



Town of Gorham
PLANNING BOARD WORKSHOP NOTES
August 6, 2007

A workshop meeting of the Gorham Planning Board was held on Monday, August 6, 2007, at 6:30 p.m. in the Municipal Center Council Chambers, 75 South Street, Gorham, Maine.

In attendance were Susan Robie, Chairperson, Douglas Boyce, Thomas Fickett, Thomas Hughes, Michael Parker, and Edward Zelmanow. Board member Mark Stelmack was absent. Town Planner Deborah Fossum and Assistant Planner Tom Poirier, Town Attorney Natalie Burns and Clerk of the Board Barbara Skinner were also present.

AGENDA ITEMS

1. **Notes of July 9, 2007, Workshop Meeting.**
There were no comments or corrections to the July 9, 2007 workshop notes.
2. **Chairman's Report of Town Council Ordinance Committee Meeting.**
The Chairman indicated that there had been no meeting of the Council's Ordinance Committee Meeting.
3. **Pre Application Conference: Reduction in Perimeter Setback – 6 Cyr Drive – New Portland Parkway Subdivision – by Landmarcs, Inc.**
Presentation of a request to reduce the required perimeter setback to 50' for a proposed landscaping business at 6 Cyr Drive, Lot 4 in the New Portland Parkway Commercial Subdivision. Zoned I, (*Black Brook and Brackett Road Special Protection District*). (M29/L2.003).

Mark Bergeron, Pinkham & Greer, appeared on behalf of the applicant, Mark Herrick. Mr. Bergeron explained that Landmarcs, Inc., is a landscaping company that has purchased Lot 4 in the New Portland Parkway Subdivision, where the applicant is proposing to construct a 50' by 50' gravel pad for storing landscaping supplies and 4 paved parking spaces. No building or septic system facilities are being proposed for the site. The applicant's minor site plan application is proceeding through review with the Minor Site Plan Review Committee. In the meantime, the applicant is asking for Planning Board approval to reduce the required 100-foot perimeter setback to 50 feet, as the Industrial District Performance Standards permit the Planning Board to reduce the setback by 50% if it finds that doing so would result in a better plan of development for the site.

Mr. Boyce commented that without seeing a development plan, it would be premature of the Board to grant the buffer reduction waiver request. After discussion, the Board concurred that the waiver cannot be granted at this time. It was also determined that no site walks are held for minor site plans.

4. **Pre Application Conference: Private Way Amendment – Blueberry Lane – by Donald Gilbert**
Presentation of a proposal to amend the previously approved plan for Blueberry Lane, a 400' private way serving two lots located off North Gorham Road, to a 157' private way to serve one 3-unit building. Zoned SR. (M97/L2)

Bill Thompson, BH2M, appeared on behalf of the applicant and explained the application. He said that Blueberry Lane was approved on September 2, 2004 as a 400' private way serving two single-family house lots, and the applicant currently is proposing to amend the plan to a 157' private way serving one 3 unit building. Each unit will have its own septic system. Mr. Thompson said that most likely the private way and the parking lot will be paved..

Ms. Fossum confirmed that the application will require review under multi-family subdivision standards and minor site plan review. Mr. Thompson confirmed to Mr. Hughes that the unit will be sprinkled. The Board concurred that a site walk should be scheduled.

5. Other Business.

Ms. Robie announced that the start of the regular Planning Board meeting will be delayed by 15 minutes in order to hear comments from the Town's noise consultant, Steve Bodwell, Resource Systems Engineering, regarding the proposed amendment to Subsection 1.H., Noise Abatement, of the Mineral Exploration, Excavation and Gravel Pits ordinance sent to the Board by the Town Council.

Ms. Robie asked Mr. Bodwell to show the Board a curve of the falloff of sound intensity from 75 dBA. Mr. Bodwell replied that it depends on how far you are from the source of the sound, it is all related to the source of the sound, every time the distance is doubled from that source, you drop 6 decibels. He said if you are 100 feet away at 75 dBA, 200 feet away you get 69 dBA, 400 feet you go to 63 decibels, and so on.

Mr. Boyce read the Board's proposed draft language as follows: "Noise is required to be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness. Noise may be equal but not exceed an hourly A-weighted equivalent sound level of 75 decibels (dBA) measured at any boundary line. The level may be reduced by the Planning Board by no more than 5 dBA (as defined and established by ANSI standards) over predevelopment conditions or conditions that exist as of (date of Planning Board public hearing) for any nonresidential uses in existence as of (date of Planning Board public hearing) at any boundaries of the Industrial district where it abuts residential uses." He asked Mr. Bodwell to explain the meaning of that language in lay terms. Mr. Bodwell said that means that the Planning Board could decide to set a different standard that would allow 5 dBA above the predevelopment conditions or conditions that exist on a certain date for a nonresidential use where it abuts a residential use. Mr. Boyce said that this language does not seem to address any consideration of how predevelopment levels will be established. Mr. Bodwell said if this language option is chosen, it doesn't say what measurements would be used, metric or statistical, it is subject to interpretation, and language would probably have to be added on how to establish a predevelopment condition. Mr. Bodwell confirmed to Mr. Boyce that the 5 dBA above predevelopment conditions has no relation to the limit of 75 dBA at any boundary line.

Ms. Robie asked Mr. Bodwell what limits he would recommend that would actually protect residential uses. Mr. Bodwell said that the State standards for residential limits are 60 decibels during the day and 50 decibels at night, they also have "quiet area" limits of 55 during the day and 45 at night. Mr. Bodwell discussed briefly how and where impacts could be calculated on residential areas by increasing sound levels over various set limitations.

Ms. Robie asked if between the Board's recommendation to the Council and the possible creation of a more useful noise standard, something could be put in the ordinance to protect residential

uses in the interim. Mr. Bodwell suggested adopting the State's daytime limit of 60 at a protected location with the Board's discretion to allow the 5 dBA increase over predevelopment conditions until there is time to evaluate different options. Mr. Hughes said that rather than relying on the Board's discretion, he would prefer to see the 60/50, and asked Mr. Bodwell to define the "protected areas" he had referred to. Mr. Bodwell said that it is where a house it can be in any zone, and also includes schools, hospitals, conservation areas, state parks, wilderness areas, etc.

6. Adjournment at 7:15 p.m.

Respectfully submitted,

Barbara C. Skinner, Clerk of the Board
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