



Town of Gorham
April 6, 2009
PLANNING BOARD MINUTES

LOCATION: Municipal Center Council Chambers, 75 South Street, Gorham, Maine

Members Present:

SUSAN ROBIE, Chairwoman
DOUGLAS BOYCE, Vice Chairman
THOMAS FICKETT
THOMAS HUGHES
MICHAEL PARKER
MARK STELMACK
EDWARD ZELMANOW

Staff Present:

DEBORAH FOSSUM, Dir. of Planning & Zoning
THOMAS POIRIER, Assistant Planner
BARBARA SKINNER, Clerk of the Board

The Chairwoman called the meeting to order at 7:11 p.m. and read the Agenda. The Clerk called the roll, noting that everyone was present.

1. APPROVAL OF THE MARCH 23, 2009 MINUTES

Mark Stelmack MOVED and Michael Parker SECONDED a motion to approve the minutes of March 23, 2009 as written and distributed. Motion CARRIED, 7 ayes. [7:12 p.m.]

2. COMMITTEE REPORTS

- A. Ordinance Review Committee** – Ms. Robie reported that this group has not met since the last meeting, and some of the administrative proposals discussed at the last meeting are currently being reworked. She indicated that a workshop will be necessary at the next Planning Board meeting.
- B. Sign Ordinance Sub-Committee** – Ms. Robie reported that the Town Planner, Chair of this subcommittee, Code Enforcement Officer and Mark Eyeran of Planning Decisions met to discuss implementation of the new Ordinance. Four additional areas were identified where modifications are needed: 1) clarification of how directional signs are calculated when a logo is present on the sign; 2) off-premises signs; 3) clarify intent of the ordinance which prohibits signs on streets for which a property does not have vehicular access; and 4) a request by the Code Officer that the language include an exemption for temporary signs associated with community events for approximately 3 days for which there is no official permit. Mr. Eyeran has been asked to draft those changes to the sign ordinance, and this group, as well as anyone else interested in attending, will meet monthly.
- C. Streets and Ways Sub-Committee** – No report, except for the site walk on Joshua Drive.

3. ADMINISTRATIVE SITE PLAN REPORT

Ms. Fossum said that since the last Board meeting, the Planning Department has received one Administrative Site Plan application from Lee Upholstery & Auto Sales for an amendment to a condition of approval attached to an earlier minor site plan approved last fall.. The application is temporarily on hold due to some financial questions that have arisen, but the applicant is taking steps to move the application forward.

Ms. Robie explained that the following items are administrative in nature and have been recommended for approval by staff. Unless a Board member or a member of the public wishes to have an item taken off the Consent Agenda for discussion, the items will be voted on as a single item without discussion.

4. CONSENT AGENDA

A. SITE PLAN AMENDMENT – Storage Structure –326 New Portland Road -- by Glidden Properties.

Request for approval of a 36' x 40' enclosed material storage structure located at 326 New Portland Road. Zoned Industrial; Map 12 / Lot 33.019.

B. PRIVATE WAY APPLICATION: “Joshua Tree Drive” – off 58 Bracket Road – by Kasey & Jessie Marsters.

Request for approval of a proposed 250' private way “Joshua Tree Drive” off 58 Brackett Road to serve two lots; Zoned Rural/Shoreland Overlay District-Stream Protection Subdistrict; Map 28/Lot 3.

There being no requests to remove any item from the Consent Agenda by either a Board member or the public,

Thomas Hughes MOVED and Thomas Fickett SECONDED a motion for approval of the items on the Consent Agenda with proposed conditions of approval.

Discussion: Mr. Poirier confirmed that the applicants have seen and consented to the Conditions of Approval.

Motion CARRIED, 7 ayes. [7:19 p.m.]

5. PUBLIC HEARING: Proposed Amendments to the Gorham Land Use and Development Code, Chapter IV, Site Plan Review Section III, Classification of Projects.

Proposed amendments to the Land Use and Development Code exempting new structures and building additions that are less than 250 square feet in area from site plan review in all zoning districts except the Village Center and Urban Commercial Districts.

Ms. Fossum explained that currently the ordinance requires that any expansion or addition, any structure whatsoever, no matter how small, goes through the administrative review process. However, in the past 18 months there have been some small storage sheds proposed by businesses which have met the zoning requirements and have had little impact on the site, but the businesses have been required to go through site review. Staff feels that in these cases this sort of application could be handled through the building permit process, so language has been developed to permit that, the exception being that any proposed structure located in the Village Center and Urban Commercial Districts will still have to go through the administrative review process, primarily to provide an opportunity to review the design requirements of the ordinance in those two districts.

PUBLIC COMMENT PERIOD OPENED: None offered.

PUBLIC COMMENT PERIOD ENDED.

Mr. Stelmack suggested replacing the language in 1d that reads “The proposed structure has all other required State and local permits” be amended to read: “All other state and local permits required for the construction of the proposed structure have been secured.” Additionally, he recommended changing 2d from “The proposed addition has all other required State and local permits” to “All other state and local permits required for the construction for the proposed addition have been secured.” It was also suggested that semicolons be added after items 1, 2, and 3 in a list, with the word “and” added before the last item.

Michael Parker MOVED and Mark Stelmack SECONDED a motion to recommend adoption of the proposed amendments to the Land Use and Development Code, Chapter IV, Site Plan Review, Section II, (A) (1) and (2) exempting new structures and building additions that are less than 250 square feet in area from site plan review in all zoning districts except the Village Center and Urban Commercial Districts, with wording as amended during this meeting. Motion CARRIED, 7 ayes. [7:25 p.m.]

6. PRELIMINARY APPROVAL: Subdivision Application -- “Wagner Farms Subdivision” – 222 Libby Avenue. -- by Risbara Brothers.

Request for preliminary approval of a 42-unit subdivision on 20.86 acres at 222 Libby Avenue to be reviewed under the Development Transfer Overlay District provisions. Zoned Urban Residential and Suburban Residential; Map 30/Lot 13/1.

Rocco Risbara came to the podium and expressed his thanks to the Board for the sitewalk held earlier the week before. He said there are some issues still to be addressed, the first one to ask the Board to make a decision about the connection between his proposed subdivision and Gateway Commons through Timber Ridge Road. He said that while the residents in Gateway Commons would prefer that the connection not be made, he needs the sewer connection, and proposed eliminating the road connection, replacing it with a sidewalk connection. He also would like the Board’s input on the curbing issue, and said that he would prefer sloped Cape Cod bituminous curbing because of financial concerns. There will be some 5000 lineal feet of curbing, with costs as follows: \$10 per foot for bituminous, \$20 per foot slip form concrete, \$30 per foot for granite. Mr. Risbara said he has not submitted house orientations, and said he would like as much flexibility as possible in the orientation of the house sites, keeping within the minimum 15 foot setback and a 25 foot maximum setback.

Mr. Poirier gave the staff comments, noting the proportional lot-to-width requirement of the District issues with the three small open space areas, which are the two proposed to accommodate bus stops with benches, and the other to accommodate the subdivision project sign at the entrance to the development. Mr. Risbara and the Board discussed this issue in detail, with Mr. Risbara and his engineer saying they will try to juggle lot lines.

Mr. Poirier indicated that the applicant has also proposed to add additional walking trails throughout the remaining open space located along the northern property boundary. The walking trails will cross the wetland areas by way of an elevated boardwalk. The proposed type of boardwalk would not allow water to flow underneath it, so the applicant will be required to revise the type of boardwalk in the vicinity of drainage swales and stream channels to a boardwalk that will allow water to flow unrestricted beneath it. After discussion, it was suggested that in order to meet the requirement for active open space, a picnic area could be established on the northeast side of the pond, as well as making the retention pond into a skating pond with a warming shack. Mr. Risbara said something will be on the next plan.

Mr. Poirier said that the Public Works Director has identified additional concerns as follows: Mr. Burns would like the installation of a gang mailbox for the subdivision, and there should be additional signage in the area of the on-street parking advising of a snow ban on parking, which should also be made a condition of approval as part of the homeowners’ association documents. Mr. Risbara was advised to start discussions for the placement of the gang mailbox with the Postmaster and then confer with the Public Works Director.

Mr. Poirier said that the applicant will need a waiver of the requirement for right of way continuation to undeveloped parcels. The only lot abutting the applicant’s parcel meeting the “undeveloped” provision is the

lot owned by Mary Proulx, which is separated from the applicant's parcel by a large wetland, one of the criteria which the Board can utilize to grant such a waiver.

Ms. Robie asked if any Board members have any additional issues to discuss. She suggested landscaping and buffering be added; Mr. Fickett said he would like to know where extra trees will be planted. Mr. Boyce asked about what options would be available for street lighting.

Ms. Robie recommended that the Board begin its discussions with the question of the interconnection of this development with Gateway Commons subdivision through Timber Ridge Road. Mr. Hughes noted that the waiver request is for the Proulx property, but the connection through Timber Ridge Road is not mandated. Ms. Robie enumerated the options: 1) to build a full road; 2) obtain the right-of-way from the Town of Gorham and not build anything; and 3) obtain the right-of-way to put in a sidewalk and bike path in. Mr. Hughes said his preference would be to maintain the 50-foot right-of-way and put in the sidewalk and bike path. Mr. Parker said he sees no need for automotive connectivity, but would like to know what the Fire Chief has said about emergency vehicles moving throughout the development, with perhaps a gated access for emergency use. Mr. Poirier said that the Fire Chief has not yet responded. Mr. Stelmack said he would agree with Mr. Parker, noting that he too would like to hear what the Fire Chief has to say. Mr. Zelmanow and Mr. Boyce concurred. Ms. Robie said that if the Fire Chief wants access through that area, it would not necessarily not have to meet any of the Town's road standards, it could be gravel and whatever width an emergency vehicle requires. It would, however, have to be plowable. A poll of the Board indicated that the Board does not want to make a vehicular road connection for general traffic, but does want something with a sidewalk and perhaps a bike path or wider with a gate if the Fire Chief so desires, and which the Public Works Department will plow. Mr. Risbara said that the Town has to agree to maintain it because there is no legal way he can plow it. Additionally, Mr. Risbara must seek the approval of the Town Council to use the right-of-way in order to put in the sewer. Mr. Poirier noted that the minimum right-of-way width to be cleared for the Portland Water District is 20 feet.

Ms. Robie asked about the possibility of additional parking spaces on the north side of the pedestrian and bike path.

The Board held a lengthy discussion with Mr. Risbara about the various types of curbing, with the consensus being that sloped Cape Cod bituminous curbing will be acceptable. Granite will be used at the entrance at Libby Avenue.

A discussion on the orientation of the proposed houses resulted in Mr. Risbara agreeing to showing 10 to 20% of the houses with different orientations on the plan, with a plan note indicating that he does not have to build them that way so long as prospective buyers are at least offered the opportunity to have them that way.

Mr. Risbara pointed out the landscaping plan, saying that the trees on site will be tree spaded off the property, but the trees would be available to him for planting as perimeter trees. He pointed out that the evergreen trees will go along the back of the existing farm lot and along the back of Lot 7 and part of Lot 8. No Board member objected to Mr. Risbara's moving the trees. Additional buffering will be placed to the north of Lots 18 and 19. Ms. Robie asked the applicant to add landscaping around the retention pond; Mr. Risbara said he would speak to the landscape architect. Mr. Hughes noted that some of the trees along the roadway could be impacted by plowing activities.

The Board held a discussion about the lighting for the development, with Mr. Boyce asking that the applicant show what the range of lighting fixture options will be. Mr. Risbara said he will check with Central Maine Power to see what is offered. Mr. Boyce recommended that full cut-off fixtures be used.

Thomas Fickett MOVED and Thomas Hughes SECONDED a motion to waive the 10:00 o'clock rule. Motion CARRIED, 7 ayes. [8:56 p.m.]

10 Minute Break to 9:10

PUBLIC COMMENT PERIOD OPENED: Melinda Shain, 12 Timber Ridge Road, commended the Board for its diligence and hard work. Ms. Shain reported that the Cape Cod bituminous curbing works well in the Gateway Commons Subdivision. She commented that changes to the field grading could impact the vegetation along the perimeter, and adding landscaping along the perimeter will be desirable. She also advocates for full cut-off lights. She likes the concept of a footpath connection between the two subdivisions but would like as little asphalt as possible.

David Wehmeyer, 20 Timber Ridge Road, thanked both the Board and the developer for the way in which the site walk was conducted. He expressed concern about the tightness of the radius of the road if a connecting roadway is built, which would make it very difficult for emergency vehicles to negotiate. He asked how long the access to his driveway will be restricted when the sewer connection work is done.

Douglas Moreira, 198 Libby Avenue, said he would like to see the on-site trees relocated to provide buffering wherever it is needed; expressed concern about blasting, and asked if abutters would be able to hook into public sewer.

Russell Sprague, 184 Libby Avenue, expressed concern about the impact of blasting on septic systems and the possibility of a pre-blast survey, rock crushing and hours of operation, noise, and dust mitigation. Mr. Sprague also commented about the safety of Libby Avenue and asked about the possibility of a sidewalk. He noted that the connection across Libby to the proposed sidewalk on the Town-owned Chick property appears to be remote. Ms. Fossum said that the developer generally follows the State's requirements and blasting protocols that are imposed by the State involved in residential construction. Mr. Risbara said that a blasting schedule will be provided.

Coleen Plummer, 222 Libby Avenue, reiterated concerns about the safety of Libby Avenue and said that the issue of sidewalks needs to be addressed. She said that house lots need to be oriented to take advantage of sun and to maximize the view, and agreed that there should be no road into Gateway Commons, only a sidewalk.

PUBLIC COMMENT PERIOD ENDED.

Ms. Robie asked that since the issue of a sidewalk on Libby Avenue has been raised, did the Board wish to ask this developer to do anything about that. Mr. Hughes said he does not believe it should be incumbent on this developer to be responsible for a sidewalk along Libby Avenue; Mr. Parker concurred. Mr. Boyce said that if the Town had a plan to provide sidewalks along Libby Avenue as a long term goal, it would be appropriate for the developer to provide a sidewalk along his frontage, but under the circumstances there is no need for a sidewalk that will not be extended beyond that frontage. Mr. Zelmanow and Mr. Stelmack agreed that the developer should not be required to address the sidewalk issue. Mr. Parker suggested that those who are concerned about the safety and traffic on Libby Avenue should speak directly to the Town Council. Ms. Robie said that the Board's mandate is to have sidewalks in developments connect to existing sidewalks, which the Board is attempting to do through the right-of-way to Timber Ridge and Gateway Commons Subdivision.

Ms. Robie suggested that anyone whose property directly abuts that of the developer should speak to Mr. Risbara specifically about where tree buffering should be placed. She also noted that insofar as rock crushing is concerned, the ordinance has a 7:00 a.m. to 5:00 p.m. weekday limitation on gravel pit operations; Mr. Risbara said he can live with that.

Thomas Hughes MOVED and Thomas Fickett SECONDED a motion to grant the applicants' request for a waiver from the requirement to provide a right-of-way continuation to abutting undeveloped land per the Land Use and Development Code.

Discussion; Mr. Zelmanow suggested stating for the record the reasons for granting the waiver. Mr. Stelmack said that the reason for granting the waiver is that access to the only lot which meets the rationale for the Board to require the connection is blocked by a large wetland parcel parallel to the shared boundary with the abutting Proulx property.

Motion as amended CARRIED, 7 ayes. [9:20 p.m.]

Michael Parker MOVED and Douglas Boyce SECONDED a motion to grant approval of Risbara Brothers' request for preliminary subdivision approval for Wagner Farm Subdivision. Motion CARRIED, 7 ayes. [9:21 p.m.]

Mr. Parker complimented the developer for his flexibility as the first to deal with the requirements of this District. Ms. Robie commended the developer on his preparations for the sitewalk.

7. PRESENTATION: Conditional Use & Site Plan Application - Elementary School – off Sebago Lake Road – by Gorham School Department.

Request for Conditional Use & Site Plan approval of a 550 student elementary school on the Stevens Farm off Sebago Lake Road with associated site improvements. Zoned Rural and Suburban Residential; Map 71 / Lot 1 & Map 53 / Lot 38.

Alan Kuniholm, PDT Architects, introduced William Stevens, owner of the property, and Bill Hoffman of DeLuca-Hoffman. He said that they are about 50% through the working drawings on the project and hopefully will go out to bid near the end of July or first part of August, with construction this fall. He said they submitted to DEP in February, and hopefully will receive those approvals in August. He said meetings have been held with the Police Chief and Fire Chief, as well as preliminary meetings with the Code Department and the Department of Education.

Bill Hoffman, DeLuca-Hoffman, came to the podium and said that the new Gorham Elementary School will replace the White Rock Elementary School and will have 550 students. The school will be 3.7 miles closer to the Town than the White Rock School. The site consists of just under 28 acres of the 57 acre Stevens property, with the school site at the rear of the property, to be accessed by a 1226-foot road built to the Urban Subcollector standards. There are fielded wetlands on site, and it is expected that 15,000 square feet of impact will be exceeded, so the wetland loss will be mitigated by relocating those wetlands to the southerly end of the site. Meetings have been held with the Corps of Engineers and DEP regarding the wetland fill permit, with the method of mitigation being suggested by the Corps.

The site work is expected to cost \$4.5 million, \$1.2 of that cost being dedicated to off-site improvements. The building has a 60,000 square foot footprint, but a floor area of 85,300 square feet, the difference being that the class room area is two stories.

The site will accommodate 15 buses and 142 parking spaces, with additional parking available for special events on some gravel shoulders and within the portion of the bus loop not dedicated as a fire lane. The circulation involves a separate loop for buses and a separate loop for parent dropoff, the idea being that students dropped off would go onto sidewalks and would not cross travel lanes or parking areas to enter the school.

Mr. Hoffman said emergency access to the site will come from the east over a 12-foot wide fire lane from the cul-de-sac of an adjacent subdivision. The project has a traffic permit issued about a year ago and was

required before the Department of Education would approve the site. The school will be served by public utilities, with a gravity sewer extended from the adjacent subdivision to the east and will be extended along the access road as well with stubs, so that sewer capability would be available should the Stevens family elect to subdivide or add lots on their remaining acreage. Water will be extended from Route 237 via a 12-inch main and deadend at the school; it is not possible to continue it as there will be a difference in the pressure zones. The site will require 3-phase power from Route 237, which will be buried along the access road. The access road will include lighting and sidewalks.

Mr. Hoffman discussed the proposed landscape buffering along the rear of the school lot, and along portions to the east and south. He pointed out playing fields on site, some of which are being constructed with local funds to alleviate some of the athletic fields shortage in the Town. He also pointed out areas of hard play areas, with paved surfaces, and soft play areas, with wood chips and playground equipment.

Illumination will be cut-off fixtures; along the access road there will be 25-foot poles at 150-foot spacing intervals. Because of the concrete foundation projecting above grade, the actual luminary of the fixture would be 26 ½ feet above grade. Within the site, some of the lights are proposed to be 20 feet versus 25 feet.

Mr. Hoffman listed the following items for discussion at this time: a waiver for the minimum distance requirement between street intersections, occurring at the entrance to Route 237 and Stevens Drive; the code requires that there be a 300' separation between streets, but the distance between the existing Stevens Road and the new urban subcollector road is 140 feet. He said that curbing needs to be discussed, whether they can use monolithic concrete instead of granite curb in certain areas of the access road. The entry radius and median would be granite. Another item for discussion is an entry sign on the road intersection between State Route 237 and the new urban subcollector road, which is an off-premise sign and is not allowed under the sign ordinance.

Mr. Hoffman said that secondary access is afforded from Parker Hill Road and is intended for emergency access, with an electronic gate to which various departments in the Town would have entry through magnetic strips on the bumpers of emergency vehicles. He said that many pedestrians would be expected to come from Parker Hill Road, as there are some 53 students in that area, but no pedestrians are anticipated from Route 237. The only reason to have sidewalks on the access road is so as not to preclude options for the Stevens family in the future.

Mr. Hoffman said that a geothermal well field will be constructed at this site, to be located in the extreme northeast corner of the site behind the building and have multiple well points.

Mr. Kuniholm returned to the podium to describe the building. He said that pitched roofs have been provided for over 80% of the building, it will be brick with white trim, a metal roof and cladding, and be in the classic "Village" style of architecture. He described aspects of the building's floor plans, pointing out the two-story classroom wings, location of the library, dining commons and other elements of the plans.

Mr. Zelmanow commented that it appears buses would be entering their loop by turning left and cutting across traffic coming from the parent dropoff loop, and suggested adding a left turn lane for the buses from the access road, where the buses would pull into a center left turn lane. Mr. Hoffman said they would look at that. Mr. Zelmanow then discussed the parking issues for the parent dropoff area, asking about the 23 short term spaces, suggesting that the 9 spaces at the top of the loop be eliminated to allow better emergency vehicle access and to permit parents to come up right up to the sidewalk, so the children do not need to walk between parked cars. Mr. Hoffman said he will look at that also. Ms. Robie asked about parking for those adults who take the children into the school, confirming that there will be no staff parking inside the parent loop. Mr. Zelmanow pointed out that there is no door immediately available to the parent dropoff, noting that there must be a curbside door at the parent dropoff loop. Mr. Kuniholm said that a door will be added at

the corner of the building. Ms. Robie suggested that the second door issue be discussed with the School Department.

Mr. Parker said that at some time in the future he would like an explanation of the traffic pattern.

Mr. Zelmanow asked if the Parker Hill Road gate could be opened for traffic departing special events. Mr. Hoffman said that the impact of special event traffic would be significant to the abutting subdivision and they are reluctant to make that access road available for traffic. Mr. Kuniholm said they will consider it. Mr. Hoffman said they will show the Board from the traffic study what they expect queues to be and how long it would take the lot to clear out.

Mr. Zelmanow also brought up the question of access to the sidewalk from the parking lot Access Drive C at two points, and suggested a third access close to the crosswalk. Mr. Hoffman said there is a grade issue but they will take a look at it.

Mr. Zelmanow asked about the 4-foot high chain link fence around the hard play surface area, saying it would block access to the fields. Mr. Hoffman said there may be a gate installed, but the school wants the playground separated from the vehicle loops so that students cannot leave the playground and enter the vehicle loops. Mr. Kuniholm said they will look at the gate access issue.

Mr. Parker asked about the possibility of snow falling off the metal roofs and impacting cars in parking spaces that would appear to be subject to snow slides. Mr. Kuniholm said there would probably be some snow fencing and they have tried to provide enough area so that snow slides will not happen.

Mr. Parker asked why concrete curbing is still being suggested for this school, in light of the poor performance of the concrete curbing at the Middle School. Mr. Hoffman explained that the material makeup is different, as the mix will have fiber reinforcing, there will be better quality control, and a stronger concrete mix. This type of curbing was not available at the time of the Middle School. Mr. Hoffman said he would provide details of the proposed curbing.

Ms. Robie said she would trade all the granite curbing along the access road for vertical granite curbing along the arc of the bus dropoff loop. A majority of the Board concurred.

Mr. Hoffman told Mr. Parker that the vernal pool issues were looked at in the spring of 2007 and 2008 and none were found. Mr. Hoffman told Mr. Stelmack that a certification about the lack of vernal pools appears in Section 11.

Mr. Hoffman described to Mr. Zelmanow how emergency vehicles will access the playing fields.

Mr. Boyce questioned the curb cut shown on the access road labeled "pit road," if this is proposed to serve the pit operations. Mr. Hoffman said if Mr. Stevens wished, he would have the option of using that curb cut, and there will be another curb cut further up labeled as "pond road." Mr. Boyce asked whether the issue of gravel trucks utilizing that portion of the access road is of concern to the School Department and said he would like to know how many years the pit could generate activity. Mr. Hoffman replied that the pit is in the reclamation phase, the process of being refilled, and there is no date certain as to when that would end. Mr. Boyce also asked about the curb cuts closer to the school; Mr. Hoffman said they are provided to complement subdivision on the Stevens property if that were to occur in the future. Mr. Parker said he would like to have staff determine the status of the pit. Mr. Boyce asked if the traffic report identified the pit traffic as well.

Ms. Robie asked about the sidewalk along the access, the section at the entrance where it is adjacent to the road rather than having an esplanade. Mr. Hoffman said they could move it back.

PUBLIC COMMENT PERIOD OPENED: William Stevens came to the podium and discussed some of the terms of the negotiations that had occurred in the purchase of his property. He referred to the granite curbing that had been asked for earlier, which is now going to be something different. Mr. Hoffman said there are some underlying agreements, and the curb proposed along the access road is different; they will be exactly clear on what is being curbed and how when they return before the Board.

Paul Hebert, 2 Stevens Drive, spoke about the amount of gravel pit traffic on a regular basis past his home and the queue of trucks waiting to get into Stevens Drive. He would like to see the pit road off the access road used exclusively to eliminate the truck traffic on Stevens Drive.

PUBLIC COMMENT PERIOD ENDED.

Ms. Robie said that the off-site premise sign is not allowed in the new sign ordinance except as are covered by State law. Mr. Poirier said that the sign would not be allowed under the old or the new ordinance. This sign would not be allowed unless permission to do so is granted by the Town Council.

Mr. Stelmack and Ms. Robie discussed what the Board's rationale would be for granting the distance separation waiver. Ms. Robie replied that the rationale would be Mr. Stevens' statement that the queue of trucks would enter the access road and turn left into the so-called "pit road" and therefore there would no longer be a blockage of trucks coming out of Stevens Drive. Mr. Hoffman said that part of the agreement is that the Stevens family can use the new access road up to that curb cut to access the gravel pit, and the roadway is being built to the urban subcollector standards, which is the heaviest pavement section he has ever seen for a school by a factor of two. Mr. Hoffman said that the traffic study would have to be reviewed to see if the counts were done when there was activity in the pit, and will have that information for the Board when they come back.

Ms. Robie directed staff to schedule a site walk.

SCHEDULE OPTIONAL MEETING – NONE NEEDED.

8. ADJOURNMENT

Douglas Boyce MOVED and Edward Zelmanow SECONDED a motion to adjourn. Motion CARRIED, 10:55 p.m.

Respectfully submitted,

Barbara C. Skinner, Clerk of the Board
_____, 2009

4. CONSENT AGENDA

A. SITE PLAN AMENDMENT – Storage Structure –326 New Portland Road -- by Glidden Properties.

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 minor changes which the Director of Planning may approve;
 2. That all other applicable conditions of approval attached to the original site plan approval shall remain fully in effect;
 3. That the applicant is responsible for obtaining all required local, state, and federal permits;
 4. That all construction and site alterations shall be done in accordance with the “Maine Erosion and Sediment Control: Best Management Practices,” Department of Environmental Protection, latest edition;
 5. That prior to the commencement of any site improvements and/or earth-moving activities associated with the approved site plan, the applicant shall arrange for a pre-construction meeting with the selected Review Engineer, Portland Water District, 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;
 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 storage building; or a performance guarantee, covering the remaining site improvements shall be established through the Planning Department; and
 7. 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.
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4. CONSENT AGENDA

B. PRIVATE WAY APPLICATION - “Joshua Tree Drive” – off 58 Bracket Road – by Kasey & Jessie Marsters.

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 applicants and that any variation from the plans, proposals and supporting documents is subject to review and approval by the Planning Board, except for minor changes which the Director of Planning may approve;

2. That prior to the commencement of construction of the private way, the applicant is responsible for obtaining all required local, state and federal permits;
3. That the applicant shall provide property line information and site information in auto-cad format to the Assistant Town Planner prior to the pre-construction meeting;
4. That prior to issuance of a building permit for lot 2, the applicant shall submit copies of the approved Maine DEP permit-by-rule to the Code Enforcement Officer and Town Planner for the driveway stream crossing;
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 planning office to be distributed to: (1) Code Office, (2) Public Works Director, (3) Inspecting Engineer, and (4) Director of Planning;
6. That prior to the commencement of any site improvements, land clearing and/or earth-moving activities associated within the approved private way, the applicant and the design engineer shall arrange for a pre-construction meeting with the Planning Department, Town 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;
7. That prior to the commencement of construction of the private way, the applicant will establish a performance guarantee with the Planning Department to cover the cost of constructing the paved apron;
8. 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;
9. That the private way shall be properly maintained for access of emergency vehicles year round;
10. That all construction and site alterations shall be done in accordance with the "Maine Erosion That prior to the issuance of the first occupancy permit the applicant's engineer shall certify that the private way has 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 will be responsible for providing record drawings accurately reflecting these improvements as required by the Code; and
11. That the private way plan, Private Way Maintenance Agreement, and decision document shall be recorded in the Cumberland County Registry of Deeds within thirty (30) days of endorsement of the plan by the Planning Board; and that a receipt from the Cumberland County Registry of Deeds showing the date, and book and page number of the recorded plan and a copy of the recorded decision document and Private Way Maintenance Agreement shall be returned to the Town Planner.