE-APPLICATION CONFERENCE: PRIVATE WAY PLAN SECOND AMENDMENT – “KAYLA WAY” – off MIDDLE JAM ROAD - by SCOTT M. & DIANE L. ANDERSON AND KEVIN A. KELLEY

Discussion of a proposal to amend a private way to serve one additional lot. Zoned SR; M97/L37.

Walter Stinson appeared on behalf of the applicants and explained that Kayla Way was approved by the Planning Board in January of 1993, was designed to serve one lot, and was constructed according to the standards of the time. He said that the applicants have purchased a lot which has frontage on that private way, and in order to have legal frontage the road will need to be upgraded to serve that additional lot.

Mr. Shields indicated that there were no staff comments.

Mr. Boyce said that perhaps the requirement for a sitewalk is marginal as the Board has been in the area for a sitewalk on another project. The Board concurred that no sitewalk is needed. [9:20 p.m.]

8. SITE PLAN AMENDMENT – MOODY’S COLLISION CENTER – 200 NARRAGANSETT STREET – by SHAWN MOODY

Request for approval to add a 480 sf mechanical room to the new building approved on February 6, 2006. Zoned Narragansett Development District; Tax Map 39/Lot 22.

Shawn Moody explained to the Board that discussions with the Fire Chief showed that access would be required to the upstairs of the facility approved by the Board on February 6, 2006, but such an access stairway would interfere with an internal mechanical room. The best way to achieve the required access would be to add a 20 by 24’ addition to the rear of the building to serve as the mechanical room and to allow the modifications necessary to satisfy the access issue.

In response to Mr. Parker, Mr. Moody indicated that parking would be reduced by 3 spots. Mr. Shields said that the site’s parking far exceeded the amount required.

Mr. Shields indicated that there were no staff comments.

Douglas Boyce MOVED and Thomas Fickett SECONDED a motion to grant Shawn Moody’s request for an amendment to the approve Moody’s Collision Center at 200 Narragansett Street with conditions of approval as posted prior to the meeting and discussed with the applicant. Motion CARRIED, 7 ayes. [9:25 p.m.]

9. ADJOURNMENT

Douglas Boyce MOVED and Thomas Fickett SECONDED a motion to adjourn. Motion CARRIED, 7 ayes. [9:26 p.m.]

Respectfully submitted,

Barbara C. Skinner, Clerk of the Board
_____, 2006

3. FINAL SUBDIVISION - "FAIRFIELD WOODS" – off 229 BUCK STREET – by BENJAMIN P. & SANDRA J. SMITH

**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 prior to the commencement of any site improvements, land clearing and/or earth-moving activities associated within the approved subdivision, the applicant shall arrange pre-construction meeting's with the Planning Department, 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;
4. That prior to the issuance of any occupancy permits within the subdivision, each structure shall be properly numbered with the number visible from the street year round;
5. That at least one week prior to the date of the pre-construction meeting, a complete set of the final approved plan set will be delivered to each of the following: (1) Inspecting Engineer, (2) Public Works Director, and (3) Director of Planning;
6. That the applicant shall provide property line information and site information, including each sheet of the final approved set of plans for the project, in auto-cad format (version 2000) to the Planning Office prior to the scheduled pre-construction meeting and upon completion of the project shall also provide the final record drawings in auto-cad format to the Public Works Department;
7. That all new homes within the subdivision will be sprinkled and the sprinkler plans must be submitted to the State Fire Marshal's office and the Gorham Fire Department for review and permitting. The plans to Gorham Fire shall be submitted at least two weeks prior to the start of construction of the system in each building;
8. That the sprinkler test papers shall be forwarded to the Fire Department before a certificate of occupancy is issued;
9. That all driveways within the subdivision, existing or new, shall be constructed with a paved apron with 4" of bituminous pavement commencing at the edge of existing street for a length of 20'; and
10. That these conditions of approval and Final Subdivision Plan Mylar 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 along with a receipt showing the recording of the above items shall be returned to the Town Planner prior to the commencement of construction or conveyance of any lots within the subdivision.

4. FINAL SUBDIVISION – “HARDING BRIDGE FARMS-PHASE II” / “STAGECOACH LANE” - off HARDING BRIDGE ROAD – by LITTLE RIVER PROPERTIES, LLC

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 prior to the commencement of any site improvements and/or earth-moving activities associated within the approved subdivision, the applicant shall arrange for a pre-construction meeting with the Planning Staff, Public Works Director, Fire Chief, Code Enforcement Officer, Town Engineer, Site Contractor, Design Engineer and himself to review the proposed schedule of improvements, conditions of approval, and site construction requirements;
4. That 3 (three) complete sets of the final approved plan set will be delivered to (1) the Inspecting Engineer, (2) Public Works Director, and (3) Director of Planning one week prior to the pre-construction meeting;
5. That the applicant shall provide property line information and site information, including each sheet of the final approved set of plans for the project, in auto-cad format (version 2000) to the Planning Office prior to the scheduled pre-construction meeting and upon completion of the project shall also provide the final record drawings in auto-cad format to the Public Works Department;
6. That prior to any occupancy within the subdivision each structure shall be properly numbered with the number visible from the street year round;
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 hydrant locations shall be determined by the Fire Chief at the time of installation. The cost of the hydrants and their installation shall be the developer’s responsibility;
9. That the private way shall be maintained for emergency vehicles year-round;
10. That the applicant’s engineer shall certify that the streets or ways have been constructed in accordance with the specifications of the Town of Gorham’s Land Use and Development Code and in accordance with the plans and specifications approved by the Planning Board. Furthermore the applicant’s engineer shall be responsible for providing record drawings accurately reflecting these improvements as required by the Code;
11. The applicant shall create a homeowners association or other legal entity acceptable to the Town and shall submit the association documents or declaration creating the association or other legal entity in a form acceptable to the Town Attorney. The documents or declaration shall specify the rights and responsibilities of each lot owner with respect to the maintenance, repair, and plowing of all streets within the subdivision, and shall state that the homeowners association and/or the lot owners shall be responsible for all costs related to the street. The applicant shall be responsible for recording the

approved documents in the Cumberland County Registry of Deeds within 90 days of the date of approval of the subdivision by the Planning Board;

12. That prior to the release of the signed Mylar the applicant shall provide revised legal documents to the satisfaction of the Town Attorney; and
13. That these conditions of approval, the Final Subdivision Plan and the Private Way Plan shall be recorded at the Cumberland County Registry of Deeds within thirty (30) days of the date of written notice of approval by the Planning Board, and a dated copy of the recorded Decision Document shall be returned to the Town Planner prior to issuance of any building permits for any of the lots within the subdivision.